

District	Off.	Yr.	Docket No. Number	OR	Mo.	Filing Date Day	Yr.	J	Nature Suit	R	Judge	Mag.	Jury Dem	ARB	MDL Docket	Yr.	Docket Number
0978	3	77	00221	4	11	23	77	3	550	3	7807	78BB				77	00221

CAUSE: 42 USC 1983 Prisoner Civil Rights **CLASS ACTION 8/10/82***closed*

PLAINTIFFS

ENGLAND, WILLIAM;
CREW, NORMAN and
MARTINEZ, JUAN

DEFENDANTS

MILLER, ROBERT A.

** see additional (s)
in Page 1A.*

3:77-cv-00221

ASSIGNED TO PHA ALL FUR PRETRIAL PROCDNGS/HRGS #258 12/1/81

NOTE: DUPLICATE DOCKET SHEET as of 10/8/91. See Original page 1 attached.

NOT EXEMPT FRCP 16(b)

FOR PLAINTIFFS:

ATTORNEYS

FOR DEFENDANTS:

450 Marsh Ave
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and

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650 Tahoe St.
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(702) 329-2727By: Ernest K. Nielsen, Esq.
and

NATIONAL PRISON PROJECT

1875 Connecticut Ave., N.W.
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By: Alexa Freeman, Esq. *VP fld 8/25/86*(202) 234-4830 *mark J. Lopez VP fld 10/4/94*SEE PG 1a. for 1988
appeal cns1

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FILING FEES PAID

RECEIPT NUMBER

C.D. NUMBER

Filing

Termination

Change

STATISTICAL REPORTS
PROCESSEDFILED IN
FORMA
PAUPERIS*Filed
#815 on
8/7/97*

FOR PLAINTIFFS:
APPEAL, FLD 6/15/88 #666 ONLY

Gregory Richard Hogan
#21512
and
Albert Roman Garcia
#22688-
IN PRO PER
~~NSP~~
~~P.O. Box 607~~
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H-83120
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fld 5/26/94

JAMES E. PHILLIPS
ELY STATE PRISON
P. O. BOX 1989
ELY, NV 89301 #788

PLAINTIFFS: JAMES PHILLIPS, et.al.

DEFENDANTS: MILLER, ROBERT A., ET AL., *
RICHARD BRYAN, et.al.

DELLARA, Mario
~~MAGINNIE, ROBERT, CHAPMAN, DEBRA,~~
and PHILLIPS, JAMES. Individually
and on behalf of all other persons
similaryl situated at the Nevada
State Prison Maximum Security
Facility.
NEW Ps: ENGLAND, WILLIAM;
CREW, NORMAN;
MARTINEZ, JUAN.
(per Ord #729 5/31/91)

~~O'CALLAGHAN, MICHAEL,~~
~~LIST, ROBERT,~~
~~SWACKHAMER, WILLIAM,~~
~~WOLFF, CHARLES R.,~~
~~MARSING, BOYD,~~
~~WATSON, DAVID~~
* REVISED D - per Ord #729 5/31/91

CLASS ACTION
8/10/82

CONSOLIDATED W/CIV-78-47, 78-94 & 77-242 7/23/80.

BASE FILE

COUNTERCLAIM fld 11/24/81 #247
OWENS, Michael J., and
LANGE, Curtis - Added to actn as named party Ps
1/21/83

CASE CONSOLIDATED w/CV-R-76-193 & CAUSE

CV-R-77-241

This is an action brought, individually, and as a class of all inmates currently confined,
or who might be confined in the Maximum Prison of the Nevada State Prison, under 42 U.S.C.
Sec. 1983, to redress, inter-alia, the violations of their First, Sixth, Eighth and
Fourteenth Amendment rights under the United States Constitution.

ATTORNEYS

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For all Defendants:

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(See CR-F-82-51-ECR for
Criminal Contempt Proceedings
against Charles Zeh)

(702) 885-4170
By: ~~ROBERT A. MILLER~~
James Hanks

NATIONAL PRISON PROJECT
1875 Connecticut Avenue N.W.
Suite 410
Washington, DC 20009
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#708
7/11/90

** SEE PAGE 2a Filed IN PRO PER **
APPEARANCES

AND ALVIN J. BRONSTEIN
ALEXA FREEMAN V.P.

HERE IF CASE WAS FILED IN FORMA PAUPERIS	DATE
--	------

ACLU OF NEVADA
557 E. Sahara Ave. 418 S Mary-
Las Vegas, NV 89104 RANDRBY
(702) 786-8260 89101

New Civil 1/29/91 52

STATISTICAL CARDS	
ER	CARD DATE MAILED
	JS-5
	JS-6

PRO PER APPEARANCES:

DC 111A
(Rev. 1/75)

CIVIL DOCKET CONTINUATION SHEET

DAN

PLAINTIFF JAMES PHILLIPS, et.al.

DEFENDANT

CV-R-77-221-ECR (PHH)

~~BILLY SHANNON, et. al.~~

RICHARD BRYAN, et.al.

DOCKET NO.

~~ROBERT MAGINNIS, et. al.~~

MIKE O'CALLAGHAN, et. al.

PAGE 2a OF _____ PAGES

DATE

NR.

PROCEEDINGS

KENNETH CARLISLE
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N.S.P.
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by Charles J. H.**DO NOT
SEND COPIES*

PLAINTIFF JAMES PHILLIPS, et.al.
~~ROBERT MACINNIS, ET AL.~~
~~BILLY SHAPLEY, ET. AL.~~

RICHARD BRYAN, et.al.

