

CLOSED,MEDIATION

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Galveston)
CIVIL DOCKET FOR CASE #: 3:18-cv-00283**

Fuller v. City of Santa Fe, Texas **This case has been severed from 3:16cv309.**

Assigned to: Judge George C Hanks, Jr
Referred to: Magistrate Judge Andrew M Edison (Settlement)
Related Case: 3:16-cv-00309
Cause: 42:1983 Civil Rights Act

Date Filed: 11/03/2016
Date Terminated: 08/14/2019
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Brady Fuller
On Behalf of Himself and All Others
Similary Situated

represented by **Andre Ivan Segura**
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TERMINATED: 06/15/2017
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V.

Defendant

City of Santa Fe, Texas

represented by **Norman Ray Giles**
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Date Filed	#	Docket Text
11/03/2016	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0541-17467807) filed by George West, Brady Fuller, Robert Jones. (Attachments: # <u>1</u> Civil Cover Sheet)(Trigilio, Trisha) (Entered: 11/03/2016)
11/03/2016	<u>2</u>	MOTION to Certify Class by Brady Fuller, Robert Jones, George West, filed. Motion Docket Date 11/25/2016. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Appendix Exhibit List, # <u>3</u> Exhibit A: Municipal Court Website Excerpts, # <u>4</u> Exhibit B: Capias Pro Fine Warrants, # <u>5</u> Exhibit C: Emails About Feeding Prisoners, # <u>6</u> Exhibit D: Municipal Court Statistical Report, # <u>7</u> Exhibit E: Jail Booking List Excerpts, # <u>8</u> Exhibit F: Municipal Court Responses to Open Records Requests, # <u>9</u> Exhibit G: Capias Pro Fine Warrant List, # <u>10</u> Exhibit H: Decl. of Rebecca Robertson, # <u>11</u> Exhibit I: Decl. of Trisha Trigilio, # <u>12</u> Exhibit J: U.S. Census Quickfacts on Galveston County)(Trigilio, Trisha) (Entered: 11/03/2016)
11/03/2016	<u>3</u>	Request for Issuance of Summons as to All Defendants, filed. (Attachments: # <u>1</u> Summons request for Municipal Judge Carlton Getty, # <u>2</u> Summons request for Police Chief Jeffrey Powell)(Trigilio, Trisha) (Entered: 11/03/2016)
11/04/2016		Summons Not Issued as to City of Santa Fe, Texas, Carlton Getty, Jeffrey Powell due to these deficiencies: Name/Address of Plaintiff Attorney or Plaintiff not present. Attorney or Plaintiff notified of deficiencies by NEF, filed.(agould, 3) (Entered: 11/04/2016)
11/04/2016	<u>4</u>	DOCKETED IN ERROR – INCORRECT DATE FOR INITIAL CONFERENCE – SEE DE <u>5</u> . Parties notified.(dwilkerson, 3) Modified on 11/4/2016 (dwilkerson, 3). (Entered: 11/04/2016)
11/04/2016	<u>5</u>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 2/10/2017 at 09:30 AM in Sixth Floor Courtroom before Judge George C Hanks Jr(Signed by Judge George C Hanks, Jr) Parties notified.(dwilkerson, 3) (Entered: 11/04/2016)
11/07/2016	<u>6</u>	Request for Issuance of Summons as to All Defendants, filed. (Attachments: # <u>1</u> Summons request for Municipal Judge Carlton Getty, # <u>2</u> Summons request for Police Chief Jeffrey Powell)(Trigilio, Trisha) (Entered: 11/07/2016)
11/07/2016	<u>7</u>	NOTICE of Appearance by Rebecca L. Robertson on behalf of Brady Fuller, Robert Jones, George West, filed. (Robertson, Rebecca) (Entered: 11/07/2016)
11/08/2016		Summons Issued as to City of Santa Fe, Texas, Carlton Getty, Jeffrey Powell. Issued summons returned to plaintiff by: First-class mail, filed.(agould, 3) (Entered: 11/08/2016)
11/17/2016	<u>8</u>	CERTIFICATE OF INTERESTED PARTIES by Brady Fuller, Robert Jones, George West, filed.(Trigilio, Trisha) (Entered: 11/17/2016)
11/28/2016	<u>9</u>	RETURN of Service of SUMMONS Executed as to City of Santa Fe, Texas served on 11/22/2016, answer due 12/13/2016, filed.(Robertson, Rebecca) (Entered: 11/28/2016)
11/28/2016	<u>10</u>	RETURN of Service of SUMMONS Executed as to Jeffrey Powell served on 11/23/2016, answer due 12/14/2016, filed.(Robertson, Rebecca) (Entered: 11/28/2016)

