

**This docket is current through 01/21/2009**

Today's Date: 11/10/2022

Source: US COURT OF APPEALS FOR THE FOURTH CIRCUIT

**Court:** US COURT OF APPEALS FOR THE FOURTH CIRCUIT

**Case Title:** RICHMOND MEDICAL CENTER FOR WO v. MICHAEL HERRING

**Appeal From:** UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA AT RICHMOND

**Date Filed:** 07/07/2003

#### **CASE INFORMATION**

**Case Number:** 03-1821

**Case Type:** APPEALS

**Case Subtype:** CIVIL PRIVATE, PRIVATE

**Nature of Suit:** 3440 OTHER CIVIL RIGHTS

**Key Nature of Suit:** CIVIL RIGHTS; OTHER FEDERAL CIVIL RIGHTS (110.45)

#### **LOWER COURT INFORMATION**

**District:** 0422-3

**Lower Court Docket Number:** CA-03-531-3

**Trial Judge(s):** RICHARD L. WILLIAMS, SENIOR U. S. DISTRICT COURT JUDGE

**Court Reporter(s):** GILBERT HALASZ  
MARIA HEWITT

**Date Filed:** 06/18/2003

**Date Order/Judgment:** 07/01/2003

**Date NOA Filed:** 07/03/2003

#### **OTHER CASES**

<b>Relationship:</b>	<b>Lead Docket:</b>	<b>Member Docket:</b>	<b>Start Date:</b>	<b>End Date:</b>
CONSOLIDATED		04-1255	03/04/2004	

#### **NAMES**

<b>RICHMOND MEDICAL CENTER FOR WOMEN</b>
--

**Type:** PLAINTIFF - APPELLEE

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**Attorney Address:** CENTER FOR REPRODUCTIVE RIGHTS  
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**Attorney Phone:** 864-962-8519

**Attorney:** STEPHANIE TOTI, ESQ.

**Attorney Address:** CENTER FOR REPRODUCTIVE RIGHTS  
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**Attorney Phone:** 917-637-3684

<b>WILLIAM G. FITZHUGH, M.D., ON BEHALF OF THEMSELVES, THEIR STAFFS, AND THEIR PATIENTS</b>
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**Type:** PLAINTIFF - APPELLEE

**Attorney:** STEPHANIE TOTI, ESQ.

**Attorney Phone:** 917-637-3684

<b>DAVID M. HICKS, IN HIS OFFICIAL CAPACITY AS COMMONWEALTH ATTORNEY FOR THE CITY OF RICHMOND</b>
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**Type:** DEFENDANT - APPELLANT

<b>WADE A. KIZER, IN HIS OFFICIAL CAPACITY AS COMMONWEALTH ATTORNEY FOR THE COUNTY OF HENRICO</b>
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**Type:** DEFENDANT - APPELLANT

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**RICHMOND MEDICAL CENTER FOR WO V. MICHAEL HERRING, 03-1821 (2003)**

---

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<b>MICHAEL N. HERRING, IN HIS OFFICIAL CAPACITY AS COMMONWEALTH ATTORNEY FOR THE CITY OF RICHMOND</b>
---

**Type:** DEFENDANT - APPELLANT

**Attorney:** DAVID EDWARD JOHNSON

## **RICHMOND MEDICAL CENTER FOR WO V. MICHAEL HERRING, 03-1821 (2003)**

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Type:

AMICUS SUPPORTING APPELLEE



### NATIONAL ABORTION FEDERATION

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**Attorney Phone:** 202-663-6987

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### AMERICAN MEDICAL WOMEN'S ASSOCIATION

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### ASSOCIATION OF REPRODUCTIVE HEALTH PROFESSIONALS

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### MEDICAL STUDENTS FOR CHOICE

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### PHYSICIANS FOR REPRODUCTIVE CHOICE AND HEALTH

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Entry #:	Date:	Description:	
227	10/31/2008	APPEARANCE OF COUNSEL FILED (LOCAL RULE 46(C)) BY KIMBERLY A. PARKER FOR AMERICAN MEDICAL WOMEN'S ASSOCIATION, ASSOCIATION OF REPRODUCTIVE HEALTH PROFESSIONALS, MEDICAL STUDENTS FOR CHOICE, NATIONAL ABORTION FEDERATION AND PHYSICIANS FOR REPRODUCTIVE CHOICE AND HEALTH IN 04-1255.[997968214] [03-1821, 04-1255] (KAP)	<a href="#">View</a> <a href="#">Add to request</a>
221	10/28/2008	EN BANC ORAL ARGUMENT HEARD BEFORE THE HONORABLE KAREN J. WILLIAMS, J. HARVIE WILKINSON, III, PAUL V. NIEMEYER, M. BLANE MICHAEL, DIANA GRIBBON MOTZ, WILLIAM B. TRAXLER, JR., ROBERT B. KING, ROGER L. GREGORY, DENNIS W. SHEDD, ALLYSON K. DUNCAN AND G. STEVEN AGEE. ATTORNEYS ARGUING CASE: MR. WILLIAM EUGENE THRO FOR APPELLANTS MICHAEL N. HERRING AND WADE A. KIZER AND MS. STEPHANIE TOTI, ESQ. FOR APPELLEES WILLIAM G. FITZHUGH AND RICHMOND MEDICAL CENTER FOR WOMEN IN 03-1821. COURTROOM DEPUTY: RJ WARREN. [997965527] [03-1821, 04-1255] (RW)	
220	10/16/2008	ORAL ARGUMENT ACKNOWLEDGMENT FILED BY APPELLEES WILLIAM G. FITZHUGH AND RICHMOND MEDICAL CENTER FOR WOMEN IN 03-1821, 04-1255. COUNSEL ARGUING: STEPHANIE TOTI.. [997957703] [03-1821,	<a href="#">View</a> <a href="#">Add to request</a>

04-1255] (ST)

219	10/14/2008	ORAL ARGUMENT ACKNOWLEDGMENT FILED BY APPELLANTS MICHAEL N. HERRING AND WADE A. KIZER IN 03-1821, 04-1255. COUNSEL ARGUING: WILLIAM E. THRO.. [997955636] [03-1821, 04-1255] (WET)	<a href="#">View</a> <a href="#">Add to request</a>
215	10/03/2008	COURT ORDER FILED [997948622] GRANTING MOTION TO FILE AMICUS CURIAE BRIEF [ 997934772-2 ]; GRANTING MOTION TO FILE AMICUS CURIAE BRIEF [ 997934482-2 ]; GRANTING MOTION TO FILE AMICUS CURIAE BRIEF [ 997934180-2 ] COPIES TO ALL PARTIES. [03-1821, 04-1255] (CE)	<a href="#">View</a> <a href="#">Add to request</a>
226	09/15/2008	APPEARANCE OF COUNSEL FILED (LOCAL RULE 46(C)) BY PATRICK MCSWEENEY (DENISE BURKE AND MAILEE SMITH ON BRIEF ONLY) FOR KATHY B. BYRON, TOM A. COBURN, M. KIRKLAND COX, THOMAS D. GEAR, WILLIAM J. HOWELL, TIMOTHY D. HUGO, L. SCOTT LINGAMFELTER, ROBERT B. MARSHALL, SAMUEL A. NIXON, JR., BRENDA L. POGGE, JILL HOLTZMAN VOGEL AND R. LEE WARE, JR. IN 03-1821, 04-1255.[997966545] [03-1821, 04-1255] (CE)	<a href="#">View</a> <a href="#">Add to request</a>
225	09/15/2008	APPEARANCE OF COUNSEL FILED (LOCAL RULE 46(C)) FOR THE AMERICAN CENTER FOR LAW AND JUSTICE IN 03-1821, 04-1255 BY ATTORNEY(S) JAMES M. HENDERSON SR., WALTER MARTIN WEBER, JAY ALAN SEKULOW, SHANNON DEMOS WOODRUFF,	<a href="#">View</a> <a href="#">Add to request</a>

STUART J. ROTH, AND KRISTINA  
JOYCE WENBERG FOR AMICUS  
SUPPORTING APPELLANT  
.[997966502] [03-1821, 04-1255]  
(CE)

