

DIST.	OFF.	DOCKET YR.	NUMBER	FILING DATE MO. DAY YEAR	J	N/S	O	D	R	PTF	DEF	23	\$	DEMAND OTHER	JUDGE/MAG NUMBER	DEM.	YR.	NUMBER
422	3	80	0569	7 22 80	2	440	1							NEAREST \$1,000	2208	NO	80	0569

# PLAINTIFFS

WILLIAM DAVIS  
RUBY SMITH  
JEANETTE BOOKER, by her guardian and  
next friend, Mary Brooks

## INTERVENORS IN OPPOSITION TO CLASS CERTIFICATION

~~The Parents Organization of the Southside Virginia  
Training Center; Timothy Eric Tuck by his parent  
& next friend Bobby Tuck; Howard Taylor Montague  
by his parent & next friend Anne T. Montague; Dana  
Louise Howell by Coy L. Howell; Bobby Tuck, Anne  
T. Montague & Coy L. Howell, individually (Withdrawn  
per order of 10/6/82)~~

# DEFENDANTS

- Richard Buckley, Director
- Leo Kirvan, Jr., Commissioner
- Jean E. Harris, Secretary
- William Lukhard, Commissioner
- Thomas Hogan, Director
- Margaret Foley, Director
- City of Richmond
- ~~Patricia Harris, Secretary~~ Dmsd 8/12/81
- Merritt W. Foster, Jr., Chrman.
- E. B. Pendleton, Chrman.
- ~~Altamont Dickerson, Dir.~~ Dism. 8-17-81
- William F. Hellmut, Chrman
- ~~Karen Kincannon, Chrman.~~ Dism. 8-17-81
- Donald K. Bruce, Chrman, Richmond Comm.  
Services Broad
- Governor John N. Dalton

8th & 14th Amendments, 42 USC 1983; 6010 CAUSE  
(1) or (2), 29 USC 794 - Failure to provide  
appropriate & Least Restrictive Residential  
placement & Appropriate Community Services to  
Mentally Retarded Plaintiff

# ATTORNEYS

Donald H. Stone, Esq.  
Eugene Murphy, Esq.

CENTRAL VA. LEAGL AID SOCIETY  
P. O. Box 12005  
Richmond, Va. 23241  
648-1012

James Hanagan, Esq.  
PENINSULA LEGAL AID CENTER  
151 Richmond Road  
Williamsburg, VA 23185  
220-3425

For Opposing  
Intervenors:  
~~Lewis F. Powell, III~~  
~~P.O. Box 1535~~  
~~Richmond, Va. 23212~~  
~~788-8200~~  
~~Joel J. Klein~~  
~~2550 N. St., N.W.~~  
~~Washington, D.C. 20037~~  
~~755-0184~~

6,  
For defts. 5, 12, 7 & 13:  
John R. Haymes, Jr., Esq.  
Asst. City Attorney  
300 City Hall City 23219  
and:  
Beverly C. Powell, Esq.  
Ass't City Attorney  
William H. Hefty, Esq.  
City Attorney

## Defts. 1, 2 & 9:

Mary Yancey Spencer, Esq.)

## Deft. 4 & 10:

John A. Rupp, Esq.) AAG of VA

## For defts. 3 & 14:

Dennis G. Merrill, Esq.

AAG of Va.

Supreme Ct. Bdg., 101N. 8th St  
City 23219 6th Floor  
786-0081

~~Deft 8: G. Wingate Grant, AUSA~~

NON-JURY		3 days
CASE SET:	422 83	9 AM
ON MERITS:	11 81	10:00
IPTC	: 11-6-80 8:33	
IPTC STATUS	: 11-17-82 8:36	
MOTION	:	
FPTC	:	

