

**United States District Court
Eastern District of Wisconsin (Milwaukee)
CIVIL DOCKET FOR CASE #: 2:07-cv-00376-LA**

The Estate of Angela Enoch et al v. Tienor et al
Assigned to: Judge Lynn Adelman
Case in other court: 08-4103

USCA The Estate of Angela Enoch
12/02/08, 08-4103

Cause: 42:1983 Civil Rights Act

Plaintiff

The Estate of Angela Enoch
by Roxanne Enoch, Special Administrator

represented by **Christopher P Katers**
Gende Law Offices SC
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LEAD ATTORNEY
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Plaintiff

Ashley Enoch
*a minor by her Guardian ad Litem
Nathaniel Cade Jr.*

represented by **Christopher P Katers**
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Ian T Matyjewicz
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James J Gende , II
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Nathaniel Cade , Jr
Gonzalez Saggio & Harlan LLP
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Milwaukee, WI 53202
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Plaintiff

Amber Enoch
a minor by her Guardian ad Litem
Nathaniel Cade Jr.

represented by **Christopher P Katers**
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Ian T Matyjewicz
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Nathaniel Cade , Jr
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V.

Defendant

Patrick A Tienor, RN
Taycheedah Correctional Institution

represented by **Jody J Schmelzer**
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TERMINATED: 09/11/2007
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Court Commissioners Office
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Defendant

Judith Stemper, RN
Taycheedah Correctional Institution

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Francis X Sullivan
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TERMINATED: 09/11/2007
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Mark A Neuser
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Defendant

Jess M Gonzalez
Lieutenant

represented by **Jody J Schmelzer**
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Defendant

Lori A Amend
Sergeant

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Mark A Neuser
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Defendant

Tonya R Alexander-Krings
Correctional Officer

represented by **Jody J Schmelzer**
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Defendant

Kevin L Batterman
Sergeant

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Mark A Neuser
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Defendant

Kevin D Jones
Correctional Office

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Defendant

Barbara E Sweeney
Correctional Officer

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Defendant

Anne Boyle
Captain

represented by **Jody J Schmelzer**
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Mark A Neuser
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Defendant

Lynda Schwandt
Security Director

represented by **Jody J Schmelzer**
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Monica A Burkert Brist
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Francis X Sullivan
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Mark A Neuser
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Defendant

Deanne Schaub
Deputy Warden

represented by **Jody J Schmelzer**
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Francis X Sullivan
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Mark A Neuser
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Defendant

Ana Boatwright
Warden

represented by **Jody J Schmelzer**
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Mark A Neuser
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Defendant

Holly Meier
Health Services Unit Manager

represented by **Jody J Schmelzer**
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Monica A Burkert Brist
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Francis X Sullivan
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Mark A Neuser
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Defendant

represented by

Rose Kleman
Psychologist Supervisor

Jody J Schmelzer
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Monica A Burkert Brist
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Mark A Neuser
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Defendant

Steven Meress, MD
Supervising Physician

represented by **Jody J Schmelzer**
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Monica A Burkert Brist
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Mark A Neuser
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Defendant

Julia Reschke, MD
Consulting Psychiatrist

represented by **Jody J Schmelzer**
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Monica A Burkert Brist
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Francis X Sullivan
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TERMINATED: 09/11/2007
ATTORNEY TO BE NOTICED

Mark A Neuser
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ATTORNEY TO BE NOTICED

Defendant

James Doyle
Governor of Wisconsin
TERMINATED: 07/01/2008

represented by **Jody J Schmelzer**
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Monica A Burkert Brist
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Francis X Sullivan
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TERMINATED: 09/11/2007
ATTORNEY TO BE NOTICED

Mark A Neuser
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ATTORNEY TO BE NOTICED

Defendant

Matthew Frank
Secretary Wisconsin Department of
Corrections
TERMINATED: 07/01/2008

represented by **Jody J Schmelzer**
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Monica A Burkert Brist
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Francis X Sullivan
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TERMINATED: 09/11/2007
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Mark A Neuser
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ATTORNEY TO BE NOTICED

Defendant

James Greer
Director WDOC Bureau of Health
Services

represented by **Jody J Schmelzer**
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Monica A Burkert Brist
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Francis X Sullivan
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Mark A Neuser
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Defendant

Dr David Burnett
Medical Director

represented by **Jody J Schmelzer**
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Monica A Burkert Brist

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Francis X Sullivan
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Mark A Neuser
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Defendant

Kevin Kallas, MD
Mental Health Director

represented by **Jody J Schmelzer**
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Monica A Burkert Brist
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Francis X Sullivan
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Mark A Neuser
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Defendant

Donald Hands, PhD
Psychology Director

represented by **Jody J Schmelzer**
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Monica A Burkert Brist
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Francis X Sullivan
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Mark A Neuser
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Defendant

Helene Nelson
TERMINATED: 07/01/2008

represented by **Mark A Neuser**
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ATTORNEY TO BE NOTICED

Monica A Burkert Brist
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ATTORNEY TO BE NOTICED

Guardian ad litem

Date Filed	#	Docket Text
04/23/2007	<u>1</u>	COMPLAINT (Summons(es) issued) against all defendants filed by The Estate of Angela Enoch, Ashley Enoch, Amber Enoch. Consent Forms Distributed for Magistrate Judge A.E. Goodstein. Jury Demand; (Filing Fee Paid \$350 receipt#102130483).(jv) Document added on 5/1/2007 (bet) (Entered: 04/24/2007)
05/01/2007	<u>2</u>	PDF Document Requirement form sent to James J. Gende, II regarding Complaint with attachments filed on 4/23/07 (Second Notice). (jld)
05/01/2007	<u>3</u>	Docket Annotation ; Second reminder to file the certificate of interest sent to Attorney James J. Gende, II. (jld)
05/01/2007	<u>4</u>	Consent to Jurisdiction by US Magistrate Judge by all plaintiffs. (Gende, James)
05/02/2007	<u>5</u>	Amended Consent to Jurisdiction by US Magistrate Judge by all plaintiffs. (Gende, James)
06/25/2007	<u>6</u>	<i>Defendants'</i> ANSWER to Complaint with Jury Demand by Jess M Gonzalez, Lori A Amend, Kevin L Batterman, Kevin D Jones, Barbara E Sweeney, Anne Boyle, Lynda Schwandt, Deanne Schaub, Ana Boatwright, Holly Meier, Rose Kleman, Steven Meress, Julia Reschke, MD, James Doyle, Matthew Frank, James Greer, David Burnett, Kevin Kallas, Donald Hands, Patrick A Tienor, RN, Judith Stemper, RN. (Attachments: # <u>1</u>)(Sullivan, Francis)
07/25/2007	<u>7</u>	LETTER from deputy clerk to Asst. A.G. Francis X. Sullivan regarding magistrate judge consent/refusal form (vlh)
07/27/2007	<u>8</u>	Refusal to Jurisdiction by US Magistrate Judge by all defendants. (Attachments: # <u>1</u> Certificate of Service)(Sullivan, Francis)
08/08/2007	<u>9</u>	CERTIFICATE of Interest by all plaintiffs. (Gende, James)
08/08/2007	<u>10</u>	NOTICE of Hearing: Federal Rule of Civil Procedure 16(b) Telephonic Scheduling Conference set for 10/11/2007 09:30 AM before Chief Judge Rudolph T Randa. (cc: all counsel) (Zik, Linda)
08/15/2007	<u>11</u>	SUMMONS Returned Executed by all plaintiffs. Tonya R Alexander-Krings served on 7/27/2007, answer due 8/16/2007. (Gende, James)
08/16/2007	<u>12</u>	ANSWER to Complaint with Jury Demand by Tonya R Alexander-Krings. (Attachments: # <u>1</u> Certificate of Service)(Sullivan, Francis)
09/11/2007	<u>13</u>	LETTER from Monica Burkert-Brist <i>requesting removal of Frank X. Sullivan's name and replacing with my name.</i> (Attachments: # <u>1</u> Certificate of Service)(Burkert Brist, Monica)
09/11/2007	<u>14</u>	LETTER from Monica Burkert-Brist <i>to request that Jody J. Schmelzer's name be added to this case.</i> (Attachments: # <u>1</u> Certificate of Service)(Burkert Brist, Monica)
10/01/2007	<u>15</u>	PROPOSED Proposed Scheduling Order filed by all plaintiffs. (Gende, James)
10/11/2007	<u>16</u>	Minute Entry for proceedings held before Judge Rudolph T Randa: Telephonic Scheduling Conference held on 10/11/2007. Amended Pleadings due by 1/31/2008. Plaintiffs Expert Witness List due by 1/31/2008. Defendants Expert Witness List due by 3/31/2008. Lay Discovery due by 5/31/2008. Expert Discovery due 6/15/2008. Dispositive Motions due by 7/1/2008. Telephonic Final Pretrial Conference set for 1/23/2009 10:00 AM before Chief Judge Rudolph T Randa. 2-week Jury Trial set for 2/17/2009 09:00 AM in Courtroom 320 before Chief Judge Rudolph T Randa. (Randa, Rudolph) (Entered: 10/12/2007)
10/12/2007	<u>17</u>	SCHEDULING ORDER: signed by Judge Rudolph T Randa on 10/12/2007. See Hearing Minutes above. (cc: all counsel) (Randa, Rudolph)