224	09/15/2008	DISCLOSURE OF CORPORATE AFFILIATIONS (LOCAL RULE 26.1) FILED BY AMICI SUPPORTING APPELLEE AMERICAN MEDICAL WOMEN'S ASSOCIATION, ASSOCIATION OF REPRODUCTIVE HEALTH PROFESSIONALS, MEDICAL STUDENTS FOR CHOICE, NATIONAL ABORTION FEDERATION, AND PHYSICIANS FOR REPRODUCTIVE CHOICE AND HEALTH. WAS ANY QUESTION ON DISCLOSURE FORM ANSWERED YES? NO [997966444] [03-1821, 04-1255] (CE)	<a href="#">View</a> <a href="#">Add to request</a>
223	09/15/2008	DISCLOSURE OF CORPORATE AFFILIATIONS (LOCAL RULE 26.1) FILED BY AMICI SUPPORTING APPELLANT KATHY B. BYRON, TOM A. COBURN, M. KIRKLAND COX, THOMAS D. GEAR, WILLIAM J. HOWELL, TIMOTHY D. HUGO, L. SCOTT LINGAMFELTER, ROBERT B. MARSHALL, SAMUEL A. NIXON, JR., BRENDA L. POGGE, JILL HOLTZMAN VOGEL AND R. LEE WARE, JR . WAS ANY QUESTION ON DISCLOSURE FORM ANSWERED YES? NO [997966440] [03-1821, 04-1255] (CE)	<a href="#">View</a> <a href="#">Add to request</a>
222	09/15/2008	DISCLOSURE OF CORPORATE AFFILIATIONS (LOCAL RULE 26.1) FILED BY AMICUS SUPPORTING APPELLANT THE AMERICAN CENTER FOR LAW AND JUSTICE. WAS ANY QUESTION ON DISCLOSURE FORM	<a href="#">View</a> <a href="#">Add to request</a>

		ANSWERED YES? NO [997966434] [03-1821, 04-1255] (CE)
218	09/15/2008	AMICUS CURIAE BRIEF (PAPER) FILE-STAMPED, ON BEHALF OF NATIONAL ABORTION FEDERATION, AMERICAN MEDICAL WOMEN'S ASSOCIATION, ASSOCIATION OF REPRODUCTIVE HEALTH PROFESSIONALS, MEDICAL STUDENTS FOR CHOICE, AND PHYSICIANS FOR REPRODUCTIVE CHOICE AND HEALTH IN 03-1821, 04-1255. NUMBER OF PAGES: 22. ENTERED ON DOCKET DATE: 10/03/2008.[997948680] [03-1821, 04-1255] (CE)
217	09/15/2008	AMICUS CURIAE BRIEF (PAPER) FILE-STAMPED, ON BEHALF OF ROBERT B. MARSHALL, KATHY B. BYRON, M. KIRKLAND COX, THOMAS D. GEAR, WILLIAM J. HOWELL, TIMOTHY D. HUGO, L. SCOTT LINGAMFELTER, SAMUEL A. NIXON, JR., BRENDA L. POGGE, R. LEE WARE, JR., JILL HOLTZMAN VOGEL AND AND TOM A. COBURN IN 03-1821, 04-1255. NUMBER OF PAGES: 30. ENTERED ON DOCKET DATE: 10/03/2008.[997948667] [03-1821, 04-1255] (CE)
216	09/15/2008	AMICUS CURIAE BRIEF (PAPER) FILE-STAMPED, ON BEHALF OF THE AMERICAN CENTER FOR LAW AND JUSTICE IN 03-1821, 04-1255. NUMBER OF PAGES: 27. ENTERED ON DOCKET DATE: 10/03/2008. [997948645] [03-1821, 04-1255] (CE)
214	09/15/2008	SUPPLEMENTAL OPENING BRIEF

		(PAPER) FILE-STAMPED, ON BEHALF OF WILLIAM G. FITZHUGH AND RICHMOND MEDICAL CENTER FOR WOMEN IN 03-1821, 04-1255. NUMBER OF PAGES: 36. ENTERED ON THE DOCKET DATE: 09/17/2008. [997936636] [03-1821, 04-1255] (CE)	
213	09/15/2008	SUPPLEMENTAL OPENING BRIEF (PAPER) FILE-STAMPED, ON BEHALF OF MICHAEL N. HERRING AND WADE A. KIZER IN 03-1821, 04-1255. NUMBER OF PAGES: 35. ENTERED ON THE DOCKET DATE: 09/16/2008. [997936196] [03-1821, 04-1255] (CE)	
212	09/15/2008	SUPPLEMENTAL BRIEF FILED BY APPELLEES WILLIAM G. FITZHUGH AND RICHMOND MEDICAL CENTER FOR WOMEN IN 03-1821, 04-1255 IN ELECTRONIC AND PAPER FORMAT. TYPE OF BRIEF: SUPPLEMENTAL OPENING. METHOD OF FILING PAPER COPIES: COURIER. DATE PAPER COPIES MAILED, DISPATCHED, OR DELIVERED TO COURT: 09/16/2008. [997934790] [03-1821, 04-1255] (ST)	<a href="#">View Add to request</a>
211	09/15/2008	AMICUS CURIAE/INTERVENOR BRIEF FILED BY AMICI CURIAE NATIONAL ABORTION FEDERATION, AMERICAN MEDICAL WOMEN'S ASSOCIATION, ASSOCIATION OF REPRODUCTIVE HEALTH PROFESSIONALS, MEDICAL STUDENTS FOR CHOICE, AND PHYSICIANS FOR REPRODUCTIVE CHOICE AND HEALTH IN ELECTRONIC AND PAPER FORMAT.	<a href="#">View Add to request</a>

		TYPE OF BRIEF: AMICUS CURIAE. METHOD OF FILING PAPER COPIES: MAIL. DATE PAPER COPIES MAILED, DISPATCHED, OR DELIVERED TO COURT: 09/15/2008. [997934775] [03-1821, 04-1255] (KAP)	
210	09/15/2008	MOTION FILED BY AMICUS CURIAE NATIONAL ABORTION FEDERATION, AMERICAN MEDICAL WOMEN'S ASSOCIATION, ASSOCIATION OF REPRODUCTIVE HEALTH PROFESSIONALS, MEDICAL STUDENTS FOR CHOICE, AND PHYSICIANS FOR REPRODUCTIVE CHOICE AND HEALTH TO FILE AMICUS CURIAE BRIEF (FRAP 29(E)) WITH CONSENT OF ALL PARTIES ON APPEAL WITHIN TIME ALLOWED BY FRAP 29(E). ADDED TO CASE.. DATE OF SERVICE: 09/15/2008 [997934772] [03-1821, 04-1255] (KAP)	<a href="#">View</a> <a href="#">Add to request</a>
209	09/15/2008	AMICUS CURIAE/INTERVENOR BRIEF FILED BY PATRICK M. MCSWEENEY, COUNSEL FOR AMICI IN ELECTRONIC AND PAPER FORMAT. TYPE OF BRIEF: AMICUS CURIAE. METHOD OF FILING PAPER COPIES: MAIL. DATE PAPER COPIES MAILED, DISPATCHED, OR DELIVERED TO COURT: 09/15/2008. [997934538] [03-1821, 04-1255] (PMM)	<a href="#">View</a> <a href="#">Add to request</a>
208	09/15/2008	MOTION FILED BY PATRICK M. MCSWEENEY, COUNSEL FOR AMICUS CURIE TO FILE AMICUS CURIAE BRIEF (FRAP 29(E)) WITH CONSENT OF ALL PARTIES ON APPEAL WITHIN TIME ALLOWED BY FRAP 29(E). ADDED TO CASE.. DATE	<a href="#">View</a> <a href="#">Add to request</a>

OF SERVICE: 09/15/2008  
[997934482] [03-1821, 04-1255]  
(PMM)

