

CLOSED, [PaperDocuments](#), [DEATHPENALTY](#), [MEDIATION](#)
U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:06-cv-00300-SLR

Jackson v. Danberg et al
Assigned to: Judge Sue L. Robinson
Related Cases: [1:01-cv-00552-SLR](#)
[1:07-cv-00188-SLR](#)
Case in other court: Third Circuit, 09-01925
Third Circuit, 09-02052
USCA Third Circuit, 11-09002
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 05/08/2006
Date Terminated: 07/27/2011
Jury Demand: None
Nature of Suit: 535 Death Penalty –
Habeas Corpus
Jurisdiction: Federal Question

Plaintiff

Robert W. Jackson, III

represented by **Helen Marino**
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V.

Defendant

Stanley W. Taylor, Jr.
*Commissioner, Delaware Department of
Correction*
TERMINATED: 02/23/2007

represented by **Gregory E. Smith**
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Defendant

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Defendant

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Defendant

**Other Unknown State Actors
Responsible for and participating in the
carrying out of Plaintiff's Execution**
*All in their Individual and Official
Capacities*

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Date Filed	#	Docket Text
05/08/2006	<u>1</u>	MOTION for Leave to Proceed in forma pauperis – filed by Robert W. Jackson, III. (dab,) (Entered: 05/08/2006)
05/08/2006	<u>2</u>	COMPLAINT filed pursuant to 42:1983 against Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll – filed by Robert W. Jackson, III. (Attachments: # <u>1</u> Civil Cover Sheet)(dab,) (Entered: 05/08/2006)
05/08/2006	<u>3</u>	Notice of Availability of a U.S. Magistrate Judge to Exercise Jurisdiction (Attachments: # <u>1</u> Acknowledgement of Consent Form) (dab,) (Entered: 05/08/2006)
05/08/2006	<u>4</u>	MOTION for Discovery – filed by Robert W. Jackson, III. (Attachments: # <u>1</u> Text of Proposed Order)(Wiseman, Michael) (Entered: 05/08/2006)
05/08/2006	<u>5</u>	OPENING BRIEF in Support re <u>4</u> MOTION for Discovery filed by Robert W. Jackson, III. Answering Brief/Response due date per Local Rules is 5/22/2006. (Wiseman, Michael) (Entered: 05/08/2006)
05/08/2006	<u>6</u>	MOTION for Preliminary Injunction – filed by Robert W. Jackson, III. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Exhibit Part 1 of 3 # <u>3</u> Exhibit Part 2 of 3 # <u>4</u> Exhibit Part 3 of 3)(Wiseman, Michael) (Entered: 05/08/2006)
05/08/2006		Minute Entry for proceedings held before Judge Sue L. Robinson : Telephone Conference held on 5/8/2006. Set next teleconf. for 4:00 p.m. on 5/9/06. (Court Reporter V. Gunning,) (rld,) (Entered: 05/09/2006)
05/09/2006	<u>7</u>	NOTICE of by Robert W. Jackson, III <i>Notice of Filing of Proposed Order</i> (Attachments: # <u>1</u> Text of Proposed Order)(Wiseman, Michael) Additional attachment(s) added on 5/9/2006 (fmt,). (Entered: 05/09/2006)
05/09/2006		CORRECTING ENTRY: the initial proposed order attachment to D.I. 7 was incorrect; now attached to D.I. 7 is a PDF file correcting the Judge's name on the proposed order (fmt,) Modified on 5/9/2006 (fmt,). (Entered: 05/09/2006)
05/09/2006	<u>8</u>	ORDER granting Motion to Proceed IFP. Filing Fee of \$350.00 Assessed. Plaintiff requested to submit trust fund account statement. Notice of Compliance deadline set for 6/12/2006. Signed by Judge Sue L. Robinson on 5/9/06. (fmt,) Modified on 5/9/2006 (fmt,). (Entered: 05/09/2006)
05/09/2006		CORRECTING ENTRY: the text of the entry for D.I. 8 has been corrected; 'copy to pltf. with Mag. Consent Form' has been taken out of the text of the docket entry (fmt,) (Entered: 05/09/2006)
05/09/2006	<u>9</u>	MEMORANDUM ORDER granting <u>6</u> MOTION for Preliminary Injunction filed by Robert W. Jackson, III. The case is STAYED until 7/24/06, when the court shall conduct a telephonic status conference with the parties at 3:00 p.m. It is further ordered that defendants, and their agents, employees and contractors, are here ENJOINED from carrying out plaintiff's execution until further order of this court. Signed by Judge Sue L. Robinson on 5/9/06. (fmt,) (Entered: 05/09/2006)

05/09/2006		Minute Entry for proceedings held before Judge Sue L. Robinson : Telephone Conference held on 5/9/2006. (Court Reporter V. Gunning.) (rld,) (Entered: 05/10/2006)
05/10/2006		Set Deadlines/Hearings: Telephone Conference set for 7/24/2006 03:00 PM before Honorable Sue L. Robinson. (rld,) (Entered: 05/10/2006)
06/12/2006		Filing fee paid: \$ 350.00, receipt number 143771; per 5/9/06 order. (mwm,) (Entered: 06/12/2006)
06/12/2006	<u>10</u>	Letter to Judge Robinson from Robert Jackson, III regarding filing fee; requesting that the court address all further issues to attorneys (fmt,) (Entered: 06/13/2006)
07/05/2006	11	TRANSCRIPT of Telephone Conference held on 5/9/06 before Judge Robinson. Court Reporter: V. Gunning. (Transcript on file in Clerk's Office) (fmt,) (Entered: 07/10/2006)
07/24/2006	<u>12</u>	ORDER Set/Reset Answer Deadlines: Paul Howard answer due 9/24/2006; Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution answer due 9/24/2006; Stanley W. Taylor, Jr answer due 9/24/2006; Thomas L. Carroll answer due 9/24/2006. Scheduling TeleConference set for 10/4/2006 04:30 PM before Honorable Sue L. Robinson. Signed by Judge Sue L. Robinson on 7/24/06. (Attachments: # <u>1</u> Sample Discovery Order)(rld,) (Entered: 07/24/2006)
07/24/2006		Minute Entry for proceedings held before Judge Sue L. Robinson : Telephone Conference held on 7/24/2006. (Court Reporter Hawkins.) (rld,) (Entered: 07/24/2006)
08/11/2006	13	SEALED TRANSCRIPT of Telephone Conference held on 7/24/06 before Judge Robinson. Court Reporter: Hawkins Reporting Service. (Transcript on file in Clerk's Office) (fmt,) (Entered: 08/11/2006)
09/08/2006	<u>14</u>	ANSWER to Complaint by Paul Howard, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance service)(Smith, Gregory) (Entered: 09/08/2006)
10/03/2006	<u>15</u>	PROPOSED ORDER Scheduling by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance service)(Smith, Gregory) (Entered: 10/03/2006)
10/03/2006	<u>16</u>	NOTICE OF SERVICE of Document Production re <u>4</u> MOTION for Discovery by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. Related document: <u>4</u> MOTION for Discovery filed by Robert W. Jackson, III. (Attachments: # <u>1</u> Certificate of Compliance service)(Smith, Gregory) (Entered: 10/03/2006)
10/03/2006	<u>17</u>	PROPOSED ORDER Autopsy Records re <u>16</u> Notice of Service, by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance service)(Smith, Gregory) (Entered: 10/03/2006)
10/04/2006	<u>18</u>	RESPONSE to Plaintiff's Motion for Discovery by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance Service)(Smith, Gregory) Modified on 10/4/2006 (fmt,). (Entered: 10/04/2006)
10/04/2006		Minute Entry for proceedings held before Judge Sue L. Robinson : Telephone Conference held on 10/4/2006. (Court Reporter V. Gunning.) (rld,) (Entered: 10/05/2006)
10/06/2006	<u>19</u>	ORDER granting pltf.'s discovery request re copies of autopsy reports for each execution accomplished by lethal injection from its inception to date, subject to limitations on secondary disclosures. Signed by Judge Sue L. Robinson on 10/4/06. (rld,) (Entered: 10/06/2006)

