

**U.S. District Court  
District of Hawaii (Hawaii)  
CIVIL DOCKET FOR CASE #: 1:08-cv-00585-JMS-KSC**

United States of America v. State of Hawaii et al  
Assigned to: JUDGE J. MICHAEL SEABRIGHT  
Referred to: JUDGE KEVIN S.C. CHANG  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 12/29/2008  
Date Terminated: 06/26/2015  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**United States of America**

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**Defendant**

State of Hawaii

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**Defendant**

**Honorable Linda Lingle**  
*Governor of the State of Hawaii, in her  
official capacity only*

represented by **David M. Louie**  
(See above for address)  
*TERMINATED: 04/01/2014*  
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**Diane K. Taira**  
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**Renee R. Sonobe Hong**  
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**Defendant**

**Director Clayton Frank**  
*Department of Public Safety, in his  
official capacity only*

represented by **David M. Louie**  
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**Renee R. Sonobe Hong**  
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**Defendant**

**Warden Nolan Espinda**  
*Oahu Community Correctional Center, in*  
*his official capacity only*

represented by **David M. Louie**  
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*TERMINATED: 04/01/2014*  
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**Lisa M. Ginoza**  
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**Renee R. Sonobe Hong**  
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**Interested Party**

**Lindsay M. Hayes**  
*Court Appointed Monitor (doc no. [27])*

represented by **Lindsay M. Hayes**  
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& Alternatives  
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PRO SE

Date Filed	#	Docket Text
12/29/2008	<u>1</u>	COMPLAINT against all defendants, filed by United States of America. (Attachments: # <u>1</u> Certificate of the Attorney General, # <u>2</u> Civil Cover Sheet)(gls, ) (Entered: 12/30/2008)
12/29/2008	<u>2</u>	Order Setting Rule 16 Scheduling Conference for 09:00AM on 3/30/2009 before JUDGE KEVIN S.C. CHANG.. Signed by JUDGE HELEN GILLMOR on 12/29/08. (gls, ) (Entered: 12/30/2008)

12/29/2008	<u>3</u>	Joint MOTION For Expedited Entry of Stipulated Conditional Dismissal Lawrence L. Tong appearing for Plaintiff United States of America (Attachments: # <u>1</u> Settlement Agreement, # <u>2</u> Proposed Order Granting Joint Motion for Conditional Dismissal)(gls, ) (Entered: 12/30/2008)
12/29/2008	<u>4</u>	CERTIFICATE OF SERVICE by United States of America (gls, ) (Entered: 12/30/2008)
12/30/2008	<u>5</u>	ORDER Granting Joint Motion for Conditional Dismissal <u>3</u> . Signed by JUDGE J. MICHAEL SEABRIGHT on 12/30/08. (gls, ) (Entered: 12/30/2008)
12/30/2008		COURT'S CERTIFICATE of Service – a copy of <u>5</u> Order on Motion to Dismiss has been served on: 12/30/08. Registered Participants of CM/ECF received the document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). (gls, ) (Entered: 12/30/2008)
06/19/2012	<u>6</u>	Joint MOTION For Extension of Conditional Dismissal Diane K. Taira appearing for Defendant State of Hawaii (Attachments: # <u>1</u> Compliance Plan, # <u>2</u> Proposed Order)(gls, ) (Entered: 06/20/2012)
06/25/2012	<u>7</u>	ORDER Granting <u>6</u> Joint Motion For Extension of Conditional Dismissal. Signed by JUDGE J. MICHAEL SEABRIGHT on 6/25/12. (gls, ) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/26/2012)
06/24/2013	<u>8</u>	Second Joint MOTION For Second Extension of Conditional Dismissal Diane K. Taira appearing for Defendant State of Hawaii (gls, ) (Entered: 06/25/2013)
06/25/2013	<u>10</u>	Letter from Defense Counsel to Judge Seabright in re Second Joint Motion for Second Extension of Conditional Dismissal (gls, ) (Entered: 06/25/2013)
06/25/2013	<u>11</u>	ORDER GRANTING SECOND JOINT MOTION FOR SECOND EXTENSION OF CONDITIONAL DISMISSAL re <u>8</u> . Signed by JUDGE J. MICHAEL SEABRIGHT on 6/25/13. (gls, ) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/26/2013)
08/28/2013	<u>13</u>	Ex Parte Motion and Order For Third Extension of Conditional Dismissal Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. Signed by JUDGE J. MICHAEL SEABRIGHT on 8/27/13. (gls, ) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 08/28/2013)
09/20/2013	<u>15</u>	Ex Parte MOTION for Fourth Extension of Conditional Dismissal Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure – Diane K. Taira appearing for Defendants Nolan Espinda, Clayton Frank, Linda Lingle, State of Hawaii (Attachments: # <u>1</u> Declaration of Diane T. Taira, # <u>2</u> (Proposed) Order Granting Ex Parte Motion)(emt, ) (Entered: 09/20/2013)
09/20/2013	<u>16</u>	ORDER GRANTING EX PARTE MOTION FOR FOURTH EXTENSION OF CONDITIONAL DISMISSAL re <u>15</u> – Signed by JUDGE J. MICHAEL SEABRIGHT on 9/20/13. " The Court's conditional dismissal of this lawsuit without prejudice is continued until October 11, 2013, during which time the Parties, will document, obtain approvals, and file with this Court their amended Corrective Action Plan addressing outstanding concerns at the Oahu Community Correctional Center." (emt, ) <hr/> CERTIFICATE OF SERVICE

		Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 09/20/2013)
10/11/2013	<u>17</u>	Ex Parte MOTION For A Stay of Deadline Imposed by Order Granting Ex Parte Motion For Fourth Extension of Conditional Dismissal Diane K. Taira appearing for Defendant State of Hawaii (gls, ) (Entered: 10/15/2013)
10/15/2013	<u>18</u>	ORDER GRANTING DEFENDANT STATE OF HAWAII'S EX PARTE MOTION FOR A STAY OF DEADLINE IMPOSED BY ORDER GRANTING EX PARTE MOTION FOR FOURTH EXTENSION OF CONDITIONAL DISMISSAL re <u>17</u> . Signed by JUDGE J. MICHAEL SEABRIGHT on 10/11/13. (gls, ) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 10/15/2013)
11/01/2013	<u>19</u>	Joint Submission of Corrective Action Plan; Joint MOTION for Modification of Rule 41(a)(1) Settlement Agreement – Diane K. Taira appearing for Defendants Nolan Espinda, Clayton Frank, Linda Lingle, State of Hawaii (Attachments: # <u>1</u> Correction Action Plan, # <u>2</u> Proposed Order)(emt, ) (Entered: 11/04/2013)
11/04/2013	<u>21</u>	EO: The court has reviewed the Joint Submission of Correction Action Plan and Joint Motion for Modification of Rule 41(a)(1) Settlement Agreement, filed on November 1, 2013. Doc. No. <u>19</u> . The court is not inclined to approve the request for an open-ended deadline for a dismissal with prejudice, and the parties are encouraged to discuss other options such as revising the December 29, 2008 Settlement Agreement's termination provisions so as to establish an appropriate, realistic deadline for achieving compliance with a proposed Corrective Action Plan regarding suicide prevention.  To the extent necessary, the court hereby EXTENDS the apparent November 4, 2013 expiration date of the December 29, 2008 Settlement Agreement until November 29, 2013 or until the court orders otherwise. (JUDGE J. MICHAEL SEABRIGHT)(apg, ) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 11/04/2013)
11/04/2013	<u>22</u>	Letter dated November 1, 2013 from Diane K. Taira, Esq. addressed to U.S. District Judge J. Michael Seabright. Letter re: Joint Submission of Corrective Action Plan re: <u>19</u> . (afc) (Entered: 11/07/2013)
11/19/2013	<u>23</u>	EO: At the request of ocounsel, Status Conference set for 11/22/2013 03:30 PM before JUDGE J. MICHAEL SEABRIGHT. (JUDGE J. MICHAEL SEABRIGHT)(apg, ) <hr/> CERTIFICATE OF SERVICE Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 11/19/2013)
11/19/2013	<u>24</u>	Letter dated November 18, 2013 from Diane K. Taira, Esq. addressed to U.S. District Judge J. Michael Seabright. Letter requesting telephone status conference. Cross-reference minute order, doc no. (23). (afc) (Entered: 11/19/2013)
11/22/2013	<u>25</u>	EP: Status Conference held in chambers. As agreed to by the parties, the court EXTENDS the November 29, 2013 expiration date of the December 29, 2008 Settlement Agreement until December 13, 2013 (or until the court orders otherwise). By December 10, 2013, the parties are to provide the court with a modified proposal for a Corrective Action Plan regarding the remaining issues discussed during the status conference. (Court Reporter Cynthia Fazio.) (JUDGE J.



