

CLOSED, KSCREC, REOPEN

**U.S. District Court
District of Hawaii - CM/ECF V3.04 (3/07) (Hawaii)
CIVIL DOCKET FOR CASE #: 1:05-cv-00378-DAE-LEK**

Walsh, et al v. Nakamatsu, et al
Assigned to: Judge David Alan Ezra
Referred to: Mag Judge Leslie E Kobayashi
Demand: \$0
Case in other court: USCA Ninth Circuit, 06-15615
USCA Ninth Circuit, 06-16280
USCA Ninth Circuit, 06-16568
Cause: 42:1983 Civil Rights (Employment Discrimination)

Date Filed: 06/09/2005
Date Terminated: 09/06/2007
Jury Demand: None
Nature of Suit: 950 Constitutional - State
Statute
Jurisdiction: Federal Question

Plaintiff

Kevin R. Walsh
*as an individual and on behalf of all others
similarly situated*

represented by **Anne L. Williams**
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Plaintiff

Blane M. Wilson
as individuals and on behalf of all others

represented by **Anne L. Williams**
(See above for address)

similarly situated

LEAD ATTORNEY
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Lois K. Perrin
(See above for address)
LEAD ATTORNEY
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Michael K. Livingston
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Plaintiff

Steven M. Annarelli

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Plaintiff

Lydia R. Hill

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Michael K. Livingston
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V.

Defendant

Kenneth Y. Nakamatsu

*Director, City and County of Honolulu
Department of Human Resources, in his
individual and official capacities
TERMINATED: 08/31/2005*

Defendant

City and County of Honolulu
a Hawaii municipal corporation

represented by **Donna M. Woo**
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Defendant

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*in his official capacity as the Attorney
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Kathleen N.A. Watanabe
*Director, State of Hawaii Department of
Human Resources Development, in her
individual and official capacities*
TERMINATED: 08/31/2005

represented by **Charleen M. Aina**
(See above for address)
TERMINATED: 08/31/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deirdre Marie-Iha
(See above for address)
TERMINATED: 08/31/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Earl Halvorson
(See above for address)
TERMINATED: 08/31/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard H. Thomason
(See above for address)

TERMINATED: 08/31/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Marie Laderta
Interim Director, State of Hawaii
Department of Human Resources
Development, in her official capacity

represented by **Charleen M. Aina**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deirdre Marie-Iha
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Richard H. Thomason
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Date Filed	#	Docket Text
06/09/2005	1	COMPLAINT for declaratory and injunctive relief and monetary damages; exhibits a-c; and Summons in a civil case (ecs) (Entered: 06/13/2005)
06/09/2005	2	ORDER by Judge David A. Ezra rule 16 conference set for 9:00 9/12/05 before Mag Judge Kevin S. Chang (ecs) (Entered: 06/13/2005)
06/09/2005		FILING FEE PAID in the amount of \$ 250.00, receipt # 229834 (ecs) (Entered: 06/13/2005)
07/06/2005	3	FIRST AMENDED COMPLAINT for declaratory relief and monetary damages; exhibits a-e; summons in a civil case [1-1] by plaintiff Kevin R. Walsh; adding Blane M. Wilson, Kathleen N.A. Watanabe (ecs) (Entered: 07/08/2005)
07/20/2005	4	ORDER of RECUSAL by Mag Judge Kevin S. Chang KSC recusing, reassigned to LEK (cc: all counsel and CRMs) (ecs) (Entered: 07/21/2005)
07/20/2005	5	RETURN OF SERVICE executed upon defendant Mark J. Bennett (Mark M. Nomura for Mark J. Bennett, in his official capacity as Atty General) on 7/6/05 (ecs) (Entered: 07/22/2005)

07/20/2005	6	RETURN OF SERVICE (First Amended) executed upon defendant Mark J. Bennett (Mark M. Nomura for Mark J. Bennett, in his official capacity as Atty General) on 7/6/05 (ecs) (Entered: 07/22/2005)
07/20/2005	7	RETURN OF SERVICE (First Amended) executed upon defendant Kathleen N.A. Watanabe, Director, Dept of Human Resources on 7/6/05 (ecs) (Entered: 07/22/2005)
07/20/2005	8	RETURN OF SERVICE executed upon defendant City and County of H (via Reid Yamashiro) on 7/6/05 (ecs) (Entered: 07/22/2005)
07/20/2005	9	RETURN OF SERVICE (First Amended) executed upon defendant City and County of H (Reid Yamashiro for City)on 7/6/05 (ecs) (Entered: 07/22/2005)
07/20/2005	10	RETURN OF SERVICE executed upon defendant Kenneth Y. Nakamatsu, Director, City and County, Dept of Human Resources on 7/6/05 (ecs) (Entered: 07/22/2005)
07/20/2005	11	RETURN OF SERVICE (First Amended) executed upon defendant Kenneth Y. Nakamatsu, Director, City and County of Honolulu, Dept of Human Resources on 7/6/05 (ecs) (Entered: 07/22/2005)
07/25/2005	12	FIRST STIPULATION and ORDER by Judge David A. Ezra on behalf of defendants extending time for filing of answer or response to first amended complaint and setting briefing schedule (emt) (Entered: 07/27/2005)
08/26/2005	13	REPORT OF PARTIES PLANNING MEETING; certificate of service - by plaintiff Kevin R. Walsh, plaintiff Blane M. Wilson (ecs) (Entered: 08/30/2005)
08/29/2005	14	STIPULATION to file second amended complaint , related dates and Order; Exhibit 1 - by Mag Judge Leslie E. Kobayashi filed by plaintiff[3-1] (ecs) (Entered: 09/01/2005)
08/31/2005	15	SECOND AMENDED COMPLAINT for declaratory and injunctive relief; exhibits a-e; summons - [3-1], [1-1] by plaintiff Kevin R. Walsh, plaintiff Blane M. Wilson terminating defendant Kathleen N.A. Watanabe, defendant Kenneth Y. Nakamatsu; adding Marie Laderta (ecs) (Entered: 09/02/2005)
09/01/2005	16	CERTIFICATE of service by plaintiff Kevin R. Walsh, plaintiff Blane M. Wilson (ecs) (Entered: 09/02/2005)
09/02/2005	17	SCHEDULING CONFERENCE STATEMENT; certificate of service - by defendant City and County of H (ecs) (Entered: 09/02/2005)
09/02/2005	18	State Defendants'SCHEDULING CONFERENCE STATEMENT; certificate of service - by defendant Mark J. Bennett, defendant Marie Laderta (ecs) (Entered: 09/07/2005)
09/02/2005	19	Plaintiffs' SCHEDULING CONFERENCE STATEMENT; certificate of service - by plaintiff Kevin R. Walsh, plaintiff Blane M. Wilson (ecs) (Entered: 09/07/2005)
09/09/2005	20	INITIAL DISCLOSURES (FRCP RULE 26); certificate of service by defendant City and County of H (ecs) (Entered: 09/13/2005)

