

**U.S. District Court
DISTRICT OF KANSAS (Wichita)
CIVIL DOCKET FOR CASE #: 6:14-cv-01356-JTM-KGG**

Baker et al v. DesLauriers et al
Assigned to: District Judge J. Thomas Marten
Referred to: Magistrate Judge Kenneth G. Gale
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 10/27/2014
Date Terminated: 07/17/2017
Jury Demand: Plaintiff
Nature of Suit: 560 Prisoner Petitions:
Civil Detainee: Conditions of Confinement
Jurisdiction: Federal Question

Plaintiff

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*individually and on behalf of all persons
similarly situated*

represented by **Donald N. Peterson , II**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Jacob S. Graybill
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Joseph A. Schremmer
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Mark D. Kiefer
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

N. Russell Hazlewood
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nathan Elliott
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Randall K. Rathbun
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sean M. McGivern
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Edward C. Johnson
LARNED State Hospital
Isaac Ray Building
1301 KS Highway 264
Larned, KS 67550
620-285-4660

represented by **Donald N. Peterson , II**
(See above for address)
LEAD ATTORNEY
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Randall K. Rathbun
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sean M. McGivern
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Austin DesLauriers

in his official capacity and individual capacity as retired Clinical Program Director of the Sexual Predator Treatment Program (SPTP)
TERMINATED: 12/01/2016

Defendant

Sean Wagner

in his official and individual capacity as Administrative Program Director of the Sexual Predator Treatment Program (SPTP)
TERMINATED: 12/01/2016

Defendant

Tom Kinlen

in his official and individual capacity as Superintendent of Larned State Hospital (LSH)
TERMINATED: 12/01/2016

Defendant

Shawn Sullivan

in his official and individual capacity as State Budget Director
TERMINATED: 12/01/2016

Defendant

Kari Bruffet

in her official and individual capacity as Secretary of Kansas Department for Aging and Disability Services (KDADS)
TERMINATED: 12/01/2016

Defendant

Derek Schmidt

in his official and individual capacity as Attorney General of the State of Kansas
TERMINATED: 12/01/2016

Defendant

Sam Brownback

in his official and individual capacity as Governor of the State of Kansas
TERMINATED: 12/01/2016

Defendant

Tim Keck

Interim Secretary of Kansas Department for Aging & Disability Services

represented by **Carrie A. Barney**
Kansas Attorney General – Topeka
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Mike Dixon

*Clinical Program Director of the Kansas
Sexual Predator Treatment Program*

represented by **Carrie A. Barney**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shon D. Qualseth
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

Randall J. Ritchie

TERMINATED: 01/30/2017

represented by **Randall J. Ritchie**
LARNED State Hospital
Isaac Ray Building
1301 KS Highway 264
Larned, KS 67550
PRO SE

Movant

Steve Islam

TERMINATED: 01/30/2017

represented by **Steve Islam**
LARNED State Hospital
Isaac Ray Building
1301 KS Highway 264
Larned, KS 67550
PRO SE

Date Filed	#	Docket Text
10/27/2014	<u>1</u>	COMPLAINT (No Summons Issued) with trial location of Wichita, filed by Michael Unruh, Billy Ingram, James R. Rowray, David E. Benton, Sr, Ronald A. Baker, Billy J. Stanley, James E. Roberts, Jr, Larry Wright, David Thayer, Eric Patterson, Travis Williams, Michael D. Mellon, Justin Miller, William Eugene Wald, Dale Patterson, Vance Walters, Harvey Hickman, Richard L. Cochran, Alan Kirk, Roy Nalley, Ramon Cruz Perez, Robert H. Kinzer, Robert Fox, Danny Stanley, Michael P. Gallagher. (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, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U, # <u>22</u> Exhibit V, # <u>23</u> Exhibit W). (mam) (Entered: 10/30/2014)
10/27/2014	<u>2</u>	CIVIL COVER SHEET re <u>1</u> Complaint, by Plaintiffs Ronald A. Baker, David E. Benton, Sr, Richard L. Cochran, Ramon Cruz Perez, Robert Fox, Michael P. Gallagher, Harvey Hickman, Billy Ingram, Robert H. Kinzer, Alan Kirk, Michael D. Mellon, Justin Miller, Roy Nalley, Dale Patterson, Eric Patterson, James E. Roberts, Jr, James R. Rowray, Billy J. Stanley, Danny Stanley, David Thayer, Michael Unruh, William Eugene Wald, Vance Walters, Travis Williams, Larry Wright. (mam) (Entered: 10/30/2014)
10/27/2014	<u>3</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Ronald A. Baker. (mam) # <u>1</u> Affidavit) (mam). (Entered: 10/30/2014)

10/27/2014	<u>4</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff David E. Benton, Sr (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>5</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Richard L. Cochran (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>6</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Robert Fox (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>7</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Michael P. Gallagher (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>8</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Harvey Hickman (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>9</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Billy Ingram (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>10</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Robert H. Kinzer (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>11</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Alan Kirk (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>12</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Michael D. Mellon (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>13</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Justin Miller (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>14</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Roy Nalley (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>15</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Dale Patterson (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>16</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Eric Patterson (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>17</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.)

