

**U.S. District Court
North Carolina Middle District (NCMD)
CIVIL DOCKET FOR CASE #: 1:19-cv-01126-NCT-LPA**

ALLISON et al v. ALLEN et al
Assigned to: JUDGE N. C. TILLEY, JR
Referred to: MAG/JUDGE L. PATRICK AULD
Cause: 42:1983 Civil Rights Act

Date Filed: 11/12/2019
Jury Demand: Defendant
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

LEA ALLISON

represented by **LEAH J. KANG**
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Plaintiff

ANTONIO HARRELL

represented by **LEAH J. KANG**
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IRENA COMO
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Plaintiff

KATHERINE GUILL

represented by **LEAH J. KANG**
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IRENA COMO
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ATTORNEY TO BE NOTICED

V.

Defendant

BRADLEY R. ALLEN, SR.
*in his official capacity as Chief
District Court Judge*

represented by **JOSEPH FINARELLI**
N. C. DEPARTMENT OF JUSTICE
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ATTORNEY TO BE NOTICED

Defendant

**MAGISTRATE JEFFREY D.
HOLLAN**

represented by **JOSEPH FINARELLI**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

KELLY COUNCILMAN
*in their official capacity as
magistrate of the Alamance County
District Court*

represented by **JOSEPH FINARELLI**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DAVID CRABBE
*in their official capacity as
magistrate of the Alamance County
District Court*

represented by **JOSEPH FINARELLI**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

RHONDA CRISP
in their official capacity as

represented by **JOSEPH FINARELLI**
(See above for address)

*magistrate of the Alamance County
District Court*

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

BERTRAM HEATHCOTE
*in their official capacity as
magistrate of the Alamance County
District Court*

represented by **JOSEPH FINARELLI**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

WENDY HUNTER
*in their official capacity as
magistrate of the Alamance County
District Court*

represented by **JOSEPH FINARELLI**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

AMELIA KNAUFF
*in their official capacity as
magistrate of the Alamance County
District Court*

represented by **JOSEPH FINARELLI**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

BOBBIE NANCE
*in their official capacity as
magistrate of the Alamance County
District Court*

represented by **JOSEPH FINARELLI**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

HELENA RODGERS
*in their official capacity as
magistrate of the Alamance County
District Court*

represented by **JOSEPH FINARELLI**
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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

KIMESHA THORPE
*in their official capacity as
magistrate of the Alamance County
District Court*

represented by **JOSEPH FINARELLI**
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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

JOHN WATTERSON
in their official capacity as

represented by **JOSEPH FINARELLI**
(See above for address)

*magistrate of the Alamance County
District Court*

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

SUSAN WORTINGER
*in their official capacity as
magistrate of the Alamance County
District Court*

represented by **JOSEPH FINARELLI**
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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

D. THOMAS LAMBETH, JR.
*in their official capacity as
magistrate of the Alamance County
District Court*

represented by **JOSEPH FINARELLI**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

