

**U.S. District Court
District of Hawaii (Hawaii)
CIVIL DOCKET FOR CASE #: 1:10-cv-00436-SOM-RT**

P.-K. et al v. Department of Education, State of Hawai'i
Assigned to: JUDGE SUSAN OKI MOLLWAY
Referred to: MAGISTRATE JUDGE ROM TRADER
Case in other court: 9CCA, 12-16063
Cause: 20:1400 Civil Rights of Handicapped Child

Date Filed: 07/27/2010
Date Terminated: 05/16/2019
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities - Other
Jurisdiction: Federal Question

Plaintiff

R. P.-K.

*by and through his parent C.K., for
themselves and on behalf of a class of
those similarly situated,
TERMINATED: 02/27/2012*

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Plaintiff

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Interested Party

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TERMINATED: 08/31/2016

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Date Filed	#	Docket Text
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07/27/2010	1	CLASS ACTION COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF against Department of Education, State of Hawai'i, filed by C. K., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), N. B., C. B., R. D., M. D., Hawaii Disability Rights Center, B. P., R. P.-K., M. P.. (Attachments: # 1 Summons issued, # 2 Civil Cover Sheet)(ecs,) (Entered: 07/28/2010)
07/27/2010	2	Order Setting Rule 16 Scheduling Conference for 09:00AM on 10/25/2010 before JUDGE KEVIN S.C. CHANG. Signed by JUDGE SUSAN OKI MOLLWAY on 7/27/2010. (ecs,)No COS issued for this docket entry (Entered: 07/28/2010)
07/27/2010	3	Filing fee: \$ 350.00, receipt number 252302 (ecs,) (Entered: 07/28/2010)
07/27/2010	4	NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE. (Attachments: # 1 Consent Form: Election Form to Consent)(ecs,) (Entered: 07/28/2010)
07/28/2010	5	SUMMONS Returned Executed by C. K., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), N. B., C. B., R. D., M. D., Hawaii Disability Rights Center, B. P., R. P.-K., M. P.. Department of Education, State of Hawai'i served on 7/28/2010, answer due 8/18/2010. (Kim, Jason) (Entered: 07/28/2010)
07/30/2010	6	MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> Jason H. Kim appearing for Plaintiffs R. T. D., R. P.-K. (Attachments: # 1 Memorandum in Support of Motion, # 2 Certificate of Word Count, # 3 Declaration of John P. Dellera, # 4 Exhibit A, # 5 Exhibit B, # 6 Exhibit C, # 7 Exhibit D, # 8 Exhibit E, # 9 Exhibit F, # 10 Exhibit G, # 11 Exhibit H, # 12 Exhibit I, # 13 Exhibit J, # 14 Declaration of C.K., # 15 Exhibit 1, # 16 Exhibit 2, # 17 Exhibit 3, # 18 Exhibit 4, # 19 Declaration of R.D., # 20 Exhibit 1, # 21 Exhibit 2, # 22 Exhibit 3, # 23 Exhibit 4, # 24 Exhibit 5, # 25 Certificate of Service)(Kim, Jason) (Entered: 07/30/2010)
07/30/2010	7	EO: Status Conference set for 7/30/2010 04:30 PM before JUDGE KEVIN S.C. CHANG. J (JUDGE KEVIN S.C. CHANG)(sna,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/30/2010)
07/30/2010	8	EP: Status Conference held on 7/30/2010. Court informed counsel that this case has been reassigned to Judge Ezra and Judge Ezra's staff will be in contact with counsel regarding the TRO. (C5 - no record, 4:40-4:45pm.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 07/30/2010)
07/30/2010	9	NOTICE of Hearing on Motion 6 MOTION for Temporary Restraining

		<p>Order and Preliminary Injunction :. Motion Hearing set for 8/2/2010 02:15 PM before JUDGE DAVID ALAN EZRA. (tl,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 07/30/2010)</p>
08/02/2010	10	<p>NOTICE by R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. P.-K. re 6 MOTION for Temporary Restraining Order <i>and Preliminary Injunction - Withdrawal of Motion</i> R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. P.-K.. (Attachments: # 1 Exhibit A, # 2 Certificate of Service)(Kim, Jason) (Entered: 08/02/2010)</p>
08/03/2010	12	<p>NOTICE of Appearance by Steve K. Miyasaka on behalf of Department of Education, State of Hawai'i on behalf of Department of Education, State of Hawai'i. (Miyasaka, Steve) (Entered: 08/03/2010)</p>
08/11/2010	13	<p>STIPULATION to Proceed without Disclosing Plaintiffs' Full Names and ORDER. Signed by JUDGE DAVID ALAN EZRA on 8/11/2010. (afc)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). (Entered: 08/11/2010)</p>
08/18/2010	14	<p><i>DEFENDANT DEPARTMENT OF EDUCATION, STATE OF HAWAII'S ANSWER to 1 Complaint, CLASS ACTION COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF; CERTIFICATE OF SERVICE</i> by Department of Education, State of Hawai'i.(Miyasaka, Steve) (Entered: 08/18/2010)</p>
09/24/2010	15	<p>MOTION to Certify Class Jason H. Kim appearing for Plaintiffs N. B., C. B., M. D., R. T. D., R. D., Hawaii Disability Rights Center, C. K., B. P., M. P., R. P.-K. (Attachments: # 1 Memorandum in Suppot, # 2 Certificate of Word Count, # 3 Declaration of Paul Alston, # 4 Declaration of John Deller, # 5 Exhibit A, # 6 Exhibit B, # 7 Exhibit C, # 8 Exhibit D, # 9 Exhibit E, # 10 Exhibit F, # 11 Exhibit G, # 12 Exhibit H, # 13 Exhibit I, # 14 Exhibit J, # 15 Declaration of C.K., # 16 Exhibit 1, # 17 Exhibit 2, # 18 Exhibit 3, # 19 Exhibit 4, # 20 Declaration of R.D., # 21 Exhibit 1, # 22 Exhibit 2, # 23 Exhibit 3, # 24 Exhibit 4, # 25 Exhibit 5, # 26 Declaration of M.P., # 27 Declaration of N.B., # 28 Exhibit 1, # 29 Exhibit 2, # 30 Exhibit 3, # 31 Exhibit 4, # 32 Certificate of Service)(Kim, Jason) (Entered: 09/24/2010)</p>
09/27/2010	16	<p>NOTICE of Hearing on Motion 15 MOTION to Certify Class :. Motion Hearing set for 1/31/2011 09:45 AM before JUDGE DAVID ALAN EZRA. Opposition due 12/13/2010. Reply due 12/20/2010.(tl,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address</p>

		listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 09/27/2010)
10/18/2010	17	Scheduling Conference Statement. (Attachments: # 1 Certificate of Service)(Kim, Jason) (Entered: 10/18/2010)
10/18/2010	18	Scheduling Conference Statement. (Yeh, Joanna) (Entered: 10/18/2010)
10/22/2010	19	REPORT of Planning Meeting. (Attachments: # 1 Certificate of Service)(Kim, Jason) (Entered: 10/22/2010)
10/25/2010	20	EP: Rule 16 Scheduling Conference held on 10/25/2010. Rule 16 Scheduling Conference Order to be issued. Bench Trial set for 10/25/2011 09:00 AM before JUDGE DAVID ALAN EZRA. Final Pretrial Conference set for 9/13/2011 09:00 AM before JUDGE KEVIN S.C. CHANG. Settlement Conference set for 6/29/2011 11:00 AM before JUDGE KEVIN S.C. CHANG. Motions due by 5/25/2011. Discovery due by 8/26/2011. (C5 - no record, 9:00-9:02am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 10/25/2010)
10/25/2010	21	<p>RULE 16 SCHEDULING ORDER: Signed by JUDGE KEVIN S.C. CHANG on 10/25/2010. (afc)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 10/25/2010)</p>
11/03/2010	22	CERTIFICATE OF SERVICE by N. B., C. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., B. P., M. P., R. P.-K. <i>re Plaintiffs' Initial Disclosures</i> (Kim, Jason) (Entered: 11/03/2010)
11/04/2010	23	INITIAL DISCLOSURE by Department of Education, State of Hawai'i. (Miyasaka, Steve) (Entered: 11/04/2010)
12/13/2010	24	MEMORANDUM in Opposition re 15 MOTION to Certify Class Action; <i>Certificate of Word Count; Certificate of Service</i> filed by Department of Education, State of Hawai'i. (Attachments: # 1 Declaration Steve K. Miyasaka, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9)(Miyasaka, Steve) Modified on 12/14/2010: Viewing of Exhibits 1, 3, 5 and 7 is restricted. REDACTED Exhibits 1, 3, 5 and 7 submitted as doc no. 25 . (afc) (Entered: 12/13/2010)
12/13/2010	25	Errata re 24 Memorandum in Opposition to Motion, <i>to Certify Class Action Filed December 13, 2010 Regarding Exhibits "1", "3", "5", and "7"; Redacted Exhibits "1"; "3", "5", and "7"; Certificate of Service.</i> (Attachments: # 1 Errata Exhibit "1", # 2 Errata Exhibit "3", # 3 Errata Exhibit "5", # 4 Errata Exhibit "7")(Miyasaka, Steve) (Entered: 12/13/2010)

		12/13/2010)
12/20/2010	26	REPLY to Response to Motion re 15 MOTION to Certify Class filed by N. B., C. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., B. P., M. P., R. P.-K.. (Attachments: # 1 Certificate of Service)(Kim, Jason) (Entered: 12/20/2010)
01/24/2011	28	EO: 15 MOTION to Certify Class. Motion Hearing date has been continued from 1/31/2011 to 2/4/2011 09:45 AM before JUDGE DAVID ALAN EZRA. (JUDGE DAVID ALAN EZRA)(tl,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 01/24/2011)
01/25/2011	29	EO: 15 MOTION to Certify Class. Motion Hearing date has been continued from 2/4/2011 to 3/14/2011 09:00 AM before JUDGE DAVID ALAN EZRA. (JUDGE DAVID ALAN EZRA)(tl,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 01/25/2011)
03/14/2011	30	EP: granting 15 Motion to Certify Class; Motion Hearing held on 3/14/2011 re 15 MOTION to Certify Class filed by C. K., B. P., R. T. D., M. P., Hawaii Disability Rights Center, C. B., R. P.-K., M. D., N. B., R. D. Oral arguments heard.B.P. and C.B. are voluntarily dismissed. 15 MOTION to Certify Class-GRANTED.Court to issue order. (Court Reporter Cynthia Fazio.) (JUDGE DAVID ALAN EZRA)(tl,)No COS issued for this docket entry (Entered: 03/14/2011)
03/15/2011	31	ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFFS' MOTION FOR CLASS CERTIFICATION 15 . ~ The class is certified with R.P.-K, R.T.D., and the Hawaii Disability Rights Center as the class representatives. C.B. and B.P. are ineligible to be class members or representatives and are DISMISSED from the action. ~ Signed by JUDGE DAVID ALAN EZRA on 3/15/2011. [Order follows hearing held 3/14/2011 on Motion to Certify Class 15 . Minutes: docket entry no. 30] (afc) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 03/15/2011)
03/28/2011	32	MOTION to Consolidate Cases <i>and Modify Rule 16 Scheduling Orders</i> John P. Deller appearing for Plaintiff R. P.-K. (Attachments: # 1 Certificate of Service)(Deller, John) (Entered: 03/28/2011)

03/28/2011	<u>33</u>	Errata re <u>32</u> MOTION to Consolidate Cases <i>and Modify Rule 16 Scheduling Orders</i> . (Attachments: # <u>1</u> Replacement Pages, # <u>2</u> Certificate of Service)(Dellera, John) (Entered: 03/28/2011)
03/28/2011	34	<p>NOTICE of Hearing on Motion <u>32</u> Plaintiffs' Motion (1) to Transfer and Consolidate Cases and (2) to Modify Rule 16 Scheduling Orders [CV10-641LEK-RLP, CV10-644SOM-KSC] set for 5/9/2011 09:30 AM before JUDGE KEVIN S.C. CHANG. (sna,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 03/28/2011)</p>
04/18/2011	<u>35</u>	<p>MEMORANDUM in Support re <u>32</u> MOTION to Consolidate Cases <i>and Modify Rule 16 Scheduling Orders Defendant's Memorandum in Opposition to Plaintiffs' Motion (1) To Transfer and Consolidate Cases and (2) to Modify Rule 16 Scheduling Orders; Certificate of Service</i> filed by Department of Education, State of Hawai'i. (Miyasaka, Steve) Modified on 4/19/2011: Document caption is styled as "DEFENDANT'S MEMORANDUM IN <u>OPPOSITION</u> TO PLAINTIFFS' MOTION (1) TO TRANSFER AND CONSOLIDATE CASES AND (2) TO MODIFY RULE 16 SCHEDULING ORDERS; CERTIFICATE OF SERVICE." Memorandum states in part: "Defendant does not object to transferring C.V. NO. 10-00641 LEK-RLP and C.V. NO. 10-00644 LEK-KSC...." "Defendant opposes the consolidation of the three cases...." "...Defendant objects to any changes to the briefing schedule established in C.V. NO. 10-00644 LEK-KSC and asks that a briefing schedule be set in C.V. NO. 10-00641 LEK-RLP." (afc) (Entered: 04/18/2011)</p>
04/25/2011	<u>36</u>	REPLY re <u>32</u> MOTION to Consolidate Cases <i>and Modify Rule 16 Scheduling Orders</i> , 34 Notice of Hearing on Motion,, <i>Certificate of Service</i> filed by R. P.-K.. (Dellera, John) (Entered: 04/25/2011)
05/03/2011	37	<p>EO: Settlement Conference set 6/29/11 shall be continued to 7/28/2011 09:00 AM before JUDGE KEVIN S.C. CHANG. Confidential Settlement Conference statements due: 7/21/11. (JUDGE KEVIN S.C. CHANG)(sna,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/03/2011)</p>
05/03/2011	<u>38</u>	CERTIFICATE OF SERVICE by N. B., C. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., B. P., M. P., R. P.-K. <i>re Plaintiffs' First Request for Production of Documents and Things to Defendant Department of Education, State of Hawai`i</i> (Kim, Jason) (Entered: 05/03/2011)

05/09/2011	39	EP: taking under advisement 32 Plaintiffs' Motion (1) to Transfer and Consolidate Cases and (2) to Modify Rule 16 Scheduling Orders held on 5/9/2011. Motion taken under advisement 32 . Court to issue Order. (FTR C5 - 9:34-9:51am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 05/09/2011)
05/09/2011	40	ORDER Granting in part and Denying in part Plaintiff's 32 Motion to Transfer and Consolidate Cases and (2) to Modify Rule 16 Scheduling Orders. Signed by JUDGE KEVIN S.C. CHANG on 5/9/2011. Dispositive Motions deadline continued to 7/8/2011, balance of the motion is denied.(gab,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/09/2011)
06/03/2011	41	NOTICE of Appearance by Gary S. Suganuma on behalf of Department of Education, State of Hawai'i on behalf of Department of Education, State of Hawai'i. (Suganuma, Gary) (Entered: 06/03/2011)
06/03/2011	42	CERTIFICATE OF SERVICE by Department of Education, State of Hawai'i <i>Certificate of Service of Discovery [Re: Defendant Department of Education, State of Hawaii's Response to Plaintiffs' First Request for Production of Documents and Things to Defendant Department of Education, State of Hawaii]</i> (Miyasaka, Steve) (Entered: 06/03/2011)
06/06/2011	43	NOTICE of Change of Address by John P. Deller on behalf of R. P.-K.. (Deller, John) (Entered: 06/06/2011)
06/23/2011	44	MOTION for Preliminary Injunction John P. Deller appearing for Plaintiff R. P.-K. (Attachments: # 1 Memorandum in Support of Motion, # 2 Appendix 1, # 3 Appendix 2, # 4 Declaration of John P. Deller, # 5 Exhibit A, # 6 Exhibit B, # 7 Exhibit C, # 8 Exhibit D, # 9 Exhibit E, # 10 Exhibit F, # 11 Exhibit G, # 12 Exhibit H, # 13 Declaration of J.K., # 14 Exhibit I, # 15 Exhibit J, # 16 Declaration of N.W., # 17 Exhibit K, # 18 Exhibit L, # 19 Declaration of A.K., # 20 Exhibit M, # 21 Exhibit N, # 22 Declaration of B.C., # 23 Exhibit O, # 24 Exhibit P, # 25 Declaration of S.T., # 26 Exhibit Q, # 27 Exhibit R, # 28 Declaration of L.D., # 29 Exhibit S, # 30 Exhibit T, # 31 Declaration of Roy M. Benavidez, # 32 Exhibit U, # 33 Certificate of Service)(Deller, John) (Entered: 06/23/2011)
06/23/2011	45	MOTION to Shorten Time to hear Motion re 44 MOTION for Preliminary Injunction John P. Deller appearing for Plaintiff R. P.-K. (Attachments: # 1 Declaration of John P. Deller, # 2 Certificate of Service)(Deller, John) (Entered: 06/23/2011)
06/24/2011	46	ORDER GRANTING EX PARTE MOTION FOR AN ORDER SHORTENING TIME FOR HEARING OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION 45 . ~ Plaintiff's Motion for a Preliminary

		<p>Injunction (doc no. 44): (Motion Hearing set for 7/11/2011 09:00 AM before JUDGE DAVID ALAN EZRA.) Defendant's opposition due on July 1, 2011; any reply by Plaintiffs is due by July 5, 2011. ~ Signed by JUDGE DAVID ALAN EZRA on 6/24/2011. (afc)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/24/2011)</p>
06/24/2011	47	<p>CERTIFICATE OF SERVICE by N. B., C. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., B. P., M. P., R. P.-K. [Re: <i>Plaintiffs Notice of Taking Deposition upon Oral Examination Pursuant to Rule 30(b)(6) - Department of Education, State of Hawaii, dated 6/24/11</i>] (Kim, Jason) (Entered: 06/24/2011)</p>
07/01/2011	48	<p>MEMORANDUM in Opposition re 44 MOTION for Preliminary Injunction <i>Defendant Department of Education's Memorandum in Opposition to Plaintiffs' Motion for a Preliminary Injunction; Declaration of Carter K. Siu; Exhibits "A" - "C"; Certificate of Service</i> filed by Department of Education, State of Hawai'i. (Attachments: # 1 Declaration Carter K. Siu, # 2 Exhibit "A", # 3 Exhibit "B", # 4 Exhibit "C", # 5 Main Document Certificate of Service)(Siu, Carter) (Entered: 07/01/2011)</p>
07/05/2011	49	<p>REPLY re 44 MOTION for Preliminary Injunction <i>and Certificate of Service</i> filed by R. P.-K.. (Dellera, John) (Entered: 07/05/2011)</p>
07/07/2011	50	<p>STIPULATION AND ORDER To Further Modify Rule 16 Scheduling, (Dispositive Motions due by 8/1/2011.). Signed by JUDGE KEVIN S.C. CHANG. (eps)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/07/2011)</p>
07/08/2011	51	<p>CERTIFICATE OF SERVICE by Department of Education, State of Hawai'i <i>Certificate of Service [Re: (1) Defendant Department of Education's First Request for Production of Documents and Things to Plaintiff; and (2) Defendant Department of Education's First Request for Answers to Interrogatories]</i> (Siu, Carter) (Entered: 07/08/2011)</p>
07/11/2011	52	<p>EP: 44 MOTION for Preliminary Injunction.Oral arguments heard. 44 MOTION for Preliminary Injunction-DENIED without prejudice.Court to issue order. (Court Reporter Cynthia Fazio.) (JUDGE DAVID ALAN EZRA)(tl,)No COS issued for this docket entry (Entered: 07/11/2011)</p>
07/12/2011	53	<p>ORDER DENYING PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION WITHOUT PREJUDICE 44 . Signed by JUDGE DAVID ALAN EZRA on 7/12/2011. [Order follows hearing held 7/11/2011 on M/PI.</p>

		<p>Minutes of hearing: docket entry no. 52] (afc)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). All participants are registered to receive electronic notifications. (Entered: 07/12/2011)</p>
07/13/2011	54	<p>CERTIFICATE OF SERVICE by N. B., C. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., B. P., M. P., R. P.-K. [<i>re PLAINTIFFS FIRST AMENDED NOTICE OF TAKING DEPOSITION UPON ORAL EXAMINATION PURSUANT TO RULE 30(b)(6); EXHIBIT A, dated 7/13/11 of Department of Education, State of Hawai`i</i>] (Kim, Jason) (Entered: 07/13/2011)</p>
07/20/2011	55	<p>TRANSCRIPT of Proceedings (44 M/PREL. INJUNC.) held on 7/11/11 - before Judge DAVID ALAN EZRA. Court Reporter Cynthia Fazio, Telephone number 808.533.0102. Transcript may be viewed at the court public terminal or ordered through the Court Reporter before the deadline for Release of Transcript. Remote availability of electronic transcripts is regulated by FRCP 5.2(a),FRCrP 49.1(a) and FRBP 9037(a) Redaction Request due 8/8/2011. Redacted Transcript Deadline set for 8/17/2011. Release of Transcript Restriction set for 10/17/2011. (36 pp.) (cf@hid.uscourts.gov) (Entered: 07/20/2011)</p>
07/28/2011	56	<p>EP: Settlement Conference held on 7/28/2011. Parties to file cross-motions before Judge Ezra and await for ruling on said motions.(In Chambers - no record, 8:55-9:00am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 07/28/2011)</p>
08/01/2011	57	<p>MOTION for Summary Judgment Jason H. Kim appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, C. K., R. P.-K. (Attachments: # 1 Memorandum in Support of Motion, # 2 Certificate of Service)(Kim, Jason) (Entered: 08/01/2011)</p>
08/01/2011	58	<p>CONCISE STATEMENT in Support re 57 MOTION for Summary Judgment filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., R. P.-K.. (Attachments: # 1 Declaration of Jason H. Kim, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Certificate of Service)(Kim, Jason) (Entered: 08/01/2011)</p>
08/01/2011	59	<p>MOTION for Preliminary Injunction - <i>Renewed</i> Jason H. Kim appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, C. K., R. P.-K. (Attachments: # 1 Memorandum, # 2 Declaration of Jason H. Kim, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F, # 9 Declaration of J.K., # 10 Exhibit I, # 11 Exhibit J, # 12 Declaration of N.W., # 13 Exhibit K, # 14 Exhibit L, # 15</p>

		Declaration of A.K., # 16 Exhibit M, # 17 Exhibit N, # 18 Declaration of B.C., # 19 Exhibit O, # 20 Exhibit P, # 21 Declaration of S.T., # 22 Exhibit Q, # 23 Exhibit R, # 24 Declaration of L.D., # 25 Exhibit S, # 26 Exhibit T, # 27 Certificate of Service)(Kim, Jason) (Entered: 08/01/2011)
08/01/2011	60	Defendant's MOTION to Dismiss, or in the Alternative for Summary Judgment - Gary S. Sukanuma, Holly T. Shikada, Carter K. Siu appearing for Defendant Department of Education, State of Hawai'i (Attachments: # 1 Table to Contents, # 2 Table to Authorities, # 3 Memorandum in Support, # 4 Certificate of Word Count, # 5 Certificate of Service)(ecs,) (Entered: 08/01/2011)
08/01/2011	61	CONCISE STATEMENT of Facts in Support of Defendant's 60 MOTION to Dismiss, or in the Alternative, For Summary Judgment filed by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Word Count, # 2 Declaration of Carter K. Siu, # 3 Declaration of Bruce Naguwa, # 4 Declaration of Debra Farmer, # 5 Exhibit 1, # 6 Exhibit 2, # 7 Exhibit 3, # 8 Exhibit 4, # 9 Exhibit 5, # 10 Exhibit 6, # 11 Exhibit 7, # 12 Exhibit 8, # 13 Exhibit 9, # 14 Exhibit 10, # 15 Exhibit 11, # 16 Certificate of Service)(gab,) (Entered: 08/02/2011)
08/04/2011	62	NOTICE of Hearing on Motion 57 MOTION for Summary Judgment, 60 MOTION to Dismiss, 59 MOTION for Preliminary Injunction - <i>Renewed</i> . Motion Hearing set for 9/12/2011 09:45 AM before JUDGE DAVID ALAN EZRA. (tl,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 08/04/2011)
08/22/2011	63	MEMORANDUM in Opposition re 60 MOTION to Dismiss filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K.. (Attachments: # 1 Certificate of Service)(Kim, Jason) (Entered: 08/22/2011)
08/22/2011	64	Concise Statement in Opposition re 61 Concise Statement in Support of Motion,, 60 MOTION to Dismiss filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K.. (Attachments: # 1 Declaration of Jason H. Kim, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Certificate of Service)(Kim, Jason) (Entered: 08/22/2011)
08/22/2011	65	MEMORANDUM in Opposition re: 57 <i>Defendant's Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment</i> ; <i>Certificate of Service</i> filed by Department of Education, State of Hawai'i. (Siu, Carter) Modified on 8/25/2011: Docket text modified to add document number link to correlate

		filing to the underlying M/SJ (doc 57). (afc) (Entered: 08/22/2011)
08/22/2011	66	CONCISE STATEMENT in Opposition re: 57 to Plaintiffs' Motion for Summary Judgment; Certificate of Word Count; Declaration of Carter K. Siu; Exhibits "12" to "13"; Certificate of Service filed by Department of Education, State of Hawai'i. (Attachments: # 1 Declaration Carter K. Siu, # 2 Exhibit 12, # 3 Exhibit 13)(Siu, Carter) Modified on 8/25/2011: Docket text modified to add document number link to correlate filing to the underlying M/SJ (doc 57). (afc) (Entered: 08/22/2011)
08/22/2011	67	MEMORANDUM in Opposition re: 59 Defendant Department of Education's Memorandum in Opposition to Plaintiffs' Renewed Motion for a Preliminary Injunction; Declaration of Carter K. Siu; Exhibits "1" - "4"; Certificate of Service filed by Department of Education, State of Hawai'i. (Attachments: # 1 Declaration Carter K. Siu, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4)(Siu, Carter) Modified on 8/25/2011: Docket text modified to add document number link to correlate filing to the underlying Renewed M/PI (doc 59). (afc) (Entered: 08/22/2011)
08/24/2011	68	CERTIFICATE OF SERVICE by C. K. re 51 Certificate of Service, (1) Plaintiffs' Answers to Defendant's First Request for Interrogatories, and (2) Plaintiffs' Responses to Defendant's First Request for Production of Documents and Things (Bassett, Matthew) (Entered: 08/24/2011)
08/29/2011	69	REPLY re: 60 Defendant's Reply Memorandum in Support of its Motion to Dismiss, or in the Alternative, for Summary Judgment; Certificate of Service filed by Department of Education, State of Hawai'i. (Siu, Carter) Docket text modified on 8/30/2011 to add document number link to correlate to the underlying M/Dismiss (doc 60). (afc) (Entered: 08/29/2011)
08/29/2011	70	Concise Statement in Support of Facts in Support of Defendant's Reply Memorandum in Support of its Motion to Dismiss, or in the Alternative, for Summary Judgment; Declaration of Carter K. Siu; Exhibit "14"; Certificate of Service filed by Department of Education, State of Hawai'i. (Attachments: # 1 Declaration Carter K. Siu, # 2 Exhibit 14 ~ Viewing of Exhibit 14 (Transcript of Proceedings of hearing held 7/11/2011 on M/PI) is restricted. Transcript may be viewed at the court public terminal or ordered through Court Reporter Cynthia Fazio, Telephone number 808-533-0102. Remote availability of electronic transcripts is regulated by FRCP 5.2(a), FRCrP 49.1(a) and FRBP 9037(a). ~ (Siu, Carter) Modified on 8/30/2011 re: viewing of transcript and to add a document number link to correlate to the underlying M/Dismiss (doc 60). (afc) (Entered: 08/29/2011)
08/29/2011	71	REPLY to Response to Motion re 57 MOTION for Summary Judgment, 59 MOTION for Preliminary Injunction - Renewed filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated.), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K.. (Attachments: # 1 Supplemental

		Declaration of Jason H. Kim, # 2 Exhibit H, # 3 Exhibit I, # 4 Certificate of Service)(Kim, Jason) (Entered: 08/29/2011)
09/06/2011	72	Errata re 61 Concise Statement in Support of Motion,, <i>Defendant's Concise Statement Of Facts In Support Of Defendant's Motion To Dismiss, Or In The Alternative, For Summary Judgment.</i> (Attachments: # 1 Exhibit 10, # 2 Exhibit 11, # 3 Certificate of Service)(Siu, Carter) (Entered: 09/06/2011)
09/06/2011	73	Pretrial Conference Statement by Department of Education, State of Hawai'i <i>Defendant's Final Pretrial Statement.</i> (Attachments: # 1 Exhibit "A", # 2 Certificate of Service)(Siu, Carter) (Entered: 09/06/2011)
09/06/2011	74	Pretrial Conference Statement by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K.. (Attachments: # 1 Certificate of Service)(Kim, Jason) (Entered: 09/06/2011)
09/07/2011	75	EO: The time for the Final Pretrial Conference set for 9:00am on 9/13/2011 shall be moved to 10:45 AM on 9/13/2011 before JUDGE KEVIN S.C. CHANG. (JUDGE KEVIN S.C. CHANG)(sna,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 09/07/2011)
09/12/2011	76	EP: Motion Hearing held on 9/12/2011 re 57 MOTION for Summary Judgment filed by Hawaii Disability Rights Center, C. K., R. P.-K., M. D., R. D., R. T. D., 60 MOTION to Dismiss, or in the Alternative, for Summary Judgment filed by Department of Education, State of Hawai'i, 59 MOTION for Preliminary Injunction - <i>Renewed</i> filed by Hawaii Disability Rights Center, C. K., R. P.-K., M. D., R. D., R. T. D. Oral arguments heard. 57 MOTION for Summary Judgment- TAKEN UNDER ADVISEMENT. 60 MOTION to Dismiss- TAKEN UNDER ADVISEMENT. 59 MOTION for Preliminary Injunction - Renewed-TAKEN UNDER ADVISEMENT.Court to issue order. (JUDGE DAVID ALAN EZRA)(tl,)No COS issued for this docket entry (Entered: 09/12/2011)
09/13/2011	77	EP: Final Pretrial Conference held on 9/13/2011. Discussion held. New trial date given. First Amended Rule 16 Scheduling Conference Order to be issued. Bench Trial set for 2/28/2012 09:00 AM before JUDGE DAVID ALAN EZRA. Final Pretrial Conference set for 1/17/2012 09:00 AM before JUDGE KEVIN S.C. CHANG. Settlement Conference set for 10/28/2011 10:00 AM before JUDGE KEVIN S.C. CHANG. Discovery due by 12/30/2011. Motions deadline: CLOSED. (C5 - no record, 10:40-10:50am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 09/13/2011)

