

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:13-cv-14356-RHC-RSW**

DOE 1 et al v. Michigan Department of Corrections et al
Assigned to: District Judge Robert H. Cleland
Referred to: Magistrate Judge R. Steven Whalen
Demand: \$75,000
Case in other court: U.S. Court of Appeals – Sixth
Circuit, 14-02116

Date Filed: 10/15/2013
Date Terminated: 03/20/2020
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Cause: 42:1983 Civil Rights Act

Plaintiff

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Defendant

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Date Filed	#	Docket Text
10/15/2013	<u>1</u>	COMPLAINT filed by All Plaintiffs against All Defendants with Jury Demand. Plaintiff requests summons issued. Receipt No: 0645-4334128 – Fee: $ 400. County of 1st Plaintiff: OAKLAND – County Where Action Arose: MULTI – County of 1st Defendant: WASHTENAW. [Previously dismissed case: No] [Possible companion case(s): None] (LaBelle, Deborah) (Entered: 10/15/2013)
10/16/2013	<u>2</u>	SUMMONS Issued for * All Defendants * (TMcg) (Entered: 10/16/2013)
10/16/2013		A United States Magistrate Judge of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form is available for download at http://www.mied.uscourts.gov (TMcg) (Entered: 10/16/2013)
10/17/2013	<u>3</u>	ATTORNEY APPEARANCE: Jennifer B. Salvatore appearing on behalf of All Plaintiffs (Salvatore, Jennifer) (Entered: 10/17/2013)
10/17/2013	<u>4</u>	ATTORNEY APPEARANCE: Nakisha N. Chaney appearing on behalf of All Plaintiffs (Chaney, Nakisha) (Entered: 10/17/2013)
10/17/2013	<u>5</u>	ATTORNEY APPEARANCE: Michael L. Pitt appearing on behalf of All Plaintiffs (Pitt, Michael) (Entered: 10/17/2013)
10/17/2013	<u>6</u>	ATTORNEY APPEARANCE: Edward A. Macey appearing on behalf of All Plaintiffs (Macey, Edward) (Entered: 10/17/2013)

10/17/2013	<u>7</u>	ATTORNEY APPEARANCE: Cary S. McGehee appearing on behalf of All Plaintiffs (McGehee, Cary) (Entered: 10/17/2013)
10/17/2013	<u>8</u>	ATTORNEY APPEARANCE: Peggy G. Pitt appearing on behalf of All Plaintiffs (Pitt, Peggy) (Entered: 10/17/2013)
11/08/2013	<u>9</u>	WAIVER OF SERVICE Returned Executed. DAVID BERGH waiver sent on 11/4/2013, answer due 1/3/2014. (LaBelle, Deborah) (Entered: 11/08/2013)
11/08/2013	<u>10</u>	WAIVER OF SERVICE Returned Executed. THOMAS FINCO waiver sent on 11/1/2013, answer due 12/31/2013. (LaBelle, Deborah) (Entered: 11/08/2013)
11/08/2013	<u>11</u>	WAIVER OF SERVICE Returned Executed. PAUL KLEE waiver sent on 11/4/2013, answer due 1/3/2014. (LaBelle, Deborah)[DOCUMENT IS SIGNED BY VIRGIL B WEBB] Modified on 11/15/2013 (TMcg). (Entered: 11/08/2013)
11/08/2013	<u>12</u>	WAIVER OF SERVICE Returned Executed. Dennis Straub waiver sent on 11/1/2013, answer due 12/31/2013. (LaBelle, Deborah) (Entered: 11/08/2013)
11/08/2013	<u>13</u>	WAIVER OF SERVICE Returned Executed. RANDY TREACHER waiver sent on 11/1/2013, answer due 12/31/2013. (LaBelle, Deborah) (Entered: 11/08/2013)
11/19/2013	<u>14</u>	WAIVER OF SERVICE Returned Executed. WILLIE SMITH waiver sent on 11/4/2013, answer due 1/3/2014. (LaBelle, Deborah) (Entered: 11/19/2013)
11/19/2013	<u>15</u>	WAIVER OF SERVICE Returned Executed. Michigan Department of Corrections waiver sent on 11/1/2013, answer due 12/31/2013. (LaBelle, Deborah) (Entered: 11/19/2013)
11/19/2013	<u>16</u>	WAIVER OF SERVICE Returned Executed. Daniel H. Heyns waiver sent on 11/1/2013, answer due 12/31/2013. (LaBelle, Deborah) (Entered: 11/19/2013)
11/19/2013	<u>17</u>	WAIVER OF SERVICE Returned Executed. CATHLEEN STODDARD waiver sent on 11/4/2013, answer due 1/3/2014. (LaBelle, Deborah) (Entered: 11/19/2013)
11/19/2013	<u>18</u>	WAIVER OF SERVICE Returned Executed. KENNETH MCKEE waiver sent on 11/4/2013, answer due 1/3/2014. (LaBelle, Deborah) (Entered: 11/19/2013)
11/19/2013	<u>19</u>	WAIVER OF SERVICE Returned Executed. MARY BERGHUIS waiver sent on 11/6/2013, answer due 1/6/2014. (LaBelle, Deborah) (Entered: 11/19/2013)
11/19/2013	<u>20</u>	WAIVER OF SERVICE Returned Executed. JEFFREY WOODS waiver sent on 11/4/2013, answer due 1/3/2014. (LaBelle, Deborah) (Entered: 11/19/2013)
11/19/2013	<u>21</u>	WAIVER OF SERVICE Returned Executed. CINDI S CURTIN waiver sent on 11/6/2013, answer due 1/6/2014. (LaBelle, Deborah) (Entered: 11/19/2013)
11/19/2013	<u>22</u>	WAIVER OF SERVICE Returned Executed. ROBERT NAPEL waiver sent on 11/5/2013, answer due 1/6/2014. (LaBelle, Deborah) (Entered: 11/19/2013)
11/19/2013	<u>23</u>	WAIVER OF SERVICE Returned Executed. HEIDI WASHINGTON waiver sent on 11/4/2013, answer due 1/3/2014. (LaBelle, Deborah) (Entered: 11/19/2013)
12/11/2013	<u>24</u>	ATTORNEY APPEARANCE: A. Peter Govorchin appearing on behalf of DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Govorchin, A.) (Entered: 12/11/2013)
12/11/2013	<u>25</u>	ATTORNEY APPEARANCE: James T. Farrell appearing on behalf of DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Farrell, James) (Entered: 12/11/2013)
12/16/2013	<u>26</u>	WAIVER OF SERVICE Returned Executed. Rick Snyder waiver sent on 11/1/2013, answer due 12/31/2013. (LaBelle, Deborah) (Entered: 12/16/2013)

12/20/2013	<u>27</u>	MOTION for Protective Order by All Plaintiffs. (Salvatore, Jennifer)[DOCKET ERROR-DID NOT FILE EXHIBITS WILL REFILE CORRECTLY] Modified on 12/20/2013 (TMcg). (Entered: 12/20/2013)
12/20/2013	<u>28</u>	MOTION for Protective Order by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Complaint) (Salvatore, Jennifer) (Entered: 12/20/2013)
12/20/2013	<u>29</u>	ATTORNEY APPEARANCE: A. Peter Govorchin appearing on behalf of JOHN PRELESNIK (Govorchin, A.) (Entered: 12/20/2013)
12/20/2013	<u>30</u>	ATTORNEY APPEARANCE: James T. Farrell appearing on behalf of JOHN PRELESNIK (Farrell, James) (Entered: 12/20/2013)
12/20/2013	<u>31</u>	MOTION to Dismiss <i>or, in the Alternative, Motion for More Definite Statement</i> by All Defendants. (Attachments: # <u>1</u> Exhibit A) (Govorchin, A.) (Entered: 12/20/2013)
12/23/2013	<u>32</u>	NOTICE OF HEARING on <u>31</u> MOTION to Dismiss <i>or, in the Alternative, Motion for More Definite Statement</i> . Motion Hearing set for 2/12/2014 02:00 PM before District Judge Robert H. Cleland (LWag) (Entered: 12/23/2013)
12/23/2013	<u>33</u>	NOTICE of Joinder/Concurrence in <u>28</u> MOTION for Protective Order filed by JOHN DOE 2, JOHN DOE 6, JOHN DOE 1, JOHN DOE 5, JOHN DOE 4, JOHN DOE 7, JOHN DOE 3 by All Plaintiffs (Macey, Edward) (Entered: 12/23/2013)
12/31/2013		TEXT-ONLY ORDER DENYING <u>28</u> MOTION for Protective Order filed by JOHN DOES 1-7, for not explaining how concurrence was sought and whether it was obtained required by Local Rule 7/1(a)(2). Signed by District Judge Robert H. Cleland. (LWag) (Entered: 12/31/2013)
12/31/2013		TEXT-ONLY ORDER DENYING <u>31</u> MOTION to Dismiss <i>or, in the Alternative, Motion for More Definite Statement</i> filed by Defendants' for not explaining how concurrence was sought and whether is was obtained, which is required by Local Rule 7.1(a)(2). Signed by District Judge Robert H. Cleland. (LWag) (Entered: 12/31/2013)
12/31/2013	<u>34</u>	ORDER Requiring Parties to meet and confer by 1/10/2014 and file a joint statement by 1/17/2014 explaining their efforts to resolve the issues implicated by the now-terminated motions. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 12/31/2013)
01/02/2014	<u>35</u>	CERTIFICATE of Service/Summons Returned Executed. JOHN PRELESNIK served on 12/12/2013, answer due 1/2/2014. (LaBelle, Deborah) (Entered: 01/02/2014)
01/03/2014	<u>36</u>	ANSWER to Complaint with Affirmative Defenses with Jury Demand by All Defendants. (Govorchin, A.) (Entered: 01/03/2014)
01/10/2014	<u>37</u>	ATTORNEY APPEARANCE: Cori E. Barkman appearing on behalf of All Defendants (Barkman, Cori) (Entered: 01/10/2014)
01/10/2014	<u>38</u>	ATTORNEY APPEARANCE: Clifton B. Schneider appearing on behalf of All Defendants (Schneider, Clifton) (Entered: 01/10/2014)
01/10/2014	<u>39</u>	ATTORNEY APPEARANCE: John L. Thurber appearing on behalf of All Defendants (Thurber, John) (Entered: 01/10/2014)
01/17/2014	<u>40</u>	PARTIES' JOINT STATEMENT CONCERNING MEET AND CONFER ORDER DATED, DECEMBER 31, 2013 REPORT <i>by Defendants and</i> by All Plaintiffs (Attachments: # <u>1</u> Exhibit Plaintiffs' Proposed Protective Order, # <u>2</u> Exhibit Stipulation to Resolve Plaintiffs' Motion for Protective Order (DKT.27) and Defendants' Motion to Dismiss <i>or in the Alternative Motion for More Definite Statement</i> (DKT. 31)) (McGehee, Cary) (Entered: 01/17/2014)
01/23/2014	<u>41</u>	NOTICE TO APPEAR: Status Conference set for 2/10/2014 11:00 AM before District Judge Robert H. Cleland (LWag) (Entered: 01/23/2014)
02/10/2014		Minute Entry for proceedings held before District Judge Robert H. Cleland: Status Conference held on 2/10/2014 Disposition: Parties are to submit their Joint Rule 26(f) Statement by February 18, 2014. (LWag) (Entered: 02/10/2014)
02/20/2014	<u>42</u>	STATEMENT of Plaintiffs' Proposed Protective Order Setting Forth the Parameters for Conducting Investigative Interviews and Discovery by All Plaintiffs (Attachments:

		# <u>1</u> Exhibit 1 – Protective Order) (McGehee, Cary) (Entered: 02/20/2014)
02/21/2014	<u>43</u>	RESPONSE to <u>42</u> Statement by All Defendants. (Schneider, Clifton) (Entered: 02/21/2014)
02/26/2014	<u>44</u>	REPLY to Response re <u>28</u> MOTION for Protective Order filed by All Plaintiffs. (McGehee, Cary) (Entered: 02/26/2014)
02/28/2014	<u>45</u>	MOTION for Leave to File Excess Pages by All Defendants. (Govorchin, A.) (Entered: 02/28/2014)
02/28/2014	<u>46</u>	MOTION to Seal by All Defendants. (Govorchin, A.) (Entered: 02/28/2014)
02/28/2014	<u>47</u>	MOTION for Summary Judgment by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F) (Govorchin, A.) (Entered: 02/28/2014)
03/03/2014	<u>48</u>	NOTICE OF HEARING on <u>47</u> MOTION for Summary Judgment . Motion Hearing set for 5/14/2014 at 2:00 PM before District Judge Robert H. Cleland. (Ciesla, C) (Entered: 03/03/2014)
03/04/2014	<u>49</u>	MOTION for Status Conference by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C) (Govorchin, A.) (Entered: 03/04/2014)
03/05/2014	<u>50</u>	ORDER granting <u>46</u> Motion to Seal Documents. Signed by District Judge Robert H. Cleland. (Ciesla, C) (Entered: 03/05/2014)
03/06/2014	<u>51</u>	SEALED EXHIBIT <i>F, Youthful Prisoner Affidavits</i> re <u>47</u> MOTION for Summary Judgment by All Defendants. (Farrell, James) (Entered: 03/06/2014)
03/06/2014	<u>52</u>	CERTIFICATE OF SERVICE re <u>51</u> Sealed Exhibit by All Defendants (Farrell, James) (Entered: 03/06/2014)
03/06/2014		TEXT-ONLY ORDER GRANTING <u>45</u> MOTION for Leave to File Excess Pages filed by KENNETH MCKEE, JEFFREY WOODS, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Daniel H. Heyns, ROBERT NAPEL, RANDY TREACHER, PAUL KLEE, Rick Snyder, Michigan Department of Corrections, HEIDI WASHINGTON, THOMAS FINCO, Dennis Straub, MARY BERGHUIS, DAVID BERGH, CINDI S CURTIN. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 03/06/2014)
03/07/2014	<u>53</u>	MOTION to Strike <u>49</u> MOTION for Status Conference <i>PLAINTIFFS'</i> by All Plaintiffs. (McGehee, Cary) (Entered: 03/07/2014)
03/10/2014	<u>54</u>	ORDER granting <u>49</u> Defendants' Motion for Status Conference and Setting Status Conference for 3/13/2014 at 9:30 am and Directing Counsel for each side to appoint one lead counsel prepared to represent their respective position.. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 03/10/2014)
03/13/2014		Minute Entry for proceedings held before District Judge Robert H. Cleland: Telephonic Status Conference held on 3/13/2014, and Extending time for deadline to file a response as to <u>47</u> MOTION for Summary Judgment :(Response due by 4/4/2014) Disposition: Order to be entered (LWag) (Entered: 03/13/2014)
03/14/2014	<u>55</u>	ORDER Setting Motions Deadline – Plaintiffs' Motion for a Protective Order to be filed by 3/28/2014, Defendants' response due by 4/4/2014, Defendants' Motion for a More Definite Statement due by 3/28/2014 and Plaintiffs' response due by 4/4/2014. Signed by District Judge Robert H. Cleland. (LWag) Modified on 3/18/2014 (LWag). (Entered: 03/14/2014)
03/20/2014	<u>56</u>	STATEMENT of INTEREST OF THE UNITED STATES OF AMERICA by United States of America (DeClercq, Susan) (Entered: 03/20/2014)
03/25/2014	<u>57</u>	MOTION to Compel <i>Plaintiffs' Counsel to Return Attorney Work Product Inadvertently Produced</i> by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER,

		HEIDI WASHINGTON, JEFFREY WOODS. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B) (Farrell, James) (Entered: 03/25/2014)
03/26/2014	<u>58</u>	NOTICE TO APPEAR BY TELEPHONE: Status Conference Re: Defendants' Motion to Compel set for 4/10/2014 11:00 AM before District Judge Robert H. Cleland (LWag) (Entered: 03/26/2014)
03/28/2014	<u>59</u>	MOTION for More Definite Statement by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A) (Govorchin, A.) (Entered: 03/28/2014)
03/28/2014	<u>60</u>	MOTION to Seal <i>DOCUMENTS</i> by All Plaintiffs. (McGehee, Cary) (Entered: 03/28/2014)
03/28/2014	<u>61</u>	MOTION for Protective Order <i>Establishing Parameters for Defendant to Conduct Interviews and Discovery of Incarcerated and Putative Class Member and Non-Party Witnesses</i> by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits Index of Exhibits, # <u>2</u> Exhibit Class Action Complaint, # <u>3</u> Exhibit Letter to Defendants' Counsel from Plaintiffs' Counsel Dated November 27, 2013, # <u>4</u> Exhibit Defendants' Response Letter dated December 6, 2013, # <u>5</u> Exhibit Youthful Inmate Affidavit – Submitted Under Seal, # <u>6</u> Exhibit Youthful Inmate Affidavit – Submitted Under Seal, # <u>7</u> Exhibit Youthful Inmate Affidavit – Submitted Under Seal, # <u>8</u> Exhibit Youthful Inmate – Submitted Under Seal, # <u>9</u> Exhibit State Court Protective Order Dated December 9, 2013, # <u>10</u> Exhibit State Court Protective Order Dated February 20, 2014, # <u>11</u> Exhibit Plaintiffs' Proposed Protective Order Setting Parameters for Defendants to Conduct Interviews and Discovery of Incarcerated and Putative Class Members and Non-Party Witnesses, # <u>12</u> Exhibit Youthful Inmate Affidavit – Submitted Under Seal, # <u>13</u> Exhibit Youthful Inmate Affidavit – Submitted Under Seal, # <u>14</u> Exhibit State Court Order Denying Defendant MDOC's Motion to Dissolve December 9, 2013 Protective Order) (McGehee, Cary) (Entered: 03/28/2014)
03/31/2014	<u>62</u>	RESPONSE to <u>57</u> MOTION to Compel <i>Plaintiffs' Counsel to Return Attorney Work Product Inadvertently Produced</i> filed by All Plaintiffs. (LaBelle, Deborah) (Entered: 03/31/2014)
04/04/2014	<u>63</u>	Renewed MOTION for Protective Order <i>to Proceed Anonymously</i> by All Plaintiffs. (McGehee, Cary) (Entered: 04/04/2014)
04/04/2014	<u>64</u>	MOTION to Seal <i>Documents</i> by All Plaintiffs. (McGehee, Cary) (Entered: 04/04/2014)
04/04/2014	<u>65</u>	RESPONSE to <u>59</u> MOTION for More Definite Statement filed by All Plaintiffs. (McGehee, Cary) (Entered: 04/04/2014)
04/04/2014	<u>66</u>	RESPONSE to <u>47</u> MOTION for Summary Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3) (LaBelle, Deborah) (Entered: 04/04/2014)
04/04/2014	<u>67</u>	REPLY to Response re <u>57</u> MOTION to Compel <i>Plaintiffs' Counsel to Return Attorney Work Product Inadvertently Produced</i> filed by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B) (Govorchin, A.) (Entered: 04/04/2014)
04/04/2014	<u>68</u>	RESPONSE to <u>61</u> MOTION for Protective Order <i>Establishing Parameters for Defendant to Conduct Interviews and Discovery of Incarcerated and Putative Class Member and Non-Party Witnesses</i> filed by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis

		Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Exhibit P) (Govorchin, A.) (Entered: 04/04/2014)
04/07/2014	<u>69</u>	EXHIBIT A re <u>67</u> Reply to Response to Motion,, by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Govorchin, A.) (Entered: 04/07/2014)
04/09/2014	<u>70</u>	ERRATA Sheet re: <u>57</u> MOTION to Compel <i>Plaintiffs' Counsel to Return Attorney Work Product Inadvertently Produced</i> filed by KENNETH MCKEE, JEFFREY WOODS, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Daniel H. Heyns, ROBERT NAPEL, RANDY TREACHER, PAUL KLEE, Rick Snyder, Michigan Department of Corrections, HEIDI WASHINGTON, THOMAS FINCO, Dennis Straub, MARY BERGHUIS, DAVID BERGH, CINDI S CURTIN. by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Govorchin, A.) (Entered: 04/09/2014)
04/10/2014		Minute Entry for proceedings held before District Judge Robert H. Cleland: Telephonic Motion Hearing held on 4/10/2014 re <u>57</u> MOTION to Compel <i>Plaintiffs' Counsel to Return Attorney Work Product Inadvertently Produced</i> filed by Defendants Disposition: TAKEN UNDER ADVISEMENT(Court Reporter Christin Russell) (LWag) (Entered: 04/10/2014)
04/14/2014	<u>71</u>	EXHIBIT D re <u>67</u> Reply to Response to Motion,, by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Govorchin, A.) (Entered: 04/14/2014)
04/14/2014	<u>72</u>	CERTIFICATE OF SERVICE re <u>71</u> Exhibit, by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Govorchin, A.) (Entered: 04/14/2014)
04/18/2014	<u>73</u>	ORDER denying <u>57</u> Motion to Compel and PROTECTIVE ORDER Governing Exhibit F to Defendants' Motion for Partial Summary Judgment.. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 04/18/2014)
04/18/2014	<u>74</u>	REPLY to Response re <u>59</u> MOTION for More Definite Statement filed by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Govorchin, A.) (Entered: 04/18/2014)
04/21/2014	<u>75</u>	TRANSCRIPT of Telephonic Motion Hearing held on 4/10/2014. (Court Reporter/Transcriber: Christin E. Russell) (Number of Pages: 22) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 5/12/2014. Redacted Transcript Deadline set for 5/22/2014. Release of Transcript Restriction set for 7/21/2014. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Russell, C.) (Entered: 04/21/2014)