12/10/2007	<u>18</u>	MOTION for Protective Order <i>Stipulated</i> by all parties. (Attachments: # <u>1</u> Certificate of Service)(Burkert Brist, Monica)
12/10/2007	<u>19</u>	Docket Annotation – E-mail sent to Asst. A.G. Monica Burkert-Brist regarding entry at no. 18. (vlh)
12/10/2007	<u>20</u>	STIPULATED PROTECTIVE ORDER signed by Judge Rudolph T Randa on December 10, 2007. (cc: all counsel)(Randa, Rudolph) (Entered: 12/12/2007)
12/28/2007	<u>21</u>	MOTION for Protective Order <i>Disallowing Certain Discovery</i> by all defendants. (Burkert Brist, Monica)
12/28/2007	<u>22</u>	BRIEF in Support filed by all defendants re <u>21</u> MOTION for Protective Order <i>Disallowing Certain Discovery Regarding Production of Mortality Review Report</i> . (Burkert Brist, Monica)
12/28/2007	<u>23</u>	AFFIDAVIT of Kevin Kallas. (Attachments: # <u>1</u> Exhibit)(Burkert Brist, Monica)
12/28/2007	<u>24</u>	CERTIFICATE OF SERVICE by all defendants <i>for the Defendants' Motion for a Protective Order Disallowing Certain Discovery, Defendants' Brief in Support of Their Motion for a Protective Order Regarding Production of Mortality Review Report, and the Affidavit of Kevin Kallas</i> (Burkert Brist, Monica)
12/28/2007	<u>25</u>	AMENDED COMPLAINT against all defendants filed by The Estate of Angela Enoch, Ashley Enoch, Amber Enoch. Jury Demand.(Gende, James)
12/28/2007	<u>26</u>	CERTIFICATE OF SERVICE by all plaintiffs <i>for Amended Complaint</i> (Gende, James)
01/07/2008	<u>27</u>	MOTION for More Definite Statement <i>As To Amended Complaint</i> by all defendants. (Burkert Brist, Monica)
01/07/2008	<u>28</u>	AFFIDAVIT of Monica Burkert-Brist. (Burkert Brist, Monica)
01/07/2008	<u>29</u>	CERTIFICATE OF SERVICE by all defendants <i>for Defendants' Motion For A More Definite Statement As To Amended Complaint and the Affidavit of Monica Burkert-Brist</i> (Burkert Brist, Monica)
01/07/2008	<u>30</u>	AMENDED COMPLAINT against all defendants filed by The Estate of Angela Enoch, Ashley Enoch, Amber Enoch. Jury Demand. (Attachments: # <u>1</u> Exhibit Exhibit to Amended Complaint# <u>2</u> Letter Cover Letter to Amended Complaint# <u>3</u> Certificate of Service Certificate of Service)(Gende, James)
01/09/2008	<u>31</u>	BRIEF in Opposition filed by all plaintiffs re <u>21</u> MOTION for Protective Order <i>Disallowing Certain Discovery</i> . (Attachments: # <u>1</u> Affidavit of James J. Gende II in Opposition to Defendants' Motion for a Protective Order# <u>2</u> Exhibit A to Affidavit of James J. Gende II in Opposition to Defendants' Motion for a Protective Order# <u>3</u> Certificate of Service Brief in Opposition and Affidavit with Exhibit)(Gende, James)
01/15/2008	<u>32</u>	REPLY BRIEF in Support filed by all defendants re <u>21</u> MOTION for Protective Order <i>Disallowing Certain Discovery Regarding Production of Mortality Review Report</i> . (Burkert Brist, Monica)
01/15/2008	<u>33</u>	Reply AFFIDAVIT of Monica Burkert-Brist <i>Regarding Mortality Review Documents</i> . (Attachments: # <u>1</u> Exhibit A)(Burkert Brist, Monica)
01/15/2008	<u>34</u>	CERTIFICATE OF SERVICE by all defendants <i>for Defendants' Reply Brief in Support of Their Motion for a Protective Order Regarding Production of Mortality Review Report and the Reply Affidavit of Monica Burkert-Brist Regarding Mortality Review Documents</i> (Burkert Brist, Monica)
01/17/2008	<u>35</u>	<i>Defendants'</i> ANSWER to Amended Complaint with Jury Demand by Jess M Gonzalez, Lori A Amend, Tonya R Alexander-Krings, Kevin L Batterman, Kevin D Jones, Barbara E Sweeney, Anne Boyle, Lynda Schwandt, Deanne Schaub, Ana Boatwright, Holly Meier, Rose Kleman, Steven Meress, MD, Julia Reschke, MD, James Greer, David Burnett, MD, Kevin Kallas, MD, Donald Hands, PhD, Patrick A Tienor, RN, Judith Stemper, RN. (Attachments: # <u>1</u> Attachment)(Burkert Brist, Monica)

01/17/2008	<u>36</u>	MOTION to Dismiss <i>Counts Six and Nine of Plaintiffs' Amended Complaint and for Dismissal of All Counts as to Defendants Doyle, Nelson and Frank</i> by all defendants. (Burkert Brist, Monica)
01/17/2008	<u>37</u>	BRIEF in Support filed by all defendants re <u>36</u> MOTION to Dismiss <i>Counts Six and Nine of Plaintiffs' Amended Complaint and for Dismissal of All Counts as to Defendants Doyle, Nelson and Frank</i> . (Burkert Brist, Monica)
01/17/2008	<u>38</u>	CERTIFICATE OF SERVICE by all defendants <i>for Defendants' Answer to Plaintiffs' Amended Complaint, (Frank, Nelson and Doyle not filers in this document) Defendants' Motion for Dismissal of Counts Six and Nine of Plaintiffs' Amended Complaint and for Dismissal of All Counts as to Defendants Doyle, Nelson and Frank, and Defendants' Brief in Support of Motion to Dismiss Portions of Amended Complaint</i> (Burkert Brist, Monica)
01/18/2008	<u>39</u>	MOTION to Stay <i>Discovery</i> by all defendants. (Burkert Brist, Monica)
01/18/2008	<u>40</u>	AFFIDAVIT of Monica Burkert-Brist <i>in Support of Motion to Stay Discovery</i> . (Burkert Brist, Monica)
01/18/2008	<u>41</u>	AFFIDAVIT of Nanette R. Scheel <i>in Support of Motion to Stay Discovery</i> . (Burkert Brist, Monica)
01/18/2008	<u>42</u>	CERTIFICATE OF SERVICE by all defendants (Burkert Brist, Monica)
01/25/2008	<u>43</u>	WAIVER OF SERVICE Returned Executed by Helene Nelson waiver sent on 1/7/2008, answer due 3/7/2008. (Attachments: # <u>1</u> Certificate of Service)(Burkert Brist, Monica)
01/25/2008	<u>44</u>	BRIEF in Opposition filed by all plaintiffs re <u>39</u> MOTION to Stay <i>Discovery</i> . (Gende, James)
01/25/2008	<u>45</u>	BRIEF [in support of plaintiffs' request for protective order] filed by all plaintiffs re <u>44</u> Brief in Opposition to Motion to Stay Discovery . (Attachments: # <u>1</u> Affidavit Affidavit of James J. Gende, II In Support of Plaintiffs Brief in Opposition to Defendants Motion to Stay Discovery and Plaintiffs Brief in Support of its Request for a Protective Order# <u>2</u> Exhibit to Affidavit of James J. Gende II# <u>3</u> Certificate of Service)(Gende, James) Modified on 1/28/2008 (vlh).
02/07/2008	<u>46</u>	BRIEF in Opposition filed by all plaintiffs re <u>36</u> MOTION to Dismiss <i>Counts Six and Nine of Plaintiffs' Amended Complaint and for Dismissal of All Counts as to Defendants Doyle, Nelson and Frank</i> . (Gende, James)
02/07/2008	<u>47</u>	AFFIDAVIT of James J. Gende, II <i>in Support of Plaintiffs' Brief in Opposition to Defendants Motion to Dismiss portions of the Amended Complaint</i> . (Attachments: # <u>1</u> Exhibit Exhibit to Affidavit of James Gende)(Gende, James)
02/07/2008	<u>48</u>	CERTIFICATE OF SERVICE by all plaintiffs (Gende, James)
02/07/2008	<u>49</u>	REPLY BRIEF in Support filed by Helene Nelson, James Doyle, Matthew Frank re <u>39</u> MOTION to Stay <i>Discovery</i> . (Burkert Brist, Monica)
02/07/2008	<u>50</u>	REPLY BRIEF in Support filed by all defendants re <u>39</u> MOTION to Stay <i>Discovery for the Purpose of Investigating Conduct of Plaintiffs' Counsel</i> . (Burkert Brist, Monica)
02/07/2008	<u>51</u>	Reply AFFIDAVIT of Monica Burkert-Brist <i>in Support of Defendants' Motion to Stay Discovery</i> . (Attachments: # <u>1</u>)(Burkert Brist, Monica)
02/07/2008	<u>52</u>	AFFIDAVIT of Tonya R. Alexander-Krings. (Burkert Brist, Monica)
02/07/2008	<u>53</u>	CERTIFICATE OF SERVICE by all defendants <i>for the Reply Brief in Support of Motion to Stay Discovery on Behalf of James Doyle, Matthew Frank and Helene Nelson, and Defendants' Reply Brief in Support of Motion to Stay Discovery for the Purpose of Investigating Conduct of Plaintiffs' Counsel and the Reply Affidavit of Monica Burkert-Brist in Support of Defendants' Motion to Stay Discovery, and the Affidavit of Tonya R. Alexander-Krings</i> (Burkert Brist, Monica)
02/08/2008	<u>54</u>	MOTION to Strike <i>Defendants' Second Reply Brief</i> by all plaintiffs. (Gende, James)

