

**U.S. District Court
District of Maryland (Greenbelt)
CIVIL DOCKET FOR CASE #: 8:12-cv-03592-TDC**

Garcia v. Montgomery County, Maryland et al

Assigned to: Judge Theodore D. Chuang

Referred to: Magistrate Judge William Connelly (Settlement)

Cause: 42:1983 Civil Rights Act – Civil Action for Deprivation of Rights

Date Filed: 12/07/2012

Date Terminated: 03/06/2017

Jury Demand: Plaintiff

Nature of Suit: 440 Civil Rights: Other

Jurisdiction: Federal Question

Plaintiff

Mannie Garcia

represented by **Ronald G London**

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PRO HAC VICE

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V.

Defendant

Montgomery County, Maryland

represented by **Jeannette Linda Frumkin**

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TERMINATED: 08/28/2017

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ATTORNEY TO BE NOTICED

Defendant

Chief of Police Thomas Manger
in his official capacity
TERMINATED: 06/24/2016

represented by **Rosalyn Tang**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Patricia Lisehora Kane
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Officer Christopher Malouf
in his official and individual capacities

represented by **Jeannette Linda Frumkin**
(See above for address)
TERMINATED: 08/28/2017
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rosalyn Tang
(See above for address)
TERMINATED: 10/02/2014
LEAD ATTORNEY
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Patricia Lisehora Kane
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ATTORNEY TO BE NOTICED

Defendant

Officer Kevin Baxter
in his official and individual capacities

represented by **Jeannette Linda Frumkin**
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TERMINATED: 08/28/2017
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Rosalyn Tang
(See above for address)
TERMINATED: 10/02/2014
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ATTORNEY TO BE NOTICED

Patricia Lisehora Kane
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ATTORNEY TO BE NOTICED

Defendant

Officer Michael Graves
in his official capacity

represented by **Patricia Lisehora Kane**
(See above for address)

ATTORNEY TO BE NOTICED

Defendant

Lieutenant Mark Sheelor
*in his official and individual
capacities*

represented by **Patricia Lisehora Kane**
(See above for address)
ATTORNEY TO BE NOTICED

Amicus

UNITED STATES OF AMERICA

Date Filed	#	Docket Text
12/07/2012		Judge J. Frederick Motz added. (rss, Deputy Clerk) (Entered: 12/07/2012)
12/07/2012	<u>1</u>	COMPLAINT against Kevin Baxter, Michael Graves, Christopher Malouf, Thomas Manger, Montgomery County, Maryland, Mark Sheelor (Filing fee \$ 350 receipt number 0416-3835436.), filed by Mannie Garcia. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons, # <u>7</u> Summons)(London, Ronald) (Entered: 12/07/2012)
12/07/2012	<u>2</u>	MOTION to Appear Pro Hac Vice for Robert Corn-Revere (Filing fee \$ 50, receipt number 0416-3836045.) by Mannie Garcia (London, Ronald) (Entered: 12/07/2012)
12/07/2012	<u>3</u>	Summons Issued 21 days as to Kevin Baxter, Michael Graves, Christopher Malouf, Thomas Manger, Montgomery County, Maryland and Mark Sheelor. (sls, Deputy Clerk) (Entered: 12/07/2012)
12/10/2012	<u>4</u>	PAPERLESS ORDER granting <u>2</u> Motion to Appear Pro Hac Vice for attorney Robert Corn Revere on behalf of Mannie Garcia. Directing attorney Robert Corn Revere to register on-line for CM/ECF at https://www.mdd.uscourts.gov/attyregB/inputProHac.asp . Signed by Clerk on 12/10/12. (cmns, Deputy Clerk) (Entered: 12/10/2012)
01/10/2013	<u>5</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>1</u> Complaint, by Kevin Baxter, Michael Graves, Christopher Malouf, Thomas Manger, Montgomery County, Maryland, Mark Sheelor. Responses due by 1/28/2013 (Kane, Patricia) (Entered: 01/10/2013)
01/11/2013	<u>6</u>	SUMMONS Returned Executed by Mannie Garcia. All Defendants. (Corn Revere, Robert) (Entered: 01/11/2013)
01/15/2013	<u>7</u>	Paperless ORDER granting <u>5</u> Motion for Extension of Time to File Response/Reply. Signed by Judge J. Frederick Motz on 1/15/13. (Motz, J.) (Entered: 01/15/2013)
01/31/2013	<u>8</u>	MOTION to Dismiss for Failure to State a Claim by Kevin Baxter, Michael Graves, Christopher Malouf, Thomas Manger, Montgomery County, Maryland, Mark Sheelor Responses due by 2/19/2013 (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Kane, Patricia) (Entered: 01/31/2013)
02/01/2013	<u>9</u>	MOTION for Extension of Time by Christopher Malouf Responses due by 2/19/2013 (Kane, Patricia) (Entered: 02/01/2013)
02/01/2013	<u>10</u>	Paperless ORDER granting <u>9</u> Motion for Extension of Time. Signed by Judge J. Frederick Motz on 2/1/13. (Motz, J.) (Entered: 02/01/2013)
02/01/2013	<u>11</u>	MOTION to Dismiss for Failure to State a Claim <i>AMENDED PARA 8</i> by Kevin Baxter, Michael Graves, Christopher Malouf, Thomas Manger, Montgomery County, Maryland, Mark Sheelor Responses due by 2/19/2013 (Kane, Patricia) (Entered: 02/01/2013)
02/06/2013	<u>12</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>11</u> MOTION to Dismiss for Failure to State a Claim <i>AMENDED PARA 8</i> , <u>8</u> MOTION to Dismiss for Failure to State a Claim by Mannie Garcia Responses due by 2/25/2013 (Corn Revere, Robert) (Entered: 02/06/2013)

