

APPEAL, CSMDDL, LC3

**U.S. District Court
District of Idaho (LIVE Database)Version 3.1.2 (Pocatello - Eastern)
CIVIL DOCKET FOR CASE #: 4:80-cv-04091-BLW**

Jeff D, et al v. Kempthorne, et al
Assigned to: Judge B. Lynn Winmill
Demand: \$0

Case in other court: Ninth Circuit Court of Appeals, 07-36009
Cause: 20:1401 Education: Handicapped Child Act

Date Filed: 05/11/1990
Date Terminated: 11/01/2007
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

John M

represented by **Howard A Belodoff**
1524 W Hays St #2
Boise, ID 83702
(208) 331-3378
Email: howardbelodoff@idaholegalaid.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Luvern Charles Johnson, III
JOHNSON OLSON CHARTERED
POB 1725
Pocatello, ID 83204-1725
(208) 232-7926
Email: cjlaw@allidaho.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Jeff D

*Individually and on behalf of the class they
represent, by and through their next friend
Charles Johnson*

represented by **Howard A Belodoff**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Luvern Charles Johnson, III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Paula E

*Minors individually and on behalf of the
class they represent by and through their*

represented by **Howard A Belodoff**
(See above for address)
LEAD ATTORNEY

friend Charles Johnson

ATTORNEY TO BE NOTICED

Luvern Charles Johnson, III

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

Dusty R

*Individually and on behalf of the class they
represent by and through their next friend
Charles Johnson*

represented by **Howard A Belodoff**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Luvern Charles Johnson, III

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

Defendant

George Bachik

*Individually and in their official capacities
as Directors of State Hospital South, and
their successors*

represented by **Janice L Kroeger**

OFFICE OF ATTORNEY GENERAL

Dept of Health & Welfare

450 W State St, 10th Fl

Boise, ID 83720

(208) 334-5537

TERMINATED: 12/22/1999

LEAD ATTORNEY

Jody P Carpenter

OFFICE OF ATTORNEY GENERAL

Division of Human Services

PO Box 83720

Boise, ID 83720-0036

(208) 334-5537

Fax: (208) 334-5537

Email: cajp300@dshs.wa.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Michael R DeAngelo

OFFICE OF ATTORNEY GENERAL

Dept of Health & Welfare

450 W State St, 10th Fl

Boise, ID 83720

(208) 334-5537

TERMINATED: 09/07/1994

LEAD ATTORNEY

Weldon B Stutzman
OFFICE OF ATTORNEY GENERAL
Dept of Health & Welfare
450 W State St, 10th Fl
Boise, ID 83720
(208) 334-5537
TERMINATED: 09/07/1994
LEAD ATTORNEY

Defendant

William G Gruzenski
individually and in official capacities as
Directors of State Hospital south

represented by **Janice L Kroeger**
(See above for address)
TERMINATED: 12/22/1999
LEAD ATTORNEY

Jody P Carpenter
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael R DeAngelo
(See above for address)
TERMINATED: 09/07/1994
LEAD ATTORNEY

Weldon B Stutzman
(See above for address)
TERMINATED: 09/07/1994
LEAD ATTORNEY

Defendant

Jerry Evans
Individually and in official capacity as
State Superintendent of Public Instruction
of the Idaho State Department of
Education

Defendant

Dirk Kempthorne

represented by **James D Carlson**
OFFICE OF ATTORNEY GENERAL
Civil Litigation Division
PO Box 83720
Boise, ID 83720-0010
(208) 334-2400
Fax: 1-208-334-2830
Email: jim.carlson@ag.idaho.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jody P Carpenter

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Karl T Klein**

Office of the Attorney General

P.O. Box 83720

Boise, ID 83720-0010

(208) 334-2400

Fax: 1-208-854-8073

Email: karl.klein@ag.idaho.gov*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Michael S Gilmore**

OFFICE OF ATTORNEY GENERAL

Statehouse Rm 210

Boise, ID 83720

(208) 334-2400

Fax: (208) 854-8073

Email: mike.gilmore@ag.idaho.gov*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Barbara A Beehner-Kane**

Idaho Attorney General's Office

P.O. Box 83720

Boise, ID 83720-0010

(208) 334-4550

Fax: (208) 334-2830

Email:

barbara.beehner-kane@ag.idaho.gov*ATTORNEY TO BE NOTICED***Michael G McPeck**

OFFICE OF ATTORNEY GENERAL

PO Box 83720

Boise, ID 83720-0010

(208) 334-2400

Fax: 1-208-334-2830

Email: michael.mcpeek@ag.idaho.gov*ATTORNEY TO BE NOTICED***Defendant****Karl Kurtz***Director of the Department of Health and
Welfare*represented by **James D Carlson**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Jody P Carpenter

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Karl T Klein

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Barbara A Beehner-Kane

(See above for address)

ATTORNEY TO BE NOTICED

Michael G McPeck

(See above for address)

ATTORNEY TO BE NOTICED

Defendant

Brent Reinke

*Director of the Department of Juvenile
Corrections*

represented by **Michael S Gilmore**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Nancy S Bishop

OFFICE OF ATTORNEY GENERAL

Dept of Juvenile Corrections

PO Box 83720

Boise, ID 83720-0285

(208) 334-5100

Fax: (208) 334-5100

Email: nancy.bishop@idjc.idaho.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/06/1989	208	ORDER OF REFERENCE by Honorable Edward J. Lodge referred to Magistrate Williams for Motion for S.J. (cc: all counsel) (gl) (Entered: 06/15/1990)
11/09/1989	200	MINUTES OF TELEPHONE STATUS CONFERENCE; ; All Pending Motions Hrg set 4/23/89 at 9:30 am in pocatello (gl) (Entered: 06/15/1990)
12/18/1989	202	MOTION by plaintiff M John, plaintiff Jeff D, plaintiff Paula E, plaintiff Dusty R to compel answers to interogs, request for production of documents and request for admissions (gl) (Entered: 06/15/1990)

04/10/1990	215	MINUTES OF MOTION FOR SUMMARY JUDGMENT; ; if no settlement by 7/10/90 parties to submit pretrial stmt; 5-7 days for compliance hearing. Parties will have 10 days to object to report and recommendation (MHW) (gl) (Entered: 06/15/1990)
06/07/1990	217	REPORT AND RECOMMENDATION by Magistrate Williams concerning both motion for summary judgment be denied and that the compliance hearing be conducted as to all issues as contemplated by the Ninth Circuit. Written objections to this Report and Recommendation must be filed within 10 days, or party may waive the right to raise the objections in the Ninth Circuit Court of Appeals. (cc: all counsel) (gl) (Entered: 06/15/1990)
07/13/1990	218	MANDATE from Circuit Court of Appeals Affirmed in part, Reversed in part and Remanded. Attorney fees awarded to the Appellants as to those issues which they prevail. The District Court is ordered to hold a compliance hearing on the merits of the Settlement Agreement and the scope of the class as interpreted in this opinion. (cd)
07/30/1990	219	SUPPLEMENTAL AGREEMENT re; compliance with stipulation settling mental health claims and order by plaintiff M John, plaintiff Jeff D, plaintiff Paula E, plaintiff Dusty R, defendant Cecil D Andrus, defendant Richard Donovan Dir H&HS ID, defendant George Bachik, defendant William G Gruzenski, defendant Jerry (mn) (Entered: 08/02/1990)
07/30/1990	220	MINUTES OF SETTLEMENT AGREEMENT CONFERENCE before JUDGE LODGE; for settlement Supplemental Agreement put on the record, stipulated to by all parties, and approved by the Court (mn) (Entered: 08/02/1990)
12/19/1990		FILE DIVISION - File # 8 begins with document # 222 (dkh) (Entered: 09/29/1999)
12/19/1990	221	ORDER by Honorable Edward J. Lodge terminating case due to the stipulation and approval by the Court of settlement agreement (cc: all counsel) (mn) (Entered: 12/20/1990)
09/16/1992	222	REMARK withdrawal of Charles Johnson as council and next friend for the pla (wm) (Entered: 09/17/1992)
07/21/1993	223	MOTION by pla to file oversized memorandum (wm)
07/21/1993	224	MOTION by plaintiff for order of the dfts compliance with settlement agreements and expedited decision (wm) Modified on 10/28/1993
08/30/1993	225	ORDER by Honorable Edward J. Lodge Case referred to Magistrate Mikel H. Williams for all pretrial matters (cc: all counsel) (wm) (Entered: 08/31/1993)
09/14/1993	226	STATEMENT OF UNDISPUTED FACTS by dft (wm) (Entered: 09/15/1993)
09/14/1993	227	MINUTES OF STATUS CONFERENCE HEARING - ; Case Mgmt ddl set for 9/24/93 for parties to file a proposed order that will be attached to the R&R going to EJI (MHW) (wm) (Entered: 09/17/1993)
09/28/1993	228	MOTION by pla to extend time for 10 days for plas to file a proposed order regarding the plas motion ordering the dfts compliance with settlement agreements (wm) (Entered: 09/29/1993)

09/28/1993	229	AFFIDAVIT of Howard A. Belodoff regarding motion to extend time for 10 days for plas to file a proposed order regarding the plas motion ordering the dfts compliance with settlement agreements [228-1] (wm) (Entered: 09/29/1993)
10/05/1993	230	ORDER by Magistrate Mikel H. Williams granting motion to extend time for 10 days for plas to file a proposed order regarding the plas motion ordering the dfts compliance with settlement agreements [228-1] (cc: all counsel) (jb) (Entered: 10/07/1993)
10/27/1993	231	REPORT AND RECOMMENDATION that motion for order of dfts compliance with settlement agreements be GRATNED, the dept of Health and Welfare comply with the terms of the supplemental order by using the available funding to reach the minimum of \$425,000 per region in each of the seven regions in FY 1994 [224-1] by Magistrate Mikel H. Williams (cc: all counsel) (wm) (Entered: 10/28/1993)
10/27/1993	232	ORDER by Magistrate Mikel H. Williams Case reopened (cc: all counsel) (wm) (Entered: 10/28/1993)
11/10/1993	233	ORDER by Honorable Edward J. Lodge adopting motion REPORT AND RECOMMENDATION that motion for order of dfts compliance with settlement agreements be GRATNED, the dept of Health and Welfare comply with the terms of the supplemental order by using the available funding to reach the minimum of \$425,000 per region in each of the seven regions in FY 1994 [224-1] [231-1] (cc: all counsel) (wm) (Entered: 11/15/1993)
12/10/1993	234	MOTION by pla for attorney fees referred to Magistrate Mikel H. Williams (wm) (Entered: 12/13/1993)
12/10/1993	235	AFFIDAVIT of Howard Belodoff regarding referral motion for attorney fees referred to Magistrate Mikel H. Williams [234-1] (wm) (Entered: 12/13/1993)
12/10/1993	236	AFFIDAVIT of Charles Johnson in support of referral motion for attorney fees referred to Magistrate Mikel H. Williams [234-1] (wm) (Entered: 12/13/1993)
12/27/1993	237	OBJECTION by dfts to plas' motion for attorney fees referred to Magistrate Mikel H. Williams [234-1] (jb) (Entered: 12/29/1993)
01/12/1994	238	MOTION by pla to extend time to file reply to dft's objection to pla's petition for atty fees (jb) (Entered: 01/18/1994)
01/12/1994	239	AFFIDAVIT of Howard A. Belodoff regarding motion to extend time to file reply to dft's objection to pla's petition for atty fees [238-1] (jb) (Entered: 01/18/1994)
01/19/1994	240	ORDER by Magistrate Mikel H. Williams granting motion to extend time to 2/11/94 file reply to dft's objection to pla's petition for atty fees [238-1] (cc: all counsel) (mn) Modified on 01/21/1994 (Entered: 01/21/1994)
01/21/1994	241	ORDER by Magistrate Mikel H. Williams granting motion to file oversized memorandum [223-1] (cc: all counsel) (gl) (Entered: 01/27/1994)
01/21/1994	242	MEMORANDUM by plaintiff in support of motion for order of the dfts compliance with settlement agreements and expedited decision [224-1] (gl) (Entered: 01/27/1994)

02/11/1994	243	VERIFIED RESPONSE by pla to objection to referral motion for attorney fees referred to Magistrate Mikel H. Williams [234-1] (wm) (Entered: 02/14/1994)
02/16/1994	244	MOTION by pla to exceed the page limit on a reply to dfts objection to petition for attorney fees (wm)
02/16/1994	245	SUPPLEMENTAL ATTORNEY TIME of Howard Belodoff by pla re referral motion for attorney fees referred to Magistrate Mikel H. Williams [234-1] (wm)
02/16/1994	246	AFFIDAVIT of Michael H. Hinman regarding motion to exceed the page limit on a reply to dfts objection to petition for attorney fees [244-1] (wm)
02/18/1994	247	ORDER by Magistrate Mikel H. Williams granting plas motion to exceed the page limit on a reply to dfts objection to petition for attorney fees [244-1] (cc: all counsel) (wm) (Entered: 02/22/1994)
02/18/1994	248	REPLY by pla to dfts objection to referral motion for attorney fees referred to Magistrate Mikel H. Williams [234-1] (wm) (Entered: 02/22/1994)
02/25/1994	249	MOTION by dfts to strike plas reply to dfts objection to petition for an award of attorney's fees , or in the alternative for leave to file objection to plas reply (wm) (Entered: 02/28/1994)
02/25/1994	250	BRIEF by dfts in support of their motion to strike plas reply to dfts objection to petition for an award of attorney's fees [249-1] and motion for leave to file objection to plas reply [249-2] (wm) (Entered: 02/28/1994)
02/25/1994	251	AFFIDAVIT of Patricia McNeill regarding motion to strike plas reply to dfts objection to petition for an award of attorney's fees [249-1], regarding motion for leave to file objection to plas reply [249-2] (wm) (Entered: 02/28/1994)
03/09/1994	252	NOTICE OF HEARING referral motion for attorney fees referred to Magistrate Mikel H. Williams [234-1] set for 10:30am on 3/16/94 before MHW in Boise (cc: all counsel) (wm) (Entered: 03/11/1994)
03/11/1994	253	REPLY by plas to dfts motion to strike plas reply to dfts objection to petition for an award of attorney's fees [249-1] (wm) (Entered: 03/14/1994)
03/11/1994	254	AFFIDAVIT of Howard Belodoff in opposition to dfts motion to strike plas reply to dfts objection to petition for an award of attorney's fees [249-1] (wm) (Entered: 03/14/1994)
03/16/1994	255	MINUTES OF HEARING ON MOTION FOR ATTORNEY - denying motion to strike plas reply to dfts objection to petition for an award of attorney's fees [249-1], granting motion for leave to file objection to plas reply [249-2], Ruling on referral motion for attorney fees referred to Magistrate Mikel H. Williams [234-1] is deferred pending review of opposition papers to be filed 4/12/94 (MHW) (wm) (Entered: 03/17/1994)
04/11/1994	256	SECOND OBJECTION by dfts to referral motion for attorney fees referred to Magistrate Mikel H. Williams [234-1] (wm) (Entered: 04/14/1994)
04/25/1994	257	AFFIDAVIT of Michael H. Hinman (wm) (Entered: 04/27/1994)
04/27/1994	258	SECOND SUPPLEMENTAL affidavit of Howard A. Belodoff re affidavit [254-1] (wm) (Entered: 04/28/1994)

