

**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:09-cv-02880-CAP**

Georgia Advocacy Office, Inc. v. Shelp
Assigned to: Judge Charles A. Pannell, Jr
Cause: 42:1983 Civil Rights Act

Date Filed: 10/16/2009
Date Terminated: 05/09/2012
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Georgia Advocacy Office, Inc.

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V.

Defendant

Frank Shelp, M.D.
*in his official capacity as Commissioner,
Georgia Department of Behavioral
Health and Developmental Disabilities*

represented by **Carolyn Elizabeth Frazier**
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SEIU Local 1985 AFL-CIO
236 Forsyth Street
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TERMINATED: 10/22/2009
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Defendant

Hilary Hoo-You
*in her official capacity as Regional
Hospital Administrator, Southwestern
State Hospital
TERMINATED: 11/02/2009*

represented by **Carolyn Elizabeth Frazier**
(See above for address)
*TERMINATED: 10/22/2009
LEAD ATTORNEY*

Jason S. Naunas
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
10/16/2009	<u>1</u>	COMPLAINT filed and summons issued. Consent form to proceed before U.S. Magistrate and pretrial instructions provided. Filing fee \$350, receipt number 17398. (Attachments: # <u>1</u> Summons, # <u>2</u> Civil Cover Sheet)(dfb) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 10/16/2009)
10/16/2009	<u>2</u>	MOTION for Temporary Restraining Order, MOTION for Preliminary Injunction by Georgia Advocacy Office, Inc. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit of Tobin McDaniel, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Affidavit of Sadie J. Charles) (dfb) (Entered: 10/16/2009)
10/16/2009	<u>3</u>	ORDER Setting Hearing on Motion <u>2</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction: Hearing set for 10/22/2009 at 09:00 AM in ATLA Courtroom 2307 before Judge Charles A. Pannell Jr. Signed by Judge Charles A. Pannell, Jr on 10/16/2009. (rvb) (Entered: 10/16/2009)
10/21/2009	<u>4</u>	RESPONSE re <u>2</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by Frank Shelp, MD, Hilary Hoo-You. (Attachments: # <u>1</u> Brief Memorandum In Support Part I, # <u>2</u> Brief Memorandum in Support Part II, # <u>3</u> Brief Memorandum in Support Part III)(Naunas, Jason) (Entered: 10/21/2009)
10/22/2009	<u>5</u>	Minute Entry for proceedings held before Judge Charles A. Pannell, Jr: Motion Hearing held on 10/22/2009 re <u>2</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction; TAKING UNDER ADVISEMENT <u>2</u> Motion for TRO; Attorney Jason S. Naunas and Carolyn Elizabeth Frazier added for Frank Shelp, MD and Hilary Hoo-You. Court heard argument from counsel. Plaintiff to file amended complaint. Court will hear Motion for TRO & Preliminary Injunction on 11/16/2009 at 9:30 AM in ATLA Courtroom 2307 before Judge Charles A. Pannell Jr. Hearing Concluded. (Court Reporter Martha Frutchey)(adg) (Entered: 10/22/2009)
10/22/2009	<u>6</u>	CORRECTED Minute Entry for proceedings held before Judge Charles A. Pannell, Jr: Motion Hearing held on 10/22/2009 re <u>2</u> MOTION for Temporary Restraining Order; DENYING <u>2</u> Motion for TRO; Court heard argument from counsel. Plaintiff to file amended complaint. Court will hear Motion for Preliminary Injunction on 11/16/2009 at 1:30 PM in ATLA Courtroom 2307 before Judge Charles A. Pannell Jr. Hearing Concluded. (Court Reporter Martha Frutchey)(adg) (Entered: 10/22/2009)
11/02/2009	<u>7</u>	First AMENDED COMPLAINT against Frank Shelp, MD, filed by Georgia Advocacy Office, Inc..(Norris, Joshua) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 11/02/2009)

