

TERMED

**U.S. District Court
Eastern District of Kentucky (Lexington)
CIVIL DOCKET FOR CASE #: 5:94-cv-00337-KSF**

Richerson, et al v. Fayette County, et al
Assigned to: Karl S. Forester
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 09/02/1994
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff**Robert L. Richerson**

represented by **Christina R.L. Norris**
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V.

Defendant

Fayette County*TERMINATED: 10/05/1995*represented by **Edward W. Gardner**Lexington-Fayette Urban County
Government

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Lexington, KY 40507

859-258-3500

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Email: egardner@lfucg.com*TERMINATED: 10/05/1995**LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Michael H. Baker**

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Email: mbaker@bakerkriz.com*TERMINATED: 10/05/1995**LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Defendant****Fayette County Detention Center**represented by **Edward W. Gardner**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Michael H. Baker**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Defendant****Raymond Sabbatine***Individually*represented by **Edward W. Gardner**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Michael H. Baker**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Defendant****John Doe(s)***Individually*represented by **Michael H. Baker**

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*LEAD ATTORNEY**ATTORNEY TO BE NOTICED*

Tanya Robin Cornette
 177 North Upper Street
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TERMINATED: 11/23/1994
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Defendant

**Lexington Fayette Urban County
 Government**

Official Defendant

Raymond Sabbatine
*in his official capacity as Director of the
 Fayette Detention Center*

represented by **Edward W. Gardner**
 (See above for address)
ATTORNEY TO BE NOTICED

Michael H. Baker
 (See above for address)
ATTORNEY TO BE NOTICED

Official Defendant

John Doe(s)
*in his official capacity as officer and
 employee of the Fayette Detention Center*

represented by **Tanya Robin Cornette**
 (See above for address)
TERMINATED: 11/23/1994
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael H. Baker
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/02/1994	1	COMPLAINT (4 summons(es) issued) with copy, Fee Paid \$120, Receipt No. 054413 (SKV) (Entered: 09/07/1994)
09/02/1994	2	MOTION by plaintiff Robert L. Richerson for warning order attorney to be appointed for unknown defendant, John Doe (SKV) (Entered: 09/07/1994)
09/02/1994	3	AFFIDAVIT of Linsey W. West re in support of Motion to appoint Warning Order Attorney [2-1] (SKV) (Entered: 09/07/1994)
09/26/1994	4	ANSWER by defendant Fayette County, defendant Fayette Cty Dtn Ctr, defendant Raymond Sabbatine, Official Defendant Raymond Sabbatine to [1-1]; jury demand (DC) (Entered: 09/26/1994)

