

FRC,PROTECTIVE ORD,TERMINATED

**U.S. District Court
District of Oregon (Portland (3))
CIVIL DOCKET FOR CASE #: 3:01-cv-01619-BR**

Anstett v. State of Oregon et al
Assigned to: Judge Anna J. Brown
Demand: \$17,500,000
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 11/01/2001
Date Terminated: 08/21/2007
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Rodger Robert Anstett
TERMINATED: 09/02/2003

represented by **Michele Lynne Kohler**
Michele L. Kohler, PC
4380 SW Macadam Avenue, Suite 500
Portland, OR 97239
(503) 219-9300
Fax: (503) 294-6051
Email: michele.kohler@comcast.net
TERMINATED: 07/09/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle R. Burrows
Michelle R. Burrows, PC
618 NW Glisan
Suite 203
Portland, OR 97209
(503) 241-1955
Fax: (503) 241-3127
Email: michelle.r.burrows@gmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Stanley W. Bilinski

represented by **Michele Lynne Kohler**
(See above for address)
TERMINATED: 07/09/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle R. Burrows
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Michael J Cates

represented by **Michele Lynne Kohler**
(See above for address)
TERMINATED: 07/09/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle R. Burrows
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Ronald Teal
TERMINATED: 04/03/2002

represented by **Michele Lynne Kohler**
(See above for address)

TERMINATED: 07/09/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle R. Burrows
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Kyle A Gray

represented by **Michele Lynne Kohler**
(See above for address)
TERMINATED: 07/09/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle R. Burrows
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Wallace H Guido
TERMINATED: 02/08/2005

represented by **Michele Lynne Kohler**
(See above for address)
TERMINATED: 07/09/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle R. Burrows
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

William M Kennedy

represented by **Michele Lynne Kohler**
(See above for address)
TERMINATED: 07/09/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle R. Burrows
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Steve M Sacre

represented by **Michele Lynne Kohler**
(See above for address)
TERMINATED: 07/09/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle R. Burrows
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Terry J. Staley

represented by **Michele Lynne Kohler**
(See above for address)
TERMINATED: 07/09/2003
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Michelle R. Burrows
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Scott Lewis Teague

represented by **Michele Lynne Kohler**
(See above for address)
TERMINATED: 07/09/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle R. Burrows
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Lonnie R Woolhiser

represented by **Michele Lynne Kohler**
(See above for address)
TERMINATED: 07/09/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle R. Burrows
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Jerry J Wrenn
*all present or former inmates of Oregon
correctional institutions*

represented by **Michele Lynne Kohler**
(See above for address)
TERMINATED: 07/09/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle R. Burrows
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Rodney Anstett
on behalf of the Estate of Rodger Anstett

represented by **Michelle R. Burrows**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

State of Oregon
*by and through the Oregon Department
of Corrections*

represented by **Leonard W. Williamson**
State of Oregon Department of Justice
Trial Division – Corrections Litigation
1162 Court Street, NE
Salem, OR 97301
(503) 947-4700
Fax: (503) 947-4794
Email: leonard.williamson@doj.state.or.us
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Lynne D. Rennick
Rennick Law Office
(Special Assistant Attorney General for the
State of Oregon)
130 S. Comstock, Suite 108
Sutherlin, OR 97479
(541) 459-5301
Fax: (541) 459-9878
Email: Lynne@Rennicklaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Abrams
Oregon Department of Justice
1515 SW Fifth Avenue
Suite 410
Portland, OR 97201
(971) 673-1880
Fax: (971) 673-5000
Email: marc.abrams@doj.state.or.us
TERMINATED: 06/28/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

David S. Cook
Director ODOC

represented by **Leonard W. Williamson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynne D. Rennick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Abrams
(See above for address)
TERMINATED: 06/28/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Scott Taylor
Assistant Director ODOC

represented by **Leonard W. Williamson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynne D. Rennick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Abrams
(See above for address)
TERMINATED: 06/28/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Catherine M. Knox
former Administrator of Health Services

represented by **Leonard W. Williamson**
(See above for address)

ODOC

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynne D. Rennick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Abrams
(See above for address)
TERMINATED: 06/28/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

MD Steve M Shelton
Medical Director ODOC

represented by **Leonard W. Williamson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynne D. Rennick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Abrams
(See above for address)
TERMINATED: 06/28/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

William Cahal
*Health Services Manager Oregon State
Penitentiary*

represented by **Leonard W. Williamson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynne D. Rennick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Abrams
(See above for address)
TERMINATED: 06/28/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Patricia Lilienthal
former Health Services Manager OSP

represented by **Leonard W. Williamson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynne D. Rennick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Abrams
(See above for address)
TERMINATED: 06/28/2006
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

OD John M Vargo
Chief Medical Officer OSP

represented by **Leonard W. Williamson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynne D. Rennick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Abrams
(See above for address)
TERMINATED: 06/28/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

MD Carl J Matthey
former Staff Physician OSP

represented by **Leonard W. Williamson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynne D. Rennick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Abrams
(See above for address)
TERMINATED: 06/28/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

MD George G Degner
Staff Physician OSP

represented by **Leonard W. Williamson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynne D. Rennick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Abrams
(See above for address)
TERMINATED: 06/28/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DO Cleon Miller
former Staff Physicial OSP
TERMINATED: 11/09/2001

represented by **Lynne D. Rennick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Abrams
(See above for address)
TERMINATED: 06/28/2006

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Robert Ingle
former Staff Physician OSP

represented by **Leonard W. Williamson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynne D. Rennick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Abrams
(See above for address)
TERMINATED: 06/28/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

MD Fiaod El-Ebiary
Staff Physician OSP

represented by **Leonard W. Williamson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynne D. Rennick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Abrams
(See above for address)
TERMINATED: 06/28/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

MD Michael D Buck
Contract Physician

represented by **Leonard W. Williamson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynne D. Rennick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Abrams
(See above for address)
TERMINATED: 06/28/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/01/2001	<u>1</u>	Complaint <i>Civil Rights Violations: 8th Amendment Cruel and Unusual Punishment, First Amendment, Americans with Disabilities Act, Unneccessary Rigor, Medical Negligence, Fraud</i> Filing Fee collected. Receipt #: 440599 issued. Filed by Rodger Robert Anstett, Stanley W. Bilinski, Michael J Cates, Kyle A Gray, Wallace H Guido, William M Kennedy, Steve M Sacre, Terry J. Staley, Scott Lewis Teague, Ronald Teal, Lonnie R Woolhiser, Jerry J Wrenn against

