

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:98-cv-02423-HHK**

SHORTER, et al v. DC
Assigned to: Judge Henry H. Kennedy
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 10/13/1998
Date Terminated: 05/08/2001
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

VERNON SHORTER

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Plaintiff

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V.

Defendant

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c/o Mayor Marion Barry Office of the

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Date Filed	#	Docket Text
10/13/1998	1	COMPLAINT filed by plaintiff VERNON SHORTER, plaintiff DISABILITY RIGHTS; jury demand (dot) (Entered: 10/16/1998)
10/13/1998		SUMMONS (2) issued for defendant DC (dot) (Entered: 10/16/1998)
10/13/1998	2	RULE 109 Certificate of disclosure of corporate affiliations and financial interests by plaintiff DISABILITY RIGHTS (dot) (Entered: 10/16/1998)

10/19/1998	3	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/13/98 upon defendant DC (tlh) (Entered: 10/20/1998)
10/19/1998	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/13/98 upon DC (tlh) (Entered: 10/20/1998)
11/02/1998	5	MOTION (CONSENT) filed by defendant DC to extend time to 11/18/98 to answer complaint [1-1] (tw) (Entered: 11/04/1998)
11/05/1998	6	ORDER by Judge Henry H. Kennedy : granting motion to extend time to 11/18/98 to answer complaint [1-1] [5-1] by DC ; Answer extended to 11/18/98 for DC (N) (dcn) (Entered: 11/06/1998)
11/18/1998	7	ANSWER TO COMPLAINT [1-1] by defendant DC .; jury demand (tlh) (Entered: 11/19/1998)
11/24/1998	8	SCHEDULING ORDER by Judge Henry H. Kennedy status hearing set for 10:00 1/8/99 ; (N) (dcn) (Entered: 11/24/1998)
11/24/1998	9	ANSWER TO COMPLAINT [1-1] by defendant DC .; jury demand (tlh) (Entered: 11/25/1998)
12/11/1998	10	JOINT MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 206(d) filed by plaintiff VERNON SHORTER, plaintiff DISABILITY RIGHTS, defendant DC . (tlh) (Entered: 12/14/1998)
01/08/1999		STATUS HEARING before Judge Henry H. Kennedy : status hearing set for 10:30 3/19/99 ; Reporter: Jackie Wood (dcn) (Entered: 01/11/1999)
03/17/1999	11	NOTICE OF CHANGE OF ADDRESS by Elizabeth Elaine Lorraine Gardner representing plaintiff VERNON SHORTER, plaintiff DISABILITY RIGHTS . New address: WASHINGTON, LAWYERS COMMITTEE FOR CIVIL RIGHTS AND URBAN AFFAIRS, 11 Dupont Circle, NW, Suite 400, Washington DC 20036 (202) 319-1000. (tb) (Entered: 03/18/1999)
03/19/1999		STATUS HEARING before Judge Henry H. Kennedy : status hearing set for 9:45 6/24/99 ; Reporter: Harry Deutsch (dcn) (Entered: 03/19/1999)
03/31/1999	12	SUBSTITUTION OF COUNSEL for defendant DC , substituting Judith K. Rayner for attorney Thomas L. Koger for DC (tb) (Entered: 03/31/1999)
06/24/1999		SCHEDULING NOTICE: status hearing set for 10:30 7/2/99 ; before Judge Henry H. Kennedy . (dcn) (Entered: 06/24/1999)
07/02/1999		STATUS HEARING before Judge Henry H. Kennedy : Case assigned to the Standard track (track two). Reporter: Dennis Dinkel (dcn) (Entered: 07/02/1999)
07/06/1999	13	SCHEDULING ORDER by Judge Henry H. Kennedy Case assigned to the Standard track (track two). , dispositive motions due 2/7/00 ; status hearing set for 9:30 3/17/00 ; (N) (dcn) (Entered: 07/06/1999)
10/06/1999	14	MOTION (UNOPPOSED) filed by plaintiff VERNON SHORTER, plaintiff DISABILITY RIGHTS to amend complaint [1-1] by DISABILITY RIGHTS, VERNON SHORTER ; EXHIBIT (AMENDED COMPLAINT) (tb) (Entered: 10/07/1999)
10/12/1999	15	ORDER by Judge Henry H. Kennedy: granting motion to amend complaint [1-1] by DISABILITY RIGHTS, VERNON SHORTER [14-1] by DISABILITY RIGHTS, VERNON SHORTER (N) (dam) (Entered: 10/13/1999)
10/12/1999	16	AMENDED COMPLAINT by plaintiff VERNON SHORTER, plaintiff DISABILITY RIGHTS and amending complaint [1-1] . (tb) (Entered: 10/15/1999)
10/20/1999	17	MOTION filed by plaintiff VERNON SHORTER, plaintiff DISABILITY RIGHTS to compel initial disclosure and responses to discovery ; declaration (1); exhibits (9) (tb) (Entered: 10/21/1999)
11/03/1999	18	MOTION filed by plaintiff to treat motion to compel as conceded (jf) (Entered: 11/04/1999)

