

STAYED

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CIVIL DOCKET FOR CASE #: 4:20-cv-01115**

Valentine et al v. Collier et al
Assigned to: Judge Keith P Ellison
Cause: 28:1983 Civil Rights

Date Filed: 03/30/2020
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Laddy Curtis Valentine

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Plaintiff

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V.

Defendant

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Defendant

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Intervenor Plaintiff

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Intervenor Plaintiff

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Intervenor Plaintiff

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Intervenor Plaintiff

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PRO SE

Movant

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Movant

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Movant

Frank Stubblefield

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Movant**Victor Jewell Black**represented by **Victor Jewell Black**
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PRO SE

V.

Interested Party**Leeroy Cesar Carballo**represented by **Leeroy Cesar Carballo**
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PRO SE**Interested Party****Oliver E. Lister, II**represented by **Oliver E. Lister, II**
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Date Filed	#	Docket Text
03/30/2020	<u>1</u>	COMPLAINT against Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice (0541-24491139) filed by Laddy Curtis Valentine, Richard Elvin King. (Attachments: # <u>1</u> Civil Cover Sheet)(Keville, John) (Entered: 03/30/2020)
03/30/2020	<u>2</u>	ORDER – By agreement of the judges, this action is hereby TRANSFERRED to the docket of Judge Keith P. Ellison. (Signed by Judge Kenneth M Hoyt) Parties notified.(sanderson, 4) (Entered: 03/30/2020)
03/31/2020	<u>3</u>	NOTICE of Setting as to <u>1</u> Amended Complaint/Counterclaim/Crossclaim etc.. Parties notified. Telephone Conference set for 4/2/2020 at 03:30 PM by telephone before Judge Keith P Ellison, filed. (arrivera, 4) (Entered: 03/31/2020)
03/31/2020	<u>4</u>	Request for Issuance of Summons as to Bryan Collier, Robert Herrera, filed.(Keville, John) (Entered: 03/31/2020)
03/31/2020	<u>5</u>	NOTICE of Appearance by Jeff Edwards, Scott Medlock, Michael Singley, and David James on behalf of Richard Elvin King, Laddy Curtis Valentine, filed. (Edwards, Jeffrey) (Entered: 03/31/2020)
03/31/2020	<u>6</u>	NOTICE of Appearance by Denise Scofield, Michael T. Murphy, Brandon W. Duke, Benjamin D. Williams, Robert L. Green, Corinne Stone Hockman on behalf of Richard Elvin King, Laddy Curtis Valentine, filed. (Duke, Brandon) (Entered: 03/31/2020)
03/31/2020	<u>7</u>	MOTION for Writ of Habeas Corpus ad testificandum for appearance of Richard King by telephone by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 4/21/2020. (Attachments: # <u>1</u> Proposed Order)(Edwards, Jeffrey) (Entered: 03/31/2020)
03/31/2020	<u>8</u>	MOTION for Writ of Habeas Corpus ad testificandum for appearance of Laddy Valentine by telephone by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 4/21/2020. (Attachments: # <u>1</u> Proposed Order)(Edwards, Jeffrey) (Entered: 03/31/2020)
03/31/2020	<u>9</u>	Writ of Habeas Corpus ad Testificandum Issued as to Richard King for Telephonic Hearing on 4/2/20 @ 3:30 pm (Signed by Judge Keith P Ellison), filed.(sanderson, 4)

		**** certified copy of Writ provided to USM (Entered: 03/31/2020)
03/31/2020		***Set Hearings : Telephone Motion Hearing set for 4/2/2020 at 03:30 PM before Judge Keith P Ellison (sanderson, 4) (Entered: 03/31/2020)
03/31/2020	<u>10</u>	Writ of Habeas Corpus ad Testificandum Issued as to Laddy Curtis Valentine for Telephonic Hearing on 4/2/20 @ 3:30 pm (Signed by Judge Keith P Ellison), filed.(sanderson, 4) **** certified copy of Writ provided to USM (Entered: 03/31/2020)
04/01/2020	<u>11</u>	Summons Issued as to Bryan Collier, Robert Herrera. Issued summons delivered to plaintiff by NEF, filed.(hlerma, 4) (Entered: 04/01/2020)
04/02/2020	<u>12</u>	DECLARATION of Jeremy D. Young, MD, MPH re: <u>1</u> Amended Complaint/Counterclaim/Crossclaim etc., filed.(Duke, Brandon) (Entered: 04/02/2020)
04/02/2020	<u>13</u>	DECLARATION of Robert L. Cohen, MD re: <u>1</u> Amended Complaint/Counterclaim/Crossclaim etc., filed.(Duke, Brandon) (Entered: 04/02/2020)
04/02/2020	<u>14</u>	DECLARATION of Eldon Vail re: <u>1</u> Amended Complaint/Counterclaim/Crossclaim etc., filed.(Duke, Brandon) (Entered: 04/02/2020)
04/02/2020	<u>15</u>	NOTICE of Appearance by Christin Cobe Vasquez and Jeffrey E. Farrell on behalf of Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Cobe Vasquez, Christin) (Entered: 04/02/2020)
04/02/2020	<u>16</u>	DECLARATION of Joseph C. Gathe, MD re: <u>1</u> Amended Complaint/Counterclaim/Crossclaim etc., filed.(Duke, Brandon) (Entered: 04/02/2020)
04/02/2020	<u>17</u>	Opposed MOTION to Transfer Case to Judge Hoyt or, in the Alternative, Place Case Into the Court's Random Assignment System by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 4/23/2020. (Attachments: # <u>1</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 04/02/2020)
04/02/2020		Minute Entry for proceedings held before Judge Keith P Ellison. TELEPHONE CONFERENCE held on 4/2/2020. Plaintiffs to respond to <u>17</u> Motion to Transfer Case by tomorrow afternoon. Appearances:Mike Murphy, Cynthia Burton, Brandon Duke, Eric Milton, Denise Scofield, Kristen Worman, Scott Medlock, Jeff Farrell, Michael Singley, Shanna Molinare, Eric Nichols, David James, Christin Cobe Vasquez, Jeffrey S Edwards, Brandon W. Duke, John R Keville.(Court Reporter: J. Sanchez)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 04/20/2020)
04/03/2020	<u>18</u>	RESPONSE in Opposition to <u>17</u> Opposed MOTION to Transfer Case to Judge Hoyt or, in the Alternative, Place Case Into the Court's Random Assignment System, filed by Richard Elvin King, Laddy Curtis Valentine. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Duke, Brandon) (Entered: 04/03/2020)
04/03/2020	<u>19</u>	REPLY in Support of <u>17</u> Opposed MOTION to Transfer Case to Judge Hoyt or, in the Alternative, Place Case Into the Court's Random Assignment System, filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (Cobe Vasquez, Christin) (Entered: 04/03/2020)
04/06/2020	<u>20</u>	MEMORANDUM AND ORDER denying <u>17</u> Opposed MOTION to Transfer Case to Judge Hoyt or, in the Alternative, Place Case Into the Court's Random Assignment System (Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 04/06/2020)
04/06/2020	<u>21</u>	ORDER. Telephone Conference set for 4/6/2020 at 04:00 PM by telephone before Judge Keith P Ellison(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 04/06/2020)
04/06/2020		Minute Entry for proceedings held before Judge Keith P Ellison. TELEPHONE CONFERENCE held on 4/6/2020. Parties reported on steps already taken by Defendants at Pack Unit to prevent spread of novel coronavirus. Plaintiffs currently awaiting additional information from Defendants. Follow-up telephonic conference set for 4/10/2020. Appearances:Mike Murphy, Cynthia Burton, Brandon Duke, Eric Milton, Denise Scofield, Kristen Worman, Scott Medlock, Jeff Farrell, Michael Singley, Shanna Molinare, Eric Nichols, David James. Christin Cobe Vasquez, Brandon W. Duke, John R Keville.(Court Reporter: J. Sanchez)(Law Clerk: J. Zhang),

		filed.(arrivera, 4) (Entered: 04/07/2020)
04/07/2020	<u>22</u>	NOTICE of Setting. Parties notified. Telephone Conference reset for 4/13/2020 at 11:00 AM by telephone before Judge Keith P Ellison, filed. (arrivera, 4) (Entered: 04/07/2020)
04/13/2020		Minute Entry for proceedings held before Judge Keith P Ellison. TELEPHONE CONFERENCE held on 4/13/2020. Court heard updates from parties on agreed changes. Application for TRO taken under advisement. Appearances:Eric Miller, Cynthia Burton, Michael Murphy, Jeff Farrow, Kristen Worman, Denise Scofield, Michael Singley, David James, Shanna Molinare, Eric Nichols. Christin Cobe Vasquez, Jeffrey S Edwards, Brandon W. Duke, John R Keville.(Court Reporter: J. Sanchez)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 04/15/2020)
04/14/2020	<u>23</u>	NOTICE of Setting. Parties notified. Telephone Conference set for 4/14/2020 at 03:30 PM by telephone before Judge Keith P Ellison, filed. (arrivera, 4) (Entered: 04/14/2020)
04/14/2020	<u>24</u>	MOTION for Writ of Habeas Corpus ad testificandum for appearance of Richard King by telephone by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 5/5/2020. (Attachments: # <u>1</u> Proposed Order)(Edwards, Jeffrey) (Entered: 04/14/2020)
04/14/2020	<u>25</u>	MOTION for Writ of Habeas Corpus ad testificandum for appearance of Laddy Valentine by telephone by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 5/5/2020. (Attachments: # <u>1</u> Proposed Order)(Edwards, Jeffrey) (Entered: 04/14/2020)
04/14/2020	<u>26</u>	Writ of Habeas Corpus ad Testificandum Issued as to Richard King, TDCJ #00516700 for Telephone Conference on 4/16/20 at 1:30 p.m. (Signed by Judge Keith P Ellison), filed.(rguerrero, 4) (Entered: 04/14/2020)
04/14/2020	<u>27</u>	Writ of Habeas Corpus ad Testificandum Issued as to Laddy Curtis Valentine, TDCJ #01782033 for Telephone Conference on April 16,2020 at 1:30 p.m. (Signed by Judge Keith P Ellison), filed.(rguerrero, 4) (Entered: 04/14/2020)
04/14/2020		Minute Entry for proceedings held before Judge Keith P Ellison. TELEPHONE CONFERENCE held on 4/14/2020. Defendants notified the Court that an inmate at Pack Unit died on 4/11/2020 and has preliminarily tested positive for COVID-19 at autopsy. Telephonic evidentiary hearing on Application for TRO set for 4/16/2020 at 1:30 p.m. Appearances:Corinne Hockman, Scott Medlock, Eric Miller, Cynthia Burton, Michael Murphy, Jeff Farrow, Kristen Worman, Denise Scofield, Michael Singley, David James, Shanna Molinare, Eric Nichols.. Christin Cobe Vasquez, Jeffrey S Edwards, Brandon W. Duke, John R Keville.(Court Reporter: J. Sanchez)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 04/15/2020)
04/15/2020	<u>28</u>	MEMORANDUM <i>Regarding Authorities for Reduction of Inmate Population</i> by Richard Elvin King, Laddy Curtis Valentine, filed.(Duke, Brandon) (Entered: 04/15/2020)
04/15/2020	<u>29</u>	MOTION to Modify Protective Order in the Cole v. Collier Litigation by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 5/6/2020. (Attachments: # <u>1</u> Exhibit 1 – COVID-19 TDCJ Update (April 14, 2020), # <u>2</u> Proposed Amended Protective Order)(Edwards, Jeffrey) (Entered: 04/15/2020)
04/15/2020	<u>30</u>	AO 435 TRANSCRIPT REQUEST by TDCJ/Christin Cobe Vasquez for Transcript of Telephone Conferences, April 13th and April 14, 2020, Hon. Judge Keith Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Johnny Sanchez, filed. (Cobe Vasquez, Christin) (Entered: 04/15/2020)
04/15/2020	<u>31</u>	DECLARATION of Laddy Valentine re: <u>1</u> Amended Complaint/Counterclaim/Crossclaim etc., filed.(Duke, Brandon) (Entered: 04/15/2020)
04/15/2020	<u>32</u>	DECLARATION of Richard King re: <u>1</u> Amended Complaint/Counterclaim/Crossclaim etc., filed.(Duke, Brandon) (Entered: 04/15/2020)
04/15/2020	<u>33</u>	PROPOSED ORDER <i>Temporary Restraining Order</i> re: <u>1</u> Amended Complaint/Counterclaim/Crossclaim etc., filed.(Duke, Brandon) (Entered: 04/15/2020)

