

CONFIDENTIALITY ORDER, COURTEXHIBITS, STANDARD, TRIALLIST
U.S. District Court
District of Maine (Bangor)
CIVIL DOCKET FOR CASE #: 1:18-cv-00352-NT

SMITH v. AROOSTOOK COUNTY et al
Assigned to: JUDGE NANCY TORRESEN
Referred to: MAGISTRATE JUDGE JOHN C. NIVISON
related Case: 1:18-cv-00288-NT
Case in other court: First Circuit Court of Appeals, 19-01340
Cause: 42:12101 American Disabilities Act

Date Filed: 09/06/2018
Jury Demand: Defendant
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: Federal Question

Plaintiff

BRENDA SMITH

represented by **EMMA EATON BOND**
AMERICAN CIVIL LIBERTIES UNION
OF MAINE
121 MIDDLE STREET
SUITE 200
PORTLAND, ME 04101
207-619-8687
Email: ebond@aclumaine.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

PETER G. MANCUSO
ANDREW SCHMIDT LAW PLLC
97 INDIA STREET
PORTLAND, ME 04101
207-619-0884
Email: peter@maineworkerjustice.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

DAVID SOLEY
BERNSTEIN SHUR SAWYER &
NELSON
100 MIDDLE STREET, WEST TOWER
P.O. BOX 9729
PORTLAND, ME 04104-5029
207-774-1200
Fax: 2070227-1127
Email: dsoley@bssn.com
ATTORNEY TO BE NOTICED

JAMES G. MONTELEONE
BERNSTEIN SHUR SAWYER &
NELSON
100 MIDDLE STREET, WEST TOWER
P.O. BOX 9729
PORTLAND, ME 04104-5029
207-228-7198
Email: jmonteleone@bernsteinshur.com
ATTORNEY TO BE NOTICED

ZACHARY L. HEIDEN
AMERICAN CIVIL LIBERTIES UNION
OF MAINE
121 MIDDLE STREET
SUITE 200
PORTLAND, ME 04101
207-774-5444
Fax: 207-774-1103
Email: zheiden@aclumaine.org

ATTORNEY TO BE NOTICED

V.

Defendant

AROOSTOOK COUNTY

represented by **PETER T. MARCHESI**
WHEELER & AREY, P.A.
27 TEMPLE STREET
P. O. BOX 376
WATERVILLE, ME 04901
207-660-9201
Email: peter@wheelerlegal.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CASSANDRA S. SHAFFER
WHEELER & AREY, P.A.
27 TEMPLE STREET
WATERVILLE, ME 04901
207-660-9201
Email: cshaffer@wheelerlegal.com
ATTORNEY TO BE NOTICED

Defendant

SHAWN D GILLEN
*Chief Deputy and Acting Aroostook
County Sheriff*

represented by **PETER T. MARCHESI**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CASSANDRA S. SHAFFER
(See above for address)
ATTORNEY TO BE NOTICED

Amicus

MAINE MEDICAL ASSOCIATION

represented by **RICHARD L. O'MEARA**
MURRAY PLUMB & MURRAY
75 PEARL STREET
P.O. BOX 9785
PORTLAND, ME 04104-5085
773-5651
Fax: 207-773-8023
Email: romeara@mpmlaw.com
ATTORNEY TO BE NOTICED

Movant

PUBLIC HEALTH SCHOLARS
TERMINATED: 03/27/2019

represented by **ADAM W. AXLER**
AKIN, GUMP, STRAUSS, HAUER &
FELD LLP
ROBERT S. STRAUSS BUILDING
2001 K STREET N.W.
WASHINGTON, DC 20006
202-887-4000
Email: aaxler@akingump.com
TERMINATED: 04/19/2019
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

BRETT R. LELAND
VERRILL DANA LLP
ONE PORTLAND SQUARE
P.O. BOX 586

PORTLAND, ME 04112
(207) 253-4556
Email: bleland@verrilldana.com
TERMINATED: 04/19/2019
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

COLETTE L. MCCRONE
AKIN, GUMP, STRAUSS, HAUER &
FELD LLP
ROBERT S. STRAUSS BUILDING
2001 K STREET N.W.
WASHINGTON, DC 200306
202-887-4000
Email: cmccrone@akingump.com
TERMINATED: 04/19/2019
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

HOWARD R. SKLAMBERG
AKIN, GUMP, STRAUSS, HAUER &
FELD LLP
ROBERT S. STRAUSS BUILDING
2001 K STREET N.W.
WASHINGTON, DC 20006
202-887-4000
Email: hsklamberg@akingump.com
TERMINATED: 04/19/2019
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Movant

MAINE MEDICAL ASSOCIATION
TERMINATED: 03/27/2019

represented by **JOEL K. GOLOSKIE**
PANNONE LOPES DEVEREAUX &
O'GARA LLC
1301 ATWOOD AVENUE
SUITE 215N
JOHNSTON, RI 02919
401-824-5100
Email: jgoloskie@pldolaw.com
TERMINATED: 04/16/2019
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

MEAGAN L. THOMSON
PANNONE LOPES DEVEREAUX &
O'GARA LLC
ONE INTERNATIONAL PLACE
SUITE 1400
BOSTON, MA 02110
617-771-1154
Email: mthomson@pldolaw.com
TERMINATED: 04/16/2019
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

RICHARD L. O'MEARA
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

**NORTHERN NEW ENGLAND
SOCIETY OF ADDICTION
MEDICINE**
TERMINATED: 03/27/2019

represented by **JOEL K. GOLOSKIE**
(See above for address)
TERMINATED: 04/16/2019
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

MEAGAN L. THOMSON
(See above for address)
TERMINATED: 04/16/2019
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

RICHARD L. O'MEARA
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

**MAINE ASSOCIATION OF
PSYCHIATRIC PHYSICIANS**
TERMINATED: 03/27/2019

represented by **JOEL K. GOLOSKIE**
(See above for address)
TERMINATED: 04/16/2019
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

MEAGAN L. THOMSON
(See above for address)
TERMINATED: 04/16/2019
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

RICHARD L. O'MEARA
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

**KATAHDIN VALLEY HEALTH
CENTER**
TERMINATED: 03/27/2019

represented by **PETER F. HERZOG**
BERNSTEIN SHUR
100 MIDDLE STREET, WEST TOWER
P.O. BOX 9729
PORTLAND, ME 04104-5029
207-774-1200
Fax: 207-775-6407
Email: pherzog@bernsteinshur.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

CLAUDETTE HUMPHREY
TERMINATED: 02/10/2019

represented by **PETER F. HERZOG**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/06/2018	<u>1</u>	COMPLAINT with Jury Demand against AROOSTOOK COUNTY, SHAWN D GILLEN PAYMENT OF FILING FEE DUE WITHIN 48 HOURS. IF FILING FEE IS BEING PAID WITH A CREDIT CARD COUNSEL ARE INSTRUCTED TO LOGIN TO CMECF AND DOCKET Case Opening Filing Fee Paid FOUND IN THE Complaints and Other Initiating