11/13/2009	<u>8</u>	Joint MOTION to Continue by Frank Shelp, MD, Hilary Hoo-You. (Attachments: # <u>1</u> Text of Proposed Order Exhibit 1)(Naunas, Jason) (Entered: 11/13/2009)
11/13/2009	<u>9</u>	ORDER GRANTING <u>8</u> Motion to Continue hearing scheduled for 9/16/2009. The hearing is continued until 12/9/2009 at 10:00 AM in courtroom 2307, to determine whether the preliminary injunction requested by plaintiff should be granted. Signed by Judge Charles A. Pannell, Jr on 11/13/2009. (adg) (Entered: 11/16/2009)
12/09/2009	<u>10</u>	MOTION to Continue by Georgia Advocacy Office, Inc.. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order on Plaintiff's Motion for Continuance)(Norris, Joshua) (Entered: 12/09/2009)
12/09/2009	<u>11</u>	Minute Entry for proceedings held before Judge Charles A. Pannell, Jr: Motion Hearing held on 12/9/2009. The parties appeared and stated to the court that they are trying to come to an agreement. The pla is to w/draw it's <u>2</u> MOTION for Preliminary Injunction and a Final Hearing to be held 4/29/2010 at 10:00 AM in ATLA Courtroom 2307 before Judge Charles A. Pannell Jr. (Court Reporter Lori Burgess)(adg) (Entered: 12/09/2009)
12/18/2009	<u>12</u>	<i>Defenses and ANSWER</i> to <u>7</u> Amended Complaint by Frank Shelp, MD. Discovery ends on 5/17/2010.(Naunas, Jason) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 12/18/2009)
01/19/2010	<u>13</u>	PRELIMINARY REPORT AND DISCOVERY PLAN filed by Frank Shelp, MD. (Attachments: # <u>1</u> Attachment "A", # <u>2</u> Text of Proposed Order)(Naunas, Jason) (Entered: 01/19/2010)
01/19/2010	<u>14</u>	Initial Disclosures by Frank Shelp, MD. (Attachments: # <u>1</u> Attachment "A", # <u>2</u> Attachment "C")(Naunas, Jason) (Entered: 01/19/2010)
02/10/2010	<u>15</u>	ORDER DIRECTING the parties to confer and file a joint preliminary report and scheduling order and a joint certificate of interested parties within 15 days from the date of the docketing of this order. Failure to do so will result in dismissal of the plaintiff's claims. The Clerk is directed to submit this case to the court if the joint certificate of interested parties and the joint preliminary report and scheduling order are not filed. Signed by Judge Charles A. Pannell, Jr on 2/10/2010. (adg) (Entered: 02/10/2010)
02/16/2010	<u>16</u>	Amended PRELIMINARY REPORT AND DISCOVERY PLAN filed by Frank Shelp, MD. (Naunas, Jason) (Entered: 02/16/2010)
02/24/2010	<u>17</u>	ORDER APPROVING <u>16</u> Amended Preliminary Report and Discovery Plan, except as herein modified: Daubert motions with regard to expert testimony shall be filed no later than 30 days after the close of final discovery. Signed by Judge Charles A. Pannell, Jr on 2/24/2010. (adg) (Entered: 02/24/2010)
03/04/2010		Submission of <u>15</u> Order to Show Cause,submitted to District Judge Charles A. Pannell. (adg) (Entered: 03/04/2010)
04/23/2010		NOTICE of CANCELLATION of Hearing set for April 29, 2010 at 10:00 a.m. The hearing is re-set for 6/3/2010 at 10:00 AM in ATLA Courtroom 2307 before Judge Charles A. Pannell Jr.. (yrm) (Entered: 04/23/2010)
04/24/2010		Remark re <u>13</u> Preliminary Report and Discovery Plan (see <u>17</u> Order approving <u>16</u> Amended Preliminary Report and Discovery Plan) (adg) (Entered: 01/07/2011)
04/27/2010	<u>18</u>	Consent MOTION for Extension of Time To File Summary Judgment Motions or The Pretrial Order by Georgia Advocacy Office, Inc., Frank Shelp, MD. (Attachments: # <u>1</u> Text of Proposed Order)(Naunas, Jason) (Entered: 04/27/2010)
04/28/2010	<u>19</u>	ORDER GRANTING <u>18</u> Motion for Extension of Time to 5/7/2010 for parties to file motions for summary judgment. Signed by Judge Charles A. Pannell, Jr on 4/28/2010. (adg) (Entered: 04/28/2010)
05/07/2010	<u>20</u>	MOTION for Summary Judgment <i>on Plaintiff's Complaint</i> with Brief In Support by Frank Shelp, MD. (Attachments: # <u>1</u> Defendant's Memorandum of Law In Support of his Motion for Summary Judgment)(Naunas, Jason) ---Please refer to http://www.gand.uscourts.gov to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.-- (Entered: 05/07/2010)

