

CT,IFP,PR1983,PROBONO,REOPENED,TERMINATED
U.S. District Court
District of Oregon (Eugene (6))
CIVIL DOCKET FOR CASE # 6:11-cv-06358-HZ

Barrett v. Peters et al
Assigned to: Judge Marco A. Hernandez
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 11/10/2011
Date Terminated: 05/14/2015
Jury Demand: Defendant
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Jacob Barrett

represented by **Blerina Kotori**
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V.

Defendant

Max Williams
TERMINATED: 11/14/2013

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TERMINATED: 12/06/2012

Defendant

Jeff Premo

represented by **Shannon M. Vincent**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacqueline Sadker Kamins
(See above for address)
TERMINATED: 04/04/2012

Kristin A. Wings-Yanez
(See above for address)
TERMINATED: 12/06/2012

Defendant

Michelle Whitney Dodson

represented by **Shannon M. Vincent**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacqueline Sadker Kamins
(See above for address)
TERMINATED: 04/04/2012

Kristin A. Wings-Yanez
(See above for address)
TERMINATED: 12/06/2012

Defendant

Jane Doe

Defendant

Janna Russell
TERMINATED: 02/27/2012

represented by **Shannon M. Vincent**
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Jacqueline Sadker Kamins
(See above for address)
TERMINATED: 04/04/2012

Kristin A. Winges–Yanez
(See above for address)
TERMINATED: 12/06/2012

Defendant

Oregon Department of Corrections
TERMINATED: 06/05/2012

represented by **Jacqueline Sadker Kamins**
(See above for address)
TERMINATED: 04/04/2012

Defendant

Colette Peters
substituted in place of Max Williams

represented by **Shannon M. Vincent**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Kelly Rath

represented by **Shannon M. Vincent**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/10/2011	<u>1</u>	Application for Leave to Proceed IFP. Filed by Jacob Barrett. (ljb) (Entered: 11/15/2011)
11/10/2011	<u>2</u>	Complaint. Demand for Jury Trial. Filed by Jacob Barrett against Michelle Whitney Dodson, Jane Doe, Oregon Department of Corrections, Jeff Premo, Janna Russell, Max Williams. (ljb) (Entered: 11/16/2011)
11/10/2011	<u>3</u>	Motion for Appointment of Counsel. Filed by Jacob Barrett. (ljb) (Entered: 11/16/2011)
11/10/2011	<u>4</u>	Motion for Court to Take Judicial Notice and to Disqualify Magistrate Judges Cooney, Jelderks and District Court Judges Hogan and King. Filed by Jacob Barrett. (ljb) (Entered: 11/16/2011)
11/10/2011	<u>5</u>	Motion for Preliminary Injunction, Motion for Temporary Restraining Order. Filed by Jacob Barrett. (ljb) (Entered: 11/16/2011)
11/10/2011	<u>6</u>	Memorandum in Support. Filed by Jacob Barrett. (Related document(s): Motion for Preliminary Injunction, Motion for Temporary Restraining Order <u>5</u> .) (ljb) (Entered: 11/16/2011)
11/10/2011	<u>7</u>	Affidavit of Jacob Barrett in Support of Motion. Filed by Jacob Barrett. (Related document(s): Motion for Preliminary Injunction, Motion for Temporary Restraining Order <u>5</u> .) (ljb) (Entered: 11/16/2011)
11/22/2011	8	Clerk's Notice of Mailing to Plaintiff Jacob Barrett – receive–stamped copies of documents filed with the court. (mr) (Entered: 11/22/2011)
01/02/2012	<u>9</u>	ORDER: Plaintiff's Motion for Appointment of Counsel <u>3</u> is DENIED. See attached 3–page order. Signed on 1/2/2012 by Judge Marco A. Hernandez. Copy of order mailed to plaintiff. (mr) (Entered: 01/03/2012)
01/02/2012	<u>10</u>	ORDER: Plaintiff's motion for the court to take judicial notice of bias and disqualify judges <u>4</u> is DENIED as moot. See attached 1–page order. Signed on 1/2/2012 by Judge Marco A. Hernandez. Copy of order mailed to plaintiff. (mr)

		(Entered: 01/03/2012)
01/02/2012	<u>11</u>	ORDER: Plaintiff's Motion for Preliminary Injunction and Temporary Restraining Order <u>5</u> is DENIED. See attached 4–page order. Signed on 1/2/2012 by Judge Marco A. Hernandez. Copy of order mailed to plaintiff. (mr) (Entered: 01/03/2012)
01/02/2012	<u>12</u>	ORDER TO PROCEED IN FORMA PAUPERIS AND TO COLLECT INMATE FILING FEE: Plaintiff's provisional <i>in forma pauperis</i> status is CONFIRMED. IT IS ORDERED that the Oregon Department of Corrections shall collect payments from Plaintiff's trust account and shall forward those payments to the Clerk of the Court in accordance with the formula set forth above until a total of \$350.00 has been collected and forwarded. IT IS SO ORDERED. Signed on 1/2/2012 by Judge Marco A. Hernandez. (gw) (Entered: 01/05/2012)
01/03/2012	<u>14</u>	Notice of Lawsuit and Request for Waiver of Service of Summons. Waiver of Service is due by 2/6/2012. (Attachment: # <u>1</u> Complaint) (gw) (Entered: 01/05/2012)
01/05/2012	13	Clerk's Notice of Mailing to Oregon Department of Corrections Central Trust Unit of Order to Proceed IFP and to Collect Inmate Filing Fee <u>12</u> . (gw) (Entered: 01/05/2012)
01/05/2012	15	Clerk's Notice of Mailing to Jacob Barrett of Order to Proceed IFP and to Collect Inmate Filing Fee <u>12</u> , and Notice of Lawsuit <u>14</u> . (gw) (Entered: 01/05/2012)
02/06/2012	<u>16</u>	Waiver of Service of Summons Returned Executed Filed by Janna Russell, Michelle Whitney Dodson, Jeff Premo, Oregon Department of Corrections, Max Williams. (Kamins, Jacqueline) (Entered: 02/06/2012)
02/27/2012	<u>17</u>	Answer to <u>2</u> Complaint with Jury Demand (<i>titled as Defendants' Answer to Plaintiff's Complaint and Affirmative Defenses – Jury Demand</i>). Filed by Michelle Whitney Dodson, Oregon Department of Corrections, Jeff Premo, Janna Russell, Max Williams. (Kamins, Jacqueline) (Entered: 02/27/2012)
02/27/2012	<u>18</u>	Amended Complaint. No motion for leave to file amended complaint included. Filed by Jacob Barrett against Michelle Whitney Dodson, Jane Doe, Oregon Department of Corrections, Jeff Premo, Max Williams. (Attachments: # <u>1</u> Attachments 1–3, # <u>2</u> Certificate of Service) (gw) (Entered: 02/28/2012)
03/01/2012	<u>19</u>	Scheduling Order for Civil Rights Actions Filed by Incarcerated Plaintiffs. Summary Judgment Advice Notice and Consent Form. All pretrial, discovery, and dispositive motions are due by 5/3/2012. Signed on 3/1/2012 by Deputy Clerk G. Williams. (gw) Modified on 3/1/2012 to show that order was signed by G. Williams, not Judge Hernandez (gw). (Entered: 03/01/2012)
03/01/2012	20	Clerk's Notice of Mailing to Jacob Barrett of Prisoner Civil Rights Scheduling Order and Summary Judgment Advice Notice <u>19</u> . (gw) (Entered: 03/01/2012)
04/04/2012	<u>21</u>	Notice of Attorney Substitution: Attorney Kristin A. Wings–Yanez is substituted as counsel of record in place of Attorney Jacqueline Sadker Kamins Filed by Janna Russell, Michelle Whitney Dodson, Jeff Premo, Max Williams (Wings–Yanez, Kristin) (Entered: 04/04/2012)
04/16/2012	<u>22</u>	Motion for Extension of Time. Filed by Jacob Barrett. (gw) (Entered: 04/19/2012)
04/30/2012	23	ORDER: Plaintiff's Motion for Extension of Time <u>22</u> is GRANTED. All pretrial, discovery, and dispositive motions are due by 7/2/2012. Ordered by Judge Marco A. Hernandez. Copy of this order mailed to plaintiff. (mr) (Entered: 04/30/2012)
05/09/2012	<u>24</u>	Motion for Leave to File Second Amended Complaint. Filed by Jacob Barrett. (Attachments: # <u>1</u> Proposed Second Amended Complaint, # <u>2</u> Attachments 1, 2 and 3, # <u>3</u> Certificate of Service) (gw) (Entered: 05/11/2012)
05/11/2012	<u>25</u>	Motion for Extension of Time . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Wings–Yanez, Kristin) (Entered: 05/11/2012)
05/11/2012	<u>26</u>	Declaration of Kristin A. Wings–Yanez . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Related document(s): Motion for Extension of Time <u>25</u> .) (Wings–Yanez, Kristin) (Entered: 05/11/2012)

