

PROTO, TERMED, TRANSF

**U.S. District Court Northern District of Indiana [LIVE]
USDC Northern Indiana (South Bend)
CIVIL DOCKET FOR CASE #: 3:01-cv-00040-AS-PRC**

USA v. Edward Rose Constr, et al
Assigned to: Judge Allen Sharp
Referred to: Magistrate Judge Paul R Cherry
Demand: \$0

Case in other court: Archives Info (1 Vol &2 Acc),
021-08-00010 56 OF 251 857907FAN
Archives Info (Vol 2-3 &2 Acc),
021-08-00010 57 OF 251 857908FAN
Archives Info (Vol 4 &4 Acc),
021-08-00010 58 OF 251 857909FAN

Cause: 42:405 Fair Housing Act

Plaintiff

United States of America

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V.

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Defendant

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Defendant

Eckert/Wordell Architects PC
TERMINATED: 05/25/2004

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TERMINATED: 05/25/2004

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Defendant

Edward Rose of Indiana
TERMINATED: 05/25/2004

represented by **Timothy J Maher**
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Defendant

Edward Rose &Associates
TERMINATED: 05/25/2004

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Defendant

Edward Rose Development Co LLC
TERMINATED: 05/25/2004

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Defendant

Gary Weaver
Architect

represented by **Garry L Walton PHV**
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James Dimos
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Defendant

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Defendant

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TERMINATED: 05/25/2004

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Cross Claimant

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Cross Claimant

Edward Rose & Sons Inc

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Cross Claimant

Edward Rose Construction Co

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Cross Claimant

Edward Rose Development Co LLC

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Cross Claimant

Edward Rose of Indiana
TERMINATED: 05/25/2004

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Cross Claimant

Occidental Development Co

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V.

Cross Defendant

Gary Weaver*Architect**TERMINATED: 05/25/2004***Cross Claimant****Edward Rose & Associates**represented by **Timothy J Maher**
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*ATTORNEY TO BE NOTICED***Cross Claimant****Edward Rose Construction Co***TERMINATED: 05/25/2004*represented by **Timothy J Maher**
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V.

Cross Defendant**Gary Weaver***Architect**TERMINATED: 12/28/2005*

Date Filed	#	Docket Text
01/18/2001	1	COMPLAINT filed by USA (jld). (Entered: 01/22/2001)
01/22/2001		SUMMONS issued as to defendant Edward Rose Constr, defendant Occidental Dev Co (Jerry Speedy) (smp) (Entered: 01/23/2001)
02/12/2001	2	RETURN OF SERVICE executed upon defendant Edward Rose Constr on 1/25/01 (smp) (Entered: 02/13/2001)
02/12/2001	3	RETURN OF SERVICE executed upon defendant Occidental Dev Co on 1/25/01 (smp) (Entered: 02/13/2001)
05/29/2001	4	ORDER by Judge Allen Sharp Written Status report due 6/15/01 so this case may move forward Number of pages: 1 (cc: all counsel) (jld) (Entered: 05/30/2001)

06/14/2001	5	ATTORNEY APPEARANCE for plaintiff USA by Harvey L Handley (jld) (Entered: 06/15/2001)
06/14/2001	6	STATUS REPORT by plaintiff USA (jld) (Entered: 06/15/2001)
01/07/2002	7	ORDER by Judge Allen Sharp Further Status report due 1/31/02 so that this case may move forward Number of pages: 1 (cc: all counsel) (jld) (Entered: 01/07/2002)
01/30/2002	8	STATUS REPORT by plaintiff USA (jld) (Entered: 01/30/2002)
05/20/2002	9	ATTORNEY APPEARANCE for defendant Edward Rose Constr, defendant Occidental Dev Co by Joseph R Fullenkamp, Timothy J Maher (smp) (Entered: 05/21/2002)
05/20/2002	10	ANSWER by defendant Edward Rose Constr, defendant Occidental Dev Co to complaint [1-1] (smp) (Entered: 05/21/2002)
05/23/2002	11	NOTICE: before Judge Allen Sharp ;Pretrial conference set 2:00 6/6/02 w/consent form (cc: all counsel) (saj) (Entered: 05/23/2002)
06/05/2002	12	MOTION by defendant for attorney Christopher B Hanback, Tara K Gorman to appear pro hac vice (jld) (Entered: 06/06/2002)
06/05/2002		FILING FEE PAID: on 6/5/02 in the amount of \$ 60.00, receipt # 3307872. (jld) (Entered: 06/06/2002)
06/05/2002	13	MOTION by defendants for attorney Andrew L Sandler, Jennifer Spaziano to appear pro hac vice (jld) (Entered: 06/06/2002)
06/05/2002		FILING FEE PAID: on 6/5/02 in the amount of \$ 60.00, receipt # 3307812. (jld) (Entered: 06/06/2002)
06/06/2002	14	ORDER by Judge Allen Sharp granting motion for attorney Christopher B Hanback, Tara K Gorman to appear pro hac vice [12-1] Number of pages: 1 (cc: all counsel) (jld) (Entered: 06/06/2002)
06/06/2002	15	ORDER by Judge Allen Sharp granting motion for attorney Andrew L Sandler, Jennifer Spaziano to appear pro hac vice [13-1] Number of pages: 1 (cc: all counsel) (jld) (Entered: 06/06/2002)
06/06/2002	16	ATTORNEY APPEARANCE for plaintiff USA by Ming-Yuen Meyer-Fong (jld) (Entered: 06/06/2002)
06/06/2002	17	PRETRIAL CONFERENCE: before Judge Allen Sharp , All Discovery ddl set for 6/30/03 ; Designation of experts/reports due from both sides by 1/6/03; amend to pleadings set 9/3/02 to add any new parties (no extensions) ; Case referred to Mag. Nuechterlein for a settle conf (cc: all counsel) (saj) (Entered: 06/06/2002)
06/06/2002	18	ORDER OF REFERRAL by Judge Allen Sharp referring case to Mag. Nuechterlein for a settle conf; Number of pages: 1 (cc: all counsel) (saj) (Entered: 06/06/2002)
07/11/2002	19	JOINT STATUS REPORT by parties (jld) (Entered: 07/11/2002)
08/14/2002	20	ORDER FOR TELEPHONIC STATUS CONFERENCE by Mag J Christopher A. Nuechterlein Telephonic Status conference set for 2:45 9/9/02 (South Bend time) before Mag J Christopher A. Nuechterlein to schedule settlement conference; Court to make necessary arrangements Number of pages: 1 (cc: all counsel) (jld) (Entered: 08/15/2002)
08/26/2002	21	ATTORNEY APPEARANCE for plaintiff USA by Erin Meehan Richmond (jld) (Entered: 08/26/2002)
08/30/2002	22	MOTION by plaintiff USA for leave to file amended complaint to include an additional 10 apartment complexes and additional defendants (jld) (Entered: 08/30/2002)
08/30/2002		RECEIPT of original and copies of proposed First Amended Complaint (jld) (Entered: 08/30/2002)

08/31/2002	23	ORDER by Judge Allen Sharp granting motion for leave to file amended complaint to include an additional 10 complexes and additional defendants [22-1] Number of 1 (cc: all counsel) (jld) (Entered: 09/04/2002)
08/31/2002	24	AMENDED COMPLAINT [1-1] by plaintiff USA; adding Edward Rose & Sons, Edward Rose of IN, Edward Rose & Assoc, Edward Rose Dev Co, Gary Weaver, Eckert/Wordell, Dorchen/Martin Assoc (jld) (Entered: 09/05/2002)
09/10/2002	25	ORDER FOR SETTLEMENT CONFERENCE by Mag J Christopher A. Nuechterlein settlement conference 9:30 11/13/02 (South Bend time) before Mag J Christopher A. Nuechterlein; confidential Settlement report due 11/8/02 Number of pages: 4 (cc: all counsel) (jld) (Entered: 09/11/2002)
09/19/2002	26	MOTION by plaintiff USA to compel defendants to permit entry upon land for inspection and for expedited review (jld) (Entered: 09/20/2002)
09/19/2002	27	MEMORANDUM by plaintiff USA of authorities in support of motion to compel defendants to permit entry upon land for inspection and for expedited review [26-1] (jld) (Entered: 09/20/2002)
09/19/2002	28	MOTION by plaintiff USA for telephonic conference addressing plaintiff's motion to compel (jld) (Entered: 09/20/2002)
09/20/2002	29	RESPONSE by defendants Edward Rose Constr, Occidental Dev Co in opposition to motion for telephonic conference addressing plaintiff's motion to compel [28-1], to motion to compel defendants to permit entry upon land for inspection and for expedited review [26-1] (jld) (Entered: 09/20/2002)
09/20/2002	30	NOTICE: before Judge Allen Sharp finding the motion for telephonic conference addressing plaintiff's motion to compel [28-1] moot., regarding [26-1] ; Hearing on motion to compel set for 1:30 9/24/02 (cc: all counsel) (saj) (Entered: 09/20/2002)
09/24/2002	31	MOTIONS ORAL ARGUMENT: before Judge Allen Sharp; Counsel agree that inspection of 14 properties in amended complaint will be inspected by 11/13/02; finding the motion to compel defendants to permit entry upon land for inspection and for expedited review [26-1] moot. (cc: all counsel) (saj) (Entered: 09/24/2002)
10/03/2002	32	ATTORNEY APPEARANCE for defendant Gary Weaver by Michael C Cook, Jane Ann Himsel (jld) (Entered: 10/03/2002)
10/04/2002	33	ANSWER by defts Edward Rose & Sons, Edward Rose Constr, Edward Rose of IN, Edward Rose & Assoc, Edward Rose Dev Co, Occidental Dev Co to 1st amended complaint [24-1] (jld) (Entered: 10/07/2002)
10/07/2002	34	ATTORNEY APPEARANCE for defendant Dorchen/Martin Assoc by J Thomas Vetne (jld) (Entered: 10/07/2002)
10/09/2002	35	MOTION by defendant Dorchen/Martin Assoc for attorney Kevin J Gleeson to appear pro hac vice (jld) (Entered: 10/09/2002)
10/09/2002	36	MOTION by defendant Dorchen/Martin Assoc for attorney Sheri B Cataldo to appear pro hac vice (jld) (Entered: 10/09/2002)
10/09/2002	37	ORDER by Judge Allen Sharp granting motion for attorney Kevin J Gleeson to appear pro hac vice [35-1] Number of pages: 1 (cc: all counsel) (jld) (Entered: 10/09/2002)
10/09/2002	38	ORDER by Judge Allen Sharp granting motion for attorney Sheri B Cataldo to appear pro hac vice [36-1] Number of pages: 1 (cc: all counsel) (jld) (Entered: 10/09/2002)
10/09/2002		TRANSCRIPT filed no. of volumes: 1 for dates: 9/24/02 Court Reporter: Loretta M Spromberg (jld) (Entered: 10/09/2002)
10/16/2002	39	WAIVER OF SERVICE executed upon defendant Eckert/Wordell on 9/20/02 (jld) (Entered: 10/17/2002)
10/16/2002	40	WAIVER OF SERVICE executed upon defendant Dorchen/Martin Assoc on 9/16/02 (jld) (Entered: 10/17/2002)

