

**U.S. District Court
Middle District of Louisiana (Baton Rouge)
CIVIL DOCKET FOR CASE #: 3:13-cv-00368-BAJ-EWD**

Ball et al v. LeBlanc et al
Assigned to: Judge Brian A. Jackson
Referred to: Magistrate Judge Erin Wilder-Doomes
Demand: \$0
Case in other court: 5th Circuit, 17-30052
Cause: 42:1983 Civil Rights Act

Date Filed: 06/10/2013
Date Terminated: 04/18/2019
Jury Demand: None
Nature of Suit: 555 Prisoner Conditions
Jurisdiction: Federal Question

Special Master

Paul J. Hebert
TERMINATED: 06/13/2019

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Defendant

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| Date Filed | # | Docket Text |
|------------|----------|---|
| 06/10/2013 | <u>1</u> | COMPLAINT against Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angie Norwood (Filing fee \$ 400 receipt number 053N-956181.), filed by Elzie Ball, James Magee, Nathaniel Code. (Attachments: # <u>1</u> Cover sheet, # <u>2</u> Related case)(Montagnes, Mercedes) (Entered: 06/10/2013) |
| 06/10/2013 | <u>2</u> | NOTICE of Civil Cover Sheet by Elzie Ball, Nathaniel Code, James Magee (Montagnes, Mercedes) (Entered: 06/10/2013) |

| | | |
|------------|-----------|---|
| 06/10/2013 | <u>3</u> | NOTICE of Summons by Elzie Ball, Nathaniel Code, James Magee (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons)(Montagnes, Mercedes) (Entered: 06/10/2013) |
| 06/10/2013 | <u>4</u> | Summons Issued as to All Defendants. (NOTICE: Counsel shall print and serve both the summons and all attachments in accordance with Federal Rule of Civil Procedure 4.) (SMG) (Entered: 06/10/2013) |
| 06/10/2013 | <u>5</u> | MOTION for Mitchell A. Kamin to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-956260) by Elzie Ball, Nathaniel Code, James Magee. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Certificates)(Montagnes, Mercedes) Modified to edit text on 6/10/2013 (SMG). (Entered: 06/10/2013) |
| 06/10/2013 | <u>6</u> | MOTION for Nilay U Vora to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-956279) by Elzie Ball, Nathaniel Code, James Magee. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Certificates)(Montagnes, Mercedes) (Entered: 06/10/2013) |
| 06/10/2013 | <u>7</u> | ORDER granting <u>6</u> Ex Parte Motion for Admission Pro Hac Vice. Nilay U. Vora admitted pro hac vice as attorney for the plaintiffs. Signed by Magistrate Judge Stephen C. Riedlinger on 6/10/2013. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (Riedlinger, Stephen) (Entered: 06/10/2013) |
| 06/10/2013 | | MOTION(S) REFERRED: <u>5</u> MOTION for Mitchell A. Kamin to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-956260). This motion is now pending before the USMJ. (SMG) (Entered: 06/10/2013) |
| 06/10/2013 | <u>8</u> | ORDER granting <u>5</u> Ex Parte Motion for Admission Pro Hac Vice. Mitchell A. Kamin admitted pro hac vice as attorney for the plaintiffs. Signed by Magistrate Judge Stephen C. Riedlinger on 6/10/2013. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (Riedlinger, Stephen) (Entered: 06/10/2013) |
| 06/11/2013 | <u>9</u> | SUMMONS Returned Executed by Elzie Ball, James Magee, Nathaniel Code. All Defendants. (Attachments: # <u>1</u> Proof of Service, # <u>2</u> Proof of Service, # <u>3</u> Proof of Service)(Montagnes, Mercedes) (Entered: 06/11/2013) |
| 06/11/2013 | <u>10</u> | MOTION for Jessica Kornberg to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-956782) by Elzie Ball, Nathaniel Code, James Magee. (Attachments: # <u>1</u> Certificates, # <u>2</u> Affidavit)(Montagnes, Mercedes) (Entered: 06/11/2013) |
| 06/11/2013 | <u>11</u> | ORDER granting <u>10</u> Ex Parte Motion for Admission Pro Hac Vice. Jessica Kornberg admitted pro hac vice as attorney for the plaintiffs. Signed by Magistrate Judge Stephen C. Riedlinger on 6/11/2013. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (Riedlinger, Stephen) (Entered: 06/11/2013) |
| 06/18/2013 | <u>12</u> | MOTION for Preliminary Injunction by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit, # <u>23</u> Exhibit, # <u>24</u> Exhibit, # <u>25</u> Exhibit, # <u>26</u> Exhibit, # <u>27</u> Exhibit, # <u>28</u> Exhibit, # <u>29</u> Exhibit, # <u>30</u> Exhibit, # <u>31</u> Exhibit, # <u>32</u> Exhibit, # <u>33</u> Exhibit)(Montagnes, Mercedes) (Entered: 06/18/2013) |
| 06/18/2013 | <u>13</u> | MOTION for Expedited Hearing on <u>12</u> MOTION for Preliminary Injunction by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support)(Montagnes, Mercedes) (Entered: 06/18/2013) |
| 06/24/2013 | <u>14</u> | ORDER granting <u>13</u> Motion for Expedited Hearing on Motion for Preliminary Injunction. Hearing on <u>12</u> MOTION for Preliminary Injunction set for 7/2/2013 at 09:00 AM in Courtroom 2 before Chief Judge Brian A. Jackson. Plaintiffs' request that the Court waive the security requirement of FRCP 65 shall also be heard at this time. Defendants shall file memo in opposition to Motion for Preliminary Injunction no later than 6/28/2013 at 5:00 p.m. Signed by Chief Judge Brian A. Jackson on 6/24/2013. (PJH) (Entered: 06/24/2013) |

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|------------|-----------|---|
| 06/24/2013 | | Set/Reset Deadlines as to <u>12</u> MOTION for Preliminary Injunction . (PJH) (Entered: 06/24/2013) |
| 06/28/2013 | <u>15</u> | MEMORANDUM in Opposition to <u>12</u> MOTION for Preliminary Injunction filed by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angie Norwood. (Attachments: # <u>1</u> Affidavit Exhibit A)(Wilson, Jacqueline) (Entered: 06/28/2013) |
| 06/28/2013 | <u>16</u> | MOTION to Strike by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angie Norwood. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading; Proposed Order)(Wilson, Jacqueline) (Entered: 06/28/2013) |
| 06/28/2013 | <u>17</u> | MOTION for Expedited Hearing on <u>16</u> MOTION to Strike by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Order)(Wilson, Jacqueline) (Entered: 06/28/2013) |
| 06/28/2013 | <u>18</u> | MOTION for Extension of Time to File Responsive Pleadings by All Defendants. (Attachments: # <u>1</u> Proposed Order)(Jones, Carlton) (Entered: 06/28/2013) |
| 06/28/2013 | <u>19</u> | ORDER granting <u>18</u> Ex Parte Motion for Extension of Time to File Responsive Pleadings. Defendants' responsive pleadings due by 7/23/2013. Signed by Magistrate Judge Stephen C. Riedlinger on 6/28/2013. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (Riedlinger, Stephen) (Entered: 06/28/2013) |
| 06/28/2013 | | Set/Reset Deadlines: Burl Cain answer due 7/23/2013; James M. LeBlanc answer due 7/23/2013; Louisiana Department of Public Safety and Corrections answer due 7/23/2013; Angie Norwood answer due 7/23/2013. (JDL) (Entered: 07/01/2013) |
| 07/01/2013 | <u>20</u> | RESPONSE in Opposition to <u>16</u> MOTION to Strike filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit)(Montagnes, Mercedes) (Entered: 07/01/2013) |
| 07/01/2013 | <u>21</u> | Proposed Findings of Fact by Elzie Ball, Nathaniel Code, James Magee. (Montagnes, Mercedes) (Entered: 07/01/2013) |
| 07/01/2013 | <u>22</u> | MOTION for Leave to File Supplemental Affidavits in Opposition to <u>12</u> Motion for Preliminary Injunction and Incorporated Memorandum by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Order, # <u>2</u> Proposed Pleading; Supplemental Affidavit of Vannoy, # <u>3</u> Proposed Pleading; Singh Affidavit)(Wilson, Jacqueline) Modified to edit text and docket relationship on 7/2/2013 (SMG). (Entered: 07/01/2013) |
| 07/01/2013 | <u>23</u> | MOTION for Expedited Hearing on <u>22</u> MOTION for Leave to File Supplemental Affidavits by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Order)(Wilson, Jacqueline) (Entered: 07/01/2013) |
| 07/02/2013 | <u>24</u> | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Motion Hearing held on 7/2/2013 re <u>12</u> MOTION for Preliminary Injunction filed by Nathaniel Code, Elzie Ball, James Magee, <u>16</u> MOTION to Strike Exhibits filed by Burl Cain, Angie Norwood, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. Counsel presents oral argument to the Court. The Court defers ruling on Motion for Preliminary Injunction and Motion to Strike Exhibits until the evidentiary hearing scheduled for 8/5/2013 at 2:00 p.m., in Courtroom 2. Trial of this matter on the merits will commence immediately following the evidentiary hearing. Parties shall meet, confer, and develop a joint proposed discovery plan, as stated herein, and submitted their joint proposed discovery plan to the Court no later than 5:00 p.m. on 7/9/2013. Court will issue discovery order by 7/10/2013. Defendants shall begin 21 day collection of data on 7/15/2013. Matter will be scheduled for prt l cnf prior to the 8/5/2013 hearing.(Court Reporter C. Smith-Neely.) (PJH) (Entered: 07/02/2013) |
| 07/02/2013 | | Set/Reset Deadlines: Joint Proposed Discovery Plan due no later than 5:00 PM on 7/9/2013. (JDL) (Entered: 07/03/2013) |

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| 07/09/2013 | <u>25</u> | MOTION to Enroll Amy L. McNinnis as Additional Attorney by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Order)(Wilson, Jacqueline) (Entered: 07/09/2013) |
| 07/09/2013 | <u>26</u> | Proposed Scheduling Order by All Plaintiffs. (Montagnes, Mercedes) (Entered: 07/09/2013) |
| 07/09/2013 | 27 | ORDER granting <u>25</u> Motion to Enroll as Additional Counsel. Added attorney Amy L. McNinnis for James M. LeBlanc, Burl Cain, Angie Norwood and Louisiana Department of Public Safety and Corrections. Signed by Magistrate Judge Stephen C. Riedlinger on 7/9/2013. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (Riedlinger, Stephen) (Entered: 07/09/2013) |
| 07/10/2013 | <u>28</u> | SCHEDULING ORDER: Discovery deadlines are established as stated herein. Proposed Pretrial Order due by 7/30/2013. Pretrial Conference set for 7/31/2013 at 03:30 PM in chambers before Chief Judge Brian A. Jackson. Discovery conference with United States Magistrate Judge Stephen C. Riedlinger is scheduled for 7/23/2013. Parties shall be responsible for contacting Judge Riedlinger's chambers to set the time and location of the conference.. Signed by Chief Judge Brian A. Jackson on 7/10/2013. (PJH) (Entered: 07/10/2013) |
| 07/10/2013 | <u>29</u> | MOTION to Appoint Third Party Expert /Proposed Expert Data Collection by All Plaintiffs. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit)(Montagnes, Mercedes) Modified to edit text on 7/11/2013 (SMG). Modified on 7/11/2013 to edit event type to a motion (NLT). (Entered: 07/10/2013) |
| 07/10/2013 | | Set/Reset Deadlines/Hearings: (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry) Proposed Pretrial Order due by 7/30/2013 at 12:00 PM. Evidentiary Hearing and Trial set for 8/5/2013 at 2:00 PM in Courtroom 2 before Chief Judge Brian A. Jackson. (JDL) (Entered: 07/11/2013) |
| 07/10/2013 | | Set/Reset Deadlines: Daubert Motions and Motions In Limine shall be filed by 7/26/2013. (JDL) (Entered: 07/11/2013) |
| 07/11/2013 | <u>30</u> | MOTION to Substitute <u>29</u> MOTION to Appoint Third Party Expert <i>To Address Typographical Errors</i> by All Plaintiffs. (Attachments: # <u>1</u> Attachment Corrected document)(Montagnes, Mercedes) Modified to edit text on 7/11/2013 (SMG). (Entered: 07/11/2013) |
| 07/11/2013 | <u>31</u> | Emergency Brief regarding <i>Defendants Submission of Proposed Independent Expert</i> . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Wilson, Jacqueline) (Entered: 07/11/2013) |
| 07/11/2013 | <u>32</u> | MOTION for Expedited Consideration on <u>31</u> Emergency Brief regarding Defendants Submission of Proposed Independent Expert by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Order)(Wilson, Jacqueline) Modified to edit text on 7/11/2013 (SMG). (Entered: 07/11/2013) |
| 07/11/2013 | <u>33</u> | ORDER regarding <u>29</u> Plaintiff's Proposed Expert Data Collection filed by Nathaniel Code, Elzie Ball, James Magee: The Defendants shall file a memorandum in response no later than 5:00 p.m. on 7/11/2013. Signed by Chief Judge Brian A. Jackson on 07/11/2013. (SMG) (Entered: 07/11/2013) |
| 07/12/2013 | <u>34</u> | ORDER... Defendants Motion for Expedited Consideration (Doc. 32)is GRANTED. Plaintiffs Proposed Expert Data Collection(Doc. 29) and Defendants Submission of Proposed Independent Expert (Doc. 31) shall be heard with oral argument on Friday, July 12, 2013 at 11:30 a.m. via a telephone conference. Counsel for Defendants shall be responsible for initiating the conference call to opposing counsel and the Court, or in the alternative, obtaining a conference call-in number, and notifying the Court and opposing counsel of the conference call-in number and pass code.. Signed by Chief Judge Brian A. Jackson on 7/12/2013. (PJH) (Entered: 07/12/2013) |
| 07/12/2013 | | Set/Reset Deadlines/Hearings: (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry) Telephone Conference set for 7/12/2013 at 11:30 AM before Chief Judge Brian A. Jackson. Counsel for Defendants shall be responsible for initiating the conference call to opposing counsel and the Court, or in |

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| | | the alternative, obtaining a conference call–innumber, and notifying the Court and opposing counsel of the conference call–in number andpass code.(PJH) (Entered: 07/12/2013) |
| 07/12/2013 | <u>35</u> | MOTION for emergency status Conference by All Plaintiffs. (Montagnes, Mercedes) (Entered: 07/12/2013) |
| 07/12/2013 | <u>36</u> | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Telephone Conference held on 7/12/2013. Counsel for Plaintiffs agreed toDefendants proposed expert, U.S. Risk Management. Counsel for Defendants further agreed to confirm with Defendants that they will seek no more than \$10,000.00 in related expert costs at the conclusion of this litigation, if permitted. Parties also agreed to contact United States Magistrate Judge Stephen Riedlinger to schedule a settlement conference. Defendants Submission of Proposed Independent Expert (Doc. 31) is GRANTED. Plaintiffs Proposed Expert Data Collection (Doc. 29) is DENIED. Defendants are authorized to retain U.S. Risk Management for the purposes of i nstalling the necessary equipment, collecting the required data, and disseminating such data, as ordered by theCourt. See Docs. 24, 28. Defendants are authorized to retain U.S.Risk Management for the purposes of installing the necessary equipment, collecting the required data, and disseminating such data, as ordered by the Court. See Docs. 24, 28. Defendants shall ensure that the necessary equipment is installed in each of the death row tiers and in multiple locations throughout each tier, including empty inmate cells and/or inmate cells numbered six or higher, so that the most accurate data can be collected. Plaintiffs shall be permitted to retain an own expert to shadow U.S. Risk Management. Plaintiffs shall identify one individual, who shall be permitted to shadow U.S. Risk Management during the installation of the necessary equipment, and inspect the equipment at least once per week. However, Plaintiffs shall bear all costs of retaining such expert. (PJH) (Main Document 36 replaced on 7/15/2013) (PJH). Modified on 7/15/2013 to replace with signed document (PJH). Modified on 8/29/2013 to edit text (PJH). (Entered: 07/12/2013) |
| 07/12/2013 | <u>37</u> | ORDER denying <u>35</u> Emergency Motion for Status Conference, without prejudice to Plaintiff's right to re–file the motion, as stated herein. The parties are cautioned, once again, that the Court is not inclined to be involved in each and every dispute that the parties have over the coming weeks. The parties are further encouraged to do everything within their power to resolve such issues before taking up the limited resources of the Court. Signed by Chief Judge Brian A. Jackson on 7/12/2013. (PJH) (Entered: 07/12/2013) |
| 07/13/2013 | <u>38</u> | ANSWER to <u>1</u> Complaint, by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angie Norwood.(Wilson, Jacqueline) (Entered: 07/13/2013) |
| 07/16/2013 | <u>39</u> | Unopposed MOTION for Leave to Depose the Plaintiffs Pursuant to Rule 30(a)(2)(B) by All Defendants. (Attachments: # <u>1</u> Proposed Order)(Jones, Carlton) (Entered: 07/16/2013) |
| 07/17/2013 | | MOTION(S) REFERRED: <u>39</u> Unopposed MOTION for Leave to Depose the Plaintiffs Pursuant to Rule 30(a)(2)(B) . This motion is now pending before the USMJ. (SMG) (Entered: 07/17/2013) |
| 07/17/2013 | <u>40</u> | ORDER granting <u>39</u> MOTION for Leave to Depose the Plaintiffs Pursuant to Rule 30(a)(2)(B) on 7/19/2013. Signed by Magistrate Judge Stephen C. Riedlinger on 07/17/2013. (SMG) Modified to edit text on 7/17/2013 (SMG). (Entered: 07/17/2013) |
| 07/18/2013 | <u>41</u> | ORDER Setting Discovery Conference for July 23, 2013 at 1:00 p.m. Counsel for the plaintiffs shall arrange a conference call and provide the court and counsel for the defendants with the call–in number or other instructions. The conference will be canceled if counsel for the parties agree and advise the court that it is not needed. Signed by Magistrate Judge Stephen C. Riedlinger on 7/18/2013. (LLH) (Entered: 07/18/2013) |
| 07/18/2013 | | Set/Reset Deadlines/Hearings: (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry) Discovery Conference set for 7/23/2013 at 01:00 PM before Magistrate Judge Stephen C. Riedlinger. (LLH) (Entered: 07/18/2013) |

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| 07/23/2013 | <u>42</u> | Joint MOTION for Protective Order by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Proposed Protective Order)(Wilson, Jacqueline) (Main Document 42 replaced on 7/25/2013) (SMG). (Entered: 07/23/2013) |
| 07/23/2013 | <u>49</u> | MINUTE ENTRY/RULING ON DISCOVERY DISPUTE: Discovery Conference held on 7/23/2013 before Magistrate Judge Stephen C. Riedlinger. Several discovery disputes were resolved at the conference, and three matters were held over until 7/25/2013. Following the settlement conference held on that date, the three remaining discovery disputes were resolved. Dfts were ordered to file their supplemental discovery responses by 5:00 p.m. on 7/29/2013. This ruling briefly recounts those discovery requests as to which a supplemental response is due... (BNW) (Entered: 07/29/2013) |
| 07/24/2013 | | MOTION(S) REFERRED: <u>42</u> Joint MOTION for Protective Order . This motion is now pending before the USMJ. (SMG) (Entered: 07/24/2013) |
| 07/24/2013 | <u>43</u> | ORDER granting <u>42</u> Motion for Protective Order. Signed by Magistrate Judge Stephen C. Riedlinger on 07/24/2013. (SMG) (Entered: 07/24/2013) |
| 07/24/2013 | 44 | NOTICE TO COUNSEL: STATUS CONFERENCE/SETTLEMENT CONFERENCE set for 7/25/2013 at 1:00 PM in chambers before Magistrate Judge Stephen C. Riedlinger. [PLEASE NOTE: There will be NO CONFERENCE on this date at 10:30 a.m.] (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BNW) Modified on 7/24/2013 (BNW). (Entered: 07/24/2013) |
| 07/25/2013 | <u>45</u> | MOTION for Writ of Habeas Corpus ad testificandum by Elzie Ball. (Compa, Elizabeth) (Entered: 07/25/2013) |
| 07/25/2013 | <u>46</u> | MOTION for Writ of Habeas Corpus ad testificandum by Nathaniel Code. (Compa, Elizabeth) (Entered: 07/25/2013) |
| 07/25/2013 | <u>47</u> | MOTION for Writ of Habeas Corpus ad testificandum by James Magee. (Compa, Elizabeth) (Entered: 07/25/2013) |
| 07/25/2013 | | MOTION(S) REFERRED: <u>45</u> MOTION for Writ of Habeas Corpus ad testificandum . This motion is now pending before the USMJ. (CGP) (Entered: 07/25/2013) |
| 07/25/2013 | | MOTION(S) REFERRED: <u>46</u> MOTION for Writ of Habeas Corpus ad testificandum . This motion is now pending before the USMJ. (CGP) (Entered: 07/25/2013) |
| 07/25/2013 | | MOTION(S) REFERRED: <u>47</u> MOTION for Writ of Habeas Corpus ad testificandum . This motion is now pending before the USMJ. (LLH) (Entered: 07/25/2013) |
| 07/25/2013 | <u>48</u> | MINUTE ENTRY/SETTLEMENT CONFERENCE REPORT: Settlement Conference held on 7/25/2013 before Magistrate Judge Stephen C. Riedlinger. No settlement was reached at the conference. Case remains assigned for a preliminary injunction hearing and trial beginning August 5, 2013. (BNW) (Entered: 07/26/2013) |
| 07/26/2013 | | Motions No Longer Referred: <u>47</u> MOTION for Writ of Habeas Corpus ad testificandum , <u>45</u> MOTION for Writ of Habeas Corpus ad testificandum , <u>46</u> MOTION for Writ of Habeas Corpus ad testificandum . This motion is now pending before the USDJ. (NLT) (Entered: 07/26/2013) |
| 07/29/2013 | <u>50</u> | Supplemental RESPONSE to Discovery Request by All Defendants.(McInnis, Amy) Modified on 7/30/2013 (LLH). (Entered: 07/29/2013) |
| 07/30/2013 | 51 | Notice to Counsel: (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) Bench Trial in this matter is reset for 8/5/2013 at 08:30 AM in Courtroom 2 before Chief Judge Brian A. Jackson. *** THIS IS A TIME CHANGE ONLY.(PJH) (Entered: 07/30/2013) |
| 07/30/2013 | <u>52</u> | Joint MOTION to Extend Deadline to <i>File Pre-Trial Order</i> by All Defendants. (McInnis, Amy) Modified on 7/30/2013 to edit text (CGP). (Entered: 07/30/2013) |
| 07/30/2013 | <u>53</u> | Proposed Pretrial Order by All Plaintiffs. (Attachments: # <u>1</u> Statement of Undisputed Facts, # <u>2</u> Def. Statement, # <u>3</u> Pl. Statement, # <u>4</u> Exhibit List Def., # <u>5</u> Pl. Obj. Exhibit List, # <u>6</u> Exhibit List Pl., # <u>7</u> Def. Obj. Exhibit List, # <u>8</u> Def. Findings of Fact and Conclusions of Law, # <u>9</u> Pl. Findings of Fact and Conclusions of Law, # <u>10</u> Joint Stip |