05/12/1994	259	SUPPLEMENTAL AFFIDAVIT of Ken Patterson (wm) (Entered: 05/17/1994)
05/23/1994	260	NOTICE by plas of noncompliance (wm) (Entered: 05/24/1994)
06/02/1994	261	REPORT AND RECOMMENDATION that petition for an award of attorney fees and costs (Dkt. #234) be granted in part, denied in part, and denied in part w/o prejudice (See R & R) by Magistrate Mikel H. Williams (cc: all counsel) (dkh) (Entered: 06/03/1994)
08/01/1994	262	ORDER by Honorable Edward J. Lodge adopting motion REPORT AND RECOMMENDATION that petition for an award of attorney fees and costs (Dkt. #234) be granted in part, denied in part, and denied in part w/o prejudice (See R & R) [261-1] (cc: all counsel) (dkh)
09/07/1994	263	NOTICE OF ATTORNEY SUBSTITUTION: terminating attorney Weldon B Stutzman and Michael R. DeAngelo for William G Gruzenski, George Bachik, Richard Donovan, Dir H&HS ID, and Cecil D Andrus, and substituting attorney Janice L Kroeger (dkh)
06/06/1995	264	STATUS REPORT by plas (dkh) (Entered: 06/07/1995)
09/08/1995		ORDER by Honorable Edward J. Lodge Case reassigned to Honorable B. Lynn Winmill (cc: all counsel) (dkh) (Entered: 09/18/1995)
01/26/1996	265	DISMISSAL LETTER for lack of prosecution - case will be dismissed unless good cause shown ; Case Mgmt ddl set 2/9/96 (cc:all counsel) (dkh)
02/07/1996		FILE DIVISION - File # 9 begins with document # 266 (dkh) (Entered: 02/09/1996)
02/08/1996	266	MOTION by plas to retain jurisdiction (dkh)
02/08/1996	267	MEMORANDUM by plas counsel, Michael H Hinman in support of motion to retain jurisdiction [266-1] (dkh)
02/08/1996	268	MOTION by plas for court appointed expert (dkh)
02/08/1996	269	MEMORANDUM by plas in support of motion for court appointed expert [268-1] (dkh)
02/08/1996		REMARK-Exhibits in support of motion to retain jurisdiction and motion for court appointed expert (In separate expandable folder on shelf) (dkh)
02/15/1996	270	ORDER by Honorable B. Lynn Winmill granting motion to retain jurisdiction [266-1] (cc: all counsel) (dkh) (Entered: 02/21/1996)
02/22/1996	271	MOTION by def Richard Donovan, Dir H&HS ID to extend time to respond to motion to retain jurisdiction and motion for Court appointed expert (dkh) (Entered: 02/23/1996)
02/22/1996	272	AFFIDAVIT of Janice L. Kroeger regarding motion to extend time to respond to motion to retain jurisdiction and motion for Court appointed expert [271-1] (dkh) (Entered: 02/23/1996)
03/02/1996	273	NOTICE OF PAST DUE RESPONSE TO MOTION for court appointed expert [268-1] ; Response to motion ddl extended to 3/11/96 (dkh) (Entered: 03/04/1996)

03/04/1996	274	MOTION by def Richard Donovan, Dir H&HS ID to extend time to respond to pla's motion to retain jurisdiction and motion for Court appoint expert (dkh) (Entered: 03/05/1996)
03/04/1996	275	AFFIDAVIT of Janice L Kroeger regarding motion to extend time to respond to pla's motion to retain jurisdiction and motion for Court appoint expert [274-1] (dkh) (Entered: 03/05/1996)
03/06/1996	276	ORDER by Honorable B. Lynn Winmill granting motion to extend time to respond to motion to retain jurisdiction and motion for Court appointed expert [271-1] motion for court appointed expert [268-1] ; Response to motion ddl extended to 3/4/96 (cc: all counsel) (dkh) (Entered: 03/07/1996)
03/12/1996	277	ORDER by Magistrate Mikel H. Williams granting motion to extend time to respond to pla's motion to retain jurisdiction and motion for Court appoint expert [274-1] motion for court appointed expert [268-1] ; Response to motion ddl extended to 3/15/96 (cc: all counsel) (dkh) (Entered: 03/15/1996)
03/17/1996	278	MEMORANDUM by def in opposition re: motion for court appointed expert [268-1] (dkh) (Entered: 03/18/1996)
03/17/1996	279	AFFIDAVIT of Kathryn Morris regarding motion for court appointed expert [268-1] (dkh) (Entered: 03/18/1996)
03/17/1996	280	MOTION by defs to extend time to respond to motion to retrain jurisdiction and motion for Court appointed expert (dkh) (Entered: 03/18/1996)
03/27/1996	281	ORDER by Honorable B. Lynn Winmill granting motion to extend time to respond to motion to retrain jurisdiction motion for Court appointed expert [280-1] (cc: all counsel) (dkh)
04/01/1996	282	MOTION by pla to extend time to reply to response pla's motion to retain jurisdiction and motion for Court appointed expert (dkh)
04/01/1996	283	AFFIDAVIT of Howard Belodoff regarding motion to extend time to reply to response pla's motion to retain jurisdiction and motion for Court appointed expert [282-1] (dkh)
04/16/1996	284	MOTION by plas to extend time in which to file a reply to defs response to pla's motion to retain jurisdiction and motion for Court appointed expert (dkh) (Entered: 04/18/1996)
04/16/1996	285	AFFIDAVIT of Howard Belodoff regarding motion to extend time in which to file a reply to defs response to pla's motion to retain jurisdiction and motion for Court appointed expert [284-1] (dkh) (Entered: 04/18/1996)
04/22/1996	286	ORDER by Magistrate Mikel H. Williams granting motion to extend time to reply to response pla's motion to retain jurisdiction and motion for Court appointed expert [282-1], granting motion to extend time in which to file a reply to defs response to pla's motion to retain jurisdiction and motion for Court appointed expert [284-1] (cc: all counsel) (dkh) (Entered: 04/23/1996)
05/01/1996	287	STIPULATION to hold motion for Court appointed expert in abeyance (dkh) (Entered: 05/02/1996)

06/27/1996	288	NOTICE OF TELEPHONE STATUS/SCHEDULING CONFERENCE ; Teleconf set for 9/18/96 8:00 before BLW in Pocatello (cc: all counsel) (dkh)
08/08/1996	289	NOTICE by plas of change of address for counsel, Howard A Belodoff (dkh) (Entered: 08/09/1996)
08/12/1996	290	STATUS REPORT by defs (dkh) (Entered: 08/13/1996)
08/12/1996	290	MOTION by defs to continue status/scheduling conference (dkh) (Entered: 08/13/1996)
08/23/1996	291	ORDER by Honorable B. Lynn Winmill granting motion to continue status/scheduling conference [290-1] ; Teleconf set for 9/18/96 vacated 8/23/96, to be continued at a date subsequent to 10/31/96 (cc: all counsel) (dkh) (Entered: 08/26/1996)
09/12/1996	292	NOTICE OF HEARING ; Telephone Status/Scheduling Conference set for 11/6/96 8:30 before BLW in Boise (cc: all counsel) (dkh)
09/19/1996	293	ORDER by Magistrate Mikel H. Williams finding the motion for court appointed expert [268-1] moot (cc: all counsel) (dkh)
11/06/1996	294	MINUTES OF TELEPHONE STATUS CONFERENCE - Mr. Belodoff to contact Court within 2 weeks to reset status conference after review of monitor's report; Teleconf held 11/6/96 BLW (dkh) (Entered: 11/07/1996)
03/11/1998	295	MOTION by plas for contempt (dkh) (Entered: 03/12/1998)
03/11/1998	296	MEMORANDUM by plas in support of motion for contempt [295-1] (dkh) (Entered: 03/12/1998)
04/07/1998	297	NOTICE OF HEARING on motion for contempt [295-1] set before BLW in Pocatello 2:30 4/13/98 (cc: all counsel) (dkh) (Entered: 04/08/1998)
04/08/1998	298	MOTION by dft to change venue (wm) (Entered: 04/09/1998)
04/08/1998	299	AFFIDAVIT of David W. Lloyd in support of motion to change venue [298-1] (wm) (Entered: 04/09/1998)
04/08/1998	300	MOTION by dft to continue hearing on motion for contempt set for 4/13/98 (wm) (Entered: 04/09/1998)
04/08/1998	301	AFFIDAVIT of David W. Lloyd in support of motion to continue hearing on motion for contempt set for 4/13/98 [300-1] (wm) (Entered: 04/09/1998)
04/13/1998	302	MINUTES OF MOTION FOR CONTEMPT - motion for contempt [295-1] ; hearing held 2:30 4/13/98 ; Status Hrg set for 8:00 5/8/98 BLW (dkh) (Entered: 04/14/1998)
04/15/1998	303	NOTICE by def of withdrawal of motion to continue hearing on motion for contempt set for 4/13/98 [300-1] motion to change venue [298-1] (dkh)
04/27/1998	304	ORDER by Honorable B. Lynn Winmill terminating case referral to Magistrate Mikel H. Williams (cc: all) (dkh) (Entered: 04/29/1998)
12/03/1998	305	COMPLIANCE AGREEMENT AND ORDER by Honorable B. Lynn Winmill pla's motion for contempt resolved [295-1] (cc: all counsel) (dkh) (Entered: 12/03/1998)

		12/04/1998)
12/22/1999	<u>306</u>	NOTICE OF APPEARANCE AND NOTICE OF ATTORNEY SUBSTITUTION: terminating attorney Janice L Kroeger and David W Lloyd for William G Gruzenski, George Bachik, Richard Donovan, Dir H&HS ID and Cecil D Andrus and substituting attorney Jody P Carpenter (dkh)
12/23/1999	<u>307</u>	NOTICE by def of filing Needs Assessment Plan (wm) (Entered: 01/04/2000)
12/23/1999		FILE DIVISION - File # 10 begins with document # 308 (dkh) (Entered: 01/28/2000)
01/21/2000	<u>308</u>	OBJECTION by pla to notice of def's "Needs Assessment Plan" and request for "Implementaion Plan" [307-1] (dkh) (Entered: 01/26/2000)
01/21/2000	<u>308</u>	MOTION by plas for contempt sanctions (dkh) (Entered: 02/14/2000)
01/21/2000	<u>308</u>	MOTION by plas for Court-appointed expert (dkh) (Entered: 02/14/2000)
02/07/2000	<u>309</u>	RESPONSE and objection by defs to pla's objection to def's "Need Assessment Plan" and request for "Implementation Plan" [307-1] (dkh) (Entered: 02/08/2000)
02/13/2000	<u>310</u>	MEMORANDUM by plas in support of motion for contempt sanctions [308-1] (dkh) (Entered: 02/14/2000)
02/13/2000	<u>310</u>	REPLY by plas to def's response to pla's objection to notice of needs assessment plan [308-1] (dkh) (Entered: 02/14/2000)
02/13/2000	<u>311</u>	MEMORANDUM by plas in support of motion for Court-appointed expert [308-1] (dkh) (Entered: 02/14/2000)
02/13/2000	<u>312</u>	MEMORANDUM IN REPLY by plas to def's response to pla's objection and request for implementation plan and in reply to def's response Re: notice [307-1] (dkh) (Entered: 02/14/2000)
02/17/2000	<u>313</u>	RESPONSE by plas to def's response and objection and further request for implementaion plan [308-1] (dkh) (Entered: 02/23/2000)
03/16/2000	<u>314</u>	MEMORANDUM by defs in support of def's objection and response to pla's objection to defs' needs assessment plan and request for implementation pla and pla's other related memorandum filed in this case [307-1] (dkh)
03/16/2000	<u>315</u>	OBJECTION by defs to pla's attempt to join a party (dkh)
03/16/2000	<u>316</u>	MOTION by defs to dismiss for lack of jurisdiction (dkh)
03/16/2000	<u>317</u>	MEMORANDUM by defs in support of motion to dismiss for lack of jurisdiction [316-1] (dkh)
03/16/2000	<u>318</u>	MOTION by defs to vacate the consent decrees (dkh)
03/16/2000	<u>319</u>	MEMORANDUM by defs in support of motion to vacate the consent decrees [318-1] (dkh)
04/03/2000	<u>320</u>	MOTION by plas to extend time to respond to def's motion to vacate consent decrees, motion to dismiss, objection to pla's attempt to join a party and memorandum in support of def's objection, and response to pla's objection to def's

		needs assessment plan and request for implementation plan. (dkh) Modified on 04/07/2000 (Entered: 04/04/2000)
04/03/2000	<u>321</u>	OBJECTION by plas to motion to vacate the consent decrees [318-1], motion to dismiss for lack of jurisdiction [316-1] (dkh) (Entered: 04/07/2000)
04/03/2000	<u>321</u>	MOTION by pla to strike the def's motion to vacate the consent decrees and motion to dismiss as well as related memorandums in support (dkh) (Entered: 04/07/2000)
04/17/2000	<u>322</u>	REPLY by defs to response to motion to vacate the consent decrees [318-1], motion to dismiss for lack of jurisdiction [316-1] (dkh) (Entered: 04/18/2000)
04/17/2000	<u>322</u>	OBJECTION by defs to motion to strike the def's motion to vacate the consent decrees and motion to dismiss as well as related memorandums in support [321-1] (dkh) (Entered: 04/18/2000)
04/25/2000	<u>323</u>	ORDER by Honorable B. Lynn Winmill granting motion to extend time to respond to def's motion to vacate consent decrees, motion to dismiss, objection to pla's attempt to join a party and memorandum in support of def's objection, and response to pla's objection to def's needs assessment plan and request for implementation plan. [320-1], motion to vacate the consent decrees [318-1], motion to dismiss for lack of jurisdiction [316-1] DDL 5/18/00 (cc: all counsel) (dkh) (Entered: 05/01/2000)
04/25/2000		FILE DIVISION - File # 11 begins with document # 324 (dkh) (Entered: 05/03/2000)
05/18/2000	<u>324</u>	REPLY by plas to def's objection to pla's attempt to join a party [315-1] (dkh) (Entered: 05/19/2000)
05/18/2000	<u>325</u>	RESPONSE by plas to def's memorandum in support of motion to dismiss for lack of jurisdiction [316-1] (dkh) (Entered: 05/19/2000)
05/18/2000	<u>326</u>	RESPONSE by plas to memorandum in support of def's motion to vacate the consent decrees [318-1] (dkh) (Entered: 05/19/2000)
06/01/2000	<u>327</u>	MOTION by defs to extend time to respond to defense motions (dkh)
06/20/2000	<u>328</u>	REPLY by defs to response to motion to dismiss for lack of jurisdiction [316-1] (dkh) (Entered: 06/21/2000)
06/20/2000	<u>329</u>	RESPONSE by defs to pla's reply to def's objection to pla's attempt to join a party [315-1] (dkh) (Entered: 06/21/2000)
06/20/2000	<u>330</u>	REPLY by defs to response to motion to vacate the consent decrees [318-1] (dkh) (Entered: 06/21/2000)
07/18/2000	<u>331</u>	REPLY by plas to memorandum in support of def's objection and respons of pla's objection of def's needs assessment plan and request for implementaion plan [307-1] (dkh) (Entered: 07/19/2000)
07/19/2000	<u>332</u>	MOTION by plas and declaration to extend time to file additional response to def's response to pla's response to memorandum in support of def's motion to vacate the consent decrees, motion to dismiss and join a party (dkh) (Entered: 07/20/2000)

