

**U.S. District Court  
Western District of Pennsylvania (Pittsburgh)  
CIVIL DOCKET FOR CASE #: 2:13-cv-00657-CRE**

SHOATZ v. WETZEL et al  
Assigned to: Magistrate Judge Cynthia Reed Eddy  
Cause: 42:1983pr Prisoner Civil Rights

Date Filed: 05/08/2013  
Date Terminated: 05/12/2016  
Jury Demand: Both  
Nature of Suit: 555 Prisoner Civil Rights  
(Prison Condition)  
Jurisdiction: Federal Question

**Plaintiff**

**RUSSELL SHOATZ**  
*also known as*  
**RUSSELL SHOATS**

represented by **Richard L. Etter**  
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V.

**Defendant**

**JOHN E. WETZEL**  
*in his individual official capacity as*  
*Secretary of the Pennsylvania*  
*Department of Corrections*

represented by **Mary Lynch Friedline**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**LOUIS S. FOLINO**  
*in his individual and official capacity as*  
*Superintendent of the State Correctional*  
*Institution at Greene*

represented by **Mary Lynch Friedline**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Scott A. Bradley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Yana L. Warshafsky**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**JOHN KERESTES**  
*in his official capacity as Superintendent*  
*of the State Correctional Institution at*  
*Mahanoy*  
*TERMINATED: 02/01/2016*

represented by **Mary Lynch Friedline**  
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**Scott A. Bradley**  
(See above for address)

*LEAD ATTORNEY  
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**Yana L. Warshafsky**  
(See above for address)  
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Date Filed	#	Docket Text
05/08/2013	<u>1</u>	COMPLAINT against LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL (Filing fee, including Administrative fee, \$400, receipt number 0315-2780406), filed by RUSSELL SHOATZ. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons for John E. Wetzel, # <u>3</u> Summons for Louis S. Folino, # <u>4</u> Summons for John Kerestes) (ksa) (Entered: 05/08/2013)
05/08/2013		Summons Issued as to *LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL* (ksa) (Entered: 05/08/2013)
05/09/2013	<u>2</u>	NOTICE of Appearance by Stefanie A. Lepore on behalf of RUSSELL SHOATZ. (Lepore, Stefanie) (Entered: 05/09/2013)
05/09/2013	<u>3</u>	NOTICE of Appearance by Dustin McDaniel on behalf of RUSSELL SHOATZ. (McDaniel, Dustin) (Entered: 05/09/2013)
05/30/2013	<u>4</u>	NOTICE of Appearance by Scott A. Bradley on behalf of LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Bradley, Scott) (Entered: 05/30/2013)
06/03/2013	<u>5</u>	WAIVER OF SERVICE Returned Executed by RUSSELL SHOATZ. JOHN E. WETZEL waiver sent on 5/8/2013, answer due 7/8/2013. (Lepore, Stefanie) (Entered: 06/03/2013)
06/03/2013	<u>6</u>	WAIVER OF SERVICE Returned Executed by RUSSELL SHOATZ. LOUIS S. FOLINO waiver sent on 5/8/2013, answer due 7/8/2013. (Lepore, Stefanie) (Entered: 06/03/2013)
06/03/2013	<u>7</u>	WAIVER OF SERVICE Returned Executed by RUSSELL SHOATZ. JOHN KERESTES waiver sent on 5/8/2013, answer due 7/8/2013. (Lepore, Stefanie) (Entered: 06/03/2013)
06/04/2013	<u>8</u>	ORDER : Rule 26 Meeting to be conducted on or before 6/21/2013. Willingness to proceed before Magistrate Judge due by 6/21/2013. A Case Management Conference has been scheduled for 7/9/2013 at 10:00 AM before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 6/4/2013. (jlh ) (Entered: 06/04/2013)
06/18/2013	<u>9</u>	CONSENT to Trial/Jurisdiction by US Magistrate Judge by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Bradley, Scott) (Entered: 06/18/2013)
06/18/2013	<u>10</u>	CONSENT to Trial/Jurisdiction by US Magistrate Judge by RUSSELL SHOATZ. (Lepore, Stefanie) (Entered: 06/18/2013)
06/21/2013	<u>11</u>	PROPOSED DISCOVERY PLAN pursuant to Rule 26(f) by RUSSELL SHOATZ. (Lepore, Stefanie) (Entered: 06/21/2013)
07/03/2013	<u>12</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Attachments: # <u>1</u> Proposed Order) (Bradley, Scott) (Entered: 07/03/2013)
07/03/2013	<u>13</u>	BRIEF in Support re <u>12</u> Motion to Dismiss for Failure to State a Claim filed by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Bradley, Scott) (Entered: 07/03/2013)
07/08/2013	<u>14</u>	NOTICE of Appearance by Daniel M. Kovalik on behalf of RUSSELL SHOATZ. (Kovalik, Daniel) (Entered: 07/08/2013)
07/09/2013		ORDER : The 7/9/2013 Case Management Conference has been continued until 8/13/2013 at 11:00 AM before Magistrate Judge Cynthia Reed Eddy. Signed by

