

CLOSED

**U.S. District Court
Northern District of Mississippi (Greenville Division)
CIVIL DOCKET FOR CASE #: 4:75-cv-00009-NBB**

Ayers, et al v. Musgrove, et al
Assigned to: Neal B. Biggers
Demand: \$0

Case in other court: 00-60073
01-60511
01-60930
01-60969
02-60015
02-60493
Fifth Circuit, 88-04103
Supreme, 90-06588
93-07688
95-60431
99-60264

Date Filed: 01/28/1975
Date Terminated: 02/15/2002
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Cause: 42:1981 Civil Rights

Plaintiff

Jake Ayers, Jr.
Private Plaintiffs

represented by **Alvin O. Chambliss, Jr.**
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Plaintiff

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V.

Defendant

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Defendants/Senior Colleges
TERMINATED: 03/17/2000

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Defendant

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Defendant

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/Board of Trustees

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Defendant

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Defendant

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Association**

TERMINATED: 06/24/1993

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Date Filed	#	Docket Text
01/28/1975	1	COMPLAINT FILING FEE \$ 15.00 RECEIPT # 24143 (sjh) Modified on 09/02/1992 (Entered: 08/31/1992)
08/19/1992	250	OPINION- ORDER on Remand from the Supreme Court of the U.S. (Issued as and for the Mandate. Per Curiam: VACATED AND REMANDED) (Supreme Court #88-4103) (copies to Judge Biggers, Magistrate Judges Orlansky & Davis). (sjh) (Entered: 09/28/1992)
09/25/1992	251	ORDER Status Conference for 1:30 10/22/92, Oxford, MS Scheduling Conference for 1:30 10/22/92, Oxford, MS . Each party shall submit to Court pursuant to Supreme Court Mandate of 06/26/92, including but not limited to (1) whether the state should continue to maintain eight universities; (2) whether the state should continue its present admissions policy; (3) whether the state should continue duplicative programs at some of its various universities; and (4) funding and staff for the state universities. (signed by Judge Neal B. Biggers Jr. on 09/24/92) (sjh)
10/21/1992	252	RESPONSE of USA to court's Sept. 25, 1992 order and letter dated Oct. 7, 1992. (lw)

10/21/1992	253	MOTION by Private Plaintiffs on Remand for Clarification and/or Reconsideration of Procedure in Order Setting Status Hearing and Scheduling Conference (sjh) (Entered: 10/22/1992)
10/22/1992	254	CIVIL MINUTES Court held Status Conference and Oral Presentation on Remand Issues. Court to Enter Appropriate Order of Schedule (sjh) (Entered: 10/23/1992)
10/22/1992		RECEIVED Defendant Board of Trustees of State Institutions of Higher Learning's PROPOSED REMEDIES. (sjh) (Entered: 10/23/1992)
10/23/1992	255	ORDER DIRECTING counsel for the United States and private petitioners to submit to the defts by 11/02/92, a list designating what in their view are properly challengeable policies and/or practices of the state's system of higher education of "remnants" of the prior de jure segregated system. After submission by the plfts to the defts, the parties will confer by 11/12/92, and present to the court by 11/19/92, a stipulation listing specific areas that all parties can agree are properly in issue before this court. If any points remain contested, they should likewise be included and denominated as such and if necessary the court will rule on the relevance of any contested alleged remnants prior to the institution of discovery by the parties (signed by Judge Neal B. Biggers Jr. on 10/22/92) (sjh) (Entered: 10/26/1992)
11/12/1992	256	MOTION for Leave to File Brief of Amicus Curiae by the Delta State University Alumni Association (sjh)
11/12/1992	257	MOTION to Intervene by MUW Foundation, Inc., MUW Alumni Assoc Oral Argument Requested with Affidavits attached (sjh)
11/19/1992	258	MOTION to Intervene as Amicus Curiae by Martha Marie McElroy, on Behalf of the Student Government Association of Mississippi University for Women and Others (nfs) Modified on 11/19/1992
11/19/1992	259	PLAINTIFFS' Unified List Of Policies and/or Practices Properly In Issue Before This Court. (tab)
11/19/1992	260	Board of Trustees' Proposed Stipulations Regarding "Remnants" (nfs)
11/23/1992	261	SEPARATE STATEMENT of the Private Plaintiffs in Response to the Court's Order of October 23, 1992. (sjh) (Entered: 11/24/1992)
11/30/1992	262	Private Plaintiffs' POSITION Concerning the Request of the DSU Alumni Assoc to Participate as Amicas Curiae. (sjh)
11/30/1992	263	Amicus Curiae BRIEF of MS State Alumni Assoc. (For the Purpose of Aiding the court in its Consideration of the Proposal by the Bd of Institutions of Higher Learning to Close the School of Veterinary Medicine; and with Regard to the School of Public Administration. (sjh)
12/07/1992	264	ORDER Granting Request of Proposed Intervenors, MUW Alumni Association & MUW Foundation, Inc., to respond to the briefs of the private plaintiffs and the defendant w/one brief to be filed not later than 12/18/92.(signed by Judge Neal B. Biggers Jr. on 12/3/92) (lfm) (Entered: 12/08/1992)
12/10/1992	265	RESPONSE by Jake Ayers Sr. (Private Plaintiffs') to [260-1] the "Board of Trustees Proposed Stipulation Regarding Remnants." (sjh)
12/10/1992	266	RESPONSE of Defendant Board of Trustees of State Institutions of Higher Learning to [256-1] motion for Leave to File Brief of Amicus Curiae by the Delta State University Alumni Association, Marie McElroy, President of the MUW Student Government Association, et al, and MSU Alumni Association (nfs)
12/10/1992	267	RESPONSE of Defendant, Board of Trustees of State Institutions of Higher Learning to [257-1] motion to Intervene by MUW Foundation, Inc., MUW Alumni Assoc Oral Argument Requested with Affidavits attached (nfs)
12/14/1992	268	RESPONSE by Jake Ayers Sr. (Private Plaintiffs') to [258-1] motion to Intervene as Amicus Curiae by Martha Marie McElroy, on Behalf of the Student Government Association of Mississippi University Women and Others (sjh)

12/14/1992	269	RESPONSE by Jake Ayers Sr. (Private Plaintiffs') to the Motion of the MS State Alumni Assoc to File an Amicus Curiae Brief. (sjh)
12/14/1992	270	RESPONSE by MUW Foundation, Inc., MUW Alumni Assoc in opposition with attachments to [258-1] motion to Intervene as Amicus Curiae by Martha Marie McElroy, on Behalf of the Student Association of Mississippi University for Women and Others (sjh)
12/15/1992	271	RESPONSE by United States to [256-1] motion for Leave to File Brief of Amicus Curiae by the Delta State University Alumni Association, MS Univ for Women SGA & MS State Alumni Assoc. (sjh)
12/21/1992	272	NOTICE & MOTION of the Alumni Association of the University of Mississippi for Leave to File Brief Amicus Curiae. (Attorney Raymond L. Brown MSB #4673) (sjh)
12/28/1992	273	Private Plaintiffs' Position on the Request of the Alumni Assoc of the University of MS to file a Brief Amicus Curiae. (sjh)
12/28/1992	274	CONSOLIDATED REPLY by MUW Foundation, Inc., MUW Alumni Assoc to response in opposition to [257-1] motion to Intervene by MUW Foundation, Inc., MUW Alumni Assoc Oral Argument Requested with Affidavits attached (nfs)
01/07/1993	275	RESPONSE by United States to [272-1] motion of the Alumni Association of the University of Mississippi for Leave to File Brief Amicus Curiae. (Attorney Raymond L. Brown MSB #4673) (nfs)
01/08/1993	276	MOTION by Private Plaintiffs' for Leave to Respond to the "Consolidated Reply" of the MUW Association and Foundation (sjh)
01/08/1993	277	MEMORANDUM by Private Plaintiffs' [276-1] Responding to the "Consolidated Reply" of the MUW Association and Foundation by Jake Ayers Sr. (sjh)
01/25/1993	278	UNITED STATES RESPONSE to the consolidated reply of the MUW Foundation And Alumnae Association To Private plaintiffs, IHI Board's And United States' Responses In Opposition To Intervention. (tab)
03/22/1993	279	EMERGENCY MOTION by Private Plaintiffs to Allow the Commencement of Discovery and Supporting Memorandum (sjh) Modified on 03/24/1993 (Entered: 03/24/1993)
03/22/1993	280	MOTION by Private Plaintiffs for Hearing on their Emergency Motion (sjh) Modified on 03/24/1993 (Entered: 03/24/1993)
03/24/1993	281	ORDER granting [280-1] motion for Hearing on their Emergency Motion Motion Hearing set for 1:30 4/12/93 for [279-1] motion to Allow the Commencement of Discovery and Supporting Memorandum, set for 1:30 4/12/93 for [276-1] motion for Leave to Respond to the "Consolidated Reply" of the MUW Association and Foundation, set for 1:30 4/12/93 for [272-1] motion of the Alumni Association of the University of Mississippi for Leave to File Brief Amicus Curiae. (Attorney Raymond L. Brown MSB #4673), set for 1:30 4/12/93 for [258-1] motion to Intervene as Amicus Curiae by Martha Marie McElroy, on Behalf of the Student Government Association of Mississippi University for Women and Others, set for 1:30 4/12/93 for [257-1] motion to Intervene by MUW Foundation, Inc., MUW Alumni Assoc Oral Argument Requested with Affidavits attached, set for 1:30 4/12/93 for [256-1] motion for Leave to File Brief of Amicus Curiae by the Delta State University Alumni Association, set for 1:30 4/12/93 for [253-1] motion on Remand for Clarification and/or Reconsideration of Procedure in Order Setting Status Hearing and Scheduling Conference (signed by Judge Neal B. Biggers Jr. on 03/24/93) (sjh) Modified on 03/24/1993
04/05/1993	282	MOTION by Mississippi Valley for Carver Randall to File Amicus Brief [282-1] motion referred to Judge Neal B. Biggers Jr. (lw)
04/12/1993	283	MOTION by Jake Ayers Sr. For The Enforcement Of The United States Supreme Court Mandate In The State Of MS And For Affirmative Relief Consistent With The State's Obligation To Dismantle Policies And Practices Traceable To Its Prior Dual System Of Higher Education (tab) (Entered: 04/13/1993)

04/13/1993	284	CIVIL MINUTES for: Hearing on pending motions and procedural issues. Court heard argument on motions, etc: The motions to intervene and to file Briefs as Amicus Curiae taken under advisement; the court set discovery period of six months and refused to limit area of discovery as requested by defendants. An appropriate order will be entered. (tab)
04/13/1993		Motion hearing held 4/12/93 in Oxford re: [282-1] motion for Carver Randall to File Amicus Brief by Mississippi Valley, [279-1] motion to Allow the Commencement of Discovery and Supporting Memorandum by Jake Ayers Sr., [276-1] motion for Leave to Respond to the "Consolidated Reply" of the MUW Association and Foundation by Jake Ayers Sr., [272-1] motion of the Alumni Association of the University of Mississippi for Leave to File Brief Amicus Curiae. (Attorney Raymond L. Brown MSB #4673), [258-1] motion to Intervene as Amicus Curiae by Martha Marie McElroy, on Behalf of the Student Government Association of Mississippi University for Women and Others, [257-1] motion to Intervene by MUW Foundation, Inc., MUW Alumni Assoc Oral Argument Requested with Affidavits attached, [256-1] motion for Leave to File Brief of Amicus Curiae by the Delta State University Alumni Association, [253-1] motion on Remand for Clarification and/or Reconsideration of Procedure in Order Setting Status Hearing and Scheduling Conference by Jake Ayers Sr. (tab)
04/13/1993		Deadline updated; Set Discovery deadline to 10/12/93 Judge Neal B. Biggers Jr. (tab)
04/13/1993	285	ORDER denying [257-1] motion to Intervene by MUW Foundation, Inc., MUW Alumni Assoc Oral Argument Requested with Affidavits attached (signed by Judge Neal B. Biggers Jr. on 04/13/93) (sjh) (Entered: 04/19/1993)
05/12/1993	286	REQUEST for Admissions by United States to State of Mississippi, Fordice (tab)
05/12/1993	287	MOTION by United States for Leave to Exceed The Limit On Number Of Interrogatories with supporting memorandum [287-1] motion referred to Magistrate Judge Jerry A. Davis (tab)
05/12/1993	288	NOTICE OF SERVICE Interrogatories & Requests For Production of Documents by United States to State of Mississippi, Coahoma Junior, Mississippi Delta, Utica Junior College, Hinds Junior College, Fordice (tab)
05/14/1993		**Magistrate Reassigned; Case Reassigned to Magistrate Judge Jerry A. Davis (sjh)
05/14/1993	289	NOTICE OF SERVICE of Interrogatories and Request for Documents (on Remand) by State of Mississippi, Fordice to Jake Ayers Sr. (sjh)
05/14/1993	290	MOTION by Jake Ayers Sr. (Private Plaintiffs') to Exceed the General Limit of the Number of Interrogatories [290-1] motion referred to Magistrate Judge Jerry A. Davis (sjh)
05/19/1993	291	NOTICE OF SERVICE Interrogatories or Requests for Production of Documents or Responses Thereto by Jake Ayers Sr. to State of Mississippi, Utica Junior College, Fordice, United States (sjh)
05/25/1993	292	ORDERED that depositions shall be conducted during the following prescribed dates: Aug. 23-27, 1993; Sept. 8-10, 1993; Sept. 13-14, 1993; Sept. 20-23, 1993; Sept. 27-Oct. 1, 1993; Oct. 4-8, 1993 and Oct. 13-15, 1993. The parties will meet with the court in approximately ninety days for a status conference. (signed by Judge Neal B. Biggers Jr. on 5/26/93) (lfm)
06/01/1993	293	ORDER granting United States [287-1] motion for Leave to Exceed The Limit On Number Of Interrogatories. The number of shall not exceed 75. (signed by Magistrate Judge Jerry A. Davis on 5/28/93) (lfm) Modified on 06/08/1993 (Entered: 06/02/1993)
06/01/1993	294	ORDER granting Private Plaintiffs [290-1] motion to Exceed the General Limit of the Number of Interrogatories. The number of interrogatories shall not exceed 75. (signed by Magistrate Judge Jerry A. Davis on 5/28/93) (lfm) Modified on 06/08/1993 (Entered: 06/02/1993)

06/07/1993	295	MOTION by State of Mississippi For Exception To Local Rule 6(a) [295-1] motion referred to Magistrate Judge Jerry A. Davis (tab)
06/10/1993	296	MOTION by United States for Exception to Local Rule 6(A) [296-1] motion referred to Magistrate Judge Jerry A. Davis (sjh)
06/10/1993	297	MOTION by Jake Ayers Sr. to Extend Time and For Discovery Conference [297-1] motion referred to Magistrate Judge Jerry A. Davis (tab)
06/10/1993	298	MOTION by Jake Ayers Sr. For Exception to Local Rule 6(a) [298-1] motion referred to Magistrate Judge Jerry A. Davis (tab)
06/14/1993	299	ORDER granting [297-1] motion to Extend Time and For Discovery Conference, reset Discovery deadline to 6/30/93 , set Discovery Hearing for 1:00 7/12/93, Aberdeen, MS in Magistrate Judge Davis Chambers (signed by Magistrate Judge Jerry A. Davis on 07/11/93) (sjh) (Entered: 06/16/1993)
06/14/1993	300	ORDER granting [298-1] motion For Exception to Local Rule 6(a), granting [296-1] motion for Exception to Local Rule 6(A), granting [295-1] motion For Exception To Local Rule 6(a). Parties are allowed to exceed the limit of the number of interrogatories previously imposed by the Court. Parties shall respond to all interrogatories currently submitted by the parties (signed by Magistrate Judge Jerry A. Davis on 07/11/93) (sjh) (Entered: 06/16/1993)
06/24/1993		Letter from Magistrate Judge Davis to Counsel stating that the Discovery Conference previously set for 07/12/93 will have to be rescheduled. Counsel are instructed to contact Mrs. Emily Blankenship, my Courtroom Deputy, to schedule an alternate date. (sjh)
06/25/1993		Discovery Conference set at 3:00 7/19/93 before Magistrate Judge Jerry A. Davis, Oxford, MS. (sjh)
07/02/1993	301	NOTICE OF SERVICE by United States to Defendants of Responses to Interrogatories on Remand and Responses to Requests for Production of Documents on Remand. (sjh)
07/02/1993	302	RESPONSE TO REQUEST FOR ADMISSIONS of Defendants Board of Trustees of State Institutions of Higher Learning re: [286-1] admission requested by United States (sjh)
07/02/1993	303	NOTICE OF SERVICE of Discovery Responses by Defendnats Board of Trustees of State Institutions of Higher Learning. (sjh)
07/19/1993		Deadline updated; reset Discovery deadline to 11/26/93 Magistrate Judge Jerry A. Davis (sjh)
07/19/1993	304	MOTION by Private Plaintiffs' to Compel a Response to Discovery on Remand [304-1] motion referred to Magistrate Judge Jerry A. Davis (sjh)
08/02/1993	305	NOTICE OF SERVICE of Privilege Log by Defendant Board of Trustees of State Institutions of Higher Learning to United States, Jake Ayers Sr. (sjh)
08/04/1993	306	AMENDMENT to Private Plaintiffs' ANSWERS to Defendants' Interrogatories to Private Plaintiffs (ON REMAND) (sjh)
08/04/1993	307	MOTION by Private Plaintiffs' for Admission of Armand Derfner Pro Hac Vice and Entry of Apperance of Armand Derfner [307-1] motion referred to Magistrate Judge Jerry A. Davis (sjh)
08/12/1993	308	RESPONSE by State of Mississippi to [304-1] motion to Compel a Response to Discovery on Remand by Jake Ayers Sr. (tab)
08/12/1993	309	AFFIDAVIT of W. Ray Cleere by State of Mississippi Re: [308-1] motion response by State of Mississippi. (tab)
08/16/1993		Discovery Hearing held before Magistrate Judge Jerry A. Davis on 07/19/93. (sjh) (Entered: 08/18/1993)
08/16/1993	310	ORDER pursuant to telephone conference and being advised that all copies of documents cannot be made available until 08/28/93, the Court finds deadline for

		plaintiffs to file motions to compel be extended until 09/13/93. Discovery plans be submitted on 09/13/93. Private Plaintiffs may file a reply brief to defendants' privilege log by 09/03/93 reset Discovery Hearing previously scheduled for Oxford, MS is moved to 10:00 9/13/93, ABERDEEN, MS, Courtroom # 1 (signed by Magistrate Judge Jerry A. Davis on 09/12/93) (sjh) (Entered: 08/18/1993)
08/16/1993	311	ORDER granting [307-1] motion of Armand Derfner Pro Hac Vice and Entry of Appearance of Armand Derfner (signed by Magistrate Judge Jerry A. Davis on 08/13/93) (sjh) (Entered: 08/18/1993)
08/19/1993	312	TRANSCRIPT filed for Discovery Conference dates of 7/19/93 before Mag. Judge Davis in Oxford, MS. (tab)
08/24/1993	313	CIVIL MINUTES for: Discovery Conference held on 07/19/93, Aberdeen, MS before Magistrate Judge Davis. Evidence heard on Plaintiff's request to extend the discovery deadlines. Decision deferred on extension of deadlines for completion of discovery; schedule set for motions to compel; set Discovery Conference for 9/13/93, Aberdeen, MS (sjh) (Entered: 08/25/1993)
08/24/1993	314	Exhibit list by Jake Ayers Sr., Plaintiff. (sjh) (Entered: 08/25/1993)
08/25/1993	315	MOTION by State of Mississippi, Fordice (Defendants Board of Trustees of State Institutions of Higher Learning, et al) to Compel Discovery from Private Plaintiffs [315-1] motion referred to Magistrate Judge Jerry A. Davis (sjh)
08/25/1993	316	MOTION by State of Mississippi, Fordice (Defendants Board of Trustees of State Institutions of Higher Learning, et al) to Compel United States to Answer Interrogatories [316-1] motion referred to Magistrate Judge Jerry A. Davis (sjh)
09/03/1993	317	MOTION by United States to Compel Discovery [317-1] motion referred to Magistrate Judge Jerry A. Davis (sjh)
09/07/1993	318	NOTICE OF SERVICE defendants' privilege log (revised) by State of Mississippi, Coahoma Junior, Mississippi Delta, Utica Junior College, Hinds Junior College, Fordice to Jake Ayers Sr. (nfs)
09/07/1993		Deadline updated; reset Discovery Hearing for 1:00 9/13/93 Aberdeen Magistrate Judge Jerry A. Davis (fcc)
09/13/1993	319	MOTION by Jake Ayers Sr. for Preliminary Injunction (sjh)
09/13/1993		NOTICE of Non-Jury Trial Set at 10:00 2/1/94 Location: Oxford, MS before Judge Neal B. Biggers Jr. (sjh) (Entered: 09/14/1993)
09/13/1993	320	United States' PROPOSED DISCOVERY PLAN (sjh) (Entered: 09/15/1993)
09/13/1993	321	NOTICE & MOTION by United States to Compel Discovery [321-1] motion referred to Magistrate Judge Jerry A. Davis (sjh) Modified on 09/15/1993 (Entered: 09/15/1993)
09/13/1993	322	NOTICE & MOTION by United States to Compel Expert Visits [322-1] motion referred to Magistrate Judge Jerry A. Davis (sjh) (Entered: 09/15/1993)
09/13/1993	323	NOTICE & MOTION by United States to Compel Responses to Discovery Concerning Junior and Community Colleges [323-1] motion referred to Magistrate Judge Jerry A. Davis (sjh) (Entered: 09/15/1993)
09/13/1993	324	RESPONSE by United States to [316-1] motion to Compel United States to Answer Interrogatories by Fordice, State of Mississippi (sjh) (Entered: 09/15/1993)
09/15/1993	325	RESPONSE by State of Mississippi, Fordice to [316-1] motion to Compel United States to Answer Interrogatories by Fordice, State of Mississippi (sjh)
09/17/1993	326	AMENDED SCHEDULING ORDER setting Discovery cutoff 12/17/93 ; Motion Filing deadline on 1/7/94 ; Pltfs list of unconstitutional remnants 10/15/93; Defts response 11/01/93; Pltfs response 12/01/93; Copies of marked exhibits 01/07/94 Final Pretrial Conf. 01/14/94 at 2:00 PM before Mag. Davis in Aberdeen; Pretrial Conference 01/31/94 at 10:00 AM before Judge Biggers in Oxford; Trial set 02/01/94 at 10:00 AM before Judge Biggers in Oxford. For the orderly presentation