207	09/15/2008	SUPPLEMENTAL BRIEF FILED BY APPELLANTS MICHAEL N. HERRING AND WADE A. KIZER IN 03-1821, 04-1255 IN ELECTRONIC AND PAPER FORMAT. TYPE OF BRIEF: OPENING/RESPONSE. METHOD OF FILING PAPER COPIES: HAND DELIVERY. DATE PAPER COPIES MAILED, DISPATCHED, OR DELIVERED TO COURT: 09/15/2008. [997934408] [03-1821, 04-1255] (WET)	<a href="#">View</a> <a href="#">Add to request</a>
206	09/15/2008	AMICUS CURIAE/INTERVENOR BRIEF FILED BY AMERICAN CENTER FOR LAW & JUSTICE - AMICUS CURIAE IN ELECTRONIC AND PAPER FORMAT. TYPE OF BRIEF: AMICUS CURIAE. METHOD OF FILING PAPER COPIES: HAND DELIVERY. DATE PAPER COPIES MAILED, DISPATCHED, OR DELIVERED TO COURT: 09/15/2008. [997934337] [03-1821, 04-1255] (KJW)	<a href="#">View</a> <a href="#">Add to request</a>
205	09/15/2008	MOTION FILED BY AMERICAN CENTER FOR LAW & JUSTICE - AMICUS CURIAE TO FILE AMICUS CURIAE BRIEF (FRAP 29(E)) WITH CONSENT OF ALL PARTIES ON APPEAL WITHIN TIME ALLOWED BY FRAP 29(E). ADDED TO CASE.. DATE OF SERVICE: 09/15/2008 [997934180] [03-1821, 04-1255] (KJW)	<a href="#">View</a> <a href="#">Add to request</a>
204	08/20/2008	CASE CALENDARED FOR ORAL ARGUMENT. DATE: 10/28/2008. TIME: 8:15 - 8:30 A.M. [03-1821,	<a href="#">View</a> <a href="#">Add to request</a>



		04-1255] (JLC)	
203	08/06/2008	APPEARANCE OF COUNSEL FILED (LOCAL RULE 46(C)) BY STEPHEN R. MCCULLOUGH FOR MICHAEL N. HERRING AND WADE A. KIZER IN 03-1821, 04-1255.[997909900] [03-1821, 04-1255] (SRM)	<a href="#">View</a> <a href="#">Add to request</a>
202	08/05/2008	LETTER RE: CONSENTING TO FILING OF AMICUS BRIEF FILED BY APPELLANTS MICHAEL N. HERRING AND WADE A. KIZER IN 03-1821, 04-1255. [997909610] [03-1821, 04-1255] (WET)	<a href="#">View</a> <a href="#">Add to request</a>
201	08/05/2008	ORDER FILED [997909506] GRANTING MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEFS [ 997905561-2 ] IN 03-1821. COPIES TO ALL PARTIES. [03-1821, 04-1255] (CE)	<a href="#">View</a> <a href="#">Add to request</a>
200	07/31/2008	CASE TENTATIVELY CALENDARED FOR ORAL ARGUMENT DURING THE 10/28/08 - 10/31/08 ARGUMENT SESSION. NOTIFY CLERK'S OFFICE OF ANY SCHEDULING CONFLICT BY: 08/04/2008 [03-1821, 04-1255] (JLC)	
199	07/30/2008	JOINT MOTION FILED BY APPELLANTS MICHAEL N. HERRING, WADE A. KIZER AND APPELLEES WILLIAM G. FITZHUGH AND RICHMOND MEDICAL CENTER FOR WOMEN IN 03-1821, 04-1255 LEAVE TO FILE SUPPLEMENTAL BRIEFS (CT) ORDER [ 997903346-2 ], SET DEADLINE FOR AMICUS FILINGS. DATE OF SERVICE: 07/30/2008 [997905561] [03-1821, 04-1255] (ST)	<a href="#">View</a> <a href="#">Add to request</a>

198	07/28/2008	COURT ORDER FILED [997903346] GRANTING MOTION FOR REHEARING EN BANC [ 997867161-2 ]. COPIES TO ALL PARTIES. [03-1821, 04-1255] (CE)	<a href="#">View</a> <a href="#">Add to request</a>
197	06/20/2008	RESPONSE/ANSWER TO REHEARING FILED BY WILLIAM G. FITZHUGH AND RICHMOND MEDICAL CENTER FOR WOMEN IN 03-1821, 04-1255. [03-1821, 04-1255] (ST)	<a href="#">View</a> <a href="#">Add to request</a>
196	06/12/2008	NOTICE ISSUED TO WILLIAM G. FITZHUGH AND RICHMOND MEDICAL CENTER FOR WOMEN IN 03-1821, 04-1255 REQUESTING RESPONSE TO MOTION FOR REHEARING AND REHEARING EN BANC. [03-1821, 04-1255] (DSD)	<a href="#">View</a> <a href="#">Add to request</a>
195	06/03/2008	MANDATE STAYED BY FRAP 41(D)(1). [03-1821, 04-1255] (CE)	<a href="#">View</a> <a href="#">Add to request</a>
194	06/02/2008	PETITION FOR REHEARING AND REHEARING EN BANC FILED BY MICHAEL N. HERRING AND WADE A. KIZER IN 03-1821, 04-1255. [03-1821, 04-1255] (WET)	<a href="#">View</a> <a href="#">Add to request</a>
193	05/20/2008	JUDGMENT ORDER FILED. DECISION: AFFIRMED WITH DISSENT. ORIGINATING CASE NUMBER: CA-03-531-3. ENTERED ON DOCKET DATE: 05/20/2008. [997860099] COPIES TO ALL PARTIES AND THE DISTRICT COURT/AGENCY. [03-1821, 04-1255] (CE)	<a href="#">View</a> <a href="#">Add to request</a>
192	05/20/2008	PUBLISHED AUTHORED OPINION FILED. ORIGINATING CASE NUMBER: CA-03-531-3. COPIES TO	<a href="#">View</a> <a href="#">Add to request</a>

ALL PARTIES AND THE DISTRICT  
COURT/AGENCY. [997860087]  
[03-1821, 04-1255] (CE)

- |     |            |  |   |
|-----|------------|--|---|
| 191 | 05/07/2008 | RESPONSE FILED BY WILLIAM G. FITZHUGH AND RICHMOND MEDICAL CENTER FOR WOMEN IN 03-1821, 04-1255 TO SUPPLEMENTAL AUTHORITIES R28J [ 997849527-2 ]. NATURE OF RESPONSE: IN OPPOSITION. [03-1821, 04-1255] (CE) | <a href="#">View</a> <a href="#">Add to request</a> |
| 190 | 04/30/2008 | SUPPLEMENTAL AUTHORITIES (FRAP 28(J)) FILED BY APPELLANTS MICHAEL N. HERRING AND WADE A. KIZER IN 03-1821, 04-1255. [997849527]. [03-1821, 04-1255] (WET)  | <a href="#">View</a> <a href="#">Add to request</a> |

189	03/24/2008	SUPPLEMENTAL AUTHORITIES (FRAP 28(J)) FILED BY APPELLEE RICHMOND MEDICAL CENTER FOR WOMEN IN 03-1821, 04-1255. [997827882]. [03-1821, 04-1255] (TA)	<a href="#">View</a> <a href="#">Add to request</a>
188	03/18/2008	SUPPLEMENTAL AUTHORITIES (FRAP 28(J)) FILED BY APPELLANTS MICHAEL N. HERRING AND WADE A. KIZER IN 03-1821. [997825457]. [03-1821, 04-1255] (CE)	<a href="#">View</a> <a href="#">Add to request</a>
186	11/01/2007	ORAL ARGUMENT HEARD. PANEL: HONORABLE PAUL V. NIEMEYER, HONORABLE M. B. MICHAEL, HONORABLE DIANA G. MOTZ. WILLIAM EUGENE THRO FOR APPELLANT MICHAEL N. HERRING, APPELLANT DAVID M. HICKS, APPELLANT WADE A. KIZER IN 03-1821, STEPHANIE TOTI FOR APPELLEE RICHMOND MEDICAL CTR, APPELLEE WILLIAM G. FITZHUGH IN 03-1821 COURTROOM DEPUTY: JLE. [03-1821, 04-1255] (JLE)	
182	08/27/2007	CASE CALENDARED FOR ORAL ARGUMENT. CASE CALENDARED FOR ORAL ARGUMENT ON: 11/1/07. [03-1821, 04-1255] ~ [4637581] (JLC)	
178	08/10/2007	CASE TENTATIVELY CALENDARED FOR ORAL ARGUMENT TERM: 10/07 PLACE: RICHMOND. NOTIFY OF CONFLICT BY: IMMEDIATELY. [03-1821] ~ [4629281] (JLC)	<a href="#">View</a> <a href="#">Add to request</a>
172	07/09/2007	SUPPLEMENTAL REPLY BRIEF FILED BY APPELLEE WILLIAM G. FITZHUGH IN 03-1821, APPELLEE RICHMOND MEDICAL CTR IN 03-1821, APPELLEE WILLIAM G. FITZHUGH IN 04-1255,	

