

CV,FBA REF,PRI-CR,PROTO,RELTD

**U.S. District Court  
U.S. District of Minnesota (DMN)  
CIVIL DOCKET FOR CASE #: 0:11-cv-03659-DWF-JJK**

Karsjens et al v. Minnesota Department of Human Services et al  
Assigned to: Judge Donovan W. Frank  
Referred to: Magistrate Judge Jeffrey J. Keyes  
Demand: \$750,000

Date Filed: 12/21/2011  
Jury Demand: Both  
Nature of Suit: 560 Prisoner Petitions:  
Civil Detainee: Conditions of Confinement  
Jurisdiction: Federal Question

rel Cases: [0:11-cv-01704-DWF-JJK](#)  
[0:14-cv-00896-DWF-JJK](#)  
[0:14-cv-02002-DWF-JJK](#)  
[0:14-cv-02362-DWF-JJK](#)

Cause: 42:1983 Prisoner Civil Rights

**Plaintiff**

**Kevin Scott Karsjens**  
*and all others similarly situated*

represented by **Daniel E Gustafson**  
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**Plaintiff**

**Kevin John DeVillion**  
*and all others similarly situated*

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**Raina Borrelli**  
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**Plaintiff**

**Peter Gerard Lonergan**  
*and all others similarly situated*

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**Plaintiff**

**James Matthew Noyer, Sr.**  
*and all others similarly situated*

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**Plaintiff**

**James John Rud**  
*and all others similarly situated*

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**Plaintiff**

**James Allen Barber**  
*and all others similarly situated*

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**Plaintiff**

**Craig Allen Bolte**  
*and all others similarly situated*

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**Plaintiff**

**Dennis Richard Steiner**  
*and all others similarly situated*

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**Plaintiff**

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*and all others similarly situated*

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**Plaintiff**

**Christopher John Thuringer**  
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**Plaintiff**

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*and all others similarly situated*

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**Plaintiff**

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*and all others similarly situated*

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**Plaintiff**

**David Leroy Gamble, Jr.**  
*and all others similarly situated*

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**Plaintiff**

**Brian K. Hausfeld**  
*and all others similarly situated*

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V.

**Defendant**

**Minnesota Department of Human Services**  
*TERMINATED: 03/16/2012*

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*TERMINATED: 07/07/2014*

**Defendant**

**Minnesota Sex Offender Program**  
*TERMINATED: 03/16/2012*

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**Defendant**

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**Defendant**

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**Defendant**

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**Defendant**

**Michael Tessner**  
*TERMINATED: 03/16/2012*

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**Defendant**

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**Defendant**

**Jim Berg**  
*TERMINATED: 03/16/2012*

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**Steven H Alpert**  
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*TERMINATED: 07/07/2014*

**Defendant**

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**Defendant**

**Laurie Severson**  
*TERMINATED: 03/16/2012*

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*TERMINATED: 07/07/2014*  
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**Defendant**

**Greg Carlson**  
*in their individual and official capacities*  
*TERMINATED: 08/08/2013*

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**Defendant**

**Dr. Elisabeth Barbo**  
*TERMINATED: 03/16/2012*

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**Defendant**

**Mehrdad Sabestari**  
*TERMINATED: 03/16/2012*

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**Defendant**

**Terry Kneisel**  
*TERMINATED: 03/16/2012*

represented by **Ricardo Figueroa**  
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**Steven H Alpert**  
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**Defendant**

**Scott Benoit**  
*TERMINATED: 03/16/2012*

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**Steven H Alpert**  
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**Defendant**

**Susan Johnson**  
*TERMINATED: 03/16/2012*

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**Defendant**

**Jean Seykora**  
*TERMINATED: 03/16/2012*

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**Steven H Alpert**  
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**Defendant**

**John Doe**  
*whose true name is unknown*

represented by **Ricardo Figueroa**  
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TERMINATED: 03/16/2012

LEAD ATTORNEY  
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**Steven H Alpert**  
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**Defendant**

**Jane Doe**  
*whose true name is unknown*  
TERMINATED: 03/16/2012

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**Steven H Alpert**  
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**Defendant**

**Nancy Johnston**  
*in their individual and official capacities*

represented by **Aaron Winter**  
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**Adam H Welle**  
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TERMINATED: 08/11/2014  
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**Scott H Ikeda**  
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**Defendant**

**Jannine Hebert**  
*in their individual and official capacities*

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**Steven H Alpert**  
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**Amicus**

**ACLU of Minnesota**

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**Thomas Evenstad**

**Amicus**

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**Movant**

**Hollis J. Larson**  
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1111 Hwy 73  
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PRO SE

**Movant**

**Stephen Danforth**  
*TERMINATED: 12/26/2013*

represented by **Stephen Danforth**  
 147636  
 1101 Linden Lane  
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 PRO SE

**Movant**

**Ronald Harrison**  
*TERMINATED: 12/26/2013*

represented by **Ronald Harrison**  
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 Moose Lake, MN 55767  
 PRO SE

**Movant**

**Timothy Briesemeister**  
*TERMINATED: 12/26/2013*

represented by **Timothy Briesemeister**  
 1111 Hwy 73  
 Moose Lake, MN 55767  
 PRO SE

**Movant**

**Raymond Leon Semler**  
*TERMINATED: 12/26/2013*

represented by **Raymond Leon Semler**  
 1111 Highway 73  
 Moose Lake, MN 55767  
 PRO SE

**Movant**

**Christopher Paul Jackson**  
*TERMINATED: 12/26/2013*

represented by **Christopher Paul Jackson**  
 1111 Hwy 73  
 Moose Lake, MN 55767  
 PRO SE

**Movant**

**Hennepin County**

represented by **John L Kirwin**  
 Hennepin County Attorney's Office –  
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 612-596-7704  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Movant**

**Michael Benson**  
*TERMINATED: 12/26/2013*

represented by **Michael Benson**  
 1111 Hwy 73  
 Moose Lake, MN 55767  
 PRO SE

Date Filed	#	Docket Text
12/21/2011	<u>1</u>	42 USC 1983 COMPLAINT against All Defendants, filed by James Allen Barber, David LeRoy Gamble, Kevin Scott Karsjens, Bradley Wayne Foster, Kaine Joseph Braun, Brian Keith Hausfeld, Kenny S. Daywitt, James John Rud, Kevin John DeVillion, Dennis Richard Steiner, Christopher John Thuringer, Craig Allen Bolte, Peter Gerard Lonergan, James Matthew Noyer, Sr. Assigned to Judge Donovan W. Frank per 5th Division Prisoner List and referred to Magistrate Judge Janie S. Mayeron. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Cover Letter) (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)

12/21/2011	<u>2</u>	Application to Proceed In Forma Pauperis in District Court filed by James Allen Barber. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>3</u>	Application to Proceed In Forma Pauperis in District Court filed by Craig Allen Bolte. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>4</u>	Application to Proceed In Forma Pauperis in District Court filed by Kaine Joseph Braun. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>5</u>	Application to Proceed In Forma Pauperis in District Court filed by Kenny S. Daywitt. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>6</u>	Application to Proceed In Forma Pauperis in District Court filed by Kevin John DeVillion. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>7</u>	Application to Proceed In Forma Pauperis in District Court filed by Bradley Wayne Foster. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>8</u>	Application to Proceed In Forma Pauperis in District Court filed by David LeRoy Gamble. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>9</u>	Application to Proceed In Forma Pauperis in District Court filed by Brian Keith Hausfeld. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>10</u>	Application to Proceed In Forma Pauperis in District Court filed by Kevin Scott Karsjens. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>11</u>	Application to Proceed In Forma Pauperis in District Court filed by Peter Gerard Lonergan. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>12</u>	Application to Proceed In Forma Pauperis in District Court filed by James Matthew Noyer, Sr. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>13</u>	Application to Proceed In Forma Pauperis in District Court filed by James John Rud. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>14</u>	Application to Proceed In Forma Pauperis in District Court filed by Dennis Richard Steiner. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>15</u>	Application to Proceed In Forma Pauperis in District Court filed by Christopher John Thuringer. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>16</u>	Application for Temporary Restraining Order/Preliminary by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David LeRoy Gamble, Brian Keith Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>17</u>	EXHIBITS A-C re <u>16</u> Application for Temporary Restraining Order/Preliminary by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David LeRoy Gamble, Brian Keith Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (akl) QC'd on 2/2/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>18</u>	MEMORANDUM in Support re <u>16</u> Application for Temporary Restraining Order/Preliminary filed by All Plaintiffs. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>19</u>	AFFIDAVIT of Kevin Scott Karsjens in SUPPORT OF <u>16</u> Application for Temporary Restraining Order/Preliminary filed by All Plaintiffs. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>20</u>	AFFIDAVIT of Kevin Scott Karsjens in SUPPORT OF <u>16</u> Application for Temporary Restraining Order/Preliminary filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibits 1-2, # <u>2</u> Exhibit 3)(akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>21</u>	AFFIDAVIT of David Leroy Gamble, Jr. in SUPPORT OF <u>16</u> Application for Temporary Restraining Order/Preliminary filed by All Plaintiffs. (akl) QC'd on



		2/2/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>22</u>	AFFIDAVIT of Peter Gerard Lonergan in SUPPORT OF <u>16</u> Application for Temporary Restraining Order/Preliminary filed by All Plaintiffs. (akl) QC'd on 2/2/2012 (jmf). (Entered: 12/22/2011)
12/21/2011	<u>23</u>	MOTION for Appointment of Counsel by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David LeRoy Gamble, Brian Keith Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (akl) QC'd on 2/1/2012 (jmf). (Entered: 12/22/2011)
01/06/2012	<u>24</u>	MOTION for Class Certification Pursuant to Rule 23 by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>25</u>	MEMORANDUM in Support re <u>24</u> MOTION for Class Certification Pursuant to Rule 23 filed by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>26</u>	INDEX of Affidavits filed. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>27</u>	AFFIDAVIT of Terry Carlson Allyn by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>28</u>	AFFIDAVIT of Kenneth Eugene Andreoff by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>29</u>	AFFIDAVIT of David B. Baker by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>30</u>	AFFIDAVIT of David Allan Bauer by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>31</u>	AFFIDAVIT of Kevin Aaron Beaulieu by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>32</u>	AFFIDAVIT of Carmichael Deangelo Bedford by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>33</u>	AFFIDAVIT of Raymond John Booth, Jr. by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>34</u>	AFFIDAVIT of Bill Mathew Boots by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>35</u>	AFFIDAVIT of Tony Blaylock by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>36</u>	AFFIDAVIT of Michael Allen Brandt by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>37</u>	AFFIDAVIT of Roland Joseph Brant by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>38</u>	AFFIDAVIT of Joel Dewayne Brown by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>39</u>	AFFIDAVIT of Joshua Jeremiah Brundy by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>40</u>	AFFIDAVIT of Earl Buckner Jr. by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>41</u>	AFFIDAVIT of William Oliver Busick by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>42</u>	AFFIDAVIT of Brent Lee Cichon by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)



01/06/2012	<u>43</u>	AFFIDAVIT of Jodie Ray Clews by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>44</u>	AFFIDAVIT of Samuel David Custer by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>45</u>	AFFIDAVIT of Larry Franklin Dean by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>46</u>	AFFIDAVIT of Kenneth Wayne Delaney by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>47</u>	AFFIDAVIT of Antonio Robert Difronzo by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>48</u>	AFFIDAVIT of Daniel Doege by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>49</u>	AFFIDAVIT of Kenneth Richard Domrose by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>50</u>	AFFIDAVIT of Timothy Felix Dougherty by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>51</u>	AFFIDAVIT of Steven L. Edwards by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>52</u>	AFFIDAVIT of Francis James Farley by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>53</u>	AFFIDAVIT of Joshua Adam Gardner by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>54</u>	AFFIDAVIT of Russell John Gifford by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>55</u>	AFFIDAVIT of Kristjan Robert Gislason by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/09/2012)
01/06/2012	<u>56</u>	AFFIDAVIT of Edward Harry Grayhill by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>57</u>	AFFIDAVIT of Scott Duane Gunderson by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>58</u>	AFFIDAVIT of Robert Dale Hall by Kevin Scott Karsjens. (jam) QC'd on 1/10/2012 (jam). Modified on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>59</u>	AFFIDAVIT of Jude Wilson Halter by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>60</u>	AFFIDAVIT of Randy Earl Hammermeister by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>61</u>	AFFIDAVIT of Kenneth D. Hand by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>62</u>	AFFIDAVIT of Joseph Edwin Harju by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>63</u>	AFFIDAVIT of Steven James Hawkins by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>64</u>	AFFIDAVIT of Rodney Jon Heginger by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>65</u>	AFFIDAVIT of Charles Michael Hoban by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>66</u>	AFFIDAVIT of Michael Andrew Hofbauer by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)

01/06/2012	<u>67</u>	AFFIDAVIT of Michael St. John Hoffman by Kevin Scott Karsjens. (jam) QC'd on 1/10/2012 (jam). Modified on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>68</u>	AFFIDAVIT of Joshua R. Holmquist by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>69</u>	AFFIDAVIT of Christopher Jackson by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>70</u>	AFFIDAVIT of Justin Casey Jacobson by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>71</u>	AFFIDAVIT of David Wayne Hamilton by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>72</u>	AFFIDAVIT of Scott Phillip Johnson by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>73</u>	AFFIDAVIT of Peter William Johnson by Kevin Scott Karsjens. (jam) Modified on 1/10/2012 (jam). QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>74</u>	AFFIDAVIT of Kevin R. Johnson by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>75</u>	AFFIDAVIT of Kevin Johnson by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>76</u>	AFFIDAVIT of Michael Jones by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>77</u>	AFFIDAVIT of Steven Charles Kaelble by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). Modified text on 1/17/2012 (jam). (Entered: 01/10/2012)
01/06/2012	<u>78</u>	AFFIDAVIT of Tom Gary Karlson by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>79</u>	AFFIDAVIT of Kevin Scott Karsjens by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>80</u>	AFFIDAVIT of Gene Lee Keller, Sr. by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>81</u>	AFFIDAVIT of Michael N. Kocur by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>82</u>	AFFIDAVIT of Brian Leland Koplín by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>83</u>	AFFIDAVIT of Mardell James Kutzke by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>84</u>	AFFIDAVIT of Jerome Anthony LaChapelle by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>85</u>	AFFIDAVIT of Steven Richard Landis by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>86</u>	AFFIDAVIT of Michael Anthony Lee by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>87</u>	AFFIDAVIT of Ernesto Longoria by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>88</u>	AFFIDAVIT of Nicholas Harold Luhmann by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>89</u>	AFFIDAVIT of Jeremy Allan Lund by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>90</u>	AFFIDAVIT of Andrew Gary Mallan by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)

01/06/2012	<u>91</u>	AFFIDAVIT of Michael Edward Marlowe by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>92</u>	AFFIDAVIT of Richard Thomas Martinez by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>93</u>	AFFIDAVIT of Ricky L. Mason by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>94</u>	AFFIDAVIT of Jason Charles Melin by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>95</u>	AFFIDAVIT of Johsua Niven Mertz by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>96</u>	AFFIDAVIT of Raymond Messer by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>97</u>	AFFIDAVIT of Shawn Metzger by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>98</u>	AFFIDAVIT of James L. Moos by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>99</u>	AFFIDAVIT of Harley Morris by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>100</u>	AFFIDAVIT of Michael Mrozek by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>101</u>	AFFIDAVIT of Azeal Naudiz by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>102</u>	AFFIDAVIT of Ryan Patrick Navratil by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>103</u>	AFFIDAVIT of Timothy Wayne Nygaard by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>104</u>	AFFIDAVIT of Michael Allen Olson by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>105</u>	AFFIDAVIT of Clifford David Ostby by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>106</u>	AFFIDAVIT of Donald Iver Pohl by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>107</u>	AFFIDAVIT of Leon James Preston by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>108</u>	AFFIDAVIT of James Robert Puffer by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>109</u>	AFFIDAVIT of Gerald Wayne Raisch by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>110</u>	AFFIDAVIT of James Lee Ray by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>111</u>	AFFIDAVIT of Norberto Salinas by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>112</u>	AFFIDAVIT of Jason Wayne Sand by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>113</u>	AFFIDAVIT of Timothy Richard Sarne-Brandt by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>114</u>	AFFIDAVIT of Allyn Lu Schlumbuser by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)

01/06/2012	<u>115</u>	AFFIDAVIT of Dwight Lewis Shaw by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>116</u>	AFFIDAVIT of Shawn James Simons by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>117</u>	AFFIDAVIT of Eric Michael Sorenson by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>118</u>	AFFIDAVIT of James Williams Stehlik by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>119</u>	AFFIDAVIT of Brian Leo Stirens by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>120</u>	AFFIDAVIT of Kent Lee Stricherz by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>121</u>	AFFIDAVIT of Ryan Richard Swenson by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>122</u>	AFFIDAVIT of Rahman Abdu Thomas by Kevin Scott Karsjens. (jam) QC'd on 1/10/2012 (jam). Modified on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>123</u>	AFFIDAVIT of Richard Tiffany by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>124</u>	AFFIDAVIT of Limous Titworth Jr. by Kevin Scott Karsjens. (jam) (Entered: 01/10/2012)
01/06/2012	<u>125</u>	AFFIDAVIT of Thomas Lee Tyler by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>126</u>	AFFIDAVIT of Martin Egene Wachtel by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>127</u>	AFFIDAVIT of Daniel L. Washington by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>128</u>	AFFIDAVIT of Byron Gerhardt Wegner by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>129</u>	AFFIDAVIT of Lance P. Wickner by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>130</u>	AFFIDAVIT of Michael Herbert Williams by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>131</u>	AFFIDAVIT of James Earl Williams by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>132</u>	AFFIDAVIT of Henry John Wilson by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>133</u>	AFFIDAVIT of John Wohlsdorf by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>134</u>	AFFIDAVIT of Bradley Neil Woltjer by Kevin Scott Karsjens. (jam) QC'd on 1/11/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>135</u>	AFFIDAVIT of Timothy Cole Yepma by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/06/2012	<u>136</u>	AFFIDAVIT of Timothy Michael Zaudtke by Kevin Scott Karsjens. (jam) QC'd on 1/12/2012 (jmf). (Entered: 01/10/2012)
01/12/2012	<u>137</u>	LETTER REFERRING Litigant to FBA Pro Se Project from Judge Donovan W. Frank. (BJS) cc: All 14 Plaintiffs. Modified on 1/13/2012 (lmb). (Entered: 01/12/2012)
01/20/2012	<u>138</u>	NOTICE of Appearance by Daniel E Gustafson on behalf of All Plaintiffs. (Gustafson, Daniel) (Entered: 01/20/2012)

01/24/2012	<u>140</u>	LETTER to Tiffany Sanders, FBA Pro Se Project Coordinator, from Kevin Scott Karsjens, filed by Kevin Scott Karsjens. (lmb) QC'd on 2/3/2012 (jmf). (Entered: 01/25/2012)
01/25/2012	<u>139</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David LeRoy Gamble, Brian Keith Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer . (Gustafson, Daniel) (Entered: 01/25/2012)
01/25/2012	141	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Status Conference set for 2/2/2012 02:30 PM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 01/25/2012)
01/25/2012	<u>142</u>	ORDER. 1. Stay of All Cases Pending Resolution of Pending Motion for Class Certification in Civil No. 11-3659 (DWF/JSM). All current and future cases brought by an individual or group of individuals who has or have been civilly committed to the Minnesota Sex Offender Program are hereby STAYED in all respects, with the exception of Civil No. 11-3659 (DWF/JSM) and Civil No. 11-1704 (DWF/JJK), pending resolution of the motion for class certification in Civil No. 11-3659 (DWF/JSM), unless otherwise ordered by the Court. 2. Service. The Clerk of the United States District Court for the District of Minnesota is respectfully directed to provide a copy of this Order, via United States mail, to every unrepresented Plaintiff in all of the cases that are stayed. Signed by Chief Judge Michael J. Davis on 1/25/12.(BJS) (Entered: 01/25/2012)
02/02/2012	<u>143</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 2/2/2012. Next Status Conference to be held on 3/29/2012 at 2:30 p.m. (Court Reporter Jeanne Anderson) (BJS) (Entered: 02/03/2012)
02/03/2012	<u>144</u>	ORDER OF DIRECTION TO THE CLERK OF COURT FOR REASSIGNMENT OF MAGISTRATE JUDGE. Case reassigned to Magistrate Judge Jeffrey J. Keyes for all further proceedings. Magistrate Judge Janie S. Mayeron no longer assigned to case. <b>NOTE:</b> the new case number is <b>11cv3659 DWF/JJK</b> . Please use this case number for all subsequent pleadings. Signed by Judge Donovan W. Frank on 2/3/2012. (JME) (Entered: 02/06/2012)
02/06/2012	<u>145</u>	AMENDED ORDER. 1. <u>Stay of All Cases Pending Resolution of Pending Motion for Class Certification in Civil No. 11-3659 (DWF/JJK)</u> . All current and future civil rights cases brought by an individual or group of individuals who has or have been civilly committed to the Minnesota Sex Offender Program are hereby STAYED in all respects, with the exception of Civil No. 11-3659(DWF/JJK) and Civil No. 11-1704 (DWF/JJK), pending resolution of the motion for class certification in Civil No. 11-3659 (DWF/JJK), unless otherwise ordered by the Court. 2. <u>Service</u> . The Clerk of the United States District Court for the District of Minnesota is respectfully directed to provide a copy of this Order, via United States mail, to every unrepresented Plaintiff in all of the cases that are stayed. (Written Opinion). Signed by Chief Judge Michael J. Davis on 2/6/12. Associated Cases: 0:11-cv-01704-DWF-JJK, 0:11-cv-03659-DWF-JJK(GRR) (Entered: 02/06/2012)
02/08/2012	<u>146</u>	ORDER. 1. Case No. 11-cv-1704 (DWF/JJK) is STAYED in all respects, unless and until otherwise ordered by the Court. 2. Plaintiffs shall serve and file an amended complaint in Case No. 11-cv-3659 (DWF/JJK) on or before February 29, 2012. 3. A status conference will be held in Case No. 11-cv-3659 (DWF/JJK) on March 29, 2012 at 2:30 p.m. in Chambers 724, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota. 4. Prior to the March 29, 2012 status conference, the parties shall make a good faith effort to resolve any outstanding issues related to service of process of the amended complaint and the terms of a protective order and shall discuss resolution of the pending motions for class certification and for a temporary restraining order in Case No. 11-cv-3659 (DWF/JJK). Signed by Judge Donovan W. Frank on 2/8/2012. (BJS) (Entered: 02/08/2012)
02/29/2012	<u>147</u>	STIPULATION <i>Regarding Extension of Time to File the Amended Complaint</i> by James Allen Barber, Elisabeth Barbo, Scott Benoit, Dennis Benson, Jim Berg, Craig Allen Bolte, Kaine Joseph Braun, Greg Carlson, Kenny S. Daywitt, Kevin John DeVillion, Jane Doe, John Doe, Bradley Wayne Foster, David LeRoy Gamble, Brian



