

**U.S. District Court  
Eastern District of Virginia - (Alexandria)  
CIVIL DOCKET FOR CASE #: 1:19-cv-01285-RDA-JFA**

Q.T., et al v. Fairfax County School Board, et. al.  
Assigned to: District Judge Rossie D. Alston, Jr  
Referred to: Magistrate Judge John F. Anderson  
Cause: 42:12101 Americans with Disabilities Act

Date Filed: 10/08/2019  
Jury Demand: Plaintiff  
Nature of Suit: 446 Civil Rights:  
Americans with Disabilities - Other  
Jurisdiction: Federal Question

**Plaintiff**

**Q. T.**  
*a minor, by and through next friend  
Jennifer Tidd*

represented by **Abigail Graber**  
Brown Goldstein & Levy LLP  
120 E Baltimore Street  
Suite 2500  
Baltimore, MD 21202  
\*\*NA\*\*  
410-215-0110  
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**ATTORNEY TO BE NOTICED**

**Kevin Edward Byrnes**  
FH&H PLLC  
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Tysons, VA 22102  
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Fax: 703-590-0366  
Email: Kbyrnes@fhhfirm.com  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**A. O.**  
*a minor, by and through next friend  
Pamela Ononiwu*

represented by **Abigail Graber**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Kevin Edward Byrnes**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**D. O.**

*a minor, by and through next friend  
Pamela Ononiwu*

represented by **Abigail Graber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kevin Edward Byrnes**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**C. T.**

*a minor, by and through next friend  
Ashley Thomas*

represented by **Abigail Graber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kevin Edward Byrnes**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Council of Parent Attorneys and  
Advocates**

represented by **Abigail Graber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kevin Edward Byrnes**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Autistic Self Advocacy Network**

represented by **Abigail Graber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kevin Edward Byrnes**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Communication First**

represented by **Abigail Graber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kevin Edward Byrnes**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**J. M.**

*a minor, by and through next friend  
Amanda Mills*

represented by **Abigail Graber**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Kevin Edward Byrnes**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**J. R.**

*a minor, by and through next friends  
Kristopher Roby and Loraine  
Fearon Roby*

represented by **Abigail Graber**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Kevin Edward Byrnes**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Fairfax County School Board**

represented by **Matthew Robert McGuire**  
Office of the Attorney General  
202 North 9th Street  
Richmond, VA 23219  
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**ATTORNEY TO BE NOTICED**

**Maya Miriam Eckstein**  
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**ATTORNEY TO BE NOTICED**

**Stuart Alan Raphael**  
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202-419-2021  
Fax: 202-828-3728  
Email: sraphael@huntonak.com  
**TERMINATED: 08/18/2021**

**Defendant**

**Dr. Scott Braband**  
*Superintendent (in his official  
capacity)*  
**TERMINATED: 10/02/2020**

represented by **Stuart Alan Raphael**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Matthew Robert McGuire**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Maya Miriam Eckstein**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Teresa Johnson**  
*Assistant Superintendent,  
Department of Special Services (in  
her official capacity)*  
**TERMINATED: 10/02/2020**

represented by **Stuart Alan Raphael**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Matthew Robert McGuire**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Maya Miriam Eckstein**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

| Date Filed | #                        | Docket Text                                                                                                                                                                                                                                                                                                                                                                           |
|------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10/08/2019 | <a href="#"><u>1</u></a> | Complaint ( Filing fee \$ 400, receipt number 0422-6876713.), filed by Autistic Self Advocacy Network, D. O., Communication First, A. O., C. T., Q. T., Council of Parent Attorneys and Advocates.<br><br>(Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet)(Byrnes, Kevin) (Entered: 10/08/2019)                                                                            |
| 10/08/2019 | <a href="#"><u>2</u></a> | Waiver of Service Returned Unexecuted as to Fairfax County School Board, Dr. Scott Braband, and Teresa Johnson, filed by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, A. O., D. O., C. T., Q. T.. (Byrnes, Kevin) (Main Document 2 replaced on 10/10/2019) filed in error per clerk's notification (acha, ). (Entered: 10/08/2019) |