		of evidence at trial, only one attorney representing the plaintiffs and one attorney representing the defendants will be allowed to examine or cross-examine a witness (signed by Magistrate Judge Jerry A. Davis on 09/16/93) (admin) Modified on 10/07/1993
09/17/1993		Deadline updated; set Exhibit deadline to 1/7/94 , ; set Final Pretrial Conference for 2:00 1/14/94 in Aberdeen Magistrate Judge Jerry A. Davis (admin)
09/17/1993		Deadline updated; set Pretrial Conference for 01/31/94 at 10:00 in Oxford , ; set Non-jury Trial for 10:00 2/1/94 in Oxford before Judge Neal B. Biggers Jr. (admin)
09/17/1993	327	ORDER granting in Part [317-1] motion to Compel Discovery (signed by Magistrate Judge Jerry A. Davis on 9/16/93) (lfm)
09/17/1993	328	ORDER granting [316-1] motion to Compel United States to Answer Interrogatories, granting [315-1] motion to Compel Discovery from Private Plaintiffs (signed by Magistrate Judge Jerry A. Davis on 9/16/93) (lfm)
09/17/1993	329	ORDER granting in Part [304-1] motion to Compel a Response to Discovery on Remand (signed by Magistrate Judge Jerry A. Davis on 9/16/93) (lfm)
09/20/1993	330	CIVIL MINUTES for: Discovery conference held 09/13/93, 5:00 PM, Aberdeen, before Mag. Judge Davis. Orders setting deadlines and ruling on motions to compel to follow. (nfs)
09/20/1993		Discovery Hearing held 09/13/93, Aberdeen, before Magistrate Judge Jerry A. Davis (nfs)
09/23/1993	331	ORDER, relating to discovery from Junior/Community Colleges; ordering that the United States reformulate its requests, limiting them to areas that the plaintiffs contend are remnants of the prior de jure dual system of higher education in Mississippi and are affected by the policies of the Junior/Community Colleges; the reformulated requests shall be submitted to the defendants w/in 14 days of this order (by 10/05/93); the U. S. should also utilize discovery devices available to a party against a non-party in order to prevent delay (signed by Magistrate Judge Jerry A. Davis on 09/21/93) (nfs)
09/23/1993	332	ORDER granting in part, denying in part [322-1] motion to Compel Expert Visits; and allowing plaintiffs to inspect the facilities of each four year university and to conduct interviews of university staff and employees of the Board of Trustees for Institutions of Higher Learning by their retained experts and denying requested site visits and interviews for certain Junior/Community Colleges; Site visits/interviews shall be scheduled between the parties in the least disruptive manner possible and will be limited to ten interviews of two hours for each insitution; plaintiffs are granted one three day visit to each institution; this order relates only to employees of the various institutions. Defendants may be represented by counsel and/or their retained expert at the interviews; proceedings may be taped; (signed by Magistrate Judge Jerry A. Davis on 09/21/93) (nfs) Modified on 09/23/1993
09/27/1993	333	RESPONSE by State of Mississippi, Fordice to [322-1] motion to Compel Expert Visits by United States (sjh)
09/30/1993	334	RESPONSE by State of Mississippi, Coahoma Junior, Mississippi Delta, Utica Junior College, Hinds Junior College, Fordice to [321-1] motion to Compel Discovery by United States (nfs)
10/04/1993	335	ORDER allowing additional time until 10/04/93 to file motion for reconsideration.(signed by Magistrate Judge Jerry A. Davis on 10/1/93) (tab)
10/04/1993	336	APPLICATION by Jake Ayers Sr. For Review of Magistrate's Order/Motion For Reconsideration Of District Court's Limitation Of The Scope Of Plaintiffs Counsel Participation On Remand (tab) (Entered: 10/05/1993)
10/06/1993	337	OBJECTION To, And Application for Review of, Magistrate Judge's Order by State of Mississippi, Fordice Re: [332-1] order, [331-1] order relating to discovery from Junior/Community Colleges; ordering that the United States reformulate its requests, limiting them to areas that the plaintiffs contend are remnants of the prior

		de jure dual system of higher education in Mississippi and are affected by the policies of the Junior/Community Colleges; the reformulated requests shall be submitted to the defendants w/in 14 days of this order (by 10/05/93); the U. S. should also utilize discovery devices available to a party against a non-party in order to prevent delay (sjh)
10/07/1993	338	MOTION by United States for Reconsideration of its Order requiring that "for the orderly presentation of evidence at trial, only one attorney representing the plaintiffs and one attorney representing the defendants will be allowed to examine or cross-examine a witness." Attachments to Motion [326-1] Scheduling order [338-1] motion referred to Magistrate Judge Jerry A. Davis (sjh) Modified on 10/07/1993
10/14/1993	339	MOTION by Jake Ayers Sr. to Supplement Discovery [339-1] motion referred to Magistrate Judge Jerry A. Davis (sjh) (Entered: 10/15/1993)
10/14/1993	340	MOTION by Jake Ayers Sr. to Stay in Part the Implementation of the Amended Scheduling Order, to Delay the Trial for Five and One-half Months, and to Reformulate the Scheduling Order [340-1] motion referred to Magistrate Judge Jerry A. Davis (sjh) (Entered: 10/15/1993)
10/14/1993	341	AMENDMENT to Application for Review of Magistrate's Order/Motion for Reconsideration of District Court's Limitation of the Scope of Plaintiffs Counsel Participation on Remand. (sjh) Modified on 11/03/1993 (Entered: 10/15/1993)
10/15/1993	342	MOTION by State of Mississippi, Fordice to Stay Magistrate Judge Orders (sjh)
10/15/1993	343	RESPONSE by United States to [337-1] objection to and Application for Review of Magistrate Judge's Order by Fordice, State of Mississippi (sjh)
10/15/1993	344	ORDER ordering that the Court finds that the order allowing expert interviews should not be stayed and that the expert interviews should proceed the week of October 18, 1993. The defendants are granted until November 5, 1993, to respond to plaintiffs' list of unconstitutional remnants of Mississippi's de jure system of education (signed by Magistrate Judge Jerry A. Davis on 10/14/93) (sjh)
10/15/1993	345	ORDER Ordering that the private plaintiffs have requested that the Court modify that portion of the case management order concerning the presentation of evidence during the remand hearing. The undersigned declines to modify that order since it falls squarely within the trial management responsibilities of District Judge Biggers. The procedures for conduct of the trial should be addressed to Judge Biggers (signed by Magistrate Judge Jerry A. Davis on 10/14/93) (sjh)
10/15/1993	346	ORDER denying [342-1] motion to Stay Magistrate Judge Orders (signed by Judge Neal B. Biggers Jr. on October 15, 1993) (lw)
10/18/1993	347	Private Plaintiffs' REVISED List of Remnants, October 15, 1993. (sjh) Modified on 11/08/1993
10/18/1993	348	LIST of Current Remnants Submitted by the United States. (sjh) Modified on 11/08/1993 (Entered: 10/19/1993)
10/18/1993	349	EXPERT WITNESSES by United States (sjh) Modified on 11/08/1993 (Entered: 10/19/1993)
10/22/1993	350	NOTICE by State of Mississippi, Fordice to take depositions of Plaintiffs' Expert Witnesses in Jackson, MS on the following: Dr. Kasier, Dr. Richardson, Dr. Seals (11/29/93); Dr. Allen, Dr. Claque, Conrad (11/30/93); Dr. Anderson, Dr. Leslie (12/01/93); Dr. Haney, Dr. Lamson (12/02/93); Dr. Harrison, Dr. Joiner, Dr. Peoples (12/06/93); Dr. Johnson, Dr. Little, Dr. Whisenton (12/07/93); Mr. J. Brown, Dr. Humphries, Dr. Lundy (12/08/93); Dr. Blake, Professor Loewen, D. Sullivan (12/09/93). (sjh) Modified on 11/08/1993
10/26/1993	351	MOTION by Jake Ayers Sr. for Protective Order against Defendants' Notice of Depositions of Plaintiffs' Expert Witnesses (sjh) Modified on 11/08/1993 (Entered: 10/27/1993)

11/01/1993	352	ORDER denying [340-1] motion to Stay in Part the Implementation of the Amended Scheduling Order, to Delay the Trial for Five and One-half Months, and to Reformulate the Scheduling Order (signed by Judge Neal B. Biggers Jr. on 11/01/93) (nfs) Modified on 11/08/1993
11/02/1993	353	ORDER denying [336-1] motion For Review of Magistrate's Order/Motion For Reconsideration Of District Court's Limitation Of The Scope Of Plaintiffs Counsel Participation On Remand (signed by Judge Neal B. Biggers Jr. on 11/02/93) (nfs) Modified on 11/08/1993
11/02/1993	354	NOTICE OF APPEAL of [352-1] order by Jake Ayers Sr.. FILING FEE \$ 105.00 RECEIPT # 36653 Appeal record due on 12/3/93 Transcript Order mailed to Counsel Chambliss. (sjh) Modified on 11/08/1993 (Entered: 11/03/1993)
11/02/1993		Notice of Appeal and certified copy of docket to USCA: [355-1] appeal by Jake Ayers Sr. (sjh) Modified on 11/03/1993 (Entered: 11/03/1993)
11/03/1993	355	RESPONSE by State of Mississippi, Fordice to [352-1] motion for Protective Order against Defendants' Notice of Depositions of Plaintiffs' Expert Witnesses by Jake Ayers Sr. (lw) Modified on 11/08/1993 (Entered: 11/04/1993)
11/08/1993	356	NOTICE/DECLARATION of Armand Derfner, Esq. (nfs) Modified on 11/08/1993
11/08/1993	357	RESPONSE by Board of Trustees of Institutions of Higher Learning, et al, in opposition to [347-1] Private Plaintiffs' Revised List of Remnants (nfs) Modified on 11/08/1993
11/08/1993	358	RESPONSE by Board of Trustees of Institutions of Higher Learning, et al, in opposition to [348-1] List of Current Remnants Submitted by the United States (nfs)
11/08/1993	359	DESIGNATION OF EXPERTS by Board of Trustees of State Institutions of Higher Learning, et al (nfs)
11/12/1993	360	MOTION by Jake Ayers Sr. for Leave to File Pleadings to Preserve the Jurisdiction of the Court of Appeals (sjh) (Entered: 11/15/1993)
11/12/1993	361	MOTION by Jake Ayers Sr. for Protective Order Against the United States Notice of Depositions Filed on November 11, 1993 (sjh) Modified on 11/15/1993 (Entered: 11/15/1993)
11/15/1993		USCA Case Number Re: [354-1] appeal by Jake Ayers Sr. USCA NUMBER: 93-7688 (sjh) Modified on 11/15/1993
11/15/1993		Mailed copy of Motion & Order Pleadings #340 & #352 to the Court of Appeals as per requested on Friday. (sjh)
11/15/1993	362	CIVIL MINUTES for: TELEPHONE CONFERENCE – Court held telephonic conference with parties on private plaintiffs' motion for protective order; discovery deadlines and present trial date. The government will file an official motion concerning discovery and Magistrate Judge Davis to confer with parties and make recommendation on failure to proceed with today's scheduled deposition. (sjh)
11/18/1993	363	MOTION by United States Requesting that a Status Conference be Conducted to Discuss Extending the Discovery and Trial Schedule (sjh)
11/19/1993	364	Number 364 skipped. (nfs) (Entered: 11/06/1995)
11/19/1993	365	ORDER denying [361-1] motion for Protective Order Against the United States Notice of Depositions Filed on November 11, 1993. Depositions shall proceed as notice by the United States unless rescheduled by the parties. (signed by Magistrate Judge Jerry A. Davis on 11/16/93) (sjh)
11/19/1993	366	RESPONSE by State of Mississippi, Fordice to [363-1] motion Requesting that a Status Conference be Conducted to Discuss Extending the Discovery and Trial Schedule by United States (lw) (Entered: 11/22/1993)
11/26/1993	367	ORDER denying [351-1] motion for Protective Order against Defendants' Notice of Depositions of Plaintiffs' Expert Witnesses (signed by Magistrate Judge Jerry A. Davis on 11/23/93) (sjh)

11/29/1993	368	JUDGMENT OF USCA (certified copy) Re: [354-1] appeal by Jake Ayers Sr.; granting appellees' motion to dismiss the appeal; denying as moot appellants' motion to expedite the appeal ; denying as moot appellants' motion to consolidate appeal with 93-7711; denying as moot appellants' motion to dispense with filing the record excerpts (nfs) (Entered: 12/01/1993)
11/29/1993	369	JUDGMENT OF USCA (certified copy) Re: [354-1] appeal by Jake Ayers Sr., denying the Petition for Writ of Mandamus. "We are confident that the district court will permit examination or cross examination of individual witnesses by more than one plaintiff's counsel if counsel demonstrates an important particularized need to do so". (nfs) (Entered: 12/01/1993)
12/02/1993	370	NOTICE OF SERVICE of Amendment to Private Plaintiffs' Answers to Interrogatories to Private Plaintiffs (On Remand) by Jake Ayers Sr. to State of Mississippi, Coahoma Junior, Mississippi Delta, Utica College, Hinds Junior College, Fordice (lfm)
12/02/1993	371	NOTICE OF SERVICE of Second Requests for Production of Amended Documents by Jake Ayers Sr. to State of Mississippi, Coahoma Junior, Mississippi Delta, Utica College, Hinds Junior College, Fordice (lfm)
12/09/1993	372	NOTICE OF SERVICE Defts' Response to Private Plfts' Second Set of Interrogatories on Remand & Defts' Response to Private Plfts' Second Request for Production of Documents on Remand. (sta)
12/10/1993	373	ORDER denying [253-1] motion on Remand for Clarification and/or Reconsideration of Procedure in Order Setting Status Hearing and Scheduling Conference (signed by Magistrate Judge Jerry A. Davis on 12/08/93) (sjh)
12/13/1993	374	ORDER DENYING Private Plaintiffs' Designation of "Baker-Cooper" Experts; however, the plaintiffs may retain these experts as consultants to assist their previously designated experts in the area of facilities (signed by Magistrate Judge Jerry A. Davis on 12/10/93) (sjh)
12/13/1993	375	Practicable Alternatives to Remnants that State Contends are Justified Submitted by the United States. (sjh)
12/13/1993	376	RESPONSE by Jake Ayers Sr. to Paragraph 3. of the Amended Scheduling Order Concerning Practicable Alternatives [352-1] order (sjh)
12/15/1993	377	NOTICE OF SERVICE of Response to Second Set of Interrogatories on Remand and Second Request for Production of Documents on Remand by State of Mississippi, Fordice to United States (sjh)
12/22/1993	378	JUDGMENT OF USCA Issued as Mandate (12/16/93) Ordering that appellees' motion to dismiss the appeal is GRANTED; Further Ordered that appellants' motion to expedite the appeal is DENIED AS MOOT; that appellants' motion to consolidate this appeal with 93-7711, in re: Jake Ayers, Jr., et al., is DENIED AS MOOT; that appellants' motion to dispense with filing the record excerpts is DENIED AS MOOT (certified copy) Re: [354-1] appeal by Jake Ayers Sr. (sjh)
12/30/1993	379	ORDER that the visit of the Baker-Cooper consultants to the various campuses shall be accomplished on weekdays, except for New Years's Eve, and during normal working hours. However, the previously arranged visit to Alcorn State University on 1/8/94 may proceed. The plaintiffs may depose the remaining university presidents not previously deposed and four of the remaining IHL trustees not previously deposed. No 30(b)(6) depositions may be noticed during the period of extended discovery. Private plaintiffs may designate Asa Hillard, Lemore Carter & Jack D. Foster as true experts and defendants may schedule their depositions. (signed by Magistrate Judge Jerry A. Davis on 12/29/93) (tab)
01/05/1994		NOTICE of Final Pretrial Conference Reset at 2:00 1/14/94 Location: Oxford, MS before Magistrate Judge Jerry A. Davis (sjh)
01/11/1994	380	MOTION by Jake Ayers Sr. to Compel Discovery (and Overturn Magistrate's Order) [380-1] motion referred to Magistrate Judge Jerry A. Davis (sjh) (Entered: 01/12/1994)

01/11/1994	381	MOTION by Jake Ayers Sr. to ReJoin Junior/Community College Issues [381-1] motion referred to Magistrate Judge Jerry A. Davis (sjh) (Entered: 01/12/1994)
01/18/1994	382	RESPONSE by State of Mississippi, Fordice to [380-1] motion to Compel Discovery (and Overturn Magistrate's Order) by Jake Ayers Sr. (lfm) (Entered: 01/19/1994)
01/24/1994	383	RESPONSE by State of Mississippi, Fordice to [381-1] motion to ReJoin Junior/Community College Issues by Jake Ayers Sr. (sjh)
01/25/1994	384	ORDER setting Response to Motion to 1/31/94 for [380-1] motion to Compel Discovery (and Overturn Magistrate's Order) (signed by Magistrate Judge Jerry A. Davis on 1/24/94) (tab)
01/25/1994	385	ORDER GRANTING REQUEST FOR CONTINUANCE OF TRIAL (UNTIL 05/02/94) AND TO CONDUCT SETTLEMENT NEGOTIATIONS WHICH HAVE BEEN REFERRED TO MAGISTRATE JUDGE DAVIS TO FOLLOW THE SETTLEMENT PRINCIPLES AS ARE ESTABLISHED IN THE ORDER Reset Non-jury Trial for 5/2/94 (signed by Judge Neal B. Biggers Jr. on 01/25/94) (sjh)
01/26/1994	386	ORDER denying Plaintiffs' Motion to Reverse the Discovery Order of the Magistrate Judge (untimely filed) [380-1] motion to Compel Discovery (and Overturn Magistrate's Order) (signed by Judge Neal B. Biggers Jr. on 01/25/94) (sjh)
01/27/1994	387	ORDER denying [381-1] motion to ReJoin Junior/Community College Issues (signed by Judge Neal B. Biggers Jr. on 1/27/94) (tab)
02/02/1994	388	RESPONSE by State of Mississippi, Fordice to [304-1] motion to Compel Further Responses to Their Second Wave of Discovery on Remand by Jake Ayers Sr. (sjh)
02/02/1994	389	AMENDED RESPONSE by State of Mississippi, Fordice to [347-1] Private Plaintiffs' Revised List of Remanants. (sjh)
02/02/1994	390	RESPONSE by State of Mississippi, Fordice to [348-1] to List of Current Remnants Submitted by the United States. (sjh)
02/09/1994	391	NOTICE OF SERVICE Response To 3rd Set of Interrogs by State of Mississippi to Jake Ayers Sr. (tab)
02/18/1994		Settlement Conference set on 1:30, 2/22/94, in Oxford, before Magistrate Judge Jerry A. Davis (nfs)
02/22/1994	392	ORDER that plaintiff Bennie Thompson to Show Cause by February 28, 1994 Why Sanctions Should Not be Imposed For Violating Court's Order of 1/25/94 (signed by Magistrate Judge Jerry A. Davis on 2/22/94) (admin)
02/28/1994	393	NOTICE OF SERVICE of Response to Third Request for Productin of Documents on Remand by State of Mississippi, Fordice to Jake Ayers Sr. (sjh)
02/28/1994	394	NOTICE of Attorney Appearance John L. Walker Specially Appearing to Represent Honorable Bennie G. Thompson Regarding the Febuary 22, 1994 Order to show Cause and Related Matters. (sjh)
02/28/1994	395	MOTION by Honorable Bennie G. Thompson, U.S. Congressman to Quash, Vacate, and/or Set Aside the February 22, 1994 Order to Show Cause and Motion to Defer Further Response to Order to Show Cause Until Final Disposition of Motion to Vacate, Etc. [395-1] motion referred to Magistrate Judge Jerry A. Davis (sjh) Modified on 02/28/1994
03/09/1994	396	ORDER that Ray Cleere , MS Commissioner of Higher Education Show Cause by 03/14/94, why sanctions should not be imposed for violating the court's order of 01/25/94 Copy of Newspaper Article reporting public comments is attached (signed by Magistrate Judge Jerry A. Davis on 03/09/94) (sjh) (Entered: 03/10/1994)
03/10/1994	397	ORDER that Sanctions will not be imposed as to Ray Cleere (signed by Judge Neal B. Biggers Jr. on 03/10/94) (sjh) (Entered: 03/11/1994)

