

**U.S. District Court
District of Hawaii (Hawaii)
CIVIL DOCKET FOR CASE #: 1:04-cv-00096-DAE-KSC**

Bush, et al v. State of Hawaii, et al
Assigned to: JUDGE DAVID ALAN EZRA
Referred to: JUDGE KEVIN S.C. CHANG
Demand: \$0
Cause: 28:1343 Violation of Civil Rights

Date Filed: 02/09/2004
Date Terminated: 03/02/2005
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Germaine Kaapuni Bush

represented by **Andrew B. Sprenger**
Kaneohe Lawyer, LLLC
P.O. Box 6288
Kaneohe, Hi 96744
206-6292
Email: anspren@nhlchi.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
Native Hawaiian Legal Corporation
1164 Bishop Street Ste 1205
Honolulu, HI 96813
521-2302
Email: mohaia@nhlchi.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Richard Kapela Davis

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Robert K. DeSoto

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Lance W. Fox

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

Tyrone K. N. Galdones

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Terry Haudenschild

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Robert Apolo Holbron

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sharla Ann Manley
Native Hawaiian Legal Corporation
1164 Bishop Street, Suite 1205
Honolulu, HI 96813
521-2302
Email: shmanle@nhlchi.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Glenn Kaihewalu

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Charles K. Kamaka

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III

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

Plaintiff

Euel Ray Kaleihau Kamaau

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Samson Kauhi

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Johathan Kaluna Lum

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Bertram Mahulu

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Harold Medeiros, Jr.

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

David A. Monalim

represented by

Andrew B. Sprenger
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

William B. Napeahi

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Peter Pauole, Jr.

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

John Pawai

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Michael Pawai

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Kalai Poaha

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Eddie Poai

represented by **Andrew B. Sprenger**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Moses K.N. Haia , III
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Alexander Simeona

represented by **Andrew B. Sprenger**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Moses K.N. Haia , III
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Vestal Simeona

represented by **Andrew B. Sprenger**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Moses K.N. Haia , III
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Shane Caminos

represented by **Andrew B. Sprenger**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Moses K.N. Haia , III
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Raymond Evangelista

represented by **Andrew B. Sprenger**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Moses K.N. Haia , III
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Cy Foster

represented by **Andrew B. Sprenger**
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Moses K.N. Haia , III
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Bodi Garcia

represented by **Andrew B. Sprenger**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Moses K.N. Haia , III
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Damien Kaahu

represented by **Andrew B. Sprenger**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Moses K.N. Haia , III
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Raynald Ragudo

represented by **Andrew B. Sprenger**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Moses K.N. Haia , III
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Lawrence Reyes

represented by **Andrew B. Sprenger**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Moses K.N. Haia , III
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

George Silva

represented by **Andrew B. Sprenger**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Moses K.N. Haia , III
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff

Mark Thornton

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Paulino Verzosa

represented by **Andrew B. Sprenger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Moses K.N. Haia , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

State of Hawaii

represented by **Bryan C. Yee**
Office of the Attorney General–State of
Hawaii
Kekuanao'a Building
465 S King St Rm 200
Honolulu, HI 96813
587–3050
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lindalee K. Farm
Goodsill Anderson Quinn &Stifel LLLP
First Hawaiian Center
999 Bishop St Ste 1600
Honolulu, HI 96813
547–5600
Email: lfarm@goodsill.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Abigail Marie Holden
Cox Fricke LLP
800 Bethel Street
Suite 600
Honolulu, HI 96813
808 585–9440
Email: aholden@cfhawaii.com
ATTORNEY TO BE NOTICED

Defendant

**The Hawaii Department of Public
Safety**

represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Abigail Marie Holden

(See above for address)
ATTORNEY TO BE NOTICED

Defendant

John F. Peyton, Jr.
*in his official capacity as Director of the
Hawaii Department of Public Safety*

represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Frank Lopez
*in his official capacity as Deputy Director
for Corrections of the Hawaii Department
of Public Safety;*

represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

State of Oklahoma

represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Brad Henry
*in his official capacity as Governor of the
State of Oklahoma;*

represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Oklahoma Department of Corrections

represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Ron Ward
*in his official capacity as Director of the
Oklahoma Department of Corrections;*

represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Oklahoma Department of Corrections
Private Prison Administration;**

represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Dennis Cunningham
*in his official capacity as Administrator of
the Oklahoma Department of Corrections
Private Prison Administration;*

represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Lolita Rodgers
*in her official capacity as Diamondback
Correctional Facility Contract Monitor;*

represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Corrections Corporation of America

represented by

David M. Louie
Kobayashi Sugita & Goda
First Hawaiian Center
999 Bishop St Ste 2600
Honolulu, HI 96813-3889
535-5700
Fax: 535-5799
Email: dml@ksglaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dawn T. Sugihara
Goodsill Anderson Quinn & Stifel LLLP
First Hawaiian Center
999 Bishop St Ste 1600
Honolulu, HI 96813
547-5600
Email: dsugihara@goodsill.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Edwin C. Nacino
Roeca Louie & Hiraoka
Davies Pacific Center
841 Bishop St Ste 900
Honolulu, HI 96813
538-7500
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lindalee K. Farm
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

CCA Diamondback Correctional Facility

represented by **Dawn T. Sugihara**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lindalee K. Farm
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