05/23/2012	27	ORDER: Defendants' Motion for Extension of Time <u>25</u> is GRANTED. The deadline for Defendants to respond to Plaintiff's First Request for Production of Documents and Admissions is 6/11/2012. Ordered by Judge Marco A. Hernandez. Copy of this order mailed to plaintiff. (mr) (Entered: 05/23/2012)
06/05/2012	28	ORDER: Plaintiff's unopposed Motion to file a Second Amended Complaint <u>24</u> is GRANTED. The Second Amended Complaint, docket # <u>24</u> , attachment #1, supersedes all previously filed complaints. Ordered by Judge Marco A. Hernandez. Copy of this order mailed to plaintiff. (mr) (Entered: 06/05/2012)
06/05/2012	<u>29</u>	Second Amended Complaint. Filed by Jacob Barrett against Michelle Whitney Dodson, Jane Doe, Jeff Premo, Max Williams. (Attachments: # <u>1</u> Attachment). (mr) (Entered: 06/15/2012)
06/15/2012	<u>30</u>	Answer to <u>29</u> Amended Complaint with Jury Demand . Filed by Michelle Whitney Dodson, Jeff Premo, Max Williams. (Winges-Yanez, Kristin) (Entered: 06/15/2012)
07/02/2012	<u>31</u>	Motion for Extension of Time . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Winges-Yanez, Kristin) (Entered: 07/02/2012)
07/02/2012	<u>32</u>	Declaration of Kristin Wings-Yanez . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Related document(s): Motion for Extension of Time <u>31</u> .) (Winges-Yanez, Kristin) (Entered: 07/02/2012)
07/03/2012	33	ORDER: Defendants' Motion for Extension of Time <u>31</u> is GRANTED. The deadline for filing of dispositive motions is reset to 8/31/2012. Ordered by Judge Marco A. Hernandez. Copy of order mailed to plaintiff. Modified to update service information on 7/3/2012 (mr). (Entered: 07/03/2012)
07/09/2012	<u>34</u>	Motion to Strike Answer to Second Amended Complaint <u>30</u> and Affirmative Defenses and Order for Defendants to File a Proper Response and Answer. Filed by Jacob Barrett. (ljb) (Entered: 07/09/2012)
07/09/2012	<u>35</u>	Motion for Extension of Time. Filed by Jacob Barrett. (ljb) (Entered: 07/09/2012)
07/09/2012	<u>36</u>	Notice of Dispute over Discovery and Request to Resolve the Dispute. Filed by Jacob Barrett (ljb) (Entered: 07/09/2012)
07/18/2012	37	STRICKEN per order dated 7/18/2012. ORDER—Granting Plaintiff's Motion for Extension of Time <u>35</u> . Dispositive motions are due by 9/6/2012. Ordered by Judge Michael H. Simon. (mja) Modified on 7/18/2012 (mr). (Entered: 07/18/2012)
07/18/2012	38	Order for Administrative Correction of the Record pursuant to Fed. R. Civ. P. 60(a) regarding Order on motion for extension of time 37 . A Clerical error has been discovered in the case record. The Clerk is directed to make the following administrative corrections to the record: The order shall be stricken and ruling shall be made by the presiding judge in the case. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 07/18/2012)
07/18/2012	39	ORDER: Granting Plaintiff's Motion for Extension of Time <u>35</u> . Plaintiff's dispositive motions are due by 9/4/2012. Ordered by Judge Marco A. Hernandez. Copy of this order mailed to plaintiff. (mr) (Entered: 07/18/2012)
07/26/2012	<u>40</u>	Motion for Extension of Time . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Winges-Yanez, Kristin) (Entered: 07/26/2012)
07/26/2012	<u>41</u>	Declaration of Kristin Wings-Yanez . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Related document(s): Motion for Extension of Time <u>40</u> .) (Winges-Yanez, Kristin) (Entered: 07/26/2012)
08/01/2012	42	ORDER: Granting Defendants' Motion for Extension of Time <u>40</u> . Defendants' response to Plaintiff's Motion to Strike <u>34</u> is due 8/9/2012. Ordered by Judge Marco A. Hernandez. Copy of this order mailed to plaintiff. (mr) (Entered: 08/01/2012)
08/07/2012	<u>43</u>	Response to Motion to Strike Answer to Amended Complaint <u>30</u> <u>34</u> . Filed by Michelle Whitney Dodson, Jeff Premo, Max Williams. (Winges-Yanez, Kristin)

