

CASREF,CLOSED,CONMAG,JURY,LC1,MEDIATION
U.S. District Court
Southern District of Ohio (Dayton)
CIVIL DOCKET FOR CASE #: 3:17-cv-00381-SLO

Human Rights Defense Center v. Greene County Ohio et al
Assigned to: Magistrate Judge Sharon L. Ovington
Referred to: Magistrate Judge Sharon L. Ovington (Settlement)
Demand: \$100,000
Cause: 42:1983 Civil Rights Act

Date Filed: 10/31/2017
Date Terminated: 10/12/2018
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Human Rights Defense Center
c/o Newman & Meeks LPA

represented by **Robert Brand Newman**
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V.

Defendant

Greene County Ohio
*c/o Brandon Huddleson, County
 Administrator*

represented by **Elizabeth Anne Ellis**
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 Email: shayden@co.greene.oh.us
TERMINATED: 03/30/2018

Defendant

Kirk Keller, Jail Administrator
Individually and in his official capacity

represented by **Elizabeth Anne Ellis**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephanie Renee Hayden
 (See above for address)
TERMINATED: 03/30/2018

Defendant

Gene Fischer, Sheriff
individually and in his official capacity

represented by **Elizabeth Anne Ellis**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephanie Renee Hayden
 (See above for address)
TERMINATED: 03/30/2018

Defendant

John and Jane Does 1-10, Staff,
*individually and in their official
 capacities*

represented by **Elizabeth Anne Ellis**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephanie Renee Hayden
 (See above for address)
TERMINATED: 03/30/2018

Date Filed	#	Docket Text
10/31/2017	<u>1</u>	COMPLAINT with JURY DEMAND against All Plaintiffs (Filing fee \$ 400 paid – receipt number: 0648-6186058), filed by robert human rights defense center. (Attachments: # <u>1</u> Civil Cover Sheet) (Newman, Robert) (Entered: 10/31/2017)
10/31/2017	<u>2</u>	MOTION for Preliminary Injunction by Plaintiff Human Rights Defense Center. (Attachments: # <u>1</u> Supplement Memorandum, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit) (Newman, Robert) Modified on 11/8/2017 to correct docket text. (jmb). (Entered: 10/31/2017)