James Yates
*in his official capacity as Warden of
Diamondback Correctional Facility;*

represented by **David M. Louie**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Edwin C. Nacino
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lindalee K. Farm
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

John Does 1–10represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****Jane Does 1–10**represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****Doe Corporation, Partnerships,
Governmental Units or Other Entities
3–20,**represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****Linda Lingle**
*in her official capacity as the Governor of
the State of Hawaii;*represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****Jerry Parker**represented by **Lindalee K. Farm**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Respondent**Oklahoma, Attorney General, Office of
the**represented by **J. Kevin Behrens**
Office of the Attorney General–State of
Oklahoma
4545 N Lincoln Blvd Ste 260
Oklahoma City, OK 73105
404 521–4274
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/09/2004	1	COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF; (Summons(es) issued) (sm) (Entered: 02/10/2004)
02/09/2004		FILING FEE PAID in the amount of \$ 150.00, receipt # 220959 (sm) (Entered: 02/10/2004)
02/09/2004	2	ORDER by Judge David A. Ezra rule 16 conference set for 9:00 5/10/04 before Mag Judge Kevin S. Chang (sm) (Entered: 02/10/2004)
02/12/2004	3	EX PARTE MOTION and Proposed Order by Judge David A. Ezra by plaintiffs shorten time for hearing on motion for preliminary injunction ; Proposed order; declaration of Andrew B. Sprenger; certificate of service (fe) (Entered: 02/13/2004)
02/12/2004	4	ORDER by Judge David A. Ezra granting ex parte motion to shorten time for hearing on motion for preliminary injunction [3–1], [3–2] (cc: all counsel) – hrg set for 2/17/04 at 10:30am, DAE (fe) (Entered: 02/13/2004)

02/12/2004	5	NOTICE OF MOTION and motion by plaintiff for preliminary injunction ; memorandum in support of motion; exhibits a–m; declaration of Andrew B. Sprenger; exhibits 1–9; declaration of Kahu Charles Kauluwehi Maxwell, Sr.; declaration of Sabra Kauka; declaration of John Keola Lake; certificate of word count; certificate of service – set for 10:30 2/17/04 before Judge David A. Ezra (fe) (Entered: 02/13/2004)
02/13/2004	6	MEMORANDUM by defendant State of Hawaii in opposition to motion for preliminary injunction [5–1]; Certificate of Service (sm) (Entered: 02/19/2004)
02/17/2004	11	Summons; RETURN OF SERVICE – service of complaint and summons executed upon defendant State of Hawaii through The State of Hawaii Department of Attorney General through John Cregor, Deputy Attorney General; date of service: 02/13/04 (afc) Modified on 02/19/2004 (Entered: 02/17/2004)
02/17/2004	7	Summons; RETURN OF SERVICE – service of complaint and summons executed upon defendant John F. Peyton, Jr., Director Hawaii Department of Public Safety through Myra Jean Avzadon, private secretary & authorized by John F. Peyton Jr. to accept service of process on his behalf; date of service: 02/13/04 (afc) (Entered: 02/17/2004)
02/17/2004	8	Summons; RETURN OF SERVICE – service of complaint and summons executed upon deft Hawaii Department of Public Safety through Myra Jean Avzadon, private secretary law enforcement; date of service: 02/13/04 (afc) (Entered: 02/17/2004)
02/17/2004	9	Summons; RETURN OF SERVICE – service of complaint and summons executed upon defendant Linda Lingle, Governor, through The Attorney General's Office, State of Hawaii through John Cregor, Deputy Attorney General; date of service: 02/13/04 (afc) (Entered: 02/17/2004)
02/17/2004	10	Summons; RETURN OF SERVICE – service of complaint and summons executed upon defendant Frank Lopez, Deputy Director – Corrections Division; date of service: 02/12/04 (afc) (Entered: 02/17/2004)
02/17/2004	12	CERTIFICATE of service – by plaintiffs (afc) Modified on 02/19/2004 (Entered: 02/17/2004)
02/17/2004	13	EP :: Plaintiffs' Motion for Preliminary Injunction. Plaintiffs' Motion for Preliminary Injunction–DENIED without prejudice as moot. Counsel to submit an interim agreement to the Court by 4:00pm today. denying motion for preliminary injunction [5–1] (Ct Rptr : Debra Chun) JUDGE Judge David A. Ezra (sm) (Entered: 02/18/2004)
02/18/2004	14	DECLARATION of Frank Lopez; Certificate of Service (sm) Modified on 02/19/2004 (Entered: 02/18/2004)
02/20/2004	15	STIPULATION of Accomodation by Judge David A. Ezra – Dept of Public Safety will authorize a Makahiki ceremony for Hawaii inmates at the Diamondback Correctional Facility for 2/18/04. (sm) (Entered: 02/20/2004)
02/20/2004	16	ORDER denying plaintiffs' motion for preliminary injunction [5–1] by Judge David A. Ezra – plaintiffs' M/PI is denied as moot (cc: all counsel) (afc) (Entered: 02/20/2004)
02/23/2004	17	CERTIFICATE of service by State of Hawaii defendants (sm) (Entered: 02/23/2004)
03/08/2004	18	NOTICE of Lawsuit and Request for Waiver of Service of Summons as to Corrections Corporation of America by plaintiffs (sm) (Entered: 03/09/2004)
03/08/2004	19	WAIVER OF SERVICE OF SUMMONS by defendant Corrections Corporation on (no date), defendant understands that a judgment may be entered if an answer or motion under Rule 12 is not served within 60 days after (no date) or within 90 days if the request was sent outside the United States (sm) (Entered: 03/09/2004)
03/08/2004	20	NOTICE of Lawsuit and Request for Waiver of Service of Summons as to James Yates, Warden Diamondback Correctional Facility by plaintiffs (sm) (Entered: 03/09/2004)

