

**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:68-cv-11946-WCO**

Mills, et al v. Freeman, et al
Assigned to: Judge William C. O'Kelley
Demand: \$0
Cause: 42:2000c-6 Discrimination in Education

Date Filed: 07/05/1968
Date Terminated: 09/25/1994
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Valencia Mills
a minor, by her parents and next friends,

represented by **Edward A. Hailes, Jr.**
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Plaintiff

Berta Mills
and

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Plaintiff

Roger Mills

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Plaintiff

Adesina Scott

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Plaintiff

Adreana Scott

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Plaintiff

Ardona Scott

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Plaintiff

Cynthia Scott

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Plaintiff

Major Scott

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Plaintiff

Ashley Armstrong

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Plaintiff

B'randi Armstrong

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Plaintiff

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Plaintiff

Haraja El-Shabazz
and

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Plaintiff

Jihan El-Shabazz
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Plaintiff

Asahita El-Shabazz
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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

Malik Falah

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Plaintiff

Mangoor Falah
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Plaintiff

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Plaintiff

Mahasin Sabir
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Plaintiff

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Plaintiff

Christina Thomas
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Plaintiff

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Plaintiff

Michael Creamer

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

Sandi Bailey
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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

Brandon Russell
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Plaintiff

Karen Russell
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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

Darius McVay
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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.

Intervenor Plaintiff

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V.

Defendant

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Superintendent

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Defendant

Elizabeth Andrews

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Defendant

Norma Bergman

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Defendant

Phil McGregor

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Defendant

Lyman Howard

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Defendant

Donna Wagner

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Defendant

David Williamson

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Defendant

Paul Womack
as

represented by **Gary M. Sams**
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Defendant

DeKalb County Board of Education
members.

represented by **Gary M. Sams**
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Date Filed	#	Docket Text
09/25/1994		SEE PAPER DOCKET for the record of all documents filed and other events related to this matter which occurred prior to 9/26/94. This matter is being opened and closed in ICMS on 3/28/95. (ddm) Modified on 03/28/1995 (Entered: 03/28/1995)
09/26/1994		MINUTE SHEET re status conference held 9/26/94 before Judge William C. O'Kelley. Court will issue a scheduling order. (ddm) Modified on 03/28/1995 (Entered: 03/28/1995)
09/28/1994	218	ORDER entered pursuant to 9/26/94 status conf. to schedule dates for ptys to submit briefs and evidentiary docs to the court. Dfts to submit brief/documents on or before 10/17/94; plas have 20 days to respond by Judge William C. O'Kelley. cc (ddm) Modified on 04/11/1995 (Entered: 03/28/1995)
10/12/1994	219	ORDER DIRECTING dfts to provide court w/info as directed in 9/27/94 order by 10/22/94; plas have 20 days thereafter to respond by Judge William C. O'Kelley. cc &EOD 10/13/94. (ddm) Modified on 04/11/1995 (Entered: 03/28/1995)
10/17/1994	220	BRIEF by dfts in support of final dismissal upon remand fm Supreme Court and Court of Appeals. (ddm) Modified on 04/11/1995 (Entered: 03/28/1995)
10/21/1994	221	AFFIDAVIT of James R. Hallford, Ph.D., Dep. Superintendent, Adminis. and Finance, DeKalb Co. School System w/exhibits 1 through 8 att'd. (ddm) Modified on 04/11/1995 (Entered: 03/28/1995)
11/01/1994	222	CONSENT ORDER extending time through 12/31/94 for response to dfts' submissions, by Judge William C. O'Kelley. cc (ddm) Modified on 04/11/1995 (Entered: 03/28/1995)
11/22/1994	223	Certified copy of ORDER of U.S. Court of Appeals DISMISSING appeal #93-8907. cc (ddm) Modified on 04/11/1995 (Entered: 03/28/1995)
11/30/1994	224	NOTICE of substitution of counsel: Pamela Sloan replaces Amy Totenberg as counsel of record representing amici in this matter. (ddm) Modified on 04/11/1995 (Entered: 03/28/1995)
12/22/1994	225	BRIEF by plas in opposition to motion for final dismissal upon remand. (ddm) Modified on 04/11/1995 (Entered: 03/28/1995)
12/27/1994	226	CONSENT ORDER extending time through 2/7/95 for Armstrong plas to respond to brief in support of final dismissal [220-1] on remand fm the Supreme Court &USCA by Judge William C. O'Kelley. cc (ddm) Modified on 04/11/1995 (Entered: 03/28/1995)
02/07/1995	227	BRIEF of plaintiff-intervenors in opposition to dfts' request for final dismissal. (ddm) Modified on 04/11/1995 (Entered: 03/28/1995)
02/16/1995		Request for Certificate of Readiness from Court of Appeals regarding appeal. USCA 93-8907. (rag) (Entered: 10/02/1995)
03/20/1995	228	SUPPLEMENTAL BRIEF of plaintiff-intervenors in opposition to dfts' request for final dismissal. (ddm) Modified on 04/11/1995 (Entered: 03/28/1995)
03/28/1995		SUBMITTED on order [218-1] and dfts request for final dismissal on remand to Judge William C. O'Kelley. (ddm) Modified on 04/11/1995 (Entered: 03/28/1995)
04/03/1995	229	NOTICE atty Bruce K. Roberts, formerly employed as staff atty w/the NAACP, is no longer counsel for Mills plas and requesting that he formally withdraw as counsel for plas. (ddm) Modified on 04/11/1995 (Entered: 04/10/1995)
07/25/1995	230	STIPULATION OF DESIGNATION OF RECORD by ptys re Appeal and Cross Appeals 93-8907 and 94-8204 as to docs that will constitute the record on appeal. (to WCO) (ddm) (Entered: 07/26/1995)

