

**U.S. District Court  
Western District of Kentucky (Louisville)  
CIVIL DOCKET FOR CASE #: 3:16-cv-00247-DJH-HBB**

Nwanguma et al v. Trump et al  
Assigned to: Judge David J. Hale  
Referred to: Magistrate Judge H. Brent Brennenstuhl  
Case in other court: Jefferson County Circuit Court, 16-01504  
Cause: 28:1441 Petition for Removal- Account Receivable

Date Filed: 04/29/2016  
Jury Demand: Defendant  
Nature of Suit: 320 Assault Libel & Slander  
Jurisdiction: Diversity

**Plaintiff**

**Kashiya Nwanguma**

represented by **Camille A. Bathurst**  
Belzley Bathurst Attorneys  
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502-292-2452  
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**ATTORNEY TO BE NOTICED**

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**Plaintiff**

**Molly Shah**

represented by **Camille A. Bathurst**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Daniel J. Canon**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**David N. Ward**

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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Gregory A. Belzley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Henry Brousseau**

represented by **Camille A. Bathurst**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Daniel J. Canon**  
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**David N. Ward**  
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**Gregory A. Belzley**  
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V.

**Defendant**

**Donald J. Trump**

represented by **Andrew J. Bentz**  
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**Defendant**

**Donald J. Trump for President, Inc.**

represented by **Andrew J. Bentz**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anthony J. Dick**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael A. Carvin**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**R. Kent Westberry**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Matthew John Heimbach**  
*also known as*  
Matthew Warren Heimbach

represented by **R. Kent Westberry**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Alvin Bamberger**

represented by **Stephen Beville Pence**  
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**Defendant**

**Unknown Defendant**

**Cross Claimant**

**Alvin Bamberger**

represented by **Stephen Beville Pence**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Cross Defendant**

**Donald J. Trump for President, Inc.**

represented by **Andrew J. Bentz**  
(See above for address)

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Anthony J. Dick**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Michael A. Carvin**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**R. Kent Westberry**  
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*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Cross Defendant**

**Donald J. Trump**

represented by **Andrew J. Bentz**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Anthony J. Dick**  
(See above for address)  
*LEAD ATTORNEY  
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**Michael A. Carvin**  
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**R. Kent Westberry**  
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ATTORNEY TO BE NOTICED*

**Cross Claimant**

**Matthew John Heimbach**

represented by **Matthew John Heimbach**  
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Paoli, IN 47454  
PRO SE

**R. Kent Westberry**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Cross Defendant**

**Donald J. Trump for President, Inc.**

represented by **Andrew J. Bentz**  
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*LEAD ATTORNEY  
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**Anthony J. Dick**  
(See above for address)  
*LEAD ATTORNEY  
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**Michael A. Carvin**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**R. Kent Westberry**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Cross Defendant**