02/08/2013	<u>13</u>	Paperless ORDER granting <u>12</u> Motion for Extension of Time to File Response/Reply. Signed by Judge J. Frederick Motz on 2/8/13. (Motz, J.) (Entered: 02/08/2013)
02/08/2013	<u>14</u>	ANSWER to <u>1</u> Complaint, <i>Counts III, VI, VII and VIII</i> by Christopher Malouf.(Kane, Patricia) (Entered: 02/08/2013)
03/04/2013	<u>15</u>	NOTICE by UNITED STATES OF AMERICA <i>Statement of Interest</i> (Attachments: # <u>1</u> Exhibit Statement of Interest of the United States, Sharp v. Baltimore City Police Dept., et al., No. 1:11-cv-02888, # <u>2</u> Exhibit Letter from Jonathan M. Smith to Mark H. Grimes and Mary E. Borja (BPD Letter))(Ogletree, Rashida) (Entered: 03/04/2013)
03/05/2013	<u>16</u>	RESPONSE in Opposition re <u>11</u> MOTION to Dismiss for Failure to State a Claim <i>AMENDED PARA 8</i> filed by Mannie Garcia. Replies due by 3/22/2013. (Corn Revere, Robert) (Entered: 03/05/2013)
03/20/2013	<u>17</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>16</u> Response in Opposition to Motion <i>Consent Motion for Extension of Time to Respond to Plaintiff's Opposition to Defendants' Amended Motion to Dismiss/Partially Dismiss Counts I to VII of Plaintiff's Complaint and for Other Relief</i> by Kevin Baxter, Michael Graves, Christopher Malouf, Thomas Manger, Montgomery County, Maryland, Mark Sheelor Responses due by 4/8/2013 (Kane, Patricia) (Entered: 03/20/2013)
03/20/2013	<u>18</u>	Paperless ORDER granting <u>17</u> Motion for Extension of Time to File Response/Reply. Signed by Judge J. Frederick Motz on 3/20/13. (Motz, J.) (Entered: 03/20/2013)
04/04/2013	<u>19</u>	REPLY to Response to Motion re <u>11</u> MOTION to Dismiss for Failure to State a Claim <i>AMENDED PARA 8</i> , <u>8</u> MOTION to Dismiss for Failure to State a Claim filed by Kevin Baxter, Michael Graves, Christopher Malouf, Thomas Manger, Montgomery County, Maryland, Mark Sheelor. (Kane, Patricia) (Entered: 04/04/2013)
08/23/2013	<u>20</u>	MEMORANDUM. Signed by Judge J. Frederick Motz on 8/23/13. (bmhs, Deputy Clerk) (Entered: 08/26/2013)
08/23/2013	<u>21</u>	ORDER granting in part and denying in part <u>11</u> Defendants' Amended Motion to Dismiss Counts I through VII of Plaintiffs Complaint. Signed by Judge J. Frederick Motz on 8/23/13. (bmhs, Deputy Clerk) (Entered: 08/26/2013)
08/26/2013	<u>22</u>	Correspondence setting scheduling conference. (Attachments: # <u>1</u> tentative scheduling order, # <u>2</u> discovery call in hour letter)(Motz, J.) (Entered: 08/26/2013)
09/09/2013	<u>23</u>	Consent MOTION for Extension of Time to <i>Answer</i> by Kevin Baxter, Michael Graves, Christopher Malouf, Thomas Manger, Montgomery County, Maryland Responses due by 9/26/2013 (Kane, Patricia) (Entered: 09/09/2013)
09/10/2013	<u>24</u>	Paperless ORDER granting <u>23</u> Motion for Extension of Time. Signed by Judge J. Frederick Motz on 9/10/13. (Motz, J.) (Entered: 09/10/2013)
09/13/2013	<u>25</u>	<i>Defendant Montgomery County's</i> ANSWER to <u>1</u> Complaint, <i>Count V of Plaintiff's Complaint</i> by Montgomery County, Maryland.(Kane, Patricia) (Entered: 09/13/2013)
09/13/2013	<u>26</u>	<i>Defendant Detective Malouf's and Baxter's</i> ANSWER to <u>1</u> Complaint, <i>to Counts I and II of Plaintiff's Complaint</i> by Kevin Baxter, Christopher Malouf.(Kane, Patricia) (Entered: 09/13/2013)
09/20/2013	<u>27</u>	SCHEDULING ORDER: Status Report due by 4/18/2014. Signed by Judge J. Frederick Motz on 9/20/13. (bmhs, Deputy Clerk) (Entered: 09/20/2013)
09/20/2013		Scheduling Conference held on 9/20/2013 before Judge J. Frederick Motz. (Court Reporter: None) (mds, Deputy Clerk) (Entered: 11/05/2013)
02/18/2014	<u>28</u>	NOTICE of Appearance by Rosalyn Tang on behalf of Kevin Baxter, Christopher Malouf, Thomas Manger, Montgomery County, Maryland (Tang, Rosalyn) (Entered: 02/18/2014)
03/18/2014	<u>29</u>	Joint MOTION for Extension of Time to Complete Discovery <i>and to File Dispositive Motions</i> by Mannie Garcia Responses due by 4/4/2014 (Attachments: # <u>1</u> Text of Proposed Order)(Corn Revere, Robert) (Entered: 03/18/2014)
03/19/2014	<u>30</u>	Paperless ORDER granting <u>29</u> Motion for Extension of Time to Complete Discovery. Signed by Judge J. Frederick Motz on 3/19/2014. (Motz, J.) (Entered: 03/19/2014)