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| 10/08/2019 |                          | Initial Case Assignment to District Judge Leonie M. Brinkema and Magistrate Judge John F. Anderson. (acha, ) (Entered: 10/08/2019)                                                                                                                                                                                                                                                                                |
| 10/09/2019 |                          | Case Reassigned to District Judge Rossie D. Alston, Jr and Magistrate Judge John F. Anderson. District Judge Leonie M. Brinkema no longer assigned to the case. (acha, ) (Entered: 10/09/2019)                                                                                                                                                                                                                    |
| 10/10/2019 | <a href="#"><u>3</u></a> | WAIVER OF SERVICE Returned Executed by Autistic Self Advocacy Network, D. O., Communication First, A. O., C. T., Q. T., Council of Parent Attorneys and Advocates. Scott Braband waiver sent on 10/8/2019, answer due 12/9/2019; Fairfax County School Board waiver sent on 10/8/2019, answer due 12/9/2019; Teresa Johnson waiver sent on 10/8/2019, answer due 12/9/2019. (Byrnes, Kevin) (Entered: 10/10/2019) |
| 10/10/2019 | <a href="#"><u>4</u></a> | First Motion to appear Pro Hac Vice by Anthony Jovi May and Certification of Local Counsel Kevin E. Byrnes Filing fee \$ 75, receipt number 0422-6882528. by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, A. O., D. O., C. T., Q. T.. (Byrnes, Kevin) (Entered: 10/10/2019)                                                                                    |
| 10/10/2019 | <a href="#"><u>5</u></a> | First Motion to appear Pro Hac Vice by Eve Lynne Hill and Certification of Local Counsel Kevin E. Byrnes Filing fee \$ 75, receipt number 0422-6882552. by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, A. O., D. O., C. T., Q. T.. (Byrnes, Kevin) (Entered: 10/10/2019)                                                                                      |
| 10/10/2019 | <a href="#"><u>6</u></a> | First Motion to appear Pro Hac Vice by Regina Kline and Certification of Local Counsel Kevin E. Byrnes Filing fee \$ 75, receipt number 0422-6882564. by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, A. O., D. O., C. T., Q. T.. (Byrnes, Kevin) (Entered: 10/10/2019)                                                                                        |
| 10/10/2019 | <a href="#"><u>7</u></a> | First Motion to appear Pro Hac Vice by Sharon Krevor-Weisbaum and Certification of Local Counsel Kevin E. Byrnes Filing fee \$ 75, receipt number 0422-6882571. by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, A. O., D. O., C. T., Q. T.. (Byrnes, Kevin) (Entered: 10/10/2019)                                                                              |
| 10/16/2019 | <a href="#"><u>8</u></a> | ORDER granting <a href="#"><u>4</u></a> Motion for Pro hac vice Anthony Jovi May. Signed by District Judge Rossie D. Alston, Jr on 10/16/2019. (acha, ) (Entered: 10/17/2019)                                                                                                                                                                                                                                     |
| 10/16/2019 | <a href="#"><u>9</u></a> | ORDER granting <a href="#"><u>5</u></a> Motion for Pro hac vice for Eve Lynne Hill. Signed by District Judge Rossie D. Alston, Jr on 10/16/2019. (acha, ) (Entered: 10/17/2019)                                                                                                                                                                                                                                   |