APPELLEE RICHMOND MEDICAL CTR IN  
04-1255. COPIES OF BRIEF: 8 # BRF  
PAGES: 16. SUFFICIENT[Y/N]?: Y.  
SEALED[Y/N]?: N. METHOD OF FILING  
W/ COURT: CD DATE OF SERVICE ON  
PARTIES: 7/9/07 TYPE OF SERVICE ON  
PARTIES: CD ~ [4611893] [03-1821,  
04-1255] (DHB)

- 170 07/09/2007 SUPPLEMENTAL REPLY BRIEF FILED BY  
APPELLANT WADE A. KIZER IN 03-1821,  
APPELLANT MICHAEL N. HERRING IN  
03-1821, APPELLANT WADE A. KIZER IN  
04-1255, APPELLANT MICHAEL N.  
HERRING IN 04-1255. COPIES OF BRIEF:  
8 # BRF PAGES: 17. SUFFICIENT[Y/N]?:  
Y. SEALED[Y/N]?: N. METHOD OF  
FILING W/ COURT: HD DATE OF  
SERVICE ON PARTIES: 7/9/07 TYPE OF  
SERVICE ON PARTIES: PM ~ [4611778]  
[03-1821, 04-1255] (DHB)
- 166 06/26/2007 COURT ORDER FILED [4605000] [View](#) [Add to request](#)  
GRANTING MOTION TO EXT TIME TO  
FILE REPLY BRF [4604525-1] UNTIL JULY  
9, 2007. IN 03-1821, 04-1255 COPIES  
TO ALL PARTIES. ~ [4605000] [03-1821,  
04-1255] (JHM)
- 164 06/25/2007 MOTION FILED BY APPELLANT WADE A.  
KIZER IN 03-1821, APPELLEE WILLIAM  
G. FITZHUGH IN 03-1821, APPELLANT  
MICHAEL N. HERRING IN 03-1821,  
APPELLANT WADE A. KIZER IN 04-1255,  
APPELLEE WILLIAM G. FITZHUGH IN  
04-1255, APPELLANT MICHAEL N.  
HERRING IN 04-1255 TO EXTEND TIME  
TO FILE REPLY BRIEF UNTIL 7/9/07  
[4604525-1] ~ [4604525] [03-1821,  
04-1255] (DHB)
- 158 06/22/2007 ORDER FILED [4603493] [View](#) [Add to request](#)  
PARTY [4603493-1] MICHAEL N.

HERRING FOR TERMINATED PARTY  
DAVID M. HICKS IN 03-1821 AND  
04-1255. COPIES TO ALL PARTIES. ~  
[4603493] [03-1821, 04-1255] (CE)

160 06/21/2007 SUPPLEMENTAL BRIEF FILED BY  
APPELLEE WILLIAM G. FITZHUGH IN  
03-1821, APPELLEE RICHMOND  
MEDICAL CTR IN 03-1821, APPELLEE  
WILLIAM G. FITZHUGH IN 04-1255,  
APPELLEE RICHMOND MEDICAL CTR IN  
04-1255. COPIES OF BRIEF: 8 # BRF  
PAGES: 33. SUFFICIENT[Y/N]?: Y.  
METHOD OF FILING W/ COURT: CD  
DATE OF SERVICE ON PARTIES: 6/21/07  
TYPE OF SERVICE ON PARTIES: CD  
[03-1821, 04-1255] ~ [4603553] (CE)

159 06/21/2007 SUPPLEMENTAL BRIEF FILED BY  
APPELLANT MICHAEL N. HERRING IN  
03-1821, APPELLANT WADE A. KIZER IN  
03-1821, APPELLANT MICHAEL N.  
HERRING IN 04-1255, APPELLANT  
WADE A. KIZER IN 04-1255. COPIES OF  
BRIEF: 8 # BRF PAGES: 25  
SUFFICIENT[Y/N]: Y. METHOD OF  
FILING W/ COURT: HD DATE OF  
SERVICE ON PARTIES: 6/21/07 TYPE OF  
SERVICE ON PARTIES: PM [03-1821,  
04-1255] ~ [4603551] (CE)

157 06/19/2007 APPEARANCE FORM FILED BY JANET  
LYNNE CREPPS FOR APPELLEE  
RICHMOND MEDICAL CTR IN 03-1821,  
JANET LYNNE CREPPS FOR APPELLEE  
RICHMOND MEDICAL CTR IN 04-1255.  
[03-1821, 04-1255] (CE)

154 06/18/2007 APPEARANCE FORM FILED BY  
STEPHANIE TOTI FOR APPELLEE  
RICHMOND MEDICAL CTR, APPELLEE  
WILLIAM G. FITZHUGH IN 03-1821,  
STEPHANIE TOTI FOR APPELLEE

RICHMOND MEDICAL CTR, APPELLEE  
RICHMOND MEDICAL CTR IN 04-1255.  
[03-1821, 04-1255] (CE)

- 150 05/31/2007 COURT ORDER FILED [4591280] TO FILE [View](#) [Add to request](#)  
SUPPLEMENTAL BRIEFS. . [4591280-1].  
APPELLANT SUPPLEMENTAL BRIEF DUE  
6/21/07 FOR DAVID M. HICKS IN  
03-1821, FOR WADE A. KIZER IN  
03-1821, FOR DAVID M. HICKS IN  
04-1255, FOR WADE A. KIZER IN  
04-1255 . APPELLEE SUPPLEMENTAL  
BRIEF DUE 7/2/07 FOR RICHMOND  
MEDICAL CTR IN 03-1821, FOR  
WILLIAM G. FITZHUGH IN 03-1821, FOR  
RICHMOND MEDICAL CTR IN 04-1255,  
FOR WILLIAM G. FITZHUGH IN 04-1255  
. APPELLANT SUPPLEMENTAL BRIEF  
DUE 6/21/07 FOR DAVID M. HICKS IN  
03-1821, FOR WADE A. KIZER IN  
03-1821, FOR DAVID M. HICKS IN  
04-1255, FOR WADE A. KIZER IN  
04-1255 . APPELLEE SUPPLEMENTAL  
BRIEF DUE 7/2/07 FOR RICHMOND  
MEDICAL CTR IN 03-1821, FOR  
WILLIAM G. FITZHUGH IN 03-1821, FOR  
RICHMOND MEDICAL CTR IN 04-1255,  
FOR WILLIAM G. FITZHUGH IN 04-1255  
. COPIES TO ALL PARTIES. ~ [4591280]  
[03-1821, 04-1255] (TW)
- 146 04/27/2007 SUPREME COURT ORDER RECEIVED  
GRANTING PETITION CERTIORARI  
[4302179-1] ON 04/23/07 IN 03-1821,  
PETITION CERTIORARI [4302179-1] ON  
04/23/07 IN 04-1255. [03-1821,  
04-1255] ~ [4574104] (MS)
- 145 08/08/2006 A'S AND E'S AMICI CURIAE BRIEF  
RETURNED BY LANTAGNE . [03-1821,  
04-1255] (BB)
- 144 08/04/2006 TWO AMICUS BRIEFS RELEASED TO

LANTAGNE. [03-1821, 04-1255] (AWW)

- 143 12/12/2005 SUPREME COURT NOTICE THAT PETITION FOR CERTIORARI WAS FILED ON 12/01/05. SPCT NO.: 05-730 SPCT PTY 1: DAVID M. HICKS, ETC. ET AL SPCT PTY 2: RICHMOND MEDICAL CENTER. [03-1821, 04-1255] ~ [4302179] (DHB)
- 142 09/12/2005 MANDATE ISSUED. ~ [4250913] [03-1821, 04-1255] (CE) [View Add to request](#)
- 139 09/02/2005 PUBLISHED COURT ORDER FILED WITH CONCURRING AND DISSENTING OPINIONS ATTACHED[4247570] DENYING MOTION FOR REHEARING [4204698-1] EOD DATE: 9/2/05 IN 03-1821, 04-1255, DENYING MOTION FOR REHEARING EN BANC [4204698-2] EOD DATE: 9/2/05 IN 03-1821, 04-1255 COPIES TO ALL PARTIES. ~ [4247570] [03-1821, 04-1255] (CE) [View Add to request](#)
- 137 07/15/2005 RESPONSE/ANSWER FILED [4220405-1] BY APPELLEE WILLIAM G. FITZHUGH IN 03-1821, APPELLEE RICHMOND MEDICAL CTR IN 03-1821, APPELLEE WILLIAM G. FITZHUGH IN 04-1255, APPELLEE RICHMOND MEDICAL CTR IN 04-1255 TO MOTION FOR REHEARING [4204698-1] IN 04-1255, 04-1255, MOTION FOR REHEARING EN BANC. [4204698-2] IN 03-1821, 04-1255 [03-1821, 04-1255] ~ [4220405] (CE)
- 135 06/30/2005 COUNSEL OF RECORD FORM FILED BY NAN E. STRAUSS IN 03-1821, NAN E. STRAUSS IN 04-1255 FOR APPELLEE WILLIAM G. FITZHUGH IN 03-1821, APPELLEE RICHMOND MEDICAL CTR IN 03-1821, APPELLEE WILLIAM G. FITZHUGH IN 04-1255, APPELLEE



