

CLOSED

**U.S. District Court
Eastern District of Michigan (Flint)
CIVIL DOCKET FOR CASE #: 4:18-cv-11451-LVP-EAS**

Speech First, Inc. v. SCHLISSEL et al
Assigned to: District Judge Linda V. Parker
Referred to: Magistrate Judge Elizabeth A. Stafford
Case in other court: U.S. Court of Appeals – Sixth
Circuit, 18-01917
U.S. Court of Appeals – Sixth Circuit,
18-01917

Date Filed: 05/08/2018
Date Terminated: 10/29/2019
Jury Demand: None
Nature of Suit: 448 Civil Rights:
Education
Jurisdiction: Federal Question

Cause: 42:1983 Civil Rights Act

Plaintiff

Speech First, Inc.

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V.

Defendant

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Defendant

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Defendant

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Defendant

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Interested Party

United States

Date Filed	#	Docket Text
05/08/2018	<u>1</u>	COMPLAINT filed by Speech First, Inc. against MICHAEL J. BEHM, MARK J. BERNSTEIN, JULIO CARDONA, SHAUNA RYDER DIGGS, E. ROYSTER HARPER, DENISE ILITCH, ANDREA FISCHER NEWMAN, ANDREW C. RICHNER, MARK SCHLISSEL, ROBERT SELLERS, EDDIE L. WASHINGTON, JR., RON WEISER, ERIK WESSEL, KATHERINE E. WHITE. Plaintiff requests summons issued. Receipt No: 0645-6723254 – Fee: \$ 400. County of 1st Plaintiff: Out of State – County Where Action Arose: Washtenaw – County of 1st Defendant: Washtenaw. [Previously dismissed case: No] [Possible companion case(s): None] (Attachments: # <u>1</u> Civil Cover Sheet) (Di Giacomo, John) (Entered: 05/08/2018)
05/08/2018	<u>2</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by All Plaintiffs (Di Giacomo, John) (Entered: 05/08/2018)
05/08/2018	<u>3</u>	SUMMONS Issued for *MICHAEL J. BEHM, MARK J. BERNSTEIN, JULIO CARDONA, SHAUNA RYDER DIGGS, E. ROYSTER HARPER, DENISE ILITCH, ANDREA FISCHER NEWMAN, ANDREW C. RICHNER, MARK SCHLISSEL, ROBERT SELLERS, EDDIE L. WASHINGTON, JR., RON WEISER, ERIK WESSEL, KATHERINE E. WHITE* (SKra) (Entered: 05/08/2018)
05/08/2018		A United States Magistrate Judge of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form is available for download at http://www.mied.uscourts.gov (SKra) (Entered: 05/08/2018)
05/11/2018	<u>4</u>	MOTION for Preliminary Injunction by Speech First, Inc.. (Attachments: # <u>1</u> Exhibit Declaration of Nicole Neily, # <u>2</u> Exhibit Declaration of Jeffrey Harris) (Di Giacomo, John) (Entered: 05/11/2018)