04/15/2020	<u>34</u>	Unopposed MOTION to Seal Exh F to Dfs Resp to Pltfs Mtn TRO by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 5/6/2020. (Attachments: # <u>1</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 04/15/2020)
04/15/2020	<u>35</u>	SEALED EXHIBITS to DE 34 by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Attachments: # <u>1</u> Exhibit F1, # <u>2</u> Exhibit F2, # <u>3</u> Exhibit F3, # <u>4</u> Exhibit F) (Cobe Vasquez, Christin) (Entered: 04/15/2020)
04/15/2020	<u>36</u>	RESPONSE in Opposition to Plaintiff's Application for a Temporary Restraining Order, filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C-1, # <u>4</u> Exhibit Exhibit C-2, # <u>5</u> Exhibit Exhibit C-3, # <u>6</u> Exhibit Exhibit C-4, # <u>7</u> Exhibit Exhibit C-5, # <u>8</u> Exhibit Exhibit D-1, # <u>9</u> Exhibit Exhibit D-2, # <u>10</u> Exhibit Exhibit E, # <u>11</u> Proposed Order Proposed Order)(Cobe Vasquez, Christin) (Entered: 04/15/2020)
04/15/2020	<u>37</u>	RESPONSE to <u>28</u> Memorandum Plaintiffs' Memorandum Regarding Authorities For Reduction of Inmate Population, filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (Attachments: # <u>1</u> Exhibit Exhibit A)(Cobe Vasquez, Christin) (Entered: 04/15/2020)
04/15/2020	<u>39</u>	ORDER granting <u>34</u> Motion to Seal Exhibit F to Defendants' Response to Plaintiffs' Application for Temporary Restraining Order..(Signed by Judge Keith P Ellison) Parties notified.(rguerrero, 4) (Entered: 04/16/2020)
04/16/2020	<u>38</u>	Corrected Exhibit C, Attachment B to Defendants' Response In Opposition to Plaintiffs' Application for a Temporary Restraining Order by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed.(Cobe Vasquez, Christin) (Entered: 04/16/2020)
04/16/2020	<u>40</u>	PRELIMINARY INJUNCTION ORDER(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 04/16/2020)
04/17/2020	<u>41</u>	AO 435 TRANSCRIPT REQUEST by Valentine, King/Brandon Duke for Transcript of 04/16/2020. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Johnny Sanchez, filed. (Duke, Brandon) (Entered: 04/17/2020)
04/17/2020	<u>42</u>	AO 435 TRANSCRIPT REQUEST by Valentine, King/Brandon Duke for Transcript of April 13 and April 14, 2020. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Johnny Sanchez, filed. (Duke, Brandon) (Entered: 04/17/2020)
04/17/2020	<u>43</u>	AO 435 TRANSCRIPT REQUEST by TDCJ/Christin Cobe Vasquez for Transcript of Telephone Conference, 04/06/2020, Judge Keith Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Johnny Sanchez, filed. (Cobe Vasquez, Christin) (Entered: 04/17/2020)
04/17/2020	<u>44</u>	AO 435 TRANSCRIPT REQUEST by TDCJ/Christin Cobe Vasquez for Transcript of Telephonic Hearing, 04/16/2020, Judge Keith Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Johnny Sanchez, filed. (Cobe Vasquez, Christin) (Entered: 04/17/2020)
04/17/2020	<u>45</u>	NOTICE OF APPEAL to US Court of Appeals for the Fifth Circuit re: <u>40</u> Preliminary Injunction by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice (Filing fee \$ 505, receipt number 0541-24561957), filed.(Cobe Vasquez, Christin) (Entered: 04/17/2020)
04/17/2020	<u>46</u>	Opposed EMERGENCY MOTION(Motion Docket Date 5/8/2020.), MOTION to Stay Pending Appeal by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Cobe Vasquez, Christin) (Entered: 04/17/2020)
04/17/2020	<u>47</u>	ORDER granting <u>46</u> five- day stay of Preliminary Injunction Order.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 04/17/2020)
04/17/2020	<u>48</u>	REPLY to <u>1</u> Amended Complaint/Counterclaim/Crossclaim etc. , filed by Richard Elvin King, Laddy Curtis Valentine. (Duke, Brandon) (Entered: 04/17/2020)
04/17/2020	<u>49</u>	Order of USCA re: <u>45</u> Notice of Appeal, ; USCA No. 20-20207. It is ordered that plaintiffs-appellees be directed to file a response to the emergency motion for stay no

		later than Sunday, April 19, 2020, filed.(JenniferLongoria, 1) (Entered: 04/20/2020)
04/20/2020	<u>50</u>	Clerks Notice of Filing of an Appeal. The following Notice of Appeal and related motions are pending in the District Court: <u>45</u> Notice of Appeal,. Fee status: Paid. Reporter(s): J. Sanchez, filed. (Attachments: # <u>1</u> Notice of Appeal) (mperez, 1) (Entered: 04/20/2020)
04/20/2020		Appeal Review Notes re: <u>45</u> Notice of Appeal,. Fee status: Paid. The appeal filing fee has been paid or an ifp motion has been granted.Hearings were held in the case. DKT13 transcript order form(s) due within 14 days of the filing of the notice of appeal. Number of DKT-13 Forms expected: 1, filed.(mperez, 1) (Entered: 04/20/2020)
04/20/2020	<u>51</u>	MEMORANDUM AND ORDER re: <u>40</u> Preliminary Injunction Order(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Main Document 51 replaced on 4/21/2020) (arrivera, 4). (Entered: 04/20/2020)
04/22/2020	<u>52</u>	AO 435 TRANSCRIPT REQUEST by TDCJ/Christin Cobe Vasquez for Transcript of Telephone Conference, 04/02/2020, before Judge Keith Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Johnny Sanchez, filed. (Cobe Vasquez, Christin) (Entered: 04/22/2020)
04/22/2020	<u>53</u>	MOTION to Dismiss <i>Pursuant to Rule 12(b)</i> by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 5/13/2020. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 04/22/2020)
04/22/2020	<u>54</u>	MOTION for Leave to File Excess Pages by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 5/13/2020. (Attachments: # <u>1</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 04/22/2020)
04/22/2020	<u>55</u>	MOTION to Dismiss <u>54</u> MOTION for Leave to File Excess Pages <i>Defendants Supplemental Motion to Dismiss Pursuant to Rule 12(b)</i> by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 5/13/2020. (Attachments: # <u>1</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 04/22/2020)
04/23/2020	<u>56</u>	ORDER granting <u>54</u> Motion for Leave to File Excess Pages.(Signed by Judge Keith P Ellison) Parties notified.(ShoshanaArnow, 4) (Entered: 04/23/2020)
04/24/2020	<u>57</u>	MOTION for Appointment of Counsel by Laddy Curtis Valentine, filed. Motion Docket Date 5/15/2020. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope)(dnoriega, 1) (Entered: 04/24/2020)
04/24/2020	<u>58</u>	Opposed MOTION to Compel Emergency Identification of Second COVID-19 Case at the Pack Unit by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 5/15/2020. (Attachments: # <u>1</u> Exhibit 1 – Letter from J. Keville (April 17, 2020), # <u>2</u> Exhibit 2 – KBTX, Grimes County confirms another COVID-19 case at Pack Unit, # <u>3</u> Exhibit 3 – Email from C. Vasquez, # <u>4</u> Exhibit 4 – April 14, 2020 Hearing Transcript, # <u>5</u> Exhibit 5 – April 16, 2020 Hearing Transcript, # <u>6</u> Exhibit 6 – CDC, People who are at High Risk for Severe Illness, # <u>7</u> Exhibit 7 – Estimates of the severity of coronavirus disease 2019, # <u>8</u> Exhibit 8 – Grimes County, Eighth and Ninth Cases Confirmed for Grimes County, # <u>9</u> Proposed Order)(Edwards, Jeffrey) (Entered: 04/24/2020)
04/24/2020	<u>59</u>	NOTICE of Setting as to <u>58</u> Opposed MOTION to Compel Emergency Identification of Second COVID-19 Case at the Pack Unit. Parties notified. Motion Hearing set for 4/27/2020 at 01:00 PM in by telephone before Judge Keith P Ellison, filed. (arrivera, 4) (Entered: 04/24/2020)
04/27/2020	<u>60</u>	RESPONSE in Opposition to <u>58</u> Opposed MOTION to Compel Emergency Identification of Second COVID-19 Case at the Pack Unit, filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (Attachments: # <u>1</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 04/27/2020)
04/27/2020	<u>61</u>	Order of USCA Per Curiam re: <u>45</u> Notice of Appeal, ; USCA No. 20-20207. For the foregoing reasons, TDCJ's motion to stay the preliminary injunction pending appeal is GRANTED. The appeal is EXPEDITED to the next available argument calendar, filed.(EdnitaPonce, 1) (Main Document 61 replaced on 4/28/2020) (EdnitaPonce, 1).

		(Entered: 04/27/2020)
04/27/2020	<u>62</u>	DKT13 TRANSCRIPT ORDER REQUEST by TDCJ/Christin Cobe Vasquez. Transcript is already on file in Clerks office regarding Telephone Conference, 04/02/20, 04/06/20, 04/13/20, 04/14/20, and 04/16/20. (No transcript is needed). Court Reporter/Transcriber: Johnny Sanchez. This order form relates to the following: Telephone Conference,, <u>45</u> Notice of Appeal, Telephone Conference,, Scheduling Conference,, Telephone Conference,, filed. (Cobe Vasquez, Christin) (Entered: 04/27/2020)
04/27/2020	<u>63</u>	DKT13 TRANSCRIPT ORDER REQUEST by Jason R. LaFond. This is to order a transcript of Telephone Conference on 4/2/20, 4/6/20, 4/13/20, and 4/14/20 before Judge Ellison. Court Reporter/Transcriber: Johnny Sanchez. This order form relates to the following: <u>45</u> Notice of Appeal,, filed.(EdnitaPonce, 1) (Entered: 04/28/2020)
04/27/2020		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 4/27/2020. Argument heard on <u>58</u> Plaintiffs' Motion to Compel. Motion is taken under advisement. Appearances:Corinne Hockman, Cynthia Burton, Michael Murphy, Jeff Farrow, Kristen Worman, Denise Scofield, Michael Singley, David James. Christin Cobe Vasquez, Jeffrey S Edwards, Brandon W. Duke, John R Keville.(Court Reporter: J. Sanchez)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 05/07/2020)
04/28/2020	<u>64</u>	APPEAL TRANSCRIPT re Telephone Conference held on April 2, 2020 before Judge Keith P Ellison. Court Reporter J. Sanchez. Ordering Party: Christin Vasquez. This transcript relates to the following: <u>52</u> AO435 Transcript Request., Release of Transcript Restriction set for 7/27/2020., filed. (jsanchez,) (Entered: 04/28/2020)
04/28/2020	<u>65</u>	APPEAL TRANSCRIPT re Telephone Conference held on April 6, 2020 before Judge Keith P Ellison. Court Reporter J. Sanchez. Ordering Party: Christin Vasquez. This transcript relates to the following: <u>62</u> Appeal Transcript Request., Release of Transcript Restriction set for 7/27/2020., filed. (jsanchez,) (Entered: 04/28/2020)
04/28/2020	<u>66</u>	APPEAL TRANSCRIPT re Telephone Conference held on April 13, 2020 before Judge Keith P Ellison. Court Reporter J. Sanchez. Ordering Party: Christin Vasquez. This transcript relates to the following: <u>62</u> Appeal Transcript Request., Release of Transcript Restriction set for 7/27/2020., filed. (jsanchez,) (Entered: 04/28/2020)
04/28/2020	<u>67</u>	APPEAL TRANSCRIPT re Telephone Conference held on April 14, 2020 before Judge Keith P Ellison. Court Reporter J. Sanchez. Ordering Party: Christin Vasquez. This transcript relates to the following: <u>62</u> Appeal Transcript Request., Release of Transcript Restriction set for 7/27/2020., filed. (jsanchez,) (Entered: 04/28/2020)
04/28/2020	<u>68</u>	APPEAL TRANSCRIPT re Telephone Conference held on April 16, 2020 before Judge Keith P Ellison. Court Reporter J. Sanchez. Ordering Party: Christin Vasquez. This transcript relates to the following: <u>62</u> Appeal Transcript Request., Release of Transcript Restriction set for 7/27/2020., filed. (jsanchez,) (Entered: 04/28/2020)
04/28/2020	<u>69</u>	ORDER. (Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 04/28/2020)
04/28/2020		Electronic record on appeal certified to the Fifth Circuit Court of Appeals re: <u>45</u> Notice of Appeal, USCA No. 20–20207, filed.(scastillo, 1) (Entered: 04/28/2020)
04/28/2020		Electronic Access to Record on Appeal Provided re: <u>45</u> Notice of Appeal, to Matthew Frederick, Kyle Hawkins, Jason LaFond. Attorneys of record at the Circuit may <u>download the record from the Court of Appeals</u> . (USCA No. 20–20207), filed.(scastillo, 1) (Entered: 04/28/2020)
04/28/2020	<u>70</u>	AO 435 TRANSCRIPT REQUEST by TDCJ/Christin Cobe Vasquez for Transcript of Motion Hearing on 4/27/20 before Judge Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Johnny Sanchez, filed. (Cobe Vasquez, Christin) (Entered: 04/28/2020)
04/29/2020	<u>71</u>	Notice of Filing of Official Transcript as to <u>66</u> Transcript – Appeal, <u>67</u> Transcript – Appeal, <u>68</u> Transcript – Appeal, <u>65</u> Transcript – Appeal, <u>64</u> Transcript – Appeal., Party notified, filed. (jdav, 4) (Entered: 04/29/2020)

04/30/2020	<u>72</u>	TRANSCRIPT re: Telephone Conference held on April 27, 2020 before Judge Keith P Ellison. Court Reporter J. Sanchez. Ordering Party Christin Vasquez Release of Transcript Restriction set for 7/29/2020., filed. (jsanchez,) (Entered: 04/30/2020)
05/01/2020	<u>73</u>	Notice of Filing of Official Transcript as to <u>72</u> Transcript. Party notified, filed. (jdav, 4) (Entered: 05/01/2020)
05/01/2020	<u>74</u>	NOTICE of Appearance by David R. Dow on behalf of John Balentine, Tony Egbuna Ford, Ruben Gutierrez, Travis Green, Joe Luna, William Michael Mason, filed. (Dow, David) (Entered: 05/01/2020)
05/01/2020	<u>75</u>	NOTICE of Appearance by Jeffrey R. Newberry on behalf of John Balentine, Tony Egbuna Ford, Travis Green, Ruben Gutierrez, Joe Luna, William Michael Mason, filed. (Newberry, Jeffrey) (Entered: 05/01/2020)
05/01/2020	<u>76</u>	MOTION to Intervene by John Balentine, Tony Egbuna Ford, Travis Green, Ruben Gutierrez, Joe Luna, William Michael Mason, filed. Motion Docket Date 5/22/2020. (Attachments: # <u>1</u> Exhibit Complaint)(Dow, David) (Entered: 05/01/2020)
05/04/2020	<u>77</u>	Order of USCA re: <u>45</u> Notice of Appeal, ; USCA No. 20–20207. It is Ordered that appellants unopposed motion to view Sealed Documents is granted, filed.(dbenavides, 1) (Entered: 05/04/2020)
05/05/2020	<u>78</u>	Transmittal Letter on Appeal re: <u>45</u> Notice of Appeal,. The sealed electronic record on CD is being sent to Kyle D. Hawkins (counsel for defendants) via regular mail. (USCA No. 20–20207), filed. (EdnitaPonce, 1) (Entered: 05/05/2020)
05/06/2020	<u>79</u>	RESPONSE in Opposition to <u>29</u> MOTION to Modify Protective Order in the Cole v. Collier Litigation, filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (Attachments: # <u>1</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 05/06/2020)
05/07/2020	<u>80</u>	NOTICE of Setting. Parties notified. Status Conference set for 5/8/2020 at 11:00 AM in by telephone before Judge Keith P Ellison, filed. (arrivera, 4) (Entered: 05/07/2020)
05/07/2020	<u>81</u>	Opposed MOTION to Stay <i>Discovery</i> by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 5/28/2020. (Attachments: # <u>1</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 05/07/2020)
05/08/2020	<u>82</u>	REPLY in Support of <u>29</u> MOTION to Modify Protective Order in the Cole v. Collier Litigation, filed by Richard Elvin King, Laddy Curtis Valentine. (Edwards, Jeffrey) (Entered: 05/08/2020)
05/08/2020	<u>83</u>	CERTIFICATE OF INTERESTED PARTIES by Richard Elvin King, Laddy Curtis Valentine, filed.(Keville, John) (Entered: 05/08/2020)
05/08/2020	<u>84</u>	JOINT DISCOVERY/CASE MANAGEMENT PLAN by Richard Elvin King, Laddy Curtis Valentine, filed.(Duke, Brandon) (Entered: 05/08/2020)
05/08/2020	<u>85</u>	Agreed MOTION for Protective Order by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 5/29/2020. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 05/08/2020)
05/08/2020	<u>86</u>	NOTICE of Initial Disclosures to Pltf by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Cobe Vasquez, Christin) (Entered: 05/08/2020)
05/08/2020	<u>87</u>	AGREED PROTECTIVE ORDER granting <u>85</u> Agreed MOTION for Protective Order (Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 05/08/2020)
05/08/2020	<u>88</u>	ORDER. Jury Trial set for 7/13/2020 at 09:00 AM in Courtroom 3A Houston before Judge Keith P Ellison(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 05/08/2020)
05/08/2020	<u>89</u>	NOTICE of Initial Disclosures by Richard Elvin King, Laddy Curtis Valentine, filed. (Keville, John) (Entered: 05/08/2020)
05/08/2020		Minute Entry for proceedings held before Judge Keith P Ellison. STATUS CONFERENCE held on 5/8/2020. Parties conferred on setting trial date and discovery deadlines. Argument heard on <u>81</u> Motion to Stay Discovery. Proposed schedules and

