

**U.S. District Court
Eastern District of Arkansas (Little Rock)
CIVIL DOCKET FOR CASE #: 4:09-cv-00033-JLH**

USA v. Arkansas, State of et al
Assigned to: Judge J. Leon Holmes
Cause: 42:12101 American Disability Act for Handicapped

Date Filed: 01/16/2009
Date Terminated: 06/08/2011
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: U.S. Government Plaintiff

Plaintiff

USA

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V.

Defendant

Arkansas, State of

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Defendant

Mike Beebe
*Honorable, Governor of the State of
Arkansas, in his official capacity only*

represented by **Lori Freno–Engman**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Thomas B. York
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cordelia M. Elias
(See above for address)
ATTORNEY TO BE NOTICED

Donald B. Zaycosky
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

John M Selig
*Director of the Arkansas Department of
Human Services, in his official capacity
only*

represented by **Lori Freno-Engman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas B. York
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Cordelia M. Elias
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Donald B. Zaycosky
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Defendant

James C Green
*Ph.D, Director of the Arkansas Division
of Developmental Disabilities Services, in
his official capacity only*

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Donald B. Zaycosky
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Defendant

Calvin Price
*Superintendent of the Conway Human
Development Center, in his official
capacity only*

represented by **Lori Freno-Engman**
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Donald B. Zaycosky
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 ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|-----------|---|
| 01/16/2009 | <u>1</u> | COMPLAINT against all defendants, filed by USA, summons issued and returned to counsel for plaintiff (filing fee waived) (jap) (Entered: 01/20/2009) |
| 01/22/2009 | | Summons Reissued as to Arkansas, State of c/o Governor Beebe. (kjp) (Entered: 01/22/2009) |
| 02/03/2009 | <u>2</u> | SUMMONS Returned Executed by USA. State of Arkansas served on 1/30/2009. (mkf) (Entered: 02/03/2009) |
| 02/04/2009 | <u>3</u> | NOTICE of Appearance by Lori Freno-Engman on behalf of Arkansas, State of, Mike Beebe, John M Selig, James C Green, Calvin Price (Freno-Engman, Lori) (Entered: 02/04/2009) |
| 02/17/2009 | <u>4</u> | ANSWER to <u>1</u> Complaint by Arkansas, State of, Mike Beebe, John M Selig, James C Green, Calvin Price.(Freno-Engman, Lori) (Entered: 02/17/2009) |
| 02/17/2009 | <u>5</u> | INITIAL SCHEDULING ORDER (DOC): Rule 26(f) Conference to occur by 4/27/2009; Rule 26(f) Report due by 5/11/2009; Bench Trial set for 4/6/2010 at 9:00 AM in Little Rock Courtroom #4C before Judge William R. Wilson Jr. (maj) (Entered: 02/17/2009) |
| 02/19/2009 | <u>6</u> | SUMMONS Returned Executed by USA. Mike Beebe served on 1/25/2009. (vjt) (Entered: 02/19/2009) |
| 02/19/2009 | <u>7</u> | SUMMONS Returned Executed by USA. James C Green served on 1/29/2009. (vjt) (Entered: 02/19/2009) |
| 02/19/2009 | <u>8</u> | SUMMONS Returned Executed by USA. Calvin Price served on 1/28/2009. (vjt) (Entered: 02/19/2009) |
| 02/19/2009 | <u>9</u> | SUMMONS Returned Executed by USA. John M Selig served on 1/29/2009. (vjt) (Entered: 02/19/2009) |
| 02/19/2009 | <u>10</u> | Summons Returned Unexecuted by USA as to Arkansas, State of. (vjt) (Entered: 02/19/2009) |
| 03/30/2009 | <u>11</u> | NOTICE of Appearance by Thomas B. York on behalf of Arkansas, State of, Mike Beebe, John M Selig, James C Green, Calvin Price (York, Thomas) (Entered: 03/30/2009) |
| 03/30/2009 | <u>12</u> | NOTICE of Appearance by Donald B. Zaycosky on behalf of Arkansas, State of, Mike Beebe, John M Selig, James C Green, Calvin Price (Zaycosky, Donald) (Entered: 03/30/2009) |
| 05/11/2009 | <u>13</u> | REPORT of Rule 26(f) Planning Meeting by Arkansas, State of, Mike Beebe, John M Selig, James C Green, Calvin Price. <i>Parties' Rule 26 (f) Discovery Plan</i> (Attachments: # <u>1</u> Exhibit Attachment A)(York, Thomas) (Entered: 05/11/2009) |
| 05/21/2009 | <u>14</u> | FINAL SCHEDULING ORDER (DOC): Bench Trial set for 4/6/2010 at 9:30 AM in Little Rock Courtroom #4C before Judge William R. Wilson Jr; Discovery due by 2/12/2010; Motions due by 2/5/2010; Pretrial Disclosure Sheet due by 3/8/2010. (maj) (Entered: 05/21/2009) |
| 06/04/2009 | <u>15</u> | NOTICE by USA <i>First Entry Onto Land</i> (Cheng, Christopher) (Entered: 06/04/2009) |

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| 06/05/2009 | <u>16</u> | CERTIFICATE OF SERVICE by USA re <u>15</u> Notice (Other) (<i>substitute certificate of service</i>) (Cheng, Christopher) (Entered: 06/05/2009) |
| 07/02/2009 | <u>17</u> | NOTICE of Appearance by Laura L. Coon on behalf of USA (jap) (Entered: 07/06/2009) |
| 07/02/2009 | <u>18</u> | NOTICE of Appearance by Vincent P. Herman on behalf of USA (jap) (Entered: 07/06/2009) |
| 07/10/2009 | <u>19</u> | STIPULATION <i>For Protective Order</i> by Arkansas, State of, Mike Beebe, John M Selig, James C Green, Calvin Price. (York, Thomas) (Entered: 07/10/2009) |
| 08/20/2009 | <u>20</u> | ORDER REASSIGNING CASE to Chief Judge J. Leon Holmes for all further proceedings. Signed by Judge William R. Wilson Jr. on 8/20/09. (bfw) (Entered: 08/20/2009) |
| 10/09/2009 | <u>22</u> | Unopposed MOTION to Extend Time in <i>Scheduling Order</i> by USA (Dean, Kerry) (Entered: 10/09/2009) |
| 10/21/2009 | 23 | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: TELEPHONE CONFERENCE held on Wednesday, 10/21/2009 re <u>22</u> Unopposed MOTION to Extend Time in Scheduling Order filed by USA; Benjamin Taylor, Christopher Cheng, Laura Coon present for plaintiff; Thomas York, Lori Freno present for defendant; Court informs parties trial will be reset for fall, 2010; parties to confer and submit proposed scheduling order to Court. (Court Reporter K. Baker) (cdw) (Entered: 10/21/2009) |
| 11/13/2009 | <u>24</u> | AMENDED DOCUMENT by USA. Amendment to <u>14</u> Scheduling Order, Set Scheduling Order Deadlines (<i>Parties Joint Submission of Proposed Revised Scheduling Order</i>) (Attachments: # <u>1</u> Document Proposed Order)(Cheng, Christopher) (Entered: 11/13/2009) |
| 11/16/2009 | <u>25</u> | AMENDED FINAL SCHEDULING ORDER (DOC): Bench Trial reset for the week of 9/8/2010 at 9:15 AM in Little Rock, Courtroom #4D before Chief Judge J. Leon Holmes; Discovery due by 6/8/2010; Pretrial Disclosure Sheet due by 7/30/2010; Status Report due by 7/12/2010. (cdw) (Entered: 11/16/2009) |
| 11/25/2009 | <u>27</u> | First MOTION to Compel <i>Entry Upon Land</i> by USA (Dean, Kerry) (Entered: 11/25/2009) |
| 11/25/2009 | <u>28</u> | BRIEF IN SUPPORT filed by USA re <u>27</u> Motion to Compel <i>Entry Upon Land</i> (Attachments: # <u>1</u> Exhibit 1 – 6–30–09 Letter from C.Cheng, # <u>2</u> Exhibit 2 – Crawford Report, # <u>3</u> Exhibit 3 – 10–20–09 email from T.York, # <u>4</u> Exhibit 4 – 11–2–09 email from T.York, # <u>5</u> Exhibit 5 – 11–4–09 email from C.Cheng, # <u>6</u> Exhibit 6 – 11–6–09 Letter from B.Taylor, # <u>7</u> Exhibit 7 – 11–12–09 email from T.York, # <u>8</u> Exhibit 8 – 11–16–09 email from C.Cheng, # <u>9</u> Exhibit 9 – 11–17–09 email from T.York, # <u>10</u> Exhibit 10 – 11–17–09 email from K.Dean, # <u>11</u> Exhibit 11 – Notice of Entry Upon Land, # <u>12</u> Exhibit 12 – Objections to Notice of Entry, # <u>13</u> Exhibit 13 – 10–26–09 email from T.York)(Dean, Kerry) (Entered: 11/25/2009) |
| 11/25/2009 | <u>29</u> | First MOTION to Compel <i>Production of Documents</i> by USA (Dean, Kerry) (Entered: 11/25/2009) |
| 11/25/2009 | <u>30</u> | BRIEF IN SUPPORT filed by USA re <u>29</u> Motion to Compel <i>Production of Documents</i> (Attachments: # <u>1</u> Exhibit A – U.S. 3d Request for Production of Documents, # <u>2</u> Exhibit B – Defendants' Response to 3d Request for Production, # <u>3</u> Exhibit C – 10–15–09 Letter from T.York, # <u>4</u> Exhibit D – 11–3–09 Letter from B.Taylor)(Dean, Kerry) (Entered: 11/25/2009) |
| 11/30/2009 | <u>31</u> | ORDER REFERRING MOTIONS to Compel <u>27</u> <u>29</u> to Magistrate Judge Henry L. Jones, Jr., for disposition. Signed by Chief Judge J. Leon Holmes on 11/30/09. (vjt) (Entered: 11/30/2009) |
| 11/30/2009 | <u>33</u> | ORDER directing defts to file no later than December 2, 2009, responses to <u>29</u> First MOTION to Compel <i>Production of Documents</i> and <u>27</u> First MOTION to Compel <i>Entry Upon Land</i> . Signed by Magistrate Judge Henry L. Jones, Jr on 11/30/09. (bkp) (Entered: 11/30/2009) |