		(Entered: 08/07/2012)
08/07/2012	<u>46</u>	Defendants' Amended Answer to Plaintiff's Second Amended Complaint <u>29</u> and Affirmative Defenses, with Jury Demand. Filed by Michelle Whitney Dodson, Jeff Premo, Max Williams. (gw) (Entered: 08/22/2012)
08/22/2012	44	ORDER regarding Response to Motion to Strike <u>43</u> . The Clerk of the Court is DIRECTED to detach pages 3–7 (Attachment 1) from Defendant's Response To Plaintiff's Motion to Strike <u>43</u> , and file that attachment as a separate docket entry entitled Defendants' Amended Answer to Plaintiff's Second Amended Complaint and Affirmative Defenses. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 08/22/2012)
08/22/2012	45	Clerk's Notice of Mailing to Plaintiff Jacob Barrett regarding Order 44 . (mr) (Entered: 08/22/2012)
08/22/2012	47	Clerk's Notice of Mailing to Jacob Barrett of Defendants' Amended Answer to Plaintiff's Second Amended Complaint <u>46</u> . (gw) (Entered: 08/22/2012)
08/27/2012	<u>48</u>	Motion for Summary Judgment . Oral Argument requested. Filed by Michelle Whitney Dodson, Jeff Premo, Max Williams. (Winges–Yanez, Kristin) Modified per order dated 8/28/2012 (mr). Motion re–opened on 5/30/2013 (mr). (Entered: 08/27/2012)
08/27/2012	<u>49</u>	Memorandum in Support . Filed by Michelle Whitney Dodson, Jeff Premo, Max Williams. (Related document(s): Motion for Summary Judgment <u>48</u> .) (Winges–Yanez, Kristin) (Entered: 08/27/2012)
08/27/2012	<u>50</u>	Declaration of Randy Geer . Filed by Michelle Whitney Dodson, Jeff Premo, Max Williams. (Related document(s): Motion for Summary Judgment <u>48</u> .) (Winges–Yanez, Kristin) (Entered: 08/27/2012)
08/27/2012	<u>51</u>	Declaration of Michelle Dodson . Filed by Michelle Whitney Dodson, Jeff Premo, Max Williams. (Related document(s): Motion for Summary Judgment <u>48</u> .) (Winges–Yanez, Kristin) (Entered: 08/27/2012)
08/28/2012	52	ORDER: Plaintiff's Motion to Strike Answer to Amended Complaint <u>34</u> is DENIED as moot. Respondents' Amended Answer to Plaintiff's Second Amended Complaint <u>46</u> supercedes the previously–filed answer. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 08/28/2012)
08/28/2012	53	Clerk's Notice of Mailing to Plaintiff Jacob Barrett regarding Order 52 . (mr) (Entered: 08/28/2012)
08/28/2012	54	ORDER regarding Motion for Summary Judgment <u>48</u> . At counsel's request, the request for oral argument contained in the motion shall be stricken as oral argument was requested by mistake. The clerk is directed to strike the words "oral argument requested" from the docket text. Ordered by Judge Marco A. Hernandez. A copy of this order mailed to plaintiff. (mr) (Entered: 08/28/2012)
08/28/2012	<u>55</u>	Motion for Stay <i>Discovery</i> . Filed by Michelle Whitney Dodson, Jeff Premo, Max Williams. (Winges–Yanez, Kristin) Motion re–opened on 5/30/2013 (mr). (Entered: 08/28/2012)
09/04/2012	<u>56</u>	Summary Judgment Advice Notice and Scheduling Order regarding Motion for Summary Judgment <u>48</u> . Plaintiff shall file his opposition to defendants' motion for summary judgment within 30 days of the date of this order. Defendants shall file their reply within 14 days thereafter, at which time defendants' motion for summary judgment shall be taken under advisement. Ordered by Judge Marco A. Hernandez. (gw) (Entered: 09/05/2012)
09/05/2012	57	Clerk's Notice of Mailing to Jacob Barrett of Summary Judgment Advice Notice and Scheduling Order <u>56</u> . (gw) (Entered: 09/05/2012)
09/05/2012	<u>58</u>	Motion to Compel (titled by filer "Motion for Production of Documents"). Filed by Jacob Barrett. (gw) (Entered: 09/05/2012)
09/06/2012	<u>59</u>	Motion for Extension of Time to File a Response/Reply to Motion for Stay <i>Discovery</i> <u>55</u> , Motion for Summary Judgment <u>48</u> . Filed by Jacob Barrett. (ljb)

		(Entered: 09/06/2012)
09/17/2012	60	ORDER: Granting Plaintiff's Motion for Extension of Time to File Response to Motion for Summary Judgment <u>48</u> and Motion for Stay <u>55</u> . Response is due by 10/31/2012. Ordered by Judge Marco A. Hernandez. Copy of this order mailed to plaintiff Jacob Barrett. (mr) (Entered: 09/17/2012)
09/24/2012	<u>61</u>	Motion for Extension of Time . Filed by Michelle Whitney Dodson, Jeff Premo, Max Williams. (Winges-Yanez, Kristin) (Entered: 09/24/2012)
09/24/2012	<u>62</u>	Declaration of Kristin Wings-Yanez . Filed by Michelle Whitney Dodson, Jeff Premo, Max Williams. (Related document(s): Motion for Extension of Time <u>61</u> .) (Winges-Yanez, Kristin) (Entered: 09/24/2012)
09/25/2012	63	ORDER: Granting Defendants' Motion for Extension of Time <u>61</u> to respond to Plaintiff's Motion to Compel <u>58</u> . Response is due by 10/9/2012. Ordered by Judge Marco A. Hernandez. Copy of this order mailed to plaintiff. (mr) (Entered: 09/25/2012)
10/09/2012	<u>64</u>	Response to Motion to Compel <u>58</u> . Filed by Michelle Whitney Dodson, Jeff Premo, Max Williams. (Winges-Yanez, Kristin) (Entered: 10/09/2012)
10/29/2012	65	ORDER: Plaintiff's motion to compel <u>58</u> is GRANTED in part and DENIED in part. Plaintiff's Request No. 1, Request No. 2, and Request No. 6 are denied as overly broad. Plaintiff's Request No. 3 is GRANTED in part: defendants are to provide plaintiff with the names of the mailroom staff at the Oregon State Penitentiary and the title of their positions. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 10/29/2012)
10/29/2012	66	Clerk's Notice of Mailing to Plaintiff Jacob Barrett regarding Order 65 . (mr) (Entered: 10/29/2012)
11/01/2012	<u>67</u>	Motion for Extension of Time. Filed by Jacob Barrett. (ljb) (Entered: 11/02/2012)
11/19/2012	68	ORDER: Granting Plaintiff's Motion for Extension of Time <u>67</u> AS FOLLOWS: Responses to Defendant's Motion for Summary Judgment <u>48</u> and Motion for Stay of Discovery <u>55</u> are DUE by 12/21/2012. Ordered by Judge Marco A. Hernandez. Copy of this order mailed to plaintiff along with a courtesy copy of the Motion for Stay of Discovery. (mr) (Entered: 11/19/2012)
11/19/2012	<u>69</u>	Motion for Extension of Time. Filed by Jacob Barrett. (ljb) (Entered: 11/20/2012)
12/06/2012	<u>70</u>	Notice of Attorney Substitution:Attorney Shannon M. Vincent is substituted as counsel of record in place of Attorney Kristin A. Wings-Yanez (<i>titled "Notice of Substitution of Counsel"</i>) Filed by Janna Russell, Michelle Whitney Dodson, Jeff Premo, Max Williams (Vincent, Shannon) (Entered: 12/06/2012)
01/02/2013	71	ORDER: Granting Plaintiff's Motion for Extension of Time <u>69</u> . It appears to the court that Plaintiff's Motion for Extension of Time <u>67</u> , extending time for plaintiff to respond to 12/21/2012, was filed the same day as Plaintiff's Motion for Extension of Time <u>69</u> was received. Since it is unclear if plaintiff intends to respond to the motions, final extension for response to both the Motion for Summary Judgment <u>48</u> and Motion to Stay Discovery <u>55</u> is granted to 2/1/2013. If no response is received to the motions by 2/1/2013, the motions will be taken under advisement. Ordered by Judge Marco A. Hernandez. Copy of this order mailed to plaintiff. (mr) (Entered: 01/02/2013)
01/10/2013	<u>72</u>	Mail Returned – Undeliverable: Order 71 sent to Jacob Barrett returned as undeliverable. (gw) (Entered: 01/14/2013)
02/22/2013	<u>73</u>	OPINION & ORDER: Defendants' motion for summary judgment <u>48</u> is GRANTED, and defendants' motion for stay of discovery <u>55</u> is DENIED as moot. See 12–page opinion & order attached. Signed on 2/22/2013 by Judge Marco A. Hernandez. (mr) (Entered: 02/25/2013)
02/25/2013	74	Clerk's Notice of Mailing to Plaintiff Jacob Barrett regarding Opinion & Order <u>73</u> . (mr) (Entered: 02/25/2013)