08/11/1995		RECORD ON APPEAL ret'd fm USCA, 11th. Record check revealed 12 vols. of transcript, 2 vols of docs Re: 88-8687. Trans. memo states "These are the original volumes which were previously reconstructed. Consolidated with 88-8775." (ddm) (Entered: 08/18/1995)
09/05/1995		PHONE CONVERSATION re pla's request for hrng: ptys asking Court to decide exact issues remaining in case so they can be argued at a hrng in near future. (ddm) (Entered: 09/06/1995)
09/06/1995		STENO NOTES of proceedings held 9/5/95 before Judge William C. O'Kelley, by Court Reporter Dennis J. Reidy. (ddm) (Entered: 09/06/1995)
09/08/1995	231	ORDER DIRECTING dfts to submit new brief in support of final dismissal w/emphasis on categories ... [218-1] w/in 30 days of this order; DIRECTING plas to file response as to why court should not dismiss case entirely [218-1] focusing on issues ... w/in 30 days after dfts' brief is filed; dfts may file response w/in 15 days after plas' response is filed, by Judge William C. O'Kelley. (See order for add'l guidelines.) cc and by ctrm.dep.; USCA 9/21/95. (ddm) Modified on 09/21/1995 (Entered: 09/08/1995)
10/02/1995		CERTIFICATE OF READINESS OF RECORD ON APPEAL with certified copy of docket mailed to USCA. (14 vols. of pleadings; 5 vols. of depositions; 38 vols. of transcripts and 3 boxes of exhibits (IN EXHIBIT ROOM). USCA 93-8907. (rag) (Entered: 10/02/1995)
10/10/1995	232	MOTION by dfts for oral argument w/brief in support. (ddm) (Entered: 10/10/1995)
10/10/1995	233	AFFIDAVIT of James R. Hallford, Ph.D. (ddm) (Entered: 10/10/1995)
10/11/1995		USCA ack. receipt of COR. USCA 93-8907. (rag) (Entered: 10/12/1995)
11/04/1995		SUBMITTED on dfts' motion for oral argument [232-1] to Judge William C. O'Kelley. (ddm) (Entered: 11/04/1995)
11/13/1995		PROPOSED consent order for ext. of time within which pla-intervenor may respond to dfts' brief in support of final dismissal and in response to 9/8/95 order [231-1], [220-1]. (to WCO) (ddm) (Entered: 11/13/1995)
11/14/1995	234	CONSENT ORDER extending time through 12/22/95 for pla-intervenor to respond to dfts' brief in support of final dismissal and to 9/8/95 order [231-1] by Judge William C. O'Kelley. cc ct.dep.clk (ddm) (Entered: 11/16/1995)
11/16/1995	235	MOTION by plas to extend time to file response to dfts' mot. for final dismissal w/brief in support. (ddm) (Entered: 11/16/1995)
11/17/1995	236	ORDER GRANTING pla's mot. to ext. time until 12/22/95 to file response to dfts' mot. for final dismissal [235-1]; GRANTING dfts' mot. for oral argument [232-1]; oral argument set for 1/4/96 at 9:30 AM , by Judge William C. O'Kelley. cc (ddm) (Entered: 11/17/1995)
12/22/1995	237	BRIEF OF PLAINTIFF-INTERVENORS pursuant to 9/8/95 order [231-1]. (ddm) (Entered: 12/26/1995)
12/29/1995	238	SECOND BRIEF by plas in OPPOSITION to dfts' mot. for final dismissal upon remand. (ddm) (Entered: 01/02/1996)
12/29/1995	239	MOTION by counsel for MILLS plas to ext. time to file 2nd brief in opposition to dfts' mot. for final dismissal upon remand w/brief in support. (to WCO) (ddm) (Entered: 01/02/1996)
01/04/1996		ORAL ARGUMENTS HEARD re dfts' mot.to dismiss case before Judge William C. O'Kelley: orally GRANTED pla Mills' mot.to ext.time to file 2nd brief to dfts' mot.for final dismissal [239-1]; ptys have 20 days to submit add'l documentation re mot.to dismiss; clk submit on mot.at expiration of time using response brief [220-1] (mot.to dismiss recorded on paper dkt); dfts may reply to plas' briefs [237-1 and 238-1] in one doc. Court has orig.file. (ddm) (Entered: 01/05/1996)