		Michael D Buck, William Cahal, David S. Cook, George G Degner, Fiaod El-Ebiary, Robert Ingle, Catherine M. Knox, Patricia Lilienthal, Carl J Matthey, Cleon Miller, Steve M Shelton, State of Oregon, Scott Taylor, John M Vargo. (ljb,) (Entered: 11/05/2001)
11/01/2001	<u>2</u>	Exhibits to Complaint. Filed by all plaintiffs. (Related document(s) <u>1</u>) (ljb,) (Entered: 11/05/2001)
11/01/2001	<u>3</u>	Discovery and Pretrial Scheduling Order and Notice of Case Assignment: Case assigned to the Honorable Anna J. Brown. Discovery to be completed by 3/4/2002. Joint Alternate Dispute Resolution Report due by 4/1/2002. Pretrial Order due by 4/1/2002. (ljb,) (Entered: 11/05/2001)
11/07/2001	<u>4</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>1</u>) (ljb,) (Entered: 11/08/2001)
11/08/2001	<u>5</u>	Waiver of Service of Summons-- Accepted by State of Oregon, Oregon Dept of Corrections, David Cook, Scott Tayor, Catherine Knox, Steve Sheldon, William Cahal, Patricia Lilienthal, John Vargo, Carl Matthey, George Degner, Robert Ingle, Fiaod El-Ebiary and Michael Buck on 11/7/01.. Filed by Michael D Buck, William Cahal, David S. Cook, George G Degner, Fiaod El-Ebiary, Robert Ingle, Catherine M. Knox, Patricia Lilienthal, Carl J Matthey, Steve M Shelton, State of Oregon, Scott Taylor, John M Vargo. (ljb,) (Entered: 11/13/2001)
11/08/2001	<u>6</u>	Fed. R. Civ. P. 26(a)(1) Agreement. Filed by all defendants. (ljb,) (Entered: 11/13/2001)
11/09/2001	<u>7</u>	Notice of Voluntary Dismissal with Prejudice of Party Cleon Miller. Filed by all plaintiffs. (ljb,) (Entered: 11/14/2001)
11/09/2001	<u>8</u>	Affidavit of <i>Michelle Burrows</i> . Filed by all plaintiffs. (Related document(s) <u>7</u>) (ljb,) (Entered: 11/14/2001)
12/06/2001	<u>9</u>	Unopposed Motion for Extension of Discovery & PTO Deadlines <i>and Stay Discovery</i> . Filed by all defendants. (sm,) (Entered: 12/06/2001)
12/06/2001	<u>10</u>	Affidavit of <i>Lynne Rennick</i> . Filed by all defendants. (Related document(s) <u>9</u>) (sm,) (Entered: 12/06/2001)
12/07/2001	<u>11</u>	CIVIL MINUTES: Record of Order -- Defendants' Unopposed Motion (#9) for Extension of Time and Stay of Discovery is GRANTED as follows:all pending deadlines set by the Court's Initial Scheduling and Pretrial Order are STRICKEN; discovery is stayedper the agreement of the parties; Defendants' responsive pleading shall be filed 3/7/2002.Upon the filing of Defendants' responsive pleading the Court will schedule a Rule 16 Conference with the parties. Ordered by Judge Anna J. Brown. (sm,) (Entered: 12/10/2001)
03/07/2002	<u>12</u>	Motion for Extension of Time to Answer <i>Complaint</i> . Filed by all defendants. (dls,) (Entered: 03/07/2002)
03/07/2002	<u>13</u>	Affidavit of <i>Lynne D. Rennick</i> . Filed by all defendants. (Related document(s) <u>12</u>) (dls,) (Entered: 03/07/2002)
03/14/2002	<u>14</u>	CIVIL MINUTES: Record of Order --GRANTING defendants' motion for extension of time (#12). Amended Complaint due 4/3/2002. Answer due 60 days thereafter. Ordered by Judge Anna J. Brown. (ljb,) (Entered: 03/19/2002)
04/03/2002	<u>15</u>	Amended Complaint <i>Class Action Allegation (Civil Right Violations: 8th Amend.: Cruel and Unusual Punsihment, 1st Amendmtn: Americans Wtih Disabilities Act: Unnecessary Rigor; Medical Negligence, Fraud)</i> . Filed by Rodger Robert Anstett, Stanley W. Bilinski, Kyle A Gray, Wallace H Guido, William M Kennedy, Steve M Sacre, Terry J. Staley, Scott Lewis Teague, Ronald Teal, Lonnie R Woolhiser, Jerry J Wrenn against all defendants. (ljb,) (Entered: 04/08/2002)
04/03/2002	<u>16</u>	Motion to Certify the Class. Filed by all plaintiffs. (ljb,) (Entered: 04/08/2002)
04/03/2002	<u>17</u>	Memorandum in Support of <i>Class Certification</i> . Filed by all plaintiffs. (Related document(s) <u>16</u>) (ljb,) (Entered: 04/08/2002)

04/03/2002	<u>18</u>	Affidavit of <i>Michelle R. Burrows</i> . Filed by all plaintiffs. (Related document(s) <u>16</u>) (ljb,) (Entered: 04/08/2002)
04/03/2002	<u>19</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>15</u> , <u>16</u> , <u>18</u>) (ljb,) (Entered: 04/08/2002)
04/15/2002	<u>20</u>	Waiver of Service of Summons-- Accepted by State of Oregon, Oregon Department of Corrections, David S. Cook, Scott Taylor, Catherine Knox, Steve Sheldon, M.D., William Cahal, Patricia Lilienthal, John Vargo, D.O., George Degner, M.D., Robert Ingle, M.D., Fiaod El-Ebiary, M.D., Ian Duncan, M.D., J. Laurence Stoune, M.D., Lanny Ryals and Michael Buck, M.D. on 4/12/02.. Filed by all defendants. (ljb,) (Entered: 04/17/2002)
04/25/2002	<u>21</u>	CIVIL MINUTES: Record of Order -- Defendants Response to Plaintiff's Motion to Certify the Class is due by 6/3/2002. Reply due by 7/3/2002. Motion taken under advisement on 7/3/02. (Related documents(s) <u>16</u>) Ordered by Judge Anna J. Brown. (ljb,) (Entered: 04/30/2002)
05/16/2002	<u>22</u>	Notice. Filed as a Certificate of Service of Notice of serving Subpoena documents on Department of Justice, Quest Diagnostics and oregon Board of Medical Examiners. Filed by all plaintiffs. (ljb,) (Entered: 05/22/2002)
05/24/2002	<u>23</u>	Motion <i>for Case Reassignment</i> . Filed by all defendants. (pvh,) (Entered: 05/28/2002)
05/28/2002	<u>24</u>	Memorandum in Opposition <i>filed as Plaintiff's Objection to Motion to Move Venue/Case Assignment; Objection to Continuance for Filing Response..</i> Filed by all plaintiffs. (Related motion(s) <u>23</u>) (ljl,) (Entered: 05/30/2002)
05/28/2002	<u>25</u>	Affidavit of <i>Michelle Burrows</i> . Filed by all plaintiffs. (Related document(s) <u>24</u>) (ljl,) (Entered: 05/30/2002)
05/28/2002	<u>26</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>24</u>) (ljl,) (Entered: 05/30/2002)
05/28/2002	<u>27</u>	Motion for Extension of Time to File a Response/Reply to Motion # <u>16</u> . <i>to Certify Class to and including 8/5/02</i> . Filed by all defendants. (ljl,) (Entered: 05/30/2002)
05/28/2002	<u>28</u>	Affidavit of <i>Lynne D. Rennick</i> . Filed by all defendants. (Related document(s) <u>27</u>) (ljl,) (Entered: 05/30/2002)
05/28/2002	<u>29</u>	Motion for Extension of Time to Answer <i>plaintiffs' Amended Complaint to and including 7/3/02..</i> Filed by all defendants. (ljl,) (Entered: 05/30/2002)
05/30/2002	<u>30</u>	Affidavit of <i>Lynne D/ Rennick</i> . Filed by all defendants. (Related document(s) <u>29</u>) (ljl,) (Entered: 05/30/2002)
06/06/2002	31	CIVIL MINUTES: Record of Order -- Hearing on Defendant's Motion for Reassignment (#23), and Motions for Extension of Time (#27, 29) is set for 6/11/2002 at 01:00 PM by Telephone. (Related documents(s) <u>27</u> , <u>29</u> , <u>23</u>) Ordered by Judge Anna J. Brown. (sm,) (Entered: 06/06/2002)
06/07/2002	<u>32</u>	Reply to Motion <i>filed as Defendants' Response to Plaintiffs' Objections</i> . Filed by all defendants. (Related motion(s) <u>29</u> , <u>23</u> , <u>27</u>) (ljl,) (Entered: 06/10/2002)
06/11/2002	33	CIVIL MINUTES: Record of Proceeding (Hearing) -- ORDER: Defendants' Motion for Case Reassignment (#23) is DENIED. Defendants' Motion for Extension of Time to Answer Plaintiffs' Amended Complaint (#29) is GRANTED to the extent that Defendants' Answer is due June 21, 2002. Defendants Motion for Extension of Time to File a Response to Plaintiffs' Motion to Certify Class (#27) is GRANTED to the extent that Defendants' response is due July 12, 2002. Plaintiffs' reply is due July 23, 2002, and the Motion to Certify Class (#16) shall be taken UNDER ADVISEMENT on July 23, 2002. IT IS FURTHER ORDERED that counsel must within the next 10 days participate anew in a meaningful Rule 26 conference to address the parties' current discovery needs and outstanding discovery requests with a view toward expediting the discovery process. (Related documents(s) <u>16</u>) Ordered by Judge Anna J. Brown. Counsel Present for Plaintiff: Michelle Burrows. Counsel Present for Defendant: Lynne Rennick. Court Reporter: Amanda LeGore. (sm,) (Entered: 06/11/2002)