03/19/2014	<u>31</u>	NOTICE of Appearance by Alison B Schary on behalf of Mannie Garcia (Schary, Alison) (Entered: 03/19/2014)
04/18/2014	<u>32</u>	MOTION to Compel & <i>Local Rule 104.7 Certification</i> by Mannie Garcia Responses due by 5/5/2014 (Attachments: # <u>1</u> Exhibit 1 (Plaintiff's Motion to Compel), # <u>2</u> Exhibit 2 (Defendants' Opposition to Motion to Compel), # <u>3</u> Exhibit 3 (Plaintiff's Reply in support of Motion to Compel), # <u>4</u> Certificate of Service)(London, Ronald) (Entered: 04/18/2014)
06/04/2014	<u>33</u>	MEMORANDUM to Counsel. Signed by Judge J. Frederick Motz on 6/3/14. (bmhs, Deputy Clerk) (Entered: 06/04/2014)
06/06/2014		Case reassigned to Judge Theodore David Chuang. Judge J. Frederick Motz no longer assigned to the case. (cags, Deputy Clerk) (Entered: 06/06/2014)
06/11/2014	<u>34</u>	NOTICE by Kevin Baxter, Michael Graves, Christopher Malouf, Thomas Manger, Montgomery County, Maryland, Mark Sheelor re <u>33</u> Memorandum to Parties <i>Defendants' Response to Court's Memo to Counsel</i> (Kane, Patricia) (Entered: 06/11/2014)
06/13/2014	<u>35</u>	Joint MOTION for Extension of Time to Complete Discovery <i>and to File Dispositive Motions</i> by Mannie Garcia Responses due by 6/30/2014 (Attachments: # <u>1</u> Text of Proposed Order)(London, Ronald) (Entered: 06/13/2014)
06/16/2014	<u>36</u>	ORDER GRANTING <u>35</u> Joint MOTION for Extension of Time to Complete Discovery and to File Dispositive Motions. Signed by Judge Theodore D. Chuang on 6/16/2014. (rss, Deputy Clerk) (Entered: 06/16/2014)
06/16/2014	<u>37</u>	MOTION for Reconsideration re <u>33</u> Memorandum to Parties by Mannie Garcia Responses due by 7/3/2014 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(London, Ronald) (Entered: 06/16/2014)
06/30/2014	<u>38</u>	RESPONSE in Opposition re <u>37</u> MOTION for Reconsideration re <u>33</u> Memorandum to Parties <i>Opposition to Plaintiff's Motion for Reconsideration of Court's June 3, 2014, Memo to Counsel Regarding Plaintiff's Motion to Compel</i> filed by Kevin Baxter, Michael Graves, Christopher Malouf, Thomas Manger, Montgomery County, Maryland, Mark Sheelor. Replies due by 7/17/2014. (Kane, Patricia) (Entered: 06/30/2014)
07/02/2014	<u>39</u>	REPLY to Response to Motion re <u>37</u> MOTION for Reconsideration re <u>33</u> Memorandum to Parties filed by Mannie Garcia. (London, Ronald) (Entered: 07/02/2014)
07/17/2014	<u>40</u>	MOTION to Compel <i>Deposition Testimony and for Clarification of Bifurcation</i> by Mannie Garcia Responses due by 8/4/2014 (Attachments: # <u>1</u> Appendix A, # <u>2</u> Appendix B, # <u>3</u> Text of Proposed Order)(Corn Revere, Robert) (Entered: 07/17/2014)
07/30/2014	<u>41</u>	RESPONSE in Opposition re <u>40</u> MOTION to Compel <i>Deposition Testimony and for Clarification of Bifurcation</i> filed by Kevin Baxter, Christopher Malouf, Thomas Manger, Montgomery County, Maryland. Replies due by 8/18/2014. (Kane, Patricia) (Entered: 07/30/2014)
08/06/2014	<u>42</u>	REPLY to Response to Motion re <u>40</u> MOTION to Compel <i>Deposition Testimony and for Clarification of Bifurcation</i> filed by Mannie Garcia. (Attachments: # <u>1</u> Appendix C, # <u>2</u> Appendix D, # <u>3</u> Appendix E, # <u>4</u> Appendix F, # <u>5</u> Appendix G, # <u>6</u> Appendix H, # <u>7</u> Appendix I, # <u>8</u> Appendix J)(Corn Revere, Robert) (Entered: 08/06/2014)
08/13/2014	<u>43</u>	MOTION for Extension of Time to Complete Discovery <i>and to Amend June 16, 2014 Scheduling Order</i> by Mannie Garcia Responses due by 9/2/2014 (Attachments: # <u>1</u> Text of Proposed Order)(London, Ronald) (Entered: 08/13/2014)
08/15/2014	<u>44</u>	Status Report Submitted by Kevin Baxter, Christopher Malouf, Montgomery County, Maryland (Kane, Patricia) (Entered: 08/15/2014)
08/22/2014	<u>45</u>	MOTION to Strike <i>Material Changes to the Deposition Testimony of Defendant Kevin Baxter</i> by Mannie Garcia Responses due by 9/8/2014 (Attachments: # <u>1</u> Memorandum of Points and Authorities in Support of Motion to Strike, # <u>2</u> Exhibit 1 to Memorandum of Points and Authorities, # <u>3</u> Exhibit 2 to Memorandum of Points and Authorities, # <u>4</u> Text of Proposed Order)(London, Ronald) (Entered: 08/22/2014)