**Donald J. Trump**

represented by **Andrew J. Bentz**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anthony J. Dick**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael A. Carvin**  
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**R. Kent Westberry**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
04/29/2016	<u>1</u>	NOTICE OF REMOVAL by Donald J. Trump for President, Inc., Alvin Bamberger, Donald J. Trump from Jefferson County Circuit Court, case number 16-CI-01504. ( Filing fee Paid \$ 400, Receipt # 644-2211020 ), filed by Donald J. Trump for President, Inc., Alvin Bamberger, Donald J. Trump. (Attachments: # <u>1</u> Exhibit A – Complaint, # <u>2</u> Exhibit B. – CourtNet Docket Sheet dated 4/29/2016) (JSS) (Additional attachment(s) added on 5/2/2016: # <u>3</u> Cover Sheet) (JSS). (Additional attachment(s) added on 5/3/2016: # <u>4</u> Cover Sheet) (JAC). (Entered: 04/29/2016)
04/29/2016	<u>2</u>	Case Assignment (Random Selection): Case Assigned to Honorable Judge David J. Hale. Magistrate designation: Magistrate Judge Colin H. Lindsay. (JSS) (Entered: 04/29/2016)
04/29/2016	<u>3</u>	NOTICE to Jefferson County Circuit Court and Counsel <u>1</u> Notice of Removal. (JSS) (Entered: 04/29/2016)
05/02/2016	<u>4</u>	NOTICE OF FILING by Donald J. Trump for President, Inc. re <u>1</u> Notice of Removal, (Attachments: # <u>1</u> Cover Sheet) (Westberry, R.) (Entered: 05/02/2016)
05/02/2016	<u>5</u>	NOTICE OF FILING by Donald J. Trump for President, Inc. re <u>1</u> Notice of Removal, (Attachments: # <u>1</u> Supplement Donald Trump for President, Inc. Corporate Disclosure) (Westberry, R.) (Entered: 05/02/2016)
05/02/2016		Corporate Disclosure Statement by Donald J. Trump for President, Inc. (NO PDF ATTACHED. SEE DN <u>5</u> FOR PDF.) (JAC) (Entered: 05/03/2016)
05/10/2016	<u>6</u>	Proposed Agreed Order/Stipulation by Donald J. Trump for President, Inc., Donald J. Trump. (Westberry, R.) (Entered: 05/10/2016)
05/12/2016	<u>7</u>	ORDER by Judge David J. Hale. Defendants Donald J. Trump; Donald J. Trump for President, Inc.; and Alvin Bamberger to answer or otherwise respond to plaintiffs' complaint by 5/20/2016. cc:counsel (JAC) (Entered: 05/12/2016)

05/17/2016	<u>8</u>	NOTICE OF CONSENT TO REMOVAL by Matthew John Heimbach. (JAC) (Entered: 05/17/2016)
05/20/2016	<u>9</u>	MOTION to Dismiss by Defendants Donald J. Trump for President, Inc., Donald J. Trump Responses due by 6/13/2016 (Attachments: # <u>1</u> Memorandum in Support Brief in Support of Motion to Dismiss, # <u>2</u> Proposed Order) (Westberry, R.) (Entered: 05/20/2016)
05/20/2016	<u>10</u>	MOTION to Dismiss by Defendant Alvin Bamberger Responses due by 6/13/2016 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Order) (Pence, Stephen) (Entered: 05/20/2016)
05/20/2016	<u>11</u>	MOTION to Strike Portions of Verified Complaint (DN <u>1</u> ), by Defendant Matthew John Heimbach. Responses due by 6/13/2016. (Attachments: # <u>1</u> Proposed Order) (JAC) (Entered: 05/23/2016)
