

CLOSED, ICMS, MEDIATION, REFDIS

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:96-cv-02905-TEH**

Lucas, et al v. White, et al
Assigned to: Judge Thelton E. Henderson
Referred to: Mag. Judge Bernard Zimmerman
Demand: \$1,000,000
Cause: 28:1983 Civil Rights

Date Filed: 08/13/1996
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff**Robin Lucas**

represented by **Donna Petrine**
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Plaintiff**Valerie Mercadel**

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Plaintiff

Raquel Douthit

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V.

Defendant

O. Ivan White

represented by **John H. Hemann**
U.S. Attorney's Office
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Defendant

Loy Hayes

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Defendant

Dennis Smith

represented by **John H. Hemann**
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ATTORNEY TO BE NOTICED

Defendant

Correctional Officer Gillette
TERMINATED: 10/01/1997

represented by **John H. Hemann**
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TERMINATED: 10/01/1997
LEAD ATTORNEY
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Defendant

Sheila Yarborough

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ATTORNEY TO BE NOTICED

Defendant

Wayne Ernst

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Defendant

Garfield Samuels

represented by **John H. Hemann**
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Defendant

Dr. Peter M. Carlson

Defendant

USA

represented by **Nina S. Pelletier**
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Ben Franklin Station/P.O. Box 7146
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(202) 616-4199
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Defendant

Kathleen Hawk**Defendant****Warden Constance Reese****Defendant****Margaret Harding****Defendant****L. R. Greer****Defendant****Dennis Gillette****Defendant****Charles Gillette**

Date Filed	#	Docket Text
08/13/1996	1	COMPLAINT (no process) Fee status pd entered on 8/13/96 in the amount of \$ 120.00 (Receipt No. 40305); jury demand [3:96-cv-02905] (scu, COURT STAFF) (Entered: 08/15/1996)
08/13/1996	2	ORDER RE COURT PROCEDURE and SCHEDULE (ADR Pilot) by Chief Judge Thelton E. Henderson: Proof of service to be filed by 9/27/96; counsels' case management statement to be filed by 12/9/96; initial case management conference will be held 3:00 12/17/96. (cc: all counsel) [3:96-cv-02905] (scu, COURT STAFF) (Entered: 08/15/1996)
08/15/1996		SUMMONS issued as to defendants O. Ivan White, Loy Hayes, Dennis Smith, Gillette, Sheila Yarborough, Wayne Ernst, Garfield Samuels [3:96-cv-02905] (scu, COURT STAFF) (Entered: 08/15/1996)
09/26/1996	3	RETURN OF SERVICE (Original Summons returned) executed upon defendant O. Ivan White (sub-served on Tiffany Chiu, Legal Tech.) on 8/29/96, defendant Loy Hayes (sub-served on James C. Wills) on 9/13/96, defendant Lieutenant Gillette on 9/3/96, defendant Sheila Yarborough (sub-served on James C. Wills) on 9/13/96, defendant Wayne Ernst on 9/5/96 [3:96-cv-02905] (slh, COURT STAFF) (Entered: 09/27/1996)
09/26/1996	4	PROOF OF SERVICE by Plaintiff of complaint [1-1], ADR - Multi-Option Pilot order [2-1] served upon Janet Reno [3:96-cv-02905] (slh, COURT STAFF) (Entered: 09/27/1996)
10/23/1996	5	RETURN OF SERVICE executed upon defendants O. Ivan White, Dennis Smith on 10/23/96 [3:96-cv-02905] (slh, COURT STAFF) (Entered: 10/25/1996)
11/08/1996	6	CLERK'S NOTICE of ADR phone conference set 11/26/96 9:45 a.m. [3:96-cv-02905] (ab, COURT STAFF) (Entered: 11/08/1996)