DOCKET NO. R-77-0221
PAGE 3 OF 6 PAGES

X X

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. R-77-0221
JAMES PHILLIPS, et.al.		RICHARD BRYAN, et.al.	PAGE 4 OF 4 PAGES
ROBERT MAGINNIS, ET AL.		MIKE O'CALLAGHAN, ET AL.	
BILLY SHAPLEY, JR. AL.			
DATE	NR.	PROCEEDINGS	
9-1-78	76.	P/A in Supp. of Mtn for Protective Ord. and Costs obo Defts.	
"	77.	P/A in Supp. of Add'l Time to Resp. to Defts Mtns for S/J and Dismissal.	
9-1-78	78.	Aff. of Pers. serv. of Ans. to First Interrogs and Second Interrogs of Pltfs.	
9-11-78	79.	M/O. Ord. case assigned to Hon. Harry E. Claiborne (BRT) cpys dist.	
9-20-78	80.	P/A in Oppos. to Defts. Mtn for Protective Ord. and Costs obo Pltfs.	
9-26-78	81.	M/O. Ord. 1. Pltfs Mtn for Enlargement of Time to Resp. to Defts. Mtn for S/J is granted and time is enlarged to and incl 11-30-78. 2. Pltf having withdrawn the Third set of Interrogs, the Mtn of Deft. for a protective ord. is now moot. Deft's prayer in said Mtn for costs and attys fees is denied. HEC cpys dist.	
"	82.	Aff. of Gary L. Smith.	
"	83.	P/A in Supp. of Mtn to Compel and for Sanctions Purs. to Rule 37(a) and (d), F.R.C.P. obo Pltf.	
"	84.	Mtn to Compel and for Sanctions Purs. to Rule 37(a) and (d), F.R.C.P. obo Pltf.	
9-27-78	85.	Aff. of Serv. by Mail.	
9-29-78	86.	Aff. of Serv. by Mail.	
10-17-78	87.	P/A in Oppos. to Mtn to Compel and Req. to Inspect obo Defts.	
"	88.	Oppos. to Mtn to Compel and Req. to Inspect.	
11-1-78	89.	Mtn and ord. ext. time to and incl. 11-3-78 to resp. to defts. Oppos. to Pltfs. mtn to compel.	
11-3-78	90.	Reply to Defts. P/A in Oppos. to Mtn to Compel and Req. to Inspect obo Pltfs.	
12-15-78	91.	M/O. Ord. that Pltfs. Mtn to Consolidate Civil Cases R-76-0193, R-77-36 and R-77-221 is denied. HEC cpys dist.	
12/18/78	92.	Mtn for exten of time w/in which to file a reply to Ds' mtn for S/J and/or dis. w/P/A & affid attach. Ord Sub with plead., fld obo Ps.	
1-8-79	93.	Affi. of serv by mail, re: Ps' mtn for exten. of time w/in which to file reply to Ds' mtn for S/J &and/or dism. P&A in support of exten. & affi. fld obo P.	
2/15/79		SUB to HEC. Items #84 & 92 for C/D.	
2/15/79	93a.	Not. to Inspect, fld obo Ps. (m)	
3/15/79	94.	Affid of ser by m re cpy of Ps mtn, P/A & affid in support of Ps' mtn for an exten of time to Dep. A.G. Patrick J. Mullen. (or)	
3/20/79	95.	ORD. Re: Ps' mtn to compel. Portion of ps' mtn pray. for sanctions & attys fee DENIED. Ps' mtn to compel is DENIED in part & GRANT in part. (HOT) cps dist. (or)	
3/26/79	96.	Mtn re: ext of time fld obo Ps w/ord thereon. ORDERED Ps have to 7/30/79 to resp to Ds' Mtn to Dism and/or for S/J. (HEC) Cpys dist. (mg) (Note: This Mtn supersedes item #92)	
--	97.	M/O: ORD Ps' mtn purs to FRCP 37(a) GRANTED. Ds shall have 20 days from this date in which to produce the info. Ps' req for sanctions, atty fees & costs DENIED. (HEC) Cpys dist. (mg)	
4/2/79	98.	Ltr w/affi. of Jerry Blackmon #13026, wishes to have name tkn from files of the list of wits presently submitted to NV. State Prison. (efm) (m)	
3/30/79	99.	Mtn for relief fr. order, w/P&A, fld obo Ds. (m) efm	
4/2/79	100.	M/O: The cause hav. come before Ct. upon Ds' mtn for relief fr. ord, & ct. have reviewed the file in matter & ORD, Ds' mtn for relief fr. Ord. be & is granted. PUR ORD, Ct's M/O dated 3/26/79, be & is vacated & set aside. (HEC) Cpys dist. efm.	
3/30/79	101.	Ltr fr MAG. HOT to Charles R. Zeh, Esq. re ltrs rec'd fr Richard E. Founts & Gregg Warren which are attach. (or).	
4/18/79	102.	P's revised 4th set of interrogs. (m) db	

CIVIL DOCKET CONTINUATION SHEET

BILLY SHAPLEY, et. al. ROBERT MAGINNIS, et al JAMES PHILLIPS, et.al.	DEFENDANT RICHARD BRYAN, et.al. MIKE O'CALLAGHAN, et al	Docket No. CV-R-77-221 PAGE <u>5</u> OF <u> </u> PAGES DWN ECR HEC (PHA)
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DATE	NR.	PROCEEDINGS
5/18/79		LODG: Stip for Enlargmt of Time to Resp to 4th Set of Interrogs of P's w/proposed Ord attached. SUB to HEC for C,D&S. (mg)
-	103	Req to Inspect Premises fld obo Ps, (no svc). (mg)
-	104	Req to Inspect Premises fld obo Ps, (no svc). (mg)
/21/79	105	Stip for Enlargmt of Time to Resp to 4th Set of Interrogs w/Ord thereon. ORD Ds have to 6/13/79 to file resp to Ps' 4th Set of Interrogs. (HEC) Cpys to cnsl.(mg)
/4/79	106	RESPONSE to req to inspect premises obo Ds (m 5/31/79) kjm
/8/79	107	RESPONSE to req to inspect premises by expert wit Judy Ford Stokes, R. D., fld obo Ds. (m) (or).
5/19/79	108	REQUEST to Inspect Premises AFFIDAVIT of Mailing obo Ps. (mg)
6/29/79	109	MINUTE ORDER. ORD Charles R. Zeh be allow to visit Marvin Jarvis provid that said visit does not interfere w/his medical treat. (HEC/AMH) cps m to cnsl of record on doc. sheet. (or).
7/6/79	110	ANSWERS to Ps' revised 4th set of interogs w/attachs. (m 7/5/79) see item #102 kjm
7/9/79	111	NOTICE to take depo of D Marsing on 8/21/79 @ 9:00am fld obo Ps. cpy dist. kjm
---	112	NOTICE to take depo of D Watson on 9/14/79 @ 9:00am fld obo Ps. cpy dist. kjm
---	113	AFFIDAVIT of mailing re items #112 & #113. cpy dist. (m 7/6/79) kjm
/11/79	114	Ds INTERROGATORIES to P Robert Maginnis. (m) (or).
/11/79	115	Ds INTERROGATORIES to P James Phillips. (m) (or).
-	116	Ds INTERROGATORIES to P Billy Shapley. (m) (or).
17/79	117	X MOTION for O/S/C Why the Ds & Their Agts Should Not be Held in Contempt of Ct obo Ps, (m). (mg)
/26/79	118	OPPOSITION to mtn for OSC fld obo Ds w/affids, attachs. attach. (m 7/25/79) (or) S-7
8/8/79		SUB to HEC for C&D re item #117. (mg)
8/13/79	119	X MOTION for protect ord, w/P/A & attachs fld obo Ds. (m 8/13/79) (or).
---	120	X 16(e) MOTION fld obo Ds O'Callaghan, List, Swackhammer, Wolff, Marsing & Watson (m)
/14/79		Lodg: Mtn for Ext of Time W/in Which to Reply to Ds' Oppos to Mtn for O/S/C w/P&As & aff obo Ps, (m). (Treated as ex parte & SUB to HEC for C&D) (mg)
-		Lodg: Mtn for Ext of Time to ans Ds' 1st set of interrogs w/Ord thereon fld obo Ps, w/P&As & aff, (m). (Treated as ex parte & SUB to HEC for C&D) (mg)
/21/79	121	OPPOSITION to mtn for ext of time, mtn for OSC fld obo Ds. (m) db
/28/79	122	REPLY to Ds' oppo to Ps' mtn for ext of time to reply to Ds' oppo to Ps' mtn for an OSC fld obo Ps. (m) db

