

**U.S. District Court
Eastern District of Arkansas (Helena)
CIVIL DOCKET FOR CASE #: 2:04-cv-00171-WRW**

Nelson v. Wal-Mart Stores Inc, et al
Assigned to: Judge William R. Wilson, Jr
Demand: \$0
Case in other court: USCA8, 10-01651
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/22/2004
Date Terminated: 07/08/2009
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Daryal T Nelson
*individually and on behalf of all persons
similarly situated*

represented by **David O. Bowden**
Attorney at Law
Post Office Box 193101
Little Rock, AR 72219-3101
501-372-1315
Fax: 501-372-1870
Email: david_bowden@juno.com
TERMINATED: 01/15/2008
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jim Jackson
Patton Roberts, PLLC – Little Rock
111 Center Street
Suite 1315
Little Rock, AR 72201
501-372-3480
Fax: 501-372-3488
Email: jjackson@pattonroberts.com
TERMINATED: 06/24/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John W. Walker
John W. Walker, P.A.
1723 Broadway
Little Rock, AR 72206-1220
(501) 374-3758
Email: johnwalkeratty@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lloyd W. Kitchens , III
Brad Hendricks Law Firm
500 Pleasant Valley Drive
Suite C
Little Rock, AR 72227
501-221-0444
Email: tkitchens@bradhendricks.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Morgan E. Welch
Welch, Brewer and Hudson
One Riverfront Place
Suite 413
North Little Rock, AR 72114
501-978-3030
Fax: 501-978-3050
Email: mwelch@wbhlawfirm.com
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Robert Peter Pressman

Attorney at Law
22 Locust Avenue
Lexington, MA 02421
(781) 862-1955
Email: ehpressman@verizon.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shawn Garrick Childs

John W. Walker, P.A.
1723 Broadway
Little Rock, AR 72206-1220
(501) 374-3758
Email: johnwalkeratty@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ted Boswell

Boswell Law Firm
Post Office Box 798
Bryant, AR 72089-0798
(501) 847-3031
Email: tboswell@boswelllaw.com
TERMINATED: 06/24/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ashley R. Hudson

Welch, Brewer and Hudson
One Riverfront Place
Suite 413
North Little Rock, AR 72114
501-978-3030
Fax: 501-978-3050
Email: ahudson@wbhlawfirm.com
ATTORNEY TO BE NOTICED

Joseph Henry Bates , III

Carney Williams Bates Bozeman
& Pulliam, PLLP
11311 Arcade Drive
Suite 200
Little Rock, AR 72212
(501) 312-8500
Email: hbates@carneywilliams.com
ATTORNEY TO BE NOTICED

V.

Consol Plaintiff

Tommy Armstrong

*Individually and on Behalf of All Persons
Similarly Situated*

represented by **Brooke Augusta Owen**

Attorney at Law
1401 North Pierce Street
Suite 18
Little Rock, AR 72207
501-960-6876
TERMINATED: 05/25/2006
LEAD ATTORNEY

Darrin Lavell Williams

Carney Williams Bates Bozeman

&Pulliam, PLLP
11311 Arcade Drive
Suite 200
Little Rock, AR 72212
(501) 312-8500
Email: dwilliams@carneywilliams.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John W. Walker
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joseph Henry Bates , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lloyd W. Kitchens , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Morgan E. Welch
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shawn Garrick Childs
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Wal-Mart Stores Inc

represented by **Alison B. Marshall**
Jones Day – Washington
51 Louisiana Avenue, N.W.
Washington, DC 20001
(202) 879-7611
Email: abmarshall@jonesday.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth B. McRee
Jones Day – Chicago
77 West Wacker Drive
Suite 3500
Chicago, IL 60601
(312) 782-3939
Email: emcree@jonesday.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joann C. Maxey
Williams &Anderson, PLC
111 Center Street
Suite 2200
Little Rock, AR 72201-2413
501-372-0800
Fax: 501-376-6453
Email: jmaxey@williamsanderson.com

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Lawrence C. DiNardo
Jones Day – Chicago
77 West Wacker Drive
Suite 3500
Chicago, IL 60601
(312) 269-4306
Email: lcdinardo@jonesday.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Michael J. Gray
Jones Day – Chicago
77 West Wacker Drive
Suite 3500
Chicago, IL 60601
(312) 269-4096
Email: mjgray@jonesday.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Monica R. McCullough
Jones Day – Atlanta
1420 Peachtree Street, N.E.
Suite 800
Atlanta, GA 30309
(404) 581-8352
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Philip E. Kaplan
Williams & Anderson, PLC
111 Center Street
Suite 2200
Little Rock, AR 72201-2413
501-372-0800
Fax: 501-376-6453
Email: pkaplan@williamsanderson.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Richard H. Deane
Jones Day – Atlanta
1420 Peachtree Street, N.E.
Suite 800
Atlanta, GA 30309
(404) 581-8502
Email: rhdeane@jonesday.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Cassandra P. LaFrance
Attorney at Law
18 Edgehill Road
Little Rock, AR 72207
501-412-0434
Email: cassie.lafrance@hotmail.com
*TERMINATED: 02/13/2009
ATTORNEY TO BE NOTICED*

Clayborne S. Stone
Williams & Anderson, PLC
111 Center Street

Suite 2200
Little Rock, AR 72201-2413
(501) 372-0800
Email: cstone@williamsanderson.com
ATTORNEY TO BE NOTICED

Jess L. Askew , III
Williams & Anderson, PLC
111 Center Street
Suite 2200
Little Rock, AR 72201-2413
(501) 372-0800
Email: jaskew@williamsanderson.com
ATTORNEY TO BE NOTICED

Michael Muskheli
Williams & Anderson, PLC
111 Center Street
Suite 2200
Little Rock, AR 72201-2413
501-396-8818
Email: mmuskheli@williamsanderson.com
ATTORNEY TO BE NOTICED

Teresa M. Wineland
Williams & Anderson, PLC
111 Center Street
Suite 2200
Little Rock, AR 72201-2413
501-372-0800
Email: twineland@williamsanderson.com
ATTORNEY TO BE NOTICED

Defendant

Wal-Mart Transportation LLC

represented by **Alison B. Marshall**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth B. McRee
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joann C. Maxey
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lawrence C. DiNardo
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael J. Gray
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Monica R. McCullough
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Philip E. Kaplan
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard H. Deane
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cassandra P. LaFrance
 (See above for address)
TERMINATED: 02/13/2009
ATTORNEY TO BE NOTICED

Clayborne S. Stone
 (See above for address)
ATTORNEY TO BE NOTICED

Jess L. Askew , III
 (See above for address)
ATTORNEY TO BE NOTICED

Michael Muskheli
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/22/2004	<u>1</u>	COMPLAINT, \$150.00 filing fee paid/receipt #116142; summons issued and returned to counsel (jap) (Entered: 09/23/2004)
09/24/2004	<u>2</u>	AMENDED complaint [1-1] by plaintiff (bsm) (Entered: 09/24/2004)
01/20/2005	<u>3</u>	MOTION by defendants for attorneys Lawrence C. DiNardo, Michael J. Gray, Alison B. Marshall and Richard H. Deane, Jr. to appear pro hac vice (bsm) (Entered: 01/24/2005)
01/21/2005	<u>4</u>	MOTION by defendants for partial dismissal of pltf's Amended Complt (bsm) (Entered: 01/24/2005)
01/21/2005	<u>5</u>	MEMORANDUM OF LAW by defendants in support of motion for partial dismissal of pltf's Amended Complt [4-1] (bsm) (Entered: 01/24/2005)
01/24/2005	<u>6</u>	MOTION by defendants to transfer venue pursuant to 28 U.S.C. 1404(a) (bsm) (Entered: 01/25/2005)
01/24/2005	<u>7</u>	MEMORANDUM OF LAW by defendants in support of motion to transfer venue pursuant to 28 U.S.C. 1404(a) [6-1] (bsm) (Entered: 01/25/2005)
01/25/2005		UTILITY EVENT: Add attorney(s) Alison B. Marshall, Richard H. Deane and Michael J. Gray for Wal-Mart Stores Inc and Wal-Mart Trans LLC (bsm) (Entered: 01/25/2005)
01/31/2005	<u>8</u>	MOTION by plaintiff to extend time to respond to motion for partial dismissal (bsm) (Entered: 02/01/2005)
02/01/2005	<u>9</u>	ORDER by Judge William R. Wilson granting motion for attorneys Lawrence C. DiNardo, Michael J. Gray, Alison B. Marshall and Richard H. Deane, Jr. to appear pro hac vice for defts [3-1] (cc: all counsel) (bsm) (Entered: 02/01/2005)
02/02/2005	<u>10</u>	ORDER by Judge William R. Wilson granting pltf's motion to extend time until 2/18/05 to respond to motion for partial dismissal [8-1] [4-1] (cc: all counsel) (bsm) Modified on 02/22/2005 (Entered: 02/03/2005)
02/04/2005	<u>11</u>	MOTION by plaintiff to extend time to respond to motion for transfer of venue (bsm) (Entered: 02/07/2005)