11/15/1996	7	STIPULATION and ORDER by Chief Judge Thelton E. Henderson: Case Management Statement is due 2/7/97; Case Management Conference set for 3:00 2/18/97 (cc: all counsel) [3:96-cv-02905] (slh, COURT STAFF) (Entered: 11/18/1996)
11/15/1996	8	STIPULATION and ORDER by Chief Judge Thelton E. Henderson: Mediation ADR option selected. (cc: all counsel) [3:96-cv-02905] (slh, COURT STAFF) (Entered: 11/18/1996)
11/18/1996	9	PROOF OF SERVICE by defendant of stipulation, request and scheduling order [3:96-cv-02905] (ab, COURT STAFF) (Entered: 11/20/1996)
11/27/1996	10	CLERK'S NOTICE referring case to MED program. [3:96-cv-02905] (ab, COURT STAFF) (Entered: 11/27/1996)
11/27/1996	11	CLERK'S NOTICE of appointment of mediator, Douglas R. Young [3:96-cv-02905] (ab, COURT STAFF) (Entered: 11/27/1996)
12/02/1996	12	LETTER to the Mediator dated 11/27/96 from Michael W. Bien confirming appointment of mediator and session set 12/16/96 9 a.m. [3:96-cv-02905] (ab, COURT STAFF) (Entered: 12/02/1996)
12/05/1996	13	MEDIATOR'S Letter to Counsel MED hearing will be held 9:00 12/16/96 [3:96-cv-02905] (ab, COURT STAFF) (Entered: 12/05/1996)
12/30/1996	14	ORDER by Chief Judge Thelton E. Henderson Case Management Statement is due 3/21/97 ; Mediation ADR process will conclude by 2/10/97 ; Case Management Conference set for 3:00 4/1/97; defendants to respond before 2/17/97 (Date Entered: 1/3/97) (cc: all counsel) [3:96-cv-02905] (ab, COURT STAFF) (Entered: 01/03/1997)
01/16/1997	15	CERTIFICATION OF ADR SESSION filed by neutral Mediator Douglas R. Young (ab, COURT STAFF) (Entered: 01/16/1997)
02/04/1997	16	RETURN OF SERVICE executed upon defendant Gillette on 1/24/97 and, defendant Garfield Samuels on 12/13/96 [3:96-cv-02905] (ab, COURT STAFF) (Entered: 02/05/1997)
02/07/1997		RECEIVED stipulation and proposed order re scheduling order [3:96-cv-02905] (ab, COURT STAFF) (Entered: 02/10/1997)
02/11/1997	18	STIPULATION and ORDER by Chief Judge Thelton E. Henderson : MED hearing set for 3/10/97 ; , sched. Case Management Statement is due 4/25/97 ; Case Management Conference set for 2:00 5/6/97 ; (cc: all counsel) [3:96-cv-02905] (ga, COURT STAFF) (Entered: 02/19/1997)
02/13/1997	17	CERTIFICATION OF ADR SESSION Mediation hearing held on 2/3/97, further session set for 3/10/97 filed by neutral Mediator Douglas R. Young (bt, COURT STAFF) (Entered: 02/13/1997)
03/13/1997	19	CERTIFICATION OF ADR SESSION filed by neutral Mediator Douglas R. Young. Session held on 3/10/97. another session set for April (bt, COURT STAFF) (Entered: 03/13/1997)
03/26/1997	20	STIPULATION and ORDER by Chief Judge Thelton E. Henderson : MED hearing set for 10:00 4/28/97 ; , Case Management Statement is due 6/27/97 ;