12/13/2016	<u>11</u>	REQUEST for pre-motion conference re: <u>1</u> Complaint, filed.(Giles, Norman) (Entered: 12/13/2016)
12/19/2016	<u>12</u>	RESPONSE to Defendants' request for pre-motion conference, filed by Brady Fuller, Robert Jones, George West. (Trigilio, Trisha) (Entered: 12/19/2016)
12/23/2016	<u>13</u>	RETURN of Service of SUMMONS Executed as to Carlton Getty served on 12/14/2016, answer due 1/4/2017, filed.(Robertson, Rebecca) (Entered: 12/23/2016)
12/30/2016	<u>14</u>	NOTICE of Setting as to <u>11</u> REQUEST for pre-motion conference re: <u>1</u> Complaint. Parties notified. Pre-Motion Conference set for 1/11/2017 at 02:45 PM in by telephone before Judge George C Hanks Jr, filed. Please call the conference line ten minutes prior to the scheduled hearing at 409-763-7801. ***This line will be open 10 minutes prior to the hearing. Once you call the number, you will be connected to the meet-me-line; there will be silence so please hold until the Case Manager calls in to connect all parties. Everyone must be on a land line. No cell phones or speaker phones are permitted. If you have a volume control, please be sure that it is turned up. If more than one attorney/party is on the line, FOR CLARITY OF THE RECORD, PLEASE STATE YOUR NAME WHEN RESPONDING TO THE COURT. *** (dperez, 3) (Entered: 12/30/2016)
01/11/2017	<u>15</u>	Minute Entry for proceedings held before Judge George C Hanks, Jr. PRE-MOTION CONFERENCE held on 1/11/2017 The Court defers ruling on Motion to Certify Class until ruling on 12(b)(6)motion to Dismiss, 12(b)(6) Motion to Dismiss to be filed by January 20, 2017, (Responses due by 2/10/2017., Replies due by 2/17/2017). Appearances: Norman Ray Giles, Rebecca L Robertson, Trisha Trigilio.(Digital # 2:57 - 3:14)(ERO:Donna Wilkerson), filed.(agould, 3) (Entered: 01/11/2017)
01/20/2017	<u>16</u>	Opposed MOTION to Dismiss by City of Santa Fe, Texas, filed. Motion Docket Date 2/10/2017. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Proposed Order)(Giles, Norman) . (Entered: 01/20/2017)
01/31/2017	<u>17</u>	JOINT DISCOVERY/CASE MANAGEMENT PLAN by Brady Fuller, Robert Jones, George West, filed.(Trigilio, Trisha) (Entered: 01/31/2017)
02/08/2017	<u>18</u>	NOTICE of Resetting. Parties notified. Initial Conference reset for 2/10/2017 at 09:30 AM in 7th Floor Courtroom before Magistrate Judge John R Froeschner, filed. (ltrevino, 3) (Entered: 02/08/2017)
02/10/2017	<u>19</u>	RESPONSE in Opposition to <u>16</u> Opposed MOTION to Dismiss , filed by Brady Fuller, Robert Jones, George West. (Trigilio, Trisha) (Entered: 02/10/2017)
02/10/2017	<u>20</u>	** DOCKETED IN ERROR ** Minute Entry incorrect, disregard. See DE <u>21</u> for correct Minute Entry, filed.(dwilkerson, 3) Modified on 2/13/2017 (dwilkerson, 3). (Entered: 02/13/2017)
02/10/2017	<u>21</u>	Minute Entry for proceedings held before Magistrate Judge John R Froeschner. SCHEDULING CONFERENCE held on 2/10/2017. Appearances:William Helfand, by telephone; Trisha Trigilio. Initial Conference held. No docket control order to be issued. Order to follow. Court Time: 9:35 - 9:38; 10:14 - 10:22. (ERO:Dana Perez), filed.(dwilkerson, 3) (Entered: 02/13/2017)
02/10/2017	<u>22</u>	ORDER re Docket Control Order. No Docket Control Order issued following Initial Conference of 2/10/2017 for reasons set out in the record and in Order.(Signed by Magistrate Judge John R Froeschner) Parties notified.(dwilkerson, 3) (Entered: 02/13/2017)
02/16/2017	<u>23</u>	REPLY in Support of <u>16</u> Opposed MOTION to Dismiss , filed by City of Santa Fe, Texas, Carlton Getty, Jeffrey Powell. (Helfand, William) (Entered: 02/16/2017)
02/24/2017	<u>24</u>	MOTION to Deem Defendants' New Arguments Waived by Brady Fuller, Robert Jones, George West, filed. Motion Docket Date 3/17/2017. (Attachments: # <u>1</u> Proposed Order Deeming New Arguments Waived, # <u>2</u> Exhibit A, in the alternative, Plaintiffs' Proposed Surreply)(Trigilio, Trisha). (Entered: 02/24/2017)
03/03/2017	<u>25</u>	RESPONSE in Opposition to <u>24</u> MOTION to Deem Defendants' New Arguments Waived, filed by City of Santa Fe, Texas, Carlton Getty, Jeffrey Powell. (Giles, Norman) (Entered: 03/03/2017)