09/09/2005	21	INITIAL DISCLOSURES pursuant to Fed. R. Civ. P. 26; certificate of service by Plaintiffs (ecs) (Entered: 09/13/2005)
09/09/2005	22	INITIAL DISCLOSURES; certificate of service by State Defendants (ecs) (Entered: 09/13/2005)
09/09/2005	23	ANSWER to second amended complaint; certificate of service - by state defendants to [15-1] (ecs) (Entered: 09/13/2005)
09/12/2005	24	EP :Rule 16 Scheduling Conference held. 1. Non-jury trial on July 18, 2006 at 9:00 a.m. before DAE 2. Final Pretrial Conference on June 6, 2006 at 9:00 a.m. before LEK 3. Final Pretrial Conference before District Judge N/A 4. Final Pretrial Statement by May 30, 2006 5. File motions to Join/Add Parties/Amend Pleadings by December 16, 2005 6. File other Non-Dispositive Motions by April 19, 2006 7. File Dispositive Motions by February 15, 2006 8a. File Motions in Limine by June 27, 2006 8b. File opposition memo to a Motion in Limine by July 5, 2006 11a. Plaintiff's Expert Witness Disclosures by January 16, 2006 11b. Defendant's Expert Witness Disclosures by February 15, 2006 12. Discovery deadline May 19, 2006 13. Settlement Conference set for February 2, 2006 at 2:00 p.m. before LEK 14. Settlement Conference statements by January 26, 2006 20. Submit Voir Dire Questions, Special Verdict Form, Concise Statement of Case and Jury Instructions by N/A 21. File Final witness list by June 27, 2006 24. Exchange Exhibit and Demonstrative aids by June 20, 2006 25. Stipulations re: Authenticity/Admissibility of Proposed Exhibits by June 27, 2006 26. File objections to the Exhibits by July 5, 2006 28a. File Deposition Excerpt Designations by June 27, 2006 28b. File Deposition Counter Designations and Objections by July 5, 2006 29. File Trial Brief by July 5, 2006 30. File Findings of Fact & Conclusions of Law by July 5, 2006 Other Matters: Status Conference/Settlement Conference set for 2:00 1/6/06, LEK. A copy of the Rule 16 Scheduling Order mailed to all parties. ; Trial set for 9:00 7/18/06 before Judge David A. Ezra , ; final pretrial conference set for 9:00 6/6/05 ; Discovery ddl set for 5/19/06 ; Motion filing ddl set for 2/15/06 ; settlement/status conference set for 2:00 1/6/06 in court hearing set for 2:00 2/2/06 ; rule 16 conference held on 9:00 9/12/05 before Mag Judge Leslie E. Kobayashi (Ct Rptr : C7-no record) JUDGE Mag Judge Leslie E. Kobayashi (ecs) (Entered: 09/14/2005)
09/12/2005	25	ANSWER to second amended complaint for declaratory and injunctive relief filed August 31, 2005; certificate of service by defendant City and County of H [15-1] (ecs) (Entered: 09/14/2005)
09/15/2005	26	EO : Continued : [Status Conference Re: ADR] from 01/06/2006 02:00:00 PM to 02/21/2006 02:00:00 PM before LEK. Stipulation to follow. (Ct Rptr :) JUDGE Mag Judge Leslie E. Kobayashi (ecs) (Entered: 09/20/2005)
09/15/2005	27	EO : Continued : [Settlement Conference] from 02/02/2006 02:00:00 PM to 03/23/2006 02:00:00 PM before LEK. Stipulation to follow. (Ct Rptr :) JUDGE Mag Judge Leslie E. Kobayashi (ecs) (Entered: 09/20/2005)
09/16/2005	28	FIRST STIPULATION regarding schedule for plaintiffs' motion for preliminary injunction and order and ORDER by Judge David A. Ezra : Mtn to be filed on or before November 3, 2005 and will be heard on December 19, 2005 9:45 am

		before DAE [14-2] ; settlement/status conference set for 2:00 2/21/06 ; In hearing set for 2:00 3/23/06 before Mag Judge Leslie E. Kobayashi (ecs) (Entered: 09/20/2005)
09/16/2005	29	RULE 16 SCHEDULING ORDER Mag Judge Leslie E. Kobayashi (cc: all counsel) (ecs) (Entered: 09/20/2005)
09/30/2005	30	CERTIFICATE of service by plaintiff Kevin R. Walsh, plaintiff Blane M. Wilson (ecs) (Entered: 10/03/2005)
10/03/2005	31	CERTIFICATE of service by plaintiff Kevin R. Walsh, plaintiff Blane M. Wilson (ecs) (Entered: 10/04/2005)
11/01/2005	32	CERTIFICATE of service by defendant City and County of H (ecs) (Entered: 11/03/2005)
11/03/2005	34	CERTIFICATE of service by defendant City and County of H, defendant Mark J. Bennett, defendant Marie Laderta (ecs) (Entered: 11/09/2005)
11/03/2005	35	NOTICE OF MOTION and motion by plaintiff Kevin R. Walsh, plaintiff Blane M. Wilson for preliminary injunction ; memorandum in support of motion for preliminary injunction; certification of Lois K. Perrin pursuant to Local Rule 7.5 (e); declaration of Lois K. Perrin, exhibits 1-23; declaration of Kevin R. Walsh (fax), exhibits 1-4; declaration of Blane M. Wilson (fax), exhibits 1-3; certificate of service - set for 9:45 12/19/05 before Judge David A. Ezra (ecs) (Entered: 11/09/2005)
11/03/2005	36	CERTIFICATE of service by defendant City and County of H, defendant Mark J. Bennett, defendant Marie Laderta (ecs) (Entered: 11/09/2005)
11/04/2005	33	CERTIFICATE of service by defendant City and County of H, defendant Mark J. Bennett, defendant Marie Laderta (ecs) (Entered: 11/09/2005)
11/07/2005	37	DISCOVERY ORDER by Mag Judge Leslie E. Kobayashi (cc: all counsel): court grants in part and denies in part plaintiffs' request to compel and the city and state defts are hereby ordered to produce pursuant to a stipulated protective order: (1) list of applicants at the time the application was made by no later than November 22, 2005, 4:00 pm (2) copies of docs responsive to pla's doc request with the applicant's personal information redacted, etc. Production of docs shall be made by later than January 23, 2006, 4:00 pmm (ecs) (Entered: 11/10/2005)
11/10/2005	38	SUBMISSION by plaintiff Kevin R. Walsh, plaintiff Blane M. Wilson of original signature of Kevin R. Walsh and Blane Wilson pursuant to local rule 10.2(e); exhibits 1-2; certificate of service [35-1] (ecs) (Entered: 11/14/2005)
11/10/2005	39	AMENDED DISCOVERY ORDER by Mag Judge Leslie E. Kobayashi re [37-1] (cc: all counsel) - The Court grants in part and denies in part plaintiffs' request to compel and the City and State defendants are hereby ordered to produce: (1) a list containing the first initial and last names of the applicants, and the city and state, or city, province and country of the applicants' home addresses at the time that the application was made by no later than November 22, 2005, 4:00pm; (2) copies of documents responsive to plaintiffs' document request with the applicants' personal information redacted. Such personal information shall include family members' names, home addresses (except as ordered by the

		Court), birth dates, social security numbers, credit card numbers, educational and professional work histories, medical information and history, drivers' licenses, financial information, income tax returns, motor vehicle registration, and voter registration records. This production of documents shall be made by no later than January 23, 2006, 4:00 pm. (emt) (Entered: 11/17/2005)
11/17/2005	40	State Defendants' motion to exceed word limits; declaration of Deirdre Marie-Iha; ORDER by Judge David A. Ezra granting State Defendant's motion to exceed work limits; certificate of service (sealed) (Entered: 11/17/2005)
11/21/2005		STATE DEFENDANTS'MEMORANDUM by defendant Mark J. Bennett, defendant Marie Laderta in opposition to plaintiffs'motion for preliminary injunction; certification of Deirdre Marie-Iha pursuant to local rule 7.5(e); declaration of Janice T. Kemp; exhibits 1-4; declaration of Mark J. Bennett declaration of Wayne M. Horie; certificate of service [35-1] (ecs) Modified on 11/22/2005 (Entered: 11/22/2005)
11/21/2005	42	MEMORANDUM by defendant City and County of H in opposition to plaintiffs' motion for preliminary injunction filed November 3, 2005; declaration of Jo-Ann K. Zukeran-Lyman; exhibits 1-3; declaration of Lois S.E. Yoshikawa; declaration of Denise C. De Costa; exhibits 1-5; declaration of Kenneth Y. Nakamatsu; certificate of service [35-1] (ecs) (Entered: 11/22/2005)
11/21/2005	41	STATE DEFENDANTS'MEMORANDUM by defendant Mark J. Bennett, defendant Marie Laderta in opposition to plaintiffs'motion for preliminary injunction [35-1]; certification of Deirdre Marie-Iha pursuant to local rule 7.5(e); declaration of Janice T. Kemp; exhibits 1-3; declaration of Mark J. Bennett; declaration of Wayne M. Horie; certificate of service (ecs) (Entered: 11/22/2005)
11/22/2005	43	CERTIFICATE of service by defendant Mark J. Bennett, defendant Marie Laderta (ecs) (Entered: 11/22/2005)
11/22/2005	44	STIPULATION and ORDER by Mag Judge Leslie E. Kobayashi : to extend time for defendants to produce lists of applicants from November 22, 2005 to December 1, 2005 : defts shall have until the morning of December 1, 2005 to hand deliver their respective lists to Plaintiffs' counsel (ecs) (Entered: 11/22/2005)
11/29/2005	45	NOTICE OF UNOPPOSED NON HEARING MOTION; plaintiffs' unopposed motion to exceed word limit for reply memorandum ; declaration of Lois K. Perrin; PROPOSED ORDER granting plaintiffs' unopposed motion to exceed work limit for reply memorandum; certificate of service - by plaintiff Kevin R. Walsh and Blane M. Wilson referred to Judge David A. Ezra (ecs) (Entered: 12/02/2005)
11/29/2005	46	ORDER by Judge David A. Ezra granting plaintiffs' unopposed motion to exceed word limit for reply memorandum [45-1] (ecs) (Entered: 12/02/2005)
11/30/2005	47	ERRATA by defendant City and County of H to defendant City and County of Honolulu's memorandum in opposition to plaintiff's motion for preliminary injunction filed November 3, 2005, filed November 21, 2005; certificate of service [35-1] (ecs) (Entered: 12/02/2005)