		motion taken under advisement. Appearances: Mike Murphy, Cynthia Burton, Eric Milton, Denise Scofield, Kristen Worman, Scott Medlock, Jeff Farrell, Michael Singley, Shanna Molinare. David R Dow, Jeffrey R. Newberry, Christin Cobe Vasquez, Jeffrey S Edwards, Brandon W. Duke, John R Keville. (Court Reporter: M. Malone)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 05/14/2020)
05/11/2020	<u>90</u>	AO 435 TRANSCRIPT REQUEST by Plaintiffs for Transcript of 05/08/2020 Telephonic Status Conference before Judge Ellison. Hourly turnaround requested. Court Reporter/Transcriber: Johnny Sanchez, filed. (Duke, Brandon) (Entered: 05/11/2020)
05/11/2020	<u>91</u>	AO 435 TRANSCRIPT REQUEST by TDCJ/Christin Cobe Vasquez for Transcript of Telephonic Status Conference on 05/08/20, before Judge Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Mayra Malone, filed. (Cobe Vasquez, Christin) (Entered: 05/11/2020)
05/12/2020	<u>92</u>	TRANSCRIPT re: Telephone Conference held on May 8, 2020 before Judge Keith P Ellison. Court Reporter/Transcriber Mayra Malone. Ordering Party Christin Vasquez Release of Transcript Restriction set for 8/10/2020., filed. (mmalone,) (Entered: 05/12/2020)
05/13/2020	<u>93</u>	Unopposed MOTION for Leave to File Excess Pages by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 6/3/2020. (Attachments: # <u>1</u> Proposed Order)(Edwards, Jeffrey) (Entered: 05/13/2020)
05/13/2020	<u>94</u>	MOTION to Certify Class by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 6/3/2020. (Attachments: # <u>1</u> Exhibit 1 – How to Protect Yourself Coronavirus Disease 2019 (COVID–19), Centers for Disease Control and Prevention (retrieved May 9, 2020), # <u>2</u> Exhibit 2 – Centers for Disease Control and Prevention, Interim Guidance on Management of Coronavirus Disease 2019 (COVID–19) in Correctional Detention Facilities, (Mar. 23, 2020), # <u>3</u> Exhibit 3 – Centers for Disease Control & Prevention, Coronavirus Disease 2019 (COVID–19): People who are at higher risk of severe illness (April. 15, 2020), # <u>4</u> Exhibit 4 – Correctional Managed Health Care Infection Control Manual, Policy B–14.52, Coronavirus Disease 2019 (COVID–19) (May 6, 2020), # <u>5</u> Exhibit 5 – Deposition of J. Pulvino, # <u>6</u> Exhibit 6 – Deposition of TDCJ through L. Linthicum, # <u>7</u> Exhibit 7 – Summary of Inmates BMI; Cole v. Collier, 4:14–cv–1698, Doc. 1488–1 (S.D. Tex.), # <u>8</u> Exhibit 8 – TDCJ Offender Grievance Operations Manual, # <u>9</u> Exhibit 9 – TDCJ Offender Orientation Manual, # <u>10</u> Exhibit 10 – TDCJ Pack (P1) Unit Directory (May 7, 2020), # <u>11</u> Exhibit 11 – Pack Unit Roster, # <u>12</u> Exhibit 12 – Valentine Step 1 Grievance, # <u>13</u> Exhibit 13 – U.S. Census Bureau, QuickFacts: Texas (July 1, 2019), # <u>14</u> Exhibit 14 – World Health Organization, Pneumonia of Unknown Cause China (Jan. 5, 2020), # <u>15</u> Exhibit 15 – WHO statement on novel coronavirus in Thailand, WHO (Jan. 13, 2020), # <u>16</u> Exhibit 16 – Washington State Department of Health, Case of 2019 novel coronavirus confirmed in Washington state (Jan. 21, 2020), # <u>17</u> Exhibit 17 – Statement on the meeting of the International Health Regulations (2005) Emergency Committee regarding the outbreak of novel coronavirus (2019–nCoV), WHO (Jan. 23, 2020), # <u>18</u> Exhibit 18 – US Dept. of Health and Human Services, Secretary Azar Declares Public Health Emergency for United States for 2019 Novel Coronavirus (Jan. 31, 2020), # <u>19</u> Exhibit 19 – US Dept. of Health and Human Services, Secretary Azar Delivers Remarks on Declaration of Public Health Emergency for 2019 Novel Coronavirus (Jan. 31, 2020), # <u>20</u> Exhibit 20 – WHO Twitter Post (Feb. 11, 2020), # <u>21</u> Exhibit 21 – Evelyn Cheng and Huileng Tan, China Says More than 500 Cases of the New Coronavirus Stemmed from Prisons, CNBC, (Feb. 20, 2020), # <u>22</u> Exhibit 22 – World Health Organization, Report of the WHO–China Joint Mission on Coronavirus Disease 2019 (COVID–19) (Feb. 28, 2020), # <u>23</u> Exhibit 23 – Wei–jie Guan et al., Comorbidity and its impact on 1,590 patients with COVID–19 in China: A Nationwide Analysis, medRxiv, (Feb. 27, 2020), # <u>24</u> Exhibit 24 – Nicole Wetsman, Prisons and jails are vulnerable to COVID–19 outbreaks, The Verge (Mar. 7, 2020), # <u>25</u> Exhibit 25 – Christina Carrega, Nearly 100 prison inmates in NY to produce 100K gallons of hand sanitizer weekly, ABC News (Mar. 10, 2020), # <u>26</u> Exhibit 26 – World Health Organization, WHO Director–Generals opening remarks at the media briefing on COVID–19 (Mar. 11, 2020), # <u>27</u> Exhibit 27 – Fei Zhou et al., Clinical course and risk factors for mortality of adult inpatients with COVID–19 in Wuhan, China: a retrospective cohort study, the Lancet (March 11, 2020), # <u>28</u> Exhibit 28 – Cai J, Sun W, Huang J, Gamber M, Wu J,

He G, Indirect virus transmission in cluster of COVID-19 cases, Wenzhou, China, 2020, 26 Emerg Infect Dis. 6, (Mar. 12, 2020), # 29 Exhibit 29 – Chas Danner, CDCs Worst-Case Coronavirus Model: 214 Million Infected, 1.7 Million Dead, N.Y. Mag. (Mar. 13, 2020), # 30 Exhibit 30 – Office of Texas Governor Abbott, Governor Abbott Declares State of Disaster In Texas Due To COVID-19 (Mar. 13, 2020), # 31 Exhibit 31 – Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak (Mar. 13, 2020), # 32 Exhibit 32 – Proclamation of the Governor of the State of Texas (Mar. 13, 2020), # 33 Exhibit 33 – Edgar Walters, Texas governor declares statewide emergency, says state will soon be able to test thousands, Texas Tribune (Mar. 13, 2020), # 34 Exhibit 34 – Declaration of Local Disaster for Public Health Emergency (Mar. 16, 2020), # 35 Exhibit 35 – David Struett, Cook County Jail releases several detainees who are highly vulnerable to coronavirus, Chicago Sun Times, (Mar 17, 2020), # 36 Exhibit 36 – Chad Sokol, Dozens released from Spokane County custody following Municipal Court emergency order, The Spokesman-Review (Mar. 17, 2020), # 37 Exhibit 37 – Drew Reeves, Washington County Jail releases some inmates to prevent spread of COVID-19, KPTV (Mar. 17, 2020), # 38 Exhibit 38 – Jonathan Martinez, Harris County Sheriff suggests releasing inmates to reduce the spread of coronavirus at county jails, Click2Houston (Mar. 18, 2020), # 39 Exhibit 39 – Kierra Sam & Jordan James, Jefferson County jail cancels visitation, releases some inmates amid coronavirus concerns, 12 News (Mar. 18, 2020), # 40 Exhibit 40 – Julia Marsh & Ben Feuerherd, NYC to begin releasing inmates amid coronavirus outbreak, N.Y. Post (Mar. 18, 2020), # 41 Exhibit 41 – Kristopher Hooks & JaNel Johnson, Some non-violent, low-level inmates being released from Sacramento jails amid coronavirus pandemic, ABC10, (Mar. 18, 2020), # 42 Exhibit 42 – Chris Best, Some inmates to be released from Metro Jail due to coronavirus, WKRG News (Mar. 18, 2020), # 43 Exhibit 43 – Clara Rodas, Alameda County Superior Court releases 247 inmates in light of COVID-19, The Daily Californian (Mar. 19, 2020), # 44 Exhibit 44 – Tony Marrero, Hillsborough sheriff releases 164 county jail inmates to reduce coronavirus risk, Tampa Bay Times (Mar. 19, 2020), # 45 Exhibit 45 – Marty Roney, Coronavirus: County jail inmates ordered released in Autauga, Elmore, Chilton counties, Montgomery Advertiser (Mar. 18, 2020), # 46 Exhibit 46 – Meera Bhonsle, Jail numbers affected by judicial coronavirus directives, Cola Daily (Mar. 19, 2020), # 47 Exhibit 47 – Texas Executive Order GA 08 Relating to COVID-19 Preparedness and Mitigation (Mar. 19, 2020), # 48 Exhibit 48 – Michael Gordon & Ames Alexander, Mecklenburg begins releasing jail inmates to avoid cellblock outbreak of COVID-19, The Charlotte Observer (Mar. 19, 2020), # 49 Exhibit 49 – BBC, US jails begin releasing prisoners to stem Covid-19 infections, (Mar. 19, 2020), # 50 Exhibit 50 – Extended Declaration of Local Disaster for Public Health Emergency (Mar. 23, 2020), # 51 Exhibit 51 – National Institutes of Health, Study suggests new coronavirus may remain on surfaces for days, (Mar. 24, 2020), # 52 Exhibit 52 – David Brand, Manhattan judge orders release of 16 Rikers inmates, ruling COVID-19 violates due process rights, Queens Daily Eagle (Mar. 26, 2020), # 53 Exhibit 53 – CBS Chicago, Coronavirus In Chicago: 89 Inmates, 12 Staff At Cook County Jail Test Positive For COVID-19 (Mar. 28, 2020), # 54 Exhibit 54 – Mercer County Jail releases low-level inmates amid coronavirus pandemic, WFMJ 21 (Mar. 28, 2020), # 55 Exhibit 55 – Jessica Schulberg & Angelina Chapin, Prisoners at Rikers Say Its Like a Death Sentence as Coronavirus Spreads, Huffington Post (Mar. 28, 2020), # 56 Exhibit 56 – Coronavirus in Greater Houston: Live Updates, Houston Public Media (Mar. 30, 2020), # 57 Exhibit 57 – Chris Mooney, Brady Dennis, Sarah Kaplan, Hundreds of young Americans have now been killed by the coronavirus, data shows Washington Post (April 8, 2020), # 58 Exhibit 58 – Jolie McCullough, The first Texas prisoner has died after testing positive for the new coronavirus, Texas Tribune (Apr. 8, 2020), # 59 Exhibit 59 – Zak Cheney-Rice, Who Deserves Jail During a Pandemic?, New York Magazine (Apr. 10, 2020), # 60 Exhibit 60 – Proclamation by the Governor of the State of Texas (Apr. 12, 2020), # 61 Exhibit 61 – Cheryl Corley, The COVID-19 Struggle in Chicagos Cook County Jail, National Public Radio (Apr. 13, 2020), # 62 Exhibit 62 – Rebecca Rosenberg, Second Rikers Island inmate dead from coronavirus after failed release, New York Post (Apr. 14, 2020), # 63 Exhibit 63 – Tex. Dept of Crim. Justice, COVID-19 TDCJ Update (Apr. 14, 2020), # 64 Exhibit 64 – Jolie McCullough, Federal judge orders Texas prison to provide hand sanitizer, face masks for inmates, Texas Tribune (Apr. 16, 2020), # 65 Exhibit 65 – Katherine Witt, Grimes County confirms another COVID-19 case at Pack Unit, KBTX (April 16, 2020), # 66 Exhibit 66 – Grimes County Office of Emergency Management, Eighth and Ninth