04/21/2014	<u>76</u>	REPLY to Response re <u>47</u> MOTION for Summary Judgment filed by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Govorchin, A.) (Entered: 04/21/2014)
04/25/2014	<u>77</u>	MOTION Leave to file Supplemental Affidavits in Support of Response to Defendants' Motion for Partial Summary Judgment re <u>66</u> Response to Motion by All Plaintiffs. (LaBelle, Deborah) (Entered: 04/25/2014)
04/25/2014	<u>78</u>	MOTION to Seal <u>77</u> MOTION Leave to file Supplemental Affidavits in Support of Response to Defendants' Motion for Partial Summary Judgment re <u>66</u> Response to Motion by All Plaintiffs. (LaBelle, Deborah) (Entered: 04/25/2014)
04/29/2014	<u>79</u>	ORDER granting Plaintiffs' <u>60</u> Motion to Seal; granting <u>64</u> Motion to Seal; granting <u>77</u> Motion for Leave to File Supplemental Affidavits; granting <u>78</u> Motion to Seal. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 04/29/2014)
05/01/2014	<u>80</u>	SEALED EXHIBIT 4 re <u>78</u> MOTION to Seal <u>77</u> MOTION Leave to file Supplemental Affidavits in Support of Response to Defendants' Motion for Partial Summary Judgment re <u>66</u> Response to Motion , <u>66</u> Response to Motion, <u>79</u> Order on Motion to Seal,, Order on Motion – Free, by All Plaintiffs. (LaBelle, Deborah) (Entered: 05/01/2014)
05/01/2014	<u>81</u>	CERTIFICATE OF SERVICE re <u>80</u> Sealed Exhibit, by All Plaintiffs (LaBelle, Deborah) (Entered: 05/01/2014)
05/08/2014	<u>82</u>	MOTION to Seal <i>Exhibits</i> by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Govorchin, A.) (Entered: 05/08/2014)
05/08/2014		Reset Hearing as to <u>47</u> MOTION for Summary Judgment . Motion Hearing re-set for 5/21/2014 10:30 AM before District Judge Robert H. Cleland (LWag) (Entered: 05/08/2014)
05/08/2014	<u>83</u>	MOTION for Summary Judgment by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Exhibit P) (Govorchin, A.) (Entered: 05/08/2014)
05/08/2014	<u>84</u>	MOTION to Amend/Correct <u>83</u> MOTION for Summary Judgment by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Govorchin, A.) (Entered: 05/08/2014)
05/14/2014		TEXT-ONLY ORDER – Further briefing for Dkt ## 82, 83, 84 is HELD IN AEBYANCE pending further order of the court. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 05/14/2014)
05/15/2014	<u>85</u>	ORDER CONVERTING MAY 21, 2014 HEARING TO A TELEPHONE CONFERENCE. Signed by District Judge Robert H. Cleland. (ATee) (Entered: 05/15/2014)
05/16/2014	<u>86</u>	NOTICE of Appearance by Beth M. Rivers on behalf of All Plaintiffs. (Rivers, Beth) (Entered: 05/16/2014)

05/19/2014	<u>87</u>	MOTION to Dismiss <i>Counts II and III of Plaintiff's Complaint</i> by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Govorchin, A.) (Entered: 05/19/2014)
05/20/2014	<u>88</u>	REPLY to Response re <u>47</u> MOTION for Summary Judgment filed by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Govorchin, A.) (Entered: 05/20/2014)
05/21/2014		Minute Entry for proceedings held before District Judge Robert H. Cleland: Telephonic Status Conference held on 5/21/2014 Disposition: Re: Scheduling an Evidentiary Hearing on Plaintiff's Motion for a Protective order(Court Reporter Christin Russell) (LWag) (Entered: 05/21/2014)
05/21/2014	<u>89</u>	ORDER denying Defendants' <u>82</u> Motion to Seal Exhibits; denying <u>83</u> Motion for Summary Judgment; denying <u>84</u> Motion to Amend/Correct Summary Judgment. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 05/21/2014)
05/27/2014	<u>90</u>	ORDER Setting Evidentiary Hearing, Suspending Briefing on Defendants' Motion to Dismiss and Directing Counsel to Cease Filing Motions until such time the court issues a scheduling order., (Evidentiary Hearing set for 6/4/2014 08:30 AM before District Judge Robert H. Cleland) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 05/27/2014)
05/28/2014	<u>91</u>	OPINION AND ORDER granting in part and denying in part <u>47</u> Defendants' Partial Motion for Summary Judgment; denying as moot <u>59</u> Motion for More Definite Statement; granting <u>63</u> Plaintiffs' Renewed Motion for Protective Order. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 05/28/2014)
05/28/2014	<u>92</u>	WITNESS LIST by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Govorchin, A.) (Entered: 05/28/2014)
05/28/2014	<u>93</u>	WITNESS LIST by All Plaintiffs (McGehee, Cary) (Entered: 05/28/2014)
05/29/2014	<u>94</u>	TRANSCRIPT of Telephonic Status Conference held on 5/21/2014. (Court Reporter/Transcriber: Christin E. Russell) (Number of Pages: 22) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 6/19/2014. Redacted Transcript Deadline set for 6/30/2014. Release of Transcript Restriction set for 8/27/2014. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Russell, C.) (Entered: 05/29/2014)
06/03/2014	<u>100</u>	SEALED Plaintiffs' Actual Identities by All Plaintiffs. (Salvatore, Jennifer) (Entered: 06/03/2014)
06/03/2014	<u>101</u>	MEMORANDUM by All Plaintiffs (LaBelle, Deborah) (Entered: 06/03/2014)
06/04/2014		Minute Entry for proceedings held before District Judge Robert H. Cleland: Evidentiary Hearing held on 6/4/2014, Set Hearings:(Evidentiary Hearing continued set for 6/5/2014 08:30 AM before District Judge Robert H. Cleland) Disposition: Held, Testimony Taken and Continued(Court Reporter Carol Sapala) (LWag) (Entered: 06/04/2014)
06/05/2014		Minute Entry for proceedings held before District Judge Robert H. Cleland: Evidentiary Hearing held on 6/5/2014 Disposition: TAKEN UNDER ADVISEMENT (Court Reporter Christin Russell) (LWag) (Entered: 06/05/2014)

06/11/2014	<u>102</u>	TRANSCRIPT of Evidentiary Hearing held on 6/4/2014. (Court Reporter/Transcriber: Carol S. Sapala, 313-671-7945) (Number of Pages: 251) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 7/2/2014. Redacted Transcript Deadline set for 7/14/2014. Release of Transcript Restriction set for 9/9/2014. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Sapala, C) (Entered: 06/11/2014)
06/13/2014	<u>103</u>	TRANSCRIPT of Evidentiary Hearing, Volume II held on 6/5/2014. (Court Reporter/Transcriber: Christin E. Russell) (Number of Pages: 269) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 7/7/2014. Redacted Transcript Deadline set for 7/14/2014. Release of Transcript Restriction set for 9/11/2014. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Russell, C.) (Entered: 06/13/2014)
06/27/2014	<u>104</u>	ORDER Setting Briefing Schedule and Closing Argument as to <u>61</u> MOTION for Protective Order <i>Establishing Parameters for Defendant to Conduct Interviews and Discovery of Incarcerated and Putative Class Member and Non-Party Witnesses</i> :(Plaintiffs' brief due by 7/9/2014, Defendants' response due by 7/16/2014, Closing Arguments set for 7/23/2014 02:00 PM before District Judge Robert H. Cleland) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 06/27/2014)
07/07/2014		Set Deadlines/Hearings: TELEPHONIC Status Conference set for 7/9/2014 11:00 AM before District Judge Robert H. Cleland THE COURT WILL INITIATE THE CALL (LWag) (Entered: 07/07/2014)
07/07/2014		TEXT-ONLY NOTICE: Telephone Conference set for 7/9/14 is Cancelled (Conference set on incorrect case) (LWag) (Entered: 07/07/2014)
07/08/2014	<u>105</u>	NOTICE by All Plaintiffs re <u>104</u> Order, Set Motion and R&R Deadlines/Hearings,,,, <i>Notice of Stipulated List of Most Pertinent Exhibits</i> (Pitt, Michael) (Entered: 07/08/2014)
07/08/2014	<u>106</u>	NOTICE by All Plaintiffs re <u>104</u> Order, Set Motion and R&R Deadlines/Hearings,,,, <i>Revised Notice of Stipulated Exhibits</i> (Pitt, Michael) (Entered: 07/08/2014)
07/09/2014	<u>107</u>	MEMORANDUM re <u>104</u> Order, Set Motion and R&R Deadlines/Hearings,,,, <i>PLAINTIFFS' POST EVIDENTIARY HEARING BRIEF</i> by All Plaintiffs (McGehee, Cary) (Entered: 07/09/2014)
07/16/2014	<u>108</u>	RESPONSE to <u>104</u> Order, Set Motion and R&R Deadlines/Hearings,,,, <i>Defendants' Post Evidentiary Hearing Brief</i> by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Govorchin, A.) (Entered: 07/16/2014)
07/17/2014		Set Deadlines/Hearings: TIME CHANGE ONLY - Evidentiary Hearing set for 7/23/2014 02:30 PM before District Judge Robert H. Cleland (LWag) (Entered: 07/17/2014)
07/22/2014	<u>109</u>	EXHIBIT B re <u>83</u> MOTION for Summary Judgment by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Barkman, Cori) (Entered: 07/22/2014)
07/22/2014	<u>110</u>	EXHIBIT G re <u>83</u> MOTION for Summary Judgment by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE,

		KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Barkman, Cori) (Entered: 07/22/2014)
07/22/2014	<u>111</u>	CERTIFICATE OF SERVICE re <u>110</u> Exhibit, <u>109</u> Exhibit, by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Barkman, Cori) (Entered: 07/22/2014)
07/23/2014		Minute Entry for proceedings held before District Judge Robert H. Cleland: Evidentiary Hearing held on 7/23/2014, (TELEPHONIC Status Conference set for 8/4/2014 11:00 AM before District Judge Robert H. Cleland) THE COURT WILL INITIATE THE CALL Disposition: TAKEN UNDER ADVISEMENT, Telephone Conference with Principal counsel ONLY to be set; Scheduling Order to be Issued(Court Reporter Christin Russell) (LWag) (Entered: 07/23/2014)
07/25/2014	<u>112</u>	ATTORNEY APPEARANCE: Mark E. Donnelly appearing on behalf of DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Donnelly, Mark) (Entered: 07/25/2014)
07/25/2014	<u>113</u>	ATTORNEY APPEARANCE: Heather S. Meingast appearing on behalf of DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Meingast, Heather) (Entered: 07/25/2014)
07/26/2014	<u>114</u>	TRANSCRIPT of Evidentiary Hearing, Volume III held on 7/23/2014. (Court Reporter/Transcriber: Christin E. Russell) (Number of Pages: 66) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 8/18/2014. Redacted Transcript Deadline set for 8/26/2014. Release of Transcript Restriction set for 10/24/2014. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Russell, C.) (Entered: 07/26/2014)
07/28/2014	<u>115</u>	NOTICE of Appearance by Michael F. Murphy on behalf of All Defendants. (Murphy, Michael) Modified on 7/28/2014 (DWor). [ATTORNEY DOES NOT REPRESENT UNITED STATES OF AMERICA] (Entered: 07/28/2014)
07/28/2014	<u>116</u>	NOTICE of Appearance by Christina M. Grossi on behalf of DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Grossi, Christina) (Entered: 07/28/2014)
07/30/2014	<u>117</u>	STIPULATED ORDER of Attorney Substitution adding Mark Donnelly, Michael Murphy, Christina Grossi and Heather Meingast for State Defendants in place and stead of A. Peter Gorvorchin, Cori Barkman, John Thruber, James Farrell and Clifton Schneider. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 07/30/2014)
08/01/2014	<u>118</u>	OPINION AND ORDER denying <u>61</u> Plaintiffs' Motion for Protective Order. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 08/01/2014)
08/04/2014		Minute Entry for proceedings held before District Judge Robert H. Cleland: Telephonic Status Conference held on 8/4/2014 (LWag) (Entered: 08/05/2014)