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| 10/16/2019 | <a href="#"><u>10</u></a> | ORDER granting <a href="#"><u>6</u></a> Motion for Pro hac vice for Regina Kline. Signed by District Judge Rossie D. Alston, Jr on 10/16/2019. (acha, ) (Entered: 10/17/2019)                                                                                                                                                                                                                                                                                                                                                                                        |
| 10/16/2019 | <a href="#"><u>11</u></a> | ORDER granting <a href="#"><u>7</u></a> Motion for Pro hac vice for Sharon Krevor-Weisbaum. Signed by District Judge Rossie D. Alston, Jr on 10/16/2019. (acha, ) (Entered: 10/17/2019)                                                                                                                                                                                                                                                                                                                                                                              |
| 12/06/2019 | <a href="#"><u>12</u></a> | Consent MOTION for Extension of Time to File Response/Reply as to <a href="#"><u>1</u></a> Complaint, <i>Setting Filing Schedule for Amended Complaint and Motion to Dismiss Amended Complaint, and Temporarily Staying Issuance of Scheduling Order</i> by Scott Braband, Fairfax County School Board, Teresa Johnson. (Attachments: # <a href="#"><u>1</u></a> Proposed Order Setting Filing and Briefing Schedule and Temporarily Staying Issuance of Scheduling Order)(Raphael, Stuart) (Entered: 12/06/2019)                                                    |
| 12/09/2019 | <a href="#"><u>13</u></a> | Waiver of re <a href="#"><u>12</u></a> Consent MOTION for Extension of Time to File Response/Reply as to <a href="#"><u>1</u></a> Complaint, <i>Setting Filing Schedule for Amended Complaint and Motion to Dismiss Amended Complaint, and Temporarily Staying Issuance of Scheduling Order</i> WAIVER OF HEARING by Scott Braband, Fairfax County School Board, Teresa Johnson (Raphael, Stuart) (Entered: 12/09/2019)                                                                                                                                              |
| 12/09/2019 | <a href="#"><u>14</u></a> | NOTICE of Appearance by Maya Miriam Eckstein on behalf of Scott Braband, Fairfax County School Board, Teresa Johnson (Eckstein, Maya) (Entered: 12/09/2019)                                                                                                                                                                                                                                                                                                                                                                                                          |
| 12/09/2019 | <a href="#"><u>15</u></a> | NOTICE of Appearance by Matthew Robert McGuire on behalf of Scott Braband, Fairfax County School Board, Teresa Johnson (McGuire, Matthew) (Entered: 12/09/2019)                                                                                                                                                                                                                                                                                                                                                                                                      |
| 12/10/2019 | <a href="#"><u>16</u></a> | ORDER granting <a href="#"><u>12</u></a> Motion for Extension of Time to File Response/Reply re <a href="#"><u>12</u></a> Consent MOTION for Extension of Time to File Response/Reply as to <a href="#"><u>1</u></a> Complaint, <i>Setting Filing Schedule for Amended Complaint and Motion to Dismiss Amended Complaint, and Temporarily Staying Issuance of Scheduling Order</i> Responses due by 1/13/2020 Replies due by 2/21/2020. Signed by District Judge Rossie D. Alston, Jr on 12/10/2019. (See order for further details). (acha, ) (Entered: 12/10/2019) |
| 12/10/2019 |                           | Plaintiff's Amended Complaint due by 12/13/2019. (acha, ) (Entered: 12/10/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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| 12/13/2019 | <a href="#"><u>17</u></a> | AMENDED COMPLAINT against Scott Braband, Fairfax County School Board, Teresa Johnson, filed by Autistic Self Advocacy Network, D. O., Communication First, A. O., C. T., Q. T., Council of Parent Attorneys and Advocates, J. M., J. R.. (Attachments: # <a href="#"><u>1</u></a> Exhibit FCPS Restraint and Seclusion Reports)(Byrnes, Kevin) (Entered: 12/13/2019)                       |
| 01/13/2020 | <a href="#"><u>18</u></a> | MOTION to Dismiss for Failure to State a Claim , MOTION to Dismiss for Lack of Jurisdiction by Scott Braband, Fairfax County School Board, Teresa Johnson. (McGuire, Matthew) (Entered: 01/13/2020)                                                                                                                                                                                        |
| 01/13/2020 | <a href="#"><u>19</u></a> | Memorandum in Support re <a href="#"><u>18</u></a> MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction filed by Scott Braband, Fairfax County School Board, Teresa Johnson. (Attachments: # <a href="#"><u>1</u></a> Exhibit A - Guidelines, # <a href="#"><u>2</u></a> Exhibit B - Decl. of Teresa Johnson)(McGuire, Matthew) (Entered: 01/13/2020) |
| 01/13/2020 |                           | Notice of Correction re <a href="#"><u>18</u></a> MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction . The filing user has been notified to file a Notice of Hearing Date. (acha, ) (Entered: 01/13/2020)                                                                                                                                           |
| 01/13/2020 | <a href="#"><u>20</u></a> | MOTION to Stay <i>Issuance of the Scheduling Order, or in the Alternative, to Stay Discovery Pending Disposition of Dispositive Motions</i> by Scott Braband, Fairfax County School Board, Teresa Johnson. (Attachments: # <a href="#"><u>1</u></a> Exhibit A - Proposed Order)(Eckstein, Maya) (Entered: 01/13/2020)                                                                      |
| 01/13/2020 | <a href="#"><u>21</u></a> | Memorandum in Support re <a href="#"><u>20</u></a> MOTION to Stay <i>Issuance of the Scheduling Order, or in the Alternative, to Stay Discovery Pending Disposition of Dispositive Motions</i> filed by Scott Braband, Fairfax County School Board, Teresa Johnson. (Eckstein, Maya) (Entered: 01/13/2020)                                                                                 |
| 01/13/2020 | <a href="#"><u>22</u></a> | Notice of Hearing Date set for March 20, 2020 re <a href="#"><u>18</u></a> MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction , <a href="#"><u>19</u></a> Memorandum in Support, (McGuire, Matthew) (Entered: 01/13/2020)                                                                                                                           |
| 01/14/2020 |                           | Set Deadlines as to <a href="#"><u>18</u></a> MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction . Motion Hearing set for 3/20/2020 at 10:00 AM in Alexandria Courtroom 601 before District Judge Rossie D. Alston Jr.. (clar, ) (Entered: 01/14/2020)                                                                                              |

