

**U.S. District Court
Western District of Kentucky (Louisville)
CIVIL DOCKET FOR CASE #: 3:02-cv-00620-JGH**

McFarland, et al v. Jefferson Cty Public, et al
Assigned to: Judge John G. Heyburn, II
Demand: \$0
Case in other court: 04-05897
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 10/21/2002
Date Terminated: 11/09/2007
Jury Demand: None
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

David McFarland

*Parent and Next Friend of Stephen and
Daniel McFarland
next friend
Stephen McFarland
next friend
Daniel McFarland*

represented by **Teddy B. Gordon**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Ronald Jeffrey Pittenger

*Parent and Next Friend of Brandon
Pittenger*

represented by **Teddy B. Gordon**
(See above for address)
LEAD ATTORNEY
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Plaintiff

Anthony Underwood

*Custodial Parent and Next Friend of
Max Aubrey
next friend
Max Aubrey*

represented by **Teddy B. Gordon**
(See above for address)
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Plaintiff

Crystal D. Meredith

*Custodial Parent and Next Friend of
Joshua Ryan McDonald
next friend
Joshua Ryan McDonald*

represented by **Michael L. Boylan**
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V.

Defendant

Jefferson County Public Schools

represented by **Byron E. Leet**
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Defendant

Jefferson County Board of Education

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Pamela J. Ledford
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Defendant

Stephen W. Daeschner
Superintendent
TERMINATED: 09/25/2007

represented by **Byron E. Leet**
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Pamela J. Ledford
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Defendant

Dr. Sheldon Berman
Superintendent

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TERMINATED: 07/31/2007

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TERMINATED: 09/05/2007
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Amicus**Kentucky Commission on Human Rights**

TERMINATED: 07/31/2007

represented by **Jeffrey T. Metzmeier**
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Date Filed	#	Docket Text
10/21/2002	1	COMPLAINT filed; (Summons(es) issued) filing fee pd – receipt # 320660 (PAC) (Entered: 10/22/2002)
10/21/2002		MAGISTRATE JUDGE DESIGNATION: JDM (PAC) (Entered: 10/22/2002)
11/01/2002		FILE SUBMITTED to Judge Coffman for new case review. (ARK) (Entered: 11/01/2002)
11/01/2002		RETURN OF SERVICE executed upon defendant Jefferson Cty Public on 10/25/02 (SDB) (Entered: 11/04/2002)
11/01/2002		RETURN OF SERVICE executed upon defendant Stephen Daeschner on 10/25/02 (SDB) (Entered: 11/04/2002)
11/01/2002		RETURN OF SERVICE executed upon defendant Jefferson Cty Bd Ed on 10/25/02 (SDB) (Entered: 11/04/2002)
11/08/2002	2	MOTION by defendant to reassign/transfer case to Chief Judge Heyburn ; Memorandum in Support; order tendered (SDB) (Entered: 11/12/2002)
11/13/2002	3	ANSWER by defendants Jefferson Cty Public, Jefferson Cty Bd Ed, Stephen Daeschner to [1–1] (SEALED) (Entered: 11/15/2002)
11/20/2002	4	RESPONSE by plaintiff David McFarland to motion to reassign/transfer case to Chief Judge Heyburn [2–1]; order tendered (SDB) (Entered: 11/21/2002)
12/17/2002		FILE RETURNED (PAC) (Entered: 12/17/2002)
12/17/2002	5	ORDER by Judge Jennifer B. Coffman granting motion to reassign/transfer case to Chief Judge Heyburn [2–1] case reassigned to Chief Judge John G. Heyburn II, for further proceedings (cc: all counsel) [Entry Date: 12/17/02] (PAC) (Entered: 12/17/2002)

