

**U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CIVIL DOCKET FOR CASE #: 2:19-cv-05217-SRB**

C.M. et al v. United States of America
Assigned to: Senior Judge Susan R Bolton
Interim Related Cases: [2:20-cv-00065-SRB](#)
[2:21-cv-00215-SMB](#)
Related Case: [2:20-cv-00065-SRB](#)
Cause: 28:2671 Federal Tort Claims Act

Date Filed: 09/19/2019
Jury Demand: None
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: U.S. Government
Defendant

Plaintiff

C.M.
*on her own behalf and of her minor
child
on behalf of*
B.M.

represented by **Claudia Valenzuela**
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Plaintiff

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*on her own behalf and of her minor
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on behalf of*
B.G.

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TERMINATED: 02/28/2021

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Plaintiff

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child
on behalf of
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Plaintiff

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child
on behalf of
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Date Filed	#	Docket Text
09/19/2019	<u>1</u>	COMPLAINT. Filing fee received: \$ 400.00, receipt number 0970-17417079 filed by O.A., C.M., M.R., L.G., V.C..(Rosenbaum, David) (Attachments: # <u>1</u> Civil Cover Sheet)(ARC) (Entered: 09/19/2019)
09/19/2019	<u>2</u>	SUMMONS Submitted by C.M., L.G., M.R., O.A., V.C.. (Rosenbaum, David) (Attachments: # <u>1</u> Summons)(ARC) (Entered: 09/19/2019)
09/19/2019	<u>3</u>	Filing fee paid, receipt number 0970-17417079. This case has been assigned to the Honorable Susan R Bolton. All future pleadings or documents should bear the correct case number: CV-19-5217-PHX-SRB. Notice of Availability of Magistrate Judge to Exercise Jurisdiction form attached. (ARC) (Entered: 09/19/2019)
09/19/2019	<u>4</u>	NOTICE TO THE PARTIES - The Court is participating in the Mandatory Initial Discovery Pilot (MIDP) and this case is subject to that pilot. The key features and deadlines are set forth in the attached Notice which includes General Order 17-08. Also attached is a checklist for use by the parties. All parties must respond to the mandatory initial discovery requests set forth in the General Order before initiating any further discovery in this case. Please note: The discovery obligations in the General Order supersede the disclosures required by Rule 26(a)(1). Any party seeking affirmative relief must serve a copy of the attached documents (Notice to Parties, including General Order 17-08 and MIDP Checklist) on each new party when the Complaint, Counterclaim, Crossclaim, or Third-Party Complaint is served. (ARC) (Entered: 09/19/2019)

09/19/2019	<u>5</u>	Summons Issued as to United States of America. (Attachments: # <u>1</u> Summons)(ARC). *** IMPORTANT: When printing the summons, select "Document and stamps" or "Document and comments" for the seal to appear on the document. (Entered: 09/19/2019)
09/19/2019	<u>6</u>	*MOTION for Protective Order, MOTION to Proceed under Pseudonyms by C.M., L.G., M.R., O.A., V.C. (Attachments: # <u>1</u> Text of Proposed Order)(Rosenbaum, David). *Added MOTION to Proceed under Pseudonyms on 9/20/2019 (REK). (Entered: 09/19/2019)
09/20/2019		Remark: Pro hac vice motion(s) granted for Emma Curtis Winger on behalf of Plaintiffs C.M., L.G., M.R., O.A., and V.C.. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 09/25/2019)
09/23/2019	<u>7</u>	PROTECTIVE ORDER and ORDER GRANTING MOTION TO PROCEED UNDER PSEUDONYMS [see attached Order for details]. Signed by Senior Judge Susan R Bolton on 9/23/19. (MAW) (Entered: 09/23/2019)
09/23/2019		Remark: Pro hac vice motion(s) granted for Mark Michael Fleming, Katherine Melloy Goettel, and Trina Realmuto on behalf of Plaintiffs C.M., L.G., M.R., O.A., and V.C.. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 09/23/2019)
09/23/2019	<u>8</u>	MOTION for Admission Pro Hac Vice as to attorney Jonathan H. Feinberg by C.M., L.G., M.R., O.A., V.C.. (Attachments: # <u>1</u> Certificate of Good Standing)(Feinberg, Jonathan) (Entered: 09/23/2019)
09/24/2019	<u>9</u>	SERVICE EXECUTED filed by C.M., L.G., M.R., O.A., V.C.: Certified Mail Receipt re: Summons; Complaint; Civil Cover Sheet; Motion to Proceed under Pseudonyms and for Protective Order with proposed Order granting same upon U.S. Attorney for District of Arizona (Michael Bailey) and U.S. Attorney General (William Barr) on 9/23/2019. (Rosenbaum, David) (Entered: 09/24/2019)
09/25/2019	10	ORDER pursuant to General Order 09-08 terminating <u>8</u> Motion for Admission Pro Hac Vice. Pro hac vice incorrectly filed into civil case without fee. Correctly Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. Counsel is advised that they are limited to two (2) additional e-mail addresses in their District of Arizona User Account. (BAS) (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 09/25/2019)