10/16/2002	41	WAIVER OF SERVICE executed upon defendant Gary Weaver on 9/25/02 (jld) (Entered: 10/17/2002)
10/16/2002	42	WAIVER OF SERVICE executed upon defendant Edward Rose & Sons on 9/18/02 (jld) (Entered: 10/17/2002)
10/23/2002	43	MOTION by defendant Dorchen/Martin Assoc for more definite statement (jld) (Entered: 10/24/2002)
10/23/2002	44	BRIEF by defendant Dorchen/Martin Assoc in support of motion for more definite statement [43-1] (jld) (Entered: 10/24/2002)
10/23/2002	45	NOTICE OF HEARING by defendant Dorchen/Martin Assoc on Motion for More Definite Statement to be set by the Court (jld) (Entered: 10/24/2002)
10/23/2002	46	CORPORATE DISCLOSURE by defendant Dorchen/Martin Assoc (jld) (Entered: 10/24/2002)
10/23/2002	47	PROOF OF SERVICE by defendant Dorchen/Martin Assoc of Motion for More Definite Statement, Brief in Support & Notice of Hearing (jld) (Entered: 10/24/2002)
10/23/2002	48	MOTION by defendant Eckert/Wordell for attorney Garry :L Walton to appear pro hac vice (jld) (Entered: 10/24/2002)
10/23/2002	49	ATTORNEY APPEARANCE for defendant Gary Weaver by James Dimos (jld) (Entered: 10/24/2002)
10/23/2002	50	ORDER by Judge Allen Sharp granting motion for attorney Garry L Walton to appear pro hac vice [48-1] Number of pages: 1 (cc: all counsel) (jld) (Entered: 10/24/2002)
10/23/2002		PRO HAC VICE FEE PAID: on 10/23/02 in the amount of \$ 30.00, receipt # 3310175. (jld) (Entered: 10/25/2002)
11/01/2002	51	MEMORANDUM by plaintiff USA in opposition to deft Dorchen/Martin's motion for more definite statement [43-1] (jld) (Entered: 11/04/2002)
11/05/2002	52	ATTORNEY APPEARANCE for defendant Eckert/Wordell, by Garry L Walton (jld) (Entered: 11/05/2002)
11/05/2002	53	CORPORATE DISCLOSURE by Eckert/Wordell (jld) (Entered: 11/05/2002)
11/05/2002	54	ANSWER by defendant Eckert Wordell Architects to first amended complaint [24-1] (jld) Modified on 11/08/2002 (Entered: 11/05/2002)
11/19/2002	55	ANSWER by defendant Gary Weaver to first amended complaint [24-1] (jld) (Entered: 11/19/2002)
11/26/2002	56	NOTICE: before Judge Allen Sharp regarding [43-1] Oral Argument set for 4:00 12/19/02 (cc: all counsel) (saj) (Entered: 11/26/2002)
12/05/2002	57	MOTION by defendant Dorchen/Martin Assoc to advance time for oral argument on motion for more definite statement from 4:00 to 1:30 on 12/19/02 (jld) (Entered: 12/06/2002)
12/06/2002	58	ORDER by Judge Allen Sharp granting motion to advance time for oral argument on motion for more definite from 4:00 to 1:30 on 12/19/02 [57-1] hearing on motion for more definite statement reset for 1:30 12/19/02 (South Bend time) Number of pages: 1 (cc: all counsel) (jld) (Entered: 12/06/2002)
12/09/2002	59	MAIL Returned [56-2] addressed to plaintiff USA (jld) (Entered: 12/10/2002)
12/12/2002	60	MOTION by plaintiff USA to compel the Rose defendants to permit entry upon land for inspection and to produce documents (jld) (Entered: 12/13/2002)
12/12/2002	61	MEMORANDUM by plaintiff USA in support of motion to compel the Rose defendants to permit entry upon land for inspection and to produce documents [60-1] (jld) (Entered: 12/13/2002)

12/12/2002	62	GOOD FAITH CERTIFICATE to accompany its motion to compel by plaintiff USA (jld) (Entered: 12/13/2002)
12/13/2002	63	MOTION by defendants Edward Rose & Sons, Edward Rose Constr, Edward Rose of IN, Edward Rose & Assoc, Edward Rose Dev Co, Occidental Dev Co, Gary Weaver, Eckert/Wordell, Dorchen/Martin Assoc to extend ddl for defendatns to exchange expert disclosures and request for expedited hearings on 12/19/02 at 1:30 (jld) (Entered: 12/17/2002)
12/18/2002	64	RESPONSE by plaintiff USA in opposition to motion to extend ddl for defendants to exchange expert disclosures and request for expedited hearings on 12/19/02 at 1:30 [63-1] (jld) (Entered: 12/19/2002)
12/19/2002	65	ATTORNEY APPEARANCE for defendant Gary Weaver by Dean R Brackenridge (jld) (Entered: 12/19/2002)
12/19/2002	66	MOTIONS ORAL ARGUMENT: before Judge Allen Sharp granting motion to extend ddl for defendatns to exchange expert disclosures request for expedited hearings on 12/19/02 at 1:30 [63-1], denying motion for more definite statement [43-1] Expert reports and disclosures for Pltf & Defts to 4/1/03 and to 6/30/03 to file rebuttal or opposition to such (cc: all counsel) (saj) (Entered: 12/19/2002)
12/23/2002		TRANSCRIPT of Oral Argument filed no. of volumes: 1 for dates: 12/19/02 Court Reporter: Loretta M Spromberg (jld) (Entered: 12/23/2002)
12/23/2002		TRANSCRIPT filed no. of volumes: 1 for dates: 11/13/02 11/14/02 Settlement Conference – Court Reporter: Geneva L Sones (slm) (Entered: 01/03/2003)
12/30/2002	67	OPPOSITION by defendants Edward Rose & Sons, Edward Rose & Sons, Edward Rose Constr, Edward Rose & Assoc, Edward Rose Dev Co, Occidental Dev Co to motion to compel the Rose defendants permit entry upon land for inspection and to produce documents [60-1] (jld) (Entered: 12/30/2002)
01/02/2003	68	MAIL Returned [66-2] addressed to plaintiff USA (Housing & Civil Enforcement Section) (rmn) (Entered: 01/06/2003)
01/03/2003	69	ANSWER by defendant Dorchen/Martin Assoc to amended complaint [24-1] (jld) (Entered: 01/06/2003)
01/03/2003	70	Affirmative Defense filed by defendant Dorchen/Martin Assoc (jld) (Entered: 01/06/2003)
01/03/2003	71	PROOF OF SERVICE by defendant Dorchen/Martin Assoc of Answer to Amended Complaint & Affirmative Defenses (jld) (Entered: 01/06/2003)
01/06/2003	72	MOTION by plaintiff USA for leave to file second amended complaint (jld) (Entered: 01/06/2003)
01/06/2003		RECEIPT of proposed second amended complaint (jld) (Entered: 01/06/2003)
01/06/2003	73	MOTION by plaintiff USA to compel the Rose Defendants to Respond to the USA's request for production of documents No 1 (jld) (Entered: 01/06/2003)
01/06/2003	74	MEMORANDUM of Authorities by plaintiff USA in support of motion to compel the Rose Defendants to Respond to the USA's request for production of documents No 1 [73-1] (jld) (Entered: 01/06/2003)
01/06/2003	75	SUPPLEMENT by defendants Edward Rose Constr, Edward Rose & Sons, Edward Rose of IN, Edward Rose & Assoc, Edward Rose Dev Co re motion response [67-1] (jld) (Entered: 01/07/2003)
01/07/2003	76	NOTICE: before Judge Allen Sharp regarding [73-1], regarding [72-1], regarding [60-1] All motions oral argument hearing set in Lafayette, IN for 4:00 1/24/03 (cc: all counsel) (saj) (Entered: 01/07/2003)
01/10/2003	77	MOTION by defendants' the Rose Companies to change the hearing date on pending motions from 1/24/03 to 1/22/03 (rmn) (Entered: 01/13/2003)
01/10/2003	78	ORDER by Judge Allen Sharp granting motion to change the hearing date on pending motions from 1/24/03 to 1/22/03 [77-1] Hearing reset to 10:30 1/22/03