		Magistrate Judge Cynthia Reed Eddy on 7/9/2013. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jlh ) (Entered: 07/09/2013)
07/09/2013	<u>15</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>13</u> Brief in Support of Motion, <u>12</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by RUSSELL SHOATZ. (Attachments: # <u>1</u> Proposed Order) (Kovalik, Daniel) (Entered: 07/09/2013)
07/09/2013	<u>16</u>	Minute Entry for proceedings held before Magistrate Judge Cynthia Reed Eddy: Case Management Conference held on 7/9/2013. Conference continued until August 13, 2013 at 11:00 A.M. (Court Reporter: none) (bsc) (Entered: 07/09/2013)
07/09/2013	<u>17</u>	ORDER granting <u>15</u> Motion for Extension of Time to File Response to <u>12</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM. Plaintiff shall file his Response in opposition on or before 9/3/2013. Signed by Magistrate Judge Cynthia Reed Eddy on 07/09/2013. (bsc) (Entered: 07/09/2013)
07/31/2013	<u>18</u>	MOTION for attorney Harold J. Engel to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-2873472) by RUSSELL SHOATZ. (Engel, Harold) (Entered: 07/31/2013)
07/31/2013	<u>19</u>	Errata re <u>18</u> Motion to Appear Pro Hac Vice by RUSSELL SHOATZ. Reason for Correction: Failed to attach additional documents. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit A, # <u>3</u> Proposed Order) (Engel, Harold) (Entered: 07/31/2013)
08/01/2013		ORDER granting <u>18</u> Motion for Harold J. Engel to Appear Pro Hac Vice. Signed by Magistrate Judge Cynthia Reed Eddy on 08/01/2013. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (Eddy, Cynthia) (Entered: 08/01/2013)
08/13/2013		Text Minute Entry for proceedings held before Magistrate Judge Cynthia Reed Eddy: Case Management Conference held on 8/13/2013. The parties are to file a revised proposed Case Management Order on or before August 16, 2013. (Court Reporter: none) Text-only entry; no PDF document will issue. This text-only entry constitutes a Minute of the Court or Notice on the matter. (bsc) (Entered: 08/13/2013)
08/13/2013		Set Response: Plaintiff's Response to Motion to Dismiss <u>12</u> shall be filed on or before 9/30/2013. Defendants may file a Reply to the Response on or before October 21, 2013. (bsc) (Entered: 08/13/2013)
08/20/2013	<u>20</u>	Joint Proposed Case Management Order by RUSSELL SHOATZ. (Kovalik, Daniel) Modified on 8/21/2013 to add additional docket text. (ksa) (Entered: 08/20/2013)
08/21/2013	<u>21</u>	CASE MANAGEMENT ORDER: Amended Pleadings due by 10/17/2013. Joinder of Parties due by 10/17/2013. Discovery due by 12/13/2013. Plaintiffs Expert Reports due by 1/13/2014. Defendants Expert Reports due by 2/13/2014. Expert Depositions to be completed by 3/13/2014. Summary Judgment due by 4/13/2014. Response to Summary Judgment due by 5/13/2014. Post-discovery/ Settlement Conference scheduled for 1/6/2014 at 10:00 AM in Room 10160 before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 8/21/13. (jlh) (Entered: 08/21/2013)
09/04/2013	<u>22</u>	STATUS REPORT by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Bradley, Scott) (Entered: 09/04/2013)
09/06/2013		Set/Reset Hearings: A mediation conference is scheduled in this case for October 30, 2013 at 10:00 AM, in Courtroom 9A. Prior to the mediation, Plaintiff's counsel is to advise the court whether Plaintiff intends to appear at the mediation via video conferencing so necessary arrangements can be made. (kcc) (Entered: 09/06/2013)
09/17/2013	<u>23</u>	BRIEF in Opposition re <u>12</u> Motion to Dismiss for Failure to State a Claim filed by RUSSELL SHOATZ. (Lepore, Stefanie) (Entered: 09/17/2013)
10/21/2013	<u>24</u>	REPLY re <u>23</u> Brief in Opposition to Motion filed by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Bradley, Scott) Modified on 10/22/2013 to edit docket text. (ksa) (Entered: 10/21/2013)

