

DOCKET

TITLE OF CASE

ATTORNEYS

OLIVER BROWN, et al.

*

*Intervening pltfs
11/29/79

v.

BOARD OF EDUCATION OF TOPEKA, SHAWNEE
COUNTY, KANSAS, AND KENNETH McFARLAND,
SUPERINTENDENT OF SCHOOLS OF TOPEKA,
KANSAS, and FRANK WILSON, PRINCIPAL OF
SUMNER ELEMENTARY SCHOOL
** ADD'L DEFTS, 06/13/80

*State of Kansas

*Dismissed 10/10/79

For Plaintiff: Bledsoe, Scott;
Scott and Scott, 410 Kansas Ave
Topeka, Kansas

Thurgood Marshall
107 West 43 St., N.Y. 36, N.Y.
/ Robert L. Carter, Jack Greenb

For Defendant: Lester M. Goodell
George M. Brewster
Columbian Building
Topeka, Kansas

Peter Caldwell, for Bd. of Educ
James Porter Charles Henson
N. England Bldg. 1300 Merchants
Topeka, Kansas 66612 B

Harold R. Fatzner 2nd Floor
Atty. Genl. Kansas Judicial C
State House, Topeka, KS 66612

Basis of action: Federal Question - Permanent injunction and
restraining order to admit negro children to white school

Jury trial claimed by

on , 19

DATE	PLAINTIFF'S ACCOUNT	RECEIVED	DISBURSED	DATE	DEFENDANT'S ACCOUNT	RECEIVED	DISBURSED
2-28-51	Chas.E. Beldsoe	\$15 00		1955			
4-20	U.S. Treas. T-14		15.00	9-12	Board of Education	\$1390 39	
10-1-51	Charles S. Scott	5 00		9-29	Harold Pittell V-104		6.25
10-25-51	Charles S. Scott	18 30		10-8	Charles S. Scott		
1952					V-141		1384.14
Jan. 11	U.S. Treas. T-10		23.30			\$1390.39	\$1390.39

ABSTRACT OF COSTS

RECEIPTS, REMARKS, ETC.

TO WHOM DUE	AMOUNT
Reporter's Fee	6.25
Clerk's fee	38.30
Marshal's fee	25.00
Atty. Fee	20.00
Supreme Ct. Costs	1,300.84
	\$1,390.39

Brown v. Board of Education

USDC No. T-316

USCA No. 87-1668

Attorneys of record at USCA as of 4/27/92:

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CIVIL DOCKET CONTINUATION SHEET

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

PLAINTIFF	DEFENDANT	DOCKET NO. <u>T-316</u>
Oliver Brown, et al	Bd of Ed. Topeka, Shaw Co., Kansas	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
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INTERVENING PLAINTIFFS:

CHARLES and KIMBERLY SMITH,
minor children, by their Mother and next friend,
LINDA BROWN SMITH,

DANIELLE THREATT, a minor child,
by her Mother and next friend,
JUDA GAINES,

SHAWN, TANYA and TARA WOODS,
minor children, by their Mother
and next friend,
JOYCE WOODS,

CORDELLIA MITCHELL and
CONNIE MAXWELL, minor children,
by their Mother and next friend,
BARBARA MITCHELL,

ARLENE JACKSON, a minor child,
by her Mother and next friend,
CHARLENE BURKES,

CARLESIA and CHERYL ROBINSON,
minor children, by their Mother and next friend,
PATRICIA ROBINSIN,

RUFUS D. and MICHELLE KELLEY,
minor children, by their Father and next friend,
RUFUS KELLEY,

JOHN, JACKIE, JOHNNY and VIOLA DAVIS,
minor children, by their Mother and next friend,
RUBY DAVIS,

CIVIL DOCKET CONTINUATION SHEET

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

PLAINTIFF	DEFENDANT	DOCKET NO. <u>T-316</u>
Oliver Brown, et al	Board of Educaiton of Topeka, et al	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
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ADDITIONAL DEFENDANTS

~~STATE OF KANSAS~~ - DISM 06/13/80

~~JOHN CARLIN, GOVERNOR OF THE STATE OF KANSAS~~
add'l deft 06/13/80 DISM 09/30/86
DOROTHY GROESBECK, Add'l deft 06/13/80

KAY GRONEMAN, Add'l deft 06/13/80

RUTHANN OELSNER, Add'l deft 06/13/80

~~FLOYD J. GRIMES, ---Add'l deft 06/13/80~~ Removed &
DALE CAREY, Substituted 03/28/83, Deft
~~HAROLD H. CRIST, ---Add'l deft 06/13/80~~, Removed &
ANN KEENER, Substituted 03/28/83, Deft
MARILYN HARWOOD, Add'l deft 06/13/80

~~JOHN BERGNER, ---Add'l deft 06/13/80~~, Removed &
THEODORE VON FANGE, Substituted 03/28/83, Deft
JIM HIEBERT, Add'l deft 06/13/80

DENISE APT., and Add'l deft 06/13/80

EVELYN WHITCOMB, Add'l deft 06/13/80

MEMBERS OF THE STATE OF KANSAS BOARD OF
EDUCATION, all of their official capacities
Amended 06/13/80

PLAINTIFF	DEFENDANT	DOCKET NO. <u>T-316</u>
Oliver Brown	Bd. of Education	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
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1979

LIST OF ATTORNEYS

✓ Richard E. Jones

~~724 1/2 Kansas Avenue~~ 605 S.E. Quincy, Suite 1503 S.E. Quincy
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Topeka, Kansas 66603

(Applicants)

Joseph D. Johnson

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(Applicants)

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66603

Christopher A. Hansen

~~Bruce J. Ennis, Jr.~~, Nonresident Atty. (See below)

Nat'l. Legal Director of the American Civil Liberties Union

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New York, NY ~~10016~~ 10036 (212) 944-9800

~~E. Richard Larson, Nonresident atty~~ (Sent to Director of Above)
(same address as Bruce J. Ennis)

Charles Henson & Gary Sebelius (primarily Gary), Ann Baker

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Topeka, Kansas ~~66612-~~ 66601 913-232-2200

Dan Biles

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- Dan Biles

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913-661-0222

(State of Kansas)

-Karen-A.-Nichols- Carl A. Gallagher, Robert T. Stephan

Assistant Attorney General

Kansas Judicial Center

301 W. 10th St.

Topeka, Kansas 66612

(913) 296-2215 State Board of Education

(John Carlin, State Board of Education)

DATE 1951	FILINGS--PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
1-Feb. 28	Complaint filed. Summons issued to US Marshal.	\$15.00		15.00
2-Mar. 1	Order for service, etc. entered Mellott-J Attested copy of order with copies for service issued to Marshal; Certificate of service filed. (Clerk)			
Mar. 2	Copy of complaint and order transmitted registered mail to the Governor and the Attorney General for the State of Kansas			
3-Mar. 5	Order of the Chief Judge of USCA designating Judge Huxman, Judge Mellott and Judge Hill to constitute a three judge court; Certificate of service filed. (Clerk) Copy of order and complaint transmitted to each of the above three judges. Copy of the order mailed to attorneys for plaintiff Governor and Attorney General and each of the defendants.			
4-Mar. 9	Summons returned by the Marshal and filed: Kelsey Petro, President of the Board of Education of Topeka, Shawnee County served personally on March 1, 1951. Frank Wilson served personally on March 1, 1951 Kenneth McFarland served personally on March 5, 1951. Fees: \$6.00			
5-Mar. 9	Certified copy of Order returned by the Marshal and filed. Kelsey Petro, Frank Wilson, and Kenneth McFarland served personally at Topeka, Kansas on March 5, 1951. Fees: \$6.00			
6-Mar. 22	Notice of plaintiffs' amended complaint filed.			
7-Mar. 22	Amended complaint filed.			
8-Apr. 13	Motion for additional time to plead filed.			
9-Apr. 16	Order granting until May 15, 1951, for defts. to answer or otherwise plead. (Huxman-J)			
10-May 15	Defendants' motion for a more definite statement and to strike filed.			
11-May 16	Affidavit of service filed; Certificate of service filed. (Clerk)			
May 25	At Topeka, Hill, Huxman & Mellott-J; denied except as to paragraph which is to be amended; pltf given 5 days to amend paragraph 8 and deft. to have 5 days to plead or 10 days to answer.			
12-May 29	Amendment to paragraph eight of the amended complaint filed.			
13-Jun 4	Order stating that hearing is set for June 25, 1951, at Topeka and requesting copy of same be sent by register- ed mail to Governor and Attorney General for the State of Kansas entered. (Mellott-J)			
Jun 5	Copy of above order mailed to Governor and Attorney General by registered mail at 10:00 A. M.			
14-Jun 5	Certificate of service filed; copy of order mailed to counsel for pltf and deft.			
15-Jun 7	Answer of defendants to amended complaint as amended in paragraph 8 thereof filed.			
June 11	At Kansas City, Mellott-J: Attorney General Fatzer appears before the court and lodges oral motion on behalf of State of Kansas to file intervening pleadings within five days. Upon consideration of the oral motion Court allows said motion. Reporter's transcript of proceedings to be furnished counsel counsel of record; item to be taxed as costs in case			