		MOTION for Leave to Proceed in forma pauperis by Plaintiff Ramon Cruz Perez (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>18</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff James E. Roberts, Jr (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>19</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff James R. Rowray (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>20</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Billy J. Stanley (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>21</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Danny Stanley (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>22</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff David Thayer (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>23</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Michael Unruh (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>24</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff William Eugene Wald (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>25</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Vance Walters (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>26</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Travis Williams (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>27</u>	(NOTE: Access to document is restricted pursuant to the court's privacy policy.) MOTION for Leave to Proceed in forma pauperis by Plaintiff Larry Wright (Attachments: # <u>1</u> Affidavit)(mam) (Entered: 10/30/2014)
10/27/2014	<u>28</u>	MOTION to Appoint Counsel by Plaintiffs Ronald A. Baker, David E. Benton, Sr, Richard L. Cochran, Ramon Cruz Perez, Robert Fox, Michael P. Gallagher, Harvey Hickman, Billy Ingram, Robert H. Kinzer, Alan Kirk, Michael D. Mellon, Justin Miller, Roy Nalley, Dale Patterson, Eric Patterson, James E. Roberts, Jr, James R. Rowray, Billy J. Stanley, Danny Stanley, David Thayer, Michael Unruh, William Eugene Wald, Vance Walters, Travis Williams, Larry Wright. (mam) (Entered: 10/30/2014)
10/29/2014	<u>29</u>	DESIGNATION OF PLACE OF TRIAL filed by Plaintiffs Ronald A. Baker, David E. Benton, Sr, Richard L. Cochran, Ramon Cruz Perez, Robert Fox, Michael P. Gallagher, Harvey Hickman, Billy Ingram, Robert H. Kinzer, Alan Kirk, Michael D. Mellon, Justin Miller, Roy Nalley, Dale Patterson, Eric Patterson, James E. Roberts, Jr, James R. Rowray, Billy J. Stanley, Danny Stanley, David Thayer, Michael Unruh, William Eugene Wald, Vance Walters, Travis Williams, Larry Wright – trial to be held in Wichita. (mam) (Entered: 10/30/2014)

