

**United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 6.3.3 (Chicago)
CIVIL DOCKET FOR CASE #: 1:20-cv-02137**

Barnes v. Jeffreys
Assigned to: Honorable Virginia M. Kendall
related Case: [1:16-cv-11471](#)
Cause: 42:1983 Civil Rights Act

Date Filed: 04/05/2020
Jury Demand: None
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

Marcus Barnes

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Plaintiff

Mark Faller

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Plaintiff

Jonathan Sparks

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Plaintiff

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Plaintiff

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Plaintiff

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V.

Defendant

Director of IDOC Rob Jeffreys

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Date Filed	#	Docket Text
04/05/2020	<u>1</u>	COMPLAINT filed by Marcus Barnes; Filing fee \$ 400, receipt number 0752-16912248. (Attachments: # <u>1</u> Civil Cover Sheet)(Nicholas, Adele D.) (Entered: 04/05/2020)
04/05/2020	<u>2</u>	ATTORNEY Appearance for Plaintiff Marcus Barnes by Adele D. Nicholas (Nicholas, Adele D.) (Entered: 04/05/2020)
04/05/2020	<u>3</u>	MOTION by Plaintiff Marcus Barnes for temporary restraining order <i>and preliminary injunction</i> (Attachments: # <u>1</u> Exhibit Declaration of Delshay McDaniel)(Nicholas, Adele D.) (Entered: 04/05/2020)
04/05/2020	<u>4</u>	ATTORNEY Appearance for Plaintiff Marcus Barnes by Mark G. Weinberg (Weinberg, Mark) (Entered: 04/05/2020)
04/06/2020	<u>5</u>	MOTION by Plaintiff Marcus Barnes to certify class (Nicholas, Adele D.) (Entered: 04/06/2020)
04/06/2020		CASE ASSIGNED to the Honorable Manish S. Shah. Designated as Magistrate Judge the Honorable Jeffrey Cummings. Case assignment: Random assignment. (axc,) (Entered: 04/06/2020)
04/06/2020	<u>6</u>	NOTICE TO THE PARTIES - The Court is participating in the Mandatory Initial Discovery Pilot (MIDP). The key features and deadlines are set forth in this Notice which includes a link to the (MIDP) Standing Order and a Checklist for use by the parties. In cases subject to the pilot, all parties must respond to the mandatory initial discovery requests set forth in the Standing Order before initiating any further discovery in this case. Please note: The discovery obligations in the Standing Order supersede the disclosures required by Rule 26(a)(1). Any party seeking affirmative relief must serve a copy of the following documents (Notice of Mandatory Initial Discovery and the Standing Order) on each new party when the Complaint, Counterclaim,

		Crossclaim, or Third-Party Complaint is served. (nsf,) (Entered: 04/06/2020)
04/07/2020	<u>7</u>	MINUTE entry before the Honorable Virginia M. Kendall. Plaintiffs' Motion to reassign case 20 C 2137 to Judge Kendall based on relatedness (Dkt. 165 in 16 C 11471) is granted. Case 20 C 2137 shall be reassigned to Judge Kendall based on relatedness, as both that case and the instant case, 16 C 11471, rely on the same or similar facts and law. Telephonic Status/Motion hearing set 4/8/2020 at 10:45 AM (courtroom 2503). Call in information as follows: Toll-Free Call-in Number: (877) 848-7030; Conference Access Code: 2413900.Mailed notice (lk,) (Entered: 04/07/2020)
04/07/2020	<u>8</u>	ATTORNEY Appearance for Defendant Rob Jeffreys by Sarah Hughes Newman (Newman, Sarah) (Entered: 04/07/2020)
04/07/2020	<u>9</u>	ATTORNEY Appearance for Defendant Rob Jeffreys by Sunil Shashikant Bhawe (Bhave, Sunil) (Entered: 04/07/2020)
04/08/2020	<u>10</u>	ATTORNEY Appearance for Defendant Rob Jeffreys by Michael T. Dierkes (Dierkes, Michael) (Entered: 04/08/2020)
04/08/2020	<u>11</u>	MINUTE entry before the Honorable Virginia M. Kendall. Motion hearing held on 4/8/2020 regarding Plaintiff's Emergency Motion for Temporary Restraining Order and Preliminary Injunction <u>3</u> (Dkt. 154 in 20 C 1792). Plaintiff has completed his sentence and remains detained because of the "One Person Per Address" provision in 730 ILCS 5/3-3-7(a)(7.6). This Court has already held that detaining sex offenders long after their period of incarceration has been completed is unconstitutional. See <i>Murphy v. Raoul</i> , 380 F. Supp. 3rd 781 (N.D. Ill. 2019). Here, Plaintiff has found a place to live that will be supportive of his transfer back into the community. The building is operated by Jordan's Dreams, a nonprofit organization aiding individuals in assimilating back into the community. Another sex offender resides in the building already and therefore Defendants will not permit him to reside there. Plaintiff is clearly suffering a constitutional harm each day he is detained past his release date (which is now nearly a year and a half) and that harm can only be remedied by release. In response to the question about what penological or rehabilitative support the Defendants have for the "one Person One Address" provision, Defendants were unable to give any. The public's interest in only have one sex offender live at one residence is not supported by any testimony, expert opinion, or evidence. Therefore, the Court finds that the statute is unconstitutional as it applies to Plaintiff and Defendants are enjoined from prohibiting his release to the address presented by Plaintiff. To the extent that the COVID-19 situation in the facility plays a factor, it is only minor at this stage