03/11/1994	398	ORDER that Plaintiff Louis Armstrong Show Cause by 03/16/94, why Sanctions should not be imposed for violating the Court's Order of 01/25/94 (signed by Judge Neal B. Biggers Jr. on 03/10/94) (sjh)
03/14/1994	399	RESPONSE by State of Mississippi to [396-1] order that Ray Cleere , MS Commissioner of Higher Education Show Cause by 03/14/94, why sanctions should not be imposed for violating the court's order of 01/25/94 (nfs)
03/18/1994	400	MOTION by Louis Armstrong to Extend Time to Show Cause [400-1] motion referred to Magistrate Judge Jerry A. Davis (sjh) (Entered: 03/21/1994)
03/18/1994	401	NOTICE of Attorney Appearance for Louis Armstrong by Ellis Turnage. (sjh) (Entered: 03/21/1994)
03/23/1994	402	ORDER granting [400-1] motion to Extend Time to Show Cause, Respond to Show Cause Order until 3/10/94 (signed by Magistrate Judge Jerry A. Davis on 03/22/94) (sjh)
03/31/1994		NOTICE of Final Pretrial Conference set at 10:00 a.m., 4/22/94 Location: Courtroom #1, Oxford before Magistrate Judge Jerry A. Davis (tab)
04/04/1994	403	ORDER GRANTED pursuant to ore tenus motion of Plaintiff Louis Armstrong until 04/08/94 to respond to the order to Show Cause (signed by Magistrate Judge Jerry A. Davis on 04/01/94) (sjh)
04/04/1994	404	ORDER denying [258-1] motion to Intervene as Amicus Curiae by Martha Marie McElroy, on Behalf of the Student Government Association of Mississippi University for Women and Others (signed by Judge Neal B. Biggers Jr. on 04/04/94) (sjh) (Entered: 04/07/1994)
04/07/1994	405	MOTION by Louis Armstrong to Dismiss Order To Show Cause with memorandum [405-1] motion referred to Magistrate Judge Jerry A. Davis (tab)
04/08/1994	406	Supplemental RESPONSE by State of Mississippi, Fordice to [375-1] remark (to List of Current Remnants Submitted by the United States. (sjh) (Entered: 04/11/1994)
04/12/1994	407	SUPPLEMENTAL AREAS/RESPONSE by Jake Ayers Sr. to [348-1] List of Current Remnants submitted by the US/Private Plaintiffs (lfm) (Entered: 04/13/1994)
04/21/1994	408	MOTION by Jake Ayers Sr. to Continue Trial (tab)
04/25/1994	409	ORDER denying [323-1] motion to Compel Responses to Discovery Concerning Junior and Community Colleges (signed by Magistrate Judge Jerry A. Davis on 4/22/94) (tab)
04/25/1994	410	ORDER denying further discovery (signed by Magistrate Judge Jerry A. Davis on 4/22/94) (tab)
04/25/1994	411	MOTION by Martha Marie McElroy for Reconsideration of [404-1] order denying [258-1] motion to intervene (tab) (Entered: 05/04/1994)
04/26/1994	412	ORDER granting [408-1] motion to Continue Trial, and reset Non-jury Trial for 10:00 a.m., Oxford 5/9/94 (signed by Judge Neal B. Biggers Jr. on 4/26/94) (tab) (Entered: 05/04/1994)
04/28/1994	413	DEPOSITION designations by private plaintiffs. (tab)
04/29/1994	414	NOTICE of Attorney Appearance for Jake Ayers Sr. by Otis Berry. (tab)
04/29/1994	415	NOTICE of Appearance of Willie Perkins. (tab)
04/29/1994	416	NOTICE of Appearance for counsels who may participate in proceedings – J. Clay Smith & Solomon Osborne. (tab)
04/29/1994	417	NOTICE of Attorney Appearance for Jake Ayers Sr. by Callestyne Hall-Crawford (tab)
04/29/1994	418	SUPPLEMENTAL Witness list by Jake Ayers Sr. (tab)

04/29/1994	419	MOTION by United States To Limit Siskin Evidence (tab)
04/29/1994	420	MOTION by United States To Adopt Proposed Order Of Proof (tab)
04/29/1994	421	MOTION by Jake Ayers Sr. To Adopt Order Of Proof And Burden Of Proof (tab)
04/29/1994	422	MOTION by Jake Ayers Sr. For Discovery On Newly Offered Remedial Plan (tab)
05/02/1994	423	NOTICE OF RECEIPT by United States OF ORIGINAL DEPOSITION of Duane Acker, Dr. Joseph Samuel Anzalone, Gwen Ayers, John Bowman, Hunter R. Boylan, Dr. Lamore Joseph Carter, J. Kent Caruthers, Bela J. Chains, W. Ray Cleer, Ph.D, Ron Core, William Crawford, Denis J. Curry, Dr. Michael Dingerson, Arthur J. Doyle, Vernetta Fairley, Jimmy Farris, Victor E. Feisal, Ph.D, R. Rodney Foil, Joyce Giglioni, Clyde Ginn, Janice H. Goree, Joe Haynes, Will Hickman, Dr. Asa Hilliard, Thomas G. Hood, Ray Hoops, Roy Hudson Ed. D., Joseph B. Johnson, James W. Loewen, Ph.D., Aubrey Lucas, Dr. Harold W. Lundy, James Luvene, Dr. James Lyons, Lucy Martin, Ph.D., Cassie Pennington, Ph.D., John Arthur Peoples, Jr., J. P. Mills, Carl Nicholson, Neal O. Nored, James B. Olsen, Ph. D., Charles Pickett, Dr. Clyda S. Rents, Ph.D., Sidney Rushing, Bernard R. Siskin, Ph.D., Carolyn Ellis Staton, Ester Stokes, Daniel J. Sullivan, Dr. William Suttten, Ph.d., Gerald Turner, Dr. Walter Washington, Mr. David K. Wells, James H. Wharton, Dr. Forest Wyatt, &Donald Zacharias. (tab) (Entered: 05/03/1994)
05/04/1994	424	ORDER denying [411-1] motion for Reconsideration of [404-1] order denying [258-1] motion to intervene (signed by Judge Neal B. Biggers Jr. on 5/4/94) (tab)
05/04/1994	425	NOTICE OF INTERLOCUTORY APPEAL of [404-1] order by Martha Marie McElroy FILING FEE \$ 105.00 RECEIPT # 37910 (admin) Modified on 05/05/1994
05/05/1994	426	PRETRIAL ORDER filed. Estimated length of non-jury trial 40 days (signed by Judge Neal B. Biggers Jr. on 5/5/94) (tab)
05/06/1994	427	MOTION by Jake Ayers Sr., Bennie G. Thompson, Louis Armstrong For An Order Allowing The Presidents Of Mississippi Valley State University, Alcorn State University, And Jackson State University To Be Represented By Counsel Pursuant To Law (tab) (Entered: 05/09/1994)
05/09/1994	428	OBJECTION by State of Mississippi, Coahoma Junior, Mississippi Delta, Utica Junior College, Hinds Junior College, Fordice Re: [419-1] motion To Limit Siskin Evidence by United States (tab)
05/09/1994	429	NOTICE OF SERVICE Supplemental Interrogatory Response Regarding Expert Dr. Bernard Siskin by State of Mississippi, Coahoma Junior, Mississippi Delta, Utica Junior College, Hinds Junior College, Fordice to Jake Ayers Sr. (tab)
05/09/1994		Non-Jury Trial held on 05/09/94 through 07/14/94, Oxford, MS before Judge Biggers. (sjh) (Entered: 08/04/1994)
05/12/1994	430	ORDER denying [422-1] motion For Discovery On Newly Offered Remedial Plan (signed by Magistrate Judge Jerry A. Davis on 05/10/94) (sjh)
05/13/1994		USCA Case Number Re: USCA NUMBER: 94-60311 (tab)
05/13/1994	431	OBJECTION by Jake Ayers Sr. Re: [430-1] order denying additionally discovery, etc. (lw) (Entered: 05/16/1994)
05/16/1994	432	ORDER denying [419-1] motion To Limit Siskin Evidence (signed by Magistrate Judge Jerry A. Davis on 5/12/94) (tab)
05/16/1994	433	RESPONSE by State of Mississippi, Fordice to [427-1] motion For An Order Allowing The Presidents Of Mississippi Valley State University, Alcorn State University, And Jackson State University To Be Represented By Counsel Pursuant To Law by Louis Armstrong, Bennie G. Thompson, Jake Ayers Sr. (lw)
05/18/1994	434	RESPONSE by State of Mississippi, Fordice to [422-1] motion For Discovery On Newly Offered Remedial Plan by Jake Ayers Sr. (sjh)
05/20/1994		SCHEDULE of witnesses for remainder of Government's case in Chief. (lw) Modified on 05/24/1994

05/23/1994		SCHEDULE of witnesses for remainder of Private Plaintiffs' case in chief. (lw) (Entered: 05/24/1994)
05/25/1994	435	SUBMISSION on scheduling ordered by the court (tab) (Entered: 05/26/1994)
05/25/1994	436	OBJECTION by United States Re: [430-1] order denying motion to limit Sisken Evidence (tab) (Entered: 05/26/1994)
05/25/1994	437	RESPONSE by United States Regarding Scheduling (tab) (Entered: 05/26/1994)
05/27/1994	438	SCHEDULING ORDER: Private Plaintiff's will have 5 days from this date, today included, to present the remainder of their case in chief, resting the end of the day, 6/1/94; the Govt. will have 7 days to complete the remainder of its case in chief, resting the end of the day, 6/10/94; the Deft.'s will have 15 days to present their case in chief, including proposed remedies, resting the end of the day 7/1/94; Plaintiffs' will then have 1 week for rebuttal testimony in phase 3, allotted 2 1/2 days to each of the Plaintiff's, resting phase 3 of their case the end of the day 7/8/94; the Defts.' will then have a maximum of 2 days for any surrebuttal, resting the end of the day 7/12/94. The basis of this Order is as previously announced to counsel in chambers & on the record (signed by Judge Neal B. Biggers Jr. on 5/26/94) (tab)
05/30/1994	439	ORDER AFFIRMING magistrate judge's [430-1] order denying private plttfs' motion for discovery on the dfts' current remedial plan (signed by Judge Neal B. Biggers Jr. on 5/30/94) (admin)
06/08/1994	440	ORDER denying [436-1] objection by United States of Magistrate Judge's Ruling of 05/12/94. The Magistrate Judge's Ruling is AFFIRMED (signed by Judge Neal B. Biggers Jr. on 06/07/94) (sjh)
06/15/1994	441	ORDER (Hand-delivered) directing that during the remainder of this trial the cross-examination of the witnesses by both plaintiffs & defendants will be limited to an amount of time no longer than the time the witness was under direct examination. Order applies to all parties hereto but nothing herein prohibits the various plaintiffs' counsel from designating one attorney to conduct the entire cross-examination of a witness, or agreeing on a proportional amount of the allotted time to be utilized by each of two attorneys. If such an agreement is not reached, however, the allotted time for cross-examination will be equally divided half & half between the attorneys who cross-examine. The courtroom deputy clerk will keep a record of the time used by each party for direct examination of each witness and notify counsel of that time prior to the cross-examination of the witness. (signed by Judge Neal B. Biggers Jr. on 6/15/94) (tab) Modified on 06/15/1994
06/16/1994	442	PROOF OF SERVICE of Subpoena by Jake Ayers Sr. Subpoena served on Dr. Gerald Turner (tab) (Entered: 06/17/1994)
06/22/1994	443	ORDER granting [258-1] motion to Intervene as Amicus Curiae by Martha Marie McElroy, on Behalf of the Student Government Association of Mississippi University for Women and Others; the court should and it will grant the request of the movant herein so as to provide an opportunity for the president of MUW, and if desired other representative of the university to testify in this case. This testimony will be received by the court during the week of July 11 for one-half day of court, including cross-examination. The court is advised that the attorneys for the movants herein have ordered daily transcripts of the testimony of this trial as it has progressed. The movants are therefore aware of the issues in this case as they affect MUW and will be limited to the issues of this trial (signed by Judge Neal B. Biggers Jr. on 6/21/94) (tab)
06/27/1994	444	PROOF OF SERVICE of Subpoena by Jake Ayers Sr. Subpoena served on R. Jones, C. Slaughter-Harvey, J. Franklin, C. Miller, Dr. W. Ware, A. Shirley, J. Gentry, Dr. R. Dilworth, Dr. C. Johnson, Senator A. Harden, L. McLemore, A. Johnson, F. Henderson, J. Hendricks, Dr. M. Williams, E. Caine, Dr. J. Hefner, Dr. W. Washington, Dr. W. Sutton, Dr. F. Jackson, Dr. J. Lyons, Sr., Dr. A. George, Dr. N. Boyd, M. Thomas, J. Harris, S. Dupree, R. Henderson. (sjh) (Entered: 06/28/1994)

07/01/1994	445	DEFENDANTS' OBJECTIONS & Cross-designation To Deposition testimony offered by Plaintiffs (tab) (Entered: 07/05/1994)
07/06/1994	446	NOTICE of Appearance of Counsel by William A. Clineburg, Jr. for MUW Foundation, Inc., & MUW Alumni Association (tab)
07/11/1994	447	MOTION by Jake Ayers Sr. For Admission of Exhibits Into Evidence Conditionally (sta)
07/11/1994	448	MOTION by Jake Ayers Sr. for Appointment of Counsel For HBCU'S Presidents And/Or Institutions (sta)
07/11/1994	449	MOTION by Jake Ayers Sr. for Leave to File To Allow Testimony By Telephonic Means Pursuant To Rule 26 And/Or Depositions, Alternatively, Allow The Submitting Of Written Testimony Prior To The Close Of The Record (tab) (Entered: 07/12/1994)
07/11/1994	450	AFFIDAVIT of Alvin O. Chambliss, Jr. by Jake Ayers Sr. Re: [449-1] motion for Leave to File To Allow Testimony By Telephonic Means Pursuant To 26 And/Or Depositions, Alternatively, Allow The Submitting Of Written Testimony Prior To The Close Of The Record by Jake Ayers Sr. (tab) (Entered: 07/12/1994)
07/14/1994	451	CIVIL MINUTES for: NON-JURY TRIAL held 05/09/94 through 07/14/94 - 53 Days, before Judge Biggers, Oxford, MS. CASE UNDER ADVISEMENT. Exhibits Introduced. Briefs to be Submitted by: Plaintiff within 60 days; Defendant within 60 days and Rebuttal 30 days thereafter by all parties. (sjh) Modified on 08/22/1994
07/14/1994	452	Witness list (sjh)
07/14/1994	453	Remand Exhibit list by Jake Ayers Sr. (sjh) Modified on 07/14/1994
07/14/1994	454	Remand Exhibit list by United States (sjh) Modified on 07/14/1994
07/14/1994	455	Remand Exhibit list for Defendants (sjh)
07/14/1994	456	Remand Exhibit list of MS University for Women (MUW) (sjh)
07/26/1994	457	PROOF OF SERVICE of Subpoena by Jake Ayers Sr. Subpoena served on Connie Roehs, W. C. Gorden, Frank Melton, Case Pennington, Dr. Thomas Portier, Dr. Robert Young, Talmage Portis, Ricki Garrett, & Louise Boston (tab)
08/15/1994	458	ORDER Received from Court of Appeals dated 08/09/94 per Students of MS Univ for Women ORDERING that Appeal is DISMISSED without prejudice to the right that either party to reinstate the appeal by letter to the Clerk of this Court within 180 days from this date. Unless the Appeal is reinstated within that time, or the foregoing time is extended, the appeal will be considered dismissed with prejudice. (sjh) (Entered: 08/17/1994)
09/06/1994	460	MOTION by Jake Ayers Sr., et al, to Extend Time until 10/25/94 to submit post trial pleadings (nfs) (Entered: 09/07/1994)
09/07/1994	459	MOTION by United States to Extend Time until 10/14/94 to complete and file its Proposed Findings of Fact and Conclusions of Law (nfs)
09/08/1994	461	RESPONSE by State of Mississippi to [459-1] motion to Extend Time until 10/14/94 to complete and file its Proposed Findings of Fact and Conclusions of Law by United States, [460-1] motion to Extend Time until 10/25/94 to submit post trial pleadings by Jake Ayers Sr. (nfs)
09/08/1994	462	REPLY by Jake Ayers Sr., et al, to response to [459-1] motion to Extend Time until 10/14/94 to complete and file its Proposed Findings of Fact and Conclusions of Law by United States, [460-1] motion to Extend Time until 10/25/94 to submit post trial pleadings by Jake Ayers Sr. (nfs)
09/09/1994	463	ORDER granting [459-1] motion to Extend Time until 10/14/94 to complete and file its Proposed Findings of Fact and Conclusions of Law, granting [460-1] motion to Extend Time until 10/25/94 to submit post trial pleadings, Reset Brief deadline to 10/11/94 (signed by Judge Neal B. Biggers Jr. on 09/09/94) (sjh)

10/11/1994		RECEIVED Post Trial Briefs of the Alumnae Association and Foundation of the MISSISSIPPI UNIVERSITY FOR WOMEN. Forwarded to Judge Biggers. (lw)
10/11/1994	464	MOTION & memorandum by United States To Exceed The Limit On Pages Related To Trial Briefs (tab) Modified on 10/11/1994
10/11/1994	465	UNITED STATES' REMAND FINDINGS OF FACT AND CONCLUSIONS OF LAW (tab)
10/11/1994	466	PRIVATE PLAINTIFFS' FINDINGS OF FACT AND CONCLUSIONS OF LAW on remand (tab) (Entered: 10/12/1994)
10/11/1994		RECEIVED memorandum of law by private plaintiffs (tab) (Entered: 10/12/1994)
10/11/1994	467	MOTION by Jake Ayers Sr. for Interim Attorney Fees & Expenses (tab) Modified on 10/12/1994 (Entered: 10/12/1994)
10/11/1994	468	MOTION by Jake Ayers Sr., Bennie G. Thompson, Louis Armstrong To Stop Racial Exclusion/Request For Counsel For Black College Presidents (tab) (Entered: 10/12/1994)
10/11/1994	469	MOTION by Jake Ayers Sr., Bennie G. Thompson, Louis Armstrong for Temporary Restraining Order (tab) (Entered: 10/12/1994)
10/11/1994	470	MOTION by Mississippi Valley for Leave to File Amicus Curiae Brief (tab) (Entered: 10/12/1994)
10/11/1994		RECEIVED brief of MVSU National Alumni Assoc. as Amicus Curiae (tab) (Entered: 10/12/1994)
10/13/1994	471	AMENDED MOTION by Jake Ayers Sr., Bennie G. Thompson, Louis Armstrong To Stop Racial Exclusion/Request For Counsel For Black College Presidents (tab) (Entered: 10/14/1994)
10/13/1994	472	AMENDED MOTION by Jake Ayers Sr., Bennie G. Thompson, Louis Armstrong for Temporary Restraining Order (tab) (Entered: 10/14/1994)
10/25/1994	473	MOTION by Jake Ayers Sr., Bennie G. Thompson, Louis Armstrong SECOND AMENDED for Preliminary Injunction [473-1] motion referred to Judge Neal B. Biggers Jr. (lw)
10/25/1994	474	MOTION by Jake Ayers Sr. to Strike defendant's letter of October 11, 1994 to the Court [474-1] motion by Jake Ayers Sr. [474-1] motion referred to Judge Neal B. Biggers Jr. (lw) Modified on 10/28/1994
10/25/1994	475	MOTION by Jake Ayers Sr. To Supplement Record [475-1] motion referred to Judge Neal B. Biggers Jr. (lw)
10/25/1994		RECEIVED from William Sutton President's Report 1988-1993 for Mississippi Valley State University - forwarded to Judge Biggers (lw)
10/26/1994	476	Notice of Motion for Preliminary Injunction (lfm)
10/26/1994	477	RESPONSE by State of Mississippi, Fordice to [471-1] motion To Stop Racial Exclusion/Request For Counsel For Black College Presidents by Louis Armstrong, Bennie G. Thompson, Jake Ayers Sr. (lfm)
10/26/1994	478	RESPONSE by State of Mississippi, Fordice to [472-1] motion for Temporary Restraining Order by Louis Armstrong, Bennie G. Thompson, Jake Ayers Sr. (lfm)
10/26/1994	479	RESPONSE by State of Mississippi, Fordice to [467-1] motion for Interim Attorney Fees & Expenses by Jake Ayers Sr. (lfm)
11/08/1994	480	RESPONSE by United States to [466-1] findings of fact order by Private Plaintiffs. (sjh)
11/09/1994	481	REPLY by Jake Ayers Sr. to response to [473-1] motion SECOND AMENDED for Preliminary Injunction by Louis Armstrong, Bennie G. Thompson, Jake Ayers Sr. (tab)

