

**U.S. District Court**  
**Western District of Tennessee (Memphis)**  
**CIVIL DOCKET FOR CASE #: 2:63-cv-04916-BBD-dkv**

Robinson, et al v. Shelby Cty Bd Educ  
Assigned to: Judge Bernice B. Donald  
Referred to: Chief Magistrate Judge Diane K. Vescovo  
Demand: \$0  
Cause: 42:1983 Civil Rights Act

Date Filed: 06/12/1963  
Date Terminated: 03/17/1964  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Claude Bernard Robinson**  
*infant, by Melvin Robinson, their father  
& next friend*

represented by **Richard B. Fields**  
LAW OFFICE OF RICHARD B. FIELDS  
688 Jefferson Ave.  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Julia D. Robinson**  
*infant, by Melvin Robinson, their father  
& next friend*

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

V.

**Intervenor Plaintiff**

**USA**

represented by **Bill Lann Lee**  
UNITED STATES DEPARTMENT OF  
JUSTICE  
Civil Rights Division, Criminal Section  
950 Pennsylvania Ave.  
Washington, DC 20530-0001  
901-544-4231  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**John R. Moore**  
U.S. DEPARTMENT OF JUSTICE  
Civil Rights Division  
Educational Opportunities Section (PHB)  
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Washington, DC 20530  
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Fax: 202-514-8337  
Email: [john.moore2@usdoj.gov](mailto:john.moore2@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Intervenor Plaintiff**

**Lasimba Gray**  
*as President of Operation Rainbow Push*  
**TERMINATED: 07/16/2007**

V.

**Defendant****Shelby County Board of Education**

represented by **Richard L. Winchester , Jr.**  
 THE WINCHESTER LAW FIRM  
 P.O. Box 17236  
 6060 Poplar Avenue  
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**ATTORNEY TO BE NOTICED**

**Amicus****Operation Rainbow Push**

represented by **Javier M. Bailey**  
 WALTER BAILEY & ASSOCIATES  
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 Ste. 3002  
 Memphis, TN 38103  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/12/1963	1	COMPLAINT (EHG) (Entered: 10/16/2001)
10/16/2001		REMARK: for all civil pleadings prior to 10/16/01 please refer to hard copy of docket sheet; (Jurisdiction retained for indefinitely 2/27/84) (BAG) (Entered: 10/16/2001)
10/18/2001	400	NOTICE OF FILING OF "Report to USDC, on 10/1/01, in compliance with the Court Order to the Shelby County Board of Education under dates of 1/6/67 & 7/3/90" by James B. Mitchell, Supt. of defendant Shelby Cty Bd Educ (BAG) (Entered: 10/19/2001)
06/11/2002	401	CONSENT ORDER APPROVING CONSTRUCTION OF NEW HIGH SHCOOL IN THE ARLINGTON AREA by Judge Bernice B. Donald : IT IS THEREFORE ORDERED, ADJUDGED & DECREED that the Dfts be & they are hereby authorized to construct a new high school in the Arlington, Shelby County, TN area as more specifically described in the Land Acquisition Notice appended to the Petition, with specific zone lines for the new school to be submitted for Court approval prior to the opening of the school for the 2004-2005 school year. (cc: all counsel) (PWM) (Entered: 06/11/2002)
08/27/2002	402	NOTICE OF FILING OF Report to the Court in compliance w/court order of 1/6/67 by Bobby Webb, Superintendent; (BAG) (Entered: 10/30/2002)
10/30/2002	403	NOTICE OF FILING OF Report to the Court in compliance w/Court Order ... under dates of 1/6/67 & 7/3/90 by Bobby Webb, Superintendent; (BAG) (Entered: 10/30/2002)

