

**U.S. District Court
Southern District of Ohio (Columbus)
CIVIL DOCKET FOR CASE #: 2:03-cv-00190-ALM-TPK**

Hoevenaar v. Lazaroff
Assigned to: Judge Algenon L. Marbley
Referred to: Magistrate Judge Terence P Kemp
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 03/03/2003
Date Terminated: 03/19/2008
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Cornelius Wayne Hoevenaar

represented by **David A Singleton**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Alan Lazaroff

represented by **Marianne Pressman**
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TERMINATED: 08/16/2007
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Date Filed	#	Docket Text
03/03/2003	1	COMPLAINT (referred to Mag. Judge Terence P. Kemp) (no. pgs: 6) (sem) (Entered: 03/05/2003)
03/03/2003		Filing Fee Paid: on 3/3/03 in the amount of \$ 150.00, receipt # 234977. (sem) (Entered: 03/05/2003)
03/03/2003	2	MOTION by plaintiff Cornelius Wayne Hoenevaar for preliminary injunction (no pgs: 12) (sem) (Entered: 03/05/2003)
03/03/2003	3	AFFIDAVIT of Cornelius W Hoevenaar regarding motion for preliminary injunction [2-1] (no pgs: 4) (sem) (Entered: 03/05/2003)
03/27/2003	4	ANSWER by defendant (no pgs: 3) (sln) (Entered: 03/28/2003)
04/14/2003	5	ORDER by Judge Algenon L. Marbley Preliminary Injunction hearing set 9:00 6/9/03 ; Telephone Status conference set 10:00 6/2/03 (cc: all counsel) (no pgs: 1) (sln) (Entered: 04/14/2003)
04/15/2003	6	RESPONSE (memo in opposition) by defendant Alan Lazaroff to pltf's motion for preliminary injunction [2-1] (no pgs: 12 + exh) (sem) (Entered: 04/16/2003)
05/02/2003	7	Stipulation and ORDER by Judge Algenon L. Marbley : plt extended to 5/20/03 to reply to dft memo in opp to injunctive relief (cc: all counsel) (no pgs: 1) (sln) (Entered: 05/02/2003)
05/12/2003	8	NOTICE of hearing: Status Conf set before TPK, room 172, 5/14/03 @ 1:30 (cc: all counsel) (sln) (Entered: 05/16/2003)
05/20/2003	9	REPLY by plt to dft's response to plt's motion for preliminary injunction [2-1] (no pgs: 11 + exh) (sln) (Entered: 05/20/2003)
05/21/2003	10	Dft's Disclosure of Witnesses and Documents (no pgs: 2) (sln) (Entered: 05/22/2003)
05/22/2003	11	Plaintiff's Disclosures (no pgs: 2) (sln) (Entered: 05/22/2003)
06/02/2003		Deposition of Steve Martin (sln) (Entered: 06/04/2003)
06/03/2003	12	MOTION by plt for writ (no pgs: 1) (sln) (Entered: 06/04/2003)
06/03/2003	13	ORDER by Judge Algenon L. Marbley granting petitioner's motion for writ (for 6/9/03 hearing) [12-1] (cc: all counsel) (no pgs: 1) (sln) (Entered: 06/05/2003)
06/05/2003	14	WRIT issued as to plaintiff (no pgs: 1) (for 6/9/03 hearing) (sln) (Entered: 06/05/2003)
06/06/2003	15	STIPULATION re motion for preliminary injunction [2-1] (no pgs: 1) (sln) (Entered: 06/09/2003)
06/06/2003		Deposition of Cornelius Hoevenaar (sln) (Entered: 06/09/2003)
06/12/2003	16	Exhibit and Witness list from 6/9/03 thru 6/10/03 hrg (no pgs: 3) (sln) (Entered: 06/16/2003)
06/19/2003		TRANSCRIPT of the 6/9/03 & 6/10/03 Preliminary Inj Proceedings (sln) (Entered: 06/19/2003)
07/03/2003	17	OPENING TRIAL BRIEF FILED by plaintiff Cornelius Wayne Hoenevaar (no pgs: 21) (sh) (Entered: 07/03/2003)
07/03/2003	18	POST TRIAL MEMORANDUM by dft in opposition to plt's mt for inj relief [2-1] (no pgs: 24 + exh) (sln) (Entered: 07/07/2003)

