

CLOSED

**U.S. District Court**  
**District of South Dakota (Southern Division)**  
**CIVIL DOCKET FOR CASE #: 4:00-cv-04036-LLP**

A., et al v. Bloomberg, et al  
Assigned to: U. S. District Judge Lawrence L. Piersol  
Demand: \$0  
Cause: 42:1983 Civil Rights Act

Date Filed: 02/24/2000  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Jennifer A.**

*by and through her parent and next friend*

*Minor*

Christina A.

represented by **Charles Rick Johnson**

Johnson, Eklund, Nicholson, & Peterson

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**LEAD ATTORNEY****ATTORNEY TO BE NOTICED****Plaintiff****Hillary B.***by and through her next friend**Minor*

Patricia B.

represented by **Charles Rick Johnson**

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**LEAD ATTORNEY****ATTORNEY TO BE NOTICED****Marc A. Schindler**

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**LEAD ATTORNEY****ATTORNEY TO BE NOTICED****Mark I. Soler**

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**LEAD ATTORNEY****ATTORNEY TO BE NOTICED****Stephanie E. Pochop**

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**LEAD ATTORNEY****ATTORNEY TO BE NOTICED****Wally Eklund**

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*LEAD ATTORNEY*  
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**Plaintiff**

**Robert C.**  
*by and through his parent and next friend*  
*Minor*  
Philip C.

represented by **Charles Rick Johnson**  
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**Marc A. Schindler**  
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**Michael Finley**  
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**Plaintiff**

**Melissa D.**  
*by and through her parent and next friend*  
*Minor*  
Shannan D.

represented by **Charles Rick Johnson**  
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*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Plaintiff****Sandra E.***by and through his parent and next friend**Minor*

Todd E.

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*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Plaintiff****Hillary B.***by and through his next friend**Minor*represented by **Charles Rick Johnson**

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Carl F.

*ATTORNEY TO BE NOTICED*

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**Wally Eklund**

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V.

**Defendant**

**Jeff Bloomberg**

*in his official capacity as Secretary of the  
South Dakota Department of Corrections*

represented by **James E. McMahon**

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Fax: 339-3357

Email: [bbeck@wfss.com](mailto:bbeck@wfss.com)*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Defendant****Owen Spurrell***in his official capacity as Superintendent  
of the State Training School at Plankinton,  
South Dakota*represented by **James E. McMahon**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***James Ellis Moore**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Mark W. Barnett**

(See above for address)

*TERMINATED: 03/20/2000**LEAD ATTORNEY**ATTORNEY TO BE NOTICED***William G. Beck**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Interested Party****Clerk, USCOA***TERMINATED: 03/24/2003*represented by **Clerk, USCOA**

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(651) 848-1303

## PRO SE

Date Filed	#	Docket Text
02/24/2000	<a href="#"><u>1</u></a>	COMPLAINT: 2 summons(es) issued handed to Michael Finley (SKM) (Entered: 02/24/2000)
02/24/2000	2	CIVIL COVER SHEET (SKM) (Entered: 02/24/2000)
02/24/2000		FILING FEE PAID: on 2/24/00 in the amount of \$150.00, receipt # 23899. (SKM) (Entered: 02/24/2000)
02/24/2000	<a href="#"><u>3</u></a>	MOTION for attorney Mark I. Soler, Marc A. Schindler, Michael Finley to appear pro hac vice by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. (SKM) (Entered: 02/24/2000)
02/24/2000	<a href="#"><u>4</u></a>	AFFIDAVIT of Mark I. Soler re motion to appear pro hac vice [3-1] (SKM) (Entered: 02/24/2000)
02/24/2000	<a href="#"><u>5</u></a>	AFFIDAVIT of Marc A. Schindler re: motion to appear pro hac vice [3-1] (SKM) (Entered: 02/24/2000)
02/24/2000	<a href="#"><u>6</u></a>	AFFIDAVIT of Michael Finley re: motion to appear pro hac vice [3-1] (SKM) (Entered: 02/24/2000)
02/24/2000	<a href="#"><u>7</u></a>	MOTION for leave to proceed in pseudonym by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. (SKM) (Entered: 02/24/2000)
02/24/2000	<a href="#"><u>8</u></a>	MEMORANDUM by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. in support of motion for leave to proceed in pseudonym [7-1] (SKM) (Entered: 02/24/2000)
02/24/2000	<a href="#"><u>9</u></a>	MOTION to certify class action by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. (SKM) (Entered: 02/24/2000)
02/24/2000	<a href="#"><u>10</u></a>	MEMORANDUM by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. in support of motion to certify class action [9-1] (SKM) (Entered: 02/24/2000)
03/02/2000	<a href="#"><u>11</u></a>	MOTION for attorney Mark I. Soler, Marc A. Schindler, and Michael Finley to appear pro hac vice by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. (SLL) (Entered: 03/02/2000)
03/02/2000	<a href="#"><u>12</u></a>	ORDER by Lawrence L. Piersol granting motion for attorney Mark I. Soler, Marc A. Schindler, and Michael Finley to appear pro hac vice [11-1], finding the motion for attorney Mark I. Soler, Marc A. Schindler, Michael Finley to appear pro hac vice [3-1] moot; directing counsel to pay \$100 fee for each attorney (cc:all counsel) (SKM) (Entered: 03/03/2000)