		because of the speculative nature of the claim that he could be harmed. Yet certainly, being held in a facility where he may be exposed to the virus is not taken lightly, his real harm at this stage is his continued incarceration beyond his release date when he has a suitable location to live.Mailed notice (lk,) (Entered: 04/08/2020)
04/08/2020	<u>12</u>	EXECUTIVE COMMITTEE ORDER: Case reassigned to the Honorable Virginia M. Kendall for all further proceedings. Honorable Manish S. Shah no longer assigned to the case. Signed by Executive Committee on 4/7/2020.(nsf,) (Entered: 04/08/2020)
04/13/2020	<u>13</u>	WAIVER OF SERVICE returned executed by Marcus Barnes. Rob Jeffreys waiver sent on 4/6/2020, answer due 6/5/2020. (Nicholas, Adele D.) (Entered: 04/13/2020)
04/14/2020	<u>14</u>	MINUTE entry before the Honorable Virginia M. Kendall. Initial status hearing set for 7/16/2020 at 9:00 a.m. Joint Status Report due by 7/13/2020. The parties are directed to Judge Kendall's web page found at www.ilnd.uscourts.gov for information about the Initial Status Report and for information regarding all standing orders for cases on Judge Kendall's docket. The parties shall follow all of the standing orders for Judge Kendall and all Local Rules which can be found at the same web page. For the Initial Status Report, the parties are to report on the following: (1) Possibility of settlement in the case; (2) if no possibility of settlement exists, the nature and length of discovery necessary (with specific dates) to get the case ready for trial; 3) whether the parties jointly consent to proceed before the Magistrate Judge. At the Initial Status Hearing, the Parties shall be prepared to inform the Court about the extent of monetary damages in order for the Court to address the proportionality of discovery as required by Fed. R. Civ. P. 26. Lead counsel is directed to appear at this status hearing. Mailed notice (lk,) (Entered: 04/14/2020)
04/24/2020	<u>15</u>	ORDER Third Amended General Order 20-0012 IN RE: CORONAVIRUS COVID-19 PUBLIC EMERGENCY Signed by the Chief Judge Rebecca R. Pallmeyer on April 24, 2020. All open cases are impacted by this Third Amended General Order. Parties are must carefully review all obligations under this Order, including the requirement listed in paragraph number 5 to file a joint written status report in most civil cases. See attached Order. Signed by the Honorable Rebecca R. Pallmeyer on 4/24/2020: Mailed notice. (docket9,) (Entered: 04/27/2020)
04/28/2020	<u>16</u>	<i>First</i> AMENDED complaint by Mark Faller, Jonathan Sparks, Paul Hubbard, David Easton, Kenneth Green, Wade Council, John Margarella, Fredrick Chamblis, Kenneth Schroeder, Joshua Atkins,

		Columbo Galindo, Christopher Shelton, Dana Monson, Andra Sampson, Corey Crowe, Joshua Huddleston against All Defendants (Nicholas, Adele D.) (Entered: 04/28/2020)
04/30/2020	<u>17</u>	MOTION by Plaintiffs Joshua Atkins, Fredrick Chamblis, Wade Council, Corey Crowe, David Easton, Mark Faller, Columbo Galindo, Kenneth Green, Paul Hubbard, Joshua Huddleston, John Margarella, Dana Monson, Andra Sampson, Kenneth Schroeder, Christopher Shelton, Jonathan Sparks for preliminary injunction (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit)(Nicholas, Adele D.) (Entered: 04/30/2020)
05/01/2020	<u>18</u>	MOTION by Plaintiffs Joshua Atkins, Fredrick Chamblis, Wade Council, Corey Crowe, David Easton, Mark Faller, Columbo Galindo, Kenneth Green, Paul Hubbard, Joshua Huddleston, John Margarella, Dana Monson, Andra Sampson, Kenneth Schroeder, Christopher Shelton, Jonathan Sparks for hearing re MOTION by Plaintiffs Joshua Atkins, Fredrick Chamblis, Wade Council, Corey Crowe, David Easton, Mark Faller, Columbo Galindo, Kenneth Green, Paul Hubbard, Joshua Huddleston, John Margarella, Dana Monson, Andra Sampson, Kenneth Schroeder, Christopher Sh <u>17</u> (<i>Motion for Urgent Telephonic Hearing</i>) (Nicholas, Adele D.) (Entered: 05/01/2020)
05/04/2020	<u>19</u>	MINUTE entry before the Honorable Virginia M. Kendall. Plaintiffs' Motion for telephonic hearing <u>18</u> regarding Motion for Preliminary Injunction <u>17</u> is granted. Telephonic Motion hearing set for 5/6/2020 at 11:30 a.m. The courtroom deputy will contact parties with call in information. Please use the Court's toll free call in number 877 848 7030, conference access code is 2413900. Mailed notice (lk,) (Entered: 05/04/2020)
05/05/2020	<u>20</u>	MEMORANDUM by Joshua Atkins, Fredrick Chamblis, Wade Council, Corey Crowe, David Easton, Mark Faller, Columbo Galindo, Kenneth Green, Paul Hubbard, Joshua Huddleston, John Margarella, Dana Monson, Andra Sampson, Kenneth Schroeder, Christopher Shelton, Jonathan Sparks in support of motion for preliminary injunction, <u>17</u> (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Nicholas, Adele D.) (Entered: 05/05/2020)
05/06/2020	<u>21</u>	MINUTE entry before the Honorable Virginia M. Kendall. Telephonic Hearing held on 5/6/2020 regarding Plaintiffs' Motion for a Preliminary Injunction <u>17</u> . Per the discussion held telephonically and on the record, the parties are directed to file a proposed agreed preliminary injunction order as to the plaintiffs specified in the hearing by 5/13/2020. The Court strikes Plaintiffs' motion to certify class <u>5</u> . Plaintiffs shall file a revised

