

CLOSED

**U.S. District Court  
Southern District of Ohio (Cincinnati)  
CIVIL DOCKET FOR CASE #: 1:83-cv-01704-SAS**

Roe v. Staples, et al  
Assigned to: Judge S Arthur Spiegel  
Demand: \$0  
Cause: 42:1983 Civil Rights Act

Date Filed: 10/20/1983  
Date Terminated: 10/09/1986  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**John Roe**  
*a minor, by & through his next friend,  
Mary Roe*

represented by **Frank Joseph Wassermann**  
6213 Robison Road  
Cincinnati, OH 45213  
(513) 351-9343  
Fax: (513) 631-3724  
Email: [fjwas@yahoo.com](mailto:fjwas@yahoo.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Michael Jay O'Hara**  
O'Hara Ruberg Taylor Sloan & Sergeant - 1  
PO Box 17411  
25 Crestview Hills Mall Road  
Suite 201  
Crestview Hills, KY 41017  
859-331-2000  
Email: [mohara@ortlaw.com](mailto:mohara@ortlaw.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Seth Staples**  
*Director of the Hamilton County Welfare  
Department*

represented by **James Warren Harper**  
Hamilton County Prosecuting Attorney  
230 East Ninth Street  
Suite 7000  
Cincinnati, OH 45202-2151  
513-946-3159  
Email: [james.harper@hcpros.org](mailto:james.harper@hcpros.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Kathleen Byrne**  
*Section Chief, Family and Children  
Services, Hamilton County Welfare  
Department*

represented by **James Warren Harper**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Hamilton County of Ohio**

represented by **James Warren Harper**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**John Cuddy**  
*Director of Ohio Department of Welfare*

represented by **Alan Paul Schwepe**  
Ohio Attorney General's Office

Health & Human Services Section  
30 E Broad Street  
25th Floor  
Columbus, OH 43215-3428  
614-466-5967  
Fax: 614-466-8226  
Email: [alan.schwepe@ohioattorneygeneral.gov](mailto:alan.schwepe@ohioattorneygeneral.gov)  
*TERMINATED: 09/20/2005*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David Joseph Espinoza**  
Health & Human Services Section  
30 East Broad Street  
26th Floor  
Columbus, OH 45215-6090  
614-466-8600  
Email: [despinoza@ag.state.oh.us](mailto:despinoza@ag.state.oh.us)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Pamela Hyde**  
*Director of Ohio Department of Human  
Services (successor in office to Roland  
Hairston)*

represented by **Alan Paul Schwepe**  
(See above for address)  
*TERMINATED: 09/20/2005*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David Joseph Espinoza**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Thomas J Hayes**

represented by **Alan Paul Schwepe**  
(See above for address)  
*TERMINATED: 09/20/2005*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David Joseph Espinoza**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Henry G. Appel**  
Ohio Attorney General  
Health and Human Services  
30 E Broad Street  
26th Floor  
Columbus, OH 43215-3428  
614-466-8600  
Fax: 866-441-4738  
Email: [henry.appel@ohioattorneygeneral.gov](mailto:henry.appel@ohioattorneygeneral.gov)  
*ATTORNEY TO BE NOTICED*

| Date Filed | # | Docket Text                                                                                                                     |
|------------|---|---------------------------------------------------------------------------------------------------------------------------------|
| 10/20/1983 | 1 | MOTION by plaintiff to proceed in forma pauperis () (wy) (Entered: 08/05/1992)                                                  |
| 10/20/1983 | 2 | ORDER by Judge S. A. Spiegel granting motion to proceed in forma pauperis [1-1] (cc: all counsel) () (wy) (Entered: 08/05/1992) |