CIVIL DOCKET CONTINUATION SHEET

JAMES PHILLIPS, et.al. VS. RICHARD BRYAN, et.al.

PLAINTIFF	JAMES PHILLIPS, et.al.	DEFENDANT	RICHARD BRYAN, et.al.	DOCKET NO. CIV-77-2
	BILLY CHADLEY, et.al.		MICHAEL O'CALLAGHAN	PAGE 6 OF PAGE
	ROBERT MACINNIS, et.al.			

DATE	NR.	PROCEEDINGS
8/28/79	123	P&A IN OPPOSITION to Ds' mtn to dismiss, purs to R. 16(c) FRCP: Ps' P&A in support of their mtn for ext of time fld obo Ps.
--	124	MOTION for ord requiring Ds to w/draw their mtn to dismiss and/or for S/J w/aff of Charles R. Zeh in support, w/aff of Gary L. Smith in support. (m) db
8/30/79	125	MOTION to compel purs to rule 37 FRCP fld obo Ps. (or).
-	126	OPPOSITION to Ds mtn for protect ord; POINTS & AUTHORITIES in support of Ps X-mtn to compel dis w/affids attach & affid of ser by m (m 8/30/79) (or)
9/4/79	127	MOTION to Compel Purs to Rule 37 FRCP obo Ps w/P&As, exhibs & affs, (m8/31). (mg)
-	128	MOTION obo Ps for ord ext time to resp to Ds' oppos to Ds' mtn to show cause to 9/12/79, (no svc shown). (mg) <i>most</i>
-		Lodg: Proposed Order re item #128. (mg)
9/7/79	129	MOTION for Ext of Time obo Ps (lodg 8/14/79). (mg)
-	130	MOTION for Ext of Time W/in Which to Reply to Ds' Oppos to Mtn for O/S/C obo Ps (lodg 8/14/79). (mg)
-	131	M/O. ORD that Mtn for Ext of Time, fld obo Ps, is granted & Ps have to 9/30/79 to ans or resp to Ds' 1st set of interros. (HEC) Cyps to cnsl. (mg)
-	132	M/O. ORD that Ps mtn for O/S/C why Ds should Not be Held in Contempt is denied; FUR ORD Ps' mtn for an Ext of Time w/in Which to Submit a Reply Memo in Suprt of the Mtn is denied as mtn does not comply w/LR 16(d). (HEC) Cyps to cnsl. (m)
9/13/79	133	MOTION for leave to take depos by tape record w/P/A & prop ord attach. (m 9/13/79) (or).
9/19/79	134	MOTION for protect ord suspend. dis pend a P/T conf fld obo Ds. w/P/A attach. (m 9/18/79) (or).
-	135	MOTION to set prelim P/T/settle conf fld obo Ds. w/P/A & affid attach. (m 9/18/79) (or).
10/9/79	136	Ps OPPOSITION to mtn for protect ord suspend dis pend a P/T conf & OPPOSITION to mtn for a P/T conf. w/attach. (m 10/9/79) (or).
10/12/79	137	M/O. Case reassign, to ECR (HEC) cps dist. (or).
10/11/79	138	Fifth set of INTERROGATORIES fld obo Ps.
-	139	AFFIDAVIT of ser by m in re #138. (or).
10/30/79		SUB to ECR re items 119, 120, 124, 125, 127, 133, 134, 135. (mg)
12/20/79	140	MOTION for partial S/J & appoint of a master w/P/A, prop FFCL & Ord for S/J attach (m 12/20/79) (or) Mtn fld obo Ps

CIVIL DOCKET CONTINUATION SHEET

FPI.MI--3-14-75-SOM-3511

PLAINTIFF JAMES PHILLIPS, et.al.
~~ROBERT MAGINNIS, et al~~
~~BILLY GIFFLEY, et. al.~~

DEFENDANT RICHARD BRYAN, et.al.
~~MICHAEL O'CALLAGHAN~~

Civil R-77-221 ~~ECR~~
DOCKET NO. ~~(PH)~~
PAGE 7 OF 7 PAGES

DATE	NR.	PROCEEDINGS
1/7/80	141	REPLY to mtn for partial S/J & appoint of a Master fld obo Ds. (m 1/4/80) (or) (Treat. as oppos)
1/18/80	142	X MOTION re: extens. of time to resp. to Ds' oppo. to Ps' mtn for Part. S/J to 1/30/80. w/P&A & Affi. fld obo P. w/ord thereon: ORD. Ps has til 1/30/80 to resp. to Ds' oppo. to Ps' mtn for Part. S/J. (ECR) Cps dist. efm
1/30/80	143	P's RESPONSE to Ds' Reply to P's Mtn for Part S/J & Apptmt of Spec Notc, (m). (mg) (Treat as reply)
2/1/80		SUB to ECR , #140. (mg)
2/11/80	144	X REQUEST to decide pend mtns fld obo Ps. (m) db
--	145	X REQUEST to enter default purs to L.R. 16(e) fld obo Ps. (m) db
2/22/80	146	REQUEST to prod. fld obo Ps. (m) (or)
2/26/80	147	M/O. ORD purs to memo from ECR dtd 2/26/80, cpy attached, action referred to U.S.Mag, JLW. (ECR) Cyps dist. (mg)
2/28/80	148	REPLY to request for default fld obo Ds. (m) db
--	149	REQUEST for oral argu on all mtns pend before this crt fld obo Ds. (m) db
3/3/80	150	M/O: ORD that following mtns set for oral argu 3/10/80 @ 1:30 p.m. (Mtns 119, 120, 124, 125, 127, 133, 134, 135, & 140) (JLW) Cps dist. db
3/4/80	151	X MOTION for an exten. of time w/in which Ps may rspnd to Ds 1st set of interrogs w/P/A, Prop ord & affid attach. (m 3/4/80. (or)
-	152	X MOTION for an ord compel Ds to ans Ps 5th set of interrogs. w/P/A & prop ord attach fld obo Ps. (m 3/4/80. (or)
-		SUB to MAG. item # 151. (or)
3/6/80	153	MINUTE ORDER that mtns set for oral argument RESET for 4/7/80, 1 PM. (JLW). cyps dist. cs
3/10/80	154	RESPONSE to Ds' Reply to Ps' Req for Default fld obo Ps, (m). (Treat as reply to item 145) (mg)
-		SUB to JLW, USMag, item 145 purs to Ord, #147. (mg)
3/13/80	155	RESPONSE to mtn to compel fld obo Ds w/affid attach. (m 3/11/80) (or)
-	156	X MOTION for partial ord fld obo Ds w/P/A & affid attach. (m 3/11/80) (or)