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| 12/02/2009 | <u>35</u> | RESPONSE in Opposition re <u>27</u> First MOTION to Compel <i>Entry Upon Land Defendants' Brief In Opposition To The United States' Motion To Compel Entry Upon Land</i> filed by Arkansas, State of, Mike Beebe, John M Selig, James C Green, Calvin Price. (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, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L)(York, Thomas) (Entered: 12/02/2009) |
| 12/02/2009 | <u>36</u> | RESPONSE in Opposition re <u>29</u> First MOTION to Compel <i>Production of Documents</i> filed by Arkansas, State of, Mike Beebe, John M Selig, James C Green, Calvin Price. (Attachments: # <u>1</u> Exhibit A)(York, Thomas) (Additional attachment added on 12/7/2009: # <u>2</u> defendant's Exhibit B) (bfw). (entry modified to add Exhibit B at the direction of chambers) (Entered: 12/02/2009) |
| 12/07/2009 | <u>37</u> | NOTICE OF DOCKET CORRECTION re <u>36</u> Response in Opposition to Motion: (entry modified to add Exhibit B as an attachment at the direction of chambers) (copy of Exhibit B attached hereto for service on parties) (bfw) (Entered: 12/07/2009) |
| 12/07/2009 | <u>39</u> | ORDER denying <u>27</u> pltf's Motion to Compel entry upon land; denying <u>29</u> pltf's Motion to Compel State of Arkansas to adequately respond to the United States' discovery requests without prejudice as moot. Signed by Magistrate Judge Henry L. Jones, Jr on 12/7/09. (tjj) (Entered: 12/07/2009) |
| 12/08/2009 | <u>41</u> | NOTICE of Appearance by Nicholas M. May on behalf of USA. (vjt) (Entered: 12/09/2009) |
| 03/09/2010 | <u>42</u> | MOTION for Preliminary Injunction by USA (Dean, Kerry) (Entered: 03/09/2010) |
| 03/09/2010 | <u>43</u> | BRIEF IN SUPPORT filed by USA re <u>42</u> Motion for Preliminary Injunction (Attachments: # <u>1</u> Exhibit List of Complete Exhibits to PI, # <u>2</u> Exhibit 1 – Findings Letter, # <u>3</u> Exhibit 3 – Richardson Declaration, # <u>4</u> Exhibit 3.A – Richardson Report, # <u>5</u> Exhibit 4 – Green Dep, # <u>6</u> Exhibit 7 – Mikkelsen Declaration, # <u>7</u> Exhibit 7.A.1 – Mikkelsen Report, # <u>8</u> Exhibit 7.A.2 – Mikkelsen Report, # <u>9</u> Exhibit 7.A.3 – Mikkelsen Report, # <u>10</u> Exhibit 7.A.4 – Mikkelsen Report, # <u>11</u> Exhibit 8 – Gettings Declaration, # <u>12</u> Exhibit 8.A – Gettings Report, # <u>13</u> Exhibit 8.B – Residential Services 2008, # <u>14</u> Exhibit 8.D – Case for Inclusion, # <u>15</u> Exhibit 8.E – Choices in Living, # <u>16</u> Exhibit 8.F – Status of Olmstead Plan, # <u>17</u> Exhibit 8.G – HCBS Waiver App, # <u>18</u> Exhibit 8.C.1 – Residential Services 2007, # <u>19</u> Exhibit 8.C.2 – Residential Services 2007, # <u>20</u> Exhibit 9 – Thibadeau Declaration, # <u>21</u> Exhibit 9.A – Thibadeau Report, # <u>22</u> Exhibit 9.B – Thibadeau CV, # <u>23</u> Exhibit 10 – Hill Dep, # <u>24</u> Exhibit 11 – Millum Dep, # <u>25</u> Exhibit 12.1 – Olmstead Plan, # <u>26</u> Exhibit 12.2 – Olmstead Plan, # <u>27</u> Exhibit 13 – Higgs Dep, # <u>28</u> Exhibit 14 – Cromer Dep, # <u>29</u> Exhibit 15 – Lee Dep, # <u>30</u> Exhibit 16 – Lee Email and Attachment, # <u>31</u> Exhibit 17 – Harris Email and Attachment, # <u>32</u> Exhibit 18 – Mercer Email, # <u>33</u> Exhibit 20 – Response to RFP, # <u>34</u> Exhibit 22 – Holloway Declaration, # <u>35</u> Exhibit 22.A – Holloway Report, # <u>36</u> Exhibit 24 – Callahan Dep, # <u>37</u> Exhibit 25 – Thomas Dep, # <u>38</u> Exhibit 26 – Matson Declaration, # <u>39</u> Exhibit 26.A – Matson Report, # <u>40</u> Exhibit 26.B – Matson CV, # <u>41</u> Exhibit 27 – Manikam Declaration, # <u>42</u> Exhibit 27.A – Manikam Report, # <u>43</u> Exhibit 27.B – Manikam CV, # <u>44</u> Exhibit 34 – Psychology Services Meeting, # <u>45</u> Exhibit 41 – DDS Mission Statement, # <u>46</u> Exhibit 42 – Reddig Email, # <u>47</u> Exhibit 43 – Reddig Dep)(Dean, Kerry) (Entered: 03/09/2010) |
| 03/09/2010 | <u>44</u> | MOTION to Seal Document <i>Exhibits to Memo in Support of PI</i> by USA (Dean, Kerry) (Entered: 03/09/2010) |
| 03/10/2010 | <u>45</u> | ORDER granting USA's <u>44</u> Motion to File Documents Under Seal; the referenced exhibits to <u>43</u> USA's Memorandum of Points and Authorities in Support of their <u>42</u> MOTION for Preliminary Injunction shall be FILED UNDER SEAL. Signed by Chief Judge J. Leon Holmes on 3/10/10. (vjt) (Entered: 03/10/2010) |
| 03/10/2010 | <u>47</u> | SEALED DOCUMENT (jap) (Entered: 03/10/2010) |
| 03/11/2010 | <u>48</u> | ADDENDUM filed by USA to <u>43</u> Brief in Support. (Attachments: # <u>1</u> Document)(Cheng, Christopher) (Entered: 03/11/2010) |
| 03/23/2010 | <u>49</u> | MOTION to Strike <u>42</u> MOTION for Preliminary Injunction <i>or in the Alternative, Defendants' Motion for Enlargement of Time to Respond to Plaintiff's Motion for</i> |

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| | | <i>Preliminary Injunction</i> by Arkansas, State of, Mike Beebe, John M Selig, James C Green, Calvin Price (Attachments: # <u>1</u> Exhibit A)(York, Thomas) (Entered: 03/23/2010) |
| 03/23/2010 | <u>50</u> | RESPONSE in Opposition re <u>42</u> MOTION for Preliminary Injunction and BRIEF in Support of Defendants' <u>49</u> Motion to Strike Plaintiff's Motion for Preliminary Injunction, or in the Alternative, Defendants' Motion for Enlargement of Time to Respond to Plaintiff's Motion for Preliminary Injunction and Defendants Initial Response to Plaintiff's Motion for Preliminary Injunction, filed by Arkansas, State of, Mike Beebe, John M Selig, James C Green, Calvin Price. (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)(York, Thomas))Docket text was modified on 3/24/2010 to indicate the correct description of the document filed and to create linkage to <u>49</u> Motion to Strike. (mkf) (Entered: 03/23/2010) |
| 03/24/2010 | | NOTICE OF DOCKET CORRECTION re <u>50</u> Response in Opposition to Motion. CORRECTION: The docket text was modified on 3/24/2010 to indicate the correct description of the document filed and to create linkage for the Brief to docket entry <u>49</u> Motion to Strike. (mkf) (Entered: 03/24/2010) |
| 03/29/2010 | <u>51</u> | RESPONSE in Opposition re <u>49</u> MOTION to Strike <u>42</u> MOTION for Preliminary Injunction <i>or in the Alternative, Defendants' Motion for Enlargement of Time to Respond to Plaintiff's Motion for Preliminary Injunction</i> MOTION to Strike <u>42</u> MOTION for Preliminary Injunction <i>or in the Alternative, Defendants' Motion for Enlargement of Time to Respond to Plaintiff's Motion for Preliminary Injunction</i> filed by USA. (Attachments: # <u>1</u> Exhibit Att A – Email from KDean, # <u>2</u> Exhibit Att B – Letter from BTayloe)(Dean, Kerry) (Entered: 03/29/2010) |
| 04/07/2010 | <u>52</u> | OPINION AND ORDER that USA's <u>42</u> Motion for Preliminary Injunction is DENIED; Defts' <u>49</u> Motion to Strike is DENIED AS MOOT. Signed by Chief Judge J. Leon Holmes on 4/7/10. (vjt) (Entered: 04/07/2010) |
| 04/22/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) DOCKET NOTE: This civil action is assigned to the docket of United States District Chief Judge J. Leon Holmes. Magistrate Judge Jerome T. Kearney is now associated to this case due to the retirement of Magistrate Judge Henry L. Jones. Signed by James W. McCormack, Clerk of Court on 4/22/10. (bfw) (Entered: 04/22/2010) |
| 05/05/2010 | <u>55</u> | First MOTION to Dismiss <i>Count II Without Prejudice</i> by USA (Dean, Kerry) (Entered: 05/05/2010) |
| 05/05/2010 | <u>56</u> | BRIEF IN SUPPORT filed by USA re <u>55</u> Motion to Dismiss <i>Count II Without Prejudice</i> (Dean, Kerry) (Entered: 05/05/2010) |
| 05/19/2010 | <u>57</u> | RESPONSE in Opposition re <u>55</u> First MOTION to Dismiss <i>Count II Without Prejudice</i> filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(York, Thomas) (Additional attachment(s) added on 5/19/2010:) # <u>3</u> Main Document – Correct) (thd). (Entered: 05/19/2010) |
| 05/19/2010 | <u>58</u> | NOTICE OF DOCKET CORRECTION re: <u>57</u> Response in Opposition to Motion. CORRECTION: The original main document was submitted in error (wrong image file); the correct main document was added as an attachment to docket entry <u>57</u> , based on the attached request. (thd) (Entered: 05/19/2010) |
| 05/24/2010 | <u>59</u> | REPLY to Response to Motion re <u>55</u> First MOTION to Dismiss <i>Count II Without Prejudice</i> filed by USA. (Dean, Kerry) (Entered: 05/24/2010) |
| 05/27/2010 | <u>60</u> | ORDER denying <u>55</u> Motion to Dismiss Count 2 of the complaint. Signed by Chief Judge J. Leon Holmes on 5/27/10. (bkp) (Entered: 05/27/2010) |
| 05/27/2010 | <u>62</u> | ORDER deferring to Chief Judge Holmes for a determination of whether the statewide ADA action should be reassigned to his docket as a related case to the CHDC action or otherwise. Signed by Judge Susan Webber Wright on 5/27/10. (bkp) (Entered: 05/27/2010) |

