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18BD,CASREF,CASSET,CLOSED,MASTER,MEDIATION,STAYED,TRIAL

**U.S. District Court
North Carolina Middle District (NCMD)
CIVIL DOCKET FOR CASE #: 1:18-cv-00502-WO-JLW**

BUFFKIN et al v. HOOKS et al
Assigned to: JUDGE WILLIAM L. OSTEEN, JR
Referred to: MAG/JUDGE JOE L. WEBSTER
Cause: 28:1331 Fed. Question

Date Filed: 06/15/2018
Date Terminated: 03/08/2021
Jury Demand: Defendant
Nature of Suit: 550 Prisoner: Civil
Rights
Jurisdiction: Federal Question

Plaintiff

LLOYD BUFFKIN
*individually and on behalf of a class
of similarly situated persons*

represented by **CHRISTOPHER A. BROOK**
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Plaintiff

KIM CALDWELL

*individually and on behalf of a class
of similarly situated persons*

represented by **CHRISTOPHER A. BROOK**

(See above for address)

TERMINATED: 04/17/2019

LEAD ATTORNEY

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TERMINATED: 03/04/2021

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TERMINATED: 05/08/2019

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Plaintiff

ROBERT PARHAM

*individually and on behalf of a class
of similarly situated persons*

represented by **CHRISTOPHER A. BROOK**

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TERMINATED: 04/17/2019

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V.

Defendant

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HOEKSTRA**

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Defendant

ABHAY AGARWAL
*individually and in his official
capacity as Acting Medical
Director, Department of Adult
Correction, North Carolina
Department of Public Safety*

represented by **AMAR MAJMUNDAR**
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ATTORNEY TO BE NOTICED*

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JOSEPH FINARELLI
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ATTORNEY TO BE NOTICED

SHANNON JOHN CASSELL
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

KENNETH LASSITER
*individually and in his official
capacity as Director of Prisons,
Department of Adult Correction,
North Carolina Department of
Public Safety*

represented by **AMAR MAJMUNDAR**
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SHANNON JOHN CASSELL
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Defendant

PAULA SMITH
*former medical director,
Department of Adult Correction,
North Carolina Department of
Public Safety, individually*

represented by **AMAR MAJMUNDAR**
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ATTORNEY TO BE NOTICED

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SHANNON JOHN CASSELL
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Defendant

**NORTH CAROLINA
DEPARTMENT OF PUBLIC
SAFETY**

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Movant

ISRRAEL LENIN SUAREZ

TERMINATED: 09/09/2020

represented by **ISRRAEL LENIN SUAREZ**
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Movant

BRIAN K. LEWIS

represented by **BRIAN K. LEWIS**
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Movant

JONATHAN SCOTT

represented by **JONATHAN SCOTT**
0680797
GREENE CORRECTIONAL
INSTITUTION
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PRO SE

Date Filed	#	Docket Text
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06/15/2018	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0418-2370171.), filed by LLOYD BUFFKIN, ROBERT PARHAM, KIM CALDWELL. (Attachments: # <u>1</u> Affidavit of Dr. Andrew Joseph Muir)(LUECKING-SUNMAN, MICHELE) (Entered: 06/15/2018)
06/15/2018	<u>2</u>	NOTICE of Appearance by attorney EMILY E. SEAWELL on behalf of Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM (SEAWELL, EMILY) (Entered: 06/15/2018)
06/15/2018	<u>3</u>	MOTION to Certify Class by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Response to Motion due by 7/6/2018 (Attachments: # <u>1</u> Exhibit A, Declaration of Lloyd Buffkin, # <u>2</u> Exhibit B, Declaration of Robert Parham, # <u>3</u> Exhibit C, Declaration of Kim Caldwell, # <u>4</u> Exhibit D, Affidavit of Paula Smith, # <u>5</u> Exhibit E, EDNC Discovery, # <u>6</u> Exhibit F, Declaration of Michele-Luecking Sunman, # <u>7</u> Exhibit G, Declaration of Christopher Brook)(SEAWELL, EMILY) (Entered: 06/15/2018)
06/15/2018	<u>4</u>	BRIEF re <u>3</u> MOTION to Certify Class . (SEAWELL, EMILY) (Entered: 06/15/2018)
06/15/2018	<u>5</u>	NOTICE of Appearance by attorney CHRISTOPHER A. BROOK on behalf of Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM (BROOK, CHRISTOPHER) (Entered: 06/15/2018)
06/15/2018		Case ASSIGNED to JUDGE WILLIAM L. OSTEEEN, JR and MAGISTRATE JUDGE JOE L. WEBSTER. (Coyne, Michelle) (Entered: 06/15/2018)
06/18/2018		CASE REFERRED for Screening. (Coyne, Michelle) (Entered: 06/18/2018)
06/18/2018	<u>6</u>	Summons Issued as to All Defendants. (Attachments: # <u>1</u> NCDPS, # <u>2</u> LASSITER, # <u>3</u> HOOKS, # <u>4</u> AGARWAL)(Coyne, Michelle) (Entered: 06/18/2018)
06/18/2018	<u>7</u>	Notice of Right to Consent. Counsel shall serve the attached form on all parties. (Attachments: # <u>1</u> CONSENT FORM)(Coyne, Michelle) (Entered: 06/18/2018)
06/19/2018	<u>8</u>	CERTIFICATE OF SERVICE by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM re <u>4</u> Brief, <u>3</u> MOTION to Certify Class (<i>Amended Certificate of Service</i>) (SEAWELL, EMILY) (Entered: 06/19/2018)

06/20/2018	<u>9</u>	NOTICE of Appearance by attorney DANIEL K. SIEGEL on behalf of Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM (SIEGEL, DANIEL) (Entered: 06/20/2018)
07/05/2018	<u>10</u>	AFFIDAVIT OF SERVICE as to ABHAY AGARWAL served on 6/22/2018, answer due 7/13/2018. (Attachments: # <u>1</u> Affidavit of Service)(LUECKING-SUNMAN, MICHELE) (Entered: 07/05/2018)
07/05/2018	<u>11</u>	AFFIDAVIT OF SERVICE as to ERIK HOOKS served on 6/22/2018, answer due 7/13/2018. (Attachments: # <u>1</u> Affidavit of Service)(LUECKING-SUNMAN, MICHELE) (Entered: 07/05/2018)
07/05/2018	<u>12</u>	AFFIDAVIT OF SERVICE as to KENNETH LASSITER served on 6/22/2018, answer due 7/13/2018. (Attachments: # <u>1</u> Affidavit of Service)(LUECKING-SUNMAN, MICHELE) (Entered: 07/05/2018)
07/05/2018	<u>13</u>	AFFIDAVIT OF SERVICE as to NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY served on 6/22/2018, answer due 7/13/2018. (Attachments: # <u>1</u> Affidavit of Service)(LUECKING-SUNMAN, MICHELE) (Entered: 07/05/2018)
07/05/2018	<u>14</u>	AFFIDAVIT OF SERVICE as to PAULA SMITH served on 6/20/2018, answer due 7/11/2018. (Attachments: # <u>1</u> Affidavit of Service)(LUECKING-SUNMAN, MICHELE) (Entered: 07/05/2018)
07/10/2018	<u>15</u>	NOTICE of Appearance by attorney JOSEPH FINARELLI on behalf of Defendants ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH (FINARELLI, JOSEPH) (Entered: 07/10/2018)
07/10/2018	<u>16</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order Granting MET)(FINARELLI, JOSEPH) (Entered: 07/10/2018)
07/10/2018		ORDER granting <u>16</u> Motion for Extension of Time to Answer for All Defendants. Answer due by 8/11/2018. Signed by John

		Brubaker, Clerk of Court, on 07/10/2018. (Brubaker, John) (Entered: 07/10/2018)
07/12/2018	17	NOTICE of Appearance by attorney ANN W. MATTHEWS on behalf of Defendants ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH (MATTHEWS, ANN) (Entered: 07/12/2018)
08/02/2018	18	NOTICE of Appearance by attorney ORLANDO L. RODRIGUEZ on behalf of Defendants ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH (RODRIGUEZ, ORLANDO) (Entered: 08/02/2018)
08/02/2018	19	Consent MOTION for Extension of Time to File Answer re 1 Complaint by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. (Attachments: # 1 Text of Proposed Order)(RODRIGUEZ, ORLANDO) (Entered: 08/02/2018)
08/03/2018	20	MOTION for Extension of Time to File Response/Reply as to 3 MOTION to Certify Class by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. (Attachments: # 1 Text of Proposed Order)(RODRIGUEZ, ORLANDO) (Entered: 08/03/2018)
08/10/2018		Motions Referred: RE: 19 Consent MOTION for Extension of Time to File Answer re 1 Complaint , to MAG/JUDGE JOE L. WEBSTER (Winchester, Robin) (Entered: 08/10/2018)
08/15/2018		TEXT ORDER granting 19 Motion for Extension of Time to Answer filed by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. Defendants shall have up to and including September 12, 2018, in which to appear and answer or otherwise respond in this action. Issued by MAG/JUDGE JOE L. WEBSTER on 8/15/2018. (Lee, Pedra) (Entered: 08/15/2018)
08/16/2018		Answer updated for All Defendants. (Contreras, Jamie) (Entered: 08/16/2018)