12/17/2002	6	ORDER by Chief Judge John G. Heyburn II (EBOC) ; pretrial conf set for 1:00 1/21/03 before Chief Judge John G. Heyburn (cc: all counsel) [Entry Date: 12/17/02] (PAC) Modified on 12/17/2002 (Entered: 12/17/2002)
01/23/2003	7	ORDER ON CONFERENCE by Chief Judge John G. Heyburn II ; plaintiff granted till 3/4/03 to add parties ; pretrial conference held on 1/21/03 , , CASE STAYED pending a decision by the US Supreme Court (cc: all counsel) [Entry Date: 1/23/03] (PAC) (Entered: 01/23/2003)
03/05/2003	8	AMENDED COMPLAINT [1-1] by David McFarland; adding Ronald Jeffrey Pittenger (PAC) (Entered: 03/06/2003)
03/10/2003	9	MOTION by plaintiff for leave to file amended cmp ; order tendered (PAC) (Entered: 03/11/2003)
03/21/2003	10	MOTION by plaintiffs for leave to file 2nd amd cmp ; order tendered; 2nd amd cmp attached (SDB) (Entered: 03/21/2003)
04/09/2003	11	MOTION by plaintiffs David McFarland and Ronald Jeffrey Pittenger for leave to file 3rd amd cmp ; order tendered; 3rd amd cmp attached (SDB) (Entered: 04/11/2003)
04/15/2003	12	RESPONSE by Jefferson Cty Public, Jefferson Cty Bd Ed, Stephen W. Daeschner to motion for leave to file 3rd amd cmp [11-1] ; order tendered (PAC) (Entered: 04/15/2003)
04/22/2003	13	REPLY by plaintiffs to response to motion for leave to file 3rd amd cmp [11-1] (SDB) (Entered: 04/22/2003)
04/22/2003	13	MOTION by plaintiffs to extend time for additional plaintiffs to join action to 5/9/03 ; order tendered (SDB) (Entered: 04/22/2003)
04/29/2003		FILE SUBMITTED to Judge Heyburn (MJH) (Entered: 04/29/2003)
05/02/2003		FILE RETURNED (PAC) (Entered: 05/02/2003)
05/02/2003	14	ORDER by Chief Judge John G. Heyburn II granting motion for leave to file 3rd amd cmp [11-1], granting motion for leave to file 2nd amd cmp [10-1] (cc: all counsel) [Entry Date: 5/2/03] (PAC) (Entered: 05/02/2003)
05/02/2003	15	SECOND AMENDED COMPLAINT by plaintiff; adding Anthony Underwood (PAC) (Entered: 05/02/2003)
05/02/2003	16	THIRD AMENDED COMPLAINT by plaintiff; adding Crystal D. Meredith (PAC) (Entered: 05/02/2003)
05/07/2003	17	ANSWER by defendants to First Amended Complaint [8-1] (PAC) (Entered: 05/07/2003)
05/07/2003	18	ANSWER by defendants to Second Amended Complaint [15-1] (PAC) (Entered: 05/07/2003)
05/07/2003	19	ANSWER by defendants to Third Amended Complaint [16-1] (PAC) (Entered: 05/07/2003)
05/28/2003	20	MOTION by plaintiff for order to end the use of racial quotas ;Memorandum in Support; order tendered (PAC) (Entered: 05/29/2003)
05/30/2003	21	MOTION by plaintiff for leave to file fourth amended cmp ; Fourth amended cmp attached: order tendered (PAC) (Entered: 05/30/2003)
06/16/2003	22	RESPONSE by defendant to motion for leave to file fourth amended cmp [21-1], to motion for order to end the use of racial quotas [20-1] ; order tendered (PAC) (Entered: 06/16/2003)
06/16/2003	22	AFFIDAVIT of Patricia K. Todd re [22-1] (PAC) (Entered: 06/16/2003)
06/17/2003		FILE SUBMITTED to Judge Heyburn (MJH) (Entered: 06/17/2003)
06/27/2003		FILE RETURNED (MJH) (Entered: 06/27/2003)

07/01/2003	23	ORDER by Chief Judge John G. Heyburn II (EBOC) ; pretrial conf set for 11:30 7/21/03 before Chief Judge John G. Heyburn II (cc: all counsel) [Entry Date: 7/1/03] (JSS) (Entered: 07/01/2003)
07/16/2003		FILE SUBMITTED to Judge Heyburn (MJH) (Entered: 07/16/2003)
07/23/2003		FILE RETURNED (ARK) (Entered: 07/23/2003)
07/24/2003	24	ORDER by Chief Judge John G. Heyburn II denying motion for leave to file fourth amended cmp [21-1], denying motion for order to end the use of racial quotas [20-1], denying motion to extend time for additional plaintiffs to join action to 5/9/03 [13-1] ; pretrial conference held on 7/21/03 , ; pretrial conf set for 9:30 11/10/03 before Chief Judge John G. Heyburn II ; evidentiary hearing set for 1:30 12/8/03 and 12/9/03 at 9:30 before Chief Judge John G. Heyburn II (cc: all counsel) [Entry Date: 7/24/03] (PAC) (Entered: 07/24/2003)
09/03/2003	<u>25</u>	MOTION for Pretrial Conference by defendants. Responses due by 9/22/2003 (Attachments: # <u>1</u> Proposed Order)(MLG) (Entered: 09/04/2003)
10/14/2003	<u>26</u>	ORDER by John G. Heyburn II on 10/14/2003; granting motion for hearing; pretrial conf set for 10/20/2003 at 1:30 p.m. <u>25</u> (TAC) (Entered: 10/14/2003)
10/27/2003	<u>27</u>	ORDER for proceedings held before John G. Heyburn II: Pretrial Conference held on 10/20/2003. Pretrial Conference set for 11/10/2003 9:30 AM in Chambers before Chief Judge John G. Heyburn II. (TAC) (Entered: 10/27/2003)
11/12/2003	<u>28</u>	ORDER for proceedings held before John G. Heyburn II: Pretrial Conference held on 11/12/2003. Matter remains set for evidentiary hearing on 12/8/2003 at 1:30 p.m. (TAC) (Entered: 11/12/2003)
11/20/2003	<u>29</u>	MOTION for Chinh Quang Le to Appear Pro Hac Vice by plaintiffs. Responses due by 12/8/2003 (Attachments: #(1) Affidavit #(2) Proposed Order)(MLG) (Entered: 11/20/2003)
11/20/2003	<u>30</u>	MOTION for Leave to participate Amicus Curiae. Responses due by 12/8/2003 (Attachments: # <u>1</u> Proposed Order)(MLG) (Entered: 11/20/2003)
11/21/2003	<u>31</u>	MOTION in Limine to prohibit Ward Connerly from testifying by defendants. Responses due by 12/9/2003 (Attachments: #(1) Exhibit A #(2) Exhibit B #(3) Exhibit C #(4) Exhibit D #(5) Proposed Order)(MLG) (Entered: 11/21/2003)
11/21/2003	<u>32</u>	STIPULATION of Facts by Stephen W. Daeschner ; Jefferson County Board of Education ; Jefferson County Public Schools ; David McFarland ; Crystal D. Meredith ; Ronald Jeffrey Pittenger ; Anthony Underwood. (Attachments: #(1) Table of Contents #(2) Exhibit List (Exhibits in separate folders))(MLG) (Entered: 11/21/2003)
11/21/2003	<u>33</u>	RESPONSE to Motion in limine re <u>31</u> by David McFarland. (Attachments: # <u>1</u> Proposed Order)(TAC) (Entered: 11/24/2003)
11/21/2003	<u>34</u>	MOTION in Limine to prohibit any testimony of the whatsoever by dfts by David McFarland ; Crystal D. Meredith. Responses due by 12/9/2003 (Attachments: # <u>1</u> Proposed Order)(TAC) (Entered: 11/24/2003)
11/24/2003	<u>35</u>	RESPONSE to Motion in limine re <u>34</u> by Stephen W. Daeschner, Jefferson County Board of Education, Jefferson County Public Schools. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Proposed Order)(TAC) (Entered: 11/25/2003)
11/25/2003	<u>36</u>	MOTION to substitute expert for trial by David McFarland. Responses due by 12/15/2003 (Attachments: # <u>1</u> Affidavit Teddy B. Gordon# <u>2</u> Proposed Order)(TAC) (Entered: 11/26/2003)
11/25/2003	<u>37</u>	MOTION for service of subpoena for taking of deposition by David McFarland. Responses due by 12/15/2003 (Attachments: # <u>1</u> Proposed Order # <u>2</u> Subpoena to be served)(TAC) (Entered: 11/26/2003)
11/26/2003	<u>38</u>	RESPONSE to plaintiffs motions of 11/25/2003 to <u>36</u> <u>37</u> (Attachments: # <u>1</u> Proposed Order)(TAC) (Entered: 11/26/2003)
12/01/2003	<u>39</u>	ORDER by John G. Heyburn II on 11/26/2003; Ward Connerly's deposition shall be scheduled by 12/4/2003. <u>31</u> <u>36</u> Denying Motion to substitute Dr. David Armor as an