08/28/2014	<u>46</u>	ORDER DENYING <u>37</u> Motion for Reconsideration re <u>33</u> Memorandum to Parties ; GRANTING IN PART <u>40</u> Motion to Compel Deposition Testimony and for Clarification of Bifurcation; REFERRING all further discovery disputes to a United States Magistrate Judge for disposition as to <u>40</u> Motion to Compel Deposition Testimony, <u>43</u> Motion for an Extension of Time to Complete Discovery, <u>45</u> Motion to Strike Material Changes. Signed by Judge Theodore D. Chuang on 8/27/2014. (rss, Deputy Clerk) (Entered: 08/28/2014)
08/29/2014	<u>47</u>	ORDER REFERRING CASE to Magistrate Judge Jillyn K Schulze for discovery. Signed by Judge Theodore D. Chuang on August 29, 2014. (kdm, Chambers) (Entered: 08/29/2014)
08/29/2014	<u>48</u>	RESPONSE in Opposition re <u>43</u> MOTION for Extension of Time to Complete Discovery and to Amend June 16, 2014 Scheduling Order Defendants' Opposition to Plaintiff's Motion for An Extension of Time to Complete Discovery filed by Kevin Baxter, Michael Graves. Replies due by 9/15/2014. (Kane, Patricia) (Entered: 08/29/2014)
09/02/2014	<u>49</u>	REPLY to Response to Motion re <u>43</u> MOTION for Extension of Time to Complete Discovery and to Amend June 16, 2014 Scheduling Order filed by Mannie Garcia. (London, Ronald) (Entered: 09/02/2014)
09/05/2014	<u>50</u>	RESPONSE in Opposition re <u>45</u> MOTION to Strike <i>Material Changes to the Deposition Testimony of Defendant Kevin Baxter</i> filed by Kevin Baxter, Christopher Malouf. Replies due by 9/22/2014. (Attachments: # <u>1</u> Exhibit)(Kane, Patricia) (Entered: 09/05/2014)
09/09/2014	<u>51</u>	REPLY to Response to Motion re <u>45</u> MOTION to Strike <i>Material Changes to the Deposition Testimony of Defendant Kevin Baxter</i> filed by Mannie Garcia. (Attachments: # <u>1</u> Exhibit A)(London, Ronald) (Entered: 09/09/2014)
09/26/2014	<u>52</u>	PAPERLESS ORDER denying <u>32</u> Motion to Compel for the reasons set forth in Judge Motz's Memorandum to Counsel (ECF No. 33) and the Court's August 28, 2014 Order (ECF No. 46). Signed by Judge Theodore D. Chuang on 9/26/14. (Chuang, Theodore) (Entered: 09/26/2014)
10/02/2014	<u>53</u>	NOTICE by Kevin Baxter, Christopher Malouf, Montgomery County, Maryland <i>Line Withdrawing Appearance of Rosalyn Tang</i> (Kane, Patricia) (Entered: 10/02/2014)
10/02/2014	<u>54</u>	PAPERLESS ORDER Approving <u>53</u> Line Withdrawing Appearance of Rosalyn Tang, as co-counsel for Defendants' Montgomery County, Officer Christopher Malouf, and Officer Kevin Baxter. Signed by Judge Theodore D. Chuang on 10/02/2014. (Chuang, Theodore) Modified on 10/2/2014 (jf2s, Deputy Clerk). (Entered: 10/02/2014)
10/02/2014	<u>55</u>	Consent MOTION <i>Defendants' Consent Motion for Relief Under Federal Rule of Civil Procedure 36(b)</i> by Kevin Baxter, Christopher Malouf Responses due by 10/20/2014 (Kane, Patricia) (Entered: 10/02/2014)
10/03/2014	<u>56</u>	Joint MOTION for Extension of Time to <i>File Dispositive Pretrial Motions</i> by Mannie Garcia Responses due by 10/20/2014 (Attachments: # <u>1</u> Text of Proposed Order)(Corn Revere, Robert) (Entered: 10/03/2014)
10/06/2014	<u>57</u>	Paperless ORDER granting <u>55</u> Consent Motion to withdraw admissions, for reasons stated in the motion; granting <u>56</u> Motion for Extension of Time until 30 days after the completion of all discovery to file dispositive motions.. Signed by Magistrate Judge Jillyn K Schulze on 10/6/14. (Schulze, Jillyn) (Entered: 10/06/2014)
10/07/2014	<u>58</u>	ORDER scheduling a telephone motions hearing for November 17, 2014 at 2:00 p.m. Signed by Magistrate Judge Jillyn K Schulze on 10/6/14. (jf2s, Deputy Clerk) (Entered: 10/07/2014)
11/17/2014		Telephone Conference held on 11/17/2014 before Magistrate Judge Jillyn K Schulze. (Fosbrook 3A FTR.) (pkfs, Deputy Clerk) (Entered: 11/17/2014)
11/17/2014	<u>59</u>	Paperless ORDER documenting rulings made at hearing of November 17, 2014. For reasons stated on the record, <u>43</u> Plaintiff's Motion for Extension of Time to Complete Discovery, is granted in part and denied in part. Plaintiff may, within 30 days, reopen the Sheelor deposition for the limited purpose of inquiring regarding his investigation into the handling of the camera and memory card at issue, and whether such handling