03/03/2000	<a href="#"><u>13</u></a>	RETURN OF SERVICE executed upon defendant Jeff Bloomberg on 2/28/00 (JMM) (Entered: 03/03/2000)
03/03/2000	<a href="#"><u>14</u></a>	RETURN OF SERVICE executed upon defendant Owen Spurrell on 2/28/00 (JMM) (Entered: 03/03/2000)
03/03/2000	<a href="#"><u>15</u></a>	SUMMONS (DEFENDANT(S) SERVED) (JMM) (Entered: 03/03/2000)
03/07/2000		PRO HAC VICE letter sent to Mark Soler, Mark Schindler and Michael Finley (SKM) (Entered: 03/07/2000)
03/09/2000		PRO HAC VICE fee paid by Mark Soler, Mark Schindler and Michael Finley (JMM) (Entered: 03/09/2000)
03/20/2000	<a href="#"><u>16</u></a>	MOTION to dismiss , or for more definite statement by defendant Jeff Bloomberg, defendant Owen Spurrell (FE) (Entered: 03/21/2000)
03/20/2000	17	MEMORANDUM/BRIEF by defendant Jeff Bloomberg, defendant Owen Spurrell in opposition to motion for leave to proceed in pseudonym [7-1] (FE) (Entered: 03/21/2000)
03/20/2000	<a href="#"><u>17</u></a>	MEMORANDUM/BRIEF by defendant Jeff Bloomberg, defendant Owen Spurrell in support of motion to dismiss [16-1], of motion for more definite statement [16-2] (FE) (Entered: 03/21/2000)
03/20/2000	<a href="#"><u>18</u></a>	RESPONSE/BRIEF by defendant Jeff Bloomberg, defendant Owen Spurrell to motion to certify class action [9-1] (FE) (Entered: 03/21/2000)
03/20/2000	<a href="#"><u>19</u></a>	MOTION for Court to Visit State Training School by defendant Jeff Bloomberg, defendant Owen Spurrell (FE) (Entered: 03/21/2000)
03/20/2000	<a href="#"><u>20</u></a>	MEMORANDUM/BRIEF by defendant Jeff Bloomberg, defendant Owen Spurrell in support of motion for Court to Visit State Training School [19-1] (FE) (Entered: 03/21/2000)
04/03/2000	21	MEMORANDUM by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. in opposition to motion to dismiss [16-1], motion for more definite statement [16-2] (SLL) (Entered: 04/04/2000)
04/03/2000	<a href="#"><u>21</u></a>	REPLY by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. to response to motion for leave to proceed in pseudonym [7-1] (SLL) (Entered: 04/04/2000)
04/03/2000	<a href="#"><u>22</u></a>	REPLY by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. to response to motion to certify class action [9-1] (SLL) (Entered: 04/04/2000)
04/03/2000	<a href="#"><u>23</u></a>	RESPONSE by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. to motion for Court to Visit State Training School [19-1] (SLL) (Entered: 04/04/2000)
04/07/2000	<a href="#"><u>24</u></a>	MOTION for oral argument on motion to dismiss and on class action issues , or alternatively for for more definite statement by defendant Jeff Bloomberg, defendant Owen Spurrell (FE) (Entered: 04/07/2000)



04/13/2000	<a href="#"><u>25</u></a>	REPLY BRIEF by defendant Jeff Bloomberg, defendant Owen Spurrell re reply to response to motion to certify class action [22-1] (FE) (Entered: 04/13/2000)
04/13/2000	<a href="#"><u>26</u></a>	REPLY/BRIEF by defendant Jeff Bloomberg, defendant Owen Spurrell to response to motion to dismiss [16-1] (FE) (Entered: 04/13/2000)
04/13/2000	<a href="#"><u>27</u></a>	AFFIDAVIT of James E. McMahon (FE) (Entered: 04/13/2000)
04/19/2000	<a href="#"><u>28</u></a>	ORDER by Lawrence L. Piersol setting hearing on motion for Court to Visit State Training School [19-1] 9:00 4/27/00, setting hearing on motion to dismiss [16-1] 9:00 4/27/00, setting hearing on motion to certify class action [9-1] 9:00 4/27/00, setting hearing on motion for leave to proceed in pseudonym [7-1] 9:00 4/27/00 (cc:all counsel) (SLL) (Entered: 04/20/2000)
04/25/2000	<a href="#"><u>29</u></a>	AFFIDAVIT of James E. McMahon (SLL) (Entered: 04/25/2000)
04/27/2000	<a href="#"><u>30</u></a>	MINUTES RE: Motions Hearing before the Hon. Lawrence L. Piersol, US Chief Judge, Sioux Falls, SD (FE) (Entered: 04/27/2000)
04/27/2000	<a href="#"><u>31</u></a>	AFFIDAVIT of Mark I. Soler (FE) (Entered: 04/27/2000)
05/01/2000	<a href="#"><u>32</u></a>	STIPULATION Regarding Disclosure of True Names of Named Plaintiffs (SLL) (Entered: 05/01/2000)
05/01/2000	<a href="#"><u>33</u></a>	STIPULATION/MOTION to amend Rule 16 Scheduling Order by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B., defendant Jeff Bloomberg, defendant Owen Spurrell (SLL) (Entered: 05/01/2000)
05/02/2000	<a href="#"><u>34</u></a>	ORDER by Lawrence L. Piersol granting motion for leave to proceed in pseudonym [7-1]; plaintiff's counsel shall provide true names of named plaintiffs and defendants' counsel and anyone assisting them shall keep the true names confidential; finding the motion to dismiss [16-1] moot; motion for class certification held in abeyance pending defendants' depositions of named plaintiffs; granting motion for Court to Visit State Training School [19-1]; Court's visit to State Training School shall be unannounced except to extent necessary to notify counsel (cc:all counsel) (SKM) (Entered: 05/03/2000)
05/08/2000	<a href="#"><u>35</u></a>	ORDER by Lawrence L. Piersol granting stipulation re pseudonym [32-1]; all subsequent pleadings shall refer to named plaintiffs by pseudonyms given them in Complaint; plaintiffs' counsel shall file under seal a document stating the real names of plaintiffs named in pseudonym in Complaint (cc:all counsel) (FE) (Entered: 05/09/2000)
05/10/2000	<a href="#"><u>36</u></a>	ORDER by Lawrence L. Piersol advising parties to respond to Court by 5/22/00 re. attached request to visit State Training School in Plankinton by Argus Leader and KSFY (cc:all counsel) (SLL) (Entered: 05/11/2000)
05/12/2000	<a href="#"><u>37</u></a>	ANSWER by defendant Jeff Bloomberg, defendant Owen Spurrell to [1-1] (SLL) (Entered: 05/15/2000)
05/19/2000	<a href="#"><u>38</u></a>	RESPONSE by defendant Jeff Bloomberg, defendant Owen Spurrell to Order requesting response to [36-1] (FE) (Entered: 05/22/2000)