02/09/2005	<u>12</u>	ORDER by Judge William R. Wilson granting motion to extend time to respond to motion for transfer of venue until 02/16/05 [11-1] [6-1] (cc: all counsel) (bkj) (Entered: 02/10/2005)
02/16/2005	<u>13</u>	RESPONSE by plaintiff to motion to transfer venue [6-1] (bsm) (Entered: 02/17/2005)
02/16/2005	<u>14</u>	BRIEF by plaintiff in support of response to motion for transfer of venue [13-1] (bsm) (Entered: 02/17/2005)
02/18/2005		UTILITY EVENT: Add attorneys Philip E. Kaplan and Joann C. Maxey for defendants Wal-Mart Stores Inc and Wal-Mart Trans LLC (maj) (Entered: 02/18/2005)
02/18/2005		CLERK'S MINUTES: Telephone conference w/parties re pending motion to transfer venue; motion denied; order to be entered (E. Hinson) (maj) (Entered: 02/18/2005)
02/18/2005	<u>15</u>	RESPONSE by plaintiff to motion for partial dismissal of pltf's Amended Compl [4-1] (bkp) (Entered: 02/22/2005)
02/18/2005	<u>16</u>	BRIEF by plaintiff in support of response to defendants' motion for partial dismissal of plaintiff's amended complaint [15-1] (bkp) (Entered: 02/22/2005)
02/22/2005	<u>17</u>	INITIAL SCHEDULING ORDER (DOC) Rule 26(f) Conference set 4/27/05; Rule 26(f) Report due 5/11/05; Jury trial set for 9:00 a.m. 3/13/06 in Helena; Rule 16(b) Conference set 5/18/05 (cc: all counsel) (maj) (Entered: 02/22/2005)
02/25/2005	<u>18</u>	ORDER by Judge William R. Wilson that based on the conclusions of law and findings of fact made during the telephone conference held, defts' motion to transfer venue is denied [6-1] (cc: counsel) (bsm) (Entered: 02/25/2005)
03/03/2005	<u>19</u>	MOTION by defts for leave to file a reply memorandum in further support of their motion for partial dismissal of pltf's amended complt (vjt) (Entered: 03/04/2005)
03/03/2005	<u>20</u>	REPLY MEMORANDUM by defts in further support of their motion for partial dismissal of pltf's Amended Compl [4-1] (vjt) (Entered: 03/04/2005)
03/07/2005	<u>21</u>	ORDER by Judge William R. Wilson, granting motion for leave to file a reply memorandum in further support of their motion for partial dismissal of pltf's amended complt [19-1], (cc: all counsel) (dac) (Entered: 03/08/2005)
03/21/2005	<u>22</u>	MOTION by plaintiff for leave to file a surreply brief in opposition to defts' motion for partial dismissal of pltf's amended complt (bsm) (Entered: 03/22/2005)
03/24/2005	<u>23</u>	ORDER by Judge William R. Wilson granting pltf's motion for leave to file a surreply brief in opposition to defts' motion for partial dismissal of pltf's amended complt [22-1] Clerk is directed to file the sur-reply that was attached to pltf's motion (cc: all counsel) (bsm) (Entered: 03/25/2005)
03/24/2005	<u>24</u>	SURREPLY BRIEF by plaintiff in opposition to defts' motion for partial dismissal of pltf's Amended Compl [4-1] [20-1] (bsm) (Entered: 03/25/2005)
04/14/2005	<u>25</u>	ORDER by Judge William R. Wilson granting motion for partial dismissal of pltf's Amended Compl [4-1]; pltf's class claims against defts are dismissed; pltf's personal claims against defts remain intact (cc: all counsel) (bsm) (Entered: 04/14/2005)
04/20/2005	<u>26</u>	MOTION by plaintiff for clarification of Court's Order entered on 4/14/2005 (bsm) (Entered: 04/20/2005)
04/20/2005	<u>27</u>	BRIEF by plaintiff in support of motion for clarification of Court's Order entered on 4/14/2005 [26-1] (bsm) (Entered: 04/20/2005)
04/21/2005	<u>28</u>	ORDER by Judge William R. Wilson granting motion for clarification of Court's Order entered on 4/14/2005 [26-1]; the Order granting defts' motion was directed only at the claims defts raised in their motion for partial dismissal, namely pltf's Title VII class claims (cc: all counsel) (bsm) (Entered: 04/21/2005)

04/25/2005	<u>29</u>	ANSWER by defendants Wal-Mart Stores Inc, Wal-Mart Trans LLC to amended complaint (dac) (Entered: 04/26/2005)
04/25/2005	<u>30</u>	NOTICE by defendants Wal-Mart Stores Inc, Wal-Mart Trans LLC of filing Corporate Disclosure Statement (dac) (Entered: 04/26/2005)
05/11/2005	<u>31</u>	ATTORNEY APPEARANCE for plaintiff; attorneys Morgan Welch and Lloyd Kitchens III (bsm) (Entered: 05/12/2005)
05/11/2005	<u>32</u>	RULE 26(f) REPORT by parties (bsm) (Entered: 05/12/2005)
06/01/2005	<u>33</u>	FINAL SCHEDULING ORDER (DOC) Jury trial set for 9:00 a.m. 3/13/06 in Helena; discovery due 12/30/05; pretrial info sheet due 2/13/06 (cc: all counsel) (maj) (Entered: 06/01/2005)
06/16/2005	<u>34</u>	MOTION by plaintiff to consolidate case with 2:05cv00134WRW (bsm) (Entered: 06/17/2005)
06/17/2005	<u>35</u>	MOTION by attys Ted Boswell and Jim Jackson, counsel for plaintiff to be relieved as counsel of record (bsm) (Entered: 06/17/2005)
06/17/2005	<u>36</u>	AMENDED MOTION by plaintiff to consolidate case with 2:05cv00134WRW (bsm) Modified on 06/20/2005 (Entered: 06/20/2005)
06/24/2005	<u>37</u>	ORDER by Judge William R. Wilson granting pltf's motion to be relieved as counsel of record [35-1]; attorney James Ralph Jackson and Ted Boswell are relieved as counsel of record for pltf (cc: all counsel) (bsm) (Entered: 06/27/2005)
06/27/2005	<u>38</u>	ORDER by Judge William R. Wilson granting amended motion to consolidate case with 2:05cv00134WRW for DISCOVERY and for TRIAL [36-1]; all remaining motions are denied as moot [34-1]; final scheduling order previously issued in 2:04cv00171WRW will govern both of these cases (cc: all counsel) (bsm) Modified on 06/27/2005 (Entered: 06/27/2005)
08/11/2005	<u>39</u>	UNOPPOSED MOTION for Reconsideration re <u>38</u> Order on Consolidating Cases by Daryal T Nelson. (bsm) (Entered: 08/12/2005)
08/11/2005	<u>40</u>	CONSOLIDATED AMENDED AND SUPPLEMENTED CLASS ACTION COMPLAINT with jury demand, filed by Daryal T Nelson. Text modified on 9/27/2005 (bsm) (Entered: 08/15/2005)
08/18/2005	<u>41</u>	ORDER granting <u>39</u> Pltfs' Motion for reconsideration of Order consolidating cases for discovery and trial purposes only <u>38</u> ; Cases 2:04cv171 and 2:05cv134 are fully consolidated; Parties are directed to file all future pleadings and documents on the docket of the lead case, Nelson, 2:04cv171 only; the Clerk is directed to file all future pleadings and documents on the docket of the lead case only; the recently filed Consolidated Amended and Supplemented Compl <u>40</u> will serve as the current complt for the consolidated actions. Signed by Judge William R. Wilson Jr. on 8/18/05. (bmt,) (Entered: 08/19/2005)
08/18/2005		***Added Tommy Armstrong as a consolidated pltf purs to Order of 8/18/05. (bmt) Modified on 8/23/2005 to clean up text (bmt). (Entered: 08/23/2005)
08/19/2005	<u>42</u>	CERTIFICATE OF MAILING by the Clerk re <u>41</u> Order (bmt,) (Entered: 08/19/2005)
08/19/2005		***Set/Clear Flags (bmt,) (Entered: 08/19/2005)
08/29/2005	<u>43</u>	<i>Defendants'</i> ANSWER to Amended Complaint <i>consolidated amended and supplemented class action complaint</i> by Wal-Mart Stores Inc.(Kaplan, Philip) (Entered: 08/29/2005)
08/31/2005	<u>44</u>	Joint MOTION for Protective Order by Wal-Mart Stores Inc. (Kaplan, Philip) (Entered: 08/31/2005)
09/27/2005	<u>45</u>	CONFIDENTIALITY ORDER granting joint motion <u>44</u> for Protective Order; parties have stipulated that certain discovery material is and should be treated as confidential and have agreed to the terms of this Order . Signed by Judge William R. Wilson Jr. on 9/27/05. (bsm) (Entered: 09/27/2005)

09/27/2005	<u>46</u>	CERTIFICATE OF MAILING by the Clerk re <u>45</u> Protective/Confidentiality Order (bsm) (Entered: 09/27/2005)
10/20/2005	<u>47</u>	MOTION to Extend Time to <i>Disclose Expert Witnesses</i> by Tommy Armstrong. (Welch, Morgan) (Entered: 10/20/2005)
10/21/2005	<u>48</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>47</u> Motion to Extend Time for Expert Disclosures. Accordingly, case-in-chief expert disclosures, including the Reports, must be made by January 3, 2006, and rebuttal expert disclosures, including the Reports, must be made by February 3, 2006. No other deadline is affected by this order. Signed by Judge William R. Wilson Jr. on 10-21-05. (dmm,) (Entered: 10/21/2005)
10/24/2005	<u>49</u>	CERTIFICATE OF MAILING by the Clerk re doc #48 Order on Motion to Extend Time (maj) (Entered: 10/24/2005)
12/19/2005	<u>50</u>	AMENDED FINAL SCHEDULING ORDER (DOC): Jury Trial reset for 3/12/2007 at 9:00 AM in Helena Courtroom #314 before Judge William R. Wilson Jr; Discovery due by 12/12/2006; Motions due by 1/12/2007; Pretrial Disclosure Sheet due by 2/12/2007.(maj) (Entered: 12/19/2005)
12/19/2005	<u>51</u>	CERTIFICATE OF MAILING by the Clerk re doc #50 Amended Final Scheduling Order (maj) (Entered: 12/19/2005)
12/19/2005		Set/Reset Deadlines as to Hearing on Motion for Class Certification set for 5/31/2006 09:00 AM in Little Rock Courtroom #431 before Judge William R. Wilson Jr., per Amended Scheduling Order. (thd) (Entered: 02/16/2006)
03/10/2006	<u>52</u>	MOTION for Leave to File <i>Documents under Seal</i> by Tommy Armstrong, Daryal T Nelson. (Attachments: # <u>1</u> Exhibit Exhibit 1)(Welch, Morgan) (Entered: 03/10/2006)
03/10/2006	<u>53</u>	BRIEF IN SUPPORT filed by Tommy Armstrong, Daryal T Nelson re <u>52</u> Motion for Leave to File <i>Documents Under Seal</i> . (Welch, Morgan) (Entered: 03/10/2006)
03/13/2006	<u>54</u>	MOTION to Certify Class by Tommy Armstrong, Daryal T Nelson. (Welch, Morgan) (Entered: 03/13/2006)
03/14/2006	<u>55</u>	NOTICE of Appearance by Joseph Henry Bates, III on behalf of all plaintiffs (Bates, Joseph) (Entered: 03/14/2006)
03/22/2006	<u>56</u>	RESPONSE to Motion re <u>52</u> MOTION for Leave to File <i>Documents under Seal</i> filed by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC. (Attachments: # <u>1</u> # <u>2</u>)(Kaplan, Philip) (Entered: 03/22/2006)
04/13/2006	<u>57</u>	ORDER granting <u>52</u> Motion for Leave to File certain documents pursuant to paragraph 2 of the Protective Order under seal; this order is w/o prejudice to pltf's right to raise objections concerning particular exhibits at a later date. Signed by Judge William R. Wilson Jr. on 4/13/06. (mkf,) (Entered: 04/13/2006)
04/13/2006	<u>58</u>	CERTIFICATE OF MAILING by the Clerk re <u>57</u> Order on Motion for Leave to File Documents Under Seal. (mkf,) (Entered: 04/13/2006)
04/13/2006	<u>59</u>	MOTION to Exclude <i>The Report and Testimony of Martin Shapiro</i> by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u> # <u>8</u> # <u>9</u> # <u>10</u> # <u>11</u> # <u>12</u> # <u>13</u> # <u>14</u> # <u>15</u> # <u>16</u> # <u>17</u>)(Gray, Michael) (Entered: 04/13/2006)
04/13/2006	<u>60</u>	BRIEF IN SUPPORT filed by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC re <u>59</u> Motion to Exclude, <i>Wal-Mart's Memorandum In Support of its Motion to Exclude The Report And Testimony of Martin Shapiro</i> . (Gray, Michael) (Entered: 04/13/2006)
04/13/2006	<u>61</u>	MOTION to Exclude <i>The Report and Testimony of William T. Bielby, Ph.D.</i> by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u> # <u>8</u> # <u>9</u> # <u>10</u> # <u>11</u> # <u>12</u> # <u>13</u> # <u>14</u> # <u>15</u> # <u>16</u> # <u>17</u>)(Gray, Michael) (Entered: 04/13/2006)