09/25/2019		Remark: Pro hac vice motion(s) granted for Jonathan Howard Feinberg on behalf of Plaintiffs C.M., L.G., M.R., O.A., and V.C.. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 09/25/2019)
09/27/2019		Remark: Pro hac vice motion(s) granted for Robert Stanton Jones, and Lucy Sarah McMillan on behalf of Plaintiffs C.M., L.G., M.R., O.A., and V.C.. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 09/27/2019)
09/30/2019		Remark: Pro hac vice motion(s) granted for Diana E Reiter on behalf of Plaintiffs C.M., L.G., M.R., O.A., and V.C. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 09/30/2019)
09/30/2019	11	SERVICE EXECUTED filed by C.M., L.G., M.R., O.A., V.C.: Affidavit of Service re: Order Granting Motion to Proceed Under Pseudonyms and for a Protective Order upon US Attorney General and US Attorney for District of Arizona on 9/28/19 and 9/30/19. (Rosenbaum, David) (Entered: 09/30/2019)
09/30/2019		Remark: Pro hac vice motion(s) granted for Claudia Valenzuela and Tanya Eleni Kalivas on behalf of Plaintiffs C.M., L.G., M.R., O.A., and V.C.. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 09/30/2019)
10/02/2019		Remark: Pro hac vice motion(s) granted for Daniel F Jacobson, Erik Christopher Walsh, and Kaitlyn Schaeffer on behalf of Plaintiffs C.M., L.G., M.R., O.A., and V.C.. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 10/02/2019)
10/02/2019		Remark: Pro hac vice motion(s) granted for Emily Anne Reeder on behalf of Plaintiffs C.M., L.G., M.R., O.A., and V.C.. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 10/02/2019)
10/04/2019		Remark: Pro hac vice motion(s) granted for Mary Kenney on behalf of Plaintiffs C.M., L.G., M.R., O.A., and V.C.. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 10/04/2019)
10/07/2019	12	Mail Returned as Undeliverable. Mail sent to Erik Walsh. Reason for return: Return to Sender: Attempted - Not Known - Unable to Forward. Document number 7. (REK) (Entered: 10/08/2019)
10/23/2019	13	NOTICE of Appearance by Travis Charles Hunt on behalf of C.M., L.G., M.R., O.A., V.C.. (Hunt, Travis) (Entered: 10/23/2019)

11/14/2019	14	*Joint MOTION for Extension of Time Extension to Respond to Complaint and MOTION for Enlargement of Page Limits by United States of America. (Attachments: # 1 Text of Proposed Order)(MacWilliams, Philip) *Modified to correct and add event; attorney noticed on 11/14/2019 (SLQ). (Entered: 11/14/2019)
11/15/2019	15	NOTICE of Appearance by Theodore William Atkinson on behalf of United States of America. (Atkinson, Theodore) (Entered: 11/15/2019)
11/15/2019	16	NOTICE of Appearance by Philip Davis MacWilliams on behalf of United States of America. (MacWilliams, Philip) (Entered: 11/15/2019)
11/18/2019	17	ORDER: IT IS HEREBY ORDERED that the Joint Motion for Extension of Time and For Enlargement of Page Limits (Doc. 14) is GRANTED as follows: The United States shall answer or otherwise respond to the Complaint no later than December 23, 2019 . Any motion filed in response to the Complaint is limited to twenty-five (25) pages [see attached Order for details]. Signed by Senior Judge Susan R Bolton on 11/18/19. (MAW) (Entered: 11/18/2019)
12/23/2019	18	MOTION to Dismiss for Lack of Jurisdiction by United States of America. (MacWilliams, Philip) (Entered: 12/23/2019)
02/06/2020	19	RESPONSE to Motion re: 18 MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Opposition to Defendant's Motion to Dismiss</i> filed by C.M., L.G., M.R., O.A., V.C.. (Rosenbaum, David) (Entered: 02/06/2020)
02/07/2020	20	MINUTE ORDER as to 18 MOTION to Dismiss for Lack of Jurisdiction : Motion Hearing is set for 3/24/2020 at 10:00 AM in Courtroom 502, 401 West Washington Street, Phoenix, AZ 85003 before Senior Judge Susan R Bolton. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (TCA) (Entered: 02/07/2020)
02/14/2020	21	MOTION to Transfer Related Case by A.P.F., J.V.S.. (Attachments: # 1 Text of Proposed Order) (Associated Cases: CV-19-05217-PHX-SRB, CV-20-00065-PHX-SMB) (Beauchamp, Keith) (Entered: 02/14/2020)
02/20/2020	22	RESPONSE to Motion re: (21 in 2:19-cv-05217-SRB, 21 in 2:19-cv-05217-SRB) MOTION to Transfer Related Case filed by C.M., L.G., M.R., O.A., V.C.. (Associated Cases: 2:19-cv-05217-SRB, 2:20-cv-00065-SMB) (Rosenbaum, David) (Entered: 02/20/2020)
02/27/2020	23	RESPONSE to Motion re: (21 in 2:19-cv-05217-SRB, 21 in 2:19-cv-05217-SRB) MOTION to Transfer Related Case filed by United States