10/06/2006	<u>20</u>	SCHEDULING ORDER: Case referred to the Magistrate Judge for the purpose of exploring ADR. Joinder of Parties due by 12/1/2006. Amended Pleadings due by 12/1/2006. Discovery due by 6/30/2007. Motions in Limine due by 6/6/2007. Responses to Motions in Limine due by 6/13/2007. Pretrial Conference set for 6/20/2007 04:30 PM in Courtroom 6B before Honorable Sue L. Robinson. Bench Trial set for 7/23/2007 09:30 AM in Courtroom 6B before Honorable Sue L. Robinson. Signed by Judge Sue L. Robinson on 10/4/06. (rld,) (Entered: 10/06/2006)
10/11/2006		CASE REFERRED to Mediation. (cab,) (Entered: 10/11/2006)
10/11/2006	<u>21</u>	Order Setting Teleconference: Telephone Conference set for 11/27/2006 09:30 AM before Honorable Mary Pat Thyng to discuss ADR. Signed by Judge Mary Pat Thyng on 10/11/2006. (cab,) (Entered: 10/11/2006)
10/20/2006		ReSet Deadlines/Hearings: Bench Trial reset for 9/10/2007 09:30 AM in Courtroom 6B before Honorable Sue L. Robinson. (rld,) (Entered: 10/20/2006)
10/23/2006	<u>22</u>	ORDER ReSetting Scheduling Order Deadlines: Bench Trial reset for 9/10/2007 09:30 AM in Courtroom 6B before Honorable Sue L. Robinson. Signed by Judge Sue L. Robinson on 10/23/06. (rld,) (Entered: 10/23/2006)
10/25/2006	<u>23</u>	ORDER ReSetting Scheduling Order Deadlines Bench Trial reset for 9/4/2007 09:30 AM in Courtroom 6B before Honorable Sue L. Robinson. Signed by Judge Sue L. Robinson on 10/25/06. (rld,) (Entered: 10/25/2006)
11/03/2006	<u>24</u>	NOTICE OF SERVICE of Document Production by Paul Howard, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance service)(Smith, Gregory) Modified on 11/3/2006 (fmt,). (Entered: 11/03/2006)
11/03/2006		CORRECTING ENTRY: An incorrect code was used to docket D.I. 24. "Notice of Service" under "Discovery Documents" should have been used. The docket text of D.I. 24 has been corrected to reflect that it is a NOTICE OF SERVICE of Document Production. (fmt,) (Entered: 11/03/2006)
11/27/2006	<u>25</u>	ORDER Setting Mediation Conferences:Mediation Conference set for 6/15/2007 at 10:00 AM in Courtroom 6C before Honorable Mary Pat Thyng. Signed by Judge Mary Pat Thyng on 11/27/2006. (cak) (Entered: 11/27/2006)
12/01/2006	<u>26</u>	MOTION to Certify Class <i>Plaintiff's Motion for Class Certification</i> – filed by Robert W. Jackson, III. (Attachments: # <u>1</u> Exhibit Proposed Notice to the Class# <u>2</u> Text of Proposed Order Proposed Order)(Wiseman, Michael) (Entered: 12/01/2006)
12/01/2006	<u>27</u>	OPENING BRIEF in Support re <u>26</u> MOTION to Certify Class <i>Plaintiff's Motion for Class Certification Plaintiff's Memorandum in Support of Motion for Class Certification</i> filed by Robert W. Jackson, III. Answering Brief/Response due date per Local Rules is 12/18/2006. (Wiseman, Michael) (Entered: 12/01/2006)
12/29/2006	<u>28</u>	MEMORANDUM in Opposition re <u>26</u> MOTION to Certify Class <i>Plaintiff's Motion for Class Certification</i> , <u>27</u> Opening Brief in Support, filed by Paul Howard, Stanley W. Taylor, Jr, Thomas L. Carroll. Reply Brief due date per Local Rules is 1/11/2007. (Attachments: # <u>1</u> Certificate of Compliance service)(Smith, Gregory) (Entered: 12/29/2006)
01/05/2007	<u>29</u>	REPLY BRIEF re <u>26</u> MOTION to Certify Class <i>Plaintiff's Motion for Class Certification Plaintiff's Reply Memorandum in Support of Motion for Class Certification</i> filed by Robert W. Jackson, III. (Wiseman, Michael) (Entered: 01/05/2007)
01/24/2007	<u>30</u>	ORDER Setting Hearing on Motion <u>26</u> MOTION to Certify Class <i>Plaintiff's Motion for Class Certification</i> : Motion Hearing set for 2/8/2007 10:00 AM in Courtroom 6B before Honorable Sue L. Robinson. Signed by Judge Sue L. Robinson on 1/24/07. (rld) (Entered: 01/24/2007)
02/08/2007		Minute Entry for proceedings held before Judge Sue L. Robinson : Oral Argument held on 2/8/2007 re motion to certify class. (Court Reporter V. Gunning.) (rld) (Entered: 02/08/2007)

02/21/2007	<u>31</u>	TRANSCRIPT of Oral Argument held on 2/8/07 before Judge Robinson. Court Reporter: V. Gunning. (Transcript on file in Clerk's Office) (fmt) (Entered: 02/21/2007)
02/23/2007	<u>32</u>	MEMORANDUM OPINION. Signed by Judge Sue L. Robinson on 2/22/07. (rld) (Entered: 02/23/2007)
02/23/2007	<u>33</u>	ORDER granting <u>26</u> Motion to Certify Class; the following are appointed class counsel with the understanding and agreement that counsel will not petition for fees or costs: Michael Wiseman, Helen Marino, and Megan McCracken; class counsel shall provide one copy to each member of the class and a copy(ies) will be posted prominently in the area(s) in which the class is incarcerated. Signed by Judge Sue L. Robinson on 2/22/07. (rld) (Entered: 02/23/2007)
03/22/2007		CORRECTING ENTRY: The ANSWER to Interrogatories from Warden Thomas Carroll by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll has been deleted from the docket. See Local Rule 5.4. Discovery documents should not be filed with the court. A "Notice of Service" should be filed with the court. (fmt) (Entered: 03/22/2007)
03/22/2007	<u>34</u>	NOTICE OF SERVICE of Response to Plaintiff's First Set of Interrogatories by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll.(Smith, Gregory) (Entered: 03/22/2007)
05/07/2007	<u>35</u>	NOTICE OF SERVICE of Document Production by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance service)(Smith, Gregory) (Entered: 05/07/2007)
05/07/2007		CORRECTING ENTRY: RESPONSE to Discovery Request by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance service)(Smith, Gregory) has been deleted from the docket. See Local Rule 5.4: Discovery documents should not be filed with the court. A "Notice of Service" should be filed with the court. (fmt) (Entered: 05/07/2007)
05/15/2007	<u>36</u>	Order Setting Teleconference: Telephone Conference set for 5/31/2007 at 9:00 AM before Honorable Mary Pat Thyng to discuss the status of the case and the mediation scheduled for June 15, 2007. Plaintiff's counsel shall initiate the teleconference call. Signed by Judge Mary Pat Thyng on 5/15/2007. (cak) (Entered: 05/15/2007)
05/16/2007	<u>37</u>	NOTICE OF SERVICE of Document Production re <u>35</u> Notice of Service, by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. Related document: <u>35</u> Notice of Service, filed by Stanley W. Taylor, Jr., Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Thomas L. Carroll, Paul Howard. (Attachments: # <u>1</u> Certificate of Compliance service)(Smith, Gregory) (Entered: 05/16/2007)
05/24/2007	<u>38</u>	MOTION for Protective Order – filed by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (McFarlan, Elizabeth) (Entered: 05/24/2007)
05/30/2007	<u>39</u>	MOTION to Continue <i>Plaintiffs' Motion to Amend Discovery Schedule and for a New Trial Date</i> – filed by Robert W. Jackson, III. (Attachments: # <u>1</u> Certificate of Partial Concurrence# <u>2</u> Text of Proposed Order Proposed Order)(Wiseman, Michael) (Entered: 05/30/2007)
06/01/2007	<u>40</u>	RESPONSE to Motion re <u>39</u> MOTION to Continue <i>Plaintiffs' Motion to Amend Discovery Schedule and for a New Trial Date</i> filed by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Certificate of Compliance service)(Smith, Gregory)

