

**Western District of Michigan (Southern Division (1))
CIVIL DOCKET FOR CASE #: 1:15-cv-00359-PLM**

Dorn v. Michigan Department of Corrections et al
Assigned to: District Judge Paul L. Maloney
Cause: 42:12133 Americans with Disabilities Act -
Enforcement

Date Filed: 04/02/2015
Jury Demand: Both
Nature of Suit: 446 Civil Rights:
Americans with Disabilities - Other
Jurisdiction: Federal Question

plaintiff

John Dorn

represented by **Kara Nicole Ingelhart**
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V.

defendant

**Michigan Department of
Corrections**
TERMINATED: 06/06/2017

represented by **Clifton B. Schneider**
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ATTORNEY TO BE NOTICED

defendant

Haresh Pandya
*individually and in his official
capacity as the Regional Medical
Officer for the Southern Region of
MDOC*

represented by **Clifton B. Schneider**
(See above for address)
TERMINATED: 02/28/2018
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ATTORNEY TO BE NOTICED

defendant

Jeffrey Stieve
*individually and in his official
capacity as the Chief Medical
Officer of MDOC*

represented by **Clifton B. Schneider**
(See above for address)
TERMINATED: 02/28/2018
ATTORNEY TO BE NOTICED

Denise C. Barton
(See above for address)
ATTORNEY TO BE NOTICED

Douglas G. Powe
(See above for address)
ATTORNEY TO BE NOTICED

defendant

Thomas Finco
*individually and in his official
capacity as Correctional Facilities
Administration Deputy Director of
MDOC*

represented by **Clifton B. Schneider**
(See above for address)
TERMINATED: 02/28/2018
ATTORNEY TO BE NOTICED

Denise C. Barton
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ATTORNEY TO BE NOTICED

Douglas G. Powe
(See above for address)
ATTORNEY TO BE NOTICED

defendant

Daniel H. Heyns
*individually and in his official
capacity as Director of MDOC*

represented by **Clifton B. Schneider**
(See above for address)
*TERMINATED: 02/28/2018
ATTORNEY TO BE NOTICED*

Denise C. Barton
(See above for address)
ATTORNEY TO BE NOTICED

Douglas G. Powe
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ATTORNEY TO BE NOTICED

defendant

Bill Schuette
*in his official capacity as Attorney
General of Michigan
TERMINATED: 06/06/2017*

represented by **Clifton B. Schneider**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/02/2015	<u>1</u>	COMPLAINT <i>For Declaratory And Injunctive Relief And Money Damages</i> against All Defendants filed by John Dorn (Davis, Chris) Modified text on 4/2/2015 (ald). (Entered: 04/02/2015)
04/02/2015		FILING FEE PAID re <u>1</u> by plaintiff John Dorn in the amount of \$400, receipt number 0646-3165538 (Davis, Chris) (Entered: 04/02/2015)
04/02/2015	<u>2</u>	NOTICE that this case has been assigned to Chief Judge Paul L. Maloney (ald) (Entered: 04/02/2015)
04/02/2015		SUMMONS NOT ISSUED <i>none provided</i> (ald) (Entered: 04/02/2015)
04/02/2015	<u>3</u>	PROPOSED SUMMONS to be issued re <u>1</u> (Davis, Chris) (Entered: 04/02/2015)
04/03/2015	<u>4</u>	SUMMONS ISSUED as to defendants Thomas Finco, Daniel H. Heyns, Michigan Department of Corrections, Haresh Pandya, Bill Schuette, Jeffrey Stieve (ns) (Entered: 04/03/2015)
04/10/2015	<u>5</u>	SUMMONS returned executed; Daniel H. Heyns served on 4/9/2015, answer due 4/30/2015 (Davis, Chris) (Entered: 04/10/2015)

