

U.S. District Court

Middle District of Louisiana (Baton Rouge)

CIVIL DOCKET FOR CASE #: 3:20-cv-00233-JWD-SDJ

Humphrey v. LeBlanc
Assigned to: Judge John W. deGravelles
Referred to: Magistrate Judge Scott D. Johnson
Related Case: [3:21-cv-00108-JWD-SDJ](#)
Cause: 42:1983 Civil Rights Act

Date Filed: 04/15/2020
Jury Demand: Both
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

Brian Humphrey

*on behalf of himself and all similarly
situated individuals*

represented by

Mercedes Hardy Montagnes

Promise of Justice

Promise of Justice

1024 Elysian Fields

7011

New Orleans, LA 70117

504-529-5955

Email: mmontagnes@defendla.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

David Joseph Lanser

Law Office of William Most

201 St. Charles Ave.

Ste. 114 #101

New Orleans, LA 70107

504-533-4521

Email: david.lanser@gmail.com

ATTORNEY TO BE NOTICED

Jamila Asha Johnson

Promise of Justice Initiative

1024 Elysian Fields

New Orleans, LA 70117

504-312-2304

Email:

jamila.johnson@splcenter.org

ATTORNEY TO BE NOTICED

John Hazinski

Loevy & Loevy

311 N Aberdeen St

Ste 3rd Floor

Chicago, IL 60607

312-243-5900

Email: hazinski@loevy.com

PRO HAC VICE

ATTORNEY TO BE NOTICED

Michael Kanovitz

Loevy & Loevy

311 N. Aberdeen

3rd Floor

Chicago, IL 60607
312-243-5900
PRO HAC VICE

Nishi Lal Kumar

Promise of Justice Initiative
1024 Elysian Fields Avenue
New Orleans, LA 70117
504-529-5955
Email: nkumar@defendla.org
ATTORNEY TO BE NOTICED

Rebecca Ramaswamy

Promise of Justice Initiative
1024 Elysian Fields Ave
New Orleans, LA 70117
504-529-5955
Email: rramaswamy@defendla.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Sarah Chervinsky

The Chervinsky Law Firm
1820 Saint Charles Ave
Ste 212
New Orleans, LA 70130
617-694-1777
Email: chervinskylaw@gmail.com
ATTORNEY TO BE NOTICED

Sarah Grady

Loevy & Loevy
311 North Aberdeen St.
3rd Floor
Chicago, IL 60607
312-243-5900
Email: sarah@loevy.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Stephen H. Weil

Loevy & Loevy
IL

311 North Aberdeen Street
Ste 3rd Floor
Chicago, IL 60607
312-243-5900
Fax: 312-243-5902
Email: weil@loevy.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

William Brock Most
Law Office of William Most
201 St. Charles Ave
Suite 114 #101
New Orleans, LA 70170
(650) 465-5023
Email: williammost@gmail.com
ATTORNEY TO BE NOTICED

Plaintiff

Joel Giroir
*on behalf of themselves and all
similarly situated individuals*

represented by

Mercedes Hardy Montagnes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jamila Asha Johnson
(See above for address)
ATTORNEY TO BE NOTICED

John Hazinski
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Michael Kanovitz
(See above for address)
PRO HAC VICE

Nishi Lal Kumar
(See above for address)
ATTORNEY TO BE NOTICED

Rebecca Ramaswamy
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Sarah Chervinsky
(See above for address)
ATTORNEY TO BE NOTICED

Sarah Grady
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Stephen H. Weil
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

William Brock Most
(See above for address)

ATTORNEY TO BE NOTICED

Plaintiff

Bryant White
*on behalf of themselves and all
similarly situated individuals*

represented by

Mercedes Hardy Montagnes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jamila Asha Johnson
(See above for address)
ATTORNEY TO BE NOTICED

John Hazinski
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Michael Kanovitz
(See above for address)
PRO HAC VICE

Nishi Lal Kumar
(See above for address)
ATTORNEY TO BE NOTICED

Rebecca Ramaswamy
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Sarah Chervinsky
(See above for address)
ATTORNEY TO BE NOTICED

Sarah Grady
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Stephen H. Weil
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

William Brock Most
(See above for address)

ATTORNEY TO BE NOTICED

V.