RICHMOND MEDICAL CTR IN 04-1255.  
(CE)

- |     |            |   |   |
|-----|------------|---|---|
| 132 | 06/28/2005 | <p>COURT ORDER FILED [4210650]<br/>GRANTING MOTION TO EXTEND TIME<br/>TO FILE RESP [4209507-1]<br/>RESPONSE/ANSWER NOW DUE ON<br/>7/15/05 FOR RICHMOND MEDICAL CTR<br/>IN 03-1821, FOR WILLIAM G. FITZHUGH<br/>IN 03-1821, FOR RICHMOND MEDICAL<br/>CTR IN 04-1255, FOR WILLIAM G.<br/>FITZHUGH IN 04-1255. IN 03-1821<br/>COPIES TO ALL PARTIES. ~ [4210650]<br/>[03-1821, 04-1255] (CE)</p> | <a href="#">View</a> <a href="#">Add to request</a> |
| 130 | 06/27/2005 | <p>MOTION FILED BY APPELLEE WILLIAM<br/>G. FITZHUGH IN 03-1821, APPELLEE<br/>RICHMOND MEDICAL CTR IN 03-1821<br/>TO EXTEND TIME TO FILE RESPONSE TO<br/>MOTION FOR REHEARING [4204698-1],<br/>MOTION FOR REHEARING EN BANC<br/>[4204698-2] [4209507-1]. ~ [4209507]<br/>[03-1821] (TW)</p>  |   |
| 128 | 06/20/2005 | <p>RESPONSE/ANSWER REQUESTED TO<br/>MOTION FOR REHEARING [4204698-1]<br/>IN 03-1821, MOTION FOR REHEARING<br/>EN BANC [4204698-2] IN 03-1821<br/>[03-1821, 04-1255] ~ [4205114] (CE)</p>  | <a href="#">View</a> <a href="#">Add to request</a> |
| 126 | 06/17/2005 | <p>PETITION FILED BY APPELLANT WADE<br/>A. KIZER IN 03-1821, APPELLANT DAVID<br/>M. HICKS IN 03-1821, APPELLANT<br/>WADE A. KIZER IN 04-1255, APPELLANT<br/>DAVID M. HICKS IN 04-1255 FOR<br/>REHEARING. NUMBER COPIES FILED: 20<br/>[4204698-1]., FOR REHEARING EN<br/>BANC. NUMBER OF COPIES FILED: 20<br/>[4204698-2] ~ [4204698] [03-1821,<br/>04-1255] (CE)</p>                          |   |
| 124 | 06/03/2005 | <p>JUDGMENT ORDER FILED. DECISION:<br/>AFFIRMED. DISSENT. EOD DATE:</p>   | <a href="#">View</a> <a href="#">Add to request</a> |

- 6/3/05. ~ [4196633] [03-1821, 04-1255] (CE)
- 123 06/03/2005 PUBLISHED, AUTHORED OPINION FILED. COPIES TO ALL PARTIES. [03-1821, 04-1255] (CE)
- 120 06/01/2005 RESPONSE/ANSWER FILED [4195738-1] BY APPELLEE RICHMOND MEDICAL CTR IN 03-1821, APPELLEE RICHMOND MEDICAL CTR IN 04-1255 TO FRAP 28(J) MATERIAL [4192200-1] IN 03-1821, FRAP 28(J) MATERIAL [4192200-1] IN 04-1255 [03-1821, 04-1255] ~ [4195738] (CE)
- 116 05/25/2005 SUPPLEMENTAL AUTHORITIES (FRAP 28(J)) FILED BY APPELLANT WADE A. KIZER IN 03-1821, APPELLANT DAVID M. HICKS IN 03-1821, APPELLANT WADE A. KIZER IN 04-1255, APPELLANT DAVID M. HICKS IN 04-1255 [4192200-1] [03-1821, 04-1255] (CE)
- 111 10/26/2004 ORAL ARGUMENT HEARD. PANEL: HONORABLE PAUL V. NIEMEYER, HONORABLE M. B. MICHAEL, HONORABLE DIANA G. MOTZ. COURTROOM DEPUTY: JLC, JR.. [03-1821, 04-1255] (JLC)
- 110 09/28/2004 COUNSEL OF RECORD FORM FILED BY WILLIAM EUGENE THRO IN 03-1821, WILLIAM EUGENE THRO IN 04-1255 FOR APPELLANT WADE A. KIZER IN 03-1821, APPELLANT DAVID M. HICKS IN 03-1821, APPELLANT WADE A. KIZER IN 04-1255, APPELLANT DAVID M. HICKS IN 04-1255. (F)
- 105 09/21/2004 SUPPLEMENTAL AUTHORITIES (FRAP 28(J)) FILED BY APPELLEE WILLIAM G. FITZHUGH IN 03-1821, APPELLEE

- RICHMOND MEDICAL CTR IN 03-1821, APPELLEE WILLIAM G. FITZHUGH IN 04-1255, APPELLEE RICHMOND MEDICAL CTR IN 04-1255 [4055138-1] [03-1821, 04-1255] (F)
- 102 09/07/2004 SUPPLEMENTAL AUTHORITIES (FRAP 28(J)) FILED BY APPELLEE WILLIAM G. FITZHUGH IN 03-1821, APPELLEE RICHMOND MEDICAL CTR IN 03-1821, APPELLEE WILLIAM G. FITZHUGH IN 04-1255, APPELLEE RICHMOND MEDICAL CTR IN 04-1255 [4046013-1] [03-1821, 04-1255] (F)
- 99 08/25/2004 CASE CALENDARED FOR ORAL ARGUMENT. CASE CALENDARED FOR ORAL ARGUMENT ON: 10/26/04. [03-1821, 04-1255] ~ [4040341] (JLC)
- 98 08/23/2004 SUPPLEMENTAL AUTHORITIES (FRAP 28(J)) FILED BY APPELLEE WILLIAM G. FITZHUGH IN 03-1821, APPELLEE RICHMOND MEDICAL CTR IN 03-1821, APPELLEE WILLIAM G. FITZHUGH IN 04-1255, APPELLEE RICHMOND MEDICAL CTR IN 04-1255 [4038303-1] [03-1821, 04-1255] (BHR)
- 100 08/06/2004 SUPPLEMENTAL AUTHORITIES (FRAP 28(J)) FILED BY APPELLEE WILLIAM G. FITZHUGH IN 03-1821, APPELLEE RICHMOND MEDICAL CTR IN 03-1821, APPELLEE WILLIAM G. FITZHUGH IN 04-1255, APPELLEE RICHMOND MEDICAL CTR IN 04-1255 [4042828-1] [03-1821, 04-1255] (F)
- 96 08/06/2004 CASE TENTATIVELY CALENDARED FOR ORAL ARGUMENT TERM: 10/04 PLACE: RICHMOND. NOTIFY OF CONFLICT BY: 8/16/04. [02-2259, 02-2347, 02-4307, 02-4413, 02-4653, 03-14, 03-1208,

03-1259, 03-1821, 04-1255, 03-1882,  
03-2057, 03-2058, 03-2100, 03-2103,  
03-2148, 03-2166, 03-2223, 03-2227,  
03-2252, 04-1240, 03-2254, 03-2269,  
03-2282, 03-2388, 03-2420, 03-2522,  
03-2448, 03-2471, 03-4083, 03-4172,  
03-4177, 03-4183, 03-4379, 03-4422,  
03-4591, 03-4592, 03-4593, 03-4602,  
03-4804, 03-4596, 03-4677, 03-4849,  
03-4839, 03-4847, 03-4867, 03-4896,  
03-4907] ~ [4030266] (JLE)

