

**U.S. District Court
Western District of Missouri (Jefferson City)
CIVIL DOCKET FOR CASE #: 2:04-cv-04248-ODS**

Prye v. Blunt et al
Assigned to: District Judge Ortrie D. Smith
Case in other court: 8th Circuit, 06-03014
Cause: 29:0794 Job Discrimination (Handicap)

Date Filed: 10/08/2004
Date Terminated: 07/07/2006
Jury Demand: None
Nature of Suit: 441 Civil Rights: Voting
Jurisdiction: Federal Question

Plaintiff

Steven M. Prye
*individually and by his guardian, Office
of State Guardian*

represented by **Alison Barkoff**
1101 15th Street NW
Suite 1212
Washington, DC 20005
(202) 467-5730 ext. 115
Fax: (202) 223-0409
Email: alisonb@bazelon.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Anthony E. Rothert
American Civil Liberties Union of
Missouri Foundation-StL
906 Olive Street
Suite 1130
St. Louis, MO 63101
(314) 652-3114
Fax: (314) 652-3112
Email: trothert@aclu-mo.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David E. Hale
Missouri Protection & Advocacy Services
925 South Country Club Drive
Jefferson City, MO 65109
(573) 893-3333
Email: mopasstl5@sbcglobal.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ferne P. Wolf
Sowers & Wolf, LLC
530 Maryville Centre Drive
Suite 460
St. Louis, MO 63141
(314)744-4010
Fax: (314) 744-4026
Email: fw@sowerswolf.com
TERMINATED: 04/11/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ira Abraham Burnim
Bazelon Center for Mental Health Law
1101 15th Street, N.W.
Suite 1212
Washington, DC 20005
(202) 467-5730
Fax: (202) 223-0409
Email: irab@bazelon.org

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

James G. Felakos
American Civil Liberties Union of Eastern
Missouri
4557 Laclede Avenue
St. Louis, MO 63108
(314) 361-3635
Fax: (314) 361-3135
Email: jfelakos@gmail.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

James Michael Kirkland
Kuckelman Torline Kirkland
10740 Nall
Suite 250
Overland Park, KS 66221
913-948-8610
Fax: 913-948-8611
Email: jkirkland@ktk-law.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Jennifer Mathis
Bazelon Center for Mental Health Law
1101 15th Street NW
Suite 1212
Washington, DC 20005
(202) 467-5730
Fax: (202) 223-0409
Email: jenniferm@bazelon.org
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Neil Bradley
3276 Wynn Drive
Avondale, GA 30002
4042985052
Email: neil.bradley.ga@gmail.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Jeffrey M. Plesko
Guardianship & Advocacy Commission
7 Cottage Drive
Anna, IL 62906
(618) 833-4897
Fax: (618) 833-5219
Email: jplesko@gac.state.il.us

John H. Wank
Guardianship & Advocacy Commission
160 N. LaSalle Street
Suite S-500
Chicago, IL 60601
(312) 793-5900
Fax: (312) 793-4311
Email: jwank@gac.state.il.us
ATTORNEY TO BE NOTICED

Michael H. Finkelstein
Missouri Protection & Advocacy
925 S Country Club Drive

Jefferson City, MO 65109
(573) 893-3333
Fax: (573) 893-4231
Email: mopasic2@earthlink.net
ATTORNEY TO BE NOTICED

Plaintiff

Missouri Protection and Advocacy Services

Missouri Protection and Advocacy Services, Incorporated, a Missouri not-for-profit organization.

represented by **Alison Barkoff**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James G. Felakos
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Michael Kirkland
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael H. Finkelstein
(See above for address)
LEAD ATTORNEY

Ferne P. Wolf
(See above for address)
TERMINATED: 04/11/2005
ATTORNEY TO BE NOTICED

Anthony E. Rothert
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Patrick W. Sharp

Patrick W. Sharp, individually and by his next friend Rebbecca Lake Wood.

represented by **Alison Barkoff**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James G. Felakos
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Michael Kirkland
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ferne P. Wolf
(See above for address)
TERMINATED: 04/11/2005
ATTORNEY TO BE NOTICED

Anthony E. Rothert
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Bob Scaletty

Bob Scaletty, individually and by his next

represented by **Alison Barkoff**
(See above for address)

friend Rebbecca Lake Wood.

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James G. Felakos
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Michael Kirkland
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ferne P. Wolf
(See above for address)
TERMINATED: 04/11/2005
ATTORNEY TO BE NOTICED

Anthony E. Rothert
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Matt Blunt
*in his official capacity as Secretary of
State of the State of Missouri*

represented by **Michael Pritchett**
Missouri Dept of Labor & Industrial
Relations
P.O. Box 59
Jefferson City, MO 65104-0059
573/751-5992
Email: mike.pritchett@labor.mo.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James R. McAdams
Missouri Office of Administration
P.O. Box 809
State Capitol Room 125
Jefferson City, MO 65102
(573) 751-1851
Fax: 573-751-1212
Email: jim.mcadams@oa.mo.gov
TERMINATED: 12/17/2004

Defendant

Jeremiah Nixon
*in his official capacity as Attorney
General of the State of Missouri*

represented by **Michael Pritchett**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James R. McAdams
(See above for address)
TERMINATED: 12/17/2004

Defendant

Leo G Stoff
*in his capacity as director of the Board of
Elections for the City of St. Louis*

Defendant

James O'Toole
*in his capacity as director of the Board of
Elections for the City of St. Louis*

Defendant

Michael Lueken
*in his capacity as secretary and member
of the Board of Elections for the City of
St. Louis*

Defendant

Derio Gambaro
*in his capacity as chairman of the Board
of Elections for the City of St. Louis*

Defendant

Angela Da Silva
*in his capacity as member of the Board of
Elections for the City of St. Louis*

Defendant

Yvonne Hunter
*in his capacity as member of the Board of
Elections for the City of St. Louis*

Defendant

**Board of Election Commissioners for
the City of St. Louis**

represented by **Rufus J. Tate , Jr.**
Tate Law Firm, LLC
230 Bemiston Avenue
Suite 1470
St. Louis, MO 63105
(314) 827.5311
Fax: 855.825.8283
Email: tatelawfirm@gmail.com
ATTORNEY TO BE NOTICED

Defendant

Bruce B Waugh
*in his capacity as a member of Board of
Election Commissioners of Kansas City*

represented by **David B. Raymond**
Littler Mendelson, P.C.
1201 Walnut Street, Site 1450
Suite 1450
Kansas City, MO 64106
(816) 983-8156
Fax: (816) 983-8080
Email: david.raymond@huschblackwell.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

F. Russell Millin
1100 Main Street
Suite 2800
Kansas City, MO 64105
(816)842-1130
Fax: (816)472-6009
Email: rmillin@sbcglobal.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Rosa James
in her capacity as a member of Board of

represented by **David B. Raymond**
(See above for address)

Election Commissioners of Kansas City

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

F. Russell Millin
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Linda S Tarpley
*in her capacity as a member of Board of
Election Commissioners of Kansas City*

represented by **David B. Raymond**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

F. Russell Millin
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Cheryl Bisbee
*in her capacity as a member of Board of
Election Commissioners of Kansas City*

represented by **David B. Raymond**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