TERRY S. JOHNSON
*in his official capacity as Alamance
County Sheriff*

represented by **CLYDE BALLINGER
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Date Filed	#	Docket Text
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11/12/2019	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0418-2693568.), filed by ANTONIO HARRELL, LEA ALLISON, KATHERINE GUILL. (Attachments: # <u>1</u> Exhibit 1995 Official Policies on Pretrial Release)(COMO, IRENA) (Entered: 11/12/2019)
11/12/2019	<u>2</u>	MOTION to Certify Class by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL. Response to Motion due by 12/3/2019 (Attachments: # <u>1</u> Text of Proposed Order)(COMO, IRENA) (Entered: 11/12/2019)
11/12/2019	<u>3</u>	BRIEF re <u>2</u> MOTION to Certify Class . (Attachments: # <u>1</u> Exhibit Decl. Allison, # <u>2</u> Exhibit Decl. Harrell, # <u>3</u> Exhibit Decl. Guill, # <u>4</u> Exhibit Decl. Hubbard, # <u>5</u> Exhibit Decl. Como, # <u>6</u> Exhibit Decl. Buskey)(COMO, IRENA) (Entered: 11/12/2019)
11/12/2019	<u>4</u>	NOTICE of Appearance by attorney LEAH J. KANG on behalf of Plaintiffs LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL (KANG, LEAH) (Entered: 11/12/2019)
11/12/2019	<u>5</u>	MOTION for Temporary Restraining Order by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL. (Attachments: # <u>1</u> Text of Proposed Order)(KANG, LEAH) (Entered: 11/12/2019)
11/12/2019	<u>6</u>	MOTION for Preliminary Injunction by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL. Response to Motion due by 12/3/2019 (Attachments: # <u>1</u> Text of Proposed Order)(KANG, LEAH) (Entered: 11/12/2019)
11/12/2019	<u>7</u>	MOTION for Leave to File Excess Pages by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL. Responses due by 12/3/2019 (Attachments: # <u>1</u> Exhibit Proposed Brief iso <u>5</u> Motion for TRO and <u>6</u> Motion for Preliminary Injunction)(KANG, LEAH) (Entered: 11/12/2019)
11/12/2019	<u>8</u>	NOTICE of Appearance by attorney ANN CAPPS WEBB on behalf of Plaintiffs LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL (WEBB, ANN) (Entered: 11/12/2019)
11/13/2019		Case assigned to JUDGE N. C. TILLEY, JR and MAGISTRATE JUDGE L. PATRICK AULD. (Coyne, Michelle) (Entered: 11/13/2019)
11/13/2019		Motions Submitted: <u>7</u> MOTION for Leave to File Excess Pages to JUDGE N. C. TILLEY, JR. (Winchester, Robin) (Entered: 11/13/2019)

11/13/2019		Telephone/Electronic Notification from Clerk of Court on 11/13/2019 to Counsel. Motion Hearing set for 11/14/2019 10:00 AM in Greensboro Courtroom #2 before JUDGE N. C. TILLEY JR. (Winchester, Robin) (Entered: 11/13/2019)
11/13/2019	9	Summons Issued as to All Defendants. (Attachments: # 1 Wortinger, # 2 Thorpe, # 3 Rodgers, # 4 Knauff, # 5 Nance, # 6 Hunter, # 7 Lambert, # 8 Johnson, # 9 Councilman, # 10 Crabbe, # 11 Crisp, # 12 heathcoate, # 13 Brown)(Coyne, Michelle) (Entered: 11/13/2019)
11/13/2019	10	Notice of Right to Consent. Counsel shall serve the attached form on all parties. (Attachments: # 1 Consent Form)(Coyne, Michelle) (Entered: 11/13/2019)
11/13/2019	11	Summons Issued as to JOHN WATTERSON. (Coyne, Michelle) (Entered: 11/13/2019)
11/14/2019	12	NOTICE of Appearance by attorney KATHERINE HUBBARD on behalf of Plaintiffs LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL. (Garland, Leah) (Entered: 11/14/2019)
11/14/2019	13	NOTICE of Appearance by attorney ERIC HALPERIN on behalf of Plaintiffs LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL. (Garland, Leah) (Entered: 11/14/2019)
11/14/2019	14	NOTICE of Appearance by attorney WILLIAM L. HILL on behalf of Defendant TERRY S. JOHNSON (HILL, WILLIAM) (Entered: 11/14/2019)
11/14/2019	15	Corrected document re 14 Notice of Appearance. (HILL, WILLIAM) (Entered: 11/14/2019)
11/14/2019		***Attorney JOSEPH FINARELLI for BRADLEY R. ALLEN, SR,for BRENDA BROWN, KELLY COUNCILMAN, DAVID CRABBE, RHONDA CRISP,BERTRAM HEATHCOTE, WENDY HUNTER, AMELIA KNAUFF, D. THOMAS LAMBETH, JR,BOBBIE NANCE, HELENA RODGERS,KIMESHA THORPE, JOHN WATTERSON, AND SUSAN WORTINGER added. (Winchester, Robin) (Entered: 11/14/2019)
11/14/2019		***Attorney CLYDE BALLINGER ALBRIGHT for TERRY S. JOHNSON added. (Winchester, Robin) (Entered: 11/14/2019)
11/14/2019		Minute Entry for proceedings held before JUDGE N. C. TILLEY, JR. Motion Hearing held on 11/14/2019 regarding 5 MOTION for Temporary Restraining Order and 7 MOTION for Leave to File