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| | | # 1, # <u>11</u> Joint Stip # 2)(Montagnes, Mercedes) (Entered: 07/30/2013) |
| 07/30/2013 | <u>54</u> | ORDER granting <u>52</u> Motion to Extend Discovery Deadlines. Final Pretrial Order due by 5:00 p.m. on July 30, 2013. Signed by Chief Judge Brian A. Jackson on 7/30/2013. (LLH) (Entered: 07/30/2013) |
| 07/30/2013 | <u>55</u> | MOTION to Request Judicial Notice of Administrative Prison Regulations and Louisiana Laws Requiring Climate Control by All Plaintiffs. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit, # <u>23</u> Exhibit, # <u>24</u> Exhibit, # <u>25</u> Exhibit, # <u>26</u> Exhibit, # <u>27</u> Exhibit, # <u>28</u> Exhibit, # <u>29</u> Exhibit, # <u>30</u> Exhibit, # <u>31</u> Exhibit, # <u>32</u> Exhibit, # <u>33</u> Exhibit, # <u>34</u> Exhibit)(Montagnes, Mercedes) Modified to edit text on 7/31/2013 (SMG). (Entered: 07/30/2013) |
| 07/31/2013 | <u>57</u> | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Final Pretrial Conference held on 7/31/2013. The Court encouraged Counsel to confer and try to reach stipulations on the disputed issues included in the Proposed Pretrial Order. Defendants memorandum in opposition to plaintiffs motion to request judicial notice (doc. 55), if any, shall be filed no later than 12:00 p.m. on Friday, August 2, 2013. Counsel shall file a pre-trial brief, limited to 5 pages in length, no later than 12:00 p.m. on Friday, August 2, 2013. The pretrial brief shall address the following: 1. The effect of the remedial measures (i.e. installation of awnings, misting of the buildings, etc.) allegedly taken by Defendants on the data collected between July 15, 2013 and August 5, 2013. 2. Whether it is possible for the Court to isolate the data collected before remedial measures were allegedly taken. The Court granted plaintiffs leave to file one or more motions, related to the evidentiary and discovery issues discussed during the pretrial conference, by 12:00 p.m. on Friday, August 2, 2013. The Parties shall submit separate bench books of exhibits to the Court by 12:00 p.m. on Friday, August 2, 2013. The bench books shall also include an exhibit list and witness list. Counsel may also submit the bench books on disk. Counsel shall report to Courtroom 2 at 8:15 a.m. on Monday, August 5, 2013. (PJH) (Entered: 08/01/2013) |
| 08/01/2013 | <u>56</u> | SEALED ORDER granting <u>47</u> MOTION for Writ of Habeas Corpus ad testificandum filed by James Magee, <u>45</u> MOTION for Writ of Habeas Corpus ad testificandum filed by Elzie Ball, <u>46</u> MOTION for Writ of Habeas Corpus ad testificandum filed by Nathaniel Code. Signed by Chief Judge Brian A. Jackson on 08/04/2013. (NLT) (Entered: 08/01/2013) |
| 08/02/2013 | <u>58</u> | SEALED DOCUMENT Return on Service on Order and Writ to the Warden at LSP – Served on 08/02/2013.. (Attachments: # <u>1</u> Return)(NLT) (Entered: 08/02/2013) |
| 08/02/2013 | <u>59</u> | Brief regarding <i>Remedial Measures</i> . (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Wilson, Jacqueline) (Attachment 1 replaced on 8/2/2013) (SMG). (Attachment 2 replaced on 8/2/2013) (SMG). (Entered: 08/02/2013) |
| 08/02/2013 | <u>60</u> | MEMORANDUM in Opposition to <u>55</u> MOTION to Request Judicial Notice of Administrative Prison Regulations and Louisiana Laws Requiring Climate Control filed by All Defendants. (Wilson, Jacqueline) (Entered: 08/02/2013) |
| 08/02/2013 | <u>61</u> | Plaintiffs' Brief on the Reliability of USRM Data by Elzie Ball, Nathaniel Code, James Magee. (Montagnes, Mercedes) Modified to edit text on 8/2/2013 (SMG). (Entered: 08/02/2013) |
| 08/02/2013 | <u>62</u> | First MOTION and Incorporated Memorandum for Evidentiary Sanctions Against Defendants Re: Costs of Air Conditioning and Balance of Harms to Defendants from Injunctive Relief Sought by Plaintiffs by Elzie Ball, Nathaniel Code, James Magee. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6A, # <u>7</u> Exhibit 6B, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8A, # <u>10</u> Exhibit 8B)(Montagnes, Mercedes) Modified to edit text on 8/2/2013 (SMG). (Entered: 08/02/2013) |
| 08/02/2013 | <u>63</u> | MOTION and Incorporated Memorandum in Support of a Motion for Imposition of Sanctions for Defendants' Spoliation of Evidence by Elzie Ball, Nathaniel Code, James Magee. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3A, # <u>4</u> Exhibit 3B, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6A, # <u>8</u> Exhibit 6B, # <u>9</u> Exhibit 6C, # <u>10</u> Exhibit |

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| | | 6D, # <u>11</u> Exhibit 7, # <u>12</u> Exhibit 8, # <u>13</u> Exhibit 9, # <u>14</u> Exhibit 10, # <u>15</u> Exhibit 11, # <u>16</u> Exhibit 12, # <u>17</u> Exhibit 13, # <u>18</u> Exhibit 14A, # <u>19</u> Exhibit 14B, # <u>20</u> Exhibit 14C, # <u>21</u> Exhibit 14D)(Montagnes, Mercedes) Modified to edit text on 8/2/2013 (SMG). Modified to correct spelling on 8/5/2013 (SMG). (Entered: 08/02/2013) |
| 08/02/2013 | <u>64</u> | NOTICE of Statement of Interest by United States (Maraist, Catherine) (Entered: 08/02/2013) |
| 08/04/2013 | <u>65</u> | MOTION to Enroll James L. Hilburn as Additional Attorney by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Order)(Wilson, Jacqueline) (Entered: 08/04/2013) |
| 08/04/2013 | <u>66</u> | RESPONSE in Opposition to <u>63</u> MOTION and Incorporated Memorandum in Support of a Motion for Imposition of Sanctions for Defendants' Spoliation of Evidence filed by All Defendants. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Wilson, Jacqueline) Modified to edit text on 8/5/2013 (SMG). (Entered: 08/04/2013) |
| 08/05/2013 | <u>67</u> | ORDER granting <u>65</u> Motion to Enroll as Additional Counsel. Added attorney James L. Hilburn for defendants Louisiana Department of Public Safety and Corrections, James M. LeBlanc, Burl Cain and Angie Norwood. Signed by Magistrate Judge Stephen C. Riedlinger on 8/5/2013. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (Riedlinger, Stephen) (Entered: 08/05/2013) |
| 08/05/2013 | <u>75</u> | Minute Entry. Evidentiary hearing on Plaintiffs Motion for Injunctive Relief and trial on the merits held before Chief Judge Brian A. Jackson held on 8/5/2013. Counsel for the United States corrects error on page 3 of documents entitled Statement of Interest filed by United States (doc. 64). Court grants the Defendants Motion to Strike (doc. 16), as to temperature data only, the Defendants Motion for Leave to File Supplemental Affidavits in Opposition to Motion for Preliminary Injunction (doc. 22), and the Defendants Motion for Expedited Hearing on Motion for Leave to File Supplemental Affidavits (doc. 23). The Court hears oral argument on the Plaintiffs Motion to Request Judicial Notice of Administrative Prison Regulations and Louisiana Laws Regarding Climate Control (doc. 55), Plaintiffs Motion and Incorporated Memorandum for Evidentiary Sanctions Against Defendants re: costs of Air Conditioning and Balance of Harms to Defendants from Injunctive Relief Sought by Plaintiffs (doc. 62), and the Plaintiffs Motion and Incorporated Memorandum in Support of a Motion for Imposition of Sanctions for Defendants Spoliation of Evidence (doc. 63). The Court defers ruling on the Plaintiffs Motion to Request Judicial Notice of Administrative Prison Regulations and Louisiana Law Requiring Climate Control (doc. 55), and the Plaintiffs Motion and Incorporated Memorandum in Support of a Motion for Imposition of Sanctions for Defendants Spoliation of Evidence (doc. 63). Counsel for defendants shall file an opposition to the Plaintiffs Motion and Incorporated Memorandum for Evidentiary Sanctions Against Defendants re: costs of Air Conditioning and Balance of Harms to Defendants from Injunctive Relief Sought by Plaintiffs (doc. 62) by 5:00 p.m. on Tuesday, August 6, 2013. The Court imposes an order of sequestration. Counsel present opening statements to the Court. Parties stipulate that not all plaintiffs will be present for the duration of the trial. Nathaniel Code, Jr. Frank Thompson, Brandy Perry, Elzie Ball, Angela Norwood, David Garon are sworn and testify on behalf of Plaintiff. Exhibits filed. Matter will continue on 8/6/2013 at 9:30 a.m.(Court Reporter C. Smith-Neely.) (PJH) (Entered: 08/28/2013) |
| 08/06/2013 | <u>68</u> | RESPONSE in Opposition to <u>62</u> First MOTION and Incorporated Memorandum for Evidentiary Sanctions Against Defendants Re: Costs of Air Conditioning and Balance of Harms to Defendants from Injunctive Relief Sought by Plaintiffs filed by All Defendants. (Jones, Carlton) (Entered: 08/06/2013) |
| 08/06/2013 | <u>76</u> | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Evidentiary Hearing on Pltfs Motion for Injunctive Relief and trial on the merits held on 8/6/2013. Stipulation as to the testimony of Secretary James LeBlanc and Warden Richard Peabody is read into the record. Disk containing USRM Data (P137) is filed into the record. The following witnesses are sworn and testify on behalf of the Plaintiffs. Dr. Susi Vassallo James J. Balsamo, Jr. Mary Katherine McCarthy Warden Burl Cain James C. Magee Exhibits P98,CV of James J. Balsamo, Jr. (0001-0031 only), and |

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| | | P138 (disk containing charts) are admitted. The Court defers ruling on the admission of exhibit P99, Expert Report of Dr. Vassallo and exhibit P98 (0032 – 0304) the Expert Report of James J. Balsamo, Jr. Plaintiffs rests. Counsel for the Defendants moves for dismissal under Rule 52. For reasons stated herein, the Court defers ruling on the Defendants Motion for Dismissal at this time. The following witnesses are sworn and testify on behalf of defendants: Stephen Trauth John M. Grimes, III Henry Eyre, III Dr. Raman Singh Exhibit D1, CV of John M. Grimes, III is admitted. The evidentiary hearing on the Plaintiffs Motion for Injunctive Relief and trial on the merits will resume on Wednesday, August 7, 2013 at 8:00 a.m., in Courtroom 2. (Court Reporter C. Smith–Neely.) (Main Document 76 replaced on 8/29/2013) (PJH). (PJH). Modified on 8/29/2013 to edit text (PJH). Modified on 8/29/2013 to edit text (JDL). (Entered: 08/28/2013) |
| 08/07/2013 | <u>77</u> | Minute Entry for proceedings held before Chief Judge Brian A. Jackson on 8/7/2013: Evidentiary hearing on Plaintiffs Motion for Injunctive Relief and trial on the merits continues in this matter from August 6, 2013. James M. LeBlanc, Secretary of the Louisiana Department of Public Safety and Corrections, is sworn and testifies on behalf of the Defendants. Angie Norwood, having been previously sworn, testifies on behalf of Defendants. Dr. Hal David Macmurdo is sworn and testifies on behalf of Defendants. Exhibits filed. Defts rest. Proffer read in the record by Counsel for the Plaintiffs. Pltfs rest in rebuttal. The Court admits all expert reports into evidence. Counsel presents closing arguments to the Court. Counsel shall file Supplemental and Proposed Findings Of Fact and Conclusions Of Law, limited to 5 pages in length, by August 16, 2013 at 5:00 p.m. The Court defers its ruling on Plaintiffs Application For Preliminary Injunction at this time. For reasons stated herein, the Court denies Plaintiffs Motion to Enjoin Defendants and Their Staff From Retaliation Against Plaintiffs In Any Manner For Filing This Complaint.(Court Reporter C. Smith–Neely.) (PJH) (Entered: 08/30/2013) |
| 08/08/2013 | 69 | Notice to Counsel: (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)Telephone Conference set for 8/9/2013 at 11:00 AM (CST) before Chief Judge Brian A. Jackson. The Court will initiate the call to counsel.(PJH) (Entered: 08/08/2013) |
| 08/09/2013 | 80 | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Telephone Conference held on 8/9/2013. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) Modified on 9/17/2013 to add text (JDL). (Entered: 09/16/2013) |
| 08/16/2013 | <u>70</u> | Joint STIPULATION <i>Regarding Tier Measurements</i> by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angie Norwood. (Wilson, Jacqueline) (Entered: 08/16/2013) |
| 08/16/2013 | <u>71</u> | Proposed Findings of Fact by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angie Norwood. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Wilson, Jacqueline) (Entered: 08/16/2013) |
| 08/16/2013 | <u>72</u> | Notice of Filing by Elzie Ball, Nathaniel Code, James Magee. (Attachments: # <u>1</u> Attachment Proposed Findings of Fact and Conclusions of Law, # <u>2</u> Attachment Joint Stipulations, # <u>3</u> Attachment Redacted expert report of James Balsamo, # <u>4</u> Attachment Email correspondence re Balsamo report, # <u>5</u> Attachment Email correspondence re Balsamo report, # <u>6</u> Attachment Email correspondence re Balsamo report, # <u>7</u> Attachment Email correspondence re Balsamo report, # <u>8</u> Attachment Email correspondence re Balsamo report, # <u>9</u> Attachment Email correspondence re Balsamo report, # <u>10</u> Attachment Email correspondence re Balsamo report, # <u>11</u> Attachment Email correspondence re Balsamo report, # <u>12</u> Attachment Email correspondence re Balsamo report, # <u>13</u> Attachment Email correspondence re Balsamo report)(Montagnes, Mercedes) Modified to edit text on 8/19/2013 (SMG). (Entered: 08/16/2013) |
| 08/20/2013 | <u>73</u> | MOTION for Leave to File Reply to <i>Defendants Opposition to Motion for Evidentiary Sanctions Against Defendants RE: Cost of Air Conditioning and Balance of Harms</i> by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading;)(Montagnes, Mercedes) (Entered: 08/20/2013) |

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| 08/20/2013 | <u>74</u> | MOTION for Leave to File Reply to <i>Defendants Opposition to Motion for Imposition of Sanctions for Defendants Spoliation of Evidence</i> by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading;, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit)(Montagnes, Mercedes) (Entered: 08/20/2013) |
| 09/03/2013 | <u>78</u> | MEMORANDUM in Opposition to <u>72</u> Plaintiff's Attempt to Introduce Expert Report of James Balsamo filed by All Defendants. (Attachments: # <u>1</u> Exhibit)(Wilson, Jacqueline) Modified to edit text on 9/3/2013 (SMG). (Entered: 09/03/2013) |
| 09/06/2013 | <u>79</u> | MOTION for Leave to Remove Awnings and Incorporated Memorandum by All Defendants. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Proposed Pleading;)(Wilson, Jacqueline) Modified on 9/9/2013 to edit text (CGP). (Entered: 09/06/2013) |
| 09/16/2013 | <u>81</u> | RESPONSE in Opposition to <u>79</u> MOTION for Leave to Remove Awnings filed by All Plaintiffs. (Montagnes, Mercedes) (Entered: 09/16/2013) |
| 09/17/2013 | <u>82</u> | ORDER denying <u>79</u> MOTION for Leave to Remove Awnings and Incorporated Memorandum. Signed by Chief Judge Brian A. Jackson on 9/17/2013. (LLH) (Entered: 09/17/2013) |
| 10/10/2013 | <u>83</u> | ORDER granting <u>73</u> MOTION for Leave to File Reply to <i>Defendants Opposition to Motion for Evidentiary Sanctions Against Defendants RE: Cost of Air Conditioning and Balance of Harms</i> filed by Nathaniel Code, Elzie Ball, James Magee and granting <u>74</u> MOTION for Leave to File Reply to <i>Defendants Opposition to Motion for Imposition of Sanctions for Defendants Spoliation of Evidence</i> filed by Nathaniel Code, Elzie Ball, James Magee. The Clerk of Court shall enter both the reply memoranda into the record. Signed by Chief Judge Brian A. Jackson on 10/9/2013. (LLH) (Entered: 10/10/2013) |
| 10/10/2013 | <u>84</u> | REPLY to <u>68</u> Response in Opposition to <u>62</u> First MOTION and Incorporated Memorandum for Evidentiary Sanctions Against Defendants Re: Costs of Air Conditioning and Balance of Harms to Defendants from Injunctive Relief Sought by Plaintiffs, filed by Elzie Ball, Nathaniel Code, James Magee. (LLH) (Entered: 10/10/2013) |
| 10/10/2013 | <u>85</u> | REPLY to <u>66</u> Response in Opposition to <u>63</u> MOTION and Incorporated Memorandum in Support of a Motion for Imposition of Sanctions for Defendants' Spoliation of Evidence, filed by Elzie Ball, Nathaniel Code, James Magee. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit)(LLH) (Entered: 10/10/2013) |
| 12/19/2013 | <u>86</u> | RULING AND ORDER... For reasons stated herein, IT IS ORDERED that Plaintiffs' Motion and Incorporated Memorandum to Request Judicial Notice of Administrative Prison Regulations and Louisiana Laws Requiring Climate Control (Doc. 55) is GRANTED. Signed by Chief Judge Brian A. Jackson on 12/19/2013. (PJH) (Entered: 12/19/2013) |
| 12/19/2013 | <u>87</u> | RULING AND ORDER denying as moot <u>12</u> Plaintiffs' Motion for a Preliminary Injunction and granting in part and denying in part Plaintiffs' request for declaratory and injunctive relief. For the reasons stated herein; IT IS FURTHER ORDERED that Defendants shall immediately develop a plan to reduce and maintain the heat index in the Angola death row tiers at or below 88 degrees Fahrenheit. IT IS FURTHER ORDERED that Defendants shall submit their plan to the Court no later than February 17, 2014 at 5:00 p.m. IT IS FURTHER ORDERED that Defendants shall immediately add Plaintiff James Magee to Angola's "Heat Precautions List." IT IS FURTHER ORDERED that Plaintiffs shall file a response to Defendants' proposed plan no later than March 10, 2014 at 5:00 p.m. IT IS FURTHER ORDERED that Plaintiffs and Defendants shall jointly or separately recommend candidates for appointment as Special Master no later than March 10, 2014 at 5:00 p.m. The parties' recommendations shall be filed into the record of this matter and shall set out the qualifications of the persons so recommended. IT IS FURTHER ORDERED that Plaintiffs and Defendants shall jointly or separately file a response to the United States Department of Justice's submission no later than March 10, 2014 at 5:00 p.m. IT IS FURTHER ORDERED that Plaintiffs are awarded reasonable attorneys' fees and costs. Plaintiffs shall file their motion for attorneys' fees and costs on a date to be fixed by the Court. IT IS FURTHER ORDERED that the Clerk of Court shall serve a copy |

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| | | of this Ruling and Order on the United States Attorney for the Middle District of Louisiana and the Assistant Attorney General for the Civil Rights Division of the United States Department of Justice. Signed by Chief Judge Brian A. Jackson on 12/19/2013. (PJH) (Entered: 12/19/2013) |
| 12/19/2013 | <u>88</u> | RULING AND ORDER granting in part and denying in part <u>62</u> <u>63</u> Plaintiffs' Motions for Sanctions. Plaintiffs' Motions are GRANTED to the extent that they seek reimbursement of attorney's fees and costs. IT IS ORDERED that Defendants' SHALL REIMBURSE Plaintiffs the full value of all attorney's fees and costs associated with the evidentiary and discovery violations described in this Order. Plaintiff's Motions are DENIED to the extent that they seek additional relief. IT IS FURTHER ORDERED that Plaintiffs' shall file a motion for attorneys' fees and costs within 30 days of the date of this Order. IT IS FURTHER ORDERED that Defendants' counsel E. WADE SHOWS, AMY L. MCINNIS, and JACQUELINE B. WILSON SHOW CAUSE WHY SANCTIONS SHOULD NOT BE IMPOSED against each personally, under Fed. R. Civ. P. 37(c); M.D. La. LR83.2.4 and LR83.2.8; Louisiana Professional Conduct Rules related to candor to the tribunal and honesty and fair dealing to opposing counsel; and this Court's inherent powers. An order setting a date for a hearing on this Order to Show Cause shall follow. Signed by Chief Judge Brian A. Jackson on 12/19/2013. (PJH) (Entered: 12/19/2013) |
| 12/19/2013 | | Set/Reset Deadlines/Hearings: Defendants Plan is due no later than 5:00 pm on 2/17/2014. Plaintiffs Response to the Defendants Plan is due no later than 5:00 pm on 03/10/2014. Plaintiffs and Defendants shall jointly or separately recommend candidates for appointment as Special Master no later than 5:00 pm on 03/10/2014. Plaintiffs and Defendants shall jointly or separately file a response to the US Department of Justice's submission no later than 5:00 pm on 03/10/2014. Motion for Attorney's Fees shall be filed by 1/21/2014. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry) (NLT) (Entered: 12/20/2013) |
| 12/23/2013 | <u>89</u> | TRANSCRIPT REQUEST by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood for proceedings held on 8/5/2013–8/7/2013 before Judge Jackson.. (Wilson, Jacqueline) (Entered: 12/23/2013) |
| 12/23/2013 | <u>90</u> | NOTICE of Service of Record Doc. 87 upon the Acting U.S Attorney for the Middle District of Louisiana (SMG) Modified on 1/6/2014 to edit the text (NLT). (Entered: 12/23/2013) |
| 12/26/2013 | <u>91</u> | MOTION Entry of Final Judgment by All Defendants. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading; Proposed Final Judgment)(Wilson, Jacqueline) (Entered: 12/26/2013) |
| 12/26/2013 | <u>92</u> | MOTION for Expedited Hearing on <u>91</u> MOTION Entry of Final Judgment by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Order)(Wilson, Jacqueline) (Entered: 12/26/2013) |
| 12/31/2013 | <u>93</u> | RESPONSE in Opposition to <u>92</u> MOTION for Expedited Hearing on <u>91</u> MOTION Entry of Final Judgment filed by All Plaintiffs. (Montagnes, Mercedes) (Entered: 12/31/2013) |
| 12/31/2013 | <u>94</u> | MOTION for Leave to File Reply Memorandum in Support of Defendants' Motion for Expedited Consideration of Motion for Entry of Final Judgment Pursuant to FRCP 58(d) by All Defendants. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading; Order, # <u>3</u> Proposed Pleading; Reply Brief)(Wilson, Jacqueline) Modified to edit docket entry relationship and text on 1/2/2014 (SMG). (Entered: 12/31/2013) |
| 01/06/2014 | <u>95</u> | ORDER denying <u>92</u> Motion for Expedited Consideration of Motion for Entry of Final Judgment and denying as moot <u>94</u> MOTION for Leave to File Reply Memorandum in Support of Defendants' Motion for Expedited Consideration of Motion for Entry of Final Judgment Pursuant to FRCP 58(d). The plaintiffs shall file a response to Defendants' Motion for Expedited Consideration of Motion for Entry of Final Judgment Pursuant to FRCP 58(d)no later than 01/16/2014. Signed by Chief Judge Brian A. Jackson on 01/06/2014. (NLT) (Entered: 01/06/2014) |
| 01/06/2014 | | Set/Reset Deadlines as to <u>91</u> MOTION Entry of Final Judgment . (NLT) (Entered: 01/06/2014) |

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| 01/06/2014 | <u>96</u> | Return on Case 13-368 Certified Mail Return Receipt re: Ruling #87. (CGP) (Entered: 01/07/2014) |
| 01/13/2014 | <u>97</u> | MOTION to Stay <i>Pending Appeal</i> by All Defendants. (Attachments: # <u>1</u> Memorandum in Support)(Jones, Carlton) (Entered: 01/13/2014) |
| 01/13/2014 | <u>98</u> | MOTION for Expedited Consideration of <u>97</u> MOTION to Stay Pending Appeal by All Defendants. (Jones, Carlton) Modified on 1/14/2014 to edit text (JDL). (Entered: 01/13/2014) |
| 01/16/2014 | <u>99</u> | RESPONSE in Opposition to <u>91</u> MOTION Entry of Final Judgment filed by All Plaintiffs. (Montagnes, Mercedes) (Entered: 01/16/2014) |
| 01/17/2014 | <u>100</u> | RULING AND ORDER granting <u>98</u> Motion for Expedited Consideration and denying <u>97</u> Motion to Stay Pending Appeal. Signed by Chief Judge Brian A. Jackson on 01/17/2014. (CGP) (Entered: 01/17/2014) |
| 01/17/2014 | <u>101</u> | ORDER setting EVIDENTIARY HEARING. IT IS ORDERED that Defendants' counsel, Mr. Edward Wade Shows, Ms. Amy L. McInnis, and Ms. Jacqueline B. Wilson SHOW CAUSE on February 20, 2014 at 2:00 p.m. in Courtroom 2 as to why SANCTIONS should not be imposed against each personally, pursuant to the Federal Rules of Civil Procedure, Local Rules of the United States District Court for the Middle District of Louisiana, Louisiana Rules of Professional Conduct, and/or this Court's inherent powers. See Docs. 87, 88. Possible SANCTIONS include, but are not limited to, reprimand, ethics training, suspension, disbarment, and/ or the payment of attorneys' fees to Plaintiffs' counsel. Signed by Chief Judge Brian A. Jackson on 1/17/2014. (PJH) (Entered: 01/17/2014) |
| 01/17/2014 | <u>102</u> | MOTION to Enroll Michael A. Patterson, S. Brooke Barnett-Bernal and J. Lane Ewing, Jr. as Attorney And Re-Set Show Cause Hearing by Edward Wade Shows, Amy L McInnis, Jacqueline B Wilson. (Attachments: # <u>1</u> Attachment)(Barnett-Bernal, S.) Added MOTION to Re-Set Show Cause Hearing for a on 1/21/2014 (JDL). (Entered: 01/17/2014) |
| 01/21/2014 | <u>103</u> | NOTICE OF APPEAL to the USCA for the 5th Circuit of <u>87</u> Ruling and Order on Motion for Preliminary Injunction, by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood. Filing fee \$ 505, receipt number 053N-1037089. (Hilburn, James) Modified on 1/21/2014 to edit text (jdl) (Entered: 01/21/2014) |
| 01/21/2014 | <u>104</u> | MOTION to Set Attorney Fees and Costs Regarding Sanctions Pursuant to Rule 37(A)(5)(A) and This Court's <u>88</u> Order by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit, # <u>3</u> Attachment, # <u>4</u> Attachment, # <u>5</u> Attachment, # <u>6</u> Attachment, # <u>7</u> Attachment, # <u>8</u> Attachment, # <u>9</u> Affidavit, # <u>10</u> Attachment, # <u>11</u> Affidavit, # <u>12</u> Attachment, # <u>13</u> Affidavit, # <u>14</u> Affidavit, # <u>15</u> Affidavit, # <u>16</u> Attachment, # <u>17</u> Attachment, # <u>18</u> Attachment, # <u>19</u> Attachment, # <u>20</u> Attachment, # <u>21</u> Attachment)(Montagnes, Mercedes) (Attachment 17 replaced on 1/22/2014) (JDL). Modified on 1/22/2014 to correct document orientation and edit text (JDL). (Entered: 01/21/2014) |
| 01/22/2014 | <u>105</u> | MOTION for Status Conference by Edward Wade Shows. (Attachments: # <u>1</u> Attachment)(Barnett-Bernal, S.) (Entered: 01/22/2014) |
| 01/22/2014 | <u>106</u> | ORDER granting <u>102</u> Motion to Enroll as Counsel of Record and Motion to Re-Set Show Cause Hearing. The Evidentiary Hearing in this matter is CONTINUED and RESET to 3/7/2014 at 09:30 AM in Courtroom 2. Signed by Chief Judge Brian A. Jackson on 01/22/2014. (CGP) (Entered: 01/22/2014) |
| 01/30/2014 | <u>107</u> | RULING AND ORDER denying as moot <u>105</u> Motion for Status Conference. To repeat, The Show Cause Hearing scheduled for 3/7/2014 shall proceed in accordance with U.S. Fifth Circuit precedent and this Court's Local Rules. Signed by Chief Judge Brian A. Jackson on 1/28/2014. (LLH) (Entered: 01/30/2014) |
| 01/31/2014 | <u>108</u> | MOTION to Re-Set Show Cause Hearing (Barnett-Bernal, S.) Modified on 1/31/2014 to edit text (JDL). (Entered: 01/31/2014) |
| 02/04/2014 | <u>109</u> | MOTION for Guidance From The Court by Edward Wade Shows. (Attachments: # <u>1</u> Attachment)(Barnett-Bernal, S.) Modified to edit text on 2/4/2014 (SMG). (Entered: 02/04/2014) |