		Case Management Conference set for 3:00 7/8/97 ; (cc: all counsel) [3:96-cv-02905] (ga, COURT STAFF) (Entered: 03/31/1997)
05/14/1997	21	STIPULATION and ORDER by Chief Judge Thelton E. Henderson : extending MED deadline to 6/16/97 , Case Management Statement is due 7/28/97 ; Case Management Conference set for 3:00 8/8/97 ; , extending time to answer by 6/23/97; (cc: all counsel) [3:96-cv-02905] (ga, COURT STAFF) (Entered: 05/16/1997)
05/19/1997	22	CLERK'S NOTICE Case Management Statement is due 8/1/97 ; Case Management Conference set for 3:00 8/12/97 ; [3:96-cv-02905] (ga, COURT STAFF) (Entered: 05/20/1997)
05/27/1997	23	STIPULATION and ORDER by Chief Judge Thelton E. Henderson : to file attached document UNDER SEAL; (cc: all counsel) [3:96-cv-02905] (ga, COURT STAFF) (Entered: 05/27/1997)
05/27/1997	24	SEALED document Protective Order by USA (ga, COURT STAFF) (Entered: 05/27/1997)
06/24/1997	25	STIPULATION and ORDER by Chief Judge Thelton E. Henderson : Case Management Statement is due 9/22/97 ; Case Management Conference set for 3:00 9/30/97 ; ADR process will conclude by 7/28/97; extending time to answer by 8/11/97. (cc: all counsel) [3:96-cv-02905] (jm, COURT STAFF) (Entered: 06/24/1997)
08/06/1997	26	STIPULATION and ORDER by Chief Judge Thelton E. Henderson : The Mediation pursuant to the Alternative Dispute Resolution program shall be completed no later than 9/8/97 ; defendants shall answer by 9/22/97 ; Case Management Statement is due 10/27/97 ; Case Management Conference set for 3:00 11/4/97 ; (cc: all counsel) [3:96-cv-02905] (mcl, COURT STAFF) (Entered: 08/12/1997)
09/16/1997	27	NOTICE by Plaintiff Robin Lucas of change of address Geri Lynn, 368 Hayes Street, San Francisco, CA 94102 (415) 575-3235 [3:96-cv-02905] (ga, COURT STAFF) (Entered: 09/17/1997)
09/24/1997	28	STIPULATION and ORDER by Chief Judge Thelton E. Henderson : meet and confer re case management 12/12/97; initial disclosures 12/19/97; Case Management Statement is due 1/2/98 ; Case Management Conference set for 3:00 1/13/98 ; , extending time to answer by 11/28/97; extend MED deadline to 11/14/97 (cc: all counsel) [3:96-cv-02905] (ga, COURT STAFF) (Entered: 09/26/1997)
10/01/1997	29	AMENDED COMPLAINT [1-1] by Plaintiffs Robin Lucas, Valerie Mercadel, Raquel Douthit; jury demand ; adding Peter M. Carlson, USA, Kathleen Hawk, Constance Reese, Margaret Harding, L. R. Greer, Dennis Gillette, Charles Gillette [3:96-cv-02905] (ga, COURT STAFF) (Entered: 10/08/1997)
10/08/1997		SUMMONS issued as to defendant O. Ivan White, defendant Loy Hayes, defendant Dennis Smith, defendant Sheila Yarborough, defendant Wayne Ernst, defendant Garfield Samuels, defendant Peter M. Carlson, defendant USA, defendant Kathleen Hawk, defendant Constance Reese, defendant Margaret Harding, defendant L. R. Greer, defendant Dennis Gillette, defendant Charles