07/11/2003	19	REPLY by dft to plt's post trial memo in support of injunctive relief [2-1] (no pgs: 5) (sln) (Entered: 07/14/2003)
07/11/2003	20	POST TRIAL REPLY BRIEF FILED by plt regarding plt's motion for preliminary injunction [2-1] (no pgs: 18 + exh) (sln) (Entered: 07/14/2003)
07/15/2003	21	MOTION by dft to strike attachment to plt's post-trial reply brief [20-1] (no pgs: 4) (sln) (Entered: 07/16/2003)
07/23/2003	22	RESPONSE (memo in opp) by plt to dft's motion to strike attachment to plt's post-trial reply brief [20-1] [21-1] (no pgs: 4) (sln) (Entered: 07/24/2003)
07/23/2003	23	MOTION by plt to amend complaint (no pgs: 9) (sln) (Entered: 07/24/2003)
08/07/2003	24	OPINION AND ORDER by Judge Algenon L. Marbley granting plt's motion for preliminary injunction to the extent the dft is Enjoined from preventing plt from growing a kouplock in accordance with his religious beliefs, pending the outcome of the final litigation in this matter [2-1] (cc: all counsel) (no pgs: 29) (sln) Modified on 08/07/2003 (Entered: 08/07/2003)
08/15/2003	25	NOTICE OF APPEAL by defendant Alan Lazaroff from Dist. Court decision [24-1] of 8/7/03 (no pgs: 2) (jh) (Entered: 08/17/2003)
08/15/2003		APPEAL FEE paid in amount of \$ 105.00 (Receipt # 237633) (jh) (Entered: 08/17/2003)
08/17/2003		APPEAL NOTIFICATION issued CA. (jh) (Entered: 08/17/2003)
08/26/2003	26	RECEIPT OF USCA APPEAL NUMBER – Number Assigned: 03-4119 (pl) (Entered: 08/27/2003)
09/09/2003	<u>27</u>	Certified and Transmitted Record on Appeal to US Court of Appeals re 25 Notice of Appeal (1 volume of pleadings) (jh,) (Entered: 09/09/2003)
09/12/2003	<u>28</u>	NOTICE of Docketing Record on Appeal from USCA re 25 Notice of Appeal filed by Alan Lazaroff. USCA Case Number 03-4119 (pl,) (Entered: 09/19/2003)
01/06/2004	<u>29</u>	NOTICE of Hearing: Pretrial Conference set for 2/10/2004 @ 01:30 PM in chambers before Terence P Kemp. (wh,) Additional attachment(s) added on 1/6/2004 (wh,). (Entered: 01/06/2004)
02/09/2004	<u>30</u>	NOTICE of Hearing: Pretrial Conference reset for 3/30/2004 @ 01:30 PM by telephone before Terence P Kemp. (wh,) (Entered: 02/09/2004)
03/26/2004	<u>31</u>	RULE 26(f) REPORT from both parties by Defendant Alan Lazaroff. (Marti, Todd) (Entered: 03/26/2004)
04/02/2004		Case Stayed pending rulings in Cutter v. Wilkinson re RLUIPA (wh,) (Entered: 04/04/2004)
04/04/2004	<u>32</u>	PRELIMINARY PRETRIAL ORDER: case STAYED pending rulings in Cutter v. Wilkinson –further conf after rulings in Cutter. Signed by Judge Terence P Kemp on 4/2/2004. (wh) (Entered: 04/04/2004)
07/29/2004	<u>33</u>	USCA INFORMATION COPY re 25 Notice of Appeal: Granting Warden Lazaroff's motion for summary reversal, Reverse and Remand with instructions that the injunction be vacated. (jm,) (Entered: 07/29/2004)
08/30/2004	<u>34</u>	MANDATE of USCA as to 25 Notice of Appeal filed by Alan Lazaroff re : disposition filed 7/23/04 on Appeal 03-4119. (rew) (Entered: 09/01/2004)
08/30/2004	<u>37</u>	ORDER of USCA as to Appellse's motion to stay the mandate and the response in opposition, It is ORDERED that the motion be and hereby is DENIED(jm,) (Entered: 09/10/2004)
09/03/2004	<u>36</u>	Appeal Record Returned: 25 Notice of Appeal (jm,). (Entered: 09/09/2004)
09/03/2004	<u>38</u>	Appeal Record Returned: 25 Notice of Appeal (jm,) (Entered: 09/16/2004)
09/13/2004		ORDER deferring ruling on 21 Motion to Strike and 23 Motion to Amend/Correct. Pending rulings in Cutter. (dms) (Entered: 09/13/2004)