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| 02/06/2014 | <u>110</u> | MOTION to Enroll LaToya D. Jordan as Additional Attorney by Edward Wade Shows. (Attachments: # <u>1</u> Attachment)(Barnett–Bernal, S.) (Entered: 02/06/2014) |
| 02/06/2014 | | MOTION(S) REFERRED: <u>110</u> MOTION to Enroll LaToya D. Jordan as Additional Attorney . This motion is now pending before the USMJ. (SMG) (Entered: 02/06/2014) |
| 02/06/2014 | <u>111</u> | ORDER granting <u>110</u> Motion to Enroll Additional Counsel of Record for Shows Attorneys. Added attorney LaToya D. Jordan for Amy L. McInnis, Edward Wade Shows and Jacqueline B. Wilson. Signed by Magistrate Judge Stephen C. Riedlinger on 2/6/2014. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (Riedlinger, Stephen) (Entered: 02/06/2014) |
| 02/11/2014 | <u>112</u> | MOTION for Extension of Time Response to Plaintiffs' Motion for Attorneys' Fees and Costs by All Defendants. (Hilburn, James) (Entered: 02/11/2014) |
| 02/11/2014 | <u>113</u> | MOTION to Take Deposition from Magistrate Judge Stephen Riedlinger by Edward Wade Shows. (Attachments: # <u>1</u> Attachment, # <u>2</u> Exhibit)(Barnett–Bernal, S.) (Attachment 1 replaced on 2/11/2014 to correct document format) (JDL). (Entered: 02/11/2014) |
| 02/11/2014 | <u>114</u> | RULING AND ORDER granting <u>108</u> Motion to Re–Set Show Cause Hearing. The Evidentiary Hearing is reset for 3/12/2014 at 08:00 AM in Courtroom 2 before Chief Judge Brian A. Jackson. No further continuances will be allowed. Signed by Chief Judge Brian A. Jackson on 02/11/2014. (NLT) (Entered: 02/11/2014) |
| 02/11/2014 | <u>115</u> | MEMORANDUM in Opposition to <u>104</u> MOTION to Set Attorney Fees and Costs Regarding Sanction Pursuant to Rule 37(A)(5)(A) and This Court's <u>88</u> Order filed by All Defendants. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(Hilburn, James) (Entered: 02/11/2014) |
| 02/13/2014 | <u>116</u> | ORDER denying as moot <u>112</u> Motion for Enlargement of Time to File Response to Plaintiff's Motion for Attorney's Fees and Costs. Signed by Chief Judge Brian A. Jackson on 02/12/2014. (CGP) (Entered: 02/13/2014) |
| 02/14/2014 | <u>117</u> | RULING AND ORDER denying <u>109</u> Motion for Guidance from the Court. Signed by Chief Judge Brian A. Jackson on 02/13/2014. (NLT) (Entered: 02/14/2014) |
| 02/17/2014 | <u>118</u> | NOTICE of Submission of Heat Remediation Plan by Burl Cain, James M. LeBlanc, Angela Norwood re <u>87</u> Order on Motion for Preliminary Injunction, (Attachments: # <u>1</u> Exhibit "A" Frank Thompson, PE, CV, # <u>2</u> Exhibit "B" Remediation Plan with Exhibits, # <u>3</u> Exhibit "C" ACA Standard for Showers)(Hilburn, James) (Attachment 1 replaced on 2/18/2014 to correct page orientation) (JDL). (Entered: 02/17/2014) |
| 02/18/2014 | <u>119</u> | Letter dated 02/13/2014 from Lyle W. Cayce, Clerk – U.S. Court of Appeals for the 5th Circuit to Counsel or Parties Listed Re: Motion to Stay is Denied (CGP) (Entered: 02/18/2014) |
| 02/20/2014 | <u>120</u> | MOTION for Leave to File Reply by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading; Reply to Motion for Sanctions)(Montagnes, Mercedes) (Entered: 02/20/2014) |
| 02/24/2014 | | Record on Appeal Electronically Certified. regarding <u>103</u> Notice of Appeal to the USCA for the 5th Circuit. US Court of Appeals notified of certification. (TMR) (Entered: 02/24/2014) |
| 02/24/2014 | <u>121</u> | ORDER granting <u>120</u> MOTION for Leave to File Reply filed by Nathaniel Code, Elzie Ball, James Magee. Defendants shall file their sur–reply memorandum, if any, no later than 03/07/2014. Defendants' memorandum shall not exceed five pages. Signed by Chief Judge Brian A. Jackson on 02/24/2014. (CGP) (Entered: 02/24/2014) |
| 02/24/2014 | | Set/Reset Deadlines as to <u>104</u> MOTION to Set Attorney Fees and Costs Regarding Sanction Pursuant to Rule 37(A)(5)(A) and This Court's <u>88</u> Order. Replies due by 3/7/2014. (CGP) (Entered: 02/24/2014) |
| 02/24/2014 | <u>122</u> | REPLY in Support of <u>104</u> MOTION to Set Attorney Fees and Costs Regarding Sanction Pursuant to Rule 37(A)(5)(A) and this Court's <u>88</u> Order filed by Elzie Ball, |

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| | | Nathaniel Code, James Magee. (CGP) (Entered: 02/24/2014) |
| 02/25/2014 | 123 | REQUEST by All Plaintiffs for Record on Appeal regarding <u>103</u> Notice of Appeal to the USCA for the 5th Circuit,. (Vora, Nilay) (Entered: 02/25/2014) |
| 02/26/2014 | <u>124</u> | Transmitted Electronic Record on Appeal to Counsel of Record regarding <u>103</u> Notice of Appeal to the USCA for the 5th Circuit. The clerk of court will retain the responsibility of sending the record to the 5th Circuit upon their request (Attachments: # <u>1</u> Certified Appeal Record, Docket Sheet, # <u>2</u> Certified Appeal Record Vol. 1, # <u>3</u> Certified Appeal Record Vol. 2, # <u>4</u> Certified Appeal Record Vol. 3, # <u>5</u> Certified Appeal Record Vol. 4, # <u>6</u> Certified Appeal Record Vol. 5, # <u>7</u> Certified Appeal Record Vol. 6, # <u>8</u> Certified Appeal Record Vol. 7, # <u>9</u> Certified Appeal Record Vol. 8, # <u>10</u> Certified Appeal Record Vol. 9, # <u>11</u> Certified Appeal Record Vol. 10, # <u>12</u> Certified Appeal Record Vol. 11, # <u>13</u> Certified Appeal Record Vol. 12, # <u>14</u> Certified Appeal Record Vol. 13, # <u>15</u> Certified Appeal Record Vol. 14, # <u>16</u> Certified Appeal Record Vol. 15, # <u>17</u> Certified Appeal Record Vol. 16, # <u>18</u> Certified Appeal Record Vol. 17, # <u>19</u> Certified Appeal Record Vol. 18, # <u>20</u> Certified Appeal Record Vol. 19)(TMR) (Entered: 02/26/2014) |
| 02/27/2014 | 125 | ORDER granting <u>113</u> Request for the Testimony of Magistrate Judge Stephen C. Riedlinger, to be taken 3/6/2014 at 10:00 a.m., Russell B. Long Federal Bldg. Signed by Magistrate Judge Stephen C. Riedlinger on 2/27/2014. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (Riedlinger, Stephen) (Entered: 02/27/2014) |
| 03/07/2014 | <u>126</u> | Sur–Reply in Opposition to <u>104</u> MOTION to Set Attorney Fees and Costs Regarding Sanction Pursuant to Rule 37(A)(5)(A) and This Court's <u>88</u> Order filed by All Defendants. (Hilburn, James) Modified to edit text on 3/7/2014 (SMG). (Entered: 03/07/2014) |
| 03/07/2014 | 127 | Notice to Counsel: Evidentiary Hearing on the Order to Show Cause is reset for 3/12/2014 at 09:30 AM in Courtroom 2 before Chief Judge Brian A. Jackson. THIS IS A TIME CHANGE ONLY. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 03/07/2014) |
| 03/10/2014 | <u>128</u> | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Bench Trial hearing before Judge Chief Brian A. Jackson held on 8–5–13. Court Reporter: Clare Smith–Neely. Phone Number: 225–389–3565.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have five (5) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.lamd.uscourts.gov.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 3/28/2014. Redacted Transcript Deadline set for 4/7/2014. Release of Transcript Restriction set for 6/5/2014. (Smith–Neely, Clare) (Entered: 03/10/2014)</p> |
| 03/10/2014 | <u>129</u> | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Bench Trial hearing before Judge Chief Brian A. Jackson held on 8–6–13. Court Reporter: Clare Smith–Neely. Phone Number: 225–389–3565.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have five (5) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.lamd.uscourts.gov.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 3/28/2014. Redacted Transcript Deadline set for 4/7/2014. Release of Transcript Restriction set for 6/5/2014. (Smith–Neely, Clare) (Entered: 03/10/2014)</p> |

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| 03/10/2014 | <u>130</u> | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Bench Trial hearing before Judge Chief Brian A. Jackson held on 8-7-13. Court Reporter: Clare Smith-Neely. Phone Number: 225-389-3565.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have five (5) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.lamd.uscourts.gov.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 3/28/2014. Redacted Transcript Deadline set for 4/7/2014. Release of Transcript Restriction set for 6/5/2014. (Smith-Neely, Clare) (Entered: 03/10/2014)</p> |
| 03/10/2014 | <u>131</u> | <p>RESPONSE to <u>118</u> Defendants' Submission of Heat Remediation Plan filed by All Plaintiffs. (Montagnes, Mercedes) Modified to edit text on 3/11/2014 (SMG). (Entered: 03/10/2014)</p> |
| 03/10/2014 | <u>132</u> | <p>RESPONSE to <u>64</u> Statement of Interest of the United States filed by All Plaintiffs. (Montagnes, Mercedes) Modified to edit text on 3/11/2014 (SMG). (Entered: 03/10/2014)</p> |
| 03/10/2014 | <u>133</u> | <p>NOTICE of Plaintiffs' Recommended Candidates for Appointment as Special Master by Elzie Ball, Nathaniel Code, James Magee (Attachments: # <u>1</u> Attachment Lopes CV, # <u>2</u> Attachment Medina CV, # <u>3</u> Attachment Morrison CV, # <u>4</u> Attachment Quigley CV, # <u>5</u> Attachment Schlanger CV)(Montagnes, Mercedes) Modified to edit text on 3/11/2014 (SMG). (Entered: 03/10/2014)</p> |
| 03/10/2014 | <u>134</u> | <p>Defendants' Response to <u>64</u> Statement of Interest of the United States by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood re <u>87</u> Order on Motion for Preliminary Injunction (Hilburn, James) Modified to edit text on 3/11/2014 (SMG). (Entered: 03/10/2014)</p> |
| 03/10/2014 | <u>135</u> | <p>NOTICE of Defendants' Recommendation of Candidates for Special Master by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood re <u>87</u> Order on Motion for Preliminary Injunction,,,,,, (Attachments: # <u>1</u> Exhibit Ex. B, C.V. of Judge Gaidry, # <u>2</u> Exhibit Ex. C, C.V. of Ms. Ellis, # <u>3</u> Exhibit Ex. D, C.V. of Mr. Hebert)(Hilburn, James) (Entered: 03/10/2014)</p> |
| 03/11/2014 | <u>136</u> | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Motion for Preliminary Injunction hearing before Judge Chief Brian A. Jackson held on 7-2-13. Court Reporter: Clare Smith-Neely. Phone Number: 225-389-3565.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have five (5) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.lamd.uscourts.gov.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 3/31/2014. Redacted Transcript Deadline set for 4/8/2014. Release of Transcript Restriction set for 6/6/2014. (Smith-Neely, Clare) (Entered: 03/11/2014)</p> |
| 03/13/2014 | <u>137</u> | <p>MOTION to Remove Three of Defendants' Recommended Candidates for Special Master by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support)(Montagnes, Mercedes) Modified on 3/14/2014 to edit text (JDL). (Entered: 03/13/2014)</p> |
| 03/13/2014 | <u>138</u> | <p>MOTION for Leave to File Notice of Errata by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading; Notice of Errata, # <u>2</u> Exhibit Exhibit 1)(Montagnes, Mercedes) (Entered: 03/13/2014)</p> |
| 03/13/2014 | <u>139</u> | <p>MOTION for Leave to Remove Three of Plaintiffs' Special Master Candidates by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections,</p> |

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| | | Angela Norwood. (Attachments: # <u>1</u> Memorandum in Support)(Hilburn, James) (Entered: 03/13/2014) |
| 03/14/2014 | <u>140</u> | MEMORANDUM in Opposition to <u>139</u> MOTION for Leave to Remove Three of Plaintiffs' Special Master Candidates filed by All Plaintiffs. (Montagnes, Mercedes) (Entered: 03/14/2014) |
| 03/14/2014 | <u>141</u> | ORDER granting <u>138</u> MOTION for Leave to File Notice of Errata filed by Nathaniel Code, Elzie Ball, James Magee. The Clerk of Court shall DOCKET Plaintiff's Notice of Errata Regarding Plaintiffs Motion to Set Attorneys' Fees and Costs Pursuant to Rule 37(a)(5)(A) and this Court's Order, and create a docket entry relationship between it and Plaintiffs Motion to Set Attorneys' Fees and Costs Pursuant to Rule 37(a)(5)(A) and this Court's Order <u>104</u> . Signed by Chief Judge Brian A. Jackson on 03/14/2014. (CGP) (Entered: 03/14/2014) |
| 03/14/2014 | <u>142</u> | NOTICE of Errata Regarding <u>104</u> Plaintiffs Motion to Set Attorneys' Fees and Costs Pursuant to Rule 37(A)(5)(A) and This Court's <u>88</u> Order by Elzie Ball, Nathaniel Code, James Magee. (Attachments: # <u>1</u> Exhibit 1)(CGP) (Entered: 03/14/2014) |
| 03/14/2014 | <u>143</u> | ORDER granting <u>137</u> Plaintiffs' MOTION to Remove Three of Defendants' Recommended Candidates for Special Master and <u>139</u> Defendants' MOTION to Remove Three of Plaintiffs' Recommended Candidates for Special Master. The following individuals remain on the list of proposed candidates for appointment as Special Master: (1) Isabel Medina, (2) William Quigley, (3) Paul Hebert. The Court shall issue further orders regarding the appointment of a Special Master, Defendants' proposed plan, Plaintiffs' response, and implementation of the plan at a later date. Signed by Chief Judge Brian A. Jackson on 03/14/2014. (CGP) Modified on 3/17/2014 to edit the text (NLT). (Entered: 03/14/2014) |
| 03/14/2014 | <u>144</u> | MOTION for Leave to File Reply Memorandum in Support of Motion to Remove Three of Plaintiffs' Recommended Candidates for Special Master by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood. (Attachments: # <u>1</u> Memorandum in Support Reply Memorandum in Support)(Hilburn, James) (Entered: 03/14/2014) |
| 03/18/2014 | <u>145</u> | ORDER denying as moot Defendants' <u>144</u> MOTION for Leave of Court to File Reply Memorandum to Remove Three of Plaintiffs' Recommended Candidates for Special Master. Signed by Chief Judge Brian A. Jackson on 03/17/2014. (CGP) (Entered: 03/18/2014) |
| 03/25/2014 | <u>146</u> | MOTION to Compel Payment of Expert Fees by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15)(Montagnes, Mercedes) Modified on 3/25/2014 to edit text (JDL). (Entered: 03/25/2014) |
| 03/27/2014 | | Supplemental #2, Record on Appeal Electronically Certified, regarding <u>103</u> Notice of Appeal to the USCA for the 5th Circuit. US Court of Appeals notified of certification. (TMR) (Entered: 03/27/2014) |
| 03/27/2014 | | Supplemental #1 Record on Appeal Electronically Certified. regarding <u>103</u> Notice of Appeal to the USCA for the 5th Circuit,. US Court of Appeals notified of certification. (TMR) (Entered: 03/27/2014) |
| 04/01/2014 | <u>147</u> | REQUEST by All Defendants for Record on Appeal regarding <u>103</u> Notice of Appeal to the USCA for the 5th Circuit,. (Wilson, Jacqueline) (Entered: 04/01/2014) |
| 04/01/2014 | <u>148</u> | Transmitted Electronic Record on Appeal to Counsel of Record regarding <u>103</u> Notice of Appeal to the USCA for the 5th Circuit,. The clerk of court will retain the responsibility of sending the record to the 5th Circuit upon their request. (Attachments: # <u>1</u> Certified Appeal Record Supp #1, Docket Sheet, # <u>2</u> Certified Appeal Record Supp #1, Vol. 1, # <u>3</u> Certified Appeal Record Supp #1, Transcript 8-5-13, # <u>4</u> Certified Appeal Record Supp #1, Transcript 8-6-13, # <u>5</u> Certified Appeal Record Supp #1, Transcript 8-7-13, # <u>6</u> Certified Appeal Record Supp #2, Docket Sheet, # <u>7</u> Certified Appeal Record Supp #2, Transcript 7-2-13)(TMR) (Entered: 04/01/2014) |

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| 04/04/2014 | <u>149</u> | TRANSCRIPT REQUEST <i>for Evidentiary Hearing on the Order to Show Cause</i> by Elzie Ball, Nathaniel Code, James Magee for proceedings held on 3/12/14 before Judge Hon. Brian A. Jackson.. (Vora, Nilay) (Entered: 04/04/2014) |
| 04/06/2014 | <u>150</u> | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Show Cause Hearing hearing before Judge Chief Brian A. Jackson held on 3–12–14. Court Reporter: Clare Smith–Neely. Phone Number: 225–389–3565.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have five (5) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.lamd.uscourts.gov.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 4/24/2014. Redacted Transcript Deadline set for 5/5/2014. Release of Transcript Restriction set for 7/2/2014. (Smith–Neely, Clare) (Entered: 04/06/2014)</p> |
| 04/10/2014 | <u>151</u> | ORDER SETTING EVIDENTIARY HEARING: The parties shall appear before the undersigned for an EVIDENTIARY HEARING on 04/30/2014 at 10:00 a.m. in Courtroom 2. The parties shall be prepared to present oral argument and/or evidence, including testimonial evidence, regarding the remaining proposed candidates for appointment as Special Master. Signed by Chief Judge Brian A. Jackson on 04/10/2014. (CGP) (Entered: 04/10/2014) |
| 04/10/2014 | | Set/Reset Deadlines/Hearings: (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry) Evidentiary Hearing set for 4/30/2014 at 10:00 AM in Courtroom 2 before Chief Judge Brian A. Jackson. (CGP) (Entered: 04/10/2014) |
| 04/15/2014 | <u>152</u> | MEMORANDUM in Opposition to <u>146</u> MOTION to Compel Payment of Expert Fees filed by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood. (Attachments: # <u>1</u> Exhibit Exhibit A – 10.8.13 letter, # <u>2</u> Exhibit Exhibit B – 3.8.14 email, # <u>3</u> Exhibit Exhibit C – Vassallo invoice, # <u>4</u> Exhibit Exhibit D – Vassallo contract, # <u>5</u> Exhibit Exhibit E – Balsamo invoice, # <u>6</u> Exhibit Exhibit F – Balsamo contract, # <u>7</u> Exhibit Exhibit G – Garon invoice, # <u>8</u> Exhibit Exhibit H – Garon contract)(Hilburn, James) (Entered: 04/15/2014) |
| 04/18/2014 | <u>153</u> | MOTION for Leave to File Reply to <u>152</u> Opposition to <u>146</u> MOTION to Compel Payment of Expert Fees filed by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading; Reply to Opposition, # <u>2</u> Exhibit Medlock Declaration)(Compa, Elizabeth) Modified on 4/21/2014 to edit text (JDL). (Entered: 04/18/2014) |
| 04/22/2014 | <u>154</u> | MOTION for Leave to File Supplemental Authority <i>to Motion to Set Attorneys' Fees (Rec. Doc. 104)</i> by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading;, # <u>2</u> Attachment)(Montagnes, Mercedes) (Entered: 04/22/2014) |
| 04/28/2014 | <u>155</u> | MOTION to Enroll Grant J. Guillot as Additional Attorney by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood. (Attachments: # <u>1</u> Proposed Pleading; Order)(Shows, Edmond) (Entered: 04/28/2014) |
| 04/28/2014 | | MOTION(S) REFERRED: <u>155</u> MOTION to Enroll Grant J. Guillot as Additional Attorney. This motion is now pending before the USMJ. (JDL) (Entered: 04/28/2014) |
| 04/28/2014 | 156 | ORDER granting <u>155</u> Motion to Enroll as Additional Counsel of Record. Added attorney Grant Joseph Guillot for Burl Cain, James M. LeBlanc, Angela Norwood, and Louisiana Department of Public Safety and Corrections. Signed by Magistrate Judge Stephen C. Riedlinger on 4/28/2014. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (Riedlinger, Stephen) (Entered: 04/28/2014) |
| 04/30/2014 | <u>157</u> | ORDER granting <u>153</u> MOTION for Leave to File Reply to Defendants' Opposition to Motion to Compel Payment of Expert Fees and <u>154</u> MOTION for Leave to File Supplemental Authority. Signed by Chief Judge Brian A. Jackson on 04/30/2014. (CGP) (Entered: 04/30/2014) |