05/15/2018	<u>5</u>	NOTICE of Appearance by J. Michael Huget on behalf of All Defendants. (Huget, J.) (Entered: 05/15/2018)
05/15/2018	<u>6</u>	NOTICE of Appearance by Leonard M. Niehoff on behalf of All Defendants. (Niehoff, Leonard) (Entered: 05/15/2018)
05/15/2018	<u>7</u>	NOTICE of Appearance by Rian Cierra Dawson on behalf of All Defendants. (Dawson, Rian) (Entered: 05/15/2018)
05/15/2018	<u>8</u>	NOTICE of Appearance by Adam Michael Wenner on behalf of All Defendants. (Wenner, Adam) (Entered: 05/15/2018)
05/16/2018	<u>9</u>	MOTION for Extension of Time to File Response/Reply as to <u>4</u> MOTION for Preliminary Injunction by All Defendants. (Dawson, Rian) (Entered: 05/16/2018)
05/17/2018	<u>10</u>	NOTICE of Appearance by Kevin T. Baine on behalf of All Defendants. (Baine, Kevin) (Entered: 05/17/2018)
05/17/2018	<u>11</u>	RESPONSE to <u>9</u> MOTION for Extension of Time to File Response/Reply as to <u>4</u> MOTION for Preliminary Injunction filed by Speech First, Inc.. (Di Giacomo, John) (Entered: 05/17/2018)
05/17/2018	<u>12</u>	REPLY to Response re <u>9</u> MOTION for Extension of Time to File Response/Reply as to <u>4</u> MOTION for Preliminary Injunction filed by All Defendants. (Dawson, Rian) (Entered: 05/17/2018)
05/18/2018		TEXT-ONLY ORDER Granting In Part and Denying In Part the <u>9</u> Motion for Extension of Time to File Response/Reply. The Response to the <u>4</u> MOTION for Preliminary Injunction is due by 6/15/2018, The Reply is due by 6/29/2018. IT IS SO ORDERED. Issued by District Judge Linda V. Parker. (RLou) (Entered: 05/18/2018)
05/31/2018	<u>13</u>	WAIVER OF SERVICE Returned Executed. All Defendants. (Di Giacomo, John) (Entered: 05/31/2018)
06/11/2018	<u>14</u>	STATEMENT of Interest In Support of Plaintiff's Motion for Preliminary Injunction by United States (Caplan, Peter) (Entered: 06/11/2018)
06/14/2018	<u>15</u>	NOTICE of Appearance by Stephen J. Fuzesi on behalf of All Defendants. (Fuzesi, Stephen) (Entered: 06/14/2018)
06/15/2018	<u>16</u>	NOTICE of Appearance by Kathryn Hoover on behalf of All Defendants. (Hoover, Kathryn) (Entered: 06/15/2018)
06/15/2018	<u>17</u>	NOTICE of Appearance by Amy B. McKinlay on behalf of All Defendants. (McKinlay, Amy) (Entered: 06/15/2018)
06/15/2018	<u>18</u>	RESPONSE to <u>4</u> MOTION for Preliminary Injunction filed by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Declaration of Kevin Baine and Exhibits, # <u>3</u> Exhibit B – Declaration of Evelyn Galvan, # <u>4</u> Exhibit C – Declaration of E. Royster Harper and Exhibits, # <u>5</u> Exhibit D.1 – Declaration of Laura Blake Jones and Exhibits 1–27, # <u>6</u> Exhibit D.2 – Declaration of Laura Blake Jones Exhibits 28–51, # <u>7</u> Exhibit D.3 – Declaration of Laura Blake Jones Exhibits 52–88, # <u>8</u> Exhibit E – Declaration of Erik Wessel and Exhibit) (McKinlay, Amy) (Entered: 06/15/2018)
06/18/2018	<u>19</u>	MOTION to Stay re <u>1</u> Complaint,, <i>Unopposed Motion to Stay Obligation to Answer or Otherwise Respond to Complaint</i> by All Defendants. (McKinlay, Amy) (Entered: 06/18/2018)
06/19/2018	<u>20</u>	ORDER Granting Defendants' Unopposed <u>19</u> Motion to Stay Obligation to Answer or Otherwise Respond to Complaint. (The Deadline for Filing a Responsive Pleading to the Complaint is Extended Until Twenty-One (21) Days From the Date That the Court Rules on the Motion For Preliminary Injunction). Signed by District Judge Linda V. Parker. (RLou) (Entered: 06/19/2018)
06/29/2018	<u>21</u>	REPLY to Response re <u>4</u> MOTION for Preliminary Injunction filed by Speech First, Inc.. (Di Giacomo, John) (Entered: 06/29/2018)