08/05/2014	<u>119</u>	ORDER denying without prejudice <u>87</u> Defendants' Motion to Dismiss. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 08/05/2014)
08/12/2014	<u>120</u>	ORDER Allowing Targeted Discovery Contemplated by the Neutral Position Statement (Discovery due by 11/7/2014) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 08/12/2014)
08/12/2014	<u>121</u>	NOTICE TO APPEAR: Status Conference set for 11/7/2014 02:00 PM before District Judge Robert H. Cleland (LWag) (Entered: 08/12/2014)
08/28/2014	<u>122</u>	APPEAL OF MAGISTRATE JUDGE DECISION by All Plaintiffs re <u>118</u> Order on Motion for Protective Order. (McGehee, Cary)[DOCKET ERROR-WRONG EVENT - USED WILL REFILE] Modified on 8/28/2014 (TMcg). (Entered: 08/28/2014)
08/28/2014	<u>123</u>	NOTICE OF APPEAL by All Plaintiffs re <u>118</u> Order on Motion for Protective Order. Receipt No: 0645-4792718 - Fee: \$ 505 - Fee Status: Fee Paid. (McGehee, Cary) (Entered: 08/28/2014)
08/28/2014	<u>124</u>	Certificate of Service re <u>123</u> Notice of Appeal. (KKra) (Entered: 08/28/2014)
10/06/2014		Set Deadlines/Hearings: TELEPHONIC Status Conference set for 10/7/2014 09:30 AM before District Judge Robert H. Cleland (LWag) (Entered: 10/06/2014)
10/07/2014		Minute Entry for proceedings before District Judge Robert H. Cleland: Telephonic Status Conference held on 10/7/2014, (TELEPHONIC Status Conference reset for 10/17/2014 03:30 PM before District Judge Robert H. Cleland) Disposition: Joint statement to be submitted seeking ruling, Parties to stipulate to pending resolution of applicability of PLRA exhaustion requirement, Conference to be continued. (LWag) (Entered: 10/07/2014)
10/17/2014		Set Deadlines/Hearings: AT REQUEST OF COUNSEL - - TELEPHONIC Status Conference RE-set for 10/20/2014 04:15 PM before District Judge Robert H. Cleland (LWag) (Entered: 10/17/2014)
10/20/2014		Minute Entry for proceedings before District Judge Robert H. Cleland: Telephonic Status Conference held on 10/20/2014 (LWag) (Entered: 10/24/2014)
10/31/2014	<u>125</u>	ORDER Directing Submission of Position Statements. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 10/31/2014)
10/31/2014		TEXT-ONLY NOTICE: Hearing on 11/7/2014 is Cancelled re <u>121</u> Notice to Appear (LWag) (Entered: 10/31/2014)
11/10/2014	<u>126</u>	STIPULATED ORDER Suspending Discovery Signed by District Judge Robert H. Cleland. (LWag) (Entered: 11/10/2014)
11/14/2014	<u>127</u>	STATEMENT of Plaintiffs' Position Statement by All Plaintiffs (Attachments: # <u>1</u> Exhibit 1 - MDOC PREA Manual, # <u>2</u> Exhibit 2 - PREA Exhaustion Regulation) (Rivers, Beth) (Entered: 11/14/2014)
12/01/2014	<u>128</u>	STATEMENT of Defendants' PLRA Position Statement by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11) (Donnelly, Mark) (Entered: 12/01/2014)
12/18/2014	<u>129</u>	ORDER from U.S. Court of Appeals - Sixth Circuit re <u>123</u> Notice of Appeal filed by JOHN DOE 2, JOHN DOE 6, JOHN DOE 1, JOHN DOE 5, JOHN DOE 4, JOHN DOE 7, JOHN DOE 3 [Appeal Case Number 14-2116] (SSch) (Entered: 12/31/2014)
04/09/2015	<u>130</u>	ORDER REGARDING Scope of Discovery and Setting a(TELEPHONIC Status Conference for 4/23/2015 11:00 AM before District Judge Robert H. Cleland) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 04/09/2015)
04/23/2015		Minute Entry for proceedings before District Judge Robert H. Cleland: Telephonic Status Conference held on 4/23/2015, Set Deadlines/Hearings:(TELEPHONIC Status Conference re-set for 5/4/2015 03:30 PM before District Judge Robert H.

		Cleland) (THE COURT WILL INITIATE THE CALL) Disposition: Follow-up Telephone Conference to be set. (LWag) (Entered: 04/23/2015)
04/23/2015	<u>131</u>	ATTORNEY APPEARANCE: Margaret A. Nelson appearing on behalf of DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Nelson, Margaret) (Entered: 04/23/2015)
05/04/2015		Minute Entry for proceedings before District Judge Robert H. Cleland: Telephonic Status Conference held on 5/4/2015 Disposition: The Court anticipates defendant to file a dispositive motion focused on the exhaustion issue on or before 5/26/2015.(Court Reporter Christin Russell) (LWag) (Entered: 05/05/2015)
05/13/2015	<u>132</u>	MOTION for Leave to File <i>First Amended Complaint and Jury Demand</i> by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1 – Proposed First Amended Complaint and Jury Demand) (McGehee, Cary) (Entered: 05/13/2015)
05/26/2015	<u>133</u>	MOTION for Summary Judgment <i>on the Basis of Plaintiffs' Failure to Exhaust Administrative Remedies</i> by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Attachments: # <u>1</u> Index of Exhibits Exhibit List, # <u>2</u> Exhibit 1. Grievance Policy, # <u>3</u> Exhibit 2. Operating Procedure, # <u>4</u> Exhibit 3. JD 1 Dep Extracts, # <u>5</u> Exhibit 4. JD 2 Dep Extracts, # <u>6</u> Exhibit 5. JD 2 Dep Extracts, # <u>7</u> Exhibit 6. JD 3 Dep Extracts, # <u>8</u> Exhibit 7. JD 3 Dep Extracts, # <u>9</u> Exhibit 8. JD 4 Dep Extracts, # <u>10</u> Exhibit 9. JD 4 Dep Extracts, # <u>11</u> Exhibit 10. JD 5 Dep Extracts, # <u>12</u> Exhibit 11. JD 5 Dep Extracts, # <u>13</u> Exhibit 12. JD 6 Dep Extracts, # <u>14</u> Exhibit 13. JD 6 Dep Extracts, # <u>15</u> Exhibit 14. JD 7 Dep Extracts, # <u>16</u> Exhibit 15. JD 7 Dep Extracts, # <u>17</u> Exhibit 16. Bills Affidavit, # <u>18</u> Exhibit 17. Does 4 & 5 Orientation Statements, # <u>19</u> Exhibit 18. Whitney Affidavit, # <u>20</u> Exhibit 19. JD 1 Grievances, # <u>21</u> Exhibit 20. JD 2 Grievances, # <u>22</u> Exhibit 21. JD 3 Grievances, # <u>23</u> Exhibit 22. JD 4 Grievances, # <u>24</u> Exhibit 23. JD 5 Grievances, # <u>25</u> Exhibit 24. JD 6 Grievances, # <u>26</u> Exhibit 25. JD 7 Grievances, # <u>27</u> Exhibit 26. Huizar Affidavit, # <u>28</u> Exhibit 27. Russell Certification) (Donnelly, Mark) (Entered: 05/26/2015)
05/27/2015	<u>134</u>	ERRATA Sheet re: <u>133</u> MOTION for Summary Judgment <i>on the Basis of Plaintiffs' Failure to Exhaust Administrative Remedies</i> filed by KENNETH MCKEE, JEFFREY WOODS, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Daniel H. Heyns, ROBERT NAPEL, RANDY TREACHER, PAUL KLEE, Rick Snyder, Michigan Department of Corrections, HEIDI WASHINGTON, THOMAS FINCO, Dennis Straub, MARY BERGHUIS, DAVID BERGH, CINDI S CURTIN. by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Donnelly, Mark) (Entered: 05/27/2015)
05/27/2015	<u>135</u>	RESPONSE to <u>132</u> MOTION for Leave to File <i>First Amended Complaint and Jury Demand</i> filed by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1) (Nelson, Margaret) (Entered: 05/27/2015)
06/01/2015	<u>136</u>	NOTICE OF HEARING on <u>133</u> MOTION for Summary Judgment <i>on the Basis of Plaintiffs' Failure to Exhaust Administrative Remedies</i> . Motion Hearing set for 8/19/2015 02:00 PM before District Judge Robert H. Cleland (LWag) (Entered: 06/01/2015)
06/02/2015	<u>137</u>	NOTICE by All Plaintiffs <i>Withdrawal of Attorney of Record Edward A. Macey</i> (Salvatore, Jennifer) (Entered: 06/02/2015)