01/05/1996		STENO NOTES of proceedings held 1/4/96 before Judge William C. O'Kelley, by Court Reporter Dennis J. Reidy. (ddm) (Entered: 01/05/1996)
01/19/1996		TRANSCRIPT filed re proceedings before Judge William C. O'Kelley held 01/04/96. (ddm) (Entered: 01/19/1996)
01/19/1996	240	ORDER DIRECTING ... ct.rptr to provide copy of transcript of hrng held 1/4/96 to atys for intervenor plas; intervenor plas may file brief addressing those issues ... 20 days of the date of this order, may file mot. for hrng ..., by Judge William C. O'Kelley. cc w/cy of transcript to counsel for intervenor plas. (ddm) (Entered: 01/19/1996)
01/19/1996	241	REPLY BRIEF in SUPPORT of final dismissal and in RESPONSE to 9/8/95 order [231-1] by dfts. (ddm) (Entered: 01/22/1996)
01/24/1996	242	NOTICE of evidentiary filing by dfts: afdt of James R. Hallford, Ph.D. w/att'd exhibits. (ddm) (Entered: 01/24/1996)
01/24/1996	243	AFFIDAVITS by intervenor-plas in OPPOSITION to dfts' mot. to dismiss [220-1]. (NOTE: motion to dismiss recorded on paper docket.) (ddm) (Entered: 01/24/1996)
01/31/1996		Ltr fm Southeastern Legal Foundation, Inc. instructing that G. Stephen Parker be removed and Henry D. Granberry, III be added to service list and updating address. (ddm) (Entered: 01/31/1996)
02/05/1996	244	Certified copy of ORDER of the U.S. Court of Appeals granting appellants' motion for voluntary dismissal of appeal with prejudice. (so) (Entered: 02/07/1996)
02/06/1996	245	Proposed Findings of fact and conclusions of law in support of Final Dismissal by dfts. (so) (Entered: 02/07/1996)
02/08/1996	246	Affidavit of Evelyn Bailey. (bsm) (Entered: 02/09/1996)
02/08/1996	247	MOTION by intervenor-plaintiff for leave to file evidentiary material w/brief in support. (ddm) (Entered: 02/12/1996)
02/08/1996	248	POST HEARING MEMORANDUM by intv-pla in re order [240-1] and in OPPOSITION to motion to dismiss [220-1]. [mot.to dismiss recorded on paper dkt] (ddm) (Entered: 02/12/1996)
02/08/1996	249	Received notice of filing of original discovery by intv-pla w/listed discovery. (ddm) (Entered: 02/12/1996)
02/12/1996		SUBMITTED on order [240-1] to Judge William C. O'Kelley. (ddm) (Entered: 02/12/1996)
02/13/1996	250	ATTACHMENTS by intv-pla to post-hearing memo [248-1]. (ddm) (Entered: 02/14/1996)
02/20/1996	251	MOTION by intrv-pla for oral argument re mot.to dismiss w/brief in support. (ddm) (Entered: 02/20/1996)
02/26/1996	252	ORDER GRANTING mot.for oral argument re mot.to dismiss [251-1] [240-1]; hearing set for 3/7/96 at 11 AM, by Judge William C. O'Kelley. cc by ct.dep. [Note: file retained by court.] (ddm) (Entered: 02/27/1996)
03/01/1996		SUBMITTED on mot. for leave to file evidentiary material by intv-pla [247-1] to Judge William C. O'Kelley. (ddm) (Entered: 03/01/1996)
03/04/1996	253	RESPONSE by intv-pla in OPPOSITION to dfts' proposed findings of fact ... [245-1]. (ddm) (Entered: 03/05/1996)
03/07/1996		ORAL ARGUMENT HELD on dfts' mot.to dismiss [220-1] before Judge William C. O'Kelley; no one appeared for plas; court rec'd fax that plas felt appearance unnecessary as they participated in 1/4/96 argument. Arguments of pla-intv and dfts (satisfies [251-1]) heard; matter taken under advisement. (ddm) (Entered: 03/07/1996)