10/30/2013		REPORT of Prisoner Mediation: Mediation Result: Per email received from Selina Shultz, the case Did Not Settle but there is progress and the mediation is still open and the parties are going to continue to try and resolve it. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (sdm, ) Modified on 10/31/2013 to add text-only info. (ksa) (Entered: 10/30/2013)
11/04/2013	<u>25</u>	Unopposed MOTION to Amend/Correct <u>21</u> Scheduling Order and Extend Time to Complete Discovery by RUSSELL SHOATZ. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order) (Lepore, Stefanie) Modified on 11/5/2013 to add document linkage and ERROR: MULTIPLE RELIEF DOCUMENT FILED AS ONE RELIEF; RE-FILED BY COURT. (ksa) (Entered: 11/04/2013)
11/04/2013		TEXT NOTICE. Counsel are advised that the Court has scheduled a telephone status conference in this case for Tuesday, November 12, 2013 at 11:30 am. Plaintiff's counsel shall initiate the call and have Defendant's counsel on the line before calling into chambers - 412-208-7490. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (bsc) Modified on 11/5/2013 to add text-only info. (ksa) (Entered: 11/04/2013)
11/04/2013		MOTION for Extension of Time to Complete Discovery by RUSSELL SHOATZ. (Filed with document <u>25</u> ) (ksa) (Entered: 11/05/2013)
11/05/2013		ORDER granting <u>25</u> Motion to Amend/Correct Scheduling Order. The parties are further ORDERED to file a Proposed Joint Amended Case Management Order on or before 10:00 AM on 11/12/2013. The telephone status conference scheduled for 11/12/2013 will take place as previously ordered. Signed by Magistrate Judge Cynthia Reed Eddy on 11/5/2013. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (Eddy, Cynthia) (Entered: 11/05/2013)
11/05/2013		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>25</u> Motion to Amend/Correct. ERROR: Document incorrectly linked. CORRECTION: Linked to appropriate document. This message is for informational purposes only. CLERK'S OFFICE QUALITY CONTROL MESSAGE. ERROR: MULTIPLE Relief Motion Filed as One Relief. CORRECTION: Attorney Lepore advised in future that Motions of this nature are to be filed using the Motion Event and clicking on all the reliefs sought in said motion. Clerk of Court added/docketed Motion to Extend Time to Complete Discovery. This message is for informational purposes only. (ksa) (Entered: 11/05/2013)
11/08/2013	<u>26</u>	JOINT Amended Proposed Case Management Order by RUSSELL SHOATZ. (Etter, Richard) Modified on 11/13/2013 to add additional docket text. (ksa) (Entered: 11/08/2013)
11/12/2013	<u>27</u>	AMENDED CASE MANAGEMENT ORDER: Amended Pleadings due by 1/15/2014. Fact Discovery due by 3/13/2014. Expert Discovery to be completed by 6/13/2014. Plaintiff's Expert Reports due by 4/14/2014. Defendants' Expert Reports due by 5/14/2014. Summary Judgment due by 7/14/2014. Response to Summary Judgment due by 8/13/2014. Post-discovery status/settlement Conference set for 4/8/2014 10:00 AM in Courtroom 10A before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 11/12/13. (bsc) (Entered: 11/12/2013)
11/12/2013		TEXT Minute Entry for proceedings held before Magistrate Judge Cynthia Reed Eddy: Telephone Status Conference held on 11/12/2013. An Amended Case Management Order will be entered. Discovery is NOT stayed during the pendency of the Motion to Dismiss. (Court Reporter: none) Text-only entry; no PDF document will issue. This text-only entry constitutes a Minute of the Court or Notice on the matter. (bsc) (Entered: 11/12/2013)
12/18/2013	<u>28</u>	NOTICE of Appearance by Bret Grote on behalf of RUSSELL SHOATZ. (Grote, Bret) (Entered: 12/18/2013)
01/27/2014	<u>29</u>	MEMORANDUM OPINION and ORDER denying <u>12</u> Motion to Dismiss for Failure to State a Claim. Signed by Magistrate Judge Cynthia Reed Eddy on 1/27/2014. (bsc) (Entered: 01/27/2014)

01/27/2014		Update Answer Deadline: Answer due from All Defendants 2/10/2014. (bsc) Modified on 1/29/2014 to indicate date answer is due. (ksa) (Entered: 01/27/2014)
02/10/2014	<u>30</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint, filed by RUSSELL SHOATZ by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Attachments: # <u>1</u> Proposed Order) (Bradley, Scott) (Entered: 02/10/2014)
02/10/2014		TEXT ORDER granting <u>30</u> Defendants' Motion for Extension of Time to Answer Complaint. Defendants' Answer shall be filed on or before February 20, 2014. Signed by Magistrate Judge Cynthia Reed Eddy on 2/10/2014. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (bsc) (Entered: 02/10/2014)
02/20/2014	<u>31</u>	ANSWER to <u>1</u> Complaint, by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Bradley, Scott) (Entered: 02/20/2014)
02/21/2014		TEXT ORDER. Counsel are reminded of the deadlines established in the Amended Case Management Order <u>27</u> : Fact Discovery due by 3/13/2014. Expert Discovery to be completed by 6/13/2014. Plaintiff's Expert Reports due by 4/14/2014. Defendants' Expert Reports due by 5/14/2014. Summary Judgment due by 7/14/2014. Response to Summary Judgment due by 8/13/2014. Post-discovery status/settlement Conference set for 4/8/2014 10:00 AM in Courtroom 10A before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 2/21/2014. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (bsc) (Entered: 02/21/2014)
02/24/2014	<u>32</u>	STATUS REPORT by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Bradley, Scott) (Entered: 02/24/2014)
03/13/2014	<u>33</u>	MOTION to Amend/Correct <u>27</u> Case Management Order, by RUSSELL SHOATZ. (Attachments: # <u>1</u> Scheduling Motion Certificate, # <u>2</u> Proposed Order #1, # <u>3</u> Proposed Order #2) (Burt, Stefanie) (Entered: 03/13/2014)
03/13/2014		MOTION for Extension of Time to Complete Discovery by RUSSELL SHOATZ. (Filed with document <u>33</u> ) (ksa) (Entered: 03/14/2014)
03/14/2014		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>33</u> Motion to Amend/Correct. ERROR: MULTIPLE Relief Motion Filed as One Relief. CORRECTION: Attorney Burt advised in future that Motions of this nature are to be filed using the Motion Event and clicking on all the reliefs sought in said motion. Clerk of Court added/docketed Motion for Extension of Time to Complete Discovery. This message is for informational purposes only. (ksa) (Entered: 03/14/2014)
03/15/2014	<u>34</u>	JOINT AMENDED CASE MANAGEMENT ORDER granting <u>33</u> Motion to Amend/Correct & Motion for Extension of Time to Complete Discovery. Discovery due by 5/12/2014. Plaintiff's Expert Reports due by 6/12/2014, Defendants' Expert Reports due by 6/26/2014, Expert Depositions to be completed by 7/3/2014. Summary Judgment due by 8/29/2014, Response to Summary Judgment due by 9/26/2014. Status Conference set for 5/16/2014 10:00 AM in Courtroom 10A before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 3/15/2014. (bsc) (Entered: 03/15/2014)
05/12/2014	<u>35</u>	MOTION to Amend/Correct <u>34</u> Scheduling Order, MOTION for Extension of Time to Complete Discovery by RUSSELL SHOATZ. (Attachments: # <u>1</u> PROPOSED JOINT AMENDED CASE MANAGEMENT ORDER, # <u>2</u> Proposed Order) (Burt, Stefanie) Modified on 5/13/2014 document linkage corrected. Document linked to document <u>34</u> . (ksa) (Entered: 05/12/2014)
05/12/2014		TEXT ORDER granting <u>35</u> Motion to Amend/Correct; granting <u>35</u> Motion for Extension of Time to Complete Discovery. The status conference originally scheduled for 5/16/14 has been rescheduled to 8/14/14 at 10:00 A.M. Signed by Magistrate Judge Cynthia Reed Eddy on 5/12/2014. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (bsc) (Entered: 05/12/2014)
05/12/2014	<u>36</u>	SECOND AMENDED CASE MANAGEMENT ORDER: Discovery due by 7/11/2014. Plaintiff's Expert Reports due by 8/8/2014. Defendants' Expert Reports due by 8/22/2014. Expert Depositions to be completed by 9/5/2014. Summary Judgment