09/14/2011	78	<p>AMENDED RULE 16 SCHEDULING ORDER: Signed by JUDGE KEVIN S.C. CHANG on 9/14/2011. (afc)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 09/14/2011)</p>
09/19/2011	79	<p>ORDER: (1) DENYING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT WITHOUT PREJUDICE 57 ; (2) GRANTING IN PART AND DENYING IN PART WITHOUT PREJUDICE DEFENDANT'S MOTION TO DISMISS, OR IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT 60 ; AND (3) DENYING PLAINTIFFS' RENEWED MOTION FOR A PRELIMINARY INJUNCTION WITHOUT PREJUDICE 59 . Signed by JUDGE DAVID ALAN EZRA on 9/19/2011. [Order follows hearing on motions held 9/12/2011. Minutes of hearing: 76]. (afc)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 09/19/2011)</p>
10/06/2011	80	<p>EO: Status Conference Re: Trial Date and Other Deadlines set for 10/11/2011 10:45 AM before JUDGE KEVIN S.C. CHANG. (JUDGE KEVIN S.C. CHANG)(sna,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 10/06/2011)</p>
10/07/2011	81	<p>EO: Status Conference Re: Trial Date and Other Deadlines set 10/11/11 before Judge Chang is hereby vacated. New dates/deadlines issued on 9/13/11 (document no. 77). (JUDGE KEVIN S.C. CHANG)(sna,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 10/07/2011)</p>
10/26/2011	82	<p>NOTICE by R. P.-K. of <i>Withdrawal of Plaintiffs' Co-Counsel; Certificate of Service</i> R. P.-K.. (Erteschik, Louis) (Entered: 10/26/2011)</p>
10/28/2011	83	<p>EP: Settlement Conference held on 10/28/2011. Both counsel stated that this case is highly unlikely to settle. Counsel will cooperate with each other in completing discovery and expect a short Non Jury Trial before Judge Ezra. (In Chambers - no record, 10:00-10:30am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 10/28/2011)</p>
11/29/2011	84	<p>EO: The time for the Final Pretrial Conference set for 9:00am on 1/17/2012 shall be moved to 1:45 PM on 1/17/2012 before JUDGE KEVIN S.C. CHANG. (JUDGE KEVIN S.C. CHANG)(sna,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p>

		Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 11/29/2011)
12/02/2011	<u>85</u>	CERTIFICATE OF SERVICE by Department of Education, State of Hawai'i [Re: Defendant Department of Education's Second Request for Answers to Interrogatories to Plaintiffs] (Siu, Carter) (Entered: 12/02/2011)
12/02/2011	<u>86</u>	CERTIFICATE OF SERVICE by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K. re 1) Plaintiffs' First Request for Answers to Interrogatories to Defendant Department of Education, State of Hawai'i; and 2) Plaintiffs' Second Request for Production of Documents and Things to Defendant Department of Education, State of Hawai'i (Kim, Jason) (Entered: 12/02/2011)
01/03/2012	<u>87</u>	CERTIFICATE OF SERVICE by N. B., C. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., B. P., M. P., R. P.-K. [re PLAINTIFFS RESPONSE TO DEFENDANT DEPARTMENT OF EDUCATION, STATE OF HAWAII'S SECOND REQUEST FOR ANSWERS TO INTERROGATORIES DATED DECEMBER 2, 2011] (Kim, Jason) (Entered: 01/03/2012)
01/03/2012	<u>88</u>	CERTIFICATE OF SERVICE by Department of Education, State of Hawai'i [Re: Defendant's Answers to Plaintiffs' First Request for Answers to Interrogatories to Defendant Department of Education, State of Hawaii] (Siu, Carter) (Entered: 01/03/2012)
01/03/2012	<u>89</u>	CERTIFICATE OF SERVICE by Department of Education, State of Hawai'i [Re: Defendant's Response to Plaintiffs' Second Request for Production of Documents and Things to Defendant Department of Education, State of Hawaii] (Siu, Carter) (Entered: 01/03/2012)
01/10/2012	<u>90</u>	Pretrial Conference Statement by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K. - AMENDED. (Attachments: # <u>1</u> Certificate of Service)(Kim, Jason) (Entered: 01/10/2012)
01/10/2012	<u>91</u>	Pretrial Conference Statement by Department of Education, State of Hawai'i Defendant's First Amended Final Pretrial Statement. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Certificate of Service)(Siu, Carter) (Entered: 01/10/2012)
01/17/2012	<u>92</u>	EP: Final Pretrial Conference held on 1/17/2012. Length of trial: Plaintiff: less than 1 day (4 hours of testimony); Defendant: 2-3 hours. Lay/Expert

		witnesses: as noted in the Final Pretrial Statements. Mr. Kim advised the Court that a deputy superintendent will most likely testify on behalf of Superintendent Kathryn Matayoshi. (C5 - no record, 1:45-1:50pm.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 01/17/2012)
02/07/2012	<u>93</u>	Witness List. filed by Department of Education, State of Hawai'i. (Attachments: # <u>1</u> Certificate of Service)(Siu, Carter) (Entered: 02/07/2012)
02/07/2012	<u>94</u>	Designation of Transcripts <i>Defendent Department of Education's Designation of the Deposition of Bruce Isamu Naguwa, Dated July 27, 2011.</i> filed by Department of Education, State of Hawai'i. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Certificate of Service)(Siu, Carter) (Entered: 02/07/2012)
02/07/2012	<u>95</u>	First MOTION in Limine <i>Defendent's Motion in Limine No. 1: Motion to Strike and/or Prohibit Testimony of Robert Klein</i> Carter K. Siu appearing for Defendant Department of Education, State of Hawai'i (Attachments: # <u>1</u> Memorandum In Support, # <u>2</u> Exhibit A, # <u>3</u> Certificate of Service)(Siu, Carter) (Entered: 02/07/2012)
02/07/2012	<u>96</u>	Second MOTION in Limine <i>Defendent's Motion in Limine No. 2: Motion to Limit Plaintiffs' Testimony</i> Carter K. Siu appearing for Defendant Department of Education, State of Hawai'i (Attachments: # <u>1</u> Memorandum In Support, # <u>2</u> Certificate of Service)(Siu, Carter) (Entered: 02/07/2012)
02/07/2012	<u>97</u>	Third MOTION in Limine <i>Defendent's Motion in Limine No. 3: Motion to Preclude Evidence of Prior Bad Acts, Settlements, and Due Process Hearing Requests and Decisions</i> Carter K. Siu appearing for Defendant Department of Education, State of Hawai'i (Attachments: # <u>1</u> Memorandum In Support, # <u>2</u> Certificate of Service)(Siu, Carter) (Entered: 02/07/2012)
02/07/2012	<u>98</u>	Fourth MOTION in Limine <i>Defendent's Motion in Limine No. 4: Motion to Prohibit Plaintiff From Advancing New Claims and Theories at Trial</i> Carter K. Siu appearing for Defendant Department of Education, State of Hawai'i (Attachments: # <u>1</u> Memorandum In Support, # <u>2</u> Certificate of Service)(Siu, Carter) (Entered: 02/07/2012)
02/07/2012	<u>99</u>	Fifth MOTION in Limine <i>Defendant's Motion in Limine No. 5: Motion to Limit the Testimony of Hawaii Disability Rights Center</i> Carter K. Siu appearing for Defendant Department of Education, State of Hawai'i (Attachments: # <u>1</u> Memorandum In Support, # <u>2</u> Certificate of Service)(Siu, Carter) (Entered: 02/07/2012)
02/07/2012	<u>100</u>	Sixth MOTION in Limine <i>Defendant's Motion in Limine No. 6: Motion to Preclude Evidence: (1) Regarding the Reasons for Passing Act 163 and</i>

		(2) of Defendant's Practices Prior to the Effective Date of Act 163 Carter K. Siu appearing for Defendant Department of Education, State of Hawai'i (Attachments: # 1 Memorandum In Support, # 2 Exhibit A, # 3 Certificate of Service)(Siu, Carter) (Entered: 02/07/2012)
02/07/2012	101	Witness List. filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K.. (Attachments: # 1 Certificate of Service)(Kim, Jason) (Entered: 02/07/2012)
02/07/2012	102	Designation of Transcripts of <i>Debbie Farmer</i> . filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K.. (Attachments: # 1 Exhibit A, # 2 Certificate of Service)(Kim, Jason) (Entered: 02/07/2012)
02/07/2012	103	Designation of Transcripts of <i>Bruce Isamu Naguwa</i> . filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K.. (Attachments: # 1 Exhibit A, # 2 Certificate of Service)(Kim, Jason) (Entered: 02/07/2012)
02/09/2012	104	<p>NOTICE of Hearing on Motion 97 Third MOTION in Limine Defendant's Motion in Limine No. 3: Motion to Preclude Evidence of Prior Bad Acts, Settlements, and Due Process Hearing Requests and Decisions, 95 First MOTION in Limine Defendant's Motion in Limine No. 1: Motion to Strike and/or Prohibit Testimony of Robert Klein, 98 Fourth MOTION in Limine Defendant's Motion in Limine No. 4: Motion to Prohibit Plaintiff From Advancing New Claims and Theories at Trial, 99 Fifth MOTION in Limine Defendant's Motion in Limine No. 5: Motion to Limit the Testimony of Hawaii Disability Rights Center, 100 Sixth MOTION in Limine Defendant's Motion in Limine No. 6: Motion to Preclude Evidence: (1) Regarding the Reasons for Passing Act 163 and (2) of Defendant's Practices Prior to the Effective Date of Act 163Sixth MOTION in Limine Defendant's Motion in Limine No. 6: Motion to Preclude Evidence: (1) Regarding the Reasons for Passing Act 163 and (2) of Defendant's Practices Prior to the Effective Date of Act 163, 96 Second MOTION in Limine Defendant's Motion in Limine No. 2: Motion to Limit Plaintiffs' Testimony. Motion Hearing set for 2/22/2012 09:00 AM before JUDGE DAVID ALAN EZRA. (tl,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 02/09/2012)</p>
02/14/2012	105	TRIAL BRIEF. filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly

		situated,), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K.. (Attachments: # 1 Certificate of Service)(Kim, Jason) (Entered: 02/14/2012)
02/14/2012	106	Proposed Findings of Fact. filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K.. (Attachments: # 1 Certificate of Service)(Kim, Jason) (Entered: 02/14/2012)
02/14/2012	107	MEMORANDUM in Opposition re 95 First MOTION in Limine <i>Defendent's Motion in Limine No. 1: Motion to Strike and/or Prohibit Testimony of Robert Klein</i> , 99 Fifth MOTION in Limine <i>Defendant's Motion in Limine No. 5: Motion to Limit the Testimony of Hawaii Disability Rights Center</i> , 96 Second MOTION in Limine <i>Defendent's Motion in Limine No. 2: Motion to Limit Plaintiffs' Testimony</i> filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K.. (Attachments: # 1 Certificate of Service)(Kim, Jason) (Entered: 02/14/2012)
02/14/2012	108	STATEMENT re 97 Third MOTION in Limine <i>Defendent's Motion in Limine No. 3: Motion to Preclude Evidence of Prior Bad Acts, Settlements, and Due Process Hearing Requests and Decisions</i> filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K.. (Attachments: # 1 Certificate of Service)(Kim, Jason) (Entered: 02/14/2012)
02/14/2012	109	MEMORANDUM in Opposition re 98 Fourth MOTION in Limine <i>Defendent's Motion in Limine No. 4: Motion to Prohibit Plaintiff From Advancing New Claims and Theories at Trial</i> filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K.. (Attachments: # 1 Certificate of Service)(Kim, Jason) (Entered: 02/14/2012)
02/14/2012	110	MEMORANDUM in Opposition re 100 Sixth MOTION in Limine <i>Defendant's Motion in Limine No. 6: Motion to Preclude Evidence: (1) Regarding the Reasons for Passing Act 163 and (2) of Defendant's Practices Prior to the Effective Date of Act 163</i> Sixth MOTION in Limine <i>Defendant's Motion in Limine No. 6: Motion to Preclude Evidence: (1) Regarding the Reasons for Passing Act 163 and (2) of Defendant's Practices Prior to the Effective Date of Act 163</i> filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., M. P., R. P.-K.. (Attachments: # 1 Certificate of Service)(Kim,

		Jason) (Entered: 02/14/2012)
02/14/2012	111	TRIAL BRIEF <i>Defendant's Trial Brief; Certificate of Service</i> . filed by Department of Education, State of Hawai'i.(Siu, Carter) (Entered: 02/14/2012)
02/14/2012	112	Proposed Findings of Fact. filed by Department of Education, State of Hawai'i.(Siu, Carter) (Entered: 02/14/2012)
02/22/2012	113	EP: Motion hearing held re: 95 First MOTION in Limine defendants Motion in Limine No. 1: Motion to Strike and/or Prohibit Testimony of Robert Klein. 96 Second MOTION in Limine Defendants Motion in Limine No. 2: Motion to Limit Plaintiffs' Testimony. 97 Third MOTION in Limine Defendants Motion in Limine No. 3: Motion to Preclude Evidence of Prior Bad Acts, Settlements, and Due Process Hearing Requests and Decisions. 98 Fourth MOTION in Limine Defendants Motion in Limine No. 4: Motion to Prohibit Plaintiff From Advancing New Claims and Theories at Trial. 99 Fifth MOTION in Limine Defendant's Motion in Limine No. 5: Motion to Limit the Testimony of Hawaii Disability Rights Center. 100 Sixth MOTION in Limine Defendant's Motion in Limine No. 6: Motion to Preclude Evidence: (1) Regarding the Reasons for Passing Act 163 and (2) of Defendant's Practices Prior to the Effective Date of Act 163.Counsel to prepare stipulation.Oral arguments heard. 95 First MOTION in Limine Defendants Motion in Limine No. 1: Motion to Strike and/or Prohibit Testimony of Robert Klein- HELD in abeyance. Counsel to prepare stip. 96 Second MOTION in Limine Defendants Motion in Limine No. 2: Motion to Limit Plaintiffs' Testimony- HELD in abeyance. Counsel to prepare stip. 97 Third MOTION in Limine Defendants Motion in Limine No. 3: Motion to Preclude Evidence of Prior Bad Acts, Settlements, and Due Process Hearing Requests and Decisions- HELD in abeyance. Counsel to prepare stip. 98 Fourth MOTION in Limine Defendants Motion in Limine No. 4: Motion to Prohibit Plaintiff From Advancing New Claims and Theories at Trial- DENIED as moot without prejudice. 99 Fifth MOTION in Limine Defendant's Motion in Limine No. 5: Motion to Limit the Testimony of Hawaii Disability Rights Center- HELD in abeyance. Counsel to prepare stip. 100 Sixth MOTION in Limine Defendant's Motion in Limine No. 6: Motion to Preclude Evidence: (1) Regarding the Reasons for Passing Act 163 and (2) of Defendant's Practices Prior to the Effective Date of Act 163-GRANTED in part, DENIED in part.Court to issue written order on rulings after Counsel has submitted stipulation to the Court. Stipulation due by 10:00am on 2/27/2012.(Court Reporter Cynthia Fazio.) (JUDGE DAVID ALAN EZRA)(tl,)No COS issued for this docket entry (Entered: 02/23/2012)
02/27/2012	114	STIPULATION Regarding Plaintiffs. Signed by JUDGE DAVID ALAN EZRA on 2/27/2012. (gab,) <hr/> CERTIFICATE OF SERVICE

		Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 02/27/2012)
02/27/2012	115	ORDER Ruling on Defendant's Motions in Limine 95 ; 96 ; 97 ; 99 . Signed by JUDGE DAVID ALAN EZRA on 2/27/2012. (gab,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 02/27/2012)
02/28/2012	116	EP: Non Jury Trial-1st Day.Plaintiffs Exhibits 1-20 received via stipulation by Counsel.Defendants Exhibits 500-517 received via stipulation by Counsel.Plaintiffs Witnesses: Ronn Nozoe(D, C, RD)Plaintiff rests.Defendants Oral Motion for a Directed Verdict - TAKEN UNDER ADVISEMENTDefendants Witnesses: Timothy Hill(D, C), Bruce Naguwa(D, C).The parties shall submit Written Closing Arguments with a limit of 25 pages and Revised Proposed Findings of Fact and Conclusions of law by no later than 12 noon on 3/9/2012.(Court Reporter Cynthia Fazio.) (JUDGE DAVID ALAN EZRA)(tl,)No COS issued for this docket entry (Entered: 02/28/2012)
03/02/2012	118	TRANSCRIPT of Proceedings (NJT - DAY 1) held on 2/28/12 - before Judge DAVID ALAN EZRA. Court Reporter Cynthia Fazio, Telephone number 808.533.0102. Transcript may be viewed at the court public terminal or ordered through the Court Reporter before the deadline for Release of Transcript. Remote availability of electronic transcripts is regulated by FRCP 5.2(a),FRCrP 49.1(a) and FRBP 9037(a) Redaction Request due 3/20/2012. Redacted Transcript Deadline set for 3/30/2012. Release of Transcript Restriction set for 5/28/2012. (114 pp.) (cf@hid.uscourts.gov) (Entered: 03/02/2012)
03/09/2012	119	STATUS REPORT - <i>Plaintiffs' Closing Statement</i> by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., E.R. K., M. P.. (Attachments: # 1 Certificate of Service)(Kim, Jason) (Entered: 03/09/2012)
03/09/2012	120	Proposed Findings of Fact. filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., E.R. K., M. P.. (Attachments: # 1 Certificate of Service)(Kim, Jason) (Entered: 03/09/2012)
03/09/2012	121	TRIAL BRIEF <i>Defendant Department of Education, State of Hawaii's Closing Brief.</i> filed by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Siu, Carter) (Entered: 03/09/2012)

03/09/2012	122	Proposed Findings of Fact. filed by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Siu, Carter) (Entered: 03/09/2012)
03/30/2012	123	<p>FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION. Signed by JUDGE DAVID ALAN EZRA on 3/30/2012. ~ <i>Excerpt of Conclusion:</i> "Defendant's Rule 50 motion for judgment as a matter of law is DENIED. The Court finds and concludes that Plaintiffs have failed to show by a preponderance of the evidence that pursuant to Act 163, Defendant violated the IDEA, Title II of the ADA, or § 504 of the Rehab Act. Judgment shall be entered in favor of Defendant as to Counts I, II, and III of Plaintiffs' Complaint. All parties shall bear their own costs of suit." ~ (afc)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 03/30/2012)</p>
04/04/2012	124	<p>CLERK'S JUDGMENT IN A CIVIL CASE - Judgment entered in favor of Defendant and against Plaintiffs as to Counts I, II, III, and IV of Plaintiffs' Complaint. (afc)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/04/2012)</p>
05/02/2012	125	<p>NOTICE OF APPEAL; Certificate of Service - filed by plaintiffs. Appeal re: 123 Findings of Fact & Conclusions of Law; (79 Order); 124 Clerk's Judgment. Filing fee \$ 455. (afc) No COS issued for this docket entry Modified on 5/4/2012: 9CCA No. 12-16063 (afc). (Entered: 05/03/2012)</p>
05/02/2012	126	<p>REPRESENTATION STATEMENT; Certificate of Service - filed by plaintiffs re 125 Notice of Appeal. (afc) 9CCA Notified electronically via NEF (Entered: 05/03/2012)</p>
05/02/2012	127	<p>USCA Appeal Fees received \$ 455, receipt number HI003615 re 125 Notice of Appeal, filed by plaintiffs. (afc) (Entered: 05/03/2012)</p>
05/04/2012	128	<p>USCA Case Number 12-16063 for 125 Notice of Appeal, filed by plaintiffs.(afc) No COS issued for this docket entry (Entered: 05/04/2012)</p>
05/04/2012	129	<p>USCA TIME SCHEDULE ORDER as to 125 Notice of Appeal filed by plaintiffs. (9CCA No. 12-16063) (afc)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/04/2012)</p>
05/04/2012	130	<p>Attorney Appeal Packet re 125 Notice of Appeal filed by plaintiffs. (Attachments: # 1 Notice of Appeal, # 2 US District Court</p>

		<p>Instructions/Forms re: Appeal, # 3 Docket Sheet) (afc)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). All participants are registered to receive electronic notifications. (Entered: 05/04/2012)</p>
07/16/2012	131	<p>TRANSCRIPT of Proceedings (57 M/SJ; 60 M/DISM; 59 M/PREL INJUNC - RENEWED) held on 9/12/11 - before Judge DAVID ALAN EZRA. Court Reporter Cynthia Fazio, Telephone number 808.541.2063. Transcript may be viewed at the court public terminal or ordered through the Court Reporter before the deadline for Release of Transcript. Remote availability of electronic transcripts is regulated by FRCP 5.2(a), FRCrP 49.1(a) and FRBP 9037(a) Redaction Request due 8/3/2012. Redacted Transcript Deadline set for 8/13/2012. Release of Transcript Restriction set for 10/11/2012. (50 pp.) (cf@hid.uscourts.gov) (Entered: 07/16/2012)</p>
12/18/2012	132	<p>ORDER REFERRING CASE. Case reassigned to: CHIEF JUDGE SUSAN OKI MOLLWAY for all further proceedings. JUDGE DAVID ALAN EZRA no longer assigned to case Please reflect Civil Case Number CIV NO 10-00436 SOM-KSC on all further documents and pleadings). Signed by JUDGE DAVID ALAN EZRA on 12/18/2012. (eps)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/18/2012)</p>
12/18/2012	133	<p>NOTICE of Case Reassignment: Please reflect Civil Case Number CIV NO 10-00436 SOM-KSC on all further documents and pleadings. (eps)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 12/18/2012)</p>
08/28/2013	134	<p>OPINION of USCA as to 125 Notice of Appeal filed by Hawaii Disability Rights Center, C. K., M. D., R. D., N. B., R. T. D., 9CCA NO. 12-16063. "Accordingly, we affirm the district court's judgment for the DOE on the ADA and Rehabilitation Act claims, and reverse the district court's judgment for the DOE on the IDEA claim. Costs on appeal shall be awarded to Plaintiffs-Appellants. AFFIRMED in part, REVERSED in part, and REMANDED." (cc: SOM/TF) (emt,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 08/28/2013)</p>
09/04/2013	135	<p>NOTICE of Appearance by Jennifer Visitacion Patricio on behalf of E.R. K. on behalf of E.R. K.. (Patricio, Jennifer) (Entered: 09/04/2013)</p>
09/06/2013	136	<p>NOTICE of Hearing:.. Status Conference set for 9/6/2013 10:30 AM before JUDGE SUSAN OKI MOLLWAY. Parties notified.(tb,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p>

		Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 09/06/2013)
09/06/2013	137	Letter addressed to Chief Judge Susan Oki Mollway from Paul Alston, Esq., dated September 4, 2013 -- re request for immediate status conference in reference to Ninth Circuit's reversal decision. (emt,) (Entered: 09/06/2013)
09/06/2013	138	EP: Status Conference -Court has received Mr. Alstons letter re: the 9th CCA ruling.Court informed the parties that it did not yet receive the mandate.Discussion held re: how to proceed.Mr. Siu to inform the principals of the schools to contact him before taking any action.Mr. Siu and Mr. Alston to communicate and work together.When the mandate is issued, another status conference will be scheduled.Status Conference held on 9/6/2013. (Court Reporter Debra Chun.) (JUDGE SUSAN OKI MOLLWAY)(tbf,)No COS issued for this docket entry (Entered: 09/06/2013)
09/25/2013	139	<p>MANDATE of USCA as to 125 Notice of Appeal, filed by Hawaii Disability Rights Center, C. K., M. D., R. D., N. B., R. T. D., 9CCA 12-16063. (cc: SOM/TF) "The judgment of this Court, entered August 28, 2013, takes effect this date. This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.Costs are taxed against the appellee in the amount of \$390.80." (emt,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 09/26/2013)</p>
09/26/2013	140	<p>EO: Status Conference set for 9/30/2013 09:15 AM before JUDGE KEVIN S.C. CHANG. (JUDGE KEVIN S.C. CHANG)(sna,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 09/26/2013)</p>
09/27/2013	141	EO: At counsel's request, Status Conference set 9/30/13 shall be continued to 10/1/2013 09:15 AM before JUDGE KEVIN S.C. CHANG. Gina with Holly Shikada to notify all parties. (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 09/27/2013)
10/01/2013	142	EP: Status Conference held on 10/1/2013. Discussion held regarding form of Stipulated Order directing the DOE to provide information to counsel and a form of Notice to be published. Discussion also held regarding appointment of a Master. Mr. Alston to draft an Order and circulate to counsel and settlement process can be started thereafter. (In Chambers - no record, 9:15-9:45am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 10/01/2013)
10/22/2013	144	ORDER of USCA as to 125 Notice of Appeal, filed by Hawaii Disability

		Rights Center, C. K., M. D., R. D., N. B., R. T. D., 9CCA NO. 12-16063. "The application for an award of attorney fees on appeal is referred to the court's special master, Appellate Commissioner Peter L. Shaw, who shall conduct whatever proceedings he deems appropriate, and who shall have authority to enter an order concerning the application for fees. See 9th Cir. R. 39-1.9. The order is subject to reconsideration by the panel. Id." (emt,)No COS issued for this docket entry (Entered: 10/24/2013)
11/07/2013	145	ORDER of USCA as to 125 Notice of Appeal, filed by Hawaii Disability Rights Center, C. K., M. D., R. D., N. B., R. T. D., 9CCA NO. 12-16063. Appellants motion for attorneys fees referred to Circuit Mediator. (emt,)No COS issued for this docket entry (Entered: 11/08/2013)
02/14/2014	146	MOTION to Compel <i>the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel</i> Paul Alston appearing for Plaintiffs N. B., C. B., M. D., R. T. D., R. D., Hawaii Disability Rights Center, C. K., E.R. K., B. P., M. P., R. P.-K. (Attachments: # 1 Certificate of Service)(Alston, Paul) Modified on 3/4/2014 (emt,). (Entered: 02/14/2014)
02/14/2014	147	Ex Parte MOTION to Shorten Time to hear Motion re 146 MOTION to Compel <i>the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel</i> Paul Alston appearing for Plaintiffs N. B., C. B., M. D., R. T. D., R. D., Hawaii Disability Rights Center, C. K., E.R. K., B. P., M. P., R. P.-K. (Attachments: # 1 Declaration of Paul Alston, # 2 Order Granting Ex Parte Motion to Shorten Time for Hearing, # 3 Certificate of Service)(Alston, Paul) (Entered: 02/14/2014)
02/18/2014	148	NOTICE of Hearing on Motion 146 : The Court grants Plaintiffs' Ex Parte Motion to Shorten Time for Hearing on Their Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel 147 . Plaintiffs' Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel 146 shall be set for hearing on 3/4/2014 09:30 AM before JUDGE KEVIN S.C. CHANG. Opposition due: 2/25/14 at 4:30pm. Reply due: noon on 2/28/14. (sna,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 02/18/2014)
02/18/2014	149	ORDER GRANTING EX PARTE MOTION TO SHORTEN TIME FOR HEARING ON PLAINTIFFS' MOTION FOR AN ORDER COMPELLING THE DEPARTMENT OF EDUCATION FOR THE STATE OF HAWAII TO RELEASE PLAINTIFF IDENTIFYING INFORMATION TO COUNSEL re 147 - Signed by JUDGE KEVIN S.C. CHANG on 2/18/2014. (re 146 MOTION to Compel <i>the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel</i> filed by C. K., B. P., R. T. D., E.R. K., M. P. set for 3/4/2014 09:30 AM before JUDGE KEVIN S.C.