		of America. (Associated Cases: 2:19-cv-05217-SRB, 2:20-cv-00065-SMB) (Atkinson, Theodore) (Entered: 02/27/2020)
03/05/2020	24	REPLY to Response to Motion re: (21 in 2:19-cv-05217-SRB) MOTION to Transfer Related Case filed by A.P.F., J.V.S.. (Associated Cases: 2:20-cv-00065-SMB, 2:19-cv-05217-SRB) (Beauchamp, Keith) (Entered: 03/05/2020)
03/09/2020	25	REPLY to Response to Motion re: 18 MOTION to Dismiss for Lack of Jurisdiction filed by United States of America. (MacWilliams, Philip) (Entered: 03/09/2020)
03/17/2020	26	MOTION to Continue Motion Hearing <i>Scheduled For March 24, 2020</i> by United States of America. (Attachments: # 1 Exhibit, # 2 Text of Proposed Order)(MacWilliams, Philip) (Entered: 03/17/2020)
03/17/2020	27	ORDER: Due the COVID-19 pandemic; IT IS ORDERED that oral argument on Defendant's Motion to Dismiss scheduled for March 24, 2020 at 10:00 a.m. shall be telephonic only . No in person appearances. Counsel are directed to call (866) 390-1828; Access Code: 9667260 five minutes prior to the scheduled hearing. Counsel are advised that speaker phones and cell phones are not permitted. IT IS FURTHER ORDERED denying Defendant's Motion to Postpone Motion Hearing. (Doc. 26) Signed by Senior Judge Susan R Bolton on 3/17/20. (MAW) (Entered: 03/17/2020)
03/24/2020	28	MINUTE ENTRY for proceedings held before Senior Judge Susan R Bolton: Telephonic Motion Hearing held on 3/24/2020. Argument held. IT IS ORDERED taking under advisement 18 Motion to Dismiss. APPEARANCES: Diana Reiter, Jonathan Feinberg, Katherine Goettel, Lucy McMillan, Trina Realmuto, David Rosenbaum and Erik Walsh (all appearing telephonically) for Plaintiffs. Philip MacWilliams (appearing telephonically) for Defendant. (Court Reporter Elaine Cropper) Hearing held 10:04 AM to 10:43 AM. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAW) (Entered: 03/24/2020)
03/24/2020	29	REPLY to Response to Motion re: (21 in 2:19-cv-05217-SRB) MOTION to Transfer Related Case (<i>Supplement</i>) filed by A.P.F., J.V.S.. (Attachments: # 1 Exhibit 1) (Associated Cases: 2:20-cv-00065-SMB, 2:19-cv-05217-SRB) (Beauchamp, Keith) (Entered: 03/24/2020)
03/24/2020	30	TRANSCRIPT REQUEST by C.M., L.G., M.R., O.A., V.C. for proceedings held on 3/24/2020, Judge Susan R Bolton hearing judge(s). (Rosenbaum, David) (Entered: 03/24/2020)

03/30/2020	<u>31</u>	ORDER: IT IS ORDERED denying the United States' Motion and Memorandum in Support of the United States of America's Motion to Dismiss (Doc. <u>18</u>) [see attached Order for details]. Signed by Senior Judge Susan R Bolton on 3/30/20. (MAW) (Entered: 03/30/2020)
03/31/2020	<u>34</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of <i>TELEPHONIC ORAL ARGUMENT</i> proceedings held on 03/24/2020, before Judge SUSAN R. BOLTON. [Court Reporter: Elaine Cropper, RDR, CRR, CCP, Telephone number (602) 322-7245]. The ordering party will have electronic access to the transcript immediately. All others may view the transcript at the court public terminal or it may be purchased through the Court Reporter/Transcriber by filing a Transcript Order Form on the docket before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/21/2020. Redacted Transcript Deadline set for 5/1/2020. Release of Transcript Restriction set for 6/29/2020. (RAP) (Entered: 04/06/2020)
04/02/2020	<u>32</u>	Consent MOTION for Extension of Time to File Answer by United States of America. (Attachments: # <u>1</u> Text of Proposed Order)(MacWilliams, Philip) (Entered: 04/02/2020)
04/02/2020	<u>33</u>	ORDER: IT IS ORDERED granting a one-time extension of time until May 13, 2020 , to respond to complaint. The parties' obligations to produce the information called for in the MIDP will be triggered by Defendant's answer to the complaint after the extension. No further extensions will be granted. Signed by Senior Judge Susan R Bolton on 4/2/20. (MAW) (Entered: 04/02/2020)
04/14/2020	<u>35</u>	ORDER - IT IS ORDERED granting Plaintiffs' Motion to Transfer. (Doc. 10 in CV20-00065 and Doc. <u>21</u> in CV19-05217). IT IS FURTHER ORDERED that counsel shall use the case number CV20-00065-PHX-SRB for all further proceedings. Signed by Senior Judge Susan R Bolton on 4/13/2020. (Associated Cases: 2:19-cv-05217-SRB, 2:20-cv-00065-SMB) (WLP) (Entered: 04/14/2020)
05/05/2020	<u>36</u>	NOTICE OF ATTORNEY'S CHANGE OF ADDRESS/FIRM NAME by Trina Realmuto. (Realmuto, Trina) (Entered: 05/05/2020)
05/13/2020	<u>37</u>	ANSWER to Complaint by United States of America.(MacWilliams, Philip) (Entered: 05/13/2020)

