

**United States District Court
Southern District of West Virginia (Huntington)
CIVIL DOCKET FOR CASE #: 3:18-cv-01526**

Baxley et al v. Jividen et al
Assigned to: Judge Robert C. Chambers
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 12/18/2018
Jury Demand: Defendant
Nature of Suit: 555 Prisoner -
(Prison Condition)
Jurisdiction: Federal Question

Plaintiff

John Baxley, Jr.

represented by **Jennifer S. Wagner**
MOUNTAIN STATE JUSTICE
Suite 101
1029 University Avenue
Morgantown, WV 26505
304/326-0188
Fax: 304/326-0189
Email: jennifer@msjlaw.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lydia C. Milnes
MOUNTAIN STATE JUSTICE
Suite 101
1029 University Avenue
Morgantown, WV 26505
304/326-0188
Fax: 304/326-0189
Email: lydia@msjlaw.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rachel Kincaid
MOUNTAIN STATE JUSTICE
1217 Quarrier Street
Charleston, WV 25301
304-344-3144
Fax: 304-344-3145
Email: rkincaid@msjlaw.org
ATTORNEY TO BE NOTICED

Plaintiff

Amber Arnett
TERMINATED: 10/29/2020

represented by **Jennifer S. Wagner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lydia C. Milnes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rachel Kincaid
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Earl Edmondson

represented by **Jennifer S. Wagner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lydia C. Milnes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rachel Kincaid
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Joshua Hall

represented by **Jennifer S. Wagner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lydia C. Milnes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rachel Kincaid
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Donna Wells-Wright

represented by **Jennifer S. Wagner**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Lydia C. Milnes
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Rachel Kincaid
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Robert Watson
TERMINATED: 07/20/2020

represented by **Jennifer S. Wagner**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Lydia C. Milnes
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Rachel Kincaid
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Heather Reed
and

represented by **Jennifer S. Wagner**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Lydia C. Milnes
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Rachel Kincaid
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Danny Spiker, Jr.
on their own behalf and on behalf of
all others similarly situated

represented by **Jennifer S. Wagner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lydia C. Milnes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rachel Kincaid
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Consol Plaintiff

Eric L. Jones
TERMINATED: 10/29/2020

represented by **Jennifer S. Wagner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lydia C. Milnes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rachel Kincaid
(See above for address)
ATTORNEY TO BE NOTICED

Consol Plaintiff

Samuel Stout
TERMINATED: 05/22/2020

represented by **Jennifer S. Wagner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lydia C. Milnes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rachel Kincaid
(See above for address)
ATTORNEY TO BE NOTICED

Consol Plaintiff

Samuel W. Stout
TERMINATED: 12/19/2019

represented by **Jennifer S. Wagner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lydia C. Milnes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Betsy Jividen
in her official capacity as
Commissioner of the West Virginia
Division of Corrections and
Rehabilitation

represented by **Briana J. Marino**
FLAHERTY SENSABAUGH &
BONASSO
P. O. Box 3843
Charleston, WV 25338-3843
304-558-8989
Email: Briana.J.Marino@wvago.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James C. Stebbins
LEWIS GLASSER
P. O. Box 1746
Charleston, WV 25326-1746
304-345-2000
Email: jstebbins@lewisglasser.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard L. Gottlieb
LEWIS GLASSER

P. O. Box 1746
Charleston, WV 25326-1746
304/345-2000
Fax: 304/343-7999
Email: rgottlieb@lewisglasser.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Valerie Harris Raupp
LEWIS GLASSER
P. O. Box 1746
Charleston, WV 25326-1746
304-345-2000
Email: vraupp@lewisglasser.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William E. Murray
ANSPACH MEEKS
ELLENBERGER
717 Brawley Walkway
Charleston, WV 25301
304/205-8063
Fax: 304/205-8062
Email: wmurray@anspachlaw.com
TERMINATED: 05/02/2019
LEAD ATTORNEY

Webster J. Arceneaux , III
LEWIS GLASSER
P. O. Box 1746
Charleston, WV 25326-1746
304/345-2000
Fax: 304/343-7999
Email:
wjarceneaux@lewisglasser.com
ATTORNEY TO BE NOTICED

Defendant

**West Virginia Division of
Corrections and Rehabilitation**
and
TERMINATED: 12/21/2020

represented by **Briana J. Marino**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James C. Stebbins
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Richard L. Gottlieb
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Valerie Harris Raupp
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Webster J. Arceneaux , III
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Carl Aldridge
*Superintendent of the Western
Regional Jail and Correctional
Facility
TERMINATED: 05/22/2020*

represented by **Briana J. Marino**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

James C. Stebbins
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Richard L. Gottlieb
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Valerie Harris Raupp
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Webster J. Arceneaux , III
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Shelbey Searls
in his official capacity as the

represented by **Briana J. Marino**
WV ATTORNEY GENERAL'S

*Superintendent of Western Regional
Jail and Correctional Facility
TERMINATED: 04/08/2020*

OFFICE
Building 1, Suite W400
Capitol Complex
Charleston, WV 25305
304-558-2930
Email: Briana.J.Marino@wvago.gov
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

James C. Stebbins
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Richard L. Gottlieb
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Valerie Harris Raupp
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Webster J. Arceneaux , III
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Western Regional Jail
TERMINATED: 04/25/2019

represented by **Briana J. Marino**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Joseph Wood
*in his official capacity as the
Superintendent of Western Regional
Jail and Correctional Facility
TERMINATED: 12/19/2019*

represented by **Briana J. Marino**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

William E. Murray
(See above for address)
*TERMINATED: 05/02/2019
LEAD ATTORNEY*

V.

Consol Defendant

Western Regional Jail Authority

TERMINATED: 04/25/2019

represented by **William E. Murray**
(See above for address)
TERMINATED: 05/02/2019
LEAD ATTORNEY

Consol Defendant

Captain Aldrage

TERMINATED: 04/25/2019

represented by **William E. Murray**
(See above for address)
TERMINATED: 05/02/2019
LEAD ATTORNEY

Consol Defendant

**Any CO that has worked in A5
section**

TERMINATED: 04/25/2019

Consol Defendant

Captain Savilla

TERMINATED: 04/25/2019

represented by **William E. Murray**
(See above for address)
TERMINATED: 05/02/2019
LEAD ATTORNEY

Third Party Plaintiff

Carl Aldridge

*Superintendent of the Western
Regional Jail and Correctional
Facility*

TERMINATED: 02/12/2020

represented by **Briana J. Marino**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James C. Stebbins
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard L. Gottlieb
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Valerie Harris Raupp
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Webster J. Arceneaux , III
(See above for address)
ATTORNEY TO BE NOTICED

Third Party Plaintiff

Betsy Jividen
*in her official capacity as
Commissioner of the West Virginia
Division of Corrections and
Rehabilitation
TERMINATED: 02/12/2020*

represented by **Briana J. Marino**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

James C. Stebbins
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Richard L. Gottlieb
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Valerie Harris Raupp
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Webster J. Arceneaux , III
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

William E. Murray
(See above for address)
*TERMINATED: 05/02/2019
LEAD ATTORNEY*

Third Party Plaintiff

Shelbey Searls
*in his official capacity as the
Superintendent of Western Regional
Jail and Correctional Facility
TERMINATED: 04/08/2020*

represented by **Briana J. Marino**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

James C. Stebbins

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard L. Gottlieb
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Valerie Harris Raupp
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Webster J. Arceneaux , III
(See above for address)
ATTORNEY TO BE NOTICED

V.

Third Party Defendant

Primecare Medical of WV, Inc.
TERMINATED: 02/12/2020

Third Party Defendant

Wexford Health Sources Inc.
TERMINATED: 02/12/2020

Intervenor Plaintiff

**American Civil Liberties Union of
West Virginia**

represented by **Loree Beth Stark**
MOUNTAIN STATE JUSTICE,
INC.
1217 Quarrier Street
Charleston, WV 25301
304/344-3144
Fax: 304/344-3145
Email: lstark@acluwv.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

PrimeCare Medical, Inc.

represented by **Anne Liles O'Hare**
OFFUTT NORD ASHWORTH
P. O. Box 2868

Huntington, WV 25728-2868
304-529-2868
Fax: 304-529-2999
Email: alohare@onalegal.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mediator

G. Nicholas Casey, Jr.

represented by **G. Nicholas Casey , Jr.**
LEWIS GLASSER
P. O. Box 1746
Charleston, WV 25326-1746
304/345-2000
Fax: 304/343-7999
Email: gncasey@lgcr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/18/2018	<u>1</u>	COMPLAINT. (jsa)
12/18/2018	<u>2</u>	VACATED IN PART PURSUANT TO <u>11</u> ORDER: STANDING ORDER IN RE: ASSIGNMENT AND REFERRAL OF CIVIL ACTIONS AND MATTERS TO MAGISTRATE JUDGES ENTERED JANUARY 4, 2016. Discovery referred to Magistrate Judge Eifert. (cc: attys; any unrepresented party) (jsa) (Modified on 2/28/2019 to note that discovery is referred to Magistrate Judge Eifert pursuant to the #10 notice of appearance) (mkw).
12/18/2018		CASE assigned to Judge Robert C. Chambers. (klc) (Entered: 12/19/2018)
12/20/2018	<u>3</u>	MEMORANDUM OPINION AND ORDER directing Plaintiff to pay the filing fee of \$400 or submit to the Court a completed and signed Application to Proceed Without Prepayment of Fees and Costs; further directing Plaintiff to amend his complaint as specified herein within thirty (30) days of the date of this Order. Signed by Magistrate Judge Cheryl A. Eifert on 12/20/2018. (cc: Plaintiff with an Application to Proceed Without Prepayment of Fees and Costs and instructions) (jsa)
01/02/2019	<u>4</u>	MAIL RETURNED AS UNDELIVERABLE. Mail sent to John Baxley at WESTERN REGIONAL JAIL, One O'Hanlon Place, Barboursville, WV 25504. Mail resent to John Baxley at STEVENS

		CORRECTIONAL CENTER, 795 Virginia Avenue, Welch, WV 24801. (hkl)
01/04/2019	5	MAIL RETURNED AS UNDELIVERABLE. Mail sent to John Baxley at WESTERN REGIONAL JAIL, One O'Hanlon Place, Barboursville, WV 25504. Mail resent to John Baxley at STEVENS CORRECTIONAL CENTER, 795 Virginia Avenue, Welch, WV 24801. (hkl)
01/16/2019	6	APPLICATION by John Baxley, Jr to Proceed without Prepayment of Fees or Costs. (Attachment: # 1 Envelope) Motion referred to Magistrate Judge Cheryl A. Eifert. (hkl)
01/16/2019	7	AUTHORIZATION TO RELEASE INSTITUTIONAL ACCOUNT INFORMATION by John Baxley, Jr. (Attachment: # 1 Envelope) (hkl)
01/16/2019	8	AMENDED COMPLAINT by John Baxley, Jr. against Western Regional Jail. (hkl)
02/05/2019	9	ORDER directing Plaintiff to pay the filing fee of \$400 or submit a completed Application to Proceed Without Prepayment of Fees and Costs; notifying Plaintiff that failure to pay the fee or submit an amended Application, as instructed, within 30 days of the date of this Order may result in a recommendation that the complaint be dismissed. Signed by Magistrate Judge Cheryl A. Eifert on 2/5/2019. (cc: Plaintiff with a copy of an Application to Proceed Without Prepayment of Fees and Costs) (mkw)
02/19/2019	10	NOTICE OF APPEARANCE by Lydia C. Milnes on behalf of John Baxley, Jr. (Milnes, Lydia)
02/19/2019		CASE no longer referred to Magistrate Judge Cheryl A. Eifert for Findings of Fact and Recommendations for disposition pursuant to the 10 Notice of Appearance. (mkw) (Entered: 02/28/2019)
03/11/2019	11	ORDER vacating the 2 Standing Order entered on 12/18/2018 referring this case to Magistrate Judge Cheryl A. Eifert to submit proposed findings of facts and recommendation, pursuant to counsel's entering a notice of appearance in this case; directing the Clerk to refer this case to Magistrate Judge Eifert for discovery purposes only. Signed by Judge Robert C. Chambers on 3/11/2019. (cc: counsel of record; any unrepresented party) (jsa)
04/22/2019	12	STIPULATION re: 1 Complaint by John Baxley, Jr (Attachment: # 1 Amended Complaint)(Wagner, Jennifer)

04/25/2019	13	ORDER directing that civil actions 3:18-cv-1526, 3:18-cv-1436, 3:18-cv-1533 be consolidated; Civil Action 3:18-cv-1526 shall be designated as the lead case, and the matter shall proceed under that styling; further directing that the First Amended Complaint for Injunctive and Declaratory Relief attached to the 12 Stipulation be filed and all defendants, other than those set forth in the First Amended Complaint, be dismissed; the defendants named in the First Amended Complaint will have sixty days from today's date to file a responsive pleading. Signed by Judge Robert C. Chambers on 4/25/2019. (cc: attys; any unrepresented parties) (mkw)
04/25/2019		THIS CASE HAS BEEN CONSOLIDATED WITH CASE NUMBERS 3:18-cv-1436 and 3:18-cv-1533 AS OF 04/25/2019. ALL FURTHER ENTRIES SHALL BE DOCKETED IN 3:18-cv-1526. (mkw)
04/25/2019	14	MOTION by Captain Aldrage, Captain Savilla, Western Regional Jail Authority to Dismiss Complaint With Prejudice. (originally filed in 3:18-cv-1436 on 3/1/2019) (mkw)
04/25/2019	15	MEMORANDUM OF LAW by Captain Aldrage, Captain Savilla, Western Regional Jail Authority in support of 14 MOTION by Captain Aldrage, Captain Savilla, Western Regional Jail Authority to Dismiss Complaint With Prejudice. (originally filed in 3:18-cv-1436 on 3/1/2019) (mkw)
04/25/2019	16	STIPULATION by Captain Aldrage, Captain Savilla, Samuel W. Stout, Western Regional Jail Authority to Extend Time for Plaintiff's Response to 14 MOTION by Captain Aldrage, Captain Savilla, Western Regional Jail Authority to Dismiss Complaint to 30 days. (originally filed in 3:18-cv-1436 on 3/15/2019) (mkw)
04/25/2019	17	STIPULATION by Captain Aldrage, Captain Savilla, Samuel W. Stout, Western Regional Jail Authority to Extend Time for Plaintiff's Response to 14 MOTION by Captain Aldrage, Captain Savilla, Western Regional Jail Authority to Dismiss Complaint an additional 7 days. (originally filed in 3:18-cv-1436 on 4/15/2019) (mkw)
04/25/2019	18	FIRST AMENDED CLASS ACTION COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF by John Baxley, Jr., Samuel W. Stout, Eric L. Jones against Betsy Jividen, Joseph Wood. (mkw)
04/29/2019	19	ORDER denying as moot Defendants' 14 MOTION to Dismiss the Complaint. Signed by Judge Robert C. Chambers on 4/29/2019. (cc: counsel of record; any unrepresented parties) (hkl)