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| 05/27/2010 | <u>64</u> | ORDER directing the Clerk to reassign Case No. 4:10cv00327 to this Court. Signed by Chief Judge J. Leon Holmes on 5/27/10. (bkp) (Entered: 05/28/2010) |
| 06/08/2010 | <u>66</u> | MOTION to Compel <i>the Plaintiff to Comply with Discovery</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (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, # <u>5</u> Exhibit Exhibit E, # <u>6</u> Exhibit Exhibit F)(York, Thomas) (Entered: 06/08/2010) |
| 06/08/2010 | <u>67</u> | BRIEF IN SUPPORT filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig re <u>66</u> Motion to Compel, <i>Memorandum of Law in Support of Defendants' Motion to Compel the Plaintiff to Comply with Discovery</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)(York, Thomas) (Entered: 06/08/2010) |
| 06/17/2010 | <u>68</u> | NOTICE by USA of <i>Withdrawal of Counsel S. Cutlar (and Substitution by J. Preston, appearing in official capacity)</i> (Cheng, Christopher) (Entered: 06/17/2010) |
| 06/21/2010 | <u>69</u> | RESPONSE in Opposition re <u>66</u> MOTION to Compel <i>the Plaintiff to Comply with Discovery</i> filed by USA. (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, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(Cheng, Christopher) (Entered: 06/21/2010) |
| 06/28/2010 | <u>70</u> | REPLY to Response to Motion re <u>66</u> MOTION to Compel <i>the Plaintiff to Comply with Discovery</i> filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(York, Thomas) (Entered: 06/28/2010) |
| 06/30/2010 | <u>71</u> | RESPONSE to Subpoena and MOTION to Submit Under Seal by Crossett School District (jap) (Entered: 06/30/2010) |
| 06/30/2010 | <u>72</u> | ENTRY of Appearance and Request for Notice by Robert B. Gibson, III (jap) (Entered: 06/30/2010) |
| 07/01/2010 | <u>73</u> | MOTION to file documents under seal by USA (tjj) (Entered: 07/01/2010) |
| 07/01/2010 | <u>74</u> | MOTION for Partial Summary Judgment by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 07/01/2010) |
| 07/01/2010 | <u>75</u> | STATEMENT OF FACTS (Local Rule 56.1) re <u>74</u> Motion for Partial Summary Judgment filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig. (York, Thomas) (Entered: 07/01/2010) |
| 07/01/2010 | <u>76</u> | BRIEF IN SUPPORT filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig re <u>74</u> Motion for Partial Summary Judgment (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B part 1, # <u>3</u> Exhibit B part 2, # <u>4</u> Exhibit B part 3, # <u>5</u> Exhibit B part 4, # <u>6</u> Exhibit C part 1, # <u>7</u> Exhibit C part 2, # <u>8</u> Exhibit D, # <u>9</u> Exhibit E, # <u>10</u> Exhibit F, # <u>11</u> Exhibit G, # <u>12</u> Exhibit H, # <u>13</u> Exhibit I)(York, Thomas) (Entered: 07/01/2010) |
| 07/01/2010 | <u>77</u> | First MOTION to Compel <i>Production of Documents</i> by USA (Attachments: # <u>1</u> Document Memorandum in Support, # <u>2</u> Affidavit Declaration, # <u>3</u> Document Certificate of Service, # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Exhibit E, # <u>9</u> Exhibit F, # <u>10</u> Exhibit G)(Cheng, Christopher) (Entered: 07/01/2010) |
| 07/01/2010 | <u>78</u> | MOTION for Partial Summary Judgment by USA (Coon, Laura) (Entered: 07/01/2010) |
| 07/01/2010 | <u>79</u> | MOTION for Partial Summary Judgment <i>Statement of Undisputed Facts</i> by USA (Coon, Laura) (Entered: 07/01/2010) |
| 07/01/2010 | <u>80</u> | BRIEF IN SUPPORT filed by USA re <u>79</u> Motion for Partial Summary Judgment, <u>78</u> Motion for Partial Summary Judgment (Attachments: # <u>1</u> Document Exhibit Index, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16, # <u>18</u> Exhibit 17, # <u>19</u> Exhibit 18, # <u>20</u> Exhibit 19, # <u>21</u> Exhibit 20, # <u>22</u> Exhibit |

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| | | 21, # <u>23</u> Exhibit 22, # <u>24</u> Exhibit 23, # <u>25</u> Exhibit 24, # <u>26</u> Exhibit 25, # <u>27</u> Exhibit 26, # <u>28</u> Exhibit 27, # <u>29</u> Exhibit 28, # <u>30</u> Exhibit 29, # <u>31</u> Exhibit 30A, # <u>32</u> Exhibit 30B, # <u>33</u> Exhibit 30C, # <u>34</u> Exhibit 31, # <u>35</u> Exhibit 32A, # <u>36</u> Exhibit 32B, # <u>37</u> Exhibit 33, # <u>38</u> Exhibit 34, # <u>39</u> Exhibit 35, # <u>40</u> Exhibit 36)(Coon, Laura) (Entered: 07/01/2010) |
| 07/02/2010 | <u>81</u> | ORDER granting <u>73</u> Plaintiff's Motion for Leave to File Documents Under Seal, directing that the specified exhibits to the Plaintiff's Memorandum of Points & Authorities in Support of its Motion for Partial Summary Judgment be filed under seal. Signed by Chief Judge J. Leon Holmes on 7/2/2010. (jct) (Entered: 07/02/2010) |
| 07/02/2010 | <u>85</u> | SEALED DOCUMENT. (hph) (Additional attachment(s) added on 7/2/2010:) (hph). (Entered: 07/02/2010) |
| 07/02/2010 | <u>83</u> | ORDER granting in part and denying in part <u>71</u> Motion for Leave to File Documents under seal by the Crossett School District. It does not appear that the documents need to be filed with the Court at this time, & therefore the request is denied. The Court orders the parties to keep them confidential, & if the documents are filed with the Court at any time, they may be filed under seal. Signed by Chief Judge J. Leon Holmes on 7/2/2010. (jct) (Entered: 07/02/2010) |
| 07/12/2010 | <u>86</u> | STATUS REPORT <i>Parties Status Report Pursuant to the Court's Amended Final Scheduling Order (Docket 25)</i> by USA. (Coles, Arethea) (Entered: 07/12/2010) |
| 07/13/2010 | <u>87</u> | MOTION in Limine <i>and to Strike Declarations of Plaintiff's Experts</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 07/13/2010) |
| 07/13/2010 | <u>88</u> | BRIEF IN SUPPORT filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig re <u>87</u> Motion in Limine <i>Memorandum of Law in Support of Defendants' Motion in Limine and to Strike Declarations of Plaintiff's Experts</i> (York, Thomas) (Entered: 07/13/2010) |
| 07/15/2010 | <u>89</u> | MOTION for Extension of Time to File Response/Reply as to <u>80</u> Brief in Support,,, <u>79</u> MOTION for Partial Summary Judgment <i>Statement of Undisputed Facts</i> , <u>78</u> MOTION for Partial Summary Judgment <i>for the Parties to Respond to Motions for Partial Summary Judgment</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 07/15/2010) |
| 07/15/2010 | <u>90</u> | MOTION for Order -- <i>Request for Court to Tour Conway Human Development Center</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (Freno-Engman, Lori) (Entered: 07/15/2010) |
| 07/15/2010 | <u>91</u> | BRIEF IN SUPPORT filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig re <u>90</u> Motion for Order -- <i>Request for Court to Tour Conway Human Development Center</i> (Freno-Engman, Lori) (Entered: 07/15/2010) |
| 07/16/2010 | <u>92</u> | ORDER granting <u>89</u> Motion for Extension of Time to File Response/Reply re <u>78</u> MOTION for Partial Summary Judgment, <u>79</u> MOTION for Partial Summary Judgment <i>Statement of Undisputed Facts</i> . Replies due by 7/27/2010. Signed by Chief Judge J. Leon Holmes on 7/16/10. (bkp) (Entered: 07/16/2010) |
| 07/19/2010 | <u>94</u> | RESPONSE in Opposition re <u>77</u> First MOTION to Compel <i>Production of Documents Defendants' Opposition to United States' Motion to Compel</i> filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig. (York, Thomas) (Entered: 07/19/2010) |
| 07/21/2010 | <u>95</u> | RESPONSE to Motion re <u>90</u> MOTION for Order -- <i>Request for Court to Tour Conway Human Development Center</i> filed by USA. (Attachments: # <u>1</u> Appendix A, # <u>2</u> Document Memo of Law)(Cheng, Christopher) (Entered: 07/21/2010) |
| 07/22/2010 | <u>96</u> | RESPONSE in Opposition re <u>87</u> MOTION in Limine <i>and to Strike Declarations of Plaintiff's Experts</i> filed by USA. (Coon, Laura) (Entered: 07/22/2010) |
| 07/26/2010 | <u>97</u> | RESPONSE in Support re <u>77</u> First MOTION to Compel <i>Production of Documents</i> filed by USA. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Exhibit 1-6)(Cheng, Christopher) (Entered: 07/26/2010) |