		<p>CHANG.) (emt,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 02/18/2014)</p>
02/20/2014	150	EO: At counsel's request, Status Conference Re: Plaintiffs' Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel 146 set for 2/28/2014 09:45 AM before JUDGE KEVIN S.C. CHANG. Carter Siu has notified all parties. (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 02/20/2014)
02/21/2014	151	NOTICE of Appearance by Adam T. Snow on behalf of Department of Education, State of Hawai'i on behalf of Department of Education, State of Hawai'i. (Snow, Adam) (Entered: 02/21/2014)
02/25/2014	152	MEMORANDUM in Opposition re 146 MOTION to Compel <i>the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel Defendant's Memorandum in Opposition to Plaintiffs' Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel; Certificate of Service</i> filed by Department of Education, State of Hawai'i. (Snow, Adam) (Entered: 02/25/2014)
02/27/2014	153	RESPONSE in Support re 146 MOTION to Compel <i>the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel</i> filed by N. B., C. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., E.R. K., B. P., M. P., R. P.-K.. (Attachments: # 1 Exhibit "1" - State of Hawaii, Dept. of Education, "Notice for Directory Information", # 2 Certificate of Service)(Alston, Paul) (Entered: 02/27/2014)
02/28/2014	154	EP: Status Conference Re: Plaintiffs' Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel 146 held on 2/28/2014. Discussion held. Counsel to confer further regarding notice letter. (In Chambers - no record, 9:45-10:25am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 02/28/2014)
03/04/2014	155	EP: granting in part and denying in part 146 : Plaintiffs' Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel held on 3/4/2014. Motion granted in part and denied in part. Motion denied as to Defendant's request to have production of class member identities and contact information today. Motion granted as follows: Defendant is directed to make pre-disclosure Notice to parents and eligible students by mail, post-

		marked no later than 3/18/14. Parents and students will have until 4/4/14 to respond or object to the Notice. Thereafter, a Further Hearing on Plaintiffs' Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel 146 shall be held on 4/18/14 at 9:30am before Judge Chang. Defense counsel to advise Plaintiffs' counsel and the Court of any responses received. Defense counsel should be prepared on 4/18/14 to provide Plaintiffs' counsel with names and contact information of all class members. (FTR C8 - 9:34-9:44am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 03/04/2014)
03/04/2014	156	EO: re 155 Minutes submitted on 3/4/14 amended: Motion denied as to Plaintiffs' request to have production of class member identities and contact information today. (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 03/04/2014)
03/12/2014	157	EO: At Defendant's request, Settlement Conference (with Defendants only) set for 3/13/2014 09:15 AM before JUDGE KEVIN S.C. CHANG. Mr. Henderson has notified all defense counsel. (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 03/12/2014)
03/13/2014	158	EP: Settlement Conference held on 3/13/2014. Settlement Conference held with defense counsel only. (In Chambers - no record, 9:10-10:00am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 03/13/2014)
04/17/2014	159	EO: re 155 Further Hearing on Plaintiffs' Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel 146 set 4/18/14 at 9:30am before Judge Chang. Paul Alston to participate by phone. (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 04/17/2014)
04/17/2014	160	EO: re 155 Further Hearing on Plaintiffs' Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel 146 set 4/18/14 at 9:30am before Judge Chang. Jennifer Patricio to participate by phone. (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 04/17/2014)
04/18/2014	161	EP: Motion Hearing held on 4/18/2014 re 146 : Further Hearing on Plaintiffs' Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel. Further hearing held. Court directs that Mr. Snow file Exhibits A and B and file under seal Exhibits C, D, and E . Mr. Snow provided copies of Exhibits A, B, C, D, and E to Ms. Black. Further Hearing on Plaintiffs' Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel 146 set 4/25/14 at 9:30am before Judge Chang. (Aha Kuponono - FTR, 9:34-9:47am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this

		docket entry (Entered: 04/18/2014)
04/22/2014	162	MEMORANDUM <i>Regarding (1) The Size of the Class, and (2) The Process for Determining the Class Members' Entitlement to Compensatory Education</i> filed by N. B., C. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., B. P., M. P., R. P.-K.. (Attachments: # 1 Exhibit "A", # 2 Exhibit "B", # 3 Exhibit "C", # 4 Certificate of Service)(Alston, Paul) (Entered: 04/22/2014)
04/23/2014	163	Defendant's Submission of EXHIBITS "A"-"B" Produced at the Hearing on Plaintiffs' Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel Held on April 18, 2014; Certificate of Service re 146 , 161 - filed by Department of Education, State of Hawai'i. (Note: Although referenced in the caption, the Certificate of Service was not included.) (Attachments: # 1 Exhibit A, # 2 Exhibit B)(emt,) (Entered: 04/23/2014)
04/23/2014	164	Defendant's Submission of EXHIBITS "C"-"E" Produced at the Hearing on Plaintiffs' Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel Held on April 18, 2014; Certificate of Service re 146 ; 161 - filed by Department of Education, State of Hawai'i. (ATTACHMENT(S) SEALED) (Note: Although referenced in the caption, the Certificate of Service was not included.) (emt,) (Additional attachment(s) added on 4/23/2014: # 1 Exhibit C, # 2 Exhibit D, # 3 Exhibit E) (emt,). (Entered: 04/23/2014)
04/24/2014	165	MEMORANDUM in Opposition <i>Defendant's Memorandum in Opposition to 162 Plaintiffs' Memorandum Regarding (1) The Size of the Class and (2) The Process for Determining the Class Members' Entitlement to Compensatory Education (Doc. No. 162, filed April 22, 2014); Certificate of Service</i> filed by Department of Education, State of Hawai'i. (Snow, Adam) Modified on 4/25/2014 to add linkage to 162 Memorandum (emt,). (Entered: 04/24/2014)
04/25/2014	166	EP: granting 146 Further Hearing on Plaintiffs' Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel Hearing held on 4/25/2014; Status Conference held on 4/25/2014. Arguments heard. Motion granted as follows: Exhibits C, D, and E may be retained by Plaintiff's counsel and subject to an agreed upon protective order. Information therein may be available to counsel and all counsel representing Plaintiffs in this case. Without a protective order, the court does not make a ruling about whether information can be made available to others retained by counsel. Issues concerning appropriate relief should be presented to Judge Mollway. Parties to meet and confer within 2 weeks about 1) size of purported class/who constitutes class; and 2) nature of relief, to see if a stipulation may be reached as to said issues. If no

		agreement reached, discussion to be held about time table to present issue to Judge Mollway. Counsel to meet and confer. Court to contact counsel to schedule a Status/Settlement Conference. (FTR C7, 9:37-9:53am (Motion); C7 - no record, 9:53-10:00am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 04/28/2014)
04/28/2014	167	EO: re 166 No formal order to be issued as to the Further Hearing on Plaintiffs' Motion for an Order Compelling the Department of Education for the State of Hawaii to Release Plaintiff Identifying Information to Counsel Hearing 146 held on 4/25/2014. (JUDGE KEVIN S.C. CHANG)(sna,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/28/2014)
05/29/2014	168	EO: Status/Settlement Conference set for 6/5/2014 09:00 AM before JUDGE KEVIN S.C. CHANG. Confidential Settlement Conference statements due: 6/2/14. (JUDGE KEVIN S.C. CHANG)(sna,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/29/2014)
06/02/2014	169	NOTICE of Appearance by Michelle N. Comeau on behalf of M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K. on behalf of M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 06/02/2014)
06/02/2014	170	NOTICE by R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., M. D., Hawaii Disability Rights Center, E.R. K. <i>of Withdrawal of Counsel Kyu Y. Paek for Plaintiff</i> R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., M. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 06/02/2014)
06/05/2014	171	EP: Status/Settlement Conference held on 6/5/2014. Counsel to file cross motions regarding administrative or judicial forum regarding remedy by 6/16/14. (In Chambers - no record, 9:05-9:25am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 06/05/2014)
06/16/2014	172	<i>MOTION FOR THE COURT TO DETERMINE THE APPROPRIATE FORUM AND PROCESS FOR EVALUATING COMPENSATORY EDUCATION CLAIMS OF CLASS MEMBERS</i> ; Adam T. Snow appearing for Defendant Department of Education, State of Hawai'i (Attachments: #

		1 MEMORANDUM IN SUPPORT OF MOTION, # 2 CERTIFICATE OF SERVICE)(Snow, Adam) (Entered: 06/16/2014)
06/16/2014	173	MOTION Award of Compensatory Education and Appointment of Special Master Paul Alston appearing for Plaintiffs R. T. D., R. D., Hawaii Disability Rights Center, E.R. K., R. P.-K. (Attachments: # 1 Memorandum in Support of Motion, # 2 Declaration of Paul Alston, # 3 Exhibit "A", # 4 Exhibit "B", # 5 Request for Judicial Notice, # 6 Exhibit "C", # 7 Exhibit "D", # 8 Exhibit "E", # 9 Exhibit "F", # 10 Exhibit "G", # 11 Certificate of Service)(Alston, Paul) (Entered: 06/16/2014)
06/17/2014	174	NOTICE of Hearing on Motion 172 <i>MOTION FOR THE COURT TO DETERMINE THE APPROPRIATE FORUM AND PROCESS FOR EVALUATING COMPENSATORY EDUCATION CLAIMS OF CLASS MEMBERS;</i> , 173 MOTION Award of Compensatory Education and Appointment of Special Master :. Motion Hearing set for 8/11/2014 09:00 AM before JUDGE SUSAN OKI MOLLWAY. (tb,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 06/17/2014)
07/21/2014	175	MEMORANDUM in Opposition re 172 <i>MOTION FOR THE COURT TO DETERMINE THE APPROPRIATE FORUM AND PROCESS FOR EVALUATING COMPENSATORY EDUCATION CLAIMS OF CLASS MEMBERS;</i> filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Plaintiffs' Request for Judicial Notice, # 2 Exhibit H - June 2014 Federal Letter to DOE, # 3 Exhibit I - DOE 2011 Consultant Report, # 4 Certificate of Service)(Alston, Paul) (Entered: 07/21/2014)
07/21/2014	176	MEMORANDUM in Opposition re 173 MOTION Award of Compensatory Education and Appointment of Special Master <i>Defendant's Memorandum in Opposition to Plaintiffs' Motion for Award of Compensatory Education and Appointment of a Special Master; Declaration of Debra Farmer, Exhibit A w/encls. 1-8; Certificate of Service</i> filed by Department of Education, State of Hawai'i. (Attachments: # 1 Declaration Debra Farmer, # 2 Exhibit Enclosure 1, # 3 Exhibit Enclosure 2, # 4 Exhibit Enclosure 3, # 5 Exhibit Enclosure 4, # 6 Exhibit Enclosure 5, # 7 Exhibit Enclosure 6, # 8 Exhibit Enclosure 7, # 9 Exhibit Enclosure 8)(Snow, Adam) (Entered: 07/21/2014)
07/24/2014	177	EO: 172 <i>MOTION FOR THE COURT TO DETERMINE THE APPROPRIATE FORUM AND PROCESS FOR EVALUATING COMPENSATORY EDUCATION CLAIMS OF CLASS MEMBERS;</i> , 173 MOTION Award of Compensatory Education and Appointment of Special Master . Motion Hearing set for 8/11/2014 @ 9:00 a.m. is rescheduled to

		<p>09:45 AM before JUDGE SUSAN OKI MOLLWAY. Parties notified. (JUDGE SUSAN OKI MOLLWAY)(tbf,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/24/2014)</p>
07/28/2014	178	<p>REPLY re 172 MOTION <i>FOR THE COURT TO DETERMINE THE APPROPRIATE FORUM AND PROCESS FOR EVALUATING COMPENSATORY EDUCATION CLAIMS OF CLASS MEMBERS</i>; filed by Department of Education, State of Hawai'i. (Attachments: # 1 Declaration of Adam T. Snow, # 2 Exhibit B, # 3 Exhibit C, # 4 Certificate of Service)(Snow, Adam) (Entered: 07/28/2014)</p>
07/28/2014	179	<p>REPLY to Response to Motion re 173 MOTION Award of Compensatory Education and Appointment of Special Master filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Word Count, # 2 Declaration of Keith H.S. Peck, # 3 Exhibit J - 7/24/14 Email, # 4 Declaration of Paul Alston, # 5 Exhibit K - 9/16/13 Letter, # 6 Plaintiffs' Request for Judicial Notice, # 7 Exhibit L - 12/13/10 Special Ed Article, # 8 Certificate of Service)(Alston, Paul) (Entered: 07/28/2014)</p>
07/28/2014	180	<p>OBJECTION re 176 Memorandum in Opposition to Motion,, <i>Plaintiffs' Objections to Defendant's Violation of Federal Rule of Evidence 408</i> filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Alston, Paul) (Entered: 07/28/2014)</p>
07/29/2014		<p>ADVISORY ENTRY. Please be advised that the Declaration of Adam T. Snow included with docket entry 178 Reply Memorandum in Support of Motion for the Court to Determine the Appropriate Forum and Process for Evaluating Compensatory Education Claims of Class Members, filed by Department of Education, State of Hawai'i is not signed. LR100.5.1. states "The name of the CM/ECF user under whose login and password the document is being electronically filed must be preceded by "/s/" and typed in the space where the signature otherwise would appear (e.g. /s/ John or Jane Lawyer)." (emt,) (Entered: 07/29/2014)</p>
07/29/2014	181	<p>Declaration of Adam T. Snow re 178 Reply, . (Attachments: # 1 Exhibit "B" (Article: New Accountability Framework Raises the Bar for State Special Education Programs), # 2 Exhibit "C" (Graphic: IDEA State Determinations Under Results Driven Accountability: 2014))(Snow, Adam) Modified on 7/30/2014 (emt,). (Entered: 07/29/2014)</p>
08/05/2014	182	<p>RESPONSE re 180 Objection, <i>Defendant's Response to Plaintiffs FRE 408</i></p>

		<i>Objection 180</i> filed by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Snow, Adam) (Entered: 08/05/2014)
08/07/2014	183	EO: 172 <i>MOTION FOR THE COURT TO DETERMINE THE APPROPRIATE FORUM AND PROCESS FOR EVALUATING COMPENSATORY EDUCATION CLAIMS OF CLASS MEMBERS;</i> , 173 MOTION Award of Compensatory Education and Appointment of Special Master . Motion Hearing set for 8/11/14 @ 9:45 a.m. is continued to 8/13/2014 11:15 AM before JUDGE SUSAN OKI MOLLWAY. (JUDGE SUSAN OKI MOLLWAY)(tbf,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 08/07/2014)
08/07/2014	184	Plaintiffs' REPLY in Support of 180 Objections to Defendant's Violation of Federal Rule of Evidence 408, Filed 7/28/14, filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Declaration of Paul Alston, # 2 Certificate of Service)(Alston, Paul) Modified on 8/11/2014 (emt,). (Entered: 08/07/2014)
08/12/2014	185	INCLINATIONS - by CHIEF JUDGE SUSAN OKI MOLLWAY (emt,) (Entered: 08/12/2014)
08/12/2014		COURT'S CERTIFICATE of Service - 185 INCLINATIONS served on August 12, 2014. Registered Participants of CM/ECF received the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). (emt,) (Entered: 08/12/2014)
08/13/2014	186	EP: Defendant's Motion for the Court to Determine the Appropriate Forum and Process for Evaluating Compensatory Education Claims of Class Members 172 . Plaintiffs' Motion for Award of Compensatory Education and Appointment of Special Master 173 .Oral arguments heard.Defendant's Motion for the Court to Determine the Appropriate Forum and Process for Evaluating Compensatory Education Claims of Class Members 172 -TAKEN UNDER ADVISEMENT.Plaintiffs' Motion for Award of Compensatory Education and Appointment of Special Master 173 -TAKEN UNDER ADVISEMENT.Court to issue order. (Court Reporter Debra Chun.) (JUDGE SUSAN OKI MOLLWAY)(tl,)No COS issued for this docket entry (Entered: 08/13/2014)
08/22/2014	187	ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION FOR AWARD OF COMPENSATORY EDUCATION AND APPOINTMENT OF SPECIAL MASTER; ORDER DENYING DEFENDANT'S MOTION FOR THE COURT TO DETERMINE THE APPROPRIATE FORUM AND PROCESS FOR

		<p>EVALUATING COMPENSATORY EDUCATION CLAIMS OF CLASS MEMBERS re 172 ; 173 - Signed by CHIEF JUDGE SUSAN OKI MOLLWAY on 8/22/2014.</p> <p>"The parties are ordered to work with Magistrate Judge Kevin S.C. Chang concerning the following:</p> <p>1) Determination of Class Members: as soon as practicable, but in no event later than September 22, 2014, the DOE must provide Plaintiffs' counsel with the name of every potential class member, accompanied by his or her last-known contact information. The DOE must include the names and last-known contact information of all individuals who <u>might</u> have been affected by the DOE's "age out" calculation, including individuals that the DOE concludes may have opted not to receive services, such as drop outs and those with employment. The DOE may provide names by grouping similarly situated individuals. Magistrate Judge Chang will settle all disputes concerning the identification of class members ;</p> <p>2) Consideration of the DOE's ability to provide compensatory education to class members;</p> <p>3) Identification of private service providers likely to be needed to provide compensatory education to class members and likely to be agreed to by the parties; and</p> <p>4) Consideration of prompt class notification and of further class certification issues, with any modification of the existing class certification to be sought by motion(s) filed no later than October 31, 2014. "</p> <p>"The parties are directed to file status reports on the above matters by September 30, 2014."</p> <p>(emt,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 08/22/2014)</p>
08/28/2014	188	<p>TRANSCRIPT of Proceedings Various Motions held on 8/13/14 before Judge Susan Oki Mollway. Court Reporter Debra Chun, Telephone number (808) 541-2061. Transcript may be viewed at the court public terminal or ordered through the Court Reporter before the deadline for Release of Transcript. Remote availability of electronic transcripts is regulated by FRCP 5.2(a), FRCrP 49.1(a) and FRBP 9037(a). Redaction Request due 9/15/2014. Redacted Transcript Deadline set for 9/25/2014. Release of Transcript Restriction set for 11/24/2014.</p> <p>(dc@hid.uscourts.gov) pp. 36. (Entered: 08/28/2014)</p>
08/28/2014	189	<p>EO: At counsel's request, Status Conference set for 8/29/2014 09:15 AM before JUDGE KEVIN S.C. CHANG. Andrea with Adam Snow to notify all parties. (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 08/28/2014)</p>
08/28/2014	190	<p>EO: re 189 Status Conference set for 8/29/2014 09:15 AM before JUDGE KEVIN S.C. CHANG. Paul Alston and Adam Snow to participate by phone. (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 08/28/2014)</p>
08/28/2014	191	<p>EO: re 189 Status Conference set for 8/29/2014 09:15 AM before JUDGE KEVIN S.C. CHANG. Harvey Henderson to participate by phone.</p>

		(JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 08/28/2014)
08/29/2014	192	EP: Status Conference held on 8/29/2014. Discussion held. Court directs Mr. Henderson and Mr. Snow to send a draft to Ms. Black. Ms. Black to respond by the close of business on 9/2/14. Further Status Conference, by phone, set 9/3/14 at 3:00pm before Judge Chang. (C7 - no record, 9:40-10:00am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 08/29/2014)
09/03/2014	193	EP: Further Status Conference held on 9/3/2014. Counsel updated the Court that they have communicated and exchanged drafts. Counsel to confer further. Counsel to contact the Court if they need further assistance. (C7 - no record, 3:00-3:05pm.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 09/03/2014)
09/30/2014	194	STATUS REPORT <i>Defendant's September 30, 2014 Status Report</i> by Department of Education, State of Hawai'i. (Attachments: # 1 Main Document Enclosure '1')(Snow, Adam) (Entered: 09/30/2014)
09/30/2014	195	STATUS REPORT <i>re: Compensatory Education</i> by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Appendix A - List of Service Providers, # 2 Appendix B - List of Types of Services, # 3 Certificate of Service)(Comeau, Michelle) (Entered: 09/30/2014)
10/01/2014	196	CERTIFICATE OF SERVICE by Department of Education, State of Hawai'i re 194 Status Report <i>Certificate of Service as to Defendant's September 30, 2014 Status Report filed on September 30, 2014</i> (Snow, Adam) (Entered: 10/01/2014)
10/09/2014	197	EO: Status Conference set for 10/14/2014 09:00 AM before JUDGE KEVIN S.C. CHANG. Court directs that counsel meet and confer regarding Ms. Comeau's 10/8/14 letter addressed to Judge Chang. Defense counsel to submit a written response to the Court by 3:00pm on Friday, 10/10/14. (JUDGE KEVIN S.C. CHANG)(sna,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 10/09/2014)
10/14/2014	198	EP: Status Conference held on 10/14/2014. Counsel to advise the court of their continuing dialogue. (In Chambers - no record, 9:00-9:50am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 10/14/2014)
10/31/2014	200	MOTION Motion for the Court to Modify the Class Definition Adam T. Snow appearing for Defendant Department of Education, State of Hawai'i

		(Attachments: # 1 Memorandum in Support of Motion, # 2 Certificate of Service)(Snow, Adam) (Entered: 10/31/2014)
11/04/2014	201	<p>NOTICE of Hearing on Motion 200 MOTION Motion for the Court to Modify the Class Definition :. Motion Hearing set for 1/5/2015 10:30 AM before JUDGE SUSAN OKI MOLLWAY. (tbk,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 11/04/2014)</p>
11/14/2014	202	<p>EO: Status Conference set for 11/18/2014 09:00 AM before JUDGE KEVIN S.C. CHANG. (JUDGE KEVIN S.C. CHANG)(sna,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 11/14/2014)</p>
11/14/2014		<p>Notice to Non E-File - The Clerk's Office will no longer serve the attorneys at Alston Hunt Floyd & Ing via both paper and electronic service. Beginning with the email service of document number 202 , the Clerk's Office will only serve Alston Hunt Floyd & Ing electronically to the email addresses of record in this case. (sna,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 11/14/2014)</p>
11/17/2014	203	<p>EO: At counsel's request, Status Conference set 11/18/14 shall be continued to 11/19/2014 09:30 AM before JUDGE KEVIN S.C. CHANG. Kari with Adam Snow has notified all parties. (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 11/17/2014)</p>
11/19/2014	204	<p>EP: Status Conference held on 11/19/2014. Counsel updated the Court. Further Status Conference, by phone, set 11/26/14 at 9:00am before Judge Chang. (In Chambers - no record, 9:30-10:10am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 11/19/2014)</p>
11/26/2014	205	<p>MOTION <i>Defendant's Motion for a Finding of Reasonable Efforts to Contact Potential Class Members Prior to Disclosure of Names and Last Known Contact Information to Plaintiffs' Counsel; Memorandum in Support of Motion; Declaration of Debra Farmer; Exhibit A; Certificate of Service</i> Adam T. Snow appearing for Defendant Department of Education, State of Hawai'i (Attachments: # 1 Declaration Debra Farmer, # 2 Exhibit A)(Snow, Adam) (Entered: 11/26/2014)</p>
11/26/2014	206	<p>NOTICE of Hearing on Motion 205 MOTION <i>Defendant's Motion for a Finding of Reasonable Efforts to Contact Potential Class Members Prior to Disclosure of Names and Last Known Contact Information to Plaintiffs' Counsel; Memorandum in Support of Motion; Declaration of :.</i></p>

		<p><i>Motion Hearing set for 1/5/2015 10:30 AM before JUDGE SUSAN OKI MOLLWAY. (tbj,)</i></p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 11/26/2014)</p>
11/26/2014	207	<p>EP: Further Status Conference held on 11/26/2014. Counsel updated the Court. Further Status Conference set 12/11/14 at 9:00am before Judge Chang. (In Chambers - no record, 9:00-9:20am.) (JUDGE KEVIN S.C. CHANG)(sna,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/01/2014)</p>
11/28/2014		<p>ADVISORY ENTRY. Please be advised that the Declaration of Debra Farmer included with the 205 MOTION for a Finding of Reasonable Efforts to Contact Potential Class Members filed by Department of Education, State of Hawai'i does not contain a scanned image of the signature. LR100.5.2. states "An electronically filed document requiring the original, wet signature of an individual other than the CM/ECF user, such as an affidavit or declaration, must contain the original or a scanned image of that individual's signature." The filing party is also advised that the Memorandum should have been attached as a separate ECF attachment to the motion and labeled accordingly. The filing party need not re-file the motion, but should resubmit the Declaration of Debra Farmer, to include a scanned image of her signature. The filing party may use the docketing event "Declaration" found in the "Other Documents" category and should include a caption cover page with the submission. (emt,) (Entered: 11/28/2014)</p>
12/01/2014		<p>Notice to Non E-File - The Clerk's Office will no longer serve the attorneys at <u>Alston Hunt Floyd & Ing</u> via both paper and electronic service. Beginning with the email service of document number 207 , the Clerk's Office will only serve <u>Alston Hunt Floyd & Ing</u> electronically to the email addresses of record in this case. (sna,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 12/01/2014)</p>
12/01/2014	208	<p>Declaration re 205 MOTION <i>Defendant's Motion for a Finding of Reasonable Efforts to Contact Potential Class Members Prior to Disclosure of Names and Last Known Contact Information to Plaintiffs' Counsel; Memorandum in Support of Motion; Declaration of Debra Farmer. (Kuwabe, Kunio) (Entered: 12/01/2014)</i></p>
12/02/2014	209	<p>NOTICE of Appearance by Kunio Kuwabe on behalf of Department of</p>

		Education, State of Hawai'i on behalf of Department of Education, State of Hawai'i. (Kuwabe, Kunio) (Entered: 12/02/2014)
12/11/2014	210	EP: Further Status Conference held on 12/11/2014. Counsel updated the Court. (In Chambers - no record, 9:00-9:45am.) (JUDGE KEVIN S.C. CHANG)(sna,)No COS issued for this docket entry (Entered: 12/11/2014)
12/15/2014	211	STATEMENT re 205 MOTION <i>Defendant's Motion for a Finding of Reasonable Efforts to Contact Potential Class Members Prior to Disclosure of Names and Last Known Contact Information to Plaintiffs' Counsel; Memorandum in Support of Motion; Declaration of - STATEMENT OF POSITION</i> filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Declaration of Claire Wong Black, # 2 Exhibit A - Confidential spreadsheet, # 3 Exhibit B - ERK 4/13/14 Motions hearing State Exhibit List, # 4 Certificate of Service)(Comeau, Michelle) (Entered: 12/15/2014)
12/15/2014	212	Ex Parte MOTION to Seal Document 211 Statement,, Michelle N. Comeau appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, E.R. K. (Attachments: # 1 Declaration of Michelle N. Comeau, # 2 [Proposed] Order, # 3 Certificate of Service)(Comeau, Michelle) (Entered: 12/15/2014)
12/15/2014	213	MEMORANDUM in Opposition re 200 MOTION Motion for the Court to Modify the Class Definition filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K., R. P.-K.. (Attachments: # 1 Declaration of Paul Alston, # 2 Exhibit A to Declaration of Paul Alston, # 3 Declaration of Michelle N. Comeau, # 4 Certificate of Service)(Alston, Paul) (Entered: 12/15/2014)
12/17/2014	214	OBJECTION re 211 Statement,, <i>Defendant's Partial Objection Regarding [ECF 211] Plaintiffs' Statement of Position Regarding 205 Defendant's Motion for a Finding of Reasonable Efforts to Contact Potential Class Members Prior to Disclosure of Names and Last Known Contact Information to Plaintiffs' Counsel, filed 11/26/14; Certificate of Service</i> filed by Department of Education, State of Hawai'i. (Shikada, Holly) (Entered: 12/17/2014)
12/18/2014	215	REPLY re 213 Memorandum in Opposition to Motion, <i>Defendant's Reply to (ECF 213) Plaintiffs' Opposition to 200 Defendant's Motion for the Court to Modify the Class Definition, filed 10/31/14, filed 12/15/14; Declaration of Harvey E. Henderson, Jr.; Certificate of Service</i> filed by Department of Education, State of Hawai'i. (Attachments: # 1 Declaration Harvey E. Henderson, Jr., # 2 Certificate of Service)(Kuwabe, Kunio) (Entered: 12/18/2014)

12/19/2014	216	Errata re 215 Reply, <i>Errata as to Defendant's Reply to [ECF 213] Plaintiffs' Opposition to 200 Defendant's Motion for the Court to Modify the Class Definition, filed 10/31/14, filed 12/15/14. Filed December 18, 2014; Exhibit "A"; Certificate of Service.</i> (Attachments: # 1 Exhibit "A", # 2 Certificate of Service)(Kuwabe, Kunio) (Entered: 12/19/2014)
12/19/2014	217	<p>EO: On November 26, 2014, the Department of Education, State of Hawaii ("DOE") filed a motion "For a Finding of Reasonable Efforts to Contact Potential Class Members." See ECF No. 205. That motion is granted as unopposed. See ECF No. 211.</p> <p>On December 15, 2014, Plaintiffs filed an ex parte motion to file their statement regarding the DOE's motion of November 26, 2014, under seal. That motion is granted in part. Plaintiffs may file ECF No. 211 and its Exhibit A under seal. However, Plaintiffs must publicly file a copy of ECF No. 211 and Exhibit A with only the names and contact information redacted from public view. All other information must be available for public inspection.</p> <p>To the extent Plaintiffs' position statement, ECF No. 211, may be asking the court for relief, there is no motion before the court and the relief requested is not properly a countermotion, as it does not "raise the same subject matter as [the] original motion" for purposes of Local Rule 7.9. Moreover, if Plaintiffs have a dispute with respect to identification of class members, this court has already ordered that Magistrate Judge Chang will settle all such disputes. See ECF No. 187. Plaintiffs may file a motion seeking the relief they request in ECF No. 211, but the court orders the parties to meet and confer prior to the filing of any such motion. Any such motion will be decided by Magistrate Judge Chang.</p> <p>The Motion To Modify Class Definition remains set for hearing on January 5, 2015. The court is unlikely to issue a prehearing inclination concerning that matter.granting 205 Motion ; granting in part and denying in part 212 Motion to Seal Document. (JUDGE SUSAN OKI MOLLWAY)(tbf,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/19/2014)</p>
12/22/2014	218	Plaintiffs' Submission of Plaintiffs' STATEMENT of Position Regarding 205 Defendant's MOTION for Finding of Reasonable Efforts to Contact Potential Class Members Prior to Disclosure of Names and Last Known Contact Information to Plaintiffs' Counsel, filed 11/26/214 and Exhibit "A"; Certificate of Service - filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., E.R. K.,

		<p>M. P.</p> <p>(ATTACHMENTS SEALED)</p> <p><i>Filed under seal pursuant to 217 Minute Order. (emt,) (Additional attachment(s) added on 12/22/2014: # 1 Statement of Position, # 2 Exhibit A, # 3 Certificate of Service) (emt,). (Entered: 12/22/2014)</i></p>
12/22/2014	219	<p>STATEMENT re 205 MOTION <i>Defendant's Motion for a Finding of Reasonable Efforts to Contact Potential Class Members Prior to Disclosur</i>e of Names and Last Known Contact Information to Plaintiffs' Counsel; Memorandum in Support of Motion; Declaration of AMENDED STATEMENT OF POSITION filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Declaration of Claire Wong Black, # 2 Exhibit A - Redacted Spreadsheet of Calls, # 3 Exhibit B - ERK 4/13/14 Motions hearing State Exhibit List, # 4 Certificate of Service)(Comeau, Michelle) (Entered: 12/22/2014)</p>
01/05/2015	220	<p>EP: Defendant's Motion for the Court to Modify the Class Definition 200 - Arguments.Defendant's Motion for the Court to Modify the Class Definition 200 - Denied.No written order will be prepared.Counsel updated the Court re: the status of this case.denying 200 Motion ; Motion Hearing held on 1/5/2015 re 200 MOTION Motion for the Court to Modify the Class Definition filed by Department of Education, State of Hawai'i. (Court Reporter Debra Chun.) (JUDGE SUSAN OKI MOLLWAY)(tbf,)No COS issued for this docket entry (Entered: 01/05/2015)</p>
01/29/2015	221	<p>STATEMENT re 205 MOTION <i>Defendant's Motion for a Finding of Reasonable Efforts to Contact Potential Class Members Prior to Disclosur</i>e of Names and Last Known Contact Information to Plaintiffs' Counsel; Memorandum in Support of Motion; Declaration of filed by Department of Education, State of Hawai'i. (Attachments: # 1 Declaration of Kunio Kuwabe, # 2 Declaration of Debra Farmer, # 3 Certificate of Service)(Kuwabe, Kunio) (Entered: 01/29/2015)</p>
02/05/2015	222	<p>TRANSCRIPT of Proceedings Motion for the Court to Modify the Class Definition held on 1/5/15 before Judge Susan Oki Mollway. Court Reporter Debra Chun, Telephone number (808) 541-2061. Transcript may be viewed at the court public terminal or ordered through the Court Reporter before the deadline for Release of Transcript. Remote availability of electronic transcripts is regulated by FRCP 5.2(a), FRCrP 49.1(a) and FRBP 9037(a). Redaction Request due 2/23/2015. Redacted Transcript Deadline set for 3/5/2015. Release of Transcript Restriction set for 5/4/2015. (dc@hid.uscourts.gov) pp. 19. (Entered: 02/05/2015)</p>
04/24/2015	223	<p>ORDER of USCA as to 125 Notice of Appeal, filed by Hawaii Disability Rights Center, C. K., M. D., R. D., N. B., R. T. D., 9CCA NO. 12-16063, re 139 .</p> <p>"Attorneys' fees in the amount of \$33,529.32 and Hawaii general excise taxes in the</p>

		<p>amount of \$138.95 are awarded in favor of E.R.K., by his legal guardian R.K.; R.T.D., through his parents R.D. and M.D.; and Hawaii Disability Rights Center, in a representative capacity on behalf of its clients and all others similarly situated; and against the State of Hawaii Department of Education. This order amends the court's mandate. See Fed. R. App. P. 41."</p> <p>(emt,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/24/2015)</p>
04/24/2015	224	<p>EO: A Status Conference is set for 4/29/2015 at 09:15 AM in Courtroom 5 before MAGISTRATE JUDGE KEVIN S.C. CHANG. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(mrf)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/24/2015)</p>
04/28/2015	225	<p>NOTICE of Appearance by Kristin L. Holland on behalf of N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., C. K., M. P. on behalf of N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., C. K., M. P.. (Holland, Kristin) (Entered: 04/28/2015)</p>
04/29/2015	226	<p>EP: Status Conference -Discussion held re: class size, phone numbers, special master issue, settlement, etc.Mr. Kuwabe stated that the DOE is working on a settlement proposal.Plaintiffs to provide a list of which 20 are to be assessed by this afternoon.Defendant to provide a time deadline for the assessments within a day or two.A settlement conference is set for 5/11/15 @ 1:30 p.m. Status Conference held on 4/29/2015. Settlement Conference set for 5/11/2015 01:30 PM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter No Record.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tbf,)No COS issued for this docket entry (Entered: 04/29/2015)</p>
05/05/2015	227	<p>STATUS REPORT <i>SUPPLEMENTAL STATUS REPORT</i> by Department of Education, State of Hawai'i. (Kuwabe, Kunio) (Entered: 05/05/2015)</p>
05/11/2015	228	<p>EP: Settlement Conference held on 5/11/2015. Discussion Held.Mr. Kuwabe to deliver a settlement proposal to Mr. Alston by Wednesday, 5/13/2015. Thereafter, Mr. Alston to contact the court regarding the setting of a further settlement conference. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 05/12/2015)</p>
05/14/2015	229	<p>EO: Status Conference Re-Settlement Offer set for 5/19/2015 at 10:30 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. The Status Conference was requested by Attorney Michelle Comeau.</p>