03/09/2017	<u>26</u>	REPLY in Support of <u>16</u> Opposed MOTION to Dismiss , filed by City of Santa Fe, Texas, Carlton Getty, Jeffrey Powell. (Giles, Norman) (Entered: 03/09/2017)
03/23/2017	<u>27</u>	Opposed MOTION for Protective Order by City of Santa Fe, Texas, Carlton Getty, Jeffrey Powell, filed. Motion Docket Date 4/13/2017. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Proposed Order Proposed Order)(Giles, Norman) . (Entered: 03/23/2017)
04/06/2017	<u>28</u>	RESPONSE in Opposition to <u>27</u> Opposed MOTION for Protective Order, filed by Brady Fuller, Robert Jones, George West. (Attachments: # <u>1</u> Proposed Order)(Trigilio, Trisha) (Entered: 04/06/2017)
05/31/2017	<u>29</u>	MOTION for Rebecca L. Robertson to Withdraw as Attorney by Brady Fuller, Robert Jones, George West, filed. Motion Docket Date 6/21/2017. (Robertson, Rebecca) (Entered: 05/31/2017)
06/15/2017	<u>30</u>	ORDER granting <u>29</u> Motion to Withdraw as Attorney. Attorney Rebecca L Robertson terminated.(Signed by Judge George C Hanks, Jr) Parties notified.(agould, 3) (Entered: 06/15/2017)
09/14/2017	<u>31</u>	NOTICE of Setting. Parties notified. Status Conference set for 9/15/2017 at 05:00 PM in by telephone before Judge George C Hanks Jr, filed. Please call the conference line at 409-763-7801 ten minutes prior to the scheduled hearing. Once you call the number, you will be connected to the meet-me-line; there will be silence so please hold until the Case Manager calls in to connect all parties. Everyone must be on a landline. No cell phones or speaker phones are permitted. If you have a volume control, please be sure that it is turned up. If more than one attorney/party is on the line, for clarity of the record, please state your name when responding to the Court. (ltrevino, 3) (Entered: 09/14/2017)
09/15/2017	<u>32</u>	NOTICE of Resetting. Parties notified. Status Conference set for 9/18/2017 at 08:00 AM in by telephone before Judge George C Hanks Jr, filed. Please call the conference line at 409-763-7801 ten minutes prior to the scheduled hearing. Once you call the number, you will be connected to the meet-me-line; there will be silence so please hold until the Case Manager calls in to connect all parties. Everyone must be on a land line. No cell phones or speaker phones are permitted. If you have a volume control, please be sure that it is turned up. If more than one attorney/party is on the line, for clarity of the record, please state your name when responding to the Court. (SusanGram, 3) (Entered: 09/15/2017)
09/18/2017	<u>33</u>	NOTICE of Setting. Parties notified. Status Conference set for 10/12/2017 at 08:00 AM in by telephone before Judge George C Hanks Jr, filed. Please call the conference line at 409-763-7801 ten minutes prior to the scheduled hearing. Once you call the number, you will be connected to the meet-me-line; there will be silence so please hold until the Case Manager calls in to connect all parties. Everyone must be on a land line. No cell phones or speaker phones are permitted. If you have a volume control, please be sure that it is turned up. If more than one attorney/party is on the line, for clarity of the record, please state your name when responding to the Court. (SusanGram, 3) (Entered: 09/18/2017)
09/18/2017	<u>34</u>	Minute Entry for proceedings held before Judge George C Hanks, Jr. STATUS CONFERENCE held on 9/18/2017. This case is administratively closed until October 12, 2017. Status Conference set for 10/12/2017 at 08:00 AM in Sixth Floor Courtroom before Judge George C Hanks Jr Appearances: William Scott Helfand by telephone, Trisha Trigilio by telephone.(ERO:Andy Gould), filed.(agould, 3) (Entered: 09/18/2017)
09/18/2017	<u>35</u>	ORDER denying <u>2</u> MOTION to Certify Class (Telephonic Status Conference set for 10/12/2017 at 08:00 AM by telephone before Judge George C Hanks Jr), Case terminated on 9/18/17(Signed by Judge George C Hanks, Jr) Parties notified.(dperez, 3) (Entered: 09/19/2017)
10/06/2017	<u>36</u>	AO 435 TRANSCRIPT REQUEST by Trisha Trigilio for Transcript of Status Conference on 9/18/17 before Judge Hanks. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Digital Scroll Transcription Services, filed. (Trigilio, Trisha) ELECTRONICALLY FORWARDED TO DIGITAL SCROLL 10/10/2017 (agould, 3). (Entered: 10/06/2017)

10/11/2017	<u>37</u>	[CHANGE AS TO TIME ONLY] NOTICE of Resetting. Parties notified. Status Conference set for 10/12/2017 at 08:30 AM in by telephone before Judge George C Hanks Jr, filed. (SusanGram, 3) Modified on 10/11/2017 (SusanGram, 3). (Entered: 10/11/2017)
10/11/2017	<u>38</u>	NOTICE of Dismissal as to Robert Jones by Robert Jones, filed. (Trigilio, Trisha) (Entered: 10/11/2017)
10/12/2017	<u>39</u>	TRANSCRIPT re: Status Conference (Telephonically) held on 9/18/2017 before Judge George C Hanks, Jr. Court Reporter/Transcriber Digital Scroll Transcription. Ordering Party Trisha Trigilio Release of Transcript Restriction set for 1/10/2018., filed. (lgriffin,) (Entered: 10/12/2017)
10/13/2017	<u>40</u>	Minute Entry for proceedings held before Judge George C Hanks, Jr. STATUS CONFERENCE held on 10/13/2017.Plaintiff to file an Amended Complaint by October 23, 2017 at 5:00 AM. Defendant to supplement its Motion to Dismiss, if necessary, by October 30, 2017 at 5:00 AM. Plaintiffs response to Defendants Motion to Dismiss to be filed by November 10, 2017 at 5:00 AM. Appearances: Norman Ray Giles, Trisha Trigilio.(Digital # 9:12 – 9:34)(ERO:Dana Perez), filed.(lusmith, 3) (Entered: 10/13/2017)
10/16/2017	<u>41</u>	AO 435 TRANSCRIPT REQUEST by Trisha Trigilio for Transcript of 10/12/17. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Digital Scroll Transcription Services, filed. (Trigilio, Trisha) ELECTRONICALLY FORWARDED TO DIGITAL SCROLL TRANSCRIPTION 10/17/2017. (agould, 3). (Entered: 10/16/2017)
10/18/2017	<u>42</u>	TRANSCRIPT re: Status Conference by Telephone held on 10/12/2017 before Judge George C Hanks, Jr. Court Reporter/Transcriber Digital Scroll Transcription. Ordering Party Trisha Trigilio Release of Transcript Restriction set for 1/16/2018., filed. (lgriffin,) (Entered: 10/18/2017)
10/23/2017	<u>43</u>	First AMENDED COMPLAINT with Jury Demand against City of Santa Fe, Texas, City of Hitchcock, Texas filed by George West, Brady Fuller.(Trigilio, Trisha) (Entered: 10/23/2017)
10/27/2017	<u>44</u>	Agreed MOTION for Extension of Time To File Defendants' Supplement to Motion to Dismiss Plaintiffs' Claims by City of Santa Fe, Texas, Carlton Getty, Jeffrey Powell, filed. Motion Docket Date 11/17/2017. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 10/27/2017)
10/30/2017	<u>45</u>	SUPPLEMENT to <u>16</u> Opposed MOTION to Dismiss by City of Santa Fe, Texas, Carlton Getty, Jeffrey Powell, filed. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Proposed Order)(Giles, Norman) (Entered: 10/30/2017)
11/02/2017	<u>46</u>	ANSWER to <u>43</u> Amended Complaint/Counterclaim/Crossclaim etc. with Jury Demand by City of Santa Fe, Texas, filed.(Giles, Norman) (Entered: 11/02/2017)
11/08/2017	<u>47</u>	ORDER granting <u>44</u> Motion for Extension of Time. The deadline for Defendants to file the Supplement to their previously–filed motion to dismiss is extended to November 1, 2017.The deadline for Plaintiffs to file their Response to Defendants Supplement is extended to November 13, 2017.(Signed by Judge George C Hanks, Jr) Parties notified.(jegonzalez, 3) (Entered: 11/08/2017)
11/13/2017	<u>48</u>	Supplemental RESPONSE in Opposition to <u>16</u> Opposed MOTION to Dismiss , filed by Brady Fuller, George West. (Trigilio, Trisha) (Entered: 11/13/2017)
01/17/2018	<u>49</u>	Request for Issuance of Summons as to City of Hitchcock, Texas, filed.(Trigilio, Trisha) (Entered: 01/17/2018)
01/18/2018		Summons Issued as to City of Hitchcock, Texas. Issued summons delivered to plaintiff by First–class mail, filed.(agould, 3) (Entered: 01/18/2018)
01/23/2018	<u>50</u>	RETURN of Service of SUMMONS Executed as to City of Hitchcock, Texas served on 1/19/2018, answer due 2/9/2018, filed.(Trigilio, Trisha) (Entered: 01/23/2018)
02/09/2018	<u>51</u>	REQUEST for pre–motion conference, filed.(Giles, Norman) (Entered: 02/09/2018)