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|------------|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10/20/1983 | 3  | CLASS ACTION COMPLAINT (Summonses issued) () (wy) (Entered: 08/05/1992)                                                                                                                         |
| 11/02/1983 | 4  | RETURN OF SERVICE executed upon defendant John Cuddy, defendant Pamela Hyde, defendant Cty of Hamilton, defendant Kathleen Byrne, defendant Seth Staples on 10/26/83 (wy) (Entered: 08/05/1992) |
| 11/09/1983 | 5  | MOTION by defendant John Cuddy to extend time to answer ( (wy) (Entered: 08/05/1992)                                                                                                            |
| 11/10/1983 | 6  | ORDER by Judge S. A. Spiegel granting motion to extend time to answer [5-1] (cc: all counsel) (wy) (Entered: 08/05/1992)                                                                        |
| 11/14/1983 | 7  | ANSWER by County defendants (wy) (Entered: 08/05/1992)                                                                                                                                          |
| 12/05/1983 | 8  | ANSWER by defendant John Cuddy (wy) (Entered: 08/05/1992)                                                                                                                                       |
| 02/10/1984 | 9  | MOTION by plaintiff to certify class action (wy) (Entered: 08/05/1992)                                                                                                                          |
| 03/05/1984 | 10 | RESPONSE by defendant John Cuddy to motion to certify class action [9-1] (wy) (Entered: 08/05/1992)                                                                                             |
| 03/05/1984 | 11 | STIPULATION of ext of time to respond to (9) to County Defts until 3/15/84. (wy) (Entered: 08/05/1992)                                                                                          |
| 03/07/1984 | 12 | RESPONSE by defendant to motion to certify class action [9-1] (wy) (Entered: 08/05/1992)                                                                                                        |
| 03/09/1984 | 13 | STIPULATION re ext of time for pltfs to reply to (9) until 3/14/84. (wy) (Entered: 08/05/1992)                                                                                                  |
| 03/14/1984 | 14 | REPLY by plaintiff to response to motion to certify class action [9-1] (wy) (Entered: 08/05/1992)                                                                                               |
| 05/07/1984 | 15 | NOTICE of hearing setting motion to certify class action [9-1] at 9:00 7/20/84 (cc: all counsel) (wy) (Entered: 08/05/1992)                                                                     |
| 05/21/1984 | 16 | MOTION by defendant to stay discovery pending class certification (wy) (Entered: 08/05/1992)                                                                                                    |
| 05/30/1984 | 17 | MOTION by plaintiff to compel production of documents (wy) (Entered: 08/05/1992)                                                                                                                |
| 06/11/1984 | 18 | RESPONSE by plaintiff to motion to stay discovery pending class certification [16-1] (wy) (Entered: 08/05/1992)                                                                                 |
| 06/20/1984 | 19 | RESPONSE by defendant John Cuddy to motion to compel production of documents ( no pgs: ) (wy) (Entered: 08/05/1992)                                                                             |
| 06/29/1984 | 20 | REPLY by plaintiff to response to motion to compel production of documents ( no pgs: ) (wy) (Entered: 08/05/1992)                                                                               |
| 07/20/1984 | 21 | CIVIL MINUTES: Proceeding before Judge S. A. Spiegel on pltfs' mot to certify class – arguments of counsel – Submitted. (wy) (Entered: 08/05/1992)                                              |
| 08/31/1984 | 22 | ORDER by Judge S. A. Spiegel granting motion to certify class action [9-1] (cc: all counsel) (wy) (Entered: 08/05/1992)                                                                         |
| 08/31/1984 | 23 | ORDER by Judge S. A. Spiegel finding the motion to stay discovery pending class certification [16-1] moot. (cc: all counsel) (wy) (Entered: 08/05/1992)                                         |
| 09/07/1984 | 24 | ORDER by Judge S. A. Spiegel granting motion to compel production of documents [17-1] (cc: all counsel) (wy) (Entered: 08/05/1992)                                                              |
| 02/06/1985 | 25 | MOTION by defendant Pamela Hyde, defendant Hamilton Cty Of, defendant Kathleen Byrne, defendant Seth Staples to compel production of documents (wy) (Entered: 08/05/1992)                       |
| 02/06/1985 |    | NOTATION ORDER by Judge Aug granting motion to compel production of documents [25-1] (cc: all counsel) (wy) (Entered: 08/05/1992)                                                               |