		motion for class certification on or before 5/13/2020. Response due 5/27/2020. Reply due 6/3/2020. Plaintiffs shall file their dispositive motion on or before 6/19/2020. Response due 7/17/2020. Reply due 7/31/2020. Mailed notice (lk,) (Entered: 05/06/2020)
05/13/2020	<u>22</u>	ORDER signed by the Honorable Virginia M. Kendall on 5/13/2020. Mailed notice(lk,) (Entered: 05/13/2020)
05/13/2020	<u>23</u>	MOTION by Plaintiffs Joshua Atkins, Marcus Barnes, Fredrick Chamblis, Wade Council, Corey Crowe, David Easton, Mark Faller, Columbo Galindo, Kenneth Green, Paul Hubbard, Joshua Huddleston, John Margarella, Dana Monson, Andra Sampson, Kenneth Schroeder, Christopher Shelton, Jonathan Sparks to certify class (<i>Amended Motion</i>) (Nicholas, Adele D.) (Entered: 05/13/2020)
05/26/2020	<u>24</u>	MOTION by Plaintiffs Joshua Atkins, Marcus Barnes, Fredrick Chamblis, Wade Council, Corey Crowe, David Easton, Mark Faller, Columbo Galindo, Kenneth Green, Paul Hubbard, Joshua Huddleston, John Margarella, Dana Monson, Andra Sampson, Kenneth Schroeder, Christopher Shelton, Jonathan Sparks for leave to file <i>a Second Amended Complaint and an Amended Motion for Class Certification Instanter (unopposed motion)</i> (Attachments: # <u>1</u> Exhibit (Proposed Second Amended Complaint), # <u>2</u> Exhibit (Proposed Amended Motion for Class Certification))(Nicholas, Adele D.) (Entered: 05/26/2020)
05/26/2020	<u>25</u>	MOTION by Plaintiffs Joshua Atkins, Marcus Barnes, Fredrick Chamblis, Wade Council, Corey Crowe, David Easton, Mark Faller, Columbo Galindo, Kenneth Green, Paul Hubbard, Joshua Huddleston, John Margarella, Dana Monson, Andra Sampson, Kenneth Schroeder, Christopher Shelton, Jonathan Sparks for preliminary injunction (<i>Emergency Motion</i>) (Attachments: # <u>1</u> Exhibit Declaration of Luis Aponte, # <u>2</u> Exhibit Declaration of Kevin Manson, # <u>3</u> Exhibit Declaration of Otis Williams)(Nicholas, Adele D.) (Entered: 05/26/2020)
05/26/2020	<u>26</u>	ORDER ORDER Fourth Amended General Order 20-0012 IN RE: CORONAVIRUS COVID-19 PUBLIC EMERGENCY Signed by the Chief Judge Rebecca R. Pallmeyer on May 26, 2020. This Order does not extend or modify any deadlines set in civil cases. For non-emergency motions, no motion may be noticed for presentment on a date earlier than July 15, 2020. See attached Order. Signed by the Honorable Rebecca R. Pallmeyer on 5/26/2020: Mailed notice. (docket10,) (Entered: 05/26/2020)
05/27/2020	<u>27</u>	MINUTE entry before the Honorable Virginia M. Kendall. Telephonic Motion hearing set for 6/1/2020 at 9:15 AM regarding Motion for Preliminary Injunction. Call in information as as follows: Toll-Free Call-