CIVIL DOCKET CONTINUATION SHEET

FPI MI-3-14-75-50M ²WJH

PLAINTIFF JAMES PHILLIPS, et.al.	DEFENDANT RICHARD BRYAN, et.al.	Civ. R-77-221-ECR (
ROBERT MACINNIS, et al	MICHAEL O'CALLAGHAN, et al	DOCKET NO.
BILLY CHAPLIN, ET. AL.		PAGE 8 OF PAGES

DATE	NR.	PROCEEDINGS
3/24/80	157	REPLY to Ds response to mtn to compel fld obo Ps. (or)
-	158	AFFIDAVIT of ser by m in re items # 138, 139 & 157 obo Ps. (or)
3/31/80	159	OPPOSITION fld obo Ps to Ds mtn for partial protect ord w/attachs, attach. (m 3/80. (or)
4/7/80	160	MINUTE ORDER: (JLW) ORD Mtn for Protect ord fld obo Ds is grntd in part & denied in part; FUR ORD that 16(e) mtn fld obo Ds is denied, Ps have 15 days to compl w/R 16(e); FUR ORD that mtn for ord requiring Ds to w/draw mtn to dismiss and/or S/J fld obo Ps is moot; FUR ORD that mtn to compel fld obo Ps is grntd, FUR ORD that mtn to compel fld 9/4/79 obo Ps is grntd; FUR ORD the mtn for lv to take depo by tape record fld obo Ps is denied; FUR ORD that mtn for protect ord suspend disc pend a P/T conf fld obo Ds is denied; FUR ORD that mtn to set Prelim P/T settle conf fld obo Ds is grntd; and FUR ORD that Ernest E Adler, cns1 for Ds is to prep & present appo ord to this crt w/in 5 days fm the date of this ord. Cps dist. db
4/8/80		SUB TO ECR: Items #140, #145, #152 & #156. db
4/21/80	161	ANSWER to 5th set of interrogs fld obo Ds. (m) (or)
4/21/80	162	ORDER (JLW) that mtn for protect ord obo Ds grntd & denied in part; see ord for particulars. cpys dist. cs
--	163X	MOTION to consolidate obo P (this case w/CIV-R-76-193,ECR) w/P&As & aff. (m 4/17/80)
4/2/80	164	COPY OF MINUTE ORDER (ECR) in CV-R-76-193-ECR: ORD this case & CV-R-77-241 conso w/CV-R-76-193-ECR for purposes of trial (see M/O for oth specifics). Cps dist.(m 4/2/80)
5/5/80	165	NOTICE of chg. of address & phone # fld obo cns1 for Ps. (m) (or)
-	166X	MOTION fld obo Ps to correct Mags ord dat 4/21/80w/P/A & affid attach, (m 5/5/80) (or)
-	167X	MOTION fld obo Ps for an exten of time w/in which to compl. disc.w/P/A & affid attach. (m 5/5/80) (or)
5/7/80		SUB to ECR item #167. (or)
5/15/80	168	RESPONSE to mtn to amend ord w/P/A & affid attach. fld obo Ds. (m 5/14/80) (or)
-	169	OPPOSITION to mtn for exten of time w/in which to compl. disc. fld obo Ds. (m 5/15/80) (or)
5/16/80	170X	MOTION to compel & P/A in support of mtn. w/affid. of svc. by m attach. (5/15/80) (or)
5/20/80	171	REPLY fld obo Ps to Ds oppos to Ps mtn to correct Disc. ord w/affid. of svc attac (m 5/20/80) (or)

IVIL DOCKET CONTINUATION SHEET

DWH

PLAINTIFF	DEFENDANT	CV-R-77-221-ECR (PHA)
JAMES PHILLIPS, et.al.	RICHARD BRYAN, et.al.	DOCKET NO. _____
ROBERT MAGINNIS, et.al.	MICHAEL O'CALLAGHAN, et.al.	PAGE 9 OF _____ PAGES
BILLY CHAPMAN, et.al.		

