

Off	Yr.	Case No.	OR	Mo	Filing Date	Yr.	Nbr.	Mag.	Jury	ARB	MDL	Docket	Yr.	Docket
		Number			Day		Sub		Dem		Docket			Numb
053L	2	74	02412	09	03	74	3440	3L18	3LBE				74	02412

CAUSE: SUFFERED DELIBERATED UNLAWFUL DESTRUCTION OF FAMILY LIFE RESULTING FROM DEFTS
CHILD BANISHMENT, ETC.
PLAINTIFFS

GARY W., BY HIS GUARDIAN AND NEXT
FRIEND, W.M. AND HIS MOTHER D.S.

JOSEPH G., BY HIS MOTHER AND NEXT
FRIEND, J.B.

ELIZABETH M., BY HER MOTHER AND NEXT
FRIEND, N.T.

DWANA MARIE M., BY HER GRANDMOTHER
AND NEXT FRIEND, N.T.

ON BEHALF OF THEMSELVES AND THE CLASS
OF ALL OTHERS SIMILARLY SITUATED

W.M. GUARDIAN OF GARY W.

D.S., MOTHER OF GARY W.

J.B., MOTHER OF JOSEPH G.

N.T., MOTHER OF ELIZABETH M. AND
GRANDMOTHER OF DWANA MARIE M., ON
BEHALF OF THEMSELVES & THE CLASS OF

ALL OTHERS SIMILARLY SITUATED

74-2412

DI

DEFENDANTS

STATE OF LOUISIANA, ETC., ET AL

SEE ENTIRE LIST OF DEFENDANTS
ATTACHED.

Intervention of U.S.A. 9/13/92

MASTER MAILING LIST

ATTORNEYS

SEE MAILING
LIST

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ADPL ATTYS CONT

FILING FEES PAID

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DATE	RECEIPT NUMBER	C.D. NUMBER
2-26-88	Allen, Brock & 105.00 Appeal	
9-4-74	Rittenberg	15.00
9-4-74	CA #205	15.00
12-28-76	LA State Atty General	15.00 (APPEAL)
10-28-77	LA State Atty General	15.00 (APPEAL)
9-29-78	Carmen Blackman	15.00 (APPEAL)

STATISTICAL REPORTS
PROCESSED
Filing 1/25/92
Termination
Change

UNITED STATES DISTRICT COURT DOCKET

DC-111S (7/85)



MR-LA-0003-9001

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>74-2412</u> D												
GARY W., ET AL		STATE OF LA	PAGE ____ OF ____ PAGES												
DATE	NR.	PROCEEDINGS													
		<p><u>ATTORNEY LISTING</u></p> <table><tbody><tr><td>David J. Utter, Esq. R. James Kellogg, Esq. T.A. 700 Camp St. New Orleans, LA. 70130 (504) 528-9500 For: <u>Pltfs</u></td><td>O. Whitman Smith, Esq. 294 N. Winooski Avenue Burlington, VT. 05401 (802) 864-1599 For: <u>Pltfs</u></td></tr><tr><td>Marjorie G. O'Connor, T.A. Joel E. Gooch, Esq. P.O. Drawer 3768 Lafayette, LA. 70502 (318) 233-5056 For: <u>State of LA</u></td><td>Andrew J. Barrick, Esq. U.S. Department of Justice Special Litigation Section Civil Rights Division 320 First St., N.W. Washington, D.C. 20534 (202) 514-6249 For: <u>USA</u></td></tr><tr><td>Gerard N. Torry, T.A. Charles Castille, Esq. P.O. Box 3518 Baton Rouge, LA. 70821 (504) 342-0443 For: <u>State of LA</u></td><td>AUSA S. Mark Gallinghouse 501 Magazine, 2nd Fl. Hale Boggs Federal Bldg. New Orleans, LA. 70130 (504) 589-2921 For: <u>USA</u></td></tr><tr><td>Nancy Ebbs Children's Defense Fund 122 "C" St., N.W. Washington, D.C. 20001</td><td>Shannan Sweeney Rieger, T.A. Dan E. West, Esq. R. Marshall Grodner RUBIN, CURRY, COLVIN & JOSEPH 9th Floor, One American Place Baton Rouge, LA. 70825 (504) 383-9000 For: <u>State of LA</u></td></tr><tr><td>Andrew Barrick U.S. Dept. of Justice HOLC Bldg, Rm. 970A Washington, D.C. 20530</td><td></td></tr><tr><td>Steven L. Mayer, General Counsel Dept. of Social Services P.O. Box 1887 Baton Rouge, LA. 70821 (504) 342-1125</td><td></td></tr></tbody></table>		David J. Utter, Esq. R. James Kellogg, Esq. T.A. 700 Camp St. New Orleans, LA. 70130 (504) 528-9500 For: <u>Pltfs</u>	O. Whitman Smith, Esq. 294 N. Winooski Avenue Burlington, VT. 05401 (802) 864-1599 For: <u>Pltfs</u>	Marjorie G. O'Connor, T.A. Joel E. Gooch, Esq. P.O. Drawer 3768 Lafayette, LA. 70502 (318) 233-5056 For: <u>State of LA</u>	Andrew J. Barrick, Esq. U.S. Department of Justice Special Litigation Section Civil Rights Division 320 First St., N.W. Washington, D.C. 20534 (202) 514-6249 For: <u>USA</u>	Gerard N. Torry, T.A. Charles Castille, Esq. P.O. Box 3518 Baton Rouge, LA. 70821 (504) 342-0443 For: <u>State of LA</u>	AUSA S. Mark Gallinghouse 501 Magazine, 2nd Fl. Hale Boggs Federal Bldg. New Orleans, LA. 70130 (504) 589-2921 For: <u>USA</u>	Nancy Ebbs Children's Defense Fund 122 "C" St., N.W. Washington, D.C. 20001	Shannan Sweeney Rieger, T.A. Dan E. West, Esq. R. Marshall Grodner RUBIN, CURRY, COLVIN & JOSEPH 9th Floor, One American Place Baton Rouge, LA. 70825 (504) 383-9000 For: <u>State of LA</u>	Andrew Barrick U.S. Dept. of Justice HOLC Bldg, Rm. 970A Washington, D.C. 20530		Steven L. Mayer, General Counsel Dept. of Social Services P.O. Box 1887 Baton Rouge, LA. 70821 (504) 342-1125	
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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>74-2412</u>
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DATE	NR.	PROCEEDINGS	
1/5/90	5620	Mtn of State of LA & ORDER dismissing Mark Anthony Charles & Enola Mae Williams as classmembers. (RFC) 1/8/90 dktd 1/10/90.	
1/12/90	5621	Pltfs' mtn to review Mag's failure to decide its mtn for atty fees. Hrg set for 1/31/90 9:00am w/Judge.	
1/18/90	5622	Mtn of Allan Fontenot, beneficiary for an order that the State of La HHS surrender copies of all records re:same & ORDER DENYING SAME. Order should be sought thru state court proceedings. (RFC) 1/19/90 dktd 1/22/90.	
1/25/90	5623	Mtn of HHS to enjoin the enforcement of state court order. Hrg set for 3/7/90 9:00 w/JUDGE.	
1/29/90	5624	Pltfs' response to the mtn of State of LA to enjoin enforcement of State court order.	
1/29/90	5625	Mtn of State of LA & ORDER dismissing Jesse Cryer as classmember. (RFC) dktd 1/30/90	
2/1/90	5626	M.E. 1/31/90: ORDERED that pltfs' mtn to review Mag's failure to decide its mtn for atty fees is cont to 2/21/90 9:00am w/Judge. (RFC) dktd 2/1/90.	
2/16/90	5627	Mtn of DHHR & ORDER recommending that Johnny Jones aka Victor Jones be dismissed as a classmemeber. (MAG. LEMELLE) dktd & mailed 2/20/90.	
2/16/90	5628	Forma recommendation of DHHR & ORDER recommending that Jesse Cryer be dismissed as a classmember. (MAG. LEMELLE) dktd & mailed 2/20/90.	
2/16/90	5629	Formal recommendation of DHHR & ORDER recommending that Mark Anthony Charles & Enola Mae Williams be dismissed as classmembers. (MAG. LEMELLE) dktd & mailed 2/20/90.	
2/20/90	5630	Court's Findings of fact & conclusions of law: re:pltfs' mtn for suppl relief which was heard 10/19/89. (RFC) 2/15/90 dktd 2/20/90.	
2/20/90	5631	ORDER FOR SUPPL RELIEF: ORDERED that the mtn of defts' to terminate the appt of Dr. Brenda Lyles & QAMG is DENIED AS MOOT; pltfs' mtn for suppl relief is GRANTED & Court hereby creates the position of a Special Administrator w/the authority to take the necessary steps to ensure the DHHR & DSS achieve compliance w/the principal order & all subsequent orders entered in this matter & as listed. The Court will, within 60 days, appt an entity to do as listed. (RFC) 2/16/90 dktd 2/20/90.	
2/26/90	5632	M.E. 2/23/90: ORDERED that pltfs' mtn to review Mag's failure to decide award of atty fees is DENIED AS MOOT until Mag renders its order. (RFC) dktd 2/26/90.	
3/5/90	5633	Mtn of DHHR to amend order for suppl relief entered 2/20/90. Hrg set for 4/4/90 9:00am w/JUDGE.	