04/29/2019	20	MOTION by William E. Murray to Withdraw as Attorney on behalf of Aldrage, Any CO that has worked in A5 section, Savilla, Western Regional Jail Authority (Murray, William)
05/02/2019	21	ORDER granting Attorney William Murray's 20 MOTION to Withdraw as Counsel; directing that he be removed from receiving filing notifications. Signed by Judge Robert C. Chambers on 5/2/2019. (cc: counsel of record; any unrepresented parties) (jsa)
06/14/2019	22	MAIL RETURNED AS UNDELIVERABLE. Mail sent to John Baxley at STEVENS CORRECTIONAL CENTER, 795 Virginia Ave, Welch, WV 24801. Mail resent to John Baxley at WESTERN REGIONAL JAIL, One O'Hanlon Place, Barboursville, WV 25504. (hkl)
06/20/2019	23	APPLICATION by John Baxley, Jr. to Proceed without Prepayment of Fees and Costs. (mkw)
07/12/2019	24	ORDER directing Plaintiff Baxley to pay the \$350.00 filing fee or show cause within 30 days of the filing of this Order, why this case should not be dismissed as to this Plaintiff; directing Plaintiffs Stout and Jones to each pay a \$350.00 filing fee or show cause within 30 days of the filing of this Order, why this case should not be dismissed as to each Plaintiff. Signed by Judge Robert C. Chambers on 7/12/2019. (cc: counsel of record; any unrepresented parties) (hkl)
07/24/2019	25	Filing Fee: \$350.00, Receipt Number HUNT004251 as to John Baxley, Jr. pursuant to the 24 Order. (hkl) (Modified on 7/26/2019 to replace image) (mkw).
07/24/2019	26	Filing Fee: \$350.00, Receipt Number HUNT004252 as to Eric L. Jones pursuant to the 24 Order. (hkl) (Modified on 7/26/2019 to replace image) (mkw).
07/24/2019	27	Filing Fee: \$350.00, Receipt Number HUNT004253 as to Samuel W. Stout pursuant to the 24 Order. (hkl) (Modified on 7/26/2019 to replace image) (mkw).
07/26/2019		NOTICE OF DOCKET CORRECTION re: 25 , 26 , 27 Filing Fees. Error: Incorrect images attached. Correction: Replaced incorrect images with correct images. (mkw)
08/02/2019	28	ORDER directing the Clerk to enter a default, pursuant to Fed. R. Civ. P. 55(a), against Defendants Betsy Jividen and Joseph Wood; further directing counsel for Plaintiffs to file the appropriate motions and affidavits, or to arrange for the necessary evidentiary hearing, to facilitate the entry of default judgment, pursuant to Fed. R. Civ. P. 55(b), within twenty days of the entry of this Order. Signed by Judge

		Robert C. Chambers on 8/2/2019. (cc: counsel of record; any unrepresented parties) (jsa)
08/02/2019	29	SET ASIDE PURSUANT TO THE 31 ORDER. ENTRY OF DEFAULT BY CLERK as to Betsy Jividen, Joseph Wood. (cc: counsel of record; counsel for defendants via certified mail) (Attachment: # 1 certified mail receipt) (jsa) (Modified on 8/13/2019 to note that the entry of default by clerk has been set aside pursuant to the #31 order) (mkw).
08/09/2019	30	MOTION by Betsy Jividen, Joseph Wood to Set Aside Default and MOTION for Leave to File An Answer (Marino, Briana). (Modified on 8/12/2019 to add motion for leave event and to correct party filers)(ts).
08/13/2019	31	ORDER granting Defendants' 30 MOTION to Set Aside 29 Default and Motion for Leave to File An Answer; Defendants may have until 8/20/2019 to respond to Plaintiffs' 18 First Amended Complaint. Signed by Judge Robert C. Chambers on 8/13/2019. (cc: counsel of record; any unrepresented parties) (jsa)
08/13/2019	32	RETURN RECEIPT CARD received re: 29 Entry of Default by Clerk. Signed on 8/5/2019 by an agent of the same on behalf of Briana T. Marino. (jsa)
08/19/2019	33	ANSWER TO 18 Amended Complaint With Jury Demand by Betsy Jividen, Joseph Wood.(Marino, Briana) (Modified on 8/20/2019 to remove terminated filer and to add jury demand) (ts).
08/21/2019	34	ORDER AND NOTICE: Rule 12(b) Motions 9/10/2019. Rule 26(f) Meeting 9/16/2019. Last day to file report of Rule 26(f) Meeting 9/23/2019. Scheduling/status Conference at 11:30 AM on 10/7/2019 in Huntington. Entry of Scheduling Order 10/15/2019. Last Day to make Rule 26(a)(1) disclosures 10/21/2019 Signed by Judge Robert C. Chambers on 8/21/2019. (cc: counsel of record; any unrepresented parties) (hkl)
09/09/2019	35	JOINT STIPULATION EXTENDING Deadlines re: 34 Order and Notice by Betsy Jividen, Joseph Wood, John Baxley Jr., Eric L. Jones, Samuel W. Stout (Marino, Briana) (Modified on 9/11/2019 to add link to #34 order and to add party filers)(ts).
09/17/2019	36	ORDER denying as moot Plaintiff John Baxley's 23 APPLICATION to Proceed Without Prepayment of Fees or Costs. Signed by Judge Robert C. Chambers on 9/17/2019. (cc: counsel of record; any unrepresented parties) (jsa)

09/23/2019	37	MOTION by Betsy Jividen, Joseph Wood to Dismiss 18 First Amended Class Action Complaint, or in the Alternative, Motion for Summary Judgment Regarding Plaintiff Baxley (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Marino, Briana) (Modified on 9/24/2019 to add event motion for summary judgment and to correct party filers) (ts).
09/23/2019	38	MEMORANDUM OF LAW by Betsy Jividen, Joseph Wood in support of 37 MOTION by Betsy Jividen, Joseph Wood to Dismiss 18 First Amended Class Action Complaint, or in the Alternative, Motion for Summary Judgment Regarding Plaintiff Baxley (Marino, Briana) (Modified on 9/24/2019 to correct party filers) (ts).
09/23/2019	39	MOTION by Betsy Jividen, Joseph Wood to Dismiss 18 First Amended Class Action, or in the Alternative, Motion for Summary Judgment Regarding Plaintiff Eric Jones. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Marino, Briana) (Modified on 9/24/2019 to convert event for discovery to event for summary judgment) (ts).
09/23/2019	40	MEMORANDUM OF LAW by Betsy Jividen, Joseph Wood in support of 39 MOTION by Betsy Jividen, Joseph Wood to Dismiss 18 First Amended Class Action, or in the Alternative, Motion for Summary Judgment Regarding Plaintiff Eric Jones (Marino, Briana) (Modified on 9/24/19 to correct party filers) (ts)
09/23/2019	41	MOTION by Betsy Jividen, Joseph Wood to Dismiss 18 First Amended Class Action, or in the Alternative, Motion for Summary Judgment Regarding Plaintiff Stout (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Marino, Briana) (Modified on 9/24/2019 to add event motion for summary judgment and to correct party filers) (ts).
09/23/2019	42	MEMORANDUM OF LAW by Betsy Jividen, Joseph Wood in support of 41 MOTION by Betsy Jividen, Joseph Wood to Dismiss 18 First Amended Class Action, or in the Alternative, Motion for Summary Judgment Regarding Plaintiff Stout (Marino, Briana) (Modified on 9/24/2019 to correct party filers) (ts).
09/27/2019	43	RULE 26(f) REPORT OF PLANNING MEETING by John Baxley, Jr., Eric L. Jones, Samuel W. Stout, Betsy Jividen, Joseph Wood (Milnes, Lydia) (Modified on 9/27/2019 to add party filers) (ts).
10/07/2019	44	SCHEDULING CONFERENCE held by Judge Robert C. Chambers on 10/7/2019; Court Reporter: Kathy Swinhart. (trj)
10/08/2019	45	RESPONSE by John Baxley, Jr in opposition to 37 MOTION by Betsy Jividen, Joseph Wood to Dismiss 18 First Amended Class Action Complaint, or in the Alternative, Motion for Summary Judgment Regarding Plaintiff Baxley and 41 MOTION by Betsy Jividen, Joseph

		Wood to Dismiss 18 First Amended Class Action, or in the Alternative, Motion for Summary Judgment Regarding Plaintiff Stout (Attachment: # 1 Exhibit A)(Milnes, Lydia)
10/09/2019	46	REVISED RULE 26(f) REPORT OF PLANNING MEETING by John Baxley, Jr., Samuel W. Stout, Eric L. Jones, Joseph Wood, Betsy Jividen (Milnes, Lydia) (Modified on 10/10/2019 to add party filers)(ts).
10/09/2019	47	STIPULATION to hold 37 , 39 , 41 Motions in abeyance until 4/10/2020 by John Baxley, Jr, Eric L. Jones, Samuel W. Stout, Betsy Jividen (Milnes, Lydia) (Modified on 10/10/2019 to add links to ## 37, 39, 41 motions and to add party filers) (ts).
10/10/2019	48	CERTIFICATE OF SERVICE by John Baxley, Jr for First Set of Interrogatories, Requests for Production, and Requests for Admission. (Milnes, Lydia)
10/10/2019	49	SCHEDULING ORDER pursuant to the 46 REVISED RULE 26(f) REPORT OF PLANNING MEETING directing as follows: Discovery on Class Certification will begin on 10/8/2019. Joinder of Parties due by 12/13/2019. Case Management Conference set for 2/3/2020 at 11:30 AM in Huntington; all lead counsel will attend in person. Motion for class certification and any dispositive motions on putative class representatives are due by 4/10/2020; responses to motion for class certification and any dispositive motions are due by 4/24/2020; replies to motion for class certification and dispositive motions are due by 5/1/2020; further denying Defendants' 37 , 39 , 41 MOTIONS to Dismiss as premature; Motions to Dismiss may be refiled at the appropriate time. Signed by Judge Robert C. Chambers on 10/10/2019. (cc: counsel of record; any unrepresented parties) (hkl) (Modified on 10/10/2019 to add link to #46 revised report of planning meeting) (mkw).
10/21/2019	50	CERTIFICATE OF SERVICE by John Baxley, Jr, Samuel W. Stout, Eric L. Jones for Rule 26(a)(1) Disclosures. (Milnes, Lydia) (Modified on 10/21/2019 to add party filers)(ts).
10/21/2019	51	CERTIFICATE OF SERVICE by Betsy Jividen, Western Regional Jail, Joseph Wood for Rule 26(a)(1) Initial Disclosures. (Marino, Briana)
11/12/2019	52	CERTIFICATE OF SERVICE by Betsy Jividen, Joseph Wood for Answers to Plaintiffs' First Set of Request for Production of Documents (Marino, Briana)

11/12/2019	53	AMENDED CERTIFICATE OF SERVICE by Betsy Jividen, Joseph Wood for Answers to Plaintiff's First Set of Request for Admissions (amended). (Marino, Briana)
11/12/2019	54	CERTIFICATE OF SERVICE by Betsy Jividen, Joseph Wood for Answers to Plaintiffs' First Set of Interrogatories. (Marino, Briana)
11/18/2019	55	JOINT MOTION by John Baxley, Jr, Samuel W. Stout, Eric L. Jones, Joseph Wood, Betsy Jividen for Protective Order (Attachment: # 1 Proposed Order) (Milnes, Lydia) (Modified on 11/19/2019 to add party filers) (ts).
11/19/2019	56	PROTECTIVE ORDER setting forth the terms for the handling of confidential documents. Signed by Magistrate Judge Cheryl A. Eifert on 11/19/2019. (cc: counsel of record; any unrepresented party) (hkl)
11/26/2019	57	CERTIFICATE OF SERVICE by John Baxley, Jr for Second Set of Interrogatories, and Requests for Production of Documents to Defendants. (Wagner, Jennifer)
11/27/2019	58	CERTIFICATE OF SERVICE by Betsy Jividen, Joseph Wood for Answers to Plaintiffs' First Set of Requests for Production of Documents. (Marino, Briana)
12/09/2019	59	NOTICE of Rule 34 Inspection by John Baxley, Jr, Eric L. Jones, Samuel W. Stout (Wagner, Jennifer) (Modified on 12/9/2019 to add party filers)(ts).
12/09/2019	60	NOTICE OF RULE 30(B)(6) DEPOSITION by John Baxley, Jr, Samuel W. Stout, Eric L. Jones of the West Virginia Division of Corrections and Rehabilitation at Western Regional Jail Representative on 1/17/2020 at 1:00 p.m. (Wagner, Jennifer) (Modified on 12/9/2019 to convert event to notice to take or amend deposition and to add party filers) (ts).
12/11/2019	61	MOTION by John Baxley, Jr to Compel Discovery (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(Wagner, Jennifer)
12/11/2019		MOTION REFERRED to Magistrate Judge Cheryl A. Eifert: 61 MOTION by John Baxley, Jr to Compel Discovery. (ts) (Entered: 12/12/2019)
12/13/2019	62	MOTION by John Baxley, Jr, Eric L. Jones, Samuel W. Stout to File Second Amended Complaint (Attachment: # 1 Exhibit 1 - Second Amended Complaint)(Milnes, Lydia) (Modified on 12/17/2019 to add party filers) (ts).