09/28/1994	5	ORDER by Judge Karl S. Forester granting motion for warning order attorney to be appointed for unknown defendant, John Doe [2-1]; T. Robin Cornette, 200 W Vine St., Suite 310, Lexington, KY 40507 is appointed Warning Order Attorney for deft. John Doe No. 1, to make diligent efforts to inform said dft by mail concerning pendency and nature of action against him & report result of efforts to Court w/in 50 days, which shall include affidavit to support her fee & costs expended (cc: all counsel) (SKV) (Entered: 09/28/1994)
09/30/1994	6	ORDER FOR MEETING AND REPORT by Judge Karl S. Forester counsel to conduct meeting by 10/31/94; exchange R.26 disclosures; FILE written JOINT REPORT by 11/10/94; FAILURE TO COMPLY WILL RESULT IN IMPOSITION OF SANCTIONS (cc: all counsel) (SKV) (Entered: 09/30/1994)
11/07/1994	7	REPORT of PARTIES' PLANNING MEETING (SKV) (Entered: 11/08/1994)
11/10/1994	8	RULE 26 (a) (1) DISCLOSURES by plaintiff Robert L. Richerson (SKV) (Entered: 11/10/1994)
11/10/1994	9	SCHEDULING ORDER by Judge Karl S. Forester: 1) NO LATER THAN 12/12/94 counsel for dfts shall file dispositive motion on issues related to strip search of pltf. subsequent to his arraignment; counsel for pltf. given to 1/12/95 to file response; counsel for dfts given to 1/27/95 to file reply memoranda; and upon filing of said pleadings, said motion shall STAND SUBMITTED; 2) by 4/15/95, counsel shall DISCLOSE identity of expert witnesses; and w/in 30 days thereafter DISCLOSE rebuttal expert witnesses; 3) discovery ddl 7/15/95; motion filing ddl 7/15/95; 4) dispositive motion ddl 8/15/95; 5) pretrial filings due 11/6/95; 6) by 11/6/95, counsel shall PRE-MARK exhibits; 7) by 11/6/95, counsel shall CONDUCT a conference to formulate AGREED proposed jury instructions; 8) PRETRIAL CONFERENCE set for 9:00 11/13/95; 9) at PTC, counsel shall FILE w/ Clerk AGREED proposed jury instructions; 10) at PTC, counsel shall FILE w/ Clerk objections to use of depositions and/or exhibits; 11) TWO WORKING DAYS prior to trial, counsel shall SUBMIT to chambers copies of each documentary exhibit; 12) JURY TRIAL set for 9:00 12/12/95 ; FAILURE TO COMPLY WILL RESULT IN IMPOSITION OF SANCTIONS (cc: all counsel) (SKV) (Entered: 11/10/1994)
11/18/1994	10	REPORT OF WARNING ORDER ATTORNEY for order accepting this report on behalf of defendant John Doe(s), Official Defendant John Doe(s): dfts. did not receive notice of action (SKV) (Entered: 11/21/1994)
11/18/1994	11	MOTION by warning order attorney for defendant John Doe(s), Official Defendant John Doe(s) for attorney fees (SKV) (Entered: 11/21/1994)
11/23/1994	12	ORDER by Judge Karl S. Forester [10-1] REPORT OF WARNING ORDER ATTORNEY that she has been unsuccessful in notifying dft., John Doe; 2) T. Robin Cornette relieved of further duties and granting motion for attorney fees [11-1] in the amount of \$250.37 to be paid by the plaintiff (cc: all counsel) (SKV) (Entered: 11/23/1994)
11/28/1994	13	RESPONSE TO REQUEST for production of admissions by defendant Fayette County, defendant Fayette Cty Dtn Ctr, defendant Raymond Sabbatine, Official Defendant Raymond Sabbatine, defendant John Doe(s), Official Defendant John Doe(s) (Entered: 11/28/1994)