		Keith Hausfeld, Lucinda Jesson, Susan Johnson, Kevin Scott Karsjens, Terry Kneisel, Peter Gerard Lonergan, Tom Lundquist, Minnesota Department of Human Services, Minnesota Sex Offender Program, Kevin Moser, James Matthew Noyer, Sr, James John Rud, Mehrdad Sabestari, Laurie Severson, Jean Seykora, Dennis Richard Steiner, Michael Tessner, Christopher John Thuringer, Ann Zimmerman. (Gustafson, Daniel) (Entered: 02/29/2012)
02/29/2012	<u>148</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David LeRoy Gamble, Brian Keith Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer . (Gustafson, Daniel) (Entered: 02/29/2012)
02/29/2012	149	ORDER (TEXT ONLY ENTRY): Pursuant to the stipulation of the parties (Doc. No. <u>147</u> ), Plaintiffs' request for an extension of the deadline to file an Amended Complaint (Doc. No. <u>148</u> ) is GRANTED. Plaintiffs shall file their Amended Complaint on or before March 15, 2012. Also pursuant to the stipulation of the parties, the status conference currently scheduled for March 29, 2012 is hereby CANCELLED. The status conference will be rescheduled for a date and time to be determined. Issued by Judge Donovan W. Frank on 2/29/2012. (TSS) (Entered: 02/29/2012)
03/05/2012	150	*TEXT ONLY ENTRY* NOTICE of Rescheduling Hearing: Status Conference now set for 4/16/2012 01:00 PM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 03/05/2012)
03/15/2012	<u>151</u>	AMENDED COMPLAINT against Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman, filed by James Allen Barber, David LeRoy Gamble, Kevin Scott Karsjens, Bradley Wayne Foster, Kaine Joseph Braun, Kenny S. Daywitt, James John Rud, Kevin John DeVillion, Dennis Richard Steiner, Christopher John Thuringer, Craig Allen Bolte, Peter Gerard Lonergan, James Matthew Noyer, Sr. (Attachments: # <u>1</u> Certificate of Service) (Gustafson, Daniel) (Entered: 03/15/2012)
04/16/2012	152	*TEXT ONLY ENTRY* NOTICE to Attorneys: Preliminary Settlement Conference with Plaintiffs' counsel only set for 5/7/2012 03:30 PM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Confidential settlement letters due in chambers 5/4/12.(JEP) (Entered: 04/16/2012)
04/16/2012	153	*TEXT ONLY ENTRY* NOTICE to Attorney: Preliminary Settlement Conference with Defendants' counsel only set for 5/8/2012 03:30 PM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Confidential settlement letters due in chambers 5/4/12.(JEP) (Entered: 04/16/2012)
04/16/2012	<u>154</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 4/16/2012. Next Status Conference to be held on 5/30/2012 at 2:00 p.m., Chambers 724, St. Paul. (Court Reporter NA) (BJS) (Entered: 04/18/2012)
04/18/2012	155	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Status Conference set for 5/30/2012 02:00 PM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 04/18/2012)
04/26/2012	<u>156</u>	NOTICE of Appearance by Max H Kieley on behalf of Dennis Benson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Kieley, Max) (Entered: 04/26/2012)
04/30/2012	<u>157</u>	STIPULATION TO EXTEND TIME TO ANSWER by all parties. (Kieley, Max) Modified filers on 4/30/2012 (lmb). (Entered: 04/30/2012)
04/30/2012	<u>158</u>	WAIVER OF SERVICE Returned Executed filed by James Allen Barber, David Leroy Gamble, Jr, Kevin Scott Karsjens, Bradley Wayne Foster, Kaine Joseph Braun, Kenny S. Daywitt, James John Rud, Kevin John DeVillion, Dennis Richard Steiner, Christopher John Thuringer, Craig Allen Bolte, Peter Gerard Lonergan, James Matthew Noyer, Sr. Dennis Benson waiver sent on 4/12/2012, answer due 6/11/2012; Lucinda Jesson waiver sent on 4/12/2012, answer due 6/11/2012; Tom Lundquist waiver sent on 4/12/2012, answer due 6/11/2012; Kevin Moser waiver sent on 4/12/2012, answer due 6/11/2012; Ann Zimmerman waiver sent on 4/12/2012, answer due 6/11/2012. (Gustafson, Daniel) Modified text on 4/30/2012 (lmb). (Entered: 04/30/2012)

		04/30/2012)
05/01/2012	<u>159</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER <i>TO EXTEND TIME TO ANSWER</i> by James Allen Barber, Dennis Benson, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian Keith Hausfeld, Lucinda Jesson, Kevin Scott Karsjens, Peter Gerard Lonergan, Tom Lundquist, Kevin Moser, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer, Ann Zimmerman. (Kieley, Max) Modified text on 5/1/2012 (lmb). (Entered: 05/01/2012)
05/01/2012	<u>160</u>	ORDER re <u>157</u> Stipulation: IT IS HEREBY ORDERED that: 1. The parties Stipulation to Extend Time to Answer is adopted. 2. Defendants deadline to file an Answer is postponed until otherwise ordered by this Court. Signed by Magistrate Judge Jeffrey J. Keyes on 05/01/2012. (lmb) (Entered: 05/01/2012)
05/07/2012	<u>161</u>	Minute Entry: Preliminary Settlement Conference with Plaintiffs' Counsel Only for proceedings held before Magistrate Judge Jeffrey J. Keyes on 5/7/2012. No order to be issued. (Tape #n/a) (MMP) (Entered: 05/10/2012)
05/08/2012	<u>162</u>	Minute Entry: Preliminary Settlement Conference with Defendants' Counsel Only held before Magistrate Judge Jeffrey J. Keyes on 5/8/2012. No order to be issued. (Tape #n/a) (MMP) (Entered: 05/10/2012)
05/30/2012	<u>163</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 5/30/2012. Status Conference held. Settlement Conference order to issue. Settlement conference set for June 19, 2012, at 10 a.m., Chamber 646, St. Paul, Minnesota. (Court Reporter NA) (BJS) (Entered: 05/30/2012)
05/31/2012	<u>164</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER re <u>166</u> STIPULATION, by James Allen Barber, Dennis Benson, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian Keith Hausfeld, Lucinda Jesson, Kevin Scott Karsjens, Peter Gerard Lonergan, Tom Lundquist, Minnesota Department of Human Services, Minnesota Sex Offender Program, Kevin Moser, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer, Ann Zimmerman. (Kieley, Max) Modified text on 5/31/2012 (lmb). Modified text, link on 5/31/2012 (lmb). (Entered: 05/31/2012)
05/31/2012	<u>165</u>	ORDER FOR SETTLEMENT CONFERENCE AND STATUS CONFERENCE: Settlement Conference set for 6/19/2012 10:00 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Status Conference set for 6/19/2012 04:00 PM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. Signed by Magistrate Judge Jeffrey J. Keyes on 05/31/2012. (lmb) (Entered: 05/31/2012)
05/31/2012	<u>166</u>	STIPULATION by James Allen Barber, Dennis Benson, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian Keith Hausfeld, Lucinda Jesson, Kevin Scott Karsjens, Peter Gerard Lonergan, Tom Lundquist, Minnesota Department of Human Services, Minnesota Sex Offender Program, Kevin Moser, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer, Ann Zimmerman. (Kieley, Max) Modified text on 5/31/2012 (lmb). (Entered: 05/31/2012)
05/31/2012	<u>167</u>	PROTECTIVE ORDER. Signed by Magistrate Judge Jeffrey J. Keyes on 05/31/2012. (lmb) (Entered: 05/31/2012)
06/19/2012	<u>168</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 6/19/2012. No settlement reached. Settlement discussions will continue. (lmb) (Entered: 06/20/2012)
06/19/2012	<u>169</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 6/19/2012. Counsel to contact Judge Frank chambers to schedule motion hearing. (Court Reporter NA) (BJS) (Entered: 06/20/2012)
06/20/2012	<u>170</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian Keith Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer . (Gustafson, Daniel) (Entered: 06/20/2012)

06/28/2012	<u>171</u>	Amended MOTION to Certify Class by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 06/28/2012)
06/28/2012	<u>172</u>	NOTICE OF HEARING ON MOTION <u>171</u> Amended MOTION to Certify Class : Motion Hearing set for 7/24/2012 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 06/28/2012)
06/28/2012	<u>173</u>	MEMORANDUM in Support re <u>171</u> Amended MOTION to Certify Class filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 06/28/2012)
06/28/2012	<u>174</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>171</u> Amended MOTION to Certify Class filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 06/28/2012)
06/28/2012	<u>175</u>	MOTION for Temporary Restraining Order by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 06/28/2012)
06/28/2012	<u>176</u>	NOTICE OF HEARING ON MOTION <u>175</u> MOTION for Temporary Restraining Order : Motion Hearing set for 7/24/2012 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 06/28/2012)
06/28/2012	<u>177</u>	MEMORANDUM in Support re <u>175</u> MOTION for Temporary Restraining Order filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 06/28/2012)
06/28/2012	<u>178</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>175</u> MOTION for Temporary Restraining Order filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B)(Gustafson, Daniel) (Entered: 06/28/2012)
06/29/2012	<u>179</u>	Minute Entry: Telephone Conference held before Magistrate Judge Jeffrey J. Keyes on 6/29/2012 re: Settlement Discussions. No Settlement reached. Settlement discussions will continue. (Court Reporter n/a and Tape #n/a) (MMP) (Entered: 06/29/2012)
07/03/2012	<u>180</u>	ORDER ON APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES: Having considered the applications to proceed without prepayment of fees under 28 USC §1915, IT IS ORDERED that the applications at Doc. Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 are: GRANTED. Signed by Magistrate Judge Jeffrey J. Keyes on 07/03/2012. (MMP) (Entered: 07/03/2012)
07/03/2012	<u>181</u>	ORDER/NOTICE OF SETTLEMENT Settlement Conference set for 7/20/2012 09:00 AM in Judge's Chambers 9E (MPLS) before Chief Mag. Judge Arthur J. Boylan. Signed by Chief Mag. Judge Arthur J. Boylan on 07/03/2012. (jz) (Entered: 07/03/2012)
07/05/2012	182	*TEXT ONLY ENTRY* NOTICE to Attorneys: On or before Wednesday, July 11, 2012, Plaintiffs' counsel shall submit a letter to Defendants indicating Plaintiffs' specific settlement proposal regarding less restrictive alternatives and conditions of confinement and their counter-proposal regarding treatment issues. On or before Tuesday, July 17, 2012, Defendants shall disclose who will be attending the July 20,



		2012 Settlement Conference on Defendants' behalf. (dmm) (Entered: 07/05/2012)
07/10/2012	<u>183</u>	MOTION in opposition to Plaintiffs' motion for class certification. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service)(jam) Document QCd on 7/11/12. (RMS) (Entered: 07/10/2012)
07/11/2012	<u>184</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification Pursuant to Fed.R.Civ.P. 23(b)(2) by Raymond L. Semler. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QCd on 7/12/12. (RLR) Modified on 7/12/2012 (RLR). (Entered: 07/11/2012)
07/11/2012	<u>185</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiffs' Motion for Class Certification. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QCd on 7/12/12. (RMS) (Entered: 07/11/2012)
07/11/2012	<u>186</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiffs' Motion for Class Certification, filed by M.D. Benson. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QCd on 7/12/12. (RMS) (Entered: 07/11/2012)
07/11/2012	<u>187</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, filed by Terrance J. Friend. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QCd on 7/12/12. (RMS) (Entered: 07/11/2012)
07/11/2012	<u>188</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, filed by James D. Fries. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QCd on 7/12/12. (RMS) (Entered: 07/11/2012)
07/11/2012	<u>189</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, filed by Hollis J. Larson. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QCd on 7/12/12. (RMS) (Entered: 07/11/2012)
07/11/2012	<u>190</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification filed by Dennis D. Linehan. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QCd on 7/12/12. (RMS) (Entered: 07/11/2012)
07/11/2012	<u>191</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, filed by Michael Pittman. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service). (lmb) Document QCd on 7/12/12. (RMS) (Entered: 07/11/2012)
07/13/2012	<u>192</u>	MEMORANDUM in Opposition re <u>183</u> MOTION in opposition to Plaintiffs' motion for class certification, filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 07/13/2012)
07/13/2012	<u>193</u>	AFFIDAVIT of Jessica J. Geil with attached Exhibits A–D re <u>192</u> Memorandum in Opposition to Motion for Class Certification by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) Modified on 7/16/2012 (akl). (Entered: 07/13/2012)
07/13/2012	<u>194</u>	MEMORANDUM in Opposition re <u>175</u> MOTION for Temporary Restraining Order filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Kieley, Max) (Entered: 07/13/2012)
07/13/2012	<u>195</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Affidavit of Service, # <u>3</u> Envelope)(jam) Document QCd on 7/16/12. (RMS) (Entered: 07/13/2012)
07/13/2012	<u>196</u>	MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Cover Letter, # <u>3</u> Affidavit of Service, # <u>4</u> Envelope)(jam) Document QCd on 7/16/12. (RMS) (Entered: 07/16/2012)
07/17/2012	<u>197</u>	REPLY to Response to Motion re <u>175</u> MOTION for Temporary Restraining Order filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 07/17/2012)

07/17/2012	<u>198</u>	Second AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>175</u> MOTION for Temporary Restraining Order filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 07/17/2012)
07/17/2012	<u>199</u>	REPLY to Response to Motion re <u>171</u> Amended MOTION to Certify Class filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 07/17/2012)
07/17/2012	<u>200</u>	Second AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>171</u> Amended MOTION to Certify Class filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 07/17/2012)
07/20/2012	<u>201</u>	Minute Entry for proceedings held before Chief Judge Arthur J. Boylan: Settlement Conference held on 7/20/2012. No settlement reached. Settlement discussions will continue. (kt) Modified on 7/23/2012 (kt). (Entered: 07/23/2012)
07/23/2012	<u>202</u>	ORDER/NOTICE of Settlement Conference set for 8/22/2012 09:00 AM in Judge's Chambers 9E (MPLS) before Magistrate Judge Arthur J. Boylan. Signed by Chief Mag. Judge Arthur J. Boylan on 7/23/12. (kt) Modified on 7/23/2012 (kt). (Entered: 07/23/2012)
07/24/2012	<u>203</u>	ORDER CERTIFYING CLASS PURSUANT TO FEDERAL RULE 23(b)(2). This case is certified as a class action under Federal Rule of Civil Procedure 23(b)(2). The Class consists of the following: All patients currently civilly committed in the Minnesota Sex Offender Program pursuant to Minn. Stat. § 253B. Gustafson Gluek PLLC shall serve as Class Counsel, and the above-named Plaintiffs shall serve as Class Representatives. (Written Opinion). Signed by Judge Donovan W. Frank on 7/24/2012. (BJS) (Entered: 07/24/2012)
07/24/2012	<u>204</u>	STIPULATION re <u>175</u> MOTION for Temporary Restraining Order by James Allen Barber, Dennis Benson, Craig Allen Bolte, Kaine Joseph Braun, Greg Carlson, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Lucinda Jesson, Kevin Scott Karsjens, Peter Gerard Lonergan, Tom Lundquist, Kevin Moser, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer, Ann Zimmerman. (Gustafson, Daniel) (Entered: 07/24/2012)
07/24/2012	<u>206</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 7/24/2012 re <u>171</u> Amended MOTION to Certify Class filed by Bradley Wayne Foster, David Leroy Gamble, Jr., Craig Allen Bolte, Kaine Joseph Braun, Dennis Richard Steiner, James John Rud, Kenny S. Daywitt, Kevin John DeVillion, James Allen Barber, James Matthew Noyer, Sr., Christopher John Thuringer, Peter Gerard Lonergan, Kevin Scott Karsjens, <u>188</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, <u>187</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, <u>185</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiffs' Motion for Class Certification, <u>183</u> MOTION in opposition to Plaintiffs' motion for class certification,, <u>175</u> MOTION for Temporary Restraining Order filed by Bradley Wayne Foster, David Leroy Gamble, Jr., Craig Allen Bolte, Kaine Joseph Braun, Dennis Richard Steiner, James John Rud, Kenny S. Daywitt, Kevin John DeVillion, James Allen Barber, Christopher John Thuringer, James Matthew Noyer, Sr., Kevin Scott Karsjens, Peter Gerard Lonergan, <u>189</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, <u>186</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiffs' Motion for Class Certification, <u>196</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification,, <u>24</u> MOTION for Class Certification Pursuant to Rule 23 filed by Kevin Scott Karsjens, <u>190</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification, <u>191</u> MOTION Unnamed Plaintiff's Motion in Opposition to

		Plaintiff's Motion for Class Certification, <u>195</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification,, <u>184</u> MOTION Unnamed Plaintiff's Motion in Opposition to Plaintiff's Motion for Class Certification Pursuant to Fed.R.Civ.P. 23(b)(2). Written orders to issue. (Court Reporter Jeanne Anderson) (BJS) (Entered: 07/27/2012)
07/26/2012	<u>205</u>	ORDER. 1. Plaintiffs' Application for Temporary Restraining Order/Preliminary (Doc. No. <u>16</u> ) is DENIED as follows: a. To the extent the motion seeks relief with respect to legal storage space and searches, the motion is DENIED AS MOOT. b. In all other respects, the motion is DENIED. 2. Plaintiffs' Motion for Appointment of Counsel (Doc. No. <u>23</u> ) is DENIED AS MOOT. 3. Plaintiffs' Motion for Temporary Restraining Order (Doc. No. <u>175</u> ) is DENIED AS MOOT. 4. Unnamed Plaintiffs' Motions in Opposition to Plaintiffs' Motion for Class Certification (Doc. Nos. [183-91], [195-96]) are DENIED. (Written Opinion). Signed by Judge Donovan W. Frank on 7/26/2012. (BJS) (Entered: 07/26/2012)
08/06/2012	<u>207</u>	MOTION to Intervene. (Attachments: # <u>1</u> Complaint, # <u>2</u> Cover Letter, # <u>3</u> Affidavit of Service)(jam) Document QCD on 8/8/12. (RLR) (Entered: 08/06/2012)
08/15/2012	<u>208</u>	ORDER: 1. The Minnesota Commissioner of Human Services (Commissioner) shall create an advisory task force hereinafter referred to as the "Sex Offender Civil Commitment Advisory Task Force" (Task Force) that shall consist of up to 15 members and will expire two years from the date of appointment of the first member; 2. The Task Force shall examine and provide recommended legislative proposals to the Commissioner on the following topics: A. The civil commitment and referral process for sex offenders; B. Sex offender civil commitment options that are less restrictive than placement in a secure treatment facility; and C. The standards and processes for the reduction in custody for civilly committed sex offenders. 3. The Commissioner shall strive to appoint individuals to the Task Force that have knowledge of the sex offender civil commitment process and the Minnesota Sex Offender Program; including, to the extent possible: A. Current and former state legislators B. Active or retired Minnesota County Attorneys C. Active or retired Minnesota State Court judges D. Active or retired Minnesota law enforcement personnel E. Attorneys licensed in the State of Minnesota that represent or have represented patients or sex offenders F. The Minnesota Ombudsman for mental health G. Victim advocates H. Sex offender treatment professionals I. Minnesota Department of Corrections J. Minnesota County Commissioners K. Minnesota County Adult Social Services L. Academic Professionals 4. The Task Force shall provide the Commissioner with recommendations on less restrictive alternatives to placement in secure treatment facilities and the Task Force shall provide to the Commissioner a schedule setting forth its work on each of the remaining topics and any other topics it deems necessary to adequately address the area of sex offender civil commitment by December 3, 2012. The schedule shall specify the date(s) by which the task force will deliver further recommended legislative reforms to the Commissioner. 5. The formation of this Task Force shall not affect or impair the rights of the parties with respect to further settlement discussions or litigation in this matter. Signed by Chief Mag. Judge Arthur J. Boylan on 08/15/2012. (MMP) cc: Hollis J. Larson on 8/15/2012 (MMP). (Entered: 08/15/2012)
08/20/2012	209	*TEXT ONLY ENTRY* NOTICE to Attorneys: The LOCATION of the Settlement Conference on August 22, 2012, has been changed. The Settlement Conference will commence at 9:00 a.m. on August 22, 2012, in the Devitt Courtroom of the St. Paul Courthouse (1st Floor). (kat) cc: NEF to Hollis J. Larson. Modified on 8/21/2012 (lmb). (Entered: 08/20/2012)
08/21/2012	<u>210</u>	ORDER SETTING A DATE FOR DEFENDANTS TO ANSWER THE AMENDED COMPLAINT OR FILE A MOTION TO DISMISS AND SETTING A HEARING DATE FOR A MOTION TO DISMISS. Pursuant to the Order of this Court entered on May 1, 2012, adopting the parties' Stipulation to Extend Time to Answer and postponing Defendants' deadline to file an Answer until a date ordered by the Court, the Court now orders the Defendants to file an Answer or a Motion to Dismiss the Amended Complaint on or before September 21, 2012. A hearing on a Motion to Dismiss the Amended Complaint, if filed, is set for November 29, 2012, at 10:00 a.m. in Courtroom 7C, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, MN 55101 before the Honorable Judge Donovan W. Frank. Signed by Judge Donovan W. Frank on 8/20/2012. (BJS) cc: Hollis J. Larson.