06/17/2002	<u>34</u>	Answer to Amended Complaint <i>and Affirmative Defenses</i> (Related Doc # <u>15</u>). Filed by all defendants. (ljl,) (Entered: 06/19/2002)
06/19/2002	<u>35</u>	Scheduling Order for Civil Rights Actions Filed by Incarcerated Plaintiffs. Summary Judgment Advice Notice and Consent Form All pretrial, discovery and dispositive motions will be due by 8/19/2002. (ljl,) (Entered: 06/19/2002)
06/20/2002	<u>36</u>	CIVIL MINUTES: Record of Order -- The Scheduling Order for Civil Right Actions Filed by Incarcerated Plaintiffs (#35) on 6/19/02 is hereby WITHDRAWN, as it was erroneously issued. This action shall proceed in accordance with the briefing schedule previously set by the court. (ljl,) (Entered: 06/24/2002)
06/21/2002	<u>37</u>	Motion for Extension of Time to <i>Respond to Defendants' Request for Admissions</i> . Filed by all plaintiffs. (ljl,) (Entered: 06/25/2002)
06/21/2002	<u>38</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>37</u>) (ljl,) (Entered: 06/25/2002)
06/25/2002	<u>39</u>	CIVIL MINUTES: Record of Order -- Granting Plaintiffs' motion for extention of time (#37) to July 15, 2002, to respond to Defendants' request for admissions. (ljl,) (Entered: 07/01/2002)
07/15/2002	<u>40</u>	Memorandum in Opposition to <i>Plaintiffs' Motion for Class Certification</i> . Filed by all defendants. (Related motion(s) <u>16</u>) (ljl,) (Entered: 07/17/2002)
07/18/2002	<u>41</u>	Motion to Strike <i>Specified Requests for Admissions</i> . Filed by all plaintiffs. (ljl,) (Entered: 07/22/2002)
07/18/2002	<u>42</u>	Affidavit of <i>Michelle Burrows</i> . Filed by all plaintiffs. (Related document(s) <u>41</u>) (ljl,) (Entered: 07/22/2002)
07/18/2002	<u>43</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>41</u> , <u>42</u>) (ljl,) (Entered: 07/22/2002)
07/22/2002	<u>44</u>	Supplemental Memorandum in Support <i>Correcting Defendants' Opposition to Plaintiffs' Motion to Certify Class</i> . Filed by all defendants. (Related document(s) <u>40</u>) (ljl,) (Entered: 07/23/2002)
07/23/2002	<u>45</u>	Reply to Motion. Filed by all plaintiffs. (Related motion(s) <u>16</u>) (ljl,) (Entered: 07/24/2002)
07/23/2002	<u>46</u>	Motion to Strike <i>Affidavit of Steve Shelton</i> . Filed by all plaintiffs. (ljl,) (Entered: 07/24/2002)
07/23/2002	<u>47</u>	Affidavit of <i>Michelle Burrows</i> . Filed by all plaintiffs. (Related document(s) <u>46</u>) (ljl,) (Entered: 07/24/2002)
07/23/2002	<u>48</u>	Affidavit of <i>Dr. Stephen L. Kimberley MD</i> . Filed by all plaintiffs. (Related document(s) <u>46</u>) (ljl,) (Entered: 07/24/2002)
07/23/2002	<u>49</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>46</u> , <u>47</u> , <u>48</u> , <u>45</u>) (ljl,) (Entered: 07/24/2002)
07/23/2002	<u>50</u>	Response to Motion to <i>Strike Specified Requests for Admissions</i> . Filed by all defendants. (Related motion(s) <u>41</u>) (ljl,) (Entered: 07/24/2002)
07/26/2002	<u>51</u>	Supplement <i>Authorities in Support of Motion to Certify Class</i> . Filed by all plaintiffs. (Related document(s) <u>16</u>) (sm,) (Entered: 07/31/2002)
07/26/2002	<u>52</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>51</u>) (sm,) (Entered: 07/31/2002)
07/26/2002	<u>54</u>	Amended Certificate of Service. Filed by all plaintiffs. (sm,) (Entered: 07/31/2002)
07/29/2002	<u>53</u>	Affidavit of <i>Dr. Bennet Cecil, M.D.</i> . Filed by all plaintiffs. (sm,) (Entered: 07/31/2002)
07/30/2002	<u>56</u>	CIVIL MINUTES: Record of Order -- Plaintiff's Motion (#41) to STRike Specified Requests for Admissions is DENIED. Plaintiffs shall have until

		8/19/2002 to provide a response to Defendants' Request. Ordered by Judge Anna J. Brown. (sm,) (Entered: 07/31/2002)
07/31/2002	<u>55</u>	CIVIL MINUTES: Record of Order -- Oral Argument on Plaintiffs' Motion (#16) to Certify Class is set for 10/31/2002 at 09:30AM. Defendants' Response to Plaintiffs' Motion (#46) to Strike the Affidavit of Dr. Sheldon shall be due 8/12/2002; Plaintiffs' Reply shall be due 8/26/2002; the Motion to Strike will be taken under advisement at that time. The parties are directed to confer and submit a JOINT proposed case management plan to the Court by 8/19/2002. A Rule 16 Conference is set for 9/12/2002 at 8:30AM in Chambers. (Related documents(s) <u>16</u>) Ordered by Judge Anna J. Brown. (sm,) (Entered: 07/31/2002)
07/31/2002	<u>57</u>	Original Signature page for Affidavit of Steve Shelton, M.D.. Filed by all defendants. (sm,) (Entered: 08/02/2002)
08/12/2002	<u>58</u>	Response to Motion to Strike Affidavit of STEve Shelton. Filed by all defendants. (Related motion(s) <u>46</u>) (ljl,) (Entered: 08/13/2002)
08/16/2002	<u>59</u>	Proposed Joint Case Management Plan. Filed by all plaintiffs. (ljl,) (Entered: 08/19/2002)
08/20/2002	<u>60</u>	Motion to Compel Discovery. Filed by all plaintiffs. (ljl,) (Entered: 08/21/2002)
08/20/2002	<u>61</u>	Memorandum in Support of Motion to Compel Discovery. Filed by all plaintiffs. (Related document(s) <u>60</u>) (ljl,) (Entered: 08/21/2002)
08/20/2002	<u>62</u>	Declaration of Michelle R. Burrows. Document filed as Plaintiffs' Certificate of Conferring in Good Faith. Filed by all plaintiffs. (ljl,) (Entered: 08/21/2002)
08/20/2002	<u>63</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>61</u> , <u>62</u> , <u>60</u>) (ljl,) (Entered: 08/21/2002)
08/26/2002	<u>64</u>	Reply to Motion to Strike Affidavit of Dr. Shelton. Filed by all plaintiffs. (Related motion(s) <u>46</u>) (ljl,) (Entered: 08/28/2002)
08/26/2002	<u>65</u>	Motion for Leave to File Signed Affidavit of Rodger Anstett in Support of Motion to Strike Affidavit of Steve Shelton (Affidavit attached). Filed by all plaintiffs. (ljl,) (Entered: 08/28/2002)
08/26/2002	<u>66</u>	Affidavit of Michelle Burrows. Filed by all plaintiffs. (Related document(s) <u>65</u>) (ljl,) (Entered: 08/28/2002)
08/26/2002	<u>67</u>	Motion for Extension of Time to File Affidavit of Wallace Guido in Support of Motion to Strike Affidavit of Steve Shelton. Filed by all plaintiffs. (ljl,) (Entered: 08/28/2002)
08/26/2002	<u>68</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>64</u> , <u>65</u> , <u>66</u> , <u>67</u>) (ljl,) (Entered: 08/28/2002)
08/29/2002	<u>69</u>	Response to Motion to Plaintiffs' Motion to Compel Discovery. Filed by all defendants. (Related motion(s) <u>60</u>) (ljl,) (Entered: 08/30/2002)
09/11/2002	<u>71</u>	Jury Demand. Filed by all plaintiffs. (sm,) (Entered: 09/16/2002)
09/11/2002	<u>72</u>	Jury Demand, Memorandum in Support. Filed by all plaintiffs. (sm,) (Entered: 09/16/2002)
09/11/2002	<u>73</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>71</u> , <u>72</u>) (sm,) (Entered: 09/16/2002)
09/12/2002	<u>70</u>	CIVIL MINUTES: Record of Proceeding (Rule 16 Conference) -- ORDER: Plaintiffs' Motions (#65, 67) are GRANTED. Affidavits to be filed by 9/19/2002. Discovery to be completed by 2/28/2003. Joint Status Report due by 6/30/2003. Joint Alternate Dispute Resolution Report due by 6/30/2003. Dispositive Motions due by 4/30/2003. Status Conference set for 7/14/2003 at 09:00AM in Chambers. Ordered by Judge Anna J. Brown. Counsel Present for Plaintiff: Michelle Burrows. Counsel Present for Defendant: Lynne Rennick. Court Reporter: Amanda LeGore. (sm,) (Entered: 09/12/2002)