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PLAINTIFF		DEFENDANT	DOCKET NO. _____
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DATE	NR.	PROCEEDINGS	
3/16/90	5634	M.E. 3/15/90: ORDERED that the Court will abstain from ruling on the mtn of DHHR to enjoin a state court order entered in a tort action filed on behalf of Allan Fontenot until deft seeks a remedy from the State Court. Deft may re-ntc his mtn if necessary after seeking the state court ruling. (RFC) dkt'd 3/16/90.	
3/19/90	5635	Pltfs' mtn & ORDER that the mtn of DHHR to amend the order for suppl relief is reset for 4/18/90 9:00am w/Judge. (RFC) dkt'd 3/20/90.	
3/30/90	5636	CONSENT JUDGMENT AWARDDING ATTY FEES: ORDERED that David Ramsey pay the Childrens' Defense Fund the sum of \$131,865.61 w/interest. (RFC) 3/29/90 dkt'd 3/31/90.	
4/16/90	5637	REPORT & RECOMMENDATION: RECOMMENDED THAT pltf classmembers receive a reasonable fee from parents of John Compton, Jr. for class counsel's successful opposition to Compton intervention; pltfs & Comptons to submit suppl briefs on amt of said fees by 5/31/90 w/mtn for evidentiary hrg on quantum if necessary. (Mag Lemelle) dkt'd 4/16/90. Date of mailing 4/16/90.	
4/16/90	5638	ORDER: ORDERED that Ms. Maudelle W. Davis be appt as special administrator of Gary W. Program effective 4/16/90; FURTHER ORDERED that deft State of LA take steps necessary to implement this and prior orders of the court. (RFC) 4/12/90 dkt'd 4/17/90.	
4/18/90	5639	Memo in response to pltf's proposed order amending court's order for suppl relief ent 2/20/90 by Dept of Health & Human Resources.	
4/26/90	5640	Pltfs' objs to Mag's rept & recommendation. Hrg set for 5/16/90 9:00am w/Judge.	
4/26/90	5641	Joint mtn & ORDER that DePaul Hospital produce all records re:classmember Edward Bush to a rep of class of State of LA. (RFC) dkt'd 4/27/90.	
5/1/90	5642	AMENDED ORDER of previous order filed 4/16/90 re: sepcial master as listed. (RFC) dkt'd 5/2/90.	
5/3/90	5643	Recommendation of compliance time: ORDERED that the Mag recommends the listed months of compliance for listed classmembers beginning 1/1/87. (MAG. LEMELLE) dkt'd & mailed 5/3/90.	
5/3/90	5644	Mag recommendation: That the listed months of compliance for listed classmembers as listed beginning 1/1/87. (MAG. LEMELLE) dkt'd & mailed 5/3/90.	
5/3/90	5645	Mag recommendation of compliance time: ORDERED that the Mag recommends the listed months of compliance for listed classmembers beginning 1/1/87. (MAG. LEMELLE) dkt'd & mailed 5/3/90.	
5/7/90	5646	Mag recommendation of compliance time: ORDERED that it is receommended that the listed months of compliance be for listed classmembers beginning 1/1/87. (MAG. LEMELLE) 5/4/90 dkt'd 5/7/90.	

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PLAINTIFF		DEFENDANT	DOCKET NO. <u>74-2412</u>
GARY W., ET AL		STATE OF LA, ET AL	PAGE <u>112</u> F____ PAGES
DATE	NR.	PROCEEDINGS	
5/7/90	5647	ORDERED that the Court expects the State of LA to arrange for available office space thru its existing offices or thru a lease agreement in keeping with the order for Suppl Relief entered on 2/15/90 for the Special Master. Further ORDERED that deft take all other steps necessary to implement the said order. (RFC) 5/4/90 dktd 5/7/90.	
5/7/90	5648	ORDERED that pltf classmembers receive a reasonable fee from the parents of John Compton Jr for class counsel's successful opp to the Compton intervention. Pltfs' & the Comptons should submit suppl briefs on the amt of said fees by 5/31/90 w/a mtn for an evidentiary hrg on quantum if necessary. Further ORDERED that pltfs' req for a fee award agst DHHR is DENIED. (RFC) 5/4/90 dktd 5/7/90.	
5/9/90	5649	Mtn of DHHR to reconsider amendment to order for suppl relief entered 5/2/90. Hrg set for 5/30/90 9:00am w/Judge.	
5/10/90	5650	M.E. 5/9/90: ORDERED that the Court's order entered 5/7/90 approving the Mag's rept & recommendation is recalled, vacated & set aside. This matter is set for hrg on 5/16/90 9:00am to hear the objs. (RFC) dktd 5/11/90.	
5/16/90	5651	Pltfs' obj to Mag's recommendation of compliance time issd on 5/3/90. Hrg set for 6/27/90 9:00am w/Judge.	
5/16/90	5652	Memo by defts' in support of the Mag's rept & recommendation of 4/16/90 & in opp to pltfs' objs to same.	
5/21/90	5653	Pltfs' opp to the mtn of defts' to reconsider amendment to order for suppl relief.	
5/18/90	5652a	Mtn by DHHR & ORDERED that Rita Buckner, James W. Clark, Tina M. Davis-Lott, Tanya Gray, Kenny Howard, Marjorie Jackson, Matthew McDonald, Barbara Pikla-Oubre, Sandra C. Stein, Joseph Zanders & Mary Beth Ross are dismissed as classmembers from case. (RFC) 5/22/90 dktd 5/23/90.	
5/18/90	5652b	Mtn by DHHR & ORDERED that Ulinda Lazard be dismissed as a classmember from case. (RFC) 5/22/90 dktd 5/23/90.	
5/23/90	5654	M.E. 5/21/90: Hrg on pltfs' obj to Mag's report & recommendation - the court AFFIRMS the Magistrate's ruling. (RFC) dktd 5/23/90.	
5/25/90	5655	Mtn of DHHR & ORDER dismissing Michael Herzberg as classmember. (RFC) dktd 5/30/90 (VACATED, REVOKED, SET ASIDE by Judge; see doc #5658)	
5/30/90	5656	Pltfs' mtn & ORDER that an evidentiary hrg shall be set by Mag & that a stat conf is set for the Comptons on 6/13/90 11:00am w/Mag via phone. (MAG. LEMELLE) dktd 5/31/90.	
6/1/90	5657	ORDERED that the mtn of DHHR for the Court to reconsider its amendment to the Order for Suppl Relief entered 5/2/90 is DENIED & all other orders remain in full force & effect. (RFC) dktd 6/1/90.	

