

BACHARACH, CLOSED, _BG

**U.S. District Court
Western District of Oklahoma[LIVE] (Oklahoma City)
CIVIL DOCKET FOR CASE #: 5:05-cv-00825-F**

Anderson et al v. Jones et al
Assigned to: Honorable Stephen P. Friot
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 07/20/2005
Date Terminated: 06/08/2009
Jury Demand: Defendant
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Glenn Anderson
TERMINATED: 07/10/2007

represented by **James A Drummond**
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TERMINATED: 09/26/2008

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TERMINATED: 04/12/2007

Plaintiff

Charles F Taylor

represented by **James A Drummond**
(See above for address)
TERMINATED: 09/26/2008

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TERMINATED: 02/24/2009
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TERMINATED: 04/12/2007

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V.

Intervenor Plaintiff

James Dwight Pavatt
TERMINATED: 04/24/2009

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ATTORNEY TO BE NOTICED

V.

Defendant

Edward Evans
Interim Director
TERMINATED: 01/17/2006

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TERMINATED: 01/17/2006

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TERMINATED: 12/27/2006

Defendant

Warden Mike Mullin
TERMINATED: 01/17/2006

represented by **J Kevin Behrens**
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TERMINATED: 01/17/2006

Defendant

Robert L Rainey

represented by **Kindanne C Jones**
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TERMINATED: 07/17/2006

Defendant

W Mark Luttrell

represented by **Kindanne C Jones**
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

J Kevin Behrens
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TERMINATED: 01/17/2006

Richard N Mann
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ATTORNEY TO BE NOTICED

Susan K Johnson
(See above for address)
TERMINATED: 07/17/2006

Defendant

Ernest Godlove

represented by **Kindanne C Jones**
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TERMINATED: 01/17/2006

Richard N Mann
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Susan K Johnson
(See above for address)
TERMINATED: 07/17/2006

Defendant

David C Henneke

represented by **Kindanne C Jones**
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Gregory T Metcalfe
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Susan K Johnson
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TERMINATED: 07/17/2006

Defendant

Ted Logan

represented by **Kindanne C Jones**
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Gregory T Metcalfe
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J Kevin Behrens
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Susan K Johnson
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TERMINATED: 07/17/2006

Defendant

Beverly Young

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Gregory T Metcalfe
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J Kevin Behrens
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TERMINATED: 01/17/2006

Richard N Mann
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Susan K Johnson
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TERMINATED: 07/17/2006

Defendant

Earnest D Ware

represented by **Kindanne C Jones**
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Gregory T Metcalfe
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J Kevin Behrens
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TERMINATED: 01/17/2006

Richard N Mann
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ATTORNEY TO BE NOTICED

Susan K Johnson
(See above for address)
TERMINATED: 07/17/2006

Defendant

John Doe
1-50 Unknown Executioners

Defendant

Justin Jones
*Director, Oklahoma Department of
Corrections*

represented by **Kindanne C Jones**
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ATTORNEY TO BE NOTICED

Gregory T Metcalfe
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J Kevin Behrens
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TERMINATED: 01/17/2006

Richard W Kirby
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TERMINATED: 12/27/2006

Richard N Mann
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ATTORNEY TO BE NOTICED

Susan K Johnson
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TERMINATED: 07/17/2006

Defendant

Warden Marty Sirmons
Oklahoma State Penitentiary

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ATTORNEY TO BE NOTICED

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TERMINATED: 07/17/2006

Date Filed	#	Docket Text
07/20/2005	<u>1</u>	COMPLAINT against Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, John Doe, Edward L Evans, Mike Mullin, Robert L Rainey, W Mark Luttrell, filed by Glenn Anderson, Charles F Taylor. (Attachments: # <u>1</u> Attachment A-Letter from DOC# <u>2</u> Attachment B-Letter from DOC# <u>3</u> Civil Cover Sheet)(db,) (Entered: 07/21/2005)
07/20/2005	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by Glenn Anderson, Charles F Taylor. (Attachments: # <u>1</u> Attachment A-Anderson# <u>2</u> Attachment B-Taylor)(db,) (Entered: 07/21/2005)
07/20/2005	<u>3</u>	Previous cases (db,) (Entered: 07/21/2005)
07/20/2005	<u>4</u>	ENTRY of Appearance by Lisa S McCalmont on behalf of Glenn Anderson, Charles F Taylor (db,) (Entered: 07/21/2005)
07/21/2005	<u>5</u>	ENTER ORDER REFERRING CASE to Magistrate Judge Robert Bacharach. By Direction of Judge Stephen P. Friot on 7/21/05. (db,) (Entered: 07/21/2005)
07/29/2005	<u>6</u>	ORDER REQUIRING SERVICE re <u>1</u> Complaint, filed by Glenn Anderson,, Charles F Taylor. Signed by Judge Robert Bacharach on 7/29/05. (ch,) (Entered: 07/29/2005)
07/29/2005	<u>7</u>	REPORT AND RECOMMENDATION recommending that the <u>2</u> MOTION for Leave to Proceed in forma pauperis filed by Glenn Anderson and Charles F Taylor be denied and that payment of the filing fee be ordered within twenty days.

