

**U.S. District Court
Eastern District of Missouri (St. Louis)
CIVIL DOCKET FOR CASE #: 4:14-cv-02019-CEJ**

Templeton et al v. Dotson et al
Assigned to: District Judge Carol E. Jackson
Cause: 28:1983 Civil Rights

Date Filed: 12/08/2014
Date Terminated: 03/26/2015
Jury Demand: Defendant
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Alexis Templeton

represented by **Thomas B. Harvey**
812 North Collins
St. Louis, MO 63102
314-482-3342
Fax: 314-925-1307
Email: tbh1910@gmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brendan D. Roediger
ST. LOUIS UNIVERSITY SCHOOL OF
LAW
100 N. Tucker Blvd.
St. Louis, MO 63101
314-977-2778
Fax: 314-977-1180
Email: broedige@slu.edu
ATTORNEY TO BE NOTICED

Denise D. Lieberman
ADVANCEMENT PROJECT
1220 L. Street NW
Suite 850
Washington, DC 20005
314-780-1833
Fax: 202-728-9558
Email: dliberman@advancementproject.org
ATTORNEY TO BE NOTICED

Plaintiff

Maureen Costello

represented by **Thomas B. Harvey**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brendan D. Roediger
(See above for address)
ATTORNEY TO BE NOTICED

Denise D. Lieberman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Brittany Ferrell

represented by **Thomas B. Harvey**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brendan D. Roediger

(See above for address)
ATTORNEY TO BE NOTICED

Denise D. Lieberman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Steven Hoffman

represented by **Thomas B. Harvey**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brendan D. Roediger
(See above for address)
ATTORNEY TO BE NOTICED

Denise D. Lieberman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Nile McClain

represented by **Thomas B. Harvey**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brendan D. Roediger
(See above for address)
ATTORNEY TO BE NOTICED

Denise D. Lieberman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Kira Hudson Banks

represented by **Thomas B. Harvey**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brendan D. Roediger
(See above for address)
ATTORNEY TO BE NOTICED

Denise D. Lieberman
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Sam Dotson
*Chief of Police, City of St. Louis, in his
official capacities and as director of the
Unified Command*

represented by **Christine L. Hodzic**
ST. LOUIS CITY COUNSELOR
1200 Market S.
314 City Hall
St. Louis, MO 63103
314-622-3361
Fax: 314-622-4956
Email: hodzicc@stlouis-mo.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark Lawson
ST. LOUIS CITY LAW DEPARTMENT –
POLICE SECTION
1915 Olive St.
Suite 773
St. Louis, MO 63103
314-444-5609
Fax: 314-444-5611
Email: mlawson@slmpd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

J. Brent Dulle
ST. LOUIS CITY COUNSELOR'S
OFFICE
1200 Market Street
Room 314
St. Louis, MO 63103
314-622-4644
Fax: 314-622-4956
Email: DulleB@stlouis-mo.gov
ATTORNEY TO BE NOTICED

Defendant

Jon Belmar
*Chief of Police, County of St. Louis, in
his official capacity and as director of the
Unified Command*

represented by **Michael E. Hughes**
ST. LOUIS COUNTY COUNSELOR'S
OFFICE
41 S. Central Avenue
Clayton, MO 63105
314-615-7009
Fax: 314-615-3732
Email: mhughes2@stlouisco.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael A. Shuman
ST. LOUIS COUNTY COUNSELOR'S
OFFICE
41 S. Central Avenue
Clayton, MO 63105
314-615-7042
Fax: 314-615-3732
Email: michael_shuman@stlouisco.com
ATTORNEY TO BE NOTICED

Defendant

Ronald Johnson
*Missouri Highway Patrol, in his official
capacity and as director of the Unified
Command*

represented by **Robert J. Isaacson**
ATTORNEY GENERAL OF MISSOURI
Old Post Office Building
P.O. Box 861
St. Louis, MO 63188
314-340-7861
Fax: 314-340-7029
Email: robert.isaacson@ago.mo.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Colleen Joern Vetter
ATTORNEY GENERAL OF MISSOURI
Old Post Office Building
P.O. Box 861
St. Louis, MO 63188
314-340-7861

