

**U.S. District Court  
District of Oregon (Eugene (6))  
CIVIL DOCKET FOR CASE # 6:16-cv-01602-MC**

Fox v. Peters et al  
Assigned to: Judge Michael J. McShane  
Demand: \$0  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 08/08/2016  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff****Steven Fox**

represented by **Lynn S. Walsh**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****Colette Peters**

represented by **Vanessa A. Nordyke**  
Oregon Department of Justice  
Trial Division  
1162 Court Street NE  
Salem, OR 97301  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****State of Oregon**

represented by **Vanessa A. Nordyke**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
08/08/2016	<u>1</u>	Complaint. ( <i>In forma pauperis status selected</i> ) Jury Trial Requested: No. Filed by Steven Fox against All Defendants (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Civil Cover Sheet). (Walsh, Lynn) (Entered: 08/08/2016)
08/08/2016	<u>2</u>	Emergency Motion for Temporary Restraining Order . Oral Argument requested.Expedited Hearing requested. Filed by Steven Fox. (Walsh, Lynn) (Entered: 08/08/2016)
08/08/2016	<u>3</u>	Declaration of Steven Fox . Filed by Steven Fox. (Related document(s): Motion for Temporary Restraining Order <u>2</u> .) (Walsh, Lynn) (Entered: 08/08/2016)
08/08/2016	<u>4</u>	Declaration of Lynn S. Walsh . Filed by Steven Fox. (Related document(s): Motion for Temporary Restraining Order <u>2</u> .) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (Walsh, Lynn) (Entered: 08/08/2016)
08/08/2016		Filing fee in amount of \$ 400.00 collected; Receipt No. 68605 issued. (msk) (Entered: 08/08/2016)
08/08/2016	<u>5</u>	Scheduling Order by Judge Michael J. McShane regarding Emergency Motion for Temporary Restraining Order <u>2</u> . Oral Argument is set for 8/10/2016 at 03:30PM in Eugene Courtroom 2 before Judge Michael J. McShane. Ordered by Judge Michael

		J. McShane. (cp) (Entered: 08/08/2016)
08/08/2016	<u>6</u>	Clerk's Notice of Mailing to Vanessa Nordyke via email regarding Scheduling, 5 . (cp) (Entered: 08/08/2016)
08/09/2016	<u>7</u>	Verified Declaration of Steven Fox . Filed by Steven Fox. (Related document(s): Motion for Temporary Restraining Order <u>2</u> .) (Walsh, Lynn) (Entered: 08/09/2016)
08/10/2016	<u>8</u>	Waiver of Service of Summons Returned Executed Filed by State of Oregon. (Nordyke, Vanessa) (Entered: 08/10/2016)
08/10/2016	<u>9</u>	Declaration of Janet Reyna . Filed by Steven Fox. (Related document(s): Motion for Temporary Restraining Order <u>2</u> .) (Attachments: # <u>1</u> Exhibit 1) (Walsh, Lynn) (Entered: 08/10/2016)
08/10/2016	<u>10</u>	Response to Emergency Motion for Temporary Restraining Order <u>2</u> . Filed by Colette Peters, State of Oregon. (Nordyke, Vanessa) (Entered: 08/10/2016)
08/10/2016	<u>11</u>	Declaration of Steven Shelton MD . Filed by Colette Peters, State of Oregon. (Related document(s): Response to Motion <u>10</u> .) (Nordyke, Vanessa) (Entered: 08/10/2016)
08/10/2016	<u>12</u>	Declaration of Cindy Booth . Filed by Colette Peters, State of Oregon. (Related document(s): Response to Motion <u>10</u> .) (Nordyke, Vanessa) (Entered: 08/10/2016)
08/10/2016	<u>13</u>	<b>MINUTES of Proceedings:</b> Motion Hearing Held regarding Motion for Temporary Restraining Order <u>2</u> . Motion is taken under advisement as of 8/10/2016. Lynn S. Walsh present as counsel for plaintiff. Vanessa Nordyke present as counsel for defendants. Court Reporter: Deborah Bonds. Judge Michael J. McShane presiding. (cp) (Entered: 08/11/2016)
08/11/2016	<u>14</u>	<b>ORDER:</b> The Court Grants in part Fox's Motion for an emergency preliminary injunction <u>2</u> . Through Friday, August 26, 2016, ODOC must conduct twice daily check ins on Fox. One contact may be by phone but one contact must be in-person. Signed on 8/11/2016 by Judge Michael J. McShane. (cp) (Entered: 08/11/2016)
08/12/2016	<u>15</u>	Motion to Modify Order (Docket #14). Filed by Colette Peters, State of Oregon. (Nordyke, Vanessa) (Entered: 08/12/2016)
08/12/2016	<u>16</u>	Declaration of Dale Primmer . Filed by Colette Peters, State of Oregon. (Related document(s): Motion – Miscellaneous <u>15</u> .) (Nordyke, Vanessa) (Entered: 08/12/2016)
08/12/2016	<u>17</u>	<b>ORDER:</b> Granting ODOC's Motion to Modify the Injunction <u>15</u> . The injunction is modified to state: ODOC must conduct twice-daily check-ins on plaintiff, or arrange to have a representative of the Umatilla County Community Corrections perform the twice daily check-ins, through August 26, 2016. Signed on 8/12/2016 by Judge Michael J. McShane. (cp) (Entered: 08/12/2016)
08/15/2016	<u>18</u>	Notice of Case Assignment to Judge Michael J. McShane and Discovery and Pretrial Scheduling Order. NOTICE: Counsel shall print and serve the summonses and all documents issued by the Clerk at the time of filing upon all named parties in accordance with Local Rule 3-5. Discovery is to be completed by 12/13/2016. Joint Alternate Dispute Resolution Report is due by 1/12/2017. Pretrial Order is due by 1/12/2017. Ordered by Judge Michael J. McShane. (ljb) (Entered: 08/15/2016)
08/31/2016	<u>19</u>	Unopposed Motion for Extension of Time to Answer Complaint <u>1</u> . Filed by All Defendants. (Nordyke, Vanessa) (Entered: 08/31/2016)
08/31/2016	<u>20</u>	Declaration of Vanessa A. Nordyke in Support of Unopposed Motion for Extension of Time to File Answer . Filed by All Defendants. (Related document(s): Motion for Extension of Time to Answer a Complaint/Petition <u>19</u> .) (Nordyke, Vanessa) (Entered: 08/31/2016)
09/01/2016	<u>21</u>	<b>ORDER:</b> Granting Defendant's Unopposed Motion for Extension of Time to Answer <u>19</u> . Answer is due by 9/14/2016. Ordered by Judge Michael J. McShane. (cp) (Entered: 09/01/2016)

09/13/2016	<u>22</u>	Notice of Voluntary Dismissal Filed by Steven Fox (Walsh, Lynn) (Entered: 09/13/2016)
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