



**United States Court of Appeals
for the Eleventh Circuit**

56 Forsyth Street, N.W.
Atlanta, GA 30303-2289
(404) 335-6100

**04-11566-AA
American Association v. Glenda E. Hood**

Closed No Extensions

Docket #: 04-11566-AA

Short Style: American Association v. Glenda E. Hood

Docket Date: 04/02/2004

Lead Case:

Agency:

Nature of Suit: Other: Statutory Actions

Misc. Type:

Clerk: Dixon, Eleanor

Clerk Phone: (404) 335-6172

District Information

Docket #: 01-01275-CV-J-99HTS **Judge:** Wayne E. Alley

Dkt Date: 11/08/2001

District: Florida-Middle

NOA Date: 03/31/2004

Office: MFL-Jacksonville

Secondary Case Information

Docket #: **Judge:**

Dkt Date: / /

Case Relationships

Docket #	Short Style	Relation	Status
07-15004-CC	American Association of People v. Katherine Harris	Related	Open
08-14994-CC	American Association of People v. Glenda E. Hood	Related	Open

Pending Motions

No Pending Motions



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American Association v. Glenda E. Hood

AMERICAN ASSOCIATION OF PEOPLE WITH DISABILITIES,

DANIEL W. O'CONNER,

KENT BELL,

BETH BOWEN,

on behalf of themselves and others

similarly situated,

Plaintiffs-Appellees,

versus

GLEND E. HOOD,

Secretary of the State of Florida, et al.,

Defendants,

JERRY HOLLAND,

as Supervisor of Elections in Duval County,

Defendant-Appellant.



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Appellant	Appellant Attorney
Person Not Found <i>No Briefing Information Found.</i>	
Jerry Holland Address Not On File <i>Supplemental Authority for Appellant filed on 05/04/2006</i> <i>Supplemental Authority for Appellant filed on 09/14/2006</i>	Ernst D. Mueller Office of City Attorney 117 W DUVAL ST STE 480 JACKSONVILLE, FL 32202-5721 904-630-1871 Fax: (904) 630-1316 EMueller@coj.net <i>No Briefing Information Found.</i>
	Jason R. Teal The City of Jacksonville 117 W DUVAL ST STE 480 JACKSONVILLE, FL 32202-5721 (904) 630-1700 Fax: (904) 630-2388 JTeal@coj.net <i>No Briefing Information Found.</i>
	Scott Douglas Makar

