

**U.S. District Court
Southern District of Illinois (East St. Louis)
CIVIL DOCKET FOR CASE #: 3:16-cv-00513-MJR-RJD**

Lambert et al v. Alexander County Housing Authority et al
Assigned to: Chief Judge Michael J. Reagan
Referred to: Magistrate Judge Reona J. Daly
Cause: 42:405 Fair Housing Act

Date Filed: 05/10/2016
Date Terminated: 09/12/2017
Jury Demand: Both
Nature of Suit: 443 Civil Rights:
Accommodations
Jurisdiction: Federal Question

Plaintiff

Paul Lambert

*on behalf of themselves and all others
similarly situated*

represented by **Charles Wysong**
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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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V.

Defendant

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Defendant

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Defendant

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Date Filed	#	Docket Text
05/10/2016	<u>1</u>	COMPLAINT <i>Class Action Complaint</i> against All Defendants (Filing fee \$ 400 receipt number 0754-2934406.), filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit A – HUD Letter, # <u>2</u> Exhibit B – Sample Lease)(Wilmes, Christopher) (Entered: 05/10/2016)
05/10/2016	<u>2</u>	NOTICE of Appearance by Christopher J. Wilmes on behalf of All Plaintiffs (Wilmes, Christopher) (Entered: 05/10/2016)
05/10/2016	<u>3</u>	EXHIBIT by All Plaintiffs. Exhibit to <u>1</u> Complaint (<i>Civil Cover Sheet</i>). (Wilmes, Christopher) (Entered: 05/10/2016)
05/10/2016	<u>4</u>	Notice of Judge Assignment. Chief Judge Michael J. Reagan and Magistrate Judge Philip M. Frazier assigned. All future documents must bear case number 16-513-MJR-PMF. If the parties consent to Magistrate Judge assignment, the consent form with instruction is attached for your convenience. Refer to Civil/Removal Case Processing Requirements, found on the ILSD website, for further service information. (tkm) (Entered: 05/10/2016)
05/13/2016	<u>5</u>	Summons Requested. (Attachments: # <u>1</u> Summons to Defendant Wilson, # <u>2</u> Summons to Defendant Franklin, # <u>3</u> Summons to Defendant Upchurch, # <u>4</u> Summons to Defendant Pink)(Wilmes, Christopher) (Entered: 05/13/2016)
05/13/2016	<u>6</u>	Summons Issued as to Alexander County Housing Authority (original summons mailed to attorney Christopher J. Wilmes). (tkm) (Entered: 05/13/2016)
05/13/2016	<u>7</u>	Summons Issued as to James Wilson (original summons mailed to attorney Christopher J. Wilmes). (tkm) (Entered: 05/13/2016)
05/13/2016	<u>8</u>	Summons Issued as to Thomas Upchurch (original summons mailed to attorney Christopher J. Wilmes). (tkm) (Entered: 05/13/2016)
05/13/2016	<u>9</u>	Summons Issued as to Joanne Pink (original summons mailed to attorney Christopher J. Wilmes). (tkm) (Entered: 05/13/2016)
05/13/2016	<u>10</u>	Summons Issued as to Martha Franklin (original summons mailed to attorney Christopher J. Wilmes). (tkm) (Entered: 05/13/2016)
05/24/2016	<u>11</u>	SUMMONS Returned Executed by All Plaintiffs. Alexander County Housing Authority served on 5/18/2016, answer due 6/8/2016. (Wilmes, Christopher) (Entered: 05/24/2016)
05/24/2016	<u>12</u>	SUMMONS Returned Executed by All Plaintiffs. James Wilson served on 5/18/2016, answer due 6/8/2016. (Wilmes, Christopher) (Entered: 05/24/2016)
05/24/2016	<u>13</u>	SUMMONS Returned Executed by All Plaintiffs. Thomas Upchurch served on 5/18/2016, answer due 6/8/2016. (Wilmes, Christopher) (Entered: 05/24/2016)
05/24/2016	<u>14</u>	SUMMONS Returned Executed by All Plaintiffs. Joanne Pink served on 5/20/2016, answer due 6/10/2016. (Wilmes, Christopher) (Entered: 05/24/2016)
05/24/2016	<u>15</u>	SUMMONS Returned Executed by All Plaintiffs. Martha Franklin served on 5/20/2016, answer due 6/10/2016. (Wilmes, Christopher) (Entered: 05/24/2016)
06/06/2016	<u>16</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint by All Defendants. (Moore, Stephen) (Entered: 06/06/2016)