02/08/2008	<u>55</u>	BRIEF in Support filed by all plaintiffs re <u>54</u> MOTION to Strike <i>Defendants' Second Reply Brief</i> . (Gende, James)
02/08/2008	<u>56</u>	CERTIFICATE OF SERVICE by all plaintiffs (Gende, James)
02/11/2008	<u>57</u>	ORDER signed by Judge Rudolph T Randa on February 11, 2008 finding as moot <u>27</u> Motion for More Definite Statement; granting <u>39</u> Motion to Stay all discovery directed against Doyle, Frank and Nelson. Further briefing on pending motions as stated in the decision should be filed on or before February 19, 2008. (cc: all counsel) (Koll, J) (Entered: 02/12/2008)
02/18/2008	<u>58</u>	STIPULATION of Counsel Concerning Defendants' Motion to Stay Discovery Dated January 18, 2008 by Jess M Gonzalez, Lori A Amend, Tonya R Alexander-Krings, Kevin L Batterman, Kevin D Jones, Barbara E Sweeney, Helene Nelson, Anne Boyle, Lynda Schwandt, Deanne Schaub, Ana Boatwright, Holly Meier, Rose Kleman, Steven Meress, MD, Julia Reschke, MD, James Doyle, Matthew Frank, James Greer, David Burnett, MD, Kevin Kallas, MD, Donald Hands, PhD, Patrick A Tienor, RN, Judith Stemper, RN. (Burkert Brist, Monica)
02/18/2008	<u>59</u>	CERTIFICATE OF SERVICE by Jess M Gonzalez, Lori A Amend, Tonya R Alexander-Krings, Kevin L Batterman, Kevin D Jones, Barbara E Sweeney, Helene Nelson, Anne Boyle, Lynda Schwandt, Deanne Schaub, Ana Boatwright, Holly Meier, Rose Kleman, Steven Meress, MD, Julia Reschke, MD, James Doyle, Matthew Frank, James Greer, David Burnett, MD, Kevin Kallas, MD, Donald Hands, PhD, Patrick A Tienor, RN, Judith Stemper, RN (Burkert Brist, Monica)
02/20/2008		MARGIN ORDER approving stipulation of counsel concerning defendants' motion to stay discovery dated January 18, 2008. Motions terminated: <u>54</u> MOTION to Strike Defendants' Second Reply Brief <u>21</u> MOTION for Protective Order Disallowing Certain Discovery. Signed by Chief Judge Rudolph T Randa on February 19, 2008. (cc: all counsel)(Koll, J)
02/20/2008	<u>60</u>	MOTION to Withdraw Motion for a Protective Order Disallowing Certain Discovery Related to Inmate Mortality Review Records by Jess M Gonzalez, Lori A Amend, Tonya R Alexander-Krings, Kevin L Batterman, Kevin D Jones, Barbara E Sweeney, Anne Boyle, Lynda Schwandt, Deanne Schaub, Ana Boatwright, Holly Meier, Rose Kleman, Steven Meress, MD, Julia Reschke, MD, James Doyle, Matthew Frank, James Greer, David Burnett, MD, Kevin Kallas, MD, Donald Hands, PhD, Patrick A Tienor, RN, Judith Stemper, RN. (Attachments: # <u>1</u> Attachment)(Burkert Brist, Monica)
02/20/2008	<u>61</u>	CERTIFICATE OF SERVICE by Jess M Gonzalez, Lori A Amend, Tonya R Alexander-Krings, Kevin L Batterman, Kevin D Jones, Barbara E Sweeney, Anne Boyle, Lynda Schwandt, Deanne Schaub, Ana Boatwright, Holly Meier, Rose Kleman, Steven Meress, MD, Julia Reschke, MD, James Doyle, Matthew Frank, James Greer, David Burnett, MD, Kevin Kallas, MD, Donald Hands, PhD, Patrick A Tienor, RN, Judith Stemper, RN (Burkert Brist, Monica)
02/21/2008	<u>62</u>	REPLY BRIEF in Support filed by Jess M Gonzalez, Lori A Amend, Tonya R Alexander-Krings, Kevin L Batterman, Kevin D Jones, Barbara E Sweeney, Helene Nelson, Anne Boyle, Lynda Schwandt, Deanne Schaub, Ana Boatwright, Holly Meier, Rose Kleman, Steven Meress, MD, Julia Reschke, MD, James Doyle, Matthew Frank, James Greer, David Burnett, MD, Kevin Kallas, MD, Donald Hands, PhD, Patrick A Tienor, RN, Judith Stemper, RN re <u>36</u> MOTION to Dismiss Counts Six and Nine of Plaintiffs' Amended Complaint and for Dismissal of All Counts as to Defendants Doyle, Nelson and Frank. (Burkert Brist, Monica)
02/21/2008	<u>63</u>	CERTIFICATE OF SERVICE by Jess M Gonzalez, Lori A Amend, Tonya R Alexander-Krings, Kevin L Batterman, Kevin D Jones, Barbara E Sweeney, Helene Nelson, Anne Boyle, Lynda Schwandt, Deanne Schaub, Ana Boatwright, Holly Meier, Rose Kleman, Steven Meress, MD, Julia Reschke, MD, James Doyle, Matthew Frank, James Greer, David Burnett, MD, Kevin Kallas, MD, Donald Hands, PhD, Patrick A Tienor, RN, Judith Stemper, RN (Burkert Brist, Monica)
02/21/2008		MARGIN ORDER approving <u>60</u> MOTION to Withdraw Motion for a Protective Order Disallowing Certain Discovery Related to Inmate Mortality Review Records. Signed by Chief Judge Rudolph T Randa on February 21, 2008. (cc: all counsel)(Koll, J)