Defendant

James LeBlanc

*in his official capacity as Secretary
of the Louisiana Department of
Public Safety & Corrections*

represented by

Andrew Blanchfield

Keogh, Cox & Wilson, LTD
P. O. Box 1151
701 Main Street
Baton Rouge, LA 70821-1151
225-383-3796

Fax: 225-343-9612

Email:

ablanchfield@keoghcox.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Chelsea Acosta Payne

Keogh Cox & Wilson
701 Main Street
Baton Rouge, LA 70802
(225) 383-3796

Email: cpayne@keoghcox.com

ATTORNEY TO BE NOTICED

Christopher K. Jones

Keogh, Cox & Wilson
701 Main Street
Baton Rouge, LA 70802
225-383-3796

Fax: 225-343-9612 FAX

Email: cjones@keoghcox.com

ATTORNEY TO BE NOTICED

Crews Reynolds LeBlanc , Jr.

Keogh, Cox & Wilson, Ltd.
701 Main Street
Baton Rouge, LA 70802
(225) 383-3796

Email: rleblanc@keoghcox.com

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/15/2020	<u>1</u>	COMPLAINT against James M LeBlanc (Filing fee \$ 400 receipt number ALAMDC-2101906.), filed by Brian Humphrey. (Attachments: # <u>1</u> Attachment Cover Sheet, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16, # <u>18</u> Exhibit 17, # <u>19</u> Attachment Summons)(Montagnes, Mercedes) (Attachments 1 & 19 replaced on 4/16/2020) (EDC). (EDC). Modified on 4/16/2020 to flatten pages. (EDC). (Attachments 8 & 9 replaced on 4/16/2020) (EDC). Modified on 4/16/2020 in accordance with record document 5.(EDC). (Attachment 8 replaced on 4/17/2020 in accordance with RD 5) (SWE). (Entered: 04/15/2020)
04/16/2020	<u>2</u>	MOTION to Substitute Exhibit by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading;, # <u>2</u> Attachment)(Montagnes, Mercedes) (Entered: 04/16/2020)
04/16/2020	<u>3</u>	Letter to Attorney Mercedes Montagnes regarding Sarah Chervinsky who is Co-Counsel for party Brian Humphrey. Attorney is not admitted to practice in LAMD. (EDC) (Entered: 04/16/2020)
04/16/2020	<u>4</u>	Summons Issued as to James LeBlanc. (NOTICE: Counsel shall print and serve both the summons and all attachments in accordance with Federal Rule of Civil Procedure 4.) (EDC) (Entered: 04/16/2020)
04/16/2020		MOTION(S) REFERRED: <u>2</u> MOTION to Substitute Exhibit . This motion is now pending before the USMJ. (EDC) (Entered: 04/16/2020)
04/16/2020	5	ORDER granting <u>2</u> MOTION to Substitute Exhibit. The Clerk's office is directed to substitute Rec Doc 1-8 with 2-1. Signed by Magistrate Judge Scott D. Johnson on 4/16/2020. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KAH) (Entered: 04/16/2020)