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| 07/26/2010 | <u>98</u> | MOTION for Leave to Submit Amici Curiarum Brief by Families and Friends of Care Facility Residents, Conway HDC Parent Association (jap) (Entered: 07/27/2010) |
| 07/26/2010 | <u>99</u> | MEMORANDUM IN SUPPORT filed by Conway HDC Parent Association, Families and Friends of Care Facility Residents re <u>98</u> Motion for Leave to Submit Amici Curiarum Brief (jap) (Entered: 07/27/2010) |
| 07/27/2010 | <u>100</u> | RESPONSE in Opposition re <u>74</u> MOTION for Partial Summary Judgment filed by USA. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <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 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24)(Herman, Vincent) (Entered: 07/27/2010) |
| 07/27/2010 | <u>101</u> | STATEMENT OF FACTS (Local Rule 56.1) re <u>100</u> Response in Opposition to Motion,, <u>75</u> Statement of Facts (Local Rule 56.1) <i>Statement of Facts in Dispute</i> filed by USA. (Herman, Vincent) (Entered: 07/27/2010) |
| 07/27/2010 | <u>102</u> | MOTION for Leave to File <i>to File Documents Under Seal</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 07/27/2010) |
| 07/27/2010 | <u>103</u> | RESPONSE to Motion re <u>78</u> MOTION for Partial Summary Judgment <i>Defendants' Response to united State's Motion for Partial Summary Judgment</i> filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit J, # <u>4</u> Exhibit K, # <u>5</u> Exhibit L, # <u>6</u> Exhibit M, # <u>7</u> Exhibit N, # <u>8</u> Exhibit O, # <u>9</u> Exhibit P, # <u>10</u> Exhibit Q, # <u>11</u> Exhibit R, # <u>12</u> Exhibit S, # <u>13</u> Exhibit T, # <u>14</u> Exhibit U, # <u>15</u> Exhibit V, # <u>16</u> Exhibit X, # <u>17</u> Exhibit Y, # <u>18</u> Exhibit Z, # <u>19</u> Exhibit BB, # <u>20</u> Exhibit EE, # <u>21</u> Exhibit FF, # <u>22</u> Exhibit GG, # <u>23</u> Exhibit HH, # <u>24</u> Exhibit JJ, # <u>25</u> Exhibit KK)(York, Thomas) (Entered: 07/27/2010) |
| 07/27/2010 | <u>104</u> | STATEMENT OF FACTS (Local Rule 56.1) re <u>79</u> Motion for Partial Summary Judgment <i>Defendants' Response to Plaintiff's Statement of Undisputed Facts</i> filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit E, # <u>4</u> Exhibit F, # <u>5</u> Exhibit G, # <u>6</u> Exhibit H, # <u>7</u> Exhibit I, # <u>8</u> Exhibit J, # <u>9</u> Exhibit K, # <u>10</u> Exhibit L, # <u>11</u> Exhibit N, # <u>12</u> Exhibit O, # <u>13</u> Exhibit P, # <u>14</u> Exhibit Q, # <u>15</u> Exhibit S, # <u>16</u> Exhibit T, # <u>17</u> Exhibit W, # <u>18</u> Exhibit AA, # <u>19</u> Exhibit CC, # <u>20</u> Exhibit DD, # <u>21</u> Exhibit EE)(York, Thomas) (Entered: 07/27/2010) |
| 07/28/2010 | <u>105</u> | REPLY to Response to Motion re <u>90</u> MOTION for Order -- <i>Request for Court to Tour Conway Human Development Center</i> filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig. (Freno-Engman, Lori) (Entered: 07/28/2010) |
| 07/28/2010 | <u>106</u> | ORDER granting <u>102</u> Defendants' Motion to file documents under seal. Signed by Chief Judge J. Leon Holmes on 7/28/10. (hph) (Entered: 07/28/2010) |
| 07/29/2010 | <u>108</u> | MOTION for Protective Order by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (Freno-Engman, Lori) (Entered: 07/29/2010) |
| 07/29/2010 | 109 | SEALED DOCUMENTS (kjp) (Entered: 07/29/2010) |
| 07/29/2010 | 110 | SEALED DOCUMENTS (kjp) (Entered: 07/29/2010) |
| 07/29/2010 | <u>111</u> | MOTION to Extend Time, MOTION for Extension of Time to File <i>Defendants' Motion for Extension of Time to Submit Local Rule 26.2 Pretrial Disclosure Sheet</i> () by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 07/29/2010) |
| 07/29/2010 | <u>112</u> | REPLY to Response to Motion re <u>87</u> MOTION in Limine <i>and to Strike Declarations of Plaintiff's Experts</i> filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig. (York, Thomas) (Entered: 07/29/2010) |

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| 07/30/2010 | <u>113</u> | PROTECTIVE ORDER. Signed by Chief Judge J. Leon Holmes on 7/30/10. (bkp) (Entered: 07/30/2010) |
| 07/30/2010 | <u>115</u> | ORDER denying <u>74</u> Motion for Partial Summary Judgment; granting in part and denying in part <u>77</u> Motion to Compel; denying <u>78</u> Motion for Partial Summary Judgment; denying <u>87</u> Motion in Limine; denying <u>90</u> Motion for Order. Signed by Chief Judge J. Leon Holmes on 7/30/10. (bkp) (Entered: 07/30/2010) |
| 07/30/2010 | 116 | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: TELEPHONE CONFERENCE held on Friday, 7/30/2010 re <u>77</u> First MOTION to Compel Production of Documents filed by USA; Christopher Cheng, Arethea Coles, Benjamin Tayloe present for plaintiff; Tom York, Lori Freno, Donald Zaycosky, Brandon Robinson present for defendants; Court takes up outstanding issues regarding motion; order to follow; Court addresses remaining discovery matters related to trial. (Court Reporter G. Power) (cdw) (Entered: 07/30/2010) |
| 07/30/2010 | <u>118</u> | ORDER granting <u>111</u> Motion for Extension of Time to File pretrial disclosure sheets up to and including August 3,2010. Signed by Chief Judge J. Leon Holmes on 7/30/10. (bkp) (Entered: 07/30/2010) |
| 08/03/2010 | <u>120</u> | MOTION in Limine <i>Defendants' Motion in Limine to Exclude Expert "Lay Witnesses"</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 08/03/2010) |
| 08/03/2010 | <u>121</u> | BRIEF IN SUPPORT filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig re <u>120</u> Motion in Limine <i>Brief In Support of Defendants' Motion in Limine to Exclude Expert "Lay Witnesses"</i> (York, Thomas) (Entered: 08/03/2010) |
| 08/03/2010 | <u>122</u> | PRETRIAL DISCLOSURE SHEET <i>Defendants' Rule 26(a)(3) Pretrial Disclosures</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig. (York, Thomas) (Entered: 08/03/2010) |
| 08/03/2010 | <u>123</u> | Exhibit List (purs. to FRCvP 26(a)(3)(A)(iii)) <i>Pretrial Disclosure Sheet</i> by USA. (Attachments: # <u>1</u> Document Witness List, # <u>2</u> Document Exhibit List)(Coon, Laura) (Entered: 08/03/2010) |
| 08/09/2010 | <u>124</u> | RESPONSE to Motion re <u>98</u> MOTION for Leave to File <i>Amici Curiarum Brief</i> filed by USA. (Cheng, Christopher) (Entered: 08/09/2010) |
| 08/11/2010 | <u>125</u> | MOTION to Compel <i>Plaintiff's Response to Defendants' Pending Motion in Limine or, in the Alternative, for an Order Granting Defendants' Motion in Limine as Unopposed</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 08/11/2010) |
| 08/11/2010 | <u>126</u> | TRANSCRIPT of Telephone Conference Proceedings held on July 30, 2010, before Judge J. Leon Holmes. Court Reporter Eugenie M. Power. 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 8/23/2010. Redaction Request due 9/1/2010. Redacted Transcript Deadline set for 9/13/2010. Release of Transcript Restriction set for 11/9/2010. (plm) (Entered: 08/11/2010) |
| 08/11/2010 | <u>127</u> | RESPONSE in Opposition re <u>125</u> MOTION to Compel <i>Plaintiff's Response to Defendants' Pending Motion in Limine or, in the Alternative, for an Order Granting Defendants' Motion in Limine as Unopposed</i> filed by USA. (Coon, Laura) (Entered: 08/11/2010) |
| 08/12/2010 | <u>128</u> | REPLY to Response to Motion re <u>125</u> MOTION to Compel <i>Plaintiff's Response to Defendants' Pending Motion in Limine or, in the Alternative, for an Order Granting Defendants' Motion in Limine as Unopposed</i> filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig. (York, Thomas) (Entered: 08/12/2010) |
| 08/13/2010 | <u>129</u> | MOTION to Quash <i>Subpoenas of Marcia Harding and Janet Estes</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (Attachments: # |