		<p>Confirmed Cases of COVID-19 in Grimes County (Apr. 16, 2020), # 67 Exhibit 67 – Shikha Garg et al., Centers for Disease Control and Prevention, Hospitalization Rates and Characteristics of Patients Hospitalized with Laboratory-Confirmed Coronavirus Disease 2019 COVID-NET, 14 States, March 130, 2020 (MMWR April 17, 2020), # 68 Exhibit 68 – Joe Ragusa, Hundreds Released from State Prisons Because of Coronavirus, Spectrum News 1 (April 24, 2020), # 69 Exhibit 69 – Ariana Cha, Young and middle-aged people, barely sick with covid-19, are dying of strokes, Washington Post (April 25, 2020), # 70 Exhibit 70 – Robert Arnold, KPRC Click2Houston, With nearly 500 cases, Harris County Jail has become a hotspot for COVID-19 cases (April 29, 2020), # 71 Exhibit 71 – Nathan Furukawa et al., Centers for Disease Control and Prevention, Evidence Supporting Transmission of Severe Acute Respiratory Syndrome Coronavirus 2 While Presymptomatic or Asymptomatic (May 4, 2020), # 72 Exhibit 72 – Proclamation by the Governor of the State of Texas (May 6, 2020), # 73 Exhibit 73 – Centers for Disease Control & Prevention, Provisional COVID-19 Death Counts by Sex, Age, and State (May 6, 2020), # 74 Exhibit 74 – Tex. Dept of Crim. Justice, COVID-19 Medical Action Center (May 7, 2020), # 75 Exhibit 75 – World Health Organization, Coronavirus disease 2019 (COVID-19) Situation Report108 (May 8, 2020), # 76 Exhibit 76 – Cook Cnty. Sheriffs Office, COVID-19 Cases at CCDOC (retrieved May 8, 2020), # 77 Exhibit 77 – Legal Aid Society, COVID-19 Infection Tracking in NYC Jails (May 8, 2020), # 78 Exhibit 78 – Tex. Dept of Crim. Justice, COVID-19 Medical Action Center (May 7, 2020), # 79 Exhibit 79 – Public Health Emergency of International Concern declared (Jan. 30, 2020), # 80 Exhibit 80 – Centers for Disease Control and Prevention, Laboratory-Confirmed COVID-19-Associated Hospital Admissions (May 2, 2020), # 81 Exhibit 81 – Harris County Public Health Department, Harris County COVID-19 Confirmed Cases (retrieved May 9, 2020), # 82 Exhibit 82 – Texas Case Counts COVID-19, Texas Department of State and Health Services (retrieved May 9, 2020), # 83 Exhibit 83 – Tex. Dept of Health and Human Servs., Texas Case Counts: COVID-19 Brazos County (retrieved May 9, 2020), # 84 Exhibit 84 – Tex. Dept of Health and Human Servs., Texas Case Counts: COVID-19 Grimes County (retrieved May 9, 2020), # 85 Exhibit 85 – Tex. Dept of Health and Human Servs., Texas Case Counts: COVID-19 Washington County (retrieved May 9, 2020), # 86 Exhibit 86 – U.S. Census Bureau, QuickFacts: Tarrant County, Texas (retrieved May 11, 2020), # 87 Exhibit 87 – PBS News Hour, Over 70 percent of tested inmates in federal prisons have COVID-19 (Apr. 29, 2020), # 88 Exhibit 88 – Jolie McCullough, 70% of Texas prisoners tested have the coronavirus. Experts say its time for more testing and fewer inmates, Texas Tribune (May 4, 2020), # 89 Exhibit 89 – KERA News, COVID-19 Live Updates: Dallas County Reports 253 Cases Tying Single Day Record (May 10, 2020), # 90 Exhibit 90 – Andre Perrard, Weekend spike in COVID-19 cases jumps total in Grimes County to 40, Willy 1550 AM (May 11, 2020), # 91 Exhibit 91 – Declaration of Jeff Edwards, # 92 Exhibit 93 – Excerpts from Hearing Testimony of April 16, 2020, # 93 Exhibit 94 – World Health Organization, Situation Report 113 (May 12, 2020), # 94 Exhibit 95 – Declaration of Jeremy D. Young, # 95 Exhibit 96 – Declaration of Dr. R. Cohen, # 96 Exhibit 97 – Report of E. Vail, # 97 Exhibit 98 – Declaration of Dr. J. Gathe)(Edwards, Jeffrey) (Entered: 05/13/2020)</p>
05/13/2020	95	Unopposed MOTION to Seal Exhibit 92 to Plaintiffs' Motion for Class Certification by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 6/3/2020. (Attachments: # 1 Proposed Order)(Edwards, Jeffrey) (Entered: 05/13/2020)
05/13/2020	96	SEALED EXHIBITS re: 95 Unopposed MOTION to Seal Exhibit 92 to Plaintiffs' Motion for Class Certification, 94 MOTION to Certify Class by Richard Elvin King, Laddy Curtis Valentine, filed. (Attachments: # 1 Exhibit 92 – Letter from Defendants to the Fifth Circuit (May 11, 2020)) (Edwards, Jeffrey) (Entered: 05/13/2020)
05/13/2020	97	Notice of Filing of Official Transcript as to 92 Transcript. Party notified, filed. (gclair, 4) (Entered: 05/13/2020)
05/13/2020	98	AMENDED 94 MOTION(Motion Docket Date 6/3/2020.), Corrected MOTION to Certify Class by Richard Elvin King, Laddy Curtis Valentine, filed. (Edwards, Jeffrey) (Entered: 05/13/2020)
05/13/2020	99	Unopposed MOTION to Seal Unredacted version of Plaintiffs' Motion for Class Certification by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 6/3/2020. (Attachments: # 1 Proposed Order)(Edwards, Jeffrey) (Entered: 05/13/2020)

05/13/2020	<u>100</u>	SEALED MOTION – <i>Unredacted version of Plaintiff's Motion for Class Certification</i> by Richard Elvin King, Laddy Curtis Valentine, filed. (Edwards, Jeffrey) (Entered: 05/13/2020)
05/13/2020	<u>101</u>	Corrected AMENDED <u>95</u> MOTION, Unopposed MOTION to Seal Exhibit 92 to Plaintiffs' Motion for Class Certification(Motion Docket Date 6/3/2020.) by Richard Elvin King, Laddy Curtis Valentine, filed. (Attachments: # <u>1</u> Proposed Order)(Edwards, Jeffrey) (Entered: 05/13/2020)
05/13/2020	<u>102</u>	ORDER granting <u>93</u> Unopposed MOTION for Leave to File Excess Pages. Plaintiffs may file their motion with up to a total of 44 pages in length, excluding the caption, table of contents, table of authorities, and signature block. (Signed by Judge Keith P Ellison) Parties notified.(sanderson, 4) (Entered: 05/13/2020)
05/13/2020	<u>103</u>	ORDER granting <u>95</u> Unopposed MOTION to Seal Exhibit 92 to Plaintiffs' Motion for Class Certification. Plaintiffs may file Exhibit 92 under seal. (Signed by Judge Keith P Ellison) Parties notified.(sanderson, 4) (Entered: 05/13/2020)
05/13/2020	<u>104</u>	ORDER granting <u>99</u> Unopposed Motion to for Leave to File Motion Under Seal. Plaintiffs may file an unredacted version of their motion for class certification under seal. (Signed by Judge Keith P Ellison) Parties notified.(sanderson, 4) (Entered: 05/13/2020)
05/13/2020	<u>105</u>	RESPONSE to <u>53</u> MOTION to Dismiss <i>Pursuant to Rule 12(b)</i> filed by Richard Elvin King, Laddy Curtis Valentine. (Attachments: # <u>1</u> Affidavit Declaration of B. Duke, # <u>2</u> Exhibit 1 to Decl of B. Duke, # <u>3</u> Appendix, # <u>4</u> Appendix Tab 1 – Banks v. Booth, # <u>5</u> Appendix Tab 2 – Bent v Barr, # <u>6</u> Appendix Tab 3 – Coreas v Bounds, # <u>7</u> Appendix Tab 4 – Dawson v. Asher, # <u>8</u> Appendix Tab 5 – Fofana v Albence, # <u>9</u> Appendix Tab 6 – Fraihat v US Immig and Customs, # <u>10</u> Appendix Tab 7 – Mann v Ohio Dept Rehab and Corrections, # <u>11</u> Appendix Tab 8 – Matos v Lopez Vega, # <u>12</u> Appendix Tab 9 – McCoy v. TX Dept Crim Justice, # <u>13</u> Appendix Tab 10 – Mendez v Chang, # <u>14</u> Appendix Tab 11 – Sandy Smith v. Ban of America NA, # <u>15</u> Appendix Tab 12 – Sowell v. TDCJ, # <u>16</u> Appendix Tab 13 – US v. Americus Mortg Corp, # <u>17</u> Appendix Tab 14 – United States v Kennedy, # <u>18</u> Appendix Tab 15 – Valentine v Collier, # <u>19</u> Appendix Tab 16 – Wright v. Texas Dept of Criminal Justice, # <u>20</u> Proposed Order)(Keville, John) (Entered: 05/13/2020)
05/13/2020	<u>106</u>	Unopposed MOTION to Seal Plaintiffs' Response to Defendants' Motion to Dismiss and Ex. 1 to B. Duke Declaration by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 6/3/2020. (Attachments: # <u>1</u> Proposed Order)(Keville, John) (Entered: 05/13/2020)
05/13/2020	<u>107</u>	SEALED RESPONSE <i>Defendants' Motion to Dismiss</i> re: <u>106</u> Unopposed MOTION to Seal Plaintiffs' Response to Defendants' Motion to Dismiss and Ex. 1 to B. Duke Declaration by Richard Elvin King, Laddy Curtis Valentine, filed. (Attachments: # <u>1</u> Exhibit 1 to Declaration of Brandon Duke) (Keville, John) (Entered: 05/13/2020)
05/14/2020	<u>108</u>	NOTICE of Setting as to <u>94</u> MOTION to Certify Class. Parties notified. Motion Hearing set for 6/5/2020 at 02:00 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (arrivera, 4) (Entered: 05/14/2020)
05/14/2020	<u>109</u>	Opposed MOTION to Quash Deposition Notice and Motion for Protective Order by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 6/4/2020. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 05/14/2020)
05/14/2020	<u>110</u>	Opposed EMERGENCY MOTION(Motion Docket Date 6/4/2020.), MOTION for Protective Order by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 05/14/2020)
05/15/2020	<u>111</u>	NOTICE of Setting as to <u>110</u> Opposed EMERGENCY MOTION MOTION for Protective Order, <u>109</u> Opposed MOTION to Quash Deposition Notice and Motion for Protective Order. Parties notified. Motion Hearing set for 5/15/2020 at 03:30 PM in by telephone before Judge Keith P Ellison, filed. (arrivera, 4) (Entered: 05/15/2020)

05/15/2020	<u>112</u>	MOTION for Shawn E. Cowles to Appear Pro Hac Vice by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 6/5/2020. (Cobe Vasquez, Christin) (Entered: 05/15/2020)
05/15/2020		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 5/15/2020.. Argument heard on <u>110</u> Emergency Motion for Protective Order. For the reasons stated on the record, the Court hereby ORDERS the following: Depositions will be taken via Zoom or similar videoconferencing platform. Plaintiffs are not required to serve interrogatories before conducting depositions of executive officials. Warden Robert Herrera's deposition will last no more than seven hours total. He may choose to conduct his deposition across two consecutive days, if he wishes. The deposition of Defendants' Rule 30(b)(6) representative(s) will last no more than seven hours total. If only one Rule 30(b)(6) representative is designated, that representative may choose to conduct his or her deposition across two consecutive days, if he or she wishes. All other depositions are limited to four hours each. Each side is limited to six depositions each. If more depositions are needed, parties may apply to the Court for relief. Each side is limited to 25 interrogatories, 30 requests for admission, and 30 requests for production. Parties may seek leave from this Court for more if these limits become unworkable. Appearances:Corinne Hockman, Michael Murphy, Jeff Farrow, Kristen Worman, Denise Scofield, Michael Singley, David James. David R Dow, Jeffrey R. Newberry, Christin Cobe Vasquez, Jeffrey S Edwards, Brandon W. Duke, John R Keville.(Court Reporter: M. Malone)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 05/18/2020)
05/18/2020	<u>113</u>	ORDER granting <u>106</u> Unopposed MOTION to Seal Plaintiffs' Response to Defendants' Motion to Dismiss and Ex. 1 to B. Duke Declaration. Plaintiffs may file Exhibit 1 and any related information or material under seal.(Signed by Judge Keith P Ellison) Parties notified.(sanderson, 4) (Entered: 05/19/2020)
05/18/2020	<u>114</u>	ORDER granting <u>112</u> Motion for Shawn E. Cowles to Appear Pro Hac Vice for Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (Signed by Judge Keith P Ellison) Parties notified.(sanderson, 4) (Entered: 05/19/2020)
05/22/2020	<u>115</u>	NOTICE of Setting. Parties notified. Status Conference set for 5/22/2020 at 01:30 PM in by telephone before Judge Keith P Ellison, filed. (arrivera, 4) (Entered: 05/22/2020)
05/22/2020	<u>116</u>	RESPONSE in Opposition to <u>76</u> MOTION to Intervene, filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (Attachments: # <u>1</u> Exhibit A)(Cobe Vasquez, Christin) (Entered: 05/22/2020)
05/22/2020		Minute Entry for proceedings held before Judge Keith P Ellison. STATUS CONFERENCE held on 5/22/2020. Defendants provided update on measures being taken in Pack Unit after testing showed large increase in positive COVID-19 results among inmates. Plaintiffs requested that Court order Defendants to file updated plan for dealing with the outbreak. Plaintiffs' request taken under advisement. Appearances: Eric Miller, Scott Medlock, Mike Murphy, Corinne Stone Hockman, David R Dow, Shawn E Cowles, Leah Jean O'Leary, Christin Cobe Vasquez, Jeffrey S Edwards, Brandon W. Duke, John R Keville, Jeffrey E. Farrell.(Court Reporter: M. Malone)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 06/09/2020)
05/23/2020	<u>117</u>	ORDER. Defendants response due by 5:00 p.m. on 5/27/2020.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 05/23/2020)
05/26/2020	<u>118</u>	Unopposed MOTION Defendants' Unopposed Motion for Leave to Depose Incarcerated Persons by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 6/16/2020. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 05/26/2020)
05/26/2020	<u>119</u>	REPLY in Support of <u>53</u> MOTION to Dismiss Pursuant to Rule 12(b), <u>55</u> MOTION to Dismiss <u>54</u> MOTION for Leave to File Excess Pages <i>Defendants Supplemental Motion to Dismiss Pursuant to Rule 12(b)</i> , filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (Cobe Vasquez, Christin) (Entered: 05/26/2020)
05/26/2020	<u>120</u>	ORDER granting <u>118</u> Motion for Leave to Depose Incarcerated Persons..(Signed by Judge Keith P Ellison) Parties notified.(jdav, 4) (Entered: 05/27/2020)
05/27/2020	<u>121</u>	Class Member's Requesting Appropriate Notice by Leeroy Cesar Carballo, filed. Motion Docket Date 6/17/2020. (jguajardo, 4) (Entered: 05/27/2020)