		in Number: (877) 848-7030; Conference Access Code: 2413900. Mailed notice (lk,) (Entered: 05/27/2020)
06/01/2020	<u>28</u>	MINUTE entry before the Honorable Virginia M. Kendall. Teleconference Motion hearing held on 6/1/2020. Oral argument heard regarding Plaintiffs' Motion for Preliminary Injunction <u>25</u> . For the reasons as stated in open Court, Plaintiffs' Motion for Preliminary Injunction <u>25</u> is granted and parties shall submit an agreed Proposed Order to the Court by end of day on 6/1/2020. Plaintiffs' Motion for leave for leave to file a Second Amended Complaint and an Amended Motion for Class Certification Instanter <u>24</u> is granted. By agreement of parties, briefing schedule as to Motion for Class Certification is as follows: Defendants response to Plaintiffs' amended Motion Certify Class is due by 6/9/2020; Plaintiffs Reply in support of their Motion to Certify due by 6/16/2020. Plaintiffs' Motion for Summary Judgment shall be filed by 7/1/2020; Defendants response to Plaintiffs Motion for Summary Judgment due by 7/29/2020; Plaintiffs reply in support of Motion for Summary Judgment due by 8/12/2020. Mailed notice. (lk,) (Entered: 06/01/2020)
06/03/2020	<u>29</u>	ORDER signed by the Honorable Virginia M. Kendall on 6/3/2020. Mailed notice(lk,) (Entered: 06/03/2020)
06/09/2020	<u>30</u>	RESPONSE by Defendant Rob Jeffreys <i>to Plaintiffs' Amended Motion for Class Certification (Dkt. 24-2)</i> (Newman, Sarah) (Entered: 06/09/2020)
07/01/2020	<u>31</u>	ORDER signed by the Honorable Virginia M. Kendall on 7/1/2020. The Court grants Plaintiffs' Amended Motion for Class Certification and for Appointment of Class Counsel <u>24</u> . See Order for further details. Mailed notice(lk,) (Entered: 07/01/2020)
07/01/2020	<u>32</u>	MOTION by Plaintiffs Joshua Atkins, Paul Hubbard, Fredrick Chamblis, Christopher Shelton, Joshua Huddleston, Marcus Barnes, Corey Crowe, Kenneth Schroeder, David Easton, Kenneth Green, Andra Sampson, John Margarella, Columbo Galindo, Wade Council, Mark Faller, Dana Monson, Jonathan Sparks for summary judgment (Nicholas, Adele D.) (Entered: 07/02/2020)
07/02/2020	<u>33</u>	RULE 56 (a) Statement by Joshua Atkins, Marcus Barnes, Fredrick Chamblis, Wade Council, Corey Crowe, David Easton, Mark Faller, Columbo Galindo, Kenneth Green, Paul Hubbard, Joshua Huddleston, John Margarella, Dana Monson, Andra Sampson, Kenneth Schroeder, Christopher Shelton, Jonathan Sparks regarding motion for summary judgment, <u>32</u> (Nicholas, Adele D.) (Entered: 07/02/2020)

07/02/2020	34	APPENDIX motion for summary judgment, 32 , Rule 56 statement, 33 (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit)(Nicholas, Adele D.) (Entered: 07/02/2020)
07/02/2020	35	MOTION by Plaintiffs Joshua Atkins, Marcus Barnes, Fredrick Chamblis, Wade Council, Corey Crowe, David Easton, Mark Faller, Columbo Galindo, Kenneth Green, Paul Hubbard, Joshua Huddleston, John Margarella, Dana Monson, Andra Sampson, Kenneth Schroeder, Christopher Shelton, Jonathan Sparks for leave to file <i>an oversized brief in support of their motion for summary judgment and their L.R. 56.1 statement (unopposed)</i> (Nicholas, Adele D.) (Entered: 07/02/2020)
07/02/2020	36	MOTION by Defendant Rob Jeffreys to stay <i>answer to Second Amended Complaint (Unopposed)</i> (Newman, Sarah) (Entered: 07/02/2020)
07/06/2020	37	MINUTE entry before the Honorable Virginia M. Kendall. Plaintiff's Motion to file Motion for leave to file an oversized brief in support of their motion for summary judgment and their L.R. 56.1 statement instantter 35 is granted. Defendant's Unopposed Motion to stay answer pending resolution of Motion for Summary Judgment 36 is granted. Mailed notice (lk,) (Entered: 07/06/2020)
07/10/2020	38	ORDER Fifth Amended General Order 20-0012 IN RE: CORONAVIRUS COVID-19 PUBLIC EMERGENCY Signed by the Chief Judge Rebecca R. Pallmeyer on July 10, 2020. This Order does not extend or modify any deadlines set in civil cases. No motions may be noticed for in-person presentment; the presiding judge will notify parties of the need, if any, for a hearing by electronic means or in-court proceeding. See attached Order. Signed by the Honorable Rebecca R. Pallmeyer on 7/10/2020: Mailed notice. (Clerk9, Docket) (Entered: 07/10/2020)
07/14/2020	39	MINUTE entry before the Honorable Virginia M. Kendall. Status hearing set for 7/16/2020 is stricken. Mailed notice (lk,) (Entered: 07/14/2020)
07/29/2020	40	MOTION by Defendant Rob Jeffreys for extension of time to file response/reply as to motion for summary judgment, 32 (<i>Unopposed</i>) (Newman, Sarah) (Entered: 07/29/2020)
07/30/2020	41	MINUTE entry before the Honorable Virginia M. Kendall. Defendants' Unopposed Motion for extension of time to file response/reply 40 regarding Motion for summary judgment 32 .