04/13/2006	<u>62</u>	BRIEF IN SUPPORT filed by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC re <u>61</u> Motion to Exclude, <i>Wal-Mart's Memorandum in Support of Its Motion to Exclude The Report and Testimony of William T. Bielby, Ph.D.</i> . (Gray, Michael) (Entered: 04/13/2006)
04/13/2006	<u>63</u>	BRIEF IN OPPOSITION filed by Wal-Mart Stores Inc re <u>54</u> Motion to Certify Class. (Kaplan, Philip)(MODIFICATION: Original document submitted in error; corrected document added as an attachment on 4/17/2006, per instructions from chambers.) (thd) (Entered: 04/13/2006)
04/13/2006	<u>64</u>	RESPONSE to Motion re <u>54</u> MOTION to Certify Class <i>Defendants' Motion In Opposition to Class Certification</i> filed by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u> # <u>8</u> # <u>9</u> # <u>10</u> # <u>11</u> # <u>12</u> # <u>13</u> # <u>14</u> # <u>15</u> # <u>16</u> # <u>17</u> # <u>18</u> # <u>19</u> # <u>20</u> # <u>21</u> # <u>22</u> # <u>23</u> # <u>24</u> # <u>25</u> # <u>26</u> # <u>27</u> # <u>28</u> # <u>29</u> # <u>30</u> # <u>31</u> # <u>32</u> # <u>33</u> # <u>34</u> # <u>35</u> # <u>36</u> # <u>37</u>)(Gray, Michael) (Entered: 04/13/2006)
04/13/2006	<u>65</u>	ADDENDUM filed by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC to <u>64</u> Response to Motion, <i>Defendants' Motion In Opposition To Class Certification additional exhibits</i> . (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u> # <u>8</u> # <u>9</u> # <u>10</u> # <u>11</u> # <u>12</u> # <u>13</u> # <u>14</u> # <u>15</u> # <u>16</u> # <u>17</u> # <u>18</u> # <u>19</u> # <u>20</u> # <u>21</u> # <u>22</u> # <u>23</u> # <u>24</u> # <u>25</u> # <u>26</u> # <u>27</u> # <u>28</u> # <u>29</u> # <u>30</u>)(Gray, Michael) (Entered: 04/13/2006)
04/13/2006	<u>66</u>	ADDENDUM filed by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC to <u>64</u> Response to Motion, <i>Defendants' Motion In Opposition To Class Certification additional exhibits</i> . (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u> # <u>8</u> # <u>9</u> # <u>10</u> # <u>11</u> # <u>12</u> # <u>13</u> # <u>14</u> # <u>15</u> # <u>16</u> # <u>17</u> # <u>18</u> # <u>19</u> # <u>20</u>)(Gray, Michael) (Entered: 04/13/2006)
04/13/2006	<u>67</u>	EXHIBIT 6 – Ed Parrish Declaration (FILED UNDER SEAL) by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC to <u>61</u> MOTION to Exclude The Report and Testimony of William T. Bielby, Ph.D. (mkf,) (Entered: 04/14/2006)
04/13/2006	<u>68</u>	EXHIBIT 7 – Shirley Coonrod Declaration (FILED UNDER SEAL) by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC to <u>59</u> MOTION to Exclude The Report and Testimony of Martin Shapiro. (mkf,) (Entered: 04/14/2006)
04/13/2006	<u>69</u>	EXHIBIT 8 – Shirley Coonrod Declaration – (FILED UNDER SEAL) by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC to <u>64</u> Defts' Opposition Response to Pltfs' Motion for Class Certification. (mkf,) (Entered: 04/14/2006)
04/14/2006	<u>70</u>	MOTION for Extension of Time to File Response/Reply as to <u>61</u> MOTION to Exclude <i>The Report and Testimony of William T. Bielby, Ph.D.</i> , <u>59</u> MOTION to Exclude <i>The Report and Testimony of Martin Shapiro</i> by Tommy Armstrong, Daryal T Nelson. (Welch, Morgan) (Entered: 04/14/2006)
04/14/2006	<u>71</u>	MOTION for Extension of Time to File Response/Reply as to <u>64</u> Response to Motion, by Tommy Armstrong, Daryal T Nelson. (Welch, Morgan) (Entered: 04/14/2006)
04/14/2006	<u>72</u>	BRIEF IN SUPPORT filed by Tommy Armstrong, Daryal T Nelson re <u>54</u> Motion to Certify Class. (Welch, Morgan) (Entered: 04/14/2006)
04/17/2006	<u>73</u>	NOTICE OF DOCKET CORRECTION re: <u>63</u> Brief in Opposition. CORRECTION: The original document was submitted in error. The correct document was received by the court (correspondence attached) and added to docket entry <u>63</u> , per instructions from chambers. (thd) (Entered: 04/17/2006)
04/17/2006	<u>74</u>	CERTIFICATE OF MAILING by the Clerk re <u>73</u> Notice of Docket Correction. (thd) (Entered: 04/17/2006)
04/17/2006	<u>79</u>	LETTER/ORDER to Mr. Chip Welch and Phil Kaplan; submit an expert testimony re Daubert by 5/23/06; a short brief with afdts may also be submitted; Court may decide Daubert issue on papers submitted, but if not, Daubert hearing will be at 8:30 a.m. on 5/31/06; granting Motions <u>70</u> <u>71</u> for Extension of Time until 5/18/06 to File Reply to defts' response to MOTIONS <u>59</u> <u>61</u> to Exclude and MOTION <u>54</u> to Certify Class. Signed by Judge William R. Wilson Jr. on 4/17/06. (bsm,) (Entered: 04/20/2006)

04/19/2006	<u>75</u>	EXHIBITS (FILED UNDER SEAL) by Tommy Armstrong, Daryal T Nelson to <u>72</u> Pltfs' Brief in Support of Motion for Class Certification. (mkf,) (Entered: 04/19/2006)
04/19/2006	<u>76</u>	ADDENDUM filed by Tommy Armstrong, Daryal T Nelson to <u>72</u> Brief in Support <i>Unsealed Exhibits – Part 1 of 2</i> . (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u> # <u>8</u> # <u>9</u> # <u>10</u> # <u>11</u> # <u>12</u> # <u>13</u> # <u>14</u> # <u>15</u> # <u>16</u> # <u>17</u> # <u>18</u> # <u>19</u> # <u>20</u> # <u>21</u> # <u>22</u> # <u>23</u> # <u>24</u> # <u>25</u> # <u>26</u> # <u>27</u> # <u>28</u> # <u>29</u> # <u>30</u> # <u>31</u> # <u>32</u> # <u>33</u> # <u>34</u> # <u>35</u>)(Bates, Joseph) (Entered: 04/19/2006)
04/19/2006	<u>77</u>	ADDENDUM filed by Tommy Armstrong, Daryal T Nelson to <u>72</u> Brief in Support <i>Amended and Substituted Unsealed Exhibits – Part 1 of 2</i> . (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2–1# <u>3</u> Errata 2–2# <u>4</u> Exhibit 2–3# <u>5</u> Exhibit 2–4# <u>6</u> Exhibit 3# <u>7</u> Exhibit 4# <u>8</u> Exhibit 5# <u>9</u> Exhibit 6# <u>10</u> Exhibit 8# <u>11</u> Exhibit 9# <u>12</u> Exhibit 12# <u>13</u> Exhibit 13# <u>14</u> Exhibit 14# <u>15</u> Exhibit 15# <u>16</u> Exhibit 16# <u>17</u> Exhibit 17# <u>18</u> Exhibit 19# <u>19</u> Exhibit 20# <u>20</u> Exhibit 21# <u>21</u> Exhibit 26# <u>22</u> Exhibit 28# <u>23</u> Exhibit 29# <u>24</u> Exhibit 30# <u>25</u> Exhibit 32# <u>26</u> Exhibit 33# <u>27</u> Exhibit 34# <u>28</u> Exhibit 35# <u>29</u> Exhibit 36# <u>30</u> Exhibit 37# <u>31</u> Exhibit 38–1a# <u>32</u> Exhibit 38–1b# <u>33</u> Exhibit 38–2# <u>34</u> Exhibit 39# <u>35</u> Exhibit 40)(Bates, Joseph) (Entered: 04/19/2006)
04/19/2006	<u>78</u>	ADDENDUM filed by Tommy Armstrong, Daryal T Nelson to <u>72</u> Brief in Support <i>Unsealed Exhibits – Part 2 of 2</i> . (Attachments: # <u>1</u> Exhibit 42# <u>2</u> Exhibit 43# <u>3</u> Exhibit 47# <u>4</u> Exhibit 50# <u>5</u> Exhibit 55# <u>6</u> Exhibit 56# <u>7</u> Exhibit 58# <u>8</u> Exhibit 60# <u>9</u> Exhibit 61# <u>10</u> Errata 62# <u>11</u> Exhibit 63# <u>12</u> Exhibit 64# <u>13</u> Exhibit 65# <u>14</u> Exhibit 66# <u>15</u> Exhibit 67# <u>16</u> Exhibit 68# <u>17</u> Exhibit 69# <u>18</u> Exhibit 70# <u>19</u> Exhibit 71# <u>20</u> Exhibit 72# <u>21</u> Exhibit 73# <u>22</u> Exhibit 74# <u>23</u> Exhibit 75# <u>24</u> Exhibit 76# <u>25</u> Exhibit 77# <u>26</u> Exhibit 78# <u>27</u> Exhibit 79# <u>28</u> Exhibit 80# <u>29</u> Exhibit 81# <u>30</u> Errata 82# <u>31</u> Exhibit 83# <u>32</u> Exhibit 84# <u>33</u> Exhibit 85# <u>34</u> Exhibit 86# <u>35</u> Exhibit 87# <u>36</u> Exhibit 88# <u>37</u> Exhibit 89# <u>38</u> Exhibit 90)(Bates, Joseph) (Entered: 04/19/2006)
04/20/2006	<u>80</u>	CERTIFICATE OF MAILING by the Clerk re <u>79</u> Letter/Order on Motion for Extension of Time to File Response/Reply and Daubert Issue (bsm) (Entered: 04/20/2006)
04/25/2006	<u>81</u>	MOTION to Compel by Tommy Armstrong, Daryal T Nelson. (Attachments: # <u>1</u> Exhibit Exhibit 1)(Bates, Joseph) (Entered: 04/25/2006)
04/25/2006	<u>82</u>	BRIEF IN SUPPORT filed by Tommy Armstrong, Daryal T Nelson re <u>81</u> Motion to Compel. (Bates, Joseph) (Entered: 04/25/2006)
05/01/2006	<u>83</u>	RESPONSE to Motion re <u>81</u> MOTION to Compel filed by Wal–Mart Stores Inc, Wal–Mart Transportation, LLC. (Attachments: # <u>1</u> # <u>2</u>)(Gray, Michael) (Entered: 05/01/2006)
05/02/2006		(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute Entry for telephone conference on Motion to Compel held before Judge William R. Wilson Jr. in chambers in Little Rock on 5/2/2006. Defts directed to submit follow–up briefs within 10 days. Ruling to follow. <u>81</u> (Court Reporter Deposition Court Reporter Ms. Robbins for Defts.) (lej) (Entered: 05/02/2006)
05/04/2006	<u>84</u>	ORDER re Motion Hearing on Plaintiffs' <u>81</u> MOTION to Compel filed by Tommy Armstrong,, Daryal T Nelson, . Signed by Judge William R. Wilson Jr. on 5/4/06. (mkf,) (Entered: 05/04/2006)
05/04/2006	<u>85</u>	CERTIFICATE OF MAILING by the Clerk re <u>84</u> Order. (mkf,) (Entered: 05/04/2006)
05/12/2006	<u>86</u>	RESPONSE re <u>84</u> Order <i>Statement in Response to May 4 Order</i> by Wal–Mart Stores Inc, Wal–Mart Transportation, LLC. (Gray, Michael) (Entered: 05/12/2006)
05/18/2006	<u>87</u>	REPLY to Response to Motion re <u>54</u> MOTION to Certify Class filed by Tommy Armstrong, Daryal T Nelson. (Attachments: # <u>1</u> Exhibit Index to Exhibits to Reply# <u>2</u> Exhibit Exhibit No. 91# <u>3</u> Exhibit Exhibit No. 92# <u>4</u> Exhibit Exhibit No. 93# <u>5</u> Exhibit Exhibit No. 94# <u>6</u> Exhibit Exhibit No. 95# <u>7</u> Exhibit Exhibit No. 96# <u>8</u> Exhibit Exhibit No. 97# <u>9</u> Exhibit Exhibit No. 98# <u>10</u> Exhibit Exhibit No. 99# <u>11</u> Exhibit Exhibit No. 100# <u>12</u> Exhibit Exhibit No. 101# <u>13</u> Exhibit Exhibit No. 102# <u>14</u> Exhibit Exhibit No. 103# <u>15</u> Exhibit Exhibit No. 104# <u>16</u> Exhibit Exhibit No.