		Documents CATEGORY. CHECK PAYMENTS DUE WITHIN 48 HOURS. , filed by BRENDA SMITH. (Service of Process Deadline 12/5/2018) Fee due by 9/10/2018.(mjlt) Modified on 9/17/2018 to reflect a jury is demanded (mjlt). (Entered: 09/06/2018)
09/06/2018	<u>2</u>	CIVIL COVER SHEET. (mjlt) (Entered: 09/06/2018)
09/06/2018	<u>3</u>	MOTION for Temporary Restraining Order, MOTION for Preliminary Injunction by BRENDA SMITH (Attachments: # <u>1</u> Exhibit A- Declaration of Jonathan C. Fellers, MD filed in 1:18-CV-288-NT, # <u>2</u> Exhibit B- Declaration of Brenda Smith, # <u>3</u> Exhibit C- Defendant Gillen's Memorandum in Opposition to Plaintiff's Motion For Preliminary Injunction filed in 1:18-CV-288-NT, # <u>4</u> Exhibit D- Declaration of David Conner, MD filed in 1:18-CV-288-NT)(mjlt) (Entered: 09/06/2018)
09/06/2018	<u>4</u>	WITHDRAWAL of : <u>3</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction by BRENDA SMITH . (MANCUSO, PETER) (Entered: 09/06/2018)
09/07/2018		Filing Fee Paid via Credit Card (Filing fee \$ 400 receipt number 0100-1896582.), filed by BRENDA SMITH.(MANCUSO, PETER) (Entered: 09/07/2018)
09/18/2018	<u>5</u>	Summons Issued as to AROOSTOOK COUNTY, SHAWN D GILLEN. Counsel shall print the embossed summons and effect service in the manner in accordance with Fed.R.Civ.P.4. Note-If you are using Version 6 of Adobe Acrobat, be sure the PRINT WHAT field is set to DOCUMENTS AND COMMENTS (Click File, then Print to check this setting). (Attachments: # <u>1</u> Shawn D. Gillen summons)(bfa) (Entered: 09/18/2018)
09/28/2018	<u>6</u>	ANSWER to <u>1</u> Complaint,, by AROOSTOOK COUNTY, SHAWN D GILLEN.(MARCHESI, PETER) (Entered: 09/28/2018)
10/01/2018	<u>7</u>	SCHEDULING ORDER: Discovery due by 2/15/2019. Written Notice of Intent to File Summary Judgment Motion and Request for Pre-Filing Conference due by 2/22/2019. Motions due by 3/8/2019. Ready for Trial on 5/7/2019. By MAGISTRATE JUDGE JOHN C. NIVISON. (MFS) (Entered: 10/01/2018)
11/05/2018	<u>8</u>	NOTICE of Appearance by EMMA EATON BOND on behalf of BRENDA SMITH (BOND, EMMA) (Entered: 11/05/2018)
11/05/2018	<u>9</u>	MOTION for Preliminary Injunction by BRENDA SMITH Responses due by 11/26/2018. (Attachments: # <u>1</u> Attachment A - Smith Affidavit, # <u>2</u> Attachment B - Fellers Affidavit, # <u>3</u> Exhibit 1 to Attachment B - Fellers CV, # <u>4</u> Attachment C - Hayes Affidavit, # <u>5</u> Exhibit 1 to Attachment C - Hayes Resume, # <u>6</u> Exhibit 2 to Attachment C - Protocols, # <u>7</u> Exhibit 3 to Attachment C - Dispensing Protocol, # <u>8</u> Exhibit 4 to Attachment C - SAMHSA, # <u>9</u> Exhibit 5 to Attachment C - lead case planner, # <u>10</u> Exhibit 6 to Attachment C - overdose deaths, # <u>11</u> Exhibit 7 to Attachment C - drug assays, # <u>12</u> Attachment D - MacDonald Affidavit, # <u>13</u> Exhibit 1 to Attachment D - MacDonald CV, # <u>14</u> Attachment E - ACJ Policies, # <u>15</u> Attachment F - Opiate Withdrawal Procedure)(BOND, EMMA) (Entered: 11/05/2018)
11/06/2018		RESET Deadlines as to <u>9</u> MOTION for Preliminary Injunction Expedited briefing requested by US Chief District Judge Nancy Torresen: Responses due by 11/19/2018. Reply due by 11/26/2018. (slg) (Entered: 11/06/2018)
11/16/2018	<u>10</u>	MOTION to Extend Time to File <i>Objection to Motion for Preliminary Injunction</i> by AROOSTOOK COUNTY, SHAWN D GILLEN Responses due by 12/7/2018. (MARCHESI, PETER) (Entered: 11/16/2018)
11/16/2018	<u>11</u>	NOTICE of Hearing on Motion re <u>10</u> MOTION to Extend Time to File <i>Objection to Motion for Preliminary Injunction</i> : Telephone Conference set for 11/16/2018 03:00 PM in Judge Torresen's Chambers before JUDGE NANCY TORRESEN. The parties are instructed to call chambers with the number provided once all the parties are on the line.(slg) (Entered: 11/16/2018)

11/16/2018	<u>12</u>	ORDER withdrawing <u>10</u> Motion to Extend Time. The Defendants have withdrawn their Motion for Enlargement of Time. Given the complex issues raised in the Plaintiffs Motion for Preliminary Injunction, completing the necessary factual and expert discovery, scheduling and holding the evidentiary hearing, and providing for post-trial briefing before Ms. Smiths January 14, 2019 self-report date would be difficult to accomplish. Accordingly, I DIRECT the parties to consult with the Aroostook County District Attorney and the Plaintiffs defense counsel to see if they can secure an extension of the time that Ms. Smith is required to report. By JUDGE NANCY TORRESEN. (MMB) (Entered: 11/16/2018)
11/16/2018	<u>13</u>	Minute Entry for proceedings held before JUDGE NANCY TORRESEN. Telephone Conference held. (Court Reporter: Lori Dunbar) (mnw) (Entered: 11/19/2018)
11/19/2018	<u>14</u>	RESPONSE in Opposition re <u>9</u> MOTION for Preliminary Injunction filed by AROOSTOOK COUNTY, SHAWN D GILLEN. Reply due by 12/3/2018. (Attachments: # <u>1</u> Affidavit of Alison Willette, # <u>2</u> Exhibit 1 to Willette Affidavit - COWS, # <u>3</u> Exhibit 2 to Willette Affidavit - Opiate Withdrawal Protocol, # <u>4</u> Affidavit of Craig Clossey, # <u>5</u> Exhibit 1 - Policies and Procedures, # <u>6</u> Exhibit 2 - Agreement, # <u>7</u> Exhibit 3 - COWS, # <u>8</u> Exhibit 4 - Opiate Withdrawal Protocol)(MARCHESI, PETER) (Entered: 11/19/2018)
11/20/2018		RESET Deadlines as to <u>9</u> MOTION for Preliminary Injunction Per Judge Torresen's request for expedited briefing: Reply due by 11/26/2018. (slg) (Entered: 11/20/2018)
11/20/2018	<u>15</u>	NOTICE of Appearance by ZACHARY L. HEIDEN on behalf of BRENDA SMITH (HEIDEN, ZACHARY) (Entered: 11/20/2018)
11/21/2018	<u>16</u>	Consent MOTION for Confidentiality Order <i>and status update on extension of reporting date</i> by BRENDA SMITH Responses due by 12/12/2018. (Attachments: # <u>1</u> Attachment A - Draft Confidentiality Order)(BOND, EMMA) (Entered: 11/21/2018)
11/26/2018	<u>17</u>	ADDITIONAL ATTACHMENTS filed by BRENDA SMITH re <u>16</u> Motion for Confidentiality Order <i>Corrected Proposed Confidentiality Order..</i> (BOND, EMMA) (Entered: 11/26/2018)
11/26/2018	<u>18</u>	REPLY to Response to Motion re <u>9</u> MOTION for Preliminary Injunction filed by BRENDA SMITH. (BOND, EMMA) (Entered: 11/26/2018)
11/27/2018	<u>19</u>	ORDER granting <u>16</u> Motion for Confidentiality Order By JUDGE NANCY TORRESEN. (slg) (Entered: 11/27/2018)
12/03/2018	<u>20</u>	Consent MOTION for Order <i>setting deadlines for preliminary discovery and dates for evidentiary hearing</i> by BRENDA SMITH Responses due by 12/24/2018. (BOND, EMMA) (Entered: 12/03/2018)
12/04/2018	<u>21</u>	ORDER granting <u>20</u> Consent Motion for Entry of Scheduling Order By JUDGE NANCY TORRESEN. (MMB) (Entered: 12/04/2018)
12/04/2018	<u>22</u>	NOTICE of Hearing: Telephone Conference re Hearing Prep set for 1/25/2019 at 10:00 AM before JUDGE NANCY TORRESEN. (slg) (Entered: 12/04/2018)
12/04/2018	<u>23</u>	NOTICE of Hearing on Motion <u>9</u> MOTION for Preliminary Injunction : Evidentiary Hearing set to begin on 2/11/2019 at 08:30 AM in Portland Courtroom 1 before JUDGE NANCY TORRESEN. The Court has reserved 5 days for this hearing. Schedule to be discussed at the 1/25/2019 teleconference.(slg) (Entered: 12/04/2018)
12/04/2018		SET Deadlines Per Order #21: Close of Preliminary Discovery on 1/24/2019. Post-Hearing Briefs due by 2/22/2019. (slg) (Entered: 12/04/2018)
12/10/2018	<u>24</u>	NOTICE of Appearance by DAVID SOLEY on behalf of BRENDA SMITH (SOLEY, DAVID) (Entered: 12/10/2018)
12/12/2018	<u>25</u>	NOTICE of Appearance by JAMES G. MONTELEONE on behalf of BRENDA SMITH (MONTELEONE, JAMES) (Entered: 12/12/2018)
12/20/2018	<u>26</u>	MOTION to Amend Scheduling Order (<i>Partially Unopposed</i>) by BRENDA SMITH Responses due by 1/10/2019. (Attachments: # <u>1</u> Exhibit Topics for Additional Requests for Admission)(HEIDEN, ZACHARY) (Entered: 12/20/2018)