	Office of the Solicitor General THE CAPITOL - PL01 TALLAHASSEE, FL 32399-0001 (850) 414-3639 Fax: (850) 410-2672 scott.makar@myfloridalegal.com <i>No Briefing Information Found.</i>
Appellee	Appellee Attorney
American Association of People with Disabilities Address Not On File 1dar@sgdblawn.com	Sashe D. Dimitroff Howrey LLP 1111 LOUISIANA ST FL 25 HOUSTON, TX 77002-5242 (713) 654-7610 Fax: (713) 787-1440 sashe.dimitroff@howrey.com <i>E-Brief Tendered: Appellee filed on 08/24/2004</i> <i>Appellee Brief Filed filed on 08/24/2004</i> <i>E-Brief Tendered: Supplemental Appellant Brief</i> <i>filed on 10/05/2004</i> <i>E-Brief Tendered: Supplemental Appellee Brief filed</i> <i>on 10/05/2004</i> <i>Other filed on 09/29/2006</i>
Daniel W. O'Conner Address Not On File	Sashe D. Dimitroff Howrey LLP 1111 LOUISIANA ST FL 25 HOUSTON, TX 77002-5242 (713) 654-7610 Fax: (713) 787-1440 sashe.dimitroff@howrey.com <i>No Briefing Information Found.</i>
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	R. William Sigler Howrey Simon Arnold & White, LLP 1299 PENNSYLVANIA AVE NW WASHINGTON, DC 20004-2400 (202) 783-0800 Fax: (202) 383-6610 siglerb@howrey.com <i>No Briefing Information Found.</i>
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	(713) 651-2600 Fax: (713) 651-2700 hkhassianh@winston.com <i>No Briefing Information Found.</i>
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	File Date	Entry	Party	Pending
	03/31/2004	Fee Status: Paid (03/31/04) for John Stafford	William E. Scheu, Jr.	No
	04/06/2004	Briefing Notice Issued		No
	04/06/2004	DKT7CIV (Docketing Notice confirming brief due date) issued. To:Makar, Scott Douglas; c:Arpen, Tracey I., Jr.; c:Baldridge, J. Douglas; c:Crist, Charles Joseph, Jr.; c:Gardner, Elizabeth Elaine; c:Mueller, Ernst D.; c:Mullaney, Richard A.; c:Odde, Danie+		No
	04/06/2004	Transcripts Filed in D.C. on 10-10-03 for bench trial -[9-23-03 thru 10-01-03.] - transcript filed on 1-23-04 for motion hrg. [1-14-04]-transcript filed on 3-11-02 for motion hrg. [2-28-02]		No
	04/13/2004	Appearance Form Submitted.	Scott Douglas Makar	No
	04/13/2004	Appearance Form Submitted.	Ernst D. Mueller	No
	04/13/2004	Appearance Form Submitted.	Jason R. Teal	No
	04/13/2004	Transcript Order Form (All Necessary Transcripts on File): (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
	04/13/2004	Civil Appeal Statement Form: (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
	04/19/2004	ATTY1 (Appearance form/bar admission letter) issued. To:Baldridge, J. Douglas		No
		JUR-1 (Letter enclosing jurisdictional question) issued.		

	04/20/2004	c:Baldrige, J. Douglas; c:Makar, Scott Douglas; c:Mueller, Ernst D.; c:Mullaney, Richard A.; c:Oddo, Danielle R.; c:Teal, Jason R.; c:Wiseman, Alan M.		No
	04/20/2004	Jurisdictional Questions Issued		No
	04/21/2004	DC Order: (04/23/04) Dkt # 238 Defendant's motion to stay pending appeal is granted, Judge Wayne E. Alley.		No
	04/26/2004	Appearance Form Submitted.	James Douglas Baldrige	No
	04/26/2004	Appearance Form Submitted.	Danielle R. Foley	No
	04/26/2004	Appearance Form Submitted.	Ari N. Rothman	No
	04/26/2004	Appearance Form Submitted.	Vincent E. Verrocchio	No
	04/26/2004	Motion to Expedite: (Atty: J. Douglas Baldrige)	American Association of People with Disabilities	No
	04/27/2004	Certificate of Readiness		No
	04/27/2004	Response to Motion: (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
	04/28/2004	Notice of Filing: Appellees' Reply in support of their emergency motion for an expedited appeal. (Atty: J. Douglas Baldrige)	American Association of People with Disabilities	No
	04/30/2004	Ape Response to Jurisdictional Question: (Atty: J. Douglas Baldrige)	American Association of People with Disabilities	No
	05/03/2004	Attorney Changed for: John Stafford From: Scott Douglas Makar (904) 630-1847 smakar@coj.net To: Mueller, Ernst D..	William E. Scheu, Jr.	No
	05/03/2004	Appellees' motion to expedite this appeal is DENIED. (WHP)		No
	05/03/2004	MOT2 (Notice of court action) issued. c:Baldrige, J. Douglas; c:Makar, Scott Douglas; c:Mueller, Ernst D.; c:Oddo, Danielle R.; c:Rothman, Ari N.; c:Teal, Jason R.; c:Verrocchio, Vincent E.		No
	05/03/2004	DC Order: Plaintiff's motion for clarification of 03/26/04 judgment is DENIED. Denying motion for Rule 54(b)		No

