

**U.S. District Court
Middle District of Tennessee (Nashville)
CIVIL DOCKET FOR CASE #: 3:88-cv-00924**

L., et al v. Adams, et al
Assigned to: District Judge William J. Haynes, Jr
Demand: \$0
Case in other court: 91-06196
91-06241

Date Filed: 11/07/1988
Date Terminated: 09/09/1991
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Cause: 42:1983 Prisoner Civil Rights

Plaintiff

John L.
(last name unknown)

represented by **Andrew Joseph Shookhoff**
Vanderbilt Legal Clinic
Vanderbilt School of Law
131 21st Avenue, S
Nashville, TN 37203
(615) 322-4964
TERMINATED: 09/13/1990
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David Arthur Kozlowski
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TERMINATED: 09/18/1996
LEAD ATTORNEY
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Susan Laurie Kay
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Email: susan.kay@vanderbilt.edu
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Andrew Shookhoff
*as next friend of plaintiff and plaintiff
class*
TERMINATED: 09/13/1990

represented by **Andrew Joseph Shookhoff**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

David Kozlowski
*as next friend of plaintiff and plaintiff
class*

represented by **David Arthur Kozlowski**
(See above for address)
TERMINATED: 09/18/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Susan Laurie Kay
(See above for address)
LEAD ATTORNEY

V.

Defendant

Betty J. Adams

represented by **Kimberly Jennings Dean**
 Tennessee Attorney General's Office
 P O Box 20207
 Nashville, TN 37202
 (615) 741-3491
 Email: Kimberly.Dean@ag.tn.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Stephen H. Norris

Commissioner, TDOC
TERMINATED: 08/03/1989

represented by **Kimberly Jennings Dean**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Rusty Crow

Assistant Commissioner, Youth Services
of TDOC
TERMINATED: 08/03/1989

represented by **Kimberly Jennings Dean**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Commissioner Viola P. Miller

represented by **Kimberly Jennings Dean**
 (See above for address)
LEAD ATTORNEY
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/05/1991	119	EXHIBIT and witness list of hrg of 2/5/91 (lh) Modified on 10/08/1991 (Entered: 10/07/1991)
02/05/1991	120	DEPOSITION of Betty K. Adams taken on the following date(s): 1/22/91 received at hrg of 2/5/91 (lh) Modified on 10/08/1991 (Entered: 10/07/1991)
02/05/1991	121	DEPOSITION of Betty Adams taken on the following date(s): 5/26/89 received at hrg of 2/5/91 (lh) Modified on 10/08/1991 (Entered: 10/07/1991)
08/27/1991	114	STATUS REPORT by defendant Betty J. Adams in conformance with this Court's order of 2/28/90, 5/24/91, and 8/16/91 (mg) Modified on 10/08/1991 (Entered: 08/29/1991)
09/05/1991	115	ORDER by Magistrate Judge Kent Sandidge III The court approves of and hereby adopts the plan as the one to be put in effect and enforced. Ordered that the dft institute doc #71 as plan for Dept. of Youth Development and dft is enjoined to follow such plan until such time as this order may be dissolved. Ordered that either pty may seek a change to plan where circumstances warrant. (cc: all counsel) (lh) Modified on 10/08/1991 (Entered: 09/09/1991)