02/25/2013	<u>75</u>	JUDGMENT: IT IS ORDERED AND ADJUDGED that this action is DISMISSED. Pending motions, if any, are DENIED AS MOOT. Signed on 2/25/2013 by Judge Marco A. Hernandez. Copy of judgment mailed to plaintiff. (mr) (Entered: 02/25/2013)
03/22/2013	<u>76</u>	Motion to Reopen Case, Motion for Reconsideration of Judgment (# <u>75</u>), and Motion for Extension of Time. Filed by Jacob Barrett. (eo) (Entered: 03/26/2013)
04/08/2013	<u>77</u>	Response to Motion to Reopen Case Motion for Reconsideration of Judgment <u>75</u> Motion for Extension of Time <u>76</u> . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Vincent, Shannon) (Entered: 04/08/2013)
05/08/2013	<u>78</u>	Notice of Change of Address. Filed by Jacob Barrett. (ljb) (Entered: 05/10/2013)
05/10/2013	<u>79</u>	Reply to Motion <u>76</u> . Filed by Jacob Barrett. (Attachment: # <u>1</u> Attachment No. 1) (gw) (Entered: 05/10/2013)
05/10/2013	<u>80</u>	Notice re Reply to Motion <u>79</u> . Filed by Jacob Barrett. (Related document: Reply to Motion <u>79</u> .) (gw) (Entered: 05/10/2013)
05/22/2013	<u>81</u>	Response, titled "Plaintiffs Reply to Defendants Motion for Summary Judgment." Filed by Jacob Barrett. (Related document: Motion for Summary Judgment <u>48</u> .) (gw) (Entered: 05/24/2013)
05/22/2013	<u>82</u>	Memorandum in Support. Filed by Jacob Barrett. (Related document: Response <u>81</u> .) (gw) (Entered: 05/24/2013)
05/22/2013	<u>83</u>	"Statement of Undisputed Facts" re Response <u>81</u> and Memorandum in Support <u>82</u> . Filed by Jacob Barrett. (gw) (Entered: 05/24/2013)
05/22/2013	<u>84</u>	Affidavit of Jacob Barrett. Filed by Jacob Barrett. (gw) (Attachment added on 5/24/2013: # <u>1</u> Attachments) (gw). (Entered: 05/24/2013)
05/22/2013	<u>85</u>	Affidavit of Chris Weedmark. Filed by Jacob Barrett. (gw) (Entered: 05/24/2013)
05/22/2013	<u>86</u>	Notice re Response <u>81</u> , Memorandum in Support <u>82</u> , Concise Statement <u>83</u> , Affidavit <u>84</u> and Affidavit <u>85</u> . Filed by Jacob Barrett. (Related documents: Response <u>81</u> , Memorandum in Support <u>82</u> , Concise Statement <u>83</u> , Affidavit <u>84</u> , Affidavit <u>85</u> .) (gw) (Entered: 05/24/2013)
05/27/2013	<u>87</u>	OPINION & ORDER: Plaintiff's motion <u>76</u> is GRANTED. The Clerk is ordered to reopen the case. See 5–page opinion & order attached. Signed on 5/27/2013 by Judge Marco A. Hernandez. Copy of opinion & order mailed to plaintiff. (mr) (Entered: 05/30/2013)
05/30/2013	<u>88</u>	ORDER: Based upon the Opinion & Order <u>87</u> issued 5/30/2013, the court orders the following action: The Opinion & Order <u>73</u> and the Judgment <u>75</u> are hereby VACATED. Defendants' Motion for Summary Judgment <u>48</u> and defendants' Motion for Stay of Discovery <u>55</u> are RE–OPENED. Plaintiff's Response <u>81</u> to the Motion for Summary Judgment <u>48</u> , as well as his supporting documentation to the response, filed 5/22/2013, are deemed timely. Defendants' reply, if any, to the Motion for Summary Judgment is due by 6/14/2013. Plaintiff's response to the Motion for Stay of Discovery <u>55</u> is due by 6/17/2013. Ordered by Judge Marco A. Hernandez. Copy of this order mailed to plaintiff. (mr) (Entered: 05/30/2013)
06/10/2013	<u>89</u>	Response to Motion for Stay <i>Discovery</i> <u>55</u> . Filed by Jacob Barrett. (ljb) (Entered: 06/10/2013)
06/10/2013	<u>90</u>	Motion to Dismiss Defendant Williams and Substitute Defendant Colette Peters. Filed by Jacob Barrett. (ljb) (Entered: 06/10/2013)
06/10/2013	<u>91</u>	Motion for Settlement Hearing. Filed by Jacob Barrett. (ljb) (Entered: 06/10/2013)
06/10/2013	<u>92</u>	Motion for Supplemental Complaint (with supplemental complaint and certificate of service included). Filed by Jacob Barrett. (ljb) (Entered: 06/10/2013)
06/14/2013	<u>93</u>	Reply (<i>in support of</i>) to Motion for Summary Judgment <u>48</u> . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Vincent, Shannon) (Entered: 06/14/2013)