03/08/2004	21	WAIVER OF SERVICE OF SUMMONS by defendant James Yates on (no date), defendant understands that a judgment may be entered if an answer or motion under Rule 12 is not served within 60 days after (no date) or within 90 days if the request was sent outside the United States (sm) (Entered: 03/09/2004)
03/10/2004	22	CERTIFICATE of service by plaintiffs (sm) (Entered: 03/10/2004)
03/10/2004	23	CERTIFICATE of service by plaintiffs (sm) (Entered: 03/10/2004)
03/18/2004	24	STIPULATION to Extend Time to Answer Complaint Filed February 9, 2004 and ORDER by Mag Judge Kevin S. Chang – defendant shall have from 3/3/04 up to and including 4/2/04 to answer or otherwise plead to the complaint. (sm) (Entered: 03/18/2004)
04/05/2004	25	Second STIPULATION to Extend Time to Answer Complaint, filed February 9, 2004 by Mag Judge Kevin S. Chang (sm) (Entered: 04/07/2004)
04/06/2004	26	CERTIFICATE of service by State of Hawaii Defendants (sm) (Entered: 04/08/2004)
04/06/2004	27	CERTIFICATE of service by State of Hawaii defendants (sm) (Entered: 04/08/2004)
04/13/2004	28	RETURN OF SERVICE executed upon defendant Oklahoma Department of Corrections Privatre Prison Administrator on 3/31/04 thru C. Brow (sm) (Entered: 04/15/2004)
04/13/2004	29	RETURN OF SERVICE executed upon defendant Brad Henry, Governor on 3/31/04 (sm) (Entered: 04/15/2004)
04/13/2004	30	RETURN OF SERVICE executed upon defendant Oklahoma Department on 4/1/04 thru Toby L. Hallows (sm) (Entered: 04/15/2004)
04/13/2004	31	RETURN OF SERVICE executed upon defendant Ron Ward Director of OK Dept of Corrections on 4/1/04 thru Toby L. Hallows (sm) (Entered: 04/15/2004)
04/13/2004	32	RETURN OF SERVICE executed upon defendant Lolita Rodgers Facility Contract Magr. Diamond Back Correctional Facility on 3/31/04 (sm) (Entered: 04/15/2004)
04/13/2004	33	RETURN OF SERVICE executed upon defendant Dennis . Cunningham Administrator OK Dept of Corrections Private Prison Administrator on 3/31/04 (sm) (Entered: 04/15/2004)
04/13/2004	34	RETURN OF SERVICE executed upon defendant State of Oklahoma on 3/31/04 (sm) (Entered: 04/15/2004)
04/19/2004	35	STIPULATION Between Plaintiffs and Defendants Corrections Corporation of America, James Yates to Extend Time to Answer Complaint, Filed February 9, 2004 by Judge Kevin S. Chang (sm) (Entered: 04/21/2004)
04/30/2004	36	SCHEDULING CONFERENCE STATEMENT; certificate of service – by plaintiffs (afc) (Entered: 04/30/2004)
05/03/2004	37	SCHEDULING CONFERENCE STATEMENT by defendant Corrections Corporation and James Yates; Certificate of Service (sm) (Entered: 05/03/2004)
05/03/2004	38	SCHEDULING CONFERENCE STATEMENT by defendant State of Hawaii, defendant The Hawaii Departmen, defendant John F. Peyton Jr., defendant Frank Lopez, defendant Linda Lingle; Certificate of Service (sm) (Entered: 05/04/2004)
05/06/2004	39	EO :At defendant's request, the Rule 16 Scheduling Conference currently set for 5/10/2004 at 9:00 AM has been continued to 5/24/2004 at 9:00 AM before Judge Chang. Bryan Yee to notify all parties. () JUDGE Mag Judge Kevin S. Chang (sm) (Entered: 05/07/2004)
05/13/2004	40	Notice of Lawsuit and REQUEST for Waiver of Service of Summons by plaintiff Germaine Kaapuni Bush (sm) (Entered: 05/13/2004)
05/13/2004	41	WAIVER OF SERVICE OF SUMMONS by defendant Diamondback Correction (no date given), defendant understands that a judgment may be entered if an answer

