

CLOSED

**U.S. District Court
District of South Carolina (Florence)
CIVIL DOCKET FOR CASE #: 4:10-cv-02696-TLW**

Hickey v. Forkner et al
Assigned to: Chief Judge Terry L Wooten
Cause: 42:12117 Americans with Disabilities Act

Date Filed: 10/19/2010
Date Terminated: 12/21/2011
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Barbara Hickey

represented by **Daniel R Unumb**
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ATTORNEY TO BE NOTICED

V.

Defendant

Emma Forkner
*In Her Official Capacity as the Director
of the South Carolina Department of
Health and Human Services*

represented by **Kenneth Paul Woodington**
Davidson Morrison and Lindemann
PO Box 8568
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Defendant

Beverly Buscemi
*In Her Official Capacity as the Director
of the South Carolina Department of
Disabilities and Special Needs*

represented by **Kenneth Paul Woodington**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Henry Davidson , II
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/19/2010	<u>1</u>	COMPLAINT against Beverly Buscemi, Emma Forkner, filed by Barbara Hickey.(prou,) (Entered: 10/20/2010)
10/19/2010	<u>3</u>	Local Rule 26.01 Answers to Interrogatories by Barbara Hickey.(prou,) (Entered: 10/20/2010)
10/19/2010	<u>4</u>	MOTION for Leave to Proceed in forma pauperis (Restricted Access) by Barbara Hickey. Response to Motion due by 11/5/2010. (Attachments: # <u>1</u> Application to Proceed in District Court Without Prepaying Fees or Costs)No proposed orderMotions referred to Thomas E Rogers, III.(prou,) (Entered: 10/20/2010)
10/20/2010	<u>5</u>	Summons Issued as to Beverly Buscemi, Emma Forkner. (prou,) (Entered: 10/20/2010)
11/10/2010	<u>9</u>	ANSWER to Complaint by Beverly Buscemi, Emma Forkner.(Woodington, Kenneth) (Entered: 11/10/2010)
11/10/2010	<u>10</u>	Local Rule 26.01 Answers to Interrogatories by Beverly Buscemi, Emma Forkner.(Woodington, Kenneth) (Entered: 11/10/2010)
11/12/2010	<u>12</u>	CONFERENCE AND SCHEDULING ORDER: Rule 26(f) Conference Deadline 12/2/2010, 26(a) Initial Disclosures due by 12/16/2010, Rule 26 Report due by 12/16/2010, Amended Pleadings due by 1/10/2011, Plaintiffs ID of Expert Witness due by 2/8/2011, Defendants ID of Expert Witnesses Due by 3/10/2011, Records Custodian Affidavit due by 8/10/2011, Discovery due by 6/24/2011, Rule 26(a)(3) Disclosures due by 8/10/2011, Jury Selection Deadline 9/9/2011, ADR Statement due by 7/11/2011, Mediation Due by 8/10/2011.Motions in limine must be filed at least one week prior to date of trial.Parties shall furnish the Court pretrial briefs seven (7) days prior to the date set for jury selection. Signed by Magistrate Judge Thomas E Rogers, III on 11/12/2010. (dsto,) (Entered: 11/12/2010)
11/23/2010	<u>14</u>	TEXT ORDER granting <u>4</u> Motion for Leave to Proceed in forma pauperis. Signed by Magistrate Judge Thomas E Rogers, III on 11/23/2010.(dsto,) (Entered: 11/23/2010)
12/01/2010	<u>15</u>	CERTIFICATE OF SERVICE by Barbara Hickey re <u>4</u> MOTION for Leave to Proceed in forma pauperis (Restricted Access) MOTION for Leave to Proceed in forma pauperis (Restricted Access), <u>3</u> Local Rule 26.01 Answers to Interrogatories, <u>5</u> Summons Issued, <u>1</u> Complaint on <i>Emma Forkner</i> (Attachments: # <u>1</u> Certificate of Service Beverly Buscemi, # <u>2</u> Certificate of Service Attorney General McMaster)(Jackson, Emily) (Entered: 12/01/2010)
12/16/2010	<u>16</u>	Joint Rule 26(f) Report by Beverly Buscemi, Emma Forkner, Barbara Hickey. Modified on 12/17/2010 to remove attachment and file separately as Document Entry <u>17</u> (dsto,). (Entered: 12/16/2010)
12/16/2010	<u>17</u>	(Joint) Local Rule 26.03 Answers to Interrogatories by Beverly Buscemi, Emma Forkner, Barbara Hickey.(dsto,) (Entered: 12/17/2010)
01/03/2011	<u>18</u>	CONSENT AMENDED SCHEDULING ORDER. Amended Pleadings due by 3/10/2011, Plaintiffs ID of Expert Witness due by 4/8/2011, Defendants ID of Expert Witnesses Due by 5/9/2011, Records Custodian Affidavit due by 10/10/2011, Discovery due by 8/24/2011, Motions due by 9/12/2011, Rule 26(a)(3) Disclosures due by 10/10/2011, Jury Selection Deadline 11/9/2011, ADR Statement due by 9/12/2011, Mediation Due by 10/10/2011. Motions in limine must be filed at least one week prior to the date of trial. Signed by Magistrate Judge Thomas E Rogers, III on 01/03/2011. (dsto,) (Entered: 01/03/2011)
04/08/2011	<u>23</u>	DEFENDANT'S ID OF EXPERT WITNESSES by Barbara Hickey.(Jackson, Emily) (Entered: 04/08/2011)
05/03/2011	<u>24</u>	Joint MOTION Consent Order to Maintain Services Pendente Lite by Beverly Buscemi, Emma Forkner, Barbara Hickey. Response to Motion due by 5/20/2011. Proposed order is being emailed to chambers with copy to opposing counsel. Motions referred to Thomas E Rogers, III.(Jackson, Emily) (Entered: 05/03/2011)