		Gillette [3:96-cv-02905] (ga, COURT STAFF) (Entered: 10/08/1997)
10/30/1997	30	RETURN OF SERVICE unexecuted - original summons [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/04/1997)
10/30/1997	31	RETURN OF SERVICE executed upon defendant Peter M. Carlson, defendant Kathleen Hawk, defendant Constance Reese, defendant Margaret Harding, defendant L. R. Greer on 10/16/97 [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/04/1997)
10/30/1997	32	RETURN OF SERVICE executed upon defendant Garfield Samuels, defendant USA on 10/6/97 [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/04/1997)
10/30/1997	33	RETURN OF SERVICE executed upon defendant Peter M. Carlson, defendant Constance Reese, defendant Margaret Harding, defendant Kathleen Hawk, defendant L. R. Greer on 10/20/97 [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/04/1997)
11/24/1997	34	STIPULATION and ORDER by Judge Thelton E. Henderson : Case Management Statement is due 3/6/98 ; Case Management Conference set for 3:00 3/13/98 ; supplemental disclosure is due 2/20/98 ; ADR process will conclude by 1/16/98 ; , extending time to answer by 1/30/98 (cc: all counsel) [3:96-cv-02905] (ga, COURT STAFF) (Entered: 12/01/1997)
11/25/1997	35	PROOF OF SERVICE by Plaintiff Robin Lucas of summons [0-0], complaint [29-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 12/05/1997)
01/30/1998	36	STIPULATION and ORDER by Judge Thelton E. Henderson : Status conference set for 3:00 3/3/98 ; vacating [34-1] Scheduling order Case Management Statement is due 3/6/98 ; Case Management Conference set for 3:00 3/13/98 ; supplemental disclosure is due 2/20/98 ; ADR process will conclude by 1/16/98 ; (cc: all counsel) [3:96-cv-02905] (ga, COURT STAFF) (Entered: 02/03/1998)
02/27/1998	37	STATUS CONFERENCE STATEMENT by Plaintiff Robin Lucas [3:96-cv-02905] (ga, COURT STAFF) (Entered: 03/03/1998)
03/04/1998	38	MINUTES: (C/R not reported) (Hearing Date: 3/3/98) Status conference held; parties report that this matter has been settled; Counsel to submit an order [3:96-cv-02905] (slh, COURT STAFF) (Entered: 03/05/1998)
03/23/1998	39	STIPULATION and ORDER by Judge Thelton E. Henderson : dismissing case with prejudice; claims for injunctive relief are dismissed without prejudice; (cc: all counsel) [3:96-cv-02905] (ga, COURT STAFF) (Entered: 03/25/1998)
04/01/1998	40	STIPULATION and ORDER by Judge Thelton E. Henderson : extending time to file motion for attorneys fees and costs for 60 days after the dismissal was entered; (cc: all counsel) [3:96-cv-02905] (ga, COURT STAFF) (Entered: 04/02/1998)
04/23/1998	41	PROTECTIVE ORDER by Judge Thelton E. Henderson : (cc: all counsel) [3:96-cv-02905] (ga, COURT STAFF) (Entered: 04/28/1998)
04/23/1998	42	NOTICE OF MOTION AND MOTION before Judge Thelton E. Henderson by Plaintiff Robin Lucas for attorney fees and costs with Notice set for 6/29/98 at 10:00am [3:96-cv-02905] (ga, COURT STAFF) (Entered: 04/28/1998)