		expert witness <u>37</u> Denying motion for issuance of a subpoena to Larry Bell. (TAC) (Entered: 12/01/2003)
12/01/2003	<u>40</u>	ORDER by John G. Heyburn II on 11/24/2003; granting <u>29</u> Motion to Appear Pro Hac Vice, granting <u>30</u> Motion for Leave to participate Amicus Curiae. (TAC) (Entered: 12/01/2003)
12/11/2003	<u>41</u>	MOTION for Leave to file an Amicus Curiae Brief . Responses due by 12/29/2003 (Attachments: # <u>1</u> Proposed Order)(TAC) (Entered: 12/11/2003)
12/19/2003	<u>42</u>	MOTION for Leave to file and amicus curiae brief by Kentucky Commission on Human Rights. Responses due by 1/6/2004 (Attachments: # <u>1</u> Proposed Order)(TAC) (Entered: 12/19/2003)
01/07/2004	<u>43</u>	ORDER for proceedings held before John G. Heyburn II: Evidentiary Hearing held December 8,9,10,11 & 12, 2003. Transcript testimony due by 1/13/2004. Simultaneous briefs due by 1/30/2004, replies by 2/15/2004. (TAC) (Entered: 01/08/2004)
01/12/2004	<u>44</u>	TRANSCRIPT of Evidentiary Hearing Proceedings (Volume 1) held on 12/8/2003 before Judge John G. Heyburn II. Court Reporter: A. Wernecke. (IN EXPANDABLE FOLDER). (Attachments: # <u>1</u> continuation of transcript pgs 51-99# <u>2</u> continuation of transcript pgs 100-140)(TAC) (Entered: 01/13/2004)
01/12/2004	<u>45</u>	TRANSCRIPT of Evidentiary Hearing Proceedings Volume 2 held on 12/9/2003 before Judge John G. Heyburn II. Court Reporter: A. Wernecke. . (Attachments: # <u>1</u> continuation of transcript pgs 51-100# <u>2</u> continuation of transcript pgs 101-150# <u>3</u> continuation of transcript pgs 151-200# <u>4</u> continuation of transcript 201-211)(TAC) (Entered: 01/13/2004)
01/12/2004	<u>46</u>	TRANSCRIPT of Evidentiary Hearing Proceedings-Volume 4 held on 12/11/2003 before Judge John G. Heyburn II. Court Reporter: A. Wernecke. (IN EXPANDABLE FOLDER). (Attachments: # <u>1</u> continuation of transcript pgs 51-100# <u>2</u> continuation of transcript pgs 101-150# <u>3</u> continuation of transcript pgs 151-200# <u>4</u> continuation of transcript pgs 201-226)(TAC) (Entered: 01/13/2004)
01/12/2004	<u>47</u>	TRANSCRIPT of Evidentiary Hearing Proceedings-Volume 4 held on 12/11/2003 before Judge John G. Heyburn II. Court Reporter: A. Wernecke. (IN EXPANDABLE FOLDER). (Attachments: # <u>1</u> continuation of transcript pgs 51-100# <u>2</u> continuation of transcript pgs 101-152)(TAC) (Entered: 01/13/2004)
01/12/2004	<u>48</u>	TRANSCRIPT of Evidentiary Hearing Proceedings-Volume 5 held on 12/12/2003 before Judge John G. Heyburn II. Court Reporter: A. Wernecke. (IN EXPANDABLE FOLDER). (Attachments: # <u>1</u> continuation of transcript pgs 51-124)(TAC) (Entered: 01/13/2004)
01/29/2004	<u>49</u>	Agreed Order that briefs to be filed by 2/2/2004 . (TAC) (Entered: 01/29/2004)
01/30/2004	<u>50</u>	AGREED ORDER by John G. Heyburn II on 1/30/2004; re <u>43</u> Principal briefs to be filed by 2/2/2004(TAC) (Entered: 01/30/2004)
01/30/2004	<u>51</u>	AMICUS CURIAE BRIEF by American Civil Liberties Union of Kentucky, Inc. ; Kentucky Commission on Human Rights. (TAC) (Entered: 02/02/2004)
01/30/2004	<u>52</u>	MEMORANDUM OF FACTS AND LAW by David McFarland ; Crystal D. Meredith ; Ronald Jeffrey Pittenger ; Anthony Underwood. (TAC) (Entered: 02/02/2004)
02/02/2004	<u>53</u>	POST-TRIAL BRIEF of Amicus Curiae by NAACP Legal Defense and Educational Fund, Inc.. (Attachments: # <u>1</u> Continuation of brief pgs 51-71)(TAC) (Entered: 02/03/2004)
02/02/2004	<u>54</u>	POST-HEARING BRIEF by Stephen W. Daeschner ; Jefferson County Board of Education ; Jefferson County Public Schools. (Attachments: # <u>1</u> Continuation of brief pgs 51-79)(TAC) (Entered: 02/03/2004)
02/13/2004	<u>55</u>	REPLY brief to Memorandum of Facts and Law re <u>52</u> by Stephen W. Daeschner, Jefferson County Board of Education. (TAC) (Entered: 02/13/2004)
02/13/2004	<u>56</u>	REPLY BRIEF re <u>50</u> by David McFarland ; Crystal D. Meredith ; Ronald Jeffrey Pittenger ; Anthony Underwood. (TAC) (Entered: 02/17/2004)