03/07/2008	<u>64</u>	First MOTION to Compel by The Estate of Angela Enoch, Ashley Enoch, Amber Enoch. (Attachments: # <u>1</u> Affidavit of James J. Gende, II, # <u>2</u> Exhibit to Affidavit of James J. Gende, II, # <u>3</u> Certificate of Service)(Gende, James)
03/28/2008	<u>65</u>	MOTION to Stay <i>Discovery</i> by Tonya R Alexander-Krings. (Burkert Brist, Monica)
03/28/2008	<u>66</u>	BRIEF in Opposition filed by Tonya R Alexander-Krings re <u>64</u> First MOTION to Compel, [AND IN SUPPORT OF] <u>65</u> MOTION to Stay <i>Discovery</i> . (Burkert Brist, Monica) Modified on 3/31/2008 (vlh).
03/28/2008	<u>67</u>	MOTION to Seal <i>Affidavit of Monica Burkert-Brist and Exhibits A</i> and to submit <i>Exhibit B for In Camera Inspection Only</i> by Tonya R Alexander-Krings. (Burkert Brist, Monica)
03/28/2008	<u>68</u>	PROPOSED Order to Seal Affidavit of Monica Burkert-Brist and its Exhibits A and to View Exhibit B In Camera Inspection Only filed by Tonya R Alexander-Krings. (Burkert Brist, Monica)
03/28/2008	<u>69</u>	CERTIFICATE OF SERVICE by Tonya R Alexander-Krings (Burkert Brist, Monica)
03/31/2008	<u>70</u>	Docket Annotation – E-mail regarding brief at no. 66. (vlh)
03/31/2008	<u>71</u>	Document sealed as to Tonya R Alexander-Krings. (vlh) Document unsealed on 1/5/12 per order. Modified on 1/5/2012 (kmm). (Entered: 04/01/2008)
04/10/2008	<u>72</u>	ORDER signed by Chief Judge Rudolph T Randa on April 10, 2008 granting <u>67</u> Motion to Seal. (cc: all counsel) (Koll, J)
04/11/2008	<u>73</u>	BRIEF in Support filed by all plaintiffs re <u>64</u> First MOTION to Compel. (Attachments: # <u>1</u> Affidavit Second Affidavit of James J. Gende, # <u>2</u> Exhibit Exhibit to Second Affidavit of James J. Gende, # <u>3</u> Certificate of Service Brief in Support of Plaintiffs' Motion to Compel)(Gende, James)
04/18/2008	<u>74</u>	BRIEF in Opposition filed by all plaintiffs re <u>65</u> MOTION to Stay <i>Discovery</i> . (Attachments: # <u>1</u> Certificate of Service)(Gende, James)
04/25/2008	<u>75</u>	STIPULATION of Counsel to Stay Further Briefing and Decision on Plaintiffs Motion to Compel and Defendants Motion for Protective Order by all parties. (Attachments: # <u>1</u> Letter)(Gende, James)
04/25/2008	<u>76</u>	PROPOSED filed by all parties. (Attachments: # <u>1</u> Certificate of Service)(Gende, James)
04/25/2008	<u>77</u>	Docket Annotation – E-mail regarding proposed order at docket entry 76 (vlh)
04/28/2008	<u>78</u>	ORDER REFERRING CASE to Magistrate Judge Aaron E Goodstein for mediation. Signed by Chief Judge Rudolph T Randa on April 28, 2008. (cc: all counsel)(Koll, J)
05/02/2008	<u>79</u>	ORDER REGARDING SETTLEMENT PROCEEDINGS signed by Magistrate Judge Aaron E Goodstein on 5/2/2008. Settlement Conference set for 6/3/2008 at 9:30 AM in Courtroom 254 before Magistrate Judge Aaron E Goodstein. SEE Order for all deadlines and instructions. (cc: all counsel)(Goodstein, A.)
05/05/2008	<u>80</u>	MOTION for Discovery <i>Notice of Motion and Rule 7.4 Expedited Non-Dispositive Motion Requesting Leave to Depose an Incarcerated Person</i> by all defendants. (Attachments: # <u>1</u> Certificate of Service)(Burkert Brist, Monica)
05/06/2008	<u>81</u>	First MOTION to Appoint Counsel <i>for minors</i> by Amber Enoch. (Attachments: # <u>1</u> Certificate of Service)(Gende, James)
05/08/2008	<u>82</u>	First MOTION for Leave to File <i>Amended Answer to Amended Complaint (Rule 7.4 Expedited Non-Dispositive Motion)</i> by all defendants. (Attachments: # <u>1</u> Exhibit A [Proposed Amended Answer to Amended Complaint], # <u>2</u> [Incorrect Attachment] Certificate of Service)(Burkert Brist, Monica) Modified on 5/8/2008 (vlh). (Additional attachment(s) added on 5/8/2008: # <u>3</u> Rule 7.4 Motion for Leave to Amend) (vlh).

05/09/2008		Docket Annotation – Please note correction made to docket entry 82. (vlh)
05/13/2008	<u>83</u>	RESPONSE to Motion filed by all plaintiffs re <u>82</u> First MOTION for Leave to File <i>Amended Answer to Amended Complaint (Rule 7.4 Expedited Non–Dispositive Motion)</i> First MOTION for Leave to File <i>Amended Answer to Amended Complaint (Rule 7.4 Expedited Non–Dispositive Motion)</i> . (Gende, James)
05/13/2008	<u>84</u>	AFFIDAVIT of James J. Gende <i>In opposition to defendants' motion for leave to file amended answer</i> . (Gende, James)
05/13/2008	<u>85</u>	CERTIFICATE OF SERVICE by all plaintiffs <i>Plaintiffs' Opposition to Defendant's Request for Leave to Amend Pleading, Affid. of James J. Gende II in Opposition to Amend Pleadings</i> (Gende, James)
05/13/2008	<u>86</u>	<i>Amended</i> AFFIDAVIT of James J. Gende <i>Opposing Amendments to Pleadings</i> . (Gende, James)
05/13/2008	<u>87</u>	<i>Second Amended</i> AFFIDAVIT of James J. Gende <i>opposing amendments to pleadings</i> . (Gende, James)
05/14/2008	<u>88</u>	MOTION for Leave to File <i>Reply In Support of Defendants' Rule 7.4 Expedited Non–Dispositive Motion for Leave to Amend Defendants' Answer</i> by all defendants. (Burkert Brist, Monica)
05/14/2008	<u>89</u>	REPLY BRIEF in Support filed by all defendants re <u>82</u> First MOTION for Leave to File <i>Amended Answer to Amended Complaint (Rule 7.4 Expedited Non–Dispositive Motion)</i> First MOTION for Leave to File <i>Amended Answer to Amended Complaint (Rule 7.4 Expedited Non–Dispositive Motion)</i> , <u>88</u> MOTION for Leave to File <i>Reply In Support of Defendants' Rule 7.4 Expedited Non–Dispositive Motion for Leave to Amend Defendants' Answer</i> . (Burkert Brist, Monica)
05/14/2008	<u>90</u>	CERTIFICATE OF SERVICE by all defendants <i>Regarding Documents 88 and 89</i> (Burkert Brist, Monica)
05/16/2008		MARGIN ORDER approving <u>88</u> MOTION for Leave to File <i>Reply In Support of Defendants' Rule 7.4 Expedited Non–Dispositive Motion for Leave to Amend Defendants' Answer. Signed by Chief Judge Rudolph T Randa on May 15, 2008. (cc: all counsel)</i> (Koll, J)
05/22/2008	<u>91</u>	ORDER signed by Chief Judge Rudolph T Randa on May 22, 2008 granting <u>81</u> Motion to Appoint Guardian Ad Litem. The plaintiffs should submit the names of appropriate guardian ad litem for the Court's approval (cc: all counsel) (Koll, J) (Entered: 05/27/2008)
05/22/2008	<u>92</u>	ORDER signed by Chief Judge Rudolph T Randa on May 22, 2008 granting <u>80</u> Motion for leave to depose an incarcerated person; granting <u>82</u> Motion for Leave to Amend; the Clerk of Court is directed to detach and file the defendants proposed amended answer [D. 82–3]; Defendants motion for leave to file a reply brief in support of its motion for leave to amend [D. 88] is GRANTED. (cc: all counsel) (Koll, J) (Entered: 05/27/2008)
05/22/2008	<u>93</u>	AMENDED ANSWER by Jess M Gonzalez, Lori A Amend, Tonya R Alexander–Krings, Kevin L Batterman, Kevin D Jones, Barbara E Sweeney, Anne Boyle, Lynda Schwandt, Deanne Schaub, Ana Boatwright, Holly Meier, Rose Kleman, Steven Meress, MD, Julia Reschke, MD, James Greer, David Burnett, MD, Kevin Kallas, MD, Donald Hands, PhD, Patrick A Tienor, RN, & Judith Stemper, RN to <u>30</u> Amended Complaint (vlh) (Entered: 05/28/2008)
05/28/2008		NOTICE of Hearing: (cc: all counsel) Telephone Conference set for 5/30/2008 at 2:00 PM before Magistrate Judge Aaron E Goodstein to discuss possible adjournment of 6/3 settlement conference in view of appointment of guardian ad litem. The court will initiate the call. Participating counsel shall notify chambers of a direct dial number for the telephone conference by 5/29.(Quinn, C. Deputy Clerk)
05/29/2008	<u>94</u>	Minute Entry for proceedings held before Magistrate Judge Aaron E Goodstein: Settlement Scheduling Conference held on 5/29/2008; settlement conference continued to 6/19/08 at 9:30am (vkb)