02/14/2018	<u>52</u>	RESPONSE to <u>51</u> REQUEST for pre-motion conference , filed by George West. (Trigilio, Trisha) (Entered: 02/14/2018)
02/14/2018	<u>53</u>	ORDER denying as moot <u>51</u> Request for Pre-Motion Conference. Defendant City of Hitchcock is hereby instructed to file its proposed motion to dismiss within 10 days of the issuance of this Order.(Signed by Judge George C Hanks, Jr) Parties notified.(agould, 3) (Entered: 02/14/2018)
02/14/2018	<u>54</u>	Opposed MOTION to Dismiss <u>43</u> Amended Complaint/Counterclaim/Crossclaim etc. by City of Hitchcock, Texas, filed. Motion Docket Date 3/7/2018. (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 Court Records Affidavit, # <u>11</u> Proposed Order)(Helfand, William) (Entered: 02/14/2018)
03/07/2018	<u>55</u>	RESPONSE in Opposition to <u>54</u> Opposed MOTION to Dismiss <u>43</u> Amended Complaint/Counterclaim/Crossclaim etc. , filed by George West. (Trigilio, Trisha) (Entered: 03/07/2018)
03/19/2018	<u>56</u>	REPLY to Response to <u>54</u> Opposed MOTION to Dismiss <u>43</u> Amended Complaint/Counterclaim/Crossclaim etc. , filed by City of Hitchcock, Texas. (Helfand, William) (Entered: 03/19/2018)
06/01/2018	<u>57</u>	NOTICE of Referral of Motion to Magistrate Judge Andrew Edison re <u>54</u> Opposed MOTION to Dismiss <u>43</u> Amended Complaint/Counterclaim/Crossclaim etc. , filed. (jegonzalez, 3) (Entered: 06/01/2018)
06/18/2018	<u>58</u>	NOTICE of Setting as to <u>54</u> Opposed MOTION to Dismiss <u>43</u> Amended Complaint/Counterclaim/Crossclaim etc. . Parties notified. Motion Hearing set for 7/11/2018 at 10:00 AM in the 7th Floor Courtroom before Magistrate Judge Andrew M Edison, filed. (wbostic, 4) (Entered: 06/18/2018)
07/11/2018		Minute entry for proceedings before Magistrate Judge Andrew M. Edison. Motion hearing held on July 11, 2018. The Court heard arguments on the City of Hitchcock's Motion to Dismiss [Dkt. 54] and the motion is taken under advisement. The parties will provide a 2-3 page letter by the close of business Wednesday, July 18, 2018, on how O Donnell impacts this case. Appearances: Trisha Trigilio and Andre Segura for the plaintiffs and Norman Ray Giles for the defendant City of Hitchcock. (ERO:Yes), filed. (wbostic, 4) (Entered: 07/11/2018)
07/17/2018	<u>59</u>	NOTICE of Referral of Motion to Magistrate Judge Andrew Edison re <u>16</u> Opposed MOTION to Dismiss , filed. (jegonzalez, 3) (Entered: 07/17/2018)
07/17/2018	<u>60</u>	NOTICE of Setting as to <u>16</u> Opposed MOTION to Dismiss . Parties notified. Status Conference set for 7/18/2018 at 02:30 PM in by telephone before Magistrate Judge Andrew M Edison, filed. (wbostic, 4) (Entered: 07/17/2018)
07/18/2018		Minute entry for proceedings before Magistrate Judge Andrew M. Edison. Status conference held on July 18, 2018. The parties discussed the Motion to Dismiss [Dkt. 16] filed by the City of Santa Fe and it will be taken under advisement. Appearances: Trisha Trigilio and Andre Segura for the plaintiffs and Norman Ray Giles for the defendant City of Santa Fe, Texas. (ERO:Yes), filed. (wbostic, 4) (Entered: 07/18/2018)
07/18/2018	<u>61</u>	<i>Letter Brief Regarding ODonnell's Impact on Case</i> by City of Hitchcock, Texas, City of Santa Fe, Texas, filed.(Giles, Norman) (Entered: 07/18/2018)
07/18/2018	<u>62</u>	SUPPLEMENT to Motion Hearing,, by George West, filed.(Trigilio, Trisha) (Entered: 07/18/2018)
07/18/2018	<u>63</u>	Corrected SUPPLEMENT to Motion Hearing,, by George West, filed.(Trigilio, Trisha) (Entered: 07/18/2018)
07/20/2018	<u>64</u>	NOTICE of Referral of Motion to Magistrate Judge Andrew Edison re <u>24</u> MOTION to Deem Defendants' New Arguments Waived, <u>27</u> Opposed MOTION for Protective Order, filed. (jegonzalez, 3) (Entered: 07/20/2018)
07/24/2018	<u>65</u>	ORDER denying <u>24</u> Motion to Deem Defendants' New Arguments Waived. The Court grants Plaintiffs leave to file Plaintiffs' Surreply in Opposition to Defendants' Motion to Dismiss attached as Exhibit A to Plaintiffs' Motion. Plaintiffs must file the Surreply