06/09/2016	<u>12</u>	Unopposed MOTION for Extension of Time to File Response/Reply to <i>Motion to Dismiss</i> by Plaintiff Kashiya Nwanguma Responses due by 6/20/2016 (Attachments: # <u>1</u> Proposed Order) (Canon, Daniel) (Entered: 06/09/2016)
06/13/2016	<u>13</u>	RESPONSE to Motion re <u>11</u> MOTION to Strike Portions of Verified Complaint (DN <u>1</u> ) filed by Henry Brousseau, Kashiya Nwanguma, Molly Shah. Replies due by 6/30/2016. (Attachments: # <u>1</u> Exhibit Ex. 1 (Pearson v. Countrywide), # <u>2</u> Exhibit Ex. 2 (Makaeff v. Trump Univ.), # <u>3</u> Proposed Order) (Ward, David) (Entered: 06/13/2016)
06/15/2016	<u>14</u>	ORDER by Judge David J. Hale granting <u>12</u> Unopposed Motion for Extension of Time to File Response. Plaintiffs to have up to and including 6/27/16 to file responses to Defendants' motions to dismiss (DN <u>9</u> and <u>10</u> ). cc: Counsel(JAC) (Entered: 06/15/2016)
06/27/2016	<u>15</u>	RESPONSE to Motion re <u>10</u> MOTION to Dismiss filed by Henry Brousseau, Kashiya Nwanguma, Molly Shah. Replies due by 7/14/2016. (Attachments: # <u>1</u> Exhibit Blaine v. Bolton, # <u>2</u> Proposed Order) (Belzley, Gregory) (Entered: 06/27/2016)
06/27/2016	<u>16</u>	RESPONSE to Motion re <u>9</u> MOTION to Dismiss filed by Henry Brousseau, Kashiya Nwanguma, Molly Shah. Replies due by 7/14/2016. (Attachments: # <u>1</u> Exhibit 1 – Decl. of Counsel, # <u>2</u> Exhibit 2 – Video Index, # <u>3</u> Exhibit 3 – Short Form Lease, # <u>4</u> Proposed Order) (Canon, Daniel) (Entered: 06/27/2016)
06/28/2016	<u>17</u>	REPLY to Response to Motion re <u>11</u> MOTION to Strike Portions of Verified Complaint (DN <u>1</u> ) filed by Matthew John Heimbach. (JAC) (Entered: 06/28/2016)
06/28/2016	<u>18</u>	Proposed Agreed Order/Stipulation re <u>16</u> , <u>15</u> by Alvin Bamberger, Donald J. Trump for President, Inc., Donald J. Trump. (Westberry, R.) (Entered: 06/28/2016)
06/29/2016	<u>19</u>	NOTICE OF FILING by Alvin Bamberger, Donald J. Trump for President, Inc., Donald J. Trump (Attachments: # <u>1</u> Supplement Amended Certificate of Service) (Westberry, R.) (Entered: 06/29/2016)
06/30/2016	<u>20</u>	AGREED ORDER by Judge David J. Hale. Reply Briefs due by 7/28/2016. cc:counsel (JAC) (Entered: 06/30/2016)
07/05/2016	<u>21</u>	CORRECTED REPLY to Response to Motion re <u>11</u> MOTION to Strike Portions of Verified Complaint (DN <u>1</u> ) filed by Matthew John Heimbach. (JAC) (Entered: 07/05/2016)
07/21/2016	<u>22</u>	REPLY to Response to Motion re <u>10</u> MOTION to Dismiss filed by Alvin Bamberger. (Pence, Stephen) (Entered: 07/21/2016)
07/28/2016	<u>23</u>	REPLY to Response to Motion re <u>9</u> MOTION to Dismiss filed by Donald J. Trump for President, Inc., Donald J. Trump. (Westberry, R.) (Entered: 07/28/2016)
11/15/2016	<u>24</u>	MOTION for Hearing by Plaintiffs Henry Brousseau, Kashiya Nwanguma, Molly Shah Responses due by 12/9/2016 (Attachments: # <u>1</u> Proposed Order) (Belzley, Gregory) (Entered: 11/15/2016)
12/09/2016	<u>25</u>	RESPONSE to Motion re <u>24</u> MOTION for Hearing filed by Donald J. Trump for President, Inc., Donald J. Trump. (Westberry, R.) (Entered: 12/09/2016)