05/07/2010	<u>21</u>	STATEMENT of Material Facts Upon Which There is No Genuine Issue to be Tried on Plaintiff's Complaint re <u>20</u> Motion for Summary Judgment, by Frank Shelp, MD. (Naunas, Jason) Modified on 5/11/2010 to correct docket text/document link (adg). Modified on 5/11/2010 (adg). (Entered: 05/07/2010)
05/07/2010	<u>22</u>	APPENDIX in Support of re <u>21</u> Statement of Material Facts Upon Which There is No Genuine Issue to be Tried on Plaintiff's Complaint by Frank Shelp, MD. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Naunas, Jason) Modified on 5/11/2010 to correct docket text (adg). (Entered: 05/07/2010)
05/07/2010	<u>23</u>	NOTICE Of Filing Notice of Filing Original Affidavits by Frank Shelp, MD (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Naunas, Jason) (Entered: 05/07/2010)
05/07/2010	<u>24</u>	NOTICE of Appearance by Paula Rafferty Miller on behalf of Georgia Advocacy Office, Inc. (Miller, Paula) (Entered: 05/07/2010)
05/07/2010	<u>25</u>	MOTION for Summary Judgment with Brief In Support by Georgia Advocacy Office, Inc.. (Attachments: # <u>1</u> Brief Memorandum of Law in Support of Motion for Summary Judgment, # <u>2</u> Statement of Material Facts Plaintiff's Statement of Undisputed Material Facts Upon Which There Is No Genuine Issue To Be Tried)(Norris, Joshua) ---Please refer to http://www.gand.uscourts.gov to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.--- (Entered: 05/07/2010)
05/07/2010	<u>36</u>	NOTICE Of Filing Original Affidavits by Frank Shelp, MD (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(adg) (Entered: 05/11/2010)
05/08/2010	<u>26</u>	AFFIDAVIT re <u>25</u> MOTION for Summary Judgment Affidavit of Sadie Charles by Georgia Advocacy Office, Inc.. (Norris, Joshua) (Additional attachment(s) added on 5/12/2010: # <u>1</u> Unredacted Exhibits (DOCUMENT FILED UNDER SEAL)) (adg). Modified on 5/12/2010 (adg). (Entered: 05/08/2010)
05/08/2010	<u>27</u>	AFFIDAVIT re <u>25</u> MOTION for Summary Judgment Affidavit of Ruby Moore by Georgia Advocacy Office, Inc.. (Norris, Joshua) (Entered: 05/08/2010)
05/08/2010	<u>28</u>	AFFIDAVIT re <u>25</u> MOTION for Summary Judgment Affidavit of Tomika Jackson by Georgia Advocacy Office, Inc.. (Norris, Joshua) (Additional attachment(s) added on 5/12/2010: # <u>1</u> Unredacted Exhibits (DOCUMENT FILED UNDER SEAL)) (adg). Modified on 5/12/2010 (adg). (Entered: 05/08/2010)
05/08/2010	<u>29</u>	AFFIDAVIT re <u>25</u> MOTION for Summary Judgment Affidavit of Geraldine Speed by Georgia Advocacy Office, Inc.. (Norris, Joshua) (Additional attachment(s) added on 5/12/2010: # <u>1</u> Unredacted Exhibits (DOCUMENT FILED UNDER SEAL)) (adg). Modified on 5/12/2010 (adg). (Entered: 05/08/2010)
05/08/2010	<u>30</u>	AFFIDAVIT re <u>25</u> MOTION for Summary Judgment Affidavit of Katherine Chandler by Georgia Advocacy Office, Inc.. (Norris, Joshua) (Entered: 05/08/2010)
05/08/2010	<u>31</u>	MOTION for Leave to File Excess Pages by Georgia Advocacy Office, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Norris, Joshua) (Entered: 05/08/2010)
05/08/2010	<u>32</u>	AFFIDAVIT re <u>25</u> MOTION for Summary Judgment Affidavit of Tobin McDaniel by Georgia Advocacy Office, Inc.. (Norris, Joshua) (Additional attachment(s) added on 5/12/2010: # <u>1</u> Unredacted Exhibits 1-45 (DOCUMENT FILED UNDER SEAL), # <u>2</u> Unredacted Exhibits 46-77 (DOCUMENT FILED UNDER SEAL)) (adg). Modified on 5/12/2010 (adg). (Entered: 05/08/2010)
05/08/2010	<u>33</u>	AFFIDAVIT re <u>25</u> MOTION for Summary Judgment Affidavit of Sarah Stanton by Georgia Advocacy Office, Inc.. (Norris, Joshua) (Additional attachment(s) added on 5/12/2010: # <u>1</u> Unredacted Exhibits 1-37 (DOCUMENT FILED UNDER SEAL), # <u>2</u> Unredacted Exhibits 38-106 (DOCUMENT FILED UNDER SEAL), # <u>3</u> Unredacted Exhibits 107-176 (DOCUMENT FILED UNDER SEAL)) (adg). Modified on 5/12/2010 (adg). (Entered: 05/08/2010)
05/10/2010	<u>34</u>	MOTION for Extension of Time re: <u>29</u> Affidavit, <u>26</u> Affidavit, <u>25</u> MOTION for Summary Judgment, <u>33</u> Affidavit, <u>28</u> Affidavit, <u>32</u> Affidavit, <u>30</u> Affidavit, <u>27</u> Affidavit, <u>31</u> MOTION for Leave to File Excess Pages by Georgia Advocacy Office, Inc.. (Attachments: # <u>1</u> Affidavit Declaration of Paula Rafferty Miller, # <u>2</u> Exhibit Exhibits of Tobin McDaniel part 1, # <u>3</u> Exhibit Exhibits of McDaniel 2 of 2, # <u>4</u> Exhibit Exhibits Stanton 1 of 3, # <u>5</u> Exhibit Exhibits Stanton 2 of 3, # <u>6</u> Exhibit

