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**U.S. District Court
District of Maine (Portland)
CIVIL DOCKET FOR CASE #: 2:20-cv-00176-LEW**

BAYLEY'S CAMPGROUND INC et al v. MILLS
Assigned to: JUDGE LANCE E. WALKER
Referred to: MAGISTRATE JUDGE JOHN H. RICH
III
Case in other court: First Circuit Court of Appeals, 20-
01559
Cause: 42:1981 Civil Rights

Date Filed: 05/15/2020
Date Terminated: 02/03/2021
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

BAYLEY'S CAMPGROUND INC
doing business as
BAYLEY'S CAMPING RESORT

represented by **GENE R. LIBBY**
LIBBY O'BRIEN KINGSLEY &
CHAMPION, LLC
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Plaintiff

**FKT RESORT MANAGEMENT
LLC**

represented by **GENE R. LIBBY**
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KEITH P. RICHARD
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Plaintiff

**FKT BAYLEY LIMITED
PARTNERSHIP**

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TYLER J. SMITH
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Plaintiff

DMJ PARKS LLC
doing business as
**LITTLE OSSIPEE
CAMPGROUND LLC**

represented by **GENE R. LIBBY**
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Plaintiff

CURTIS BONNELL

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Plaintiff

DOLORES HUMISTON

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Plaintiff

JAMES BOISVERT

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

TYLER J. SMITH

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LEAD ATTORNEY

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V.

Defendant

JANET MILLS

*In her official capacity as the
Governor of the State of Maine*

represented by **KIMBERLY L. PATWARDHAN**

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Interested Party

UNITED STATES OF AMERICA

represented by **ALEXANDER VIRGIL**

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Date Filed	#	Docket Text
05/15/2020	<u>1</u>	COMPLAINT against JANET MILLS with Jury Demand filed by FKT RESORT MANAGEMENT LLC, JAMES BOISVERT, BAYLEY'S CAMPGROUND INC, DOLORES HUMISTON, FKT BAYLEY LIMITED PARTNERSHIP, CURTIS BONNELL, DMJ PARKS LLC 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.. (Service of Process Deadline 8/13/2020) Fee due by 5/18/2020.(jwr) (Entered: 05/15/2020)
05/15/2020	<u>2</u>	CIVIL COVER SHEET. (jwr) (Entered: 05/15/2020)
05/15/2020		Set Deadlines : Per Local Rule 7.1 Notice of Interested Parties or Corporate Disclosure Statement due by 5/18/2020 from Plaintiffs. (jwr) (Entered: 05/15/2020)
05/15/2020		Filing Fee Paid via Credit Card (Filing fee \$ 400 receipt number AMEDC-2230656.), filed by FKT RESORT MANAGEMENT LLC, JAMES BOISVERT, BAYLEY'S CAMPGROUND INC, DOLORES HUMISTON, FKT BAYLEY LIMITED PARTNERSHIP, CURTIS BONNELL, DMJ PARKS LLC.(SMITH, TYLER) (Entered: 05/15/2020)
05/15/2020	<u>3</u>	MOTION for Preliminary Injunction <i>and Expedited Relief</i> by BAYLEY'S CAMPGROUND INC, JAMES BOISVERT, CURTIS BONNELL, DMJ PARKS LLC, FKT BAYLEY LIMITED

		PARTNERSHIP, FKT RESORT MANAGEMENT LLC, DOLORES HUMISTON Responses due by 6/5/2020. (Attachments: # 1 Declaration of Thomas Bayley, # 2 Declaration of Maryellen Bozza, # 3 Declaration of Curtis Bonnell, # 4 Declaration of Dolores Humiston, # 5 Declaration of James E. Boisvert, # 6 Declaration of Keith P. Richard, Esq.)(SMITH, TYLER) (Entered: 05/15/2020)
05/18/2020	4	NOTICE of TELEPHONIC Hearing: Telephone Conference set for 5/18/2020 03:00 PM in Judge Walker's Chambers before JUDGE LANCE E. WALKER. All participants have been provided call-in information.(meh) (Entered: 05/18/2020)
05/18/2020	5	CORPORATE DISCLOSURE STATEMENT by BAYLEY'S CAMPGROUND INC. (SMITH, TYLER) (Entered: 05/18/2020)
05/18/2020	6	CORPORATE DISCLOSURE STATEMENT by DMJ PARKS LLC. (SMITH, TYLER) (Entered: 05/18/2020)
05/18/2020	7	CORPORATE DISCLOSURE STATEMENT by FKT BAYLEY LIMITED PARTNERSHIP. (SMITH, TYLER) (Entered: 05/18/2020)
05/18/2020	8	CORPORATE DISCLOSURE STATEMENT by FKT RESORT MANAGEMENT LLC. (SMITH, TYLER) (Entered: 05/18/2020)
05/18/2020	9	Minute Entry for proceedings held before JUDGE LANCE E. WALKER: Telephone Conference held. Response to ECF #3 due 5/25/2020. Reply to ECF #3 due 5/28/2020. No oral argument is needed. (Court Reporter: Melissa Merenberg) (meh) (Entered: 05/18/2020)
05/18/2020		Set Deadlines as to 3 MOTION for Preliminary Injunction <i>and Expedited Relief</i> : Responses due by 5/25/2020. Reply due by 5/28/2020. (meh) (Entered: 05/18/2020)
05/21/2020	10	WAIVER OF SERVICE Returned Executed JANET MILLS waiver sent on 5/18/2020. (SMITH, TYLER) Modified on 6/11/2020 to correct waiver sent date (meh). (Entered: 05/21/2020)
05/21/2020		Set Answer Deadline for JANET MILLS : Answer due by 7/20/2020. (meh) (Entered: 05/21/2020)