		motions due by 10/3/2014. Response to Summary Judgment motions due by 10/17/2014. Post discovery/status Conference scheduled for 8/14/2014 10:00 AM in Courtroom 10A before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 5/12/2014. (bsc) (Entered: 05/12/2014)
05/13/2014		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>35</u> Motion to Amend/Correct, Motion for Extension of Time to Complete Discovery. ERROR: Document incorrectly linked. CORRECTION: Linked to appropriate document. This message is for informational purposes only. (ksa) (Entered: 05/13/2014)
07/01/2014	<u>37</u>	MOTION to Amend/Correct <u>36</u> Case Management Order and Extend Time to Complete Discovery by RUSSELL SHOATZ. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit) (Burt, Stefanie). Added MOTION to Extend Time on 7/2/2014 (map). (Entered: 07/01/2014)
07/02/2014	<u>38</u>	ORDER granting <u>37</u> MOTION to Amend/Correct <u>36</u> Case Management Order and Extend Time to Complete Discovery. Discovery due by 7/31/2014. A Status Conference has been scheduled for 7/11/2014 at 10:00 AM in Room 10160 before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 7/2/2014. (jlh ) (Entered: 07/02/2014)
07/11/2014		Minute Entry for proceedings held before Magistrate Judge Cynthia Reed Eddy: Status Conference held on 7/11/2014. Stefanie Burt and Bret Grote appeared as counsel for Plaintiff; Scott Bradley appeared as counsel for Defendants. The status conference was continued until 8/1/2014 at 10:00 AM to allow the parties to engage in settlement discussions. The parties were also instructed that if the 7/31/2014 discovery deadline needs to be extended, they are to file a motion to that effect prior to the deadline expiring. (Court Reporter: none) Text-only entry; no PDF document will issue. This text-only entry constitutes a Minute of the Court or Notice on the matter. (bap) (Entered: 07/11/2014)
07/11/2014		ORDER: A Status Conference is scheduled for 8/1/2014 at 10:00 AM in Room 10160 before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 07/11/2014. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (bap) (Entered: 07/11/2014)
07/31/2014	<u>39</u>	Joint MOTION for Extension of Time to Complete Discovery by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Attachments: # <u>1</u> Proposed Order) (Bradley, Scott) (Entered: 07/31/2014)
08/01/2014	<u>40</u>	ORDER granting <u>39</u> Motion for Extension of Time to Complete Discovery. Discovery due by 11/6/2014. Post Discovery/Settlement Conference scheduled for 11/12/2014 at 10:00 AM in Room 10160 before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 8/1/2014. (jlh ) (Entered: 08/01/2014)
08/01/2014		Minute Entry for proceedings held before Magistrate Judge Cynthia Reed Eddy: Status Conference held on 8/1/2014. Richard Etter for Plaintiff; Scott Bradley for Defendant. (Court Reporter: none) Text-only entry; no PDF document will issue. This text-only entry constitutes a Minute of the Court or Notice on the matter. (bap) (Entered: 08/01/2014)
10/02/2014	<u>41</u>	NOTICE of Appearance by Mary Lynch Friedline on behalf of LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Friedline, Mary) (Entered: 10/02/2014)
10/15/2014	<u>42</u>	MOTION for Protective Order by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Attachments: # <u>1</u> Exhibit s A-E, # <u>2</u> Proposed Order) (Bradley, Scott) (Entered: 10/15/2014)
10/16/2014		ORDER Response/Briefing Schedule re <u>42</u> Motion for Protective Order. The Response is due by 10:00 AM on 10/20/2014. Signed by Magistrate Judge Cynthia Reed Eddy on 10/16/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (Eddy, J.) (Entered: 10/16/2014)
10/16/2014	<u>43</u>	MOTION to Amend/Correct <u>1</u> Complaint, by RUSSELL SHOATZ. (Attachments: # <u>1</u> Brief in Support, # <u>2</u> Exhibit, # <u>3</u> Proposed Order) (Grote, Bret) (Entered: 10/16/2014)