05/27/2020	<u>122</u>	STATUS REPORT by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Attachments: # <u>1</u> Exhibit 1)(Cobe Vasquez, Christin) (Entered: 05/27/2020)
05/27/2020	<u>123</u>	Opposed MOTION for Protective Order by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 6/17/2020. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 05/27/2020)
05/27/2020	<u>124</u>	Opposed MOTION to Seal Exhibit A to Defendant TDCJ's Corrected Status Report Update by Texas Department Of Criminal Justice, filed. Motion Docket Date 6/17/2020. (Attachments: # <u>1</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 05/27/2020)
05/27/2020	<u>125</u>	SEALED EXHIBITS re: <u>124</u> Opposed MOTION to Seal Exhibit A to Defendant TDCJ's Corrected Status Report Update by Texas Department Of Criminal Justice, filed. (Cobe Vasquez, Christin) (Entered: 05/27/2020)
05/27/2020	<u>126</u>	NOTICE <i>Defendant TDCJ's Corrected Status Report Update on Wallace Pack Unit Response to COVID-19</i> re: <u>122</u> Status Report by Texas Department Of Criminal Justice, filed. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Cobe Vasquez, Christin) (Entered: 05/27/2020)
05/28/2020	<u>127</u>	ORDER granting <u>124</u> Motion to Seal Defendants' Exhibit A to Defendant TDCJ's Status Report Update Wallace Pack Unit Response to COVID-19.(Signed by Judge Keith P Ellison) Parties notified.(rguerrero, 4) (Entered: 05/28/2020)
05/28/2020	<u>128</u>	NOTICE of Appearance by Leah O'Leary on behalf of Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (O'Leary, Leah) (Entered: 05/28/2020)
05/29/2020	<u>129</u>	REPLY in Support of <u>76</u> MOTION to Intervene, filed by John Balentine, Tony Egbuna Ford, Travis Green, Ruben Gutierrez, Joe Luna, William Michael Mason. (Dow, David) (Entered: 05/29/2020)
06/02/2020	<u>130</u>	AO 435 TRANSCRIPT REQUEST by TDCJ/Christin Cobe Vasquez for Transcript of Telephone Status Conference, 05.22.2020 before Judge Ellison. 3-Day turnaround requested. Court Reporter/Transcriber: Mayra Malone, filed. (Cobe Vasquez, Christin) (Entered: 06/02/2020)
06/03/2020	<u>131</u>	Unopposed MOTION for Leave to File Excess Pages by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 6/24/2020. (Attachments: # <u>1</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 06/03/2020)
06/03/2020	<u>132</u>	RESPONSE in Opposition to <u>98</u> AMENDED <u>94</u> MOTION Corrected MOTION to Certify Class, <u>94</u> MOTION to Certify Class, filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (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)(Cobe Vasquez, Christin) (Entered: 06/03/2020)
06/03/2020	<u>133</u>	NOTICE <i>Defendants Notice of Third Supplemental Disclosures to Plaintiffs</i> by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Cobe Vasquez, Christin) (Entered: 06/03/2020)
06/03/2020	<u>134</u>	Letter from Reginald Nelson re: Copies (Docket Sheet mailed along with a Copy request form)., filed. (BrendaLacy, 4) (Entered: 06/04/2020)
06/03/2020	<u>135</u>	ORDER granting <u>131</u> Motion for Leave to File Excess Pages. (Signed by Judge Keith P Ellison) Parties notified.(sanderson, 4) (Entered: 06/04/2020)
06/05/2020	<u>136</u>	Unopposed MOTION Depose Incarcerated Persons by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 6/26/2020. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 06/05/2020)
06/05/2020	<u>137</u>	REPLY in Support of <u>100</u> SEALED MOTION – <i>Unredacted version of Plaintiff's Motion for Class Certification</i> , <u>94</u> MOTION to Certify Class, filed by Richard Elvin King, Laddy Curtis Valentine. (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)(Keville, John) (Entered: 06/05/2020)

06/05/2020	<u>138</u>	ORDER granting <u>136</u> Supplemental Unopposed MOTION Depose Incarcerated Persons. (Signed by Judge Keith P Ellison) Parties notified.(sanderson, 4) (Entered: 06/05/2020)
06/05/2020	<u>139</u>	NOTICE of Setting as to <u>94</u> MOTION to Certify Class. Parties notified. Motion Hearing set for 6/15/2020 at 10:30 AM in by telephone before Judge Keith P Ellison, filed. (arrivera, 4) (Entered: 06/05/2020)
06/10/2020	<u>140</u>	MOTION to Intervene by John Anthony Saenez et at, filed. Motion Docket Date 7/1/2020. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(gkelner, 4) (Entered: 06/10/2020)
06/10/2020	<u>141</u>	PROPOSED ORDER <i>Defendants' Proposed Scheduling/Docket Control Order</i> , filed. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Cobe Vasquez, Christin) (Entered: 06/10/2020)
06/11/2020	<u>148</u>	Notice to Court and Unsworn DECLARATION of Shannon Mark Douthit, filed. (Attachments: # <u>1</u> cover letter, # <u>2</u> Envelope)(sguevara, 4) (Entered: 06/15/2020)
06/12/2020	<u>142</u>	TRANSCRIPT re: Telephone Conference held on May 22, 2020 before Judge Keith P Ellison. Court Reporter/Transcriber Mayra Malone. Ordering Party Christin Vasquez Release of Transcript Restriction set for 9/10/2020., filed. (mmalone,) (Entered: 06/12/2020)
06/12/2020	<u>143</u>	NOTICE to Court and Unsworn Declaration of Anthony Ortiz, filed. (Attachments: # <u>1</u> Envelope)(sguevara, 4) (Entered: 06/12/2020)
06/12/2020	<u>144</u>	MOTION for Leave to File supplemental pleading by Laddy Curtis Valentine et al, filed. Motion Docket Date 7/6/2020. (Attachments: # <u>1</u> Envelope)(hlerma, 4) (Entered: 06/12/2020)
06/12/2020	<u>145</u>	Opposed MOTION for Leave to File Surreply by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 7/6/2020. (Attachments: # <u>1</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 06/12/2020)
06/12/2020	<u>146</u>	SURREPLY to <u>98</u> AMENDED <u>94</u> MOTIONCorrected MOTION to Certify Class, <u>145</u> Opposed MOTION for Leave to File Surreply, <u>94</u> MOTION to Certify Class, filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (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)(Cobe Vasquez, Christin) (Entered: 06/12/2020)
06/15/2020	<u>147</u>	Notice of Filing of Official Transcript as to <u>142</u> Transcript. Party notified, filed. (jdav, 4) (Entered: 06/15/2020)
06/15/2020	<u>149</u>	NOTICE <i>Defendants' Notice of Supplemental Authority</i> by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Attachments: # <u>1</u> Exhibit A)(Cobe Vasquez, Christin) (Entered: 06/15/2020)
06/15/2020		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 6/15/2020. Argument heard on 94 Motion to Certify Class. Motion taken under advisement. Appearances:Michael Murphy, David James,. Jeffrey R. Newberry, Shawn E Cowles, Christin Cobe Vasquez, Jeffrey S Edwards, Brandon W. Duke, John R Keville.(Court Reporter: L. Smith) (Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 06/16/2020)
06/18/2020	<u>150</u>	ORDER granting <u>145</u> Motion for Leave to File Surreply.(Signed by Judge Keith P Ellison) Parties notified.(rguerrero, 4) (Entered: 06/18/2020)
06/24/2020	<u>151</u>	RESPONSE in Opposition to <u>94</u> MOTION to Certify Class, filed by Leeroy Cesar Carballo. (DawnWaggoner, 4) (Entered: 06/24/2020)
06/24/2020	<u>152</u>	DECLARATION of Leeroy Cesar Carballo re: <u>151</u> Response in Opposition to Motion, filed.(DawnWaggoner, 4) (Entered: 06/24/2020)
06/24/2020	<u>153</u>	AO 435 TRANSCRIPT REQUEST by TDCJ/Christin Cobe Vasquez for Transcript of Motion Hearing on 6/15/20 before Judge Ellison. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Lanie Smith, filed. (Cobe Vasquez, Christin) (Entered: 06/24/2020)

06/25/2020	<u>154</u>	MOTION to Intervene by Alvaro Luna–Hernandez, Andre A Carrothers, Jose Calles, filed. Motion Docket Date 7/16/2020. (jday, 4) (Entered: 06/25/2020)
06/25/2020	<u>155</u>	NOTICE <i>Defendants' Notice of Fifth Supplemental Disclosures to Plaintiffs</i> by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Cobe Vasquez, Christin) (Entered: 06/25/2020)
06/25/2020	<u>156</u>	NOTICE of Setting as to <u>151</u> Response in Opposition to Motion. Parties notified. Miscellaneous Hearing set for 6/26/2020 at 02:30 PM at by telephone before Judge Keith P Ellison, filed. (arrivera, 4) (Entered: 06/25/2020)
06/26/2020	<u>157</u>	TRANSCRIPT re: Motion proceedings held on 06/15/2020 before Judge Keith P Ellison. Court Reporter/Transcriber Lanie Smith. Ordering Party Vasquez Release of Transcript Restriction set for 9/24/2020., filed. (LanieSmith,) (Entered: 06/26/2020)
06/26/2020	<u>158</u>	STATUS REPORT by Richard Elvin King, Laddy Curtis Valentine, filed.(Keville, John) (Entered: 06/26/2020)
06/26/2020	<u>159</u>	NOTICE TO COURT AND UNSWORN DECLARATION of Pedro Lopez, filed. (Attachments: # <u>1</u> Envelope)(ltrevino, 3) (Entered: 06/26/2020)
06/26/2020		Minute Entry for proceedings held before Judge Keith P Ellison. MISCELLANEOUS HEARING held on 6/26/2020. Defendants provided update on conditions in Pack Unit. Parties reported on outstanding discovery. Appearances:David James. Shawn E Cowles, Leah Jean O'Leary, Christin Cobe Vasquez, Jeffrey S Edwards, Brandon W. Duke, John R Keville.(Court Reporter: L. Smith)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 07/01/2020)
06/27/2020	<u>160</u>	ORDER granting <u>98</u> Motion to Certify Class.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 06/27/2020)
06/29/2020	<u>161</u>	Notice of Filing of Official Transcript as to <u>157</u> Transcript. Party notified, filed. (JenniferOlson, 4) (Entered: 06/29/2020)
06/29/2020	<u>162</u>	Order of USCA re: <u>45</u> Notice of Appeal ; USCA No. 20–20207. It is ordered and adjudged that the judgment of the District Court is vacated and the cause is remanded to the District Court for further proceedings in accordance with the opinion of this Court, filed.(jtabares, 1) (Entered: 06/29/2020)
06/29/2020	<u>163</u>	Order of USCA Per Curiam re: <u>45</u> Notice of Appeal, ; USCA No. 20–20207. The case is remanded to the district court for further proceedings on the permanent injuntion. VACATED and REMANDED, filed.(jtabares, 1) (Entered: 06/29/2020)
06/29/2020	<u>168</u>	MOTION for Entry of Order re: Order by Leroy Cesar Carballo, filed. Motion Docket Date 7/20/2020. (JacquelineMata, 4) (Entered: 07/02/2020)
06/30/2020	<u>164</u>	Opposed EMERGENCY MOTION, MOTION for Continuance of Trial(Motion Docket Date 7/21/2020.) by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Attachments: # <u>1</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 06/30/2020)
06/30/2020	<u>165</u>	NOTICE of Setting. Parties notified. Status Conference set for 7/1/2020 at 12:00 PM in Sixth Floor Courtroom Galveston before Judge Keith P Ellison, filed. (arrivera, 4) (Entered: 06/30/2020)
07/01/2020	<u>166</u>	RESPONSE in Opposition to <u>164</u> Opposed EMERGENCY MOTION MOTION for Continuance of Trial, filed by Richard Elvin King, Laddy Curtis Valentine. (Attachments: # <u>1</u> Exhibit 1 – Email from J. Edwards (Mar. 30, 2020), # <u>2</u> Exhibit 2 – Plaintiffs' Interrogatories to Defendants (April 27, 2020), # <u>3</u> Exhibit 3 – Plaintiffs' Requests for Production to Defendants, # <u>4</u> Exhibit 4 – Plaintiffs' Initial Disclosures (May 8, 2020), # <u>5</u> Exhibit 5 – Defendants' Responses to Plaintiffs' Interrogatories (May 21, 2020), # <u>6</u> Exhibit 6 – Letter from J. Edwards (May 22, 2020), # <u>7</u> Exhibit 7 – Amended Deposition Notice of TDCJ, # <u>8</u> Exhibit 8 – Excerpts from TDCJ's Deposition Through O. Mendoza, # <u>9</u> Exhibit 9 – Email from J. Rheams (June 8, 2020), # <u>10</u> Exhibit 10 – Email from J. Rheams (June 8, 2020), # <u>11</u> Exhibit 11 – TDCJ Pandemic Viral Infectious Disease Policy for COVID–19 (Mar. 2020), # <u>12</u> Exhibit 12 – 20 percent positive COVID–19 Plan for Pack Unit, # <u>13</u> Exhibit 13 – Revised 20 percent positive COVID–19 Plan for Pack Unit, # <u>14</u> Exhibit 14 – Email from S. Cowles (June 9, 2020), # <u>15</u> Exhibit 15 – Email from C. Hockman (June 23,