		Objections to RRdue by 8/18/2005. Signed by Judge Robert Bacharach on 7/29/05. (ch,) (Entered: 07/29/2005)
08/01/2005	<u>8</u>	PRAECIPE for by Glenn Anderson. (McCalmont, Lisa) (Entered: 08/01/2005)
08/01/2005		Summons Issued as to Defendants Edward L Evans and Mike Mullin. (lb) (Entered: 08/01/2005)
08/01/2005	<u>9</u>	Receipt for Money Received from Glenn Anderson and Charles Taylor in the amount of \$250.00, Receipt #111656. (lb) (Entered: 08/01/2005)
08/08/2005		Docket Annotation: Objections to Report &Recommendation are due by 8/16/05. (ch,) (Entered: 08/08/2005)
08/11/2005	<u>10</u>	SUMMONS Returned Executed by Glenn Anderson. Edward L Evans served on 8/2/2005, answer due 10/3/2005. (McCalmont, Lisa) (Entered: 08/11/2005)
08/11/2005	<u>11</u>	SUMMONS Returned Executed by Glenn Anderson. Mike Mullin served on 8/3/2005, answer due 10/3/2005. (McCalmont, Lisa) (Entered: 08/11/2005)
08/12/2005	<u>12</u>	OBJECTION TO REPORT AND RECOMMENDATION <u>7</u> filed by Glenn Anderson. (McCalmont, Lisa) (Entered: 08/12/2005)
08/15/2005	<u>13</u>	ORDER ADOPTING <u>7</u> Report and Recommendation, DENYING as moot <u>2</u> Motion for Leave to Proceed in forma pauperis filed by Glenn Anderson, Charles F Taylor. This case remains referred to Magistrate Judge Bacharach. Signed by Judge Stephen P. Friot on 8/15/05. (llg) (Entered: 08/15/2005)
08/22/2005	<u>14</u>	ENTRY of Appearance by J Kevin Behrens on behalf of Edward L Evans, Mike Mullin (Behrens, J) (Entered: 08/22/2005)
08/22/2005	<u>15</u>	MOTION for Extension of Time by Edward L Evans, Mike Mullin. (Behrens, J) (Entered: 08/22/2005)
08/23/2005	<u>16</u>	ORDER granting <u>15</u> Defendants' Motion for Extension of Time. Defendants are granted an additional 10 days, until September 5, 2005 to File their response to Plaintiffs' Complaint.. Signed by Judge Robert Bacharach on 08/25/05. (bf,) (Entered: 08/23/2005)
08/23/2005	<u>17</u>	PRAECIPE for Summonses by Glenn Anderson. (McCalmont, Lisa) (Entered: 08/23/2005)
08/23/2005	<u>18</u>	PRAECIPE for Summonses by Glenn Anderson, Charles F Taylor. (McCalmont, Lisa) (Entered: 08/23/2005)
08/23/2005		Summons Issued as to Defendants Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Robert L Rainey and W Mark Luttrell. (lb) (Entered: 08/23/2005)
09/02/2005	<u>19</u>	SUMMONS Returned Executed by Glenn Anderson, Charles F Taylor. W Mark Luttrell served on 9/2/2005, answer due 11/1/2005. (McCalmont, Lisa) (Entered: 09/02/2005)
09/02/2005	<u>20</u>	SUMMONS Returned Executed by Glenn Anderson, Charles F Taylor. Robert L Rainey served on 9/2/2005, answer due 11/1/2005. (McCalmont, Lisa) (Entered: 09/02/2005)
09/02/2005	<u>21</u>	SUMMONS Returned Executed by Glenn Anderson, Charles F Taylor. Earnest D Ware served on 9/2/2005, answer due 11/1/2005. (McCalmont, Lisa) (Entered: 09/02/2005)
09/02/2005	<u>22</u>	SUMMONS Returned Executed by Glenn Anderson, Charles F Taylor. Beverly Young served on 9/2/2005, answer due 11/1/2005. (McCalmont, Lisa) (Entered: 09/02/2005)
09/02/2005	<u>23</u>	SUMMONS Returned Executed by Glenn Anderson, Charles F Taylor. Ted Logan served on 9/2/2005, answer due 11/1/2005. (McCalmont, Lisa) (Entered: 09/02/2005)

09/02/2005	<u>24</u>	SUMMONS Returned Executed by Glenn Anderson, Charles F Taylor. David C Henneke served on 9/2/2005, answer due 11/1/2005. (McCalmont, Lisa) (Entered: 09/02/2005)
09/02/2005	<u>25</u>	SUMMONS Returned Executed by Glenn Anderson, Charles F Taylor. Ernest Godlove served on 9/2/2005, answer due 11/1/2005. (McCalmont, Lisa) (Entered: 09/02/2005)
09/06/2005	<u>26</u>	MOTION to Dismiss <i>and Brief in Support</i> by Edward L Evans, Mike Mullin. (Behrens, J) (Entered: 09/06/2005)
09/22/2005	<u>27</u>	ENTRY of Appearance by J Kevin Behrens on behalf of Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Robert L Rainey, W Mark Luttrell (Behrens, J) (Entered: 09/22/2005)
09/22/2005	<u>28</u>	MOTION to Dismiss <i>and Brief in Support</i> by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Robert L Rainey, W Mark Luttrell. (Behrens, J) (Entered: 09/22/2005)
09/26/2005	<u>29</u>	RESPONSE in Opposition re <u>26</u> MOTION to Dismiss <i>and Brief in Support</i> filed by Glenn Anderson, Charles F Taylor. (Attachments: # <u>1</u> Attachment A# <u>2</u> Attachment B# <u>3</u> Attachment C)(McCalmont, Lisa) (Entered: 09/26/2005)
09/27/2005	<u>30</u>	MOTION for Order <i>Granting Leave to File Reply</i> by Edward L Evans, Mike Mullin. (Behrens, J) (Entered: 09/27/2005)
10/03/2005	<u>31</u>	ORDER granting <u>30</u> Defendants' Motion for Order to file a reply in support of their motion to dismiss. Defendants' reply shall be limited to ten (10) pages and is due within ten (10) days of the date of this Order. . Signed by Judge Robert Bacharach on 10/03/05. (bf,) (Entered: 10/04/2005)
10/07/2005	<u>32</u>	RESPONSE to Motion re <u>28</u> MOTION to Dismiss <i>and Brief in Support</i> filed by Glenn Anderson, Charles F Taylor. (Attachments: # <u>1</u> Attachment A# <u>2</u> Attachment B# <u>3</u> Attachment C)(McCalmont, Lisa) (Entered: 10/07/2005)
10/10/2005	<u>33</u>	ENTRY of Appearance by Richard W Kirby on behalf of Edward L Evans (Kirby, Richard) (Entered: 10/10/2005)
10/10/2005	<u>34</u>	MOTION for Order <i>Granting Leave to File Reply</i> by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Robert L Rainey, W Mark Luttrell. (Behrens, J) (Entered: 10/10/2005)
10/11/2005	<u>35</u>	ORDER granting <u>34</u> Motion for Order Granting Leave to File a Reply to Plaintiffs' Opposition to Defendants' Motion to Dismiss. Defendants' Reply shall be limited to 10 pages and is due October 21, 2005. Signed by Judge Robert Bacharach on 10/11/05. (bf,) (Entered: 10/11/2005)
10/13/2005	<u>36</u>	MOTION for Extension of Time by Edward Evans, Mike Mullin. (Behrens, J) (Entered: 10/13/2005)
10/14/2005	<u>37</u>	ORDER granting <u>36</u> Defendants Edward Evans and Mike Mullin's Motion for Extension of Time to File a reply in support of their motion to dismiss. Defendants' reply is due October 21, 2005.. Signed by Judge Robert Bacharach on 10/14/05. (bf,) (Entered: 10/14/2005)
10/21/2005	<u>38</u>	REPLY to Response to Motion re <u>26</u> MOTION to Dismiss <i>and Brief in Support</i> , <u>28</u> MOTION to Dismiss <i>and Brief in Support</i> filed by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Edward Evans, Mike Mullin, Robert L Rainey, W Mark Luttrell. (Behrens, J) (Entered: 10/21/2005)
10/25/2005	<u>39</u>	MOTION to Strike <u>38</u> Reply to Response to Motion, <i>or in the alternative, Motion for Leave to File a Sur-Reply</i> by Glenn Anderson, Charles F Taylor. (Attachments: # <u>1</u> Attachment A)(McCalmont, Lisa) (Entered: 10/25/2005)
10/28/2005	<u>40</u>	ORDER denying <u>39</u> Motion to Strike <u>39</u> MOTION to Strike <u>38</u> Reply to Response to Motion, Motion for Leave to File a Sur-Reply is granted. The Court Clerk is directed to show the sur-reply, attached to Plaintiffs' motion, as filed on October 28, 2005. . Signed by Judge Robert Bacharach on 10/28/05. (bf,) (Entered: 10/31/2005)