10/16/2014	<u>45</u>	BRIEF in Support re <u>43</u> Motion to Amend/Correct filed by RUSSELL SHOATZ. (ksa) (Entered: 10/17/2014)
10/17/2014	<u>44</u>	ORDER granting <u>43</u> Motion for leave to amend Complaint to add individual capacity suits against all Defendants. Signed by Magistrate Judge Cynthia Reed Eddy on 10/17/2014. (bsc ) (Entered: 10/17/2014)
10/17/2014		ORDER: The Status Conference previously scheduled for 11/12/14, is rescheduled for 11/21/14 at 10:00 AM in Room 10160 before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 10/17/14. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (Eddy, J.) (Entered: 10/17/2014)
10/17/2014		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>43</u> Motion to Amend/Correct. ERROR: Document should have been filed as two separate documents. CORRECTION: Attorney Grote advised in future that documents of that nature are to be filed as separate documents. Clerk of Court docketed Brief in Support of Motion to Amend Complaint. This message is for informational purposes only. (ksa) (Entered: 10/17/2014)
10/20/2014	<u>46</u>	BRIEF in Opposition re <u>42</u> Motion for Protective Order filed by RUSSELL SHOATZ. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit) (Grote, Bret) Modified on 10/21/2014 to edit docket text. (ksa) (Entered: 10/20/2014)
10/21/2014	<u>47</u>	NOTICE of Appearance by Yana L. Warshafsky on behalf of LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Warshafsky, Yana) (Entered: 10/21/2014)
10/21/2014	<u>48</u>	REPLY to <u>46</u> Reply Brief re <u>42</u> Motion for Protective Order filed by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Warshafsky, Yana) Modified on 10/23/2014. (jsp) (Entered: 10/21/2014)
10/21/2014	<u>49</u>	ORDER granting <u>42</u> Motion for Protective Order. It is ORDERED that the deposition of John E. Wetzel be taken in Harrisburg at a time and date mutually agreeable to the Parties. It is further ORDERED that the pending notice of deposition or subpoena seeking testimony from Shirley Moore Smeal in this matter be and is hereby QUASHED. Signed by Magistrate Judge Cynthia Reed Eddy on 10/21/2014. (bsc) (Entered: 10/21/2014)
11/21/2014		TEXT Minute Entry for proceedings held before Magistrate Judge Cynthia Reed Eddy: Status Conference held on 11/21/2014. Richard L. Etter and Dustin McDaniel appeared as counsel for Plaintiff; Mary Lynch Friedline and Yana L. Warshafsky appeared as counsel for Defendants. An amended case management order will be forthcoming. Court Reporter: none) Text-only entry; no PDF document will issue. This text-only entry constitutes a Minute of the Court or Notice on the matter. (bsc) (Entered: 11/21/2014)
11/21/2014	<u>50</u>	First AMENDED COMPLAINT against All Defendants. All Defendants answer due 12/5/2014, filed by RUSSELL SHOATZ. (McDaniel, Dustin) Modified on 11/24/2014 to add additional docket text. (ksa) (Entered: 11/21/2014)
11/22/2014	<u>51</u>	THIRD CASE MANAGEMENT ORDER: Plaintiff's Expert Reports due by 1/15/2015; Defendants' Expert Reports due by 3/13/2015; Summary Judgment motions due by 4/30/2015. Responses to Summary Judgment motions due by 5/29/2015. Replies, if any, due by 6/9/2015. Telephone Conference set for 2/2/2015 02:00 PM before Magistrate Judge Cynthia Reed Eddy. Presumptive trial date is 11/16/2015. Signed by Magistrate Judge Cynthia Reed Eddy on 11/22/2014. (bsc) Modified on 11/24/2014 to correct date defendants' expert reports are due. (ksa) (Entered: 11/22/2014)
11/24/2014		Update Answer Deadline: Answer due from LOUIS S. FOLINO on 12/5/2014; JOHN KERESTES on 12/5/2014; JOHN E. WETZEL on 12/5/2014. (ksa) (Entered: 11/24/2014)
11/24/2014		Update Deadlines: <u>51</u> Case Management Order. Text-only entry; no PDF document will issue. This text-only entry constitutes the Courts order or notice on the matter. Defendants Expert Reports due by 3/13/2015. (ksa) (Entered: 11/24/2014)