04/23/1998	43	MEMORANDUM by Plaintiff Robin Lucas in support of motion for attorney fees and costs [42-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 04/28/1998)
04/23/1998	44	SEALED document by Plaintiff Robin Lucas (declaration of Geri L. Green) (ga, COURT STAFF) (Entered: 04/28/1998)
04/23/1998	45	SEALED document by Plaintiff Robin Lucas (declaration of Michael W. Bien) (ga, COURT STAFF) (Entered: 04/28/1998)
05/20/1998	46	NOTICE of hearing by Plaintiff Robin Lucas setting motion for attorney fees and costs [42-1] ; hearing set for 10:00 7/20/98 [3:96-cv-02905] (ga, COURT STAFF) (Entered: 05/22/1998)
06/04/1998	47	NOTICE of hearing by Plaintiff Robin Lucas setting motion for attorney fees and costs [42-1] ; hearing set for 10:00 8/3/98 [3:96-cv-02905] (ga, COURT STAFF) (Entered: 06/05/1998)
07/10/1998	48	STIPULATION and ORDER by Judge Thelton E. Henderson : referring case for settlement to Mag. Judge Bernard Zimmerman vacating [42-1] motion for attorney fees and costs pending completion of the settlement conference; (cc: all counsel) [3:96-cv-02905] (ga, COURT STAFF) (Entered: 07/15/1998)
07/23/1998	49	SCHEDULING ORDER by Mag. Judge Bernard Zimmerman : ; stlmnt conf set for 1:30 9/17/98 BZ (cc: all counsel) [3:96-cv-02905] (ga, COURT STAFF) (Entered: 07/24/1998)
09/09/1998	50	ORDER by Mag. Judge Bernard Zimmerman excusing attendance at settlement conference. (cc: all counsel) [3:96-cv-02905] (slh, COURT STAFF) (Entered: 09/16/1998)
09/18/1998	51	SETTLEMENT CONFERENCE MINUTES: (C/R JC98-22) (Hearing Date: 9/17/98) Settlement conference held [3:96-cv-02905] (ga, COURT STAFF) (Entered: 09/23/1998)
10/01/1998	52	SETTLEMENT CONFERENCE MINUTES: (C/R none) (Hearing Date: 10/1/98) case not settled; [3:96-cv-02905] (ga, COURT STAFF) (Entered: 10/08/1998)
10/07/1998	53	STIPULATION and ORDER by Judge Thelton E. Henderson : setting hearing on motion for attorney fees and costs [42-1] 12/14/98; plaintiffs to file amended motion on 11/2/98 ; opposition due 11/17/98 and reply 11/24/98; (cc: all counsel) [3:96-cv-02905] (ga, COURT STAFF) (Entered: 10/13/1998)
11/03/1998	54	NOTICE OF MOTION AND MOTION before Judge Thelton E. Henderson by Raquel Douthit, Robin Lucas, Valerie Mercadel for attorney fees, litigation expense and costs; with Notice set for 12/14/98 at 10:00am [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/04/1998)
11/03/1998	55	MEMORANDUM by Raquel Douthit, Robin Lucas, Valerie Mercadel in support of motion for attorney fees, litigation expense and costs; [54-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/04/1998)
11/03/1998	56	DECLARATION by Warren E. George re motion for attorney fees, litigation expense and costs; [54-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/04/1998)

11/03/1998	57	DECLARATION by Tony Tamburello re motion for attorney fees, litigation expense and costs; [54-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/04/1998)
11/03/1998	58	DECLARATION by Sidney M. Wolinsky re motion for attorney fees, litigation expense and costs; [54-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/04/1998)
11/03/1998	59	DECLARATION by Beth H. Parker re motion for attorney fees, litigation expense and costs; [54-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/04/1998)
11/03/1998	60	DECLARATION by Doron Weinberg re motion for attorney fees, litigation expense and costs; [54-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/04/1998)
11/03/1998	61	DECLARATION by Richard M Pearl re motion for attorney fees, litigation expense and costs; [54-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/04/1998)
11/03/1998	62	DECLARATION by Geri L. Green re motion for attorney fees, litigation expense and costs; [54-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/04/1998)
11/03/1998	63	DECLARATION by Michael W. Bien re motion for attorney fees, litigation expense and costs; [54-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/04/1998)
11/06/1998	64	NOTICE by Plaintiff Robin Lucas, Plaintiff Valerie Mercadel of change of address [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/09/1998)
11/17/1998	65	MEMORANDUM by defendant USA in opposition to motion for attorney fees, litigation expense and costs; [54-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/19/1998)
11/24/1998	66	REPLY by Plaintiff Robin Lucas, Plaintiff Valerie Mercadel re motion for attorney fees, litigation expense and costs; [54-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/30/1998)
11/24/1998	67	DECLARATION by Geri Lynn Green on behalf of Plaintiff Robin Lucas, Plaintiff Valerie Mercadel re reply [66-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/30/1998)
11/24/1998	68	DECLARATION by Michael W. Bien on behalf of Robin Lucas, Valerie Mercadel re reply [66-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 11/30/1998)
12/14/1998	69	MINUTES: (C/R Rhonda Aquilina) (Hearing Date: 12/14/98) that the motion for attorney fees, litigation expense and costs; [54-1] is submitted. [3:96-cv-02905] (RS, COURT STAFF) (Entered: 12/16/1998)
01/05/1999	70	LETTER dated 12/31/98 from USA re meet and confer [3:96-cv-02905] (ga, COURT STAFF) (Entered: 01/08/1999)
01/05/1999	71	REPLY by Plaintiff Raquel Douthit re letter [70-1] [3:96-cv-02905] (ga, COURT STAFF) (Entered: 01/08/1999)