07/10/2003	404	MINUTES: Court heard statements from parties concerning Southwind Middle & Elementary, Sycamore, Schilling Farms, Germantown Elementary & Middle, Houston, Arlington Schools concerning student ration and expansion plans and modification plans for the schools. Court also heard statements concerning building a school in Millington. Court enters the consent order Type of hearing held: Statue Conference; Presiding Judge: Donald; PLA Atty: R. Fields; DFT Atty: R. Winchester, J. Moore (phone); C/R: Lynn Dudley (JAE) (Entered: 07/10/2003)
07/10/2003	405	CONSENT ORDER APPROVING ATTENDANCE ZONE CHANGES FOR SPECIFIED GERMANTOWN AND HOUSTON HIGH SCHOOLS FOR THE 2003/2004 SCHOOL YEAR by Judge Bernice B. Donald for as to Shelby Cty Bd Educ (cc: all counsel) (JAE) (Entered: 07/10/2003)
07/10/2003	406	CONSENT ORDER APPROVING CONSTRUCTION NOTICE FOR NEW ELEMENTARY SCHOOL IN MILLINGTON, SHELBY COUNTY, TENNESSEE AREA by Judge Bernice B. Donald for (cc: all counsel) (JAE) (Entered: 07/10/2003)
07/10/2003	407	ORDER: CHANGES IN SOUTHWIND MIDDLE AND GERMANTOWN MIDDLE SCHOOLS, WHICH ADDITIONALLY AFFECTS SOUTHWIND ELEMENTARY, GERMANTOWN ELEMENTARY, SYCAMORE ELEMENTARY AND SCHILLING FARMS MIDDLE SCHOOLS to be incorporated as an integral part of the Shelby County Board of Education School Desegregation Plan for 2003–2004 school year by Judge Bernice B. Donald for (cc: all counsel) (JAE) (Entered: 07/10/2003)
08/11/2003	408	NOTICE OF FILING OF REPORT to USDC in compliance with Court Order to Shelby Co Board of Educ under date of 01/06/67, with attachments 1 and 2 by defendant Shelby Cty Bd Educ (JAE) (Entered: 08/12/2003)
08/15/2003	409	MOTION by Karen L. Hill, Lasimba Gray, Brian Holiday, James Nelson, Tyrone King to intervene (JAE) (Entered: 08/18/2003)
08/15/2003	410	MEMORANDUM by Karen Hill, Lasimba Gray, Brian Holiday, James Nelson, Tyrone King in support of motion to intervene [409–1] (JAE) (Entered: 08/18/2003)
08/21/2003	411	ORDER by Judge Bernice B. Donald referring to Mag Judge Tu M. Pham the motion to intervene [409–1] (cc: all counsel) (JAE) (Entered: 08/22/2003)
08/22/2003		REMARK: Judge Tu Pham assigned as Magistrate Judge in case (JAE) (Entered: 08/22/2003)
09/05/2003		MAIL Returned [411–1] addressed to Thuan Thi Pham (copy handed to case manager) (JAE) Modified on 09/12/2003 (Entered: 09/05/2003)
09/16/2003	412	RESPONSE by defendant Shelby Cty Bd Educ to motion to intervene [409–1] (JAE) (Entered: 09/17/2003)
09/26/2003	413	ORDER by Mag Judge Tu M. Pham DENYING motion for Karen Hill, Lasimba Gray, Brian Holiday, James Nelson and Tyrone King to intervene [409–1]; proposed plaintiffs do not allege factual bases for conclusions.. fail to state whether the motion is timely..do not set forth facts sufficient to satisfy the elements required to demonstrate a right to intervene and therefore denied (cc: all counsel) (JAE) (Entered: 09/29/2003)
09/26/2003	414	NOTICE OF FILING OF REPORT to USDC in compliance with Court Order to Shelby Co Board of Educ under date of 01/06/67, with attachments 1–5 by defendant Shelby Cty Bd Educ (JAE) (Entered: 09/29/2003)
07/28/2004	<u>415</u>	SETTING LETTER:Conference set for 8/3/2004 11:00 AM in Courtroom 3 – Memphis before Bernice B. Donald. (tlh, ) (Entered: 07/29/2004)
08/03/2004	416	Minute Entry for proceedings held before Judge Bernice B. Donald : Status Conference held on 8/3/2004. Court received 2 consent orders from the parties: 1.) Consent Order approving changes of attendance zone boundaries for 2004–2005 school year, and 2.) Consent Order approving construction for new K–5 elementary school in Bartlett/Brunswick area; the Court heard from Ms. Marva Black Sullivan–Shelby County Planning & Development for Shelby County Schools; Court entered Orders. Plf. Atty: R. Fields, J. Moore (not present); Dft. Atty: R. Lee Winchester. (Court Reporter Sharlyn Phillips.) (tlh, ) (Entered: 08/04/2004)