10/31/2014	<u>30</u>	NOTICE of Defendant's Addresses by Ronald A. Baker, David E. Benton, Sr, Richard L. Cochran, Ramon Cruz Perez, Robert Fox, Michael P. Gallagher, Harvey Hickman, Billy Ingram, Robert H. Kinzer, Alan Kirk, Michael D. Mellon, Justin Miller, Roy Nalley, Dale Patterson, Eric Patterson, James E. Roberts, Jr, James R. Rowray, Billy J. Stanley, Danny Stanley, David Thayer, Michael Unruh, William Eugene Wald, Vance Walters, Travis Williams, Larry Wright. (aa) (Entered: 10/31/2014)
12/12/2014	<u>31</u>	ORDER granting <u>3</u> Motion for Leave to Proceed in forma pauperis; granting <u>4</u> Motion for Leave to Proceed in forma pauperis; granting <u>5</u> Motion for Leave to Proceed in forma pauperis; granting <u>6</u> Motion for Leave to Proceed in forma pauperis; granting <u>7</u> Motion for Leave to Proceed in forma pauperis; granting <u>8</u> Motion for Leave to Proceed in forma pauperis; granting <u>9</u> Motion for Leave to Proceed in forma pauperis; granting <u>10</u> Motion for Leave to Proceed in forma pauperis; granting <u>11</u> Motion for Leave to Proceed in forma pauperis; granting <u>12</u> Motion for Leave to Proceed in forma pauperis; granting <u>13</u> Motion for Leave to Proceed in forma pauperis; granting <u>14</u> Motion for Leave to Proceed in forma pauperis; granting <u>15</u> Motion for Leave to Proceed in forma pauperis; granting <u>16</u> Motion for Leave to Proceed in forma pauperis; granting <u>17</u> Motion for Leave to Proceed in forma pauperis; granting <u>18</u> Motion for Leave to Proceed in forma pauperis; granting <u>19</u> Motion for Leave to Proceed in forma pauperis; granting <u>20</u> Motion for Leave to Proceed in forma pauperis; granting <u>21</u> Motion for Leave to Proceed in forma pauperis; granting <u>22</u> Motion for Leave to Proceed in forma pauperis; granting <u>23</u> Motion for Leave to Proceed in forma pauperis; granting <u>24</u> Motion for Leave to Proceed in forma pauperis; granting <u>25</u> Motion for Leave to Proceed in forma pauperis; granting <u>26</u> Motion for Leave to Proceed in forma pauperis; granting <u>27</u> Motion for Leave to Proceed in forma pauperis. Service of the summons and complaint are suspended while the court considers plaintiffs' motion for appointment of counsel. Signed by Magistrate Judge Karen M. Humphreys on 12/12/14. Mailed to each individual pro se plaintiff by regular mail. (sj) (Entered: 12/12/2014)
01/22/2015	<u>32</u>	***DISREGARD, FILED IN WRONG CASE*** ORDER of 10CCA: Petition for permission to appeal filed by Dart Cherokee Basin Operating Company, LLC, and Cherokee Basin Pipeline, LLC is granted. Fee due by 2/5/15. (Appeal No. 13-603) (msb) Modified on 1/23/2015 (smg). (Entered: 01/22/2015)
01/22/2015		DOCKET ANNOTATION: Please disregard this entry as it was filed in error to the wrong case. <u>32</u> Order (msb) (Entered: 01/22/2015)
01/27/2015	<u>33</u>	MINUTE ORDER: Court directs that this case be returned to the Clerk, U.S. District Court, for reassignment pursuant to D.Kan. Rule 40.1. Signed by Deputy Clerk on 1/27/15. Mailed to pro se plaintiffs by regular mail.(msb) (Entered: 01/27/2015)
01/27/2015	<u>34</u>	MINUTE ORDER REASSIGNING CASE: Case reassigned to District Judge Eric F. Melgren for all further proceedings. U.S. District Senior Judge Sam A. Crow no longer assigned to case. Signed by Deputy Clerk on 1/27/15. Mailed to pro se plaintiffs by regular mail.(msb) (Entered: 01/27/2015)
01/28/2015	35	MINUTE ORDER REASSIGNING CASE. Case reassigned to Chief Judge J. Thomas Marten for all further proceedings. District Judge Eric F. Melgren no longer assigned to case. Signed by deputy clerk on 1/28/15. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.)(cs) (Entered: 01/28/2015)
02/09/2015	<u>36</u>	ORDER provisionally granting <u>28</u> Plaintiffs' Motion to Appoint Counsel. The selection of appointed counsel shall be deferred pending further investigation by the court. This case shall be stayed pending the court's review of the scheduled trials in the District of Minnesota and the Eastern District of Missouri. See order for further details. Signed by Magistrate Judge Karen M. Humphreys on 2/9/15. Mailed to each pro se plaintiff by regular mail. (sj) (Entered: 02/09/2015)
06/11/2015	37	ORDER REASSIGNING CASE. Due to the retirement of the undersigned Magistrate Judge, this case is reassigned to Magistrate Judge Kenneth G. Gale for all further proceedings. Magistrate Judge Karen M. Humphreys is no longer assigned to case. Signed by Magistrate Judge Karen M. Humphreys on 6/11/15.Mailed to pro se party Plaintiffs by regular mail. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.)(sj) (Entered: 06/11/2015)