		by Thursday, July 26, 2018. (Signed by Magistrate Judge Andrew M Edison) Parties notified. (wbostic, 4) (Entered: 07/24/2018)
07/26/2018	<u>66</u>	NOTICE of Appearance by Andre Segura on behalf of Brady Fuller, Robert Jones, George West, filed. (Segura, Andre) (Entered: 07/26/2018)
07/26/2018	<u>67</u>	SURREPLY to <u>16</u> Opposed MOTION to Dismiss , filed by Brady Fuller. (Attachments: # <u>1</u> Surreply)(Trigilio, Trisha) (Entered: 07/26/2018)
08/16/2018	<u>68</u>	MEMORANDUM AND RECOMMENDATION entered. The Court RECOMMENDS that the Defendant City of Hitchcock's Opposed Motion to Dismiss <u>54</u> and Defendants' Opposed Motion to Dismiss Plaintiffs' Claims <u>16</u> be DENIED. Objections to M&R due by 8/30/2018. (Signed by Magistrate Judge Andrew M Edison) Parties notified. (wbostic, 4) (Entered: 08/16/2018)
08/22/2018	<u>69</u>	ORDER denying as moot <u>27</u> Motion for Protective Order. (Signed by Magistrate Judge Andrew M Edison) Parties notified. (wbostic, 4) (Entered: 08/22/2018)
08/30/2018	<u>70</u>	OBJECTIONS to <u>68</u> Memorandum and Recommendations, filed by City of Hitchcock, Texas. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 08/30/2018)
08/30/2018	<u>71</u>	OBJECTIONS to <u>68</u> Memorandum and Recommendations, filed by City of Santa Fe, Texas. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 08/30/2018)
09/05/2018	<u>72</u>	OBJECTIONS to <u>69</u> Order on Motion for Protective Order , filed by City of Hitchcock, Texas, City of Santa Fe, Texas. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Proposed Order)(Giles, Norman) (Entered: 09/05/2018)
09/13/2018	<u>73</u>	RESPONSE to <u>70</u> Objections to Memorandum and Recommendations , filed by George West. (Attachments: # <u>1</u> Proposed Order)(Trigilio, Trisha) (Entered: 09/13/2018)
09/13/2018	<u>74</u>	RESPONSE to <u>71</u> Objections to Memorandum and Recommendations , filed by Brady Fuller. (Attachments: # <u>1</u> Proposed Order)(Trigilio, Trisha) (Entered: 09/13/2018)
09/19/2018	<u>75</u>	REPLY to <u>73</u> Response , filed by City of Hitchcock, Texas. (Giles, Norman) (Entered: 09/19/2018)
09/19/2018	<u>76</u>	REPLY to <u>74</u> Response , filed by City of Santa Fe, Texas. (Giles, Norman) (Entered: 09/19/2018)
09/19/2018	<u>77</u>	RESPONSE to <u>72</u> Objections to Magistrate Judge's denial of protective order, filed by Brady Fuller. (Attachments: # <u>1</u> Proposed Order)(Trigilio, Trisha) (Entered: 09/19/2018)
09/19/2018	<u>78</u>	ORDER ADOPTING MEMORANDUM AND RECOMMENDATION AND SEVERING CASES re: DENYING <u>54</u> Opposed MOTION to Dismiss and DENYING <u>16</u> Opposed MOTION to Dismiss. (Signed by Judge George C Hanks, Jr) Parties notified.(ltrevino, 3) (Entered: 09/20/2018)
09/20/2018		*** This case was severed from 3:16-cv-309 per Order DKT <u>78</u> ., filed. (ltrevino, 3) (Entered: 09/20/2018)
09/26/2018	<u>79</u>	ORDER overruled <u>72</u> Objections (Signed by Judge George C Hanks, Jr) Parties notified.(agould, 3) (Entered: 09/26/2018)
10/24/2018	<u>80</u>	ADVISORY by Brady Fuller, filed.(Trigilio, Trisha) (Entered: 10/24/2018)
11/09/2018	<u>81</u>	DOCKET CONTROL ORDER Amended Pleadings due by 12/6/2018. Deft Expert Report due by 3/28/2019. Deft Expert Witness List due by 3/28/2019. Discovery due by 4/18/2019. Dispositive Motion Filing due by 4/30/2019. Joinder of Parties due by 12/6/2018 Joint Pretrial Order due by 5/31/2019. Non-Dispositive Motion Filing due by 5/31/2019. Motion to Certify Class due by 12/31/2018 Pltf Expert Report due by 2/28/2019. Pltf Expert Witness List due by 2/28/2019. Docket Call set for 6/20/2019 at 09:30 AM in Sixth Floor Courtroom before Judge George C Hanks Jr. Jury trial subject to being called on short notice during the months of June/July 2019.(Signed by Judge George C Hanks, Jr) Parties notified.(SusanGram, 3) (Entered: 11/09/2018)