06/05/2015	<u>138</u>	ORDER of Attorney Withdrawal of Edward Macey as counsel for Plaintiffs. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 06/05/2015)
06/05/2015	<u>139</u>	MOTION Hold in Abeyance re <u>132</u> MOTION for Leave to File <i>First Amended Complaint and Jury Demand</i> by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Nelson, Margaret) (Entered: 06/05/2015)
06/08/2015	<u>140</u>	REPLY to Response re <u>132</u> MOTION for Leave to File <i>First Amended Complaint and Jury Demand</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits List of Exhibits, # <u>2</u> Exhibit 1 – Affidavit of John Doe 12, # <u>3</u> Exhibit 2 – Affidavit of John Doe 9, # <u>4</u> Exhibit 3 – Affidavit of John Doe 10) (Pitt, Michael) (Entered: 06/08/2015)
06/08/2015	<u>141</u>	SEALED EXHIBIT 1 and 2 re <u>140</u> Reply to Response to Motion, by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Affidavits of John Doe 12 and 9) (Pitt, Michael) (Entered: 06/08/2015)
06/15/2015	<u>142</u>	STIPULATION AND ORDER Extending Time to Respond to Defendants' <u>133</u> MOTION for Summary Judgment <i>on the Basis of Plaintiffs' Failure to Exhaust Administrative Remedies</i> :(Response due by 6/30/2015) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 06/15/2015)
06/22/2015	<u>143</u>	RESPONSE to <u>139</u> MOTION Hold in Abeyance re <u>132</u> MOTION for Leave to File <i>First Amended Complaint and Jury Demand</i> filed by All Plaintiffs. (Rivers, Beth) (Entered: 06/22/2015)
06/30/2015	<u>144</u>	RESPONSE to <u>133</u> MOTION for Summary Judgment <i>on the Basis of Plaintiffs' Failure to Exhaust Administrative Remedies</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits List of Exhibits, # <u>2</u> Exhibit 1 – Complaint and Jury Demand, # <u>3</u> Exhibit 2 – Letter of Defendant regarding discovery, # <u>4</u> Exhibit 3 – Deposition Excerpts of Doe 1, # <u>5</u> Exhibit 4 – Deposition Excerpts of Doe 2, # <u>6</u> Exhibit 5 – Deposition Excerpts of Doe 3, # <u>7</u> Exhibit 6 – Deposition Excerpts of Doe 4, # <u>8</u> Exhibit 7 – Deposition Excerpts of Doe 5, # <u>9</u> Exhibit 8 – Deposition Excerpts of Doe 6, # <u>10</u> Exhibit 9 – Deposition Excerpts of Doe 7, # <u>11</u> Exhibit 10 – Declaration of Beth Rivers, # <u>12</u> Exhibit 11 – Email re; grievance response, # <u>13</u> Exhibit 12 – Prisoner Grievance Form, # <u>14</u> Exhibit 13 – Prisoner Grievance Form, # <u>15</u> Exhibit 14 – Grievance Category Codes, # <u>16</u> Exhibit 15 – Affidavit of Richard Stapleton with Exhibits, # <u>17</u> Exhibit 16 – PREA Manual, # <u>18</u> Exhibit 18 – Affidavit of Michael Pitt) (Rivers, Beth) (Entered: 06/30/2015)
06/30/2015	<u>145</u>	SEALED EXHIBIT re <u>144</u> Response to Motion,,,, by All Plaintiffs. (Rivers, Beth) (Entered: 06/30/2015)
07/01/2015	<u>146</u>	ERRATA Sheet re: <u>144</u> Response to Motion,,,, filed by JOHN DOE 2, JOHN DOE 6, JOHN DOE 1, JOHN DOE 5, JOHN DOE 4, JOHN DOE 7, JOHN DOE 3. by All Plaintiffs (Rivers, Beth) (Entered: 07/01/2015)
07/02/2015	<u>147</u>	REPLY to Response re <u>139</u> MOTION Hold in Abeyance re <u>132</u> MOTION for Leave to File <i>First Amended Complaint and Jury Demand</i> filed by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1) (Nelson, Margaret) (Entered: 07/02/2015)
07/06/2015	<u>148</u>	EXHIBIT – <i>Amended Exhibit 1</i> re <u>147</u> Reply to Response to Motion,, by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS (Nelson, Margaret) (Entered: 07/06/2015)
07/15/2015	<u>149</u>	MOTION for Leave to File <i>Additional Exhibits in Support of Motion for Leave to File First Amended Complaint</i> by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits List of

		Exhibits, # <u>2</u> Index of Exhibits 1 – Affidavit of Does) (Rivers, Beth) (Entered: 07/15/2015)
07/17/2015	<u>150</u>	REPLY to Response re <u>133</u> MOTION for Summary Judgment <i>on the Basis of Plaintiffs' Failure to Exhaust Administrative Remedies</i> filed by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6) (Nelson, Margaret) (Entered: 07/17/2015)
07/17/2015	<u>151</u>	Ex Parte MOTION for Leave to File Excess Pages by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Nelson, Margaret) (Entered: 07/17/2015)
07/28/2015	<u>152</u>	RE-NOTICE OF HEARING on <u>133</u> MOTION for Summary Judgment <i>on the Basis of Plaintiffs' Failure to Exhaust Administrative Remedies</i> , <u>139</u> MOTION Hold in Abeyance re <u>132</u> MOTION for Leave to File <i>First Amended Complaint and Jury Demand</i> . Motion Hearing re-set for 9/21/2015 02:45 PM before District Judge Robert H. Cleland (LWag) (Entered: 07/28/2015)
07/29/2015	<u>153</u>	REPLY to <u>149</u> MOTION for Leave to File <i>Additional Exhibits in Support of Motion for Leave to File First Amended Complaint</i> , <u>132</u> MOTION for Leave to File <i>First Amended Complaint and Jury Demand</i> by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Nelson, Margaret) (Entered: 07/29/2015)
08/03/2015		TEXT-ONLY ORDER GRANTING <u>151</u> Ex Parte MOTION for Leave to File Excess Pages filed by KENNETH MCKEE, JEFFREY WOODS, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Daniel H. Heyns, ROBERT NAPEL, RANDY TREACHER, PAUL KLEE, Rick Snyder, Michigan Department of Corrections, HEIDI WASHINGTON, THOMAS FINCO, Dennis Straub, MARY BERGHUIS, DAVID BERGH, CINDI S CURTIN. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 08/03/2015)
09/21/2015		Minute Entry for proceedings before District Judge Robert H. Cleland: Motion Hearing held on 9/21/2015 re <u>133</u> MOTION for Summary Judgment <i>on the Basis of Plaintiffs' Failure to Exhaust Administrative Remedies</i> filed by Defendants and <u>132</u> MOTION for Leave to File <i>First Amended Complaint and Jury Demand</i> filed by Plaintiffs Disposition: TAKEN UNDER ADVISEMENT(Court Reporter Christin Russell) (LWag) Modified on 9/22/2015 (LWag). (Entered: 09/22/2015)
09/30/2015	<u>154</u>	MOTION for Leave to File <i>Supplemental Exhibits in Support of Motion for Leave to File First Amended Complaint</i> by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1 – Michigan Parole Board Order for Parole, # <u>2</u> Exhibit 2 – Cell Usage History of Doe 11) (Rivers, Beth) (Entered: 09/30/2015)
10/14/2015	<u>155</u>	RESPONSE to <u>154</u> MOTION for Leave to File <i>Supplemental Exhibits in Support of Motion for Leave to File First Amended Complaint</i> filed by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Nelson, Margaret) (Entered: 10/14/2015)
02/08/2016	<u>156</u>	OPINION AND ORDER granting in part and denying in part <u>133</u> Motion for Summary Judgment on the Basis of Failure to Exhaust Administrative Remedies and Scheduling a Telephone Conference. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 02/08/2016)

02/08/2016		Set Deadlines/Hearings: TELEPHONIC Status Conference set for 2/18/2016 11:00 AM before District Judge Robert H. Cleland (LWag) (Entered: 02/08/2016)
02/09/2016		RESET – Hearings: TELEPHONIC Status Conference RESET for 2/11/2016 10:15 AM before District Judge Robert H. Cleland (THE COURT WILL INITIATE THE CALL) (LWag) (Entered: 02/09/2016)
02/11/2016		Minute Entry for proceedings before District Judge Robert H. Cleland: Telephonic Status Conference held on 2/11/2016, Disposition: The parties have agreed that Defendant will serve interrogatories to Plaintiffs regarding the exhaustion matter to be addressed at the upcoming evidentiary hearing. Once Plaintiffs have responded, the court anticipates being updated as to whether further discovery will be needed before the hearing on March 8, 2016. (Evidentiary Hearing set for 3/8/2016 09:00 AM before District Judge Robert H. Cleland) (LWag) (Entered: 02/12/2016)
02/19/2016	<u>157</u>	MOTION for Reconsideration re <u>156</u> Order on Motion for Summary Judgment by All Plaintiffs. (LaBelle, Deborah) (Entered: 02/19/2016)
02/29/2016	<u>158</u>	TRANSCRIPT of Motion Hearing held on 9/21/2015. (Court Reporter/Transcriber: Christin E. Russell) (Number of Pages: 67) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 3/21/2016. Redacted Transcript Deadline set for 3/31/2016. Release of Transcript Restriction set for 5/31/2016. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Russell, C.) (Entered: 02/29/2016)
03/01/2016	<u>159</u>	NOTICE OF HEARING on <u>132</u> MOTION for Leave to File <i>First Amended Complaint and Jury Demand</i> , <u>139</u> MOTION Hold in Abeyance re <u>132</u> MOTION for Leave to File <i>First Amended Complaint and Jury Demand</i> . Motion Hearing set for 3/8/2016 09:00 AM before District Judge Robert H. Cleland (LWag) (Entered: 03/01/2016)
03/02/2016	<u>160</u>	NOTICE of Change of Address/Contact Information by Jennifer B. Salvatore on behalf of All Plaintiffs. (Attachments: # <u>1</u> Exhibit A – Proposed Order) (Salvatore, Jennifer) (Entered: 03/02/2016)
03/02/2016		Minute Entry for proceedings before District Judge Robert H. Cleland: Telephonic Status Conference held on 3/2/2016,(Hearing on Motion to Amend set for 3/8/16 at 9:00 a.m. and the Evidentiary Hearing is re-set for 4/26/2016 09:00 AM before District Judge Robert H. Cleland) (Court Reporter: Christin Russell) (LWag) (Entered: 03/03/2016)
03/08/2016	<u>161</u>	ORDER granting Attorney Substitution OF Jennifer Salvatore of the Law Firm of Salvatore Prescott, PLLC in the place of Nacht, Roumel & Salvatore, PC as co-counsel for Plaintiffs. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 03/08/2016)
03/08/2016		Minute Entry for proceedings before District Judge Robert H. Cleland: Motion Hearing held on 3/8/2016 re <u>132</u> MOTION for Leave to File <i>First Amended Complaint and Jury Demand</i> filed by JOHN DOE 2, JOHN DOE 6, JOHN DOE 1, JOHN DOE 5, JOHN DOE 4, JOHN DOE 7, JOHN DOE 3 Disposition: Motion granted (Court Reporter: Christin Russell) (LWag) (Entered: 03/08/2016)
03/11/2016	<u>162</u>	ORDER granting <u>132</u> Plaintiffs' Motion for leave to file an amended complaint; terminating as moot <u>139</u> Defendants' Motion to hold in abeyance ; <u>149</u> Plaintiffs' Motion for leave to file additional exhibits and <u>154</u> Plaintiffs' Motion for leave to file additional exhibits. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 03/11/2016)
03/15/2016	<u>163</u>	AMENDED COMPLAINT with Jury Demand <i>First Amended</i> filed by All Plaintiffs against All Defendants. NEW PARTIES ADDED . (Attachments: # <u>1</u> Order Granting Plaintiffs' Motion to Amend the Complaint) (McGehee, Cary) (Entered: 03/15/2016)
03/15/2016		REQUEST for SUMMONS for Catherine Bauman, Raymond Booker, Duncan MacLaren, Thomas Mackie, Carmen Palmer, Mitch Perry, Shane Place, Thomas Winn. (McGehee, Cary) (Entered: 03/15/2016)