10/28/2005	<u>41</u>	SURREPLY re <u>38</u> Reply to Response to Motion, filed by Glenn Anderson. (db,) (Entered: 10/31/2005)
12/12/2005	<u>42</u>	NOTICE by Glenn Anderson, Charles F Taylor re <u>41</u> Surreply, <u>38</u> Reply to Response to Motion,, <u>32</u> Response to Motion, <u>26</u> MOTION to Dismiss <i>and Brief in Support</i> , <u>29</u> Response in Opposition to Motion, <u>28</u> MOTION to Dismiss <i>and Brief in Support</i> (Attachments: # <u>1</u> Attachment A# <u>2</u> Attachment B)(McCalmont, Lisa) (Entered: 12/12/2005)
12/20/2005	<u>43</u>	REPORT AND RECOMMENDATION re <u>26</u> MOTION to Dismiss <i>and Brief in Support</i> filed by Edward Evans,, Mike Mullin,, <u>28</u> MOTION to Dismiss <i>and Brief in Support</i> filed by Ernest Godlove,, Beverly Young,, David C Henneke,, Robert L Rainey,, W Mark Luttrell,, Ted Logan,, Earnest D Ware, Recommending the Court overrule the Motion to Dismiss. Parties Advised of their right to object to this RR Objections to RR due by 1/10/2006. This R & R Terminates the referral To Judge Bacharach.. Signed by Judge Robert Bacharach on 12/20/05. (bf,) (Entered: 12/20/2005)
12/20/2005		Judge Robert Bacharach no longer assigned to case. (llg) (Entered: 12/20/2005)
01/11/2006	<u>44</u>	ORDER ADOPTING <u>43</u> Report and Recommendation, DENYING <u>26</u> Motion to Dismiss filed by Edward Evans, Mike Mullin, DENYING <u>28</u> Motion to Dismiss filed by Ernest Godlove, Beverly Young, David C Henneke, Robert L Rainey, W Mark Luttrell, Ted Logan, Earnest D Ware. Case is not re-referred to magistrate judge. Defendants' answer due 2/1/2006. Signed by Judge Stephen P. Friot on 1/11/06. (llg) (Entered: 01/11/2006)
01/13/2006	<u>45</u>	STATUS/SCHEDULING CONFERENCE DOCKET: Scheduling Conference set for 3/9/2006 09:15 AM in Chambers before Honorable Stephen P. Friot. Status Report due by 3/6/2006. (llg) (Entered: 01/13/2006)
01/13/2006	<u>46</u>	MOTION to Substitute Party by Glenn Anderson, Charles F Taylor. (McCalmont, Lisa) (Entered: 01/13/2006)
01/17/2006	<u>47</u>	ORDER granting <u>46</u> Plaintiffs' Unopposed Motion for Substitution of Parties Pursuant to Federal Rule of Civil Procedure 25(d). Justin Jones rep by Richard W Kirby, J Kevin Behrens, and Marty Sirmons rep by J Kevin Behrens added. Edward Evans and Mike Mullin terminated. Signed by Judge Stephen P. Friot on 1/17/06. (llg) (Entered: 01/17/2006)
02/01/2006	<u>48</u>	ENTRY of Appearance by J Kevin Behrens on behalf of Justin Jones, Marty Sirmons (Behrens, J) (Entered: 02/01/2006)
02/01/2006	<u>49</u>	ENTRY of Appearance by Susan K Noland on behalf of Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell (Noland, Susan) (Entered: 02/01/2006)
02/01/2006	<u>50</u>	ENTRY of Appearance by Richard W Kirby on behalf of Justin Jones, Marty Sirmons (Kirby, Richard) (Entered: 02/01/2006)
02/01/2006	<u>51</u>	ANSWER to Complaint with Jury Demand by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell.(Behrens, J) (Entered: 02/01/2006)
02/01/2006	<u>52</u>	DISCLOSURE STATEMENT – RULE 26 by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Behrens, J) (Entered: 02/01/2006)
02/01/2006	<u>53</u>	MOTION to Take Deposition from Glenn Anderson and Charles Taylor <i>and Brief in Support</i> by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Behrens, J) (Entered: 02/01/2006)
02/01/2006	<u>54</u>	MOTION for Order <i>Releasing Medical Examiner's Files and Brief in Support</i> by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Attachments: # <u>1</u> Exhibit 1– List of Records requested)(Behrens, J) (Entered: 02/01/2006)

02/02/2006	<u>55</u>	ORDER striking <u>53</u> Defendants' Motion for Leave to Depose Plaintiffs, for failure to certify compliance w/the conference requirement of LCvR 37.1. Signed by Judge Stephen P. Friot on 2/2/06. (llg) (Entered: 02/02/2006)
02/02/2006	<u>56</u>	ORDER Setting Hearing on <u>54</u> Defendants' MOTION for Order <i>Releasing Medical Examiner's Files</i> : Motion Hearing set for 2/14/2006 10:30 AM in Courtroom #305 before Honorable Stephen P. Friot. Any response by plaintiffs is due by 2/10/2006. Signed by Judge Stephen P. Friot on 2/2/06. (llg) (Entered: 02/02/2006)
02/07/2006	<u>57</u>	RESPONSE to Motion re <u>54</u> MOTION for Order <i>Releasing Medical Examiner's Files and Brief in Support</i> filed by Glenn Anderson, Charles F Taylor. (Attachments: # <u>1</u> Exhibit 1)(McCalmont, Lisa) (Entered: 02/07/2006)
02/10/2006	<u>58</u>	ORDER granting <u>54</u> Defendants' Motion for Order Releasing Medical Examiner's Files. Signed by Judge Stephen P. Friot on 2/10/06. (Attachments: # <u>1</u> Exhibit 1 – List of Inmates) (llg) (Entered: 02/10/2006)
02/21/2006	<u>59</u>	ENTER ORDER. Status/Scheduling Conference reset for 3/9/2006 01:30 PM in Chambers before Honorable Stephen P. Friot. Entered at the direction of Judge Stephen P. Friot on 2/21/06. (llg) (Entered: 02/21/2006)
02/21/2006	<u>60</u>	JOINT MOTION for Protective Order by Glenn Anderson, Charles F Taylor. (Attachments: # <u>1</u> Exhibit 1)(McCalmont, Lisa) (Entered: 02/21/2006)
02/22/2006	<u>61</u>	PROTECTIVE ORDER. Signed by Judge Stephen P. Friot on 2/22/06. (llg) (Entered: 02/22/2006)
02/23/2006	<u>62</u>	JOINT STATUS REPORT AND DISCOVERY PLAN by Plaintiffs Glenn Anderson, Charles F Taylor. (McCalmont, Lisa) (Entered: 02/23/2006)
02/23/2006	<u>63</u>	MOTION for Leave <i>to Depose Plaintiffs</i> by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Behrens, J) (Entered: 02/23/2006)
02/27/2006	<u>64</u>	ORDER Setting Hearing on <u>63</u> Defendants' MOTION for Leave <i>to Depose Plaintiffs</i> : Motion Hearing set for 3/3/2006 10:00 AM in Courtroom #305 before Honorable Stephen P. Friot. Any response is due by 12:00 noon on 3/2/2006. Signed by Judge Stephen P. Friot on 2/27/06. (llg) (Entered: 02/27/2006)
02/27/2006	<u>65</u>	AMENDED ORDER Resetting Hearing on <u>63</u> Defendants' MOTION for Leave <i>to Depose Plaintiffs</i> : Motion Hearing reset for 3/3/2006 09:00 AM in Courtroom #305 before Honorable Stephen P. Friot. Any response is due by 12:00 noon on 3/2/2006. Signed by Judge Stephen P. Friot on 2/27/06. (llg) (Entered: 02/27/2006)
03/02/2006	<u>66</u>	RESPONSE in Opposition re <u>63</u> MOTION for Leave <i>to Depose Plaintiffs and Motion for a Protective Order</i> filed by Glenn Anderson, Charles F Taylor. (McCalmont, Lisa) (Entered: 03/02/2006)
03/03/2006	<u>67</u>	Minute Entry for proceedings held before Judge Stephen P. Friot: Motion Hearing held on 3/3/2006. <u>63</u> Dfts' MOTION for Leave <i>to Depose Plaintiffs</i> is DENIED, w/o prejudice to reassertion at a later stage. <u>66</u> Plfs' MOTION for a Protective Order in Response to Dfts' Motion to Depose Plaintiffs is STRICKEN AS MOOT. (Court Reporter Tracy Washbourne.) (llg) (Entered: 03/03/2006)
03/03/2006	<u>68</u>	SCHEDULING ORDER: Motions to join due 8/1/06; Motions to amend due 8/1/06; Pla expert witness list & expert reports due 11/20/06; Dft expert witness list & expert reports due 20 days t/a; Pla witness list due 12/10/06; Pla exhibit list due 12/10/06; Dft witness list due 10 days t/a; Dft exhibit list due 10 days t/a; Motions in limine due 3/23/07; Jury instructions due 3/23/07; Voir dire requests due 3/23/07; Trial briefs due 3/23/07; Proposed Findings of Fact and Conclusions due 3/23/07; Discovery due by 3/15/2007. Jury Trial set for 4/9/2007 09:30 AM in Courtroom #305 before Honorable Stephen P. Friot. Dispositive and Daubert Motions due by 1/1/2007. Pretrial Report due by 3/23/2007. Entered at the direction of Judge Stephen P. Friot on 3/3/06. (llg) (Entered: 03/03/2006)
05/19/2006	<u>69</u>	ENTRY of Appearance by Richard N Mann on behalf of Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell (Mann, Richard) (Entered: 05/19/2006)