09/13/2002	<u>74</u>	Amended Certificate of Service. Filed by all defendants. (Related document(s) <u>69</u>) (sm,) (Entered: 09/16/2002)
09/26/2002	<u>75</u>	CIVIL MINUTES: Record of Order -- Plaintiffs' Motion (#60) to Compel Discovery is GRANTED IN PART/DENIED AS MOOT. Counsel to confer and submit proposed plan to Court by 10/7/2002. (See Minute Order) Ordered by Judge Anna J. Brown. (sm,) (Entered: 09/26/2002)
10/09/2002	<u>76</u>	Amended Joint Discovery Case Management Plan. Filed by all plaintiffs. (ljl,) (Entered: 10/09/2002)
10/09/2002	<u>77</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>76</u>) (ljl,) (Entered: 10/09/2002)
10/09/2002	<u>78</u>	Joint Motion for Extension of Time <i>for Discovery Deadline</i> . Filed by all plaintiffs. (ljl,) (Entered: 10/09/2002)
10/09/2002	<u>79</u>	CIVIL MINUTES: Record of Order -- On the Court's own Motion, Oral Argument set for 10/31/2002 is STRICKEN and RESET to 11/7/2002 at 09:00AM. (Related documents(s) <u>16</u>) Ordered by Judge Anna J. Brown. (sm,) (Entered: 10/09/2002)
10/15/2002	<u>80</u>	CIVIL MINUTES: Record of Order --Granting the parties' Joint Motion to Expand Discovery Deadline (#78). This action shall proceed in accordance with the Amended Joint Discovery Case Management Plan (#76). (ljl,) (Entered: 10/17/2002)
11/07/2002	<u>81</u>	CIVIL MINUTES: Record of Proceedings (Hearing) -- ORDER: Motion (#16) to Certify Class is TAKEN UNDER ADVISEMENT. Motion (#46) to Strike Affidavit is DENIED. Joint proposal regarding the definition of proposed class shall be due 12/2/2002. Ordered by Judge Anna J. Brown. Counsel Present for Plaintiff: Michelle Burrows. Counsel Present for Defendant: Lynne Rennick. Court Reporter: Cheryl Guthrie. (sm,) (Entered: 11/07/2002)
11/27/2002	<u>82</u>	Transcript of Proceedings held on 11/7/02 before Judge Anna J. Brown. Court Reporter: Teach Reporting/Cheryl L. Guthrie. (ljl,) (Entered: 12/03/2002)
12/05/2002	<u>83</u>	Joint Statement of Class Definition and Objections. Filed by all plaintiffs. (ljl,) (Entered: 12/09/2002)
12/19/2002	<u>84</u>	OPINION AND ORDER: For the reasons in the 36 page opinion and order, the Court finds the interests of justice are best served by certifying a limited class solely for the determination of liability and injunctive relief. Accordingly, the Court Grants in part Plaintiffs' Motion to Certify the Class (Related Doc # <u>16</u>). Joint proposal for a form of notice due by 1/13/03. Signed on 12/19/02 by Judge Anna J. Brown. (ljl,) (Entered: 12/20/2002)
12/23/2002	<u>85</u>	Motion for Extension of Time <i>of Case Management Deadlines</i> . Filed by all plaintiffs. (ljl,) (Entered: 12/24/2002)
12/23/2002	<u>86</u>	Second Amended Joint Case Management Plan. Filed by all plaintiffs. (ljl,) (Entered: 12/30/2002)
01/07/2003	<u>87</u>	CIVIL MINUTES: Record of Order --Granting the joint Motion for Extension of Case Deadlines (#85). This action shall proceed in accordance with the deadlines set forth in the Second amended Joint Case Management Plan (#86). Discovery to be completed by 11/28/2003. (ljl,) (Entered: 01/08/2003)
01/14/2003	<u>88</u>	Joint Proposal for Class Notice. Filed by all plaintiffs. (ljl,) (Entered: 01/15/2003)
02/24/2003	<u>89</u>	Motion for Extension of Time <i>to respond to plaintiffs' Fourth Request for Production of Documents</i> . Filed by all defendants. (ljl,) (Entered: 02/26/2003)
02/24/2003	<u>90</u>	Affidavit of Lynne D. Rennick. Filed by all defendants. (Related document(s) <u>89</u>) (ljl,) (Entered: 02/26/2003)
02/26/2003	<u>92</u>	Memorandum in Opposition <i>filed as Plaintiffs' Objection of Extension of Time</i> . Filed by all plaintiffs. (Related motion(s) <u>89</u>) (ljl,) (Entered: 02/28/2003)

02/26/2003	<u>93</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>92</u>) (ljl,) (Entered: 02/28/2003)
02/26/2003	<u>94</u>	Affidavit of <i>Michelle Burrows</i> . Filed by all plaintiffs. (Related document(s) <u>92</u>) (ljl,) (Entered: 02/28/2003)
02/27/2003	<u>91</u>	CIVIL MINUTES: Record of Order -- The parties' Joint Proposal for Class Notice (Related documents(s) <u>88</u>) is hereby APPROVED with the following modifications: 1) Notices posted in living quarters, infirmaries, and libraries of each institution are to be posted in a place easily and regularly accessible by inmates in a manner such that the notices can be read by the inmates. Defendants are not, however, required to post the notices in the Intensive Management Unit, Segregated Management Unit, or Death Row, in light of the lack of a common area and the transitory population in these special housing units. 2) The Notices shall be included in the monthly newsletter issued in each institution. 3) The Notices shall remain posted and shall appear in each monthly newsletter until this action is concluded or until otherwise ordered by the Court. 4) Defendants shall not be required to have the Superintendent of each institution sign, under oath, verification that the notices have been disseminated as provided. Nor shall class counsel be granted an order allowing visitation of each living quarter of each institution to verify placement of the notices. Ordered by Judge Anna J. Brown. (kw,) (Entered: 02/27/2003)
03/03/2003	95	CIVIL MINUTES: Record of Order -- Hearing on Defendant's Motion (#89) for Extension of Time is set for 3/13/2003 at 08:30 AM by Telephone. The Court will initiate the call to counsel. (Related documents(s) <u>89</u>) Ordered by Judge Anna J. Brown. (sm,) (Entered: 03/03/2003)
03/13/2003	96	CIVIL MINUTES: Record of Proceedings (Hearing) -- ORDER: Defendant's Motion (#89) for Extension of Time is GRANTED. Defendant's response to Plaintiffs' Fourth Request for Production shall be due 4/11/2003. Ordered by Judge Anna J. Brown. Counsel Present for Plaintiff: Michelle Burrows. Counsel Present for Defendant: Lynne Rennick. Court Reporter: Amanda LeGore. (sm,) (Entered: 03/14/2003)
04/28/2003	<u>97</u>	Notice of Appearance by Attorney Marc Abrams. Filed by all defendants. (ljl,) (Entered: 04/30/2003)
05/01/2003	<u>98</u>	Unopposed Motion for Extension of Discovery & PTO Deadlines. Filed by all defendants. (ljl,) Modified on 5/1/2003 (ljl,). (Entered: 05/01/2003)
05/01/2003	<u>99</u>	Affidavit of <i>Lynne D. Rennick</i> . Filed by all defendants. (Related document(s) <u>98</u>) (ljl,) (Entered: 05/01/2003)
05/02/2003	<u>101</u>	Amended Notice of Association of Counsel. Assistant State Attorney General Marc Abrams is co-counsel of record with Assistant State Attorney General Lynne Rennick. Filed by Defendant State of Oregon. (kw,) (Entered: 05/06/2003)
05/06/2003	100	CIVIL MINUTES: Record of Order by Judge Anna J. Brown. Hearing on Defendants' Motion for Extension of Discovery & PTO Deadlines is set for 6/5/2003 at 01:15 PM by Telephone. The Court will initiate the call to counsel. (Related documents(s) <u>98</u>) (sm,) (Entered: 05/06/2003)
05/28/2003	102	CIVIL MINUTES: Record of Order by Judge Anna J Brown. ORDER Granting Plaintiff's Oral Request to Reset Hearing. Hearing on Defendants' Motion for Extension of Discovery & PTO Deadlines is reset from 6/5/2003 at 01:15 PM, to 6/5/2003 at 08:30 AM in /by Telephone. Telephone. The Court will initiate the call to counsel. (Related documents(s) <u>98</u>) (dls,) (Entered: 05/28/2003)
06/05/2003	103	CIVIL MINUTES: Record of Proceedings before Judge Anna J. Brown. Counsel Present for Plaintiff: Michelle Burrows. Counsel Present for Defendant: Lynne Rennick. Court Reporter: Amanda LeGore. ORDER: The 4/1/2003 deadline for the parties to exchange proposed lists of witnesses for fact depositions contained in paragraph I.C.1. of the Second Amended Joint Case Management Plan (#86) is extended to 6/20/2003. Any Dispositive Motions due by 2/27/2004. All expert discovery, including the reports required by Fed.R.Civ.P. 26, shall be completed by 1/30/2004. The parties shall confer and negotiate a schedule to complete expert discovery before this date, and shall submit to the Court a proposed stipulated order