		(CST/Hammond time) before Judge Allen Sharp in the 4th floor courtroom in the Hammond Federal Building Number of pages: 1 (cc: all counsel) (jld) (Entered: 01/13/2003)
01/13/2003	79	REPLY by plaintiff USA to response/opposition to motion to compel the Rose defendants to permit entry upon land for inspection and to produce documents [60-1] (jld) (Entered: 01/14/2003)
01/21/2003	80	RESPONSE in Opposition by defendants Edward Rose Constr, Edward Rose & Sons, Edward Rose of IN, Edward Rose & Assoc, Edward Rose Dev Co to motion for leave to file second amended complaint [72-1] (jld) (Entered: 01/22/2003)
01/21/2003	81	RESPONSE by defendants Edward Rose Constr, Edward Rose & Sons, Edward Rose of IN, Edward Rose & Assoc, Edward Rose Dev Co in Opposition to motion to compel the Rose Defendants to Respond to the request for production of documents No 1 [73-1] (jld) (Entered: 01/22/2003)
01/21/2003	83	MAIL Returned [76-2] addressed to plaintiff USA c/o atty Harvey L Handley (jld) (Entered: 01/23/2003)
01/22/2003	82	MOTIONS ORAL ARGUMENT: before Judge Allen Sharp ; Court heard oral argument, granting motion for leave to file second amended complaint [72-1] – all claims of nature in this case must be included in second amended complaint which is to include claims in US District Court in EDMI, Motions to compel will be referred to Mag. Nuechterlein. (saj) (Entered: 01/23/2003)
01/27/2003	84	ORDER OF REFERRAL TO U.S. MAGISTRATE JUDGE FOR A SPECIFIC MOTION by Judge Allen Sharp referring case to Mag J Christopher A Nuechterlein for the disposition of the motions to compel. Number of pages: 1 (cc: Mag J Nuechterlein, all counsel) (jld) (Entered: 01/27/2003)
01/27/2003	85	MOTION by plaintiff USA for reconsideration of order conditionally granting motion for leave to file amended complaint (jld) (Entered: 01/28/2003)
01/28/2003		TRANSCRIPT filed no. of volumes: 1 for dates: 1/22/03 Court Reporter: Loretta Spromberg (jld) (Entered: 01/28/2003)
01/30/2003	86	MAIL Returned [78-1], [78-2] addressed to Harvey Handly for plaintiff USA (jld) (Entered: 01/31/2003)
01/30/2003	87	UNOPPOSED MOTION by plaintiff USA to dismiss without prejudice its motion to compel the Rose defendants to respond to the USA's request for production No 1 (jld) (Entered: 01/31/2003)
01/30/2003	88	OPPOSITION by defendants Edward Rose Constr, Edward Rose & Sons, Edward Rose of IN, Edward Rose & Assoc, Edward Rose Dev Co to motion for reconsideration of order conditionally granting motion for leave to file amended complaint [85-1] (jld) (Entered: 02/03/2003)
01/30/2003	89	ORDER by Mag Judge Christopher A. Nuechterlein granting motion to dismiss without prejudice its motion to compel Rose defendants to respond to the USA's request for production No 1 [87-1] dismissing the motion to compel the Rose Defendants to Respond to the USA's request for production of documents No 1 [73-1] Number of pages: 1 (cc: all counsel) (jld) (Entered: 02/03/2003)
02/04/2003	90	MAIL Returned [82-1] addressed to Harvey L Handley (jld) (Entered: 02/04/2003)
02/04/2003	91	ORDER by Mag Judge Christopher A. Nuechterlein granting motion to compel the Rose defendants to permit entry upon land for inspection and to produce documents [60-1] Number of pages: 6 (cc: all counsel) (jld) (Entered: 02/05/2003)
02/07/2003	92	MOTION by defendants The Rose Companies to amend the court's 2/4/03 order (rmn) (Entered: 02/10/2003)
02/10/2003	93	MAIL Returned [84-1] addressed to plaintiff USA (Handley, DOJ – moved not forwardable) (rmn) (Entered: 02/11/2003)

02/11/2003	94	MEMORANDUM by defendants Edward Rose Constr, Edward Rose & Sons, Edward Rose of IN, Edward Rose & Assoc, Edward Rose Dev Co in opposition to motion to amend the court's 2/4/03 order [92-1] (jld) (Entered: 02/12/2003)
02/13/2003	95	REPLY by plaintiff USA re motion for reconsideration of the Court's 1/23/03 order [85-1] (jld) (Entered: 02/14/2003)
02/14/2003	96	MOTION by defendants Edward Rose Constr, Edward Rose & Sons, Edward Rose of IN, Edward Rose & Assoc, Edward Rose Dev Co for partial summary judgment (jld) (Entered: 02/14/2003)
02/14/2003	97	MEMORANDUM by Rose defendants in support of motion for partial summary judgment [96-1] (jld) (Entered: 02/14/2003)
02/18/2003	98	ORDER by Judge Allen Sharp ;Hearing set for 3:00 2/27/03 in South Bend to discuss filings made on 2/7/03, 2/11/03 and 2/13/03 Number of pages: 1 (cc: all counsel) (mlc) (Entered: 02/18/2003)
02/18/2003	99	MAIL Returned [89-1] addressed to plaintiff USA c/o atty Harvey L Handley (jld) (Entered: 02/19/2003)
02/18/2003	100	MAIL Returned [91-1] addressed to plaintiff USA c/o atty Harvey L Handley (jld) (Entered: 02/19/2003)
02/20/2003	101	MOTION by defendant Dorchen/Martin Assoc to continue hearing currently set 2/27/03 to 3/4/03 or later (jld) (Entered: 02/21/2003)
02/21/2003	102	NOTICE by "Rose" defendants of no objection to motion to continue 2/27/03 hearing (jld) (Entered: 02/24/2003)
02/24/2003	103	ORDER by Judge Allen Sharp Case transferred to Dist of: Eastern District of Michigan, Southern Division, case #02-73518 before the Honorable Victoria A Roberts Number of pages: 1 (cc: all counsel) (jld) (Entered: 02/24/2003)
02/24/2003	104	CLERK'S ENTRY OF JUDGMENT regarding [103-1], regarding [103-2] (cc: all counsel) (jld) (Entered: 02/24/2003)
02/24/2003	105	LETTER transferring case to ED of Michigan, sending all original documents, certified copy of transfer order and judgment and certified copy of docket sheet (jld) (Entered: 02/25/2003)
02/25/2003	106	NOTICE OF WITHDRAWAL OF MOTION FOR PARTIAL SUMMARY JUDGMENT by defendant Edward Rose Constr, defendant Occidental Dev Co, defendant Edward Rose & Sons, defendant Edward Rose of IN, defendant Edward Rose & Assoc, defendant Edward Rose Dev Co, defendant Edward Rose & Sons, defendant Edward Rose of IN, defendant Edward Rose & Assoc, defendant Edward Rose Dev Co (kds) (Entered: 03/05/2003)
02/26/2003	107	MOTION by plaintiff USA, defendant Edward Rose Constr, defendant Occidental Dev Co, defendant Edward Rose & Sons, defendant Edward Rose of IN, defendant Edward Rose & Assoc, defendant Edward Rose Dev Co, defendant Gary Weaver, defendant Eckert/Wordell, defendant Dorchen/Martin Assoc, defendant Edward Rose & Sons, defendant Edward Rose of IN, defendant Edward Rose & Assoc, defendant Edward Rose Dev Co, defendant Gary Weaver, defendant Eckert/Wordell, defendant Dorchen/Martin Assoc to stay transfer pending opportunity to be heard (kds) (Entered: 03/05/2003)
02/28/2003	108	RESPONSE by plaintiff USA to motion to stay transfer pending opportunity to be heard [107-1] (kds) (Entered: 03/05/2003)
02/28/2003		RECEIPT of Defendant's Motion to Reconsider, Alter or Amend Order (kds) (Entered: 03/05/2003)
02/28/2003		RECEIPT of Brief in Support of Defendant's Motion to Reconsider, Alter or Amend Order (kds) (Entered: 03/05/2003)
02/28/2003		RECEIPT of Rose Defendant's Motion to Reconsider, Alter, Amend Judgment, and/or for Relief from Judgment or Order to Transfer, and to Enjoin Prosecution of Michigan Action (kds) (Entered: 03/05/2003)