06/06/2016	<u>17</u>	NOTICE of Appearance by Stephen J. Moore on behalf of All Defendants (Moore, Stephen) (Entered: 06/06/2016)
06/06/2016	<u>18</u>	ENTRY STRICKEN – NOTICE of Appearance by Stephen J. Moore on behalf of All Defendants (Moore, Stephen) Modified on 6/7/2016 (tkm). (Entered: 06/06/2016)
06/06/2016	<u>19</u>	PRO SE RESPONSE to <u>1</u> Complaint by James Wilson.(slh) (Entered: 06/06/2016)
06/07/2016	<u>20</u>	ORDER granting <u>16</u> Motion for Extension of Time to Answer. The defendants demonstrate good cause for an extension of time. The deadline for the defendants to file an answer or otherwise respond to plaintiffs' complaint is hereby extended to June 28, 2016 . Signed by Magistrate Judge Philip M. Frazier on 6/7/16. (kos)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 06/07/2016)
06/07/2016	<u>21</u>	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>18</u> Notice of Appearance filed by James Wilson, Martha Franklin, Joanne Pink, Thomas Upchurch, Alexander County Housing Authority. Login and password of Stephen Moore used; however, the document is signed by Jessica B. Cozart. Signature on the document must match the login and password used to file the document.Docket entry STRICKEN as Ordered by the Court. Document must be re-filed. (tkm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 06/07/2016)
06/07/2016	<u>22</u>	NOTICE of Appearance by Jessica B. Cozart on behalf of All Defendants (Cozart, Jessica) (Entered: 06/07/2016)
06/10/2016	<u>23</u>	CJRA TRACK D assigned: Final Pretrial Conference set for 4/6/2018 at 10:00 AM in East St. Louis Courthouse before Chief Judge Michael J. Reagan. Jury Trial set for 4/16/2018 at 09:00 AM in East St. Louis Courthouse before Chief Judge Michael J. Reagan. Signed by Chief Judge Michael J. Reagan on 06/10/16. (Attachments: # <u>1</u> Consent to Magistrate Judge)(dkd) (Entered: 06/10/2016)
06/14/2016	<u>24</u>	NOTICE of Scheduling and Discovery Conference: Scheduling/Discovery Conference set for 7/19/2016 at 10:30 AM via telephone before Magistrate Judge Philip M. Frazier. To join the conference call the parties should call 888-684-8852. The access code is 1026624. The security code is 6433. Lead counsel for the parties must participate in the conference. (krm) (Entered: 06/14/2016)
06/14/2016	<u>25</u>	ORDER REGARDING DISCOVERY: Disputes which require a ruling on a motion made under Rule 37 of the Federal Rules of Civil Procedure will be handled in the following manner. The party seeking a discovery order shall request a prompt telephone conference with Judge Frazier and opposing counsel by alerting the law clerk assigned to the case and providing the law clerk with appropriate material, such as: (1) a list or summary of the items in dispute, (2) copies of written requests/objections/privilege logs in dispute, and (3) an estimate of the amount of time needed to present argument to the Court. Law clerks prefer to receive these materials through Judge Frazier's email depository for proposed documents. When the conference is set, the party seeking discovery shall place the conference call between the parties and the Court. Argument on motions to compel discovery or for discovery sanctions shall be presented orally at the telephone conference. Written motions or legal memoranda will not be accepted unless specifically requested. The expense of the call will be borne by the non-prevailing party. Signed by Magistrate Judge Philip M. Frazier on 6/14/2016. (krm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 06/14/2016)
06/14/2016	<u>26</u>	Response to <u>1</u> Complaint by Martha Franklin.(slh) (Entered: 06/14/2016)
06/27/2016	<u>27</u>	Joint MOTION to Stay <i>Proceedings</i> by All Defendants. (Attachments: # 1 Proposed Order – Deleted)(Moore, Stephen) Modified on 6/28/2016 (tkm). (Entered: 06/27/2016)
06/28/2016	<u>28</u>	NOTICE OF ERRORS AND/OR DEFICIENCIES re <u>27</u> Motion to Stay filed by James Wilson, Martha Franklin, Joanne Pink, Thomas Upchurch, Alexander County Housing Authority. See attached document for specifics (tkm) (Entered: 06/28/2016)

