

**U.S. District Court
Eastern District of Missouri (St. Louis)
CIVIL DOCKET FOR CASE #: 4:14-cv-01410-JAR**

Hussein v. St. Louis, Missouri, County of. et al
Assigned to: District Judge John A. Ross
Cause: 42:1983 Civil Rights Act

Date Filed: 08/14/2014
Date Terminated: 11/21/2014
Jury Demand: Defendant
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Mustafa Hussein

represented by **Anthony E. Rothert**
AMERICAN CIVIL LIBERTIES UNION
OF MISSOURI FOUNDATION
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V.

Defendant

St. Louis, Missouri, County of
TERMINATED: 11/21/2014

represented by **Michael A. Shuman**
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Defendant

Ferguson, Missouri, City of
TERMINATED: 11/21/2014

represented by **Stephanie E. Karr**
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Defendant

Ronald K. Replogle
*in his official capacity as Superintendent
 of the Missouri State Highway Patrol*
TERMINATED: 11/21/2014

represented by **James R. Layton**
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Date Filed	#	Docket Text
08/14/2014	<u>1</u>	COMPLAINT against defendant City of Ferguson, Missouri,, County of Saint Louis, Missouri, Ronald K. Replogle with receipt number 0865-4450503, in the amount of \$400 Non-Jury Demand,, filed by Mustafa Hussein. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Original Filing Form, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons)(Rothert, Anthony) (Attachment 1 replaced on 8/15/2014) (DLT). (Attachment 2 replaced on 8/15/2014) (DLT). (Entered: 08/14/2014)
08/14/2014	<u>2</u>	NOTICE OF PROCESS SERVER by Plaintiff Mustafa Hussein Process Server: Brian Lilley (Rothert, Anthony) (Main Document 2 replaced on 8/15/2014) (DLT). (Entered: 08/14/2014)
08/15/2014		Case Opening Notification: Judge Assigned: U.S. District Judge John A. Ross. (DLT). (Entered: 08/15/2014)
08/15/2014	3	3 Summons Issued as to defendants Ferguson, Missouri, City of, Ronald K. Replogle, St. Louis, Missouri, County of. The summons were emailed to trothert@aclu-mo.org. (DLT) (Entered: 08/15/2014)
08/15/2014	<u>4</u>	MOTION for Temporary Restraining Order by Plaintiff Mustafa Hussein. (Attachments: # <u>1</u> Exhibit Affidavit, # <u>2</u> Text of Proposed Order)(Rothert, Anthony) (Entered: 08/15/2014)
08/15/2014	<u>5</u>	NOTICE of Filing Exhibit with the Clerk's Office in paper format by Plaintiff Mustafa Hussein re <u>4</u> MOTION for Temporary Restraining Order (Rothert, Anthony) (Entered: 08/15/2014)