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| 03/20/1985 | 26 | NOTICE setting this action for Preliminary PTC 8:30 4/23/85 (cc: all counsel) (wy) (Entered: 08/05/1992)                                                                                                                                                                                                         |
| 04/12/1985 | 27 | ORDER OF REFERENCE to Magistrate Aug for Discovery purposes only; by Judge S. A. Spiegel (cc: all counsel) (wy) (Entered: 08/05/1992)                                                                                                                                                                            |
| 04/24/1985 | 28 | PRELIMINARY PRETRIAL ORDER by Judge S. A. Spiegel ; Preliminary pretrial conf was held on 8:30 4/23/85 ; discovery cutoff ddl set for 1/1/86 ;mtn filing ddl set for 2/1/86 ; final pretrial conf set for 2:00 4/30/86 ; non-jury trial set for 8/4/86 ( no pgs: 3) (cc: all counsel) (wy) (Entered: 08/05/1992) |
| 08/01/1985 | 29 | NOTICE : Case is set for FPTC ON 4/30/86 AT 2:00 P.M. (wy) (Entered: 08/05/1992)                                                                                                                                                                                                                                 |
| 08/29/1985 | 30 | ATTORNEY SUBSTITUTION: terminating Karen Leizman and substituting attorney Patricia Barry (wy) (Entered: 08/05/1992)                                                                                                                                                                                             |
| 12/13/1985 | 31 | Witness list submitted by deft Patricia K. Barry. (wy) (Entered: 08/05/1992)                                                                                                                                                                                                                                     |
| 02/13/1986 | 32 | ATTORNEY SUBSTITUTION: substituting Trial Atty on behalf of deft Patricia Barry, Dept of Human Services attorney (wy) (Entered: 08/05/1992)                                                                                                                                                                      |
| 03/12/1986 | 33 | STIPULATION for ext of time until 3/24/86 for filing of mots. for summ. J. by the parties. ( no pgs: 2) (wy) (Entered: 08/05/1992)                                                                                                                                                                               |
| 04/16/1986 | 34 | MOTION by plaintiff for partial summary judgment and injunctive relief against County defts (wy) (Entered: 08/05/1992)                                                                                                                                                                                           |
| 04/17/1986 |    | Deposition of Brenda Merrick (wy) (Entered: 08/05/1992)                                                                                                                                                                                                                                                          |
| 04/17/1986 |    | Deposition of Kathleen Byrne (wy) (Entered: 08/05/1992)                                                                                                                                                                                                                                                          |
| 04/17/1986 |    | Deposition of Jerry Judge by pltf. (wy) (Entered: 08/05/1992)                                                                                                                                                                                                                                                    |
| 04/17/1986 |    | Deposition of Brenda Merrick by pltf. (wy) (Entered: 08/05/1992)                                                                                                                                                                                                                                                 |
| 04/21/1986 | 35 | ORDER by Judge S. A. Spiegel granting extension of time for completion of discovery; and, denying motion for partial summary judgment and injunctive relief against County defts [34-1] (cc: all counsel) (wy) (Entered: 08/05/1992)                                                                             |
| 04/28/1986 | 36 | RESPONSE by defendant Pamela Hyde, defendant Hamilton Cty , defendant Kathleen Byrne, defendant Seth Staples to doc. 34. (wy) (Entered: 08/05/1992)                                                                                                                                                              |
| 04/29/1986 | 37 | Final Witness list submitted by plaintiff (wy) (Entered: 08/05/1992)                                                                                                                                                                                                                                             |
| 05/09/1986 | 38 | ORDER by Judge S. A. Spiegel (cc: all counsel) this matter set for trial on 8/4/86. FPTC IS SET FOR 6/20/86 AT 2:00 P.M. (wy) (Entered: 08/05/1992)                                                                                                                                                              |
| 05/09/1986 | 39 | NOTICE of FPTC on 6/20/86 at 2:00 p.m. &for Jury Trial on 8/4/86 at 9:30 a.m. (wy) (Entered: 08/05/1992)                                                                                                                                                                                                         |
| 05/12/1986 | 40 | STIPULATION for ext of time until 5/12/86 for pltf's to reply in support of their mot. for summ. J. (wy) (Entered: 08/05/1992)                                                                                                                                                                                   |