11/10/1994	482	MOTION by Jake Ayers Sr. for Declaratory Judgment And/Or Instructions Pursuant To Rule 23 (tab)
11/10/1994	483	RESPONSE by Jake Ayers Sr. to Proposed Findings of Fact & Conclusions of Law (On Remand) (tab)
11/10/1994	484	ORDER setting hearing on second amended motion for preliminary injunction; 11/22/94 @ 10:00 a.m., Oxford, MS (signed by Judge Neal B. Biggers Jr. on 11/10/94) (admin) Modified on 11/10/1994
11/10/1994		Motion hearing re: [473-1] motion SECOND AMENDED for Preliminary Injunction by Louis Armstrong, Bennie G. Thompson, Jake Ayers Sr. set at 10:00 11/22/94, [469-1] motion for Temporary Restraining Order by Louis Armstrong, Bennie G. Thompson, Jake Ayers Sr. set at 10:00 11/22/94 Location: Oxford, MS before Judge Neal B. Biggers Jr. (admin)
11/14/1994	485	MOTION by State of Mississippi, Fordice To Admit Supplemental Exhibits Into Record (tab)
11/14/1994	486	RESPONSE by State of Mississippi, Fordice to [473-1] motion SECOND AMENDED for Preliminary Injunction by Louis Armstrong, Bennie G. Thompson, Jake Ayers Sr. (tab)
11/14/1994	487	RESPONSE by State of Mississippi, Fordice to [474-1] motion to Strike defendant's letter of October 11, 1994 to the Court [474-1] motion by Jake Ayers Sr. by Jake Ayers Sr. (tab)
11/14/1994	488	RESPONSE by State of Mississippi, Fordice to [475-1] motion To Supplement Record by Jake Ayers Sr. (tab)
11/17/1994	489	MOTION by Jake Ayers Sr. for Reconsideration Regarding Presentation of Case [484-1] order setting hearing on second amended motion for preliminary injunction; 11/22/94 @ 10:00 a.m., Oxford, MS [489-1] motion referred to Judge Neal B. Biggers Jr. (lw)
11/18/1994		Motion hearing re: [473-1] motion SECOND AMENDED for Preliminary Injunction by Louis Armstrong, Bennie G. Thompson, Jake Ayers Sr. set at 10:00, 12/9/94; Location: Oxford, before Judge Neal B. Biggers Jr. (nfs) (Entered: 12/06/1994)
11/25/1994	490	RESPONSE by State of Mississippi, Fordice to [482-1] motion for Declaratory Judgment And/Or Instructions Pursuant To Rule 23 by Jake Ayers Sr. (tab)
12/09/1994		Motion hearing held 12/9/94 Oxford before Judge Biggers re: [473-1] motion SECOND AMENDED for Preliminary Injunction by Louis Armstrong, Bennie G. Thompson, Jake Ayers Sr. (tab)
12/09/1994	491	CIVIL MINUTES for: Oral Argument on Motion [473-1] motion SECOND AMENDED for Preliminary Injunction taken under advisement; the court allowed the government to present the attached exhibit. (tab)
12/09/1994	492	REQUEST by Jake Ayers Sr. For Judicial Notice & Motion For A Rule 25(c) Determination with appendices (tab)
12/09/1994	493	STATEMENT of evidence where there is no genuine dispute by plaintiffs (tab)
12/13/1994	494	ORDER granting [473-1] motion SECOND AMENDED for Preliminary Injunction; that the Board of Trustees is ENJOINED from altering the admission standards as they existed prior to trial; the Board is not enjoined with respect to the continued development of the spring placement process or the summer remediation program; (signed by Judge Neal B. Biggers Jr. on 12/13/94) COB # 71 pg. 305-308 Date of Entry: 12/13/94 (nfs)
01/31/1995	495	MOTION by Jake Ayers Sr. For Instructions On Implementation of the December 13, 1994 Court Order (tab) (Entered: 02/01/1995)
01/31/1995	496	MOTION by Jake Ayers Sr. To Supplement Record Regarding Implementation Of December 13, 1994 Court Order (tab) (Entered: 02/01/1995)

02/15/1995	497	RESPONSE by State of Mississippi, Fordice to [495-1] motion For Instructions On Implementation of the December 13, 1994 Court Order by Jake Ayers Sr. (tab)
02/15/1995	498	RESPONSE by State of Mississippi, Fordice to [496-1] motion To Supplement Record Regarding Implementation Of December 13, 1994 Court Order by Jake Ayers Sr. (tab)
03/07/1995	499	INDEX TO MEMORANDUM OPINION AND REMEDIAL DECREE. (sjh)
03/07/1995	500	MEMORANDUM OPINION AND REMEDIAL DECREE (signed by Judge Neal B. Biggers Jr. on 03/07/95) (sjh)
03/10/1995	501	NOTICE of Intent to Communicate with Clients/Class Members, submitted by Private Plaintiffs. (nfs)
03/10/1995	502	CLASS Action Notification of Attempt to Communicate with Class Pursuant to F.R.C.P. 23 and 26, with Motion for Declaratory Judgment and/or Instructions pursuant to Rule 23, (Document #482) attached. (nfs)
03/10/1995	503	EMERGENCY MOTION by Jake Ayers Jr., Congressman Bennie Thompson, and Councilman Louis Armstrong for Temporary Restraining Order , re: Court's Ruling of 03/07/95. (nfs)
03/13/1995	504	NOTICE OF SERVICE of TRO Pleadings by Jake Ayers Jr. to State of Mississippi, Fordice (sjh) (Entered: 03/14/1995)
03/14/1995	505	RESPONSE by State of Mississippi, Fordice to [503-1] motion for Temporary Restraining Order by Jake Ayers Jr. (tab)
03/14/1995	506	RESPONSE by State of Mississippi, Fordice to [502-1] Class Action Notification Of Attempt To Communicate With Class Pursuant to FRCP 23 &26 [501-1] Notice Of Intent To Communicate With Clients/Class Members (tab)
03/16/1995	507	ORDER clarifying March 7, 1995, Remedial Decree: That the court-ordered admissions standards effective for the academic year 1995-96 shall apply to only those applications pending on March 8, 1995, and any applications submitted thereafter; (signed by Judge Neal B. Biggers Jr. on 03/16/95) Date of Entry: 03/16/95 (nfs) Modified on 03/17/1995
03/21/1995	508	MOTION by Jake Ayers Jr. to Amend [500-1] Judgment Under Rule 59(e) And To Amend The Findings Under Rule 52(b) (tab)
03/21/1995	509	MOTION by United States to Amend [507-1] Judgment Or Alternatively For Reconsideration of March 16, 1995 Order (tab)
03/21/1995	510	MEMORANDUM by United States in support of [509-1] motion to Amend [507-1] Judgment Or Alternatively For Reconsideration of March 16, 1995 Order by United States (nfs) (Entered: 03/22/1995)
03/27/1995	511	MOTION by Jake Ayers Jr. for Extension of Time of One (1) Day to Supplement The Emergency Tempory Restraining Order (lfm) (Entered: 03/28/1995)
03/27/1995	512	AMENDED MOTION by Jake Ayers Jr. to Alter Judgment referring to: [508-1] motion to Amend [500-1] Judgment Under Rule 59(e) And To Amend The Findings Under Rule 52(b) by Jake Ayers (lfm) (Entered: 03/28/1995)
03/28/1995	513	MOTION by Jake Ayers Jr. for Extension of Time of one day to supplement the emergency temporary restraining order (lfm) (Entered: 03/29/1995)
03/28/1995	514	SECOND AMENDED MOTION by Jake Ayers Jr. to Alter or Amend the Judgment referring to: [508-1] motion to Amend [500-1] Judgment Under Rule 59(e) And To Amend The Findings Under Rule 52(b) by Jake Ayers (lfm) (Entered: 03/29/1995)
04/06/1995	515	RESPONSE by State of Mississippi, Fordice to [514-1] supplemental amended motion to Alter or Amend the Judgment by Jake Ayers Jr. (tab)
04/06/1995	516	PETITION by Jake Ayers Jr. for Attorney Fees (nfs)

04/06/1995	517	DECLARATION in support of [516-1] Petition for Attorney Fees by Armand Derfner (nfs)
04/06/1995	518	DECLARATION in support of [516-1] Petition for Attorney Fees by Robert Pressman (nfs)
04/07/1995	519	Private Plaintiffs' Memorandum Concerning the Inappropriateness of the Court's Reliance upon Availability of the Community College System in Approving the board's Admission Proposal. (sjh)
04/10/1995	520	MOTION by Jake Ayers Jr. for An Open Hearing (lfm)
04/10/1995	521	MOTION by Jake Ayers Jr. For Supplementation of the Record (lfm)
04/10/1995	522	RESPONSE by State of Mississippi, Fordice to [509-1] motion to Amend [507-1] Judgment Or Alternatively For Reconsideration of March 16, 1995 Order by United States (lfm)
04/12/1995	523	ORDER granting [509-1] motion to Amend [507-1] Judgment Or Alternatively For Reconsideration of March 16, 1995 Order; that the United States' alternative motion for reconsideration of the March 16, 1995 order, joined in by the private plaintiffs, is GRANTED; and that the court-ordered admissions standards shall not be effective until the 1996-97 academic year and shall be implemented and applied to all applicants for admission for academic years 1996-97 and thereafter. The necessary programs and procedures shall be put into place and made ready as soon as practical; (signed by Judge Neal B. Biggers Jr. on 04/12/95) Date of Entry: 04/12/95 (nfs)
04/12/1995	524	MOTION by Jake Ayers Jr. for Rejection of Confession of Judgment on Defendants' Terms and Request for the Court to Continue Monitoring the Issue (nfs)
04/14/1995	525	RESPONSE by State of Mississippi, Fordice to [514-1] supplemental amended motion to Alter or Amend the Judgment by Jake Ayers Jr., [512-1] supplemental amended motion to Alter Judgment by Jake Ayers Jr., [508-1] motion to Amend [500-1] Judgment Under Rule 59(e) And To Amend The Findings Under Rule 52(b) by Jake Ayers Jr. (lfm)
04/20/1995	526	ORDER granting in part, denying in part [508-1] motion to Amend [500-1] Judgment Under Rule 59(e) And To Amend The Findings Under Rule 52(b); Paragraph 1 of the Remedial Decree is AMENDED to the following: "All submissions to the Monitoring committee by any party shall be served on all parties and all parties shall have have an opportunity to respond to all submissions. The Monitoring Committee may ask for additional information in its discretion. Any recommendations of the Monitoring Committee to the court are advisory only"; Paragraph 11 of the Remedial Decree is AMENDED by changing the second word in said paragraph from "State" to "Board; All other motions previously filed but not previously or herein ruled on are DENIED. (Signed by Judge Neal B. Biggers, Jr., on 04/20/95); Date of Entry: 04/21/95; COB72, pgs. 179-180. (nfs) Modified on 04/24/1995 (Entered: 04/21/1995)
04/21/1995	527	RESPONSE by State of Mississippi, Fordice to [516-1] Petition for Attorney Fees by Jake Ayers Jr. (tab)
04/27/1995	528	MOTION by Jake Ayers Jr. To Hold In Abeyance The Names Of Members Of The Monitoring Committee Until The Court Determines The Manner, Means And Funding Of This Structure (tab) (Entered: 04/28/1995)
04/28/1995	529	MOTION by United States to Extend Time in which to Designate the Monitoring Committee (nfs)
04/28/1995	530	MOTION by Jake Ayers Jr. For Clarification Of Court Ordered Admission Standards And Procedures (tab) (Entered: 05/01/1995)
05/02/1995	531	MOTION/NOTICE OF MOTION by Jake Ayers Jr. For Immediate Release Under the Remedial Decree (lfm)
05/03/1995	532	MOTION/NOTICE OF MOTION by Jake Ayers Jr. for Open Hearing in Court on the Record Pursuant to Rule 65(b) (lfm) (Entered: 05/04/1995)

05/05/1995	533	MOTION and Statement of no Genuine Issue of Material Fact by Jake Ayers Jr. re: State's proposed raising of out-of-state tuition (nfs)
05/05/1995	534	REPLY to response of defts by private plaintiffs (tab)
05/05/1995	535	RESPONSE by State of Mississippi, Fordice to [530-1] motion For Clarification Of Court Ordered Admission Standards And Procedures by Jake Ayers Jr., [531-1] motion For Immediate Release Under the Remedial Decree by Jake Ayers Jr. (sjh)
05/05/1995	536	MOTION by Jake Ayers Jr. for Reconsideration of Decision Without Hearing [484-1] order setting hearing on second amended motion for preliminary injunction; 11/22/94 @ 10:00 a.m., Oxford, MS and/or Stay or Injunction Pending Appeal. (sjh) (Entered: 05/08/1995)
05/08/1995	537	ORDER denying [530-1] motion For Clarification Of Court Ordered Admission Standards And Procedures, denying [531-1] motion For Immediate Release Under the Remedial Decree (signed by Judge Neal B. Biggers Jr. on 05/08/95) Date of Entry: 05/08/95 (sjh)
05/23/1995	538	NOTICE OF INTERLOCUTORY APPEAL of [537-1] order denying motion for clarification of court ordered admission standards and procedures and motion for immediate release under the remedial decree by Jake Ayers Jr., Bennie G. Thompson FILING FEE \$ 105.00 RECEIPT # 41079 [Mailed Certified Copy of Notice &Docket Entries to Court of Appeals] (tab) Modified on 05/23/1995
05/26/1995		Deadline updated; Set Telephone Conference on Aspects of Monitoring Committee for 10:00 5/31/95, Oxford, MS before Judge Neal B. Biggers Jr. (sjh)
06/12/1995		USCA Case Number Re: Interlocutory Appeal USCA NUMBER: 95-60329 (tab)
06/19/1995	539	PLAINTIFF'S REPLY ON THE ISSUE OF ATTORNEYS' FEES. (sjh)
06/19/1995	540	MOTION by Jake Ayers Jr. to Supplement Fee Petition (sjh)
06/19/1995	541	NOTICE OF APPEAL of [500-1] order, [507-1] order, [523-1] order, [526-1] order by Jake Ayers Jr.. FILING FEE \$ 120.00 RECEIPT # 41214 Appeal record due on 7/19/95 (sjh)
06/19/1995		Notice of Appeal and certified copy of docket to USCA: [541-1] appeal by Jake Ayers Jr. (sjh)
06/19/1995		Transcript Order to Counsel Alvin Chambliss. (sjh)
06/19/1995	542	NOTICE OF APPEAL of [500-1] order, [507-1] order, [523-1] order, [526-1] order by United States . Appeal record due on 8/19/95 (sjh)
06/19/1995		Notice of Appeal and certified copy of docket to USCA: [542-1] appeal by United States (sjh)
06/19/1995		Transcript Order handed to Counsel John Hailman. (sjh)
07/03/1995		RECEIVED copy of transcript order form from the USA (tab)
07/31/1995	543	NOTICE of Intent to Substitute Counsel for Appeal by plaintiff (tab)
08/01/1995	544	USCA APPELLATE JUDGMENT (issued as mandate) dismissing appeal for want of prosecution for failure of appellant to order transcript, within the time fixed by the rules [538-1] interdistrict appeal (Bennie Jones/Louis Armstrong) (on 07/27/95) Date of Entry: 08/01/95 (sjh) (Entered: 08/03/1995)
08/28/1995		Received Transcript Order from Private Plaintiffs (Ayers). (sjh)
08/30/1995	545	Letter from Court of Appeals GRANTING appellant's motion to reinstate Bennie Jones/Louis Armstrong 538 Interlocutory Appeal filed on 05/23/95. (sjh) Modified on 08/31/1995
09/22/1995		RECEIVED copy of letter addressed to Marilyn Hinman extending transcript deadline until 11/1/95 (tab)
09/28/1995	546	MOTION of the Center for Law and Education and Robert Pressman Concerning Counsel for the Plaintiff Class (sjh)

10/04/1995	547	MOTION by Jake Ayers Jr. for North MS Rural Legal Services to Withdraw as Attorney (tab) (Entered: 10/05/1995)
10/06/1995	548	ORDER granting [547-1] motion for North MS Rural Legal Services to Withdraw as Attorney (Terminated attorney Alvin O. Chambliss for Jake Ayers. If members of the class wish to employ Mr. Chambliss and Mr. Pressman to continue to work on this case and prosecute an appeal hereof, that status should be made known to the court. (signed by Judge Neal B. Biggers Jr. on 10/6/95) Date of Entry: 10/6/95 (tab) Modified on 10/06/1995
11/16/1995		Certified and transmitted Record on Appeal to U.S. Court of Appeals: [542-1] appeal by United States, [541-1] appeal by Jake Ayers Jr. (23 boxes: 20 volumes of record on appeal (remand), 47 volumes of transcript of remand hearing, 3 volumes of transcripts of motion hearings, and status conference, 16 boxes of exhibits from remand hearing). (nfs)
11/30/1995		Received copy of letter from William F. Goodman, Jr., to the Clerk of the Fifth Circuit Court of Appeals, noting that he was sending copies of the following exhibits to be included in the record on appeal: BDR-466; BDR-533; BDR-537; BDR-547; BDR-562. (nfs) (Entered: 12/01/1995)
12/15/1995	549	MOTION by United States for Partial Stay pending Appeal (nfs)
12/19/1995		Transmitted Supplemental Record on Appeal: [542-1] appeal by United States, [541-1] appeal by Jake Ayers Jr. (nfs) (Entered: 03/05/1996)
12/29/1995	550	MOTION by Jake Ayers Jr. for Leave to File Motion requesting that the Court continue the Stay previously issued until the Fifth Circuit take active jurisdiction in this case (nfs) (Entered: 01/02/1996)
01/19/1996	551	RESPONSE by State of Mississippi, Fordice to [550-1] motion for Leave to File Motion requesting that the Court continue the Stay previously issued until the Fifth Circuit take active jurisdiction in this case by Jake Ayers Jr. (tab)
01/19/1996	552	RESPONSE by State of Mississippi, Fordice to [549-1] motion for Partial Stay pending Appeal by United States (tab)
01/19/1996	553	RESPONSE by State of Mississippi, Fordice to Private Plaintiffs' Motion And Statement Regarding Stay Pending Appeal (tab)
01/23/1996	554	ORDER denying [550-1] motion for Leave to File Motion requesting that the Court continue the Stay previously issued until the Fifth Circuit take active jurisdiction in this case (signed by Judge Neal B. Biggers Jr. on 01/23/96) Date of Entry: 01/23/96 (nfs)
02/01/1996	555	ORDER denying [549-1] motion for Partial Stay pending Appeal (signed by Judge Neal B. Biggers Jr. on 02/01/96) Date of Entry: 02/01/96 (nfs)
02/01/1996		Transmitted First Supplemental Record on Appeal: [542-1] appeal by United States, [541-1] appeal by Jake Ayers Jr. (nfs) (Entered: 03/05/1996)
02/12/1996	556	MOTION by State of Mississippi, Fordice For Approval Of Admission Standards Supplementation (tab)
02/15/1996		Called attorney Pressman pursuant to instruction from Judge advising that a motion is needed to supplement record on appeal with exhibits and transcript from 1987 trial. (lw) (Entered: 02/16/1996)
02/16/1996	557	ORDER granting [556-1] motion For Approval Of Admission Standards Supplementation establishing these proposed standards as a fourth alternative equally applicable to all institutions along with the three criteria for full admission already approved by the Court (signed by Judge Neal B. Biggers Jr. on 2/16/96) COB # 75 pg. 166-167 Date of Entry: 2/16/96 (tab)
02/20/1996	558	MOTION by State of Mississippi to Extend Time in which to report on control of facility maintenance monies (nfs)
02/20/1996		USCA Case Number Re: [542-1] appeal by United States, [541-1] appeal by Jake Ayers Jr., [354-1] appeal by Jake Ayers Jr. USCA NUMBER: 95-60431: Received transmittal letter with two USCA numbers: 95-60329 and 95-60431.