07/31/2000	<u>333</u>	OBJECTION by defs to motion to extend time to file additional response to defs response to pla's response to memorandum in support of def's motion to vacate the consent decrees, motion to dismiss and join a party [332-1] (dkh)
07/31/2000	<u>334</u>	OBJECTION by defs to pla's reply to memorandum in support of def's objection and response to pla's objection [307-1] (dkh)
08/10/2000	<u>335</u>	ORDER by Honorable B. Lynn Winmill Re: motion for Court-appointed expert [308-1] and motion for contempt sanctions [308-1] set before BLW in Pocatello 1:00 8/29/00 (cc: all counsel) (dkh) (Entered: 08/11/2000)
08/15/2000	<u>336</u>	MOTION by plas to extend to respond to def's objection to pla's motion and declaration to file additional response to def's reply memoranda (dkh) (Entered: 08/16/2000)
08/23/2000	<u>337</u>	REPLY by plas to response to motion to extend time to file additional response to def's response to pla's response to memorandum in support of def's motion to vacate the consent decrees, motion to dismiss and join a party [332-1] (dkh)
08/27/2000	<u>338</u>	DECLARATION by Margie Stallings re motion for Court-appointed expert [308-1], re motion for contempt sanctions [308-1] (dkh) (Entered: 08/28/2000)
08/29/2000	<u>339</u>	RESPONSE by plas to objection to motion to extend to respond to def's objection to pla's motion and declaration to file additional response to def's reply memoranda [336-1] (dkh)
08/29/2000	<u>340</u>	MINUTES OF PENDING MOTIONS - denying motion to dismiss for lack of jurisdiction [316-1] denying motion to vacate the consent decrees [318-1] denying motion to strike the def's motion to vacate the consent decrees and motion to dismiss as well as related memorandums in support [321-1] granting motion to extend time to respond to defense motions [327-1] granting motion to extend time to file additional response to def's response to pla's response to memorandum in of def's motion to vacate the consent decrees, motion to dismiss and join a party [332-1] taking under advisement on 8/29/00 the motion for contempt sanctions [308-1], taking under advisement on 8/29/00 the motion for Court-appointed expert [308-1], taking under advisement on 8/29/00 the motion to extend to respond to def's objection to pla's motion and declaration to file additional response to def's reply memoranda [336-1] ALL PENDING MOTIONS HEARING HELD BLW (dkh) (Entered: 09/01/2000)
09/28/2000	<u>341</u>	MEMORANDUM, DECISION, AND ORDER: by Honorable B. Lynn Winmill denying motion for Court-appointed expert [308-1], denying motion for contempt sanctions [308-1] granting motion to extend to respond to def's objection to pla's motion and declaration to file additional response to def's reply memoranda [336-1] ; compliance hrg set for 3/26/01 10:00 (cc: all counsel) (dkh) (Entered: 09/29/2000)
09/29/2000	<u>342</u>	NUNC PRO TUNC ORDER by Honorable B. Lynn Winmill denying motion to dismiss for lack of jurisdiction [316-1] denying motion to vacate the consent decrees [318-1] granting motion to extend time to respond to defense motions [327-1] granting motion to extend time to file additional response to def's response to pla's response to memorandum in support of motion to vacate the consent decrees, motion to dismiss and join a party [332-1] (cc: all counsel) (dkh)

		(Entered: 10/02/2000)
10/16/2000	<u>343</u>	MOTION by plas to substitute party (dkh)
10/16/2000	<u>344</u>	AFFIDAVIT of Beverly R Allen of personal service regarding motion to substitute party [343-1] (dkh)
10/19/2000		TRANSCRIPT of proceedings held 8/29/00 (dkh)
10/26/2000	<u>345</u>	NOTICE OF ATTORNEY APPEARANCE for Brent Reinke, Director of the Idaho Dept of Juvenile Corrections by Michael Gilmore and Nancy Bishop (dkh)
10/26/2000	<u>346</u>	MEMORANDUM by Brent Reinke in opposition re: motion to substitute party [343-1] (dkh)
10/26/2000	<u>347</u>	NOTICE OF APPEAL by defendant Cecil D Andrus from Dist. Court decision [341-2] (Receipt # 7844) (rr) (Entered: 11/01/2000)
10/26/2000	<u>348</u>	Petition by defendant Cecil D Andrus for Interlocutory Appeal under the Collateral Order Doctrine. (rr) (Entered: 11/01/2000)
11/01/2000		Appeals packet to 9th Circuit; Attys. (rr)
11/13/2000	<u>349</u>	TRANSCRIPT DESIGNATION and Ordering Form - Transcripts Necessary 8/29/00 (rr)
11/24/2000	<u>350</u>	STIPULATION to extend time to file a plan (dkh) (Entered: 11/27/2000)
11/28/2000	<u>351</u>	ORDER by Honorable B. Lynn Winmill granting stipulation to extend time to file a plan [350-1] ; Case Mgmt ddl set for 1/31/01 (cc: all counsel) (dkh)
01/31/2001	<u>352</u>	STIPULATION to extend time to file a plan (wm) (Entered: 02/01/2001)
02/08/2001	<u>353</u>	ORDER by Honorable B. Lynn Winmill granting stipulation to extend time to file a plan [352-1] ; Case Mgmt ddl set for 2/9/01 (cc: all counsel) (dkh)
02/09/2001	<u>354</u>	NOTICE by defs of submission of implementation plan (dkh) (Entered: 02/12/2001)
02/21/2001	<u>355</u>	ORDER by Honorable B. Lynn Winmill granting motion to substitute party [343-1] finding moot the motion for Interlocutory Appeal under the Collateral Order Doctrine. [348-1] (cc: all counsel) (dkh)
02/21/2001		FILE DIVISION - File # 12 begins with document # 356 (dkh) (Entered: 03/27/2001)
03/09/2001	<u>356</u>	RESPONSE by plas to implementation plan [354-1] (dkh) (Entered: 03/12/2001)
03/09/2001	<u>357</u>	ARGUMENTS in support of terms by Defs (dkh) (Entered: 03/12/2001)
03/23/2001	<u>358</u>	REPLY by plas to defs arguments in support of terms (dkh)
03/26/2001	<u>359</u>	MINUTES OF COMPLIANCE HEARING - ; In-court hearing held 3/26/01 BLW (dkh) (Entered: 03/28/2001)
04/17/2001		TRANSCRIPT of proceedings held 3/26/01 (Compliance Hearing) (dkh)
06/04/2001	<u>360</u>	MEMORANDUM DECISION by Honorable B. Lynn Winmill (wm) (Entered: 06/07/2001)

07/09/2001	<u>361</u>	PROGRESS REPORT by defs, in accordian file not scanned in (wm) Modified on 07/10/2001 (Entered: 07/10/2001)
07/09/2001	<u>362</u>	COMPLIANCE MEMORANDUM by def Brent Reinke (wm) (Entered: 07/10/2001)
07/17/2001	<u>363</u>	NOTICE OF HEARING ;compliance hrg reset for 7/26/01 at 2:00 (cc: all counsel) (wm)
07/17/2001	<u>364</u>	RESPONSE by pla to dfts progress report [361-1], to the Court and compliance memorandum (wm) (Entered: 07/18/2001)
07/19/2001	<u>365</u>	REPLY by defs to progress report [361-1] (wm) (Entered: 07/20/2001)
07/26/2001	<u>366</u>	MINUTES OF COMPLIANCE HEARING - ; compliance hearing reset for 5/13/02 at 10:00 BLW (wm) (Entered: 07/27/2001)
07/27/2001	<u>367</u>	ORDER by Honorable B. Lynn Winmill, status reports are due on 10/26/01, 1/25/02, 4/19/02 (cc: all counsel) (wm)
08/13/2001		TRANSCRIPT of proceedings held 7/26/01 (wm)
10/26/2001	<u>368</u>	SECOND STATUS REPORT by def Brent Reinke (wm) (Entered: 10/29/2001)
10/26/2001	<u>369</u>	PROGRESS REPORT by def Dirk Kempthorne, in accordian file not scanned in (wm) (Entered: 10/29/2001)
11/30/2001	<u>370</u>	MOTION by plas for attorney fees (wm) (Entered: 12/03/2001)
12/12/2001	<u>371</u>	OBJECTION by def to motion for attorney fees [370-1] (wm) (Entered: 12/13/2001)
12/21/2001	<u>372</u>	RESPONSE by plas to defs' objection to plas' motion for attorney fees and request for binding arbitration [370-1] (ja) (Entered: 12/27/2001)
01/08/2002	<u>373</u>	NOTICE OF HEARING ;compliance hrg reset for 5/28/02 at 10:00 (cc: all counsel) (wm) (Entered: 01/09/2002)
01/23/2002	<u>374</u>	CERTIFICATE of Record; cc: attys, 9CCA (rr)
01/23/2002	<u>375</u>	ORDER by Honorable B. Lynn Winmill motion for attorney fees [370-1] (cc: all counsel) (wm)
01/25/2002	<u>376</u>	JANUARY 2002 STATUS REPORT by def Brent Reinke (wm) (Entered: 01/28/2002)
01/25/2002	<u>377</u>	PROGRESS REPORT by defs, in accordian file not scanned in (wm) Modified on 01/28/2002 (Entered: 01/28/2002)
01/29/2002	<u>378</u>	MOTION by defs to extend time to file response brief (wm) (Entered: 01/30/2002)
01/29/2002	<u>379</u>	AFFIDAVIT of Jody P. Carpenter in support of motion to extend time to file response brief [378-1] (wm) (Entered: 01/30/2002)
02/07/2002		FILE DIVISION - File # 13 begins with document # 380 (ja) (Entered: 03/28/2002)

02/08/2002	<u>380</u>	ORDER by Honorable B. Lynn Winmill granting motion to extend time until 2/19/02 to file response brief [378-1] (cc: all counsel) (wm)
02/19/2002	<u>381</u>	MEMORANDUM by def in support of objeciton re motion for atty fees [371-1] (wm) (Entered: 02/20/2002)
03/11/2002	<u>382</u>	PETITION by plas for attorney fees and costs (ja) (Entered: 03/12/2002)
03/11/2002	<u>383</u>	AFFIDAVIT of Howard A. Belodoff in support of petition for attorney fees and costs [382-1] (ja) (Entered: 03/12/2002)
03/11/2002	<u>384</u>	REPLY by pla to defs' memorandum in support of objection to plas' motion for costs and attorney fees [381-1] (ja) (Entered: 03/12/2002)
03/22/2002	<u>385</u>	RESPONSE by plas to dfts compliance efforts and court reports (wm) (Entered: 03/26/2002)
03/22/2002	<u>386</u>	REPLY by pla to response to motion for attorney fees and costs [382-1], motion for attorney fees [370-1] (wm) (Entered: 03/26/2002)
03/26/2002	<u>387</u>	AFFIDAVIT of Kurt Holzer (wm) (Entered: 03/27/2002)
04/19/2002	<u>388</u>	PROGRESS REPORT by def (wm) (Entered: 04/22/2002)
04/19/2002	<u>389</u>	STATUS REPORT by def Brent Reinke for April 2002 (wm) (Entered: 04/22/2002)
04/30/2002	<u>390</u>	MOTION AND STIPULATION by pla to extend time to file reply to dfts third status report filed 4/19/02 (wm) (Entered: 05/01/2002)
05/08/2002	<u>391</u>	ORDER by Honorable B. Lynn Winmill granting motion to extend time until 5/17/02 to file reply to dfts third status report filed 4/19/02 [390-1] (cc: all counsel) (wm)
05/17/2002	<u>392</u>	MOTION by def to extend time to file joint report to the court (wm) (Entered: 05/20/2002)
05/20/2002	<u>393</u>	JOINT REPORT TO THE COURT (wm) (Entered: 05/21/2002)
05/28/2002	<u>394</u>	ORDER by Honorable B. Lynn Winmill granting motion to extend time until 5/20/02 to file joint report to the court [392-1] (cc: all counsel) (wm)
07/26/2002	<u>395</u>	ORDER by Honorable B. Lynn Winmill granting motion for attorney fees that dft shall pay plas in the amount of \$29,627.18 for services rendered by Charles Johnson [370-1], granting motion for attorney fees and costs that dft shall pay plas in the amount of \$74,380.00 for services rendered by Howard A. Belodoff [382-1] (cc: all counsel) (wm)
08/07/2002	<u>396</u>	NOTICE that the costs contained in the plas affidavit in support of petition for award of atty fees are denied (wm)
08/23/2002	<u>397</u>	AUGUST 2002 STATUS REPORT by def Brent Reinke (wm)
08/23/2002	398	PROGRESS REPORT by defs, in accordian file not scanned in (wm) Modified on 08/26/2002 (Entered: 08/26/2002)

10/04/2002	<u>399</u>	NOTICE OF HEARING ; Status Hrg set for 10:00am 11/18/02 in Boise before BLW; another status hrg set for 1/13/03 at 10:00am in Boise before BLW (cc: all counsel) (ja) (Entered: 10/07/2002)
11/15/2002	<u>400</u>	NOTICE OF HEARING that the compliance hearing set for 11/18/02 has been VACATED, the next compliance hearing will be held as scheduled on 1/13/03 at 10:00 in Boise before BLW (cc: all counsel) (ja)
11/20/2002		FILE DIVISION - File # 14 begins with document # 401 (wm) (Entered: 11/26/2002)
11/21/2002	<u>401</u>	NOVEMBER STATUS REPORT by def Brent Reinke (wm) (Entered: 11/22/2002)
11/21/2002	<u>402</u>	PROGRESS REPORT by def (wm) (Entered: 11/22/2002)
01/03/2003	<u>403</u>	NOTICE OF HEARING ;Compliance hrg reset for 1/24/03 2:00 Boise (cc: all counsel) (dkh) (Entered: 01/06/2003)
01/06/2003	<u>404</u>	NOTICE OF HEARING ;compliance hrg reset for 1/23/03 at 1:00 (cc: all counsel) (wm) (Entered: 01/07/2003)
01/22/2003	<u>406</u>	RESPONSE AND OBJECTION by pla to status report [402-1], [401-1], [397-1] and [398-1] (wm) (Entered: 01/27/2003)
01/23/2003	<u>405</u>	MINUTES OF COMPLIANCE HEARING - ; Case Mgmt ddl set for 4/18/03 for parties to file joint report ; hearing held 1/23/03 BLW (wm) (Entered: 01/24/2003)
03/24/2003	<u>407</u>	ORDER of the 9th Circuit vacating submission of this appeal pending decision of U S Supremet Court in Frew vs Gilbert. (rr) (Entered: 03/25/2003)
04/07/2003	<u>408</u>	STIPULATION to file April brief and extend the time to file a matrix (wm) (Entered: 04/08/2003)
04/18/2003	<u>409</u>	ORDER by Honorable B. Lynn Winmill granting stipulation to file April brief and extend the time to file a matrix until 5/27/03 [408-1] ;status hrg set for 6/6/03 at 1:00 (cc: all counsel) (wm)
04/18/2003	410	PROGRESS REPORT by defs, in accordian file not scanned in (wm) Modified on 04/21/2003 (Entered: 04/21/2003)
04/18/2003	<u>411</u>	STATUS REPORT by def Brent Reinke (wm) (Entered: 04/21/2003)
05/27/2003	<u>412</u>	MOTION to extend time to file a matrix , and to vacate and reset the scheduling hearing (wm) (Entered: 05/28/2003)
05/30/2003	<u>413</u>	ORDER by Honorable B. Lynn Winmill granting motion to extend time to file a matrix [412-1], granting motion to vacate and reset the scheduling hearing [412-2] ; in court hrg reset for 6/30/03 at 10:00 (cc: all counsel) (wm)
06/26/2003	414	SUBMISSION OF A COURT MATRIX AND ASSERTION OF RIGHT TO MAKE ARGUMENTS by defs, in accordian file not scanned in (wm) Modified on 06/27/2003 (Entered: 06/27/2003)
06/26/2003	<u>416</u>	PROGRESS REPORT by pla (wm) (Entered: 06/27/2003)

06/27/2003	<u>415</u>	COMPLIANCE OUTLINE by pla, in accordian file not scanned in (wm)
06/30/2003	<u>417</u>	MINUTES OF STATUS HEARING - ;hearing held 6/30/03 BLW (wm) (Entered: 07/01/2003)
09/26/2003	<u>418</u>	NOTICE by plas of change of address (wm) (Entered: 09/29/2003)
01/29/2004		comment, transcript for hearing held 8/29/00 fed exed out (wm)
05/10/2004	<u>419</u>	NOTICE OF HEARING ; Teleconf set for 5/12/04 at 1:00 (cc: all counsel) (wm)
05/21/2004	<u>420</u>	MANDATE from Circuit Court of Appeals affirming the decision of the District Court on appeal [347-1] (wm)
05/28/2004	<u>421</u>	STIPULATION for preliminary scheduling plan (wm) (Entered: 06/01/2004)
06/10/2004	<u>422</u>	NOTICE OF STATUS CONFERENCE ; Status Conference set for 1:00 7/16/04 before BLW in Boise (wm)
07/15/2004	<u>423</u>	ORDER of the 9th Circuit re attys fees (wm)
07/16/2004	<u>424</u>	ORDER SETTING BRIEFING SCHEDULE by Honorable B. Lynn Winmill ; Status Conference held 7/16/04 ; hearing set for 8/23/04 at 8:00, initial briefs are due by 8/6/04, replys are due by 8/16/04 (cc: all counsel) (wm)
07/16/2004	<u>425</u>	MINUTES OF STATUS CONFERENCE - ; Case Mgmt ddl set for 8/6/04 for plas brief to be filed, dfts brief is due by 8/16/04 BLW (wm) (Entered: 07/22/2004)
07/16/2004	<u>426</u>	AMENDED MINUTES OF STATUS CONFERENCE - initial briefs are due 8/6/04 and reply briefs are due 8/16/04 [425-2] BLW (ja) (Entered: 07/28/2004)
08/06/2004	<u>427</u>	JOINDER by def Brent Reinke joining in opposition to appointment of special master (wm)
08/06/2004	<u>428</u>	OBJECTIONS by dfts Dirk Kempthorne, Karl Kurtz re a special master (wm)
08/06/2004	<u>429</u>	MEMORANDUM by pla in support of motion to appoint special master (wm) (Entered: 08/10/2004)
08/16/2004	<u>430</u>	RESPONSE by defs Dirk Kempthorne and Karl Kurtz in support of appointment of a special master and/or court appointed expert[429-1] (ja) (Entered: 08/17/2004)
08/16/2004	<u>431</u>	JOINDER by def Brent Reinke joining other defs' response to plas' memorandum in support of appointment of a special master and/or court appointed expert [430-1] (ja) (Entered: 08/17/2004)
08/16/2004	<u>432</u>	REPLY by pla to defs' objection regarding a special master [428-1] (ja) (Entered: 08/17/2004)
08/23/2004	<u>433</u>	MINUTES OF MOTION HEARING - on motion to appoint special master (no motion on file) taken under advisement, BLW (wm)
08/25/2004	<u>434</u>	ORDER by Honorable B. Lynn Winmill to show cause hrg set for 9/10/04 2:30 Boise (cc: all counsel) (dkh) (Entered: 08/26/2004)