02/28/2003		RECEIPT of Rose Defendants' Brief in Support of Motion to Reconsider, Alter or Amend Judgment, and/or for Relief from Judgment or Order to Transfer, and to Enjoin Prosecution of Michigan Action (kds) (Entered: 03/05/2003)
03/03/2003		RECEIPT of Motion to Reconsider, Alter or Amend Transfer Order by Defendant, Dorchon/Martin Associates, Inc. (kds) (Entered: 03/05/2003)
03/06/2003	109	MAIL Returned [103-2], [104-1] addressed to plaintiff USA c/o Harvey L Handley (Moved, not forwardable) (jld) (Entered: 03/06/2003)
03/06/2003	110	RECEIPT of Record Transmittal Letter from ED of Michigan, case assigned # 03-70865 before Magistrate Judge R Steven Whalen (jld) (Entered: 03/06/2003)
03/10/2003	111	MAIL Returned [98-2] addressed to plaintiff USA c/o Harvey L Handley (jld) (Entered: 03/11/2003)
03/19/2003	112	NOTIFICATION by Circuit Court of Appellate Docket Number 03-1663 (jld) (Entered: 03/20/2003)
04/03/2003	113	NOTICE: before Judge Allen Sharp regarding [107-1] ;Oral Argument on pending motions set for 2:00 5/9/03 (cc: all counsel) (saj) (Entered: 04/03/2003)
04/14/2003	114	MAIL Returned [113-2] addressed to plaintiff USA c/o Harvey L Handley, Moved, not forwardable (jld) (Entered: 04/15/2003)
05/09/2003	115	ORAL ARGUMENT: before Judge Allen Sharp regarding [107-1] Court is unable to do anything in this case (cc: all counsel) (saj) (Entered: 05/09/2003)
06/09/2003		TRANSCRIPT filed no. of volumes: 1 for dates: 5/9/03 Court Reporter: Loretta Spromberg (sdf) (Entered: 06/09/2003)
01/29/2004	<u>118</u>	OPINION AND ORDER re-transferring case to U S District Court Northern District of Indiana. Signed by Judge Victoria A Roberts U S District Court Eastern District of Michigan Southern Division on 1/29/04. (sdf,) (Entered: 02/12/2004)
02/10/2004	<u>117</u>	NOTICE OR TRANSFER TO OTHER DISTRICT: Case is re-transferred to U S District Court/Northern District of Indiana, South Bend (sdf,) Modified on 3/11/2004 (sdf,). Record rec'd consisting of 3 volumes of pleadings, 4 volumes of transcripts (all originals from Northern District of Indiana), 2 expandable folders(all original pleadings from Eastern District of Michigan) (Entered: 02/12/2004)
02/12/2004	<u>120</u>	MOTION for Hearing re <u>117</u> Notice (Other) <i>status conference</i> by Defendants Edward Rose & Associates, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose Development Co LLC, Edward Rose of Indiana, Edward Rose of Indiana, Occidental Development Co. (Maher, Timothy) (Entered: 02/12/2004)
02/12/2004	<u>121</u>	MOTION for Leave to File <i>amended answer including crossclaim</i> by Defendants Edward Rose & Associates, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose Development Co LLC, Edward Rose of Indiana, Edward Rose of Indiana, Occidental Development Co. (Attachments: # <u>1</u>)(Maher, Timothy) (Entered: 02/12/2004)
02/12/2004	<u>122</u>	PROOF OF SERVICE by defendant's of Amended Response to USA's 1st set of Interrogatories (sdf,) Modified on 2/19/2004-typo corrected (rmn). (Entered: 02/18/2004)
02/17/2004	<u>123</u>	PROOF OF SERVICE of The Rose Companies' discovery documents to plaintiff(sdf,) (Entered: 02/20/2004)
02/20/2004	<u>124</u>	MOTION for Partial Summary Judgment <i>Memorandum and appendix in support of same</i> by Defendants Edward Rose & Associates, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose Development Co LLC, Edward Rose of Indiana, Edward Rose of Indiana, Occidental Development Co. Response Brief due by 3/24/2004 (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u>)(Maher, Timothy)

		(Entered: 02/20/2004)
02/23/2004	<u>125</u>	Proof OF SERVICE by Rose Defendants Supplement to responses regarding modification for properties managed at Farmington Hills Office, Supplement to responses regarding modifications for properties managed at Kalamazoo Office (sdf,) (Entered: 02/24/2004)
02/24/2004	<u>126</u>	NOTICE of Appearance by Sean R Keveney on behalf of United States of America (sdf,) (Entered: 02/25/2004)
02/24/2004	<u>127</u>	ORDER granting <u>120</u> Motion for Hearing . Signed by Judge Allen Sharp on 2/24/04. (sdf,) (Entered: 02/25/2004)
02/24/2004		Set/Reset Hearings: Status Conference set for 3/19/2004 01:00 PM (EST) in South Bend before Judge Allen Sharp. (sdf,) (Entered: 02/25/2004)
02/25/2004	<u>128</u>	MOTION to Withdraw as Attorney by Defendant Gary Weaver. (Himsel, Jane) (Entered: 02/25/2004)
02/25/2004	<u>129</u>	ORDER REFERRING CASE to Magistrate Judge Christopher A Nuechterlein to conduct such proceedings as are required including all pretrial scheduling conferences and to enter into the record a written order setting forth the disposition of all nondispositive pretrial matters . Signed by Judge Allen Sharp on 2/25/04. (sdf,) (Entered: 02/26/2004)
02/26/2004	<u>130</u>	ORDER granting <u>128</u> Motion to Withdraw as Attorney for defendant Gary Weaver. Attorney Michael C Cook and Jane Ann Himsel terminated . Signed by Judge Allen Sharp on 2/26/04. (sdf,) (Entered: 02/27/2004)
02/27/2004	<u>131</u>	MOTION to Dismiss and/or Hold in Abeyance the Rose defendants' Motion for Summary Judgment by Plaintiff United States of America. (sdf,) (Entered: 03/01/2004)
03/04/2004	<u>132</u>	RESPONSE to Motion re <u>131</u> MOTION to Dismiss <i>and/or hold in abeyance the Rose Defendants' Motion for Summary Judgment</i> filed by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co. (Maher, Timothy) (Entered: 03/04/2004)
03/08/2004	<u>133</u>	NOTICE by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co re <u>121</u> MOTION for Leave to File <i>amended answer including crossclaim Notice of Ripeness for Summary Ruling</i> (Maher, Timothy) (Entered: 03/08/2004)
03/09/2004	<u>134</u>	ORDER granting <u>121</u> Motion for Leave to File Amended Answer, Affirmative Defenses and Crossclaim. Signed by Judge Christopher A Nuechterlein on 3/9/04. (sdf,) (Entered: 03/09/2004)
03/09/2004	<u>135</u>	AMENDED ANSWER AND AFFIRMATIVE DEFENSES of the Rose Defendants to First Amended Complaint 24 and Crossclaim against Gary Weaver (sdf,) Modified on 3/31/2004 to add link to amended complaint (lpw). (Entered: 03/09/2004)
03/11/2004	<u>136</u>	REPLY to Response to <u>131</u> MOTION to Dismiss and/or hold in abeyance the Rose defendants' motion for partial summary judgment filed by United States of America. (sdf,) (Entered: 03/12/2004)
03/12/2004	<u>137</u>	Mail Returned as Undeliverable. Mail sent to Harvey L Handley. Court's order <u>127</u> (sdf,) (Entered: 03/15/2004)
03/15/2004	<u>138</u>	Mail Returned as Undeliverable. Mail sent to Harvey L. Handley (court's order of 2/26/04 <u>130</u>) (sdf,) Modified on 3/16/2004 (sdf,). (Entered: 03/16/2004)
03/15/2004	<u>139</u>	MOTION FOR SEVERANCE and Transfer of Certian Claims to the Eastern District of Michigan by Plaintiff United States of America. (sdf,) (Entered: 03/16/2004)

03/15/2004	<u>140</u>	MEMORANDUM in Support of <u>139</u> MOTION for Severance and Transfer filed by United States of America. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B # <u>3</u> Exhibit C # <u>4</u> Exhibit D)(sdf,) (Entered: 03/16/2004)
03/19/2004	<u>141</u>	STATUS HEARING held before Judge Allen Sharp on 3/19/2004 re <u>131</u> MOTION to Dismiss, <u>124</u> MOTION for Partial Summary Judgment, <u>139</u> MOTION to Sever. Plaintiff's 2nd amended complaint attached to 1/6/2003 72 motion to amend complaint is to be filed as of today. Defendants given until 4/12/2004 to answer. Referral order of 2/25/04 <u>129</u> to Mag. Judge Nuechterlein is now SET ASIDE. 1:08-1:53 (Court Reporter Spromberg.) (saj) Modified on 3/19/2004 (sdf,). (Entered: 03/19/2004)
03/19/2004	<u>142</u>	2nd AMENDED COMPLAINT against Dorchen/Martin Associates Inc, Eckert/Wordell Architects PC, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co, Gary Weaver , filed by United States of America.(sdf,) (Entered: 03/19/2004)
03/19/2004	<u>143</u>	MOTION for Leave of Attorneys Frederick M Baker Jr, Norman C Ankers, Brigham Cook Smith, Jon M O'Hara Jr, and Patrick T Duerr to Appear Pro Hac Vice for Edward Rose Defendants (sdf,) (Entered: 03/22/2004)
03/19/2004	<u>144</u>	ORDER granting <u>143</u> Motion for Leave for Attorneys Frederick M Baker Jr, Norman C Ankers, Brigham Cook Smith, John M O'Hara Jr, and Patrick T Duerr to Appear Pro Hac Vice . Signed by Judge Allen Sharp on 3/19/04. (sdf,) (Entered: 03/22/2004)
03/24/2004	<u>145</u>	<i>Rose Defendants'</i> ANSWER to <u>142</u> Amended Complaint <i>Second Amended Complaint</i> , CROSSCLAIM against Gary Weaver by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co, Gary Weaver.(Maher, Timothy) (Entered: 03/24/2004)
03/24/2004	<u>146</u>	JOINT STIPULATION for Extension of Deadline to/including 04/19/2004 to File Response to Rose Defendants' Motion for Partial Summary Judgment filed by Defendants Edward Rose & Associates, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose Development Co LLC, Edward Rose of Indiana, Edward Rose of Indiana, Plaintiff United States of America. (rmn) (Entered: 03/25/2004)
03/26/2004	<u>147</u>	ANSWER to <u>135</u> Crossclaim of <i>Rose Defendant's</i> by Gary Weaver.(Dimos, James) (Entered: 03/26/2004)
03/29/2004	<u>148</u>	RESPONSE in Opposition re <u>139</u> MOTION to Sever <i>and transfer certain properties</i> filed by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co. (Maher, Timothy) (Entered: 03/29/2004)
03/30/2004	<u>149</u>	SUPPLEMENT to <u>148</u> Response in Opposition to Motion, <i>Exhibit A, federal caseload statistics, inadvertently omitted from original filing</i> , filed by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co. (Maher, Timothy) (Entered: 03/30/2004)
04/01/2004	<u>150</u>	Mail Returned as Undeliverable. Mail sent to Harvey L Handley – court's order of 3/19/04 <u>142</u> (sdf,) (Entered: 04/02/2004)
04/02/2004	<u>151</u>	MEMORANDUM OF LAW IN RESPONSE to <u>139</u> MOTION for severance and transfer of claim to the Eastern District of Michigan filed by Dorchen/Martin Associates Inc, Eckert/Wordell Architects PC, United States of America. (sdf,) Modified on 5/25/2004 (lpw). (Entered: 04/05/2004)
04/05/2004	<u>152</u>	MOTION for Protective Order by Plaintiff United States of America. (Attachments: # <u>1</u> Affidavit Affidavit of Service# <u>2</u> Affidavit Local Rule 37.1 Certification# <u>3</u> Exhibit A# <u>4</u> Exhibit B)(Keveney, Sean) (Entered: 04/05/2004)