		105# <u>17</u> Exhibit Exhibit No. 106)(Bates, Joseph) (Entered: 05/18/2006)
05/22/2006	<u>88</u>	MOTION to Withdraw as Attorney by Tommy Armstrong, Daryal T Nelson. (Bates, Joseph) (Entered: 05/22/2006)
05/22/2006	89	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>88</u> Plaintiffs' Motion to Withdraw Attorney Brooke Owen. Accordingly, Ms. Owen is relieved as counsel of record. Signed by Judge William R. Wilson Jr. on 05/22/06. (dmm,) (Entered: 05/22/2006)
05/22/2006		Attorney Brooke Augusta Owen terminated pursuant to text Order doc 89. (mar) (Entered: 05/25/2006)
05/23/2006	<u>90</u>	CERTIFICATE OF MAILING by the Clerk re doc #89 Order on Motion to Withdraw as Attorney (maj) (Entered: 05/23/2006)
05/23/2006	<u>91</u>	RESPONSE to Motion re <u>61</u> MOTION to Exclude <i>The Report and Testimony of William T. Bielby, Ph.D.</i> , <u>59</u> MOTION to Exclude <i>The Report and Testimony of Martin Shapiro</i> filed by Tommy Armstrong, Daryal T Nelson. (Welch, Morgan) (Entered: 05/23/2006)
05/23/2006	<u>92</u>	NOTICE by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC re <u>79</u> Order on Motion for Extension of Time to File Response/Reply,, <i>Filing of Summary Declarations of Robert Topel and Philip Tetlock</i> (Attachments: # <u>1</u> Exhibit Summary Declaration of Robert Topel# <u>2</u> Exhibit Summary Declaration of Philip Tetlock)(Gray, Michael) (Entered: 05/23/2006)
05/23/2006	<u>93</u>	BRIEF IN SUPPORT filed by Tommy Armstrong, Daryal T Nelson re <u>91</u> Response to Motion to Exclude <i>Testimony and Reports of Dr. William T. Bielby and Dr. Martin Shapiro</i> . (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H)(Welch, Morgan) (Entered: 05/23/2006)
05/23/2006	<u>94</u>	ADDENDUM filed by Tommy Armstrong, Daryal T Nelson to <u>93</u> Brief in Support, <i>Index of Exhibits</i> . (Welch, Morgan) (Entered: 05/23/2006)
05/23/2006	<u>95</u>	MOTION to Exclude <i>Declaration and Addendum of Martin Shapiro</i> by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC. (Attachments: # <u>1</u> Exhibit 1/19/06 Letter to Bates# <u>2</u> Exhibit Excerpts of 5/1/06 Shapiro Deposition# <u>3</u> Exhibit Excerpts 3/23/06 Shapiro Deposition)(Gray, Michael) (Entered: 05/23/2006)
05/23/2006	<u>96</u>	BRIEF IN SUPPORT filed by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC re <u>95</u> Motion to Exclude,. (Gray, Michael) (Entered: 05/23/2006)
05/23/2006	<u>97</u>	MOTION for Leave to File <i>Surreply in Opposition to Class Certification</i> by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC. (Gray, Michael) (Entered: 05/23/2006)
05/23/2006	<u>98</u>	MEMORANDUM re <u>97</u> MOTION for Leave to File <i>Surreply in Opposition to Class Certification</i> filed by Wal-Mart Stores Inc., Wal-Mart Transportation, LLC, <i>Surreply</i> . (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u> # <u>8</u> # <u>9</u> # <u>10</u>)(Gray, Michael) (Entered: 05/23/2006)
05/24/2006	<u>99</u>	RESPONSE in Opposition re <u>95</u> MOTION to Exclude <i>Declaration and Addendum of Martin Shapiro</i> filed by Tommy Armstrong, Daryal T Nelson. (Bates, Joseph) (Entered: 05/24/2006)
05/25/2006	<u>100</u>	ORDER denying <u>59</u> Motion to Exclude, denying <u>61</u> Motion to Exclude, denying <u>95</u> Motion to Exclude, granting <u>97</u> Motion for Leave to File . Signed by Judge William R. Wilson Jr. on 5/25/06. (mkf,) (Entered: 05/25/2006)
05/25/2006	<u>101</u>	CERTIFICATE OF MAILING by the Clerk re <u>100</u> Order on Motion to Exclude, Order on Motion for Leave to File. (mkf,) (Entered: 05/25/2006)
05/31/2006		(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute Entry for proceedings held before Judge William R. Wilson Jr: Motion Hearing held on 5/31/2006 re: Motion to Certify Class; simultaneous briefs due by 5:00 p.m. 6/15/06; simultaneous responses due by 5:00 p.m. 6/22/06; order to be entered (Court Reporter J. Ammons) (maj) (Entered: 06/02/2006)

06/01/2006	<u>102</u>	ORDER directing parties to file proposed findings of fact of no longer than 21 pages, by 5 p.m., Thursday, June 15, 2006; simultaneous responses must be filed by 5 p.m., June 22, 2006. Signed by Judge William R. Wilson Jr. on 6/1/06. (mkf,) (Entered: 06/01/2006)
06/01/2006	<u>103</u>	CERTIFICATE OF MAILING by the Clerk re <u>102</u> Order. (mkf,) (Entered: 06/01/2006)
06/05/2006	104	TRANSCRIPT of Hearing held on 05/31/2006 before Judge William R. Wilson, Jr. Court Reporter: Judith A. Ammons. (thd) (Entered: 06/05/2006)
06/15/2006	<u>105</u>	Proposed Findings of Fact by Tommy Armstrong, Daryal T Nelson. (Bates, Joseph) (Entered: 06/15/2006)
06/15/2006	<u>106</u>	BRIEF filed by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC <i>Defendants' Proposed Findings of Fact and Conclusions of Law</i> . (Gray, Michael) (Entered: 06/15/2006)
06/22/2006	<u>107</u>	RESPONSE re <u>106</u> Brief (non-appeal) by Tommy Armstrong, Daryal T Nelson. (Welch, Morgan) (Entered: 06/22/2006)
06/22/2006	<u>108</u>	RESPONSE re <u>105</u> Proposed Findings of Fact by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC. (Gray, Michael) (Entered: 06/22/2006)
11/01/2006	<u>109</u>	Letter to counsel from Judge William R Wilson Jr re discovery problems; anyone wanting to submit a letter outlining the problems should do so by noon, this Friday, November 3, 2006 by fax. (mkf,) (Entered: 11/01/2006)
11/09/2006	<u>110</u>	MOTION to Extend Time <i>Motion For Extension Of Time To Extend Deadlines</i> by Daryal T Nelson. (Attachments: # <u>1</u> Exhibit A - Amended Scheduling Order)(Walker, John) (Entered: 11/09/2006)
11/20/2006	<u>111</u>	ORDER granting <u>81</u> Motion to Compel . Signed by Judge William R. Wilson Jr. on 11/20/06. (mkf,) (Entered: 11/20/2006)
11/28/2006	<u>112</u>	ORDER granting <u>110</u> Motion to Extend Deadlines; a new scheduling order will be issued following the ruling on the Motion for Class Certification. Signed by Judge William R. Wilson Jr. on 11/28/06. (mkf,) (Entered: 11/28/2006)
02/07/2007	<u>113</u>	NOTICE by Tommy Armstrong, Daryal T Nelson re <u>72</u> Brief in Support of <i>Additional Citation</i> (Welch, Morgan) (Entered: 02/07/2007)
02/08/2007	<u>114</u>	REQUEST by Wal-Mart Stores Inc, Wal-Mart Transportation, LLC for Leave to Respond to Citation of Additional Authority. (Gray, Michael) (Entered: 02/08/2007)
02/09/2007	115	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER: Denying Defendant's request to Respond to Citation of Additional Authority. I have read the case and will take it into consideration. No additional briefing is necessary. Signed by Judge William R. Wilson Jr. on 02/09/07. (dmm,) (Entered: 02/09/2007)
04/04/2007	<u>116</u>	NOTICE: Motion for Class Certification Hearing set for 4/24/2007 at 1:30 PM in Little Rock Courtroom #431 before Judge William R. Wilson Jr. (maj) (Entered: 04/04/2007)
04/04/2007	<u>117</u>	Letter to counsel from Judge Wm. R. Wilson, Jr. re Class Certification Hearing scheduled for Tuesday, April 24, 2007 at 1:30 p.m. (mkf) (Entered: 04/04/2007)
04/24/2007		(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute Order. Proceedings held before Judge William R. Wilson Jr: Motion Hearing held on 4/24/2007 re Motion to Certify Class filed by pltf; motion taken under advisement. (Court Reporter C. Newburg) (maj) (Entered: 05/01/2007)
05/16/2007	<u>118</u>	ORDER granting in part and denying in part <u>54</u> Motion to Certify Class. Signed by Judge William R. Wilson Jr. on 5/16/07. (mkf) (Entered: 05/16/2007)
06/01/2007	<u>119</u>	Letter from Clerk USCA8, Wal-Mart Stores, and Wal-Mart Transportation LLC has filed a petition for permission to appeal, re. <u>118</u> Order, USCA8 Misc. No. 07-8007 (dac) (Entered: 06/01/2007)