09/23/1991	116	MOTION by plaintiff to alter , or to amend Order entered 9/9/91 (mg) Modified on 10/08/1991 (Entered: 09/24/1991)
09/23/1991	117	AFFIDAVIT of David Kozlowski re [116-1], re [116-2] (motion to alter or amend 9/9/91 Order) (mg) Modified on 10/08/1991 (Entered: 09/24/1991)
09/26/1991	118	ORDER by Magistrate Judge Kent Sandidge III denying motion to alter [116-1] pltf wants the court to order that pltf and the court be kept abreast of the contracting process. Court considers that its not necessary that such be done. State may conduct this process w/out interference fm this court, granting motion to amend Order entered 9/9/91 [116-2] by deleting that portion of the plan on pg 3 where the attnys are instructed to require that the juvenile exhaust all formal and informal means of resolving a complaint or dispute prior to court action (cc: all counsel) (lh) Modified on 10/08/1991 (Entered: 09/27/1991)
10/04/1991	122	NOTICE OF APPEAL by defendant Betty J. Adams from Dist. Court decision [118-1] entered on 9/27/91, orders of 2/28/90, 5/24/91, 8/16/91, and 9/9/91 (mk) (Entered: 10/08/1991)
10/04/1991		RECEIVED filing fee (lh) Modified on 10/08/1991 (Entered: 10/08/1991)
10/04/1991	123	MOTION by defendant Betty J. Adams to stay enforcement of judgment (lh) (Entered: 10/08/1991)
10/04/1991		TRANSCRIPT Order Form for dates: 10/26/89, 7/31/91, testimony of Ken Schatz of 3/4/91, trans already on file for 2/5/91 hrg re [122-1] (lh) (Entered: 10/08/1991)
10/08/1991		REMARK: DUE TO AN INDAVERTENCE IN THE NUMBERING OF THIS DOCKET SHEET, THE DOCKET SHEET AND FILE HAS BEEN CHANGED TO REFLECT THE CORRECT NUMBERING. PLEASE DISREGARD ANY PREVIOUS COPIES OF THIS DOCKET SHEET (mk) (Entered: 10/08/1991)
10/08/1991		Short Record on Appeal sent to 6th CCA re [122-1] (lh) (Entered: 10/08/1991)
10/08/1991		REMARK: Service of NOA to David Kozlowski & Susan Kay (lh) (Entered: 10/08/1991)
10/08/1991		REMARK: Designation ltrs fwd to counsel for rec on appeal (lh) (Entered: 10/08/1991)
10/10/1991	124	ORDER by Magistrate Judge Kent Sandidge III denying motion to stay enforcement of judgment [123-1] as to the entire Plan Motion granted in part: Ordered that enforcement of portion dealing with prov legal asst on issues pertaining to treatment programs & educ stayed pending appeal (cc: all counsel) (mg) (Entered: 10/11/1991)
10/11/1991	125	TRANSCRIPT of proceedings for the following date(s): 3/4/91 (Re: [122-1]) Volume 2 (lh) (Entered: 10/16/1991)
10/15/1991	126	RESPONSE in Opposition by plaintiff to mtn to stay enforcement [123-1] (db) (Entered: 10/17/1991)
10/18/1991	127	TRANSCRIPT of proceedings for the following date(s): 7/31/91 (Re: [122-1]) (lh) (Entered: 10/21/1991)
10/18/1991	128	TRANSCRIPT of proceedings for the following date(s): 10/26/89 (Re: [122-1]) (lh) (Entered: 10/21/1991)
10/18/1991	129	NOTICE OF APPEAL by defendant Betty J. Adams from Dist. Court decision [118-1] entered on 9/27/91, orders of 2/28/90, 5/24/91, 8/16/91 & 9/9/91 (lh) (Entered: 10/21/1991)
10/18/1991		RECEIVED filing fee (lh) (Entered: 10/21/1991)
10/18/1991	130	MOTION by defendant Betty J. Adams for reconsideration , and to clarify order of stay of 10/11/91 (lh) (Entered: 10/22/1991)
10/18/1991	131	MEMORANDUM by defendant Betty J. Adams in support of motion for reconsideration [130-1], of motion to clarify [130-2] (lh) (Entered: 10/22/1991)