09/03/2004	<u>435</u>	JOINDER by defendant Brent Reinke joining response [430-1] (wm) (Entered: 09/07/2004)
09/03/2004	<u>436</u>	RESPONSE by plaintiff re: order to show cause [434-2] (wm) (Entered: 09/07/2004)
09/03/2004	<u>437</u>	RESPONSE by Dirk Kempthorne, Karl Kurtz re: order to show cause [434-2] (wm) (Entered: 09/07/2004)
09/09/2004	<u>439</u>	REPLY by plaintiff to response to order to show why the court should not appoint an expert witness, in accordian file not scanned in (wm) Modified on 09/13/2004 (Entered: 09/13/2004)
09/10/2004	<u>438</u>	MINUTES OF HEARING ON ORDER TO SHOW CAUSE - taking under advisement on 9/10/04 the order [434-2] ; In-court hearing held 9/10/04 BLW (wm) (Entered: 09/13/2004)
10/27/2004	<u>440</u>	ORDER by Honorable B. Lynn Winmill ; Case Mgmt ddl set for 11/30/04 for statements and briefs to be filed (cc: all counsel) (wm)
10/28/2004	<u>441</u>	ORDER by Honorable B. Lynn Winmill ; Case Mgmt ddl set for 11/30/04 for parties to file joint statement (cc: all counsel) (wm) (Entered: 11/01/2004)
11/10/2004	<u>442</u>	WITNESS list by dfts Dirk Kempthorne, Karl Kurtz (wm) (Entered: 11/12/2004)
11/10/2004	<u>443</u>	WITNESS list by plaintiff (wm) (Entered: 11/12/2004)
11/23/2004	<u>444</u>	STIPULATION AND ORDER by Honorable B. Lynn Winmill :the parties have until 12/17/04 to file their "bullet points" (cc: all counsel) (wm) (Entered: 11/24/2004)
12/17/2004	<u>445</u>	Statement on the status of the joint statement to the court filed by dfts Dirk Kempthorne, Karl Kurtz. (wm,) (Entered: 12/23/2004)
12/20/2004	<u>446</u>	Parties Joint Statement (wm,) (Entered: 12/23/2004)
12/23/2004	<u>447</u>	NOTICE by Brent Reinke of correction of clerical errors in matrix (wm,) (Entered: 12/24/2004)
12/28/2004	<u>448</u>	BRIEF re expert witness testimony filed by Brent Reinke. (wm,) (Entered: 01/02/2005)
12/30/2004	<u>449</u>	MEMORANDUM ON EXPERT REVIEW filed by dfts Dirk Kempthorne, Karl Kurtz. (wm,) (Entered: 01/02/2005)
12/30/2004	<u>450</u>	MEMORANDUM in response to <u>440</u> Order, filed by John M, Jeff D, Paula E, Dusty R. (wm,) (Entered: 01/03/2005)
07/27/2005	<u>451</u>	ORDER Informal Status Conference set for 8/10/2005 08:30 AM in Boise, ID before Honorable B. Lynn Winmill.. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
08/01/2005	<u>452</u>	Notice of Status Conference Status Conference reset for 8/22/2005 09:00 AM in Boise, ID before Honorable B. Lynn Winmill. All counsel shall appear in person. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,

) Modified on 8/2/2005 to note that the previous status conference scheduled for 8/10/2005 has been vacated per Susie Boring-Headlee (jlg,).
08/23/2005	<u>453</u>	CASE MANAGEMENT ORDER Informal Status Conference set for 12/12/2005 09:00 AM in Boise, ID before Honorable B. Lynn Winmill. Joint stipulation of undisputed facts due by 1/6/2006. Opening briefs due by 1/27/2006. Response to opening briefs due on or before 2/10/2006. Oral arguments on briefs set for 2/24/2006 1:00 PM in Boise, ID before Honorable B. Lynn Winmill.. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
09/06/2005	<u>454</u>	NOTICE by Dirk Kempthorne, Karl Kurtz re <u>453</u> Order,,, Set Hearings,, <i>of Compliance</i> (Carlson, James)
09/06/2005	<u>455</u>	STIPULATION <i>Re: Documents</i> by Dirk Kempthorne, Karl Kurtz, John M, Jeff D, Paula E, Dusty R. (Carlson, James)
09/06/2005	<u>456</u>	NOTICE by Dirk Kempthorne, Karl Kurtz, John M, Jeff D, Paula E, Dusty R <i>of Confidentiality Agreement</i> (Carlson, James)
11/16/2005	<u>457</u>	ORDER granting <u>455</u> Stipulation to reorganize discovery documents by "action item" numbers filed by John M,, Jeff D,, Paula E,, Dusty R,, Dirk Kempthorne,, Karl Kurtz, . Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by wm,)
11/16/2005	<u>458</u>	ORDER REGARDING DOCUMENTS, that the confidentiality agreement filed by the parties remain and the discovery documents remain confidential. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by wm,)
01/06/2006	<u>459</u>	STIPULATION <i>of facts</i> by Karl Kurtz. (Attachments: # <u>1</u> Appendix Matrix of stipulated facts)(Belodoff, Howard)
01/27/2006	<u>460</u>	First MOTION to Seal Document <i>of Data CDs with confidential information provided to show compliance</i> by Karl Kurtz. Responses due by 2/21/2006 (Carpenter, Jody)
01/27/2006	<u>461</u>	Second MOTION to Seal <i>Order granting the first Motion to Seal the Documents</i> by Karl Kurtz. Responses due by 2/21/2006 (Carpenter, Jody)
01/27/2006	<u>462</u>	First MOTION for Relief <i>From Recommendation 23 and DJC Director Reinke's Brief on the Undisputed Facts</i> by Brent Reinke. Responses due by 2/21/2006 (Attachments: # <u>1</u> Declaration of Ryan Hulbert, Ph.D.# <u>2</u> Declaration of Ryan Hulbert, Ph.D.# <u>3</u> Declaration of Ryan Hulbert, Ph.D.# <u>4</u> Declaration of Tony Meatte)(Gilmore, Michael)
01/27/2006	<u>463</u>	MEMORANDUM/BRIEF re <u>453</u> Order,,, Set Hearings,, filed by John M, Jeff D, Paula E, Dusty R <i>On Defendants' Compliance</i> . (Belodoff, Howard)
01/27/2006	<u>464</u>	MEMORANDUM/BRIEF re <u>463</u> Memorandum/Brief (generic) filed by John M, Jeff D, Paula E, Dusty R <i>Exhibits In Support of Memorandum on Defendants' Compliance</i> . (Belodoff, Howard)

01/27/2006	<u>465</u>	Statement Plaintiffs' Statement of Undisputed Facts filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
01/27/2006	<u>466</u>	MEMORANDUM/BRIEF re <u>459</u> Stipulation filed by Karl Kurtz <i>Defendants' Statement of undisputed facts and compliance.</i> (Carpenter, Jody)
01/30/2006		CORRECTIVE ENTRY - The entry docket number <u>461</u> Second MOTION to Seal <i>Order granting the first Motion to Seal the Documents</i> filed by Karl Kurtz, was filed incorrectly in this case. This document is a proposed order, not a motion. The filing party shall e-mail the proposed order to Judge Winmill's proposed order e-mail box. Clerk to terminate the motion. (jlg,)
01/30/2006		CORRECTIVE ENTRY - The entry docket number <u>464</u> Memorandum/Brief filed by John M,, Jeff D,, Paula E,, Dusty R, was filed incorrectly in this case. The filing party shall re-submit their correct filing using the event "supplement" located under "other documents" and link the exhibits to the document which it supports. In the future, exhibits should be filed as attachments to the main document. (jlg,)
02/03/2006	<u>467</u>	SUPPLEMENT by Defendant Karl Kurtz re <u>466</u> Memorandum/Brief (generic) <i>Supplement to Defendants' statement of undisputed facts.</i> (Carpenter, Jody) Exhibits are too voluminous to scan. Exhibits are on the shelf in the Clerk's office (jlg,).
02/07/2006	<u>468</u>	DOCKET ENTRY ORDER - Pending before the Court is Defendants motion to seal. (Docket No. 460). The Court having reviewed the pleadings shall grant the motion. It is hereby ordered that the four (4) Compact Disks filed on January 27, 2006, by Defendants, containing the compliance documentation in this matter, shall be sealed. Signed by Judge B. Lynn Winmill. (sbh)
02/10/2006	<u>469</u>	RESPONSE re <u>465</u> Statement filed by Brent Reinke <i>In Response to Plaintiffs' Statement of Undisputed Facts.</i> (Attachments: # <u>1</u> Affidavit Ryan Hulbert, Ph.D.# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C# <u>5</u> Exhibit D)(Gilmore, Michael)
02/10/2006	<u>470</u>	RESPONSE filed by Karl Kurtz <i>Defendants' response to Plaintiffs' statement and memorandum on the undisputed facts.</i> (Carpenter, Jody) Modified on 2/13/2006 to link to docket no. <u>463</u> Memorandum (jlg,).
02/10/2006	<u>471</u>	MEMORANDUM in Opposition re <u>462</u> First MOTION for Relief <i>From Recommendation 23 and DJC Director Reinke's Brief on the Undisputed Facts Response to</i> filed by John M, Jeff D, Paula E, Dusty R. Replies due by 2/27/2006. (Belodoff, Howard)
02/10/2006	<u>472</u>	Response to Defendants Statement of Undisputed Facts and Objection filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard) Modified on 2/13/2006 to link to docket no. <u>466</u> (jlg,).
02/10/2006	<u>473</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R <i>Exhibits 5-10.</i> (Belodoff, Howard) Modified on 2/16/2006 to link to <u>472</u> (jlg,).
02/10/2006	<u>474</u>	DECLARATION of Parent of EW re <u>472</u> Statement filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
02/10/2006	<u>475</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R <i>Exhibit 4 part 1.</i> (Belodoff, Howard) Modified on 2/16/2006 to link to <u>472</u> (jlg,).

02/10/2006	<u>476</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R <i>Exhibit part 2</i> . (Belodoff, Howard) Modified on 2/16/2006 to link to <u>472</u> (jlg,). (Entered: 02/11/2006)
02/11/2006	<u>477</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R <i>Exhibit 4 part 3</i> . (Belodoff, Howard) Modified on 2/16/2006 to link to <u>472</u> (jlg,).
02/11/2006	<u>478</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R <i>Exhibit 4d</i> . (Belodoff, Howard) Modified on 2/16/2006 to link to <u>472</u> (jlg,).
02/11/2006	<u>479</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R <i>Amended Exhibit 8</i> . (Belodoff, Howard) Modified on 2/16/2006 to link to <u>472</u> (jlg,).
02/23/2006	<u>480</u>	MOTION to Strike 474 Affidavit <i>Objection and Motion to Strike</i> by Karl Kurtz. Responses due by 3/20/2006 (Attachments: # <u>1</u> Exhibit A Defendants' Interrogatories to Plaintiffs)(Carpenter, Jody)
02/23/2006	<u>481</u>	RESPONSE filed by John M, Jeff D, Paula E, Dusty R <i>Reply to Defendants Response to Plaintiffs Memorandum</i> . (Attachments: # <u>1</u> Exhibit 11# <u>2</u> Exhibit 11# <u>3</u> Exhibit 12# <u>4</u> Exhibit 13# <u>5</u> Exhibit 14# <u>6</u> Exhibit 14# <u>7</u> Exhibit 14# <u>8</u> Exhibit 14# <u>9</u> Exhibit 14# <u>10</u> Exhibit 15)(Belodoff, Howard)
02/23/2006	<u>482</u>	MOTION for Attorney Fees <i>Petition for Attorney Fees</i> by John M, Jeff D, Paula E, Dusty R. Responses due by 3/13/2006 (Belodoff, Howard)
02/23/2006	<u>483</u>	AFFIDAVIT of Howard Belodoff filed by John M, Jeff D, Paula E, Dusty R <i>In Support of Petition for Attorney Fees</i> . (Belodoff, Howard)
02/23/2006	<u>484</u>	DECLARATION of Parent of EW filed by John M, Jeff D, Paula E, Dusty R <i>In Support of Petition for Attorney Fees</i> . (Belodoff, Howard)
02/24/2006	<u>485</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Oral argument re Joint Stipulation of Undisputed Facts held on 2/24/2006. Defendants are to file within 5 days their 5 page replies to defendants response to Motion (doc 462). Thereafter, plaintiff to have 5 days to file a 5 page surreply. In Person Scheduling Conference set for 3/20/2006 01:30 PM in Boise, ID before Honorable B. Lynn Winmill. (Court Reporter Stacy Heinz.) (lg,)
02/24/2006	<u>486</u>	NOTICE of Hearing: Scheduling Conference set for 3/20/2006 01:30 PM in Boise, ID before Honorable B. Lynn Winmill. (Attachments: # <u>1</u> Litigation Plan)(caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lg,)
02/28/2006	<u>487</u>	REPLY MEMORANDUM in Support re <u>462</u> First MOTION for Relief <i>From Recommendation 23 and DJC Director Reinke's Brief on the Undisputed Facts</i> filed by Brent Reinke. (Gilmore, Michael)
02/28/2006	<u>488</u>	AFFIDAVIT of Charles Johnson re <u>482</u> MOTION for Attorney Fees <i>Petition for Attorney Fees</i> filed by Jeff D. (Attachments: # <u>1</u> Exhibit Fee Bill# <u>2</u> Exhibit Fee Bill)(Johnson, L)
03/09/2006	<u>489</u>	SUR RESPONSE to Motion re <u>462</u> First MOTION for Relief <i>From Recommendation 23 and DJC Director Reinke's Brief on the Undisputed Facts Sur Response to DJC Reply Memorandum</i> filed by John M, Jeff D, Paula E, Dusty R. Replies due by 3/23/2006. (Attachments: # <u>1</u> Appendix)(Belodoff, Howard)