06/28/2016	<u>29</u>	MOTION for Extension of Time to File Answer by All Defendants. (Moore, Stephen) (Entered: 06/28/2016)
06/29/2016	30	ORDER: On June 10, 2016, the Court assigned this case to Track D, the longest track available for civil cases, and assigned it a trial date of April 16, 2018. On June 27, 2016, the parties jointly moved for a 60-day stay so that they can explore an informal resolution of this case. The decision to stay a case is entrusted to the Court's discretion, and given the lengthy trial practice schedule that the parties will enjoy in this case, the Court is not of the view that a stay is necessary to allow the parties to explore an early resolution. The motion for a stay (Doc. <u>27</u>) is DENIED. The parties remain free to pursue an early resolution and the defendants remain free to move for extensions of time to file their answers during that process -- those extension motions will be resolved by Magistrate Judge Frazier. In filing motions for extensions, the parties should remain mindful of the scheduled trial date and the deadlines that will accompany that date. Signed by Chief Judge Michael J. Reagan on 6/29/2016. (wtw) THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 06/29/2016)
06/30/2016	31	ORDER granting <u>29</u> Motion for Extension of Time to Answer. The deadline for the defendants to file an answer or otherwise respond to the plaintiffs' complaint is hereby extended to July 18, 2016 . Signed by Magistrate Judge Philip M. Frazier on 6/30/16. (kos)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 06/30/2016)
07/06/2016	<u>32</u>	NOTICE of Appearance by Katherine Elizabeth Walz on behalf of All Plaintiffs (Walz, Katherine) (Entered: 07/06/2016)
07/06/2016	<u>33</u>	NOTICE of Appearance by Kevin L. Herrera on behalf of All Plaintiffs (Herrera, Kevin) (Entered: 07/06/2016)
07/15/2016	<u>34</u>	SCHEDULING AND DISCOVERY ORDER: Joint Report of Parties approved and entered. Scheduling and Discovery Conference set for 7/19/2016 at 10:30 AM via telephone before Magistrate Judge Frazier is CANCELED. Discovery due by 12/7/2017. Dispositive Motions due by 12/22/2017. Status Conference set for 10/12/2016 at 9:30 AM via telephone before Magistrate Judge Frazier. The parties should call the Court's conference line, 618-439-7731, to join the call. Signed by Magistrate Judge Philip M. Frazier on 7/14/2016. (Attachments: # <u>1</u> Joint Report of Parties) (krm) (Entered: 07/15/2016)
07/15/2016	<u>35</u>	MOTION to Amend/Correct <i>Motion for Leave to File an Amended Complaint</i> by All Plaintiffs. (Attachments: # <u>1</u> Exhibit A – Amended Complaint)(Wilmes, Christopher) (Entered: 07/15/2016)
07/18/2016	36	NOTICE OF ERRORS AND/OR DEFICIENCIES re <u>35</u> Motion to Amend/Correct filed by Paul Lambert, Kimberly Simelton, Shameka Nelson, Pamela Purdiman, Barbara Holder, William Frey, Mary Holder. Filer selected incorrect event and attached the proposed document as an exhibit. Filer should have selected Motion for Leave to File and should have e-mailed the proposed document to the appropriate Judge's e-mail address. Notice of Errors for informational purposes. Filer needs to e-mail the proposed document to the appropriate Judge's e-mail address for proposed documents/orders. (tkm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 07/18/2016)
07/18/2016	<u>37</u>	Consent MOTION for Extension of Time to File Answer by All Defendants. (Moore, Stephen) (Entered: 07/18/2016)
07/20/2016	38	ORDER granting <u>35</u> Motion for Leave to File Amended Complaint; granting <u>37</u> Motion for Extension of Time to Answer. Leave to file an amended complaint shall be granted "when justice so requires," Fed.R.Civ.P. 15(a), and in the absence of "undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed [or] undue prejudice to the opposing party[.]" Foman v. Davis, 83 S.Ct. 227, 230, 371 U.S. 178, 182 (1962). Finding that justice so requires, and with no opposition from the defendants, plaintiffs' motion is GRANTED. Plaintiffs shall file their first amended complaint <i>instanter</i> . The defendants' motion for extension of time to answer is GRANTED as well, the defendants shall file an answer or otherwise respond to plaintiffs' first amended complaint under the guidelines set at Rule 15(a)(3) of the Federal Rules of Civil

