

**U.S. District Court
Northern District of Alabama (Southern)
CIVIL DOCKET FOR CASE #: 2:15-cv-01381-RDP**

Carden v. The Town of Harpersville
Assigned to: Judge R David Proctor
Cause: 42:1983 Civil Rights Act

Date Filed: 08/14/2015
Date Terminated: 12/06/2017
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

Dana Carden
*individually and for a class of
similarly situated persons or entities*

represented by **Alexandria Parrish**
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V.

Defendant

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TERMINATED: 09/11/2017
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Defendant

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Defendant

**Correctional Healthcare
Companies, Inc.**
TERMINATED: 09/21/2017

represented by **Larry S Logsdon**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Michael L Jackson
(See above for address)
*LEAD ATTORNEY
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Wesley Kyle Winborn
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Defendant

CHC Companies, Inc.

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Date Filed	#	Docket Text
08/14/2015	<u>1</u>	COMPLAINT against The Town of Harpersville, filed by Dana Carden. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(KEK) (Entered: 08/14/2015)
08/14/2015	<u>2</u>	Request for service by certified mail filed by Dana Carden. (KEK) (Entered: 08/14/2015)
08/14/2015	<u>3</u>	NOTICE REGARDING CONSENT of a magistrate judge in a civil action. (KEK) (Entered: 08/14/2015)
08/17/2015		Filing fee: \$ 400, receipt number B4601064575. (KEK) (Entered: 08/17/2015)
08/17/2015	<u>4</u>	Summons Issued as to The Town of Harpersville. Sent via certified mail. (KEK) (Entered: 08/17/2015)
08/20/2015	<u>5</u>	SUMMONS Returned Executed by Dana Carden. The Town of Harpersville served on 8/19/2015, answer due 9/9/2015. (KEK) (Entered: 08/20/2015)
09/04/2015	<u>6</u>	AMENDED COMPLAINT <i>FIRST AMENDED COMPLAINT</i> against Judicial Correction Services, Inc., Correctional Healthcare Companies, Inc., CHC Companies, Inc., filed by Dana Carden. (Attachments: # <u>1</u> Exhibit 1 - Audited Financials - Part 1, # <u>2</u> Exhibit 1 - Audited Financials - Part 2, # <u>3</u> Exhibit 2 - S & P ratings)(Evans, G) (Entered: 09/04/2015)

09/04/2015	<u>7</u>	Request for service by certified mail filed by Dana Carden. (Evans, G) (Entered: 09/04/2015)
09/08/2015	<u>8</u>	Summons Issued as to CHC Companies, Inc., Correctional Healthcare Companies, Inc., Judicial Correction Services, Inc. Sent via certified mail. (KEK) (Entered: 09/08/2015)
09/10/2015	<u>9</u>	SUMMONS Returned Executed by Dana Carden. CHC Companies, Inc. served on 9/9/2015, answer due 9/30/2015; Judicial Correction Services, Inc., served on 9/9/2015, answer due 9/30/2015. (KEK) (Entered: 09/10/2015)
09/14/2015	<u>10</u>	SUMMONS Returned Executed by Dana Carden. Correctional Healthcare Companies, Inc. served (no date on green card). (KEK) (Entered: 09/14/2015)
09/30/2015	<u>11</u>	MOTION to Stay re <u>6</u> Amended Complaint, by The Town of Harpersville. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D-1, # <u>5</u> Exhibit D-2, # <u>6</u> Exhibit D-3, # <u>7</u> Exhibit E, # <u>8</u> Exhibit F, # <u>9</u> Exhibit G, # <u>10</u> Exhibit H, # <u>11</u> Exhibit I, # <u>12</u> Exhibit J, # <u>13</u> Exhibit K, # <u>14</u> Exhibit L, # <u>15</u> Exhibit M, # <u>16</u> Exhibit N, # <u>17</u> Exhibit O)(Anderson, L) (Entered: 09/30/2015)
09/30/2015	<u>12</u>	NOTICE of Appearance by Ginny Willcox Leavens on behalf of The Town of Harpersville (Leavens, Ginny) (Entered: 09/30/2015)
09/30/2015	<u>13</u>	MOTION to Dismiss <i>or Stay Under the Colorado River Doctrine</i> by CHC Companies, Inc.. (Finch, Fredrick) (Entered: 09/30/2015)
09/30/2015	<u>14</u>	Motion to Stay or Dismiss <u>6</u> Plaintiffs Amended Complaint and Motion for Extension of Time to File Responsive Pleading or Motion Under Rule 12, Fed. R. Civ. P. by Correctional Healthcare Companies, Inc., Judicial Correction Services, Inc.,. (Jackson, Michael) (Entered: 09/30/2015)
09/30/2015	<u>15</u>	Corporate Disclosure Statement by Judicial Correction Services, Inc.,. filed by Judicial Correction Services, Inc., (Jackson, Michael) (Entered: 09/30/2015)
09/30/2015	<u>16</u>	Corporate Disclosure Statement by Correctional Healthcare Companies, Inc.. filed by Correctional Healthcare Companies, Inc. (Jackson, Michael) (Entered: 09/30/2015)
10/01/2015	<u>17</u>	NOTICE of Appearance by Will Hill Tankersley on behalf of The Town of Harpersville (Tankersley, Will) (Entered: 10/01/2015)