08/03/2004	<u>417</u>	CONSENT ORDER APPROVING CHANGES OF ATTENDANCE ZONE BOUNDARIES FOR MULTIPLICITY OF SCHOOLS FOR 2004–2005 SCHOOL YEAR. Signed by Judge Bernice B. Donald. (tlh, ) (Entered: 08/04/2004)
08/03/2004	<u>418</u>	CONSENT ORDER APPROVING CONSTRUCTION NOTICE FOR NEW K–5 ELEMENTARY SCHOOL IN EASTERN BARTLETT/BRUNSWICK AREA, IN SHELBY COUNTY, TENNESSEE. Signed by Judge Bernice B. Donald. (tlh, ) (Entered: 08/04/2004)
08/18/2004	419	NOTICE OF FILING OF REPORT to USDC in compliance with Court Order to Shelby Co Board of Educ under date of 01/06/67, with attachments 1 and 2 by defendant Shelby County Board of Education. (tlh, ) (Entered: 08/19/2004)
10/05/2004	420	NOTICE OF FILING OF REPORT to USDC in compliance with Court Order to Shelby Co Board of Educ under date of 01/06/67, with attachments 1–6 by defendant Shelby County Board of Education. (tlh, ) (Entered: 10/05/2004)
09/15/2005	421	NOTICE OF FILING OF REPORT to USDC in compliance with Court Order to Shelby Co Board of Educ under date of 01/06/67, with attachments 1 and 2 by defendant Shelby County Board of Education.(jml, ) (Entered: 09/19/2005)
10/28/2005	422	NOTICE OF FILING REPORT to USDC in compliance with Court Order to Shelby Co Board of Educ under date of 01/06/67, with attachments 1–6 by defendant Shelby County Board of Education (jml, ) (Entered: 10/31/2005)
08/14/2006	<u>423</u>	Joint MOTION to Dismiss <i>Court Order</i> by Shelby County Board of Education. (Winchester, Richard) (Entered: 08/14/2006)
08/14/2006	<u>424</u>	MEMORANDUM in Support re <u>423</u> Joint MOTION to Dismiss <i>Court Order</i> filed by Shelby County Board of Education. (Attachments: # <u>1</u> Exhibit Reports)(Winchester, Richard) (Entered: 08/14/2006)
08/16/2006	425	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <u>423</u> Joint MOTION to Dismiss <i>Court Order</i> filed by Shelby County Board of Education,, <u>424</u> Memorandum in Support of Motion filed by Shelby County Board of Education, has been filed. For future reference, please note For future reference, please note Motion, Memorandum MUST be linked. Motion will be your main document and Memorandum to be attached documents. You should receive only one docket entry number... Filer is not required to resubmit document. (jml, ) (Entered: 08/16/2006)
11/22/2006	426	SETTING LETTER: Status Conference set for 11/29/2006 09:00 AM in Courtroom 3 – Memphis before Bernice B. Donald. (tlh, ) (Entered: 11/22/2006)
11/22/2006	<u>427</u>	SETTING LETTER: Motion Hearing set for 1/26/2007 02:00 PM in Courtroom 3 – Memphis before Bernice B. Donald. (tlh, ) (Entered: 11/22/2006)
11/29/2006	428	Minute Entry for proceedings held before Judge Bernice B. Donald : Status Conference held on 11/29/2006 as an advance to the Hearing on <u>423</u> Motion to Dismiss set for 1/26/2007; Attys addressed Court as to proposed course of action; Parties will submit proposed Public Notice to the Court within 5 days– Court will review and revise if needed; Notice shall be published in local publications: Commercial Appeal, Tri–State Defender, Daily News, Memphis Business Journal, Silver Star News, and other local community newspapers– Notice shall be published twice; Notice to instruct interested parties to submit, in writing, response before 1/10/2007; Responses will be addressed to the Court, Atty Fields, Atty Winchester, and DOJ; Persons/Entities with relevant concerns shall be heard at scheduled 1/26/2007 hearing; Parties shall respond to concerns by 1/19/2007– Status Conference set for 1/22/2007 01:00 PM in Courtroom 3 – Memphis before Bernice B. Donald; Motion Hearing set for 1/26/2007 02:00 PM in Courtroom 3 – Memphis before Bernice B. Donald. (Plf Atty: R. Fields; Dft Atty: R. Winchester)(Court Reporter Lynn Dudley.)(9:05–9:27) (tlh, ) (Entered: 11/29/2006)
01/22/2007	429	Minute Entry for proceedings held before Judge Bernice B. Donald : Status Conference held on 1/22/2007; Parties have not received any responses from persons/entities; Procedures during hearing discussed – witnesses, proof; Motion Hearing set for 1/26/2007 02:00 PM in Courtroom 3 – Memphis before Bernice B. Donald. (Plf Atty: R. Fields; Dft Atty: R. Winchester) (Court Reporter Lynn