| 05/12/1986 | 41 | MEMORANDUM by plaintiff in support of motion for partial summary judgment and injunctive relief against County defts [34-1] (wy) (Entered: 08/05/1992)                                                                                                                                                           |
| 08/20/1986 | 42 | MOTION by plaintiff to certify class action and to approve class settlements ( no pgs: ) (wy) (Entered: 08/05/1992)                                                                                                                                                                                              |
| 08/29/1986 | 43 | ORDER by Judge S. A. Spiegel granting motion to certify class action and approving class settlements [42-1] (cc: all counsel) (wy) (Entered: 08/05/1992)                                                                                                                                                         |
| 10/02/1986 | 44 | CIVIL MINUTES: Proceeding before Judge S. A. Spiegel on motion to approve settlement - Statements of counsel - Proposed Settlements are approved - Consent decrees will be entered - Parties to attempt to work out question of atty fees. Ct Rptr: Mary Ann Ranz (wy) (Entered: 08/05/1992)                     |
| 10/09/1986 | 45 | ORDER by Judge S. A. Spiegel that proposed settlements/consent decrees are fair, adequate and reasonable; and are approved, terminating case (cc: all counsel) (wy) (Entered: 08/05/1992)                                                                                                                        |

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| 11/10/1986 | 46 | AGREED ORDER by Judge S. A. Spiegel that pltfs have until 11/28/86 to file application for attys' fees. (cc: all counsel) ( no pgs: (wy) (Entered: 08/05/1992)     |
| 11/28/1986 | 47 | AGREED ORDER by Judge S. A. Spiegel that pltfs shall have until 1/5/87 to file application for costs and attys' fees. (cc: all counsel) (wy) (Entered: 08/05/1992) |
| 01/30/1987 | 48 | NOTICE by defendants State of Ohio of substitution of counsel. ( no pgs: 1) (wy) (Entered: 08/05/1992)                                                             |
| 01/30/1987 | 49 | MOTION by defendant, State of Ohio for admission of attorney pro hac vice ( no pgs: 5) (wy) (Entered: 08/05/1992)                                                  |
| 02/06/1987 |    | NOTATION ORDER by Judge S. A. Spiegel granting motion for admission of attorney pro hac vice [49-1] (cc: all (wy) (Entered: 08/05/1992)                            |
| 02/02/1990 | 50 | MOTION by plaintiff for order to show cause and other relief ( no pgs: 8) (wy) (Entered: 08/05/1992)                                                               |
| 02/23/1990 | 51 | STIPULATION for ext of time until 3/18/90 re motion for order to show cause and other relief [50-1] ( no pgs: 1) (wy) (Entered: 08/05/1992)                        |
| 03/05/1990 |    | NOTATION ORDER by Judge S. A. Spiegel granting motion for order to show cause and other relief [50-1] (cc: all counsel) (wy) (Entered: 08/05/1992)                 |
| 03/19/1990 | 52 | MEMORANDUM in opposition to [50-1] ; filed by deft HAIRSTON. ( no pgs: 20 +) (wy) (Entered: 08/05/1992)                                                            |
| 03/28/1990 |    | MEMORANDUM by plaintiff in support of motion for order to show cause and other relief [50-1] ( no pgs: 9) (wy) (Entered: 08/05/1992)                               |
| 03/28/1990 | 54 | NOTICE of taking deposition of deft Hairston on 5/29/90 ( no pgs: 2) (wy) (Entered: 08/05/1992)                                                                    |
| 03/28/1990 | 53 | REPLY by plaintiff in support of mot. for order to show cause. ( no pgs: 9) (wy) (Entered: 08/07/1992)                                                             |
| 04/11/1990 | 55 | NOTICE by defendant of taking deposition of Frank J. Wasserman on 5/29/90 ( no pgs: 2) (wy) (Entered: 08/05/1992)                                                  |
| 04/12/1990 | 56 | MEMORANDUM by defendant in opposition to pltfs' mot. for judgment on the pleadings. ( no pgs: 4) (wy) (Entered: 08/05/1992)                                        |
| 04/17/1990 | 57 | REPLY by plaintiff in support of mot. for judgment on the pleadings. ( no pgs: 4) (wy) (Entered: 08/05/1992)                                                       |
| 04/20/1990 |    | Deposition of SUSAN SCHIFF. (wy) (Entered: 08/05/1992)                                                                                                             |
| 04/20/1990 | 58 | MOTION by plaintiff for order compelling discovery ( no pgs: 4) (wy) (Entered: 08/05/1992)                                                                         |
| 04/24/1990 | 59 | RETURN OF SERVICE of supa served on Frank Wasserman. ( no pgs: 1) (wy) (Entered: 08/05/1992)                                                                       |
| 04/27/1990 | 60 | MOTION by plaintiff for protective order to quash supa deposition of pltf ( no pgs: 10) (wy) (Entered: 08/05/1992)                                                 |
| 05/07/1990 | 61 | NOTICE : Case set for Hearing at 11:00 am on June 1, 1990. ( no pgs: 1) (wy) (Entered: 08/05/1992)                                                                 |
| 05/11/1990 | 62 | MOTION by plaintiff for protective order ( no pgs: 5) (wy) (Entered: 08/05/1992)                                                                                   |
| 05/18/1990 | 63 | NOTICE that case has been set by Magistrate Sherman for hearing on discovery motions on 5/29/90 at 10:00 a.m. ( no pgs: 1) (wy) (Entered: 08/05/1992)              |
| 05/18/1990 | 64 | RESPONSE by defendant to motion for protective order [62-1] ( no pgs: 7) (wy) (Entered: 08/05/1992)                                                                |
| 05/18/1990 | 65 | Submission of a corrective action plan by deft Hairston. (wy) (Entered: 08/05/1992)                                                                                |