12/21/2018	27	ORDER granting <u>26</u> Motion to Amend Scheduling Order By JUDGE NANCY TORRESEN. (MMB) (Entered: 12/21/2018)
12/21/2018	28	NOTICE OF RESCHEDULED HEARING : Telephone Conference re Hearing Prep rescheduled to 1/31/2019 at 2:00 PM before JUDGE NANCY TORRESEN. (mnw) (Entered: 12/21/2018)
01/08/2019	<u>29</u>	RESPONSE to Motion re <u>26</u> MOTION to Amend Scheduling Order (<i>Partially Unopposed</i>) filed by AROOSTOOK COUNTY, SHAWN D GILLEN. Reply due by 1/22/2019. (MARCHESE, PETER) (Entered: 01/08/2019)
01/11/2019	30	NOTICE OF HEARING: Please be advised that the conference set for 1/31/2019 at 2:00 PM will now be an in person conference in Judge Torresen's Chambers. (mnw) (Entered: 01/11/2019)
01/29/2019	<u>31</u>	MOTION for Leave to File <i>Amici Curiae Brief in Support of Plaintiff's Motion for Preliminary Injunction</i> by PUBLIC HEALTH SCHOLARS. Responses due by 2/19/2019. (Attachments: # <u>1</u> Exhibit Proposed Amici Curiae Brief)(LELAND, BRETT) Modified on 1/29/2019 to correct filer to be Public Health Scholars (mnw). (Entered: 01/29/2019)
01/29/2019	<u>32</u>	CERTIFICATION for Admission Pro Hac Vice of Howard R. Sklamberg filed by BRETT R. LELAND on behalf of PUBLIC HEALTH SCHOLARS (Total admission fee \$ 100 receipt number 0100-1966453.) (LELAND, BRETT) Modified on 1/29/2019 to correct filer to be Public Health Scholars (mnw). (Entered: 01/29/2019)
01/29/2019	<u>33</u>	CERTIFICATION for Admission Pro Hac Vice of Colette L. McCrone filed by BRETT R. LELAND on behalf of PUBLIC HEALTH SCHOLARS (Total admission fee \$ 100 receipt number 0100-1966460.) (LELAND, BRETT) Modified on 1/29/2019 to correct filer to be Public Health Scholars (mnw). (Entered: 01/29/2019)
01/29/2019	<u>34</u>	CERTIFICATION for Admission Pro Hac Vice of Adam W. Axler filed by BRETT R. LELAND on behalf of PUBLIC HEALTH SCHOLARS (Total admission fee \$ 100 receipt number 0100-1966464.) (LELAND, BRETT) Modified on 1/29/2019 to correct filer to be Public Health Scholars (mnw). (Entered: 01/29/2019)
01/29/2019	35	NOTICE of Docket Entry Modification regarding <u>31</u> MOTION for Leave to File <i>Amici Curiae Brief in Support of Plaintiff's Motion for Preliminary Injunction</i> , <u>32</u> Certification for Admission Pro Hac Vice, <u>33</u> Certification for Admission Pro Hac Vice and <u>34</u> Certification for Admission Pro Hac Vice : Docket entry modified by the Clerk's Office to correct filer to be Public Health Scholars. (mnw) (Entered: 01/29/2019)
01/30/2019	<u>36</u>	MOTION for Leave to File <i>Amici Brief in Support of Plaintiff's Motion for a Preliminary Injunction</i> by MAINE ASSOCIATION OF PSYCHIATRIC PHYSICIANS, MAINE MEDICAL ASSOCIATION, NORTHERN NEW ENGLAND SOCIETY OF ADDICTION MEDICINE Responses due by 2/20/2019. (O'MEARA, RICHARD) (Entered: 01/30/2019)
01/31/2019		Set Deadlines: Attorney JOEL K. GOLOSKIE shall register for the District of Maine's Electronic Case Filing (ECF) System by 2/7/2019. Registration Forms are available on the Court's website http://www.med.uscourts.gov/ecf-registration under the Electronic Case Files, ECF Registration Section. Pro Hac Vice Certificate due from JOEL K. GOLOSKIE by 2/7/2019. The Certification for Admission Pro Hac Vice form can be downloaded from our website at http://www.med.uscourts.gov/forms . (slg) (Entered: 01/31/2019)
01/31/2019	37	Minute Entry for proceedings held before JUDGE NANCY TORRESEN: Conference of Counsel held. Set Deadlines: Exhibit and Witness Lists and deposition designations, with the exception of Dr. Conner due by 2/6/2019. Objections to deposition designations and deposition designation of Dr. Conner due by 2/8/2019. Motions in Limine due by 2/6/2019. Responses due by 2/8/19. Post-hearing Briefs due by 2/22/2019. Counsel for the plaintiff orally withdrew jury demand. Ruling reserved on the request to consolidate trial on the merits with the preliminary injunction hearing. (Court Reporter: Dennis Ford) (slg) (Entered: 01/31/2019)
01/31/2019		Reset Deadlines as to <u>31</u> MOTION for Leave to File <i>Amici Curiae Brief in Support of Plaintiff's Motion for Preliminary Injunction</i> and <u>36</u> MOTION for Leave to File <i>Amici</i>