Oliver Brown, et al -vs- Board of Education of Topeka, et al

DATE	FILINGS-PROCEEDINGS	CLERK'S FEES		RE EN I
		PLAINTIFF	DEFENDANT	
1951				
16-Jun 15	Separate answer of the State of Kansas filed.			
17-Jun 18	Certificate of service filed. (Clerk)			
18-Jun 20	Praeipe for subpoenas filed; subpoenas issued to Marshal.			
19-Jun 20	Defendants' request for stipulation filed.			
20-Jun 20	Defendants' supplemental request for stipulation filed.			
21-Jun 22	Praeipe for subpoena for one witness filed.			
22-Jun 22	Praeipe for subpoenas for 8 witnesses filed.			
23-Jun 22	Requested stipulations by plaintiffs filed.			
Jun 22	At Topeka, Huxman-Mellott-J; pre-trial proceedings held and Charles E. Bledsoe, John Scott, Robt. L. Carter and Jack Greenberg (both of N. Y. City) appeared for pltf.; George Brewster and Lester Goodell appeared for deft.; Chas. H. Hobart and Willis McQueary for State of Kansas.			
24-Jun 25	Return on subpoena to Dorothy Crawford filed; personal service at Topeka, Ks., on 6/23/51, by Stanley L. Smith.			
25-Jun 26	Marshal's return on subpoenas to Kelsey Petro, Oliver Brown and Zelma Henderson filed; residence service on June 22, 1951, at Topeka, Ks. Marshal's return on Kenneth McFarland filed; personal service on June 22, 1951, at Topeka, Ks. FEES: \$2.00			
26-Jun 26	Marshal's return on 4 witnesses filed; Lena Carper, Sadie Emanuel and Lucinda Todd served personally on June 22, 1951, at Topeka, Ks.; Silas Fleming served by residence on 6/22/51 at Topeka, Ks. FEES: \$2.00			
27-Jun 26	Marshal's return on Rev. Bernard E. Hurd filed; residence service on June 22, 1951, at Topeka, Ks. FEES: \$.50			
28-Jun 26	Marshal's return on 4 witnesses filed; personal service on Marguerite Emmerson, Darlene Watson and Shirley Hodison on June 22, 1951, at Topeka, Ks. Residence service on J. V. Richardson on June 22, 1951, at Topeka, Ks. FEES: \$2.00			
Jun 25	At Topeka, Huxman, Mellott and Hill-J; case on trial to the Court and 20 witnesses sworn.			
Jun 26	At Topeka, Huxman, Mellott and Hill-J; case on trial and 6 witnesses sworn, counsel argued case orally and pltf. given 15 days to file briefs; deft. given 20 days to file briefs.			
29-Jun 26	Transcript of proceedings which took place at Kansas City before Judge Mellott on June 11, 1951, when the Atty. General (Fatzner) appeared on behalf of State of Kansas filed. (Harold Pittell) REPORTER'S FEES: \$6.25			
30-Jun 26	Marshal's return on subpoenas to 3 witnesses filed; C. G. Grimes served personally on June 22, 1951, at Topeka, Ks.; residence service on Thelma Mifflin and A. H. Saville on 6/22/51 at Topeka, Ks. FEES: \$4.50			
31-Jun 26	Marshal's return on subpoenas to 3 witnesses filed; residence service on Mrs. David Neiswanger and Marlin Casey on 6/22/51 at Topeka, Ks.; Kenneth Hobbs not found. FEES: \$1.00			
32-Jun 26	Marshal's return on subpoenas to 2 witnesses filed; personal service on Charles R. Bennett on 6/22/51 at Topeka, Ks.; residence service on Rosie Steele on 6/22/51 at Topeka, Ks. FEES: \$1.00			
33-Jul 23	Proposed findings of fact filed; by plaintiffs.			
34-Jul 23	Plaintiffs' brief filed.			

DATE 1951	FILINGS—PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
5-Jul 23	Brief of defendants filed.			
6-Jul 24	Defendants' requested findings of fact and conclusions of law filed; copies of plaintiffs' briefs, defendants' briefs, plaintiffs' proposed finding of fact-proposed conclusions of law, defendants' requested findings of fact and conclusions of law furnished to Judge Mellott and Judge Hill on 7/26/51.			
7-Aug 3	Findings of fact and conclusions of law entered. (Huxman, Mellott, Hill - J)			
8-Aug 3	Opinion entered. (Huxman, Mellott, Hill-J)			
9-Aug 3	Final decree finding for the defendants entered. (Huxman, Mellott, Hill - J)			
	Counsel served opinion, findings of fact and decree.			
10-Aug 27	Order entered to correct certain typographical errors made in the certified record filed in the Court. Copies (Certified) mailed to Brewster and Goodell, Scott, Bledsoe, Scott and Scott and Harold Pittell, Court Reporter. (Huxman-J)			
1-Oct. 1	Petition for Appeal filed on behalf of plaintiffs	\$ 5	00	5.00
12-Oct. 1	Assignment of Errors and Prayer for Reversal filed			
13-Oct. 1	Order allowing appeal entered (Huxman, J)			
14-Oct. 1	Citation on Appeal issued and filed (Huxman, J)			
15-Oct. 1	Cost Bond approved and filed (\$500-Fid.&Dep. Co. of Md.):			
16-Oct. 1	Statement as to Jurisdiction filed			
17-Oct. 1	Statement required by Par. 2 Rule 12 of Rules of Supreme Court of the United States filed			
18-Oct. 1	Acknowledgment of Service by Counsel for Appellees filed			
19-Oct. 5	Præcipe filed			
20-Oct. 16	Transcript of proceedings June 25 and 26, 1951, filed			
21-Oct. 30	Transcript of Pre-Trial Conference filed			
2-Nov. 5	Order extending time to file and docket record on appeal twenty days from November 9, 1951, entered (Huxman, J.)			
Nov. 14	Record on Appeal prepared and transmitted to Supreme Court of the United States	18	30	18.30
1952 Feb 22	J.S. 6 card made.			
1955 3-Jun 30	Mandate of the Supreme Court of the United States with Opinions of the Court filed - District Court reversed and cause remanded. Plaintiff for recover costs from defendant Fee endorsed \$1,300.84			
14-Aug 2	Plaintiffs' Motion For Hearing On Formulation Of Decree And Judgment filed.			
55-Aug 25	Order calendaring matter for hearing at Topeka, Kansas, Thursday, September 15, 1955, at 9:30 a.m. entered (Huxman-Mellott-Hill) Copies mailed to all counsel.			
Sept 8	Subpoena duces tecum issued. (Witness for plaintiff)			
56-Sep 10	Subpoena duces tecum returned and filed. Wendell Godwin served 9-9-55. FEE: .50 (pd. by plaintiff)			
Sep 15	At Topeka, Huxman-Mellott-Hill: On formulation of decree and judgment, plaintiff to submit brief within 20 days; defendant to submit reply brief 20 days thereafter.			
57-Oct 5	Memorandum in support of plaintiffs' claim filed. (Copies mailed to Judge Huxman, Mellott, Hill)			
58-Oct 8	Order of disbursal entered Huxman-J			
59-Oct 20	Defendant's memorandum brief filed (copies to Judges Huxman, Mellott, Hill)			