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| 01/14/2020 | <a href="#"><u>23</u></a> | ORDER- Accordingly, it is ORDERED that the Court will not issue the scheduling order until the pending motion (Dkt. <a href="#"><u>18</u></a> ) to dismiss is resolved IT IS FURTHER ORDERED that discovery in this case is stayed pending resolution of the School Board's and individual school defendants' motions to dismiss (Dkt. <a href="#"><u>18</u></a> ). Signed by District Judge Rossie D. Alston, Jr on 1/14/2020. (See order for further details). (acha, ) (Entered: 01/14/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 02/12/2020 | <a href="#"><u>24</u></a> | Opposition to <a href="#"><u>18</u></a> MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction , Notice of Correction, <a href="#"><u>19</u></a> Memorandum in Support, filed by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # <a href="#"><u>1</u></a> Exhibit 1, # <a href="#"><u>2</u></a> Exhibit 2, # <a href="#"><u>3</u></a> Exhibit 3, # <a href="#"><u>4</u></a> Exhibit 4)(Byrnes, Kevin) (Entered: 02/12/2020)                                                                                                                                                                                                                                                                                                                                                                 |
| 02/21/2020 | <a href="#"><u>25</u></a> | REPLY to Response to Motion re <a href="#"><u>18</u></a> MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction filed by Scott Braband, Fairfax County School Board, Teresa Johnson. (McGuire, Matthew) (Entered: 02/21/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 03/17/2020 |                           | Per RDA chambers motions set for 3/20/2020 have been POSTPONED and CONTINUED In pursuant to the General Order No. 2020-03 (clar, ) (Entered: 03/17/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 06/23/2020 | <a href="#"><u>26</u></a> | MOTION for Leave to File <i>Notice of Supplemental Authority in Opposition to Defendants' Motion to Dismiss</i> by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # <a href="#"><u>1</u></a> Proposed Order Proposed Order)(Byrnes, Kevin) (Entered: 06/23/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 06/23/2020 | <a href="#"><u>27</u></a> | NOTICE by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T. re <a href="#"><u>19</u></a> Memorandum in Support, <i>Notice of Supplemental Authority</i> (Attachments: # <a href="#"><u>1</u></a> Exhibit A, # <a href="#"><u>2</u></a> Exhibit B, # <a href="#"><u>3</u></a> Exhibit C, # <a href="#"><u>4</u></a> Exhibit D, # <a href="#"><u>5</u></a> Exhibit E, # <a href="#"><u>6</u></a> Exhibit F, # <a href="#"><u>7</u></a> Exhibit G, # <a href="#"><u>8</u></a> Exhibit H, # <a href="#"><u>9</u></a> Exhibit I, # <a href="#"><u>10</u></a> Exhibit J, # <a href="#"><u>11</u></a> Exhibit K, # <a href="#"><u>12</u></a> Exhibit L, # <a href="#"><u>13</u></a> Exhibit M, # <a href="#"><u>14</u></a> Exhibit N, # <a href="#"><u>15</u></a> Exhibit O, # <a href="#"><u>16</u></a> Exhibit P)(Byrnes, Kevin) (Entered: 06/23/2020) |
| 06/23/2020 | <a href="#"><u>28</u></a> | Notice of Hearing Date re <a href="#"><u>18</u></a> MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction , <a href="#"><u>26</u></a><br><br>MOTION for Leave to File <i>Notice of Supplemental Authority in Opposition to Defendants' Motion to Dismiss</i> , <a href="#"><u>27</u></a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |



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|            |                    | NOTICE,, <a href="#">19</a> Memorandum in Support, (Byrnes, Kevin)<br>(Entered: 06/23/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 06/24/2020 |                    | Set/Reset Deadlines as to <a href="#">26</a> MOTION for Leave to File <i>Notice of Supplemental Authority in Opposition to Defendants' Motion to Dismiss</i> , <a href="#">18</a> MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction . Motion Hearing set for 6/23/2020 at 10:00 AM in Alexandria Courtroom 601 before District Judge Rossie D. Alston Jr. (clar, ) (Entered: 06/24/2020)                                                                                                                                                                                                                                                                                                                                           |
| 06/26/2020 | <a href="#">29</a> | RESPONSE to Motion re <a href="#">26</a> MOTION for Leave to File <i>Notice of Supplemental Authority in Opposition to Defendants' Motion to Dismiss</i> filed by Scott Braband, Fairfax County School Board, Teresa Johnson. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Proposed Order)(McGuire, Matthew) (Entered: 06/26/2020)                                                                                                                                                                                                                                                                                                                                                                                      |
| 06/26/2020 | <a href="#">30</a> | ORDER- It is hereby ORDERED that Motion (Dkt. 26) is GRANTED; IT IS FURTHER ORDERED that Plaintiffs file a motion with their supplemental authority on or before July 1, 2020; IT IS FURTHER ORDERED that Defendants respond with any supplemental authority they may have on or before July 8, 2020; and IT IS FURTHER ORDERED that both Plaintiffs' and Defendants' filings containing such supplemental authority be no longer than 10 pages, and otherwise comply with the formatting requirements of Local Civil Rule 7(F)(3). Signed by District Judge Rossie D. Alston, Jr on 6/26/2020. (See order for further details). (acha, ) Copy sent (Entered: 06/26/2020)                                                                                                  |
| 06/26/2020 |                    | Set/Reset Deadlines as to <a href="#">18</a> MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction . Responses due by 7/1/2020 Replies due by 7/8/2020. (acha, ) (Entered: 06/26/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 07/01/2020 | <a href="#">31</a> | NOTICE by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T. re <a href="#">18</a> MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction , <a href="#">19</a> Memorandum in Support, <i>Notice of Supplemental Authority in Opposition to Defendants' Motion to Dismiss</i> (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F, # <a href="#">7</a> Exhibit G, # <a href="#">8</a> Exhibit H, # <a href="#">9</a> Exhibit I, # <a href="#">10</a> Exhibit J, # <a href="#">11</a> Exhibit K, |