05/29/2008		Reset Hearings: Settlement Conference set for 6/19/2008 at 9:30 AM before Magistrate Judge Aaron E Goodstein (vkb)
05/29/2008	<u>95</u>	NOTICE RESCHEDULING HEARING: The Settlement Conference is adjourned to June 19, 2008, at 9:30 A.M. in view of Chief Judge Randa's Order granting appointment of guardian ad litem for mediation. (Quinn, C., Deputy Clerk)
05/30/2008	<u>96</u>	MOTION for Extension of Time to <i>Conduct Additional Discovery</i> by all plaintiffs. (Gende, James)
05/30/2008	<u>97</u>	CERTIFICATE OF SERVICE by all plaintiffs <i>Motion to Extend Discovery</i> (Gende, James)
06/04/2008	<u>98</u>	RESPONSE to Motion filed by all defendants re <u>96</u> MOTION for Extension of Time to <i>Conduct Additional Discovery</i> . (Burkert Brist, Monica)
06/04/2008	<u>99</u>	MOTION to Stay <i>Non-Stipulated Discovery and the Dispositive Motion Deadline Pending Resolution by the Court of Plaintiffs' Pending Discovery Motion</i> by all defendants. (Burkert Brist, Monica)
06/04/2008	<u>100</u>	AFFIDAVIT of Monica Burkert-Brist <i>RE: Motion to Stay Discovery and the Dispositive Motion Deadline and in Response to Plaintiffs' Pending Discovery Motion</i> . (Burkert Brist, Monica)
06/04/2008	<u>101</u>	CERTIFICATE OF SERVICE by all defendants <i>for Documents 98, 99 & 100</i> (Burkert Brist, Monica)
06/10/2008	<u>102</u>	PETITION <i>for Guardian Ad Litem</i> filed by The Estate of Angela Enoch, Ashley Enoch, Amber Enoch.(Gende, James)
06/10/2008	<u>103</u>	NOTICE by all plaintiffs <i>Consent of Guardian Ad Litem</i> (Attachments: # <u>1</u> Certificate of Service Petition and Consent of Guardian Ad Litem)(Gende, James)
06/10/2008	<u>104</u>	NOTICE by all plaintiffs <i>of Amended Consent to Appoint GAL</i> (Gende, James)
06/11/2008	<u>105</u>	ORDER granting petition to appoint guardian ad litem. Nathaniel Cade, Jr. is hereby appointed guardian ad litem for Amber and Ashley Enoch to manage the resolution of their claims. Signed by Chief Judge Rudolph T Randa on June 11, 2008. (cc: all counsel)(Koll, J)
06/11/2008		Copy of Order, <u>105</u> sent via U.S. Mail to Nathaniel Cade, Jr. (Koll, J)
06/11/2008		NOTICE TO GUARDIAN AD LITEM of Hearing: (cc: all counsel) Settlement Conference set for 6/19/2008 at 9:30 AM in Courtroom 254 before Magistrate Judge Aaron E Goodstein. The presence of the Guardian ad litem for the minor parties shall be required for mediation. (Quinn, C., Deputy Clerk)
06/11/2008	<u>106</u>	First MOTION for Leave to File <i>Amended Complaint</i> by all plaintiffs. (Gende, James)
06/11/2008	<u>107</u>	CERTIFICATE OF SERVICE by all plaintiffs <i>Rule 7.4 Expedited Non-Dispositive Motion for Leave to File Amended Complaint</i> (Gende, James)
06/12/2008	<u>108</u>	LETTER from Attorney Mark A. Neuser on behalf of Attorney Monica Burkert-Brist. (Attachments: # <u>1</u> Certificate of Service)(Neuser, Mark)
06/12/2008	<u>109</u>	LETTER from Plaintiffs <i>in Response to Defendants' Letter Request for Expedited Ruling on Discovery Motions</i> . (Gende, James)
06/12/2008	<u>110</u>	CERTIFICATE OF SERVICE by all plaintiffs <i>Responsive Letter to the Defendants' Letter Request For Expedited Ruling on Discovery Motions</i> (Gende, James)
06/12/2008	<u>111</u>	DECISION AND ORDER signed by Chief Judge Rudolph T Randa on 6/12/08 granting <u>99</u> Motion to Stay. (cc: all counsel) (cef) (Entered: 06/13/2008)
06/16/2008		NOTICE ADJOURNING SETTLEMENT CONFERENCE: (cc: all counsel) At the request of counsel for the minor parties, the Settlement Conference presently set for 6/19/2008 at 9:30 AM in Courtroom 254 before Magistrate Judge Aaron E Goodstein is ADJOURNED to a date to be determined by the court and the parties.

		(Quinn, C., Deputy Clerk)
06/16/2008	<u>112</u>	RESPONSE to Motion filed by all defendants re <u>106</u> First MOTION for Leave to File <i>Amended Complaint</i> . (Attachments: # <u>1</u> Certificate of Service)(Burkert Brist, Monica)
06/17/2008	<u>113</u>	DECISION AND ORDER signed by Chief Judge Rudolph T Randa on 6/17/08 DENYING <u>96</u> Motion for Extension of Time; DENYING <u>106</u> Motion for Leave to File. The stay of the current dispositive motion deadline <u>111</u> is LIFTED. The dispositive motion deadline is re-set to July 18, 2008. All other deadlines and scheduled dates remain in effect. (cc: all counsel) (cef)
06/17/2008		Set/Reset Deadlines: Motions due by 7/18/2008 (cef)
06/18/2008	<u>114</u>	REPLY BRIEF in Support filed by Tonya R Alexander-Krings re <u>65</u> MOTION to Stay <i>Discovery</i> . (Attachments: # <u>1</u> Certificate of Service)(Burkert Brist, Monica)
06/19/2008		NOTICE RESCHEDULING Hearing: (cc: all counsel) Settlement Conference rescheduled for 7/30/2008 at 9:30 AM in Courtroom 254 before Magistrate Judge Aaron E Goodstein. The parties' submittals have been received by the court. All other provisions of the court's Order Regarding Settlement Proceedings [Docket No.79] remain in effect. Additionally, the Guardian ad litem for the minor parties, and the personal representative for the Estate shall appear in person for the mediation.(Quinn, C., Deputy Clerk)
06/25/2008	<u>115</u>	LETTER from Attorney Mark A. Neuser <i>re: Requesting to be added as co-counsel for defendants</i> . (Attachments: # <u>1</u> Certificate of Service)(Neuser, Mark)
06/25/2008	<u>116</u>	MOTION to Dismiss <i>Plaintiffs Ashley Enoch and Amber Enoch's Claims for Loss of Society and Companionship Pursuant to Fed R Civ P 12(C)</i> by all defendants. (Neuser, Mark)
06/25/2008	<u>117</u>	BRIEF in Support filed by all defendants re <u>116</u> MOTION to Dismiss <i>Plaintiffs Ashley Enoch and Amber Enoch's Claims for Loss of Society and Companionship Pursuant to Fed R Civ P 12(C)</i> . (Neuser, Mark)
06/25/2008	<u>118</u>	CERTIFICATE OF SERVICE by all defendants <i>re: Document No: 116 &117</i> (Neuser, Mark)
07/01/2008	<u>119</u>	ORDER signed by Chief Judge Rudolph T Randa on July 1, 2008 granting <u>36</u> Motion to Dismiss; denying <u>64</u> Motion to Compel; granting <u>65</u> Motion to Stay. (cc: all counsel) (Koll, J) (Entered: 07/02/2008)
07/16/2008	<u>120</u>	BRIEF in Opposition filed by all plaintiffs re <u>116</u> MOTION to Dismiss <i>Plaintiffs Ashley Enoch and Amber Enoch's Claims for Loss of Society and Companionship Pursuant to Fed R Civ P 12(C)</i> . (Gende, James)
07/16/2008	<u>121</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>Brief in opposition to defendants' motion to dismiss loss of society and companionship claims</i> (Gende, James)
07/18/2008	<u>122</u>	LETTER from Nathaniel Cade, Jr.. (Cade, Nathaniel)
07/18/2008	<u>123</u>	MOTION for Leave to File <i>Exceed Page Limit</i> by all defendants. (Burkert Brist, Monica)
07/18/2008	<u>124</u>	MOTION for Summary Judgment by all defendants. (Burkert Brist, Monica)
07/18/2008	<u>125</u>	BRIEF in Support filed by all defendants re <u>124</u> MOTION for Summary Judgment. (Burkert Brist, Monica)
07/18/2008	<u>126</u>	Proposed Findings of Fact by all defendants (Burkert Brist, Monica)
07/18/2008	<u>127</u>	AFFIDAVIT of Betty Kruse. (Attachments: # <u>1</u> Exhibit A &B)(Burkert Brist, Monica)
07/18/2008	<u>128</u>	AFFIDAVIT of Holly Meier. (Attachments: # <u>1</u> Exhibit C - E)(Burkert Brist, Monica)