DATE 1955	FILINGS-PROCEEDINGS	CLERK'S FEES		AMO REPORT EMOLL RETL
		PLAINTIFF	DEFENDANT	
60-Oct 28	Opinion and Order, in favor of school board, retaining jurisdiction until full compliance with mandate, entered Huxman, Mellott, Hill			
Oct 28	Copies to all counsel, judges			
<u>1974</u>				
61-Aug 27	Motion of pltf in T-5430 to consolidate this case with 74-160-C5 and T-5430 with memorandum in support of motion of consolidation attached			
<u>1975</u>				
62-Jul 18	At Topeka, Templar-SRJ-Assigned: Pltf's motion to consolidate T-5430 with this case - taken under advisement.			
<u>1979</u>				
63-Aug 22	MOTION of applicants to intervene as named pltfs.			
64-Aug 22	MEMORANDUM of pltfs in support of motion to intervene as named pltfs.			
65-Aug 22	MOTION of intervening pltfs for an order commanding compliance with the Supreme Ct. Mandate to desegregate the Schools in the case of <u>Brown v. Board of Education of Topeka, 349 US 294</u>			
66-Aug 22	MEMORANDUM of intervening pltfs in support of motion to command compliance.			
67-Aug 30	AMENDED MOTION of Applicants to intervene as named pltfs.			
68-Sep 4	ORDER-ENTERED-ROGERS-J: Hearing 9/21/79 at 8:00 to establish briefing & hrg schedules for pending motions cc to counsel			
69-Sep 21	At Topeka, Rogers-J: Applicants' motion to intervene as named pltfs--pending. Intervening pltfs' motion for order commanding compliance with Supreme Court Mandate--pending. Amended motion of applicants to intervene as named pltfs--pending. Defts to file response to applicant's motion to intervene within 3 weeks. Applicants(pltfs) may respond 2 weeks thereafter. Hearing set 11/9/79 at 9:00 a.m. If necessary, State of Kansas to submit J/E to parties requesting they be dismissed from further proceedings.			
70-Oct 10	ORDER-ENTERED-ROGERS-J: Deft, State of Kansas dismissed as a party deft in any further proceedings in the captioned matter. cc to counsel.			
71-Oct 15	ORDER-ENTERED-ROGERS-J: Motion of UFD No. 501 granted & shall have until 10/17/79 to file response to applicants' motion to intervene cc to counsel.			
72-Oct 17	BRIEF of USD No. 501 in opposition to intervention.			
73-Oct 19	Reporter's Transcript of Proceedings heard on 9/21/79.			
74-Oct 31	ORDER-ENTERED-ROGERS-J: Proposed intervenors have until 11/6/79 to file reply brief to deft's brief in opposition to intervention. cc to counsel.			
75-Nov 6	BRIEF of Applicants in REPLY to deft's brief in opposition to intervention			
76-Nov 9	MOTION of Richard E. Jones to admit nonresident attys			
77-Nov 9	AT-TOPEKA-ROGERS-J: Intervening Pltfs Motion to Admit Non-Resident Attorneys - Sustained. Applicants Motion to Intervene as Named Pltfs - u/a, Court to issue an Order			

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DATE	FILINGS-PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED EMOLUMEN RETURNS
		PLAINTIFF	DEFENDANT	
1979				
78-Nov 29	ORDER-ENTERED-ROGERS-J: Motion to intervene as named pltfs be, & is hereby, granted. cc to counsel			
79-Dec 10	MOTION of USD #501, to amend interlocutory order			
80-Dec 10	BRIEF of defts in support of motion to certify under 28 U.S.C.A., 1292(b)			
81-Dec 11	Certificate of Correction by defts of mailing			
82-Dec 21	OBJECTION of pltf-Intervenors to motion to amend interlocutory order			
83-Dec 28	ORDER-ENTERED-ROGERS-J: Deft's motion for certification pursuant to 28 U.S.C. Section 1292(b), is denied cc to counsel			
1980				
84-Jan 2	ORDER-ENTERED-CROW-Mag: Partial pretrial conference of 01/02/80 cc to counsel			
85-Jan 24	Pltfs-Intervenors' notice of service of interrogatories			
86-Feb 28	ORDER-ENTERED-CROW-Mag: USD#501 has until 03/26/80, to answer or object to interrogatories by intervening pltfs.			
87-Mar 26	ORDER-ENTERED-CROW-Mag: USD #501 has until 04/26/80 to answer or object to interrogatories & respond to requests for production by intervening pltfs cc to counsel			
88-Mar 27	MOTION of pltfs for class certification			
89-Mar 27	MEMORANDUM of pltfs in support of motion for class certification			
90-Mar 27	MOTION of pltfs to add Governor & State Bd. of Ed. Members as defts			
91-Mar 27	MEMORANDUM of pltfs in support of pltfs' motion to add Governor & Bd. of Ed. Members			
92-Mar 27	MOTION of pltfs to revise order dismissing State of Kansas as deft			
93-Mar 27	MEMORANDUM of pltfs in support of motion to revise order dismissing deft			
94-Apr 9	MOTION of deft USD for add'l 30 days to respond to pltfs' motion to revise order dismissing State of Kansas as party deft, pltfs' motion for class certification & pltfs' motion to add Governor & State Bd. of Ed. members as defts			
95-Apr 11	MINUTE ORDER-ENTERED-Clerk: BY DIRECTION OF THE HONORABLE RICHARD D. ROGERS: Deft, USD granted add'l 30 days to respond to pltfs' motion to revise order dismissing State of Kansas as pty deft, for class certification & to add Governor & State Bd. of Ed. members as defts cc to counsel			
96-May 22	ORDER-ENTERED-ROGERS-J: Hearing scheduled for 06/06/80, rescheduled for 06/13/80, 9:30 a.m. cc to counsel			
97-May 30	MOTION of pltfs in RESPONSE to deft's objection to interrogatories & compelling answer			
98-Jun 9	BRIEF of State of Kansas responding to pltfs motion to add Governor			
99-Jun 12	RESPONSE of USD #501 to intervening pltfs' motion for class certification			
100-Jun 13	AT-TOPEKA-ROGERS-J: Hearing on All Pending Motions - Pltf's Motion for class action certification - granted & cert. class shall consist of all black students now enrolled or will be enrolled in the future in USD #501. The Court further finds that no notice to the class is necessary. Pltf's Motion to revise order dismissing State of Kansas as party Deft, U/A Pltf's Motion to add the Governor of State of Kansas & the Kansas State Bd. of Ed. as party deft - U/A			
101-Jun 13	ORDER RULING ON CLASS ACTION MOTION-ENTERED-ROGERS-J: Pltfs' motion to revise order dismissing State of Kansas granted. Pltfs' motion to add parties granted cc to counsel			
Jun 20	JS-5 ppd			

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CIVIL DOCKET CONTINUATION SHEET

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

PLAINTIFF		DEFENDANT	DOCKET NO. <u>T-316</u>
Oliver Brown, et al		Bd. of Education of Toepka, et al	PAGE <u>6</u> OF <u> </u> PAGES