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|            |                    | # <a href="#">12</a> Exhibit L, # <a href="#">13</a> Exhibit M, # <a href="#">14</a> Exhibit N, # <a href="#">15</a> Exhibit O, # <a href="#">16</a> Exhibit P)(Byrnes, Kevin) (Entered: 07/01/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 07/08/2020 | <a href="#">32</a> | Response to <a href="#">31</a> NOTICE,, <i>of Supplemental Authority</i> filed by Scott Braband, Fairfax County School Board, Teresa Johnson. (McGuire, Matthew) (Entered: 07/08/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 07/14/2020 | <a href="#">33</a> | ORDER- For the foregoing reasons, it is hereby ORDERED that Defendants Motion (Dkt. <a href="#">18</a> ) is DENIED in part and GRANTED in part. IT IS FURTHER ORDERED that Counts Two and Three of the Amended Complaint (Dkt. 17) be DISMISSED, without prejudice. This Court grants the Individual Plaintiffs leave to amend their Amended Complaint. IT IS FURTHER ORDERED that Counts One, Two, and Three of the Amended Complaint (Dkt. 17) be DISMISSED, without prejudice, as it pertains to the Organizational Plaintiffs. This Court grants the Organizational Plaintiffs leave to amend their Amended Complaint. Signed by District Judge Rossie D. Alston, Jr on 7/14/2020. (See order for further details). (acha, ) Copies sent as directed in the order. (Entered: 07/14/2020) |
| 07/24/2020 | <a href="#">34</a> | Consent MOTION Setting Dates to File Amended Complaint and Responsive Pleading by Scott Braband, Fairfax County School Board, Teresa Johnson. (Attachments: # <a href="#">1</a> Proposed Order)(McGuire, Matthew) (Entered: 07/24/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 07/27/2020 | <a href="#">35</a> | ORDER granting <a href="#">34</a> Consent Motion Setting Dates to File Amended Complaint and Responsive; suspending the July 28, 2020 deadline by which defendants are required to respond; directing that plaintiff's will file their second amended complaint by August 4, 2020; directing that defendants will file their response to plaintiff's second amended complaint by August 25, 2020. Signed by District Judge Rossie D. Alston, Jr on 7/27/2020. (aott) (Entered: 07/27/2020)                                                                                                                                                                                                                                                                                                   |
| 07/28/2020 | <a href="#">36</a> | MOTION to Amend/Correct <a href="#">33</a> Order on Motion to Dismiss for Failure to State a Claim,,, Order on Motion to Dismiss/Lack of Jurisdiction,, <i>Defendants' Motion to Amend the July 14, 2020 Order to Certify it for Interlocutory Appeal</i> by Scott Braband, Fairfax County School Board, Teresa Johnson. (Attachments: # <a href="#">1</a> Proposed Order)(McGuire, Matthew) (Entered: 07/28/2020)                                                                                                                                                                                                                                                                                                                                                                           |
| 07/28/2020 | <a href="#">37</a> | Brief in Support to <a href="#">36</a> MOTION to Amend/Correct <a href="#">33</a> Order on Motion to Dismiss for Failure to State a Claim,,, Order on Motion to Dismiss/Lack of Jurisdiction,, <i>Defendants' Motion to Amend the July 14, 2020 Order to Certify it for Interlocutory Appeal</i> filed by                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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|            |                    | Scott Braband, Fairfax County School Board, Teresa Johnson. (McGuire, Matthew) (Entered: 07/28/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 07/29/2020 | <a href="#">38</a> | Consent MOTION for Extension of Time to File Response/Reply as to <a href="#">36</a> MOTION to Amend/Correct <a href="#">33</a> Order on Motion to Dismiss for Failure to State a Claim,,, Order on Motion to Dismiss/Lack of Jurisdiction,, <i>Defendants' Motion to Amend the July 14, 2020 Order to Certify it for Interlocutory Appeal</i> , <a href="#">37</a> Brief in Support, by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # <a href="#">1</a> Proposed Order)(Byrnes, Kevin) (Entered: 07/29/2020) |
| 07/30/2020 | <a href="#">39</a> | ORDER granting <a href="#">38</a> Consent Motion for Order Setting Dates to Respond (See order for details). Signed by District Judge Rossie D. Alston, Jr on 07/30/2020. (jlan) (Entered: 07/30/2020)                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 08/04/2020 | <a href="#">40</a> | AMENDED COMPLAINT <i>Second Amended Complaint</i> against All Defendants, filed by Autistic Self Advocacy Network, J. R., D. O., Communication First, A. O., C. T., Q. T., J. M., Council of Parent Attorneys and Advocates. (Attachments: # <a href="#">1</a> Exhibit 1)(Byrnes, Kevin) (Entered: 08/04/2020)                                                                                                                                                                                                                                                                                                            |
| 08/21/2020 | <a href="#">41</a> | RESPONSE in Opposition re <a href="#">36</a> MOTION to Amend/Correct <a href="#">33</a> Order on Motion to Dismiss for Failure to State a Claim,,, Order on Motion to Dismiss/Lack of Jurisdiction,, <i>Defendants' Motion to Amend the July 14, 2020 Order to Certify it for Interlocutory Appeal</i> filed by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Byrnes, Kevin) (Entered: 08/21/2020)                                                                                                                           |
| 08/25/2020 | <a href="#">42</a> | ANSWER to Complaint <i>SECOND AMENDED</i> by Fairfax County School Board.(McGuire, Matthew) (Entered: 08/25/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 08/25/2020 | <a href="#">43</a> | MOTION to Dismiss for Failure to State a Claim by Scott Braband, Teresa Johnson. (McGuire, Matthew) (Entered: 08/25/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 08/25/2020 | <a href="#">44</a> | Memorandum in Support re <a href="#">43</a> MOTION to Dismiss for Failure to State a Claim filed by Scott Braband, Teresa Johnson. (McGuire, Matthew) (Entered: 08/25/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 08/26/2020 | <a href="#">45</a> | MOTION to Withdraw as Attorney <i>Motion to Withdraw Appearance of Regina Kline</i> by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # <a href="#">1</a> Proposed Order)(Byrnes, Kevin) (Entered: 08/26/2020)                                                                                                                                                                                                                                                                                                   |