05/15/2020	<u>38</u>	ORDER: Pursuant to Rule 16 of the Federal Rules of Civil Procedure, a Case Management Conference is set for <u>June 18, 2020, at 10:30 a.m.</u> The Rule 16 Case Management Conference will be telephonic. Counsel shall not appear in person. Counsel are directed to call (866) 390-1828; Access Code: 9667260 five minutes prior to the scheduled hearing. Counsel are advised that speaker phones are not permitted [see attached Order for details]. Signed by Senior Judge Susan R Bolton on 5/15/20. (MAW) (Entered: 05/15/2020)
05/22/2020	<u>39</u>	NOTICE OF ATTORNEY'S CHANGE OF ADDRESS/FIRM NAME by Katherine Melloy Goettel. (Goettel, Katherine) (Entered: 05/22/2020)
05/29/2020	<u>40</u>	MOTION for Leave to Appeal <i>For Certification of Order Dated March 30, 2020 For Interlocutory Appeal Pursuant to 28 U.S.C. § 1292(b)</i> by United States of America. (Attachments: # <u>1</u> Text of Proposed Order)(MacWilliams, Philip) (Entered: 05/29/2020)
06/02/2020	<u>41</u>	NOTICE OF ATTORNEY'S CHANGE OF ADDRESS/FIRM NAME by Mary Kenney. (Kenney, Mary) (Entered: 06/02/2020)
06/11/2020	<u>42</u>	Rule 26(f) Report for Mandatory Initial Discovery Pilot (MIDP) <i>[JOINT CASE MANAGEMENT PLAN]</i> filed by Plaintiffs C.M., L.G., M.R., O.A., V.C.. (Reiter, Diana) (Entered: 06/11/2020)
06/12/2020	<u>43</u>	NOTICE of Service of Responses to Mandatory Initial Discovery (MIDP) filed by Defendant United States of America. (MacWilliams, Philip) (Entered: 06/12/2020)
06/12/2020	<u>44</u>	RESPONSE in Opposition re: <u>40</u> MOTION for Leave to Appeal <i>For Certification of Order Dated March 30, 2020 For Interlocutory Appeal Pursuant to 28 U.S.C. § 1292(b)</i> filed by C.M., L.G., M.R., O.A., V.C.. (Reiter, Diana) (Entered: 06/12/2020)
06/12/2020	<u>45</u>	NOTICE of Service of Responses to Mandatory Initial Discovery (MIDP) filed by Plaintiffs C.M., L.G., M.R., O.A., V.C.. (Reiter, Diana) (Entered: 06/12/2020)
06/17/2020		Remark: Pro hac vice motion(s) granted for Harry K Fidler on behalf of Plaintiffs C.M., L.G., M.R., O.A., V.C.. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 06/17/2020)
06/18/2020	46	MINUTE ENTRY for proceedings held before Senior Judge Susan R Bolton: Scheduling Conference held on 6/18/2020. Discussion held regarding discovery limitations. IT IS ORDERED directing counsel to confer and file a joint discovery plan no later than <u>August 17,</u>

		2020, regarding requests for production of documents and an agreement regarding who will be deposed (identified by either name or description). Deadlines discussed. Rule 16 Scheduling Order to issue. APPEARANCES: Jonathan Feinberg, Emma Cone-Roddy, Emily Reeder, Diana Reiter, Erik Walsh and Harry Fidler (all appearing telephonically) for Plaintiffs. Philip MacWilliams (appearing telephonically) for Defendant. (Court Reporter Hilda Lopez) Hearing held 10:32 AM to 11:11 AM. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAW) (Entered: 06/18/2020)
06/18/2020	47	SCHEDULING ORDER: Discovery due by 6/11/2021. Dispositive motions due by 1/29/2022 [see attached Order for details]. Signed by Senior Judge Susan R Bolton on 6/18/20. (MAW) (Entered: 06/18/2020)
06/19/2020	48	REPLY to Response to Motion re: 40 MOTION for Leave to Appeal <i>For Certification of Order Dated March 30, 2020 For Interlocutory Appeal Pursuant to 28 U.S.C. § 1292(b)</i> filed by United States of America. (MacWilliams, Philip) (Entered: 06/19/2020)
06/29/2020	49	NOTICE of Service of Supplemental Mandatory Initial Discovery Responses (MIDP) filed by Defendant United States of America. (MacWilliams, Philip) (Entered: 06/29/2020)
07/06/2020	50	ORDER: IT IS ORDERED denying Defendant United States' Motion for Certification of the Court's 3/30/20 Order Pursuant to 28 U.S.C. § 1292(b) (Doc. 40) [see attached Order for details]. Signed by Senior Judge Susan R Bolton on 7/6/20. (MAW) (Entered: 07/06/2020)
07/06/2020	51	TRANSCRIPT REQUEST by C.M., L.G., M.R., O.A., V.C. for proceedings held on June 18, 2020, Judge Susan R Bolton hearing judge(s). (Rosenbaum, David) (Entered: 07/06/2020)
07/08/2020	52	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of <i>TELEPHONIC SCHEDULING CONFERENCE</i> proceedings held on 06/18/2020, before Judge SUSAN R. BOLTON. [Court Reporter: Hilda E. Lopez, RMR, FCRR, Telephone number (602) 322-7256]. The ordering party will have electronic access to the transcript immediately. All others may view the transcript at the court public terminal or it may be purchased through the Court Reporter/Transcriber by filing a Transcript Order Form on the docket before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/29/2020. Redacted Transcript Deadline set for 8/10/2020. Release of Transcript Restriction set for 10/6/2020. (RAP) (Entered: 07/13/2020)