		2020), # <u>16</u> Exhibit 16 – Email from B. Duke (June 26, 2020), # <u>17</u> Exhibit 17 – Email from S. Cowles (June 29, 2020), # <u>18</u> Exhibit 18 – Email from B. Duke (June 30, 2020), # <u>19</u> Exhibit 19 – Email from C. Vasquez (June 30, 2020), # <u>20</u> Exhibit 20 – Email from S. Cowles (June 30, 2020), # <u>21</u> Exhibit 21 – Supplemental Declaration of Dr. J. Young, # <u>22</u> Exhibit 22 – Supplemental Declaration of E. Vail, # <u>23</u> Exhibit 23 – Supplemental Declaration of Dr. R. Cohen, # <u>24</u> Proposed Order)(Edwards, Jeffrey) (Entered: 07/01/2020)
07/01/2020	<u>167</u>	Letter from Leeroy Cesar Carballo re: requesting a copy of the docket sheet, filed. (jdav, 4) (Entered: 07/01/2020)
07/01/2020		Minute Entry for proceedings held before Judge Keith P Ellison. STATUS CONFERENCE held on 7/1/2020. Argument heard on <u>164</u> Emergency Motion for Continuance of Trial. Motion taken under consideration. Parties to confer on witness lists and scope of remaining discovery this evening. Appearances: David R Dow, Shawn E Cowles, Christin Cobe Vasquez, Jeffrey S Edwards, Brandon W. Duke, John R Keville.(Court Reporter: G. Dye)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 07/02/2020)
07/02/2020	<u>169</u>	ORDER denying <u>164</u> Motion for Continuance.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 07/02/2020)
07/02/2020	<u>170</u>	AO 435 TRANSCRIPT REQUEST by TDCJ/Christin Cobe Vasquez for Transcript of Status Conference, 7/1/20 before Judge Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Laura Wells, filed. (Cobe Vasquez, Christin) (Entered: 07/02/2020)
07/02/2020	<u>171</u>	Notice to Court and Unsworn Declaration of Shannon Mark Douthit, filed.(hlerma, 4) (Entered: 07/02/2020)
07/02/2020	<u>172</u>	MEMORANDUM AND ORDER denying <u>53</u> MOTION to Dismiss <i>Pursuant to Rule 12(b)</i> (Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 07/02/2020)
07/04/2020	<u>173</u>	NOTICE of Appearance by Jason Bramow and Landon Wade on behalf of Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Cobe Vasquez, Christin) (Entered: 07/04/2020)
07/04/2020	<u>174</u>	Opposed MOTION for Leave to File Response in Opposition to DE 140 by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 7/27/2020. (Attachments: # <u>1</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 07/04/2020)
07/04/2020	<u>175</u>	RESPONSE in Opposition to <u>140</u> MOTION to Intervene, filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 07/04/2020)
07/05/2020	<u>176</u>	NOTICE <i>Defendants Notice of Sixth Supplemental Disclosures to Plaintiffs</i> by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Cobe Vasquez, Christin) (Entered: 07/05/2020)
07/05/2020	<u>177</u>	EMERGENCY MOTION, Unopposed MOTION Leave to Depose Incarcerated Persons(Motion Docket Date 7/27/2020.) by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 07/05/2020)
07/05/2020	<u>178</u>	EMERGENCY MOTION, Opposed MOTION for Protective Order(Motion Docket Date 7/27/2020.), MOTION to Quash Depositions Scheduled for July 6–7, 2020, or in the Alternative, to Allow Both Sides the Opportunity to Depose Any Witness on the Opposing Party's "Will Call" List by Richard Elvin King, Laddy Curtis Valentine, filed. (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> Proposed Order)(Keville, John) (Entered: 07/05/2020)
07/05/2020	<u>179</u>	ORDER granting <u>177</u> EMERGENCY MOTIONUnopposed MOTION Leave to Depose Incarcerated Persons, granting <u>178</u> EMERGENCY MOTIONOpposed MOTION for Protective Order MOTION to Quash Depositions Scheduled for July

		6-7, 2020, or in the Alternative, to Allow Both Sides the Opportunity to Depose Any Witness on the Opposing Party's "Will Call" List (Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 07/05/2020)
07/06/2020	<u>180</u>	MEMORANDUM AND ORDER denying <u>154</u> MOTION to Intervene, <u>140</u> MOTION to Intervene, <u>76</u> MOTION to Intervene (Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 07/06/2020)
07/06/2020	<u>181</u>	NOTICE of Appearance by Sheaffer K. Fennessey on behalf of Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Cobe Vasquez, Christin) (Entered: 07/06/2020)
07/06/2020	<u>182</u>	AO 435 TRANSCRIPT REQUEST by TDCJ/Christin Cobe Vasquez for Transcript of Status Conference, 7/1/20 before Judge Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Gayle Dye, filed. (Cobe Vasquez, Christin) (Entered: 07/06/2020)
07/06/2020	<u>183</u>	ORDER granting <u>144</u> Motion for Leave to File out of time response to Ramsey Unit Plaintiffs' Motion to Intervene.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 07/06/2020)
07/06/2020	<u>184</u>	EMERGENCY MOTION, Unopposed MOTION for Leave to Depose Incarcerated Persons(Motion Docket Date 7/27/2020.) by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit A)(Cobe Vasquez, Christin) (Entered: 07/06/2020)
07/06/2020	<u>185</u>	EMERGENCY MOTION, MOTION Motion for Leave to Depose Additional Class Members(Motion Docket Date 7/27/2020.) by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 07/06/2020)
07/06/2020	<u>186</u>	ORDER granting <u>184</u> Motion for leave to depose incarcerated persons.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 07/06/2020)
07/06/2020	<u>187</u>	Witness List by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice(Cobe Vasquez, Christin) (Entered: 07/06/2020)
07/06/2020	<u>188</u>	ORDER granting <u>185</u> Motion for leave to take additional depositions of class members.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 07/06/2020)
07/06/2020	<u>189</u>	TRANSCRIPT re: Status Conference held on July 1, 2020, before Judge Keith P Ellison. Court Reporter/Transcriber Dye. Ordering Party Christin Vasquez Release of Transcript Restriction set for 10/5/2020., filed. (gdye,) (Entered: 07/06/2020)
07/06/2020	<u>190</u>	Exhibit List by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice(Cobe Vasquez, Christin) (Entered: 07/06/2020)
07/06/2020	<u>191</u>	Proposed Findings of Fact/Conclusions of Law by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice(Cobe Vasquez, Christin) (Entered: 07/06/2020)
07/06/2020	<u>192</u>	Joint Proposed Pretrial Order by Richard Elvin King, Laddy Curtis Valentine (Attachments: # <u>1</u> Exhibit A – Plaintiffs' Exhibit List, # <u>2</u> Exhibit B – Plaintiffs' Witness List, # <u>3</u> Exhibit C – Plaintiffs' Proposed Findings of Fact and Conclusions of Law, # <u>4</u> Exhibit D – Plaintiffs' Memorandum of Law)(Keville, John) (Entered: 07/06/2020)
07/06/2020	<u>193</u>	PRETRIAL MEMORANDUM by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice(Cobe Vasquez, Christin) (Entered: 07/06/2020)
07/07/2020	<u>194</u>	Notice of Filing of Official Transcript as to <u>189</u> Transcript. Party notified, filed. (jdav, 4) (Entered: 07/07/2020)
07/07/2020	<u>195</u>	MOTION for Ralph Molina to Appear Pro Hac Vice by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 7/28/2020. (Cobe Vasquez, Christin) (Entered: 07/07/2020)

07/07/2020	<u>196</u>	NOTICE of Setting. Parties notified. Pretrial Conference set for 7/9/2020 at 03:00 PM in by telephone before Judge Keith P Ellison, filed. (arrivera, 4) (Entered: 07/07/2020)
07/07/2020	<u>197</u>	NOTICE of Appearance by Mark S. Werbner on behalf of Richard Elvin King, Laddy Curtis Valentine, filed. (Keville, John) (Entered: 07/07/2020)
07/07/2020	<u>198</u>	ORDER granting <u>195</u> Motion for Ralph M. Molina to Appear Pro Hac Vice.(Signed by Judge Keith P Ellison) Parties notified.(jdav, 4) (Entered: 07/08/2020)
07/07/2020	<u>203</u>	MOTION to be excluded by Leeroy Cesar Carballo, filed. Motion Docket Date 7/28/2020. (Attachments: # <u>1</u> Envelope)(hlerma, 4) (Entered: 07/08/2020)
07/08/2020	<u>199</u>	MOTION to Compel Production of Documents and Supplemental Disclosures by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 7/29/2020. (Attachments: # <u>1</u> Exhibit 1 – Plaintiffs' Interrogatories, # <u>2</u> Exhibit 2 – Plaintiffs' Requests for Production, # <u>3</u> Exhibit 3 – Email from S. Cowles (June 9, 2020), # <u>4</u> Exhibit 4 – Email from B. Duke (June 26, 2020), # <u>5</u> Exhibit 5 – Email from S. Cowles (June 29, 2020), # <u>6</u> Exhibit 6 – Email from J. Edwards (June 30, 2020), # <u>7</u> Exhibit 7 – Email from D. James (July 2, 2020), # <u>8</u> Exhibit 8 – Email from C. Hockman (July 4, 2020), # <u>9</u> Exhibit 9 – Email from D. James (July 6, 2020), # <u>10</u> Exhibit 10 – Email from D. James (July 7, 2020), # <u>11</u> Exhibit 11 – Email from C. Vasquez (July 7, 2020), # <u>12</u> Exhibit 12 – Declaration of L. Lopez, # <u>13</u> Exhibit 13 – Excerpts from TDCJ's Deposition through O. Mendoza, # <u>14</u> Proposed Order)(Edwards, Jeffrey) (Entered: 07/08/2020)
07/08/2020	<u>200</u>	EMERGENCY MOTION, MOTION to Compel DEPOSITION OF LORIE DAVIS AND FOR LEAVE TO TAKE THREE ADDITIONAL FACT DEPOSITIONS(Motion Docket Date 7/29/2020.) by Richard Elvin King, Laddy Curtis Valentine, filed. (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)(Keville, John) (Entered: 07/08/2020)
07/08/2020	<u>201</u>	NOTICE of Setting as to <u>199</u> MOTION to Compel Production of Documents and Supplemental Disclosures, <u>200</u> EMERGENCY MOTION MOTION to Compel DEPOSITION OF LORIE DAVIS AND FOR LEAVE TO TAKE THREE ADDITIONAL FACT DEPOSITIONS. Parties notified. Motion Hearing set for 7/8/2020 at 01:00 PM in by telephone before Judge Keith P Ellison, filed. (arrivera, 4) (Entered: 07/08/2020)
07/08/2020	<u>202</u>	Opposed MOTION for Protective Order by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 7/29/2020. (Cobe Vasquez, Christin) (Entered: 07/08/2020)
07/08/2020		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 7/8/2020. For the reasons stated on the record, <u>199</u> Motion to Compel Production of Documents and <u>200</u> Motion to Compel Depositions are GRANTED. <u>202</u> Motion for Protective Order is DENIED. Parties agree that requested documents will be produced to Plaintiffs' counsel by end of day Thursday. Plaintiffs may take Lorie Davis's deposition, which may last a maximum of four hours. Plaintiffs may also take their three additional requested fact witness depositions; each deposition may last a maximum of two hours. Appearances:Corinne Stone Hockman, David James, Rob Green, Denise Scofield, Jason Bramow, Landon Wade. Shawn E Cowles, Christin Cobe Vasquez, John R Keville.(Court Reporter: G. Dye)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 07/08/2020)
07/08/2020	<u>204</u>	NOTICE <i>Defendants' Notice of Seventh Supplemental Disclosures</i> by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Cobe Vasquez, Christin) (Entered: 07/08/2020)
07/09/2020	<u>205</u>	ANSWER to <u>1</u> Amended Complaint/Counterclaim/Crossclaim etc. by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed.(Cobe Vasquez, Christin) (Entered: 07/09/2020)
07/09/2020		Minute Entry for proceedings held before Judge Keith P Ellison. PRETRIAL CONFERENCE held on 7/9/2020. Pretrial Conference reset for 7/10/2020 at 09:00 AM by telephone before Judge Keith P Ellison. Appearances:Michael Murphy, Corinne Stone Hockman, Denise Scofield. Shawn E Cowles, Christin Cobe Vasquez, Jeffrey S Edwards, John R Keville.(Court Reporter: G. Dye), filed.(arrivera, 4)

		(Entered: 07/09/2020)
07/09/2020	<u>206</u>	AO 435 TRANSCRIPT REQUEST by Brandon Duke for Transcript of 04/27/2020. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Johnny Sanchez, filed. (Duke, Brandon) (Entered: 07/09/2020)
07/09/2020	<u>207</u>	AO 435 TRANSCRIPT REQUEST by Plaintiffs/Brandon Duke for Transcript of Status Conference on 5/22/2020 before Judge Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Mayra Malone, filed. (Duke, Brandon) (Entered: 07/09/2020)
07/09/2020	<u>208</u>	AO 435 TRANSCRIPT REQUEST by Plaintiffs/Brandon Duke for Transcript of Motion Hearing on 6/15/2020 before Judge Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Lanie Smith, filed. (Duke, Brandon) (Entered: 07/09/2020)
07/09/2020	<u>209</u>	AO 435 TRANSCRIPT REQUEST by Plaintiffs/Brandon Duke for Transcript of Status Conference on 7/1/2020 before Judge Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Gayle Dye, filed. (Duke, Brandon) (Entered: 07/09/2020)
07/09/2020	<u>210</u>	AO 435 TRANSCRIPT REQUEST by Plaintiffs/Brandon Duke for Transcript of Motion Hearing on 7/8/2020 before Judge Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Gayle Dye, filed. (Duke, Brandon) (Entered: 07/09/2020)
07/09/2020	<u>211</u>	AO 435 TRANSCRIPT REQUEST by Plaintiffs/B. Duke for Transcript of Motion Hearing on 4/27/2020 before Judge Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Johnny Sanchez, filed. (Duke, Brandon) (Entered: 07/09/2020)
07/09/2020	<u>212</u>	OBJECTIONS to <u>192</u> Proposed Pretrial Order, <i>Defendants' Objections to Plaintiffs' Preliminary Exhibit List</i> , filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (Cobe Vasquez, Christin) (Entered: 07/09/2020)
07/09/2020	<u>213</u>	MOTION for Summary Judgment by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 7/30/2020. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q)(Cobe Vasquez, Christin) (Entered: 07/09/2020)
07/10/2020	<u>214</u>	Unopposed EMERGENCY MOTION, MOTION for Writ of Habeas Corpus ad testificandum for appearance of Plaintiffs by telephone(Motion Docket Date 7/31/2020.) by Richard Elvin King, Laddy Curtis Valentine, filed. (Attachments: # <u>1</u> Proposed Order Gary Butaud, # <u>2</u> Proposed Order Harold Dove, # <u>3</u> Proposed Order Jon Reynolds, # <u>4</u> Proposed Order Laddy Valentine, # <u>5</u> Proposed Order Richard King, # <u>6</u> Proposed Order Roger Beal, # <u>7</u> Proposed Order Leonel Cruz, # <u>8</u> Proposed Order Shawn Griggs, # <u>9</u> Proposed Order Marvin Jones, # <u>10</u> Proposed Order Ryan Montez, # <u>11</u> Proposed Order Thomas Pennington, # <u>12</u> Proposed Order Michael Smith)(Keville, John) (Entered: 07/10/2020)
07/10/2020	<u>215</u>	TRANSCRIPT re: Motion Hearing held on July 8, 2020, before Judge Keith P Ellison. Court Reporter/Transcriber Dye. Ordering Party Brandon Duke Release of Transcript Restriction set for 10/8/2020., filed. (gdye,) (Entered: 07/10/2020)
07/10/2020		Minute Entry for proceedings held before Judge Keith P Ellison. Final PRETRIAL CONFERENCE held on 7/10/2020. Appearances: Shawn E Cowles, Christin Cobe Vasquez, Ralph M Molina, Jeffrey S Edwards, Brandon W. Duke, John R Keville, Denise U Scofield, Corinne Stone, David Anthony James, Scott Charles Medlock.(Court Reporter: H. Alcaraz)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 08/02/2020)
07/11/2020	<u>216</u>	Amended EMERGENCY MOTION, Unopposed MOTION for Writ of Habeas Corpus ad testificandum for appearance of Plaintiffs by Zoom trial(Motion Docket Date 8/3/2020.) by Richard Elvin King, Laddy Curtis Valentine, filed. (Attachments: # <u>1</u> Proposed Order Gary Butaud, # <u>2</u> Proposed Order Harold Dove, # <u>3</u> Proposed Order Jon Reynolds, # <u>4</u> Proposed Order Laddy Valentine, # <u>5</u> Proposed Order Leonel Cruz,