08/15/2014	<u>6</u>	MEMORANDUM in Support of Motion re <u>4</u> MOTION for Temporary Restraining Order filed by Plaintiff Mustafa Hussein. (Attachments: # <u>1</u> Department of Justice Letter re Constitutionality of Filming Police in Public)(Rothert, Anthony) (Entered: 08/15/2014)
08/15/2014	<u>7</u>	AGREEMENT: Parties acknowledge and agree that the media and members of the public have a right to record public events without abridgement unless it obstructs the activity or threatens the safety of others, or physically interferes with the ability of law enforcement officers to perform their duties. (Signed by all Parties) (ARL) (Entered: 08/15/2014)
08/15/2014		***REMARK – Please note Copy of Agreement was distributed to all parties in courtroom. (ARL) (Entered: 08/15/2014)
08/15/2014	<u>8</u>	ORAL MOTION to Withdraw Temporary Restraining Order made by Plaintiff Mustafa Hussein. (ARL) (Entered: 08/15/2014)
08/15/2014	<u>9</u>	ORDER: On his oral motion, Plaintiffs Motion to Withdraw his Motion for Temporary Restraining Order is GRANTED. Signed by District Judge John A. Ross on 8/15/14. (ARL) (Entered: 08/15/2014)
08/15/2014	<u>12</u>	Minute Entry for proceedings held before District Judge John A. Ross: Motion Hearing held on 8/15/2014 re <u>4</u> MOTION for Temporary Restraining Order filed by Mustafa Hussein. (FTR Gold Operator initials:ARL.) (FTR Gold: Yes.) (ARL) (Entered: 08/19/2014)
08/15/2014	<u>13</u>	EXHIBIT Received: Exhibit 1 by Plaintiff Mustafa Hussein.(DVD exhibit maintained by Clerk's Office) (ARL) (Entered: 08/19/2014)
08/18/2014	<u>10</u>	SUMMONS Returned Executed filed by Mustafa Hussein. Ferguson, Missouri, City of served on 6/18/2014, answer due 7/9/2014. (Rothert, Anthony) (Entered: 08/18/2014)
08/18/2014	<u>11</u>	SUMMONS Returned Executed filed by Mustafa Hussein. St. Louis, Missouri, County of served on 8/15/2014, answer due 9/5/2014. (Rothert, Anthony) (Entered: 08/18/2014)
09/03/2014	<u>14</u>	ANSWER to <u>1</u> Complaint, by St. Louis, Missouri, County of.(Shuman, Michael) (Entered: 09/03/2014)
09/03/2014	<u>15</u>	ENTRY of Appearance by Michael A. Shuman for Defendant St. Louis, Missouri, County of. (Shuman, Michael) (Entered: 09/03/2014)
09/04/2014	<u>16</u>	ENTRY of Appearance by Stephanie E. Karr for Defendant Ferguson, Missouri, City of. (Karr, Stephanie) (Entered: 09/04/2014)
09/04/2014	<u>17</u>	<i>Defendant City of Ferguson, Missouri</i> ANSWER to <u>1</u> Complaint, by Ferguson, Missouri, City of.(Karr, Stephanie) (Entered: 09/04/2014)
09/08/2014	<u>18</u>	ENTRY of Appearance by Grant R. Doty for Plaintiff Mustafa Hussein. (Doty, Grant) (Entered: 09/08/2014)
09/09/2014	<u>19</u>	ENTRY of Appearance by Gillian R. Wilcox for Plaintiff Mustafa Hussein. (Wilcox, Gillian) (Entered: 09/09/2014)
09/12/2014	<u>20</u>	ENTRY of Appearance by James R. Layton for Defendant Ronald K. Replegle. (Layton, James) (Entered: 09/12/2014)
09/12/2014	<u>21</u>	ENTRY of Appearance by Robert J. Isaacson for Defendant Ronald K. Replegle. (Isaacson, Robert) (Entered: 09/12/2014)
09/30/2014	<u>22</u>	ANSWER to <u>1</u> Complaint, by Ronald K. Replegle.(Isaacson, Robert) (Entered: 09/30/2014)
10/07/2014	<u>23</u>	ORDER: Telephone Status Conference set for 10/14/2014 03:00 PM in Chambers before District Judge John A. Ross. The Court will initiate the call with counsel.. Signed by District Judge John A. Ross on 10/7/14. (LGK) (Entered: 10/07/2014)
10/14/2014	<u>24</u>	ORDER: IT IS HEREBY ORDERED that the parties are directed to meet and confer on the following:...SEE ORDER...IT IS FURTHER ORDERED that