ARGUMENT: 8/20/82 9 AM

XX CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	8/1/80
				JS-6	5-1-83

DATE	NR.	PROCEEDINGS	
1980			
July 22	1	Pltff's Motion to Proceed IFP, filed.	rmc
July 22	2	Pltff's Declaration, filed.	rmc
July 22	3	ORDERED that pltf. be authorized to proceed IFP; ent 7/22/80, RRMjr, filed. Copies mailed.	rmc
July 22	4	Complaint, filed. No jury demand.	rmc
July 22	--	Summons issued with mag. form.	rmc
July 24	5	Amended complaint, no jury, filed.	lg
July 24	--	Summonses iss. on am. complaint.(motion/brief att.)	lg
July 24	6	Pltffs' motion for class certification filed.	lg
July 24	7	Pltffs' brief in support of motion for class cert. filed.	lg
July 28	8	Pltff.'s Decline to Jurisdiction by Magistrate, filed.	rmc
July 30	9	ORDERED that all defts. shall have 20 das. from this date to respond to complaint, excepting Patricia Harris who shall have 60 das. from date of service of amended complaint; ent 7/30/80, RRMjr, filed. Copies mailed to defts. and counsel of record.	rmc
Aug. 1	10	Deft Harris' Motion for Extension of Time to Respond to Motion for Class Certification and Brief in Support Thereof, filed	jlm
Aug. 4	11	ORDERED that deft. Patricia Harris shall have until Sept. 24, 1980 to respond to Pltff's Motion for Class Certification, ent 8/4/80, RRMjr, filed. Copies mailed.	rmc
Aug. 6	12	Defts. Buckley, Kirven, Foster, Harris, Lukhard, Pendleton & Dickerson's Motion for Enlargement of Time, filed.	rmc
Aug. 7	13	ORDERED that time which defts. Buckley, Kirven, Foster, Harris, Lukhard, Pendleton and Dickerson may respond is extended to Sept. 18, 1980, ent 8/7/80, RRMjr, filed. Copies mailed.	rmc
Aug. 14	14	Defts. Hogan, Hellmut, Foley, Kincannon and City's Motion for Enlargement, filed.	rmc
Aug. 22	15	Pltff's Motion to Take Depositions by Tape, filed.	rmc
Aug. 22	16	Pltff's Motion for Permission to Serve More than Thirty Interrogatories and to Take Depositions of more than five non-party Witnesses, filed.	rmc
Aug. 22	17	Pltff's First Request for Production of Documents, filed.	rmc
Aug. 25	18	ORDERED that pltf. is granted permission to serve more than 30 interrogatories and to take more than five non-party depositions; ent 8/25/80, RRMjr, filed. Copies mailed.	rmc
Aug. 25	19	ORDER regarding taking of depositions by recorder rather than stenographic means, etc.; ent 8/25/80, RRMjr, filed. Copies mailed.	rmc
Aug. 25	20	ORDERED that time which defts. Hogan, Hellmut, Foley, Kincannon and City to respond to amended compl. and motion for Class Certification is extended to Sept. 24, 1980, ent 8/25/80, RRMjr, filed. Copies mailed.	rmc
Aug. 26	21	Deft's Motion to Reconsider and Brief in Support, filed.	rmc
Sept. 5	22	Pltff's Response to Motion to Reconsider of Deft. Harris, filed.	rmc
Sept. 5	23	Pltff's First Set of Interrogs. and Request for Production, filed.	rm
Sept. 15	24	Response in opposition to pltf's motions for determination of classes filed by State defts	lg
Sept. 15	25	Memorandum in support of opposition to motion for classes filed by State defts.	lg
Sept. 15	26	Motion to Dismiss filed by dft. Dickerson.	lg
Sept. 15	27	Memorandum in support of motion to dismiss by dft. Dickerson, filed.	lg
Sept. 16	28	Defts', Lukhard's, et al Motion to Dismiss, filed.	len
Sept. 16	29	Defts', Lukhard's, et al Memorandum Of Law Supporting The Motion to Dismiss, filed.	len
Sept. 19	30	Deft Patricia Harris' Answer, filed. No jury.	jlm
Sept. 19	31	Deft Harris' Response to Motion for Class Certification, filed	jlm
Sept. 19	32	Deft Buckley, et al's Motion to Dismiss, filed	jlm
Sept. 19	33	Deft Buckley, et al's Memo. in Support of Motion to Dismiss, filed	jlm

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CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-2-14-79-SOM-1534