10/01/2015	<u>18</u>	NOTICE of Appearance by Gregory C Cook on behalf of The Town of Harpersville (Cook, Gregory) (Entered: 10/01/2015)
10/01/2015	<u>19</u>	NOTICE OF REASSIGNMENT - The parties having not unanimously consented to the dispositive jurisdiction by a Magistrate Judge, the above styled civil action has been randomly reassigned to the Honorable R. David Proctor. Please use case number 2:15-cv-1381-RDP on all subsequent pleadings. (KEK) (Entered: 10/01/2015)
10/01/2015	<u>20</u>	NOTICE of Appearance by Larry S Logsdon on behalf of Correctional Healthcare Companies, Inc., Judicial Correction Services, Inc., (Logsdon, Larry) (Entered: 10/01/2015)
10/01/2015	<u>21</u>	NOTICE of Appearance by Wesley Kyle Winborn on behalf of Correctional Healthcare Companies, Inc., Judicial Correction Services, Inc., (Winborn, Wesley) (Entered: 10/01/2015)
10/05/2015	22	TEXT ORDER - This case is before the court on Defendants' Motions to Stay or Dismiss the Amended Complaint Under the Colorado River Doctrine [11, 13, 14]. The Parties SHALL brief the issues raised in the Motions [11, 13, 14] in accordance with the following schedule: (1) Plaintiff SHALL file any responses on or before October 19, 2015 ; and (2) Defendants SHALL file any replies on or before October 26, 2015 . Signed by Judge R David Proctor on 10/5/2015. (AVC) (Entered: 10/05/2015)
10/05/2015	<u>23</u>	INITIAL ORDER GOVERNING ALL FURTHER PROCEEDINGS-reminding parties of their obligations under FRCP 26(f) and LR26.1(d)- with appendices attached. Signed by Judge R David Proctor on 10/5/2015. (AVC) (Entered: 10/05/2015)
10/14/2015	<u>24</u>	Unopposed MOTION for Leave to File Additional Pages for Responsive Brief in Opposition to Defendants' Motions to Dismiss or Stay by Dana Carden. (Evans, Maurine) (Entered: 10/14/2015)
10/14/2015	25	TEXT ORDER - This case is before the court on Plaintiff's Unopposed Motion for Leave to File Additional Pages for Responsive Briefs in Opposition to Defendants' Motions to Dismiss or Stay <u>24</u> . Plaintiff's Motion <u>24</u> is GRANTED . The page limit for Plaintiff's Responsive Briefs is hereby INCREASED to thirty-five (35) pages. Signed by Judge R David Proctor on 10/14/2015. (AVC) (Entered: 10/14/2015)
10/19/2015	<u>26</u>	CONSOLIDATED RESPONSE in Opposition to Motion to Dismiss or Stay Under the Colorado River

		Doctrine 11 , 13 ,& 14 filed by Dana Carden. (Attachments: # 1 Exhibit A - Plaintiffs' Second Amended Complaint in state case 10 20 11, # 2 Exhibit B - Joint Stip of Parties as to Class Cert in state case, # 3 Exhibit C - Affidavit of Jim Pino, # 4 Exhibit D - JCS' Opp to Plaintiffs' Mot to Amend Complaint 6 22 12 - Pt 1, # 5 Exhibit D - JCS' Opp to Plaintiffs' Mot to Amend Complaint 6 22 12 - Pt 2, # 6 Exhibit D JCS' Opp to Plaintiffs' Mot to Amend Complaint 6 22 12 - Pt 3, # 7 Exhibit E - State Court order returning records to Harpersville, # 8 Exhibit F - Order allowing Bill Dawson to withdraw, # 9 Exhibit G - Dawson Motion to Withdraw)(Evans, G) (Entered: 10/19/2015)
10/22/2015	27	Unopposed MOTION for Extension of Time to File Reply Brief by The Town of Harpersville. (Anderson, L) (Entered: 10/22/2015)
10/23/2015	28	TEXT ORDER - This case is before the court on Defendants' Unopposed Motion for Extension of Time To File Reply Brief 27 . The Motion 27 is GRANTED. Defendants' reply is due on or before November 2, 2015. Signed by Judge R David Proctor on 10/23/2015. (AVC) (Entered: 10/23/2015)
10/27/2015	29	Corporate Disclosure Statement by CHC Companies, Inc. (Finch, Fredrick) (Entered: 10/27/2015)
11/02/2015	30	REPLY Brief to 26 Consolidated Response in Opposition to Motion to Dismiss or Stay Under the Colorado River Doctrine filed by CHC Companies, Inc.. (Finch, Fredrick) (Entered: 11/02/2015)
11/02/2015	31	REPLY Brief in Support of Its 11 Motion to Stay or Dismiss Plaintiffs' Amended Complaint Under the Colorado River Doctrine filed by The Town of Harpersville. (Attachments: # 1 Exhibit A -- Article re: JCS leaving Alabama, # 2 Exhibit Screenshot of Shelby County Docket)(Anderson, L) (Entered: 11/02/2015)
11/03/2015	32	JOINDER in 31 the Town of Harpersville's Reply Brief in Support of Its Motion to Stay or Dismiss Plaintiff's Amended Complaint Under the Colorado River Doctrine filed by Correctional Healthcare Companies, Inc., Judicial Correction Services, Inc.. (Jackson, Michael) (Entered: 11/03/2015)
12/18/2015	33	MOTION to Stay Discovery by The Town of Harpersville. (Attachments: # 1 Exhibit 1)(Cook, Gregory) (Entered: 12/18/2015)