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6/11/90	5658	Pltf's mtn & ORDER that Order dated 5/25/90 dismissing classmember Michael Herzberg is VACATED, REVOKED & SET ASIDE & FURTHER ORDERED that matter be referred to Mag Lemelle for evidentiary hrg & issuance of findings & recommendations. (RFC) 6/11/90 dktd 6/13/90.	
6/12/90	5659	Mtn byb State of LA, Dept of Health & Human Resources & ORDER that Clint Carter & Margaret Dedon Cole be DISMISSED as classmembers from this case. (RFC) dktd 6/13/90.	
6/12/90	5660	Mtn by State of LA, DHHR & ORDER that Mary Avant be DISMISSED as classmember from this case. (RFC) dktd 6/13/90.	
6/27/90	5661	M.E. 6/26/90: Evidentiary hrg on pltf's mtn for w/drawal of order dismiss class member Michael Herzberg is set 8/30/90 at 9:00 a.m. bfr Mag Lemelle. (Mag Lemelle) dktd 6/27/90.	
6/28/90	5662	Pltf's mtn & ORDER that pltf's obj to Mag's Recommendation of Compliance Time set 6/27/90 is CONTINUED to 8/8/90. (RFC) 6/27/90 dktd 6/28/90.	
6/28/90	5663	FORMAL RECOMMENDATION THAT ORDER be issd dismissing Mary Avant as classmember from case; SO RECOMMENDED (Mag Lemelle) dktd 6/29/90.	
6/28/90	5664	FORMAL RECOMMENDATION THAT ORDER be issd dismissing Ulinda Lazard as classmember from case; SO RECOMMENDED (Mag Lemelle) dktd 6/29/90.	
7/19/90	5665	Pursuant to order for suppl relief issd 2/20/90 & the amended order dtd 5/1/90, the Court orders that the firm of Conroy & Feinstein Asso. be selected as the external monitor in this matter & that defts' have negotiated a contract w/same for \$92,760.00 for Phases I & II. (RFC) 7/17/90 dktd 7/19/90.	
8/9/90	5666	M.E. 8/7/90: ORDERED that the hrg on pltf's objs to the Mag's recommendation is cont to 8/22/90 9:00am w/Judge. (RFC) dktd 8/9/90.	
8/13/90	5667	M.E. 8/10/90: ORDERED that an evidentiary hrg on pltf's mtn for withdrawal of order dismissing classmember Michael Herzberg is cancelled. Defts' are directed to file written memos of opp to this mtn bfr 8/22/90. Pltf's response is due by 8/29/90 & Mag will then decide if he will hear this mtn on briefs or in open court. (MAG. LEMELLE) dktd 8/14/90.	
8/23/90	5668	ORDER ESTABLISHING COMPLIANCE TIME FOR CERTAIN CLASSMEMBERS: pursuant to agreement of pltf's & dedt, ORDERED that Mag's three recommendations of compliance time entered on 5/3/90 are accepted by Court w/following modifications. (1) compliance time for classmember John Carson is reduced to one month, (2) spelling of classmember Tina Marie David-Lot corrected to read Tina Marie Davis-Lott. Award of 12 months to said classmember is accepted. (3) Name of Donald Bell changed to read Donald Edward Bell. Award of two months compliance time to said classmember is accepted. (4) Additional awards of compliance time for following classmembers are, w/provision that 1/1/87 shall begin next audit period: Allen Perez - 6 months, Antoinette Bommarito - 1 month, Michael Smith, Cedrick Washington & Joseph Washington - 0 months. (RFC) 8/22/90 dktd 8/23/90.	

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PLAINTIFF		DEFENDANT	DOCKET NO. <u>74-2412</u>
GARY W., ET AL		STATE OF LOUISIANA, ET AL	PAGE <u>113</u> OF <u> </u> PAGES
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8/24/90	5669	Memo in support by defts' of the dismissal of classmember Michael Herzberg & in response to pltfs' opp of said dismissal.	
9/18/90	5670	Mtn by deft State of LA & ORDER that leave to file suppl memo in support of classmember Michael Herzberg & in response to pltfs' opposition to said dismissal is GRANTED. (RFC) dktd 9/19/90.	
9/19/90	5671	Suppl memo in support of classmember Michael Herzberg & in response to pltfs' opposition to said dismissal by deft State of LA.	
9/24/90	5672	Mtn of defts' for order declaring definition & interpretive guidelines of Day Developmental Training. Hrg set for 10/31/90 9:00am w/Judge.	
10/10/90	5673	Mtn of defts' & ORDER granting same leave to file suppl attachments re:classmember Michael Herzberg's receipt of ongoing services. (RFC) dktd 10/11/90.	
10/15/90	5674	Mtn of defts' & ORDER dismissing Annette Schexnayder as a classmember. 10/13/90 (MAG. LEMELLE) dktd 10/16/90.	
10/15/90	5675	Mtn of defts' & ORDER DISMISSING Otis Dale Ellis as a classmember. (MAG. LEMELLE) 10/13/90 dktd 10/16/90.	
9/27/90	5672a	Mtn of defts' & ORDER DISMISSING Annette Schexnayder as a classmember. (RFC) 10/15/90 dktd 10/17/90.	
9/27/90	5672b	Mtn of defts' & ORDER dismissing Otis Dale Ellis as a classmember. (RFC) 10/15/90 dktd 10/17/90.	
10/18/90	5676	Mtn of defts' & ORDER dismissing Marsha Badeaux, Charles Bannister, Joyce Evans, Ricky Galentine, Melissa Heckler, Shelby Manuel, Nora Mehan-Macure, Nathaniel Theus, Kip Troxler & Joseph White as classmembers. (RFC) dktd 10/22/90.	
10/23/90	5677	Pltfs' mtn & ORDER that the hrg on dfts' mtn re day developmental training is cont to 11/28/90 9:00am. (RFC) dktd 10/24/90.	
11/2/90	5678	ORDERED that listed persons appear at a stat conf on 11/21/90 10:00am w/Judge. (RFC) 11/1/90 dktd 11/2/90.	
10/31/90	5677a	Mtn of defts' & ORDER that their mtn re day developmental training is cont to 12/12/90 9:00am w/Judge. (RFC) 11/1/90 dktd 11/6/90.	
11/21/90	5679	Special Administrator's rept to the Court as to the status of case 6/90 thru 9/90.	
11/23/90	5680	ORDERED that all classmembers be placed in their appropriate SRC placement bfr 12/31/90. (RFC) 11/21/90 dktd 11/26/90.	
12/4/90	5681	Pltfs' opp to the mtn of defts' for an order declaring definition & interpretive guidelines of Day Developmental Training.	