DATE	NR.	PROCEEDINGS
5/27/80	172	MOTION (letter in nature of mtn) for oral args as to item 17, fld obo Ds, (no svc shown). (mg)
5/30/80	173	MOTION to Compel Ans to Ds' Interrogs fld obo Ds, (m5/29). (mg)
--	174	RESPONSE to Mtn to Compel (#170) obo Ds, (m5/29). (mg)
6/2/80	175	MINUTE ORDER (JLW): ORD items #140, 144, 152 & 156 set for oral argu on 6/9/80 @ 1:00 pm in Mag. Ctrm,. Cps. dist. (or)
6/16/80	176	OPPOSITION to Ds' mtn to compel fld obo Ps. (m) db
--	177	ORDER: (JLW) ORD (1) Ps' mtn for part S/J is denied; (2) Ps' mtn for appoint of a special master is denied w/o prej to bring mtn at a later date; (3) Ds' mtn for part protect ord is denied P's shall have disc subj to following conditions (see ord for particulars); (4) Ps' cnsl advises that there has been a resp to Ps' 5th set of interrogs & this iss is moot. Cps dist. db
6/17/80		SUB TO ECR: Items #17, 145, 166, 167, 170, 172 & 173. db
7/23/80	178	ORDER (BRT) that CIV-R-78-47, CIV-R-78-94 & CIV-R-77-242 assigned to ECR & are consolidated w/this case (CIV-R-77-221) for all fur prcdgs. cpys dist. Cpys this ord in respective file). cs
10/10/80	-	SUB to PHA, items 17, 145, 166, 167, 170, 172 & 173, per ECR. (mg)
10/27/80	179	ORDER dat 10/24/80 (PHA, USMag): Ds mtn to compel ans to Ds interrogs fld 5/30/80 denied; Ps req. to enter default purs to LR 16(e) fld 2/1/80 denied; Ps mtn fld 5/5/80 to correct USMags ord issu. 4/21/80 grant w/respect to items set forth in ord (SEE ORD IN FILE); Ds req. for oral argu on its mtn for S/J or in alternative to dismiss cmplt fld 1/9/80 grant. Hrng set for 12/2/80 @ 1:30 pm. Ps rpsns to mtn for S/J shall be fld & ser by 11/7/80; Ps mtn fld 5/5/80 for an ord grant an open exten of time to rspnd to Ds mtn for S/J denied; disc. shall be compl by 2/20/81. EOD: 10/27/80. Cps. dist. (or) (S-6)
<u>VOL. #5</u> 11/5/80	180	MOTION to Reconsider, or altern, to Vacate Hrg & Ext Time obo Ps, (m). (mg)
--	-	SUB to PHA, item #180 as ex parte. (mg)
11/7/80	181	ORDER dat 11/6/80 (PHA): that Ps mtn to reconsider grant; Para 4 of Ct's ord fld 10/27/80 vacat & follow ord is subs. in its place " Ds req. reqng oral argu. on mtn for S/J or in alternv. to dismiss cmplt fld 1/9/78 grant. On cal for agru on sd mtn on 2/3/81 @ 2:00 pm before USMag. Ps rpsns to mtn be fld & ser by 1/5/81. Ds reply be fld & ser on 1/19/81 USMag will consider Ds mtn for S/J & file written report & recommend. to Dist. Judge purs. to 28 USC, Sec. 636(b); Disc. extend till 3/27/81; In all other respects Ct's ord of 10/27/80 shall remain in full force & effect. EOD: 11/7/80. Cps. dist. (or) (S-6)

CIVIL DOCKET CONTINUATION SHEET

JWA

PLAINTIFF JAMES PHILLIPS, et.al.	DEFENDANT RICHARD BRYAN, et.al.	CV-R-77-221-ECR CP#
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DATE	NR.	PROCEEDINGS
11/6/80	182	COPY OF MASTER ALPHABETICAL ROSTER fr. Nv. Dept. of Prisons fld obo Ds. (or)
	183	AFFIDAVIT of svc by m in re item #182 fld obo Ds. (or)
11/19/80	184	OPPOSITION to ext P&A's obo Ds. (m11-18-80). lt.
11/20/80	-	SUB to PHA Item #184. lt.
--	185 X	MOTION to Compel Ans to Ds' Interrogs, (m11/19). (mg)
12/3/80	186	AFFIDAVIT of svc by mail re: reply to oppos for ext; oppos to mtn to compel ans to Ds' interrogs; affidavits' obo P. lt.
--	187	OPPOSITION to mtn to compel ans to Ds' interrogs obo Ps. (no svc shown). lt.
--	188	REPLY to oppos for extension w/affid. obo Ps. lt.
12/4/80	-	SUB to PHA Item #188. lt.
12/5/80	-	Items #184 & 188 are moot per PHA. lt. (Item #181 covers items #184 & #188)
12/18/80	-	SUB to PHA items #185 & 187. lt.
12/19/80	189	ORDER (PHA): ORD Ds' mtn to compel ans to interrogs granted; Ps to file & serve answers to Ds' interrogs propounded 7/10/79 by 1/16/81. EOD: 12/19/80. Cps dist. (mg)
12/23/80 X	190	MOTION to Vacate Hrg & Ext Time obo Ps, (no svc shown). (mg)
1/7/81	-	SUB to PHA items #181 & 190. lt.
1/20/81	191	ORDER (PHA): that Ps shall file a written rspns to item #17 by 3/6/81 Ds shall reply by 3/20/81; oral argu present on cal for 2/3/81 vacat & reset for 3/31/81 @ 2:00 pm; in all other respects this Ct's ord dat 11/6/80 shall remain in full force & effect. Cps. dist. (or) (S-6)
1/29/81	192	Ps' ANSWERS TO Ds' INTERROGS, (m). (mg)
2/18/81	193	LETTER fm Atty Charles Zeh to Clk of Crt dtd 2/18/81 (in the nature of a req to attach signature of notary to last page of item #192) db
2/19/81	194	MOTION to compel ans. to interrogs fld obo Ds w/P/A attach. (m 2/13/81) (or) (S-6)
2/27/81	195 X	MOTION for additional time fld obo Ps. (m) db
3/2/81		SUB TO ECR: Item #195. db
3/3/81		REFERRED TO PHA: Item #195. db (SS)

CIVIL DOCKET CONTINUATION SHEET

DWH

PLAINTIFF	DEFENDANT	CV-R-77-221- ECR (PHA)
JAMES PHILLIPS, et.al.	RICHARD BRYAN, et.al.	DOCKET NO. _____
ROBERT MACINNIS, et al.	MICHAEL O'CALLACHAN, et al.	PAGE <u>11</u> OF _____ PAGES
BILLY SHAPLEY, ET AL.		

DATE	NR.	PROCEEDINGS
3/5/81	196	OPPOSITION to mtn for add. time w/P/A fld obo Ds. (m) (or)
-		SUBM to USMag item #196. (or)
3/5/81	197	MINUTE ORDER (PHA): SO ORD that item #195 denied & Ps have'till 3/9/81 in which to file their p/a & such affids as they have in their possession to item #17. Cps. dist. (or) (SS).
3/6/81	198	RESPONSE (OPPOS) to Ds mtn to compel ans to interrogs fld obo Ps w/affid. attach. (m 3/6/81) (or) (SS)
3/9/81	199	POINTS & AUTHORITIES fld obo Ps in OPPOSITION to Ds mtn to dismiss &/or for S/J w/ numerous affids subm. (AFFIDS. UNDER SEPARATE COVER w/CASE FILE) (No svc shwn) (or) (SS)
3/12/81	200	AFFIDAVIT OF SERVICE IN PERSON obo Ps re: #199, svd 3/10. (mg)
3/13/81	201	AFFIDAVIT of Brad Fisher fld obo Ps. db
--	202	AFFIDAVIT of Gary W. Collura fld obo Ps. db
--	203	AFFIDAVIT of Gregory Warren fld obo Ps. db
--	204	AFFIDAVIT OF SERVICE by mail (re items #201.202 & 203). db
3/17/81	205	X MOTION for ext of time (to resp to item #199) fld obo Ds. (m) db
3/18/81	206	X MOTION (for ext of time to complete disc) fld obo Ps. (m) db
--	207	AFFIDAVIT of Richard R. Korn, D.S.P. (m) db
--	208	AFFIDAVIT of svc by mail (re aff of Dr. Walker - never received) db
--	209	MINUTE ORDER: (ECR) ORD cases CIV-R-76-193, ECR, CIV-R-77-221, ECR, CIV-R-77-241, ECR, CIV-R-77-242, ECR, CIV-R-78-47, ECR & CIV-R-78-94, ECR are hereby consolidated for all further proceedings. Cps dist. db
3/19/81		SUB TO PHA: Items #205 & #206. db
3/20/81	210	MINUTE ORDER: (PHA) ORD that Ds' mtn to ext time within which to answer Ps' oppos to S/J is gntd; Ds shall have until 3-25-81 to file answ to Ps' oppos to S/J; mtn to ext time to compl disc is gntd; disc be compl by 5-11-81. Cps dist. (SS). lt.
--	211	X MOTION TO POSTPONE AND RESCHEDULE HEARING on mtn for S/J obo Ps w/P&A's affid. (M 3-20-81). (SS). lt.
--	-	SUB to PHA item #211. (SS). lt.