		(Entered: 06/01/2007)
06/04/2007	<u>41</u>	REPLY BRIEF <i>Plaintiffs' Reply to Defendant's Response to Plaintiff's Motion to Amend the Discovery Schedule and for a New Trial Date D.I. 39</i> filed by Robert W. Jackson, III. (Wiseman, Michael) Modified on 6/4/2007 (fmt,). (Entered: 06/04/2007)
06/04/2007		CORRECTING ENTRY: D.I. 41 (Reply Brief) was not linked to the motion when docketed. D.I. 41 is now linked to D.I. 39. (fmt) (Entered: 06/04/2007)
06/06/2007		Set Deadlines/Hearings: Telephone Conference set for 6/8/2007 10:00 AM before Honorable Sue L. Robinson. (rld) (Entered: 06/06/2007)
06/07/2007	<u>42</u>	RESPONSE to Motion re <u>38</u> MOTION for Protective Order <i>Plaintiffs' Answer in Opposition to Protective Order and Cross Motion</i> filed by Robert W. Jackson, III. (Attachments: # <u>1</u> Text of Proposed Order)(Wiseman, Michael) (Entered: 06/07/2007)
06/07/2007		CROSS MOTION to Compel Defendants to Conduct Appropriate Background Checks Regarding Persons Anonymously Identified as Members of Delaware's Past and Present Lethal Injection Teams and to Disclose to Plaintiff all Non-Identifying Results of Those Checks (See D.I. 42 for this cross motion) – filed by Robert W. Jackson, III. (fmt) (Entered: 06/07/2007)
06/08/2007	<u>43</u>	ORDER Motions terminated: MOTION to Compel is withdrawn without prejudice to renew filed by Robert W. Jackson, III, GRANTING <u>39</u> MOTION to Continue <i>Plaintiffs' Motion to Amend Discovery Schedule and for a New Trial Date</i> filed by Robert W. Jackson, III, GRANTING <u>38</u> MOTION for Protective Order filed by Stanley W. Taylor, Jr., Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Thomas L. Carroll, Paul Howard. ReSetting Scheduling Order Deadlines: Pretrial Conference set for 10/1/2007 04:30 PM in Courtroom 6B before Honorable Sue L. Robinson. All discovery (fact and expert) due by 10/1/2007. Bench Trial set for 10/9/2007 09:30 AM in Courtroom 6B before Honorable Sue L. Robinson. Signed by Judge Sue L. Robinson on 6/8/07. (rld) (Entered: 06/08/2007)
06/08/2007	<u>44</u>	NOTICE OF SERVICE of Defendants' First Set of Interrogatories by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll.(Smith, Gregory) (Entered: 06/08/2007)
06/08/2007	<u>45</u>	NOTICE OF SERVICE of Defendants' First Request for Production of Documents by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll.(Smith, Gregory) (Entered: 06/08/2007)
06/08/2007		Minute Entry for proceedings held before Judge Sue L. Robinson : Telephone Conference held on 6/8/2007. (Court Reporter V. Gunning.) (rld) (Entered: 06/11/2007)
06/15/2007	46	TRANSCRIPT of Telephone Conference held on 6/8/07 before Judge Robinson. Court Reporter: V. Gunning. (Transcript on file in Clerk's Office) (fmt) (Entered: 06/18/2007)
07/09/2007	<u>47</u>	NOTICE of Discovery by Robert W. Jackson, III <i>Notice of Response to Interrogatories</i> (Wiseman, Michael) (Entered: 07/09/2007)
07/09/2007	<u>48</u>	NOTICE of Discovery by Robert W. Jackson, III <i>Notice of Production of Documents</i> (Wiseman, Michael) (Entered: 07/09/2007)
07/12/2007	<u>49</u>	MOTION to Take Deposition of Robert W. Jackson on August 8, 2007 – filed by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Certificate of Compliance --service)(Smith, Gregory) (Entered: 07/12/2007)
07/16/2007		SO ORDERED, re <u>49</u> MOTION to Take Deposition of Robert W. Jackson on August 8, 2007 filed by Stanley W. Taylor, Jr., Other Unknown State Actors

		Responsible for and participating in the carrying out of Plaintiff's Execution, Thomas L. Carroll, Paul Howard. Signed by Judge Sue L. Robinson on 7/16/07. (rld) (Entered: 07/16/2007)
07/20/2007	<u>50</u>	NOTICE to Take Deposition of Robert Jackson on August 8, 2007 by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance --service)(Smith, Gregory) (Entered: 07/20/2007)
07/20/2007	<u>51</u>	NOTICE to Take Deposition of Dr. Steven Katz on August 9, 2007 by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance --service)(Smith, Gregory) (Entered: 07/20/2007)
07/20/2007	<u>52</u>	NOTICE to Take Deposition of John Senders on August 27, 2007 by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance --service)(Smith, Gregory) (Entered: 07/20/2007)
07/20/2007	<u>53</u>	NOTICE to Take Deposition of Dr. Deborah Mash on September 7, 2007 by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance --service)(Smith, Gregory) (Entered: 07/20/2007)
07/20/2007	<u>54</u>	NOTICE to Take Deposition of Dr. Mark Heath on September 22, 2007 by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance --service)(Smith, Gregory) (Entered: 07/20/2007)
08/15/2007	<u>55</u>	MOTION to Amend/Correct <i>Plaintiffs' Motion to Amend Complaint</i> – filed by Robert W. Jackson, III. (Attachments: # <u>1</u> Amended Complaint Proposed Amendment# <u>2</u> Text of Proposed Order)(Wiseman, Michael) (Entered: 08/15/2007)
08/15/2007	<u>56</u>	OPENING BRIEF in Support re <u>55</u> MOTION to Amend/Correct <i>Plaintiffs' Motion to Amend Complaint</i> filed by Robert W. Jackson, III. Answering Brief/Response due date per Local Rules is 9/4/2007. (Wiseman, Michael) (Entered: 08/15/2007)
08/16/2007	<u>57</u>	NOTICE OF SERVICE of Document Production re <u>16</u> Notice of Service, <u>37</u> Notice of Service,, <u>35</u> Notice of Service, <u>24</u> Response to Discovery by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. Related document: <u>16</u> Notice of Service, filed by Stanley W. Taylor, Jr., Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Thomas L. Carroll, Paul Howard, <u>37</u> Notice of Service,, filed by Stanley W. Taylor, Jr., Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Thomas L. Carroll, Paul Howard, <u>35</u> Notice of Service, filed by Stanley W. Taylor, Jr., Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Thomas L. Carroll, Paul Howard, <u>24</u> Response to Discovery filed by Stanley W. Taylor, Jr., Thomas L. Carroll, Paul Howard. (Attachments: # <u>1</u> Certificate of Compliance --service)(Smith, Gregory) (Entered: 08/16/2007)
08/16/2007	<u>58</u>	NOTICE to Take Deposition of Dr. Dershwitz on Sept. 10, 2007 by Robert W. Jackson, III.(Wiseman, Michael) (Entered: 08/16/2007)
08/23/2007	<u>59</u>	ANSWERING BRIEF in Opposition re <u>55</u> MOTION to Amend/Correct <i>Plaintiffs' Motion to Amend Complaint</i> filed by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll.Reply Brief due date per Local Rules is 9/4/2007. (Attachments: # <u>1</u> Certificate of Compliance --service)(Smith, Gregory) (Entered: 08/23/2007)