		setting forth the agreed upon schedule. In light of the passing of Plaintiff Rodger R. Anstett, Plaintiffs shall have until 7/3/2003, to file a motion to substitute a party. Defendants' Motion (#98) for Extension of Time is DENIED AS MOOT. (sm,) (Entered: 06/05/2003)
07/08/2003	<u>104</u>	CIVIL MINUTES: Record of Order by Judge Anna J. Brown. Status Conference set for 7/14/2003 is STRICKEN. Parties shall file the Joint ADR Report which was due 6/30/2003 no later than 7/11/2003. (sm,) (Entered: 07/08/2003)
07/09/2003	<u>105</u>	Notice of Substitution of Counsel. Filed by all plaintiffs. (ljl,) (Entered: 07/10/2003)
07/09/2003	<u>106</u>	Motion for Extension of Time to File <i>Substitution of Party for Deceased Plaintiff Rodger Anstett</i> . Filed by all plaintiffs. (ljl,) (Entered: 07/10/2003)
07/09/2003	<u>107</u>	Affidavit of <i>Michelle Burrows</i> . Filed by all plaintiffs. (Related document(s) <u>106</u>) (ljl,) (Entered: 07/10/2003)
07/09/2003	<u>108</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>105</u> , <u>106</u> , <u>107</u>) (ljl,) (Entered: 07/10/2003)
07/09/2003	<u>109</u>	Stipulated Motion to Dismiss <i>filed as Stipulation and Joint Motion for Order of Partial Dismissal</i> . Filed by all defendants. (ljl,) (Entered: 07/10/2003)
07/10/2003	<u>110</u>	Joint ADR Report. Court sponsored mediation of a magistrate judge requested. Filed by all defendants. (ljl,) (Entered: 07/14/2003)
07/17/2003	111	CIVIL MINUTES: Record of Order by Judge Anna J. Brown. Plaintiffs' Motion (#106) for Extension of Time is GRANTED. Deadline for filing a substitution of party for deceased plaintiff Roger Anstett is extended to 8/4/2003. (sm,) (Entered: 07/17/2003)
07/18/2003	<u>112</u>	Motion to Substitute a Party <i>and Designation of Proper Party upon Suggestion of Death</i> . Filed by all plaintiffs. (ljl,) (Entered: 07/22/2003)
07/18/2003	<u>113</u>	Affidavit of <i>Michelle Burros Supporting Motion to Substitute Party</i> . Filed by all plaintiffs. (Related document(s) <u>112</u>) (ljl,) (Entered: 07/22/2003)
07/18/2003	<u>114</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>112</u> , <u>113</u>) (ljl,) (Entered: 07/22/2003)
08/18/2003	<u>115</u>	Declaration of <i>Kenneth A. Hendershott</i> . Filed by all plaintiffs. (ljl,) (Entered: 08/19/2003)
09/02/2003	<u>116</u>	CIVIL MINUTES: Record of Order Granting Plaintiffs' motion for substitution of Party (#112). Rodney Anstett, on behalf of the Estate of Rodger Anstett, is hereby substituted as the proper party in this action for Rodger Anstett. (ljl,) (Entered: 09/04/2003)
09/22/2003	117	CIVIL MINUTES: Record of Order by Judge Anna J. Brown. On the Court's own motion, the following new deadlines are set: Fact Discovery to be completed by 1/30/2004. Dispositive Motions due by 4/26/2004. Expert Discovery to be completed by 3/29/2004. (sm,) (Entered: 09/22/2003)
09/22/2003	118	CIVIL MINUTES: Record of Order by Judge Ashmanskas – SETTING a Telephone Status Conference re: settlement for Monday, November 17, 2003, at 1:30PM; Court staff will initiate the call. (peg,) (Entered: 09/22/2003)
09/22/2003	119	CIVIL MINUTES: Record of Order by Judge Ashmanskas – GRANTING counsel for defendants' request to RESET the 11/17/03 Telephone Status Conference re: settlement to Thursday, November 20, 2003, at 9:15AM; Court staff will initiate the call. (peg,) (Entered: 09/22/2003)
10/17/2003	<u>120</u>	Affidavit of <i>Michael Walker</i> . Filed by all plaintiffs. (ljl,) (Entered: 10/21/2003)
11/20/2003	<u>121</u>	CIVIL MINUTES: Record of Order: On the Court's own motion: Fact Discovery to be completed by 3/30/2004. Dispositive Motions due by 6/25/2004. Expert Discovery to be completed by 5/28/2004. (ljl,) (Entered: 11/21/2003)

12/15/2003	122	CIVIL MINUTES: Record of Order by Judge Ashmanskas – SETTING a Telephone Status Conference re: settlement for Tuesday, December 16, 2003, at 10:00AM; Court staff will initiate the call. (peg,) (Entered: 12/15/2003)
12/16/2003	123	CIVIL MINUTES: Record of Telephone Conference Call before Judge Ashmanskas – SETTING an in-person settlement conference for Wednesday, December 31, 2003, at 9:30AM, in the chambers of US Magistrate Judge Donald C. Ashmanskas, 11th Floor of the Mark O. Hatfield Federal Courthouse, 1000 SW Third Ave., Portland, Oregon. Counsel Present for Plaintiffs: Michelle Burrows. Counsel Present for Defendants: Lynne Rennick, Marc Abrams. Court Reporter: None. (peg,) (Entered: 12/16/2003)
12/30/2003	124	CIVIL MINUTES: Record of Order by Judge Ashmanskas – GRANTING counsel for defendants' 12/30/03 to reset the 12/31/03 settlement conference. ORDER: Court will contact the parties during the first week of January and arrange for a new settlement conference date. (peg,) (Entered: 12/30/2003)
01/12/2004	<u>125</u>	Unopposed Motion for Extension of Time to Respond to Interrogatories. Filed by all plaintiffs. (ljl,) (Entered: 01/13/2004)
01/12/2004	<u>126</u>	Certificate of Service. Filed by all plaintiffs. (Related document(s) <u>125</u>) (ljl,) (Entered: 01/13/2004)
01/15/2004	127	CIVIL MINUTES: Record of Order by Judge Ashmanskas – RESETTING the 1/31/03 in-person Settlement Conference to Tuesday, February 17, 2004, at 10:00AM. (peg,) (Entered: 01/15/2004)
01/21/2004	128	ORDER: Order Granting Motion for Extension of Time to 2/13/2004 to respond to interrogatories. (Related Doc # <u>125</u>) by Judge Anna J. Brown. (Meyer, Craig) (Entered: 01/21/2004)
02/20/2004	<u>129</u>	First Motion for Permanent Injunction. Filed by all plaintiffs. (Burrows, Michelle) (Entered: 02/20/2004)
02/20/2004	<u>130</u>	Memorandum in Support of Plaintiffs Motion for Permanent Injunction. Filed by all plaintiffs. (Related document(s) <u>129</u>) (Burrows, Michelle) (Entered: 02/20/2004)
02/20/2004	<u>131</u>	Affidavit of Michelle R. Burrows Supporting Motion for Permanent Injunction. Filed by all plaintiffs. (Related document(s) <u>129</u>) (Burrows, Michelle) (Entered: 02/20/2004)
02/20/2004	<u>132</u>	Declaration of Michelle R. Burrows Certifying Service of Motion for Permanent Injunction. Filed by all plaintiffs. (Related document(s) <u>129</u>) (Burrows, Michelle) (Entered: 02/20/2004)
02/24/2004	<u>134</u>	Exhibits 1–34 and Declarations in Support of Motion for Permanent Injunction (filed as a CD--NO HARD COPY available). Filed by all plaintiffs.(ljl,) (Entered: 03/01/2004)
02/25/2004	133	CIVIL MINUTES: Record of Order by Judge Anna J. Brown. Joint proposed case management plan due by 3/1/2004. Status Conference set for 3/8/2004 at 03:30PM by Telephone. The Court will initiate the call. (sm,) (Entered: 02/25/2004)
03/01/2004	<u>135</u>	Motion for Extension of Time: filed as Joint Proposed Amended Case Management Plan. Filed by all plaintiffs. (ljl,) (Entered: 03/02/2004)
03/05/2004	136	Order by Judge Anna J. Brown. Status Conference set for 3/8/2004 is STRICKEN. (sm,) (Entered: 03/05/2004)
03/08/2004	<u>137</u>	ORDER: Signed on 3/8/04 by Judge Anna J. Brown. Granting Parties Stipulation and Joint Motion for Order of Partial Dismissal <u>109</u> . (ljl,) (Entered: 03/10/2004)
04/02/2004	<u>138</u>	Joint Status Report on Settlement. Filed by all plaintiffs. (rtrb,) (Entered: 04/05/2004)
04/07/2004	<u>139</u>	Motion to Remove Class Representative Terry Staley. Filed by all plaintiffs. (sm,) (Entered: 04/07/2004)