08/24/2018	<u>21</u>	RESPONSE in Opposition re <u>20</u> MOTION for Extension of Time to File Response/Reply as to <u>3</u> MOTION to Certify Class filed by KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH, ABHAY AGARWAL, ERIK HOOKS filed by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Replies due by 9/7/2018 (SEAWELL, EMILY) (Entered: 08/24/2018)
08/28/2018	<u>22</u>	NOTICE of Appearance by attorney CORRINE L. LUSIC on behalf of Defendants ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH (LUSIC, CORRINE) (Entered: 08/28/2018)
09/07/2018	<u>23</u>	REPLY, filed by Defendants ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH, to Response to <u>20</u> MOTION for Extension of Time to File Response/Reply as to <u>3</u> MOTION to Certify Class filed by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. (Attachments: # <u>1</u> Affidavit of Orlando L. Rodriguez)(RODRIGUEZ, ORLANDO) (Entered: 09/07/2018)
09/07/2018	<u>24</u>	Corrected document re <u>23</u> Reply to Response to Motion,. (Attachments: # <u>1</u> Affidavit of Orlando L. Rodriguez)(RODRIGUEZ, ORLANDO) (Entered: 09/07/2018)
09/11/2018		Motion Referred re: <u>20</u> MOTION for Extension of Time to File Response/Reply as to <u>3</u> MOTION to Certify Class, to MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 09/11/2018)
09/12/2018	<u>25</u>	ANSWER to <u>1</u> Complaint with Jury Demand by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. (RODRIGUEZ, ORLANDO) (Entered: 09/12/2018)
09/14/2018	<u>26</u>	MOTION for Preliminary Injunction by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Response to Motion due by 10/5/2018 (SIEGEL, DANIEL) (Entered: 09/14/2018)
09/14/2018	<u>27</u>	BRIEF re <u>26</u> MOTION for Preliminary Injunction by Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM filed by LLOYD BUFFKIN, KIM CALDWELL,

		ROBERT PARHAM. (Attachments: # 1 Affidavit Amended Affidavit of Dr. Andrew Joseph Muir, # 2 Exhibit DPS Policy CP-7, # 3 Affidavit Affidavit of Paula Smith, # 4 Exhibit Discovery Responses, # 5 Exhibit AASLD/IDSA Guidelines, # 6 Exhibit Medical Records of Jacki Housand)(SIEGEL, DANIEL) (Entered: 09/14/2018)
09/14/2018	28	MOTION for Hearing re 26 MOTION for Preliminary Injunction by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Responses due by 10/5/2018 (SIEGEL, DANIEL) (Entered: 09/14/2018)
09/17/2018		TEXT ORDER: Re 20 Motion for Extension of Time to File Response/Reply as to 3 Motion to Certify Class. The parties are ordered to meet and confer no later than Friday, September 21, 2018, regarding Motion 20 . If the parties are unable to resolve the issue presented in Motion 20 , the Court will schedule this matter for a hearing on Tuesday, September 25, 2018 at 9:30am, in Durham, North Carolina. Issued by MAG/JUDGE JOE L. WEBSTER on 9/17/2018. (Lee, Pedra) (Entered: 09/17/2018)
09/21/2018	29	NOTICE by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH re Order, (Attachments: # 1 Text of Proposed Order)(RODRIGUEZ, ORLANDO) (Entered: 09/21/2018)
09/21/2018		CASE REFERRED RE: 29 Notice (Other), to MAG/JUDGE JOE L. WEBSTER (Garrett, Kim) (Entered: 09/21/2018)
09/21/2018	30	ORDER signed by MAG/JUDGE JOE L. WEBSTER on 09/21/2018. Therefore, for reasons set forth in Defendants' Notice to the Court and Motion for Entry of Consent Order and for good cause shown, IT IS HEREBY ORDERED that Defendants shall have up to and including October 5, 2018, in which to file a response to Plaintiffs' Motion to Certify Class. FURTHER that the Motion of Defendants Nunc Pro Tum, for an Enlargement of Time to Respond to Plaintiffs Motion to Certify Class (Docket Entry 20) isDENIED as moot. FURTHER that no hearing shall be scheduled for September 25,2018.(Taylor, Abby) (Entered: 09/21/2018)
09/21/2018		Set/Reset Motion and R and R Deadlines/Hearings re 3 MOTION to Certify Class : Defendants Responses due by 10/5/2018 (Taylor, Abby) (Entered: 09/21/2018)

09/24/2018		Motion Submitted re: 28 MOTION for Hearing re 26 MOTION for Preliminary Injunction, to JUDGE WILLIAM L. OSTEEN, JR. (Welch, Kelly) (Entered: 09/24/2018)
10/05/2018		Motion No Longer Submitted to JUDGE WILLIAM L. OSTEEN, JR. re: 28 MOTION for Hearing as to 26 MOTION for Preliminary Injunction (Welch, Kelly) (Entered: 10/05/2018)
10/05/2018		Motion Referred re: 28 MOTION for Hearing on 26 MOTION for Preliminary Injunction, to MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 10/05/2018)
10/05/2018	31	RESPONSE filed by Defendants ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH re 3 MOTION to Certify Class filed by ROBERT PARHAM, KIM CALDWELL, LLOYD BUFFKIN filed by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. Replies due by 10/19/2018 (LUSIC, CORRINE) (Entered: 10/05/2018)
10/05/2018	32	RESPONSE in Opposition re 26 MOTION for Preliminary Injunction filed by ROBERT PARHAM, KIM CALDWELL, LLOYD BUFFKIN filed by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. Replies due by 10/19/2018 (Attachments: # 1 Affidavit of Anita Wilson, M.D., # 2 Exhibit A to Wilson Affidavit, # 3 See ECF - Corrected Document 48 Exhibit B to Wilson Affidavit, # 4 Exhibit B-1 to Wilson Affidavit, # 5 Exhibit C to Wilson Affidavit, # 6 Exhibit D to Wilson Affidavit)(RODRIGUEZ, ORLANDO) Modified on 3/7/2019 - See Corrected Document 48 re: Exhibit B to Wilson Affidavit (Welch, Kelly). (Entered: 10/05/2018)
10/15/2018		TEXT ORDER granting 28 Plaintiff's Motion for Hearing on 26 Plaintiff's Motion for Preliminary Injunction. The Motion Hearing in this matter shall be scheduled for Monday, October 29, 2018 at 10am in Durham, Courtroom Second Floor. Issued by MAG/JUDGE JOE L. WEBSTER on 10/15/2018.(Lee, Pedra) (Entered: 10/15/2018)

10/15/2018		Set Hearings: Motion Hearing as to 26 Motion for Preliminary Injunction set for 10/29/2018 10:00 AM in Durham Courtroom #1 before MAG/JUDGE JOE L. WEBSTER. (Garrett, Kim) (Entered: 10/15/2018)
10/17/2018	33	NOTICE of Appearance by attorney CRISTINA M. BECKER on behalf of Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM (BECKER, CRISTINA) (Entered: 10/17/2018)
10/19/2018	34	REPLY, filed by Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM, to Response to 26 MOTION for Preliminary Injunction filed by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (Attachments: # 1 Exhibit Second Declaration of Robert Parham, # 2 Exhibit Additional Medical Record of Lloyd Buffkin, # 3 Exhibit Additional Medical Records of Kim Caldwell)(SIEGEL, DANIEL) (Entered: 10/19/2018)
10/19/2018	35	REPLY, filed by Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM, to Response to 3 MOTION to Certify Class filed by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (SEAWELL, EMILY) (Entered: 10/19/2018)
10/23/2018		Motions Referred: re: 3 MOTION to Certify Class, 26 MOTION for Preliminary Injunction, to MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 10/23/2018)
10/26/2018	36	NOTICE of Appearance by attorney AMAR MAJMUNDAR on behalf of Defendants ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH (MAJMUNDAR, AMAR) (Entered: 10/26/2018)
10/29/2018	37	Minute Entry for proceedings held before MAG/JUDGE JOE L. WEBSTER: Motion Hearing held on 10/29/2018 re: 26 MOTION for Preliminary Injunction filed by ROBERT PARHAM, KIM CALDWELL, LLOYD BUFFKIN. Attorneys Christopher Brook, Daniel Siegel, Emily Seawell present as counsel for Plaintiffs, Amar Majmundar, Joseph Finarelli and Orlando Rodriguez present as counsel for Defendants. Evidence presented. Matter taken under advisement. Case set for a hearing

		on 3 Motion to Certify Class 11/5/18 at 10:00 am in Durham, NC (Court Reporter Briana Bell.) (Garrett, Kim) (Entered: 10/29/2018)
10/29/2018		Set Hearings: Hearing on 3 Motion to Certify Class set for 11/5/2018 10:00 AM in Durham Courtroom #1 before MAG/JUDGE JOE L. WEBSTER. (Garrett, Kim) (Entered: 10/29/2018)
11/05/2018		Minute Entry for proceedings held before MAG/JUDGE JOE L. WEBSTER: Motion Hearing held on 11/5/2018 re 3 MOTION to Certify Class filed by ROBERT PARHAM, KIM CALDWELL, LLOYD BUFFKIN. Court takes matter under advisement. Attorneys Christopher Brook, Christina Becker, Daniel Siegel, Emily Seawell and Michelle Luecking-Sunman appeared as counsel for plaintiffs. Attorneys Amar Majmundar, Joseph Finareli and Orlando Rodriguez appeared as counsel for the defendants. (Court Reporter Briana Bell.) (Winchester, Robin) (Entered: 11/05/2018)
11/30/2018	38	MEMORANDUM OPINION AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE signed by MAG/JUDGE JOE L. WEBSTER on 11/30/2018, that Plaintiff's Motion to Certify Class (Docket Entry 3) be GRANTED and the class be defined as "all current and future prisoners in DPS custody who have or will have chronic hepatitis C virus and have not been treated with direct-acting antiviral drugs." FURTHER RECOMMENDED that Lloyd Buffkin and Robert Parham be named as class representatives and that Plaintiffs' counsel be appointed as class counsel. FURTHER RECOMMENDED that Plaintiffs' Motion for Preliminary Injunction (Docket Entry 26) be GRANTED and a preliminary injunction be issued ordering Defendants to: (1) provide universal opt-out HCV screening to all persons who are or will be in DPS custody; (2) cease denying DAA treatment for the contraindications, other than patient refusal, set out in Step 4a of DPS Policy #CP-7; and (3) treat Plaintiffs and all members of their class with DAAs according to the current standard of medical care set out in the AASLD/IDSA Guidance, regardless of an individual's fibrosis level. (Garland, Leah) (Entered: 11/30/2018)
11/30/2018	39	Notice of Mailing Recommendation: Objections to R&R due by 12/14/2018. Objections to R&R for Pro Se due by 12/17/2018. (Garland, Leah) (Entered: 11/30/2018)