05/23/2000	<a href="#"><u>39</u></a>	SUPPLEMENT by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. re motion to amend Rule 16 Scheduling Order [33-1] (SKM) (Entered: 05/24/2000)
05/23/2000	<a href="#"><u>40</u></a>	RULE 16 SCHEDULING ORDER Lawrence L. Piersol; Discovery ddl set for 9/1/00; mtn filing ddl set for 9/1/00; court trial set for 9:00 11/28/00 (cc: all counsel) (SKM) (Entered: 05/24/2000)
05/23/2000	<a href="#"><u>41</u></a>	RESPONSE by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. to Court order [36-1] (SKM) (Entered: 05/24/2000)
05/24/2000	<a href="#"><u>42</u></a>	CONSENT to Allow Press to Visit State Training School by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. (JMM) (Entered: 05/24/2000)
05/26/2000	<a href="#"><u>43</u></a>	RULE 26 Initial Disclosures by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. (FE) (Entered: 05/30/2000)
05/26/2000	<a href="#"><u>44</u></a>	JOINT MOTION/STIPULATION re disclosure of names by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. (seal) (FE) Additional attachment(s) added on 5/12/2005 (DJP). (Entered: 05/30/2000)
05/26/2000	<a href="#"><u>45</u></a>	AMENDMENT/ADDENDUM by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. to Plaintiffs' Initial Rule 26 Disclosure [43-1] (seal) (FE) Additional attachment(s) added on 5/12/2005 (DJP, ). (Entered: 05/30/2000)
05/26/2000	<a href="#"><u>46</u></a>	RESPONSE by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. to Order re: real names of plaintiffs [35-1] (seal) (FE) Modified on 05/30/2000 Additional attachment(s) added on 5/12/2005 (DJP, ). (Entered: 05/30/2000)
06/07/2000	<a href="#"><u>47</u></a>	MOTION to compel production of documents by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. (JMM) (Entered: 06/08/2000)
06/07/2000	<a href="#"><u>48</u></a>	MEMORANDUM by plaintiffs in support of motion to compel production of documents [47-1] (JMM) (Entered: 06/08/2000)
06/07/2000	<a href="#"><u>49</u></a>	Renewed MOTION to certify class action by plaintiffs (JMM) (Entered: 06/08/2000)
06/07/2000	<a href="#"><u>50</u></a>	MOTION regarding confidential personnel records by plaintiffs, defendant (JMM) (Entered: 06/08/2000)
06/08/2000		SEE VOLUME II (FE) (Entered: 06/13/2000)
06/09/2000		VOLUME II (FE) (Entered: 06/13/2000)
06/12/2000	<a href="#"><u>51</u></a>	ORDER by Lawrence L. Piersol granting motion regarding confidential personnel records [50-1] (cc:all counsel) (FE) (Entered: 06/13/2000)