		comported with Department policy. <u>45</u> Plaintiff's Motion to Strike Material Changes to Deposition Testimony is granted in full. All discovery related to these rulings must be completed within 30 days. Phase one of this bifurcated discovery is otherwise concluded. Signed by Magistrate Judge Jillyn K Schulze on 11/17/2014. (Schulze, Jillyn) (Entered: 11/17/2014)
01/07/2015		Magistrate Judge Jillyn K Schulze no longer assigned to case. (aos, Deputy Clerk) (Entered: 01/07/2015)
01/08/2015	<u>60</u>	PAPERLESS ORDER instructing the parties to submit a status report by Tuesday, January 13, 2015 that identifies whether any party plans to submit a dispositive motion. Note that in accordance with the October 6, 2014 and November 17, 2014 paperless Orders (ECF Nos. 57 and 59), the dispositive motions deadline is January 20, 2015. Signed by Judge Theodore D. Chuang on 1/8/2015. (Chuang, Theodore) (Entered: 01/08/2015)
01/09/2015	<u>61</u>	STATUS REPORT <i>Joint Status Report</i> by Kevin Baxter, Christopher Malouf. (Kane, Patricia) (Entered: 01/09/2015)
01/20/2015	<u>62</u>	MOTION for Summary Judgment <i>Defendants' Motion for Summary Judgment</i> by Kevin Baxter, Christopher Malouf, Montgomery County, Maryland. Responses due by 2/6/2015 (Attachments: # <u>1</u> Table of Contents, # <u>2</u> Supplement Memo P&A Support MSJ, # <u>3</u> Exhibit List, # <u>4</u> Exhibit Exhibit 1, # <u>5</u> Exhibit Exhibit 2, # <u>6</u> Exhibit Exhibit 3A-E, # <u>7</u> Exhibit Exhibit 4, # <u>8</u> Exhibit Exhibit 5, # <u>9</u> Exhibit Exhibit 6, # <u>10</u> Exhibit Exhibit 7A-C, # <u>11</u> Exhibit Exhibit 8, # <u>12</u> Exhibit Exhibit 9, # <u>13</u> Exhibit Exhibit 10, # <u>14</u> Exhibit Exhibit 11, # <u>15</u> Exhibit Exhibit 12, # <u>16</u> Exhibit Exhibit 13, # <u>17</u> Exhibit Exhibit 14, # <u>18</u> Exhibit Exhibit 15, # <u>19</u> Exhibit Exhibit 16, # <u>20</u> Exhibit Exhibit 17, # <u>21</u> Exhibit Exhibit 18, # <u>22</u> Exhibit Exhibit 19, # <u>23</u> Exhibit Exhibit 20A-E)(Kane, Patricia) (Entered: 01/20/2015)
02/19/2015	<u>63</u>	Cross MOTION for Partial Summary Judgment by Mannie Garcia Responses due by 3/9/2015 (Attachments: # <u>1</u> Mem Points & Auth in Support and in Opp to Defs' MSJ, # <u>2</u> Decl. of R. London in Support, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12, # <u>15</u> Exhibit 13, # <u>16</u> Exhibit 14, # <u>17</u> Exhibit 15, # <u>18</u> Exhibit 16, # <u>19</u> Exhibit 17, # <u>20</u> Exhibit 18, # <u>21</u> Exhibit 19, # <u>22</u> Exhibit 20, # <u>23</u> Exhibit 21, # <u>24</u> Exhibit 22, # <u>25</u> Statement of Facts)(Corn Revere, Robert) (Entered: 02/19/2015)
03/24/2015	<u>64</u>	RESPONSE in Opposition re <u>63</u> Cross MOTION for Partial Summary Judgment , <u>62</u> MOTION for Summary Judgment <i>Defendants' Motion for Summary Judgment</i> filed by Kevin Baxter, Christopher Malouf, Montgomery County, Maryland. Replies due by 4/10/2015. (Attachments: # <u>1</u> Supplement, # <u>2</u> Supplement, # <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, # <u>10</u> Exhibit, # <u>11</u> Exhibit)(Kane, Patricia) (Entered: 03/24/2015)
04/23/2015	<u>65</u>	REPLY to Response to Motion re <u>63</u> Cross MOTION for Partial Summary Judgment filed by Mannie Garcia. (Attachments: # <u>1</u> Decl. of R. London in Further Support, # <u>2</u> Exhibit 23, # <u>3</u> Exhibit 24, # <u>4</u> Exhibit 25, # <u>5</u> Exhibit 26, # <u>6</u> Exhibit 27, # <u>7</u> Exhibit 28)(Corn Revere, Robert) (Entered: 04/23/2015)
05/18/2015	<u>66</u>	NOTICE by Mannie Garcia re <u>65</u> Reply to Response to Motion, <u>63</u> Cross MOTION for Partial Summary Judgment <i>Supplemental Authority</i> (Corn Revere, Robert) (Entered: 05/18/2015)
07/13/2015	<u>67</u>	PAPERLESS NOTICE that a hearing is scheduled on <u>62</u> Motion for Summary Judgment and <u>63</u> Cross-Motion for Summary Judgment for Thursday, August 20, 2015 at 9:30 a.m. before Judge Theodore D. Chuang at the United States District Courthouse located at 6500 Cherrywood Lane, Greenbelt, Maryland. The specific courtroom for the hearing will be available on the Court's website, http://www.mdd.uscourts.gov/calendar/calendar.asp , the week of the proceeding. (nr, Chambers) (Entered: 07/13/2015)
07/15/2015	<u>68</u>	Joint MOTION for Extension of Time <i>To Continue Hearing Date</i> by Mannie Garcia Responses due by 8/3/2015 (London, Ronald) (Entered: 07/15/2015)