03/20/2006	<u>490</u>	SCHEDULING CONFERENCE FORM - LITIGATION PLAN by Dirk Kempthorne, Karl Kurtz, Brent Reinke. (Carlson, James)
03/20/2006	<u>491</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Scheduling Conference held on 3/20/2006. Court will issue an appropriate scheduling order. (Court Reporter Stacy Heinz.) (lg,)
03/21/2006	<u>492</u>	NOTICE by Dirk Kempthorne, Karl Kurtz <i>of Addition of Counsel</i> (Carlson, James)
03/21/2006	<u>493</u>	RESPONSE re <u>474</u> Affidavit filed by Dirk Kempthorne, Karl Kurtz <i>Objection to Declaration of Parent of E.W.</i> . (Carlson, James)
03/21/2006	<u>494</u>	WITHDRAWAL OF DOCUMENT re: <u>480</u> MOTION to Strike <u>474</u> Affidavit <i>Objection and Motion to Strike</i> filed by Karl Kurtz,. (Carlson, James)
03/24/2006	<u>495</u>	STIPULATION re <u>482</u> MOTION for Attorney Fees <i>Petition for Attorney Fees</i> by Dirk Kempthorne, Karl Kurtz. (Carlson, James)
03/24/2006	<u>496</u>	STIPULATION re <u>482</u> MOTION for Attorney Fees <i>Petition for Attorney Fees</i> by Dirk Kempthorne, Karl Kurtz. (Carlson, James)
03/30/2006		CORRECTIVE ENTRY - The entry docket number <u>496</u> Stipulation filed by Dirk Kempthorne, Karl Kurtz appears to be a duplicate of dkt #495 and as such dkt #496 is mooted. Please disregard it. (ja)
03/31/2006		CORRECTIVE ENTRY - The Corrective Entry from 3/30/2006 was filed in error. Reinstate stipulation <u>496</u> , it is not a duplicate of stipulation <u>495</u> . (jlg,)
04/03/2006	<u>497</u>	ORDER re <u>495</u> and <u>496</u> Stipulation re: Attorney Fees and Expenses. Mr. Johnson shall be awarded fees in the amount of \$16,627.50 and Mr. Belodoff is awarded fees in the amount of \$54,844.50. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
04/07/2006	<u>498</u>	MEMORANDUM in Support re <u>462</u> First MOTION for Relief <i>From Recommendation 23 and DJC Director Reinke's Brief on the Undisputed Facts (Supplemental Memorandum)</i> filed by Brent Reinke. (Gilmore, Michael)
04/14/2006	<u>499</u>	RESPONSE filed by John M, Jeff D, Paula E, Dusty R <i>Reply to Objection to Declaration of Parent of E.W.</i> . (Belodoff, Howard) Modified on 4/17/2006 to link to <u>474</u> Declaration of Parents of EW (jlg,).
04/14/2006	<u>500</u>	RESPONSE to Motion re <u>462</u> First MOTION for Relief <i>From Recommendation 23 and DJC Director Reinke's Brief on the Undisputed Facts Response to Supplemental Memorandum in Support of Motion for Relief From Recommendation 23</i> filed by John M, Jeff D, Paula E, Dusty R. Replies due by 4/28/2006. (Belodoff, Howard) Modified on 4/17/2006 to link to <u>498</u> Supplemental Memorandum (jlg,).
04/25/2006	<u>501</u>	CASE MANAGEMENT ORDER Discovery due by 7/15/2006. Motions due by 7/1/2006. Bench Trial set for 9/5/2006 01:30 PM in Boise, ID before Honorable B. Lynn Winmill.. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by dkh,)

04/28/2006	<u>502</u>	MEMORANDUM DECISION AND ORDER determining DHW and DJC compliance and/or non-compliance with certain Action Items. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
06/23/2006	<u>503</u>	MOTION to Continue <i>Motion for Extension of Time and Continuance</i> by John M, Jeff D, Paula E, Dusty R. Responses due by 7/17/2006 (Belodoff, Howard)
06/23/2006	504	Sealed Document Re: 503 MOTION to Continue <i>Motion for Extension of Time and Continuance</i> . (Belodoff, Howard)
06/23/2006	505	Sealed Document. (Belodoff, Howard) Modified on 6/26/2006 to note that this document is a duplicate to sealed document <u>504</u> (jlg,).
06/23/2006	506	SEALED MOTION <i>Motion to Seal</i> by John M, Jeff D, Paula E, Dusty R. Responses due by 7/17/2006 (Belodoff, Howard)
06/28/2006	<u>507</u>	RESPONSE to Motion re <u>506</u> SEALED MOTION <i>Motion to Seal</i> , <u>503</u> MOTION to Continue <i>Motion for Extension of Time and Continuance</i> filed by Dirk Kempthorne, Karl Kurtz. Replies due by 7/13/2006. (Carlson, James)
06/29/2006	<u>508</u>	ORDER denying <u>503</u> Motion for Extension of Time and Continuance, granting <u>506</u> Motion to Seal. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,) (Entered: 06/30/2006)
07/03/2006	<u>509</u>	First MOTION for Partial Summary Judgment <i>on All Remaining Issues</i> by Brent Reinke. Responses due by 7/27/2006 (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Declaration of DJC Director Brent Reinke# <u>3</u> Exhibit Action Item 1I# <u>4</u> Exhibit Action Item 3F# <u>5</u> Exhibit Action Item 42D)(Gilmore, Michael)
07/03/2006	<u>510</u>	MOTION for Summary Judgment by Dirk Kempthorne, Karl Kurtz. Responses due by 7/27/2006 (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Affidavit of Chuck Halligan - Part 1# <u>3</u> Affidavit of Chuck Halligan - Part 2# - (this affidavit has incomplete pages, the party shall refile this affidavit part 2 only) (4) Affidavit of Chuck Halligan - Part 3# <u>5</u> Affidavit of Chuck Halligan - Part 4# <u>6</u> Affidavit of Chuck Halligan - Part 5# <u>7</u> Affidavit of Chuck Halligan - Evidentiary# <u>8</u> Affidavit of Lynn Richter# <u>9</u> Affidavit of Jeanne Goodenough# <u>10</u> Affidavit of Mary Bostick# <u>11</u> Affidavit of Chandra Story# <u>12</u> Affidavit of David Butler# <u>13</u> Affidavit Ross Edmonds# <u>14</u> Affidavit Jody Carpenter)(Carlson, James) Modified on 8/14/2006 re attachment 3(wm,).
07/03/2006	<u>511</u>	MOTION to Seal <i>and Order</i> by Dirk Kempthorne, Karl Kurtz. Responses due by 7/27/2006 (Carlson, James)
07/03/2006	<u>512</u>	NOTICE by Dirk Kempthorne, Karl Kurtz <i>of Filing Four (4) CD's with the Court (Exhibits to Defendants' Motion for Summary Judgment filed on 7/3/06)</i> (Carlson, James) Modified on 7/5/2006 to note that the 4 CD's are on the shelf in the Clerk's Office; these documents are sealed (jlg,).
07/06/2006	<u>513</u>	SUPPLEMENT by Defendants Dirk Kempthorne, Karl Kurtz re <u>510</u> MOTION for Summary Judgment. (Attachments: # <u>1</u> Exhibit 1B.5a# <u>2</u> Exhibit 1B.5b# <u>3</u> Exhibit 1L.2# <u>4</u> Exhibit 1L.1# <u>5</u> Exhibit 1L.1a# <u>6</u> Exhibit 1L.1aa# <u>7</u> Exhibit 1L.1b# <u>8</u> Exhibit 1L.1c# <u>9</u> Exhibit 1L.1d# <u>10</u> Exhibit 1L.1e# <u>11</u> Exhibit 1L.1f# <u>12</u>

		Exhibit 1L.1g# <u>13</u> Exhibit 1M.2)(Carlson, James)
07/06/2006	<u>514</u>	SUPPLEMENT by Defendants Dirk Kempthorne, Karl Kurtz re <u>510</u> MOTION for Summary Judgment. (Attachments: # <u>1</u> Exhibit 3C.1# <u>2</u> Exhibit 4A.2# <u>3</u> Exhibit 4J.2# <u>4</u> Exhibit 4K.2# <u>5</u> Exhibit 10A.3# <u>6</u> Exhibit 10A.3a# <u>7</u> Exhibit 10A.3b# <u>8</u> Exhibit 10A.3c# <u>9</u> Exhibit 10A.3d# <u>10</u> Exhibit 14B.2# <u>11</u> Exhibit 17B.3, 17B.5a, 17B.5b)(Carlson, James)
07/06/2006	<u>515</u>	SUPPLEMENT by Defendants Dirk Kempthorne, Karl Kurtz re <u>510</u> MOTION for Summary Judgment. (Attachments: # <u>1</u> Exhibit 18B.6# <u>2</u> Exhibit 26D.1# <u>3</u> Exhibit 30A.1# <u>4</u> Exhibit 30A.3# <u>5</u> Exhibit 33E.2# <u>6</u> Exhibit 34B.3# <u>7</u> Exhibit 34B.4# <u>8</u> Exhibit 34B.5# <u>9</u> Exhibit 39A.7a# <u>10</u> Exhibit 39A.7b# <u>11</u> Exhibit 39A.7c# <u>12</u> Exhibit 43A.3# <u>13</u> Exhibit 49I.2)(Carlson, James)
07/07/2006	<u>516</u>	MOTION for Reconsideration of <u>508</u> Order by John M, Jeff D, Paula E, Dusty R. Responses due by 7/31/2006 (Belodoff, Howard) Modified on 7/12/2006 to link to order (jlg,).
07/07/2006	<u>517</u>	MEMORANDUM/BRIEF re <u>516</u> MOTION for Reconsideration filed by John M, Jeff D, Paula E, Dusty R <i>Memorandum in support of Motion for Reconsideration.</i> (Belodoff, Howard)
07/07/2006	<u>518</u>	MOTION to Seal by John M, Jeff D, Paula E, Dusty R. Responses due by 7/31/2006 (Belodoff, Howard)
07/07/2006	<u>519</u>	Sealed Document Re: <u>516</u> MOTION for Reconsideration, <u>518</u> MOTION to Seal. (Belodoff, Howard)
07/07/2006	<u>520</u>	Sealed Document Re: <u>516</u> MOTION for Reconsideration, <u>518</u> MOTION to Seal. (Belodoff, Howard)
07/07/2006	<u>521</u>	NOTICE to Take Deposition of Angela Hicks on 7/11/2006 by Dirk Kempthorne, Karl Kurtz.(Carlson, James)
07/07/2006	<u>522</u>	NOTICE to Take Deposition of Monica Kalar on 7/14/2006 by Dirk Kempthorne, Karl Kurtz.(Carlson, James)
07/07/2006	<u>523</u>	NOTICE to Take Deposition of Jeanine Lindhorst on 7/14/2006 by Dirk Kempthorne, Karl Kurtz.(Carlson, James)
07/07/2006	<u>524</u>	NOTICE to Take Deposition of Christina Lymberopoulos on 7/13/2006 by Dirk Kempthorne, Karl Kurtz.(Carlson, James)
07/07/2006	<u>525</u>	NOTICE to Take Deposition of Diane Sheridan on 7/11/2006 by Dirk Kempthorne, Karl Kurtz.(Carlson, James)
07/07/2006	<u>526</u>	NOTICE to Take Deposition of John Tripplett on 7/13/06 by Dirk Kempthorne, Karl Kurtz.(Carlson, James)
07/07/2006	<u>527</u>	NOTICE to Take Deposition of Michael Wagner on 7/13/2006 by Dirk Kempthorne, Karl Kurtz.(Carlson, James)
07/07/2006	<u>528</u>	NOTICE to Take Deposition of Karen Weppner on 7/14/2006 by Dirk Kempthorne, Karl Kurtz.(Carlson, James)

07/10/2006	529	DOCKET ENTRY NOTICE of Hearing: In Person Pretrial Conference set for 8/22/2006 at 8:30 AM HAS BEEN RESCHEDULED BY THE COURT FOR 8/21/2006 09:00 AM in Boise, ID before Honorable B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lg,)
07/10/2006	<u>530</u>	RESPONSE to Motion re <u>516</u> MOTION for Reconsideration <i>Extension of Time</i> filed by Dirk Kempthorne, Karl Kurtz. Replies due by 7/24/2006. (Attachments: # <u>1</u> Affidavit James D. Carlson)(Carlson, James)
07/10/2006	<u>531</u>	ORDER granting <u>511</u> Motion to Seal the four Compact Disks (sealed contents of docket entry no. 512). Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,) (Entered: 07/11/2006)
07/12/2006	532	DOCKET ENTRY ORDER - It is hereby ordered that Plaintiffs' Motion for Reconsideration of Order Denying Extension of Time and Continuance (Docket No. 516) is Granted in part and Denied in Part. Plaintiffs' request for an extension of time to respond to Defendant's motion for summary judgment shall be granted and Plaintiffs shall have a one week extension in which to file their response. Plaintiffs' request for an extension of the discovery cut-off and trial dates shall be denied. Additionally, the hearing on the Motion for Summary Judgment shall be conducted on August 21, 2006 at 10:00 a.m. at the U.S. Federal Courthouse in Boise, Idaho. The pretrial conference in the case will commence following oral argument on the motion for summary judgment. Finally, Charles Johnson shall remain involved in this case even though his involvement may be limited and the State disapproves of his involvement for financial reasons. Signed by Judge B. Lynn Winmill.(sbh)
07/12/2006		Pursuant to docket entry order (doc 532) the pretrial conference currently scheduled for 8/21/2006 at 9:00 is vacated and will be conducted immediately following the oral argument on summary judgement motions on 8/21/2006 at 10:00. (lg,)
07/12/2006	533	DOCKET ENTRY ORDER - The parties filed Stipulations in this matter regarding Attorney Fees. (Docket Nos. 495 and 496). Docket No. 497 Adopted the Stipulations, but did not specifically address Docket No. 482. However, due to the filing of Docket No. 497 order, Docket No. 482 is deemed moot. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
07/18/2006	534	DOCKET ENTRY ORDER - Pending before the Court is Plaintiffs' Motion to Seal (Docket No. 518). The Court having reviewed the pleadings shall grant the motion. It is hereby ordered that the Declaration of Paul Montalbono, M.D. (Docket No. 519), and the Declaration of Howard Belodoff in Support of the Motion for Reconsideration for Extension of Time and Continuance (Docket No. 520) shall be sealed. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
07/25/2006	<u>535</u>	MOTION to Expedite <i>Expedited Motion to Strike the Defendants' Motions for Summary Judgment</i> by John M, Jeff D, Paula E, Dusty R. Responses due by

		8/18/2006 (Attachments: # <u>1</u> Memorandum in Support of Expedited Motion to Strike Defendants' Motions for Summary Judgment)(Belodoff, Howard)
07/26/2006	<u>536</u>	MEMORANDUM in Opposition re <u>535</u> MOTION to Expedite <i>Expedited Motion to Strike the Defendants' Motions for Summary Judgment</i> filed by Dirk Kempthorne, Karl Kurtz. Replies due by 8/9/2006. (Attachments: # <u>1</u> Affidavit James D. Carlson# <u>2</u> Affidavit Barbara Beehner-Kane# Affidavit Dondalee Southern)(Carlson, James)
07/27/2006	<u>537</u>	REPLY to Response to Motion re <u>535</u> MOTION to Expedite <i>Expedited Motion to Strike the Defendants' Motions for Summary Judgment</i> filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
08/05/2006	<u>538</u>	Statement Response to Defendants' Affidavits and Statement of Disputed Facts in Opposition to Motion for Summary Judgment filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
08/05/2006	<u>539</u>	RESPONSE to Motion re <u>509</u> First MOTION for Partial Summary Judgment <i>on All Remaining Issues</i> , <u>510</u> MOTION for Summary Judgment filed by John M, Jeff D, Paula E, Dusty R. Replies due by 8/18/2006. (Belodoff, Howard)
08/05/2006	<u>540</u>	MOTION for Leave to File Excess Pages by John M, Jeff D, Paula E, Dusty R. Responses due by 8/29/2006 (Attachments: # <u>1</u>)(Belodoff, Howard)
08/07/2006		CORRECTIVE ENTRY - The entry docket number <u>538</u> Statement filed by John M., Jeff D., Paula E., Dusty R, was filed incorrectly in this case. The filing party shall re-submit their correct filing using the event "response to motion" located under "responses and replies" and link it to the motion which it relates to <u>510</u> . (jlg,)
08/07/2006	<u>541</u>	ORDER A three-week Bench Trial set for 9/5/2006 01:30 PM in Boise, ID before Honorable B. Lynn Winmill. An in-person Pretrial Conference set for 8/23/2006 08:30 AM in Boise, ID before Honorable B. Lynn Winmill.. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
08/07/2006	<u>542</u>	DECLARATION of Angela Hicks re <u>539</u> Response to Motion, <u>538</u> Statement filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
08/07/2006	<u>543</u>	DECLARATION of Christina Lymberopoulos re <u>539</u> Response to Motion, <u>538</u> Statement filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
08/07/2006	<u>544</u>	DECLARATION of John Triplett re <u>539</u> Response to Motion, <u>538</u> Statement filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
08/07/2006	<u>545</u>	DECLARATION of Karen Weppner re <u>539</u> Response to Motion, <u>538</u> Statement filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
08/07/2006	<u>546</u>	DECLARATION of Erik Bruns re <u>538</u> Statement, <u>539</u> Response to Motion filed by John M, Jeff D, Paula E, Dusty R. (Attachments: # <u>1</u> Exhibit Vitae (Belodoff, Howard) Modified on 8/8/2006 to refile exhibit (attachment was upside down) (jlg,). (Entered: 08/08/2006)
08/08/2006	<u>547</u>	DECLARATION of Courtney Lester re <u>539</u> Response to Motion, <u>538</u> Statement filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)