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| 05/22/1990 | 66 | REPLY by plaintiff to response to motion for protective order to quash supra deposition of pltf [60-1] ( no pgs: 3) (wy) (Entered: 08/05/1992)                                                                                                                                                  |
| 05/22/1990 |    | Deposition of Annette Justice. (wy) (Entered: 08/05/1992)                                                                                                                                                                                                                                       |
| 05/29/1990 |    | Deposition of Jean Schafer (wy) (Entered: 08/05/1992)                                                                                                                                                                                                                                           |
| 06/01/1990 | 67 | CIVIL MINUTES: Proceeding before Mag. Judge Jack Sherman for hearing on pltf's mots. to compel &for protective order; and, on defts mot. for protective order. Pltf's mots. were granted; defts mot. was denied. Entry to come. Ct.Rptr: Julie Patrick. ( no pgs: 1) (wy) (Entered: 08/05/1992) |
| 06/04/1990 | 68 | ORDER by Judge S. A. Spiegel that status conference is cont'd until 9/4/90 at 4:00 p.m.. (cc: all counsel) ( no pgs: 1) (wy) (Entered: 08/05/1992)                                                                                                                                              |
| 06/07/1990 | 69 | TRANSCRIPT filed of proceedings held before J. Sherman on 6/1/90. (wy) (Entered: 08/05/1992)                                                                                                                                                                                                    |
| 06/25/1990 | 70 | TRANSCRIPT of proceedings before J. Sherman on 5/29/90; filed (wy) (Entered: 08/05/1992)                                                                                                                                                                                                        |
| 06/25/1990 | 71 | ORDER by Mag. Judge Jack Sherman granting motion for protective order [62-1], denying motion for protective order to quash supra deposition of pltf [60-1], granting motion for order compelling discovery [58-1] (cc: all counsel) ( no pgs: 2) (wy) (Entered: 08/05/1992)                     |
| 08/02/1990 | 72 | ORDER by Mag. Judge Jack Sherman that pltf's mot. to compel is GRANTED. Defts' mot. for protective order is DENIED. (cc: all counsel) ( no pgs: 2) (wy) (Entered: 08/07/1992)                                                                                                                   |
| 08/13/1990 | 73 | Objections to Magistrate's Order [72-1] by defendant HAIRSTON. (wy) (Entered: 08/07/1992)                                                                                                                                                                                                       |
| 08/15/1990 | 74 | STATEMENT OF COMPLIANCE PLAN UPDATE submitted by defendant, HAIRSTON ( no pgs: 6 + exhibits.) (wy) Modified on 08/07/1992 (Entered: 08/07/1992)                                                                                                                                                 |
| 08/16/1990 | 75 | MOTION by defendant HAIRSTON to amend submission of compliance up date ( no pgs: 4) (wy) (Entered: 08/07/1992)                                                                                                                                                                                  |
| 08/18/1990 |    | NOTATION ORDER by Judge S. A. Spiegel granting motion to amend [75-1] (cc: all counsel) (wy) (Entered: 08/07/1992)                                                                                                                                                                              |
| 08/24/1990 | 76 | RESPONSE by plaintiff to objections to Report and Recommendation ( no pgs: 4) (wy) (Entered: 08/07/1992)                                                                                                                                                                                        |
| 10/18/1990 | 77 | SUBMISSION of Amended Compliance Plan Update by defendant HAIRSTON re motion to amend submission of compliance up date [75-1] ( no pgs: 4) (wy) Modified on 05/24/1994 (Entered: 08/07/1992)                                                                                                    |
| 10/19/1990 | 78 | ORDER by Judge S. A. Spiegel AFFIRMING MAGISTRATE's order [72-1] (cc: all counsel) ( no pgs: 10) (wy) (Entered: 08/07/1992)                                                                                                                                                                     |
| 10/24/1990 | 79 | MOTION by defendant HAIRSTON for protective order ( no pgs: 7) (wy) (Entered: 08/07/1992)                                                                                                                                                                                                       |
| 10/26/1990 | 80 | ORDER by Judge S. A. Spiegel - defts to submit FINAL COMPREHENSIVE COMPLIANCE PLAN by 12/31/90. (cc: all counsel) ( no pgs: 3) (wy) (Entered: 08/07/1992)                                                                                                                                       |
| 10/30/1990 | 81 | MOTION by plaintiff to compel discovery ( no pgs: 5) (wy) (Entered: 08/07/1992)                                                                                                                                                                                                                 |
| 11/14/1990 | 82 | RESPONSE by defendant to motion to compel discovery [81-1] ( no pgs: 5) (wy) (Entered: 08/07/1992)                                                                                                                                                                                              |
| 12/20/1990 | 83 | MOTION by defendant Pamela Hyde to continue ( no pgs: 3) (wy) (Entered: 08/07/1992)                                                                                                                                                                                                             |
| 12/28/1990 | 84 | STATUS REPORT OF UPDATE TO CORRECTIVE ACTION PLAN by defendant Pamela Hyde ( no pgs: 9) (wy) (Entered: 08/07/1992)                                                                                                                                                                              |