12/05/2014	<u>52</u>	ANSWER to <u>50</u> Amended Complaint by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Bradley, Scott) (Entered: 12/05/2014)
01/12/2015	<u>53</u>	MOTION to Extend Time to Complete Plaintiff's Expert Reports by RUSSELL SHOATZ. (Attachments: # <u>1</u> Proposed Order) (Grote, Bret) (Entered: 01/12/2015)
01/12/2015		TEXT ORDER granting <u>53</u> unopposed Motion to Extend Time to Complete Plaintiff's Expert Reports. Said reports shall be produced by 2/15/2015. Signed by Magistrate Judge Cynthia Reed Eddy on 1/12/2015. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (bsc) (Entered: 01/12/2015)
02/02/2015		TEXT Minute Entry for proceedings held before Magistrate Judge Cynthia Reed Eddy: Telephone Conference held on 2/2/2015. Attorneys Etter and Grote appeared on behalf of Plaintiff; Attorney Bradley appeared on behalf of Defendants. The telephone status conference will be continued until February 17, 2015 at 2:00 PM. Plaintiff's counsel shall initiate the call and have all parties on the line. Counsel shall call in to Chambers at 412-208-7490. (Court Reporter: none) Text-only entry; no PDF document will issue. This text-only entry constitutes a Minute of the Court or Notice on the matter. (bsc) (Entered: 02/02/2015)
02/17/2015		TEXT Minute Entry for proceedings held before Magistrate Judge Cynthia Reed Eddy: Telephone Conference held on 2/17/2015. Attorney Grote appeared on behalf of Plaintiff; attorneys Bradley and Warshafsky appeared on behalf of Defendants. Deadlines established in Court's Third Case Management Order remain in effect. Conference concluded. (Court Reporter: none) Text-only entry; no PDF document will issue. This text-only entry constitutes a Minute of the Court or Notice on the matter. (bsc) (Entered: 02/17/2015)
04/29/2015	<u>54</u>	MOTION to Extend Time to File Motion for Summary Judgment by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Attachments: # <u>1</u> Proposed Order) (Warshafsky, Yana) (Entered: 04/29/2015)
04/29/2015	<u>55</u>	Errata re <u>54</u> Motion to Extend Time by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. Reason for Correction: Additional Information Provided. (Attachments: # <u>1</u> Proposed Order) (Warshafsky, Yana) (Entered: 04/29/2015)
04/30/2015	<u>56</u>	TEXT ORDER granting <u>54</u> Defendants' Motion to Extend Time to file summary judgment motion. Defendants' are granted an extension until 6/15/2015 to file their summary judgment motion and Plaintiff's deadlines are adjusted accordingly. Signed by Magistrate Judge Cynthia Reed Eddy on 4/29/2015. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (bsc) Modified on 5/1/2015 to correct typo. (ksa) (Entered: 04/30/2015)
06/15/2015	<u>57</u>	MOTION to Extend Time to File Motion for Summary Judgment by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Attachments: # <u>1</u> Proposed Order) (Warshafsky, Yana) (Entered: 06/15/2015)
06/15/2015	<u>58</u>	TEXT ORDER granting <u>57</u> Motion to Extend Time to file summary judgment motion. Defendants are granted an extension until 7/15/2015 to file their summary judgment motion and Plaintiff's deadlines are adjusted accordingly. Signed by Magistrate Judge Cynthia Reed Eddy on 6/15/2015. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (bsc) (Entered: 06/15/2015)
07/15/2015	<u>59</u>	MOTION to Extend Time to File Motion for Summary Judgment by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Attachments: # <u>1</u> Proposed Order) (Warshafsky, Yana) (Entered: 07/15/2015)
07/15/2015	<u>60</u>	ORDER granting <u>59</u> Motion to Extend Time to file summary judgment motion. Defendants' are granted an extension until 7/30/15 to file their summary judgment motion and Plaintiff's deadlines are adjusted accordingly. Signed by Magistrate Judge Cynthia Reed Eddy on 7/15/15. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (Eddy, J) (Entered: 07/15/2015)
07/15/2015	<u>61</u>	MOTION for Summary Judgment by RUSSELL SHOATZ. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Brief in Support, # <u>3</u> Statement of Facts, # <u>4</u> Exhibit 1, # <u>5</u> Exhibit

		2, # <u>6</u> Exhibit 3, # <u>7</u> Exhibit 4, # <u>8</u> Exhibit 5, # <u>9</u> Exhibit 6, # <u>10</u> Exhibit 7, # <u>11</u> Exhibit 8, # <u>12</u> Exhibit 9, # <u>13</u> Exhibit 10, # <u>14</u> Exhibit 11, # <u>15</u> Exhibit 12, # <u>16</u> Exhibit 13, # <u>17</u> Exhibit 14, # <u>18</u> Exhibit 15, # <u>19</u> Exhibit 16, # <u>20</u> Exhibit 17, # <u>21</u> Exhibit 18, # <u>22</u> Exhibit 19, # <u>23</u> Exhibit 20, # <u>24</u> Exhibit 21, # <u>25</u> Exhibit 22) (Grote, Bret) (Entered: 07/15/2015)
07/15/2015	<u>62</u>	BRIEF in Support re <u>61</u> Motion for Summary Judgment, filed by RUSSELL SHOATZ. (ksa) (Entered: 07/16/2015)
07/15/2015	<u>63</u>	CONCISE STATEMENT OF MATERIAL FACTS re <u>61</u> Motion for Summary Judgment, by RUSSELL SHOATZ. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22) (ksa) (Entered: 07/16/2015)
07/16/2015		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>61</u> Motion for Summary Judgment. ERROR: Document should have been filed as two separate documents. CORRECTION: Attorney Grote advised in future that documents of that nature are to be filed as separate documents. Clerk of Court docketed Brief in Support of Motion for Summary Judgment and Concise Statement of Material Facts. This message is for informational purposes only. (ksa) (Entered: 07/16/2015)
07/21/2015	64	TEXT ORDER Response/Briefing Schedule re <u>61</u> Plaintiff's Motion for Summary Judgment. Defendants shall file a brief in opposition on or before 8/31/2015. Plaintiff, if he so chooses, may file a Reply by 9/4/2015. Signed by Magistrate Judge Cynthia Reed Eddy on 7/21/2015. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (bsc) (Entered: 07/21/2015)
07/30/2015	<u>65</u>	MOTION to Extend Time to File Motion for Summary Judgment by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Attachments: # <u>1</u> Proposed Order) (Warshafsky, Yana) (Entered: 07/30/2015)
07/30/2015	66	TEXT ORDER granting <u>65</u> Defendants' Motion to Extend Time to file summary judgment. Defendants' Motion for Summary Judgment is due on or before August 6, 2015. Plaintiff's response deadline is adjusted accordingly. Signed by Magistrate Judge Cynthia Reed Eddy on 7/30/2015. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (bsc) (Entered: 07/30/2015)
08/06/2015	<u>67</u>	MOTION for Summary Judgment by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Attachments: # <u>1</u> Proposed Order) (Bradley, Scott) (Entered: 08/06/2015)
08/06/2015	<u>68</u>	BRIEF in Support re <u>67</u> Motion for Summary Judgment filed by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Bradley, Scott) (Entered: 08/06/2015)
08/06/2015	<u>69</u>	CONCISE STATEMENT OF MATERIAL FACTS re <u>67</u> Motion for Summary Judgment by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Bradley, Scott) (Entered: 08/06/2015)
08/06/2015	<u>70</u>	Appendix to <u>69</u> Concise Statement of Material Facts by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Attachments: # <u>1</u> Exhibit Nos. 1-5, # <u>2</u> Exhibit No. 6, # <u>3</u> Exhibit No. 7, # <u>4</u> Exhibit Nos. 8-20, # <u>5</u> Exhibit Nos. 21-29, # <u>6</u> Exhibit Nos. 30-34, # <u>7</u> Exhibit No. 35 (Wetzel Dep), # <u>8</u> Exhibit No. 36 (Folino Dep), # <u>9</u> Exhibit No. 37 (Kerestes Dep), # <u>10</u> Exhibit No. 38 (Winfield Dep)) (Bradley, Scott) (Entered: 08/06/2015)
08/07/2015	<u>71</u>	MOTION to Strike <u>68</u> Brief in Support of Motion for Summary Judgment by RUSSELL SHOATZ. (Attachments: # <u>1</u> Proposed Order) (Grote, Bret) (Entered: 08/07/2015)
08/07/2015	<u>72</u>	MOTION for Leave to File Excess Pages, <i>nunc pro tunc</i> , in Brief in Support of Motion for Summary Judgment by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Attachments: # <u>1</u> Proposed Order) (Bradley, Scott) (Entered: 08/07/2015)