04/05/2004	<u>153</u>	MOTION for Protective Order by Plaintiff United States of America. (Attachments: # <u>1</u> Exhibit C(1)# <u>2</u> Exhibit C(2)# <u>3</u> Exhibit C(3)# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F)(Keveney, Sean) (Entered: 04/05/2004)
04/07/2004	154	TRANSCRIPT of Oral Argument Proceedings held on 3/19/04 before Judge Allen Sharp. Court Reporter: Loretta M Spromberg. (sdf,) (Entered: 04/08/2004)
04/08/2004	<u>155</u>	REPLY to Response to Motion re <u>139</u> MOTION to Sever <i>and Transfer Certain Claims to the U.S. District Court for the Eastern District of Michigan</i> filed by United States of America. (Attachments: # <u>1</u> Exhibit 6th Circuit Order)(Keveney, Sean) (Entered: 04/08/2004)
04/08/2004	<u>156</u>	ANSWER to <u>142</u> 2nd Amended Complaint by Dorchen/Martin Associates Inc.(sdf,) Additional attachment(s) (Affirmative Defenses, and Proof of Service) (sdf,). Modified on 4/9/2004 (sdf,). (Entered: 04/09/2004)
04/12/2004	<u>157</u>	ANSWER to <u>142</u> Amended Complaint by Gary Weaver.(Dimos, James) (Entered: 04/12/2004)
04/13/2004	<u>158</u>	ANSWER to <u>142</u> 2nd Amended Complaint by Eckert/Wordell Architects PC.(sdf,) (Entered: 04/14/2004)
04/13/2004	<u>159</u>	ORDER denying <u>139</u> USA's Motion to Sever and Transfer. Signed by Judge Allen Sharp on 4/13/04. (sdf,) (Entered: 04/14/2004)
04/13/2004	<u>160</u>	ORDER REFERRING CASE to Magistrate Judge Christopher A Nuechterlein for all dispositive and nondispositive matters. Signed by Judge Allen Sharp on 4/13/04. (sdf,) (Entered: 04/14/2004)
04/15/2004	<u>161</u>	ORDER OF RECUSAL: Because the parties have participated in a settlement conference before Judge Christopher A Nuechterlein, this Judge sua sponte recuses himself from this case. . Signed by Judge Christopher A Nuechterlein on 4/15/04. (sdf,) (Entered: 04/15/2004)
04/15/2004	<u>162</u>	ORDER REFERRING CASE to Magistrate Judge Paul R Cherry for all dispositive and nondispositive matters. Signed by Judge Allen Sharp on 4/15/04. (sdf,) (Entered: 04/15/2004)
04/15/2004	<u>163</u>	JOINT STIPULATION OF EXTENSION OF DEADLINE FOR United States' Response to Rose Defendants' Motion for Partial Summary Judgment <u>124</u> to/including 5/10/04(sdf,) (Entered: 04/16/2004)
04/19/2004	<u>164</u>	RECEIPT of proposed Protective Order (sdf,) (Entered: 04/19/2004)
04/22/2004	<u>165</u>	STIPULATION re <u>153</u> MOTION for Protective Order <i>to be held in abeyance pending further action by the parties</i> by Defendants Edward Rose & Associates, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose Development Co LLC, Edward Rose of Indiana, Edward Rose of Indiana, Occidental Development Co, Cross Claimants Edward Rose & Associates, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose Development Co LLC, Edward Rose of Indiana, Edward Rose of Indiana, Occidental Development Co, Occidental Development Co. (Maher, Timothy) (Entered: 04/22/2004)
04/22/2004	166	NOTICE of Hearing: Telephonic Status Conference set for 5/20/2004 02:00 PM before Magistrate Judge Paul R Cherry. The Court will contact all counsel listed on docket sheet at the telephone number of record unless otherwise notified by counsel within (48) hours of the scheduled conference.(smb) (Entered: 04/22/2004)
04/22/2004	<u>167</u>	STIPULATED ORDER ALLOWING DEFENDANT TO FILE AN AMENDED ANSWER TO 2ND AMENDED COMPLAINT by Defendant Dorchen/Martin Associates Inc. (Attachments: # <u>1</u> proposed Amended Answer# <u>2</u> proposed Affirmative Defenses# <u>3</u> Proof of Service)(sdf,) (Entered: 04/23/2004)
05/03/2004	<u>169</u>	PROOF OF SERVICE of discovery documents by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana (sdf,) (Entered: 05/06/2004)

05/05/2004	<u>168</u>	<i>Joint STIPULATION Concerning Protective Order Related to Plaintiff Documents from HUD</i> by Plaintiff United States of America. (Keveney, Sean) (Entered: 05/05/2004)
05/06/2004	<u>170</u>	ORDER granting <u>167</u> Stipulation allowing defendant Dorchen/Martin Associates Inc to file an Amended Answer to 2nd Amended Complaint. Signed by Judge Paul R Cherry on 5/6/04. (sdf,) (Entered: 05/07/2004)
05/06/2004	<u>171</u>	AMENDED ANSWER to <u>142</u> 2nd Amended Complaint by Dorchen/Martin Associates Inc. (Attachments: # <u>1</u> Affirmative Defenses# <u>2</u> Proof of Service)(sdf,) (Entered: 05/07/2004)
05/06/2004	<u>172</u>	ORDER: Pursuant to the CM/ECF Civil and Criminal User Manual Section II.E.3 page 5 the requisite Notices of Endorsement are to be filed with the court on or before 5/14/04. Signed by Judge Paul R Cherry on 5/6/04. (sdf,) (Entered: 05/07/2004)
05/06/2004	<u>173</u>	ORDER granting <u>163</u> Joint Stipulation of Extension of time to respond to Rose Defendants' Motion for Partial Summary judgment <u>124</u> . Response to be filed by 5/10/2004. Signed by Judge Paul R Cherry on 5/6/04. (sdf,) (Entered: 05/07/2004)
05/06/2004	<u>174</u>	PROTECTIVE ORDER related to Financial information of Defendant Gary Weaver, Architect. Signed by Judge Paul R Cherry on 5/6/04. (sdf,) (Entered: 05/07/2004)
05/07/2004	<u>175</u>	NOTICE OF ENDORSEMENT of <u>168</u> <i>Joint STIPULATION Concerning Protective Order Related to Plaintiff Documents from HUD</i> by Gary Weaver (Brackenridge, Dean) (Entered: 05/07/2004)
05/07/2004	<u>176</u>	NOTICE OF ENDORSEMENT of <u>165</u> STIPULATION re <u>153</u> MOTION for Protective Order <i>to be held in abeyance pending further action by the parties</i> by United States of America (Keveney, Sean) (Entered: 05/07/2004)
05/07/2004	<u>177</u>	Joint MOTION for Extension of Time to File Response/Reply as to <u>124</u> MOTION for Partial Summary Judgment <i>Memorandum and appendix in support of same</i> by Defendants Edward Rose & Associates, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose Development Co LLC, Edward Rose of Indiana, Edward Rose of Indiana, Occidental Development Co, Cross Claimants Edward Rose & Associates, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose Development Co LLC, Edward Rose of Indiana, Edward Rose of Indiana, Occidental Development Co, Occidental Development Co. (Maher, Timothy) (Entered: 05/07/2004)
05/10/2004	<u>178</u>	NOTICE OF ENDORSEMENT of <u>168</u> <i>Joint STIPULATION Concerning Protective Order Related to Plaintiff Documents from HUD</i> by Edward Rose & Associates, Edward Rose & Sons Inc (Fullenkamp, Joseph) (Entered: 05/10/2004)
05/12/2004	<u>179</u>	ORDER granting <u>165</u> Stipulation and Order Holding United States' Motions for Protective Order <u>152</u> , <u>153</u> in Abeyance until the parties determine that the issue presented cannot be resolved without intervention by the Court.. Signed by Judge Paul R Cherry on 5/12/04. (sdf,) (Entered: 05/12/2004)
05/12/2004	<u>180</u>	NOTICE OF ENDORSEMENT of <u>177</u> Joint MOTION for Extension of Time to File Response/Reply as to <u>124</u> MOTION for Partial Summary Judgment <i>Memorandum and appendix in support of same</i> by United States of America (Johnson, Clifford) (Entered: 05/12/2004)
05/13/2004	<u>181</u>	ORDER granting <u>177</u> Joint MOTION for Extension of Time to File Response as to <u>124</u> MOTION for Partial Summary Judgment. Motion <u>177</u> terminated. Response to motion for partial summary judgment to be filed by 6/3/2004. Signed by Judge Paul R Cherry on 05/13/2004. (rmn) (Entered: 05/14/2004)
05/17/2004	<u>182</u>	MOTION to Amend/Correct <u>142</u> Amended Complaint, by Plaintiff United States of America. (Attachments: # <u>1</u>)(Keveney, Sean) (Entered: 05/17/2004)