03/15/2016	<u>164</u>	SUMMONS Issued for *Catherine Bauman, Raymond Booker, Duncan MacLaren, Thomas Mackie, Carmen Palmer, Mitch Perry, Shane Place, Thomas Winn* (DAll) (Entered: 03/15/2016)
03/24/2016		TEXT-ONLY ORDER Setting Deadline as to <u>157</u> MOTION for Reconsideration re <u>156</u> Order on Motion for Summary Judgment :(Defendants' Response due by 4/1/2016) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 03/24/2016)
03/25/2016	<u>165</u>	ORDER Establishing Discovery Period and Briefing Schedule Addressing Exhaustion as to John Does 8-12 and setting (TELEPHONIC Status Conference for 5/9/2016 11:00 AM before District Judge Robert H. Cleland) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 03/25/2016)
03/31/2016	<u>166</u>	ANSWER to Amended Complaint with Affirmative Defenses with Jury Demand by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Donnelly, Mark) (Entered: 03/31/2016)
04/01/2016	<u>167</u>	RESPONSE to <u>157</u> MOTION for Reconsideration re <u>156</u> Order on Motion for Summary Judgment filed by DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B) (Meingast, Heather) (Entered: 04/01/2016)
04/04/2016	<u>168</u>	CERTIFICATE of Service/Summons Returned Executed. Catherine Bauman served on 3/28/2016, answer due 4/18/2016. (McGehee, Cary) (Entered: 04/04/2016)
04/04/2016	<u>169</u>	CERTIFICATE of Service/Summons Returned Executed. Raymond Booker served on 3/23/2016, answer due 4/13/2016. (McGehee, Cary) (Entered: 04/04/2016)
04/04/2016	<u>170</u>	CERTIFICATE of Service/Summons Returned Executed. Mitch Perry served on 3/28/2016, answer due 4/18/2016. (McGehee, Cary) (Entered: 04/04/2016)
04/04/2016	<u>171</u>	CERTIFICATE of Service/Summons Returned Executed. Shane Place served on 3/28/2016, answer due 4/18/2016. (McGehee, Cary) (Entered: 04/04/2016)
04/05/2016	<u>172</u>	Waiver of Service Returned Unexecuted as to Shane Place. (SSch) (Entered: 04/06/2016)
04/07/2016	<u>173</u>	CERTIFICATE of Service/Summons Returned Executed. Thomas Winn served on 3/24/2016, answer due 4/14/2016. (McGehee, Cary) (Entered: 04/07/2016)
04/07/2016	<u>174</u>	CERTIFICATE of Service/Summons Returned Executed. Duncan MacLaren served on 3/24/2016, answer due 4/14/2016. (McGehee, Cary) (Entered: 04/07/2016)
04/07/2016	<u>175</u>	CERTIFICATE of Service/Summons Returned Executed. Thomas Mackie served on 3/24/2016, answer due 4/14/2016. (McGehee, Cary) (Entered: 04/07/2016)
04/13/2016	<u>176</u>	ATTORNEY APPEARANCE: Mark E. Donnelly appearing on behalf of Catherine Bauman, Raymond Booker, Duncan MacLaren, Thomas Mackie, Mitch Perry, Shane Place, Thomas Winn (Donnelly, Mark) (Entered: 04/13/2016)
04/13/2016	<u>177</u>	ATTORNEY APPEARANCE: Christina M. Grossi appearing on behalf of Catherine Bauman, Raymond Booker, Duncan MacLaren, Thomas Mackie, Mitch Perry, Shane Place, Thomas Winn (Grossi, Christina) (Entered: 04/13/2016)
04/13/2016	<u>178</u>	ATTORNEY APPEARANCE: Heather S. Meingast appearing on behalf of Catherine Bauman, Raymond Booker, Duncan MacLaren, Thomas Mackie, Mitch Perry, Shane Place, Thomas Winn (Meingast, Heather) (Entered: 04/13/2016)
04/13/2016	<u>179</u>	ATTORNEY APPEARANCE: Margaret A. Nelson appearing on behalf of Catherine Bauman, Raymond Booker, Duncan MacLaren, Thomas Mackie, Mitch Perry, Shane Place, Thomas Winn (Nelson, Margaret) (Entered: 04/13/2016)

04/13/2016	<u>180</u>	ATTORNEY APPEARANCE: Michael F. Murphy appearing on behalf of Catherine Bauman, Raymond Booker, Duncan MacLaren, Thomas Mackie, Mitch Perry, Shane Place, Thomas Winn (Murphy, Michael) (Entered: 04/13/2016)
04/14/2016	<u>181</u>	CERTIFICATE of Service/Summons Returned Executed. Shane Place served on 4/13/2016, answer due 5/4/2016. (McGehee, Cary) (Entered: 04/14/2016)
04/27/2016	<u>182</u>	ATTORNEY APPEARANCE: Christina M. Grossi appearing on behalf of Carmen Palmer (Grossi, Christina) (Entered: 04/27/2016)
04/27/2016	<u>183</u>	ATTORNEY APPEARANCE: Heather S. Meingast appearing on behalf of Carmen Palmer (Meingast, Heather) (Entered: 04/27/2016)
04/27/2016	<u>184</u>	ATTORNEY APPEARANCE: Mark E. Donnelly appearing on behalf of Carmen Palmer (Donnelly, Mark) (Entered: 04/27/2016)
04/27/2016	<u>185</u>	ATTORNEY APPEARANCE: Michael F. Murphy appearing on behalf of Carmen Palmer (Murphy, Michael) (Entered: 04/27/2016)
04/27/2016	<u>186</u>	ATTORNEY APPEARANCE: Margaret A. Nelson appearing on behalf of Carmen Palmer (Nelson, Margaret) (Entered: 04/27/2016)
04/29/2016	<u>187</u>	ANSWER to Amended Complaint with Affirmative Defenses with Jury Demand by Catherine Bauman, Raymond Booker, Duncan MacLaren, Thomas Mackie, Carmen Palmer, Mitch Perry, Shane Place, Thomas Winn. (Donnelly, Mark) (Entered: 04/29/2016)
05/05/2016	<u>188</u>	ORDER denying <u>157</u> Plaintiffs' Motion for Reconsideration. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 05/05/2016)
05/09/2016		Minute Entry for proceedings before District Judge Robert H. Cleland: Telephonic Status Conference held on 5/9/2016. The parties informed the court that Plaintiffs plan to submit a supplemental response to Defendants' discovery requests by May 27, 2016. Thereafter, no later than June 3, 2016, the parties will meet and confer to discuss what, if any, further written or deposition discovery is necessary. The court will hold another status conference on June 6, 2016 at 11:00 a.m. to hear a report from the parties and consider the need for additional discovery. Set Hearings:(TELEPHONIC Status Conference set for 6/6/2016 11:00 AM before District Judge Robert H. Cleland) (LWag) (Entered: 05/11/2016)
06/06/2016		Minute Entry for proceedings before District Judge Robert H. Cleland: Telephonic Status Conference held on 6/6/2016. The parties informed the court that they have largely completed discovery but raised a few lingering issues. While it appears the majority of those issues can be resolved by agreement without the court's assistance, one issue, Plaintiffs' request to depose certain grievance coordinators, may require a determination by the court. Plaintiffs will attempt to obtain the desired information by written request or stipulation, and if that effort fails, then they may submit a motion no later than June 13, 2016 requesting permission to extend discovery in order to take those depositions. (LWag) (Entered: 06/07/2016)
06/06/2016		Set Deadlines as to Dispositive Motions on Amended Complaint – Dispositive Motion due by 7/5/2016; Response due by 7/25/2016 Reply due by 8/8/2016 (LWag) (Entered: 06/07/2016)
06/10/2016	<u>189</u>	NOTICE of Appearance by Deborah A. LaBelle on behalf of All Plaintiffs. (LaBelle, Deborah)[APPEARANCE BY ANLYN ADDIS] Modified on 6/10/2016 (DPer). (Entered: 06/10/2016)
06/13/2016	<u>190</u>	MOTION TO EXTEND Discovery by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1) (McGehee, Cary) (Entered: 06/13/2016)
06/15/2016	<u>191</u>	RESPONSE to <u>190</u> MOTION TO EXTEND Discovery filed by DAVID BERGH, MARY BERGHUIS, Catherine Bauman, Raymond Booker, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Duncan MacLaren, Thomas Mackie, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, Carmen Palmer, Mitch Perry, Shane Place, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS, Thomas Winn. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Email chain, # <u>3</u> Exhibit 2 – Operating Procedure, # <u>4</u>

		Exhibit 3 – Policy Directive, # <u>5</u> Exhibit 4 – Supplemental Admissions) (Donnelly, Mark) (Entered: 06/15/2016)
07/05/2016	<u>192</u>	MOTION for Leave to File Excess Pages in <i>Brief in Support of Motion for Summary Judgment</i> by DAVID BERGH, MARY BERGHUIS, Catherine Bauman, Raymond Booker, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Duncan MacLaren, Thomas Mackie, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, Carmen Palmer, Mitch Perry, Shane Place, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS, Thomas Winn. (Donnelly, Mark) (Entered: 07/05/2016)
07/05/2016	<u>193</u>	MOTION for Summary Judgment <i>on the Basis of Plaintiffs John Doe 8, 9, 10, and 12's Failure to Exhaust Administrative Remedies</i> by DAVID BERGH, MARY BERGHUIS, Catherine Bauman, Raymond Booker, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Duncan MacLaren, Thomas Mackie, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, Carmen Palmer, Mitch Perry, Shane Place, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS, Thomas Winn. (Attachments: # <u>1</u> Index of Exhibits Index of Exhibits, # <u>2</u> Exhibit Ex. 1 – MDOC Grievance Policy, # <u>3</u> Exhibit Ex. 2– MDOC Operating Procedure – Grievance, # <u>4</u> Exhibit Ex. 3– Certification of Richard Russell, # <u>5</u> Exhibit Ex. 4– Affidavit of Edward Whitney, # <u>6</u> Exhibit Ex. 5– Affidavit of Donnie Huizar, # <u>7</u> Exhibit Ex. 6– Affidavit of Daniel Bills, # <u>8</u> Exhibit Ex. 7– John Doe #8 Documents, # <u>9</u> Exhibit Ex. 8– John Doe #9 Documents, # <u>10</u> Exhibit Ex. 9– John Doe #10 Documents, # <u>11</u> Document Continuation Ex. 9 – continued, # <u>12</u> Exhibit Ex. 10 – John Doe #12 Documents, # <u>13</u> Document Continuation Ex. 10 – continued, # <u>14</u> Document Continuation Ex. 10 – continued, # <u>15</u> Document Continuation Ex. 10 – continued, # <u>16</u> Document Continuation Ex. 10 – continued, # <u>17</u> Exhibit Ex. 11– Jackson v. Huss 2015 U.S. Dist. LEXUS 130392, # <u>18</u> Exhibit Ex. 12– Affidavit of Russell Vittitow, # <u>19</u> Exhibit Ex. 13– Affidavit of Rhonda Chandler, # <u>20</u> Exhibit Ex. 14– Affidavit of Cassandra Chandler) (Donnelly, Mark) (Entered: 07/05/2016)
07/06/2016		TEXT-ONLY ORDER GRANTING <u>192</u> MOTION for Leave to File Excess Pages in <i>Brief in Support of Motion for Summary Judgment</i> filed by Defendants Signed by District Judge Robert H. Cleland. (LWag) (Entered: 07/06/2016)
07/15/2016	<u>194</u>	ORDER Denying Plaintiffs' <u>190</u> Motion to Extend Discovery. Signed by District Judge Robert H. Cleland. (HMon) (Entered: 07/15/2016)
07/22/2016	<u>195</u>	STIPULATION AND ORDER Extending the time for plaintiffs' to file the response as to <u>193</u> MOTION for Summary Judgment <i>on the Basis of Plaintiffs John Doe 8, 9, 10, and 12's Failure to Exhaust Administrative Remedies</i> :(Response due by 8/24/2016) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 07/22/2016)
10/07/2016	<u>196</u>	ORDER Governing Motion for Summary Judgement. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 10/07/2016)
10/12/2016	<u>197</u>	Ex Parte MOTION for Leave to File Excess Pages by All Plaintiffs. (Rivers, Beth) (Entered: 10/12/2016)
10/12/2016	<u>198</u>	RESPONSE to <u>193</u> MOTION for Summary Judgment <i>on the Basis of Plaintiffs John Doe 8, 9, 10, and 12's Failure to Exhaust Administrative Remedies</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16, # <u>18</u> Exhibit 17, # <u>19</u> Exhibit 18, # <u>20</u> Exhibit 19) (Rivers, Beth) (Entered: 10/12/2016)
10/31/2016	<u>199</u>	NOTICE of Appearance by Anlyn Marie Ellen Addis on behalf of All Plaintiffs. (Addis, Anlyn) (Entered: 10/31/2016)
11/01/2016	<u>200</u>	STIPULATED ORDER Extending time for Defendants' to file their Reply brief as to <u>193</u> MOTION for Summary Judgment <i>on the Basis of Plaintiffs John Doe 8, 9, 10, and 12's Failure to Exhaust Administrative Remedies</i> :(Reply due by 11/7/2016) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 11/01/2016)