06/11/2007	120	TRANSCRIPT of Motions Hearing (1 Volume) held on April 24, 2007 before Judge William R. Wilson, Jr.. Court Reporter: Christa R. Newburg. (mkf) (Entered: 06/11/2007)
06/28/2007	<u>121</u>	USCA8 JUDGMENT, Petition for Permission to File Interlocutory Appeal is Denied (dac) (Entered: 06/28/2007)
06/28/2007	<u>122</u>	USCA8 MANDATE, in accordance with the judgment of 6/28/07 (dac) (Entered: 06/28/2007)
09/24/2007	<u>123</u>	STATUS REPORT <i>Plaintiffs' Scheduling Conference Report</i> by Tommy Armstrong, Daryal T Nelson (Bates, Joseph) (Entered: 09/24/2007)
09/24/2007	<u>124</u>	STATUS REPORT of <i>proposed trial plan</i> by Wal-Mart Stores Inc (Kaplan, Philip) (Entered: 09/24/2007)
09/25/2007		(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Proceedings held before Judge William R. Wilson Jr: Scheduling Conference held on 9/25/2007; Court made a tentative ruling for a non-jury trial; pltf's brief on issue due by noon on 9/26/2007; case set for trial, in Little Rock, on October 6, 2008 for 4 weeks; back-up setting of 1/5/2009; Status Conference set, in Little Rock, for 3/4/2008 at 9:00 a.m.; Telephone Conference set for 10/11/2007 at 8:00 a.m. (Court Reporter C. Newburg) (maj) (Entered: 09/27/2007)
09/26/2007	<u>125</u>	NOTICE by Tommy Armstrong <i>Of Filing of Letter Response</i> (Welch, Morgan) (Entered: 09/26/2007)
09/27/2007	<u>126</u>	NOTICE of Appearance by Jess L. Askew, III on behalf of Wal-Mart Stores Inc, Wal-Mart Transportation, LLC (Askew, Jess) (Entered: 09/27/2007)
09/28/2007	<u>127</u>	Letter to Attorney Phillip E. Kaplan from Judge Wm. R. Wilson, Jr. directing him to prepare a precedent for an order based on the September 25, 2007 hearing by noon, Monday, October 1, 2007. (mkf) (Entered: 09/28/2007)
10/11/2007		(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Proceedings held before Judge William R. Wilson Jr: Telephone Conference held on 10/11/2007 regarding status of discovery. (Court Reporter J. Ammons) (maj) (Entered: 10/11/2007)
10/12/2007	<u>128</u>	ORDER pursuant to oral arguments heard on September 25, 2007; this matter will be heard by the Court w/o a jury at this initial stage; the trial will commence on either October 6, 2008 or January 5, 2009; the final date will be determined at a status conference to be held on March 4, 2008 at 9:00 a.m.; the trial will be set for a period of four weeks; scheduling ddls for each proposed trial date are set out in this Order. Signed by Judge William R. Wilson Jr. on 10/12/07. (mkf) (Entered: 10/15/2007)
12/12/2007	<u>129</u>	NOTICE of Appearance by Michael Muskheli on behalf of Wal-Mart Stores Inc, Wal-Mart Transportation, LLC (Muskheli, Michael) (Entered: 12/12/2007)
12/12/2007	<u>130</u>	NOTICE of Appearance by Clayborne S. Stone on behalf of Wal-Mart Stores Inc, Wal-Mart Transportation, LLC (Stone, Clayborne) (Entered: 12/12/2007)
01/03/2008	<u>131</u>	NOTICE of Appearance by Teresa M. Wineland on behalf of Wal-Mart Stores Inc (Wineland, Teresa) (Entered: 01/03/2008)
01/15/2008	<u>132</u>	MOTION to Withdraw as Attorney by Daryal T Nelson (Bowden, David) (Entered: 01/15/2008)
01/15/2008	133	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>132</u> Plaintiff's Motion to Withdraw Mr. David O. Bowden as Counsel. Accordingly, Mr. David O. Bowden is relieved as counsel. Signed by Judge William R. Wilson, Jr on 01/15/08. (dmm) (Entered: 01/15/2008)
03/04/2008	<u>134</u>	STATUS REPORT by Tommy Armstrong (Welch, Morgan) (Entered: 03/04/2008)
03/04/2008	<u>135</u>	STATUS REPORT by Wal-Mart Stores Inc (Kaplan, Philip) (Entered: 03/04/2008)

03/06/2008	<u>136</u>	STATUS REPORT <i>In Reply to Defendant's Status Report</i> by Tommy Armstrong (Welch, Morgan) (Entered: 03/06/2008)
04/18/2008	<u>137</u>	Letter from Judge Wm. R. Wilson, Jr. to Counsel of Record re issues raised in Status Reports; trial will start on Tuesday, January 6, 2009. (mkf) (Entered: 04/18/2008)
04/18/2008	<u>138</u>	FINAL SCHEDULING ORDER (DOC): Bench Trial set for 1/6/2009 at 9:00 AM in Little Rock Courtroom #4C before Judge William R. Wilson Jr; Discovery due by 10/6/2008; Motions due by 10/6/2008; Pretrial Disclosure Sheet due by 12/1/2008. (maj) (Entered: 04/18/2008)
05/08/2008	<u>139</u>	Joint MOTION to Extend Time of <i>expert disclosure deadline</i> by Wal-Mart Stores Inc (Maxey, Joann) (Entered: 05/08/2008)
05/08/2008	140	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>139</u> the Joint Motion for Extension of Time for Expert Disclosures. Accordingly, case-in-chief expert disclosures must be made by 5 p.m., Monday, July 21, 2008. All other deadlines remain the same. Signed by Judge William R. Wilson, Jr on 05/08/08. (dmm) (Entered: 05/08/2008)
09/11/2008	<u>141</u>	MOTION to Quash <i>and Request for Protective Order Concerning Deposition of H. Lee Scott, Jr.</i> by Wal-Mart Stores Inc (Attachments: # <u>1</u> Exhibit Exhibits 1-6)(Kaplan, Philip) (Entered: 09/11/2008)
09/11/2008	<u>142</u>	BRIEF IN SUPPORT filed by Wal-Mart Stores Inc re <u>141</u> Motion to Quash <i>and Request for Protective Order Concerning Deposition of H. Lee Scott, Jr.</i> (Kaplan, Philip) (Entered: 09/11/2008)
09/12/2008	<u>143</u>	Letter to Counsel from Judge Wm. R. Wilson, Jr. re deposition of Defendant's CEO; response to <u>141</u> Motion due by noon, Thursday, September 18, 2008. (mkf) (Entered: 09/12/2008)
09/17/2008	144	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute Order for proceedings held before Judge William R. Wilson, Jr:Telephone Conference re case status held on 9/17/2008. (Court Reporter E. Hinson) (maj) (Entered: 09/17/2008)
09/17/2008	<u>145</u>	LETTER ORDER informing counsel of Witness Time Limits. Signed by Judge William R. Wilson, Jr on 9/17/08. (vjt) (Entered: 09/17/2008)
09/18/2008	<u>146</u>	RESPONSE in Opposition re <u>141</u> MOTION to Quash <i>and Request for Protective Order Concerning Deposition of H. Lee Scott, Jr.</i> filed by Tommy Armstrong, Daryal T Nelson. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Walker, John) (Entered: 09/18/2008)
09/19/2008	<u>147</u>	REPLY to Response to Motion re <u>141</u> MOTION to Quash <i>and Request for Protective Order Concerning Deposition of H. Lee Scott, Jr.</i> filed by Wal-Mart Stores Inc. (Attachments: # <u>1</u> Exhibit Exhibits 1 and 2)(Kaplan, Philip) (Entered: 09/19/2008)
09/24/2008	<u>148</u>	ORDER granting <u>141</u> Motion to Quash the deposition of H. Lee Scott, jr.. Signed by Judge William R. Wilson, Jr on 9/24/08. (bkp) (Entered: 09/24/2008)
10/06/2008	<u>149</u>	MOTION for Leave to Appear pro hac vice by Wal-Mart Stores Inc (Kaplan, Philip) (Entered: 10/06/2008)
10/06/2008	<u>150</u>	MOTION for Order <i>decertifying class</i> by Wal-Mart Stores Inc (Kaplan, Philip) (Entered: 10/06/2008)
10/06/2008	<u>151</u>	MOTION for Summary Judgment <i>Against Individual Plaintiffs</i> by Wal-Mart Stores Inc (Kaplan, Philip) (Entered: 10/06/2008)
10/06/2008	<u>152</u>	MOTION for Summary Judgment <i>on Plaintiffs' Class Claims</i> by Wal-Mart Stores Inc (Kaplan, Philip) (Entered: 10/06/2008)
10/06/2008	<u>153</u>	STATEMENT OF FACTS (Local Rule 56.1) re <u>152</u> Motion for Summary Judgment, <u>151</u> Motion for Summary Judgment filed by Wal-Mart Stores Inc. (Kaplan, Philip) (Entered: 10/06/2008)