		(nfs)
02/23/1996	559	MOTION by Jake Ayers Jr. to send materials from the record of the 1987 hearing in the form of a supplemental record to the Fifth Circuit Court of Appeals in Appeal No. 95-60421 (nfs)
03/01/1996	560	NOTICE of Attorney Appearance for Jake Ayers Jr., Bennie G. Thompson, Louis Armstrong, Lillie Ayers, Judge Lillie Blackmon, Leola Blackmon, Dr. Aaron E. Henry, Mildred Quarles, & Sam Jones by Alvin O. Chambliss Jr. (tab)
03/01/1996	561	SUPPLEMENTAL RESPONSE by Jake Ayers Jr., Bennie G. Thompson, Louis Armstrong to Court's Inquiry [548-1] order (tab)
03/01/1996	562	ORDER granting [558-1] motion to Extend Time in which to report on control of facility maintenance monies; and that until such time as the Monitoring Committee is appointed and in existence to accept, analyze & make recommendations to the court based on data presented to it, the Board is excused from making those reports. New deadlines will be established by the court at a later date. (signed by Judge Neal B. Biggers Jr. on 3/1/96) Date of Entry: 3/1/96 (tab)
03/08/1996	563	ORDER that Alvin O. Chambliss should be entered on the docket of this court as the attorney of record for private plaintiffs as per the class representation application. Also, application of Congressman Thompson for Mr. Chambliss to be able to employ other attorneys to assist him is appropriate and Mr. Chambliss may so designate any attorney for that purpose. If the representatives of the class fail to advise the court within a reasonable time period, which is set at 15 days from the date of this order, the court will assume that any representative not so notifying the court either does not wish to pursue the case further or no longer wishes to be named a representative of the class. If these named representatives who have been the class representatives for more than ten years, or any of them, no longer wish to be representatives of the class, they should also notify the court. If it becomes necessary, the court will consider applications of other persons to be named new representatives of the class (signed by Judge Neal B. Biggers Jr. on 3/8/96) Date of Entry: 3/8/96 (tab)
03/08/1996		Transmitted Supplemental Record #3 on Appeal: [542-1] appeal by United States, [541-1] appeal by Jake Ayers Jr., appeal by Jake Ayers Jr. (tab)
03/26/1996	564	MOTION by Jake Ayers Jr., Bennie G. Thompson, Louis Armstrong to Extend Time to Comply with Order of the Court regarding Class Representation [564-1] motion referred to Judge Neal B. Biggers Jr. (lw)
03/27/1996	565	ORDER granting [564-1] motion to Extend Time an additional thirty days to Comply with Order of the Court regarding Class Representation (signed by Judge Neal B. Biggers Jr. on 3/27/96) Date of Entry: 3/27/96 (tab)
04/08/1996	566	MOTION by United States to Vacate [562-1] Order For Good Cause Shown (tab) (Entered: 04/09/1996)
04/11/1996	567	ORDER granting [559-1] motion to send materials from the record of the 1987 hearing in the form of a supplemental record to the Fifth Circuit Court of Appeals in Appeal No. 95-60421 (signed by Judge Neal B. Biggers Jr. on 04/10/96) Date of Entry: 04/11/96 (nfs) (Entered: 04/15/1996)
04/23/1996		Certified and transmitted Supplemental Record on Appeal #4 to U.S. Court of Appeals: [541-1] appeal by Jake Ayers Jr., per order of Judge Neal B. Biggers, Jr. (4 volumes exhibits; 1 volume transcript excerpts from 1987 trial) (nfs)
04/24/1996	568	RESPONSE by State of Mississippi, Fordice to [566-1] motion to Vacate [562-1] Order For Good Cause Shown by United States (nfs)
05/28/1996	569	MOTION by Board of Trustees of State Institutions of Higher Learning, et al, to supplement the record on appeal (nfs)
06/03/1996	570	ORDER granting [569-1] motion to supplement the record on appeal (signed by Judge Neal B. Biggers Jr. on 06/03/96) Date of Entry: 06/03/96 (nfs)

07/15/1996	571	MOTION by Jake Ayers Jr. To Supplement The Record (tab)
07/19/1996	572	MOTION by Board of Trustees of State Institutions of Higher Learning for supplementation of the record (nfs)
07/24/1996	573	NOTICE by United States to take depositions of Director of Admissions, Jackson State University; Dr. Evelyn Legett, Dr. Thomas Layzell on 08/21/96 and of Dr. Charles Pickett and Mr. Milton Baxter on 08/22/96, in Jackson. (nfs)
07/26/1996	574	RESPONSE by State of Mississippi, Fordice to [571-1] motion To Supplement The Record by Jake Ayers Jr. (tab)
07/30/1996		Certified and transmitted Fifth Supplemental Record on Appeal to U.S. Court of Appeals: Re: Exhibits which supplement Fourth Supplemental Record on Appeal. (nfs)
07/31/1996	575	ORDER granting [572-1] motion for supplementation of the record. The Clerk is authorized to forward to the Clerk of the U. S. Court of Appeals for the Fifth Circuit for inclusion in the record on appeal in case no. 95-60431 those portions of the 1987 trial record identified in defendants' motion; (signed by Judge Neal B. Biggers Jr. on 07/26/96) Date of Entry: 07/31/96 (nfs)
08/01/1996		Certified and transmitted Sixth Supplemental Record on Appeal to U.S. Court of Appeals: Re: Motion [569-1] to Supplement Record on Appeal and Order [570-1] granting Motion, plus "Findings of Fact and Conclusions of Law Proposed by Defendants", (per order). (nfs)
08/01/1996		Certified and transmitted Seventh Supplemental Record on Appeal to U.S. Court of Appeals: Re: Motion [572-1] for Supplementation of Record and Order [575-1] granting Motion, plus those portions of the 1987 trial record identified in defendants' motion (per order). (nfs)
08/15/1996	576	ORDER denying [571-1] motion To Supplement The Record (signed by Judge Neal B. Biggers Jr. on 08/15/96) Date of Entry: 08/15/96 (nfs)
09/05/1996	577	ORDER that the State is DIRECTED to submit to the court within 20 days a report on the results of the new admission standards and the summer remedial program as they relate to the current academic year (signed by Judge Neal B. Biggers Jr. on 9/4/96) Date of Entry: 9/5/96 (tab)
09/20/1996	578	MOTION by State of Mississippi, Fordice to Extend Time to Report As Directed By September 5, 1996 Order (tab) (Entered: 09/24/1996)
09/20/1996	579	ORDER GRANTING [578-1] motion to Extend Time to Report As Directed By September 5, 1996 Order; and that defts. shall submit their report on the new admissions standards, and summer program (signed by Judge Neal B. Biggers Jr. on 9/20/96) Date of Entry: 9/20/96 (tab) (Entered: 09/24/1996)
10/07/1996	580	MOTION by United States for Injunction Pending Appeal (tab) (Entered: 10/08/1996)
10/07/1996	581	COMMENTS by USA Concerning the Board of Trustess' Implementation of the New Admission Standards (tab) (Entered: 10/08/1996)
10/16/1996	582	MOTION by Jake Ayers Jr. For Relief Pending Appeal (sta)
10/16/1996	583	REPORT on the Implementation of the New Admission Standards and the Summer Remedial Program with depositions enclosed. (sta)
10/21/1996	584	AMENDED MOTION by Jake Ayers Jr. For Relief Pending Appeal referring to: [582-1] motion For Relief Pending Appeal by Jake Ayers Jr. (tab)
10/24/1996	585	JUDGMENT OF USCA (certified copy) AFFIRMING Re: Order denying request for an injunction prohibiting increases in tuition charged by Mississippi universities to nonresident students & IT IS FURTHER ORDERED that plaintiffs-appellants pay to the defendants-appellees costs on appeal to be taxed by the Clerk of this Court. Issued as Mandate: 10/17/96 (tab) Modified on 10/28/1996 (Entered: 10/28/1996)

10/28/1996	586	MOTION by State of Mississippi, Fordice For Direction for Continued Implementation Of Affirmative Other–Race Measures Pending Appeal (tab)
10/30/1996	587	MOTION by State of Mississippi to Extend Time to Respond to Motions for Injunctive Relief (sjh)
10/31/1996	588	ORDER per ore tenus motion of defendants Response to Motion reset to 11/1/96 for [580–1] motion for Injunction Pending Appeal (signed by Judge Neal B. Biggers Jr. on 10/29/96) Date of Entry: 11/01/96 (sjh) (Entered: 11/01/1996)
11/04/1996	589	ORDER GRANTING [587–1] motion to Extend Time to Respond to Motions for Injunctive Relief, and Response to Motion reset to 11/15/96 for [580–1] motion for Injunction Pending Appeal (signed by Judge Neal B. Biggers Jr. on 11/1/96) Date of Entry: 11/4/96 (tab)
11/15/1996	590	RESPONSE by State of Mississippi, Fordice in opposition to [584–1] supplemental amended motion For Relief Pending Appeal by Jake Ayers Jr., [582–1] motion For Relief Pending Appeal by Jake Ayers Jr., [580–1] motion for Injunction Pending Appeal by United States (nfs)
11/22/1996	591	RESPONSE by United States to [586–1] motion For Direction for Continued Implementation Of Affirmative Other–Race Measures Pending Appeal by Fordice, State of Mississippi (tab)
11/26/1996	592	REPLY by Jake Ayers Jr. to [590–1] Deft.'s Opposition response To Admissions Relief by Fordice, State of Mississippi (tab)
12/12/1996	593	MOTION by Jake Ayers Jr. Concerning the Serving of Reports and Other Documents (sjh)
12/12/1996	594	MOTION by Jake Ayers Jr. for a Hearing Concerning Admissions Standards (sjh)
01/02/1997	595	RESPONSE by State of Mississippi, Fordice to [593–1] motion Concerning the Serving of Reports and Other Documents by Jake Ayers Jr. (sjh)
01/02/1997	596	RESPONSE by State of Mississippi, Fordice to [594–1] motion for a Hearing Concerning Admissions Standards by Jake Ayers Jr. (sjh)
06/13/1997	597	JUDGMENT OF USCA (certified copy) Re: [542–1] appeal by United States, [541–1] appeal by Jake Ayers Jr. , AFFIRMING in part, and REVERSING in part the judgment of the district court; REMANDING the case to the district court for further proceedings, each party to bear its own costs on appeal. (nfs) (Entered: 06/16/1997)
06/19/1997	598	JUDGMENT OF USCA (certified copy) AFFIRMED IN PART; AND REVERSED IN PART; AND REMANDED for further proceedings in accordance with the opinion of this Court; and IT IS FURTHER ORDERED that each party bear its own costs on appeal Re: [542–1] appeal by United States, [541–1] appeal by Jake Ayers Jr., [354–1] appeal by Jake Ayers Jr. ISSUED AS MANDATE: 6/13/97 (tab)
06/25/1997		(Partial) Record on Appeal returned from U.S. Court of Appeals: 21 boxes exhibits, Supplemental Records, and 1 box "Ayers Articles", re: [542–1] appeal, [541–1] appeal, [354–1] appeal. (nfs) (Entered: 07/01/1997)
09/22/1997	599	MOTION by United States For Implementation of March 7, 1995 Remedial Decree (tab) (Entered: 09/23/1997)
10/06/1997	600	RESPONSE by State of Mississippi to [599–1] motion For Implementation of March 7, 1995 Remedial Decree by United States (tab) (Entered: 10/07/1997)
10/21/1997	601	ORDER granting in part [599–1] motion For Implementation of March 7, 1995 Remedial Decree, DENYING until such time as the composition of the committee is determined [566–1] motion to Vacate [562–1] Order For Good Cause Shown (signed by Judge Neal B. Biggers Jr. on 10/21/97) COB # 80 pg. 261–263 Date of Entry: 10/21/97 (tab)
10/27/1997	602	MOTION by State of Mississippi, Fordice for Protective Order (tab)

10/27/1997	603	NOTICE OF SERVICE Good Faith Certificate by State of Mississippi, Fordice, United States (tab)
10/27/1997	604	NOTICE OF SERVICE Interrogs & Request For Production of Documents by United States to Fordice (tab)
10/27/1997	605	RESPONSE by United States to [602-1] motion for Protective Order by Fordice, State of Mississippi (tab)
11/03/1997	606	REQUEST by United States For Direction Concerning Implementation of the October 21, 1997 Order (tab)
11/14/1997	607	ORDER granting [606-1] motion For Direction Concerning Implementation of the October 21, 1997 Order. If the private plaintiffs do not wish to participate in the submission of candidates for the monitoring committee as directed in the court's October 21, 1997, order, then the USA on its own should submit a total of six names on behalf of all plaintiffs; (signed by Judge Neal B. Biggers Jr. on 11/14/97); Date of Entry: 11/14/97. (nfs)
11/14/1997	608	ORDER granting [602-1] motion for Protective Order. The court will schedule a status conference to determine ways to implement the remedial decree and procedures, including any discovery, involved therein, pursuant to the remand of this cause from the USCA; (signed by Judge Neal B. Biggers Jr. on 11/14/97). Date of Entry: 11/14/97. (nfs)
11/20/1997	609	NAMES and curriculum vitae of candidates for appointment to the monitoring committee by USA, plaintiff-intervenor. (nfs)
11/26/1997	610	ORDER DIRECTING defts. to file a report on the results of the 1997 spring screening and summer remedial program no later than 2/2/98; and the court further ADVISES the parties to be prepared by 2/2/98 to present positions to the Monitoring Committee on the remand issues; and the Board shall be prepared on 2/2/98 to present to the Monitoring Committee the status of the Board's proposal to merge MS Valley State w/Delta State & status of accreditation process at Jackson State (signed by Judge Neal B. Biggers Jr. on 11/26/97) Date of Entry: 11/26/97 (tab)
12/09/1997	611	REQUEST by United States For Instructions Concerning The Court's November 26, 1997 Order (tab)
01/12/1998	612	ORDER granting [611-1] motion For Instructions Concerning The Court's November 26, 1997 Order. It is ORDERED that the November 26, 1997 order is RESCINDED IN PART as follows: The USA is relieved of the 02/02/98 deadline until a conference is held and a discovery scheduling order is issued. The order REMAINS IN EFFECT in all other respects; (signed by Judge Neal B. Biggers Jr. on 01/12/98). Date of Entry: 01/12/98. (nfs)
02/04/1998	613	MOTION by Jake Ayers Jr. To Require Service of Names Submitted by State For Monitoring Committee (tab)
02/04/1998	614	STATUS MEMORANDUM by Jake Ayers Jr. (tab)
02/04/1998		NOTICE to provide names of persons whom the Court may consider naming to its Monitoring Committee by Jake Ayers Jr. (tab)
02/04/1998	615	REPORT on the Results of the 1997 Spring Placement And Summer Developmental Program by State of Mississippi, Fordice (tab)
02/11/1998		RECEIVED notice from USCA that the Supreme Court order DENYING certiorari has been received. (tab)
02/18/1998	616	RESPONSE by State of Mississippi, Fordice to [613-1] motion To Require Service of Names Submitted by State For Monitoring Committee by Jake Ayers Jr. (tab)
02/19/1998	617	MOTION by Jake Ayers Jr. for Richard M. Pearl to Appear Pro Hac Vice (tab) (Entered: 02/20/1998)

02/19/1998	618	DECLARATION OF Richard M. Pearl by Jake Ayers Jr. Re: [617-1] motion for Richard M. Pearl to Appear Pro Hac Vice by Jake Ayers Jr. (tab) (Entered: 02/20/1998)
02/19/1998	620	NOTICE of Attorney Appearance for Jake Ayers Jr. by Thomas H. Freeland IV (tab) (Entered: 02/20/1998)
02/19/1998	621	MOTION by Jake Ayers Jr. for Attorney Fees, Interim Fees &Monitoring Fees (tab) (Entered: 02/20/1998)
02/20/1998	619	CERTIFICATE of Sponsor (tab)
03/09/1998	622	SUBMISSION OF MATERIALS relevant to Fee Award for Work Performed by Robert Pressman (tab)
03/23/1998	623	MOTION by State of Mississippi, Fordice for Protective Order (tab)
03/23/1998	624	RESPONSE by State of Mississippi, Fordice to [621-1] motion for Attorney Fees, Interim Fees &Monitoring Fees by Jake Ayers Jr. (tab)
03/23/1998	625	ORDER GRANTING ore tenus motion for enlargement of time to respond to Motion for attorneys' fees Response to Motion reset to 3/20/98 for [621-1] motion for Attorney Fees, Interim Fees &Monitoring Fees (signed by Judge Neal B. Biggers Jr. on 3/24/98) Date of Entry: 3/23/98 (tab) (Entered: 03/24/1998)
04/09/1998		Received letter from Attorney John C. Brittain, stating that he is withdrawing as counsel for the private plaintiffs in the petition for attorneys' fees, interim fees, and monitoring fees. (nfs) (Entered: 04/10/1998)
04/10/1998	626	ORDER set Status and Scheduling Conference for 1:30 5/11/98 in Oxford (signed by Judge Neal B. Biggers Jr. on 04/10/98) (admin)
04/10/1998		NOTICE setting Status and Scheduling Conference at 1:30 5/11/98 before Judge Neal B. Biggers Jr. in Oxford (admin)
05/08/1998	627	NOTICE of Attorney Appearance for Jake Ayers Jr. by Bennie L. Turner. (nfs)
05/08/1998	628	RESPONSE by United States to [626-1] order setting Status and Scheduling Conference for 1:30, 5/11/98, in Oxford; submitting a statement and a description of actions which they believe must be accomplished in order to properly comply with the Fifth Circuit remand instructions, etc. (nfs)
05/11/1998		Status Conference held on 5/11/98 before Judge Neal B. Biggers Jr. (nfs)
05/11/1998	629	Exhibit list by Jake Ayers Jr. (nfs)
05/12/1998	630	CIVIL MINUTES for: Status/Scheduling Conference held 05/12/98 in Oxford before Judge Neal B. Biggers, Jr. Court Reporter: Marilyn Rea. The Judge announced that a Monitoring Committee will be appointed within the next few weeks. The parties reported on their positions on issues on remand. The Court held that discovery will take place and directed the private plaintiffs' attorneys to confer on attorneys' fees and to present an agreed order to the court for consideration. (nfs) Modified on 05/13/1998
06/04/1998	631	ORDER per motion hearing held 05/11/98, Vacating previous stay of discovery set Discovery deadline to 12/4/98 Issue concerning Attorneys fees will be deferred until attorneys report to the court (signed by Judge Neal B. Biggers Jr. on 06/04/98) COB # 53 pg. 66 - 69 Date of Entry: 06/04/98 (admin)
06/17/1998	632	MOTION &MEMORANDUM by United States for Leave To Exceed The Limit On Number of Interrogatories (tab)
06/17/1998	633	NOTICE OF SERVICE Interrogs &Request for Production of Documents by United States to Fordice (tab)
08/21/1998	634	ORDER APPOINTING Dr. Jerry N. Boone as Monitor for the court in this cause; amending the previous order to set the number of the committee at one instead of the former number of three persons (signed by Chief Judge Neal B. Biggers Jr. on 8/21/98) Date of Entry: 8/21/98 (tab)

08/28/1998	635	NOTICE OF SERVICE Response to Request for Production of Documents & Response to Interrogs by State of Mississippi, Fordice to Jake Ayers Jr. (tab)
10/09/1998	636	NOTICE of Attorney Appearance for United States by K. Heshima White. (tab) (Entered: 10/13/1998)
10/15/1998	637	NOTICE by United States to take depositions of the Director of Admissions for JSU, MSU, MUW, MVSU, ASU, UM, USM, Delta State, Dr. Evelyn Legett, Dr. Dori Washington, John Bowman, Dr. Charles Pickett, MVSU Representative, Dr. Thomas Layzell beginning @ 9:00 a.m. on 10/22/98, Watkins & Eager, Jackson, MS (tab)
10/22/1998	638	MOTION by United States to Compel Discovery (tab)
10/22/1998	639	NOTICE OF SERVICE Good Faith Certificate by United States to State of Mississippi, Fordice (tab)
11/12/1998	640	ORDER DIRECTING the board submit reasonable compensation to the Clerk's Office for Dr. Jerry N. Boone as Monitor of the Remedial Decree; first installment due before 11/21/98; and the Board is directed to submit to the Clerk an amount to secure adequate secretarial assistance and provide office space (signed by Chief Judge Neal B. Biggers Jr. on 11/12/98) Date of Entry: 11/12/98 (tab)
11/12/1998	641	ORDER setting Status Conference for 1:00, 12/7/98, Oxford (signed by Chief Judge Neal B. Biggers Jr. on 11/12/98) Date of Entry: 11/12/98 (tab)
11/13/1998	642	RESPONSE by State of Mississippi, Fordice to [638-1] motion to Compel Discovery by United States (tab) (Entered: 11/18/1998)
11/19/1998	643	ORDER AMENDING order entered 11/12/98 to provide the Monitor compensation in the amount of \$45,000.00 per annum, plus the employer's FICA share for that amount with the remaining parts of the order unchanged; and the Monitor is authorized to secure adequate office space & part-time secretarial assistance and provide the Clerk with expense vouchers for transference by the Clerk to the Board for reimbursement (signed by Chief Judge Neal B. Biggers Jr. on 11/18/98) Date of Entry: 11/19/98 (tab)
11/30/1998		VOUCHER NO. 4290200411 ISSUED PER Order entered 11/18/98 signed by Chief Judge Neal B. Biggers, Jr. (tab)
12/03/1998	644	MOTION by Jake Ayers Jr. For Clarification, Interim Relief, Set-A-Side Previous Order Regarding Monitoring And Request For An Expedited Hearing Limited To The Issues Urged Herein (tab) (Entered: 12/07/1998)
12/07/1998		Status Conference held on 12/7/98 in Oxford before Monitor Dr. Jerry Boone. (nfs) (Entered: 01/19/1999)
01/07/1999		Telephonic Motion hearing, re: [638-1] motion to Compel Discovery by United States set at 10:00, 1/19/99, before Chief Judge Neal B. Biggers Jr. (nfs)
01/19/1999		Motion hearing held on 01/19/99 in Oxford before Chief Judge Neal B. Biggers, Jr., re: [638-1] motion to Compel Discovery by United States. (nfs)
01/19/1999	645	CIVIL MINUTES for: Telephonic Motion Hearing held 01/19/99 before Chief Judge Neal B. Biggers, Jr., granting [638-1] motion to Compel Discovery, granting [623-1] motion for Protective Order. Court Reporter: Marilyn Rea. The Court ordered that defendants turn over the names of the persons in the category in question to the USA within ten working days. The Court requested a report from the USA within sixty days after the date the information is received. The Court withheld ruling on the private plaintiffs' motion for attorneys' fees and granted the Board's motion for protective order. The Court also granted the motion for Richard Pearl to appear pro hac vice on behalf of the private plaintiffs. (nfs)
01/20/1999	646	ORDER GRANTING [617-1] motion for Richard M. Pearl to Appear Pro Hac Vice in respect to private plaintiff's claim for attorney's fees (signed by Chief Judge Neal B. Biggers Jr. on 1/19/99) Date of Entry: 1/20/99 (tab)
02/02/1999	647	ORDER GRANTING [638-1] motion to Compel Discovery that to the extent the responsive information is available, the depts. are to furnish the information