		Excess Pages filed by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL. For reasons stated on the record the Court finds that 5 Motion for Temporary Restraining Order is denied at this time. The Court grants 7 Motion for leave to File Excess Pages. The parties are to meet and confer by November 22, 2019. Preliminary Injunction hearing set for 12/2/2019 at 9:30 a.m. before Judge Tilley, Greensboro, N.C., Courtroom No. 2. Attorneys Katherine Hubbard, Leah Kang, Eric Halperin and Ann Webb appeared as counsel for plaintiffs. Attorney Joseph Finarelli appeared as counsel for defendants Bradley R. Allen, Sr., Brenda Brown, Kelly Councilman, David Crabbe, Rhonda Crisp, Bertram Heathcote, Wendy Hunter, Amelia Knauff, Bobbie Nance, Helena Rodgers, Kimesha Thorpe, John Watterson, Susan Wortinger and D. Thomas Lambeth, Jr. Attorneys William L. Hill and Clyde Albright appeared as counsel for defendant Terry S. Johnson (Court Reporter Jane Calhoun.) (Winchester, Robin) Modified on 12/3/2019 (Winchester, Robin). (Entered: 11/14/2019)
11/14/2019		Set Motion Hearing: Motion Hearing regarding 6 Motion for Preliminary Injunction set for 12/2/2019 09:30 AM in Greensboro Courtroom #2 before JUDGE N. C. TILLEY JR. (Winchester, Robin) (Entered: 11/14/2019)
11/15/2019	16	TRANSCRIPT REQUEST by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL for proceedings held on 11/14/2019 before Judge N. C. Tilley, Jr... (COMO, IRENA) (Entered: 11/15/2019)
11/15/2019	17	BRIEF re 6 MOTION for Preliminary Injunction . (Attachments: # 1 Exhibit Ex. A Decl. Allison, # 2 Exhibit Ex. B Decl. Harrell, # 3 Exhibit Ex. C Decl. Guill)(KANG, LEAH) (Entered: 11/15/2019)
11/18/2019	18	NOTICE of Appearance by attorney TWYLA JEANETTE CARTER on behalf of Plaintiffs LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL (CARTER, TWYLA) (Entered: 11/18/2019)
11/19/2019	19	Transcript of Proceedings held on November 14, 2019, before Judge Tilley. Court Reporter/Transcriber Calhoun, Telephone number 336-332-6033. 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.

		NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER. Redaction Request due 12/13/2019. Redacted Transcript Deadline set for 12/23/2019. Release of Transcript Restriction set for 2/20/2020. (Calhoun, J.) (Entered: 11/19/2019)
11/26/2019	20	Joint MOTION for Extension of Time to <i>Reschedule the Preliminary Injunction Hearing</i> by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL. (Attachments: # 1 Text of Proposed Order)(KANG, LEAH) (Entered: 11/26/2019)
11/26/2019		Motions Submitted: 20 Joint MOTION for Extension of Time to <i>Reschedule the Preliminary Injunction Hearing</i> to JUDGE N. C. TILLEY, JR. (Winchester, Robin) (Entered: 11/26/2019)
11/26/2019	21	NOTICE of Appearance by attorney BRANDON JEREL BUSKEY on behalf of Plaintiffs LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL (BUSKEY, BRANDON) (Entered: 11/26/2019)
11/26/2019		TEXT ORDER issued by JUDGE N. C. TILLEY, JR. on 11/26/2019 granting 20 Joint Status Report and Motion for Extension of Time, with agreement of counsel the Preliminary Injunction Hearing is continued to March 16, 2020. The parties shall file a joint status report no later than 14 days prior to the preliminary injunction hearing date, apprising the Court of the status of their progress and whether there is a continued need for a preliminary injunction hearing. (Winchester, Robin) (Entered: 11/26/2019)
11/26/2019		Reset Hearing: Motion Hearing set for 3/16/2020 09:30 AM in Greensboro Courtroom #2 before JUDGE N. C. TILLEY JR. (Winchester, Robin) (Entered: 11/26/2019)
12/05/2019	22	First MOTION for Extension of Time to File Answer to <i>Plaintiff's Complaint and Motion for Preliminary Injunction</i> by TERRY S. JOHNSON. (Attachments: # 1 Text of Proposed Order Proposed Order Granting Motion for Extension of Time to Answer or