10/31/2017	<u>3</u>	ORDER transferring case from the docket of the Honorable Michael R. Barrett to the Office of the Clerk for reassignment to the Western Division of the Southern District of Ohio at Dayton. Signed by Judge Michael R. Barrett on 10/31/17. (sct) (Entered: 10/31/2017)
10/31/2017		Case transferred in from Cincinnati Division on 10/31/2017, Case Number 1:17-cv-730. Case assigned to Judge Thomas M. Rose. (sct) (Entered: 10/31/2017)
10/31/2017		***If this case is referred, it will be to Magistrate Judge Michael J. Newman. (sct) (Entered: 10/31/2017)
11/07/2017	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice (Filing fee of \$200 paid, receipt number 0648-6195213) of Daniel Marshall by Plaintiff Human Rights Defense Center. (Newman, Robert) (Entered: 11/07/2017)
11/07/2017	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice (Filing fee of \$200 paid, receipt number 0648-6195231) of Masimba Mutamba by Plaintiff Human Rights Defense Center. (Attachments: # <u>1</u> Affidavit) (Newman, Robert) Modified on 11/8/2017 to correct docket text(jmb). (Entered: 11/07/2017)
11/07/2017	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice (Filing fee of \$200 paid, receipt number 0648-6195256) of Sabarish Neelakanta by Plaintiff Human Rights Defense Center. (Attachments: # <u>1</u> Affidavit) (Newman, Robert) Modified on 11/8/2017 to correct docket text.(jmb). (Entered: 11/07/2017)
11/07/2017	<u>7</u>	NOTICE of Appearance by Stephanie Renee Hayden for Defendants Gene Fischer, Greene County Ohio, Kirk Keller (Hayden, Stephanie) (Entered: 11/07/2017)
11/08/2017		Notice of Correction re: <u>4</u> MOTION for Leave to Appear Pro Hac Vice (Filing fee of \$200 paid, receipt number 0648-6195213) of Daniel Marshall: Counsel is instructed to file a Certificate of Good Standing for Daniel Marshall using the event Notice (Other): located under Civil, Notice, Notice(Other) and reference the Motion for Leave to Appear Pro Hac Vice <u>4</u> in the docket text. (kma) (Entered: 11/08/2017)
11/08/2017	<u>8</u>	NOTICE by Plaintiff Human Rights Defense Center <i>Certificate of Good Standing for Daniel Marshall in support of 4</i> (Newman, Robert) Modified on 11/8/2017 to correct docket text. (jmb). (Entered: 11/08/2017)
11/08/2017		NOTATION ORDER granting <u>4</u> Motion for Leave to Appear Pro Hac Vice of Daniel Lucas Marshall. Signed by Judge Thomas M. Rose on 11/8/2017. (jmb) (Entered: 11/08/2017)
11/08/2017		ORDER granting <u>5</u> Motion for Leave to Appear Pro Hac Vice of Masimba Maxwell Mutamba. Signed by Judge Thomas M. Rose on 11/8/17. (jmb) (Entered: 11/08/2017)
11/08/2017		ORDER granting <u>6</u> Motion for Leave to Appear Pro Hac Vice of Sabarish Neelakanta. Signed by Judge Thomas M. Rose on 11/8/2017. (jmb) (Entered: 11/08/2017)
11/13/2017		Minute Entry for proceedings held before Judge Thomas M. Rose: Telephone Conference held on 11/13/2017. Motion Hearing scheduled for Monday, December 12, 2017 at 9:00 am in Courtroom 2 before Judge Thomas M. Rose (Court Reporter: Mary Schweinhagen) (ep) (Entered: 11/13/2017)
11/13/2017		NOTICE of Hearing on Motion <u>2</u> MOTION for Preliminary Injunction : Motion Hearing set for 12/11/2017 at 9:00 AM in Courtroom 2 – Dayton before Judge Thomas M. Rose. (ep) (Entered: 11/13/2017)
11/16/2017	<u>9</u>	MOTION for Extension of Time to File Response/Reply as to <u>2</u> MOTION for Preliminary Injunction New date requested 11/24/2017. by Defendants Gene Fischer, Sheriff, Greene County Ohio, John and Jane Does 1-10, Staff., Kirk Keller, Jail Administrator. (Hayden, Stephanie) (Entered: 11/16/2017)
11/16/2017		NOTATION ORDER granting <u>9</u> Motion for Extension of Time to File – Defendant is granted up to and including November 24, 2017 to respond to Plaintiff's Motion for Preliminary Injunction <u>2</u> . Signed by Judge Thomas M. Rose on 11-16-2017. (de) (Entered: 11/16/2017)
11/17/2017		Set/Reset Deadlines as to <u>2</u> MOTION for Preliminary Injunction . Responses due by 11/24/2017. (kma) (Entered: 11/17/2017)

