

CLOSED

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:71-cv-01939-JGP**

MILLS, et al v. BOARD OF EDUCATION
Assigned to: Judge John Garrett Penn
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 06/05/1997
Date Terminated: 03/21/2001
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: Federal Question

Plaintiff

PETER MILLS

a minor by his next friends

represented by **Ira A. Burnim**
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Plaintiff

ROBBY GIBSON

TERMINATED: 01/04/2001

represented by **Michael J. Eig**
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TERMINATED: 01/04/2001
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V.

Defendant**BOARD OF EDUCATION OF THE
DISTRICT OF COLUMBIA THE**

represented by **William Johnson Earl, Jr.**
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Date Filed	#	Docket Text
05/14/1997		ALL PRIOR DOCKET ENTRIES CAN BE FOUND ON MICROFILM. (tth) (Entered: 06/05/1997)
05/14/1997	1	NOTICE OF CHANGE OF ADDRESS by Tamara Lynn Seltzer, Ira A. Burnim representing plaintiff PETER MILLS . New address: David L. Bazelon Center for Mental Health Law, 1101 15th Street, NW, Suite 1212, Washington, DC 20005 (202) 467-5730. (tth) (Entered: 06/05/1997)
05/14/1997	2	ATTORNEY APPEARANCE for plaintiff PETER MILLS by Ira A. Burnim. (tth) (Entered: 06/05/1997)
05/14/1997	3	ATTORNEY APPEARANCE for plaintiff PETER MILLS by Tamara L. Seltzer. (tth) (Entered: 06/05/1997)
09/12/2000	4	ATTORNEY APPEARANCE for plaintiff ROBBY GIBSON by William E. Houston; "Let this be filed", PENN, J. (tth) (Entered: 09/13/2000)
09/12/2000	5	MOTION filed by plaintiff ROBBY GIBSON for preliminary injunction ; Attachments (5) (tth) (Entered: 09/13/2000)
09/12/2000	<u>6</u>	ORDER by Judge John G. Penn: granting motion for preliminary injunction [5-1] by ROBBY GIBSON brief due 9/21/00 ; response to brief due 9/25/00; service of briefs and responses is to be effected by hand delivery. (N) (kmk) (Entered: 09/15/2000)
09/19/2000	7	STATEMENT filed by plaintiff PETER MILLS, plaintiff ROBBY GIBSON, regarding: firm name change from Bogin & Eig, P.C. to Michael J. Eig and Associates, P.C. (tth) (Entered: 09/21/2000)
09/19/2000	8	ATTORNEY APPEARANCE for plaintiff PETER MILLS, plaintiff ROBBY GIBSON by Michael Jeffrey Eig (tth) (Entered: 09/21/2000)
09/21/2000	9	RESPONSE by plaintiff ROBBY GIBSON to order of September 12, 2000; [6-1], order [6-2] (tth) (Entered: 09/22/2000)
09/21/2000	10	RESPONSE by plaintiff ROBBY GIBSON (Applicants Court Ordered Brief) [6-1], order [6-2] (tth) (Entered: 09/22/2000)
09/21/2000	11	SUPPLEMENT by plaintiff ROBBY GIBSON to motion for preliminary injunction [5-1] by ROBBY GIBSON (tth) (Entered: 09/22/2000)
09/21/2000	12	RESPONSE by defendant BOARD OF EDUCATION to order regarding the Application of Robby Gibson pursuant to order of Court of 9/12/00 [6-1], order [6-2] (tth) (Entered: 09/22/2000)
10/05/2000	<u>13</u>	ORDER by Judge John G. Penn: the defendant shall respond to application due on or before 11/9/00 ; the plaintiff shall reply to motion due 11/16/00 ; , and oral argument on the preliminary issues raised by the Court in its order dated 9/12/2000, the parties shall also present oral argument on the merits of the application for preliminary injunction at that time. hearing set for 9:30 11/21/00 ; (N) (kmk) (Entered: 10/06/2000)