07/18/2008	<u>129</u>	AFFIDAVIT of Julia Reschke. (Attachments: # <u>1</u> Exhibit F)(Burkert Brist, Monica)
07/18/2008	<u>130</u>	AFFIDAVIT of Deanne Schaub. (Attachments: # <u>1</u> Exhibit G-R, # <u>2</u> Exhibit S part 1, # <u>3</u> Exhibit S part 2, # <u>4</u> Exhibit S part 3)(Burkert Brist, Monica)
07/18/2008	<u>131</u>	AFFIDAVIT of Monica Burkert-Brist. (Attachments: # <u>1</u> Exhibit T-V, # <u>2</u> Exhibit W, # <u>3</u> Exhibit X 1Brist, Monica)
07/18/2008	<u>132</u>	ATTACHMENTS Exhibits Y – II and remaining Exhibits to Affidavit of Monica Burkert-Brist by all defendants re <u>131</u> Affidavit. (Attachments: # <u>1</u> Exhibit JJ-MM, # <u>2</u> Exhibit NN – PP, # <u>3</u> Exhibit X 3a, # <u>4</u> Exhibit X 3b, # <u>5</u> Exhibit X 4-6, # <u>6</u> Exhibit X 7-9, # <u>7</u> Exhibit X 10, # <u>8</u> Exhibit X 11, # <u>9</u> Exhibit QQ, # <u>10</u> Exhibit RR-SS, # <u>11</u> Exhibit TT-UU, # <u>12</u> Exhibit V V)(Burkert Brist, Monica)
07/18/2008	<u>133</u>	CERTIFICATE OF SERVICE by all defendants re: <i>Documents 122–132</i> (Burkert Brist, Monica)
07/23/2008	<u>134</u>	REPLY BRIEF in Support filed by all defendants re <u>116</u> MOTION to Dismiss <i>Plaintiffs Ashley Enoch and Amber Enoch's Claims for Loss of Society and Companionship Pursuant to Fed R Civ P 12(C)</i> . (Attachments: # <u>1</u> Certificate of Service)(Neuser, Mark)
07/23/2008	<u>135</u>	MOTION for Extension of Time to <i>file Response to Summary Judgment</i> by all plaintiffs. (Gende, James)
07/23/2008	<u>136</u>	NOTICE by all plaintiffs of <i>Motion to Extend Time to Respond to Summary Judgment</i> (Gende, James)
07/23/2008	<u>137</u>	AFFIDAVIT of James J. Gende in <i>Support of Plaintiffs' Motion to Extend Time to Respond to Summary Judgment</i> . (Gende, James)
07/23/2008	<u>138</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>Motion and Notice of Motion to Extend Time to Respond to Summary Judgment, and the Affidavit of James J. Gende in Support Thereof</i> . (Gende, James)
07/24/2008	<u>139</u>	RESPONSE to Motion filed by all defendants re <u>135</u> MOTION for Extension of Time to <i>file Response to Summary Judgment</i> . (Attachments: # <u>1</u> Certificate of Service)(Neuser, Mark)
07/29/2008	<u>140</u>	MOTION to Strike <i>Undisclosed Evidence</i> by all plaintiffs. (Gende, James)
07/29/2008	<u>141</u>	BRIEF in Support filed by all plaintiffs re <u>140</u> MOTION to Strike <i>Undisclosed Evidence</i> . (Gende, James)
07/29/2008	<u>142</u>	AFFIDAVIT of James J Gende II <i>In Support of Plaintiff's Motion to Strike and Bar Undisclosed Evidence</i> . (Attachments: # <u>1</u> Exhibit to Affidavit of James J. Gende II In Support of Plaintiff's Motion to Strike and Bar Undisclosed Evidence)(Gende, James)
07/29/2008	<u>143</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>Affidavit of James J. Gende II In Support of Plaintiff's Motion to Strike and Bar Undisclosed Evidence with exhibits</i> (Gende, James)
07/29/2008	<u>144</u>	MOTION for Leave to File Excess Pages by all plaintiffs. (Attachments: # <u>1</u> Certificate of Service for Extention of Page Limits)(Gende, James)
07/29/2008	<u>145</u>	REPLY BRIEF in Support filed by all plaintiffs re <u>135</u> MOTION for Extension of Time to <i>file Response to Summary Judgment</i> . (Attachments: # <u>1</u> Affidavit of James J. Gende II In Support of Plaintiffs 56f Motion, # <u>2</u> Certificate of Service)(Gende, James)
07/30/2008	<u>146</u>	<i>Supplemental AFFIDAVIT</i> of James J. Gende in <i>Support of Plaintiffs Motion to Strike and Bar Undisclosed Evidence</i> . (Gende, James)
07/30/2008	<u>147</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>supplemental affidavit of James Gende in support of Plaintiffs Motion to Strike Undisclosed Evidence</i> (Gende, James)

07/30/2008	<u>148</u>	Minute Entry for proceedings held before Magistrate Judge Aaron E Goodstein: Settlement Conference held on 7/30/2008; parties agreed to adjourn conference with discussions still open; Judge Goodstein will continue to facilitate discussions for a brief period of time; if matter is not fully resolved the file will be returned to Judge Randa (vkb) (Entered: 08/01/2008)
07/31/2008	<u>155</u>	Minute Entry for proceedings held before Magistrate Judge Aaron E Goodstein: Settlement Conference held on 7/31/2008; parties continue settlement discussions (vkb) (Entered: 08/01/2008)
08/01/2008	<u>149</u>	MOTION for Sanctions <i>Pursuant to Rule 26(g)</i> by all plaintiffs. (Attachments: # <u>1</u> Affidavit of James J. Gende II in Support of Motion to Deem Admitted Plaintiffs' Requests for Admissions)(Gende, James)
08/01/2008	<u>150</u>	CERTIFICATE OF SERVICE by all plaintiffs <i>Plaintiffs' Motion and Brief in Support Thereof to Deem Admitted Plaintiffs' Requests for Admissions Directed to Defendant Tonya Alexander-Krings, and Affidavit of James J. Gende II in support thereof with attached exhibits</i> (Gende, James)
08/01/2008	<u>151</u>	Second MOTION to Compel by all plaintiffs. (Attachments: # <u>1</u> Affidavit of James J. Gende II in support of Plaintiffs' Second Motion to Compel)(Gende, James)
08/01/2008	<u>152</u>	CERTIFICATE OF SERVICE by all plaintiffs <i>Second Motion to Compel and Affidavit of James J. Gende II in Support Thereof, with Attachments</i> (Gende, James)
08/01/2008	<u>153</u>	ORDER RETURNING CASE signed by Magistrate Judge Aaron E Goodstein on 8/1/2008. Case no longer referred. (cc: all counsel)(Goodstein, A.)
08/01/2008	<u>154</u>	BRIEF in Opposition filed by all defendants re <u>144</u> MOTION for Leave to File Excess Pages. (Attachments: # <u>1</u> Certificate of Service)(Neuser, Mark)
08/01/2008	<u>156</u>	Minute Entry for proceedings held before Magistrate Judge Aaron E Goodstein: Settlement Conference held on 8/1/2008; parties not able to settle; case returned to Judge Randa for further proceedings (vkb)
08/04/2008	<u>157</u>	LETTER from Attorney Nathaniel Cade, Jr. as guardian ad litem. (Cade, Nathaniel) (Additional attachment(s) added on 8/6/2008: # <u>1</u> Redacted Letter) (vlh).
08/04/2008	<u>158</u>	ORDER signed by Chief Judge Rudolph T Randa on August 4, 2008 granting <u>123</u> Motion for Leave to File; granting <u>135</u> Motion for Extension of Time; granting <u>144</u> Motion for Leave to File Excess Pages. (cc: all counsel) (Koll, J)
08/04/2008	<u>159</u>	LETTER from AAG Monica Burkert-Brist. (Burkert Brist, Monica)
08/04/2008	<u>160</u>	7.4 MOTION to Strike <i>THE ENCLOSURES TO THE AUGUST 4, 2008 LETTER FROM ATTORNEY NATHANIEL CADE, JR. TO THE COURT [DKT. # 157, p. 3-10]</i> by all defendants. (Burkert Brist, Monica)
08/04/2008	<u>161</u>	CERTIFICATE OF SERVICE by all defendants <i>re: Documents 159 and 160</i> (Burkert Brist, Monica)
08/05/2008	<u>162</u>	RESPONSE to Motion filed by Nathaniel Cade, Jr as Guardian Ad Litem [to <u>160</u> Motion to Strike] (Cade, Nathaniel) Modified on 8/5/2008 (vlh).
08/05/2008	<u>163</u>	CERTIFICATE OF SERVICE by Nathaniel Cade, Jr (Cade, Nathaniel)
08/05/2008	<u>164</u>	BRIEF in Opposition filed by all plaintiffs to <u>160</u> Defendants Motion to Strike. (Gende, James) Modified on 8/5/2008 (vlh).
08/05/2008	<u>165</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>Plaintiffs Memorandum in Opposition to Defendant's Motion to Strike</i> (Gende, James)
08/06/2008	<u>166</u>	ORDER that the GAL's motion for an immediate hearing and to stay the offer of judgment [D. 157] is DENIED; granting <u>160</u> Motion to Strike. The Clerk of Court is directed to strike pages 3-10 in Docket No. 157. Signed by Chief Judge Randa on August 6, 2008. (cc: all counsel) (Koll, J)