		Exhibits Stanton 3 of 3)(Miller, Paula) (Entered: 05/10/2010)
05/10/2010	<u>35</u>	MOTION to Seal <i>Unredacted Copies of Exhibits</i> by Georgia Advocacy Office, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Miller, Paula) (Entered: 05/10/2010)
05/11/2010	<u>37</u>	ORDER GRANTING <u>35</u> Motion to Seal Unredacted Copies Exhibits to Affidavits. Signed by Judge Charles A. Pannell, Jr on 5/11/2010. (adg) (Entered: 05/11/2010)
05/11/2010	<u>38</u>	NOTICE OF REQUIREMENT TO FILE ELECTRONICALLY pursuant to Standing Order 04-01 as to Jason S. Naunas re <u>36</u> Notice of Filing. (adg) (Entered: 05/11/2010)
05/11/2010		Notification of Docket Correction re <u>21</u> Statement of Material Facts, modified on 5/11/2010 to link to <u>20</u> MOTION for Summary Judgment <i>on Plaintiff's Complaint</i> . (adg) (Entered: 05/11/2010)
05/12/2010	<u>39</u>	NOTICE of Appearance by Julie Coleman Kegley on behalf of Georgia Advocacy Office, Inc. (Kegley, Julie) (Entered: 05/12/2010)
05/21/2010	<u>40</u>	Consent MOTION for Extension of Time To Respond to Motions For Summary Judgment And To Continue Hearing with Brief In Support by Frank Shelp, MD. (Attachments: # <u>1</u> Text of Proposed Order)(Naunas, Jason) (Entered: 05/21/2010)
05/25/2010	<u>41</u>	ORDER GRANTING <u>31</u> Motion for Leave to File Excess Pages; GRANTING <u>34</u> Motion for Extension of Time ; GRANTING <u>40</u> Motion for Extension of Time; the responses to <u>20</u> MOTION for Summary Judgment <i>on Plaintiff's Complaint</i> and <u>25</u> MOTION for Summary Judgment are due 6/15/2010, any reply is due on 6/29/2010; the hearing scheduled for 6/3/2010 is canceled, and if necessary, will be re-scheduled after the parties' motions for summary judgment have been fully briefed. Signed by Judge Charles A. Pannell, Jr. on 5/25/2010. (adg) (Entered: 05/25/2010)
06/15/2010	<u>42</u>	Response to Statement of Material Facts re <u>20</u> MOTION for Summary Judgment <i>on Plaintiff's Complaint Defendant's Appendix in Response to Plaintiff's Statement of Undisputed Material Facts as to which There Is No Genuine Issue For Trial And Memorandum Of Law In Support Of Plaintiff's Motion For Summary Judgment</i> filed by Frank Shelp, MD. (Attachments: # <u>1</u> Exhibit Exhibits A – C, # <u>2</u> Exhibit Exhibits D – H, # <u>3</u> Exhibit Exhibits I– L, # <u>4</u> Exhibit Exhibits M – S)(Naunas, Jason) (Entered: 06/15/2010)
06/15/2010	<u>43</u>	Response to Statement of Material Facts re <u>20</u> MOTION for Summary Judgment <i>on Plaintiff's Complaint Defendant's Response to Plaintiff's Statement of Undisputed Material Facts as to Which There is No Genuine Issue for Trial</i> filed by Frank Shelp, MD. (Naunas, Jason) (Entered: 06/15/2010)
06/15/2010	<u>44</u>	RESPONSE re <u>25</u> MOTION for Summary Judgment <i>and Memorandum of Law in Support of Plaintiff's Motion for Summary Judgment</i> filed by Frank Shelp, MD. (Naunas, Jason) (Entered: 06/15/2010)
06/15/2010	<u>45</u>	Response to Statement of Material Facts re <u>20</u> MOTION for Summary Judgment <i>on Plaintiff's Complaint</i> filed by Georgia Advocacy Office, Inc.. (Norris, Joshua) (Entered: 06/15/2010)
06/15/2010	<u>46</u>	RESPONSE re <u>20</u> MOTION for Summary Judgment <i>on Plaintiff's Complaint</i> filed by Georgia Advocacy Office, Inc.. (Norris, Joshua) (Entered: 06/15/2010)
06/25/2010	<u>47</u>	STATEMENT of Interest re <u>20</u> MOTION for Summary Judgment <i>on Plaintiff's Complaint</i> , <u>25</u> MOTION for Summary Judgment by United States of America (Rhee, Mina) Modified on 7/2/2010 to correct docket text (adg). (Entered: 06/25/2010)
06/29/2010	<u>48</u>	REPLY to Response to Motion re <u>20</u> MOTION for Summary Judgment <i>on Plaintiff's Complaint</i> filed by Frank Shelp, MD. (Naunas, Jason) Modified on 7/2/2010 to remove double wording and link to correct docket entry (adg). Modified on 7/2/2010 (adg). (Entered: 06/29/2010)
06/29/2010	<u>49</u>	REPLY to Response to Motion re <u>25</u> MOTION for Summary Judgment filed by Georgia Advocacy Office, Inc.. (Norris, Joshua) (Entered: 06/29/2010)
07/02/2010		Notification of Docket Correction re <u>47</u> STATEMENT of Interest. Modified on 7/2/2010 to correct docket text (adg) (Entered: 07/02/2010)