		<p>(MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/14/2015)</p>
05/18/2015	230	EO: Counsel-Louis Erteschik and Jennifer Patricio will be participating telephonically at the Status Conference Re-Settlement Offer set for 5/19/2015 before Magistrate Judge Kevin Chang. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 05/18/2015)
05/19/2015	231	EP:Status Conference-Re-Settlement Offer held on 5/19/2015.Discussion Held. Further Status Conference set for 6/2/2015 at 09:30 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 05/19/2015)
05/29/2015	232	CERTIFICATE OF SERVICE by R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), Hawaii Disability Rights Center, E.R. K. (<i>Re: Plaintiffs Notice of Taking Deposition Upon Oral Examination Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure; Exhibit A, dated May 29, 2015 re Designated Representative(s) of DEPARTMENT OF EDUCATION, STATE OF HAWAII, 6/24/15 at 9:00 a.m.</i>) (Comeau, Michelle) (Entered: 05/29/2015)
06/01/2015	233	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 06/01/2015)
06/02/2015	234	EP: Further Status Conference held on 6/2/2015. Discussion Held. Further Status Conference set for 6/16/2015 at 9:00 a.m. before Magistrate Judge Kevin Chang. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 06/03/2015)
06/15/2015	235	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 06/15/2015)
06/16/2015	236	EP: Further Status Conference held on 6/16/2015. Discussion Held.Further Status Conference set for 7/16/2015 at 09:00 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 06/16/2015)
06/23/2015	238	EO: Further Status Conference set for 6/25/2015 at 09:30 AM before

		<p>MAGISTRATE JUDGE KEVIN S.C. CHANG. Plaintiffs' Counsel Michelle N. Comeau requested the Further Status Conference. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/23/2015)</p>
06/24/2015	239	<p>STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 06/24/2015)</p>
06/25/2015	240	<p>EP: Further Status Conference held on 6/25/2015. Discussion Held.Further Status Conference set for 7/16/2015 at 9:00 a.m. before Magistrate Judge Kevin Chang. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 06/25/2015)</p>
06/25/2015		<p>Pursuant to 240 Further Status Conference held on 6/25/2015. Further Status Conference set for 7/16/2015 09:00 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (emt,) (Entered: 06/26/2015)</p>
07/15/2015	241	<p>STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 07/15/2015)</p>
07/16/2015	242	<p>EP: Further Status Conference held on 7/16/2015. Discussion Held.Further Status Conference set for 7/23/2015 at 09:15 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 07/16/2015)</p>
07/21/2015	243	<p>STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 07/21/2015)</p>
07/21/2015	244	<p>NOTICE of Appearance by Ryan W. Roylo on behalf of Department of Education, State of Hawai'i on behalf of Department of Education, State of Hawai'i. (Roylo, Ryan) (Entered: 07/21/2015)</p>
07/22/2015	245	<p>STATUS REPORT <i>Defendant's Status Report; Certificate of Service</i> by Department of Education, State of Hawai'i. (Siu, Carter) (Entered: 07/22/2015)</p>
07/23/2015	246	<p>EP: Further Status Conference held on 7/23/2015. Discussions Held. Further Status Conference set for 7/30/2015 at 09:30 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.)</p>

		(MAGISTRATE JUDGE KEVIN S.C. CHANG)(lfs,)No COS issued for this docket entry (Entered: 07/23/2015)
07/28/2015	247	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), Hawaii Disability Rights Center, E.R. K.. (Holland, Kristin) (Entered: 07/28/2015)
07/29/2015	248	STATUS REPORT <i>Defendant's Status Report; Certificate of Service</i> by Department of Education, State of Hawai'i. (Siu, Carter) (Entered: 07/29/2015)
07/30/2015	249	EP: Further Status Conference held on 7/30/2015. Discussions Held. Further Status Conference set for 8/6/2015 at 11:00 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lfs,)No COS issued for this docket entry (Entered: 07/30/2015)
08/04/2015	250	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Appendix A - Sept. 2014 List of Services, # 2 Appendix B - Charles Mueller CV)(Holland, Kristin) (Entered: 08/04/2015)
08/05/2015	251	STATUS REPORT <i>Defendant's Status Report; Certificate of Service</i> by Department of Education, State of Hawai'i. (Roylo, Ryan) (Entered: 08/05/2015)
08/05/2015	252	CERTIFICATE OF SERVICE by E.R. K. <i>Plaintiffs' Notice of Taking Continued Deposition Upon Oral Exam Pursuant to Rule 30(b)(6) FRCP</i> (Comeau, Michelle) (Entered: 08/05/2015)
08/06/2015	253	EP: Further Status Conference held on 8/6/2015.Discussions Held. Further Status Conference set for 8/13/2015 at 09:00 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lfs,)No COS issued for this docket entry (Entered: 08/06/2015)
08/11/2015	254	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Appendix A - Letter from DOE, # 2 Certificate of Service)(Comeau, Michelle) (Entered: 08/11/2015)
08/12/2015	255	STATUS REPORT <i>Defendant's Status Report; Certificate of Service</i> by Department of Education, State of Hawai'i. (Roylo, Ryan) (Entered: 08/12/2015)
08/13/2015	256	EP: Further Status Conference held on 8/13/2015. Discussions

		Held.Further Status Conference set for 8/20/2015 at 10:15 a.m. before Magistrate Judge Kevin Chang. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 08/13/2015)
08/13/2015		*** Status Conference set for 8/20/2015 10:15 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG pursuant to 256 . (emt,) Modified on 8/14/2015 (emt,). (Entered: 08/14/2015)
08/18/2015	257	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Appendix A - Projected Class Member Locations, # 2 Certificate of Service)(Comeau, Michelle) (Entered: 08/18/2015)
08/19/2015	258	STATUS REPORT by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 08/19/2015)
08/20/2015	259	EP:Further Status Conference held on 8/20/2015. Discussions held. Further Status Conference set for 8/27/2015 at 10:45 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 08/20/2015)
08/25/2015	260	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 08/25/2015)
08/26/2015	261	STATUS REPORT ; <i>Certificate of Service</i> by Department of Education, State of Hawai'i. (Siu, Carter) (Entered: 08/26/2015)
08/27/2015	262	EP:Further Status Conference held on 8/27/2015. Discussions Held.Further Status Conference set for 9/3/2015 at 9:00 a.m. before Magistrate Judge Kevin Chang. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 08/27/2015)
09/01/2015	263	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 09/01/2015)
09/02/2015	264	STATUS REPORT by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Siu, Carter) (Entered: 09/02/2015)
09/03/2015	265	EP: Further Status Conference - Discussion Held.Parties to submit

		simultaneous letter briefs, in accordance with local rules, re: the deposition of Debra Farmer by 4:00 p.m. 9/9/15.Court will allow parties to submit briefs in excess of 5 pages.A Further Status Conference is set for September 10, 2015 at 11:00 a.m. before Magistrate Judge Kevin Chang.Status Conference held on 9/3/2015. (Court Reporter No Record.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tbf,)No COS issued for this docket entry (Entered: 09/03/2015)
09/03/2015		*** Further Status Conference set for 9/10/2015 11:00 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (emt,) Modified on 9/4/2015 (emt,). (Entered: 09/04/2015)
09/08/2015	266	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 09/08/2015)
09/09/2015	267	STATUS REPORT ; <i>CERTIFICATE OF SERVICE</i> by Department of Education, State of Hawai'i. (Siu, Carter) (Entered: 09/09/2015)
09/10/2015		ADVISORY ENTRY. The entry docket number 267 Status Report filed by Department of Education, State of Hawai'i was filed incorrectly in this case. Please be advised that, because the document is signed "/s/ Ryan W. Roylo", his CM/ECF login should have been used to make entry. The filing party may refer to LR100.5.1., which states " The name of the CM/ECF user under whose login and password the document is being electronically filed must be preceded by "/s/" and typed in the space where the signature otherwise would appear (e.g. /s/ John or Jane Lawyer)." The filing party may resubmit the document, using the correct ECF login. (emt,) (Entered: 09/10/2015)
09/10/2015	268	STATUS REPORT by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 09/10/2015)
09/10/2015	269	EP: Further Status Conference held on 9/10/2015. Discussion Held. Further Status Conference set for 9/30/2015 at 11:00 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 09/11/2015)
09/28/2015	270	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 09/28/2015)
09/29/2015	271	STATUS REPORT ; <i>Certificate of Service</i> by Department of Education, State of Hawai'i. (Roylo, Ryan) (Entered: 09/29/2015)

09/30/2015	272	EP: Further Status Conference held on 9/30/2015. Discussion Held. Further Status Conference set for 10/8/2015 at 11:00 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 09/30/2015)
10/06/2015	273	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 10/06/2015)
10/07/2015	274	STATUS REPORT <i>Defendant's Status Report; Certificate of Service</i> by Department of Education, State of Hawai'i. (Roylo, Ryan) (Entered: 10/07/2015)
10/08/2015	275	EP: Further Status Conference held on 10/8/2015. Discussion Held. Further Status Conference set for 10/16/2015 at 10:00 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 10/08/2015)
10/14/2015	276	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Exhibit A - Proposal from Ward Research, # 2 Certificate of Service)(Comeau, Michelle) (Entered: 10/14/2015)
10/15/2015	277	STATUS REPORT <i>Defendant's Status Report; Certificate of Service</i> by Department of Education, State of Hawai'i. (Siu, Carter) (Entered: 10/15/2015)
10/16/2015	278	EP: Further Status Conference held on 10/16/2015. Discussion Held. Further Status Conference set for 10/22/2015 at 09:00 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 10/16/2015)
10/20/2015	279	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 10/20/2015)
10/21/2015	280	STATUS REPORT <i>Defendant's Status Report; Certificate of Service</i> by Department of Education, State of Hawai'i. (Siu, Carter) (Entered: 10/21/2015)
10/22/2015	281	EP: Further Status Conference held on 10/22/2015. Discussion Held. Further Status Conference set for 10/29/2015 at 09:00 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.)

		(MAGISTRATE JUDGE KEVIN S.C. CHANG)(lfs,)No COS issued for this docket entry (Entered: 10/22/2015)
10/27/2015	282	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 10/27/2015)
10/28/2015	283	STATUS REPORT <i>Defendant's Status Report; Certificate of Service</i> by Department of Education, State of Hawai'i. (Siu, Carter) (Entered: 10/28/2015)
10/29/2015	284	<p>EP: Further Status Conference held on 10/29/2015. Discussion Held. Next Status Conference set for 11/12/2015 at 9:00 a.m. before Magistrate Kevin Chang. Consistent with Judge Mollways Order filed on 8/22/2014, prior to the next scheduled status conference, counsel are directed to meet in person, confer and make a final effort to do the following (1) reach agreement with regard to identifying class members interested in participating and/or receiving compensatory education services or participating in a settlement of the pending lawsuit and (2) prepare a stipulation and list of class members which reflects the agreement, if any, reached by counsel. Counsel are further directed to meet, confer and make a reasonable good faith effort to reach agreement. If counsel are unable to reach an agreement, counsel are directed to prepare and file motions regarding identification of class members by 11/16/2015. The motions should include specific detailed information with regard to (1) costs and efforts made by all counsel and/or DOE to identify class members, including but not limited to, provision of names and last-known contact information of all individuals who might have been affected by the DOE's age cut calculation, (2) the results of services provided by Ward Research and Lexis and (3) efforts made by all counsel to identify interested class members. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lfs,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 10/29/2015)</p>
11/03/2015	285	Ex Parte MOTION to Seal Document <i>Exhibit A to Order Directing the Developmental Disabilities Division, State of Hawaii Department of Health to Release Records of Services</i> Michelle N. Comeau appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, E.R. K. (Attachments: # 1 Declaration of Michelle N. Comeau, # 2 Proposed Order, # 3 Certificate of Service)(Comeau, Michelle) (Entered: 11/03/2015)
11/09/2015	286	ORDER GRANTING PLAINTIFFS' EX PARTE MOTION TO FILE UNDER SEAL EXHIBIT A TO <i>ORDER DIRECTING THE</i>

		<p><i>DEVELOPMENTAL DISABILITIES DIVISION, STATE OF HAWAII DEPARTMENT OF HEALTH TO RELEASE RECORDS OF SERVICES re: 285 . Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 11/9/2015. (afc)</i></p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Service of Order made electronically via NEF. (Entered: 11/09/2015)</p>
11/09/2015	287	<p>ORDER DIRECTING THE DEVELOPMENTAL DISABILITIES DIVISION, STATE OF HAWAII DEPARTMENT OF HEALTH TO RELEASE RECORDS OF SERVICES. Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 11/9/2015. (afc)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Service of Order made electronically via NEF. (Entered: 11/09/2015)</p>
11/10/2015	288	<p>STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Exhibit 1: Chart of Known Class Members, # 2 Certificate of Service)(Comeau, Michelle) (Entered: 11/10/2015)</p>
11/10/2015	289	<p>STATUS REPORT <i>Defendant's Status Report; Certificate of Service</i> by Department of Education, State of Hawai'i. (Roylo, Ryan) (Entered: 11/10/2015)</p>
11/12/2015	290	<p>EP: Further Status Conference held on 11/12/2015. Discussion Held. Counsel will be filing their Motions. No Further Status Conference Date was given. Counsel will be notified by the Court as to the Hearing Date of the soon to be filed Motions. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 11/12/2015)</p>
11/16/2015	291	<p>EO: The Date of 11/16/2015 for Counsel to file Motions regarding Identification of Class Members has been extended to 11/30/2015. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 11/16/2015)</p>
11/20/2015	292	<p>Interim MOTION for Attorney Fees Kristin L. Holland appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, E.R. K. (Attachments: # 1 Memorandum in Support of Motion, # 2 Declaration of Paul Alston, # 3 Exhibit 1: Order re Motion for Award of Compensatory Education, # 4 Exhibit 2: Opinion, # 5 Exhibit 3: Order Attorneys' Fees, #</p>

		6 Exhibit 4: Summary of AHFI fees, # 7 Exhibit 5: AHFI fees by categories, # 8 Exhibit 6: 2014 Pacific Business News Book of Lists, # 9 Declaration of Jennifer Patricio, # 10 Declaration of Louis Erteschik, # 11 Declaration of Matthew C. Bassett, # 12 Exhibit 7: Summary of HDRC Fees, # 13 Exhibit 8: HDRC fees by categories, # 14 Certificate of Service)(Holland, Kristin) (Entered: 11/20/2015)
11/30/2015	293	MOTION Identification of Interested Class Members Michelle N. Comeau appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, E.R. K. (Attachments: # 1 Memorandum in Support of Motion, # 2 Certificate of Word Count, # 3 Declaration of Michelle N. Comeau, # 4 Exhibit 1: Order Certifying Class, # 5 Exhibit 2: Order re Compensatory Education, # 6 Exhibit 3: Decl. of P. Alston, # 7 Exhibit 4: Decl. of Debra Farmer, # 8 Exhibit 5: Listing of Names, # 9 Exhibit 6: New class members, # 10 Exhibit 7: List of 286 names, # 11 Exhibit 8: Invoices re mailing, # 12 Exhibit 9: Email to Snow re class members, # 13 Exhibit 10: Joint Call Center Script, # 14 Exhibit 11: Ward Research invoices, # 15 Exhibit 12: Email re Ward results, # 16 Exhibit 13: Ltr to DOE re breakdown, # 17 Exhibit 14: Lexis invoice, # 18 Exhibit 15: 9/4/15 Ward invoice, # 19 Exhibit 16: Email re Ward results, # 20 Exhibit 17: Roylo email re guardian contact info, # 21 Exhibit 18: D. Farmer depo, Vol. 2, # 22 Exhibit 19: 12/4/14 Ltr to DOE, # 23 Exhibit 20: Group Assessments, # 24 Exhibit 21: Email from Halawa Correctional, # 25 Exhibit 22: Services Matrix, # 26 Exhibit 23: Email re interested class members, # 27 Exhibit 24: DOE ltr re class members, # 28 Exhibit 25: Siu ltr re underage overage, # 29 Exhibit 26: Operation Search, # 30 Exhibit 27: FAPE letters, # 31 Exhibit 28: D. Farmer depo, Vol. 1, # 32 Certificate of Service)(Comeau, Michelle) (Entered: 11/30/2015)
11/30/2015	294	SUPPLEMENT [Declaration of Zachary M. Diionno] re 293 MOTION Identification of Interested Class Members filed by Hawaii Disability Rights Center, M. D., R. D., R. T. D., E.R. K. by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K. . (Attachments: # 1 Declaration of Zachary M. DiIonno, # 2 Declaration of Noreen Kanada, # 3 Declaration of B.C., # 4 Declaration of B.P., # 5 Declaration of C.N., # 6 Declaration of D.M., # 7 Declaration of D.P.K., # 8 Declaration of E.O., # 9 Declaration of I.P.K., # 10 Declaration of J.L., # 11 Declaration of J.M., # 12 Declaration of K.C., # 13 Declaration of M.Z., # 14 Declaration of N.L., # 15 Declaration of P.M., # 16 Declaration of R.B., # 17 Declaration of R.G., # 18 Declaration of S.M., # 19 Declaration of S.S., # 20 Declaration of T.M., # 21 Declaration of W.P., # 22 Certificate of Service)(Comeau, Michelle) Modified on 12/1/2015 (emt,). (Entered: 11/30/2015)
11/30/2015	295	Ex Parte MOTION to Seal Document 293 MOTION Identification of Interested Class Members (1) Exhibits 5, 6, 7, 19, 23, 24 and 25; and (2)

		<i>Declarations of Nineteen Class Members</i> Michelle N. Comeau appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, E.R. K. (Attachments: # 1 Declaration of Michelle N. Comeau, # 2 Proposed Order, # 3 Certificate of Service)(Comeau, Michelle) (Entered: 11/30/2015)
11/30/2015	297	Defendant's MOTION With Regard to Efforts in Identifying Class Members - Ryan W. Roylo, Carter K. Siu, Holly T. Shikada appearing for Defendant Department of Education, State of Hawai'i (Attachments: # 1 Memorandum in Support of Motion, # 2 Declaration of Carter K. Siu, # 3 Certificate of Service, # 4 Exhibit A, # 5 Exhibit B, # 6 Exhibit C, # 7 Exhibit D, # 8 Exhibit E, # 9 Exhibit F, # 10 Exhibit G, # 11 Exhibit H, # 12 Exhibit I, # 13 Exhibit J, # 14 Exhibit K, # 15 Exhibit L, # 16 Exhibit M, # 17 Exhibit N, # 18 Exhibit O, # 19 Certificate of Service)(emt,) (Entered: 12/01/2015)
12/01/2015	296	NOTICE of Hearing on Motion 293 MOTION Identification of Interested Class Members :. Motion Hearing set for 2/1/2016 09:45 AM before JUDGE SUSAN OKI MOLLWAY. (tbf,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 12/01/2015)
12/02/2015	299	EO: Plaintiffs' Motion re: Identification of Interested Class Members 293 set for 2/1/15 @ 9:45 a.m. SOM is taken off calendar. This motion will be rescheduled before Magistrate Judge Chang. (JUDGE SUSAN OKI MOLLWAY)(tbf,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/02/2015)
12/02/2015	300	EO: 293 Plaintiffs' MOTION Identification of Interested Class Members and 297 Defendant's MOTION With Regards to Efforts in Identifying Class Members set for Court Hearing on 1/15/2016 at 09:45 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/02/2015)
12/04/2015	301	STATEMENT of Consultation re 292 Interim MOTION for Attorney Fees ; <i>Certificate of Service</i> filed by N. B., C. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., C. K., E.R. K., B. P., M. P., R. P.-K.. (Holland, Kristin) (Entered: 12/04/2015)

12/09/2015	302	<p>EO: 293 Plaintiffs' MOTION Identification of Interested Class Members and 297 Defendant's MOTION With Regards to Efforts in Identifying Class Members set for Court Hearing on 1/15/2016 are hereby continued to 1/27/2016 at 09:30 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. Joint Request by Counsel to continue the present Court Hearing Date of 1/15/2016 is hereby Granted. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/09/2015)</p>
12/18/2015	303	<p>MEMORANDUM in Opposition re 292 Interim MOTION for Attorney Fees <i>Defendant's Memorandum in Opposition to Plaintiffs' Ex Parte Motion for Interim Attorneys' Fees filed November 20, 2015; Certificate of Service</i> filed by Department of Education, State of Hawai'i. (Roylo, Ryan) (Entered: 12/18/2015)</p>
12/22/2015	304	<p>ORDER GRANTING PLAINTIFFS' EX PARTE MOTION TO FILE UNDER SEAL: (1) EXHIBITS "5", "6", "7", "19", "23", "24," AND "25"; AND (2) DECLARATIONS OF NINETEEN CLASS MEMBERS, ATTACHED TO PLAINTIFFS' MOTION RE IDENTIFICATION OF INTERESTED CLASS MEMBERS, FILED 11/30/15 re 293 , 295 - Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 12/22/2015. (emt,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/22/2015)</p>
12/22/2015	305	<p><u>SEALED EXHIBITS:</u> Plaintiffs' Submission of Sealed EXHIBITS "5", "6", "7", "19", "23", "24", and "25"; and Declarations of Nineteen Class Members, Attached to Plaintiffs' Motion Re Identification of Interested Class Members, filed 11/30/15; Certificate of Service re 293 - filed by Plaintiffs <u>SEALED</u> pursuant to 304 Order Granting Motion to Seal (emt,) (Additional attachment(s) added on 12/23/2015: # 1 Exhibit 5, # 2 Exhibit 6, # 3 Exhibit 7, # 4 Exhibit 19, # 5 Exhibit 23, # 6 Exhibit 24, # 7 Exhibit 25, # 8 Declarations of Nineteen Class Members, # 9 Certificate of Service) (emt,). (Entered: 12/22/2015)</p>
12/23/2015	306	<p>Defendant's Ex Parte APPLICATION to File Exhibits "P"-"S" Under Seal to 297 Defendant's MOTION With Regards to Efforts in Identifying Class Members; ORDER Granting Defendant's Ex Parte Application to File Exhibits "P"-"S" Under Seal to Defendant's Motion With Regard to Efforts in Identifying Class Members - Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 12/22/2015. (Attachments: # 1 Declaration of Carter K. Siu, # 2 ORDER, # 3</p>

		<p>Certificate of Service)(emt,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/23/2015)</p>
12/23/2015	307	<p><u>SEALED EXHIBIT:</u> Defendant's EXHIBIT "P" (Re: 297 MOTION With Regard to Efforts in Identifying Class Members) - filed by Department of Education, State of Hawai'i. <u>SEALED</u> pursuant to 306 Order Granting Ex Parte Application to File Exhibits "P"-"S" Under Seal to Defendant's Motion With Regard to Efforts in Identifying Class Members (emt,) (emt,). (Entered: 12/23/2015)</p>
12/23/2015	308	<p><u>SEALED EXHIBIT:</u> Defendant's EXHIBIT "Q" (Re: 297 MOTION With Regard to Efforts in Identifying Class Members) - filed by Department of Education, State of Hawai'i. <u>SEALED</u> pursuant to 306 ORDER Granting Defendant's Ex Parte Application to File Exhibits "P"-"S" Under Seal to Defendant's Motion With Regard to Efforts in Identifying Class Members (emt,) (emt,). (Entered: 12/23/2015)</p>
12/23/2015	309	<p><u>SEALED EXHIBIT:</u> Defendant's EXHIBIT "R" (Re: 297 MOTION With Regard to Efforts in Identifying Class Members) - filed by Department of Education, State of Hawai'i. <u>SEALED</u> pursuant to ORDER Granting Defendant's Ex Parte Application to File Exhibits "P"-"S" Under Seal to Defendant's Motion With Regard to Efforts in Identifying Class Members (emt,) (Additional attachment(s) added on 12/28/2015: # 1 Pages R0101 - R0200, # 2 Pages R0201 - R0300, # 3 Pages R0301 - R0424) (emt,). (Entered: 12/23/2015)</p>
12/23/2015	310	<p><u>SEALED EXHIBIT:</u> Defendant's EXHIBIT "S" (Re: 297 MOTION With Regard to Efforts in Identifying Class Members) - filed by Department of Education, State of Hawai'i. <u>SEALED</u> pursuant to 306 ORDER Granting Defendant's Ex Parte Application to File Exhibits "P"-"S" Under Seal to Defendant's Motion With Regard to Efforts in Identifying Class Members</p> <hr/> <p><u>OVERSIZED EXHIBITS RETAINED</u> Modified on 12/28/2015 -- Exhibits are <u>NOT</u> imaged and are retained by the Clerk's Office. (emt,). (Entered: 12/23/2015)</p>
01/06/2016	311	<p>MEMORANDUM in Opposition re 293 MOTION Identification of Interested Class Members filed by Department of Education, State of</p>

		Hawai'i. (Attachments: # 1 Declaration of Carter Siu, # 2 Exhibit "A", # 3 Certificate of Service)(Siu, Carter) (Entered: 01/06/2016)
01/06/2016	312	MEMORANDUM in Opposition re 297 MOTION With Regard to Efforts in Identifying Class Members filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Word Count, # 2 Declaration of Michelle N. Comeau, # 3 Exhibit 29: 11/3/15 Alston letter to DOE, # 4 Exhibit 30: 10/26/15 Siu email to Comeau re list of 400 names, # 5 Exhibit 31: 6/18/15 Siu letter and Comeau email, # 6 Exhibit 32: 9/4/15 Siu email re amount spent on assessments, # 7 Certificate of Service)(Comeau, Michelle) (Entered: 01/06/2016)
01/07/2016	313	Errata re 311 Memorandum in Opposition to Motion, <i>Errata as to [DOC 311] Defendant's Memorandum in Opposition to Plaintiffs' Motion re Identification of Interested CLass Members [DOC No. 293]; Declaration of Carter K.Siu; Exhibit "A"; Certificate of Service filed January 6, 2016; Certificate of Service.</i> (Attachments: # 1 Declaration Carter K. Siu, # 2 Exhibit "A")(Siu, Carter) (Entered: 01/07/2016)
01/07/2016	314	REPLY to Response to Motion re 292 Interim MOTION for Attorney Fees filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Supplemental Declaration of Paul Alston, # 2 Exhibit 9: 9/25/13 Declaration of Jason H. Kim, # 3 Supplemental Declaration of Jennifer V. Patricio, # 4 Certificate of Service)(Comeau, Michelle) (Entered: 01/07/2016)
01/11/2016	315	Errata re 297 MOTION With Regard to Efforts in Identifying Class Members <i>Errata Re: [DOC No. 297] Defendant's Motion with Regard to Efforts in Identifying Class Members; Memorandum in Suppot of Motion; Declaration of Carter K. Siu; Exhibits "A" - "S"; Certificate of Service filed November 30, 2015; Certificate of Service.</i> (Siu, Carter) (Entered: 01/11/2016)
01/11/2016	316	FINDINGS AND RECOMMENDATION TO DENY WITHOUT PREJUDICE PLAINTIFFS' INTERIM MOTION FOR ATTORNEYS' FEES re 292 - Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 1/11/2016. (emt,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 01/11/2016)
01/13/2016	317	REPLY re 312 Memorandum in Opposition to Motion,, <i>Defendant's Reply Memorandum in Support of Motion with Regard to Efforts in Identifying</i>

		<p><i>Class Members [ECF No. 297]; Declaration of Debra Farmer; Certificate of Service</i> filed by Department of Education, State of Hawai'i. (Attachments: # 1 Declaration Debra Farmer, # 2 Certificate of Service)(Siu, Carter) (Entered: 01/13/2016)</p>
01/13/2016	318	<p>EO: 293 Plaintiffs' MOTION Identification of Interested Class Members and 297 Defendant's MOTION With Regard to Efforts in Identifying Class Members set for 1/27/2016 is hereby continued to 1/28/2016 at 09:30 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. This is a Court Ordered Continuance. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 01/13/2016)</p>
01/13/2016	319	<p>EO: [ECF No. 318] is hereby Terminated. [ECF Nos. 293 and 297] Plaintiffs' Motion Identification of Interested Class Members and Defendant's Motion with Regards to Efforts in Identifying Class Members Court Hearing will not take place on 1/27/2016 or 1/28/2016. Counsel will be notified as to a new hearing date as to these two Motions.. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 01/13/2016)</p>
01/13/2016	320	<p>REPLY to Response to Motion re 293 MOTION Identification of Interested Class Members filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Word Count, # 2 Declaration of W.P., # 3 Certificate of Service)(Comeau, Michelle) (Entered: 01/13/2016)</p>
01/13/2016	321	<p>EO: 293 Plaintiffs' MOTION Identification of Interested Class Members and 297 Defendant's MOTION With Regard to Efforts in Identifying Class Members set for Court Hearing on 1/27/2016 at 01:30 PM before MAGISTRATE JUDGE KEVIN S.C. CHANG. Please Note-The Court Hearing on these Two Motions' was previously set for 1/27/2016 at 9:30 a.m. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 01/13/2016)</p>
01/13/2016	322	<p>Ex Parte MOTION to Seal Document 320 Reply to Response to Motion, - <i>Declaration of W.P. Michelle N. Comeau</i> appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, E.R. K. (Attachments: # 1 Declaration of Michelle N. Comeau, # 2 Proposed Order, # 3 Certificate</p>

		of Service)(Comeau, Michelle) (Entered: 01/13/2016)
01/15/2016	323	<p>ORDER GRANTING PLAINTIFFS' EX PARTE MOTION TO FILE UNDER SEAL THE DECLARATION OF W. P. TO PLAINTIFFS' REPLY MEMORANDUM IN SUPPORT OF 293 MOTION RE IDENTIFICATION OF INTERESTED CLASS MEMBERS, FILED 11/30/15 re 322 - Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 1/15/2016. (emt,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 01/15/2016)</p>
01/15/2016	324	<p><u>SEALED DOCUMENT:</u> Submission of DECLARATION of W. P. to 320 Plaintiffs' Reply Memorandum in Support of 293 MOTION Re: Identification of Interested Class Members, filed 11/30/15; Certificate of Service - submitted by Plaintiffs <u>SEALED</u> pursuant to 323 Order filed 1/15/2016 (emt,) (emt,). (Entered: 01/15/2016)</p>
01/27/2016	325	<p>EO: RE: TODAY'S COURT HEARING-January 27, 2016 will take place at 1:45 p.m. before Magistrate Judge Kevin Chang and not 1:30 p.m.-Re-293 Plaintiffs' MOTION Identification of Interested Class Members and 297 Defendant's MOTION With Regard to Efforts in Identifying Class Members. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 01/27/2016)</p>
01/27/2016	326	<p>EP:Motions' Hearing held on 1/27/2016- Plaintiffs' Motion for Identification of Interested Class Members [ECF No. 293] and Defendant's Motion with Regards to Efforts in Identifying Class Members [ECF No. 297] Discussion Held. Plaintiffs' Counsel is to submit an Updated Exhibit 23 by 2/1/2016. Defendant's Counsel to file a reply to the Updated Exhibit 23 by 2/10/2016. The Court took this matter under submission and will issue a written order. (Court Reporter FTR-C5-1:48:19-2:34:37.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 01/27/2016)</p>
01/28/2016	327	<p>OBJECTION re 316 FINDINGS AND RECOMMENDATIONS re 292 Interim MOTION for Attorney Fees filed by Hawaii Disability Rights Center, M. D., R. D., R. T. D., E.R. K. filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Declaration of Paul Alston, # 2 Declaration of Louis Erteschik, # 3 Exhibit 1 - Findings and Recommendation (316), # 4 Exhibit 2 - 4/24/15 Order re attorneys' fees, # 5 Certificate of</p>