12/14/2018	<u>40</u>	OBJECTION TO RECOMMENDED RULING - MAGISTRATE JUDGE re <u>38</u> Recommended Ruling - Magistrate Judge,,,, by Defendants ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH . (LUSIC, CORRINE) (Entered: 12/14/2018)
12/21/2018	<u>41</u>	Transcript of Proceedings held on 10/29/2018, before Judge Joe L. Webster. Court Reporter Briana L. Bell, Telephone number 336-734-2514. Email: brinesbit@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER. Redaction Request due 1/14/2019. Redacted Transcript Deadline set for 1/25/2019. Release of Transcript Restriction set for 3/25/2019. (Bell, Briana) (Entered: 12/21/2018)
12/21/2018	<u>42</u>	Transcript of Proceedings held on 11/05/2018, before Judge Joe L. Webster. Court Reporter Briana L. Bell, Telephone number 336-734-2514. Email: brinesbit@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.

		Redaction Request due 1/14/2019. Redacted Transcript Deadline set for 1/25/2019. Release of Transcript Restriction set for 3/25/2019. (Bell, Briana) (Entered: 12/21/2018)
12/28/2018	43	RESPONSE TO OBJECTION to 40 Recommended Ruling filed by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (Attachments: # 1 Exhibit Transcript of 10-29-18 Preliminary Injunction Hearing, # 2 Exhibit Transcript of 11-5-18 Class Certification Hearing)(SIEGEL, DANIEL) (Entered: 12/28/2018)
01/02/2019	44	MOTION to Withdraw as Attorney ANN W. MATTHEWS by on behalf of ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. Responses due by 1/23/2019 (Attachments: # 1 Text of Proposed Order)(MATTHEWS, ANN) (Entered: 01/02/2019)
01/04/2019		CASE REFERRED re: 38 RECOMMENDED RULING - MAGISTRATE JUDGE re 3 MOTION to Certify Class filed by ROBERT PARHAM, KIM CALDWELL, LLOYD BUFFKIN, to Judge MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 01/04/2019)
01/04/2019		Motion Referred re: 44 MOTION to Withdraw as Attorney ANN W. MATTHEWS, to MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 01/04/2019)
01/07/2019		TEXT ORDER granting 44 Motion to Withdraw as Attorney. For good cause shown, Attorney ANN W. MATTHEWS shall be terminated as counsel for Defendants. Issued by MAG/JUDGE JOE L. WEBSTER on 1/7/2019.(Lee, Pedra) (Entered: 01/07/2019)
01/08/2019		CASE REFERRED RE: 38 RECOMMENDED RULING - MAGISTRATE JUDGE re 3 MOTION to Certify Class to JUDGE WILLIAM L. OSTEEN, JR. (Marsh, Keah) (Entered: 01/08/2019)
02/28/2019	45	NOTICE OF HEARING: Motion Hearing set for 3/08/2019 02:00 PM in Greensboro Courtroom #1 before JUDGE WILLIAM L. OSTEEN JR. (Welch, Kelly) (Entered: 02/28/2019)
03/06/2019	46	REQUEST by Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM for Leave to Present the Live Testimony of

		Dr. Andrew Muir re 26 MOTION for Preliminary Injunction . (Attachments: # 1 Text of Proposed Order)(SEAWELL, EMILY) Modified on 3/7/2019 to edit event (Welch, Kelly). (Entered: 03/06/2019)
03/07/2019		Motion Submitted: 46 MOTION for Leave to JUDGE WILLIAM L. OSTEEEN, JR. (Welch, Kelly) (Entered: 03/07/2019)
03/07/2019	47	ORDER signed by JUDGE WILLIAM L. OSTEEEN, JR on 3/7/2019; that Plaintiffs' request to present the live testimony of Dr. Muir during the March 8, 2019 hearing on Plaintiffs' Motion for Preliminary Injunction will be allowed. Plaintiffs should be cognizant of the fact this court has reviewed, by transcript, the testimony of Dr. Muir before the Magistrate Judge. (Sheets, Jamie) (Entered: 03/07/2019)
03/07/2019	48	CORRECTED DOCUMENT (Replacement of Attachment 3 - Exhibit B to Wilson Affidavit) in support of 32 Response in Opposition to Motion for Preliminary Injunction. (Main Document - pages 1-100; Attachment 1 - pages 101-200; Attachment 2 - pages 201-263) NEF regenerated to all counsel. (Welch, Kelly) (Entered: 03/07/2019)
03/08/2019	49	NOTICE of Appearance by attorney SHANNON J. CASSELL on behalf of Defendants ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH (CASSELL, SHANNON) (Entered: 03/08/2019)
03/08/2019	50	Minute Entry for proceedings held before JUDGE WILLIAM L. OSTEEEN, JR., in G-1: Motion Hearing held on 3/8/2019 re 26 Plaintiffs' Motion for Preliminary Injunction. Counsel present on behalf of Plaintiffs: Daniel Siegel, Michelle Luecking-Sunman, Emily Seawell, Christina Becker & Christopher Brook. Counsel present on behalf of Defendants: Orlando Rodriguez, Shannon Cassell, Joseph Finarelli & Corrine Lusic. Court heard arguments from counsel. (Evidence presented) (Court Reporter Joseph Armstrong.) (Welch, Kelly) (Entered: 03/08/2019)
03/15/2019	51	Transcript of Hearing on Preliminary Injunction held on 03/08/2019, before Judge William L. Osteen, Jr. Court Reporter/Transcriber J. Armstrong, Telephone number 336-332-6034. Email: joseph_armstrong@ncmd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through

		the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER. Redaction Request due 4/8/2019. Redacted Transcript Deadline set for 4/18/2019. Release of Transcript Restriction set for 6/17/2019. (Armstrong, Joe) (Main Document 51 replaced on 3/18/2019) (Contreras, Jamie). (Entered: 03/15/2019)
03/15/2019	52	SUPPLEMENT re 32 Response in Opposition to Motion,, <i>Supplemental Affidavit of Dr. Anita Wilson</i> by Defendants ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. (Attachments: # 1 Exhibit A to Supplemental Affidavit of Dr. Wilson)(RODRIGUEZ, ORLANDO) (Entered: 03/15/2019)
03/15/2019	53	NOTICE by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM (SIEGEL, DANIEL) (Entered: 03/15/2019)
03/18/2019		CASE REFERRED re: 53 Notice (Other), 52 Supplement, to JUDGE WILLIAM L. OSTEEN, JR. (Welch, Kelly) (Entered: 03/18/2019)
03/20/2019	54	AFFIDAVIT of Dr. Andrew Joseph Muir filed by Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (SEAWELL, EMILY) (Entered: 03/20/2019)
03/20/2019	55	MEMORANDUM OPINION AND ORDER signed by JUDGE WILLIAM L. OSTEEN, JR on 03/20/2019, that the Magistrate Judge's Recommendation, (Doc. 38), is ADOPTED IN PART in accordance with the foregoing analysis. FURTHER ORDERED that Plaintiffs' Motion to Certify Class, (Doc. 3), is GRANTED and that the class be defined as "all current and future prisoners in DPS custody who have or will have chronic hepatitis