Fax: 314-340-7029
 Email: colleen.vetter@ago.mo.gov
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/08/2014	<u>1</u>	COMPLAINT against defendant All Defendants with receipt number 0865-4626322, in the amount of \$400 Non-Jury Demand,, filed by Kira Banks, Alexis Templeton, Steven Hoffman, Brittany Ferrell, Maureen Costello, Nile McClain. (Attachments: # <u>1</u> Original Filing Form, # <u>2</u> Civil Cover Sheet, # <u>3</u> Exhibit 1: Declaration of Maureen Costello, # <u>4</u> Exhibit 2: Declaration of Kira Hudson Banks, # <u>5</u> Exhibit 3: Declaration of Brittany Ferrell, # <u>6</u> Exhibit 4: Declaration of Steven Hoffman, # <u>7</u> Exhibit 5: Declaration of Kelly Costello, # <u>8</u> Exhibit 6: Declaration of Alexis Templeton, # <u>9</u> Exhibit 7: Affidavit of Suzanne Brown, # <u>10</u> Exhibit 8: Declaration of James McAnally, # <u>11</u> Exhibit 9: Declaration of Marques Banks, # <u>12</u> Exhibit 10: Declaration of Nile McClain, # <u>13</u> Summons Dotson, # <u>14</u> Summons Belmar, # <u>15</u> Summons johnson, # <u>16</u> Exhibit 12: Exhibit List)(Harvey, Thomas) (Entered: 12/08/2014)
12/09/2014	<u>2</u>	MOTION for Temporary Restraining Order by Plaintiffs Kira Banks, Maureen Costello, Brittany Ferrell, Steven Hoffman, Nile McClain, Alexis Templeton. (Harvey, Thomas) (Entered: 12/09/2014)
12/09/2014	<u>3</u>	MEMORANDUM in Support of Motion re <u>2</u> MOTION for Temporary Restraining Order filed by Plaintiffs Kira Banks, Maureen Costello, Brittany Ferrell, Steven Hoffman, Nile McClain, Alexis Templeton. (Harvey, Thomas) (Entered: 12/09/2014)
12/09/2014		Case Opening Notification: Judge Assigned: U.S. District Judge Carol E. Jackson. Attorney contacted re: Notice of Process Server and updating address in system. Summons will issue when Notice is filed. (BAK) (Entered: 12/09/2014)