F. Russell Millin
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Ray S. James
*in her capacity as a member of Board of
Election Commissioners of Kansas City*

represented by **David B. Raymond**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

F. Russell Millin
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Sharon Turner Blue
*in her capacity as a member of Board of
Election Commissioners of Kansas City*

represented by **David B. Raymond**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

F. Russell Millin
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Board of Election Commissioners of
Kansas City**

represented by **David B. Raymond**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

F. Russell Millin
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor**United States of America**

represented by **Sarah E. Harrington**
U. S. Department of Justice
Civil Rights Division
Ben Franklin Station
P. O. Box 14403
Washington, DC 20044-4403
(202) 305-7999
Fax: (202) 514-8490
Email: sarah.harrington@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/08/2004	<u>1</u>	COMPLAINT against all defendants (Filing fee \$150 receipt number 224656) Service due by 2/5/2005, filed by Anthony E. Rothert on behalf of Steven M. Prye. (Attachments: # <u>1</u> Civil Cover Sheet)(Price, Jackie) (Entered: 10/08/2004)
10/08/2004	<u>2</u>	Motion and Order to appear pro hac vice granting appearance of Attorney Ferne P. Wolf for Steven M. Prye Fee paid; receipt number 224656. (Price, Jackie) (Entered: 10/08/2004)
10/08/2004	<u>3</u>	MOTION for preliminary injunction filed by Ferne P. Wolf on behalf of all plaintiffs Suggestions in opposition/response due by 10/25/2004 (Wolf, Ferne) (Entered: 10/08/2004)
10/08/2004	<u>4</u>	SUGGESTIONS in support re <u>3</u> MOTION for preliminary injunction filed by Ferne P. Wolf on behalf of Plaintiff Steven M. Prye. (Attachments: # <u>1</u> Exhibit Rejection Letter# <u>2</u> Exhibit Guardian Affidavit# <u>3</u> Exhibit Guiffra Affidavit# <u>4</u> Exhibit Han Affidavit# <u>5</u> Exhibit Sullivan Affidavit)(Related document(s) <u>3</u>) (Wolf, Ferne) (Entered: 10/08/2004)
10/12/2004	<u>5</u>	ORDER scheduling hearing on motion for preliminary injunction and directing Plaintiffs to effect service on Defendants. With hearing to be held on 10/19/2004 at 01:30 PM at Courtroom 8C, Kansas City (ODS). Signed by Judge Ortrie D. Smith on 10/12/2004. (Will-Fees, Eva) (Entered: 10/12/2004)
10/13/2004	<u>6</u>	NOTICE of appearance by Michael H. Finkelstein on behalf of Steven M. Prye (Finkelstein, Michael) (Entered: 10/13/2004)
10/14/2004	<u>7</u>	REQUEST FOR WAIVER of service sent to Matt Blunt on October 8, 2004 by Steven M. Prye. Waiver of Service due by 11/8/2004. (Rothert, Anthony) (Entered: 10/14/2004)
10/14/2004	<u>8</u>	REQUEST FOR WAIVER of service sent to Jeremiah W. (Jay) Nixon on October 8, 2004 by Steven M. Prye. Waiver of Service due by 11/8/2004. (Rothert, Anthony) (Entered: 10/14/2004)
10/14/2004	<u>9</u>	REQUEST FOR WAIVER of service sent to Leo G. Stoff on October 8, 2004 by Steven M. Prye. Waiver of Service due by 11/8/2004. (Rothert, Anthony) (Entered: 10/14/2004)
10/14/2004	<u>10</u>	REQUEST FOR WAIVER of service sent to James O'Toole on October 8, 2004 by Steven M. Prye. Waiver of Service due by 11/8/2004. (Rothert, Anthony) (Entered: 10/14/2004)
10/14/2004	<u>11</u>	REQUEST FOR WAIVER of service sent to Michael LUEKEN on October 8, 2004 by Steven M. Prye. Waiver of Service due by 11/8/2004. (Rothert, Anthony) (Entered: 10/14/2004)
10/14/2004	<u>12</u>	REQUEST FOR WAIVER of service sent to Angela da Silva on October 8, 2004 by Steven M. Prye. Waiver of Service due by 11/8/2004. (Rothert, Anthony) (Entered: 10/14/2004)

10/14/2004	<u>13</u>	REQUEST FOR WAIVER of service sent to Yvonne Hunter on October 8, 2004 by Steven M. Prye. Waiver of Service due by 11/8/2004. (Rothert, Anthony) (Entered: 10/14/2004)
10/14/2004	<u>14</u>	REQUEST FOR WAIVER of service sent to Board of Election Commissioner for the City of St. Louis on October 8, 2004 by Steven M. Prye. Waiver of Service due by 11/8/2004. (Rothert, Anthony) (Entered: 10/14/2004)
10/14/2004	<u>15</u>	REQUEST FOR WAIVER of service sent to Derio L. Gambaro on October 8, 2004 by Steven M. Prye. Waiver of Service due by 11/8/2004. (Rothert, Anthony) (Entered: 10/14/2004)
10/15/2004	<u>16</u>	MOTION to vacate <i>preliminary injunction hearing</i> filed by James R. McAdams on behalf of Matt Blunt, Jeremiah Nixon Suggestions in opposition/response due by 11/1/2004 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit A – C)(McAdams, James) (Entered: 10/15/2004)
10/16/2004	<u>17</u>	RESPONSE to motion re <u>16</u> MOTION to vacate <i>preliminary injunction hearing of Blunt and Nixon</i> filed by Anthony E. Rothert on behalf of Plaintiff Steven M. Prye. Reply suggestions due by 11/1/2004 unless otherwise directed by the court (Attachments: # <u>1</u> Affidavit Steven M. Prye)(Related document(s) <u>16</u>) (Rothert, Anthony) (Entered: 10/16/2004)
10/18/2004	<u>18</u>	ORDER granting in part and denying in part <u>16</u> Defendants' Motion to Vacate Preliminary Injunction Hearing and rescheduling hearing on Motion for Preliminary Injunction for 9:00 a.m. on 10/21/2004. Signed by Judge Ortrie D. Smith on 10/18/2004. (Will–Fees, Eva) (Entered: 10/18/2004)
10/20/2004	<u>19</u>	Motion and Order to appear pro hac vice granting appearance of Attorney Jennifer Mathis for Steven M. Prye Fee paid; receipt number 224700. (Price, Jackie) (Entered: 10/20/2004)
10/20/2004	<u>20</u>	Motion and Order to appear pro hac vice granting appearance of Attorney Neil Bradley for Steven M. Prye Fee paid; receipt number 224701. (Price, Jackie) (Entered: 10/20/2004)
10/20/2004	<u>21</u>	MOTION for leave to file excess pages filed by James R. McAdams on behalf of Matt Blunt, Jeremiah Nixon Suggestions in opposition/response due by 11/4/2004 unless otherwise directed by the court (Attachments: # <u>1</u> Defendants' Suggestions in Opposition to Plaintiff's Motion for Preliminary Injunction# <u>2</u> Exhibit A–D)(McAdams, James) (Entered: 10/20/2004)
10/20/2004	<u>22</u>	ORDER granting <u>21</u> motion for leave to file excess pages signed by Judge Ortrie D. Smith on 10/20/2004. (Kitsmiller, Julia) (Entered: 10/20/2004)
10/20/2004	<u>23</u>	MOTION to amend/correct filed by James R. McAdams on behalf of Matt Blunt, Jeremiah Nixon Suggestions in opposition/response due by 11/4/2004 unless otherwise directed by the court (Attachments: # <u>1</u> Defendants' Suggestions in Opposition to Plaintiff's Motion for Preliminary Injunction# <u>2</u> Appendix A – D)(McAdams, James) (Entered: 10/20/2004)
10/20/2004	<u>24</u>	REPLY SUGGESTIONS to motion re <u>3</u> MOTION for preliminary injunction filed by Anthony E. Rothert on behalf of Plaintiff Steven M. Prye. (Attachments: # <u>1</u> Affidavit Kathleen A. Eddy)(Related document(s) <u>3</u>) (Rothert, Anthony) (Entered: 10/20/2004)
10/20/2004	<u>25</u>	RESPONSE to motion re <u>23</u> MOTION to amend/correct of <i>Defendants Blunt and Nixon</i> filed by Anthony E. Rothert on behalf of Plaintiff Steven M. Prye. Reply suggestions due by 11/4/2004 unless otherwise directed by the court (Related document(s) <u>23</u>) (Rothert, Anthony) (Entered: 10/20/2004)
10/21/2004	<u>26</u>	ORDER granting <u>23</u> Defendants' Motion for Leave to File Amended Suggestions in Opposition to Motion for Preliminary Injunction. Signed by Judge Ortrie D. Smith on 10/21/2004. (Will–Fees, Eva) (Entered: 10/21/2004)
10/21/2004	<u>27</u>	Motion and Order to appear pro hac vice granting appearance of Attorney John H. Wank for Steven M. Prye Fee paid; receipt number 221826. (McDowell, Shelly) (Entered: 10/21/2004)