08/26/2007	<u>60</u>	MOTION to Withdraw <u>56</u> Opening Brief in Support, <u>55</u> MOTION to Amend/Correct <i>Plaintiffs' Motion to Amend Complaint Plaintiffs' Notice of Withdrawl with Prejudice of Motion to Amend Complaint and Brief in Support</i> – filed by Robert W. Jackson, III. (Wiseman, Michael) (Entered: 08/26/2007)
08/28/2007		Remark: Per D.I. 60 (Notice of Withdrawal of Motion to Amend Complaint with prejudice) D.I. 55 has been withdrawn. (rld) (Entered: 08/28/2007)
08/28/2007	<u>61</u>	NOTICE to Take Deposition of Dr. Mark Dershwitz on September 24, 2007 by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance --service)(Smith, Gregory) (Entered: 08/28/2007)
08/31/2007	<u>62</u>	NOTICE OF SERVICE of Document Production re <u>57</u> Notice of Service,,, by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. Related document: <u>57</u> Notice of Service,,, filed by Stanley W. Taylor, Jr., Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Thomas L. Carroll, Paul Howard. (Attachments: # <u>1</u> Certificate of Compliance --service)(Smith, Gregory) (Entered: 08/31/2007)
09/03/2007	<u>63</u>	Notice of Deposition of Burriss by Robert W. Jackson, III.(Wiseman, Michael) Modified on 9/4/2007 (fmt,). (Entered: 09/03/2007)
09/03/2007	<u>64</u>	Notice of Deposition of Carroll by Robert W. Jackson, III.(Wiseman, Michael) Modified on 9/4/2007 (fmt,). (Entered: 09/03/2007)
09/03/2007	<u>65</u>	Notice of Deposition of Danberg by Robert W. Jackson, III.(Wiseman, Michael) Modified on 9/4/2007 (fmt,). (Entered: 09/03/2007)
09/03/2007	<u>66</u>	Notice of Deposition of John Doe II by Robert W. Jackson, III.(Wiseman, Michael) Modified on 9/4/2007 (fmt,). (Entered: 09/03/2007)
09/03/2007	<u>67</u>	Notice of Deposition of John Doe III by Robert W. Jackson, III.(Wiseman, Michael) Modified on 9/4/2007 (fmt,). (Entered: 09/03/2007)
09/03/2007	<u>68</u>	Notice of Deposition of Kearney by Robert W. Jackson, III.(Wiseman, Michael) Modified on 9/4/2007 (fmt,). (Entered: 09/03/2007)
09/03/2007	<u>69</u>	Notice of Deposition of Other Unkown Individuals Who Participated in Creation of New Injection Procedure by Robert W. Jackson, III.(Wiseman, Michael) Modified on 9/4/2007 (fmt,). (Entered: 09/03/2007)
09/03/2007	<u>70</u>	NOTICE OF SERVICE of Notice of Service of Fourth Discovery Request by Robert W. Jackson, III.(Wiseman, Michael) (Entered: 09/03/2007)
09/03/2007	<u>71</u>	Notice of Tour by Robert W. Jackson, III.(Wiseman, Michael) Modified on 9/4/2007 (fmt,). (Entered: 09/03/2007)
09/03/2007	<u>72</u>	Notice of Deposition of Pierce by Robert W. Jackson, III.(Wiseman, Michael) Modified on 9/4/2007 (fmt,). (Entered: 09/03/2007)
09/04/2007		CORRECTING ENTRY: D.I. Nos. 63–69, 71 and 72 have been corrected. Counsel should have used "Notice to Take Deposition" found other "Discovery Documents" to docket D.I. Nos. 63–69 and 72 and "Notice of (Other)" found other "Notices" to docket D.I. 71. (fmt) (Entered: 09/04/2007)
09/06/2007		Set Deadlines/Hearings: Telephone Conference set for 9/12/2007 04:30 PM before Honorable Sue L. Robinson. (rld) (Entered: 09/06/2007)
09/12/2007		Minute Entry for proceedings held before Judge Sue L. Robinson : Telephone Conference held on 9/12/2007. (Court Reporter V. Gunning.) (rlp) (Entered: 09/13/2007)
09/14/2007	<u>73</u>	NOTICE to Take Deposition of Dr. Mark Heath on September 22, 2007 by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance --service)(Smith, Gregory) (Entered: 09/14/2007)

09/18/2007		Minute Entry for proceedings held before Judge Sue L. Robinson : Telephone Conference held on 9/18/2007 re dispute during a deposition. (Court Reporter on site at deposition.) (rlp) (Entered: 09/18/2007)
09/19/2007	<u>74</u>	Letter to Honorable Sue L. Robinson from Wiseman regarding Letter Brief on Discovery. (Attachments: # <u>1</u> Exhibit Transcript of Carroll Deposition 9-18-07)(Wiseman, Michael) (Entered: 09/19/2007)
09/20/2007	<u>75</u>	NOTICE of Notice of Supplemental Authority Relating to Letter Brief by Robert W. Jackson, III re <u>74</u> Letter <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Opinion in Harbison v. Little)(Wiseman, Michael) (Entered: 09/20/2007)
09/20/2007	<u>76</u>	MEMORANDUM in Opposition to D.I. <u>74</u> to <i>Plaintiffs' Letter Brief</i> filed by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll.Reply Brief due date per Local Rules is 10/1/2007. (Smith, Gregory) Modified on 9/20/2007 (fmt,). Modified on 9/20/2007 (fmt,). (Entered: 09/20/2007)
09/20/2007	<u>77</u>	Letter to Hon. Sue L. Robinson from Wiseman regarding Reply to Defendants' Memorandum Response – re <u>76</u> Memorandum in Opposition, <u>74</u> Letter. (Wiseman, Michael) (Entered: 09/20/2007)
09/21/2007	<u>78</u>	ORDER court adopts the standard of review articulated by the USCA for the 8th Circuit re lethal injection protocol. SEE Order for further details. Signed by Judge Sue L. Robinson on 9/21/07. (rlp) (Entered: 09/21/2007)
09/21/2007	<u>79</u>	NOTICE OF SERVICE of Defendants' Response to Plaintiffs' Third Discovery Request by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll.(Smith, Gregory) (Entered: 09/21/2007)
09/24/2007		Set Deadlines/Hearings: Telephone Conference set for 9/25/2007 11:00 AM before Honorable Sue L. Robinson. (rlp) (Entered: 09/24/2007)
09/25/2007		Minute Entry for proceedings held before Judge Sue L. Robinson : Telephone Conference held on 9/25/2007. (Court Reporter V. Gunning.) (rlp) (Entered: 09/25/2007)
09/26/2007		Set Deadlines/Hearings: Telephone Conference set for 9/26/2007 02:00 PM before Honorable Sue L. Robinson. (rlp) (Entered: 09/26/2007)
09/26/2007		Minute Entry for proceedings held before Judge Sue L. Robinson : Telephone Conference held on 9/26/2007. (Court Reporter V. Gunning.) (rlp) (Entered: 09/26/2007)
09/26/2007	<u>80</u>	ORDER postponing the trial and pretrial in this action based on the U.S. Supreme Court having granted the petition for a writ of certiorari in a related matter. Signed by Judge Sue L. Robinson on 9/26/07. (rlp) (Entered: 09/26/2007)
10/05/2007	<u>81</u>	NOTICE OF SERVICE of Response to Request for Production of Documents re <u>62</u> Notice of Service,, by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. Related document: <u>62</u> Notice of Service,, filed by Stanley W. Taylor, Jr., Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Thomas L. Carroll, Paul Howard.(Smith, Gregory) (Entered: 10/05/2007)
03/28/2008	<u>82</u>	NOTICE OF SERVICE of Defendant's Response to Plaintiff's Fourth Discovery Request by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Certificate of Compliance --service)(Smith, Gregory) (Entered: 03/28/2008)
04/17/2008	<u>83</u>	ORDER Setting Hearings(In Chambers Conference set for 5/14/2008 10:30 AM before Judge Sue L. Robinson.). See order for further details. Signed by Judge Sue L. Robinson on 4/17/08. (fmt) (Entered: 04/17/2008)