		Service)(Comeau, Michelle) Modified on 1/29/2016 to reflect as a pending motion (emt,). (Entered: 01/28/2016)
01/29/2016	328	<p>NOTICE of Hearing on Motion 327 Plaintiffs' OBJECTIONS to 316 Magistrate Judge's Findings and Recommendation to Deny Without Prejudice Plaintiffs' Interim Motion for Attorneys' Fees :. Motion Hearing set for 3/8/2016 09:00 AM before JUDGE SUSAN OKI MOLLWAY. (tb,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 01/29/2016)</p>
02/01/2016	329	<p>EO: Defendant's brief relating to fees remains due 14 days from the filing of the objection notwithstanding the setting of a hearing date. No reply brief is allowed. re 327 Plaintiffs' OBJECTIONS to 316 Magistrate Judge's Findings and Recommendation to Deny Without Prejudice Plaintiffs' Interim Motion for Attorneys' Fees. (JUDGE SUSAN OKI MOLLWAY)(tb,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 02/01/2016)</p>
02/01/2016	330	<p><u>SEALED EXHIBIT:</u> Plaintiffs' Submission of SEALED <u>UPDATED EXHIBIT 23</u> in Support of 293 Plaintiffs' MOTION Re Identification of Interested Class Members ,filed 11/30/15; Exhibit 23; Certificate of Service - filed by Plaintiffs related documents: <u>SEALED pursuant to 304 Order;</u> 326 Minutes re: hearing on Plaintiffs' Motion for Identification of Interested Class Members and Defendant's Motion with Regards to Efforts inIdentifying Class Members held on 1/27/2016. (emt,) (emt,). (Entered: 02/02/2016)</p>
02/02/2016	331	<p>Plaintiffs' MOTION <i>for Order (1) Holding Defendant Department of Education in Civil Contempt for Violation of the 187 Order for Award of Compensatory Education Entered on August 22, 2014, (2) Imposing Sanctions, Including Appointment of a Special Master</i> Michelle N. Comeau appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, E.R. K. (Attachments: # 1 Memorandum in Support of Motion, # 2 Declaration of Michelle N. Comeau, # 3 Exhibit 1 Olelo broadcast, # 4 Exhibit 2 Excerpts of D. Farmer depositions, # 5 Exhibit 3 Assessment Report, # 6 Exhibit 4 9/4/15 email from C. Siu, # 7 Exhibit 5 Order re Compensatory Education, # 8 Exhibit 6 Status Reports, # 9 Exhibit 7 Rule 30(b)(6) deposition notice, # 10 Exhibit 8 Excerpts (297) DOE Motion, # 11 Exhibit 9 Excerpts (311) DOE Opposition, # 12 Exhibit 10 4/24/15 Ltr from K. Kuwabe re Assessors and Settlement, # 13 Exhibit 11 12/31/15 M. Comeau email to DOE, # 14 Exhibit 12 11/3/15 P. Alston</p>

		Ltr to DOE, # 15 Exhibit 13 Undisputed List, # 16 Exhibit 14 DOE Ex. M (297-16) re Efforts, # 17 Exhibit 15 Service Matrix, # 18 Certificate of Service)(Comeau, Michelle) Modified on 2/3/2016 (emt,). (Entered: 02/02/2016)
02/03/2016	332	<u>SEALED EXHIBIT:</u> Submission of <u>EXHIBIT A</u> to 287 <i>Order Directing the Developmental Disabilities Division, State of Hawaii Department of Health to Release Records of Services</i> ; Certificate of Service - by Plaintiffs <u>SEALED</u> pursuant to 286 <i>Order Granting Motion to Seal</i> (emt,) (emt,). (Entered: 02/03/2016)
02/03/2016	333	EXHIBIT 1 (DVD -- Ololo broadcast) to 331 Plaintiffs' MOTION for Order (1) Holding Defendant Department of Education in Civil Contempt for Violation of the 187 Order for Award of Compensatory Education Entered on August 22, 2014, (2) Imposing Civil Sanctions, Including Appointment of a Special Master - filed by Plaintiffs <u>RETAINED</u> (emt,) (Entered: 02/03/2016)
02/04/2016	334	NOTICE of Hearing on Motion 331 Plaintiffs' MOTION for Order (1) Holding Defendant Department of Education in Civil Contempt for Violation of the 187 Order for Award of Compensatory Education Entered on August 22, 20. Motion Hearing date has been set for 5/3/2016 at 10:30 AM before JUDGE SUSAN OKI MOLLWAY. (tl,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 02/04/2016)
02/10/2016	335	OBJECTION re 330 Additional Exhibits,, <i>Defendant's Objections to Amended Exhibit 23, filed Under Seal on February 1, 2016; Exhibits "T" - "X"; Declaration of Carter K. Siu; Declaration of Debra Farmer; Certificate of Service</i> filed by Department of Education, State of Hawai'i. (Attachments: # 1 Exhibit "T", # 2 Exhibit "X", # 3 Declaration Carter K. Siu, # 4 Declaration Debra Farmer, # 5 Certificate of Service)(Siu, Carter) (Entered: 02/10/2016)
02/10/2016	336	EX PARTE Application <i>Defendant's Ex Parte Application to File Exhibits "U" - "W" Under Seal to Defendant's Objections to Amended Exhibit 23, filed Under Seal on February 1, 2016; Declaration of Carter K. Siu; Order Granting Defendant's Ex Parte Application to File Exhibits "U" - "W" Under Seal to Defendant's Objections to Amended Exhibit 23, filed Under Seal on February 1, 2016; Certifcate of Service</i> Carter K. Siu appearing for Defendant Department of Education, State of Hawai'i (Attachments: # 1 Declaration Carter K. Siu, # 2 Main Document Order Granting Defendant's Ex Parte Application to File Exhibits "U"-"W" Under Seal to Defendant's Objections to Amended Exhibit 23, filed Under Seal on February 1, 2016, # 3 Certificate of Service)(Siu, Carter) (Entered: 02/10/2016)

		02/10/2016)
02/11/2016		ADVISORY ENTRY. Please be advised that the Certificate of Service attached to 336 Defendant's Ex Parte Application to File Exhibits "U" - "W" Under Seal filed by Department of Education, State of Hawai'i reflects that service was made electronically, through CM/ECF. Because this document was filed using a docketing event from the "Ex Parte Filings" category, viewing of this Ex Parte Application is restricted to the court and filing party. The filing party may wish to file an Amended Certificate of Service. (emt,) (Entered: 02/11/2016)
02/11/2016	337	ORDER GRANTING DEFENDANT'S EX PARTE APPLICATION TO FILE EXHIBITS "U" - "W" UNDER SEAL TO DEFENDANT'S OBJECTIONS TO AMENDED EXHIBIT 23, FILED UNDER SEAL ON FEBRUARY 1, 2016 re 336 - Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 2/11/2016. (emt,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 02/11/2016)
02/11/2016	338	SEALED EXHIBITS: Defendant's EXHIBITS "U" - "W" to 335 Defendant's Objections to Amended Exhibit 23, filed Under Seal on February 1, 2016 - filed by Department of Education, State of Hawai'i. SEALED pursuant to 337 ORDER GRANTING DEFENDANT'S EX PARTE APPLICATION TO FILE EXHIBITS "U" - "W" UNDER SEAL TO DEFENDANT'S OBJECTIONS TO AMENDED EXHIBIT 23, FILED UNDER SEAL ON FEBRUARY 1, 2016 (emt,) (Additional attachment(s) added on 2/11/2016: # 1 Exhibit "U", # 2 Exhibit "V", # 3 Exhibit "W") (emt,). Modified on 2/11/2016 RETAINED: poor image quality as to Exhibits "V" and "W" (emt,). (Entered: 02/11/2016)
02/11/2016	339	AMENDED CERTIFICATE OF SERVICE of Counsel re [DOC No. ECF 336] Defendant's Ex Parte Application to File Exhibits "U" - "W" Under Seal to Defendant's Objections to Amended Exhibit 23, filed Under Seal on February 1, 2016; Declaration of Carter K. Siu; Order Granting Defendant's Ex Parte Application to File Exhibits "U" - "W" Under Seal to Defendant's Objections to Amended Exhibit 23, filed Under Seal on February 1, 2016; Certificate of Service, Filed February 10, 2016 re Advisory Entry - filed by Department of Education, State of Hawaii . (Siu, Carter) Modified on 2/12/2016 (emt,). (Entered: 02/11/2016)
02/11/2016	340	MEMORANDUM in Opposition re 327 Plaintiffs' OBJECTIONS to 316 Magistrate Judge's Findings and Recommendation to Deny Without Prejudice Plaintiffs' Interim Motion for Attorneys' Fees <i>Defendant's</i>

		<p><i>Memorandum in Opposition to 327 Plaintiffs' Objections to Magistrate Judge's Findings and Recommendation to Deny Without Prejudice Plaintiffs' Interim Motion for Attorneys' Fees Filed January 28, 2016; Declaration of Ryan W. Roylo; Exhibit "A"; Certificate of Service</i> filed by Department of Education, State of Hawai'i. (Attachments: # 1 Declaration Ryan W. Roylo, # 2 Exhibit "A", # 3 Certificate of Service)(Roylo, Ryan) (Entered: 02/11/2016)</p>
02/17/2016	341	<p>EO: Status Conference set for 2/26/2016 at 10:00 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. This is a Court Ordered Status Conference. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 02/17/2016)</p>
02/18/2016	342	<p>ORDER GRANTING IN PAR AND DENYING IN PART 1) DEFENDANT'S MOTION WITH REGARD TO EFFORTS IN IDENTIFYING CLASS MEMBERS AND 2) PLAINTIFFS' MOTION RE IDENTIFICATION OF CLASS MEMBERS re 293 , 297 - Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 2/18/2016. "The class is hereby closed. No further efforts shall be undertaken to identify or contact potential class members. The Court orders the release of the class members' educational records to Plaintiffs' counsel." (emt,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 02/18/2016)</p>
02/24/2016	343	<p>STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Exhibit A - Civil Beat Article, # 2 Exhibit B - Olelo broadcast, # 3 Certificate of Service)(Comeau, Michelle) (Entered: 02/24/2016)</p>
02/26/2016	344	<p>EP: Status Conference held on 2/26/2016. Discussion Held on various matters including the appointment of a Special Master. Further Status Conference set for 3/11/2016 at 10:00 a.m. before Magistrate Judge Kevin Chang. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 02/26/2016)</p>
03/01/2016	345	<p>ORDER ADOPTING IN PART AND MODIFYING IN PART MAGISTRATE JUDGE ORDER DENYING REQUEST FOR INTERIM ATTORNEYS' FEES re 316 , 327 - Signed by JUDGE SUSAN OKI MOLLWAY on 3/1/2016. (emt,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p>

		Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 03/01/2016)
03/07/2016	346	APPEAL OF MAGISTRATE JUDGE'S ORDER 342 Granting in Part and Denying in Part 1) Defendant's Motion With Regard to Efforts in Identifying Class Members and 2) Plaintiffs' Motion Re Identification of Class Members; or, in the Alternative , MOTION to Modify the Court's August 14, 2014 Order by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K. (Attachments: # 1 Certificate of Word Count, # 2 Declaration of Michelle N. Comeau, # 3 Exhibit 1 - 6/2/15 to 6/5/15 emails, # 4 Exhibit 2 - 1/22/16 Ayala email to Comeau, # 5 Exhibit 3 - 6/16/15 Comeau email to Kuwabe, # 6 Exhibit 4 - 11/3/15 Comeau email to Molnar, # 7 Certificate of Service)(Comeau, Michelle) Modified on 3/8/2016 (emt,). (Entered: 03/07/2016)
03/08/2016	347	NOTICE of Hearing on Motion 346 APPEAL OF MAGISTRATE JUDGE DECISION to District Court by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K. re 342 Order on Moti :. Motion Hearing set for 5/3/2016 10:30 AM before JUDGE SUSAN OKI MOLLWAY. (tb,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 03/08/2016)
03/08/2016	348	EO: Although the latest appeal from a Magistrate Judge's order has been set for hearing, briefing shall proceed on the schedule for nonhearing matters. A reply brief may be filed on the nonhearing schedule set forth in this court's local rules. re 346 APPEAL OF MAGISTRATE JUDGE DECISION to District Court by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K. re 342 Order on Moti. (JUDGE SUSAN OKI MOLLWAY)(tb,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 03/08/2016)
03/08/2016	349	EO: Further Status Conference set for 3/11/2016 is hereby continued to 4/14/2016 at 09:30 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. A Joint Request by Counsel may advance this Further Status Conference to a date sooner than 4/14/2016. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,) <hr/> CERTIFICATE OF SERVICE

		Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 03/08/2016)
03/11/2016	350	CERTIFICATE OF SERVICE by E.R. K. <i>re Plaintiffs' Notice of Issuance of Subpoena to Produce Documents</i> (Comeau, Michelle) (Entered: 03/11/2016)
03/16/2016	351	Return of Service on Subpoena Department of Health was served on 03/11/2016 (Comeau, Michelle) (Entered: 03/16/2016)
03/16/2016	352	Return of Service on Subpoena Department of Human Services was served on 03/11/2016 (Comeau, Michelle) (Entered: 03/16/2016)
03/24/2016	353	MOTION to Quash <i>Subpoena</i> Candace J. Park appearing for Custodian Department of Human Service, State of Hawaii (Attachments: # 1 Memorandum Memorandum in Support of Motion to Quash Subpoena, # 2 Declaration Declaration of Candace J. Park, # 3 Certificate of Service)(Park, Candace) (Entered: 03/24/2016)
03/30/2016	354	EO: 353 Custodian Department of Human Service, State of Hawaii's MOTION to Quash <i>Subpoena set for Court Hearing on 5/13/2016 at 09:30 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG.</i> (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 03/30/2016)
03/31/2016	355	REPLY re 346 APPEAL OF MAGISTRATE JUDGE DECISION to District Court by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K. re 342 Order on Moti filed by R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Declaration of Michelle N. Comeau, # 2 Exhibit 5 - 3/11/16 Siu Ltr, # 3 Exhibit 6 - 3/24/16 Comeau Ltr, # 4 Exhibit 7 - 3/30/16 Siu Ltr, # 5 Certificate of Service)(Comeau, Michelle) (Entered: 03/31/2016)
04/01/2016	356	EX PARTE Motion <i>Defendant's Ex Parte Motion to Enlarge Time to File Opposition to Plaintiffs' Appeal of Magistrate Judge's Order Granting in Part and Denying in Part 1) Defendant's Motion with Regard to Efforts in Identifying Class Members and 2) Plaintiffs' Motion re Identification of Class Members [ECF No. 342]; or in the Alternative to Modify the Court's Order; Declaration of Carter K. Siu; Exhibit "A"; Order Granting Defendant's Ex Parte Motion to File Opposition to Motion to Strike Plaintiffs' Appeal of Magistrate Judge's Order Granting in Part and Denying in Part 1) Defendant's Motion with Regard to Efforts in</i>

		<p><i>Identifying Class Members and 2) Plaintiffs' Motion re Identification of Class Members [ECF o. 342] or in the Alternative to Modify the Court's Order; Certificate of Service</i> Carter K. Siu appearing for Defendant Department of Education, State of Hawai'i (Attachments: # 1 Declaration Carter K. Siu, # 2 Exhibit "A", # 3 Main Document Order Granting Defendant's Ex Parte to File Opposition to Motion to Strike Plaintiffs' Appeal of Magistrate Judge's Order Granting in Part and Denying in Part 1) Defendant's Motion with Regard to Efforts in Identifying Class Members and 2) Plaintiffs' Motion re Identification of CLass Members [ECF No. 342]; or in the Alternative to Modify the Court's Order, # 4 Certificate of Service)(Siu, Carter) (Entered: 04/01/2016)</p>
04/01/2016	357	<p>EO: On April 1, 2016, Defendant Department of Education, State of Hawaii, filed an ex parte motion to allow the late filing of an opposition to Plaintiffs' appeal of a Magistrate Judge order of February 18, 2016, explaining that Defendant's counsel had not written the correct deadline in his calendar. Defendant seeks to file the attached opposition and supporting papers later today. That request is granted. Plaintiffs may file a reply in support of their appeal no later than 9 a.m. on Monday, April 11, 2016.</p> <p>granting 356 Ex Parte Motion. (JUDGE SUSAN OKI MOLLWAY)(tbf,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/01/2016)</p>
04/01/2016	358	<p>MEMORANDUM in Opposition <i>TO PLAINTIFFS' APPEAL OF MAGISTRATE JUDGE'S ORDER GRANTING IN PART AND DENYING IN PART 1) DEFENDANTS MOTION WITH REGARD TO EFFORTS IN IDENTIFYING CLASS MEMBERS AND 2) PLAINTIFFS MOTION RE IDENTIFICATION OF CLASS MEMBERS; OR IN THE ALTERNATIVE TO MODIFY THE COURTS ORDER; CERTIFICATE OF SERVICE</i> filed by Department of Education, State of Hawai'i. (Siu, Carter) (Entered: 04/01/2016)</p>
04/11/2016	359	<p>REPLY to Response to Motion re 346 APPEAL OF MAGISTRATE JUDGE DECISION to District Court by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K. re 342 Order on Moti filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Word Count, # 2 Certificate of Service)(Comeau, Michelle) (Entered: 04/11/2016)</p>
04/12/2016	360	<p>STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1</p>

		Certificate of Service)(Comeau, Michelle) (Entered: 04/12/2016)
04/12/2016	361	MEMORANDUM in Opposition re 331 Plaintiffs' MOTION for Order (1) Holding Defendant Department of Education in Civil Contempt for Violation of the 187 Order for Award of Compensatory Education Entered on August 22, 20 Defendant's Memorandum in Opposition to 331 Plaintiffs' Motion for Order (1) Holding Defendant Department of Education in Civil Contempt for Violation of the 187 Order for Award of Compensatory Education Entered on August 22, 2014, (2) Imposing Civil Sanctions, Including Appointment of Special Master; Exhibits "A" - "G"; Certificate of Service filed by Department of Education, State of Hawai'i. (Attachments: # 1 Exhibit "A", # 2 Exhibit "B", # 3 Exhibit "C", # 4 Exhibit "D", # 5 Exhibit "E", # 6 Exhibit "F", # 7 Exhibit "G", # 8 Certificate of Service)(Siu, Carter) (Entered: 04/12/2016)
04/13/2016	362	STATUS REPORT Defendant's Status Report; Certificate of Service by Department of Education, State of Hawai'i. (Siu, Carter) (Entered: 04/13/2016)
04/14/2016	363	EP: Further Status Conference held on 4/14/2016. Discussion Held. Further Status Conference set for 4/27/2016 at 09:30 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 04/14/2016)
04/19/2016	364	REPLY to Response to Motion re 331 Plaintiffs' MOTION for Order (1) Holding Defendant Department of Education in Civil Contempt for Violation of the 187 Order for Award of Compensatory Education Entered on August 22, 20 filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Word Count, # 2 Declaration of Michelle N. Comeau, # 3 Declaration of Zachary M. DiIunno, # 4 Declaration of Rebecca Ward, # 5 Exhibit 16 - Letters with Defendant, # 6 Certificate of Service)(Comeau, Michelle) (Entered: 04/19/2016)
04/20/2016	365	Ex Parte MOTION to Seal Document Exhibit "A" to Order Directing the Developmental Disabilities Division, State of Hawaii Department of Health Services to Release Records of Services Michelle N. Comeau appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, E.R. K. (Attachments: # 1 Declaration of Michelle N. Comeau, # 2 Proposed Order, # 3 Certificate of Service)(Comeau, Michelle) (Entered: 04/20/2016)
04/22/2016	366	Ex Parte MOTION to Seal Document Exhibit "A" to Order Directing the Division of Vocational Rehabilitation, State of Hawaii Department of Human Services, to Release Records of Services Michelle N. Comeau appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights

		Center, E.R. K. (Attachments: # 1 Declaration of Michelle N. Comeau, # 2 Proposed Order, # 3 Certificate of Service)(Comeau, Michelle) (Entered: 04/22/2016)
04/22/2016	367	MEMORANDUM in Opposition re 353 MOTION to Quash <i>Subpoena</i> filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 04/22/2016)
04/25/2016	368	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 04/25/2016)
04/26/2016	369	STATUS REPORT <i>Defendant's Status Report; Exhibit "A"; Certificate of Service</i> by Department of Education, State of Hawai'i. (Attachments: # 1 Exhibit "A", # 2 Certificate of Service)(Siu, Carter) (Entered: 04/26/2016)
04/27/2016	370	EP: Further Status Conference held on 4/27/2016. Discussion Held.Further Status Conference set for 5/10/2016 at 10:00 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 04/27/2016)
04/29/2016	371	<p>ORDER GRANTING PLAINTIFFS' EX PARTE MOTION TO FILE UNDER SEAL EXHIBIT "A" TO <i>ORDER DIRECTING THE DEVELOPMENTAL DISABILITIES DIVISION, STATE OF HAWAII DEPARTMENT OF HEALTH TO RELEASE RECORDS OF SERVICES</i>. Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 4/29/2016. (afc) re: 365</p> <p>"Exhibit 'A' will be submitted to the Court in a sealed envelope and kept confidential."</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/29/2016)</p>
04/29/2016	372	<p>ORDER GRANTING PLAINTIFFS' EX PARTE MOTION TO FILE UNDER SEAL EXHIBIT "A" TO <i>ORDER DIRECTING THE DIVISION OF VOCATIONAL REHABILITATION, STATE OF HAWAII DEPARTMENT OF HUMAN SERVICES TO RELEASE RECORDS OF SERVICES</i>. Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 4/29/2016. (afc) re: 366</p> <p>"Exhibit 'A' will be submitted to the Court in a sealed envelope and kept</p>

		<p>confidential."</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/29/2016)</p>
05/03/2016	373	<p>ORDER DIRECTING THE DIVISION OF VOCATIONAL REHABILITATION, STATE OF HAWAII DEPARTMENT OF HUMAN SERVICES TO RELEASE RECORDS OF SERVICES. Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 5/3/2016. (afc)</p> <p><i>Excerpt of order:</i> "In accordance with HRS § 346-10(a)(11), the DVR [Division of Vocational Rehabilitation] shall disclose records of services relating to Class Members to the court for in camera review. The confidential records to be disclosed under this order include the records sought by the Subpoena, regarding the Class Members named in Exhibit "A." After the Court has conducted an in camera review of the records, the Court will order disclosure as it sees fit.</p> <p>The list of Class Members set forth in Exhibit "A" shall be filed under seal."</p> <p>STAFF NOTATION: The Exhibit "A" as referenced in the instant order is <u>filed under seal</u>. <i>Order granting leave to seal Exhibit "A": docket entry no. 372.</i></p> <p><i>Docket text entry modified on 5/4/2016:</i> SEALED Exhibit "A": docket entry no. 376 (afc).</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/03/2016)</p>
05/03/2016	374	<p>ORDER DIRECTING THE DEVELOPMENTAL DISABILITIES DIVISION, STATE OF HAWAII DEPARTMENT OF HEALTH TO RELEASE RECORDS OF SERVICES. Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 5/3/2016. (afc)</p> <p><i>Excerpt of order:</i> "DDD [Developmental Disabilities Division, State of Hawaii Department of Health] shall disclose PHI [protected health information] relating to Class Members to the Parties counsel and the court....</p> <p>The list of Class Members set forth in Exhibit "A" shall be filed under seal."</p> <p>STAFF NOTATION: The Exhibit "A" as referenced in the instant order is <u>filed under seal</u>. <i>Order granting leave to seal Exhibit "A": docket entry no. 371.</i></p> <p><i>Docket text entry modified on 5/4/2016:</i> SEALED Exhibit "A": docket entry no. 377 (afc).</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/03/2016)</p>

05/03/2016	375	<p>EP: Plaintiffs' MOTION for Order (1) Holding Defendant Department of Education in Civil Contempt for Violation of the 187 Order for Award of Compensatory Education Entered on August 22, 2014 331 and</p> <p>Plaintiffs' Appeal of Magistrate Judge's Order Granting in Part and Denying in Part 1) Defendant's Motion With Regard to Efforts in Identifying Class Members and 2) Plaintiffs' Motion Re Identification of Class Members [ECF No. 342]; or, in the Alternative, Motion to Modify the Court's 8/14/14 Order 346 -</p> <p>Arguments.</p> <p>Plaintiffs' Appeal of Magistrate Judge's Order Granting in Part and Denying in Part 1) Defendant's Motion With Regard to Efforts in Identifying Class Members and 2) Plaintiffs' Motion Re Identification of Class Members [ECF No. 342]; or, in the Alternative, Motion to Modify the Court's 8/14/14 Order 346 -</p> <p>Mr. Alston to contact the agencies to inquire, hypothetically, if they received an order from the Court requiring them to provide the most current addresses and phone numbers of a list of 1,000 people, how long would that take to get the information, and what would be the cost?</p> <p>Mr. Alston to file a memo by 5/13/16.</p> <p>Mr. Siu to review the memo.</p> <p>A Telephone Conference is set for 5/18/16 @ 9:00 a.m.</p> <p>Plaintiffs' MOTION for Order (1) Holding Defendant Department of Education in Civil Contempt for Violation of the 187 Order for Award of Compensatory Education Entered on August 22, 2014 331 -</p> <p>This motion to be discussed further at the telephone conference.</p> <p>Motion Hearing held on 5/3/2016 re 346 APPEAL OF MAGISTRATE JUDGE DECISION to District Court by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K. re 342 Order on Moti filed by Hawaii Disability Rights Center, M. D., R. D., R. T. D., E.R. K., 331 Plaintiffs' MOTION for Order (1) Holding Defendant Department of Education in Civil Contempt for Violation of the 187 Order for Award of Compensatory Education Entered on August 22, 20 filed by Hawaii Disability Rights Center, M. D., R. D., R. T. D., E.R. K.. Status Conference set for 5/18/2016 09:00 AM in Chambers of Susan Oki Mollway before JUDGE SUSAN OKI MOLLWAY. (Court Reporter Debra</p>
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		<i>Chun.) (JUDGE SUSAN OKI MOLLWAY)(tbj,)No COS issued for this docket entry (Entered: 05/03/2016)</i>
05/03/2016	376	EXHIBIT "A" to 373 the "Order Directing the Division of Vocational Rehabilitation, State of Hawaii Department of Human Services to Release Records of Services" (SEALED) (afc) (Entered: 05/04/2016)
05/03/2016	377	EXHIBIT "A" to 374 the "Order Directing the Developmental Disabilities Division, State of Hawaii, Department of Health to Release Records of Services" (SEALED) (afc) (Entered: 05/04/2016)
05/05/2016	378	First MOTION to WITHDRAWAL re 353 Department of Human Services, Division of Vocational Rehabilitation's MOTION to Quash <i>Subpoena</i> Candace J. Park appearing for Interested Party Department of Human Service, State of Hawaii (Attachments: # 1 Certificate of Service Certificate of Service)(Park, Candace) Modified on 5/6/2016 (emt,). (Entered: 05/05/2016)
05/05/2016	379	EO: Further Status Conference set for 5/10/2016 before Magistrate Judge Kevin Chang is continued to 6/8/2016 at 09:00 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. This is a Court Ordered Continuance. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/05/2016)
05/06/2016	380	EO: Department of Human Services, Division of Vocational Rehabilitation's Motion to Quash Subpoena [ECF No. 353] set for Court Hearing on 5/13/2016 before Magistrate Judge Kevin Chang is hereby Vacated. The Withdrawal of Department Human Services, Division of Vocational Rehabilitation's Motion to Quash Subpoena [ECF No. 378] was filed on 5/5/2016. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/06/2016)
05/13/2016	381	MEMORANDUM <i>Re Agencies' Abilities to Provide Updated Contact Information for Class Members</i> filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K., R. P.-K.. (Attachments: # 1 Declaration of Zachary M. DiIonno, # 2 Exhibit "1" - DHS Tawata Memo to Patricio dated 5/12/16, # 3 Exhibit "2" - DMV Request Form, # 4 Exhibit "3" - May 9, 2016 Email to L. Wada to Z. DiIonno, # 5 Exhibit "4" - May 12, 2016 Email from M. Fujitani to Z. DiIonno, # 6 Exhibit "5" - KLB, # 7 Exhibit "6" - CM, # 8 Exhibit "7" - PW, # 9 Exhibit "8" - May 9, 2016 Email from C. Siu to P. Alston, # 10

		Certificate of Service)(Alston, Paul) (Entered: 05/13/2016)
05/18/2016	385	<p>EP: Telephone Conference re: Plaintiffs' MOTION for Order (1) Holding Defendant Department of Education in Civil Contempt for Violation of the 187 Order for Award of Compensatory Education Entered on August 22, 2014 331 and</p> <p>Plaintiffs' Appeal of Magistrate Judge's Order Granting in Part and Denying in Part 1) Defendant's Motion With Regard to Efforts in Identifying Class Members and 2) Plaintiffs' Motion Re Identification of Class Members [ECF No. 342]; or, in the Alternative, Motion to Modify the Court's 8/14/14 Order 346 -</p> <p>Discussion held.</p> <p>Mr. Siu to have the Attorney General's IT staff contact the Department of Education's IT staff, and any others, re: the ECSSS program.</p> <p>This hearing to reconvene @ 3:00 p.m.</p> <p>3:00 p.m. - further discussion held.</p> <p>Court to prepare an order with deadlines tomorrow.</p> <p>Plaintiffs' MOTION for Order (1) Holding Defendant Department of Education in Civil Contempt for Violation of the 187 Order for Award of Compensatory Education Entered on August 22, 2014 331 - Denied.</p> <p>Plaintiffs' Appeal of Magistrate Judge's Order Granting in Part and Denying in Part 1) Defendant's Motion With Regard to Efforts in Identifying Class Members and 2) Plaintiffs' Motion Re Identification of Class Members [ECF No. 342]; or, in the Alternative, Motion to Modify the Court's 8/14/14 Order 346 - stayed until after the deadlines outlined in the Court's order.</p> <p>Plaintiffs' request to continue to contact class members - Plaintiffs may continue to contact identified class members, or potential class members, until the deadline stated in the Courts order. People "too young to be potential class members" are not included in the class. This ruling is without prejudice to the filing of a new action.</p> <p>Another telephone conference may be scheduled if clarification, etc. is needed by contacting the CRM.</p> <p>denying 331 Motion ; Telephone Conference held on 5/18/2016; Motion Hearing held on 5/18/2016 re 346 APPEAL OF MAGISTRATE JUDGE</p>