08/12/2008	<u>167</u>	MOTION for Judgment by all plaintiffs. (Attachments: # <u>1</u> Affidavit of James J. Gende in support of Plaintiffs' Motion for Entry of Judgment)(Gende, James)
08/12/2008	<u>168</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>Plaintiffs' Notice of Motion and Motion for Entry of Judgment; and Affidavit of James J. Gende II in support of Plaintiffs' Motion for Entry of Judgment</i> (Gende, James)
08/12/2008	<u>169</u>	JUDGMENT signed by Deputy Clerk on 08/12/2008 in favor of The Estate of Angela Enoch, Amber Enoch, Ashley Enoch against Ana Boatwright, Anne Boyle, Barbara E Sweeney, David Burnett, MD, Deanne Schaub, Donald Hands, PhD, Holly Meier, James Greer, Jess M Gonzalez, Judith Stemper, RN, Julia Reschke, MD, Kevin Kallas, MD, Kevin D Jones, Kevin L Batterman, Lori A Amend, Lynda Schwandt, Patrick A Tienor, RN, Rose Kleman, Steven Meress, MD, Tonya R Alexander-Krings. Granting <u>167</u> MOTION for Judgment filed by Ashley Enoch, The Estate of Angela Enoch, Amber Enoch. Motions terminated: <u>149</u> MOTION for Sanctions Pursuant to Rule 26(g), <u>151</u> Second MOTION to Compel, <u>140</u> MOTION to Strike Undisclosed Evidence, <u>124</u> MOTION for Summary Judgment, <u>116</u> MOTION to Dismiss Plaintiffs Ashley Enoch and Amber Enoch's Claims for Loss of Society and Companionship Pursuant to Fed R Civ P 12(C). This action is hereby DISMISSED. (cc: all counsel)(Koll, J)
08/22/2008	<u>170</u>	MOTION Rule 7.4 Expedited Non-Dispositive Motion for Stay of Enforcement of Judgment Pursuant to Fed. R. Civ. P. 62 Pending the Resolution of Any Motion by Plaintiffs for Attorney Fees and Costs by all defendants. (Neuser, Mark)
08/22/2008	<u>171</u>	AFFIDAVIT of Mark A. Neuser in Support of Defendants' Rule 7.4 Expedited Non-Dispositive Motion for Stay of Enforcement of Judgment Pursuant to Fed. R. Civ. P. 62 Pending the Resolution of Any Motion by Plaintiffs for Attorney Fees and Costs. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Neuser, Mark)
08/22/2008	<u>172</u>	CERTIFICATE OF SERVICE by all defendants (Neuser, Mark)
08/23/2008	<u>173</u>	MOTION to Strike by Nathaniel Cade, Jr. (Cade, Nathaniel)
08/23/2008	<u>174</u>	DECLARATION of Nathaniel Cade, Jr. as Guardian Ad Litem. (Attachments: # <u>1</u> Exhibit 1)(Cade, Nathaniel)
08/25/2008	<u>175</u>	MOTION to Withdraw Motion Documents 170 &171 by all defendants. (Burkert Brist, Monica)
08/25/2008	<u>176</u>	7.4 MOTION to Stay Enforcement of Judgment Pursuant to Fed R Civ P 62 Pending Resolution of any Motion by Plaintiffs for Attorney Fees & Costs by all defendants. (Burkert Brist, Monica)
08/25/2008	<u>177</u>	AFFIDAVIT of Monica Burkert-Brist in Support of Rule 7.4 Motion to Stay. (Attachments: # <u>1</u> Exhibit A – E)(Burkert Brist, Monica)
08/25/2008	<u>178</u>	CERTIFICATE OF SERVICE by all defendants re: Documents 175, 176, 177 (Burkert Brist, Monica)
08/26/2008		MARGIN ORDER approving <u>175</u> MOTION to Withdraw Documents 170 &171; finding as moot: <u>173</u> MOTION to Strike filed by Nathaniel Cade, Jr.; terminating <u>170</u> MOTION Rule 7.4 Expedited Non-Dispositive Motion for Stay of Enforcement of Judgment Pursuant to Fed. R. Civ. P. 62 Pending the Resolution of Any Motion by Plaintiffs for Attorney Fees and Costs. Signed by Chief Judge Rudolph T Randa on 08/26/08. (cc: all counsel)(Koll, J)
08/26/2008	<u>179</u>	MOTION for Attorney Fees and Costs by all plaintiffs. (Gende, James)
08/26/2008	<u>180</u>	AFFIDAVIT of James J. Gende II in Support of Plaintiffs' Motion for Fees and Costs. (Attachments: # <u>1</u> Exhibit A to Attorney Gende's Affidavit, # <u>2</u> Exhibit B to Attorney James J. Gende's Affidavit, # <u>3</u> Exhibit C+D to Affidavit of James J. Gende II.)(Gende, James)
08/26/2008	<u>181</u>	AFFIDAVIT of Christopher P. Katers in Support of Plaintiffs' Motion for Fees and Costs. (Gende, James)