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| 04/30/2014 | <u>158</u> | SUPPLEMENTAL AUTHORITY regarding <u>104</u> MOTION to Set Attorney Fees and Costs Regarding Sanction Pursuant to Rule 37(A)(5)(A) and this Court's <u>88</u> Order. (Attachments: # <u>1</u> Attachment 1)(CGP) (Entered: 04/30/2014) |
| 04/30/2014 | <u>159</u> | REPLY to <u>152</u> Memorandum in Opposition to <u>146</u> MOTION to Compel Payment of Expert Fees filed by Elzie Ball, Nathaniel Code, James Magee. (Attachments: # <u>1</u> Exhibit 1)(CGP) (Entered: 04/30/2014) |
| 04/30/2014 | <u>168</u> | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Evidentiary Hearing held on 4/30/2014. This matter came on this day for evidentiary hearing regarding the remaining proposed candidates for appointment as Special Master (docs. 133, 135, and 151). The Court will defer ruling on the Motion for Entry of Final Judgment filed by Defendants (doc. 91), the Motion to Set Attorney Fees and Costs Regarding Sanctions Pursuant to Rule 37 (A)(5)(A) and This Courts Order (doc. 88) filed by the Plaintiffs (doc. 104), and the Motion to Compel Payment Of Expert Fees filed by the Plaintiffs (doc. 146). Plaintiffs Motions for Leave to File Reply to Opposition to Motion to Compel Payment of Expert Fees (doc. 153) and Motionfor Leave to File Supplemental Authority to Motion to Set Attorneys Fees (doc.154) is granted. Counsel presents oral argument to the Court. Dr. William Quigley and Dr. Marie Isabelle Medina are sworn and testifies on behalf of Plaintiffs. Exhibits filed. Paul F. Hebert, Esq. is sworn and testifies on behalf of the Defendants. Counsel presents closing arguments to the Court. The Court defers ruling on appointment of Special Master at this time. Written ruling to be rendered within the coming days.(Court Reporter Recorded.) (PJH) (Entered: 05/19/2014) |
| 05/02/2014 | <u>160</u> | TRANSCRIPT REQUEST by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood for proceedings held on 4/30/2014 before Judge Brian A. Jackson.. (Guillot, Grant) (Entered: 05/02/2014) |
| 05/05/2014 | <u>161</u> | MOTION for Leave to File Reply Memorandum in Response to Plaintiffs' Supplemental Authority Regarding Plaintiffs' Motion to Set Attorneys' Fees and Costs Pursuant to Rule 37(A)(5)(a) and This Court's Order by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Reply Memorandum in Response to Plaintiffs' Supplemental Authority Regarding Plaintiffs' Motion to Set Attorneys' Fees and Costs Pursuant to Rule 37(A)(5)(a) and This Court's Order, # <u>2</u> Proposed Pleading; Order)(Guillot, Grant) (Entered: 05/05/2014) |
| 05/06/2014 | <u>162</u> | ORDER granting <u>161</u> MOTION for Leave to File Reply Memorandum in Response to Plaintiffs' Supplemental Authority Regarding Plaintiffs' Motion to Set Attorneys' Fees and Costs Pursuant to Rule 37(A)(5)(a) and this Court's Order. Signed by Chief Judge Brian A. Jackson on 05/06/2014. (CGP) (Entered: 05/06/2014) |
| 05/06/2014 | <u>163</u> | REPLY MEMORANDUM in Response to <u>158</u> Supplemental Authority regarding <u>104</u> MOTION to Set Attorney Fees and Costs Regarding Sanction Pursuant to Rule 37(A)(5)(A) and This Court's <u>88</u> Order, filed by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood. (CGP) (Entered: 05/06/2014) |
| 05/09/2014 | <u>164</u> | MOTION for Jacqueline Wilson to Withdraw as Attorney by All Defendants. (Wilson, Jacqueline) (Entered: 05/09/2014) |
| 05/09/2014 | <u>165</u> | ORDER granting <u>164</u> Motion to Withdraw Counsel of Record. Jacqueline B. Wilson is withdrawn as attorney for the defendants. Signed by Magistrate Judge Stephen C. Riedlinger on 5/9/2014. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (Riedlinger, Stephen) (Entered: 05/09/2014) |
| 05/09/2014 | <u>166</u> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings To Assign Special Master hearing before Judge Chief Brian A. Jackson held on 4-30-14. Court Reporter: Clare Smith-Neely. Phone Number: 225-389-3565. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have five (5) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.lamd.uscourts.gov. |

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| | | Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 5/27/2014. Redacted Transcript Deadline set for 6/6/2014. Release of Transcript Restriction set for 8/4/2014. (Smith–Neely, Clare) (Entered: 05/09/2014) |
| 05/14/2014 | <u>167</u> | Memorandum dated 5/9/2014 from Clerk, USCA to Counsel or Parties Re: Order entered and the appellants' motion to suspend the briefing deadlines pending the district court's final orders on both the merits of this case and on the issue of the selection of Special Master is GRANTED. (JDL) (Entered: 05/14/2014) |
| 05/22/2014 | <u>169</u> | NOTICE of Compliance by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood to <u>87</u> Order on Motion for Preliminary Injunction,,,,,, (Attachments: # <u>1</u> Exhibit Redacted Heat Precautions List)(Guillot, Grant) (Attachment 1 replaced on 5/22/2014) (SMG). (Entered: 05/22/2014) |
| 05/23/2014 | <u>170</u> | ORDER APPROVING DEFENDANTS' HEAT REMEDIATION PLAN: Defendants shall IMMEDIATELY implement the approved plan, including installing all necessary equipment. Signed by Chief Judge Brian A. Jackson on 05/23/2014. (CGP) (Entered: 05/23/2014) |
| 05/23/2014 | <u>171</u> | ORDER CONDITIONALLY APPOINTING SPECIAL MASTER: Paul J. Hebert is appointed Special Master. Mr. Hebert shall file an affidavit disclosing whether there is any ground for disqualification under 28 U.S.C. 455 no later than 05/30/2014. Signed by Chief Judge Brian A. Jackson on 05/23/2014. (CGP) (Entered: 05/23/2014) |
| 05/27/2014 | <u>172</u> | AFFIDAVIT regarding <u>171</u> Order, by Paul J. Hebert. (Hebert, Paul) (Entered: 05/27/2014) |
| 05/29/2014 | <u>173</u> | FINAL ORDER APPOINTING SPECIAL MASTER: Paul J. Hebert of Ottinger Hebert, L.L. C. in Lafayette, Louisiana is appointed SPECIAL MASTER. All other aspects of the Court's Order Conditionally Appointing Paul J. Hebert as Special Master <u>171</u> shall be implemented IMMEDIATELY. Signed by Chief Judge Brian A. Jackson on 05/29/2014. (CGP) (Entered: 05/29/2014) |
| 06/02/2014 | <u>174</u> | JOINT MOTION and Incorporated Memorandum for Expedited Entry of Final Judgment by All Plaintiffs. (Montagnes, Mercedes) Modified on 6/3/2014 to edit text (JDL). (Entered: 06/02/2014) |
| 06/03/2014 | <u>175</u> | JUDGMENT granting <u>91</u> MOTION for Entry of Final Judgment and <u>174</u> MOTION and Incorporated Memorandum for Expedited Entry of Final Judgment. JUDGMENT is hereby rendered IN FAVOR of Plaintiffs Elzie Ball, Nathaniel Code, and James Magee and AGAINST Defendants James M. LeBlanc, Nathan Burl Cain, Angelia Norwood, and the Louisiana Department of Public Safety and Corrections as to Plaintiffs' claims under the Eighth Amendment to the United States Constitution. JUDGMENT is hereby rendered IN FAVOR of Defendants James M. LeBlanc, Nathan Burl Cain, Angelia Norwood, and the Louisiana Department of Public Safety and Corrections and AGAINST Plaintiffs Elzie Ball, Nathaniel Code, and James Magee as to Plaintiffs' claims under Title II of the Americans with Disabilities Act, as modified by the Americans with Disabilities Act Amendment Act and Section 504 of the Rehabilitation Act of 1973. The plaintiff's shall file their motion for attorney's fees no later than 07/14/2014. Signed by Chief Judge Brian A. Jackson on 06/02/2014. (NLT) Modified on 6/4/2014 to edit the text (NLT). (Entered: 06/03/2014) |
| 06/05/2014 | <u>176</u> | NOTICE OF APPEAL to the USCA for the 5th Circuit by Elzie Ball, Nathaniel Code, James Magee. Filing fee \$ 505, receipt number 053N–1086113. (Vora, Nilay) (Entered: 06/05/2014) |
| 06/05/2014 | <u>177</u> | NOTICE of Change of Firm Name by Elzie Ball, Nathaniel Code, James Magee (Vora, Nilay) (Entered: 06/05/2014) |
| 06/09/2014 | <u>178</u> | MEMORANDUM dated 6/6/2014 from Clerk, USCA to Counsel or Parties Re: Order entered granting appellants' motion for stay pending appeal. (JDL) (Entered: 06/09/2014) |
| 06/10/2014 | <u>179</u> | REQUEST by All Plaintiffs for Record on Appeal regarding <u>176</u> Notice of Appeal to the USCA for the 5th Circuit. (Vora, Nilay) (Entered: 06/10/2014) |

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| 06/11/2014 | <u>180</u> | Letter dated 06/06/2014 from Lyle W. Cayce, Clerk – U.S. Court of Appeals for the 5th Circuit to Counsel or Parties Listed Re: Appellants' motion for stay pending appeal is GRANTED. (CGP) (Entered: 06/11/2014) |
| 06/11/2014 | 181 | NOTICE TO COUNSEL: Unable to comply with REQUEST for Entire Record on Appeal at this time. The US Court of Appeals has not issued a briefing notice. Another request is required once the briefing notice has been issued. (TMR) (Entered: 06/11/2014) |
| 06/16/2014 | <u>182</u> | Letter dated 06/11/2014 from Lyle W. Cayce, Clerk – U.S. Court of Appeals for the 5th Circuit to Donna Gregory Re: Briefing Notice issued on 06/09/2014, being suspended pending the opening of the cross appeal, filed in the district court on 06/05/2014, and the certification of the complete, supplemental record. (CGP) (Entered: 06/17/2014) |
| 06/27/2014 | <u>183</u> | MANDATE of USCA as to <u>103</u> Notice of Appeal to the USCA for the 5th Circuit, filed by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood. The petition for writ of mandamus is DENIED. (CGP) (Entered: 06/30/2014) |
| 07/01/2014 | | Record on Appeal, #14–30067, Electronically Certified. regarding <u>176</u> Notice of Appeal to the USCA for the 5th Circuit. US Court of Appeals notified of certification. (TMR) (Entered: 07/01/2014) |
| 07/02/2014 | <u>184</u> | Report of Special Master Paul J. Hebert by Paul J. Hebert. (Attachments: # <u>1</u> Attachment Addendum 1, # <u>2</u> Attachment Addendum2, # <u>3</u> Attachment Addendum 3)(Hebert, Paul) Modified to edit text on 7/3/2014 (SMG). (Entered: 07/02/2014) |
| 07/08/2014 | 185 | REQUEST by All Plaintiffs for Record on Appeal regarding <u>176</u> Notice of Appeal to the USCA for the 5th Circuit. (Vora, Nilay) (Entered: 07/08/2014) |
| 07/08/2014 | <u>186</u> | Transmitted Electronic Record on Appeal to Counsel of Record regarding <u>176</u> Notice of Appeal to the USCA for the 5th Circuit. The clerk of court will retain the responsibility of sending the record to the 5th Circuit upon their request. (Attachments: # <u>1</u> Certified Appeal Record, Docket Sheet, # <u>2</u> Certified Appeal Record, Vol. 1, # <u>3</u> Certified Appeal Record, Vol. 2, # <u>4</u> Certified Appeal Record, Vol. 3, # <u>5</u> Certified Appeal Record, Vol. 4, # <u>6</u> Certified Appeal Record, Vol. 5, # <u>7</u> Certified Appeal Record, Vol. 6, # <u>8</u> Certified Appeal Record, Vol. 7, # <u>9</u> Certified Appeal Record, Vol. 8, # <u>10</u> Certified Appeal Record, Vol. 9, # <u>11</u> Certified Appeal Record, Vol. 10, # <u>12</u> Certified Appeal Record, Vol. 11, # <u>13</u> Certified Appeal Record, Vol. 12, # <u>14</u> Certified Appeal Record, Vol. 13, # <u>15</u> Certified Appeal Record, Vol. 14, # <u>16</u> Certified Appeal Record, Vol. 15, # <u>17</u> Certified Appeal Record, Vol. 16, # <u>18</u> Certified Appeal Record, Vol. 17, # <u>19</u> Certified Appeal Record, Vol. 18, # <u>20</u> Certified Appeal Record, Vol. 19, # <u>21</u> Certified Appeal Record, Supplemental #1 Docket Sheet, # <u>22</u> Certified Appeal Record, Supplemental #1 Vol. 1, # <u>23</u> Certified Appeal Record, Transcript 8–5–13, # <u>24</u> Certified Appeal Record, Transcript 8–6–13, # <u>25</u> Certified Appeal Record, Transcript 8–7–13, # <u>26</u> Certified Appeal Record, Supplemental #2 Docket Sheet, # <u>27</u> Certified Appeal Record, Transcript 7–2–3, # <u>28</u> Certified Appeal Record, Supplemental #3 Docket Sheet, # <u>29</u> Certified Appeal Record, Supplemental #3 Vol. 1)(TMR) (Entered: 07/08/2014) |
| 07/14/2014 | <u>187</u> | MOTION for Attorney Fees by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit Ex.A, # <u>3</u> Exhibit Ex.A–a, # <u>4</u> Exhibit Ex.A– b, # <u>5</u> Exhibit Ex.A–c, # <u>6</u> Exhibit Ex.A–d, # <u>7</u> Exhibit Ex.A–e, # <u>8</u> Exhibit Ex.B, # <u>9</u> Exhibit Ex. C, # <u>10</u> Exhibit Ex.D, # <u>11</u> Exhibit Ex.E, # <u>12</u> Exhibit Ex. F, # <u>13</u> Exhibit Ex. G, # <u>14</u> Exhibit Ex. G–a, # <u>15</u> Exhibit Ex. G–b, # <u>16</u> Exhibit Ex. H, # <u>17</u> Exhibit Ex. H–a, # <u>18</u> Exhibit Ex. I, # <u>19</u> Exhibit Ex. I–a, # <u>20</u> Exhibit Ex. I–b, # <u>21</u> Exhibit Ex. I–c, # <u>22</u> Exhibit Ex. I–d, # <u>23</u> Exhibit Ex. J, # <u>24</u> Exhibit Ex. J–a, # <u>25</u> Exhibit Ex. K, # <u>26</u> Exhibit Ex. K–a, # <u>27</u> Exhibit Ex. L, # <u>28</u> Exhibit Ex. M)(Montagnes, Mercedes) (Attachment 14 replaced on 7/15/2014) (SMG). (Attachment 27 replaced on 7/15/2014) (SMG). (Entered: 07/14/2014) |
| 07/21/2014 | <u>188</u> | MOTION to Strike <u>187</u> MOTION for Attorney Fees, or in the Alternative MOTION to Hold in Abeyance by All Defendants. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D)(Hilburn, James) Modified on 7/22/2014 to edit text (JDL). (Entered: 07/21/2014) |

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| 07/21/2014 | <u>189</u> | MOTION for Expedited Hearing on <u>188</u> MOTION to Strike <u>187</u> MOTION for Attorney Fees, or in the Alternative, MOTION to Hold in Abeyance by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Order)(Hilburn, James) Modified on 7/22/2014 to edit text (JDL). (Entered: 07/21/2014) |
| 07/22/2014 | <u>190</u> | Letter dated 07/08/2014 from Clerk of Court to Nilay U. Vora Re: Trial Exhibits (TMR) (Entered: 07/22/2014) |
| 07/22/2014 | <u>191</u> | RESPONSE in Opposition to <u>189</u> MOTION for Expedited Hearing on <u>188</u> MOTION to Strike <u>187</u> MOTION for Attorney Fees or in the Alternative, MOTION to Hold in Abeyance filed by All Plaintiffs. (Montagnes, Mercedes) (Entered: 07/22/2014) |
| 07/24/2014 | <u>192</u> | Letter to Clerk's Office from Jodi L. Nuss, assistant to James L. Hilburn – Return of 5 discs containing original trial exhibits. (LLH) (Entered: 07/25/2014) |
| 07/31/2014 | <u>193</u> | MOTION for Extension of Time to File Response to <u>187</u> MOTION for Attorney Fees by All Defendants. (Attachments: # <u>1</u> Proposed Order)(Jones, Carlton) (Entered: 07/31/2014) |
| 07/31/2014 | <u>194</u> | STATUS REPORT <i>REPORT OF SPECIAL MASTER PAUL J. HEBERT</i> by Paul J. Hebert. (Hebert, Paul) (Entered: 07/31/2014) |
| 08/12/2014 | <u>195</u> | ORDER granting in part and denying in part <u>193</u> Motion for Extension of Time to File Opposition to Plaintiff's Motion to Set Attorneys' Fees and Costs. Defendants are granted a 21 day extension, or until 8/25/2014, to file their memorandum in opposition to Plaintiffs' Motion to Set Attorneys' Fees and Costs. The <u>189</u> Motion for Expedited Hearing on Motion to Strike or in the Alternative Motion to Hold Abeyance is DENIED. Signed by Chief Judge Brian A. Jackson on 8/11/2014. (SMG) (Entered: 08/12/2014) |
| 08/12/2014 | | Set/Reset Deadlines as to <u>187</u> MOTION for Attorney Fees. (SMG) (Entered: 08/12/2014) |
| 08/12/2014 | <u>196</u> | MOTION for Leave to File Out of Time Opposition to Defendants' Motion to Strike or in the Alternative Motion to Hold in Abeyance by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading;)(Montagnes, Mercedes) Modified to edit text on 8/13/2014 (SMG). (Entered: 08/12/2014) |
| 08/15/2014 | <u>197</u> | ORDER granting <u>196</u> MOTION for Leave to File Out of Time Opposition to Defendants' Motion to Strike or in the Alternative Motion to Hold in Abeyance filed by Nathaniel Code, Elzie Ball, James Magee. Signed by Chief Judge Brian A. Jackson on 08/14/2014. (CGP) (Entered: 08/15/2014) |
| 08/15/2014 | <u>198</u> | OPPOSITION to <u>188</u> MOTION to Strike <u>187</u> MOTION for Attorney Fees or in the Alternative MOTION to Hold in Abeyance filed by Elzie Ball, Nathaniel Code, James Magee. (CGP) (Entered: 08/15/2014) |
| 08/25/2014 | <u>199</u> | MOTION for Leave to File Memorandum in Excess of the Page Limitation by All Defendants. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Proposed Pleading; Opposition Memorandum, # <u>3</u> Proposed Pleading; Exhibit 1, # <u>4</u> Proposed Pleading; Exhibit 2)(Jones, Carlton) (Entered: 08/25/2014) |
| 08/29/2014 | <u>200</u> | REPORT of Special Master (August 29, 2014) by Paul J. Hebert. (Hebert, Paul) Modified on 9/2/2014 to edit text (JDL). (Entered: 08/29/2014) |
| 09/09/2014 | <u>201</u> | MOTION for Leave to File Reply Brief to <u>199</u> Defendants' Opposition to <u>187</u> Motion to Set Attorneys' Fees and Costs Pursuant to 42 USC 1988 and FRCP 54(d) in Excess of the Page Limit by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading; Reply Brief, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7)(Montagnes, Mercedes) (Attachment 7 replaced on 9/10/2014 to correct page orientation) (JDL). Modified on 9/10/2014 to edit text (JDL). (Entered: 09/09/2014) |
| 09/26/2014 | <u>202</u> | Report of Special Master (September 26, 2014) by Paul J. Hebert. (Hebert, Paul) Modified to edit text on 9/26/2014 (SMG). (Entered: 09/26/2014) |
| 10/16/2014 | <u>203</u> | MOTION to MAINTAIN THE STATUS QUO by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support Memorandum, # <u>2</u> Exhibit Exhibit 1, # <u>3</u> Exhibit Exhibit 2, # <u>4</u> Exhibit Exhibit 3, # <u>5</u> Exhibit Exhibit 4, # <u>6</u> Exhibit Exhibit 5, # <u>7</u> Exhibit Exhibit 6, |

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| | | # <u>8</u> Exhibit Exhibit 7)(Montagnes, Mercedes) (Entered: 10/16/2014) |
| 10/16/2014 | <u>204</u> | MOTION for Expedited Hearing on <u>146</u> MOTION to Compel Payment of Expert Fees by All Plaintiffs. (Montagnes, Mercedes) (Entered: 10/16/2014) |
| 10/16/2014 | <u>205</u> | MEMORANDUM in Opposition to <u>203</u> MOTION to MAINTAIN THE STATUS QUO filed by All Defendants. (Guillot, Grant) (Entered: 10/16/2014) |
| 10/21/2014 | <u>206</u> | MOTION for Leave to File Reply to Opposition to Motion to Maintain Status Quo by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading; Reply to Opposition)(Compa, Elizabeth) (Entered: 10/21/2014) |
| 10/22/2014 | <u>207</u> | ORDER: Plaintiff's <u>203</u> MOTION to MAINTAIN THE STATUS QUO shall be heard WITH ORAL ARGUMENT on 10/28/2014 at 02:30 PM in Courtroom 2. Signed by Chief Judge Brian A. Jackson on 10/21/2014. (LLH) (Entered: 10/22/2014) |
| 10/23/2014 | <u>208</u> | MOTION Permission to Have Warden Burl Cain Testify on Behalf of All Defendants <i>with Request for Expedited Consideration</i> by All Defendants. (Attachments: # <u>1</u> Memorandum in Support Memorandum in Support of Motion to Have Warden Burl Cain Testify on Behalf of All Defendants)(Guillot, Grant). Added MOTION for Expedited Hearing on 10/24/2014 (SMG). (Entered: 10/23/2014) |
| 10/23/2014 | <u>209</u> | ORDER granting <u>206</u> MOTION for Leave to File Reply to <u>205</u> Opposition to <u>203</u> Motion to Maintain Status Quo filed by Nathaniel Code, Elzie Ball, James Magee. Signed by Chief Judge Brian A. Jackson on 10/23/2014. (LLH) (Entered: 10/23/2014) |
| 10/23/2014 | <u>210</u> | REPLY to <u>205</u> Memorandum in Opposition to <u>203</u> MOTION to MAINTAIN THE STATUS QUO , filed by Elzie Ball, Nathaniel Code, James Magee. (LLH) (Entered: 10/23/2014) |
| 10/24/2014 | <u>211</u> | Report of Special Master Paul J. Hebert by Paul J. Hebert. (Hebert, Paul) Modified to edit text on 10/24/2014 (SMG). (Entered: 10/24/2014) |
| 10/28/2014 | <u>212</u> | ORDER denying <u>208</u> MOTION for Permission to Have Warden Burl Cain Testify on Behalf of All Defendants with Request for Expedited Consideration. Signed by Chief Judge Brian A. Jackson on 10/28/2014. (NLT) (Entered: 10/28/2014) |
| 10/28/2014 | <u>213</u> | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Motion Hearing held on 10/28/2014 re <u>203</u> MOTION to MAINTAIN THE STATUS QUO filed by Nathaniel Code, Elzie Ball, James Magee. Counsel presents oral argument to the Court. For reasons stated on the record, the Court GRANTS the Plaintiffs' Motion to Maintain the Status Quo (Doc. 203). The Court orders the Defendants to maintain the status quo in the death row tiers. The Defendants, as ordered by the Court, shall not make any alterations to the death row tiers without the prior approval of the District Court. Defendants continued failure to maintain the status quo in the death row tiers shall result in sanctions against Defendants. The Court GRANTS the Plaintiffs' request for reasonable attorneys' fees and costs associated with the instant motion. (Court Reporter C. Smith.) (PJH) Modified on 11/24/2014 to edit date of hearing(PJH). (Entered: 10/30/2014) |
| 10/31/2014 | <u>214</u> | ORDER granting <u>203</u> Motion to Maintain the Status Quo. Defendants shall maintain the status quo in the death row tiers. Defendants shall not make any alterations to the death row tiers without the prior approval of the District Court. Defendants continued failure to maintain the status quo in the death row tiers shall result in sanctions against Defendants. Plaintiffs' request for reasonable attorneys fees and costs associated with the instant motion is GRANTED. Plaintiffs shall file their motion for attorneys fees and costs no later than 11/21/2014. Signed by Chief Judge Brian A. Jackson on 10/30/2014. (SMG) (Entered: 10/31/2014) |
| 11/17/2014 | <u>215</u> | MOTION for Telephone Status Conference by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support Memorandum in Support)(Montagnes, Mercedes) (Entered: 11/17/2014) |
| 11/20/2014 | <u>216</u> | MOTION for Attorney Fees and Costs <i>Regarding Maintenance of the Status Quo</i> by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support Memorandum in Support, # <u>2</u> Affidavit Montagnes Affidavit, # <u>3</u> Attachment Montagnes Timesheet, # <u>4</u> Affidavit Compa Affidavit, # <u>5</u> Attachment Compa Timesheet, # <u>6</u> Affidavit Vora Affidavit, # <u>7</u> Attachment Vora Timesheet, # <u>8</u> Exhibit Mileage to MDLa, # <u>9</u> Exhibit Mileage to |

