

CEB, CLOSED

**U.S. District Court  
Eastern District of Michigan (Bay City)  
CIVIL DOCKET FOR CASE #: 1:00-cv-10082-DML**

Tesmer, et al v. Granholm, et al  
Assigned to: Judge David M Lawson  
Demand: \$0  
Case in other court: USCA, 00-01824/1845  
USCA, 00-01824/1845  
USCA, 00-01824/25

Date Filed: 03/02/2000  
Date Terminated: 03/31/2000  
Jury Demand: None  
Nature of Suit: 440 Civil Rights:  
Other  
Jurisdiction: Federal Question

**Plaintiff**

**John Tesmer**

represented by **Jeanice Dagher-Margosian**  
P.O. Box 1970  
Ann Arbor, MI 48106  
734-761-5516  
Fax: 734-761-5516  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kary L. Moss**  
American Civil Liberties Union  
Fund of Michigan  
60 W. Hancock  
Detroit, MI 48201  
313-578-6800  
Fax: 313-578-6811  
Email: kmoss@aclumich.org  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Mark Granzotto**  
414 W. Fifth Street  
Royal Oak, MI 48067-2545  
248-546-4649  
Fax: 248-544-3430  
Email: mgranzotto@covad.net  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Charles Carter**

represented by **Jeanice Dagher-Margosian**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kary L. Moss**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Mark Granzotto**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Alois Schnell**

represented by **Jeanice Dagher-Margosian**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kary L. Moss**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Mark Granzotto**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Arthur M. Fitzgerald**

represented by **Jeanice Dagher-Margosian**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kary L. Moss**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Mark Granzotto**  
(See above for address)

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Plaintiff**

**Michael D. Vogler**

represented by **Jeanice Dagher-Margosian**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Kary L. Moss**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Mark Granzotto**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Jennifer M. Granholm**  
*Attorney General*

represented by **Thomas R. Wheeler**  
Michigan Department of Attorney  
General  
Tort Defense Division  
P.O. Box 30736  
Lansing, MI 48909  
517-373-6096  
Fax: 517-373-6096  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**John F. Kowalski**  
*Judge*

represented by **Margaret A. Nelson**  
Michigan Department of Attorney  
General  
Public Employment, Elections and  
Tort  
P.O. Box 30736  
Lansing, MI 48909  
517-373-6434

Email: nelsonma@michigan.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Thomas R. Wheeler**  
(See above for address)  
*TERMINATED: 09/26/2003*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**William A. Crane**  
*Judge*

represented by **Margaret A. Nelson**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Thomas R. Wheeler**  
(See above for address)  
*TERMINATED: 09/26/2003*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Lynda L. Heathscott**  
*Judge*

represented by **Margaret A. Nelson**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Thomas R. Wheeler**  
(See above for address)  
*TERMINATED: 09/26/2003*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Movant**

**Dennis Erdman**

represented by **Dennis Erdman**  
205858  
Macomb Correctional Facility  
34625 Twenty Six Mile Road  
New Haven, MI 48048-3000

PRO SE

**Movant**

**Michael Berlanga**

represented by **Michael Berlanga**

264441

Macomb Correctional Facility

34625 Twenty Six Mile Road

New Haven, MI 48048-3000

PRO SE

| <b>Date Filed</b> | <b>#</b> | <b>Docket Text</b>   |
|-------------------|----------|--|
| 03/02/2000        | 1        | COMPLAINT - Receipt # 395248 - Date Fee Received: 03/02/00 (bs) (Entered: 03/06/2000)  |
| 03/02/2000        | 2        | MOTION by plaintiffs for preliminary injunction with Exhibits, brief, notice of hearing with date to be set by the court and proof of mailing. (bs) (Entered: 03/06/2000)                        |
| 03/14/2000        | 3        | SUMMONS returned executed by certified mail on 3/6/00 - answer due 3/26/00 for John F. Kowalski (bs) (Entered: 03/16/2000)   |
| 03/14/2000        | 4        | SUMMONS returned executed by certified mail on 3/6/00 - answer due 3/26/00 for William A. Crane (bs) (Entered: 03/16/2000)   |
| 03/14/2000        | 5        | SUMMONS returned executed by certified mail on 3/6/00 - answer due 3/26/00 for Lynda L. Heathscott (bs) (Entered: 03/16/2000)  |
| 03/23/2000        | 6        | MOTION by defendants to dismiss (bs) (Entered: 03/23/2000)   |
| 03/23/2000        | 7        | MEMORANDUM by defendants in support of motion to dismiss [6-1], with attachments. (bs) (Entered: 03/23/2000)   |
| 03/23/2000        | 8        | NOTICE by defendants of hearing on motion to dismiss by Lynda L. Heathscott, William A. Crane, John F. Kowalski, Jennifer M. Granholm [6-1] , date to be set by court (bs) (Entered: 03/23/2000) |
| 03/23/2000        | 9        | PROOF of mailing by defendants copy of motion to dismiss, brief in support and notice of hearing. (bs) (Entered: 03/23/2000)   |
| 03/27/2000        | 10       | MEMORANDUM by defendant Jennifer M. Granholm in  |