11/12/2015	<u>38</u>	MOTION TO JOIN CLASS ACTION LAWSUIT by Plaintiff Edward C. Johnson (referred to Magistrate Judge Kenneth G. Gale). (aa) (Entered: 11/12/2015)
11/12/2015	<u>39</u>	MOTION for Leave to Proceed in forma pauperis NOTE – Access to document is restricted pursuant to the courts privacy policy. by Plaintiff Edward C. Johnson. (referred to Magistrate Judge Kenneth G. Gale) (aa) (Entered: 11/12/2015)
11/12/2015	<u>40</u>	(NOTE: Access to document is restricted pursuant to the courts privacy policy.) FINANCIAL AFFIDAVIT by Plaintiff Edward C. Johnson. (aa) (Entered: 11/12/2015)
11/12/2015	<u>43</u>	Letters from Randall Ritchie to the Court. (aa) (Entered: 12/14/2015)
12/07/2015	41	ORDER granting <u>38</u> Motion for Joinder. Signed by Magistrate Judge Kenneth G. Gale on 12/7/15. Mailed to pro se party Edward C. Johnson by regular mail. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (df) (Entered: 12/07/2015)
12/07/2015	42	ORDER granting <u>39</u> Motion for Leave to Proceed in forma pauperis. The court has reviewed Plaintiff's affidavit of financial resources and finds that he is financially unable to pay the filing fee at this time. Because plaintiff proceeds in forma pauperis, the law requires service of the summons and complaint by the clerk of the court. See 28 U.S.C. 1915(d) and Fed. R. Civ. P. 4(c)(3). However, at this time service shall be suspended while the Court determines how to proceed following the motion for appointment of counsel filed by the other Plaintiffs. (Doc. 28.) Signed by Magistrate Judge Kenneth G. Gale on 12/7/15. Mailed to pro se party Edward C. Johnson by regular mail. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (df) (Entered: 12/07/2015)
12/08/2015		NOTICE Re: Pro Se Mailing. Document 41 Order on Motion for Joinder, and 42 Order on Motion for Leave to Proceed In Forma Pauperis, mailed to individual pro se plaintiffs on 12/8/2015 by regular mail. (aw) (Entered: 12/08/2015)
01/07/2016	<u>44</u>	NOTICE by James E. Roberts, Jr. (sz) (Entered: 01/08/2016)
03/31/2016	<u>45</u>	MOTION to Lift Stay by Plaintiffs Ronald A. Baker, David E. Benton, Sr, Richard L. Cochran, Ramon Cruz Perez, Robert Fox, Harvey Hickman, Edward C. Johnson, Robert H. Kinzer, Alan Kirk, Michael D. Mellon, Justin Miller, Roy Nalley, Dale Patterson, Eric Patterson, James R. Rowray, Billy J. Stanley, David Thayer, Michael Unruh, Vance Walters, Larry Wright (referred to Magistrate Judge Kenneth G. Gale). (aa) (Entered: 03/31/2016)
04/04/2016	<u>46</u>	MEMORANDUM AND ORDER denying <u>45</u> Motion to Lift Stay. Signed by Magistrate Judge Kenneth G. Gale on 4/4/16. Mailed to pro se Plaintiffs by regular mail. (df) (Entered: 04/04/2016)
07/14/2016	<u>47</u>	MOTION to Appoint Counsel by Plaintiff James E. Roberts, Jr (referred to Magistrate Judge Kenneth G. Gale). (aa) (Entered: 07/14/2016)
08/02/2016	<u>48</u>	(DISREGARD THIS DOCKET ENTRY – ORDER REFILED WITH THE CORRECT DOCUMENT AS DOCKET ENTRY <u>49</u>) -- MEMORANDUM AND ORDER granting <u>28</u> , <u>47</u> Motion to Appoint Counsel Appointed Donald N. Peterson, II, Jacob S. Graybill, N. Russell Hazlewood, Sean M. McGivern, Nathan Elliott, Randall K. Rathbun, Joseph A. Schremmer for Ronald A. Baker, Donald N. Peterson, II, Jacob S. Graybill, N. Russell Hazlewood, Sean M. McGivern, Nathan Elliott, Randall K. Rathbun, Joseph A. Schremmer for David E. Benton, Sr, Donald N. Peterson, II, Jacob S. Graybill, N. Russell Hazlewood, Sean M. McGivern, Nathan Elliott, Randall K. Rathbun, Joseph A. Schremmer for Richard L. Cochran, Donald N. Peterson, II, Jacob S. Graybill, N. Russell Hazlewood, Sean M. McGivern, Nathan Elliott, Randall K. Rathbun, Joseph A. Schremmer for Ramon Cruz Perez, Donald N. Peterson, II, Jacob S. Graybill, N. Russell Hazlewood, Sean M. McGivern, Nathan Elliott, Randall K. Rathbun, Joseph A. Schremmer for Robert Fox, Donald N. Peterson, II, Jacob S. Graybill, N. Russell Hazlewood, Sean M. McGivern, Nathan Elliott, Randall K. Rathbun, Joseph A. Schremmer for Michael P. Gallagher, Donald N. Peterson, II, Jacob S. Graybill, N. Russell Hazlewood, Sean M. McGivern, Nathan Elliott, Randall K. Rathbun, Joseph A. Schremmer for Harvey Hickman, Donald N. Peterson, II, Jacob S. Graybill, N. Russell Hazlewood, Sean M. McGivern, Nathan Elliott, Randall K. Rathbun, Joseph A. Schremmer for Billy Ingram, Donald N. Peterson, II, Jacob S.

Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Edward C. Johnson,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Robert H. Kinzer,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Alan Kirk,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Michael D. Mellon,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Justin Miller,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Roy Nalley,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Dale Patterson,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Eric Patterson,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for James E. Roberts, Jr,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for James R. Rowray,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Billy J. Stanley,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Danny Stanley,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for David Thayer,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Michael Unruh,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for William Eugene Wald,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Vance Walters,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Travis Williams,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Larry Wright. This Order shall also lift the stay previously entered in this case 36 . Signed by Magistrate Judge Kenneth G. Gale on 8/2/16.Mailed to pro se party by regular mail (df) Modified on 8/2/2016 (aa). (Entered: 08/02/2016)

08/02/2016

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MEMORANDUM AND ORDER granting 28 , 47 Motion to Appoint Counsel Appointed Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Ronald A. Baker,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for David E. Benton, Sr,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Richard L. Cochran,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Ramon Cruz Perez,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Robert Fox,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Michael P. Gallagher,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Harvey Hickman,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Billy Ingram,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Edward C. Johnson,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Robert H. Kinzer,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Alan Kirk,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Michael D.