11/30/2005	48	EO :Plaintiffs' Motion for Preliminary Injunction Defendants' Motion to Dismiss The above motions have been continued from 12/19/2005 09:45:00 AM to 12/20/2005 09:45:00 AM before DAE cc: All counsel [35-1] (Ct Rptr :) JUDGE Judge David A. Ezra (ecs) (Entered: 12/02/2005)
12/01/2005	49	CERTIFICATE of service by defendant Mark J. Bennett, defendant Marie Laderta (ecs) (Entered: 12/02/2005)
12/02/2005	50	CERTIFICATE of service by defendant Mark J. Bennett, defendant Marie Laderta (ecs) (Entered: 12/02/2005)
12/05/2005	51	ORDER OF ENTRY: MINUTES EO: COURT ORDER:On December 2, 2005, the parties submitted the Stipulation to Seal Document and to Re-File Document with Redacted Exhibits and Order ("Stipulation"). The Court construes the Stipulation as the parties' request to have Defendant City and County of Honolulu's Memorandum in Opposition to Plaintiff's Motion for Preliminary Injunction sealed and to permit the parties to substitute a redacted document in place of the sealed document. The request is hereby DENIED.The parties may wish to consider filing a request to withdraw Exhibit 4 and to substitute it with Exhibit 4A, a redacted version of Exhibit 4. If the parties desire to do so, such a request should be made in writing and submitted to District Judge David Alan Ezra.In the event of future submissions under seal, the Court hopes that the parties will continue to be mindful of the burden imposed by Rule 26(c) - that the party seeking a protective order must make a particular showing of good cause. See Fed. R. Civ. P. 26(c). Further, [a] party asserting good cause bears the burden, for each particular document it seeks to protect, of showing that specific prejudice or harm will result if no protective order is granted. Foltz v. State Farm Mut. Auto. Ins. Co., 331 F.3d 1122, 1130 (9th Cir. 2003) (citations omitted).IT IS SO ORDERED.Cc: all counsel. Ordered by Judge LESLIE E KOBAYASHI on 12/5/05. (ecs,) Modified on 12/12/2005 to link to doc. 53(ec,). (Entered: 12/12/2005)
12/05/2005	52	MODIFIED STIPULATED CONFIDENTIALITY AGREEMENT AND ORDER. Signed by Judge LESLIE E KOBAYASHI on 12/5/05. (ecs,) (Entered: 12/12/2005)
12/05/2005	53	STIPULATION to seal document and to re-file document with redacted exhibits and AND ORDER - DENIED. DENIED by Judge LESLIE E KOBAYASHI on 12/5/05. (ecs,) (Entered: 12/12/2005)
12/05/2005	54	PLAINTIFFS' REPLY MEMORANDUM IN SUPPORT of [35] Motion for Preliminary Injunction; certification of Word Count; Supplemental Declaration of Lois K. Perrin, Exs. 1-3; Certificate of Service filed by Kevin R. Walsh, Blane M. Wilson. (ecs,) (Entered: 12/12/2005)
12/09/2005	55	MINUTES: EO Plaintiffs' Motion for Preliminary Injunction has been continued from 12/20/05 9:45 am to 1/30/06 10:30 am before DAE. cc: all counsel. - by Judge DAVID ALAN EZRA on 12/9/05. (ecs,) (Entered: 12/20/2005)
12/09/2005		Set/Reset Deadlines as to [35] Motion for Preliminary Injunction. Motion Hearing set for 1/30/2006 10:30 AM before JUDGE DAVID ALAN EZRA. (ecs,) (Entered: 12/20/2005)

12/20/2005	56	Notice of Unopposed Non-Hearing Motion; Defendant City and County of Honolulu's Unopposed Motion to Withdraw Exhibits and to substitute redacted exhibits; Declaration of Gordon D. Nelson; exhibits 1A, 1B, 1C and DC 1A; Order Granting Defendant City and County of Honolulu's Unopposed Motion to Withdraw Exhibits and Substitute Redacted Exhibits re [42]; Certificate of Service. Signed by Judge DAVID ALAN EZRA on 1/20/2005. (gab,) (Entered: 01/04/2006)
01/04/2006	57	CERTIFICATE OF SERVICE by City and County of Honolulu (ecs,) (Entered: 01/05/2006)
01/06/2006	58	STIPULATION TO EXTEND TIME FOR DEFENDANTS TO PRODUCE REDACTED APPLICANT RECORDS FROM JANUARY 23, 2006 TO FEBRUARY 22, 2006; ORDER [39] . Signed by Judge LESLIE E KOBAYASHI on 1/6/06. (ecs,) (Entered: 01/11/2006)
01/17/2006	59	EO: Settlement Conference set for 3/23/2006 02:00 PM is continued to 4/26/2006 02:00 PM before JUDGE LESLIE E KOBAYASHI. Confidential Settlement Conference Statements are now due 4/19/2006. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 01/17/2006)
01/17/2006	60	CERTIFICATE OF SERVICE by City and County of Honolulu, Mark J. Bennett, Marie Laderta (ecs,) (Entered: 01/20/2006)
01/30/2006	61	EP: Motion Hearing held on 1/30/2006 re [35] Motion for Preliminary Injunction filed by Kevin R. Walsh, Blane M. Wilson, Motions Taken Under Advisement: [35] Motion for Preliminary Injunction. (Court Reporter Cynthia Fazio.) (Judge DAVID ALAN EZRA)(tl,) (Entered: 01/30/2006)
01/30/2006	62	EO: Parties are in agreement to continue trial and all deadlines which have not expired. New trial date and deadlines given. Bench Trial set for 9/19/2006 09:00 AM before JUDGE DAVID ALAN EZRA. Final Pretrial Conference set for 8/8/2006 09:00 AM before JUDGE LESLIE E KOBAYASHI. Settlement Conference set for 6/30/2006 02:00 PM before JUDGE LESLIE E KOBAYASHI. Status Conference re: ADR set for 4/26/2006 02:00 PM before JUDGE LESLIE E KOBAYASHI. Motions due by 4/19/2006. Discovery due by 7/21/2006. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 01/30/2006)
01/30/2006	63	Rule 16 SCHEDULING ORDER:Signed by Judge LESLIE E KOBAYASHI on 1/30/06. (ecs,) (Entered: 01/30/2006)
01/30/2006		COURT'S CERTIFICATE of Service - a copy of 63 Rule 16 Scheduling Order has been served by First Class Mail to Charleen Aina, Esq.; James Earl Halvorson, Esq.; Michael K. Livingston, Esq.; Deirdre Marie-Iha, Esq.; Richard H. Thomason, Esq.; Anne L. Williams, Esq.; Donna M. Woo, Esq. at the addresses of record on 1/30/06. Registered Participants of CM/ECF received the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). (ecs,) (Entered: 01/30/2006)
01/30/2006	64	Declaration of Deirdre Marie-Iha. (Attachments: # 1 Exhibit A, # 2 Certificate of Service)(ecs) (Entered: 01/31/2006)
02/01/2006		Motions Taken Under Advisement: [35] Motion for Preliminary Injunction