|            |     |                                                                                                                                                                                                                                                                                                                                                                              |
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| 01/14/1991 | 86  | STIPULATION tht deft agrees to reimburse pltf's expenses incurred per Exhibit attached. ( no pgs: 4) (wy) (Entered: 08/07/1992)                                                                                                                                                                                                                                              |
| 01/18/1991 | 85  | NOTICE that cae set for hearing on discovery matters on 2/14/91 at 10:00 a.m. ( no pgs: 1) (wy) (Entered: 08/07/1992)                                                                                                                                                                                                                                                        |
| 02/14/1991 | 87  | Stipulation and ORDER: withdrawing motion to continue [83-1], withdrawing motion compel discovery [81-1], withdrawing motion for protective order [79-1], withdrawing appeal motion Objections to Magistrate's Order [72-1] [73-1] (cc: all counsel) ( no 5) (wy) (Entered: 08/07/1992)                                                                                      |
| 04/09/1991 | 88  | NOTICE of status conference at 3:00 pm on 4/25/91. cmtc ( no pgs: 1) (wy) (Entered: 08/07/1992)                                                                                                                                                                                                                                                                              |
| 04/23/1991 | 89  | MOTION by defendant WALLACE to continue status conference ( no pgs: 2) (wy) (Entered: 08/07/1992)                                                                                                                                                                                                                                                                            |
| 04/23/1991 |     | NOTATION ORDER by Judge S. A. Spiegel granting motion to continue status conference [89-1] to 5/15/91 at 3:00 p.m. (cc: all counsel) (wy) (Entered: 08/07/1992)                                                                                                                                                                                                              |
| 04/30/1991 | 90  | STATUS REPORT of SECOND COMPLIANCE UPDATE by defendants. ( no pgs: 4) (wy) (Entered: 08/07/1992)                                                                                                                                                                                                                                                                             |
| 05/01/1991 | 91  | NOTICE of status conference set for 5/16/91 at 3:00 p.m. ( no pgs: 1) (wy) (Entered: 08/07/1992)                                                                                                                                                                                                                                                                             |
| 06/03/1991 | 92  | ORDER by Judge S. A. Spiegel appointing Wayne Holder to serve to inform expert of duties & means of compensation. (cc: all counsel) ( no pgs: 3) (wy) (Entered: 08/07/1992)                                                                                                                                                                                                  |
| 11/06/1991 | 93  | AGREED ORDER by Judge S. A. Spiegel appointing panel of expert consultants to serve until permanent plan implemented. cmtc: Panel (cc: all counsel) (ls/ no pgs: 5) (wy) (Entered: 08/07/1992)                                                                                                                                                                               |
| 06/03/1992 | 94  | AMENDED AGREED ORDER by Judge S. A. Spiegel (cc: all counsel) ( no pgs: 6) (wy) (Entered: 08/07/1992)                                                                                                                                                                                                                                                                        |
| 08/03/1992 | 95  | AGREED ORDER MODIFYING CONSENT JUDGMENT entered by Judge S. A. Spiegel (cc: all counsel) ( no pgs: 13) (wy) Modified on 08/05/1992 (Entered: 08/03/1992)                                                                                                                                                                                                                     |
| 09/09/1992 | 96  | LETTER to court from Wayne Holder, Chairman of the Roe v Staples Panel, dated 9/4/92. ( no pgs: 2) (wy) Modified on 09/10/1992 (Entered: 09/09/1992)                                                                                                                                                                                                                         |
| 02/08/1993 | 97  | ORDER by Judge S. A. Spiegel dismissing the motion for order to show cause and other relief [50-1] (cc: all counsel) ( no pgs: 3) (wy) (Entered: 02/08/1993)                                                                                                                                                                                                                 |
| 08/09/1996 | 98  | AGREED ORDER modifying consent jgm by Judge S. A. Spiegel (cc: all counsel) ( no pgs: 12+) (vp) (Entered: 08/09/1996)                                                                                                                                                                                                                                                        |
| 05/20/1998 | 99  | ORDER by Judge S. A. Spiegel that conditins of consent jgm have been met therefore terminating the consent jgm (cc: all counsel) ( no pgs: 2) (vp) (Entered: 05/20/1998)                                                                                                                                                                                                     |
| 04/25/2000 | 100 | AGREED ORDER by Judge S. A. Spiegel re on-site monitoring provision in consent decree; by agreement of parties the on-site monitoring requirement is suspended for a period of three months so that ODHS may begin to implement the Child Protection Oversight and Evaluation (CPOE) system (cc: all counsel) ( no pgs: 2) (km) Modified on 04/26/2000 (Entered: 04/26/2000) |
| 02/11/2002 | 101 | MOTION by defendant Thomas J Hayes to amend/modify consent judgment ( no pgs: 12+) (km) (Entered: 02/12/2002)                                                                                                                                                                                                                                                                |
| 03/04/2002 | 102 | UNOPPOSED MOTION by plaintiff to extend time until 3/11/02 in which to file response to motion to amend/modify consent judgment ( no pgs: 2) (km) (Entered: 03/04/2002)                                                                                                                                                                                                      |
| 03/07/2002 |     | NOTATION ORDER by Judge S. A. Spiegel granting unopposed motion to extend time until 3/11/02 in which to file response to motion to amend/modify consent                                                                                                                                                                                                                     |