		Otherwise Respond to Plaintiff's Complaint and Motion for Preliminary Injunction)(HILL, WILLIAM) (Entered: 12/05/2019)
12/05/2019	23	Corrected Motion re 22 First MOTION for Extension of Time to File Answer to Plaintiff's Complaint and Motion for Preliminary Injunction. (HILL, WILLIAM) (Entered: 12/05/2019)
12/06/2019		Motions Referred regarding 23 MOTION for Extension of Time to MAG/JUDGE L. PATRICK AULD (Winchester, Robin) (Entered: 12/06/2019)
12/09/2019	24	First MOTION for Extension of Time to File Response/Reply as to 2 MOTION to Certify Class by TERRY S. JOHNSON. (Attachments: # 1 Text of Proposed Order Proposed Order Granting Defendant's Motion for Extension of Time to Respond to Plaintiffs' Motion to Certify Class)(HILL, WILLIAM) (Entered: 12/09/2019)
12/10/2019		TEXT ORDER granting 23 Motion for Extension of Time. Defendant Terry S. Johnson shall file any answer or other response to 1 Complaint and any response to 6 Motion for Preliminary Injunction by 01/06/2020. Issued by MAG/JUDGE L. PATRICK AULD on 12/10/2019. (AULD, L.) (Entered: 12/10/2019)
12/10/2019		TEXT ORDER granting 24 Motion for Extension of Time. Defendant Terry S. Johnson shall file any response to 2 Motion to Certify Class by 01/06/2020. Issued by MAG/JUDGE L. PATRICK AULD on 12/10/2019. (AULD, L.) (Entered: 12/10/2019)
01/06/2020	25	Second MOTION for Extension of Time to File Answer re 2 MOTION to Certify Class , 6 MOTION for Preliminary Injunction , 1 Complaint by TERRY S. JOHNSON. (Attachments: # 1 Text of Proposed Order Proposed Order Granting Defendant's Second Motion for Extension of Time to Answer or Otherwise Respond to Plaintiffs' Complaint, Motion for Preliminary Injunction, and Motion to Certify Class)(HILL, WILLIAM) (Entered: 01/06/2020)
01/15/2020		Motions Referred: RE: 25 Second MOTION for Extension of Time to File Answer re 2 MOTION to Certify Class , 6 MOTION for Preliminary Injunction , 1 Complaint , to MAG/JUDGE L. PATRICK AULD. (Winchester, Robin) (Entered: 01/15/2020)
01/16/2020		TEXT ORDER granting 25 Second Motion for Extension of Time. Defendant Terry S. Johnson shall file any answer or other response