10/06/2008	<u>154</u>	BRIEF IN SUPPORT filed by Wal-Mart Stores Inc re <u>152</u> Motion for Summary Judgment <i>on Class Claims</i> (Kaplan, Philip) (Entered: 10/06/2008)
10/06/2008	<u>155</u>	BRIEF IN SUPPORT filed by Wal-Mart Stores Inc re <u>151</u> Motion for Summary Judgment <i>Against Individuals</i> (Kaplan, Philip) (Entered: 10/06/2008)
10/06/2008	<u>156</u>	BRIEF IN SUPPORT filed by Wal-Mart Stores Inc re <u>150</u> Motion for Order <i>Decertifying Class</i> (Kaplan, Philip) (Entered: 10/06/2008)
10/06/2008	157	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>149</u> Defendnats' Motion for Leave for Ms. Elizabeth B. McRee and Ms. Monica R. McCullough to Appear Pro Hac Vice in this case. Signed by Judge William R. Wilson, Jr on 10/06/08. (dmm) (Entered: 10/06/2008)
10/06/2008	<u>158</u>	NOTICE by Wal-Mart Stores Inc re <u>152</u> MOTION for Summary Judgment <i>on Plaintiffs' Class Claims</i> , <u>151</u> MOTION for Summary Judgment <i>Against Individual Plaintiffs</i> , <u>150</u> MOTION for Order <i>decertifying class of Filing of Exhibits</i> (Attachments: # <u>1</u> Exhibit Batch 1, # <u>2</u> Exhibit Batch 2, # <u>3</u> Exhibit Batch 3, # <u>4</u> Exhibit Batch 4, # <u>5</u> Exhibit, # <u>6</u> Exhibit Batch 6 part 1, # <u>7</u> Exhibit Batch 6 part 2, # <u>8</u> Exhibit Batch 7, # <u>9</u> Exhibit Batch 8.1, # <u>10</u> Exhibit Batch 8.2, # <u>11</u> Exhibit Batch 9, # <u>12</u> Exhibit Batch 9, # <u>13</u> Exhibit Batch 11, # <u>14</u> Exhibit Batch 12)(Kaplan, Philip) (Entered: 10/06/2008)
10/08/2008	<u>159</u>	MOTION for Extension of Time to File Response/Reply as to <u>152</u> MOTION for Summary Judgment <i>on Plaintiffs' Class Claims</i> , <u>151</u> MOTION for Summary Judgment <i>Against Individual Plaintiffs</i> , <u>150</u> MOTION for Order <i>decertifying class</i> by Tommy Armstrong (Welch, Morgan) (Entered: 10/08/2008)
10/09/2008	<u>160</u>	NOTICE of Appearance by Cassandra P. LaFrance on behalf of Wal-Mart Stores Inc, Wal-Mart Transportation LLC (LaFrance, Cassandra) (Entered: 10/09/2008)
10/09/2008	<u>161</u>	ORDER granting in part and denying in part <u>159</u> Motion for Extension of Time to File Response/Reply re <u>151</u> MOTION for Summary Judgment <i>Against Individual Plaintiffs</i> , <u>150</u> MOTION for Order <i>decertifying class</i> , <u>152</u> MOTION for Summary Judgment <i>on Plaintiffs' Class Claims</i> ; Replies due by 11/3/2008 by 5:00 p.m. Signed by Judge William R. Wilson, Jr on 10/09/08. (mkf) (Entered: 10/09/2008)
10/09/2008	<u>162</u>	NOTICE of Appearance by Ashley R. Hudson on behalf of all plaintiffs (Hudson, Ashley) (Entered: 10/09/2008)
10/28/2008	163	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute Order for proceedings held before Judge William R. Wilson, Jr:Telephone Conference held on 10/28/2008 w/parties; Bench trial reset to begin on Monday, March 16, 2009 at 1:00 p.m.; responses to pending motions extended up to and including November 14, 2008. (Court Reporter E. Hinson) (maj) (Entered: 10/29/2008)
11/03/2008	<u>164</u>	MOTION to Exclude <i>the Testimony of Plaintiffs' Experts Bendick and Shapiro</i> by Wal-Mart Stores Inc, Wal-Mart Transportation LLC (Attachments: # <u>1</u> Document Index of exhibits, # <u>2</u> Exhibit 1-1, # <u>3</u> Exhibit 1-2, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6-1, # <u>9</u> Exhibit 6-2, # <u>10</u> Exhibit 7, # <u>11</u> Exhibit 8, # <u>12</u> Exhibit 9)(McRee, Elizabeth) (Entered: 11/03/2008)
11/03/2008	<u>165</u>	BRIEF IN SUPPORT filed by Wal-Mart Stores Inc, Wal-Mart Transportation LLC re <u>164</u> Motion to Exclude, (McRee, Elizabeth) (Entered: 11/03/2008)
11/14/2008	<u>166</u>	MOTION for Leave to File <i>Documents Under Seal</i> by Tommy Armstrong (Welch, Morgan) (Entered: 11/14/2008)
11/14/2008	<u>167</u>	BRIEF IN SUPPORT filed by Tommy Armstrong re <u>166</u> Motion for Leave to File <i>Documents Under Seal</i> (Welch, Morgan) (Entered: 11/14/2008)
11/14/2008	168	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>166</u> Plaintiff's Motion for Leave to File Exhibits Under Seal. Signed by Judge William R. Wilson, Jr on 11/14/08. (dmm) (Entered: 11/14/2008)
11/14/2008	<u>170</u>	RESPONSE in Opposition re <u>152</u> MOTION for Summary Judgment <i>on Plaintiffs' Class Claims</i> , <u>150</u> MOTION for Order <i>decertifying class</i> filed by Tommy

		Armstrong, Daryal T Nelson. (Bates, Joseph) (Entered: 11/14/2008)
11/14/2008	<u>171</u>	RESPONSE in Opposition re <u>164</u> MOTION to Exclude <i>the Testimony of Plaintiffs' Experts Bendick and Shapiro</i> filed by Tommy Armstrong, Daryal T Nelson. (Bates, Joseph) (Entered: 11/14/2008)
11/14/2008	<u>172</u>	RESPONSE to Motion re <u>151</u> MOTION for Summary Judgment <i>Against Individual Plaintiffs</i> filed by Tommy Armstrong. (Attachments: # <u>1</u> Affidavit Affidavit of Morgan E. Welch)(Welch, Morgan) (Entered: 11/14/2008)
11/14/2008	<u>173</u>	BRIEF IN SUPPORT filed by Tommy Armstrong re <u>172</u> Response to Motion for Summary Judgment as to Individual Class Representatives (Welch, Morgan) (Entered: 11/14/2008)
11/14/2008	<u>174</u>	STATEMENT OF FACTS (Local Rule 56.1) re <u>153</u> Statement of Facts (Local Rule 56.1) filed by Tommy Armstrong. (Welch, Morgan) (Entered: 11/14/2008)
11/14/2008	<u>175</u>	DOCUMENT FILED IN ERROR (duplicate, incomplete entry)– DISREGARD. (The party correctly filed the document as docket entry <u>176</u> .)(Bates, Joseph) (Docket text modified on 11/17/2008 to indicate the document was filed in error.) (thd) (Entered: 11/15/2008)
11/17/2008	<u>176</u>	NOTICE by Tommy Armstrong, Daryal T Nelson re <u>172</u> Response to Motion, <u>175</u> Notice (Other), Notice (Other), Notice (Other), Notice (Other), Notice (Other), Notice (Other), Notice (Other), Notice (Other), Notice (Other), Notice (Other), <u>170</u> Response in Opposition to Motion, <u>171</u> Response in Opposition to Motion, <u>173</u> Brief in Support, <u>174</u> Statement of Facts (Local Rule 56.1) (Attachments: # <u>1</u> Exhibit 2, # <u>2</u> Exhibit 3, # <u>3</u> Exhibit 5, # <u>4</u> Exhibit 6, # <u>5</u> Exhibit 7, # <u>6</u> Exhibit 8, # <u>7</u> Exhibit 9, # <u>8</u> Exhibit 10, # <u>9</u> Exhibit 11, # <u>10</u> Exhibit 12 – Part 1, # <u>11</u> Exhibit 12 – Part 2, # <u>12</u> Exhibit 13 – Part 1, # <u>13</u> Exhibit 13 – Part 2, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 20 – Part 1, # <u>16</u> Exhibit 20 – Part 2, # <u>17</u> Exhibit 20 – Part 3, # <u>18</u> Exhibit 20 – Part 4, # <u>19</u> Exhibit 23, # <u>20</u> Exhibit 32 – Part 1, # <u>21</u> Exhibit 32 – Part 2, # <u>22</u> Exhibit 32 – Part 3, # <u>23</u> Exhibit 32 – Part 4, # <u>24</u> Exhibit 32 – Part 5, # <u>25</u> Exhibit 32 – Part 6, # <u>26</u> Exhibit 32 – Part 7, # <u>27</u> Exhibit 32 – Part 8, # <u>28</u> Exhibit 33, # <u>29</u> Exhibit 34, # <u>30</u> Exhibit 35, # <u>31</u> Exhibit 36, # <u>32</u> Document 37, # <u>33</u> Exhibit 38, # <u>34</u> Document 39, # <u>35</u> Exhibit 40, # <u>36</u> Document 41 – Part 1, # <u>37</u> Exhibit 41 – Part 2, # <u>38</u> Document 42, # <u>39</u> Exhibit 43, # <u>40</u> Exhibit 44, # <u>41</u> Exhibit 45, # <u>42</u> Exhibit 46 – Part 1, # <u>43</u> Document 46 – Part 2, # <u>44</u> Exhibit 46 – Part 3, # <u>45</u> Exhibit 47, # <u>46</u> Document 48, # <u>47</u> Document 49, # <u>48</u> Document 50, # <u>49</u> Document 51, # <u>50</u> Document 52, # <u>51</u> Exhibit 53, # <u>52</u> Document 54, # <u>53</u> Exhibit 55, # <u>54</u> Exhibit 56, # <u>55</u> Exhibit 57, # <u>56</u> Document 58, # <u>57</u> Document 59, # <u>58</u> Document 61, # <u>59</u> Document 62, # <u>60</u> Document 63, # <u>61</u> Document 64, # <u>62</u> Document 65, # <u>63</u> Exhibit 66, # <u>64</u> Document 67, # <u>65</u> Exhibit 68, # <u>66</u> Exhibit 69, # <u>67</u> Exhibit 70, # <u>68</u> Exhibit 71, # <u>69</u> Exhibit 72, # <u>70</u> Exhibit 73, # <u>71</u> Exhibit 74, # <u>72</u> Document 75, # <u>73</u> Exhibit 76, # <u>74</u> Document 77, # <u>75</u> Document 78, # <u>76</u> Exhibit 79, # <u>77</u> Document 80, # <u>78</u> Exhibit 81, # <u>79</u> Document 82, # <u>80</u> Document 87, # <u>81</u> Exhibit 88, # <u>82</u> Document 89, # <u>83</u> Document 90, # <u>84</u> Exhibit 91, # <u>85</u> Document 92, # <u>86</u> Exhibit 93, # <u>87</u> Exhibit 106, # <u>88</u> Exhibit 107, # <u>89</u> Exhibit, # <u>90</u> Exhibit 111, # <u>91</u> Exhibit 112, # <u>92</u> Exhibit 115, # <u>93</u> Exhibit 119, # <u>94</u> Exhibit 121 – Part 1, # <u>95</u> Exhibit 121 – Part 2, # <u>96</u> Exhibit 122, # <u>97</u> Exhibit 123, # <u>98</u> Document 124, # <u>99</u> Exhibit 132, # <u>100</u> Document 133, # <u>101</u> Exhibit 135, # <u>102</u> Document 136, # <u>103</u> Exhibit 137, # <u>104</u> Exhibit 138, # <u>105</u> Exhibit 139, # <u>106</u> Exhibit 140, # <u>107</u> Document 141, # <u>108</u> Exhibit 142, # <u>109</u> Document 143, # <u>110</u> Exhibit 144)(Bates, Joseph) (Entered: 11/17/2008)
11/17/2008		NOTICE OF DOCKET CORRECTION re: <u>175</u> Notice of Filing Exhibits. CORRECTION: The docket text was modified to indicate the document was filed in error (incomplete, duplicate docket entry). The party filed the correct document as docket entry <u>176</u> . (thd) (Entered: 11/17/2008)
11/17/2008	<u>178</u>	SEALED DOCUMENT. (mkf) (Entered: 11/17/2008)
11/25/2008	<u>179</u>	MOTION for Leave to File <i>Consolidated Reply Brief to Plaintiffs' Responses to Motions for Summary Judgment against the Class and the Individual Plaintiffs, for Decertification, and to Strike Testimony of Plaintiffs' Experts</i> by Wal-Mart Stores Inc (Attachments: # <u>1</u> Exhibit Proposed Reply Brief, # <u>2</u> Exhibit Exhibits attached