DATE	NR.	PROCEEDINGS
<u>1980</u>		
Aug 18	102	Certificate of Compliance w/Rule 17(i) by Richard E. Jones, counsel for pltfs
Aug 18	103	AMENDED MOTION & MEMORANDUM of pltfs for an order commanding compliance w/Supreme Ct.'s Mandate to desegrate
Aug 18	104	MOTION of pltfs to specially appoint server of process
Aug 18	105	ORDER APPOINTING PERSON TO SERVE PROCESS-ENTERED-Clerk: Sabrina Wells George appointed to serve summons & amended motion & memorandum upon defts
Aug 19		Attested copy of Order Appointing Person to Serve Process w/ summons & amended motion & memorandum issued to Richard E. Jones
Aug 21	106	Certificate of Service by Sabrina Wells George Special Process Server, served summons & amended motion & memorandum for an order commanding compliance w/ Supreme Ct's Mandate to Desegrate upon: Governor John Carlin, State Bd. of Ed memberr, Dorothy Groesbeck, Kay Groneman, Ruthann Olesner, Floyd J. Hiebert, Denise Apt & Evelyn Whitecomb by serving Mr. John Jossierand, Asst to Sec. of State, Topeka, Kansas, 08/19/80
Sep 8	107	MOTION of deft Carlint to dismiss for insufficiency of service of process w/MEMO-RANDUM
Sep 18	108	RESPONSE of USD #501 to pltfs' motion in response to deft's objection
Sep 25	109	SUPPLEMENTAL RESPONSE of Unified School Dist. No. 501 to Pltf's Motion in Response to Deft's Objection
Oct 2	110	REPLY of pltfs to deft's supplemental response
Oct 6	111	MEMORANDUM & ORDER-ENTERED-CROW-Mag: Discovery matters outlined cc to counsel
Oct 7	112	ORDER-ENTERED-CROW-Mag: Partial p/t conf., 10/06/80 cc to counsel
Oct 16	113	MOTION of pltfs for review of order limiting discovery entered 10/07/80 w/MEMO-RANDUM in support
Oct 27	114	MOTION of USD #501 for an enlargement of time to respond to intervening pltfs' motion for review of order limiting discovery
Nov 6	115	ORDER-ENTERED-CROW-Mag: USD #501, has until 12/05/80 to answer interrogatories cc to counsel
Nov 7	116	RESPONSE of USD #501 in opposition to intervening pltfs' motion for review of discovery order
Dec 4	117	MOTION of Unified School Dist. #501 for Enlargement of time of 30 days to 1/4/81
Dec 11	118	ORDER-ENTERED-CROW-Mag: Deft's Motion for Enlargement of time is granted until January 4, 1981 for response to intervening pltf's interr. cc: to counsel
<u>1981</u>		
Jan 5	119	MOTION of Deft. USD 501 for Enlargement of Time to answer Pltfs' Interr-1st Set
Jan 9	120	ORDER-ENTERED-CROW-Mag: Motion of USD #501 for enlargement of time in which to answer Interr. until 2/2/81 is granted cc: to counsel
Feb 2	121	MOT of USD#501 for enlargement of time to answ intervening pltfs' interrog.
Feb 23	122	ORDER-ENTERED-CROW-Mag: Deft's Motion for enlargement of time is granted cc: to counsel
Mar 4	123	MOT of USD#501 for enlargement of time to answer intervening pltfs' interrog
Mar 10	124	MOTION of pltfs for order compelling discovery w/Certificate of Compliance
Mar 24	125	RESP of USD #501 to pltfs' mot for order compelling discovery & further support of School Dist's mot for enlargement of time
Apr 1	126	ORDER-ENTERED-CROW-Mag: Mot of USD #501 for an enlargement of time to answer remainder of intervening pltfs' interrog, granted Application for atty's fees & exp denied cc to counsel

CIVIL DOCKET CONTINUATION SHEET

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PLAINTIFF	DEFENDANT	DOCKET NO. <u>T-316</u>
OLIVER BROWN, et al	Board of Ed.	PAGE <u>7</u> OF <u> </u> PAGES

DATE	NR.	PROCEEDINGS
<u>1981</u>		
Sept 1	127	MOT of USD 501 for ext of discovery
Sept 10	128	ORDER-ENTERED-CROW-Mag: USD granted to 10/3/81 to propound discovery req cc to counsel
Oct 6	129	Notice of svc of interrog & req for production by USD#501
Oct 30	130	Notice of svc of interrog to Bd. of Ed. by pltf's
Nov 9	131	MOT of pltf's for ext of time to answer interrog by USD #501
Nov 20	132	ORDER-ENTERED-CROW-Mag: Pltf granted to 01/05/82 to resp to interrog of USD#501 cc to counsel
Nov 25	133	MOT of USD #501 for add'l time to answer or obj to intervening pltf's' interrog
Dec 7	134	ORDER-ENTERED-CROW-Mag: USD#301 to comply w/Rule 15(a) of Local rules cc to counsel
Dec 9	135	MOT of USD#501 for an enlargement of time to resp to intervening pltf's' 2nd set c interrog, req for production of documents
Dec 29	136	ORDER-ENTERED-CROW-J: USD #501 granted to 01/29/82 to answer or object to 2nd set of interrog & resp to req for production by intervening pltf's cc to counsel
<u>1982</u>		
Feb 1	137	MOT of pltf's to enlarge time to answer interrog submitted by USD#501
Feb 4	138	ORDER-ENTERED-ROGERS-J: Pltf's have to 03/08/82 to answer interrog & resp to req for production by USD#501 cc to counsel
Feb 5	139	ORDER-ENTERED-ROGERS-J: Unified School District 501 shall have until March 30, to answer or object to interr.-Second Set and respond to the Request for Production served by the intervening pltf's. cc: to counsel
Mar 12	140	MOT of pltf's to enlarge time to answer interrog #4-21
Mar 25	141	ORDER-ENTERED-CROW-J: Pltf's granted to 05/17/82 to resp to USD #501's interrog 4 - 21 cc to counsel
Apr 7	142	ORDER-ENTERED-ROGERS-J: USD 501 has to 04/29/82 to resp to interrog 2,7,8 &9 of intervening pltf's interrog, 2nd set & resp to req for production cc to counsel
Jun 1	143	MOTION of pltf to appt special process server
Jun 1	144	ORDER-FOR SERVICE OF PROCESS-ENTERED-Clerk: Celeste Wayne is appt to serve process in this action cc: to pltf's counsel
Jun 1	145	<u>AMENDED COMPLAINT</u>
Jun 1		Summons issued on add'l defts - John Carlin, Gov. and The State of Kansas
Jun 30	146	ORDER-ENTERED-SAC-J: 04/16/82 status conf., discovery deadlines outlined, statu conf sched for 11/01/82, 9:30 a.m. cc to counsel
Jul 6	147	MOTION of Deft. State Dept of Education to Dismiss and Motion for Protective Ord
Jul 6	148	<u>ANSWER</u> of Governor John Carlin to Intervening Pltf's Amended Complaint
Jul 7	149	Notice of deft John Carlin of service of first set of Interr propounded to inter Pltf's by deft
Jul 12	150	ORDER-ENTERED-GTV-Mag: USD #501 has to 09/05/82 to resp to interrog & request f production by intervening pltf's cc to counsel
Oct 21	151	MOT to specially appoint server of process
Oct 21	152	ORDER FOR SVC OF PROCESS-Entered-Clerk: Candy A. R. Glenn appointed to serve summons & complaint on add'l defts of 06/01/82