		to 1 Complaint and shall file any response to 2 Motion to Certify Class and 6 Motion for Preliminary Injunction by 02/05/2020. Issued by MAG/JUDGE L. PATRICK AULD on 01/16/2020. (AULD, L.) (Entered: 01/16/2020)
01/16/2020		Reset Motion and R and R Deadlines/Hearings re: 2 MOTION to Certify Class, 6 MOTION for Preliminary Injunction: Responses due by 2/5/2020. (Garland, Leah) (Entered: 01/16/2020)
02/05/2020	26	ANSWER to 1 Complaint by TERRY S. JOHNSON. (HILL, WILLIAM) (Entered: 02/05/2020)
02/05/2020	27	RESPONSE filed by Defendant TERRY S. JOHNSON re 6 MOTION for Preliminary Injunction filed by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL filed by TERRY S. JOHNSON. Replies due by 2/19/2020 (HILL, WILLIAM) (Entered: 02/05/2020)
02/05/2020	28	RESPONSE filed by Defendant TERRY S. JOHNSON re 2 MOTION to Certify Class filed by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL filed by TERRY S. JOHNSON. Replies due by 2/19/2020 (HILL, WILLIAM) (Entered: 02/05/2020)
02/06/2020	29	Corrected document re 28 Response to Motion. (HILL, WILLIAM) (Entered: 02/06/2020)
02/06/2020	30	Corrected document re 27 Response to Motion. (HILL, WILLIAM) (Entered: 02/06/2020)
02/12/2020	31	Joint MOTION to Substitute Party by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL. (Attachments: # 1 Text of Proposed Order)(KANG, LEAH) (Entered: 02/12/2020)
02/13/2020		Motions Submitted: 31 Joint MOTION to Substitute Party to JUDGE N. C. TILLEY, JR. (Winchester, Robin) (Entered: 02/13/2020)
02/13/2020	32	NOTICE of Appearance by attorney JOSEPH FINARELLI on behalf of Defendants BRADLEY R. ALLEN, SR, BRENDA BROWN, KELLY COUNCILMAN, DAVID CRABBE, RHONDA CRISP, BERTRAM HEATHCOTE, WENDY HUNTER, AMELIA KNAUFF, D. THOMAS LAMBETH, JR, BOBBIE NANCE, HELENA RODGERS, KIMESHA THORPE, JOHN

		WATTERSON, SUSAN WORTINGER (FINARELLI, JOSEPH) (Entered: 02/13/2020)
02/13/2020	<u>33</u>	WAIVER OF SERVICE Returned Executed by BRADLEY R. ALLEN, SR. BRADLEY R. ALLEN, SR waiver sent on 2/12/2020, answer due 4/13/2020. (FINARELLI, JOSEPH) (Main Document 33 replaced on 2/13/2020 with correct PDF image) (Garland, Leah) (Entered: 02/13/2020)
02/13/2020	<u>34</u>	WAIVER OF SERVICE Returned Executed by KELLY COUNCILMAN. KELLY COUNCILMAN waiver sent on 2/12/2020, answer due 4/13/2020. (FINARELLI, JOSEPH) (Main Document 34 replaced on 2/13/2020 with correct PDF image) (Garland, Leah) (Entered: 02/13/2020)
02/13/2020	<u>35</u>	WAIVER OF SERVICE Returned Executed by DAVID CRABBE. DAVID CRABBE waiver sent on 2/12/2020, answer due 4/13/2020. (FINARELLI, JOSEPH) (Main Document 35 replaced on 2/13/2020 with correct PDF image) (Garland, Leah) (Entered: 02/13/2020)
02/13/2020	<u>36</u>	WAIVER OF SERVICE Returned Executed by RHONDA CRISP. RHONDA CRISP waiver sent on 2/12/2020, answer due 4/13/2020. (FINARELLI, JOSEPH) (Main Document 36 replaced on 2/13/2020 with correct PDF image) (Garland, Leah) (Entered: 02/13/2020)
02/13/2020	<u>37</u>	WAIVER OF SERVICE Returned Executed by BERTRAM HEATHCOTE. BERTRAM HEATHCOTE waiver sent on 2/12/2020, answer due 4/13/2020. (FINARELLI, JOSEPH) (Main Document 37 replaced on 2/13/2020 with correct PDF image) (Garland, Leah) (Entered: 02/13/2020)
02/13/2020	<u>38</u>	WAIVER OF SERVICE Returned Executed by BRENDA BROWN. BRENDA BROWN waiver sent on 2/12/2020, answer due 4/13/2020. (FINARELLI, JOSEPH) (Main Document 38 replaced on 2/13/2020 with correct PDF image) (Garland, Leah) (Entered: 02/13/2020)
02/13/2020	<u>39</u>	WAIVER OF SERVICE Returned Executed by WENDY HUNTER. WENDY HUNTER waiver sent on 2/12/2020, answer due 4/13/2020. (FINARELLI, JOSEPH) (Main Document 39 replaced on 2/13/2020 with correct PDF image) (Garland, Leah) (Entered: 02/13/2020)
02/13/2020	<u>40</u>	WAIVER OF SERVICE Returned Executed by AMELIA KNAUFF. AMELIA KNAUFF waiver sent on 2/12/2020, answer