		<p>Mellon,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Justin Miller,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Roy Nalley,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Dale Patterson,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Eric Patterson,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for James E. Roberts, Jr,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for James R. Rowray,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Billy J. Stanley,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Danny Stanley,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for David Thayer,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Michael Unruh,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for William Eugene Wald,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Vance Walters,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Travis Williams,Donald N. Peterson, II,Jacob S. Graybill,N. Russell Hazlewood,Sean M. McGivern,Nathan Elliott,Randall K. Rathbun,Joseph A. Schremmer for Larry Wright. This Order shall also lift the stay previously entered in this case <u>36</u> . Signed by Magistrate Judge Kenneth G. Gale on 8/2/16.Mailed to pro se party by regular mail (df) (Additional attachment(s) added on 8/2/2016: # <u>1</u> Corrected Main Document) (aa). (Entered: 08/02/2016)</p>
08/02/2016	<u>50</u>	<p>DOCKET ANNOTATION: The wrong document was originally attached to docket entry <u>49</u> Order on Motion to Appoint Counsel. The correct document has now been attached and is being provided with this docket entry for notification purposes. (aa) (Entered: 08/02/2016)</p>
08/03/2016	<u>51</u>	<p>ENTRY OF APPEARANCE by Joseph A. Schremmer on behalf of All Plaintiffs. (Schremmer, Joseph) (Entered: 08/03/2016)</p>
08/03/2016	<u>52</u>	<p>ENTRY OF APPEARANCE by Randall K. Rathbun on behalf of All Plaintiffs (Rathbun, Randall) (Entered: 08/03/2016)</p>
08/03/2016	<u>53</u>	<p>ENTRY OF APPEARANCE by Nathan Elliott on behalf of All Plaintiffs. (Elliott, Nathan) (Entered: 08/03/2016)</p>
08/03/2016	<u>54</u>	<p>ENTRY OF APPEARANCE by Sean M. McGivern on behalf of All Plaintiffs. (McGivern, Sean) (Entered: 08/03/2016)</p>
08/03/2016	<u>55</u>	<p>ENTRY OF APPEARANCE by Donald N. Peterson, II on behalf of All Plaintiffs. (Peterson, Donald) (Entered: 08/03/2016)</p>
08/03/2016	<u>56</u>	<p>ENTRY OF APPEARANCE by N. Russell Hazlewood on behalf of All Plaintiffs (Hazlewood, N.) (Entered: 08/03/2016)</p>
08/09/2016	<u>57</u>	<p>ENTRY OF APPEARANCE by Jacob S. Graybill on behalf of All Plaintiffs (Graybill, Jacob) (Entered: 08/09/2016)</p>
08/15/2016	58	<p>ORDER APPOINTING COUNSEL: Attorney Mark D. Kiefer is hereby appointed as additional counsel for all plaintiffs under the provisions of Doc. 50, Order on Motion to Appoint Counsel and Lifting Stay. Signed by Magistrate Judge Kenneth G. Gale on 8/12/16. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.)(aw) (Entered: 08/15/2016)</p>
08/15/2016	59	<p>(DISREGARD THIS ENTRY – ORDER FILED TWICE BY MISTAKE) --- ORDER APPOINTING COUNSEL: Attorney Mark D. Kiefer is hereby appointed as additional</p>