		certification.		
	05/03/2004	Apt Response to Jurisdictional Question: (Atty: Ernst D. Mueller)	William E. Scheu, Jr.	No
 30pages	05/12/2004	E-Brief Tendered: Appellant by Scott Douglas Makar for John Stafford	William E. Scheu, Jr.	No
	05/13/2004	Appellant Brief Filed: (Atty: Ernst D. Mueller)	William E. Scheu, Jr.	No
	05/13/2004	Record Excerpts: (Atty: Ernst D. Mueller)	William E. Scheu, Jr.	No
	06/10/2004	MOOT- see Order 06/24 Appellees' Motion for Immediate Ruling on Jurisdictional Question: (Atty: J. Douglas Baldrige)	American Association of People with Disabilities	No
	06/18/2004	Response to Motion: (Atty: Ernst D. Mueller)	William E. Scheu, Jr.	No
	06/24/2004	MOT2 (Notice of court action) issued. c:Arpen, Tracey I., Jr.; c:Baldrige, J. Douglas; c:Crist, Charles Joseph, Jr.; c:Gardner, Elizabeth Elaine; c:Makar, Scott Douglas; c:Mueller, Ernst D.; c:Mullaney, Richard A.; c:Oddo, Danielle R.; c:Rothman, Ari N+		No
	06/24/2004	Appeal may PROCEED with respect to the March 24 and March 26, 2004 order and final judgment . . .However, the appeal is DISMISSED as to the October 16, 2002 and August 19, 2003 orders . . . (SFB/JFD) See order for text		No
	07/07/2004	Motion for Reconsideration of Panel Order: (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
	07/08/2004	Attorney Changed for: John Stafford From: Ernst D. Mueller 904-630-1871 EMueller@coj.net To: Makar, Scott Douglas.	William E. Scheu, Jr.	No
	07/16/2004	Appearance Form Submitted.	Richard Arthur Ripley	No
	07/19/2004	Response to Motion: (Atty: Richard Arthur Ripley)	American Association of People with Disabilities	No
	07/27/2004	Notice of Filing: Reply to Appellees' Response to Motion for Reconsideration of Panel Order (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
	08/09/2004	Appellant's motion for reconsideration of our June 24, 2004, order dismissing this appeal for lack of jurisdiction, is DENIED. (GBT, RLA, SFB)		No

	08/09/2004	MOT2 (Notice of court action) issued. c:Baldrige, J. Douglas; c:Foley, Danielle R.; c:Makar, Scott Douglas; c:Mueller, Ernst D.; c:Ripley, Richard Arthur; c:Rothman, Ari N.; c:Teal, Jason R.; c:Verrocchio, Vincent E.		No
	08/23/2004	Appearance Form Submitted.	R. William Sigler	No
 30pages	08/24/2004	E-Brief Tendered: Appellee by Ari N. Rothman for American Association of People With Disabilities	American Association of People with Disabilities	No
	08/24/2004	Appellee Brief Filed: (Atty: R. William Sigler)	American Association of People with Disabilities	No
	08/31/2004	Motion for Extension to File Reply Brief: (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
	09/02/2004	Record on Appeal		No
	09/02/2004	Exhibits: (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
	09/03/2004	Response to Appellant's Motion to Extend Time to Serve Reply Brief: (Atty: R. William Sigler)	American Association of People with Disabilities	No
	09/07/2004	Appellant's motion for a 10 day extension of time in which to file the reply brief, up to and including, September 20, 2004 is DENIED IN PART. Appellant's reply brief is due on September 13, 2004. (WHP)		No
	09/07/2004	MOT2 (Notice of court action) issued. c:Baldrige, J. Douglas; c:Foley, Danielle R.; c:Makar, Scott Douglas; c:Mueller, Ernst D.; c:Ripley, Richard Arthur; c:Rothman, Ari N.; c:Sigler, R. William; c:Teal, Jason R.; c:Verrocchio, Vincent E.		No
	09/10/2004	2nd Motion for Extension to File Reply Brief: (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
 30pages	09/13/2004	E-Brief Tendered: Reply by Scott Douglas Makar for John Stafford	William E. Scheu, Jr.	No
	09/14/2004	Appellant's 2nd motion for a 4 day extension of time in which to file the reply brief, up to and including September 17, 2004 is GRANTED but no further extensions will be allowed. (WHP)		No
		MOT2 (Notice of court action) issued. c:Baldrige, J. Douglas;		