		# <u>6</u> Proposed Order Michael Smith, # <u>7</u> Proposed Order Marvin Jones, # <u>8</u> Proposed Order Thomas Pennington, # <u>9</u> Proposed Order Richard King, # <u>10</u> Proposed Order Roger Beal, # <u>11</u> Proposed Order Ryan Montez, # <u>12</u> Proposed Order Shawn Griggs)(Keville, John) (Entered: 07/11/2020)
07/11/2020	<u>217</u>	Writ of Habeas Corpus ad Testificandum Issued as to Laddy Valentine, TDCJ #1782033 for Bench trial on 7/13/2020 (Signed by Judge Keith P Ellison), filed.(arrivera, 4) (Entered: 07/11/2020)
07/11/2020	<u>218</u>	Writ of Habeas Corpus ad Testificandum Issued as to Michael Smith, TDCJ #2263660 for Bench trial on 7/13/2020 (Signed by Judge Keith P Ellison), filed.(arrivera, 4) (Entered: 07/11/2020)
07/11/2020	<u>219</u>	Writ of Habeas Corpus ad Testificandum Issued as to Jon Reynolds, TDCJ #1736893 for Bench trial on 7/13/20 (Signed by Judge Keith P Ellison), filed.(arrivera, 4) (Entered: 07/11/2020)
07/11/2020	<u>220</u>	Writ of Habeas Corpus ad Testificandum Issued as to Thomas Pennington, TDCJ #531216 for Bench trial on 7/13/20 (Signed by Judge Keith P Ellison), filed.(arrivera, 4) (Entered: 07/11/2020)
07/11/2020	<u>221</u>	Writ of Habeas Corpus ad Testificandum Issued as to Ryan Montez, TDCJ #2114696 for Bench trial on 7/13/2020 (Signed by Judge Keith P Ellison), filed.(arrivera, 4) (Entered: 07/11/2020)
07/11/2020	<u>222</u>	Writ of Habeas Corpus ad Testificandum Issued as to Richard King, TDCJ #00516700 for Bench trial on 7/13/20 (Signed by Judge Keith P Ellison), filed.(arrivera, 4) (Entered: 07/11/2020)
07/11/2020	<u>223</u>	Writ of Habeas Corpus ad Testificandum Issued as to Marvin Jones, TDCJ #1040320 for Bench trial on 7/13/20 (Signed by Judge Keith P Ellison), filed.(arrivera, 4) (Entered: 07/11/2020)
07/11/2020	<u>224</u>	Writ of Habeas Corpus ad Testificandum Issued as to Shawn Griggs, TDCJ #1481719 for Bench trial on 7/13/20 (Signed by Judge Keith P Ellison), filed.(arrivera, 4) (Entered: 07/11/2020)
07/11/2020	<u>225</u>	Writ of Habeas Corpus ad Testificandum Issued as to Harold Dove, TDCJ #255592 for Bench trial on 7/13/20 (Signed by Judge Keith P Ellison), filed.(arrivera, 4) (Entered: 07/11/2020)
07/11/2020	<u>226</u>	Writ of Habeas Corpus ad Testificandum Issued as to Leonel Cruz, TDCJ #1786942 for Bench trial on 7/13/20 (Signed by Judge Keith P Ellison), filed.(arrivera, 4) (Entered: 07/11/2020)
07/11/2020	<u>227</u>	Writ of Habeas Corpus ad Testificandum Issued as to Roger Beal, TDCJ #1473289 for Bench trial on 7/13/20 (Signed by Judge Keith P Ellison), filed.(arrivera, 4) (Entered: 07/11/2020)
07/11/2020	<u>228</u>	Writ of Habeas Corpus ad Testificandum Issued as to Gary Butaud, TDCJ #1238964 for Bench trial on 7/13/20 (Signed by Judge Keith P Ellison), filed.(arrivera, 4) (Entered: 07/11/2020)
07/12/2020	<u>229</u>	MOTION In Limine by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 8/3/2020. (Cobe Vasquez, Christin) (Entered: 07/12/2020)
07/12/2020	<u>230</u>	MOTION to Enforce Court's Order of July 8, 2020 Granting Motion to Compel as to <u>199</u> MOTION to Compel Production of Documents and Supplemental Disclosures by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 8/3/2020. (Attachments: # <u>1</u> Exhibit 1 – See document filed under seal, # <u>2</u> Exhibit 2 – See document filed under seal, # <u>3</u> Exhibit 3 – Email from D. James (July 11, 2020), # <u>4</u> Exhibit 4 – Email from C. Vasquez (July 11, 2020), # <u>5</u> Exhibit 5 – TDCJ Administrative Directive 6.10, # <u>6</u> Exhibit 6 – COVID–19 Hospitalizations of TDCJ Offenders through May 8, 2020, # <u>7</u> Exhibit 7 – See document filed under seal, # <u>8</u> Proposed Order)(Edwards, Jeffrey) (Entered: 07/12/2020)

07/12/2020	<u>231</u>	Unopposed MOTION to Seal Exhibits 1, 2, and 7 to Plaintiffs' Motion to Enforce by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 8/3/2020. (Attachments: # <u>1</u> Proposed Order)(Edwards, Jeffrey) (Entered: 07/12/2020)
07/12/2020	<u>232</u>	SEALED EXHIBITS <i>1, 2, and 7</i> re: <u>231</u> Unopposed MOTION to Seal Exhibits 1, 2, and 7 to Plaintiffs' Motion to Enforce, <u>230</u> MOTION to Enforce Court's Order of July 8, 2020 Granting Motion to Compel as to <u>199</u> MOTION to Compel Production of Documents and Supplemental Disclosures by Richard Elvin King, Laddy Curtis Valentine, filed. (Attachments: # <u>1</u> Exhibit 1 – July 3, 2020 Pack Unit Hospitalizations, # <u>2</u> Exhibit 2 – July 9, 2020 Pack Unit Hospitalizations Related to COVID–19, # <u>3</u> Exhibit 7 – TDCJ Letter to the Fifth Circuit of May 11, 2020) (Edwards, Jeffrey) (Entered: 07/12/2020)
07/12/2020	<u>233</u>	NOTICE <i>Defendants Notice of Eighth Supplemental Disclosures to Plaintiffs</i> by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Cobe Vasquez, Christin) (Entered: 07/12/2020)
07/12/2020	<u>234</u>	Amended Witness List by Richard Elvin King, Laddy Curtis Valentine(Keville, John) (Entered: 07/12/2020)
07/12/2020	<u>235</u>	Amended Exhibit List by Richard Elvin King, Laddy Curtis Valentine(Keville, John) (Entered: 07/12/2020)
07/12/2020	<u>236</u>	Amended Exhibit List by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice(Cobe Vasquez, Christin) (Entered: 07/12/2020)
07/13/2020	<u>237</u>	Notice of Filing of Official Transcript as to <u>215</u> Transcript. Party notified, filed. (jdav, 4) (Entered: 07/13/2020)
07/13/2020	<u>238</u>	ORDER granting <u>231</u> Unopposed MOTION to Seal Exhibits 1, 2, and 7 to Plaintiffs' Motion to Enforce (Signed by Judge Keith P Ellison) Parties notified.(olindor, 4) (Entered: 07/13/2020)
07/13/2020		Minute Entry for proceedings held before Judge Keith P Ellison. First day of BENCH TRIAL held on 7/13/2020. First day of BENCH TRIAL held on 7/13/2020. Opening statements given. For the reasons stated on the record, <u>203</u> Motion to be Excluded is GRANTED. For the reasons stated on the record, <u>229</u> Motion in Limine is DENIED. Opening statements given. Plaintiffs' case begins. Witnesses: Bryan Collier, Laddy Curtis Valentine. Trial to resume 7/13/2020 at 9:00 AM over Zoom videoconferencing before Judge Keith P Ellison. Appearances:Jason Bramow. Shawn E Cowles, Christin Cobe Vasquez, Ralph M Molina, Jeffrey S Edwards, Brandon W. Duke, John R Keville, Denise U Scofield, Michael Terrell Murphy, Corinne Stone, David Anthony James, Scott Charles Medlock.(Court Reporter: G. Dye/L. Smith)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 07/22/2020)
07/14/2020		Minute Entry for proceedings held before Judge Keith P Ellison. Second day of BENCH TRIAL held on 7/14/2020. Plaintiff's case continues. Witnesses: Richard Elvin King, Marvin Jones, Roger Beal, Harold Dove, Gary Butaud, Thomas Ray Pennington. Trial to resume 7/15/2020 at 9:00 AM over Zoom videoconferencing before Judge Keith P Ellison. Appearances:Jason Bramow. Shawn E Cowles, Christin Cobe Vasquez, Ralph M Molina, Jeffrey S Edwards, Brandon W. Duke, John R Keville, Denise U Scofield, Michael Terrell Murphy, Corinne Stone, David Anthony James, Scott Charles Medlock.(Court Reporter: G. Dye/L. Smith)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 07/22/2020)
07/15/2020	<u>239</u>	Supplemental EXHIBITS re: <u>76</u> MOTION to Intervene by Alvaro Luna–Hernandez, filed. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Envelope)(EdnitaPonce, 1) (Entered: 07/15/2020)
07/15/2020		Minute Entry for proceedings held before Judge Keith P Ellison. Third day of BENCH TRIAL held on 7/15/2020. Plaintiff's case continues. Witnesses: Jon Reynolds, Robert Herrera. Trial to resume 7/16/2020 at 9:00 AM over Zoom videoconferencing before Judge Keith P Ellison. Appearances: Shawn E Cowles, Christin Cobe Vasquez, Ralph M Molina, Jeffrey S Edwards, Brandon W. Duke, John R Keville, Denise U Scofield, Michael Terrell Murphy, Corinne Stone, David Anthony James, Scott Charles Medlock.(Court Reporter: G. Dye/L. Smith)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 07/22/2020)

07/16/2020	<u>240</u>	BRIEF <i>Regarding Defendants' Hearsay Objections to Plaintiffs Exhibit 282</i> by Richard Elvin King, Laddy Curtis Valentine, filed. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D (Part 1), # <u>5</u> Exhibit D (Part 2), # <u>6</u> Exhibit D (Part 3))(Keville, John) (Entered: 07/16/2020)
07/16/2020	<u>241</u>	TRIAL BRIEF <i>Defendants Summaries of Inadmissible Hearsay Cannot be Admitted</i> by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice(Cobe Vasquez, Christin) (Entered: 07/16/2020)
07/16/2020		Minute Entry for proceedings held before Judge Keith P Ellison. Fourth day of BENCH TRIAL held on 7/16/2020. Plaintiff's case continues. Witnesses: Robert Herrera testimony continues, Dr. Jeremy Young. Trial to resume 7/17/2020 at 1:00 PM over Zoom videoconferencing before Judge Keith P Ellison. Appearances: Shawn E Cowles, Christin Cobe Vasquez, Ralph M Molina, Jeffrey S Edwards, Brandon W. Duke, Denise U Scofield, Michael Terrell Murphy, Corinne Stone, David Anthony James, Scott Charles Medlock.(Court Reporter: G. Dye/L. Smith)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 07/22/2020)
07/17/2020	<u>242</u>	OBJECTIONS <i>and Counter-Designations to Plaintiffs' Deposition Designations</i> , filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (Cobe Vasquez, Christin) (Entered: 07/17/2020)
07/17/2020	<u>243</u>	Opposed MOTION for Entry of Order re: Pretrial Order by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 8/7/2020. (Cobe Vasquez, Christin) (Entered: 07/17/2020)
07/17/2020	<u>244</u>	EMERGENCY MOTION, Opposed MOTION for Entry of Order re: Entry of Pretrial Order(Motion Docket Date 8/7/2020.) by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Cobe Vasquez, Christin) (Entered: 07/17/2020)
07/17/2020		Minute Entry for proceedings held before Judge Keith P Ellison. Fifth day of BENCH TRIAL held on 7/17/2020. Plaintiff's case continues. Witnesses: Dr. Jeremy Young testimony continues. Trial to resume 7/20/2020 at 9:00 AM over Zoom videoconferencing before Judge Keith P Ellison. Appearances: Shawn E Cowles, Christin Cobe Vasquez, Ralph M Molina, Jeffrey S Edwards, Brandon W. Duke, Denise U Scofield, Michael Terrell Murphy, Corinne Stone, David Anthony James, Scott Charles Medlock.(Court Reporter: G. Dye/L. Smith)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 07/22/2020)
07/19/2020	<u>245</u>	RESPONSE to <u>244</u> EMERGENCY MOTIONOpposed MOTION for Entry of Order re: Entry of Pretrial Order, <u>243</u> Opposed MOTION for Entry of Order re: Pretrial Order filed by Richard Elvin King, Laddy Curtis Valentine. (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> Proposed Order)(Keville, John) (Entered: 07/19/2020)
07/20/2020	<u>246</u>	Steno Notes for hearing held on 7/20/2020 before Judge Keith P Ellison. In accordance with 28 U.S.C. 753(b), I certify that these original notes are a true and correct record of proceedings in the United States District Court for the Southern District of Texas before Judge Keith P Ellison certified on 7/20/2020 by Gayle Dye, Court Reporter, filed. (gdye,) (Entered: 07/20/2020)
07/20/2020	<u>247</u>	Steno Notes for hearing held on 7/20/2020 before Judge Keith P Ellison. In accordance with 28 U.S.C. 753(b), I certify that these original notes are a true and correct record of proceedings in the United States District Court for the Southern District of Texas before Judge Keith P Ellison certified on 7/20/2020 by Gayle Dye, Court Reporter, filed. (gdye,) (Entered: 07/20/2020)
07/20/2020		Minute Entry for proceedings held before Judge Keith P Ellison. Sixth day of BENCH TRIAL held on 7/20/2020. Witnesses: Dr. Jeremy Young testimony continues, Secretary Eldon Vail, Major Dana Sullivan. Trial to resume 7/21/2020 at 9:00 AM over Zoom videoconferencing before Judge Keith P Ellison. Appearances: Shawn E Cowles, Christin Cobe Vasquez, Ralph M Molina, Jeffrey S Edwards, Brandon W. Duke, John R Keville, Denise U Scofield, Michael Terrell Murphy, Corinne Stone, David Anthony James, Scott Charles Medlock.(Court Reporter: G. Dye/L. Smith)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 07/22/2020)