		<p>DECISION to District Court by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K. re 342 Order on Moti filed by Hawaii Disability Rights Center, M. D., R. D., R. T. D., E.R. K., 331 Plaintiffs' MOTION for Order (1) Holding Defendant Department of Education in Civil Contempt for Violation of the 187 Order for Award of Compensatory Education Entered on August 22, 20 filed by Hawaii Disability Rights Center, M. D., R. D., R. T. D., E.R. K.. (Court Reporter Debra Chun.) (JUDGE SUSAN OKI MOLLWAY)(tbf,)No COS issued for this docket entry (Entered: 05/19/2016)</p>
05/19/2016	382	<p>EO: Status Conference set for 9/26/2016 at 09:00 AM in Aha Kanawai before MAGISTRATE JUDGE KEVIN S.C. CHANG. This is a Joint Status Conference with Judge Mollway and Judge Chang in attendance. This is a Court Ordered Status Conference. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/19/2016)</p>
05/19/2016	383	<p>NOTICE of Hearing: A Status Conference set for 9/26/2016 09:00 AM in Aha Kanawai before JUDGE SUSAN OKI MOLLWAY and MAGISTRATE JUDGE KEVIN CHANG.(tbf,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 05/19/2016)</p>
05/19/2016	384	<p>EO: Further Status Conference set for 6/8/2016 before Magistrate Judge Kevin Chang is hereby vacated. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/19/2016)</p>
05/19/2016	386	<p>ORDER REGARDING IDENTIFICATION OF CLASS MEMBERS re 346 - Signed by JUDGE SUSAN OKI MOLLWAY on 5/19/2016.</p> <p>" No later than September 19, 2016, Plaintiffs shall file under seal a list of all individuals that Plaintiffs have determined are included in the class. After September 19, 2016, individuals may not be added to the class, although individuals may subsequently be dropped from the class, either at their request or upon a successful challenge by the DOE to the individuals' inclusion in the class."</p> <p>"Having addressed some of the issues raised by the pending appeal from the Magistrate Judge's order of February 18, 2016, the court views the remaining issues that are the subject of the appeal as likely to be rendered moot by this order. This court terminates the appeal but will reinstate it at Plaintiffs' request if, after September 19, 2016, Plaintiffs believe unresolved issues raised by the appeal must be addressed by the trial judge."</p> <p>(emt,)</p> <hr/>

		<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/19/2016)</p>
05/20/2016	387	<p>EO: The court is amending its order of May 19, 2016. The amendments are to Paragraph 3(a) to correct regulation references; to Paragraph 4 to allow the parties to agree that certain directory information need not be provided if unnecessary for purposes of reaching class members or difficult to provide in screenshots; and to Paragraph 5 to eliminate the need to enclose the order with the FERPA notice (and to adjust the text of the FERPA notice accordingly). An amended order will be filed today. The court is not amending any deadline included in the order. re 386 Order on Appeal of Magistrate Judge Decision to District Court,,,,,. (JUDGE SUSAN OKI MOLLWAY)(tbf,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/20/2016)</p>
05/20/2016	388	<p>AMENDED ORDER REGARDING IDENTIFICATION OF CLASS MEMBERS re 346 , 386 , 387 - Signed by JUDGE SUSAN OKI MOLLWAY on 5/20/2016. "No later than September 19, 2016, Plaintiffs shall file under seal a list of all individuals that Plaintiffs have determined are included in the class. After September 19, 2016, individuals may not be added to the class, although individuals may subsequently be dropped from the class, either at their request or upon a successful challenge by the DOE to the individuals' inclusion in the class." "Having addressed some of the issues raised by the pending appeal from the Magistrate Judge's order of February 18, 2016, the court views the remaining issues that are the subject of the appeal as likely to be rendered moot by this order. This court terminates the appeal but will reinstate it at Plaintiffs' request if, after September 19, 2016, Plaintiffs believe unresolved issues raised by the appeal must be addressed by the trial judge." (emt,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/20/2016)</p>
05/27/2016	389	<p>(NOTICE) <i>Plaintiffs' Selected Public Offices</i>, Pursuant to 388 Amended Order Regarding Identification of Class Members, filed 5/20/2016 by R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., M. D., Hawaii Disability Rights Center, E.R. K. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) Modified on 5/31/2016 to clarify docket text to correlate to caption. (emt,) (Entered: 05/27/2016)</p>
05/27/2016	390	<p>EO: Because this court has set a schedule requiring the parties to take actions not requiring court involvement until after September 19, 2016, this court administratively closes this case until September 19, 2016. As of that date, the case will be automatically reopened. However, any party may</p>

		<p>seek court involvement before September 19, 2016, by submitting either a motion setting forth the specific involvement requested or, if appropriate, a letter explaining the circumstances. No motion to reopen the case will be required in that event, and the case will be automatically reopened upon such submission so that the court can address the request. In addition, either the district judge or the magistrate judge may initiate any proceeding in this case at any time, in which event the case will automatically be reopened even if that occurs before September 19, 2016.. (JUDGE SUSAN OKI MOLLWAY)(tbf,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/27/2016)</p>
06/06/2016	391	<p>NOTICE NOTICE OF FIRM NAME CHANGE AND CHANGE OF ADDRESS FOR ATTORNEY JASON H. KIM by C. K., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), N. B., C. B., R. D., M. D., B. P., Hawaii Disability Rights Center, R. P.-K., E.R. K., M. P. (Kim, Jason) Modified on 6/7/2016 (emt,). (Entered: 06/06/2016)</p>
06/07/2016	392	<p>Ex Parte MOTION to Seal Document <i>Exhibit "A" to Order Directing the Med-Quest Division, State of Hawaii Department of Human Services to Release Records</i> Michelle N. Comeau appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, E.R. K. (Attachments: # 1 Declaration of Michelle N. Comeau, # 2 Proposed Order, # 3 Certificate of Service)(Comeau, Michelle) (Entered: 06/07/2016)</p>
06/13/2016	393	<p>Letter addressed to Judge Susan Oki Mollway from Michelle N. Comeau, Esq., dated June 7, 2016 Re: Request for reopening of this case for the purposes of entering an order, "specifically addressing the directory information to be provided to Plaintiffs by the Med-QUEST Division, State of Hawaii Department of Human Services ("MQD"). (emt,) (Entered: 06/13/2016)</p>
06/13/2016	394	<p>ORDER GRANTING PLAINTIFFS' EX PARTE MOTION TO FILE UNDER SEAL EXHIBIT "A" TO ORDER DIRECTING THE MED-QUEST DIVISION, STATE OF HAWAII DEPARTMENT OF HUMAN SERVICES TO RELEASE RECORDS re 392 - Signed by JUDGE SUSAN OKI MOLLWAY on 6/13/2016. (emt,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/13/2016)</p>
06/13/2016	395	<p>(PROPOSED) ORDER DIRECTING THE MED-QUEST DIVISION, STATE OF HAWAII DEPARTMENT OF HUMAN SERVICES TO</p>

		<p>RELEASE RECORDS re 394 - Signed by JUDGE SUSAN OKI MOLLWAY on 6/13/2016. (emt,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/13/2016)</p>
06/13/2016	396	<p>SEALED EXHIBIT : Submission of EXHIBIT "A" to 395 Order Directing the MED-QUEST Division , State of Hawaii Department of Health to Release Records of Services; Certificate of Service -filed by Plaintiffs. <u>SEALED</u> pursuant to 394 Order. (emt,) (emt,). Modified on 6/13/2016 to correct docket text (emt,). (Additional attachment(s) added on 6/13/2016: # 1 Main Document) (emt,). (Entered: 06/13/2016)</p>
06/29/2016	397	<p>Letter addressed to Judge Susan Oki Mollway from Michelle N. Comeau, Esq., dated June 28, 2016 Re: Request for immediate status conference. (emt,) (Entered: 06/29/2016)</p>
06/29/2016	398	<p>EO: On June 28, 2016, this court received a letter from Plaintiffs' counsel complaining that Defendants had not complied with their obligation to provide contact information available in the eCSSS system. No later than 10 a.m. on Thursday, June 30, 2016, Defendants are required to submit a letter responding to Plaintiffs' letter. The court will have a telephone conference at 4:00 p.m. on Friday, July 1, 2016, to discuss Plaintiffs' concerns. The court will initiate this telephone conference.</p> <p>re 397 Letter. Telephone Conference set for 7/1/2016 04:00 PM in Chambers of Susan Oki Mollway before JUDGE SUSAN OKI MOLLWAY. (JUDGE SUSAN OKI MOLLWAY)(tbf,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/29/2016)</p>
07/01/2016	399	<p>Letter addressed to Judge Susan Oki Mollway from Carter K. Siu, Deputy Attorney General, dated June 30, 2016 Re: Response to Plaintiffs' letter, dated June 28, 2016 regarding production of additional contact information contained in eCSSS, ECF No. 397 . (emt,) (Entered: 07/01/2016)</p>
07/01/2016	400	<p>EP: Telephone Conference held.</p> <p>Discussion held re: letters submitted to the Court.</p> <p>Court orders Defendants to provide Plaintiffs with the materials containing contact information available in the eCSSS system no later than noon on 7/8/2016. (Court Reporter Debra Chun.) (JUDGE SUSAN OKI</p>

		<p>MOLLWAY)(shm,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/01/2016)</p>
07/05/2016	401	<p>EO: To ensure that the conference scheduled for September will be productive, this court directs that, no later than July 11, 2016, Plaintiffs provide Defendant with a list of all class members already identified by Plaintiffs. Defendant shall review that list and, no later than August 19, 2016, shall provide Plaintiffs and this court with Defendant's written proposal for providing compensatory services to all members properly included in the class as of July 11, 2016. If Defendant is of the opinion that anyone included on the list is not properly included in the class, whether because the individual sustained no injury or for some other reason, Defendant must provide a written explanation as to why each such individual should be excluded from the class. The court anticipates that exclusions will be the exception, not the norm. Thus, Defendant should not expect that it will be able to exclude a substantial number of individuals from the class. With respect to everyone Defendant agrees is properly included in the class, Defendant must address what compensatory services are proposed and how Defendant proposes to provide the services. The proposal may be adjusted following discussion with the court and review of the final list of class members, but the court's intent is to use the proposal as a concrete basis for discussion in September.. (JUDGE SUSAN OKI MOLLWAY)(tbf,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/05/2016)</p>
07/07/2016	402	<p>EO: Status Conference set for 9/26/16 @ 9:00 a.m. is continued to 9/27/2016 09:00 AM before JUDGE SUSAN OKI MOLLWAY. (JUDGE SUSAN OKI MOLLWAY)(tbf,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/07/2016)</p>
08/11/2016	403	<p>NOTICE by Hawaii Disability Rights Center <i>Notice of Withdrawal of Plaintiff's Co-Counsel Jennifer V. Patricio; Certificate of Service</i> Hawaii Disability Rights Center. (Patricio, Jennifer) (Entered: 08/11/2016)</p>
08/12/2016	404	<p>EO: The Status Conference set for 9/27/16 @ 9:00 a.m. is rescheduled to 9/26/2016 09:45 AM in Courtroom 7 before JUDGE SUSAN OKI MOLLWAY AND MAGISTRATE JUDGE CHANG. (JUDGE SUSAN OKI MOLLWAY)(tbf,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address</p>

		listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 08/12/2016)
08/22/2016	405	Letter addressed to Paul Alston, Esq. from Ryan W. Roylo and Holly T. Shikada, Deputy Attorneys General, dated August 18, 2016 Re: Response to Minute Order, ECF No. 401. (emt,) (Additional attachment(s) added on 8/22/2016 (ATTACHMENT TO LETTER SEALED): # 1 Objections and Explanation to Certain Individuals Listed by Plaintiffs on July 11, 2016) (emt,). Modified on 8/22/2016 (emt,). (Entered: 08/22/2016)
08/25/2016	406	Letter addressed to Judge Susan Oki Mollway from Paul Alston, Esq. and Michelle N. Comeau, Esq., dated August 25, 2016 Re: Request for a status conference regarding the DOE's August 18, 2016 letter, ECF No. 405 . (Attachments: # 1 Attachment A) (emt,) (Additional attachment(s) added on 8/25/2016 (ATTACHMENT RE: OBJECTIONS IS SEALED) : # 2 Objections and Explanation to Certain Individuals Listed by Plaintiffs on July 11, 2016) (emt,). Modified on 8/25/2016 (emt,). (Entered: 08/25/2016)
08/25/2016	407	NOTICE of Appearance by Paul R. Mow on behalf of Department of Education, State of Hawai'i on behalf of Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Mow, Paul) (Entered: 08/25/2016)
08/26/2016	408	NOTICE of Hearing: A Telephone Conference is set for 8/29/2016 09:00 AM before JUDGE SUSAN OKI MOLLWAY. Parties notified.(tb,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 08/26/2016)
08/26/2016	409	NOTICE of Appearance by Kevin M. Richardson on behalf of Department of Education, State of Hawai'i on behalf of Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Richardson, Kevin) (Entered: 08/26/2016)
08/29/2016	410	EP: Telephone Conference held on 8/29/2016. DOE is directed to have a brainstorming session prior to the 9/26/2016 Status Conference regarding the types of services that might be appropriate for the class, and also to project the class need and makeup. Plaintiffs' Counsel will transmit to Defendants Counsel a copy of a proposal for 5 groups or "buckets" members of the class might be placed in. DOE to examine the last known education records of the 400 or so class members and determine what the bucket each individual should be placed in. DOE's assessment to the Court is due 9/20/2016. (Court Reporter Debra Chun) (JUDGE SUSAN OKI MOLLWAY)(wnn,) <hr/>

		<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 08/29/2016)</p>
08/30/2016	411	Letter addressed to Judge Susan Oki Mollway from Ryan W. Roylo and Holly T. Shikada, Deputy Attorneys General, dated August 26, 2016 Re: Response to Plaintiffs' counsel's August 25, 2016 Letter. (emt,) (Entered: 08/30/2016)
08/31/2016	412	REQUEST removal of attorney for Department of Human Services by Department of Human Service, State of Hawaii. (Park, Candace) (Entered: 08/31/2016)
09/19/2016	413	STATUS REPORT <i>Defendant's Status Report; Certificate of Service</i> by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 09/19/2016)
09/19/2016	414	<p><u>SEALED DOCUMENT</u>:</p> <p>Submission of Plaintiffs' List of Class Members Pursuant to 388 Amended Order Regarding Identification of Class Members, Filed 5/20/16; Certificate of Service - by Plaintiffs.</p> <p><u>SEALED</u> pursuant to 388 Order (emt,) (emt,). (Entered: 09/19/2016)</p>
09/22/2016	415	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 09/22/2016)
09/26/2016	416	<p>EP: Status Conference -</p> <p>Counsel to file any objections to the names of the class by 10/7/16.</p> <p>Plaintiffs counsel to talk amongst themselves, and to meet with Magistrate Judge Chang in a couple of days. Counsel excused at 10:19 a.m.</p> <p>Being the trial Judge, Judge Mollway excused herself from this hearing.</p> <p>Discussion held between Magistrate Judge Chang and defense counsel.</p> <p>Counsel to talk amongst themselves, and to contact chambers to schedule a meeting with Magistrate Judge Chang next week.</p> <p>Status Conference held on 9/26/2016. (Court Reporter C7F.) (JUDGE SUSAN OKI MOLLWAY, MAGISTRATE JUDGE CHANG)(tbkf,)No COS issued for this docket entry (Entered: 09/26/2016)</p>
09/26/2016	417	CORRESPONDENCE: Department of the Attorney General for the State

		<p>of Hawaii submission of report of categories and list of services available to special education students.</p> <p>[LETTER dated September 20, 2016 with enclosures from Deputy Attorneys General Ryan W. Roylo and Holly T. Shikada addressed to U.S. District Judge Susan Oki Mollway.]</p> <p>VIEWING RESTRICTED. (afc) (Entered: 09/26/2016)</p>
09/28/2016	418	<p>LETTER confirming that Plaintiffs have provided the DOE with a listing of the birth dates of the newly found class members. <i>Reference to Status Conference held 9/26/2016; minutes: 416 .</i></p> <p>[Letter dated 9/28/2016 jointly addressed to U.S. District Judge Susan Oki Mollway and U.S. Magistrate Judge Kevin S.C. Chang from Michelle N. Comeau, Esq. on behalf of plaintiffs] (afc) (Entered: 09/29/2016)</p>
10/11/2016	419	<p>EO: No later than the close of business on Thursday, October 13, 2016, Plaintiffs are asked to respond by letter to the court to the DOE's objections to class members. (JUDGE SUSAN OKI MOLLWAY)(tb,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 10/11/2016)</p>
10/11/2016	420	<p>Letter addressed to Paul Alston, Esq. from Ryan W. Roylo and Holly T. Shikada, Deputy Attorneys General, dated October 7, 2016 Re: Department of Education's objections to Plaintiffs' September 19, 2016 proposed class list.</p> <p>SEALED -- Viewing of this document is accessible to the Court and counsel of record.</p> <p>(emt,) (emt,). (Entered: 10/11/2016)</p>
10/13/2016	421	<p>STATUS REPORT <i>Plaintiffs' Response to 420 Defendant Department of Education's Objections to Plaintiffs' Proposed Class List</i> by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 10/13/2016)</p>
10/18/2016	422	<p>ORDER DETERMINING CLASS - Signed by JUDGE SUSAN OKI MOLLWAY on 10/18/2016.</p> <p>(emt,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 10/18/2016)</p>
11/01/2016	423	<p>EO: Status Conference has been set for 11/8/2016 at 9:30 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. Counsel should be prepared to discuss and inform the Court regarding the status of those matters which Judge Mollway directed counsel to meet and confer on at pages 3, 4 and 5 of the Order Determining Class filed on October 18,</p>

		<p>2015. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tl,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 11/01/2016)</p>
11/01/2016	424	<p>MOTION <i>Defendant's Motion for Clarification; Certificate of Service</i> Ryan W. Roylo appearing for Defendant Department of Education, State of Hawai'i (Attachments: # 1 Main Document)(Roylo, Ryan) (Entered: 11/01/2016)</p>
11/01/2016	425	<p>EO: On November 1, 2016, Defendant Department of Education, State of Hawaii, filed a Motion for Clarification of this court's order of October 18, 2016. ECF No. 424. The court here states that all individuals who are "too young," with the exception of those already included in the class by the Magistrate Judge, are excluded from the class. Also excluded from the class are all individuals who "exited after Act 107 was repealed" or "aged out at 22" (assuming that the individuals were not denied services under Act 107 before age 22). terminating 424 Motion. (JUDGE SUSAN OKI MOLLWAY)(tbf,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 11/01/2016)</p>
11/08/2016	426	<p>EP: Status Conference - Discussion held re: the class. Mr. Roylo to give the list to Ms. Comeau tomorrow. Parties to get the framework for the process up to the master level. Mr. Alston to prepare the order for the educational records after the final class list is submitted. A Continued Status Conference is set for 11/22/16 @ 9:30 a.m. Status Conference held on 11/8/2016. Status Conference set for 11/22/2016 09:30 AM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter No Record.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tbf,)No COS issued for this docket entry (Entered: 11/08/2016)</p>
11/09/2016	427	<p>EO: Status Conference set for 11/22/2016 @ 9:30 a.m. is moved to 2:15 p.m. the same day before MAGISTRATE JUDGE KEVIN S.C. CHANG. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tyk)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 11/09/2016)</p>
11/15/2016	428	<p>ORDER DIRECTING DEFENDANT DEPARTMENT OF EDUCATION TO RELEASE RECORDS - Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 11/14/2016.</p>

		<p>"The list of Class Members set forth in Exhibit "A" shall be filed under seal. The Plaintiffs shall not use or disclose the Educational Records for any other purpose other than the instant matter. The Plaintiffs shall return to DOE or destroy the Educational Records, including all copies made, at the end of the litigation or proceeding." (emt,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Additional attachment(s) added on 11/15/2016: # 1 Exhibit "A" (SEALED)) (emt,). Modified on 11/15/2016 -- Viewing of Exhibit "A" is restricted to the Court and counsel of record. (emt,) (Entered: 11/15/2016)</p>
11/17/2016	429	<p>STATUS REPORT <i>Defendant's Status Report; Certificate of Service</i> by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 11/17/2016)</p>
11/22/2016	430	<p>EP: Status Conference held on 11/22/2016. Discussion Held.Further Status Conference set for 12/5/2016 at 9:30 a.m. before Magistrate Judge Kevin Chang. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 11/23/2016)</p>
12/02/2016	431	<p>STATUS REPORT <i>Defendant's Status Report; Certificate of Service</i> by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 12/02/2016)</p>
12/02/2016	432	<p>EO: Status Conference set for Monday, 12/5/2016 at 9:30 a.m. before Magistrate Judge Kevin Chang. Per Judge Chang's Directive-Defense counsel should be prepared to discuss the status of production of Department of Education records regarding class members and plaintiff's counsel should be prepared to discuss the time period necessary for the completion of a questionnaire and consent form by class members with regard to current status and services currently being provided by private persons or agencies and/or governmental entities to individual class members. If Counsel will need a continuance of the Status Conference Date of 12/5/2016 to better address Judge Chang's Directive call Leslie Sai, Courtroom Manager to obtain a continuance. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/02/2016)</p>
12/05/2016	433	<p>EP: Status Conference held on 12/5/2016.Discussion Held. Further Status Conference set for 1/12/2017 at 9:00 a.m. before Magistrate Judge Kevin Chang. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 12/05/2016)</p>
12/27/2016	434	<p>Status Conference set for 1/12/2017 is hereby moved to 09:00 AM on 1/11/2017 in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C.</p>

		<p>CHANG. Judge Chang is not available on 1/12/2017 for Court Hearings. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/27/2016)</p>
01/06/2017	435	<p>STATUS REPORT by Department of Education, State of Hawai'i. (Attachments: # 1 Exhibit A, # 2 Certificate of Service)(Roylo, Ryan) (Entered: 01/06/2017)</p>
01/11/2017	436	<p>EP:Status Conference held on 1/11/2017. Discusion Held. Further Status Conference set for 1/26/2017 at 09:30 AM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 01/11/2017)</p>
01/20/2017	437	<p>NOTICE of Appearance by Patricia L. Cookson on behalf of E.R. K. on behalf of E.R. K.. (Cookson, Patricia) (Entered: 01/20/2017)</p>
01/20/2017	438	<p>STATUS REPORT <i>Defendant's Status Report; Certificate of Service</i> by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 01/20/2017)</p>
01/20/2017	439	<p>STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 01/20/2017)</p>
01/26/2017	440	<p>EP:Further Status Conference held on 1/26/2017. Discussion Held. Further Status Conference set for 2/9/2017 at 9:30 a.m. before Magistrate Judge Kevin Chang.(Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 01/26/2017)</p>
02/06/2017	441	<p>STATUS REPORT <i>Defendant's</i> by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 02/06/2017)</p>
02/06/2017	442	<p>EO: Further Status Conference set for 2/9/2017 at 09:00 AM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. Further Status Conference was previously set for 2/9/2017 at 9:30 a.m. before Magistrate Judge Kevin Chang. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)</p> <hr/> <p>CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 02/06/2017)</p>
02/09/2017	443	<p>EP: Further Status Conference held on 2/9/2017. Discussion Held.Further Status Conference set for 2/23/2017 at 9:15 a.m. before Magistrate Judge</p>

		Kevin Chang. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 02/09/2017)
02/23/2017	444	EP: Further Status Conference held on 2/23/2017. Discussion Held. Further Status Conference set for 3/9/2017 at 09:30 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 02/24/2017)
03/03/2017	445	STATUS REPORT <i>DEFENDANT'S</i> by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 03/03/2017)
03/09/2017	446	EP: Further Status Conference held on 3/9/2017. Discussion Held. Further Status Conference set for 3/23/2017 at 09:30 AM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 03/09/2017)
03/16/2017	447	EO: Further Status Conference set for 3/23/2017 is hereby continued to 3/29/2017 at 09:00 AM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 03/16/2017)
03/24/2017	448	STATUS REPORT <i>Defendant's Status Report; Certificate of Service</i> by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 03/24/2017)
03/29/2017	449	EP: Further Status Conference held. Discussion Held. Further Status Conference set for 4/12/2017 at 9:30 a.m. before Magistrate Judge Kevin Chang. (Court Reporter none.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(shm) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 03/29/2017)
04/10/2017	450	NOTICE of Appearance by Zachary M. Diionno on behalf of M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a

		class of those similarly situated,)), R. D., Hawaii Disability Rights Center, E.R. K. on behalf of M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,)), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Diionno, Zachary) (Entered: 04/10/2017)
04/11/2017	451	STATUS REPORT by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,)), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 04/11/2017)
04/12/2017	452	EP:Further Status Conference held on 4/12/2017.Discussion Held. Further Status Conference set for 4/26/2017 at 9:00 a.m. before Magistrate Judge Kevin Chang. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 04/12/2017)
04/17/2017	453	EO: Status Conference set for 4/17/2017 at 02:45 PM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. All Counsel to participate telephonically. Counsel are to provide Leslie Sai, Courtroom Manager (541-3089) a Telephone Number that they may be called at. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/17/2017)
04/17/2017	454	EP:Status Conference Re-Interview Process held on 4/17/2017. All Counsel participated telephonically. Discussion Held. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 04/17/2017)
04/20/2017	455	EO: Status Conference set for 4/26/2017 is hereby moved to 5/5/2017 at 10:00 AM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. Defendants Counsel Request to continue the Status Conference set for 4/26/2017 is hereby Granted. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/20/2017)
04/28/2017	456	STATUS REPORT by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 04/28/2017)
05/05/2017	457	EP:Further Status Conference held on 5/5/2017. Discussion Held. Further Status Conference set for 5/23/2017 at 11:00 AM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket

		entry (Entered: 05/05/2017)
05/10/2017	458	EO: Status Conference set for 5/18/2017 at 01:30 PM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. This is a Court Ordered Status Conference. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lts,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/10/2017)
05/17/2017	459	STATUS REPORT by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 05/17/2017)
05/18/2017	460	EP: Further Status Conference held on 5/18/2017. Discussion Held. Further Status Conference set for 5/23/2017 at 11:00 a.m. before Magistrate Judge Kevin Chang is hereby continued to 5/26/2017 at 8:30 a.m. before Magistrate Judge Kevin Chang. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lts,)No COS issued for this docket entry (Entered: 05/18/2017)
05/26/2017	461	EP:Status Conference held on 5/26/2017. Discussion Held as to the Settlement Offer. No Further Status Conference set at this time. Counsel to notify the Court when a Settlement Conference should be set before Magistrate Judge Kevin Chang. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lts,)No COS issued for this docket entry (Entered: 05/26/2017)
06/21/2017	462	EO: Further Settlement/Status Conference set for 6/23/2017 at 10:00 AM in Chambers of Magistrate Judge Kevin S.C. Chang before MAGISTRATE JUDGE KEVIN S.C. CHANG. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lts,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/21/2017)
06/22/2017	463	EO: Settlement Conference/Status Conference set for 6/23/2017 at 10:30 AM in Chambers of Magistrate Judge Kevin S.C. Chang before MAGISTRATE JUDGE KEVIN S.C. CHANG. The Settlement Conference/Status Conference was previously set for 6/23/2017 at 10:00 a.m. before Magistrate Judge Kevin Chang. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lts,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/22/2017)
06/23/2017	464	EP: Settlement Conference held on 6/23/2017.Discussion Held. Counsel

		confirm existence of a Settlement in principal. Counsel to prepare Settlement Agreement, Joint Motion and other necessary documents as to the Settlement. Court will set a Status Conference Re Settlement Documents for 6/29/2017 at 10:00a.m. before Magistrate Judge Kevin Chang. All Counsel to participate Telephonically. Counsel are to provide a telephone number that they may be called at to Leslie Sai, Courtroom Manager (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 06/23/2017)
06/29/2017	465	EP: Status Conference-Re-Settlement Documents held on 6/29/2017. All Counsel participated telephonically. Discussion Held. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 06/29/2017)
07/21/2017	466	EO: A Status Conference has been set for 7/26/2017 at 9:30 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tl,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 07/21/2017)
07/26/2017	467	EP: Status Conference Re-Settlement Documents held on 7/26/2017. Discussion Held. Court will be contacting Representative Sylvia Luke to set up a meeting. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 07/26/2017)
08/28/2017	468	EO: Status Conference set for 8/29/2017 at 09:15 AM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. This is a Court Ordered Status Conference. All Counsel to participate Telephonically. Counsel are to provide a Telephone Number to Leslie Sai, Courtroom Manager (808) 541-3089 that they may be called at. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 08/28/2017)
08/29/2017	469	EP: Status Conference held on 8/29/2017. All Counsel participated telephonically. Discussion Held. Further Status Conference set for 9/6/2017 at 12:45p.m. before Magistrate Judge Kevin Chang. All Counsel to participate telephonically (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No COS issued for this docket entry (Entered: 08/29/2017)
09/06/2017	470	EP: Further Status Conference held on 9/6/2017. All Counsel participated telephonically. Discussion Held. Judge Chang to have a Meeting with the Attorney General State of Hawaii-Doug Chin set for 9/7/2017. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls,)No

		COS issued for this docket entry (Entered: 09/06/2017)
10/03/2017	471	NOTICE by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K. <i>of Withdrawal of Zachary M. Dilonno as Counsel for Plaintiffs</i> M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 10/03/2017)
10/12/2017	472	EO: A Status Conference is set for 10/16/2017 09:30 AM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. Parties notified. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tbf,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 10/12/2017)
10/12/2017	473	NOTICE by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K. <i>of Withdrawal of Michelle N. Comeau as Counsel</i> M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Comeau, Michelle) (Entered: 10/12/2017)
10/16/2017	474	EP: Status Conference - Discussion held re: the status of the settlement agreement. Parties to continue to work on the settlement agreement and try to get the settlement administrator by the end of the month. Status Conference held on 10/16/2017. (Court Reporter No Record.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tbf,)No COS issued for this docket entry (Entered: 10/16/2017)
11/02/2017	475	EO: A Status Conference is set for 11/8/2017 09:30 AM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tbf,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 11/02/2017)
11/02/2017	476	NOTICE of Appearance by Meredith G. Miller on behalf of N. B., C. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., E.R. K., B. P., M. P., R. P.-K. on behalf of N. B., C. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., E.R. K., B. P., M. P., R. P.-K.. (Attachments: # 1