PLAINTIFF		DEFENDANT	DOCKET NO. CA80-0569--R
WILLIAM DAVIS		RICHARD BUCKLEY, Director, et al.	PAGE 2 OF ____ PAGES
DATE	NR.	PROCEEDINGS	
<u>1980</u>			
Sept. 24	34	Deft. Hogan's Motion to Dismiss, filed.	rmc
Sept. 24	35	Deft. Hogan's Memo. of Law in Support of Motion to Dismiss, filed.	rmc
Sept. 24	36	Deft. City , Kincannon and Foley's Motion to Dismiss, filed.	rmc
Sept. 24	37	Deft. " " " Memorandum in Support of Motion to Dismiss, filed.	
Sept. 24	38	Deft. Hellmut's Motion to Dismiss, filed.	rmc
Sept. 24	39	Deft. Hellmut's Memo. in Support of Motion to Dismiss, filed.	rmc
Sept. 29	40	Pltf's Response to Motion to Dismiss of the State Defts, filed	jlm
Oct. 3	41	Pltf's First Set of Interrogatories and Request for Production of Documents, filed. (To Deft. Richard Buckley)	rmc
Oct. 6	42	Deft Altamont Dickerson's Response to Pltf's First Set of Interrogatories filed.	lkm
Oct. 6	43	Defts Kirven & Foster's Answers to Interrogatories filed.	lkm
Oct. 6	44	Defts Lukhard, Pendleton, Sirry's Answers to Interrogatories filed.	lkm
Oct. 6	45	Deft Harris' Answer to Interrogatories filed.	lkm
Oct. 7	46	Pltf's response to motion to dismiss City defts. filed.	lg
Oct. 21	47	Deft Buckley's Objections to Interrogatories, filed	jlm
Nov. 6	48	Form p/t order, non-jury ent 11-6-80, RRM,JR. filed. Cps to counsel at p/t conf.	lg
Dec. 3	49	Pltf's Second Set Of Interrogs. and Request for Production of Documents of Deft. Kirven, filed.	rmc
Dec. 4	50	Pltf's 2nd Set of Interrogatories and Request for Production of Documents to Defts Lukhard and Pendleton, filed	jlm
Dec. 4	51	Pltf's Notice to Take ceposition of G. A. Goode, et al, on 12-12-80, filed	jlm
Dec. 5	52	ORDER that pltf be allowed to have subpoenas issued to be served by U.S. Marshal on K. Wyatt, G. A. Goode and Fran Walker, ent. 12-5-80, RRMjr, filed. Copies mailed.	jlm
Dec. 15	53	Pltf's Notice to Take Deposition of Ms. Leslie Anderson on Dec. 17, 1980 at 9:30 a.m., filed.	rmc
Dec. 15	54	Pltfs' Reply to Defts' Response to Motion for Class Certification, filed.	rmc
Dec. 15	55	Reply to Federal Defts' Response to Motion for Class Certification, filed.	rmc
Dec. 23	56	Deft Kirven's Motion for Extension of Time to Answer Interrogatories and Respond to Request for Production, filed.	mkh
Dec. 23	57	Pltf's Request for Entry Upon Land for Inspection, filed.	rmc
<u>1981</u>			
Jan. 5	58	Pltf's Response to Deft Kirven's Motion for Extension of Time to Answer Interrogatories, filed	jlm
Jan. 7	59	Answers of Defts. Lukhard and Pendleton to Pltf's Second Set of Interrogatories and Request for Production, filed.	rmc
Jan. 12	60	Response to request for entry upon land filed by dfts. Harris, Foster, Kirven & Buckley.	lg
Jan. 16	61	Pltf's Memo. in Supoprt of Motion to Compel, filed	jlm
Jan. 16	62	ORDER TO SHOW CAUSE that defts Harris, et al show cause on 1-21-81 at 9:00 a.m. regarding entry upon land of Southside Va. Training Center, ent. 1-16-81, RRMjr, filed. Copies delivered to defts by Eugene Murphy.	jlm
Feb. 10	63	Pltf's First Set of Interrogatories and Request for Production of Documents, filed.	mkh

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CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-2-14-79-50M-1534