12/17/2019	63	CERTIFICATE OF SERVICE by Betsy Jividen, Western Regional Jail, Joseph Wood for First Supplemental Responses to Plaintiffs' First Set of Requests for Production of Documents. (Marino, Briana)
12/19/2019	64	JOINT STIPULATION EXTENDING DEADLINE for Plaintiffs to file an amended motion to compel relating to Plaintiffs' First Set of Interrogatories and Requests for Production of Documents dated October 10, 2019 (Marino, Briana) (Modified on 12/19/2019 to modify party filers) (ts).
12/19/2019	65	CERTIFICATE OF SERVICE by Betsy Jividen, Western Regional Jail, Joseph Wood for Second Supplemental Responses to Plaintiffs' First Set of Requests for Production of Documents. (Marino, Briana)
12/19/2019	66	ORDER granting Plaintiffs' 62 MOTION to File Second Amended Complaint and directing the Clerk of Court to file the same. Signed by Judge Robert C. Chambers on 12/19/2019. (cc: counsel of record; any unrepresented parties) (jsa)
12/19/2019	67	FIRST AMENDED CLASS ACTION COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF by Samuel W. Stout, John Baxley, Jr, Eric L. Jones, Donna Wells-Wright, Robert Watson, Heather Reed, Joshua Hall, Amber Arnett, Earl Edmondson, Danny Spiker, Jr. against Betsy Jividen, West Virginia Division of Corrections and Rehabilitation, Shelby Searls, Western Regional Jail and Correctional Facility. (jsa)
12/24/2019	68	AMENDED NOTICE OF DEPOSITION by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr, Samuel W. Stout, Samuel Stout, Robert Watson, Donna Wells-Wright of Superintendent Shelby Searls on January 17, 2020 at 1:00 p.m. (Wagner, Jennifer)
12/24/2019	69	NOTICE OF EVIDENTIARY DEPOSITION by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr, Samuel W. Stout, Samuel Stout, Robert Watson, Donna Wells-Wright of Debbie Hissom on January 10, 2020 at 10:00 a.m. (Wagner, Jennifer)
12/26/2019	70	CERTIFICATE OF SERVICE by Betsy Jividen, Shelby Searls, Western Regional Jail and Correctional Facility for First Supplemental Answers to Plaintiffs' First Set of Interrogatories. (Marino, Briana)
01/02/2020	71	JOINT STIPULATION EXTENDING TIME for Plaintiffs to file an amended/supplemental motion to compel by Betsy Jividen, Shelby Searls, Western Regional Jail and Correctional Facility, Samuel Stout,

		Eric L. Jones, John Baxley, Jr. (Marino, Briana) (Modified on 1/3/2020 to add party filers) (ts).
01/02/2020	72	CERTIFICATE OF SERVICE by Betsy Jividen, Shelby Searls for Answers to Plaintiffs' Second Set of Requests for Production. (Marino, Briana)
01/02/2020	73	CERTIFICATE OF SERVICE by Shelby Searls for First Set of Requests for Production of Documents to Eric Jones. (Marino, Briana)
01/02/2020	74	NOTICE OF DEPOSITION by John Baxley, Jr of PrimeCare Medical, Inc. on February 21, 2020 at 10:00 a.m. (Attachment: # 1 Subpoena)(Wagner, Jennifer)
01/02/2020	75	FIRST AMENDED NOTICE OF DEPOSITION by John Baxley, Jr of Debbie Hissom on January 24, 2020 at 9:00 a.m. (Wagner, Jennifer)
01/02/2020	76	NOTICE of Intent to Serve Subpoena Upon PrimeCare Medical, Inc. by John Baxley, Jr (Attachment: # 1 Subpoena)(Wagner, Jennifer)
01/03/2020	77	STIPULATION REGARDING ACCEPTANCE OF SERVICE AND ANSWER DEADLINE by John Baxley, Jr., Eric L. Jones, Samuel Stout, Amber Arnett, Earl Edmondson, Joshua Hall, Donna Wells-Wright, Robert Watson Heather Reed, Danny Spiker, Jr., Betsy Jividen, West Virginia Division of Corrections and Rehabilitation, Shelby Searls, said parties stipulate to the acceptance of service of the 67 Second Amended Complaint and jointly agree to extend the deadline for all Defendants to file an Answer to 2/3/2020. (Milnes, Lydia) (Modified on 1/3/2020 to add party filers and to add link to the #67 second amended complaint) (mkw).
01/03/2020	78	CERTIFICATE OF SERVICE by Betsy Jividen, Shelby Searls for First Supplemental Answers to Plaintiffs' Second Set of Requests for Production of Documents. (Marino, Briana)
01/03/2020		RESET DEADLINE: Defendants Betsy Jividen, Shelby Searls, West Virginia Division of Corrections and Rehabilitation, Western Regional Jail and Correctional Facility answer due 2/3/2020 pursuant to the 77 Stipulation. (mkw)
01/09/2020	79	CERTIFICATE OF SERVICE by Betsy Jividen, Shelby Searls for Third Supplemental Responses to Plaintiffs' First Set of Requests for Production of Documents. (Marino, Briana)
01/13/2020	80	CERTIFICATE OF SERVICE by Shelby Searls for First Set of Requests for Production of Documents to John Baxley, Jr.(Marino, Briana)

01/14/2020	81	MOTION by Betsy Jividen, Shelbey Searls for Leave to File Third-Party Complaint and Cross-Claims (Marino, Briana)
01/16/2020	82	CERTIFICATE OF SERVICE by Betsy Jividen, Shelbey Searls for Second Supplemental Responses to Plaintiffs' Second Set of Requests for Production of Documents. (Marino, Briana)
01/28/2020	83	RESPONSE by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr, Robert Watson, Donna Wells-Wright in opposition to 81 MOTION by Betsy Jividen, Shelbey Searls for Leave to File Third-Party Complaint and Cross-Claims (Wagner, Jennifer)
01/29/2020	84	CERTIFICATE OF SERVICE by Shelbey Searls for First Set of Requests for Production of Documents to Samuel Stout. (Marino, Briana)
01/29/2020	85	CERTIFICATE OF SERVICE by Betsy Jividen for First Set of Interrogatories to Plaintiffs. (Marino, Briana)
02/03/2020	86	CERTIFICATE OF SERVICE by John Baxley, Jr for Responses to Defendant Shelby Searls, Superintendent of Western Regional Jail's First Set of Requests for Production to Eric Jones. (Milnes, Lydia)
02/03/2020	87	ORDER directing that a hearing on the 61 MOTION by John Baxley, Jr. to Compel Discovery shall take place on 2/10/2020 at 3:00 PM in Huntington before Magistrate Judge Cheryl A. Eifert. Signed by Magistrate Judge Cheryl A. Eifert on 2/3/2020. (cc: counsel of record; any unrepresented parties) (hkl)
02/03/2020	88	MOTION by Plaintiffs to Certify Class (Attachments: # 1 Affidavit, # 2 Affidavit)(Milnes, Lydia) (Modified on 2/3/2020 to add party filers) (ts).
02/03/2020	89	MEMORANDUM OF LAW by Plaintiffs in support of 88 MOTION by Plaintiffs to Certify Class (Milnes, Lydia) (Modified on 2/3/2020 to add party filers) (ts).
02/03/2020	90	CASE MANAGEMENT CONFERENCE held by Judge Robert C. Chambers on 2/3/2020; Court Reporter: Kathy Swinhart. (trj)
02/03/2020	91	RENEWED MOTION by Betsy Jividen, Shelbey Searls to Dismiss 67 Amended Complaint, or in the Alternative, MOTION for Summary Judgment Regarding Plaintiff Baxley. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Marino, Briana) (Modified on 2/5/2020 to add motion for summary judgment event)(ts).

02/03/2020	92	MEMORANDUM OF LAW by Betsy Jividen, Shelbey Searls in support of 91 RENEWED MOTION by Betsy Jividen, Shelbey Searls to Dismiss 67 Amended Complaint, or in the Alternative, MOTION for Summary Judgment Regarding Plaintiff Baxley (Marino, Briana)
02/03/2020	93	RENEWED MOTION by Betsy Jividen, Shelbey Searls to Dismiss 67 Amended Complaint, or in the Alternative, MOTION for Summary Judgment Regarding Eric Jones. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Marino, Briana) (Modified on 2/5/2020 to add event motion for summary judgment) (ts).
02/03/2020	94	MEMORANDUM OF LAW by Betsy Jividen, Shelbey Searls in support of 93 RENEWED MOTION by Betsy Jividen, Shelbey Searls to Dismiss 67 Amended Complaint, or in the Alternative, MOTION for Summary Judgment Regarding Eric Jones (Marino, Briana)
02/03/2020	95	RENEWED MOTION by Betsy Jividen, Shelbey Searls to Dismiss 67 Amended Complaint, or in the Alternative, MOTION for Summary Judgment Regarding Stout (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Marino, Briana). (Modified on 2/5/2020 to add summary judgment event) (ts).
02/03/2020	96	MEMORANDUM OF LAW by Betsy Jividen, Shelbey Searls in support of 95 RENEWED MOTION by Betsy Jividen, Shelbey Searls to Dismiss 67 Amended Complaint, or in the Alternative, MOTION for Summary Judgment Regarding Stout (Marino, Briana)
02/04/2020	97	ANSWER TO 67 Amended Complaint by Betsy Jividen, Shelbey Searls and THIRD PARTY COMPLAINT by Betsy Jividen against Primecare Medical of WV, Inc., Wexford Health Sources Inc. (Attachment: # 1 Exhibit 1)(Marino, Briana)
02/04/2020	98	ORDER directing that response memoranda be filed within twenty-one days from the date of service of a given motion, and that reply memoranda be filed within twenty-one days from the date of service of a given response memorandum. Signed by Judge Robert C. Chambers on 2/4/2020. (cc: counsel of record; any unrepresented parties) (jsa)
02/04/2020	99	REPLY by Shelbey Searls, Betsy Jividen to 83 Response in Opposition (Attachment: # 1 Exhibit 1)(Marino, Briana) (Modified on 2/5/2020 to correct link to #83 response in opposition and to add party filer) (ts).
02/05/2020	100	CERTIFICATE OF SERVICE by Betsy Jividen, Shelbey Searls for Fourth Supplemental Answers to Plaintiffs' First Set of Request for Production of Documents. (Marino, Briana)

02/06/2020	101	CERTIFICATE OF SERVICE by Betsy Jividen, Shelbey Searls for Third Supplemental Answers to Plaintiffs' Second Set of Requests for Production of Documents. (Marino, Briana)
02/07/2020	102	CERTIFICATE OF SERVICE by Betsy Jividen, Shelbey Searls for Answers to Plaintiffs' Second Set of Interrogatories. (Marino, Briana)
02/07/2020	103	AMENDED CERTIFICATE OF SERVICE by Betsy Jividen, Shelbey Searls for Answers to Plaintiffs' Second Set of Interrogatories. (Marino, Briana)
02/09/2020	104	CONSENT MOTION by Amber Arnett, John Baxley, Jr., Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr., Samuel Stout, Robert Watson, Donna Wells-Wright to Continue Hearing on 61 Motion by John Baxley, Jr. to Compel Discovery. (Wagner, Jennifer) (Modified on 2/10/2020 to add link to #61 motion) (mkw).
02/09/2020		MOTION REFERRED to Magistrate Judge Cheryl A. Eifert: 104 CONSENT MOTION by Amber Arnett, John Baxley, Jr., Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr., Samuel Stout, Robert Watson, Donna Wells-Wright to Continue Hearing on 61 Motion by John Baxley, Jr. to Compel Discovery. (mkw) (Entered: 02/10/2020)
02/10/2020	105	ORDER granting the parties' 104 CONSENT MOTION to Continue Hearing on Motion to Compel; canceling the hearing on the pending motion to compel currently scheduled to take place on 2/10/2020 at 3:00 PM. Signed by Magistrate Judge Cheryl A. Eifert on 2/10/2020. (cc: counsel of record; any unrepresented parties) (hkl)
02/10/2020	106	ORDER directing that a hearing on Plaintiffs' 61 MOTION to Compel Discovery is set for 3/9/2020 at 1:30 PM in Huntington before Magistrate Judge Cheryl A. Eifert. Signed by Magistrate Judge Cheryl A. Eifert on 2/10/2020. (cc: counsel of record; any unrepresented parties) (jsa)
02/11/2020	107	CERTIFICATE OF SERVICE by John Baxley, Jr for Responses to Defendant Shelby Searls, Superintendent of Western Regional Jail's First Set of Requests for Production to John Baxley Jr. (Milnes, Lydia)
02/12/2020	108	MOTION by Betsy Jividen, Shelbey Searls for Leave to Take the Deposition of Incarcerated Individuals Named as Putative Class Representatives (Marino, Briana)
02/12/2020	110	MEMORANDUM OPINION AND ORDER denying Defendants Betsy Jividen and Shelbey Searls' 81 MOTION for Leave to File a Third-Party

		Complaint and Cross-Claims. Signed by Judge Robert C. Chambers on 2/12/2020. (cc: counsel of record; any unrepresented parties) (jsa)
02/12/2020		MOTIONS REFERRED to Magistrate Judge Cheryl A. Eifert: 108 MOTION by Betsy Jividen, Shelby Searls for Leave to Take the Deposition of Incarcerated Individuals Named as Putative Class Representatives, 109 MOTION by Betsy Jividen, Shelby Searls for Leave to Take Deposition of Ronnie Lee Hammonds, an Incarcerated Individual (ts)
02/13/2020	111	ORDER granting Defendants' 108 MOTION for Leave to Take the Deposition of Incarcerated Individuals Named as Putative Class Representatives; granting Defendants' 109 MOTION for Leave to Take the Deposition of R. H., an Incarcerated Individual; directing Defendants to make the necessary arrangements with the correctional facilities at which the witnesses are housed and provide the facilities with a copy of this Order. Signed by Magistrate Judge Cheryl A. Eifert on 2/13/2020. (cc: counsel of record; any unrepresented party) (hkl)
02/13/2020	112	MEMORANDUM OPINION AND ORDER SEALING MOTION directing the Clerk to seal Defendants' 109 MOTION for Leave to Take Deposition. Signed by Magistrate Judge Cheryl A. Eifert on 2/13/2020. (cc: counsel of record; any unrepresented parties) (jsa)
02/18/2020	113	JOINT MOTION by John Baxley, Jr, Defendants To Clarify Briefing Deadlines (Milnes, Lydia) (Modified on 2/20/2020 to add party filers) (ts).
02/19/2020	114	ORDER granting the parties' 113 JOINT MOTION to Clarify Briefing Deadlines; clarifying that the extended briefing deadlines outlined in this Court's 2/4/2020 98 Order apply as of the date set forth in the Court's prior scheduling order for the filing of motions for class certification and dispositive motions; response briefs are due on or before 5/1/2020, and reply briefs are due on or before 5/22/2020. Signed by Judge Robert C. Chambers on 2/19/2020. (cc: counsel of record; any unrepresented parties) (jsa)
02/24/2020	115	NOTICE OF DEPOSITION by John Baxley, Jr of Lance Yardley on March 23, 2020 at 9:30 a.m. (Milnes, Lydia)
02/24/2020	116	NOTICE OF DEPOSITION by John Baxley, Jr of Marvin Plumley on March 23, 2020 at 1:00 p.m. (Milnes, Lydia)
02/24/2020	117	NOTICE OF DEPOSITION by John Baxley, Jr of J.T. Binion on March 11, 2020 at 9:30 a.m. (Milnes, Lydia)