11/20/2017	<u>10</u>	MOTION for Leave to Appear Pro Hac Vice (Filing fee of \$200 paid, receipt number 0648-6211154) of bruce johnson by Plaintiff Human Rights Defense Center. (Attachments: # <u>1</u> Exhibit certificate of good standing, # <u>2</u> Exhibit certificate of good standing) (Newman, Robert) (Entered: 11/20/2017)
11/21/2017		NOTATION ORDER granting <u>10</u> Motion for Leave to Appear Pro Hac Vice of Bruce E.H. Johnson. Signed by Judge Thomas M. Rose on 11/21/2017. (srb) (Entered: 11/21/2017)
11/22/2017	<u>11</u>	NOTICE OF WITHDRAWAL OF DOCUMENT by Plaintiff Human Rights Defense Center <i>Motion for Preliminary Injunction</i> (Marshall, Daniel) (Entered: 11/22/2017)
11/29/2017	<u>12</u>	NOTICE of Settlement of <i>Injunctive Claims</i> by Plaintiff Human Rights Defense Center (Neelakanta, Sabarish) (Entered: 11/29/2017)
01/22/2018	<u>13</u>	NOTICE by Defendants Gene Fischer, Sheriff, Greene County Ohio, John and Jane Does 1-10, Staff,, Kirk Keller, Jail Administrator (Hayden, Stephanie) (Entered: 01/22/2018)
02/21/2018		Minute Entry for proceedings held before Judge Thomas M. Rose: Status Conference held on 2/21/2018. Case to be referred to mediation for April 2018. Status Conference set for 4/11/2018 at 9:30 AM by telephone before Judge Thomas M. Rose. Court to initiate call. (ep) (Entered: 02/21/2018)
02/21/2018	<u>14</u>	ORDER REFERRING CASE to Magistrate Judge Magistrate Judge Sharon L. Ovington, ADR Coordinator for the purposes of overseeing the mediation process. Signed by Judge Thomas M. Rose on 2/21/18. (ep) (Entered: 02/21/2018)
03/07/2018	<u>15</u>	ORDER FOR COURT-CONDUCTED MEDIATION: Mediation Hearing set for 5/3/2018 at 10:00 AM in Federal Building 200 W Second St 5th Floor, Room 523 Dayton OH 45402 before Magistrate Judge Sharon L. Ovington. Signed by Magistrate Judge Sharon L. Ovington on 3/7/2018. (srb) (Entered: 03/07/2018)
03/30/2018	<u>16</u>	NOTICE of Substitution of Counsel – Elizabeth Anne Ellis substituting for Stephanie R. Hayden as to Defendants Gene Fischer, Sheriff, Greene County Ohio, John and Jane Does 1-10, Staff,, Kirk Keller, Jail Administrator. (Ellis, Elizabeth) (Entered: 03/30/2018)
05/02/2018	<u>17</u>	MOTION for Extension of Time to File New date requested 5/3/2018. by Defendants Gene Fischer, Sheriff, Greene County Ohio, John and Jane Does 1-10, Staff,, Kirk Keller, Jail Administrator. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order) (Ellis, Elizabeth) (Entered: 05/02/2018)
05/02/2018		NOTATION ORDER granting <u>17</u> Defendants' Motion for Leave to File Answer <i>Instantly</i> . Signed by Magistrate Judge Sharon L. Ovington on 5/2/2018. (lk) (Entered: 05/02/2018)
05/03/2018		Minute Entry for proceedings held before Magistrate Judge Sharon L. Ovington: Mediation held on 5/3/2018 – continued in progress (time input for credit to Judge Ovington); Teleconference set for 6/1/2018 at 11:00 AM before Magistrate Judge Sharon L. Ovington. (rp) (Entered: 05/03/2018)
05/03/2018		NOTICE OF PROCEEDING: Post Mediation Teleconference set for 6/1/2018 at 11:00 AM before Magistrate Judge Sharon L. Ovington. PLEASE CALL 1-888-684-8852. The ACCESS CODE is 6641708. The SECURITY CODE is 060118. If you have any questions, please call Rose Plummer at 937-512-1570. (rp) (Entered: 05/03/2018)
06/01/2018		Minute Entry for proceedings held before Magistrate Judge Sharon L. Ovington: Status Telephone Conference Re: Mediation held on 6/1/2018. This case is at an impasse. (cib) (Entered: 06/01/2018)
07/12/2018		NOTICE of Hearing: Pretrial Conference set for Thursday, August 30, 2018 at 9:30 a.m. before Judge Thomas M. Rose. Parties shall call 1-888-684-8852, enter access code 1916636, enter security code 8302018 and wait for the Court to join the conference. ***Prior to the pretrial conference counsel must comply with the MANDATORY DISCLOSURE RULES of Fed.R.Civ.P. 26(a)(1) and the MANDATORY, pre-preliminary pretrial conference between counsel, required by Fed.R.Civ.P. 26(f). NOTE: the format for the Rule 26(f) conference between counsel and the report to the Court has been altered. This new form is available on line and

