

CLOSED

**U.S. District Court
Southern District of Ohio (Cincinnati)
CIVIL DOCKET FOR CASE #: 1:93-cv-00585-SAS**

Hiatt, et al v. Adams County Ohio, et al
Assigned to: S Arthur Spiegel
Demand: \$0
Lead case: [1:93-cv-00585-SAS \(View Member Cases\)](#)
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 08/19/1993
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff**William Hiatt**

*Individually & on behalf of all present
& future inmates of the Adams County
Jail & all persons committed to custody
of Sheriff of Adams County Jail*

represented by **Robert Armbruster**
Armbruster & Kelley
1111 Society Building
159 S Main Street
Akron, OH 44308-1337
216-434-2113
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff**W Ray Collett**

*Individually and on behalf of all present
and future inmates of the Adams County
Jail, etc.*

represented by **Robert Armbruster**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Plaintiff**David Stutts**

*Individually and on behalf of all present
and future inmates of the Adams County
Jail, etc.*

represented by **Robert Armbruster**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

V.

Defendant**County of Adams, Ohio**

*A Local Governmental entity, c/o Clerk
County Commissioner*

represented by **Mark David Landes**
Isaac Brant Ledman & Teetor - 2
Midland Building
250 E Broad Street
Suite 900
Columbus, OH 43215-3742
614-221-2121
Email: marklandes@isaacbrant.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant**Paul Rothwell**

*Individually and as a member of the
Board of Commissioners of Adams
County Ohio*

represented by **Mark David Landes**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**James McClanahan**

*Individually and as a member of the
Board of Commissioners of Adams
County Ohio*

represented by **Mark David Landes**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Bill Seaman**

*Individually and as a member of the
Board of Commissioners of Adams
County, Ohio*

represented by **Mark David Landes**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Robert D Johnson**

*Individually and in his official capacity
as Sheriff of Adams County, Ohio*

represented by **Mark David Landes**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/19/1993	1	COMPLAINT CLASS ACTION. (Summons issued) (no. pgs: 17) (wy) (Entered: 08/20/1993)
09/01/1993	2	ANSWER by defendants. (no pgs: 3) (wy) (Entered: 09/01/1993)
11/17/1993	3	MOTION by plaintiffs to certify class action (no pgs: 21 exhibits.) (wy) (Entered: 11/17/1993)
12/03/1993	4	AFFIDAVIT of DAVID STUTTS supplementing motion to certify class action [3-1] (no pgs: 5) (wy) (Entered: 12/03/1993)
12/20/1993	5	NOTICE setting preliminary pretrial conference 12/30/93 at 9:00 a. m. before J. Spiegel. (no pgs: 1) (ls) (Entered: 12/22/1993)
02/08/1994	6	NOTICE setting this action for Preliminary PTC 8:30 3/9/94 no pgs: 1 (cc: all counsel) (wy) (Entered: 02/10/1994)
03/10/1994	7	PRELIMINARY PRETRIAL ORDER by Judge S. A. Spiegel ; Preliminary pretrial conf was held on 8:30 3/9/94 ; discovery cutoff ddl set for 11/1/94 ; mtn filing ddl set 12/1/94 ; final pretrial conf set for 9:00 2/3/95; trial tentatively scheduled for 4/3/95 on-deck basis; expected to be 5-day bench trial. Settlement conference may be scheduled with Magistrate Judge Sherman. (no pgs: 3) (cc: all counsel) (wy) (Entered: 03/10/1994)

05/03/1994	8	ORDER CERTIFYING CLASS by Judge S. A. Spiegel granting motion to certify class action [3-1] (cc: all counsel) (no pgs: 9) (wy) (Entered: 05/03/1994)
06/22/1994	9	MOTION by plaintiff for leave to file list of fact witnesses instanter (no pgs: 2) (wy) (Entered: 06/22/1994)
06/27/1994	10	MOTION by plaintiff for order to declare defts' offer of judgment inappropriate (no pgs: 13 + exhibits) (wy) (Entered: 06/27/1994)
07/07/1994	11	RESPONSE by defendants to plaintiffs' motion to strike defts' offer of judgment [10-1] (no pgs: 12) (wy) (Entered: 07/07/1994)
07/21/1994	12	Expert Witness list submitted by plaintiffs. (no pgs: 2) (wy) (Entered: 07/21/1994)
08/29/1994	13	Witness list submitted by defendants. (no pgs: 2) (wy) (Entered: 08/29/1994)
09/21/1994	14	Disclosure of Expert Witnesses submitted by defendant (no pgs: 2) (wy) (Entered: 09/22/1994)
11/08/1994	15	ORDER by Judge S. A. Spiegel denying motion for order to declare defts' offer of judgment inappropriate [10-1], granting motion for leave to file list of fact witnesses instanter [9-1] (cc: all counsel) (no pgs: 2) (wy) (Entered: 11/08/1994)
11/14/1994	16	JOINT MOTION for order setting matter for mediation and ddl for possible settlement (no pgs: 3) (wy) (Entered: 11/14/1994)
11/16/1994	17	ORDER by Judge S. A. Spiegel granting motion for order setting matter for mediation [16-1] ; Settlement conference before J. Sherman set for 11:00 12/20/94 (cc: all counsel) (no pgs: 1) (wy) (Entered: 11/16/1994)
11/23/1994	18	NOTICE of ; Settlement conference in Rm 716 reset to: 9:00 12/15/94 (cc: all counsel) (wy) (Entered: 11/23/1994)
12/29/1994	19	ORDER by Mag. Judge Jack Sherman that defts provide pltf's with an offer of settlement by January 10, 1995 & pltf's offer a reply by Jan 24, 1995 ; conference will be held 9:00 2/17/95 to resolve any differences still outstanding (cc: all counsel) (no pgs: 1) (wy) (Entered: 12/29/1994)
01/11/1995	20	MOTION by defendant for proposed judgment entry of settlement (no pgs: 2+) (vp) (Entered: 01/12/1995)
01/13/1995	21	SCHEDULING ORDER by Judge S. A. Spiegel vacating original Scheduling Order (doc 7) , of ; Final pretrial conf date originally set for 2/3/95 and ; Trial date originally set for 4/3/95 , and ; Status conference has been set for 3:00 on 3/3/95 if matter is not resolved by mediation on 2/17/95 with MJ Sherman (cc: all counsel) (no 1) (vp) (Entered: 01/13/1995)
01/30/1995	22	MOTION by plaintiffs to continue the date of the status conference that is scheduled for 3/3/95 until a later date (no pgs: 2) (vp) (Entered: 01/30/1995)