04/22/2020	<u>6</u>	SCHEDULING CONFERENCE ORDER: Scheduling Conference set for 6/25/2020 at 09:30 AM in chambers before Magistrate Judge Scott D. Johnson. Status Report due by 6/11/2020. Signed by Magistrate Judge Scott D. Johnson on 4/22/2020. (KAH) (Entered: 04/22/2020)
05/08/2020	<u>7</u>	MOTION for Sarah Grady to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number ALAMDC-2110967) by Brian Humphrey. (Attachments: # <u>1</u> Attachment Declaration, # <u>2</u> Exhibit Certificate of Good Standing, # <u>3</u> Attachment Proposed Order)(Kumar, Nishi) (Entered: 05/08/2020)
05/08/2020	<u>8</u>	MOTION for Michael Kanovitz to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number ALAMDC-2110968) by Brian Humphrey. (Attachments: # <u>1</u> Attachment Declaration, # <u>2</u> Exhibit Certificate of Good Standing, # <u>3</u> Attachment Proposed Order)(Kumar, Nishi) (Entered: 05/08/2020)
05/08/2020	<u>9</u>	MOTION for Stephen Weil to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number ALAMDC-2110969) by Brian Humphrey. (Attachments: # <u>1</u> Attachment Declaration, # <u>2</u> Exhibit Certificate of Good Standing, # <u>3</u> Attachment Proposed Order)(Kumar, Nishi) (Entered: 05/08/2020)
05/08/2020		MOTION(S) REFERRED: <u>8</u> MOTION for Michael Kanovitz to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number ALAMDC-2110968), <u>9</u> MOTION for Stephen Weil to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number ALAMDC-2110969), <u>7</u> MOTION for Sarah Grady to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number ALAMDC-2110967). This motion is now pending before the USMJ. (LT) (Entered: 05/08/2020)
05/12/2020	<u>10</u>	SUMMONS Returned Executed by Brian Humphrey. James LeBlanc served on 4/28/2020, answer due 5/19/2020. (Kumar, Nishi) (Entered: 05/12/2020)
05/15/2020	<u>11</u>	AMENDED COMPLAINT against James LeBlanc, filed by Brian Humphrey. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Attachment Summons)(Kumar, Nishi) (Entered: 05/15/2020)

05/18/2020	12	Summons Issued as to James LeBlanc. (NOTICE: Counsel shall print and serve both the summons and all attachments in accordance with Federal Rule of Civil Procedure 4.) (KMW) (Entered: 05/18/2020)
05/19/2020	13	ORDER granting 7 , 8 and 9 Motions for Sarah Grady, Michael Kanovitz and Stephen Weil to Appear Pro Hac Vice. Signed by Magistrate Judge Scott D. Johnson on 5/19/2020. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KAH) (Entered: 05/19/2020)
05/21/2020	14	Ex Parte MOTION for Extension of Time to File Answer to 11 Amended Complaint, 1 Complaint,, by James LeBlanc. (Attachments: # 1 Attachment Proposed Order)(Blanchfield, Andrew) (Entered: 05/21/2020)
05/21/2020		MOTION(S) REFERRED: 14 Ex Parte MOTION for Extension of Time to File Answer to 11 Amended Complaint, 1 Complaint,, . This motion is now pending before the USMJ. (EDC) (Entered: 05/21/2020)
05/28/2020	15	ORDER: Defendant's 14 Ex Parte Motion for Extension of Time is GRANTED. Defendant now has until June 9, 2020 to respond to Plaintiff's Complaint. Signed by Magistrate Judge Scott D. Johnson on 5/28/2020. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KAH) (Entered: 05/28/2020)
06/04/2020	16	SUMMONS Returned Executed by Brian Humphrey. James LeBlanc served on 5/22/2020, answer due 6/12/2020. (Kumar, Nishi) (Main Document 16 replaced on 6/4/2020) (EDC). Modified on 6/4/2020 to rotate pages.(EDC). (Entered: 06/04/2020)
06/09/2020	17	ANSWER to 11 Amended Complaint, by James LeBlanc.(Blanchfield, Andrew) (Entered: 06/09/2020)
06/11/2020	18	Joint STATUS REPORT by Brian Humphrey. (Grady, Sarah) (Entered: 06/11/2020)