- 94 08/06/2004 SUPPLEMENTAL AUTHORITIES (FRAP 28(J)) FILED BY APPELLEE WILLIAM G. FITZHUGH IN 03-1821, APPELLEE RICHMOND MEDICAL CTR IN 03-1821, APPELLEE WILLIAM G. FITZHUGH IN 04-1255, APPELLEE RICHMOND MEDICAL CTR IN 04-1255 [4030164-1] [03-1821, 04-1255] (F)
- 92 07/30/2004 SUPPLEMENTAL AUTHORITIES (FRAP 28(J)) FILED BY APPELLEE WILLIAM G. FITZHUGH IN 03-1821, APPELLEE RICHMOND MEDICAL CTR IN 03-1821, APPELLEE WILLIAM G. FITZHUGH IN 04-1255, APPELLEE RICHMOND MEDICAL CTR IN 04-1255 [4026091-1] [03-1821, 04-1255] (F)
- 90 07/15/2004 BRIEF MADE SUFFICIENT BY AMICUS SUPPORTING APPELLEE PHYSICIANS FOR REPRO IN 03-1821, AMICUS SUPPORTING APPELLEE VANESSA E. CULLINS IN 03-1821, AMICUS SUPPORTING APPELLEE FORTY-TWO IND PHYS IN 03-1821, AMICUS SUPPORTING APPELLEE PHYSICIANS FOR REPRO IN 04-1255, AMICUS SUPPORTING APPELLEE VANESSA E. CULLINS IN 04-1255, AMICUS SUPPORTING APPELLEE FORTY-TWO IND PHYS IN 04-1255. NUMBER OF BRF

PAGES: . [03-1821, 04-1255] ~  
[4017001] (F)

89 07/12/2004 REPLY BRIEF FILED BY APPELLANT  
WADE A. KIZER IN 03-1821, APPELLANT  
DAVID M. HICKS IN 03-1821,  
APPELLANT WADE A. KIZER IN 04-1255,  
APPELLANT DAVID M. HICKS IN  
04-1255. COPIES OF BRIEF: 8 # BRF  
PAGES: 41. SUFFICIENT[Y/N]?: Y. .  
METHOD OF FILING W/ COURT: HD  
DATE OF SERVICE ON PARTIES: 7/12/04  
TYPE OF SERVICE ON PARTIES: PM  
[03-1821, 04-1255] ~ [4016563] (F)

88 07/09/2004 NOTICE NON-COMPLIANT BRIEF FILED  
BY AMICUS SUPPORTING APPELLEE  
PHYSICIANS FOR REPRO IN 03-1821,  
AMICUS SUPPORTING APPELLEE  
VANESSA E. CULLINS IN 03-1821,  
AMICUS SUPPORTING APPELLEE  
FORTY-TWO IND PHYS IN 03-1821,  
AMICUS SUPPORTING APPELLEE  
PHYSICIANS FOR REPRO IN 04-1255,  
AMICUS SUPPORTING APPELLEE  
VANESSA E. CULLINS IN 04-1255,  
AMICUS SUPPORTING APPELLEE  
FORTY-TWO IND PHYS IN 04-1255.  
WHY?: IMPROPER ADDENDUM ITEMS .  
FORMAT. [03-1821, 04-1255] ~  
[4013746] SUFFICIENT BRIEF DUE ON  
7/19/04 FOR FORTY-TWO IND PHYS IN  
03-1821, FOR VANESSA E. CULLINS IN  
03-1821, FOR PHYSICIANS FOR REPRO  
IN 03-1821, FOR FORTY-TWO IND PHYS  
IN 04-1255, FOR VANESSA E. CULLINS  
IN 04-1255, FOR PHYSICIANS FOR  
REPRO IN 04-1255 (F)

87 07/09/2004 AMICUS CURIAE BRIEF FILED BY  
AMICUS SUPPORTING APPELLEE  
PHYSICIANS FOR REPRO IN 03-1821,  
AMICUS SUPPORTING APPELLEE

VANESSA E. CULLINS IN 03-1821,  
AMICUS SUPPORTING APPELLEE  
FORTY-TWO IND PHYS IN 03-1821,  
AMICUS SUPPORTING APPELLEE  
PHYSICIANS FOR REPRO IN 04-1255,  
AMICUS SUPPORTING APPELLEE  
VANESSA E. CULLINS IN 04-1255,  
AMICUS SUPPORTING APPELLEE  
FORTY-TWO IND PHYS IN 04-1255  
COPIES OF BRIEF: 8 # BR PAGES: 43  
SUFFICIENT[Y/N]?: N-IMPROPER  
ADDENDUM ITEMS. . METHOD OF  
FILING W/ COURT: ORDER DATE OF  
SERVICE ON PARTIES: 7/9/04 TYPE OF  
SERVICE ON PARTIES: ORDER [03-1821,  
04-1255] ~ [4013738] (F)

86 07/09/2004 ORDER FILED [4013714] GRANTING  
CONSENT TO PHYSICIANS, ET AL, TO  
FILE AMICUS BRIEF [4013705-1] IN  
03-1821, 04-1255 COPIES TO ALL  
PARTIES. [03-1821, 04-1255] ~  
[4013714] (F)

85 07/08/2004 CONSENT FILED BY AMICUS  
SUPPORTING APPELLEE PHYSICIANS  
FOR REPRO IN 03-1821, AMICUS  
SUPPORTING APPELLEE VANESSA E.  
CULLINS IN 03-1821, AMICUS  
SUPPORTING APPELLEE FORTY-TWO  
IND PHYS IN 03-1821, AMICUS  
SUPPORTING APPELLEE PHYSICIANS  
FOR REPRO IN 04-1255, AMICUS  
SUPPORTING APPELLEE VANESSA E.  
CULLINS IN 04-1255, AMICUS  
SUPPORTING APPELLEE FORTY-TWO  
PHYSICIANS IN 04-1255 TO FILE  
AMICUS BRIEF. AMICUS BRIEF  
TENDERED?(Y/N): Y. [4013705-1]  
PARTY/PARTIES FILING THE AMICUS  
BRIEF: PHYSICIANS FOR REPRODUCTIVE  
[03-1821, 04-1255] (F)

- 84 07/08/2004 APPEARANCE FORM FILED BY DAVID SAMUEL COHEN FOR AMICUS SUPPORTING APPELLEE FORTY-TWO IND PHYS, AMICUS SUPPORTING APPELLEE VANESSA E. CULLINS, AMICUS SUPPORTING APPELLEE PHYSICIANS FOR REPRO IN 03-1821, DAVID SAMUEL COHEN FOR AMICUS SUPPORTING APPELLEE FORTY-TWO PHYSICIANS, AMICUS SUPPORTING APPELLEE VANESSA E. CULLINS, AMICUS SUPPORTING APPELLEE PHYSICIANS FOR REPRO IN 04-1255. [03-1821, 04-1255] (F)
- 80 06/25/2004 BRIEF FILED BY APPELLEE WILLIAM G. FITZHUGH IN 03-1821, APPELLEE RICHMOND MEDICAL CTR IN 03-1821, APPELLEE WILLIAM G. FITZHUGH IN 04-1255, APPELLEE RICHMOND MEDICAL CTR IN 04-1255. COPIES OF BRIEF: 8 # BRF PAGES: 69. SUFFICIENT [Y/N]?: Y. METHOD OF FILING W/ COURT: CD DATE OF SERVICE ON PARTIES: 6/25/04 TYPE OF SERVICE ON PARTIES: CD [03-1821, 04-1255] ~ [4009322] (F)
- 78 06/01/2004 APPEARANCE FORM FILED BY JAMES BOPP FOR AMICUS SUPPORTING APPELLANT HORATIO R. STORER IN 03-1821, JAMES BOPP FOR AMICUS SUPPORTING APPELLANT HORATIO R. STORER IN 04-1255. [03-1821, 04-1255] (DSD)
- 79 05/28/2004 APPENDIX MADE SUFFICIENT BY APPELLANT WADE A. KIZER IN 03-1821, APPELLANT DAVID M. HICKS IN 03-1821, APPELLANT WADE A. KIZER IN 04-1255, APPELLANT DAVID M. HICKS IN 04-1255. NUMBER OF APX PAGES: 1143. [03-1821, 04-1255] ~ [3994634]