		Response due by 8/12/2020. Reply due by 8/26/2020. Mailed notice (lk,) (Entered: 07/30/2020)
08/05/2020	42	MOTION by Plaintiff Marcus Barnes for preliminary injunction (Attachments: # 1 Exhibit, # 2 Exhibit)(Nicholas, Adele D.) (Entered: 08/05/2020)
08/05/2020	43	MINUTE entry before the Honorable Virginia M. Kendall. Teleconference Motion hearing set for 8/7/2020 at 1:00 PM. Prior to the conference call, Please click on this hyper link: https://teleconference.uc.att.com/ecm/?bp=4044432170&mac=2413900 to take you to Judge Kendall's telephone conference login. From there, join conference As Guest, ENTER YOUR NAME, Type the digits in the picture, Click on the Call Me option and fill in your phone number (no hypens) and NAME. If you do not have access to a computer Dial: (877)848-7030, the access code is: 2413900#. Given the increased volume of users that is anticipated, we ask that you keep your phone on mute until your case is called. Please also remember to SAY YOUR NAME EACH AND EVERY TIME BEFORE YOU SPEAK. The Court prefers that you use the procedure that requires that the system calls your phone and you enter your name so that the Court and the Court reporter can see who is speaking during the hearing. Mailed notice (lk,) (Entered: 08/05/2020)
08/05/2020	44	MINUTE entry before the Honorable Virginia M. Kendall. By request and agreement of Parties, Teleconference Motion hearing set for 8/7/2020 is reset 8/12/2020 at 1:00 PM. Please refer Minute Entry 43 for Teleconference instructions. Mailed notice (lk,) (Entered: 08/05/2020)
08/11/2020	45	MINUTE entry before the Honorable Virginia M. Kendall. On the Court's own Motion, Motion hearing set for 8/12/2020 at 1:00 PM is reset to begin at 2:30 PM (time change only). Prior to the conference call, Please click on this hyper link: https://teleconference.uc.att.com/ecm/?bp=4044432170&mac=2413900 to take you to Judge Kendall's telephone conference login. From there, join conference As Guest, ENTER YOUR NAME, Type the digits in the picture, Click on the Call Me option and fill in your phone number (no hypens) and NAME. If you do not have access to a computer Dial: (877)848-7030, the access code is: 2413900#. Given the increased volume of users that is anticipated, we ask that you keep your phone on mute until your case is called. Please also remember to SAY YOUR NAME EACH AND EVERY TIME BEFORE YOU SPEAK. The Court prefers that you use the procedure that requires that the system calls your phone and you enter your name so that the Court and the Court reporter can see who is speaking during the hearing. Mailed notice (lk,) (Entered: 08/11/2020)

08/11/2020	46	MINUTE entry before the Honorable Virginia M. Kendall. By request of Counsel, Motion hearing set for 8/12/2020 at 2:30 PM, is reset for 3:00 PM (time change only). Mailed notice (lk,) (Entered: 08/11/2020)
08/12/2020	47	MOTION by Plaintiff Marcus Barnes for preliminary injunction <i>Amended Motion</i> (Nicholas, Adele D.) (Entered: 08/12/2020)
08/12/2020	48	RESPONSE by Rob Jeffreys to MOTION by Plaintiffs Joshua Atkins, Paul Hubbard, Fredrick Chamblis, Christopher Shelton, Joshua Huddleston, Marcus Barnes, Corey Crowe, Kenneth Schroeder, David Easton, Kenneth Green, Andra Sampson, John Margarella, Columbo Galindo, Wade Council, Mark 32 (Newman, Sarah) (Entered: 08/12/2020)
08/12/2020	49	RESPONSE by Defendant Rob Jeffreys to Rule 56 statement, 33 (Newman, Sarah) (Entered: 08/12/2020)
08/12/2020	50	RULE 56 L.R. 56.1(b) Statement by Rob Jeffreys regarding motion for summary judgment, 32 (Attachments: # 1 Exhibit 1, Excerpts from the Deposition of Dion Dixon in Murphy v. Raoul, # 2 Exhibit 2, Defendants' Compliance Plan in Murphy v. Raoul, # 3 Exhibit 3, Declaration of Dion Dixon)(Newman, Sarah) (Entered: 08/12/2020)
08/12/2020	51	MINUTE entry before the Honorable Virginia M. Kendall. Teleconference Motion hearing held on 8/12/2020. Oral argument heard regarding Plaintiff's Amended Motion for Preliminary Injunction 47 . Plaintiff's Amended Motion for Preliminary Injunction 47 is granted. Order to follow. Mailed notice (lk,) (Entered: 08/14/2020)
08/13/2020	52	ORDER on Plaintiff's Fourth Motion for a Preliminary Injunction signed by the Honorable Virginia M. Kendall on 8/13/2020. Mailed notice(lk,) (Entered: 08/14/2020)
08/26/2020	53	REPLY by Joshua Atkins, Marcus Barnes, Fredrick Chamblis, Wade Council, Corey Crowe, David Easton, Mark Faller, Columbo Galindo, Kenneth Green, Paul Hubbard, Joshua Huddleston, John Margarella, Dana Monson, Andra Sampson, Kenneth Schroeder, Christopher Shelton, Jonathan Sparks to Response 49 <i>reply in support of plaintiffs' motion for summary judgment</i> (Nicholas, Adele D.) (Entered: 08/26/2020)
08/26/2020	54	RULE 56 (a)(3) Statement by Joshua Atkins, Marcus Barnes, Fredrick Chamblis, Wade Council, Corey Crowe, David Easton, Mark Faller, Columbo Galindo, Kenneth Green, Paul Hubbard, Joshua Huddleston, John Margarella, Dana Monson, Andra Sampson, Kenneth Schroeder, Christopher Shelton, Jonathan Sparks regarding motion for summary judgment, 32 <i>response to Defendant's Statement of Additional Material</i>