07/14/2020	<u>53</u>	ORDER: On the request of counsel; IT SO ORDERED setting a Discovery Dispute Hearing on July 16, 2020 at 2:00 p.m. The discovery dispute hearing will be telephonic. Counsel shall not appear in person. Counsel are directed to call (866) 390-1828; Access code: 9667260 five minutes prior to the hearing. Counsel are advised that speaker phones are not permitted. Signed by Senior Judge Susan R Bolton on 7/14/20. (MAW) (Entered: 07/14/2020)
07/15/2020	<u>54</u>	Joint MOTION Entry of Rule 502(d) order by United States of America. (Attachments: # <u>1</u> Text of Proposed Order)(MacWilliams, Philip) (Entered: 07/15/2020)
07/16/2020	<u>55</u>	MINUTE ENTRY for proceedings held before Senior Judge Susan R Bolton: Telephonic Discovery Dispute Hearing held on 7/16/2020 at the request of the parties. The Court is advised that the parties cannot agree on one part of a proposed protective order regarding the non-disclosure of confidential information by the government outside its use in this case. After hearing argument, the Court ordered that it would approve the non-disclosure provision proposed by Plaintiffs. APPEARANCES: Jonathan Feinberg, Diana Reiter, David Rosenbaum and Erik Walsh (all appearing telephonically) for Plaintiffs. Philip MacWilliams (telephonically) for Defendant. (Court Reporter Hilda Lopez) Hearing held 1:58 PM to 2:09 PM. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAW) (Entered: 07/17/2020)
07/17/2020	<u>56</u>	FEDERAL RULE OF EVIDENCE 502(d) ORDER [see attached Order for details]. Signed by Senior Judge Susan R Bolton on 7/17/20. (MAW) (Entered: 07/17/2020)
07/22/2020	<u>57</u>	Joint MOTION for Protective Order by C.M., L.G., M.R., O.A., V.C.. (Attachments: # <u>1</u> Text of Proposed Order Proposed Protective Order)(Rosenbaum, David) (Entered: 07/22/2020)
07/22/2020	<u>58</u>	PROTECTIVE ORDER [see attached Order for details]. Signed by Senior Judge Susan R Bolton on 7/22/20. (MAW) (Entered: 07/22/2020)
08/04/2020	<u>59</u>	* Notice of Attorney Withdrawal (No Longer With Firm Only) by C.M., L.G., M.R., O.A., V.C. . (Kalivas, Tanya) * Modified to correct event; attorney noticed on 8/5/2020 (LAD). (Entered: 08/04/2020)
08/17/2020	<u>60</u>	NOTICE re: Joint Discovery Plan by C.M., L.G., M.R., O.A., V.C. re: <u>47</u> Scheduling Order . (Attachments: # <u>1</u> Exhibit A)(Rosenbaum, David) (Entered: 08/17/2020)