11/08/2000	14	MOTION filed by defendant BOARD OF EDUCATION to extend time to 11/14/00 to respond to plaintiff's Application for Preliminary Injunction (tth) (Entered: 11/09/2000)
11/13/2000	<u>15</u>	ORDER by Judge John G. Penn: granting motion,nunc pro tunc to extend time to 11/14/00 to respond to plaintiff's Application for Preliminary Injunction [14-1] by BOARD OF EDUCATION; response to motion(s) due by 11/14/00 ; (N) (kmk) (Entered: 11/15/2000)
11/14/2000	16	RESPONSE by defendant BOARD OF EDUCATION to motion for preliminary injunction [5-1] by ROBBY GIBSON (tth) (Entered: 11/15/2000)
11/16/2000	<u>17</u>	ORDER by Judge John G. Penn: granting motion, nunc pro tunc, to extend time to 11/14/00 to respond to plaintiff's Application for Preliminary Injunction [14-1] by BOARD OF EDUCATION; defendants' response to plaintiffs' motion(s) due by 11/14/00; (N) (kmk) (Entered: 11/17/2000)
11/17/2000	20	REPLY by plaintiff ROBBY GIBSON to motion for preliminary injunction [5-1] by ROBBY GIBSON (tth) (Entered: 11/24/2000)
11/21/2000	18	ATTORNEY APPEARANCE for defendant BOARD OF EDUCATION by William Johnson Earl Jr. (kmk) (Entered: 11/21/2000)
11/21/2000		MOTION HEARING before Judge John G. Penn: Heard and taken under advisement by ROBBY GIBSON motion for preliminary injunction [5-1]. Reporter: Kay Moomey (Miller Reporter) (kmk) (Entered: 11/21/2000)
11/21/2000	<u>19</u>	ORDER by Judge John G. Penn: supplemental memorandum due 12/4/00 for ROBBY GIBSON, for BOARD OF EDUCATION ; , and responses to any supplemental memoranda are due on or before 12/11/00 , and defendant is ordered to include in its supplemental memorandum a detailed explanation of all actions taken by DCPS to admisnister the testing of the applicant required by the individuals with Disabilities Education Act to determine if he requires special education services. Defendant shall provide the Court with copies of any and all correspondence directed to the applicant's foster parents and educational advocate regarding arrangements for carrying out the required tests. (kmk) (Entered: 11/21/2000)
11/28/2000	21	ORDER by Judge John G. Penn: the applicant tendered to the Court a copy of the "Five Day Disclosure" used in due process hearing before the District of Columbia Public School hearing officer is ordered that a copy of both the disclosure and the order from 6/18/1980, be filed by the Court with attached exhibits, copies of the psychological evaluation of the applicant performed by the Kennedy Krieger Children's Hospital, the psychotherapy report on the applicant completed by Washington Assessment & Therapy Services, and the applicant's birth certificate and Social Security card shall be filed under seal. The Clerk of Court shall make the appropriate entry on the docket sheet. (FILED UNDER SEAL-attachments) (kmk) Modified on 11/29/2000 (Entered: 11/29/2000)
12/01/2000	22	MEMORANDUM by plaintiffs PETER MILLS, and ROBBY GIBSON in support of appearance of non-class counsel, Robby Gibson (ag) (Entered: 12/04/2000)
12/04/2000	23	SUPPLEMENTAL MEMORANDUM by plaintiff ROBBY GIBSON to (ag) (Entered: 12/05/2000)
12/04/2000	24	SUPPLEMENTAL MEMORANDUM by defendant BOARD OF EDUCATION in opposition to motion for preliminary injunction [5-1] by ROBBY GIBSON (ag) (Entered: 12/05/2000)
12/14/2000	25	NOTICE OF CHANGE OF ADDRESS by Michael Jeffrey Eig representing plaintiff PETER MILLS, plaintiff ROBBY GIBSON . New address: Michael J. Eig and Associates, P.C. 5454 Wisconsin Avenue, Suite 760 Chevy Chase MD 20815-EFFECTIVE 12/18/00 . (ag) (Entered: 12/15/2000)
01/04/2001	<u>26</u>	ORDER by Judge John G. Penn: denying motion for preliminary injunction [5-1] by ROBBY GIBSON; dismissing as a party to the above captioned case, plaintiff ROBBY GIBSON (N) (kmk) (Entered: 01/04/2001)

01/04/2001	<u>27</u>	MEMORANDUM OPINION by Judge John G. Penn. (N) (kmk) (Entered: 01/04/2001)
03/21/2001	28	ORDER by Judge John G. Penn: the MILLS class is now closed by Memorandum filed 1/4/2001 # 27, therefore seeing no reason for this msatter to remain open, this case is now closed. (N) (kmk) (Entered: 03/21/2001)