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|            |    | opposition to motion for preliminary injunction by Michael D. Vogler, Arthur M. Fitzgerald, Alois Schnell, Charles Carter, John Tesmer [2-1], with proof of mailing. (bs) (Entered: 03/27/2000)   |
| 03/27/2000 | 11 | LETTER by defendant Jennifer M. Granholm, with the Issues Presented and Controlling Authorities regarding 03/22/00 filing of defendant's Motion to Dismiss with brief in support. (bs) (Entered: 03/27/2000)  |
| 03/27/2000 | 13 | RESPONSE by plaintiff to motion to dismiss by Lynda L. Heathscott, William A. Crane, John F. Kowalski, Jennifer M. Granholm [6-1] with brief and attachments. (bs) (Entered: 03/29/2000)  |
| 03/28/2000 | 12 | APPEARANCE for Jennifer M. Granholm, John F. Kowalski, William A. Crane, Lynda L. Heathscott of attorney Thomas Wheeler (jl) (Entered: 03/28/2000)  |
| 03/28/2000 | 14 | REMARK: Supplemental Authority with Exhibit A filed by plaintiffs. (bs) (Entered: 03/30/2000)   |
| 03/30/2000 | 15 | ANSWER by defendants to remark [14-1] (Supplemental Authority), with proof of mailing. (bs) (Entered: 03/30/2000)   |
| 03/30/2000 | 16 | REPLY by defendants to response to motion to dismiss by Lynda L. Heathscott, William A. Crane, John F. Kowalski, Jennifer M. Granholm [6-1] with proof of mailing. (bs) (Entered: 03/30/2000)   |
| 03/30/2000 |    | MOTION hearing held on motion for preliminary injunction by Michael D. Vogler, Arthur M. Fitzgerald, Alois Schnell, Charles Carter, John Tesmer [2-1] - disposition: Opinion to issue - Judge Victoria A. Roberts - Court Reporter: Shawn Quinn (cp) (Entered: 03/31/2000)  |
| 03/30/2000 | 18 | MOTION by plaintiffs to certify class action with brief, attachment, notice of hearing with date to be set by the court and proof of mailing. (bs) (Entered: 04/05/2000)  |
| 03/31/2000 | 17 | MEMORANDUM opinion and order by Judge Victoria A. Roberts granting in part and denying in part motion to dismiss by Lynda L. Heathscott, William A. Crane, John F. Kowalski, Jennifer M. Granholm [6-1], denying motion for preliminary injunction by Michael D. Vogler, Arthur M. Fitzgerald, Alois Schnell, Charles Carter, John Tesmer [2-1] and granting plaintiffs' request for declaratory judgment [EOD Date: 4/4/00] (bs) (Entered: 04/04/2000) |