05/19/2006	<u>70</u>	MOTION to Withdraw as Attorney by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Behrens, J) (Entered: 05/19/2006)
05/22/2006	<u>71</u>	ORDER granting <u>70</u> Motion to Withdraw as Counsel of Record. Attorney J Kevin Behrens terminated. Signed by Judge Stephen P. Friot on 5/22/06. (llg) (Entered: 05/22/2006)
07/13/2006	<u>72</u>	ENTRY of Appearance by Gregory T Metcalfe on behalf of Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell (Metcalfe, Gregory) (Entered: 07/13/2006)
07/14/2006	<u>73</u>	MOTION to Withdraw <i>as Counsel of Record</i> by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Noland, Susan) (Entered: 07/14/2006)
07/17/2006	<u>74</u>	ORDER granting <u>73</u> Motion to Withdraw. Signed by Judge Stephen P. Friot on 7/17/06. (lb) (Entered: 07/17/2006)
07/27/2006	<u>75</u>	ENTRY of Appearance by Janis W Preslar on behalf of MEDICAL EXAMINER (Preslar, Janis) (Entered: 07/27/2006)
07/27/2006	<u>76</u>	MOTION to Quash <i>Subpoena</i> by MEDICAL EXAMINER. (Attachments: # <u>1</u> Exhibit 1 – Subpoena# <u>2</u> Exhibit 2 – 63 O.S. 949# <u>3</u> Exhibit 3 – Order# <u>4</u> Exhibit 4 – 1974 Amendments# <u>5</u> Exhibit 5 – Medical Examiner 2005 Report# <u>6</u> Exhibit 6 – 1991 Amendement (Rule 45))(Preslar, Janis) (Entered: 07/27/2006)
07/27/2006	<u>77</u>	BRIEF IN SUPPORT of <i>Motion to Quash</i> by MEDICAL EXAMINER. (Preslar, Janis) (Entered: 07/27/2006)
07/28/2006	<u>78</u>	ORDER Setting Hearing on <u>76</u> The Office of the Chief Medical Examiner's MOTION to Quash <i>Subpoena</i> : Motion Hearing set for 8/9/2006 02:00 PM in Courtroom #305 before Honorable Stephen P. Friot. Plfs' response due by noon on 8/8/2006. Signed by Judge Stephen P. Friot on 7/28/06. (llg) (Entered: 07/28/2006)
08/08/2006	<u>79</u>	RESPONSE in Opposition re <u>76</u> MOTION to Quash <i>Subpoena</i> filed by Glenn Anderson, Charles F Taylor. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Exhibit 6# <u>7</u> Exhibit 7)(McCalmont, Lisa) (Entered: 08/08/2006)
08/09/2006	<u>80</u>	ENTER ORDER striking as moot <u>76</u> The Office of the Chief Medical Examiner's Motion to Quash Subpoena, and striking 8/9/06 hearing. Entered at the direction of Judge Stephen P. Friot on 8/9/06. (llg) (Entered: 08/09/2006)
10/10/2006	<u>81</u>	MOTION to Continue <i>Deadlines</i> by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Mann, Richard) (Entered: 10/10/2006)
10/11/2006	<u>82</u>	AMENDED SCHEDULING ORDER granting <u>81</u> Defendants' MOTION to Continue <i>Deadlines</i> : Pla expert witness list and expert reports due 1/20/07; Dft expert witness list and expert reports due 20 days t/a; Pla witness list due 2/10/07; Dft witness list due 10 days t/a; Pla exhibit list due 2/10/07; Dft exhibit list due 10 days t/a; Motions in limine due 5/11/07; Jury instructions due 5/11/07; Voir dire requests due 5/11/07; Trial briefs due 5/11/07; Discovery due by 5/15/2007. Jury Trial set for 5/29/2007 09:30 AM in Courtroom #305 before Honorable Stephen P. Friot. Dispositive and Daubert Motions due by 3/1/2007. Pretrial Report due by 5/11/2007. Signed by Judge Stephen P. Friot on 10/11/06. (llg) (Entered: 10/11/2006)
10/13/2006	<u>83</u>	MOTION for Protective Order <i>AND REQUEST FOR EXPEDITED RESPONSE AND BRIEF IN SUPPORT</i> by Ernest Godlove, David C Henneke, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Mann, Richard) (Entered: 10/13/2006)
10/16/2006	<u>84</u>	RESPONSE to Motion re <u>83</u> MOTION for Protective Order <i>AND REQUEST FOR EXPEDITED RESPONSE AND BRIEF IN SUPPORT</i> filed by Glenn Anderson, Charles F Taylor. (McCalmont, Lisa) (Entered: 10/16/2006)