11/05/1999	19	ORDER by Judge Henry H. Kennedy : granting motion to compel initial disclosure and responses to discovery [17-1] by DISABILITY RIGHTS, VERNON SHORTER plaintiff's rule 26(a)1 11/29/99 ; discovery closes 2/28/00 ; (N) (dcn) (Entered: 11/10/1999)
11/12/1999	20	TRANSCRIPT filed for date(s) of 07/02/99. Reporter: Dennis A. Dinkel (tb) (Entered: 11/15/1999)
11/29/1999	21	MOTION filed by defendant DC to extend time to 12/13/99 to furnish its witless list and comply with discovery requests (tb) (Entered: 11/30/1999)
12/01/1999	23	RESPONSE (OPPOSITIONS) by plaintiff VERNON SHORTER, plaintiff DISABILITY RIGHTS to motion to extend time to 12/13/99 to furnish its witless list and comply with discovery requests [21-1] by DC (tb) (Entered: 12/02/1999)
12/02/1999	<u>22</u>	ORDER by Judge Henry H. Kennedy : granting motion to extend time to 12/13/99 to furnish its witless list and comply with discovery requests [21-1] by DC (N) (dcn) (Entered: 12/02/1999)
12/13/1999	24	RULE 26(a)(1) DISCLOSURE STATEMENT filed by defendant DC (tb) (Entered: 12/14/1999)
02/08/2000	25	MOTION (EXPEDITED CONSENT) filed by plaintiff VERNON SHORTER, plaintiff DISABILITY RIGHTS to suspend discovery schedule in light of likelihood of settlement ; Attachments. (tth) (Entered: 02/09/2000)
02/14/2000	<u>26</u>	ORDER by Judge Henry H. Kennedy : granting motion to suspend discovery schedule in light of likelihood of settlement [25-1] by DISABILITY RIGHTS, VERNON SHORTER status hearing set for 9:30 3/17/00 ; (N) (dcn) (Entered: 02/14/2000)
03/16/2000	27	ATTORNEY APPEARANCE for defendant DC by Wayne C. Beyer, Mark D. Dix (tth) (Entered: 03/17/2000)
03/17/2000		STATUS HEARING before Judge Henry H. Kennedy : oral motion of Bruce Bishop to withdraw as counsel for for plaintiff heard and granted; , pretrial conference set for 9:30 11/29/00 ; trial set for 9:30 12/11/00 ; , referring settlement to Magistrate Reporter: Dolores Byers (dcn) (Entered: 03/17/2000)
03/17/2000	28	NOTICE OF WITHDRAWAL of attorney Bruce Charles Bishop for VERNON SHORTER. (tth) (Entered: 03/23/2000)
03/28/2000	29	SECOND SCHEDULING ORDER by Judge Henry H. Kennedy discovery closes 8/23/00; dispositive motions due 9/22/00 ; response to dispositive motions due 10/20/00; reply to dispositive motions due 10/30/00; pretrial conference set for 9:30 11/29/00; trial set for 9:30 12/11/00 (N) (pob) (Entered: 03/28/2000)
03/28/2000	30	ORDER by Judge Henry H. Kennedy : referring settlement to Magistrate Judge Facciola (N) (pob) (Entered: 03/28/2000)
03/28/2000		CASE REFERRED to Magistrate Judge John M. Facciola for settlement conference; to commence 5/17/00 and conclude by 7/17/00 (mmh) (Entered: 03/30/2000)
04/04/2000		SCHEDULING NOTICE: settlement conference set 10:00 5/22/00 before Magistrate Judge John M. Facciola in Chambers, Room 1426. (pao) (Entered: 04/04/2000)
05/22/2000	31	MOTION filed by defendant DC to continue settlement conference (tb) (Entered: 05/22/2000)
05/25/2000	<u>32</u>	ORDER by Magistrate Judge John M. Facciola : granting motion to continue settlement conference [31-1] by DC; pretrial conference reset to 6/13/00 at 3:30 PM. (N) (pao) (Entered: 05/25/2000)
07/14/2000	33	MOTION filed by plaintiff VERNON SHORTER, plaintiff DISABILITY RIGHTS to compel production of documets withheld under claims of deliberative process and self evaluation privileges ; exhibits (1) (tb) (Entered: 07/17/2000)