PLAINTIFF		DEFENDANT	DOCKET NO. <u>80-569-R</u>
WILLIAM DAVIS		RICHARD BUCKLEY, et al	PAGE <u>3</u> OF <u>    </u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1981</u>			
Feb. 18	64	Pltf's notice to take depositions of J. Woodson, Edw. Ditchcreek, & Chuck Wood filed. lg	
Feb. 18	65	Pltf's motion for order directing deposition subp. to issue in forma pauperis filed. lg	
Feb. 20	66	ORDER that pltf be allowed to subpoena witnesses J. Woodson, Edward Ditchcreek, & Chuck Wood without being required to prepay cost or fees, ent. 2-20-81, RRMjr, filed. Copies mailed. jlm	
Feb. 24	67	Objections to pltf's first set of interr. filed by dfts. Kincannon & Foley. lg	
Mar. 4	68	Deft Kirven's Answers to Pltf's 2nd Set of Interrogatories and Request for Production of Documents, filed jlm	
Mar. 11	69	Response to pltf's first set of interr. filed by dfts. Kincannon & Foley. lg	
Mar. 18	70	Pltf's First Set Of Interrogatories & Request For Production of Documents, filed. len	
Apr. 15	71	Deft's, Dickerson's, Answers To Pltf's First Set of Interrogatories, filed. len	
May 22	72	Motion to intervene in opposition to class certification filed by proposed intervenors, Parents org. of SS Va. Trng Ctr, et. al. LG	
May 22	73	Memorandum in support of motion to intervene filed by proposed intervenors, Parents Org. of SS Va. Trng Ctr., et. al. LG	
May 26	74	Deft., Buckley's, Answers to Pltf's First Set of Interrogatories & Request For Production of Documents, filed. len	
June 4	75	Response to Motion of Proposed Intervenors to Intervene in Opposition to Class Certification, filed. rmc	
June 15	76	Reply Memorandum Of Proposed Intervenors In Support Of Motion To Intervene To Oppose Class Certification And For Other Purposes, filed. len	
July 17	77	Pltf's Motion For Leave To Proceed In Forma Pauperis, filed With Declaration len	
July 17	78	Pltf's Motion To Add & Delete Defts' & Amend Complaint, filed. len	
July 17	79	Pltf's Memorandum In Support of Pltf's Motion To Add & Delete Defts' & Amend His Complaint, filed. len	
July 17	80	Pltf's, Ruby Smith, Motion To Intervene As Pltf., filed. len	
July 17	81	Pltf's, Ruby Smith, Memorandum In Support of Motion To Intervene As Pltf., filed. len	
July 31	82	Pltf's, Davis, Notice of Motion, filed. len	
July 31	83	Pltf's Motion For Continuance, filed. len	
July 31	84	Pltf's Memorandum In Support of Motion For Continuance, filed. len	
Aug. 3	85	State Defts' Response to Pltf's Motion To Amend The Complaint & Motion To Intervene, filed. len	
Aug. 5	86	ORDER GRANTING LEAVE TO PROCEED IN FORMA PAUPERIS to Ruby Smith, ent. 8-5-81, RRMjr, filed. Copies mailed. jlm	
Aug. 6	87	Proposed Intervenors' Notice of Hearing, filed jlm	
Aug. 7	88	Deft., Buckley's, Interrogatories, filed. len	
Aug. 7	89	Deft., Harris', Interrogatories, filed. len	

