

**U.S. District Court  
District of North Dakota (Southeastern)  
CIVIL DOCKET FOR CASE #: 3:10-cv-00064-RRE-KKK**

Libertarian Party of North Dakota et al v. Jaeger  
Assigned to: Chief Judge Ralph R. Erickson  
Referred to: Magistrate Judge Karen K. Klein  
Case in other court: USCA8, #10-03212  
Cause: 42:1983 Civil Rights Act

Date Filed: 07/16/2010  
Date Terminated: 09/03/2010  
Jury Demand: None  
Nature of Suit: 441 Civil Rights: Voting  
Jurisdiction: Federal Question

**Plaintiff**

**Libertarian Party of North Dakota**

represented by **Oliver B. Hall**  
Center for Competitive Democracy  
1835 16th St. NW  
Washington, DC 20009  
202-248-9294  
Email: [oliverhall@competitivedemocracy.org](mailto:oliverhall@competitivedemocracy.org)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Richard Ames**

represented by **Oliver B. Hall**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Thommy Passa**

represented by **Oliver B. Hall**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Anthony Stewart**

represented by **Oliver B. Hall**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Alvin A. Jaeger**

represented by **Douglas Alan Bahr**  
ATTORNEY GENERAL'S OFFICE  
CIVIL LITIGATION  
500 N 9TH STREET  
BISMARCK, ND 58501-4509  
701-328-3640  
Fax: 701-328-4300  
Email: [dbahr@nd.gov](mailto:dbahr@nd.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
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07/16/2010	<u>1</u>	MOTION for Leave to Appear Pro Hac Vice Attorney: Oliver B. Hall by Richard Ames, Libertarian Party of North Dakota, Thommy Passa, Anthony Stewart. [Receipt #FA001982 for: Filing fee (\$350) and Pro Hac Vice fee (\$150)] (Attachments: # <u>1</u> Proposed Complaint, # <u>2</u> Civil Cover Sheet)(lc) (Entered: 07/19/2010)
07/20/2010	<u>2</u>	ORDER (TEXT ONLY) by Magistrate Judge Karen K. Klein granting <u>1</u> Motion for Leave to Appear pro hac vice to attorney Oliver B. Hall. (NJM) (Entered: 07/20/2010)
07/20/2010	<u>3</u>	COMPLAINT against Alvin A. Jaeger (Filing fee \$350, receipt number FA001982) filed by Anthony Stewart, Libertarian Party of North Dakota, Thommy Passa, Richard Ames. (Attachments: # <u>1</u> Exhibit A – Declaration of Richard Winger with Exhibits)(lf) (Entered: 07/20/2010)
07/20/2010	<u>4</u>	Summons Issued as to Alvin A. Jaeger. (lf) (Entered: 07/20/2010)
07/29/2010	<u>5</u>	MOTION for Preliminary Injunction by Richard Ames, Libertarian Party of North Dakota, Thommy Passa, Anthony Stewart. (Hall, Oliver) (Main Document 5 replaced on 8/2/2010 to reflect only the Motion and Certificate of Service) (lf). NEF regenerated to all parties. (Entered: 07/29/2010)
07/29/2010	<u>6</u>	MEMORANDUM in Support re <u>5</u> MOTION for Preliminary Injunction filed by Richard Ames, Libertarian Party of North Dakota, Thommy Passa, Anthony Stewart. (Attachments: # <u>1</u> Exhibit A – Declaration of Oliver B. Hall)(lf) (Entered: 08/02/2010)
08/02/2010		DOCKET CORRECTION re: <u>5</u> Motion for Preliminary Injunction. The pleading included a Memorandum in Support with an exhibit which should have been filed separately from the Motion. The Clerk's Office separated the pleadings, replaced the Motion pleading at <u>5</u> , and filed the Memorandum in Support as a separate event at <u>6</u> . (lf) (Entered: 08/02/2010)
08/03/2010	<u>7</u>	SUMMONS Returned Executed by Anthony Stewart, Libertarian Party of North Dakota, Thommy Passa, Richard Ames. Alvin A. Jaeger served on 8/2/2010, answer due 8/23/2010 (Attachments: # <u>1</u> Exhibit USPS Proof of Service)(Hall, Oliver) (Entered: 08/03/2010)
08/03/2010	<u>8</u>	MOTION for Hearing re <u>5</u> MOTION for Preliminary Injunction, MOTION to Expedite <i>Motion for Hearing and Motion for Preliminary Injunction</i> by Richard Ames, Libertarian Party of North Dakota, Thommy Passa, Anthony Stewart. (Hall, Oliver) (Entered: 08/03/2010)
08/19/2010	<u>9</u>	MOTION to Dismiss by Alvin A. Jaeger. (Bahr, Douglas) (Entered: 08/19/2010)
08/19/2010	<u>10</u>	MEMORANDUM in Support re <u>9</u> MOTION to Dismiss filed by Alvin A. Jaeger. (Bahr, Douglas) (Entered: 08/19/2010)
08/19/2010	<u>11</u>	RESPONSE to Motion re <u>5</u> MOTION for Preliminary Injunction filed by Alvin A. Jaeger. (Bahr, Douglas) (Entered: 08/19/2010)
08/19/2010	<u>12</u>	WAIVER OF SERVICE Returned Executed by Anthony Stewart, Libertarian Party of North Dakota, Thommy Passa, Richard Ames. Alvin A. Jaeger waiver sent on 8/10/2010, answer due 10/12/2010. (Hall, Oliver) (Entered: 08/19/2010)
08/30/2010	<u>13</u>	REPLY to Response to Motion re <u>5</u> MOTION for Preliminary Injunction filed by Richard Ames, Libertarian Party of North Dakota, Thommy Passa, Anthony Stewart. (Hall, Oliver) (Entered: 08/30/2010)
09/02/2010	<u>15</u>	RESPONSE to Motion re <u>9</u> MOTION to Dismiss filed by Richard Ames, Libertarian Party of North Dakota, Thommy Passa, Anthony Stewart. (Hall, Oliver) (Entered: 09/02/2010)
09/03/2010		DOCKET CORRECTION re: 14 Response to Motion to Dismiss. The incorrect pleading was attached. Corrected pleading was filed at <u>15</u> . (lf) (Entered: 09/03/2010)
09/03/2010	<u>16</u>	ORDER by Chief Judge Ralph R. Erickson denying <u>5</u> Motion for Preliminary Injunction; denying <u>8</u> Motion for Hearing on the Motion for a Preliminary