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| 08/27/2020 | <a href="#"><u>46</u></a> | REPLY to Response to Motion re <a href="#"><u>36</u></a> MOTION to Amend/Correct <a href="#"><u>33</u></a> Order on Motion to Dismiss for Failure to State a Claim,,, Order on Motion to Dismiss/Lack of Jurisdiction,, <i>Defendants' Motion to Amend the July 14, 2020 Order to Certify it for Interlocutory Appeal</i> filed by Scott Braband, Fairfax County School Board, Teresa Johnson. (McGuire, Matthew) (Entered: 08/27/2020)                                                                                                        |
| 08/28/2020 | <a href="#"><u>47</u></a> | ORDER granting <a href="#"><u>45</u></a> Motion to Withdraw as Attorney. The appearance of Regina Kline, admitted Pro Hac Vice, is hereby WITHDRAWN. Signed by Magistrate Judge John F. Anderson on 08/28/2020. (dvanm, ) (Entered: 08/28/2020)                                                                                                                                                                                                                                                                                                |
| 08/31/2020 | <a href="#"><u>48</u></a> | Motion to appear Pro Hac Vice by Jessica Paulie Weber and Certification of Local Counsel Kevin E. Byrnes Filing fee \$ 75, receipt number 0422-7375339. by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Byrnes, Kevin) (Entered: 08/31/2020)                                                                                                                                                                                                     |
| 09/01/2020 | <a href="#"><u>49</u></a> | Notice of Hearing Date set for September 23, 2020 re <a href="#"><u>43</u></a> MOTION to Dismiss for Failure to State a Claim (McGuire, Matthew) (Entered: 09/01/2020)                                                                                                                                                                                                                                                                                                                                                                         |
| 09/01/2020 | <a href="#"><u>50</u></a> | Notice of Hearing Date set for September 23, 2020 re <a href="#"><u>36</u></a> MOTION to Amend/Correct <a href="#"><u>33</u></a> Order on Motion to Dismiss for Failure to State a Claim,,, Order on Motion to Dismiss/Lack of Jurisdiction,, <i>Defendants' Motion to Amend the July 14, 2020 Order to Certify it for Interlocutory Appeal</i> (McGuire, Matthew) (Entered: 09/01/2020)                                                                                                                                                       |
| 09/02/2020 |                           | Set Deadlines as to <a href="#"><u>36</u></a> MOTION to Amend/Correct <a href="#"><u>33</u></a> Order on Motion to Dismiss for Failure to State a Claim,,, Order on Motion to Dismiss/Lack of Jurisdiction,, <i>Defendants' Motion to Amend the July 14, 2020 Order to Certify it for Interlocutory Appeal</i> , <a href="#"><u>43</u></a> MOTION to Dismiss for Failure to State a Claim . Motion Hearing set for 9/23/2020 at 10:00 AM in Alexandria Courtroom 601 before District Judge Rossie D. Alston Jr. (clar, ) (Entered: 09/02/2020) |
| 09/02/2020 | <a href="#"><u>51</u></a> | NOTICE of Voluntary Dismissal by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T. (Byrnes, Kevin) (Entered: 09/02/2020)                                                                                                                                                                                                                                                                                                                                |

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| 09/02/2020 | <a href="#">52</a> | ORDER granting <a href="#">48</a> Motion for Pro hac vice as to Jessica Paulie Weber. Signed by District Judge Rossie D. Alston, Jr on 09/02/2020. (dvanm, ) (Entered: 09/03/2020)                                                                                                                                                                                                                                                                                                                                                 |
| 09/03/2020 |                    | Per RDA chambers motions set for 9/30/2020 on the pleadings. The Court also considers the guidance set forth in General Order 2020-16. (clar, ) (Entered: 09/03/2020)                                                                                                                                                                                                                                                                                                                                                              |
| 09/03/2020 |                    | Per RDA chambers motions set for <b>9/23/2020</b> on the pleadings. The Court also considers the guidance set forth in General Order 2020-16. (clar, ) (Entered: 09/03/2020)                                                                                                                                                                                                                                                                                                                                                       |
| 10/02/2020 | <a href="#">53</a> | So Ordered re <a href="#">51</a> Notice of Voluntary Dismissal filed by C.T., A.O., J.R., Council of Parent Attorneys and Advocates, Q.T., Autistic Self Advocacy Network, D.O., Communication First, J. M. <b>Plaintiffs' claims against Defendants Dr. Scott Braband and Teresa Johnson are DISMISSED without prejudice. At this juncture, Plaintiffs claims against Defendant FairfaxCounty School Board are to remain intact.</b> Signed by District Judge Rossie D. Alston, Jr on 10/02/2020. (dvanm, ) (Entered: 10/02/2020) |
| 10/29/2020 | <a href="#">54</a> | ORDER denying <a href="#">36</a> Motion to Amend. Signed by District Judge Rossie D. Alston, Jr on 10/29/2020. (dvanm, ) (Entered: 10/29/2020)                                                                                                                                                                                                                                                                                                                                                                                     |
| 04/22/2021 | <a href="#">55</a> | SCHEDULING ORDER: Initial Pretrial Conference set for 5/12/2021 at 11:00 AM in Alexandria Courtroom 501 before Magistrate Judge John F. Anderson. Final Pretrial Conference set for 8/26/2021 at 10:00 AM in Alexandria Courtroom 601 before District Judge Rossie D. Alston Jr. Discovery due by 8/20/2021. Signed by District Judge Rossie D. Alston, Jr on 4/22/21. (Attachments: # <a href="#">1</a> Pretrial Notice, # <a href="#">2</a> Magistrate Judge Consent Form)(tarm) (Entered: 04/22/2021)                           |
| 04/22/2021 | <a href="#">56</a> | MOTION to Sever <i>Plaintiffs</i> by Fairfax County School Board. (Eckstein, Maya) (Entered: 04/22/2021)                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 04/22/2021 | <a href="#">57</a> | Memorandum in Support re <a href="#">56</a> MOTION to Sever <i>Plaintiffs</i> filed by Fairfax County School Board. (Eckstein, Maya) (Entered: 04/22/2021)                                                                                                                                                                                                                                                                                                                                                                         |
| 04/23/2021 |                    | Notice of Correction re <a href="#">56</a> MOTION to Sever <i>Plaintiffs</i> . The filing user has been notified to file a Notice of Hearing Date or a Notice of Waiver of Oral Argument. (dvanm, ) (Entered: 04/23/2021)                                                                                                                                                                                                                                                                                                          |

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| 05/04/2021 | <a href="#">58</a> | Joint MOTION to Stay by Fairfax County School Board. (Attachments: # <a href="#">1</a> Proposed Order Proposed Order re Motion to Stay)(Eckstein, Maya) (Entered: 05/04/2021)                                                                                                                                                                                                                             |
| 05/04/2021 | <a href="#">59</a> | Waiver of re <a href="#">58</a> Joint MOTION to Stay <i>Notice of Waiver of Oral Argument</i> by Fairfax County School Board (Eckstein, Maya) (Entered: 05/04/2021)                                                                                                                                                                                                                                       |
| 05/05/2021 | <a href="#">60</a> | ORDERED that <a href="#">58</a> the Motion is GRANTED; and IT IS FURTHER ORDERED that the proceedings in this matter, including scheduling, discovery, and briefing deadlines on motions, are STAYED for a period of 30 days from the date of this Order, as the parties seek to try to resolve this matter. Signed by District Judge Rossie D. Alston, Jr on 05/05/2021. (dvanm, ) (Entered: 05/05/2021) |
| 05/05/2021 | <a href="#">61</a> | ORDER - ORDERED that the initial pretrial conference is continued from May 12, 2021 to June 16, 2021 at 11:00 a.m. The parties shall submit a proposed joint discovery plan pursuant to the scheduling order by June 9, 2021. Signed by Magistrate Judge John F. Anderson on 05/05/2021. (wgar, ) (Entered: 05/05/2021)                                                                                   |
| 05/05/2021 |                    | Initial Pretrial Conference reset for 6/16/2021 at 11:00 AM in Alexandria Courtroom 501 before Magistrate Judge John F. Anderson. (wgar, ) (Entered: 05/05/2021)                                                                                                                                                                                                                                          |
| 06/03/2021 | <a href="#">62</a> | Joint MOTION for Extension of Stay by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # <a href="#">1</a> Proposed Order Granting Motion to Extend Stay)(Byrnes, Kevin) (Entered: 06/03/2021)                                                                                                     |
| 06/03/2021 | <a href="#">63</a> | Waiver of re <a href="#">62</a> Joint MOTION for Extension of Stay <i>Oral Argument</i> by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T. (Byrnes, Kevin) (Entered: 06/03/2021)                                                                                                                                 |
| 06/03/2021 | <a href="#">64</a> | Motion to appear Pro Hac Vice by Abigail Graber and Certification of Local Counsel Kevin E. Byrnes Filing fee \$ 75, receipt number AVAEDC-7823858. by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Byrnes, Kevin) (Entered: 06/03/2021)                                                                    |
| 06/03/2021 | <a href="#">65</a> | ORDER granting <a href="#">64</a> Motion for Pro hac vice Appointed Abigail Graber for Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J.                                                                                                                                                                                            |