10/21/1991		Short Record on Appeal sent to 6th CCA re [129-1] (lh) (Entered: 10/21/1991)
10/21/1991		REMARK: Service of NOA to David Kozlowski & Susan Kay (lh) (Entered: 10/21/1991)
10/22/1991		NOTIFICATION by 6th CCA of Appellate Docket Number 91-6196 to appeal no. 1 (lh) (Entered: 10/22/1991)
10/24/1991	132	ORDER by Magistrate Judge Kent Sandidge III re: [130-1] motion for reconsideration, [130-2] motion to clarify. The prior order staying enforcement of a portion of the Plan previously approved by the Court remains in full force and effect. The court thinks the dft is overly concerned. The Court's prior order does state that the stay of a portion of the Plan is "stayed pending the outcome of any appeal filed by dft." The time the notice of appeal is filed, whether before or after the stay order, is not significant as long as the notice is timely (cc: all counsel) (lh) (Entered: 10/24/1991)
10/24/1991	134	RESPONSE by plaintiff in opposition to mtn for reconsideration (lh) (Entered: 10/29/1991)
10/25/1991	133	ORDER from 6th CCA dtd 10/23/91, appellant's mtn to voluntarily dismiss appeal 91-6196 is granted (lh) (Entered: 10/25/1991)
10/28/1991	135	MOTION by plaintiff to extend time for an additional 30 days to 11/27/91 to file appl for award of attny's fees (lh) (Entered: 10/29/1991)
10/28/1991	136	BRIEF by plaintiff in support of motion to extend time for an additional 30 days to 11/27/91 to file appl for award of attny's fees [135-1] (lh) (Entered: 10/29/1991)
10/28/1991	137	AFFIDAVIT of David Kozlowski re [135-1] (lh) (Entered: 10/29/1991)
11/04/1991		NOTIFICATION by 6th CCA of Appellate Docket Number 91-6241 to appl. no. 2 (lh) (Entered: 11/05/1991)
11/05/1991	138	RESPONSE by defendant to motion to extend time for an additional 30 days to 11/27/91 to file appl for award of attny's fees [135-1] (lh) (Entered: 11/06/1991)
11/06/1991	139	ORDER by Magistrate Judge Kent Sandidge III granting motion to extend time for an additional 30 days to 11/27/91 to file appl for award of attny's fees [135-1] (cc: all counsel) (lh) (Entered: 11/08/1991)
11/12/1991	140	DESIGNATION by plaintiffs, & defendant for rec on appeal (lh) (Entered: 11/13/1991)
11/27/1991	141	ORDER from 6th CCA dtd 11/22/91, dft's mtn for stay is granted. Clerk ordered to expedite briefing in this appeal and to set it for argument at earliest available date. (lh) (Entered: 12/03/1991)
11/27/1991	142	MOTION by plaintiffs for attorney fees (lh) (Entered: 12/03/1991)
11/27/1991	143	AFFIDAVIT of Andrew J. Shookhoff re [142-1] (lh) (Entered: 12/03/1991)
11/27/1991	144	AFFIDAVIT of Susan L. Kay re [142-1] (lh) (Entered: 12/03/1991)
11/27/1991	145	AFFIDAVIT of David Kozlowski re [142-1] (lh) (Entered: 12/03/1991)
11/27/1991	146	BRIEF by plaintiffs in support of motion for attorney fees [142-1] (lh) (Entered: 12/03/1991)
12/20/1991	147	AGREED ORDER by Magistrate Judge Kent Sandidge III dft's time for filing response to pltf's motion for attorney fees [142-1] is extended to 1/6/92 (cc: all counsel) (lh) (Entered: 12/23/1991)
01/09/1992	148	AGREED ORDER by Magistrate Judge Kent Sandidge III the time for filing of dft's response to motion for attorney fees [142-1] is extended to 1/13/92 (cc: all counsel) (lh) (Entered: 01/09/1992)
02/24/1992		Certified Record on Appeal sent to 6th CCA re [129-1] (lh) (Entered: 02/24/1992)
03/03/1992	149	AGREED ORDER by Magistrate Judge Kent Sandidge III Regarding payment of attorney fees. Dft will pay to pltf's counsel the sum of \$43,500 in full satisfaction