06/12/2000	<a href="#"><u>52</u></a>	MEMORANDUM/BRIEF by defendant Jeff Bloomberg, defendant Owen Spurrell in opposition to motion to certify class action [49-1], motion to certify class action [9-1] (FE) (Entered: 06/13/2000)
06/12/2000	<a href="#"><u>53</u></a>	AFFIDAVIT of Jeff Bloomberg re brief in opposition to motion for class certification [52-1] (FE) (Entered: 06/13/2000)
06/12/2000	<a href="#"><u>54</u></a>	AFFIDAVIT of Owen Spurrell re brief in opposition to motion for class certification [52-1] (FE) (Entered: 06/13/2000)
06/12/2000	<a href="#"><u>55</u></a>	MEMORANDUM/BRIEF by defendant Jeff Bloomberg, defendant Owen Spurrell in opposition to motion to compel production of documents [47-1] (FE) (Entered: 06/13/2000)
06/12/2000	<a href="#"><u>56</u></a>	MOTION for order allowing deposition copies to be filed by defendant Jeff Bloomberg, defendant Owen Spurrell (FE) (Entered: 06/13/2000)
06/13/2000	<a href="#"><u>57</u></a>	MOTION to extend date for completion of discovery by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. (FE) (Entered: 06/13/2000)
06/13/2000	<a href="#"><u>58</u></a>	MEMORANDUM by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. in support of motion to extend date for completion of discovery [57-1] (FE) (Entered: 06/13/2000)
06/16/2000	<a href="#"><u>59</u></a>	ORDER by Lawrence L. Piersol allowing The Argus leader and KSFY-TV to accompany the Court on visit to Plankinton facility; filming or photographing of juveniles at facility is strictly prohibited and media not to bring camera of any sort; juveniles at facility shall not be identified by news media; news media is prohibited from speaking with any juvenile; news media prohibited from listening to any communication between Court and any juvenile. (cc:all counsel) (LMZ) (Entered: 06/19/2000)
06/19/2000		MAILING copy of Order #59 to Judeka Drog, KSFY and David Ledford, The Argus Leader (LMZ) (Entered: 06/19/2000)
06/19/2000	<a href="#"><u>60</u></a>	RESPONSE by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. to Brief in Opposition to motion to certify class action [49-1] with attached exhibits (LMZ) Modified on 06/19/2000 (Entered: 06/19/2000)
06/19/2000	61	SEALED DOCUMENT by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. (not to be opened absent an Order of the Court) (in expando) (LMZ) Modified on 06/19/2000 (Entered: 06/19/2000)
06/19/2000	<a href="#"><u>62</u></a>	AMENDED RULE 16 SCHEDULING ORDER by Lawrence L. Piersol granting motion to extend date for completion of discovery [57-1] ;Court trial set for 9:00 11/28/00 ; motion filing ddl set for 9/15/00 ; discovery ddl set for 9/15/00 (cc:all counsel) (FE) (Entered: 06/20/2000)
06/20/2000	<a href="#"><u>63</u></a>	RESPONSE by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. to motion for order allowing deposition copies to be filed [56-1] (FE) (Entered: 06/20/2000)

06/20/2000	<a href="#">64</a>	REPLY BRIEF by defendant Jeff Bloomberg, defendant Owen Spurrell to response to motion for order allowing deposition copies to be filed [56-1] (FE) (Entered: 06/21/2000)
06/20/2000	<a href="#">65</a>	REQUEST by defendant Jeff Bloomberg, defendant Owen Spurrell for Oral Argument on Plaintiffs' Motion for Class Certification (DOC 9) (FE) (Entered: 06/21/2000)
06/22/2000	<a href="#">66</a>	RESPONSE/OPPOSITION by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. to request for oral argument on plaintiffs' motion for class certification [65-1] (SLL) (Entered: 06/22/2000)
06/28/2000	<a href="#">67</a>	ORDER by Mag Judge Mark F. Marshall granting motion to compel production of documents [47-1] (cc:all counsel) (DLS) (Entered: 06/28/2000)
07/06/2000	<a href="#">68</a>	ORDER by Lawrence L. Piersol granting motion for order allowing deposition copies to be filed [56-1]; depositions shall be filed with the name of any juveniles other than named plaintiffs redacted; named plaintiffs shall be identified by pseudonym only and any reference in the deposition to the named plaintiffs' real identity shall be redacted (cc:all counsel) (SKM) Modified on 07/07/2000 (Entered: 07/07/2000)
07/07/2000	69	DEPOSITION of Shannan D. taken on the following date(s): 05/16/00 (in expando) (FE) (Entered: 07/07/2000)
07/07/2000	70	DEPOSITION of Christina A. taken on the following date(s): 05/16/00 (in expando) (FE) Modified on 07/07/2000 (Entered: 07/07/2000)
07/07/2000	71	DEPOSITION of Carl F. taken on the following date(s): 05/17/00 (in expando) (FE) (Entered: 07/07/2000)
07/07/2000	72	DEPOSITION of Philip C. taken on the following date(s): 05/17/00 (in expando) (FE) (Entered: 07/07/2000)
07/07/2000	73	DEPOSITION of Patricia B. taken on the following date(s): 05/15/00 (in expando) (FE) (Entered: 07/07/2000)
07/07/2000	74	DEPOSITION of Todd E. taken on the following date(s): 05/16/00 (in expando) (FE) (Entered: 07/07/2000)
07/07/2000	<a href="#">75</a>	MEMORANDUM OPINION AND ORDER by Lawrence L. Piersol granting motion to certify class action [49-1], granting motion to certify class action [9-1]; general class of all juveniles now or in future to be confined at Plankinton is certified with regard to Plaintiffs' claims of violations of their due process rights under 14th Amendmend and violation of Plaintiffs' right to privacy under 1st Amendmend as a result of the conduct as set forth in this Order; subclass of all female juveniles who are now or in future to be confined at Plankinton is certified with regard to claims of violation of right to privacy under 1st Amendment as a result of conduct as set forth in this Order; subclass of juveniles who are now or in future to be confined at Plankinton and are in need of mental health care is certified with regard to claims of deprivation of due process as a result of inadequate mental health care, the effect of isolation on such plaintiffs and application of disciplinary procedures to such plaintiffs; subclass of all juveniles who are now or in future to be confined at Plankinton and in need of