		<i>Brief in Support of Plaintiff's Motion for a Preliminary Injunction</i> , per Judge Torresen at 1/31/19 conference of counsel: Responses due by 2/22/2019. (slg) (Entered: 01/31/2019)
02/01/2019	<u>38</u>	Witness List by BRENDA SMITH . (SOLEY, DAVID) (Entered: 02/01/2019)
02/04/2019	<u>39</u>	(Document sealed from public view) MOTION to Seal trial exhibit and testimony of childhood trauma by BRENDA SMITH Responses due by 2/25/2019. (BOND, EMMA) (Entered: 02/04/2019)
02/04/2019	<u>40</u>	MOTION in Limine <i>to exclude testimony from James Foss and limit testimony from Shawn Gillen</i> by BRENDA SMITH Responses due by 2/25/2019. (Attachments: # <u>1</u> Exhibit A – Defendants' Initial Disclosures, # <u>2</u> Exhibit B – Defendants' Interrogatory Responses, # <u>3</u> Exhibit C – Amended 30(b)(6) Notice to Defendants)(BOND, EMMA) (Entered: 02/04/2019)
02/05/2019		Reset Deadlines as to <u>40</u> MOTION in Limine <i>to exclude testimony from James Foss and limit testimony from Shawn Gillen</i> Per deadlines set by Judge Torresen at 1/31/2019 Conference of Counsel: Responses due by 2/8/2019. (slg) (Entered: 02/05/2019)
02/05/2019	<u>41</u>	Witness List by AROOSTOOK COUNTY, SHAWN D GILLEN . (MARCHESI, PETER) (Entered: 02/05/2019)
02/06/2019	<u>42</u>	MOTION in Limine <i>to exclude Audie Horne and find Dr. Conner and KVHC unavailable under Rule 32(a)(4)(B)</i> by BRENDA SMITH Responses due by 2/27/2019. (BOND, EMMA) (Entered: 02/06/2019)
02/06/2019	<u>43</u>	MOTION in Limine <i>re admission of evidence related to the opioid crisis</i> and Motion in Limine <i>re admission of testimony from Dr. Conner to the extent it constituted expert testimony</i> by AROOSTOOK COUNTY, SHAWN D GILLEN Responses due by 2/27/2019. (MARCHESI, PETER). Added MOTION <i>re admission of testimony from Dr. Conner to the extent it constituted expert testimony</i> on 2/12/2019 (mnw). (Entered: 02/06/2019)
02/06/2019	<u>44</u>	Exhibit List (<i>Jointly Filed</i>) by BRENDA SMITH.. (SOLEY, DAVID) (Entered: 02/06/2019)
02/06/2019	<u>45</u>	DEPOSITION DESIGNATION of Alison Willette and Claudette Humphrey by BRENDA SMITH. (Attachments: # <u>1</u> Testimony of Willette o/b/o Aroostook County, # <u>2</u> Testimony of Humphrey o/b/o KVHC)(HEIDEN, ZACHARY) (Entered: 02/06/2019)
02/06/2019	<u>46</u>	DEPOSITION DESIGNATION of Alison Willette by AROOSTOOK COUNTY, SHAWN D GILLEN. (MARCHESI, PETER) (Entered: 02/06/2019)
02/06/2019	<u>47</u>	MOTION for Order <i>consolidating the preliminary injunction hearing with trial on the merits</i> by BRENDA SMITH Responses due by 2/27/2019. (BOND, EMMA) (Entered: 02/06/2019)
02/07/2019	<u>48</u>	DEPOSITION DESIGNATION (<i>Amended</i>) of Alison Willette by AROOSTOOK COUNTY, SHAWN D GILLEN. (MARCHESI, PETER) (Entered: 02/07/2019)
02/07/2019	<u>49</u>	DEPOSITION of Alison Willette taken on December 21, 2018 filed by AROOSTOOK COUNTY, SHAWN D GILLEN. (MARCHESI, PETER) (Entered: 02/07/2019)
02/07/2019		Reset Deadlines as to <u>42</u> MOTION in Limine <i>to exclude Audie Horne and find Dr. Conner and KVHC unavailable under Rule 32(a)(4)(B)</i> per deadlines set by Judge Torresen at Conference of Counsel held on 1/31/19: Responses due by 2/8/2019. (slg) (Entered: 02/07/2019)
02/07/2019		Reset Deadlines as to <u>43</u> MOTION in Limine Per deadlines set by Judge Torresen at 1/31/19 Conference of Counsel: Responses due by 2/8/2019. (slg) (Entered: 02/07/2019)
02/07/2019	<u>50</u>	Exhibit List (<i>Amended</i>) by AROOSTOOK COUNTY, SHAWN D GILLEN.. (MARCHESI, PETER) (Entered: 02/07/2019)

02/07/2019	<u>51</u>	DEMAND for Trial by Jury by AROOSTOOK COUNTY, SHAWN D GILLEN. (MARCHESI, PETER) (Entered: 02/07/2019)
02/07/2019	<u>52</u>	ORDER re <u>47</u> Motion for Order consolidating the preliminary injunction hearing with trial on the merits. I hereby ORDER that the hearing on the Plaintiff's motion for a preliminary injunction is conditionally consolidated with trial on the merits. The parties should prepare for and proceed during the hearing as they would for a bench trial on the merits. As part of their post-hearing briefs due February 22, 2019, the parties will address whether the Defendants are entitled to a jury trial on the merits in this action. Should the Court determine that the Defendants are entitled to a jury trial, the Court will schedule that proceeding. By JUDGE NANCY TORRESEN. (mnw) (Entered: 02/07/2019)
02/07/2019	<u>53</u>	RESPONSE in Opposition re <u>47</u> MOTION for Order <i>consolidating the preliminary injunction hearing with trial on the merits</i> filed by AROOSTOOK COUNTY, SHAWN D GILLEN. Reply due by 2/21/2019. (MARCHESI, PETER) (Entered: 02/07/2019)
02/08/2019	<u>54</u>	Exhibit List (<i>Second Amended</i>) by AROOSTOOK COUNTY, SHAWN D GILLEN.. (MARCHESI, PETER) (Entered: 02/08/2019)
02/08/2019	<u>55</u>	RESPONSE in Opposition re <u>43</u> MOTION in Limine filed by BRENDA SMITH. Reply due by 2/22/2019. (BOND, EMMA) (Entered: 02/08/2019)
02/08/2019		Reset Deadlines: Attorney JOEL K. GOLOSKIE shall register for the District of Maine's Electronic Case Filing (ECF) System by 2/15/2019. Registration Forms are available on the Court's website http://www.med.uscourts.gov/ecf-registration under the Electronic Case Files, ECF Registration Section. (slg) (Entered: 02/08/2019)
02/08/2019	<u>56</u>	RESPONSE in Opposition re <u>40</u> MOTION in Limine <i>to exclude testimony from James Foss and limit testimony from Shawn Gillen</i> filed by AROOSTOOK COUNTY, SHAWN D GILLEN. Reply due by 2/22/2019. (MARCHESI, PETER) (Entered: 02/08/2019)
02/08/2019	<u>57</u>	RESPONSE in Opposition re <u>42</u> MOTION in Limine <i>to exclude Audie Horne and find Dr. Conner and KVHC unavailable under Rule 32(a)(4)(B)</i> filed by AROOSTOOK COUNTY, SHAWN D GILLEN. Reply due by 2/22/2019. (Attachments: # <u>1</u> Exhibit A – Subpoena to Claudette Humphrey)(MARCHESI, PETER) (Entered: 02/08/2019)
02/08/2019	<u>58</u>	OBJECTION to <u>45</u> Deposition Designation filed by AROOSTOOK COUNTY, SHAWN D GILLEN. Responses due by 2/22/2019. (MARCHESI, PETER) (Entered: 02/08/2019)
02/08/2019	<u>59</u>	DEPOSITION DESIGNATION (<i>Second Amended</i>) of Kathadin Valley Health Center by AROOSTOOK COUNTY, SHAWN D GILLEN. (MARCHESI, PETER) (Entered: 02/08/2019)
02/08/2019	<u>60</u>	DEPOSITION of Katahdin Valley Health Center taken on January 30, 2019 filed by AROOSTOOK COUNTY, SHAWN D GILLEN. (MARCHESI, PETER) (Entered: 02/08/2019)
02/08/2019	<u>61</u>	DEPOSITION DESIGNATION of David Conner by AROOSTOOK COUNTY, SHAWN D GILLEN. (MARCHESI, PETER) (Entered: 02/08/2019)
02/08/2019	<u>62</u>	DEPOSITION of David Conner taken on February 6, 2019 filed by AROOSTOOK COUNTY, SHAWN D GILLEN. (MARCHESI, PETER) (Entered: 02/08/2019)
02/08/2019	<u>63</u>	SECOND AMENDED DEPOSITION DESIGNATION of David Conner, M.D. by BRENDA SMITH. (Attachments: # <u>1</u> Designated Deposition Testimony of Conner)(HEIDEN, ZACHARY) Modified on 2/8/2019 to reflect this is second amended disposition designation (slg). (Entered: 02/08/2019)
02/08/2019	<u>64</u>	***FILED IN ERROR*** NOTICE of Appearance by JOEL K. GOLOSKIE on behalf of MAINE ASSOCIATION OF PSYCHIATRIC PHYSICIANS, MAINE MEDICAL ASSOCIATION, NORTHERN NEW ENGLAND SOCIETY OF ADDICTION MEDICINE (GOLOSKIE, JOEL) Modified on 2/8/2019 to indicate it was filed in error and was refiled at ECF #66 (slg). (Entered: 02/08/2019)