06/21/2013	<u>94</u>	Motion for Extension of Time . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Vincent, Shannon) (Entered: 06/21/2013)
06/21/2013	<u>95</u>	Declaration of Shannon Vincent . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Related document(s): Motion for Extension of Time <u>94</u> .) (Vincent, Shannon) (Entered: 06/21/2013)
06/26/2013	96	ORDER: Granting Defendants' Motion for Extension of Time <u>94</u> . Responses to motions <u>90</u> , <u>91</u> , and <u>92</u> are due by 7/18/2013. Ordered by Judge Marco A. Hernandez. Copy of this order mailed to plaintiff. (mr) (Entered: 06/26/2013)
07/18/2013	<u>97</u>	Response in Opposition to Motion to Supplement <u>92</u> . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Vincent, Shannon) (Entered: 07/18/2013)
07/18/2013	<u>98</u>	Response in Opposition to Motion for Hearing <u>91</u> , Motion for Summary Judgment <u>48</u> . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Vincent, Shannon) (Entered: 07/18/2013)
07/18/2013	<u>99</u>	Reply <i>in Support of Defendants' Motion to Stay Discovery</i> . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Related document(s): Order on motion for extension of time to file Response/Reply, 60 .) (Vincent, Shannon) (Entered: 07/18/2013)
07/18/2013	<u>100</u>	Response in Opposition to Motion to Dismiss <u>90</u> . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Vincent, Shannon) (Entered: 07/18/2013)
10/08/2013	101	Scheduling Order by Judge Marco A. Hernandez regarding Motions <u>48</u> , <u>90</u> , <u>91</u> , and <u>92</u> . The court sets Oral Argument for 10/31/2013 at 10:30AM in Portland Courtroom 14B before Judge Marco A. Hernandez. The plaintiff shall appear by either video or audio conference as the court is able to arrange with the custodial facility. The parties are to be prepared to address the following questions: (1) whether the Oregon Department of Corrections' mail rules allow incoming postcards; and, (2) how does the Oregon Department of Corrections process incoming mail, including who handles the mail from the time it is received and delivered, if at all, to the intended recipient? Ordered by Judge Marco A. Hernandez. Copy of this order mailed to plaintiff. (mr) (Entered: 10/08/2013)
10/31/2013	102	MINUTES of Proceedings: Motion Hearing Held regarding Motions <u>48</u> , <u>90</u> , <u>91</u> and <u>92</u> . Judge Marco A. Hernandez presiding. The court hears argument. ORDER: Motions are taken under advisement as of 10/31/2013. Jacob Barrett, pro se plaintiff, appears by telephone. Shannon M. Vincent present as counsel for defendants. Court Reporter: Nancy Walker. (mr) (Entered: 10/31/2013)
11/14/2013	<u>103</u>	OPINION & ORDER: Defendants' motion for summary judgment <u>48</u> is GRANTED in part and DENIED in part, Defendants' motion for stay of discovery <u>55</u> is DENIED, Plaintiff's Motion to Dismiss Defendant Williams and Substitute Defendant Colette Peters <u>90</u> is GRANTED, Plaintiff's Motion for Settlement Hearing <u>91</u> is DENIED, and Plaintiff's Motion for Supplemental Complaint Pursuant to Rule 15(d) <u>92</u> is DENIED. See 25–page opinion & order attached. Signed on 11/14/2013 by Judge Marco A. Hernandez. (mr) (Entered: 11/14/2013)
11/14/2013	104	Clerk's Notice of Mailing to Plaintiff Jacob Barrett regarding Opinion & Order <u>103</u> . (mr) (Entered: 11/14/2013)
12/02/2013	<u>105</u>	Motion for Reconsideration of Opinion & Order <u>103</u> , titled "Objections and Motion for Reconsideration to the Courts Opinion and Order." Filed by Jacob Barrett. (gw) (Entered: 12/03/2013)
12/16/2013	<u>106</u>	Motion for Appointment of Counsel. Filed by Jacob Barrett. (kf) (Entered: 12/16/2013)
12/18/2013	<u>107</u>	Response in Opposition to Motion for Reconsideration of Order on motion for summary judgment, Order on Motion to Dismiss, Order on Motion for Hearing, Order on Motion to Supplement,,,,,,, <u>103</u> <u>105</u> . Filed by Michelle Whitney Dodson, Jeff Premo, Janna Russell, Max Williams. (Vincent, Shannon) (Entered: 12/18/2013)