06/29/2004	<u>57</u>	MEMORANDUM OPINION AND ORDER by John G. Heyburn II on 6/29/04; for the reasons set forth, Plaintiffs' request for relief is granted only to the extent that JCPS shall revise the student assignment process for traditional magnet schools in a manner consistent with the accompanying memorandum opinion in time for its use in the 2005–2006 school year assignments; as to all other aspects of the JCPS student assignment plan, plaintiffs' requests for relief are denied; this is a final and appealable order.(SDB) (Entered: 06/29/2004)
07/09/2004	<u>58</u>	MOTION for Attorney Fees by David McFarland. Responses due by 7/27/2004 (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Exhibit # <u>3</u> Affidavit Teddy B. Gordon# <u>4</u> Proposed Order)(TAC) (Entered: 07/14/2004)
07/12/2004	<u>59</u>	AFFIDAVIT in support of attorney fees by Charles E. Ricketts, Jr. (TAC) (Entered: 07/14/2004)
07/14/2004	<u>60</u>	AFFIDAVIT in support of attorney fees as to Gerry Ellis re <u>57</u> . (TAC) (Entered: 07/14/2004)
07/15/2004	<u>61</u>	AFFIDAVIT in support of Attorney Fees as to V. Jeffery Alston . (TAC) (Entered: 07/15/2004)
07/21/2004	<u>62</u>	AFFIDAVIT in support of attorney fees as to Michael Boylan re <u>57</u> (TAC) (Entered: 07/22/2004)
07/23/2004	<u>63</u>	RESPONSE to Motion for attorney's fees re <u>58</u> by Stephen W. Daeschner, Jefferson County Board of Education. (Attachments: # <u>1</u> Exhibit # <u>2</u> Proposed Order)(TAC) (Entered: 07/23/2004)
07/23/2004	<u>64</u>	NOTICE OF APPEAL as to <u>57</u> by Crystal D. Meredith. Filing fee \$ 255, receipt number 108234. (TAC) (Entered: 07/26/2004)
07/30/2004	<u>65</u>	REPLY to Response to Motion for attorney fees re <u>58</u> by Crystal D. Meredith. (TAC) (Entered: 07/30/2004)
08/03/2004	<u>66</u>	MOTION to Amend Counsel for plaintiffs by plaintiffs (Attachments: # <u>1</u> Proposed Order)(TAC) (Entered: 08/04/2004)
08/03/2004	<u>67</u>	DESIGNATION of Record on Appeal by Plaintiffs re <u>64</u> Notice of Appeal (TAC) (Entered: 08/04/2004)
08/03/2004	<u>68</u>	TRANSCRIPT REQUEST by Plaintiffs–already filed re <u>64</u> (TAC) (Entered: 08/04/2004)
08/05/2004		USCA Case Number 04–5897 for <u>64</u> Notice of Appeal filed by Crystal D. Meredith. (TAC) (Entered: 08/05/2004)
08/06/2004	<u>69</u>	ORDER for proceedings held before John G. Heyburn II: Telephone Conference held on 8/5/2004, Motion for Attorney Fees remanded pending a decision by USCA. <u>58</u> (TAC) (Entered: 08/06/2004)
07/22/2005	<u>70</u>	JUDGMENT of USCA as to <u>64</u> Notice of Appeal filed by Crystal D. Meredith, Judgment of District Court is affirmed. (TAC) (Entered: 07/25/2005)
07/27/2005	<u>71</u>	NOTICE of removal of Pamela J. Ledford from service list(TAC) (Entered: 07/27/2005)
08/24/2005	<u>72</u>	SUPPLEMENT / CORRECTED PAGE re <u>70</u> USCA Judgment. (SDB) (Entered: 08/26/2005)
11/01/2005	<u>73</u>	MANDATE of USCA as to <u>64</u> Notice of Appeal filed by Crystal D. Meredith, affirming decision of USDC. (SDB) (Entered: 11/03/2005)
06/12/2006	<u>74</u>	Courtesy Copy of notice from Supreme Court of U.S.; pet for cert is granted; case to be argued in tandem with No. 05–908, Parents Involved in Comm. Schs. v. Seattle Sch. Dist. No. 1. (SDB) (Entered: 06/14/2006)
06/20/2006	<u>75</u>	Copy of letter from U.S. Supreme Court to 6th Cir: Petition for Writ of Certiorari was filed on 1/18/06, No. 05–915. (NMB) (Entered: 06/21/2006)