		<i>Facts</i> (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit)(Nicholas, Adele D.) (Entered: 08/26/2020)
08/26/2020	55	MOTION by Plaintiffs Joshua Atkins, Marcus Barnes, Fredrick Chamblis, Wade Council, Corey Crowe, David Easton, Mark Faller, Columbo Galindo, Kenneth Green, Paul Hubbard, Joshua Huddleston, John Margarella, Dana Monson, Andra Sampson, Kenneth Schroeder, Christopher Shelton, Jonathan Sparks for leave to file (Nicholas, Adele D.) (Entered: 08/26/2020)
08/27/2020	56	MINUTE entry before the Honorable Virginia M. Kendall. Plaintiffs' Unopposed Motion for leave to file excess pages in support of Reply Brief Instanter 55 is granted. Mailed notice (lk,) (Entered: 08/27/2020)
09/09/2020	57	MOTION by Plaintiff Marcus Barnes for preliminary injunction (Nicholas, Adele D.) (Entered: 09/09/2020)
09/09/2020	58	MINUTE entry before the Honorable Virginia M. Kendall. By agreement of Parties, Motion hearing set for 9/10/2020 at 2:00 PM which will proceed via Teleconference. Set deadlines/hearing as to motion for preliminary injunction 57 : Motion Hearing set for 9/10/2020 at 02:00 PM. Prior to the conference call, Please click on this hyper link: https://teleconference.uc.att.com/ecm/?bp=4044432170&mac=2413900 to take you to Judge Kendall's telephone conference login. From there, join conference As Guest, ENTER YOUR NAME, Type the digits in the picture, Click on the Call Me option and fill in your phone number (no hypens) and NAME. If you do not have access to a computer Dial: (877)848-7030, the access code is: 2413900#. Given the increased volume of users that is anticipated, we ask that you keep your phone on mute until your case is called. Please also remember to SAY YOUR NAME EACH AND EVERY TIME BEFORE YOU SPEAK.The Court prefers that you use the procedure that requires that the system calls your phone and you enter your name so that the Court and the Court reporter can see who is speaking during the hearing.Mailed notice (lk,) (Entered: 09/09/2020)
09/10/2020	59	MINUTE entry before the Honorable Virginia M. Kendall. Teleconference Motion hearing held on 9/10/2020. Oral argument heard regarding Plaintiff's Fifth Motion for Preliminary Injunction 57 . Plaintiff's Fifth Motion for Preliminary Injunction 57 is granted. Order to follow. Mailed notice (lk,) (Entered: 09/11/2020)
09/11/2020	60	ORDER on Plaintiff's Fifth Motion for Preliminary Injunction signed by the Honorable Virginia M. Kendall on 9/11/2020. Mailed notice(lk,) (Entered: 09/11/2020)