		to Proposed Reply Brief)(Kaplan, Philip) (Entered: 11/25/2008)
11/26/2008	<u>180</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>179</u> Defendants' Motion for Leave to File Reply. Accordingly, Defendants' reply, attached to the Motion as an Exhibit, must be filed by 5 p.m., Monday, December 1, 2008. Signed by Judge William R. Wilson, Jr on 11/26/08. (dmm) (Entered: 11/26/2008)
12/01/2008	<u>181</u>	REPLY to Response to Motion re <u>179</u> MOTION for Leave to File <i>Consolidated Reply Brief to Plaintiffs' Responses to Motions for Summary Judgment against the Class and the Individual Plaintiffs, for Decertification, and to Strike Testimony of Plaintiffs' Experts</i> filed by Wal-Mart Stores Inc. (Attachments: # <u>1</u> Exhibit 1-13)(Kaplan, Philip) (Entered: 12/01/2008)
12/01/2008	<u>182</u>	AMENDED FINAL SCHEDULING ORDER (DOC): Bench Trial set for 3/16/2009 at 1:00 PM in Little Rock Courtroom #4C before Judge William R. Wilson Jr.; Pretrial Disclosure Sheet due by 2/9/2009. (maj) (Entered: 12/01/2008)
12/01/2008	<u>183</u>	STATEMENT OF FACTS (Local Rule 56.1) re <u>174</u> Statement of Facts (Local Rule 56.1) <i>Defendants' Response to Plaintiffs' Statement of Disputed Facts and Reply to Plaintiffs' Response to Defendants' Statement of Undisputed Facts in support of Motions for Summary Judgment on Class and Individual Claims</i> filed by Wal-Mart Stores Inc. (Kaplan, Philip) (Entered: 12/01/2008)
12/18/2008	<u>184</u>	ORDER REFERRING CASE to Magistrate Judge Henry L. Jones, Jr. for Settlement Conference. Signed by Judge William R. Wilson, Jr on 12/18/08. (mkf) (Entered: 12/18/2008)
12/22/2008	<u>185</u>	SCHEDULING ORDER (DOC) Settlement Conference set for 1/14/2009 09:00 AM in Little Rock Courtroom # 4B before Magistrate Judge Henry L. Jones Jr.; statement of issues due by 5:00 p.m. 1/7/09. (tjj) Modified on 12/22/2008 to correct date of conference (tjj). () (Additional attachment(s) added on 12/22/2008:) # <u>1</u> Main Document - Correct) (thd). (Entered: 12/22/2008)
12/22/2008	<u>186</u>	NOTICE OF DOCKET CORRECTION re: <u>185</u> Scheduling Order. CORRECTION: The original Order contained a typographical error in the date; the correct Order setting the settlement conference for 1/14/2009 was added to docket entry <u>185</u> . (Copy of correct order attached for service on the parties.) (thd) (Entered: 12/22/2008)
01/13/2009	<u>187</u>	ORDER denying <u>164</u> Motion to Exclude the Testimony of Plaintiffs' Experts Bendick and Shapiro. Signed by Judge William R. Wilson, Jr on 1/13/09. (mkf) (Entered: 01/13/2009)
01/13/2009	<u>188</u>	ORDER denying <u>152</u> Motion for Summary Judgment on Plaintiffs' Class Claims. Signed by Judge William R. Wilson, Jr on 1/13/09. (mkf) (Entered: 01/13/2009)
01/13/2009	<u>189</u>	ORDER denying <u>150</u> Motion for Decertification. Signed by Judge William R. Wilson, Jr on 1/13/09. (mkf) (Entered: 01/13/2009)
01/15/2009	<u>190</u>	SEALED MINUTE ORDER. (lej) (The document was removed from the docket and filed under seal on 1/15/2009 pursuant to instructions from Chambers.) (thd) (Entered: 01/15/2009)
01/15/2009		NOTICE OF DOCKET CORRECTION re: <u>190</u> MINUTE ORDER. CORRECTION: The document was removed from the docket and filed under seal, pursuant to instructions from Chambers. (thd) (Entered: 01/15/2009)
01/27/2009	<u>192</u>	ORDER denying without prejudice <u>151</u> Motion for Summary Judgment. Signed by Judge William R. Wilson, Jr on 1/27/09. (mkf) (Entered: 01/27/2009)
02/13/2009	<u>193</u>	MOTION to Withdraw as Attorney by <i>Cassandra P. LaFrance</i> by Wal-Mart Stores Inc (LaFrance, Cassandra) (Entered: 02/13/2009)
02/13/2009	<u>194</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>193</u> Defendants' Motion to Withdraw Counsel. Accordingly, Ms. Cassandra P. LaFrance is relieved as counsel. Signed by Judge William R. Wilson, Jr on 02/13/09. (dmm) (Entered: 02/13/2009)

02/20/2009	<u>196</u>	Unopposed MOTION to Certify Class <i>Unopposed Motion of Plaintiffs for Certification of Class for Settlement Purposes, Approval of Notice, and Preliminary Approval of Settlement Agreement and Request for Fees and Expenses</i> by Tommy Armstrong, Daryal T Nelson (Attachments: # <u>1</u> Exhibit No. 1)(Bates, Joseph) (Entered: 02/20/2009)
02/20/2009	<u>197</u>	BRIEF IN SUPPORT filed by Tommy Armstrong, Daryal T Nelson re <u>196</u> Motion to Certify Class, <i>Unopposed Motion of Plaintiffs for Certification of Class for Settlement Purposes, Approval of Notice, and Preliminary Approval of Settlement Agreement and Request for Fees and Expenses</i> (Bates, Joseph) (Entered: 02/20/2009)
02/24/2009	<u>198</u>	ORDER re General Order 54 authorizing certain electronics into the courtroom. Signed by Judge William R. Wilson, Jr on 2/24/09. (bkp) (Entered: 02/24/2009)
02/25/2009	<u>199</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute Order for proceedings held before Judge William R. Wilson, Jr:Motion Hearing held on 2/25/2009 re: Unopposed Motion of Plaintiffs for Certification of Class for Settlement Purposes, Approval of Notice, and Preliminary Approval of Settlement Agreement and Request for Fees and Expenses filed by pltf's(doc #196); Preliminary Approval GRANTED; Order to be entered. (Court Reporter C. Newburg) (maj) (Entered: 02/25/2009)
02/25/2009	<u>200</u>	PRELIMINARY APPROVAL ORDER granting <u>196</u> Unopposed MOTION to Certify Class <i>Unopposed Motion of Plaintiffs for Certification of Class for Settlement Purposes, Approval of Notice, and Preliminary Approval of Settlement Agreement and Request for Fees and Expenses</i> filed by Tommy Armstrong, Daryal T Nelson. Signed by Judge William R. Wilson, Jr on 2/25/09. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(bkp) (Entered: 02/25/2009)
03/03/2009	<u>201</u>	Joint MOTION to Approve/Approval <i>Parties' Settlement Agreement</i> by Wal-Mart Stores Inc (Attachments: # <u>1</u> Exhibit)(Kaplan, Philip) (Entered: 03/03/2009)
03/03/2009	<u>202</u>	BRIEF IN SUPPORT filed by Wal-Mart Stores Inc re <u>201</u> Motion to Approve/Approval <i>Parties' Settlement Agreement</i> (Kaplan, Philip) (Entered: 03/03/2009)
03/05/2009	<u>203</u>	ORDER granting <u>201</u> Motion to Approve/Approval <i>Parties' Settlement Agreement</i> . Signed by Judge William R. Wilson, Jr on 3/5/09. (bkp) (Entered: 03/05/2009)
03/05/2009	<u>204</u>	AMENDED PRELIMINARY APPROVAL ORDER re <u>203</u> Order on Motion to Approve/Approval. Signed by Judge William R. Wilson, Jr on 3/5/09. (Attachments: # <u>1</u> Document Settlement Agreement)(bkp) (Entered: 03/10/2009)
04/06/2009	<u>205</u>	TRANSCRIPT of Motions Hearing Proceedings held on February 25, 2009, before Judge William R. Wilson Jr. Court Reporter Christa R. Newburg. Transcript may be viewed only at the public terminals in the Clerk's office. Copies of transcript are only available through the Official Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. DEADLINES: Notice of Intent to Request Redaction due 4/20/2009. Redaction Request due 4/27/2009. Redacted Transcript Deadline set for 5/7/2009. Release of Transcript Restriction set for 7/6/2009. (plm) (Entered: 04/06/2009)
04/28/2009	<u>206</u>	LETTER ORDER to counsel. Signed by Judge William R. Wilson, Jr on 4/28/09. (Attachments: # <u>1</u> Document Letter)(bkp) (Entered: 04/28/2009)
05/27/2009	<u>207</u>	NOTICE by Tommy Armstrong, Daryal T Nelson <i>Notice of Change of Firm Name and Address</i> (Bates, Joseph) (Entered: 05/27/2009)
06/15/2009	<u>208</u>	MOTION to Join In and Objection by Ronny L Moore (bkp) (A redacted document was substituted as the main document on 6/15/2009, based on directions from Chambers.) (thd). (Entered: 06/15/2009)
06/15/2009	<u>209</u>	NOTICE OF DOCKET CORRECTION re: <u>208</u> MOTION for Joinder. CORRECTION: A redacted copy of the document was substituted as the main document, based on instructions from Chambers. (Copy of redacted document attached hereto for review by the parties.) (thd) (Entered: 06/15/2009)