		Dudley.)(1:44-1:53) (tlh, ) (Entered: 01/22/2007)
01/23/2007	<u>430</u>	STATUS REPORT of <i>Shelby County Board of Education</i> by Shelby County Board of Education. (Attachments: # <u>1</u> Exhibit Report of Board of Education)(Winchester, Richard) (Entered: 01/23/2007)
01/26/2007	<u>431</u>	Amicus Curiae APPEARANCE entered by Javier M. Bailey on behalf of Claude Bernard Robinson. (Bailey, Javier) Modified on 3/20/2007 (jml, )as to text----- (document was filed by Operation Rainbow Push). (Entered: 01/26/2007)
01/26/2007	<u>432</u>	Minute Entry for proceedings held before Judge Bernice B. Donald : Motion Hearing held on 1/26/2007 as to parties <u>423</u> Joint Motion to Dismiss; Record framed by the Court; <u>430</u> Status Report filed by Shelby Co. Board of Education; <u>431</u> Amicus Curiae appearance entered by Javier M. Bailey on behalf of Operation Rainbow Push; Atty Bailey will not be allowed to exam witnesses, but Court will allow to be heard at end of hearing; Opening Statements of Atty Winchester; Dfts proof/witnesses sworn: Bobby G. Webb; Exh. 1; Cross exam Exh. 2; Maura Black Sullivan; Exh. 3; Lois W. Williams; Linda Clark Patterson; Maura Black Sullivan; Party Operation Rainbow Push proof/witnesses sworn: L. LaSimba Gray; Court to enter order/notice on Monday or Tuesday if any additional info is required from parties; Atty Bailey has until 2/2/2007 to file; Plf/Dft have until 2/8/2007 to file responses. (Plf Atty: R. Fields; Dft Atty: R. Winchester; Op. Rainbow Push Atty: J. Bailey) (Court Reporter Lynn Dudley.)(2:03-5:50) (tlh, ) (Entered: 01/29/2007)
01/29/2007	<u>433</u>	Exhibit and Witness List from Motion Hearing held 1/26/2007.(tlh, ) (Entered: 01/29/2007)
01/29/2007	<u>434</u>	ORDER TO SHOW CAUSE, Show Cause Response due by 2/16/2007. Signed by Judge Bernice B. Donald on 1/29/07. (Donald, Bernice) (Entered: 01/29/2007)
01/29/2007	<u>437</u>	Mail Returned as Undeliverable. Mail sent to Bill Lee, U.S. Department of Justice, regarding docket entry #428. (cas) (Entered: 01/31/2007)
01/30/2007	<u>435</u>	ORDER TO SHOW CAUSE, Show Cause Response due by 2/16/2007. Signed by Judge Bernice B. Donald on 1/30/07. (Donald, Bernice) (Entered: 01/30/2007)
01/30/2007	<u>436</u>	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <u>431</u> Amicus Curiae Appearance filed by Claude Bernard Robinson, has been filed. For future reference, please note that you should add your client as a party once you file the Amicus Curiae Appearance. Filer is not required to resubmit document. (jml, ) (Entered: 01/30/2007)
02/02/2007	<u>438</u>	Amicus Curiae APPEARANCE entered by Javier M. Bailey on behalf of Claude Bernard Robinson. (Bailey, Javier) Modified on 3/20/2007 (jml, )as to text----- (document was filed by Operation Rainbow Push). (Entered: 02/02/2007)
02/05/2007	<u>439</u>	ORDER TO PRODUCE STATISTICAL DATA. Signed by Judge Bernice B. Donald on 2/5/07. (Donald, Bernice) (Entered: 02/05/2007)
02/08/2007	<u>440</u>	REPLY to Response to Motion re <u>423</u> Joint MOTION to Dismiss <i>Court Order Response to Amicus Curiae Statement</i> filed by Shelby County Board of Education. (Winchester, Richard) (Entered: 02/08/2007)
02/12/2007	<u>441</u>	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <u>440</u> Reply to Response to Motion filed by Shelby County Board of Education, has been filed. For future reference, please note per our conversation, that the category selected for this entry was incorrect. The correct category should have been under 'notice' then to 'notice other'..... per Atty. *Document #440 is a response to #438 which is a Amended Amicus Curiae statement and Appearance by Operation Rainbow Push*..... Filer is not required to resubmit document. (jml, ) (Entered: 02/12/2007)
02/16/2007	<u>442</u>	RESPONSE to Motion re <u>423</u> Joint MOTION to Dismiss <i>Court Order</i> filed by USA. (Moore, John) (Entered: 02/16/2007)
02/19/2007	<u>443</u>	MOTION to Intervene <i>and Substitute Class Representative</i> by Claude Bernard Robinson. (Bailey, Javier) Modified on 3/26/2007 (jml, ) document filed on behalf of Operatiion Rainbow Push not Claude Robinson. (Entered: 02/19/2007)