04/21/2008	<u>84</u>	TRANSCRIPT of Telephone Conference held on 9/26/2007 before Judge Robinson. Court Reporter: V. Gunning. (Transcript on file in Clerk's Office) (nfn) (Entered: 04/21/2008)
04/30/2008	<u>85</u>	ORDER – The location of the status conference scheduled for Wednesday, May 14, 2008 at 10:30 A.M. has been changed to commence in courtroom 6B, on the sixth floor of the J. Caleb Boggs Federal Building, 844 N. King Street, Wilmington, Delaware. ORDER,terminating Deadlines and Hearings:, ORDER, Setting Deadlines/Hearings (Status Conference set for 5/14/2008 10:30 AM in Courtroom 6B before Judge Sue L. Robinson.). Signed by Judge Sue L. Robinson on 4/30/2008. (nmf) (Entered: 04/30/2008)
05/13/2008	<u>86</u>	NOTICE OF SUBSTITUTION OF COUNSEL re Robert W. Jackson, III: Entry of appearance of attorney Michael Wiseman. Attorney Megan McCracken terminated. (Wiseman, Michael) (Entered: 05/13/2008)
05/14/2008		Minute Entry for proceedings held before Judge Sue L. Robinson – Status Conference held on 5/14/2008. Pretrial conference scheduled for 6/23/08 at 2:30 P.M. Parties shall submit written submissions regarding: 1) issues; 2) witnesses and 3) availability of witnesses. (Court Reporter V. Gunning.) (nmf) (Entered: 05/14/2008)
05/14/2008		Set/Reset Hearings: Pretrial Conference set for 6/23/2008 02:30 PM in Courtroom 6B before Judge Sue L. Robinson. (nmf) (Entered: 05/14/2008)
05/19/2008	<u>87</u>	ORDER, A pretrial conference is scheduled for Monday, June 23, 2008 at 2:30 p.m. On or before June 6, 2008, the parties shall file written submissions detailing: (1) the issues to be considered; (2) the witnesses/experts to be presented; and (3) the availability of said witnesses/experts. Signed by Judge Sue L. Robinson on 5/19/2008. (nmf) (Entered: 05/19/2008)
05/22/2008	<u>88</u>	Transcript of Hearing held on May 14, 2008 before Judge Robinson. Court Reporter/Transcriber Valerie Gunning,Telephone number 302–573–6194. 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. Redaction Request due 6/12/2008. Redacted Transcript Deadline set for 6/23/2008. Release of Transcript Restriction set for 8/20/2008. (vjg) (Entered: 05/22/2008)
06/06/2008	<u>89</u>	PRETRIAL MEMORANDUM by Robert W. Jackson, III. (Attachments: # <u>1</u> Exhibit Redacted Kentucky Protocol)(Wiseman, Michael) (Entered: 06/06/2008)
06/06/2008	<u>90</u>	PRETRIAL MEMORANDUM by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Exhibit Delaware Execution Protocol – Attachment #1, # <u>2</u> Exhibit Kentucky Lethal Injection Protocol (Redacted), # <u>3</u> Exhibit Comparison of Kentucky and Delaware Lethal Injection Protocols, # <u>4</u> Exhibit Excerpts from Plaintiffs' Response to Interrogatories, # <u>5</u> Exhibit Excerpt from Deposition of Steven M. Katz, M.D., # <u>6</u> Exhibit Excerpts from Deposition of Mark J. S. Heath, M.D., # <u>7</u> Exhibit Excerpts from Trial Deposition of Mark Dershwitz, M.D.)(McFarlan, Elizabeth) (Entered: 06/06/2008)
06/11/2008	<u>91</u>	REPLY BRIEF <i>Plaintiffs' Brief Reply to Defendants' Statement of Issues</i> filed by Robert W. Jackson, III. (Attachments: # <u>1</u> Exhibit Slip Opinion, Ohio v. Rivera)(Wiseman, Michael) (Entered: 06/11/2008)
06/23/2008		Minute Entry for proceedings held before Judge Sue L. Robinson – Pretrial Conference held on 6/23/2008. (Court Reporter V. Gunning.) (nmf) (Entered: 06/23/2008)
06/24/2008	<u>92</u>	Letter to The Honorable Sue L. Robinson from Elizabeth R. McFarlan regarding Materials Requested by the Court – re Pretrial Conference – Final. (McFarlan, Elizabeth) (Entered: 06/24/2008)
06/25/2008	<u>93</u>	Transcript of pretrial conference held on June 23, 2008 before Judge Robinson. Court Reporter/Transcriber Valerie Gunning,Telephone number (302) 573–6194. 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. Redaction Request due 7/16/2008. Redacted Transcript Deadline set for 7/28/2008. Release of Transcript Restriction set for 9/23/2008. (vjg) (Entered: 06/25/2008)
06/26/2008	<u>94</u>	Letter to Hon. Sue L. Robinson from Plaintiffs' Counsel regarding September 10 Trial. (Attachments: # <u>1</u> Exhibit Excerpt from Prior Protocols)(Wiseman, Michael) (Entered: 06/26/2008)
06/27/2008	<u>95</u>	ORDER, Setting Hearings(Evidentiary Hearing set for 9/10/2008 09:00 AM in Courtroom 6B before Judge Sue L. Robinson.) Each side will be allotted 2 hours. See order for further details. Signed by Judge Sue L. Robinson on 6/27/2008. (nmf) (Entered: 06/27/2008)
07/09/2008	<u>96</u>	MOTION Clarification of Court's Order re <u>95</u> Order, Set Hearings <i>Plaintiffs' Motion to Clarify</i> – filed by Robert W. Jackson, III. (Wiseman, Michael) (Entered: 07/09/2008)
07/09/2008	<u>97</u>	NOTICE of Notice Pursuant to Local Rule 7.1.1 by Robert W. Jackson, III re <u>96</u> MOTION Clarification of Court's Order re <u>95</u> Order, Set Hearings <i>Plaintiffs' Motion to Clarify</i> (Wiseman, Michael) (Entered: 07/09/2008)
07/18/2008	<u>98</u>	NOTICE of filing the following document(s) in paper format: Documents Produced in Discovery (FILED UNDER SEAL). Notice filed by Gregory E. Smith on behalf of Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll (Attachments: # <u>1</u> Certificate of Compliance service)(Smith, Gregory) Modified on 7/21/2008 (lid). (Entered: 07/18/2008)
07/18/2008	<u>99</u>	NOTICE of filing the following document(s) in paper format: Unredacted Delaware Execution Protocol (FILED UNDER SEAL). Notice filed by Gregory E. Smith on behalf of all defendants (Attachments: # <u>1</u> Certificate of Compliance service)(Smith, Gregory) Modified on 7/21/2008 (lid). (Entered: 07/18/2008)
07/18/2008	<u>100</u>	STATEMENT re <u>95</u> Order, Set Hearings by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Attachments: # <u>1</u> Exhibit law review article, # <u>2</u> Exhibit declaration and CV, # <u>3</u> Certificate of Compliance service)(Smith, Gregory) (Entered: 07/18/2008)
07/18/2008	<u>101</u>	NOTICE of Plaintiffs' Identification of Witnesses and Proffer of Anticipated Testimony by Robert W. Jackson, III re <u>95</u> Order, Set Hearings (Wiseman, Michael) (Entered: 07/18/2008)
07/18/2008	<u>102</u>	NOTICE OF SERVICE of Discovery by Robert W. Jackson, III.(Wiseman, Michael) (Entered: 07/18/2008)
07/18/2008	<u>103</u>	(SEALED) <i>IN CAMERA REVIEW Unredacted Protocol</i> – re <u>95</u> Order, re <u>99</u> Notice of Filing. (lid) (Entered: 07/21/2008)
07/18/2008	<u>104</u>	(SEALED) Discovery Documents(1 box)– re <u>95</u> Order, re <u>98</u> Notice of Filing.(lid) (Entered: 07/21/2008)
07/18/2008	<u>132</u>	(SEALED) Discovery Documents (2 boxes) re <u>95</u> Order (lid) (Entered: 03/12/2009)
07/21/2008		CORRECTING ENTRY: Docket Clerk modified text of D.I. numbers 98 and 99 to indicate that items were FILED UNDER SEAL. (lid) (Entered: 07/21/2008)
07/21/2008	<u>105</u>	ORDER denying <u>96</u> Motion for Clarification. It is further ORDERED that the documents filed by defendants pursuant to the courts June 27, 2008 order shall remain under seal until further order of the court. (PLEASE REFER TO ORDER FOR FURTHER DETAILS.). Signed by Judge Sue L. Robinson on 07/21/2008. (lid) (Entered: 07/21/2008)
07/21/2008		Set/Reset Deadlines: Defendants shall notify the the Court whether or not they have objections to items mentioned in the Order issued on 07/21/2008 being made public.Notice of Compliance deadline set for 7/31/2008. (lid) (Entered: 07/22/2008)