05/25/2020	<u>11</u>	NOTICE of Appearance by KIMBERLY L. PATWARDHAN on behalf of JANET MILLS (PATWARDHAN, KIMBERLY) (Entered: 05/25/2020)
05/25/2020	<u>12</u>	RESPONSE in Opposition re <u>3</u> MOTION for Preliminary Injunction <i>and Expedited Relief</i> filed by JANET MILLS. Reply due by 6/8/2020. (TAUB, CHRISTOPHER) (Entered: 05/25/2020)
05/25/2020	<u>13</u>	AFFIDAVIT of Nirav Dinesh Shah, M.D., J.D. re <u>12</u> Response in Opposition to Motion filed by JANET MILLS. (TAUB, CHRISTOPHER) (Entered: 05/25/2020)
05/25/2020	<u>14</u>	AFFIDAVIT of Derek P. Langhauser re <u>12</u> Response in Opposition to Motion filed by JANET MILLS. (TAUB, CHRISTOPHER) (Entered: 05/25/2020)
05/25/2020		Set Deadlines as to <u>3</u> MOTION for Preliminary Injunction <i>and Expedited Relief</i> : Reply due by 5/28/2020. (meh) (Entered: 05/26/2020)
05/26/2020	<u>15</u>	Unopposed MOTION to Enlarge Page Limitation by BAYLEY'S CAMPGROUND INC, JAMES BOISVERT, CURTIS BONNELL, DMJ PARKS LLC, FKT BAYLEY LIMITED PARTNERSHIP, FKT RESORT MANAGEMENT LLC, DOLORES HUMISTON Responses due by 6/16/2020. (SMITH, TYLER) (Entered: 05/26/2020)
05/26/2020	16	ORDER granting <u>15</u> Unopposed Motion to Enlarge Page Limitation By JUDGE LANCE E. WALKER. (meh) (Entered: 05/26/2020)
05/28/2020	<u>17</u>	REPLY to Response to Motion re <u>3</u> MOTION for Preliminary Injunction <i>and Expedited Relief</i> filed by BAYLEY'S CAMPGROUND INC, JAMES BOISVERT, CURTIS BONNELL, DMJ PARKS LLC, FKT BAYLEY LIMITED PARTNERSHIP, FKT RESORT MANAGEMENT LLC, DOLORES HUMISTON. (Attachments: # <u>1</u> Wiley & Vladek Law Review Article, # <u>2</u> CDC COVID-19 Planning Scenarios)(SMITH, TYLER) (Entered: 05/28/2020)
05/29/2020	<u>18</u>	NOTICE of Appearance by ALEXANDER VIRGIL MAUGERI on behalf of UNITED STATES OF AMERICA (MAUGERI, ALEXANDER) (Entered: 05/29/2020)

05/29/2020	<u>19</u>	BRIEF by UNITED STATES OF AMERICA. (MAUGERI, ALEXANDER) (Entered: 05/29/2020)
05/29/2020	<u>20</u>	ORDER ON PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION denying <u>3</u> Motion for Preliminary Injunction By JUDGE LANCE E. WALKER. (CJD) (Entered: 05/29/2020)
06/01/2020	<u>21</u>	INTERLOCUTORY APPEAL as to <u>20</u> Order on Motion for Preliminary Injunction by BAYLEY'S CAMPGROUND INC, JAMES BOISVERT, CURTIS BONNELL, DMJ PARKS LLC, FKT BAYLEY LIMITED PARTNERSHIP, FKT RESORT MANAGEMENT LLC, DOLORES HUMISTON . (Filing fee \$ 505 receipt number AMEDC-2240846.) 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 (LIBBY, GENE) Modified on 6/2/2020 to change Appeal type to Interlocutory (meh). (Entered: 06/01/2020)
06/01/2020	<u>22</u>	APPEAL COVER SHEET Re: <u>21</u> Notice of Appeal (bfa) (Entered: 06/01/2020)
06/01/2020	<u>23</u>	CLERK'S CERTIFICATE Re: <u>21</u> Notice of Appeal. Documents sent to the U.S. Court of Appeals. (bfa) (Entered: 06/01/2020)
06/01/2020		Abbreviated Appeal Record Transmitted Electronically to U.S. Court of Appeals re <u>21</u> Notice of Appeal (bfa) (Entered: 06/01/2020)
06/01/2020	24	USCA Case Number 20-1559 for <u>21</u> Notice of Appeal, filed by JAMES BOISVERT, DOLORES HUMISTON, FKT RESORT MANAGEMENT LLC, BAYLEY'S CAMPGROUND INC, FKT BAYLEY LIMITED PARTNERSHIP, CURTIS BONNELL, DMJ PARKS LLC. (bfa) (Entered: 06/01/2020)
06/02/2020	<u>25</u>	MOTION for Preliminary Injunction <i>Pending Appeal</i> by BAYLEY'S CAMPGROUND INC, JAMES BOISVERT, CURTIS BONNELL, DMJ PARKS LLC, FKT BAYLEY LIMITED PARTNERSHIP, FKT RESORT MANAGEMENT LLC,