		requested by United States Interrogatory Nos. 6–9 on or before 2/2/99; and that the United States shall have 60 days from the date of the receipt of the requested information to submit the results of its analysis of such data to the Court (signed by Chief Judge Neal B. Biggers Jr. on 2/2/99) Date of Entry: 2/2/99 (tab) (Entered: 02/03/1999)
02/10/1999	648	MOTION by Jake Ayers Jr. For Relief Concerning the University of Southern Mississippi, Gulf Coast (tab)
02/18/1999	649	ORDER setting Motion Hearing for 02/23/99, 1:30 p.m., Oxford, before Chief Judge Neal B. Biggers, Jr., re: Motion concerning proposal to create a four year degree granting campus of USM, to be located on the Mississippi Gulf Coast; (signed by Chief Judge Neal B. Biggers Jr. on 02/18/99); Date of Entry: 02/18/99. (nfs)
02/19/1999	650	RESPONSE by United States to [649–1] scheduling order of February 18, 1999 (tab) (Entered: 02/22/1999)
02/22/1999	651	ORDER VACATING [649–1] order setting hearing on plaintiff's motion for relief and resetting Hearing for 1:30, 3/17/99, Oxford (signed by Chief Judge Neal B. Biggers Jr. on 2/22/99) Date of Entry: 2/22/99 (tab)
02/22/1999	652	RESPONSE by State of Mississippi to [648–1] motion For Relief Concerning the University of Southern Mississippi, Gulf Coast by Jake Ayers Jr. (tab)
02/25/1999	653	MOTION by State of Mississippi To Reschedule Hearing (tab)
02/25/1999		Motion hearing re: [648–1] motion For Relief Concerning the University of Southern Mississippi, Gulf Coast by Jake Ayers Jr. reset at 9:00, 3/17/99; Location: Oxford, before Chief Judge Neal B. Biggers Jr. (nfs)
03/04/1999	654	MOTION by State of Mississippi Concerning The University of Southern Mississippi – Gulf Coast (tab)
03/17/1999	655	RESPONSE by Jake Ayers Jr. in opposition to [654–1] motion Concerning The University of Southern Mississippi – Gulf Coast by State of Mississippi. (nfs)
03/17/1999		Motion hearing held in Oxford before Chief Judge Neal B. Biggers, Jr., re: [654–1] motion Concerning The University of Southern Mississippi – Gulf Coast by State of Mississippi, [648–1] motion For Relief Concerning the University of Southern Mississippi, Gulf Coast by Jake Ayers, Jr. (nfs) (Entered: 03/18/1999)
03/17/1999	656	CIVIL MINUTES for: Motion Hearing, re: Proposal for Four Year Campus at USMGC. Court Reporter: Cecily Faulkner. The court will deny admissions requirements based on race. Court holds that the burden of proof is on the Board of Trustees of the Institutions of Higher Learning (IHL). Witnesses testified, and exhibits were introduced. Following argument, the court took the motions under advisement and will render an opinion within a few days. The USA moved for extension of time to submit reports, re: Summer Remedial Program. No objection. Motion granted. Deadline: May 20, 1999. (nfs) (Entered: 03/18/1999)
03/17/1999	657	Witness list by State of Mississippi, Jake Ayers Jr. (nfs) (Entered: 03/19/1999)
03/17/1999	658	Exhibit list by State of Mississippi, Jake Ayers Jr. (nfs) (Entered: 03/19/1999)
03/19/1999	659	NOTICE OF SERVICE Responses to Interrogs &Requests by State of Mississippi to Jake Ayers Jr. (tab)
03/22/1999	660	MOTION by Coast 21 for Leave to File An Amicus Curiae Brief on Behalf of Coast 21 (tab) (Entered: 03/23/1999)
03/24/1999	661	ORDER DENYING [654–1] motion Concerning The University of Southern Mississippi – Gulf Coast, GRANTING [648–1] motion For Relief Concerning the University of Southern Mississippi, Gulf Coast, GRANTING [644–1] motion For Clarification, Interim Relief, Set–A–Side Previous Order Regarding Monitoring And Request For An Expedited Hearing Limited To The Issues Urged Herein; and the motion of plaintiffs &the U. S. to enjoin the Board based on plaintiff's financial theory is DENIED; and the Board is enjoined from going forward with its proposal for this lower level addition until such time as acceptable admissions policies are

		presented (signed by Chief Judge Neal B. Biggers Jr. on 3/24/99) COB # 53 pg. 284-299 Date of Entry: 3/24/99 (tab) Modified on 03/24/1999
03/25/1999		TRANSCRIPT filed for Motion Hearing for dates of 3/17/99, Oxford before Judge Biggers (tab)
03/26/1999	662	ORDER that the contract court reporter is directed to transcribe and file a record of the proceedings held 3/17/99, all costs of the transcript to be paid as authorized by the Clerk of Court (signed by Chief Judge Neal B. Biggers Jr. on 3/25/99) Date of Entry: 3/26/99 (tab)
04/07/1999	663	NOTICE OF APPEAL of [661-1] order by Jake Ayers Jr., Bennie G. Thompson. Appeal record due on 5/7/99. (tab) (Entered: 04/08/1999)
04/12/1999		USCA appeal fees received FILING FEE \$105.00 RECEIPT # 55091 (tab)
04/14/1999	664	ORDER that the evidentiary hearings will be set as to the issues of ACT cut-off scores, disparities in the equipment inventories, and the results of the endowment trust funds and the Bord is ORDERED to withhold the initiation of any actions for the purpose of satisfying the Remedial Decree until recommendations have been submitted in writing to the court and approved by the court as actions that will aid in desegregation and the plaintiffs will have a reasonable time to respond to the proposal (signed by Chief Judge Neal B. Biggers Jr. on 4/14/99) Date of Entry: 4/14/99 (tab) (Entered: 04/15/1999)
04/16/1999	665	AYERS MEMORANDUM Report on Behalf of Mr. James Luvenc in his individual capacity as a citizen of Mississippi. (tab) (Entered: 04/19/1999)
04/29/1999		USCA Case Number Re: [663-1] appeal by Bennie G. Thompson, Jake Ayers Jr. USCA NUMBER: 99-60264 (tab)
05/24/1999	666	RESULTS OF TELEPHONE Survey of MS Students Regarding Programs to Facilitate Admission to State Universities provided by Department of Justice (tab)
05/28/1999	667	JUDGMENT OF USCA (certified copy) DISMISSING for want of prosecution for appellant's failure to order transcript and make financial arrangements with court reporter, within the time fixed by the rules Re: [663-1] appeal by Bennie G. Thompson, Jake Ayers Jr. (tab) (Entered: 06/01/1999)
06/18/1999	668	AMENDED MOTION by State of Mississippi, Fordice (Supplemental) Concerning The University of Southern Mississippi - Gulf Coast referring to: [654-1] motion Concerning The University of Southern Mississippi - Gulf Coast by State of Mississippi (Oral Argument Requested) (tab)
07/21/1999	669	ORDER GRANTING motion of appellants to reinstate the appeal (Entered 7/14/99 by Judge Benavides, USCA) Date of Entry: 7/21/99 (tab) (Entered: 07/22/1999)
07/28/1999	670	ORDER that the IHL Board has fully complied with Paragraph 14 of the Remedial Decree (signed by Chief Judge Neal B. Biggers Jr. on 7/28/99) Date of Entry: 7/28/99 (tab)
08/02/1999	671	ORDER that all universities continue to include in their curricula for the regular academic year the currently offered upper level developmental English and math courses and that the Board may authorize a developmental reading course offering at all the universities without leave of court (signed by Chief Judge Neal B. Biggers Jr. on 7/30/99) Date of Entry: 8/2/99 (tab)
08/18/1999	672	RESPONSE by Jake Ayers Jr. in OPPOSITION to [668-1] supplemental amended motion (Supplemental) Concerning The University of Southern Mississippi - Gulf Coast by Fordice, State of Mississippi (tab)
08/26/1999	673	RESPONSE by United States to [668-1] supplemental amended motion (Supplemental) Concerning The University of Southern Mississippi - Gulf Coast by Fordice, State of Mississippi (tab)
08/30/1999	674	MOTION by Jake Ayers Jr. to Stay Proceedings Pending Plaintiff's Exhaustion of Avenues of Redress Regarding the Jurisdictional Question (nsm) (Entered: 08/31/1999)

09/03/1999	675	RESPONSE by State of Mississippi to [674-1] motion to Stay Proceedings Pending Plaintiff's Exhaustion of Avenues of Redress Regarding the Jurisdictional Question by Jake Ayers Jr. (nsm)
09/10/1999	676	ORDER as to the two previous determinations described above and reflected by the orders issued 7/28/99 & 7/30/99 if the parties wish to submit information to the monitor for consideration regarding these two issues, the information may be considered on a motion to reconsider and the court will do so. Any such briefs should be submitted within 30 days hereof unless more time is moved for and granted (signed by Chief Judge Neal B. Biggers Jr. on 9/9/99) Date of Entry: 9/10/99 (tab)
09/30/1999		Certified and transmitted Record on Appeal to U.S. Court of Appeals: [663-1] appeal by Bennie G. Thompson, Jake Ayers Jr. (tab)
10/04/1999	677	ORDER GRANTING the Board leave to proceed with its facilities maintenance plan review process, including formal Board approval of finalized facilities maintenance plans for each university (signed by Chief Judge Neal B. Biggers on 10/1/99) Date of Entry: 10/1/99 (tab)
10/12/1999	678	MOTION by Jake Ayers Jr. to Extend Time to Submit Brief to the Monitor concerning the order of July 28, 1999 (tab) (Entered: 10/13/1999)
10/13/1999	679	ORDER DENYING [674-1] motion to Stay Proceedings Pending Plaintiff's Exhaustion of Avenues of Redress Regarding the Jurisdictional Question, and Motion Hearing set for 1:00, 11/9/99 for [668-1] supplemental amended motion (Supplemental) Concerning The University of Southern Mississippi – Gulf Coast (signed by Chief Judge Neal B. Biggers on 10/13/99) Date of Entry: 10/13/99 (tab)
10/14/1999		Motion hearing re: [668-1] supplemental amended motion (Supplemental) Concerning The University of Southern Mississippi – Gulf Coast by Fordice, State of Mississippi set at 1:00, 11/9/99; Location: Oxford, before Chief Judge Neal B. Biggers. (nfs)
10/18/1999	680	JUDGMENT OF USCA (certified copy) DISMISSING appeal for lack of jurisdiction Re: [663-1] appeal by Bennie G. Thompson, Jake Ayers Jr. (tab) (Entered: 10/19/1999)
10/19/1999		Record on Appeal returned from U.S. Court of Appeals: [663-1] appeal (2 Vols. of the Record; 1 Transcript Vol.) (tab)
10/19/1999	681	ORDER GRANTING [678-1] motion to Extend Time to Submit Brief to the Monitor concerning the order of July 28, 1999 through and until 11/1/99 (signed by Chief Judge Neal B. Biggers on 10/19/99) Date of Entry: 10/19/99 (tab)
10/21/1999	682	ORDER that the Board has fully complied with Paragraphs 3 & 6 of the Remedial Decree; that the Board has complied with Paragraph 4 of the Remedial Decree in part; that the proposed engineering school at JSU is APPROVED; that the Board is AUTHORIZED to proceed with the establishment of the proposed engineering school and that the engineering school dean is authorized to proceed with actual curriculum development, employment of faculty, securement of facilities, program marketing and student recruitment; and that at the end of the 99-00 academic year the Board is DIRECTED to determine whether or not the existing M.P.H. program at USM should be terminated in favor of the new M.P.H. program at JSU. The court will separately address the remaining JSU-related issues encompassed in Paragraphs 4, 5, & 7 of the Remedial Decree. (signed by Chief Judge Neal B. Biggers on 10/21/99) Date of Entry: 10/21/99 (tab)
11/05/1999	683	REBUTTAL by State of Mississippi in support of [668-1] supplemental amended motion (Supplemental) Concerning The University of Southern Mississippi – Gulf Coast by Fordice, State of Mississippi (tab)
11/08/1999	684	Letter MOTION by Jake Ayers Jr. for Interim Attorney Fees (tab) Modified on 11/30/1999 (Entered: 11/30/1999)
11/09/1999		Motion hearing held in Oxford before Chief Judge Neal B. Biggers, Jr., re: [668-1] supplemental amended motion (Supplemental) Concerning The University of Southern Mississippi – Gulf Coast by Fordice, State of Mississippi. (nfs) (Entered: 11/09/1999)

		11/10/1999)
11/09/1999	685	Exhibit list by Jake Ayers Jr. (nfs) Modified on 11/30/1999 (Entered: 11/10/1999)
11/09/1999	686	Witness list by State of Mississippi, Fordice. (nfs) Modified on 11/30/1999 (Entered: 11/10/1999)
11/09/1999	687	CIVIL MINUTES for: Motion Hearing held 11/09/99 in Oxford before Chief Judge Neal B. Biggers, Jr., re: supplemental amended motion concerning USMGC. Court Reporter: Debbie Harris. Witnesses testified, and exhibits were introduced. Motion taken under advisement. (nfs) Modified on 11/30/1999 (Entered: 11/10/1999)
11/12/1999		TRANSCRIPT filed of Hearing Concerning University of Southern Mississippi–Gulf Coast for dates of 11/9/99 (tab) (Entered: 11/16/1999)
11/29/1999	688	ORDER GRANTING [668–1] supplemental amended motion (Supplemental) Concerning The University of Southern Mississippi – Gulf Coast that the long–range financial needs and future ongoing costs of the proposed expanded campus anticipates no impediment to the funding required to desegregate the universities, the injunction is VACATED and the Board's amended motion for court approval of the offering of lower division courses is GRANTED. Accordingly, the Board may proceed with the proposed USMGC expansion with freshman enrollment commencing June, 2000 (signed by Chief Judge Neal B. Biggers on 11/29/99) COB # 54 pg. 111–116 Date of Entry: 11/29/99 (tab) Modified on 11/30/1999
11/30/1999	689	ORDER that this cause before the court on the 10/31/99 letter to the court from one of the private plaintiff's attorneys, construed as a motion for interim attorney's fees. The private plaintiffs request fees to fund the resources needed to proceed with the remedial phase of this cause. The court DIRECTS the Board to respond within 30 days of this order (signed by Chief Judge Neal B. Biggers on 11/30/99) Date of Entry: 11/30/99 (tab)
12/14/1999	690	MOTION by Jake Ayers Jr. For Reconsideration and Vacation of [688–1] Order (tab)
12/22/1999	691	RESPONSE by State of Mississippi in opposition to [690–1] motion For Reconsideration and Vacation of [688–1] Order by Jake Ayers Jr. (tab)
12/30/1999	692	RESPONSE by State of Mississippi, Fordice to [684–1] motion for Interim Attorney Fees by Jake Ayers Jr. (kmt)
01/18/2000	693	NOTICE OF APPEAL of [688–1] order by Jake Ayers Jr. FILING FEE \$150.00 RECEIPT # 57588 Appeal record due on 2/17/00. (tab) (Entered: 01/19/2000)
01/18/2000		Notice of Appeal and certified copy of docket to USCA: [693–1] appeal by Jake Ayers Jr. (tab) (Entered: 01/19/2000)
02/01/2000	694	ORDER that appellants' motion to issue instructions to the United States District Court for the Northern District of Mississippi regarding jurisdiction is DENIED (Entered on 2/1/00 U.S.C.A.) Date of Entry: 2/1/00 (tab)
02/04/2000		USCA Case Number Re: [693–1] appeal by Jake Ayers Jr. USCA NUMBER: 00–60073. (tab)
02/09/2000	695	ORDER DENYING [690–1] motion For Reconsideration and Vacation of [688–1] Order (signed by Chief Judge Neal B. Biggers on 2/9/00) Date of Entry: 2/9/00 (tab)
02/11/2000		Certified and transmitted Record on Appeal to U.S. Court of Appeals: [693–1] appeal by Jake Ayers Jr. (3 Record Vols., 2 Transcript Vols., 1 Envelope of Exhibits) (tab)
03/03/2000		NOTICE from the Supreme Court that petition for writ of certiorari is DENIED (tab)
03/20/2000	696	NOTICE of Attorney Appearances for Jake Ayers Jr. by Isaac K. Byrd Jr., Precious Tyrone Martin, Suzanne Griggins Keys (tab) Modified on 03/21/2000 (Entered: 03/20/2000)

		03/21/2000)
03/20/2000	697	MOTION by Jake Ayers Jr. For 45 Day Stay of All Filing Deadlines (tab) (Entered: 03/21/2000)
03/23/2000	698	RESPONSE by State of Mississippi to [697-1] motion For 45 Day Stay of All Filing Deadlines by Jake Ayers Jr. (tab)
03/23/2000	699	ORDER setting Hearing on University Admissions Standards @ 10:00, 4/17/00 (signed by Chief Judge Neal B. Biggers on 3/22/00) Date of Entry: 3/23/00 (tab)
03/23/2000		Hearing RE: University Admissions Standards set for 10:00 4/17/00 before Judge Biggers. (nsm)
03/24/2000	700	ORDER REQUIRING FUNDS REQUESTED OF THE Legislature under the Ayers Case to be only for Court-Ordered Desegregation Purposes (signed by Chief Judge Neal B. Biggers on 3/24/00) COB # 55 pg. 36-38 Date of Entry: 3/24/00 (tab)
03/30/2000	701	ORDER naming Congressman Bennie G. Thompson as lead plaintiff in this cause for purposes of efficient communications and organization. Mr. Thompson is directed to name the lead attorney for private plaintiffs to the court within 30 days of this order. Until the lead attorney is named, the court will name Mr. Robert Pressman as lead attorney. The lead attorney will receive notices and orders from the court for dissemination to other attorneys representing the private plaintiffs. The court will continue to mail to Ms. LeVern Younger of the U.S. Dept. of Justice notices and orders for dissemination to other attorneys representing the U.S. Government and to Mr. Paul Stephenson for dissemination to other attorneys representing the State of Mississippi and other defendants herein. (signed by Chief Judge Neal B. Biggers on 03/30/00) (nsm)
03/30/2000	702	ORDER granting in part, denying in part [697-1] motion For 45 Day Stay of All Filing Deadlines. GRANTED insofar as the court extends the deadline by 45 days from the deadlines set by the Monitor for the parties to respond to said recommendations. Insofar as the motion requests a 45-day stay and leave to file a proposed schedule to include filing deadlines to the said Monitor's reports, the said motion is DENIED. Continuing hearing previously set for 04/17/00 until further order of the Court in light of the appearance of new counsel for private plaintiffs. The extension of 45 days to file the said responses to the Monitor's reports also is extended to the Government and the defendants. (signed by Chief Judge Neal B. Biggers on 03/30/00) (nsm) Modified on 03/31/2000
03/30/2000		NOTICE of CONTINUATION of hearing previously set for 04/17/00 until further order of the Court. (nsm)
04/27/2000	703	ORDER that as stated in its previous order, nothing in that order or any subsequent orders of the court prohibits the Board from requesting or expending any amounts of money they deem desirable for upgrading any of the universities. The orders of this court merely direct that any future requests under the guise of Ayers be for the specific purpose of carrying out the court's Remedial Decree in this case and the court be advised of the parts of the Remedial Decree for which those requests are being made (signed by Chief Judge Neal B. Biggers on 4/27/00) Date of Entry: 4/27/00 (tab)
05/04/2000	704	NOTICE OF SERVICE Interrogs & Requests for Production of Documents by Jake Ayers Jr., Bennie G. Thompson to State of Mississippi (tab)
05/08/2000	705	PRELIMINARY RESPONSE by United States to the Monitor's Report on Enrollment Analysis, 1993-1998 (tab) (Entered: 05/10/2000)
05/08/2000	706	SECOND RESPONSE by United States to the Monitor's Report on Enrollment Analysis, 1993-1998 (tab) (Entered: 05/10/2000)
05/08/2000	707	RESPONSE by Jake Ayers Jr., Bennie G. Thompson to the Court Monitor's Enrollment Analysis (tab) (Entered: 05/10/2000)
05/18/2000	708	RESPONSE by United States to the Monitor's Report on Control of the Universities Center and Courses in the Jackson Area and the Report on Legal