		Injunction; denying <u>8</u> Motion for Expedited Hearing; and granting <u>9</u> Motion to Dismiss. (SH) (Entered: 09/03/2010)
09/03/2010	<u>17</u>	CLERK'S JUDGMENT in favor of Alvin A. Jaeger against Libertarian Party of North Dakota, Anthony Stewart, Richard Ames, Thommy Passa. Plaintiffs' Complaint is dismissed with prejudice. (lh) (Entered: 09/03/2010)
10/04/2010	<u>18</u>	NOTICE OF APPEAL as to <u>16</u> Memorandum Opinion and Order and <u>17</u> Clerk's Judgment by Richard Ames, Libertarian Party of North Dakota, Thommy Passa, and Anthony Stewart. (Filing fee \$455; Receipt FA002106) (Attachments: # <u>1</u> Appellant's Form A)(lc) Modified on 11/4/2010 to add additional link (lcar). (Entered: 10/04/2010)
10/04/2010	<u>19</u>	Transmittal of Notice of Appeal Supplement to 8th Circuit Court of Appeals re <u>18</u> Notice of Appeal. (lc) (Entered: 10/04/2010)
10/06/2010		USCA Case Number #10-3212 for <u>18</u> Notice of Appeal. (lc) (Entered: 10/07/2010)
10/17/2011	<u>20</u>	USCA JUDGMENT as to <u>18</u> Notice of Appeal, filed by Richard Ames, Libertarian Party of North Dakota, Anthony Stewart, Thommy Passa. Judgment of the district court is affirmed. (Attachments: # <u>1</u> Court of Appeals Opinion)(lc) (Entered: 10/19/2011)
12/02/2011	<u>21</u>	MANDATE of USCA as to <u>18</u> Notice of Appeal, filed by Richard Ames, Libertarian Party of North Dakota, Anthony Stewart, Thommy Passa. (lc) (Entered: 12/02/2011)