10/21/2004	<u>28</u>	Motion and Order to appear pro hac vice granting appearance of Attorney Jeffrey M. Plesko for Steven M. Prye Fee paid; receipt number 221826. (McDowell, Shelly) (Entered: 10/21/2004)
10/21/2004	<u>29</u>	MOTION to amend/correct <i>the attachment to plaintiffs' reply suggestions regarding plaintiff's motion for preliminary injunction</i> filed by Anthony E. Rothert on behalf of Steven M. Prye Suggestions in opposition/response due by 11/5/2004 unless otherwise directed by the court (Attachments: # <u>1</u> Affidavit Kathleen A. Eddy)(Rothert, Anthony) (Entered: 10/21/2004)
10/21/2004	<u>33</u>	Minute Entry for proceedings held before Judge Ortrie D. Smith : HEARING held on 10/21/2004 (Court Reporter Cynthia Johnson.) (Will-Fees, Eva) (Entered: 10/25/2004)
10/24/2004	<u>30</u>	MOTION to seal document s filed by Anthony E. Rothert on behalf of all plaintiffs Suggestions in opposition/response due by 11/8/2004 unless otherwise directed by the court (Rothert, Anthony) (Entered: 10/24/2004)
10/24/2004	<u>31</u>	PROPOSED FINDINGS OF FACT by Steven M. Prye (<i>proposed findings of fact and conclusions of law related to plaintiffs' motoin for preliminary injunction</i>). (Rothert, Anthony) (Entered: 10/24/2004)
10/25/2004	<u>32</u>	ORDER granting <u>29</u> Plaintiffs' Motion for Leave to File Reformatted Attachment to Plaintiffs' reply suggestions. Signed by Judge Ortrie D. Smith on 10/25/2004. (Will-Fees, Eva) (Entered: 10/25/2004)
10/25/2004	<u>34</u>	PROPOSED FINDINGS OF FACT by Matt Blunt, Jeremiah Nixon <i>Memorandum and Order</i> . (McAdams, James) (Entered: 10/25/2004)
10/25/2004	<u>35</u>	AFFIDAVIT re <u>24</u> Reply Suggestions to Motion, <u>32</u> Order on Motion to Amend/Correct (<i>Reformatted Affidavit of Kathleen A. Eddy in support of <u>24</u> reply to suggestions regarding motion for preliminary hearing, as permitted by order granting leave to file a reformatted affidavit <u>32</u>)</i> by Steven M. Prye. (Related document(s) <u>24</u> , <u>32</u>) (Rothert, Anthony) (Entered: 10/25/2004)
10/25/2004	<u>36</u>	ORDER granting <u>30</u> motion to seal certain documents. Signed by Judge Ortrie D. Smith on 10/25/2004. (Will-Fees, Eva) (Entered: 10/25/2004)
10/26/2004	<u>37</u>	ORDER denying <u>3</u> Motion for preliminary injunction signed by Judge Ortrie D. Smith on 10/26/2004. (Kitsmiller, Julia) (Entered: 10/26/2004)
10/29/2004	<u>38</u>	Emergency MOTION for reconsideration re <u>37</u> Order on Motion for Preliminary Injunction filed by Anthony E. Rothert on behalf of all plaintiffs Suggestions in opposition/response due by 11/15/2004 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit A)(Related document(s) <u>37</u>) (Rothert, Anthony) (Entered: 10/29/2004)
11/01/2004	<u>39</u>	MOTION to amend/correct <u>38</u> Emergency MOTION for reconsideration re <u>37</u> Order on Motion for Preliminary Injunction <i>denying <u>3</u> plaintiffs' motion for preliminary injuction</i> filed by Anthony E. Rothert on behalf of all plaintiffs Suggestions in opposition/response due by 11/16/2004 unless otherwise directed by the court (Attachments: # <u>1</u> Proposed Amended Motion)(Related document(s) <u>38</u>) (Rothert, Anthony) (Entered: 11/01/2004)
11/01/2004	<u>40</u>	SUGGESTIONS in opposition re <u>38</u> Emergency MOTION for reconsideration re <u>37</u> Order on Motion for Preliminary Injunction, <u>39</u> MOTION to amend/correct <u>38</u> Emergency MOTION for reconsideration re <u>37</u> Order on Motion for Preliminary Injunction <i>denying <u>3</u> plaintiffs' motion for preliminary injuction</i> filed by James R. McAdams on behalf of Defendants Matt Blunt, Jeremiah Nixon. Reply suggestions due by 11/16/2004 unless otherwise directed by the court (Related document(s) <u>38</u> , <u>39</u>) (McAdams, James) (Entered: 11/01/2004)
11/01/2004	<u>41</u>	ORDER granting <u>39</u> motion for leave to file an amended motion to reconsider. Signed by Judge Ortrie D. Smith on 11/01/2004. (Will-Fees, Eva) (Entered: 11/01/2004)
11/01/2004	<u>42</u>	Amended MOTION for reconsideration re <u>37</u> Order on Motion for Preliminary Injunction <i>denying <u>3</u> plaintiffs' motion for preliminary injuction</i> filed by Anthony E. Rothert on behalf of all plaintiffs Suggestions in opposition/response due by 11/16/2004 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit

		A)(Related document(s) <u>37</u>) (Rothert, Anthony) (Entered: 11/01/2004)
11/01/2004	<u>43</u>	ORDER denying <u>42</u> amended motion for reconsideration signed by Judge Ortrie D. Smith on 11/01/2004. (Kitsmiller, Julia) (Entered: 11/01/2004)
11/02/2004	<u>44</u>	Motion and Order to appear pro hac vice granting appearance of Attorney Ira Abraham Burnim for Steven M. Prye Fee paid; receipt number 222445. (Revis, Christi) (Entered: 11/02/2004)
11/04/2004	<u>45</u>	WAIVER OF SERVICE returned executed by Steven M. Prye. Matt Blunt waiver sent on 10/8/2004, answer due 12/7/2004. (Rothert, Anthony) (Entered: 11/04/2004)
11/04/2004	<u>46</u>	WAIVER OF SERVICE returned executed by Steven M. Prye. Jeremiah Nixon waiver sent on 10/8/2004, answer due 12/7/2004. (Rothert, Anthony) (Entered: 11/04/2004)
11/16/2004		SUMMONS ISSUED as to Board of Election Commissioners for the City of St. Louis, Angela Da Silva, Derio Gambaro, Yvonne Hunter, Michael Lueken, James O'Toole, Leo G Stoff. (Price, Jackie) (Entered: 11/16/2004)
11/29/2004	<u>47</u>	RETURN OF SERVICE of complaint executed by Steven M. Prye. Leo G Stoff served on 11/19/2004, answer due 12/9/2004. (Rothert, Anthony) (Entered: 11/29/2004)
11/30/2004	<u>48</u>	RETURN OF SERVICE of complaint executed by Steven M. Prye. Board of Election Commissioners for the City of St. Louis served on 11/19/2004, answer due 12/9/2004. (Rothert, Anthony) (Entered: 11/30/2004)
11/30/2004	<u>49</u>	RETURN OF SERVICE of complaint executed by Steven M. Prye. James O'Toole served on 11/19/2004, answer due 12/9/2004. (Rothert, Anthony) (Entered: 11/30/2004)
11/30/2004	<u>50</u>	RETURN OF SERVICE of complaint executed by Steven M. Prye. Michael Lueken served on 11/19/2004, answer due 12/9/2004. (Rothert, Anthony) (Entered: 11/30/2004)
11/30/2004	<u>51</u>	RETURN OF SERVICE of complaint executed by Steven M. Prye. Derio Gambaro served on 11/19/2004, answer due 12/9/2004. (Rothert, Anthony) (Entered: 11/30/2004)
11/30/2004	<u>52</u>	RETURN OF SERVICE of complaint executed by Steven M. Prye. Angela Da Silva served on 11/19/2004, answer due 12/9/2004. (Rothert, Anthony) (Entered: 11/30/2004)
11/30/2004	<u>53</u>	RETURN OF SERVICE of complaint executed by Steven M. Prye. Yvonne Hunter served on 11/19/2004, answer due 12/9/2004. (Rothert, Anthony) (Entered: 11/30/2004)
12/06/2004	<u>54</u>	AMENDED COMPLAINT against all defendants all defendants. filed by Anthony E. Rothert on behalf of Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye.(Rothert, Anthony) (Entered: 12/06/2004)
12/06/2004	55	Doc #55 has been deleted because it was filed in duplication of doc #54. Modified 12/7/2004 (James, Carrie). (Entered: 12/06/2004)
12/06/2004	<u>56</u>	CERTIFICATE of counsel re 55 Amended Complaint,,, <u>54</u> Amended Complaint <i>certificate of service of first amended complaint for declaratory and injunctive relief</i> by Anthony E. Rothert on behalf of all plaintiffs (Rothert, Anthony) (Entered: 12/06/2004)
12/06/2004	<u>57</u>	REQUEST FOR WAIVER of service sent to Sharon Turner Blue on December 6, 2004 by Steven M. Prye, Bob Scaletty, Patrick W. Sharp. Waiver of Service due by 1/5/2005. (Rothert, Anthony) (Entered: 12/06/2004)
12/06/2004	<u>58</u>	REQUEST FOR WAIVER of service sent to Cheryl Lynn Bisbee on December 6, 2004 by Missouri Protection and Advocacy Services, Steven M. Prye, Bob Scaletty, Patrick W. Sharp. Waiver of Service due by 1/5/2005. (Rothert, Anthony) (Entered: 12/06/2004)
12/06/2004	<u>59</u>	REQUEST FOR WAIVER of service sent to Kansas City Board of Election Commissioners on December 6, 2004 by Missouri Protection and Advocacy Services,

		Steven M. Prye, Bob Scaletty, Patrick W. Sharp. Waiver of Service due by 1/5/2005. (Rothert, Anthony) (Entered: 12/06/2004)
12/07/2004	<u>60</u>	REQUEST FOR WAIVER of service sent to Ray S. James on December 6, 2004 by Missouri Protection and Advocacy Services, Steven M. Prye, Bob Scaletty, Patrick W. Sharp. Waiver of Service due by 1/5/2005. (Rothert, Anthony) (Entered: 12/07/2004)
12/07/2004	<u>61</u>	REQUEST FOR WAIVER of service sent to Rosa James on December 6, 2004 by Missouri Protection and Advocacy Services, Steven M. Prye, Bob Scaletty, Patrick W. Sharp. Waiver of Service due by 1/5/2005. (Rothert, Anthony) (Entered: 12/07/2004)
12/07/2004	<u>62</u>	REQUEST FOR WAIVER of service sent to Bruce B. Waugh on December 6, 2004 by Missouri Protection and Advocacy Services, Steven M. Prye, Bob Scaletty, Patrick W. Sharp. Waiver of Service due by 1/5/2005. (Rothert, Anthony) (Entered: 12/07/2004)
12/07/2004	<u>63</u>	REQUEST FOR WAIVER of service sent to LINDA S. TARPLEY on December 6, 2004 by Missouri Protection and Advocacy Services, Steven M. Prye, Bob Scaletty, Patrick W. Sharp. Waiver of Service due by 1/5/2005. (Rothert, Anthony) (Entered: 12/07/2004)
12/10/2004		SUMMONS ISSUED as to Cheryl Bisbee, Sharon Turner Blue, Board of Election Commissioners of Kansas City, Ray S. James, Rosa James, Linda S Tarpley, Bruce B Waugh and returned to counsel for plaintiff. (James, Carrie) (Entered: 12/10/2004)
12/16/2004	<u>64</u>	ANSWER to Amended Complaint filed by James R. McAdams on behalf of Defendants Matt Blunt, Jeremiah Nixon. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(McAdams, James) (Entered: 12/16/2004)
12/16/2004	<u>65</u>	NOTICE of filing by Matt Blunt, Jeremiah Nixon <i>Defendants' Withdrawal and Substitution of Counsel</i> (McAdams, James) (Entered: 12/16/2004)
12/21/2004	<u>66</u>	NOTICE of appearance by David B. Raymond on behalf of Bruce B Waugh, Rosa James, Linda S Tarpley, Cheryl Bisbee, Ray S. James, Sharon Turner Blue, Board of Election Commissioners of Kansas City (Raymond, David) (Entered: 12/21/2004)
12/21/2004	<u>67</u>	WAIVER OF SERVICE returned executed by Bruce B Waugh, Rosa James, Linda S Tarpley, Cheryl Bisbee, Ray S. James, Sharon Turner Blue, Board of Election Commissioners of Kansas City. Bruce B Waugh waiver sent on 12/6/2004, answer due 2/4/2005; Rosa James waiver sent on 12/6/2004, answer due 2/4/2005; Linda S Tarpley waiver sent on 12/6/2004, answer due 2/4/2005; Cheryl Bisbee waiver sent on 12/6/2004, answer due 2/4/2005; Ray S. James waiver sent on 12/6/2004, answer due 2/4/2005; Sharon Turner Blue waiver sent on 12/6/2004, answer due 2/4/2005; Board of Election Commissioners of Kansas City waiver sent on 12/6/2004, answer due 2/4/2005. (Raymond, David) (Entered: 12/21/2004)
01/31/2005	<u>68</u>	Rule 16 Noticeproposed scheduling order due by 4/8/2005, rule 26 conference due by 3/25/2005,. Signed by Judge Ortrie D. Smith on 01/31/2005. (Will-Fees, Eva) (Entered: 01/31/2005)
02/04/2005	<u>69</u>	ANSWER to Complaint <i>ANSWER OF KANSAS CITY ELECTION BOARD DEFENDANTS TO FIRST AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF</i> filed by David B. Raymond on behalf of Defendants Bruce B Waugh, Rosa James, Linda S Tarpley, Cheryl Bisbee, Ray S. James, Sharon Turner Blue, Board of Election Commissioners of Kansas City.(Raymond, David) (Entered: 02/04/2005)
02/14/2005	<u>70</u>	DISCLOSURE OF CORPORATE INTERESTS filed by Michael H. Finkelstein on behalf of Plaintiff Missouri Protection and Advocacy Services.(Finkelstein, Michael) (Entered: 02/14/2005)
04/01/2005	<u>71</u>	CERTIFICATE OF SERVICE OF INITIAL RULE 26 DISCLOSURES filed by Michael Pritchett on behalf of Defendants Matt Blunt, Jeremiah Nixon.(Pritchett, Michael) (Entered: 04/01/2005)
04/04/2005	<u>72</u>	NOTICE of appearance by James Michael Kirkland on behalf of Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye (Kirkland, James) (Entered: 04/04/2005)