		C virus and have not been treated with direct-acting antiviral drugs." FURTHER ORDERED that Lloyd Buffkin and Robert Parham are named as class representatives and that Plaintiffs' counsel is appointed as class counsel. FURTHER ORDERED that Plaintiffs' Motion for Preliminary Injunction, (Doc. 26), is GRANTED IN PART AND DENIED IN PART as set forth herein, in that Plaintiffs' request for a preliminary injunction ordering Defendants to provide DAA treatment to the named Plaintiffs is GRANTED, Plaintiffs' request for an injunction ordering Defendants to cease denying DAA treatment based on contraindications, other than patient refusal, and to cease denying DAA treatment based solely on a prisoner's FibroSure score, is GRANTED in that Policy #CP-7 is hereby ENJOINED in its entirety, and Plaintiffs' request for a preliminary injunction ordering Defendants to institute universal opt-out screening and to treat all class members with DAAs regardless of fibrosis level is DENIED. (Garland, Leah) (Entered: 03/20/2019)
04/17/2019	56	NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL on behalf of Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. IRENA COMO is substituted as counsel for Plaintiffs. Attorney CHRISTOPHER A. BROOK terminated. (COMO, IRENA) (Entered: 04/17/2019)
05/07/2019	57	MOTION to Withdraw as Attorney CRISTINA M. BECKER by on behalf of LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (Attachments: # 1 Text of Proposed Order)(BECKER, CRISTINA) (Entered: 05/07/2019)
05/07/2019		Motion Submitted: 57 MOTION to Withdraw as Attorney CRISTINA M. BECKER to JUDGE WILLIAM L. OSTEEN, JR. (Welch, Kelly) (Entered: 05/07/2019)
05/08/2019	58	ORDER signed by JUDGE WILLIAM L. OSTEEN, JR on 05/08/2019.that the Motion to Withdraw, (Doc. 57), is GRANTED and that Attorney Cristina M. Becker is allowed to withdraw from representing Plaintiffs. Remaining counsel of record for Plaintiffs shall continue as counsel in this matter. (Taylor, Abby) (Entered: 05/08/2019)
05/09/2019	59	Rule 26(f) Report (Joint) filed by all parties by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM.(SEAWELL, EMILY) (Entered: 05/09/2019)
05/10/2019	60	CERTIFICATE OF SERVICE by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM re 59 Rule 26(f) Report

		(Joint) filed by all parties (SEAWELL, EMILY) (Entered: 05/10/2019)
05/16/2019		Motions Referred: RE: 59 Rule 26(f) Report (Joint) filed by all parties, to MAG/JUDGE JOE L. WEBSTER (Garrett, Kim) (Entered: 05/16/2019)
05/16/2019	61	ORDER signed by MAG/JUDGE JOE L. WEBSTER on 05/16/2019 approving 59 RULE 26F (JOINT) with the following modification to section 5: The trial date in this matter shall be determined by the Court. Discovery shall be established as Complex. Mediation should be conducted midway through the discovery period, the exact date to be set by the mediator after consultation with the parties. Not all parties have consented to have this case referred to a Magistrate Judge. The parties request a status conference with the Court after dispositive motion briefing has concluded. Trial of this matter is expected to take approximately 5 days. A jury trial has been demanded. Plaintiff's and Defendant's Amended Pleadings due by 9/12/2019. Discovery due by 1/17/2020. Joinder of Parties for Plaintiff and Defendant due by 9/12/2019. Dispositive Motions due by 2/17/2020. (Garland, Leah) (Entered: 05/16/2019)
05/16/2019	62	Joint MOTION for Protective Order by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Response to Motion due by 5/30/2019 (Attachments: # 1 Text of Proposed Order)(SEAWELL, EMILY) (Entered: 05/16/2019)
05/21/2019		CASE REFERRED to Mediation pursuant to Local Rule 83.9b of the Rules of Practice and Procedure of this Court. Please go to our website under Attorney Information for a list of mediators which must be served on all parties. (Gammon, Cheryl) (Entered: 05/21/2019)
05/21/2019		MEDIATION SCHEDULING ORDER ; Selection of Mediator due by 6/14/2019. Mediation due by 10/17/2019. (Gammon, Cheryl) (Entered: 05/21/2019)
05/29/2019		Motion Referred re: 62 Joint MOTION for Protective Order, to MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 05/29/2019)
05/30/2019	63	CONSENT PROTECTIVE ORDER signed by MAG/JUDGE JOE L. WEBSTER on 05/30/2019, as set out herein. (Garland, Leah) (Entered: 05/30/2019)

06/12/2019	64	MOTION to Withdraw as Attorney JOSEPH FINARELLI by on behalf of ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. Responses due by 7/3/2019 (Attachments: # 1 Text of Proposed Order)(FINARELLI, JOSEPH) (Entered: 06/12/2019)
06/12/2019		Motion Referred: RE: 64 MOTION to Withdraw as Attorney - JOSEPH FINARELLI, to MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 06/12/2019)
06/13/2019	65	ORDER signed by MAG/JUDGE JOE L. WEBSTER on 06/13/2019, Defendant's Motion (Docket Entry 64) is GRANTED and Special Deputy Attorney General Joseph Finarelli is permitted to withdraw as counsel of record for Defendants. Orlando L. Rodriguez, Corrine Lusic, Amar Majmundar, and Shannon Cassell, all with the North Carolina Department of Justice, shall remain counsel of record for Defendants. (Garland, Leah) (Entered: 06/13/2019)
06/14/2019	66	Joint MOTION for Extension of Time to <i>Select a Mediator</i> by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (Attachments: # 1 Text of Proposed Order)(LUECKING-SUNMAN, MICHELE) (Entered: 06/14/2019)
06/17/2019		Motion Referred re: 66 Joint MOTION for Extension of Time to Select a Mediator, to MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 06/17/2019)
06/20/2019		TEXT ORDER granting 66 Motion for Extension of Time to Select Mediator. For good cause shown, the parties shall have up to and including July 15, 2019 to select a mediator. Issued by MAG/JUDGE JOE L. WEBSTER on 6/20/2019.(Lee, Pedra) (Entered: 06/20/2019)
07/15/2019	67	Joint MOTION for Extension of Time to <i>Select a Mediator</i> by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. (Attachments: # 1 Text of Proposed Order)(MAJMUNDAR, AMAR) (Entered: 07/15/2019)
07/16/2019		Motion Referred re: 67 Joint MOTION for Extension of Time to Select a Mediator, to MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 07/16/2019)
07/17/2019		TEXT ORDER granting 67 Motion for Extension of Time to Select Mediator. For good cause shown, the parties shall have up

		to and including August 12, 2019 to select a mediator. Issued by MAG/JUDGE JOE L. WEBSTER on 7/17/2019.(Lee, Pedra) (Entered: 07/17/2019)
07/30/2019	68	JOINT MOTIONfor <i>Telephonic Status Conference</i> by LLOYD BUFFKIN. (LUECKING-SUNMAN, MICHELE) (Entered: 07/30/2019)
08/15/2019		Motion Referred: RE: 68 JOINT MOTION for <i>Telephonic Status Conference</i> to MAG/JUDGE JOE L. WEBSTER. (Marsh, Keah) (Entered: 08/15/2019)
08/16/2019		TEXT ORDER denying 68 Joint Motion for Telephonic Status Conference. The parties are in agreement that they would like to proceed to mediation with The Honorable United States Magistrate Judge Robert B. Jones, Jr., for the United States District Court for the Eastern District of North Carolina. Judge Jones has agreed to act as mediator pending approval by this Court and by the Eastern District of North Carolina. After review of this consideration, the undersigned and The Honorable United States District Judge William L. Osteen, Jr., are in agreement with the parties' selection of Judge Jones to mediate this matter. Thus, a telephone conference is unnecessary at this time. Accordingly, IT IS HEREBY ORDERED, pursuant to Local Rule 83.9d(a), that The Honorable United States Magistrate Judge Robert B. Jones, Jr., for the United States District Court for the Eastern District of North Carolina, is appointed mediator in the above-entitled action. IT IS FURTHER ORDERED, pursuant to Local Rule 83.9e(b), that the mediator shall confer with the parties regarding scheduling of the mediated settlement conference, determine the place and time of the conference, and give notice to the parties. FURTHER, when the mediated settlement conference is completed, the mediator shall submit the Report of Mediator to the Clerk, pursuant to Local Rule 83.9f. Let copies of this order be sent to counsel for the parties and to the mediator. Issued by MAG/JUDGE JOE L. WEBSTER on 8/16/2019.(Lee, Pedra) (Entered: 08/16/2019)
08/23/2019	69	Joint MOTION for Extension of Time to Complete Discovery by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, PAULA SMITH. (Attachments: # 1 Text of Proposed Order)(RODRIGUEZ, ORLANDO) (Entered: 08/23/2019)
08/26/2019		Motions Referred: RE: 69 Joint MOTION for Extension of Time to Complete Discovery , to MAG/JUDGE JOE L. WEBSTER (Williamson, Wanda) (Entered: 08/26/2019)

08/28/2019		TEXT ORDER granting 69 Motion for Extension of Time to Complete Discovery. For good cause shown, the discovery deadlines are extended as follows: Plaintiffs' deadline to disclose experts shall be November 15, 2019; the deadline for completion of fact discovery shall be November 22, 2019; Plaintiffs' deadline to serve expert reports shall be December 16, 2019; Defendants' deadline to disclose experts shall be December 30, 2019; Defendants' deadline to serve expert reports shall be January 29, 2020; Plaintiffs' deadline to serve rebuttal reports shall be February 19, 2020; the close of all discovery shall be March 4, 2020; and the deadline to file dispositive motions shall be April 4, 2020. Issued by MAG/JUDGE JOE L. WEBSTER on 8/28/2019.(Lee, Pedra) (Entered: 08/28/2019)
08/29/2019		Reset Scheduling Order Deadlines: Discovery due by 3/4/2020. Dispositive Motions due by 4/4/2020. (See 8/28/19 Text Order) (Garland, Leah) (Entered: 08/29/2019)
09/24/2019	70	ORDER signed by CHIEF JUDGE THOMAS D. SCHROEDER on 9/23/2019, with the concurrence of the Honorable Terrence W. Boyle, Chief Judge, Eastern District of North Carolina, authorizing United States Magistrate Judge Robert B. Jones, Jr. to perform settlement/mediation duties as a magistrate judge in this case <i>Buffkin v. Hooks</i> , 1:18CV502 (MDNC) until 3/31/2020.(Powell, Gloria) (Entered: 09/24/2019)
09/26/2019	71	NOTICE of Hearing: Master Trial Calendar: OCTOBER 5, 2020. Jury Trial set for 10/5/2020 09:30 AM in Unassigned Courtroom before UNASSIGNED. Unless the court orders otherwise, pretrial disclosures must be made no later than September 4, 2020. Motions in limine must be filed no later than September 11, 2020. Any objections to pretrial disclosures and responses to motions in limine must be served and promptly filed no later than September 18, 2020. Each party shall file a trial brief, along with proposed instructions on the issues no later than September 14, 2020.(Winchester, Robin) (Entered: 09/26/2019)
10/02/2019	72	NOTICE of Appearance by attorney LEAH J. KANG on behalf of Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM (KANG, LEAH) (Entered: 10/02/2019)
10/15/2019	73	Joint MOTION for Extension of Time to File <i>Report of Mediator</i> by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (Attachments: # 1 Text of Proposed Order)(SEAWELL, EMILY) (Entered: 10/15/2019)