12/18/2015	34	JOINDER in 33 Motion to Stay Discovery filed by Correctional Healthcare Companies, Inc., Judicial Correction Services, Inc. (Jackson, Michael) (Entered: 12/18/2015)
12/21/2015	35	TEXT ORDER - This case is before the court on Defendant Harpersville's Motion To Stay Discovery 33 , and Defendants Judicial Correction Services, Inc. and Correctional Healthcare Companies, Inc.'s Joinder in the Town of Harpersville's Motion to Stay Discovery (Doc. 33) 34 . The parties are REMINDED to brief the issues raised in the Motion 33 in accordance with "Exhibit B," attached to the court's October 5, 2015 Initial Order 23 . Signed by Judge R David Proctor on 12/21/2015. (AVC) (Entered: 12/21/2015)
12/22/2015	36	MOTION to Stay Discovery by CHC Companies, Inc. (Finch, Fredrick) (Entered: 12/22/2015)
12/23/2015	37	Consolidated RESPONSE in Opposition to Motions to Stay Discovery 33 & 36 filed by Dana Carden. (Evans, G) (Entered: 12/23/2015)
12/28/2015	38	REPLY to Opposition to 36 Motion to Stay Discovery filed by CHC Companies, Inc. (Finch, Fredrick) (Entered: 12/28/2015)
12/28/2015	39	REPLY in Support of 33 Motion to Stay Discovery filed by The Town of Harpersville. (Cook, Gregory) (Entered: 12/28/2015)
12/29/2015	40	NOTICE of Appearance by Brian C Richardson on behalf of CHC Companies, Inc. (Richardson, Brian) (Entered: 12/29/2015)
01/26/2016	41	NOTICE of Order Granting Motion to Stay Discovery in Related Case by The Town of Harpersville. (Cook, Gregory) (Entered: 01/26/2016)
01/29/2016	42	ORDER-re: Defendants' Stay Motions 33 , 34 , 36 . The motions are hereby GRANTED IN PART and DENIED IN PART. This case, including Rule 26 requirements, is STAYED until the court rules on Defendants' Dismissal Motions. If, in the future, the stay is lifted, the court will address the parties' Rule 26 and other pre-trial obligations. Signed by Judge R David Proctor on 1/29/2016. (AVC) (Entered: 01/29/2016)
08/26/2016	43	MEMORANDUM OPINION. Signed by Judge R David Proctor on 8/26/2016. (AVC) (Entered: 08/26/2016)

08/26/2016	44	ORDER-In accordance with the reasons set forth in the Memorandum Opinion 43 , the Motion to Stay or Dismiss Plaintiff's Amended Complaint 11 , Joinder in Motion to Dismiss or Stay 13 , and Motion to Stay or Dismiss Plaintiff's Amended Complaint and Motion for Extension of Time to File Responsive Pleading or Motion under Rule 12, Fed. R. Civ. P. 14 are DENIED. The stay of this case is hereby LIFTED. Dfts SHALL file an appropriate response to Pltf's First Amended and Restated Complaint within twenty-one (21) days. Further, the parties SHALL file a joint report concerning the status of the proceedings in Burdette v. Town of Harpersville, Ala., case no. CV-2010-900183 (Shelby Cty. Circ. Ct.), by 9/23/2016. Signed by Judge R David Proctor on 8/26/2016. (AVC) (Entered: 08/26/2016)
09/14/2016	45	Unopposed MOTION to Exceed Page Limit on Motion to Dismiss by Correctional Healthcare Companies, Inc., Judicial Correction Services, Inc., (Logsdon, Larry) (Entered: 09/14/2016)
09/15/2016	46	TEXT ORDER -This matter is before the court on Defendants' Judicial Correction Services, Inc. and Correctional Healthcare Companies, Inc. Unopposed Motion to Exceed Page Limit on Motion to Dismiss 45 . The Motion 45 is GRANTED . Defendants' Motion to Dismiss MAY contain up to forty-five (45) pages. Signed by Judge R David Proctor on 9/15/2016. (AVC) (Entered: 09/15/2016)
09/16/2016	47	MOTION to Dismiss First Amended and Restated Complaint by Correctional Healthcare Companies, Inc., Judicial Correction Services, Inc., (Jackson, Michael) (Entered: 09/16/2016)
09/16/2016	48	MOTION to Dismiss by CHC Companies, Inc.. (Finch, Fredrick) (Entered: 09/16/2016)
09/16/2016	49	MOTION to Dismiss Plaintiff's Complaint by The Town of Harpersville. (Attachments: # 1 Exhibit Traffic Tickets and Court Dispositions, # 2 Exhibit Judicial Inquiry Commission Opinion)(Cook, Gregory) (Entered: 09/16/2016)
09/16/2016	50	Joint MOTION to Stay Discovery by CHC Companies, Inc., Correctional Healthcare Companies, Inc., Judicial Correction Services, Inc.,, The Town of Harpersville. (Cook, Gregory) (Entered: 09/16/2016)
09/19/2016	51	TEXT ORDER -This case is before the court on Defendants' Correctional Healthcare Companies, Inc. and Judicial Correction Services, Inc. Motion to Dismiss First Amended and Restated