		Procedure. Signed by Magistrate Judge Philip M. Frazier on 7/20/16. (kos)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 07/20/2016)
07/20/2016	<u>39</u>	AMENDED COMPLAINT <i>Amended Class Action Complaint</i> against All Defendants, filed by Shameka Nelson, Barbara Holder, Kimberly Simelton, Mary Holder, Paul Lambert, Pamela Purdiman, Chena Brazil.(Wilmes, Christopher) (Entered: 07/20/2016)
07/20/2016	<u>40</u>	EXHIBIT by Chena Brazil, Barbara Holder, Mary Holder, Paul Lambert, Shameka Nelson, Pamela Purdiman, Kimberly Simelton. Exhibit to <u>39</u> Amended Complaint <i>Exhibit A – HUD Letter to ACHA</i> . (Wilmes, Christopher) (Entered: 07/20/2016)
07/20/2016	<u>41</u>	EXHIBIT by Chena Brazil, Barbara Holder, Mary Holder, Paul Lambert, Shameka Nelson, Pamela Purdiman, Kimberly Simelton. Exhibit to <u>39</u> Amended Complaint <i>Exhibit B – Sample Residential Lease Agreement</i> . (Wilmes, Christopher) (Entered: 07/20/2016)
08/03/2016	<u>42</u>	ANSWER to <u>39</u> Amended Complaint by All Defendants.(Moore, Stephen) (Entered: 08/03/2016)
09/06/2016	<u>43</u>	STIPULATION of Dismissal <i>Joint Stipulation of Dismissal With Prejudice as to Defendant Joanne Pink</i> by All Plaintiffs. (Wilmes, Christopher) (Entered: 09/06/2016)
09/06/2016	<u>44</u>	STIPULATION of Dismissal <i>Joint Stipulation of Dismissal With Prejudice as to Defendant Thomas Upchurch</i> by All Plaintiffs. (Wilmes, Christopher) (Entered: 09/06/2016)
09/07/2016	45	NOTICE OF ERRORS AND/OR DEFICIENCIES re <u>43</u> Stipulation of Dismissal filed by Kimberly Simelton, Mary Holder, Paul Lambert, Shameka Nelson, Chena Brazil, Barbara Holder, Pamela Purdiman, William Frey, <u>44</u> Stipulation of Dismissal filed by Kimberly Simelton, Mary Holder, Paul Lambert, Chena Brazil, Shameka Nelson, Pamela Purdiman, Barbara Holder, William Frey. No "with consent" when document contains multiple signatures. Please refer to Section 2.0: page 2.1 of the User's Manual. This notice is informational – for reference with future filings. No further action required.(jj)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 09/07/2016)
09/12/2016	<u>46</u>	ADMINISTRATIVE ORDER 189 REASSIGNING CASE REFERRAL. Case referral reassigned to Magistrate Judge Reona J. Daly. Case no longer referred to Magistrate Judge Frazier. All future pleadings shall bear case number 16-cv-513-MJR-RJD.Signed by Chief Judge Michael J. Reagan on 9/9/2016. (jlrr) (Entered: 09/12/2016)
09/16/2016		Set/Reset Hearings: Status Conference set for 10/12/2016 at 09:30 AM via telephone before Magistrate Judge Reona J. Daly. The parties should call the Court's conference line, 618-439-7731, to join the call. (jlm) (Entered: 09/16/2016)
10/12/2016	<u>47</u>	Minute Entry for proceedings held before Magistrate Judge Reona J. Daly and Minute Order: Status Conference held on 10/12/2016. Settlement Conference set for 12/20/2016 at 9:00 AM in Benton. Separate order to enter. (jlm) (Entered: 10/12/2016)
10/12/2016	<u>48</u>	STRICKEN ORDER FOR SETTLEMENT CONFERENCE: Settlement Conference set for 12/20/2016 09:00 AM in Benton Courthouse before Magistrate Judge Reona J. Daly. Settlement Statements to be submitted on or before 12/13/2016. Signed by Magistrate Judge Reona J. Daly on 10/12/2016. (jlm) Modified on 10/12/2016 (jlm). (Entered: 10/12/2016)
10/12/2016	49	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>48</u> Order for Settlement Conference. Document contains clerical error and will be re-filed. (jlm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 10/12/2016)
10/12/2016	<u>50</u>	ORDER FOR SETTLEMENT CONFERENCE: Settlement Conference set for 12/20/2016 09:00 AM in Benton Courthouse before Magistrate Judge Reona J. Daly. Settlement Statements due on or before 12/13/2016. Signed by Magistrate Judge Reona J. Daly on 10/12/2016. (jlm) (Entered: 10/12/2016)

10/25/2016	<u>51</u>	Consent MOTION for Protective Order by Alexander County Housing Authority, Martha Franklin, James Wilson. (Attachments: # 1 Exhibit Proposed Order (proposed order deleted per notice of errors at doc. 52)(Moore, Stephen) Modified on 10/26/2016 (dkd). (Entered: 10/25/2016)
10/26/2016	52	NOTICE OF ERRORS AND/OR DEFICIENCIES re <u>51</u> Motion for Protective Order filed by James Wilson, Martha Franklin, Alexander County Housing Authority. Proposed order attached as exhibit. Proposed documents/orders do not get electronically filed, but rather e-mailed to the appropriate Judges e-mail address for proposed documents/orders. Proposed order deleted by the Clerks Office. Filer needs to e-mail the proposed order to the appropriate Judges e-mail address for proposed documents/orders. (tkm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 10/26/2016)
11/03/2016	<u>53</u>	PROTECTIVE ORDER. Signed by Magistrate Judge Reona J. Daly on 11/3/16. (dam) (Entered: 11/03/2016)
12/08/2016	<u>54</u>	MOTION to Continue <i>Plaintiffs' Agreed Motion to Reschedule December 20, 2016 Settlement Conference</i> by All Plaintiffs. (Wilmes, Christopher) (Entered: 12/08/2016)
12/12/2016	55	ORDER granting <u>54</u> Motion to Continue: Settlement Conference is RESET for 2/3/2017 at 9:00 a.m. in Benton Courthouse before Judge Daly. Settlement statements to be submitted on or before 1/27/2017. Signed by Magistrate Judge Reona J. Daly on 12/12/2016. (jlm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 12/12/2016)
12/14/2016	<u>56</u>	NOTICE of Appearance by Emily J. Coffey on behalf of All Plaintiffs (Coffey, Emily) (Entered: 12/14/2016)
12/23/2016	<u>57</u>	MOTION for Leave to File <i>A Second Amended Complaint</i> by Chena Brazil, Barbara Holder, Mary Holder, Paul Lambert, Shameka Nelson, Pamela Purdiman, Kimberly Simelton. (Wilmes, Christopher) (Entered: 12/23/2016)
01/10/2017	58	ORDER granting <u>57</u> Motion for Leave to File Second Amended Complaint. Plaintiffs shall file the second amended complaint by 1/17/17. Signed by Magistrate Judge Reona J. Daly on 1/10/16. (dam)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 01/10/2017)
01/11/2017		Deadline set: Plaintiff to file Second Amended Complaint by 1/17/2017, per Order at Doc. 58. (kls3) (Entered: 01/11/2017)
01/11/2017	<u>59</u>	AMENDED COMPLAINT <i>Second Amended Class Action Complaint</i> against Alexander County Housing Authority, Martha Franklin, James Wilson, filed by Kimberly Simelton, Mary Holder, Paul Lambert, Shameka Nelson, Barbara Holder, Chena Brazil, Pamela Purdiman, Shawnya Williams, Myra Rayford, Elisha Lee, Angela Mitchell, Aaron Hall, Monica Woodson, Chauncey Davis, Latonya Lee, Charlotte Viel, Danielle Lowe, Kimberly McAllister, Jacqueline Vaughn, Denieshia Childress, Leneca Baldwin, Tiarra Bedford, Shenunith Ellis, Lillie Jones, Audrey Tabor, Kelsey Lowe, Deshawna Washam, Tanisha Johnson, Coretta Cornelius, Beverly Davis, Jeanette Davis, Charmaine Lambert, Carlos Trenton. (Attachments: # <u>1</u> Exhibit A – HUD Notice, # <u>2</u> Exhibit B – Sample Lease)(Wilmes, Christopher) (Entered: 01/11/2017)
01/25/2017	<u>60</u>	ANSWER to <u>59</u> Amended Complaint,, by Alexander County Housing Authority, Martha Franklin, James Wilson.(Moore, Stephen) (Entered: 01/25/2017)
01/26/2017	61	ORDER: Settlement Conference presently set for 2/3/2017 is RESET for 5/4/2017 at 9:00 AM in Benton Courthouse before Magistrate Judge Reona J. Daly. Settlement Statements to be submitted on or before 4/27/2017. Signed by Magistrate Judge Reona J. Daly on 1/26/2017. (jlm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 01/26/2017)
01/27/2017	62	ORDER: Due to a conflict in the Court's calendar, the Settlement Conference presently set for 5/4/2017 is STRICKEN and RESET for 5/5/2017 at 9:00 AM in Benton Courthouse before Magistrate Judge Reona J. Daly. Settlement Statements to be submitted on or before 4/28/2017. Signed by Magistrate Judge Reona J. Daly on 1/27/2017. (jlm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO

		FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 01/27/2017)
02/08/2017	<u>63</u>	MOTION for Leave to File <i>A Third Amended Complaint</i> by All Plaintiffs. (Wilmes, Christopher) (Entered: 02/08/2017)
02/09/2017	64	ORDER: Discovery Dispute Conference set for 2/17/2017 at 1:30 PM via telephone before Magistrate Judge Reona J. Daly. The parties should call Judge Daly's conference line at 618-439-7731 to join the call. Lead counsel for the parties must participate in the conference call. Signed by Magistrate Judge Reona J. Daly on 2/9/2017. (jlm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 02/09/2017)
02/10/2017	65	ORDER granting <u>63</u> Motion for Leave to File. Plaintiffs shall file the third amended complaint by 2/15/17. Signed by Magistrate Judge Reona J. Daly on 2/10/17. (dam)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 02/10/2017)
02/13/2017	<u>66</u>	AMENDED COMPLAINT <i>Third Amended Class Action Complaint</i> against Alexander County Housing Authority, Martha Franklin, James Wilson, filed by Aaron Hall, Monica Woodson, Kimberly Simelton, Myra Rayford, Mary Holder, Elisha Lee, Paul Lambert, Charmaine Lambert, Leneca Baldwin, Carlos Trenton, Beverly Davis, Lillie Jones, Audrey Tabor, Tanisha Johnson, Jacqueline Vaughn, Angela Mitchell, Denieshia Childress, Kelsey Lowe, Tiarra Bedford, Deshawna Washam, Chauncey Davis, Charlotte Viel, Danielle Lowe, Coretta Cornelius, Shameka Nelson, Barbara Holder, Latonya Lee, Shenunith Ellis, Chena Brazil, Kimberly McAllister, Shawnya Williams, Jeanette Davis, Pamela Purdiman, Theras Heard. (Attachments: # <u>1</u> Exhibit A – HUD Notice, # <u>2</u> Exhibit B – Sample Lease)(Wilmes, Christopher) (Entered: 02/13/2017)
02/22/2017	<u>67</u>	Minute Entry for proceedings held before Magistrate Judge Reona J. Daly: Discovery Dispute Conference held on 2/17/2017. (dam) Modified on 2/22/2017 (kdb). (Entered: 02/22/2017)
02/22/2017	68	ORDER: In accordance with the recent discovery dispute conference, Defendants Wilson and Franklin are ORDERED to either perform the searches of their Yahoo! email accounts with the terms specified by Plaintiffs' counsel in the presence of defense counsel or to provide their account information to defense counsel to allow defense counsel to perform the searches. To address privacy concerns regarding personal emails, defense counsel may review all responsive emails and withhold any clearly irrelevant or privileged emails before producing the emails to Plaintiffs. Defendant is further ORDERED to produce the executive session minutes for in camera review by 3/3/17 along with a brief regarding the deliberative privilege issue. Plaintiffs shall file a response brief by 3/10/17. Signed by Magistrate Judge Reona J. Daly on 2/22/17. (dam)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 02/22/2017)
02/22/2017	69	NOTICE OF MODIFICATION re <u>67</u> Discovery Dispute Conference date. Date modified to reflect date held as 02/17/17.(kdb)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 02/22/2017)
03/02/2017	<u>70</u>	ANSWER to <u>66</u> Amended Complaint,, by Alexander County Housing Authority.(Moore, Stephen) (Entered: 03/02/2017)
03/03/2017	<u>71</u>	Defendants Brief to <u>67</u> Discovery Dispute Conference and Doc. 68 Order <i>Defendants Brief on the Privilege Issues Pertaining to Plaintiffs Request for Production No. 25</i> filed by Alexander County Housing Authority. (Attachments: # <u>1</u> Exhibit Exhibit A)(Moore, Stephen) Modified on 3/13/2017 (kls3). Modified on 3/13/2017 (kls3). (Entered: 03/03/2017)
03/09/2017	<u>72</u>	RESPONSE BRIEF to <u>71</u> Defendants Brief <i>Plaintiffs' Response to Defendants' Brief on the Privilege Issues Pertaining to Plaintiffs' Request for Production 25</i> filed by Leneca Baldwin, Tiarra Bedford, Chena Brazil, Denieshia Childress, Coretta Cornelius, Beverly Davis, Chauncey Davis, Jeanette Davis, Shenunith Ellis, Aaron Hall, Theras Heard, Barbara Holder, Mary Holder, Tanisha Johnson, Lillie Jones, Charmaine Lambert, Paul Lambert, Elisha Lee, Latonya Lee, Danielle Lowe, Kelsey Lowe, Kimberly McAllister, Angela Mitchell, Shameka Nelson, Pamela Purdiman,