		Certificate of Service)(Miller, Meredith) (Entered: 11/02/2017)
11/08/2017	477	EP: Status conference held.Documents to be submitted to the court by 11/22/2017. (Court Reporter C7-No record.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tl,)No COS issued for this docket entry (Entered: 11/08/2017)
11/29/2017	478	EO: A Status Conference is set for 12/1/2017 09:00 AM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tb,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 11/29/2017)
12/01/2017	479	EP: Status Conference held on 12/1/2017. Discussion held. Submission of joint motion to approve settlement due on Monday, December 4, 2017. No further date set. (Court Reporter C7 - No Record) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(mrf) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/01/2017)
12/05/2017	480	MOTION for Settlement <i>Stipulated Motion for Approval of Settlement for Class Members</i> Paul Alston appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, E.R. K., R. P.-K. (Attachments: # 1 Memorandum, # 2 Declaration of Paul Alston, # 3 Exhibit "A" - Release Compromise and Settlement Agreement, # 4 Exhibit "B" - Proposed Order Approving Settlement for Class Members, # 5 Certificate of Service)(Alston, Paul) (Entered: 12/05/2017)
12/07/2017	481	Ex Parte MOTION to Seal Document 480 MOTION for Settlement <i>Stipulated Motion for Approval of Settlement for Class Members Ex Parte Motion to File Under Seal Exhibit "I"</i> Paul Alston appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, E.R. K. (Attachments: # 1 Declaration of Paul Alston, # 2 Certificate of Service)(Alston, Paul) (Entered: 12/07/2017)
12/08/2017	482	ORDER Approving Settlement For Class Members 480 ."The Court will retain jurisdiction over this matter to assure the effective and timely implementation of the Settlement Agreement and to resolve any disputes between the parties and/or between the Settlement Administrator and any of the parties with respect to the meaning, effect and proper implementation of the Settlement Agreement." Signed by JUDGE SUSAN OKI MOLLWAY on 12/8/17. (cib,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/08/2017)

12/11/2017	483	<p>EO: A Status Conference is set for 12/18/2017 09:00 AM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tb,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/11/2017)</p>
12/14/2017	484	<p>ORDER granting Plaintiffs' Ex Parte MOTION to File Under Seal Exhibit "1" In Support of 480 Stipulated Motion For Approval of Settlement For Class Members. Signed by JUDGE SUSAN OKI MOLLWAY on 12/14/17. (apg, dist)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/14/2017)</p>
12/14/2017	487	<p><u>Scaled</u> Exhibit 1 re: 480 Motion For Settlement - Stipulated Motion for Approval of Settlement for Class Members filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., E.R. K., M. P. (cib,) (Entered: 12/15/2017)</p>
12/15/2017	485	<p>Letter addressed to Honorable Susan Oki Mollway from Ryan W. Roylo, Esq dated 12/12/17 re: Settlement Agreement. (cib,) (Entered: 12/15/2017)</p>
12/15/2017	486	<p>Letter from Joni Gross, Secretary To Honorable Susan Oki Mollway dated on 12/13/17 to Mr. Ryan W. Roylo, Deputy Attorneys General re: Executed settlement agreement dated December 11, 2017. (Attachments: # 1 Executed Settlement Agreement) (cib,) (Entered: 12/15/2017)</p>
12/15/2017	488	<p><u>Scaled</u> Submission Of Plaintiffs' Confidential Exhibit "1" In Support Of Stipulated Motion For Approval Of Settlement For Class Members [480> filed by N. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., E.R. K., M. P.. (cib,) (Entered: 12/15/2017)</p>
12/18/2017	489	<p>EP: Status Conference held on 12/18/2017.</p> <p>Discussion held.(Court Reporter no reporter.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(shm)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/18/2017)</p>

12/20/2017	490	Clerk's Receipt: \$ 8,750,000.00 receipt number HI022910 re 482 Order on Motion for Settlement. (cib,) (Entered: 12/21/2017)
12/22/2017	491	EO: Pursuant to the settlement agreement, the Clerk of Court is directed to issue a check for attorneys' fees and costs in the amount of \$1.5 million to Alston Hunt Floyd & Ing. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(chang1) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/22/2017)
12/22/2017	492	EO: The \$1.5 million disbursement referenced in Doc. No. 491 shall include GET, for a total of \$1,570,650.00. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(chang1) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/22/2017)
12/27/2017	493	ORDER Appointing Settlement Administrator. "James M. Duffy, Jr. is HEREBY SELECTED and APPOINTED to serve as settlement administrator in this action. IT IS SO ORDERED." Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 12/27/17. (cib,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 12/27/2017)
01/12/2018	494	EO: A Status Conference is set for 1/18/2018 09:15 AM in Courtroom 7 before MAGISTRATE JUDGE KEVIN S.C. CHANG. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tbf,) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 01/12/2018)
01/18/2018	495	EP: : Status Conference - Discussion held in chambers. Mr. Alston to prepare proposed orders regarding the Settlement Administrator for review and approval. Status Conference held on 1/18/2018. (Court Reporter No Record.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tbf,)No COS issued for this docket entry (Entered: 01/18/2018)
02/02/2018	496	EO: Given the Release, Compromise, and Settlement Agreement, ECF No. 480-3, which states that "the parties to the Lawsuit desire to settle, terminate, and discharge all claims that were or could have been asserted in the Lawsuit," that "the parties do hereby forever release any and all

		<p>claims against the HIDEOE as specified in the Lawsuit," and that "this Agreement is entered into as a complete resolution and compromise of the Claims," this court intends to dismiss the claims asserted in the case and close the case on or after February 8, 2018. Any party who objects to the dismissal of the claims must file written objections with the court no later than noon on Wednesday, February 7, 2018. If no timely written objection is filed, the court will deem the parties to have agreed to the dismissal of the claims pursuant to the Release, Compromise, and Settlement Agreement. Unless a party objects to the dismissal of the claims, the party need not respond to this minute order. The court, recognizes, of course, that the settlement agreement contemplates continuing activities that could conceivably lead to further disputes, but such disputes would be founded on the agreement rather than on the claims that were settled. (JUDGE SUSAN OKI MOLLWAY)(tl,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 02/02/2018)</p>
02/06/2018	497	<p>OBJECTION re 496 <i>DEFENDANTS STATEMENT OF OBJECTION TO THE PROPOSED ORDER REGARDING DISMISSAL OF THE CLAIMS AND CLOSING OF THE CASE [ECF 496] ISSUED ON FEBRUARY 2, 2018; CERTIFICATE OF SERVICE</i> filed by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 02/06/2018)</p>
02/07/2018	498	<p>OBJECTION re 496 <i>Plaintiffs' Objection to Dismissal of Claims and Case Closure Submitted in Response to the Court's February 2, 2018 Electronic Order [DKT No. 496]; Certificate of Service</i> filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Alston, Paul) (Entered: 02/07/2018)</p>
02/09/2018	499	<p>EO: Given the outstanding funding of \$1,500,000.00, this court will refrain from closing this case until the payment of those funds is made. Once payment of those funds is made, this court is inclined to enter an order dismissing the claims asserted in this case (not just administratively closing the case), while recognizing that, under the the Release, Compromise, and Settlement Agreement, ECF No. 480-3, this court will retain jurisdiction over enforcement of that agreement even after the underlying claims have been disposed of. (JUDGE SUSAN OKI MOLLWAY)(tl,)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 02/09/2018)</p>

05/16/2018	500	EO: The court has received a proposed order seeking authorization to distribute the balance in the registry account to a Bank of Hawaii account. Before approving the proposed order, the court requests the state inform the court of its position with respect to the proposed order no later than noon on Friday, May 18, 2018. Unless the court receives an objection by the same deadline from any party or the settlement administrator, the court intends to delete the following from the proposed order: "The parties, having moved the Court for the distribution of the settlement funds pursuant to LR 58.1, and the Court, having considered the Motion, being of the opinion that the Motion should be granted." This deletion would reflect the absence of a motion. (JUDGE SUSAN OKI MOLLWAY)(cib,) (Entered: 05/16/2018)
05/18/2018	501	STATEMENT of No Position <i>DEFENDANTS STATEMENT OF NO POSITION TO PLAINTIFFS UNOPPOSED ORDER REGARDING DISTRIBUTION OF FUNDS TO TRUST ACCOUNT PURSUANT TO SETTLEMENT FILED ON MAY 14, 2018; CERTIFICATE OF SERVICE</i> filed by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 05/18/2018)
05/18/2018	502	SEALED Unopposed Order Regarding Distribution Of Funds to Trust Account Pursuant to Settlement re: 482 . Signed by JUDGE SUSAN OKI MOLLWAY on 5/18/2018. (cib,) (Entered: 05/18/2018)
05/18/2018	503	Redacted Unopposed ORDER Regarding Distribution Of Funds To Trust Account Pursuant To Settlement 482 . Signed by JUDGE SUSAN OKI MOLLWAY on 5/18/2018. (cib,) (Entered: 05/18/2018)
05/22/2018	504	EO: The Court's Order Appointing Settlement Administrator 493 should read "James E. Duffy, Jr." instead of "James M. Duffy, Jr." and is hereby amended accordingly. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(chang1) (Entered: 05/22/2018)
06/26/2018	505	NOTICE of Appearance by Janna W Ahu on behalf of N. B., C. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., E.R. K., B. P., M. P., R. P.-K. on behalf of N. B., C. B., M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, C. K., E.R. K., B. P., M. P., R. P.-K.. (Attachments: # 1 Certificate of Service)(Ahu, Janna) (Entered: 06/26/2018)
06/29/2018	506	STATUS REPORT <i>Settlement Administrator's Status Report Regarding Class Action Settlement; Certificate of Service</i> by James E. Duffy, Jr. (Attachments: # 1 Certificate of Service)(Miller, Meredith) Modified on 7/2/2018 - page 5 is missing. Document was resubmitted on 6/29/18 507 (cib,). (Entered: 06/29/2018)

06/29/2018	507	STATUS REPORT <i>Settlement Administrator's Status Report Regarding Class Action Settlement; Certificate of Service</i> by James E. Duffy, Jr. (Attachments: # 1 Certificate of Service)(Miller, Meredith) (Entered: 06/29/2018)
07/16/2018	508	NOTICE by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K., R. P.-K. <i>Notice of Change of Contact and Firm Affiliation for Counsel for Plaintiffs; Certificate of Service</i> M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K., R. P.-K.. (Attachments: # 1 Certificate of Service)(Holland, Kristin) (Entered: 07/16/2018)
10/31/2018	509	Application For Interim Attorneys' Fees; Declaration of Meredith G. Miller; Exhibits "1" & "2"; Certificate of Service re 482 Order on Motion for Settlement,,, 480 MOTION for Settlement <i>Stipulated Motion for Approval of Settlement for Class Members Plaintiffs' Application for Interim Attorneys' Fees; Declaration of Meredith G. Miller; Exhibits "1" & "2"; Certificate of Service</i> . Filed by Plaintiffs (Attachments: # 1 Declaration of Meredith G. Miller, # 2 Exhibit "1"-Itemization of AHFI's time by date, # 3 Exhibit "2"-Copy of Pacific Business News 2014 Book of Lists, # 4 Certificate of Service)(Miller, Meredith) Modified on 11/1/2018 to add filer to docket text (cib,). Modified on 11/1/2018 to correct EVENT to MOTION FOR ATTORNEY FEES(cib,). Modified on 11/1/2018 to term Motion. This documents is an APPLICATION in place of a MOTION (cib,). (Entered: 10/31/2018)
11/08/2018	510	ORDER Granting Plaintiffs' Application For Interim Attorneys' Fees, Filed October 31, 2018 re 509 . Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 11/8/2018. (cib,) (Entered: 11/08/2018)
11/09/2018	511	MOTION Clarification re 510 Order <i>DEFENDANTS MOTION FOR CLARIFICATION REGARDING ORDER GRANTING PLAINTIFFS' APPLICATION FOR INTERIM ATTORNEYS' FEES FILED NOVEMBER 8, 2018 [ECF 510]; CERTIFICATE OF SERVICE</i> Ryan W. Roylo appearing for Defendant Department of Education, State of Hawai'i (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 11/09/2018)
11/21/2018	512	MEMORANDUM in Opposition re 511 MOTION Clarification re 510 Order <i>DEFENDANTS MOTION FOR CLARIFICATION REGARDING ORDER GRANTING PLAINTIFFS' APPLICATION FOR INTERIM ATTORNEYS' FEES FILED NOVEMBER 8, 2018 [ECF 510]; CERTIFICATE OF SERVICE</i> filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K., R. P.-K..

		(Attachments: # 1 Declaration of Meredith G. Miller, # 2 Exhibit "1" Itemization of AHFI's time by date describing fees, # 3 Exhibit "2" Copy of Pacific Business News 2014 Book of Lists, # 4 Certificate of Service)(Miller, Meredith) (Entered: 11/21/2018)
12/05/2018	513	REPLY re 512 Memorandum in Opposition to Motion,, <i>DEFENDANTS REPLY TO PLAINTIFFS MEMORANDUM IN OPPOSITION TO DEFENDANTS MOTION FOR CLARIFICATION REGARDING ORDER GRANTING PLAINTIFFS' APPLICATION FOR INTERIM ATTORNEYS' FEES FILED NOVEMBER 8, 2018 [ECF 510] FILED ON NOVEMBER 21, 2018</i> filed by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 12/05/2018)
12/07/2018	514	ORDER Granting In Part Defendant's Motion For Clarification Regarding Order Granting Plaintiffs' Application For Interim Attorneys' Fees re 511 . "Based on the foregoing, the Court grants the Motion in part and clarifies that the Order Approving Settlement for Class Members did not set the hourly rates for the attorneys and paralegals in the Application. To the extent that Defendant seeks review for hourly rates for attorneys and paralegals, that matter should be directed to the Settlement Administrator. In the event, the Settlement Administrator requests or would like assistance, if any, determining reasonable hourly rates for attorneys and paralegals, he may consult with or seek the advice from the Court. Accordingly, Defendant's Motion for Clarification Regarding Order Granting Plaintiffs' Application for Interim Attorneys Fees is GRANTED IN PART." Signed by MAGISTRATE JUDGE KEVIN S.C. CHANG on 12/7/2018. (cib,) (Entered: 12/07/2018)
12/11/2018	515	EO: In light of the settlement of this case, this case is administratively closed while the Settlement Administrator addresses disbursements and any objections thereto. This case may be reopened at any time upon the request of any party. No later than 90 days from the date of this order, and thereafter on a semi-annual basis, Plaintiffs are required to submit a letter to Judge Mollway detailing the status of the case/settlement and describing when Plaintiffs believe the case will be fully resolved. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(tbf,) (Entered: 12/11/2018)
12/21/2018	516	STATUS REPORT <i>Settlement Administrator's Status Report Regarding Class Action Settlement; Exhibit "A"; Certificate of Service</i> by James E. Duffy, Jr. (Attachments: # 1 Exhibit "A", # 2 Certificate of Service)(Miller, Meredith) (Entered: 12/21/2018)
05/06/2019	518	EO: Given the Release, Compromise, and Settlement Agreement, ECF No. 480-3, which states that "the parties to the Lawsuit desire to settle, terminate, and discharge all claims that were or could have been asserted

		<p>in the Lawsuit," that "the parties do hereby forever release any and all claims against the HIDEOE as specified in the Lawsuit," and that "this Agreement is entered into as a complete resolution and compromise of the Claims," this court had earlier proposed dismissing the claims asserted in this case. <i>See</i> ECF No. 496. At that time, the parties objected to the dismissal of this action because there was an unfunded obligation. <i>See</i> ECF Nos. 497-98. The court therefore refrained from closing this case. <i>See</i> ECF No. 499. In December 2018, the court administratively closed this case while the Settlement Administrator addressed disbursements and objections thereto. <i>See</i> ECF No. 515. Given the funding of all obligations, the court now proposes dismissing the claims asserted in the case and to close the case on or after May 15, 2019. The dismissal of the claims would give this case the finality lacking with a mere administrative closing of the case file. Any party who objects to the dismissal of the claims must file written objections with the court no later than noon on Monday, May 13, 2019. If no timely written objection is filed, the court will deem the parties to have agreed to the dismissal of the claims pursuant to the Release, Compromise, and Settlement Agreement. Unless a party objects to the dismissal of the claims, the party need not respond to this minute order. The court recognizes, of course, that the Settlement Agreement contemplates continuing activities that could conceivably lead to further disputes, but this court will maintain jurisdiction over such claims, which would be founded on the settlement terms rather than on the claims stated in any pleading.</p> <p>The court proposes entering an Order of Dismissal that states, "Pursuant to the Release, Compromise, and Settlement Agreement, ECF No. 480-3, all claims asserted in this matter are dismissed with prejudice, and the Clerk of Court is directed to close this case. The dismissal of this case does not affect the tasks being performed by the Settlement Administrator, the filing of periodic status reports, or any of the other terms of the Settlement Agreement. The court retains jurisdiction over any dispute arising out of the Settlement Agreement." (JUDGE SUSAN OKI MOLLWAY)(tl,) (Entered: 05/06/2019)</p>
05/10/2019	519	<p>OBJECTION re 518 Link,Plaintiff Class's Written Objections to the Court's May 6, 2019 Electronic Minute Order filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K., R. P.-K.. (Miller, Meredith) (Entered: 05/10/2019)</p>
05/16/2019	520	<p>ORDER OF DISMISSAL.The court retains jurisdiction over all aspects of the Settlement Agreement, including the continued administration of the settlement, any proposed modifications to the Settlement Agreement, and any dispute arising out of theSettlement Agreement. Signed by JUDGE SUSAN OKI MOLLWAY on 5/16/2019.</p>

		(cib) (Entered: 05/16/2019)
06/28/2019	521	STATUS REPORT <i>Settlement Administrator's Status Report Regarding Class Action Settlement; Exhibit "A"; Certificate of Service</i> by James E. Duffy, Jr. (Attachments: # 1 Exhibit "A" - Accounting ledger, # 2 Certificate of Service)(Miller, Meredith) (Entered: 06/28/2019)
06/28/2019	522	Letter addressed to Judge Susan Oki Mollway from Paul Alston, Esq., dated June 28, 2019 re: Class Counsel's Report to the Court Detailing Status of Settlement. (cib) (Entered: 06/28/2019)
07/02/2019	523	WITHDRAWN- SEE ECF NO. 548 MOTION for Settlement <i>Motion Regarding Implementation of the Settlement Agreement; Memorandum in Support of Motion; Proposed Amended Appendix "A"; Declaration of James E. Duffy, Jr.; Declaration of Meredith G. Miller; Declaration of Michele Sisiam; Exhibit "I"; Declaration of Jennifer La`a; Exhibit "A"; Certificate of Service</i> Meredith G. Miller appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, E.R. K., R. P.-K. (Attachments: # 1 Memorandum in Support of Motion, # 2 Appendix Proposed Amended Appendix "A", # 3 Declaration of James E. Duffy, Jr., # 4 Declaration of Meredith G. Miller, # 5 Declaration of Michele Sisiam, # 6 Exhibit "I", # 7 Declaration of Jennifer La`a, # 8 Exhibit "A", # 9 Certificate of Service)(Miller, Meredith) Modified on 12/10/2019 to term motion re 548 notice of withdrawal(cib). (Entered: 07/02/2019)
07/03/2019	524	NOTICE of Case Reassignment; Case reassigned to MAGISTRATE JUDGE ROM TRADER for all further proceedings. JUDGE KEVIN S.C. CHANG no longer assigned to case Please reflect Civil case number CV 10-00436-SOM-RT on all further pleadings. (apg,) (Entered: 07/03/2019)
07/05/2019	525	NOTICE of Hearing on Motion 523 Motion Regarding Implementation of the Settlement Agreement: Motion Hearing is SET for 8/8/2019 at 9:30 AM in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER. (shm) (Entered: 07/05/2019)
07/05/2019	526	EO: Hearing on 523 Motion Regarding Implementation of the Settlement Agreement set for 8/8/2019 at 9:30 AM is CONTINUED to 9/5/2019 at 9:30 AM in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER. (MAGISTRATE JUDGE ROM TRADER)(shm) (Entered: 07/05/2019)
07/12/2019	527	EO: The Court schedules a Status Conference for 7/29/19 at 10:00 a.m. before Magistrate Judge Rom Trader. The parties should be prepared to

		discuss matters relating to implementation of the settlement agreement. (MAGISTRATE JUDGE ROM TRADER)(tl,) (Entered: 07/12/2019)
07/29/2019	528	<p>EP: STATUS CONFERENCE held.</p> <p>Discussion held.</p> <p>Justice Duffy and Ms. Miller provides the Court with a status.</p> <p>Further Status Conference is set for August 28, 2019 at 10:30 a.m. before Magistrate Judge Rom Trader. Counsel Paul Alston request to participate via telephone at this conference. Request is granted. Mr. Alston to contact Magistrate Judge Rom Trader's Courtroom Manager, Toni Fujinaga at (808) 541-1297 prior to the hearing, to provide the best contact number at which he can be reached at the time of this hearing.</p> <p>(C5 - No Record 10:00 - 11:09.) (MAGISTRATE JUDGE ROM TRADER)(bbb) (Entered: 07/29/2019)</p>
08/15/2019	529	<p>MEMORANDUM re 523 MOTION for Settlement <i>Motion Regarding Implementation of the Settlement Agreement; Memorandum in Support of Motion; Proposed Amended Appendix "A"; Declaration of James E. Duffy, Jr.; Declaration of Meredith G. Miller; Declaration of Miche</i> DEFENDANTS MEMORANDUM IN RESPONSE TO PLAINTIFFS MOTION REGARDING IMPLEMENTATION OF THE SETTLEMENT AGREEMENT FILED JULY 2, 2019; EXHIBIT A; CERTIFICATE OF SERVICE filed by Department of Education, State of Hawai'i. (Attachments: # 1 Exhibit A, # 2 Certificate of Service)(Roylo, Ryan) (Entered: 08/15/2019)</p>
08/22/2019	530	<p>REPLY re 523 MOTION for Settlement <i>Motion Regarding Implementation of the Settlement Agreement; Memorandum in Support of Motion; Proposed Amended Appendix "A"; Declaration of James E. Duffy, Jr.; Declaration of Meredith G. Miller; Declaration of Miche</i> Plaintiffs' Reply in Support of 523 Motion Regarding Implementation of the Settlement Agreement; Declaration of Meredith G. Miller filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K., R. P.-K.. (Attachments: # 1 Declaration of Meredith G. Miller)(Miller, Meredith) (Entered: 08/22/2019)</p>
08/28/2019	531	<p>EP: Status Conference - Discussion had re: status of the settlement agreement. Status Conference held on 8/28/2019. (Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(tbf,) (Entered: 08/28/2019)</p>
08/30/2019	532	MOTION for Attorney Fees <i>Plaintiff Class's Application for Interim</i>

		<i>Attorneys' Fees; Declaration of Meredith G. Miller; Exhibit "1" re ECF No. 486-1 [Release, Compromise, and Settlement Agreement]</i> Meredith G. Miller appearing for Plaintiffs M. D., R. T. D., R. D., Hawaii Disability Rights Center, E.R. K., R. P.-K. (Attachments: # 1 Declaration of Meredith G. Miller, # 2 Exhibit Itemization of Dentons' time by date describing incurred fees)(Miller, Meredith) (Entered: 08/30/2019)
09/05/2019	533	EP: Plaintiffs' Motion Regarding Implementation of the Settlement Agreement 523 - Class Counsel Ms. Miller, Ms. Holland and Mr. Erteschik for Plaintiffs. Settlement Administator James Duffy present. Mr. Roylo present for Defendant Department of Education, State of Hawaii. Ms. Takezawa present on behalf of non-party Easter Seals Hawaii. Discussion had. Court schedules a Status Conference and further hearing on the motion for 10/10/19 at 9:30. The parties are directed to meet and confer in good faith in an attempt to reach consensus on the proposed modifications. The parties shall file a joint status report by 10/3/19. 523 MOTION for Settlement <i>Motion Regarding Implementation of the Settlement Agreement; Motion Hearing is set for 10/10/2019 09:30 AM in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER. Status Conference is set for 10/10/2019 09:30 AM in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER. (FTR-Ctrm FTR C5 9:36 - 10:24.) (MAGISTRATE JUDGE ROM TRADER)(tb,)</i> (Entered: 09/05/2019)
09/13/2019	534	NOTICE by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K., R. P.-K. <i>Notice of Withdrawal of Chrystn K.A. Eads as Counsel for Plaintiff Class</i> M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K., R. P.-K.. (Miller, Meredith) (Entered: 09/13/2019)
10/03/2019	535	STATUS REPORT <i>PARTIES JOINT STATUS REPORT; CERTIFICATE OF SERVICE</i> by Department of Education, State of Hawai'i. (Roylo, Ryan) (Entered: 10/03/2019)
10/10/2019	536	EP: : Further Hearing on Plaintiffs' Motion Regarding Implementation of the Settlement Agreement 523 and Status Conference - Settlement Administer Justice James E. Duffy, Jr. present. Discussion had. Parties indicated that they will meet and confer on 10/21/19. A Further Status Conference is set for 11/6/19 @ 9:00 a.m. Further Hearing on Plaintiffs' Motion Regarding Implementation of the Settlement Agreement is continued to 11/6/19 @ 9:00 a.m. Parties to submit a joint update by 11/1/19.

		523 MOTION for Settlement <i>Motion Regarding Implementation of the Settlement Agreement; Status Conference is set for 11/6/2019 09:00 AM in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER. Motion Hearing is set for 11/6/2019 09:00 AM in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER. (FTR-Ctrm FTR C5 (9:27 - 9:53).) (MAGISTRATE JUDGE ROM TRADER)(tbj,) (Entered: 10/10/2019)</i>
11/01/2019	537	STATUS REPORT <i>Joint Status Report</i> by Department of Education, State of Hawai'i. (Roylo, Ryan) (Entered: 11/01/2019)
11/06/2019	538	EP: Status Conference and Further Hearing on Plaintiffs' Motion Regarding Implementation of the Settlement Agreement 523 - Settlement Administer Justice James E. Duffy, Jr. present. Discussion had. Status Conference and Further Hearing on Plaintiffs' Motion Regarding Implementation of the Settlement Agreement 523 are continued to 12/3/19 @ 9:30 a.m. before Magistrate Judge Trader. Parties to provide another joint status report by 11/29/19. To the extent the Court may reach out for further separate discussions with counsel, counsel have no objection. 523 MOTION for Settlement <i>Motion Regarding Implementation of the Settlement Agreement; Memorandum in Support of Motion; Proposed Amended Appendix "A"; Declaration of James E. Duffy, Jr.; Declaration of Meredith G. Miller; Declaration of Miche, Status Conference held on 11/6/2019, Motion Hearing held on 11/6/2019. Status Conference is set for 12/3/2019 09:30 AM in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER. Motion Hearing is set for 12/3/2019 09:30 AM in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER. (FTR-Ctrm FTR C5 (9:01 - 9:43).) (MAGISTRATE JUDGE ROM TRADER)(tbj,) (Entered: 11/06/2019)</i>
11/07/2019	539	EO: Pursuant to Mr. Roylo's request, a Status Conference with Defense Counsel Only is set for 11/19/2019 01:30 PM in Chambers of Magistrate Judge Rom Trader before MAGISTRATE JUDGE ROM TRADER. (MAGISTRATE JUDGE ROM TRADER)(tbj,) (Entered: 11/07/2019)
11/19/2019	540	EP: Status Conference with Defense Counsel Only held 11/19/19 at 1:30 p.m. Holly Shikada, Ryan Roylo and Kevin Richardson present for Defendant Department of Education, State of Hawaii. Discussions had. (Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(tbj,) (Entered: 11/20/2019)
11/20/2019	541	EO: Pursuant to Class Counsel's request, a Status Conference With Class Counsel Only is set for 12/2/2019 10:00 AM in Courtroom 5 before

		MAGISTRATE JUDGE ROM TRADER. (MAGISTRATE JUDGE ROM TRADER)(tbf,) (Entered: 11/20/2019)
11/21/2019	542	Letter dated November 19, 2019 to Magistrate Judge Rom Trader from Meredith G. Miller re: Status Conference with Class Counsel (jo) (Entered: 11/21/2019)
11/26/2019	543	FINDINGS AND RECOMMENDATION TO DENY WITHOUT PREJUDICE PLAINTIFF CLASS'S APPLICATION FOR INTERIM ATTORNEYS' FEES re 532 - Signed by MAGISTRATE JUDGE ROM TRADER on 11/26/2019. (jo) (Entered: 11/26/2019)
11/29/2019	544	STATUS REPORT <i>PARTIES JOINT STATUS REPORT; CERTIFICATE OF SERVICE</i> by Department of Education, State of Hawai'i. (Roylo, Ryan) (Entered: 11/29/2019)
12/02/2019	545	EP: Status Conference with Class Counsel only held on 12/2/19 at 10:00 a.m. Meredith Miller, Kristin Holland, Janna Ahu, Erika Amatore and Louis Erteschik present for Plaintiffs. Discussion had. (Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(tbf,) (Entered: 12/02/2019)
12/03/2019	546	EP: Status Conference and further hearing on Motion Regarding Implementation of the Settlement Agreement (ECF 523) held on 12/3/19 at 9:26 a.m. Meredith Miller and Erika Amatore present for Plaintiffs. Ryan Roylo and Kevin Richardson present for Defendant. Settlement Administrator James Duffy present. Discussion had. Class counsel to provide court with formal proposal by no later than 12/11/19. Court to schedule separate conference with Defendant to discuss proposal. Settlement Administrator will be permitted to participate. Class counsel to notify court and counsel by no later than 12/11/19 as to whether they intend to withdraw without prejudice the pending Motion Regarding Implementation of the Settlement Agreement (ECF 523), subject to refiling. Counsel permitted to contact the Court directly with regard to settlement discussions. Motion Hearing held on 12/3/2019 re 523 MOTION for Settlement <i>Motion Regarding Implementation of the Settlement Agreement; Memorandum in</i>

		<i>Support of Motion; Proposed Amended Appendix "A"; Declaration of James E. Duffy, Jr.; Declaration of Meredith G. Miller; Declaration of Miche filed by Hawaii Disability Rights Center, R. P.-K., M. D., R. D., R. T. D., E.R. K., Status Conference held on 12/3/2019. (FTR-Ctrm FTR C5 (9:26 - 9:59).) (MAGISTRATE JUDGE ROM TRADER)(tbef,) (Entered: 12/03/2019)</i>
12/04/2019	547	NOTICE of Appearance by Erika L. T. Amatore on behalf of M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), Hawaii Disability Rights Center, E.R. K., R. P.-K. (Amatore, Erika) (Entered: 12/04/2019)
12/09/2019	548	NOTICE of Withdrawal of 523 Motion by Janna W Ahu on behalf of M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), Hawaii Disability Rights Center, E.R. K., R. P.-K.. (Ahu, Janna) (Entered: 12/09/2019)
12/10/2019	549	OBJECTION re 543 FINDINGS AND RECOMMENDATIONS re 532 MOTION for Attorney Fees <i>Plaintiff Class's Application for Interim Attorneys' Fees; Declaration of Meredith G. Miller; Exhibit "1" re ECF No. 486-1 [Release, Compromise, and Settlement Agr Plaintiffs Objections to 543 Magistrate Judges Findings and Recommendation to Deny Without Prejudice Plaintiff Classs Application for Interim Attorneys Fees; Declaration of Janna Wehilani Ahu; Exhibits 1 - 3 filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), E.R. K., R. P.-K.</i> (Attachments: # 1 Declaration of Janna Wehilani Ahu, # 2 Exhibit 1 - Findings and Recommendation, # 3 Exhibit 2 - Application for Interim Attorneys' Fees, # 4 Exhibit 3 - Release, Compromise and Settlement Agreement)(Ahu, Janna) (Entered: 12/10/2019)
12/16/2019	550	ORDER Adopting In Part and Modifying In Part Magistrate Judge Findings and Recommendation re 543 . This court adopts the F&R in part and modifies it in part. The court awards Plaintiffs a total of \$75,000 in interim fees and GET and authorizes the Settlement Administrator to disburse those funds from the \$250,000 set aside in the settlement agreement for attorneys' fees. The court adopts the F&R to the extent it recommends denial of the remainder of the motion for fees, without prejudice to any future fee award, including for the same period covered by the motion (but without duplicating the award made here). Signed by JUDGE SUSAN OKI MOLLWAY on 12/16/2019. (cib) (Entered: 12/16/2019)
12/30/2019	551	MOTION for Reconsideration re 550 Order on Findings and