07/16/2015	<u>69</u>	PAPERLESS ORDER granting <u>68</u> Motion for Extension of Time. At the mutual request of the parties, the hearing on <u>62</u> Motion for Summary Judgment and <u>63</u> Cross-Motion for Summary Judgment has been rescheduled for September 9, 2015 at 9:30 a.m. before Judge Theodore D. Chuang at the United States District Courthouse located at 6500 Cherrywood Lane, Greenbelt, Maryland. The specific courtroom for the hearing will be available on the Court's website, http://www.mdd.uscourts.gov/calendar/calendar.asp , the week of the proceeding. Signed by Judge Theodore D. Chuang on 7/16/2015. (nr, Chambers) (Entered: 07/16/2015)
09/09/2015	<u>70</u>	Motion Hearing held on 9/9/2015 re <u>62</u> MOTION for Summary Judgment <i>Defendants' Motion for Summary Judgment</i> filed by Kevin Baxter, Montgomery County, Maryland, Christopher Malouf, <u>63</u> Cross MOTION for Partial Summary Judgment filed by Mannie Garcia before Judge Theodore D. Chuang. (Court Reporter: Cindy Davis-2B) (chs, Deputy Clerk) (Entered: 09/09/2015)
11/05/2015	<u>71</u>	MEMORANDUM OPINION. Signed by Judge Theodore D. Chuang on 11/5/2015. (bus, Deputy Clerk) (Entered: 11/05/2015)
11/05/2015	<u>72</u>	ORDER granting in part and denying in part <u>62</u> Defendants' Motion for Summary Judgment; granting in part and denying in part <u>63</u> Garcia's Cross-Motion for Partial Summary Judgment. Signed by Judge Theodore D. Chuang on 11/5/2015. (bus, Deputy Clerk) (Entered: 11/05/2015)
11/16/2015	<u>73</u>	PAPERLESS NOTICE that a telephone status conference is scheduled for December 2, 2015 at 10:00 a.m. to set a trial date. Instructions for the call will be emailed to the parties at a later date. (nr, Chambers) (Entered: 11/16/2015)
12/04/2015	<u>74</u>	PAPERLESS ORDER that, as stated at the December 2, 2015 telephone status conference, discovery on the Monell claim shall proceed. Discovery on that claim will close on April 29, 2016. Any dispositive motions as to that claim are due May 16, 2016; responses are due May 31, 2016; replies are due June 14, 2016. Signed by Judge Theodore D. Chuang on 12/4/2015. (nr, Chambers) (Entered: 12/04/2015)
12/24/2015	<u>75</u>	PRETRIAL SCHEDULING ORDER setting dates for trial and pretrial submissions. Signed by Judge Theodore D. Chuang on 12/24/2015. (bus, Deputy Clerk) (Entered: 12/28/2015)
04/29/2016	<u>76</u>	Joint MOTION to Continue <i>Joint Motion to Modify Scheduling Order and Trial Date</i> by Kevin Baxter, Christopher Malouf, Thomas Manger, Montgomery County, Maryland Responses due by 5/16/2016 (Kane, Patricia) (Entered: 04/29/2016)
05/13/2016	<u>77</u>	PAPERLESS ORDER granting in part and denying in part <u>76</u> Motion to Continue. The Motion is granted to the extent that all the discovery deadlines are reset as proposed by the parties, and denied only as to the proposed start date for the trial, which, with the mutual consent of the parties, will be moved to October 18, 2016, rather than the proposed October 25, 2016. Should the Monell claims be part of the trial, the parties agree that if Chief Manger's testimony is taken out of order to accommodate his schedule, the jury will be informed that his absence for the start of the trial is due to his pre-existing professional obligations. Signed by Judge Theodore D. Chuang on 5/13/2016. (nr, Chambers) (Entered: 05/13/2016)
06/23/2016	<u>78</u>	STIPULATION of Dismissal <i>Consent Stiuplation of Dismissal of Montgomery County with Prejudice</i> by Kevin Baxter, Michael Graves, Christopher Malouf, Thomas Manger, Montgomery County, Maryland, Mark Sheelor. (Kane, Patricia) (Entered: 06/23/2016)
06/23/2016	<u>79</u>	STIPULATION of Dismissal <i>Consent Stiuplation of Dismissal of Chief Thomas Manger with Prejudice</i> by Kevin Baxter, Michael Graves, Christopher Malouf, Thomas Manger, Montgomery County, Maryland, Mark Sheelor. (Kane, Patricia) (Entered: 06/23/2016)
06/24/2016	<u>80</u>	MARGINAL ORDER Granting <u>79</u> Consent Stipulation of Dismissal of Chief Thomas Manger with Prejudice. Signed by Judge Theodore D. Chuang on 6/24/2016. (jf3s, Deputy Clerk) (Entered: 06/24/2016)
06/24/2016	<u>81</u>	MARGINAL ORDER Granting <u>78</u> Consent Partial Stipulation of Dismissal of Montgomery County with Prejudice. Signed by Judge Theodore D. Chuang on