		or motion under Rule 12 is not served within 60 days after or within 90 days if the request was sent outside the United States (sm) (Entered: 05/13/2004)
05/14/2004	42	CERTIFICATE of service by plaintiffs (sm) (Entered: 05/17/2004)
05/18/2004	43	EO :Rule 16 Scheduling Conference set for 5/24/2004 at 9:00 AM before Judge Chang. Kevin Behrens to participate by phone and notify all parties. Motion for Leave to Appear Pursuant to LR 83.1d pending with this Court. Mr. Behrens to notify all parties. rule 16 conference set for 9:00 5/24/04 before Mag Judge Kevin S. Chang () JUDGE Mag Judge Kevin S. Chang (sm) (Entered: 05/19/2004)
05/20/2004	44	MOTION by J. Kevin Behrens, Esq., attorney for defendants State of Oklahoma, Oklahoma Dept of Corrections, Governor Brad Henry, Ron Ward, Dennis Cunningham, and Lolita Rogers, in their official capacities for leave of court for the Office of the Attorney General of Oklahoma to appear in the U.S. District Court of Hawaii pursuant to LR 83.1(d) ; order; certificate of service – referred to Mag Judge Kevin S.C. Chang (afc) (Entered: 05/21/2004)
05/20/2004	45	ORDER denying motion for leave of court for the Office of the Attorney General of Oklahoma to appear in the U.S. District Court of Hawaii pursuant to LR 83.1(d) [44–1] – by MAG JUDGE Kevin S.C. Chang [motion is denied without prejudice; Mr. Behrens may submit an applicaiton for pro hac vice status pursuant to LR 83.1(e)] (cc: all counsel; cc Mr. Behrens via Cindy Inouye, Esq./State of Hawaii Atty General Office) (afc) (Entered: 05/21/2004)
05/21/2004	46	SCHEDULING CONFERENCE STATEMENT by Oklahoma defendants (sm) (Entered: 05/24/2004)
05/24/2004	47	EP : Rule 16 Scheduling Conference. Rule 16 Scheduling Conference held. Rule 16 Scheduling Conference Order to be issued. 1. Non–jury trial on May 24, 2005 at 9:00 a.m. before DAE 2. Final Pretrial Conference on April 12, 2005 at 9:00 a.m. before KSC 3. Final Pretrial Conference before District Judge N/A 4. Final Pretrial Statement by April 5, 2005 5. File motions to Join/Add Parties/Amend Pleadings by October 22, 2004 6. File other Non–Dispositive Motions by February 23, 2005 7. File Dispositive Motions by December 22, 2004 8a. File Motions in Limine by May 3, 2005 8b. File opposition memo to a Motion in Limine by May 10, 2005 11a. Plaintiff's Expert Witness Disclosures by November 22, 2004 11b. Defendant's Expert Witness Disclosures by December 22, 2004 12. Discovery deadline March 28, 2005 13. Settlement Conference set for 2/11/2005 at 10:00am before KSC 14. Settlement Conference statements by 2/4/2005 20. Submit Voir Dire Questions, Special Verdict Form, Concise Statement of Case and Jury Instructions by N/A 21. File Final witness list by May 3, 2005 24. Exchange Exhibit and Demonstrative aids by April 26, 2005 25. Stipulations re: Authenticity/Admissibility of Proposed Exhibits by May 3, 2005 26. File objections to the Exhibits by May 10, 2005 28a. File Deposition Excerpt Designations by May 3, 2005 28b. File Deposition Counter Designations and Objections by May 10, 2005 29. File Trial Brief by May 10, 2005 30. File Findings of Fact &Conclusions of Law by May 10, 2005 Other Matters: Plaintiff working on interim relief. Counsel to work on stipulation for amendment of complaint. Motion to Dismiss to be filed by Mr. Nacino. ; Trial set for 9:00 5/24/05 before Judge David A. Ezra , ; final pretrial conference set for 9:00 4/12/05 ; Discovery ddl set for 3/28/05 ; Motion filing ddl set for 12/22/04 ; settlement/status conference set for 10:00 2/11/05 before Mag Judge Kevin S. Chang (Ct Rptr C5, no record) JUDGE Mag Judge Kevin S. Chang (sm) (Entered: 05/25/2004)
05/27/2004	48	Rule 16 SCHEDULING ORDER Mag Judge Kevin S. Chang (cc: all counsel) (sm) (Entered: 05/28/2004)
07/20/2004	49	AMENDED COMPLAINT for Declaratory and Injunctive Relief; Summons; [1–1] by plaintiffs (sm) (Entered: 07/22/2004)
07/20/2004	50	NOTICE of Filing of Amended Complaint; Exhibit A; Certificate of Service by plaintiffs (sm) (Entered: 07/22/2004)
08/26/2004	51	STIPULATION between plaintiffs and defendants to extend time to answer amended complaint filed July 20, 2004 – by Mag Judge Kevin S.C. Chang – filed by plaintiffs [defts shall have 120 days to answer or otherwise plead to amended