		Modified on 8/21/2012 (lmb). (Entered: 08/21/2012)
08/22/2012	<u>211</u>	Minute Entry for proceedings held before Chief Mag. Judge Arthur J. Boylan: Settlement Conference held on 8/22/2012. No settlement reached. Settlement discussions will continue. (jz) (Entered: 08/22/2012)
08/22/2012	<u>212</u>	ORDER/NOTICE OF SETTLEMENT CONFERENCE Settlement Conference set for 10/10/2012 09:30 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Chief Mag. Judge Arthur J. Boylan on 08/22/2012. (jz) (cc: Hollis J. Larson) Modified on 8/22/2012 (jz). (Entered: 08/22/2012)
08/22/2012	<u>213</u>	PRETRIAL SCHEDULING ORDER Amended Pleadings due by 1/15/2013. Discovery due by 11/1/2013. Motions (non-disp) due 11/15/2013. Motions (disp) due by 1/15/2014. Ready for trial due by 7/1/2014. Signed by Chief Mag. Judge Arthur J. Boylan on 08/22/2012. (jz) (cc: Hollis J. Larson) Modified on 8/22/2012 (jz). (Entered: 08/22/2012)
08/27/2012	<u>214</u>	MEMORANDUM in Opposition re <u>207</u> MOTION to Intervene filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate, # <u>2</u> Certificate of Service)(Gustafson, Daniel) (Entered: 08/27/2012)
08/29/2012	<u>215</u>	COPY of LETTER from Kevin S. Karsjens to Gustafson Gluek PLLC. (jz) Document QCd on 9/5/2012. (rms) (Entered: 08/29/2012)
08/30/2012	<u>216</u>	MEMORANDUM in Opposition re <u>207</u> MOTION to Intervene filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Alpert, Steven) (Entered: 08/30/2012)
08/30/2012	<u>217</u>	CERTIFICATE OF SERVICE by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>216</u> Memorandum in Opposition to Motion (Alpert, Steven) Modified on 8/31/2012 (akl). (Entered: 08/30/2012)
08/30/2012	<u>218</u>	MOTION FOR AND MEMORANDUM IN SUPPORT OF A TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION by Hollis J. Larson. (Attachments: # <u>1</u> Affidavit of Service)(jz) (Additional attachment(s) added on 8/30/2012: # <u>2</u> Cover Letter) (jz). Document QCd on 9/13/2012. (rms) (Entered: 08/30/2012)
09/04/2012	<u>219</u>	LETTER TO MAGISTRATE JUDGE by Dennis Richard Steiner. (jam) Document QCd on 9/12/2012. (rms) (Entered: 09/04/2012)
09/07/2012	<u>220</u>	Plaintiffs' MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (jam) Modified on 9/11/2012 (jam). Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>221</u>	EXHIBITS re <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>222</u>	Plaintiffs' MOTION for Temporary Restraining Order. (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>223</u>	NOTICE OF HEARING ON MOTION <u>222</u> MOTION for Temporary Restraining Order : Motion Hearing set for 10/18/2012 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>224</u>	MEMORANDUM in Support re <u>222</u> MOTION for Temporary Restraining Order. (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>225</u>	EXHIBIT. (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>226</u>	AFFIDAVIT of Alvin Lamm in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (Attachments: # <u>1</u> Exhibit(s))(jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)



09/07/2012	<u>227</u>	AFFIDAVIT of Terrance J. Friend in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (Attachments: # <u>1</u> Exhibit(s))(jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>228</u>	AFFIDAVIT of Guy I. Greene in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>229</u>	AFFIDAVIT of Hayden Richards in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>230</u>	AFFIDAVIT of Joseph Thompson in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>231</u>	AFFIDAVIT of Peter Allan Sr. in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>232</u>	AFFIDAVIT of Guy I. Greene in SUPPORT OF <u>222</u> MOTION for Temporary Restraining Order. (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>233</u>	AFFIDAVIT of Dennis D. Linehan in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5). (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>234</u>	AFFIDAVIT of Joseph Thompson in SUPPORT OF <u>222</u> MOTION for Temporary Restraining Order. (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>235</u>	LETTER from Joseph Thompson to Daniel E. Gustafson in re: Motion for Subclass. (jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/07/2012	<u>236</u>	AFFIDAVIT of Service (Attachments: # <u>1</u> Affidavit of Service, # <u>2</u> Cover Letter)(jam) Document QCd on 9/13/2012. (rms) (Entered: 09/11/2012)
09/18/2012	<u>237</u>	ORDER. 1. Any future letters, motions, or other submissions on the behalf of class members shall be filed through Class Counsel. To be clear, individual class members or groups of class members shall not file any further pro se motions unless granted permission by the Court; and 2. If individual class members or groups of class members send letters, motions, or other submissions to Chambers or to the Clerks Office for filing in violation of this Order, the Clerk of Court is directed to return such letter, motion, or submission to the sender along with a copy of this Order. Signed by Judge Donovan W. Frank on 9/18/2012. (BJS) (cc: Hollis J. Larson) Modified on 9/19/2012 (akl). (Entered: 09/18/2012)
09/19/2012	<u>238</u>	LETTER TO MAGISTRATE JUDGE filed by Raymond David Irwin. (lmb) Document QC'd on 9/26/2012. (rms) (Entered: 09/20/2012)
09/21/2012	<u>239</u>	MOTION for Payment of Fees and Costs by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 09/21/2012)
09/21/2012	<u>240</u>	NOTICE OF HEARING ON MOTION <u>239</u> MOTION for Payment of Fees and Costs : Motion Hearing set for 11/29/2012 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 09/21/2012)
09/21/2012	<u>241</u>	MEMORANDUM in Support re <u>239</u> MOTION for Payment of Fees and Costs filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 09/21/2012)
09/21/2012	<u>242</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>239</u> MOTION for Payment of Fees and Costs filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy

		Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 09/21/2012)
09/21/2012	<u>243</u>	MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 09/21/2012)
09/21/2012	<u>244</u>	NOTICE OF HEARING ON MOTION <u>243</u> MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> : Motion Hearing set for 11/29/2012 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Figueroa, Ricardo) (Entered: 09/21/2012)
09/21/2012	<u>245</u>	MEMORANDUM in Support re <u>243</u> MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 09/21/2012)
09/21/2012	<u>246</u>	AFFIDAVIT of Ricardo Figueroa in SUPPORT OF <u>243</u> MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) 1-10, # <u>2</u> Exhibit(s) 11-16, # <u>3</u> Exhibit(s) 17-36)(Figueroa, Ricardo) (Entered: 09/21/2012)
09/21/2012	<u>247</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>243</u> MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> (Figueroa, Ricardo) (Entered: 09/21/2012)
09/25/2012	<u>248</u>	Minute Entry for proceedings held before Chief Magistrate Judge Arthur J. Boylan: Telephonic Status Conference held on 9/25/2012. (JMH) (Entered: 09/25/2012)
10/04/2012	<u>249</u>	MEMORANDUM in Opposition re <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5) filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate, # <u>2</u> Certificate of Service)(Gustafson, Daniel) (Entered: 10/04/2012)
10/05/2012	<u>250</u>	ORDER REGARDING SEX OFFENDER CIVIL COMMITMENT ADVISORY TASK FORCE. Signed by Chief Mag. Judge Arthur J. Boylan on 10/05/12. (TSS) (Entered: 10/05/2012)
10/05/2012	<u>251</u>	ORDER REGARDING ADDITIONAL EX-OFFICIO MEMBER TO THE SEX OFFENDER CIVIL COMMITMENT ADVISORY TASK FORCE. Signed by Judge Donovan W. Frank on 10/05/2012. (TSS) (Entered: 10/05/2012)
10/10/2012	<u>252</u>	Minute Entry: Settlement Conference proceedings held before Magistrate Judge Jeffrey J. Keyes on 10/10/2012. No settlement reached. Settlement discussions will continue. (Tape #n/a) (MMP) (Entered: 10/11/2012)
10/11/2012	<u>253</u>	ORDER REGARDING ADDITIONAL <i>EX-OFFICIO</i> MEMBER TO THE SEX OFFENDER CIVIL COMMITMENT ADVISORY TASK FORCE: The Court <b>HEREBY ORDERS</b> the following additional individual as a member Ex-Officio to the Task Force as designated by the Commissioner: 1. The Honorable Fred T. Friedman, Chief Public Defender, Sixth Judicial District, Duluth, Minnesota. Signed by Chief Mag. Judge Arthur J. Boylan on 10/11/2012. (lmb) cc: Hollis J. Larson. Modified on 10/11/2012 (lmb). (Entered: 10/11/2012)
10/15/2012	<u>254</u>	MEMORANDUM in Opposition re <u>222</u> MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 10/15/2012)
10/15/2012	<u>255</u>	AFFIDAVIT of Ricardo Figueroa in OPPOSITION TO <u>222</u> MOTION for Temporary Restraining Order filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom

		Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 10/15/2012)
10/15/2012	<u>256</u>	AFFIDAVIT of Bonnie Wold in OPPOSITION TO <u>222</u> MOTION for Temporary Restraining Order filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 10/15/2012)
10/15/2012	<u>257</u>	AFFIDAVIT of Ann Zimmerman in OPPOSITION TO <u>222</u> MOTION for Temporary Restraining Order filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 10/15/2012)
10/15/2012	<u>258</u>	AFFIDAVIT of Service by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>254</u> Memorandum in Opposition to Motion, <u>256</u> Affidavit in Opposition to Motion, <u>257</u> Affidavit in Opposition to Motion, <u>255</u> Affidavit in Opposition to Motion (Figueroa, Ricardo) (Entered: 10/15/2012)
10/15/2012	<u>259</u>	MEMORANDUM in Opposition re <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5) filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Alpert, Steven) (Entered: 10/15/2012)
10/15/2012	<u>260</u>	CERTIFICATE OF SERVICE by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>259</u> Memorandum in Opposition to Motion, (Alpert, Steven) (Entered: 10/15/2012)
10/16/2012	<u>261</u>	AFFIDAVIT of Peter Allan Sr in SUPPORT OF <u>220</u> MOTION to create sub-class pursuant to Federal Rules of Civ. P. Rule 23(C)(5) (Attachments: # <u>1</u> Cover Letter)(MMP) Document QC'd on 11/21/2012. (rms) (Entered: 10/16/2012)
10/17/2012	<u>262</u>	Minute Entry: Telephone Conference held before Magistrate Judge Jeffrey J. Keyes on 10/17/2012. Phone conference with Defendants' counsel regarding settlement. Settlement discussions will continue. (Court Reporter n/a and Tape #n/a) (MMP) (Entered: 10/17/2012)
10/19/2012	<u>263</u>	MEMORANDUM in Opposition re <u>239</u> MOTION for Payment of Fees and Costs filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 10/19/2012)
10/19/2012	<u>264</u>	ORDER/NOTICE OF SETTLEMENT CONFERENCE: Settlement Conference set for 11/5/2012 08:30 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 10/19/2012. (MMP) CC: Hollis J. Larson on 10/19/2012 (MMP). (Entered: 10/19/2012)
10/19/2012	<u>265</u>	MEMORANDUM in Opposition re <u>243</u> MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 10/19/2012)
10/31/2012	<u>266</u>	ORDER REGARDING ADDITIONAL EX-OFFICIO MEMBER TO THE SEX OFFENDER CIVIL COMMITMENT ADVISORY TASK FORCE: The Court HEREBY ORDERS the following additional individual as a member Ex-Officio to the Task Force as designated by the Commissioner: 1. John Harrington, Chief, Metro Transit Police Department. Signed by Chief Mag. Judge Arthur J. Boylan on 10/31/2012. (lmb) cc: Hollis J. Larson. Modified on 10/31/2012 (lmb). (Entered: 10/31/2012)
11/01/2012	<u>267</u>	MEMORANDUM in Support re <u>243</u> MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 11/01/2012)

11/02/2012	<u>268</u>	REPLY re <u>239</u> MOTION for Payment of Fees and Costs filed by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 11/02/2012)
11/02/2012	<u>269</u>	MEMORANDUM in Opposition re <u>222</u> MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> filed by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 11/02/2012)
11/02/2012	<u>270</u>	AFFIDAVIT of Dr. David Paulson re <u>269</u> Memorandum in Opposition to Motion, <i>for a Temporary Restraining Order and Preliminary Injunction</i> by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 11/02/2012)
11/02/2012	<u>271</u>	AFFIDAVIT of Ricardo Figueroa re <u>269</u> Memorandum in Opposition to Motion, <i>for a Temporary Restraining Order and Preliminary Injunction</i> by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 11/02/2012)
11/02/2012	<u>272</u>	CERTIFICATE OF SERVICE by Dennis Benson, Greg Carlson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>269</u> Memorandum in Opposition to Motion, <u>270</u> Affidavit, <u>271</u> Affidavit. (Figueroa, Ricardo) Modified on 11/2/2012 (RLR). (Entered: 11/02/2012)
11/05/2012	<u>273</u>	Minute Entry: Settlement Conference with all counsel held before Magistrate Judge Jeffrey J. Keyes on 11/5/2012. No settlement reached. Settlement discussions will continue. (Court Reporter n/a and Tape #n/a) (MMP) (Entered: 11/06/2012)
11/06/2012	<u>274</u>	ORDER OF SETTLEMENT CONFERENCE: Settlement Conference set for 12/3/2012 08:30 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 11/06/2012. (MMP) cc: Hollis J. Larson on 11/6/2012 (MMP). (Entered: 11/06/2012)
11/09/2012	<u>275</u>	ORDER that: Accordingly, IT IS HEREBY ORDERED that: 1. The Minnesota Commissioner of Human Services ("Commissioner") shall create an evaluation team, hereinafter referred to as the "MSOP Program Evaluation Team" ("Evaluation Team"), consisting of five qualified sex offender clinical treatment professionals with the necessary knowledge and experience to evaluate sex offender treatment in a secure facility to be appointed by the Commissioner and subject to Court approval. The Evaluation Team shall include the three sex offender treatment experts contracted to perform the annual evaluation described in Minnesota Statutes, section 246B.03, subdivision 2. The parties shall meet and confer on the potential candidates for the final two Evaluation Team positions prior to final appointment by the Commissioner. 2. The Commissioner shall forward to the Court the names of those professionals appointed by the Commissioner to the Evaluation Team for approval no later than December 1, 2012. 3. The focus of the Evaluation Team is to address possible program issues associated with client treatment phase progression ("phase progression"). The Evaluation Team shall review the treatment records of clients who have been participating for at least 36 months in a treatment phase and who have not yet advanced to the next treatment phase. The records reviewed shall include a random sampling of the records of at least 10% or 15 clients, whichever is higher, to a maximum of 25% of those clients identified above (at the discretion of the Evaluation Team). The Evaluation Team's review is to supplement the annual program evaluation described in Minnesota Statutes, section 246B.03, subdivision 2. 4. As part of the Evaluation Team's investigation of phase progression, it may consider any topic it deems related to phase progression, such as: adequacy of staffing levels and staff training; the type and amount of treatment offered; individual treatment record documentation; individual treatment plan documentation; the accuracy of client placement and progression within each treatment phase; therapeutic environment, etc. 5. No later than April 15, 2013, the Evaluation Team shall prepare and provide the MSOP Executive Director, the Court, and counsel for the parties in this litigation, with Findings and Recommendations on phase progression. The Evaluation Team shall also determine and include in its report a recommendation on the need, scope, and frequency of any future MSOP treatment program evaluation. These Findings and



		Recommendations on phase progression may be in addition to and reported separately from the annual program evaluation described in Minnesota Statutes, section 246B.03, subdivision 2. 6. The Executive Director shall respond in writing to the Evaluation Team's phase progression Findings and Recommendations within thirty (30) days of receiving the Findings and Recommendations and provide that written response to the Commissioner, the Court, and counsel for the parties. The Findings and Recommendations and the Executive Director's written responses shall also be made public. The Executive Director shall include a copy of the phase progression Findings and Recommendations, along with the Executive Directors written responses, to the Minnesota Legislature as part of MSOP's annual performance report submitted in January 2014 (see Minn. Stat. § 246B.035). 7. If at any time the Evaluation Team discovers in its review of files for phase progression an actual or possible violation of law, rule, or regulation, it shall immediately notify the Commissioner or the Chief Compliance Officer of the Minnesota Department of Human Services, the Court, and counsel for the parties. 8. The formation of the Evaluation Team shall not affect or impair the rights of the parties with respect to further settlement discussions or litigation in this matter. 9. In view of the formation of this Evaluation Team and continuing settlement discussions among the parties, all discovery in this matter shall be stayed for a period of sixty (60) days from the date of this Order. Signed by Magistrate Judge Jeffrey J. Keyes on 11/09/2012. (MMP) CC: Hollis J. Larson on 11/9/2012 (MMP). (Entered: 11/09/2012)
11/20/2012	<u>276</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Dennis Benson, Craig Allen Bolte, Kaine Joseph Braun, Greg Carlson, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Lucinda Jesson, Kevin Scott Karsjens, Peter Gerard Lonergan, Tom Lundquist, Kevin Moser, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer, Ann Zimmerman . (Figueroa, Ricardo) (Entered: 11/20/2012)
11/26/2012	<u>277</u>	*TEXT ONLY ENTRY* NOTICE of Cancellation of Hearing: <u>240</u> NOTICE OF HEARING ON MOTION <u>239</u> MOTION for Payment of Fees and Costs : Motion Hearing set for 11/29/2012 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel), <u>244</u> NOTICE OF HEARING ON MOTION <u>243</u> MOTION to Dismiss/General <i>Defendants' Motion to Dismiss Plaintiff's Amended Complaint</i> : Motion Hearing set for 11/29/2012 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Figueroa, Ricardo). The motions at <u>239</u> and <u>243</u> have been termed and the hearing scheduled for November 29, 2012, has been canceled per joint letter from Counsel filed at Doc. No. <u>276</u> . (BJS) (cc: Hollis J. Larson) Modified on 11/26/2012 (akl). (Entered: 11/26/2012)
12/03/2012	<u>278</u>	Minute Entry: Settlement Conference held before Magistrate Judge Jeffrey J. Keyeson 12/3/2012. No Settlement reached. Settlement discussions will continue. (Court Reporter n/a) (MMP) (Entered: 12/04/2012)
12/04/2012	<u>279</u>	ORDER/NOTICE OF SETTLEMENT CONFERENCE: Settlement Conference set for 1/15/2013 09:30 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 12/04/2012. (MMP) cc; Hollis J. Larson on 12/4/2012 (MMP). (Entered: 12/04/2012)
12/05/2012	<u>280</u>	ORDER.1. Hollis J. Larson's Motion to Intervene or to Consolidate (Doc. No. <u>207</u> ) is DENIED. 2. Hollis J. Larson's Motion for a Temporary Restraining Order and Preliminary Injunction (Doc. No. <u>218</u> ) is DENIED. 3. Unnamed Plaintiffs' Motion to Create Sub-Class (Doc. No. <u>220</u> ) is DENIED. 4. Unnamed Plaintiffs' Motion for a Temporary Restraining Order and Preliminary Injunction (Doc. No. <u>222</u> ) is DENIED. (Written Opinion). Signed by Judge Donovan W. Frank on 12/4/2012. (BJS)(cc: Hollis J. Larson) Modified on 12/5/2012 (akl). (Entered: 12/05/2012)
12/13/2012	<u>281</u>	ORDER REGARDING THE MSOP PROGRAM EVALUATION TEAM: SEE ORDER FOR DETAILS. Signed by Magistrate Judge Jeffrey J. Keyes on 12/13/2012. (MMP) (Entered: 12/13/2012)
01/09/2013	<u>282</u>	*TEXT ONLY ENTRY* NOTICE of Resetting of TIME ONLY for Settlement Conference: <u>279</u> ORDER/NOTICE OF SETTLEMENT CONFERENCE: Settlement Conference set for 1/15/2013 09:30 AM reset for 1/15/2013 10:00 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. This is a time change only.(JEP) (Entered: 01/09/2013)