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-2-14-79-50M-1534

PLAINTIFF		DEFENDANT	DOCKET NO. <u>80-569-R</u>
WILLIAM DAVIS		RICHARD BUCKLEY, et al	PAGE <u>4</u> OF <u>    </u> PAGES
DATE	NR.	PROCEEDINGS	
1981 Aug. 12		IN OPEN COURT: MERHIGE, J. GEO. HALASZ FOR GFH, OCR APPEARANCES: PARTIES BY COUNSEL. MATTER CAME ON FOR HEARING OF MOTIONS. PLTF'S MOTION TO DISMISS FEDERAL DEFT, SEC. U. S. DEPT. OF HEALTH & HUMAN SERVICES, GRANTED. ORDER ENTERED. PLTFS' MOTION TO DISMISS DEFT DICKERSON HEARD; GRANTED. PLTFS' MOTION TO SUBSTITUTE DONALD K. BRUCE FOR KAREN KINCALNON HEARD; GRANTED. PLTFS' MOTION TO DISMISS 5TH CLAIM IN ORIGINAL COMPLAINT HEARD; GRANTED. PLTFS' MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT HEARD; GRANTED. PLTFS' MOTION FOR A CONTINUANCE GRANTED. CASE CONT'D GENERALLY FOR TRIAL. MOTION OF PARENTS ORGANIZATION OF SOUTHSIDE VA. TRAINING CENTER TO INTERVENE HEARD; GRANTED. COUNSEL FOR PLTF TO PREPARE SKETCH FOR ORDER. (10 MINS)	JWH
Aug. 12	90	Consent Decree entered into by pltf and federal defendant, Secretary of the United States Department of Health and Human Services filed.	JWH
Aug. 12	91	ORDER dismissing defendant Patricia Harris and/or her successor, Richard Schweiker, Secretary of Health and Human Services entered 8-12-81, filed. Copies mailed to counsel of record.	JWH
Aug. 17	92	ORDER that leave granted Timothy Eric Tuck, et al, to intervene in opposition to class certification; Ruby Smith granted leave to intervene as party-pltf; leave granted William Davis to amend his complaint to dismiss Altamont Dickerson, substitute Donald K. Bruce for Karen Kincannon, add Gov. John N. Dalton; class repersented is changed; all claims under 42 USC 6010 are dismissed, claims against defts Buckley, Kirven and Jean Harris are dismissed, 4th cause of action is dismissed, cause of action under 42 USC 1396 and Code of Va. Sec. 37.1-84.2 is added; 2nd amended complaint attached to motion to amend is hereby filed; all defts except John Dalton granted 20 days to respond to 2nd Amended complaint and proper service to be made upon John Dalton; cause continued generally counsel to notify court when case will be ready for trial in 30 days, ent. 8-17-81, RRMjr, filed. Copies mailed.	jlm
Aug. 17	93	Pltfs' 2nd Amended Complaint, filed. No jury. Summons iss. to Gov. Dalton	jlm
Aug. 17	94	Response in opposition to pltfs' new motion for class determination filed by State defts.	lg
Aug. 17	95	Motion to dismiss second am. compl. filed by dfts. Lukhard & Pendleton.	lg
Aug. 17	96	Memorandum in support of motion to dismiss second am. compl., filed by dfts. Lukhard & Pendleton.	lg
Aug. 21	97	Marshal's Return on Summons Executed, filed.	mkh
Aug. 28	98	ORDER allowing Parents Organization of Southside Va. Training Ctr. to intervene in opposition to motion for class certification ent 8-28-81, RRM, JR., filed. Cps mailed.	LG
Aug. 27*		Pltfs' Response To The Motion To Dismiss Of Defts' Lukhard & Pendleton, filed.	len
Sep. 8	100	Answer, no jury, filed by dfts. Buckley, Kirven & Foster.	LG
Sept. 8	101	Deft's, Jean L. Harris, Answer, filed. No jury.	len
Sept. 8	102	Deft's, Hon. John N. Dalton's, Answer, filed. No jury.	len
Sept. 9	103	Defts Richmond, et al's Motion to dismiss 2nd Amended Complaint, filed	jlm
Sept. 10	104	Deft Richmond's Production of Documents, filed	jlm
Sept. 10	105	Deft's Notice of Hearing on 9-22-81 at 9:00 a.m., filed	jlm
Sept. 10	106	Deft's Motion for order dropping defts Richmond, et al, filed	jlm
Sep. 21	107	Response to Motion to Dismiss of City Defts filed by the pltfs.	JWH
Sep. 21	108	Response to the Motion of the City Defts to be dropped as parties filed by the pltfs.	JWH