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-7-14-80-70M-439

PLAINTIFF		DEFENDANT	DOCKET NO. <u>T-316</u>
OLIVER BROWN, et al		BOARD OF EDUCATION OF TOPEKA, et al	PAGE <u>8</u> OF <u> </u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1982</u>			
Oct 22		Summons issued to pltf's counsel for svc on add'l defts	
Oct 27	153	ORDER-ENTERED-RDR-J: Deft's mot to dismiss sustained to dismissing St. Bd. of Ed. as deft. Interrog directed to Bd. need not be answered. Members of St. Bd. of Ed. that have been made defts not dismiss & shall not be protected from answering interrog cc to counsel	
Oct 29	154	Summons returned by Candy Glenn, served summons and amended complaint on Leslie Kulick, Assistant Attorney General, for Gordon Schultz, 10/22/82	
Oct 29	155	Summons returned by Candy Glenn, served summons and amended complaint on Leslie Kulick, Assistant Attorney General, for Robert Clemmons, 10/22/82	
Oct 29	156	Summons returned by Candy Glenn, served summons and amended complaint on Leslie Kulick, Assistant Attorney General, for Alicia Salisbury, 10/22/82	
Oct 29	157	Summons returned by Candy Glenn, served summons and Amended Complaint on Leslie Kulick, Asst. Atty Gen., for Evelyn Whitcomb, 10/22/82	
Oct 29	158	Summons returned by Candy Glenn, served summons and Amended Complaint on Leslie Kulick, Asst. Atty Gen., for Harold Crist, 10/22/82	
Oct 29	159	Summons returned by Candy Glenn, served summons and Amended Complaint on Leslie Kulick, Asst. Atty Gen., for Floyd Grimes, 10/22/82	
Oct 29	160	Summons returned by Candy Glenn, served summons and Amended Complaint on Leslie Kulick, Asst. Atty Gen., for Mrs. Kay Groneman, 10/22/82	
Oct 29	161	Summons returned by Candy Glenn, served summons and Amended Complaint on Leslie Kulick, Asst. Atty Gen., for Marilyn Harwood, 10/22/82	
Oct 29	162	Summons returned by Candy Glenn, served summons and Amended Complaint on Leslie Kulick, Asst. Atty Gen., for John Bergner, 10/22/82	
Oct 29	163	Summons returned by Candy Glenn, served summons and amended complaint on Leslie Kulick, Asst. Atty Gen., for Kathleen White, 10/22/82	
Oct 29	164	Summons returned by Candy Glenn, served summons and amended complaint on Leslie Kulick, Asst Atty Gen., for State Department of Education, 10/22/82	
Oct 29	165	Summons returned by Candy Glenn, served summons and amended complaint on Leslie Kulick, Asst. Atty Gen., for Merle R. Bolton, 10/22/82	
Nov 1	166	Certificate of Compliance by Gov. John C. Carlin	
Nov 5	167	MEMORANDUM & ORDER-ENTERED-RDR-J: Decision denying pltf's mot to compel USD #50 to answer interrog asking information for 10 yr. period prior to 1950-51 school year reversed & remanded for further proceedings by court 12/03/82, 8:30 a.m. cc to counsel	
Nov 10	168	MOT of defts for ext of time to answer complaint on intervening pltf's	
Nov 12	169	RESP of pltf's to Carlin's mot to compel & Answers to Carlin's 1st set of interrog	
Nov 16	170	REPLY of John C. Carlin to Intervening pltf's resp to mot to compel	
Nov 22	171	ORDER-ENTERED-RDR-J: Hearing currently sched 12/03/82 reset for 9:30 a.m. cc to counsel	
Dec 1	172	SUPPLEMENTAL MEMO in support of Pltf's motion to compel	
Dec 3	173	POSITION STATEMENT of USD No. 501 regarding the Oppressive and Unduly Burdensome Nature of Attempting to compile answers to Intervening pltf's Interr - First Set for the 1940-1950 Period	
Dec 3	174	AT-TOPEKA-ROGERS-J: Deft Carlin's motion for ext of time is granted. Deft Carlin's motion to compel is moot. Intervening pltf's motion to compel is U/A, Court to issue an order to include discovery deadlines. Deft Board of Ed. granted leave to file add'l pleadings by 12/17/82.	
Dec 15	175	ANSWER of Groneman, Grimes, White, Salisbury, Crist, Harwood, Bergner, Whitcomb, Clemmons, Schultz & Bolton to Intervening pltf's Amended Complaint	

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CIVIL DOCKET CONTINUATION SHEET

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PLAINTIFF		DEFENDANT	DOCKET NO. <u>T-316</u>
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DATE	NR.	PROCEEDINGS	
<u>1982</u>			
Dec 22	176	MOT of Bd. Members to join in answers to interrog of deft Bolton	
<u>1983</u>			
Jan 20	177	MOT of Floyd Grimes, Harold Crist & John Bergner for dismissal as ptys & substitution	
Mar 18	178	AT-TOPEKA-RDR-J: Status Conf - Defts agreed upon Order to be submitted to Cou USD 501 to submit completed answers to interrog by 06/01/83. Pltfs to submit answers to defts' interrog by 08/01/83. Deft, Bd. Members' Mot to join in answers to interrog of Deft, Bolton - Granted. Mot of Floyd Grimes, Harold Crist & John Bergner for dism as ptys & to substitute new bd. members granted St. of Ks. to submit an order	
Mar 18	179	ORDER-ENTERED-RDR-J: Solution of intervening pltfs' mot to compel answers to interrog for 1940-1950 time period. cc to counsel	
Mar 18	180	PROTECTIVE ORDER-ENTERED-RDR-J: Stipulation of intervening pltfs & USD #501 regarding interrog p,q & r of interrog No. 9 of 1st set for 10 yr period prio to 1950-51 school year cc to counsel	
Mar 28	181	ORDER-ENTERED-RDR-J: Grimes, Crist & Bergner removed as defts & Dale Carey, Ann Keener, & Theodore Von Fange substituted as defts cc to counsel	
Oct 19	182	ORDER-ENTERED-ROGERS-J: Status Conf set for November 8, 1983 at 8:30 am cc: to counsel	
Nov 8	183	AT-TOPEKA-ROGERS-J: Status Conf-Parties to submit an Agreed Order	
<u>1984</u>			
Feb 7	184	Entry of Appearance by Dan Biles and Notice of Withdrawal by Leslie Kulick as counsel for Defts John Carlin, State Board of Ed. and members	
Mar 27	185	ORDER-ENTERED-ROGERS-J: the intervening pltfs shall have until April 15, 1984 to answer the interrogatories previously served by U.S.D. No. 501 cc: to counsel	
Apr 19	186	MOTION of Richard E. Jones to Substitute Nonresident Attorney	
Apr 30	187	Certificate of Service of Interrogatories	
May 4	188	ORDER-ENTERED-ROGERS-J: Status conf scheduled for May 30, 1984 is cancelled and rescheduled for June 7, 1984 at 8:30 am cc: to counsel	
May 4	189	ORDER-ENTERED-ROGERS-J: Court permit Susan G. Borge to remove the trial transcript for the purpose of photocopying and return by 4:30 p.m. cc to counsel	
May 10	190	MINUTE ORDER-ENTERED-Clerk: Motion of intervening pltfs to substitute Christopher A. Hansen for Bruce J. Ennis, Jr. as nonresident counsel is granted. cc: to counsel	
May 11	191	Notice to Take Deposition of Various School District Personnel, 06/07/84	
Jun 7	192	AT-TOPEKA-ROGERS-J: Status Conf. Interim Schedule to be submitted by 01/15/84 Parties to submit a Formal Order	
Jun 7	193	PROTECTIVE ORDER PURSUANT TO STIPULATION-ENTERED-ROGERS-J cc: to counsel	
Jun 12	194	ORDER-ENTERED-ROGERS-J: Stipulated pretrial schedule outlined cc: to counsel	
Jul 31	195	Certificate of Service	
Jul 31	196	Certificate of Service	
Jul 31	197	Certificate of Service	

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-2-14-79-50M-153

PLAINTIFF	DEFENDANT	DOCKET NO.
OLIVER BROWN, ET AL.,	BOARD OF EDUCATION, et al.,	T-316
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DATE	NR.	PROCEEDINGS
1984		
Aug 16	198	MEMORANDUM AND ORDER-ENTERED-ROGERS-J: meeting scheduled for September 5, 1984 at 9:00 am between the parties and CRS to discuss the CRS mediation process. cc: to counsel
Dec 06	199	Certificate of Service
Dec 06	200	Certificate of Service
Dec 06	201	Certificate of Service
Dec 06	202	Certificate of Service
1985		
Jan 15	203	AT-TOPEKA-ROGERS-J: Status Conf--All Pltfs' Expert Reports to be furnished to the defts by 03-01-85. All interrogatories and all other matters to be completed and furnished by the defts by 03-01-85. Status Conf set for 03/04/85 at 9:30 am
Jan 18	204	ORDER-ENTERED-ROGERS-J: the court hereby directs the defts to complete their responses to pltfs' interrogatories by March 1, 1985; that pltfs supply defts with all expert reports by March 1, 1985 and that the next status conference be held in this case on March 4, 1985 at 8:30 am cc: to counsel
Jan 23	205	Entry of Appearance by Karen A. Nichols as counsel for Defts Carlin, State Board of Education and Individual Members
Feb 7	206	ORDER-ENTERED-ROGERS-J: Status conference is rescheduled for 3-7-85 at 8:30 a.m. cc to counsel
Mar 7	207	AT-TOPEKA-ROGERS-J: Status Conf--all depositions to be completed and Foster/Lamb reports to be submitted to the court by 09/01/85. Pre-Trial Order to be issued in September. Court to issue a Short Order
Mar 7	208	ORDER-ENTERED-ROGERS-J: Court directs all sides in this matter to identify their experts, exchange their experts' reports and complete all depositions by September 1, 1985. At this time, the court expects the parties to be prepared to formulate a final pretrial order. It is further directed that principal counsel for the parties in this case write the court at the first of each month to inform the court of their progress in meeting this deadline. cc: to counsel
May 31	209	Notice of Service of Discovery Requests by U.S.D. No. 501
Jun 05	210	Notice of Withdrawal of Karen A. Nichols as counsel of record for deft State Board of Education
Jun 12	211	Entry of Appearance by Carl A. Gallagher as counsel for Governor John Carlin and Notice of Withdrawal of Karen A. Nichols
Jul 02	212	Certificate of Return Service
Jul 02	213	Certificate of Service
Sep 13	214	AT-TOPEKA-ROGERS-J: Status Conf-Pltf to file and Amended Complaint (Title (6). Case set for trial 05/05/86. Court to issue an Order on Guideline regard Pre-Trial Order; taking of depositions, report, ect.
Oct 08	215	Notice of Request for Production of Documents to Intervening Pltfs by Individual named defts of The Kansas State Board of Education
Nov 12	216	ORDER-ENTERED-ROGERS-J: All motions for the amendment of the complaint or answer should be filed by December 9, 1985. A status conference in this case shall be scheduled for December 13, 1985 at 9:30 am. Pltfs should submit their factual contentions and legal contentions for purposes of incorporation into a pretrial order by February 10, 1986. Responses to the proposed submission for the pretrial order should be made within 10 days of the submissions. Dispositive motions should be filed by March 3, 1986. cc: to counsel