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| | | <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(York, Thomas) (Entered: 08/13/2010) |
| 08/13/2010 | <u>130</u> | BRIEF IN SUPPORT filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig re <u>129</u> Motion to Quash <i>Memorandum in Support of Motion to Quash Subpoena of Marcia Harding and Janet Estes</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(York, Thomas) (Entered: 08/13/2010) |
| 08/13/2010 | <u>131</u> | DOCUMENT FILED IN ERROR – DISREGARD (see docket entry <u>133</u>). (York, Thomas) (Docket text modified on 8/16/2010 to indicate the document was filed in error.) (thd) (Entered: 08/13/2010) |
| 08/13/2010 | <u>132</u> | OBJECTIONS by USA re <u>122</u> Pretrial Disclosure Sheet. (Coon, Laura) (Entered: 08/13/2010) |
| 08/13/2010 | <u>133</u> | OBJECTIONS by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig re <u>123</u> Exhibit List (purs.to FRCvP 26(a)(3)(A)(iii)), <u>131</u> Objection. (York, Thomas) (Entered: 08/13/2010) |
| 08/16/2010 | <u>134</u> | NOTICE OF DOCKET CORRECTION re <u>131</u> Objection re Exhibit List. CORRECTION: The docket text was modified to indicate the document was filed in error, based on the attached correspondence (the party re–filed the document as docket entry <u>133</u>). (thd) (Entered: 08/16/2010) |
| 08/16/2010 | <u>136</u> | ORDER granting <u>98</u> Motion for Leave to File an Amicus Curiae Brief; the amicus curiae brief must be filed on or before 8/30/10; reply, if any, is due on or before 9/1/10. Signed by Chief Judge J. Leon Holmes on 8/16/10. (vjt) (Entered: 08/16/2010) |
| 08/19/2010 | <u>138</u> | RESPONSE in Opposition re <u>129</u> MOTION to Quash <i>Subpoenas of Marcia Harding and Janet Estes</i> filed by USA. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12)(Coon, Laura) (Entered: 08/19/2010) |
| 08/20/2010 | <u>139</u> | RESPONSE in Opposition re <u>120</u> MOTION in Limine <i>Defendants' Motion in Limine to Exclude Expert "Lay Witnesses"</i> filed by USA. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Coon, Laura) (Entered: 08/20/2010) |
| 08/23/2010 | <u>140</u> | ORDER denying as moot defts' <u>66</u> Motion to Compel. Signed by Chief Judge J. Leon Holmes on 8/23/10. (vjt) (Entered: 08/23/2010) |
| 08/23/2010 | <u>141</u> | ORDER denying defts' <u>129</u> Motion to Quash the Subpoenas of Marcia Harding and Janet Estes; Janet Estes and Marcia Harding are directed to provide the documents requested in those subpoenas by 5:00 p.m. CDT on August 26, 2010. Signed by Chief Judge J. Leon Holmes on 8/23/10. (vjt) (Entered: 08/23/2010) |
| 08/23/2010 | <u>143</u> | NOTICE of Appearance by Matthew J. Donnelly on behalf of USA (Donnelly, Matthew) (Entered: 08/23/2010) |
| 08/25/2010 | <u>144</u> | REPLY to Response to Motion re <u>120</u> MOTION in Limine <i>Defendants' Motion in Limine to Exclude Expert "Lay Witnesses"</i> Defendants' Reply to United States' Response in Opposition to Defendants' Motion in Limine to Exclude Expert "Lay Witnesses" filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(York, Thomas) (Entered: 08/25/2010) |
| 08/25/2010 | <u>145</u> | MOTION in Limine <i>to Exclude Legal Opinions by Defendants Experts</i> by USA (Coon, Laura) (Entered: 08/25/2010) |
| 08/25/2010 | <u>146</u> | BRIEF IN SUPPORT filed by USA re <u>145</u> Motion in Limine <i>to Exclude Legal Opinions by Defendants Experts</i> (Coon, Laura) (Entered: 08/25/2010) |
| 08/26/2010 | <u>147</u> | ORDER granting defts' <u>120</u> Motion in Limine to exclude expert "lay witnesses; denying as moot defts' <u>125</u> Motion to Compel a response. Signed by Chief Judge J. Leon Holmes on 8/26/10. (vjt) (Entered: 08/26/2010) |
| 08/26/2010 | <u>148</u> | ORDER denying plft's <u>145</u> Motion in Limine to exclude legal opinions by defts' experts. Signed by Chief Judge J. Leon Holmes on 8/26/10. (vjt) (Entered: 08/26/2010) |

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| | | 08/26/2010) |
| 08/27/2010 | <u>150</u> | BRIEF filed by Families and Friends of Care Facility Residents <i>Amici Curiae Brief</i> (Attachments: # <u>1</u> Document Exhibit list, # <u>2</u> Exhibit Declaration of Jan Fortney, # <u>3</u> Exhibit FF/CFR Statement of Support, # <u>4</u> Exhibit Articles of Incorporation for AHDCR, # <u>5</u> Exhibit Articles of Amendment for AHDCR, # <u>6</u> Exhibit Articles of Amendment for FF/CFR, # <u>7</u> Exhibit Officers and members of the Board of Directors of FF/CFR, # <u>8</u> Exhibit Declaration of Larry Taylor, # <u>9</u> Exhibit Declaration of Rita Hoover, # <u>10</u> Exhibit Examples of services at CHDC, # <u>11</u> Exhibit Historical, chronological record of CHDC history, # <u>12</u> Exhibit Handwritten summary explaining "the therapeutic pool" by Shelly Travis, # <u>13</u> Exhibit CHDC Brochure, # <u>14</u> Exhibit CHDC Satisfaction Survey)(Sherman, William) (Entered: 08/27/2010) |
| 09/01/2010 | <u>151</u> | RESPONSE re <u>150</u> Brief by USA (Cuncannan, Jacqueline) (Entered: 09/01/2010) |
| 09/02/2010 | <u>152</u> | ENTRY of Appearance by Cordelia Elias on behalf of Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (jap) (Entered: 09/03/2010) |
| 09/07/2010 | <u>153</u> | REQUEST TO CORRECT STATUTORY TYPOGRAPHICAL ERRORS IN AMICI CURIAE BRIEF by Families and Friends of Care Facility Residents. (Sherman, William) (Entered: 09/07/2010) |
| 09/07/2010 | <u>154</u> | OBJECTIONS by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (Attachments: # <u>1</u> Exhibit A)(York, Thomas) (Entered: 09/07/2010) |
| 09/08/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 1) held on Wednesday, 9/8/2010; Benjamin Tayloe, Matthew Donnelly, Jacqueline Cuncannon, Laura Coon, Vincent Herman present for plaintiff; Thomas York, Donald Zaycosky, Cordelia Elias, Lori Freno present for defendants; opening statements by counsel; plaintiff's proof begins. (Court Reporter G. Power/J. Ammons) (cdw) (Entered: 09/09/2010) |
| 09/09/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 2) held on Thursday, 9/9/2010; plaintiff's proof continues. (Court Reporter J. Ammons/G. Power) (cdw) (Entered: 09/10/2010) |
| 09/10/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 3) held on Friday, 9/10/2010; plaintiff's proof continues. (Court Reporter G. Power/J. Ammons) (cdw) (Entered: 09/10/2010) |
| 09/13/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 4) held on Monday, 9/13/2010; plaintiff's proof continues. (Court Reporter J. Ammons/G. Power) (cdw) (Entered: 09/14/2010) |
| 09/14/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 5) held on Tuesday, 9/14/2010; plaintiff's proof continues. (Court Reporter J. Ammons/G. Power) (cdw) (Entered: 09/15/2010) |
| 09/15/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 6) held on Wednesday, 9/15/2010; plaintiff's proof continues. (Court Reporter K. Baker/C. Newburg) (cdw) (Entered: 09/16/2010) |
| 09/16/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 7) held on Thursday, 9/16/2010; plaintiff's proof continues. (Court Reporter C. Newburg/K. Baker) (cdw) (Entered: 09/17/2010) |
| 09/17/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 8) held on Friday, 9/17/2010; plaintiff's proof continues. (Court Reporter K. Baker/C. Newburg) (cdw) (Entered: 09/17/2010) |

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| 09/20/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 9) held on Monday, 9/20/2010; plaintiff's proof continues. (Court Reporter C. Newburg/K. Baker) (cdw) (Entered: 09/21/2010) |
| 09/21/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 10) held on Tuesday, 9/21/2010; plaintiff's proof continues. (Court Reporter C. Newburg/C. Nelson) (cdw) (Entered: 09/22/2010) |
| 09/22/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 11) held on Wednesday, 9/22/2010; plaintiff's proof continues. (Court Reporter C. Nelson/E. Hinson) (cdw) (Entered: 09/23/2010) |
| 09/23/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 12) held on Thursday, 9/23/2010; plaintiff's proof continues. (Court Reporter E. Hinson/C. Nelson) (cdw) (Entered: 09/24/2010) |
| 09/24/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 13) held on Friday, 9/24/2010; plaintiff's proof continues. (Court Reporter C. Nelson/E. Hinson) (cdw) (Entered: 09/27/2010) |
| 09/27/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 14) held on Monday, 9/27/2010; plaintiff rests with exception of Dr. Mikkelsen's testimony; defendants' proof begins. (Court Reporter G. Power/C. Nelson) (cdw) (Entered: 09/28/2010) |
| 09/28/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 15) held on Tuesday, 9/28/2010; plaintiff's proof resumes; defendants' proof continues. (Court Reporter C. Newburg/J. Ammons) (cdw) (Entered: 09/29/2010) |
| 09/29/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 16) held on Wednesday, 9/29/2010; plaintiff's proof concludes, plaintiff rests. (Court Reporter E. Hinson/C. Newburg) (cdw) (Entered: 09/30/2010) |
| 09/30/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 17) held on Thursday, 9/30/2010; trial cancelled today due to attorney illness; resume at 8:30 a.m. on Friday. (Court Reporter E. Hinson) (cdw) (Entered: 09/30/2010) |
| 10/01/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 18) held on Friday, 10/1/2010; defendants' proof resumes. (Court Reporter E. Hinson/C. Nelson) (cdw) (Entered: 10/02/2010) |
| 10/02/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 19) held on Saturday, 10/2/2010; defendants' proof continues. (Court Reporter J. Ammons/E. Hinson) (cdw) (Entered: 10/04/2010) |
| 10/04/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 20) held on Monday, 10/4/2010; Court tours Conway Human Development Center with counsel; defendants' proof continues. (Court Reporter E. Hinson/K. Baker) (cdw) (Entered: 10/05/2010) |
| 10/05/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 21) held on Tuesday, 10/5/2010; defendants' proof |