02/08/2019	<u>65</u>	CERTIFICATION for Admission Pro Hac Vice of Megan Thomson filed by JOEL K. GOLOSKIE on behalf of MAINE ASSOCIATION OF PSYCHIATRIC PHYSICIANS, MAINE MEDICAL ASSOCIATION, NORTHERN NEW ENGLAND SOCIETY OF ADDICTION MEDICINE (Total admission fee \$ 100 receipt number 0100-1972833.) (GOLOSKIE, JOEL) (Entered: 02/08/2019)
02/08/2019	<u>66</u>	CERTIFICATION for Admission Pro Hac Vice of JOEL K. GOLOSKIE filed by JOEL K. GOLOSKIE on behalf of MAINE ASSOCIATION OF PSYCHIATRIC PHYSICIANS, MAINE MEDICAL ASSOCIATION, NORTHERN NEW ENGLAND SOCIETY OF ADDICTION MEDICINE (Total admission fee \$ 100 receipt number 0100-1972842.) (GOLOSKIE, JOEL) (Entered: 02/08/2019)
02/08/2019	<u>67</u>	OBJECTION to <u>63</u> Deposition Designation filed by AROOSTOOK COUNTY, SHAWN D GILLEN. Responses due by 2/22/2019. (MARCHESI, PETER) (Entered: 02/08/2019)
02/08/2019	<u>68</u>	NOTICE of Docket Entry Modification regarding <u>64</u> Notice of Appearance. The docket entry was modified by the Clerk's Office to indicate it was filed in error. It was refiled at ECF #66. (slg) (Entered: 02/08/2019)
02/08/2019	<u>69</u>	OBJECTION to <u>60</u> Deposition, <u>59</u> Deposition Designation of <i>Katahdin Valley Health Center</i> filed by BRENDA SMITH. Responses due by 2/22/2019. (HEIDEN, ZACHARY) (Entered: 02/08/2019)
02/08/2019	<u>70</u>	Third Party MOTION to Quash <i>Subpoena of Witness Claudette Humphrey</i> by CLAUDETTE HUMPHREYS Responses due by 3/1/2019. (Attachments: # <u>1</u> Supplement Declaration of Claudette Humphrey w Ex A)(HERZOG, PETER) (Entered: 02/08/2019)
02/08/2019		Set Deadlines: Attorney Meagan L Thomson shall register for the District of Maine's Electronic Case Filing (ECF) System by 2/15/2019. Registration Forms are available on the Court's website http://www.med.uscourts.gov/ecf-registration under the Electronic Case Files, ECF Registration Section. (slg) (Entered: 02/08/2019)
02/08/2019	<u>71</u>	ORDER reserving ruling <u>70</u> Motion to Quash. The parties are directed to file any response by midnight on 2/9/19. By JUDGE NANCY TORRESEN. (TORRESEN, NANCY) (Entered: 02/08/2019)
02/09/2019	<u>72</u>	DEPOSITION DESIGNATION (<i>Supplemental</i>) of Alison Willette by BRENDA SMITH. (Attachments: # <u>1</u> Supplemental Designation of Willette)(HEIDEN, ZACHARY) (Entered: 02/09/2019)
02/09/2019	<u>73</u>	RESPONSE in Opposition re <u>70</u> Third Party MOTION to Quash <i>Subpoena of Witness Claudette Humphrey</i> filed by AROOSTOOK COUNTY, SHAWN D GILLEN. Reply due by 2/25/2019. (Attachments: # <u>1</u> Exhibit 1 - Letter to Atty Herzog 1/29/19, # <u>2</u> Exhibit 2 - Email from Atty Herzog 1/30/19, # <u>3</u> Exhibit 3 - Letter to Atty Herzog 2/5/19)(MARCHESI, PETER) (Entered: 02/09/2019)
02/09/2019	<u>74</u>	REPLY to Response to Motion re <u>70</u> Third Party MOTION to Quash <i>Subpoena of Witness Claudette Humphrey</i> filed by BRENDA SMITH. (BOND, EMMA) (Entered: 02/09/2019)
02/10/2019	<u>75</u>	ORDER granting in part and denying in part <u>70</u> Motion to Quash. Ms. Humphrey is not required to appear in Bangor on February 11 or 12, 2019. The Court reserves ruling on whether Ms. Humphrey must appear in Bangor on February 13, 2019 or thereafter. Counsel for all parties and the witness are directed to contact the Court's IT representative for this trial (Robert Gupta) to inquire about creating a video connection for Ms. Humphrey from her office computer. The parties are further directed to coordinate a time for Ms. Humphrey's testimony that will minimize disruption of her schedule. The Court will consider expanding the trial hours to accommodate the witness. The motion for sanctions is denied. By JUDGE NANCY TORRESEN. (TORRESEN, NANCY) (Entered: 02/10/2019)
02/10/2019	<u>76</u>	DEPOSITION DESIGNATION (<i>Plaintiff's Amended Designation</i>) of David Conner, M.D. by BRENDA SMITH. (Attachments: # <u>1</u> Exhibit David Conner Deposition with highlighted testimony)(SOLEY, DAVID) (Entered: 02/10/2019)