08/25/2020	<u>61</u>	ORDER: In the Case Management Order entered on June 18, 2020 the Court ordered the parties to meet and prepare a discovery plan. (Doc. <u>47</u>) Their Joint Discovery Plan was filed on August 18, 2020. The Court adopts and approves the Joint Discovery Plan with the limitations and clarifications detailed in this Order [see attached Order for details]. Signed by Senior Judge Susan R Bolton on 8/25/20. (MAW) (Entered: 08/25/2020)
10/13/2020	<u>62</u>	NOTICE re: of Subpoena Duces Tecum by C.M., L.G., M.R., O.A., V.C. <i>Southwest Key Programs - Hacienda Del Sol</i> . (Cone-Roddy, Emma) (Entered: 10/13/2020)
10/13/2020	<u>63</u>	NOTICE re: of Subpoena Duces Tecum by C.M., L.G., M.R., O.A., V.C. <i>on Cayuga Centers</i> . (Cone-Roddy, Emma) (Entered: 10/13/2020)
10/13/2020	<u>64</u>	NOTICE re: of Subpoena Duces Tecum by C.M., L.G., M.R., O.A., V.C. <i>on Lutheran Social Services</i> . (Cone-Roddy, Emma) (Entered: 10/13/2020)
11/05/2020	<u>65</u>	NOTICE OF ATTORNEY'S CHANGE OF ADDRESS/FIRM NAME by Emma Curtis Winger. (Winger, Emma) (Entered: 11/05/2020)
11/09/2020		Remark: Pro hac vice motion(s) granted for Javier Macias on behalf of Movant Southwest Key Programs Incorporated. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 11/09/2020)
11/13/2020	<u>66</u>	*WITHDRAWN by Doc. <u>68</u> * MOTION to Quash Subpoena by Southwest Key Programs Incorporated. (Attachments: # <u>1</u> Text of Proposed Order)(Macias, Javier) Modified on 11/23/2020 (MAW). (Entered: 11/13/2020)
11/23/2020	<u>67</u>	MOTION to Withdraw <u>66</u> MOTION to Quash Subpoena by Southwest Key Programs Incorporated. (Attachments: # <u>1</u> Text of Proposed Order)(Macias, Javier) (Entered: 11/23/2020)
11/23/2020	<u>68</u>	ORDER: Having reviewed Southwest Key Programs, Inc.'s Motion to Withdraw Southwest Key Programs, Inc.'s Motion to Quash Subpoena Without Prejudice <u>67</u> , IT IS ORDERED that Southwest Key Programs, Inc.'s Motion to Quash Subpoena (Doc. <u>66</u>), is hereby withdrawn without prejudice. Signed by Senior Judge Susan R Bolton on 11/23/20. (MAW) (Entered: 11/23/2020)
11/25/2020	<u>69</u>	STATUS REPORT by United States of America. (MacWilliams, Philip) (Entered: 11/25/2020)

11/25/2020	70	ORDER - IT IS ORDERED setting a telephonic status conference on December 3, 2020 at 10:30 for both cases. Counsel shall not appear in person. Counsel are directed to call (866) 390-1828; Access Code: 9667260 five minutes prior to the scheduled hearing. Counsel are advised that speaker phones are not permitted. Signed by Senior Judge Susan R Bolton on 11/25/20. (SLQ) (Entered: 11/25/2020)
11/30/2020	71	REQUEST re: Request for Leave to File Written Response to Status Report Filed by Defendant United States of America by Plaintiffs C.M., L.G., M.R., O.A.. (Reiter, Diana) (Entered: 11/30/2020)
12/01/2020	72	ORDER: The Court has reviewed Plaintiffs' Request for Leave to File Written Response to Status Report Filed by Defendant United States of America. IT IS ORDERED that Plaintiffs may file a written response to Defendant's Status Report no later than December 2, 2020 . Signed by Senior Judge Susan R Bolton on 12/1/20. (MAW) (Entered: 12/01/2020)
12/02/2020	73	RESPONSE re: 69 Report - Status by Plaintiffs C.M., L.G., M.R., O.A., V.C.. (Reiter, Diana) (Entered: 12/02/2020)
12/03/2020	74	TRANSCRIPT REQUEST by C.M., L.G., M.R., O.A., V.C. for proceedings held on 12/3/2020, Judge Susan R Bolton hearing judge(s). (Rosenbaum, David) (Entered: 12/03/2020)
12/03/2020	75	MINUTE ENTRY for proceedings held before Senior Judge Susan R Bolton: Telephonic Status Conference held on 12/3/2020 regarding Defendant's Status Report (Doc. 69). The Court advises counsel it is aware that Plaintiffs' counsel filed a response to the Status Report (Doc. 73) but has not had an opportunity to review the response. Discussion held regarding the status of discovery of electronically stored information. On the Court's own Motion, IT IS ORDERED continuing Telephonic Status Conference to <u>December 10, 2020, at 11:30 a.m. (Arizona time)</u>. Counsel are directed to call (866) 390-1828; Access Code: 9667260. Counsel are advised that speaker phones are <u>not</u> permitted. IT IS FURTHER ORDERED directing counsel to submit a joint notice no later than <u>Noon, December 9, 2020 (Arizona time)</u>, advising the Court the agreements the parties have reached and what area of disagreements still remain. Defense Counsel should be prepared to advise the Court at the December 10 conference of a proposed timeline to complete the review of the documents and of dates for rolling production of those documents. APPEARANCES: Diana Reiter, Jonathan Feinberg, Harry Fidler, Lucy McMillan, David Rosenbaum and Erik Walsh (all appearing