10/16/2006	<u>85</u>	ENTER ORDER striking as moot <u>83</u> defendants' Motion for Protective Order and Request for Expedited Response. Entered at the direction of Judge Stephen P. Friot on 10/16/06. (llg) (Entered: 10/16/2006)
11/03/2006	<u>86</u>	ENTRY of Appearance by Ronald A Anderson on behalf of Justin Jones, Marty Sirmons (Anderson, Ronald) (Entered: 11/03/2006)
12/19/2006	<u>87</u>	JOINT MOTION for Settlement <i>Conference</i> by Glenn Anderson, Charles F Taylor. (McCalmont, Lisa) (Entered: 12/19/2006)
12/20/2006	<u>88</u>	ORDER granting <u>87</u> Joint Motion for Settlement Conference. Signed by Judge Stephen P. Friot on 12/20/06. (llg) (Entered: 12/20/2006)
12/21/2006	<u>89</u>	ORDER SETTING SETTLEMENT CONFERENCE Settlement Conference set for 1/23/2007 09:00 AM in Chambers before Magistrate Judge Doyle W. Argo. Statements due by noon 1/18/07. Signed by Judge Doyle W. Argo on 12/21/06. (sr,) Modified on 12/22/2006 (sr,). (Entered: 12/21/2006)
12/27/2006	<u>90</u>	MOTION to Withdraw as Attorney by Justin Jones, Marty Sirmons. (Kirby, Richard) (Entered: 12/27/2006)
12/27/2006	<u>91</u>	NOTICE (other) by Justin Jones, Marty Sirmons re <u>90</u> MOTION to Withdraw as Attorney of <i>Withdrawal of Counsel</i> (Kirby, Richard) (Entered: 12/27/2006)
12/27/2006	<u>92</u>	ORDER granting <u>90</u> Motion to Withdraw as Attorney. Attorney Richard W Kirby terminated. Signed by Judge Stephen P. Friot on 12/27/06. (llg) (Entered: 12/27/2006)
01/11/2007	<u>93</u>	JOINT MOTION to Continue <i>Deadlines</i> by Glenn Anderson, Charles F Taylor. (McCalmont, Lisa) (Entered: 01/11/2007)
01/11/2007	<u>94</u>	ENTER ORDER By agreement of the parties, the Settlement Conference scheduled in the abovereferenced matter for January 23, 2007, has been rescheduled to February 22, 2007, at 9:00 a.m., with Settlement Conference Statements being due by noon February 16, 2007. All other provisions of the original settlement conference order entered December 21, 2006 remain in effect.re <u>89</u> Order Setting Settlement Conference. Signed by Judge Doyle W. Argo on 1/11/07. (sr,) (Entered: 01/11/2007)
01/11/2007	<u>95</u>	SECOND AMENDED SCHEDULING ORDER granting <u>93</u> JOINT MOTION to Continue <i>Deadlines</i> : Pla expert witness list and expert reports due 2/9/07; Dft expert witness list and expert reports due 20 days t/a; Pla witness list due 3/9/07; Dft witness list due 10 days t/a; Pla exhibit list due 3/9/07; Dft exhibit list due 10 days t/a; Motions in limine due 5/11/07; Jury instructions due 5/11/07; Voir dire requests due 5/11/07; Trial briefs due 5/11/07; Discovery due by 5/15/2007. Jury Trial set for 5/29/2007 09:30 AM in Courtroom #305 before Honorable Stephen P. Friot. Dispositive and Daubert Motions due by 3/12/2007. Pretrial Report due by 5/11/2007. Signed by Judge Stephen P. Friot on 1/11/07. (llg) (Entered: 01/11/2007)
01/19/2007	<u>96</u>	MOTION for Writ of Habeas Corpus ad testificandum by Glenn Anderson, Charles F Taylor. (McCalmont, Lisa) (Entered: 01/19/2007)
01/22/2007	<u>97</u>	OBJECTIONS re <u>96</u> MOTION for Writ of Habeas Corpus ad testificandum filed by Justin Jones, Marty Sirmons. (Anderson, Ronald) (Entered: 01/22/2007)
01/22/2007	<u>98</u>	MOTION for Leave to File Reply and Reply to Defendants' <i>Opposition to Application for Writ of Habeas Corpus Ad Testificandum</i> by Glenn Anderson, Charles F Taylor. (McCalmont, Lisa) (Entered: 01/22/2007)
01/25/2007	<u>99</u>	Minute Entry for proceedings held before Judge Doyle W. Argo : Telephone Conference regarding Plaintiff's Application for Writ of Habeas Corpus Ad Testificandum Re: Glenn D. Anderson and Charles F. Taylor Doc. No. <u>96</u> held on 1/25/2007. Lisa McCalmont appr'd for Plf. Ron Anderson and Richard Mann appr'd for Dft. A second telephonic hearing is set for 1/29/2007 at 9:00a.m. (bc,) (Entered: 01/25/2007)
01/29/2007	<u>100</u>	Minute Entry for proceedings held before Judge Doyle W. Argo : Telephone Conference re Continuation of Hearing on Plaintiff's Application for Writ of