10/12/2006	<u>76</u>	NOTICE from USCA; certiorari granted by Supreme Court; requesting record to be forwarded to Supreme Court. (TLB) (Entered: 10/16/2006)
10/25/2006	<u>77</u>	NOTICE ; district court file sent to U.S. Supreme Court. (TLB) (Entered: 10/25/2006)
07/25/2007		ERROR: MOTION (originally filed as DN 78) docketed by Counsel without signature(s). Motion containing signature(s) redocketed by Counsel. See DN <u>80</u> . Modified on 7/26/2007 (RLK). (Entered: 07/25/2007)
07/25/2007		ERROR: MOTION (originally filed as DN 79) docketed by Counsel without signature(s). Motion with signature(s) redocketed by Counsel. See DN <u>81</u> . Modified on 7/26/2007 (RLK). (Entered: 07/25/2007)
07/25/2007	<u>80</u>	MOTION to Amend/Correct by Crystal D. Meredith. Responses due by 8/13/2007 (Attachments: # 1 Proposed Order # <u>2</u> Exhibit 1)(Gordon, Teddy) Additional attachment(s) added on 7/26/2007: separate proposed order from motion (RLK). Modified on 7/26/2007 (RLK). (Entered: 07/25/2007)
07/25/2007	<u>81</u>	MOTION for Contempt by Crystal D. Meredith. Responses due by 8/13/2007 (Gordon, Teddy) Additional attachment(s) added on 7/26/2007: separate motion, memo in support, and proposed order (RLK). Modified on 7/26/2007 (RLK). (Entered: 07/25/2007)
07/26/2007	<u>82</u>	Copy of Letter from USCA w/Order (cert.) remanding matter to district court for further proceedings consistent with the opinion of the Supreme Court. (RLK) (Entered: 07/27/2007)
07/27/2007	<u>83</u>	MEMORANDUM OPINION AND ORDER by John G. Heyburn II on 7/27/2007. For the reasons set forth, DN <u>81</u> MOTION for Contempt and for Incarceration filed by Crystal D. Meredith is DENIED.cc:Counsel(RLK) (Entered: 07/27/2007)
07/28/2007	<u>84</u>	MOTION for Attorney Fees by Crystal D. Meredith. Responses due by 8/15/2007 (Attachments: #1 Memorandum in Support #2 Affidavit #3 Proposed Order #4 Exhibit - Ledger) (Gordon, Teddy) Additional attachment(s) added on 7/30/2007: separate motion, affidavit, proposed order (RLK). Modified on 7/30/2007 (RLK). (Entered: 07/28/2007)
07/30/2007	<u>86</u>	MOTION for Hearing by Crystal D. Meredith. Responses due by 8/17/2007. (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Proposed Order (Gordon, Teddy) Additional attachment(s) added on 7/31/2007: separate motion, memo in support & proposed order (RLK). Modified on 7/31/2007 (RLK). (Entered: 07/30/2007)
07/31/2007	<u>87</u>	ORDER (EBOC) by Chief Judge John G. Heyburn II on 7/31/2007. Status Hearing set for 8/2/2007 at 01:30 PM before Chief Judge John G. Heyburn II.cc: Counsel, CR-AW (RLK) (Entered: 07/31/2007)
08/03/2007		Proceedings held before Chief Judge John G. Heyburn II: Status Conference held on 8/3/2007. (RLK) (Entered: 08/03/2007)
08/03/2007	<u>88</u>	ORDER by Chief Judge John G. Heyburn II on 8/3/2007. Hearing was held on 8/2/2007 before Chief Judge John G. Heyburn II. Court determined that based upon the School Board's current expressed intentions, it was in compliance with the Supreme Court's ruling. Plaintiff's counsel stated he would not be seeking any further equitable relief on behalf of Plaintiff or any other persons. Court noted that this resolution was consistent with the handling of relief arising from the Court's decisions in 2000 and 2004. No additional issues raised. Pending issues concerning Plaintiff's actual damages and attorney's fees were set for briefing. Motion for Attorney's Fees <u>84</u> , and Motion for Damages <u>80</u> are remanded and counsel for Plaintiff shall have 30 days in which to resubmit the motions.cc: Counsel (RLK) (Entered: 08/03/2007)
08/07/2007	<u>89</u>	TRANSCRIPT of Hearing held on August 2, 2007 before Chief Judge John G. Heyburn II. Court Reporter: Alan W. Wernecke. (RLK) (Entered: 08/07/2007)
08/10/2007	<u>90</u>	MOTION to Compel by Crystal D. Meredith. Responses due by 8/28/2007 (Attachments: # 1 Affidavit of Counsel # 2 Proposed Order)(Gordon, Teddy) Additional attachment(s) added on 8/10/2007: separate proposed order from motion (RLK). Modified on 8/10/2007 (RLK). (Entered: 08/10/2007)