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DATE	NR.	PROCEEDINGS	
12/10/90	5682	Mtn of defts' & ORDER allowing same to file a suppl memo. (RFC) dktd 12/11/90.	
12/11/90	5683	Suppl memo of defts' in support of their mtn for an order declaring definition & interpretive guidelines of Day Developmental Training.	
12/11/90	5684	Mtn of deft DHHR & ORDER that their mtn re: Day Developmental Training be reset as an evidentiary hrg to be heard 1/23/91 1:30pm. (RFC) dktd 12/12/90.	
12/19/90	5685	CONSENT JUDGMENT AWARDING ATTY FEES: ORDERED that David Ramsey as agent for DHHR disburse the amt of \$47,685.14 as atty fees & that the Childrens Defense Fund shall be responsible for disbursements to all other counsel for pltfs'. (RFC) dktd 12/20/90.	
1/14/91	5686	M.E. 1/14/91: ORDERED that the mtn of defts' for an order declaring definition & interpretative Guidelines of Day Developmental Training is cont to 1/30/91 1:30pm w/Judge. (RFC) dktd 1/14/91	
1/31/91	5687	M.E. 1/30/91: ORDERED that the mtn of defts' for an Order declaring definitions & interpretative guidelines of Day Developmental Training is cont to 2/6/91 1:30pm w/Judge. (RFC) dktd 1/31/91.	
1/31/91	5688	Mtn of DHHR & ORDER that by 3/5/91, all ptys shall file 1) stmt of facts; 2) doc list & 3) witness list & thereafter Mag will schedule a conf w/counsel to discuss an evidentiary hrg. (MAG. LEMELLE) dktd 2/1/91.	
1/22/91	5689	Pltf's mtn & order for stat conf & continuance of evidentiary hrg & UNSIGNED ORDER.	
1/22/91	5690	Pltf's mtn for special setting of hrg & ORDER that pltf's mtn in limine be set for hrg 3/6/91 at 9:00 a.m. (RFC) 2/6/91 dktd 2/8/91	
1/22/91	5691	Pltf's mtn in limine of the admissability of certain documents by defts; hrg set 3/6/91 at 9:00 a.m. bfr judge.	
2/7/91	5692	M.E. 2/7/91: Mtn by deft for order declaring definition and interpretive guidelines of day developmental training previously set 2/6/91 is CONTINUED to 4/28/91 at 10:00 a.m.; Pre-hrg conf set for 4/25/91 at 9:00 a.m.; hrg set 3/6/91 at 9:00 a.m. to address pltf's argument that defts are estopped from arguing for a change in the definition and guidelines for day developmental training at this date. (RFC) dktd 2/8/91.	
2/19/91	5693	M.E. 2/7/91: (Corrected) ORDERED that the mtn of defts' for an order declaring definition & interpretive guidelines of Day Developmental Training is cont to 4/29/91 10:00am w/Judge. A PTC conf is set for 4/25/91 9:00am. A hrg will be held 3/6/91 9:00am to address pltfs' argument that the defts' are estopped from arguing for a change at this date. (RFC) dktd 2/19/91.	
2/22/91	5694	Mtn of DHHR & ORDER that Clerk pay to same the sum of \$11,180.62 plus interest. (RFC) 2/25/91 dktd 2/25/91.	