	09/14/2004	c:Foley, Danielle R.; c:Makar, Scott Douglas; c:Mueller, Ernst D.; c:Ripley, Richard Arthur; c:Rothman, Ari N.; c:Sigler, R. William; c:Teal, Jason R.; c:Verrocchio, Vincent E.		No
	09/14/2004	Reply Brief Filed: (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
	09/16/2004	New Dist Court case number		No
	10/01/2004	Motion to Stay Pending Appeal: (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
	10/05/2004	Appellant's "Emergency Motion for Stay Pending Appeal...", seeking to stay the district court's March 24, 2004, order and March 26, 2004, declaratory judgment pending disposition of this appeal, is GRANTED. (RB/EEC/FMH)		No
	10/05/2004	MOT2 (Notice of court action) issued. To:Teal, Jason R.; c:Baldrige, J. Douglas; c:Foley, Danielle R.; c:Makar, Scott Douglas; c:Mueller, Ernst D.; c:Ripley, Richard Arthur; c:Rothman, Ari N.; c:Sigler, R. William; c:Verrocchio, Vincent E.		No
	10/05/2004	E-Brief Tendered: Supplemental Appellant Brief by Ari N. Rothman for American Association of People With Disabilities	American Association of People with Disabilities	No
	10/05/2004	E-Brief Tendered: Supplemental Appellee Brief by Ari N. Rothman for American Association of People With Disabilities	American Association of People with Disabilities	No
	10/05/2004	Response to Motion: (Atty: R. William Sigler)	American Association of People with Disabilities	No
	10/07/2004	DC Order: Granting the parties agreed motion to adopt DRE Machine Distribution Plan (Dkt. 268) wiht the proposed amendments.		No
	01/05/2005	Appearance Form Submitted.	Brian A. Howie	No
	01/18/2005	Motion to Withdraw as Counsel Richard A. Ripley, J. Douglas Baldrige and Danielle R. Foley is GRANTED. M. Davidson		No
	01/18/2005	MOT2 (Notice of court action) issued. c:Baldrige, J. Douglas; c:Foley, Danielle R.; c:Howie, Brian A.; c:Makar, Scott Douglas; c:Mueller, Ernst D.; c:Ripley, Richard Arthur; c:Rothman, Ari N.; c:Sigler, R. William; c:Teal, Jason R.;		No

		c:Verrocchio, Vince+		
	01/18/2005	Motion to File Supplemental Record: (Atty: Brain A. Howie)	American Association of People with Disabilities	No
	01/18/2005	Motion to Withdraw as Counsel Richard A. Ripley, J. Douglas Baldridge and Danielle R. Foley: (Atty: Brian A. Howie)	American Association of People with Disabilities	No
	01/19/2005	Response to Motion: (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
	01/26/2005	Oral Argument Scheduled: 01/26/05		No
	01/27/2005	Scott Douglas Makar argued for Appellant; Brian A. Howie argued for Appellee		No
	05/19/2005	Further Suggestion of Mootness and Request to Dismiss Appeal and Vacate District Court Judgment: (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
	06/03/2005	Response to Appellant's Further Suggestion of Mootness and Request to Dismiss Appeal and Vacate District Court Judgment: (Atty: Brian A. Howie)	American Association of People with Disabilities	No
	06/07/2005	Appellant's Reply to Appellees' Response to Further Suggestion of Mootness and Request to Dismiss Appeal and Vacate District Court Judgment: (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
	06/22/2005	Motion to Supplement the Record (regarding recently aborted procurement of accessible voting machines in Volusia Co., FL): (Atty: Brian A. Howie)	American Association of People with Disabilities	No
	06/27/2005	Appellees' Motion to supplement the record on appeal with Resolution 2004-1205-E of the Jacksonville City Council is hereby GRANTED. GBT		No
	06/27/2005	MOT2 (Notice of court action) issued. c:Howie, Brian A.; c:Makar, Scott Douglas; c:Mueller, Ernst D.; c:Rothman, Ari N.; c:Sigler, R. William; c:Teal, Jason R.; c:Verrocchio, Vincent E.		No
	06/27/2005	1st Supplemental Exhibits (see order dated 6/27/05).		No
	07/05/2005	Appellant's Response to Appellee's Motion to Supplement the Record (regarding recently aborted procurement of accessible voting machines in Volusia Co., FL)		No