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| | | continues. (Court Reporter C. Newburg/K. Baker/E. Hinson) (cdw) (Entered: 10/06/2010) |
| 10/06/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 22) held on Wednesday, 10/6/2010; defendants' proof continues. (Court Reporter E. Hinson/K. Baker) (cdw) (Entered: 10/07/2010) |
| 10/07/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 23) held on Thursday, 10/7/2010; defendants' proof continues. (Court Reporter J. Ammons/C. Nelson/G. Power) (cdw) (Entered: 10/08/2010) |
| 10/08/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 24) held on Friday, 10/8/2010; defendants' proof continues. (Court Reporter J. Ammons/C. Nelson) (cdw) (Entered: 10/09/2010) |
| 10/09/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 25) held on Saturday, 10/9/2010; defendants' proof continues. (Court Reporter K. Baker/C. Newburg) (cdw) (Entered: 10/12/2010) |
| 10/11/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 26) held on Monday, 10/11/2010; defendants' proof continues. (Court Reporter C. Nelson/G. Power) (cdw) (Entered: 10/12/2010) |
| 10/12/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 27) held on Tuesday, 10/12/2010; defendants' proof continues. (Court Reporter E. Hinson/G. Power) (cdw) (Entered: 10/13/2010) |
| 10/13/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 28) held on Wednesday, 10/13/2010; defendants' proof continues. (Court Reporter G. Power/E. Hinson) (cdw) (Entered: 10/14/2010) |
| 10/14/2010 | | (This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 29) held on Thursday, 10/14/2010; defendants' proof continues. (Court Reporter E. Hinson/G. Power) (cdw) (Entered: 10/15/2010) |
| 10/15/2010 | <u>155</u> | Minute entry for proceedings held before Chief Judge J. Leon Holmes: BENCH TRIAL (DAY 30) held on Friday, 10/15/2010; defendants' proof concludes, defendants rest; Court establishes briefing schedule for parties; Court adjourned. (Court Reporter E. Hinson) (Attachments: # <u>1</u> Plaintiff's Witness List, # <u>2</u> Defendants' Witness List, # <u>3</u> Plaintiff's Exhibit List, # <u>4</u> Defendants' Exhibit List) (cdw) (Entered: 10/18/2010) |
| 10/19/2010 | <u>156</u> | TRANSCRIPT of Court Trial Proceedings held on September 8, 2010, before Judge J. Leon Holmes. Court Reporters Eugenie Power and Judith A. Ammons. 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 10/29/2010. Redaction Request due 11/9/2010. Redacted Transcript Deadline set for 11/19/2010. Release of Transcript Restriction set for 1/18/2011. (plm) (Entered: 10/19/2010) |
| 10/26/2010 | <u>158</u> | TRANSCRIPT of of Court Trial Proceedings – Volume 2 held on September 9, 2010, before Judge J. Leon Holmes. Court Reporters Judith A. Ammons and Eugenie M. Power. 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 |

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| | | Redaction due 11/5/2010. Redaction Request due 11/16/2010. Redacted Transcript Deadline set for 11/26/2010. Release of Transcript Restriction set for 1/24/2011. (plm) (Entered: 10/26/2010) |
| 10/28/2010 | <u>160</u> | TRANSCRIPT of Court Trial Proceedings – Volume 3 held on September 10, 2010, before Judge J. Leon Holmes. Court Reporters Eugenie M. Power and Judith A. Ammons. 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 11/8/2010. Redaction Request due 11/18/2010. Redacted Transcript Deadline set for 11/29/2010. Release of Transcript Restriction set for 1/26/2011. (plm) (Entered: 10/28/2010) |
| 11/01/2010 | <u>162</u> | TRANSCRIPT of Court Trial – Volume 4 held on September 13, 2010 before the Honorable J. Leon Holmes. Court Reporters: Judith A. Ammons and Eugenie M. Power. 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 11/12/2010. Redaction Request due 11/22/2010. Redacted Transcript Deadline set for 12/2/2010. Release of Transcript Restriction set for 1/31/2011. (dmn) (Entered: 11/01/2010) |
| 11/01/2010 | <u>164</u> | TRANSCRIPT of Court Trial – Volume 5 held on September 14, 2010, before Judge Honorable J. Leon Holmes. Court Reporters: Judith A. Ammons and Eugenie M. Power. 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 11/12/2010. Redaction Request due 11/22/2010. Redacted Transcript Deadline set for 12/2/2010. Release of Transcript Restriction set for 1/31/2011. (dmn) (Entered: 11/01/2010) |
| 11/03/2010 | <u>166</u> | TRANSCRIPT of Court Trial Proceedings – Volume 6 held on September 15, 2010, before Judge J. Leon Holmes. Court Reporters Karen Baker and 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 11/15/2010. Redaction Request due 11/24/2010. Redacted Transcript Deadline set for 12/6/2010. Release of Transcript Restriction set for 2/1/2011. (plm) (Entered: 11/03/2010) |
| 11/03/2010 | <u>167</u> | TRANSCRIPT of Court Trial Proceedings – Volume 7 held on September 16, 2010, before Judge J. Leon Holmes. Court Reporters Christa R. Newburg and Karen Baker. 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 11/15/2010. Redaction Request due 11/24/2010. Redacted Transcript Deadline set for 12/6/2010. Release of Transcript Restriction set for 2/1/2011. (plm) (Entered: 11/03/2010) |
| 11/04/2010 | <u>169</u> | TRANSCRIPT of Court Trial – Volume 8 held on September 17, 2010, before Judge J. Leon Holmes. Court Reporters: Karen Baker and 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 11/15/2010. Redaction Request due 11/26/2010. Redacted Transcript Deadline set for 12/6/2010. Release of Transcript Restriction set for 2/2/2011. (dmn) (Entered: 11/04/2010) |
| 11/09/2010 | <u>171</u> | TRANSCRIPT of Court Trial Proceedings – Volume 9 held on September 20, 2010, before Judge J. Leon Holmes. Court Reporters Christa R. Newburg and |

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| | | Karen Baker. 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 11/19/2010. Redaction Request due 11/30/2010. Redacted Transcript Deadline set for 12/10/2010. Release of Transcript Restriction set for 2/7/2011. (plm) (Entered: 11/09/2010) |
| 11/12/2010 | <u>173</u> | TRANSCRIPT of Court Trial – Volume 10 held on September 21, 2010, before Judge J. Leon Holmes. Court Reporters: Christa R. Newburg and Cheryl Barnett Nelson. 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 11/22/2010. Redaction Request due 12/3/2010. Redacted Transcript Deadline set for 12/13/2010. Release of Transcript Restriction set for 2/10/2011. (dmn) (Entered: 11/12/2010) |
| 11/12/2010 | <u>175</u> | TRANSCRIPT of Court Trial – Volume 11 held on September 22, 2010, before Judge J. Leon Holmes. Court Reporters: Cheryl Barnett Nelson and Elaine Hinson. 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 11/22/2010. Redaction Request due 12/3/2010. Redacted Transcript Deadline set for 12/13/2010. Release of Transcript Restriction set for 2/10/2011. (dmn) (Entered: 11/12/2010) |
| 11/17/2010 | <u>177</u> | TRANSCRIPT of Court Trial Proceedings – Volume 12 held on September 23, 2010, before Judge J. Leon Holmes. Court Reporters Elaine Hinson and Cheryl Barnett Nelson. 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 11/29/2010. Redaction Request due 12/8/2010. Redacted Transcript Deadline set for 12/20/2010. Release of Transcript Restriction set for 2/15/2011. (plm) (Entered: 11/17/2010) |
| 11/17/2010 | <u>178</u> | RESTRICTED TRANSCRIPT (Excerpt from Transcript of Court Trial – Volume 12 filed under seal per order of the Court held on September 23, 2010) (plm) (Entered: 11/17/2010) |
| 11/18/2010 | <u>180</u> | TRANSCRIPT of Court Trial Proceedings – Volume 13 held on September 24, 2010, before Judge J. Leon Holmes. Court Reporters Cheryl Barnett Nelson and Elaine Hinson. 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 11/29/2010. Redaction Request due 12/9/2010. Redacted Transcript Deadline set for 12/20/2010. Release of Transcript Restriction set for 2/16/2011. (plm) (Entered: 11/18/2010) |
| 12/01/2010 | <u>182</u> | TRANSCRIPT of Court Trial Proceedings – Volume 14 held on September 27, 2010, before Judge J. Leon Holmes. Court Reporters Eugenie M. Power and Cheryl Barnett Nelson. 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 12/13/2010. Redaction Request due 12/22/2010. Redacted Transcript Deadline set for 1/3/2011. Release of Transcript Restriction set for 3/1/2011. (plm) (Entered: 12/01/2010) |
| 12/02/2010 | <u>183</u> | TRANSCRIPT of Court Trial Proceedings – Volume 15 held on September 28, 2010, before Judge J. Leon Holmes. Court Reporters Christa R. Newburg and Judith A. Ammons. Transcript may be viewed only at the public terminals in the Clerk's office. Copies of transcript are only available through the Official Court |

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| | | 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 12/13/2010. Redaction Request due 12/23/2010. Redacted Transcript Deadline set for 1/3/2011. Release of Transcript Restriction set for 3/2/2011. (plm) (Entered: 12/02/2010) |
| 12/07/2010 | <u>185</u> | TRANSCRIPT of Court Trial Proceedings – Volume 16 held on September 29, 2010, before Judge J. Leon Holmes. Court Reporters Elaine Hinson and 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 12/17/2010. Redaction Request due 12/28/2010. Redacted Transcript Deadline set for 1/7/2011. Release of Transcript Restriction set for 3/7/2011. (plm) (Entered: 12/07/2010) |
| 12/07/2010 | <u>186</u> | TRANSCRIPT of Court Trial Proceedings – Volume 17 held on September 30, 2010, before Judge J. Leon Holmes. Court Reporter Elaine Hinson. 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 12/17/2010. Redaction Request due 12/28/2010. Redacted Transcript Deadline set for 1/7/2011. Release of Transcript Restriction set for 3/7/2011. (plm) (Entered: 12/07/2010) |
| 12/07/2010 | <u>187</u> | TRANSCRIPT of Court Trial Proceedings – Volume 18 held on October 1, 2010, before Judge J. Leon Holmes. Court Reporters Elaine Hinson and Cheryl Barnett Nelson. 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 12/17/2010. Redaction Request due 12/28/2010. Redacted Transcript Deadline set for 1/7/2011. Release of Transcript Restriction set for 3/7/2011. (plm) (Entered: 12/07/2010) |
| 12/07/2010 | <u>188</u> | TRANSCRIPT of Court Trial Proceedings – Volume 19 held on October 2, 2010, before Judge J. Leon Holmes. Court Reporters Judith A. Ammons and Elaine Hinson. 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 12/17/2010. Redaction Request due 12/28/2010. Redacted Transcript Deadline set for 1/7/2011. Release of Transcript Restriction set for 3/7/2011. (plm) (Entered: 12/07/2010) |
| 12/21/2010 | <u>190</u> | TRANSCRIPT of Court Trial Proceedings – Volume 20 held on October 4, 2010, before Judge J. Leon Holmes. Court Reporters: Elaine Hinson and Karen Baker. 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 1/3/2011. Redaction Request due 1/11/2011. Redacted Transcript Deadline set for 1/21/2011. Release of Transcript Restriction set for 3/21/2011. (dmn) (Entered: 12/21/2010) |
| 12/22/2010 | <u>192</u> | TRANSCRIPT of Court Trial Proceedings – Volume 21 held on October 5, 2010, before Judge J. Leon Holmes. Court Reporters Christa R. Newburg, Karen Baker and Elaine Hinson. 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 1/3/2011. Redaction Request due 1/12/2011. Redacted Transcript Deadline set for 1/24/2011. Release of Transcript Restriction set for 3/22/2011. (plm) (Entered: 12/22/2010) |