02/10/2019	<u>77</u>	MOTION to Amend <u>54</u> Exhibit List , <i>Substitute Exhibits, and Admit Certain Exhibits Into Evidence</i> by BRENDA SMITH Responses due by 3/4/2019. (Attachments: # <u>1</u> Exhibit Joint Trial Exhibit 17, # <u>2</u> Exhibit Joint Trial Exhibit 18)(SOLEY, DAVID). Added MOTION to Substitute Exhibits and MOTION to Admit Certain Exhibits on 2/11/2019 (mnw). (Entered: 02/10/2019)
02/11/2019	78	Minute Entry for proceedings held before JUDGE NANCY TORRESEN: Motion Hearing begun re <u>9</u> MOTION for Preliminary Injunction filed by BRENDA SMITH. (Court Reporter: Tammy Martell) (slg) (Entered: 02/12/2019)
02/11/2019	79	ORAL ORDER denying <u>40</u> Motion in Limine to Exclude Testimony as to James Foss. Ruling reserved as to Shawn Gillen. By JUDGE NANCY TORRESEN. (slg) (Entered: 02/12/2019)
02/11/2019	80	ORAL ORDER finding <u>42</u> Motion in Limine moot as to Audie Horne, reserving ruling as to KVHC, and the Court finds Dr. Conner unavailable. By JUDGE NANCY TORRESEN. (slg) (Entered: 02/12/2019)
02/11/2019	81	ORAL ORDER reserving ruling on <u>43</u> Motion in Limine as the admission of evidence related to the opioid crisis and overruled as to the admission of testimony from Dr. Conner to the extent it constituted expert testimony. By JUDGE NANCY TORRESEN. (slg) (Entered: 02/12/2019)
02/11/2019	82	ORAL ORDER reserving ruling as to <u>58</u> Objection to #45 Deposition Designation. By JUDGE NANCY TORRESEN. (slg) (Entered: 02/12/2019)
02/11/2019	83	ORAL ORDER overruling for reasons stated on the record <u>67</u> Objection to #63 Deposition Designation of Dr. David Conner. By JUDGE NANCY TORRESEN. (slg) Modified on 2/12/2019 text corrected to reflect the deposition designation to be Dr. David Conner, not KVHC (slg). (Entered: 02/12/2019)
02/11/2019	84	ORAL ORDER reserving ruling <u>69</u> Objection to #60 Deposition and #59 Deposition Designation of Katahdin Valley Health Center. By JUDGE NANCY TORRESEN. (slg) (Entered: 02/12/2019)
02/11/2019	85	ORAL ORDER granting <u>77</u> Motion to Amend #54 Exhibit List, Substitute Exhibits, and Admit Certain Exhibits into Evidence. By JUDGE NANCY TORRESEN. (slg) (Entered: 02/12/2019)
02/12/2019	86	ORAL ORDER overruling <u>58</u> Objection to #45 Deposition Designation. By JUDGE NANCY TORRESEN. (slg) (Entered: 02/12/2019)
02/12/2019	87	NOTICE of Docket Entry Modification regarding 83 Order on Objection. This was modified by the Clerk's Office to correct the deposition designation to be Dr. David Conner, not KVHC. (slg) (Entered: 02/12/2019)
02/12/2019	88	Minute Entry for proceedings held before JUDGE NANCY TORRESEN: Motion Hearing continued re <u>9</u> MOTION for Preliminary Injunction filed by BRENDA SMITH. (Court Reporter: Tammy Martell) (slg) (Entered: 02/13/2019)
02/13/2019	89	Minute Entry for proceedings held before JUDGE NANCY TORRESEN: Motion Hearing continued re <u>9</u> MOTION for Preliminary Injunction filed by BRENDA SMITH. (Court Reporter: Tammy Martell) (slg) (Entered: 02/13/2019)
02/14/2019	90	Minute Entry for proceedings held before JUDGE NANCY TORRESEN: Motion Hearing continued re <u>9</u> MOTION for Preliminary Injunction filed by BRENDA SMITH. The following deadlines were set for the reasons stated on the record: post-trial briefs due by 2/22/2019 with a 25 page limit. Responses to post-trial brief due by 2/27/2019, with a 10 page limit. (Court Reporter: Tammy Martell) (slg) (Entered: 02/14/2019)
02/15/2019	91	Minute Entry for proceedings held before JUDGE NANCY TORRESEN: Motion Hearing concluded re <u>9</u> MOTION for Preliminary Injunction filed by BRENDA SMITH. (Court Reporter: Tammy Martell) (slg) (Entered: 02/15/2019)
02/15/2019	92	ORAL MOTION for partial Judgment pursuant to Rule 52 by BRENDA SMITH (slg) (Entered: 02/15/2019)

02/15/2019	<u>93</u>	ORAL ORDER denying 92 Motion for Partial Judgment for the reasons stated on the record By JUDGE NANCY TORRESEN. (slg) (Entered: 02/15/2019)
02/15/2019	<u>94</u>	Court Exhibit List from Evidentiary Hearing re Motion for Preliminary Injunction held on 2/11/19 to 2/15/19 (Exhibits listed on the Court Exhibit List are not remotely electronically available). (slg) Main Document 94 replaced on 2/25/2019 to add hearing type and remove certificate of service page. (Entered: 02/15/2019)
02/15/2019	<u>95</u>	Court Witness List from Evidentiary Hearing re Motion for Preliminary Injunction held on 2/11/19 to 2/15/19. (slg) (Entered: 02/15/2019)
02/19/2019		Reset Deadlines: Attorney Meagan L. Thomson, Esq shall register for the District of Maine's Electronic Case Filing (ECF) System by 2/25/2019. Registration Forms are available on the Court's website http://www.med.uscourts.gov/ecf-registration under the Electronic Case Files, ECF Registration Section. (slg) (Entered: 02/19/2019)
02/19/2019	<u>96</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Motion For Preliminary Injunction held on February 11, 2019 before Judge Nancy Torresen. Court Reporter/Transcriber: Tammy Martell, Telephone Number: 207.272.5566. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.med.uscourts.gov. 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. Release of Transcript Restriction set for 5/20/2019. (MARTELL, TAMMY) (Entered: 02/19/2019)
02/19/2019	<u>97</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Motion For Preliminary Injunction held on February 12, 2019 before Judge Nancy Torresen. Court Reporter/Transcriber: Tammy Martell, Telephone Number: 207.272.5566. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.med.uscourts.gov. 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. Release of Transcript Restriction set for 5/20/2019. (MARTELL, TAMMY) (Entered: 02/19/2019)
02/20/2019	<u>98</u>	MOTION for Leave to File <i>Separate Memorandum</i> by AROOSTOOK COUNTY, SHAWN D GILLEN Responses due by 3/13/2019. (MARCHESI, PETER) (Entered: 02/20/2019)
02/21/2019	99	ORDER granting <u>98</u> Motion for Leave to File a Separate Memorandum. Defendants' memorandum shall be no more than five (5) pages. By JUDGE NANCY TORRESEN. (MMB) (Entered: 02/21/2019)
02/22/2019	<u>100</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Motion For Preliminary Injunction held on February 13, 2019 before Judge Nancy Torresen. Court Reporter/Transcriber: Tammy Martell, Telephone Number: 207-272-5566. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.med.uscourts.gov. 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. Release of Transcript Restriction set for 5/23/2019. (MARTELL, TAMMY) (Entered: 02/22/2019)
02/22/2019	<u>101</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Evidentiary Hearing On Motion For Preliminary Injunction held on February 14, 2019 before Judge Nancy Torresen. Court Reporter/Transcriber: Tammy Martell, Telephone Number: 207-272-5566. NOTICE RE REDACTION OF TRANSCRIPTS: The

		parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.med.uscourts.gov. 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. Release of Transcript Restriction set for 5/23/2019. (MARTELL, TAMMY) (Entered: 02/22/2019)
02/22/2019	<u>102</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Evidentiary Hearing On Motion For Preliminary Injunction held on February 15, 2019 before Judge Nancy Torresen. Court Reporter/Transcriber: Tammy Martell, Telephone Number: 207-272-5566. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.med.uscourts.gov. 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. Release of Transcript Restriction set for 5/23/2019. (MARTELL, TAMMY) (Entered: 02/22/2019)
02/22/2019	<u>103</u>	BRIEF on Plaintiff's Request for Preliminary Injunction, et al by AROOSTOOK COUNTY, SHAWN D GILLEN. (MARCHESI, PETER) (Entered: 02/22/2019)
02/22/2019	<u>104</u>	RESPONSE in Opposition re <u>31</u> MOTION for Leave to File <i>Amici Curiae Brief in Support of Plaintiff's Motion for Preliminary Injunction</i>, <u>36</u> MOTION for Leave to File <i>Amici Brief in Support of Plaintiff's Motion for a Preliminary Injunction</i> filed by AROOSTOOK COUNTY, SHAWN D GILLEN. Reply due by 3/8/2019. (MARCHESI, PETER) (Entered: 02/22/2019)
02/22/2019	<u>105</u>	TRIAL BRIEF in support of injunctive relief by BRENDA SMITH. (BOND, EMMA) (Entered: 02/22/2019)
02/25/2019	106	NOTICE of Docket Entry Modification regarding <u>94</u> Court Exhibit List. The Clerk's Office replaced the main document to add the hearing type and remove the certificate of service page. (slg) (Entered: 02/25/2019)
02/25/2019	<u>107</u>	NOTICE/CORRESPONDENCE Re: <i>Correction of Citation</i> by AROOSTOOK COUNTY, SHAWN D GILLEN (MARCHESI, PETER) (Entered: 02/25/2019)
02/26/2019	<u>108</u>	AMENDED Court Exhibit List from Evidentiary Hearing re Motion for Preliminary Injunction held on 2/11/19 to 2/15/19 (Exhibits listed on the Court Exhibit List are not remotely electronically available). This list was amended to reflect that Plaintiff Exhibit 72 was admitted on 2/15/19.(slg) (Entered: 02/26/2019)
02/27/2019	<u>109</u>	TRIAL BRIEF <i>REPLY</i> by BRENDA SMITH. (HEIDEN, ZACHARY) (Entered: 02/27/2019)
02/28/2019	<u>110</u>	MOTION to Extend Time to File <i>Reply Brief</i> by AROOSTOOK COUNTY, SHAWN D GILLEN Responses due by 3/21/2019. (MARCHESI, PETER) (Entered: 02/28/2019)
02/28/2019	111	Without need for a response, I ORDER the <u>110</u> Motion to Extend Time to be Granted. By JUDGE NANCY TORRESEN. (MMB) (Entered: 02/28/2019)
02/28/2019		Set Deadlines/Hearings: Per Order #111, Defendant's reply brief due by 2/28/2019. (slg) (Entered: 02/28/2019)
02/28/2019	<u>112</u>	REPLY TO PLAINTIFF'S POST-TRIAL MEMORANDUM filed by AROOSTOOK COUNTY, SHAWN D GILLEN. (MARCHESI, PETER) Modified on 3/1/2019 to clean up text (mnw). (Entered: 02/28/2019)
03/06/2019	<u>113</u>	REPLY to Response to Motion re <u>31</u> MOTION for Leave to File <i>Amici Curiae Brief in Support of Plaintiff's Motion for Preliminary Injunction</i> filed by PUBLIC HEALTH SCHOLARS. (LELAND, BRETT) (Entered: 03/06/2019)

03/21/2019	<u>114</u>	ORDER reserving ruling on <u>39</u> Motion to Seal trial exhibit and testimony of childhood trauma. Plaintiff's counsel is directed to provide, under seal, a proposed redacted transcript within seven days. By JUDGE NANCY TORRESEN. (mnw) (Entered: 03/21/2019)
03/21/2019		Set Deadlines – Per Order #114: Plaintiff's counsel to provide, under seal, a proposed redacted transcript by 3/28/2019. (mnw) (Entered: 03/21/2019)
03/22/2019	<u>115</u>	WITHDRAWAL of : <u>39</u> (Document sealed from public view) MOTION to Seal trial exhibit and testimony of childhood trauma by BRENDA SMITH . (BOND, EMMA) (Entered: 03/22/2019)
03/27/2019	<u>116</u>	ORDER granting <u>9</u> Motion for Preliminary Injunction By JUDGE NANCY TORRESEN. (MMB) (Entered: 03/27/2019)
03/27/2019	117	ORDER denying <u>31</u> Motion for Leave to File Amicus Brief; denying <u>36</u> Motion for Leave to File Amicus Brief. Because the amicus briefs contain facts not in evidence, I have given them no weight in my determination. The motions for leave to file amicus briefs are denied. By JUDGE NANCY TORRESEN. (MMB) (Entered: 03/27/2019)
03/28/2019		Set Deadlines: Ready for Trial on 6/4/2019. (slg) (Entered: 03/28/2019)
04/03/2019	<u>118</u>	Emergency MOTION to Stay and MOTION for Expedited Briefing by AROOSTOOK COUNTY, SHAWN D GILLEN Responses due by 4/24/2019. (MARCHESI, PETER). Added MOTION for expedited briefing on 4/3/2019 (mjlt). (Entered: 04/03/2019)
04/03/2019	119	NOTICE of Hearing on Motion <u>118</u> Emergency MOTION to Stay : Telephone Conference set for 4/4/2019 11:30 AM in Judge Torresen's Chambers before JUDGE NANCY TORRESEN. Attorney Marchesi to initiate the call to chambers. (mjlt) (Entered: 04/03/2019)
04/03/2019	120	AMENDED NOTICE of Hearing on Motion Re: <u>118</u> Emergency MOTION to Stay and MOTION for Expedited Briefing: Hearing previously set as a Telephone Conference is reset as a Conference of Counsel to be held in Judge Torresen's Chambers before JUDGE NANCY TORRESEN on 4/4/2019 11:30 AM. (mlm) (Entered: 04/03/2019)
04/04/2019	121	Minute Entry for proceedings held before JUDGE NANCY TORRESEN. Conference of Counsel held re: Emergency Motion #118. (Court Reporter: Tammy Martell) (mnw) (Entered: 04/04/2019)
04/04/2019	122	ORAL ORDER denying for reasons stated on the record <u>118</u> Motion to Stay – By JUDGE NANCY TORRESEN. (mnw) (Entered: 04/04/2019)
04/05/2019	<u>123</u>	INTERLOCUTORY APPEAL as to <u>116</u> Order on Plaintiff's Motion for a Preliminary Injunction filed by AROOSTOOK COUNTY, SHAWN D GILLEN . (Filing fee \$ 505 receipt number 0100–2001109.) NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from our web site at http://www.med.uscourts.gov/forms/ MUST be completed and submitted to the Court of Appeals. Counsel should also register for a First Circuit CM/ECF Appellate Filer Account at https://pacer.psc.uscourts.gov/pscof/regWizard.jsf and review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at http://www.ca1.uscourts.gov/cmecf (MARCHESI, PETER) Modified on 4/5/2019 to clean up text (mnw). (Entered: 04/05/2019)
04/05/2019		COPIES of Notice of Appeal Sent to Counsel Re: <u>123</u> Notice of Appeal, filed by SHAWN D GILLEN, AROOSTOOK COUNTY. (bfa) (Entered: 04/05/2019)
04/05/2019	<u>124</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Conference of Counsel held on April 4, 2019 before Judge Nancy Torresen. Court Reporter/Transcriber: Tammy Martell, Telephone Number: 207.272.5566. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is