		counsel for all plaintiffs under the provisions of Doc. 50, Order on Motion to Appoint Counsel and Lifting Stay. Signed by Magistrate Judge Kenneth G. Gale on 8/12/16. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.)(aw) Modified on 8/15/2016 (aa). (Entered: 08/15/2016)
10/25/2016	<u>60</u>	MOTION for extension of time <i>to Serve Process</i> by Plaintiffs Ronald A. Baker, David E. Benton, Sr, Richard L. Cochran, Ramon Cruz Perez, Robert Fox, Michael P. Gallagher, Harvey Hickman, Billy Ingram, Edward C. Johnson, Robert H. Kinzer, Alan Kirk, Michael D. Mellon, Justin Miller, Roy Nalley, Dale Patterson, Eric Patterson, James E. Roberts, Jr, James R. Rowray, Billy J. Stanley, Danny Stanley, David Thayer, Michael Unruh, William Eugene Wald, Vance Walters, Travis Williams, Larry Wright (referred to Magistrate Judge Kenneth G. Gale) (Peterson, Donald) (Entered: 10/25/2016)
10/31/2016	61	ORDER granting, for good cause shown, <u>60</u> Motion to Extend Deadline to Serve Process. Process shall be served on or before December 15, 2016. Signed by Magistrate Judge Kenneth G. Gale on 10/31/16. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (df) (Entered: 10/31/2016)
12/05/2016	<u>62</u>	AMENDED COMPLAINT against Mike Dixon, Tim Keck, filed by Michael Unruh, Billy Ingram, David E. Benton, Sr, Ronald A. Baker, Billy J. Stanley, James E. Roberts, Jr, Larry Wright, David Thayer, Eric Patterson, Edward C. Johnson, Travis Williams, Michael D. Mellon, Justin Miller, William Eugene Wald, Dale Patterson, Vance Walters, Harvey Hickman, Richard L. Cochran, Alan Kirk, Roy Nalley, Ramon Cruz Perez, Robert H. Kinzer, Danny Stanley, Michael P. Gallagher.(Peterson, Donald) (Entered: 12/05/2016)
12/14/2016	<u>63</u>	WAIVER OF SERVICE Returned Executed by Michael Unruh, Billy Ingram, David E. Benton, Sr, Ronald A. Baker, Billy J. Stanley, James E. Roberts, Jr, Larry Wright, David Thayer, Eric Patterson, Edward C. Johnson, Travis Williams, Michael D. Mellon, Justin Miller, William Eugene Wald, Dale Patterson, Vance Walters, Harvey Hickman, Richard L. Cochran, Alan Kirk, Roy Nalley, Ramon Cruz Perez, Robert H. Kinzer, Danny Stanley, Michael P. Gallagher. Mike Dixon waiver sent on 12/12/2016, answer due 2/10/2017. (Peterson, Donald) (Entered: 12/14/2016)
12/14/2016	<u>64</u>	WAIVER OF SERVICE Returned Executed by Michael Unruh, Billy Ingram, David E. Benton, Sr, Ronald A. Baker, Billy J. Stanley, James E. Roberts, Jr, Larry Wright, David Thayer, Eric Patterson, Edward C. Johnson, Travis Williams, Michael D. Mellon, Justin Miller, William Eugene Wald, Dale Patterson, Vance Walters, Harvey Hickman, Richard L. Cochran, Alan Kirk, Roy Nalley, Ramon Cruz Perez, Robert H. Kinzer, Danny Stanley, Michael P. Gallagher. Tim Keck waiver sent on 12/12/2016, answer due 2/10/2017. (Peterson, Donald) (Entered: 12/14/2016)
12/29/2016	<u>65</u>	MOTION to Join the Class Action Complaint by Movant Randall J. Ritchie. (referred to Magistrate Judge Kenneth G. Gale) (aa) (Entered: 12/29/2016)
12/29/2016	<u>66</u>	MOTION TO SEPARATE FROM THE PLAINTIFFS by Movant Steve Islam. (referred to Magistrate Judge Kenneth G. Gale) (aa) (Entered: 12/29/2016)
12/29/2016	<u>67</u>	MOTION TO SEPARATE FROM THE PLAINTIFFS by Plaintiff David Thayer. (referred to Magistrate Judge Kenneth G. Gale) (aa) (Entered: 12/29/2016)
01/09/2017	<u>68</u>	NOTICE OF CHANGE OF ADDRESS by James E. Roberts, Jr. (aa) (Entered: 01/09/2017)
01/30/2017	<u>69</u>	MEMORANDUM AND ORDER denying <u>65</u> Motion to Join; denying <u>66</u> Motion to Separate; granting <u>67</u> Motion to Separate. Signed by Magistrate Judge Kenneth G. Gale on 01-30-17. Mailed to pro se party Randall Ritchie, Steve Islam, David Thayer by regular mail. (df) (Entered: 01/30/2017)
02/06/2017	<u>70</u>	ENTRY OF APPEARANCE by Shon D. Qualseth on behalf of Mike Dixon, Tim Keck. (Qualseth, Shon) (Entered: 02/06/2017)
02/06/2017	<u>71</u>	ENTRY OF APPEARANCE by Carrie A. Barney on behalf of Mike Dixon, Tim Keck. (Barney, Carrie) (Entered: 02/06/2017)
02/07/2017	<u>72</u>	CLERKS ORDER EXTENDING TIME until 02/24/2017 for Defendants Mike Dixon, Tim Keck to answer or otherwise plead. Signed by deputy clerk on 02/07/2017. (aa)