07/25/2008	<u>106</u>	Letter to The Honorable Sue L. Robinson from Defendants regarding availability of discovery documents – re Set/Reset Deadlines. (Smith, Gregory) (Entered: 07/25/2008)
07/31/2008	<u>107</u>	ORDER, On or before August 31, 2008, defendants shall file with the court, under seal, the revised version of Delaware's lethal injection execution protocol, consistent with the above representation. ORDER Setting Hearings(Telephone Conference set for 9/5/2008 08:30 AM before Judge Sue L. Robinson.). Signed by Judge Sue L. Robinson on 7/31/2008. (nmf) (Entered: 07/31/2008)
08/29/2008		CORRECTING ENTRY: Docket Clerk has deleted D.I. 108, which was previously filed as a notice of filing paper documents, due to the items being filed incorrectly. Pursuant to the Order issued in this case on 07/31/2008 D.I. 107, counsel was instructed to file the items under SEAL. Counsel is advised to refer to the Courts website for instructions on how to properly file these items under Seal. (lid) (Entered: 08/29/2008)
08/29/2008	<u>108</u>	SEALED RESPONSE to Order re <u>107</u> Order, Set Hearings,, filed by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (Smith, Gregory) (Entered: 08/29/2008)
09/05/2008		Minute Entry for proceedings held before Judge Sue L. Robinson – Telephone Conference held on 9/5/2008. (Court Reporter V. Gunning.) (nmf) (Entered: 09/12/2008)
09/08/2008		Cancelled Hearings: Hearing scheduled for 09/10/2008 at 9:00 a.m. is hereby cancelled. (lid) (Entered: 09/08/2008)
09/10/2008	<u>109</u>	ORDER – REFERRING CASE to Mediation for the purpose of negotiating the final version of lethal injection protocol. ORDER– Setting Deadlines: Plaintiffs revisions to proposed protocol due by 09/19/2008; Defendants Response to suggested revisions due by 10/03/2008. ORDER–terminating Hearings: Evidentiary hearing scheduled for 09/10/2008 is hereby cancelled. (PLEASE REFER TO ORDER FOR FURTHER DETAILS.) Signed by Judge Sue L. Robinson on 09/10/2008. (lid) (Entered: 09/10/2008)
09/11/2008	<u>110</u>	Order Setting Teleconference: Telephone Conference set for 9/16/2008 at 2:30 PM before Judge Mary Pat Thyng to discuss the status of the case and further mediation. Signed by Judge Mary Pat Thyng on 9/11/2008. (cak) (Entered: 09/11/2008)
09/16/2008	<u>111</u>	ORDER Setting Mediation Conferences: Mediation Conference set for 10/27/2008 at 10:00 AM in Courtroom 2B before Judge Mary Pat Thyng. Signed by Judge Mary Pat Thyng on 9/16/2008. (cak) (Entered: 09/16/2008)
09/29/2008	<u>112</u>	REDACTED VERSION of <u>108</u> Response to Order <i>JTVCC Procedure 2.7, Attachment #10</i> by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (McFarlan, Elizabeth) (Entered: 09/29/2008)
09/29/2008	<u>113</u>	REDACTED VERSION of <u>108</u> Response to Order <i>JVCC Procedure 2.7, Attachment #1</i> by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (McFarlan, Elizabeth) (Entered: 09/29/2008)
10/28/2008	<u>114</u>	Letter to The Hon. Sue L. Robinson from Elizabeth R. McFarlan, Esq. regarding Report on Mediation Proceedings – re <u>109</u> Order, Order Referring Case to Mediation, Set Deadlines, Terminate Deadlines and Hearings,,,,. (McFarlan, Elizabeth) (Entered: 10/28/2008)
10/30/2008	<u>115</u>	Letter to Honorable Sue L. Robinson from Michael Wiseman, Helen Marino, Maria Pulzetti regarding Mediation. (Pulzetti, Maria) (Entered: 10/30/2008)
10/30/2008	<u>116</u>	ORDER, On or before November 12, 2008, plaintiffs shall specifically identify what portions, if any, of Delaware's protocol are substantively different from that approved by the Supreme Court in Baze. On or before November 26, 2008, defendants may respond.Signed by Judge Sue L. Robinson on 10/30/2008. (nmf)

		(Entered: 10/30/2008)
11/12/2008	<u>117</u>	RESPONSE to Order re <u>116</u> Order, filed by Robert W. Jackson, III. (Pulzetti, Maria) (Entered: 11/12/2008)
11/18/2008	<u>118</u>	RESPONSE to Order re <u>116</u> Order, filed by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (McFarlan, Elizabeth) Modified on 11/19/2008 (lid). (Entered: 11/18/2008)
11/19/2008		CORRECTING ENTRY: Pursuant to request of counsel, D.I. 118 has been modified to include corrected version of Certificate of Service. (lid) (Entered: 11/19/2008)
11/19/2008	<u>119</u>	RESPONSE to Order re <u>116</u> Order, filed by Robert W. Jackson, III. (Pulzetti, Maria) (Entered: 11/19/2008)
11/24/2008	<u>120</u>	ORDER, Setting Scheduling Order Deadlines (Defendants' Dispositive Motions due by 12/19/2008., Plaintiffs' Answering Brief due 1/16/2009., Defendants' Reply Brief due 1/23/2009., Oral Argument set for 1/29/2009 10:00 AM in Courtroom 6B before Judge Sue L. Robinson.) SEE ORDER FOR FURTHER DETAILS. Signed by Judge Sue L. Robinson on 11/24/2008. (nmf) (Entered: 11/24/2008)
12/19/2008	<u>121</u>	MOTION for Summary Judgment – filed by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (McFarlan, Elizabeth) (Entered: 12/19/2008)
12/19/2008	<u>122</u>	OPENING BRIEF in Support re <u>121</u> MOTION for Summary Judgment filed by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. Answering Brief/Response due date per Local Rules is 1/12/2009. (McFarlan, Elizabeth) (Entered: 12/19/2008)
12/19/2008	<u>123</u>	APPENDIX re <u>122</u> Opening Brief in Support, <i>of Motion for Summary Judgment</i> by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (McFarlan, Elizabeth) (Entered: 12/19/2008)
01/16/2009	<u>124</u>	ANSWERING BRIEF in Opposition re <u>121</u> MOTION for Summary Judgment filed by Robert W. Jackson, III. Reply Brief due date per Local Rules is 1/29/2009. (Wiseman, Michael) (Entered: 01/16/2009)
01/23/2009	<u>125</u>	REPLY BRIEF re <u>121</u> MOTION for Summary Judgment filed by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (McFarlan, Elizabeth) (Entered: 01/23/2009)
01/23/2009	<u>126</u>	APPENDIX re <u>125</u> Reply Brief by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr, Thomas L. Carroll. (McFarlan, Elizabeth) (Entered: 01/23/2009)
01/29/2009		Minute Entry for proceedings held before Judge Sue L. Robinson – Oral Argument held on 1/29/2009 re <u>121</u> MOTION for Summary Judgment. (Court Reporter V. Gunning.) (nmf) (Entered: 01/29/2009)
01/30/2009	<u>127</u>	Official Transcript of held on January 29, 2009 before Judge Robinson. Court Reporter/Transcriber Valerie Gunning, Telephone number (302) 573-6194. 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. Redaction Request due 2/20/2009. Redacted Transcript Deadline set for 3/2/2009. Release of Transcript Restriction set for 4/30/2009. (vjg) (Entered: 01/30/2009)
02/17/2009	128	SEALED Transcript of Telephone Conference held on 9/5/2008 before Judge Sue L. Robinson. (Transcript on file in Clerk's Office) (lid) (Entered: 02/17/2009)