11/28/2018	<u>82</u>	AMENDED ANSWER to <u>43</u> Amended Complaint/Counterclaim/Crossclaim etc. with Jury Demand by City of Santa Fe, Texas, filed. (Giles, Norman) (Entered: 11/28/2018)
03/19/2019	<u>83</u>	NOTICE of dispute regarding extension of discovery deadline by Brady Fuller, filed. (Trigilio, Trisha) (Entered: 03/19/2019)
03/19/2019	<u>84</u>	NOTICE of Setting as to <u>83</u> Notice (Other). Parties notified. Scheduling Conference set for 3/21/2019 at 09:00 AM in Sixth Floor Courtroom before Judge George C Hanks Jr, filed. (SusanGram, 3) (Entered: 03/19/2019)
03/20/2019	<u>85</u>	NOTICE of Resetting **CHANGED TO TELEPHONIC HEARING** as to <u>84</u> Notice of Setting, <u>83</u> Notice (Other). Parties notified. Scheduling Conference set for 3/21/2019 at 09:00 AM in by telephone before Judge George C Hanks Jr, filed. (SusanGram, 3) Modified on 3/20/2019 (SusanGram, 3). (Entered: 03/20/2019)
03/21/2019	<u>86</u>	Minute Entry for proceedings held before Judge George C Hanks, Jr. TELEPHONIC SCHEDULING CONFERENCE held on 3/21/2019. Discovery due by 5/2/2019. Dispositive Motion Filing due by 5/14/2019. At docket call, this case will be set for trial the last week in July 2019. Appearances: Norman Ray Giles, Trisha Trigilio.(Digital # 9:18 – 9:27; 9:33 – 9:34)(ERO:D. Wilkerson), filed.(agould, 3) (Entered: 03/22/2019)
04/12/2019	<u>87</u>	MOTION for Anjali Salvador to Appear Pro Hac Vice by Brady Fuller, filed. Motion Docket Date 5/3/2019. (Trigilio, Trisha) (Additional attachment(s) added on 4/15/2019: # <u>1</u> Verified PHV) (SusanGram, 3). (Entered: 04/12/2019)
04/17/2019	<u>88</u>	ORDER granting <u>87</u> Motion for Anjali Salvador to Appear Pro Hac Vice.(Signed by Judge George C Hanks, Jr) Parties notified.(dwilkerson, 3) (Entered: 04/17/2019)
05/14/2019	<u>89</u>	REQUEST for pre-motion conference, filed.(Giles, Norman) (Entered: 05/14/2019)
05/14/2019	<u>90</u>	NOTICE of Letter Requesting Pre-Motion Conference by Brady Fuller, filed. (Attachments: # <u>1</u> Exhibit A : Getty Deposition, # <u>2</u> Exhibit B: Snider Deposition, # <u>3</u> Exhibit C: Millo Deposition, # <u>4</u> Exhibit D: USDA Guidelines, # <u>5</u> Exhibit E: TDCJ Food Service Manual, # <u>6</u> Exhibit F: Fuller Deposition, # <u>7</u> Exhibit G: Meadows Deposition)(Trigilio, Trisha) (Entered: 05/14/2019)
05/15/2019	<u>91</u>	ORDER. The Court GRANTS the parties requests to file their motions for summary judgment. Motions for Summary Judgment Filing due by 5/25/2019.(Signed by Judge George C Hanks, Jr) Parties notified.(agould, 3) (Entered: 05/15/2019)
05/24/2019	<u>92</u>	Opposed MOTION for Summary Judgment by City of Santa Fe, Texas, filed. Motion Docket Date 6/14/2019. (Attachments: # <u>1</u> Exhibit Exhibit 1 to Fuller Depo, # <u>2</u> Exhibit Exhibit 2 to Fuller Depo, # <u>3</u> Exhibit Exhibit 3 to Fuller Depo, # <u>4</u> Exhibit Exhibit 4 to Fuller Depo, # <u>5</u> Exhibit Exhibit 5 to Fuller Depo, # <u>6</u> Exhibit Exhibit 6 to Fuller Depo, # <u>7</u> Exhibit Exhibit 7 to Fuller Depo, # <u>8</u> Exhibit Exhibit 8 to Fuller Depo, # <u>9</u> Exhibit Exhibit 9 to Fuller Depo, # <u>10</u> Exhibit Plaintiff's Responses to RFA – admissions only, # <u>11</u> Exhibit Plaintiff's Responses to Interrogatories, # <u>12</u> Exhibit Plaintiff's Responses to Requests for Production, # <u>13</u> Exhibit Excerpts from Municipal Clerk's File, # <u>14</u> Exhibit Deposition Excerpts – Fuller 04-12-2019, # <u>15</u> Exhibit Delaration of Getty, # <u>16</u> Exhibit Deposition Excerpts – Getty 04-22-2019, # <u>17</u> Exhibit Deposition Excerpts 05-08-2019, # <u>18</u> Exhibit Deposition Excerpts – Snider with exhibits 04-30-2019, # <u>19</u> Exhibit Deposition Excerpts – Milo with exhibits 05-01-2019, # <u>20</u> Exhibit Deposition Excerpts – Meadows with exhibits 04-23-2019, # <u>21</u> Exhibit Exhibit 1 to Meadows Depo, # <u>22</u> Exhibit Exhibit 3 to Meadows Depo, # <u>23</u> Exhibit Declaration of Campbell, # <u>24</u> Exhibit Certified Copies – Santa Fe Charter and Ordinance, # <u>25</u> Exhibit Fuller's Conviction Records, # <u>26</u> Exhibit Thaler – declaration and initial report, # <u>27</u> Exhibit Thaler – supplemental report, # <u>28</u> Proposed Order)(Giles, Norman) (Entered: 05/24/2019)
05/24/2019	<u>93</u>	Opposed MOTION for Summary Judgment by Brady Fuller, filed. Motion Docket Date 6/14/2019. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit 1. Deposition of Hon. Carlton Getty and Exhibits Cited, # <u>3</u> Exhibit 2. Deposition of Lisa Snider and Exhibits Cited, # <u>4</u> Exhibit 3. Deposition of Paul Millo and Exhibits Cited, # <u>5</u> Exhibit 4. Deposition of Philip Meadows and Exhibits Cited, # <u>6</u> Exhibit 5. City of Santa Fe Response to Plaintiff's First Requests for Admission, # <u>7</u> Exhibit 6. Deposition of Brady Fuller, # <u>8</u> Exhibit 7. Santa Fe, Texas Code of Ordinances Ch. 7 § 4, # <u>9</u> Exhibit 8. Santa Fe, Texas Home Rule Charter § 4.02, # <u>10</u> Exhibit 9. Pop Tart Nutritional