10/16/2019	74	MOTION for Leave to File <i>Supplemental Complaint</i> by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Response to Motion due by 11/6/2019 (Attachments: # 1 Supplemental Class Action Complaint)(SEAWELL, EMILY) (Entered: 10/16/2019)
10/16/2019	75	NOTICE: Settlement Conference set for 12/3/2019 10:00 AM in Terry Sanford Federal Building and Courthouse in Raleigh, North Carolina . This notice serves to inform the parties and counsel of the undersigned's expectations at the conference as set out. Signed by United States Magistrate Judge Jones on 10/4/2019. (Powell, Gloria) (Entered: 10/16/2019)
10/16/2019		Motion Referred re: 73 Joint MOTION for Extension of Time to File Report of Mediator, to MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 10/16/2019)
10/18/2019		TEXT ORDER granting 73 Joint Motion to Extend Deadline for Mediation. For good cause shown, the court-appointed mediator's deadline to submit a report in this action shall be extended up to and including March 31, 2020. Issued by MAG/JUDGE JOE L. WEBSTER on 10/18/2019.(Lee, Pedra) (Entered: 10/18/2019)
10/25/2019	76	NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL on behalf of Defendants ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. JAMES B. TRACHTMAN is substituted as counsel for Defendants. Attorney CORRINE L. LUSIC terminated. (TRACHTMAN, JAMES) (Entered: 10/25/2019)
10/29/2019	77	NOTICE by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH re 74 MOTION for Leave to File <i>Supplemental Complaint (Notice of Non-Objection)</i> (TRACHTMAN, JAMES) (Entered: 10/29/2019)
10/29/2019		Motion Referred re: 74 MOTION for Leave to File Supplemental Complaint, to MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 10/29/2019)
10/31/2019	78	ORDER signed by MAG/JUDGE JOE L. WEBSTER on 10/31/2019, that the Motion for Leave to File Supplemental Complaint is GRANTED. The Clerk's Office is directed to docket the proposed Supplemental Complaint (Docket Entry 74 -1), which shall be deemed filed as of the date of this Order. (Garland, Leah) (Entered: 10/31/2019)

10/31/2019	79	SUPPLEMENTAL COMPLAINT against All Defendants, filed by LLOYD BUFFKIN, ROBERT PARHAM, KIM CALDWELL. (Filed pursuant to 78 Order) (Garland, Leah) (Entered: 10/31/2019)
11/01/2019	80	Joint MOTION for Extension of Time - <i>Case Management Deadlines</i> by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. (Attachments: # 1 Text of Proposed Order)(RODRIGUEZ, ORLANDO) (Entered: 11/01/2019)
11/12/2019	81	NOTICE of Appearance by attorney CORY TISCHBEIN on behalf of Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM (TISCHBEIN, CORY) (Entered: 11/12/2019)
11/26/2019	82	NOTICE continuing settlement conference to Monday, February 3, 2020, at 10:00 AM at the Terry Sanford Federal Building and Courthouse in Raleigh, North Carolina . Parties shall submit confidential settlement memoranda as set out no later than Monday, January 27, 2020. (Signed by United States Magistrate Judge Jones) (Powell, Gloria) (Entered: 11/26/2019)
11/26/2019		Motions Referred: RE: 80 Joint MOTION for Extension of Time - <i>Case Management Deadlines</i> , to MAG/JUDGE JOE L. WEBSTER (Williamson, Wanda) (Entered: 11/26/2019)
11/26/2019		TEXT ORDER granting 80 Joint Motion for Extension of the Case Management Deadlines. The Court has considered the parties' joint motion and recognizes the necessity of additional time to complete discovery and conduct depositions. However, in light of several other considerations, including the trial date set in this matter, the timing necessary for rulings on dispositive motions (including the Recommendation of the United States Magistrate and any objections thereto), and the filing of pretrial disclosures, the Court finds that the parties' motion shall be granted to the following extent: Plaintiffs' deadline to disclose experts shall be December 16, 2019; the deadline for completion of fact discovery shall be December 23, 2019; Plaintiffs' deadline to serve expert reports shall be January 15, 2020; Defendants' deadline to disclose experts shall be January 29, 2020; Defendants' deadline to serve expert reports shall be February 28, 2020; Plaintiffs' deadline to serve rebuttal reports shall be March 20, 2020; the close of all discovery shall be April 3, 2020; and the deadline to file dispositive motions shall be April 24, 2020; responses to such motions shall be filed no later than May 15, 2020; and any replies

		shall be filed no later than May 22, 2020. This matter shall remain on the October 2020 Trial Calendar. Issued by MAG/JUDGE JOE L. WEBSTER on 11/26/2019.(Lee, Pedra) (Entered: 11/26/2019)
11/27/2019		Reset Scheduling Order Deadlines: Discovery due by 4/3/2020. Dispositive Motions due by 4/24/2020. (See 11/26/2019 Text Order) (Garland, Leah) (Entered: 11/27/2019)
11/27/2019		Reset Dispositive Motion and Response and Reply Deadlines: Responses due by 5/15/2020. Replies due by 5/22/2020. (See 11/26/2019 Text Order) (Garland, Leah) (Entered: 11/27/2019)
12/02/2019	83	Joint MOTION to Modify Order on Motion for Extension of Time,,,,, <i>in Part</i> by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Response to Motion due by 12/23/2019 (Attachments: # 1 Text of Proposed Order)(SEAWELL, EMILY) (Entered: 12/02/2019)
12/02/2019	84	ANSWER to Amended Complaint by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. (RODRIGUEZ, ORLANDO) (Entered: 12/02/2019)
12/09/2019		Motion Referred re: 83 Joint MOTION to Modify Order in Part, to MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 12/09/2019)
12/12/2019		TEXT ORDER granting 83 Joint Motion to Modify Scheduling Order. For good cause shown, the deadline for completion of fact discovery shall be extended up to and including January 21, 2020, and the deadline for Plaintiffs' expert reports shall be extended up to and including January 27, 2020. Issued by MAG/JUDGE JOE L. WEBSTER on 12/12/2019.(Lee, Pedra) (Entered: 12/12/2019)
12/23/2019	85	Consent MOTION to Take Deposition from Lloyd Buffkin, Robert Parham, and Kim Caldwell by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. (Attachments: # 1 Text of Proposed Order)(RODRIGUEZ, ORLANDO) (Entered: 12/23/2019)
12/27/2019		Motion Referred re: 85 Consent MOTION to Take Deposition from Lloyd Buffkin, Robert Parham, and Kim Caldwell, to MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 12/27/2019)

12/30/2019		TEXT ORDER granting 85 Defendants' Consent Motion for Leave to Depose Persons Confined in Prison. Pursuant to Civil Procedure Rule 30(a)(2)(B), and with the consent of counsel for Plaintiffs, the undersigned hereby grants leave for Defendants to take the depositions of the named Plaintiffs, Lloyd T. Buffkin, Robert Parham, and Kim Caldwell, (who are currently in prison), at a mutually agreeable date and time prior to the close of discovery. Issued by MAG/JUDGE JOE L. WEBSTER on 12/30/2019.(Lee, Pedra) (Entered: 12/30/2019)
01/02/2020	86	NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL on behalf of Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. JACLYN A. MAFFETORE is substituted as counsel for Plaintiffs. Attorney IRENA COMO terminated. (MAFFETORE, JACLYN) (Entered: 01/02/2020)
01/02/2020	87	NOTICE of Appearance by attorney MANI LEIGH DEXTER on behalf of Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM (DEXTER, MANI) (Entered: 01/02/2020)
01/02/2020	88	NOTICE of Appearance by attorney CORY TISCHBEIN on behalf of Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM (TISCHBEIN, CORY) (Entered: 01/02/2020)
02/04/2020	89	NOTICE continuing settlement conference to Tuesday, March 3, 2020 at 10:00 a.m. at the Terry Sanford Federal Building and Courthouse in Raleigh, North Carolina . If necessary, a follow-up session will be held on Tuesday, March 24, 2020, at 10:00 a.m. at 1003 South 17th Street, Wilmington, North Carolina. Signed by United States Magistrate Judge Robert B. Jones, Jr.(Marsh, Keah) (Entered: 02/04/2020)
02/14/2020	90	NOTICE of Rescheduling:The settlement conference in this matter currently set for March 3, 2020 is reset for Friday, February 28, 2020, at 9:30 a.m. at the Terry Sanford Federal Building and Courthouse in Raleigh, North Carolina . (Marsh, Keah) (Entered: 02/14/2020)
03/02/2020	91	MOTION entitled "Motion for Intervention" filed by ISRRAEL LENIN SUAREZ. Response to Motion due by 3/23/2020. (Attachments: # 1 Envelope - Front and Back) (Garland, Leah) (Entered: 03/02/2020)
03/03/2020	92	NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL on behalf of Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. KRISTI L. GRAUNKE is