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|            |            | judgment [102-1] (cc: all counsel) (km) (Entered: 03/07/2002)                                                                                                                                                                                                                                                                                                                                                                                      |
| 03/11/2002 |            | Mail Returned (notation order to [102-1]) addressed to James Warren Harper for defendant Seth Staples; returned "not at prosecutor's office" (km) (Entered: 03/12/2002)                                                                                                                                                                                                                                                                            |
| 03/11/2002 | 103        | MEMORANDUM by plaintiff in opposition to motion to amend/modify consent judgment [101-1] ( no pgs: 8+exh 1-2) (km) (Entered: 03/12/2002)                                                                                                                                                                                                                                                                                                           |
| 03/21/2002 | 104        | UNOPPOSED MOTION by defendants to extend time until 4/15/02 in which to file reply to response to motion to amend/modify consent decree ( no pgs: 3) (km) (Entered: 03/22/2002)                                                                                                                                                                                                                                                                    |
| 03/26/2002 | 105        | ORDER by Judge S. A. Spiegel granting unopposed motion to extend time until 4/15/02 in which to file reply to response to motion to amend/modify consent decree [104-1] (cc: all counsel) ( no pgs: 1) (km) (Entered: 03/26/2002)                                                                                                                                                                                                                  |
| 04/03/2002 | 106        | REPLY by defendant Thomas J Hayes to response to motion to amend/modify consent judgment [101-1] ( no pgs: 7) (km) (Entered: 04/03/2002)                                                                                                                                                                                                                                                                                                           |
| 05/22/2002 | 107        | ORDER by Judge S. A. Spiegel: the court hereby STAYS consideration of the motion to amend/modify consent judgment [101-1] until such time as the parties have completed mediation efforts; the court directs the court appointed expert panel to report to the court on any progress made at mediation and on the feasibility of deft Hayes' recommended changes to the consent judgment (cc: all counsel) ( no pgs: 2) (km) (Entered: 05/22/2002) |
| 03/24/2004 | <u>108</u> | NOTICE of Hearing: Status Conference set for 4/15/2004 03:00 PM in chambers before S Arthur Spiegel. (km, ) (Entered: 03/24/2004)                                                                                                                                                                                                                                                                                                                  |
| 03/26/2004 |            | Mail Returned as Undeliverable (doc.#108)as to Frank Joseph Wasserman. Attorney no longer with legal aid (wam, ) (Entered: 03/29/2004)                                                                                                                                                                                                                                                                                                             |
| 04/19/2004 | <u>109</u> | ORDER Pursuant to the Status Conference held 4/15/2004, a Status Conference is set for 6/23/2004 02:00 PM, to permit the parties to ascertain whether they can resolve their differences as to the pending motion to modify the consent judgment. Signed by Judge S Arthur Spiegel on 4/15/2004. (km, ) (Entered: 04/19/2004)                                                                                                                      |
| 06/23/2004 | <u>110</u> | NOTICE of Hearing: Status Conference reset for 8/5/2004 09:00 AM in chambers before S Arthur Spiegel. (km, ) (Entered: 06/23/2004)                                                                                                                                                                                                                                                                                                                 |
| 06/28/2004 |            | Mail Returned as Undeliverable (No longer at legal aid) as to Frank J. Wasserman (doc.#110) (wam, ) (Entered: 06/29/2004)                                                                                                                                                                                                                                                                                                                          |
| 08/10/2004 | <u>111</u> | ORDER Pursuant to the Status Conference held 8/5/2004, the Court finds it appropriate to continue this matter so as to allow plaintiffs to locate an appropriate expert on childrens' services and applicable federal law. A Status Conference is set for 10/13/2004 03:00 PM. Signed by Judge S Arthur Spiegel on 8/10/2004. (km, ) (Entered: 08/10/2004)                                                                                         |
| 10/14/2004 | <u>112</u> | ORDER re 101 Motion to Amend/Correct Consent Judgment. Status Conference set for 2/22/2005 11:00 AM in chambers before S Arthur Spiegel. Signed by Judge S Arthur Spiegel on 10/14/2004. (km, ) (Entered: 10/14/2004)                                                                                                                                                                                                                              |
| 12/06/2004 | <u>113</u> | NOTICE of Hearing: Status Conference set for 2/22/2005 11:00 AM in chambers before S Arthur Spiegel. (km, ) (Entered: 12/06/2004)                                                                                                                                                                                                                                                                                                                  |
| 02/22/2005 |            | Minute Entry for proceedings held before Judge S Arthur Spiegel: Status Conference held on 2/22/2005. (km, ) (Entered: 02/22/2005)                                                                                                                                                                                                                                                                                                                 |
| 04/25/2005 | <u>114</u> | NOTICE of Appearance by David Joseph Espinoza Defendant Thomas J Hayes (Espinoza, David) (Entered: 04/25/2005)                                                                                                                                                                                                                                                                                                                                     |
| 09/20/2005 | <u>115</u> | NOTICE of Hearing: Status Conference set for 11/17/2005 02:00 PM in chambers before Judge S Arthur Spiegel. (km, ) (Entered: 09/20/2005)                                                                                                                                                                                                                                                                                                           |
| 01/25/2006 | <u>116</u> | NOTICE of Hearing: Status Conference set for 4/6/2006 02:00 PM in chambers before S Arthur Spiegel. (km, ) (Entered: 01/25/2006)                                                                                                                                                                                                                                                                                                                   |