		(ecs,) (Entered: 02/01/2006)
02/01/2006	65	ORDER granting Plaintiffs' Motion for Preliminary Injunction [35] . Signed by Judge DAVID ALAN EZRA on 2/1/06. (ecs,) (Entered: 02/01/2006)
02/01/2006		COURT'S CERTIFICATE of Service - a copy of 65 Order Granting Plaintiffs' Motion for Preliminary Injunction filed on 2/1/06 has been served by First Class Mail to Charleen M. Aina, Esq.; James E. Halvorson, Esq.; Michael K. Livingston, Esq.; Deirdre Marie-Iha, Esq.; Richard H. Thomason, Esq.; Anne L. Williams, Esq.; Donna M. Woo, Esq. at the addresses of record on 2/1/06. Registered Participants of CM/ECF received the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). (ecs,) (Entered: 02/01/2006)
02/02/2006	66	REQUEST Submission of Plaintiffs' [Proposed] Preliminary Injunction Order Enjoining Enforcement of HRS 78-1(c) and the Policies and Practices Based Thereon Pursuant to LR 58.2 by Kevin R. Walsh, Blane M. Wilson. (Attachments: # 1 Exhibit 1: Plaintiffs' [Proposed] Preliminary Injunction Order Enjoining Enforcement of HRS 78-1(c) and the Policies and Practices Based Thereon)(Perrin, Lois) (Entered: 02/02/2006)
02/02/2006	67	CERTIFICATE OF SERVICE by Kevin R. Walsh, Blane M. Wilson re 66 Request, <i>Pursuant to LR 58.2 of Plaintiffs' Submission of [Proposed] Preliminary Injunction Order Enjoining Enforcement of HRS 78-1(c) and the Policies and Practices Based Thereon</i> (Perrin, Lois) (Entered: 02/02/2006)
02/02/2006	68	TRANSCRIPT of Proceedings Plaintiffs' Motion for Preliminary Injunction held on 1/30/06 before Judge David Alan Ezra. Court Reporter: Cynthia Fazio. (cf@hid.uscourts.gov) (Entered: 02/02/2006)
02/09/2006	69	REQUEST PLAINTIFFS? SUBMISSION OF REVISED [PROPOSED] PRELIMINARY INJUNCTION ORDER ENJOINING ENFORCEMENT OF H.R.S. ? 78-1(c) AND THE POLICIES AND PRACTICES BASED THEREON, EXHIBIT 1 by Kevin R. Walsh, Blane M. Wilson. (Attachments: # 1 Exhibit 1: [Proposed] Preliminary Injunction Order Enjoining Enforcement of HRS 78-1(c) and the Policies and Practices Based Thereon)(Perrin, Lois) (Entered: 02/09/2006)
02/09/2006	70	CERTIFICATE OF SERVICE by Kevin R. Walsh, Blane M. Wilson re 69 Request, <i>PLAINTIFFS? SUBMISSION OF REVISED [PROPOSED] PRELIMINARY INJUNCTION ORDER ENJOINING ENFORCEMENT OF H.R.S. ? 78-1(c) AND THE POLICIES AND PRACTICES BASED THEREON, EXHIBIT 1</i> (Perrin, Lois) (Entered: 02/09/2006)
02/13/2006	71	PRELIMINARY INJUNCTION ORDER Enjoining Enforcement of H.R.S. Section 78-1(c) and the Policies and Practices Based Thereon. Signed by Judge DAVID ALAN EZRA on 2/10/06. (ecs,) (Entered: 02/13/2006)
02/13/2006		COURT'S CERTIFICATE of Service - a copy of 71 Preliminary Injunction ORDER Enjoining Enforcement of H.R.S. Section 78-1(c) and the Policies and Practices Based Thereon, has been served by First Class Mail to Charleen M. Aina/James E. Halvorson/Deirdre Marie-Iha/Richard H. Thomason; Anne L. Williams; Donna Woo at the addresses of record on 2/13/06. Registered

		Participants of CM/ECF received the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). (ecs,) (Entered: 02/13/2006)
02/17/2006	72	State Defendants' MOTION to Extend Time in Which to File NOTICE OF APPEAL as to 65 Order on Motion for Preliminary Injunction by Mark J. Bennett, Marie Laderta. (Attachments: # 1 Memorandum in Support of Motion to Extend Time in Which to File Notice of Appeal, # 2 Declaration of Deirdre Marie-Iha and Certificate of Service)(ecs,) [cc: DAE] (Entered: 02/21/2006)
02/21/2006	73	STATEMENT of No Opposition to <i>State Defendants' Motion to Extend Time in Which to File Notice of Appeal</i> filed by Kevin R. Walsh, Blane M. Wilson. (Perrin, Lois) (Entered: 02/21/2006)
02/21/2006	74	CERTIFICATE OF SERVICE by Kevin R. Walsh, Blane M. Wilson re 73 Statement of No Opposition To <i>State Defendants' Motion to Extend Time In Which To File Notice of Appeal</i> (Perrin, Lois) (Entered: 02/21/2006)
02/22/2006	76	Defendant City and County of Honolulu's STATEMENT of Non Opposition to State Defendants' 72 MOTION to Extend Time in which to file Notice of Appeal; Certificate of Service - filed by City and County of Honolulu. (ecs,) (Entered: 02/24/2006)
02/23/2006	75	ORDER granting 72 State Defendants' Motion to Extend Time in which to File Notice of Appeal as to 65 Order on Motion for Preliminary Injunction. Appeal due by 4/2/2006. Signed by Judge DAVID ALAN EZRA on 2/22/06. (ecs,) (Entered: 02/23/2006)
02/24/2006	77	STIPULATION Re: Defendants Completion of Plaintiffs' First Request for Answers to Interrogatories to Defendant Marie Laderta, First Request for Answers to Interrogatories to City and County of Honolulu, First Set of Requests for Productions of Documents and Things to Defendants Mark J. Bennett and Marie Laderta, First Set of Requests for Productions of Documents and Things to Defendant City and County of Honolulu; ORDER. Signed by Judge LESLIE E KOBAYASHI on 2/23/06. (ecs,) (Entered: 02/24/2006)
03/07/2006	78	STIPULATION TO Permit Plaintiffs to file THIRD AMENDED COMPLAINT, related dates and ORDER . Signed by Judge LESLIE E KOBAYASHI on 3/7/06. (Attachments: # 1 Exhibit 1)(ecs,)[plaintiff shall file and serve Third Amended Complaint within 5 business days after the filing of this ORDER] (Entered: 03/08/2006)
03/13/2006	79	AMENDED COMPLAINT <i>THIRD</i> against City and County of Honolulu, Mark J. Bennett, Marie Laderta, filed by Kevin R. Walsh, Blane M. Wilson. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Errata D# 5 Exhibit E# 6 Exhibit F# 7 Exhibit G# 8 Exhibit H)(Perrin, Lois) (Entered: 03/13/2006)
03/13/2006	80	CERTIFICATE OF SERVICE by Kevin R. Walsh, Blane M. Wilson re 79 Amended Complaint, <i>Third</i> (Perrin, Lois) (Entered: 03/13/2006)
03/29/2006	92	STIPULATED FACTS 77 by City and County of Honolulu, Mark J. Bennett, Marie Laderta. (Attachments: # 1 Exhibit A1# 2 Exhibit A2# 3 Exhibit A3# 4 Exhibit A4# 5 Exhibit A5# 6 Exhibit A6# 7 Exhibit A7# 8 Exhibit A8# 9 Exhibit

		B1# 10 Exhibit B2) NOTE: Additional Exhibits B3 - B5, C1, D1 - D8 - See next document (ecs,) (Entered: 04/03/2006)
03/29/2006	93	Additional Exhibits to 92 Stipulated Facts, filed by City and County of Honolulu, Mark J. Bennett, Marie Laderta. (Attachments: # 1 Exhibit B3, # 2 Exhibit B4, # 3 Exhibit B5, # 4 Exhibit C1, # 5 Exhibit D1, # 6 Exhibit D2, # 7 Exhibit D3, # 8 Exhibit D4 # 9 Exhibit D5, # 10 Exhibit D6, # 11 Exhibit D7, # 12 Exhibit D8)(ecs,) (Entered: 04/03/2006)
03/30/2006	81	MOTION for Partial Summary Judgment <i>and for Entry of Permanent Injunction</i> by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson. (Attachments: # 1 Memorandum in Support of Motion for Partial Summary Judgment and for Entry of a Permanent Injunction# 2 Declaration [Certification] of Lois K. Perrin Pursuant to L.R. 7.5(e))(Perrin, Lois) (Entered: 03/30/2006)
03/30/2006	82	MOTION to Certify Class <i>and Subclass</i> by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson. (Attachments: # 1 Memorandum in Support of Motion for Certification of Class and Subclass)(Perrin, Lois) (Entered: 03/30/2006)
03/30/2006	83	CONCISE STATEMENT in Support re 81 MOTION for Partial Summary Judgment <i>and for Entry of Permanent Injunction</i> filed by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson. (Attachments: # 1 Declaration Certification of Lois K. Perrin Pursuant to Local Rules 7.5(e) and 56.1(d)# 2 Declaration Steven M. Annarelli# 3 Exhibit 1 Annarelli# 4 Exhibit 2 Annarelli# 5 Exhibit 3 Annarelli# 6 Exhibit 4 Annarelli# 7 Declaration Kat Brady# 8 Declaration Lydia R. Hill# 9 Exhibit 1 Hill# 10 Declaration Lois K. Perrin# 11 Exhibit 1 Perrin# 12 Exhibit 2 Perrin# 13 Exhibit 3 Perrin# 14 Exhibit 4 Perrin# 15 Exhibit 5 Perrin# 16 Exhibit 6 Perrin# 17 Exhibit 7 Perrin# 18 Exhibit 8 Perrin# 19 Exhibit 9 Perrin# 20 Exhibit 10 Perrin# 21 Exhibit 11 Perrin# 22 Exhibit 12 Perrin# 23 Exhibit 13 Perrin# 24 Exhibit 14 Perrin# 25 Exhibit 15 Perrin# 26 Exhibit 16 Perrin# 27 Exhibit 17 Perrin# 28 Exhibit 18 Perrin# 29 Declaration Kevin R. Walsh# 30 Exhibit 1 Walsh# 31 Exhibit 2 Walsh# 32 Exhibit 3 Walsh# 33 Exhibit 4 Walsh# 34 Declaration Anne Williams# 35 Declaration Blane M. Wilson# 36 Exhibit 1 Wilson# 37 Exhibit 2 Wilson# 38 Exhibit 3 Wilson)(Perrin, Lois) (Entered: 03/30/2006)
03/30/2006	84	CERTIFICATE OF SERVICE by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson re 83 Concise Statement in Support of Motion,,,,, 81 MOTION for Partial Summary Judgment <i>and for Entry of Permanent Injunction</i> , 82 MOTION to Certify Class <i>and Subclass</i> (Perrin, Lois) (Entered: 03/30/2006)
03/30/2006	85	NOTICE OF APPEAL of 65 ORDER Granting Motion for Preliminary Injunction filed February 1, 2006 and 71 PRELIMINARY INJUNCTION filed February 13, 2006 - by Mark J. Bennett, Marie Laderta. Filing fee \$ 255, Receipt 234455, Received from Attorney General. (Attachments: # 1 Exhibit A, # 2 Exhibit B and Certificate of Service)(ecs,) (Entered: 03/31/2006)
03/30/2006	86	MOTION for Stay Pending Appeal 85 by Mark J. Bennett, Marie Laderta. (Attachments: # 1 Memorandum in Support of State Defendants' Motion for Stay Pending Appeal, # 2 Declaration of Deirdre Marie-Iha and Certificate of Service) (ecs,) (Entered: 03/31/2006)

03/30/2006	87	State Defendants' Ex Parte MOTION to Shorten Time for hearing on 86 MOTION for Stay Pending Appeal Or in the Alternative Motion to Decide Stay without a Hearing 85 by Mark J. Bennett, Marie Laderta. (Attachments: # 1 Declaration of Deirdre Marie-Iha, # 2 [PROPOSED] Order Shortening Time for Hearing Motion for STAY Pending Appeal and Certificate of Service)(ecs,) (Entered: 03/31/2006)
03/30/2006		Filing fee: \$ 255.00, receipt number 234455 Notice of Appeal (ecs,) (Entered: 03/31/2006)
03/31/2006	88	<i>Defendant City and County of Honolulu's ANSWER to Complaint (Third Amended) for Declaratory and Injunctive Relief Filed March 13, 2006</i> by City and County of Honolulu.(Nelson, Gordon) (Entered: 03/31/2006)
03/31/2006	89	CERTIFICATE OF SERVICE by City and County of Honolulu re 88 Answer to Complaint <i>(Third Amended) for Declaratory and Injunctive Relief Filed March 13, 2006</i> (Nelson, Gordon) (Entered: 03/31/2006)
03/31/2006	91	NOTICE of Hearing on Motions' - 82 MOTION to Certify Class and Subclass and 81 MOTION for Partial Summary Judgment and for Entry of Permanent Injunction set for 5/22/2006 09:00 AM before JUDGE DAVID ALAN EZRA. (lls,) (Entered: 03/31/2006)
03/31/2006	95	State Defendants' ANSWER to Third Amended Complaint; Certificate of Service by City and County of Honolulu, Mark J. Bennett, Marie Laderta.(ecs,) (Entered: 04/04/2006)
03/31/2006	96	TRANSCRIPT REQUEST by City and County of Honolulu, Mark J. Bennett, Marie Laderta for proceedings held on 1/30/06, Cynthia Fazio, before Judge David Alan Ezra, re 85 Notice of Appeal, Transcript due by 4/10/2006, expedited. (ecs,) (Entered: 04/04/2006)
04/03/2006		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 85 Notice of Appeal, (lmg,) (Entered: 04/03/2006)
04/05/2006	97	MEMORANDUM in Opposition to <i>State Defendants' Motion for Stay Pending Appeal</i> filed by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson. (Attachments: # 1 Declaration Lois K. Perrin# 2 Exhibit 1# 3 Exhibit 2) (Perrin, Lois) (Entered: 04/05/2006)
04/05/2006	98	CERTIFICATE OF SERVICE by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson re 97 Memorandum in Opposition to Motion, (Perrin, Lois) (Entered: 04/05/2006)
04/05/2006	99	MOTION to Amend/Correct 81 MOTION for Partial Summary Judgment <i>and for Entry of Permanent Injunction</i> by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson. (Attachments: # 1 Memorandum In Support of Amended Motion for Summary Judgment and for Entry of Permanent Injunction# 2 Declaration Certification of Word Count# 3 Declaration Amended Declaration of Kat Brady)(Perrin, Lois) Modified on 4/6/2006 - Note: Please refer to #101 Errata - in which a corrected copy of the Table of Contents is attached as Exhibit 1. (ecs,). (Entered: 04/05/2006)
04/05/2006	100	CERTIFICATE OF SERVICE by Steven M. Annarelli, Lydia R. Hill, Kevin R.

		Walsh, Blane M. Wilson re 99 MOTION to Amend/Correct 81 MOTION for Partial Summary Judgment <i>and for Entry of Permanent Injunction</i> (Perrin, Lois) (Entered: 04/05/2006)
04/05/2006	101	Errata re 99 MOTION to Amend/Correct 81 MOTION for Partial Summary Judgment <i>and for Entry of Permanent Injunction</i> . (Attachments: # 1 Exhibit Table of Contents)(Perrin, Lois) (Entered: 04/05/2006)
04/05/2006	102	CERTIFICATE OF SERVICE by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson re 101 Errata (Perrin, Lois) (Entered: 04/05/2006)
04/06/2006	103	NOTICE of Hearing on Motion- 99 -MOTION to Amend/Correct 81 MOTION for Partial Summary Judgment and for Entry of Permanent Injunction set for 5/22/2006 09:00 AM before JUDGE DAVID ALAN EZRA. (lls,) (Entered: 04/06/2006)
04/06/2006	104	State Defendants' WAIVER of REPLY in SUPPORT of 86 MOTION for Stay Pending Appeal 85 filed by City and County of Honolulu, Mark J. Bennett, Marie Laderta. (ecs,) (Entered: 04/07/2006)
04/07/2006	105	STIPULATION of the Parties to Dismiss Count 7 from the Third Amended Complaint; ORDER . Signed by Judge DAVID ALAN EZRA on 4/7/06. [With this dismissal, plaintiff's pending motion for summary judgment and permanent injunction scheduled to be heard on 5/22/06, is a full, and not partial motion for summary judgment](ecs,) (Entered: 04/07/2006)
04/07/2006	106	STIPULATION regarding Briefing Schedule for Plaintiffs' Motion for Summary Judgment and for a Permanent Injunction, Plaintiff's Motion for Class Certification and State Defendants' Counter-Motion for Summary Judgment; ORDER. Signed by Judge DAVID ALAN EZRA on 4/7/06. (ecs,) (Entered: 04/07/2006)
04/07/2006	107	CERTIFICATE OF SERVICE by City and County of Honolulu, Mark J. Bennett, Marie Laderta [re: First Amendment to State Defendants' First Supplemental Response to Plaintiffs' First Request for Production of Documents] (ecs,) (Entered: 04/07/2006)
04/07/2006	108	CERTIFICATE OF SERVICE by Kenneth Y. Nakamatsu, City and County of Honolulu, Mark J. Bennett [re: Frist amendment to Defendant Laderta;s First Supplemental Response to Plaintiff's First Request for Answers to Interrogatories; Amended Attachment A; Declaration of Marie Laderta] (ecs,) (Entered: 04/10/2006)
04/10/2006	109	ORDER SHORTENING TIME FOR HEARING MOTION FOR STAY PENDING APPEAL. Set Deadlines/Hearing as to 86 MOTION for Stay ; Motions terminated: 87 Ex-Parte MOTION to Shorten Time for hearing motion for Stay pending appeal. Motion Hearing set for 4/17/2006 10:30 AM before JUDGE DAVID ALAN EZRA. Signed by Judge DAVID ALAN EZRA on 4/10/06. (ecs,) (Entered: 04/10/2006)
04/10/2006		COURT'S CERTIFICATE of Service - a copy of 109 Order Shortening Time for Hearing Motion for Stay Pending Appeal, has been served by First Class Mail to the addresses of record on 4/10/06. Registered Participants of CM/ECF received

		the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). (ecs,) (Entered: 04/10/2006)
04/10/2006	110	USCA Case Number 06-15615 for 85 Notice of Appeal(ecs,) (Entered: 04/11/2006)
04/12/2006	112	Notice of WITHDRAWAL of State Defendants' pending 86 MOTION to Stay pending Appeal 85 ; Certificate of Service - filed by Mark J. Bennett, Marie Laderta, City and County of Honolulu. (ecs,) (Entered: 04/13/2006)
04/18/2006	113	Stipulation of the Parties Regarding Implementation of Preliminary Injunction Orders; ORDER 65 . Signed by Judge DAVID ALAN EZRA on 4/18/06. (ecs,) (Entered: 04/18/2006)
04/19/2006	114	State Defendants' COUNTER-MOTION for Summary Judgment - by City and County of Honolulu, Mark J. Bennett, Marie Laderta. (Attachments: # 1 Table of Contents; Table of Authorities;# 2 Memorandum in Support of State Defendants' Counter-Motion for Summary Judgment# 3 Certification of Deirdre Marie-Iha Pursuant to Local Rule 7.5(e) ; Certificate of Service)(ecs,) (Entered: 04/19/2006)
04/19/2006	115	State Defendants' Separate and Concise Statement Accompanying Counter Motion for Summary Judgment 114 filed by City and County of Honolulu, Mark J. Bennett, Marie Laderta. (Attachments: # 1 Declaration of Marie Laderta, # 2 Exhibit 1, # 3 Declaration of Deirdre Marie-Iha, # 4 Exhibit 2, # 5 Certificate of Service)(ecs,) (Entered: 04/20/2006)
04/19/2006	116	State Defendants' RESPONSE to Plaintiffs' 83 Separate and Concise Statement and Certificate of Service - filed by City and County of Honolulu, Mark J. Bennett, Marie Laderta. (ecs,) (Entered: 04/20/2006)
04/20/2006	117	Joinder re 114 MOTION for Summary Judgment filed by City and County of Honolulu,, Mark J. Bennett,, Marie Laderta, filed by City and County of Honolulu. (Attachments: # 1 Memorandum in Support of Joinder)(Nelson, Gordon) (Entered: 04/20/2006)
04/20/2006	122	RESPONSE to Plaintiffs' Separate and Concise Statement re 83 filed by City and County of Honolulu. (gls,) (Entered: 04/25/2006)
04/20/2006	123	MEMORANDUM in Opposition re 99 Amended MOTION for Summary Judgment, 81 MOTION for Partial Summary Judgment <i>and for Entry of Permanent Injunction</i> filed by City and County of Honolulu. (Attachments: # 1 Index# 2 Memorandum in Opposition# 3 Certificate of Compliance)(gls,) (Entered: 04/25/2006)
04/21/2006	118	Concise Statement in Support of <i>Joinder in State Defendants' Counter Motion for Summary Judgment</i> filed by City and County of Honolulu. (Attachments: # 1 Declaration of Jo-Ann Zukeran-Lyman# 2 Exhibit 1# 3 Exhibit 2# 4 Exhibit 3# 5 Declaration of Lois Yoshikawa# 6 Declaration of Denise De Costa# 7 Exhibit 1# 8 Exhibit 2# 9 Exhibit 3# 10 Exhibit 4# 11 Exhibit 5# 12 Declaration of Kenneth Nakamatsu)(Nelson, Gordon) (Entered: 04/21/2006)
04/21/2006	119	CERTIFICATE OF SERVICE by City and County of Honolulu re 117 Joinder <i>in State Defendants' Counter-Motion for Summary Judgment filed April 19, 2006</i>

		(Nelson, Gordon) (Entered: 04/21/2006)
04/21/2006	120	NOTICE of Hearing on Motion 114 State Defendants' COUNTER-MOTION for Summary Judgment - by City and County of Honolulu, Mark J. Bennett, Marie Laderta.: Motion Hearing set for 5/22/2006 09:00 AM before JUDGE DAVID ALAN EZRA. (tl,) (Entered: 04/21/2006)
04/21/2006	124	CERTIFICATE OF SERVICE by City and County of Honolulu (gls,) (Entered: 04/25/2006)
04/24/2006	121	EO: Status Conference Re: ADR set for 4/26/2006 at 02:00 PM before Judge Leslie E. Kobayashi is Vacated. Parties are in agreement that the above entitled action is not suitable for ADR. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 04/24/2006)
04/24/2006	125	ORDER of USCA as to 85 Notice of Appeal, filed by Mark J. Bennett,, Marie Laderta, This appeal is DISMISSED (gls,) (Entered: 04/25/2006)
04/26/2006	126	MEMORANDUM in Support re 99 MOTION to Amend/Correct 81 MOTION for Partial Summary Judgment <i>and for Entry of Permanent Injunction and In Opposition to Defendants Counter-Motion for Summary Judgment</i> filed by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson. (Attachments: # 1 Declaration A Gardner# 2 Exhibit 1# 3 Exhibit 2# 4 Exhibit 3# 5 Exhibit 4# 6 Exhibit 5# 7 Exhibit 6# 8 Exhibit 7# 9 Exhibit 8# 10 Exhibit 9# 11 Exhibit 10# 12 Exhibit 11# 13 Exhibit 12# 14 Declaration Certification of Word Count)(Perrin, Lois) (Entered: 04/26/2006)
04/26/2006	127	CERTIFICATE OF SERVICE by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson re 126 Memorandum in Support of Motion,, (Perrin, Lois) (Entered: 04/26/2006)
04/26/2006	128	RESPONSE re 118 Concise Statement in Opposition, Concise Statement in Support,, filed by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson. (Perrin, Lois) (Entered: 04/26/2006)
04/26/2006	129	RESPONSE re 115 Concise Statement in Opposition, Concise Statement in Support,, filed by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson. (Perrin, Lois) (Entered: 04/26/2006)
04/27/2006		CORRECTIVE ENTRY. The entry docket number 126 Memorandum in Support of Motion, filed by Kevin R. Walsh, Blane M. Wilson, Steven M. Annarelli, Lydia R. Hill, was filed with a page missing. The filing party has advised the Court that they will file an Errata to the Memorandum . (ecs,) (Entered: 04/27/2006)
04/27/2006	130	Errata re 126 Memorandum in Support of Motion,, (Perrin, Lois) (Entered: 04/27/2006)
04/27/2006	131	CERTIFICATE OF SERVICE by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson re 130 Errata to Reply Memorandum in Support of Motion for Summary Judgment (Perrin, Lois) (Entered: 04/27/2006)
04/28/2006		CORRECTIVE ENTRY. The entry docket number 131 Certificate of Service filed by Kevin R. Walsh,, Blane M. Wilson,, Steven M. Annarelli,, Lydia R.

		Hill,, 130 Errata was filed incorrectly in this case. Since a User's Login and Password constitutes their Electronic Signature, the submitter of a pleading must be the signator. Ms. Perrin should not enter a pleading signed by Ms. Williams. The entries will remain; however, the filing party is cautioned to enter pleadings signed correctly in future filings.. (gls,) (Entered: 04/28/2006)
05/03/2006	132	NOTICE of Hearing on Motion: The hearing time for the following motions has been changed from 900am to 130pm on 5/22/2006 before JUDGE DAVID ALAN EZRA. 81 MOTION for Partial Summary Judgment and for Entry of Permanent Injunction by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson. 82 MOTION to Certify Class and Subclass by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson. 99 MOTION to Amend/Correct MOTION for Partial Summary Judgment and for Entry of Permanent Injunction by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson. 114 State Defendants' COUNTER-MOTION for Summary Judgment - by City and County of Honolulu, Mark J. Bennett, Marie Laderta. (tl,) (Entered: 05/03/2006)
05/04/2006	133	State Defendants' MEMORANDUM in Opposition to Plaintiffs' 82 MOTION for Class Certification filed by City and County of Honolulu, Mark J. Bennett, Marie Laderta. (Attachments: # 1 Table of Contents; Table of Authorities# 2 Memorandum in Opposition fo Plaintiff's Motion for Class Certification# 3 Certificate of Service)(ecs,) (Entered: 05/05/2006)
05/04/2006	134	Defendant City and County of Honolulu's MEMORANDUM in Opposition to Plaintiff's MOTION to Certify Class <i>and Subclass</i> , filed March 30, 2006 ; Certificate of Service 82 (ecs,) (Entered: 05/08/2006)
05/10/2006	137	State Defendants' REPLY MEMORANDUM in Support of their COUNTER MOTION for Summary Judgment 114 filed by City and County of Honolulu, Mark J. Bennett, Marie Laderta. (Attachments: # 1 Table of Contents; Table of Authorities# 2 Reply Memorandum in Support of their Counter Motion for Summary Judgment# 3 Declaration of Patti Ann S. Taketa# 4 Certificate of Service)(ecs,) (Entered: 05/13/2006)
05/11/2006	135	MOTION to Withdraw 82 MOTION to Certify Class <i>and Subclass without prejudice</i> by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson. (Perrin, Lois) (Entered: 05/11/2006)
05/11/2006	136	CERTIFICATE OF SERVICE by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson re 135 MOTION to Withdraw 82 MOTION to Certify Class <i>and Subclass without prejudice</i> (Perrin, Lois) (Entered: 05/11/2006)
05/16/2006	138	STIPULATION of the Parties Regarding Certification of Class and Appropriate Appointments AND ORDER . Signed by Judge DAVID ALAN EZRA on 5/15/06. (ecs,) (Entered: 05/16/2006)
05/17/2006	139	EO:Motions' Taken Under Advisement- 81 MOTION for Partial Summary Judgment and for Entry of Permanent Injunction, 99 MOTION to Amend/Correct 81 MOTION for Partial Summary Judgment and for Entry of Permanent Injunction and 114 MOTION for Summary Judgment set for hearing on 5/22/2006 before JUDGE DAVID EZRA have been vacated. All Counsel have agreed to have the Court rule on these Motions without Oral Argument.

		(Judge DAVID ALAN EZRA)(lls,) (Entered: 05/17/2006)
06/14/2006	141	ORDER granting Plaintiffs' 99 Motion for Summary Judgment and denying 114 Defendants' Counter Motion for Summary Judgment . Signed by Judge DAVID ALAN EZRA on 6/14/06. [Court grants Plaintiffs' Motion for Summary Judgment and Entry of Permanent Injunction and Denies Defendants' Counter Motion for Summary Judgment] (ecs,) (Entered: 06/14/2006)
06/14/2006	142	JUDGMENT in a Civil Case - by S. Beitia/Clerk, E. Sakoda/Deputy Clerk on 6/14/06. (Attachments: # 1 Rule 77, FRCP letter)(ecs,) (Entered: 06/14/2006)
06/14/2006		COURT'S CERTIFICATE of Service - a copy of 141 Order and 142 Judgment has been served by First Class Mail to the addresses of record on 6/14/06. Registered Participants of CM/ECF received the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). (ecs,) (Entered: 06/14/2006)
06/21/2006	143	SUBMISSION of Proposed Order to Judge DAVID ALAN EZRA. (Attachments: # 1 Exhibit Permanent Injunction Order)(Perrin, Lois) (Entered: 06/21/2006)
06/21/2006	144	CERTIFICATE OF SERVICE by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson re 143 Submission of Proposed Order (Perrin, Lois) (Entered: 06/21/2006)
06/23/2006	145	OBJECTION re 143 Submission of Proposed Order <i>Enjoining Enforcement of H.R.S. 78-1(c) and the Policies and Practices Based Thereon</i> filed by City and County of Honolulu. (Attachments: # 1 Exhibit 1# 2 Certificate of Service) (Nelson, Gordon) (Entered: 06/23/2006)
06/27/2006	146	MOTION for Attorney Fees by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson. (Attachments: # 1 Memorandum In Support of Motion# 2 Declaration of L. Perrin# 3 Exhibit 1# 4 Exhibit 2# 5 Exhibit 3# 6 Exhibit 4# 7 Exhibit 5# 8 Exhibit 6# 9 Exhibit 7# 10 Exhibit 8# 11 Exhibit 9# 12 Exhibit 10# 13 Declaration of A. Williams# 14 Exhibit A. Williams 1# 15 Exhibit A. Williams 2# 16 Declaration of P. Alston# 17 Exhibit P. Alston 1) (Perrin, Lois) (Entered: 06/27/2006)
06/27/2006	147	CERTIFICATE OF SERVICE by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson re 146 MOTION for Attorney Fees (Perrin, Lois) (Entered: 06/27/2006)
06/27/2006	152	State Defendants' Statement of OBJECTION to Plaintiffs' Proposed Permanent Injunction Order and [Substitute] Proposed Order (Ex.1) 143 filed by Mark J. Bennett, Marie Laderta. (Attachments: # 1 Exhibit 1# 2 Certificate of Service) (ecs,) (Entered: 06/30/2006)
06/29/2006	149	EO: Court's Order re 146 MOTION for Attorney Fees. Settlement Conference Re: Attorneys' fees, costs and expenses set for 8/3/2006 at 09:30 AM before JUDGE LESLIE E KOBAYASHI. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 06/29/2006)
06/29/2006	150	Errata re 146 MOTION for Attorney Fees. (Perrin, Lois) (Entered: 06/29/2006)

06/29/2006	151	CERTIFICATE OF SERVICE by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson re 150 Errata re Motion for Attorneys' Fees (Perrin, Lois) (Entered: 06/29/2006)
07/03/2006	153	Amended ORDER GRANTING Plaintiff's Motion for Summary Judgment and DENYING Defendant's Counter Motion for Summary Judgment 141 . Signed by Judge DAVID ALAN EZRA on 6/29/06. [Court grants Plaintiff's Motion for Summary Judgment and Entry of Permanent Injunction and denies Defendants' Counter Motion for Summary Judgment](ecs,) (Entered: 07/03/2006)
07/03/2006		COURT'S CERTIFICATE of Service - a copy of 153 AMENDED Order, has been served by First Class Mail to the addresses of record on 7/3/06. Registered Participants of CM/ECF received the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). (ecs,) (Entered: 07/03/2006)
07/07/2006	154	USCA Appeal Fees received \$ 455 receipt number 235674 re 85 Notice of Appeal, filed by Mark J. Bennett,, Marie Laderta, (ecs,) (Entered: 07/07/2006)
07/07/2006	155	NOTICE OF APPEAL as to 141 Order Granting Plaintiffs' Motion for Summary Judgment and Denying Defendant's Counter Motion for Summary Judgment, 142 Judgment in a Civil Case, 153 Amended Order Granting Plaintiffs' Motion for Summary Judgment and Denying Defendants' Counter Motion for Summmary Judgment. Filing fee \$ 455. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Certificate of Service/Representation Statement)(ecs,)(cc'd: DAE) (Entered: 07/10/2006)
07/10/2006	158	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 155 Notice of Appeal, (Rule 3(d) FRAP letter) (ecs,) Additional attachment(s) added on 7/11/2006 (ecs,). (Entered: 07/11/2006)
07/11/2006	156	SUBMISSION of Proposed Order to Judge DAVID ALAN EZRA. (Attachments: # 1 Exhibit 1)(Perrin, Lois) 141 153 Modified on 7/11/2006 (gab,). (Entered: 07/11/2006)
07/11/2006	157	CERTIFICATE OF SERVICE by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson re 156 Submission of Proposed Order (Perrin, Lois) (Entered: 07/11/2006)
07/11/2006	160	MOTION to Amend/Correct 153 Order, by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson. (Attachments: # 1 Memorandum In Support of Motion# 2 Declaration Lois K. Perrin)(Perrin, Lois) (Entered: 07/11/2006)
07/11/2006	161	CERTIFICATE OF SERVICE by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson re 160 MOTION to Amend/Correct 153 Order, (Perrin, Lois) (Entered: 07/11/2006)
07/11/2006	162	NOTICE by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson re 146 MOTION for Attorney Fees <i>Statement of Consultation</i> (Perrin, Lois) Modified on 7/12/2006 highlight text(ecs,). (Entered: 07/11/2006)
07/11/2006	163	CERTIFICATE OF SERVICE by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson re 162 Notice (Other) <i>Statement of Consultation</i> (Perrin, Lois) (Entered: 07/11/2006)

07/14/2006	164	PERMANENT INJUNCTION ORDER ENJOINING ENFORCEMENT OF H.R.S. 78-1(c) AND THE POLICIES AND PRACTICES BASED THEREON. Signed by Judge DAVID ALAN EZRA on 7/13/06. (ecs,) (Entered: 07/14/2006)
07/14/2006		COURT'S CERTIFICATE of Service - a copy of 164 Permanent Injunction ORDER has been served by First Class Mail to the addresses of record on 7/14/06. Registered Participants of CM/ECF received the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). (ecs,) (Entered: 07/14/2006)
07/20/2006	167	USCA Case Number 06-16280 for 155 Notice of Appeal,. (ecs,) (Entered: 07/28/2006)
07/21/2006	165	EO: Settlement Conference Re: Attorneys' Fees and Costs set for 8/3/2006 at 09:30 AM before Judge Leslie E. Kobayashi is Vacated.Motions terminated: 146 MOTION for Attorney Fees filed by Kevin R. Walsh,, Blane M. Wilson,, Steven M. Annarelli,, Lydia R. Hill,. Stipulation signed by the Court. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 07/21/2006)
07/24/2006	166	STIPULATION re Award of Attorneys' Fees, Costs and Expenses pursuant to 42 U.S.C. Section 1988 146 ; ORDER. Signed by Judge DAVID ALAN EZRA on 7/21/06. [Order shall designate plaintiffs as the prevailing parties in this district court proceeding and award them attorney's fees in the amount of \$133,124.15 for work performed as of the date of this stipulation, and costs and expenses in tha mount of \$2,677.79 incurred as of the date of this stipulation, for a total of \$135,801.24. Plaintiff shall not file a Bill of Costs pursuant to FRCP 54 or Local Rule 54.2, or seek any other award or reimbursement for fees, costs or expenses incurred in the district court proceeding as of the date of this stipulation against defendants other than as specified herein. Nothing in this stipulation precludes defts:(a) from appealing any order or judgment granting plaintiff's motion for judgment and denying defendants' counter motion for summary judgment, or entering a permanent injunction in plaintiffs' favor and against defendants; or (b) from filing a notice of appeal from an making a motion to stay any order awarding plaintiffs fees, costs, and expenses in conjunction with an appeal on the merits under (a). (ecs,) (Entered: 07/24/2006)
08/01/2006	168	EO: Court's Order:Motions terminated: 160 MOTION to Amend/Correct 153 Order, filed by Kevin R. Walsh,, Blane M. Wilson,, Steven M. Annarelli,, Lydia R. Hill,. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 08/01/2006)
08/01/2006	169	Correspondence re: USCA Order setting Assessment Conference set for 8/31/06 (ecs,) (Entered: 08/01/2006)
08/09/2006	170	NOTICE OF APPEAL 166 , 141 - by Mark J. Bennett, Marie Laderta. Filing fee \$ 455. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Certificate of Service/Representation Statement)(emt,) (Entered: 08/10/2006)
08/09/2006	171	Filing fee: \$ 455, receipt number 236171 (emt,) (Entered: 08/10/2006)
08/09/2006	172	TRANSCRIPT Designation and Ordering Form by Mark J. Bennett, Marie Laderta for proceedings held on 1/30/06 before Judge David Alan Ezra, re 155 Notice of Appeal - re: 9CCA appeal no. 06-16280, filed 7/7/06. (emt,) (Entered: 08/09/2006)

		08/10/2006)
08/14/2006	173	SUBMISSION of Proposed Order to Judge DAVID ALAN EZRA. (Attachments: # 1 Exhibit 1)(Perrin, Lois) (Entered: 08/14/2006)
08/14/2006	174	CERTIFICATE OF SERVICE by Steven M. Annarelli, Lydia R. Hill, Kevin R. Walsh, Blane M. Wilson re 173 Submission of Proposed Order of Correction (Perrin, Lois) (Entered: 08/14/2006)
08/16/2006	175	ERRATA TO AMENDED ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND DENYING DEFENDANTS' COUNTER MOTION FOR SUMMARY JUDGMENT 153 . Signed by Judge DAVID ALAN EZRA on 8/15/06. [Court issues an errata to Footnotes 2 and 3 of its June 29, 2006 Amended Order to reflect the above facts](ecs,) (Entered: 08/16/2006)
08/16/2006		COURT'S CERTIFICATE of Service - a copy of 175 "Errata to Amended Order Granting Plaintiffs' Motion for Summary Judgment and Denying Defendants' Counter Motion for Summary Judgment" has been served by First Class Mail to the addresses of record on 8/16/06. Registered Participants of CM/ECF received the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). (ecs,) (Entered: 08/16/2006)
08/17/2006	176	Certificate of Record USCA Number: 06-16280 by A. Greaney/Deputy clerk (ecs,) (Entered: 08/23/2006)
08/25/2006	177	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals; Docket Fee Payment Notification Form re 170 Notice of Appeal (ecs,) Additional attachment(s) added on 9/1/2006 (ecs,). (Entered: 09/01/2006)
08/31/2006	178	USCA Case Number 06-16568 for 170 Notice of Appeal filed by Mark J. Bennett,, Marie Laderta,. (ecs,) (Entered: 09/05/2006)
08/31/2006	179	USCA Time Schedule Order as to 170 Notice of Appeal filed by Mark J. Bennett,, Marie Laderta,. (ecs,)(cc: Court Reporter) (Entered: 09/05/2006)
09/05/2006	180	TRANSCRIPT Designation Form by Mark J. Bennett, Marie Laderta for proceedings held on 1/30/06 before Judge David Ezra, re 170 Notice of Appeal Please Note: Designated transcript already on file as Clerk's Docket Sheet #68. this form is filed to designate the transcript, but not to order it. (ecs) (Entered: 09/07/2006)
09/26/2006	181	Certificate of Record by A. Greaney, Deputy Clerk 9/26/06 (USCA 06-16568) (ecs,) (Entered: 09/27/2006)
08/03/2007	183	UNCERTIFIED COPY of USCA Order - "Defendants unopposed motion for vacatur due to mootness is GRANTED" 155 170 (afc) (Entered: 08/03/2007)
08/27/2007	184	CERTIFIED copy of ORDER of USCA - "Defendants' unopposed motion for vacatur due to mootness is GRANTED" 155 , 170 (afc) (Entered: 08/28/2007)
08/27/2007	185	CERTIFIED copy of USCA JUDGMENT - Judgment of the District Court is VACATED. 155 , 170 (Attachments: # 1 USCA Transmittal Sheet and Service List for service of USCA Judgment and 184 USCA Order) (afc) (Entered: 08/28/2007)

08/27/2007		COURT'S CERTIFICATE of Service - a copy of 184 the USCA Order and a copy of 185 the USCA Judgment, will be served by First Class Mail to the addresses of record on August 29, 2007. Registered Participants of CM/ECF received the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Interoffice delivery: Chambers of Judge David Alan Ezra & Courtroom Manager Theresa Lam; Interoffice delivery service on 8/28/07: Chambers of U.S. Magistrate Judge Leslie E. Kobayashi & Courtroom Manager Warren Nakamura. (afc) (Entered: 08/28/2007)
08/29/2007	186	EO: Status Conference Re: 9th CCA Judgment set for 9/17/2007 at 09:30 AM before JUDGE LESLIE E KOBAYASHI. (Judge LESLIE E KOBAYASHI) (wnn,) (Entered: 08/29/2007)
09/05/2007	187	EO: Status Conference Re: 9th CCA Judgment set for 9./17/2007 at 10:00 AM before JUDGE LESLIE E. KOBAYASHI is Vacated. Case to be terminated. (Judge LESLIE E KOBAYASHI)(wnn,) (Entered: 09/05/2007)

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