		Recommendations,, Ryan W. Roylo appearing for Defendant Department of Education, State of Hawai'i (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 12/30/2019)
12/31/2019	552	STATUS REPORT <i>Settlement Administrator's Status Report Regarding Class Action Settlement; Exhibit "A"; Certificate of Service</i> by James E. Duffy, Jr. (Attachments: # 1 Exhibit "A" - Accounting Ledger, # 2 Certificate of Service)(Miller, Meredith) (Entered: 12/31/2019)
01/03/2020	553	Letter addressed to Judge Susan Oki Mollway from Meredith G. Miller, Esq., dated December 31, 2019 re: Class Counsel's Report to the Court Detailing Status of Settlement. (cib) (Entered: 01/03/2020)
01/06/2020	554	EO: On August 30, 2019, Plaintiffs filed a motion seeking an award of \$152,404.13 in interim fees including the general excise tax (GET) out of the Services Fund. <i>See</i> ECF No. 532 . The DOE did not oppose the motion. On November 26, 2019, the Magistrate Judge issued his Findings and Recommendation to Deny Without Prejudice Plaintiff Classes Application for Interim Attorneys Fees ("F&R"). <i>See</i> ECF No. 543 . The Magistrate Judge reasoned that Plaintiffs had not established that they had met and conferred before filing the motion, as required by Local Rule 54.2. The Magistrate Judge also declined to review Plaintiffs' attorneys' fees requests on a piecemeal basis, noting that "judicial economy and the administration of justice will be best served by addressing Plaintiffs' fee requests at the conclusion of this action." <i>See</i> ECF No. 543 . Plaintiffs objected to the F&R, and the DOE did not respond to the objection. On December 16, 2019, the court adopted the F&R in part and modified it in part, awarding Plaintiffs a total of \$75,000 in interim fees and GET. <i>See</i> ECF No. No. 550 . The DOE now moves to reconsider that award. <i>See</i> ECF No. 551 . The court denies the reconsideration motion without a hearing. The DOE has waived any right to object to any fee award, having both (1) failed to timely oppose the underlying motion, and (2) filed no response to Plaintiffs' objection to the F&R. The DOE cannot now belatedly object to an award of less than what was sought. (JUDGE SUSAN OKI MOLLWAY) (cib) (Entered: 01/06/2020)
03/16/2020	555	EO: Per the request of Counsel, the Court sets a Telephone Status Conference for 03/23/2020 at 9:00 a.m. in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER. (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 03/16/2020)
03/19/2020	556	STATUS REPORT <i>DEFENDANTS STATUS REPORT; CERTIFICATE OF SERVICE</i> by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 03/19/2020)

03/19/2020	557	STATUS REPORT <i>Plaintiff Class' Status Report; Certificate of Service</i> by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Ahu, Janna) (Entered: 03/19/2020)
03/23/2020	558	<p>EP: TELEPHONE STATUS CONFERENCE held.</p> <p>Discussion had.</p> <p>Mr. Duffy updates the Court concerning changes intended to expedite the review/approval process for disbursement requests.</p> <p>Ms. Miller to provide a modified proposal to Mr. Roylo for review by appropriate decision-making authority.</p> <p>Telephone Status Conference set for 04/06/2020 at 9:30 a.m. before Magistrate Judge Trader. CRM to provide dial-in instructions.</p> <p>(Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 03/23/2020)</p>
04/03/2020	560	<p>MOTION for Preliminary Injunction <i>DEFENDANTS MOTION FOR PRELIMINARY INJUNCTION; MEMORANDUM IN SUPPORT OF DEFENDANTS MOTION FOR PRELIMINARY INJUNCTION; DECLARATION OF RYAN W. ROYLO; EXHIBITS 1-4; CERTIFICATE OF SERVICE</i> Ryan W. Roylo appearing for Defendant Department of Education, State of Hawai'i (Attachments: # 1 Declaration, # 2 Exhibit Ex1, # 3 Exhibit Ex2, # 4 Exhibit Ex3, # 5 Exhibit Ex4, # 6 Certificate of Service)(Roylo, Ryan) (Entered: 04/03/2020)</p>
04/06/2020	561	<p>EO: It is not clear to the court whether the parties have (possibly implicitly in proceedings before Justice Duffy or Judge Trader) complied with Local Rule 7.8, which requires the parties to confer before filing any motion. No later than April 9, 2020, the parties shall file statements (or a joint statement) indicating that the prefiling conference did indeed occur before the preliminary injunction motion was filed, or that it has occurred on or before April 9, 2020, and stating the result re 560 .</p> <p>(JUDGE SUSAN OKI MOLLWAY)</p> <p>(cib) (Entered: 04/06/2020)</p>
04/06/2020	562	<p>EP: TELEPHONE CONFERENCE held.</p> <p>Discussion had.</p> <p>Class Counsel confirms and acknowledges DOEs compliance with LR7.8 pre-filing conference requirement for Defendants Motion for Preliminary</p>

		<p>Injunction [ECF 560] filed 04/03/2020. Counsel to file statement(s) per District Judge Mollways 04/06/2020 Entering Order [ECF 561].</p> <p>Notwithstanding DOE having filed the motion for preliminary injunction, parties in agreement to further discuss anticipated negative impact of COVID-19 pandemic and corresponding economic downturn on delivery of services and disbursement of settlement funds within time frame specified by the settlement agreement.</p> <p>Telephone Conference set for 04/23/2020 at 9:00 a.m. before Magistrate Judge Trader.</p> <p>(Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 04/06/2020)</p>
04/08/2020	563	<p>STATEMENT <i>Joint Statement Regarding April 6, 2020 Electronic Order [ECF 561]; Certificate of Service</i> filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated,), R. D., Hawaii Disability Rights Center, E.R. K.. (Attachments: # 1 Certificate of Service)(Miller, Meredith) (Entered: 04/08/2020)</p>
04/09/2020	564	<p>NOTICE of Hearing on Motion 560 MOTION for Preliminary Injunction DEFENDANTS MOTION FOR PRELIMINARY INJUNCTION; MEMORANDUM IN SUPPORT OF DEFENDANTS MOTION FOR PRELIMINARY INJUNCTION; DECLARATION OF RYAN W. ROYLO; EXHIBITS 1-4; CERTIFICATE OF SERVICE. Motion Hearing date has been set for 5/18/2020 at 10:30 AM before JUDGE SUSAN OKI MOLLWAY. (tl,) (Entered: 04/09/2020)</p>
04/09/2020	565	<p>EO: The court has reviewed the parties Local Rule 7.8 statement, which this court requested. The parties note in that statement the inapplicability of the rule to preliminary injunction motions. The court would be aided by the inclusion of discussions in upcoming briefs of whether the motion is or is not properly posed as one for injunctive relief. The court recognizes the parties' need for a ruling on the substantive issue, but would like clarification as to why the issue is presented through the procedural vehicle of a request for an injunction (rather than, for example, a request for clarification or declaratory relief). Is there some action that is ongoing or imminent that this court is being asked to enjoin, or is everything simply frozen pending a ruling by the court? Any opposition to the motion is due by April 27, 2020, and any reply brief is due by May 4, 2020 re 560.</p> <p>(JUDGE SUSAN OKI MOLLWAY) (cib) (Entered: 04/09/2020)</p>
04/14/2020	567	<p>EO: Pursuant to the March 23, 2020 Temporary General Order Regarding</p>

		<p>District of Hawaii Response to COVID-19 Emergency, the Court will be using AT&T Connect Audio Conference for matters. The AT&T Connect Audio Conference participant instructions are below.</p> <p>Counsel must connect to the conference <i>at least ten minutes</i> before the scheduled start time for the hearing. For example, if the matter is scheduled for 2:00 p.m., counsel must connect to the conference by 1:50 p.m. so that the Courtroom Manager can take attendance.</p> <p>PARTICIPANT INSTRUCTIONS:</p> <ol style="list-style-type: none"> 1. Dial 1-888-684-8852 2. Enter your Access Code (8427906) when prompted followed by the pound (#) sign. 3. Message will say "To join the conference as the host press star (*) otherwise press pound (#)." 4. Press pound (#). Message will say "The host has not yet arrived, please standby." 5. When the Host joins, you will then be connected to the Conference. <p>(JUDGE SUSAN OKI MOLLWAY)(tl,) (Entered: 04/14/2020)</p>
04/23/2020	568	<p>EP: TELEPHONE CONFERENCE held.</p> <p>Discussion had.</p> <p>Telephone Conference set for 05/27/2020 at 1:00 p.m. before Magistrate Judge Trader.</p> <p>Courtroom Manager to provide dial-in instructions.</p> <p>(Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 04/23/2020)</p>
04/27/2020	569	<p>MEMORANDUM in Opposition re 560 MOTION for Preliminary Injunction <i>DEFENDANTS MOTION FOR PRELIMINARY INJUNCTION; MEMORANDUM IN SUPPORT OF DEFENDANTS MOTION FOR PRELIMINARY INJUNCTION; DECLARATION OF RYAN W. ROYLO; EXHIBITS 1-4; CERTIFICATE OF SERVICE Memorandum In Opposition to Defendant's Motion for Preliminary Injunction [ECF 560]; Declaration of Meredith G. Miller; Declaration of James E. Duffy, Jr.</i> filed by M. D., R. T. D. (through his parents R.D. and M.D., for themselves and on behalf of a class of those similarly situated.), Hawaii Disability Rights Center,</p>

		E.R. K., R. P.-K.. (Attachments: # 1 Declaration Declaration of Meredith G. Miller, # 2 Declaration Declaration of James E. Duffy, Jr.)(Ahu, Janna) (Entered: 04/27/2020)
04/29/2020	570	EO: Pursuant to Mr. Roylo's request, a Telephone Status Conference with Defense Counsel Only is set for 05/05/2020 at 1:00 p.m. before MAGISTRATE JUDGE ROM TRADER. Courtroom Manager to provide dial in information. (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 04/29/2020)
05/01/2020	571	EO: Pursuant to the April 16, 2020 Temporary General Order Regarding District of Hawaii Response to COVID-19 Emergency, the Court will be using AT&T Connect Audio Conference for matters. The AT&T Connect Audio Conference participant instructions are below. Counsel must connect to the conference <i>at least ten minutes</i> before the scheduled start time for the hearing. For example, if the matter is scheduled for 2:00 p.m., counsel must connect to the conference by 1:50 p.m. so that the Courtroom Manager can take attendance. PARTICIPANT INSTRUCTIONS: 1. Dial 1-888-684-8852 2. Enter your Access Code (8427906) when prompted followed by the pound (#) sign. 3. Message will say "To join the conference as the host press star (*) otherwise press pound (#)." 4. Press pound (#). Message will say "The host has not yet arrived, please standby." 5. When the Host joins, you will then be connected to the Conference. (JUDGE SUSAN OKI MOLLWAY)(tl,) (Entered: 05/01/2020)
05/04/2020	572	REPLY re 569 Memorandum in Opposition to Motion,, filed by Department of Education, State of Hawai'i. (Attachments: # 1 Declaration of Ryan W. Roylo, # 2 Certificate of Service)(Roylo, Ryan) Docket Text Modified on 5/4/2020 (jo) (Entered: 05/04/2020)
05/05/2020	573	EP: EX PARTE TELEPHONE CONFERENCE (DEFENDANT DOE ONLY) held.

		<p>Kevin M. Richardson, Ryan Roylo, and Holly Shikada present for Defendant Department of Education, State of Hawaii.</p> <p>Discussion had.</p> <p>(Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 05/05/2020)</p>
05/07/2020	574	<p>EO: While the court is working remotely, the district judge does not intend to issue her usual prehearing inclinations..</p> <p>(JUDGE SUSAN OKI MOLLWAY)</p> <p>(cib) (Entered: 05/07/2020)</p>
05/18/2020	576	<p>EP: Hearing on 560 Defendant's Motion for Preliminary Injunction was conducted by telephone conference.</p> <p>Justice James Duffy, Settlement Administrator also participated by telephone conference.</p> <p>Oral arguments heard.</p> <p>For the reasons stated on the record, ruling on 560 Defendant's Motion for Preliminary Injunction is held in ABEYANCE until 6/5/2020. Parties are referred to Magistrate Judge Rom Trader to rediscuss terms of Settlement Agreement.</p> <p>(Court Reporter Ann Matsumoto.) (JUDGE SUSAN OKI MOLLWAY)(shm) (Entered: 05/18/2020)</p>
05/22/2020	577	<p>EO: In accordance with the <i>Temporary General Order Regarding District of Hawaii Response to COVID-19 Emergency</i>, issued on April 16, 2020 by Chief District Judge Seabright, until further court order or notice, all proceedings before Magistrate Judge Trader will be conducted by telephone or other electronic means.</p> <p>Call-in information for the telephone conference set for 05/27/2020 at 1:00 p.m. before Magistrate Judge Trader is below. Parties must connect to the conference at least five (5) minutes prior to the scheduled start time of the hearing.</p> <p><u>Participants to call in per the instructions below:</u></p> <ol style="list-style-type: none"> 1. Dial 1-888-363-4735 2. Enter Access Code (2070326) when prompted followed by the pound (#) sign. 3. Message will say "To join the conference as host press star (*)

		<p>otherwise press pound (#).</p> <p>4. Press pound (#). Message will say "The host has not yet arrived, please standby".</p> <p>5. You will hear "At the tone state your name." You will then be connected to the Conference.</p> <p>(MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 05/23/2020)</p>
05/27/2020	578	<p>EP: TELEPHONE CONFERENCE held.</p> <p>In light of District Judge Mollways ruling on <i>Defendant's Motion for Preliminary Injunction</i> [ECF 560] being held in abeyance until 06/05/2020, the Court and parties explore options to potentially resolve not only the motion, but broader issues relating to the implementation of and possible modification of the settlement agreement.</p> <p>Court directs parties to further discuss and exchange formal proposals as follows:</p> <ol style="list-style-type: none"> 1. Class Counsel to provide Defendant with latest version of the working draft of the supplemental proposal today (05/27/2020); 2. Defendant to respond by 05/31/2020; 3. Class Counsel to respond by 06/02/2020; and 4. Defendant to respond by 06/3/2020. <p>Court schedules a Confidential Telephone Conference for 06/04/2020 at 11:00 a.m. before Magistrate Judge Trader. Courtroom Manager to provided dial-in instructions.</p> <p>Court asks Mr. Roylo to advise the Attorney General that the Court may need to request her review and decision-making on an expedited basis concerning this matter.</p> <p>(Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 05/28/2020)</p>
06/04/2020	579	<p>EO: At the hearing on the DOE's preliminary injunction motion, the court asked the parties to meet and confer further on the matters raised by the motion. The court stayed the motion until June 5, 2020. Having heard from the Magistrate Judge that the parties are still in discussion, this court stays the motion through the close of business on June 12, 2020, noting that the court will not be open on June 11, 2020, which is Kamehameha Day. (JUDGE SUSAN OKI MOLLWAY) (cib) (Entered: 06/04/2020)</p>
06/04/2020	580	<p>EP: TELEPHONE CONFERENCE held.</p>

		<p>Discussion had. Parties continue to explore options to resolve <i>Defendant's Motion for Preliminary Injunction</i> [ECF 560] pending before District Judge Mollway and broader issues relating to the implementation of and possible modification of the settlement agreement.</p> <p>Court directs parties to further discuss and exchange formal proposals as follows:</p> <ol style="list-style-type: none"> 1. Class Counsel to provide Defendant with latest draft of the supplemental proposal by 06/05/2020; 2. Defendant to respond by 06/08/2020; and 3. Parties are to meet and confer on 06/09/2020. <p>Court sets a Confidential Telephone Status Conference for 06/10/2020 at 1:30 p.m. before Magistrate Judge Trader. Courtroom Manager to provided dial-in instructions.</p> <p>(Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 06/04/2020)</p>
06/10/2020	581	<p>EP: TELEPHONE CONFERENCE held.</p> <p>Parties finalizing supplemental proposal. Mr. Roylo to consult with client, supervisors and Attorney General Connors.</p> <p>Court sets a Confidential Telephone Status Conference for 06/24/2020 at 10:00 a.m. before Magistrate Judge Trader. Courtroom Manager to provided dial-in instructions.</p> <p>Court to update District Judge Mollway.</p> <p>(Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 06/11/2020)</p>
06/12/2020	582	<p>EO: Having been informed that the parties have made significant progress in their attempts to resolve pending issues, the district judge will wait until June 24 before ruling on the motion that was argued in May. (JUDGE SUSAN OKI MOLLWAY) (cib) (Entered: 06/12/2020)</p>
06/18/2020	583	<p>EO: Per the request of Counsel for Defendant Department of Education, State of Hawai'i, an ex parte telephone Conference is set for 6/19/2020 at 11:30 a.m. before MAGISTRATE JUDGE ROM TRADER. Courtroom Manager to provide call-in instructions.</p> <p>(MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 06/18/2020)</p>

06/19/2020	584	<p>EP: EX PARTE CONFIDENTIAL TELEPHONE CONFERENCE (DEFENDANT DEPARTMENT OF EDUCATION ONLY) held.</p> <p>Discussion had.</p> <p>(Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 06/19/2020)</p>
06/24/2020	585	<p>EO: Given the magistrate judge's indication that the parties continue to make progress toward resolving their differences, the court will continue to delay ruling on the pending motion. However, unless the district judge is informed by 4:30 p.m. on June 30, 2020, that the parties have reached or are about to reach agreement, the district judge will thereafter consider the temporary stay to have expired and the parties to be awaiting a decision. (JUDGE SUSAN OKI MOLLWAY) (cib) (Entered: 06/24/2020)</p>
06/24/2020	586	<p>EP: Confidential Telephone Conference held.</p> <p>Discussion held.</p> <p>Based upon recent discussions, Class Counsel conveyed a modified proposal to Department of Education, State of Hawaii ("DOE") on 06/22/2020. DOE to respond by no later than close of business on 6/25/2020.</p> <p>Court to update Senior District Judge Susan Oki Mollway regarding the status of the case.</p> <p>Further Confidential Telephone Conference is SET for 6/29/2020 at 10:30 a.m. before Magistrate Judge Trader. Counsel directed to confer in advance of the conference.</p> <p>(no reporter.) (MAGISTRATE JUDGE ROM TRADER)(shm) (Entered: 06/24/2020)</p>
06/29/2020	587	<p>EP: TELEPHONE CONFERENCE held.</p> <p>Further Confidential Telephone Conference set for 06/30/2020 at 2:00 p.m. before Magistrate Judge Trader. Courtroom Manager to provided dial-in instructions.</p> <p>Court to update District Judge Mollway.</p> <p>(Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 06/29/2020)</p>

06/30/2020	588	STATUS REPORT <i>Settlement Administrator's Status Report Regarding Class Action Settlement and Request for Additional Compensation; Exhibits "A" & "B"</i> by James E. Duffy, Jr. (Attachments: # 1 Exhibit "A" - Accounting Ledger, # 2 Exhibit "B" - Spending Detail)(Miller, Meredith) Modified event type to motion on 6/30/2020 (cib). (Entered: 06/30/2020)
06/30/2020	589	Letter (via email) addressed to Judge Susan Oki Mollway from Meredith G. Miller, Esq., dated June 30,2020 re: Class Counsel's Report to the Court Detailing Status of Settlement. (cib) (Entered: 06/30/2020)
06/30/2020	590	EO: Court continues the Telephone Conference previously set for 06/30/2020 at 2:00 p.m. to 07/09/2020 at 10:00 a.m. before MAGISTRATE JUDGE ROM TRADER. Courtroom Manager to provide call-in instructions. (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 06/30/2020)
07/01/2020	591	EO: On 06/30/2020, Settlement Administrator James E. Duffy, Jr. filed a Settlement Administrator's Status Report Regarding Class Action Settlement and Request for Additional Compensation ("Status Report") (ECF No. 588). The Court construes the portion of the Status Report requesting additional funds as a Motion for Additional Compensation ("Motion"). The Court elects to decide the Motion without a hearing pursuant to LR7.1(c). The Court directs the Settlement Administrator to submit by July 10, 2020 a supplemental filing describing the general nature of the tasks remaining and the projected time and costs to complete them. Any Response shall be filed by July 16, 2020. A Reply, if any, shall be filed by July 23, 2020. (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 07/01/2020)
07/09/2020	592	EP: TELEPHONE CONFERENCE held. Discussion had. Further Confidential Telephone Conference set for 7/20/2020 at 1:30 p.m. before Magistrate Judge Trader. Courtroom Manager to provided dial-in instructions. Court to update District Judge Mollway. (Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 07/09/2020)
07/10/2020	593	SUPPLEMENT re 588 MOTION filed by James E. Duffy, Jr. by James E.

		Duffy, Jr <i>Settlement Administrator's Supplement to Motion for Additional Compensation [ECF 588]</i> . (Amatore, Erika) (Entered: 07/10/2020)
07/16/2020	594	RESPONSE to Motion <i>DEFENDANTS RESPONSE TO THE SETTLEMENT ADMINISTRATORS MOTION FOR ADDITIONAL COMPENSATION [ECF 588] AND SUPPLEMENT TO MOTION FOR ADDITIONAL COMPENSATION [ECF 593]</i> filed by Department of Education, State of Hawai'i. (Attachments: # 1 Certificate of Service)(Roylo, Ryan) (Entered: 07/16/2020)
07/20/2020	595	<p>EP: TELEPHONE CONFERENCE held.</p> <p>Discussion had. Given current status and required next steps, the Court sets the following deadlines:</p> <ol style="list-style-type: none"> 1. Class Counsel to provide final draft of proposed supplemental agreement to Defendant by 07/24/2020; 2. Defendant to review and work with Class Counsel to finalize language of supplemental agreement by 07/31/2020; 3. Once finalized, Defendant to timely submit to Attorney General for review/approval; and. 4. If approved by the Attorney General, parties to make best efforts to execute the supplemental agreement by 08/14/2022. <p>Discussion had concerning Settlement Administrator's pending request for additional funds.</p> <p>Court schedules a Confidential Telephone Conference for 08/18/2020 at 1:30 p.m. before Magistrate Judge Trader. Courtroom Manager to provide dial-in instructions.</p> <p>Court to update District Judge.</p> <p>(Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 07/20/2020)</p>
07/22/2020	596	<p>EO: Court sets a Confidential Telephone Status Conference for 07/23/2020 at 11:00 a.m. before MAGISTRATE JUDGE ROM TRADER. Courtroom Manager to provide dial-in instructions.</p> <p>(MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 07/22/2020)</p>
07/23/2020	597	<p>EP: STATUS CONFERENCE held.</p> <p>Discussion had regarding [ECF 593] <i>Settlement Administrator's Supplement to Motion for Additional Compensation [ECF 588]</i>. Class Counsel represents the need for additional administrative funds</p>

		<p>immediately to advert suspension of efforts to ensure services are provided to eligible class members and to pay outstanding obligations.</p> <p>Court informed counsel of its inclination to recommend an interim partial award of \$50,000 at this time, to which no objection was raised. The Court and the parties contemplate that a request for supplemental administrative funds may be needed in the future. While DOE has expressed concerns and reserves the right to respond to any future supplemental funding requests to administer the settlement fund, given the current circumstances, the DOE does not object. The Court understands that without supplemental funds, the Settlement Administrator anticipates a disruption of ongoing tasks necessary to administer the settlement.</p> <p>Court to relay recommendation to District Judge Mollway for her consideration.</p> <p>(Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 07/24/2020)</p>
07/24/2020	598	<p>EO: Settlement Administrator James Duffy has requested additional compensation. This matter has been unresolved for weeks while the parties have been trying to reach a settlement. Although the DOE has objected to the amount sought, the DOE, according to minutes of a conference conducted by the Magistrate Judge, appears not to object to a partial amount of \$50,000. The District Judge has been informed that existing approved funds are depleted or near depletion, and that the issue of additional compensation is in serious need of being addressed. With the understanding that \$50,000 is not objected to by any party, and that the DOE may continue to object to amounts over \$50,000, the District Judge approves \$50,000 in additional compensation to Settlement Administrator Duffy. Unless any party submits written objection to the \$50,000 amount before noon on July 27, 2020, this order will take effect at noon on July 27, 2020.</p> <p>(JUDGE SUSAN OKI MOLLWAY)</p> <p>(cib) (Entered: 07/24/2020)</p>
07/24/2020	599	<p>EO: Given the parties' encouraging settlement discussions, the district judge terminates the pending preliminary injunction motion. In the event settlement efforts are unsuccessful, any party may reactivate the preliminary injunction motion by so requesting in a letter to the district judge. re 560 .</p> <p>(JUDGE SUSAN OKI MOLLWAY)</p> <p>(cib) (Entered: 07/24/2020)</p>
08/10/2020	600	<p>EO: Pursuant to a joint request from Counsel, the Court sets a Status Conference for 08/14/2020 at 11:00 a.m. before MAGISTRATE JUDGE ROM TRADER.</p>

		<p>In accordance with the <i>July 28, 2020 Temporary General Order Regarding District of Hawaii Response to COVID-19 Pandemic</i>, this hearing <u>will be held telephonically</u>. Courtroom Manager to provide dial-in instructions.</p> <p>(MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 08/10/2020)</p>
08/14/2020	601	<p>EP: STATUS CONFERENCE held.</p> <p>Discussion had regarding status of supplemental settlement agreement. Mr. Roylo anticipates remaining issues to be resolved within two weeks.</p> <p>Court VACATES the Telephone Status set for 08/18/2020 at 1:30 p.m. before Magistrate Judge Trader.</p> <p>Confidential Telephone Conference set for 09/02/2020 at 11:00 a.m. before Magistrate Judge Trader. Courtroom Manager to provided dial-in instructions.</p> <p>Court to update District Judge Mollway.</p> <p>(ATT / 11:00 - 11:15) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 08/16/2020)</p>
09/02/2020	602	<p>EP: STATUS CONFERENCE held.</p> <p>Discussion had regarding status of supplemental settlement agreement. Documents being routed for final signatures. Parties to submit to District Judge Mollway for review and approval.</p> <p>Settlement Administrator's request for supplemental funds to be submitted.</p> <p>Confidential Telephone Conference set for 09/16/2020 at 11:30 a.m. before Magistrate Judge Trader. Courtroom Manager to provided dial-in instructions.</p> <p>Court to update District Judge Mollway.</p> <p>(ATT / 11:00 - 11:08) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 09/02/2020)</p>
09/09/2020	603	<p>MOTION for Settlement <i>Settlement Administrators Motion for Additional Administration Funds; Declaration of Erika L. Amatore; Exhibits A and B</i> Erika L. T. Amatore appearing for Plaintiffs M. D., R. T. D., Hawaii Disability Rights Center, E.R. K., R. P.-K. (Attachments: # 1 Declaration of Erika L. Amatore, # 2 Exhibit A, # 3 Exhibit B)(Amatore, Erika)</p>

		(Entered: 09/09/2020)
09/14/2020	604	<p>EO: Motion Hearing is set for 11/5/2020 at 9:30 a.m. before MAGISTRATE JUDGE ROM TRADER on ECF 603 <i>Settlement Administrator's Motion for Additional Administration Funds</i>.</p> <p>In accordance with the <i>August 24, 2020 Temporary General Order Regarding District of Hawaii Response to COVID-19 Pandemic</i>, issued August 24, 2020, this hearing <u>will be held telephonically</u>.</p> <p>Parties and other participants must call-in at least five (5) minutes prior to the scheduled start time of the hearing. Call-in instructions are below:</p> <ol style="list-style-type: none"> 1. Dial 1-888-363-4735. 2. Enter Access Code (2070326) when prompted followed by the pound (#) sign. 3. Message will say <i>"To join the conference as host press star (*) otherwise press pound (#)"</i>. 4. Press pound (#). Message will say <i>"The host has not yet arrived, please standby."</i> 5. You will hear <i>"At the tone state your name."</i> You will then be connected to the Conference. <p>(MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 09/14/2020)</p>
09/16/2020	606	<p>EP: TELEPHONE CONFERENCE held.</p> <p><u>Supplemental Settlement Agreement:</u></p> <p>Supplemental settlement agreement ready for submission to District Judge Mollway for review and approval.</p> <p><u>Administrator's Supplemental Funds Request:</u></p> <p>Discussion had regarding [ECF 603] <i>Settlement Administrator's Motion for Additional Administration Funds</i> set for hearing 11/05/2020 at 9:30 a.m. before Magistrate Judge Trader. Briefing schedule set forth below:</p> <ol style="list-style-type: none"> 1. Defendant's response due 10/07/2020; and 2. Class Counsel's reply due 10/16/2020. <p>Upon review of the briefing, Court to determine whether to proceed with hearing or decide the matter on the submissions.</p> <p>(ATT / 11:32 - 11:45) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 09/18/2020)</p>

09/17/2020	605	Supplement To Release, Compromise, and Settlement Agreement. Signed by JUDGE SUSAN OKI MOLLWAY. (cib) (Entered: 09/17/2020)
10/07/2020	607	REPLY re 603 MOTION for Settlement <i>Settlement Administrators Motion for Additional Administration Funds; Declaration of Erika L. Amatore; Exhibits A and B</i> DEFENDANTS RESPONSE TO THE SETTLEMENT ADMINISTRATORS MOTION FOR ADDITIONAL ADMINISTRATIVE FUNDS [ECF 603]; DECLARATION OF RYAN W. ROYLO; CERTIFICATE OF SERVICE filed by Department of Education, State of Hawai'i. (Attachments: # 1 Declaration, # 2 Certificate of Service)(Roylo, Ryan) (Entered: 10/07/2020)
10/15/2020	608	REPLY re 603 MOTION for Settlement <i>Settlement Administrators Motion for Additional Administration Funds; Declaration of Erika L. Amatore; Exhibits A and B</i> Settlement Administrator's Reply In Support of Motion for Additional Administration Funds [Doc. 603]; Declaration of James E. Duffy, Jr.; Declaration of Janna Wehilani Ahu filed by James E. Duffy, Jr. (Attachments: # 1 Declaration of James E. Duffy, Jr., # 2 Declaration of Janna Wehilani Ahu)(Amatore, Erika) (Entered: 10/15/2020)
10/22/2020	609	FINDINGS AND RECOMMENDATION TO GRANT IN PART AND DENY IN PART SETTLEMENT ADMINISTRATOR'S MOTION FOR ADDITIONAL ADMINISTRATION FUNDS re: 603 - Signed by MAGISTRATE JUDGE ROM TRADER on 10/22/2020. (jo) (Entered: 10/22/2020)

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