12/09/2014	<u>4</u>	MEMORANDUM by Plaintiffs Kira Hudson Banks, Maureen Costello, Brittany Ferrell, Steven Hoffman, Nile McClain, Alexis Templeton. (Harvey, Thomas) (Entered: 12/09/2014)
12/09/2014	<u>5</u>	NOTICE OF PROCESS SERVER by Plaintiffs Kira Hudson Banks, Maureen Costello, Brittany Ferrell, Steven Hoffman, Nile McClain, Alexis Templeton Process Server: William Stage (Harvey, Thomas) (Entered: 12/09/2014)
12/10/2014		Summons Issued as to defendant Jon Belmar, Sam Dotson, Ronald Johnson. The summons were emailed to attorney Thomas B. Harvey. (BAK) (Entered: 12/10/2014)
12/10/2014	<u>6</u>	ORDER: IT IS HEREBY ORDERED that this matter is set for hearing on plaintiffs motion for temporary restraining order on Thursday, December 11, 2014 at 9:00 a.m. in Courtroom 14 North. IT IS FURTHER ORDERED that counsel for plaintiffs shall provide notice of the hearing to defendants. Motion Hearing set for 12/11/2014 09:00 AM in Courtroom 14N before District Judge Carol E. Jackson. Signed by District Judge Carol E. Jackson on 12/10/2014. (KMS) (Entered: 12/10/2014)
12/10/2014	<u>7</u>	ENTRY of Appearance by Brendan D. Roediger for Plaintiffs Kira Hudson Banks, Maureen Costello, Brittany Ferrell, Steven Hoffman, Nile McClain, Alexis Templeton. (Roediger, Brendan) (Entered: 12/10/2014)
12/10/2014		Receipt 4644046927 in the amount of \$100.00 for PRO HAC VICE on behalf of Denise Debra Lieberman (CCAM) (Entered: 12/11/2014)
12/10/2014	<u>8</u>	MOTION for Leave to Appear Pro Hac Vice Denise D. Lieberman. The Certificate of Good Standing was not attached.(Filing fee \$100) by Plaintiffs Kira Hudson Banks, Maureen Costello, Brittany Ferrell, Steven Hoffman, Nile McClain, Alexis Templeton. (KMS) (Additional attachment(s) added on 12/11/2014: # <u>1</u> Certificate of Good Standing) (KKS). Modified on 12/11/2014 (KKS). (Entered: 12/11/2014)
12/11/2014	<u>9</u>	ENTRY of Appearance by Christine L. Hodzic for Defendant Sam Dotson. (Hodzic, Christine) (Entered: 12/11/2014)