		6/24/2016. (jf3s, Deputy Clerk) (Entered: 06/24/2016)
08/04/2016	<u>82</u>	PRETRIAL SCHEDULING ORDER Setting Forth Pretrial Deadlines and a Date for a Pretrial Conference. Signed by Judge Theodore D. Chuang on 8/4/2016. (jf3s, Deputy Clerk) (Entered: 08/04/2016)
09/12/2016	<u>83</u>	Consent MOTION to <i>Postpone Trial</i> by Mannie Garcia Responses due by 9/29/2016 (Attachments: # <u>1</u> Text of Proposed Order)(London, Ronald) (Entered: 09/12/2016)
09/23/2016	<u>84</u>	ORDER granting <u>83</u> Consent Motion to Postpone Trial. Signed by Judge Theodore D. Chuang on 9/23/2016. (jf3s, Deputy Clerk) (Entered: 09/26/2016)
10/04/2016	<u>85</u>	NOTICE of Appearance by Jeannette Linda Frumkin on behalf of Kevin Baxter, Christopher Malouf, Montgomery County, Maryland (Frumkin, Jeannette) (Entered: 10/04/2016)
10/05/2016	<u>86</u>	NOTICE by Kevin Baxter, Christopher Malouf, Montgomery County, Maryland re <u>85</u> Notice of Appearance <i>Amended Line of Appearance</i> (Frumkin, Jeannette) (Entered: 10/05/2016)
01/03/2017	<u>87</u>	ORDER REFERRING CASE to Magistrate Judge William Connelly for Settlement. Signed by Judge Theodore D. Chuang on 1/3/2017 (cags, Deputy Clerk) (Entered: 01/03/2017)
01/03/2017	<u>88</u>	LETTER/ORDER to counsel scheduling a Settlement Conference for Friday, January 13, 2017 at 10:00 a.m. Signed by Magistrate Judge William Connelly on 1/3/2017. (jf3s, Deputy Clerk) (Entered: 01/03/2017)
01/13/2017		Settlement Conference held on 1/13/2017 with Magistrate Judge William Connelly. (Connelly, William) (Entered: 01/13/2017)
01/27/2017	<u>89</u>	Joint Request for Hearing/Trial <i>dates to be removed from trial calendar and to cancel pretrial conference</i> (Attachments: # <u>1</u> Text of Proposed Order)(London, Ronald) (Entered: 01/27/2017)
01/31/2017	<u>90</u>	ORDER granting <u>89</u> Request for Hearing/Trial date to be removed from trial calendar and to cancel pretrial conference. Signed by Judge Theodore D. Chuang on 1/31/2017. (jf3s, Deputy Clerk) (Entered: 01/31/2017)
02/23/2017	<u>91</u>	ORDER directing parties to submit a Stipulation of Dismissal. Signed by Judge Theodore D. Chuang on 2/23/2017. (jf3s, Deputy Clerk) (Entered: 02/23/2017)
02/28/2017	<u>92</u>	PAPERLESS NOTICE that, at the request of Defense Counsel, the March 1, 2017 telephone Status Conference will begin at 9:00 a.m., rather than at 9:30 a.m. as previously scheduled. The dial-in information remains the same. Counsel are expected to report to the Court how long they expect trial to last and to have made themselves available for trial in March 2017. (nrs, Chambers) (Entered: 02/28/2017)
03/01/2017	<u>93</u>	Case Management Conference held on 3/1/2017 before Judge Theodore D. Chuang.(FTR-KLS-2B.) (klss, Deputy Clerk) (Entered: 03/01/2017)
03/01/2017	<u>94</u>	PRETRIAL SCHEDULING ORDER. Signed by Judge Theodore D. Chuang on 3/1/2017. (jf3s, Deputy Clerk) (Entered: 03/01/2017)
03/02/2017	<u>95</u>	PAPERLESS ORDER SCHEDULING a follow-up telephone conference call for 03/03/2017 at 1:00 p.m. Chambers will initiate the call. Signed by Magistrate Judge William Connelly on 3/2/2017. (Connelly, William) (Entered: 03/02/2017)
03/03/2017		Telephone Follow-Up Settlement Conference held on 3/3/2017 with Magistrate Judge William Connelly. (Connelly, William) (Entered: 03/03/2017)
03/03/2017	<u>96</u>	STIPULATION of Dismissal <i>with Prejudice</i> by Mannie Garcia (Attachments: # <u>1</u> Text of Proposed Order)(Corn Revere, Robert) (Entered: 03/03/2017)
03/06/2017	<u>97</u>	ORDER dismissing prejudice all claims asserted by the Plaintiff that have not already been dismissed; directing the clerk to close this case. Signed by Judge Theodore D. Chuang on 3/6/2017. (jf3s, Deputy Clerk) (Entered: 03/06/2017)
04/05/2017	<u>98</u>	MOTION for Attorney Fees <i>and Costs</i> by Mannie Garcia (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Robert Corn-Revere, # <u>3</u> Declaration of