		MUST be utilized in this case. THE REPORT MUST BE FILED 7 DAYS PRIOR TO THE PRELIMINARY PRETRIAL CONFERENCE. In all cases with class action allegations, the parties shall include in their Fed. R. Civ. P. 26(f) report proposed deadlines for completing discovery relevant to those allegations and for filing a motion to certify a class, and a proposed date for class action determination. Pretrial procedures and forms can be found at our website at www.ohsd.uscourts.gov. (ep) (Entered: 07/12/2018)
07/13/2018	<u>18</u>	MOTION To enforce settlement agreement by Plaintiff Human Rights Defense Center. (Marshall, Daniel) (Entered: 07/13/2018)
07/27/2018	<u>19</u>	RESPONSE to Motion re <u>18</u> MOTION To enforce settlement agreement filed by Defendants Gene Fischer, Sheriff, Greene County Ohio, John and Jane Does 1–10, Staff., Kirk Keller, Jail Administrator. (Ellis, Elizabeth) (Entered: 07/27/2018)
08/07/2018	<u>20</u>	REPLY to Response to Motion re <u>18</u> MOTION To enforce settlement agreement filed by Plaintiff Human Rights Defense Center. (Neelakanta, Sabarish) (Entered: 08/07/2018)
08/23/2018	<u>21</u>	RULE 26(f) REPORT by Plaintiff Human Rights Defense Center. (Mutamba, Masimba) (Entered: 08/23/2018)
08/28/2018	<u>22</u>	ORDER OF CONSENT to Jurisdiction by US Magistrate Judge. Case reassigned to Magistrate Judge Michael J. Newman.. Signed by Judge Thomas M. Rose on 8/28/18. (kma)Modified on 8/30/18 to correct docket number in text (kma). (Entered: 08/28/2018)
08/29/2018	23	NOTICE: CHANGE IN CALL IN INFORMATION ONLY: Judge Newman will hold the previously scheduled Telephone Conference on 8/30/2018 at 9:30 AM. This call will replace the call with Judge Rose. Counsel shall call: 1–888–278–0296, enter access code 2725365, security code 123456, and wait for the Court to join the conference. (dm) (Entered: 08/29/2018)
09/10/2018	<u>24</u>	RECUSAL ORDER – On August 30, 2018, the Court held a preliminary pretrial conference with counsel for both sides in this consent case to discuss, inter alia, scheduling issues. The Court, at that time, also raised with counsel a potential conflict. Counsel for both sides advised the Court there is no conflict — and assuming, arguendo, there is one — they both waive the conflict. Having considered the matter in some detail following the conference, and acting in an abundance of caution, the undersigned RECUSES from this case and sends it to the Clerk of Courts for reassignment. IT IS SO ORDERED. ***Magistrate Judge Michael J. Newman recused. Case reassigned to Magistrate Judge Sharon L. Ovington for all further proceedings***. Signed by Magistrate Judge Michael J. Newman on 9/6/2018. (srb) (Entered: 09/10/2018)
09/12/2018		NOTICE OF PROCEEDING: Teleconference set for 9/14/2018 at 2:30 PM before Magistrate Judge Sharon L. Ovington. PLEASE CALL 1–888–684–8852. The ACCESS CODE is 6641708. The SECURITY CODE is 091418. If you have any questions, please call Rose Plummer at 937–512–1570. (rp) (Entered: 09/12/2018)
09/14/2018		Minute Entry for proceedings held before Magistrate Judge Sharon L. Ovington: Teleconference held on 9/14/2018. Case reported settled. Paperwork to be submitted within 30 days. (rp) (Entered: 09/14/2018)
10/12/2018	<u>25</u>	AGREED ORDER OF DISMISSAL with Settlement Agreements attached. Signed by Magistrate Judge Sharon L. Ovington on 10/12/18. (Attachments: # <u>1</u> 10/11/18 Agreement, # <u>2</u> 11/29/17 Agreement) (rp) (Entered: 10/12/2018)
07/03/2019	<u>26</u>	NOTICE: Letter to the Court from non–party George Wyatt Jr. (jg) (Entered: 07/03/2019)