		Complaint 47 , Defendant CHC Companies, Inc.'s Motion to Dismiss 48 , Defendant Town of Harpersville's Motion to Dismiss 49 , and Defendants' Joint Motion to Stay Discovery 50 . The parties are REMINDED to brief the Motions 47 , 48 , 49 , 50 under Exhibit B to the court's Initial Order 23 . Signed by Judge R David Proctor on 9/19/2016. (AVC) (Entered: 09/19/2016)
09/19/2016	52	CONSOLIDATED RESPONSE in Opposition to 50 Second Motion to Stay Discovery filed by Dana Carden. (Evans, G) (Entered: 09/19/2016)
09/19/2016	53	REPLY to 52 Response to Motion to Stay Discovery filed by The Town of Harpersville. (Cook, Gregory) (Entered: 09/19/2016)
09/22/2016	54	Unopposed MOTION for Leave to File Additional Pages for Responsive Brief in Opposition to JCS's Motion to Dismiss 47 by Dana Carden. (Evans, Maurine) (Entered: 09/22/2016)
09/23/2016	55	TEXT ORDER -This matter is before the court on Plaintiff's Unopposed Motion for Leave to File Additional Pages for Responsive Brief in Opposition to JCS' Motion to Dismiss 54 . The Motion 54 is GRANTED . Plaintiff's Responsive Brief MAY contain up to forty (40) pages. Signed by Judge R David Proctor on 9/23/2016. (AVC) (Entered: 09/23/2016)
09/23/2016	56	Unopposed MOTION for Leave to File Additional Pages for Responsive Brief in Opposition to Motion to Dismiss 49 by Dana Carden. (Evans, Maurine) (Entered: 09/23/2016)
09/23/2016	57	TEXT ORDER -This matter is before the court on Plaintiff's Unopposed Motion for Leave to File Additional Pages for Responsive Brief in Opposition to Harpersville's Motion to Dismiss 56 . The Motion 56 is GRANTED . Plaintiff's Responsive brief to Defendant Town of Harpersville's Motion to Dismiss 49 MAY contain up to thirty-five 35 pages. Signed by Judge R David Proctor on 9/23/2016. (AVC) (Entered: 09/23/2016)
09/23/2016	58	RESPONSE to re 44 <i>Joint Report in Response to the Court's Order of August 26, 2016</i> filed by Judicial Correction Services, Inc.,. (Jackson, Michael) (Entered: 09/23/2016)
09/23/2016	59	Opposition to 47 Motion to Dismiss Amended Complaint filed by Dana Carden. (Evans, G) (Entered: 09/23/2016)

09/23/2016	60	RESPONSE in Opposition to 48 Motion to Dismiss First Amended Complaint filed by Dana Carden. (Evans, G) (Entered: 09/23/2016)
09/23/2016	61	RESPONSE in Opposition to 49 Motion to Dismiss Amended Complaint filed by Dana Carden. (Evans, G) (Entered: 09/23/2016)
09/26/2016	62	Unopposed MOTION for Leave to File Additional Pages for its Reply in Support of its Motion to Dismiss by The Town of Harpersville. (Cook, Gregory) (Entered: 09/26/2016)
09/26/2016	63	TEXT ORDER -This matter is before the court on Defendant Town of Harpersville's Unopposed Motion for Leave to File Additional Pages for Its Reply in Support of Its Motion to Dismiss 62 . The Motion 62 is GRANTED . Defendant's Reply in Support of Its Motion to Dismiss MAY contain up to fifteen (15) pages. Signed by Judge R David Proctor on 9/26/2016. (AVC) (Entered: 09/26/2016)
09/26/2016	64	REPLY in Support of Its 49 Motion to Dismiss Plaintiff's Complaint filed by The Town of Harpersville. (Cook, Gregory) (Entered: 09/26/2016)
09/26/2016	65	REPLY Brief in Support of 47 Motion to Dismiss First Amended and Restated Complaint filed by Correctional Healthcare Companies, Inc., Judicial Correction Services, Inc. (Jackson, Michael) (Entered: 09/26/2016)
09/26/2016	66	REPLY to 60 Opposition to Motion to Dismiss filed by CHC Companies, Inc.. (Finch, Fredrick) (Entered: 09/26/2016)
09/27/2016	67	NOTICE of Filing Exhibit by CHC Companies, Inc. re 66 . (Attachments: # 1 Exhibit A to Doc. 66 - Agreement and Plan of Merger)(Finch, Fredrick) (Entered: 09/27/2016)
10/05/2016	68	NOTICE of Appearance by Christopher Knox Friedman on behalf of The Town of Harpersville (Friedman, Christopher) (Entered: 10/05/2016)
10/06/2016	69	ORDER The Motion to Stay Discovery 50 is DENIED . The parties SHALL conduct the conference required by FRCP 26(f) and LR26.1(d) as soon as practicable, but in no event later that twenty-one (21) days form the entry date of this order. They SHALL file a report of the planning meeting within fourteen (14) days of the meeting that complies with the instructions set