		due 4/13/2020. (FINARELLI, JOSEPH) (Main Document 40 replaced on 2/13/2020 with correct PDF image) (Garland, Leah) (Entered: 02/13/2020)
02/13/2020	<u>41</u>	WAIVER OF SERVICE Returned Executed by D. THOMAS LAMBETH, JR. D. THOMAS LAMBETH, JR waiver sent on 2/12/2020, answer due 4/13/2020. (FINARELLI, JOSEPH) (Main Document 41 replaced on 2/13/2020 with correct PDF image) (Garland, Leah) (Entered: 02/13/2020)
02/13/2020	<u>42</u>	WAIVER OF SERVICE Returned Executed by BOBBIE NANCE. BOBBIE NANCE waiver sent on 2/12/2020, answer due 4/13/2020. (FINARELLI, JOSEPH) (Main Document 42 replaced on 2/13/2020 with correct PDF image) (Garland, Leah) (Entered: 02/13/2020)
02/13/2020	<u>43</u>	WAIVER OF SERVICE Returned Executed by HELENA RODGERS. HELENA RODGERS waiver sent on 2/12/2020, answer due 4/13/2020. (FINARELLI, JOSEPH) (Main Document 43 replaced on 2/13/2020 with correct PDF image) (Garland, Leah) (Entered: 02/13/2020)
02/13/2020	<u>44</u>	WAIVER OF SERVICE Returned Executed by KIMESHA THORPE. KIMESHA THORPE waiver sent on 2/12/2020, answer due 4/13/2020. (FINARELLI, JOSEPH) (Main Document 44 replaced on 2/13/2020 with correct PDF image) (Garland, Leah) (Entered: 02/13/2020)
02/13/2020	<u>45</u>	WAIVER OF SERVICE Returned Executed by JOHN WATTERSON. JOHN WATTERSON waiver sent on 2/12/2020, answer due 4/13/2020. (FINARELLI, JOSEPH) (Main Document 45 replaced on 2/13/2020 with correct PDF image) (Garland, Leah) (Entered: 02/13/2020)
02/13/2020	<u>46</u>	WAIVER OF SERVICE Returned Executed by SUSAN WORTINGER. SUSAN WORTINGER waiver sent on 2/12/2020, answer due 4/13/2020. (FINARELLI, JOSEPH) (Main Document 46 replaced on 2/13/2020 with correct PDF image) (Garland, Leah) (Entered: 02/13/2020)
02/14/2020	<u>47</u>	ORDER signed by JUDGE N. C. TILLEY, JR on 02/14/2020, that Magistrate Jeffrey D. Hollan be substituted as a party to the case. The Clerk's Office is directed to make the substitution in the case docket in the Courts Electronic Court Filing System. (Garland, Leah) (Entered: 02/14/2020)