		Habeas Corpus Testificandum Doc. No. <u>96</u> held on 1/29/2007. Lisa McCalmont apprpd for Plaintiff. Ron Anderson and Richard Mann apprpd for Dft. All parties agree that the best location to conduct the Settlement Conference is at the OK State Penitentiary in McAlester, OK. Plaintiff's Application Doc. No. <u>96</u> is moot. (bc,) (Entered: 01/29/2007)
02/26/2007	<u>101</u>	ENTER ORDER The settlement conference was held on February 22, 2007, before Magistrate Judge Doyle Argo. Lisa McCalmont appeared as lead trial counsel for Plaintiffs and Richard Mann appeared as lead trial counsel for Defendants. re <u>94</u> Order, <u>89</u> Order Setting Settlement Conference. Signed by Judge Doyle W. Argo on 2/26/07. (sr,) (Entered: 02/26/2007)
03/06/2007	<u>102</u>	JOINT MOTION to Stay Case <i>and Place Case in Abeyance</i> by all parties. (McCalmont, Lisa) (Entered: 03/06/2007)
03/06/2007	<u>103</u>	ORDER granting <u>102</u> Joint Motion for Abeyance. This case is placed in abeyance for a period of one year & all pending case ddls are suspended. Either party may move to reactivate the case at any time. If no party reactivates the case, at the end of the one-year period of abeyance, the ct will dismiss this matter. Signed by Judge Stephen P. Friot on 3/6/07. (llg) (Entered: 03/06/2007)
04/11/2007	<u>104</u>	MOTION to Withdraw as Attorney by Glenn Anderson, Charles F Taylor. (McCalmont, Lisa) (Entered: 04/11/2007)
04/12/2007	<u>105</u>	ORDER granting <u>104</u> Motion to Withdraw as Attorney. Attorney Lisa S McCalmont terminated. Added attorney James A Drummond for Glenn Anderson and Charles F Taylor. Signed by Judge Stephen P. Friot on 4/12/07. (llg) (Entered: 04/12/2007)
04/12/2007	<u>106</u>	ENTRY of Appearance by James A Drummond on behalf of all plaintiffs (Drummond, James) (Entered: 04/12/2007)
04/12/2007	<u>107</u>	NOTICE (other) by Glenn Anderson, Charles F Taylor <i>Notice of Counsel -- protective order</i> (Drummond, James) (Entered: 04/12/2007)
06/19/2007	<u>108</u>	MOTION to Withdraw <i>From Litigation and Change Style of the Case</i> by Glenn Anderson. (Drummond, James) (Entered: 06/19/2007)
07/10/2007	<u>109</u>	ORDER granting <u>108</u> Motion to Withdraw from Litigation. Plf Charles F Taylor remains as the sole Plf and the litigation remains under abeyance as this Court ordered on 3/6/07. The style of this case shall be amended henceforth to reflect that Charles F Taylor is the sole Plf in this matter. Signed by Judge Stephen P. Friot on 7/10/07. (lb) (Entered: 07/10/2007)
12/03/2007	<u>110</u>	MOTION for Extension of Time to <i>Extend Period of Abeyance</i> by Charles F Taylor. (Attachments: # <u>1</u> Appendix 1 – Order Granting Stay of Execution# <u>2</u> Appendix 2 – 11/20/07 Letter from R. Mann)(Drummond, James) (Entered: 12/03/2007)
12/03/2007	<u>111</u>	NOTICE of Conventional Filing by James A Drummond on behalf of Charles F Taylor (Drummond, James) (Entered: 12/03/2007)
12/03/2007		Docket Annotation: At docket entry no. 111, counsel for plaintiff has filed a Notice of Conventional Filing. However, the document does not identify the document being filed conventionally. The Notice of Conventional Filing at docket entry no. 111 is therefore STRICKEN. Counsel for plaintiff is DIRECTED to refile his Notice of Conventional Filing. (llg) (Entered: 12/03/2007)
12/03/2007	<u>112</u>	NOTICE of Conventional Filing of <i>Motion to Compel Compliance with Judicial Settlement Agreement</i> by James A Drummond on behalf of Charles F Taylor (Drummond, James) (Entered: 12/03/2007)
12/03/2007	113	SEALED DOCUMENT by Charles F Taylor re <u>112</u> Notice of Conventional Filing of Motion and Brief to Compel Compliance with Judicial Settlement Agreement. (lb) (Entered: 12/04/2007)
12/18/2007	<u>114</u>	OBJECTIONS to <i>Motion to Extend Period of Abeyance</i> filed by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Mann, Richard) (Entered: 12/18/2007)

		12/18/2007)
12/18/2007	<u>115</u>	REPLY to Response to Motion re <u>110</u> MOTION for Extension of Time <i>to Extend Period of Abeyance</i> filed by Charles F Taylor. (Drummond, James) (Entered: 12/18/2007)
12/21/2007	<u>116</u>	OBJECTIONS <i>to Motion to Compel Compliance and Brief in Support</i> filed by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Mann, Richard) (Entered: 12/21/2007)
12/21/2007	<u>117</u>	NOTICE of Conventional Filing of <i>Reply to Defendants' Objections to Plaintiff's Motion to Compel Compliance</i> by James A Drummond on behalf of Charles F Taylor (Drummond, James) (Entered: 12/21/2007)
12/21/2007	<u>118</u>	SEALED DOCUMENT (Reply to Defendants' Objections to Plaintiff's Motion to Compel Compliance and Brief in Support) by Charles F Taylor. (lb) (Entered: 12/26/2007)
01/09/2008	<u>119</u>	ORDER Setting Hearing on <u>110</u> Plaintiff's MOTION <i>to Extend Period of Abeyance</i> , <u>113</u> Plaintiff's MOTION <i>to Compel Compliance With Judicial Settlement Agreement</i> : Motion Hearing set for 2/1/2008 01:30 PM in Courtroom #305 before Honorable Stephen P. Friot. Signed by Honorable Stephen P. Friot on 1/9/08. (llg) (Entered: 01/09/2008)
02/01/2008	<u>120</u>	Minute Order. Proceedings held before Honorable Stephen P. Friot: Motion Hearing held on 2/1/2008, GRANTING <u>110</u> MOTION <i>to Extend Period of Abeyance</i> filed by Charles F Taylor. Case will continue in abeyance until 7/2/08. The provision for dismissal set forth in <u>103</u> Court's 3/6/07 Order VACATED. <u>113</u> MOTION to Compel Compliance With Judicial Settlement Agreement filed by Charles F Taylor is TAKEN UNDER ADVISEMENT, w/hearing cont'd to 7/2/2008 09:30 AM in Courtroom #305 Honorable Stephen P. Friot. Parties shall file any memoranda they wish to file, stating their positions as to the proposed further course of proceedings in this matter, not later than 7/1/08. (Court Reporter Alana LaGrow.) (llg) (Entered: 02/01/2008)
06/23/2008	<u>121</u>	JOINT MOTION for Extension of Time <i>to Continue Hearing and Briefing Deadline</i> by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Mann, Richard) (Entered: 06/23/2008)
06/24/2008	<u>122</u>	ENTER ORDER granting <u>121</u> JOINT MOTION <i>to Continue Hearing and Briefing Deadline</i> . Case will continue in abeyance. 7/2/08 Hearing on <u>113</u> Plaintiff's Motion to Compel Compliance With Judicial Settlement Agreement is STRICKEN. 7/1/08 Deadline for briefing concening Baze decision is STRICKEN. Status/Scheduling Conference set for 8/7/2008 10:30 AM in Chambers before Honorable Stephen P. Friot. No status report required. Entered at the directin of Honorable Stephen P. Friot on 6/24/08. (llg) (Entered: 06/24/2008)
06/25/2008	<u>123</u>	ENTER ORDER striking 8/7/08 status/scheduling conference, to be reset. Entered at the direction of Honorable Stephen P. Friot on 6/25/08. (llg) (Entered: 06/25/2008)
07/02/2008	<u>124</u>	ORDER re <u>113</u> Motion to Compel Compliance With Judicial Settlement Agreement filed by Charles F Taylor. Hearing on said motion is set for 8/22/2008 01:30 PM in Courtroom #305 before Honorable Stephen P. Friot. Plf Taylor is directed to file, by 7/28/08, a suppl brief addressing any matters thought to be relevant to the hrg, which suppl brief shall include plf's argument & authorities w/respect to the application of the decision in Baze v. Rees in the case at bar. Dfts are directed to respond to plf's suppl brief by 8/19/08. Signed by Honorable Stephen P. Friot on 7/2/08. (llg) (Entered: 07/02/2008)
07/28/2008	<u>125</u>	MOTION to Reopen Case by Charles F Taylor. (Attachments: # <u>1</u> Appendix 1–Declaration of Dr. Kinsinger & CV of Dr. Kinsinger, # <u>2</u> Appendix 2–OSP Procedures for Execution of Offenders, # <u>3</u> Appendix 3, pt.1–Declaration No. 2 of Dr. M Heath, # <u>4</u> Appendix 3, pt.2–Declaration No. 2 of Dr. M Heath, # <u>5</u> Appendix 3A– CV of Dr. M Heath, # <u>6</u> Appendix 4–State of Ohio v. Rivera, # <u>7</u>