		Myra Rayford, Kimberly Simelton, Audrey Tabor, Carlos Trenton, Jacqueline Vaughn, Charlotte Viel, Deshawna Washam, Shawnya Williams, Monica Woodson. (Attachments: # <u>1</u> Exhibit 1 – Def's Response to RFP, # <u>2</u> Exhibit 2 – 11/28/16 Letter Wilmes to Moore, # <u>3</u> Exhibit 3 – 12/7/16 Email Wilmes to Moore, # <u>4</u> Exhibit 4 – 1/17/17 Email Walz to Moore, # <u>5</u> Exhibit 5 – Def's Suppl Response to RFP, # <u>6</u> Exhibit 6 – 9/30/14 HUD Findings)(Wilmes, Christopher) Modified on 3/13/2017 (kls3). (Entered: 03/09/2017)
03/27/2017	<u>73</u>	ORDER: Plaintiffs' request to overrule Defendants' assertion of deliberative process privilege with respect to Plaintiffs' request for Defendants' executive session minutes is DENIED. Signed by Magistrate Judge Reona J. Daly on 3/27/17. (dam) (Entered: 03/27/2017)
04/06/2017	74	NOTICE of Hearing: Settlement Conference presently set for 5/5/2017 at 9:00 AM is RESET 5/5/2017 at 10:00 AM in Benton Courthouse before Magistrate Judge Reona J. Daly. Please note this is a time change only. (jlm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 04/06/2017)
04/10/2017	<u>75</u>	NOTICE of Appearance by Charles Wysong on behalf of All Plaintiffs (Wysong, Charles) (Entered: 04/10/2017)
04/12/2017	<u>76</u>	MOTION to Withdraw as Attorney for Plaintiffs Latonya Lee and Denieshia Childress by All Plaintiffs. (Wilmes, Christopher) (Entered: 04/12/2017)
04/13/2017	<u>77</u>	STIPULATION of Dismissal of Claims of Plaintiff Monica Woodson by Monica Woodson. (Wilmes, Christopher) (Entered: 04/13/2017)
04/13/2017	78	ORDER denying <u>76</u> Motion to Withdraw as Attorney. The Local Rules provide that motions for leave to withdraw as counsel "shall state the last known address of the party represented." Because the instant motion does not comply with the Local Rules, it is denied with leave to refile. Signed by Magistrate Judge Reona J. Daly on 4/13/17. (dam)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 04/13/2017)
04/13/2017	<u>79</u>	STRICKEN PER FILER'S REQUEST– Amended MOTION to Withdraw as Attorney for Plaintiffs Latonya Lee and Denieshia Childress by All Plaintiffs. (Wilmes, Christopher) Modified on 4/14/2017 (tjm2). (Entered: 04/13/2017)
04/14/2017	80	NOTICE OF ERRORS AND/OR DEFICIENCIES re <u>77</u> Stipulation of Dismissal filed by Monica Woodson. With consent missing from non-filer's signature. Please see ECF User Manual for further instruction. This document is being sent for informational purposes only. No further action is required by filer at this time. (kls3) THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 04/14/2017)
04/14/2017	81	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>79</u> PER FILER's REQUEST– Motion to Withdraw as Attorney filed by all Plaintiffs. Document contains a typographical error. (tjm2)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 04/14/2017)
04/14/2017	<u>82</u>	Amended MOTION to Withdraw as Attorney for Plaintiffs Latonya Lee and Denieshia Childress by All Plaintiffs. (Wilmes, Christopher) (Entered: 04/14/2017)
04/17/2017	83	ORDER granting <u>82</u> Motion to Withdraw as Attorney. Attorney Christopher J. Wilmes and Charles Wysong terminated for Plaintiffs Latonya Lee and Denieshia Childress. Signed by Magistrate Judge Reona J. Daly on 4/17/17. (dam)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 04/17/2017)
04/24/2017	<u>84</u>	NOTICE of Appearance by Katherine Elizabeth Walz on behalf of Leneca Baldwin, Tiarra Bedford, Coretta Cornelius, Beverly Davis, Chauncey Davis, Jeanette Davis, Shenunith Ellis, Aaron Hall, Theras Heard, Tanisha Johnson, Lillie Jones, Charmaine Lambert, Paul Lambert, Elisha Lee, Danielle Lowe, Kelsey Lowe, Kimberly McAllister, Angela Mitchell, Myra Rayford, Audrey Tabor, Carlos Trenton, Jacqueline Vaughn, Charlotte Viel, Deshawna Washam, Shawnya Williams (Walz, Katherine) (Entered: 04/24/2017)