		of fees and costs incurred by pltfs in this matter through date of filing of their mtn for award of attnys fees, but not including any work done on the appeal of this matter (cc: all counsel) (lh) (Entered: 03/03/1992)
07/20/1992		INFORMATION COPY from 6th CCA (dm) (Entered: 07/20/1992)
10/02/1992	150	MANDATE from 6th CCA Judgement : ORDERED that the grant of summary judgment to the plaintiff is affirmed. It is further ORDERED that the remedial order is reversed to the extent that it requires the State to provide assistance to juvenile detainees on Section 1983 claims unrelated to their detention and civil matters involving purely state law. The case is remanded for further proceedings in accordance with the opinion. (dm) (Entered: 10/07/1992)
10/26/1992		RECORD on appeal returned from 6th CCA re appeal #2, 91-6241 [129-1] consisting of 4 vol. pleadings, 1 sealed envelope, 4 vol. transcripts, 14 vol. depositions (pb) (Entered: 10/27/1992)
10/30/1992	151	ORDER by Magistrate Judge Kent Sandidge III, In accord with the Judgment of the 6CCA, It if ordered that the portions of the remedial plan &orde4r requiring the state to provide assistance to juvenile detainees on Sec 1983 claims unrelated to their detention &civil matters involving purely state law are hereby deleted. All other portions remain in full force &effect. dismissing case (cc: all counsel)(EOD 10/30/92) (db) (Entered: 10/30/1992)
11/25/1992	152	MOTION by plaintiff David Kozlowski, plaintiff John L. for supplemental award of attorneys' fees (dm) (Entered: 12/02/1992)
11/25/1992	153	AFFIDAVIT of Susan L. Kay in support of motion for supplemental award of attorneys' fees [152-1] (dm) (Entered: 12/02/1992)
11/25/1992	154	AFFIDAVIT of David Kozlowski in support of motion for supplemental award of attorneys' fees [152-1] (dm) (Entered: 12/02/1992)
12/16/1992	155	AGREED ORDER by Magistrate Judge Kent Sandidge III extending the time for the deft to respond to pltfs' mtn for supplemental award of attys' fees so that parties can pursue settlement negotiations relative to that mtn. Defts have until 1/29/93 to respond to plas' mtn. (cc: all counsel)(EOD 12/16/92) (db) (Entered: 12/16/1992)
01/27/1993	156	AGREED ORDER approved by Magistrate Judge Kent Sandidge III Defendants have until Friday, February 12, 1993, to respond to pla's motion for supplemental award of attorneys' fees (cc: all counsel) (EOD 1/27/93) (dm) (Entered: 01/27/1993)
02/25/1993		PROPOSED Order regarding paymnet of supplemental attorneys' fees. (kys) (Entered: 03/01/1993)
03/03/1993	157	AGREED ORDER approved by Magistrate Judge Kent Sandidge III: ORDERED that the defendant pay to the plas' counsel, Legal Services of South Central Tennessee, Inc., and Legal Clinic, School of Law, Vanderbilt University, the sum \$7,200 in full satisfaction of fees and costs incurred by plas in this matter through the date of this Order. (cc: all counsel) (EOD 3/3/93) (dm) (Entered: 03/03/1993)
01/18/1995		REMARK: Docket sheet filed in closed ds book in archives (dm) (Entered: 01/18/1995)
09/11/1996	158	MOTION by pltf David Kozlowski to withdraw as attorney . (mk) (Entered: 09/11/1996)
09/18/1996	159	ORDER by Judge John T. Nixon granting mtn of David Kozlowski to withdraw as attorney [158-1] for pltfs'. (cc: all counsel) (mk) (Entered: 09/18/1996)
12/13/1996	160	ORDER by Judge John T. Nixon: Party or parties who submitted material under seal shall retrieve within 10 days of date of entry of this order on the docket. If material is not retrieved, Clerk directed to destroy the material. EOD 12/13/96 (cc: all counsel) (mk) (Entered: 12/13/1996)
01/06/1997		REMARK: UNDER SEAL DE#62-AFF. of Betty Adams, retrieved by Kimberly Dean, A.G.'s office on 1/2/97.cm (cm) (Entered: 01/06/1997)