CIVIL DOCKET CONTINUATION SHEET

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

PLAINTIFF		DEFENDANT	DOCKET NO. <u>T-316</u>
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DATE	NR.	PROCEEDINGS
<u>1985</u>		
Nov 19	217	MINUTE ORDER-ENTERED-Clerk: that the status conference presently set for December 13, 1985 is rescheduled for December 4, 1985 at 9:00 am cc: to counsel
Dec 04	218	Notice of MOTION to Amend Complaint Pursuant to F.R.C.P. Rule 15
Dec 04	219	MEMO of Law in Support of Pltfs' Motion Pursuant to F.R.C.P. Rule 15 to Amend the Complaint
Dec 04	220	AT-TOPEKA-ROGERS-J: Status Conf - Defts Allowed to 01/06/86 to Respond to Motion Amend. Pltf to submit all documents by 01/01/86 to depts. Court Schedule of 11/12/85 remains in effect
<u>1986</u>		
Jan 06	221	RESP of Deft John Carlin to Pltfs' motion to amend complaint
Jan 08	222	ORDER-ENTERED-ROGERS-J: Defts shall have until January 13, 1986 within which to respond to intervening pltfs' motion to amend their complaint cc: to counsel
Jan 14	223	RESP of U.S.D. No. 501 to Intervening Pltfs' Motion to Amend Complaint
Jan 14	224	RESP by the Individually-named depts Associated with the State Board of Education in opposition to Pltf's Motion to Amend
Jan 23	225	Deft USD #501's notice to take deposition of Dr. Hugh W. Speer on 1/31/86 at 10:00 a.m.
Jan 28	226	Certificate of Service
Feb 04	227	MOTION of Deft for Dismissal and/or S/J
Feb 11	228	Factual and Legal Contentions of Deft John Carlin
Feb 11	229	Factual and Legal Contentions of Deft Governor John Carlin
Feb 11	230	Supplement to Deft Governor John Carlin's Motion to Dismiss and/or Summary Judgment
Feb 20	231	REPLY of deft Governor Carlin to pltfs' response to deft's motion for dismissal and/or s/j
Feb 20	232	MEMO of LAW in Opposition to Deft Governor's Motion for Dismissal and/or summary judgment
Feb 20	233	REPLY MEMO in Support of Pltf's Motion to Amend the Complaint
Feb 21	234	SUPPLEMENTAL REPLY of Deft U.S.D. #501 in Opposition to Pltfs' Motion to Amend Complaint
Mar 11	235	MOTION of Pltf for Leave to Supplement Memo of Law in opposition to deft Governor's motion for dismissal and/or s/j
Mar 11	236	SUPP MEMO OF LAW of Pltf in Opposition to deft Governor's motion for dismissal and/or s/j
Mar 11	237	MINUTE ORDER-ENTERED-Clerk: Pltf's motion for leave to supplement memo of law in opposition to deft Governor's motion for dismissal and/or s/j be and is hereby granted. cc: to counsel
Mar 11	238	ORDER-ENTERED-ROGERS-J: Pltfs' motion to amend is granted; the trial is rescheduled for October 6, 1986; pretrial dispositive motions shall be on file by August 4, 1986; and counsel are directed to submit proposed scheduled for the further progress of this case by March 25, 1986 cc: to counsel
Mar 13	239	REPLY of Deft John Carlin to Pltfs' Supplemental Memo of Law
Apr 08	240	ORDER-ENTERED-ROGERS-J: Schedule for the progress of this case outlined; Counsel may file an appropriate motion for additions, modifications or clarifications of this schedule cc: to counsel

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PLAINTIFF		DEFENDANT	DOCKET NO. T-316
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DATE	NR.	PROCEEDINGS
<u>1986</u>		
May 15	241	Pltfs' designation of fact witnesses
May 27	242	<u>AMENDED COMPLAINT</u>
May 28	243	<u>ANSWER</u> of Deft Governor John Carlin to Amended Complaint
Jun 03	244	ORDER-ENTERED-ROGERS-J: that all defts except deft Carlin, shall have until June 24, 1986, within which to answer or otherwise plead to intervening pltfs' amended complaint cc: to counsel
Jun 20	245	Notice of Service by deft U.S.D. #501 of their third set of interrogatories to intervening pltfs and first request for admissions to intervening pltfs
Jun 24	246	<u>ANSWER</u> of the individually-named defts associated with The State Board of Education to Pltfs' Amended Complaint
Jun 24	247	<u>ANSWER</u> of U.S.D. No. 501 to Intervening Pltfs' Amended Complaint
Jun 30	248	MOTION by the individually-named members of the Kansas State Board of Education for add'l time to designate fact witnesses
Jun 30	249	MOTION of U.S.D. No. 501 for Add'l time to Designate Fact Witnesses
Jul 29	250	Certificate of Service by Intervening Pltfs of Deft U.S.D. No. 501' First Request for Admissions to Intervening Pltfs Responses Ther
Jul 29	251	Certificate of Service by Intervening Pltfs of Deft U.S.D. No. 501' Third Set of Interrogatories to Intervening Pltfs
Aug 01	252	Designation of Fact Witness of Deft Govenor John Carlin
Aug 01	253	REQUEST of Deft Governor John Carlin for Ext of time to file dispositive motions
Aug 04	254	Designation of Fact Witnesses by Deft U.S.D. No. 501
Aug 04	255	MOTION of defts for ext of time to file dispositive motions by thir (30) days
Aug 06	256	Designation of Fact Witnesses by individually named defts associate with the State Board of Education
Aug 11	257	ORDER-ENTERED-ROGERS-J: Defts' motions for time to file dispositi motions shall be granted. Deft Carlin shall have time until August 13, 1986 to file such motions. Defts U.S.D. #501 and the State Board of Education shall be granted time until September 3 1986 to file such motions. Defts are further granted time until August 18, 1986 to file a list of issues of fact and issues of law for incorporation into a pretrial order. The pretrial statu conference previously scheduled for September 26, 1986 is hereby rescheduled for September 22, 1986 at 10:00 a.m. Finally, the court shall direct that trial briefs be filed prior to trial. These trial briefs should be filed by September 26, 1986. cc: to counsel
Aug 14	258	Entry of Appearance by Nancy L. Ulrich as co-counsel for deft Governor John Carlin
Aug 14	259	MOTION of Deft John Carlin for Dismissal and/or S/J as to Pltf's Title VI Claims
Aug 14	260	MOTION of Deft John Carlin for S/J or Dismissal of Pltfs' Non-Title VI Claims
Aug 18	261	Proposed Issues of Fact and Issues of Law of Deft U.S.D. No. 501
Aug 19	262	Statement of Individually-Named Members of the State Board of Education of Issues of Law and Fact
Aug 26	263	RESP of Pltf to Renewed Motion by Deft Governor for S/J or Dismissa of Pltfs' Non-Title VII Claims
Aug 26	264	MOTION of Pltf to Compel Answers to interrogatories with Affidavit of Christopher Hansen and Exhibits attached