		Education at JSU (tab)
05/18/2000	709	ORDER pursuant to the court's order of 3/30/00 Isaac K. Byrd will receive notices & orders from the court for dissemination to the other attorneys representing the private plaintiffs; Ms. LeVern Younger for the U. S. Government; & Mr. Paul Stephenson for the State of MS (signed by Chief Judge Neal B. Biggers on 5/18/00) Date of Entry: 5/18/00 (tab)
05/24/2000	710	ORDER that the expenditure of all endowment trust funds shall be made in accordance with the guidelines attached to this order (signed by Chief Judge Neal B. Biggers on 5/24/00) Date of Entry: 5/24/00 (tab)
05/24/2000	711	ORDER OF COMPENSATION OF MONITOR that the compensation paid to the monitor by the Board should be \$60,000.00 per year, including the employer's share of the social security benefits and a ten percent raise to reflect the increased time that has been devoted to this case by the Monitor for the past year and expected to be required in the future (signed by Chief Judge Neal B. Biggers on 5/24/00) Date of Entry: 5/24/00 (tab)
05/30/2000	712	RESPONSE by Jake Ayers Jr., Bennie G. Thompson to the court Monitor's Report on Legal Education at Jackson State University (tab) (Entered: 05/31/2000)
06/08/2000	713	RESPONSE by United States to Monitor's Report Regarding Facilities Maintenance Monies (tab) (Entered: 06/12/2000)
06/08/2000	714	RESPONSE by United States to the Monitor's Report on Pharmacy Education (tab) (Entered: 06/12/2000)
06/15/2000		Hearing set, re: University Admissions Standards; Location: Oxford, before Chief Judge Neal B. Biggers. (nfs)
06/16/2000	715	ORDER that private plaintiffs are GRANTED ten days from the date of this order to respond to the Court Monitor's report on pharmacy education (signed by Chief Judge Neal B. Biggers on 6/16/00) Date of Entry: 6/16/00 (tab)
06/19/2000	716	MOTION by Plaintiffs to Extend Time to File Responsive Pleading (nsm) Modified on 06/21/2000
06/20/2000	717	ORDER GRANTING [716-1] motion to Extend Time to File Responsive Pleading that private plaintiffs are granted an extension of 15 days from the date of this order to respond to the Monitor's report on control facilities maintenance. No further extensions will be granted. (signed by Chief Judge Neal B. Biggers on 6/15/00) Date of Entry: 6/20/00 (tab)
06/22/2000	718	NOTICE OF SERVICE Interrogs & Requests For Production of Documents by State of Mississippi to Jake Ayers Jr. (tab)
06/23/2000	719	NOTICE OF SERVICE Amended & First Supplemental Responses to Private Plaintiffs' Interrogatories Concerning Admissions Standards by State of Mississippi to Jake Ayers Jr. (tab)
06/26/2000	720	RESPONSE by Jake Ayers Jr. to the Board's Proposal on Control of Facilities Maintenance Monies (tab)
06/30/2000	721	RESPONSE by Jake Ayers Jr. to Monitor's Reports Concerning Developmental Programs (tab)
07/06/2000		Hearing RE: University Admissions Standards set for 10:00, 9/6/00, Courtroom No. 1, Oxford, MS before Chief Judge Neal B. Biggers, Jr. (tab)
07/06/2000	722	ORDER that all proposed Ayers allocations for FY 2001 at JSU in the sum of \$3,550,00 are part of the Ayers Remedial Decree herein and APPROVED; that \$9.5 Million capital allocation for the construction of the ASU facility for the court-ordered MBA program in Natchez is part of the Ayers Remedial Decree and APPROVED; that the proposed allocations of operating funds for ASU in the sum of \$1,775,000 and MVSU in the sum of \$1,775,000 are not part of the Ayers Remedial Decree and SHALL BE WITHHELD FROM EXPENDITURES IN FY 2001; and that the proposed \$100,000 allocation for system administration SHALL BE WITHHELD FROM EXPENDITURES IN FY 2001. The court is not holding

		that the Board cannot implement the programs for which allocations are not approved as part of the Ayers Remedial Decree. However, the Board should not request from the Legislature appropriations as Ayers funding unless the funds requested will be used to comply with the Remedial Decree. The court leaves it to the Board and the appropriate officials of the Legislature to determine whether the funds requested for the Ayers case for programs not having been ordered as part of the remedial phase of this case shall be retained in the account of the Board for future use consistent with the remedies ordered by the court or returned to the State treasury (signed by Chief Judge Neal B. Biggers on 7/6/00) Date of Entry: 7/6/00 (tab)
07/10/2000	723	RESPONSE by Jake Ayers Jr. to the Court's Monitor's Report on Pharmacy Education at JSU (tab)
07/10/2000	724	DESIGNATION by Jake Ayers Jr. of record on appeal pursuant to Notice of Appeal filed 1/18/00 (tab)
07/12/2000		Certified and transmitted Record on Appeal Per Designation of Pleadings to U.S. Court of Appeals: [693-1] appeal by Jake Ayers Jr. [2 Record Vols., 2 Transcript Vols., 2 Bound Exhibits, 1 Envelope of Exhibits] (tab) Modified on 07/12/2000
07/14/2000		Status Conference held on 7/14/2000 in Oxford before Chief Judge Neal B. Biggers, re: settlement negotiations. (nfs)
07/14/2000	725	CIVIL MINUTES for: Telephonic Status Conference held 7/14/2000 in Oxford before Chief Judge Neal B. Biggers, Jr. Court Reporter: none. Conference held at the request of Attorney Stephenson to report on settlement negotiations. It was reported that the plaintiffs are to submit settlement proposals by September 5, 2000; responses will be due October 1, 2000. October 16, 17, 18, and the week of October 23 (if necessary) will be set aside for settlement negotiations. The parties request a stay of court activity in this case until November 1, 2000, and a continuance of the hearing on admissions standards presently scheduled for September 6, 2000. All parties with the exception of the private plaintiffs have responded to the Monitor's Report on recommendations for summer programs. The private plaintiffs are to submit their response within ten days; if no response is received, it will be assumed that they are in agreement with the response of the United States. When a settlement proposal is presented, it should be signed by all branches of the state government. An order will be entered. (nfs)
07/14/2000		NOTICE of Hearing: Continued; Hearing re: University Admissions Standards, previously scheduled for September 6, 2000, has been continued until further notice of the court . (nfs)
07/14/2000	726	ORDER that the previously scheduled hearing on admissions standards set 9/6/00 is CONTINUED until further order of the court (signed by Chief Judge Neal B. Biggers on 7/14/00) Date of Entry: 7/14/00 (tab)
08/11/2000	727	MOTION by Jake Ayers Jr. for Reconsideration And Revision of Procedure for Approval of Ayers' Funding Requests (tab)
08/11/2000	728	MOTION by Jake Ayers Jr. to Vacate [710-1] order of May 24, 2000 (tab)
08/23/2000	729	ORDER DENYING [728-1] motion to Vacate [710-1] order of May 24, 2000 (signed by Chief Judge Neal B. Biggers on 8/11/00) Date of Entry: 8/23/00 (tab)
11/09/2000	730	ORDER SETTING MOTION HEARING as to whether the present request for a further suspension of court-ordered remedies until 2001 should be granted is set for 10:00, 11/29/00, Oxford (signed by Senior Judge Neal B. Biggers on 11/9/00) Date of Entry: 11/9/00 (tab)
11/16/2000		NOTICE of Hearing: setting Hearing, re: request to extend stay until 2001, for 10:00, 11/29/00 ; Location: Oxford, before Senior Judge Neal B. Biggers. (nfs)
11/28/2000	731	ORDER that the hearing on the present request for further suspension until the year 2001 is CONTINUED from 11/29/00 until 11/30/00 RESETTING Hearing for 2:30, 11/30/00, Courtroom No. 2, Federal Building, Oxford (signed by Senior Judge Neal Biggers on 11/28/00) Date of Entry: 11/28/00 (tab) Modified on 11/28/2000

11/28/2000	732	NOTICE/MOTION by North Mississippi Legal Services, Inc. for Reasonable Attorney Fees Pursuant to 42 U.S.C.A. 1988 (tab) (Entered: 11/29/2000)
11/28/2000	733	AFFIDAVIT of Bennie L. Turner Re: [732-1] motion for Reasonable Attorney Fees Pursuant to 42 U.S.C.A. 1988 (tab) (Entered: 11/29/2000)
11/29/2000		NOTICE that the hearing on the present request for further suspension until the year 2001 set 11/30/00 is CONTINUED until further order of the court (tab) Modified on 11/29/2000
12/19/2000	734	ORDER For Interim Attorney Fees (signed by Senior Judge Neal B. Biggers on 12/19/00) (admin) Modified on 12/19/2000
12/27/2000		Pursuant to court's order for interim attorney fees entered 12/19/00, check was received warrant of the State of MS in the amount of \$250,000.00. Receipt No. 61462. (nsm)
01/05/2001	735	ORDER DENYING MOTION TO SUSPEND COURT ACTION on Implementing the Remedial Decree; that the letter motion requesting that the suspension of all court activity to implement the Remedial Decree be continued is DENIED (signed by Senior Judge Neal B. Biggers on 1/5/01) Date of Entry: 1/5/01 (tab)
01/10/2001	736	ORDER that the court finds establishing a public law school or a five-year pharmacy school "under the direction and control of JSU" neither feasible nor educationally sound at this time and therefore, not required by the court as an element of the Ayers Remedial Decree. With these issues resolved, the court finds all elements of the Ayers Remedial Decree having to do with JSU and involving significant expenditures of funds have now been completed. The court will now turn its attention to those remaining issues, including the removal of vestiges of segregation at the smaller schools which involve state policies, if any, that may discriminate against black students by preventing them from attending the schools of their choice within the state system of higher education or which may have a "channeling effect" which tends to direct classes of students to specific schools, as described by this court in the Ayers Remedial Decree (signed by Senior Judge Neal B. Biggers on 1/8/01) Date of Entry: 1/10/01 (tab)
01/18/2001	737	REQUEST FOR RELEASE of Interim Attorney's Fee Deposit by Plaintiffs (tab) (Entered: 01/23/2001)
01/23/2001		CHECK NO. 3409 ISSUED &MADE PAYABLE TO: Byrd & Associates in the amount of \$250,482.43 per compliance with Order entered 12/19/00. CHECK NO. 3408 ISSUED &MADE PAYABLE TO: U. S. Treasury in the amount of \$53.60 representing the Registry Fee. (tab)
01/25/2001		NOTICE by State of Mississippi of non-receipt of Request for Release of Interim Attorney's Fee Deposit filed 1/18/01. Copy forwarded to Paul H. Stephenson, III. (tab)
02/12/2001	738	ORDER that the Board amend its maintenance proposal dated 06/30/1998 as follows: Board is directed to establish a policy prohibiting the transfer of monies earmarked for maintenance to some other function, absent approval of the Board of IHL Comimssioner; Board is directed to establish a policy reserving unexpended emergency maintenance funds and other unexpended maintenance funds for maintenance in the succeeding fiscal year, absent approval of the Board of IHL Commissioner; The Board is directed to develop criteria by which the universities shall charge auxiliary enterprises for their own maintenance expenditures; The Board is directed to establish a policy and procedures for a temporary "maintenance receivership" by the Board for any university undergoing continuing maintenance problems. The Monitor's recommendation for objective budgeting methods remains under advisement. The court notes that excluding the recommendation for objective budgeting, this order completes paragraph 11 of the Remedial Decree.(Signed by Senior Judge Neal B. Biggers on 02/09/01) COB # 55 pg. 146-151 Date of Entry: 02/12/01 (admin)
02/12/2001	739	ORDER That the universities continue to include in their curricula for the regular academic year the currently offered developmental courses; and That the funding formula as it pertains to the financing of developmental/remedial instruction at the universities is approved. With the order issued this day addressing paragraph 11 of

		the Remedial Decree and the instant order, the court has resolved all significant issues in this cause, except the approval and implementation of a plan to desegregate the Delta Universities and reexamination of equipment funding and the use of ACT cutoff scores in awarding scholarships, as ordered by the 5th Circuit. (signed by Senior Judge Neal B. Biggers on 02/09/01) COB # 55 pg. 152-158 Date of Entry: 02/12/01 (admin)
03/28/2001	740	NOTICE of Attorney Appearance for Jake Ayers Jr., Louis Armstrong by Alvin O. Chambliss, Jr. (tab)
03/28/2001	741	MOTION by Jake Ayers Jr., Louis Armstrong In Opposition to the Settlement Agreement Procedure With Exhibits (tab)
03/30/2001	742	MOTION by Jake Ayers Jr. for Leave to Opt Out of Class (tab)
04/18/2001	743	RESPONSE by State of Mississippi in opposition to [742-1] motion for Leave to Opt Out of Class by Jake Ayers Jr. (tab)
04/23/2001	744	ORDER that this cause comes before the court on the motion of Lillie B. Ayers &ninety-eight other members of the private plaintiff class, seeking leave to withdraw from the class of plaintiffs based on a potential proposal by the parties herein to agree on the method of desegregation of the Institutions of Higher Learning in the State of MS. No formal proposal signed by the parties has been presented to this court, although attorneys for the parties 3/30/01 did advise the court that a formal motion would be filed shortly. As of this date, no such proposal has been received by the court. At such time as the court receives a formally executed proposal by the parties to set out the means of desegregating the Institutions of Higher Learning in the State of MS, the court will set a date for a hearing on the motion of private plaintiff Lillie B. Ayers and the other class members to opt out of this litigation (signed by Senior Judge Neal B. Biggers on 4/23/01) Date of Entry: 4/23/01 (tab) Modified on 04/23/2001
04/23/2001	745	JOINT MOTION by State of Mississippi, United States, Jake Ayers Jr., Bennie G. Thompson Presenting A Proposed Settlement of this Class Action, and Requesting Notice to the Class &the Scheduling of a Fairness Hearing (tab)
05/01/2001	746	THIRD MOTION by Jake Ayers Jr. to Hold Hearing to Determine Option Out of Class (tab) (Entered: 05/03/2001)
05/01/2001	747	MOTION by Jake Ayers Jr. To Correct and Require Service of Pleadings on Ayers Plaintiffs Including Lillie B. Ayers &Louis Armstrong Attorney (tab) (Entered: 05/03/2001)
05/01/2001	748	MOTION by Jake Ayers Jr. For Submission of Class Members Who Wish to Opt-Out of the Proposed Settlement and Request For An Immediate Hearing on their Preliminary Injunction Request (tab) (Entered: 05/03/2001)
05/01/2001		REPLY by Jake Ayers Jr. to response of the Board in opposition to [742-1] motion for Leave to Opt Out of Class by Jake Ayers Jr. (tab) (Entered: 08/08/2002)
05/04/2001	749	RESPONSE by Jake Ayers Jr. to [742-1] motion for Leave to Opt Out of Class by Jake Ayers Jr. (tab)
05/07/2001	750	STATUS REPORT by Jake Ayers Jr. (tab)
05/08/2001	751	ORDER SCHEDULING HEARING &DIRECTING NOTICE TO CLASS setting Fairness Hearing for 10:00, 9/4/01, U. S. Courthouse, Oxford The Board designee shall cause the Notice to be published; the defendants shall make copies available on the Board's website; On or before 6/15/01 the Board shall file affidavits establishing publication of the Notice; By 8/5/01 the Class &the U. S. shall file submissions in support of Settlement; By 8/15/01 Defendants shall file all submissions in support of Settlement; Every resident of the State, including the Class, may present their positions on or before 7/25/01 in the procedure identified herein. All submissions are to be filed &served with the Clerk of Court. (signed by Senior Judge Neal B. Biggers on 5/8/01) Date of Entry: 5/8/01 (tab)
05/09/2001		Fairness hearing, re: [745-1] joint motion Presenting A Proposed Settlement of this Class Action, and Requesting Notice to the Class &the Scheduling of a

		Fairness Hearing by Bennie G. Thompson, Jake Ayers Jr., United States, State of Mississippi, set at 10:00, 9/4/01; Location: Oxford, before Senior Judge Neal B. Biggers. (nfs)
05/16/2001	752	ORDER DENYING AS MOOT [748-1] motion For Submission of Class Members Who Wish to Opt-Out of the Proposed Settlement and Request For An Immediate Hearing on their Preliminary Injunction Request, GRANTING [747-1] motion To Correct and Require Service of Pleadings on Ayers Plaintiffs Including Lillie B. Ayers & Louis Armstrong Attorney, DENYING AS MOOT [746-1] motion to Hold Hearing to Determine Option Out of Class (signed by Senior Judge Neal B. Biggers on 5/16/01) Date of Entry: 5/16/01 (tab)
06/15/2001	753	AFFIDAVIT OF COMPLIANCE with May 8, 2001 Order by State of Mississippi (tab)
06/18/2001	754	ORDER that the Monitor's fee is DECREASED from \$60,000 per annum to \$36,000 per annum to be effective beginning with the 6/22/01 pay period (signed by Senior Judge Neal B. Biggers on 6/15/01) Date of Entry: 6/18/01 (tab)
06/22/2001	755	NOTICE OF APPEAL of [752-1] order entered 5/16/01 by Jake Ayers Jr. FILING FEE \$105.00 RECEIPT #63597. Appeal record due on 7/7/01. (tab) (Entered: 06/25/2001)
06/22/2001		Notice of Appeal and certified copy of docket to USCA: [755-1] appeal by Jake Ayers Jr. (tab) (Entered: 06/25/2001)
07/06/2001		USCA Case Number Re: [755-1] appeal by Jake Ayers Jr. USCA NUMBER: 01-60511 (tab)
07/09/2001		Copies of position statements mailed to service list counsel per Judge Biggers Chambers (admin) Modified on 07/10/2001
07/24/2001		NOTICE of Intent to file designation of record on or before 7/31/01 by plaintiff's counsel Alvin O. Chambliss. Temporary address of Alvin O. Chambliss: P. O. Box 272, Oxford, MS 662-234-4321 on or until 8/20/01. (tab)
07/24/2001		NOTICE of Receipt of Transcript Order form indicating transcript not necessary for appeal purposes by Jake Ayers Jr. (tab) (Entered: 07/25/2001)
07/24/2001	756	MOTION by Jake Ayers Jr. for Leave For Special Appearance in Class Proceedings (tab) (Entered: 07/25/2001)
07/24/2001	757	MOTION by Jake Ayers Jr. For Postponement of Deadlines and Proceedings and/or in the Alternative Reconsideration of Original Private Plaintiff's Ayers family and others Motion to Opt-Out of Class and to Continue Independent Course in the Ayers Litigation (tab) (Entered: 07/25/2001)
07/24/2001		NOTICE OF INTENT TO APPEAR, Statement of Postion, and Basis For Position by North Mississippi Rural Legal Services, Inc. (tab) (Entered: 07/25/2001)
07/27/2001		Copies of position statements mailed to service list counsel per Judge Biggers Chambers (admin) Modified on 08/01/2001
08/06/2001	758	PRE-HEARING MEMORANDUM of the United States in support of settlement agreement (tab)
08/07/2001	759	RESPONSE by Jake Ayers Jr. in support of Settlement Agreement (tab)
08/09/2001	760	RESPONSE by State of Mississippi to [757-1] motion For Postponement of Deadlines and Proceedings and/or in the Alternative Reconsideration of Original Private Plaintiff's Ayers family and others Motion to Opt-Out of Class and to Continue Independent Course in the Ayers Litigation by Jake Ayers Jr., [756-1] motion for Leave For Special Appearance in Class Proceedings by Jake Ayers Jr. (tab)
08/15/2001	761	SUBMISSION by State of Mississippi IN SUPPORT of [745-1] joint motion Presenting A Proposed Settlement of this Class Action, and Requesting Notice to the Class & the Scheduling of a Fairness Hearing by Bennie G. Thompson, Jake Ayers Jr., United States, State of Mississippi (tab)