		complaint] (afc) (Entered: 08/29/2004)
08/27/2004	52	CERTIFICATE of service by plaintiffs (gab) (Entered: 08/31/2004)
10/12/2004	53	NOTICE OF MOTION and motion by plaintiffs for preliminary injunction ; memorandum in support of motion; exhibits A–F; declaration of Andrew B. Sprenger; exhibits 1–26; declaration of Kahu Charles Kauluwehi Maxwell, Sr.; declaration of Sabra Kauka; declaration of John Keola Lake; certificate of word count; certificate of service – set for 10:30 2/7/05 before Judge David A. Ezra (afc) (Entered: 10/12/2004)
10/15/2004	54	CERTIFICATE of service by plaintiffs (sm) (Entered: 10/19/2004)
10/15/2004	55	CERTIFICATE of service by plaintiffs (sm) (Entered: 10/19/2004)
10/15/2004	56	CERTIFICATE of service (lmg) (Entered: 10/19/2004)
10/20/2004	57	Plaintiffs' Supplemental Submission; Exhibit A; Certificate of Service [53–1] (sm) (Entered: 10/22/2004)
10/26/2004	58	EX PARTE MOTION to Shorten Time for Hearing on Motion for Preliminary Injunction; Declaration of Andrew B. Sprenger; Order; Certificate of Service by Judge David A. Ezra by plaintiffs – hearing set 11/10/04 at 9:00 before Judge Ezra (sm) (Entered: 10/28/2004)
10/27/2004	59	EO :Status Conference Re: Early Settlement set for 11/03/2004 at 9:00 AM before Judge Chang. Edwin Nacino to notify all parties. ; settlement/status conference set for 9:00 11/3/04 before Mag Judge Kevin S. Chang () JUDGE Judge Kevin S. Chang (sm) (Entered: 10/29/2004)
10/27/2004	60	CERTIFICATE of service by plaintiffs (sm) (Entered: 10/29/2004)
10/28/2004	61	EO :At defendant's request, the Status Conference Re: Early Settlement set for 11/03/2004 at 9:00 AM has been continued to 11/05/2004 at 9:45 AM before Judge Chang. Kari from Ed Nacino's office to notify all parties. ; settlement/status conference set for 9:45 11/5/04 before Mag Judge Kevin S. Chang () JUDGE Judge Kevin S. Chang (sm) (Entered: 11/01/2004)
10/29/2004	62	EO: Plaintiffs' Motion for Preliminary Injunction set for 11/10/2004 09:00:00 AM before DAE Responses due: Nov. 3 Replies due: Nov. 5 All counsel notified by fax :setting hearing on motion for preliminary injunction [53–1] 9:00 11/10/04 before JUDGE Judge David A. Ezra (sm) (Entered: 11/02/2004)
11/03/2004	63	Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction, filed October 12, 2004; Declaration of James Yates; Certificate of Service; by defendants Corrections Corporation of America, Diamondback Correctional Facility, James Yates, Lane Blair, and State of Hawaii Defendants [53–1] (sm) (Entered: 11/05/2004)
11/05/2004	64	EP :Status Conference Re: Early Settlement. Mr. Nacino is requesting for an early settlement conference. Early Settlement Conference held in chambers. Further Settlement Conference set 11/10/04 at 9:30am before Judge Chang. Andrew Sprenger Bryan Yee Edwin Nacino Rex Fujichaku present ; settlement/status conference set for 9:30 11/10/04 before Mag Judge Kevin S. Chang (Ct Rptr : C5, no record) JUDGE Mag Judge Kevin S. Chang (sm) (Entered: 11/08/2004)
11/05/2004		FILING FEE PAID in the amount of \$ 225.00, receipt # 226110 (lmg) (Entered: 11/12/2004)
11/08/2004	65	Amended NOTICE of Motion Regarding plaintiffs' Motion for Preliminary Injunction; Certificate of Service [53–1] set for 11/24/04 at 11:15 before Judge David Ezra (sm) (Entered: 11/09/2004)
11/08/2004	66	MEMORANDUM by defendant Brad Henry, defendant Ron Ward, defendant Dennis Cunningham, defendant Lolita Rodgers in opposition to plaintiffs' motion for preliminary injunction [53–1] (sm) (Entered: 11/09/2004)
11/09/2004	67	APPLICATION for admission pro hac vice of J. Kevin Behren ; exhibit 1; certificate of service – on behalf of defendants (lmg) (Entered: 11/12/2004)