05/17/2004	<u>184</u>	PROOF OF SERVICE of amended third set of requests for admissions. (rmn) (Entered: 05/21/2004)
05/18/2004		Set/Reset Hearings: Due to the unavailability of the Magistrate because of trial proceedings the Telephonic Status Conference set for 5/20/04 at 2:00 PM is RESET to 5/25/2004 11:15 AM before Magistrate Judge Paul R Cherry w/the Court initiating the conference. (smb) (Entered: 05/18/2004)
05/20/2004	<u>183</u>	MOTION to Withdraw Appearance of Jennifer L. Spaziano, Andrew I Sandler and Alan Kriegel for the Rose Defendants. (rmn) (Entered: 05/21/2004)
05/21/2004	<u>185</u>	ORDER granting <u>183</u> Motion to Withdraw Attorney. Attorney Andrew L Sandler PHV and Jennifer Spaziano PHV, Alan Kreigel terminated as to Rose Defendants. Signed by Judge Paul R Cherry on 5/21/04. (sdf,) (Entered: 05/24/2004)
05/21/2004	<u>186</u>	PROOF OF SERVICE of 4th set of Requests for Admission by the Rose Defendants (sdf,) (Entered: 05/24/2004)
05/21/2004	<u>187</u>	PROOF OF SERVICE of Supplement to Responses Regarding Modification for Properties Managed at Indianapolis Office by Rose Defendants (sdf,) (Entered: 05/24/2004)
05/24/2004	<u>188</u>	MOTION to Substitute Attorney by Plaintiff United States of America. (Keveney, Sean) (Entered: 05/24/2004)
05/24/2004	<u>189</u>	RESPONSE in Opposition re <u>182</u> MOTION to Amend/Correct <u>142</u> Amended Complaint, filed by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co. (Maher, Timothy) (Entered: 05/24/2004)
05/24/2004	<u>190</u>	NOTICE OF ENDORSEMENT concerning <u>168</u> Joint Stipulation regarding Protective Order Related to Plaintiff Documents from HUD by Dorchen/Martin Associates Inc (sdf,) (Entered: 05/25/2004)
05/24/2004	<u>191</u>	PROOF OF SERVICE of <u>190</u> Notice of Endorsement by Dorchen/Martin Associates Inc (sdf,) (Entered: 05/25/2004)
05/24/2004	<u>192</u>	PROOF OF SERVICE of copy of the errata sheets of Eenise Veteto, Christy Lindbeck, Jinny Niblick, Jennifer, R Keller, Christy Walker by Rose Defendants (sdf,) (Entered: 05/25/2004)
05/24/2004	<u>194</u>	PROTECTIVE ORDER related to Plaintiff documents from HUD. Signed by Judge Paul R Cherry on 5/24/04. (sdf,) (Entered: 05/26/2004)
05/24/2004	<u>195</u>	ORDER re <u>188</u> MOTION to Substitute Attorney filed by United States of America, Attorney R Alexander Acosta for United States of America, Steven H Rosenbaum for United States of America added. . Signed by Judge Paul R Cherry on 5/24/04. (sdf,) (Entered: 05/26/2004)
05/25/2004	<u>193</u>	Minute Entry for proceedings held before Judge Paul R Cherry: Teleph Scheduling Conference held on 5/25/2004. Attorneys participating: C Johnson, Ming-Yuen Meyer-Fong, T Moran, J Fullencamp, T Maher, P Duerr, F Baker, J Dimos, G Walton, T Vetne, Sheri Cataldi. Response briefs to Mtn to Amend Complaint (DE 182) to be filed by 6/4/04. Reply briefs to be filed by 6/18/04. Response briefs to Mtn for Partial SJ (DE 124) due 6/3/04. Reply briefs due 6/18/04. The Court will rule on the written briefs and will notify the parties only if oral argument is needed. Argument and comments presented of record re: [DE 131] MOTION to Dismiss or Hold in Abeyance the Mtn for Partial SJ filed by United States of America. Court DENIES the motion. No further pdf order will be issued. Court VACATES Scheduling Order entered in Eastern District of Michigan to be reset later date. Teleph Scheduling Conference set for 6/30/2004 09:00 AM in Hammond before Magistrate Judge Paul R Cherry w/the Court initiating the conference. Parties are directed to file their joint report of parties planning meeting on or before 6/28/04.(smb) Modified on 5/25/2004 (smb,). (Entered: 05/25/2004)
05/26/2004	<u>196</u>	NOTICE OF ENDORSEMENT of Joint Stipulation Concerning Protective Order Related to Plaintiff Documents from HUD by Eckert/Wordell Architects PC (sdf,) (Entered: 05/27/2004)

06/02/2004	<u>197</u>	MOTION for Leave to File Excess Pages by Plaintiff United States of America. (Keveney, Sean) (Entered: 06/02/2004)
06/03/2004	<u>198</u>	ORDER granting <u>197</u> Motion for Leave to File Oversized Brief. Signed by Judge Paul R Cherry on 6/03/04. (efc,) (Entered: 06/03/2004)
06/03/2004	<u>199</u>	RESPONSE in Opposition re <u>124</u> MOTION for Partial Summary Judgment <i>Memorandum and appendix in support of same</i> filed by United States of America. (Attachments: # <u>1</u> Supplement Notice of Manual Filing)(Meyer-Fong, Ming-Yuen) (Entered: 06/03/2004)
06/16/2004	<u>200</u>	NOTICE of Appearance by Kevin M Cremin on behalf of United States of America (sdf,) (Entered: 06/17/2004)
06/17/2004	<u>201</u>	RULE 56 MOTION to Strike <u>199</u> Response in Opposition to Motion <i>Keveney Certification, attachments thereto and related statements of material fact, memorandum in support of same and proposed form of order</i> by Defendants Edward Rose & Associates, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose Development Co LLC, Edward Rose of Indiana, Edward Rose of Indiana, Occidental Development Co, Cross Claimants Edward Rose & Associates, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose Development Co LLC, Edward Rose of Indiana, Edward Rose of Indiana, Occidental Development Co, Occidental Development Co. Response filed by 7/6/2004 (Attachments: # <u>1</u> # <u>2</u>)(Maher, Timothy) Modified on 6/21/2004 deleted attachment #3 proposed form of order and sent to chambers (rmn). (Entered: 06/17/2004)
06/17/2004	<u>202</u>	REPLY to Response to Motion re <u>124</u> MOTION for Partial Summary Judgment <i>Memorandum and appendix in support of same and exhibits thereto</i> filed by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co. (Attachments: # <u>1</u> # <u>2</u>)(Maher, Timothy) (Entered: 06/17/2004)
06/18/2004	<u>203</u>	REPLY to Response to Motion re <u>182</u> MOTION to Amend/Correct <u>142</u> Amended Complaint, filed by United States of America. (Attachments: # <u>1</u> # <u>2</u>)(Keveney, Sean) (Entered: 06/18/2004)
06/18/2004	<u>204</u>	PROOF OF SERVICE by Rose defendants of Supplemental Responses to Plaintiff's 2nd Set of Requests for Production of Documents (sdf,) (Entered: 06/21/2004)
06/28/2004	<u>205</u>	REPORT of Rule 26(f) Planning Meeting. (Maher, Timothy) (Entered: 06/28/2004)
06/29/2004	206	Discovery Hearing held on 6/29/2004 before Magistrate Judge Cherry. Pltf by Erin Meehan Richmond, Kevin Cremin. Defense by Garry Walton, Angela Emlet-Dardas. Parties present discovery issue while taking evidentiary deposition of resident manager re: production of handwritten notes. Court hears argument. Court ORDERS that witness produce handwritten notes in accordance with Federal Rule of Evidence 612. (smb) (Entered: 06/29/2004)
06/30/2004	207	TELEPH MOTION HEARING & PRELIMINARY PRETRIAL CONFERENCE held on 6/30/2004 before Judge Cherry. Pltf by Ming-Yuen Meyer-Fong. Defense by T Maher, F Baker, J Dimos, Marie Meldrum substit for S Cataldo, Scott Loitz substit for T Vetne, and G Walton. Extensive argument heard re <u>182</u> MOTION to Amend/Correct <u>142</u> Amended Complaint, filed by United States of America. Motion DENIED for reasons stated of record. No further pdf order will be issued. Motion terminated: <u>182</u> MOTION to Amend/Correct <u>142</u> Amended Complaint filed by United States of America. Discussion on whether certain Rose Defendants and Occident Develop Co are properly named or non-existent entities. Any request for leave to amend pleadings to be filed by 12/15/2004. Plaintiff expert witness disclosures and reports to be delivered to the defendant by 9/3/2004. Defendant expert witness disclosures and reports to be delivered to the plaintiff by 11/5/2004. Dispositive and Daubert motions to be filed by 5/13/2005 to be briefed in accordance with the Local Rules. Parties anticipate 6 week trial subject to any