02/24/2020	118	NOTICE OF DEPOSITION by John Baxley, Jr of Betty Slack on March 11, 2020 at 1:00 p.m. (Milnes, Lydia)
02/24/2020	119	NOTICE OF DEPOSITION by John Baxley, Jr of Mickey Skeens on March 11, 2020 at 11:00 a.m. (Milnes, Lydia)
02/25/2020	120	NOTICE OF RULE 30(B)(6) DEPOSITION by John Baxley, Jr of Representative of WV DOCR on March 9, 2020 at 9:30 a.m. (Milnes, Lydia)
02/25/2020	121	NOTICE TO TAKE VIDEOTAPED DEPOSITION by Betsy Jividen, Shelbey Searls of Ronnie Hammonds on March 25, 2020 at 10:00 am (Marino, Briana)
02/25/2020	122	CERTIFICATE OF SERVICE by Betsy Jividen, Shelbey Searls for Fourth Supplemental Responses to Plaintiffs' Second Set of Requests for Production of Documents. (Marino, Briana)
02/27/2020	123	NOTICE OF DEPOSITION by Betsy Jividen, Shelbey Searls of Donna Wells-Wright on April 2, 2020 at 11:00 a.m. (Marino, Briana)
02/27/2020	124	NOTICE OF DEPOSITION by Betsy Jividen, Shelbey Searls of Heather Reed on April 1, 2020 at 1:00 p.m. (Marino, Briana)
02/27/2020	125	NOTICE OF DEPOSITION by Betsy Jividen, Shelbey Searls of John Baxley, Jr. on April 1, 2020 at 11:00 a.m. (Marino, Briana)
02/27/2020	126	NOTICE OF DEPOSITION by Betsy Jividen, Shelbey Searls of Robert Watson on March 24, 2020 at 1:00 p.m. (Marino, Briana)
02/27/2020	127	NOTICE OF DEPOSITION by Betsy Jividen, Shelbey Searls of Samuel Stout on March 25, 2020 at 1:30 p.m. (Marino, Briana)
02/27/2020	128	NOTICE OF DEPOSITION by Betsy Jividen, Shelbey Searls of Joshua Hall on April 3, 2020 at 11:00 a.m. (Marino, Briana)
02/28/2020	129	CERTIFICATE OF SERVICE by John Baxley, Jr for Responses to Defendant Betsy Jividen, Commissioner of the West Virginia Division of Corrections and Rehabilitation's First Set of Interrogatories to Plaintiffs. (Milnes, Lydia)
02/28/2020	130	CERTIFICATE OF SERVICE by John Baxley, Jr for Responses to Defendant Shelby Searls, Superintendent of Western Regional Jails First Set of Requests for Production of Documents to Samuel Stout. (Milnes, Lydia)
02/28/2020	131	SECOND MOTION by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr, Samuel

		Stout, Robert Watson, Donna Wells-Wright, Eric Jones to Compel Discovery (Attachments: # 1 Defs.' Resp to 1st Set of Interrogatories, # 2 Defs.' Resp. to 2nd Set of Requests for Production of Documents)(Wagner, Jennifer) (Modified on 3/2/2020 to add party filer) (ts)
02/28/2020		MOTION REFERRED to Magistrate Judge Cheryl A. Eifert: 131 MOTION by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr, Samuel Stout, Robert Watson, Donna Wells-Wright, Eric Jones to Compel Discovery. (ts) (Entered: 03/02/2020)
03/03/2020	132	NOTICE OF APPEARANCE by Webster J. Arceneaux, III, Richard Gottlieb, James C. Stebbins, Valerie H. Raupp on behalf of Betsy Jividen, Shelbey Searls. (Arceneaux, Webster)
03/06/2020	133	CERTIFICATE OF SERVICE by Betsy Jividen, Shelbey Searls for Supplemental Response to Plaintiffs First Set of Requests for Production. (Arceneaux, Webster)
03/06/2020	134	CERTIFICATE OF SERVICE by Shelbey Searls for Second Set of Interrogatories and Requests for Production. (Arceneaux, Webster)
03/06/2020	135	CERTIFICATE OF SERVICE by Shelbey Searls for Second Set of Interrogatories and Requests for Production. (Arceneaux, Webster)
03/06/2020	136	CERTIFICATE OF SERVICE by Shelbey Searls for Second Set of Interrogatories and Requests for Production. (Arceneaux, Webster)
03/06/2020	137	CERTIFICATE OF SERVICE by Shelbey Searls for First Set of Interrogatories and Requests for Production. (Arceneaux, Webster)
03/06/2020	138	CERTIFICATE OF SERVICE by Shelbey Searls for First Set of Interrogatories and Requests for Production. (Arceneaux, Webster)
03/06/2020	139	CERTIFICATE OF SERVICE by Shelbey Searls for Second Set of Interrogatories and Requests for Production. (Arceneaux, Webster)
03/06/2020	140	CERTIFICATE OF SERVICE by Shelbey Searls for Second Set of Interrogatories and Requests for Production. (Arceneaux, Webster)
03/06/2020	141	CERTIFICATE OF SERVICE by Shelbey Searls for Second Set of Interrogatories and Requests for Production. (Arceneaux, Webster)
03/06/2020	142	CERTIFICATE OF SERVICE by Shelbey Searls for Second Set of Interrogatories and Requests for Production. (Arceneaux, Webster)

03/06/2020	143	CERTIFICATE OF SERVICE by Shelbey Searls for Second Set of Interrogatories and Requests for Production. (Arceneaux, Webster)
03/09/2020	144	CERTIFICATE OF SERVICE by John Baxley, Jr for Notice of Intent to Serve Subpoena. (Milnes, Lydia)
03/09/2020	145	CERTIFICATE OF SERVICE by John Baxley, Jr for Notice of Intent to Serve Subpoena. (Milnes, Lydia)
03/09/2020	146	NOTICE OF DEPOSITION by John Baxley, Jr of PsiMed Corrections, LLC on March 31, 2020 at 10:00 a.m. (Attachment: # 1 Subpoena to Testify)(Milnes, Lydia)
03/09/2020	147	NOTICE OF DEPOSITION by John Baxley, Jr of Wexford Health Sources, Inc. on March 30, 2020 at 10:00 a.m. (Attachment: # 1 Subpoena to Testify)(Milnes, Lydia)
03/09/2020	148	MOTION HEARING held by Magistrate Judge Cheryl A. Eifert on 3/9/2020, re: Plaintiffs' 61 MOTION to Compel Discovery, Plaintiffs' 131 MOTION to Compel Discovery; Court Reporter: CourtSmart. (hkl)
03/09/2020	149	NOTICE OF CHANGE OF ATTORNEY INFORMATION by Rachel Kincaid appearing on behalf of John Baxley, Jr, Eric L. Jones, Samuel Stout. (Kincaid, Rachel)
03/10/2020	150	ORDER granting in part and denying in part Plaintiffs' 61 MOTION and 131 SECOND MOTION to Compel Discovery, as more fully set forth herein. Signed by Magistrate Judge Cheryl A. Eifert on 3/10/2020. (cc: counsel of record; any unrepresented parties) (hkl)
03/10/2020	151	CERTIFICATE OF SERVICE by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr, Samuel Stout, Robert Watson, Donna Wells-Wright for Third Combined Discovery Requests. (Wagner, Jennifer)
03/11/2020	152	CERTIFICATE OF SERVICE by Betsy Jividen, Shelbey Searls for Sixth Supplemental Answers to Plaintiffs' First Set of Requests for Production of Documents. (Arceneaux, Webster) .
03/11/2020	153	NOTICE TO TAKE DEPOSITION by John Baxley, Jr of Joseph Wood on April 2, 2020 at 1:00 p.m. (Milnes, Lydia)
03/11/2020	154	NOTICE TO TAKE DEPOSITION by John Baxley, Jr of Shawn Straughn on March 24, 2020 at 3:00 p.m. (Milnes, Lydia)

03/23/2020	155	EXPEDITED MOTION by Betsy Jividen, Shelbey Searls for a Ninety-Day Extension of the April 10, 202 Briefing Deadline and Request for Thirty Day Discovery Stay (Arceneaux, Webster)
03/23/2020	163	AMENDED SCHEDULING DATES IN LIGHT OF GENERAL ORDER #3 directing the following deadlines have been extended: Dispositive Motions to 04/10/20. Response Briefs to 06/01/20. Reply Deadline to 06/22/20. (cc: attys; any unrepresented party) (mwk) (Entered: 03/26/2020)
03/24/2020	156	ORDER directing that Plaintiffs file any response to Defendants' 155 EXPEDITED MOTION for a Ninety-Day Extension of the 4/10/2020 Briefing Deadline and Request for Thirty Day Discovery Stay on or before Thursday, 3/26/2020; Defendants to file any reply on or before Monday, 3/30/2020. Signed by Judge Robert C. Chambers on 3/24/2020. (cc: counsel of record; any unrepresented parties) (hkl)
03/24/2020	157	CERTIFICATE OF SERVICE by Betsy Jividen, Shelbey Searls for First Supplemental Answers to First Set of Interrogatories. (Arceneaux, Webster)
03/24/2020	158	CERTIFICATE OF SERVICE by Betsy Jividen, Shelbey Searls for Fifth Supplemental Answers to Second Set of Requests for Production of Documents. (Arceneaux, Webster)
03/24/2020	159	RESPONSE by Betsy Jividen, Shelbey Searls in opposition to 131 MOTION by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr, Samuel Stout, Robert Watson, Donna Wells-Wright, Eric Jones to Compel Discovery (Arceneaux, Webster)
03/24/2020	160	RESPONSE by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr, Samuel Stout, Robert Watson, Donna Wells-Wright in support of 155 EXPEDITED MOTION by Betsy Jividen, Shelbey Searls for a Ninety-Day Extension of the April 10, 202 Briefing Deadline and Request for Thirty Day Discovery Stay. (Attachment: # 1 Proposed Order)(Kincaid, Rachel)
03/25/2020	161	EMERGENCY MOTION by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr, Samuel Stout, Robert Watson, Donna Wells-Wright for Preliminary Injunction (Attachments: # 1 Dec. of Dr. Beyrer, # 2 Dec. of Dr. Greifinger, # 3 Dec. of Dr. Stern, # 4 Dec. of Dr. Meyer, # 5 Dec. of Dr. Golob, # 6 ACLU Request, # 7 ACLU Follow-up, # 8 WVDCR Response to ACLU)(Wagner, Jennifer)

03/26/2020	162	EXHIBITS by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr, Samuel W. Stout, Robert Watson, Donna Wells-Wright in support of 161 EMERGENCY MOTION by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr, Samuel Stout, Robert Watson, Donna Wells-Wright for Preliminary Injunction. (Wagner, Jennifer)
03/26/2020	164	ORDER granting Defendants' 155 EXPEDITED MOTION for a Ninety-Day Extension of the 4/10/2020 Briefing Deadline and a Request for Thirty Day Discovery Stay; any motions for class certification and dispositive motions on putative class representatives are due on or before 7/9/2020; responses to any motion for class certification and any dispositive motions are due on or before 7/23/2020; and any replies to those responses are due on or before 7/30/2020; the 4/9/2020 discovery deadline is extended to 5/11/2020; and written and deposition discovery in this case is stayed for thirty days; holding in abeyance Plaintiffs' request to issue an order that any mootness arguments based on the incarceration status for any putative class members who are released from custody or transferred after 4/10/2020 are barred; directing Defendants to file a response to these arguments on or before 5:00 p.m. on 3/31/2020. Signed by Judge Robert C. Chambers on 3/26/2020. (cc: counsel of record; anModified on 3/31/2020 (mkw).
03/26/2020	165	ORDER directing Defendants to file any response to the 161 MOTION by Amber Arnett, John Baxley, Jr., Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr., Samuel Stout, Robert Watson, Donna Wells-Wright for a Preliminary Injunction by 12:00 p.m. on 3/30/2020, and any reply due by 12:00 p.m. on 4/1/2020; Scheduling a videoconference on this matter for 4/2/2020 at 10:00 AM in Huntington before Judge Robert C. Chambers; directing counsel for Plaintiffs and Defendants to provide by email to Courtroom Deputy Terry Justice no later than 3/30/2020, the following information, as more fully set forth herein. Signed by Judge Robert C. Chambers on 3/26/2020. (cc: attys; any unrepresented parties) (mkw)
03/27/2020	166	NOTICE OF SUPPLEMENTAL AUTHORITY by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr, Samuel Stout, Robert Watson, Donna Wells-Wright re: 161 EMERGENCY MOTION by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr, Samuel Stout, Robert Watson, Donna Wells-Wright for Preliminary Injunction. (Attachments: # 1 Basank Order, # 2 Barr Memo)(Wagner, Jennifer) (Modified on 3/30/2020 to convert event to notice (other))(ts).

03/30/2020	167	RESPONSE by Betsy Jividen, Shelbey Searls to the Court's 164 Order (Arceneaux, Webster)
03/30/2020	168	RESPONSE by Shelbey Searls in opposition to 161 EMERGENCY MOTION by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr, Samuel Stout, Robert Watson, Donna Wells-Wright for Preliminary Injunction (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 4, # 4 Exhibit 5, # 5 Exhibit 6, # 6 Exhibit 7, # 7 Exhibit 8, # 8 Exhibit 9)(Stebbins, James)
03/30/2020	169	EXHIBIT 3 by Betsy Jividen, Shelbey Searls in support of 168 Response In Opposition. (Stebbins, James)
03/31/2020	170	ORDER directing that Plaintiff's expert witness, Dr. Homer Venters, as well as named parties to this case, not be sequestered for the duration of the 4/2/2020 hearing. Signed by Judge Robert C. Chambers on 3/31/2020. (cc: counsel of record; any unrepresented parties) (jsa)
03/31/2020	171	ORDER directing any interested members of the public to contact the Court's Courtroom Deputy at (304) 528-7523 before 12:00 p.m. on 4/1/2020 to make arrangements to electronically observe the hearing regarding Plaintiffs' 161 EMERGENCY MOTION for Preliminary Injunction, which is currently scheduled for 10:00 a.m. on 4/2/2020. Signed by Judge Robert C. Chambers on 3/31/2020. (cc: counsel of record; any unrepresented parties) (jsa)
03/31/2020	172	AMENDED ORDER directing any interested members of the public to contact the Court's Courtroom Deputy at (304) 528-7583 before 12:00 p.m. on 4/1/2020 to make arrangements to electronically observe the hearing regarding Plaintiffs' 161 EMERGENCY MOTION for Preliminary Injunction, which is currently scheduled for 10:00 a.m. on 4/2/2020. Signed by Judge Robert C. Chambers on 3/31/2020. (cc: counsel of record; any unrepresented parties) (jsa)
04/01/2020	173	REPLY by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Danny Spiker, Jr, Samuel Stout, Robert Watson, Donna Wells-Wright to 168 Response In Opposition. (Attachments: # 1 Exhibit A (Sample COVID-19 Plan), # 2 Exhibit B (WVSCA Memo), # 3 Thakker Order)(Wagner, Jennifer)
04/01/2020	174	EXHIBIT by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr, Robert Watson, Donna Wells-Wright in support of 173 Reply to Response. (Wagner, Jennifer)
04/01/2020	175	TELEPHONIC STATUS CONFERENCE held by Judge Robert C. Chambers on 4/1/2020; Court Reporter Kathy Swinhart. (trj)