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| 04/10/2000 | 19 | APPEAL by defendant John F. Kowalski, defendant William A. Crane, defendant Lynda L. Heathscott of order [17-1] to USCA - FEE: paid - Receipt #: 14500 (bs) (Entered: 04/10/2000)                  |
| 04/10/2000 | 20 | CERTIFIED copy of appeal notice by Lynda L. Heathscott, William A. Crane, John F. Kowalski [19-1] and docket transmitted to USCA (bs) (Entered: 04/10/2000)  |
| 04/10/2000 | 21 | NOTICE by the clerk regarding designation of record on appeal, mailed to counsel of record. (bs) (Entered: 04/10/2000)   |
| 04/10/2000 | 22 | PROOF of mailing notice of appeal by USDC to U.S. Court of appeals and counsel of record (bs) (Entered: 04/10/2000)  |
| 04/13/2000 | 23 | SUMMONS returned executed by certified mail on 3/24/00 - answer due 4/13/00 for Jennifer M. Granholm (jl) (Entered: 04/14/2000)  |
| 04/14/2000 | 24 | MOTION by defendant John F. Kowalski, defendant William A. Crane, defendant Lynda L. Heathscott to stay case with brief, attachments and proof of mailing (jl) (Entered: 04/14/2000)               |
| 04/24/2000 | 25 | TRANSCRIPT order form by defendants regarding appeal notice by Lynda L. Heathscott, William A. Crane, John F. Kowalski [19-1] requesting transcript(s) of: 03/30/00 (bs) (Entered: 04/24/2000)     |
| 04/24/2000 | 26 | DESIGNATION of record by defendant for appeal notice by Lynda L. Heathscott, William A. Crane, John F. Kowalski [19-1] (bs) (Entered: 04/24/2000)  |
| 04/25/2000 | 27 | ACKNOWLEDGEMENT from USCA of receipt of appeal notice of appeal & docket [20-1] - appeal case # 00-1405 (jl) (Entered: 04/25/2000)   |
| 04/27/2000 | 28 | MEMORANDUM by plaintiffs in opposition to motion to stay case by Lynda L. Heathscott, William A. Crane, John F. Kowalski [24-1]; with attachments and proof of mailing. (bs) (Entered: 05/01/2000) |
| 05/09/2000 | 29 | MOTION by plaintiff for injunction with brief, exhibits, notice of hearing and proof of mailing (jl) (Entered: 05/11/2000)   |
| 05/24/2000 | 30 | RESPONSE by defendant to motion for injunction by Michael D. Vogler, Arthur M. Fitzgerald, Alois Schnell, Charles Carter, John Tesmer [29-1] with attachment (jl) (Entered: 05/24/2000)            |
| 06/20/2000 | 31 | ORDER by Judge Victoria A. Roberts denying motion to stay case by Lynda L. Heathscott, William A. Crane, John F. Kowalski [24-1], setting hearing on motion for injunction by                      |

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|            |    | Michael D. Vogler, Arthur M. Fitzgerald, Alois Schnell, Charles Carter, John Tesmer [29-1] for 10:00 6/28/00 , and setting deadline for plaintiff's supplemental brief for 10:00 6/23/00 , setting deadline for defendant's supplemental brief for 10:00 6/26/00 Date 6/22/00] (jl) (Entered: 06/22/2000)  |
| 06/23/2000 | 32 | SUPPLEMENTAL brief by plaintiff motion for injunction by Michael D. Vogler, Arthur M. Fitzgerald, Alois Schnell, Charles Carter, John Tesmer [29-1], with attachment and proof. (bs) (Entered: 06/26/2000)   |
| 06/28/2000 |    | MOTION hearing held on motion for injunction by Michael D. Vogler, Arthur M. Fitzgerald, Alois Schnell, Charles Carter, John Tesmer [29-1] - Judge Victoria A. Roberts - Court Reporter: Barbara Chatman (cp) (Entered: 08/02/2000)  |
| 06/30/2000 | 33 | MEMORANDUM opinion and order by Judge Victoria A. Roberts granting motion for injunction by Michael D. Vogler, Arthur M. Fitzgerald, Alois Schnell, Charles Carter, John Tesmer [29-1], denying motion to certify class action by Michael D. Vogler, Arthur M. Fitzgerald, Alois Schnell, Charles Carter, John Tesmer [18-1]; with proof of mailing. [EOD Date: 7/3/00] (bs) (Entered: 07/03/2000) |
| 07/14/2000 | 35 | INTERLOCUTORY appeal by defendant Lynda L. Heathscott, defendant William A. Crane, defendant John F. Kowalski of order [33-1] to USCA FEE: paid Receipt # 200 402249 (bs) Modified on 11/29/2001 (Entered: 11/29/2001)   |
| 07/17/2000 | 34 | CERTIFIED copy of order from USCA denying motion to amend the notice of appeal, denying motion for stay pending appeal and granting motion to dismiss [0-0] - appeal case # 00-1405 (bs) (Entered: 07/17/2000)   |
| 07/17/2000 | 36 | CERTIFIED copy of appeal notice by Lynda L. Heathscott, William A. Crane, John F. Kowalski [35-1] and docket transmitted to USCA (bs) (Entered: 07/17/2000)  |
| 07/17/2000 | 37 | NOTICE regarding designation of record on appeal (bs) (Entered: 07/17/2000)  |
| 07/17/2000 | 38 | PROOF of mailing notice of appeal to USCA and counsel of record (bs) (Entered: 07/17/2000)   |
| 07/18/2000 | 39 | INTERLOCUTORY appeal of order [33-1] by the Honorable Dennis C. Kolenda to USCA FEE: paid Receipt # 200 402379 (bs) (Entered: 11/29/2001)  |
| 07/21/2000 | 40 | CERTIFIED copy of appeal notice [39-1] and docket  |