04/10/2015	6	SUMMONS returned executed; Thomas Finco served on 4/9/2015, answer due 4/30/2015 (Davis, Chris) Modified text on 4/10/2015 (ns). (Entered: 04/10/2015)
04/10/2015	7	SUMMONS returned executed; Michigan Department of Corrections served on 4/9/2015, answer due 4/30/2015 (Davis, Chris) Modified text on 4/10/2015 (ns). (Entered: 04/10/2015)
04/10/2015	8	SUMMONS returned executed; Bill Schuette served on 4/9/2015, answer due 4/30/2015 (Davis, Chris) Modified text on 4/10/2015 (ns). (Entered: 04/10/2015)
04/13/2015	9	SUMMONS returned executed; Haresh Pandya served on 4/9/2015, answer due 4/30/2015 (Davis, Chris) (Entered: 04/13/2015)
04/16/2015	10	SUMMONS returned executed; Haresh Pandya served on 4/16/2015, answer due 5/7/2015 (Davis, Chris) (Entered: 04/16/2015)
04/30/2015		(NON-DOCUMENT) ATTORNEY APPEARANCE of Clifton B. Schneider on behalf of defendants Thomas Finco, Daniel H. Heyns, Michigan Department of Corrections, Haresh Pandya, Bill Schuette (Schneider, Clifton) (Entered: 04/30/2015)
04/30/2015	11	PROPOSED ORDER regarding <i>Extending Date to Respond to Complaint</i> by defendants Thomas Finco, Daniel H. Heyns, Michigan Department of Corrections, Haresh Pandya, Bill Schuette (Schneider, Clifton) (Entered: 04/30/2015)
04/30/2015	12	STIPULATION AND ORDER extending deadline to respond to complaint; deadline for defendants Michigan Department of Corrections, Pandya, Finco, Heyns, and Schuette to file response extended to 5/7/2015; signed by Chief Judge Paul L. Maloney (Chief Judge Paul L. Maloney, acr) (Entered: 04/30/2015)
05/07/2015	13	MOTION to dismiss for lack of jurisdiction <i>and for failure to state a claim</i> by defendants Thomas Finco, Daniel H. Heyns, Michigan Department of Corrections, Haresh Pandya, Bill Schuette; (Schneider, Clifton) (Entered: 05/07/2015)
05/07/2015	14	BRIEF in support of MOTION to dismiss for lack of jurisdiction <i>and for failure to state a claim</i> 13 filed by Thomas Finco, Daniel H. Heyns, Michigan Department of Corrections, Haresh Pandya, Bill Schuette (Schneider, Clifton) (Entered: 05/07/2015)

05/27/2015	15	<i>FIRST AMENDED COMPLAINT For Declaratory and Injunctive Relief and Money Damages</i> against All Defendants filed by John Dorn (Davis, Chris) Modified text on 5/28/2015 (clp). (Entered: 05/27/2015)
06/01/2015	16	ORDER dismissing as moot 13 motion to dismiss; signed by Chief Judge Paul L. Maloney (Chief Judge Paul L. Maloney, cmc) (Entered: 06/01/2015)
06/08/2015	17	MOTION to dismiss for lack of jurisdiction <i>and for failure to state a claim</i> by defendants Thomas Finco, Daniel H. Heyns, Michigan Department of Corrections, Haresh Pandya, Bill Schuette; (Schneider, Clifton) (Entered: 06/08/2015)
06/08/2015	18	BRIEF in support of MOTION to dismiss for lack of jurisdiction <i>and for failure to state a claim</i> 17 filed by Thomas Finco, Daniel H. Heyns, Michigan Department of Corrections, Haresh Pandya, Bill Schuette (Schneider, Clifton) (Entered: 06/08/2015)
06/09/2015	19	SUMMONS returned executed; Jeffrey Stieve served on 6/6/2015, answer due 6/29/2015 (Davis, Chris) (Entered: 06/09/2015)
06/10/2015		(NON-DOCUMENT) ATTORNEY APPEARANCE of Kyle Anthony Palazzolo on behalf of plaintiff John Dorn(Palazzolo, Kyle) (Entered: 06/10/2015)
06/10/2015		(NON-DOCUMENT) ATTORNEY APPEARANCE of Scott A. Schoettes on behalf of plaintiff John Dorn(Schoettes, Scott) (Entered: 06/10/2015)
06/23/2015		(NON-DOCUMENT) ATTORNEY APPEARANCE of Clifton B. Schneider on behalf of defendants Thomas Finco, Daniel H. Heyns, Michigan Department of Corrections, Haresh Pandya, Bill Schuette, Jeffrey Stieve(Schneider, Clifton) (Entered: 06/23/2015)
06/23/2015	20	MOTION to dismiss for lack of jurisdiction <i>and for failure to state a claim</i> by defendant Jeffrey Stieve; (Schneider, Clifton) (Entered: 06/23/2015)
06/23/2015	21	BRIEF in support of MOTION to dismiss for lack of jurisdiction <i>and for failure to state a claim</i> 20 filed by Jeffrey Stieve (Schneider, Clifton) (Entered: 06/23/2015)
07/06/2015	22	RESPONSE in opposition to MOTION to dismiss for lack of jurisdiction <i>and for failure to state a claim</i> 20 ; MOTION to dismiss for lack of jurisdiction <i>and for failure to state a claim</i> 17 filed by