07/02/2010		Notification of Docket Correction re <u>48</u> Reply to Response to Motion. Modified on 7/2/2010 to link to correct docket entry. (adg) (Entered: 07/02/2010)
07/02/2010		Submission of <u>20</u> MOTION for Summary Judgment <i>on Plaintiff's Complaint</i> , <u>25</u> MOTION for Summary Judgment, submitted to District Judge Charles A. Pannell. (adg) (Entered: 07/02/2010)
07/09/2010	<u>50</u>	RESPONSE re <u>47</u> Notice (Other) <i>Response to Statement of Interest of the United States</i> filed by Frank Shelp, MD. (Naunas, Jason) (Entered: 07/09/2010)
08/10/2010	<u>51</u>	Notice for Leave of Absence for the following date(s): 09/17/2010, 10/14/2010–10/28/2010; and 11/03/2010– 11/05/2010, by Jason S. Naunas. (Attachments: # <u>1</u> Letter Regarding Notice of Leave of Absence)(Naunas, Jason) Modified on 8/11/2010 to correct docket text (adg). (Entered: 08/10/2010)
03/08/2011	<u>52</u>	Joint MOTION for Order <i>for Mediation</i> by Georgia Advocacy Office, Inc.. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order for Mediation)(Norris, Joshua) (Entered: 03/08/2011)
03/09/2011		NOTICE of Hearing on Motion re: <u>52</u> Joint MOTION for Order <i>for Mediation</i> . Motion Hearing set for 3/16/2011 at 10:00 AM in ATLA Courtroom 2307 before Judge Charles A. Pannell Jr.. (yrm) (Entered: 03/09/2011)
03/09/2011	<u>53</u>	ORDER DENYING <u>20</u> Motion for Summary Judgment; DENYING <u>25</u> Motion for Summary Judgment; the court will set a schedule for the parties to submit their joint proposed pretrial order at a later date. Signed by Judge Charles A. Pannell, Jr on 3/9/2011. (adg) (Entered: 03/09/2011)
03/16/2011	<u>54</u>	Minute Entry for proceedings held before Judge Charles A. Pannell, Jr: MOTION HEARING held on 3/16/2011; DENYING <u>52</u> Joint Motion for Order for Mediation. Court heard from counsel. Court has no objection to parties obtaining a 3rd party mediator that is knowledgeable in the aspects of this case. Consolidated PTO shall be filed no later than June 1, 2011. (Court Reporter Martha Frutchey)(mdy) (Entered: 03/16/2011)
03/16/2011	<u>55</u>	ORDER DENYING <u>52</u> Joint Motion for Mediation Before a Magistrate Judge. The parties are DIRECTED, within 10 days of the docketing of this order, to confer and select a third party mediator more knowledgeable as to mental health policies and procedures than the magistrate judges of this court. The parties are further DIRECTED to submit the name and CV of any mediator agreed upon for this court's approval within 14 days of the date of this order. Finally, the parties are DIRECTED to submit their joint proposed pretrial order on or before 6/1/2011. Signed by Judge Charles A. Pannell, Jr on 3/16/2011. (mdy) (Entered: 03/16/2011)
03/31/2011	<u>56</u>	NOTICE by Frank Shelp, MD <i>Notice of Mediation Status</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Text of Proposed Order For Mediation)(Naunas, Jason) (Entered: 03/31/2011)
03/31/2011	<u>57</u>	STATUS REPORT <i>on Mediation</i> by Georgia Advocacy Office, Inc.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(Miller, Paula) (Entered: 03/31/2011)
04/01/2011	<u>58</u>	ORDER REFERRING CASE to Wayne Howell for Mediation. Signed by Judge Charles A. Pannell, Jr on 4/1/2011. (adg) (Entered: 04/01/2011)
04/26/2011	<u>59</u>	Joint MOTION for Extension of Time to File the Pretrial Order by Frank Shelp, MD. (Attachments: # <u>1</u> Text of Proposed Order)(Naunas, Jason) (Entered: 04/26/2011)
04/27/2011	<u>60</u>	ORDER GRANTING <u>59</u> Motion for Extension of Time until further order of the Court to file the pretrial order. Signed by Judge Charles A. Pannell, Jr on 4/27/2011. (adg) (Entered: 04/28/2011)
09/20/2011	<u>61</u>	ORDER, Status Conference set for 9/29/2011 at 10:00 AM in ATLA Courtroom 2307 before Judge Charles A. Pannell Jr. Signed by Judge Charles A. Pannell, Jr. on 09/20/2011. (jtj) (Entered: 09/20/2011)
09/29/2011	<u>62</u>	Minute Entry for proceedings held before Judge Charles A. Pannell, Jr: Status Conference held on 9/29/2011. The defendant request the hearing to discuss peer review and to ask the court to enter a scheduling order. Once the parties have completed their briefs, a hearing would be set. Before the hearing, dft is to inform the

		plaintiff if there will be live testimony, so the plaintiff can plan accordingly. The court is approving the stipulation as the temporary order of the court. Scheduling order to be entered by the court. Hearing concluded. (Court Reporter Martha Frutchey) (jtj) (Entered: 09/29/2011)
09/29/2011	<u>63</u>	STIPULATION Agreement by Frank Shelp, MD. (Attachments: # <u>1</u> Exhibit A)(Naunas, Jason) (Entered: 09/29/2011)
09/30/2011	<u>64</u>	ORDER APPROVING AND ADOPTING <u>63</u> Stipulation Agreement, including its exhibit, as the temporary order of this court and shall remain in effect until further order. The plaintiff is DIRECTED to file its brief on the issue of access to peer review records on or before October 31, 2011. The defendant shall have 30 days after the filing of the plaintiffs brief to respond. The plaintiff shall have 14 days after the filing of the defendants response to reply. The court anticipates setting a hearing on the issue of access to peer review records for some date thereafter. In addition, within 14 days after the deadline for the plaintiff to file a reply, the parties are DIRECTED to file on the docket a notice of sworn testimony to be presented at the hearing, including the name, title, address, phone number, and the substance of the expected testimony of any witness that might be called. Signed by Judge Charles A. Pannell, Jr. on 09/30/2011. (jtj) (Entered: 09/30/2011)
10/31/2011	<u>65</u>	MOTION for Permanent Injunction with Brief In Support by Georgia Advocacy Office, Inc.. (Attachments: # <u>1</u> Brief Memorandum of Law in Support of Motion for Permanent Injunction)(Norris, Joshua) (Entered: 10/31/2011)
11/15/2011	<u>66</u>	Request for Leave of Absence for the following date(s): 12/21/11, 12/22/11, 12/23/11, 12/24/11, 12/25/11, 12/26/11, 12/27/11, 12/28/11, 12/29/11, by Jason S. Naunas. (Naunas, Jason) (Entered: 11/15/2011)
11/30/2011	<u>67</u>	RESPONSE re <u>65</u> MOTION for Permanent Injunction filed by Frank Shelp, MD. (Attachments: # <u>1</u> Exhibit A)(Harps, Calandra) (Entered: 11/30/2011)
12/14/2011	<u>68</u>	REPLY BRIEF re <u>65</u> MOTION for Permanent Injunction filed by Georgia Advocacy Office, Inc.. (Attachments: # <u>1</u> Affidavit Affidavit of Ruby Moore)(Norris, Joshua) (Entered: 12/14/2011)
12/15/2011		Submission of <u>65</u> MOTION for Permanent Injunction, submitted to District Judge Charles A. Pannell. (jtj) (Entered: 12/15/2011)
12/15/2011	<u>69</u>	Request for Leave of Absence for the following date(s): December 26–30, 2011, January 30–February 1, 2012, April 2–6, 2012, by Joshua H. Norris. (Norris, Joshua) (Entered: 12/15/2011)
12/16/2011	<u>70</u>	Application for Leave of Absence for the following date(s): 12/26, 12/27, 12/28, 12/29, 12/30, by Paula Rafferty Miller. (Miller, Paula) (Entered: 12/16/2011)
12/16/2011	<u>71</u>	Application for Leave of Absence for the following date(s): 12/26, 12/27, 12/28, 12/29, 12/30, by Julie Coleman Kegley. (Miller, Paula) Modified on 12/19/2011 to correct filer. (jtj) (Entered: 12/16/2011)
12/20/2011	<u>72</u>	Witness List by Frank Shelp, MD. (Naunas, Jason) (Entered: 12/20/2011)
12/28/2011	<u>73</u>	Plaintiff's NOTICE of Sworn Witness Testimony by Georgia Advocacy Office, Inc. (Norris, Joshua) Modified on 12/29/2011 to correct docket text. (jtj) (Entered: 12/28/2011)
01/04/2012	<u>74</u>	NOTICE of Appearance by Calandra A. Harps on behalf of Frank Shelp, MD (Harps, Calandra) (Entered: 01/04/2012)
02/06/2012		NOTICE of Hearing on Motion re: <u>65</u> MOTION for Permanent Injunction Motion Hearing set for 2/22/2012 at 11:00 AM in ATLA Courtroom 2307 before Judge Charles A. Pannell Jr.. (yrm) (Entered: 02/06/2012)
02/07/2012		NOTICE of Hearing on Motion re: <u>65</u> MOTION for Permanent Injunction Motion Hearing re-set for 2/28/2012 at 10:00 AM in ATLA Courtroom 2307 before Judge Charles A. Pannell Jr.. (yrm) (Entered: 02/07/2012)
02/28/2012	<u>75</u>	Minute Entry for proceedings held before Judge Charles A. Pannell, Jr: Motion Hearing held on 2/28/2012. TAKING UNDER ADVISEMENT <u>65</u> Motion for

		Permanent Injunction. Opening statements by counsel. Pla's evidence: Ruby Moore, sworn. Pla's exh 1, admitted. Dft's evidence Dr. Frank Shelp, sworn. Closing arguments by counsel. Each side to submit proposed orders to the court on or before 03/15/2012. Hearing concluded (Court Reporter Martha Frutchey) (jtj) (Entered: 02/28/2012)
03/06/2012	<u>76</u>	TRANSCRIPT of Motion for Permanent Injunction Proceedings held on February 28, 2012, before Judge Charles A. Pannell, Jr. Court Reporter/Transcriber Martha J. Frutchey, Telephone number 404-215-1573. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/27/2012. Redacted Transcript Deadline set for 4/6/2012. Release of Transcript Restriction set for 6/4/2012. (Attachments: # <u>1</u> Notice of Filing of Official Transcript) (kac) (Entered: 03/07/2012)
03/07/2012	<u>77</u>	Plaintiff's EXHIBIT 1 received from Courtroom Deputy and placed in Exhibit room. (jtj) (Entered: 03/07/2012)
03/15/2012	<u>78</u>	NOTICE <i>Of Proposed Language</i> by Frank Shelp, MD (Naunas, Jason) Modified on 3/16/2012 to remove duplicate text. (jtj) (Entered: 03/15/2012)
03/15/2012	<u>79</u>	Plaintiff's Proposed Remedy/Order re: <u>65</u> MOTION for Permanent Injunction. (Norris, Joshua) Modified on 3/16/2012 to correct docket text. (jtj) (Entered: 03/15/2012)
03/16/2012	<u>80</u>	Plaintiff's RESPONSE re <u>78</u> Defendant's Notice <i>of Proposed Language</i> filed by Georgia Advocacy Office, Inc. (Norris, Joshua) Modified on 3/19/2012 to correct docket text. (jtj) (Entered: 03/16/2012)
05/09/2012	<u>81</u>	ORDER GRANTING <u>65</u> Motion for Permanent Injunction. Because this order and injunction adjudicates all remaining issues, the clerk is DIRECTED to close this civil action. Signed by Judge Charles A. Pannell, Jr on 5/9/2012. (adg) (Entered: 05/09/2012)
05/09/2012	<u>82</u>	CLERK'S JUDGMENT prohibiting defendant from refusing to allow plaintiff to inspect and copy records under the P&A Acts. (adg)--Please refer to http://www.ca11.uscourts.gov to obtain an appeals jurisdiction checklist-- (Entered: 05/09/2012)
05/09/2012		Civil Case Terminated. (adg) (Entered: 05/09/2012)
05/23/2012	<u>83</u>	<i>Preliminary</i> MOTION for Attorney Fees by Georgia Advocacy Office, Inc. (Miller, Paula) Modified on 5/25/2012 to remove double wording (adg). (Entered: 05/23/2012)
06/04/2012	<u>84</u>	RESPONSE re <u>83</u> <i>Preliminary</i> MOTION for Attorney Fees filed by Frank Shelp, MD. (Naunas, Jason) (Entered: 06/04/2012)
06/18/2012	<u>85</u>	REPLY to Response to Motion re <u>83</u> <i>Preliminary</i> MOTION for Attorney Fees filed by Georgia Advocacy Office, Inc.. (Kegley, Julie) (Entered: 06/18/2012)
06/20/2012		Submission of <u>83</u> <i>Preliminary</i> MOTION for Attorney Fees, submitted to District Judge Charles A. Pannell. (adg) (Entered: 06/20/2012)
06/21/2012	<u>86</u>	Consent MOTION for Extension of Time to File Itemization of Requested Fee Award in Support of Plaintiff's Motion for Attorneys' Fees re: <u>83</u> <i>Preliminary</i> MOTION for Attorney Fees by Georgia Advocacy Office, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Norris, Joshua) (Entered: 06/21/2012)
06/25/2012	<u>87</u>	ORDER GRANTING <u>86</u> Consent Motion for Extension of Time until 6/29/2012 for Plaintiff to file its detailed specification and itemization of the requested fee award in support of Plaintiffs motion for attorneys' fees. Signed by Judge Charles A. Pannell, Jr on 6/25/2012. (adg) (Entered: 06/25/2012)
06/29/2012	<u>88</u>	BRIEF in Support of <u>83</u> <i>Preliminary</i> MOTION for Attorney Fees by Georgia Advocacy Office, Inc.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Declaration with Exhibit, # <u>3</u> Declaration with Exhibit, # <u>4</u> Declaration with Exhibit, # <u>5</u> Declaration)(Kegley, Julie) Modified on 7/2/2012 to correct docket text to accurately reflect e-filed document. (adg). (Entered: 06/29/2012)