(CONTINUED)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 74-2412
GARY W., ET AL		STATE OF LA, ET AL	PAGE 114 OF ____ PAGES
DATE	NR.	PROCEEDINGS	
2/26/91	5695	Memo by DHHR in opposition to pltf's mtn in limine to exclude oral testimony at hrg on DHHR's mtn for order declaring definition & interpretative guidelines of Day Developmental training.	
2/22/91	5694a	UNSIGNED pltfs' mtn to amend judg of 10/22/86, etc. as listed.	
2/28/91	5696	M.E. 2/28/91: ORDERED that pltfs' mtn to amend Court's order of 10/22/86 is set for hrg on 4/17/91 9:00am w/Judge. (RFC) dktd 3/1/91.	
3/5/91	5697	Response by defts' to Mag's order of 1/31/91 re:evidentiary hrg.	
3/5/91	5698	Mtn of defts' & ORDER granting smae leave to file the attached addtl suppl attachments. (RFC) 3/6/91 dktd 3/6/91.	
3/6/91	5699	Hrg held on pltfs' argument that defts' are estopped from arguing for a change in the definition & guidelines for Day Developmental Training & pltfs' mtn in limine re: the admissability of certain docs by defts' - both SUBMITTED. (RFC) dktd 3/7/91.	
3/7/91	5700	Pltfs' response to Mag's order of 1/31/91 re: evidentiary hrg re: Michael Herzberg.	
3/5/91	5698a	UNSIGNED joint mtn to cont the evidentiary hrg set for 4/28/91.	
4/1/91	5701	M.E. 4/1/91: ORDERED that the mtn of deft DHHR for an order altering the definition & interpretive guidelines of Day Developmental Training is DENIED as listed. (RFC) dktd 4/1/91.	
4/8/91	5702	Mtn of State of LA & ORDER allowing Gerard Torry & Steven Mayer to enroll as co-counsel. (RFC) dktd 4/9/91.	
4/8/91	5703	Mtn of State of LA DHHR & ORDER that the hrg on pltfs' mtn to amend judg is cont to 6/17/91 10:00am w/Judge. (RFC) dktd 4/9/91.	
4/11/91	5704	Pltfs' ntc of depo of Carmen Spooner on 4/16/91.	
4/11/91	5705	Pltfs' ntc of depo of Louis Laine on 4/16/91.	
4/15/91	5706	REPORT & RECOMMENDATION: That compliance awards be given to listed classmembers & months as listed. (MAG. LEMELLE) dktd 4/15/91.	
4/24/91	5707	Pltfs' ntc of depo of Glenda Faulks Adams on 5/7/91.	
4/24/91	5708	Pltfs' ntc of depo of Carmen Spooner on 5/7/91.	
4/24/91	5709	Pltfs' ntc of depo of Louis Laine on 5/7/91.	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
4/29/91	5710	NOTICE OF APPEAL by DHHR of Court's M.E. 4/1/91 denying deft the opportunity to present evidence re:its mtn for an order Declaring Definition & Interpretive Guidelines of Day Developmental Training.	
4/25/91	5711	Mtn of Dept of Social Services (DSS) for Mag to amend his Rept & Recommendation filed 4/15/91 & ORDER DENYING SAME as untimely. (MAG. LEMELLE) 4/30/91 dktd 5/1/91	
4/29/91	5712	Pltfs' opp to the mtn of DSS for Mag to amend his rept & recommendation.	
5/3/91	5713	ORDER OF REFERENCE of pltfs' mtn to reinstate classmember Matthew McDonald to Mag Lemelle for the issuance of findings & recommendation. (RFC) dktd 5/6/91.	
5/3/91	5714	Pltfs' mtn to re-instate former classmember Matthew McDonald. Hrg set for 5/22/91 9:00am w/Mag.	
5/10/91	5715	ORDER approving Mag's rept & recommendation of 4/15/91 that compliance awards be given as listed. (RFC) 5/7/91 dktd 5/10/91.	
5/15/91	5716	Transcript order by deft St of LA of proceedings held 3/6/91 w/Judge.	
5/20/91	5717	Opp by State of LA to pltfs' mtn to re-instate former classmember Matthew McDonald.	
5/23/91	5718	Transcript of proceedings held 3/6/91 bfr Judge.	
6/10/91	5719	Opp of deft DHHR to pltfs' mtn to amend judg of 10/22/86.	
5/21/91	5717a	Pltfs' mtn & ORDER allowing same leave to file a response. (MAG. LEMELLE) dktd 6/10/91.	
6/10/91	5720	Pltfs' response to the opp of defts' to their mtn to reinstate Matthew McDonald.	
6/10/91	5721	Pltfs' mtn to strike defts' memo in opp to the mtn to reinstate former classmember Matthew McDonald & ORDER DENYING SAME. (MAG. LEMELLE) 5/31/91 dktd 6/10/91.	
6/11/91	5722	ORDERED that pltfs' mtn to amend Court's order of 10/22/86 is cont on the initiative of the Court, to be reset at a stat conf in chambers on 6/25/91 3:45pm. (RFC) dktd 6/11/91.	
6/12/91	5723	M.E. 6/11/91: ORDERED that all ptys submit suppl info re: pltfs' mtn to reinstate classmember Matthew McDonald as listed w/in 30 days from date of entry of this order. (MAG. LEMELLE) dktd 6/12/91.	
6/14/91	5724	Designation of pleadings by deft DHHR for their appeal.	
6/25/91	xx	Record sent to court of appeals as per designation (doc 5724). ps.	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>74-2412</u>
GARY W., ET AL		STATE OF LA., ET AL	PAGE <u>115</u> OF <u> </u> PAGES
DATE	NR.	PROCEEDINGS	
6/27/91	5725	M.E. 6/26/91: ORDERED that pltfs' mtn to amend Court's order of 10/22/86 is cont to 10/3/91 10:00am w/Judge. Further ORDERED that any mtns to strike exhibits are to be filed by 8/1/91 5:00pm & set hrg on same for 9/4/91 2:00pm . (RFC) dktd 6/27/91	
6/27/91	5726	Pltfs' mtn for injunctive relief. No hrg set.	
7/1/91	5727	UNSIGNED TRO.	
6/28/91	5726a	ORDERED that pltfs' req for TRO is denied as moot. Further ORDERED that pltfs' req for prelim injunction is cont, to be reset by pltfs'. (RFC) dktd 7/1/91.	
7/11/91	5728	Pltfs' submission at the direction of U.S. Mag re: Matthew McDonald.	
7/12/91	5729	ORDERED that matter be reallocated to Section J. (FJRH) 7/11/91 dktd 7/12/91.	
7/31/91	5730	Motion in Limine and or Motion to Stirke; hrg set 9/4/91 bfr Mag Lemelle.	
8/1/91	5731	Pltfs Mtn to Strike Exhibits; hrg set 9/4/91 at 2:00 bfr Judge.	
8/7/91	5732	ORDERED that Deft David Ramsey shall pay the Children's Defense Fund the sum of \$43,063.63 w/int. ORDERED that the Children's Defense Funds shall be responsible for disbursements to all other counsel for pltfs in accordance with the terms of this Judgment. (PEC) 8/6/91 dktd 8/7/91.	
8/27/91	5733	Pltfs' Oppos to Defts' Mtn in Limine and/or Mtn to Strike Exhibits.	
8/29/91	5734	M.E. (8/29/91) The hrg on the Motion to Strike Exhibits set for 9/4/91 is converted into a stat conf. The time of the conf has been changed from 2:00 to 10:00 a.m. The conf will be held in Judge Carr's chamgers. (PEC) dktd 8/30/91.	
9/5/91	5735	M.E. (9/4/91): Status conf held this date; the state is to compile comprehensive report on each remaining class member; orig & 3 copies of reports must be submitted to Court by 11/10/91; at the same time defts are to furnish copy of reports to pltfs, who will respond or add to the reports as they see fit; pltfs' responses must be submitted by 1/5/92; pltfs' mtn to amend Court's order of 10/22/86 is cont w/o date. (PEC) dktd 9/5/91.	
12/2/91	5736	Pltfs' Motion for Judicial Review of Admin Hearing concering Residential Placement of Christopher Griffin; hrg date set 12/18/91 at 9:00 bfr Judge.	
11/26/91	5735a	Pltfs' mtn for an extension of time for filing report to court on classmembers and ORDER that pltfs' have until 2/5/92 to file the report. (PEC) signed 12/2/91 dktd 12/4/91.	
12/2/91	5737	Pltfs Mtn for Judicial Review fo Admin Hearing Concerning Residential Placement of Christopher Griffin is referred to Mag Lemelle to be set for hearing by him. (PEC) 12/2/91 dktd 12/5/91.	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
12/11/91	5738	Memo in Oppos to pltfs' Motion for Judicial Review of Administrative hearing concerning residential placement of Christopher Griffin.	
12/18/91	5739	M.E. (12/17/91) Oral argument on pltf's mtn for judicial review of administrative hrg concerning residential placement of Christopher G. will be heard on 1/15/92 at 9:00 am bfr Mag. Lemelle (MAG ILRL) dktd 12/18/91.	
12/30/91	5740	Memo in Oppos to Pltfs' Mtn for Judicial Review and Administrative Hrg concerning Residential Placement of Christopher Griffin.	
1/10/92	5741	M.E.(1/10/92) ORDERED that on 1/15/92 at 9:00 a.m. Mag will receive oral argument from the pty's in order to consider the Team's recommendations & the dissents there to. (Mag Lemelle)dktd 1/10/92	
1/10/92	5742	Letter dated 1/9/92 to Mag Lemelle from Hugh B. Exnicios in re tele conf.	
1/29/92	5743	M.E. (1/15/92) Pltf's Motion for Judicial Review of Administrative Hearing Concerning Residential Placement of Christopher Griffin is Denied. (See Order for Reasons) (MAG ILRL) dktd 1/30/92.	
1/31/92	5744	FINDING AND RECOMMENDATION - It is Recommended that the Second Review Team's recommendations for compliance awards, dated November 19 & 20, 1991 be credited as noted below for each identified classmember (See Order for Listing) (MAG ILRL) 1/31/92. dktd 1/31/92.	
1/31/92	5745	FINDING & RECOMMENDATION - It is recommended that compliance months of the Second Level Review Team's recommendations for compliance awards dated June 19, 1991, July 2, 16, 17, 1991; August 6 1991; Sept 3, 17,18,24, 1991; October 1,15,16, 1991 are as listed. (See Order for Listing). (MAG ILRL) dktd 1/31/92.	
2/5/92	5746	Pltfs' mtn for addtl time for filing report to court on class members. Hrg set for 2/26/92 at 9:00am bfr Judge.	
2/10/92	5747	Objection to Mag's Formal Recommendations. Hrg set 2/26/92 at 9:00 bfr Judge.	
2/19/92	5748	Memo by Dept. of Health & Human Resources in opp to pltf's mtn for additional time for filing report to court on classmembers.	
2/21/92	5749	Pltfs' Oppos to Motion for Formal Recommendation of the Mag and to Dismiss.	
2/19/92	5750	ORDERED that the evidentiary hearing on the State's Objection to the Mag's Formal Recommendation is set on 2/26/92 be contd w/o date. (PEC) 2/24/92 dktd 2/25/92.	