08/08/2006	<u>548</u>	RESPONSE to Motion re <u>509</u> First MOTION for Partial Summary Judgment <i>on All Remaining Issues</i> filed by John M, Jeff D, Paula E, Dusty R. Replies due by 8/22/2006. (Belodoff, Howard)
08/08/2006	<u>549</u>	DOCKET ENTRY ORDER - The Motion to Expedite is hereby deemed moot, and the Motion to Strike is hereby DENIED. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
08/08/2006	<u>550</u>	DOCKET ENTRY ORDER - In Docket No. 541, the Court mistakenly stated that the pretrial in this matter shall occur at 8:30 a.m. on August 23, 2006. However, it is hereby ordered that the pretrial shall, as previously scheduled, commence immediately following oral argument on Defendant's Motion for summary judgment scheduled for August 21, 2006 at 10:00 a.m. Signed by Judge B. Lynn Winmill. (sbh)
08/08/2006	<u>551</u>	AFFIDAVIT in Opposition by Charles Johnson re <u>510</u> MOTION for Summary Judgment <i>Filing Defendant's Discovery Responses</i> filed by Jeff D. Replies due by 8/22/2006. (Attachments: # <u>1</u> Exhibit A Defendants Answers to Plaintiffs Interrogatories 71504 Part 1 of 2# <u>2</u> Exhibit A Defendant's Answers to Plaintiff's Interrogatories 71504 Part 2 of 2# <u>3</u> Exhibit B Defendant's Responses to Plaintiff's Requests for Admissions June 2006# <u>4</u> Exhibit C Deposition of Charles Alan Halligan# <u>5</u> Exhibit D Deposition of Ross Edmunds# <u>6</u> Exhibit E Deposition of Catherine Holland-Smith# <u>7</u> Exhibit F Deposition of Bradley T. Foltman# <u>8</u> Exhibit G Deposition of Decker Lee Sanders Part 1 of 2# <u>9</u> Exhibit G Deposition of Decker Lee Sanders Part 2 of 2# <u>10</u> Exhibit H Deposition of Brent Reinke)(Johnson, L)
08/08/2006	<u>552</u>	DECLARATION of Howard Belodoff re <u>538</u> Statement, <u>539</u> Response to Motion filed by John M, Jeff D, Paula E, Dusty R. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B & C# <u>3</u> Exhibit D# <u>4</u> Exhibit D(b)# <u>5</u> Exhibit D(c)# <u>6</u> Exhibit E & F# <u>7</u> Exhibit F# <u>8</u> Exhibit G)(Belodoff, Howard)
08/08/2006	<u>553</u>	DECLARATION of Howard Belodoff re <u>539</u> Response to Motion, <u>538</u> Statement filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
08/08/2006	<u>554</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit B&C# Exhibit D(a))(Belodoff, Howard) Modified on 8/10/2006 to seal exhibit D(jlg,).
08/08/2006	<u>555</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # Exhibit D# Exhibit E&F)(Belodoff, Howard) Modified on 8/10/2006 to seal document per order no. 585 (jlg,).
08/08/2006	<u>556</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # Exhibit D)(Belodoff, Howard) Modified on 8/10/2006 to seal document per order no. 585 (jlg,).
08/08/2006	<u>557</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # Exhibit F)(Belodoff, Howard) Modified on 8/10/2006 to seal exhibit D per order no. 585 (jlg,).
08/08/2006	<u>558</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit G)(Belodoff, Howard)

08/08/2006	<u>559</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>539</u> Response to Motion, <u>538</u> Statement. (Belodoff, Howard)
08/08/2006	<u>560</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit H)(Belodoff, Howard)
08/08/2006	<u>561</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit I)(Belodoff, Howard)
08/08/2006	<u>562</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit I&J)(Belodoff, Howard)
08/08/2006	<u>563</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit J)(Belodoff, Howard)
08/08/2006	<u>564</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit M&N)(Belodoff, Howard)
08/08/2006	<u>565</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit O)(Belodoff, Howard)
08/08/2006	<u>566</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit P & Q & R)(Belodoff, Howard)
08/08/2006	<u>567</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit S# <u>2</u> Exhibit S & T)(Belodoff, Howard)
08/08/2006	<u>568</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit S)(Belodoff, Howard)
08/08/2006	<u>569</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit T)(Belodoff, Howard)
08/08/2006	<u>570</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit V)(Belodoff, Howard)
08/08/2006	<u>571</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit X)(Belodoff, Howard)
08/09/2006	<u>572</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit Y)(Belodoff, Howard)
08/09/2006	<u>573</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit Y(c))(Belodoff, Howard)
08/09/2006	<u>574</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion. (Attachments: # <u>1</u> Exhibit Z)(Belodoff, Howard)
08/09/2006	<u>575</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion <i>Exhibit AA, BB & CC</i> . (Attachments: # <u>1</u> Exhibit CC)(Belodoff, Howard)
08/09/2006	<u>576</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion <i>Exhibit CC</i> . (Attachments: # <u>1</u> Exhibit DD)(Belodoff, Howard)

08/09/2006	<u>577</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion <i>Exhibit DD</i> . (Attachments: # <u>1</u> Exhibit EE# <u>2</u> Exhibit FF(1)# <u>3</u> Exhibit FF(2)# <u>4</u> Exhibit FF(3))(Belodoff, Howard)
08/09/2006	<u>578</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion <i>Exhibit GG(1)</i> . (Attachments: # <u>1</u> Exhibit II(1)# <u>2</u> Exhibit II(2)# Exhibit JJ(1)# Exhibit JJ(1.5)# Exhibit JJ(2)# Exhibit Triplett(1)# Exhibit Triplett(2))(Belodoff, Howard) Modified on 8/10/2006 to seal exhibit JJ per order no. 585 (jlg,).
08/09/2006	<u>579</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion <i>Exhibit GG</i> . (Attachments: # <u>1</u> Exhibit GG(2)# <u>2</u> Exhibit HH(1)# <u>3</u> Exhibit HH(2)# <u>4</u> Exhibit II(1)# <u>5</u> Exhibit II(2))(Belodoff, Howard)
08/09/2006	<u>580</u>	SUPPLEMENT by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>538</u> Statement, <u>539</u> Response to Motion <i>Exhibit JJ(1)</i> . (Attachments: # Exhibit JJ(1.5)# Exhibit JJ(2)# Exhibit Triplett(1)# Exhibit Triplett(2))(Belodoff, Howard) Modified on 8/10/2006 to seal document per order no. 585 (jlg,).
08/09/2006	<u>581</u>	MOTION to Seal <i>Exhibit D and Exhibit JJ</i> by John M, Jeff D, Paula E, Dusty R. Responses due by 9/5/2006 (Belodoff, Howard)
08/09/2006	<u>582</u>	RESPONSE to Motion re <u>509</u> First MOTION for Partial Summary Judgment <i>on All Remaining Issues</i> , <u>510</u> MOTION for Summary Judgment <i>Corrective Entry for Plaintiffs' Response to Defendants' Affidavits and Statment of Disputed Facts In Opposition to Motion for Summary Judgment</i> filed by John M, Jeff D, Paula E, Dusty R. Replies due by 8/23/2006. (Belodoff, Howard)
08/09/2006		CORRECTIVE ENTRY - The entry docket number <u>581</u> MOTION to Seal <i>Exhibit D and Exhibit JJ</i> filed by John M,, Jeff D,, Paula E,, Dusty R, was filed incorrectly in this case; the incorrect image is attached. The filing party shall re-submit their correct filing. Clerk to term pending motion. (jlg,)
08/09/2006	<u>583</u>	MOTION to Seal <i>Exhibit D and Exhibit JJ filed Support of Plaintiffs' Response to Motion for Summary Judgment</i> by John M, Jeff D, Paula E, Dusty R. Responses due by 9/5/2006 (Belodoff, Howard)
08/10/2006	<u>584</u>	DOCKET ENTRY ORDER - Pending before the Court is Plaintiffs Motion to File Excess Pages (Docket No. 540); and Plaintiffs Motion to Seal (Docket No. 580) as follows: Exhibit D, Docket Nos. 555 and 556 and Exhibit JJ. The Court having considered the pleadings, shall grant the motions. It is hereby ordered that the Motion for Leave to File Excess Pages is GRANTED (Docket No. 540), and the Motion to Seal (Docket No. 580) is granted. Therefore, Exhibit D, Docket Nos. 555 and 556 and Exhibit JJ shall be sealed. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
08/10/2006	<u>585</u>	DOCKET ENTRY ORDER - Exhibit D, Docket Nos. 552, 554, 555, 556 and 557 and Exhibit JJ are hereby ordered sealed. Signed by Judge B. Lynn Winmill. (sbh)
08/11/2006	<u>586</u>	AFFIDAVIT in Opposition by Charles Johnson re <u>510</u> MOTION for Summary Judgment (<i>supplemental</i>) filed by Jeff D. Replies due by 8/25/2006. (Attachments: # <u>1</u> Exhibit I Deposition of Mary Bostick# <u>2</u> Exhibit J Deposition of Karl Kurtz)(Johnson, L)

08/14/2006	<u>587</u>	AFFIDAVIT of Charles (Chuck) Halligan re <u>510</u> MOTION for Summary Judgment filed by Dirk Kempthorne, Karl Kurtz <i>Part 2</i> . (Carlson, James)
08/14/2006	<u>588</u>	AFFIDAVIT of David M. Butler re <u>510</u> MOTION for Summary Judgment filed by Dirk Kempthorne, Karl Kurtz. (Attachments: # <u>1</u> Exhibit 22A.1# <u>2</u> Exhibit 22A.2# <u>3</u> Exhibit 22A.3# <u>4</u> Exhibit 22A.4)(Carlson, James)
08/14/2006	<u>589</u>	AFFIDAVIT of Chandra Story re <u>510</u> MOTION for Summary Judgment filed by Dirk Kempthorne, Karl Kurtz. (Attachments: # <u>1</u> Exhibit 3D.1# <u>2</u> Exhibit 3D.2)(Carlson, James)
08/14/2006	<u>590</u>	MOTION to Compel <i>Motion to Compel And/Or Motion In Limine</i> by John M, Jeff D, Paula E, Dusty R. Responses due by 9/7/2006 (Attachments: # <u>1</u> Memorandum in Support of Motion to Compel And/Or Motion In Limine# <u>2</u> Exhibit Attacments)(Belodoff, Howard)
08/15/2006	<u>591</u>	MOTION for Leave to File Excess Pages by Jerry Evans, Dirk Kempthorne, Karl Kurtz. Responses due by 9/8/2006 (Attachments: # <u>1</u> Declaration of James Carlson)(Carlson, James)
08/15/2006	<u>592</u>	REPLY to Response to Motion re <u>510</u> MOTION for Summary Judgment (docket no. 539) filed by Dirk Kempthorne, Karl Kurtz. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D)(Carlson, James) Modified on 8/15/2006 to link to docket no <u>539</u> (jlg,).
08/15/2006	<u>593</u>	REPLY to Response to Motion re <u>510</u> MOTION for Summary Judgment (<i>DOCKET 538</i>) filed by Dirk Kempthorne, Karl Kurtz. (Carlson, James) Modified on 8/15/2006 to link to docket no. <u>538</u> (jlg,).
08/15/2006	<u>594</u>	STIPULATION re <u>502</u> Order, <i>Regarding DJC Compliance with Court Plan Action Items</i> by Brent Reinke. (Gilmore, Michael)
08/18/2006	<u>595</u>	Exhibit List by Dirk Kempthorne, Karl Kurtz.. (Carlson, James)
08/18/2006	<u>596</u>	Witness List by Dirk Kempthorne, Karl Kurtz. (Carlson, James)
08/18/2006	<u>597</u>	Witness List by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
08/21/2006	<u>598</u>	Witness List by Brent Reinke. (Gilmore, Michael)
08/21/2006	<u>599</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Motion Hearing held on 8/21/2006 re <u>509</u> First MOTION for Partial Summary Judgment <i>on All Remaining Issues</i> filed by Brent Reinke,, <u>510</u> MOTION for Summary Judgment filed by Dirk Kempthorne,, Karl Kurtz, Motions deemed UNDER ADVISEMENT. Final Pretrial Conference held on 8/21/2006 following motion hearing off the record. (Court Reporter Stacy Heinz.) (lg,)
08/22/2006	<u>600</u>	NOTICE of Appearance by Jeremy C Chou on behalf of Catherine Holland-Smith (Chou, Jeremy)
08/22/2006	<u>601</u>	First MOTION for Protective Order by Catherine Holland-Smith. Responses due by 9/15/2006 (Attachments: # <u>1</u> Memorandum in Support)(Chou, Jeremy)
08/23/2006	<u>602</u>	RESPONSE to Motion re <u>590</u> MOTION to Compel <i>Motion to Compel And/Or Motion In Limine</i> filed by Dirk Kempthorne, Karl Kurtz. Replies due by 9/7/2006. (McPeck, Michael)

08/23/2006	<u>603</u>	MOTION for Protective Order by Dirk Kempthorne, Karl Kurtz. Responses due by 9/18/2006 (McPeck, Michael)
08/25/2006	<u>604</u>	MEMORANDUM/BRIEF filed by Dirk Kempthorne, Karl Kurtz <i>Concerning ICCMH; Legal Attributes</i> . (Carlson, James)
08/25/2006	<u>605</u>	MEMORANDUM/BRIEF filed by Dirk Kempthorne, Karl Kurtz <i>Re: Non-Contract Terms</i> . (Carlson, James)
08/25/2006	<u>606</u>	REPLY to Response to Motion re <u>601</u> First MOTION for Protective Order, <u>590</u> MOTION to Compel <i>Motion to Compel And/Or Motion In Limine</i> filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
08/25/2006	<u>607</u>	MEMORANDUM in Opposition re <u>510</u> MOTION for Summary Judgment <i>Memorandum on Summary Judgment Issues</i> filed by John M, Jeff D, Paula E, Dusty R. Replies due by 9/11/2006. (Belodoff, Howard)
08/25/2006	<u>608</u>	Appendix filed by Howard A Belodoff on behalf of John M, Jeff D, Paula E, Dusty R Related document: <u>606</u> Reply to Response to Motion filed by John M,, Jeff D,, Paula E,, Dusty R,. (Attachments: # Appendix A part 2# <u>2</u> Appendix B and C)(Belodoff, Howard) Modified on 8/28/2006 to refile Appendix A Part 2; it was filed upside down (jlg,).
08/28/2006	<u>609</u>	REPLY to Response to Motion re <u>510</u> MOTION for Summary Judgment <i>Issues</i> filed by Dirk Kempthorne, Karl Kurtz. (Carlson, James)
08/28/2006	<u>610</u>	JOINDER by Defendant Brent Reinke. (Gilmore, Michael) Modified on 8/30/2006 to link to documents <u>604</u> and <u>605</u> (jlg,).
08/28/2006	611	Witness List by Dirk Kempthorne, Karl Kurtz. (Carlson, James)
08/28/2006	<u>612</u>	ORDER denying <u>590</u> Motion to Compel and/or Motion In Limine, granting <u>603</u> Defendants' Motion for Protective Order . Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
08/28/2006	<u>613</u>	REPLY to Response to Motion re <u>603</u> MOTION for Protective Order, <u>590</u> MOTION to Compel <i>Motion to Compel And/Or Motion In Limine and Appendix A</i> filed by John M, Jeff D, Paula E, Dusty R. (Attachments: # <u>1</u>)(Belodoff, Howard)
08/29/2006	614	DOCKET ENTRY ORDER - The Order filed August 28, 2006 (Docket No. 612) is hereby vacated. A more detailed order shall be forthcoming. Signed by Judge B. Lynn Winmill. (sbh)
08/30/2006	<u>615</u>	NOTICE of Appearance by Barbara A Beehner-Kane on behalf of Dirk Kempthorne, Karl Kurtz (Beehner-Kane, Barbara)
08/30/2006	<u>616</u>	NOTICE of Appearance by Karl T Klein on behalf of Dirk Kempthorne, Karl Kurtz (Klein, Karl)
08/30/2006	<u>617</u>	STIPULATION re <u>594</u> Stipulation <i>Supplemental</i> by Brent Reinke, John M, Jeff D, Paula E, Dusty R. (Gilmore, Michael)
08/31/2006	618	Witness List by Dirk Kempthorne, Karl Kurtz. (Beehner-Kane, Barbara)