		telephonically) for Plaintiffs. Philip MacWilliams (appearing telephonically) for Defendant. (Court Reporter Linda Schroeder) Hearing held 10:34 AM to 11:07 AM. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAW) (Entered: 12/04/2020)
12/04/2020	76	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of <i>TELEPHONIC STATUS CONFERENCE</i> proceedings held on 12/03/2020, before Judge SUSAN R. BOLTON. [Court Reporter: Linda Schroeder, RDR, CRR, Telephone number (602) 322-7249]. The ordering party will have electronic access to the transcript immediately. All others may view the transcript at the court public terminal or it may be purchased through the Court Reporter/Transcriber by filing a Transcript Order Form on the docket before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/28/2020. Redacted Transcript Deadline set for 1/4/2021. Release of Transcript Restriction set for 3/4/2021. (RAP) (Entered: 12/07/2020)
12/08/2020	77	TRANSCRIPT REQUEST by United States of America for proceedings held on 12/3/2020, Judge Susan R Bolton hearing judge(s). (MacWilliams, Philip) (Entered: 12/08/2020)
12/09/2020	78	* STATUS REPORT <i>[JOINT]</i> by C.M., L.G., M.R., O.A., V.C.. (Reiter, Diana) * Document not in compliance with Local Rule; attorney noticed on 12/10/2020 (LAD). (Entered: 12/09/2020)
12/09/2020	79	NOTICE TO FILER OF DEFICIENCY re: 78 Report - Status filed by O.A., V.C., L.G., C.M., M.R.. Document not in compliance with LRCiv 7.1(a)(1). Please note for future filings. <u>No further action is required. It is not necessary to refile.</u> This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (LAD) (Entered: 12/10/2020)
12/10/2020	80	TRANSCRIPT REQUEST by C.M., L.G., M.R., O.A., V.C. for proceedings held on 12/10/2020, Judge Susan R Bolton hearing judge(s). (Rosenbaum, David) (Entered: 12/10/2020)
12/10/2020	81	MINUTE ENTRY for proceedings held before Senior Judge Susan R Bolton: Telephonic Status Conference held on 12/10/2020. A telephonic status conference was held December 3, 2020, regarding Defendant's status report but was continued to this date in order for counsel to file a Joint Status Report to detail the status of ESI discovery, which has been filed at Doc. 78 . Discussion held. IT IS ORDERED directing Defense counsel to produce to Plaintiffs no later than <u>January 31,</u>

		2021, the Department of Justice documents along with the attorney/client privilege log of the documents being withheld. The issue of executive privilege will not be resolved at this time. IT IS FURTHER ORDERED affirming the deadline of <u>December 31, 2020</u>, for the production of Plaintiffs' specific ESI documents. Regarding the Technology Assisted Review Validation Process ("TAR"), IT IS ORDERED the TAR validation process shall be completed no later than <u>January 15, 2021</u>. Defense counsel will then be in a position to advise how long it will take Defense counsel to complete the production with a log and a realistic deadline by when Plaintiffs can expect to receive the documents on a rolling basis. IT IS FURTHER ORDERED directing counsel to file a Joint Status Report no later than <u>February 1, 2021</u>. A further telephonic status conference may be set after the Court reviews the joint status report. APPEARANCES: Diana Reiter, Harry Fidler, David Rosenbaum, Kaitlyn Schaeffer and Erik Walsh (all appearing telephonically) for Plaintiffs. Philip MaWilliams (appearing telephonically) for Defendant. (Court Reporter Hilda Lopez) Hearing held 11:33 AM to 12:09 PM. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAW) Modified on 12/11/2020 (MAW). (Entered: 12/11/2020)
12/13/2020	<u>82</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of <i>CONTINUED TELEPHONIC STATUS CONFERENCE</i> proceedings held on 12/10/2020, before Judge SUSAN R. BOLTON. [Court Reporter: Hilda E. Lopez, RMR, FCRR, Telephone number (602) 322-7256]. The ordering party will have electronic access to the transcript immediately. All others may view the transcript at the court public terminal or it may be purchased through the Court Reporter/Transcriber by filing a Transcript Order Form on the docket before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/4/2021. Redacted Transcript Deadline set for 1/13/2021. Release of Transcript Restriction set for 3/15/2021. (RAP) (Entered: 12/15/2020)
01/14/2021	<u>83</u>	NOTICE of Attorney Withdrawal <i>Daniel F. Jacobson</i> filed by Daniel F Jacobson. (Jacobson, Daniel) (Entered: 01/14/2021)
02/01/2021	<u>84</u>	STATUS REPORT <i>[JOINT]</i> by C.M., L.G., M.R., O.A., V.C.. (Reiter, Diana) (Entered: 02/01/2021)
02/12/2021	<u>85</u>	NOTICE re: SERVICE OF DISCOVERY RESPONSES & OBJECTIONS by C.M., L.G., M.R., O.A., V.C. . (Fidler, Harry) (Entered: 02/12/2021)