08/17/2007	<u>91</u>	MOTION for Disclosure by Crystal D. Meredith. Responses due by 9/4/2007. (Attachments: # <u>1</u> Proposed Order) (Gordon, Teddy) Additional attachment(s) added on 8/17/2007: separate proposed order from motion (RLK). Modified on 8/17/2007 (RLK). (Entered: 08/17/2007)
08/22/2007	<u>92</u>	MOTION to Compel by Crystal D. Meredith. Responses due by 9/6/2007 (Attachments: # <u>1</u> Affidavit # <u>92</u> Proposed Order) (Gordon, Teddy) Additional attachment(s) added on 8/23/2007: separate proposed order from motion (Koch, Renee). Modified on 8/23/2007: describe attachments (Koch, Renee). (Entered: 08/22/2007)
08/22/2007	<u>93</u>	MEMORANDUM AND ORDER by Chief Judge John G. Heyburn II on 8/21/2007 denying <u>91</u> Plaintiff's Motion for Disclosure of Defendant's attorney's fees. cc: Counsel (RLK) (Entered: 08/22/2007)
08/23/2007	<u>94</u>	ORDER (EBOC) by Chief Judge John G. Heyburn II on 8/23/2007 setting hearing on <u>92</u> MOTION to Compel: Motion Hearing set for 8/27/2007 at 01:30 PM before Chief Judge John G. Heyburn II. cc: Counsel (RLK) (Entered: 08/23/2007)
08/24/2007	<u>95</u>	MEMORANDUM AND ORDER by Chief Judge John G. Heyburn II on 8/24/2007. Defendants to appear at hearing set for 8/27/2007 and be prepared to advise the Court of the matters stated within. cc: Counsel (RLK) (Entered: 08/24/2007)
08/27/2007	<u>96</u>	ORDER (EBOC) by Chief Judge John G. Heyburn II on 8/27/2007. Motion Hearing currently set for 8/27/2007 at 1:30 PM re <u>92</u> MOTION to Compel is rescheduled to commence on 8/28/2007 at 02:30 PM before Chief Judge John G. Heyburn II. cc: Counsel (RLK) (Entered: 08/27/2007)
08/27/2007	<u>103</u>	Mail Returned as Undeliverable addressed to Taylor Spalding Flanery re DN <u>93</u> . (RLK) (Entered: 09/04/2007)
08/28/2007	<u>97</u>	RESPONSE to Motion re <u>90</u> MOTION to Compel <i>Regarding Enrollment and Capacity Figures</i> by Jefferson County Public Schools, Jefferson County Board of Education. Replies due by 9/10/2007. (Attachments: # <u>1</u> Exhibit A–August 13, 2007 letter from Mr. Mellen to Mr. Gordon# <u>2</u> Exhibit B–August 13, 2007 letter from Mr. Gordon to Mr. Mellen# <u>3</u> Exhibit C–August 20, 2007 letter from Mr. Mellen to Mr. Gordon# <u>4</u> Exhibit D–August 23, 2007 letter from Mr. Mellen to Mr. Gordon# <u>5</u> Proposed Order) (Leet, Byron) (Entered: 08/28/2007)
08/28/2007		Proceedings held before Chief Judge John G. Heyburn II: Motion Hearing held on 8/28/2007 re <u>92</u> MOTION to Compel filed by Crystal D. Meredith. (Court Reporter Alan Wernecke.) (RLK) (Entered: 08/29/2007)
08/29/2007	<u>98</u>	ORDER by Chief Judge John G. Heyburn II on 8/28/2007. Hearing was held on 8/28/2007 before Chief Judge John G. Heyburn II. Motion for Attorney Fees to be filed by 9/24/2007, with normal response and reply times. Motion for Damages to be filed by 9/2/2007, with responses due by 9/24/2007. Motion to Compel <u>92</u> is denied as moot. cc: Counsel (RLK) (Entered: 08/29/2007)
08/29/2007	<u>99</u>	MOTION to Remove Taylor Spalding Flanery and Amanda G. Main as Counsel of Record for American Civil Liberties Union of Kentucky by American Civil Liberties Union of Kentucky, Inc.. Responses due by 9/13/2007 (Attachments: # <u>1</u> Proposed Order to Remove Taylor Spalding Flanery and Amanda G. Main as Counsel of Record for American Civil Liberties Union of Kentucky) (Cubbage, Amy) (Entered: 08/29/2007)
08/29/2007	<u>100</u>	TRANSCRIPT of Hearing held on 8/28/07 before Chief Judge John G. Heyburn II. Court Reporter: Alan Wernecke. (NMB) (Entered: 08/29/2007)
08/30/2007	<u>101</u>	MEMORANDUM OPINION AND ORDER by Chief Judge John G. Heyburn II on 8/29/2007. Plaintiff has moved to compel JCPS to enroll a specifically named student in the 4th Grade at Greathouse–Shyrock Traditional Elementary School. The motion raised concerns about the viability of counsel requesting specific relief on behalf of a non–party. For the reasons set forth, Plaintiff's motion for specific relief is denied as moot. JCPS has indicated its intention to follow the guidelines set out herein. cc: Counsel (RLK) (Entered: 08/30/2007)