11/09/2004	68	ORDER granting application for admission pro hac vice, filed November 5, 2004 by Mag Judge Kevin S. Chang – granting application for admission pro hac vice of J. Kevin Behren [67–1], [67–2] – on behalf of defendants (lmg) (Entered: 11/12/2004)
11/10/2004	69	EP: Further Settlement Conference. Settlement held. Counsel to contact the court by 11/15/04 as to whether they were able to work out a final draft of the settlement agreement. If resolved, settlement to be put on the record. (Ct Rptr: In Chambers – No Record) JUDGE Mag Judge Kevin S. Chang (afc) (Entered: 11/12/2004)
11/15/2004	70	EO :Status Conference set for 11/15/2004 at 10:30 AM before Judge Chang. All counsel notified. ; status conference set for 10:30 11/15/04 before Mag Judge Kevin S. Chang () JUDGE Mag Judge Kevin S. Chang (sm) (Entered: 11/17/2004)
11/15/2004	71	EP : Status Conference. Discussion held regarding paragraph 1 which is subject to CCA approval and the use of a conch shell. Settlement reached. Terms stated. Attachment #1 and the Settlement Agreement shall be attached to these Minutes. The Court finds that there is a valid and enforceable settlement reached in this case. The deadline for filing of the Dismissal is 12/16/04 at 9:00am before Judge Chang. The following dates are hereby vacated: 11/24/04, 11:15am, Plaintiff's Motion for Preliminary Injunction, Judge Ezra 2/11/05, 10:00am, Settlement Conference, Judge Chang 4/12/05, 9:00am, Final Pretrial Conference, Judge Chang 5/24/05, 9:00am, Non Jury Trial, Judge Ezra Andrew Sprenger, Bryan Yee, Edwin Nacino present. ; Trial held 11/15/04 ; final pretrial conference 11/15/04 ; settlement/status conference set for 9:00 12/16/04 before Mag Judge Kevin S. Chang (Ct Rptr : C5, no record 10:40–10:45; Settlement on the Record FTR C5 10:45–10:51:06am) JUDGE Mag Judge Kevin S. Chang (sm) (Entered: 11/18/2004)
11/15/2004	72	SUBMISSION of Original Declaration of James A. Yates in Support of Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction, filed October 12, 2004, filed November 3, 2004; exhibit A; certificate of service by defendant Corrections Corporation, defendant Diamondback Correcti, defendant James Yates, defendant Lane Blair, defendant State of Hawaii [63–1] (sm) (Entered: 11/18/2004)
11/16/2004	73	Plaintiffs' Notice of WITHDRAWAL OF MOTION for Preliminary Injunction, filed on October 12, 2004; Certificate of Service [53–1] (sm) (Entered: 11/18/2004)
12/14/2004	74	EO : The deadline for submittal of the DISMISSAL currently set for 12/16/2004 has been continued to 1/06/2005 before Judge Chang. cc: all counsel via fax () JUDGE Mag Judge Kevin S. Chang (sm) (Entered: 12/16/2004)
01/06/2005	75	EO : Dismissal due today. The due date for submittal of Dismissal set for 1/6/2005 has been continued to 2/7/05 before Judge Chang. (Ct Rptr :) JUDGE Mag Judge Kevin S. Chang (gab) (Entered: 01/10/2005)
02/07/2005	76	EO: Dismissal due today; No Dismissal submitted; Status conference Re: Dismissal set for 9:00 2/11/05 before Mag Judge Kevin S. Chang by Judge Kevin S. Chang (gs) (Entered: 02/09/2005)
02/10/2005	77	EO: Status conference Re: Dismissal set for 2/11/05 at 9:00 a.m. before Judge Chang; Kevin Behrens to participate by phone and notify all parties by Judge Kevin S. Chang (gs) (Entered: 02/10/2005)
02/11/2005	78	EP: Status conference Re: Dismissal; Eight more plaintiffs need to sign the release document ; Mr. Nacino requests that the parties make no comments until this lawsuit is resolved. The court will not order the parties not to comment on the lawsuit but will urge parties to speak with their clients and use caution in comments made about the lawsuit. The court will set a deadline of 2/25/05 for submittal of the Dismissal. If the Dismissal is not filed by then, the Court will enter an Order of Dismissal retaining jurisdiction to enforce the terms of the settlement (Ct Rptr no record) by Mag Judge Kevin S. Chang (gs) (Entered: 02/14/2005)
02/25/2005	79	EO : Counsel has not submitted a Dismissal. The Court will issue an Order dismissing this action and retain jurisdiction to enforce the terms and conditions of settlement. cc: Law Clerk to Judge Chang (Ct Rptr :) JUDGE Mag Judge Kevin S. Chang (emt) (Entered: 02/28/2005)

03/01/2005	80	ORDER of dismissal by Judge David A. Ezra (cc: all counsel) (emt) (Entered: 03/02/2005)
03/02/2005	81	JUDGMENT: dismissed with prejudice re [80-1] terminating case (cc: all counsel) (emt) (Entered: 03/02/2005)
05/13/2005	82	SETTLEMENT AGREEMENT; certificate of service by plaintiff Germaine Kaapuni Bush referred to Judge David Alan Ezra (emt) (Entered: 05/16/2005)
11/06/2009	<u>83</u>	First MOTION to Enforce Judgment <i>Settlement Agreement</i> Andrew B. Sprenger appearing for Plaintiffs Richard Kapela Davis, Robert Apolo Holbron, Damien Kaahu, Johathan Kaluna Lum (Attachments: # <u>1</u> Memorandum Memorandum in Support of Motion, # <u>2</u> Declaration Declaration of Andrew B. Sprenger, # <u>3</u> Declaration Declaration of Ty Preston Tengan, # <u>4</u> Declaration Declaration of Richard Kapela Davis, # <u>5</u> Declaration Declaration of Damien Kaahu, # <u>6</u> Declaration Declaration of Robert A. Holbron, # <u>7</u> Declaration Declaration of Jonathan Kaluna Lum, # <u>8</u> Exhibit Exhibit 1 Settlement Agreement, # <u>9</u> Exhibit Exhibit 2 Order of Dismissal, # <u>10</u> Exhibit Exhibit 3 Saguaro Denial Re Robert Holbron, # <u>11</u> Exhibit Exhibit 4 Electronic Message from Shari Kimoto, # <u>12</u> Appendix Certificate of Word Count)(Sprenger, Andrew) (Entered: 11/06/2009)
11/06/2009	<u>84</u>	CERTIFICATE OF SERVICE by Richard Kapela Davis, Robert Apolo Holbron, Damien Kaahu, Johathan Kaluna Lum re <u>83</u> First MOTION to Enforce Judgment <i>Settlement Agreement</i> (Sprenger, Andrew) (Entered: 11/06/2009)
11/06/2009	<u>85</u>	First MOTION to Shorten Time to hear Motion to <i>Enforce Settlement Agreement, Entered May 13, 2005</i> Andrew B. Sprenger appearing for Plaintiffs Richard Kapela Davis, Robert Apolo Holbron, Damien Kaahu, Johathan Kaluna Lum (Attachments: # <u>1</u> Declaration Declaration of Andrew B. Sprenger, # <u>2</u> Proposed Order for Ex Parte Motion to Shorten Time for Hearing on Motion to Enforce Settlement Agreement, Entered MaY 13, 2005)(Sprenger, Andrew) (Entered: 11/06/2009)
11/09/2009	<u>86</u>	ORDER GRANTING <u>85</u> PLAINTIFFS' EX PARTE MOTION TO SHORTEN TIME FOR HEARING ON MOTION TO ENFORCE SETTLEMENT AGREEMENT. ~ As to <u>83</u> the Motion to Enforce Settlement: (Motion Hearing set for 11/13/2009 09:00 AM before JUDGE DAVID ALAN EZRA.) Defendants are permitted to file a memorandum in opposition no later than Tuesday, November 10, 2009, by midnight. If the parties are able to resolve this matter extrajudicially, the parties shall notify this Court as soon as possible. ~ Signed by JUDGE DAVID ALAN EZRA on 11/9/2009. (afc)
		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: 11/09/2009)
11/09/2009		ADVISORY ENTRY re: e-filings on behalf of plaintiffs, docket entry numbers <u>83</u> <i>First MOTION to Enforce Judgment</i> and <u>84</u> <i>Certificate of Service</i>. (1) As to docket entry <u>83</u> : Exhibit A to the Declaration of Richard Kapela Davis references Mr. Davis's Social Security Number. As it is the responsibility of counsel to protect personal identifiers, counsel may refer to Fed.R.Civ. 5.2 "Privacy Protection for Filings Made with the Court" and the "Amended General Order Adopting Electronic Case Filing Procedures", section 11 – 11.1 "Personal Identifiers" through 11.3 "Responsibility of Counsel" for guidance in redacting information. Secondly, each exhibit included with the pdf-attachments of each declarant should have also been submitted as a separate pdf-attachment. (2) As to docket entry <u>84</u> : Because the Certificate of Service document was filed as a separate ECF transaction (i.e., it was not submitted as an attachment with document (83), Counsel identification must be noted in the upper left-hand corner of the first page of the document (as required by Local Rule 10.2(b) "Counsel Identification".) Re-filing of the documents are not necessary, however, the filing party may wish to file Mr. Davis's declaration and attach a redacted Exhibit A, or take other corrective action as detailed in the Amended General Order adopting ECF Procedures. (afc) (Entered: 11/09/2009)