		special education is certified with claims that such plaintiffs are denied rights under IDEA as a result of inadequate provision of special education programs (cc: all counsel) (FE) (Entered: 07/10/2000)
07/12/2000		ORAL ORDER by Lawrence L. Piersol; in order to comply with order of 7/6/00 the Court ordered defendants to replace two pages in depositions previously filed so that the names of juveniles mentioned would be properly redacted (SKM) (Entered: 07/13/2000)
07/13/2000		SEE VOLUME III (FE) (Entered: 07/28/2000)
07/14/2000		VOLUME III (FE) (Entered: 07/28/2000)
07/28/2000	<a href="#"><u>76</u></a>	MOTION to extend date for completion of discovery to 9/27/00 by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. (FE) (Entered: 07/28/2000)
07/28/2000	<a href="#"><u>77</u></a>	MEMORANDUM by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. in support of motion to extend date for completion of discovery to 9/27/00 [76-1] (FE) (Entered: 07/28/2000)
07/28/2000	<a href="#"><u>78</u></a>	JOINT MOTION/STIPULATION to extend by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B., defendant Jeff Bloomberg, defendant Owen Spurrell (FE) (Entered: 07/28/2000)
08/04/2000	<a href="#"><u>79</u></a>	NOTICE of Change of Address by Youth Law Center, attorneys for plaintiffs (SKM) (Entered: 08/04/2000)
08/04/2000	<a href="#"><u>80</u></a>	SECOND AMENDED RULE 16 SCHEDULING ORDER by Lawrence L. Piersol granting motion to extend [78-1] ;Court trial set for 9:00 11/28/00; motion filing ddl set for 9/15/00; discovery ddl set for 9/27/00 (cc:all counsel) (DLS) (Entered: 08/07/2000)
09/18/2000	<a href="#"><u>81</u></a>	MOTION to compel production of documents by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. (LMZ) (Entered: 09/18/2000)
09/18/2000	<a href="#"><u>82</u></a>	MEMORANDUM by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. in support of motion to compel production of documents [81-1] with attached exhibits 1, 2, 3 (LMZ) (Entered: 09/18/2000)
10/04/2000	<a href="#"><u>83</u></a>	MEMORANDUM by defendant Jeff Bloomberg, defendant Owen Spurrell in opposition to motion to compel production of documents [81-1] (SLL) (Entered: 10/04/2000)
10/11/2000	<a href="#"><u>84</u></a>	MOTION/REQUEST for pretrial conference by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. (FE) (Entered: 10/11/2000)
10/16/2000	<a href="#"><u>85</u></a>	ORDER by Lawrence L. Piersol denying motion for pretrial conference [84-1]; in-court hearing set for 2:00 10/23/00 (cc:all counsel) (SKM) (Entered: 10/17/2000)



10/17/2000	<a href="#"><u>86</u></a>	MOTION to compel production of plaintiffs' experts' notes by defendant Jeff Bloomberg, defendant Owen Spurrell (SLL) (Entered: 10/18/2000)
10/17/2000	<a href="#"><u>87</u></a>	MEMORANDUM/BRIEF by defendant Jeff Bloomberg, defendant Owen Spurrell in support of motion to compel production of plaintiffs' experts' notes [86-1] (SLL) (Entered: 10/18/2000)
10/17/2000		See VOLUME 4 (SLL) (Entered: 10/18/2000)
10/18/2000		VOLUME 4 (SLL) (Entered: 10/18/2000)
10/18/2000	<a href="#"><u>88</u></a>	RESPONSE by defendant Jeff Bloomberg, defendant Owen Spurrell to request for pre-trial conference [84-1] (SKM) (Entered: 10/19/2000)
10/30/2000	<a href="#"><u>89</u></a>	MINUTES RE: status conference before the Hon. Lawrence L. Piersol, Chief Judge, Sioux Falls. Settlement proceedings are in progress and new status conference set for 11/6/00 at 3:00 p.m. (JMM) (Entered: 10/30/2000)
11/06/2000	<a href="#"><u>90</u></a>	MINUTES RE: Status Conference before the hon. Lawrence L. Piersol, US Chief Judge, Sioux Falls, SD - preliminary proposed settlement agreement reached; in-court hearing set for 12/11/00 at 1:00 PM (FE) (Entered: 11/07/2000)
11/06/2000	<a href="#"><u>91</u></a>	Proposed (Preliminary) SETTLEMENT AGREEMENT by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B., defendant Jeff Bloomberg, defendant Owen Spurrell (FE) (Entered: 11/07/2000)
11/08/2000	<a href="#"><u>92</u></a>	ORDER by Lawrence L. Piersol preliminarily approving Settlement Agreement ; in-court fairness hearing set for 1:00 12/11/00 ; attached revised version of notice to serve as notice to members of this class; this order and attached notice along with Settlement Agreement to be posted by defendants; defendants to identify youths with reading difficulties or whose primary language is not English and offer to read Notice and Settlement Agreement to them (cc:all counsel) (SLL) (Entered: 11/08/2000)
12/11/2000	<a href="#"><u>93</u></a>	MINUTES RE: hearing on settlement agreement before the Hon. Lawrence L. Piersol, US District Judge, Sioux Falls, SD; Court approves settlement agreement; counsel to submit briefs on attorney's fees within 14 days (SKM) (Entered: 12/12/2000)
12/13/2000	<a href="#"><u>94</u></a>	MEMORANDUM OPINION AND ORDER by Lawrence L. Piersol; settlement agreement is approved pursuant to FRCvP 23(e); Court will enter final judgment and order approving the class settlement and dismissing the action without prejudice but retaining jurisdiction for the purpose of enforcing the settlement agreement; if plaintiffs choose they may file an application for attorney's fees and costs 14 days after entry of judgment defendants may file response to application within 14 days and plaintiffs may file reply within 7 days (cc: all counsel) (SKM) (Entered: 12/14/2000)
12/13/2000	<a href="#"><u>95</u></a>	JUDGMENT by Lawrence L. Piersol; approving settlement agreement; dismissing the complaint [1-1] without prejudice; terminating case ; that without affecting the finality of this judgment in any way the Court will retain jurisdiction for the purpose of enforcing the terms of the settlement agreement; Court will treat any motion for attorney's fees as having the effect of a motion under Federal Rule of Appellate Procedure 4(a)(4) which would toll the time for filing a notice