04/07/2004	<u>140</u>	Affidavit of Michelle Burrows in Support of Motion. Filed by all plaintiffs. (Related document(s): Motion <u>139</u> .)(sm,) (Entered: 04/07/2004)
04/07/2004	141	ORDER: Ordered by Judge Anna J. Brown. Granting Motion <u>139</u> to Remove Class Representative Terry Staley based on Defendants' consent and the affidavit of counsel, and pursuant to Fed.R.Civ.P. 23(d). (sm,) (Entered: 04/07/2004)
04/07/2004	<u>142</u>	Settlement and Release. Filed by all parties.(sm,) Additional attachment(s) added on 10/1/2007 (ljl) (Entered: 04/07/2004)
04/07/2004	<u>143</u>	Stipulated Motion to Stay Proceedings. Filed by all plaintiffs. (sm,) (Entered: 04/07/2004)
04/07/2004	<u>144</u>	Stipulated Motion to Appoint Special Master. Filed by all plaintiffs. (sm,) (Entered: 04/07/2004)
04/07/2004	145	Order by Judge Ashmanskas – SETTING an additional Telephone Settlement Conference before US Magistrate Judge Donald C. Ashmanskas on Wednesday, April 28, 2004, at 4:00PM; Court staff will initiate the call. (Participants will include Judge Ashmanskas, counsel for the parties, and doctors/medical review panel). (peg,) (Entered: 04/07/2004)
04/08/2004	<u>146</u>	ORDER: Signed on 4/8/04 by Judge Anna J. Brown. Granting the Stipulated Motion for Stay <u>143</u> ; and Granting the Stipulated Motion to Appoint Special Master, appointing Judge Donald Ashmanskas (<u>144</u> . See order for briefing schedule. (ljl,) (Entered: 04/09/2004)
04/08/2004	<u>147</u>	Certificate of Service by all defendants re Notice of Settlement <u>142</u> . Filed by all defendants. (ljl,) (Entered: 04/09/2004)
04/08/2004	<u>148</u>	ORDER: Ordered by Judge Anna J. Brown. Denying as Moot Plaintiff's First Motion for a Permanent Injunction <u>129</u>), and Denying as Moot Plaintiff's Motion for Extension of Time <u>135</u> . (ljl,) (Entered: 04/09/2004)
04/09/2004	<u>149</u>	Protective Order. Signed on 4/6/04 by Judge Anna J. Brown. (ljl,) (Entered: 04/09/2004)
04/29/2004	150	Record of Telephone Settlement Conference before Judge Ashmanskas – Hearing held with counsel for the parties, however, panel doctors were not available. Accordingly, an additional Telephone Settlement Conference is SET for Wednesday, May 5, 2004, at 4:15PM; Court staff will initiate the call. Counsel for the parties and Doctors of the Medical Review Panel will be included in the call. (peg,) (Entered: 04/29/2004)
05/17/2004	<u>151</u>	Notice of Change of Address. Filed by Lynne D. Rennick appearing on behalf of all defendants.(rtrb,) (Entered: 05/18/2004)
06/15/2004	152	CIVIL MINUTES: Record of Telephone Settlement Conference before Judge Ashmanskas – ORDER: SETTING an additional Telephone Settlement Conference for Wednesday, June 23, 2004, at 4:00PM; Court staff will initiate the call. Counsel Present for Plaintiffs: Michelle Burrows, David Sugerman. Counsel Present for Defendants: Marc Abrams, Lynne Rennick. Court Reporter: None. (peg,) (Entered: 06/15/2004)
06/28/2004	153	CIVIL MINUTES: Record of Proceedings: Telephone Settlement Conference held before Judge Ashmanskas – Counsel Present for Plaintiffs – Michelle Burrows and David Sugerman. Counsel Present for Defendants – Marc Abrams and Lynne Rennick. Treating physicians also present by telephone. US Magistrate Donald C. Ashmanskas presiding. (peg,) (Entered: 06/28/2004)
09/17/2004	<u>154</u>	Order. Clerk of Court is DIRECTED to file and enter in the court docket the "motion for appointment of counsel" submitted by inmate Richard William Harrington, Jr. The Clerk is also DIRECTED to send a copy of inmate Harrington's motion to counsel of record. Any response by counsel to this motion is due 10/1/04. The motion is under advisement on 10/1/04. A copy of this order is sent to inmate Richard William Harrington, Jr., SID #4855415, Snake River Correctional Institution, 777 Stanton Blvd., Ontario, OR 97914. Ordered by Judge Anna J. Brown. (ljl,) (Entered: 09/20/2004)

09/20/2004	<u>155</u>	Motion for Appointment of Counsel. Filed by Richard William Harrington Jr. (ljl,) (Entered: 09/20/2004)
12/09/2004	<u>156</u>	ORDER: Ordered by Judge Anna J. Brown. Denying inmate Richard William Harrington Jr.'s Motion for Appointment of Counsel <u>155</u> . The denial is Without Prejudice to inmate Harrington's right to file a separate civil rights complaint and seeking appointment of counsel in that action. (ljl,) (Entered: 12/13/2004)
02/02/2005	<u>157</u>	Motion to Remove Class Representative Wallace Guido. Filed by all plaintiffs. (Burrows, Michelle) (Entered: 02/02/2005)
02/02/2005	<u>158</u>	Affidavit of of Michelle R. Burrows Supporting Removal of Class Representative Wallace Guido in Support of Motion. Filed by all plaintiffs. (Related document(s): Motion <u>157</u> .)(Burrows, Michelle) (Entered: 02/02/2005)
02/02/2005	<u>159</u>	Certificate of Service by all plaintiffs re Motion to Remove Class Representative Wallace Guido <u>157</u> . Filed by all plaintiffs. (Burrows, Michelle) (Entered: 02/02/2005)
02/09/2005	160	ORDER by Judge Anna J. Brown. Granting Palintiffs' Motion <u>157</u> to Remove Class Respresentative Wallace Guido. The Court finding that Wallace Guido no longer qualifies as a class represetnative, and is removed as such. (sm,) (Entered: 02/09/2005)
06/16/2005	161	CIVIL MINUTES: Record of Order by Judge Ashmanskas – SETTING a Telephone Conference Call for Friday, June 17, 2005, at 2:00PM; Court staff will initiate the call. (peg,) (Entered: 06/16/2005)
06/16/2005	162	CIVIL MINUTES: Record of Order by Judge Ashmanskas – RESETTNG the TIME ONLY for the Telephone Conference Call on Friday, June 17, 2005, from 2:00PM to 10:30AM; Court staff will initiate the call. (peg,) (Entered: 06/16/2005)
06/17/2005	163	CIVIL MINUTES: Record of Proceedings: Telephone Conference Call held before Judge Ashmanskas – ORDER: SETTING an in–person conference, re: settlement, with counsel for the parties on Tuesday, June 21, 2005, at 11:45AM.Michelle Burrows present as counsel for plaintiff. Lynne Rennick present as counsel for defendants. Court Reporter: None. (peg,) (Entered: 06/17/2005)
07/01/2005	164	CIVIL MINUTES: Record of Order by Judge Ashmanskas – SETTING a continuation of the settlement conference before Judge Ashmanskas for Tuesday, July 26, 2005, at 4:30PM. (peg,) (Entered: 07/01/2005)
07/27/2005	165	CIVIL MINUTES: Record of Proceedings: Settlement Conference held before Judge Ashmanskas. (peg,) (Entered: 07/27/2005)
08/03/2005	166	CIVIL MINUTES: Record of Order by Judge Ashmanskas – SETTING an in–person Conference re: Settlement, counsel only, for Thursday, August 25, 2005, at 10:00AM. (peg,) (Entered: 08/03/2005)
11/14/2005	<u>167</u>	Motion Joint Submission Of Hep–c Treatment Guidelines To Special Master. Filed by all defendants. (Burrows, Michelle) (Entered: 11/14/2005)
11/14/2005	<u>168</u>	Exhibits 1. Filed by all defendants. (Burrows, Michelle) (Entered: 11/14/2005)
11/14/2005	<u>169</u>	Exhibits 2. Filed by all defendants. (Burrows, Michelle) (Entered: 11/14/2005)
11/14/2005	<u>170</u>	Exhibits 3. Filed by all defendants. (Burrows, Michelle) (Entered: 11/14/2005)
11/23/2005	171	CIVIL MINUTES: Record of Order by Judge Ashmanskas – SETTING a Settlement Conference before Judge Ashmanskas on Monday, November 28, 2005, at 10:00AM. (peg,) (Entered: 11/23/2005)
11/28/2005	<u>172</u>	MINUTES of Proceedings: Record of Settlement Conference held before Judge Ashmanskas – The parties shall have until 12/28/05, to submit written arguments to the court addressing: (1) Plaintiffs' objection to the Alcoholics or Narcotics Anonymous participation requirement contained in the 8/04 Medical Guidelines for Hepatitis C Evaluation and Treatment (document #170); and (2) Proposed directives to the members of the Medical Review