04/04/2005	<u>73</u>	CERTIFICATE OF SERVICE OF INITIAL RULE 26 DISCLOSURES filed by James Michael Kirkland on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye.(Kirkland, James) (Entered: 04/04/2005)
04/07/2005	<u>74</u>	CERTIFICATE OF SERVICE OF INITIAL RULE 26 DISCLOSURES filed by David B. Raymond on behalf of Defendants Bruce B Waugh, Rosa James, Linda S Tarpley, Cheryl Bisbee, Ray S. James, Sharon Turner Blue, Board of Election Commissioners of Kansas City.(Raymond, David) (Entered: 04/07/2005)
04/11/2005	<u>75</u>	MOTION to withdraw as attorney filed byFerne P. Wolf on behalf of all plaintiffs Suggestions in opposition/response due by 4/26/2005 unless otherwise directed by the court (Wolf, Ferne) (Entered: 04/11/2005)
04/11/2005	<u>76</u>	ORDER granting <u>75</u> motion to withdraw as attorney. Attorney Ferne P. Wolf terminated. Signed by Judge Ortrie D. Smith on 04/11/1005. (Will-Fees, Eva) (Entered: 04/11/2005)
04/12/2005	<u>77</u>	ORDER TO SHOW CAUSE Show Cause Response due by 4/27/2005. Signed by Judge Ortrie D. Smith on 04/12/2005. (Will-Fees, Eva) (Entered: 04/12/2005)
04/12/2005	<u>78</u>	PROPOSED SCHEDULING ORDER by Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye. (Kirkland, James) (Entered: 04/12/2005)
04/15/2005	<u>79</u>	RULES OF TRIAL. Signed by Judge Ortrie D. Smith on 04/15/2005. (Will-Fees, Eva) (Entered: 04/15/2005)
04/15/2005	<u>80</u>	SCHEDULING ORDER: Discovery due by 12/15/2005. Pretrial Conference set for 4/13/2006 10:00 AM via telephone before Ortrie Smith. Bench Trial set for 5/15/2006 08:30 AM in Courtroom 8C, Kansas City (ODS) before Ortrie Smith.Dispositive Motions due by 1/15/2006 Signed by Judge Ortrie D. Smith on 04/15/2005. (Will-Fees, Eva) (Entered: 04/15/2005)
06/22/2005	<u>81</u>	NOTICE of appearance by Rufus J. Tate, Jr on behalf of Board of Election Commissioners for the City of St. Louis (Tate, Rufus) (Entered: 06/22/2005)
06/27/2005	<u>82</u>	CERTIFICATE OF SERVICE by Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye <i>of request for documents and interrogatories</i> filed by James Michael Kirkland on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye.(Kirkland, James) (Entered: 06/27/2005)
07/07/2005	<u>83</u>	MOTION for extension of time <i>for submission of expert reports along with suggestions in support (unopposed)</i> filed byJames Michael Kirkland on behalf of all plaintiffs Suggestions in opposition/response due by 7/22/2005 unless otherwise directed by the court (Kirkland, James) (Entered: 07/07/2005)
07/07/2005	<u>84</u>	ORDER granting <u>83</u> motion for extension of time. Signed by Judge Ortrie D. Smith on 07/07/2005. (Will-Fees, Eva) (Entered: 07/08/2005)
07/20/2005	<u>85</u>	STIPULATION of dismissal <i>Without Prejudice as to Certain Parties</i> by Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye. (Kirkland, James) (Entered: 07/20/2005)
07/21/2005	<u>86</u>	PARTIAL STIPULATION AND ORDER. Signed by Judge Ortrie D. Smith on 07/21/2005. (Will-Fees, Eva) (Entered: 07/21/2005)
08/01/2005	<u>87</u>	MOTION for extension of time <i>In Due Date of Discovery Responses and in Identification of Business Records the Parties Intend to Self-Authenticate</i> filed byMichael Pritchett on behalf of Matt Blunt, Jeremiah Nixon Suggestions in opposition/response due by 8/16/2005 unless otherwise directed by the court (Pritchett, Michael) (Entered: 08/01/2005)
08/02/2005	<u>88</u>	ORDER granting <u>87</u> motion for extension of time. Signed by Judge Ortrie D. Smith on 08/02/2005. (Will-Fees, Eva) (Entered: 08/02/2005)
08/22/2005	<u>89</u>	CERTIFICATE OF SERVICE by Matt Blunt, Jeremiah Nixon filed by Michael Pritchett on behalf of Defendants Matt Blunt, Jeremiah Nixon.(Pritchett, Michael)