06/15/2020	19	MOTION for Rebecca Ramaswamy to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number ALAMDC-2127852) by Brian Humphrey. (Attachments: # 1 Attachment Declaration, # 2 Attachment Certificate of Good Standing, # 3 Attachment Proposed Order)(Kumar, Nishi) (Entered: 06/15/2020)
06/16/2020		MOTION(S) REFERRED: 19 MOTION for Rebecca Ramaswamy to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number ALAMDC-2127852). This motion is now pending before the USMJ. (KMW) (Entered: 06/16/2020)
06/18/2020	20	NOTICE to Counsel: The Scheduling Conference set for 6/25/2020 at 09:30 AM is hereby CONVERTED to a Telephone Conference for 6/25/2020 at 09:30 AM. Counsel participating in the Conference shall call using the AT&T Teleconference System five minutes prior to the conference. Counsel will receive a separate e-mail containing dial in information prior to the conference. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(KAH) (Entered: 06/18/2020)
06/18/2020	21	ORDER granting 19 Motion for Rebecca Ramaswamy to Appear Pro Hac Vice. Signed by Magistrate Judge Scott D. Johnson on 6/18/2020. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KAH) (Entered: 06/18/2020)
06/25/2020	22	Minute Entry for proceedings held before Magistrate Judge Scott D. Johnson: Telephone Conference held on 6/25/2020. Parties discussed the status of this matter and a scheduling order will be issued separately. (LT) (Entered: 06/25/2020)

06/26/2020	23	SCHEDULING ORDER: In accordance with FRCP 16(b), the following discovery deadlines are established. Amended Pleadings due by 1/15/2021. F.R.C.P. 26(a)(1) disclosures due by 6/18/2020. Discovery due by 3/26/2021. Plaintiff's Expert Witness List due by 2/15/2021. Defendant's Expert Witness List due by 3/15/2021. Plaintiff's Expert Reports due by 4/1/2021. Defendant's Expert Reports due by 5/1/2021. Plaintiffs shall file a Motion for Conditional Class Certification of Collective Action and for Notice to Prospective Class Members by 7/15/2021. Opposition due by Defendant by 8/15/2021. Reply due by Plaintiff by 8/30/2021. Discovery from Experts due by 6/15/2021. Signed by Magistrate Judge Scott D. Johnson on 6/26/2020. (EDC) (Entered: 06/26/2020)
07/06/2020	24	MOTION for John Hazinski to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number ALAMDC-2137700) by Brian Humphrey. (Attachments: # 1 Attachment Declaration, # 2 Attachment Certificate of Good Standing, # 3 Attachment Proposed Order)(Kumar, Nishi) (Entered: 07/06/2020)
07/07/2020		MOTION(S) REFERRED: 24 MOTION for John Hazinski to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number ALAMDC-2137700). This motion is now pending before the USMJ. (LT) (Entered: 07/07/2020)
07/07/2020	25	ORDER granting 24 Motion for John Hazinski to Appear Pro Hac Vice. Signed by Magistrate Judge Scott D. Johnson on 7/7/2020. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KAH) (Entered: 07/07/2020)
07/13/2020	26	Ex Parte MOTION to Enroll Sarah Chervinsky as Additional Attorney by Brian Humphrey. (Attachments: # 1 Proposed Order)(Most, William) (Entered: 07/13/2020)
07/14/2020		MOTION(S) REFERRED: 26 Ex Parte MOTION to Enroll Sarah Chervinsky as Additional Attorney . This motion is now pending before the USMJ. (KMW) (Entered: 07/14/2020)