(F)

- 77 05/26/2004 ORDER FILED [3990155] GRANTING MOTION TO EXTEND TIME TO FILE E'S BR [3990148-1] APPELLEE(S) BRIEF NOW DUE 6/25/04 FOR RICHMOND MEDICAL CTR IN 03-1821, FOR WILLIAM G. FITZHUGH IN 03-1821, FOR RICHMOND MEDICAL CTR IN 04-1255, FOR WILLIAM G. FITZHUGH IN 04-1255 . IN 03-1821, 04-1255 COPIES TO ALL PARTIES. [03-1821, 04-1255] ~ [3990155] (SAW)
- 76 05/26/2004 MOTION FILED BY APPELLEE WILLIAM G. FITZHUGH IN 03-1821, APPELLEE RICHMOND MEDICAL CTR IN 03-1821, APPELLEE WILLIAM G. FITZHUGH IN 04-1255, APPELLEE RICHMOND MEDICAL CTR IN 04-1255 TO EXTEND TIME TO FILE APPELLEE(S) BRIEF UNTIL 7/30/04 [3990148-1]. [03-1821, 04-1255] ~ [3990148] (SAW)
- 75 05/25/2004 AMICUS CURIAE BRIEF FILED BY AMICUS SUPPORTING APPELLANT HORATIO R. STORER IN 03-1821, AMICUS SUPPORTING APPELLANT HORATIO R. STORER IN 04-1255 COPIES OF BRIEF: 8 # BR PAGES: 31. SUFFICIENT[Y/N]?: Y. METHOD OF FILING W/COURT: ORDER. DATE OF SERVICE ON PARTIES: 5/25/04. TYPE OF SERVICE ON PARTIES: ORDER [03-1821, 04-1255] ~ [3989877] (F)
- 74 05/25/2004 NEGATIVE DISCLOSURE STATEMENT FILED BY AMICUS SUPPORTING APPELLANT HORATIO R. STORER IN 03-1821, AMICUS SUPPORTING APPELLANT HORATIO R. STORER IN 04-1255 [03-1821, 04-1255] (F)



- 73 05/25/2004 ORDER FILED [3989875] GRANTING HORATIO R. STORER FOUNDATION CONSENT TO FILE AMICUS BRIEF [3989874-1] IN 03-1821, 04-1255 COPIES TO ALL PARTIES. [03-1821, 04-1255] ~ [3989875] (F)
- 72 05/25/2004 CONSENT FILED BY AMICUS SUPPORTING APPELLANT HORATIO R. STORER IN 03-1821, AMICUS SUPPORTING APPELLANT HORATIO R. STORER IN 04-1255 TO FILE AMICUS BRIEF. AMICUS BRIEF TENDERED?(Y/N): Y. [3989874-1] PARTY/PARTIES FILING THE AMICUS BRIEF: HORATIO R. STORER FOUNDATION [03-1821, 04-1255] (F)
- 68 05/19/2004 NOTICE NON-COMPLIANT APPENDIX FILED BY APPELLANT DAVID M. HICKS IN 03-1821, APPELLANT WADE A. KIZER IN 03-1821, APPELLANT DAVID M. HICKS IN 04-1255, APPELLANT WADE A. KIZER IN 04-1255. WHY?: FRAP 32 - CONDENSED TRANSCRIPT . FORMAT [03-1821, 04-1255] ~ [3986209] SUFFICIENT APPENDIX DUE 6/1/04 FOR WADE A. KIZER IN 03-1821, FOR DAVID M. HICKS IN 03-1821, FOR WADE A. KIZER IN 04-1255, FOR DAVID M. HICKS IN 04-1255 (F)
- 67 05/13/2004 BRIEF AND JOINT APPENDIX FILED BY APPELLANT DAVID M. HICKS IN 03-1821, APPELLANT WADE A. KIZER IN 03-1821, APPELLANT DAVID M. HICKS IN 04-1255, APPELLANT WADE A. KIZER IN 04-1255. COPIES OF BRF: 8 # BRP PAGES: 92 # APX COPIES(INCLUDE VOL #'S): 6 OF VOLS. 1 & 2 # APX PAGES: 1143 2-SIDED COPYING?[Y/N]: Y SUFFICIENT?[Y/N]: N-CONDENSED TRANSCRIPT METHOD OF FILING W/

COURT: HD DATE OF SERVICE ON  
PARTIES: 5/13/04 TYPE OF SERVICE ON  
PARTIES: CD [03-1821, 04-1255] ~  
[3986146] APPELLEE BRIEF DUE  
6/15/04 FOR WILLIAM G. FITZHUGH IN  
03-1821, FOR RICHMOND MEDICAL  
CTR IN 03-1821, FOR WILLIAM G.  
FITZHUGH IN 04-1255, FOR RICHMOND  
MEDICAL CTR IN 04-1255 . (F)

- 66 05/07/2004 ORDER FILED [3980305] DENYING  
MOTION TO FILE OVERSIZE BRIEF  
[3978854-1] IN 03-1821, 04-1255  
COPIES TO ALL PARTIES. [03-1821,  
04-1255] ~ [3980305] (SAW)
- 64 05/04/2004 MOTION FILED BY APPELLANT DAVID  
M. HICKS IN 03-1821, APPELLANT  
WADE A. KIZER IN 03-1821, APPELLANT  
DAVID M. HICKS IN 04-1255,  
APPELLANT WADE A. KIZER IN 04-1255  
TO FILE OVERSIZE BRIEF OF 17,200  
WORDS FOR PRINCIPAL BRIEFS OF  
APPELLANT AND APPELLEE AND 8,600  
WORDS FOR REPLY BRIEF. [3978854-1].  
[03-1821, 04-1255] ~ [3978854] (SAW)
- 63 04/06/2004 ORDER FILED [3962402] GRANTING  
MOTION TO EXT TIME TO FILE A'S  
BR/APX [3960776-1] APPELLANT(S)  
BRIEF/JOINT APPENDIX NOW DUE  
5/13/04 FOR WADE A. KIZER IN  
03-1821, FOR DAVID M. HICKS IN  
03-1821, FOR WADE A. KIZER IN  
04-1255, FOR DAVID M. HICKS IN  
04-1255 . IN 03-1821, 04-1255 COPIES  
TO ALL PARTIES. [03-1821, 04-1255] ~  
[3962402] (F)
- 61 04/01/2004 MOTION FILED BY APPELLANT DAVID  
M. HICKS IN 03-1821, APPELLANT  
WADE A. KIZER IN 03-1821, APPELLANT  
DAVID M. HICKS IN 04-1255,

APPELLANT WADE A. KIZER IN 04-1255  
TO EXTEND TIME TO FILE APPELLANT(S)  
BRIEF/APPENDIX UNTIL 5/28/04  
[3960776-1]. [03-1821, 04-1255] ~  
[3960776] (F)

60 03/18/2004 LETTER REFERENCING AMENDING  
CAPTION FILED BY APPELLANT DAVID  
M. HICKS IN 03-1821, APPELLANT  
WADE A. KIZER IN 03-1821, APPELLANT  
M. HICKS IN 04-1255, APPELLANT  
WADE A. KIZER IN 04-1255 [3953491-1]  
~ [3953491] [03-1821, 04-1255] (F)

56 03/11/2004 DOCKETING STATEMENT FILED BY  
APPELLANT DAVID M. HICKS IN  
04-1255, APPELLANT WADE A. KIZER IN  
04-1255 [3948504-1] T/S NEEDED  
[Y/N]: Y T/S ALREADY ON FILE?: Y.  
[04-1255] ~ [3948504] (F)

55 03/10/2004 ORDER FILED [3947589] GRANTING  
MOTION TO EXT TIME TO FILE A'S  
BR/APX [3947533-1] APPELLANT(S)  
BRIEF/JOINT APPENDIX NOW DUE  
4/13/04 FOR WADE A. KIZER IN  
03-1821, FOR DAVID M. HICKS IN  
03-1821, FOR WADE A. KIZER IN  
04-1255, FOR DAVID M. HICKS IN  
04-1255 . IN 03-1821, 04-1255 COPIES  
TO ALL PARTIES. [03-1821, 04-1255] ~  
[3947589] (F)