02/19/2020	48	Consent MOTION for Extension of Time to File Response/Reply by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL. (Attachments: # 1 Text of Proposed Order)(KANG, LEAH) (Entered: 02/19/2020)
02/20/2020		Motions Referred: RE: 48 Consent MOTION for Extension of Time to File Response/Reply , to MAG/JUDGE L. PATRICK AULD (Winchester, Robin) (Entered: 02/20/2020)
02/21/2020		TEXT ORDER granting in part and denying in part 48 Consent Motion for Extension of Time, in that Plaintiffs shall file any replies to 27 Response of Defendant Sheriff Terry S. Johnson ("Defendant Sheriff") to 6 Motion for Class-wide Preliminary Injunction and to 28 Response of Defendant Sheriff to 2 Plaintiffs' Motion to Certify Class by 03/02/2020. Via 48 Consent Motion, Plaintiffs seek indefinite extensions of their deadlines to file replies to 27 Response and 28 Response. In support of that request, 48 Consent Motion observes that "Defendants Chief District Judge Allen, Senior Resident Superior Court Judge Lambeth, and the Magistrates ('Judicial Defendants') executed waivers of service of process on February 12, 2020...." As a result, the Judicial Defendants need not appear to answer or otherwise respond to 1 Complaint until 04/13/2020. Consistent with that fact, the Judicial Defendants have not responded to 2 Plaintiffs' Motion or 6 Motion and no reason exists to believe that the Judicial Defendants would so respond prior to 04/13/2020. Accordingly, 48 Consent Motion's "request that the Court's [sic] stay their deadline to file Replies to Defendant Sheriff's Responses until their Replies to the Judicial Defendants' Responses are due" effectively would delay Plaintiffs' filing of any reply to 27 Response and 28 Response until some time after 04/13/2020. The Court, however, via Text Order dated 11/26/2020 ("with agreement of counsel" for Plaintiffs and Defendant Sheriff) set 6 Motion for hearing on 03/16/2020 and directed Plaintiffs and Defendant Sheriff to "file a joint status report no later than [03/02/2020], apprising the Court of the status of their progress [in resolving 6 Motion] and whether there is a continued need for a preliminary injunction hearing." Granting 48 Consent Motion thus would extend briefing on 6 Motion, as it relates to Defendant Sheriff, well beyond the current hearing date for resolution of 6 Motion, as it relates to Defendant Sheriff. Under these circumstances, the Court concludes that Plaintiffs must file any reply to 27 Response and the inter-related 28 Response by 03/02/2020. A review of the substance of 27 Response and 28 Response confirms the propriety of that conclusion. In that

		regard, 27 Response does not present substantive arguments as to 6 Motion, but instead simply states that "the parties are diligently working on the issues at hand in attempts to limit the scope of the hearing [on 6 Motion] or perhaps the entirety of the hearing," as well as that Defendant Sheriff "does not believe any further response is required to 6 Motion." Similarly, in 28 Response, Defendant Sheriff does not address the merits of the class certification issue raised in 2 Plaintiffs' Motion, except to assert that "his presence as a Defendant in this action is unnecessary and a class action against him in [sic] improper." Given the nature of Defendant Sheriff's contentions in 27 Response and 28 Response, delaying Plaintiffs' reply thereto until some future date when the Judicial Defendants have responded to 2 Plaintiffs' Motion and 6 Motion would not (contrary to the contention in 48 Consent Motion) serve "the interest of efficiency and judicial economy," but instead would undermine the Court's interest in determining, on the established schedule, (1) whether or not disputes actually exist between Plaintiffs and Defendant Sheriff about the need for a class-wide preliminary injunction against Defendant Sheriff and/or the propriety of certification of a class action against Defendant Sheriff, and (2) if such disputes exist, how the Court should resolve them. Issued by MAG/JUDGE L. PATRICK AULD on 02/21/2020. (AULD, L.) (Entered: 02/21/2020)
02/24/2020		Set Reply Deadlines re: 2 MOTION to Certify Class, 6 MOTION for Preliminary Injunction: Replies due by 3/2/2020. (See 2/21/2020 Text Order) (Garland, Leah) (Entered: 02/24/2020)
03/02/2020	49	REPLY, filed by Plaintiffs LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL, to Response to 2 MOTION to Certify Class filed by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL. (HUBBARD, KATHERINE) (Entered: 03/02/2020)
03/02/2020	50	JOINT STATUS REPORT <i>AND MOTION TO STAY</i> filed by all parties.. (Attachments: # 1 Text of Proposed Order)(KANG, LEAH) (Entered: 03/02/2020)
03/03/2020		Motions Submitted: 50 Joint Status Report and MOTION to Stay to JUDGE N. C. TILLEY, JR. (Winchester, Robin) (Entered: 03/03/2020)
03/03/2020	51	ORDER signed by JUDGE N. C. TILLEY, JR on 03/03/2020, the Court hereby GRANTS the Motion to Stay [Doc. # 50], and ORDERS that Judicial Defendants' deadlines to file their responsive pleadings and their responses to Plaintiffs' Motion for Preliminary