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>T-316</u>
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DATE	NR.	PROCEEDINGS	
<u>1986</u>			
Aug 26	265	MEMO of Law of Pltfs in Support of Motion to Compel answers to Interrogatories	
Aug 29	266	MOTION of Deft U.S.D. No. 501 to Strike Robert L. Crain From Pltfs' Witness List with MEMO in Support	
Sep 03	267	MOTION of Deft U.S.D. No. 501 for Ext of time to file dispositive motions	
Sep 05	268	RESP by individually-named defts associated with the State Board of Education in opposition to Pltfs' Motion to Compel	
Sep 05	269	MOTION by individually-named defts associated with the State Board of Education to Join in Motion for S/J by U.S.D. No. 501	
Sep 05	270	ORDER-ENTERED-ROGERS-J: Court hereby grants an add'l 2 days or until September 5, 1986 within which to file dispositive motion in this matter. cc: to counsel	
Sep 05	271	MOTION of Deft U.S.D. No. 501 for Partial S/J (Expandable Folder)	
Sep 05	272	MEMO of Deft U.S.D. No. 501 in Support of Motion for Partial S/J	
Sep 09	273	Exhibit List of Deft Carlin	
Sep 09	274	RESP of Defts Associated with the State Board of Education in Support of Motion to Strike Robert L. Crain from Pltfs' Witness List	
Sep 09	275	Designation of Trial Exhibits by Defts Associated with the State Board of Education	
Sep 10	276	Designation of Potential Trial Exhibits by Deft U.S.D. No. 501	
Sep 12	277	RESP of Pltfs' to Deft USD 501's Motion to Strike Robert L. Crain From Pltfs' Witness List (Expandable Folder)	
Sep 15	278	MOTION of Pltfs for Leave to take one or two short depositions of State Board personnel with knowledge of federal funding and for an ext of time to respond to defts' motion to dismiss pltfs' Title VI claims	
Sep 16	279	MOTION of Deft U.S.D. No. 501 in Limine with MEMO in Support	
Sep 19	280	MINUTE ORDER-ENTERED-Clerk: motion of pltfs for leave to take one or two short depositions of State Board personnel with knowledge of Federal Funding and for an ext of time to respond to defts' motion to dismiss pltfs' Title VI Claims be and is hereby granted. cc: to counsel	
FILE #7			
Sep 19	281	REPLY of Deft U.S.D. NO. 501 Concerning its Motion to Strike Robert Crain from Pltfs' Witness List	
Sep 22	282	AT-TOPEKA-ROGERS-J: Deft Carlin's Motion to Dismiss Governor Carlin in this action-sustained. Pltf's Motion to Compel - sustained. Defts' Motion to Strike Dr. Crane as a Witness - Denied. Trial Briefs to be filed by the parties by 09/29/86; ETT: Pltf - 2 weeks; Deft USD #501 - 2 weeks & Deft St. Board - 2 days Court to issue order	
Sep 22	283	Entry of Appearance by Carl A. Gallagher as co-counsel for State Board of Education and Notice of Withdrawal by Karen A. Nichols	
Sep 26	284	RESP of Pltf to Deft U.S.D. 501's, Motion in Limine	
Sep 29	285	PRE-TRIAL MEMO of Pltfs'	

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PLAINTIFF		DEFENDANT	DOCKET NO. <u>T-316</u>
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DATE	NR.	PROCEEDINGS	
<u>1986</u>			
Sep 29	286	MEMORANDUM AND ORDER-ENTERED-ROGERS-J: State has a remedial obligation in this case, the Court is convinced that the Governor should not be directed by the Court to execute a remedy because the Governor is not a state official in charge of supervising public education and because the Governor has not been shown to have engaged in intentional acts which have maintained segregation in Topeka's schools. Therefore Deft Carlin's motion to dismiss and for s/j is granted cc: to counsel	
Sep 30	287	TRIAL BRIEF of the Individually-named defts associated with the Kansas State Board of Education	
Oct 01	288	REQUEST of Deft Governor John Carlin for Add'l time in Which to File a Trial Brief	
Oct 01	289	REPLY of Deft Governor John Carlin to Pltfs' Resp to Deft's Motion for S/J on Title VI Claims	
Oct 01	290	TRIAL BRIEF of Deft U.S.D. No. 501	
Oct 02	291	RESP to Motions by Defts for S/J on Pltf's Title VI Claims	
Oct 6	292	ORDER-ENTERED-ROGERS-J: Governor's motion for additional time to file a trial brief is granted until 10-6-86. cc to counsel	
Oct 07	293	MEMORANDUM AND ORDER-ENTERED-ROGERS-J: Pltfs' Title VI claims are dismissed as to Governor Carlin; the Governor's motion to dismiss or for s/j against these claims is granted. The motion for partial s/j against pltfs' Title VI claims brought on behalf of deft school district and the State Board of Education is denied cc: to counsel	
Oct 31	294	COURT TRIAL-TOPEKA-ROGERS-J: Trial Commenced 10/06/86; 10/20/86: Deft USD #501 Oral Motion for Directed Verdict at the Close of Pltf's Evidence-O/R & Denied. Deft State Board of Education's Oral Motion for Involuntary Dismissal at the close of Pltf's Evidence - U/A.; 10/22/86: Court O/R & Denies Deft State Board of Education's Oral Motion for Involuntary Dismissal of the Complaint. 10/30/86: Pltf's Oral Motion for Leave to present Rebuttal Evidence by Drs. Crane & Tolbert - Granted. 10/31/86: Court takes Case U/A, subject to possible Sur-Rebuttal by Deft. USD #501 on Monday, 11/10/86 and Officially Resting on that date if any. Parties to submit F/F & C/L simultaneously 45 days from today and/or Rebuttal 15 days thereafter, if necessary	
Nov 17	295	ORDER-ENTERED-ROGERS-J: Deft U.S.D. No. 501 shall have until November 21, 1986 within which to identify as exhibits and place in evidence any add'l deposition pages and School Board minutes to become part of the trial record to be considered by the Court cc: to counsel	
Nov 25	296	REVISED LIST OF TRIAL EXHIBITS for deft USD No. 501	
Dec 02	297	RETURN of Service on Subpoena, served Hugh W. Speer, 10/26/86	
Dec 18	298	Certificate of Service by Pltfs' of Post-Trial Brief and Proposed Findings of Fact and Conclusions of Law	
Dec 18	299	POST TRIAL BRIEF of Pltfs'	
Dec 18	300	PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW of Pltfs'	
Dec 18	301	PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW of U.S.D. #501	

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PLAINTIFF		DEFENDANT	DOCKET NO. <u>T-316</u> PAGE <u>15</u> OF <u> </u> PAGES
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DATE	NR.	PROCEEDINGS	
<u>1986</u>			
Dec 19	302	ORDER-ENTERED-ROGERS-J: Leave is granted in the above case allowin the individually named defts associated with the State Board of Education to file their post trial breif on Friday, December 19, 1986 cc: to counsel	
Dec 19	303	POST-TRIAL BRIEF by the individually-named defts associated with the Kansas State Board of Education	
Dec 31	304	ORDER-ENTERED-ROGERS-J: Upon agreement of the parties as related to the court by counsel for U.S.D #501, the court shall extend the time for the filing of reply briefs to January 28, 1987 cc: to counsel	
<u>1987</u>			
Jan 28	305	REPLY BRIEF by individually-named defts associated with The Kansas State Board of Education to Pltfs' Post-Trial Brief and Pltfs' Proposed Findings of Fact and Conclusions of Law: Post-Trial	
Jan 29	306	RESP of U.S.D. No. 501 to Pltfs' Post-Trial Brief	
Feb 06	307	MOTION of Pltfs for Leave to file Supplemental Post-Trial Memo (Memo in File)	
Feb 10	308	RESP by Individual Members of the State Board of Education to Pltfs Motion to File Supplemental Post-Trial Memo	
Feb 11	309	RESP of U.S.D. No. 501 to Pltfs' Motion for Leave to file Supplemer Post-Trial Memo	
Apr 08	310	MINUTE ORDER-ENTERED-CLERK: It is ordered that plaintiffs' motion for leave to file supplemental post-trial memorandum be and it hereby is granted. cc to counsel	
Apr 08	311	SUPPLEMENTAL POST-TRIAL MEMORANDUM of Pltfs	
Apr 09	312	MEMORANDUM AND ORDER-ENTERED-ROGERS-J: Pltfs' claims for relief are denied. cc to counsel EOD 4/09/87	
Apr 09	313	JUDGMENT ENTERED-CLERK: It is ordered and adjudged that plaintiffs' claims for relief be and are hereby denied. It is further ordered and adjudged that the plaintiff take nothing, and that the defendants Board of Education of Topeka, Shawnee County, Kansas, Dorothy Groesbeck, Kay Groneman, Ruthann Oelsner, Dale Carey, Ann Keener, Marilyn Harwood, Theodore Von Fange, Jim Hiebert, Denise Apt., and Evelyn Whitcomb, Members of the State of Kansas Board of Education, all of their official capacities recover of the Interveni Plaintiffs Charles and Kimberly Smith, minor children, by their Mother and Next Friend, Linda Brown Smith, Danielle Threatt, a minor child, by her Mother and Next Friend, Juda Gaines, Shawn, Tanya and Tara W-ods, minor children, by their Mother and Next Friend, Joyce Woods, Cordellia Mitchell and Connie Maxwell, minor children, by their Mother and Next Friend, Barbara Mitchell, Arlene Jackson, a minor child, by her Mother and Next Friend, Charlene Burkes, Carlesia and Cheryl Robinson, minor children, by their Mother and Next Friend, Patricia Robinson, Rufus D. and Michelle Kelley, minc children, by their Father and Next Friend, Rufus Kelley, John, Jackie, Johnny and Viola Davis, minor children, by their Mother and Next Friend, Ruby Davis, their costsof action. EOD 4/09/87 cc to counsel JS 6 card made.	

FILE #8

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-7-14-80-70M-4391

PLAINTIFF		DEFENDANT		DOCKET NO. <u>T-316</u>
OLIVER BROWN et al		BOARD OF EDUCATION OF TOPEKA et al		PAGE <u>16</u> OF <u> </u> PAGES
DATE	NR.	PROCEEDINGS		
<u>1987</u>				
May 7	314	PLAINTIFFS' NOTICE OF APPEAL USCA #87-1668 FEES \$105.00 copies mailed to: Richard E. Jones, Chris Hansen, Gary Sebelius, Dan Biles, Carl Gallagher, Charles Scott, Jr., Joseph D. Johnson, and Robert L. Hoecker, Clerk, United States Court of Appeals with copy of docket entries		
May 7		DOCKETING STATEMENT received from Plaintiffs		
May 18	315	NOTIFICATION from USCA advising case has been docketed and assigned 87-1668		
May 20	316	Pltf's notice of transcript order - transcript due 5-26-87 cc to USCA and counsel of record		
May 20	317	Transcript of trial on October 6, 1986 - Volume 1		
May 20	318	Transcript of trial on October 7, 1986 - Volume 2		
May 20	319	Transcript of the trial on October 8, 1986 - Volume 3		
May 20	320	Transcript of the trial on October 9, 1986 - Volume 4		
May 20	321	Transcript of the trial on October 10, 1986 - Volume 5		
May 20	322	Transcript of the trial on October 14, 1986 - Volume 6		
May 20	323	Transcript of the trial on October 15, 1986 - Volume 7		
May 20	324	Transcript of the trial on October 16, 1986 - Volume 8		
May 20	325	Transcript of the trial on October 20, 1986 - Volume 9		
May 20	326	Transcript of the trial on October 21, 1986 - Volume 10		
May 20	327	Transcript of the trial on October 22, 1986 - Volume 11		
May 20	328	Transcript of the trial on October 23, 1986 - Volume 12		
May 20	329	Transcript of the trial on October 24, 1986 - Volume 13		
May 20	330	Transcript of the trial on October 27, 1986 - Volume 14		
May 20	331	Transcript of the trial on October 28, 1986 - Volume 15		
May 20	332	Transcript of the trial on October 29, 1986 - Volume 16		
May 20	333	Transcript of the trial on October 30, 1986 - Volume 17		
May 20	334	Transcript of the trial on October 31, 1986 - Volume 18		
Aug 10	335	ORDER-ENTERED-USCA: Record on appeal due 8-17-87 (Pltf)		
Aug 12		Copies of pleadings and transcripts mailed to USCA as record on appeal cc to counsel		
Sep 1	336	ORDER-ENTERED-USCA: Reford on appeal due 9/8/87 (Deft Bd of Educat		
Sep 8		Copies of pleadings and transcript consisting of the record on appeal transmitted to USCA SUPPLEMENTAL VOLUMES I thru IX cc to counsel		
Sep 9	337	ORDER-ENTERED-USCA: Record on appeal due 9/14/87 (Deft State Board of Education)		
Sep 14		Copies of pleadings transmitted to USCA consisting of the Record on appeal of Deft State Board of Education SUPPLEMENTAL VOLUME X		
<u>1989</u>				
Jun 16	338	ORDER-ENTERED-USCA: (EOD 6/16/89) Record on appeal is supplemented with the transcript pages 2737 through 2873. copies: Robert T. Stephan & Carl A. Gallagher; David M. Thompson & Wm. Bradford Reynolds; Charles N. Henson, Charles D. McAtee, Anne L. Baker & K. Gary Sebelius; Dan Biles; Richard E. Jones & Christopher A. Hansen		
Jun 16		Transmitted Supplemental Record on Appeal - Supp. Vol. 10		
Jun 19		Transmitted Supplemental Record on Appeal - Supp. Vol. 11 as requested by USCA		

CIVIL DOCKET CONTINUATION SHEET

FPI-MAP-7-14-80-70M..

PLAINTIFF		DEFENDANT		DOCKET NO. T-316
OLIVER BROWN, et al.		BOARD OF EDUCATION, et al.		PAGE 17 OF ____ PAG
DATE	NR.	PROCEEDINGS		
<u>1989</u>				
Jul 14	339	ORDER-ENTERED-USCA: (EOD 7/14/89) Court, on its own motion, supplements the record on appeal with pltfs' exhibit number 25, the resume of William Lamson. copies: counsel		
Jul 14		Transmitted Supplemental Record on Appeal - Volume 12 to USCA		
Jul 20	340	RECEIPT from USCA for supplemental record on appeal - Vol. 12		
Aug 31		Transmitted Supplemental Record on Appeal - Vol. 13 to USCA as requested (Pltf's exhibit 155 A-R)		
Sep 5	341	ORDER-ENTERED-USCA: (EOD 9/5/89) Record on appeal to be supplemented with pltf's exhibit 155 A-R. (See entry above - record supplemented on 8/31/89)		
<u>1990</u>				
May 10	342	LETTER from USCA stating that a petition for writ of cert was filed on 4/26/90 & assigned Supreme Court No. 89-1681		
<u>1992</u>				
Apr 27	343	ORDER-ENTERED-US SUPREME COURT: (EOD 4/27/92) Petition for writ of cert in Supreme Court No. 89-1681 (USCA No 87-1668)--granted. Judgment is vacated & case remanded to USCA for further consideration. cc: to counsel		
May 20		Transmitted Supplemental Record on Appeal - Volumes 14-27 to 10CCA (duplicate copies of records previously sent per their request)		
May 29	344	RECEIPT from USCA for suppl record on appeal - Vols. 14-27		
Jun 12		Transmitted Supplemental Record on Appeal - Volumes 28-30 (Vol. 28 contains original exhibits) to 10CCA per their request (lkh)		
Jul 2	345	RECEIPT from USCA for suppl record on appeal - Suppl. Vols. 28-30		
<u>1993</u>				
Mar 12	346	MANDATE-ENTERED-USCA: (EOD 3/12/93) Decision of district court is reversed & prior opinion of USCA is reinstated. The cause is remanded to the USDC for the District of KS for further proceedings in accordance with the opinion of this court. copies: counsel		