		Information, # <u>11</u> Exhibit 10. Banquet Frozen Meal Nutritional Information, # <u>12</u> Exhibit 11. USDA Dietary Guidelines, # <u>13</u> Exhibit 12. TDCJ Food Services Procedure Manual)(Trigilio, Trisha) (Entered: 05/24/2019)
05/28/2019	<u>94</u>	Unopposed REQUEST for pre-motion conference, filed.(Giles, Norman) (Entered: 05/28/2019)
05/29/2019	<u>95</u>	NOTICE of Setting as to <u>94</u> Unopposed REQUEST for pre-motion conference. Parties notified. Pre-Motion Conference set for 6/4/2019 at 09:45 AM by telephone before Judge George C Hanks Jr, filed. (jegonzalez, 3) (Entered: 05/29/2019)
06/04/2019	<u>96</u>	Minute Entry for proceedings held before Judge George C Hanks, Jr. PRE-MOTION CONFERENCE held on 6/4/2019 re <u>94</u> Unopposed REQUEST for pre-motion conference.Joint Pretrial Order due by 7/25/2019. Docket Call set for 8/1/2019 at 09:30 AM in Sixth Floor Courtroom before Judge George C Hanks Jr, Jury Trial set for 8/26/2019 at 08:30 AM in Sixth Floor Courtroom before Judge George C Hanks Jr). Appearances: Norman Ray Giles, Andre Ivan Segura, Trisha Trigilio.(Digital # 9:46 - 9:49)(ERO:Jessica Villarreal), filed.(dwilkerson, 3) (Entered: 06/05/2019)
06/14/2019	<u>97</u>	RESPONSE in Opposition to <u>93</u> Opposed MOTION for Summary Judgment , filed by City of Santa Fe, Texas. (Giles, Norman) (Entered: 06/14/2019)
06/14/2019	<u>98</u>	OBJECTIONS to <u>93</u> Opposed MOTION for Summary Judgment <i>Exhibits</i> , filed by City of Santa Fe, Texas. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 06/14/2019)
06/14/2019	<u>99</u>	PROPOSED ORDER re: <u>97</u> Response in Opposition to Motion, filed.(Giles, Norman) (Entered: 06/14/2019)
06/14/2019	<u>100</u>	RESPONSE in Opposition to <u>92</u> Opposed MOTION for Summary Judgment , filed by Brady Fuller. (Trigilio, Trisha) (Entered: 06/14/2019)
06/14/2019	<u>101</u>	Opposed MOTION to Strike <u>92</u> Opposed MOTION for Summary Judgment by Brady Fuller, filed. (Attachments: # <u>1</u> Proposed Order)(Trigilio, Trisha) (Entered: 06/14/2019)
06/21/2019	<u>102</u>	REPLY in Support of <u>93</u> Opposed MOTION for Summary Judgment , filed by Brady Fuller. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit 13. Declaration of Christopher Clay)(Trigilio, Trisha) (Entered: 06/21/2019)
06/21/2019	<u>103</u>	RESPONSE to <u>98</u> Objections , filed by Brady Fuller. (Trigilio, Trisha) (Entered: 06/21/2019)
07/02/2019	<u>104</u>	RESPONSE in Opposition to <u>101</u> Opposed MOTION to Strike <u>92</u> Opposed MOTION for Summary Judgment , filed by City of Santa Fe, Texas. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 07/02/2019)
07/25/2019	<u>105</u>	Joint Proposed Pretrial Order by Brady Fuller (Attachments: # <u>1</u> Joint Trial Worksheet, # <u>2</u> Plaintiff's Witness List, # <u>3</u> Defendant's Witness List, # <u>4</u> Defendant's Voir Dire, # <u>5</u> Defendant's Jury Interrogatory)(Trigilio, Trisha) (Entered: 07/25/2019)
07/26/2019	<u>106</u>	Other EXHIBITS re: <u>105</u> Proposed Pretrial Order, by City of Santa Fe, Texas, filed. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 07/26/2019)
07/26/2019	<u>107</u>	Joint Exhibit List by Brady Fuller(Trigilio, Trisha) (Entered: 07/26/2019)
07/26/2019	<u>108</u>	MOTION In Limine by Brady Fuller, filed. Motion Docket Date 8/16/2019. (Trigilio, Trisha) (Entered: 07/26/2019)
07/26/2019	<u>109</u>	Amended Witness List by City of Santa Fe, Texas(Giles, Norman) (Entered: 07/26/2019)
07/26/2019	<u>110</u>	Other EXHIBITS re: <u>105</u> Proposed Pretrial Order, by City of Santa Fe, Texas, filed.(Giles, Norman) (Entered: 07/26/2019)
08/01/2019	<u>111</u>	Minute Entry for proceedings held before Judge George C Hanks, Jr. At the hearing, the following rulings were made as stated on the record:1. Docket Call held. 2. Jury trial scheduled for August 26, 2019 at 8:30 AM. 3. The following pending motions will be carried with trial, a. Defendant City of Santa Fes Opposed Motion for