		Appendix 5–Harbison v. Little, # <u>8</u> Appendix 6–Report of Dr. R Cook, # <u>9</u> Appendix 6A–CV of Dr. Cook, # <u>10</u> Appendix 7–Affidavit of James Drummond, # <u>11</u> Appendix 8–Declaration No. 1 of Dr. M Heath, # <u>12</u> Appendix 9–Bispectral Indes (BIS) monitor, # <u>13</u> Appendix 10–British Journal of Anaesthesia, # <u>14</u> Appendix 11–Redacted Kentucky Protocol Released in Baze litigation, # <u>15</u> Appendix 12–Summary of Oregon's Death with Dignity Act – 2007, # <u>16</u> Appendix 13–Year 10 Annual Death with Dignity Act Report)(Drummond, James) (Entered: 07/28/2008)
08/11/2008	<u>126</u>	ENTER ORDER. Status conf held on 8/11/08, striking 8/22/08 hrg re 113 Motion to Compel Compliance with Judicial Settlement Agreement filed by Charles F Taylor. Dfts granted until 9/3/08 to respond to <u>125</u> MOTION to Reactivate Proceedings filed by Charles F Taylor, or to file msj or mtn to dismiss. Plf granted until 9/24/08 to reply to dfts' response to Motion to Reactivate Proceedings or to respond to dfts' msj or mtn to dismiss, if any. Any mtn by dfts calling into question the Federal Public Defender's Office's representation of plf due 9/3/08. Entered at the direction of Honorable Stephen P. Friot on 8/11/08. (llg) (Entered: 08/11/2008)
08/11/2008		Set/Reset Deadlines as to <u>125</u> MOTION to Reactivate Proceedings. Response due by 9/3/2008. Reply due by 9/24/2008. (llg) (Entered: 08/11/2008)
09/03/2008	<u>127</u>	REPLY to Response to Motion re <u>125</u> MOTION to Reopen Case <i>and Brief in Support</i> filed by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Attachments: # <u>1</u> Exhibit 1 Transcript of Motion to Dismiss)(Mann, Richard) (Entered: 09/03/2008)
09/03/2008	<u>128</u>	MOTION to Dismiss by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell (SEE DOC. NO. 127 FOR IMAGE). (llg) (Entered: 09/04/2008)
09/04/2008	<u>129</u>	ENTER ORDER granting <u>125</u> Plaintiff's Motion to Reactivate Proceedings. Stay of case is LIFTED. Plaintiff's response to 128 Defendants' Motion to Dismiss is due 9/24/08. Any necessary reply is due 11 days thereafter. Entered at the direction of Honorable Stephen P. Friot on 9/4/08. (llg) (Entered: 09/04/2008)
09/24/2008	<u>130</u>	RESPONSE to Motion re 128 MOTION to Dismiss <i>Plaintiff's Response to Defendants' Motion to Dismiss</i> filed by Glenn Anderson. (Attachments: # <u>1</u> Exhibit 1–Terry Lynn Short Complaint, # <u>2</u> Exhibit 2–John David Duty v. Sirmons)(Drummond, James) (Entered: 09/24/2008)
09/24/2008		Docket Annotation: Docket entry no. 130 is hereby clarified to reflect that the response to motion is filed on behalf of plaintiff Charles Taylor, not Glenn Anderson, as indicated in the docket entry. (lb) (Entered: 09/24/2008)
09/26/2008	<u>131</u>	MOTION to Withdraw as Attorney <i>of Record</i> by Charles F Taylor. (Drummond, James) (Entered: 09/26/2008)
09/26/2008	<u>132</u>	ORDER granting <u>131</u> Motion to Withdraw as Attorney. Added attorney Randy A Bauman for Charles F Taylor. Attorney James A Drummond terminated. Signed by Honorable Stephen P. Friot on 9/26/08. (llg) (Entered: 09/26/2008)
09/30/2008	<u>133</u>	ENTRY of Appearance by Randy A Bauman on behalf of Charles F Taylor (Bauman, Randy) (Entered: 09/30/2008)
10/29/2008	<u>134</u>	ORDER. Status/Scheduling Conference set for 11/18/2008 03:00 PM in Chambers before Honorable Stephen P. Friot. Counsel should be prepared to discuss a schedule for the orderly resolution of all remaining issues in this case, including the scheduling of any evidentiary hearings thought to be necessary. If counsel are able to reach agreement as to a schedule, they should feel free to bring a proposed scheduling order to the conference. It will not be necessary to submit a status report. Signed by Honorable Stephen P. Friot on 10/29/08. (llg) (Entered: 10/29/2008)
11/03/2008	<u>135</u>	ORDER Resetting Status Conference. Status/Scheduling Conference previously set for 11/18/2008 03:00 PM is reset for 11/21/2008 02:00 PM in Chambers before Honorable Stephen P. Friot. Signed by Honorable Stephen P. Friot on 11/3/08. (llg) (Entered: 11/03/2008)