07/20/2000	34	MOTION filed by defendant DC to dismiss counts 8 through 12 of amended complaint, plaintiff's claims for equitable relief, and plaintiff the disability rights council of greater washington with respect to counts 1 and 3 through 7 [16-1] , or, in the alternative, for summary judgment pursuant to Federa Rule of Civil Procedure 56(b) ; exhibit (1) (td) (Entered: 07/24/2000)
07/21/2000	35	ERRATA RE: corrected page two to plaintiff;s memorandum in support of motion to compel production of documents filed on 07/14/00 by plaintiff VERNON SHORTER; attachment (tb) (Entered: 07/25/2000)
07/27/2000	<u>36</u>	ORDER by Judge Henry H. Kennedy : referring plaintiffs motion to compel production of documents withheld under claims of deliberative process and self-evaluation privileges and any discovery disputes to Magistrate Judge John Facciola (N) (dcn) (Entered: 07/27/2000)
07/27/2000	37	MOTION (AMENDED) filed by defendant DC to dismiss amended complaint [16-1] , or, in the alternative for summary judgment (tb) (Entered: 07/28/2000)
07/27/2000		CASE RE-REFERRED to Magistrate Judge John M. Facciola for motion to compel and any other discovery disputes that may arise (mmh) (Entered: 07/31/2000)
07/27/2000	38	NOTICE OF WITHDRAWAL of motion to dismiss counts 8 through 12 of amended complaint, plaintiff's claims for equitable relief, and plaintiff the disability rights council of greater washington with respect to counts 1 and 3 through 7 [16-1] [34-1] by DC, motion for summary judgment pursuant to Federa Rule of Civil Procedure 56(b) [34-2] by DC (tth) (Entered: 07/31/2000)
07/31/2000	<u>39</u>	ORDER by Magistrate Judge John M. Facciola : to show cause why Plaintiff's motion to compel production of documents withheld under claims of deliberative process and self-evaluation privileges should not be granted. , response to show cause due 8/14/00 ; (N) (ldc) (Entered: 08/01/2000)
08/14/2000	40	RESPONSE by defendant DC in opposition to motion to compel production of documets withheld under claims of deliberative process and self evaluation privileges [33-1] by DISABILITY RIGHTS, VERNON SHORTER; Exhibit (1). (pob) (Entered: 08/15/2000)
08/24/2000	41	REPLY by defendant DC to response to motion to compel production of documets withheld under claims of deliberative process and self evaluation privileges [33-1] by DISABILITY RIGHTS, VERNON SHORTER (bm) (Entered: 08/25/2000)
08/30/2000	<u>42</u>	ORDER by Magistrate Judge John M. Facciola : denying as moot motion to treat motion to compel as conceded [18-1] by VERNON SHORTER (N) (ldc) (Entered: 08/31/2000)
09/21/2000	43	JOINT MOTION by plaintiff VERNON SHORTER, plaintiff DISABILITY RIGHTS, defendant DC to extend deadlines in the March 27, 2000 order (tb) (Entered: 09/25/2000)
09/25/2000	44	ORDER by Judge Henry H. Kennedy : granting joint motion to extend deadlines in the March 27, 2000 order [43-1] by DC, DISABILITY RIGHTS, VERNON SHORTER (N) (tb) (Entered: 09/25/2000)
10/19/2000	45	JOINT MOTION by plaintiffs VERNON SHORTER and DISABILITY RIGHTS, and defendant DC to extend deadlines set forth in this court's order dated 09/25/00 by an additional 30 days (ag) (Entered: 10/20/2000)
10/23/2000	<u>46</u>	ORDER by Judge Henry H. Kennedy : granting joint motion to extend deadlines set forth in this court's order dated 09/25/00 by an additional 30 days [45-1] by DC, DISABILITY RIGHTS, VERNON SHORTER (N) (dcn) (Entered: 10/24/2000)
11/27/2000	48	JOINT MOTION by plaintiff, defendants to stay case in light of settlement (jf) (Entered: 12/05/2000)
11/28/2000	<u>47</u>	ORDER by Judge Henry H. Kennedy : granting joint motion to stay in light of settlement; cancelling Pretrial conference set for 11/29/00 as to plaintiff VERNON SHORTER, plaintiff DISABILITY RIGHTS, defendant DC (N) (dcn) (Entered: 11/28/2000)

		11/28/2000)
03/13/2001	49	SUBSTITUTION OF COUNSEL for defendant DC , substituting Robert C. Utiger for attorney Mark D. Dix for DC, attorney Wayne C. Beyer for DC (td) (Entered: 03/17/2001)
04/09/2001	<u>50</u>	ORDER by Magistrate Judge John M. Facciola : dismissing without prejudice for 30 days with permission to reopen or case shall stand dismissed with prejudice (N) (lin) (Entered: 04/09/2001)
04/11/2001		CASE referral ended Magistrate Judge John M. Facciola (ldc) (Entered: 04/16/2001)
05/02/2001	51	MOTION (CONSENT) filed by plaintiff VERNON SHORTER, plaintiff DISABILITY RIGHTS to reopen , and to dismiss with retention of jurisdiction under Federal Civil Procedure 41(a)(2). (hsj) (Entered: 05/07/2001)
05/08/2001	<u>52</u>	ORDER by Judge Henry H. Kennedy : granting motion to reopen [51-1] by DISABILITY RIGHTS, VERNON SHORTER, granting motion to dismiss with retention of jurisdiction under Federal Civil Procedure 41(a)(2). [51-2] by DISABILITY RIGHTS, VERNON SHORTER dismissing complaint [1-1] with prejudice (N) (dcn) (Entered: 05/08/2001)