11/01/2016		TEXT-ONLY ORDER GRANTING <u>197</u> Ex Parte MOTION for Leave to File Excess Pages filed by JOHN DOE 2, JOHN DOE 6, JOHN DOE 1, JOHN DOE 5, JOHN DOE 4, JOHN DOE 7, JOHN DOE 3. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 11/01/2016)
11/01/2016	<u>201</u>	STIPULATED ORDER Extending time for Defendant HSBC Bank USA< NA to respond to the complaint, (Response due by 11/18/2016) Signed by District Judge Robert H. Cleland. (LWag) Modified on 1/10/2017 (LWag). ENTRY PLACED ON WRONG DOCKET. (Entered: 11/01/2016)
11/07/2016	<u>202</u>	REPLY to Response re <u>193</u> MOTION for Summary Judgment <i>on the Basis of Plaintiffs John Doe 8, 9, 10, and 12's Failure to Exhaust Administrative Remedies</i> filed by DAVID BERGH, MARY BERGHUIS, Catherine Bauman, Raymond Booker, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Duncan MacLaren, Thomas Mackie, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, Carmen Palmer, Mitch Perry, Shane Place, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS, Thomas Winn. (Attachments: # <u>1</u> Index of Exhibits Index of Exhibits, # <u>2</u> Exhibit 15- Policy Directive 03.03.140, # <u>3</u> Exhibit 16- Affidavit of M. Vroman, # <u>4</u> Exhibit 17- JD #8 Grievances, # <u>5</u> Exhibit 18- JD #9 Documents) (Nelson, Margaret) (Entered: 11/07/2016)
01/10/2017	<u>203</u>	NOTICE of Correction re <u>201</u> Stipulation and Order, (LWag) (Entered: 01/10/2017)
03/14/2017	<u>204</u>	OPINION and ORDER Granting Defendants' <u>193</u> MOTION for Summary Judgment Against Plaintiffs John Doe 8, 9, and 10, and Denying Summary Judgment Against Plaintiff John Doe 12. (TELEPHONIC Status Conference set for 4/3/2017 at 10:30 AM before District Judge Robert H. Cleland) Signed by District Judge Robert H. Cleland. (SBur) (Entered: 03/15/2017)
04/03/2017		Minute Entry for proceedings before District Judge Robert H. Cleland: Telephonic Status Conference held on 4/3/2017 (LWag) (Entered: 04/03/2017)
04/18/2017	<u>205</u>	MOTION to Consolidate Cases by All Plaintiffs. (LaBelle, Deborah) (Entered: 04/18/2017)
04/20/2017	<u>206</u>	NOTICE TO APPEAR BY TELEPHONE: Status Conference set for 4/21/2017 10:45 AM before District Judge Robert H. Cleland THE COURT WILL INITATE THE CALL (LWag) (Entered: 04/20/2017)
04/21/2017		Minute Entry for proceedings before District Judge Robert H. Cleland: Telephonic Status Conference on Motion to Consolidate Cases (Dkt. # 205 and Dkt. #47, 16-13765) held off the record on April 21, 2017, attended by counsel. The court noted Plaintiffs' insufficient explanation of attempts to seek concurrence. The parties are directed to make every effort to comply in good faith with the requirements of E.D. Mich. LR 7.1(a), and to actually explain their attempt to seek concurrence pursuant to the Rule. The court directs Defendants to promptly initiate renewed discussions to determine whether concurrence in some form may be warranted. Absent an agreement, the court expects Defendants to file a short response including the points raised by Defendants during the conference. No reply brief will be permitted without leave of the court. ((LWag) (Entered: 04/21/2017)
05/01/2017	<u>207</u>	[DOCKET ERROR - WRONG EVENT USED - DOCUMENT IS A PLAINTIFFS MEMORANDUM IN SUPPORT OF APPLICATION OF VICARIOUS EXHAUSTION OF ADMINISTRATIVE REMEDIES] MOTION FOR APPLICATION OF VICARIOUS EXHAUSTION OF ADMINISTRATIVE REMEDIES by All Plaintiffs. (Rivers, Beth) Modified on 5/2/2017 (LGra). (Entered: 05/01/2017)
05/08/2017	<u>208</u>	STIPULATED ORDER ON PLAINTIFFS MOTION TO CONSOLIDATE Signed by District Judge Robert H. Cleland. (SSch) (Entered: 05/08/2017)
05/08/2017	<u>209</u>	Notice to Parties Regarding Consolidated Case: Order of consolidation entered on *5/8/17*. Designated lead case number is *13-14356*. (SSch) (Entered: 05/08/2017)
05/15/2017	<u>210</u>	Ex Parte MOTION for Leave to File Excess Pages <i>for Dispositive Motion</i> by All Defendants. (Donnelly, Mark) (Entered: 05/15/2017)

05/15/2017	<u>211</u>	MOTION for Summary Judgment (<i>partial</i>) and to Dismiss Certain Claims and Brief in Support by DAVID BERGH, MARY BERGHUIS, Catherine Bauman, Raymond Booker, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Duncan MacLaren, Thomas Mackie, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, Carmen Palmer, Mitch Perry, Shane Place, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS, Thomas Winn. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Opinion & Order (3–8–16), # <u>3</u> Exhibit 2 – Opinion & Order (5–28–14), # <u>4</u> Exhibit 3 – Order (5–5–16), # <u>5</u> Exhibit 4 – JD 1 Grievance, # <u>6</u> Exhibit 5 – JD 2 Grievance, # <u>7</u> Exhibit 6 – JD 4 Grievance, # <u>8</u> Exhibit 7 – JD 5 Grievance, # <u>9</u> Exhibit 8 – JD 6 Grievance, # <u>10</u> Exhibit 9 – MDOC P.D. 03.02.130, # <u>11</u> Exhibit 10 – MDOC P.D. 03.03.140, # <u>12</u> Exhibit 11 – JD 1 Deposition Transcript, # <u>13</u> Exhibit 12 – Affidavit – E. Whitney, # <u>14</u> Exhibit 13 – Affidavit – D. Huizar, # <u>15</u> Exhibit 14 – JD 2 Deposition Transcript, # <u>16</u> Exhibit 15 – Affidavit – D. Bills, # <u>17</u> Exhibit 16 – JD 4 Orientation Form, # <u>18</u> Exhibit 17 – JD 5 Orientation Form, # <u>19</u> Exhibit 18 – R. Russell Certification, # <u>20</u> Exhibit 19 – St. Louis v. Periltz) (Donnelly, Mark) (Entered: 05/15/2017)
05/15/2017	<u>212</u>	MEMORANDUM re <u>207</u> MOTION FOR APPLICATION OF VICARIOUS EXHAUSTION OF ADMINISTRATIVE REMEDIES MEMORANDUM IN OPPOSITION by DAVID BERGH, MARY BERGHUIS, Catherine Bauman, Raymond Booker, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Duncan MacLaren, Thomas Mackie, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, Carmen Palmer, Mitch Perry, Shane Place, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS, Thomas Winn (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Rumsey v. MDOC, et al., # <u>3</u> Exhibit 2 – Turner v. Grant Co. Detention Center, # <u>4</u> Exhibit 3 – Rahim v. Sheahan) (Donnelly, Mark) (Entered: 05/15/2017)
05/16/2017	<u>213</u>	NOTICE OF HEARING on <u>211</u> MOTION for Summary Judgment (<i>partial</i>) and to Dismiss Certain Claims and Brief in Support. Motion Hearing set for 7/12/2017 02:00 PM before District Judge Robert H. Cleland (LWag) (Entered: 05/16/2017)
05/16/2017		TEXT-ONLY ORDER GRANTING <u>210</u> Ex Parte MOTION for Leave to File Excess Pages for Dispositive Motion filed by Defendants Signed by District Judge Robert H. Cleland. (LWag) (Entered: 05/16/2017)
05/22/2017	<u>214</u>	REPLY to Response re <u>207</u> MOTION FOR APPLICATION OF VICARIOUS EXHAUSTION OF ADMINISTRATIVE REMEDIES filed by All Plaintiffs. (Rivers, Beth) (Entered: 05/22/2017)
05/23/2017		TEXT-ONLY NOTICE: Hearing on 7/12/17 is Cancelled re <u>211</u> MOTION for Summary Judgment (<i>partial</i>) and to Dismiss Certain Claims and Brief in Support (LWag) (Entered: 05/23/2017)
02/21/2018	<u>215</u>	OPINION AND ORDER Resolving not to apply imputed exhaustion and denying without prejudice <u>211</u> Motion for summary judgment and denying without prejudice <u>207</u> Motion to apply vicarious exhaustion of administrative remedies. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 02/21/2018)
03/02/2018	<u>216</u>	MOTION for Summary Judgment (<i>Partial, Revised</i>) and to Dismiss Certain Claims by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – 3.8.16 Opinion & Order, # <u>3</u> Exhibit 2 – 5.28.14 Opinion & Order, # <u>4</u> Exhibit 3 – 5.5.16 Order, # <u>5</u> Exhibit 4 – JD 1 Step I Grievance, # <u>6</u> Exhibit 5 – JD 2 Step I Grievance, # <u>7</u> Exhibit 6 – JD 4 Step I Grievance, # <u>8</u> Exhibit 7 – JD 5 Step I Grievance, # <u>9</u> Exhibit 8 – JD 6 Step I Grievance, # <u>10</u> Exhibit 9 – MDOC PD 03.02.130, # <u>11</u> Exhibit 10 – Governor PREA Assurance Letter 05.2014, # <u>12</u> Exhibit 11 – MDOC PD 03.03.140, # <u>13</u> Exhibit 12 – Director's Office Memo 2016–29, # <u>14</u> Exhibit 13 – Order 2.23.18, # <u>15</u> Exhibit 14 – JD 1 6.23.14 Dep Transcript Excerpt, # <u>16</u> Exhibit 15 – Affidavit of Edward Whitney, # <u>17</u> Exhibit 16 – Affidavit of Donnie Huizar, # <u>18</u> Exhibit 17 – JD 2 Dep Transcript Excerpt, # <u>19</u> Exhibit 18 – Affidavit of Daniel Bills, # <u>20</u> Exhibit 19 – JD 4 Orientation Form, # <u>21</u> Exhibit 20 – JD 5 Orientation Form, # <u>22</u> Exhibit 21 – Russell Certification of Grievances, # <u>23</u> Exhibit 22 – St. Louis v. Periltz, # <u>24</u> Exhibit 23 – JD 5 Dep Transcript Excerpt) (Donnelly, Mark) (Entered: 03/02/2018)