11/28/1994	14	RESPONSE (ANSWERS) by defendant Fayette County, defendant Fayette Cty Dtn Ctr, defendant Raymond Sabbatine, Official Defendant Raymond Sabbatine, defendant John Doe(s), Official John Doe(s) to INTERROGATORIES (Entered: 11/28/1994)
11/28/1994	15	RESPONSE TO REQUEST for production of documents by defendant Fayette County, defendant Fayette Cty Dtn Ctr, defendant Raymond Sabbatine, Official Defendant Raymond Sabbatine, defendant John Doe(s), Official Defendant John Doe(s) (Entered: 11/28/1994)
12/05/1994	16	NOTICE TO THE COURT by defendants that no dispositive motion on issues related to any strip search of pltf. subsequent to his arraignment will be filed as a preliminary matter (SKV) (Entered: 12/06/1994)
12/12/1994	17	ORDER by Judge Karl S. Forester: numerical paragraph (1) of the Scheduling Order [DE #9] is VACATED & SET ASIDE (cc: all counsel) (SKV) (Entered: 12/12/1994)
02/06/1995	18	NOTICE of defendants of taking deposition of Robert L. Richerson on 3/9/95 @ 2:00 pm (SKV) (Entered: 02/07/1995)
04/03/1995	19	NOTICE by plaintiff Robert L. Richerson of taking deposition of Raymond J. Sabbatine on 4/6/95 @ 9:30 AM (SKV) (Entered: 04/03/1995)
04/05/1995	20	AMENDED NOTICE by plaintiff Robert L. Richerson of taking deposition of Raymond J. Sabbatine on 4/11/95 @ 9:00 AM (SKV) (Entered: 04/05/1995)
04/26/1995	21	DEPOSITION of Ray Sabbatine taken on the following date(s): 4/11/95 by: Pltf. (SEP. VOL.) (SKV) (Entered: 04/26/1995)
04/28/1995	22	NOTICE by plaintiff Robert L. Richerson of taking deposition of LIEUTENANT BARRY LINDSAY on 5/16/95 at 2:00 p.m. (DC) (Entered: 04/28/1995)
05/11/1995	23	NOTICE by defendants of taking deposition of Robert L. Richerson on 5/16/95 @ 3:30 PM (SKV) (Entered: 05/15/1995)
06/14/1995	24	DEPOSITION of Robert L. Richerson taken on the following date(s): 5/16/95 @ 3:30 by: Dfts. (SEP. VOL.) (SKV) (Entered: 06/14/1995)
06/14/1995	25	DEPOSITION of Barry Lindsey taken on the following date(s): 5/16/95 @ 2:00 PM by: Pltf. (SEP. VOL.) (SKV) (Entered: 06/14/1995)
06/16/1995	26	MOTION by plaintiff Robert L. Richerson for leave to file First Amended Complaint (SKV) (Entered: 06/16/1995)
06/16/1995		PROPOSED FIRST AMENDED COMPLAINT tendered by plaintiff Robert L. Richerson (SKV) (Entered: 06/16/1995)
06/30/1995	27	NOTICE by Clerk to counsel for plaintiff re: LR 8(a)(1)(A) and return pleading styled Request for Production of Documents (SKV) (Entered: 06/30/1995)
06/30/1995	28	STIPULATION by parties that defendants have to & including 7/28/95 to respond to pltf's motion for leave to file first amended complaint [26-1] (SKV) (Entered: 07/05/1995)

07/07/1995	29	DEPOSITION of Robert Leslie Richerson - VOL. I taken on the following date(s): 3/9/95 by: Dft. (SEP. VOL.) (SKV) (Entered: 07/10/1995)
07/14/1995	30	NOTICE OF ENTRY ATTORNEY APPEARANCE by Michael H. Baker for defendants (SKV) (Entered: 07/17/1995)
07/28/1995	31	RESPONSE to motion for leave to file First Amended Complaint (for class certification) [26-1] (SKV) (Entered: 07/31/1995)
08/11/1995	32	MOTION by plaintiff Robert L. Richerson to extend time to respond to dfts' response to plaintiff's motion for class certification (SKV) (Entered: 08/11/1995)
08/11/1995	33	RESPONSE by defendants to plaintiff's motion to extend time to respond to dfts' response to plaintiff's motion for class certification [32-1] (SKV) (Entered: 08/14/1995)
08/15/1995	34	RESPONSE TO plaintiffs' second REQUEST for production of admissions by defendants (SKV) (Entered: 08/16/1995)
08/15/1995	35	RESPONSE (ANSWERS) by defendants to pltf's second request of interrogatories (SKV) (Entered: 08/16/1995)
08/17/1995	36	ORDER by Judge Karl S. Forester upon plaintiff's motion to extend time to respond to dfts' response to plaintiff's motion for class certification [32-1] the pltf. shall have to 8/31/95 to Reply to Dft's Response to Pltf's Motion for class certification; Scheduling Order entered 11/10/94 will not be modified (cc: all counsel) (SKV) (Entered: 08/17/1995)
08/31/1995	37	REPLY by plaintiff Robert L. Richerson to defendant's response to plaintiff's motion for leave to file First Amended Complaint [26-1] (SKV) (Entered: 09/01/1995)
09/19/1995	38	ORDER by Judge Karl S. Forester setting hearing on plaintiff's motion for leave to file First Amended Complaint for class certification [26-1] for 9:00 10/5/95 (cc: all counsel) (SKV) (Entered: 09/19/1995)
10/02/1995	39	ORDER by Judge Karl S. Forester hearing scheduled for 10/5/95 at 9:00 on motion for leave to file First Amended Complaint [26-1] is CONTINUED until 1:30 PM on the same date in Courtroom A of US Courthouse in Lex., KY (cc: all counsel) (SKV) (Entered: 10/03/1995)
10/05/1995	40	ORDER by Judge Karl S. Forester: HEARING HELD; Cindy Hutchinson, Court Reporter 1) granting plaintiff's motion for leave to file First Amended Complaint to name the correct dft; [26-1] 2) denyiny plaintiff's motion for class certification [26-1] (cc: all counsel) (SKV) (Entered: 10/05/1995)
10/05/1995	41	FIRST AMENDED COMPLAINT [1-1] by plaintiff Robert L. Richerson terminating defendant Fayette County; adding LFUCG; (SKV) (Entered: 10/05/1995)
11/03/1995	42	PRETRIAL MEMORANDUM by defendants (SKV) (Entered: 11/03/1995)
11/03/1995	42	WITNESS list submitted by defendants (SKV) (Entered: 11/03/1995)
11/03/1995	42	EXHIBIT list by defendants (SKV) (Entered: 11/03/1995)