		(Entered: 08/22/2005)
08/31/2005	<u>90</u>	MOTION for protective order (<i>unopposed</i>) filed by James Michael Kirkland on behalf of all plaintiffs Suggestions in opposition/response due by 9/15/2005 unless otherwise directed by the court (Kirkland, James) (Entered: 08/31/2005)
08/31/2005	<u>91</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>Designation of Business Records</i> filed by James Michael Kirkland on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye.(Kirkland, James) (Entered: 08/31/2005)
08/31/2005	<u>92</u>	CERTIFICATE OF SERVICE by Matt Blunt, Jeremiah Nixon filed by Michael Pritchett on behalf of Defendants Matt Blunt, Jeremiah Nixon.(Pritchett, Michael) (Entered: 08/31/2005)
09/01/2005	<u>93</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>Disclosures of Expert Witnesses</i> filed by James Michael Kirkland on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye.(Kirkland, James) (Entered: 09/01/2005)
09/01/2005	<u>94</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>First Supplemental Disclosures</i> filed by James Michael Kirkland on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye.(Kirkland, James) (Entered: 09/01/2005)
09/02/2005	<u>95</u>	ORDER granting <u>90</u> motion for protective order. Signed by Judge Ortrie D. Smith on 09/02/2005. (Will-Fees, Eva) (Entered: 09/02/2005)
09/12/2005	<u>96</u>	Motion to allow Alison Barkoff to appear pro hac vice (Pro Hac fee \$50 receipt number 237556) filed by James Michael Kirkland on behalf of all plaintiffs (Bax, Laura) (Entered: 09/12/2005)
09/12/2005		ORDER granting <u>96</u> motion to appear pro hac vice approved by Clerk of Court. Attorney Alison Barkoff for plaintiffs. This is a text only entry and will serve as authorization for the pro hac participation by the attorney. No document is attached. (Bax, Laura) (Entered: 09/12/2005)
09/22/2005	<u>97</u>	STIPULATION of dismissal <i>as moot the claims of Steven M. Prye</i> by Steven M. Prye. (Rothert, Anthony) (Entered: 09/22/2005)
09/22/2005	<u>98</u>	Order of Dismissal pursuant to Stipulation of the parties. Signed by Judge Ortrie D. Smith on 09/22/2005. (Will-Fees, Eva) (Entered: 09/23/2005)
10/31/2005	<u>99</u>	CERTIFICATE OF SERVICE by Matt Blunt, Jeremiah Nixon of <i>mailing Defendants' Request for Production of Documents</i> , filed by Michael Pritchett on behalf of Defendants Matt Blunt, Jeremiah Nixon.(Pritchett, Michael) (Entered: 10/31/2005)
11/01/2005	<u>100</u>	MOTION for extension of time to complete discovery <i>EXT. OF DEADLINE FOR DESIGNATION OF EXPERT WITNESSES AND SUBMISSIONS OF EXPERT REPORTS AND OF DISCOVERY DEADLINE</i> filed by Michael Pritchett on behalf of Matt Blunt, Jeremiah Nixon Suggestions in opposition/response due by 11/16/2005 unless otherwise directed by the court (Pritchett, Michael) (Entered: 11/01/2005)
11/01/2005	<u>101</u>	ORDER granting <u>100</u> motion for extension of time to complete discovery on or before 01/05/2006. Signed by Judge Ortrie D. Smith on 11/01/2005. (Will-Fees, Eva) (Entered: 11/02/2005)
11/18/2005	<u>102</u>	NOTICE to take deposition of Betsy Byers filed by James Michael Kirkland on behalf of Plaintiff Steven M. Prye.(Kirkland, James) Modified on 11/18/2005 to correct name of deposed, as it was entered in error (Beard, Melanie). (Entered: 11/18/2005)
11/18/2005	<u>103</u>	NOTICE to take deposition of The Missouri Secretary of State filed by James Michael Kirkland on behalf of Plaintiff Steven M. Prye.(Kirkland, James) (Entered: 11/18/2005)

11/22/2005	<u>104</u>	DESIGNATION OF DEFENDANTS' EXPERT WITNESS by Matt Blunt, Jeremiah Nixon. (Pritchett, Michael) (Entered: 11/22/2005)
11/28/2005	<u>105</u>	CERTIFICATE OF SERVICE by all plaintiffs <i>Plaintiff's Second Request for Production of Documents</i> filed by Anthony E. Rothert on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye.(Rothert, Anthony) (Entered: 11/28/2005)
12/02/2005	<u>106</u>	CERTIFICATE OF SERVICE by Matt Blunt, Jeremiah Nixon of <i>Mailing their Supplement to Disclosures</i> filed by Michael Pritchett on behalf of Defendants Matt Blunt, Jeremiah Nixon.(Pritchett, Michael) (Entered: 12/02/2005)
12/05/2005	<u>107</u>	NOTICE to take deposition of Mandi O'Neal filed by James Michael Kirkland on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye.(Kirkland, James) (Entered: 12/05/2005)
12/07/2005	<u>108</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>Second Request for Production of Documents</i> filed by James Michael Kirkland on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye.(Kirkland, James) (Entered: 12/07/2005)
12/15/2005	<u>109</u>	Motion to allow James G. Felakos to appear pro hac vice (Pro Hac fee \$50 receipt number 237947) filed by David E. Hale on behalf of Steven M. Prye (Bax, Laura) (Entered: 12/15/2005)
12/15/2005		ORDER granting <u>109</u> motion to appear pro hac vice approved by Clerk of Court. Attorney James G. Felakos for plaintiffs allowed to appear pro hac vice. This is a text only entry and will serve as authorization for the pro hac participation by the attorney. No document is attached. (Bax, Laura) (Entered: 12/15/2005)
12/16/2005	<u>110</u>	NOTICE to take deposition of Board of Election Commissioners for the City of St. Louis filed by James G. Felakos on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye.(Felakos, James) (Entered: 12/16/2005)
12/22/2005	<u>111</u>	CERTIFICATE OF SERVICE by Matt Blunt, Jeremiah Nixon of <i>Mailing Defendants' Responses to Plaintiffs' Second Request for Production of Documents</i> filed by Michael Pritchett on behalf of Defendants Matt Blunt, Jeremiah Nixon.(Pritchett, Michael) (Entered: 12/22/2005)
12/28/2005	<u>112</u>	MOTION for extension of time filed by James Michael Kirkland on behalf of all plaintiffs Suggestions in opposition/response due by 1/12/2006 unless otherwise directed by the court (Kirkland, James) (Entered: 12/28/2005)
12/29/2005	<u>113</u>	ORDER granting <u>112</u> motion for extension of time. Discovery completed on or before 01/18/2006. Dispositive motions shall be filed on or before 02/21/2006. Signed by Judge Ortrie D. Smith on 12/29/2005. (Will-Fees, Eva) (Entered: 12/29/2005)
01/04/2006	<u>114</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>Second Supplemental Disclosures</i> filed by James Michael Kirkland on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye.(Kirkland, James) (Entered: 01/04/2006)
01/11/2006	<u>115</u>	NOTICE to take deposition of Dr. Bruce Harry filed by James Michael Kirkland on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye.(Kirkland, James) (Entered: 01/11/2006)
01/17/2006	<u>116</u>	Joint MOTION for extension of time for <i>discovery and dispositive motions</i> filed by James Michael Kirkland on behalf of all plaintiffs Suggestions in opposition/response due by 2/1/2006 unless otherwise directed by the court (Kirkland, James) (Entered: 01/17/2006)
01/17/2006	<u>117</u>	NOTICE (SEALED) by Matt Blunt, Jeremiah Nixon " <i>Defendants' Daubert Objections to Plaintiff's Designated Expert</i> " (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B)(Pritchett, Michael) (Entered: 01/17/2006)