		Summary Judgment (Dkt <u>92</u>); and b. Plaintiffs Motion for Summary Judgment (Dkt <u>93</u>). 4. The Court will have Magistrate Judge Edison available for mediation if the parties wish to mediate this case before trial. 5. The Court will set a separate hearing on the issues of who the relevant policymakers were and whether the plaintiffs right to counsel was violated. The parties will receive electronic notice of the setting. 6. The Court went over its trial procedures.DOCKET CALL held on 8/1/2019. Appearances: Norman Ray Giles, Trisha Trigilio.(Digital # 10:14am-10:30am)(ERO:Jessica Villarreal), filed.(ltrevino, 3) Modified on 8/1/2019 (ltrevino, 3). (Entered: 08/01/2019)
08/02/2019	<u>112</u>	MOTION For Court-Ordered Mediation Before Magistrate Judge Edison by Brady Fuller, filed. Motion Docket Date 8/23/2019. (Trigilio, Trisha) (Entered: 08/02/2019)
08/05/2019	<u>113</u>	ORDER TO MEDIATE. Dkt <u>112</u> Motion is GRANTED.(Signed by Judge George C Hanks, Jr) Parties notified.(ltrevino, 3) (Entered: 08/05/2019)
08/06/2019	<u>114</u>	ORDER for partial ruling on <u>92</u> City of Santa Fe, Texas Opposed Motion for Summary Judgment and <u>93</u> Plaintiff's Motion for Summary Judgment. This order does not terminate <u>92</u> Defendant's MSJ nor <u>93</u> Plaintiff's MSJ.(Signed by Judge George C Hanks, Jr) Parties notified.(SusanGram, 3) (Entered: 08/06/2019)
08/06/2019	<u>115</u>	NOTICE of Setting. Parties notified. Mediation set for 8/13/2019 at 09:00 AM in Courtroom 8B before Magistrate Judge Andrew M Edison, filed. (wbostic, 4) (Entered: 08/06/2019)
08/06/2019	<u>116</u>	Unopposed MOTION to Modify Order to Mediate as to <u>113</u> Order on Motion for Miscellaneous Relief by City of Santa Fe, Texas, filed. Motion Docket Date 8/27/2019. (Attachments: # <u>1</u> Proposed Order Proposed Order to Motion to Modify Order)(Helfand, William) (Entered: 08/06/2019)
08/08/2019	<u>117</u>	ORDER Denying <u>116</u> Motion to Modify.(Signed by Judge George C Hanks, Jr) Parties notified.(jguajardo, 4) (Entered: 08/09/2019)
08/12/2019	<u>118</u>	RESPONSE in Opposition to <u>108</u> MOTION In Limine , filed by City of Santa Fe, Texas. (Attachments: # <u>1</u> Proposed Order Order Denying Plaintiff's Motion in Limine)(Giles, Norman) (Entered: 08/12/2019)
08/12/2019	<u>119</u>	OBJECTIONS to <u>107</u> Exhibit List , filed by City of Santa Fe, Texas. (Attachments: # <u>1</u> Proposed Order Plaintiff's Trial Exhibits)(Giles, Norman) (Entered: 08/12/2019)
08/13/2019		Minute Entry for proceedings held before Magistrate Judge Andrew M Edison. MEDIATION held on 8/13/2019., filed. (wbostic, 4) (Entered: 08/14/2019)
08/14/2019	<u>120</u>	CONDITIONAL DISMISSAL ORDER <u>92</u> Opposed MOTION for Summary Judgment, <u>108</u> MOTION In Limine, <u>101</u> Opposed MOTION to Strike <u>92</u> Opposed MOTION for Summary Judgment, <u>93</u> Opposed MOTION for Summary Judgment. Case terminated on 8/15/19. All pending motions are hereby DENIED, as moot. (Signed by Judge George C Hanks, Jr) Parties notified.(ltrevino, 3) (Entered: 08/15/2019)