		John Dorn (Palazzolo, Kyle) Modified text on 7/7/2015 (clp). (Entered: 07/06/2015)
07/22/2015	23	REPLY to response to motion 20 , 17 filed by Thomas Finco, Daniel H. Heyns, Michigan Department of Corrections, Haresh Pandya, Bill Schuette, Jeffrey Stieve (Schneider, Clifton) (Entered: 07/22/2015)
07/22/2015	24	(DISREGARD) CERTIFICATE OF SERVICE (Schneider, Clifton) Modified text on 7/22/2015; docketed in wrong case per ECF Help Desk call (bd). (Entered: 07/22/2015)
06/06/2017	25	OPINION; signed by District Judge Paul L. Maloney (Judge Paul L. Maloney, acr) (Entered: 06/06/2017)
06/06/2017	26	ORDER granting in part 17 and 20 defendants' motions to dismiss; dismissing plaintiff's claims 1, 2, and 3 against defendants Pandya, Finco, Stieve, Heyns, and the MDOC; plaintiff's requests for declaratory and injunctive relief as to enforcement of MDOC policy and statute at issue are moot; dismissing defendant Schuette without prejudice; signed by District Judge Paul L. Maloney (Judge Paul L. Maloney, acr) (Entered: 06/06/2017)
06/29/2017	27	ANSWER to Amended Complaint 15 with affirmative defenses and jury demand by Thomas Finco, Daniel H. Heyns, Haresh Pandya, Jeffrey Stieve (Schneider, Clifton) (Entered: 06/29/2017)
07/06/2017	28	UNOPPOSED MOTION to withdraw as attorney <i>by Kyle A. Palazzolo</i> by plaintiff John Dorn; (Palazzolo, Kyle) (Entered: 07/06/2017)
07/06/2017	29	ORDER granting 28 motion to withdraw as attorney; attorney Kyle A. Palazzolo granted leave to withdraw as counsel for plaintiff; signed by District Judge Paul L. Maloney (Judge Paul L. Maloney, acr) (Entered: 07/06/2017)
07/11/2017	30	ORDER setting Rule 16 scheduling conference: Rule 16 scheduling conference is set for 8/17/2017 at 09:30 AM at 174 Federal Building, Kalamazoo, MI before District Judge Paul L. Maloney; status report due by 8/14/2017; signed by District Judge Paul L. Maloney (Judge Paul L. Maloney, acr) (Entered: 07/11/2017)
08/14/2017	31	JOINT STATUS REPORT (Davis, Chris) (Entered: 08/14/2017)
08/17/2017	32	MINUTES of scheduling conference held before District Judge Paul L. Maloney (Court Reporter: Kathleen Thomas) (Judge Paul L. Maloney, acr) (Entered: 08/17/2017)

08/21/2017	33	CASE MANAGEMENT ORDER:completion of discovery by 3/1/2018; settlement conference set for 3/21/2018 at 02:00 PM at 740 Federal Building, Grand Rapids, MI before Magistrate Judge Phillip J. Green; dispositive motions by 5/1/2018; final pretrial conference set for 10/9/2018 at 09:30 AM at 174 Federal Building, Kalamazoo, MI before District Judge Paul L. Maloney; jury trial set for 10/30/2018 at 08:45 AM at 174 Federal Building, Kalamazoo, MI before District Judge Paul L. Maloney; signed by District Judge Paul L. Maloney (Judge Paul L. Maloney, cmc) Modified text on 8/21/2017, under the directive of chambers (mg). (Entered: 08/21/2017)
08/31/2017	34	MOTION for reconsideration re 26 , 25 <i>Opinion and Order</i> by plaintiff John Dorn; (Schoettes, Scott) (Entered: 08/31/2017)
08/31/2017	35	BRIEF in support of MOTION for reconsideration re 26 , 25 <i>Opinion and Order</i> 34 filed by John Dorn (Schoettes, Scott) (Entered: 08/31/2017)
09/18/2017	36	DISCLOSURE STATEMENT re <i>Rule 26(A)(1) Initial Disclosures</i> by defendants Thomas Finco, Daniel H. Heyns, Haresh Pandya, Jeffrey Stieve (Schneider, Clifton) Modified text on 9/18/2017 (ns). (Entered: 09/18/2017)
09/18/2017	37	CERTIFICATE OF SERVICE by defendants Thomas Finco, Daniel H. Heyns, Haresh Pandya, Jeffrey Stieve re Disclosure Statement 36 (Schneider, Clifton) (Entered: 09/18/2017)
09/18/2017	38	CERTIFICATE OF SERVICE by plaintiff John Dorn <i>for Rule 26(a)(1) Disclosure Statement</i> (Schoettes, Scott) (Entered: 09/18/2017)
10/13/2017		(NON-DOCUMENT) ATTORNEY APPEARANCE of Kara Nicole Ingelhart on behalf of plaintiff John Dorn(Ingelhart, Kara) (Entered: 10/13/2017)
10/17/2017		(NON-DOCUMENT) ATTORNEY APPEARANCE of Richard Saenz on behalf of plaintiff John Dorn (Saenz, Richard) (Entered: 10/17/2017)
11/03/2017	39	CERTIFICATE OF SERVICE by plaintiff John Dorn <i>regarding plaintiff's first set of interrogatories, first set of requests for admissions, and first set of requests for production of documents</i> (Davis, Chris) Modified text on 11/6/2017 (mg). (Entered: 11/03/2017)