(CONTD)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 74-2412 "J"
GARY W., ET AL		STATE OF LA., ET AL	PAGE 116 OF ____ PAGES
DATE	NR.	PROCEEDINGS	
2/24/92	5751	M.E. (2/24/92) Having been advised by counsel for pltfs that the final volume of their report on class emmbers will be filed prior to the hearing date of the motion is DISMISSED AS MOOT. (PEC) dktd 2/25/92.	
3/2/92	5752	JUDGMENT (5th Circuit) It is Ordered by this Court that the judgment of USDC is VACATED & REMANDED to USDC for further proceedings w/the opinion of this Court. ORDERED that each party to bear its own costs on appeal. (WISCOM, JONES & SMITH) Issued as Mandate: 2/28/92. dktd 3/5/92.	
3/13/92	5753	RECOMMENDATION -It is formally recommended to the court that an order be issued dismissing classmember as a classmember from the above entitled and numbered cause. (MAG ILRL) 3/13/93 dktd 3/17/92.	
3/10/92	5754	Motion of State of La. Dept of Health and Hospitals and Dept of Social Serivces to Dismiss the classmember sentenced to incarceration for 18 months and is entitled to immediate dismissal under paragraph B. of the 9/14/87 Order.	
3/16/92	5755	ORDERED that this matter is REFERRED to the Mag for the sole purpose of holding an evidentiary hearing for the clarification of the meaning of "day developmental training" and whether, in the context of a consent decree previously entered by the district court, a "sheltered workshop" qualifies as a day developmental training. (PEC) 3/16/92 dktd 3/17/92.	
3/18/92	5756	It is RECOMMENDED that compliance months be credited as noted below for each classmember: (See Recommendation for List). (MAG ILRL) 3/17/92 dktd 3/20/92.	
2/18/92	5757	Motion by defts for formal recommendation of the Mag and to Dismiss. No hrg date set.	
3/18/92	5758	It is RECOMMENDED that an order be issued herein dismissing the above listed individuals as classmembers from the above entitled cause. (MAG ILRL) 3/17/92 dktd 3/20/92.	
3/30/92	5759	Objection to the Mag's Formal Recommendations by deft The State of Louisiana, which was entered on 3/20/92 based on second level review team recommendations with respect to the classmembers Stacy Simoneaux & Patrick Scott and recommneded compliance months.	
3/30/92	5760	Pltfs' Mtn & ORDERED that the req for an evidentiary Hearing be stricken unless and until the defendants receive prior authorization from the Court. (PEC) 3/31/92 dktd 4/2/92.	
4/20/92	5761	CONSENT JUDGMENT (awarding attys' fees for certain work performed from 1/1/91 - 6/30/91) ORDERED that defendant J. Christopher Pilley, Secretary of LA Dept of Health & Hospitals shal pay the Children's Defense Fund the sum of \$56,800/58. Interest shall be added to this sum at the legal rate from the date of this judg and that the Children's Defense Fund shall be responsible for disbursements to all other counsel for pltfs with the terms of this judgment. (PEC) 4/20/92 dktd 4/20/92.	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
4/29/92	5762	FORMAL RECOMMENDATION that an order be issd herein dismissing Carl A. Lewis & Charles Neville as classmembers from case. (Mag Lemelle) 4/27/92 dktd 4/29/92.	
4/29/92	5763	FORMAL RECOMMENDATION that an order be issd herein dismissing Randy Winstead as a classmember from case. (Mag Lemelle) 4/27/92 dktd 4/29/92.	
4/29/92	5764	FORMAL RECOMMENDATION that an order be issd herein dismissing Theron Robinson, Boringuen Torres & Guy Bryant as classmembers from case. (Mag Lemelle) 4/27/92 dktd 4/29/92.	
4/29/92	5765	FORMAL RECOMMENDATION that an order be issd dismissing Nathan Melancon, Pam Henderson-Jones, Mari-An Powers-Brown, Michael Chelette, Benjamin McCoy & Jason Stroud as classmembers from case, (Mag Lemelle) 4/27/92 dktd 4/29/92.	
4/29/92	5766	FORMAL RECOMMENDATION that an order be issd dismissing Susan Bedell, Darlene Bernard-Gros, John Bowers, Bobby Bryant, James Chevalier, Philip Delcambre, Maurice Franklin, Charles Freeling, Donald Galmon, Michael Givens, Pamela Henderson-Holmes, Michael Johnson, Louis Jones, George Keller, Alex Ortiz, Clarence Parker, John Portera, Tommy Seneca, Elton Smith, Danny Standifer, Alan Waddle, Susan Winstead & Anton Zaunbrecher as classmembers from case. (Mag Lemelle) 4/27/92 dktd 4/29/92.	
4/29/92	5767	FINDINGS & RECOMMENDATION - The Mag's recommendation for 6 months compliance is based on finding that substantial and suitable services were provided in August & October 1989, and May through August 1990, inclusive. However, no further compliance awards should be given unless and until defendent provides adequate documentation that this classmember is receiving appropriate physical and mental health examination by qualfied health care providers. (MAG ILRL) 4/28/92 dktd 4/30/92.	
5/8/92	5768	Motion for Authority to Allow Curator's Counsel to Act on Behalf of Curator in All Matters Involving the Interdict and for Authorization to Receive Copies of Music Therapy Reports on Interdice by Frank V. Zaccaria, Sr., appointed Curator for Allen Fontenot; hrg set 5/27/92 at 9:00 bfr Judge.	
5/8/92	5769	Objections to the Magistrate's Formal Recommendation by State of La.	
3/31/92	5770	Motion of State of La, Depart of Helath and Hospitals and Defp of Social Services & ORDERED that the following classmember is dismissed as a classmember from this case: Randy Winstead. (PEC) 5/4/92 dktd 5/14/92.	
5/13/92	5771	ORDERED that the Judge approves the Finding & Recommendation of the Mag Judge & Adpots it as its opinion in this matter. Ordered that compliance months be credited as noted below for each identified classmember. (See Order for List of Classmembers). (PEC) 5/13/92 dktd 5/14/92.	
5/13/92	5772	ORDERED that the Judge approves the Finding & Recommendation of the Mag Judge & Adpots it as its opinion in this matter. Ordered that compliance months be credited as noted below for each identified classmember. (See Order for List of Classmembers). (PEC) 5/13/92 dktd 5/14/92.	