		(Entered: 02/07/2017)
02/07/2017		NOTICE Re: Pro Se Mailing. Document <u>72</u> Clerks Order Extending Time to Answer filed by Tim Keck, Mike Dixon mailed to David Thayer on 2/7/2017 by regular mail. (aa) (Entered: 02/07/2017)
02/23/2017	<u>73</u>	MOTION to Certify Class by Plaintiff David Thayer. (aa) (Entered: 02/23/2017)
02/23/2017	<u>74</u>	MOTION to Appoint Counsel by Plaintiff David Thayer (referred to Magistrate Judge Kenneth G. Gale).(aa) (Entered: 02/23/2017)
02/23/2017	<u>75</u>	(NOTE: Access to document is restricted pursuant to the courts privacy policy.) AFFIDAVIT re <u>74</u> MOTION to Appoint Counsel by Plaintiff David Thayer.(aa) (Entered: 02/23/2017)
02/24/2017	<u>76</u>	MOTION to Dismiss by Defendants Mike Dixon, Tim Keck (Qualseth, Shon) (Entered: 02/24/2017)
02/24/2017	<u>77</u>	MEMORANDUM IN SUPPORT of <u>76</u> MOTION to Dismiss by Defendants Mike Dixon, Tim Keck(Qualseth, Shon) (Entered: 02/24/2017)
03/02/2017	<u>78</u>	MEMORANDUM AND ORDER denying <u>74</u> Motion to Appoint Counsel. Signed by Magistrate Judge Kenneth G. Gale on March 2, 2017. Mailed to pro se party by regular mail. (Gale, Kenneth) (Entered: 03/02/2017)
03/09/2017	<u>79</u>	RESPONSE by Defendants Mike Dixon, Tim Keck re <u>73</u> MOTION to Certify Class (Qualseth, Shon) (Entered: 03/09/2017)
03/17/2017	<u>80</u>	Unopposed MOTION for Extension of Time to File Response as to <u>76</u> MOTION to Dismiss by Plaintiffs Ronald A. Baker, David E. Benton, Sr, Richard L. Cochran, Ramon Cruz Perez, Robert Fox, Michael P. Gallagher, Harvey Hickman, Billy Ingram, Robert H. Kinzer, Alan Kirk, Michael D. Mellon, Justin Miller, Roy Nalley, Dale Patterson, Eric Patterson, James E. Roberts, Jr, James R. Rowray, Billy J. Stanley, Danny Stanley, Michael Unruh, William Eugene Wald, Vance Walters, Travis Williams, Larry Wright, David Thayer. (McGivern, Sean) Modified on 3/20/2017 to correct the filers (aa). Modified on 3/21/2017 to remove referral information (aa). (Entered: 03/17/2017)
03/17/2017		MOTION REFERRAL to Magistrate Judge REMOVED as to: <u>80</u> Unopposed MOTION for Extension of Time to File Response as to <u>76</u> MOTION to Dismiss . The motion will be resolved by the District Judge.(aw) (Entered: 03/17/2017)
03/17/2017	<u>81</u>	Amended MOTION for Extension of Time to File Response as to <u>76</u> MOTION to Dismiss by Plaintiffs Ronald A. Baker, David E. Benton, Sr, Richard L. Cochran, Ramon Cruz Perez, Robert Fox, Michael P. Gallagher, Harvey Hickman, Billy Ingram, Robert H. Kinzer, Alan Kirk, Michael D. Mellon, Justin Miller, Roy Nalley, Dale Patterson, Eric Patterson, James E. Roberts, Jr, James R. Rowray, Billy J. Stanley, Danny Stanley, Michael Unruh, William Eugene Wald, Vance Walters, Travis Williams, Larry Wright. (McGivern, Sean) Modified on 3/20/2017 to correct the filers (aa). Modified on 3/21/2017 to remove referral information (aa). (Entered: 03/17/2017)
03/17/2017		MOTION REFERRAL to Magistrate Judge REMOVED as to: <u>81</u> Amended MOTION for Extension of Time to File Response as to <u>76</u> MOTION to Dismiss . The motion will be resolved by the District Judge.(aw) (Entered: 03/17/2017)
03/20/2017	<u>82</u>	MEMORANDUM AND ORDER granting <u>81</u> Unopposed Motion for Extension of Time to File Response to <u>76</u> MOTION to Dismiss . Plaintiffs' Response deadline now 3/24/2017. Signed by Chief Judge J. Thomas Marten on March 20, 2017. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (shs) (Entered: 03/20/2017)
03/24/2017	<u>83</u>	RESPONSE by Plaintiffs Ronald A. Baker, David E. Benton, Sr, Richard L. Cochran, Ramon Cruz Perez, Robert Fox, Michael P. Gallagher, Harvey Hickman, Billy Ingram, Edward C. Johnson, Robert H. Kinzer, Alan Kirk, Michael D. Mellon, Justin Miller, Roy Nalley, Dale Patterson, Eric Patterson, James E. Roberts, Jr, James R. Rowray, Billy J. Stanley, Danny Stanley, Michael Unruh, William Eugene Wald, Vance