07/14/2020	27	ORDER granting 26 Ex Parte Motion to Enroll as Additional Counsel of Record. Added attorney Sarah Chervinsky for Brian Humphrey. Signed by Magistrate Judge Scott D. Johnson on 7/14/2020. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KAH) (Entered: 07/14/2020)
07/23/2020	28	STRICKEN FROM THE RECORD MOTION for Extension of Time To Respond to Plaintiff's First Set of Requests for Production of Documents by James LeBlanc. (Attachments: # 1 Attachment Proposed Order, # 2 Exhibit A - Plaintiff's 1st Set of Requests for Production, # 3 Exhibit B - Email from counsel)(Blanchfield, Andrew) Modified on 8/19/2020 STRICKEN AS ORDERED (ELW). (Entered: 07/23/2020)
07/23/2020		MOTION(S) REFERRED: 28 MOTION for Extension of Time To Respond to Plaintiff's First Set of Requests for Production of Documents. This motion is now pending before the USMJ. (KMW) (Entered: 07/23/2020)
08/03/2020	29	NOTICE of TELEPHONE CONFERENCE: A Telephone Conference is set for 8/7/2020 at 10:00 AM before Magistrate Judge Scott D. Johnson to discuss Defendant's pending Motion for Extension of Time to Respond to Plaintiff's First Set of Requests for Production of Documents (R. Doc. 28). Counsel participating in the Conference shall call using the AT&T Teleconference System five minutes prior to the conference. Counsel will receive a separate e-mail containing dial in information prior to the conference. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KAH) (Entered: 08/03/2020)
08/06/2020	30	Unopposed MOTION to Dismiss <i>Motion for Extension of Time to Respond to Plaintiff's First Set of Requests for Production of Documents</i> by James LeBlanc. (Attachments: # 1 Attachment Proposed Order)(Blanchfield, Andrew) (Entered: 08/06/2020)
08/06/2020		MOTION(S) REFERRED: 30 Unopposed MOTION to Dismiss <i>Motion for Extension of Time to Respond to Plaintiff's First Set of Requests for Production of Documents</i> . This motion is now pending before the USMJ. (SWE) (Entered: 08/06/2020)

08/06/2020	<u>31</u>	ORDER: Defendants Motion to Dismiss <u>30</u> is GRANTED. The Clerk of Court is instructed to strike Defendants Motion for Extension of Time to Respond to Plaintiffs First Set of Requests for Production of Documents 28 from the record. The teleconference scheduled before this Court on August 7, 2020, is hereby canceled. Signed by Magistrate Judge Scott D. Johnson on 8/6/2020. (ELW) (Entered: 08/06/2020)
08/06/2020		Terminate Hearings (ELW) (Entered: 08/06/2020)
10/13/2020	<u>32</u>	Unopposed MOTION for Entry of Stipulated Protective Order with Consent by James LeBlanc. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Attachment Proposed Stipulated Protective Order)(Jones, Christopher) (Entered: 10/13/2020)
10/13/2020		MOTION(S) REFERRED: <u>32</u> Unopposed MOTION for Entry of Stipulated Protective Order with Consent . This motion is now pending before the USMJ. (SWE) (Entered: 10/13/2020)
11/02/2020	<u>33</u>	ORDER granting <u>32</u> Unopposed Motion for Entry of Stipulated Protective Order With Consent. Signed by Magistrate Judge Scott D. Johnson on 11/2/2020. (KAH) (Entered: 11/02/2020)
01/15/2021	<u>34</u>	Consent MOTION for Extension of Discovery Deadlines by Brian Humphrey. (Attachments: # <u>1</u> Attachment Proposed Order)(Ramaswamy, Rebecca) (Entered: 01/15/2021)
01/15/2021		MOTION(S) REFERRED: <u>34</u> Consent MOTION for Extension of Discovery Deadlines . This motion is now pending before the USMJ. (ELW) (Entered: 01/15/2021)