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| | | LSP)(Montagnes, Mercedes) Modified to edit text on 11/20/2014 (BCL). (Entered: 11/20/2014) |
| 11/21/2014 | <u>217</u> | STATUS REPORT <i>Report of Special Master Paul J. Hebert</i> by Paul J. Hebert. (Hebert, Paul) (Entered: 11/21/2014) |
| 12/11/2014 | <u>218</u> | MEMORANDUM in Opposition to <u>216</u> MOTION for Attorney Fees and Costs <i>Regarding Maintenance of the Status Quo</i> filed by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C)(Guillot, Grant) (Entered: 12/11/2014) |
| 12/19/2014 | <u>219</u> | MOTION for Leave to File Reply to <u>218</u> Opposition to <u>216</u> Motion to Set Attorneys Fees and Costs Regarding Maintenance of the Status Quo by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading; Reply to Opposition)(Montagnes, Mercedes) Modified to edit text on 12/22/2014 (BCL). (Entered: 12/19/2014) |
| 12/23/2014 | <u>220</u> | Transmitted Record on Appeal Exhibits to US Court of Appeals regarding <u>176</u> Notice of Appeal to the USCA for the 5th Circuit. (TMR) (Entered: 12/23/2014) |
| 12/23/2014 | <u>221</u> | Report of Special Master Paul J. Hebert by Paul J. Hebert. (Hebert, Paul) Modified to edit text on 12/23/2014 (BCL). (Entered: 12/23/2014) |
| 12/29/2014 | <u>222</u> | Return on Appeal Transmittal Letter. (LLH) (Entered: 01/06/2015) |
| 01/22/2015 | <u>223</u> | MOTION for Leave to File Supplemental Memorandum <i>Regarding Payment of Expert Fees</i> by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading; Supplemental Memorandum)(Montagnes, Mercedes) (Entered: 01/22/2015) |
| 03/18/2015 | <u>224</u> | ORDER granting <u>219</u> MOTION for Leave to File Reply to <u>218</u> Defendants' Opposition filed by Nathaniel Code, Elzie Ball, James Magee. Signed by Chief Judge Brian A. Jackson on 3/17/2015. (BCL) (Entered: 03/18/2015) |
| 03/18/2015 | <u>225</u> | REPLY to <u>218</u> Opposition to <u>216</u> MOTION to Set Attorneys' Fees and Costs Regarding Maintenance of the Status Quo filed by Elzie Ball, Nathaniel Code, James Magee. (BCL) (Entered: 03/18/2015) |
| 03/18/2015 | <u>226</u> | RULING AND ORDER denying <u>215</u> Motion for Telephone Status Conference. Signed by Chief Judge Brian A. Jackson on 3/17/2015. (BCL) (Entered: 03/18/2015) |
| 03/19/2015 | <u>227</u> | RULING AND ORDER granting <u>223</u> MOTION for Leave to File Supplemental Memorandum <i>Regarding Payment of Expert Fees</i> filed by Nathaniel Code, Elzie Ball, James Magee. Signed by Chief Judge Brian A. Jackson on 3/19/2015. (LLH) (Entered: 03/19/2015) |
| 03/19/2015 | <u>228</u> | Supplemental MEMORANDUM to <u>146</u> MOTION to Compel Payment of Expert Fees filed by Elzie Ball, Nathaniel Code, James Magee. (LLH) (Entered: 03/19/2015) |
| 07/10/2015 | <u>229</u> | ORDER granting Defendants' <u>199</u> Motion for Leave to File Memorandum in Excess of the Page Limitation and Plaintiffs' <u>201</u> Motion for Leave to File Reply to Defendants' Opposition. Signed by Chief Judge Brian A. Jackson on 7/10/2015. (BCL) (Entered: 07/10/2015) |
| 07/10/2015 | <u>230</u> | Opposition to <u>104</u> MOTION to Set Attorney Fees and Costs filed by All Defendants. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(BCL) (Entered: 07/10/2015) |
| 07/10/2015 | <u>231</u> | REPLY to <u>230</u> Response in Opposition to Motion, <u>104</u> MOTION to Set Attorney's Fees filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(BCL) (Entered: 07/10/2015) |
| 07/17/2015 | 232 | STRICKEN FROM THE RECORD Joint MOTION to Suspend Deadlines For Motions for Attorney's Fees on Appeal . (Attachments: # 1 Memorandum in Support, # 2 Attachment Proposed Order)(Montagnes, Mercedes) Modified on 7/20/2015 to edit text (ELW). Modified on 7/21/2015 to remove document as it has been stricken (BCL). (Entered: 07/17/2015) |
| 07/17/2015 | 233 | STRICKEN FROM THE RECORD MOTION for Expedited Hearing on 232 Joint MOTION for Extension of Time to File Additional Fees Motion by All Plaintiffs. (Attachments: # 1 Memorandum in Support, # 2 Attachment Proposed |

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| | | Order)(Montagnes, Mercedes) Modified on 7/21/2015 to remove the document as it has been stricken (BCL). (Entered: 07/17/2015) |
| 07/20/2015 | <u>234</u> | RULING and ORDER granting in part and denying in part <u>216</u> Plaintiffs' Motion to Set Attorney's Fees and Costs Regarding the Maintenance of the Status Quo. The Court ASSESSES COSTS against the Defendants in the amount of \$15,019 in fees and \$243.04 in costs. Signed by Chief Judge Brian A. Jackson on 7/17/2015. (BCL) (Entered: 07/20/2015) |
| 07/20/2015 | <u>235</u> | Second Joint MOTION to Suspend Deadlines for Motions for Attorneys' Fees on Appeal (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Attachment Proposed Order)(Montagnes, Mercedes) Modified to edit text on 7/21/2015 (BCL). (Entered: 07/20/2015) |
| 07/20/2015 | <u>236</u> | Second Joint MOTION for Expedited Consideration of <u>235</u> Joint Motion to Suspend Deadlines for Motions for Attorneys' Fees on Appeal by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Attachment Proposed Order)(Montagnes, Mercedes) Modified to edit text on 7/21/2015 (BCL). (Entered: 07/20/2015) |
| 07/20/2015 | <u>237</u> | MOTION to Strike 233 MOTION for Expedited Hearing on 232 Joint MOTION for Extension of Time to File Additional Fees Motion , 232 Joint MOTION for Extension of Time to File Additional Fees Motion by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support)(Montagnes, Mercedes) (Entered: 07/20/2015) |
| 07/21/2015 | <u>238</u> | ORDER granting <u>237</u> Motion to Strike, <u>236</u> Second Joint Motion for Expedited Consideration of Joint Motion to Suspend Deadlines for Motions for Attorneys' Fees on Appeal and <u>235</u> Second Joint Motion to Suspend Deadlines for Motions for Attorneys' Fees on Appeal. The deadline for filing motions for attorneys' fees on appeal is hereby SUSPENDED. Signed by Chief Judge Brian A. Jackson on 7/21/2015. (BCL) (Entered: 07/21/2015) |
| 08/21/2015 | <u>239</u> | MOTION for Status Conference by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Attachment Proposed Order)(Montagnes, Mercedes) (Entered: 08/21/2015) |
| 08/24/2015 | <u>240</u> | MANDATE of USCA as to <u>176</u> Notice of Appeal to the USCA for the 5th Circuit filed by Nathaniel Code, Elzie Ball, James Magee. This cause was considered on the record on appeal and was argued by counsel. It is ordered and adjudged that the judgment of the District Court is affirmed in part and vacated in part, and the cause is remanded to the District Court for further proceedings in accordance with the opinion of this Court. IT IS FURTHER ORDERED that each party bear its own costs on appeal. (LLH) (Entered: 08/25/2015) |
| 08/28/2015 | <u>241</u> | NOTICE of return of Record on Appeal Exhibits from US Court of Appeals re <u>220</u> Appeal Record Sent to USCA. (BCL) (Entered: 08/31/2015) |
| 09/02/2015 | 242 | Notice to Counsel: Evidentiary Hearing set for 9/14/2015 at 10:00 AM in Courtroom 2 before Chief Judge Brian A. Jackson on the Plaintiffs' Motion for Attorney Fees filed 7/14/2014 (doc. 187). Evidence, in electronic format, shall be provided in accordance with Local Rule 79 and Administrative Procedures. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 09/02/2015) |
| 09/14/2015 | 243 | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Motion Hearing held on 9/14/2015 re <u>187</u> MOTION for Attorney Fees filed by Nathaniel Code, Elzie Ball, James Magee. For reasons stated herein, the Motion for Attorney Fees filed by Plaintiffs (doc. 187) is denied without prejudice. As directed by the Court, Counsel for the Plaintiffs shall confer with the Mr. Hebert, Special Master, regarding reconstruction of their invoice for attorney fees and cost. Plaintiffs' Motion for Attorney Fees shall be resubmitted by 11/2/2015. Defendants shall file a reply to the Plaintiffs' motion by 12/2/20/15. Briefs shall be limited to 10 pages in length. In light of the Mandate of the 5th Circuit Court of Appeal (doc. 240), Counsel for the Defendants shall submit a plan to address the under lying constitution violation by 10/23/2015. Counsel for the Plaintiffs shall file a response to the Defendants |

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| | | submitted plan by 11/23/2015.(Court Reporter C. Smith–Neely.) (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 09/16/2015) |
| 09/17/2015 | <u>244</u> | TRANSCRIPT REQUEST by Elzie Ball for proceedings held on 09/14/2015 before Judge Brian A. Jackson.. (Vora, Nilay) (Entered: 09/17/2015) |
| 09/25/2015 | <u>245</u> | MOTION to Substitute Parties Under Rule 25(D) by All Plaintiffs. (Compa, Elizabeth) Modified on 9/28/2015 to edit text (LLH). (Entered: 09/25/2015) |
| 09/28/2015 | | MOTION(S) REFERRED: <u>245</u> MOTION to Substitute Party . This motion is now pending before the USMJ. (LLH) (Entered: 09/28/2015) |
| 09/28/2015 | <u>246</u> | ORDER granting <u>245</u> Plaintiffs' Motion for Substitution of Parties Under Rule 25(d). James Cruz, in his official capacity as Warden of Death Row, added. Angela Norwood, in her official capacity as former Warden of Death Row, terminated. Signed by Magistrate Judge Stephen C. Riedlinger on 9/28/2015. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (Riedlinger, Stephen) (Entered: 09/28/2015) |
| 09/30/2015 | <u>247</u> | RULING AND ORDER granting in part and denying in part <u>104</u> MOTION to Set Attorney Fees and Costs Regarding Sanctions Pursuant to Rule 37(A)(5)(A) and This Court's <u>88</u> Order. The Court ASSESSES COSTS against Defendants in the amount of \$44,007.50 in fees and \$5,025 in costs. Signed by Chief Judge Brian A. Jackson on 9/30/2015. (LLH) (Main Document 247 replaced on 1/29/2016 – the Court's previous Ruling and Order is modified to reflect the fact that Scheckman graduated from law school in 1978 rather than 1993. The Court's Ruling and Order is otherwise unaffected.) (PJH). Modified on 1/29/2016 (PJH). (Entered: 09/30/2015) |
| 09/30/2015 | <u>248</u> | ORDER granting in part and denying in part Plaintiffs' Motion to Compel Payment of Expert Fees (Doc. 146–1). The Court ASSESSES COSTS against Defendants in the amount of \$1,939.50 in fees.IT IS FURTHER ORDERED that Plaintiffs' Motion for Expedited Consideration of Motion to Compel Payment of Expert Fees (Doc. 204) is DISMISSED as moot. Signed by Chief Judge Brian A. Jackson on 9/30/2015. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 09/30/2015) |
| 10/05/2015 | <u>249</u> | <i>REPORT of Special Master Paul J. Hebert</i> by Paul J. Hebert. (Hebert, Paul) Modified on 10/5/2015 to edit the text(NLT). (Entered: 10/05/2015) |
| 10/13/2015 | <u>250</u> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Evidentiary hearing before Judge Chief Brian A. Jackson held on 9–14–15. Court Reporter: Clare Smith–Neely. Phone Number: 225–389–3565. <P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have five (5) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.lamd.uscourts.gov. </p> Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 11/2/2015. Redacted Transcript Deadline set for 11/10/2015. Release of Transcript Restriction set for 1/8/2016. (Smith–Neely, Clare) (Entered: 10/13/2015) |
| 10/23/2015 | <u>251</u> | NOTICE of Submission of Second Heat Remediation Plan by Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood re <u>243</u> Motion Hearing,,,,, Set Deadlines,,,,, Terminate Motions,,,,, (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2 – Affidavit of James Cruze)(Hilburn, James) (Entered: 10/23/2015) |
| 10/28/2015 | <u>252</u> | Unopposed MOTION for Leave to File Declaration of Frank Thompson, P.E. by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Exhibit 3 to Doc. 251)(Hilburn, James) (Entered: 10/28/2015) |
| 10/28/2015 | | MOTION(S) REFERRED: <u>252</u> Unopposed MOTION for Leave to File Declaration of Frank Thompson, P.E. . This motion is now pending before the USMJ. (ELW) (Entered: 10/28/2015) |

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| 10/28/2015 | 253 | ORDER granting <u>252</u> Unopposed MOTION for Leave to File Declaration of Frank Thompson, P.E., filed by James Cruz, Burl Cain, James M. LeBlanc, Angela Norwood and the Louisiana Department of Public Safety and Corrections. The clerk of court will file the [252-1] Declaration of Frank Thompson, P.E., submitted with the motion. Signed by Magistrate Judge Stephen C. Riedlinger on 10/28/2015. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (Riedlinger, Stephen) (Entered: 10/28/2015) |
| 10/28/2015 | <u>254</u> | DECLARATION of Frank Thompson, P.E. by Burl Cain, James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections (NLT) (Entered: 11/02/2015) |
| 11/02/2015 | <u>255</u> | MOTION to Set Attorney Fees and Costs Pursuant to 42 U.S.C. 1998 and Fed. R. Civ. P. 54(d) by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support Memo in Support, # <u>2</u> Affidavit Montagnes Affidavit, # <u>3</u> Affidavit Compa Affidavit, # <u>4</u> Affidavit Vora Declaration, # <u>5</u> Exhibit BM Revised Costs Chart, # <u>6</u> Exhibit BM Revised Costs Documentation, # <u>7</u> Exhibit Vora BM New Time Entries, # <u>8</u> Exhibit Vora LTL New Time Entries Prebilling, # <u>9</u> Exhibit Vora LTL New Time Entries, # <u>10</u> Exhibit BM New Costs Chart, # <u>11</u> Exhibit BM New Costs Documentation, # <u>12</u> Exhibit Revised Time Entries, # <u>13</u> Affidavit Cumming Declaration, # <u>14</u> Affidavit Jordan Affidavit, # <u>15</u> Affidavit Schwartzmann Declaration, # <u>16</u> Exhibit Dupont Invoice, # <u>17</u> Exhibit Montagnes New Time Entries, # <u>18</u> Exhibit Compa New Time Entries, # <u>19</u> Attachment Bill of Costs, # <u>20</u> Exhibit PJI New Costs Chart, # <u>21</u> Exhibit PJI New Costs Documentation, # <u>22</u> Attachment Proposed Order)(Compa, Elizabeth) (Attachment 6, 11 and 21 replaced on 11/3/2015) (ELW). Modified on 11/3/2015 to correct page orientation and edit text (ELW). Modified on 11/12/2015 to replace memo as per Order # 259 (LLH). (Attachment 12 replaced on 3/1/2017) (NLT). (Entered: 11/02/2015) |
| 11/04/2015 | <u>256</u> | MOTION Substitute Memorandum In Support of <i>Resubmitted Motion for Attorneys' Fees and Costs</i> by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading; Substituted Memo In Support, # <u>2</u> Attachment Proposed Order)(Compa, Elizabeth) (Entered: 11/04/2015) |
| 11/10/2015 | <u>257</u> | MOTION to Conduct Additional Discovery Regarding Defendants' Second Heat Remediation Plan by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit Hilburn Email 11-10-15, # <u>3</u> Attachment Proposed Order)(Compa, Elizabeth) Modified on 11/10/2015 to edit text (LLH). (Entered: 11/10/2015) |
| 11/10/2015 | <u>258</u> | Unopposed MOTION for Extension of Time to File Response to Defendants' Submission of Second Heat Remediation Plan by All Plaintiffs. (Attachments: # <u>1</u> Attachment Proposed Order)(Compa, Elizabeth) Modified on 11/10/2015 to edit text (LLH). (Entered: 11/10/2015) |
| 11/12/2015 | <u>259</u> | ORDER granting <u>256</u> Motion to Substitute Memorandum of Law in Support of Plaintiff's Resubmitted Motion to Set Attorneys Fees and Costs. The corrected Memorandum of Law will be filed into the record to substitute Rec. Doc. 255-1. Signed by Chief Judge Brian A. Jackson on 11/10/2015. (LLH) (Entered: 11/12/2015) |
| 11/13/2015 | <u>260</u> | ORDER granting <u>257</u> Unopposed Motion to Conduct Additional Discovery Regarding Defendants' Second Heat Remediation Plan and the <u>258</u> Unopposed Motion to Extend Deadline for Response to Defendants' Second Heat Remediation Plan. Status Conference set for 12/1/2015 at 09:30 AM in chambers before Chief Judge Brian A. Jackson. Signed by Chief Judge Brian A. Jackson on 11/13/2015. (BCL) (Entered: 11/13/2015) |
| 11/18/2015 | <u>261</u> | EX Parte MOTION For Admission Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1324041) by All Plaintiffs. (Attachments: # <u>1</u> Affidavit Exhibit A: Declaration, # <u>2</u> Attachment Exhibit A-1: Certificate of Good Standing, # <u>3</u> Attachment Proposed Order)(Compa, Elizabeth) Modified on 11/18/2015 to edit text (ELW). (Entered: 11/18/2015) |
| 11/18/2015 | 262 | ORDER granting <u>261</u> Ex Parte Motion for Admission Pro Hac Vice. James M. Lee added as attorney pro hac vice for Elzie Ball, Nathaniel Code and James Magee. Signed by Magistrate Judge Stephen C. Riedlinger on 11/18/2015. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (Riedlinger, Stephen) (Entered: 11/18/2015) |

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| 11/23/2015 | <u>263</u> | REPORT of Special Master Paul J. Hebert by Paul J. Hebert. (Attachments: # <u>1</u> Attachment Affidavit of James "Jimmy" Cruze, Jr.)(Hebert, Paul) (Entered: 11/23/2015) |
| 11/30/2015 | | Set/Reset Hearings: Status Conference set for 12/1/2015 at 09:30 AM will be held in Courtroom 2 before Chief Judge Brian A. Jackson. This is a change in location only! (PJH) (Entered: 11/30/2015) |
| 11/30/2015 | <u>264</u> | MOTION for Extension of Time to File Opposition to <u>255</u> Motion to Set Attorneys' Fees and Costs and Incorporated Memorandum by All Defendants. (Attachments: # <u>1</u> Proposed Order)(Jones, Carlton) Modified to edit text on 12/1/2015 (BCL). (Entered: 11/30/2015) |
| 12/01/2015 | <u>265</u> | ORDER granting <u>264</u> MOTION for Extension of Time to File Opposition to <u>255</u> Motion to Set Attorneys' Fees and Costs. Defendants SHALL file their opposition by 12/16/2015. Signed by Chief Judge Brian A. Jackson on 12/1/2015. (LLH) (Entered: 12/01/2015) |
| 12/01/2015 | <u>266</u> | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Status Conference held on 12/1/2015. Status of matter, including discovery requests, discussed. Defendants shall file a response to the Plaintiffs' discovery requests by 1/8/16; Plaintiffs shall file reply to Defendants response two weeks from the filing of the Defendants response. Plaintiffs shall file a brief with regard to costs, limited to 8 pages in length, by 12/11/2015. Defendants response, limited to 8 pages in length, shall be filed by 12/22/2015. Counsel shall meet with Special Master Hebert in an effort to come to some agreement on the issues discussed herein. Counsel shall comply with the date and time of the meeting to be scheduled by Special Master Hebert. (recorded without Court Reporter.) (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 12/02/2015) |
| 12/03/2015 | <u>267</u> | TRANSCRIPT REQUEST by Paul J. Hebert for proceedings held on 12/01/2015 before Judge Jackson.. (Hebert, Paul) Modified on 12/3/2015 form forwarded to the NLT via email (LLH). (Entered: 12/03/2015) |
| 12/07/2015 | <u>268</u> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Status Conference hearing before Judge Chief Brian A. Jackson held on December 1, 2015. Court Reporter: Clare Smith-Neely. Phone Number: 225-389-3565. <P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have five (5) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.lamd.uscourts.gov. </p> Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 12/28/2015. Redacted Transcript Deadline set for 1/4/2016. Release of Transcript Restriction set for 3/3/2016. (Smith-Neely, Clare) (Entered: 12/07/2015) |
| 12/11/2015 | <u>269</u> | MOTION for Discovery <i>Regarding Costs of Remedial Measures</i> by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support Memo in Support, # <u>2</u> Exhibit Attorney Declarations and Affidavit of June 6 2014, # <u>3</u> Exhibit Death Row Temperature Data, # <u>4</u> Attachment Proposed Order)(Compa, Elizabeth) (Entered: 12/11/2015) |
| 12/16/2015 | <u>270</u> | MEMORANDUM in Opposition to <u>255</u> Amended MOTION for Attorney Fees filed by All Defendants. (Jones, Carlton) (Entered: 12/16/2015) |
| 12/17/2015 | <u>271</u> | ORDER denying <u>269</u> Motion for Discovery Regarding Costs of Remedial Measures. The scope of discovery in this case is strictly limited to the proposal outlined in Defendants' Second Heat Remediation Plan. Signed by Chief Judge Brian A. Jackson on 12/17/2015. (BCL) (Entered: 12/17/2015) |
| 12/18/2015 | <u>272</u> | MOTION for Extension of Time Reply by All Plaintiffs. (Attachments: # <u>1</u> Attachment Proposed Order)(Montagnes, Mercedes) (Entered: 12/18/2015) |
| 12/21/2015 | <u>273</u> | ORDER granting <u>272</u> Motion for Extension of Time to File Reply Brief. The deadline for Plaintiffs to reply to Defendants opposition (Doc. 270) is January 13, 2016. Signed by Chief Judge Brian A. Jackson on 12/18/2015. (PJH) (Entered: 12/21/2015) |

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| 12/30/2015 | <u>274</u> | Report of Special Master Paul J. Hebert by Paul J. Hebert. (Hebert, Paul) Modified to edit text on 12/31/2015 (BCL). (Entered: 12/30/2015) |
| 12/31/2015 | <u>275</u> | MOTION to Withdraw as Counsel of Record by Burl Cain, James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (McInnis, Amy) Modified on 1/4/2016 to edit text (ELW). (Entered: 12/31/2015) |
| 01/04/2016 | | MOTION(S) REFERRED: <u>275</u> MOTION for Amy L. McInnis to Withdraw as Attorney . This motion is now pending before the USMJ. (ELW) (Entered: 01/04/2016) |
| 01/07/2016 | <u>276</u> | NOTICE: Pursuant to General Order 2016-02, this case is reassigned from Magistrate Judge Stephen C. Riedlinger to Magistrate Judge Erin Wilder-Doomes. Signed by Chief Judge Brian A. Jackson on 1/4/2016. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(NLT) (Entered: 01/07/2016) |
| 01/08/2016 | <u>277</u> | ORDER granting <u>275</u> Motion to Withdraw as Counsel of Record. Attorney Amy L. McInnis is withdrawn. Signed by Magistrate Erin Wilder-Doomes on 1/8/2016. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (SGO) (Entered: 01/08/2016) |
| 01/13/2016 | <u>278</u> | MOTION for Leave to File Reply to Defendants' Opposition to Plaintiffs' Resubmitted Motion for Attorneys' Fees and Costs by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading; Reply to Opposition to Resubmitted Atty Fees Motion)(Compa, Elizabeth) (Entered: 01/13/2016) |
| 01/14/2016 | <u>279</u> | ORDER granting <u>278</u> MOTION for Leave to File Reply to Defendants' Opposition to Plaintiffs' Resubmitted <u>255</u> Motion to Set Attorneys' Fees and Costs filed by Nathaniel Code, Elzie Ball, James Magee. Signed by Chief Judge Brian A. Jackson on 1/13/2016. (JDL) (Entered: 01/14/2016) |
| 01/14/2016 | <u>280</u> | REPLY to <u>270</u> Opposition to <u>255</u> Plaintiff's Resubmitted MOTION to Set Attorney Fees filed by Elzie Ball, Nathaniel Code, James Magee. (JDL) (Entered: 01/14/2016) |
| 01/20/2016 | <u>281</u> | MOTION for Leave to File Response to Second Heat Remediation Plan by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Attachment Proposed Order)(Montagnes, Mercedes) (Entered: 01/20/2016) |
| 01/26/2016 | <u>282</u> | ORDER granting <u>281</u> MOTION for Leave to File Response to <u>251</u> Second Heat Remediation Plan. The response shall be submitted on or before 2/12/2016. Signed by Chief Judge Brian A. Jackson on 1/26/2016. (LLH) (Entered: 01/26/2016) |
| 01/28/2016 | <u>283</u> | ORDER REFERRING MOTION to USMJ: The <u>255</u> Motion to Set Attorneys' Fees and Costs Pursuant to 42 U.S.C. § 1988 and Fed. R. Civ. P. 54(d) is REFERRED IN PART to Magistrate Judge Wilder-Doomes, who will issue a Report and Recommendation as to the reasonable hours expended and the reasonable costs incurred. All issues related to rate(s) applicable under the Prison Litigation Reform Act ("PLRA") remain with this Court. Signed by Chief Judge Brian A. Jackson on 01/27/2016. (BCL) (Entered: 01/28/2016) |
| 01/29/2016 | <u>284</u> | Notice to Counsel: A Status Conference set for 2/16/2016 at 01:30 PM in chambers before Magistrate Erin Wilder-Doomes to discuss the Plaintiff's Motion to Set Attorneys Fees and Costs Pursuant to 42 U.S.C. 1998 and Fed. R. Civ. P. 54(d) (R. Doc. 255), as well as the Opposition (R. Doc. 270), and Reply (R. Doc. 280). (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(SGO) (Entered: 01/29/2016) |
| 02/03/2016 | <u>285</u> | STATUS REPORT <i>Report of Special Master Paul J. Hebert</i> by Paul J. Hebert. (Hebert, Paul) (Entered: 02/03/2016) |
| 02/11/2016 | <u>286</u> | Emergency Consent MOTION to Extend Deadline for Response to Defendants' Second Heat Remediation Plan by All Plaintiffs. (Attachments: # <u>1</u> Attachment Proposed Order)(Compa, Elizabeth) Modified on 2/12/2016 to edit text (LLH). (Entered: 02/11/2016) |
| 02/12/2016 | <u>287</u> | ORDER granting <u>286</u> Motion for Extension of Time. Signed by Chief Judge Brian A. Jackson on 02/12/2016. (ELW) (Entered: 02/12/2016) |

