

CLASS,CLOSED,LC-1,SETCON

U.S. District Court
U.S. District Court for the Northern District of Oklahoma (Tulsa)
CIVIL DOCKET FOR CASE #: 4:99-cv-00816-mb

Dyer, et al v. Osage School Dist 38, et al
Assigned to: Judge Michael Burrage
Demand: \$0
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 09/29/1999
Date Terminated: 06/08/2000
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Tom Dyer
as parent and next friend of minor
daughters Kandis Dyer and Tamara Dyer
on behalf of
Kandis Dyer
on behalf of
Tamara Dyer

represented by **Raymond L Yasser**
Smolen Smolen & Roytman PLLC
701 S CINCINNATI AVE
TULSA, OK 74119
918-585-2667
Fax: 918-585-2669
Email: raymond-yasser@utulsa.edu
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel J Schiller
Schiller Law Firm
4113 Cumby Rd
Ste 200
Cookeville, TN 38501
931-528-5050
Fax: 931-528-5051
Email: sjs@schillerlawfirm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Brenda Dyer
as parent and next friend of minor
daughters Kandis Dyer and Tamara Dyer

represented by **Raymond L Yasser**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel J Schiller
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Roger Wheeler
as parent and next friend of minor
daughters Jillian Wheeler and Rachael
Wheeler
on behalf of
Jillian Wheeler
on behalf of
Rachael Wheeler

represented by **Raymond L Yasser**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel J Schiller
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Vicki Wheeler
as parent and next friend of minor
daughters Jillian Wheeler and Rachael
Wheeler

represented by **Raymond L Yasser**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel J Schiller
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Greg Billen
as parent and next friend of minor
daughter Heather Billen
on behalf of
Heather Billen

represented by **Raymond L Yasser**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel J Schiller
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Shelly Billen
as parent and next friend of minor
daughter Heather Billen

represented by **Raymond L Yasser**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel J Schiller
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Independent School District No. 38 of
Osage County
also known as
Hominy Public Schools

Defendant

Hominy Public Schools
Superintendent Gerald Christy

represented by **Karen Lea Long**
Rosenstein Fist & Ringold
525 S MAIN STE 700
TULSA, OK 74103
918-585-9211
Fax: 918-583-5617
Email: karenl@rftlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Gerald Christy
individually

represented by **Karen Lea Long**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

John Doe
sued as Does 1 through 50

Date Filed	#	Docket Text
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09/29/1999	<u>1</u>	CLASS ACTION COMPLAINT (Summons issued); Consent form sent (fee status: pd) (fe, Dpty Clk) Modified on 10/18/1999 (Entered: 09/30/1999)
09/29/1999		FILING FEE PAID IN FULL by plaintiff Tom Dyer, plaintiff Brenda Dyer, plaintiff Roger Wheeler, plaintiff Vicki Wheeler, and plaintiff Greg Billen on 9/29/99 in the amount of \$150.0 receipt # 88466 (fee status: pd) (fe, Dpty Clk) (Entered: 09/30/1999)
10/01/1999	<u>2</u>	ATTORNEY APPEARANCE for plaintiffs by Samuel J Schiller (sac, Dpty Clk) (Entered: 10/04/1999)
10/01/1999	<u>3</u>	ATTORNEY APPEARANCE for plaintiffs by Ray Yasser (sac, Dpty Clk) (Entered: 10/04/1999)
10/21/1999	<u>4</u>	ANSWER by defendant Hominy Public School, defendant Gerald Christy to compl [1-1] (fe, Dpty Clk) (Entered: 10/21/1999)
11/03/1999	<u>5</u>	MINUTE ORDER: by Judge Michael Burrage ; CASE MANAGEMENT CONF set for 11:20 a.m., 12/14/99 . Parties are directed to comply with the Local Rules of Court in regard to the submission of the Case Management Plan. (cc: all counsel) (fe, Dpty Clk) (Entered: 11/03/1999)
11/16/1999	<u>6</u>	MOTION by plaintiff Tom Dyer, plaintiff Brenda Dyer, plaintiff Roger Wheeler, plaintiff Vicki Wheeler, plaintiff Greg Billen, plaintiff Shelly Billen for class action certification (O2J) (crp, Dpty Clk) (Entered: 11/17/1999)
11/16/1999	<u>7</u>	BRIEF by plaintiff Tom Dyer, plaintiff Brenda Dyer, plaintiff Roger Wheeler, plaintiff Vicki Wheeler, plaintiff Greg Billen, plaintiff Shelly Billen in support of motion for class action certification [6-1] (crp, Dpty Clk) (Entered: 11/17/1999)
12/02/1999	<u>8</u>	ORDER by Judge Michael Burrage granting plths' motion for class action certification [6-1] (cc: all counsel) (sac, Dpty Clk) (Entered: 12/03/1999)
12/07/1999	<u>9</u>	CASE MANAGEMENT PLAN Received (crp, Dpty Clk) (Entered: 12/08/1999)
12/14/1999	<u>10</u>	MINUTES: ; Case Management Conference held 12/14/99 . Counsel present w/3 class plths. Schedo. submitted for Ct approval. Setcon to be set in June '00 and parties DO NOT consent to adjunct.[N/R][c/MJ] (fe, Dpty Clk) (Entered: 12/14/1999)
12/16/1999	<u>11</u>	SETTLEMENT CONFERENCE ORDER by Magistrate Sam A. Joyner: SETTLMT CONF set for 1:30 PM on 6/13/00 before Magistrate Sam A. Joyner; stmts due 6/6/00 (cc: all counsel) (lmc, Dpty Clk) (Entered: 12/16/1999)
12/16/1999	<u>12</u>	SCHEDULING ORDER by Judge Michael Burrage, the motion filing ddl is set for 5/22/00; discovery due 5/15/00; proposed pretrial order due 7/24/00; PRETRIAL CONF set for 9:30 a.m. 7/27/00; TRIAL set for 9:30 a.m. on 8/21/00 (See O for further ddls) (cc: all counsel) (crp, Dpty Clk) (Entered: 12/17/1999)
04/13/2000	<u>13</u>	EXPERT WITNESS list by defendant Osage School Dist 38 (sac, Dpty Clk) (Entered: 04/14/2000)
04/24/2000	<u>14</u>	FINAL WITNESS list by plaintiffs Shelly Billen, Greg Billen, Vicki Wheeler, Roger Wheeler, Brenda Dyer and Tom Dyer (crp, Dpty Clk) (Entered: 04/25/2000)
04/24/2000	<u>15</u>	WITNESS list by defendant Osage School Dist 38 (fe, Dpty Clk) (Entered: 04/25/2000)
05/05/2000	<u>16</u>	MINUTE ORDER by Magistrate Sam A. Joyner: Due to Court conflict, the Settlement Conference is hereby reset for 1:30 PM on 6/19/00 before Magistrate Sam A. Joyner, all other dates remain as set. (SAJ-MJ) (cc: all counsel) (lmc, Dpty Clk) (Entered: 05/05/2000)
05/08/2000	<u>17</u>	SETTLEMENT CONFERENCE STATUS REPORT: settlement conference stricken (cc: all counsel) (sac, Dpty Clk) (Entered: 05/08/2000)
06/02/2000	<u>18</u>	MOTION by plaintiff Shelly Billen, defendant Gerald Christy, defendant Hominy Public School, defendant Osage School Dist 38, plaintiff Greg Billen, plaintiff Vicki Wheeler, plaintiff Roger Wheeler, plaintiff Brenda Dyer, plaintiff Tom Dyer for entry of admin closing order (fe, Dpty Clk) (Entered: 06/02/2000)