02/26/2007	<u>444</u>	REPLY to Response to Motion re <u>423</u> Joint MOTION to Dismiss <i>Court Order of Court to Produce Statistical Data</i> filed by Shelby County Board of Education. (Winchester, Richard) (Entered: 02/26/2007)
03/05/2007	<u>445</u>	RESPONSE to Motion re <u>443</u> MOTION to Intervene <i>and Substitute Class Representative</i> filed by Shelby County Board of Education. (Winchester, Richard) (Entered: 03/05/2007)
03/08/2007	<u>446</u>	RESPONSE to Motion re <u>443</u> MOTION to Intervene <i>and Substitute Class Representative</i> filed by Claude Bernard Robinson, Julia D. Robinson. (Attachments: # <u>1</u> Exhibit Crisis In Education)(Fields, Richard) (Entered: 03/08/2007)
03/26/2007	447	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <u>443</u> MOTION to Intervene <i>and Substitute Class Representative</i> filed by Claude Bernard Robinson, has been filed. For future reference, please note per our conversation that the this document was filed on behalf of Operation Rainbow Push and not Claude Robinson. The party selection was incorrect. However I have made a note in the docket entry as to the error.. Filer is not required to resubmit document. (jml, ) (Entered: 03/26/2007)
06/22/2007	<u>448</u>	MOTION <i>to Authorize Shelby Co Middle School Construction Commencement-Proposed Order Submitted</i> by Shelby County Board of Education. (Attachments: # <u>1</u> Exhibit)(Winchester, Richard) (Entered: 06/22/2007)
06/22/2007	<u>449</u>	MOTION <i>for Order Approving Changes of Attendance Zone Boundaries for Multiplicity of Schools for School Year 2007-2008-Proposed Order Submitted</i> by Shelby County Board of Education. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit)(Winchester, Richard) (Entered: 06/22/2007)
06/27/2007	<u>450</u>	SETTING LETTER: Motion Hearing set for 7/20/2007 09:00 AM in Courtroom 3 – Memphis before Judge Bernice B. Donald. (Attachments: # <u>1</u> Supplement Procedural History)(Donald, Bernice) (Entered: 06/27/2007)
06/29/2007	451	SETTING LETTER: Status Conference set for 7/3/2007 10:00 AM in Courtroom 3 – Memphis before Judge Bernice B. Donald. (tlh, ) (Entered: 06/29/2007)
07/03/2007	<u>452</u>	NOTICE by Shelby County Board of Education <i>of Submission to Judge of Public Notice</i> (Attachments: # <u>1</u> Exhibit Notice to Public)(Winchester, Richard) (Entered: 07/03/2007)
07/03/2007	455	Minute Entry for proceedings held before Judge Bernice B. Donald : Status Conference held on 7/3/2007; Status conference held to address Supplementary Motion Hearing on the Joint Motion to Dismiss Court Order scheduled for 7/23/2007 at 09:00 AM before Judge Bernice B. Donald; Court advised parties of what shall be discussed at the hearing; Court wants more public involvement– Parties will make Court aware of how affected parties shall be noticed; Atty Winchester advised the Court of pending Motions <u>448</u> , <u>449</u> – Court will review motions. (Plf Atty: R. Fields; Dft Attys: R. Winchester, Jr., R. Winchester, J. Moore– via phone; Misc. Atty: J. Bailey– via phone) (Court Reporter Alpha Reporting/Lesley Spence.)(10:06–10:38) (tlh, ) Modified on 9/5/2007 (tlh, ). (Entered: 07/09/2007)
07/06/2007	<u>453</u>	ORDER Setting Hearing on Motion <u>423</u> Joint MOTION to Dismiss <i>Court Order: Motion Hearing</i> set for 7/23/2007 09:00 AM in Courtroom 3 – Memphis before Judge Bernice B. Donald.. (Attachments: # <u>1</u> Supplement Procedural History) Signed by Judge Bernice B. Donald on 7/6/07. (Donald, Bernice) (Entered: 07/06/2007)
07/06/2007		PLEASE DISREGARD THIS ORDER(will be refiled as entry number #457)ORDER TO PRODUCE STATISTICAL DATA re <u>449</u> MOTION <i>for Order Approving Changes of Attendance Zone Boundaries for Multiplicity of Schools for School Year 2007-2008-Proposed Order Submitted</i> filed by Shelby County Board of Education., <u>448</u> MOTION <i>to Authorize Shelby Co Middle School Construction Commencement-Proposed Order Submitted</i> filed by Shelby County Board of Education, . Signed by Judge Bernice B. Donald on 7/6/07. (Donald, Bernice) Modified on 7/23/2007 (jml, ). (Entered: 07/06/2007)
07/06/2007		Set/Reset Deadlines as to <u>423</u> Joint MOTION to Dismiss <i>Court Order</i> . Supplementary Motion Hearing reset for 7/23/2007 09:00 AM before Judge Bernice B. Donald. (jml, ) (Entered: 07/12/2007)

07/16/2007	<u>456</u>	ORDER denying <u>443</u> Motion to Intervene . Signed by Judge Bernice B. Donald on 7/16/07. (Donald, Bernice) (Entered: 07/16/2007)
07/23/2007	<u>457</u>	ORDER TO PRODUCE STATISTICAL DATA (Replaces entry of 7/6/07 which had incorrect document attached). Signed by Judge Bernice B. Donald on 7/23/07. (Donald, Bernice) (Entered: 07/23/2007)
07/23/2007	<u>458</u>	Minute Entry for proceedings held before Judge Bernice B. Donald : Hearing on <u>423</u> Joint Motion to Dismiss held on 7/23/2007; Court heard from concerned citizens: Ricky W. Jeans, Brenda B. Gipson, G.A. Hardaway, Sr., Stanford L. Hunt, L. LaSimba Gray; Dft Exh. 4; Court heard from Attorneys: Richard Winchester, Richard Fields, John Moore, Javier Bailey; Motion taken under advisement/Order to be entered within 7–10 days. (Plf Attys: R. Fields, J. Moore; Dft Attys: R. Winchester, R. Webb; Amicus Atty: J. Bailey) (Court Reporter Lynn Dudley.)(9:04–12:35) (tlh, ) (Entered: 07/25/2007)
07/25/2007	<u>459</u>	Exhibit and Witness List from Motion Hearing held 7/23/2007. (tlh, ) (Entered: 07/25/2007)
07/26/2007	<u>460</u>	ORDER granting in part and denying in part <u>423</u> Motion to Dismiss . Signed by Judge Bernice B. Donald on 7/26/07. (Attachments: # <u>1</u> Supplement Procedural History of the Case) (Donald, Bernice) (Entered: 07/26/2007)
07/26/2007	<u>461</u>	RESPONSE in Support re <u>449</u> MOTION for Order Approving Changes of Attendance Zone Boundaries for Multiplicity of Schools for School Year 2007–2008–Proposed Order Submitted In Response to Order for Statistical Information filed by Shelby County Board of Education. (Winchester, Richard) (Entered: 07/26/2007)
07/30/2007	<u>462</u>	DEFICIENCY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <u>461</u> Response in Support of Motion, filed by Shelby County Board of Education, has been filed. However, the following deficiency has been found: Please note that document you submitted reflects that it is a 'Response to Order to Produce Statistical Data', however the entry you selected is a 'Response in Support to Motion'. Please call if you have questions at 901–495–1505. The filer has one business day to correct the deficiency. (jml, ) (Entered: 07/30/2007)
07/30/2007	<u>463</u>	NOTICE by Shelby County Board of Education in Response to Order to Produce Statistical Data (Winchester, Richard) (Entered: 07/30/2007)
07/30/2007	<u>464</u>	NOTICE by Shelby County Board of Education Amended: Response To Order to Produce Statistical Data (Winchester, Richard) (Entered: 07/30/2007)
07/31/2007	<u>465</u>	ORDER granting <u>448</u> Motion to Authorize Shelby Co. Middle School Construction Commencement, granting <u>449</u> Motion for Approving Changes of Attendance Zone Boundaries for Multiplicity of Schools for School Year 2007–2008. Signed by Judge Bernice B. Donald on 07/31/2007. (Donald, Bernice) (Entered: 07/31/2007)
08/09/2007	<u>466</u>	MOTION for Reconsideration and to Alter or Amend Judgment with Supporting Memorandum by all plaintiffs. (Fields, Richard) (Entered: 08/09/2007)
08/14/2007	<u>467</u>	DEFICIENCY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <u>466</u> MOTION for Reconsideration and to Alter or Amend Judgment with Supporting Memorandum filed by Claude Bernard Robinson,, Julia D. Robinson, has been filed. However, the following deficiency has been found: Please note that this document does not consist of a certificate of service page. You may go under 'notice' then to 'notice of correction' to submit the certfcate of service. Thank you and if you have questions please call 901–495–1505.. The filer has one business day to correct the deficiency. (jml, ) (Entered: 08/14/2007)
08/14/2007	<u>468</u>	MOTION for Reconsideration re <u>466</u> MOTION for Reconsideration and to Alter or Amend Judgment with Supporting Memorandum by all plaintiffs. (Fields, Richard) (Entered: 08/14/2007)
08/15/2007	<u>469</u>	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <u>468</u> MOTION for Reconsideration re <u>466</u> MOTION for Reconsideration and to Alter or Amend Judgment with Supporting Memorandum filed by Claude Bernard Robinson,, Julia D. Robinson, has been filed. For future reference, please note that is was not necessary to resubmit as a motion, however motion #466 will be termed