04/01/2020	176	ORDER directing Defendants to provide a redacted copy of the Defendants' COVID-19 response plan to the Court, Plaintiffs' counsel, and their expert witness on or before 5:00 p.m. today; further directing that copies of the redacted plan may not be viewed by anyone other than Plaintiffs' counsel or their designated expert without prior court approval; further directing Defendants to provide an explanation of the subject matter that has been redacted and how it relates to their security concerns; following receipt of the plan, Plaintiffs are directed to provide a declaration responding to the plan from their expert witness, Dr. Homer Venter, to the Court and Defendants' counsel on or before 5:00 p.m. tomorrow, 4/2/2020; further directing Defendants to provide a response to Plaintiffs' expert's declaration on or before 3:00 p.m. on Friday, 4/3/2020; the documents provided pursuant to this Order need not be filed pending the hearing; rescheduling the hearing in this matter presently scheduled for 4/2/2020 at 10:00 a.m. to Monday, 4/6/2020 at 10:00 a.m.; any members of the public who are interested in attending the hearing must contact the Court's Courtroom Deputy at (304) 528-7583 before 12:00 p.m. on Friday, 4/3/2020 to make arrangements to participate. Signed by Judge Robert C. Chambers on 4/1/2020. (cc: counsel of record; any unrepresented parties) (jsa)
04/01/2020	177	RETURN OF SERVICE ON SUBPOENA for Record Custodian, PsiMed Corrections, LLC; service accepted by the WV Secretary of State on 3/25/2020. Certified Number: 92148901125134100002695269. (arb)
04/01/2020	178	RETURN OF SERVICE ON SUBPOENA for Record Custodian, Wexford Health Sources, Inc.; service accepted by the WV Secretary of State on 3/25/2020. Certified Number: 92148901125134100002695252. (arb)
04/03/2020	179	ORDER directing Defendants to provide, by verified declaration or affidavit, specific responses to each item listed in Paragraph 18 of Plaintiff's Expert's Affidavit submitted in response to the Court's 176 Order, as more fully set forth herein. Signed by Judge Robert C. Chambers on 4/3/2020. (cc: counsel of record; any unrepresented parties) (jsa)
04/06/2020	180	VIDEO MOTION HEARING held by Judge Robert C. Chambers on 4/6/2020; Court Reporter: Kathy Swinhart. (trj)
04/06/2020	181	EXHIBITS by Defendants Betsy Jividen, Shelbey Searls, West Virginia Division of Corrections and Rehabilitation for motion hearing held 4/6/2020. (Sealed on the record pursuant to the motion hearing held 4/6/2020 and unsealed with the exception of Exhibit #6 pursuant to the 199 memorandum opinion and order) (Attachments: # 1 Exhibit 1 -

		Commissioner Jividen Affidavit, # 2 Exhibit 2 - Marvin Plumley Affidavit, # 3 Exhibit 3 - Debbie Hisson Affidavit, # 4 Exhibit 4 - March 20 Commissioner Policy Directive, # 5 Exhibit 5 - March 26 Commissioner Memo, # 6 Exhibit 6 - Defendants' Court Ordered Response to Plaintiffs' Expert Declaration, # 7 Exhibit 7 - Venters CV, # 8 Exhibit 8 - Occupancy Chart, # 9 Exhibit 9 - Venters Affidavit) (mkw) (Modified on 4/23/2020 to unseal certain exhibits pursuant to the #199 memorandum opinion and order) (mkw).
04/07/2020	182	MOTION by Betsy Jividen, Shelby Searls to Substitute Party (Arceneaux, Webster)
04/08/2020	183	MEMORANDUM OPINION AND ORDER denying Plaintiffs' 161 EMERGENCY MOTION for Preliminary Injunction. Signed by Judge Robert C. Chambers on 4/8/2020. (cc: counsel of record; any unrepresented parties) (jsa)
04/08/2020	184	ORDER granting Defendant's 182 MOTION for Substitution of Official Party Under Fed. R. Civ. P. 25(d). Signed by Judge Robert C. Chambers on 4/8/2020. (cc: counsel of record; any unrepresented parties) (jsa)
04/08/2020	185	SUBPOENA RETURNED UNEXECUTED BY SECRETARY OF STATE as to PsiMed Corrections, LLC. (jsa)
04/10/2020	186	EXPEDITED MOTION by the American Civil Liberties Union of West Virginia for Leave to Intervene for the Limited Purpose of Seeking to Unseal Court Records. (Stark, Loree)
04/10/2020	187	MEMORANDUM by the American Civil Liberties Union of West Virginia in support of 186 EXPEDITED MOTION by the American Civil Liberties Union of West Virginia to Intervene for the Limited Purpose of Seeking to Unseal Court Records. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit)(Stark, Loree)
04/10/2020	188	EXPEDITED MOTION by the American Civil Liberties Union of West Virginia to Unseal Court Records. (Stark, Loree)
04/10/2020	189	MEMORANDUM by the American Civil Liberties Union of West Virginia in support of 188 EXPEDITED MOTION by the American Civil Liberties Union of West Virginia to Unseal Court Records. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit)(Stark, Loree)
04/13/2020	190	ORDER regarding the 186 EXPEDITED MOTION by the American Civil Liberties Union of West Virginia for Leave to Intervene for the Limited Purpose of Seeking to Unseal Court Records

		and 188 EXPEDITED MOTION by the American Civil Liberties Union of West Virginia to Unseal Court Records; directing Defendants to file any response concerning ACLU's motion to intervene by 4/14/2020 at 12:00 p.m., and for the ACLU to file any reply by 4/14/2020 at 5:00 p.m.; if the Court permits the ACLU to intervene, it similarly intends to expedite consideration of the remainder of the Motion. Signed by Judge Robert C. Chambers on 4/13/2020. (cc: counsel of record; any unrepresented parties) (jsa) (Modified on 4/13/2020 to add link to #186 motion) (mkw).
04/14/2020	191	RESPONSE by Carl Aldridge, Betsy Jividen in opposition to 186 EXPEDITED MOTION by the American Civil Liberties Union of West Virginia for Leave to Intervene for the Limited Purpose of Seeking to Unseal Court Records (Stebbins, James)
04/14/2020	192	REPLY by American Civil Liberties Union of West Virginia to 191 Response In Opposition. (Stark, Loree)
04/15/2020	193	ORDER granting the 186 EXPEDITED MOTION by the American Civil Liberties Union of West Virginia for Leave to Intervene for the Limited Purpose of Seeking to Unseal Court Records. Signed by Judge Robert C. Chambers on 4/15/2020. (cc: counsel of record; any unrepresented parties) (jsa)
04/15/2020	194	ORDER directing Defendants to respond to the 188 EXPEDITED MOTION by the American Civil Liberties Union of West Virginia to Unseal Court Records on or before 1:00 p.m. on 4/17/2020, and for Movant to file any reply on or before 1:00 p.m. on 4/20/2020. Signed by Judge Robert C. Chambers on 4/15/2020. (cc: counsel of record; any unrepresented parties) (jsa)
04/17/2020	195	TRANSCRIPT OF PROCEEDINGS of Video Motion Hearing held on April 6, 2020, before Judge Robert C. Chambers. Court Reporter Kathy Swinhart, Telephone number 304-528-7583. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due 4/27/2020. Redaction Request due 5/8/2020. Redacted Transcript Deadline set for 5/18/2020. Release of Transcript Restriction set for 7/16/2020. (kls)
04/17/2020	196	RESPONSE by Carl Aldridge, Betsy Jividen in opposition to 188 EXPEDITED MOTION by the American Civil Liberties Union of West Virginia to Unseal Court Records (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Arceneaux, Webster)

04/20/2020	197	REPLY by American Civil Liberties Union of West Virginia to 196 Response In Opposition. (Stark, Loree)
04/22/2020	198	SUPPLEMENT TO RESPONSE by Carl Aldridge, Betsy Jividen in support of 196 Response In Opposition. (Attachment: # 1 Exhibit 1)(Arceneaux, Webster)
04/23/2020	199	MEMORANDUM OPINION AND ORDER granting in part and denying in part the 188 EXPEDITED MOTION to Unseal Court Records filed by Intervenor American Civil Liberties Union of West Virginia; directing that the documents filed as ECF Nos. 181-1, 181-2, 181-3, 181-4, 181-5, 181-7, 181-8, and 181-9 be unsealed; denying in part the Motion to unseal the document filed as ECF 181-6 in its entirety, and instead directing Defendants to file a redacted copy of the exhibit removing any identifying references to non-party inmates on or before 4/27/2020 at 5:00 p.m.; denying in part the Motion to the extent Intervenor requests an order requiring Defendants to file an unredacted version of Commissioner Jividen's 3/20/2020 Policy Directive. Signed by Judge Robert C. Chambers on 4/23/2020. (cc: counsel of record; any unrepresented parties) (jsa)
04/24/2020	200	RESPONSE TO COURT ORDER by Betsy Jividen re: 199 Memorandum Opinion and Order. (Arceneaux, Webster) (Modified on 4/27/2020 to convert event to response to court order) (ts).
04/27/2020	201	AMENDED NOTICE OF DEPOSITION by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr, Samuel Stout, Robert Watson, Donna Wells-Wright of PsiMed Corrections, LLC on May 7, 2020 at 10:00 a.m. (Attachment: # 1 Subpoena)(Milnes, Lydia)
04/27/2020	202	AMENDED NOTICE OF DEPOSITION by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr, Samuel W. Stout, Robert Watson, Donna Wells-Wright of Wexford Health Sources, Inc. on May 28, 2020 at 10:00 a.m. (Attachment: # 1 Subpoena)(Milnes, Lydia)
05/01/2020	203	STIPULATION EXTENDING TIME to conduct discovery to June 22, 2020 by Carl Aldridge (Arceneaux, Webster) (Modified on 5/3/2020 to remove links to ECF #s) (ts).
05/05/2020	204	AMENDED NOTICE OF VIDEO DEPOSITION by John Baxley, Jr of Superintendent Shawn Straughn on May 14, 2020 at 10:00 AM (Milnes, Lydia)

05/05/2020	205	AMENDED NOTICE OF VIDEO DEPOSITION by John Baxley, Jr of Joseph Wood on May 15, 2020 at 10:00 AM (Milnes, Lydia)
05/07/2020	206	AMENDED NOTICE OF DEPOSITION by Betsy Jividen of Heather Reed on May 27, 2020 at 10:00 a.m. (Arceneaux, Webster)
05/07/2020	207	AMENDED NOTICE OF DEPOSITION by Betsy Jividen of John Baxley on May 29, 2020 at 9:00 a.m. (Arceneaux, Webster)
05/07/2020	208	AMENDED NOTICE OF DEPOSITION by Betsy Jividen of Joshua Hall on May 29, 2020 at 1:00 p.m. (Arceneaux, Webster)
05/07/2020	209	AMENDED NOTICE OF DEPOSITION by Betsy Jividen of Robert Watson on June 3, 2020 at 10:00 a.m. (Arceneaux, Webster)
05/07/2020	210	AMENDED NOTICE OF DEPOSITION by Betsy Jividen of Ronnie Lee Hammonds on May 26, 2020 at 10:00 a.m. (Arceneaux, Webster)
05/07/2020	211	NOTICE OF DEPOSITION by Betsy Jividen of Amber Arnett on June 8, 2020 at 10:00 a.m.(Arceneaux, Webster)
05/07/2020	212	NOTICE OF DEPOSITION by Betsy Jividen of Danny Spiker on June 4, 2020 at 10:00 a.m. (Arceneaux, Webster)
05/07/2020	213	NOTICE OF DEPOSITION by Betsy Jividen of Earl Edmondson on June 5, 2020 at 10:00 a.m. (Arceneaux, Webster)
05/11/2020	214	CERTIFICATE OF SERVICE by John Baxley, Jr for Responses to Defendant Shelby Searls First Set of Interrogatories and Requests for Production of Documents to John Baxley, Jr. (Wagner, Jennifer)
05/11/2020	215	CERTIFICATE OF SERVICE by John Baxley, Jr for Responses to Defendant Shelby Searls First Set of Interrogatories and Requests for Production of Documents to Robert Watson (Wagner, Jennifer)
05/11/2020	216	CERTIFICATE OF SERVICE by John Baxley, Jr for Responses to Defendant Shelby Searls First Set of Interrogatories and Requests for Production of Documents to Heather Reed (Wagner, Jennifer)
05/11/2020	217	CERTIFICATE OF SERVICE by John Baxley, Jr for Responses to Defendant Shelby Searls First Set of Interrogatories and Requests for Production of Documents to Earl Edmondson (Wagner, Jennifer)
05/11/2020	218	CERTIFICATE OF SERVICE by Carl Aldridge, Betsy Jividen for Answers and Responses to Plaintiffs' Third Set of Interrogatories and Requests for Documents. (Arceneaux, Webster)

05/11/2020	219	CERTIFICATE OF SERVICE by John Baxley, Jr for Responses to Defendant Shelby Searls First Set of Interrogatories and Requests for Production of Documents to Joshua Hall (Wagner, Jennifer)
05/11/2020	220	CERTIFICATE OF SERVICE by John Baxley, Jr for Responses to Defendant Shelby Searls First Set of Interrogatories and Requests for Production of Documents to Danny Spiker, Jr (Wagner, Jennifer)
05/13/2020	221	SUBPOENA ACCEPTED FOR SERVICE BY SECRETARY OF STATE on 5/8/2020 as to Wexford Health Sources Inc. Certified Mail Number: 92148901125134100002705319. (hkl)
05/20/2020	222	CERTIFICATE OF SERVICE by John Baxley, Jr for Seventh Supplemental Responses to Ocwen Loan Servicing, LLC's First Set of Interrogatories (Wagner, Jennifer)
05/22/2020	223	STIPULATION OF VOLUNTARY DISMISSAL Without Prejudice Count III of this civil action; the allegations related to Class B in the Second Amended Class Action Complaint; Carl Aldridge, as Superintendent, as a party to this litigation; and Samuel Stout as a party and class representative by Betsy Jividen, Carl Aldridge, American Civil Liberties Union of West Virginia, Amber Arnett, John Baxley, Jr., Earl Edmondson, Joshua Hall, Eric L. Jones, Primecare Medical of WV, Inc., Heather Reed, Danny Spiker, Jr., Samuel Stout, Robert Watson, Donna Wells-Wright, West Virginia Division of Corrections and Rehabilitation, Wexford Health Sources, Inc. pursuant to Rule 41(a)(1)(A), Federal Rules of Civil Procedure; the matter shall remain pending with regard to the claims against Commissioner Jividen and the Division of Corrections and Rehabilitation as set forth in Counts I and II of the Second Amended Class Action Complaint for Injunctive and Declaratory Relief and the Class A allegations. (Arceneaux, Webster) (Modified on 5/27/2020 to add party filers) (mkw).
05/26/2020	224	NOTICE OF VIDEO DEPOSITION by John Baxley, Jr of Krista Vallandingham on June 16, 2020 at 10:00 a.m. (Wagner, Jennifer)
05/27/2020	225	CERTIFICATE OF SERVICE by Amber Arnett for Responses to Defendant Shelby Searls First Set of Interrogatories and Requests for Production of Documents to Amber Arnett. (Wagner, Jennifer)
05/29/2020	226	CERTIFICATE OF SERVICE by Betsy Jividen for First Supplemental Answers to Plaintiffs' Third Request for Production of Documents. (Arceneaux, Webster)
06/01/2020	227	NOTICE OF VIDEO DEPOSITION by Betsy Jividen of Eric Jones on June 17, 2020 at 11:00 a.m. (Stebbins, James)