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| 02/16/2016 | 288 | Notice to Counsel: At the request of the parties, the Status Conference set for 2/16/2016 at 1:30 pm is cancelled. The parties shall confer about the 2/24/2016 date and contact the court at (225) 389-3584 to confirm the date and a specific time. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (SGO) (Entered: 02/16/2016) |
| 02/16/2016 | 289 | Notice to Counsel: Status Conference set for 2/24/2016 at 03:00 PM in chambers before Magistrate Erin Wilder-Doomes. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(SGO) (Entered: 02/16/2016) |
| 02/16/2016 | <u>290</u> | RESPONSE to Defendants' Second Heat Remediation Plan filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Vassallo Dec., # <u>2</u> Exhibit Compa Aff., # <u>3</u> Exhibit Temperature Data, # <u>4</u> Exhibit Thompson Dep., # <u>5</u> Exhibit Cruze Dep., # <u>6</u> Exhibit Cruze Interrogatory Responses, # <u>7</u> Exhibit Singh Dep., # <u>8</u> Exhibit Status Conference Transcript, # <u>9</u> Exhibit Defs RFP Response, # <u>10</u> Exhibit Emails to all counsel)(Compa, Elizabeth) (Attachment 4 replaced on 2/23/2017) (NLT). (Entered: 02/16/2016) |
| 02/18/2016 | 291 | NOTICE of Hearing: Hearing to address Plaintiffs' objection to Defendants' Second Heat Remediation Plan set for 3/7/2016 at 10:00 AM in Courtroom 2 before Chief Judge Brian A. Jackson. This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(PJH) (Entered: 02/18/2016) |
| 02/24/2016 | <u>292</u> | Minute Entry for proceedings held before Magistrate Judge Erin Wilder-Doomes: Status Conference was held on 2/24/2016. Counsel discussed the status of the pending Plaintiffs' Motion to Set Attorneys' Fees and Costs Pursuant to 42 U.S.C. § 1998 and Fed. R. Civ. P. 54(d) (R. Doc. 255). Defendants shall submit a spreadsheet to the Court detailing specific objections to each of plaintiffs' revised time entry submissions on or before March 25, 2016. Motion Hearing set for 4/19/2016 at 09:00 AM in Courtroom 5 before Magistrate Judge Erin Wilder-Doomes. (SGO) (Entered: 03/11/2016) |
| 03/07/2016 | 293 | Minute Entry for proceedings held before Chief Judge Brian A. Jackson on Plaintiffs' Objection to Defendants' Second Heat Remediation Plan: Counsel presents oral argument on Plaintiffs' Objection to Defendants' Second Heat Remediation Plan. For reasons stated on the record, the Special Master shall: (1) determine if ice distribution creates a security problem on death row; (2) determine whether Defendants are maintaining ice distribution records; and (3) ensure, to the extent possible, that heat related monitoring reports are simultaneously distributed. (Court Reporter C. Smith-Neely.) (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 03/14/2016) |
| 03/16/2016 | <u>294</u> | STATUS REPORT <i>Report of Special Master Paul J. Hebert</i> by Paul J. Hebert. (Hebert, Paul) (Entered: 03/16/2016) |
| 03/25/2016 | <u>295</u> | Supplemental MEMORANDUM in Response to <u>255</u> Amended MOTION for Attorney Fees filed by All Defendants. (Attachments: # <u>1</u> Exhibit Spreadsheet)(Jones, Carlton) Modified on 3/28/2016 to edit text (LLH). (Entered: 03/25/2016) |
| 03/29/2016 | 296 | Notice to Counsel: Pending before the court is Plaintiffs' <u>255</u> Motion to Set Attorney's Fees and Costs Pursuant to 42 U.S.C. § 1998 and Fed. R. Civ. P. 54(d). The motion is set for hearing on 4/19/2016 at 9:00 a.m. Each party is ordered to submit a confidential affidavit regarding settlement efforts as to the plaintiffs' motion for attorney's fees and costs no later than 4/11/2016. The confidential affidavit should contain the dollar figure of the most recent offer and counteroffer, the date the offer and counteroffer were made, and the partys statement as to what would constitute satisfactory resolution of the claim. The confidential affidavit can be faxed to the court at (225) 389-3585 or hand delivered. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (SGO) (Entered: 03/29/2016) |
| 03/29/2016 | <u>297</u> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Motion Hearing hearing before Judge Chief Brian A. Jackson held on 3-7-16. Court Reporter: Clare Smith-Neely. Phone Number: 225-389-3565. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have five (5) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our |

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| | | <p>website at www.lamd.uscourts.gov.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 4/18/2016. Redacted Transcript Deadline set for 4/26/2016. Release of Transcript Restriction set for 6/24/2016. (Smith-Neely, Clare) (Entered: 03/29/2016)</p> |
| 04/07/2016 | <u>298</u> | NOTICE of Order Issued by Special Master Paul J. Hebert by Paul J. Hebert (Attachments: # <u>1</u> Exhibit March 29, 2016 Letter, # <u>2</u> Exhibit Heat Index Equation)(Hebert, Paul) (Entered: 04/07/2016) |
| 04/08/2016 | <u>299</u> | Submission of Revised Second Heat Remediation Plan by Burl Cain, James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections re <u>251</u> Notice of (other), (Attachments: # <u>1</u> Exhibit Exhibits A-F)(Hilburn, James) Modified on 4/11/2016 to edit text (LLH). (Entered: 04/08/2016) |
| 04/11/2016 | <u>300</u> | REVISED MOTION to Substitute Colin Clark and Winston White in place of E. Wade Shows, James L. Hilburn, and Grant J. Guillot as Attorney by Burl Cain, James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (Hilburn, James). Modified on 4/15/2016 to substitute documents as per 302 Order (SGO). (Entered: 04/11/2016) |
| 04/13/2016 | <u>301</u> | MOTION for Leave to Substitute Motion to Withdraw and Substitute Counsel of Record by Burl Cain, James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Proposed Pleading; Proposed Pleading)(Hilburn, James) (Entered: 04/13/2016) |
| 04/13/2016 | | MOTION(S) REFERRED: <u>301</u> MOTION for Leave to Substitute Motion to Withdraw and Substitute Counsel of Record . This motion is now pending before the USMJ. (ELW) (Entered: 04/13/2016) |
| 04/14/2016 | | MOTION(S) REFERRED: <u>300</u> MOTION to Substitute Colin Clark and Winston White in place of E. Wade Shows, James L. Hilburn, and Grant J. Guillot as Attorney . This motion is now pending before the USMJ. (ELW) (Entered: 04/14/2016) |
| 04/15/2016 | 302 | ORDER granting <u>301</u> MOTION for Leave to Substitute <u>300</u> Motion to Withdraw and Substitute Counsel of Record. The proposed pleading attached to R. Doc. 301 shall be substituted in place of R. Doc. 300. Signed by Magistrate Judge Erin Wilder-Doomes on 4/15/2016. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (SGO) (Entered: 04/15/2016) |
| 04/15/2016 | 303 | ORDER granting <u>300</u> Revised Motion to Withdraw and Substitute Counsel of Record. Colin Andrew Clark and Winston Eric White are added for all defendants and the law firm of Shows, Cali & Walsh, LLP is withdrawn. Signed by Magistrate Judge Erin Wilder-Doomes on 4/15/2016. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (SGO) (Entered: 04/15/2016) |
| 04/19/2016 | <u>305</u> | Minute Entry for proceedings held before Magistrate Judge Erin Wilder-Doomes: Motion Hearing held on 4/19/2016 regarding the <u>255</u> Amended MOTION for Attorney Fees. Plaintiffs are to file into the record a revised spreadsheet containing a column for time sought after entries are reduced for travel time using the spreadsheet that was last submitted by Defendants (R. Doc. 295) within 7 days from the date of this Hearing Report and Order. Plaintiffs are also to submit the revised spreadsheet to the Court in electronic form by submitting it to ewd_orders@lamd.uscourts.gov . Counsel were advised to continue efforts toward amicable resolution of this matter and to notify the Court immediately should they come to a resolution. (SGO) (Entered: 04/20/2016) |
| 04/20/2016 | <u>304</u> | RESPONSE to <u>299</u> Defendants' Submission of Revised Heat Remediation Plan filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Montagnes Declaration)(Compa, Elizabeth) (Entered: 04/20/2016) |
| 04/21/2016 | <u>306</u> | MOTION for Leave to File Supplemental Briefing re Plaintiffs' Resubmitted Motion to Set Atty Fees and Costs by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading; Revised Spreadsheet)(Compa, Elizabeth) (Entered: 04/21/2016) |
| 04/22/2016 | 307 | Notice to Counsel: A Status Conference is set in this matter for MONDAY, APRIL 25, 2016 at 10:30 AM in Chambers before Chief Judge Brian A. Jackson. (This is a TEXT |

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| | | ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 04/22/2016) |
| 04/22/2016 | 308 | AMENDED Notice to Counsel: Status conference scheduled for 4/25/16 at 10:30 a.m. will be held via TELEPHONE. Counsel for the Plaintiffs shall be responsible for initiating the conference call to opposing counsel and the Court, or in the alternative, obtaining a conference call-in number, and notifying the Court and opposing counsel of the conference call-in number and pass code. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 04/22/2016) |
| 04/25/2016 | 309 | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Telephone Conference held on 4/25/2016. Matter discussed. As directed by the Court, Counsel shall file simultaneous briefing addressing Mr. Hebert's continued role as Special Master on or before May 9, 2016. Filings not to exceed 10 pages. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 04/26/2016) |
| 04/27/2016 | <u>310</u> | NOTICE of Settlement by Burl Cain, James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections (Jones, Carlton) (Entered: 04/27/2016) |
| 05/06/2016 | <u>311</u> | STATUS REPORT <i>Report of Special Master Paul J. Hebert</i> by Paul J. Hebert. (Attachments: # <u>1</u> Attachment Exhibit A, # <u>2</u> Attachment Exhibit B, # <u>3</u> Attachment Exhibit C, # <u>4</u> Attachment Exhibit D, # <u>5</u> Attachment Exhibit E)(Hebert, Paul) (Entered: 05/06/2016) |
| 05/09/2016 | <u>312</u> | BRIEF Regarding the Special Master's Continued Role filed by All Plaintiffs. (Compa, Elizabeth) Modified on 5/10/2016 (EDC). (Entered: 05/09/2016) |
| 05/09/2016 | <u>313</u> | Memorandum Addressing Mr. Hebert's Continued Role as Special Master by All Defendants. (Attachments: # <u>1</u> Exhibit A)(White, Winston) Modified on 5/10/2016 to edit text and term motion (LLH). (Entered: 05/09/2016) |
| 05/12/2016 | <u>314</u> | NOTICE of Order Issued by Special Master Paul J. Hebert by Paul J. Hebert (Hebert, Paul) (Entered: 05/12/2016) |
| 05/16/2016 | <u>315</u> | First MOTION to Modify Injunctive Relief by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B, # <u>4</u> Exhibit Exhibit C)(Montagnes, Mercedes) (Entered: 05/16/2016) |
| 05/16/2016 | <u>316</u> | MOTION for Expedited Hearing on <u>315</u> First MOTION to Modify Injunctive Relief by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Order)(Montagnes, Mercedes) (Entered: 05/16/2016) |
| 05/17/2016 | <u>317</u> | ORDER granting <u>316</u> Motion for Expedited Hearing on <u>315</u> MOTION to Modify Injunctive Relief . Motion Hearing set for 5/20/2016 at 09:30 AM in Courtroom 2 before Chief Judge Brian A. Jackson. Signed by Chief Judge Brian A. Jackson on 5/17/2016. (LLH) (Entered: 05/17/2016) |
| 05/19/2016 | <u>318</u> | MEMORANDUM in Opposition to <u>315</u> First MOTION to Modify Injunctive Relief filed by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Exhibit A)(White, Winston) (Entered: 05/19/2016) |
| 05/20/2016 | 319 | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Motion Hearing held on 5/20/2016 re <u>315</u> First MOTION to Modify Injunctive Relief filed by Nathaniel Code, Elzie Ball, James Magee. Counsel presents oral argument to the Court. For reasons stated herein, an Evidentiary Hearing in this matter is set for 6/15/2016 at 09:30 AM in Courtroom 2 before Chief Judge Brian A. Jackson. As discussed, Secretary LeBlanc shall attend the hearing scheduled for 6/15/2016. The Court granted the Plaintiffs leave of Court to file a Reply to the Defendants' Opposition (doc. 318).(Court Reporter C. Smith-Neely.) (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 05/20/2016) |
| 05/24/2016 | <u>320</u> | TRANSCRIPT REQUEST of Hearing on Motion to Modify Injunction by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections for proceedings held on 5-20-16 before Judge Judge Jackson.. (White, Winston) (Main Document 320 replaced on 5/24/2016 to flatten pages) (EDC). Modified on 5/24/2016 |

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| | | (EDC). (Entered: 05/24/2016) |
| 05/25/2016 | <u>321</u> | Unopposed MOTION for Discovery by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Attachment)(Montagnes, Mercedes) Modified on 5/26/2016 to edit event (LLH). (Entered: 05/25/2016) |
| 05/25/2016 | <u>322</u> | MOTION for Writ of Habeas Corpus ad testificandum by Elzie Ball. (Attachments: # <u>1</u> Attachment Proposed Order)(Montagnes, Mercedes) (Entered: 05/25/2016) |
| 05/25/2016 | <u>323</u> | MOTION for Writ of Habeas Corpus ad testificandum by Nathaniel Code. (Attachments: # <u>1</u> Attachment Proposed Order)(Montagnes, Mercedes) (Entered: 05/25/2016) |
| 05/25/2016 | <u>324</u> | MOTION for Writ of Habeas Corpus ad testificandum by James Magee. (Attachments: # <u>1</u> Attachment Proposed Order)(Montagnes, Mercedes) (Entered: 05/25/2016) |
| 05/26/2016 | | MOTION(S) REFERRED: <u>321</u> Unopposed MOTION for Discovery . This motion is now pending before the USMJ. (TNB) (Entered: 05/26/2016) |
| 05/26/2016 | <u>325</u> | ORDER granting <u>321</u> Unopposed Motion to Enter Discovery Order. All written discovery on or before 5/27/2016. Disclose all percipient and expert witnesses on or before 5/30/2016. Notice all depositions on or before 5/31/2016. Furnish all written discovery responses on or before 6/9/2016 at 2:00 p.m. and exchange exhibit lists on or before 6/10/2016. Signed by Chief Judge Brian A. Jackson on 5/26/2016. (LLH) (Entered: 05/26/2016) |
| 05/26/2016 | <u>326</u> | ORDER granting <u>322</u> , <u>323</u> , <u>324</u> Motion for Writ of Habeas Corpus ad testificandum. The Louisiana State Penitentiary SHALL PRODUCE ELZIE BALL (#79472), NATHANIEL CODE (#81600), and JAMES MCGEE (#559701) on WEDNESDAY, 6/15/2016 AT 9:00 A.M. in Courtroom 2, Russell B. Long Federal Building & United States Courthouse, 777 Florida Street, Baton Rouge, Louisiana 70801. Signed by Chief Judge Brian A. Jackson on 5/26/2016. (LLH) (Entered: 05/26/2016) |
| 05/26/2016 | <u>327</u> | ORDER: Considering the <u>310</u> Notice of Settlement filed pursuant to LR16(c). The <u>255</u> Motion to Set Attorney Fees and Costs Pursuant to 42 U.S.C. § 1988 and Fed. R. Civ. P. 54(d) is DENIED as moot. Signed by Chief Judge Brian A. Jackson on 5/26/2016. (LLH) (Entered: 05/26/2016) |
| 05/26/2016 | <u>328</u> | STATUS REPORT by <i>Special Master Paul J. Hebert</i> by Paul J. Hebert. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Hebert, Paul) (Entered: 05/26/2016) |
| 05/27/2016 | <u>329</u> | Joint STIPULATION OF FACTS RELATING TO REMEDY by Elzie Ball, Nathaniel Code, James Magee. (Vora, Nilay) (Entered: 05/27/2016) |
| 05/27/2016 | 330 | Notice to Counsel: The Court notes the Joint Stipulation filed into the record as doc. 329. The site visit, however, will go forward as planned. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 05/27/2016) |
| 05/27/2016 | <u>331</u> | MOTION to Enroll E. Wade Shows, James L. Hilburn, Grant J. Guillot, and the Law Firm of Shows, Cali, and Walsh, LLP as Additional Attorney by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (White, Winston) (Entered: 05/27/2016) |
| 05/27/2016 | | MOTION(S) REFERRED: <u>331</u> MOTION to Enroll E. Wade Shows, James L. Hilburn, Grant J. Guillot, and the Law Firm of Shows, Cali, and Walsh, LLP as Additional Attorney . This motion is now pending before the USMJ. (EDC) (Entered: 05/27/2016) |
| 05/31/2016 | <u>332</u> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Motion Hearing hearing before Judge Chief Brian A. Jackson held on 5–20–16. Court Reporter: Clare Smith–Neely. Phone Number: 225–389–3565. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have five (5) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.lamd.uscourts.gov. |

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| | | Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 6/20/2016. Redacted Transcript Deadline set for 6/28/2016. Release of Transcript Restriction set for 8/26/2016. (Smith-Neely, Clare) (Entered: 05/31/2016) |
| 06/01/2016 | <u>333</u> | Return on MOTIONS GRANTING WRITS OF HABEAS CORPUS AD TESTIFICANDUM. ACCEPTED BY RHONDA WELDON – D.O.C. LEGAL ON 05/26/2016. (US Marshal,) (Entered: 06/01/2016) |
| 06/01/2016 | <u>334</u> | TRANSCRIPT REQUEST by Paul J. Hebert for proceedings held on 05-20-16 before Judge Jackson.. (Hebert, Paul) (Entered: 06/01/2016) |
| 06/01/2016 | 335 | ORDER granting <u>331</u> Motion to Enroll Additional Counsel of Record. Attorneys Enroll E. Wade Shows, James L. Hilburn, Grant J. Guillot, and the Law Firm of Shows, Cali, and Walsh, LLP are added as counsel for James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections and Darrel Vannoy. Signed by Magistrate Judge Erin Wilder-Doomes on 6/1/2016. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 06/01/2016) |
| 06/06/2016 | <u>336</u> | MOTION to Compel by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B, # <u>4</u> Proposed Pleading; Proposed Order)(Montagnes, Mercedes) (Entered: 06/06/2016) |
| 06/06/2016 | | MOTION(S) REFERRED: <u>336</u> MOTION to Compel . This motion is now pending before the USMJ. (EDC) (Entered: 06/06/2016) |
| 06/07/2016 | | Motions No Longer Referred: <u>336</u> MOTION to Compel . This motion is now pending before the USDJ. (PJH) (Entered: 06/07/2016) |
| 06/08/2016 | <u>337</u> | ORDER granting <u>336</u> Motion to Compel Discovery Responses on Camp F. IT IS FURTHER ORDERED that Defendants shall respond to Plaintiffs discovery requests on or before June 10, 2016 at 5:00 p.m. Signed by Chief Judge Brian A. Jackson on 6/8/2016. (PJH) . (Entered: 06/08/2016) |
| 06/08/2016 | | Set/Reset Deadlines: Response to Discovery due by 6/10/2016. (PJH) (Entered: 06/08/2016) |
| 06/10/2016 | <u>338</u> | Exhibit List for June 15, 2016 Evidentiary Hearing by Burl Cain, James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections.. (Hilburn, James) (Entered: 06/10/2016) |
| 06/13/2016 | <u>339</u> | STATUS REPORT by <i>Special Master Paul J. Hebert</i> by Paul J. Hebert. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Hebert, Paul) (Attachment 1-8 replaced on 6/14/2016) (TNB). Modified on 6/14/2016 to correct page orientation (TNB). (Entered: 06/13/2016) |
| 06/15/2016 | 345 | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Evidentiary Hearing held on 6/15/2016. Stipulation read into the record. Without objection, Exhibits D1, D2, and D3 are admitted. Counsel presents opening statements to the Court. Nathaniel Code, James McGee, Elzie Ball, and Dr. Susi Vassallo are sworn and testify on behalf of the Plaintiffs. Exhibits filed on behalf of Plaintiffs. Plaintiffs rest. Frank Thompson, Warden James Cruz, Jr., and Dr. Raman Singh are sworn and testify on behalf of the Defendants. Exhibits filed on behalf of the Defendants. Defendants rest. Plaintiffs rest on rebuttal. The Court hears closing arguments. Post hearing briefs, limited to 12 pages in length, shall be filed no later than July 11, 2016.(Court Reporter C. Smith-Neely.) (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) Pursuant to Local Rules, offering parties shall retain custody of exhibits..(PJH) (Entered: 06/21/2016) |
| 06/15/2016 | <u>416</u> | EXHIBITS D1, D2, AND D3 admitted at Evidentiary Hearing held June 15, 2016(PJH) (Additional attachment(s) added on 5/9/2017: # <u>1</u> Exhibit Def-1, # <u>2</u> Exhibit Def-2, # <u>3</u> Exhibit Def-3) (TMR). (Entered: 05/09/2017) |
| 06/16/2016 | <u>340</u> | TRANSCRIPT REQUEST (<i>Expedited</i>) by Elzie Ball, Nathaniel Code, James Magee for proceedings held on 6/15/2016 before Judge Brian A. Jackson.. (Compa, Elizabeth) |

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| | | (Entered: 06/16/2016) |
| 06/17/2016 | <u>341</u> | TRANSCRIPT REQUEST by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections for proceedings held on June 15, 2016 before Judge Jackson.. (White, Winston) (Entered: 06/17/2016) |
| 06/20/2016 | <u>342</u> | TRANSCRIPT REQUEST by Paul J. Hebert for proceedings held on 06/15/2016 before Judge Jackson.. (Hebert, Paul) (Entered: 06/20/2016) |
| 06/20/2016 | <u>343</u> | Joint STIPULATION for June 15, 2016 Evidentiary Hearing by Elzie Ball, Nathaniel Code, James Magee. (Compa, Elizabeth) (Entered: 06/20/2016) |
| 06/21/2016 | <u>344</u> | Motion to Correct Transcript filed by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A, # <u>3</u> Proposed Pleading; Order)(White, Winston) Modified on 6/21/2016 to edit text. (EDC). (Entered: 06/21/2016) |
| 06/23/2016 | <u>346</u> | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Evidentiary Hearing hearing before Judge Chief Brian A. Jackson held on 6-15-16. Court Reporter: Clare Smith-Neely. Phone Number: 225-389-3565.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have five (5) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.lamd.uscourts.gov.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 7/11/2016. Redacted Transcript Deadline set for 7/21/2016. Release of Transcript Restriction set for 9/19/2016. (Smith-Neely, Clare) (Entered: 06/23/2016)</p> |
| 07/06/2016 | <u>347</u> | ORDER granting <u>344</u> Motion to Correct Transcript. Signed by Chief Judge Brian A. Jackson on 07/06/2016. (NLT) (Entered: 07/06/2016) |
| 07/06/2016 | <u>348</u> | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT/corrected pages of Proceedings Page 52 of the Motion Hearing hearing before Judge Chief Brian A. Jackson held on 5-20-16. Court Reporter: Clare Smith-Neely. Phone Number: 225-389-3565.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have five (5) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.lamd.uscourts.gov.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 7/25/2016. Redacted Transcript Deadline set for 8/3/2016. Release of Transcript Restriction set for 10/3/2016. (Smith-Neely, Clare) (Entered: 07/06/2016)</p> |
| 07/07/2016 | <u>349</u> | MOTION Correct Transcript by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Attachment, # <u>3</u> Proposed Order)(Montagnes, Mercedes) (Entered: 07/07/2016) |
| 07/08/2016 | <u>350</u> | ORDER granting <u>349</u> Motion to Correct Transcript. Signed by Chief Judge Brian A. Jackson on 7/8/2016. (LLH) (Entered: 07/08/2016) |
| 07/08/2016 | <u>351</u> | <p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT/corrected page of Proceedings. Page 275 of the Evidentiary hearing before Judge Chief Brian A. Jackson held on 6-15-16. Court Reporter: Clare Smith-Neely. Phone Number: 225-389-3565.</p> <p>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our</p> |