		as a pending motion. Thank you and if you have questions please call 901-495-1505.. Filer is not required to resubmit document. (jml, ) (Entered: 08/15/2007)
08/22/2007	<u>470</u>	NOTICE OF APPEAL by Shelby County Board of Education. Filing fee \$ 455. (Winchester, Richard) (Entered: 08/22/2007)
08/27/2007	<u>471</u>	Joint MOTION to Extend Deadline <i>to Comply with Court's July 26, 2007 Order</i> by all parties. (Winchester, Richard) (Entered: 08/27/2007)
08/28/2007	<u>472</u>	DEFICIENCY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <u>471</u> Joint MOTION to Extend Deadline <i>to Comply with Court's July 26, 2007 Order</i> filed by USA,, Shelby County Board of Education,, Claude Bernard Robinson,, Julia D. Robinson,, Lasimba Gray,, Operation Rainbow Push, has been filed. However, the following deficiency has been found: This document does needs to reflect a certificate of service page. You will need to go under the 'notice' category then to 'notice of correction' in the drop box and submit the certificate of service page. Remember to link back to the motion. Thank you and if you have questions please call 901-495-1505.. The filer has one business day to correct the deficiency. (jml, ) (Entered: 08/28/2007)
08/28/2007	<u>473</u>	Notice of Correction to <u>471</u> Joint MOTION to Extend Deadline <i>to Comply with Court's July 26, 2007 Order Certificate of Service</i> . (Winchester, Richard) (Entered: 08/28/2007)
08/28/2007	<u>474</u>	USCA Appeal Fees received \$ 455.00 receipt number M109196 re <u>470</u> Notice of Appeal filed by Shelby County Board of Education, (agj, ) (Entered: 08/28/2007)
08/29/2007	<u>475</u>	ORDER granting <u>471</u> Motion to Extend Deadline. Signed by Judge Bernice B. Donald on 8/29/07.(Donald, Bernice) (Entered: 08/29/2007)
09/06/2007	<u>476</u>	Letter from U.S. Court of Appeals (vjm, ) (Entered: 09/10/2007)
09/10/2007	<u>477</u>	MOTION to Stay re <u>460</u> Order on Motion to Dismiss <i>Injunctive Relief Ordered by Court</i> by Shelby County Board of Education. (Winchester, Richard) (Entered: 09/10/2007)
09/10/2007	<u>478</u>	MEMORANDUM in Support re <u>477</u> MOTION to Stay re <u>460</u> Order on Motion to Dismiss <i>Injunctive Relief Ordered by Court and Proposed Order</i> filed by Shelby County Board of Education. (Attachments: # <u>1</u> Affidavit Dr. Bobby Webb, Superintendent# <u>2</u> Affidavit Lois Williams# <u>3</u> Affidavit Maura Sullivan# <u>4</u> Affidavit Mike Simpson)(Winchester, Richard) (Entered: 09/10/2007)
09/11/2007	<u>479</u>	ORDER denying <u>468</u> Motion for Reconsideration. Signed by Judge Bernice B. Donald on 9/11/07.(Donald, Bernice) (Entered: 09/11/2007)
09/11/2007	<u>480</u>	MOTION for Extension of Time to File <i>Name of Special Master and Memorandum</i> by Shelby County Board of Education. (Winchester, Richard) (Entered: 09/11/2007)
09/13/2007	<u>481</u>	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <u>478</u> Memorandum in Support of Motion, filed by Shelby County Board of Education, <u>477</u> MOTION to Stay re <u>460</u> Order on Motion to Dismiss <i>Injunctive Relief Ordered by Court</i> filed by Shelby County Board of Education has been filed. For future reference, please note that the memorandum should have been submitted as an attached to the motion receiving only one docket entry number.. Filer is not required to resubmit document. (jml, ) (Entered: 09/13/2007)
09/14/2007	<u>482</u>	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <u>480</u> MOTION for Extension of Time to File <i>Name of Special Master and Memorandum</i> filed by Shelby County Board of Education has been filed. For future reference, please note The motion you submitted does not include the text stating that the proposed order was submitted. If you did not send to the Judge's email for approval, then please submit. If you did submit the order, please remember to have it reflected on the docket. Thank you... Filer is not required to resubmit document. (jml, ) (Entered: 09/14/2007)
09/26/2007	<u>483</u>	JUDICIAL TRANSCRIPT (Unredacted) of Status Conference Proceedings held on November 29, 2006 before Judge Bernice B. Donald. Court Reporter: Lynn Dudley. THE ELECTRONIC COPY OF THIS DOCUMENT IS FOR COURT USE ONLY.