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-2-14-79-50M-1534

PLAINTIFF		DEFENDANT	DOCKET NO. <u>80-569-R</u>
WILLIAM DAVIS, ET AL		RICHARD BUCKLEY, ET AL	PAGE <u>5</u> OF <u>    </u> PAGES
DATE	NR.	PROCEEDINGS	
1981			
Sep. 22		IN OPEN COURT: MERHIGE, J. HALASZ, OCR APPEARANCES: PARTIES BY COUNSEL. MATTER CAME ON FOR HEARING ON CITY OF RICHMOND DEFTS' (CITY, HOGAN, FOLEY, HELLMUT & BRUCE) MOTION TO DISMISS. MOTION HEARD; TAKEN UNDER ADVISEMENT. HEARING ON CERTIFICATION OF CLASS SET FOR 11-9-81 AT 1 P.M. (20 MINS.)	JWH
Oct. 26	109	Pltfs' memorandum in support of motion for class certification filed.	LG
**Nov. 16	110	Deft Buckley's Objections to Pltfs' 2nd Request for Production of Documents by Deft Buckley, filed	jlm
Nov. 13	111	Pltf's 2nd Request for Production of Documents by ceft Buckley, filed	jlm
Nov. 17	112	Motion to compel prod. of documents filed by pltf.	lg
Nov. 17	113	Memorandum in support of motion to compel filed by pltfs.	lg
Nov. 17	114	Notice of hrng on motion to compel, returnable 11-25-81, 2 PM filed by pltfs.	lg
Nov. 17	115	Memorandum of Court, filed.	apc
Nov. 17	116	ORDER that Defts' Motions to Dismiss are DENIED, ENTERED by RRMjr on 11/17/81 & filed. Copies mailed.	apc
Nov. 24	117	Intervenors' Supp. Memo., filed (Parents Organization of Southside Va.)	jlm
Nov. 25		IN OPEN COURT: MERHIGE, J. OCR WAIVED BY PARTIES. MATTER CAME ON FOR HEARING ON MOTIONS. PLTFS' MOTION FOR CLASS CERTIFICATION HEARD; TAKEN UNDER ADVISEMENT. PLTFS' MOTION TO COMPEL DISCOVERY HEARD; TAKEN UNDER ADVISEMENT. (50 MINS.)	JWH
Dec. 1	118	Deft. Buckley's Response to Pltfs Second Request for Production of Documents, filed.	apc
Dec. 4	119	Deft. Wm. L. Lukhard's Answer, filed. No jury demand.	apc
Dec. 4	120	Deft. Bailey's Answer, filed. No jury demand.	apc
1982			
Feb. 25	121	ORDER denying pltf's motion for certification of pltf. & deft. class; pltf allowed to add pltfs ent 2-25-82, RRM,JR., filed. Cps to counsel.	LG
Mar. 05	121	Defts' City of Richmond, et al Motion For Order Dropping Defts', filed.	len
Mar. 05	122	Defts' City of Richmond, et al Memorandum In Support of Motion To Drop Parties, filed.	len
Mar. 12	123	Response to motion of City deft. to drop parties, filed by pltfs.	LG
Apr. 13	124	Pltfs', Davis & Smith, Motion For Appointment of Guardian Ad Litem, filed.	len
Apr. 13	125	Pltfs', Davis & Smith, Memorandum In Support of Motion For Appointment of Guardian Ad Litem, filed.	len
Apr. 23	126	Defts', Buckley, et al, Motion For Enlargement of Time, filed.	len
Apr. 26	127	ORDER that time for Intervenors to serve their response to pltfs' motion extended to 5-7-82, ent. 4-26-82, RRMjr, filed. Copies mailed.	jlm
Apr. 27	128	ORDER, that the time in which defts', Buckley, et al have to respond to pltfs' motion for appointment of guardians ad litem is extended through 5/10/82. Ent. by RRM,JR. on 4/27/82 & filed. Copies mailed.	len
Apr. 28	129	Defts' Notice to Take Deposition of Lewis H. Zieske, Jr., on 5/3/82, filed.	len