		Walters, Travis Williams, Larry Wright re <u>76</u> MOTION to Dismiss (Attachments: # <u>1</u> Exhibit A)(McGivern, Sean) (Entered: 03/24/2017)
04/06/2017	<u>84</u>	Unopposed MOTION for Extension of Time to File Reply as to <u>76</u> MOTION to Dismiss by Defendants Mike Dixon, Tim Keck (Qualseth, Shon) Modified on 4/7/2017 to remove referral information (aa). (Entered: 04/06/2017)
04/06/2017		MOTION REFERRAL to Magistrate Judge REMOVED as to: <u>84</u> Unopposed MOTION for Extension of Time to File Reply as to <u>76</u> MOTION to Dismiss . The motion will be resolved by the District Judge.(aw) (Entered: 04/06/2017)
04/06/2017	<u>85</u>	ORDER granting <u>84</u> Unopposed Motion for Extension of Time to File Reply to <u>76</u> MOTION to Dismiss. Reply deadline now 4/21/2017. Signed by Chief Judge J. Thomas Marten on April 6, 2017. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (shs) (Entered: 04/06/2017)
04/19/2017	<u>86</u>	REPLY TO RESPONSE TO MOTION by Defendants Mike Dixon, Tim Keck re: <u>76</u> MOTION to Dismiss (Qualseth, Shon) (Entered: 04/19/2017)
07/17/2017	<u>87</u>	MEMORANDUM AND ORDER denying <u>73</u> Motion to Certify Class; granting <u>76</u> Motion to Dismiss. The action is hereby dismissed for failure to state a claim upon which relief can be granted. Signed by District Judge J. Thomas Marten on 07/17/2017. (aa) (Entered: 07/17/2017)
07/17/2017	<u>88</u>	JUDGMENT. It is ordered and adjudged in accordance with the Memorandum and Order filed July 17, 2017, that the defendants' Motion to Dismiss (Dkt. 76) is hereby granted. The action is hereby dismissed for failure to state a claim upon which relief can be granted. It is further ordered that plaintiffs' Motion to Certify Class (Dkt. 73) is denied as moot. Signed by deputy clerk on 07/17/2017. (aa) (Entered: 07/17/2017)
07/17/2017		NOTICE Re: Pro Se Mailing. Document <u>87</u> Order on Motion to Certify Class & Order on Motion to Dismiss, <u>88</u> Judgment: mailed to David Thayer at 1301 KS Highway 264, Larned, KS 67550 on 7/17/2017 by regular mail. (aa) (Entered: 07/17/2017)
08/14/2017	<u>89</u>	MOTION for Reconsideration re <u>87</u> Order on Motion to Certify Class,, Order on Motion to Dismiss, <u>88</u> Judgment, by Plaintiffs Ronald A. Baker, David E. Benton, Sr, Richard L. Cochran, Ramon Cruz Perez, Michael P. Gallagher, Harvey Hickman, Billy Ingram, Edward C. Johnson, Robert H. Kinzer, Alan Kirk, Michael D. Mellon, Justin Miller, Roy Nalley, Dale Patterson, Eric Patterson, James E. Roberts, Jr, Billy J. Stanley, Danny Stanley, Michael Unruh, William Eugene Wald, Vance Walters, Travis Williams, Larry Wright (McGivern, Sean). Added MOTION to Amend Complaint, MOTION to Clarify on 8/15/2017. Also corrected the filers to exclude those parties that are already terminated (aa). Modified on 8/16/2017 to remove referral information (aa). (Entered: 08/14/2017)
08/14/2017	<u>90</u>	MEMORANDUM IN SUPPORT of <u>89</u> MOTION for Reconsideration re <u>87</u> Order on Motion to Certify Class,, Order on Motion to Dismiss, <u>88</u> Judgment, by Plaintiffs Ronald A. Baker, David E. Benton, Sr, Richard L. Cochran, Ramon Cruz Perez, Michael P. Gallagher, Harvey Hickman, Billy Ingram, Edward C. Johnson, Robert H. Kinzer, Alan Kirk, Michael D. Mellon, Justin Miller, Roy Nalley, Dale Patterson, Eric Patterson, James E. Roberts, Jr, Billy J. Stanley, Danny Stanley, Michael Unruh, William Eugene Wald, Vance Walters, Travis Williams, Larry Wright (Attachments: # <u>1</u> Ex. A (proposed second amended complaint with exhibit 1))(McGivern, Sean) Modified on 8/16/2017 to remove parties already terminated as filers (aa). (Entered: 08/14/2017)
08/15/2017		MOTION REFERRAL to Magistrate Judge REMOVED as to: <u>89</u> MOTION for Reconsideration re <u>87</u> Order on Motion to Certify Class,, Order on Motion to Dismiss, <u>88</u> Judgment, MOTION to Amend Complaint MOTION to Clarify. The motion will be resolved by the District Judge.(aw) (Entered: 08/15/2017)
08/28/2017	<u>91</u>	RESPONSE by Defendants Sam Brownback, Kari Bruffet, Austin DesLauriers, Mike Dixon, Tim Keck, Tom Kinlen, Derek Schmidt, Shawn Sullivan, Sean Wagner re <u>89</u> MOTION for Reconsideration re <u>87</u> Order on Motion to Certify Class,, Order on Motion to Dismiss, <u>88</u> Judgment, MOTION to Amend Complaint MOTION to Clarify (Qualseth, Shon) (Entered: 08/28/2017)

11/14/2017	<u>92</u>	MEMORANDUM AND ORDER denying <u>89</u> Motion for Reconsideration ; denying <u>89</u> Motion to Amend Complaint.; denying <u>89</u> Motion to Clarify. Please see order for details. Signed by District Judge J. Thomas Marten on 11/14/2017. (aa) (Entered: 11/14/2017)
11/14/2017		NOTICE Re: Pro Se Mailing. Document <u>92</u> Order on Motion for Reconsideration, Order on Motion to Amend Complaint, Order on Motion to Clarify mailed to David Thayer at 1301 KS Highway 264, Larned, KS 67550 on 11/14/2017 by regular mail. (aa) (Entered: 11/14/2017)