08/10/2015	73	ORDER granting <u>72</u> Motion for Leave to File Excess Pages nunc pro tunc, in Brief in Support of Motion for Summary Judgment. Signed by Magistrate Judge Cynthia Reed Eddy on 8/10/15. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (Eddy, J.) (Entered: 08/10/2015)
08/10/2015	74	ORDER denying as moot <u>71</u> Motion to Strike <u>68</u> Brief in Support of Motion. Plaintiff may exceed the page limitation if necessary in his Response. Signed by Magistrate Judge Cynthia Reed Eddy on 8/10/15. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (Eddy, J.) (Entered: 08/10/2015)
08/19/2015	75	TEXT ORDER Response/Briefing Schedule re <u>67</u> Defendants' Motion for Summary Judgment. Plaintiff shall file a Brief in Opposition on or before 9/18/2015. Defendants' Reply may be filed on or before 10/2/2015. Signed by Magistrate Judge Cynthia Reed Eddy on 8/19/2015. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (bsc) (Entered: 08/19/2015)
08/31/2015	<u>76</u>	MOTION to Extend Time to File Response/Reply to Plaintiff's <u>61</u> Motion for Summary Judgment by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Attachments: # <u>1</u> Proposed Order) (Warshafsky, Yana) Modified on 9/1/2015 document linkage corrected. Document linked to document <u>61</u> . (ksa) (Entered: 08/31/2015)
09/01/2015	77	TEXT ORDER granting <u>76</u> Motion for Extension of Time to File Response to Plaintiff's Motion for Summary Judgment <u>61</u> . Responses due by 9/30/2015; Reply due by 10/8/2015. No future requests for extensions will be granted. Signed by Magistrate Judge Cynthia Reed Eddy on 9/1/2015. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (bsc) (Entered: 09/01/2015)
09/18/2015	78	ORDER : The Presumptive trial date of 11/16/2015 has been canceled until further ORDER of COURT. Signed by Magistrate Judge Cynthia Reed Eddy on 9/18/15. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jlh) (Entered: 09/18/2015)
09/18/2015	<u>79</u>	BRIEF in Opposition re <u>67</u> Motion for Summary Judgment filed by RUSSELL SHOATZ. (Grote, Bret) (Entered: 09/18/2015)
09/18/2015	<u>80</u>	RESPONSIVE <u>69</u> Concise Statement of Material Facts by RUSSELL SHOATZ. (Grote, Bret) (Entered: 09/18/2015)
09/18/2015	<u>81</u>	Appendix to <u>80</u> Counter Statement of Facts by RUSSELL SHOATZ. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit) (Grote, Bret) (Entered: 09/18/2015)
09/18/2015		CONCISE STATEMENT OF ADDITIONAL MATERIAL FACTS re <u>61</u> Motion for Summary Judgment, by RUSSELL SHOATZ. (Filed with document <u>80</u> ) (ksa) (Entered: 10/07/2015)
09/30/2015	<u>82</u>	RESPONSE to Motion re <u>61</u> MOTION for Summary Judgment filed by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Bradley, Scott) (Entered: 09/30/2015)
09/30/2015	<u>83</u>	COUNTER STATEMENT OF FACTS <i>in Response to Plaintiff's</i> <u>63</u> Concise Statement of Material Facts by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Bradley, Scott) (Entered: 09/30/2015)
10/06/2015	<u>84</u>	COUNTER STATEMENT OF FACTS <i>re Statement of Additional Material Facts in Plaintiff's</i> <u>80</u> Counter Statement of Facts by LOUIS S. FOLINO, JOHN KERESTES, JOHN E. WETZEL. (Bradley, Scott) (Entered: 10/06/2015)
10/07/2015		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>80</u> Counter Statement of Facts. ERROR: Document should have been filed as two separate documents. CORRECTION: Attorney Grote advised in future that documents of that nature are to