09/30/2020	<u>61</u>	MOTION by Plaintiff Marcus Barnes for preliminary injunction (<i>Sixth Motion for a Preliminary Injunction</i>) (Nicholas, Adele D.) (Entered: 09/30/2020)
10/01/2020	<u>62</u>	MINUTE entry before the Honorable Virginia M. Kendall. Teleconference Motion hearing set for 10/2/2020 at 2:00 PM. Prior to the conference call, Please click on this hyper link: https://teleconference.uc.att.com/ecm/?bp=4044432170&mac=2413900 to take you to Judge Kendall's telephone conference login. From there, join conference As Guest, ENTER YOUR NAME, Type the digits in the picture, Click on the Call Me option and fill in your phone number (no hypens) and NAME. If you do not have access to a computer Dial: (877)848-7030, the access code is: 2413900#. Given the increased volume of users that is anticipated, we ask that you keep your phone on mute until your case is called. Please also remember to SAY YOUR NAME EACH AND EVERY TIME BEFORE YOU SPEAK. If Parties have issues being heard or hearing, please log off and either call in or log back in. Mailed notice (lk,) (Entered: 10/01/2020)
10/02/2020	<u>63</u>	MINUTE entry before the Honorable Virginia M. Kendall. Teleconference Motion hearing held on 10/2/2020. Oral argument heard regarding Plaintiff's Sixth Motion for Preliminary Injunction <u>61</u> . Plaintiff's Sixth Motion for Preliminary Injunction <u>61</u> is granted. Parties are to provide the Court with a Proposed Order for review. Mailed notice (lk,) (Entered: 10/05/2020)
10/06/2020	<u>64</u>	ORDER on Plaintiff's Sixth Motion for Preliminary Injunction signed by the Honorable Virginia M. Kendall on 10/6/2020. Mailed notice(lk,) (Entered: 10/06/2020)
11/03/2020	<u>65</u>	MOTION by Plaintiff Marcus Barnes for preliminary injunction (Nicholas, Adele D.) (Entered: 11/03/2020)
11/04/2020	<u>66</u>	MINUTE entry before the Honorable Virginia M. Kendall. By agreement of Parties, Teleconference Motion hearing set for 11/10/2020 at 12:30 PM. Prior to the conference call, Please click on this hyper link: https://teleconference.uc.att.com/ecm/?bp=4044432170&mac=2413900 to take you to Judge Kendall's telephone conference login. From there, join conference As Guest, ENTER YOUR NAME, Type the digits in the picture, Click on the Call Me option and fill in your phone number (no hypens) and NAME. If you do not have access to a computer Dial: (877)848-7030, the access code is: 2413900#. Given the increased volume of users that is anticipated, we ask that you keep your phone on mute until your case is called. Please also remember to SAY YOUR NAME EACH AND EVERY TIME BEFORE YOU SPEAK. The Court is also asking that speaker phone not be used. Please consider the sound

		quality when utilizing certain devices. If Parties have issues being heard or hearing, please log off and either call in or log back in. Mailed notice (lk,) (Entered: 11/04/2020)
11/10/2020	67	MOTION by Plaintiff Marcus Barnes to supplement <i>to Seventh Motion for a Preliminary Injunction</i> (Nicholas, Adele D.) (Entered: 11/10/2020)
11/10/2020	68	MINUTE entry before the Honorable Virginia M. Kendall. Teleconference Motion hearing held on 11/10/2020. Oral argument heard regarding Plaintiff's Seventh Motions for Preliminary Injunction 65 and 67 . Plaintiff's Sevventh Motion for Preliminary Injunction 65 and 67 are granted. Parties are to provide the Court with a Proposed Order for review. Mailed notice (lk,) (Entered: 11/12/2020)
11/12/2020	69	ORDER on Plaintiffs' Seventh Motion for a Preliminary Injunction signed by the Honorable Virginia M. Kendall on 11/12/2020. Mailed notice(lk,) (Entered: 11/12/2020)
12/09/2020	70	MOTION by Plaintiff Marcus Barnes for preliminary injunction <i>Eighth Motion for Preliminary Injunctive Relief</i> (Nicholas, Adele D.) (Entered: 12/09/2020)
12/10/2020	71	MINUTE entry before the Honorable Virginia M. Kendall. Teleconference Motion hearing set for 12/14/2020 at 10:15 AM. Prior to the conference call, Please click on this hyper link: https://teleconference.uc.att.com/ecm/?bp=4044432170&mac=2413900 to take you to Judge Kendall's telephone conference login. From there, join conference As Guest, ENTER YOUR NAME, Type the digits in the picture, Click on the Call Me option and fill in your phone number (no hypens) and NAME. If you do not have access to a computer Dial: (877)848-7030, the access code is: 2413900#. Given the increased volume of users that is anticipated, we ask that you keep your phone on mute until your case is called. Please also remember to SAY YOUR NAME EACH AND EVERY TIME BEFORE YOU SPEAK. The Court is also asking that speaker phone not be used. Please consider the sound quality when utilizing certain devices. If Parties have issues being heard or hearing, please log off and either call in or log back in. Mailed notice (lk,) (Entered: 12/10/2020)
12/14/2020	72	MOTION by Plaintiff Marcus Barnes to supplement <i>their eighth preliminary injunction motion (unopposed)</i> (Nicholas, Adele D.) (Entered: 12/14/2020)
12/14/2020	73	MINUTE entry before the Honorable Virginia M. Kendall. Teleconference Motion hearing held on 12/14/2020. Oral argument heard regarding Plaintiff's Eighth Motions for Preliminary Injunction 70 and 72 . Plaintiff's Eighth Motions for Preliminary