11/06/1995	43	PRETRIAL MEMORANDUM by plaintiff Robert L. Richerson (SKV) (Entered: 11/06/1995)
11/06/1995	44	WITNESS list submitted by plaintiff Robert L. Richerson (SKV) (Entered: 11/06/1995)
11/06/1995	45	EXHIBIT list by plaintiff Robert L. Richerson (SKV) (Entered: 11/06/1995)
11/08/1995	46	NOTICE by plaintiff Robert L. Richerson of change of address for attorney Christina R.L. Norris to 1931 Frankfort Avenue, Louisville, KY 40206 502-895-5434 and FAX 502-895-5490 (SKV) (Entered: 11/08/1995)
11/08/1995	47	MOTION by defendants in limine to 1) prohibit pltf. from introducing testimony from Chun Richerson and Donald Baker; 2) to prohibit Pltf. from introducing as exhibits Lesson Plan Cover Sheet and Lesson Plan of LFUC Detention Center Division of Training, Lesson for "Clothed and Unclothed Body Searches" and the LFUC Detention Center Training Manual; 3) to prohibit plaintiff from introducing medical records as identified as Pltf's exhibit #12 (SKV) (Entered: 11/08/1995)
11/13/1995	48	MOTION by plaintiff Robert L. Richerson in limine to 1) prohibit dfts from introducing evidence concerning Robert L. Richerson's arrest for DUE, his blood alcohol level, the incidences of his arrest, and plea of guilty and any evidence relating to his arrest and his blood-alcohol level; 2) prohibit dfts. from introducing evidence concerning Mr. Richerson's prior incarceration; 3) prohibit introduction of exhibits numbered 6, 7, 8, 10, 11, 12, 13, 14 and 15 (SKV) (Entered: 11/13/1995)
11/13/1995	49	PROPOSED JURY INSTRUCTIONS submitted by plaintiff Robert L. Richerson (SKV) (Entered: 11/13/1995)
11/13/1995	50	PROPOSED JURY INSTRUCTIONS submitted by defendants (SKV) (Entered: 11/13/1995)
11/13/1995	51	ORDER by Judge Karl S. Forester: PRETRIAL CONFERENCE HELD 10/13/95; Cindy Hutchinson, Court Reporter; 1) ruling DEFERRED on motion of dfts in limine to prohibit plaintiff from introducing evidence from Chun Richardson and Donald Baker, from introducing plaintiff's exhibit #3, the Lesson Plan Cover Sheet and Lesson Plan of the Lexington-Fayette Urban County Detention Center, Division of Training Lesson for "Clothed and Unclothed Body Searches", plaintiff's exhibit #7, Lexington-Fayette Urban County Detention Center Training Manual, and plaintiff's exhibit #12, plaintiff's medical records; 2) RULING IS DEFERRED on motion of plaintiff in limine to prohibit defendants from introducing evidence concerning plaintiff's arrest for DUI, his blood-alcohol level, the incidences of his arrest, his plea of guilty and any evidence relating to his arrest and his blood-alcohol level, from introducing any evidence concerning plaintiff's prior incarceration, and the introduction of defendants' exhibits numbers 6,7,8,10,11,12,13,14, and 15; 3) parties given to 11/20/95 to confer on matters that may be stipulated and to define issues; 4) parties given until 11/20/95 in which to file pretrial memoranda on remaining issue in this action, the plaintiff's claim as to his post-arraignment strip-search. counsel for parties advised Court that one (1) day will be required for jury trial of action (cc: all counsel) (SKV) (Entered: 11/13/1995)