11/10/2009	<u>87</u>	RESPONSE in Opposition re <u>83</u> First MOTION to Enforce Judgment <i>Settlement Agreement</i> filed by CCA Diamondback Correctional Facility, Corrections Corporation of America, Dennis Cunningham, Doe Corporation, Partnerships, Governmental Units or Other Entities 3–20,, Jane Does 1–10, John Does 1–10, Brad Henry, Linda Lingle, Frank Lopez, Oklahoma Department of Corrections, Oklahoma Department of Corrections Private Prison Administration;, Jerry Parker, John F. Peyton, Jr, Lolita Rodgers, State of Hawaii, State of Oklahoma, The Hawaii Department of Public Safety, Ron Ward, James Yates. (Attachments: # <u>1</u> Declaration LindaLee K. Farm, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Declaration Rachel Love, # <u>5</u> Exhibit C, # <u>6</u> Declaration Ka'Iana Haili, # <u>7</u> Certificate of Service)(Farm, Lindalee) (Entered: 11/10/2009)
11/12/2009	<u>88</u>	EO: re <u>83</u> First MOTION to Enforce Judgment <i>Settlement Agreement</i> . By agreement of all parties, <u>83</u> First MOTION to Enforce Judgment <i>Settlement Agreement</i> is hereby withdrawn. Stipulation to withdraw motion to be submitted. (JUDGE DAVID ALAN EZRA)(tl,) <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: 11/12/2009)
11/12/2009	<u>89</u>	NOTICE by Robert Apolo Holbron, Richard Kapela Davis, Johathan Kaluna Lum, Damien Kaahu <i>Notice to Withdraw Motion to Enforce Settlement Agreement Entered May 13, 2005, Filed November 6, 2009</i> Robert Apolo Holbron, Richard Kapela Davis, Johathan Kaluna Lum, Damien Kaahu. (Attachments: # <u>1</u> Certificate of Service)(Sprenger, Andrew) (Entered: 11/12/2009)
12/01/2009	<u>90</u>	ORDER DENYING AS MOOT <u>83</u> PLAINTIFFS' MOTION TO ENFORCE SETTLEMENT. Signed by JUDGE DAVID ALAN EZRA on 12/1/2009. MOTIONS terminated: <u>83</u> M/Enforce; <u>89</u> M/Withdraw Motion to Enforce (afc) <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: 12/01/2009)
11/10/2010	<u>91</u>	NOTICE of Appearance by Dawn T. Sugihara on behalf of CCA Diamondback Correctional Facility, Corrections Corporation of America on behalf of CCA Diamondback Correctional Facility, Corrections Corporation of America. (Sugihara, Dawn) (Entered: 11/10/2010)
12/09/2010	<u>92</u>	MOTION for Leave to File <i>A Supplemental Complaint</i> Andrew B. Sprenger appearing for Plaintiff Robert Apolo Holbron (Attachments: # <u>1</u> Memorandum in Support of Motion, # <u>2</u> Declaration of Robert Holbron, # <u>3</u> Declaration of Sharla Manley, # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Exhibit E, # <u>9</u> Certificate of Service)(Sprenger, Andrew) (Entered: 12/09/2010)
12/13/2010	<u>93</u>	NOTICE of Hearing on Motion <u>92</u> Plaintiff Robert A. Holbron's Motion for Leave to File a Supplemental Complaint set for 1/25/2011 09:30 AM before JUDGE KEVIN S.C. CHANG. (sna,) <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: 12/13/2010)
12/15/2010	<u>94</u>	NOTICE of Appearance by Sharla Ann Manley on behalf of Robert Apolo Holbron on behalf of Robert Apolo Holbron. (Attachments: # <u>1</u> Certificate of Service)(Manley, Sharla) (Entered: 12/15/2010)
12/27/2010	<u>95</u>	Mail addressed to J. Kevin Behrens/Office of the Attorney General–State of Oklahoma Returned by Postal Service as "RETURN TO SENDER/NOT DELIVERABLE AS ADDRESSED/UNABLE TO FORWARD." Document returned: Notice of Electronic Filing page, doc no. (93) re: Notice of Hearing on Motion for Leave to file a Supplemental Complaint. (afc) (Entered: 12/28/2010)