		counsel shall file with the Clerk of the Court a joint proposed scheduling plan no later than Friday, October 24, 2014, at which time the Court will enter a Case Management Order in the case. The parties joint proposed scheduling plan shall include:...SEE ORDER.... Signed by District Judge John A. Ross on 10/14/14. (LGK) (Entered: 10/14/2014)
10/23/2014	<u>25</u>	JOINT SCHEDULING PLAN by Plaintiff Mustafa Hussein. <i>and all Defendants.</i> (Doty, Grant) (Entered: 10/23/2014)
10/27/2014	<u>26</u>	CASE MANAGEMENT ORDER This case is assigned to Track: 2 Motion to Join Parties due by 12/19/2014. Discovery Completion due by 5/8/2015. ADR Future Reference 12/15/2014. Dispositive Motions due by 6/12/2015. Jury Trial set for 11/9/2015 09:00 AM in Courtroom 12N before District Judge John A. Ross. Motion in Limine due by 10/26/2015. SO ORDERED. Signed by District Judge John A. Ross on 10/27/14. (JWD) (Entered: 10/27/2014)
11/12/2014	<u>27</u>	MOTION for Leave to file first amended complaint by Plaintiff Mustafa Hussein. (Attachments: # <u>1</u> Proposed Amended Complaint)(Rothert, Anthony) (Entered: 11/12/2014)
11/12/2014	<u>28</u>	MEMORANDUM in Support of Motion re <u>27</u> MOTION for Leave to file first amended complaint filed by Plaintiff Mustafa Hussein. (Rothert, Anthony) (Entered: 11/12/2014)
11/12/2014	<u>29</u>	Docket Text ORDER: Re: <u>27</u> MOTION for Leave to file first amended complaint by Plaintiff Mustafa Hussein. (Attachments: # <u>1</u> Proposed Amended Complaint) ORDERED GRANTED. Signed by District Judge John A. Ross on 11/12/14. (JWD) (Entered: 11/12/2014)
11/12/2014	<u>30</u>	FIRST AMENDED COMPLAINT against defendant All Defendants Amendment to <u>1</u> Complaint, filed by Mustafa Hussein. Related document: <u>1</u> Complaint, filed by Mustafa Hussein.(JWD) (Entered: 11/12/2014)
11/14/2014	<u>31</u>	MOTION for Preliminary Injunction by Plaintiff Mustafa Hussein. (Rothert, Anthony) (Entered: 11/14/2014)
11/14/2014	<u>32</u>	MEMORANDUM in Support of Motion re <u>31</u> MOTION for Preliminary Injunction filed by Plaintiff Mustafa Hussein. (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)(Rothert, Anthony) (Entered: 11/14/2014)
11/18/2014	<u>33</u>	ANSWER to <u>30</u> Amended Complaint by St. Louis, Missouri, County of.(Shuman, Michael) (Entered: 11/18/2014)
11/20/2014	<u>34</u>	ENTRY of Appearance by Andrew J. McNulty for Plaintiff Mustafa Hussein. (McNulty, Andrew) (Entered: 11/20/2014)
11/20/2014	<u>35</u>	Joint MOTION to Approve Consent Judgment (<i>Joint Motion of Plaintiff and Defendant Ronald K. Replogle ONLY</i>) by Plaintiff Mustafa Hussein. (Attachments: # <u>1</u> Text of Proposed Order)(Rothert, Anthony) (Entered: 11/20/2014)
11/20/2014	<u>36</u>	Joint MOTION to Approve Consent Judgment (<i>Joint Motion of Plaintiff and Defendant City of Ferguson, Missouri, only</i>) by Plaintiff Mustafa Hussein. (Attachments: # <u>1</u> Text of Proposed Order)(Rothert, Anthony) (Entered: 11/20/2014)
11/21/2014	<u>37</u>	Joint MOTION to Approve Consent Judgment of <i>plaintiff and defendant st. louis county</i> by Plaintiff Mustafa Hussein. (Attachments: # <u>1</u> Text of Proposed Order)(Rothert, Anthony) (Entered: 11/21/2014)
11/21/2014	<u>38</u>	ORDER: IT IS HEREBY ORDERED that Defendant Replogle, his successors, officers, agents, servants, employees, attorneys, and all persons under their supervision, or within their control, are permanently enjoined from enforcing a policy or custom of interfering with individuals who are photographing or recording at public places but who are not threatening the safety of others or physically interfering with the ability of law enforcement to perform their duties; IT IS FURTHER ORDERED that this Order resolves all claims asserted by Plaintiff in the First Amended Complaint against Defendant Replogle and, thus, he

		is terminated from this case. IT IS FINALLY ORDERED that this Court retains jurisdiction to enforce this order. Signed by District Judge John A. Ross on 11/21/14. (LGK) (Entered: 11/21/2014)
11/21/2014	<u>39</u>	ORDER: IT IS HEREBY ORDERED that Defendant the City of Ferguson, Missouri, its officers, employees, or agents, and those acting on its behalf, shall not enforce or threaten to enforce any rule, policy, or practice that grants law enforcement officers the authority or discretion to arrest, threaten to arrest, or interfere with any individual, including any member of the media or member of the public photographing or recording in public places unless that person is threatening the safety of others or physically interfering with the ability of law enforcement to perform their duties. IT IS FURTHER ORDERED that this Order grants the full extent of relief to be afforded Plaintiff herein against the City of Ferguson, and any and all other claims set forth in Plaintiff's Amended Complaint against the City of Ferguson are hereby dismissed. IT IS FINALLY ORDERED that this Court retains jurisdiction to enforce this order. Signed by District Judge John A. Ross on 11/21/14. (LGK) (Entered: 11/21/2014)
11/21/2014	<u>40</u>	ORDER: IT IS HEREBY ORDERED that Defendant County of St. Louis, Missouri, its officers, agents, servants, employees, attorneys, and all persons under their supervision, or within their control, are permanently enjoined from interfering with individuals who are photographing or recording at public places but who are not threatening the safety of others or physically interfering with the ability of law enforcement to perform their duties; IT IS FURTHER ORDERED that this Order resolves all claims asserted by Plaintiff in the First Amended Complaint against Defendant County of St. Louis, Missouri and, thus, County of St. Louis, Missouri, is terminated from this case. IT IS FINALLY ORDERED that this Court retains jurisdiction to enforce this order. Signed by District Judge John A. Ross on 11/21/14. (LGK) (Entered: 11/21/2014)