		of appeal (cc: all counsel) (SKM) (Entered: 12/14/2000)
12/28/2000	<a href="#"><u>96</u></a>	MOTION for attorney fees and costs by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff D., plaintiff Sandra E., plaintiff Hillary B. (FE) (Entered: 12/29/2000)
12/28/2000	<a href="#"><u>97</u></a>	MEMORANDUM/BRIEF WITH ATTACHED EXHIBITS 1-50 (exhibits 1 and 2 sealed) by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. in support of motion for attorney fees and costs [96-1] (IN EXPANDO) (FE) (Entered: 12/29/2000)
12/28/2000	<a href="#"><u>98</u></a>	BILL OF COSTS submitted by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Robert C., plaintiff Melissa D., plaintiff Sandra E., plaintiff Hillary B. re [95-2] (FE) (Entered: 12/29/2000)
01/04/2001	<a href="#"><u>99</u></a>	MOTION to extend deadline to respond to plaintiffs' motion for attorneys fees and costs by defendant Jeff Bloomberg, defendant Owen Spurrell (FE) (Entered: 01/05/2001)
01/05/2001	100	DEPOSITION of Allen F. Breed taken on the following date(s): 8/7/00 on behalf of defendant (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	101	DEPOSITION of Robert C. taken on the following date(s): 7/21/00 on behalf of defendants (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	102	DEPOSITION of Shawn Davis taken on the following date(s): 6/21/00 on behalf of plaintiffs (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	103	DEPOSITION of Paul Demuro taken on the following date(s): 8/8/00 on behalf of defendants (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	104	DEPOSITION (Vol. 2) of Kent Huckins taken on the following date(s): 7/17/00 on behalf of plaintiffs (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	105	DEPOSITION of Jeffrey L. Bloomberg taken on the following date(s): 7/27/00 on behalf of plaintiffs (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	106	DEPOSITION (Vol 1) of Kent Huckins taken on the following date(s): 6/20/00 on behalf of plaintiffs (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	107	DEPOSITION of Dawn Freidel taken on the following date(s): 6/21/00 on behalf of plaintiffs (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	108	DEPOSITION of Charles Kehoe taken on the following date(s): 9/13/00 on behalf of plaintiffs (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	109	DEPOSITION of Joseph Kenneth Mullen taken on the following date(s): 8/7/00 on behalf of defendants (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	110	DEPOSITION of Jan Nicolay taken on the following date(s): 9/25/00 on behalf of plaintiffs (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	111	DEPOSITION of William J. Janklow taken on the following date(s): 9/26/00 on behalf of plaintiffs (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	112	DEPOSITION of Lisa Plooster taken on the following date(s): 7/18/00 on behalf of plaintiffs (in expando) (JMM) (Entered: 01/08/2001)