		PLEASE CONTACT THE COURT REPORTER FOR A COPY OF THIS DOCUMENT. (agj, ) (Entered: 09/26/2007)
09/26/2007	<u>484</u>	JUDICIAL TRANSCRIPT (Unredacted) of Status Conference Proceedings held on January 22, 2007 before Judge Bernice B. Donald. Court Reporter: Lynn Dudley. THE ELECTRONIC COPY OF THIS DOCUMENT IS FOR COURT USE ONLY. PLEASE CONTACT THE COURT REPORTER FOR A COPY OF THIS DOCUMENT. (agj, ) (Entered: 09/26/2007)
09/26/2007	<u>485</u>	JUDICIAL TRANSCRIPT (Unredacted) of Motion Hearing Proceedings held on January 26, 2007 before Judge Bernice B. Donald. Court Reporter: Lynn Dudley. THE ELECTRONIC COPY OF THIS DOCUMENT IS FOR COURT USE ONLY. PLEASE CONTACT THE COURT REPORTER FOR A COPY OF THIS DOCUMENT. (agj, ) (Entered: 09/26/2007)
09/26/2007	<u>486</u>	JUDICIAL TRANSCRIPT (Unredacted) of Supplemental Motion Hearing Proceedings held on July 23, 2007 before Judge Bernice B. Donald. Court Reporter: Lynn Dudley. THE ELECTRONIC COPY OF THIS DOCUMENT IS FOR COURT USE ONLY. PLEASE CONTACT THE COURT REPORTER FOR A COPY OF THIS DOCUMENT. (agj, ) (Entered: 09/26/2007)
10/01/2007	<u>487</u>	NOTICE of Appearance by Valerie B. Speakman on behalf of Shelby County Board of Education (Speakman, Valerie) (Entered: 10/01/2007)
10/05/2007	<u>488</u>	STATUS REPORT by Shelby County Board of Education. (Attachments: # <u>1</u> Exhibit)(Speakman, Valerie) (Entered: 10/05/2007)
10/09/2007	<u>489</u>	Mail Returned as Undeliverable. Mail sent to Bill Lee, U.S. Dept of Justice (vjm, ) (Entered: 10/11/2007)
10/18/2007	<u>490</u>	Mail Returned as Undeliverable. Mail sent to Bill Lee. (vjm, ) (Entered: 10/19/2007)
11/08/2007	<u>491</u>	NOTICE OF APPEAL by USA. (Moore, John) (Entered: 11/08/2007)
11/13/2007	<u>492</u>	DEFICIENCY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <u>487</u> Notice of Appearance filed by Shelby County Board of Education has been filed. However, the following deficiency has been found: Please note that the proper ecf attorney signature is not reflected on this document. You will need to go under the 'notice' category then in the drop down box select 'notice of correction' and submit the corrected document. Thank you and if you have questions please call 901-495-1505.. The filer has one business day to correct the deficiency. (jml, ) (Entered: 11/13/2007)
11/13/2007	<u>493</u>	Notice of Correction to <u>487</u> Notice of Appearance, <u>492</u> Deficiency Notice,, (Speakman, Valerie) (Entered: 11/13/2007)
12/17/2007	<u>494</u>	Mail Returned as Undeliverable. Mail sent to Bill Lee. (vjm, ) (Entered: 12/20/2007)
01/04/2008	<u>495</u>	First MOTION for Approval of Construction of Two New Schools (proposed Order submitted) by Shelby County Board of Education. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2)(Speakman, Valerie) (Entered: 01/04/2008)
01/04/2008	<u>496</u>	ATTACHMENT Certificate of Consultation to <u>495</u> First MOTION for Approval of Construction of Two New Schools (proposed Order submitted) by Shelby County Board of Education. (Speakman, Valerie) (Entered: 01/04/2008)
01/08/2008	<u>497</u>	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <u>495</u> First MOTION for Approval of Construction of Two New Schools (proposed Order submitted) filed by Shelby County Board of Education, <u>496</u> Attachment filed by Shelby County Board of Education has been filed. For future reference, please note that the certificate of consultation page should have been submitted as an attached document to the motion, just as the exhibits, receiving only one docket entry number. Thanks and if you have questions please call 901-495-1505.. Filer is not required to resubmit document. (jml, ) (Entered: 01/08/2008)
01/16/2008	<u>498</u>	ORDER <u>495</u> Granting MOTION TO CONSTRUCT TWO NEW SCHOOLS. Signed by Judge Bernice B. Donald on 1/16/08. (Donald, Bernice) (Entered: 01/16/2008)