08/31/2007	<u>102</u>	MOTION for Damages by Crystal D. Meredith. Responses due by 9/17/2007. (Attachments: #1 Memorandum in Support #2 Proposed Order #3 Affidavit – Crystal Meredith #4 Affidavit – Honi Marleen Goldman) (Gordon, Teddy) Additional attachment(s) added on 9/4/2007: separate proposed order from motion (RLK). Modified on 9/4/2007: describe attachments (RLK). (Entered: 08/31/2007)
09/05/2007	<u>104</u>	ORDER by Chief Judge John G. Heyburn II on 9/4/2007 granting <u>99</u> Motion to Remove Counsel. Taylor Spalding Flanery and Amanda G. Main are removed as counsel for American Civil Liberties Union of Kentucky and will no longer receive service. cc: Counsel (RLK) (Entered: 09/05/2007)
09/20/2007	<u>105</u>	NOTICE by Stephen W. Daeschner of <i>Substitution</i> (DeJaco, Lisa) (Entered: 09/20/2007)
09/24/2007	<u>106</u>	RESPONSE to Motion re <u>102</u> MOTION for Damages by Jefferson County Public Schools, Jefferson County Board of Education, Stephen W. Daeschner.Replies due by 10/9/2007. (Attachments: # <u>1</u> Proposed Order) (Leet, Byron) (Entered: 09/24/2007)
09/24/2007	<u>107</u>	MOTION for Attorney Fees by Crystal D. Meredith. Responses due by 10/12/2007. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Memorandum in Support # <u>3</u> Exhibit – List of Fees # <u>4</u> Exhibit – CJ Article "Gordon arguing before Supreme Court" # <u>5</u> Exhibit – 7/3/2007 Article "Give Gordon his due" # <u>6</u> Exhibit – 6/28/2007 Article "Original Plaintiff in Louisville Desegregation Case Decries Today's Ruling" # <u>7</u> Exhibit – 7/29/2007 Article "Lawyer in schools case seeks fees, bonus" # <u>8</u> Exhibit – Editorial Cartoon re Fees # <u>9</u> Exhibit – Article "Legal wrangling or personal grudge?" # <u>10</u> Exhibit – Quality of Work # <u>11</u> Exhibit – 9/6/2007 E-mail re Seattle Times Article "Law firm wants school district to pay \$1.8M" # <u>12</u> Exhibit – Affidavit of Stallings in Support of Fees # <u>13</u> Exhibit – Affidavit of Browne in Support of Fees # <u>14</u> Exhibit – Affidavit of Merrill in Support of Fees # <u>15</u> Exhibit – Affidavit of Ricketts in Support of Fees) (Gordon, Teddy) Modified on 9/25/2007: describe exhibits (RLK). (Entered: 09/24/2007)
10/11/2007	<u>108</u>	RESPONSE to Motion re <u>107</u> MOTION for Attorney Fees by Sheldon Berman, Jefferson County Public Schools, Jefferson County Board of Education, Stephen W. Daeschner.Replies due by 10/25/2007. (Attachments: # <u>1</u> Exhibit A – 8/28/00 Hampton Order re Attorney Fees# <u>2</u> Exhibit B – 7/8/04 Affidavit of Plaintiff's Counsel re Attorney Fees# <u>3</u> Exhibit C – Excerpts from Deposition of Ward Connerly# <u>4</u> Exhibit D – 11/26/03 Order re Testimony of Experts# <u>5</u> Exhibit E – Submissions by Plaintiff's Counsel to Supreme Court re Joint Appendix# <u>6</u> Exhibit F – Correspondence re Joint Appendix to Supreme Court# <u>7</u> Exhibit G – 7/30/07 Correspondence from Supreme Court re Cost of Joint Appendix# <u>8</u> Exhibit H – Motion of Solicitor General and 11/6/06 Order of Supreme Court# <u>9</u> Proposed Order denying motion# <u>10</u> Proposed Order referring to Magistrate) (Leet, Byron) (Entered: 10/11/2007)
10/24/2007	<u>109</u>	REPLY to Response to Motion re <u>107</u> MOTION for Attorney Fees by Crystal D. Meredith. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u>) (Gordon, Teddy) (Entered: 10/24/2007)
10/25/2007	<u>110</u>	ORDER by Chief Judge John G. Heyburn II on 10/24/2007; hearing re plaintiff's request for damages and attorney's fees set for 11/8/2007 10:00 AM before Chief Judge John G. Heyburn II; by 11/2/2007 plaintiff to submit accurate count of total hours claimed under fee petition and a separate listing of all expenses claimed with receipts or further explanation of any expenses over \$250. cc: Counsel (TLB) (Entered: 10/25/2007)
11/02/2007	<u>111</u>	SUPPLEMENT re <u>110</u> Order, by Crystal D. Meredith. (Attachments: # <u>1</u> List of Costs & Services# <u>2</u> Log re Filing Fee Payment to US Supreme Court# <u>3</u> Legal Advantage Receipt re Petitioner Reply Brief# <u>4</u> Log re Payment to Legal Advantage Receipt for Joint Appendix# <u>5</u> Payment to Legal Advantage for Writ Printing# <u>6</u> Legal Advantage Receipt for Writ Printing# <u>7</u> Log re Filing Fee Payment to 6th Circuit Court of Appeals# <u>8</u> Legal Advantage Receipt re Petitioner's Brief# <u>9</u> Chase Account Statement re Travel to Wash DC# <u>10</u> Legal Advantage Receipt re Petitioner's Brief Reprint# <u>11</u> Log re Payment to Law Clerk# <u>12</u> Bank of America Statement re Travel to California# <u>13</u> Chase Statement re Travel to Wash DC# <u>14</u> Bank of America Statement re Travel to Wash DC# <u>15</u> American Express Statement re Travel to Wash DC# <u>16</u> Chase Statement re Travel to Wash DC# <u>17</u> Log re Payment to Log Clerk# <u>18</u> Affidavit re California Travel Expense) (Gordon, Teddy) Modified on 11/5/2007: describe