		forth in the court's Initial Order 23 . Signed by Judge R David Proctor on 10/6/2016. (AVC) (Entered: 10/06/2016)
11/14/2016	70	REPORT of Rule 26(f) Planning Meeting. (Anderson, L) (Entered: 11/14/2016)
11/15/2016	71	SCHEDULING ORDER that certain deadlines apply as further set out: Mediation in 9/2017; Discovery due by 9/16/2017; Dispositive Motions due by 10/17/2017; Pretrial conference ready in 6/2018, This case will be trial ready in 7/2018. Signed by Judge R David Proctor on 11/15/2016. (AVC) (Entered: 11/15/2016)
12/01/2016	72	MOTION for Leave to File Notice of Supplemental Authority by The Town of Harpersville. (Attachments: # 1 Exhibit Notice of Supplemental Authority, # 2 Exhibit JIC Complaint)(Cook, Gregory) (Entered: 12/01/2016)
12/02/2016	73	Amended MOTION for Leave to File Notice of Supplemental Authority by The Town of Harpersville. (Attachments: # 1 Exhibit Notice of Supplemental Authority Harpersville, # 2 Exhibit JIC Complaint)(Cook, Gregory) (Entered: 12/02/2016)
12/02/2016	74	TEXT ORDER -This case is before the court on Defendant Town of Harpersville's Amended Motion for Leave to File Notice of Supplemental Authority 73 . The Motion 73 is GRANTED . Defendant Town of Harpersville is instructed to file the Notice of Supplemental Authority and attached authority with the Clerk of the Court. Plaintiff MAY file a response, if any, on or before December 16, 2016 . Defendant Town of Harpersville's original Motion for Leave to File Notice of Supplemental Authority 72 is ADMINISTRATIVELY TERMINATED . Signed by Judge R David Proctor on 12/2/2016. (AVC) (Entered: 12/02/2016)
12/02/2016	75	NOTICE of Supplemental Authority by The Town of Harpersville. (Attachments: # 1 Exhibit JIC Complaint)(Cook, Gregory) (Entered: 12/02/2016)
12/10/2016	76	Unopposed MOTION for Extension of Time by Dana Carden. (Evans, Maurine) (Entered: 12/10/2016)
12/14/2016	77	TEXT ORDER -This case is before the court on Plaintiff's Unopposed Motion for Extension of Time 76 . For good cause shown, the Motion 76 is GRANTED . Plaintiff MAY file a response to Defendant Town of Harpersville's Notice of Supplemental Authority 75 on or before December 23, 2016 .

		Signed by Judge R David Proctor on 12/14/2016. (AVC) (Entered: 12/14/2016)
12/23/2016	78	RESPONSE to re 75 <i>HARPERSVILLES SUPPLEMENTAL AUTHORITY</i> filed by Dana Carden. (Evans, G) (Entered: 12/23/2016)
01/11/2017	79	SUPPLEMENTAL RESPONSE to 75 Childersburg's Supplemental Authority filed by Dana Carden. (Attachments: # 1 Exhibit A - Agreement and Stipulation, # 2 Exhibit B - Final Judgment)(Evans, G) (Entered: 01/11/2017)
01/11/2017	80	SUPPLEMENTAL RESPONSE to 75 Harpersville's Supplemental Authority filed by Dana Carden. (Attachments: # 1 Exhibit A - Agreement and Stipulation, # 2 Exhibit B - Final Judgment)(Evans, G) (Entered: 01/11/2017)
01/17/2017	81	REPLY to 80 Supplemental Response to Harpersville's Supplemental Authority filed by The Town of Harpersville. (Anderson, L) (Entered: 01/17/2017)
02/10/2017	82	Unopposed MOTION to Modify Scheduling Order by Dana Carden. (Evans, G) (Entered: 02/10/2017)
02/10/2017	83	TEXT ORDER -This case is before the court on Plaintiff's Unopposed Motion to Modify Scheduling Order 82 . The court has reviewed the Scheduling Order in this action and has observed that the class certification motion is due to be filed before the dispositive motions. Since the dispositive motions are being decided before the class certification stage in Ray v. Judicial Corrections Services, et al., Case Number 2:12-cv-02819-RDP, the court intends to discuss with the parties whether that procedure is appropriate in this case before amending the scheduling order. Accordingly, this case is SET for a teleconference at 1:30 p.m. on Monday, February 13, 2017 . The parties are DIRECTED to call 866-434-5269 to access the telephone conference. The access code is 6022965. Signed by Judge R David Proctor on 2/10/2017. (AVC) (Entered: 02/10/2017)
02/13/2017		Minute Entry for proceedings held before Judge R David Proctor: Telephone Conference held on 2/13/2017. A separate order will be entered extending the deadlines as indicated at the conference. (KLL) (Entered: 02/13/2017)
02/14/2017	84	TEXT ORDER -This matter is before the court on Plaintiff's Unopposed Motion to Modify Scheduling Order 82 . The court held a teleconference in this case on February 13, 2017. Based on

		the discussions during the teleconference, and for good cause shown, the Motion 82 is GRANTED. Further, by agreement of the parties, the court amends the Scheduling Order so that the class certification proceedings will occur after the dispositive motion proceedings. The court's November 14, 2016 Scheduling Order 71 is AMENDED as follows: (1) Plaintiff is allowed until April 17, 2017 to join additional parties and amend the pleadings; Defendant is allowed until May 8, 2017 to join additional parties and amend the pleadings; (2) Any expert reports on the merits of the action are due from Plaintiff by June 19, 2017, and from Defendants by July 31, 2017; (3) Any merits expert for Plaintiff shall be deposed by July 24, 2017, and any merits expert for Defendants shall be deposed by August 23, 2017; (4) Class certification expert reports are due from Plaintiff by October 31, 2017, and from Defendants by December 4, 2017; (5) Any class certification expert for Plaintiff shall be deposed by November 20, 2017, and any merits expert for Defendants shall be deposed by January 8, 2018; (6) All potentially dispositive motions should be filed by January 17, 2018; and (7) Plaintiff should file a motion for class certification within sixty (60) days after the court's ruling on all motions for summary judgment. Signed by Judge R David Proctor on 2/14/2017. (AVC) (Entered: 02/14/2017)
02/14/2017	85	TEXT ORDER-The court's February 14, 2017 text Order 84 is AMENDED as follows: (5) Any class certification expert for Plaintiff shall be deposed by November 20, 2017, and any class certification expert for Defendants shall be deposed by January 8, 2018. Signed by Judge R David Proctor on 2/14/2017. (AVC) (Entered: 02/14/2017)
02/23/2017	86	Supplemental Corporate Disclosure Statement by Judicial Correction Services, Inc. (Jackson, Michael) (Entered: 02/23/2017)
04/11/2017	87	Joint MOTION for Protective Order by The Town of Harpersville. (Attachments: # 1 Exhibit A - Protective Order)(Leavens, Ginny) (Entered: 04/11/2017)
04/12/2017	88	PROTECTIVE ORDER. Signed by Judge R David Proctor on 4/12/2017. (AVC) (Entered: 04/12/2017)
04/13/2017	89	MOTION to Strike Class Allegations Based on Griffin and Ewing by The Town of Harpersville. (Cook, Gregory) (Entered: 04/13/2017)