		Injunction 70 and 72 are granted. Parties are to provide the Court with a Proposed Order for review. Mailed notice (lk,) (Entered: 12/15/2020)
12/16/2020	74	ORDER on Plaintiffs' Eighth Motion for a Preliminary Injunction signed by the Honorable Virginia M. Kendall on 12/16/2020. Mailed notice(lk,) (Entered: 12/16/2020)
01/12/2021	75	MOTION by Plaintiff Marcus Barnes for preliminary injunction (Nicholas, Adele D.) (Entered: 01/12/2021)
01/14/2021	76	MINUTE entry before the Honorable Virginia M. Kendall. Teleconference Motion Hearing set for 1/21/2021 at 10:30 AM. Prior to the conference call, Please click on this hyper link: https://teleconference.uc.att.com/ecm/?bp=4044432170&mac=2413900 to take you to Judge Kendall's telephone conference login. From there, join conference As Guest, ENTER YOUR NAME, Type the digits in the picture, Click on the Call Me option and fill in your phone number (no hypens) and NAME. If you do not have access to a computer Dial: (877)848-7030, the access code is: 2413900#. Given the increased volume of users that is anticipated, we ask that you keep your phone on mute until your case is called. Please also remember to SAY YOUR NAME EACH AND EVERY TIME BEFORE YOU SPEAK. The Court is also asking that speaker phone not be used. Please consider the sound quality when utilizing certain devices. If Parties have issues being heard or hearing, please log off and either call in or log back in. Mailed notice (lk,) (Entered: 01/14/2021)
01/21/2021	77	MINUTE entry before the Honorable Virginia M. Kendall. Teleconference Motion hearing held on 1/21/2010. Oral argument heard regarding Plaintiff's Ninth Motion for Preliminary Injunction 75 . Plaintiff's Ninth Motion for Preliminary Injunction 75 is granted. Parties are to provide the Court with a Proposed Order for review. Mailed notice (lk,) (Entered: 01/21/2021)
01/21/2021	78	ORDER on Plaintiffs' Ninth Motion for Preliminary Injunction 75 signed by the Honorable Virginia M. Kendall on 1/21/2021. Mailed notice(lk,) (Entered: 01/21/2021)
02/19/2021	79	MOTION by Plaintiff Marcus Barnes for preliminary injunction (Nicholas, Adele D.) (Entered: 02/19/2021)
02/21/2021	80	MINUTE entry before the Honorable Virginia M. Kendall. By agreement of Parties, Teleconference Motion hearing set for 2/23/2021 at 10:30 AM regarding Motion for Preliminary Injunction 79 . Prior to the conference call, you are directed to click on this hyper link: https://teleconference.uc.att.com/ecm/?bp=4044432170&mac=2413900 . Once you are on Judge Kendall's teleconference page, you are directed to

		join the conference as A GUEST. It is imperative that you ENTER YOUR NAME and click on the CALL ME option. Fill in your phone number (no hypens) and NAME. You are directed to use the CALL ME option because your name will appear for the Judge and the Court Reporter and they will better be able to discern who is speaking. If you do not have access to a computer Dial: (877)848-7030, the access code is: 2413900#. Given the increased volume of users that is anticipated, you are directed to mute your phone until your case is called. In spite of using the CALL ME option please also remember to SAY YOUR NAME EACH TIME YOU SPEAK so that the record of the proceedings is accurate. You are directed not to use the speaker phone function and to test the sound quality of your listening and speaking device in advance. If you experience an issue being heard or hearing, please log off and either call in or log back in. The Court prefers that you use the procedure that requires that the system calls your phone and you enter your name so that the Court and the Court reporter can see who is speaking during the hearing. Mailed notice (lk,) (Entered: 02/21/2021)
02/23/2021	<u>81</u>	MINUTE entry before the Honorable Virginia M. Kendall. Teleconference Motion hearing held on 2/23/2021. Oral argument heard regarding Plaintiff's Tenth Motion for Preliminary Injunction <u>79</u> . Plaintiff's Tenth Motion for Preliminary Injunction <u>79</u> is granted. Parties are to provide the Court with a Proposed Order for review. Mailed notice (lk,) (Entered: 02/24/2021)
02/24/2021	<u>82</u>	ORDER On Plaintiff's Tenth Motion for Preliminary Injunction Motion signed by the Honorable Virginia M. Kendall on 2/24/2021. Mailed notice(lk,) (Entered: 02/24/2021)
02/25/2021	<u>83</u>	MOTION by Plaintiff Marcus Barnes to amend/correct order <u>82</u> <i>Unopposed Motion for an Amended Order</i> (Attachments: # <u>1</u> Text of Proposed Order Proposed Amended Order)(Nicholas, Adele D.) (Entered: 02/25/2021)
02/26/2021	<u>84</u>	AMENDED Order on Plaintiffs' Tenth Motion for a Preliminary Injunction signed by the Honorable Virginia M. Kendall on 2/26/2021. Mailed notice(lk,) (Entered: 02/26/2021)
03/01/2021	<u>85</u>	MOTION by Plaintiff Marcus Barnes for preliminary injunction <i>unopposed motion for emergency injunctive relief</i> (Attachments: # <u>1</u> Text of Proposed Order)(Nicholas, Adele D.) (Entered: 03/01/2021)
03/02/2021	<u>86</u>	ORDER on Plaintiffs' Motion for Preliminary Injunctive Relief for Class Member Cayce Williams signed by the Honorable Virginia M. Kendall on 3/2/2021. Mailed notice(lk,) (Entered: 03/02/2021)

03/11/2021	87	MOTION by Plaintiff Marcus Barnes for preliminary injunction <i>unopposed emergency motion for preliminary injunctive relief for class members Andra Sampson and Jerrand Miller</i> (Attachments: # 1 Proposed Order)(Nicholas, Adele D.) (Entered: 03/11/2021)
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