		substituted as counsel for Plaintiffs. Attorney LEAH J. KANG terminated. (GRAUNKE, KRISTI) (Entered: 03/03/2020)
03/31/2020	93	Joint MOTION for Extension of Time to <i>Complete Mediation and File Dispositive Motions</i> by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (Attachments: # 1 Text of Proposed Order)(SEAWELL, EMILY) (Entered: 03/31/2020)
03/31/2020		Motions Referred re: 91 MOTION to Intervene, 93 Joint MOTION for Extension of Time to Complete Mediation and File Dispositive Motions, to MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 03/31/2020)
04/01/2020		Email notification/confirmation to all parties on record setting a Telephone Conference for 4/2/2020 10:00 AM with MAG/JUDGE JOE L. WEBSTER. Counsel emailed instructions for initiating call. (Garrett, Kim) (Entered: 04/01/2020)
04/01/2020	94	Consent MOTION for Leave to File <i>Response to Motion to Intervene</i> by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Response to Motion due by 4/22/2020 (Attachments: # 1 Appendix A - Proposed Response to Motion to Intervene)(SEAWELL, EMILY) (Entered: 04/01/2020)
04/01/2020	95	BRIEF re 94 Consent MOTION for Leave to File <i>Response to Motion to Intervene</i> . (Attachments: # 1 Exhibit A - Unpublished order in Davis v. Lewis, 7:16-cv-340 (E.D.N.C. 2019))(SEAWELL, EMILY) (Entered: 04/01/2020)
04/02/2020		Minute Entry for proceedings held before MAG/JUDGE JOE L. WEBSTER: Telephone Conference held on 4/2/2020 Re: 93 Joint Motion for Extension of Time to Complete Mediation and File Dispositive Motions. Attorneys Cory Tischbein and Emily Seawell present for Plaintiffs. Attorney Orlando Rodriguez present for Defendants. The parties discussed the impact of the COVID-19 pandemic and the need to complete dispositions and mediation. The Court informed the parties of the need to allot time for the filing of summary judgment motions, the rulings upon such motions, and the time necessary for submitting pretrial disclosures prior to the October 2020 trial date. The Court also informed the parties that absent the consent of the District Judge, the undersigned would not be continuing the trial date. Both parties indicated that they have been working towards complete resolution of this matter, and are optimistic that the matter may be settled in its entirety, or at least there may be some resolution on certain issues (including damages). At this time, the parties have no intention to seek to continue the trial date. The parties noted that

		resolution of some issues may eliminate the need for a jury trial. After consideration of the parties positions, the Court will grant the joint motion to complete mediation and to file dispositive motions. Should the parties not reach a settlement in this action, the Court will revisit the dispositive motion schedule if necessary. The parties also briefly discussed the pending motion for intervention. (Docket Entry 91.) The Court will grant Plaintiffs consent motion (Docket Entry 94) for leave to file a response to the motion to intervene. Orders forthcoming. (Garrett, Kim) (Entered: 04/02/2020)
04/02/2020		TEXT ORDER Granting 93 Joint Motion for Extension of Time to Complete Mediation and File Dispositive Motions. For good cause shown, the deadlines for the parties to complete mediation and for the mediator to submit his report in this action shall be extended up to and including May 30, 2020, contingent upon the Chief Judges approval of a 60-day extension of the mediators appointment in this action. The parties are ordered to jointly seek the Chief Judges approval of such extension. IT IS FURTHER ORDERED that the deadline for filing dispositive motions shall be extended up to and including June 23, 2020. Responses to such motions shall be filed on or before July 14, 2020, and any replies shall be due July 21, 2020. Issued by MAG/JUDGE JOE L. WEBSTER on 4/2/20.(Garrett, Kim) (Entered: 04/02/2020)
04/02/2020		TEXT ORDER Granting 94 Consent Motion for Leave to File Response to Motion to Intervene. For good cause shown, the motion is granted. Within three (3) days of this Order, Plaintiffs shall file their response to the motion to intervene as a separate document on the Courts docket. Issued by MAG/JUDGE JOE L. WEBSTER on 4/2/20.(Garrett, Kim) (Entered: 04/02/2020)
04/02/2020	96	RESPONSE filed by Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM re 91 MOTION to Intervene filed by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Replies due by 4/16/2020 (SEAWELL, EMILY) (Entered: 04/02/2020)
04/02/2020	97	ORDER signed by CHIEF JUDGE THOMAS D. SCHROEDER on 4/2/2020, with the concurrence of the Honorable Terrence W. Boyle, Chief Judge, Eastern District of North Carolina, that the authorization for United States Magistrate Judge Robert B. Jones, Jr. to perform settlement/mediation duties as a magistrate judge in the case of <i>Buffkin v. Hooks</i>, No. 1:18-CV-502-WO-JLW, in the Middle District of North Carolina, is extended to May 30, 2020.(Marsh, Keah) (Entered: 04/02/2020)

04/27/2020	<u>98</u>	NOTICE: The settlement conference in this matter will reconvene on Thursday, May 21, 2020, at 9:30 a.m. at the Terry Sanford Federal Building and Courthouse in Raleigh, North Carolina . Signed by United States Magistrate Judge Robert B. Jones, Jr on 4/27/2020. (Marsh, Keah) (Entered: 04/27/2020)
05/20/2020	<u>99</u>	REPORT from Mediator Robert B. Jones, Jr., United States Magistrate Judge - Mediation held on 2/28/2020. Continuation of mediation was not held 5/21/2020. Independent negotiations will continue. (Marsh, Keah) (Entered: 05/20/2020)
06/10/2020	<u>100</u>	RECOMMENDATION OF UNITED STATES MAGISTRATE signed by MAG/JUDGE JOE L. WEBSTER on 6/10/2020, that Israel Suarez's Motion to Intervene (Docket Entry <u>91</u>) be DENIED. (Garland, Leah) (Entered: 06/10/2020)
06/10/2020	<u>101</u>	Notice of Mailing Recommendation: Objections to R&R due by 6/24/2020. Objections to R&R for Pro Se due by 6/29/2020. (Garland, Leah) (Entered: 06/10/2020)
06/22/2020	<u>102</u>	Joint MOTION for Extension of Time <i>to File Dispositive Motion</i> by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. (Attachments: # <u>1</u> Text of Proposed Order)(RODRIGUEZ, ORLANDO) (Entered: 06/22/2020)
06/24/2020		Motion Referred re: <u>102</u> Joint MOTION for Extension of Time to File Dispositive Motions, to MAG/JUDGE JOE L. WEBSTER (Welch, Kelly) (Entered: 06/24/2020)
06/25/2020		TEXT ORDER granting <u>102</u> Motion for Extension of Time To File Dispositive Motions. For good cause shown, the deadline to file dispositive motions shall be extended up to and including August 7, 2020. Issued by MAG/JUDGE JOE L. WEBSTER on 6/25/2020.(Lee, Pedra) (Entered: 06/25/2020)
08/06/2020	<u>103</u>	Joint MOTION for Extension of Time <i>to File Dispositive Motions</i> by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. (Attachments: # <u>1</u> Text of Proposed Order)(RODRIGUEZ, ORLANDO) (Entered: 08/06/2020)
08/07/2020		Motion Referred re: <u>103</u> Joint MOTION for Extension of Time to File Dispositive Motions, to MAG/JUDGE JOE L. WEBSTER. (Welch, Kelly) (Entered: 08/07/2020)

08/07/2020		CASE REFERRED re 100 RECOMMENDED RULING - MAGISTRATE JUDGE re 91 MOTION to Intervene, to JUDGE WILLIAM L. OSTEEN, JR. (Welch, Kelly) (Entered: 08/07/2020)
08/10/2020		TEXT ORDER granting 103 Motion for Extension of Time To File Dispositive Motions. For good cause shown, the deadline to file dispositive motions shall be extended up to and including September 8, 2020. Issued by MAG/JUDGE JOE L. WEBSTER on 8/10/2020.(Lee, Pedra) (Entered: 08/10/2020)
08/11/2020	104	NOTICE of Trial Calendar Jury Trial set for 10/5/2020 09:30 AM in Greensboro Courtroom #1 before JUDGE WILLIAM L. OSTEEN JR. (Williamson, Wanda) (Entered: 08/11/2020)
08/12/2020	105	NOTICE of "Amended" Trial Calendar Jury Trial set for 10/5/2020 09:30 AM in Greensboro Courtroom #1 before JUDGE WILLIAM L. OSTEEN JR. (Williamson, Wanda) (Entered: 08/12/2020)
08/28/2020	106	Consent MOTION to Amend <i>Pretrial Deadlines and Excuse Named Plaintiffs from Attending Settlement Conference</i> by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Response to Motion due by 9/21/2020 (Attachments: # 1 Text of Proposed Order)(SEAWELL, EMILY) (Entered: 08/28/2020)
08/31/2020		Motion Submitted re: 106 Consent MOTION to Amend Pretrial Deadlines and Excuse Named Plaintiffs from Attending Settlement Conference, to JUDGE WILLIAM L. OSTEEN, JR. (Welch, Kelly) (Entered: 08/31/2020)
09/01/2020		TELEPHONE CONFERENCE held on 9/1/2020 with JUDGE WILLIAM L. OSTEEN, JR., and counsel for the parties. Attorneys Emily E. Seawell and Cory Tischbein appeared on behalf of Plaintiffs. Attorneys Orlando L. Rodriguez and James B. Trachtman appeared on behalf of Defendants. The court discussed scheduling issues with the parties and takes the pending motion, (Doc. 106), under advisement. (Cable, Frances) (Entered: 09/01/2020)
09/04/2020		Case Reported Settled in principle by Plaintiffs' Counsel, Emily Seawell. Stipulation of Dismissal due by 10/5/2020, unless otherwise ordered by the court. (Welch, Kelly) (Entered: 09/04/2020)
09/04/2020		TEXT ORDER: In light of the notice from the parties of a settlement agreement in principle, the court stays this case,