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| | | <p>website at www.lamd.uscourts.gov.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 7/26/2016. Redacted Transcript Deadline set for 8/5/2016. Release of Transcript Restriction set for 10/3/2016. (Smith-Neely, Clare) (Entered: 07/08/2016)</p> |
| 07/11/2016 | <u>352</u> | STATUS REPORT of <i>Special Master Paul J. Hebert</i> by Paul J. Hebert. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Hebert, Paul) (Attachments 1-8 replaced on 7/12/2016) (EDC). Modified on 7/12/2016 to rotate pages(EDC) (Entered: 07/11/2016) |
| 07/11/2016 | <u>353</u> | Post-Trial Brief by All Defendants. (Guillot, Grant) Modified on 7/12/2016 to edit text.(EDC). (Entered: 07/11/2016) |
| 07/11/2016 | <u>354</u> | Post-Evidentiary Hearing Brief by All Plaintiffs. (Montagnes, Mercedes) Modified on 7/12/2016 to edit text. (EDC). (Entered: 07/11/2016) |
| 07/20/2016 | 355 | Notice to Counsel: Status Conference set for 8/1/2016 at 03:00 PM in chambers before Chief Judge Brian A. Jackson. This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 07/20/2016) |
| 07/21/2016 | <u>356</u> | MOTION for James M. Lee to Withdraw as Attorney by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading;)(Lee, James) Modified to substitute documents per rec. doc. 363 on 8/8/2016 (SGO). (Entered: 07/21/2016) |
| 07/22/2016 | | MOTION(S) REFERRED: <u>356</u> MOTION for James M. Lee to Withdraw as Attorney . This motion is now pending before the USMJ. (EDC) (Entered: 07/22/2016) |
| 07/26/2016 | <u>357</u> | MOTION for Leave to Substitute Previously Filed Motion to Withdraw as Counsel of Record by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading;, # <u>2</u> Revised Motion to Withdraw, # <u>3</u> Proposed Pleading;)(Lee, James) Modified on 7/27/2016 to edit the text (TNB). (Entered: 07/26/2016) |
| 07/27/2016 | | Motions No Longer Referred: <u>356</u> MOTION for James M. Lee to Withdraw as Attorney . This motion is now pending before the USDJ. (BLR) (Entered: 07/27/2016) |
| 07/29/2016 | <u>358</u> | MOTION to Enroll Mary E. Roper as Additional Attorney by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Proposed Pleading; Proposed Order)(Guillot, Grant) (Entered: 07/29/2016) |
| 07/29/2016 | | MOTION(S) REFERRED: <u>358</u> MOTION to Enroll Mary E. Roper as Additional Attorney . This motion is now pending before the USMJ. (TNB) (Entered: 07/29/2016) |
| 08/01/2016 | | Motions No Longer Referred: <u>358</u> MOTION to Enroll Mary E. Roper as Additional Attorney . This motion is now pending before the USDJ. (NLT) (Entered: 08/01/2016) |
| 08/01/2016 | 359 | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Status Conference held on 8/1/2016. Matter discussed. As instructed by the Court, Counsel shall produce data to Special Master Hebert within 48 hours of this conference. Hearing is set for 8/8/2016 at 2:00 p.m. in Courtroom 2. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 08/01/2016) |
| 08/01/2016 | | Set/Reset Hearings: Evidentiary Hearing set for 8/8/2016 at 02:00 PM in Courtroom 2 before Chief Judge Brian A. Jackson. (PJH) (Entered: 08/01/2016) |
| 08/05/2016 | <u>360</u> | Joint STIPULATION of <i>Facts</i> by Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Exhibit Email Communication, # <u>2</u> Exhibit Email Communication)(Hilburn, James) (Entered: 08/05/2016) |
| 08/05/2016 | <u>361</u> | MOTION to Allow Witness Testimony by All Defendants. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Attachment Proposed Order)(Hilburn, James) Modified on 8/8/2016 to edit text (ELW). (Entered: 08/05/2016) |
| 08/08/2016 | 362 | ORDER granting <u>358</u> Motion to Enroll Mary E. Roper as Additional Attorney for Defendants. Added attorney Mary E. Roper for Louisiana Department of Public Safety and Corrections, et al.. Signed by Chief Judge Brian A. Jackson on 8/8/2016. (This is a |

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| | | TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 08/08/2016) |
| 08/08/2016 | <u>363</u> | ORDER granting <u>357</u> for Leave to Substitute Previously Filed Motion to Withdraw as Counsel of Record. Signed by Chief Judge Brian A. Jackson on 08/08/2016. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (NLT) (Entered: 08/08/2016) |
| 08/08/2016 | <u>367</u> | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Evidentiary Hearing held on 8/8/2016. The Court overrules State's objection (Doc. 360) to the introduction of evidence related to implementation of post-hearing remedial measures. Special Master Paul Hebert is sworn and testifies. Evidentiary hearing to address the sustainability of State's new remedial measures is set on 8/22/2016 at 03:00 PM in Courtroom 2 before Chief Judge Brian A. Jackson. Motion for Evidentiary Hearing Allowing Witness Testimony filed by Defendants (Doc. 361) is GRANTED. Proffer of testimony of Frank Thompson is read into the records by Defendants. Frank Thompson shall be permitted to testify as an expert at the 8/22/2016 hearing. Special Master Paul Hebert shall retain an independent HVAC expert who shall be permitted to examine the conditions on Tier C and testify as to the sustainability of the State's new remedial measures at the 8/22/2016 hearing. Plaintiffs have the right to have their own expert testify at the 8/22/2016 hearing to the extent that they wish to do so. (Court Reporter C. Smith-Neely.) (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 08/11/2016) |
| 08/09/2016 | <u>364</u> | TRANSCRIPT REQUEST by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections for proceedings held on August 8, 2016 before Judge Brian A. Jackson.. (Guillot, Grant) (Main Document 364 replaced on 8/9/2016) (EDC). Modified on 8/9/2016 to flatten the pages. (EDC). (Entered: 08/09/2016) |
| 08/09/2016 | <u>365</u> | TRANSCRIPT REQUEST by Elzie Ball for proceedings held on August 8, 2016 before Judge Brian A. Jackson.. (Compa, Elizabeth) (Entered: 08/09/2016) |
| 08/11/2016 | <u>366</u> | TRANSCRIPT REQUEST by Paul J. Hebert for proceedings held on 08/08/2016 before Judge Jackson.. (Hebert, Paul) (Entered: 08/11/2016) |
| 08/11/2016 | <u>368</u> | ORDER granting <u>356</u> Motion to Withdraw James M. Lee as Attorney for Plaintiffs. Signed by Chief Judge Brian A. Jackson on 8/11/2016. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 08/11/2016) |
| 08/20/2016 | <u>369</u> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Evidentiary Hearing hearing before Judge Brian A Jackson held on 08/08/2016. Court Reporter: C. Smith-Neely. Phone Number: 225-751-8111. NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.lamd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 9/7/2016. Redacted Transcript Deadline set for 9/19/2016. Release of Transcript Restriction set for 11/15/2016. (NLT) (Entered: 08/20/2016) |
| 08/22/2016 | <u>372</u> | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Evidentiary Hearing held on 8/22/2016. Continuation of Evidentiary Hearing held 8/8/2016. Appearances: Mercedes Montagnes and Steven Scheckman for Plaintiffs; Mary Roper, Grant Guillot, James Hilburn, and Winston White for Defendants; and Special Master Paul J. Hebert. Shane M. Hernandez is sworn and testifies. Counsel presents argument to the Court. Matter is taken under advisement by the Court. (Court Reporter FTR.) (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 08/25/2016) |
| 08/22/2016 | <u>374</u> | Expert Report by Shane M. Hernandez (PJH) (Entered: 08/26/2016) |

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| 08/24/2016 | <u>370</u> | TRANSCRIPT REQUEST by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections for proceedings held on August 22, 2016 before Judge Brian A. Jackson. (Guillot, Grant) Modified on 8/24/2016 to replace the main document in order to flatten the image (NLT). (Entered: 08/24/2016) |
| 08/24/2016 | <u>371</u> | TRANSCRIPT REQUEST by Elzie Ball, Nathaniel Code, James Magee for proceedings held on August 22, 2016 before Judge Brian A. Jackson.. (Compa, Elizabeth) (Entered: 08/24/2016) |
| 08/26/2016 | <u>373</u> | TRANSCRIPT REQUEST by Paul J. Hebert for proceedings held on 08-22-2016 before Judge Jackson.. (Hebert, Paul) (Entered: 08/26/2016) |
| 08/30/2016 | <u>375</u> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Evidentiary hearing before Judge Brian A. Jackson held on 08/22/2016. Court Reporter: Janice Russell. Phone Number: (757) 422-9089; e-mail: trussell31@tdsmaill.com. NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.lamd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 9/19/2016. Redacted Transcript Deadline set for 9/27/2016. Release of Transcript Restriction set for 11/25/2016. (Russell, J.) (Entered: 08/30/2016) |
| 09/02/2016 | <u>376</u> | STATUS REPORT of <i>Special Master</i> by Paul J. Hebert. (Attachments: # <u>1</u> Attachment Exhibit 1, # <u>2</u> Attachment Exhibit A, # <u>3</u> Attachment Exhibit B, # <u>4</u> Attachment Exhibit D, # <u>5</u> Attachment Exhibit E, # <u>6</u> Attachment Exhibit F, # <u>7</u> Attachment Exhibit G, # <u>8</u> Attachment Exhibit H)(Hebert, Paul) (Attachment 2,3,4,5,6,7,& 8 replaced on 9/6/2016) Modified on 9/6/2016 to rotate pages (ELW). (Entered: 09/02/2016) |
| 09/19/2016 | <u>377</u> | Ex Parte MOTION to Correct Transcript of August 8, 2016 hearing by All Defendants. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Attachment)(Roper, Mary) Modified on 9/20/2016 to edit text. (EDC). (Entered: 09/19/2016) |
| 11/09/2016 | <u>378</u> | STATUS REPORT of <i>Special Master</i> by Paul J. Hebert. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit D, # <u>4</u> Exhibit E, # <u>5</u> Exhibit F, # <u>6</u> Exhibit G, # <u>7</u> Exhibit H, # <u>8</u> Exhibit I)(Hebert, Paul) (Entered: 11/09/2016) |
| 12/22/2016 | <u>379</u> | RULING and ORDER granting in part and denying in part <u>315</u> First MOTION to Modify Injunctive Relief. The Defendants are Enjoined to implement the remedial measures under the Third Plan during any period in which the heat index in the death-row tiers exceeds 88 degrees Fahrenheit "as stated herein". Signed by Chief Judge Brian A. Jackson on 12/22/2016. (EDC) (Entered: 12/22/2016) |
| 12/27/2016 | <u>380</u> | MOTION for Extension of Time to File Motion for Attorneys' Fees by All Plaintiffs. (Attachments: # <u>1</u> Attachment)(Montagnes, Mercedes) (Entered: 12/27/2016) |
| 12/29/2016 | <u>381</u> | MOTION for Grant J. Guillot to Withdraw as Attorney by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Proposed Order)(Guillot, Grant) (Entered: 12/29/2016) |
| 01/05/2017 | <u>382</u> | ORDER granting Unopposed Motion to Extend Deadline for Attorneys [sic] Fees (Doc. 380) filed by Plaintiffs is GRANTED.The deadline for Plaintiffs to file a Motionfor Attorneys Fees is EXTENDED to February 3, 2017. Signed by Chief Judge Brian A. Jackson on 1/5/2017. (PJH) (Entered: 01/05/2017) |
| 01/06/2017 | <u>383</u> | RULING AND ORDER denying <u>377</u> Motion to Amend. Signed by Chief Judge Brian A. Jackson on 01/06/2017. (ELW) (Main Document 383 replaced on 1/9/2017) (NLT). (Entered: 01/09/2017) |
| 01/18/2017 | <u>384</u> | ORDER granting <u>381</u> Motion to Withdraw as Attorney. Attorney Grant J. Guillot is withdrawn. Signed by Chief Judge Brian A. Jackson on 01/18/2017. (EDC) (Entered: 01/18/2017) |

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| 01/19/2017 | <u>385</u> | MOTION for LaToya D. Jordan to Withdraw as Attorney by Amy L McInnis, Edward Wade Shows, Jacqueline B Wilson. (Jordan, LaToya) (Entered: 01/19/2017) |
| 01/20/2017 | | MOTION(S) REFERRED: <u>385</u> MOTION for LaToya D. Jordan to Withdraw as Attorney . This motion is now pending before the USMJ. (NLT) (Entered: 01/20/2017) |
| 01/23/2017 | <u>386</u> | NOTICE OF APPEAL to the USCA for the 5th Circuit by Burl Cain, James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood. Filing fee \$ 505, receipt number 053N-1517690. (White, Winston) (Entered: 01/23/2017) |
| 01/26/2017 | <u>387</u> | ORDER granting <u>385</u> Motion to Withdraw as Counsel of Record. Attorney LaToya D. Jordan is withdrawn. Signed by Magistrate Judge Erin Wilder-Doomes on 1/26/2017. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (SGO) (Entered: 01/26/2017) |
| 01/27/2017 | <u>388</u> | JUDGMENT in favor of Elzie Ball, James Magee, Nathaniel Code against Louisiana Department of Public Safety and Corrections, Burl Cain, James Cruz, James M. LeBlanc as to Plaintiff's claims under the Eighth Amendment to the United States Constitution. Signed by Chief Judge Brian A. Jackson on 01/27/2017. (NLT) (Entered: 01/27/2017) |
| 02/03/2017 | <u>389</u> | Second MOTION to Set Attorneys' Fees and Costs Pursuant to 42 U.S.C. Section 1988 and Fed. R. Civ. P. 54(d) by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3a, # <u>4</u> Exhibit 3b, # <u>5</u> Exhibit 3c, # <u>6</u> Exhibit 3d, # <u>7</u> Exhibit 3e, # <u>8</u> Exhibit 3f, # <u>9</u> Exhibit 4, # <u>10</u> Exhibit 5, # <u>11</u> Exhibit 6, # <u>12</u> Exhibit 7, # <u>13</u> Exhibit 7a, # <u>14</u> Exhibit 8a, # <u>15</u> Exhibit 8b, # <u>16</u> Exhibit 8c, # <u>17</u> Exhibit 8d, # <u>18</u> Exhibit 9, # <u>19</u> Exhibit 1)(Montagnes, Mercedes) Modified on 2/6/2017 to edit text. (EDC). (Entered: 02/03/2017) |
| 02/10/2017 | <u>390</u> | TRANSCRIPT REQUEST by Burl Cain, James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood for proceedings held on 1-23-17 before Judge Chief Judge Brian Jackson, re <u>386</u> Notice of Appeal to the USCA for the 5th Circuit (White, Winston) (Main Document 390 replaced on 2/14/2017 in order to flatten the image) (NLT). (Entered: 02/10/2017) |
| 02/14/2017 | <u>391</u> | MOTION to Enroll Jeffrey K. Cody as Additional Attorney by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Proposed Order)(Shows, Edmond) (Entered: 02/14/2017) |
| 02/14/2017 | | MOTION(S) REFERRED: <u>391</u> MOTION to Enroll Jeffrey K. Cody as Additional Attorney . This motion is now pending before the USMJ. (KAH) (Entered: 02/14/2017) |
| 02/14/2017 | <u>392</u> | USCA Case Number 17-30052 for <u>386</u> Notice of Appeal to the USCA for the 5th Circuit filed by James Cruz, Burl Cain, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood. (TMR) (Entered: 02/14/2017) |
| 02/16/2017 | | Motions No Longer Referred: <u>391</u> MOTION to Enroll Jeffrey K. Cody as Additional Attorney . This motion is now pending before the USDJ. (NLT) (Entered: 02/16/2017) |
| 02/24/2017 | <u>393</u> | MOTION for Extension of Time to File Response to <u>389</u> Second MOTION for Attorney Fees by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Proposed Pleading; Order)(Jones, Carlton) (Main Document 393 replaced on 3/3/2017) (ELW). (Entered: 02/24/2017) |
| 02/27/2017 | <u>394</u> | MOTION to Substitute Pleading by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood. (Attachments: # <u>1</u> Proposed Pleading;, # <u>2</u> Proposed Pleading;, # <u>3</u> Proposed Pleading;)(Jones, Carlton) (Entered: 02/27/2017) |
| 03/02/2017 | <u>395</u> | NOTICE of Order Issued by Special Master by Paul J. Hebert (Hebert, Paul) (Entered: 03/02/2017) |
| 03/02/2017 | <u>396</u> | ORDER granting <u>394</u> Motion Substitute Pleading. Signed by Chief Judge Brian A. Jackson on 03/02/2017. (ELW) (Entered: 03/03/2017) |
| 03/03/2017 | <u>397</u> | ORDER granting <u>391</u> Motion to Enroll Additional Attorney. Added attorney Jeffrey K. Cody for James Cruz, James M. LeBlanc, and Louisiana Department of Public |

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| | | Safety and Corrections. Signed by Chief Judge Brian A. Jackson on 03/02/2017. (EDC) (Entered: 03/03/2017) |
| 03/06/2017 | | Record on Appeal #17-30052 Electronically Certified regarding <u>386</u> Notice of Appeal to the USCA for the 5th Circuit. US Court of Appeals notified of certification. (TMR) (Entered: 03/06/2017) |
| 03/06/2017 | 398 | Electronic Access to the Record on Appeal is now available through the Court of Appeals CM/ECF document filing system. Instructions for accessing the record can be found at www.ca5.uscourts.gov/attorneys/attorney-forms/eroa_downloads . Request for paper exhibits in addition to the record on appeal and shipping information should be faxed to the clerks office at 225-389-3501. The clerk of court will retain the responsibility of sending the record to the 5th Circuit upon their request. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (TMR) (Entered: 03/06/2017) |
| 03/17/2017 | 399 | STRICKEN FROM THE RECORD MEMORANDUM in Opposition to <u>389</u> Second MOTION for Attorney Fees filed by All Defendants. (Attachments: # 1 Exhibit A)(Jones, Carlton) Modified on 3/27/2017 to remove the document as it has been stricken in accordance with record document 402 (KAH). (Entered: 03/17/2017) |
| 03/20/2017 | 400 | NOTICE OF NON-COMPLIANCE with LR 7(g) as to 399 Memorandum in Opposition to Motion. REQUIRED CORRECTION: A combined Motion for Leave to Exceed the Page Limits and Motion to Strike the Incorrect Pleading must filed within 24 hours of this notice. Otherwise, the original filing may be stricken by the Court without further notice. (KAH) (Entered: 03/20/2017) |
| 03/21/2017 | <u>401</u> | MOTION to Strike 399 Memorandum in Opposition to Motion for Attorneys' Fees and Costs and for Leave to File Memorandum in Excess of Page Limitation by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Memorandum in Opposition, # <u>2</u> Proposed Pleading; Exhibit A)(Jones, Carlton) Modified on 3/21/2017 to edit text. (EDC). (Entered: 03/21/2017) |
| 03/23/2017 | <u>402</u> | ORDER GRANTING <u>393</u> MOTION for Extension of Time to File Response to <u>389</u> Second MOTION for Attorney Fees and GRANTING <u>401</u> MOTION to Strike 399 Memorandum in Opposition to Motion for Attorneys' Fees and Costs and for Leave to File Memorandum in Excess of Page Limitation. Signed by Chief Judge Brian A. Jackson on 3/22/2017. (KAH) (Entered: 03/23/2017) |
| 03/23/2017 | <u>403</u> | MEMORANDUM in Opposition to <u>389</u> Second MOTION for Attorney Fees . (Attachments: # <u>1</u> Exhibit)(KAH) Modified on 3/28/2017 to edit the file date (NLT). (Entered: 03/27/2017) |
| 04/06/2017 | <u>404</u> | Initial Report of Special Master Paul J. Hebert for the 2017 Heat Index Monitoring Period. (Attachments: # <u>1</u> Exhibit)(Hebert, Paul) Modified on 4/7/2017 to edit the text (KAH). (Entered: 04/06/2017) |
| 04/07/2017 | <u>405</u> | MOTION for Leave to File Reply by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading;, # <u>3</u> Attachment)(Montagnes, Mercedes) (Entered: 04/07/2017) |
| 04/07/2017 | <u>406</u> | MOTION for Leave to File Excess Pages by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading;, # <u>3</u> Exhibit)(Montagnes, Mercedes) (Entered: 04/07/2017) |
| 04/12/2017 | <u>407</u> | MOTION for Elizabeth Compa to Withdraw as Attorney by All Plaintiffs. (Compa, Elizabeth) (Entered: 04/12/2017) |
| 04/13/2017 | | MOTION(S) REFERRED: <u>407</u> MOTION for Elizabeth Compa to Withdraw as Attorney . This motion is now pending before the USMJ. (KAH) (Entered: 04/13/2017) |
| 04/13/2017 | <u>408</u> | ORDER granting <u>405</u> MOTION for Leave to File Reply and <u>406</u> Motion for Leave to File Excess Pages. Signed by Chief Judge Brian A. Jackson on 4/12/2017. (EDC) (Entered: 04/13/2017) |
| 04/13/2017 | <u>409</u> | REPLY MEMORANDUM in Support of <u>389</u> Plaintiff's Second MOTION for Attorney Fees filed by Elzie Ball, Nathaniel Code, James Magee. (EDC) Modified on |

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| | | 4/13/2017 to correct date.(EDC). (Entered: 04/13/2017) |
| 04/13/2017 | | Motions No Longer Referred: <u>407</u> MOTION for Elizabeth Compa to Withdraw as Attorney . This motion is now pending before the USDJ. (SGO) (Entered: 04/13/2017) |
| 05/02/2017 | <u>410</u> | Second MOTION to Maintain the Status Quo by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11)(Montagnes, Mercedes) Modified to edit text on 5/3/2017 (SGO). (Entered: 05/02/2017) |
| 05/02/2017 | <u>411</u> | MOTION for Expedited Hearing on <u>410</u> Second MOTION for Status Quo by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Attachment)(Montagnes, Mercedes) (Entered: 05/02/2017) |
| 05/03/2017 | <u>412</u> | MOTION Supplement <i>Second Motion for Status Quo</i> by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading;, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Attachment)(Montagnes, Mercedes) (Entered: 05/03/2017) |
| 05/05/2017 | <u>413</u> | ORDER: The <u>410</u> Second MOTION to Maintain the Status Quo is DEFERRED, pending a report from the Special Master. The <u>411</u> Motion for Expedited Consideration of Plaintiffs' Second Motion to Maintain the Status Quo is GRANTED, and the <u>412</u> Motion for Leave to Supplement Plaintiffs' Second Motion to Maintain the Status Quo is GRANTED. Signed by Chief Judge Brian A. Jackson on 5/5/2017. (LLH) (Entered: 05/05/2017) |
| 05/05/2017 | <u>414</u> | SUPPLEMENTAL MEMORANDUM in Support of <u>410</u> Second MOTION for Status Quo filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(LLH) (Entered: 05/05/2017) |
| 05/08/2017 | <u>415</u> | NOTICE of Order Issued by Special Master Paul J. Hebert: Defendants shall provide the Special Master and Plaintiffs' counsel with a report, by May 10, 2017 (extended to May 12, 2017 at noon), detailing information on the type of exhaust ventilation system which is utilized in Tier C, along with details regarding how the system functions, its operational status and its purpose by Paul J. Hebert (Hebert, Paul) Modified on 5/12/2017 to edit the text (NLT). (Entered: 05/08/2017) |
| 05/12/2017 | <u>417</u> | MEMORANDUM in Opposition to Second Motion to Maintain the Status Quo filed by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> H)(White, Winston) (Attachment 3, 6, 7, 8 replaced on 5/15/2017) (ELW). Modified on 5/15/2017 to edit text and rotate pages (ELW). (Entered: 05/12/2017) |
| 05/12/2017 | <u>418</u> | MOTION for Leave to File Video Recordings of the Ventilation System of Death Row by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Proposed Pleading; Order)(White, Winston) Modified on 5/15/2017 to edit text (ELW). (Entered: 05/12/2017) |
| 05/22/2017 | | Supplemental Record on Appeal #17-30052 Electronically Certified regarding <u>386</u> Notice of Appeal to the USCA for the 5th Circuit. US Court of Appeals notified of certification. (TMR) (Entered: 05/22/2017) |
| 05/22/2017 | <u>419</u> | Electronic Access to the Supplemental Record on Appeal is now available through the Court of Appeals CM/ECF document filing system. Instructions for accessing the record can be found at www.ca5.uscourts.gov/attorneys/attorney-forms/eroa_downloads . Request for paper exhibits in addition to the record on appeal and shipping information should be faxed to the clerks office at 225-389-3501. The clerk of court will retain the responsibility of sending the record to the 5th Circuit upon their request. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (TMR) (Entered: 05/22/2017) |
| 05/23/2017 | <u>420</u> | MOTION to Change Status Quo by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading;)(White, Winston) (Entered: 05/23/2017) |