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	CA-80-0569-R DOCKET NO. _____ PAGE <u>6</u> OF _____ PAGES
WILLIAM DAVIS, ET AL		RICHARD BUCKLEY, ET AL	
DATE	NR.	PROCEEDINGS	
<u>1981</u>			
May 7	130	Intervenors' Memorandum of Points and Authorities in Opposition to Pltfs' Motion for Appointment of Guardians <u>Ad Litem</u> , filed.	mkh
May 12	131	ORDER that time pltfs required to reply to responses to motion for appointment of guardians <u>ad litem</u> extended to and including 5-18-82, ent. 5-12-82, RRMjr, filed. Copies mailed.	jlmm
May 12	132	Deft Buckley, et al's Memo. in Opposition to Pltfs' Motion for Appointment of Guardians <u>ad litem</u> , filed	jlmm
May 18	133	Pltfs' Reply to Response of Defts to Pltfs' Motion for Appointment of Guardians <u>ad litem</u> , filed.	apc
May 21	134	Pltfs' List of Proposed Guardians <u>ad litem</u> and resumes, filed.	mkh
May 25	135	ORDER Pltfs' motion for appointment of persons as guardians <u>ad litem</u> for residents of Southside VA Training Center is DENIED; Pltfs directed to inform Court within 20 days whether intend to join additional pltfs, ENTERED by RRMjr on 5/25/82 & filed. Copies mailed to counsel of record.	apc
June 14	136	Pltf's Letter notice re: joining additional pltfs, recd	jlmm
July 13	137	Pltf Jeanette Booker's Motion for Leave to Proceed <u>in forma pauperis</u> with attached affidavit, filed.	apc
July 15	138	ORDER allowing pltf. Booker to proceed IFP ent 7-15-82, RRM,JR., filed. Cps mailed.	LG
July 15	139	Third Amended Complaint, no jury, filed.	LG
July 27	140	Notice of hearing 8-20-82 filed by defts.	LG
Aug. 20	141	Pltf's Notice of Depositions of Margaret Foley and Donald K. Bruce on Aug. 27, 1982, filed.	mkh
Aug. 20		IN OPEN COURT: MERHIGE, J. OCR WAIVED. APPEARANCES: PLTFS, CITY OF RICHMOND DEFTS, DEFTS LUKHARD & PENDLETON BY COUNSEL. MATTER CAME ON FOR HEARING ON DEFTS HOGAN, FOLEY, CITY OF RICHMOND, HELLMUT, & BRUCE'S RENEWED MOTION TO DISMISS. MOTION HEARD; DENIED. (13 MINS.)	JWH
Aug. 25	142	Motion for extension to answer third am. complaint filed by dfts. City, Hogan, Hellmut, Foley & Bruce.	LG
Aug. 25	143	Motion for summ. jdgmnt with affidavit of Leslie Anderson filed on behalf of dfts. City, Hogan, Hellmut, Foley & Bruce.	LG
Aug. 25	144	Notice of hearing returnable 9-3-82, 9 am filed by dfts. City, Hogan, Foley, Hellmut & Bruce.	LG
Sep. 3		IN OPEN COURT: MERHIGE, J. GEO. HALASZ, REPORTER APPEARANCES: PLTFS, CITY OF RICHMOND DEFTS. MATTER CAME ON FOR HEARING ON CITY OF RICHMOND DEFTS' MOTION FOR SUMMARY JUDGMENT. MOTION NOT HEARD. COURT DIRECTED DEFTS TO FILE MEMO IN SUPPORT OF MOTION; PLTFS TO RESPOND THEREAFTER. HEARING CONT'D GENERALLY. JWH	JWH
Sep. 3	145	Defts City of Richmond, Hogan, Foley, Hellmut & Bruce's Memorandum of Law, filed.	
Sept. 13	146	Pltf's Response to Motion for Sum. Judg. of the City Defts, filed	jlmm
Sept. 17	147	Pltf's Motion To Amend Complaint, filed.	len
Sep. 17		IN OPEN COURT: MERHIGE, J. HALASZ, OCR APPEARANCES: PLTFS & CITY OF RICHMOND DEFTS BY COUNSEL. MATTER CAME ON FOR HEARING ON CITY OF RICHMOND DEFTS' MOTION FOR SUMMARY JUDGMENT. MOTION HEARD; DENIED BY THE COURT. PLTFS' MOTION TO AMMEND THE COMPLAINT HEARD; GRANTED. ORDER ENTERED. (12 MINS.)	JWH
Sep. 17	148	ORDER granting pltfs leave to ammend complaint adding Jeanette Booker as an additional party; removing class action allegations; filing Third Amended Complaint previously filed; granting defts 15 days from this date to respond to Third Amended Complaint entered 9-17-82, filed. Copies to counsel.	JWH