08/27/2001	762	ORDER DENYING [757-1] motion For Postponement of Deadlines and Proceedings and/or in the Alternative Reconsideration of Original Private Plaintiff's Ayers family and others Motion to Opt-Out of Class and to Continue Independent Course in the Ayers Litigation, DENYING [756-1] motion for Leave For Special Appearance in Class Proceedings (signed by Senior Judge Neal B. Biggers on 8/27/01) Date of Entry: 8/27/01 (tab)
08/30/2001	763	ORDER, allotting time for parties and objectors to present their arguments and testimony at the Fairness Hearing September 4, 2001 ; (signed by Senior Judge Neal B. Biggers on 8/30/01). Date of Entry: 8/30/01 (nfs) (Entered: 08/31/2001)
09/05/2001	764	RESPONSE by State of Mississippi to [732-1] motion for Reasonable Attorney Fees Pursuant to 42 U.S.C.A. 1988 (tab)
09/06/2001		Fairness hearing held 9/4/01-9/6/01 in Oxford before Senior Judge Neal B. Biggers, Jr., re: [745-1] joint motion Presenting A Proposed Settlement of this Class Action, and Requesting Notice to the Class & the Scheduling of a Fairness Hearing. by Bennie G. Thompson, Jake Ayers Jr., United States, State of Mississippi. (nfs) Modified on 09/06/2001
09/06/2001	765	Witness list by State of Mississippi, Jake Ayers Jr. (nfs)
09/06/2001	766	Exhibit list by State of Mississippi, Jake Ayers Jr. (nfs)
09/06/2001	767	CIVIL MINUTES for: Fairness Hearing held 9/4/01-9/6/01 in Oxford before Senior Judge Neal B. Biggers, Jr. Court Reporter: Debbie Harris. Witnesses testified; exhibits were introduced. Participants addressed the court in favor of their positions. North Mississippi Rural Legal Services objects to settlement, re: Attorneys' fees, and moves for a hearing. On the third day, Mr. Pressman requested to be excused: GRANTED. Court will grant a hearing to "opt out" (nfs)
09/06/2001	768	JUDGMENT OF USCA (certified copy) that the motion of defendants to dismiss the appeal for lack of appellate jurisdiction is GRANTED; it is further ordered that the appellants' Emergency Motion for Stay of Proceedings and/or in the Alternative Vacate the Oral Order of the Court Regarding Three Witnessed per side is DENIED AS MOOT Re: [755-1] appeal by Jake Ayers Jr. (tab) (Entered: 09/07/2001)
09/26/2001		Motion hearing, re: [742-1] motion for Leave to Opt Out of Class by Jake Ayers Jr. set at 10:00, 10/23/01; Location: Oxford, before Senior Judge Neal B. Biggers. (nfs)
09/27/2001	769	ORDER GRANTING MOTION FOR HEARING to determine whether certain members of the class should be allowed to opt out; that the court will grant the movants a hearing on this issue on 10/23/01 @ 10:00 a.m.; and that the court directs that pre-hearing briefs on this issue should be presented to the court by 10/17/01 in support of their individual positions (signed by Senior Judge Neal B. Biggers on 9/27/01) Date of Entry: 9/27/01 (tab) Modified on 09/28/2001
10/04/2001		Telephonic Conference held on 10/4/01 before Senior Judge Neal B. Biggers, re: Hearing on motion to opt out to be held 10/23/01. (nfs)
10/04/2001	770	CIVIL MINUTES for: Telephonic Conference held 10/4/01 before Judge Neal B. Biggers, Jr.; Court Reporter: None; setting witness list deadline to 10/8/01 for the movants; witness list deadline: 10/10/01 for the respondents; Brief deadline: 10/19/01 . Movants will be allowed six hours in which to make their presentation. Time taken in cross examination will be deducted from the six hours. (nfs)
10/09/2001	771	ORDER, setting movants' witness list deadline to 10/8/01; respondents' witness list deadline: 10/10/01; setting Brief deadline to 10/19/01 . Movants will be allowed a total of six (6) hours, exclusive of cross-examination, to present evidence in support of the motion; (signed by Senior Judge Neal B. Biggers on 10/5/01). Date of Entry: 10/9/01. (nfs)
10/12/2001	772	Witness list for Opt-Out Hearing set 10/23/01 by Lillie B. Ayers Jr. (tab) Modified on 10/16/2001 (Entered: 10/16/2001)

10/15/2001	773	Witness list for Opt-Out Hearing by Jake Ayers Jr. (tab) (Entered: 10/16/2001)
10/19/2001	774	RESPONSE by United States to [742-1] motion for Leave to Opt Out of Class by Jake Ayers Jr. (tab)
10/23/2001	775	MOTION by Jake Ayers Jr. for James Douglas to Appear Pro Hac Vice, Admission Fee: Amount \$ 25.00 Receipt # 65064 (tab)
10/24/2001		Motion hearing held re: [757-1] motion For Postponement of Deadlines and Proceedings and/or in the Alternative Reconsideration of Original Private Plaintiff's Ayers family and others Motion to Opt-Out of Class and to Continue Independent Course in the Ayers Litigation by Jake Ayers Jr. (nfs)
10/24/2001	776	Witness list by State of Mississippi, Jake Ayers Jr. (nfs)
10/24/2001		NOTICE of Receipt of Ayers Settlement Agreement Petition by Jake Ayers Jr. (tab)
10/24/2001	777	Exhibit list by State of Mississippi, Jake Ayers Jr. (nfs)
10/24/2001	778	MOTION by Jake Ayers Jr. To Require Defts.' U. S. Government & Thompson Plaintiff to Establish Affirmatively That The Proposed Settlement Will Result in Mississippi Statewide System of Higher Education Become Unitary (tab) Modified on 10/30/2001 (Entered: 10/30/2001)
10/24/2001	779	MOTION by Jake Ayers Jr. in Limine to Require Class Counsel to Give the Court a Detail Accounting Regarding Efforts made to Protect the Interest of Absent Class Members (tab) Modified on 10/30/2001 (Entered: 10/30/2001)
10/25/2001	780	CIVIL MINUTES for: Motion Hearing held 10/23-24, 2001, re: Motion to "opt out" of Class. Court Reporter: Debbie Harris. Witnesses testified, and exhibits were introduced. Motion [775-1] to admit Dr. James Matthew Douglas pro hac vice: SUSTAINED. Parties will be allowed seven days in which to submit additional briefs. Motion taken under advisement. (nfs) Modified on 10/30/2001
11/05/2001	781	MEMORANDUM OPINION (signed by Senior Judge Neal B. Biggers on 11/5/01) (tab)
11/05/2001	782	ORDER THAT the motion of Lillie B. Ayers and ninety-eight other private plaintiffs to opt out of the private plaintiff class is DENIED; and DENYING [779-1] motion in Limine to Require Class Counsel to Give the Court a Detail Accounting Regarding Efforts made to Protect the Interest of Absent Class Members, DENYING [778-1] motion To Require Defts.' U. S. Government & Thompson Plaintiff to Establish Affirmatively That The Proposed Settlement Will Result in Mississippi Statewide System of Higher Education Become Unitary, DENYING AS MOOT [742-1] motion for Leave to Opt Out of Class, DENYING AS MOOT [741-1] motion In Opposition to the Settlement Agreement Procedure With Exhibits (signed by Senior Judge Neal B. Biggers on 11/5/01) COB # 55 pg. 239-240 Date of Entry: 11/5/01 (tab)
11/15/2001	783	NOTICE OF APPEAL of [782-1] order filed 11/5/01 denying preliminary injunctive relief by Jake Ayers Jr. FILING FEE \$ 105.00 RECEIPT # 65247 Appeal record due on 11/30/01. (tab)
11/15/2001	784	MOTION by Jake Ayers Jr. For Injunctive Relief Against State of Mississippi for Non-Compliance with Mandate of Court or Stay or Injunction Pending Appeal (tab)
11/15/2001		Notice of Appeal and certified copy of docket to USCA: [783-1] appeal by Jake Ayers Jr. (tab)
11/21/2001	785	SECOND MOTION by Jake Ayers Jr. For Injunctive Relief Against State of MS for Non-Compliance with Mandate of Court or Stay or Injunction Pending Appeal (tab) Modified on 11/23/2001 (Entered: 11/23/2001)
11/23/2001	786	MOTION by State of Mississippi to Strike [784-1] motion For Injunctive Relief Against State of Mississippi for Non-Compliance with Mandate of Court or Stay or Injunction Pending Appeal by Jake Ayers Jr. or Alternatively for Other Relief (tab) Modified on 11/27/2001 (Entered: 11/26/2001)

11/26/2001	787	MEMORANDUM OPINION (signed by Senior Judge Neal B. Biggers on 11/26/01) (tab) Modified on 11/27/2001
11/26/2001	788	ORDER DISMISSING FOR LACK OF STANDING [785-1] motion For Injunctive Relief Against State of MS for Non-Compliance with Mandate of or Stay or Injunction Pending Appeal, DISMISSING FOR LACK OF STANDING [784-1] motion For Injunctive Relief Against State of Mississippi for Non-Compliance with Mandate of Court or Stay or Injunction Pending Appeal (signed by Senior Judge Neal B. Biggers on 11/26/01) COB # 55 pg. 250 Date of Entry: 11/26/01 (tab) Modified on 11/27/2001
11/27/2001	789	ORDER DENYING AS MOOT [785-1] motion For Injunctive Relief Against State of MS for Non-Compliance with Mandate of Court or or Injunction Pending Appeal (signed by Senior Judge Neal B. Biggers on 11/27/01) COB # 55 pg. 251 Date of Entry: 11/27/01 (tab)
11/27/2001		Transcript requested of in chamber conference 3/30/01; Evidentiary Testimony only 10/23-24/01; 9/4-6/01 Fairness Hearing & witnesses for Ayers only [783-1] appeal by Jake Ayers Jr. Transcript due 12/27/01 (tab) (Entered: 11/28/2001)
12/12/2001	790	NOTICE OF APPEAL of [789-1] order, [788-1] order filed 11/26/01 & 11/27/01 by Jake Ayers Jr. Appeal record due on 12/27/01. (tab) (Entered: 12/13/2001)
12/12/2001		Notice of Appeal and certified copy of docket to USCA: [790-1] appeal by Jake Ayers Jr. (tab) (Entered: 12/13/2001)
12/17/2001		TRANSCRIPT filed of Fairness Hearing for dates of 9/10-12/01, Oxford [3 Vols.] (tab)
12/17/2001	791	ORDER that the motion of Appellants for stay pending appeal is DENIED (Entered by USCA on 12/5/01) Date of Entry: 12/17/01 (tab) (Entered: 12/18/2001)
12/18/2001		USCA appeal fees received FILING FEE \$105.00 RECEIPT # 66011 (tab)
12/21/2001		USCA Case Number Re: [790-1] appeal by Jake Ayers Jr. USCA NUMBER: 01-60930 (tab)
01/02/2002	792	ORDER, that if the Mississippi State Legislature submits a concurrent resolution which endorses the settlement proposal of April 23, 2001, the proposal will be accepted by the court; if not, the court will continue to implement its remedial order ; (signed by Senior Judge Neal B. Biggers on 1/2/02); COB #55, pgs. 268-277; Date of Entry: 1/2/02. (nfs) (Entered: 01/03/2002)
01/08/2002		USCA Case Number Re: [790-1] appeal by Jake Ayers Jr. USCA NUMBER: 01-60969 (tab)
01/08/2002	793	NOTICE OF APPEAL of [789-1] order by Jake Ayers Jr. Appeal record due on 1/23/02. (tab) (Entered: 01/10/2002)
01/08/2002		Notice of Appeal and certified copy of docket to USCA: [793-1] appeal by Jake Ayers Jr. \$105.00 APPEAL FEE PAID (tab) Modified on 01/10/2002 (Entered: 01/10/2002)
01/22/2002		USCA Case Number Re: [793-1] appeal by Jake Ayers Jr. USCA NUMBER: 02-60015 (tab)
02/01/2002		TRANSCRIPT filed of OPT-OUT HEARING [793-1] appeal by Jake Ayers Jr., [790-1] appeal by Jake Ayers Jr. for dates of 10/23-24/01. [2 Vols.] Appeal record due on 2/16/02. (tab)
02/01/2002		TRANSCRIPT filed of REQUESTED PORTIONS OF FAIRNESS HEARING [793-1] appeal by Jake Ayers Jr., [790-1] appeal by Jake Ayers Jr. for dates of 9/10-12/01. [1 Vol.] Appeal record due on 2/16/02. (tab)
02/15/2002	794	FINAL JUDGMENT APPROVING the proposed Settlement Agreement consistent with the court's 1/2/02 order and other proceedings before this court regarding the Agreement, it is ORDERED & ADJUDGED: that the certification of this proceeding as a class action pursuant to Rule 23(b)(2) is AFFIRMED; that this finding extends to all facets of this case and to all facets of public higher education

		under the direction, supervision or control of the Board of Trustees of State Institutions of Higher Learning; that the Settlement Agreement accomplishes a full, complete and final resolution of this controversy. Accordingly, all claims set forth in the complaint, as amended, all claims set forth in the complaint-in-intervention and all claims of racial discrimination asserted before the court throughout the pendency and trials of this action including, without limitation, claims of system or institutional aspects, features, policies and practices alleged to be remnants of the de jure system are hereby DISMISSED ON THE MERITS AND WITH PREJUDICE. Wherefore, this action is hereby DISMISSED WITH PREJUDICE! (signed by Senior Judge Neal B. Biggers on 2/15/02) COB # 55 pg. 286-289 Date of Entry: 2/15/02 (tab)
02/15/2002		Case closed (tab)
02/22/2002	795	JUDGMENT OF USCA (certified copy) of appeal of district court order denying appellants' motion to opt out; that it is ordered and adjudged that the appeal is DISMISSED; and it is further ordered that appellants pay to appellees the costs on appeal to be taxed by the Clerk of Court. Issued as Mandate: 2/20/02 (tab) (Entered: 02/25/2002)
02/25/2002	796	NOTICE/MOTION by Jake Ayers Jr. for Reconsideration and/or Clarification of [794-1] final judgment entered 2/15/02 (tab)
03/08/2002	797	AMENDED & SUPPLEMENTARY MOTION by Jake Ayers Jr. for Reconsideration of [794-1] order referring to: [796-1] motion for Reconsideration and/or Clarification of [794-1] final judgment entered 2/15/02 by Jake Ayers Jr. (tab)
03/11/2002	798	RESPONSE by State of Mississippi, Ronnie Musgrove to [797-1] supplemental amended motion for Reconsideration of [794-1] order by Jake Ayers Jr., [796-1] motion for Reconsideration and/or Clarification of [794-1] final judgment entered 2/15/02 by Jake Ayers Jr. (tab) (Entered: 03/12/2002)
03/13/2002	799	JUDGMENT OF USCA (certified copy) that under 5th Cir. R. 42.3, the appeal is DISMISSED as of 3/8/02, for want of prosecution. The appellant failed to timely order the transcript and make financial arrangements with the court reporter. (tab) (Entered: 03/14/2002)
03/22/2002	800	RESPONSE by State of Mississippi, Ronnie Musgrove to [797-1] supplemental amended motion for Reconsideration of [794-1] order by Jake Ayers Jr. (tab)
04/01/2002	801	MOTION by Jake Ayers Jr. to Extend Time to Respond to Amended And Supplementary Motion for Reconsideration and/or Clarification of Final Judgment Decision (tab)
04/11/2002	802	ORDER GRANTING [801-1] motion to Extend Time to Respond to Amended And Supplementary Motion for Reconsideration and/or Clarification of Final Judgment Decision; that the Lillie B. Ayers Plaintiffs are granted an extension of ten days from the date of this order to submit a rebuttal memorandum (signed by Senior Judge Neal B. Biggers on 4/11/02) Date of Entry: 4/11/02 (tab)
04/17/2002	803	ORDER GRANTING Private Plaintiff's Enlargement of Time to Settle Attorneys' Fees; that Private Plaintiffs shall have 10 additional days to complete the negotiation and present an agreed proposal for the division of attorneys' fees (signed by Senior Judge Neal B. Biggers on 4/16/02) Date of Entry: 4/17/02 (tab)
04/23/2002	804	REPLY by Jake Ayers Jr. to response to [797-1] supplemental amended motion for Reconsideration of [794-1] order by Jake Ayers Jr., [796-1] motion for Reconsideration and/or Clarification of [794-1] final judgment entered 2/15/02 by Jake Ayers Jr. (tab)
04/23/2002	805	MOTION by Jake Ayers Jr. to Strike, Delete or Otherwise Expunge Lillie B. Ayers Class Counsel From Attorney's Fee Controversy or Alternatively Motion For Limited Position on Former Lead Counsel (tab)
05/14/2002	806	CLASS COUNSEL'S REPORT & MOTION/MEMORANDUM by Jake Ayers Jr. for Attorney Fees (tab)

05/17/2002	807	ORDER denying [797-1] supplemental amended motion for Reconsideration of [794-1] order, denying [796-1] motion for Reconsideration and/or Clarification of [794-1] final judgment entered 2/15/02 (signed by Senior Judge Neal B. Biggers on 05/16/02) (kmt)
06/14/2002	808	NOTICE OF APPEAL of [807-1] order signed 5/16/02 which finally approved the settlement agreement to the U. S. Court of Appeals for the Fifth Circuit by Jake Ayers Jr. FILING FEE \$ 105.00 RECEIPT # 68222. Appeal record due on 6/29/02. (tab)
06/14/2002		Notice of Appeal and certified copy of docket to USCA: [808-1] appeal by Jake Ayers Jr. (tab)
07/05/2002		USCA Case Number Re: [808-1] appeal by Jake Ayers Jr. USCA NUMBER: 02-60493 (tab)
07/09/2002		NOTICE of Receipt of Transcript Order form indicating transcript is currently on file and no transcript will be ordered at this time by Jake Ayers Jr. (tab) (Entered: 07/10/2002)
07/16/2002	809	DESIGNATION by Jake Ayers Jr. of record on appeal (tab) (Entered: 07/22/2002)
08/08/2002		Certified and transmitted Record on Appeal to U.S. Court of Appeals: 36 volumes record, 6 containers exhibits [808-1] appeal by Jake Ayers Jr. (nfs)
08/19/2002	810	JUDGMENT OF USCA (certified copy) DISMISSING appeal; and it is ordered and adjudged that the appeal is dismissed; and it is further ordered that appellants pay to appellees the costs on appeal to be taxed by the Clerk of this Court. Issued as Mandate: 8/9/02 (tab) (Entered: 08/20/2002)
09/23/2002	811	MOTION by Jake Ayers Jr. To Supplement The Record (tab) (Entered: 09/24/2002)
09/23/2002		Received sixteen volumes of Supplemental Record (Supplemental Records I-IX) from Appeals Court with request that they be consolidated into one Supplemental Record with one docket. (nfs) (Entered: 09/25/2002)
09/25/2002		Certified and transmitted Record on Appeal to U.S. Court of Appeals: Renumbered pages of Supplemental Records I-IX to make one Supplemental Record (nine volumes), per request of Appeals Court. (nfs) Modified on 09/25/2002
10/01/2002	812	RESPONSE by State of Mississippi, Ronnie Musgrove to [811-1] motion To Supplement The Record by Jake Ayers Jr. (tab)
10/17/2002	813	REPLY by Jake Ayers Jr. to response to [811-1] motion To Supplement The Record by Jake Ayers Jr. (tab)
10/22/2002		NOTICE of Receipt of DENIAL of petition for writ of certiorari by U. S. Supreme Court (tab)
02/10/2004	814	MOTION by Jake Ayers Jr. to Supplement the Record (tab) (Entered: 02/11/2004)
02/10/2004	815	MOTION by Jake Ayers Jr. for Leave to Reopen the Record (tab) (Entered: 02/11/2004)
02/24/2004	816	JUDGMENT OF USCA (certified copy) AFFIRMING judgment of the district court Re: [808-1] appeal by Jake Ayers Jr. It is further ordered that appellants pay to appellees the costs on appeal to be taxed by the Clerk of this Court. Issued as Mandate: 2/20/04 (tab)
03/01/2004	817	RESPONSE by Ronnie Musgrove, State of Mississippi in opposition to [815-1] motion for Leave to Reopen the Record by Jake Ayers Jr. (tab) (Entered: 03/02/2004)
03/01/2004	818	RESPONSE by Ronnie Musgrove, State of Mississippi in opposition to [814-1] motion to Supplement the Record by Jake Ayers Jr. (tab) (Entered: 03/02/2004)
03/01/2004		NOTICE BY U. S. COURT OF APPEALS that petition for rehearing is denied. The mandate shall issue forthwith. (tab) (Entered: 03/02/2004)

03/31/2004	819	ORDER DENYING [805-1] motion to Strike, Delete or Otherwise Expunge Lillie B. Ayers Class Counsel From Attorney's Fee Controversy or Alternatively Motion For Limited Position on Former Lead Counsel(signed by Senior Judge Neal B. Biggers on 3/30/04) Date of Entry: 3/31/04 (tab)
04/19/2004		RECEIVED RETURNED ORDER addressed to Levern M. Younger, U. S. Department of Justice – Civil Rights Division, Educational Opportunities Section, P. O. Box 65998, Washington DC marked "moved, not forwardable" (tab)
09/27/2004	820	ORDER DENYING AS MOOT [815-1] motion for Leave to Reopen the Record, DENYING AS MOOT [814-1] motion to Supplement the Record (signed by Senior Judge Neal B. Biggers on 9/27/04) Date of Entry: 9/27/04 (tab) (Entered: 09/29/2004)
11/05/2004	<u>821</u>	ORDER granting motion of petitioner for leave to file amended petition for certiorari and supplemental appendix; the motion of Ivory Phillips, Chairman of MS Coalition for Higher Education for leave to file a brief as amicus curiae is granted. The motion of Alcorn State University for leave to file a brief amicus curiae is granted. The petition for a writ of certiorari is denied.. Entered by U.S. Supreme Court on 10/22/2004. (tab, USDC)
12/15/2004		Appeal Record Returned: 29 Vols. of the Record; 1 Envelope & 2 Boxes of Exhibits 354 Notice of Appeal (tab, USDC)
12/27/2004	<u>822</u>	REQUEST by Jake Ayers, Jr., et al, for status conference, re: Attorneys' Fees. (Attachments: # <u>1</u>)(nfs, USDC) (Entered: 12/30/2004)
05/13/2005	<u>823</u>	ORDER granting 806 Motion for Attorney Fees, finding as moot <u>822</u> Motion requesting status conference . Signed by Judge Neal B. Biggers on 5/13/05. (tab, USDC)
09/15/2006	<u>824</u>	ORDER ON FINAL INSTALLMENT OF ATTORNEYS' FEES. Signed by Judge Neal B. Biggers on 9/14/06. (nsm, USDC)
02/28/2007	<u>825</u>	ORDER DENYING LETTER MOTION TO APPOINT MONITOR. Signed by Judge Neal B. Biggers on 2/27/07. (nsm, USDC)