04/24/2017	<u>85</u>	NOTICE of Appearance by Emily J. Coffey on behalf of Leneca Baldwin, Tiarra Bedford, Coretta Cornelius, Beverly Davis, Chauncey Davis, Jeanette Davis, Shenunith Ellis, Aaron Hall, Theras Heard, Tanisha Johnson, Lillie Jones, Charmaine Lambert, Elisha Lee, Danielle Lowe, Kelsey Lowe, Kimberly McAllister, Angela Mitchell, Myra Rayford, Audrey Tabor, Carlos Trenton, Jacqueline Vaughn, Charlotte Viel, Deshawna Washam, Shawnya Williams (Coffey, Emily) (Entered: 04/24/2017)
04/24/2017	<u>86</u>	NOTICE of Appearance by Kevin L. Herrera on behalf of Leneca Baldwin, Tiarra Bedford, Coretta Cornelius, Beverly Davis, Chauncey Davis, Jeanette Davis, Shenunith Ellis, Aaron Hall, Theras Heard, Tanisha Johnson, Lillie Jones, Charmaine Lambert, Elisha Lee, Danielle Lowe, Kelsey Lowe, Kimberly McAllister, Angela Mitchell, Myra Rayford, Kimberly Simelton, Audrey Tabor, Carlos Trenton, Jacqueline Vaughn, Charlotte Viel, Deshawna Washam, Shawnya Williams (Herrera, Kevin) (Entered: 04/24/2017)
05/01/2017	<u>87</u>	NOTICE of Appearance by Carolyn J. Geoghegan on behalf of All Defendants (Geoghegan, Carolyn) (Entered: 05/01/2017)
05/05/2017	88	NOTICE of Hearing: Continuance of Settlement Conference set for 5/10/2017 at 1:30 PM via telephone before Magistrate Judge Reona J. Daly. To join the conference call, the parties should call 618-439-7731. (jlm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 05/05/2017)
05/08/2017	<u>89</u>	Minute Entry for proceedings held before Magistrate Judge Reona J. Daly: Settlement Conference held on 5/8/2017. Settlement conference continued to 5/10/17. (dam) (Entered: 05/08/2017)
05/09/2017	<u>90</u>	MOTION to Withdraw as Attorney for Plaintiff Coretta Cornelius by Leneca Baldwin, Tiarra Bedford, Chena Brazil, Beverly Davis, Chauncey Davis, Jeanette Davis, Shenunith Ellis, Aaron Hall, Theras Heard, Barbara Holder, Mary Holder, Tanisha Johnson, Lillie Jones, Charmaine Lambert, Paul Lambert, Elisha Lee, Danielle Lowe, Kelsey Lowe, Kimberly McAllister, Angela Mitchell, Shameka Nelson, Pamela Purdiman, Myra Rayford, Kimberly Simelton, Audrey Tabor, Carlos Trenton, Jacqueline Vaughn, Charlotte Viel, Deshawna Washam, Shawnya Williams. (Wilmes, Christopher) (Entered: 05/09/2017)
05/10/2017	91	ORDER: Continuance of Settlement Conference presently set for 5/10/2017 at 1:30 PM is STRICKEN and RESET for 5/17/2017 at 1:30 PM via telephone before Magistrate Judge Reona J. Daly. To join the conference call, the parties should call 618-439-7731. Signed by Magistrate Judge Reona J. Daly on 5/10/2017. (jlm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 05/10/2017)
05/10/2017	92	ORDER granting <u>90</u> Motion to Withdraw as Attorney. Attorney Katherine Elizabeth Walz; Christopher J. Wilmes; Charles Wysong; Emily J. Coffey and Kevin L. Herrera terminated as counsel for Plaintiff Coretta Cornelius. Signed by Magistrate Judge Reona J. Daly on 5/10/17. (dam)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 05/10/2017)
05/17/2017	<u>93</u>	Minute Entry for proceedings held before Magistrate Judge Reona J. Daly: Status Conference on held on 5/17/2017. Parties advised they are continuing to finalize settlement. A Status Conference set for 6/15/2017 at 11:00 AM via telephone before Magistrate Judge Reona J. Daly. To join the conference call, the parties should call 888-684-8852. The access code is 1026624. The security code is 9571. (jlm) (Entered: 05/17/2017)
06/15/2017	<u>94</u>	Minute Entry for proceedings held before Magistrate Judge Reona J. Daly: Status Conference held on 6/15/2017. (dam) (Entered: 06/15/2017)
06/15/2017	<u>95</u>	ORDER: Plaintiffs Latonya Lee, Deniesha Childress, and Coretta Cornelius are hereby ORDERED to inform the Court by July 14, 2017, in writing, as to whether they intend to proceed with this case and whether they intend to do so with or without representation by legal counsel. Plaintiffs Lee, Childress, and Cornelius must also provide an address for the purpose of receiving service of documents. Failure to comply with this Order will likely result in the dismissal of this case for lack of prosecution. The Clerk of Court is DIRECTED to mail a copy of this Order to the