06/29/2018	<u>22</u>	NOTICE of Appearance by Jeffrey M. Harris on behalf of All Plaintiffs. (Harris, Jeffrey) (Entered: 06/29/2018)
07/05/2018	<u>23</u>	NOTICE OF HEARING on <u>4</u> MOTION for Preliminary Injunction. Motion Hearing set for 7/31/2018 at 2:30 PM before District Judge Linda V. Parker (RLou) (Entered: 07/05/2018)
07/13/2018	<u>24</u>	NOTICE OF HEARING on <u>4</u> MOTION for Preliminary Injunction. Motion Hearing RESET for 7/31/2018 at 2:30 PM before District Judge Linda V. Parker ***IN DETROIT – COURTROOM 602*** (RLou) (Entered: 07/13/2018)
07/31/2018		Minute Entry for proceedings before District Judge Linda V. Parker: Motion Hearing held on 7/31/2018 re <u>4</u> MOTION for Preliminary Injunction. Disposition: Motion Taken Under Advisement (Court Reporter: Peg Goodrich) (RLou) (Entered: 07/31/2018)
08/06/2018	<u>25</u>	OPINION and ORDER Denying Plaintiff's <u>4</u> Motion for Preliminary Injunction. Signed by District Judge Linda V. Parker. (RLou) (Entered: 08/06/2018)
08/13/2018	<u>26</u>	NOTICE OF APPEAL by All Plaintiffs re <u>25</u> Order on Motion for Preliminary Injunction. Receipt No: 0645-6856933 – Fee: \$ 505 – Fee Status: Fee Paid. (Di Giacomo, John) (Entered: 08/13/2018)
08/13/2018	<u>27</u>	Certificate of Service re <u>26</u> Notice of Appeal. (DWor) (Entered: 08/13/2018)
08/20/2018	<u>28</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint,,, by All Defendants. (Hoover, Kathryn) (Entered: 08/20/2018)
08/21/2018		TEXT-ONLY ORDER Granting the <u>28</u> MOTION for Extension of Time to File Answer re <u>1</u> Complaint. The Deadline for Filing a Responsive Pleading to the Complaint is Extended Until Twenty-One (21) Days After Plaintiff's Appeal is Decided by the U.S. Court of Appeals for the Sixth Circuit. IT IS SO ORDERED. Issued by District Judge Linda V. Parker. (RLou) (Entered: 08/21/2018)
10/02/2018	<u>29</u>	TRANSCRIPT of MOTION FOR PRELIMINARY INJUNCTION held on July 31, 2018. (Court Reporter: Peg L. Goodrich) (Number of Pages: 48) (Appeal Purposes) The parties have 21 days to file with the court and Court Reporter a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 10/23/2018. Redacted Transcript Deadline set for 11/2/2018. Release of Transcript Restriction set for 12/31/2018. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Goodrich, P) (Entered: 10/02/2018)
03/04/2019	<u>30</u>	ORDER from U.S. Court of Appeals – Sixth Circuit re <u>26</u> Notice of Appeal filed by Speech First, Inc. [Appeal Case Number 18-1917] (DWor) (Entered: 03/06/2019)
09/23/2019	<u>31</u>	OPINION AND JUDGMENT from U.S. Court of Appeals – Sixth Circuit re <u>26</u> Notice of Appeal filed by Speech First, Inc. [Appeal Case Number 18-1917] (SKra) (Entered: 09/23/2019)
10/13/2019	<u>32</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint,,, by All Defendants. (Baine, Kevin) (Entered: 10/13/2019)
10/15/2019	<u>33</u>	MANDATE from U.S. Court of Appeals – Sixth Circuit as to <u>31</u> Appeal Order/Opinion/Judgment [Appeal Case Number 18-1917] (SKra) (Entered: 10/15/2019)
10/15/2019	<u>34</u>	NOTICE TO APPEAR BY TELEPHONE: Status Conference set for 10/17/2019 at 10:30 AM before District Judge Linda V. Parker (RLou) (Entered: 10/15/2019)
10/16/2019		Reset Conference: TELEPHONIC Status Conference RESET for 10/31/2019 at 11:30 AM before District Judge Linda V. Parker (RLou) (Entered: 10/16/2019)
10/28/2019	<u>35</u>	NOTICE of Voluntary Dismissal by Speech First, Inc. (Attachments: # <u>1</u> Settlement Agreement) (Harris, Jeffrey) (Entered: 10/28/2019)

10/29/2019		TEXT-ONLY NOTICE: Telephonic Status Conference on 10/31/2019 is Cancelled (RLou) (Entered: 10/29/2019)
10/29/2019	<u>36</u>	ORDER of DISMISSAL. Signed by District Judge Linda V. Parker. (RLou) (Entered: 10/29/2019)