(CONTD)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 74-2412"J"
GARY W., ET AL		STATE OF LA, ET AL	PAGE 117 OF _____ PAGES
DATE	NR.	PROCEEDINGS	
3/31/92	5770a	Motion of State of La, Dept of Health & HospiAls & Ordered that the following classmembers be & they are dismissed as classmembers from this case: Susan Bedell, Darlene Bernard-Gros, John Bowers, Bobby Bryant, James Chevalier, Philip Delcambre, Maurice Franklin, Charles Freeling, Donald, Donald Galmon, Michael Givens, Pamela Henderson-Jones, Michael Johnson, Louis Jones, George Keller, Alex Ortiz, Clarence Parker, John Portera, Tommy Seneca, Elton Smith, Danny Standifer, & Anton Zaunbrecher. (PEC) 5/13/92.	
4/10/92	5770b	Motion of State of La. Dept of Health & Hospitals & Ordered that the following classmembers be & they are dismissed as classmembers from this case: Theron Robinson. (PEC) 5/13/92 dkted 5/14/92.	
4/10/92	5770c	Motion of State of La. Dept of Health & Hospitals & Ordered that the following classmembers be & they are dismissed as classmembers from this case: Nathan Melancon. (PEC) 5/13/92 dkted 5/14/92.	
4/27/92	5770d	Motion of State of La. Dept of Health & Hospitals & Ordered that the following classmembers be & they are dismissed as classmembers from this case: Carl A. Lewis. (PEC) 4/27/92 dkted 5/14/92.	
5/13/92	5773	Motion of State of La. Dept of Health & Hospitals & Ordered that the following classmembers be & they are dismissed as classmembers from this case: Darius Bannister, Kathleen Boudreaux, Glen Boudreaux, Miriam Brown, Edward Courville, Tommy Dozier, Kenneth Duncan, Oren Hawxhurst, Mary Jefferson-Berry, Terezita Lorenzo, Joseph Moore, Stephanie Morgan, Frederick Morris, Alan Perez, Carrier Rogers-Davis, Gloria Sam, Brenda Smith-Allen, Jerry L. Thomas, Gwendolyn Totaro, Albert Williams, Paul Wimberly, Alan Woods-Fontenot. (PEC) 5/13/92 dkted 5/14/92.	
5/13/92	5774	Motion of State of La. Dept of Health & Hospitals & Ordered that the following classmembers be & they are dismissed as classmembers from this case: Charles Tureaud. (PEC) 5/13/92 dkted 5/14/92.	
5/15/92	5775	Memo in Oppos to Mtn for Authority to allow Curator's Counsel to Act on behalf of Curator in all Matters involving the Interdict and for Authorization to receive copeis of music therapy reports on interdict.	
5/15/92	5776	Pltfs' Oppos to Mtn of Authority in Relation to Curator and Curator's Counsel.	
5/19/92	5777	ORDERED that the following classmembers are dismissed as classmembers from this case. Charles Neville, Boringuen Torres, Pam Henderson-Jones, Mari-an Powers-Brown, Michael Chelette, Benjamin McCoy, Jason Stroud, Guy Bryant. (PEC) 5/19/92. dkted 5/15/92.	
5/20/92	5777	Pltfs' Motion to Strike Notice of Hearing on defts' Objection to Mag's Formal Recommendations. Hrg set 6/10/92 at 9:00 bfr Judge.	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
5/20/92	5778	M.E. (5/20/92) This matter is bfr the Court on the Mtn of Frank V. Zaccaria, Sr., curator for class member, Allan Fontenot, for authority to allow curator's counsel to act on behalf of curator in all matters involving the interdict, Allen Fontenot, and for authorization to receive copies of music therapy reports on the interdict. The Court cancels the hearing and DENIES the motion of the curator for the reason that this Court does not have subject matter jurisdiction. (PEC) dkted 5/21/92.	
5/26/92	5779	Supplemental Memo in support of mtn for authority to allow curator's counsel to act on behalf of curator in all matters.	
5/26/92	5780	Mtn by State of La & ORDER that the hrg on the State's obj to the Mag's formal recomm presently set for 6/17/92 at 9:00 am bfr cont w/o date. (PEC) 5/27/92 dkted 6/1/92.	
5/28/92	5781	ORDER approving Mag's finding & recomm & adopts it as its opinion; that compliance month awards be granted with respect the to the noted classmembers as stipulated. (PEC) 5/26/92 dkted 6/1/92.	
6/9/92	5782	M.E. (6/8/92) The Court cancels the hearing set for 6/10/92 and Denies pltf's motion to strike notice of hearing on defts' objection to mag's formal recommendation. (PEC) dkted 6/10/92.	
7/1/92	5783	Notice case is reassigned to Judge A. J. McNamara.	
7/14/92	5784	Mtn By State of LA for relief from judg. Hrg set for 9/2/92 9:00am w/Judge.	
7/21/92	5785	Joint Mtn by pltf's and defts and ORDER that the following classmembers be dismissed from the case: Robert Berckes, Sherrol Blanc-Carruso, Hilliard Chaisson, David Combs, Eric Daniels, Sterling Donolan, Glenn Ducote, Jerry Wayne George, Delores Guillory-Berry, Mark Henderson, Linda Jackson, Michael Jackson, Richard Jackson, Michael Martinez, Robert o'Gara, Vincente Perez, Thomas Pilcher, James Posey, Ronnie Powe, John Pruitt, Cedric Target, Gerald Thomas, Joyce Toussaint, Patricia Towzend-Dennis, Susan Trosclair-Genn, Jess William White, George Doyle Williams. (AJM) dkted 7/22/92.	
8/6/92	5786	FORMAL RECOMMENDATION - It is Formally Recommended to the Court that an order be issued dismissing Kenneth Carr, Sherrol Caruso, Jerry George, Delores Guillory-Berry, Gerald Thomas, & Susan Trosclain as classmembers from the above entitled and numbered cause. (ILRL) 8/6/92 dkted 8/7/92.	
8/6/92	5787	Pltf's mtn & ORDER continuing the hrg on defts' mtn for relief from judg to 10/14/92 9:00am but will not again be cont. (AJM) 8/7/92 dkted 8/11/92.	
8/17/92	5788	Mtn of USA to dismiss matter pursuant to Rule 41(a)(2). Hrg set for 9/2/92 9:00am w/Judge.	
8/27/92	5789	Pltf's stmt of no opp to USA's mtn for voluntary dismissal w/out prej pursuant to 41(a)(2).	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>74-2412D</u>
GARY W., ET AL		STATE OF LA, ET AL	PAGE <u>118</u> OF <u> </u> PAGES
DATE	NR.	PROCEEDINGS	
9/1/92	5790	Pltfs' mtn & ORDER enrolling David J Utter pro hac vice. (AJM) 9/2/92 dktd 9/4/92.	
9/4/92	5791	M.E. 9/3/92: ORDER granting the mtn to dismiss by USA. (AJM) dktd 9/4/92.	
9/9/92	5792	Mtn of defts for exped hrg on its mtn to vacate order allowing counsel to appear pro hac vice - UNSIGNED. See M.E. 9/10/92	
9/10/92	5793	Mtn of defts to vacate order allowing David J Utter to appear pro hac vice on behalf of pltfs. (See M.E. 9/10/92)	
9/10/92	5794	M.E. 9/10/92: ORDERED taht defts mtn to vacate order allowing David J Utter to appear pro hac vice is DENIED. However the matter of atty fees given his late entry into the case will be given due consideration. (AJM) dktd 9/11/92.	
9/17/92	5795	M.E. 9/16/92: After conf call w/attys Joel Gooch & James Kellogg & at req of Gooch, ORDERED that deft's mtn for relief from judg is cont to 10/28/92 9:00am w/Judge. (AJM) dktd 9/17/92.	
9/18/92	5796	MAG REPORT & RECOMMENDATION: Recommended that substantial compliance credit be awarded to listed classmembers. (MAG. LEMELLE) 9/17/92 dktd & mailed 9/18/92	
9/23/92	5797	FINDING & RECOMMENDATION: RECOMMENDED that substantial compliance credit be awarded as stip. (Mag Lemelle) Dktd: 9/25/92 & Mailed 9/25/92	
9/25/92	5798	Obj by deft State of LA to Mag's formal recommendations to listed classmembers. Hrg set for 10/14/92 9:00am w/Judge.	
10/5/92	5799	M.E. 10/1/92: ORDERED that the hrg on deft's obj to Mag's rept & rec of 9/18/92 is cont to 11/25/92 9:00am w/Judge. (AJM) dktd 10/5/92.	
10/20/92	5800	Pltfs' opp to the mtn of State of LA for relief from judgment.	
10/20/92	5801	Pltf's mtn & ORDER that pltf's mtn to strike attacjments for defts' mtn for relief from jgm is set for for exped hrg on 10/28/92 at 9:00 am. (AJM) 10/21/92 dktd 10/21/92.	
10/21/92	5802	Pltf's mtn to strike attachments for defts' mtn for relief from jgm; exped hrg set 10/28/92 at 9:00 am bfr Judge.	
10/21/92	5803	Mtn of dft State of LA and ORDER that the the Clerk is to file the affidavits of Brenda Kelley and Bonnie Callahan. (AJM) 10/22/92 dktd 10/23/92.	
10/22/92	5804	AFFIDAVIT of Bonnie Callahan.	
10/22/92	5805	AFFIDAVIT of Brenda Kelley.	
10/22/92	5806	AFFIDAVIT of Brenda Kelley.	
10/22/92	5807	FINDINGS AND RECOMMENDATION: IT IS RECOMMENDED that substantial compliance credit be awarded as stip. (ILRL) dktd 10/23/92.	