		be filed as separate documents. Clerk of Court docketed Concise Statement of Additional Material Facts. This message is for informational purposes only. (ksa) (Entered: 10/07/2015)
10/08/2015	<u>85</u>	REPLY BRIEF re <u>82</u> Response to Motion for summary judgment filed by RUSSELL SHOATZ. (Grote, Bret) (Entered: 10/08/2015)
02/01/2016	86	TEXT ORDER – Based on Plaintiff's representation that he withdraws his claims for relief against Defendant Kerestes, see ECF No. <u>79</u> foot note 1, Defendant Kerestes is hereby DISMISSED from this lawsuit. Signed by Magistrate Judge Cynthia Reed Eddy on 2/1/2016. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (bsc) Modified on 2/2/2016 to edit docket text. (ksa) (Entered: 02/01/2016)
02/12/2016	<u>87</u>	MEMORANDUM OPINION AND ORDER denying <u>61</u> Plaintiff's Motion for Summary Judgment and denying <u>67</u> Defendants' Motion for Summary Judgment as the Court finds that disputes of material fact exist which must be resolved by a jury. Signed by Magistrate Judge Cynthia Reed Eddy on 2/12/2016. (bsc) (Entered: 02/12/2016)
02/18/2016	88	ORDER: A Status Conference is scheduled for 3/3/16 at 2:00 PM in Room 10160 before Magistrate Judge Cynthia Reed Eddy for the purpose of scheduling further proceedings. All counsel must attend and bring their calendars to the conference. Signed by Magistrate Judge Cynthia Reed Eddy on 2/18/16. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (Eddy, J.) (Entered: 02/18/2016)
03/03/2016		Minute Entry for proceedings held before Magistrate Judge Cynthia Reed Eddy: Status / Scheduling Conference held on 3/3/2016. In attendance for Plaintiff were: Richard L. Etter, Stefanie Lepore Burt, Bret Grote, Dustin McDaniel, and Harold J. Engel. In attendance for Defendants were Mary Lynch Friedline and Scott A. Bradley. The parties indicated a willingness to return to mediation before Judge Kenneth Benson. The Court discussed the Pretrial Order which will be entered on this date. (Court Reporter: none) Text-only entry; no PDF document will issue. This text-only entry constitutes a Minute of the Court or Notice on the matter. (bsc) (Entered: 03/03/2016)
03/03/2016	<u>89</u>	PRETRIAL ORDER: Plaintiff's Pretrial Statement and witness list due by 5/2/2016. Defendants' Pretrial Statement and Witness list due by 5/9/2016. Motions in Limine due by 6/3/2016; Response to Motions in Limine due by 6/10/2016. Points for Charge, Proposed Verdict Slips, and Voir Dire due by 6/17/2016. Exhibit Lists due by 6/27/2016. Stipulations due by 6/27/2016. Preliminary Pretrial Conference set for 6/27/2016 02:00 PM in Courtroom 10A before Magistrate Judge Cynthia Reed Eddy. Final Pretrial Conference set for 7/7/2016 02:00 PM in Courtroom 10A before Magistrate Judge Cynthia Reed. Jury Selection and Trial set for 7/11/2016 09:30 AM in Courtroom 10A before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 3/3/2016. (bsc) (Entered: 03/03/2016)
05/05/2016	90	ORDER : A Conference Call has been scheduled for 5/12/2016 at 02:00 PM before Magistrate Judge Cynthia Reed Eddy. Counsel for the plaintiff shall initiate the call. Signed by Magistrate Judge Cynthia Reed Eddy on 5/5/16. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jlh) (Entered: 05/05/2016)
05/10/2016	<u>91</u>	REPORT of Mediation: Case has been resolved. <b>The parties are reminded of their obligation to complete the ADR questionnaire and submit within 5 days of the conclusion of the ADR process. The questionnaire can be accessed at <a href="http://www.pawd.uscourts.gov">www.pawd.uscourts.gov</a>. Click on the ADR icon.</b> Mediation session was held on 5/2/2016. (Benson, Kenneth) (Entered: 05/10/2016)
05/12/2016		Minute Entry for proceedings held before Magistrate Judge Cynthia Reed Eddy: Telephone Conference held on 5/12/2016. Attorneys Richard L. Etter and Bret Grote appearing for Plaintiff; attorneys Mary Lynch Friedline and Yana L. Warshafsky appearing for Defendants. Counsel confirmed that a settlement in principle has been reached. (Court Reporter: none) Text-only entry; no PDF document will issue. This text-only entry constitutes a Minute of the Court or Notice on the matter. (bsc) (Entered: 05/12/2016)

05/12/2016	<u>92</u>	ORDER FOR STATISTICAL CLOSING. Signed by Magistrate Judge Cynthia Reed Eddy on 5/12/2016. (bsc) (Entered: 05/12/2016)
07/07/2016	<u>93</u>	STIPULATION of Dismissal by RUSSELL SHOATZ. (Burt, Stefanie) (Entered: 07/07/2016)
07/25/2016	<u>94</u>	ORDER APPROVING <u>93</u> Stipulation of Dismissal filed by RUSSELL SHOATZ. Signed by Magistrate Judge Cynthia Reed Eddy on 7/25/2016. (jlh) (Entered: 07/25/2016)