06/02/2020	228	CERTIFICATE OF SERVICE by Eric L. Jones for Responses to Defendant Shelby Searls Second Set of Interrogatories and Requests for Production of Documents to Eric Jones. (Wagner, Jennifer)
06/08/2020	229	SECOND AMENDED NOTICE OF DEPOSITION by Betsy Jividen of Robert Watson on June 9, 2020 at 11:00 a.m. (Stebbins, James)
06/08/2020	230	CERTIFICATE OF SERVICE by Danny Spiker, Jr for First Supplemental Responses to Defendant Shelby Searls First set of Requests for Production of Documents. (Wagner, Jennifer)
06/08/2020	231	CERTIFICATE OF SERVICE by Donna Wells-Wright for Responses to Defendant Shelby Searls First Set of Interrogatories and Requests for Production of Documents to Donna Wells-Wright. (Milnes, Lydia)
06/09/2020	232	NOTICE OF VIDEO DEPOSITION by Betsy Jividen of Homer Venters, M.D. on June 30, 2020 at 1:00 p.m. (Stebbins, James)
06/18/2020	233	CERTIFICATE OF SERVICE by Amber Arnett for Second Supplemental Responses to Defendant Shelby Searl's First Set of Requests for Production of Documents. (Wagner, Jennifer)
06/18/2020	234	AMENDED NOTICE OF VIDEO DEPOSITION by Betsy Jividen of Homer Venters, M.D. on June 29, 2020 at 1:00 p.m. (Stebbins, James)
06/19/2020	235	NOTICE OF VIDEO DEPOSITION by Betsy Jividen of Donna Wells-Wright on June 23, 2020 at 11:00 a.m. (Arceneaux, Webster)
06/23/2020	236	CERTIFICATE OF SERVICE by John Baxley, Jr for Third Supplemental Responses to Defendant Shelby Searls First Set of Requests for Production of Documents. (Milnes, Lydia)
06/24/2020	237	NOTICE OF VIDEO DEPOSITION by John Baxley, Jr of Dr. Lawrence H. Mendel on July 2, 2020 at 9:00 a.m. (Wagner, Jennifer)
06/24/2020	238	THIRD MOTION by John Baxley, Jr. Amber Arnett, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr., Samuel Stout, Robert Watson, Donna Wells-Wright to Compel Discovery. (Attachments: # 1 Exhibit A: DEFENDANTS ANSWERS TO PLAINTIFFS SECOND SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS, # 2 Exhibit B: DEFENDANTS ANSWERS AND RESPONSES TO PLAINTIFFS THIRD SET OF INTERROGATORIES AND REQUESTS FOR DOCUMENTS, # 3 Exhibit C: Plaintiff's email requesting conferral meeting and follow up outline, # 4 Exhibit D: 6.22.2020 email from Defendant's counsel, # 5 Exhibit E: Baxley deposition excerpts)(Wagner, Jennifer) (Modified on 6/26/2020 to add party filers) (mkw).

06/24/2020		MOTION REFERRED to Magistrate Judge Cheryl A. Eifert: 238 THIRD MOTION by John Baxley, Jr. Amber Arnett, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr., Samuel Stout, Robert Watson, Donna Wells-Wright to Compel Discovery. (mkw) (Entered: 06/26/2020)
06/26/2020	239	SECOND AMENDED NOTICE OF VIDEO DEPOSITION by Betsy Jividen of Homer Venters, M.D. on July 1, 2020 at 2:00 p.m. (Stebbins, James)
06/26/2020	240	CERTIFICATE OF SERVICE by Betsy Jividen for Second Supplemental Answers to Plaintiffs' Third set of Requests for Production of Documents. (Arceneaux, Webster)
06/26/2020	241	CERTIFICATE OF SERVICE by Betsy Jividen for Seventh Supplemental Answers to Plaintiffs' Third set of Requests for Production of Documents. (Arceneaux, Webster)
06/26/2020	242	MOTION by John Baxley, Jr, Eric L. Jones to Compel Primecare Medical Inc. to Produce Documents Pursuant to Subpoena (Attachments: # 1 Exhibit A: Subpoena to Produce Documents, Information or Objects - PrimeCare, # 2 Exhibit B: PrimeCare Letter Referencing Subpoena, # 3 Exhibit C: Primecare subpoena - resp from Anne O'Hare)(Wagner, Jennifer) (Modified on 6/27/2020 to add party filer)(ts).
06/26/2020		MOTION REFERRED to Magistrate Judge Cheryl A. Eifert: 242 MOTION by John Baxley, Jr, Samuel Stout to Compel Primecare Medical Inc. to Produce Documents Pursuant to Subpoena (ts) (Entered: 06/27/2020)
06/30/2020	243	CERTIFICATE OF SERVICE by John Baxley, Jr for Fourth Supplemental Responses to Defendant Shelby Searls First Set of Requests for Production of Documents. (Milnes, Lydia)
06/30/2020	244	CERTIFICATE OF SERVICE by Betsy Jividen for Eighth Supplemental Answers to Plaintiffs' First set of Request for Production of Documents. (Arceneaux, Webster)
07/01/2020	245	FIRST AMENDED NOTICE OF DEPOSITION by John Baxley, Jr of Dr. Lawrence H. Mendel on July 9, 2020 at 10:00 a.m. (Wagner, Jennifer)
07/01/2020	246	NOTICE OF DEPOSITION by Betsy Jividen of Dr. Cheryl D. Wills on July 7, 2020 at 1:00 p.m. (Stebbins, James)

07/02/2020	247	CERTIFICATE OF SERVICE by Betsy Jividen for Third Supplemental Answers to Plaintiff's Third Set of Requests for Production of Documents. (Arceneaux, Webster)
07/02/2020	248	JOINT MOTION by Betsy Jividen, Plaintiffs to Extend Briefing Deadlines re: 164 Order (Attachment: # 1 Proposed Order)(Arceneaux, Webster) (Modified on 7/5/2020 to add link to #164 order and to add party filers) (ts).
07/06/2020	249	ORDER granting the parties' 248 JOINT MOTION to Extend the Briefing Deadlines; revising the briefing schedule as follows: motions for class certification and dispositive motions on putative class representatives due 7/17/2020; responses to any motion for class certification and any dispositive motions due 8/7/2020; and replies to those responses due 8/14/2020. Signed by Judge Robert C. Chambers on 7/6/2020. (cc: counsel of record; any unrepresented party) (jsa)
07/07/2020	250	CERTIFICATE OF SERVICE by John Baxley, Jr for Fifth Supplemental Responses to Defendant Shelby Searl's First Set of Requests for Production of Documents. (Milnes, Lydia)
07/08/2020	251	RESPONSE by Betsy Jividen in opposition to 238 THIRD MOTION by John Baxley, Jr. Amber Arnett, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr., Samuel Stout, Robert Watson, Donna Wells-Wright to Compel Discovery (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Stebbins, James)
07/10/2020	252	ORDER directing this case transferred to Rory L. Perry, II, Clerk of Court, for reassignment of all discovery disputes in the instant matter to another Magistrate Judge within this district. Signed by Magistrate Judge Cheryl A. Eifert on 7/10/2020. (cc: counsel of record; any unrepresented parties) (jsa)
07/10/2020	253	MOTION by PrimeCare Medical, Inc. to Quash or Modify Subpoena (Attachments: # 1 Exhibit A - Transcript of Weber, # 2 Exhibit B - Affidavit of Weber)(O'Hare, Anne)
07/10/2020		MOTION REFERRED to Magistrate Judge Cheryl A. Eifert: 253 MOTION by PrimeCare Medical, Inc. to Quash or Modify Subpoena (ts) (Entered: 07/12/2020)
07/13/2020	254	CLERK'S ORDER. Pursuant to 252 Order, the referral of this civil action for discovery matters is transferred from Magistrate Judge Cheryl A. Eifert to Magistrate Judge Omar J. Aboulhosn. Signed by Clerk of Court Rory L. Perry II on 7/13/2020. (cc: Magistrate Judge Eifert; Magistrate Judge Aboulhosn; counsel of record; any unrepresented party) (klc)

07/13/2020		MOTIONS REFERRED to Omar J. Aboulhosn pursuant to 254 Order: 253 MOTION by PrimeCare Medical, Inc. to Quash or Modify Subpoena, 242 MOTION by John Baxley, Jr, Samuel Stout to Compel Primecare Medical Inc. to Produce Documents Pursuant to Subpoena, 238 THIRD MOTION by John Baxley, Jr. Amber Arnett, Earl Edmondson, Joshua Hall, Eric L. Jones, Heather Reed, Danny Spiker, Jr., Samuel Stout, Robert Watson, Donna Wells-Wright to Compel Discovery. (klc)
07/13/2020	255	ORDER setting a telephonic conference on Plaintiffs' 238 THIRD MOTION to Compel Discovery, Plaintiffs' 242 MOTION to Compel Primecare Medical Inc. to Produce Documents Pursuant to Subpoena, and PrimeCare Medical, Inc.'s 253 MOTION to Quash or Modify Subpoena for 7/16/2020 at 2:15 PM in Bluefield before Magistrate Judge Omar J. Aboulhosn. Signed by Magistrate Judge Omar J. Aboulhosn on 7/13/2020. (cc: counsel of record) (jsa)
07/15/2020	256	CERTIFICATE OF SERVICE by Betsy Jividen for Fourth Supplemental Answers to Plaintiffs' Third Set of Requests for Production of Documents. (Arceneaux, Webster)
07/15/2020	257	REPLY by John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr, Donna Wells-Wright to 251 Response In Opposition. (Wagner, Jennifer)
07/16/2020	258	ORDER regarding Plaintiffs' Third 238 MOTION to Compel Discovery, Plaintiffs' 242 MOTION to Compel PrimeCare Medical, Inc., to Produce Documents Pursuant to Subpoena, and PrimeCare Medical, Inc.'s 253 MOTION to Quash or Modify Subpoena; a meet and confer on these outstanding issues shall occur on 7/20/2020 at 10:00 a.m.; counsel for the respective parties/entities shall email the undersigned to advise as to the results of the meet and confer no later than 7/20/2020; if the matters raised herein are not resolved, a formal joint reply/response to PrimeCare Medical, Inc.'s 253 MOTION to Quash or Modify Subpoena will be filed no later than 7/21/2020. Signed by Magistrate Judge Omar J. Aboulhosn on 7/16/2020. (cc: counsel of record) (jsa)
07/16/2020	259	CERTIFICATE OF SERVICE by Betsy Jividen for Ninth Supplemental Answers to Plaintiffs' First Set of Requests for Production of Documents. (Arceneaux, Webster)
07/16/2020	284	TELEPHONIC STATUS CONFERENCE held by Magistrate Judge Omar J. Aboulhosn on 7/16/2020. (mkw) (Entered: 07/21/2020)
07/17/2020	260	MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Amber Arnett and Eric L.

		Jones (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Marino, Briana) (Modified on 7/20/2020 to replace exhibit 2) (ts).
07/17/2020	261	MEMORANDUM OF LAW by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation in support of 260 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Arnett and Jones (Marino, Briana)
07/17/2020	262	MOTION by John Baxley, Jr for Leave to File Memorandum in Support of Motion for Class Certification Brief in Excess of Page Limit (Attachment: # 1 Proposed Order)(Milnes, Lydia)
07/17/2020	263	MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to John Baxley, Jr. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8-1, # 9 Exhibit 8-2, # 10 Exhibit 8-3, # 11 Exhibit 8-4, # 12 Exhibit 8-5, # 13 Exhibit 8-6, # 14 Exhibit 8-7, # 15 Exhibit 9)(Arceneaux, Webster)
07/17/2020	264	MOTION by John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr., Donna Wells-Wright to Certify Class (Attachments: # 1 Exhibit Table of Contents, # 2 Exhibit 1 - Report of Correctional Medicine Expert, Dr. Homer Venters, # 3 Exhibit 2 - Report of Correctional Psychiatry Expert, Dr. Cheryl Wills, # 4 Exhibit 3 - Dep. of DCRs Director of Correctional Health Care, Debbie Hissom, # 5 Exhibit 4 - Dep. of Superintendent of Western Regional Jail, Shelby Searls, # 6 Exhibit 5 - Dep. of CEO of PrimeCare, Thomas Weber, # 7 Exhibit 6 - Dep. of Medical Director of PsiMed, Timothy Thistlethwaite, # 8 Exhibit 7 - Dep. of Wexford Health Services Administrator for Northern Regional Jail, James Gray, # 9 Exhibit 8 - Dep of Superintendent of Northern Regional Jail, Shawn Straughan, # 10 Exhibit 9 - Dep. of PrimeCare Regional Coordinator, Krista Vallandingham, # 11 Exhibit 10 - Dep. of PrimeCare Nurse, Susie Christian, # 12 Exhibit 11 - Dep. of J.T. Binion, DCR Regional Director 2 of Jails & Prisons, # 13 Exhibit 12 - Defendants Response to Plaintiffs Third Set of Interrogatories and RFPs, # 14 Exhibit 13 - June 22, 2020 Email from Counsel for Defendants, # 15 Exhibit 14 - Excerpts of NCCHC Standards, # 16 Exhibit 15 - Dep. of Superintendent of North Central Regional Jail, Joseph Wood, # 17 Exhibit 17 - PrimeCare Contract, # 18 Exhibit 18 - Wexford Contract Excerpts, # 19 Exhibit 19 - Declaration of Lydia Milnes, # 20 Exhibit 20 - Declaration of Jennifer Wagner, # 21 Exhibit 21 - Declaration of Rachel Kincaid)(Milnes, Lydia) (Modified on 7/19/2020 to add party filers) (ts).