01/15/2013	<u>283</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 1/15/2013. No settlement reached. Settlement discussions will continue. (jam) (Entered: 01/15/2013)
01/15/2013	<u>284</u>	ORDER/NOTICE: A settlement conference on the topic of conditions of confinement will be held on February 14 and 15, 2013, starting at 9:30 a.m. each day, at the Minnesota Sex Offender Program Moose Lake, 1111 Highway 73, Moose Lake, Minnesota, before United States Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 1/15/13. (jam) (Entered: 01/16/2013)
01/24/2013	<u>285</u>	ORDER: all discovery in this matter shall be stayed for a period of sixty (60) days from the date of this Order. Signed by Magistrate Judge Jeffrey J. Keyes on 01/24/2013. (MMP) (Entered: 01/24/2013)
02/14/2013	<u>286</u>	Minute Entry: Settlement Conference with all counsel held before Magistrate Judge Jeffrey J. Keyes on 2/14/2013. No settlement reached. Settlement discussions will continue. (Tape #n/a) (MMP) (Entered: 02/19/2013)
02/15/2013	<u>287</u>	Minute Entry: Settlement Conference held with all counsel before Magistrate Judge Jeffrey J. Keyes on 2/15/2013. No settlement reached. Settlement discussions will continue. (Court Reporter n/a and Tape #n/a) (MMP) (Entered: 02/19/2013)
02/21/2013	<u>288</u>	DOCUMENT FILED IN ERROR. Modified on 2/22/2013 (TSS). (Entered: 02/21/2013)
02/26/2013	<u>289</u>	Minute Entry: Telephone Conference on held before Magistrate Judge Jeffrey J. Keyes on 2/26/2013. Re: Settlement Issues. Settlement discussions will continue. (Court Reporter n/a and Tape #n/a) (MMP) (Entered: 02/26/2013)
02/26/2013	<u>290</u>	ORDER: IT IS HEREBY ORDERED that: SEE ORDER FOR DETAILS. Signed by Magistrate Judge Jeffrey J. Keyes on 02/26/2013. (MMP) (Entered: 02/26/2013)
03/20/2013	<u>291</u>	ORDER The Committee roster, first established by Court Order on February 26, 2013 (Doc. No. <u>290</u> ), is amended to consist of the following individuals: Dan Gustafson or David Goodwin, Steve Alpert or Ricardo Figueroa, Nancy Johnston, Anne Barry, Jannine Hbert and/or Kevin Moser, Kevin Karsjens, Benjamin Alverson, Corey Michaels, Dennis Steiner. Signed by Magistrate Judge Jeffrey J. Keyes on 3/20/13. (GMW) (Entered: 03/20/2013)
03/22/2013	<u>292</u>	ORDER that 1. All discovery in this matter is hereby stayed for a period of ninety days from the date of this order; and 2. The Court may amend its Order staying discovery depending on the status of settlement discussions. Signed by Magistrate Judge Jeffrey J. Keyes on 3/22/13. (kt) (Entered: 03/22/2013)
04/09/2013	<u>293</u>	ORDER/NOTICE of Settlement Conference set for 5/16/2013 10:30 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 4/9/13. (kt) (Entered: 04/09/2013)
04/26/2013	<u>294</u>	LETTER TO MAGISTRATE JUDGE by Lucinda Jesson, Kevin Moser, Dennis Benson, Tom Lundquist, Ann Zimmerman, Greg Carlson. (Attachments: # <u>1</u> Exhibit(s) No. 1, # <u>2</u> Exhibit(s) No. 2, # <u>3</u> Exhibit(s) No. 3, # <u>4</u> Exhibit(s) No. 4)(Alpert, Steven) Modified on 4/29/2013 (kt). (Entered: 04/26/2013)
05/16/2013	<u>295</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 5/16/2013. No settlement reached. Settlement discussions will continue. (kt) (Entered: 05/17/2013)
06/12/2013	<u>296</u>	NOTICE OF Status Conference set for 6/13/2013 09:30 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 6/12/13. (kt) (Entered: 06/12/2013)
06/13/2013	<u>297</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Status Conference held on 6/13/2013. (kt) (Entered: 06/13/2013)
06/20/2013	<u>298</u>	ORDER. Signed by Magistrate Judge Jeffrey J. Keyes on 6/20/13. (kt) (Entered: 06/20/2013)
07/18/2013	<u>299</u>	NOTICE OF SETTLEMENT CONFERENCE/ORDER Settlement Conference set for 7/29/2013 02:30 PM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge

		Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 7/18/13. (GMW) (Entered: 07/18/2013)
07/29/2013	<u>300</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 7/29/2013. No settlement reached. Settlement discussions will continue. (kt) (Entered: 07/30/2013)
08/08/2013	<u>301</u>	AMENDED COMPLAINT ( <i>Second Amended Complaint</i> ) against Dennis Benson, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman, Nancy Johnston, Jannine Hebert. Filed by James Allen Barber, David Leroy Gamble, Jr, Kevin Scott Karsjens, Bradley Wayne Foster, Kaine Joseph Braun, Brian Keith Hausfeld, Kenny S. Daywitt, James John Rud, Kevin John DeVillion, Dennis Richard Steiner, Christopher John Thuringer, Craig Allen Bolte, Peter Gerard Lonergan, James Matthew Noyer, Sr. <b>No summons requested.</b> (Gustafson, Daniel) (Entered: 08/08/2013)
08/14/2013	<u>303</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 8/14/2013. No settlement reached. Settlement discussions will continue. (kt) (Entered: 08/21/2013)
08/20/2013	<u>302</u>	NOTICE of Withdrawal as Attorney (Kieley, Max) (Entered: 08/20/2013)
08/20/2013	<u>304</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 8/20/2013. No settlement reached. Settlement discussions will continue. (kt) (Entered: 08/21/2013)
08/21/2013	<u>305</u>	NOTICE of Scheduling Conference set for 9/10/2013 11:00 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 8/21/13. (kt) (Entered: 08/21/2013)
08/22/2013	<u>306</u>	MOTION for Declaratory Judgment by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>307</u>	NOTICE OF HEARING ON MOTION <u>306</u> MOTION for Declaratory Judgment : Motion Hearing set for 11/15/2013 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>308</u>	MEMORANDUM in Support re <u>306</u> MOTION for Declaratory Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>309</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>306</u> MOTION for Declaratory Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>310</u>	MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>311</u>	NOTICE OF HEARING ON MOTION <u>310</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> : Motion Hearing set for 11/15/2013 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>312</u>	MEMORANDUM in Support re <u>310</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>313</u>	MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter

		Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>314</u>	NOTICE OF HEARING ON MOTION <u>313</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> : Motion Hearing set for 11/15/2013 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>315</u>	MEMORANDUM in Support re <u>313</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>316</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>313</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A and B)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>317</u>	MOTION for Payment of Fees and Costs by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>318</u>	NOTICE OF HEARING ON MOTION <u>317</u> MOTION for Payment of Fees and Costs : at date and time to be determined. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>319</u>	MEMORANDUM in Support re <u>317</u> MOTION for Payment of Fees and Costs filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>320</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>317</u> MOTION for Payment of Fees and Costs filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>321</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, Dennis Richard Steiner, Christopher John Thuringer re <u>310</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> , <u>306</u> MOTION for Declaratory Judgment , <u>313</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> , <u>317</u> MOTION for Payment of Fees and Costs (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>322</u>	MOTION to Expedite <i>Discovery</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>323</u>	NOTICE OF HEARING ON MOTION <u>322</u> MOTION to Expedite <i>Discovery</i> : Motion Hearing set for 9/10/2013 11:00 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. (Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>324</u>	MEMORANDUM in Support re <u>322</u> MOTION to Expedite <i>Discovery</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 08/22/2013)
08/22/2013	<u>325</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>322</u> MOTION to Expedite <i>Discovery</i> (Gustafson, Daniel) (Entered: 08/22/2013)



08/29/2013	<u>326</u>	MEMORANDUM in Opposition re <u>322</u> MOTION to Expedite <i>Discovery</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Alpert, Steven) (Entered: 08/29/2013)
08/29/2013	<u>327</u>	AFFIDAVIT of Steven H. Alpert in OPPOSITION TO <u>322</u> MOTION to Expedite <i>Discovery</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) 1-8)(Alpert, Steven) (Entered: 08/29/2013)
09/09/2013	<u>328</u>	MEMORANDUM in Opposition re <u>317</u> MOTION for Payment of Fees and Costs filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 09/09/2013)
09/09/2013	<u>329</u>	MOTION to Dismiss/General ( <i>for lack of subject matter jurisdiction and failure to state a claim upon which relief could be granted</i> ) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 09/09/2013)
09/09/2013	<u>330</u>	NOTICE OF HEARING ON MOTION <u>329</u> MOTION to Dismiss/General ( <i>for lack of subject matter jurisdiction and failure to state a claim upon which relief could be granted</i> ) : Motion Hearing set for 11/15/2013 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Figueroa, Ricardo) (Entered: 09/09/2013)
09/09/2013	<u>331</u>	MEMORANDUM in Support re <u>329</u> MOTION to Dismiss/General ( <i>for lack of subject matter jurisdiction and failure to state a claim upon which relief could be granted</i> ) ( <i>MOL support of Defs' motion to dismiss Plaintiffs' Second Amended Complaint</i> ) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 09/09/2013)
09/09/2013	<u>332</u>	AFFIDAVIT of Ricardo Figueroa in SUPPORT OF <u>329</u> MOTION to Dismiss/General ( <i>for lack of subject matter jurisdiction and failure to state a claim upon which relief could be granted</i> ) ( <i>and to dismiss Plaintiffs' Second Amended Complaint</i> ) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) 1-32)(Figueroa, Ricardo) (Entered: 09/09/2013)
09/09/2013	<u>333</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>329</u> MOTION to Dismiss/General ( <i>for lack of subject matter jurisdiction and failure to state a claim upon which relief could be granted</i> ) ( <i>and to dismiss Plaintiffs' Second Amended Complaint</i> ) (Figueroa, Ricardo) (Entered: 09/09/2013)
09/10/2013	<u>334</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Motion Hearing held on 9/10/2013 re <u>322</u> MOTION to Expedite <i>Discovery</i> filed by Bradley Wayne Foster, David Leroy Gamble, Jr., Craig Allen Bolte, Brian K. Hausfeld, Kaine Joseph Braun, Dennis Richard Steiner, James John Rud, Kenny S. Daywitt, Kevin John DeVillion, James Allen Barber, James Matthew Noyer, Sr., Christopher John Thuringer, Peter Gerard Lonergan, Kevin Scott Karsjens. (kt) (Entered: 09/10/2013)
09/10/2013	<u>335</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Scheduling Conference held on 9/10/2013. (kt) (Entered: 09/10/2013)
09/10/2013	336	TEXT-ONLY ORDER Magistrate Judge Jeffrey J. Keyes that (1) Plaintiffs Motion for Expedited Discovery (Doc. No. 322), is GRANTED as stated on the record.(2) A Scheduling Order will be filed separately. (kt) (Entered: 09/10/2013)
09/10/2013	<u>337</u>	SCHEDULING ORDER: Discovery due by 12/15/2013. Motions (non-disp) due 7/30/2014. Motions (disp) due by 11/15/2014. Ready for trial due by 4/15/2015. Signed by Magistrate Judge Jeffrey J. Keyes on 9/10/13. (kt) (Entered: 09/10/2013)
09/11/2013	<u>338</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 9/11/2013. No settlement reached. Settlement discussions will continue. (kt) (Entered: 09/11/2013)

09/16/2013	<u>339</u>	Joint MOTION to Adopt Briefing Schedule by James Allen Barber, Dennis Benson, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Kevin Scott Karsjens, Peter Gerard Lonergan, Tom Lundquist, Kevin Moser, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer, Ann Zimmerman. (Gustafson, Daniel) (Entered: 09/16/2013)
09/24/2013	<u>340</u>	ORDER. Pursuant to the parties' Joint Motion to Adopt Briefing Schedule filed on September 16, 2013, (Doc. No. <u>339</u> ), the Court further Orders the following Briefing Schedule related to these Motions: 1. Plaintiffs' Amended Motions Regarding Preliminary Injunctions and Declaratory Judgment and Defendants' Amended Motion to Dismiss and Supporting Memoranda and exhibits will be due on December 20, 2013. 2. Plaintiffs' Response to Defendants' Motion to Dismiss and Defendants' Response to Plaintiffs' Motions Regarding Preliminary Injunctions and Declaratory Judgment will be due on January 15, 2014. 3. Defendants' Reply to the Motion to Dismiss and Plaintiffs' Reply to the Motions Regarding Preliminary Injunctions and Declaratory Judgment will be due on January 31, 2014. Signed by Judge Donovan W. Frank on 9/24/2013. (BJS) (Entered: 09/24/2013)
09/27/2013	<u>341</u>	ORDER appointing David Ferleger as the Court's technical advisor in this litigation as a judicial adjunct. (See Order for details.) Signed by Judge Donovan W. Frank on 09/27/2013. (RLB) (Entered: 09/27/2013)
09/30/2013	<u>342</u>	TEXT ONLY ENTRY: ORDER. In light of the recent filings in this matter, the Court requests that Plaintiffs update the Court, by filing a brief letter on or before 5 p.m. on October 2, 2013, as to the status of each of the issues raised in their Motion for Payment of Fees and Costs (Doc. No. 317). Defendants may file a response to Plaintiffs' letter on or before 5 p.m. on October 4, 2013. Signed by Judge Donovan W. Frank on 9/30/2013. (BJS) (Entered: 09/30/2013)
10/01/2013	<u>343</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer . (Gustafson, Daniel) (Entered: 10/01/2013)
10/04/2013	<u>344</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman ( <i>pursuant to Doc. No. 342</i> ). (Figueroa, Ricardo) (Entered: 10/04/2013)
10/09/2013	<u>345</u>	<b>**TEXT ONLY ENTRY**</b> The Court will consider and render a decision on Plaintiffs' Motion for Payment of Fees and Costs (Doc. No. <u>317</u> ) on the papers and without a hearing. Signed by Judge Donovan W. Frank on 10/09/2013. (RLB) (Entered: 10/09/2013)
10/17/2013	<u>346</u>	ORDER/NOTICE of Settlement Conference set for 11/12/2013 08:30 AM in Judge's Chambers, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 10/17/13. (kt) (Entered: 10/17/2013)
10/25/2013	<u>347</u>	FILED IN ERROR – SEE ORDER <u>355</u> – MOTION and Notice of Motion for Leave to Intervene of Right or Permissively and to file Class Action Complaint in Intervention by Stephen Danforth, Ronald Harrison, Michael Benson, Timothy Briesemeister, Raymond Leon Semler, Christopher Paul Jackson. (Attachments: # <u>1</u> Class Action Complaint in Intervention, # <u>2</u> Envelope)(JME)DOCUMENT QC'D ON 10/28/13 LGL Modified on 10/28/2013 (LGL). Modified on 10/31/2013 (las). (Entered: 10/25/2013)
10/25/2013	<u>348</u>	FILED IN ERROR – SEE ORDER <u>355</u> – MOTION and Notice of Motion for order determining that complaint in intervention proceed as class action by Dennis Benson, Timothy Briesemeister, Stephen Danforth, Ronald Harrison, Christopher Paul Jackson, Raymond Leon Semler. (JME) Modified on 10/25/2013 (JME). DOCUMENT QC'D ON 10/28/13 LGL Modified on 10/28/2013 (LGL). Modified on 10/31/2013 (las). (Entered: 10/25/2013)
10/25/2013	<u>349</u>	FILED IN ERROR – SEE ORDER <u>355</u> – Application to Proceed in District Court without Prepaying Fees or Costs filed by Michael Benson, Timothy Briesemeister, Stephen Danforth, Ronald Harrison, Christopher Paul Jackson, Raymond Leon Semler.

		(JME)DOCUMENT QC'D ON 10/28/13 LGL Modified on 10/28/2013 (LGL). Modified on 10/31/2013 (las). (Entered: 10/25/2013)
10/25/2013	<u>350</u>	FILED IN ERROR – SEE ORDER <u>355</u> – MEMORANDUM in Support re <u>348</u> MOTION for order determining that complaint in intervention proceed as class action filed by Michael Benson, Timothy Briesemeister, Stephen Danforth, Ronald Harrison, Christopher Paul Jackson, Raymond Leon Semler. (JME)DOCUMENT QC'D ON 10/28/13 LGL Modified on 10/28/2013 (LGL). Modified on 10/31/2013 (las). (Entered: 10/25/2013)
10/25/2013	<u>351</u>	FILED IN ERROR – SEE ORDER <u>355</u> – AFFIDAVIT of Stephen Danforth in SUPPORT OF <u>348</u> MOTION for order determining that complaint in intervention proceed as class action filed by Stephen Danforth. (JME)DOCUMENT QC'D ON 10/28/13 LGL Modified on 10/28/2013 (LGL). Modified on 10/31/2013 (las). (Entered: 10/25/2013)
10/25/2013	<u>352</u>	FILED IN ERROR – SEE ORDER <u>355</u> – AFFIDAVIT of Stephen Danforth in SUPPORT OF <u>347</u> MOTION for Leave to Intervene of Right or Permissively and to file Class Action Complaint in Intervention filed by Stephen Danforth. (JME)DOCUMENT QC'D ON 10/28/13 LGL Modified on 10/28/2013 (LGL). Modified on 10/31/2013 (las). (Entered: 10/25/2013)
10/25/2013	<u>353</u>	FILED IN ERROR – SEE ORDER <u>355</u> – AFFIDAVIT of Service by Michael Benson, Timothy Briesemeister, Stephen Danforth, Ronald Harrison, Christopher Paul Jackson, Raymond Leon Semler re <u>352</u> Affidavit in Support of Motion, <u>350</u> Memorandum in Support of Motion, <u>348</u> MOTION for order determining that complaint in intervention proceed as class action, <u>351</u> Affidavit in Support of Motion, <u>347</u> MOTION to Alter/Amend/Supplement Pleadings (JME) DOCUMENT QC'D ON 10/28/13 LGL Modified on 10/28/2013 (LGL). Modified on 10/31/2013 (las). (Entered: 10/25/2013)
10/25/2013	<u>354</u>	ORDER. 1. To the extent Plaintiffs seek the appointment of expert witnesses for the benefit of the Court pursuant to Rule 706, the motion is GRANTED. The parties shall each submit nominations for such experts and identify the experts' respective areas of expertise and hourly rates. 2. To the extent Plaintiffs seek an order requiring Defendants to advance payment for Plaintiffs' discovery costs or other litigation fees, the motion is DENIED. 3. In all other respects, the motion is DENIED. Signed by Judge Donovan W. Frank on 10/25/2013. (BJS) (cc: 6 to Pro Se Plaintiffs) (Entered: 10/25/2013)
10/30/2013	<u>355</u>	ORDER. 1. The Clerk of Court shall mark the docket entries of each of the pro se submissions (Doc. Nos. [347–53]) as FILED IN ERROR. 2. The Clerk of Court shall return the pro se submissions (Doc. Nos. [347–53]) to the sender(s) along with a copy of the Courts September 18, 2012 Order (Doc. No. <u>237</u> ). Signed by Judge Donovan W. Frank on 10/30/2013. (BJS)(cc: 6 to Pro Se Plaintiffs) Modified on 11/1/2013 (las). (Entered: 10/30/2013)
11/12/2013	<u>356</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Settlement Conference held on 11/12/2013. No settlement reached. (kt) (Entered: 11/12/2013)
11/12/2013	<u>357</u>	AMENDED PROTECTIVE ORDER. Signed by Magistrate Judge Jeffrey J. Keyes on 11/12/13. (kt) CC: Pro se parties. (kt) (Entered: 11/12/2013)
11/12/2013	<u>358</u>	NOTICE of Status Conference set for 12/17/2013 01:30 PM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 11/12/13. (kt) CC: Pro se parties. (kt) (Entered: 11/12/2013)
11/19/2013	<u>359</u>	NOTICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>310</u> MOTION for Preliminary Injunction to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members, <u>306</u> MOTION for Declaratory Judgment , <u>313</u> MOTION for Preliminary Injunction for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program (Plaintiffs' Notice of Withdrawal of Motions) (Gustafson, Daniel) (Entered: 11/19/2013)