04/13/2017	90	TEXT ORDER -This case is before the court on Defendant Town of Harpersville's Motion to Strike Class Allegations 89 . All interested parties are REMINDED to brief the Motion 89 under Exhibit B to the court's Initial Order 23 . Signed by Judge R David Proctor on 4/13/2017.(AVC) (Entered: 04/13/2017)
04/17/2017	91	MOTION for Extension of Time to File Response/Reply as to 89 MOTION to Strike Class Allegations Based on Griffin and Ewing by Dana Carden. (Evans, G) (Entered: 04/17/2017)
04/18/2017	92	TEXT ORDER -This case is before the court on Plaintiff's Unopposed Motion for Extension of Time 91 . For good cause shown, Plaintiff's Motion 91 is GRANTED . Plaintiff SHALL respond to Defendant Town of Harpersville's Motion to Strike Class Allegations 89 on or before May 4, 2017.. Signed by Judge R David Proctor on 4/18/2017. (KAM) (Entered: 04/18/2017)
05/04/2017	93	RESPONSE to Motion re 89 MOTION to Strike Class Allegations Based on Griffin and Ewing filed by Dana Carden. (Evans, G) (Entered: 05/04/2017)
05/05/2017	94	RESPONSE to re 93 <i>Plaintiff's Apparent Motion to Stay</i> filed by The Town of Harpersville. (Attachments: # 1 Exhibit Exhibit A)(Cook, Gregory) (Entered: 05/05/2017)
05/05/2017	95	RESPONSE to Motion re 89 MOTION to Strike Class Allegations Based on Griffin and Ewing <i>AMENDED RESPONSE TO THE TOWN OF HARPERSVILLES MOTION TO STRIKE CLASS ALLEGATIONS</i> filed by Dana Carden. (Evans, G) (Entered: 05/05/2017)
05/15/2017	96	REPLY Brief filed by Plaintiff Dana Carden re: 94 Response (other) <i>IN SUPPORT OF MOTION TO STAY</i> filed by Dana Carden. (Evans, G) (Entered: 05/15/2017)
05/17/2017	97	MOTION to Strike 96 Reply Brief by The Town of Harpersville. (Cook, Gregory) (Entered: 05/17/2017)
05/31/2017	98	ORDER denying 97 Motion to Strike; granting 93 motion to Stay; the court will stay its consideration of motion to strike until after the state-court hearing on 6/19/2017; pla shall inform the court of the proceedings and respond to the merits of the motion to strike 89 by 6/26/2017; dfts may reply by 6/30/2017. Signed by Judge R David Proctor on 5/31/2017. (KAM,) (Entered: 05/31/2017)

06/26/2017	<u>99</u>	MOTION for Leave to File <i>Second Amended and Restated Complaint</i> by Dana Carden. (Attachments: # <u>1</u> Exhibit A - Second Amended and Restated Complaint)(Evans, G) ** Withdrawn see <u>103</u> (Entered: 06/26/2017)
06/26/2017	<u>100</u>	RESPONSE in Opposition re <u>89</u> MOTION to Strike Class Allegations Based on Griffin and Ewing filed by Dana Carden. (Evans, G) (Entered: 06/26/2017)
06/27/2017	101	TEXT ORDER-This case is before the Court on Plaintiff's <u>99</u> Motion for Leave to File Second Amended and Restated Complaint. The parties are REMINDED to brief the <u>99</u> Motion under Exhibit B to the Court's <u>23</u> Initial Order. Signed by Judge R David Proctor on 6/27/2017. (JLC) (Entered: 06/27/2017)
06/30/2017	<u>102</u>	REPLY Brief filed by Defendant The Town of Harpersville re: <u>89</u> MOTION to Strike Class Allegations Based on Griffin and Ewing filed by The Town of Harpersville. (Cook, Gregory) (Entered: 06/30/2017)
06/30/2017	<u>103</u>	NOTICE by Dana Carden <i>PLAINTIFFS NOTICE OF WITHDRAWAL OF MOTION FOR LEAVE TO FILE SECOND AMENDED AND RESTATED COMPLAINT</i> (Evans, G) (Entered: 06/30/2017)
07/31/2017	<u>104</u>	NOTICE by Judicial Correction Services, Inc., <i>Expert Disclosure</i> (Jackson, Michael) (Entered: 07/31/2017)
07/31/2017	<u>105</u>	NOTICE by CHC Companies, Inc. <i>Expert Disclosure</i> (Richardson, Brian) (Entered: 07/31/2017)
08/09/2017	<u>106</u>	MOTION Lift Stay re <u>98</u> Order on Motion to Strike, by The Town of Harpersville. (Attachments: # <u>1</u> Exhibit A)(Friedman, Christopher) (Entered: 08/09/2017)
08/09/2017	107	TEXT ORDER -This case is before the court on Defendant Town of Harpersville's Motion to Lift Stay <u>106</u> . Defendant's Motion <u>106</u> is GRANTED . The stay on this action is LIFTED , and Defendant's Motion to Strike Class Allegations <u>89</u> is under submission. Signed by Judge R David Proctor on 8/9/2017. (KAM,) (Entered: 08/09/2017)
09/08/2017	<u>108</u>	MOTION to Withdraw as Attorney by The Town of Harpersville. (Friedman, Christopher) (Entered: 09/08/2017)