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|            |                           | R., C. T., and Q. T. Signed by Magistrate Judge John F. Anderson on 06/03/2021. (jlan) (Entered: 06/03/2021)                                                                                                                                                                                                                                                                                          |
| 06/07/2021 | <a href="#"><u>66</u></a> | Opposition to <a href="#"><u>56</u></a> MOTION to Sever <i>Plaintiffs</i> filed by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # <a href="#"><u>1</u></a> Declaration of Jessica P. Weber)(Byrnes, Kevin) (Entered: 06/07/2021)                                                           |
| 06/09/2021 | <a href="#"><u>67</u></a> | ORDER granting <a href="#"><u>62</u></a> Joint Motion to Extend Stay through July 6, 2021. Signed by District Judge Rossie D. Alston, Jr on 06/09/2021. (dvanm, ) (Entered: 06/09/2021)                                                                                                                                                                                                               |
| 06/09/2021 | <a href="#"><u>68</u></a> | ORDER continuing the Rule 16 conference from Wednesday, June 16, 2021 to <b>Wednesday, July 21, 2021 at 11:00</b> . The parties shall file a proposed discovery plan pursuant to the scheduling order by July 14, 2021. Signed by Magistrate Judge John F. Anderson on 06/09/2021. (dvanm, ) (Entered: 06/09/2021)                                                                                    |
| 06/09/2021 |                           | Reset Hearings: Initial Pretrial Conference set for 7/21/2021 at 11:00 AM in Alexandria Courtroom 500 before Magistrate Judge John F. Anderson. (dvanm, ) (Entered: 06/09/2021)                                                                                                                                                                                                                       |
| 06/30/2021 | <a href="#"><u>69</u></a> | Joint MOTION for Extension of <i>Stay</i> by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # <a href="#"><u>1</u></a> Proposed Order)(Byrnes, Kevin) (Entered: 06/30/2021)                                                                                                                  |
| 07/06/2021 | <a href="#"><u>70</u></a> | ORDER granting <a href="#"><u>69</u></a> Joint MOTION for Extension of <i>Stay</i> ; and IT IS FURTHER ORDERED that the proceedings in this matter, including scheduling, discovery, and briefing dates on any motions, are STAYED through August 5, 2021, as the parties seek to try to resolve this matter. Signed by District Judge Rossie D. Alston, Jr on 7/6/2021. (dest) (Entered: 07/06/2021) |
| 07/09/2021 | <a href="#"><u>71</u></a> | ORDERED that the initial pretrial conference scheduled for July 21, 2021 at 11 :00 a.m. is cancelled. A status conference will be held at 10:00 a.m. on Friday, August 6, 2021 before the undersigned unless a stipulated order of dismissal is filed. Signed by Magistrate Judge John F. Anderson on 7/9/2021. (swil) (Entered: 07/09/2021)                                                          |
| 07/09/2021 |                           | Set Hearings: Status Conference set for 8/6/2021 at 10:00 AM in Alexandria Courtroom 501 before Magistrate Judge John F. Anderson. (swil) (Entered: 07/09/2021)                                                                                                                                                                                                                                       |



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| 08/03/2021 | <a href="#">72</a> | Joint MOTION for Extension of <i>Stay</i> by Fairfax County School Board. (Attachments: # <a href="#">1</a> Proposed Order)(Eckstein, Maya) (Entered: 08/03/2021)                                                                                                                                                                                                                                                                                                     |
| 08/05/2021 | <a href="#">73</a> | ORDER - ORDERED that the status conference currently scheduled for August 6, 2021 is cancelled. A status conference will be rescheduled once the District Judge has decided whether to continue the stay any further. While the parties' efforts to resolve this case are commendable, there comes a time when they must decide whether to resolve a dispute or to proceed. Signed by Magistrate Judge John F. Anderson on 08/05/2021. (wgar, ) (Entered: 08/05/2021) |
| 08/06/2021 | <a href="#">74</a> | RESPONSE in Support re <a href="#">56</a> MOTION to Sever <i>Plaintiffs</i> filed by Fairfax County School Board. (Eckstein, Maya) (Entered: 08/06/2021)                                                                                                                                                                                                                                                                                                              |
| 08/09/2021 | <a href="#">75</a> | ORDER granting <a href="#">72</a> Joint Motion to Extend Stay. IT IS FURTHER ORDERED that the proceedings in this matter, including scheduling, discovery, and briefing dates on any motions, are STAYED through September 7, 2021, as the parties seek to try to resolve this matter. Signed by District Judge Rossie D. Alston, Jr on 08/09/2021. (dvanm, ) (Entered: 08/10/2021)                                                                                   |
| 08/18/2021 | <a href="#">76</a> | MOTION to Withdraw as Attorney by Fairfax County School Board. (Raphael, Stuart) (Entered: 08/18/2021)                                                                                                                                                                                                                                                                                                                                                                |
| 08/18/2021 | <a href="#">77</a> | ORDER granting <a href="#">76</a> Motion to Withdraw as Attorney. Attorney Stuart Alan Raphael terminated. Signed by Magistrate Judge John F. Anderson on 08/18/2021. (dvanm, ) (Entered: 08/18/2021)                                                                                                                                                                                                                                                                 |
| 09/09/2021 | <a href="#">78</a> | Joint MOTION to Stay <i>Based on Settlement of Claims</i> by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # <a href="#">1</a> Proposed Order)(Byrnes, Kevin) (Entered: 09/09/2021)                                                                                                                                                                         |
| 09/09/2021 | <a href="#">79</a> | Waiver of re <a href="#">78</a> Joint MOTION to Stay <i>Based on Settlement of Claims</i> by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T. (Byrnes, Kevin) (Entered: 09/09/2021)                                                                                                                                                                                           |

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| <b>Description:</b>        | Docket Report    | <b>Search<br/>Criteria:</b> | 1:19-cv-01285-<br>RDA-JFA |
| <b>Billable<br/>Pages:</b> | 12               | <b>Cost:</b>                | 1.20                      |