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 80-0569-R
WILLIAM DAVIS, ET AL		RICHARD BUCKLEY, DIRECTOR	PAGE 7 OF _____ PAGES
DATE	NR.	PROCEEDINGS	
<u>1982</u>			
Sept. 30	149	Co-Defts Hogan, et al's Answer to numbered paragraphs of 3rd Amended Complaint, filed	jlm
Oct. 1	150	Deft. Governor Robb's Answer to Third Amended Complaint, filed.	mkh
Oct. 1	151	Deft. Joseph L. Fisher's Answer to Third Amended Complaint, filed.	mkh
Oct. 4	152	Defts Lukhard, et al, Answer to Third Amended Complaint, filed.	mkh
Oct. 4	153	Defts Buckley, et al, Answer to Third Amended Complaint, filed.	mkh
Oct. 6	154	ORDER, that the "Intervenors", Parents Organazation of Southside Training Center, et al, are granted leave to withdraw from further participation in this matter without prejudice. Ent. by RRM,JR. on 10/6/82 & filed. Copies mailed.	len
Oct. 27	155	Pltfs' Request For Entry Upon Land For Inspection, filed.	len
Oct. 27	156	Pltfs' Second Set of Interrogatories To Deft., Buckley, filed.	len
Nov. 17		PTO, Non-Jury, ent. 11-17-82, RRM,JR., filed. Copies to counsel at P/T Conf.	JWH
Nov. 19	157	Defts Buckley, et al's Response to Pltfs' Request for Entry Upon Land, filed.	mkh
Dec. 13	158	ORDERED that the motion of Deft City of Richmond, et al, to be dismissed as parties is DENIED.	mkh
Dec. 13	159	Memorandum of the Court, filed.	mkh
Dec. 29	160	Deft. City of Richmond et al's Notice of Motion on Jan. 14, 1982, filed.	mkh
Dec. 29	161	Deft. City of Richmond, et al's Motion to Reconsider Order Denying Motion to Dismiss, filed.	mkh
Dec. 29	162	Deft. City of Richmond, et al's Memorandum of Law, filed.	mkh
<u>1983</u>			
Jan. 11	163	Pltfs' Response to Motion of City Defts. for Reconsideration, filed.	mkh
Jan. 14		IN OPEN COURT: MERHIGE, J. HALASZ, OCR APPEARANCES: PLTFS & CITY OF RICHMOND DEFTS BY COUNSEL. MATTER CAME ON FOR HEARING ON CITY OF RICHMOND DEFTS' MOTION TO RECONSIDER ORDER DENYING MOTION TO DISMISS. MOTION TO RECONSIDER HEARD; GRANTED. COURT RECONSIDERED ITS RULING ON SAID MOTION & REAFFIRMED SAME BY DENYING SAID MOTION TO DISMISS. ORDER TO ENTER.	JWH
Jan. 19	164	ORDERED that the Court reaffirms its Order of Dec. 13, 1982, Denying Motion of Said Defts to be DISMISSED as parties. ENT 1-19-83, RRMjr, and filed. Copies mailed.	mkh
Jan. 31	165	Defts' City of Richmond's Motion for Continuance, filed.	mkh
Jan. 31	166	Defts' Memorandum in Support of Motion for Continuance, filed.	mkh
Apr. 25	167	Stipulation and Order of DISMISSAL, with attached Agreement, is ADOPTED as JUDGMENT of Court, and DISMISSAL with prejudice SO ORDERED ent 4-25-83, RRMjr, and filed. Copies mailed.	mkh
<u>1984</u>			
Jan 23	168	Deft. City of Richmond's Motion for Extension/Alternate Placement, filed.	mkh
Jan 23	169	Deft. City of Richmond's Memo in Support of Motion for Extension/Alternate Placement, filed.	mkh
Feb. 2	170	Pltfs' Booker's Reply to Defts' Motion for Extension/Alternate Placement, filed.	mkh

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT		DOCKET NO. 80-0569	
WILLIAM DAVIS, et al		RICHARD BUCKLEY, et al		PAGE 8 OF ____ PAGES	
DATE	NR.	PROCEEDINGS		MR.	DATE
1984 Apr. 25	171	ORDERED that Deft City of Richmond's Motion for Extension or Alternate Placement is DENIED as Moot. ENT 4-25-84, RRMjr, and filed. Copies mailed.			

mkh