01/31/1995	23	RESPONSE by plaintiffs to motion for proposed judgment entry of settlement [20-1] (no pgs: 11) (vp) (Entered: 01/31/1995)
02/23/1995	24	ORDER by Judge S. A. Spiegel granting motion to continue the date of the status conference that is scheduled for 3/3/95 until a later date [22-1] ; Status conference rescheduled for 11:00 on 4/26/95 (cc: all counsel) (no pgs: 1) (vp) (Entered: 02/23/1995)
05/08/1995	25	ORDER by Judge S. A. Spiegel this matter before Court for status conference the case will now proceed to trial as follows: ; Mtn filing ddl filed by 11/1/95 ; Discovery ddl completed by 10/1/95 ; Final pretrial conf tentatively scheduled for 10:00 on 1/4/96 ; Five day Bench Trial tentatively scheduled for 2/5/96 (cc: all counsel) (no pgs: 1) (vp) (Entered: 05/08/1995)
12/19/1995	26	NOTICE of hearing ; Final pretrial conf set for 10:00 1/4/96 ; Bench Trial set for 9:00 2/5/96 on an on deck basis (cc: all counsel) (vp) (Entered: 12/20/1995)
12/21/1995	27	MOTION by defendants to continue Final PreTrial date ; proposed order attached (no pgs: 2) (vp) (Entered: 12/22/1995)
12/21/1995	28	MOTION by defendants to continue trail date of 2/1/96 to 4/96 (no pgs: 4) (vp) (Entered: 12/22/1995)
12/28/1995	29	ORDER by Judge S. A. Spiegel granting motion to continue Final PreTrial date [27-1], granting motion to continue trail date of 2/1/96 to 4/96 [28-1] ; Final pretrial conf reset for 3:00 6/14/96 ; Trial reset for 7/22/96 (cc: all counsel) (no pgs: 1) (ph) (Entered: 12/28/1995)
01/12/1996	30	MOTION by plaintiff to continue trial date (no pgs: 3) (vp) (Entered: 01/12/1996)
01/18/1996	31	ORDER by Judge S. A. Spiegel granting motion to continue trial date [30-1] ; Trial continued until 9:00 8/12/96 (cc: all counsel) (no pgs: 2) (vp) (Entered: 01/18/1996)
01/18/1996	32	RESPONSE by defendants to pltf's motion for continuance of trial date [30-1] (no pgs: 2) (vp) (Entered: 01/18/1996)
06/03/1996	33	NOTICE of hearing ; Status conference set for 10:00 6/26/96 ; Final pretrial conf set for 2:00 7/19/96 before J Spiegel (cc: all counsel) (vp) (Entered: 06/04/1996)
06/04/1996	36	NOTICE OF APPEAL by plaintiff from Dist. Court decision of (no pgs:) (ah) (Entered: 06/14/1996)
06/10/1996	34	ORDER by Judge S. A. Spiegel that discovery shall be reopened ; Discovery ddl completed by 8/1/96 ; the pltf's shall have an opportunity to disclose additional fact witnesses by 7/12/96 (cc: all counsel) (no pgs: 1) (vp) (Entered: 06/10/1996)
06/11/1996	35	NOTICE of hearing ; Bench Trial set for 9:00 on 8/12/96 on an on deck basis before J Spiegel (cc: all counsel) (vp) (Entered: 06/13/1996)