		motion to bifurcate damages/liability. Parties to be notified of trial setting by Judge Sharp by separate notice when appropriate. Digitally Recorded 9:00AM-10:45AM) (smb) (Entered: 06/30/2004)
06/30/2004		Minute Entry Addendum for proceedings held before Judge Paul R Cherry 6/30/04: All discovery to be completed by 3/11/2005. (smb) (Entered: 06/30/2004)
07/07/2004	<u>208</u>	RULE 56 MOTION to Strike <u>202</u> Reply to Response to Motion, by Plaintiff United States of America. Response filed by 7/26/2004 (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)(Keveney, Sean) (Entered: 07/07/2004)
07/09/2004	<u>209</u>	RESPONSE in Opposition re <u>201</u> RULE 56 MOTION to Strike <u>199</u> Response in Opposition to Motion <i>Keveney Certification, attachments thereto and related statements of material fact, memorandum in support of same and proposed form of order</i> filed by United States of America. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D)(Keveney, Sean) (Entered: 07/09/2004)
07/13/2004		Remark – Copy of electronic recording of proceedings held 6/30/04 by Pltf USA (Ming-Yuen Meyer-Fong) and Deft Rose Construction (Timothy Maher) provided to each. Costs pd. (smb) (Entered: 07/13/2004)
07/15/2004	<u>210</u>	APPEAL OF MAGISTRATE JUDGE DECISION to District Court by United States of America re 207 Motion Hearing,,,,,, Rule 16 Preliminary Pretrial Conference,,,,, Terminate Motions,,,,, (Attachments: # <u>1</u> Exhibit Transcript of June 30, 2004 hearing# <u>2</u> Exhibit Transcript of June 30, 2004 hearing (Part B)# <u>3</u> Exhibit Orders (ED Mich), Feb. 9, 2004# <u>4</u> Exhibit Deposition Transcript Excerpts# <u>5</u> Exhibit Email – March 1, 2004# <u>6</u> Exhibit Letters – March 2004# <u>7</u> Exhibit Email – April 15, 2004# <u>8</u> Exhibit Email – May 20, 2004)(Meyer-Fong, Ming-Yuen) (Entered: 07/15/2004)
07/19/2004	<u>211</u>	REPLY to Response to Motion re <u>208</u> RULE 56 MOTION to Strike <u>202</u> Reply to Response to Motion, filed by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co. (Fullenkamp, Joseph) (Entered: 07/19/2004)
07/19/2004	<u>212</u>	PROOF OF SERVICE of Errata Sheet of John Q Houchin by Rose Defendants (sdf,) (Entered: 07/20/2004)
07/26/2004	<u>213</u>	RESPONSE in Opposition re <u>208</u> RULE 56 MOTION to Strike <u>202</u> Reply to Response to Motion, <i>and for leave to file surreply, exhibit A and Appendix I thereto</i> filed by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co. (Attachments: # <u>1</u> # <u>2</u>)(Maher, Timothy) (Entered: 07/26/2004)
07/26/2004	<u>214</u>	PROOF OF SERVICE by Rose defendants (sdf,) (Entered: 07/27/2004)
08/02/2004	<u>215</u>	Appellee's BRIEF by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co. Appellant Reply Brief due by 8/16/2004. (Maher, Timothy) (Entered: 08/02/2004)
08/10/2004	<u>216</u>	REPLY to Response to Motion re <u>208</u> RULE 56 MOTION to Strike <u>202</u> Reply to Response to Motion, filed by United States of America. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit # <u>6</u> Exhibit # <u>7</u> Exhibit # <u>8</u> Exhibit # <u>9</u> Exhibit)(Keveney, Sean) (Entered: 08/10/2004)
08/13/2004	<u>217</u>	NOTICE of Appearance by Joseph R Gaeta on behalf of United States of America (Gaeta, Joseph) (Entered: 08/13/2004)
08/13/2004	<u>219</u>	ORDER : Hearing on plaintiff's motion for leave to file a 3rd amended complaint set for 10/8/2004 11:30 AM in South Bend before Judge Allen Sharp.. Signed by Judge Allen Sharp on 8/13/04. (sdf,) (Entered: 08/17/2004)
08/16/2004	<u>218</u>	Appellant's REPLY BRIEF by United States of America. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit)(Gaeta, Joseph) (Entered: 08/16/2004)

08/20/2004	<u>220</u>	PROOF OF SERVICE by the Rose defendants of copy of the errata sheet of Cynthia Kosmicke (sdf,) (Entered: 08/23/2004)
08/24/2004	<u>221</u>	MOTION for Leave to File <i>Surreply, proposed surreply and form of order</i> by Defendants Edward Rose & Associates, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose Development Co LLC, Edward Rose of Indiana, Edward Rose of Indiana, Occidental Development Co, Cross Claimants Edward Rose & Associates, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose Development Co LLC, Edward Rose of Indiana, Edward Rose of Indiana, Occidental Development Co, Occidental Development Co. (Attachments: # <u>1</u> # <u>2</u>)(Maher, Timothy) Attachment (Order) put into chambers folder on 8/25/2004 (rmn). (Entered: 08/24/2004)
08/24/2004	<u>222</u>	First MOTION to Withdraw as Attorney <i>Kevin Cremin</i> by Plaintiff United States of America. (Attachments: # <u>1</u> order)(Meyer-Fong, Ming-Yuen) Order removed and placed in chambers folder on 8/25/2004 (rmn). (Entered: 08/24/2004)
08/25/2004	<u>223</u>	ORDER granting <u>222</u> Motion to Withdraw Appearance of Kevin M. Cremin as Attorney for the United States . Signed by Judge Paul R Cherry on 8/25/04. (efc,) (Entered: 08/31/2004)
09/02/2004	<u>224</u>	RESPONSE to Motion re <u>221</u> MOTION for Leave to File <i>Surreply, proposed surreply and form of order</i> filed by United States of America. (Attachments: # <u>1</u> Exhibit 1)(Keveney, Sean) (Entered: 09/02/2004)
09/20/2004	<u>225</u>	PROOF OF SERVICE of errata sheets of A Binner, E Noble and K Walton. (rmn) (Entered: 09/21/2004)
10/06/2004	<u>226</u>	STATEMENT <i>Suggestion of Mootness</i> regarding <u>208</u> RULE 56 MOTION to Strike <u>202</u> Reply to Response to Motion, filed by United States of America. (Attachments: # <u>1</u>)(Maher, Timothy) (Entered: 10/06/2004)
10/08/2004	<u>227</u>	ORAL ARGUMENT on motion to file third amended complaint held before Judge Allen Sharp on 10/8/2004. Attys Johnson, Moran, Fullenkamp, Maher, O'Hara & Duerr present. Court heard oral argument and will rule soon. 11:47-12:39 (Court Reporter Hoffman) (saj) (Entered: 10/08/2004)
10/12/2004	<u>228</u>	MEMORANDUM AND ORDER denying <u>227</u> request to file a 3rd amended complaint. Signed by Judge Allen Sharp on 10/12/04. (sdf,) (Entered: 10/13/2004)
10/19/2004	<u>229</u>	MOTION for Extension of Time to File <i>Expert Reports of Mark Wales, unopposed by the plaintiff and proposed form of order</i> by Defendants Edward Rose & Associates, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose Development Co LLC, Edward Rose of Indiana, Edward Rose of Indiana, Occidental Development Co, Cross Claimants Edward Rose & Associates, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose Development Co LLC, Edward Rose of Indiana, Edward Rose of Indiana, Occidental Development Co, Occidental Development Co. (Maher, Timothy) Corrected motion added on 10/20/2004 and order removed and placed in chambers folder (rmn) (Entered: 10/19/2004)
10/26/2004	<u>230</u>	ORDER granting <u>229</u> Motion for Extension of Time to File Mark Wales' Expert Reports. Rose defendant's have to/including 12/6/04 in which to serve any expert reports by Mark Wales. Signed by Judge Paul R Cherry on 10/26/04. (sdf,) (Entered: 10/27/2004)
10/27/2004	<u>235</u>	Letter to the Clerk from Attorney Ming-Yuen Meyer-Fong regarding exhibits to document <u>199</u> (efc,) (Entered: 11/02/2004)
10/27/2004		EXHIBITS to document <u>199</u> received from United States of America. (efc,) (Entered: 11/02/2004)

10/28/2004	<u>231</u>	MOTION for Extension of Time to File Response/Reply as to <u>226</u> Statement of <i>Mootness</i> by Plaintiff United States of America. (Keveney, Sean) (Entered: 10/28/2004)
10/29/2004	<u>232</u>	STATEMENT <i>in Opposition to Rose Suggestion of Mootness</i> re <u>226</u> Statement filed by United States of America. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit)(Keveney, Sean) (Entered: 10/29/2004)
10/29/2004	<u>233</u>	<i>Joint</i> STIPULATION of <i>Extension of Deadline</i> by Defendant Gary Weaver. (Dimos, James) (Entered: 10/29/2004)
10/29/2004	<u>234</u>	ORDER granting <u>231</u> MOTION for Extension of Time to File Response as to <u>226</u> Statement of Mootness filed by United States of America; United States' Response to the Rose Defendants' Suggestion of Mootness due by 10/29/04. Signed by Judge Paul R Cherry on 10/29/04. (efc,) (Entered: 10/29/2004)
11/05/2004	<u>236</u>	REPLY by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co to <i>United States' Response to the Rose Defendants' Suggestion of Mootness</i> . (Maher, Timothy) (Entered: 11/05/2004)
11/05/2004	<u>237</u>	NOTICE by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co of <i>Expert and Expert Report Disclosure and Proof of Service of same</i> (Attachments: # <u>1</u>)(Maher, Timothy) (Entered: 11/05/2004)
11/05/2004	<u>238</u>	ORDER granting Joint <u>233</u> Stipulation of Extension of Deadline. The Court orders that Gary Weaver serve his expert disclosures and reports by 12/28/04. Signed by Judge Paul R Cherry on 11/5/04. (sda,) (Entered: 11/08/2004)
11/19/2004	<u>239</u>	NOTICE by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co re <u>208</u> RULE 56 MOTION to Strike <u>202</u> Reply to Response to Motion, <i>supplementation of record on motion to strike</i> (Attachments: # <u>1</u>)(Maher, Timothy) (Entered: 11/19/2004)
12/06/2004	<u>240</u>	RESPONSE TO SUPPLEMENTATION OF RECORD by United States of America to <u>239</u> Notice (Other), Notice (Other). (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4)(Keveney, Sean) (Entered: 12/06/2004)
12/06/2004	<u>241</u>	REPORT AND RECOMMENDATION re <u>124</u> Motion for Partial Summary Judgment filed by Rose Defendants, re <u>201</u> Motion to Strike Counsel's Declaration and Exhibits filed by Rose Defendants, re <u>208</u> Motion to Strike and in the Alternative to File a Surreply, re <u>221</u> Motion for Leave to File Surreply to the United States Reply in Support of its Motion to Strike or for Leave to file a Surreply filed by the Rose Defendants, re <u>224</u> Motion to Supplement its Summary Judgment Response filed by the United States. The parties shall have 10 days after being served with this Report and Recommendation to file objections with the Court. Signed by Judge Paul R Cherry on 12/6/04. (efc,) (Entered: 12/07/2004)
12/08/2004	242	TRANSCRIPT of Proceedings held on 10/8/04 before Judge Allen Sharp. Court Reporter: Joanne Hoffman. (sdf,) (Entered: 12/09/2004)
12/16/2004	<u>243</u>	<i>Joint</i> STIPULATION of <i>Second Extension of Deadline</i> by Defendant Gary Weaver. (Dimos, James) (Entered: 12/16/2004)
12/21/2004	<u>244</u>	APPEAL OF MAGISTRATE JUDGE DECISION to District Court by Edward Rose & Sons Inc, Edward Rose of Indiana, Edward Rose & Associates, Edward Rose Development Co LLC, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co, Edward Rose Construction Co, Occidental Development Co, Edward Rose & Sons Inc, Edward Rose of Indiana, Edward Rose & Associates, Edward Rose Development Co LLC re <u>241</u> REPORT AND RECOMMENDATIONS re <u>221</u> MOTION for Leave to File <i>Surreply, proposed surreply and form of order</i> filed by Edward Rose Construction Co., Occidental Development Co., Edward Rose & Sons Inc., Edward Rose of