06/17/2009	<u>211</u>	ORDER denying <u>208</u> "Motion to Joint-In and 'Objection,'" and directing plaintiffs' counsel to forward Mr. Moore's request to the Claims Administrator. Signed by Judge William R. Wilson, Jr on 6/17/09. (bkp) (Entered: 06/17/2009)
06/19/2009	<u>213</u>	NOTICE by Daryal T Nelson of <i>Filing of Letter to the Court</i> (Attachments: # <u>1</u> Exhibit Letter)(Welch, Morgan) (Entered: 06/19/2009)
06/23/2009	<u>214</u>	MOTION for Attorney Fees <i>Class Counsel's Application for Award of Attorneys' Fees and Reimbursement of Expenses</i> by Tommy Armstrong, Daryal T Nelson (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Bates, Joseph) (Entered: 06/23/2009)
06/23/2009	<u>215</u>	BRIEF IN SUPPORT filed by Tommy Armstrong, Daryal T Nelson re <u>214</u> Motion for Attorney Fees <i>Brief in Support of Class Counsels' Application for Award of Attorneys' Fees and Reimbursement of Expenses</i> (Bates, Joseph) (Entered: 06/23/2009)
06/23/2009	<u>216</u>	MOTION to Approve/Approval of <i>Class Action Settlement</i> by Daryal T Nelson (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit Exhibit 1, # <u>3</u> Exhibit Exhibit 2, # <u>4</u> Exhibit Exhibit 3, # <u>5</u> Exhibit Exhibit 4, # <u>6</u> Exhibit Exhibit 5, # <u>7</u> Exhibit Exhibit 6, # <u>8</u> Exhibit Exhibit 7, # <u>9</u> Exhibit Exhibit 8, # <u>10</u> Exhibit Exhibit 9, # <u>11</u> Exhibit Exhibit 10, # <u>12</u> Exhibit Exhibit 11, # <u>13</u> Exhibit Exhibit 12)(Welch, Morgan) (Entered: 06/23/2009)
06/23/2009	<u>217</u>	BRIEF IN SUPPORT filed by Daryal T Nelson re <u>216</u> Motion to Approve/Approval, of <i>Class Action Settlement</i> (Welch, Morgan) (Entered: 06/23/2009)
06/24/2009	<u>218</u>	NOTICE by Daryal T Nelson of <i>Attorney's Lien by Rickey H. Hicks</i> (Attachments: # <u>1</u> Exhibit Exhibit "A")(Hicks, Rickey) (Entered: 06/24/2009)
06/29/2009	<u>219</u>	NOTICE of Appearance by Troy A. Price on behalf of Ricky H Hicks (Price, Troy) (Entered: 06/29/2009)
06/29/2009	<u>220</u>	Mail Returned as Undeliverable. Mail sent to Ronny L. Moore re <u>209</u> Notice of Docket Correction (bkp) (Entered: 06/29/2009)
06/29/2009	<u>221</u>	Mail Returned as Undeliverable. Mail sent to Ronny L. Moore re <u>211</u> Order on Motion for Joinder (bkp) (Entered: 06/29/2009)
06/29/2009	<u>222</u>	MOTION for Issuance of <i>General Order No. 54</i> by Daryal T Nelson (Welch, Morgan) (Entered: 06/29/2009)
06/30/2009	<u>223</u>	ORDER granting <u>222</u> Motion for Issuance of Amended General Order No. 54; persons identified who will be permitted to bring electronic devices into the Courthouse for a Hearing on June 30, 2009. Signed by Judge William R. Wilson, Jr on 6/30/09. (mkf) (Entered: 06/30/2009)
06/30/2009	<u>225</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute Order for proceedings held before Judge William R. Wilson, Jr:Final Approval of Settlement Hearing held on 6/30/2009; Order to be entered; Atty fee issue of Rickey Hicks argued; Pltfs brief due 7/9/2009 by noon; Response due 7/15/2009 by noon. (Court Reporter C. Newburg) (maj) (Entered: 06/30/2009)
07/08/2009	<u>226</u>	FINAL ORDER OF APPROVAL AND DISMISSAL. Signed by Judge William R. Wilson, Jr on 7/8/09. Associated Cases: 2:04-cv-00171-WRW, 2:05-cv-00134-WRW(bkp) (Entered: 07/08/2009)
07/09/2009	<u>228</u>	RESPONSE re <u>218</u> Notice (Other) of <i>Attorney's Lien</i> by Daryal T Nelson (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D)(Welch, Morgan) (Entered: 07/09/2009)
07/09/2009	<u>229</u>	BRIEF IN SUPPORT filed by Daryal T Nelson re <u>228</u> Response (Non Motion) to <i>Attorney's Lien</i> (Welch, Morgan) (Entered: 07/09/2009)
07/09/2009	<u>230</u>	Mail Returned as Undeliverable. Mail sent to Ronny L. Moore re <u>226</u> Order Dismissing Case, (bkp) (Entered: 07/10/2009)

07/15/2009	<u>231</u>	BRIEF IN SUPPORT filed by Ricky H Hicks re <u>218</u> Notice (Other) re <i>Attorney's Lien</i> (Price, Troy) (Entered: 07/15/2009)
07/16/2009	<u>232</u>	LETTER ORDER to counsel directing them to submit expected witnesses for an evidentiary hearing by 5 p.m. Monday, July 20, 2009. Signed by Judge William R. Wilson, Jr on 7/16/09. (bkp) (Entered: 07/16/2009)
07/20/2009	<u>233</u>	NOTICE by Ricky H Hicks of <i>Evidentiary Hearing Witness List</i> (Price, Troy) (Entered: 07/20/2009)
07/23/2009	<u>234</u>	NOTICE of Hearing: Evidentiary Hearing set for 7/30/2009 at 1:30 PM in Little Rock Courtroom #4C before Judge William R. Wilson Jr. (maj) (Entered: 07/23/2009)
07/30/2009	<u>235</u>	MOTION for Consideration to <i>Allow Electronic Devices</i> by Tommy Armstrong, Daryal T Nelson (Welch, Morgan) (Entered: 07/30/2009)
07/30/2009	<u>236</u>	ORDER Re: Amended General Order 54 granting <u>235</u> Motion to Allow Electronic Devices to be brought into the Courthouse by Morgan "Chip" Welch, Hank Bates, John W. Walker, Ashley Welch Hudson, Jeanne Gray and Joy Springer for a Hearing on Thursday, July 30, 2009 before Judge Wilson, subject to the rules set out in this Order. Signed by Judge William R. Wilson, Jr on 7/30/09. (mkf) (Entered: 07/30/2009)
07/30/2009	<u>237</u>	MOTION for Order <i>Regarding Electronic Devices</i> by Wal-Mart Stores Inc (Muskheli, Michael) (Entered: 07/30/2009)
07/30/2009	<u>238</u>	ORDER Re: General Order 54 granting <u>237</u> Defendants' Motion to Allow electronic devices to be brought into the Courthouse for the Hearing on July 30, 2009. Signed by Judge William R. Wilson, Jr on 7/30/09. (mkf) (Entered: 07/30/2009)
07/30/2009	<u>239</u>	Minute Order for proceedings held before Judge William R. Wilson, Jr: Evidentiary Hearing held on 7/30/2009; Testimony presented; Parties rest; Closing arguments; Movant has until 8/6/09 to submit any further cases; Pltf has until 8/12/09 to respond. (Court Reporter C. Newburg) (maj) (Entered: 07/30/2009)
08/06/2009	<u>240</u>	MEMORANDUM of points and authorities re <u>231</u> Brief in Support filed by Ricky H Hicks. (Price, Troy) (Entered: 08/06/2009)
08/07/2009	<u>241</u>	RESPONSE re <u>240</u> Memorandum of Points and Authorities by Tommy Armstrong, Daryal T Nelson (Welch, Morgan) (Entered: 08/07/2009)
08/10/2009	<u>242</u>	NOTICE by Ricky H Hicks re <u>218</u> Notice (Other) of <i>Withdrawal</i> (Price, Troy) (Entered: 08/10/2009)
08/12/2009	<u>243</u>	ORDER re <u>216</u> MOTION to Approve/Approval of <i>Class Action Settlement</i> filed by Daryal T Nelson: Class counsel are hereby awarded attorneys' fees in the amount of one-third of the Settlement Fund, and \$405,213.16 in reimbursement of expenses. Signed by Judge William R. Wilson, Jr on 8/12/09. (bkp) (Entered: 08/12/2009)
09/28/2009	<u>244</u>	TRANSCRIPT of Final Approval Hearing Proceedings held on June 30, 2009, before Judge William R. Wilson Jr. Court Reporter Christa R. Newburg. Transcript may be viewed only at the public terminals in the Clerk's office. Copies of transcript are only available through the Official Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. DEADLINES: Notice of Intent to Request Redaction due 10/13/2009. Redaction Request due 10/19/2009. Redacted Transcript Deadline set for 10/29/2009. Release of Transcript Restriction set for 12/28/2009. (plm) (Entered: 09/28/2009)
10/06/2009	<u>245</u>	TRANSCRIPT of Motions Proceedings held on July 30, 2009, before Judge William R. Wilson Jr. Court Reporter Christa R. Newburg. Transcript may be viewed only at the public terminals in the Clerk's office. Copies of transcript are only available through the Official Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. DEADLINES: Notice of Intent to Request Redaction due 10/19/2009. Redaction Request due 10/27/2009. Redacted Transcript Deadline set for 11/6/2009. Release

		of Transcript Restriction set for 1/4/2010. (plm) (Entered: 10/06/2009)
12/02/2009	<u>246</u>	MOTION for Settlement <i>Authorizing Distribution</i> by Tommy Armstrong (Bates, Joseph) (Entered: 12/02/2009)
12/02/2009	<u>247</u>	BRIEF IN SUPPORT filed by Tommy Armstrong re <u>246</u> Motion for Settlement <i>Authorizing Distribution</i> (Bates, Joseph) (Entered: 12/02/2009)
12/02/2009	<u>248</u>	DECLARATION <i>Supplemental of Brendan S. McInerney</i> by Tommy Armstrong. (Attachments: # <u>1</u> Exhibit A-I to Supplemental Declaration)(Bates, Joseph) (Entered: 12/02/2009)
12/18/2009	<u>249</u>	ORDER Authorizing the Distribution of the Settlement Fund <u>246</u> . Signed by Judge William R. Wilson, Jr on 12/18/09. (bkp) (Entered: 12/18/2009)
03/18/2010	<u>250</u>	NOTICE OF APPEAL as to <u>211</u> Order on Motion for Joinder by Ronny L Moore. (copy mailed) (dac) (Entered: 03/22/2010)
03/22/2010	<u>251</u>	NOTIFICATION OF APPEAL and NOA SUPPLEMENT as to <u>250</u> Notice of Appeal, <u>211</u> Order on Motion for Joinder by Ronny L Moore. (dac) (Entered: 03/22/2010)
03/23/2010	<u>252</u>	USCA Docketing Letter as to <u>250</u> Notice of Appeal filed by Ronny L Moore. USCA Case Number 10-1651 (dac) (Entered: 03/23/2010)
04/02/2010	<u>253</u>	MOTION for Leave to Appeal in forma pauperis by Ronny L Moore (copy mailed) (dac) (Entered: 04/07/2010)
04/09/2010	<u>254</u>	AFFIDAVIT re <u>253</u> MOTION for Leave to Appeal in forma pauperis by Ronny L Moore. (copy mailed) (dac) (Entered: 04/14/2010)
04/15/2010	<u>255</u>	ORDER granting <u>253</u> Motion for Leave to Appeal in forma pauperis. Signed by Judge William R. Wilson, Jr on 4/15/10. (dac) (Entered: 04/15/2010)
05/03/2010	<u>257</u>	MOTION for Copies of Transcripts and Docket Sheet by Ronny L Moore (copy mailed) (dac) (Entered: 05/03/2010)
05/10/2010	<u>258</u>	ORDER granting in part and denying in part <u>257</u> Motion for Copies. Request for a copy of the transcript is denied. Clerk is directed to mail a copy of the docket to petitioner. Signed by Judge William R. Wilson, Jr on 5/10/10. (dac) (Entered: 05/10/2010)
05/13/2010	<u>260</u>	USCA JUDGMENT as to <u>250</u> Notice of Appeal filed by Ronny L Moore is dismissed for lack of jurisdiction (dac) (Entered: 05/13/2010)
05/24/2010	<u>261</u>	REQUEST for Review and MOTION to Extend Time by Ronny L Moore (copy mailed) (dac) (Entered: 05/24/2010)
05/25/2010	<u>262</u>	ORDER denying <u>261</u> Motion to Extend Time. Signed by Judge William R. Wilson, Jr on 5/25/10. (bkp) (Entered: 05/25/2010)
07/01/2010	<u>263</u>	MANDATE of USCA in accordance with the judgment of 5/13/2010 as to <u>250</u> Notice of Appeal filed by Ronny L Moore. (cby) (Entered: 07/01/2010)