		attachments (RLK). (Entered: 11/02/2007)
11/05/2007	<u>116</u>	NOTICE re <u>77</u> : Certified Copies of DNs 1 – 24 returned from Supreme Court. (RLK) (Entered: 11/13/2007)
11/09/2007	<u>112</u>	MEMORANDUM OPINION AND ORDER by Chief Judge John G. Heyburn II on 11/8/2007. For the reasons set forth, <u>102</u> Plaintiff's Motion for Damages fails as a matter of law and evidence and is DENIED. cc: Counsel (RLK) (Entered: 11/09/2007)
11/09/2007	<u>113</u>	MEMORANDUM OPINION by Chief Judge John G. Heyburn II on 11/9/2007 re <u>107</u> MOTION for Attorney Fees filed by Crystal D. Meredith. The Court will enter an order consistent with this Memorandum Opinion. That order concludes all pending and anticipated motions and, therefore, constitutes a final order closing this case. cc: Counsel (RLK) (Entered: 11/09/2007)
11/09/2007	<u>114</u>	ORDER by Chief Judge John G. Heyburn II on 11/9/2007 re <u>107</u> Motion for Attorney Fees. Plaintiff's counsel is entitled to an award of \$200,000 in attorney's fees and \$10,138.02 in expenses. This and all other orders in this case on remand are now final and appealable. cc: Counsel (RLK) (Entered: 11/09/2007)
11/13/2007	<u>115</u>	MOTION for Attorney Fees by Crystal D. Meredith.Responses due by 12/3/2007 (Attachments: # <u>1</u> Proposed Order # <u>2</u> Affidavit) (Gordon, Teddy) Modified on 11/13/2007: describe attachment (RLK). (Entered: 11/13/2007)
11/27/2007	<u>117</u>	NOTICE by Sheldon Berman, Jefferson County Public Schools, Jefferson County Board of Education, Stephen W. Daeschner re <u>114</u> Order on Motion for Attorney Fees, <i>of Filing Satisfaction of Judgment</i> (Leet, Byron) (Entered: 11/27/2007)
12/13/2007	<u>118</u>	ORDER signed by Chief Judge John G. Heyburn, II on 12/12/2007, GRANTING <u>115</u> Motion for Additional Attorney Fees. Counsel for Plaintiff is awarded an additional fee of \$1,050. cc: Counsel (RLK) (Entered: 12/13/2007)
12/19/2007	<u>119</u>	NOTICE OF SATISFACTION OF JUDGMENT by Sheldon Berman, Jefferson County Public Schools, Jefferson County Board of Education, Stephen W. Daeschner re <u>118</u> Order on Motion for Attorney Fees <i>of Filing Satisfaction of Judgment</i> (Leet, Byron) Modified on 12/20/2007: "satisfaction of judgment" (RLK). (Entered: 12/19/2007)
02/05/2008	<u>120</u>	MOTION for Hearing by Plaintiff Crystal D. Meredith Responses due by 2/25/2008 (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Memorandum in Support) (Gordon, Teddy) (Entered: 02/05/2008)
02/25/2008	<u>121</u>	RESPONSE to Motion re <u>120</u> MOTION for Hearing filed by Sheldon Berman, Jefferson County Public Schools, Jefferson County Board of Education, Stephen W. Daeschner. Replies due by 3/10/2008. (DeJaco, Lisa) (Additional attachment(s) added on 2/26/2008: # <u>1</u> Proposed Order) (RLK). (Entered: 02/25/2008)
02/26/2008	<u>122</u>	NOTICE of Deficiency re <u>121</u> Response to Motion for Hearing: no proposed order. Failure to comply will be brought to the attention of the Court. Response due by 3/2/2008. (RLK) (Entered: 02/26/2008)
02/26/2008	<u>123</u>	NOTICE by Sheldon Berman, Jefferson County Public Schools, Jefferson County Board of Education, Stephen W. Daeschner re <u>122</u> Notice of Deficiency, <u>121</u> Response to Motion (Attachments: # <u>1</u> Proposed Order) (DeJaco, Lisa) (Entered: 02/26/2008)
02/26/2008	<u>124</u>	ORDER (eboc) signed by Chief Judge John G. Heyburn, II on 2/26/2008. Motion Hearing is set for 3/11/2008 at 01:30 PM before Chief Judge John G. Heyburn II re <u>120</u> MOTION for Hearing.cc: Counsel (RLK) Modified on 2/26/2008: "eboc" (RLK). (Entered: 02/26/2008)
02/26/2008		Response to <u>122</u> Notice of Deficiency. Proposed Order attached by Clerk to DN <u>121</u> . (RLK) (Entered: 02/26/2008)
03/11/2008		Proceedings held before Chief Judge John G. Heyburn, II: Motion Hearing was held on 3/11/2008 re <u>120</u> MOTION for Hearing filed by Crystal D. Meredith. (RLK) (Entered: 03/12/2008)

03/12/2008	<u>125</u>	ORDER signed by Chief Judge John G. Heyburn, II on 3/11/2008. A hearing was held on 3/11/2008. For the reasons set forth, the Court finds the motion to reopen this case and to sanction and enjoin Defendants from violation of the Supreme Court's decision as moot under the instant case. Plaintiff's <u>120</u> Motion for Relief is DENIED. cc: Counsel (RLK) (Entered: 03/12/2008)
10/03/2013	<u>126</u>	NOTICE to Counsel (JSS) (Entered: 10/03/2013)
10/11/2013	<u>127</u>	EXHIBIT RETRIEVAL by paralegal for Wyatt, Tarrant & Combs on behalf of Attorney Byron E. Leet re <u>126</u> Notice to Counsel. (TJD) (Entered: 10/15/2013)
10/16/2013	<u>128</u>	EXHIBIT RETRIEVAL re <u>126</u> Notice to Counsel. Plaintiffs' Exhibits retrieved by K.A. Owens. (TJD) (Entered: 10/16/2013)