12/11/2014	<u>10</u>	Minute Entry for proceedings held before District Judge Carol E. Jackson: Motion Hearing held on 12/11/2014 re <u>2</u> MOTION for Temporary Restraining Order filed by Nile McClain, Brittany Ferrell, Alexis Templeton, Maureen Costello, Steven Hoffman, Kira Hudson Banks. Arguments heard; testimony heard; The Court rules from the bench; The TRO is Granted in Part; Order to issue; The Court believes a bond is not necessary. (Court Reporter:Susan Moran.) (FTR Gold: No.) (KMS) (Entered: 12/11/2014)
12/11/2014	<u>11</u>	CLERKS WITNESS LIST as to the TRO. (KMS) (Entered: 12/11/2014)
12/11/2014	<u>12</u>	TEMPORARY RESTRAINING ORDER: IT IS HEREBY ORDERED that the motion of the plaintiffs for a temporary restraining order [Doc. #2] is granted. IT IS FURTHER ORDERED that defendants Sam Dotson, Jon Belmar, and Ronald Johnson, and their agents, servants, employees, and representatives, are hereby enjoined from enforcing any rule, policy, or practice that grants law enforcement officials the authority or discretion to: (1) utilize tear gas, inert smoke, pepper gas, or other chemical agents (collectively, chemical agents) for the purpose of dispersing groups of individuals who are engaged in peaceful, non-criminal activity in the City of St. Louis or in the County of St. Louis (a) without first issuing clear and unambiguous warnings that such chemical agents will be utilized; (b) without providing the individuals sufficient opportunity to heed the warnings and exit the area; (c) without minimizing the impact of such chemical agents on individuals who are complying with lawful law enforcement commands; and (d) without ensuring that there is a means of safe egress from the area that is available to the individuals; and (2) utilize chemical agents on individuals engaged in peaceful, non-criminal activity in the City of St. Louis or in the County of St. Louis for the purpose of frightening them or punishing them for exercising their constitutional rights. IT IS FURTHER ORDERED that the plaintiffs will not be required to post a bond or other security. IT IS FURTHER ORDERED that this matter is set for a preliminary injunction hearing on Tuesday, January 6, 2015, at 9:30 a.m. Signed by District Judge Carol E. Jackson on 12/11/2014. (KMS) (Entered: 12/11/2014)
12/12/2014	<u>13</u>	ENTRY of Appearance by Michael A. Shuman for Defendant Jon Belmar. (Shuman, Michael) (Entered: 12/12/2014)
12/12/2014	<u>14</u>	ENTRY of Appearance by Michael E. Hughes for Defendant Jon Belmar. (Hughes, Michael) (Entered: 12/12/2014)
12/12/2014	<u>15</u>	Docket Text ORDER Re: <u>8</u> MOTION for Leave to Appear Pro Hac Vice Denise D. Lieberman.(Filing fee \$100) by Plaintiffs Kira Hudson Banks, Maureen Costello, Brittany Ferrell, Steven Hoffman, Nile McClain, Alexis Templeton. (KMS) (Additional attachment(s) added on 12/11/2014: # 1 Certificate of Good Standing) (KKS) ; ORDERED GRANTED. Signed by District Judge Carol E. Jackson on 12/12/2014. (KMS) (Entered: 12/12/2014)
12/15/2014	<u>16</u>	ENTRY of Appearance by J. Brent Dulle for Defendant Sam Dotson. (Dulle, J.) (Entered: 12/15/2014)
12/19/2014	<u>17</u>	ENTRY of Appearance by Mark Lawson for Defendant Sam Dotson. (Lawson, Mark) (Entered: 12/19/2014)
12/19/2014	<u>18</u>	MOTION to Vacate by Defendant Jon Belmar. (Shuman, Michael) (Entered: 12/19/2014)
12/19/2014	<u>19</u>	MEMORANDUM in Support of Motion re <u>18</u> MOTION to Vacate filed by Defendant Jon Belmar. (Attachments: # <u>1</u> Exhibit Executive Order 14-14)(Shuman, Michael) (Entered: 12/19/2014)
12/19/2014	<u>20</u>	MOTION to Dismiss for Lack of Jurisdiction by Defendant Sam Dotson. (Dulle, J.) (Entered: 12/19/2014)
12/19/2014	<u>21</u>	MEMORANDUM in Support of Motion re <u>20</u> MOTION to Dismiss for Lack of Jurisdiction filed by Defendant Sam Dotson. (Dulle, J.) (Entered: 12/19/2014)
12/22/2014	<u>22</u>	MOTION to Quash <i>Defendant Belmar's Notices of Deposition</i> by Plaintiffs Kira Hudson Banks, Maureen Costello, Brittany Ferrell, Steven Hoffman, Nile McClain, Alexis Templeton. (Attachments: # <u>1</u> Exhibit Exhibit A: Notice of Deposition of