05/05/2011	<u>25</u>	ORDER granting <u>24</u> Consent Motion to Maintain Medicaid Services Pendente Lite. Signed by Honorable Terry L Wooten on 05/05/2011.(dsto,) (Entered: 05/06/2011)
05/09/2011	<u>26</u>	DEFENDANT'S ID OF EXPERT WITNESSES by Beverly Buscemi, Emma Forkner.(Woodington, Kenneth) (Entered: 05/09/2011)
07/19/2011	<u>27</u>	MOTION to Amend/Correct <u>18</u> Scheduling Order, by Beverly Buscemi, Emma Forkner, Barbara Hickey. Response to Motion due by 8/5/2011. Proposed order is being emailed to chambers with copy to opposing counsel. Motions referred to Thomas E Rogers, III.(Jackson, Emily) (Entered: 07/19/2011)
07/21/2011	28	TEXT ORDER granting <u>27</u> Motion to Amend/Correct. Signed by Magistrate Judge Thomas E Rogers, III on 07/21/2011.(dsto,) (Entered: 07/21/2011)
07/21/2011	<u>29</u>	SECOND CONSENT AMENDED SCHEDULING ORDER. Plaintiffs ID of Expert Witness due by 9/26/2011, Defendants ID of Expert Witnesses Due by 10/24/2011, Records Custodian Affidavit due by 1/10/2012, Discovery due by 11/24/2011, Motions due by 12/12/2011, Rule 26(a)(3) Disclosures due by 1/10/2012, Jury Selection Deadline 2/9/2012, ADR Statement due by 12/12/2011, Mediation Due by 1/10/2012. Motions in limine must be filed at least one week prior to the date of trial. Signed by Magistrate Judge Thomas E Rogers, III on 07/21/2011. (dsto,) (Entered: 07/21/2011)
11/29/2011	<u>32</u>	Consent MOTION to Dismiss <i>based on mootness</i> by Beverly Buscemi, Emma Forkner, Barbara Hickey. Response to Motion due by 12/16/2011 (Attachments: # <u>1</u> Exhibit 1, ALC Order, # <u>2</u> Exhibit 2, Buscemi affidavit) Proposed order is being emailed to chambers with copy to opposing counsel. Motions referred to Thomas E Rogers, III.(Woodington, Kenneth) Modified on 11/30/2011 to add filer listed on document (dsto). (Entered: 11/29/2011)
12/21/2011	<u>34</u>	ORDER DISMISSING CASE as stipulated by the parties, that the instant action is hereby dismissed, without prejudice, on grounds of mootness. Signed by Honorable Terry L Wooten on 12/20/2011. (dsto,) (Entered: 12/21/2011)
12/21/2011	<u>36</u>	JUDGMENT, by the Clerk. This case is dismissed without prejudice. (dsto,) (Entered: 12/21/2011)