12/06/2017	40	CERTIFICATE OF SERVICE by defendants Thomas Finco, Daniel H. Heyns, Haresh Pandya, Jeffrey Stieve for responses to plaintiff's interrogatories, requests for admissions and request to produce (Schneider, Clifton) (Entered: 12/06/2017)
12/15/2017	41	CERTIFICATE OF SERVICE by defendant Daniel H. Heyns for responses to interrogatories (Schneider, Clifton) (Entered: 12/15/2017)
12/18/2017	42	UNOPPOSED MOTION for extension of time to <i>provide expert disclosures and resulting modification of case management order</i> by plaintiff John Dorn; (Attachments: # 1 Brief in Support, # 2 Proposed Order, # 3 Certificate of Service) (Schoettes, Scott) (Entered: 12/18/2017)
12/18/2017	43	CERTIFICATE regarding compliance with LCivR 7.1(d) re UNOPPOSED MOTION for extension of time to <i>provide expert disclosures and resulting modification of case management order</i> 42 filed by John Dorn (Schoettes, Scott) (Entered: 12/18/2017)
12/29/2017	44	AMENDED CASE MANAGEMENT ORDER: discovery deadline 5/1/2018; dispositive motion deadline 7/2/2018; settlement conference set for 5/23/2018 at 02:00 PM at 740 Federal Building, Grand Rapids, MI before Magistrate Judge Phillip J. Green; final pretrial conference set for 1/7/2019 at 10:00 AM at 174 Federal Building, Kalamazoo, MI before District Judge Paul L. Maloney; jury trial set for 1/29/2019 at 08:45 AM at 174 Federal Building, Kalamazoo, MI before District Judge Paul L. Maloney; signed by District Judge Paul L. Maloney (Judge Paul L. Maloney, acr) (Entered: 12/29/2017)
02/22/2018	45	CERTIFICATE OF SERVICE by plaintiff John Dorn for Expert Report of Paul Benson, D.O. (Schoettes, Scott) (Entered: 02/22/2018)
02/23/2018	46	CERTIFICATE OF SERVICE by plaintiff John Dorn for Expert Report of Paul Benson, D.O. (Saenz, Richard) (Entered: 02/23/2018)
02/26/2018	47	CERTIFICATE OF SERVICE by plaintiff John Dorn for Expert Report of Paul Benson, D.O. (Schoettes, Scott) (Entered: 02/26/2018)
02/28/2018		(NON-DOCUMENT) ATTORNEY APPEARANCE of Denise C. Barton on behalf of defendants Thomas Finco, Daniel H. Heyns,

		Haresh Pandya, Jeffrey Stieve (Barton, Denise) (Entered: 02/28/2018)
02/28/2018	48	ATTORNEY SUBSTITUTION adding attorney Douglas G. Powe in the place of Clifton B. Schneider (Powe, Douglas) (Entered: 02/28/2018)
03/19/2018	49	PROPOSED ORDER regarding <i>To Amend Date for The Disclosure of Defendants' Experts</i> by defendants Thomas Finco, Daniel H. Heyns, Haresh Pandya, Jeffrey Stieve (Powe, Douglas) (Entered: 03/19/2018)
03/26/2018	50	STIPULATION of <i>Protective Order</i> by plaintiff John Dorn (Schoettes, Scott) (Entered: 03/26/2018)
03/27/2018	51	PROTECTIVE ORDER; signed by District Judge Paul L. Maloney (Judge Paul L. Maloney, acr) (Entered: 03/27/2018)
03/27/2018	52	ORDER to respond; Defendant to file a response by 4/17/2018; signed by District Judge Paul L. Maloney (Judge Paul L. Maloney, cmc) (Entered: 03/27/2018)