09/01/2006	<u>619</u>	MEMORANDUM DECISION AND ORDER denying <u>462</u> Motion for Relief from Recommendation, granting in part and denying in part <u>509</u> Motion for Partial Summary Judgment, granting in part and denying in part <u>510</u> Motion for Summary Judgment, granting in part and denying in part <u>590</u> Motion to Compel and/or Motion in Limine, granting <u>601</u> Motion for Protective Order, granting <u>603</u> Motion for Protective Order. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
09/01/2006	<u>620</u>	MOTION for Reconsideration re <u>619</u> Order on Motion for Relief, Order on Motion for Partial Summary Judgment, Order on Motion for Summary Judgment, Order on Motion to Compel, Order on Motion for Protective Order,,,,,,,,,,,,, by Brent Reinke. Responses due by 9/25/2006 (Gilmore, Michael)
09/01/2006	<u>621</u>	Exhibit List by Dirk Kempthorne, Karl Kurtz.. (Carlson, James)
09/04/2006	<u>622</u>	Exhibit List <i>Plaintiffs' Exhibit List</i> by John M, Jeff D, Paula E, Dusty R.. (Belodoff, Howard)
09/04/2006	<u>623</u>	Witness List by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
09/05/2006	<u>624</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Bench Trial - Day 1 - held on 9/5/2006. (Court Reporter Verlene Nelson/Stacy Heinz.) (lg,) (Entered: 09/06/2006)
09/06/2006	<u>625</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Bench Trial - Day 2 held on 9/6/2006. (Court Reporter Stacy Heinz.) (lg,)
09/06/2006	<u>628</u>	AMENDED Minute Entry for proceedings held before Judge B. Lynn Winmill : Bench Trial - Day 2 held on 9/6/2006. The only change to this minute from the original entry is the case caption. (Court Reporter Stacy Heinz.) (lg,) (Entered: 09/08/2006)
09/07/2006	<u>626</u>	STIPULATION <i>Regarding Trial Exhibits</i> by Dirk Kempthorne, Karl Kurtz. (Carlson, James)
09/07/2006	<u>627</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Bench Trial - Day 3 held on 9/7/2006. (Court Reporter Stacy Heinz.) (lg,)
09/07/2006	<u>629</u>	AMENDED Minute Entry for proceedings held before Judge B. Lynn Winmill : Bench Trial - Day 3 held on 9/7/2006. The only change to this minute entry from the original minute entry is the case caption. (Court Reporter Stacy Heinz.) (lg,) (Entered: 09/08/2006)
09/08/2006	<u>630</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Bench Trial - Day 4 held on 9/8/2006. (Court Reporter Stacy Heinz.) (lg,)
09/11/2006	<u>631</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Bench Trial Day 5 held on 9/11/2006. (Court Reporter Stacy Heinz.) (mp,) (Entered: 09/12/2006)
09/12/2006	<u>632</u>	STIPULATION re <u>617</u> Stipulation, <u>594</u> Stipulation <i>Second Supplemental</i> by Brent Reinke. (Gilmore, Michael)

09/12/2006	<u>633</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Bench Trial Day 6 held on 9/12/2006. (Court Reporter Stacy Heinz.) (mp,) (Entered: 09/13/2006)
09/13/2006	<u>634</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Bench Trial Day 7 held on 9/13/2006. (Court Reporter Stacy Heinz.) (mp,) (Entered: 09/14/2006)
09/14/2006	<u>635</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Bench Trial Day 8 held on 9/14/2006. (Court Reporter Stacy Heinz.) (mp,) (Entered: 09/15/2006)
09/15/2006	<u>636</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Bench Trial Day 9 held on 9/15/2006. (Court Reporter Stacy Heinz.) (mp,) (Entered: 09/18/2006)
09/18/2006	<u>637</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Bench Trial Day 10 held on 9/18/2006. (Court Reporter Stacy Heinz.) (mp,) (Entered: 09/19/2006)
09/19/2006	<u>638</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Bench Trial Day 11 completed on 9/19/2006. (Court Reporter Stacy Heinz.) (mp,) Additional attachment(s) added on 9/19/2006 (mp,).
10/03/2006	639	TRANSCRIPT of Proceedings held on September 5, 2006 before Judge B. Lynn Winmill. Court Reporter: V. Nelson. This transcript is not available to the general public and as such is sealed. (jlg,)
10/05/2006	<u>640</u>	Exhibit List by plaintiff class. (ja,)
10/05/2006	<u>641</u>	Exhibit List by defendants. (ja,)
10/17/2006	642	DOCKET ENTRY NOTICE of Hearing: Status Conference set for 10/18/2006 10:00 AM in Boise, ID before Honorable B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ks)
10/18/2006	<u>643</u>	Minute Entry for proceedings held before Judge B. Lynn Winmill : Status Conference held on 10/18/2006. (Court Reporter Vicki Jones (ESR).) (lg,)
10/23/2006	<u>644</u>	MEMORANDUM/BRIEF filed by Dirk Kempthorne <i>Motion for Order Re Briefing</i> . (Carlson, James)
10/24/2006		CORRECTIVE ENTRY - The entry docket number <u>644</u> Memorandum/Brief (generic) filed by Dirk Kempthorne was filed incorrectly in this case. The document should have been filed as a motion. The filing party shall re-submit their correct filing using the event "miscellaneous relief" located under "motions". (jlg,)
10/24/2006	645	DOCKET ENTRY ORDER - The Court has been informed that the parties have received most or all of the transcript from the trial in this matter. Therefore, the Court sets the following briefing schedule: Plaintiffs shall file their proposed findings of fact and conclusions of law and/or brief on or before October 31, 2006. Defendants shall file their proposed findings of fact and conclusions of law on or before November 7, 2006. Additionally, although the Court has attempted to assist the parties in creating a process that would resolve this case in a more

		practical way, the Court is not willing to order the parties to do so. Accordingly, Defendant's Motion for Order Re Briefing <u>644</u> is DENIED. However, given the parties disagreement and inability to limit the issues, once Defendants receive Plaintiffs' proposed findings of fact and conclusions of law and/or brief, the Court will entertain a request by Defendants for more time to file their proposed findings of fact and conclusions of law and/or brief if Defendants feel they need more time. Signed by Judge B. Lynn Winmill. (sbh)
10/24/2006	<u>646</u>	MOTION Order RE Post Trial Briefing by Dirk Kempthorne. Responses due by 11/17/2006 (Carlson, James)
10/25/2006	647	DOCKET ENTRY ORDER - Pending before the Court is Defendant's Motion regarding the Trial Brief. <u>646</u> . Given the Court's earlier denial of Docket No. 644, the Court DEEMS MOOT Docket No. 646. Signed by Judge B. Lynn Winmill. (sbh)
11/01/2006	649	TRANSCRIPT of Proceedings, Index of Proceedings Court Trial Commencing September 5, 2006 before Judge B. Lynn Winmill. Court Reporter: Stacy Heinz. This transcript is not available to the general public and as such is sealed. (jlg,) (Entered: 11/02/2006)
11/01/2006	650	TRANSCRIPT of Proceedings held on September 5, 2006 (Court Trial Day 1, pages 64-129) before Judge B. Lynn Winmill. Court Reporter: Stacy Heinz. This transcript is not available to the general public and as such is sealed. (jlg,) (Entered: 11/02/2006)
11/01/2006	651	TRANSCRIPT of Proceedings held on September 6, 2006 (Court Trial - Day 2, pages 130-379) before Judge B. Lynn Winmill. Court Reporter: Stacy Heinz. This transcript is not available to the general public and as such is sealed. (Attachments: # pages 191-250# pages 251-314# pages 315-379) (jlg,) (Entered: 11/02/2006)
11/01/2006	652	TRANSCRIPT of Proceedings held on September 7, 2006 (Court Trial - Day 3, pages 380-631) before Judge B. Lynn Winmill. Court Reporter: Stacy Heinz. This transcript is not available to the general public and as such is sealed. (Attachments: # pages 441-500# pages 501-560# pages 561-631) (jlg,) (Entered: 11/03/2006)
11/01/2006	653	TRANSCRIPT of Proceedings held on September 8, 2006 (Court Trial - Day 4, pages 632-812) before Judge B. Lynn Winmill. Court Reporter: Stacy Heinz. This transcript is not available to the general public and as such is sealed. (Attachments: # pages 695-755# pages 756-812) (jlg,) (Entered: 11/03/2006)
11/01/2006	654	TRANSCRIPT of Proceedings held on September 11, 2006 (Court Trial - Day 5, pages 813-1064) before Judge B. Lynn Winmill. Court Reporter: Stacy Heinz. This transcript is not available to the general public and as such is sealed. (Attachments: # pages 876-940# pages 941-1000# pages 1001-1064) (jlg,) (Entered: 11/03/2006)
11/01/2006	655	TRANSCRIPT of Proceedings held on September 12, 2006 (Court Trial - Day 6, pages 1065-1322) before Judge B. Lynn Winmill. Court Reporter: Stacy Heinz. This transcript is not available to the general public and as such is sealed. (Attachments: # pages 1121-1185# pages 1186-1246# pages 1247-1322) (jlg,) (Entered: 11/03/2006)

11/01/2006	656	TRANSCRIPT of Proceedings held on September 13, 2006 (Court Trial - Day 7, pages 1323-1530) before Judge B. Lynn Winmill. Court Reporter: Stacy Heinz. This transcript is not available to the general public and as such is sealed. (Attachments: # pages 1386-1449# pages 1450-1530) (jlg,) (Entered: 11/03/2006)
11/01/2006	657	TRANSCRIPT of Proceedings held on September 14, 2006 (Court Trial - Day 8, pages 1531-1655) before Judge B. Lynn Winmill. Court Reporter: Stacy Heinz. This transcript is not available to the general public and as such is sealed. (Attachments: # pages 1596-1655) (jlg,) (Entered: 11/03/2006)
11/01/2006	658	TRANSCRIPT of Proceedings held on September 15, 2006 (Court Trial - Day 9, pages 1656-1920) before Judge B. Lynn Winmill. Court Reporter: Stacy Heinz. This transcript is not available to the general public and as such is sealed. (Attachments: # pages 1711-1775# pages 1776-1855# pages 1856-1920) (jlg,) (Entered: 11/03/2006)
11/01/2006	659	TRANSCRIPT of Proceedings held on September 18, 2006 (Court Trial - Day 10, pages 1921-2150) before Judge B. Lynn Winmill. Court Reporter: Stacy Heinz. This transcript is not available to the general public and as such is sealed. (Attachments: # pages 1981-2049# pages 2050-2109# pages 2110-2150) (jlg,) (Entered: 11/03/2006)
11/01/2006	660	TRANSCRIPT of Proceedings held on September 19, 2006 (Court Trial - Day 11, pages 2152-2265) before Judge B. Lynn Winmill. Court Reporter: Stacy Heinz. This transcript is not available to the general public and as such is sealed. (Attachments: # pages 2200-2265) (jlg,) (Entered: 11/03/2006)
11/02/2006	<u>648</u>	Proposed Findings of Fact by John M, Jeff D, Paula E, Dusty R. (Attachments: # <u>1</u> Supplement Proposed Findings of Fact pages 26-50# <u>2</u> Supplement Proposed Findings of Fact page 51-74# <u>3</u> Supplement Proposed Findings of Fact pages 75-99)(Belodoff, Howard)
11/06/2006	661	DOCKET ENTRY ORDER - Defendants' proposed findings of fact and conclusions of law shall be due no later than November 14, 2006. Signed by Judge B. Lynn Winmill. (sbh)
11/14/2006	<u>662</u>	RESPONSE re <u>648</u> Proposed Findings of Fact, filed by Brent Reinke. (Gilmore, Michael)
11/15/2006	<u>663</u>	Proposed Findings of Fact by Karl Kurtz. (Attachments: # <u>1</u> 2nd part of filing# <u>2</u> 3rd part of filing# <u>3</u> 4th part of filing)(Carpenter, Jody)
11/17/2006	664	DOCKET ENTRY ORDER - Pending before the Court is an unopposed Motion for Leave to File Excess Pages. <u>591</u> The Court having considered the pleadings shall grant the motion. Signed by Judge B. Lynn Winmill. (caused to be mailed to non- Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
12/05/2006	<u>665</u>	Reply to Defendant's Proposed Findings of Fact by John M, Jeff D, Paula E, Dusty R. (Attachments: # <u>1</u> Supplement Part 2)(Belodoff, Howard) Modified on 12/5/2006 to link to docket no. <u>648</u> and <u>663</u> (jlg,).