		Alexis Templeton, # <u>2</u> Exhibit Exhibit B: Notice of Deposition of James McAnally, # <u>3</u> Exhibit Exhibit C: Notice of Deposition of Marques Banks, # <u>4</u> Exhibit Exhibit D: Notice of Deposition of Nile McClain, # <u>5</u> Exhibit Notice of Deposition of Steven Hoffman)(Roediger, Brendan) (Entered: 12/22/2014)
12/22/2014	<u>23</u>	MOTION to Expedite <i>Discovery</i> by Defendant Jon Belmar. (Hughes, Michael) (Entered: 12/22/2014)
12/23/2014	<u>24</u>	ORDER: IT IS HEREBY ORDERED that plaintiffs shall respond to the motion of defendant Jon Belmar for expedited discovery no later than December 29, 2014. Response to Court due by 12/29/2014. Signed by District Judge Carol E. Jackson on 12/23/14. (JAB) (Entered: 12/23/2014)
12/23/2014	<u>25</u>	ENTRY of Appearance by Robert J. Isaacson for Defendant Ronald Johnson. (Isaacson, Robert) (Entered: 12/23/2014)
12/23/2014	<u>26</u>	ENTRY of Appearance by Colleen Joern Vetter for Defendant Ronald Johnson. (Vetter, Colleen) (Entered: 12/23/2014)
12/23/2014	<u>27</u>	TRANSCRIPT of <u>10</u> (Temporary Restraining Order) held on 12/11/14 before Judge Jackson. Court Reporter/Transcriber Susan Moran, Susan_Moran@moed.uscourts.gov, 314-244-7983. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/13/2015. Redacted Transcript Deadline set for 1/23/2015. Release of Transcript Restriction set for 3/23/2015. (JAB) (Entered: 12/23/2014)
12/26/2014	<u>28</u>	MEMORANDUM in Opposition re <u>20</u> MOTION to Dismiss for Lack of Jurisdiction filed by Plaintiffs Kira Hudson Banks, Maureen Costello, Brittany Ferrell, Steven Hoffman, Nile McClain, Alexis Templeton. (Roediger, Brendan) (Entered: 12/26/2014)
12/26/2014	<u>29</u>	MEMORANDUM in Opposition re <u>18</u> MOTION to Vacate filed by Plaintiffs Kira Hudson Banks, Maureen Costello, Brittany Ferrell, Steven Hoffman, Nile McClain, Alexis Templeton. (Roediger, Brendan) (Entered: 12/26/2014)
12/29/2014	<u>30</u>	MEMORANDUM in Opposition re <u>23</u> MOTION to Expedite <i>Discovery</i> filed by Plaintiffs Kira Hudson Banks, Maureen Costello, Brittany Ferrell, Steven Hoffman, Nile McClain, Alexis Templeton. (Roediger, Brendan) (Entered: 12/29/2014)
12/30/2014	<u>31</u>	REPLY to Response to Motion re <u>23</u> MOTION to Expedite <i>Discovery</i> <i>Reply to Plaintiffs Opposition to Belmar's Motion for Expedited Discovery</i> filed by Defendant Jon Belmar. (Hughes, Michael) (Main Document 31 replaced on 12/31/2014 for attorney's signature) (JAB). (Entered: 12/30/2014)
12/31/2014	<u>32</u>	MOTION to Dismiss Case by Defendant Ronald Johnson. (Isaacson, Robert) (Entered: 12/31/2014)
12/31/2014	<u>33</u>	MEMORANDUM in Support of Motion re <u>32</u> MOTION to Dismiss Case filed by Defendant Ronald Johnson. (Isaacson, Robert) (Entered: 12/31/2014)
01/05/2015	<u>34</u>	ORDER: IT IS HEREBY ORDERED that the motion of defendant Jon Belmar to vacate the temporary restraining order and further proceedings as moot [Doc. #18] is denied. IT IS FURTHER ORDERED that the motion of defendant Sam Dotson to dismiss for lack of jurisdiction based on mootness [Doc. #20] is denied. Signed by District Judge Carol E. Jackson on 1/5/2015. (KMS) (Entered: 01/05/2015)
01/05/2015	<u>35</u>	ORDER: IT IS HEREBY ORDERED that the motion of defendant Ronald Johnson to dismiss for failure to state a claim, to dismiss for lack of jurisdiction based on mootness, and to vacate the temporary restraining order [Doc. #32] is denied. Signed by District Judge Carol E. Jackson on 1/5/2015. (KMS) (Entered: 01/05/2015)
01/05/2015	<u>36</u>	MEMORANDUM AND ORDER: IT IS HEREBY ORDERED that the motion of defendant Jon Belmar for expedited discovery [Doc. # 23] is denied. IT IS FURTHER ORDERED that the plaintiffs motion to quash deposition notices [Doc. # 22] is granted. Signed by District Judge Carol E. Jackson on 1/5/2015. (KMS)