01/17/2006	<u>118</u>	ORDER granting <u>116</u> motion for extension of time. Discovery extended on or before 02/08/2006 and dispositive motions filed on or before 02/28/2006. Signed by Judge Ortrie D. Smith on 01/17/2006. (Will-Fees, Eva) (Entered: 01/17/2006)
01/17/2006	<u>119</u>	NOTICE of change of address by Anthony E. Rothert (Rothert, Anthony) (Entered: 01/17/2006)
01/30/2006	<u>120</u>	NOTICE of filing by Steven M. Prye re <u>117</u> Notice(SEALED) <i>Plaintiffs' Suggestions in Opposition Defendants' Objections to Plaintiffs' Expert, (This document does not need to be sealed)</i> (Attachments: # <u>1</u> Exhibit Ex. 1, Appelbaum CV# <u>2</u> Exhibit Ex. 2, Appelbaum Cites)(Felakos, James) (Entered: 01/30/2006)
02/14/2006	<u>121</u>	NOTICE of filing by Matt Blunt, Jeremiah Nixon <i>Defendants' Reply to Plaintiffs' Suggestions in Opposition to Defendants' Daubert Objections to Plaintiff's Designated Expert</i> (Pritchett, Michael) (Entered: 02/14/2006)
02/15/2006	<u>122</u>	CERTIFICATE OF TRANSMISSION OF DEPOSITION of Bruce Harry, MD (Bax, Laura) (Entered: 02/15/2006)
02/27/2006	<u>123</u>	CERTIFICATE OF TRANSMISSION OF DEPOSITION of Elaine Gilley (Bax, Laura) (Entered: 02/27/2006)
02/27/2006	<u>124</u>	MOTION for leave to file filed by James Michael Kirkland on behalf of all plaintiffs Suggestions in opposition/response due by 3/14/2006 unless otherwise directed by the court (Kirkland, James) (Entered: 02/27/2006)
02/27/2006	<u>125</u>	MOTION for leave to file <i>Surreply in Opposition to Defendants Daubert Objections</i> filed by James G. Felakos on behalf of all plaintiffs Suggestions in opposition/response due by 3/14/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit Plaintiffs? Surreply in Opposition# <u>2</u> Exhibit Ex. A, Dr. Harry Dep Excerpts)(Felakos, James) (Entered: 02/27/2006)
02/28/2006	<u>126</u>	ORDER granting <u>125</u> motion for leave to file Signed by Judge Ortrie D. Smith on 02/28/2006. (Will-Fees, Eva) (Entered: 02/28/2006)
02/28/2006	<u>127</u>	ORDER granting <u>124</u> motion for leave to file. Signed by Judge Ortrie D. Smith on 02/28/2006. (Will-Fees, Eva) (Entered: 02/28/2006)
02/28/2006	<u>128</u>	NOTICE of filing by Bob Scaletty re <u>117</u> Notice(SEALED) <i>Plaintiffs Surreply in Opposition to Defendants Daubert Objections to Plaintiffs' Designated Expert [THIS DOCUMENT NEED NOT BE SEALED]</i> (Attachments: # <u>1</u> Exhibit (A) Dr. Harry Dep Excerpts)(Felakos, James) (Entered: 02/28/2006)
02/28/2006	<u>129</u>	MOTION for extension of time <i>in which to File Defendants Blunt and Nixon's Motion for Summary Judgment</i> filed by Michael Pritchett on behalf of Matt Blunt, Jeremiah Nixon Suggestions in opposition/response due by 3/15/2006 unless otherwise directed by the court (Pritchett, Michael) (Entered: 02/28/2006)
02/28/2006	<u>130</u>	SUGGESTIONS in opposition re <u>129</u> MOTION for extension of time <i>in which to File Defendants Blunt and Nixon's Motion for Summary Judgment</i> filed by James Michael Kirkland on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye. Reply suggestions due by 3/15/2006 unless otherwise directed by the court (Related document(s) <u>129</u>) (Kirkland, James) (Entered: 02/28/2006)
03/01/2006	<u>131</u>	ORDER granting <u>129</u> motion for extension of time. Dispositive motions filed on or before 03/15/2006. PTC at 10:00 a.m. on 08/04/2006 and trial at 8:00 a.m. on 09/22/2006. Signed by Judge Ortrie D. Smith on 03/01/2006. (Will-Fees, Eva) (Entered: 03/01/2006)
03/15/2006	<u>132</u>	MOTION for summary judgment filed by James Michael Kirkland on behalf of all plaintiffs Suggestions in opposition/response due by 4/17/2006 unless otherwise directed by the court (Kirkland, James) (Entered: 03/15/2006)
03/15/2006	<u>133</u>	SUGGESTIONS in support (SEALED) re <u>132</u> MOTION for summary judgment filed by James Michael Kirkland on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye. (Attachments: # <u>1</u> Exhibit # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u> # <u>8</u> # <u>9</u> # <u>10</u> # <u>11</u> # <u>12</u> # <u>13</u> # <u>14</u> # <u>15</u> # <u>16</u> # <u>17</u> # <u>18</u> # <u>19</u> # <u>20</u> # <u>21</u> # <u>22</u>)(Related document(s) <u>132</u>) (Kirkland, James) (Entered: 03/15/2006)