09/11/2017	109	TEXT ORDER -This matter is before the court on the Motion to Withdraw filed by attorney Christopher K. Friedman. 108 The Motion 108 is GRANTED . The Clerk of the Court is directed to terminate attorney Friedman. Signed by Judge R David Proctor on 9/11/2017. (KAM) (Entered: 09/11/2017)
09/21/2017	110	MEMORANDUM OPINION. Signed by Judge R David Proctor on 9/21/2017. (KAM) (Entered: 09/21/2017)
09/21/2017	111	ORDER in accordance with the memo opn entered contemporaneously, granting in part and denying in part 47 Motion to Dismiss - counts 3,4,5,6,7,8,12,13,14,15 and 16 of the First Amended complaint are DISMISSED w/out prejudice for failure to state a claim, in all other respects, the motion is denied; granting 48 Motion to Dismiss, CHC Companies are DISMISSED w/out prejudice for failure to state a claim; granting 89 Motion to Strike, class allegations in the First Amended Complaint are STRICKEN as untimely; Plaintiff shall file a Second Amended Company regarding her claims against dft Harpersville within 30 days. Signed by Judge R David Proctor on 9/21/2017. (KAM) (Entered: 09/21/2017)
09/21/2017	112	NOTICE of Appearance by Wilson F Green on behalf of Judicial Correction Services, Inc., (Green, Wilson) (Entered: 09/21/2017)
09/28/2017	113	MOTION Unopposed Motion to Modify Scheduling Order by The Town of Harpersville. (Anderson, L) (Entered: 09/28/2017)
09/29/2017	114	TEXT ORDER -This case is before the court on Defendant Town of Harpersville's Unopposed Motion to Modify Scheduling Order 113 . This case is SET for a status conference to discuss scheduling at 8:30 a.m. on Monday, October 16, 2017 in the undersigned's chambers. Signed by Judge R David Proctor on 9/29/2017. (KAM) (Entered: 09/29/2017)
10/16/2017		Minute Entry for proceedings held before Judge R David Proctor: Status Conference held on 10/16/2017. The court will enter a separate order outlining the scheduling deadlines as discussed at the conference (Court Reporter Leah Turner.) (KLL) (Entered: 10/16/2017)
10/16/2017	115	TEXT ORDER -This case is before the court on Defendant Town of Harpersville's Unopposed Motion to Modify Scheduling Order 126 . For the reasons stated on the record during the October 16, 2017 status conference, Defendant's Motion 126 is GRANTED . The court's June 14, 2017 Scheduling Order 123 is AMENDED as follows: (1) All discovery is to be commenced in time to be

		completed by February 28, 2018 ; and (2) All potentially dispositive motions should be filed by May 4, 2018 . Signed by Judge R David Proctor on 10/16/2017. (KAM,) (Entered: 10/16/2017)
10/23/2017	116	AMENDED COMPLAINT <i>SECOND AMENDED COMPLAINT</i> against Judicial Correction Services, Inc., The Town of Harpersville, filed by Dana Carden. (Attachments: # 1 Exhibit 1 - JCS Contract, # 2 Exhibit 2 - Court Orders including fines, # 3 Exhibit 3 - Carden Arrest Report, # 4 Exhibit 4- Order on Initial Appearance, # 5 Exhibit 5 - Order of Probation, # 6 Exhibit 6 - Order of Release from Jail, # 7 Exhibit 7 - Petition for Revocation, # 8 Exhibit 8 - Probation Tracker case file report, # 9 Exhibit 9 - JCS Training Manual - Part 1, # 10 Exhibit 9 - JCS Training Manual - Part 2, # 11 Exhibit 9 - JCS Training Manual - Part 3, # 12 Exhibit 10 - Shelby Co District Ct Order)(Evans, G) (Entered: 10/23/2017)
11/03/2017	117	Consent MOTION for Extension of Time <i>to File Responsive Pleading</i> by The Town of Harpersville. (Anderson, L) (Entered: 11/03/2017)
11/03/2017	118	TEXT ORDER- This matter is before the court on Defendant the Town of Harpersville's Unopposed Motion for a Two (2) Day Extension of Time. 117 . For good cause shown, the Motion 117 is GRANTED. Defendant the Town of Harpersville SHALL file it response to Plaintiff's Second Amended Complaint on or before November 8, 2017. Signed by Judge R David Proctor on 11/3/17. (SAC) (Entered: 11/03/2017)
11/06/2017	119	ANSWER to 116 Amended Complaint,, by Judicial Correction Services, Inc.,.(Jackson, Michael) (Entered: 11/06/2017)
11/08/2017	120	MOTION to Dismiss <i>Plaintiff's Second Amended Complaint</i> by The Town of Harpersville. (Attachments: # 1 Exhibit Exhibit A -- Warrants)(Cook, Gregory) (Entered: 11/08/2017)
11/09/2017	121	TEXT ORDER -This case is before the court on Defendant Town of Harpersville's Motion to Dismiss Plaintiff's Second Amended Complaint. 120 In light of the upcoming mediation and Thanksgiving holiday, the court SETS the following briefing schedule for this motion to dismiss. Plaintiff SHALL respond to the motion to dismiss on or before December 1, 2017 . Defendant Town of Harpersville MAY reply to Plaintiff's response on or