	08/01/2005	Supplemental Authority for Appellant (Supervisor of Elections) Filed: (Atty Scott Douglas Makar)		No
	08/01/2005	Appellant's Motion to Supplement the Record or to Take Judicial Notice Filed: (Scott Douglas Makar)		No
	08/08/2005	CLK3 (Letter to district court re limited remand) issued. To:Sheryl L. Loesch; c:Howie, Brian A.; c:Makar, Scott Douglas; c:Mueller, Ernst D.; c:Rothman, Ari N.; c:Sigler, R. William; c:Teal, Jason R.; c:Verrocchio, Vincent E.		No
	08/08/2005	ORDER: OA in this case was held on 1/26/05. On 5/19/05, the aplt... submted to this court a Further Suggestion of Mootness and Request to DISM & Vacate DC Judgmt... we therefore remand this case to the DC... (see file for complete text) JLE/GBT/PAK		No
	08/10/2005	REC3 (Letter returning record to district court) issued. To:Sheryl L. Loesch		No
	08/10/2005	Record and Exhibits Returned to District Court (19vols ROA; 4 boxes of exh)		No
	08/11/2005	REC3 (Letter returning record to district court) issued. To:Sheryl L. Loesch		No
	08/11/2005	Exhibits Returned to District Court (1env. 1st supp)		No
	08/26/2005	ROA WAS RCVD FROM DIST CT 6 BOXES (19 V (10 PLEAD/9 TRANS) THE REST EXHIBITS		No
	08/30/2005	DC Order: ...The Court answers both questions in the affirmative... (please see f/f for complete text)		No
	08/30/2005	Notice of Filing of DC's order on limited remand dated 8/23/05... The 11th Cir remanded this case to this Court for findings of fact... (see file for complete text)		No
	08/31/2005	1st Supplemental Record On Appeal		No
	08/31/2005	1st Supplemental Certificate of Readiness		No
	11/30/2005	Notice of Withdrawal of Motion to Supplement Record: (MOOT per amended motion received 12/6/05) (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
	12/06/2005	Amended Motion to Supplement the Record: (Atty: Scott Douglas Makar)	William E. Scheu, Jr.	No
	12/20/2005	Appellees' Response to Amended Motion to Supplement Record: (Atty: Brian H. Howie)	American Association of People with Disabilities	No
	12/23/2005	Appellant's amended motion to supplement record on appeal is GRANTED. GBT		No