		Injunction and Motion for Class Certification are stayed until April 30, 2020. (Garland, Leah) (Entered: 03/03/2020)
04/30/2020	52	RESPONSE filed by Defendants BRADLEY R. ALLEN, SR, KELLY COUNCILMAN, DAVID CRABBE, RHONDA CRISP, BERTRAM HEATHCOTE, JEFFREY D. HOLLAN, WENDY HUNTER, AMELIA KNAUFF, D. THOMAS LAMBETH, JR, BOBBIE NANCE, HELENA RODGERS, KIMESHA THORPE, JOHN WATTERSON, SUSAN WORTINGER re 2 MOTION to Certify Class filed by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL filed by BRADLEY R. ALLEN, SR, KELLY COUNCILMAN, DAVID CRABBE, RHONDA CRISP, BERTRAM HEATHCOTE, JEFFREY D. HOLLAN, WENDY HUNTER, AMELIA KNAUFF, D. THOMAS LAMBETH, JR, BOBBIE NANCE, HELENA RODGERS, KIMESHA THORPE, JOHN WATTERSON, SUSAN WORTINGER. Replies due by 5/14/2020 (FINARELLI, JOSEPH) (Entered: 04/30/2020)
04/30/2020	53	ANSWER to 1 Complaint with Jury Demand by BRADLEY R. ALLEN, SR, KELLY COUNCILMAN, DAVID CRABBE, RHONDA CRISP, BERTRAM HEATHCOTE, JEFFREY D. HOLLAN, WENDY HUNTER, AMELIA KNAUFF, D. THOMAS LAMBETH, JR, BOBBIE NANCE, HELENA RODGERS, KIMESHA THORPE, JOHN WATTERSON, SUSAN WORTINGER. (FINARELLI, JOSEPH) (Entered: 04/30/2020)
04/30/2020	54	Joint MOTION for Extension of Time of 51 Order Granting Stay by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL. (Attachments: # 1 Text of Proposed Order)(KANG, LEAH) (Entered: 04/30/2020)
05/01/2020		Motions Submitted: 54 Joint MOTION for Extension of Time of 51 Order Granting Stay to JUDGE N. C. TILLEY, JR. (Winchester, Robin) (Entered: 05/01/2020)
05/01/2020		TEXT ORDER granting 54 Motion for Extension of Time. The deadline to file a response to the Motion for Preliminary Injunction is extended to 5/1/2020. Issued by JUDGE N. C. TILLEY, JR. on 5/1/2020.(Blumke, Sheila) (Entered: 05/01/2020)
05/01/2020	55	Joint MOTION to Approve <i>Consent Order for Preliminary Injunction</i> by LEA ALLISON, KATHERINE GUILL, ANTONIO HARRELL. (Attachments: # 1 Exhibit Proposed Consent Order for Preliminary Injunction)(KANG, LEAH) (Entered: 05/01/2020)

05/04/2020		Motions Submitted: 55 Joint MOTION to Approve <i>Consent Order for Preliminary Injunction</i> to JUDGE N. C. TILLEY, JR. (Winchester, Robin) (Entered: 05/04/2020)
05/08/2020	56	ORDER signed by JUDGE N. C. TILLEY, JR on 5/8/2020 as set out. This Order shall become effective upon entry by the Court and shall remain in effect until further order of the Court. The Court shall retain jurisdiction over this action to ensure compliance with this Order and for all other purposes related to this action. (Garland, Leah) (Entered: 05/08/2020)

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