03/11/1996		Steno notes of proceedings held 3/7/96 before Judge William C. O'Kelley by Court Reporter Dennis J. Reidy. (bsm) (Entered: 03/11/1996)
03/15/1996	254	HEARING MEMORANDUM by intvr-pla outlining ... issues ... to address in 3/7/96 hearing. (ddm) (Entered: 03/18/1996)
03/19/1996	255	ORDER GRANTING nunc pro tunc pla-intv mot.for leave to file evidentiary material [247-1] (mat'l filed following 3/7/96 hrng), by Judge William C. O'Kelley. cc (ddm) (Entered: 03/19/1996)
03/27/1996		Copy of 3/19/96 order [255-1] to Pamela Stone ret'd undeliverable. (ddm) Modified on 03/27/1996 (Entered: 03/27/1996)
06/12/1996	256	ORDER: DeKalb County School System's mot. for final dismissal of this case is GRANTED; court finds DCSS has attained unitary status ...; all injunctive decrees are dissolved; DCSS shall resume full control over operation of schools (see order), by Judge William C. O'Kelley. cc (ddm) (Entered: 06/13/1996)
06/17/1996		Copy of order [256-1] addressed to G. Stephen Parker ret'd as undeliverable - forwarding order expired. (ddm) (Entered: 06/17/1996)
07/01/1996		Copy of order [256-1] mailed to aty Bruce K. Roberts ret'd, moved, undeliverable. (ddm) (Entered: 07/01/1996)
07/12/1996	257	JOINT MOTION to ext.time for filing notice of appeal with brief in support. (to WCO) (ddm) (Entered: 07/13/1996)
07/16/1996	258	ORDER APPROVING joint motion to ext.time for filing notice of appeal [257-1] through 8/12/96 by Judge William C. O'Kelley. cc (ddm) (Entered: 07/16/1996)
07/19/1996		Ret'd mail: copy of order [258-1] mailed to Atty Bruce K. Roberts. (ddm) (Entered: 07/19/1996)
07/22/1996		Copy of order [258-1] addressed to G. Stephen Parker ret'd undeliverable. (ddm) (Entered: 07/22/1996)
07/22/1996		Copy of order [258-1] ret'd as undeliverable. (ddm) (Entered: 08/05/1996)
08/23/1996		FORTHWITH LETTER from U.S. Court of Appeals regarding request certificate appeal [0-0]. USCA# 94-8204. (mmw) (Entered: 08/30/1996)
08/30/1996		Certified and TRANSMITTED RECORD to U.S.C.A. (14 volumes of pleadings, 5 volumes of depositions, 38 volumes of transcripts and 3 boxes fo exhibits). USCA# 94-8204. (mmw) (Entered: 08/30/1996)
09/06/1996		USCA ack. receipt of ROA and certified copy of docket. USCA# 94-8204 &93-8907. (mmw) (Entered: 09/10/1996)
09/15/1997	259	Certified copy of JUDGMENT OF USCA AFFIRMING the judgment of this court. RE: appeal USCA dkt. # 94-8204 (oug) (Entered: 09/17/1997)
09/15/1997		Record on appeal returned from USCA re: appeal USCA dkt. # 94-8204. (3 Boxes of Exhits) 1 folder of exhibits and 52 volumes of record will be sent at a later date. (oug) (Entered: 09/17/1997)
09/17/1997		Record on appeal returned from USCA re: appeal USCA dkt. # 94-8204 (One folder of exhibits and 52 volumes of record) (oug) (Entered: 09/23/1997)
07/22/1998		Exhibits by plaintiffs returned to Derwin Ross of NAACP (fmm) (Entered: 07/22/1998)
07/24/1998		Certified mail receipt green card returned re: exh pickup as to plaintiffs (fmm) (Entered: 07/27/1998)
10/29/1998		Exhibits by defendants returned to Atty Sams (fmm) (Entered: 10/29/1998)