02/26/2014	<u>108</u>	OPINION & ORDER: Plaintiff's motion for appointment of counsel <u>106</u> is GRANTED and Plaintiff's motion for reconsideration <u>105</u> is DENIED. See 6-page opinion & order attached. Signed on 2/26/2014 by Judge Marco A. Hernandez. (mr) Modified document type from standard to opinion on 2/27/2014 (kf). (Entered: 02/26/2014)
02/26/2014	109	STRICKEN pursuant to order dated 2/26/2014. Order Appointing David T. Johnson for Jacob Barrett as Pro Bono Counsel (All Purpose Appointment). Counsel is to file the attached response form if representation is accepted, if a conflict of interest exists, or if termination of the appointment is requested for a reason other than a conflict of interest by 3/17/2014. Signed on 2/26/2014 by Judge Marco A. Hernandez. (mr) Modified on 2/26/2014 (mr). (Entered: 02/26/2014)
02/26/2014	<u>110</u>	Order Appointing David T. Johnson as Pro Bono Counsel (<i>All Purpose Appointment</i>). Counsel is to file the attached response form if representation is accepted, if a conflict of interest exists, or if termination of the appointment is requested for a reason other than a conflict of interest by 3/17/2014. Signed on 2/26/2014 by Judge Marco A. Hernandez. (mr) (Entered: 02/26/2014)
02/26/2014	111	Order for Administrative Correction of the Record pursuant to Fed. R. Civ. P. 60(a) regarding Order Appointing Pro Bono Counsel, 109 . A Clerical error has been discovered in the case record. The Clerk is directed to make the following administrative corrections to the record: the document did not generate and this entry was resubmitted as docket <u>110</u> . Docket 109 shall be stricken. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 02/26/2014)
02/26/2014	112	Clerk's Notice of Mailing to Plaintiff Jacob Barrett regarding Opinion & Order <u>108</u> and Order Appointing Pro Bono Counsel <u>110</u> . (mr) (Entered: 02/26/2014)
03/05/2014	<u>113</u>	Response <i>Pro Bono Appointment</i> . Filed by Jacob Barrett. (Johnson, David) (Entered: 03/05/2014)
03/05/2014	<u>114</u>	Order Terminating David T. Johnson as Pro Bono Counsel. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 03/05/2014)
03/05/2014	115	Clerk's Notice of Mailing to Plaintiff Jacob Barrett regarding Order Terminating Pro Bono Counsel <u>114</u> . (mr) (Entered: 03/05/2014)
03/06/2014	<u>116</u>	Order Appointing Troy Garrett Sexton for Jacob Barrett as Pro Bono Counsel (<i>All Purpose Appointment</i>). Counsel is to file the attached response form if representation is accepted, if a conflict of interest exists, or if termination of the appointment is requested for a reason other than a conflict of interest by 3/24/2014. Signed on 3/6/2014 by Judge Marco A. Hernandez. (mr) (Entered: 03/06/2014)
03/06/2014	117	Clerk's Notice of Mailing to Plaintiff Jacob Barrett regarding Order Appointing Pro Bono Counsel <u>116</u> . (mr) (Entered: 03/06/2014)
03/07/2014	<u>118</u>	Pro Bono Appointment Response. Termination of the appointment is requested because my case load does not allow me to take on additional litigation at this time.. Filed by Jacob Barrett. (Related document(s): Order Appointing Pro Bono Counsel, <u>116</u> .) (Sexton, Troy) (Entered: 03/07/2014)
03/07/2014	<u>119</u>	Order Terminating Troy Garrett Sexton as Pro Bono Counsel. Signed on 3/7/2014 by Judge Marco A. Hernandez. (mr) (Entered: 03/07/2014)
03/07/2014	120	Clerk's Notice of Mailing to Plaintiff Jacob Barrett regarding Order Terminating Pro Bono Counsel <u>119</u> . (mr) (Entered: 03/07/2014)
03/17/2014	<u>121</u>	Order Appointing William F. Martson, Jr. for Jacob Barrett as Pro Bono Counsel (<i>All Purpose Appointment</i>). Counsel is to file the attached response form if representation is accepted, if a conflict of interest exists, or if termination of the appointment is requested for a reason other than a conflict of interest by 4/3/2014. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 03/17/2014)
03/31/2014	<u>122</u>	Pro Bono Appointment Response. Representation is accepted as specified in the Order Appointing <i>Pro Bono</i> Counsel. Filed by Jacob Barrett. (Related document(s): Order Appointing Pro Bono Counsel, <u>121</u> .) (Kotori, Blerina) (Entered: 03/31/2014)

04/04/2014	<u>123</u>	<i>Pro Se</i> Motion for Preliminary Hearing (Pre-Trial). Filed by Jacob Barrett. (gw) (Entered: 04/08/2014)
04/04/2014	<u>124</u>	<i>Pro Se</i> Motion for Bench Trial. Filed by Jacob Barrett. (gw) (Entered: 04/08/2014)
04/04/2014	<u>125</u>	<i>Pro Se</i> "Proposed Stipulated Facts." Filed by Jacob Barrett. (Attachment: # <u>1</u> Exhibits) (gw) (Entered: 04/08/2014)
04/09/2014	126	Clerk's Notice of Mailing to Plaintiff Jacob Barrett regarding Order Appointing Pro Bono Counsel <u>121</u> , and Pro Bono Appointment Response Form <u>122</u> . (mr) (Entered: 04/09/2014)
04/11/2014	127	ORDER: Denying Motion for Hearing <u>123</u> and Denying Motion <u>124</u> as they were filed by a plaintiff who is represented by counsel. Counsel for plaintiff shall notify him that any further motions should be submitted by his counsel. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 04/11/2014)
04/14/2014	128	Scheduling Order by Judge Marco A. Hernandez. Scheduling Conference is set for 4/25/2014 at 11:00AM by Telephone before Judge Marco A. Hernandez. The parties shall call into the court's conference line (the phone number provided via separate email) five minutes prior to the scheduled conference time. The court will join the conference at or shortly after the appointed time. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 04/14/2014)
04/18/2014	129	CORRECTED Scheduling Order by Judge Marco A. Hernandez. Due to a conflict in the court's calendar, Scheduling Conference is RESET AS TO TIME ONLY for 4/25/2014 at 10:00AM by Telephone before Judge Marco A. Hernandez. The parties shall call into the court's conference line (the phone number provided via separate email) five minutes prior to the scheduled conference time. The court will join the conference at or shortly after the appointed time. Ordered by Judge Marco A. Hernandez. Modified time of hearing on 4/18/2014; ECF notice regenerated. (mr) (Entered: 04/18/2014)
04/25/2014	130	MINUTES of Proceedings: Scheduling Conference. Judge Marco A. Hernandez presiding. ORDER: At the parties' request, a further Status/Scheduling Conference is SET for 5/19/2014 at 01:30PM by Telephone before Judge Marco A. Hernandez. The parties shall call into the court's conference line (the phone number provided for today's conference) five minutes prior to the scheduled conference time. The court will join the conference at or shortly after the appointed time. Blerina Kotori present as counsel for plaintiff(s). Shannon M. Vincent present as counsel for defendant(s). Court Reporter: Amanda LeGore. (mr) (Entered: 04/28/2014)
05/14/2014	131	Scheduling Order by Judge Marco A. Hernandez. At the joint request of counsel, Status/Scheduling Conference is RESET FROM 5/19/2014 TO 6/2/2014 at 01:30PM by Telephone before Judge Marco A. Hernandez. The parties shall call into the court's conference line (the phone number provided for previous conference) five minutes prior to the scheduled conference time. The court will join the conference at or shortly after the appointed time. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 05/14/2014)
05/30/2014	132	Scheduling Order by Judge Marco A. Hernandez. At the joint request of counsel, Status/Scheduling Conference is RESET FROM 6/2/2014 TO 6/10/2014 at 01:30PM by Telephone before Judge Marco A. Hernandez. The parties shall call into the court's conference line (the phone number provided for previous conference) five minutes prior to the scheduled conference time. The court will join the conference at or shortly after the appointed time. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 05/30/2014)
06/10/2014	133	MINUTES of Proceedings: Scheduling Conference. Judge Marco A. Hernandez presiding. ORDER: This case is now a declaratory relief matter. Thus, Court Trial is SET for 10/15/2014 at 09:00AM in Portland Courtroom 14B before Judge Marco A. Hernandez. No pretrial is needed. Court Trial Management Order to follow. Blerina Kotori present as counsel for plaintiff(s). Shannon M. Vincent present as counsel for defendant(s). Court Reporter: Nancy Walker. (mr) (Entered: 06/10/2014)