		(Entered: 01/05/2015)
01/06/2015	<u>37</u>	Minute Entry for proceedings held before District Judge Carol E. Jackson held on 1/6/2015. Parties present for a preliminary injunction hearing; Parties request a continuance; The Court grants the request; The TRO is extended; The preliminary injunction hearing will be continued for 45 days. Order to issue. (Court Reporter:Susan Moran.) (FTR Gold: No.) (KMS) (Entered: 01/06/2015)
01/06/2015	<u>38</u>	ORDER: By consent of the parties and for good cause shown, IT IS HEREBY ORDERED that the hearing on plaintiffs motion for a preliminary injunction is continued to Thursday, February 26, 2015, at 9:30 a.m. IT IS FURTHER ORDERED that the temporary restraining order entered on December 11, 2014, is extended and remains in effect. Signed by District Judge Carol E. Jackson on 1/6/2015. (KMS) (Entered: 01/06/2015)
01/12/2015	<u>39</u>	ANSWER to Complaint by Jon Belmar.(Shuman, Michael) (Entered: 01/12/2015)
01/20/2015	<u>40</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint,, by Defendant Ronald Johnson. (Isaacson, Robert) (Entered: 01/20/2015)
01/21/2015	<u>41</u>	Docket Text ORDER: GRANTING <u>40</u> MOTION for Extension of Time to File Answer re <u>1</u> Complaint,, by Defendant Ronald Johnson. (Isaacson, Robert) filed by Ronald Johnson. Signed by District Judge Carol E. Jackson on 1/21/15. (JAB) (Entered: 01/21/2015)
01/27/2015	<u>42</u>	ANSWER to <u>1</u> Complaint,, by Ronald Johnson.(Isaacson, Robert) (Entered: 01/27/2015)
01/29/2015	<u>43</u>	MOTION for Leave to File Answer to First Amended Complaint by Defendant Sam Dotson. (Attachments: # <u>1</u> Exhibit Answer)(Lawson, Mark) (Entered: 01/29/2015)
01/30/2015	<u>44</u>	Docket Text ORDER Re: <u>43</u> MOTION for Leave to File Answer to First Amended Complaint by Defendant Sam Dotson ; ORDERED GRANTED. Signed by District Judge Carol E. Jackson on 1/30/2015. (KMS) (Entered: 01/30/2015)
01/30/2015	<u>45</u>	ANSWER to <u>1</u> Complaint by Sam Dotson.(KMS) (Entered: 01/30/2015)
02/12/2015	<u>46</u>	ORDER: IT IS HEREBY ORDERED that the hearing on plaintiffs motion for a preliminary injunction is rescheduled to 1:30 p.m. on Thursday, February 26, 2015. Signed by District Judge Carol E. Jackson on 2/12/2015. (KMS) (Entered: 02/12/2015)
02/20/2015	<u>47</u>	Joint MOTION to Continue Hearing on Plaintiffs Motion for Preliminary Injunction by Plaintiffs Kira Hudson Banks, Maureen Costello, Brittany Ferrell, Steven Hoffman, Nile McClain, Alexis Templeton. (Harvey, Thomas) (Entered: 02/20/2015)
02/25/2015	<u>48</u>	ORDER: IT IS HEREBY ORDERED that the joint motion to continue the preliminary injunction hearing [Doc. # 47] is granted. IT IS FURTHER ORDERED that the preliminary injunction hearing is continued to Thursday, March 26, 2015, at 1:30 p.m. IT IS FURTHER ORDERED that the temporary restraining order entered on December 11, 2014, is extended and remains in effect. Signed by District Judge Carol E. Jackson on 2/25/2015. (KMS) (Entered: 02/25/2015)
03/25/2015	<u>49</u>	Joint MOTION to Dismiss Case Pursuant to Settlement by Plaintiffs Kira Hudson Banks, Maureen Costello, Brittany Ferrell, Steven Hoffman, Nile McClain, Alexis Templeton. (Attachments: # <u>1</u> Text of Proposed Order Proposed Judgment of Dismissal Pursuant to Settlement)(Roediger, Brendan) (Entered: 03/25/2015)
03/26/2015	<u>50</u>	ORDER: IT IS HEREBY ORDERED that parties joint motion to dismiss [Doc. # <u>49</u>] is granted. IT IS FURTHER ORDERED that the Clerk of Court shall make an entry in the docket record reflecting the dismissal of this action with prejudice. See Fed. R. Civ. P. 41(a)(1)(A)(ii). The Court will retain jurisdiction for the sole purpose of determining whether the settlement should be enforced upon motion of any party. Signed by District Judge Carol E. Jackson on 3/26/15. (JAB) (Entered: 03/26/2015)