01/05/2001	113	DEPOSITION of Kathleen M. Quinn taken on the following date(s): 9/12/00 on behalf of defendants (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	114	DEPOSITION of Owen Spurrell taken on the following date(s): 8/10/00 on behalf of plaintiffs (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	115	DEPOSITION of Crystal Van Vooran taken on the following date(s): 8/9/00 on behalf of plaintiffs (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	116	DEPOSITION of Charlene Skovlund taken on the following date(s): 7/19/00 on behalf of plaintiffs (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	117	DEPOSITION of Dr. Timothy J. Soundy taken on the following date(s): 9/25/00 on behalf of plaintiffs (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001	118	DEPOSITION of Dr. Dennis E. Waite taken on the following date(s): 9/11/00 on behalf of plaintiffs (in expando) (JMM) (Entered: 01/08/2001)
01/05/2001		Depositions, docket nos. 100 through 118, inclusive are copies sent to our office by plaintiff's counsel in support of their motion for attorney fees <a href="#">96</a> (JMM) (Entered: 01/08/2001)
01/09/2001	<a href="#">119</a>	ORDER by Lawrence L. Piersol granting motion to extend deadline to respond to plaintiffs' motion for attorneys fees and costs [99-1]; defendants may have until 01/24/01 to file response (cc:all counsel) (FE) (Entered: 01/10/2001)
01/17/2001	120	TRANSCRIPT of settlement hearing held on 12/11/00 (in expando) (JMM) (Entered: 01/17/2001)
01/24/2001	<a href="#">121</a>	MEMORANDUM/BRIEF by defendant Owen Spurrell, defendant Jeff Bloomberg in opposition to motion for attorney fees and costs [96-1] (FE) (Entered: 01/25/2001)
01/24/2001	<a href="#">122</a>	MOTION/REQUEST for discovery , for evidentiary hearing , for oral argument by defendant Owen Spurrell, defendant Jeff Bloomberg (FE) (Entered: 01/25/2001)
01/24/2001	<a href="#">123</a>	MEMORANDUM/BRIEF by defendant Owen Spurrell, defendant Jeff Bloomberg in support of motion for discovery [122-1], of motion for evidentiary hearing [122-2], of motion for oral argument [122-3] (FE) (Entered: 01/25/2001)
01/24/2001	<a href="#">124</a>	AFFIDAVIT of James E. McMahon re [123-1], re [122-1], re [122-2], re [122-3], re [121-1] (FE) (Entered: 01/25/2001)
01/24/2001	<a href="#">125</a>	AFFIDAVIT of Edwin E. Evans re [121-1], re [122-3], re [122-2], re [122-1], re [123-1] (FE) (Entered: 01/25/2001)
01/24/2001	<a href="#">126</a>	AFFIDAVIT of William J. Janklow re [121-1], re [122-1], re [122-2], re [122-3], re [123-1] (FE) (Entered: 01/25/2001)
01/24/2001	<a href="#">127</a>	SECOND AFFIDAVIT of Jeff Bloomberg re [121-1], re [122-1], re [122-2], re [122-3], re [123-1] (FE) (Entered: 01/25/2001)
01/24/2001		SEE VOLUME V (Volume 4 ends with DOC 127) (FE) (Entered: 01/25/2001)
01/24/2001		VOLUME V (Volume V starts with DOC 128) (FE) (Entered: 01/25/2001)



01/24/2001	<a href="#"><u>128</u></a>	AFFIDAVIT of Betty Oldenkamp re [0-0], re [122-1], re [122-2], re [122-3], re [123-1] (FE) (Entered: 01/25/2001)
01/24/2001	<a href="#"><u>129</u></a>	AFFIDAVIT of Cory Nelson re [121-1], re [122-1], re [122-2], re [122-3], re [123-1] (FE) (Entered: 01/25/2001)
01/24/2001	<a href="#"><u>130</u></a>	AFFIDAVIT of Scott Bollinger re [121-1], re [122-1], re [122-2], re [122-3], re [123-1] (FE) (Entered: 01/25/2001)
01/24/2001		SEE VOLUME VI (Volume V ends with DOC 130) (FE) (Entered: 01/25/2001)
01/24/2001		VOLUME VI (Volume VI begins with DOC 131) (FE) (Entered: 01/25/2001)
01/24/2001	<a href="#"><u>131</u></a>	AFFIDAVIT of Lori Stulken re [121-1], re [122-1], re [122-2], re [122-3], re [123-1] (FE) (Entered: 01/25/2001)
01/24/2001	<a href="#"><u>132</u></a>	AFFIDAVIT of Richard Curry re [121-1], re [122-1], re [122-2], re [122-3], re [123-1] (FE) (Entered: 01/25/2001)
01/24/2001	<a href="#"><u>133</u></a>	CERTIFICATE OF SERVICE by defendant Owen Spurrell, defendant Jeff Bloomberg (FE) (Entered: 01/25/2001)
01/31/2001	<a href="#"><u>134</u></a>	MOTION to extend deadline to respond to defendants' brief in opposition to plaintiffs' petition for attorneys fees and costs by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Melissa D., plaintiff Robert C., plaintiff Sandra E., plaintiff Hillary B. (SLL) (Entered: 02/01/2001)
02/01/2001	<a href="#"><u>135</u></a>	ORDER by Lawrence L. Piersol granting motion to extend deadline to respond to defendants' brief in opposition to plaintiffs' petition for attorneys fees and costs [134-1]; plaintiffs may have until 2/14/01 to file their response (cc:all counsel) (SKM) (Entered: 02/02/2001)
02/02/2001	<a href="#"><u>136</u></a>	MEMORANDUM by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Melissa D., plaintiff Robert C., plaintiff Sandra E., plaintiff Hillary B. in opposition to motion for discovery [122-1], motion for evidentiary hearing [122-2], motion for oral argument [122-3] (SKM) (Entered: 02/02/2001)
02/02/2001	<a href="#"><u>137</u></a>	REPLY by defendant Owen Spurrell, defendant Jeff Bloomberg to response to motion for discovery [122-1], motion for evidentiary hearing [122-2], motion for oral argument [122-3] (SLL) (Entered: 02/05/2001)
02/14/2001	<a href="#"><u>138</u></a>	CLOSING BRIEF in Support of Motion for Attorneys' Fees and Costs by plaintiff Jennifer A., plaintiff Hillary B., plaintiff Melissa D., plaintiff Robert C., plaintiff Sandra E., plaintiff Hillary B. regarding Motion for Attorneys' Fees and Costs [96-1] (FE) (Entered: 02/15/2001)
02/22/2001	<a href="#"><u>139</u></a>	AFFIDAVIT of Dwight Schamber (DJP) (Entered: 02/22/2001)
06/08/2001	<a href="#"><u>140</u></a>	ORDER by Lawrence L. Piersol granting in part/denying in part motion/request for discovery [122-1], evidentiary hearing and oral argument (cc:all counsel) (SLL) (Entered: 06/11/2001)
07/25/2001	<a href="#"><u>141</u></a>	MINUTES RE: Enter hearing on discovery dispute before Hon. John Simko; Court orders that defendant is entitled to take depositions of deponents in the absence of others to be deposed who have not yet testified; Total in court time: 50 minutes (SKM) (Entered: 07/26/2001)