01/12/2017	<u>26</u>	ORDER OF RECUSAL by Magistrate Judge Colin Lindsay. cc: counsel, DJH-CM (JAC) (Entered: 01/12/2017)
03/31/2017	<u>27</u>	MEMORANDUM OPINION AND ORDER by Judge David J. Hale. Motion to dismiss (DN <u>9</u> ) is granted in part and denied in part as set forth. Motion to dismiss (DN <u>10</u> ) is granted in part and denied in part as set forth. Motion to strike (DN <u>11</u> ) is denied. Motion for hearing (DN <u>24</u> ) is denied as moot. Matter referred to Magistrate Judge H. Brent Brennenstuhl for litigation planning, scheduling, nondispositive matters, discovery, and settlement. cc: Counsel, HBB-CM(JAC) (Entered: 03/31/2017)
04/06/2017	<u>28</u>	ORDER by Magistrate Judge H. Brent Brennenstuhl (EBOC). Telephonic Rule 16 Scheduling Conference set for 5/18/2017 09:30 AM CDT before Magistrate Judge H. Brent Brennenstuhl. Parties to comply as set forth. cc:counsel (JAC) (Entered: 04/06/2017)
04/14/2017	<u>29</u>	ANSWER to Complaint by Donald J. Trump for President, Inc., Donald J. Trump. (Westberry, R.) (Entered: 04/14/2017)
04/14/2017	<u>30</u>	ANSWER to Complaint , CROSSCLAIM against Donald J. Trump for President, Inc. by Alvin Bamberger. (Pence, Stephen) (Entered: 04/14/2017)
04/17/2017	<u>31</u>	NOTICE of Change of Address by Matthew John Heimbach (JAC) (Entered: 04/17/2017)
04/17/2017	<u>32</u>	ANSWER to Complaint with Jury Demand, CROSSCLAIM against Donald J. Trump for President, Inc., Donald J. Trump by Matthew John Heimbach. (Attachments: # <u>1</u> Attachment) (JAC) (Entered: 04/17/2017)
04/20/2017	<u>33</u>	MOTION for Andrew J. Bentz to Appear Pro Hac Vice Filing fee \$ 125, receipt number 0644-2424516.by Cross Defendants Donald J. Trump for President, Inc., Donald J. Trump for President, Inc., Donald J. Trump, Donald J. Trump, Defendants Donald J. Trump for President, Inc., Donald J. Trump (Attachments: # <u>1</u> Exhibit A - Declaration, # <u>2</u> Exhibit B - Certificate of Good Standing, # <u>3</u> Proposed Order) (Westberry, R.) (Entered: 04/20/2017)
04/20/2017	<u>34</u>	MOTION for Michael A. Carvin to Appear Pro Hac Vice Filing fee \$ 125, receipt number 0644-2424517.by Cross Defendants Donald J. Trump for President, Inc., Donald J. Trump for President, Inc., Donald J. Trump, Donald J. Trump, Defendants Donald J. Trump for President, Inc., Donald J. Trump (Attachments: # <u>1</u> Exhibit A - Declaration, # <u>2</u> Exhibit B - Certificate of Good Standing, # <u>3</u> Proposed Order) (Westberry, R.) (Entered: 04/20/2017)
04/20/2017	<u>35</u>	MOTION for Anthony J. Dick to Appear Pro Hac Vice Filing fee \$ 125, receipt number 0644-2424520.by Cross Defendants Donald J. Trump for President, Inc., Donald J. Trump for President, Inc., Donald J. Trump, Donald J. Trump, Defendants Donald J. Trump for President, Inc., Donald J. Trump (Attachments: # <u>1</u> Exhibit A - Declaration, # <u>2</u> Exhibit B - Certificate of Good Standing, # <u>3</u> Proposed Order) (Westberry, R.) (Entered: 04/20/2017)
04/20/2017	<u>36</u>	MOTION for Leave to <i>Certify this Court's Order for Interlocutory Appeal and Stay Further Proceedings</i> , MOTION for Reconsideration re <u>27</u> Order on Motion for Hearing,, Order on Motion to Dismiss,,, Order on Motion to Strike, by Cross Defendants Donald J. Trump for President, Inc., Donald J. Trump for President, Inc., Donald J. Trump, Donald J. Trump, Defendants Donald J. Trump for President, Inc., Donald J. Trump (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Order) (Westberry, R.) (Entered: 04/20/2017)
04/21/2017	37	TEXT ORDER signed by Judge David J. Hale on 4/21/2017 granting <u>33</u> Motion for Andrew J. Bentz to Appear Pro Hac Vice; granting <u>34</u> Motion for Michael A. Carvin to Appear Pro Hac Vice; granting <u>35</u> Motion for Anthony J. Dick to Appear Pro Hac Vice.  <b>This Notice of Electronic Filing is the Official ORDER for this entry. No document is attached.</b>  cc: Counsel(NWT) (Entered: 04/21/2017)