07/21/2020	<u>248</u>	EMERGENCY MOTION(Motion Docket Date 8/11/2020.), MOTION to Certify Class by Richard Elvin King, Laddy Curtis Valentine, filed. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Proposed Order)(Keville, John) (Entered: 07/21/2020)
07/21/2020	<u>249</u>	OBJECTIONS to <i>Defendants' Proposed Trial Exhibits as of July 21, 2020</i> , filed by Richard Elvin King, Laddy Curtis Valentine. (Edwards, Jeffrey) (Entered: 07/21/2020)
07/21/2020	<u>250</u>	OBJECTIONS to <u>212</u> <i>Objections to Defendants' Objections to Exhibits</i> , filed by Richard Elvin King, Laddy Curtis Valentine. (Keville, John) (Entered: 07/21/2020)
07/21/2020	<u>251</u>	MOTION to Seal Ex. G to Plaintiffs' Emergency Supplemental Motion for Certification of Two Additional Subclasses by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 8/11/2020. (Attachments: # <u>1</u> Proposed Order)(Keville, John) (Entered: 07/21/2020)
07/21/2020	<u>252</u>	SEALED EXHIBITS re: <u>248</u> EMERGENCY MOTION MOTION to Certify Class by Richard Elvin King, Laddy Curtis Valentine, filed. (Attachments: # <u>1</u> Exhibit G to Plaintiffs' Emergency Supplemental Motion for Certification of Two Additional Subclasses) (Keville, John) (Entered: 07/21/2020)
07/21/2020	<u>253</u>	Amended Exhibit List by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice(Cobe Vasquez, Christin) (Entered: 07/21/2020)
07/21/2020	<u>254</u>	OBJECTIONS <i>Defendants' Objections to Plaintiffs' Second Amended Trial Exhibit List</i> , filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (Cobe Vasquez, Christin) (Entered: 07/21/2020)
07/21/2020	<u>257</u>	ORDER granting <u>174</u> Opposed MOTION for Leave to File Response in Opposition to DE <u>140</u> .(Signed by Judge Keith P Ellison) Parties notified.(gkelner, 4) (Entered: 07/23/2020)
07/21/2020		Minute Entry for proceedings held before Judge Keith P Ellison. Seventh day of BENCH TRIAL held on 7/21/2020. Witnesses: Oscar Mendoza, Lorie Davis. Plaintiffs move to admit exhibits. Defendants object. Objections taken under advisement. Trial to resume 7/22/2020 at 1:00 PM over Zoom videoconferencing before Judge Keith P Ellison. Appearances: Shawn E Cowles, Christin Cobe Vasquez, Ralph M Molina, Jeffrey S Edwards, Brandon W. Duke, John R Keville, Denise U Scofield, Michael Terrell Murphy, Corinne Stone, David Anthony James, Scott Charles Medlock.(Court Reporter: G. Dye/ L. Smith)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 07/28/2020)
07/22/2020	<u>255</u>	OBJECTIONS to <u>254</u> <i>Objections Plaintiffs' Exhibits 1-302</i> , filed by Richard Elvin King, Laddy Curtis Valentine. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Keville, John) (Entered: 07/22/2020)
07/22/2020	<u>256</u>	BRIEF Plaintiffs' Supplemental Authority in Opposition to Defendants' Motion for Judgment on Partial Findings Under Rule 52(c) by Richard Elvin King, Laddy Curtis Valentine, filed.(Keville, John) (Entered: 07/22/2020)
07/22/2020	<u>258</u>	ORDER granting <u>251</u> MOTION to Seal Ex. G to Plaintiffs' Emergency Supplemental Motion for Certification of Two Additional Subclasses.(Signed by Judge Keith P Ellison) Parties notified.(gkelner, 4) (Entered: 07/23/2020)
07/22/2020		Minute Entry for proceedings held before Judge Keith P Ellison. Eighth day of BENCH TRIAL held on 7/22/2020. Argument heard on admission of Plaintiffs' exhibits. Plaintiffs' unopposed exhibits admitted. Plaintiffs' opposed exhibits admitted in part over objection. The Court defers ruling on admission of other exhibits. Plaintiffs rest. Defendants motion for judgment on partial findings. Argument heard on Defendants' motion. Defendants' motion taken under advisement. Trial to resume 7/23/2020 at 9:00 PM over Zoom videoconferencing before Judge Keith P Ellison. Appearances: Shawn E Cowles, Christin Cobe Vasquez, Ralph M Molina, Jeffrey S Edwards, Brandon W. Duke, Denise U Scofield, Michael Terrell Murphy, Corinne Stone, David Anthony James, Scott Charles Medlock, Michael C Singley.(Court Reporter: G. Dye/ L. Smith)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 07/28/2020)

07/23/2020		Minute Entry for proceedings held before Judge Keith P Ellison. Ninth day of BENCH TRIAL held on 7/23/2020. For the reasons stated on the record, Defendants' motion for judgment on partial findings is DENIED. Defendants' case begins. Witnesses: Dr. Chad Zawitz, Bryan Collier. Trial to resume 7/24/2020 at 9:00 AM over Zoom video conferencing before Judge Keith P Ellison. Appearances: Jeffrey R. Newberry, Shawn E Cowles, Christin Cobe Vasquez, Ralph M Molina, Jeffrey S Edwards, Brandon W. Duke, Denise U Scofield, Michael Terrell Murphy, Corinne Stone, David Anthony James, Scott Charles Medlock, Michael C Singley.(Court Reporter: G. Dye/L. Smith)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 07/28/2020)
07/24/2020		Minute Entry for proceedings held before Judge Keith P Ellison. Tenth day of BENCH TRIAL held on 7/24/2020. Tenth day of BENCH TRIAL held on 7/24/2020. Witnesses: Bryan Collier testimony continues, Paul Wilder. Briefing on discovery disclosures due Monday at 9:00AM. Trial to resume 7/28/2020 at 9:30 AM over Zoom videoconferencing before Judge Keith P Ellison. Appearances: Shawn E Cowles, Christin Cobe Vasquez, Ralph M Molina, Jeffrey S Edwards, Brandon W. Duke, John R Keville, Denise U Scofield, Michael Terrell Murphy, Corinne Stone, David Anthony James, Scott Charles Medlock, Michael C Singley.(Court Reporter: G. Dye/L. Smith)(Law Clerk: J. Zhang), filed.(arrivera, 4) (Entered: 07/28/2020)
07/27/2020	<u>259</u>	TRIAL BRIEF <i>Defendants' Briefing Regarding Discovery Dispute</i> by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Cobe Vasquez, Christin) (Entered: 07/27/2020)
07/27/2020	<u>260</u>	MOTION to Compel Information Contained on State-Issued Devices by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 8/17/2020. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Proposed Order)(Keville, John) (Entered: 07/27/2020)
07/27/2020	<u>261</u>	MOTION to Seal Exhibit A – PDF Converted Images from Paul Wilder's State Cell Phone by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. Motion Docket Date 8/17/2020. (Attachments: # <u>1</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 07/27/2020)
07/27/2020	<u>262</u>	SEALED EXHIBITS re: <u>261</u> MOTION to Seal Exhibit A – PDF Converted Images from Paul Wilder's State Cell Phone by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Attachments: # <u>1</u> Exhibit A – Part 1, # <u>2</u> Exhibit A – Part 2, # <u>3</u> Exhibit A – Part 3, # <u>4</u> Exhibit A – Part 4, # <u>5</u> Exhibit A – Part 5, # <u>6</u> Exhibit A – Part 6) (Cobe Vasquez, Christin) (Entered: 07/27/2020)
07/27/2020	<u>263</u>	ORDER granting <u>261</u> Motion to Seal Exhibit A. (Signed by Judge Keith P Ellison) Parties notified.(sanderson, 4) (Entered: 07/27/2020)
07/27/2020	<u>264</u>	RESPONSE in Opposition to <u>260</u> MOTION to Compel Information Contained on State-Issued Devices, filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (Cobe Vasquez, Christin) (Entered: 07/27/2020)
07/27/2020	<u>265</u>	MOTION for Joinder as to <u>1</u> Amended Complaint/Counterclaim/Crossclaim etc. by Oliver E. Lister, II, filed. Motion Docket Date 8/17/2020. (sguevara, 4) (Entered: 07/29/2020)
07/29/2020	<u>266</u>	Rule 15(a) Amended to Class Action Covid-19 "Deliberate indifference" for Compensatory and Punitive Damages by Frank Stubblefield, filed.(jdav, 4) (Entered: 07/30/2020)
07/29/2020	<u>267</u>	Rule 15(a) Amended To Class Action Covid-19 "Deliberate indifference" for Compensatory and Punitive Damages by Victor Jewell Black, filed.(jdav, 4) (Entered: 07/30/2020)
07/30/2020	<u>268</u>	EMERGENCY MOTION, MOTION to Compel Photographs and Text Messages(Motion Docket Date 8/20/2020.) by Richard Elvin King, Laddy Curtis Valentine, filed. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Proposed Order)(Keville, John) (Entered: 07/30/2020)
07/30/2020	<u>269</u>	NOTICE <i>Defendants' Offer of Proof – Linda Follenweider</i> by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Attachments: # <u>1</u> Exhibit A)(Cobe Vasquez, Christin) (Entered: 07/30/2020)

07/30/2020	<u>270</u>	NOTICE <i>Defendants' Offer of Proof – Dr. Stephanie Zepeda</i> by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice, filed. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Cobe Vasquez, Christin) (Entered: 07/30/2020)
07/30/2020	<u>271</u>	RESPONSE in Opposition to <u>213</u> MOTION for Summary Judgment , filed by Richard Elvin King, Laddy Curtis Valentine. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Proposed Order)(Keville, John) (Entered: 07/30/2020)
07/30/2020	<u>272</u>	BRIEF on the Linthicum Report and Motion to Admit the Linthicum Report into Evidence by Richard Elvin King, Laddy Curtis Valentine, filed. (Attachments: # <u>1</u> Exhibit 1 (part 1), # <u>2</u> Exhibit 1 (part 2), # <u>3</u> Exhibit 2, # <u>4</u> Proposed Order)(Keville, John) (Entered: 07/30/2020)
07/30/2020	<u>273</u>	MOTION to Seal Exhibits E and F to Plaintiffs' Response in Opposition to Defendants' Motion for Summary Judgment by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 8/20/2020. (Attachments: # <u>1</u> Proposed Order)(Keville, John) (Entered: 07/30/2020)
07/30/2020	<u>274</u>	SEALED EXHIBITS re: <u>271</u> Response in Opposition to Motion, by Richard Elvin King, Laddy Curtis Valentine, filed. (Attachments: # <u>1</u> Exhibit E, # <u>2</u> Exhibit F) (Keville, John) (Entered: 07/30/2020)
07/31/2020	<u>275</u>	RESPONSE in Opposition to <u>248</u> EMERGENCY MOTION MOTION to Certify Class, filed by Bryan Collier, Robert Herrera, Texas Department Of Criminal Justice. (Attachments: # <u>1</u> Proposed Order)(Cobe Vasquez, Christin) (Entered: 07/31/2020)
07/31/2020	<u>276</u>	ORDER denying <u>265</u> Motion for Joinder.(Signed by Judge Keith P Ellison) Parties notified.(ShoshanaArnow, 4) (Entered: 07/31/2020)
07/31/2020	<u>277</u>	ORDER granting <u>273</u> Motion to Seal.(Signed by Judge Keith P Ellison) Parties notified.(ShoshanaArnow, 4) (Entered: 07/31/2020)
08/01/2020	<u>278</u>	AO 435 TRANSCRIPT REQUEST by TDCJ/Christin Cobe Vasquez for Transcript of Pre-Trial Conference on 7/9/20 before Judge Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Gayle Dye, filed. (Cobe Vasquez, Christin) (Entered: 08/01/2020)
08/01/2020	<u>279</u>	AO 435 TRANSCRIPT REQUEST by TDCJ/Christin Cobe Vasquez for Transcript of Motion Hearing on 7/8/20 before Judge Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Gayle Dye, filed. (Cobe Vasquez, Christin) (Entered: 08/01/2020)
08/01/2020	<u>280</u>	MOTION for Sanctions by Richard Elvin King, Laddy Curtis Valentine, filed. Motion Docket Date 8/24/2020. (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)(Keville, John) (Entered: 08/01/2020)
08/02/2020	<u>281</u>	TRANSCRIPT re: Pretrial Conference held on July 9, 2020, before Judge Keith P Ellison. Court Reporter/Transcriber Dye. Ordering Party Christin Vasquez Release of Transcript Restriction set for 11/2/2020., filed. (gdye,) (Entered: 08/02/2020)
08/03/2020	<u>282</u>	Notice of Filing of Official Transcript as to <u>281</u> Transcript. Party notified, filed. (mmapps, 4) (Entered: 08/03/2020)