11/19/2013	<u>360</u>	MOTION for Declaratory Judgment by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>361</u>	NOTICE OF HEARING ON MOTION <u>360</u> MOTION for Declaratory Judgment : Motion Hearing set for 12/18/2013 08:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>362</u>	MEMORANDUM in Support re <u>360</u> MOTION for Declaratory Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>363</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>360</u> MOTION for Declaratory Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A-C)(Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>364</u>	MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>365</u>	NOTICE OF HEARING ON MOTION <u>364</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> : Motion Hearing set for 12/18/2013 08:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>366</u>	MEMORANDUM in Support re <u>364</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>367</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>364</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A-B)(Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>368</u>	MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>369</u>	NOTICE OF HEARING ON MOTION <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> : Motion Hearing set for 12/18/2013 08:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>370</u>	MEMORANDUM in Support re <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>371</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A-C)(Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>372</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex</i>



		<i>Offender Program, 364</i> MOTION for Preliminary Injunction to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members, <i>360</i> MOTION for Declaratory Judgment (Gustafson, Daniel) (Entered: 11/19/2013)
11/19/2013	<u>373</u>	NOTICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>329</u> MOTION to Dismiss/General ( <i>for lack of subject matter jurisdiction and failure to state a claim upon which relief could be granted</i> ) ( <i>Defendants' Notice of Withdrawal of Motion to Dismiss</i> ) (Figueroa, Ricardo) (Entered: 11/19/2013)
11/19/2013	<u>374</u>	MOTION to Dismiss/General ( <i>for lack of subject matter jurisdiction and failure to state a claim</i> ) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 11/19/2013)
11/19/2013	<u>375</u>	NOTICE OF HEARING ON MOTION <u>374</u> MOTION to Dismiss/General ( <i>for lack of subject matter jurisdiction and failure to state a claim</i> ) : Motion Hearing set for 12/18/2013 08:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Figueroa, Ricardo) (Entered: 11/19/2013)
11/19/2013	<u>376</u>	MEMORANDUM in Support re <u>374</u> MOTION to Dismiss/General ( <i>for lack of subject matter jurisdiction and failure to state a claim</i> ) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 11/19/2013)
11/19/2013	<u>377</u>	AFFIDAVIT of Ricardo Figueroa in SUPPORT OF <u>374</u> MOTION to Dismiss/General ( <i>for lack of subject matter jurisdiction and failure to state a claim</i> ) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) 1-11, # <u>2</u> Exhibit(s) 12-31)(Figueroa, Ricardo) (Entered: 11/19/2013)
11/19/2013	<u>378</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>374</u> MOTION to Dismiss/General ( <i>for lack of subject matter jurisdiction and failure to state a claim</i> ) (Figueroa, Ricardo) (Entered: 11/19/2013)
12/05/2013	<u>379</u>	LETTER TO DISTRICT JUDGE by ACLU of Minnesota and Dean Eric Janus regarding <i>Brief of Amicus Curiae</i> . (Attachments: # <u>1</u> Certificate of Service)(Nelson, Teresa) (Entered: 12/05/2013)
12/05/2013	<u>380</u>	MEMORANDUM in Opposition re <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 12/05/2013)
12/05/2013	<u>381</u>	MEMORANDUM in Opposition re <u>364</u> MOTION for Preliminary Injunction to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Figueroa, Ricardo) (Entered: 12/05/2013)
12/05/2013	<u>382</u>	MEMORANDUM in Opposition re <u>360</u> MOTION for Declaratory Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate, # <u>2</u> Placeholder for Redacted MOL)(Figueroa, Ricardo) Sealed documents received on 12/5/2013 (JGK). (Entered: 12/05/2013)
12/05/2013	<u>383</u>	AFFIDAVIT of Nathan Brennaman in OPPOSITION TO <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) A, C, D, E, # <u>2</u> Placeholder for Exhibits B and F (Filed under seal))(Figueroa, Ricardo) Sealed documents received on 12/5/2013 (JGK). (Entered: 12/05/2013)

12/05/2013	<u>384</u>	AFFIDAVIT of Jessica Geil in OPPOSITION TO <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> , <u>360</u> MOTION for Declaratory Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) Public Exhibits, # <u>2</u> Placeholder for Sealed Geil Affidavit, # <u>3</u> Placeholder for Sealed Exhibits to Geil Affidavit)(Figueroa, Ricardo) Sealed documents received on 12/5/2013 (JGK). (Entered: 12/05/2013)
12/05/2013	<u>385</u>	AFFIDAVIT of Jannine Hebert in OPPOSITION TO <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> , <u>364</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> , <u>360</u> MOTION for Declaratory Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) (A-H))(Figueroa, Ricardo) (Entered: 12/05/2013)
12/05/2013	<u>386</u>	AFFIDAVIT of Lauren A. Allen in OPPOSITION TO <u>360</u> MOTION for Declaratory Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 12/05/2013)
12/05/2013	<u>387</u>	AFFIDAVIT of Lucinda Jesson in OPPOSITION TO <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> , <u>364</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> , <u>360</u> MOTION for Declaratory Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) A-D)(Figueroa, Ricardo) (Entered: 12/05/2013)
12/05/2013	<u>388</u>	AFFIDAVIT of Anna Remiger in OPPOSITION TO <u>360</u> MOTION for Declaratory Judgment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 12/05/2013)
12/05/2013	<u>389</u>	MEMORANDUM in Opposition re <u>374</u> MOTION to Dismiss/General ( <i>for lack of subject matter jurisdiction and failure to state a claim</i> ) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 12/05/2013)
12/05/2013	<u>390</u>	CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>383</u> Affidavit in Opposition to Motion, <u>381</u> Memorandum in Opposition to Motion, <u>382</u> Memorandum in Opposition to Motion, <u>384</u> Affidavit in Opposition to Motion,, <u>380</u> Memorandum in Opposition to Motion, <u>386</u> Affidavit in Opposition to Motion, <u>385</u> Affidavit in Opposition to Motion,, <u>387</u> Affidavit in Opposition to Motion,, <u>388</u> Affidavit in Opposition to Motion (Figueroa, Ricardo) (Entered: 12/05/2013)
12/06/2013	<u>391</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer ( <i>Regarding Request to Submit Brief of Amicus Curiae</i> ). (Gustafson, Daniel) (Entered: 12/06/2013)
12/06/2013	<u>392</u>	CAMENDED CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>383</u> Affidavit in Opposition to Motion, <u>382</u> Memorandum in Opposition to Motion, <u>384</u> Affidavit in Opposition to Motion. (Figueroa, Ricardo) Modified on 12/9/2013 (kt). (Entered: 12/06/2013)
12/06/2013	<u>393</u>	ORDER APPOINTING EXPERTS UNDER RULE 706 OF THE FEDERAL RULES OF EVIDENCE. 1. By order of October 25, 2013 (Doc. No. 354), the Court required the parties to "each submit nominations for such [Fed. R. Evid. 706] experts and identify the experts' respective areas of expertise and hourly rates." (See Order for additional information and details.) Signed by Judge Donovan W. Frank on 12/6/2013. (BJS) cc: Pro Se Movants Modified text on 12/9/2013 (las). (Entered: 12/06/2013)

12/09/2013	<u>394</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Alpert, Steven) (Entered: 12/09/2013)
12/09/2013	<u>395</u>	CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>394</u> Letter to District Judge (Alpert, Steven) (Entered: 12/09/2013)
12/10/2013	<u>396</u>	Reply to Response to Motion re <u>360</u> MOTION for Declaratory Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 12/10/2013)
12/10/2013	<u>397</u>	Reply to Response to Motion re <u>364</u> MOTION for Preliminary Injunction <i>to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 12/10/2013)
12/10/2013	<u>398</u>	Reply to Response to Motion re <u>368</u> MOTION for Preliminary Injunction <i>for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 12/10/2013)
12/10/2013	<u>399</u>	Reply to Response to Motion re <u>374</u> MOTION to Dismiss/General ( <i>for lack of subject matter jurisdiction and failure to state a claim</i> ) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 12/10/2013)
12/11/2013	<u>400</u>	ORDER. 1. The ACLU and Dean Janus shall file their amicus brief on or before December 27, 2013. 2. Plaintiffs and Defendants may each file a written response to the amicus brief on or before January 3, 2014. (Written Opinion). Signed by Judge Donovan W. Frank on 12/11/2013. (BJS) cc: Pro Se Movants. Modified on 12/11/2013 (las). (Entered: 12/11/2013)
12/12/2013	401	TEXT ONLY ENTRY: NOTICE of Resetting of Status Conference: <u>358</u> Status Conference set for 12/17/2013 reset for 1/2/2014 03:00 PM in Judge's Chambers/Conference Room, Suite 646 (STP) before Magistrate Judge Jeffrey J. Keyes. (JEP) cc: Pro Se Movants. Modified on 12/13/2013 (las). (Entered: 12/12/2013)
12/16/2013	<u>402</u>	NOTICE of Appearance by Nathan A Brennaman on behalf of Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 12/16/2013)
12/16/2013	<u>403</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Alpert, Steven) (Entered: 12/16/2013)
12/18/2013	<u>404</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 12/18/2013. (Motions <u>360</u> , <u>364</u> , <u>368</u> , <u>374</u> ) Matters taken under advisement; written order to issue. (Court Reporter Jeanne Anderson) (BJS) (Entered: 12/18/2013)
12/18/2013	405	TEXT ONLY ENTRY: ORDER In accordance with the parties' agreement at the December 18, 2013 hearing, the deadline for Plaintiffs and Defendants to respond to the amicus brief of the ACLU and Dean Janus (see Doc. No. <u>400</u> ) is hereby extended to January 10, 2014. Signed by Judge Donovan W. Frank on 12/18/2013. (BJS) CC: pro se parties. (kt) (Entered: 12/18/2013)
12/23/2013	<u>406</u>	DOCUMENT FILED IN ERROR – DECLARATION of Stephen Danforth Supplementing and Supporting Motion of Proposed Intervenors for Leave to File Motions for Intervention and to Proceed as Class Action, Proposed Class Action Complaint in Intervention and Supporting Documents by Stephen Danforth. (Attachments: # <u>1</u> Declaration of Service, # <u>2</u> Envelope)(MMP) DOCUMENT QC'D ON 12/23/13 LGL Modified on 12/23/2013 (LGL). Modified on 12/27/2013 (jam). Documents sent back to Stephen Danforth on 12/27/2013 (jam). (Entered: 12/23/2013)
12/26/2013	<u>407</u>	ORDER re <u>406</u> Declaration, filed by Stephen Danforth. 1. The Clerk of Court shall mark the docket entry of the pro se submission (Doc. No. <u>406</u> ) as FILED IN ERROR.

		2. The Clerk of Court shall return the pro se submission (Doc. No. <u>406</u> ) to the sender along with a copy of the Court's September 18, 2012 Order (Doc. No. <u>237</u> ). Signed by Judge Donovan W. Frank on 12/26/2013. (BJS) cc: pro parties on 12/27/2013 (jam). (Entered: 12/26/2013)
12/27/2013	<u>408</u>	BRIEF of Amici Curiae Eric S. Janus and ACLU of Minnesota. (Attachments: # <u>1</u> Certificate of Service)(Nelson, Teresa) (Entered: 12/27/2013)
12/27/2013	<u>409</u>	APPENDIX filed re <u>408</u> Brief of Amici Curiae Eric S. Janus and ACLU of Minnesota. (Nelson, Teresa) (Entered: 12/27/2013)
12/27/2013	<u>410</u>	Declaration of Teresa J. Nelson in Support of <u>408</u> Brief filed by ACLU of Minnesota. (Attachments: # <u>1</u> Exhibit(s) 1 through 20)(Nelson, Teresa) (Entered: 12/27/2013)
12/27/2013	<u>411</u>	Second Declaration of Teresa J. Nelson in Support of <u>408</u> Brief filed by ACLU of Minnesota. (Attachments: # <u>1</u> Exhibit(s))(Nelson, Teresa) (Entered: 12/27/2013)
01/02/2014	<u>412</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) (Entered: 01/02/2014)
01/02/2014	<u>413</u>	TRANSCRIPT of Motions Hearing held on 12/18/2013 before Judge Donovan W. Frank. (177 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov. Telephone: (651) 848-1221). Redaction Request due 1/23/2014. Redacted Transcript Deadline set for 2/3/2014. Release of Transcript Restriction set for 4/2/2014. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 01/02/2014)
01/02/2014	<u>414</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Status Conference held on 1/2/2014. (kt) (Entered: 01/02/2014)
01/09/2014	<u>415</u>	LETTER TO COUNSEL from Judge Donovan W. Frank regarding permission to file/submit an Amicus Brief. (Attachments: # <u>1</u> Letter Request from Thomas Evenstad)(BJS) (Entered: 01/09/2014)
01/10/2014	<u>416</u>	RESPONSE re <u>408</u> Brief of Amici Curiae Eric S. Janus and ACLU-MN filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 01/10/2014)
01/10/2014	<u>417</u>	RESPONSE re <u>408</u> Brief (to Amicus Curiae Brief) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 01/10/2014)
01/13/2014	<u>418</u>	AMENDED PRETRIAL SCHEDULING ORDER: Motions (non-disp) due 12/10/2014. Motions (disp) due by 3/20/2015. Ready for trial due by 7/30/2015. Signed by Magistrate Judge Jeffrey J. Keyes on 1/13/14. (kt) (Entered: 01/13/2014)
01/14/2014	<u>419</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer (Regarding response to the letter submitted to the Court by Thomas Evenstad seeking permission to file a Brief of Amicus Curiae and to be appointed as a consultant/paralegal for Gustafson Gluek PLLC in this matter). (Gustafson, Daniel) (Entered: 01/14/2014)
01/17/2014	<u>420</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman (regarding Defs' response to Thomas Evenstad's request fo file amicus curiae brief and appointment as consultant/paralegal for Gustafon Gluek). (Brennaman, Nathan) (Entered: 01/17/2014)
01/22/2014	<u>421</u>	LETTER TO MAGISTRATE JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer Joint Letter re: Rule 706 Experts. (Gustafson, Daniel) (Entered: 01/22/2014)



02/06/2014	<u>422</u>	EXPERT PLAN dated February 3, 2014. (BJS) (Entered: 02/06/2014)
02/11/2014	423	TEXT ONLY ORDER: The Court DENIES AS MOOT the letter request of Thomas Evenstad to file an Amicus Brief in the matter of Kevin Scott Karsjens, et al. v. Minnesota Department of Human Services, et al., CV 11-3659 (DWF/JJK), as the letter itself shall be deemed by the Court to be an Amicus Letter Brief and it shall be filed as such in this matter. SO ORDERED. Signed by Judge Donovan W. Frank on 2/11/2014. (BJS) (Entered: 02/11/2014)
02/12/2014	<u>424</u>	LETTER TO DISTRICT JUDGE from E. George Widseth. (Attachment: # <u>1</u> Transcript of Civil Commitment Hearing of Thomas Ray Duvall; Attachment #2: <u>413</u> TRANSCRIPT of Motions Hearing held on 12/18/2013 before Judge Donovan W. Frank)(TSS) Document QC'd on 2/25/2014 (JGK). (Entered: 02/12/2014)
02/13/2014	<u>425</u>	Amicus Letter Brief filed by Thomas Evenstad. (TSS) (Entered: 02/13/2014)
02/13/2014	<u>426</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Brennaman, Nathan) (Entered: 02/13/2014)
02/20/2014	<u>427</u>	MEMORANDUM OPINION AND ORDER. 1. Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint (Doc. No. <u>374</u> ) is GRANTED IN PART and DENIED IN PART as follows: a. With respect to Plaintiffs' equal protection claim, the motion is GRANTED. Count X of Plaintiffs' Second Amended Complaint (Doc. No. <u>301</u> ) is thus DISMISSED. b. To the extent Plaintiffs may seek monetary damages against Defendants in their official capacities, the motion is GRANTED. c. In all other respects, Defendants' motion is DENIED. 2. Plaintiffs' Motion for Declaratory Judgment (Doc. No. <u>360</u> ) is DENIED WITHOUT PREJUDICE. 3. Plaintiffs' Motion for Preliminary Injunction to Provide Less Restrictive Alternative Treatment Facilities and to Re-Evaluate Class Members (Doc. No. <u>364</u> ) is DENIED WITHOUT PREJUDICE. 4. Plaintiffs' Motion for Preliminary Injunction for the Appointment of a Special Master to Oversee the Minnesota Sex Offender Program (Doc. No. <u>368</u> ) is DENIED WITHOUT PREJUDICE. 5. With respect to the experts appointed pursuant to Rule 706 of the Federal Rules of Evidence (see Doc. No. <u>393</u> ), the Court orders the following: a. The experts' work shall include, but shall not be limited to: i. Evaluating all class members <sup>54</sup> and issuing reports and recommendations as to: (a) each class members current level of dangerousness (current risk assessment), including whether each class member poses a "real, continuing, and serious danger to society"; (b) whether each class member is actually eligible for discharge under the applicable statutory provisions or otherwise no longer meets the statutory criteria for initial commitment (or should otherwise be recommended for provisional or full discharge); (c) whether each class member is placed in the appropriate phase of treatment; (d) whether each class member would be a candidate for a less restrictive facility; and (e) the specific need and parameters for less restrictive alternative facilities, <sup>55</sup> including the operation of such facilities; ii. Reviewing the current treatment program at MSOP and its implementation to determine whether the program meets professional standards of care and treatment for sex offenders and issuing recommendations as to any changes that should be made to the treatment program; and iii. Reviewing current MSOP policies and practices with regard to the conditions of confinement to determine whether they satisfy the balance between safety concerns and a therapeutic environment and making recommendations for any changes that should be made to the conditions of confinement at both the Moose Lake and St. Peter facility. iv. The experts shall also report to the Court on the following: (a) the current professional standards for the treatment of civilly committed sex offenders and the extent to which MSOP's program design reflects those standards; (b) how other civil commitment programs have reintegrated civilly committed sex offenders into the community, with particular attention to community relations; and (c) how other states, if any, are providing treatment and management of lower-functioning civilly committed sex offenders in community settings. b. The experts' work shall begin with, but will in no way be limited to, the following: i. Reviewing MSOP treatment and screening program/process; ii. Conducting site visits to St. Peter and Moose Lake and interviewing patients and staff at each facility; iii. Reviewing 20% to 25% of resident charts, with the aim of reviewing 100% of charts for those individuals in the Assisted Living Unit, the Alternative Program Units, and the Young Adult Unit; and iv. Identifying residents who are not receiving appropriate services and making recommendations related thereto. c. In conducting their work, the experts shall have