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| 03/29/2006 | <u>117</u> | NOTICE of Hearing: Status Conference RESET for 4/20/2006 09:30 AM in chambers before S Arthur Spiegel. (km, ) (Entered: 03/29/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 04/05/2006 |            | (Former doc. #118) BILL OF COSTS by Defendant Thomas J Hayes. (Espinoza, David) Modified docket text on 4/6/2006 (scot, ). (Entered: 04/05/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 04/06/2006 |            | Notice of Correction: Former doc. #118 removed due to filing error. PDF document was a proposed order for the Court. Order forwarded to Judge for consideration. Attorney advised of correct procedures for submitting proposed orders in the future. (scot, ) (Entered: 04/06/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 04/06/2006 | <u>118</u> | ORDER – by agreement of the parties, the Court hereby vacates its prior Orders of 6/3/1991 92 , 11/6/1991 93 , and 6/3/1992 94 as they relate to the appointment of an expert panel. In place of this expert panel, Defendant Riley has agreed to tax as costs against her the expense of Plaintiff utilizing the services of Etta Lappen Davis. Ms. Davis shall provide expert advice to the Plaintiffs on Defendant Riley's Motion to Modify Consent Judgment Pursuant to Rule 60(b)(5). The Court authorizes a rate of \$125.00 per hour, with a maximum of forty (40) hours, for the work of Ms. Davis. Prior to the submission by the Plaintiffs as costs, Plaintiffs' counsel, Michael O'Hara shall review the costs. Mr. O'Hara's submission of the costs to the Court constitutes his opinion that the work was performed and should be paid. In any future proceedings in this matter, Plaintiffs reserve the right to seek reimbursement for any additional reasonable expert expenses by applying to the court in the event they are a prevailing party. Signed by Judge S Arthur Spiegel on 4/6/2006. (km, ) (Entered: 04/06/2006) |
| 04/20/2006 | <u>119</u> | ORDER re Motion to Amend/Modify Consent Decree 101 . Pursuant to the Status Conference held 4/20/2006, the Court hereby ORDERS the Parties to submit no later than 5/22/2006 an agreed, proposed entry modifying/amending the Consent Decree. With this agreed, proposed entry the Parties should also submit the expert report and any other documentation relied upon in reaching the agreed, proposed entry. The issues of attorney's fees will be determined by the Court in that matter upon appropriate application. Signed by Judge S Arthur Spiegel on 4/20/2006. (km, ) (Entered: 04/20/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 05/25/2006 |            | (Former doc. #120) Proposed Pretrial Order by Defendant Thomas J Hayes. (Espinoza, David) Modified docket text on 5/26/2006 (scot, ). (Entered: 05/25/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 05/26/2006 |            | Notice of Correction: Fomrer doc. #120 removed due to filing error. Document was a proposed order for Court's review. Document printed and provided to Court for review. Parties are advised that all proposed orders are to be submitted to chambers via email pursuant to the policies and procedures for CM/ECF. (scot, ) (Entered: 05/26/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 05/30/2006 | <u>120</u> | ORDER modifying this Court's Order <u>119</u> so that parties shall submit no later than 6/21/2006, an agreed proposed entry modifying/amending the Consent Decree. All other terms of this Court's Order of 4/20/2006 <u>119</u> remain in effect. Signed by Judge S Arthur Spiegel on 5/30/2006. (km, ) (Entered: 05/30/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 06/22/2006 | <u>121</u> | ORDER modifying this Court's Order <u>119</u> so that parties shall submit no later than 6/28/2006, an agreed proposed entry modifying/amending the Consent Decree. All other terms of this Court's Order of 4/20/2006 <u>119</u> remain in effect. Signed by Judge S Arthur Spiegel on 6/22/2006. (km, ) (Entered: 06/22/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 06/28/2006 | <u>122</u> | First MOTION for Extension of Time New date requested 7/7/2006. by Defendant Thomas J Hayes. (Espinoza, David) (Entered: 06/28/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 07/07/2006 | <u>123</u> | NOTICE by Plaintiff John Roe re <u>119</u> Order,, <i>Notice of Filing Proposed Agreed Order</i> (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> )(O'Hara, Michael) (Entered: 07/07/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 07/17/2006 | <u>124</u> | ORDER granting <u>122</u> Joint Motion for Extension of Time Until 7/7/2006 to submit an agreed proposed entry modifying/amending the Consent Decree. All other terms of the Court's Order of 4/20/2006 <u>119</u> remain in effect. Signed by Judge S Arthur Spiegel on 7/14/2006. (km, ) (Entered: 07/17/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 07/27/2006 | <u>125</u> | AGREED ORDER re Motion to Modify the Consent Decree (doc. 101). The parties, having agreed to the following provisions to assure compliance with the                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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|            |            | <p>Consent Decree; and the Court having reviewed the Reports of the Court approved expert dated 1/18/2006 and 6/19/2006, Etta Lappen Davis, and the Court being otherwise sufficiently advised, it is hereby ORDERED that the Ohio Department of Job and Family Services will provide on-site monitoring of the county agency under Section II(A) of the Consent Decree no less frequently than one time every twenty-four months. It is further ORDERED that Defendants shall comply with the provisions of the Child Protection Oversight and Evaluation (CPOE) System as described in Section 5101:2-33-02 of the Ohio Administrative Code and that such compliance shall constitute compliance with the monitoring obligations as set forth in Section I(C) through Section I(I) of the Consent Decree and those portions of the Agreed Order entered 8/3/1992 (Doc. 95) that relate to monitoring. It is further ORDERED that compliance with the needs assessments requirements set forth in 45 C.F.R. 1357.15 (d)(3), through the completion of implementation of the Statewide Automated Child Welfare Information System (SACWIS) in all 88 counties and actual completion of a needs assessment from the SACWIS data in a statistically valid sample of the counties shall constitute compliance with Section II of the Consent Decree and with those portions of the Agreed Order entered 8/3/1992 (Doc. 95) that relate to provision of needs assessments. It is further ORDERED that the parties agree that Etta Lappen Davis shall continue as the Court approved expert for Plaintiffs and shall continue to monitor compliance with the Consent Decree as amended. Such monitoring shall occur according to a schedule and upon such terms for fees and expense reimbursement as agreed upon by Ms. Davis and the parties. In the event the parties cannot agree, then such matters upon which no agreement can be reached shall be submitted to the Court by appropriate motion for resolution. Upon finalization of the HHS SACWIS Assessment Review Process as described on pages 10 and 11 of the Report of the Court approved expert (6/19/2006) or demonstration of compliance with the monitoring requirements of this Agreed Entry, the Defendants may move for an order terminating all or part of the Consent Decree and its amendments. Plaintiffs may file any written objections to such proposed termination. Signed by Judge S Arthur Spiegel on 7/26/2006. (km, ) (Entered: 07/27/2006)</p> |
| 12/28/2006 | <u>126</u> | <p>NOTICE of Appearance by Henry G. Appel Defendant Thomas J Hayes (Appel, Henry) (Entered: 12/28/2006)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 01/08/2007 |            | <p>(FORMERLY DOC. 127) STIPULATION -- <i>Proposed Judgment Entry Regarding Attorney Fees and Expert Witness Fees</i> by Defendant Thomas J Hayes. (Appel, Henry) Docket Text Modified on 1/9/2007 (km1, ). (Entered: 01/08/2007)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 01/09/2007 |            | <p>Notice of Correction - the Agreed Order (formerly doc. 127) was erroneously submitted to the Court via CM/ECF. Pursuant to current policies and procedures, all proposed orders are to be submitted to the judge's chambers by electronic mail. The order has been saved to file and printed off for the Court's use. The document has been deleted from the Court's docket, to be re-filed after approval by the Court. (km1, ) (Entered: 01/09/2007)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 01/11/2007 | <u>127</u> | <p>AGREED ORDER FOR PAYMENT OF (1) EXPERT FEES AND COSTS AND (2) PLAINTIFFS' ATTORNEYS FEES AND COSTS. Upon agreement of the parties, the Court Orders that the following fees and costs be paid by the Ohio Dept of Job and Family Services: (1) To Etta L. Davis, the Expert assigned to this matter, \$7,894.62 in expert fees and costs; (2) To Attorney Michael O'Hara, counsel for Plaintiffs, \$78,420.45 in attorneys fees and costs. These fees and costs represent all financial claims that Etta Davis and Attorney Michael O'Hara and his law firm of O'Hara, Ruberg, Taylor, Sloan, and Sargent, have against the Defendants arising from this litigation to the date of filing of this Entry. Signed by Judge S Arthur Spiegel on 1/10/2007. (km1, ) Modified docket text on 1/12/2007 (scot1, ). (Entered: 01/11/2007)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |