

DIST/OFFICE	YR.	NUMBER	MO.	DAY	YEAR	J	N/S	O	R	23	\$	DEMAND	OTHER	JUDGE	NUMBER	JURY	DEM.	YR.	NUMBER
538-3	75	0036	02	11	75	3	440	1				1/1	Declaratory Jdmt. & P.I.		3804			J75	36 (N)

PLAINTIFFS

John DOE and Richard Roe, through their next friends, individually and on behalf of all others similarly situated

VS

DEFENDANTS

Seth HUDSPETH, A.B. Albritton, Duane Burgis, Bernice Hale, L.G. Hopkins, Gwendolyn Loper, Gilbert MacVaugh, Jr., Eugene McLemore, and J.C. Williamson, in their capacities as the Chairman and Members of the Mississippi State Board of Mental Health; Reginald P. White, in his capacity as Executive Director of the Mississippi Department of Mental Health; Paul Cotten, in his capacity as Director of the Division of Mental Retardation of the Mississippi Department of Mental Health, C.B. Noblin, in his capacity as Superintendent of the Central Mississippi Retardation Center; and W.L. Jacquith, in his capacity as Superintendent of the Mississippi State Hospital

Mississippi Association for Retarded Citizens, Inc.  
(Amicus Curiae 11/25/75  
Order)

CAUSE

42 U.S.C. 1983 & 8th and 14th Amendments to U.S. Constitution.

Declaratory Judgment and Injunction against plaintiffs' confinement and existing conditions at Retardation Center at Whitfield, Ms.

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ATTORNEYS

David Seth Michaels  
Barry H. Powell  
Community Legal Services, Inc.  
P. O. Box 22571  
Jackson, Ms. 39205

Edwin A. Snyder  
Special Assistant Attorney General  
P. O. Box 220  
Jackson, Ms. 39205

~~Jerry T. Lockett~~  
~~319 Country Club Road~~  
~~Oxford, Miss. 38655~~

and... (Order 11-30-76)

~~John R. Bradley, Jr.~~  
~~107 Phillip Road~~  
~~Oxford, Miss. 38655~~  
(Amicus Curiae)

Ben L. Owen  
P. O. Box 1001  
Columbus, Miss. 39701  
(Amicus Curiae) (Order 11-30-76)

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	
				JS-6	

DATE	NR.	PROCEEDINGS
2-11-75		Complaint, original and 13 copies, filed.
2-12-75		Summons, original and 13 copies, copies having attached copy of complaint, issued and handed U. S. Marshal.
3-3-75		Motion of defts. for enlargement of time until 4-3-75 to plead, with cert. of service, filed.
3-3-75		Notice of above motion for hearing on 3-12-75 in Jackson, Ms., filed.
3-4-75		Marshal's returns on summons executed as to each and all defts. (service on Dr. John Cotten in official capacity as Director, Division of Retardation, State Department of Mental Health rather than Paul Cotten as named in complaint), filed.
3-5-75		ORDER: defts. granted add'l time until 4-3-75 to plead, filed and entered OB 1975, page 455 (copy mailed attorneys)
3-6-75		ORDER: defts. granted until 4-3-75 to answer or otherwise plead, filed and entered OB 1975, page 483.
3-7-75		Copy of above Order mailed attorneys.
03/13/75		Pltf's. motion for certification of Class with cert. of service and notice of motion on 04/01/75 in Biloxi at 9:00 AM and cert. of service, filed.
03/13/75		Plaintiffs' first interrogatories, with cert. of service, filed.
03/26/75		Motion of pltf. Richard Roe for Temporary Restraining Order, with notice of motion on 04/02/75 in Biloxi at 10:00 AM and cert. of service, filed.
03/27/75		Pltf/s notice of deposition of David Gayden on 03/31/75, with cert. of service, filed.
04/01/75		Affidavit of David Seth Michael in support of pltf's. motion for preliminary injunction, with attached exhibit and cert. of service, filed.
04/01/75		Affidavit of David Seth Michael with attached exhibit (Deposition of Dave T. Gayden taken 03/31/75) with cert. of service, filed.
4-1-75		Order granting injunction as to Richard Roe during pendency of this action, filed and entered OB 1975, pages 603-604. (copy handed atty. Michaels, mailed atty. Snyder)
4-1-75		ORDER: Action may be maintained as a class action, filed and entered OB 1975, pages 606-607. (copy handed atty. Michaels, mailed atty. Snyder)
04/04/75		ANSWER of defendants, with cert. of service, filed.
04/15/75		Defts'. objection to pltfs' First Interrogatories Nos. 4, 19, 20, 47-D, with cert. of service, filed.
04/15/75		Deft's. answers to plaintiffs' First Interrogatories, with cert. of service and attachments, filed.
04/17/75		Pltf's. notice of deposition of Dr. J. M. Ross on 04/21/75 with cert. of service, filed.
04/16/75		Deposition of Dave P. Gayden taken by pltfs. on 03/31/75, filed.
05/28/75		Deposition of Dr. Jerry Ross taken on 04/22/75 by pltf., filed.

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. J75-36 (X)(e)
John Doe, et al		Seth Hudspeth, et al	PAGE 2 OF _____ PAGES
DATE	NR.	PROCEEDINGS	
6-5-75		Plaintiffs' Notice of taking depositions at the Clinic/Administration Bldg. of Central Miss. Retardation Center in Whitfield, Miss., with Certificate of Service, filed.	
06/19/75		Pltf's. notice of depositions of Dr. Judy Parker on 07/02/75 and of Dr. George M. Ozborn on 07/03/75, with cert. of service, filed.	
06/19/75		Pltf's. motion for extension of discovery with notice of motion on 06/25/75 in Biloxi at 2:00 PM and cert. of service, filed.	
06/25/75		ORDER granting parties additional 90 days to conduct discovery, filed and entered OB 1975, page 1059. (Copies mailed attys. of record.)	
06/27/75		Defts'. supplemental answers to pltf's'. First Interrogatories with attachments, filed.	
7-16-75		Pltf's' Request for Production of Documents, with cert. of service, filed.	
08/19/75		Deposition of Max Robert Taylor taken by pltf. on 06/11/75, filed.	
09/09/75		Deposition of Judith Grantham Parker, M.D. taken by pltf. on 07/02/75, filed.	
09/09/75		Deposition of Irma Jean David taken by pltf's. on 06/12/75, filed.	
09/09/75		Deposition of Cynthia Jenkins taken by pltf's. on 06/10/75, filed.	
09/09/75		Deposition of Minnie Johnson taken by pltf's. on 06/11/75, filed.	
09/09/75		Deposition of Mildred Moore taken by pltf's. on 06/11/75, filed.	
09/17/75		ORDER extending discovery for additional 90 days, filed and entered OB 1975, page 1514. (Copies mailed attys. of record.)	
09/26/75		Deft's. response to request for production of documents, with cert. of service, filed.	
10-6-75		Motion of Mississippi Association for Retarded Citizens, Inc. for leave to participate as amicus curiae, with cert. of service, filed.	
10-6-75		Motion of Jerry T. Lockett for special appearance as counsel for Miss. Assoc. for Retarded Citizens, Inc., with cert. of service, filed. - with Certificate of Good Standing attached as Exhibit A.	
10-6-75		Notice of hearing on motions for leave to participate as amicus curiae and for special appearance on 11-14-75 at 2:30 p.m. in Biloxi, with cert. of service, filed.	
10/28/75		Pltf's. motion to compel production of documents, with notice of motion on 11/14/75 in Biloxi at 2:30 PM and cert. of service, filed.	
<del>10/28/75</del>		<del>Amended notice of motion for certification as class action on 12/05/75 in Jackson at 9:00 AM, with cert. of ---- (Wrong Docket Sheet - gb)</del>	
10/28/75		Pltf's. notice of depositions of Earnestine Field and C. B. Noblin on 11/10/75, of Paul Cotten on 11/11/75 & 11/12/75 and W. L. Jaquith on 11/12/75 & 11/13/75, with cert. of service, filed.	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>J75-36(N)(c)</u>
John Doe, et al		Seth Hudspeth, et al	PAGE <u>3</u> OF <u>    </u> PAGES
DATE	NR.	PROCEEDINGS	
10/28/75		Amended notice of pltf's. depositions of Earnestine Field on 12/08/75; C. B. Noblin on 12/08/75 & 12/09/75; Paul Cotten on 12/09/75 & 12/10/75 and W. L. Jaquith on 12/10/75 & 12/11/75, with cert. of service, filed.	
11/14/75		Plaintiffs' first request for admission of facts and genuineness of documents, with cert. of service, filed.	
11/14/75		Exhibits A through F to pltf's'. first request for admission of facts, with cert. of service, filed.	
11/14/75		Exhibits G to pltf's'. first request for admission of facts, with cert. of service, filed.	
11/14/75		Exhibits H through N to pltf's'. first request for admission of facts, with cert. of service, filed.	
11/25/75		ORDER granting motion of Mississippi Association for Retarded Citizens, Inc. for leave to participate as Amicus Curiae and motion for special appearance of Jerry T. Lockett; Participation by movant will be allowed to extend determined by Court, filed and entered OB 1975, page 2241. (Copies mailed attys. of record.)	
12-19-75		ORDER: defts. given add'l time until 12-18-75 in which to respond to pltf's' First Request for Admission of Facts and Genuineness of Documents, filed and entered OB 1975, page 2510 (copy mailed attorneys)	
12-19-75		Defendants' Response to Plaintiffs' First Request for Admission of Facts and Genuineness of Document, with Certificate of Service, filed.	
12/29/75		Pltf's. third request for admission of facts and genuineness of documents, with cert. of service and Exhibit A, filed.	
12-30-75		Pltf's' Second Interrogatories, with cert. of service, filed.	
12-30-75		Pltf's' Third Interrogatories, with cert. of service, filed.	
12-30-75		Pltf's' Second Request for Production of Documents, with cert. of service, filed.	
12-30-75		Pltf's' Second Request for Admission of Facts and Genuineness of Documents and attachment of documents as exhibits labeled AA through GG and O(1) through Z, with cert. of service, filed.	
01/19/76		Notice of appearance of Steven Goode, 1520 New Hampshire Ave., N.W., Washington, D.C. 20036 as additional counsel for pltf's., with cert. of service, filed.	
02/06/76		Deposition of Earnestine Field taken by pltf. on 12/08/75, filed.	
02/06/76		Deposition of Paul D. Cotten, Ph.D taken by pltf. on 12/09/76, filed.	
02/06/76		Deposition of C. B. Noblin taken by pltf. on 12/08/76, filed.	
02/06/76		Deposition of Dr. W. L. Jaquith taken by pltf. on 12/09/76, filed.	
02/10/76		Deft's. answer to pltf's'. third interrogatories, with cert. of service, filed.	
02/10/76		Deft's. response to pltf's'. second request for admission of facts and genuineness of documents, with cert. of service, filed.	
02/10/76		Defts'. answers to pltf's'. second interrogatories, with cert. of service, filed..	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>J75-36(C)</u>
John Doe, et al		Seth Hudspeth, et al	PAGE <u>4</u> OF _____ PAGES
DATE	NR.	PROCEEDINGS	
02/10/76		Defts'. answer to pltfs'. second request for production of documents, with cert. of service and attachment, filed.	
9-17-76		Pltfs'. motion for leave to reopen discovery or to compel supplementation of responses to previous discovery, with Exhibits A thru D, Incl., and notice of motion on 9-23-76 at 9:00 A.M., in Jackson, filed.	
09/22/76		Deft's. objection to motion for leave to reopen discovery or to compel supplementation of responses to previous discovery, with cert. of service, filed.	
10/12/76		Pltf's. notice of depositions of LaVonne Jaeger on 10/15/76; Linda Dinus and Lynn Gardner on 10/21/76 and Robert Sprague on 10/22/76, with cert. of service, filed.	
10-26-76		Deposition of Ms. Lavonne Jaeger taken by Pltfs. on 10-15-76, filed.	
10-29-76		Pltfs'. notice of deposition of Dr. Paul Cotten, Director of the Division of Retardation of the Mississippi Department of Mental Health, on 11-17-76, with certificate of service, filed.	
10-29-76		Order permitting plaintiffs to take deposition of Dr. Paul Cotten with 15 days, filed and entered O. B. 1976, Page 2046. Copies mailed attorneys.	
10-29-76		Order extending time for plaintiffs' to Reopen Discovery in some respects and denying certain requests, filed and entered O. B. 1976, Page 2051. Copy transmitted attorneys of record.	
11/02/76		ORDER assigning cause to U. S. Magistrate John R. Countiss as Special Master, who, with consent of parties may try case and enter final judgment, filed and entered OB 1976, page 2080. (Copies mailed attys. of record, & handed Glvenda.)	
11-9-76		Deposition of Linda A. Dinus taken by Pltfs. on 10-21-76, filed.	
11-30-76		Motion of Mississippi Association for Retarded Citizens, Inc. for substitution of counsel, with cert. of service, filed.	
11-30-76		ORDER: Ben Owen is substituted as counsel of record for Jerry T. Lockett and John R. Bradley for the amicus curiae, Mississippi Association for Retarded Citizens, Inc., filed and entered OB 1976, page 2288. (Copies mailed attys. of record). JRCIII	
12/06/76		Deposition of Robert L. Sprague taken by pltf's. on 10/22/76, filed.	
01/11/77		Deposition of Paul D. Cotten taken by pltf. on 11/18/76, filed.	
01/11/77		Exhibit 3 to Deposition of Paul D. Cotten taken on 11/18/76 by pltf., filed.	
02/18/77		Joint motion for continuance with Memorandum of Understanding, filed.	
02/18/77		ORDER: Cause is continued until defts. have completed the previously commenced repaid and renovation of the 10 residential cottages and the activity building of the Hudspeth Center, or until 07/01/78, which ever is earlier, filed and entered OB 1977, page 317. (Copies mailed attys. of record.)	

(Continued)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF John Doe, et al	DEFENDANT Seth Hudspeth, et al	DOCKET NO. <u>J75-36(C)</u> PAGE <u>5</u> OF _____ PAGES
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DATE	NR.	PROCEEDINGS
5/29/80		JUDGMENT: dismissed without prejudice, filed & entered OB 1980, Page 1669. (Copy handed Atty. Powell & copies mailed other attys. of record) HC
<u>5/29/80</u>		<u>JS-6 Card.</u>