03/07/2008	<u>499</u>	MOTION Approval of Changes to Middle School Boundaries by Shelby County Board of Education. (Attachments: # <u>1</u> Exhibit Exhibits 1 and 2 to Motion for Approval, # <u>2</u> Certificate of Consultation Certificate of Consultation)(Speakman, Valerie) (Entered: 03/07/2008)
03/26/2008	<u>500</u>	ORDER denying <u>477</u> Motion to Stay. Signed by Judge Bernice B. Donald on 3/26/08.(Donald, Bernice) (Entered: 03/26/2008)
04/25/2008	<u>501</u>	ORDER of USCA as to <u>470</u> Notice of Appeal filed by Shelby County Board of Education (vjm, ) (Entered: 04/25/2008)
04/25/2008		Case Stayed per #501. (jml, ) (Entered: 04/27/2008)
06/03/2008	<u>502</u>	ORDER granting <u>480</u> Motion for Extension of Time to File. Signed by Judge Bernice B. Donald on 6/2/08.(Donald, Bernice) (Entered: 06/03/2008)
06/03/2008	<u>503</u>	ORDER Setting Hearing on Motion <u>499</u> MOTION Approval of Changes to Middle School Boundaries : Motion Hearing set for 6/23/2008 10:00 AM in Courtroom 3 – Memphis before Judge Bernice B. Donald. Signed by Judge Bernice B. Donald on 6/03/08. (Donald, Bernice) (Entered: 06/03/2008)
06/16/2008	504	RE–SETTING: Evidentiary Hearing re–set for 6/30/2008 10:30 AM in Courtroom 3 – Memphis before Judge Bernice B. Donald. (tpe, ) (Entered: 06/16/2008)
06/30/2008	505	Minute Entry for proceedings held before Judge Bernice B. Donald: Motion Hearing held on 6/30/2008 re <u>499</u> MOTION Approval of Changes to Middle School Boundaries filed by Shelby County Board of Education. Sworn witnesses: Mara Black Sullivan, Richard holden, Julia Ann Ostner, Bobby Webb. Court finds proposal to be the best possible action and directed Atty Speakman to submit a proposed order. Present: R. Fields, J. Moore, V. Speakman. (Court Reporter L. Dudley.) (tpe, ) (Entered: 07/01/2008)
07/01/2008	<u>506</u>	ORDER granting <u>499</u> Motion APPROVAL OF CHANGES. Signed by Judge Bernice B. Donald on 7/01/08. (Attachments: # <u>1</u> Exhibit 1) (Donald, Bernice) (Entered: 07/01/2008)
07/02/2008	<u>507</u>	Exhibit List for 6/30/08 Motions Hearing. (tpe, ) (Entered: 07/02/2008)
01/08/2009	<u>508</u>	ORDER OF RECUSAL. Magistrate Judge Tu M. Pham recused. In order to maintain parity among the judges, the Magistrate Judge assigned this case may transfer a similar case to the undersigned. The Clerk is directed to take the appropriate action to reassign this case. Signed by Magistrate Judge Tu M. Pham on 1/8/09. (Pham, Tu) (Entered: 01/08/2009)
01/08/2009		Magistrate Judge Diane K. Vescovo added. (jae) (Entered: 04/13/2009)
05/21/2009	<u>509</u>	USCA JUDGMENT as to <u>491</u> Notice of Appeal filed by USA, <u>470</u> Notice of Appeal filed by Shelby County Board of Education (vjm) (Entered: 05/21/2009)
05/21/2009	<u>510</u>	ORDER of USCA as to <u>491</u> Notice of Appeal filed by USA (vjm) (Entered: 05/21/2009)
07/15/2009	<u>511</u>	MANDATE of USCA as to <u>491</u> Notice of Appeal filed by USA, <u>470</u> Notice of Appeal filed by Shelby County Board of Education (vjm) (Entered: 07/15/2009)
07/16/2009	<u>512</u>	ORDER Dismissing Case. Signed by Judge Bernice B. Donald on 7/16/09.(Donald, Bernice) (Entered: 07/16/2009)
08/17/2009	<u>513</u>	Mail Returned as Undeliverable. Mail sent to Bill Lee. (vjm) (Entered: 08/19/2009)