06/08/2000	<u>19</u>	ORDER by Judge Michael Burrage granting motion for entry of admin closing order [18-1] (cc: all counsel) (sac, Dpty Clk) (Entered: 06/09/2000)
06/08/2000	<u>20</u>	ADMINISTRATIVE Closing Order by Judge Michael Burrage (cc: all counsel); Documents pending: -0- (sac, Dpty Clk) (Entered: 06/09/2000)
08/07/2000	<u>21</u>	JOINT MOTION by plaintiff Shelly Billen, defendant John Doe, defendant Gerald Christy, defendant Hominy Public School, defendant Osage School Dist 38, plaintiff Greg Billen, plaintiff Vicki Wheeler, plaintiff Roger Wheeler, plaintiff Brenda Dyer, plaintiff Tom Dyer to extend admin closing ord ddln for 60 days , or to reopen the case (o/j) (sac, Dpty Clk) (Entered: 08/08/2000)
08/09/2000	<u>22</u>	ORDER by Judge Michael Burrage granting motion to extend admin closing ord ddln for 60 days [21-1], terminating motion to reopen the case [21-2] (cc: all counsel) (sac, Dpty Clk) (Entered: 08/10/2000)
10/10/2000	<u>23</u>	JOINT MOTION by plaintiff Shelly Billen, defendant Gerald Christy, defendant Hominy Public School, defendant Osage School Dist 38, plaintiff Greg Billen, plaintiff Vicki Wheeler, plaintiff Roger Wheeler, plaintiff Brenda Dyer, plaintiff Tom Dyer to extend admin closing , or to reopen the case (o/j) (sac, Dpty Clk) (Entered: 10/11/2000)
10/12/2000	<u>24</u>	ORDER by Judge Michael Burrage granting motion to extend admin closing for 30 days [23-1], terminating motion to reopen the case [23-2] (cc: all counsel) (crp, Dpty Clk) (Entered: 10/12/2000)
11/09/2000	<u>25</u>	MINUTE ORDER: by Judge Michael Burrage: Upon oral request of Plaintiffs' counsel and upon agreement of Defendants' counsel, the Administrative Closing Order deadline is extended an additional 14 days from this date. (cc: all counsel) (fe, Dpty Clk) (Entered: 11/09/2000)
11/27/2000		PROPOSED Rls &Stlmt of Clm of Atty Fees &Costs; Judgment; Stlmt Agrmt (forwarded to mb-j) (sac, Dpty Clk) (Entered: 11/28/2000)
11/30/2000	<u>26</u>	ORDER (SETTLEMENT AGREEMENT) by Judge Michael Burrage (cc: all counsel) (sac, Dpty Clk) (Entered: 12/04/2000)
11/30/2000	<u>27</u>	NOTICE (RELEASE AND SETTLEMENT OF CLAIM FOR ATTY FEES &COSTS) by plaintiff Shelly Billen, defendant John Doe, defendant Gerald Christy, defendant Hominy Public School, defendant Osage School Dist 38, plaintiff Greg Billen, plaintiff Vicki Wheeler, plaintiff Roger Wheeler, plaintiff Brenda Dyer, plaintiff Tom Dyer (sac, Dpty Clk) (Entered: 12/04/2000)
11/30/2000	<u>28</u>	JUDGMENT: by Judge Michael Burrage (cc: all counsel) (sac, Dpty Clk) (Entered: 12/04/2000)
01/25/2001		PROPOSED Jt Stipulation of Dismissal (forwarded to Judge) (crp, Dpty Clk) (Entered: 01/25/2001)
01/29/2001	<u>29</u>	ORDER (JOINT STIPULATION OF DISMISSAL) by Judge Michael Burrage; dismissing case (cc: all counsel) (crp, Dpty Clk) (Entered: 01/30/2001)