(over)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
10/26/92	5808	Pltfs' mtn & ORDER exped hrg on their mtn to strike addtl afdds for deft's mtn for relief from judg is set for 10/28/92 9:00am. (AJM) 10/27/92 dktd 10/28/92.	
10/27/92	5809	Opp by State of LA to pltfs' mtn to strike addtl afdds.	
10/27/92	5810	Mtn of State of LA & ORDER allowing same leave to file suppl memo. (AJM) dktd 10/28/92.	
10/28/92	5811	Pltfs' exped mtn to strike defts' addtl afdds. Hrg set for 10/28/92 9:00am w/Judge.	
10/28/92	5812	Reply of State of LA to pltfs' opp to their mtn for relief from judg.	
10/28/92	5813	Pltfs' offer of proof pursuant to Rule 103(a)(2) w/list of evidence that would be presented at evidentiary hrg.	
10/28/92	5814	Hrg on the mtn of State of LA for relief from judg & pltfs' mtn to strike addtl afdds - both mtns submitted. (AJM) dktd 10/30/92.	
11/6/92	5815	Mtn of defts' & ORDER dismissing Donald Ray Bell & Kenneth Carr as classmembers. (AJM) 11/11/92 dktd 11/12/92.	
11/12/92	5816	FORMAL RECOMMENDATION: That order dismissing Donald Ray Bell & Kenneth Carr as classmembers. (MAG. LEMELLE) dktd & mailed 11/13/92.	
11/12/92	5817	FORMAN RECOMMENDATION: That Edward Brown, Rocksey Cushner, Charles Dudley, Harold Hopkins, Robert Howard, Rodney Johnson, Elizabeth MacLean, Horace Malone, Willie McGee, Charles McKay, Anatole Raymond & Kenneth Summerville all be dismissed as classmembers. (MAG. LEMELLE) dktd & mailed 11/13/92.	
11/16/92	5818	M.E. 11/16/92: ORDERED that the State of LA's mtn for review of Mag's report & rec is cont w/out date pending a decision on defts' mtn for relief from judg. (AJM) dktd 11/16/92.	
11/17/92	5819	Pltfs' opp to defts' obj to Mag's order.	
11/17/92	5820	MAG FINDINGS & RECOMMENDATIONS: That substantial compliance credit be awarded to listed classmembers as listed. (MAG. LEMELLE) dktd & mailed 11/18/92	
11/17/92	5821	Pltfs' mtn & ORDER that exhibits 1 & 2 which were inadvertently not attached to their opp to defts' obj to Mag's order be filed. (AJM) dktd 11/18/92.	
11/18/92	5822	Mtn of State of LA & ORDER allowing Dan E West, Shannan Rieger & R. Marshall Grodner of law firm of Rubin, Curry et al to enroll as addl counsel. (AJM) dktd 11/19/92.	
11/27/92	5823	Objections to Mag's Findings and Recommendation filed by dft State of LA & UNSIGNED ORDER.	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 74-2412D
GARY W., ET AL		STATE OF LA, ET AL	PAGE 119 OF ____ PAGES
DATE	NR.	PROCEEDINGS	
12/11/92	5824	Joint stip of ptys & ORDER dismissing Joseph Harris & Lois Suzanne Maryman from case. (AJM) 12/15/92 dktd 12/16/92.	
12/18/92	5825	Joint stip & ORDER dismissing Huey Million, John Mitchell, Joseph Mitchell, Reginald Scott, Stacy Simoneaux, Gloria Clark, Goerge Cockran, Michael Green, Eldrede Louis, Joann Washington & Barbara Williams as classmembers. (AJM) 12/17/92 dktd 12/21/92.	
12/18/92	5826	Transcript of mtns heard 10/28/92 bfr Judge.	
11/12/92	5827	Mtn of dft & ORDER dismissing listed classmembers from case. (AJM) 12/22/92 dktd 12/23/92.	
1/19/93	5828	ORDER & REASONS: ORDERED that the mtn of dfts for relief from jgm is granted & dfts are hereby relieved from the obligations & application from of any & all orders, memos, consent decrees, jgms etc in this matter. (AJM) dktd 1/20/93.	
1/25/93	5829	Plas' <u>NOTICE OF APPEAL</u> of Court's order entered 1/20/93.	
1/29/93	5830	Plas' trancript order - not necessary for appeal purposes.	
2/1/93	5831	Opp of dfts to plas' mtn for stay pending appeal.	
2/2/93	5832	Plas' mtn for stay pending appeal & ORDER DENYING SAME. (AJM) date signed: 2/1/93. dktd 2/2/93.	
2/3/93	5833	5th Circuit Order: ORDERED that the mtn of appellants for stay pending appeal is denied. (GARWOOD, JONES & E. GARZA)	
2/5/93	5834	Memo on jurisdiction by State of LA.	
2/10/93	5835	Mtn of dft & ORDER granting same leave to file attache letter by Brenda Kelley which was inadvertently omitted from its opp to pltfs' mtn to stay pending appeal. (AJM) dktd 2/11/93.	
2/19/93	5836	Ntc by Dan Edward West, counsel for deft, of change of law firm name.	
2/19/93	5837	Joint Designation of Record on Appeal.	
2/19/93	5838	Joint mtn & ORDER granting same leave to suppl record to include 1) pla's report on the status of active classmembers (A-Z); 2) Comprehensive individualized report of active classmembers submitted by State; 3) Memo of agreement re: CRT delcination/postponement dtd 6/24/86; 4) Memo of agreement re declination of SRC Service to specific classmember dtd 6/24/86 & 5) Memo of Understanding modifications of 2.4 Records review program dtd 2/14/90. (AJM) 2/24/93 dktd 2/25/93.	
2/24/93	5839	Letter from atty Marjorie O'Connor req doc #5814 to be designated as an addtl doc for appeal.	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
2/26/93	XX	Record fwd. to Ct. of Appeals per designation (PNC)	
5/10/93	5840	CONSENT ORDER OF TRANSITION: ORDERED that the Special Administrator shall be abolished w/in 10 days following entry of this order & funds budgeted for this operation are declared available & that dft shall ensure that remaining class members are certified for Medicaid waiver services by 6/30/93 & that class members are noticed as listed. Prys agreed that the total costs, expenses & atty fees owed by dfts to plas from 6/1/91 thru 12/31/91 is \$75,091.00, to be paid w/in 14 days. In consideration of this agreement, plas' have dismissed their appeal w/prej. (AJM) 5/10/93 dkted 5/10/93.	
5/10/93	5841	5TH CIRCUIT ORDER: ORDERED that the joint mtn to dismiss appeal w/prej under agreed conditions is granted & matter is remanded to District Court for ltd purpose of entering & enforcing the Consent Order of Transition & to determine atty fees. Further ORDERED that the ltd jurisdiction of Court over this consent order shall cease on 6/30/93 & no other juris shall exist after that date except as to the determination & enforcement of atty fees. (GARWOOD, JONES & E. GARZA)	
8/9/93	5842	Plas' mtn for award of atty fees. Hrg set for 9/1/93 9:00am w/Judge.	
8/12/93	5843	Mtn of dfts' & ORDER that plas' mtn for award of atty fees is cont to 10/27/93 9:00am w/no further continuances to be granted. (AJM) dkted 8/16/93.	
8/20/93	5844	Plas' response to dfts' mtn to cont & reset hrg on plas' mtn for atty fees.	
10/19/93	5845	Dfts' opp to pla's mtn for atty fees.	
10/20/93	5846	Plas' mtn & ORDER continuing plas' mtn for atty fees to 11/10/93 9:00am w/Judge. (AJM) dkted 10/21/93	
10/27/93	5847	Mtn of State of LA & ORDER that plas' mtn for atty fees will be heard on briefs w/o oral argument.s (AJM) dkted 10/28/93.	
10/27/93	5848	Mtn of State of LA & ORDER allowing same to file suppl memo in opp to plas' mtn for atty fees. (AJM) dkted 10/28/93.	
10/27/93	5849	Suppl memo by State of LA in opp to plas' mtn for atty fees.	
11/5/93	5850	Plas' reply memo in support of their mtn for award of attys' fees.	
11/10/93	5851	Hrg held on pla's mtn for atty's fees - submitted. (AJM) dkted 11/19/93.	
1/11/94	5852	M.E. 1/10/94-IT IS ORDERED that plas' mtn for award of attys' fees is GRANTED entitling plas to a total award of \$180,400.65 in attys' fees and costs. (AJM) dkted 1/11/94.	
1/12/94	5853	JGM: ORDERED that matter is dismissed & jgm in favor of plas' & agst State of LA, et al in the amt of \$180,400.65 for atty fees & costs. (AJM) dkted 1/12/94.	

CLOSED