02/16/2021	<u>86</u>	ORDER: IT IS ORDERED that the deadline for substantial completion of the production of policy-level ESI and a privilege log is April 30, 2021. IT IS FURTHER ORDERED that the production of both the ESI and the privilege log be on a rolling basis [see attached Order for details]. Signed by Senior Judge Susan R Bolton on 2/16/21. (MAW) (Entered: 02/16/2021)
02/28/2021	<u>87</u>	NOTICE of Attorney Withdrawal <i>Claudia Valenzuela</i> filed by Claudia Valenzuela. (Valenzuela, Claudia) (Entered: 02/28/2021)
03/02/2021	<u>88</u>	ORDER: On the request of Plaintiffs; IT IS ORDERED setting a telephonic discovery dispute hearing on March 11, 2021 at 11:00 a.m. Counsel shall not appear in person. Counsel are directed to call (866) 390-1828; Access code 9667260 five minutes prior to the hearing. Counsel are advised that speaker phones are not permitted. Signed by Senior Judge Susan R Bolton on 3/2/21. (MAW) (Entered: 03/02/2021)
03/11/2021	<u>89</u>	MINUTE ENTRY for proceedings held before Senior Judge Susan R Bolton: Telephonic Discovery Dispute Hearing held on 3/11/2021 held at the request of Plaintiffs' counsel [see attached minute entry for details]. (Court Reporter Hilda Lopez) Hearing held 11:04 AM to 11:44 AM.(MAW) (Entered: 03/11/2021)
03/15/2021		Remark: Pro hac vice motion(s) granted for Mark A Osmond on behalf of Plaintiffs C.M., L.G., M.R., O.A., V.C.. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 03/15/2021)
03/16/2021	<u>90</u>	*MOTION to Transfer Related Case / <i>Plaintiffs' Motion to Transfer to Judge Susan R. Bolton Pursuant to Local Rules of Civil Procedure 42.1</i> by B.A.D.J.. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Proof of Service) (Associated Cases: CV-21-215-PHX-SMB, CV-20-00065-SRB, CV-19-05217-SRB) (Almeling, David) *Modified docket text to reflect all case numbers that are subject of the LR 42 motion on 3/17/2021. (Entered: 03/16/2021)
03/18/2021	<u>91</u>	STATEMENT of Non-Opposition to B.A.D.J. Plaintiffs' Motion to Transfer re: <u>90</u> MOTION to Transfer Related Case / <i>Plaintiffs' Motion to Transfer to Judge Susan R. Bolton Pursuant to Local Rules of Civil Procedure 42.1</i> by Plaintiffs C.M., L.G., M.R., O.A., V.C.. (Fidler, Harry) (Entered: 03/18/2021)
03/19/2021	<u>92</u>	MOTION to Compel PRODUCTION OF RELEVANT DOCUMENTS <i>and MEMORANDUM IN SUPPORT</i> by C.M., L.G., M.R., O.A., V.C.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Text of Proposed Order)(Reiter, Diana) (Entered: 03/19/2021)

03/19/2021	<u>93</u>	MOTION to Compel DISCOVERY WITHHELD BY THE GOVERNMENT BASED ON IMPROPER PRIVILEGE ASSERTIONS by C.M., L.G., M.R., O.A., V.C.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Text of Proposed Order)(Reiter, Diana) (Entered: 03/19/2021)
03/29/2021	<u>94</u>	NOTICE of Service of Discovery filed by C.M., L.G., M.R., O.A., V.C.. (Fidler, Harry) (Entered: 03/29/2021)
03/31/2021	<u>95</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>93</u> MOTION to Compel DISCOVERY WITHHELD BY THE GOVERNMENT BASED ON IMPROPER PRIVILEGE ASSERTIONS by United States of America. (Attachments: # <u>1</u> Text of Proposed Order)(MacWilliams, Philip) (Entered: 03/31/2021)
04/01/2021	<u>96</u>	ORDER granting <u>95</u> Motion for Extension of Time to File Response. The United States shall respond to Plaintiffs' motion to compel on or before April 9, 2021 . Signed by Senior Judge Susan R Bolton on 4/1/21. (MAW) (Entered: 04/01/2021)
04/02/2021	<u>97</u>	RESPONSE in Opposition re: <u>92</u> MOTION to Compel PRODUCTION OF RELEVANT DOCUMENTS <i>and MEMORANDUM IN SUPPORT</i> filed by United States of America. (Attachments: # <u>1</u> Exhibit Declaration)(MacWilliams, Philip) (Entered: 04/02/2021)
04/09/2021	<u>98</u>	REPLY to Response to Motion re: <u>92</u> MOTION to Compel PRODUCTION OF RELEVANT DOCUMENTS <i>and MEMORANDUM IN SUPPORT</i> filed by C.M., L.G., M.R., O.A., V.C.. (Attachments: # <u>1</u> Text of Proposed Order)(Reiter, Diana) (Entered: 04/09/2021)
04/09/2021	<u>99</u>	RESPONSE in Opposition re: <u>93</u> MOTION to Compel DISCOVERY WITHHELD BY THE GOVERNMENT BASED ON IMPROPER PRIVILEGE ASSERTIONS filed by United States of America. (Attachments: # <u>1</u> Exhibit Declaration, # <u>2</u> Exhibit Attachment 1 to Declaration, # <u>3</u> Exhibit Attachment 2 to Declaration, # <u>4</u> Exhibit Attachment 3 to Declaration, # <u>5</u> Exhibit Declaration)(MacWilliams, Philip) (Entered: 04/09/2021)