11/21/2008	<u>136</u>	ENTRY of Appearance by Susan M Otto on behalf of Charles F Taylor (Otto, Susan) (Entered: 11/21/2008)
11/21/2008	<u>137</u>	Minute Entry for proceedings held before Honorable Stephen P. Friot: Status/Scheduling Conference held on 11/21/2008. Ct will rule on 128 Defendants' Motion to Dismiss & will then, if the mtn is denied, enter a standard scheduling order, w/trial not before Aug 2009. If dfts wish to further respond to 113 Plaintiff's Motion to Compel Compliance With Judicial Settlement Agreement, they shall so advise the crtrm deputy by 12/1/08. Upon any such advice, dfts will be allowed a reasonable period of time to further respond to the mtn to compel compliance. Plf will be permitted to reply w/i 11 days. (llg) (Entered: 11/21/2008)
12/01/2008	<u>138</u>	ENTER ORDER. Dfts are granted until 12/15/08 to further respond to 113 Plaintiff's Motion to Compel Compliance With Judicial Settlement Agreement. Plf may reply to dfts' response by 1/5/09. Entered at the direction of Honorable Stephen P. Friot on 12/1/08. (llg) (Entered: 12/01/2008)
12/05/2008	<u>139</u>	ORDER denying 128 Motion to Dismiss. Signed by Honorable Stephen P. Friot on 12/5/08. (lb) (Entered: 12/05/2008)
12/10/2008	<u>140</u>	THIRD AMENDED SCHEDULING ORDER: Pla expert witness list and expert reports due 5/20/09; Dft expert witness list and expert reports due 20 days t/a; Pla witness list due 6/10/09; Dft witness list due 10 days t/a; Pla exhibit list due 6/10/09; Dft exhibit list due 10 days t/a; Dispositive and Daubert Motions due 7/1/09; Discovery ddl 9/15/2009; Hearing on motions for summary judgment set for 9/25/2009 09:00 AM in Courtroom #305 Honorable Stephen P. Friot; Motions in limine due 9/25/09; Trial briefs due 9/25/09; Proposed Findings of Fact and Conclusions due 9/25/09; Pretrial Report due 9/25/09; Bench Trial set for 10/13/2009 09:30 AM in Courtroom #305 before Honorable Stephen P. Friot. Entered at the direction of Honorable Stephen P. Friot on 12/10/08. (llg) (Entered: 12/10/2008)
12/15/2008	<u>141</u>	MOTION to Supplement <i>Brief in support of Object</i> by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Jones, Kindanne) (Entered: 12/15/2008)
12/15/2008		Docket Annotation: At docket entry no. 141, defendants have filed a Supplemental Brief which has been incorrectly docketed as a "Motion to Supplement." The court deems the filing to be defendants' Supplemental Brief and hereby terms the document as a motion. (llg) (Entered: 12/15/2008)
01/05/2009	<u>142</u>	REPLY by Plaintiff Charles F Taylor re 113 Sealed Document <i>Motion to Compel Compliance with Settlement Agreement</i> filed by Charles F Taylor. (Bauman, Randy) (Entered: 01/05/2009)
02/02/2009	<u>143</u>	NOTICE (other) by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell <i>of Tenth Circuit Decision</i> (Mann, Richard) (Entered: 02/02/2009)
02/03/2009	<u>144</u>	RESPONSE to <i>Notice of Decision</i> filed by Charles F Taylor. (Attachments: # <u>1</u> Attachment A–Taylor v. Workman, Case No. 07–7030, # <u>2</u> Attachment B–Wilson/Wackerly v. Sirmons, Case No. 06–5179)(Bauman, Randy) (Entered: 02/03/2009)
02/24/2009	<u>145</u>	ENTRY of Appearance by Robert Nigh, Jr on behalf of James Dwight Pavatt (Nigh, Robert) (Entered: 02/24/2009)
02/24/2009	<u>146</u>	MOTION to Intervene and <i>Brief in Support</i> by James Dwight Pavatt. (Attachments: # <u>1</u> Attachment Complaint)(Nigh, Robert) (Entered: 02/24/2009)
02/24/2009	<u>147</u>	ENTRY of Appearance by Patti P Ghezzi on behalf of Charles F Taylor (Ghezzi, Patti) (Entered: 02/24/2009)
02/24/2009	<u>148</u>	ENTRY of Appearance by Patti P Ghezzi on behalf of James Dwight Pavatt (Ghezzi, Patti) (Entered: 02/24/2009)

02/24/2009		NOTICE from the Court STRIKING <u>147</u> Entry of Appearance by Patti P Ghezzi on behalf of Charles F Taylor. The Entry of Appearance has been correctly filed, on behalf of James Dwight Pavatt, at docket entry no. 148. The court hereby terms Patti P Ghezzi as attorney for Charles F Taylor. (llg) (Entered: 02/24/2009)
03/11/2009	<u>149</u>	OBJECTIONS re <u>146</u> MOTION to Intervene <i>and Brief in Support</i> filed by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Attachments: # <u>1</u> Exhibit 1 DOC Offender Lookup Detail, # <u>2</u> Exhibit 2 Request to Staff, # <u>3</u> Exhibit 3 Inmate Offender Grievance Form, # <u>4</u> Exhibit 4 Greiveances Returned, # <u>5</u> Exhibit 5 Appeal Form, # <u>6</u> Exhibit 6 Grievance Unanswered, # <u>7</u> Exhibit 7 Affidavit)(Mann, Richard) (Entered: 03/11/2009)
03/17/2009	<u>150</u>	MOTION for Extension of Time to File Response/Reply to <i>Defendants' Objection to Motion to Intervene</i> by James Dwight Pavatt. (Ghezzi, Patti) (Entered: 03/17/2009)
03/17/2009		NOTICE from the Court re <u>150</u> James Pavatt's APPLICATION for Extension of Time to File Reply to <i>Defendants' Objection to Motion to Intervene</i> . Counsel for Mr. Pavatt are reminded that, in the future, they should include all counsel of record on their certificate of service, including plaintiff Charles Taylor's counsel. (llg) (Entered: 03/17/2009)
03/17/2009	<u>151</u>	ORDER granting <u>150</u> James Pavatt's Application for Extension of Time to File Reply re <u>146</u> MOTION to Intervene <i>and Brief in Support</i> . Reply due by 4/6/2009. Signed by Honorable Stephen P. Friot on 3/17/09. (llg) (Entered: 03/17/2009)
04/06/2009	<u>152</u>	REPLY to Response to Motion re <u>146</u> MOTION to Intervene <i>and Brief in Support</i> filed by James Dwight Pavatt. (Ghezzi, Patti) (Entered: 04/06/2009)
04/07/2009	<u>153</u>	ORDER Setting Hearing on <u>146</u> James Pavatt's MOTION to Intervene: Motion Hearing set for 4/24/2009 09:00 AM in Courtroom #305 before Honorable Stephen P. Friot. Signed by Honorable Stephen P. Friot on 4/7/09. (llg) (Entered: 04/07/2009)
04/24/2009	<u>154</u>	Minute Order. Proceedings held before Honorable Stephen P. Friot: Motion Hearing held on 4/24/2009. <u>146</u> MOTION to Intervene <i>and Brief in Support</i> filed by James Dwight Pavatt is DENIED. Defense counsel is directed to file a notification, by 5/6/09, advising the ct as to whether the State has filed a petition for writ of certiorari in plf's habeas case. If a petition for writ of certiorari is not filed, counsel for plf will have 10 days after 5/6/09 to a file a memorandum advising the ct as to why this case should not be dismissed as moot. Dfts will have 10 days after plf's filing to file a response. (Court Reporter Tracy Washbourne.) (llg) (Entered: 04/24/2009)
05/06/2009	<u>155</u>	NOTICE (other) by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell (Mann, Richard) (Entered: 05/06/2009)
05/15/2009	<u>156</u>	RESPONSE re <u>155</u> Notice (other), <u>154</u> Order on Motion to Intervene,,, Motion Hearing,, to Court &Memorandum <i>Brief Conditionally Objecting to Dismissal</i> filed by Charles F Taylor. (Bauman, Randy) (Entered: 05/15/2009)
05/28/2009	<u>157</u>	REPLY to Response to Motion re 128 MOTION to Dismiss filed by Ernest Godlove, David C Henneke, Ted Logan, Beverly Young, Earnest D Ware, Justin Jones, Marty Sirmons, Robert L Rainey, W Mark Luttrell. (Mann, Richard) (Entered: 05/28/2009)
06/08/2009	<u>158</u>	ORDER DISMISSING CASE without prejudice because it is moot. Signed by Honorable Stephen P. Friot on 6/8/09. (llg) (Entered: 06/08/2009)
06/08/2009	<u>159</u>	JUDGMENT. Signed by Honorable Stephen P. Friot on 6/8/09. (llg) (Entered: 06/08/2009)