04/14/1999	72	ORDER by Judge Thelton E. Henderson granting motion for attorney fees, litigation expense and costs; plaintiffs are awarded interim attorneys fee in the amount of \$508,898.34 and interim expenses and cost in the amount of \$34,993.52 for a total interim award of \$543,891.86 [54-1] (Date Entered: 4/16/99) (cc: all counsel) [3:96-cv-02905] (ga, COURT STAFF) (Entered: 04/16/1999)
06/11/1999	73	NOTICE OF APPEAL by defendant USA from Dist. Court decision order [72-1] Fee status ex [3:96-cv-02905] (ga, COURT STAFF) (Entered: 06/18/1999)
06/18/1999		Copy of notice of appeal and docket sheet to all counsel [3:96-cv-02905] (ga, COURT STAFF) (Entered: 06/18/1999)
06/28/1999		NOTIFICATION by Circuit Court of Appellate Docket Number 99-16279 [3:96-cv-02905] (ga, COURT STAFF) (Entered: 06/28/1999)
06/28/1999	74	TRANSCRIPT DESIGNATION and Ordering Form filed by defendant USA for dates none ordered ; ; [3:96-cv-02905] (db, COURT STAFF) (Entered: 07/02/1999)
07/01/1999	75	NOTICE by Plaintiff Valerie Mercadel of change of address to 1231 Market Street, Penthouse West, San Francisco CA 94103 , (415) 575-3235 [3:96-cv-02905] (ga, COURT STAFF) (Entered: 07/12/1999)
07/08/1999	76	TRANSCRIPT DESIGNATION and Ordering Form filed by defendant USA for dates 12/14/98 ; C/R: Rhonda Aquilina; [3:96-cv-02905] (db, COURT STAFF) (Entered: 07/14/1999)
07/29/1999	77	REPORTER'S TRANSCRIPT; Date of proceedings: 12/14/98 (C/R: Rhonda L. Aquilina) [3:96-cv-02905] (tn, COURT STAFF) (Entered: 08/05/1999)
08/05/1999		CERTIFICATE of Record mailed to USCA, counsel notified. [3:96-cv-02905] (tn, COURT STAFF) (Entered: 08/05/1999)
10/18/1999	78	CERTIFIED COPY of USCA Order: a further settlement conference will be held by telephone on 10/25/99 at 11:00am Pacific (San Francisco) time [3:96-cv-02905] (bug, COURT STAFF) (Entered: 10/22/1999)
03/15/2000	79	STIPULATION and ORDER by Judge Thelton E. Henderson : dismissing case with prejudice (cc: all counsel) [3:96-cv-02905] (db, COURT STAFF) (Entered: 03/15/2000)
03/20/2000	80	CERTIFIED COPY of USCA Order: dismissing the appeal [73-1]99-16279. Appellant's letter is construed as a motion to dismiss. The appeal is dismissed and each to bear own costs on appeal. [3:96-cv-02905] (db, COURT STAFF) (Entered: 03/22/2000)
03/22/2000	81	CLERK's letter spreading the mandate to counsel. re appeal [73-1] [3:96-cv-02905] (db, COURT STAFF) (Entered: 03/22/2000)

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04/14/2006 12:24:47			
PACER Login:	hs0328	Client Code:	
Description:	Docket Report	Search Criteria:	3:96-cv-02905-TEH
Billable Pages:	6	Cost:	0.48