		including all deadlines as to motions or other matters, for 30 days pending the filing of settlement-related filings. Issued by JUDGE WILLIAM L. OSTEEEN, JR on 9/4/2020. (Welch, Kelly) (Entered: 09/04/2020)
09/09/2020	<u>107</u>	ORDER signed by JUDGE WILLIAM L. OSTEEEN, JR on 9/9/2020, that Plaintiffs' motion, (Doc. <u>106</u>), is DENIED AS MOOT. (Garland, Leah) (Entered: 09/09/2020)
09/09/2020	<u>108</u>	ORDER signed by JUDGE WILLIAM L. OSTEEEN, JR on 9/9/2020, that Isrrael Lenin Suarez's Motion to Intervene, (Doc. <u>91</u>) is DENIED WITHOUT PREJUDICE. (Garland, Leah) (Entered: 09/09/2020)
09/10/2020	<u>109</u>	NOTICE of Settlement by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM (TISCHBEIN, CORY) (Entered: 09/10/2020)
10/05/2020	<u>110</u>	Joint MOTION to Approve <i>Proposed Consent Decree</i> by LLOYD BUFFKIN, ROBERT PARHAM. (Attachments: # <u>1</u> Exhibit A - Proposed consent decree, # <u>2</u> Exhibit B - Proposed notice to class members, # <u>3</u> Text of Proposed Order)(SEAWELL, EMILY) (Entered: 10/05/2020)
10/05/2020	<u>111</u>	BRIEF re <u>110</u> Joint MOTION to Approve <i>Proposed Consent Decree</i> . (SEAWELL, EMILY) (Entered: 10/05/2020)
10/08/2020		Motion Submitted re: <u>110</u> Joint MOTION to Approve Proposed Consent Decree, to JUDGE WILLIAM L. OSTEEEN, JR. (Welch, Kelly) (Entered: 10/08/2020)
10/08/2020	<u>112</u>	Joint MOTION to Stay <i>Pending Final Disposition of Motion to Approve Consent Decree</i> by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Response to Motion due by 11/2/2020 (Attachments: # <u>1</u> Text of Proposed Order)(SEAWELL, EMILY) (Entered: 10/08/2020)
10/20/2020		Motion Submitted re: <u>112</u> Joint MOTION to Stay Pending Final Disposition of Motion to Approve Consent Decree, to JUDGE WILLIAM L. OSTEEEN, JR. (Welch, Kelly) (Entered: 10/20/2020)
11/03/2020	<u>113</u>	ORDER signed by JUDGE WILLIAM L. OSTEEEN, JR on 11/3/2020, that the parties' joint motion to stay, (Doc. <u>112</u>), is GRANTED and that all proceedings in this action are STAYED pending a final ruling by the court on the parties' proposed consent decree. (Garland, Leah) (Entered: 11/03/2020)

11/06/2020	<u>114</u>	ORDER signed by JUDGE WILLIAM L. OSTEEN, JR on 11/6/2020, that the parties' joint motion, (Doc. <u>110</u>), is GRANTED and the parties' proposed consent decree is preliminarily approved. FURTHER ORDERED that the parties proposed form of notice of settlement to class members is approved, and a hearing on the fairness, adequacy, and reasonableness of the proposed consent decree shall be scheduled for Thursday, February 25, 2021, at 9:30 a.m. in Greensboro Courtroom 1. FURTHER ORDERED that the stay, previously entered on November 3, 2020, (Doc. <u>113</u>), is hereby LIFTED to permit the parties and the court to proceed with the settlement and consent decree process as approved by this order. All other deadlines and proceedings not related to the settlement and consent decree process shall remain STAYED pending final resolution of the fairness, adequacy, and reasonableness of the proposed consent decree. (Garland, Leah) (Entered: 11/06/2020)
11/06/2020		Set/Reset Deadlines/Hearings: Hearing on the fairness, adequacy, and reasonableness of the proposed consent decree set for 2/25/2021 09:30 AM in Greensboro Courtroom #1 before JUDGE WILLIAM L. OSTEEN JR. (Welch, Kelly) (Entered: 11/13/2020)
11/13/2020	<u>115</u>	STIPULATION of Dismissal of Robert Parham's Individual Claims by ROBERT PARHAM. (TISCHBEIN, CORY) (Entered: 11/13/2020)
11/18/2020	<u>116</u>	MOTION to Withdraw as Attorney MANI LEIGH DEXTER by on behalf of LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (DEXTER, MANI) (Entered: 11/18/2020)
11/23/2020	<u>117</u>	ORDER signed by JUDGE WILLIAM L. OSTEEN, JR on 11/23/2020, that the motion to withdraw, (Doc. <u>116</u>), is GRANTED and that Attorney Mani Dexter is hereby withdrawn from representing Plaintiffs. Remaining counsel of record for Plaintiffs shall continue as counsel in this matter. (Garland, Leah) (Entered: 11/23/2020)
12/13/2020	<u>118</u>	Consent MOTION to Approve <i>Revised Class Notice</i> by LLOYD BUFFKIN, ROBERT PARHAM. (Attachments: # <u>1</u> Exhibit A - Proposed revised class notice, # <u>2</u> Text of Proposed Order)(SEAWELL, EMILY) (Entered: 12/13/2020)
12/14/2020		Motion Submitted re: <u>118</u> Consent MOTION to Approve Revised Class Notice, to JUDGE WILLIAM L. OSTEEN, JR. (Welch, Kelly) (Entered: 12/14/2020)

12/17/2020	<u>119</u>	ORDER signed by JUDGE WILLIAM L. OSTEEN, JR on 12/17/2020, that Plaintiffs' motion to approve revised class notice, (Doc. <u>118</u>), is GRANTED. Any comments or objections from class members to the parties' Proposed Consent Decree, (Doc. <u>110</u> -1), shall be postmarked no later than February 15, 2021. (Garland, Leah) (Entered: 12/17/2020)
01/19/2021	<u>120</u>	MOTION entitled "Motion to Join Class Action" filed by BRIAN K. LEWIS. Response to Motion due by 2/9/2021. (Attachments: # <u>1</u> Envelope - Front and Back) (Garland, Leah) (Entered: 01/20/2021)
01/27/2021	<u>121</u>	Consent MOTION Excuse Class Representatives from Attending Fairness Hearing by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Response to Motion due by 2/22/2021 (Attachments: # <u>1</u> Text of Proposed Order)(TISCHBEIN, CORY) (Entered: 01/27/2021)
01/30/2021		Motion Submitted re: <u>121</u> Consent MOTION Excuse Class Representatives from Attending Fairness Hearing, to JUDGE WILLIAM L. OSTEEN, JR. (Welch, Kelly) (Entered: 01/30/2021)
02/03/2021	<u>122</u>	MOTION entitled "Motion to Join Class Action" filed by JONATHAN SCOTT. Response to Motion due by 2/24/2021. (Attachments: # <u>1</u> Envelope - Front and Back) (Garland, Leah) (Entered: 02/03/2021)
02/08/2021	<u>123</u>	NOTICE of CORRECTED FILING re: <u>110</u> Joint Motion, filed by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (Attachments: # <u>1</u> Exhibit A - Proposed Consent Decree)(TISCHBEIN, CORY) Modified on 2/9/2021 to show correct docket entry reference and to remove duplicate text. (Garland, Leah) (Entered: 02/08/2021)
02/09/2021	<u>124</u>	ORDER signed by JUDGE WILLIAM L. OSTEEN, JR on 02/09/2021, that Plaintiffs' motion, (Doc. <u>121</u>), is GRANTED and that Plaintiffs' Class Representatives shall be excused from attending the February 25, 2021 Fairness Hearing, at which Plaintiffs' counsel will represent them. If appropriate, the Class Representatives may submit affidavits or attend by telephone. This court does not anticipate or have any questions at present. (Garland, Leah) (Entered: 02/09/2021)
02/10/2021	<u>125</u>	RESPONSE <i>in Opposition to Motions to Join Class Action</i> filed by Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM re <u>120</u> MOTION filed by BRIAN K. LEWIS, <u>122</u> MOTION filed by JONATHAN SCOTT filed by

		LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Replies due by 3/1/2021 (SIEGEL, DANIEL) (Entered: 02/10/2021)
02/18/2021	126	NOTICE OF RESCHEDULING HEARING: Fairness Hearing reset for 3/1/2021 09:30 AM in Greensboro Courtroom #1 before JUDGE WILLIAM L. OSTEEEN JR. (Welch, Kelly) (Entered: 02/18/2021)
02/18/2021		Set/Reset Deadlines/Hearings: Fairness Hearing reset for 3/1/2021 09:30 AM in Greensboro Courtroom #1 before JUDGE WILLIAM L. OSTEEEN JR. (Welch, Kelly) (Entered: 02/18/2021)
02/26/2021	127	STATEMENT <i>Regarding Budget Issues and Proposed Consent Decree</i> by Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (TISCHBEIN, CORY) (Entered: 02/26/2021)
03/01/2021	128	<i>Supplemental</i> BRIEF in Support of Joint Motion to Approve Proposed Consent Decree by Plaintiffs LLOYD BUFFKIN, ROBERT PARHAM filed by LLOYD BUFFKIN, ROBERT PARHAM. (Attachments: # 1 Exhibit A - Declaration of Daniel K. Siegel)(SEAWELL, EMILY) (Entered: 03/01/2021)
03/01/2021		Minute Entry for proceedings held before JUDGE WILLIAM L. OSTEEEN, JR. Fairness Hearing held on 3/1/2021. Court concludes settlement should be adopted, written order forthcoming. For reasons stated on the record the court denies 120 Motion to Join Class and 122 Motion to Join Class Action without prejudice. Attorneys Corey Tischbein and Emily Seawell appeared as counsel for plaintiffs and Attorney Orlando Rodriguez appeared as counsel for defendants. (Court Reporter Joseph Armstrong.) (Winchester, Robin) (Entered: 03/01/2021)
03/03/2021	129	NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL on behalf of Plaintiff LLOYD BUFFKIN. REBECCA P. GITLEN is substituted as counsel for Plaintiff. Attorney CORY TISCHBEIN terminated. (GITLEN, REBECCA) (Entered: 03/03/2021)
03/04/2021		ORAL ORDER issued by JUDGE WILLIAM L. OSTEEEN, JR on 3/1/2021. For reasons stated on the record at the 3/1/2021 Fairness Hearing the court denies 120 MOTION filed by BRIAN K. LEWIS, 122 MOTION filed by JONATHAN SCOTT without prejudice (Winchester, Robin) (Entered: 03/04/2021)

03/04/2021	<u>130</u>	NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL on behalf of Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. REBECCA P. GITLEN is substituted as counsel for Plaintiffs. Attorney CORY TISCHBEIN terminated. (GITLEN, REBECCA) (Entered: 03/04/2021)
03/08/2021	<u>131</u>	ORDER signed by JUDGE WILLIAM L. OSTEEEN, JR on 03/08/2021, that: 1. The joint motion for approval and entry of consent decree, (Doc. <u>110</u>), is GRANTED. 2. The proposed consent decree and settlement agreement therein, (Doc. <u>123</u> -1), are APPROVED pursuant to Federal Rule of Civil Procedure 23(e). 3. The consent decree is attached hereto and incorporated herein by reference and ENTERED as part of this Order. 4. The court hereby retains exclusive and continuing jurisdiction over the parties and all matters relating to this action for the term of the consent decree as set out. (Attachments: # <u>1</u> Consent Decree) (Garland, Leah) (Entered: 03/08/2021)
03/08/2021	<u>132</u>	JUDGMENT signed by JUDGE WILLIAM L. OSTEEEN, JR on 03/08/2021, that: 1. The joint motion for approval and entry of consent decree, (Doc. [110]), is GRANTED. 2. The proposed consent decree and settlement agreement therein, (Doc. <u>123</u> -1), are APPROVED pursuant to Federal Rule of Civil Procedure 23(e). 3. The clerk is directed to close the case subject to this court's continuing jurisdiction under the terms of the consent decree. 4. Any and all claims not addressed herein are dismissed. (Garland, Leah) (Entered: 03/08/2021)
05/04/2021	<u>133</u>	Consent MOTION for Extension of Time To File Motion for LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM <i>for Attorneys' Fees</i> until July 6, 2021 by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (Attachments: # <u>1</u> Text of Proposed Order)(SEAWELL, EMILY) (Entered: 05/04/2021)
05/04/2021		Motion Submitted re: <u>133</u> Consent MOTION for Extension of Time To File Motion for LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM for Attorneys' Fees until July 6, 2021, to JUDGE WILLIAM L. OSTEEEN, JR. (Welch, Kelly) (Entered: 05/04/2021)
05/07/2021	<u>134</u>	ORDER signed by JUDGE WILLIAM L. OSTEEEN, JR on 05/07/2021, that Plaintiffs' motion for extension, (Doc. <u>133</u>), is GRANTED and that the deadlines for Plaintiffs to submit any motions for attorneys' fees, litigation expenses, and costs shall be extended until and including July 6, 2021. (Garland, Leah) (Entered: 05/07/2021)

06/23/2021	<u>135</u>	MOTION to Withdraw as Attorney EMILY E. SEAWELL by on behalf of LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (Attachments: # <u>1</u> Text of Proposed Order)(SEAWELL, EMILY) (Entered: 06/23/2021)
06/23/2021	<u>136</u>	Consent MOTION for Extension of Time To File Motion for LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM TO FILE MOTION FOR ATTORNEYS FEES until 08/20/2021 by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (Attachments: # <u>1</u> Text of Proposed Order)(SEAWELL, EMILY) (Entered: 06/23/2021)
06/24/2021		Motions Submitted re: <u>135</u> MOTION to Withdraw as Attorney EMILY E. SEAWELL, <u>136</u> Consent MOTION for Extension of Time To File Motion for LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM TO FILE MOTION FOR ATTORNEYS FEES until 08/20/2021, to JUDGE WILLIAM L. OSTEEN, JR. (Welch, Kelly) (Entered: 06/24/2021)
06/25/2021	<u>137</u>	ORDER signed by JUDGE WILLIAM L. OSTEEN, JR on 06/25/2021, that the motion to withdraw, (Doc. <u>135</u>), is GRANTED and that Attorney Emily E. Seawell is hereby withdrawn from representing Plaintiffs. Remaining counsel of record for Plaintiffs shall continue as counsel in this matter. (Garland, Leah) (Entered: 06/25/2021)
06/25/2021	<u>138</u>	ORDER signed by JUDGE WILLIAM L. OSTEEN, JR on 06/25/2021, that Plaintiffs' motion for further extension, (Doc. <u>136</u>), is GRANTED and that the deadlines for Plaintiffs to submit any motions for attorneys' fees, litigation expenses, and costs shall be extended until and including August 20, 2021. (Garland, Leah) (Entered: 06/25/2021)
08/12/2021	<u>139</u>	Consent MOTION for Extension of Time To File Motion for LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM Filing Motion for Attorneys' Fees and Costs until October 4, 2021 by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (Attachments: # <u>1</u> Text of Proposed Order)(SIEGEL, DANIEL) (Entered: 08/12/2021)
08/16/2021		Motion Submitted re: <u>139</u> CONSENT MOTION for Extension of Time To File Motion for LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM Filing Motion for Attorneys' Fees and Costs until October 4, 2021, to JUDGE WILLIAM L. OSTEEN, JR. (Welch, Kelly) (Entered: 08/20/2021)

08/20/2021	<u>140</u>	MOTION for Cost and Fees by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Response to Motion due by 9/13/2021 (SIEGEL, DANIEL) (Entered: 08/20/2021)
08/20/2021	<u>141</u>	BRIEF re <u>140</u> MOTION for Cost and Fees by Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM by LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. (Attachments: # <u>1</u> Affidavit Graunke Decl. with Exhibits, # <u>2</u> Affidavit Luecking-Sunman Decl. with Exhibits, # <u>3</u> Exhibit Florida Settlement, # <u>4</u> Exhibit Texas Settlement)(SIEGEL, DANIEL) (Entered: 08/20/2021)
08/20/2021	<u>142</u>	BILL OF COSTS by Plaintiffs LLOYD BUFFKIN, KIM CALDWELL, ROBERT PARHAM. Objection to Bill of Costs due by 9/3/2021. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit Agarwal/Arangala Invoice, # <u>3</u> Exhibit Agarwal Invoice, # <u>4</u> Exhibit Holbrook Invoice, # <u>5</u> Exhibit Mailing Invoice)(SIEGEL, DANIEL) (Entered: 08/20/2021)
09/03/2021	<u>143</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>140</u> MOTION for Cost and Fees , <u>142</u> Bill of Costs, by ABHAY AGARWAL, ERIK HOOKS, KENNETH LASSITER, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, PAULA SMITH. (Attachments: # <u>1</u> Text of Proposed Order Allowing Motion for Extension to Object to Bill of Costs and to Respond to Motion for Costs and Fees)(RODRIGUEZ, ORLANDO) (Entered: 09/03/2021)
09/09/2021	<u>144</u>	ORDER signed by JUDGE WILLIAM L. OSTEEN, JR on 9/9/21, that Defendants' motion for extension, (Doc. <u>143</u>), is GRANTED and that the deadlines for Defendants to object to Plaintiffs' Bill of Costs and to respond to their Motion for Costs and Fees shall be consolidated and extended until and including October 13, 2021. Responses due by 10/13/2021. (Butler, Carol) (Entered: 09/09/2021)
09/09/2021	<u>145</u>	ORDER signed by JUDGE WILLIAM L. OSTEEN, JR. on 9/9/21, that Plaintiffs' motion for extension, (Doc. <u>139</u>), is GRANTED and that Plaintiffs Motion for Attorneys Fees and Costs is deemed timely filed as of August 20, 2021, (Doc. 140). (Butler, Carol) (Entered: 09/09/2021)

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