		Panel concerning the content of their final report(s) as contemplated in the Settlement and Release (document #142). Counsel for the defendants will distribute copies of the Settlement and Release (document #142) to the members of the Medical Review Panel. Michelle Burrows, David Sugarman present as counsel for plaintiff(s). Lynne Rennick, Leonard Williamson, Rodney Norton present as counsel for defendant(s). Court Reporter: None. Donald C. Ashmanskas presiding. (peg,) (Entered: 11/28/2005)
12/22/2005	173	Record of Order by Judge Ashmanskas – GRANTING counsel for state defendants' telephone request to extend the due date for briefing requested by the court in civil minutes <u>172</u> to 1/6/06. (peg,) (Entered: 12/22/2005)
01/03/2006	<u>174</u>	Objection(s) <i>To Medical Guidelines For Hepatitis C Evaluation and Treatment (AA/NA Requirement)</i> . Filed by all plaintiffs.(Burrows, Michelle) (Entered: 01/03/2006)
01/03/2006	<u>175</u>	Exhibits 1 re Objection <u>174</u> . Filed by all plaintiffs. (Burrows, Michelle) (Entered: 01/03/2006)
01/03/2006	<u>176</u>	Exhibits 2 re Objection <u>174</u> . Filed by all plaintiffs. (Burrows, Michelle) (Entered: 01/03/2006)
01/03/2006	<u>177</u>	Certificate of Service by all plaintiffs re Objection <u>174</u> . Filed by all plaintiffs. (Burrows, Michelle) (Entered: 01/03/2006)
01/06/2006	<u>178</u>	Response to Request for Report by MRP on Guidelines to Motion <u>167</u> . Filed by all plaintiffs.(Burrows, Michelle) (Entered: 01/06/2006)
01/09/2006	<u>179</u>	Defendants' Response to Plaintiffs' Objections to the MRP's Proposed HCV Treatment Guidelines. Filed by all defendants. (Related document(s): Settlement Conference,,, <u>172</u> .)(ljl,) (Entered: 01/09/2006)
01/20/2006	<u>180</u>	Opinion and Order of the Special Master – I conclude that inclusion of language in the 2004 Guidelines referring to participation in Alcoholics Anonymous and/or Narcotics Anonymous does not violate the constitutional rights of inmates, and that the Settlement Agreement between the parties contemplated a final report from the MRP stating a medical opinion on whether the 2003 Guidelines met community medical standards. Objections to this Opinion and Order, if any, may be filed within 20 days of the date hereof. Response to the objections, if any, shall be filed 10 days thereafter. If objections are filed, they will be referred to the Honorable Anna J. Brown upon the filing of a response to the objections, or 10 days after the objections are filed, whichever shall first occur. IT IS SO ORDERED. Signed on 1/20/06, by Judge Donald C. Ashmanskas. (peg,) (Entered: 01/24/2006)
02/27/2006	181	Scheduling Order by Judge Ashmanskas – SETTING a Telephone Conference Call for Friday, March 3, 2006, at 4:00PM; Court staff will initiate the call. (peg,) (Entered: 02/27/2006)
03/03/2006	182	Record of Telephone Status Conference before Judge Ashmanskas – Attorneys present for plaintiffs: David Sugarman and Michelle Burrows. Attorneys present for defendants: Leonard Williamson and Lynne Rennick. (Medical advisory panel was included in the call.) (peg,) (Entered: 03/06/2006)
03/09/2006	183	RECORD OF TELEPHONE CONFERENCE: After being advised that the January 20, 2006, Opinion and Order of the Special Master had not been "downloaded" by the recipients, the court directed the Courtroom Deputy to make available additional copies to the attorneys, with Attorney Rennick to then disseminate copies to the Medical Review Panel ("MRP"). The MRP was requested to furnish awritten report to the Special Master regarding whether the 2003 Oregon Department of Corrections' Hepatitis C Guidelines met community medical standards. The question of whether the MRP should submit a commentary on the 12 charts reviewed to date will await a future telephone conference in the next fewweeks. Also to be discussed is the formal "closure" of this case. Michelle R. Burrows and David Sugarman present as counsel for plaintiff(s). Lynne D. Rennick and Leonard Williamson present as counsel for defendant(s). Special Master Donald C. Ashmanskas presiding. (ecp,) (Entered: 03/10/2006)

03/14/2006	184	Scheduling Order by Judge Ashmanskas – SETTING a Telephone Conference Call for Tuesday, April 4, 2006, at 9:30AM; Court staff will initiate the call. (peg,) (Entered: 03/14/2006)
04/04/2006	<u>185</u>	Record of Telephone Conference held by Judge Ashmanskas – The Medical Review Panel ("MRP") shall have up to and including 5/4/06, to file their final report on the 2003 Oregon Department of Corrections Hepatitis C Standards and their findings and conclusions on the 12 individual files reviewed by the MRP. Any and all identifying information on the individual files, including but not limited to the individual SID numbers, shall be redacted. Thereafter, the parties shall proceed as contemplated in Section 4(b) of the Release and Settlement Agreement to prepare a final agreement and stipulated order and judgment for review by the court. The parties shall also prepare a proposed mutually acceptable final press release for review by the court. Michelle Burrows present as counsel for plaintiffs. Lynne Rennick, Leonard Williamson present as counsel for defendants. (peg,) Modified on 4/10/2006 (peg,). (Entered: 04/07/2006)
06/28/2006	<u>186</u>	Notice of Attorney Substitution: Attorney Leonard W. Williamson for defendantsis substituted as counsel of record in place of Attorney Marc Abrams. Filed by Marc Abrams appearing on behalf of all defendants.(ecp,) (Entered: 06/29/2006)
07/03/2006	187	Record of Order by Judge Ashmanskas – SETTING a Telephone Status Conference with counsel for Monday, July 10, 2006, at 9:30AM; Court staff will initiate the call. (peg,) (Entered: 07/03/2006)
07/07/2006	<u>188</u>	Joint Motion to Implement Guidelines and Extend Review Period. Filed by all defendants. (ecp,) (Entered: 07/07/2006)
07/14/2006	<u>189</u>	RECORD OF ORDER of Special Master Donald C. Ashmanskas – The court hereby accepts and ADOPTS the "MRP Review of 2003 Hepatitis C Screening, Evaluation and Treatment Guidelines" (the "MRP Report"), and DIRECTS the Clerk of the Court to enter the MRP Report in the court docket. The court notes Defendants' objections to the MRP Report, but finds the MRP Report satisfactory. In particular, the court finds the last sentence of paragraph 3 is a clear statement, and that paragraph 3 in its entirety conforms with the court's prior request to the MRP for findings and conclusions from the review of twelve randomly chosen inmate charts. Michelle Burrows, Daivd Sugerman present as counsel for plaintiff(s). Lynne Rennick, Leonard Williamson present as counsel for defendant(s). Court Reporter: None. Donald C. Ashmanskas presiding. (peg,) Additional attachment(s) added on 7/25/2006 (peg,). (Entered: 07/17/2006)
08/07/2006	<u>190</u>	ORDER: Granting the Parties' Motion <u>188</u> to Implement Guidelines and Extend Review Period. See order. Signed on 8/4/06 by Judge Anna J. Brown. (ljl) (Entered: 08/07/2006)
08/09/2006	<u>191</u>	Letter form Counsel of Defendants. Filed by Lynne D. Rennick appearing on behalf of all defendants. (ecp) (Entered: 08/24/2006)
03/14/2007	192	Scheduling Order by Judge Ashmanskas – SETTING a Telephone Conference Call for Wendesday, 3/21/07, at 9:15AM; Court staff will initiate the call. (peg) (Entered: 03/14/2007)
03/19/2007	193	Scheduling Order by Judge Ashmanskas – RESETTING the Telephone Conference Call from 9:15AM to 11:00AM on Wednesday, March 21, 2007; Court staff will initiate the call. (peg) (Entered: 03/19/2007)
03/21/2007	194	MINUTES of Proceedings – Telephone Status Conference held by Judge Ashmanskas. Michelle Burrows present as counsel for plaintiff(s). Lynne Rennick, Leonard Williamson present as counsel for defendant(s). Court Reporter: None. (peg) (Entered: 03/21/2007)
03/27/2007	195	Scheduling Order by Judge Ashmanskas – SETTING a Telephone Conference Call for Thursday, April 5, 2007, at 9:15AM; Court staff will initiate the call. (peg) (Entered: 03/27/2007)
04/02/2007	196	Scheduling Order by Judge Ashmanskas – RESETTING the Telephone Conference Call from 4/5/07, to Friday, April 6, 2007, at 9:15AM; Court staff will initiate the call. (peg) (Entered: 04/02/2007)