07/02/1996	37	RECEIPT OF USCA APPEAL NUMBER - Number Assigned: 96-3734 of record (ah) (Entered: 07/05/1996)
07/03/1996		ORDER OF USCA 6th: remanding the matter back to District Court [Appeal [36-1] (no pgs: 1) Orig. in C-1-93-501 (ah) (Entered: 07/03/1996)
07/03/1996		RECEIPT OF USCA APPEAL NUMBER - Number Assigned: 96-3734 Orig in C-1-93-501 (ah) (Entered: 07/03/1996)
07/09/1996	38	MOTION by defendants to depose prisoners Klickner, Aceslinger and Sibert (no pgs: 3) (dm) Modified on 07/10/1996 (Entered: 07/10/1996)
07/09/1996	39	MOTION by defendants to depose Prisoner Collett (no pgs: 3) (dm) (Entered: 07/10/1996)
07/09/1996	40	NOTICE by defendant of taking deposition of Jeffrey Sibert #277-804 on 7/9/96 at 10:00 am (no pgs: 2) (dm) (Entered: 07/10/1996)
07/09/1996	41	NOTICE by defendants of taking deposition of James Aceslinger #296-598 on 7/9/96 at 12:00 noon (no pgs: 2) (dm) (Entered: 07/10/1996)
07/09/1996	42	NOTICE by defendants of taking deposition of Karl G Klickner #239-077 on 7/9/96 at 1:30 pm (no pgs: 2) (dm) (Entered: 07/10/1996)
07/09/1996	43	NOTICE by defendants of taking depositions of Persons listed at Adams County Jail on 7/18/96 beginning 10:00 am (no pgs: 2) (dm) (Entered: 07/10/1996)
08/20/1996		NOTATION ORDER by Mag. Judge Jack Sherman granting motion to depose prisoners Klickner, Aceslinger and Sibert [38-1] (cc: all counsel) (vp) (Entered: 08/20/1996)
08/20/1996		NOTATION ORDER by Mag. Judge Jack Sherman granting motion to depose Prisoner Collett [39-1] (cc: all counsel) (vp) (Entered: 08/20/1996)
11/12/1996	44	MOTION by parties for order to approve settlement (no pgs: 24) (vp) (Entered: 11/12/1996)
11/19/1996	45	NOTICE of hearing ; Fairness hearing set for 2:00 on 12/12/96 before J Spiegel in Rm 842 (cc: all counsel) (vp) (Entered: 11/20/1996)
12/17/1996	46	NOTICE of hearing ; Fairness hearing set for 2:00 on 1/23/97 before J Spiegel in Rm 842 (cc: all counsel) (vp) (Entered: 12/18/1996)
01/02/1997	47	LETTER to court from Wayne D Miller atty for Mr William Hiatt regarding the personal injuries suffered in Adams Cty jail (no pgs: 3) (vp) (Entered: 01/02/1997)
01/02/1997	48	LETTER from J Spiegel to counsel regarding letter received from Wayne D Miller atty for William Hiatt (no pgs: 2) (vp) (Entered: 01/02/1997)
01/23/1997	49	CIVIL MINUTES: Proceeding before Judge S. A. Spiegel on fairness hrg; stmts of court and counsel; obj denied; settlement approved by Court

		and atty fees and costs granted; order to follow; Mary Ann Ranz Court Reporter (cc: all counsel) (no pgs: 1) (vp) (Entered: 01/24/1997)
01/23/1997	50	NOTICE by defendants of filing proof of ntc to class (no pgs: 5) (vp) (Entered: 02/12/1997)
02/07/1997	51	ORDER by Judge S. A. Spiegel granting motion for order to approve settlement [44-1] and awards class counsel fees and expenses in the amount of \$53,000 hereby dismissing case (cc: all counsel) (no pgs: 9) (vp) (Entered: 02/12/1997)
07/20/1998	52	MOTION by plaintiff William Hiatt to reopen the case (no pgs: 2+) (km) (Entered: 07/20/1998)
07/30/1998	53	MEMORANDUM by defendants in opposition to pltfs motion to reopen class action [52-1] (no pgs: 2) (vp) (Entered: 07/30/1998)
08/10/1998	54	MOTION by plaintiff William Hiatt to strike memorandum [53-1] (no pgs: 5) (vp) (Entered: 08/10/1998)
11/09/1998	55	MOTION by plaintiff to reopen the class action case , or to refile as new action (no pgs: 3) (seal) (Entered: 11/09/1998)
12/03/1998	56	MEMORANDUM by defendants in opposition to pltfs motion to reopen or to file new class action [55-1] [55-2] () (vp) (Entered: 12/04/1998)
12/11/1998	57	AFFIDAVIT of William D Klickner regarding motion to reopen the class action case [55-1] or motion to refile as new action [55-2] (no pgs: 1) (km) (Entered: 12/11/1998)
03/23/1999	58	ORDER by Judge S. A. Spiegel denying motion to reopen the class action case [55-1] denying motion to reopen the case [52-1] denying motion to refile as new action [55-2], denying motion to strike memorandum [53-1] [54-1]; the court concludes that jgm in this case is final (cc: all counsel) (no pgs: 5) (vp) (Entered: 03/23/1999)

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