07/17/2020	265	MEMORANDUM OF LAW by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation in support of 263 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to John Baxley, Jr. (Arceneaux, Webster)
07/17/2020	266	MOTION by Plaintiffs to File Exhibit Under Temporary Seal (Attachment: # 1 Exhibit 16 - Inmate Grievances)(Milnes, Lydia) (Modified on 7/19/2020 to add party filers) (ts).
07/17/2020	267	MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Heather Reed (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5-1, # 6 Exhibit 5-2, # 7 Exhibit 5-3, # 8 Exhibit 5-4, # 9 Exhibit 5-5, # 10 Exhibit 5-6, # 11 Exhibit 5-7, # 12 Exhibit 6, # 13 Exhibit 7)(Arceneaux, Webster)
07/17/2020	268	MEMORANDUM OF LAW by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation in support of 267 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Heather Reed (Arceneaux, Webster)
07/17/2020	269	MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Earl Edmondson (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7-1, # 8 Exhibit 7-2, # 9 Exhibit 7-3, # 10 Exhibit 7-4, # 11 Exhibit 7-5, # 12 Exhibit 7-6, # 13 Exhibit 7-7, # 14 Exhibit 8)(Arceneaux, Webster)
07/17/2020	270	MEMORANDUM OF LAW by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation in support of 269 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Earl Edmondson (Arceneaux, Webster)
07/17/2020	271	MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Danny Spiker (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6-1, # 7 Exhibit 6-2, # 8 Exhibit 6-3, # 9 Exhibit 6-4, # 10 Exhibit 6-5, # 11 Exhibit 6-6, # 12 Exhibit 6-7, # 13 Exhibit 7)(Arceneaux, Webster)
07/17/2020	272	MEMORANDUM OF LAW by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation in support of 271 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Danny Spiker (Arceneaux, Webster)
07/17/2020	273	MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Donna Wells-Wright

		(Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6-1, # 7 Exhibit 6-2, # 8 Exhibit 6-3, # 9 Exhibit 6-4, # 10 Exhibit 6-5, # 11 Exhibit 6-6, # 12 Exhibit 6-7, # 13 Exhibit 7)(Arceneaux, Webster)
07/17/2020	274	MEMORANDUM OF LAW by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation in support of 273 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Donna Wells-Wright (Arceneaux, Webster)
07/17/2020	275	MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Robert Watson (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7-1, # 8 Exhibit 7-2, # 9 Exhibit 7-3, # 10 Exhibit 7-4, # 11 Exhibit 7-5, # 12 Exhibit 7-6, # 13 Exhibit 7-7, # 14 Exhibit 8)(Arceneaux, Webster)
07/17/2020	276	MEMORANDUM OF LAW by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation in support of 275 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Robert Watson (Arceneaux, Webster)
07/17/2020	277	MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Joshua Hall (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5-1, # 6 Exhibit 5-2, # 7 Exhibit 5-3, # 8 Exhibit 5-4, # 9 Exhibit 5-5, # 10 Exhibit 5-6, # 11 Exhibit 5-7, # 12 Exhibit 6, # 13 Exhibit 7)(Arceneaux, Webster)
07/17/2020	278	MEMORANDUM OF LAW by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation in support of 277 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Joshua Hall (Arceneaux, Webster)
07/17/2020	279	MEMORANDUM OF LAW by John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr, Donna Wells-Wright in support of 264 MOTION by John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr., Donna Wells-Wright to Certify Class (Wagner, Jennifer)
07/20/2020		NOTICE OF DOCKET CORRECTION re: 260 Motion by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Amber Arnett and Eric L. Jones. ERROR: Incorrect Exhibit 2 attached. CORRECTION: Exhibit 2 replaced with correct image. (ts)

07/20/2020	280	ORDER granting Plaintiffs' 262 MOTION for Leave to File Memorandum in Support of Motion for Class Certification Brief in Excess of Page Limit and Plaintiffs' 266 MOTION to File Exhibit Under Temporary Seal; directing that Exhibit 16 of Plaintiffs' Memorandum in Support of their Motion for Class Certification be temporarily sealed until 8/3/2020 and for Defendants to file any motion to extend this temporary seal by 7/27/2020. Signed by Judge Robert C. Chambers on 7/20/2020. (cc: counsel of record; any unrepresented parties) (jsa)
07/20/2020	281	EXHIBIT 16 of Plaintiffs' Memorandum in Support of their 264 Motion for Class Certification; filed under temporary seal until 8/3/2020, pursuant to the 280 Order. (jsa)
07/20/2020	282	EXHIBIT 22 by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr., Donna Wells-Wright in support of 264 MOTION by John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr., Donna Wells-Wright to Certify Class. (Milnes, Lydia) (Modified on 7/20/2020 to add party filers) (ts)
07/20/2020	283	STIPULATION OF VOLUNTARY DISMISSAL Without Prejudice Robert Watson as a party and class representative pursuant to Rule 41(a)(1)(A), Federal Rules of Civil Procedure by Plaintiffs and Defendants. (Milnes, Lydia) (Modified on 7/21/2020 to add party filers) (mkw).
07/23/2020	285	ORDER finding as moot Plaintiffs' 242 MOTION to Compel PrimeCare Medical, Inc., to Produce Documents Pursuant to Subpoena and 253 MOTION to Quash or Modify Subpoena by PrimeCare Medical, Inc. and requesting the Clerk to terminate the same. Signed by Magistrate Judge Omar J. Aboulhosn on 7/23/2020. (cc: counsel of record) (jsa)
07/27/2020	286	ORDER overruling Defendants' objections to Plaintiffs' discovery requests; granting Plaintiffs' 131 SECOND MOTION and 238 THIRD MOTION to Compel Discovery, as more fully set forth herein; directing Defendants to fully and meaningfully respond to Plaintiffs' outstanding discovery requests no later than 8/3/2020; Plaintiffs may file the appropriate motion for their reasonable attorneys' fees and costs incurred in prosecuting the Motion(s) to Compel, as well as the Reply, within 14 days; Defendants' response shall be filed within 7 days after the Plaintiffs' pleading; the plaintiffs may file a reply within 3 days after the Defendants' response. Signed by Magistrate Judge Omar J. Aboulhosn on 7/27/2020. (cc: counsel of record) (jsa)

07/27/2020	287	RESPONSE by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation re: 266 MOTION by Plaintiffs to File Exhibit Under Temporary Seal (Arceneaux, Webster)
07/27/2020	288	MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Leave to File Response Memorandum in Opposition to Motion for Class Certification in Excess of Page Limit (Attachment: # 1 Proposed Order Granting Motion)(Arceneaux, Webster)
07/28/2020	289	ORDER granting Defendants' 288 MOTION for Leave to File Response Memorandum in Opposition to Motion for Class Certification in Excess of Page Limit; Defendants' Memorandum is limited to forty pages. Signed by Judge Robert C. Chambers on 7/28/2020. (cc: counsel of record; any unrepresented party) (hkl)
07/28/2020	290	CERTIFICATE OF SERVICE by John Baxley, Jr for Sixth Supplemental Responses to Defendant Shelby Searls First Set of Requests for Production of Documents. (Milnes, Lydia)
07/29/2020	291	CERTIFICATE OF SERVICE by John Baxley, Jr for Seventh Supplemental Responses to Defendant Shelby Searls First Set of Requests for Production of Documents. (Milnes, Lydia)
07/29/2020	292	MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation to Stay re: 286 Order (Stebbins, James)
07/29/2020	293	MEMORANDUM OF LAW by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation in support of 292 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation to Stay re: 286 Order (Stebbins, James)
07/29/2020		MOTION REFERRED to Magistrate Judge Omar J. Aboulhosen: 292 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation to Stay re: 286 Order (ts) (Entered: 07/30/2020)
07/30/2020	294	ORDER granting Defendants' 292 MOTION to Stay Magistrate's Order; the 7/27/2020 286 Order is STAYED pending Defendants' filing of any objections for the District Court's consideration through 8/10/2020; in the event Defendants file objections, the stay will continue pending a decision by the District Court. Signed by Magistrate Judge Omar J. Aboulhosen on 7/30/2020. (cc: counsel of record) (jsa)
08/03/2020	295	NOTICE of Withdraw of Footnote 18 from Plaintiff's 279 Memorandum in Support of Plaintiff's Motion for Class Certification by Amber Arnett, John Baxley, Jr, Earl Edmondson, Joshua Hall (Milnes, Lydia)

08/03/2020	296	NOTICE of Production of Documents Pursuant to Subpoena by PrimeCare Medical, Inc. re: 285 Order (O'Hare, Anne)
08/03/2020	297	NOTICE of Production of Documents Pursuant to Subpoena by PrimeCare Medical, Inc. re: 285 Order (O'Hare, Anne)
08/04/2020	298	CERTIFICATE OF SERVICE by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Fifth Supplemental Answers to Plaintiffs' Third Set of Requests for Production of Documents. (Arceneaux, Webster)
08/07/2020	299	MOTION by John Baxley, Jr, Ear Edmondson, Joshua Hall, Donna Wells-Wright, Heather Reed, Danny Spiker, Jr. to File Exhibits T, W, AA, EE Under Seal (Attachments: # 1 Exhibit T - Baxley Excerpt from 8-16-2020 intake screening, # 2 Exhibit W - Hall Medical Records, # 3 Exhibit AA - Excerpt from Reed Intake Screening, # 4 Exhibit EE - Excerpt from Edmondson Med Records)(Wagner, Jennifer) (Modified on 8/10/2020 to add party filers) (ts)
08/07/2020	300	MOTION by John Baxley, Jr, Danny Spiker, Jr. for Leave to File Memoranda in Opposition in Excess of Page Limit (Wagner, Jennifer) (Modified on 8/10/2020 to add party filer) (ts).
08/07/2020	301	MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation to Strike Exhibit 10 to 264 Motion for Class Certification (Attachment: # 1 Exhibit 1)(Arceneaux, Webster) Modified on 8/10/2020 to add link to #264 motion) (ts). M
08/07/2020	302	RESPONSE by John Baxley, Jr in opposition to 263 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to John Baxley, Jr. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C-1, # 4 Exhibit C-2, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K, # 13 Exhibit L, # 14 Exhibit M, # 15 Exhibit N, # 16 Exhibit O, # 17 Exhibit P, # 18 Exhibit Q, # 19 Exhibit R, # 20 Exhibit S, # 21 Exhibit U, # 22 Exhibit V, # 23 Exhibit X, # 24 Exhibit Y, # 25 Exhibit Z, # 26 Exhibit BB, # 27 Exhibit CC, # 28 Exhibit DD, # 29 Exhibit FF, # 30 Exhibit GG, # 31 Exhibit HH, # 32 Exhibit II, # 33 Exhibit JJ, # 34 Exhibit KK, # 35 Exhibit LL)(Kincaid, Rachel)
08/07/2020	303	RESPONSE by Danny Spiker, Jr in opposition to 271 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Danny Spiker (Wagner, Jennifer)

08/07/2020	304	RESPONSE by Heather Reed in opposition to 267 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Heather Reed (Kincaid, Rachel)
08/07/2020	305	RESPONSE by Earl Edmondson in opposition to 269 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Earl Edmondson (Kincaid, Rachel)
08/07/2020	306	RESPONSE by Donna Wells-Wright in opposition to 273 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Donna Wells-Wright (Wagner, Jennifer)
08/07/2020	307	RESPONSE by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation in opposition to 264 MOTION by John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr., Donna Wells-Wright to Certify Class (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5-1, # 6 Exhibit 5-2, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11)(Arceneaux, Webster)
08/07/2020	308	RESPONSE by Joshua Hall in opposition to 277 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Joshua Hall (Wagner, Jennifer)
08/07/2020	309	MOTION by Amber Arnett, Eric L. Jones to Hold 260 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Amber Arnett and Eric L. Jones in Temporary Abeyance (Wagner, Jennifer)
08/10/2020	310	MOTION by Lydia C. Milnes to Withdraw as Attorney on behalf of Eric L. Jones (Milnes, Lydia)
08/10/2020	311	MOTION by Lydia C. Milnes to Withdraw as Attorney on behalf of Amber Arnett (Milnes, Lydia)
08/10/2020	312	ORDER granting Plaintiffs' 299 MOTION for Leave to File Exhibit Under Seal; granting Plaintiffs' 300 MOTION for Leave to File Memorandum in Opposition to Defendant's Motions for Summary Judgment Against Them in Excess of Page Limit, but limits any filing to forty pages. Signed by Judge Robert C. Chambers on 8/10/2020. (cc: counsel of record; any unrepresented parties) (hkl)
08/10/2020	313	SEALED CONFIDENTIAL MEDICAL RECORDS pursuant to 312 Court Order. (Attachments: Main Document: Exhibit T, # 1 Exhibit W, # 2 Exhibit AA, # 3 Exhibit EE) (hkl)

08/10/2020	314	OBJECTIONS by West Virginia Division of Corrections and Rehabilitation, Betsy Jividen to 286 Order. (Arceneaux, Webster) (Modified on 8/11/2020 to add link to #286 order, to add party filer and to convert event to response to court order) (kew).
08/11/2020	315	RESPONSE by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation re: 309 MOTION by Amber Arnett, Eric L. Jones to Hold 260 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Amber Arnett and Eric L. Jones in Temporary Abeyance (Arceneaux, Webster)
08/12/2020	316	ORDER granting 310 MOTION by Lydia C. Milnes to Withdraw as Attorney on behalf of Eric L. Jones and 311 MOTION by Lydia C. Milnes to Withdraw as Attorney on behalf of Amber Arnett; granting 309 MOTION by Amber Arnett, Eric L. Jones to hold 260 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Amber Arnett and Eric L. Jones in Temporary Abeyance and will hold the Motion for Summary Judgment directed at Jones and Arnett in abeyance for thirty days. Signed by Judge Robert C. Chambers on 8/12/2020. (cc: attys; any unrepresented parties) (mkw)
08/14/2020	317	CERTIFICATE OF SERVICE by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Sixth Supplemental Responses to Plaintiffs' Third Set of Requests for Production of Documents. (Arceneaux, Webster)
08/14/2020	318	MOTION by John Baxley, Jr to Strike Affidavit of Dr. Lawrence J. Mendel re: 307 Response in Opposition (Attachment: # 1 Exhibit Dr. Lawrence Mendel Deposition transcript)(Wagner, Jennifer) (Modified on 8/17/2020 to add link to #307 response in opposition) (ts).
08/14/2020	319	MOTION by John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr, Donna Wells-Wright for Leave to File Reply Memorandum in Support of Their Motion for Class Certification in Excess of Page Limit (Milnes, Lydia)
08/14/2020	320	MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Leave to File Reply Memorandum in Opposition to Response of John Baxley, Jr. in Excess of Page Limit (Attachment: # 1 Proposed Order)(Arceneaux, Webster)
08/14/2020	321	REPLY MEMORANDUM by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation to 302 Response In Opposition. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Arceneaux, Webster)