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DWH

PLAINTIFF JAMES PHILLIPS, et.al. BILLY CHAPLEY, ET. AL. ROBERT MAGINNIS, et al.,	DEFENDANT RICHARD BRYAN, et.al. MICHAEL O'CALLACHAN, et al.,	CV-R-77-221-ECR (PHS) DOCKET NO. _____ PAGE 12 OF _____ PAGES
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DATE	NR.	PROCEEDINGS
3/24/81	212	MINUTE ORDER dat 3/23/81 (PHA): ORD that mtn to postpone & resched hrng denied; that Ds ser person. on ps cnsl sd ans to Ps oppos to S/J on day they file their brief. Cps. dist. (or) (SS).
3/27/81	213	REPLY to Ps oppos to mtn for S/J fld obo Ds w/exhs. attach. (m 3/25/81) (or) (SS).
VOL. 6		
4/1/81	214	MINUTE ORDER: (ECR) ORD Mtn to compel ans to interrogs (Item #194) ref ro U. S. Ma For consider & decision. Cps dist. db
-	215	MINUTES OF HEARING (PHA): Ds mtn for S/J argu. Mtn tkn under subm. (or)
5/8/81		SUBM TO USMag Mtn for exten. of time to compl. disc. subm 5/7/81 (or)
5/12/81	216	X MOTION for ext of time to compl disc. obo Ps. (m-5-7-81). lt.
-	217	MINUTE ORDER: (PHA) ORD that mtn for ext of time to compl disc is gntd, disc to be compl by 7/30/81. Cps dist. (SS). lt.
6/10/81	218	NOTICE to take depos of Charles L. Wolff, Jr., to be tkn 7/9/81 cbo Ps.(m) (or)
-	219	NOTICE to take depos of David Watson to be tkn 7/21/81 obo Ps. (m) (or)
-	220	NOTICE to take depos of Boyd Marsing to be tkn 7/22/81 obo Ps. (m) (or)
-	221	AFFIDAVIT of svc by m in re items #218 thry 220 fld obo Ps. (m) (or)
6/15/81	222	AFFIDAVIT of svc in person in re req. to permit entry upon land for inspect & oth purposes to Joy Brewer. (or)
7/30/81	223	X MOTION to compel-re-request to produce of 6/13/81 w/P&A's & affid obo Ps. (m-7/30, (SS). lt.
--	224	X MOTION to compel-re-interrogs in the 1,2,4&5th sets w/P&A's & affid. (m7/30/81) (SS). lt. (obo Ps)
--	225	X MOTION for extension of time to compl disc obo Ps w/P&A's & affid. (m-7/30-81). (SS). lt.
7/31/81	-	SUB to PHA item #225. (SS). lt.
8/6/81	226	OPPSOTION to mtn for ext of disc obo Ds. (m-8-5-81). lt.
8/10/81	-	SUB to PHA item #226. lt.

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PLAINTIFF	JAMES PHILLIPS, et.al. BILLY SHARPLEY, ET. AL. ROBERT MACINNIS, et al.,	DEFENDANT	RICHARD BRYAN, et.al. MICHAEL O'CALLAGHAN, et al.,	CV-R-77-221- ECR (PHA)
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DATE	NR.	PROCEEDINGS
3/14/81	227	X MOTION for protect. ord & for fees & costs incur. in obtain expert wits. fld obo Ps w/P/A, Affid & affid. of svc by m attach. (m 8/14/81) (or) (SS)
8/17/81	228	REPLY to Ds oppos to Ps mtn for exten. of disc. fld obo Ps w/affid. of svc attach. (m) (or)
8/18/81		SUBM to PHA item #228. (or)
21/81	229	MINUTE ORDER: (PHA) ORD that mtn to compel answ to interrogs-DENIED-w/out prej to refing the mtn which complies w/Local Rule 17. Cps dist. (SS). lt.
27/81	230	ORDER: (PHA) ORD that Ps' mtn ext time cmplt disc (#225) denied, except for specif matters which were timely fld & to be finished bef close of disc. (see docu for fur specifics in re disc matters). EOD 8/27/81. Cps dist. (SS). jl.
--	231	REPORT/RECOMMENDATIONS of U.S. Mag: Recommends that Mtn S/J or in alt to dism cmplt (#17) be denied in all respects. EOD 8/27/81. Cps dist. (SS). jl.
/28/81	232	OPPOSITION to Ps' mtn cmplt (#224), obo Ds, w/P&A's & aff. (m). (moot - mtn ruled on by #229). jl.
31/81	233	X MOTION to compel ans. to Ds interrogs & in RESPONSE to mtn for protect. ord fld obo Ds w/P/A, affid. & appendix attach. (m 8/28/81) (or) (SS)
/2/81		SUBM to PHA item #223. (or) (SS).
/1/81	234	X MOTION for protect. ord and sancs fld obo Ds w/state. of case& exhs. attach. (m 8/31/81). (or) (SS).
/1/81	235	X MOTION for hrng & Reconsider w/P/A & affid of svc by m attach fld obo Ps. (m 9/1/81) (or) (SS)
2/81	236	OPPOSITION to mtn to compel & X MOTION for prot ord obo Ds w/P&As. (m-9-1-81). (SS) sho.
/11/81	237	REPLY to Ds oppos to mtn to compel (MOOT- See item #224, 229 & 232) (No present proof of svc - Affid of svc by m attach reflects date of 2/25/81) (or)
-	238	OPPOSITION to Ds mtn to compel ans & reply to Ds rspnd to Ps mtn for protect ord. fld obo Ps. (or)
-	239	AFFIDAVIT of svc by m in re items #237 & 238 fld obo Ps. (m 9/11/81) (or)
'22/81	240	AFFIDAVIT of svc by m on 9/21/81 of Reply to ds' oppo to mtn to compl & oppo to ds' mtn for prot ord, ps' oppo to ds' mtn for prot ord & sanctions obo ps. sho.
--	241	OPPOSITION to ds' mtn for a prot ord & sanctions obo ps. (svc #240). sho.
--	242	REPLY to ds' oppo to mtn to compl & oppo to ds' mtn for prot ord obo ps. (svc #240). sho.