		Indiana,, Edward Rose &Asso (Maher, Timothy) (Entered: 12/21/2004)
12/28/2004	<u>245</u>	MEMORANDUM AND ORDER: The Court now takes note fully of the <u>241</u> recommendations of the magistrate judge: GRANT IN PART AND DENY IN PART the Rose Defendants' Motion for Partial Summary Judgment <u>124</u> , granting the motion on the claims for civil damages as to Building 1 at Hurwich Farms Apartments, Building 8 at Indian Lakes Apartments, Building 1 at North Pointe Apartments and Building 14 at South Bridge Apartments as they are barred by the applicable statute of limitations and denying the motion on (a) the claims for equitable relief as to Building 1 at Hurwich Farms Apartments, Building 8 at Indian Lakes Apartments, Building 1 at North Pointe Apartments, and Building 14 at South Bridge Apartments;(b) the claims for compensatory damages as to Building 1 at Hurwich Farms Apartments, Building 8 at Indian Lakes Apartments, Building 1 at North Pointe Apartments and Building 14 at South Bridge Apartments; and (c) the issue of entrance accessibility under the FHA. DENY the Rose Defendants' Motion to Strike Counsel's Declaration and Exhibits <u>201</u> as to Exhibit EE and deny the motion as moot as to the remaining exhibits; GRANT IN PART AND DENY IN PART United States' Motion to Strike and in the Alternative to File a Surreply <u>208</u> ; granting the Motion to Strike the Cover Letter Submitted in Exhibit 2 to the Rose Defendant's Reply Brief; denying the Motion to Strike the draft Accessibility Guidelines Policy Interpretations ; and denying the Alternative Motion to File a Surreply; GRANT the Rose Defendants' Motion for Leave to File Surreply to the United States' Reply in Support of its Motion to Strike or for Leave to file a Surreply <u>221</u> ; CLERK OF THE COURT IS DIRECTED TO FILE THE SURREPLY AS OF THE DATE OF THE DISTRICT COURT'S ORDER; DENY AS MOOT the United States Motion to Supplement its Summary Judgment Response <u>224</u> Signed by Judge Allen Sharp on 12/28/04. (sdf,) (Entered: 12/29/2004)
12/28/2004	<u>246</u>	SURREPLY by the Rose Defendants to <u>202</u> Untied States' Reply in support of its motion to Strike or for Leave to file a Surreply. (sdf,) (Entered: 12/29/2004)
02/03/2005	<u>247</u>	ORDER dismissing without prejudice <u>152</u> Motion for Protective Order, <u>153</u> Motion for Protective Order . Signed by Judge Paul R Cherry on 2/03/05. (efc,) (Entered: 02/03/2005)
02/04/2005	<u>248</u>	Joint MOTION to Amend/Correct Set Deadlines/Hearings, <u>245</u> Memorandum &Opinion,,,,,,,, Terminate Motions,,,,,,,, <i>Pre-Trial Deadlines to facilitate settlement discussions</i> by Defendants Edward Rose &Sons Inc, Edward Rose of Indiana, Edward Rose &Associates, Edward Rose Development Co LLC, Edward Rose Construction Co, Occidental Development Co, Edward Rose &Sons Inc, Edward Rose of Indiana, Edward Rose &Associates, Edward Rose Development Co LLC, Cross Claimants Edward Rose &Associates, Edward Rose &Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co, Edward Rose &Associates, Edward Rose &Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co. (Maher, Timothy) (Entered: 02/04/2005)
02/07/2005	<u>249</u>	ORDER granting <u>248</u> Joint MOTION to Amend Pretrial Deadlines; vacating all pending pretrial deadlines, including deadlines for discovery and filing dispositive motions. Joint written Report due by 3/11/2005.Signed by Judge Paul R Cherry on 2/07/05. (efc,) Additional attachment(s) added on 2/8/2005 (efc,). (Entered: 02/07/2005)
02/08/2005		Remark: Order <u>249</u> substituted for document entered on 2/07/05 (efc,) (Entered: 02/08/2005)
02/08/2005	<u>250</u>	NOTICE OF ENDORSEMENT of <u>248</u> Joint MOTION to Amend/Correct Set Deadlines/Hearings, <u>245</u> Memorandum &Opinion,,,,,,,, Terminate Motions,,,,,,,, <i>Pre-Trial Deadlines to facilitate settlement discussions</i> by United States of America (Gaeta, Joseph) (Entered: 02/08/2005)
02/14/2005	<u>251</u>	NOTICE OF ENDORSEMENT of <u>248</u> Joint MOTION to Amend/Correct Set Deadlines/Hearings, <u>245</u> Memorandum &Opinion,,,,,,,, Terminate Motions,,,,,,,, <i>Pre-Trial Deadlines to facilitate settlement discussions</i> by Dorchen/Martin Associates Inc (Cataldo PHV, Sheri) (Entered: 02/14/2005)

02/16/2005	<u>252</u>	NOTICE OF ENDORSEMENT of by Gary Weaver (Dimos, James) (Entered: 02/16/2005)
03/10/2005	<u>253</u>	REPORT by Edward Rose & Associates <i>on Status of Settlement Negotiations</i> . (Attachments: # <u>1</u> Exhibit A, Order of the Hon. Victoria A. Roberts)(Fullenkamp, Joseph) (Entered: 03/10/2005)
03/11/2005	<u>254</u>	ORDER VACTING MEETING REQUIREMENT AS REQUESTED IN REPORT ON STATUS OF SETTLEMENT NEGOTIATIONS: Written Status Report on the status of settlement negotiations due by 5/9/2005.. Signed by Judge Allen Sharp on 3/11/05. (sdf,) (Entered: 03/11/2005)
04/27/2005	<u>255</u>	Motions terminated: <u>231</u> Motion for Extension of Time to File Response/Reply re <u>243</u> see <u>234</u> Order. STIPULATION of Second Extension of Deadline, <u>231</u> finding moot. (smb) (Entered: 04/27/2005)
05/09/2005	<u>256</u>	STATUS REPORT <i>ON PARTIES' SETTLEMENT DISCUSSIONS</i> by Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Occidental Development Co, Edward Rose & Associates, Edward Rose of Indiana, Edward Rose Construction Co, Occidental Development Co, Edward Rose & Sons Inc, Edward Rose of Indiana, Edward Rose & Associates, Edward Rose Development Co LLC. (Maher, Timothy) (Entered: 05/09/2005)
08/23/2005	<u>257</u>	ORDER: Plaintiff's Status Report due by 9/6/2005.. Signed by Judge Allen Sharp on 8/23/05. (sdf,) (Entered: 08/24/2005)
09/06/2005	<u>258</u>	STATUS REPORT by United States of America. (Meyer-Fong, Ming-Yuen) (Entered: 09/06/2005)
09/30/2005	<u>259</u>	Consent MOTION for Settlement <i>Entry of Consent Order</i> by Plaintiff United States of America. (Attachments: # <u>1</u> Consent Order – proposed)(Meyer-Fong, Ming-Yuen) (Entered: 09/30/2005)
09/30/2005	<u>260</u>	Joint MOTION to Transfer Case by Plaintiff United States of America. (Attachments: # <u>1</u> Order (Proposed))(Meyer-Fong, Ming-Yuen) (Entered: 09/30/2005)
10/03/2005	<u>261</u>	CONSENT ORDER : This Consent Decree shall remain in effect for 5 years afferr the date of this entry. The Court shall retain jurisdiction for the duration of this Consent Order to enforce the terms of the Decree. Signed by Judge Allen Sharp on 10/3/05. (sdf,) (Entered: 10/03/2005)
10/03/2005	<u>262</u>	ORDER granting <u>260</u> Motion to Transfer Case: All claims against the Defendants other than those claims against Gary Weaver, that are currently pending before this Court, are transferred to the U.S. District Court for the Eastern District of Michigan to be consolidated with the related case, No. 02-73518 (E.D. Mich) . Signed by Judge Allen Sharp on 10/3/05. (sdf,) (Entered: 10/03/2005)
10/13/2005	<u>264</u>	RECEIPT from Eastern District of Michigan for transfered case. (sdf,) (Entered: 10/14/2005)
12/26/2005	<u>265</u>	STIPULATION to Dismiss <i>cross claim against Gary Weaver</i> by Edward Rose & Sons Inc, Edward Rose of Indiana, Edward Rose & Associates, Edward Rose Development Co LLC, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co, Edward Rose Construction Co, Occidental Development Co, Edward Rose & Sons Inc, Edward Rose of Indiana, Edward Rose & Associates, Edward Rose Development Co LLC, Edward Rose & Sons Inc, Edward Rose of Indiana, Edward Rose & Associates, Edward Rose Development Co LLC, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co, Edward Rose & Associates, Edward Rose & Sons Inc, Edward Rose Construction Co, Edward Rose Development Co LLC, Edward Rose of Indiana, Occidental Development Co, Edward Rose Construction Co, Occidental Development Co, Edward Rose & Sons Inc, Edward Rose of

		Indiana, Edward Rose & Associates, Edward Rose Development Co LLC. (Maher, Timothy) (Entered: 12/26/2005)
12/28/2005	<u>266</u>	ORDER granting <u>265</u> Stipulation to Dismiss Cross-Claim against Defendant Gary Weaver as to all Rose Companies. Signed by Judge Allen Sharp on 12/28/05. (sdf,) (Entered: 12/29/2005)