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| 12/22/2010 | <u>194</u> | First MOTION to Extend Time <i>Motion for Confirmation of Post-Trial Briefing Schedule</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 12/22/2010) |
| 12/23/2010 | <u>195</u> | TRANSCRIPT of Court Trial Proceedings – Volume 22 held on October 6, 2010, before Judge J. Leon Holmes. Court Reporters Elaine Hinson and Karen Baker. 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 1/3/2011. Redaction Request due 1/13/2011. Redacted Transcript Deadline set for 1/24/2011. Release of Transcript Restriction set for 3/23/2011. (plm) (Entered: 12/23/2010) |
| 12/23/2010 | <u>196</u> | TRANSCRIPT of Court Trial Proceedings – Volume 23 held on October 7, 2010, before Judge J. Leon Holmes. Court Reporters Judith A. Ammons, Cheryl Bartnett Nelson and Eugenie M. Power. 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 1/3/2011. Redaction Request due 1/13/2011. Redacted Transcript Deadline set for 1/24/2011. Release of Transcript Restriction set for 3/23/2011. (plm) (Entered: 12/23/2010) |
| 12/23/2010 | <u>197</u> | TRANSCRIPT of Court Trial Proceedings held on October 8, 2010, before Judge J. Leon Holmes. Court Reporters Judith A. Ammons, Cheryl Bartnett Nelson and Eugenie M. Power. 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 1/3/2011. Redaction Request due 1/13/2011. Redacted Transcript Deadline set for 1/24/2011. Release of Transcript Restriction set for 3/23/2011. (plm) (Entered: 12/23/2010) |
| 12/23/2010 | <u>198</u> | TRANSCRIPT of Court Trial Proceedings – Volume 25 held on October 9, 2010, before Judge J. Leon Holmes. Court Reporters Karen Baker and 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 1/3/2011. Redaction Request due 1/13/2011. Redacted Transcript Deadline set for 1/24/2011. Release of Transcript Restriction set for 3/23/2011. (plm) (Entered: 12/23/2010) |
| 12/23/2010 | <u>199</u> | TRANSCRIPT of Court Trial Proceedings – Volume 26 held on October 11, 2010, before Judge J. Leon Holmes. Court Reporters Cheryl Bartnett Nelson and 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 1/3/2011. Redaction Request due 1/13/2011. Redacted Transcript Deadline set for 1/24/2011. Release of Transcript Restriction set for 3/23/2011. (plm) (Entered: 12/23/2010) |
| 12/23/2010 | <u>201</u> | ORDER confirming that the initial post-trial briefs will be due 1/31/11, with reply briefs due 2/21/11. Signed by Chief Judge J. Leon Holmes on 12/23/10. (hph) (Entered: 12/23/2010) |
| 12/28/2010 | <u>203</u> | TRANSCRIPT of Court Trial Proceedings – Volume 27 held on October 12, 2010, before Judge J. Leon Holmes. Court Reporters: Elaine Hinson and Eugenie M. Power. 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 1/7/2011. Redaction Request due 1/18/2011. Redacted Transcript Deadline set for 1/28/2011. Release of Transcript Restriction set for 3/28/2011. (dmn) (Entered: 12/28/2010) |

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| 12/29/2010 | <u>205</u> | TRANSCRIPT of Court Trial – Volume 28 held on 10/13/2010, before Chief Judge J. Leon Holmes. Court Reporters: Eugenie Power and Elaine Hinson. 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 1/10/2011. Redaction Request due 1/19/2011. Redacted Transcript Deadline set for 1/31/2011. Release of Transcript Restriction set for 3/29/2011. (thd) (Entered: 12/29/2010) |
| 12/30/2010 | <u>207</u> | TRANSCRIPT of Court Trial Proceedings – Volume 29 held on October 14, 2010, before Judge J. Leon Holmes. Court Reporters: Elaine Hinson and Eugenie M. Power. 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 1/10/2011. Redaction Request due 1/20/2011. Redacted Transcript Deadline set for 1/31/2011. Release of Transcript Restriction set for 3/30/2011. (dmn) (Entered: 12/30/2010) |
| 12/30/2010 | <u>209</u> | TRANSCRIPT of Court Trial Proceedings – Volume 30 held on October 15, 2010, before Judge J. Leon Holmes. Court Reporters: Elaine Hinson and Eugenie M. Power. 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 1/10/2011. Redaction Request due 1/20/2011. Redacted Transcript Deadline set for 1/31/2011. Release of Transcript Restriction set for 3/30/2011. (dmn) (Entered: 12/30/2010) |
| 01/05/2011 | <u>211</u> | MOTION to Withdraw as Attorney by USA (Cheng, Christopher) (Entered: 01/05/2011) |
| 01/06/2011 | <u>212</u> | NOTICE of Appearance by Christopher N. Cheng on behalf of USA (Cheng, Christopher) (Entered: 01/06/2011) |
| 01/06/2011 | <u>213</u> | ORDER granting <u>211</u> Motion for Shanetta Y. Cutlar, Nicholas May, and Arethea Coles to Withdraw as Attorney of Record for USA. Signed by Chief Judge J. Leon Holmes on 1/6/11. (vjt) (Entered: 01/06/2011) |
| 01/22/2011 | <u>214</u> | MOTION to Extend Time <i>Defendants' Unopposed Motion For Extension Of Time To Complete Post-Trial Briefs</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 01/22/2011) |
| 01/24/2011 | <u>215</u> | ORDER granting defts' <u>214</u> Motion for Extension of Time to file post-trial briefs; initial post-trial briefs due 2/8/11; post-trial reply briefs due 3/1/11. Signed by Chief Judge J. Leon Holmes on 1/24/11. (vjt) (Entered: 01/25/2011) |
| 02/08/2011 | <u>216</u> | MOTION to Extend Time <i>Defendants' Unopposed Motion For Extension Of Time To Complete Post-Trial Briefs</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 02/08/2011) |
| 02/08/2011 | <u>217</u> | ORDER granting defts' <u>216</u> Motion for Extension of Time to file post-trial briefs; initial post-trial briefs due 2/10/11, with post-trial reply briefs due on 3/3/11. Signed by Chief Judge J. Leon Holmes on 2/8/11. (vjt) (Entered: 02/08/2011) |
| 02/10/2011 | <u>218</u> | TRIAL BRIEF by USA (Attachments: # <u>1</u> Appendix)(Cheng, Christopher) (Entered: 02/10/2011) |
| 02/10/2011 | <u>219</u> | TRIAL BRIEF <i>Defendants' Post-Trial Brief</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig(York, Thomas) (Entered: 02/10/2011) |
| 02/24/2011 | <u>220</u> | MOTION for Extension of Time to File Response/Reply as to <u>218</u> Trial Brief by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 02/24/2011) |
| 02/25/2011 | <u>221</u> | RESPONSE in Opposition re <u>220</u> MOTION for Extension of Time to File Response/Reply as to <u>218</u> Trial Brief filed by USA. (Attachments: # <u>1</u> |