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DATE	NR.	PROCEEDINGS
10/14/81	-	SUB to PHA #227, #233, #234, #235 & #236. (SS). lt.
10/15/81	-	SUB to ECR item #231-Mld all file folders to ECR in Las Vegas, Nev. lt. (SS).
10/29/81	243	ORDER (ECR): ORD the fdgs & recomds of the USMag are accepted in whole; FUR ORD: ds' mtn for S/J or in the alter to dismiss the compl is Denied. Cps dist. (SS). sho.
11/2/81	--	SUB to PHA: Items #227, #233, #234, #235, #236, #237, #238, #241 & #242. (SS). s
11/3/81	244	SET OF PAGES fr. Ps OPPOS to Ds mtn for protect ord & sancs fld obo Ps. (or)
VOL. #7		SUBM to PHA item #244. (or)
11/20/81	245	X MOTION for TRO & Prelim. Inj. fld obo Ps w/P/A, Record of Events, Affid. & othe attachs. in support of. Prop Restrain. Ord & OSC attach. (No svc shwn) (or) <i>(It will be heard at trial)</i>
-	---	SUBM to BRT per req. fr. ECR for possible assist. (or)
11/23/81	246	MINUTE ORDER: (ECR) ORD that this action is referred to PHA for findings & recom & prop ord on Ps' mtn for tem rest ord & prelim inj. Cps dist. lt.
--	-	SUB to PHA item #245. (SS). lt. & CNTRCLAIM
11/24/81	247	ANSWER/obo Ds. (m). crc.
--	248	NOTICE re compltn of disc: Disc cutoff 4/26/81. Cps dist. (SS). crc.
11/25/81	249	EX PARTE MOTION/ORDER that ds have to 12/1/81 to resp to ps' mtn for TRO and PI. (Aff't & P&As atchd). Cps dist. (SS). sho.
--	250	AFFIDAVIT of Svc of #245 by p 11/23/81. sho.
--	251	SUPPLEMENTAL P&As in Supt of ps' mtn for a TRO & PI w/exhs. (no svc shn). sho.
--	---	SUB to PHA: Item # 251. (SS). sho.
11/30/81	252	NOTICE of the tak. of depos of Dr. Faulkner to be tkn 12/3/81 obo Ps. (p) (or)
-	253	NOTICE of the tak. of depos of Charles L. Wolff, to be tkn 12/2/81 obo Ps. (p) (or)
-	254	NOTICE of the tak. of depos of Wm. Lattin, to be tkn 12/2/81 obo Ps. (p) (or)
-	255	AFFIDAVIT of svc in person in re items # 252 thru 254 fld obo Ps. (or)

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DWA

DATE	NR.	PROCEEDINGS
2/1/81	256	MOTION for Prot Ord obo ds w/P&As. (m-11/30/81). sho.
--	--	SUB to ECR: Item #256 (Ex Parte). (SS). sho.
--	257	OPPOSITION to Mtn for Temp Rest Ord (#245) w/P&As & aff't obo ds (m-11/30/81). sho.
12/1/81	258	MINUTE ORDER (ECR): ORD that action is assigned to Mag. PHA for consideration of all P/T mtns & for hrg thereon as she may deem necessary. Cps dist. crc.
--	259	MINUTE ORDER (ECR): ORD that notice re compltn of disc, fld 11/24/81 is vacated. Subject only to exceptions set forth in otd dtd 8/27/81, disc was completed herein by 7/30/81. FUR ORD that dspos of Dr. Faulner, William Lartin, and Charles Wolff, Jr., not be had in view of the fact that disc period is closed. Cps dist. crc.
12/8/81	260	REPLY to ds' oppo to ps' mtn for TRO & Prel Inj obo ps w/atchs. (no svc shn). sho.
--	261	ORDER (PHA): ORD ps' mtn for prot ord (#227) is grtd; ds' mtn to compel answers to interrgs (#233) is denied. EOD 12/8/81. Cps dist. (SS). sho.
--	262	ORDER (PHA): ORD ps' mtn to compel (#223) is denied as to req nos. 1 & 2; grtd as to req nos. 3, 4 & 5. Ds' mtn for prot ord (#234) is grtd as to nos. 1 and 2; denied as to req nos. 3, 4 & 5. Ds have to 12/18/81 to produce docs in req nos. 3, 4 & 5. The time and place for production shall be determined at the convenience of the parties. EOD: 12/8/81. Cps dist. (SS). sho.
--	263	ORDER (PHA): ORD ds mtn for prot ord is grtd; mtn for sanctions is denied (#234). EOD: 12/8/81. Cps dist. (SS). sho.
2/10/81	264	POST-HEARING MEMORANDUM fld obo Ps w/attachs & affid of svc by m attach. (m) (or)
2/15/81	265	OPPOSITION to Class Cert. fld obo Ds w/cert. of svc. (m 12/14/81) (or)
-	266	MOTION for exten. of time to comply w/Mag's Recommend fld obo Ds. w/P/A & cert. of svc. attach. (m 12/14/81) (or) (SS)
-	267	APPEAL fr. Mag's Recommend (Item #262) fld obo Ds w/cert. of svc attach. (m 12/14/81) (or) (SS)
-	268	APPEAL fr. Mag's Dec. re Sancs against Ps (Item #263) fld obo Ds w/ P/A & cert. of svc attach. (m 12/14/81) (or) (SS)
2/22/81	269	REPLY to Mtn for Ext of Tim (#266) obo ps. (m). sho.
--	270	MOTION for Ext of Time to resp to #265, 267 & 268 obo ps w/P&As, aff't & prop Ord. (m). (SS). sho.
--	271	AFFIDAVIT of Svc of # 269 & 270 by m. sho.
2/23/81	--	SUB to ECR: Item # 270. (SS). sho.