06/10/2014	<u>134</u>	Court Trial Management Order. See 4–page order attached. Signed on 6/10/2014 by Judge Marco A. Hernandez. (mr) (Entered: 06/10/2014)
07/31/2014	<u>135</u>	Stipulated Motion <i>for Resetting Trial Date</i> . Filed by Jacob Barrett. (Kotori, Blerina) Modified on 8/1/2014 to correct event. (mr) (Entered: 07/31/2014)
08/01/2014	136	ORDER: Granting Stipulated Motion for Resetting Trial Date <u>135</u> . 1–Day Court Trial is RESET FROM 10/15/2014 TO 12/4/2014 at 09:00AM in Portland Courtroom 14B before Judge Marco A. Hernandez. No pretrial is needed. The parties shall use the Court Trial Management Order previously issued in this matter to recalculate their pretrial submission deadlines. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 08/01/2014)
10/10/2014	<u>137</u>	Joint Motion to Continue <i>Trial Date and Pretrial Filing Deadlines</i> . Filed by Michelle Whitney Dodson, Colette Peters, Jeff Premo. (Vincent, Shannon) (Entered: 10/10/2014)
10/10/2014	<u>138</u>	Declaration of Shannon Vincent . Filed by Michelle Whitney Dodson, Colette Peters, Jeff Premo. (Related document(s): Motion to continue <u>137</u> .) (Vincent, Shannon) (Entered: 10/10/2014)
10/10/2014	<u>139</u>	Declaration of Blerina Kotori <i>in Support of Joint Motion for Continuance of Trial Date and Pretrial Filing Deadlines</i> . Filed by Jacob Barrett. (Related document(s): Motion to continue <u>137</u> .) (Kotori, Blerina) (Entered: 10/10/2014)
10/21/2014	140	ORDER: Granting Joint Motion to Continue Trial Date and Pretrial Filing Deadlines <u>137</u> . Court Trial is RESET from 12/4/2014 TO 2/19/2015 at 09:00AM (DATE CERTAIN) in Portland Courtroom 14B before Judge Marco A. Hernandez. No pretrial is needed. The parties shall use the Court Trial Management Order previously issued in this matter to recalculate their pretrial submission deadlines. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 10/21/2014)
01/09/2015	<u>141</u>	ORDER VERIFYING TRIAL DATE AND ORDERING PLAINTIFF TO APPEAR TELEPHONICALLY See 1–page order attached. Signed on 1/9/2015 by Judge Marco A. Hernandez. (mr) (Entered: 01/09/2015)
01/16/2015	<u>142</u>	Trial Memorandum . Filed by Michelle Whitney Dodson, Colette Peters, Jeff Premo. (Vincent, Shannon) (Entered: 01/16/2015)
01/16/2015	<u>143</u>	Exhibit List . Filed by Michelle Whitney Dodson, Colette Peters, Jeff Premo. (Vincent, Shannon) (Entered: 01/16/2015)
01/16/2015	<u>144</u>	Witness Statement <i>s</i> . Filed by Michelle Whitney Dodson, Colette Peters, Jeff Premo. (Vincent, Shannon) (Entered: 01/16/2015)
01/16/2015	<u>145</u>	Trial Memorandum . Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 01/16/2015)
01/16/2015	<u>146</u>	Exhibit List . Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 01/16/2015)
01/16/2015	<u>147</u>	Witness Statement . Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 01/16/2015)
01/16/2015	<u>148</u>	Expert Statement . Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 01/16/2015)
01/22/2015	<u>149</u>	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Motion hearing held on October 31, 2013 before Judge Marco A. Hernandez, Court Reporter Nancy M. Walker, telephone number 503–326–8186. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter before the deadline for Release of Transcript Restriction. Afterwards it may be obtained from the Court Reporter (503–326–8186) or through PACER–See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 2/2/2015. Redaction Request due 2/17/2015. Redacted Transcript Deadline set for 2/26/2015. Release of Transcript Restriction set for 4/27/2015. (Walker, Nancy) (Entered: 01/22/2015)
01/23/2015	<u>150</u>	Motion in limine (<i>titled "Defendants' Motions in Limine"</i>). Filed by Michelle Whitney Dodson, Colette Peters, Jeff Premo. (Vincent, Shannon) (Entered: 01/23/2015)

01/23/2015	<u>151</u>	Objection to Trial Exhibit (<i>titled "Defendants' Objections to Plaintiff's Witnesses and Exhibits"</i>). Filed by Michelle Whitney Dodson, Colette Peters, Jeff Premo. (Vincent, Shannon) (Entered: 01/23/2015)
01/23/2015	<u>152</u>	Motion in limine . Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 01/23/2015)
01/23/2015	<u>153</u>	Declaration of Blerina Kotori <i>in Support of Plaintiff's Motions in Limine</i> . Filed by Jacob Barrett. (Related document(s): Motion in Limine <u>152</u> .) (Attachments: # <u>1</u> Exhibit 1) (Kotori, Blerina) (Entered: 01/23/2015)
01/23/2015	<u>154</u>	Objection to Trial Exhibit . Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 01/23/2015)
01/23/2015	<u>155</u>	Amended Exhibit List . Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 01/23/2015)
01/23/2015	<u>156</u>	Amended Witness List <i>and Statements</i> . Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 01/23/2015)
01/30/2015	<u>157</u>	Response to Motion in limine <u>152</u> . Filed by Michelle Whitney Dodson, Colette Peters, Jeff Premo. (Vincent, Shannon) (Entered: 01/30/2015)
01/30/2015	<u>158</u>	Response to Plaintiff's Objection to Defense Exhibit 516. Filed by Michelle Whitney Dodson, Colette Peters, Jeff Premo. (Related document(s): Objection to Trial Exhibit <u>154</u> .) (Vincent, Shannon) (Entered: 01/30/2015)
01/30/2015	<u>159</u>	Proposed Findings of Fact <i>and Conclusions of Law</i> . Filed by Michelle Whitney Dodson, Colette Peters, Jeff Premo. (Vincent, Shannon) (Entered: 01/30/2015)
01/30/2015	<u>160</u>	Proposed Findings of Fact <i>and Conclusions of Law</i> . Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 01/30/2015)
01/30/2015	<u>161</u>	Response to Motion in limine (<i>titled "Defendants' Motions in Limine"</i>) <u>150</u> . Filed by Jacob Barrett. (Attachments: # <u>1</u> Declaration of Blerina Kotori in Support of Plaintiff's Response to Defendants' Motions in Limine, # <u>2</u> Declaration of Alex M. Tinker in Support of Plaintiff's Response to Defendants' Motions in Limine, # <u>3</u> Declaration of Paul Wright in Support of Plaintiff's Response to Defendants' Motions in Limine) (Kotori, Blerina) (Entered: 01/30/2015)
01/30/2015	<u>162</u>	Plaintiff's Rebuttal Witness List and Statements. Filed by Jacob Barrett. (Kotori, Blerina) Modified on 2/2/2015 per attorney's office call. (kf) (Entered: 01/30/2015)
01/30/2015	<u>163</u>	Plaintiff's Response to Defendants' Objections to Plaintiff's Witnesses and Exhibits. Filed by Jacob Barrett. (Kotori, Blerina) Modified on 2/2/2015 per attorney's office call. (kf) (Entered: 01/30/2015)
01/30/2015	<u>164</u>	Report <i>Signed Expert Report of Paul Wright</i> . Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 01/30/2015)
02/02/2015	<u>165</u>	Joint Proposed Pretrial Order Lodged . Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 02/02/2015)
02/10/2015	<u>166</u>	PRETRIAL ORDER . See 4–page order attached. Signed on 2/10/2015 by Judge Marco A. Hernandez. (mr) (Entered: 02/11/2015)
02/13/2015	<u>167</u>	Joint Motion in limine " <i>Joint Submission of Motions in Limine</i> ". Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 02/13/2015)
02/13/2015	<u>168</u>	Joint Objection(s) " <i>Agreed–Upon Chart of Objections to Witnesses / Exhibits</i> ". Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 02/13/2015)
02/17/2015	<u>169</u>	ORDER (Unopposed) VERIFYING TRIAL DATE, REQUESTING PLAINTIFF TO APPEAR FOR DURATION OF TRIAL AND ORDERING OTHER RELIEF. See 2–page order attached. Signed on 2/17/2015 by Judge Marco A. Hernandez. (mr) (Entered: 02/17/2015)
02/17/2015	170	Clerk's Notice of Sending to Union Correctional Institution regarding Order <u>169</u> . The order was faxed and emailed pursuant to the court's instructions contained in the order. (mr) (Entered: 02/17/2015)