		DOLORES HUMISTON Responses due by 6/23/2020. (SMITH, TYLER) (Entered: 06/02/2020)
06/02/2020		COPIES of Notice of Appeal Sent to Counsel Re: 21 Notice of Appeal, filed by JAMES BOISVERT, DOLORES HUMISTON, FKT RESORT MANAGEMENT LLC, BAYLEY'S CAMPGROUND INC, FKT BAYLEY LIMITED PARTNERSHIP, CURTIS BONNELL, DMJ PARKS LLC. (tcs) Modified on 6/3/2020 to correct date filed (tcs). (Entered: 06/03/2020)
06/03/2020		Per Judge Lance Walker response and reply deadlines are to be expedited reset Deadlines as to 25 MOTION for Preliminary Injunction <i>Pending Appeal</i> : Responses due by 6/9/2020. Reply due by 6/12/2020. (meh) Modified on 6/3/2020 to add expedited response and reply wording (meh). (Entered: 06/03/2020)
06/04/2020	26	MOTION for Reconsideration re 20 Order on Motion for Preliminary Injunction by BAYLEY'S CAMPGROUND INC, JAMES BOISVERT, CURTIS BONNELL, DMJ PARKS LLC, FKT BAYLEY LIMITED PARTNERSHIP, FKT RESORT MANAGEMENT LLC, DOLORES HUMISTON Responses due by 6/25/2020. (SMITH, TYLER) (Entered: 06/04/2020)
06/05/2020	27	ORDER ON PLAINTIFFS' MOTION FOR EXPEDITED INJUNCTION PENDING APPEAL AND MOTION FOR RECONSIDERATION denying 25 Motion for Preliminary Injunction; denying 26 Motion for Reconsideration By JUDGE LANCE E. WALKER. (CJD) (Entered: 06/05/2020)
06/08/2020	28	Unopposed MOTION to Stay <i>Pending Appeal</i> by JANET MILLS Responses due by 6/29/2020. (TAUB, CHRISTOPHER) (Entered: 06/08/2020)
06/09/2020	29	ORDER granting 28 Motion to Stay Pending Appeal By JUDGE LANCE E. WALKER. (meh) (Entered: 06/09/2020)
01/12/2021	30	***Filed in Error. Counsel to file a Motion to Withdraw as Attorney*** NOTICE/CORRESPONDENCE Re: Attorney Withdrawal by UNITED STATES OF AMERICA (MAUGERI, ALEXANDER) Modified on 1/12/2021 to indicate filed in error (jgd). (Entered: 01/12/2021)
01/13/2021	31	MOTION by Attorney Alexander V. Maugeri to Withdraw as Attorney by UNITED STATES OF AMERICA Responses due by 2/3/2021. (MAUGERI, ALEXANDER) (Entered: 01/13/2021)

01/15/2021	32	ORDER denying 31 Motion to Withdraw as Attorney. The motion is denied without prejudice, as, from all that appears, the United States remains an Interested Party and no successor counsel has entered an appearance. By MAGISTRATE JUDGE JOHN H. RICH III. (RICH III, JOHN) (Entered: 01/15/2021)
01/20/2021	33	Opinion of USCA Re: 21 Notice of Appeal filed by JAMES BOISVERT, DOLORES HUMISTON, FKT RESORT MANAGEMENT LLC, BAYLEY'S CAMPGROUND INC, FKT BAYLEY LIMITED PARTNERSHIP, CURTIS BONNELL, DMJ PARKS LLC Check for Receipt of Mandate on 2/19/2021. (mlm) (Entered: 01/20/2021)
01/20/2021	34	JUDGMENT of USCA re 21 Notice of Appeal. (mlm) (Entered: 01/20/2021)
01/29/2021	35	NOTICE of Appearance by THOMAS CHANDLER on behalf of UNITED STATES OF AMERICA (CHANDLER, THOMAS) (Entered: 01/29/2021)
02/03/2021	36	Notice of Voluntary Dismissal by BAYLEY'S CAMPGROUND INC, JAMES BOISVERT, CURTIS BONNELL, DMJ PARKS LLC, FKT BAYLEY LIMITED PARTNERSHIP, FKT RESORT MANAGEMENT LLC, DOLORES HUMISTON (SMITH, TYLER) (Entered: 02/03/2021)
02/10/2021	37	MANDATE of USCA as to 21 Notice of Appeal(mlm) (Entered: 02/10/2021)

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