11/17/1995	52	JOINT STIPULATIONS (SKV) (Entered: 11/17/1995)
11/20/1995	53	MEMORANDUM IN SUPPORT by plaintiff Robert L. Richerson of Motion for Partial Summary Judgment; (No Motion for Partial Summary Judgment filed as of this date) regarding Joint Stipulations [52-1] (1993 Executive Summaries filed in separate volume) (DC) (Entered: 11/22/1995)
11/20/1995	54	PRETRIAL MEMORANDA by defendants okn Plaintiff's Post-Arraignment Strip Search Claim (DC) (Entered: 11/22/1995)
12/08/1995	55	ORDER by Judge Karl S. Forester trial scheduled for 12/12/95 is CONTINUED and matter will be reassigned, if necessary, following the Court's determination and ruling on parties' pretrial memoranda (cc: all counsel) (SKV) (Entered: 12/08/1995)
12/08/1995	56	RETURN OF SERVICE by plaintiff Robert L. Richerson of Subpoena in a Civil Case showing service to Ray Sabbatine by hand-delivery to Libby Cook on 12/5/95 for testimony at trial on December 12 and 13, 1995 @ 9:00 Am (SKV) Modified on 12/11/1995 (Entered: 12/11/1995)
12/08/1995	57	RETURN OF SERVICE by plaintiff Robert L. Richerson of Subpoena in a Civil Case showing service to Lt. Barry Lindsey on 12/5/95 for trial on December 12 and 13, 1995 @ 9:00 AM (SKV) (Entered: 12/11/1995)
09/30/1996	58	OPINION AND ORDER by Judge Karl S. Forester: 1) plaintiff's motion for summary judgment on plaintiff's post-arraignment strip search claim [53-1] is DENIED; 2) defendant's motion for summary judgment on plaintiff's post-arraignment strip search claim [54-1] is GRANTED; and 3) summary judgment will be entered contemporaneously w/ opinion and order in favor of dfts (cc: all counsel) (SKV) (Entered: 09/30/1996)
09/30/1996	59	JUDGMENT by Judge Karl S. Forester: 1) summary judgment is entered in favor of dfts on plaintiff's post arraignment strip search claim; 2) Court declines to exercise supplemental jurisdiction over pltf's remaining state law claims which are DISMISSED WITHOUT PREJUDICE; 3) judgment is final and appealable and no just cause for delay exists; 4) matter is STRICKEN from active docket (cc: all counsel w/ NOE) (SKV) (Entered: 09/30/1996)
02/12/2002	60	NOTICE OF DEPOSITION DESTRUCTION (SKV) (Entered: 02/12/2002)
02/19/2002	61	MAIL Returned [60-1] addressed to Christina R.L. Norris (SKV) (Entered: 03/18/2002)
03/15/2002	62	DEPOSITION DESTRUCTION CERTIFICATE (SKV) (Entered: 03/18/2002)

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