11/16/2004	<u>39</u>	USCA Case Number 04-534 for # 25 Notice of Appeal filed by Alan Lazaroff. The petition for writ of certiorari in the above entitled case was filed as No. 04-534 on 10/21/04. (rew) (Entered: 11/18/2004)
06/15/2005	<u>40</u>	Letter from the Supreme Court of the United States: The petition for writ of certiorari is granted the judgment is vacated. The case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration. (rew) Modified on 1/9/2007 to correct text (kk1). (Entered: 06/16/2005)
07/14/2005	<u>41</u>	Order of Supreme Court of the United States. It is ORDERED that Petitioner Hoevenaar recover from Warden Lazaroff Three Hundred Dollars (\$300) for costs. (dms) (Entered: 07/18/2005)
09/09/2005	<u>42</u>	USCA JUDGMENT as to 25 Notice of Appeal filed by Alan Lazaroff. The judgment of the district court is REVERSED and the case is REMANDED for further proceedings. (jm) (Entered: 09/09/2005)
09/19/2005	<u>43</u>	NOTICE of Appearance by Scott M Campbell Defendant Alan Lazaroff (Campbell, Scott) (Entered: 09/19/2005)
07/12/2006	<u>44</u>	NOTICE FROM U.S. SUPREME COURT re 25 Notice of Appeal: Assignment of Case # 05-11756 (jm,) (Entered: 07/12/2006)
10/19/2006	<u>45</u>	Order: Supreme Court of the United States - The petition for a writ of certiorari was denied on 10/02/2006. (sr) (Entered: 10/19/2006)
01/09/2007		Notice of Correction - Docket text of <u>40</u> corrected to reflect that document is a letter from the US Supreme Court & not a USCA Order as originally docketed. (kk1) (Entered: 01/09/2007)
01/11/2007	<u>46</u>	NOTICE: Status Conference set for 1/23/2007 @ 3:00pm in chambers before Terence P Kemp - (wh1) (Entered: 01/11/2007)
01/11/2007	<u>47</u>	NOTICE of Appearance by Marianne Pressman Defendant Alan Lazaroff (Pressman, Marianne) (Entered: 01/11/2007)
01/22/2007	<u>48</u>	NOTICE: Status Conference RESET for 1/26/2007 @ 3:00pm in chambers before Terence P Kemp - (wh1) (Entered: 01/22/2007)
01/26/2007		Status Conference held on 1/26/2007 before Magistrate Judge Terence P Kemp. (kk2) (Entered: 01/26/2007)
01/29/2007	<u>49</u>	ORDER signed by Judge Terence P Kemp on 1/29/2007 re <u>48</u> status conf -cont conf on/after 4/26/2007 re new prison grooming reg impact on case -(wh1) (Entered: 01/29/2007)
01/29/2007	<u>50</u>	NOTICE: Status Conference set for 5/3/2007 @ 10:00am in chambers before Terence P Kemp - (wh1) (Entered: 01/29/2007)
05/03/2007		Status Conference held on 5/3/2007 before Magistrate Judge Terence P Kemp. (kk2) (Entered: 05/03/2007)
05/11/2007	<u>51</u>	NOTICE: Status Conference set for 6/29/2007 10:00am in chambers before Terence P Kemp - (wh1) (Entered: 05/11/2007)
05/11/2007	<u>52</u>	Notice of Correction -original ntc attached to # <u>51</u> Notice of status conf contained typo in date for conf -corrected ntc attached to #51 & to this entry - (wh1) (Entered: 05/11/2007)
06/27/2007	<u>53</u>	NOTICE: Status Conference RESET for 7/5/2007 @ 11:00am in chambers before Terence P Kemp - (wh1) (Entered: 06/27/2007)
07/05/2007		Status Conference held on 7/5/2007 before Magistrate Judge Terence P Kemp. (kk2) (Entered: 07/05/2007)
07/20/2007	<u>54</u>	NOTICE: Status Conference set for 8/16/2007 @ 10:00am by teleconference before Terence P Kemp - (wh1) (Entered: 07/20/2007)
08/15/2007	<u>55</u>	MOTION to Substitute Attorney by Defendant Alan Lazaroff. (Reese, Mary) (Entered: 08/15/2007)

08/16/2007		Status Conference held on 8/16/2007 before Magistrate Judge Terence P. Kemp. (pb1,) (Entered: 08/16/2007)
08/16/2007	<u>56</u>	NOTICE: Status Conference set for 9/18/2007 @ 10:00am in chambers before Terence P Kemp – (wh1) (Entered: 08/16/2007)
08/16/2007	<u>57</u>	ORDER granting <u>55</u> Motion to Substitute Attorney. Added attorney Mary Anne Reese for Alan Lazaroff. Attorney Marianne Pressman terminated. Signed by Judge Terence P Kemp on 8/16/07. (jr) (Entered: 08/16/2007)
09/18/2007		Status Conference held on 9/18/2007 before Magistrate Judge Terence P. Kemp. (pb1,) (Entered: 09/18/2007)
09/18/2007	<u>58</u>	ORDER:Discovery due by 12/18/2007; Motions due by 1/18/2008. Signed by Judge Terence P Kemp on 9/18/07. (jr) (Entered: 09/18/2007)
03/19/2008	<u>59</u>	NOTICE of Voluntary Dismissal by Plaintiff Cornelius Wayne Hoevenaar (Singleton, David) (Entered: 03/19/2008)
03/03/2011		***Pursuant to Local Rule 79.2(b), deposition transcripts have been disposed of by the Clerk. (er1) (Entered: 03/03/2011)