		addresses of record for Plaintiffs Lee, Childress, and Cornelius. Signed by Magistrate Judge Reona J. Daly on 6/15/17. (dam) (Entered: 06/15/2017)
06/15/2017		Action due by 7/14/2017, per Order at Doc. 95. (kls3) (Entered: 06/15/2017)
07/17/2017	<u>96</u>	RESPONSE to <u>95</u> Order filed by Denieshia Childress. (kek) (Entered: 07/17/2017)
07/27/2017	<u>97</u>	STIPULATION of Dismissal by Leneca Baldwin, Tiarra Bedford, Chena Brazil, Beverly Davis, Chauncey Davis, Jeanette Davis, Shenunith Ellis, Aaron Hall, Theras Heard, Barbara Holder, Mary Holder, Tanisha Johnson, Lillie Jones, Charmaine Lambert, Paul Lambert, Elisha Lee, Danielle Lowe, Kelsey Lowe, Kimberly McAllister, Angela Mitchell, Shameka Nelson, Pamela Purdiman, Myra Rayford, Kimberly Simelton, Audrey Tabor, Carlos Trenton, Jacqueline Vaughn, Charlotte Viel, Deshawna Washam, Shawnya Williams. (Wilmes, Christopher) (Entered: 07/27/2017)
07/28/2017	98	NOTICE REGARDING FILING re <u>97</u> Stipulation of Dismissal. When pleadings contain multiple attorney signatures, the non-filing attorney must include the language with consent with his/her signature. See Section 2.1 of the CM/ECF Users Manual. This notice is for informational purposes and therefore NO ACTION IS REQUIRED . (cds)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 07/28/2017)
08/01/2017	<u>99</u>	ORDER: As Plaintiffs Lee and Cornelius failed to respond and to comply with the Court's June 15, 2017, order, the undersigned concludes that they have failed to properly prosecute their claims. Accordingly, the Court hereby DISMISSES the claims of LaTonya Lee and Coretta Cornelius pursuant to Federal Rule of Civil Procedure 41(b). Signed by Chief Judge Michael J. Reagan on 8/1/2017. (rah) (Entered: 08/01/2017)
08/04/2017	<u>100</u>	ORDER: Status Conference set for 8/14/2017 at 10:00 AM by telephone conference before Magistrate Judge Reona J. Daly. To join the conference call, the parties should call 888-684-8852. The access code is 1026624. The security code is 2248. Plaintiff Childress is WARNED that if she fails to call into the status conference, her case may be dismissed for lack of prosecution. The Clerk of Court is DIRECTED to mail a copy of this Order to the address of record for Plaintiff Childress. Signed by Magistrate Judge Reona J. Daly on 8/4/2017. (dam) (Entered: 08/04/2017)
08/14/2017	<u>101</u>	Minute Entry for proceedings held before Magistrate Judge Reona J. Daly: Status Conference held on 8/14/2017. (dam) (Entered: 08/14/2017)
09/12/2017	<u>102</u>	ORDER: The Court hereby DISMISSES the claims of Plaintiff Denieshia Childress pursuant to Federal Rule of Civil Procedure 41(b). The Court FINDS that the request of the represented Plaintiffs to dismiss their claims with prejudice (Doc. <u>97</u>) is appropriate. The claims of the represented Plaintiffs are hereby DISMISSED with prejudice and without costs, each party to bear its own attorneys fees. As no claims remain pending, the Clerk is DIRECTED to close this case. Signed by Chief Judge Michael J. Reagan on 9/12/2017. (rah) (Entered: 09/12/2017)
09/12/2017	<u>103</u>	CLERK'S JUDGMENT. Approved by Chief Judge Michael J. Reagan on 9/12/2017. (rah) (Entered: 09/12/2017)