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| | | Exhibit)(Donnelly, Matthew) (Entered: 02/25/2011) |
| 02/28/2011 | <u>222</u> | ORDER granting depts' <u>220</u> Motion for Extension of Time to File Reply to pltf's post-trial brief; depts' reply is due 3/17/11. Signed by Chief Judge J. Leon Holmes on 2/28/11. (vjt) (Entered: 02/28/2011) |
| 02/28/2011 | <u>223</u> | AMENDED <u>222</u> ORDER granting <u>220</u> Motion for Extension of Time to File Reply; the parties have until 3/17/11 to file a reply to the post-trial briefs. Signed by Chief Judge J. Leon Holmes on 2/28/11. (vjt) (Entered: 03/01/2011) |
| 03/17/2011 | <u>224</u> | RESPONSE re <u>219</u> Trial Brief of <i>Defendants</i> by USA (Donnelly, Matthew) (Entered: 03/17/2011) |
| 03/17/2011 | <u>225</u> | TRIAL BRIEF <i>Defendants' Response to Plaintiff's Post-Trial Brief</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (Attachments: # <u>2</u> Appendix)(York, Thomas) (# <u>3</u> Exhibit A substituted per <u>227</u> Order on 3/31/2011.) (thd). (Entered: 03/17/2011) |
| 03/30/2011 | <u>226</u> | MOTION for Order to <i>Substitute Exhibit A of Defendants' Response to Plaintiff's Post-Trial Brief</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (Attachments: # <u>1</u> Exhibit A)(York, Thomas) (Entered: 03/30/2011) |
| 03/31/2011 | <u>227</u> | ORDER granting depts' <u>226</u> Motion to Substitute Exhibit A of depts' response to pltf's post-trial brief; the Clerk is directed to substitute Exhibit A filed as Document #226-1 for Exhibit A filed as Document #225-1. Signed by Chief Judge J. Leon Holmes on 3/31/11. (vjt) (Entered: 03/31/2011) |
| 06/08/2011 | <u>228</u> | FINDINGS OF FACT AND CONCLUSIONS OF LAW that Conway Human Development Center complies with all of the requirements of the Fourteenth Amendment and the Americans with Disabilities Act but not all of the requirements of the Individuals with Disabilities Education Act. Because Congress has provided for a state educational agency to enforce compliance with the Act, and because the evidence established that the state educational agency here is enforcing and will enforce compliance, no injunction is necessary or appropriate. A judgment dismissing this action with prejudice will be entered separately. Signed by Chief Judge J. Leon Holmes on 6/8/11. (vjt) (Entered: 06/08/2011) |
| 06/08/2011 | <u>229</u> | JUDGMENT pursuant to <u>228</u> Findings of Fact and Conclusions of Law entered this date, judgment is hereby entered dismissing this action with prejudice. Signed by Chief Judge J. Leon Holmes on 6/8/11. (vjt) (Entered: 06/08/2011) |
| 06/15/2011 | <u>230</u> | MOTION for Extension of Time to File <i>a Motion for Fees an Costs</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 06/15/2011) |
| 06/16/2011 | <u>231</u> | ORDER granting <u>230</u> Motion for Extension of Time to File a Motion for Fees and Costs; depts have up to and including 7/22/11 to file their motion. Signed by Chief Judge J. Leon Holmes on 6/16/11. (vjt) (Entered: 06/16/2011) |
| 07/22/2011 | <u>232</u> | MOTION for Attorney Fees by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 07/22/2011) |
| 07/22/2011 | <u>233</u> | BRIEF IN SUPPORT re <u>232</u> Motion for Attorney Fees filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig. (York, Thomas) (Entered: 07/22/2011) |
| 07/25/2011 | <u>234</u> | EXHIBITS: Appendices C1-C13, Attachments C1-C13, and Exhibits A-F to Defendants' Brief in Support of motion for an Award of Attorneys' Fees and Costs filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price re <u>233</u> Brief in Support. (Exhibits Attachments submitted conventionally and maintained in the Office of the Clerk of Court) (jap) (Entered: 07/26/2011) |
| 07/25/2011 | | EXHIBITS Appendix A (Attachment-1); Appendix B (Attachments B-1, B-2) filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig to <u>233</u> <u>234</u> (jap) (Entered: 07/26/2011) |
| 07/29/2011 | <u>235</u> | MOTION to Amend/Correct <u>233</u> Brief in Support, <u>232</u> MOTION for Attorney Fees, <u>234</u> Addendum, Addendum by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> |

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| | | Exhibit C)(York, Thomas) (Entered: 07/29/2011) |
| 08/01/2011 | <u>236</u> | RESPONSE to Motion re <u>235</u> MOTION to Amend/Correct <u>233</u> Brief in Support, <u>232</u> MOTION for Attorney Fees, <u>234</u> Addendum, Addendum MOTION to Amend/Correct <u>233</u> Brief in Support, <u>232</u> MOTION for Attorney Fees, <u>234</u> Addendum, Addendum filed by USA. (Donnelly, Matthew) (Entered: 08/01/2011) |
| 08/02/2011 | <u>237</u> | ORDER granting <u>235</u> Defendants' Motion for leave to file amended motion for award of attorney's fees and costs, memorandum of law and Appendix A. Signed by Chief Judge J. Leon Holmes on 8/2/2011. (kdr) (Entered: 08/02/2011) |
| 08/03/2011 | <u>238</u> | MOTION to Amend/Correct <u>232</u> MOTION for Attorney Fees by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 08/03/2011) |
| 08/03/2011 | <u>239</u> | AMENDED DOCUMENT by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig. Amendment to <u>233</u> Brief in Support, <u>232</u> MOTION for Attorney Fees, Addendum, <u>238</u> MOTION to Amend/Correct <u>232</u> MOTION for Attorney Fees (Attachments: # <u>1</u> Appendix A)(York, Thomas) (Entered: 08/03/2011) |
| 08/04/2011 | <u>240</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>238</u> MOTION to Amend/Correct <u>232</u> MOTION for Attorney Fees by USA (Donnelly, Matthew) (Entered: 08/04/2011) |
| 08/08/2011 | <u>241</u> | ORDER granting pltf's <u>240</u> Motion for Extension of Time up to and including 10/11/11 to respond to defts' amended motion for an award of attorneys' fees and costs <u>232</u> <u>238</u> . Signed by Chief Judge J. Leon Holmes on 8/8/11. (vjt) (Entered: 08/08/2011) |
| 08/12/2011 | <u>242</u> | NOTICE of Appearance filed by Isaac R. Campbell on behalf of USA. (kjp) (Entered: 08/12/2011) |
| 08/19/2011 | <u>243</u> | NOTICE of Appearance by Daniel Schwei on behalf of USA (jap) (Entered: 08/22/2011) |
| 09/30/2011 | <u>244</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>232</u> MOTION for Attorney Fees, <u>238</u> MOTION to Amend/Correct <u>232</u> MOTION for Attorney Fees by USA (Schwei, Daniel) (Entered: 09/30/2011) |
| 10/03/2011 | <u>245</u> | ORDER granting pltf's <u>244</u> Motion for Extension of Time up to and including 11/1/11 to respond to defts' Amended Motion for Attorneys' Fees and Costs. Signed by Chief Judge J. Leon Holmes on 10/3/11. (vjt) (Entered: 10/03/2011) |
| 11/01/2011 | <u>246</u> | RESPONSE in Opposition re <u>232</u> MOTION for Attorney Fees filed by USA. (Attachments: # <u>1</u> Exhibit A – Attorney's Fees Reductions, # <u>2</u> Exhibit B – Fees Prior to Jan. 16, 2009, # <u>3</u> Exhibit C – Arkansas's Voluntary Exclusions, # <u>4</u> Exhibit D – Invoices and Payments Chart, # <u>5</u> Exhibit E – Inconsistent Expenses for Experts, # <u>6</u> Exhibit F – Attorney Travel Expenses, # <u>7</u> Exhibit G – Time Entries Involving Travel, # <u>8</u> Exhibit H – Time Entries Regarding the Post-Trial Briefs, # <u>9</u> Exhibit I – Time Related to Travel Planning, # <u>10</u> Exhibit J – Ministerial and Clerical Time Entries, # <u>11</u> Exhibit K – Expenses Reductions, # <u>12</u> Exhibit L – Costs Reductions, # <u>13</u> Exhibit M – York Legal Group Invoices, # <u>14</u> Exhibit N – Payments from Arkansas, # <u>15</u> Index of Exhibits)(Schwei, Daniel) (Entered: 11/01/2011) |
| 11/02/2011 | <u>247</u> | EXHIBITS M & N (Volumes 1 through 3) filed by USA to <u>246</u> Response in Opposition to Motion. [Exhibits submitted for filing conventionally and maintained in the Clerk's Office file] (jap) (Entered: 11/03/2011) |
| 11/09/2011 | <u>248</u> | Unopposed MOTION for Leave to File <i>Reply to Plaintiff's Response in Opposition to Defendants' Motion for Attorneys' Fees and Costs</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 11/09/2011) |
| 11/10/2011 | <u>249</u> | ORDER granting defts' <u>248</u> Motion for Leave to File a reply to pltf's response in opposition to the motion for attorneys' fees and costs; defts' reply is due on or before 12/12/11. Signed by Chief Judge J. Leon Holmes on 11/10/11. (vjt) |

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| 12/12/2011 | <u>250</u> | RESPONSE re <u>239</u> Amended Document, 247 Addendum <i>Defendants' Reply to Plaintiff's Opposition to Defendants' Motion for Attorneys' Fees and Costs</i> by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig (York, Thomas) (Entered: 12/12/2011) |
| 12/13/2011 | | EXHIBITS– 2 Volumes (G through U) filed by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig re <u>250</u> (submitted conventionally and maintained in the Clerk's Office files) (jap) (Entered: 12/14/2011) |
| 01/06/2012 | <u>251</u> | NOTICE by USA re <u>246</u> Response in Opposition to Motion,,, (Attachments: # <u>1</u> Document Corrected United States' Opposition Brief, # <u>2</u> Exhibit A (Corrected Attorney's Fees Reductions), # <u>3</u> Exhibit E (Corrected Inconsistent Expenses for Experts), # <u>4</u> Exhibit F (Corrected Attorney Travel Expenses), # <u>5</u> Exhibit G (Corrected Time Entries Involving Travel), # <u>6</u> Exhibit H (Corrected Time Entries Regarding the Post Trial Briefs))(Schwei, Daniel) (Entered: 01/06/2012) |
| 02/06/2012 | <u>252</u> | OPINION AND ORDER that defts' motion for award of attorneys' fees and costs <u>232 238</u> is GRANTED IN PART and DENIED IN PART; the motion for an award of attorneys' fees and litigation expenses is denied; defts are given leave to amend their motion for an award of costs by submitting an affidavit as directed within seven days from the entry of this Opinion and Order. Signed by Chief Judge J. Leon Holmes on 2/6/12. (vjt) (Entered: 02/06/2012) |
| 02/10/2012 | <u>253</u> | AMENDED DOCUMENT by Arkansas, State of, Mike Beebe, James C Green, Calvin Price, John M Selig. Amendment to <u>239</u> Amended Document, <i>Second Amended Declaration of Thomas B. York in Support of Motion for an Award of Attorneys' Fees and Costs</i> (York, Thomas) (Entered: 02/10/2012) |
| 02/13/2012 | <u>254</u> | JUDGMENT pursuant to the Opinion and Order <u>252</u> , and the Amended Declaration <u>253</u> , judgment is hereby entered in favor of defts and against the pltf in the amount of \$150,580.00 as costs of the action. Signed by Chief Judge J. Leon Holmes on 2/13/12. (vjt) (Entered: 02/13/2012) |
| 02/27/2012 | <u>255</u> | RECEIPT for Exhibits (cdw) (Entered: 02/27/2012) |