04/24/2017	38	TEXT ORDER by Magistrate Judge H. Brent Brennenstuhl on 4/24/2017. Upon request of counsel for the parties; <b>IT IS ORDERED</b> a Telephone Conference is set for <b>5/2/2017 at 9:30 AM, CDT</b> , before Magistrate Judge H. Brent Brennenstuhl. The Court will initiate the call.  <b>This Notice of Electronic Filing is the Official ORDER for this entry. No document is attached.</b>  cc: Counsel (KLL) (Entered: 04/24/2017)
05/02/2017	39	TEXT ORDER by Magistrate Judge H. Brent Brennenstuhl on 5/2/2017. Due to the exigencies of the Court's calendar; <b>IT IS ORDERED</b> the Telephone Conference set for <b>5/2/2017</b> is <b>REMANDED</b> from the Court's calendar and <b>RESCHEDULED</b> to be conducted on <b>5/8/2017 at 1:30 PM, CDT</b> . The Court will initiate the call.  <b>This Notice of Electronic Filing is the Official ORDER for this entry. No document is attached.</b>  cc: Counsel (KLL) (Entered: 05/02/2017)
05/05/2017	<u>40</u>	MOTION to Dismiss <i>the Cross Claims of Alvin Bamberger and Matthew Heimbach</i> by Cross Defendants Donald J. Trump for President, Inc., Donald J. Trump for President, Inc., Donald J. Trump, Donald J. Trump, Defendants Donald J. Trump for President, Inc., Donald J. Trump (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Order) (Westberry, R.) (Entered: 05/05/2017)
05/10/2017	<u>41</u>	ORDER by Magistrate Judge H. Brent Brennenstuhl. Telephonic Conference held 5/8/2017. Rule 16 Scheduling Conference to proceed as scheduled on 5/18/2017 9:30 AM CDT. cc: counsel (JAC) (Entered: 05/10/2017)
05/10/2017	<u>42</u>	RESPONSE to Motion re <u>36</u> MOTION for Leave to <i>Certify this Court's Order for Interlocutory Appeal and Stay Further Proceedings</i> MOTION for Reconsideration re <u>27</u> Order on Motion for Hearing,, Order on Motion to Dismiss,,, Order on Motion to Strike, filed by Henry Brousseau, Kashiya Nwanguma, Molly Shah. (Canon, Daniel) (Entered: 05/10/2017)
05/14/2017	<u>43</u>	Proposed Pretrial Order by Molly Shah, Henry Brousseau, Kashiya Nwanguma by Molly Shah, Henry Brousseau, Kashiya Nwanguma. (Belzley, Gregory) (Entered: 05/14/2017)
05/16/2017	<u>44</u>	Objection to <u>43</u> Proposed Pretrial Order filed by Donald J. Trump for President, Inc., Donald J. Trump. (Attachments: # <u>1</u> Exhibit Attachment A – Proposed Trial Plan, # <u>2</u> Exhibit Attachment B – Mark up of Defendants' proposal) (Westberry, R.) (Entered: 05/16/2017)
05/22/2017	<u>45</u>	SCHEDULING ORDER by Magistrate Judge H. Brent Brennenstuhl. Telephonic Scheduling Conference held on 5/18/2017. Rule 26(a)(1) Disclosure due by 5/30/2017. Motion for Protective Order due by 7/17/2017. Response due 30 days following filing of motion. Expert Witness (Plaintiff) due by 12/1/2017. Expert Witness (Defendant) due by 2/9/2018. Amended Pleadings due by 8/8/2017. Joinder of Parties due by 8/8/2017. Discovery due by 6/1/2018. Dispositive and Daubert Motions due by 7/2/2018. Telephonic Status Conference set for 6/7/2018 09:30 AM CDT before Magistrate Judge H. Brent Brennenstuhl. cc:counsel (JAC) (Entered: 05/22/2017)
05/22/2017	<u>46</u>	Objection to Magistrate Judge's Denial of Motion to Stay Discovery filed by Donald J. Trump for President, Inc., Matthew John Heimbach, Donald J. Trump. (Westberry, R.) Modified on 5/23/2017 edited docket text for clarification (JAC). (Entered: 05/22/2017)
05/23/2017	<u>47</u>	REPLY to Response to Motion re <u>36</u> MOTION for Leave to <i>Certify this Court's Order for Interlocutory Appeal and Stay Further Proceedings</i> MOTION for Reconsideration re <u>27</u> Order on Motion for Hearing,, Order on Motion to Dismiss,,, Order on Motion to Strike, filed by Donald J. Trump for President, Inc., Donald J. Trump. (Westberry, R.) (Entered: 05/23/2017)
05/26/2017	<u>48</u>	NOTICE by Judge David J. Hale. cc: counsel (JAC) (Entered: 05/26/2017)