		Mickey H. Osterreicher, # <u>4</u> Declaration of Charles D. Tobin, # <u>5</u> Declaration of Jeffrey L. Light, # <u>6</u> Text of Proposed Order)(Corn Revere, Robert) (Entered: 04/05/2017)
04/26/2017	<u>99</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>98</u> MOTION for Attorney Fees <i>and Costs Consent Motion for Extension of Time to Respond to Plaintiff's Motion for Attorney's Fees and Costs</i> by Kevin Baxter, Christopher Malouf, Montgomery County, Maryland.(Frumkin, Jeannette) (Entered: 04/26/2017)
04/26/2017	100	PAPERLESS ORDER granting <u>99</u> Motion for Extension of Time to File Response/Reply. The deadline for Defendant's Response in Opposition to <u>98</u> Motion for Attorney's Fees and Costs is extended to May 12, 2017. Plaintiff's Reply is due May 30, 2017, because the proposed date of May 29, 2017 is a holiday. Signed by Judge Theodore D. Chuang on 4/26/17. (nr, Chambers) (Entered: 04/26/2017)
05/12/2017	<u>101</u>	RESPONSE in Opposition re <u>98</u> MOTION for Attorney Fees <i>and Costs</i> filed by Kevin Baxter, Christopher Malouf, Montgomery County, Maryland.(Kane, Patricia) (Entered: 05/12/2017)
05/12/2017	<u>102</u>	Supplemental to <u>101</u> Response in Opposition to Motion filed by Kevin Baxter, Christopher Malouf, Montgomery County, Maryland (<i>Memorandum of Grounds and Authorities in Support of Opposition to Motion for Attorney's Fees and Costs w/ Exhibits</i>) (Attachments: # <u>1</u> Supplement, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit)(Kane, Patricia) (Entered: 05/12/2017)
05/30/2017	<u>103</u>	REPLY to Response to Motion re <u>98</u> MOTION for Attorney Fees <i>and Costs</i> filed by Mannie Garcia. (Attachments: # <u>1</u> Exhibit 10)(Corn Revere, Robert) (Entered: 05/30/2017)
08/25/2017	<u>104</u>	MOTION to Withdraw as Attorney by Kevin Baxter, Christopher Malouf, Montgomery County, Maryland(Frumkin, Jeannette) (Entered: 08/25/2017)
08/28/2017	105	PAPERLESS ORDER granting <u>104</u> Motion to Withdraw as Attorney. Attorney Jeannette Linda Frumkin terminated. Signed by Judge Theodore D. Chuang on 8/28/17. (nr, Chambers) (Entered: 08/28/2017)
03/22/2018	<u>106</u>	MEMORANDUM OPINION. Signed by Judge Theodore D. Chuang on 3/22/2018. (kns, Deputy Clerk) (Entered: 03/22/2018)
03/22/2018	<u>107</u>	ORDER granting in part and denying in part <u>98</u> Motion for Attorney Fees. Signed by Judge Theodore D. Chuang on 3/22/2018. (kns, Deputy Clerk) (Entered: 03/22/2018)
04/20/2018	<u>108</u>	MOTION for Other Relief <i>for Entry of Order of Satisfaction</i> by Kevin Baxter, Christopher Malouf, Montgomery County, Maryland (Attachments: # <u>1</u> Text of Proposed Order)(Kane, Patricia) (Entered: 04/20/2018)
04/26/2018	<u>109</u>	ORDER granting <u>108</u> Consent Motion for Entry of Order of Satisfaction. Signed by Judge Theodore D. Chuang on 4/20/2018. (jf3s, Deputy Clerk) (Entered: 04/27/2018)