03/15/2006	<u>134</u>	MOTION for leave to file <i>Defendants' Motion for Summary Judgment</i> filed by Michael Pritchett on behalf of Matt Blunt, Jeremiah Nixon Suggestions in opposition/response due by 3/30/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Motion for Summary Judgment# <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> # <u>5</u> Exhibit # <u>6</u> Exhibit # <u>7</u> Exhibit # <u>8</u> Exhibit # <u>9</u> Exhibit # <u>10</u> Exhibit # <u>11</u> Exhibit # <u>12</u> Exhibit)(Pritchett, Michael) (Entered: 03/15/2006)
03/20/2006	<u>135</u>	ORDER granting <u>134</u> motion for leave to file Signed by Judge Ortrie D. Smith on March 20, 2006. (Loomer, Betsy) (Entered: 03/20/2006)
03/20/2006	<u>136</u>	MOTION for summary judgment filed by Michael Pritchett on behalf of Matt Blunt, Jeremiah Nixon Suggestions in opposition/response due by 4/24/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit # <u>2</u> # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit # <u>6</u> Exhibit # <u>7</u> Exhibit # <u>8</u> Exhibit # <u>9</u> Exhibit # <u>10</u> Exhibit # <u>11</u> Exhibit)(Pritchett, Michael) (Entered: 03/20/2006)
03/30/2006	<u>137</u>	ORDER. Signed by Judge Ortrie D. Smith on 03/30/2006. (Will-Fees, Eva) Modified on 3/31/2006 Copies mailed as directed(James, Carrie). (Entered: 03/30/2006)
04/14/2006	<u>138</u>	ORDER. Signed by Judge Ortrie D. Smith on 04/14/2006. (Will-Fees, Eva) (Entered: 04/14/2006)
04/14/2006	<u>139</u>	SUGGESTIONS in opposition to motion for summary judgment (SEALED) re <u>132</u> MOTION for summary judgment filed by Michael Pritchett on behalf of Defendants Matt Blunt, Jeremiah Nixon. Reply suggestions due by 5/1/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit G-1# <u>2</u> Exhibit G-2# <u>3</u> Exhibit H)(Related document(s) <u>132</u>) (Pritchett, Michael) (Entered: 04/14/2006)
04/24/2006	<u>140</u>	MOTION for leave to file <i>Suggestions in Opposition to Defendant's Motion for Summary Judgment in Excess of Fifteen Pages</i> filed by James Michael Kirkland on behalf of all plaintiffs Suggestions in opposition/response due by 5/9/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit 1# <u>3</u> Exhibit a to 1)(Kirkland, James) (Entered: 04/24/2006)
04/25/2006	<u>141</u>	ORDER granting <u>140</u> motion for leave to file. Signed by Judge Ortrie D. Smith on 04/25/2006. (Will-Fees, Eva) (Entered: 04/25/2006)
04/25/2006	<u>142</u>	SUGGESTIONS in opposition to motion for summary judgment re <u>136</u> MOTION for summary judgment filed by James Michael Kirkland on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye. Reply suggestions due by 5/10/2006 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit A to 1)(Related document(s) <u>136</u>) (Kirkland, James) (Entered: 04/25/2006)
04/27/2006	<u>143</u>	MOTION to intervene <i>pursuant to 28 U.S.C. 2403(a)</i> filed by Sarah E. Harrington on behalf of United States of America Suggestions in opposition/response due by 5/12/2006 unless otherwise directed by the court (Harrington, Sarah) (Entered: 04/27/2006)
05/01/2006	<u>144</u>	REPLY SUGGESTIONS to motion re <u>132</u> MOTION for summary judgment filed by James Michael Kirkland on behalf of Plaintiffs Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye. (Related document(s) <u>132</u>) (Kirkland, James) (Entered: 05/01/2006)
05/09/2006	<u>145</u>	SUGGESTIONS in opposition re <u>140</u> MOTION for leave to file <i>Suggestions in Opposition to Defendant's Motion for Summary Judgment in Excess of Fifteen Pages "DEFENDANTS' REPLY TO PLAINTIFFS' SUGGESTIONS IN OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT"</i> filed by Michael Pritchett on behalf of Defendants Matt Blunt, Jeremiah Nixon. Reply suggestions due by 5/24/2006 unless otherwise directed by the court (Related document(s) <u>140</u>) (Pritchett, Michael) (Entered: 05/09/2006)
05/12/2006	<u>146</u>	LETTER from Government of the District of Columbia Office of General Counsel regarding receipt of order of 3/30/06 (Russel, Jeri) (Entered: 05/12/2006)
06/15/2006	<u>147</u>	MOTION for leave to file <i>to file overlength brief</i> filed by Sarah E. Harrington on behalf of United States of America Suggestions in opposition/response due by 6/30/2006 unless otherwise directed by the court (Harrington, Sarah) (Entered: 06/15/2006)

		06/15/2006)
06/15/2006	<u>148</u>	SUGGESTIONS in opposition to motion for summary judgment re <u>136</u> MOTION for summary judgment <i>Brief in Defense of Constitutionality of Title II of ADA</i> filed by Sarah E. Harrington on behalf of Intervenor United States of America. Reply suggestions due by 6/30/2006 unless otherwise directed by the court (Related document(s) <u>136</u>) (Harrington, Sarah) (Entered: 06/15/2006)
06/21/2006	<u>149</u>	ORDER granting <u>147</u> motion for leave to file. Signed by Judge Ortrie D. Smith on 06/20/2006. (Will-Fees, Eva) (Entered: 06/21/2006)
07/03/2006	<u>150</u>	REPLY SUGGESTIONS to motion re <u>136</u> MOTION for summary judgment filed by Michael Pritchett on behalf of Defendants Matt Blunt, Jeremiah Nixon. (Related document(s) <u>136</u>) (Pritchett, Michael) (Entered: 07/03/2006)
07/07/2006	<u>151</u>	ORDER denying <u>132</u> Plalintiffs' motion for summary judgment, granting Defendants' <u>136</u> motion for summary judgment. Signed by Judge Ortrie D. Smith on 07/07/2006. (Will-Fees, Eva) (Entered: 07/07/2006)
07/07/2006	<u>152</u>	CLERK'S JUDGMENT (Will-Fees, Eva) (Entered: 07/07/2006)
08/03/2006	<u>153</u>	NOTICE OF APPEAL as to <u>151</u> Order on Motion for Summary Judgment, by Missouri Protection and Advocacy Services, Patrick W. Sharp, Bob Scaletty, Steven M. Prye. Filing fee \$ 455, receipt number 1318269. (Attachments: # <u>1</u> Form A# <u>2</u> Additional Counsel)(Finkelstein, Michael) (Entered: 08/03/2006)
08/03/2006	<u>154</u>	TRANSMISSION of Notice of Appeal and docket sheet to US Court of Appeals re <u>153</u> Notice of Appeal (Bax, Laura) (Entered: 08/03/2006)
08/03/2006		***Appeal Receipt of Notice of Appeal and supporting documents received by USCA on: Thu Aug 3 15:49:01 CDT 2006 (Bax, Laura) (Entered: 08/03/2006)
08/11/2006		USCA Case Number from 8th Circuit is 06-3014 for <u>153</u> Notice of Appeal THIS IS A TEXT ENTRY ONLY - NO DOCUMENT IS ATTACHED. (Bax, Laura) (Entered: 08/11/2006)
08/23/2007	<u>155</u>	USCA Opinion as to <u>153</u> Notice of Appeal, filed by Patrick W. Sharp, Steven M. Prye, Bob Scaletty, Missouri Protection and Advocacy Services This is a preliminary opinion of U.S. Court of Appeals; jurisdiction is not recovered until the Mandate is issued by the U.S Court of Appeals. (Attachments: # <u>1</u> Opinion)(Bax, Laura) (Entered: 08/23/2007)
08/27/2007	<u>156</u>	USCA Judgment as to <u>153</u> Notice of Appeal, filed by Patrick W. Sharp, Steven M. Prye, Bob Scaletty, Missouri Protection and Advocacy Services This is a preliminary judgment and/or opinion of U.S. Court of Appeals; jurisdiction is not recovered until the Mandate is issued by the U.S Court of Appeals. (James, Carrie) (Entered: 08/27/2007)
10/18/2007	<u>157</u>	ORDER of US COURT OF APPEALS denying petition for rehearing en banc; petition for rehearing by panel is also denied. (Russel, Jeri) (Entered: 10/18/2007)
10/26/2007	<u>158</u>	MANDATE of US COURT OF APPEALS as to <u>153</u> Notice of Appeal, filed by Patrick W. Sharp, Steven M. Prye, Bob Scaletty, Missouri Protection and Advocacy Services with mandate issued on 10/26/07. (James, Carrie) (Entered: 10/26/2007)