07/25/2001	<a href="#">142</a>	ORDER by Magistrate Judge John E. Simko; counsel for defendant is entitled to take the depositions of each of plaintiff's attorneys in the absence of others to be deposed who have not yet testified (cc:all counsel) (SKM) (Entered: 07/26/2001)
07/25/2001		SEE VOLUME VII (DJP) (Entered: 09/21/2001)
07/26/2001		VOLUME VII (DJP) (Entered: 09/21/2001)
09/19/2001		VOLUME 7 (JMM) (Entered: 10/26/2001)
09/20/2001	<a href="#">143</a>	SUPPLEMENT by defendant Owen Spurrell, defendant Jeff Bloomberg re memorandum in opposition to Plaintiffs' application for attorney fees and costs [121-1] (DJP) (Entered: 09/21/2001)
09/28/2001	<a href="#">144</a>	MEMORANDUM OPINION AND ORDER by Judge Lawrence L. Piersol granting in part denying in part motion for attorney fees and costs [96-1]; defendants shall pay to plaintiffs \$302,617.50 in attorney fees and \$74,019.98 in expenses (cc: all counsel) (SKM) (Entered: 09/28/2001)
10/11/2001	<a href="#">145</a>	AMENDED JUDGMENT in favor of Jennifer A., Hillary B., Melissa D., Robert C., Sandra E., Hillary B. and against Owen Jeff Bloomberg in the amount of \$ 376,637.48 (attorney fees and costs) by Judge Lawrence L. Piersol; Settlement Agreement is approved; Action is dismissed without prejudice; without affecting finality of Judgment in any way, this Court will retain jurisdiction for the purpose of enforcing the terms of Settlement Agreement; pursuant to Federal Rule of Civil Procedure 58, the Court will treat any motion for attorney's fees under Federal Rule of Appellate Procedure which will toll the time for filing a notice of appeal; the Defendants shall pay the Plaintiffs \$302,617.50 in attorney fees and \$74,019.98 in expenses (cc: all counsel) (FE) (Entered: 10/12/2001)
10/26/2001	<a href="#">146</a>	NOTICE OF APPEAL by defendant Owen Spurrell, defendant Jeff Bloomberg from [145-1], [144-1] , Appeal fee pd (cc: all counsel, Court Reporter) (JMM) (Entered: 10/26/2001)
10/26/2001		COURT REPORTER: Jerry May, 400 S. Phillips Ave. Sioux Falls, SD 57104 Telephone #: (605) 330-4877 (JMM) (Entered: 10/26/2001)
10/26/2001		TRANSMITTING Notice of Appeal to 8th Circuit COA (JMM) (Entered: 10/26/2001)
11/30/2001		NOTIFICATION by Circuit Court of Appellate Docket Number 01-3698 (DJP) (Entered: 11/30/2001)
12/10/2001	<a href="#">147</a>	Status Report on Compliance with Settlement Agreement (SLL) (Entered: 12/10/2001)
12/14/2001	<a href="#">148</a>	RESPONSE by defendant Owen Spurrell, defendant Jeff Bloomberg to Status Report on Compliance with Settlement Agreement [147-1] (DJP) (Entered: 12/14/2001)
12/14/2001	<a href="#">149</a>	THIRD AFFIDAVIT of Jeff Bloomberg re Defendants' Response to Plaintiffs' Status Report [148-1] (DJP) Modified on 12/14/2001 (Entered: 12/14/2001)
12/20/2001	<a href="#">150</a>	ORDER by Judge Lawrence L. Piersol; defendants to notify Court if State Training School at Plankinton is open or closed after 12/31/01 (cc:all counsel) (SLL) (Entered: 12/21/2001)

01/04/2002	<a href="#">151</a>	AFFIDAVIT of Jeff Bloomberg responding to Order [150-1] (DJP) (Entered: 01/04/2002)
03/24/2003	<a href="#">152</a>	OPINION from 8th Circuit COA reversing decision of the District Court [Appeal [145-1] (SLL) (Entered: 03/24/2003)
03/24/2003	<a href="#">153</a>	MANDATE from 8th Circuit Court of Appeals reversing decision of the District Court [Appeal [145-1] (cc: all counsel, Court) ; involvement terminated for Interested Party Clerk, USCOA (SLL) (Entered: 03/24/2003)
03/24/2003	<a href="#">154</a>	ORDER from 8th Circuit COA directing Appellants recover \$481.96 as taxable costs on appeal (SLL) (Entered: 03/24/2003)
04/07/2003	<a href="#">155</a>	SECOND AMENDED JUDGMENT by Judge Lawrence L. Piersol ; terminating case (cc: all counsel) (JMM) (Entered: 04/08/2003)

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