		<p>complete and unrestricted access to documents they may require, including the reference documents and MSOP policy documents set forth above as well as patient files and clinical documents. d. Within fourteen (14) days of the date of this Order, and in the format requested by the experts, Defendants shall provide the experts with all of the reference documents and MSOP policies and procedures requested by the experts. (See Doc. No. <u>422</u> .) e. DHS, and all officials, staff, consultants, and contractors for DHS, are directed to provide the appointed experts with full and complete access to all residents and staff as well as all relevant information, documents, and records requested by the experts. Such access shall include, but shall not be limited to, the following: i. Access to all patient files and related documentation; ii. Access to meet with, interview, or otherwise communicate with MSOP patients; iii. Access to all MSOP policymakers as well as all policies and related documentation; iv. Access to review the current conditions of confinement at MSOP and related policies and rules; v. Access to review all aspects of the current treatment program provided by MSOP; and vi. Access to privately meet with, interview, or otherwise communicate with DHS officials, staff, consultants, and contractors for DHS. vii. DHS shall also create and provide any aggregation or analysis of data requested by the appointed experts. f. In conducting their work, the experts may call upon the MPET members previously appointed by the Court (see Doc. No. <u>281</u> ) as well as Roberta Opheim, Minnesota State Ombudsman for Mental Health and Developmental Disabilities, as necessary. g. The experts may convene meetings, confer with relevant individuals and groups, attend case-related court proceedings, and review all documents submitted to the Court. The parties shall henceforth serve the experts with all such papers. h. The experts shall have ex parte access to the Court and its Technical Advisor for logistical and organizational purposes, subject to the limitations of Rule 706. i. To facilitate the integrity and effectiveness of the experts work, their communications with one another and work product (such as draft documents, correspondence, e-mails, and conversations) shall be privileged, confidential, and not admissible. j. The experts' work will be overseen and coordinated by Magistrate Judge Jeffrey J. Keyes, with the assistance of the Court's Technical Advisor. k. The parties shall meet and confer, facilitated by the Court's Technical Advisor if necessary, to establish an interim budget deposit for the experts and a mechanism for payment. Without prejudice to subsequent adjustment, such costs shall be initially allocated to Defendants. (Written Opinion). Signed by Judge Donovan W. Frank on 2/19/2014. (BJS) (Entered: 02/20/2014)</p>
02/27/2014	<u>428</u>	NOTICE of Status Conference set for 3/12/2014 03:00 PM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 2/27/14. (kt) (Entered: 02/27/2014)
02/27/2014	<u>429</u>	STIPULATION re <u>301</u> Amended Complaint,, ( <i>Stipulation for Extension of Time to Answer</i> ) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 02/27/2014)
02/27/2014	<u>430</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>429</u> Stipulation (Figueroa, Ricardo) (Entered: 02/27/2014)
02/27/2014	<u>431</u>	ORDER that Defendants shall have an extension of time to file an Answer to Plaintiff's Second Amended Complaint and must do so no later than 3/25/14. Signed by Magistrate Judge Jeffrey J. Keyes on 2/27/14. (kt) (Entered: 02/27/2014)
02/27/2014	<u>432</u>	NOTICE of Appearance by Scott H Ikeda on behalf of Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Ikeda, Scott) (Entered: 02/27/2014)
03/12/2014	<u>433</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Hearing on Status of Discovery held on 3/12/2014. (kt) (Entered: 03/13/2014)
03/17/2014	<u>434</u>	ORDER. 1. The Rule 706 Experts shall submit on an approximately monthly basis, a single dated invoice to the Court for fees and expenses with copies to the parties. Each invoice shall include and aggregate separate invoices from each Expert. Documentation of expenses shall be included. The Technical Advisor may also submit such statements for his work. 2. A party may make an informal objection to an invoice for good cause shown, by sending an unfiled letter to the District Judge, Magistrate Judge, and the Court's Technical Advisor within five (5) days of the invoice, so that an effort may be made to resolve the objection. 3. The Court will review invoices and

		issue appropriate orders for payment from the Court's Registry. If no objection is filed by a party with the Court within ten (10) days of the date of the invoice, any objection to the invoice shall be considered permanently waived. 4. By agreement, the Department of Human Services shall make an interim budget deposit to the Registry of this Court in the amount of \$1,800,000 on account for the fees and expenses pursuant to this Order. 5. Upon the Court's order determining that the work under this Order has concluded, any balance remaining in the Registry account shall promptly be returned to the Department of Human Services. Signed by Judge Donovan W. Frank on 3/17/2014. (BJS) (Entered: 03/17/2014)
03/25/2014	<u>435</u>	<i>Defendants</i> ANSWER to Amended Complaint ( <i>Second Amended Complaint</i> ) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 03/25/2014)
03/26/2014	<u>436</u>	RECEIPT number 44641077583 in the amount of \$1800000.00 issued to State of Minnesota. (kt)DOCUMENT QC'D ON 3/26/14 LGL Modified on 3/26/2014 (LGL). (Entered: 03/26/2014)
03/28/2014	<u>437</u>	DEMAND for Trial by Jury by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Figueroa, Ricardo) (Entered: 03/28/2014)
04/03/2014	<u>438</u>	LETTER to Chief Judge Michael J. Davis from Stephen Danforth. (Attachments: # <u>1</u> Proposed Complaint, # <u>2</u> IFP, # <u>3</u> Motion for Leave To file, # <u>4</u> Declaration in Support, # <u>5</u> Motion to Intervene, # <u>6</u> Memorandum in Support, # <u>7</u> Declaration of Service, # <u>8</u> Proposed Motion for TRO, # <u>9</u> Declaration in Support, # <u>10</u> Proposed Order, # <u>11</u> Memorandum, # <u>12</u> Envelope)(TSS) (Additional attachment(s) added on 4/10/2014: # <u>13</u> Corrected Memorandum (Correction to Attachment 11)) (kt).DOCUMENT QC'D ON 4/14/14 LGL (Entered: 04/07/2014)
04/08/2014	<u>439</u>	ORDER re <u>438</u> Letter to Chief District Judge. Stephen Danforth's Motion to Intervene (Doc. No. <u>438</u> ) is DENIED. Signed by Judge Donovan W. Frank on 4/8/2014. (BJS) cc: Stephen Danforth on 4/8/2014 (jam). (Entered: 04/08/2014)
04/10/2014		NOTICE OF DOCKETING CORRECTION for <u>438</u> Letter to District Judge: Memorandum (Attachment 11) rescanned to include missing pages. (kt) (Entered: 04/10/2014)
04/11/2014	<u>440</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue checks to: 1. Naomi Freeman in the amount of \$9,302.24; 2. Deborah McCulloch in the amount of \$7,078.07; 3. Michael Miner in the amount of \$4,527.50; and 4. Robin J. Wilson in the amount of \$8,926.34. The checks are to be drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 4/11/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Finance on 4/11/2014 (JAM). (Entered: 04/11/2014)
04/15/2014	<u>441</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue a check to David Ferleger in the amount of \$697.50 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 4/15/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: financial on 4/16/2014 (JAM). (Entered: 04/15/2014)
04/21/2014	<u>442</u>	NOTICE OF STATUS CONFERENCE A Status Conference set for 5/7/2014 09:30 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. Signed by Magistrate Judge Jeffrey J. Keyes on 04/21/2014. (JZ) (Entered: 04/21/2014)
04/22/2014	<u>443</u>	RECEIPT number 00419866 in the amount of \$4527.50. (kt)DOCUMENT QC'D ON 4/23/14 LGL Modified on 4/23/2014 (LGL). (Entered: 04/22/2014)
04/23/2014	<u>444</u>	NOTICE OF HEARING ON MOTION to <i>Compel Preservation and Production of Documents</i> Motion Hearing set for 5/7/2014 09:30 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. (Gustafson, Daniel) (Entered: 04/23/2014)
04/24/2014	<u>445</u>	RECEIPT number 00420050 in the amount of \$697.50. (kt) (Qc'd on 5/1/14 by akl) (Entered: 04/24/2014)
04/24/2014	<u>446</u>	RECEIPT number 419914 in the amount of \$9302.24. (kt) (Qc'd on 5/1/14 by akl) (Entered: 04/24/2014)

04/25/2014	<u>447</u>	MOTION to Compel <i>Preservation and Production of Documents</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 04/25/2014)
04/25/2014	<u>448</u>	MEMORANDUM in Support re <u>447</u> MOTION to Compel <i>Preservation and Production of Documents</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 04/25/2014)
04/25/2014	<u>449</u>	AFFIDAVIT of Daniel E. Gustafson in SUPPORT OF <u>447</u> MOTION to Compel <i>Preservation and Production of Documents</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A–Q, # <u>2</u> Exhibit(s) R–T, # <u>3</u> Exhibit(s) U–V)(Gustafson, Daniel) (Entered: 04/25/2014)
04/25/2014	<u>450</u>	MEET and CONFER STATEMENT re <u>447</u> Motion to Compel, filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 04/25/2014)
04/25/2014	<u>451</u>	CERTIFICATE OF SERVICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>447</u> MOTION to Compel <i>Preservation and Production of Documents (Conventionally Filed Documents and Proposed Order)</i> (Gustafson, Daniel) (Entered: 04/25/2014)
04/28/2014	<u>452</u>	RECEIPT for check number 00419921 received in the amount of \$8,926.34. (JZ) DOCUMENT QC'd by KT on 5/1/14. (KT) (Entered: 04/28/2014)
04/28/2014	<u>453</u>	RECEIPT for check number 00419909 received in the amount of \$7,078.07. (JZ) QC'd on 4/30/2014 (JAM). (Entered: 04/28/2014)
05/01/2014	<u>454</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue checks to: 1. Naomi Freeman in the amount of \$2,700; 2. Deborah McCulloch in the amount of \$2,700; 3. Michael Miner in the amount of \$2,700; and 4. Robin J. Wilson in the amount of \$2,700. The checks are to be drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 5/1/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Finance Dept. on 5/2/2014 (JAM). (Entered: 05/01/2014)
05/02/2014	<u>455</u>	MEMORANDUM in Opposition re <u>447</u> MOTION to Compel <i>Preservation and Production of Documents</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 05/02/2014)
05/02/2014	<u>456</u>	AFFIDAVIT of Scott H. Ikeda in OPPOSITION TO <u>447</u> MOTION to Compel <i>Preservation and Production of Documents</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) A–B; and E, # <u>2</u> Placeholder for Exhibits C–D (filed under seal))(Brennaman, Nathan) Sealed document received on 5/2/2014 (JGK). (Entered: 05/02/2014)
05/02/2014	<u>457</u>	AFFIDAVIT of Dennis L. Benson in OPPOSITION TO <u>447</u> MOTION to Compel <i>Preservation and Production of Documents</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 05/02/2014)
05/02/2014	<u>458</u>	AFFIDAVIT of Steven H. Alpert in OPPOSITION TO <u>447</u> MOTION to Compel <i>Preservation and Production of Documents</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) A–B)(Brennaman, Nathan) (Entered: 05/02/2014)
05/02/2014	<u>459</u>	CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>456</u> Affidavit in Opposition to Motion, <u>458</u> Affidavit in Opposition to Motion, <u>457</u> Affidavit in Opposition to Motion, <u>455</u> Memorandum in Opposition to Motion, (Brennaman,

		Nathan) (Entered: 05/02/2014)
05/07/2014	<u>460</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Motion Hearing held on 5/7/2014 re <u>447</u> MOTION to Compel <i>Preservation and Production of Documents</i> filed by Bradley Wayne Foster, David Leroy Gamble, Jr., Craig Allen Bolte, Brian K. Hausfeld, Kaine Joseph Braun, Dennis Richard Steiner, James John Rud, Kenny S. Daywitt, Kevin John DeVillion, James Allen Barber, James Matthew Noyer, Sr., Christopher John Thuringer, Peter Gerard Lonergan, Kevin Scott Karsjens. (kt) (Entered: 05/07/2014)
05/07/2014	461	TEXT-ONLY ORDER by Magistrate Judge Jeffrey J. Keyes that (I) Plaintiffs' Motion to Compel Preservation and Production of Documents (Doc.No. 447), is GRANTED IN PART and DENIED IN PART as stated on the record. The motion is granted to the extent that Defendants must provide Plaintiffs' Counsel with a list of the recipients of each of the litigation holds issued relating to this matter. In addition, for any documents that Defendants discover have been lost, Defendants shall provide Plaintiffs with a detailed description of each document, the circumstances under which it was deleted, and the date of the deletion. The motion is otherwise denied without prejudice.(II) This Minute Order constitutes an Order of the Court. (kt) (Entered: 05/07/2014)
05/12/2014	<u>462</u>	RECEIPT number 00420926 in the amount of \$2700.00. (kt)DOCUMENT QC'D ON 5/13/14 LGL Modified on 5/13/2014 (LGL). (Entered: 05/12/2014)
05/13/2014	<u>463</u>	RECEIPT number 420882 in the amount of \$2700.00. (kt)DOCUMENT QC'D ON 5/14/14 LGL Modified on 5/14/2014 (LGL). (Entered: 05/13/2014)
05/19/2014	<u>464</u>	RECEIPT number 00420937 in the amount of \$2700.00. (kt)DOCUMENT QC'D ON 5/19/14 LGL Modified on 5/19/2014 (LGL). (Entered: 05/19/2014)
05/20/2014	<u>465</u>	RECEIPT number 420931 in the amount of \$2700.00. (kt)DOCUMENT QC'D ON 5/21/14 LGL Modified on 5/21/2014 (LGL). (Entered: 05/20/2014)
05/27/2014	<u>466</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue checks to: 1. Naomi Freeman in the amount of \$31,203.53; 2. Deborah McCulloch in the amount of \$23,487.13; 3. Michael Miner in the amount of \$13,875.54; and 4. Robin J. Wilson in the amount of \$29,795.67. The checks are to be drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 5/27/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Finance Dept. on 5/28/2014 (JAM). (Entered: 05/27/2014)
06/02/2014	<u>467</u>	RECEIPT number 00421850 in the amount of \$13,875.54. (kt) (Entered: 06/02/2014)
06/02/2014	<u>468</u>	ORDER TO SHOW CAUSE (Written Opinion): Show Cause Hearing set for 6/25/2014 02:00 PM in Courtroom 7C (STP) before Judge Donovan W. Frank. Show Cause Response due by 6/11/2014. Signed by Judge Donovan W. Frank on 6/2/14. (kt) (Additional attachment(s) added on 6/2/2014: # <u>1</u> SEALED Exhibit) (kt). (Entered: 06/02/2014)
06/04/2014	<u>469</u>	MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 06/04/2014)
06/04/2014	<u>470</u>	MEMORANDUM in Support re <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment ( <i>Filed Under Seal</i> ) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 6/4/14LGL Modified on 6/4/2014 (LGL). (Entered: 06/04/2014)
06/04/2014	<u>471</u>	Declaration of Daniel E. Gustafson in Support of <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment filed by All Plaintiffs. (Attachments: # <u>1</u> Placeholder for Exhibits A-C)(Gustafson, Daniel)SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 6/4/14LGL Modified on 6/4/2014 (LGL). (Entered: 06/04/2014)



06/04/2014	<u>472</u>	NOTICE OF HEARING ON MOTION <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment : Motion Hearing set for 6/25/2014 02:00 PM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 06/04/2014)
06/04/2014	<u>473</u>	MEET and CONFER STATEMENT re <u>469</u> Motion for Miscellaneous Relief, filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 06/04/2014)
06/04/2014	<u>474</u>	CERTIFICATE OF SERVICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment (Gustafson, Daniel) (Entered: 06/04/2014)
06/06/2014	<u>475</u>	RECEIPT number 00421873 in the amount of \$23,487.13. (kt)DOCUMENT QC'D ON 6/10/14 LGL Modified on 6/10/2014 (LGL). (Entered: 06/06/2014)
06/06/2014	<u>476</u>	RECEIPT number 00421876 in the amount of \$29,795.67. (kt)DOCUMENT QC'D ON 6/10/14 LGL Modified on 6/10/2014 (LGL). (Entered: 06/06/2014)
06/06/2014	<u>477</u>	RECEIPT number 421850 in the amount of \$13,875.54. (kt)DOCUMENT QC'D ON 6/10/14 LGL Modified on 6/10/2014 (LGL). (Entered: 06/06/2014)
06/09/2014	<u>478</u>	MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 06/09/2014)
06/09/2014	<u>479</u>	NOTICE OF HEARING ON MOTION <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility : Motion Hearing set for 6/25/2014 02:00 PM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Gustafson, Daniel) (Entered: 06/09/2014)
06/09/2014	<u>480</u>	MEMORANDUM in Support re <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility ( <i>Filed Under Seal</i> ) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 6/9/14LGLModified on 6/10/2014 (LGL). (Entered: 06/09/2014)
06/09/2014	<u>481</u>	Declaration of Daniel E. Gustafson in Support of <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility filed by All Plaintiffs. (Attachments: # <u>1</u> Placeholder for Exhibit A)(Gustafson, Daniel)SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 6/9/14LGL Modified on 6/10/2014 (LGL). (Entered: 06/09/2014)
06/09/2014	<u>482</u>	MEET and CONFER STATEMENT re <u>478</u> Motion for Miscellaneous Relief, filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 06/09/2014)
06/09/2014	<u>483</u>	CERTIFICATE OF SERVICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility (Gustafson, Daniel) (Entered: 06/09/2014)
06/10/2014	<u>484</u>	RECEIPT number 421874 in the amount of \$31,203.53. (kt)DOCUMENT QC'D ON 6/11/14 LGL Modified on 6/11/2014 (LGL). (Entered: 06/10/2014)
06/11/2014	<u>485</u>	RESPONSE re <u>468</u> Order to Show Cause, ( <i>public version</i> ) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Def's Response to Order to Show Cause, # <u>2</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) Sealed documents received on 6/11/2014 (JGK). (Entered: 06/11/2014)



06/11/2014	<u>486</u>	AFFIDAVIT of nancy Johnston re <u>485</u> Response, ( <i>public version</i> ) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for for Johnston Affidavit (filed under seal), # <u>2</u> Exhibit(s) 1–28 (filed under seal))(Brennaman, Nathan) Sealed documents received on 6/11/2014 (JGK). (Entered: 06/11/2014)
06/11/2014	<u>487</u>	AFFIDAVIT of Nathan Brennaman re <u>485</u> Response, ( <i>public version</i> ) by Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for for Nathan Brennaman Affidavit (filed under seal), # <u>2</u> Exhibit(s) 1–3 to Brennaman Affidavit (filed under seal))(Brennaman, Nathan) Sealed documents received on 6/11/2014 (JGK). (Entered: 06/11/2014)
06/11/2014	<u>488</u>	AFFIDAVIT of Elizabeth Barbo re <u>485</u> Response, ( <i>public version</i> ) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Dr. Elizabeth Barbo Affidavit (filed under seal))(Brennaman, Nathan) Sealed documents received on 6/11/2014 (JGK). (Entered: 06/11/2014)
06/11/2014	<u>489</u>	CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>486</u> Affidavit, <u>487</u> Affidavit, <u>485</u> Response, <u>488</u> Affidavit, (Brennaman, Nathan) (Entered: 06/11/2014)
06/13/2014	<u>490</u>	MOTION for Leave to File Amicus Memorandum by Hennepin County. (Kirwin, John) Modified on 6/16/2014 (AKL). (Entered: 06/13/2014)
06/16/2014	<u>491</u>	Supplemental AFFIDAVIT of Nathan Brennaman re <u>485</u> Response, <i>PUBLIC VERSION</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Exhibit A to Supplemental Affidavit of Nathan Brennaman)(Brennaman, Nathan) Sealed document received on 6/16/2014 (JGK). (Entered: 06/16/2014)
06/16/2014	<u>492</u>	Supplemental AFFIDAVIT of Nathan Brennaman re <u>485</u> Response, <i>PLACEHOLDER</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Exhibit A to Supplemental Affidavit of Nathan Brennaman, # <u>2</u> Certificate of Service)(Brennaman, Nathan) (Entered: 06/16/2014)
06/17/2014	<u>493</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re: <i>Motion of Hennepin County Attorney for Leave to File Amicus Memorandum</i> . (Gustafson, Daniel) (Entered: 06/17/2014)
06/18/2014	<u>494</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman ( <i>regarding Hennepin County motion to file amicus curiae brief</i> ). (Brennaman, Nathan) (Entered: 06/18/2014)
06/18/2014	<u>495</u>	MEMORANDUM in Opposition re <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility ( <i>Redacted Memorandum</i> ) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate, # <u>2</u> Placeholder for Defendants' Response to Plaintiffs' Motion to Immediately Transfer R.B.)(Brennaman, Nathan) Sealed documents received on 6/18/2014 (JGK). (Entered: 06/18/2014)
06/18/2014	<u>496</u>	AFFIDAVIT of Nancy Johnston in OPPOSITION TO <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility <i>Redacted Affidavit and Exhibits</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Affidavit of Nancy Johnston, # <u>2</u> Placeholder for Exhibits 1, 2, and 3 to Affidavit of Nancy Johnston)(Brennaman, Nathan) Sealed documents received on 6/18/2014 (JGK). (Entered: 06/18/2014)
06/18/2014	<u>497</u>	AFFIDAVIT of Jannine Hebert in OPPOSITION TO <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility <i>Filed Under Seal</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin

		Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Affidavit of Jannine Hebert (filed under seal), # <u>2</u> Exhibit(s) A, # <u>3</u> Placeholder for Exhibit B to Jannine Hebert Affidavit (filed under seal))(Brennaman, Nathan) Sealed documents received on 6/18/2014 (JGK). (Entered: 06/18/2014)
06/18/2014	<u>498</u>	CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>497</u> Affidavit in Opposition to Motion, <u>495</u> Memorandum in Opposition to Motion, <u>496</u> Affidavit in Opposition to Motion, (Brennaman, Nathan) (Entered: 06/18/2014)
06/18/2014	499	TEXT ONLY ORDER. The Hennepin County Attorney has filed a motion for leave to submit a short amicus memorandum (Doc. No. <u>490</u> ) relating to the Court's June 2, 2014 Order to Show Cause why E.T. should not be immediately released from MSOP (Doc. No. <u>468</u> ). The parties do not object to the motion. (Doc. Nos. <u>493</u> and <u>494</u> .) As such, the motion for leave to file an amicus brief (Doc. No. <u>490</u> ) is hereby GRANTED. The Hennepin County Attorney shall file an amicus memorandum, not to exceed 10 pages, by noon on June 23, 2014. Signed by Judge Donovan W. Frank on 6/18/2014. (BJS) (Entered: 06/18/2014)
06/18/2014	<u>500</u>	RESPONSE re <u>485</u> Response, <i>to Order to Show Cause</i> filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate, # <u>2</u> Certificate of Service)(Gustafson, Daniel) SEALED DOCUMENTS RECEIVED IN CLERK'S OFFICE on 6/19/2014 (TSS). (Entered: 06/18/2014)
06/19/2014	<u>501</u>	MEMORANDUM by Hennepin County re <u>468</u> Order to Show Cause, <i>Amicus Curiae Memorandum of Hennepin County Attorney</i> filed by Hennepin County. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Kirwin, John) (Entered: 06/19/2014)
06/23/2014	<u>502</u>	ORDER FOR REASSIGNMENT OF RELATED CASES that 14-cv-2002(ADM/FLN) has been reassigned to Judge Donovan W. Frank and Magistrate Judge Jeffrey J. Keyes. Signed by Judge Donovan W. Frank on 6/20/2014 and Judge Ann D. Montgomery 6/23/2014. (las) (Entered: 06/23/2014)
06/23/2014	<u>503</u>	Supplemental AFFIDAVIT of Dr. Elizabeth J. Barbo re <u>485</u> Response, <i>PUBLIC VERSION</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 06/23/2014)
06/23/2014	<u>504</u>	Supplemental AFFIDAVIT of Dr. Elizabeth J. Barbo <i>PLACEHOLDER</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) Sealed document received on 6/23/2014 (JGK). (Entered: 06/23/2014)
06/23/2014	<u>505</u>	Supplemental AFFIDAVIT of Nancy Johnston <i>PUBLIC VERSION</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Exhibit A)(Brennaman, Nathan) Sealed document received on 6/23/2014 (JGK). (Entered: 06/23/2014)
06/23/2014	<u>506</u>	Supplemental AFFIDAVIT of Nancy Johnston re <u>485</u> Response, <i>PLACEHOLDER</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Placeholder for Exhibit A)(Brennaman, Nathan) (Entered: 06/23/2014)
06/23/2014	<u>507</u>	CERTIFICATE OF SERVICE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>504</u> Affidavit, <u>505</u> Affidavit, <u>506</u> Affidavit, (Brennaman, Nathan) (Entered: 06/23/2014)
06/23/2014	<u>508</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$3,859.00 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 6/23/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Finance Dept. on 6/24/2014 (JAM). (Entered: 06/23/2014)
06/25/2014	<u>509</u>	MEMORANDUM in Opposition re <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance

		Certificate)(Brennaman, Nathan) (Entered: 06/25/2014)
06/25/2014	<u>510</u>	AFFIDAVIT of Anna Remiger in OPPOSITION TO <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) A)(Brennaman, Nathan) (Entered: 06/25/2014)
06/25/2014	<u>549</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 6/25/2014 re <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment filed by Bradley Wayne Foster, David Leroy Gamble, Jr., Craig Allen Bolte, Brian K. Hausfeld, Kaine Joseph Braun, Dennis Richard Steiner, James John Rud, Kenny S. Daywitt, Kevin John DeVillion, James Allen Barber, James Matthew Noyer, Sr., Christopher John Thuringer, Peter Gerard Lonergan, Kevin Scott Karsjens, <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility filed by Bradley Wayne Foster, David Leroy Gamble, Jr., Craig Allen Bolte, Brian K. Hausfeld, Kaine Joseph Braun, Dennis Richard Steiner, James John Rud, Kenny S. Daywitt, Kevin John DeVillion, James Allen Barber, Christopher John Thuringer, James Matthew Noyer, Sr., Kevin Scott Karsjens, Peter Gerard Lonergan. Matters under advisement; written order to issue. (Court Reporter Jeanne Anderson) (BJS) (Entered: 07/10/2014)
06/26/2014	<u>511</u>	STIPULATION re <u>486</u> Affidavit, <u>468</u> Order to Show Cause, by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Minnesota Department of Human Services, Minnesota Sex Offender Program, Kevin Moser, Ann Zimmerman. Jointly Signed by Plaintiffs. (Figueroa, Ricardo) (Entered: 06/26/2014)
06/26/2014	<u>512</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Minnesota Department of Human Services, Minnesota Sex Offender Program, Kevin Moser, Ann Zimmerman re <u>511</u> Stipulation, (Figueroa, Ricardo) (Entered: 06/26/2014)
06/27/2014	<u>513</u>	ORDER APPROVING THE LIMITED UNSEALING OF RECORDS RELATED TO E.T. Signed by Magistrate Judge Jeffrey J. Keyes on 6/27/14. (AKL) (Entered: 06/27/2014)
06/27/2014	514	TEXT ONLY ORDER: The Court will conduct hearings in Scott Karsjens, et al. v. Minnesota Department of Human Services, et al., 11-CV-3659 (DWF/JJK), E.T. v. Lucinda Jesson, 14-CV-2002 (DWF/JJK), and any other matter deemed related, on Monday and Tuesday, July 14 & 15, 2014, at 9:00 AM in Courtroom 7C, St. Paul, before the Honorable Donovan W. Frank and the Honorable Jeffrey J. Keyes. SO ORDERED. Signed by Judge Donovan W. Frank on 6/27/2014.(BJS) (Entered: 06/27/2014)
06/27/2014	<u>515</u>	ORDER FOR REASSIGNMENT OF RELATED CASES that 14-cv-2362(RHK/LIB) has been reassigned to Judge Donovan W. Frank and Magistrate Judge Jeffrey J. Keyes. Signed by Judge Donovan W. Frank and Judge Richard H. Kyle on 06/27/2014. (TSS) (Entered: 06/27/2014)
06/27/2014	<u>516</u>	ORDER. 1. An evidentiary hearing in the above-captioned matters shall be held on July 14-15, 2014. The hearing shall commence at 9:00 a.m. on July 14, 2014 in Courtroom 7C, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota. 2. All individuals who have issued reports regarding E.T. and R.B. in these matters shall be present to offer testimony at the hearing, unless otherwise agreed upon by the parties and approved by the Court. (See Order for additional information.) Signed by Judge Donovan W. Frank on 6/27/2014. (BJS) (Entered: 06/27/2014)
07/01/2014	<u>517</u>	STIPULATION <i>Regarding the Second Amended Protective Order</i> by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. Jointly Signed by Lucinda Jesson, Dennis Benson, Kevin Moser, Tom Lundquist, Nancy Johnston, Jannine Hebert, and Ann Zimmerman. (Goodwin, David) (Entered: 07/01/2014)

07/01/2014	<u>518</u>	SECOND AMENDED PROTECTIVE ORDER. Signed by Magistrate Judge Jeffrey J. Keyes on 7/1/14. (kt) (Entered: 07/01/2014)
07/01/2014	<u>519</u>	ORDER APPROVING STIPULATION REGARDING THE SECOND AMENDED PROTECTIVE ORDER. Signed by Magistrate Judge Jeffrey J. Keyes on 7/1/14. (kt) (Entered: 07/01/2014)
07/01/2014	<u>520</u>	MOTION for Leave to File Reply/Surreply <i>Motion of Hennepin County Attorney for Leave to File Second Amicus Memorandum</i> by Hennepin County. (Kirwin, John) (Entered: 07/01/2014)
07/01/2014	<u>521</u>	LETTER TO DISTRICT JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer ( <i>re: Hennepin County Attorney's Request for Leave to File Second Brief of Amicus Curiae</i> ). (Gustafson, Daniel) (Entered: 07/01/2014)
07/02/2014	<u>522</u>	LETTER TO DISTRICT JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman ( <i>regarding Hennepin County's Motion to File Second Amicus Memorandum</i> ). (Ikeda, Scott) (Entered: 07/02/2014)
07/02/2014	523	DOCUMENT FILED IN ERROR: NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) Modified on 7/2/2014 (TSS). (Entered: 07/02/2014)
07/02/2014	524	DOCUMENT FILED IN ERROR: NOTICE NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) Modified on 7/2/2014 (TSS). (Entered: 07/02/2014)
07/02/2014	525	**TEXT ONLY ENTRY ORDER. The Hennepin County Attorney has filed a motion for leave to file a second amicus memorandum (Doc. No. <u>520</u> ) relating to the Court's Order to Show Cause why E.T. should not be immediately released from MSOP (Doc. No. <u>468</u> ). The parties do not object to the motion (Doc. Nos. <u>521</u> and <u>522</u> ). As such, the motion for leave to file a second amicus memorandum (Doc. No. <u>520</u> ) is hereby GRANTED. The Hennepin County Attorney shall file a second amicus memorandum, not to exceed 10 pages, by 12:00 noon on July 9, 2014. Signed by Judge Donovan W. Frank on 07/02/2014. (RLB) (Entered: 07/02/2014)
07/02/2014	<u>526</u>	MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 07/02/2014)
07/02/2014	<u>527</u>	MEMORANDUM in Support re <u>526</u> MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 07/02/2014)
07/02/2014	<u>528</u>	Declaration of Daniel E. Gustafson in Support of <u>526</u> MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) 1)(Gustafson, Daniel) (Entered: 07/02/2014)
07/02/2014	<u>529</u>	MEET and CONFER STATEMENT re <u>526</u> Motion for Miscellaneous Relief, filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 07/02/2014)
07/02/2014	<u>530</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>526</u> MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 (Gustafson, Daniel) (Entered: 07/02/2014)



07/03/2014	<u>531</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) (Entered: 07/03/2014)
07/03/2014	<u>532</u>	TRANSCRIPT of Motions Hearing held on 06/25/2014 before Judge Donovan W. Frank. (89 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov. Telephone: (651) 848-1221). Redaction Request due 7/24/2014. Redacted Transcript Deadline set for 8/4/2014. Release of Transcript Restriction set for 10/1/2014. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 07/03/2014)
07/03/2014	533	**TEXT ONLY ENTRY ORDER. Plaintiffs have filed a Motion for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 (Doc. No. <u>526</u> ). Defendants shall file a response to this motion by 5:00 p.m. on July 8, 2014. Signed by Judge Donovan W. Frank on 07/03/2014. (RLB) (Entered: 07/03/2014)
07/07/2014	<u>534</u>	NOTICE OF ATTORNEY APPEARANCE/SUBSTITUTION for Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Winter, Aaron) (Entered: 07/07/2014)
07/07/2014	<u>535</u>	RECEIPT number 00422941 in the amount of \$3,859.00. (kt) (QC'd by akl on 7/10/14) (Entered: 07/07/2014)
07/08/2014	<u>536</u>	STIPULATION <i>To Transport E.T. and R.B. To July 14 &amp; 15, 2014 Hearing</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 07/08/2014)
07/08/2014	<u>537</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>536</u> Stipulation (Brennaman, Nathan) (Entered: 07/08/2014)
07/08/2014	<u>538</u>	ORDER that 1. The Minnesota Sex Offender Program shall transport E.T. and R.B. to Courtroom 7C, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, for attendance at the evidentiary hearing scheduled to commence on July 14, 2014, at 9:00 a.m.2. The Minnesota Sex Offender Program shall maintain custody over E.T. and R.B. at all times and shall return E.T. and R.B. upon completion of these proceedings. Signed by Magistrate Judge Jeffrey J. Keyes on 7/8/14. (kt) (Entered: 07/08/2014)
07/08/2014	<u>539</u>	MEMORANDUM in Opposition re <u>526</u> MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Ikeda, Scott) (Entered: 07/08/2014)
07/08/2014	<u>540</u>	AFFIDAVIT of Dr. Elizabeth J. Barbo in OPPOSITION TO <u>526</u> MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Ikeda, Scott) (Entered: 07/08/2014)
07/08/2014	<u>541</u>	MOTION in Limine <i>For an Order Defining the Purpose and Scope of the July 14 &amp; 15, 2014 Evidentiary Hearing</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 07/08/2014)
07/08/2014	<u>542</u>	NOTICE OF HEARING ON MOTION <u>541</u> MOTION in Limine <i>For an Order Defining the Purpose and Scope of the July 14 &amp; 15, 2014 Evidentiary Hearing</i> : at date and time to be determined. (Brennaman, Nathan) (Entered: 07/08/2014)
07/08/2014	<u>543</u>	MEET and CONFER STATEMENT re <u>541</u> Motion in Limine filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 07/08/2014)
07/08/2014	<u>544</u>	MEMORANDUM in Support re <u>541</u> MOTION in Limine <i>For an Order Defining the Purpose and Scope of the July 14 &amp; 15, 2014 Evidentiary Hearing</i> filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 07/08/2014)



07/08/2014	<u>545</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman re <u>541</u> MOTION in Limine <i>For an Order Defining the Purpose and Scope of the July 14 &amp; 15, 2014 Evidentiary Hearing</i> (Brennaman, Nathan) (Entered: 07/08/2014)
07/09/2014	<u>546</u>	MEMORANDUM by Hennepin County re <u>468</u> Order to Show Cause, <i>Second Amicus Curiae Memorandum of Hennepin County Attorney (Addressing Release Procedures)</i> filed by Hennepin County. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Kirwin, John) (Entered: 07/09/2014)
07/09/2014	<u>547</u>	REPLY re <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate) SEALED DOCUMENT RECEIEVED IN CLERKS OFFICE ON 7/9/14. (Gustafson, Daniel) Modified on 7/10/2014 (AKL). (Entered: 07/09/2014)
07/09/2014	<u>548</u>	CERTIFICATE OF SERVICE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>547</u> Reply (Gustafson, Daniel) (Entered: 07/09/2014)
07/10/2014	<u>550</u>	ORDER DEFINING THE PURPOSE AND SCOPE OF THE JULY 14 & 15, 2014 EVIDENTIARY HEARING. 1. Defendants' Motion in Limine for an Order Defining the Purpose and Scope of the July 14 & 15, 2014 Evidentiary Hearing (Karsjens, Civ. No. 11-3659, Doc. No. <u>541</u> ), is GRANTED IN PART. The evidentiary hearing scheduled for July 14 and 15, 2014, is limited in scope to evidence relating to the opinions of all individuals, including the Rule 706 experts, who have issued reports or filed affidavits on E.T. and R.B in relation to the Karsjens § 1983 action. The evidence received at this hearing can be used, if relevant, to evaluate the class action claims in the Karsjens § 1983 action. The Court reserves the right to preserve the evidence insofar as it may pertain to the habeas matters. 2. Following the testimony as described in paragraph 1, the Court will hear argument from counsel in the Karsjens § 1983 action on Plaintiffs Motion for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. § 253D.35 (Doc. No. 526), and separately will hear argument from the parties on the two habeas petitions in Civ. No. 14-2002 and Civ. No. 14-2362, including any argument on the exhaustion issues. 3. At the hearing, the Court would also like an update from counsel regarding E.T.'s July 2, 2014 SRB hearing, and an update on the current status of E.T. and R.B.s residence and living situation. Counsel should also be prepared to discuss modifying the schedule in the Karsjens § 1983 action. (Written Opinion). Signed by Judge Donovan W. Frank on 7/10/2014. (BJS) (Entered: 07/10/2014)
07/10/2014	<u>551</u>	Witness List by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 07/10/2014)
07/10/2014	<u>552</u>	Exhibit List ( <i>Defendants' Exhibit List for July 14-15 Evidentiary Hearing</i> ) by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Brennaman, Nathan) (Entered: 07/10/2014)
07/10/2014	<u>553</u>	Witness List by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 07/10/2014)
07/10/2014	<u>554</u>	Exhibit List by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 07/10/2014)
07/11/2014	<u>555</u>	Exhibit List ( <i>Amended</i> ) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James

		Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 07/11/2014)
07/13/2014	<u>556</u>	Exhibit List ( <i>Second Amended</i> ) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 07/13/2014)
07/14/2014	<u>557</u>	Minute Entry for proceedings held before Judge Donovan W. Frank and Magistrate Judge Jeffrey J. Keyes: Evidentiary Hearing held on 7/14/2014. Defendants' witnesses: Robin Wilson, Deb McCulloch, Michael Miner. Hearing continued to 07/15/2014 at 9:00 AM. (Court Reporter Jeanne Anderson) (BJS) (Entered: 07/15/2014)
07/15/2014	<u>558</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Evidentiary Hearing held on 7/15/2014. Witnesses: Michael Miner, Naomi Freeman, Nancy Johnston. Closing arguments; written order to be issued. (Court Reporter Jeanne Anderson) (BJS) (Entered: 07/16/2014)
07/16/2014	<u>559</u>	Court Exhibit List from Evidentiary Hearings of 7/14/2014 and 7/15/2014.(BJS) (Entered: 07/16/2014)
07/17/2014	<u>560</u>	REPLY re <u>526</u> MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 07/17/2014)
07/18/2014	<u>561</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$6,966.00 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 7/18/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Financial on 7/21/2014 (JAM). (Entered: 07/18/2014)
07/18/2014	<u>562</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue checks to: 1. Naomi Freeman in the amount of \$27,122.25; 2. Deborah McCulloch in the amount of \$32,160.75; 3. Michael Miner in the amount of \$21,606.28; and 4. Robin J. Wilson in the amount of \$20,258.75. The checks are to be drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 7/18/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Financial on 7/21/2014 (JAM). (Entered: 07/18/2014)
07/21/2014	<u>563</u>	ORDER FOR REASSIGNMENT OF RELATED CASES that Case No. 14-CV-896 (JRT/TNL) be assigned to Judge Donovan W. Frank and Magistrate Judge Tony N. Leung. Signed by Judge Donovan W. Frank and Judge John R. Tunheim on 7/21/14. (JME) (Entered: 07/21/2014)
07/22/2014	564	TEXT ONLY ENTRY: NOTICE of Setting Hearing: Scheduling Status Conference set for 8/26/2014 04:00 PM in Courtroom 7C (STP) before Judge Donovan W. Frank and Magistrate Judge Jeffrey J. Keyes. (BJS) (Entered: 07/22/2014)
07/22/2014	<u>565</u>	AMENDED ORDER FOR REASSIGNMENT OF RELATED CASES that 14-cv-896 (JRT/TNL) has been reassigned to Judge Donovan W. Frank and Magistrate Judge Jeffrey J. Keyes. Signed by Judge Donovan W. Frank and Judge John R. Tunheim on 07/22/2014. (lmb) (Entered: 07/22/2014)
07/23/2014	566	TEXT ONLY ENTRY: NOTICE of Rescheduling Hearing: Scheduling Status Conference now set for 8/21/2014 08:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (BJS) (Entered: 07/23/2014)
07/25/2014	<u>567</u>	REPLY re <u>526</u> MOTION for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. Section 253D.35 ( <i>Defendants' Surreply to Motion for Aftercare Plan</i> ) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 07/25/2014)
07/30/2014	<u>568</u>	NOTICE of Filing of Official Transcript. This filing has 2 transcript(s) associated with it. (JMA) (Entered: 07/30/2014)

07/30/2014	<u>569</u>	TRANSCRIPT of Evidentiary Hearing – Day One held on 07/14/2014 before Judge Donovan W. Frank. (193 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov. Telephone: (651) 848-1221). Redaction Request due 8/20/2014. Redacted Transcript Deadline set for 9/2/2014. Release of Transcript Restriction set for 10/28/2014. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 07/30/2014)
07/30/2014	<u>570</u>	TRANSCRIPT of Evidentiary Hearing – Day Two, held on 07/15/2014 before Judge Donovan W. Frank. (210 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov. Telephone: (651) 848-1221). Redaction Request due 8/20/2014. Redacted Transcript Deadline set for 9/2/2014. Release of Transcript Restriction set for 10/28/2014. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 07/30/2014)
07/31/2014	<u>571</u>	MEMORANDUM in Support re <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment ( <i>Redacted Version</i> ) filed by All Plaintiffs. (Gustafson, Daniel). Modified text on 8/1/2014 (TSS). (Entered: 07/31/2014)
07/31/2014	<u>572</u>	MEMORANDUM in Support re <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility ( <i>Redacted Version</i> ) filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 07/31/2014)
07/31/2014	<u>573</u>	RESPONSE in Opposition <u>500</u> Response to the Court's June 2, 2014 Order to Show Cause – Redacted Version filed by All Plaintiffs. (Gustafson, Daniel) Modified on 7/31/2014 (kt). (Entered: 07/31/2014)
07/31/2014	<u>574</u>	REPLY in Support re <u>469</u> MOTION for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment filed by All Plaintiffs – Redacted Version filed by All Plaintiffs. (Gustafson, Daniel) Modified on 7/31/2014 (kt). (Entered: 07/31/2014)
07/31/2014	<u>575</u>	RECEIPT number 00424248 in the amount of \$32,160.75. (kt) (Entered: 08/01/2014)
08/01/2014	<u>576</u>	RECEIPT number 424217 in the amount of \$21606.28. (kt) (Entered: 08/01/2014)
08/01/2014	<u>577</u>	RECEIPT number 424258 in the amount of \$20,258.75. (kt) (Entered: 08/01/2014)
08/04/2014	<u>578</u>	Amended MOTION for Declaratory Judgment and to Immediately Transfer R.B. to an Appropriate Treatment Facility re <u>478</u> MOTION to Immediately Transfer R.B. to an Appropriate Treatment Facility by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 08/04/2014)
08/07/2014	<u>579</u>	RECEIPT number 00424213 in the amount of \$6,966.00. (kt)DOCUMENT QC'D ON 8/7/14 LGL Modified on 8/7/2014 (LGL). (Entered: 08/07/2014)
08/11/2014	<u>580</u>	MEMORANDUM OPINION AND ORDER. 1. Plaintiff's Motion for Declaratory Judgment and to Immediately Discharge E.T. from Civil Commitment (Doc. No. <u>469</u> ) is DENIED WITHOUT PREJUDICE; 2. Plaintiffs' Motion for the Creation of an Aftercare Plan for E.T. Pursuant to Minn. Stat. § 253D.35 (Doc. No. <u>526</u> ) is DENIED WITHOUT PREJUDICE; 3. Plaintiffs' Amended Motion for Declaratory Judgment and to Immediately Transfer R.B. to an Appropriate Treatment Facility (Doc. No. <u>578</u> ) is DENIED WITHOUT PREJUDICE; 4. Eric Terhaar's federal habeas case (Civ. No. 14-2002 (DWF/JJK)) is STAYED; 5. Rhonda Bailey's federal habeas case (Civ. No. 14-2362 (DWF/JJK)) is STAYED; 6. The parties shall meet with the Court on August 21, 2014, as previously scheduled (see Doc. No. 566), to discuss moving the trial date in this case to a date in 2014. (Written Opinion). Signed by Judge Donovan W. Frank on 8/11/2014. (BJS) (Entered: 08/11/2014)
08/11/2014	<u>581</u>	NOTICE OF ATTORNEY APPEARANCE/SUBSTITUTION for Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Welle, Adam) (Entered: 08/11/2014)
08/14/2014	<u>582</u>	LETTER from Judge Donovan W. Frank with copy of Rule 706 Expert Report attached. (Attachment: # <u>1</u> Attachment A)(BJS) (Entered: 08/14/2014)