03/11/2009	<u>129</u>	MEMORANDUM OPINION. Signed by Judge Sue L. Robinson on 3/11/2009. (nmf) (Entered: 03/11/2009)
03/11/2009	<u>130</u>	ORDER granting <u>121</u> Motion for Summary Judgment. The Clerk of the Court is directed to enter judgment in favor of defendants and against plaintiffs. It is further ordered that the stay entered on May 6, 2006, shall remain in effect pending appeal. Signed by Judge Sue L. Robinson on 3/11/2009. (nmf) (Entered: 03/11/2009)
03/12/2009	<u>131</u>	JUDGMENT in favor of defendants and against plaintiffs.(CASE CLOSED) Signed by Judge Sue L. Robinson on 3/12/2009. (nmf) (Entered: 03/12/2009)
03/30/2009	<u>133</u>	NOTICE OF APPEAL of <u>131</u> Judgment, <u>130</u> Order on Motion for Summary Judgment,. Appeal filed by Robert W. Jackson, III. (Wiseman, Michael) (Entered: 03/30/2009)
04/09/2009	<u>134</u>	NOTICE OF CROSS APPEAL to the Third Circuit of <u>130</u> Order on Motion for Summary Judgment,. Cross Appeal filed by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Carl C. Danberg, Thomas L. Carroll. (McFarlan, Elizabeth) (Entered: 04/09/2009)
04/14/2009		USCA Appeal Fees received: \$ 455, receipt number 156976 re <u>134</u> Notice of Cross Appeal (Third Circuit), Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Thomas L. Carroll, Paul Howard, Carl C. Danberg. TPO (Third Circuit) Issued. (fms) (Entered: 04/14/2009)
04/17/2009	<u>135</u>	NOTICE of Docketing Record on Appeal from USCA for the Third Circuit re <u>134</u> Notice of Cross Appeal (Third Circuit), Notice of Cross Appeal (Third Circuit) filed by Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Thomas L. Carroll, Paul Howard, Carl C. Danberg. USCA Case Number 09-2052. USCA Case Manager: Tina Koperna (DOCUMENT IS RESTRICTED AND CAN ONLY BE VIEWED BY COURT STAFF) (tk,) (Entered: 04/17/2009)
04/17/2009	<u>136</u>	NOTICE of Docketing Record on Appeal from USCA for the Third Circuit re <u>133</u> Notice of Appeal (Third Circuit) filed by Robert W. Jackson, III. USCA Case Number 09-1925. USCA Case Manager: Tina Koperna (DOCUMENT IS RESTRICTED AND CAN ONLY BE VIEWED BY COURT STAFF) (tk,) (Entered: 04/17/2009)
04/21/2009	<u>137</u>	TRANSCRIPT REQUEST by Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Carl C. Danberg, Thomas L. Carroll TRANSCRIPT NOT NEEDED (McFarlan, Elizabeth) (Entered: 04/21/2009)
07/07/2009	<u>138</u>	ORDER of USCA granting IFP. (tk,) (Entered: 07/07/2009)
10/15/2009	<u>139</u>	Letter to Clerk from Helen A. Marino, Assistant Federal Defender, enclosing check for \$455.00, offered on behalf of Robert Jackson, III, to satisfy the filing fee for the Notice of Appeal filed by Mr. Jackson and the plaintiff class. (fms) (Entered: 10/15/2009)
10/15/2009		USCA Appeal Fees received: \$ 455, receipt number 1091 re <u>133</u> Notice of Appeal (Third Circuit) filed by Robert W. Jackson, III. (fms) (Entered: 10/15/2009)
10/15/2009		Remark: Copy of Receipt # 1091 mailed to Prison Business Office, James T. Vaughn Corr. Center. (fms) (Entered: 10/15/2009)
03/31/2010	<u>140</u>	MANDATE of USCA as to <u>133</u> Notice of Appeal (Third Circuit) filed by Robert W. Jackson, III, <u>134</u> Notice of Cross Appeal (Third Circuit), Notice of Cross Appeal (Third Circuit) filed by Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Thomas L. Carroll, Paul Howard, Carl C. Danberg. USCA Decision: Affirmed. (Attachments: # <u>1</u> Mandate Letter, # <u>2</u> Opinion)(tk,) (Entered: 03/31/2010)
10/13/2010	<u>141</u>	Information on Post Decision Matters from the U.S. Court of Appeals: petition for writ of ceriorari denied 10/12/2010 (lid) (Entered: 10/13/2010)

06/27/2011	<u>142</u>	MOTION to Alter Judgment <i>Plaintiffs' Motion for Relief from Judgment Pursuant to Fed.R.Civ.P. 60b</i> – filed by Robert W. Jackson, III. (Attachments: # <u>1</u> Exhibit Index to Exhibits, # <u>2</u> Exhibit, # <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, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit)(Wiseman, Michael) (Entered: 06/27/2011)
06/27/2011	<u>143</u>	MOTION to Appoint Counsel <i>Motion to Appoint Co-Counsel for Class</i> – filed by Robert W. Jackson, III. (Attachments: # <u>1</u> Text of Proposed Order)(Wiseman, Michael) (Entered: 06/27/2011)
06/29/2011	<u>144</u>	STATUS REPORT by Robert W. Jackson, III. (Wiseman, Michael) (Entered: 06/29/2011)
07/08/2011	<u>145</u>	RESPONSE to Motion re <u>142</u> MOTION to Alter Judgment <i>Plaintiffs' Motion for Relief from Judgment Pursuant to Fed.R.Civ.P. 60b</i> filed by Thomas L. Carroll, Carl C. Danberg, Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr. (Attachments: # <u>1</u> Exhibit Exhibit A – Transcript of Deposition of Mark Dershwitz, M.D., Ph.D. (Nov. 8, 2010) in Pavatt v. Jones, W.D. Okla., C.A. No. CIV-10-141-F, # <u>2</u> Exhibit Exhibit B – Balnkenship v. Owens, No. 2011 CV 202236, Order Denying Emergency Motion for Equitable Relief (Ga. Super. Ct. June 22, 2011), # <u>3</u> Certificate of Compliance Certificate of Service)(McFarlan, Elizabeth) (Entered: 07/08/2011)
07/08/2011	<u>146</u>	RESPONSE to Motion re <u>143</u> MOTION to Appoint Counsel <i>Motion to Appoint Co-Counsel for Class</i> filed by Thomas L. Carroll, Carl C. Danberg, Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr. (McFarlan, Elizabeth) (Entered: 07/08/2011)
07/11/2011	<u>147</u>	ORDER denying <u>143</u> MOTION to Appoint Counsel <i>Motion to Appoint Co-Counsel for Class</i> . ORDER, Setting Hearings(An Oral Argument (re: <u>142</u> MOTION to Alter Judgment <i>Plaintiffs' Motion for Relief from Judgment Pursuant to Fed.R.Civ.P. 60b</i>) is set for 7/27/2011 at 10:00 AM in Courtroom 4B before Judge Sue L. Robinson.) IT IS FURTHER ORDERED that plaintiff Jackson's execution shall be stayed until further order of the court. Signed by Judge Sue L. Robinson on 7/11/2011. (nmf) (Entered: 07/11/2011)
07/12/2011	<u>148</u>	AMENDED ORDER re <u>147</u> denying <u>143</u> MOTION to Appoint Counsel <i>Motion to Appoint Co-Counsel for Class</i> . ORDER, Setting Hearings(An Oral Argument (re: <u>142</u> MOTION to Alter Judgment <i>Plaintiffs' Motion for Relief from Judgment Pursuant to Fed.R.Civ.P. 60b</i>) is set for 7/27/2011 at 10:00 AM in Courtroom 4B before Judge Sue L. Robinson.) IT IS FURTHER ORDERED that plaintiff Jackson's execution shall be stayed until further order of the court. *In this regard, the court will not issue a decision before the scheduled execution date of July 29, 2011. Signed by Judge Sue L. Robinson on 7/12/2011. (nmf) (Entered: 07/12/2011)
07/12/2011	<u>149</u>	MOTION to Lift Stay re <u>147</u> Order, Set Hearings,,,, <u>148</u> Order,, – filed by Thomas L. Carroll, Carl C. Danberg, Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr. (McFarlan, Elizabeth) (Entered: 07/12/2011)
07/12/2011	<u>150</u>	MOTION for Scheduling Order – filed by Robert W. Jackson, III. (Pulzetti, Maria) (Entered: 07/12/2011)
07/13/2011	<u>151</u>	RESPONSE to Motion re <u>150</u> MOTION for Scheduling Order filed by Thomas L. Carroll, Carl C. Danberg, Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr. (McFarlan, Elizabeth) (Entered: 07/13/2011)
07/15/2011	<u>152</u>	NOTICE of Notice of Service of Discovery by Robert W. Jackson, III (Wiseman, Michael) (Entered: 07/15/2011)
07/15/2011	<u>153</u>	NOTICE of Service of Notices of Deposition by Robert W. Jackson, III (Wiseman, Michael) (Entered: 07/15/2011)