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| 05/25/2017 | <u>421</u> | ORDER granting <u>418</u> MOTION for Leave to File Video Recording of the Ventilation System of Death Row. Signed by Chief Judge Brian A. Jackson on 05/25/2017. (ELW) (Entered: 05/25/2017) |
| 05/26/2017 | <u>422</u> | MOTION for Leave to File Reply to <u>417</u> Opposition to <u>410</u> Second Motion to Maintain the Status Quo by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading;, # <u>3</u> Affidavit Declaration, # <u>4</u> Exhibit, # <u>5</u> Attachment Proposed Order)(Scheckman, Steven) Modified on 5/26/2017 to edit the text (KAH). (Entered: 05/26/2017) |
| 05/26/2017 | <u>423</u> | Motion for Leave to File Reply to <u>417</u> Opposition to <u>410</u> Second Motion to Maintain the Status Quo In Excess Of Page Limitation by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading;, # <u>3</u> Affidavit Declaration, # <u>4</u> Exhibit, # <u>5</u> Attachment Proposed Order)(Scheckman, Steven) Modified on 5/26/2017 to edit the text (KAH). (Entered: 05/26/2017) |
| 05/26/2017 | <u>424</u> | REPORT of Special Master for May 2017 by Paul J. Hebert. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Hebert, Paul) Modified on 5/26/2017 to edit the text (KAH). (Entered: 05/26/2017) |
| 06/01/2017 | <u>425</u> | NOTICE of Manual Attachment by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections (Attachments: # <u>1</u> Exhibit A)(White, Winston) (Entered: 06/01/2017) |
| 06/01/2017 | <u>426</u> | ORDER granting <u>420</u> MOTION to Change Status Quo. The Court's prior Orders do not act as a bar to Defendants' permitting Plaintiffs to participate in the pilot program that allows death-row tier inmates increased time outside of their cells and with other inmates. Signed by Chief Judge Brian A. Jackson on 6/1/2017. (LLH) (Entered: 06/01/2017) |
| 06/15/2017 | <u>427</u> | Supplement to May 2017 STATUS REPORT of Special Master by Paul J. Hebert. (Attachments: # <u>1</u> Exhibit A)(Hebert, Paul) Modified on 6/16/2017 to edit the text (KAH). (Entered: 06/15/2017) |
| 06/15/2017 | <u>428</u> | Defendants' Position Statement Concerning <u>427</u> May 23, 2017 Report of Plaintiffs' Expert, David Garon filed by All Defendants. (Attachments: # <u>1</u> Attachment, # <u>2</u> Attachment)(Roper, Mary) Modified on 6/16/2017 to edit the text (KAH). (Entered: 06/15/2017) |
| 06/16/2017 | <u>429</u> | REPLY to <u>428</u> Defendants' Position Statement Concerning the May 23, 2017 Report of Plaintiffs' Expert David Garon filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Expert Report)(Scheckman, Steven) Modified on 6/19/2017 to edit text. (EDC). (Entered: 06/16/2017) |
| 06/16/2017 | <u>430</u> | MOTION for E. Wade Shows to Withdraw as Attorney by All Defendants. (Attachments: # <u>1</u> Proposed Pleading; Order)(Roper, Mary) (Entered: 06/16/2017) |
| 06/23/2017 | <u>431</u> | ORDER granting <u>422</u> MOTION for Leave to File Reply to Opposition to Second Motion to Maintain the Status Quo AND granting <u>423</u> Motion for leave to File Reply to Opposition to Second Motion to Maintain the Status Quo In Excess Of Page Limitation. Signed by Chief Judge Brian A. Jackson on 6/23/2017. (ELW) (Entered: 06/23/2017) |
| 06/23/2017 | <u>432</u> | REPLY MEMORANDUM in Support of <u>410</u> Second MOTION for Status Quo filed by All Plaintiffs. (Attachments: # <u>1</u> Attachment, # <u>2</u> Exhibit)(ELW) (Entered: 06/23/2017) |
| 06/23/2017 | <u>433</u> | REPORT of Special Master for June 2017 by Paul J. Hebert. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Hebert, Paul) Modified to replace attachments 1 and 3 and edit the text on 6/23/2017 (KAH). (Entered: 06/23/2017) |
| 07/11/2017 | <u>434</u> | OBJECTIONS to <u>433</u> June 23, 2017 Report of the Special Master filed by All Plaintiffs. (Scheckman, Steven) Modified on 7/12/2017 to edit text. (EDC). (Entered: 07/11/2017) |
| 07/19/2017 | <u>435</u> | MOTION to Strike <u>434</u> Response <i>Plaintiffs' Objections to June 23, 2017 Report of the Special Master</i> by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading; Order)(White, Winston) (Entered: 07/19/2017) |

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| 07/21/2017 | <u>436</u> | MEMORANDUM in Opposition to Defendants' Motion to Strike Record Document 434 filed by All Plaintiffs. (Scheckman, Steven) Modified on 7/21/2017 to edit text. (EDC). Modified on 7/21/2017 to create entry relationship. (EDC). (Entered: 07/21/2017) |
| 08/02/2017 | <u>437</u> | REPORT of Special Master For July 2017 by Paul J. Hebert. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(Hebert, Paul) Modified to edit the text and replace attachment 5 on 8/2/2017 (KAH). (Entered: 08/02/2017) |
| 09/14/2017 | <u>438</u> | STATUS REPORT of <i>Special Master</i> by Paul J. Hebert. (Attachments: # <u>1</u> Exhibit 1)(Hebert, Paul) Modified on 9/14/2017 to rotate and replace exhibit (LLH). (Entered: 09/14/2017) |
| 10/12/2017 | <u>439</u> | STATUS REPORT of <i>Special Master</i> for September 2017 by Paul J. Hebert. (Hebert, Paul) Modified to edit the text on 10/13/2017 (KAH). (Entered: 10/12/2017) |
| 10/12/2017 | <u>440</u> | ORDER granting <u>407</u> Motion to Withdraw as Attorney. Attorney Elizabeth Compa is withdrawn. Signed by Chief Judge Brian A. Jackson on 10/12/2017. (LLH) (Entered: 10/12/2017) |
| 10/16/2017 | <u>441</u> | ORDER granting <u>430</u> Motion to Withdraw as Attorney. Attorney E. WADE SHOWS is withdrawn. Signed by Chief Judge Brian A. Jackson on 10/16/2017. (ELW) (Entered: 10/16/2017) |
| 11/13/2017 | <u>442</u> | ORDER denying <u>435</u> Motion to Strike. ORDERED that Defendants may file a response to Plaintiffs' Objections to June 23, 2017 Report of the Special Master (Doc. 434), no later than the 30th day of November, 2017.Signed by Chief Judge Brian A. Jackson on 11/13/2017. (ELW) (Entered: 11/13/2017) |
| 11/17/2017 | <u>443</u> | Joint MOTION to Withdraw and Substitute Counsel of Record by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Proposed Pleading;)(Jones, Carlton) Modified to edit the text on 11/20/2017 (KAH). (Entered: 11/17/2017) |
| 11/20/2017 | <u>444</u> | ORDER granting <u>443</u> Motion to Substitute Attorney. Ross A. Dooley for James Cruz,Ross A. Dooley for James M. LeBlanc,Ross A. Dooley for Louisiana Department of Public Safety and Corrections replacing Carlton Jones, III and Johanna A. Posada. Signed by Chief Judge Brian A. Jackson on 11/20/2017. (LLH) (Entered: 11/20/2017) |
| 11/27/2017 | <u>445</u> | Final Report of Special Master Paul J. Hebert for the 2017 Heat Index Monitoring Period by Paul J. Hebert. (Hebert, Paul) Modified to edit text on 11/28/2017 (SGO). (Entered: 11/27/2017) |
| 11/30/2017 | <u>446</u> | RESPONSE to <i>Plaintiffs' Objections to June 23, 2017 Report of Special Master</i> filed by All Defendants. (Cody, Jeffrey) (Entered: 11/30/2017) |
| 12/15/2017 | <u>447</u> | MOTION for Leave to File Reply in Support of Objections to June 23, 2017 Report of the Special Master by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading;, # <u>3</u> Attachment Order)(Montagnes, Mercedes) Modified on 12/15/2017 to edit text (ELW). (Entered: 12/15/2017) |
| 12/19/2017 | <u>448</u> | ORDER granting <u>447</u> MOTION for Leave to File Reply Support of Objections to June 23, 2017 Report of the Special Master. Signed by Chief Judge Brian A. Jackson on 12/19/2017. (ELW) (Entered: 12/19/2017) |
| 12/19/2017 | <u>449</u> | Reply in Support of <u>433</u> Objection to June 23, 2017 Report of the Special Master filed by All Plaintiffs. (ELW) (Entered: 12/19/2017) |
| 12/22/2017 | <u>450</u> | RULING and ORDER denying <u>410</u> Second MOTION to Maintain the Status Quo. The Court finds that Defendants did not fail to maintain the status quo. <u>433</u> Report of Special Master Paul J. Hebert for June 2017 is ADOPTED as the Court's opinion herein. Plaintiff's request for attorney's fees is DENIED; however, Defendants are ordered to pay fees and costs of Plaintiff's expert, David Garon, for his work and site visit. Signed by Chief Judge Brian A. Jackson on 12/21/2017. (EDC) (Entered: 12/22/2017) |
| 03/21/2018 | <u>451</u> | MANDATE of USCA as to <u>386</u> Notice of Appeal to the USCA for the 5th Circuit: It is ordered and adjudged that the judgment of the District Court is reversed, and the cause is remanded to the District Court for further proceedings in accordance with the |

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| | | opinion of this Court. IT IS FURTHER ORDERED that plaintiffs–appellees pay to defendantsappellants the costs on appeal to be taxed by the Clerk of this Court. (Attachments: # <u>1</u> Bill of Costs)(SGO) (Entered: 03/21/2018) |
| 03/21/2018 | | MOTION(S) REFERRED: <u>389</u> Second MOTION for Attorney Fees . This motion is now pending before the USMJ. (SWE) (Entered: 03/21/2018) |
| 03/22/2018 | <u>452</u> | Notice to Counsel: Status Conference to discuss the Mandate of the Fifth Circuit Court of Appeals filed 3/21/2018 is set for 4/18/2018 at 02:00 PM in Courtroom 2 before Chief Judge Brian A. Jackson. Evidence, in electronic format, shall be provided in accordance with Local Rule 79 and Administrative Procedures. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 03/22/2018) |
| 03/23/2018 | <u>453</u> | MOTION to Continue Status Conference by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Attachment)(Montagnes, Mercedes) (Entered: 03/23/2018) |
| 03/26/2018 | <u>454</u> | ORDER granting <u>453</u> Motion to Continue Status Conference. Status Conference RESET for 6/1/2018 at 02:00 PM in Courtroom 2 before Chief Judge Brian A. Jackson. Signed by Chief Judge Brian A. Jackson on 3/26/2018. (SGO) (Entered: 03/26/2018) |
| 03/27/2018 | <u>455</u> | ORDER REFERRING MOTION to USMJ: <u>389</u> Second MOTION for Attorney Fees filed by Nathaniel Code, Elzie Ball, James Magee is hereby REFERRED to United States Magistrate Judge for REPORT AND RECOMMENDATION. Signed by Chief Judge Brian A. Jackson on 3/27/28. (PJH) (Entered: 03/27/2018) |
| 05/07/2018 | <u>456</u> | MOTION for Leave to File Supplemental Opposition Memorandum to Plaintiff's Second Motion for Attorney's Fees and Costs by All Defendants. (Attachments: # <u>1</u> Attachment Proposed Order, # <u>2</u> Proposed Pleading;)(Dooley, Ross) Modified to edit text on 5/7/2018 (SGO). (Entered: 05/07/2018) |
| 05/07/2018 | | MOTION(S) REFERRED: <u>456</u> MOTION for Leave to File Supplemental Opposition Memorandum to Plaintiff's Second Motion for Attorney's Fees and Costs. This motion is now pending before the USMJ. (SGO) (Entered: 05/07/2018) |
| 05/10/2018 | <u>457</u> | ORDER granting <u>456</u> MOTION for Leave to File Supplemental Opposition Memorandum to Plaintiff's Second Motion for Attorney's Fees and Costs. Clerk's office is directed to filed R. Doc. 456–2 into the record. Signed by Magistrate Judge Erin Wilder–Doomes on 5/10/2018. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 05/10/2018) |
| 05/10/2018 | <u>458</u> | Supplemental Opposition to <u>389</u> Second Application for Attorney's Fees filed by James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (SGO) (Entered: 05/11/2018) |
| 05/25/2018 | <u>459</u> | MOTION for Leave to File Supplementary Reply by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading;, # <u>3</u> Attachment Order)(Montagnes, Mercedes) (Entered: 05/25/2018) |
| 05/25/2018 | <u>460</u> | MOTION for Leave to File Excess Pages by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading;, # <u>3</u> Attachment Proposed Order)(Montagnes, Mercedes) (Entered: 05/25/2018) |
| 05/29/2018 | | MOTION(S) REFERRED: <u>459</u> MOTION for Leave to File Supplementary Reply , <u>460</u> MOTION for Leave to File Excess Pages . This motion is now pending before the USMJ. (LLH) (Entered: 05/29/2018) |
| 06/01/2018 | <u>461</u> | STATUS REPORT of <i>Special Master</i> by Paul J. Hebert. (Attachments: # <u>1</u> Exhibit A)(Hebert, Paul) (Entered: 06/01/2018) |
| 06/01/2018 | <u>463</u> | Minute Entry for proceedings held before Chief Judge Brian A. Jackson: Status Conference held on 6/1/2018. Present: Paul J. Hebert, Special Master, Mercedes Montagnes, Counsel for Plaintiffs, and Jeffrey Cody, Mary Roper, and Colin Clark, |

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| | | Counsel for Defendants. Current status of matter discussed. Counsel informed the Court that the parties are currently in discussions and that the Defendants have agreed to maintain the current status. Counsel and Special Master Hebert to continue discussions. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (PJH) (Entered: 06/05/2018) |
| 06/04/2018 | 462 | Amended STATUS REPORT of <i>Special Master</i> by Paul J. Hebert. (Attachments: # 1 Corrected Exhibit A)(Hebert, Paul) (Entered: 06/04/2018) |
| 06/07/2018 | 464 | ORDER granting 459 Motion for Leave to file Supplemental Reply Memorandum of Law in Support of Plaintiffs' 389 Motion to set Attorney's Fees and Costs and 460 Motion for Leave to Exceed the Page Limitation. The clerk's office is directed to file R. Doc. 459-2 into the record. Signed by Magistrate Judge Erin Wilder-Doomes on 6/7/2018. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) Modified to edit text on 6/7/2018 (BLR). (Entered: 06/07/2018) |
| 06/07/2018 | 465 | SUPPLEMENTAL REPLY Memorandum of Law in Support of 389 Second MOTION to Set Attorney Fees and Costs filed by Plaintiff'. (LLH) (Entered: 06/08/2018) |
| 07/05/2018 | 466 | SATISFACTION OF JUDGMENT by Burl Cain, James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood. (Cody, Jeffrey) (Entered: 07/05/2018) |
| 07/06/2018 | 467 | CERTIFICATE OF SERVICE by Burl Cain, James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections, Angela Norwood re 466 Satisfaction of Judgment (Cody, Jeffrey) (Entered: 07/06/2018) |
| 07/10/2018 | 468 | NOTICE AND ORDER TO COUNSEL: Pending before the Court is Plaintiffs' 389 Second Motion to Set Attorney's Fees and Costs Pursuant to 42 U.S.C. § 1998 and Fed. R. Civ. P. 54(d) by All Plaintiffs. Lead counsel for all parties are ordered to appear at an in-person status conference on August 14, 2018 at 01:00 PM in chambers before Magistrate Judge Erin Wilder-Doomes. Signed by Magistrate Judge Erin Wilder-Doomes on 7/10/2018. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(BLR) Modified to edit text on 7/10/2018 (BLR). (Entered: 07/10/2018) |
| 07/10/2018 | | Set/Reset Deadlines/Hearings: Status Conference set for 8/14/2018 at 01:00 PM in chambers before Magistrate Judge Erin Wilder-Doomes. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry) (BLR) (Entered: 07/10/2018) |
| 08/08/2018 | 469 | MOTION for Leave to File Supplement to <i>Second Motion for Attorneys' Fees and Costs</i> by All Plaintiffs. (Attachments: # 1 Proposed Pleading;, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Attachment Proposed Order)(Montagnes, Mercedes) (Entered: 08/08/2018) |
| 08/08/2018 | | MOTION(S) REFERRED: 469 MOTION for Leave to File Supplement to <i>Second Motion for Attorneys' Fees and Costs</i> . This motion is now pending before the USMJ. (LLH) (Entered: 08/08/2018) |
| 08/09/2018 | 470 | ORDER: In light of the parties' in-person status conference with the Court scheduled for August 14, 2018 pursuant to the Court's Order at R. Doc. 468 , IT IS ORDERED that Plaintiffs' 469 Motion for Leave to file Supplement to Second Motion for Attorneys' Fees and Costs is HEREBY DENIED, WITHOUT PREJUDICE to Plaintiffs re-filing it after the parties' in-person status conference with the Court. IT IS FURTHER ORDERED that no further pleadings are to be filed in connection with Plaintiffs' 389 Motion to Set Attorney's fees and Costs prior to the parties' in-person status conference on August 14, 2018. Signed by Magistrate Judge Erin Wilder-Doomes on 8/9/2018. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 08/09/2018) |
| 08/14/2018 | 473 | Minute Entry/Status Conference Report and Order for proceedings held before Magistrate Judge Erin Wilder-Doomes: Status Conference held on 8/14/2018. Counsel discussed the status of the pending Plaintiffs' 389 Second Motion to Set Attorneys' Fees and Costs Pursuant to 42 U.S.C. § 1998 and Fed. R. Civ. P. 54(d). Plaintiffs stated they |

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| | | are going to withdraw the Motion without prejudice to re-filing it if the parties are unable to reach an amicable resolution of the issues raised in the Motion. (LLH) (Entered: 08/17/2018) |
| 08/15/2018 | <u>471</u> | MOTION to Withdraw <u>389</u> Second MOTION for Attorney Fees by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Attachment Order)(Montagnes, Mercedes) (Entered: 08/15/2018) |
| 08/16/2018 | 472 | ORDER: IT IS HEREBY ORDERED that Plaintiffs Elzie Ball, Nathaniel Cole, and James Magee's <u>471</u> Motion to Withdraw Second Motion for Attorney's Fees and Costs at R. Doc. <u>389</u> is GRANTED, without prejudice to Plaintiffs re-filing it at a later date, if necessary. Prior to re-filing such motion, Plaintiffs shall seek a status conference with the Court. Signed by Magistrate Judge Erin Wilder-Doomes on 8/16/2018. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 08/16/2018) |
| 08/24/2018 | <u>474</u> | Second REPORT of Special Master for the 2018 Heat Index Monitoring Period (August 24, 2018) by Paul J. Hebert. (Hebert, Paul) Modified on 8/24/2018 to edit text (SGO). (Entered: 08/24/2018) |
| 11/05/2018 | <u>475</u> | Joint MOTION for Conditional Dismissal by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Attachment Proposed Order)(Montagnes, Mercedes) Modified on 11/7/2018 to edit text (LLH). (Entered: 11/05/2018) |
| 11/09/2018 | <u>476</u> | Final REPORT of <i>Special Master for the 2018 Heat Index Monitoring Period (November 9, 2018)</i> by Paul J. Hebert. (Hebert, Paul) Modified on 11/13/2018 to edit the text (NLT). (Entered: 11/09/2018) |
| 11/15/2018 | <u>477</u> | SUPREME COURT ORDER from USCA received dismissing petition for writ of certiorari filed by Appellees Mr. James Magee, Mr. Elzie Ball and Mr. Nathaniel Code in 17-30052 on 11/14/2018. (KAH) (Entered: 11/15/2018) |
| 11/19/2018 | <u>478</u> | MOTION for Status Conference <i>on Attorneys' Fees and Costs</i> by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Attachment)(Montagnes, Mercedes) (Entered: 11/19/2018) |
| 11/20/2018 | 479 | ORDER granting <u>478</u> Motion to set a Status Conference. Status Conference set for 12/3/2018 at 10:00 AM in chambers before Magistrate Judge Erin Wilder-Doomes. Signed by Magistrate Judge Erin Wilder-Doomes on 11/20/2018. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 11/20/2018) |
| 12/03/2018 | <u>480</u> | Status Conference Report and Order/Minute Entry for proceedings held before Magistrate Judge Erin Wilder-Doomes: Status Conference held on 12/3/2018. The plaintiffs shall file any re-urged motion for attorney fees no later than 3/15/2019. (NLT) (Entered: 12/04/2018) |
| 02/13/2019 | <u>481</u> | MOTION for Mary E. Roper to Withdraw as Attorney by All Defendants. (Attachments: # <u>1</u> Attachment Proposed Order)(Roper, Mary) (Entered: 02/13/2019) |
| 02/14/2019 | | MOTION(S) REFERRED: <u>481</u> MOTION for Mary E. Roper to Withdraw as Attorney . This motion is now pending before the USMJ. (SWE) (Entered: 02/14/2019) |
| 02/19/2019 | 482 | ORDER granting <u>481</u> Motion to Withdraw Attorney Mary E. Roper as Attorney. Signed by Magistrate Judge Erin Wilder-Doomes on 2/19/2019. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 02/19/2019) |
| 03/14/2019 | <u>483</u> | Unopposed MOTION for Extension of Time to File Plaintiffs' Re-Urged Application for Attorney's Fees and Costs by All Defendants. (Attachments: # <u>1</u> Attachment Order)(Dooley, Ross) (Entered: 03/14/2019) |
| 03/18/2019 | | MOTION(S) REFERRED: <u>483</u> Unopposed MOTION for Extension of Time to File Plaintiffs' Re-Urged Application for Attorney's Fees and Costs. This motion is now pending before the USMJ. (KAH) (Entered: 03/18/2019) |
| 03/19/2019 | <u>484</u> | ORDER granting <u>483</u> Unopposed Motion for Extension of Deadline for Plaintiffs to File Second Application for Attorney's Fees and Costs. Plaintiffs shall file any re-urged motion for attorneys fees and costs on or before April 15, 2019. Any |

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| | | opposition or reply briefs shall be filed in accordance with Local Rule 7(f). Signed by Magistrate Judge Erin Wilder–Doomes on 3/19/2019. (KAH) (Entered: 03/19/2019) |
| 04/15/2019 | <u>485</u> | NOTICE of Settlement <i>Plaintiffs' 389 Second Motion to Set Attorneys' Fees Motion</i> by Elzie Ball, Nathaniel Code, James Magee (Montagnes, Mercedes) Modified on 4/16/2019 to edit the text (SWE). (Entered: 04/15/2019) |
| 04/18/2019 | <u>486</u> | ORDER granting <u>475</u> Joint MOTION for Conditional Dismissal and that this case is conditionally dismissed and shall be placed on the inactive docket pending substantial compliance with the agreement for a period of one year from the date on which the agreement was signed (doc. 475–1). Signed by Judge Brian A. Jackson on 04/18/2019. (NLT) Modified on 4/23/2019 to edit text (LLH). (Entered: 04/18/2019) |
| 05/30/2019 | <u>487</u> | <i>Addendum</i> to SETTLEMENT AGREEMENT by Elzie Ball, Nathaniel Code, James Magee. (Montagnes, Mercedes) Modified on 5/31/2019 to edit the text (SWE). (Entered: 05/30/2019) |
| 06/05/2019 | <u>488</u> | Joint MOTION to Dismiss <i>Special Master</i> by All Defendants. (Attachments: # <u>1</u> Order)(Cody, Jeffrey) (Entered: 06/05/2019) |
| 06/05/2019 | <u>489</u> | Report of Special Master Paul J. Hebert For The 2019 Heat Index Monitoring Period by Paul J. Hebert. (Hebert, Paul) Modified on 6/5/2019 to edit text (LT). (Entered: 06/05/2019) |
| 06/13/2019 | <u>490</u> | ORDER granting <u>488</u> Joint Motion to Dismiss Special Master. Signed by Judge Brian A. Jackson on 06/13/2019. (ELW) (Entered: 06/17/2019) |
| 07/01/2019 | <u>491</u> | Second MOTION for Leave to Remove Awnings <i>filed unopposed</i> by Burl Cain, James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Attachment Proposed Order)(Clark, Colin) (Main Document 491 replaced on 7/11/2019) (EDC). Modified on 7/11/2019 in accordance with record document 493. (EDC). (Entered: 07/01/2019) |
| 07/02/2019 | <u>492</u> | MOTION to Substitute <u>491</u> Second MOTION for Leave to Remove Awnings <i>filed unopposed</i> by Burl Cain, James Cruz, James M. LeBlanc, Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Attachment Proposed Order, # <u>2</u> Proposed Pleading; Substituted Motion, # <u>3</u> Attachment Substituted Proposed Order)(Clark, Colin) Modified on 7/2/2019 to link the motions and edit the docket text (KMW). (Entered: 07/02/2019) |
| 07/11/2019 | <u>493</u> | ORDER granting <u>492</u> MOTION to Substitute Second Motion for Leave to Remove Awnings. Signed by Judge Brian A. Jackson on 7/10/2019. (EDC) (Entered: 07/11/2019) |
| 07/17/2019 | <u>494</u> | MOTION by Former Special Master To Be Removed from List of Parties/Counsel by Paul J. Hebert. (Attachments: # <u>1</u> Proposed Order)(Hebert, Paul) (Entered: 07/17/2019) |
| 07/19/2019 | <u>495</u> | ORDER granting <u>491</u> Second MOTION for Leave to Remove Awnings. Defendants are granted leave to remove the exterior awnings installed at Louisiana State Penitentiary's Death Row Facility. Signed by Judge Brian A. Jackson on 7/19/2019. (KAH) (Entered: 07/19/2019) |
| 07/23/2019 | <u>496</u> | ORDER granting <u>494</u> Motion by Former Special Master To Be Removed from List of Parties/Counsel. Paul J. Hebert, the former Special Master, be removed from the list of parties/counsel in this proceeding. The Court is indebted to Mr. Hebert for his commitment to assisting the Court and all Parties in fashioning a fair and appropriate resolution of this matter. Signed by Judge Brian A. Jackson on 7/23/2019. (EDC) (Entered: 07/23/2019) |