08/19/2014	583	TEXT ONLY ENTRY: AMENDED NOTICE of Hearing: Scheduling Status Conference set for 8/21/2014 will now start at 09:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (BJS) (Entered: 08/19/2014)
08/21/2014	<u>584</u>	RECEIPT number 00424251 in the amount of \$27,122.25. (kt)DOCUMENT QC'D ON 8/21/14 LGL Modified on 8/21/2014 (LGL). (Entered: 08/21/2014)
08/21/2014	<u>585</u>	NOTICE of Scheduling Conference set for 9/9/2014 11:00 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. (kt) (Entered: 08/21/2014)
08/21/2014	<u>586</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Scheduling Status Conference held on 8/21/2014. The Court requested simultaneous briefing to be filed by August 29, 2014, on the Seventh Amendment right to a jury trial. The report from the 706 Experts is due on November 15, 2014. The trial in this matter is set for February 9, 2015. No written order to issue. (Court Reporter Jeanne Anderson) (BJS) (Entered: 08/22/2014)
08/25/2014	<u>587</u>	ORDER. 1. The Court respectfully requests the Rule 706 experts to complete their report by November 15, 2014, given the trial date that is currently set for February 9, 2015. 2. The Court respectfully directs that this Order be provided to the Rule 706 experts by e-mail in addition to an e-filing. Signed by Judge Donovan W. Frank on 8/25/2014. (BJS) (Entered: 08/25/2014)
08/27/2014	<u>588</u>	ORDER. The Clerk shall forthwith issue a check to David Ferleger in the amount of \$9,559 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 08/26/2014. (Attachments: # <u>1</u> Exhibit(s) Attachment A)(RLB) cc: financial unit on 8/27/2014 (JAM). (Entered: 08/27/2014)
08/29/2014	<u>589</u>	MEMORANDUM by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman ( <i>Defendants' Memorandum of Law in Support of Its Jury Trial Demand</i> ) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 08/29/2014)
08/29/2014	<u>590</u>	MEMORANDUM by All Plaintiffs ( <i>Plaintiffs' Memorandum in Support of Plaintiffs' Request for a Bench Trial for the First Phase of Trial</i> ) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 08/29/2014)
08/29/2014	<u>591</u>	Declaration of Daniel E. Gustafson in Support of <u>590</u> Memorandum, filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A-B)(Gustafson, Daniel) (Entered: 08/29/2014)
09/02/2014	<u>592</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) (Entered: 09/02/2014)
09/02/2014	<u>593</u>	TRANSCRIPT of Scheduling Status Conference held on 08/21/2014 before Judge Donovan W. Frank and Magistrate Judge Jeffrey J. Keyes. (69 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov. Telephone: (651) 848-1221). Redaction Request due 9/23/2014. Redacted Transcript Deadline set for 10/3/2014. Release of Transcript Restriction set for 12/1/2014. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 09/02/2014)
09/02/2014	<u>594</u>	MEMORANDUM by All Plaintiffs re <u>589</u> Memorandum, ( <i>Plaintiffs' Opposition to Defendants' Request for a Jury Trial</i> ) filed by All Plaintiffs. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 09/02/2014)
09/02/2014	<u>595</u>	RESPONSE re <u>590</u> Memorandum, ( <i>to Plaintiffs' Memorandum Regarding Defendants' Right to a Jury Trial</i> ) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 09/02/2014)
09/05/2014	<u>596</u>	RECEIPT number 00425777 in the amount of \$9,559.00. (kt)DOCUMENT QC'D ON 9/5/14 LGL Modified on 9/5/2014 (LGL). (Entered: 09/05/2014)



09/08/2014	<u>597</u>	ORDER. Pursuant to and under the terms of the Order of March 17, 2014 (Doc. No. 434), the Clerk shall forthwith issue checks to: 1. Naomi Freeman in the amount of \$44,309.68; 2. Deborah McCulloch in the amount of \$37,196.28; 3. Michael Miner in the amount of \$29,726.97; and 4. Robin J. Wilson in the amount of \$38,995.14. The checks are to be drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 9/8/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Finance on 9/9/2014 (JAM). (Entered: 09/08/2014)
09/09/2014	<u>598</u>	ORDER. IT IS HEREBY ORDERED that Defendants' request for a jury trial for Phase One <u>589</u> is DENIED and Plaintiffs' request for a bench trial for Phase One <u>590</u> is GRANTED. (Written Opinion.) Signed by Judge Donovan W. Frank on 09/09/2014. (RLB) (Entered: 09/09/2014)
09/09/2014	<u>599</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Initial Pretrial Conference held on 9/9/2014. Order to issue. (LPH) (Entered: 09/09/2014)
09/10/2014	<u>600</u>	AMENDED SCHEDULING ORDER: Discovery due by 11/14/2014. Ready for trial due by 2/9/2015. Signed by Magistrate Judge Jeffrey J. Keyes on 9/10/14. (kt) (Entered: 09/10/2014)
09/18/2014	<u>601</u>	RECEIPT number 00426378 in the amount of \$37,196.28. (kt)DOCUMENT QC'D ON 9/18/14 LGL Modified on 9/18/2014 (LGL). (Entered: 09/18/2014)
09/18/2014	<u>602</u>	STIPULATION <i>Regarding Privileged and Confidential Information</i> by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. Jointly Signed by Kevin Karsjens, David Gamble, Jr., Kevin DeVillion,, Peter Lonergan, James Noyer, James Rud, James Barber, Craig Bolte, Dennis Steiner, and Kaine Braun, Christopher Thuringer, Kenny Daywitt, Bradley Foster, Brian Hausfeld. (Welle, Adam) (Entered: 09/18/2014)
09/18/2014	<u>604</u>	RECEIPT number 426348 in the amount of \$29,726.97. (kt)DOCUMENT QC'D ON 9/23/14 LGL Modified on 9/23/2014 (LGL). (Entered: 09/19/2014)
09/18/2014	<u>605</u>	RECEIPT number 426387 in the amount of \$38,995.14. (kt)DOCUMENT QC'D ON 9/23/14 LGL Modified on 9/23/2014 (LGL). (Entered: 09/19/2014)
09/19/2014	<u>603</u>	REPORT ( <i>Plaintiffs' Proposal for Presentation of Evidence for Phase One Trial</i> ) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 09/19/2014)
09/22/2014	<u>606</u>	ORDER REGARDING PRIVILEGED AND CONFIDENTIAL INFORMATION. Signed by Magistrate Judge Jeffrey J. Keyes on 9/22/14. (kt) (Entered: 09/22/2014)
09/26/2014	<u>607</u>	REPORT ( <i>Plaintiffs' Proposal for Issues to be Resolved by the Court Prior to Trial</i> ) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 09/26/2014)
09/26/2014	<u>608</u>	OBJECTION re <u>603</u> Report, <i>Defendants' Objections to Plaintiffs' Proposal for Presentation of Evidence for Phase One Trial</i> ) filed by Tom Lundquist, Lucinda Jesson, Kevin Moser, Nancy Johnston, Ann Zimmerman, Dennis Benson, Jannine Hebert. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) Modified on 9/26/2014 (AKL). (Entered: 09/26/2014)
09/26/2014	<u>609</u>	AFFIDAVIT of Nathan Brennaman re <u>608</u> Objection, by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> Exhibit(s) A-C)(Brennaman, Nathan) (Entered: 09/26/2014)
09/29/2014	<u>610</u>	LETTER TO MAGISTRATE JUDGE by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard



		Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer ( <i>Plaintiffs' Motion to Compel</i> ). (Attachments: # <u>1</u> Exhibit(s) 1-20, # <u>2</u> Exhibit(s) 21-41)(Gustafson, Daniel) (Entered: 09/29/2014)
09/29/2014	<u>611</u>	NOTICE OF HEARING ON MOTION ( <i>Plaintiffs' Motion to Compel</i> ) Motion Hearing set for 10/3/2014 09:30 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. (Gustafson, Daniel) (Entered: 09/29/2014)
09/30/2014	<u>612</u>	RECEIPT number 00426382 in the amount of \$44309.68. (kt)DOCUMENT QC'D ON 9/30/14 LGL Modified on 9/30/2014 (LGL). (Entered: 09/30/2014)
09/30/2014	613	TEXT ONLY ORDER: Pursuant to the Court's Amended Scheduling Order (Doc. No. <u>600</u> ), on September 26, 2014, Defendants filed objections to Plaintiffs' proposed Phase One trial issues (Doc. No. <u>608</u> ). Defendants' objections include "trial of any claim that is not in the Second Amended Complaint" and "an expedited trial to the extent it would include new claims." The Court orders Plaintiffs to file a response to Defendants' objections by Monday, October 6, 2014, addressing (1) whether and how Plaintiffs' proposed Phase One issues correspond to claims contained in the Second Amended Complaint; and (2) whether Plaintiffs intend to request leave to file a Third Amended Complaint. Signed by Judge Donovan W. Frank on 9/30/2014. (BJS) (Entered: 09/30/2014)
10/01/2014	<u>614</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Attachments: # <u>1</u> Affidavit of Aaron Winter, # <u>2</u> Exhibit(s) A-D)(Brennaman, Nathan) (Entered: 10/01/2014)
10/02/2014	<u>615</u>	ORDER from the United States Court of Appeals for the Eighth Circuit: Counsel for the class representatives are hereby directed to file a response to the state defendants' petition for writ of mandamus. The response is due October 15, 2014. (kt) (Entered: 10/02/2014)
10/02/2014	<u>616</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Ikeda, Scott) (Entered: 10/02/2014)
10/03/2014	<u>617</u>	NOTICE of Cancellation of Hearing: <u>611</u> NOTICE OF HEARING ON MOTION ( <i>Plaintiffs' Motion to Compel</i> ) Motion Hearing set for 10/3/2014 09:30 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. (Gustafson, Daniel). (kt) (Entered: 10/03/2014)
10/06/2014	<u>618</u>	ORDER APPROVING AGREEMENT REGARDING DOCUMENT PRODUCTION AND 30(b)(6) DEPOSITION re <u>610</u> Letter to Magistrate Judge. Signed by Magistrate Judge Jeffrey J. Keyes on 10/6/14. (LPH) (Entered: 10/06/2014)
10/06/2014	<u>619</u>	ORDER. The Clerk shall forthwith issue a check to David Ferleger in the amount of \$3,077.20 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 10/6/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: Finance on 10/7/2014 (JAM). (Entered: 10/06/2014)
10/06/2014	<u>620</u>	RESPONSE re <u>608</u> Objection, ( <i>Plaintiffs' Response to Defendants' Objections to Plaintiffs' Trial Issues</i> ) filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 10/06/2014)
10/06/2014	<u>621</u>	Declaration of Daniel E. Gustafson in Support of <u>620</u> Response filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A)(Gustafson, Daniel) (Entered: 10/06/2014)
10/15/2014	<u>622</u>	MOTION to Alter/Amend/Supplement Pleadings ( <i>Plaintiffs' Motion for Leave to File a Third Amended Complaint and for Dismissal of Damages Claims without Prejudice</i> ) by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. (Gustafson, Daniel) (Entered: 10/15/2014)
10/15/2014	<u>623</u>	MEMORANDUM in Support re <u>622</u> MOTION to Alter/Amend/Supplement Pleadings ( <i>Plaintiffs' Motion for Leave to File a Third Amended Complaint and for Dismissal of Damages Claims without Prejudice</i> ) filed by All Plaintiffs. (Attachments: # <u>1</u>

		LR7.1/LR72.2 Word Count Compliance Certificate)(Gustafson, Daniel) (Entered: 10/15/2014)
10/15/2014	<u>624</u>	NOTICE OF HEARING ON MOTION <u>622</u> MOTION to Alter/Amend/Supplement Pleadings ( <i>Plaintiffs' Motion for Leave to File a Third Amended Complaint and for Dismissal of Damages Claims without Prejudice</i> ) : Motion Hearing set for 10/28/2014 10:00 AM in Courtroom 6A (STP) before Magistrate Judge Jeffrey J. Keyes. (Gustafson, Daniel) (Entered: 10/15/2014)
10/15/2014	<u>625</u>	Declaration of Daniel E. Gustafson in Support of <u>622</u> MOTION to Alter/Amend/Supplement Pleadings ( <i>Plaintiffs' Motion for Leave to File a Third Amended Complaint and for Dismissal of Damages Claims without Prejudice</i> ) filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) A-I)(Gustafson, Daniel) (Entered: 10/15/2014)
10/15/2014	<u>626</u>	MEET and CONFER STATEMENT re <u>622</u> Motion to Alter/Amend/Supplement Pleadings,, filed by All Plaintiffs. (Gustafson, Daniel) (Entered: 10/15/2014)
10/15/2014	<u>627</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by James Allen Barber, Craig Allen Bolte, Kaine Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer re <u>622</u> MOTION to Alter/Amend/Supplement Pleadings ( <i>Plaintiffs' Motion for Leave to File a Third Amended Complaint and for Dismissal of Damages Claims without Prejudice</i> ) (Gustafson, Daniel) (Entered: 10/15/2014)
10/15/2014	<u>628</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Winter, Aaron) Modified text on 10/16/2014 (LPH). (Entered: 10/15/2014)
10/16/2014	<u>629</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Winter, Aaron) (Entered: 10/16/2014)
10/20/2014	<u>630</u>	RECEIPT number 427565 in the amount of \$3,077.20. (kt)DOCUMENT QC'D ON 10/21/14 LGL Modified on 10/21/2014 (LGL). (Entered: 10/20/2014)
10/20/2014	<u>631</u>	LETTER TO MAGISTRATE JUDGE by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman . (Winter, Aaron) (Entered: 10/20/2014)
10/22/2014	<u>632</u>	MOTION to Appear as Amicus Curiae by INTERNATIONAL HUMANITARIAN LAW INSTITUTE. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) Cover Letter)(Nickitas, Peter) (Entered: 10/22/2014)
10/22/2014	<u>633</u>	RESPONSE in Opposition re <u>622</u> MOTION to Alter/Amend/Supplement Pleadings ( <i>Plaintiffs' Motion for Leave to File a Third Amended Complaint and for Dismissal of Damages Claims without Prejudice</i> ) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Brennaman, Nathan) (Entered: 10/22/2014)
10/27/2014	<u>634</u>	SECOND AMENDED ORDER. 1. Stay of All Cases Pending Resolution of the Karsjens Litigation. All current and future civil rights cases brought by an individual or group of individuals who has or have been civilly committed to the MSOP that are sufficiently related to Karsjens, are hereby STAYED in all respects, pending resolution of the Karsjens litigation, or until further order of the Court. 2. Service. The Clerk of the United States District Court for the District of Minnesota is respectfully directed to file this Order in each stayed case and provide a copy of this Order, via United States mail, to every Plaintiff in all of the cases that are stayed. Signed by Chief Judge Michael J. Davis on 10/27/2014. (BJS) (Entered: 10/27/2014)
10/28/2014	<u>635</u>	AMENDED COMPLAINT ( <i>Third Amended Complaint</i> ) against Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. Filed by James Allen Barber, David Leroy Gamble, Jr, Kevin Scott Karsjens, Bradley Wayne Foster, Kaine Joseph Braun, Brian K. Hausfeld, Kenny S. Daywitt, James John Rud, Kevin John DeVillion, Dennis Richard Steiner, Christopher

		John Thuringer, Craig Allen Bolte, Peter Gerard Lonergan, James Matthew Noyer, Sr. <b>No summons requested.</b> (Gustafson, Daniel) (Entered: 10/28/2014)
10/28/2014	<u>636</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: granting <u>622</u> Motion to Alter/Amend/Supplement Pleadings. (kt) (Entered: 10/28/2014)
10/28/2014	637	TEXT ONLY ORDER by Magistrate Judge Jeffrey J. Keyes that (I) As stated on the record, Plaintiffs Motion for Leave to File a Third Amended Complaint and For Dismissal of Damages Claims Without Prejudice (Doc. No. 622), is GRANTED to the extent that Plaintiffs may file a Third Amended Complaint as proposed. Defendants' request for the Court to condition granting the motion to amend on dismissing the damages claims with prejudice is denied. This Court renders no opinion as to whether future claims made by individual Plaintiffs would be tolled.(II) This Minute Order constitutes an Order of the Court.(kt) (Entered: 10/28/2014)
10/31/2014	<u>638</u>	Minute Entry for proceedings held before Magistrate Judge Jeffrey J. Keyes: Telephone Conference held on 10/31/2014. (kt) (Entered: 10/31/2014)
10/31/2014	639	TEXT ONLY ORDER by Magistrate Judge Jeffrey J. Keyes that (I) As stated on the record, Defendants may audio and videotape some group treatmentsessions of the Class members. The audio and videotapes shall be made availableunder the Protective Order with appropriate designation to the parties' experts and theRule 706 experts upon request. Notice of the sessions to be taped shall be providedbeforehand to Plaintiffs' counsel.(II) This Minute Order constitutes an Order of the Court.(kt) (Entered: 10/31/2014)
11/04/2014	<u>640</u>	LETTER TO DISTRICT JUDGE: RESPONSE re <u>632</u> MOTION to Appear as Amicus Curiae filed by All Plaintiffs. (Gustafson, Daniel) Modified text on 11/4/2014 (lmb). (Entered: 11/04/2014)
11/05/2014	<u>641</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (LAS) (Entered: 11/05/2014)
11/05/2014	<u>642</u>	TRANSCRIPT of Motions Hearing held on 10/28/2014 before Magistrate Judge Jeffrey J. Keyes. (31 pages). Transcriber: Lori Simpson (E-mail: Lori_Simpson@mnd.uscourts.gov. Telephone: (612) 664-5104). Redaction Request due 11/26/2014. Redacted Transcript Deadline set for 12/8/2014. Release of Transcript Restriction set for 2/3/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (LAS) (Entered: 11/05/2014)
11/06/2014	<u>643</u>	RESPONSE re <u>632</u> MOTION to Appear as Amicus Curiae ( <i>Letter Response to Motion to File Amicus Curiae Trial Brief</i> ) filed by Dennis Benson, Jannine Hebert, Lucinda Jesson, Nancy Johnston, Tom Lundquist, Kevin Moser, Ann Zimmerman. (Ikeda, Scott) (Entered: 11/06/2014)
11/06/2014	<u>644</u>	STIPULATION <i>Regarding Limited Extension of the Discovery Deadline</i> by James Allen Barber, Craig Allen Bolte, Kaime Joseph Braun, Kenny S. Daywitt, Kevin John DeVillion, Bradley Wayne Foster, David Leroy Gamble, Jr, Brian K. Hausfeld, Kevin Scott Karsjens, Peter Gerard Lonergan, James Matthew Noyer, Sr, James John Rud, Dennis Richard Steiner, Christopher John Thuringer. Jointly Signed by Lucinda Jesson, Dennis Benson, Kevin Moser, Tom Lundquist, Nancy Johnston, Jannine Hebert, and Ann Zimmerman. (Gustafson, Daniel) (Entered: 11/06/2014)
11/06/2014	<u>646</u>	USCA MANDATE from the United States Court of Appeals for the Eighth Circuit. Formal mandate issued. (kt) (Entered: 11/07/2014)
11/07/2014	<u>645</u>	USCA JUDGMENT from the United States Court of Appeals for the Eighth Circuit: Petition for Writ of Mandamus has been considered by the court and is denied. Mandate shall issue forthwith. (kt) (Entered: 11/07/2014)
11/07/2014	<u>647</u>	FINAL PRETRIAL ORDER. (See Order for deadlines and details.) Signed by Judge Donovan W. Frank on 11/7/2014. (BJS) (Entered: 11/07/2014)
11/07/2014	648	TEXT ONLY ORDER: The International Humanitarian Law Institute (IHLI) has filed a motion for leave to submit an amicus brief regarding the right to a jury trial in civil commitment proceedings (Doc. No. <u>632</u> ). Although the parties do not formally object to IHLI's motion, both parties contend that the subject matter of the proposed amicus brief is not within the scope of the current litigation (Doc. Nos. <u>640</u> and <u>643</u> ). The

		Court concludes that the proposed amicus brief seeks to address issues that are not presently before the Court in this case. Accordingly, the motion for leave to file an amicus brief (Doc. No. <u>632</u> ) is hereby DENIED. Signed by Judge Donovan W. Frank on 11/7/2014. (BJS) (Entered: 11/07/2014)
11/07/2014	<u>649</u>	ORDER: 1. The discovery deadline will be extended beyond November 14, 2014, for the limited purpose of completing the depositions of Defendants Nancy Johnston and Jannine Hbert and to allow Plaintiffs responses to Defendants' Third Set of Interrogatories and Document Requests; 2. These depositions will be scheduled for dates that are mutually agreeable to the Parties, but in no event shall they be completed later than November 26, 2014; 3. The report generated by the court-appointed experts that is due to be issued on November 15, 2014, shall not be an exhibit to, asked about, or discussed in the depositions of Ms. Johnston or Ms. Hbert. Signed by Magistrate Judge Jeffrey J. Keyes on 11/7/14. (kt) (Entered: 11/07/2014)