		<p>MICHAEL SEABRIGHT)(apg, )</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 11/25/2013)</p>
11/26/2013	<u>26</u>	<p>NOTICE by United States of America <i>United States of America's Notice of Substitution of Counsel; Certificate of Service</i> United States of America. (Helper, Thomas) (Entered: 11/26/2013)</p>
12/10/2013	<u>27</u>	<p>ORDER ENTERING CORRECTIVE ACTION PLAN AS ORDER OF THE COURT AND APPOINTING MONITOR AND MODIFICATION OF RULE 41(A)(1) SETTLEMENT AGREEMENT <i>re: 19</i> . Signed by JUDGE J. MICHAEL SEABRIGHT on 12/10/2013.</p> <p><i>Excerpt of Order:</i> ~ "[T]he Court ORDERS that: 1) This matter is removed from the Court's inactive docket and placed on its active docket; 2) The Corrective Action Plan attached to the Parties' Submission of Corrective Action Plan is hereby entered as an Order of the Court, and is the operative remedial agreement in this matter; 3) Defendants shall comply with all terms of the Corrective Action Plan by June 30, 2014, upon which date the case will be dismissed if compliance is achieved. 4) If compliance is not anticipated to be achieved by June 1, 2014, at least 30 days prior to that date, the Parties will meet and confer to seek appropriate measures and timetables to bring Defendants into compliance with the Court orders. Such measures and timetables shall be submitted to the Court for its approval. 5) Section IV [paragraphs] 44-52 (concerning the Monitor) of the December 29, 2008, Settlement Agreement are dismissed; 6) Section V (Termination) of the December 29, 2008, Settlement Agreement is dismissed; 7) Further, Mr. Lindsay Hayes is accepted by the Court as the Monitor to the parties. His costs will be borne by the State...." (afc)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications will be served by first class mail on December 11, 2013. A SEPARATE COURT'S CERTIFICATE OF SERVICE WILL BE ENTERED FOR SERVICE UPON MR. LINDSAY HAYES. (Entered: 12/10/2013)</p>
12/11/2013		<p>COURT'S CERTIFICATE of Service – a copy of <u>27</u> the "ORDER ENTERING CORRECTIVE ACTION PLAN AS ORDER OF THE COURT AND APPOINTING MONITOR AND MODIFICATION OF RULE 41(a)(1) SETTLEMENT AGREEMENT" has been served this date by first class mail addressed to the court appointed Monitor: Mr. Lindsay M. Hayes, Project Director-National Center on Institutions &amp; Alternatives, 40 Lantern Lane, Mansfield, MA 02048. (afc) (Entered: 12/11/2013)</p>
04/01/2014	28	<p>EO: Status Conference set for 4/7/2014 11:00 AM before JUDGE J. MICHAEL SEABRIGHT. Parties shall contact Alison, Courtroom Manager at ag@hid.uscourts.gov to provide contact information for those participating by telephone at this conference. (JUDGE J. MICHAEL SEABRIGHT)(apg, )</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/01/2014)</p>
04/01/2014	<u>29</u>	<p>Letter dated 3/31/2014 from Diane K. Taira, Esq., Deputy State Attorney General, addressed to Judge J. Michael Seabright. Letter in re USDOJ request for status conference re: compliance measures. (afc) (Entered: 04/01/2014)</p>
04/01/2014	30	<p>EO: At the request of counsel, Status Conference set for 4/7/2014 is continued to 4/14/2014 02:15 PM before JUDGE J. MICHAEL SEABRIGHT. (JUDGE J. MICHAEL SEABRIGHT)(apg, )</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p>

		Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/01/2014)
04/14/2014	<u>33</u>	<p>EP: Status Conference held on 4/14/2014. Paul Aucoin, Verlin Deerinwater, Laura Coon and Lindsay Hays, participating by telephone. Discussion held. Counsel to prepare and submit a short order regarding todays discussions to seabright_orders@hid.uscourts.gov. (JUDGE J. MICHAEL SEABRIGHT)(apg, )</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/15/2014)</p>
04/14/2014	<u>34</u>	<p>EP: Status Conference held on 4/14/2014. Paul Aucoin, Verlin Deerinwater, Laura Coon and Lindsay Hays, participating by telephone. Discussion held. Counsel to prepare and submit a short order regarding todays discussions to seabright_orders@hid.uscourts.gov. (Court Reporter no record.) (JUDGE J. MICHAEL SEABRIGHT)(apg, ) <b>DUPLICATE ENTRY, ENTERED IN ERROR, PLEASE DISREGARD</b></p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry Modified on 4/15/2014 (apg, ). (Entered: 04/15/2014)</p>
04/15/2014	31	<p>EO: Status Conference set for 4/18/2014 09:00 AM before JUDGE KEVIN S.C. CHANG. Mainland counsel and Monitor may participate by phone and should contact Shari at 808-541-3091 with a contact phone number. The Deputy Attorney General should appear in person. (JUDGE KEVIN S.C. CHANG)(sna, )</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/15/2014)</p>
04/15/2014	32	<p>EO: Status Conference set 4/18/14 shall be moved to 4/17/2014 09:00 AM before JUDGE KEVIN S.C. CHANG. Mainland counsel and Monitor may participate by phone and should contact Shari at 808-541-3091 with a contact phone number. The Deputy Attorney General should appear in person. (JUDGE KEVIN S.C. CHANG)(sna, )</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/15/2014)</p>
04/16/2014	<u>35</u>	<p>STIPULATED AMENDED CORRECTIVE ACTION PLAN; ORDER; EXHIBIT A. Signed by JUDGE J. MICHAEL SEABRIGHT on 4/16/2014. (Attachments: # <u>1</u> Exhibit A) (afc)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/16/2014)</p>
04/16/2014	<u>36</u>	<p>ORDER REGARDING STATUS CONFERENCE SCHEDULING. Signed by JUDGE J. MICHAEL SEABRIGHT on 4/16/2014.  <i>Excerpt of Order:</i> "The Parties are to engage, with the assistance of United States Magistrate Judge Kevin S.C. Chang, in bi-weekly status conferences...." "The Monitor in this case, Lindsay Hayes, shall also be a participant in the status conferences...." (afc)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p>



		Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 04/16/2014)
04/17/2014	<u>37</u>	EP: Status Conference held on 4/17/2014. Monitor Lindsay Hayes present by phone. Discussion held. Counsel to confer further regarding scheduling bi-weekly Status Conferences. Ms. Taira to work with Judge Chang's courtroom manager regarding scheduling of the bi-weekly conferences. (In Chambers – no record, 9:02–9:25am.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 04/17/2014)
04/30/2014	<u>38</u>	EO: re <u>37</u> Status Conference set before Judge Chang:  5/6/14 at 9:15am  5/15/14 at 9:00am  5/29/14 at 9:00am  6/12/14 at 2:00pm  6/26/14 at 9:00am  7/10/14 at 9:00am  7/24/14 at 9:00am  Diane Taira has confirmed that dates and times are good for now with all parties. (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 04/30/2014)
05/06/2014	<u>39</u>	EP: Status Conference held on 5/6/2014. (Court Reporter In Chambers–No Record) (JUDGE KEVIN S.C. CHANG)(wnn, ) <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/06/2014)
05/15/2014	<u>40</u>	EP: Status Conference held on 5/15/2014. Present: Director Ted Sakai, OCCC Warden Francis Sequeira, OCCC Chief of Security Denise Johnston. Monitor Lindsay Hayes present by phone. Ms. Taira provided the Court with a copy of an Exhibit previously provided to all counsel and the Monitor. Discussion held. Targeted deadline to close this action is December 31, 2014. Further Status Conference set 5/29/14 at 9:00am before Judge Chang. (In Chambers – no record, 9:20–9:40am.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 05/15/2014)
05/29/2014	<u>41</u>	EP: Further Status Conference held on 5/29/2014. Monitor Lindsay Hayes present by phone. Discussion held regarding the May 29, 2014 Summary and Action Items chart. Further Status Conference set 6/12/14 at 2:00pm before Judge Chang. (In Chambers – no record, 9:07–9:17am.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 05/29/2014)
06/12/2014	<u>42</u>	EP: Further Status Conference held on 6/12/2014. Monitor Lindsay Hayes present by phone. Counsel updated the Court. Further Status Conference set 6/26/14 at 9:00am before Judge Chang. (In Chambers – no record, 2:30–2:35pm.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 06/12/2014)
06/26/2014	<u>43</u>	EP: Further Status Conference held on 6/26/2014. Monitor Lindsay Hayes present by phone. Counsel updated the Court. Further Status Conference set 7/10/14 at 9:00am before Judge Chang. (In Chambers – no record, 9:00–9:10am.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 06/26/2014)
07/10/2014	<u>44</u>	EP: Further Status Conference held on 7/10/2014. Monitor Lindsay Hayes present by phone. Counsel updated the Court. Further Status Conference set 7/24/14 at 9:00am before Judge Chang. (In Chambers – no record, 9:00–9:10am.) (JUDGE

		KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 07/10/2014)
07/22/2014	<u>45</u>	EO: The time for the Further Status Conference set for 9:00am on 7/24/2014 shall be moved to 9:15 AM on 7/24/14 before JUDGE KEVIN S.C. CHANG. Renee Sonobe–Hong to notify all parties. (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 07/22/2014)
07/24/2014	<u>46</u>	EP: Further Status Conference held on 7/24/2014. Monitor Lindsay Hayes present by phone. Counsel updated the Court. Further Status Conference set 8/7/14 at 9:00am before Judge Chang. (In Chambers – no record, 9:15–9:45am.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 07/24/2014)
08/07/2014	<u>47</u>	EP: Further Status Conference held on 8/7/2014. Monitor Lindsay Hayes present. Discussion held regarding the Summary and Action Items chart dated 8/7/14. Counsel updated the Court. Further Status Conference set 8/21/14 at 9:00am before Judge Chang. (In Chambers – no record, 9:05–9:25am.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 08/07/2014)
08/22/2014	<u>48</u>	EP: Further Status Conference hearing held on 08/22/2014. Discussion held. Further Status Conference is set for 09/11/2014 at 9:00 a.m. before JUDGE KEVIN S.C. CHANG. (FTR–Ctrm In Chambers – No Record / 9:10 – 9:20.) (JUDGE KEVIN S.C. CHANG)(bbb)
		CERTIFICATE OF SERVICE
		Participants registered to receive electronic notifications received this document electronically at the e–mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 08/22/2014)
09/11/2014	<u>49</u>	EP: Further Status Conference held on 9/11/2014. Monitor Lindsay Hayes present by phone. Discussion held regarding the 9/11/14 Status Conference Summary and Action Items chart. Counsel updated the Court. Further Status Conference set 9/25/14 at 9:00am before Judge Chang.(In Chambers – no record, 9:10–9:15am.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 09/11/2014)
09/12/2014	<u>50</u>	NOTICE of Appearance by Aaron Fleisher on behalf of United States of America on behalf of United States of America. (Fleisher, Aaron) (Entered: 09/12/2014)
09/25/2014	<u>51</u>	EP: Further Status Conference held on 9/25/2014. Discussion held regarding 1) Monitor's Report for September 25, 2014 Status Conference Summary and Action Items, and 2) Review of CAP Provisions (August 2014 Data). Counsel updated the Court. Court to check with Judge Seabright's staff regarding availability for a hearing the week of 1/5/15 or 1/12/15. Further Status Conference set 10/9/14 at 9:00am before Judge Chang.(In Chambers – no record, 9:00–9:15am.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 09/25/2014)
10/09/2014	<u>52</u>	EP: Further Status Conference held on 10/9/2014. Monitor Lindsay Hayes present by phone. Counsel updated the Court. Counsel to check their respective calendars as to availability for a hearing before Judge Seabright for one of the following dates: 1/6/15, 10:00am or 11:00am; 1/7/15, 9:00am, 10:00am or 11:00am; 1/8/15, 9:00am, 10:00am or 11:00am; 1/9/15, 9:00am, 10:00am or 11:00am. Further Status Conference set: 10/23/14 at 9:00am before Judge Chang. (In Chambers – no record, 9:00–9:10am.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 10/09/2014)
10/09/2014	<u>53</u>	EO: re <u>52</u> <b>AMENDED MINUTES</b> : Minutes amended to reflect that Diane Taira appeared in person and not by phone. (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 10/09/2014)
10/23/2014	<u>54</u>	EP: Further Status Conference held on 10/9/2014. Monitor Lindsay Hayes present by phone. Counsel updated the Court. Courtroom Manager Shari Afuso to contact Counsel with new status conference date. (In chambers – no record, 905a–915a) (JUDGE KEVIN S.C. CHANG)(tl, ) <sup>No COS issued for this docket entry</sup> (Entered: 10/23/2014)
10/24/2014	<u>55</u>	EO: Further Status Conference set for 11/13/2014 09:00 AM before JUDGE KEVIN S.C. CHANG. (JUDGE KEVIN S.C. CHANG)(sna, )