01/09/1997		REMARK: UNDER SEAL DE#4 retrieved by David Kozlowski thi date (Mot. to Proceed w/o NOtification of His True Identity).cm (cm) (Entered: 01/09/1997)
11/27/2007	<u>161</u>	MOTION to Dissolve Injunction by Viola P. Miller. (Dean, Kimberly) (Entered: 11/27/2007)
11/27/2007	<u>162</u>	MEMORANDUM in Support of <u>161</u> MOTION to Dissolve Injunction filed by Viola P. Miller. (Dean, Kimberly) (Entered: 11/27/2007)
11/27/2007	<u>163</u>	AFFIDAVIT re <u>161</u> MOTION to Dissolve Injunction by <i>Steven Barlar</i> by Viola P. Miller. (Attachments: # <u>1</u> Exhibit Contract #FA-04-15585, MUYDC# <u>2</u> Exhibit Contract #FA-04-15567, WYDC# <u>3</u> Exhibit Contract #FA-04-15568, WHYDC & NUYDC# <u>4</u> Exhibit Contract #FA-06-16703, TYDC)(Dean, Kimberly) (Entered: 11/27/2007)
12/05/2007	<u>164</u>	ORDER OF RECUSAL. Judge John T. Nixon recused. Case reassigned to Judge William J. Haynes, Jr for all further proceedings. Signed by Judge John T. Nixon on 12/4/07. (dt) (Entered: 12/06/2007)
12/07/2007	<u>165</u>	MOTION for Extension of Time to File Response to <u>161</u> Motion to Dissolve Injunction filed by John L.. (Kay, Susan) Modified Text on 12/10/2007 (dt). (Entered: 12/07/2007)
12/11/2007	<u>166</u>	ORDER granting <u>165</u> Motion for Extension of Time to File Response to <u>161</u> MOTION to Dissolve Injunction. Plaintiffs shall have until 12/21/07, within which to respond to the Motion to Dissolve Injunction. Signed by Judge William J. Haynes Jr. on 12/11/07. (dt) (Entered: 12/11/2007)
12/21/2007	<u>167</u>	Second MOTION for Extension of Time to File Response to <u>161</u> Motion to Dissolve Injunction by John L. (Kay, Susan) Modified Text on 12/27/07 (jb). (Entered: 12/21/2007)
12/28/2007	<u>168</u>	MOTION for Extension of Time to File Response to <u>161</u> Motion to Dissolve Injunction by John L.. (Kay, Susan) Modified Text on 1/2/2008 (dt). (Entered: 12/28/2007)
01/04/2008	<u>169</u>	ORDER granting <u>168</u> Motion for Extension of Time to File Response as to <u>161</u> MOTION to Dissolve Injunction. Signed by Judge William J. Haynes Jr. on 1/4/08. (dt) (Entered: 01/04/2008)
01/04/2008	<u>170</u>	ORDER granting <u>167</u> Motion for Extension of Time to File Response to <u>161</u> MOTION to Dissolve Injunction. Signed by Judge William J. Haynes Jr. on 1/4/08. (dt) (Entered: 01/04/2008)
01/31/2008	<u>171</u>	MOTION for Extension of Time to File Response to <u>161</u> Motion to Dissolve Injunction by John L.. (Kay, Susan) Modified Text on 2/1/2008 (dt). (Entered: 01/31/2008)
02/07/2008	<u>172</u>	ORDER granting <u>171</u> Motion for Extension of Time to File Response to <u>161</u> Motion to Dissolve Injunction. Signed by Judge William J. Haynes Jr. on 2/4/08. (jb) (Entered: 02/08/2008)
02/29/2008	<u>173</u>	MEMORANDUM in Support of <u>161</u> MOTION to Dissolve Injunction filed by Viola P. Miller , <i>and joined by plaintiffs</i> . (Attachments: # <u>1</u> Affidavit of Steven Barlar# <u>2</u> Agreed Order of Dissolution of Injunctive Relief)(Dean, Kimberly) (Entered: 02/29/2008)
03/04/2008		Note to Filer re Docket Entry No. 173: Signed affidavit should be filed as separate event, not as an attachment to other pleadings. This document does not need to be re-filed unless otherwise directed by the Court. (dt) (Entered: 03/04/2008)
07/16/2008	<u>174</u>	ORDER Setting Hearing on <u>161</u> MOTION to Dissolve Injunction: Motion Hearing set for 8/25/2008 at 03:00 PM before District Judge William J. Haynes Jr. Signed by District Judge William J. Haynes, Jr on 7/10/08. (dt) (Entered: 07/16/2008)
07/28/2008	<u>175</u>	MOTION to Reschedule Oral Argument by John L.. (Kay, Susan) Modified Text on 7/29/2008 (dt). (Entered: 07/28/2008)

07/29/2008	<u>176</u>	ORDER granting <u>175</u> Motion to Reschedule Oral Argument. Hearing is reset for 8/29/08 at 4:00 p.m. Signed by District Judge William J. Haynes, Jr on 7/29/08. (dt) Modified to correct date of hearing on 8/21/2008; emailed counsel (gi). (Entered: 07/29/2008)
08/27/2008	<u>177</u>	STATUS REPORT by Viola P. Miller. (Attachments: # <u>1</u> Exhibit Affidavit of Steven Barlar)(Ross, Heather) (Entered: 08/27/2008)
08/29/2008	<u>178</u>	Minute Entry for proceedings held before District Judge William J. Haynes, Jr: Motion Hearing held on 8/29/2008 re <u>161</u> MOTION to Dissolve Injunction filed by Viola P. Miller. Counsel agreed that all future proceedings will remain with this Court. Court will enter the Agreed Order to dissolve the injunction. (Court Reporter Peggy Turner.) (dt) (Entered: 08/29/2008)
08/29/2008	<u>179</u>	AGREED ORDER OF DISSOLUTION OF INJUNCTIVE RELIEF: All injunctive relief imposed in this case is hereby dissolved including specifically the orders entered on or about 9/5/91, DE 115 incorporating the Remedial Plan filed 8/27/91, DE 114; 9/26/91, DE 118; and 10/30/92, DE 151. Parties agree to bear their own costs and fees. Signed by District Judge William J. Haynes, Jr on 8/29/08. (dt) (Entered: 08/29/2008)