	12/23/2005	MOT2 (Notice of court action) issued. c:Howie, Brian A.; c:Makar, Scott Douglas; c:Mueller, Ernst D.; c:Rothman, Ari N.; c:Sheryl L. Loesch; c:Sigler, R. William; c:Teal, Jason R.; c:Verrocchio, Vincent E.		No
	05/04/2006	Supplemental Authority for Appellant:	Jerry Holland	No
	09/14/2006	Supplemental Authority for Appellant:	Jerry Holland	No
	09/29/2006	Response to Supp Authority filed 9/14/06 (Atty. Brian Howie)	American Association of People with Disabilities	No
	08/15/2007	We directed the DC to answer two questions... DC entered an order answering both in the affirmative... The def has supp the ROA... we conclude that the case is moot and therefore dismiss it. (see file for comp text). (JLE/GBT/PAK		No
	08/15/2007	Case Closed. Dismissed - Order		No
	08/15/2007	DIS-4 (Letter to district court enclosing court order) issued. To:Sheryl L. Loesch; c:Ari N. Rothman; c:Brian A. Howie; c:Ernst D. Mueller; c:Jason R. Teal; c:R. William Sigler; c:Scott Douglas Makar; c:Vincent E. Verrocchio		No
	08/28/2007	Motion Requesting Addition of Directions to District Court in Final Order: (Atty: Ernst D. Mueller)	Jerry Holland	No
	08/30/2007	Attorney Changed for: Jerry Holland From: To: Mueller, Ernst D..	Jerry Holland	No
	09/10/2007	Appellees' Response in Opposition to Motion Requesting Addition of Directions to District Court... : (Atty: R. William Sigler)	American Association of People with Disabilities	No
	09/11/2007	REC3 (Letter returning record to district court) issued. To:Sheryl L. Loesch		No
	09/26/2007	Appearance Form Submitted.	Kevin A. Keeling	No
	09/27/2007	Supplement to Motion Requesting Addition of Directions to District Court in Final Order construed as Motion to Supplement: (Atty: Ernst D. Mueller)	Jerry Holland	No
	09/28/2007	ATTY1 (Appearance form/bar admission letter) issued. To:Heather M. Khassian		No
	09/28/2007	ATTY1 (Appearance form/bar admission letter) issued. To:Sashe D. Dimitroff		No

	10/02/2007	Appellees' Opposition to Appellant's Supplement to Motion Requesting Addition of Directions to District Court in Final Order: (Atty: Rodney K. Caldwell)	American Association of People with Disabilities	No
	10/03/2007	Appearance Form Submitted.	Rodney K. Caldwell	No
	10/10/2007	Appearance Form Submitted.	Sashe D. Dimitroff	No
	10/10/2007	Appearance Form Submitted.	Heather M. Khassian	No
	11/01/2007	Aplt's "Mot Requesting Addition of Directions to DC in Final Order" is DENIED for lack of juris... (see file for full text). JLE/GBT/PAK		No
	11/01/2007	MOT2 (Notice of court action) issued. c:Ari N. Rothman; c:Brian A. Howie; c:Ernst D. Mueller; c:Heather M. Khassian; c:Jason R. Teal; c:Kevin A. Keeling; c:R. William Sigler; c:Rodney K. Caldwell; c:Sashe D. Dimitroff; c:Scott Douglas Makar; c:Vincent E+		No
	11/15/2007	Aples' Aplca'n for Determination of Entitlement to Reasonable Attys' Fees Costs & Expenses or ...Mot to Transfer the Determination of Attys' Fees... to the District Court: (Atty: Sashe D. Dimitroff)	American Association of People with Disabilities	No
	11/16/2007	MOT2 (Notice of court action) issued to request completion of Form to Accompany Application for Attorney's Fees. To:Sashe D. Dimitroff		No
	12/03/2007	Appellant's Response to Motion for Attorneys fees: (Atty: Ernst D. Mueller)	Jerry Holland	No
	12/10/2007	Appellees' Reply to Appellant's Response to Appellees' Application for Determination of Entitlement to Reasonable Attorneys' Fees...: (Atty: Sashe D. Dimitroff)	American Association of People with Disabilities	No
	04/24/2008	...Aples' request to deem their 11/15/07, atty's fees appl'n to be timely filed is GRANTED... Aples are entitled to ...fees & exps for this appeal... to be ... transferred to DC (see file for complete text). (JLE/GBT/PAK)		No
	04/24/2008	MOT2 (Notice of court action) issued. To:Sheryl L. Loesch; c:Ari N. Rothman; c:Brian A. Howie; c:Ernst D. Mueller; c:Heather M. Khassian; c:Jason R. Teal; c:Kevin A. Keeling; c:R. William Sigler; c:Rodney K. Caldwell; c:Sashe D. Dimitroff; c:Scott Dougl+		No