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11/13/2014	<u>56</u>	EP: Further Status Conference held on 11/13/2014. Counsel updated the Court. Discussion held regarding the November 13, 2014 Status Conference Summary and Action Items. Further Status Conference set 11/25/14 at 9:15am before Judge Chang. (In Chambers – no record, 9:00–9:15am.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 11/13/2014)
11/25/2014	<u>57</u>	EP: Further Status Conference held on 11/25/2014. Monitor Lindsay Hayes present by phone. Counsel updated the Court. Discussion held regarding the November 25, 2014 Status Conference Summary and Action Items. Counsel to confer further. Mr. Hayes to submit a report to the Court by the first week of January with a hearing thereafter before Judge Seabright in late January/early February. Further Status Conference set 12/18/14 at 9:00am before Judge Chang. (In Chambers – no record, 9:15–9:40am.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 11/25/2014)
12/18/2014	<u>58</u>	EP: Further Status Conference held on 12/18/2014. Counsel updated the Court. Discussion held regarding the December 18, 2014 Status Conference Summary and Action Items. Court agreeable to continuing the hearing before Judge Seabright for a few months from the tentative date of late January/early February 2015. Further Status Conference set 1/15/15 at 9:00am before Judge Chang. (In Chambers – no record, 9:00–9:20am.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 12/18/2014)
01/15/2015	<u>59</u>	EP: Further Status Conference held on 1/15/2015. Monitor Lindsay Hayes present by phone. Counsel updated the Court. Discussion held regarding the January 15, 2015 Status Conference Summary and Action Items. Further Status Conference set 1/29/15 at 9:00am before Judge Chang. (C5 – no record, 9:00–9:15am.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 01/15/2015)
01/29/2015	<u>60</u>	EP: Further Status Conference held on 1/29/2015. Monitor Lindsay Hayes present by phone. Counsel updated the Court. Discussion held regarding the January 29, 2015 Summary and Action Items and the Review of CAP Provisions (December 2014 Data). Further Status Conference set 2/19/15 at 9:00am before Judge Chang. (C5 – no record, 9:00–9:15am.) (JUDGE KEVIN S.C. CHANG)(sna, ) <sup>No COS issued for this docket entry</sup> (Entered: 01/29/2015)
02/19/2015	<u>61</u>	EP: Pursuant to defense counsel's request, the Further Status Conference is CONTINUED from 2/19/2015 to 2/26/2015 at 09:00 AM in Courtroom 5 before JUDGE KEVIN S.C. CHANG. (Court Reporter not reported.) (JUDGE KEVIN S.C. CHANG)(mrf)
		<hr/> <b>CERTIFICATE OF SERVICE</b>
		Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 02/19/2015)
02/26/2015	<u>62</u>	EP: Further Status Conference held on 2/26/2015. (Court Reporter FTR – C5 9:01 a.m. – 9:08 a.m.) (JUDGE KEVIN S.C. CHANG)(mrf)
		<hr/> <b>CERTIFICATE OF SERVICE</b>
		Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 02/26/2015)
05/14/2015	63	EO: Status Conference set for 5/20/2015 at 09:00 AM before MAGISTRATE JUDGE KEVIN S.C. CHANG. Counsel will be notified by E-Mail as to the Information to participate telephonically through a AT &T Reservationless Voice Instructions (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls, )
		<hr/> <b>CERTIFICATE OF SERVICE</b>

		Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 05/14/2015)
05/20/2015	<u>64</u>	EP: Further Status Conference held on 5/20/2015. All Counsel participated telephonically. (Except as to Counsel Diane K. Taira who was present inperson) Discussion Held. Further Status Conference set for 6/10/2015 at 9:00 a.m. (Hawaii Time) (Counsel to participate Telephonically) (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls, ) <sup>No</sup> COS issued for this docket entry (Entered: 05/20/2015)
06/10/2015	<u>65</u>	EP: Further Status Conference held on 6/10/2015. All Counsel participated telephonically. (Except as to Counsel Diane K. Taira and Renee R. Sonobe-Hong who were present in the Courtroom.) Counsel confirmed that they will be submitting a Joint Motion to the court concluding this case. The motion may be addressed without a hearing. Deadline for submission of the joint motion is 7/15/2015. The Special Monitor will not be preparing any further or additional reports. The Court expressed its appreciation for the work done by counsel and the Special Monitor. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls, ) <sup>No</sup> COS issued for this docket entry (Entered: 06/10/2015)
06/24/2015	<u>66</u>	EO: Further Status Conference set for 7/1/2015 at 09:00 AM (Hawaii Time) before MAGISTRATE JUDGE KEVIN S.C. CHANG. Parties who will participate telephonically-Lindsay Hayes, Monitor, Paul Aucoin, Special Counsel, AUSA Laura Coon, AUSA Aaron Fleisher and AUSA Verlin Deerinwater. Deputy AG Diane Taira and Deputy AG Renee Sonobe-Hong will appear in person. (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls, ) <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/24/2015)
06/24/2015	<u>67</u>	Joint MOTION to Dismiss <i>with Prejudice</i> Renee R. Sonobe Hong appearing for Defendant State of Hawaii (Sonobe Hong, Renee) (Entered: 06/24/2015)
06/24/2015		<b>ADVISORY ENTRY.</b> re: docket entry number <u>67</u> Joint MOTION to Dismiss filed by State of Hawaii was filed incorrectly in this case. If the filing party has not already done so, the filing party shall submit the stipulation as a proposed order to U.S. District Judge J. Michael Seabright by e-mail address: <a href="mailto:seabright_orders@hid.uscourts.gov">seabright_orders@hid.uscourts.gov</a> . Please refer to: Local Rules for the District of Hawaii, specifically the "Order Regarding Amendment of Local Rule 100 of the Local Rules of Practice for the United States District Court for the District of Hawaii; Exhibit A" filed on August 1, 2013. Rule Name/Chapter: "Proposed Orders" LR100.8.1; "E-mailing of Proposed Orders and Stipulations" LR100.8.2; "E-mail addresses for order and stipulation submission to Chambers" LR 100.8.3. (afc) (Entered: 06/24/2015)
06/25/2015	<u>68</u>	JOINT MOTION TO DISMISS WITH PREJUDICE; AND ORDER OF DISMISSAL WITH PREJUDICE. Signed by JUDGE J. MICHAEL SEABRIGHT on 6/25/2015. (afc) <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications will be served by first class mail on June 26, 2015. (Entered: 06/25/2015)
06/26/2015	<u>69</u>	CLERK'S JUDGMENT IN A CIVIL CASE. "IT IS ORDERED AND ADJUDGED that the action is DISMISSED WITH PREJUDICE, pursuant to Fed. R. Civ. P 41(a)(2), and pursuant to and in accordance with the courts order filed June 25, 2015: The "JOINT MOTION TO DISMISS WITH PREJUDICE; AND ORDER OF DISMISSAL WITH PREJUDICE." re: <u>68</u> (afc) <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p>

		Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 06/26/2015)
07/01/2015	<u>70</u>	EP: Further Status Conference held on 7/1/2015.Lindsay Hayes-Court Appointed Monitor, Paul Aucoin, AUSA Laura Coon, AUSA Aaron Fleisher and AUSA Verlin Deerinwater participated Telephonically. Counsel Diane K. Taira and Renee R. Sonobe-Hong were present in Court. Chief Of Security Denise Johnson present.Discussion Held. (Court Reporter None.) (MAGISTRATE JUDGE KEVIN S.C. CHANG)(lls, ) <sup>No COS issued for this docket entry</sup> (Entered: 07/01/2015)