02/18/2015	<u>171</u>	Stipulation of <i>Admitted Facts</i> by Michelle Whitney Dodson, Colette Peters, Jeff Premo, Kelly Raths. Filed by Michelle Whitney Dodson, Colette Peters, Jeff Premo, Kelly Raths. (Attachments: # <u>1</u> Attachment Declaration of Michelle Dodson) (Vincent, Shannon) (Entered: 02/18/2015)
02/19/2015	172	MINUTES of Proceedings: Court Trial – Day 1 – completed. Judge Marco A. Hernandez presiding. Plaintiff Jacob Barrett appears via telephone. Defendant's motion to exclude expert is granted. Plaintiff's exhibit 2 is withdrawn and Plaintiff's exhibit 19 is received by stipulation. Both sides present opening statements. Witnesses sworn: Jacob Henry Barrett, Kelly Raths, Christopher Toombs, and Brandon Kelly. Plaintiff's exhibits 1, and 3–10 are received (ex. 19 previously received); Defendant's exhibits 501–516 are received. Defense motion for judgment as matter of law is denied. Plaintiff's motion for partial findings is denied. Both sides present closing argument and the matter is taken under advisement. Blerina Kotori present as counsel for plaintiff(s). Shannon M. Vincent with Certified Law Student Ivan Resendiz Gutierrez present as counsel for defendant(s). Court Reporter: Nancy Walker. Modified on 2/20/2015 to correct exhibits received. NEF regenerated. (mr) (Entered: 02/20/2015)
03/30/2015	<u>173</u>	FINDINGS OF FACT AND CONCLUSIONS OF LAW. Defendants violated Plaintiff's First Amendment rights. Plaintiff is entitled to declaratory judgment and a permanent injunction enjoining Defendants from rejecting or otherwise prohibiting incoming mail for containing artwork on the front of envelopes. Plaintiff is also entitled to an order requiring Defendants to inform inmates that they are permitted to receive letters with artwork on the front of envelopes. Plaintiff shall prepare a judgment in accordance with these Findings of Fact and Conclusions of Law. After conferring with Defendants, Plaintiff shall submit the proposed judgment to the Court for review within 30 days of the date below. If the parties cannot agree on a judgment, Plaintiff shall notify the Court, which will then schedule a telephone conference with counsel. See 28–page document attached. Signed on 3/30/2015 by Judge Marco A. Hernandez. (mr) (Entered: 03/31/2015)
05/08/2015	174	Scheduling Order: Hearing regarding form of judgment is SET for 5/13/2015 at 11:00AM by telephone before Judge Marco A. Hernandez. The parties shall call into the court's conference line (the phone number provided via separate email) five minutes prior to the scheduled conference time. The court will join the conference at or shortly after the appointed time. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 05/08/2015)
05/13/2015	175	MINUTES of Proceedings: Status Conference. Judge Marco A. Hernandez presiding. Court and counsel discuss form of judgment. Court will incorporate changes as stated on the record and issue judgment. Blerina Kotori present as counsel for plaintiff(s). Shannon M. Vincent present as counsel for defendant(s). Court Reporter: Maureen Kelly. (mr) (Entered: 05/13/2015)
05/14/2015	<u>176</u>	JUDGMENT. See 2–page judgment attached. Signed on 5/14/2015 by Judge Marco A. Hernandez. (mr) (Entered: 05/15/2015)
05/26/2015	<u>177</u>	Stipulated Motion for Extension of Time to File Plaintiff's Petition for Attorneys' Fees and Costs. Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 05/26/2015)
05/26/2015	<u>178</u>	Declaration of Blerina Kotori in Support of Stipulated Motion for Extension of Deadline to File Plaintiff's Petition for Attorney's Fees and Costs. Filed by Jacob Barrett. (Related document(s): Motion for Extension of Time <u>177</u> .) (Kotori, Blerina) (Entered: 05/26/2015)
05/27/2015	179	ORDER: GRANTING Stipulated Motion for Extension of Deadline to File Plaintiff's Petition for Attorney Fees and Costs <u>177</u> . Petition for fees and costs to be filed by 6/11/2015. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 05/27/2015)
06/09/2015	<u>180</u>	Stipulated Motion for Extension of Time to File Plaintiff's Petition for Attorneys' Fees and Costs (Second). Filed by Jacob Barrett. (Kotori, Blerina) (Entered: 06/09/2015)
06/09/2015	<u>181</u>	Declaration of Blerina Kotori in Support of Second Stipulated Motion for Extension of Deadline to File Plaintiff's Petition for Attorneys' Fees and Costs. Filed by Jacob Barrett. (Related document(s): Motion for Extension of Time <u>180</u> .) (Kotori,

		Blerina) (Entered: 06/09/2015)
06/09/2015	182	ORDER: GRANTING Second Stipulated Motion for Extension of Deadline to File Plaintiff's Petition for Attorney Fees and Costs <u>180</u> . Petition for fees and costs to be filed by 7/1/2015. Ordered by Judge Marco A. Hernandez. (mr) (Entered: 06/09/2015)