01/20/2021	35	ORDER granting 34 Unopposed Motion for Enlargement of Case Schedule. Amended Pleadings due by 4/15/2021. Discovery pertaining to issue of conditional class certification due by 6/25/2021. Plaintiff's Expert Witness List due by 5/14/2021. Defendant's Expert Witness List due by 6/15/2021. Plaintiff's Expert Reports due by 7/1/2021. Defendant's Expert Reports due by 8/2/2021. Discovery from Experts due by 9/15/2021. Motions for Conditional Class Certification of Collective Action and for Notice to Prospective Class Members shall be filed by 10/15/2021. Responses to Motion for Conditional Class Certification shall be filed by 11/15/2021. Reply shall be filed by 11/30/2021. Signed by Magistrate Judge Scott D. Johnson on 1/19/2021. (SWE) (Entered: 01/20/2021)
02/22/2021	36	MOTION to Compel <i>Production of CAJUN Data</i> by Brian Humphrey. (Attachments: # 1 Memorandum in Support, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G)(Hazinski, John) (Entered: 02/22/2021)
02/23/2021		MOTION(S) REFERRED: 36 MOTION to Compel <i>Production of CAJUN Data</i> . This motion is now pending before the USMJ. (SWE) (Entered: 02/23/2021)
03/15/2021	37	MEMORANDUM in Opposition to 36 MOTION to Compel <i>Production of CAJUN Data</i> filed by James LeBlanc. (Attachments: # 1 Exhibit 1, # 2 Exhibit 1-A, # 3 Exhibit 2, # 4 Exhibit 2-A)(Blanchfield, Andrew) (Entered: 03/15/2021)
03/22/2021	38	Unopposed MOTION for Leave to File a Reply Brief in Support of Motion to Compel the Production of CAJUN Data by Brian Humphrey. (Attachments: # 1 Exhibit A. Reply Brief)(Hazinski, John) (Entered: 03/22/2021)
03/23/2021		MOTION(S) REFERRED: 38 Unopposed MOTION for Leave to File a Reply Brief in Support of Motion to Compel the Production of CAJUN Data . This motion is now pending before the USMJ. (EDC) (Entered: 03/23/2021)

03/23/2021	39	ORDER granting 38 Unopposed Motion for Leave to File a Reply Brief. The Clerk of Court will file Plaintiff's Reply Brief in Support of Motion to Compel the Production of CAJUN Data (R. Doc. 38-1, pages 2-8) into the record. Signed by Magistrate Judge Scott D. Johnson on 3/23/2021. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KAH) (Entered: 03/23/2021)
03/23/2021	40	REPLY Brief in Support of 36 MOTION to Compel Production of CAJUN Data filed by Brian Humphrey. (EDC) (Entered: 03/24/2021)
04/15/2021	41	Unopposed MOTION for Extension of Time Join Other Parties or to Amend Complaint (Unopposed) by Brian Humphrey. (Attachments: # 1 Exhibit 1)(Weil, Stephen) (Entered: 04/15/2021)
04/16/2021		MOTION(S) REFERRED: 41 Unopposed MOTION for Extension of Time Join Other Parties or to Amend Complaint (Unopposed). This motion is now pending before the USMJ. (EDC) (Entered: 04/16/2021)
04/19/2021	42	ORDER: Plaintiff's 41 Unopposed Motion for Extension of Time to Join Other Parties or to Amend Complaint is GRANTED. For good cause shown, the deadline to join other parties or amend the pleadings is now April 29, 2021. Signed by Magistrate Judge Scott D. Johnson on 4/19/2021. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KAH) (Entered: 04/19/2021)
04/29/2021	43	SECOND AMENDED CLASS COMPLAINT against James LeBlanc, filed by Brian Humphrey. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19)(Weil, Stephen) Modified on 4/30/2021 to edit docket text (SWE). (Entered: 04/29/2021)
05/12/2021	44	ANSWER to 43 Second Amended Complaint,, by James LeBlanc.(Blanchfield, Andrew) Modified on 5/12/2021 to edit text (LLH). (Entered: 05/12/2021)

05/14/2021	45	Unopposed MOTION for Extension of Time to Identify Experts by All Plaintiffs. (Weil, Stephen) Modified on 5/17/2021 to edit the docket text (KMW). (Entered: 05/14/2021)
05/17/2021		MOTION(S) REFERRED: 45 Unopposed MOTION for Extension of Time to Identify Experts. This motion is now pending before the USMJ. (KMW) (Entered: 05/17/2021)
05/17/2021	46	ORDER granting 45 Unopposed Motion for Extension of Time to Identify Experts. Signed by Judge John W. deGravelles on 5/17/2021. (SWE) (Entered: 05/17/2021)

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