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|            |    | transmitted to USCA (bs) (Entered: 07/21/2000)  |
| 07/21/2000 | 41 | NOTICE RE: designation of record on appeal (bs) (Entered: 07/21/2000)   |
| 07/21/2000 | 42 | PROOF of mailing notice of appeal to USCA and counsel of record (bs) (Entered: 07/21/2000)  |
| 07/27/2000 | 43 | TRANSCRIPT order form by defendants regarding appeal notice [39-1] requesting transcript(s) of: June 28, 2000 (bs) (Entered: 07/27/2000)  |
| 07/27/2000 | 44 | DESIGNATION of record by defendants for appeal notice [39-1] (bs) (Entered: 07/27/2000)   |
| 08/03/2000 | 45 | ACKNOWLEDGEMENT from USCA of receipt of appeal notice [39-1] Honorable Dennis C. Kolenda - appeal case # 00-1845 (bs) (Entered: 08/03/2000)   |
| 08/15/2000 | 46 | TRANSCRIPT order form regarding appeal notice [39-1] requesting transcript(s) of: 03/30/00 -appeal case # 00-1845 (bs) (Entered: 08/21/2000)  |
| 08/15/2000 | 47 | TRANSCRIPT order form regarding appeal notice [39-1] requesting transcript(s) of: 06/28/00 -appeal case # 00-1845 (bs) (Entered: 08/21/2000)  |
| 08/21/2000 | 48 | ACKNOWLEDGEMENT from USCA of receipt of appeal notice by Lynda L. Heathscott, William A. Crane, John F. Kowalski [35-1] - appeal case # 00-1824 (bs) (Entered: 08/21/2000)                      |
| 08/28/2000 | 49 | TRANSCRIPT taken on 06/30/00 of motion hearing (bs) (Entered: 08/29/2000)   |
| 09/29/2000 | 50 | MOTION by movant Dennis Erdman to intervene with affidavit and proof of mailing (jl) (Entered: 10/03/2000)  |
| 11/06/2000 | 51 | CERTIFIED copy of order from USCA granting motion for stay pending appeal [0-0] - appeal case # 00-1845 and the 06/30/00, injunction against Judge Kolenda is stayed (bs) (Entered: 11/06/2000) |
| 12/06/2000 | 52 | MOTION by plaintiffs to certify class action with brief, attachments, notice of hearing and proof of mailing. (bs) (Entered: 12/06/2000)  |
| 12/11/2000 | 53 | MANDATE from USCA denying motion to amend, denying motion for stay of appeal and granting motion to dismiss [0-0] - appeal case # 00-1405 (bs) (Entered: 12/11/2000)                            |

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| 01/08/2001 | 54                 | RESPONSE by defendants to motion to certify class action by John Tesmer, Charles Carter, Alois Schnell, Arthur M. Fitzgerald, Michael D. Vogler [52-1] with proof of mailing. (bs) (Entered: 01/08/2001)   |
| 01/31/2001 | 55                 | STIPULATION by defendants, plaintiffs, to supplement district court record [EOD Date: 1/31/01] (bs) (Entered: 01/31/2001)  |
| 01/31/2001 | 56                 | TRANSCRIPT taken on 03/20/00 of preliminary injunction hearing (bs) (Entered: 01/31/2001)  |
| 08/03/2001 | 57                 | NOTICE by plaintiffs counsel of change of address (bs) (Entered: 08/07/2001)   |
| 11/27/2001 | 58                 | ORDER by Judge David M. Lawson staying motion to intervene by Dennis Erdman [50-1], staying motion to certify class action by John Tesmer, Charles Carter, Alois Schnell, Arthur M. Fitzgerald, Michael D. Vogler [52-1]; pending decision on the interlocutory appeals [EOD Date 11/28/01] (bs) (Entered: 11/28/2001) |
| 12/20/2001 | 59                 | SUPPLEMENTAL AFFIDAVIT by movant Dennis Erdman (bs) (Entered: 12/20/2001)  |
| 12/20/2001 | 60                 | NOTICE by movant Dennis Erdman of change of address (bs) (Entered: 12/20/2001)   |
| 03/28/2002 | <a href="#">61</a> | MOTION to intervene by Michael Berlanga with affidavit. (bs) (Entered: 03/28/2002)   |
| 04/04/2002 | <a href="#">62</a> | ORDER by Judge David M. Lawson denying motion to intervene by Michael Berlanga [61-1], denying motion to certify class action by John Tesmer, Charles Carter, Alois Schnell, Arthur M. Fitzgerald, Michael D. Vogler [52-1] [EOD Date 4/4/02] (bs) (Entered: 04/04/2002)   |
| 07/08/2002 | 63                 | SLIP opinion from USCA remanding the case for to have judgment entered in favor of the defendants, injunction issued by the court is dissolved and the declaratory judgment is vacated - appeal case # 00-1824, 00-1845 (bs) (Entered: 07/08/2002)   |
| 03/27/2003 | <a href="#">64</a> | ORDER by Judge David M. Lawson, for plaintiffs to show cause in writing on or before 04/07/03, why judgment should not be entered in favor of the defendants [EOD Date 3/27/03] (bs) (Entered: 03/27/2003)   |
| 04/14/2003 | <a href="#">65</a> | ORDER by Judge David M. Lawson dismissing order for plaintiffs to show cause in writing on or before 04/07/03, why judgment should not be entered in favor of the defendants [64-1], dismissing order [64-2] [EOD Date 4/14/03] (bs) (Entered: 04/14/2003)   |