		before December 8, 2017. Signed by Judge R David Proctor on 11/9/2017. (KAM) (Entered: 11/09/2017)
11/29/2017	<u>122</u>	MOTION for Extension of Time by Dana Carden. (Evans, G) (Entered: 11/29/2017)
11/29/2017	123	TEXT ORDER -This case is before the court on Plaintiff's Unopposed Motion for Extension of Time. <u>122</u> For good cause shown, Plaintiff's Motion <u>122</u> is GRANTED . Plaintiff SHALL respond to the motion to dismiss on or before December 8, 2017 . Defendant Town of Harpersville MAY reply to Plaintiff's response on or before December 15, 2017 . Signed by Judge R David Proctor on 11/29/2017. (KAM) (Entered: 11/29/2017)
12/06/2017	<u>124</u>	ORDER OF DISMISSAL - the court having been informed that a settlement has been reached, DISMISSING CASE without prejudice; the court shall retain jurisdiction over this matter for the sole purpose of enforcing the settlement; the parties shall submit a joint stipulation within 60 days. Signed by Judge R David Proctor on 12/6/2017. (KAM) (Entered: 12/06/2017)
02/07/2018	<u>125</u>	MOTION Enforce Settlement by Dana Carden. (Attachments: # <u>1</u> Exhibit A - Cook 11 17 17 Email re terms of settlement, # <u>2</u> Exhibit B - GDE 11 30 17 ltr Cook & Wilson re settlement, # <u>3</u> Exhibit C - Defendants DraftSettlement agreement 12 22 17, # <u>4</u> Exhibit D - GDE 1 3 18 ltr to Cook & Wilson re settlement and enc releases, # <u>5</u> Exhibit E - Emails to and fro Green 1 19 18, # <u>6</u> Exhibit F - GDE 1 19 18 ltr to Cook & Wilson re settlement, # <u>7</u> Exhibit G - Green 1 31 18 ltr to GDE re Carden, # <u>8</u> Exhibit H - Green 2 5 18 ltr to GDE)(Evans, G) (Entered: 02/07/2018)
02/09/2018	126	TEXT ORDER This case is before the court on Plaintiff's Motion to Enforce Settlement. <u>125</u> Defendants Town of Harpersville and Judicial Correction Services, Inc. SHALL respond to the Motion <u>125</u> on or before February 16, 2018 . This case is SET for a motion conference at 4:00 p.m. on Tuesday, February 20, 2018 in the undersigned's courtroom . Signed by Judge R David Proctor on 2/9/2018. (KAM) (Entered: 02/09/2018)
02/16/2018	<u>127</u>	RESPONSE in Opposition re <u>125</u> MOTION Enforce Settlement filed by Judicial Correction Services, Inc., The Town of Harpersville. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10,

		# 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Exhibit 28, # 29 Exhibit 29, # 30 Exhibit 30, # 31 Exhibit 31, # 32 Exhibit 32, # 33 Exhibit 33, # 34 Exhibit 34, # 35 Exhibit 35)(Jackson, Michael) (Entered: 02/16/2018)
02/20/2018		Minute Entry for proceedings held before Judge R David Proctor: Motion Hearing held on 2/20/2018 re 125 MOTION Enforce Settlement filed by Dana Carden. (KLL) (Entered: 02/21/2018)
03/14/2018	128	ORDER. This matter has been referred to the undersigned for mediation on the motion to enforce the settlement agreement. Accordingly, it is set for a telephone status conference on Friday, March 16, 2018, at 3:30 p.m. The call-in number is 888-808-6929 and the passcode is 5917763. Signed by Magistrate Judge John E. Ott on 3/14/2018. (Ott, John) (Entered: 03/14/2018)
03/17/2018	129	TEXT ORDER. This matter is set for mediation on Thursday, April 5, 2018, at 9:00 a.m. Prior to the mediation, the parties are to exchange settlement offers. Any plaintiff that has not settled prior to the mediation must be present or have given counsel full authority regarding settlement. Signed by Magistrate Judge John E. Ott on 3/17/2018. (Ott, John) (Entered: 03/17/2018)
03/19/2018		Set Hearings: Settlement Conference set for 4/5/2018 09:00 AM before Magistrate Judge John E Ott. (KAM) (Entered: 03/19/2018)
04/05/2018		Minute Entry for proceedings held before Magistrate Judge John E Ott: Settlement Conference held on 4/5/2018. (BST,) (Entered: 04/06/2018)
04/06/2018	130	TEXT ORDER. This matter is set for a telephone conference call on Monday, April 16, 2018, at 4:00 p.m. The call-in number is 888-808-6929, the passcode is 5917763. Signed by Magistrate Judge John E. Ott on 4/6/2018. (Ott, John) (Entered: 04/06/2018)
04/09/2018		Set Hearings: Telephone Conference set for 4/16/2018 04:00 PM before Magistrate Judge John E Ott. (KAM) (Entered: 04/09/2018)
05/17/2018	131	STIPULATION of Dismissal <i>JOINT STIPULATION OF DISMISSAL</i> by Dana Carden. filed by Dana Carden (Evans, G) (Entered: 05/17/2018)
05/18/2018	132	ORDER in accordance with the stipulation of the parties; this action is DISMISSED with prejudice; the parties are to bear their

		own costs, expenses and attorney's fees; denying as moot 125 Motion to enforce settlement. Signed by Judge R David Proctor on 5/18/2018. (KAM) (Entered: 05/18/2018)
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