12/29/2010	<u>96</u>	Ex Parte MOTION to Shorten Time to hear Motion <i>for Leave to File A Supplemental Complaint</i> Sharla Ann Manley appearing for Plaintiff Robert Apolo Holbron (Attachments: # <u>1</u> Declaration of Sharla Manley, # <u>2</u> Certificate of Service)(Manley, Sharla) (Entered: 12/29/2010)
01/03/2011	<u>98</u>	EO: <u>92</u> On December 29, 2010, Plaintiff Robert Holbron filed an Ex Parte Application to Shorten Time for Hearing on Plaintiff Robert A. Holbron's Motion for Leave to File a Supplemental Complaint. His Motion for Leave to File a Supplemental Complaint is currently set for hearing on January 25, 2011. He requests that the hearing be advanced to a date no later than January 18, 2011. The Court GRANTS the Application and shall advance the hearing to January 18, 2011, at 2:00 p.m. Any opposition is due by noon on January 7, 2011. Plaintiff's Reply is due by noon on January 12, 2011. MOTION for Leave to File A <i>Supplemental Complaint</i> . Motion Hearing set for 1/18/2011 02:00 PM before JUDGE KEVIN S.C. CHANG. (JUDGE KEVIN S.C. CHANG)(sna,) <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: 01/03/2011)
01/07/2011	<u>99</u>	RESPONSE in Opposition re <u>92</u> MOTION for Leave to File A <i>Supplemental Complaint</i> filed by CCA Diamondback Correctional Facility, Corrections Corporation of America, Linda Lingle, State of Hawaii, The Hawaii Department of Public Safety. (Attachments: # <u>1</u> Declaration of LindaLee K. Farm, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Certificate of Compliance, # <u>6</u> Certificate of Service)(Farm, Lindalee) (Entered: 01/07/2011)
01/12/2011	<u>100</u>	REPLY to Response to Motion re <u>92</u> MOTION for Leave to File A <i>Supplemental Complaint</i> filed by Robert Apolo Holbron. (Attachments: # <u>1</u> Declaration of Sharla Manley, # <u>2</u> Exhibit F, # <u>3</u> Exhibit G, # <u>4</u> Exhibit H, # <u>5</u> Certificate of Service)(Manley, Sharla) (Entered: 01/12/2011)
01/13/2011	<u>102</u>	Mail Returned as Undeliverable. Mail sent to J. Kevin Behrens (gls,) (Entered: 01/18/2011)
01/18/2011	<u>101</u>	EP: taking under advisement <u>92</u> : Plaintiff Robert A. Holbron's Motion for Leave to File a Supplemental Complaint held on 1/18/2011. Motion taken under advisement. Court to issue Findings and Recommendation.(FTR C5 – 2:15–2:23pm.) (JUDGE KEVIN S.C. CHANG)(sna,) ^{No COS issued for this docket entry} (Entered: 01/18/2011)
01/20/2011	<u>103</u>	FINDINGS AND RECOMMENDATIONS TO DENY ROBERT A. HOLBRON'S MOTION FOR LEAVE TO FILE A SUPPLEMENTAL COMPLAINT; ORDER DENYING ROBERT A. HOLBRON'S MOTION FOR LEAVE TO FILE A SUPPLEMENTAL COMPLAINT re <u>92</u> . Signed by JUDGE KEVIN S.C. CHANG on 1/20/11. (eps)— the Court HEREBY FINDS AND RECOMMENDS that the district court DENY the Motion for Leave to File a Supplemental Complaint, filed December 9, 2010, because the Court lacks jurisdiction over this action. Assuming the Court has jurisdiction, the Court HEREBY DENIES the Motion <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 will be served by first class mail on 01/21/2011 (Entered: 01/20/2011)
02/08/2011	<u>104</u>	ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND RECOMMENDATION. ~ Adopting <u>103</u> "Findings and Recommendations to Deny Robert A. Holbron's Motion for Leave to File a Supplemental Complaint; Order Denying Robert A. Holbron's MOTion for Leave to File a Supplemental Complaint." ~ Signed by JUDGE DAVID ALAN EZRA on 2/8/2011. (afc) <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: 02/08/2011)