04/06/2007	<u>197</u>	MINUTES of Proceedings – Telephone Conference Call held by Judge Ashmanskas – Rulings as follows: (1) The Clerk is directed to enter the 3/21/07, "Report From the Hepatitis C Medical Review Panel" into the court docket. (2) The parties shall continue efforts to correct the "erroneous" notice posted in ODOC Institutions. (3) Counsel for defendants shall have until 4/23/07, to file a motion with the court setting forth their position that the 3/21/07, Report indicates ODOC officials are in sufficient compliance with the "Medical Guidelines for Hepatitis C Evaluation and Treatment – 2004" (docket #170) such that this case may be closed. Counsel for plaintiffs shall have until 5/4/07, to file a response. The Special Master shall take the matter under advisement on 5/4/07, and shall issue a written recommendation to Judge Brown. (4) Counsel for plaintiffs shall supply the court with information about attorney referrals for inmates not currently represented with respect to claims outside the scope of the class certification Status Conference. Dispositive Motions are due by 4/23/2007. Responses to Dispositive Motions are due by 5/4/2007. Motion is taken under advisement as of 5/4/2007. Michelle Burrows present as counsel for plaintiff(s). Lynne Rennick, Leonard Williamson present as counsel for defendant(s). Court Reporter: None. Donald C. Ashmanskas presiding. (peg) Additional attachment(s) added on 4/6/2007 (Gale, Paul). (Entered: 04/06/2007)
04/06/2007	<u>198</u>	Report From the Hepatitis C Medical Review Panel. (peg) (Entered: 04/06/2007)
04/23/2007	<u>199</u>	Motion to Dismiss (<i>filed as Defendants' Motion to Dismiss</i>). Filed by all defendants. (Rennick, Lynne) Modified on 4/23/2007 (ljl) (Entered: 04/23/2007)
04/23/2007	200	Order regarding Motion to Dismiss (<i>filed as Defendants' Motion to Dismiss</i>) <u>199</u> filed by Cleon Miller, David S. Cook, Scott Taylor, Fiaod El-Ebiary, Carl J Matthey, John M Vargo, Steve M Shelton, Catherine M. Knox, George G Degner, Michael D Buck, Robert Ingle, State of Oregon, Patricia Lilienthal, William Cahal for Administrative Correction of the Record. A Clerical error has been discovered in the case record. In accordance with Fed. R. Civ. P. 60(a), the Clerk is directed to make the following administrative corrections to the record and to notify all parties accordingly. The word "Lodged" has been removed from this motion (#199) as it was typed in error. The motion is titled correctly as "Motion to Dismiss". (ljl) (Entered: 04/23/2007)
04/23/2007	<u>201</u>	Memorandum in Support of <i>Defendants' Motion to Dismiss</i> . Filed by all defendants. (Related document(s): Motion to Dismiss <u>199</u> .) (Rennick, Lynne) (Entered: 04/23/2007)
05/03/2007	<u>202</u>	Response To Motion To Dismiss Class Action to Motion to Dismiss (<i>filed as Defendants' Motion to Dismiss</i>) <u>199</u> . Filed by all plaintiffs. (Burrows, Michelle) (Entered: 05/03/2007)
05/03/2007	<u>203</u>	Declaration of Michelle Burrows In Support Of Response To Motion To Dismiss Class Action. Filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit #1–8) (Burrows, Michelle) (Entered: 05/03/2007)
05/07/2007	204	Record of Order by Judge Ashmanskas – GRANTING defense counsel's 5/7/07, telephone request to extend the deadline for their reply to the motion to dismiss up to and including 5/18/07, as which time the motion shall be taken UNDER ADVISEMENT. (peg) (Entered: 05/07/2007)
05/08/2007	205	Scheduling Order by Judge Ashmanskas – At request of counsel for the parties, the Court SETS a Telephone Conference Call re: Defendants' Motion <u>199</u> to Dismiss for Thursday, May 10, 2007, at 10:00AM. (peg) (Entered: 05/08/2007)
05/10/2007	206	Scheduling Order by Judge Ashmanskas – GRANTING Counsel for Plaintiff's telephone request to RESET the Telephone Status Conference from 5/10/07, to Friday, May 11, 2007, at 10:30AM; Court staff will initiate the call. (peg) (Entered: 05/10/2007)
05/14/2007	207	MINUTES of Telephone Status Conference held by Judge Ashmanskas – Counsel will review the 23 charts referred to in the Medical Review Panel's 4/6/07, Report <u>198</u> to determine temporal compliance by Oregon Department of Corrections officials with the "Medical Guidelines for Hepatitis C Evaluation and Treatment – 2004" <u>170</u> . Counsel shall report their findings back to the Court, in writing, by 6/13/07. Defendants' Motion to Dismiss <u>199</u> is STRICKEN from Judge

		Ashmanskas' UNDER ADVISEMENT calendar, and shall be HELD IN ABEYANCE pending the parties' 6/13/07, report. Michelle Burrows present as counsel for plaintiff(s). Lynne Rennick, Leonard Williamson present as counsel for defendant(s). Court Reporter: None. (peg) (Entered: 05/14/2007)
05/31/2007	<u>208</u>	Joint Motion to Dismiss. Filed by all defendants. (Rennick, Lynne) (Entered: 05/31/2007)
06/13/2007	209	Scheduling Order by Judge Ashmanskas – SETTING a Telephone Conference Call re: the parties motion to dismiss for Thursday, June 28, 2007, at 9:45AM; Court staff will initiate the call. (peg) (Entered: 06/13/2007)
06/28/2007	210	MINUTES of Proceedings: Telephone Status Conference held by Judge Ashmanskas. ORDER: (1) Defendants' motion to dismiss <u>199</u> is DENIED as MOOT; (2) The parties joint motion to dismiss <u>208</u> is GRANTED; (3) Defense counsel Lynne Rennick is to draft a form of judgment and circulate it among counsel for their input. The judgment will include a reference to an attachment, i.e. notice to inmates. The proposed judgment is to be submitted to the Court for its consideration no later than 8/15/07. Michelle Burrows present as counsel for plaintiff(s). Leonard Williamson, Lynne Rennick present as counsel for defendant(s). Court Reporter: None. (peg) (Entered: 06/28/2007)
08/10/2007	<u>211</u>	Proposed Form of Order Submitted (<i>titled as Stipulated Judgment of Dismissal</i>). Filed by all defendants. (Rennick, Lynne) (Entered: 08/10/2007)
08/21/2007	<u>212</u>	Sipulated Judgment of Dismissal. Signed on 8/20/07 by Judge Anna J. Brown. (ljl) (copy of judgment sent to Richard Harrington) (Entered: 08/21/2007)
08/31/2007	<u>213</u>	Mail Returned – Undeliverable: Judgment <u>212</u> sent to Richard Harrington returned as undeliverable. (ljl) (Entered: 09/04/2007)