08/26/2008	<u>182</u>	AFFIDAVIT of Ian T. Matyjewicz <i>in Support of Plaintiffs' Motion for Fees and Costs.</i> (Gende, James)
08/26/2008	<u>183</u>	AFFIDAVIT of Matthew R. Harding <i>in Support of Plaintiffs' Motion for Fees and Costs.</i> (Gende, James)
08/26/2008	<u>184</u>	AFFIDAVIT of Nathaniel Cade, Jr. <i>in Support of the Plaintiffs' Motion for Fees and Costs.</i> (Gende, James)
08/26/2008	<u>185</u>	AFFIDAVIT of Julie M. Maslowski <i>in Support of Plaintiffs' Motion for Fees and Costs.</i> (Gende, James)
08/26/2008	<u>186</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>Plaintiffs' Notice of Motion and Motion for Fees and Costs; Affidavit of James J. Gende II in support thereof; affidavit of Christopher P. Katers in support thereof; affidavit of Ian T. Matyjewicz in support thereof; affidavit of Matthew R. Harding in support thereof; affidavit of Nathaniel Cade, Jr. in support thereof; and affidavit of Julie M. Maslowski in support thereof.</i> (Gende, James)
08/28/2008	<u>187</u>	LETTER from James J. Gende II <i>regarding no objection to Defendants' Motion to Stay Enforcement of Judgment.</i> (Gende, James)
08/28/2008	<u>188</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>James J. Gende II letter regarding no objection to Defendants' Motion to Stay Enforcement of Judgment</i> (Gende, James)
09/05/2008	<u>189</u>	LETTER from Mark A. Neuser <i>to Clerk of Court and Judge Randa.</i> (Attachments: # <u>1</u> Certificate of Service)(Neuser, Mark)
09/16/2008	<u>190</u>	OBJECTIONS by all defendants <i>to Proposed Fees and Costs Pursuant to Accepted Rule 68 Offer of Judgment.</i> (Burkert Brist, Monica)
09/16/2008	<u>191</u>	AFFIDAVIT of Monica Burkert-Brist <i>In Support of Objections to Plaintiff's Fee Petition.</i> (Attachments: # <u>1</u> Exhibit A – F)(Burkert Brist, Monica)
09/16/2008	<u>192</u>	CERTIFICATE OF SERVICE by all defendants <i>RE: Documents 190 &191</i> (Burkert Brist, Monica)
09/17/2008	<u>193</u>	Docket Annotation – E-mail regarding scanned affidavit. (vlh)
09/30/2008	<u>194</u>	REPLY BRIEF in Support filed by all plaintiffs re <u>179</u> MOTION for Attorney Fees <i>and Costs.</i> (Gende, James)
09/30/2008	<u>195</u>	CERTIFICATE OF SERVICE by all plaintiffs <i>Motion Fees and Costs</i> (Gende, James)
09/30/2008	<u>196</u>	LETTER from Nathaniel Cade, Jr. as guardian ad litem. (Cade, Nathaniel)
10/02/2008	<u>197</u>	LETTER from AAG Monica Burkert-Brist. (Attachments: # <u>1</u> Certificate of Service)(Burkert Brist, Monica)
11/03/2008	<u>198</u>	ORDER signed by Chief Judge Rudolph T Randa on 11/03/2008 finding as moot <u>176</u> Motion to Stay; granting <u>179</u> Motion for Attorney Fees; Attorney Nathaniel Cade is awarded \$1,500.00 in fees for work performed in his capacity as guardian ad litem for the minor plaintiffs Ashley and Amber Enoch; and Plaintiffs are awarded \$100,000.00 in fees and costs. (cc: all counsel) (Koll, J) (Entered: 11/04/2008)
11/05/2008	<u>199</u>	NOTICE of Appearance by James J Gende, II on behalf of all plaintiffs. Attorney(s) appearing: Ian T. Matyjewicz (Gende, James) Modified on 11/5/2008 (vlh).
11/05/2008	<u>200</u>	NOTICE of Appearance by James J Gende, II on behalf of all plaintiffs. Attorney(s) appearing: Christopher P. Katers (Gende, James) Modified on 11/5/2008 (vlh).
11/05/2008	<u>201</u>	CERTIFICATE OF SERVICE by all plaintiffs <i>Notices of Appearances for Ian T. Matyjewicz and Christopher P. Katers</i> (Gende, James)

11/05/2008	<u>202</u>	Docket Annotation – E-mail regarding entries at 199 and 200. (vlh)
12/02/2008	<u>203</u>	NOTICE OF APPEAL as to <u>198</u> Order on Motion to Stay, Order on Motion for Attorney Fees by The Estate of Angela Enoch, Ashley Enoch, Amber Enoch. Filing Fee PAID \$455, receipt number 4689007849 (cc: all counsel) (jv) (Entered: 12/04/2008)
12/02/2008	<u>204</u>	Docketing Statement by The Estate of Angela Enoch, Ashley Enoch, Amber Enoch re <u>203</u> Notice of Appeal (cc: all counsel) (jv) (Entered: 12/04/2008)
12/02/2008	<u>205</u>	7th Circuit Information Sheet re: <u>203</u> Notice of Appeal (jv) (Additional attachment(s) added on 12/4/2008: # <u>1</u> Lead Attorney) (jv). (Entered: 12/04/2008)
12/02/2008	<u>206</u>	Attorney Cover Letter re: <u>203</u> Notice of Appeal (jv) (Entered: 12/04/2008)
12/02/2008	<u>207</u>	PLEASE DISREGARD Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>203</u> Notice of Appeal (jv) Modified on 12/4/2008 (jv). (Entered: 12/04/2008)
12/02/2008	<u>208</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>203</u> Notice of Appeal (jv) (Entered: 12/04/2008)
12/04/2008	<u>209</u>	USCA Case Number 08-4103 re: <u>203</u> Notice of Appeal filed by Ashley Enoch, Amber Enoch, The Estate of Angela Enoch. (jv)
05/06/2009	<u>210</u>	Certified Record on Appeal Transmitted to US Court of Appeals record transmitted in PDF format on CD via US Mail, 1 vol in camera materials (doc#71) re <u>203</u> Notice of Appeal (cc: all counsel) (Attachments: # <u>1</u> docket sheet)(jv)
07/01/2009	<u>211</u>	LETTER from Monica Burkert-Brist to <i>Jon W. Sanfilippo, Clerk of Court.</i> (Attachments: # <u>1</u> Certificate of Service)(Burkert Brist, Monica)
07/08/2009	<u>212</u>	The Clerk is ORDERED to randomly reassign this matter once the mandate is received from the Seventh Circuit. Signed by Chief Judge Rudolph T Randa on 07/08/2009. (cc: all counsel)(Koll, J)
07/13/2009	<u>213</u>	BILL OF COSTS Proposed by The Estate of Angela Enoch, Ashley Enoch, Amber Enoch (Katers, Christopher)
07/13/2009	<u>214</u>	DECLARATION of Christopher P. Katers in <i>Support of Plaintiffs' Bill of Costs.</i> (Katers, Christopher)
07/13/2009	<u>215</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>Plaintiffs-Appellants' Bill of Costs and the Declaration of Christopher P. Katers</i> (Katers, Christopher)
07/15/2009	<u>216</u>	BRIEFING LETTER Electronically Transmitted to the Parties (mlm)
07/21/2009	<u>217</u>	USCA Mandate (certified copy) as to <u>203</u> Notice of Appeal filed by Ashley Enoch, Amber Enoch, The Estate of Angela Enoch USCA Number 08-4103. The judgment of the district court is REVERSED, with costs, and the case is REMANDED for a calculation of attorney fees and costs. (jv)
07/21/2009		Case Reassigned to Judge Lynn Adelman. Chief Judge Rudolph T Randa no longer assigned to the case. (jv)
07/23/2009	<u>218</u>	LETTER from Monica Burkert-Brist <i>RE: Mediation.</i> (Attachments: # <u>1</u> Certificate of Service)(Burkert Brist, Monica)
07/27/2009	<u>219</u>	SCHEDULING ORDER: signed by Judge Lynn Adelman on 7/27/09. Telephonic Status Conference set for 8/11/2009 10:30 AM before Judge Lynn Adelman. (cc: all counsel)(Wesolek, Marie)
07/27/2009	<u>220</u>	LETTER from Attorney Nathaniel Cade, Jr. as GAL. (Cade, Nathaniel)
08/11/2009	<u>221</u>	Minute Entry for proceedings held before Judge Lynn Adelman: Telephone Conference held on 8/11/2009; agreed to advise clients to settle remaining fees for \$165,000. GAL will put remaining funds in CD for remaining minor and then drop out. (cms) (Entered: 08/12/2009)
08/18/2009	<u>222</u>	LETTER from James J. Gende II <i>informing Court of Settlement on Attorneys' Fees.</i> (Gende, James)

08/18/2009	<u>223</u>	CERTIFICATE OF SERVICE by all plaintiffs of <i>James J. Gende II letter informing Court of Settlement on Attorneys Fees.</i> (Gende, James)
08/19/2009	<u>224</u>	LETTER from parties re: settlement.(cms)
09/23/2009	<u>225</u>	COSTS TAXED for Amber Enoch, Ashley Enoch, The Estate of Angela Enoch by Chief Deputy Clerk in amount \$455.00 against defendants. (cc: all counsel) (cms)
10/09/2009		Appeal Record Returned consisting of 1 In Camera re <u>203</u> Notice of Appeal (dmm)
01/05/2012	<u>226</u>	ORDER signed by Judge Lynn Adelman on 1/5/12 that the documents filed as Docket #71 shall be UNSEALED. (cc: all counsel)(dm)