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|            |                    | 04/14/2003)   |
| 06/20/2003 | 66                 | SLIP opinion from USCA affirming in part and reversing in part the decision of the District Court - appeal case # 00-1824/1845 (bs) (Entered: 06/20/2003)   |
| 06/24/2003 | <a href="#">67</a> | NON-CERTIFIED copy of order from USCA affirming the decision of the District Court in part and reversed in part - appeal case # 00-1824,00-1845 (cg) (Entered: 06/24/2003)  |
| 07/14/2003 | <a href="#">68</a> | MANDATE from USCA affirming the decision of the District Court in part and reversed in part - appeal case # 00-1824 (bs) (Entered: 07/14/2003)  |
| 07/14/2003 | <a href="#">69</a> | MANDATE from USCA affirming the decision of the District Court in part and reversed in part - appeal case # 00-1845 (bs) (Entered: 07/14/2003)  |
| 09/12/2003 | 70                 | NOTICE of setting civil status conference for 3:30 10/2/03 (bs) (Entered: 09/15/2003)   |
| 09/22/2003 | 71                 | COPY of notice setting civil status conference for 3:30 10/2/03 [70-1] and returned as undeliverable as to Mark Granzotto, Esquire. Retailed 09/22/03 (bs) (Entered: 09/22/2003)  |
| 09/26/2003 | 72                 | SUBSTITUTION for defendant Lynda L. Heathscott, defendant William A. Crane, defendant John F. Kowalski of attorney Margaret A. Nelson in place of attorney Thomas R. Wheeker for John F. Kowalski, attorney Thomas R. Wheeker for William A. Crane, attorney Thomas R. Wheeker for Lynda L. Heathscott (cg) (Entered: 09/26/2003) |
| 09/26/2003 | <a href="#">73</a> | [STRICKEN PER ORDER 10/02/03]MOTION by defendant Lynda L. Heathscott, defendant William A. Crane, defendant John F. Kowalski to stay case during their appeal to the U.S. Supreme Court with attachment and notice of hearing (cg) Modified on 10/03/2003 (Entered: 09/26/2003)   |
| 09/26/2003 | 74                 | PROOF of service by defendant Lynda L. Heathscott, defendant William A. Crane, defendant John F. Kowalski of [73-1], [72-1] (cg) (Entered: 09/26/2003)  |
| 09/30/2003 | 75                 | NOTICE from the US Supreme Court that a petition for writ of certiorari was filed and placed on the docket on 9/16/03 as No. 03-407. (bs) (Entered: 09/30/2003)   |
| 10/02/2003 |                    | STATUS conference held - Judge David M. Lawson (tj) (Entered: 10/02/2003)   |
| 10/02/2003 | <a href="#">76</a> | ORDER by Judge David M. Lawson striking motion to stay  |