08/14/2020	322	REPLY BRIEF by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation to 308 Memorandum In Opposition. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Arceneaux, Webster)
08/14/2020	323	REPLY by John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr, Donna Wells-Wright to 307 Response In Opposition. (Wagner, Jennifer) (Modified on 8/17/2020 to remove link to #264 motion, #279 memorandum in support) (ts).
08/14/2020	324	REPLY BRIEF by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation to 306 Memorandum In Opposition. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Arceneaux, Webster)
08/14/2020	325	REPLY BRIEF by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation to 305 Response In Opposition. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Arceneaux, Webster)
08/14/2020	326	REPLY BRIEF by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation to 303 Response In Opposition. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Arceneaux, Webster)
08/14/2020	327	REPLY BRIEF by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation to 304 Response In Opposition. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Arceneaux, Webster)
08/18/2020	328	SUPPLEMENTAL MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Donna Wells-Wright (Attachment: # 1 Exhibit 1)(Arceneaux, Webster)
08/18/2020	329	MEMORANDUM OF LAW by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation in support of 328 SUPPLEMENTAL MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment (Arceneaux, Webster)
08/21/2020	330	RESPONSE by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation in opposition to 318 MOTION by John Baxley, Jr to Strike Affidavit of Dr. Lawrence J. Mendel re: 307 Response in Opposition (Stebbins, James)
08/21/2020	331	RESPONSE by John Baxley, Jr in opposition to 301 MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation to Strike Exhibit 10 to 264 Motion for Class Certification (Milnes, Lydia)
08/24/2020	332	ORDER granting Plaintiffs' 319 MOTION for Leave to File Reply Memorandum in Support of Their 264 MOTION for Class Certification in Excess of Page Limit; Plaintiffs' Memorandum is limited to twenty-

		five pages. Signed by Judge Robert C. Chambers on 8/24/2020. (cc: counsel of record; any unrepresented parties) (jsa)
08/24/2020	333	ORDER granting Defendants' 320 MOTION for Leave to File Reply Memorandum in Opposition to 302 Response of John Baxley, Jr. in Excess of Page Limit; Defendants' Memorandum is limited to twenty-nine pages. Signed by Judge Robert C. Chambers on 8/24/2020. (cc: counsel of record; any unrepresented parties) (jsa)
08/24/2020	334	RESPONSE by John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr, Donna Wells-Wright in opposition to 314 Objections to Order (Wagner, Jennifer)
08/27/2020	335	REPLY by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation to 331 Response In Opposition. (Arceneaux, Webster)
08/28/2020	336	MOTION by John Baxley, Jr for Leave to File Surreply (Wagner, Jennifer)
08/28/2020	337	REPLY by John Baxley, Jr, Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr, Donna Wells-Wright to 330 Response In Opposition. (Milnes, Lydia)
08/31/2020	338	REPLY by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation to 334 Response In Opposition. (Arceneaux, Webster)
09/08/2020	339	RESPONSE by Donna Wells-Wright in opposition to 328 SUPPLEMENTAL MOTION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Summary Judgment as to Donna Wells-Wright (Wagner, Jennifer)
09/09/2020	340	CERTIFICATE OF SERVICE by John Baxley, Jr for Eighth Supplemental Responses to Defendant Shelby Searls First Set of Requests for Production of Documents. (Milnes, Lydia)
09/11/2020	341	ORDER staying consideration of Plaintiffs' 336 MOTION for Leave to File Surreply until review of the filed pleadings has been completed. Signed by Judge Robert C. Chambers on 9/11/2020. (cc: counsel of record; any unrepresented parties) (jsa)
09/15/2020	342	REPLY MEMORANDUM OF LAW by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation to 339 Response In Opposition. (Arceneaux, Webster)
09/17/2020	343	ORDER denying as moot Plaintiffs' 88 MOTION for Class Certification. Signed by Judge Robert C. Chambers on 9/17/2020. (cc: counsel of record; any unrepresented parties) (jsa)

09/22/2020	344	ORDER denying as moot Defendants' 95 RENEWED MOTION to Dismiss, or in the Alternative, Motion for Summary Judgment Regarding Plaintiff Stout. Signed by Judge Robert C. Chambers on 9/22/2020. (cc: counsel of record; any unrepresented parties) (jsa)
09/22/2020	345	ORDER denying as moot Defendants' 91 RENEWED MOTION to Dismiss, or in the Alternative, Motion for Summary Judgment Regarding Plaintiff Baxley and Defendants' 93 RENEWED MOTION to Dismiss, or in the Alternative, Motion for Summary Judgment Regarding Plaintiff Eric Jones. Signed by Judge Robert C. Chambers on 9/22/2020. (cc: counsel of record; any unrepresented parties) (jsa)
09/24/2020	346	ORDER directing that if Plaintiff Arnett chooses to file a Response in opposition to Defendants' 260 MOTION for Summary Judgment as to Amber Arnett and Eric L. Jones, the same shall be filed with the Clerk of this Court on or before 10/1/2020; Defendants will have seven days within which to reply following service of the Response, if such is filed. Signed by Judge Robert C. Chambers on 9/24/2020. (cc: counsel of record; any unrepresented parties) (hkl)
09/24/2020	347	ORDER directing that if Plaintiff Jones chooses to file a Response in opposition to Defendants' 260 MOTION for Summary Judgment as to Amber Arnett and Eric L. Jones, the same shall be filed with the Clerk of this Court on or before 10/1/2020; Defendants will have seven days within which to reply following service of the Response, if such is filed. Signed by Judge Robert C. Chambers on 9/24/2020. (cc: counsel of record; any unrepresented parties) (hkl)
10/06/2020	349	ORDER overruling Defendants' 314 Objections to the Magistrate Judge's 7/27/2020 286 Order, finding that Magistrate Judge Aboulhosn's findings are correct and are not clearly erroneous or contrary to law. Signed by Judge Robert C. Chambers on 10/6/2020. (cc: counsel of record; any unrepresented parties) (jsa)
10/07/2020	350	ORDER directing that Defendants are to fully and meaningfully respond to Plaintiffs' discovery requests as outlined in the 286 Order no later than 10/16/2020; directing that Plaintiffs' pleading on attorneys' fees and costs shall be filed within 14 days; A response by the Defendants shall be filed within 7 days after the Plaintiffs' pleading; The Plaintiffs may file a reply within 3 days after the Defendants' response. Signed by Magistrate Judge Omar J. Aboulhosn on 10/7/2020. (cc: counsel of record) (hkl)
10/16/2020	351	CERTIFICATE OF SERVICE by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation for Defendants' Seventh Supplemental Answers and Responses to Plaintiffs' Third Set of Interrogatories and Requests for Documents. (Arceneaux, Webster)

10/29/2020	352	ORDER denying as moot Defendants' 275 MOTION for Summary Judgment as to Robert Watson. Signed by Judge Robert C. Chambers on 10/29/2020. (cc: counsel of record; any unrepresented parties) (hkl)
10/29/2020	353	MEMORANDUM OPINION AND ORDER finding that Plaintiffs Amber Arnett and Eric L. Jones have failed to prosecute their case; dismissing with prejudice Plaintiffs Arnett and Jones's claims from this action; denying as moot Defendants' 260 MOTION for Summary Judgment as to Amber Arnett and Eric L. Jones. Signed by Judge Robert C. Chambers on 10/29/2020. (cc: counsel of record; any unrepresented parties) (hkl)
10/30/2020	354	STIPULATION REGARDING FEES & COSTS TO DATE ON DISCOVERY MOTIONS by John Baxley, Jr., West Virginia Divisions of Corrections and Rehabilitation, Donna Wells-Wright, Danny Spiker, Jr., Heather Reed, PrimeCare Medical, Inc., Betsy Jividen, Joshua Hall, Earl Edmondson; the parties stipulate that they have resolved all matters regarding Plaintiffs' attorney fees and costs accrued in pursuing the 131 and 238 motions to compel. (Wagner, Jennifer) (Modified on 10/30/2020 to add party filers) (mkw).
12/02/2020	355	MEMORANDUM OPINION AND ORDER denying Defendant's 301 MOTION to Strike Exhibit 10 to Plaintiffs' 264 MOTION for Class Certification. Signed by Judge Robert C. Chambers on 12/2/2020. (cc: counsel of record; any unrepresented parties) (jsa)
12/02/2020	356	MEMORANDUM OPINION AND ORDER denying Plaintiffs' 318 MOTION to Strike Affidavit of Dr. Lawrence H. Mendel, submitted by the Defendant as an exhibit to her 307 Response in Opposition to Plaintiffs' 264 Motion for Class Certification. Signed by Judge Robert C. Chambers on 12/2/2020. (cc: counsel of record; any unrepresented parties) (jsa)
12/21/2020	357	MEMORANDUM OPINION AND ORDER granting in part Plaintiffs' 264 MOTION for Class Certification; the Plaintiffs' "Jail Class" is now certified and may proceed as a class action; withholding judgment regarding the certification of Plaintiffs' Disability Subclass; directing the parties to provide the Court with memoranda regarding the suitability of certification for that class; Plaintiffs' supplemental memorandum is due by 1/11/2021; after Plaintiffs submit their memorandum, Defendant will have fourteen (14) days to file a response; further directing the parties to meet to address the completion of discovery and propose a new scheduling order; the parties' Rule 26(f) report is due by 1/11/2021; scheduling a scheduling/status conference on 1/19/2021 at 11:30 AM in Huntington. Signed by Judge Robert C.

		Chambers on 12/21/2020. (cc: counsel of record; any unrepresented parties) (jsa)
12/21/2020	358	MEMORANDUM OPINION AND ORDER denying in part and granting in part Defendants' 263 , 267 , 269 , 271 , and 277 MOTIONS for Summary Judgment; the Motions are denied to the extent that the Court finds the Named Plaintiffs' claims are not moot; the Plaintiffs did not fail to exhaust their administrative remedies; and the Plaintiffs have not failed to state a claim of deliberate indifference in Count I of the 67 Second Amended Complaint; the Motions are granted to the extent that Plaintiffs Baxley, Spiker, Reed, Edmondson, and Hall have failed to state a claim under the ADA; accordingly, their claims in Count II are dismissed; further denying Defendant's 273 MOTION and 328 SUPPLEMENTAL MOTION for Summary Judgment as to Donna Wells-Wright; Plaintiffs' 336 MOTION for Leave to File a Surreply is denied as moot; pursuant to Plaintiffs' voluntary dismissal, WVDCR is dismissed as a party to this action. Signed by Judge Robert C. Chambers on 12/21/2020. (cc: counsel of record; any unrepresented parties) (jsa)
01/05/2021	359	MOTION by Betsy Jividen for Stay Pending 362 Appeal of Certification Order. (Attachment: # 1 Exhibit 1)(Arceneaux, Webster) (Modified on 1/5/2021 to add link to #362 appeal) (mkw).
01/05/2021	360	MEMORANDUM OF LAW by Betsy Jividen in support of 359 MOTION by Betsy Jividen to Stay Pending Appeal of Certification Order. (Arceneaux, Webster)
01/05/2021	361	NOTICE OF APPELLATE CASE OPENING BY 4CCA re: 362 Petition for Permission to Appeal filed with the Fourth Circuit in 4CCA Case No. 21-102. Case Manager: Cyndi Halupa. (hkl) (Modified on 1/5/2021 to add link to #362 petition for permission to appeal) (mkw).
01/05/2021	362	PETITION FOR PERMISSION TO APPEAL FROM ORDER GRANTING CLASS CERTIFICATION by Betsy Jividen, West Virginia Division of Corrections and Rehabilitation as to 357 Memorandum Opinion and Order. (hkl)
01/05/2021	363	RULE 5 DOCKETING NOTICE in 4CCA No. 21-102. (hkl)
01/05/2021	364	TRANSMITTAL OF NOTICE OF APPEAL TO 4CCA via APPEAL TRANSMITTAL SHEET re: 362 Petition for Permission to Appeal from Order Granting Class Certification. (hkl)
01/07/2021	365	ORDER regarding the 359 MOTION by Betsy Jividen to Stay Pending 362 Appeal of Certification Order; directing the Plaintiffs to

		file a responsive memorandum by 1/11/2021 and the Defendant to file a reply by 1/12/2021. Signed by Judge Robert C. Chambers on 1/7/2021. (cc: counsel of record; any unrepresented parties) (jsa)
01/08/2021	366	JOINT MOTION by John Baxley, Jr., Joshua Hall, Earl Edmonson, Donna Wells-Wright, Heather Reed, Danny Spiker, Jr., Betsy Jividen for a Stay of the Case Not to Exceed Sixty Days. (Arceneaux, Webster) (Modified on 1/11/2021 to add party filers) (mkw).
01/11/2021	367	ORDER granting the parties' 366 JOINT MOTION for a Stay of the Case Not to Exceed Sixty Days; directing this matter stayed until after the Parties attend mediation; the stay shall not exceed sixty days (3/12/2021); directing the Parties to submit a report to the Court within three days of mediation updating the Court on the status of the case; this stay does not apply to Defendant's interlocutory appeal of certification; further denying as moot Defendant's previous 359 MOTION to Stay Pending Appeal of Certification Order; canceling the scheduling/status conference scheduled for 1/19/2021. Signed by Judge Robert C. Chambers on 1/11/2021. (cc: counsel of record; any unrepresented parties) (jsa)
01/13/2021	368	NOTICE of Mediation by Betsy Jividen. (Arceneaux, Webster)
01/29/2021	369	ORDER OF 4CCA as to 362 Petition for Permission to Appeal to 4CCA in 4CCA Case No. 21-102; upon review of submissions relative to the petition for permission to appeal, the court denies the petition. (jsa)
02/09/2021	370	NOTICE of Change of Address by John Baxley, Jr. (Milnes, Lydia)
02/10/2021	371	NOTICE OF CHANGE OF ATTORNEY INFORMATION by Jennifer S. Wagner. (Wagner, Jennifer)
02/10/2021	372	NOTICE OF CHANGE OF ATTORNEY INFORMATION by Lydia C. Milnes. (Milnes, Lydia)
02/17/2021	373	MOTION by John Baxley, Jr., Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr., Donna Wells-Wright to Compel Person with Full Authority to Attend Mediation. (Wagner, Jennifer)
02/19/2021	374	ORDER directing the Defendant to file a response to Plaintiffs' 373 MOTION to Compel a Person with Authority to Resolve Case on Behalf of Defendant to Attend Mediation by noon on 2/24/2021; directing Plaintiffs to file a reply by noon on 2/26/2021. Signed by Judge Robert C. Chambers on 2/19/2021. (cc: counsel of record; any unrepresented parties) (hkl)

02/19/2021	375	JOINT REPORT REGARDING CASE STATUS by John Baxley, Jr., Earl Edmondson, Joshua Hall, Donna Wells-Wright, Heather Reed, Danny Spiker, Jr., Betsy Jividen to the Court's 367 Order. (Attachment: # 1 Exhibit 1)(Arceneaux, Webster) (Modified on 2/22/2021 to add party filers and to add link to #367 order) (mkw).
02/22/2021	376	REPORT OF MEDIATOR by G. Nicholas Casey, Jr. (jsa)
02/24/2021	377	RESPONSE by Betsy Jividen in opposition to 373 MOTION by John Baxley, Jr., Earl Edmondson, Joshua Hall, Heather Reed, Danny Spiker, Jr., Donna Wells-Wright to Compel Person with Full Authority to Attend Mediation. (Arceneaux, Webster)
02/26/2021	378	REPLY by John Baxley, Jr. to 377 Response In Opposition. (Attachment: # 1 Exhibit A)(Wagner, Jennifer)
02/26/2021	379	ORDER scheduling a Telephonic Conference for 3/1/2021 at 2:30 PM before Judge Robert C. Chambers, re: Plaintiffs' 373 MOTION to Compel Person with Full Authority to Attend Mediation, Defendant Jividen's 377 Response In Opposition, and Plaintiffs' 378 Reply. Signed by Judge Robert C. Chambers on 2/26/2021. (cc: counsel of record; any unrepresented parties) (hkl)
03/01/2021	380	TELEPHONIC CONFERENCE held by Judge Robert C. Chambers on 3/1/2021; Court Reporter: not reported. (trj) (Entered: 03/02/2021)
03/02/2021	381	ORDER directing that the discussed Request for Proposal (RFP) be provided to Plaintiffs' Counsel 72 hours before it is released to the public; The RFP shall be provided to Plaintiffs' Counsel subject to the 56 Protective Order entered by Magistrate Judge Eifert on 11/19/2019. Signed by Judge Robert C. Chambers on 3/2/2021. (cc: counsel of record; any unrepresented parties) (hkl)

PACER Service Center

Transaction Receipt

03/12/2021 11:48:24

PACER Login:	CRCClearinghouse	Client Code:	McEvoy
Description:	Docket Report	Search Criteria:	3:18-cv-01526
Billable Pages:	30	Cost:	3.00