53 03/10/2004 MOTION FILED BY APPELLANT DAVID  
M. HICKS IN 03-1821, APPELLANT  
WADE A. KIZER IN 03-1821, APPELLANT  
DAVID M. HICKS IN 04-1255,  
APPELLANT WADE A. KIZER IN 04-1255  
TO EXTEND TIME TO FILE APPELLANT(S)  
BRIEF/APPENDIX [3947533-1].  
[03-1821, 04-1255] ~ [3947533] (F)

52 03/04/2004 CERTIFICATION OF ROA COMPLETE

- AND RETAINED IN THE DISTRICT COURT. [03-1821, 04-1255] ~ [3944182] (F)
- 51 03/04/2004 DOCKETING NOTICE ISSUED. [04-1255] ~ [3944176] (F)
- 50 03/04/2004 ORDER FILED [3944163] CONSOLIDATING CASE 04-1255 WITH 03-1821 [3944163-1]. COPIES TO ALL PARTIES. [03-1821, 04-1255] ~ [3944163] (F)
- 49 01/16/2004 ORDER FILED [3918646] GRANTING MOTION TO EXT TIME TO FILE A'S BR/APX [3918440-1] APPELLANT(S) BRIEF/JOINT APPENDIX NOW DUE 3/26/04 FOR WADE A. KIZER, FOR DAVID M. HICKS. [03-1821] ~ [3918646] (F)
- 47 01/16/2004 MOTION FILED BY APPELLANT DAVID M. HICKS, APPELLANT WADE A. KIZER TO EXTEND TIME TO FILE APPELLANT(S) BRIEF/APPENDIX UNTIL 3/26/04 [3918440-1]. [03-1821] ~ [3918440] (F)
- 46 10/30/2003 ORDER FILED [3879295] GRANTING MOTION TO EXT TIME TO FILE A'S BR/APX [3879199-1] APPELLANT(S) BRIEF/JOINT APPENDIX NOW DUE 1/23/04 FOR WADE A. KIZER, FOR DAVID M. HICKS. [03-1821] ~ [3879295] (F)
- 44 10/30/2003 MOTION FILED BY APPELLANT DAVID M. HICKS, APPELLANT WADE A. KIZER TO EXTEND TIME TO FILE APPELLANT(S) BRIEF/APPENDIX UNTIL 1/23/04 [3879199-1]. [03-1821] ~ [3879199] (F)
- 43 10/15/2003 BRIEFING ORDER FILED. [03-1821] ~ [3870567] APPELLANT(S) BRIEF/JOINT

- APPENDIX DUE 11/24/03 FOR WADE A. KIZER, FOR DAVID M. HICKS. (F)
- 42 09/24/2003 ADDENDUM TO DOCKETING STATEMENT FILED BY APPELLANT DAVID M. HICKS, APPELLANT WADE A. KIZER . [03-1821] (F)
- 41 09/22/2003 COURT ORDER FILED [3857105] DENYING MOTION TO STAY CASE [3851207-1] ~ [3857105] [03-1821] (F)
- 38 09/22/2003 AMENDED NOTICE OF APPEAL FILED IN THE DISTRICT COURT ON 9/12/03. [03-1821] ~ [3856859] (F)
- 35 09/17/2003 RESPONSE/ANSWER FILED [3856447-1] BY APPELLANT DAVID M. HICKS, APPELLANT WADE A. KIZER TO MOTION TO STAY CASE [3851207-1] [03-1821] ~ [3856447] (SAW)
- 34 09/09/2003 RESPONSE/ANSWER REQUESTED TO MOTION TO STAY CASE [3851207-1] RESPONSE/ANSWER DUE 9/18/03 FOR WADE A. KIZER, FOR DAVID M. HICKS. [03-1821] ~ [3851211] (F)
- 33 09/05/2003 MOTION FILED BY APPELLEE RICHMOND MEDICAL CTR, APPELLEE WILLIAM G. FITZHUGH TO STAY CASE [3851207-1] PENDING RESOLUTION OF REMAINING ISSUES IN THE D/CT [03-1821] ~ [3851207] (F)
- 32 09/05/2003 RESPONSE/ANSWER FILED [3849664-1] BY APPELLANT DAVID M. HICKS, APPELLANT WADE A. KIZER TO COURT'S REQUEST FOR NOTICE OF EFFECT OF D/CT RULING ON APPEAL.[3844494-1] [03-1821] ~ [3849664] (SAW)

- 31 09/05/2003 RESPONSE/ANSWER FILED [3849387-1] BY APPELLEE RICHMOND MEDICAL CTR, APPELLEE WILLIAM G. FITZHUGH TO COURT'S REQUEST FOR NOTICE OF EFFECT OF D/CT RULING ON APPEAL. [3844494-1] [03-1821] ~ [3849387] (SAW)
- 29 09/02/2003 NEGATIVE DISCLOSURE STATEMENT FILED BY APPELLEE RICHMOND MEDICAL CTR, APPELLEE WILLIAM G. FITZHUGH [03-1821] (F)
- 25 08/26/2003 RESPONSE/ANSWER REQUESTED TO STATUS REPORT [3844494-1] RESPONSE/ANSWER DUE 9/5/03 FOR WADE A. KIZER, FOR DAVID M. HICKS, FOR WILLIAM G. FITZHUGH, FOR RICHMOND MEDICAL CTR. [03-1821] ~ [3844507] (F)
- 23 08/25/2003 STATUS REPORT FILED BY APPELLANT DAVID M. HICKS, APPELLANT WADE A. KIZER NOTIFYING THE COURT THAT THE DISTRICT COURT ISSUED ITS ORDER OF 8/22/03 RULING ON THE MOTION TO AMEND THE PRELIMINARY INJUNCTION ORDER. [3844494-1] [03-1821] (F)
- 20 08/08/2003 ORDER FILED [3836028] TERMINATING MOTION TO RESCIND BRIEFING ORDER [3835650-1], TERMINATING MOTION TO PLACE CASE IN ABEYANCE [3835650-2] [3836028-1] SUSPENDING BRIEFING ORDER DATED 7/21/03 UNTIL: RESOLUTION OF PENDING D/CT. [03-1821] ~ [3836028] (F)
- 18 08/08/2003 MOTION FILED BY APPELLEE RICHMOND MEDICAL CTR, APPELLEE WILLIAM G. FITZHUGH [3835650-1] TO RESCIND BRIEFING ORDER DATED 7/21/03, TO PLACE CASE IN ABEYANCE

		FOR PENDING RESOLUTION OF D/CT DECISION ON MOTION TO AMEND ORDER GRANTING PRELIMINARY INJUNCTION [3835650-2]. [03-1821] ~ [3835650] (F)
16	07/23/2003	CERTIFICATION OF ROA COMPLETE AND RETAINED IN THE DISTRICT COURT. [03-1821] ~ [3827236] (SAW)
15	07/22/2003	NEGATIVE DISCLOSURE STATEMENT FILED BY APPELLANT DAVID M. HICKS [03-1821] (F)
14	07/22/2003	NEGATIVE DISCLOSURE STATEMENT FILED BY APPELLANT WADE A. KIZER [03-1821] (F)
13	07/22/2003	COUNSEL OF RECORD FORM FILED BY JAMES CHRISTIAN STUCHELL FOR APPELLANT DAVID M. HICKS, APPELLANT WADE A. KIZER. (F)
12	07/22/2003	COUNSEL OF RECORD FORM FILED BY EDWARD MEADE MACON FOR APPELLANT DAVID M. HICKS, APPELLANT WADE A. KIZER. (F)
9	07/21/2003	BRIEFING ORDER FILED. [03-1821] ~ [3825319] APPELLANT(S) BRIEF/JOINT APPENDIX DUE 9/2/03 FOR WADE A. KIZER, FOR DAVID M. HICKS. (BHR)
11	07/18/2003	APPEARANCE FORMS FILED BY PRISCILLA JOYCE SMITH AND SUZANNE NOVAK. [03-1821] (BHR)
6	07/17/2003	DOCKETING STATEMENT FILED BY APPELLANT [3825314-1] T/S NEEDED [Y/N]: Y T/S ALREADY ON FILE?: Y. [03-1821] ~ [3825314] (BHR)
4	07/08/2003	DOCKETING NOTICE ISSUED. [03-1821]

~ [3818773] (F)

1 07/07/2003 CIVIL CASE DOCKETED. (F)

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