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|            |                    | case during their appeal to the U.S. Supreme Court by John F. Kowalski, William A. Crane, Lynda L. Heathscott [73-1] [EOD Date 10/3/03] (bs) (Entered: 10/03/2003)  |
| 10/03/2003 | <a href="#">77</a> | (STRICKEN PER ORDER 10/06/03) MOTION to withdraw by Jeanice Dagher-Margosian as attorney for Charles Carter with proof of service. (bs) Modified on 10/07/2003 (Entered: 10/03/2003)  |
| 10/06/2003 | <a href="#">78</a> | ORDER by Judge David M. Lawson striking motion to withdraw by Jeanice Dagher-Margosian as attorney for Charles Carter by Jeanice Dagher-Margosian [77-1] [EOD Date 10/7/03] (bs) (Entered: 10/07/2003)  |
| 10/15/2003 | <a href="#">79</a> | ORDER PURSUANT TO STATUS AND SCHEDULING CONFERENCE by Judge David M. Lawson, setting deadline for filing renewed motion for class certification 10/23/03 , setting deadline for response to class certification for 11/26/03 [EOD Date 10/15/03] (bs) (Entered: 10/15/2003) |
| 10/23/2003 | <a href="#">80</a> | REMEWED MOTION by plaintiffs to certify class action brief and proof. (bs) (Entered: 10/27/2003)  |
| 10/23/2003 | 81                 | NOTICE by plaintiffs of hearing on renewed motion to certify class action by John Tesmer, Charles Carter, Alois Schnell, M. Fitzgerald, Michael D. Vogler [80-1] , date to be set by court (bs) (Entered: 10/27/2003)   |
| 11/26/2003 | <a href="#">82</a> | RESPONSE by defendants to motion to certify class action by John Tesmer, Charles Carter, Alois Schnell, Arthur M. Fitzgerald, Michael D. Vogler [80-1] with brief and proof. (bs) (Entered: 12/03/2003)   |
| 12/15/2003 | 83                 | NOTICE of setting hearing on motion to certify class action by John Tesmer, Charles Carter, Alois Schnell, Arthur M. Fitzgerald, Michael D. Vogler [80-1] for 2:30 3/17/04 (bs) (Entered: 12/16/2003)   |
| 01/26/2004 | <a href="#">84</a> | Letter from Clerk, U.S. Supreme Court advising that the petition for writ of certiorari has been granted (JLam, ) (Entered: 01/29/2004)   |
| 02/05/2004 | <a href="#">85</a> | ORDER dismissing <a href="#">80</a> Motion to Certify Class and cancelling hearing. Signed by Judge David M Lawson. (JLam, ) (Entered: 02/05/2004)  |
| 07/27/2004 |                    | Remark : Notification from USCA advising clerk's office to forward record to the Supreme Court. (BSoc, ) (Entered: 07/28/2004)  |

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| 07/28/2004 | <a href="#">86</a> | Letter with record forwarded to U. S. Supreme Court. Two Volumes of Pleadings and Two Transcripts. (BSoc, ) Modified on 7/28/2004 (BSoc, ). (Entered: 07/28/2004)   |
| 08/12/2004 | <a href="#">87</a> | ACKNOWLEDGEMENT from U.S. Supreme Court of <a href="#">86</a> Letter. (JLam, ) (Entered: 08/12/2004)  |
| 12/21/2004 | <a href="#">88</a> | Letter from the Supreme Court, with attached opinion, No. 03-407. (BSoc, ) (Entered: 12/21/2004)  |
| 02/15/2005 | <a href="#">89</a> | LETTER from USCA re [19] Notice of Appeal filed by William A. Crane,, John F. Kowalski,, Lynda L. Heathscott, - with attached copy of Supreme Court Judgment filed 01/24/05 [Appeal Case Number 00-1824/25] (BSoc, ) (Entered: 02/15/2005)                      |
| 03/01/2005 | <a href="#">90</a> | (Certified) ORDER from USCA re [35] Notice of Interlocutory Appeal filed by William A. Crane,, John F. Kowalski,, Lynda L. Heathscott,, [39] Notice of Interlocutory Appeal Reverse and Remand [Appeal Case Number 00-1824/1845] (BSoc, ) (Entered: 03/01/2005) |
| 03/16/2005 | <a href="#">91</a> | Letter from Supreme Court. (BSoc, ) (Entered: 03/18/2005)   |
| 04/21/2005 | <a href="#">92</a> | ORDER of Dismissal pursuant to <a href="#">90</a> Order from the Sixth Circuit Court of Appeals. Signed by Honorable David M Lawson. (TJac, ) (Entered: 04/22/2005)   |
| 05/12/2005 | <a href="#">93</a> | Mail Returned as Undeliverable. Mail sent to Michael Berlanga re <a href="#">92</a> Order (BSoc, ) (Entered: 05/13/2005)  |