07/15/2011	<u>154</u>	REPLY BRIEF <i>in Support of Motion for Relief Pursuant to Fed.R.Civ.P. 60 D.I. 142</i> filed by Robert W. Jackson, III. (Attachments: # <u>1</u> Exhibit Index to Exhibits, # <u>2</u> Exhibit Waisel Report, # <u>3</u> Exhibit Waisel CV, # <u>4</u> Exhibit Dershwitz Deposition, # <u>5</u> Exhibit Freeman Affidavit, # <u>6</u> Exhibit Schulz Affidavit, # <u>7</u> Exhibit News Report, # <u>8</u> Exhibit Lundbeck Statement)(Wiseman, Michael) Modified on 7/18/2011 (fms). (Entered: 07/15/2011)
07/15/2011	<u>155</u>	RESPONSE to Motion re <u>149</u> MOTION to Lift Stay re <u>147</u> Order, Set Hearings,,,, <u>148</u> Order,, MOTION to Lift Stay re <u>147</u> Order, Set Hearings,,,, <u>148</u> Order,, filed by Robert W. Jackson, III. (Wiseman, Michael) (Entered: 07/15/2011)
07/15/2011	<u>156</u>	MOTION to Stay <i>Execution</i> – filed by Robert W. Jackson, III. (Attachments: # <u>1</u> Text of Proposed Order)(Wiseman, Michael) (Entered: 07/15/2011)
07/18/2011	<u>157</u>	NOTICE OF INTERLOCUTORY APPEAL of <u>147</u> Order, Set Hearings,,,, <u>148</u> Order,,. Appeal filed by Carl C. Danberg. (Wallace, Paul) (Entered: 07/18/2011)
07/18/2011		CORRECTING ENTRY: D.I. 154 (Reply Brief) has been linked to D.I. 142 (Motion) as it was not linked to the motion it supports when docketed. (fms) (Entered: 07/18/2011)
07/18/2011		USCA Appeal Fees received: \$ 455, receipt number #11375 re <u>157</u> Notice of Interlocutory Appeal (Third Circuit) filed by Carl C. Danberg. (lid) (Entered: 07/18/2011)
07/20/2011	<u>158</u>	NOTICE of Third Circuit Filing by Robert W. Jackson, III (Attachments: # <u>1</u> Exhibit Plaintiffs Response to Defendants Motion to Dissolve Stay, Filed in Court of Appeals)(Wiseman, Michael) (Entered: 07/20/2011)
07/21/2011	<u>159</u>	MANDATE of USCA as to <u>157</u> Notice of Interlocutory Appeal (Third Circuit) filed by Carl C. Danberg. USCA Decision: vacating and remanding. SEE DOCUMENT FOR FULL TEXT. (Attachments: # <u>1</u> letter)(sc,) (Entered: 07/21/2011)
07/22/2011	<u>160</u>	RESPONSE to Motion re <u>156</u> MOTION to Stay <i>Execution</i> filed by Thomas L. Carroll, Carl C. Danberg, Paul Howard, Other Unknown State Actors Responsible for and participating in the carrying out of Plaintiff's Execution, Stanley W. Taylor, Jr. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Wallace, Paul) (Entered: 07/22/2011)
07/25/2011		Reset Hearings: The Oral Argument is re-set for 7/27/2011 at 09:00 AM in Courtroom 4B before Judge Sue L. Robinson. (nmf) (Entered: 07/25/2011)
07/25/2011	<u>161</u>	REPLY BRIEF re <u>156</u> MOTION to Stay <i>Execution</i> filed by Robert W. Jackson, III. (Attachments: # <u>1</u> Exhibit Index to Exhibits, # <u>2</u> Exhibit Blankenship Transcript, # <u>3</u> Exhibit Blankenship Witness List, # <u>4</u> Exhibit Associated Press, # <u>5</u> Exhibit Blankenship, # <u>6</u> Exhibit Ledbetter, # <u>7</u> Exhibit Waisel, # <u>8</u> Exhibit Henthorn, # <u>9</u> Exhibit Lundbeck, # <u>10</u> Exhibit Brophy, # <u>11</u> Exhibit FOIA Request, # <u>12</u> Exhibit FOIA Response)(Wiseman, Michael) (Entered: 07/25/2011)
07/26/2011	<u>162</u>	NOTICE of Supplemental Authority by Robert W. Jackson, III (Attachments: # <u>1</u> Exhibit Order in Valle v. State)(Wiseman, Michael) (Entered: 07/26/2011)
07/27/2011		Minute Entry for proceedings held before Judge Sue L. Robinson – Oral Argument held on 7/27/2011. (Court Reporter V. Gunning.) (nmf) (Entered: 07/27/2011)
07/27/2011	<u>163</u>	Proposed Findings of Fact by Robert W. Jackson, III. (Wiseman, Michael) (Entered: 07/27/2011)
07/27/2011	<u>164</u>	Official Transcript of hearing held on July 27, 2011 before Judge Robinson. Court Reporter/Transcriber Valerie Gunning, Telephone number (302) 573-6194. 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. Redaction Request due 8/17/2011. Redacted Transcript Deadline set for 8/29/2011. Release of Transcript Restriction set for 10/25/2011. (vjg) (Entered: 07/27/2011)
07/27/2011	<u>165</u>	NOTICE of Related proceeding by Robert W. Jackson, III (Attachments: # <u>1</u> Exhibit Delaware Supreme Court Order)(Pulzetti, Maria) (Entered: 07/27/2011)

07/27/2011	<u>166</u>	MEMORANDUM ORDER denying <u>156</u> MOTION to Stay <i>Execution</i> filed by Robert W. Jackson, III; denying <u>142</u> MOTION to Alter Judgment <i>Plaintiffs' Motion for Relief from Judgment Pursuant to Fed.R.Civ.P. 60b</i> filed by Robert W. Jackson, III. Signed by Judge Sue L. Robinson on 7/27/2011. (nmf) (Entered: 07/27/2011)
07/27/2011	<u>167</u>	NOTICE OF APPEAL of <u>166</u> Memorandum and Order,, Terminated Case,,, Appeal filed by Robert W. Jackson, III. (Wiseman, Michael) (Entered: 07/27/2011)
07/27/2011	<u>168</u>	NOTICE of Docketing Record on Appeal from USCA for the Third Circuit re <u>167</u> Notice of Appeal (Third Circuit) filed by Robert W. Jackson, III. USCA Case Number 11-9002. USCA Case Manager: Dana Moore (DOCUMENT IS RESTRICTED AND CAN ONLY BE VIEWED BY COURT STAFF) (dm,) (Entered: 07/28/2011)
07/28/2011	<u>169</u>	USCA Order Terminating Appeal as to <u>167</u> Notice of Appeal (Third Circuit) filed by Robert W. Jackson, III. USCA Decision: USDC Judgment Affirmed. (dm,) (Entered: 07/28/2011)
11/17/2011	<u>170</u>	MANDATE of USCA as to <u>167</u> Notice of Appeal (Third Circuit) filed by Robert W. Jackson, III. USCA Decision: USDC Decision Affirmed. (Attachments: # <u>1</u> Letter to D.C. Clerk, # <u>2</u> Opinion)(dm,) (Entered: 11/17/2011)