03/02/2018	<u>217</u>	MOTION for Leave to File Excess Pages <i>for Brief in Support of Motion for Partial Summary Judgment and to Dismiss Certain Claims</i> by All Defendants. (Donnelly, Mark) (Entered: 03/02/2018)
03/06/2018		TEXT-ONLY ORDER GRANTING <u>217</u> MOTION for Leave to File Excess Pages <i>for Brief in Support of Motion for Partial Summary Judgment and to Dismiss Certain Claims</i> filed by Defendants. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 03/06/2018)
03/23/2018	<u>218</u>	MOTION for Extension of Time to File Response/Reply as to <u>216</u> MOTION for Summary Judgment (<i>Partial, Revised</i>) and to Dismiss Certain Claims by All Plaintiffs. (Rivers, Beth) (Entered: 03/23/2018)
03/27/2018	<u>219</u>	RESPONSE to <u>218</u> MOTION for Extension of Time to File Response/Reply as to <u>216</u> MOTION for Summary Judgment (<i>Partial, Revised</i>) and to Dismiss Certain Claims filed by All Defendants. (Donnelly, Mark) (Entered: 03/27/2018)
03/28/2018		TEXT-ONLY ORDER GRANTING <u>218</u> Plaintiffs' MOTION for Extension of Time to File Response as to <u>216</u> MOTION for Summary Judgment (<i>Partial, Revised</i>) and to Dismiss Certain Claims: font color=red> Plaintiffs' Response due by 4/26/2018, Defendants' Reply due by 5/17/2018 Signed by District Judge Robert H. Cleland. (LWag) (Entered: 03/28/2018)
04/19/2018	<u>220</u>	RESPONSE to <u>216</u> MOTION for Summary Judgment (<i>Partial, Revised</i>) and to Dismiss Certain Claims filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16, # <u>18</u> Exhibit 17, # <u>19</u> Exhibit 18, # <u>20</u> Exhibit 19, # <u>21</u> Exhibit 20, # <u>22</u> Exhibit 21, # <u>23</u> Exhibit 22, # <u>24</u> Exhibit 23, # <u>25</u> Exhibit 24, # <u>26</u> Exhibit 25, # <u>27</u> Exhibit 26, # <u>28</u> Exhibit 27, # <u>29</u> Exhibit 28, # <u>30</u> Exhibit 29, # <u>31</u> Exhibit 30, # <u>32</u> Exhibit 31, # <u>33</u> Exhibit 32, # <u>34</u> Exhibit 33, # <u>35</u> Exhibit 34, # <u>36</u> Exhibit 35, # <u>37</u> Exhibit 36, # <u>38</u> Exhibit 37) (LaBelle, Deborah) (Entered: 04/19/2018)
04/19/2018	<u>221</u>	MOTION for Leave to File Excess Pages by All Plaintiffs. (LaBelle, Deborah) (Entered: 04/19/2018)
04/20/2018		TEXT-ONLY ORDER GRANTING <u>221</u> MOTION for Leave to File Excess Pages filed by Plaintiffs. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 04/20/2018)
05/17/2018	<u>222</u>	MOTION for Leave to File Excess Pages <i>in reply to Plaintiffs' response in opposition to Defendants' revised partial motion for summary judgment and to dismiss certain claims</i> by DAVID BERGH, MARY BERGHUIS, Catherine Bauman, Raymond Booker, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Duncan MacLaren, Thomas Mackie, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, Carmen Palmer, Mitch Perry, Shane Place, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS, Thomas Winn. (Donnelly, Mark) (Entered: 05/17/2018)
05/17/2018	<u>223</u>	REPLY to Response re <u>216</u> MOTION for Summary Judgment (<i>Partial, Revised</i>) and to Dismiss Certain Claims filed by DAVID BERGH, MARY BERGHUIS, Catherine Bauman, Raymond Booker, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Duncan MacLaren, Thomas Mackie, Michigan Department of Corrections, ROBERT NAPEL, JOHN PRELESNIK, Carmen Palmer, Mitch Perry, Shane Place, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS, Thomas Winn. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – JD Step II PREA Response, # <u>3</u> Exhibit 2 – Email Exchange, # <u>4</u> Exhibit 3 – Wakeley v. Giroux) (Donnelly, Mark) (Entered: 05/17/2018)
05/21/2018		TEXT-ONLY ORDER GRANTING <u>222</u> MOTION for Leave to File Excess Pages <i>in reply to Plaintiffs' response in opposition to Defendants' revised partial motion for summary judgment and to dismiss certain claims</i> filed by JEFFREY WOODS, Duncan MacLaren, JOHN PRELESNIK, WILLIE SMITH, CATHLEEN STODDARD, Daniel H. Heyns, ROBERT NAPEL, RANDY TREACHER, PAUL KLEE, Michigan Department of Corrections, HEIDI WASHINGTON, Carmen Palmer, THOMAS

		FINCO, Catherine Bauman, DAVID BERGH, MARY BERGHUIS, CINDI S CURTIN, KENNETH MCKEE, Shane Place, Thomas Mackie, Thomas Winn, Raymond Booker, Rick Snyder, Dennis Straub, Mitch Perry. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 05/21/2018)
11/05/2018	<u>224</u>	OPINION AND ORDER GRANTING IN PART AND DENYING IN PART <u>216</u> Defendants' MOTION for Partial Summary Judgment (<i>Partial, Revised</i>) and to Dismiss Certain Claims; DISMISSING Defendant Michigan Department of Corrections; and setting a (TELEPHONIC Status Conference for 11/20/2018 10:00 AM before District Judge Robert H. Cleland) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 11/05/2018)
11/20/2018		Minute Entry for proceedings before District Judge Robert H. Cleland: Telephonic Status Conference held on 11/20/2018, Set Deadlines/Hearings:(TELEPHONIC Status Conference re-set for 12/18/2018 11:00 AM before District Judge Robert H. Cleland) (LWag) (Entered: 11/20/2018)
12/18/2018		Minute Entry for proceedings before District Judge Robert H. Cleland: Telephonic Status Conference held on 12/18/2018, Set Deadlines/Hearings:(TELEPHONIC Status Conference re-set for 2/21/2019 10:00 AM before District Judge Robert H. Cleland) (The court will initiate the call) (LWag) (Entered: 12/19/2018)
02/20/2019	<u>225</u>	ORDER POSTPONING STATUS CONFERENCE., (TELEPHONIC Status Conference re-set for 3/21/2019 10:00 AM before District Judge Robert H. Cleland) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 02/20/2019)
03/18/2019		Set Deadlines/Hearings: TELEPHONIC Status Conference re-set for 4/18/2019 11:00 AM before District Judge Robert H. Cleland (LWag) (Entered: 03/18/2019)
04/18/2019		TEXT-ONLY NOTICE: Telephone Conference on 4/18/2018 is Cancelled (LWag) (Entered: 04/18/2019)
04/18/2019	<u>226</u>	NOTICE TO APPEAR BY TELEPHONE: Status Conference re-set for 5/30/2019 11:00 AM before District Judge Robert H. Cleland (LWag) (Entered: 04/18/2019)
05/29/2019		Set Deadlines/Hearings: TELEPHONIC Status Conference re-set for 6/27/2019 11:00 AM before District Judge Robert H. Cleland (LWag) (Entered: 05/29/2019)
06/12/2019	<u>227</u>	ORDER of Attorney Substitution Attorney Kevin J. O'Dowd for Defendants and withdrawing Mark Donnelly from the case Signed by District Judge Robert H. Cleland. (LWag) (Entered: 06/12/2019)
06/13/2019	<u>228</u>	NOTICE of Appearance by Tracy E. Van den Bergh on behalf of DAVID BERGH, MARY BERGHUIS, Catherine Bauman, Raymond Booker, CINDI S CURTIN, THOMAS FINCO, Daniel H. Heyns, PAUL KLEE, KENNETH MCKEE, Duncan MacLaren, Thomas Mackie, ROBERT NAPEL, JOHN PRELESNIK, Carmen Palmer, Mitch Perry, Shane Place, WILLIE SMITH, CATHLEEN STODDARD, Rick Snyder, Dennis Straub, RANDY TREACHER, HEIDI WASHINGTON, JEFFREY WOODS, Thomas Winn. (Van den Bergh, Tracy) (Entered: 06/13/2019)
06/19/2019		Set Deadlines/Hearings: TELEPHONIC Status Conference reset for 7/25/2019 11:00 AM before District Judge Robert H. Cleland (LWag) (Entered: 06/19/2019)
07/24/2019		Set Deadlines/Hearings: TELEPHONIC Status Conference RE-set for 8/29/2019 11:00 AM before District Judge Robert H. Cleland (LWag) (Entered: 07/24/2019)
08/29/2019		Set Deadlines/Hearings: TELEPHONIC Status Conference RE-set for 10/10/2019 11:00 AM before District Judge Robert H. Cleland (Plaintiff to notify the court if the Appeals Court Decision was entered, or if an adjournment is necessary) (LWag) (Entered: 08/29/2019)
10/08/2019		Set Deadlines/Hearings: TELEPHONIC Status Conference re-set for 11/14/2019 11:00 AM before District Judge Robert H. Cleland (LWag) (Entered: 10/08/2019)
11/13/2019		Set Deadlines/Hearings: TELEPHONIC Status Conference re-set for 1/16/2020 11:00 AM before District Judge Robert H. Cleland (LWag) (Entered: 11/13/2019)
01/03/2020	<u>229</u>	STIPULATED ORDER for Stay of Proceedings and, (TELEPHONIC Status Conference re-set for 2/13/2020 11:00 AM before District Judge Robert H.

		Cleland) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 01/03/2020)
02/11/2020		Set Deadlines/Hearings: TELEPHONIC Status Conference re-set for 3/19/2020 11:00 AM before District Judge Robert H. Cleland (THE COURT WILL INITIATE THE CALL) (LWag) (Entered: 02/11/2020)
03/16/2020	<u>230</u>	ORDER of Attorney Substitution of Attorney Lisa M. Geminick for State of Michigan Defendants Signed by District Judge Robert H. Cleland. (LWag) (Entered: 03/16/2020)
03/19/2020		Minute Entry for proceedings before District Judge Robert H. Cleland: Telephonic Status Conference held on 3/19/2020 (LWag) (Entered: 03/20/2020)
03/20/2020	<u>231</u>	ORDER TERMINATING and DISMISSING CASE WITHOUT PREJUDICE Signed by District Judge Robert H. Cleland. (LWag) (Entered: 03/20/2020)