06/29/2012	<u>89</u>	NOTICE Of Filing Replaces 88-2 Declaration of Joshua Norris with Exhibit by Georgia Advocacy Office, Inc. re <u>88</u> MOTION for Attorney Fees (Kegley, Julie) (Entered: 06/29/2012)
07/02/2012		Notification of Docket Correction re <u>88</u> MOTION for Attorney Fees . Modified on 7/2/2012 to correct docket text to accurately reflect e-filed document as a Brief in Support of <u>83</u> Preliminary MOTION for Attorney Fees. (adg) (Entered: 07/02/2012)
07/09/2012	<u>90</u>	Consent MOTION for Extension of Time To File Response To Plaintiff's Brief In Support Of Motion For Reasonable Attorneys' Fees re: <u>88</u> MOTION for Attorney Fees by Frank Shelp, MD. (Attachments: # <u>1</u> Text of Proposed Order)(Naunas, Jason) (Entered: 07/09/2012)
07/10/2012	<u>91</u>	ORDER GRANTING <u>90</u> Motion for Extension of Time until 7/20/2012 for Defendant to respond to <u>83</u> Preliminary MOTION for Attorney Fees. Signed by Judge Charles A. Pannell, Jr on 7/10/2012. (adg) (Entered: 07/10/2012)
07/20/2012	<u>92</u>	RESPONSE re <u>88</u> MOTION for Attorney Fees filed by Frank Shelp, MD. (Naunas, Jason) (Entered: 07/20/2012)
08/03/2012	<u>93</u>	REPLY BRIEF re <u>88</u> MOTION for Attorney Fees filed by Georgia Advocacy Office, Inc.. (Miller, Paula) (Entered: 08/03/2012)
09/12/2012	<u>94</u>	ORDER GRANTING Plaintiff's <u>83</u> Motion for Attorney Fees in the amount of \$39,561.50. The defendant is DIRECTED to remit payment on or before 11/15/2012. Failure to do so will result in contempt sanctions. Signed by Judge Charles A. Pannell, Jr on 9/12/2012. (adg) (Entered: 09/12/2012)
03/24/2016	<u>95</u>	NOTICE TO PLAINTIFF'S COUNSEL regarding RECLAMATION AND DISPOSITION OF UNCLAIMED EXHIBITS (Motion Hearing – February 28, 2012) pursuant to Local Rule 79.1D(2). (mec) (Entered: 03/24/2016)
05/11/2016		PLAINTIFF'S EXHIBIT DESTROYED as directed in <u>95</u> Exhibit Return Notification (mec) (Entered: 05/11/2016)