12/05/2006	<u>666</u>	ERRATA by Plaintiffs John M, Jeff D, Paula E, Dusty R re <u>665</u> Proposed Findings of Fact <i>Supplement Part 2</i> . (Belodoff, Howard)
01/22/2007	<u>667</u>	MOTION to Take Judicial Notice by John M, Jeff D, Paula E, Dusty R. Responses due by 2/15/2007 (Attachments: # <u>1</u> Memorandum in Support Of Motion To Take Judicial Notice)(Belodoff, Howard)
02/05/2007	<u>668</u>	MEMORANDUM in Opposition re <u>667</u> MOTION to Take Judicial Notice filed by Dirk Kempthorne. Replies due by 2/20/2007. (Carlson, James)
02/05/2007	<u>669</u>	MOTION to Allow Defendants to Present Additional Evidence by Dirk Kempthorne. Responses due by 3/1/2007 (Attachments: # <u>1</u> Memorandum in Support)(Carlson, James)
02/07/2007	<u>670</u>	FINDINGS OF FACT AND CONCLUSIONS OF LAW The Court orders DHW to take steps necessary to comply with Action Items 1K, 3B, 3D, 4G, 11F, 25D, 25E, 26C, 27B, 29J, 30B, 30C, 30D, 31E, 31I, 32C, 36B, 39B, 40E, 41C and 49I within 120 days of the date of this Order. Once dfts are in compliance with these Action Items, the dfts may file a motion to vacate the consent decrees pursuant to Federal Rule of Civil Procedure 60(b). Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
02/19/2007	<u>671</u>	REPLY to Response to Motion re <u>667</u> MOTION to Take Judicial Notice filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
04/02/2007	<u>672</u>	DOCKET ENTRY ORDER - Pending before the Court is the Motion for Reconsideration <u>620</u> , the Motion to Take Judicial Notice <u>667</u> , and the Motion to Allow Defendants to Present Additional Evidence <u>669</u> . The Court having considered the pleadings, shall find each of the above-listed motions as moot. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
05/24/2007	<u>673</u>	MOTION for Attorney Fees <i>Petition for Award of Attorney Fees and Costs</i> by John M, Jeff D, Paula E, Dusty R. Responses due by 6/18/2007 Responses due by 6/18/2007 (Belodoff, Howard)
05/24/2007	<u>674</u>	AFFIDAVIT of Howard Belodoff re <u>673</u> MOTION for Attorney Fees <i>Petition for Award of Attorney Fees and Costs</i> filed by John M, Jeff D, Paula E, Dusty R. (Attachments: # <u>1</u> Exhibit 1-2# <u>2</u> Exhibit 3# <u>3</u> Exhibit 4-5# <u>4</u> Exhibit 6)(Belodoff, Howard)
05/24/2007	<u>675</u>	AFFIDAVIT of Charles Johnson re <u>673</u> MOTION for Attorney Fees <i>Petition for Award of Attorney Fees and Costs</i> filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
05/24/2007	<u>676</u>	AFFIDAVIT of Sally Reynolds re <u>673</u> MOTION for Attorney Fees <i>Petition for Award of Attorney Fees and Costs</i> filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
05/24/2007	<u>677</u>	AFFIDAVIT of Paul J. Augustine re <u>673</u> MOTION for Attorney Fees <i>Petition for Award of Attorney Fees and Costs</i> filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)

05/24/2007	<u>678</u>	AFFIDAVIT of Robert Huntley re <u>673</u> MOTION for Attorney Fees <i>Petition for Award of Attorney Fees and Costs</i> filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
05/24/2007	<u>679</u>	AFFIDAVIT of Kurt Holtzer re <u>673</u> MOTION for Attorney Fees <i>Petition for Award of Attorney Fees and Costs</i> filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
05/24/2007	<u>680</u>	AFFIDAVIT of Maria Andrade re <u>673</u> MOTION for Attorney Fees <i>Petition for Award of Attorney Fees and Costs</i> filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
06/01/2007	<u>681</u>	MOTION to Vacate <i>Consent Decrees</i> by Dirk Kempthorne. Responses due by 6/28/2007 (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Exhibit A# <u>3</u> Affidavit Decker Sanders# <u>4</u> Affidavit Kurt Lyles# <u>5</u> Affidavit Chuck Halligan Re Compliance# <u>6</u> Affidavit Ross Edmunds# <u>7</u> Affidavit Linda Clement# <u>8</u> Affidavit Chuck Halligan re Exhibits)(Carlson, James)
06/01/2007	<u>682</u>	SUPPLEMENT by Defendant Dirk Kempthorne re <u>681</u> MOTION to Vacate <i>Consent Decrees</i> . (Attachments: # <u>1</u> Exhibit 1K.a# <u>2</u> Exhibit 1K.a.Letter# <u>3</u> Exhibit 1K.b# <u>4</u> Exhibit 3B.a# <u>5</u> Exhibit 3B.b# <u>6</u> Exhibit 3B.c# <u>7</u> Exhibit 3D.a# <u>8</u> Exhibit 3D.b# <u>9</u> Exhibit 4G.a# <u>10</u> Exhibit 3G.b# <u>11</u> Exhibit 4G.c.1# <u>12</u> Exhibit 4G.c.2# <u>13</u> Exhibit 4G.d# <u>14</u> Exhibit 11F.a# <u>15</u> Exhibit 11F.b# <u>16</u> Exhibit 25D# <u>17</u> Exhibit 25E# <u>18</u> Exhibit 26C.a# <u>19</u> Exhibit 26C.b# <u>20</u> Exhibit 26C.c# <u>21</u> Exhibit 27B.a# <u>22</u> Exhibit 27B.b# <u>23</u> Exhibit 29J.1# <u>24</u> Exhibit 29J.2# <u>25</u> Exhibit 30B# <u>26</u> Exhibit 30C# <u>27</u> Exhibit 30D.a# <u>28</u> Exhibit 30D.a.1# <u>29</u> Exhibit 30D.a.2# <u>30</u> Exhibit 30D.b# <u>31</u> Exhibit 30D.c# <u>32</u> Exhibit 31E.a# <u>33</u> Exhibit 31E.b# <u>34</u> Exhibit 31E.b.Att1# <u>35</u> Exhibit 31E.b.att2# <u>36</u> Exhibit 31E.b.att3# <u>37</u> Exhibit 31I# <u>38</u> Exhibit 32C# <u>39</u> Exhibit 36B# <u>40</u> Exhibit 39B# <u>41</u> Exhibit 40E# <u>42</u> Exhibit 41C.a# <u>43</u> Exhibit 41C.b# <u>44</u> Exhibit 49I.BACR# <u>45</u> Exhibit 49I.CRII# <u>46</u> Exhibit 49I.CRI# <u>47</u> Exhibit 49I.CMHPM# <u>48</u> Exhibit 49I.CA# <u>49</u> Exhibit 49I.FIER# <u>50</u> Exhibit 49I.ISAC# <u>51</u> Exhibit 49I.PPR)(Carlson, James)
06/05/2007	<u>683</u>	MOTION for Joinder in <i>Governor and DHW Director's Motion to Vacate Consent Decrees</i> by Brent Reinke. Responses due by 7/2/2007 (Gilmore, Michael)
06/15/2007	<u>684</u>	STIPULATION for <i>Extension of Time to File Response to Plaintiffs' Motion/Petition Seeking an Award of Fees and Costs</i> by Dirk Kempthorne. (Carlson, James)
06/19/2007	<u>685</u>	DOCKET ENTRY ORDER - Pending before the Court is the Stipulation <u>684</u> of the parties requesting an Extension of Time to File Response to Plaintiffs' Motion/Petition Seeking an Award of Fees and Costs. The Court having reviewed the pleadings shall approved the Stipulation. IT IS HEREBY ORDERED that the Stipulation is approved, and Defendants's Response brief shall be filed on or before June 28, 2007. Signed by Judge B. Lynn Winmill. (sbh)
06/20/2007		Reset Deadlines as to <u>673</u> MOTION for Attorney Fees <i>Petition for Award of Attorney Fees and Costs</i> . This is a court utility event only. Defendant's Responses due by 6/28/2007 (jg,)
06/25/2007	<u>686</u>	First MOTION for Extension of Time to File Response/Reply as to <u>681</u> MOTION to Vacate <i>Consent Decrees and Stipulation</i> by John M, Jeff D, Paula E, Dusty R.

		Responses due by 7/23/2007 (Belodoff, Howard)
06/26/2007	687	DOCKET ENTRY ORDER - This matter having come before the Court upon the Stipulation for Extension of Time to File Response to Plaintiffs' Motion/Petition Seeking an Award of Fees and Costs <u>684</u> , and good cause appearing therefore, IT IS HEREBY ORDERED that the Stipulation is APPROVED, and Defendants are granted an extension of time until June 28, 2007, in which to file a response to Plaintiffs' application for attorney fees and costs <u>673</u> .Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
06/26/2007		Reset Deadlines as to <u>673</u> MOTION for Attorney Fees <i>Petition for Award of Attorney Fees and Costs</i> . This is a court utility event only. Responses due by 6/28/2007 (jg,)
06/28/2007	<u>688</u>	MEMORANDUM in Opposition re <u>673</u> MOTION for Attorney Fees <i>Petition for Award of Attorney Fees and Costs</i> filed by Dirk Kempthorne. Replies due by 7/16/2007. (Attachments: # <u>1</u> Affidavit Larry C. Hunter# <u>2</u> Affidavit Barbara Beehner-Kane# <u>3</u> Exhibit 1 (part one)# <u>4</u> Exhibit 1 (part two)# <u>5</u> Exhibit 1 (part three)# <u>6</u> Certificate of Service)(Carlson, James)
06/28/2007	<u>689</u>	MEMORANDUM in Opposition re <u>673</u> MOTION for Attorney Fees <i>Petition for Award of Attorney Fees and Costs</i> filed by Brent Reinke. Replies due by 7/16/2007. (Gilmore, Michael)
07/06/2007	<u>690</u>	RESPONSE to Motion re <u>683</u> MOTION for Joinder in <i>Governor and DHW Director's Motion to Vacate Consent Decrees</i> , <u>681</u> MOTION to Vacate <i>Consent Decrees</i> filed by John M, Jeff D, Paula E, Dusty R. Replies due by 7/23/2007. (Belodoff, Howard)
07/06/2007	<u>691</u>	RESPONSE to Motion re <u>686</u> First MOTION for Extension of Time to File Response/Reply as to <u>681</u> MOTION to Vacate <i>Consent Decrees and Stipulation Response to DHW Affidavits</i> filed by John M, Jeff D, Paula E, Dusty R. Replies due by 7/23/2007. (Attachments: # <u>1</u> Affidavit Howard Belodoff: Exhibits# <u>2</u> Exhibit Exhibit A1# <u>3</u> Exhibit Exhibit A2# <u>4</u> Exhibit Exhibit B# <u>5</u> Exhibit Exhibit C# <u>6</u> Exhibit Exhibit D-E# <u>7</u> Exhibit Exhibit F)(Belodoff, Howard)
07/13/2007	<u>692</u>	First MOTION for Extension of Time to File Response/Reply as to <u>689</u> Memorandum in Opposition to Motion, <u>688</u> Memorandum in Opposition to Motion, <i>For Attorney Fees and Costs</i> by John M, Jeff D, Paula E, Dusty R. Responses due by 8/6/2007 (Belodoff, Howard)
07/20/2007	<u>693</u>	REPLY to Response to Motion re <u>681</u> MOTION to Vacate <i>Consent Decrees</i> filed by Dirk Kempthorne. (Attachments: # <u>1</u> Affidavit of Chuck Halligan# <u>2</u> Exhibit A to Affidavit of Chuck Halligan# <u>3</u> Affidavit of Ross Edmunds# <u>4</u> Exhibit 30B.a to Affidavit of Ross Edmunds# <u>5</u> Exhibit 32C.a to Affidavit of Ross Edmunds# <u>6</u> Affidavit of Kurt Lyles# <u>7</u> Exhibit 491.a to the Affidavit of Kurt Lyles# <u>8</u> Affidavit Linda Clement# <u>9</u> Exhibit 29J.a to the Affidavit of Linda Clement# <u>10</u> Affidavit of Decker Sanders# <u>11</u> Certificate of Service)(Carlson, James)
07/23/2007	694	DOCKET ENTRY ORDER - Pending before the Court is the unopposed Motion <u>692</u> for an Extension of Time within which to File a Reply brief. The Court having considered the pleadings shall grant the motion. IT IS HEREBY ORDERED that

		the reply brief shall be filed on or before July 23, 2007. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by sbh)
07/23/2007	<u>695</u>	REPLY to Response to Motion re <u>681</u> MOTION to Vacate <i>Consent Decrees</i> filed by Brent Reinke. (Gilmore, Michael)
07/23/2007	<u>696</u>	REPLY to Response to Motion re <u>673</u> MOTION for Attorney Fees <i>Petition for Award of Attorney Fees and Costs</i> filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
07/23/2007	<u>697</u>	REPLY to Response to Motion re <u>673</u> MOTION for Attorney Fees <i>Petition for Award of Attorney Fees and Costs Reply to Declaration of Larry C. Hunter</i> filed by John M, Jeff D, Paula E, Dusty R. (Attachments: # <u>1</u> Affidavit Declaration of J.Walter Sinclair# <u>2</u> Affidavit Declaration of Howard A. Belodoff# <u>3</u> Appendix 1A# <u>4</u> Appendix 1B# <u>5</u> Appendix 1C# <u>6</u> Appendix 1D# <u>7</u> Appendix 1E# <u>8</u> Appendix 1F# <u>9</u> Appendix 2-3# <u>10</u> Appendix 4-5# <u>11</u> Affidavit Supplemental Declaration of Charles Johnson# <u>12</u> Affidavit Declaration of Sally Reynolds# <u>13</u> Exhibit A Supplemental Fees Chart# <u>14</u> Exhibit B Court Findings Chart# <u>15</u> Exhibit C DHW Response to Requests for Admissions# <u>16</u> Exhibit D-1 Second Set Requests for Documents# <u>17</u> Exhibit D-2 Third Set Requests for Documents# <u>18</u> Exhibit D-3 Third Set Requests for Documents)(Belodoff, Howard)
09/26/2007	<u>698</u>	Supplemental MOTION for Attorney Fees <i>and Declaration</i> by John M, Jeff D, Paula E, Dusty R. Responses due by 10/22/2007 (Belodoff, Howard)
10/19/2007	<u>699</u>	MEMORANDUM in Opposition re <u>698</u> Supplemental MOTION for Attorney Fees <i>and Declaration</i> filed by Dirk Kempthorne. Replies due by 11/5/2007. (Carlson, James)
10/19/2007	<u>700</u>	MEMORANDUM in Opposition re <u>698</u> Supplemental MOTION for Attorney Fees <i>and Declaration</i> filed by Brent Reinke. Replies due by 11/5/2007. (Gilmore, Michael)
10/25/2007	<u>701</u>	REPLY to Response to Motion re <u>698</u> Supplemental MOTION for Attorney Fees <i>and Declaration</i> filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard)
10/25/2007	<u>702</u>	DECLARATION of Howard Belodoff re <u>701</u> Reply to Response to Motion filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard) Modified on 10/29/2007 to link to <u>698</u> Motion (jlg,).
10/25/2007	<u>703</u>	DECLARATION of Derek Carissimi re <u>701</u> Reply to Response to Motion filed by John M, Jeff D, Paula E, Dusty R. (Belodoff, Howard) Modified on 10/29/2007 to link to <u>698</u> Motion (jlg,).
10/31/2007	<u>704</u>	Supplemental MOTION for Attorney Fees <i>Second Supplemental Petition and Declaration for an Award of Attorney Fees and Costs</i> by John M, Jeff D, Paula E, Dusty R. Responses due by 11/26/2007 (Belodoff, Howard)
11/01/2007	<u>705</u>	MEMORANDUM DECISION AND ORDER granting in part and denying in part <u>673</u> Motion for Attorney Fees; granting <u>681</u> Motion to Vacate Consent Decree; granting <u>683</u> Motion for Joinder to Vacate Consent Decree; granting in part and denying in part <u>698</u> Motion for Attorney Fees; granting in part and denying in part <u>704</u> Motion for Attorney Fees and Costs. The defendants shall pay Plaintiff

		\$317,812,.39 in fees and costs. The consent decrees pending in this matter are Vacated. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
11/01/2007	<u>706</u>	JUDGMENT entered in favor of Defendants and this case is dismissed in its entirety. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
11/02/2007	<u>707</u>	AMENDED MEMORANDUM DECISION AND ORDER granting in part and denying in part <u>673</u> Petition for Award of Attorney Fees and Costs; granting in part and denying in part <u>704</u> Second Supplemental Petition and Declaration for an Award of Attorney Fees and Costs; granting <u>683</u> Motion to Vacate Consent Decrees; granting in part and denying in part <u>698</u> Supplemental MOTION for Attorney Fees; granting <u>681</u> MOTION to Vacate Consent Decrees. The consent decrees pending in this matter are vacated. The defendants shall pay Plaintiffs \$320,332.39 in fees and costs. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
11/29/2007	<u>708</u>	NOTICE OF APPEAL as to <u>670</u> Findings of Fact & Conclusions of Law,, <u>706</u> Judgment, <u>705</u> Memorandum Decision and Order, <u>707</u> Memorandum Decision and Order, <u>619</u> Memorandum Decision and Order by John M, Jeff D, Paula E, Dusty R. (Notice sent by e-mail to Court Reporter) (Belodoff, Howard)
11/30/2007	<u>709</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>708</u> Notice of Appeal. NOTE: The Transcript Designation and Ordering Form is located on the Court web site at www.id.uscourts.gov/Forms/General/Transcript Designation & Ordering Form . (jlg,)
12/06/2007	<u>710</u>	USCA Case Number 07-36009 for <u>708</u> Notice of Appeal, filed by Jeff D, John M, Dusty R, Paula E. (jlg,) (Entered: 12/07/2007)
12/28/2007	<u>711</u>	Amended Notice of Appeal Notification Form re <u>708</u> Notice of Appeal. Amended to correct Howard Belodoff's address and fee information. (jlg) Mailed copy to the Ninth Circuit Court of Appeals.
04/16/2008	<u>712</u>	NOTICE by John M, Jeff D, Paula E, Dusty R <i>Transcript Designation Form</i> (Belodoff, Howard)
04/17/2008	<u>713</u>	CERTIFICATE of Record on Appeal re <u>708</u> Notice of Appeal, (jlg)

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