		located on our website at www.med.uscourts.gov. 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. Release of Transcript Restriction set for 7/5/2019. (MARTELL, TAMMY) (Entered: 04/05/2019)
04/05/2019	<u>125</u>	APPEAL COVER SHEET Re: <u>123</u> Notice of Appeal (bfa) (Entered: 04/05/2019)
04/05/2019	<u>126</u>	CLERK'S CERTIFICATE Re: <u>123</u> Notice of Appeal. Documents sent to the U.S. Court of Appeals. (bfa) (Entered: 04/05/2019)
04/05/2019		Abbreviated Appeal Record Transmitted Electronically to U.S. Court of Appeals re <u>123</u> Notice of Appeal (bfa) (Entered: 04/05/2019)
04/05/2019	127	USCA Case Number 19-1340 for <u>123</u> Notice of Appeal filed by SHAWN D GILLEN, AROOSTOOK COUNTY. (jwr) (Entered: 04/05/2019)
04/09/2019	<u>128</u>	TRIAL LIST: On Trial List for 6/4/2019. Final Pretrial Conference set for 4/30/2019 at 09:30 AM in Portland Visiting Judge's Chambers before MAGISTRATE JUDGE JOHN C. NIVISON. Final Pretrial Memo due by 4/16/2019.(slg) (Entered: 04/09/2019)
04/11/2019		Reset Deadlines: Final Pretrial Memo due by 4/23/2019. Previous deadline was calculated in error. Final pretrial memos are due 7 days prior to Final Pretrial Conference and therefore the correct deadline is 4/23/2019. (slg) (Entered: 04/11/2019)
04/12/2019	<u>129</u>	Consent MOTION to Amend Scheduling Order <i>to extend trial ready date to August 2019</i> by BRENDA SMITH Responses due by 5/3/2019. (BOND, EMMA) (Entered: 04/12/2019)
04/12/2019	130	ORDER granting <u>129</u> Motion to Amend Scheduling Order to extend trial ready date to August 2019 – By JUDGE NANCY TORRESEN. (mnw) (Entered: 04/12/2019)
04/12/2019		Reset Deadlines – Per Order #130: Ready for Trial on 8/6/2019. New final pretrial conference and final pretrial memo deadlines will be established upon publication of the August 2019 trial list. (mnw) (Entered: 04/12/2019)
04/15/2019	<u>131</u>	MOTION for Joel K. Goloskie to Withdraw as Attorney by MAINE MEDICAL ASSOCIATION (O'MEARA, RICHARD) Modified on 4/16/2019 to change event type to Motion to Withdraw (mnw). (Entered: 04/15/2019)
04/15/2019	<u>132</u>	MOTION for Meagan L. Thomson to Withdraw as Attorney by MAINE MEDICAL ASSOCIATION (O'MEARA, RICHARD) Modified on 4/16/2019 to change event type to Motion to Withdraw (mnw). (Entered: 04/15/2019)
04/16/2019	133	ORDER granting <u>131</u> Motion to Withdraw as Attorney. Attorney Goloskie is withdrawn as counsel. By MAGISTRATE JUDGE JOHN C. NIVISON. (NIVISON, JOHN) (Entered: 04/16/2019)
04/16/2019	134	ORDER granting <u>132</u> Motion to Withdraw as Attorney. Attorney Thomson is withdrawn as counsel. By MAGISTRATE JUDGE JOHN C. NIVISON. (NIVISON, JOHN) (Entered: 04/16/2019)
04/18/2019	<u>135</u>	MOTION by Attorney Colette McCrone to Withdraw as Attorney by PUBLIC HEALTH SCHOLARS Responses due by 5/9/2019. (LELAND, BRETT) (Entered: 04/18/2019)
04/18/2019	<u>136</u>	MOTION by Attorney Adam Axler to Withdraw as Attorney by PUBLIC HEALTH SCHOLARS Responses due by 5/9/2019. (LELAND, BRETT) (Entered: 04/18/2019)
04/18/2019	<u>137</u>	MOTION by Attorney Howard Sklamberg to Withdraw as Attorney by PUBLIC HEALTH SCHOLARS Responses due by 5/9/2019. (LELAND, BRETT) (Entered: 04/18/2019)
04/18/2019	<u>138</u>	MOTION by Attorney Brett Leland to Withdraw as Attorney by PUBLIC HEALTH SCHOLARS Responses due by 5/9/2019. (LELAND, BRETT) (Entered: 04/18/2019)

04/19/2019	<u>139</u>	ORDER granting <u>135</u> Motion to Withdraw as Attorney. Attorney McCrone is withdrawn as counsel. By MAGISTRATE JUDGE JOHN C. NIVISON. (NIVISON, JOHN) (Entered: 04/19/2019)
04/19/2019	<u>140</u>	ORDER granting <u>136</u> Motion to Withdraw as Attorney. Attorney Axler is withdrawn as counsel. By MAGISTRATE JUDGE JOHN C. NIVISON. (NIVISON, JOHN) (Entered: 04/19/2019)
04/19/2019	<u>141</u>	ORDER granting <u>137</u> Motion to Withdraw as Attorney. Attorney Sklamberg is withdrawn as counsel. By MAGISTRATE JUDGE JOHN C. NIVISON. (NIVISON, JOHN) (Entered: 04/19/2019)
04/19/2019	<u>142</u>	ORDER granting <u>138</u> Motion to Withdraw as Attorney. Attorney Leland is withdrawn as counsel. By MAGISTRATE JUDGE JOHN C. NIVISON. (NIVISON, JOHN) (Entered: 04/19/2019)
04/30/2019	<u>143</u>	Opinion of USCA Re: <u>123</u> Notice of Appeal filed by SHAWN D GILLEN, AROOSTOOK COUNTY. Check for Receipt of Mandate on 5/30/2019. (mnw) (Entered: 05/01/2019)
04/30/2019	<u>144</u>	JUDGMENT of USCA re <u>123</u> Notice of Appeal. Check for Receipt of Mandate on 5/30/2019. (mnw) (Entered: 05/01/2019)
05/21/2019	<u>145</u>	MANDATE of USCA as to <u>123</u> Notice of Appeal filed by SHAWN D GILLEN, AROOSTOOK COUNTY (slg) (Entered: 05/22/2019)
06/10/2019	<u>146</u>	TRIAL LIST:. On Trial List for 8/6/2019. Final Pretrial Conference set for 7/8/2019 11:00 AM in Magistrate Judge Nivison's Chambers before MAGISTRATE JUDGE JOHN C. NIVISON. Final Pretrial Memo due by 7/1/2019.(jwr) (Entered: 06/10/2019)
06/12/2019	<u>147</u>	MOTION for Order to <i>dismiss merits as moot and set briefing for fee petition</i> by BRENDA SMITH Responses due by 7/3/2019. (Attachments: # <u>1</u> Attachment A – State Court Order)(BOND, EMMA). Added MOTION to set briefing for fee petition on 6/12/2019 (mnw). (Entered: 06/12/2019)
06/12/2019		Reset Deadlines as to <u>147</u> MOTION for Order to <i>dismiss merits as moot</i> and MOTION to set briefing for fee petition : Expedited briefing requested by U.S. District Judge Nancy Torresen – Response due by 6/17/2019. No Reply Permitted. (mnw) (Entered: 06/12/2019)
06/17/2019	<u>148</u>	RESPONSE to Motion re <u>147</u> MOTION for Order to <i>dismiss merits as moot</i> MOTION to set briefing for fee petition filed by AROOSTOOK COUNTY, SHAWN D GILLEN. Reply due by 7/1/2019. (MARCHESI, PETER) (Entered: 06/17/2019)
06/17/2019	<u>149</u>	NOTICE OF HEARING re <u>147</u> MOTION for Order to <i>dismiss merits as moot</i> and MOTION to set briefing for fee petition : Telephone Conference set for 6/18/2019 at 10:00 AM before JUDGE NANCY TORRESEN. (mnw) (Entered: 06/17/2019)