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VOL.	#8	DATE	NR.	VOL. #8	PROCEEDINGS
	1/5/82	272		ORDER: (PHA) ORD that Ds shall have until 1/18/82 to comply w/Magis recomm that Ds prod certain doc of Ds' expert, Jeri Enomoto. Cps dist. (SS). lt.	
	--	273		ORDER: (PHA) ORD that Ps shall have until 1/22/82 w/in which to file rsp to Ds' appeal from Magis recomm-Ds' appeal from Magis decision re sanc against Ps & Ds' oppos to class cert. Cps dist. (SS). lt.	
	1/20/82	274		MINUTE ORDER dat 12/8/81 (PHA): Hrng on ps mtn for TRO heard. Mr. Sumner to inv & rspnd to Ct. his findgs w/regard to affids fld by P & other inmates w/in 3 wks Mtn for prelim. inj will be heard at time of trial in this matter. P/T conf set for 2/17/82 & 2:00 p.m. P/T/N/O be forward to cnsl & (f) of sd p/t/n/o superseded cnsl will be req. to appear at p/t/conf set in action. Cps. dist. (or) (SS)	
	-	275		PRETRIAL NOTICE ORDER (PHA): ORD p/t/conf be had on 2/17/82 @ 2:00 pm. Cps. di (or) (SS).	
	1/25/82	276		RESPONSE to the Ds appeal of the Mag's rlng re disc. fr. Ps expert wits fld obo w/affid. of svc by m attach. (m 1/25/82) (or)	
	-	277		REPLY to Ds oppos to class cert fld obo Ps w/exh & cert of svc by m attach. (m 1/25/82) (or)	
	-	278		OPPOSITION to Ds appeal of the denial of their req. for sancs fld obo Ps w/affid of svc by m attach. (m 1/25/82) (or)	
	2/22/82	279		AFFIDAVIT/SERVICE by mail of Mtn to vacate P/T/C obo P on 2/18/82. crc.	
	2/23/82	280		MOTION to vacate P/T/C w/affid of Charles R. Zeh & Proposed Ord attached obo Ps. (See item #279). (SS) crc.	
	3/8/82	281		LETTER (CP) fr U.S. Magistrate to Charles R. Zeh w/enc ltr from George W. Sumner Superintendent, NSP re physical abuse agnst inmates. sho.	
	3/11/82	282		MINUTE ORDER(PHA): ORD that pts to notify ct w/in 7 days compatible w/ct's cal when P/T conf can be hrd. Date to be during wk of 3/22/82 or during April after 4/12. If cnsl does not so agree on date matter will be hrd on 4/19/82 @2p. Ct will not consider another continuance w/out better cause than was provided on cnsl's mtn (#280). Cps dist. (SS). sho.	
	3/26/82	283		MINUTE ORDER(PHA): ORD P/T Conf set for 4/29/82 @10a. Cps dist. (SS). sho.	
	3/30/82	284		LETTER (Cp) to Ernest Adler fr Charles Zeh with suggested trial dates. sho.	
	4/28/82	285		MAGISTRATE'S REPORT & RECOMMENDATION: (PHA) RECOMMENDATION:that this action be cert as a Rule 23 (b)(2) class action & that the class be constituted of the named Ps & of all inmates who have been, are, & who will be conf in the maximum security facility of the Nevada State Prison. EOD:4/28/82. Cps dist. (SS). lt.	
	4/29/82	-		SUB to PHA PreTrial Ord rec'd on 4/29/82. lt.	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	CIV-R-77-221- ECR ^{PHA} (PHA)
JAMES PHILLIPS, et.al.	RICHARD BRYAN, et.al.	DOCKET NO.
JOHN CAMPBELL, et.al.	MICHAEL O'CALLAGHAN, et.al.	PAGE 17 OF ____ PAGES
ROBERT MAGINNIS, et al,		

DATE	NR.	PROCEEDINGS
/29/82	286	PROPOSED PRETRIAL ORDER obo Ds. (note-purs to PHA stip PreTrial ord to be sub to crt for appr). lt.
1/30/82	287	MINUTES OF PRETRIAL/MINUTE ORDER (PHA): p/t/hrng held 4/29/82 before USMag. Ea. pty subm a prop p/t/ord & upon exam. of proposals, agreed that they were very close & 2 attys wld prepare/subm a joint stip. prop /t/ord by 5/7/82. SO ORD stip. p/t/o be fld by 5/7/82. Cps. dist. (or) (SS)
5/10/82	--	PROPOSED PRETRIAL ORDER obo ps. (sgnd by d's cnsl). sho.

5/21/82	--	SUPPLEMENT to P/T/O rec'd obo cnsl for D w/cert of svc by m. (m 5/20/82) (cr)
5/10/82	--	LODGED PROPOSED PRETRIAL ORDER. lt.
5/21/82	--	LODGED SUPPLEMENT to PRETRIAL ORDER. lt.
* 5/2/82	--	SUB TO PHA: PTO's for review and to determine if list of witnesses can be reduced. ls.
/28/82	288	MOTION in limine on correcitonal officer training obo Ds w/P&A's. (no svc shown). (SS). lt.
--	289	MOTION in limine on job opportunities for inmates obo Ds w/P&A's. (m-5/27/82). (SS). lt.
--	290	MOTION in limine obo Ds w/P&A's. (m-5/27/82). (SS). lt.
7/82	291	MINUTE ORDER: (PHA) ORD that hrng on PreTrial ord & ds' suppl to the PreTrial ord is set for 6/10/82 @ 3:30 p.m. in Room 5011-crt will not prov a crt rprr -if cnsl req a rprr then he should prov one. Cps dist. lt.
6/8/82	292	AFFIDAVIT of svc by mail of #288 on 5/27/82 obo ds. sho.
11/82	293	MINUTE ORDER: (PHA) ORD that hrng on the PreTrial ord & ds' suppl to PreTrial ord prev set for 6/10/82 is reset to 6/14/82 @3:30 p.m. in Rm 5011. Cps dist. lt.
--	294	OPPOSITION to Ds' mtns to dism spuriously styled mtns in limine obo Ps. (no svc shown) lt.
5/21/82	295	MOTION to Dism ps Claim of Denial of Access to the Judicial Process obo ds. (w/P&As & exhs). (m-6/18/82). (SS). sho.
6/30/82	296	MINUTES OF 2ND P/T/CONF/HEARING: (PHA): Prys list 9/13/20/27 as agreed upon dates for trial. Mr. Adler stated his preference for as early a date in Sept. as possible Mr. Zeh stated his preference for 9/20/82; Ct. took mtns in limine under subm. Cpy to M/B & USMag. (or) (SS)
7/8/82	-	NOTE: REGARDING #285 Magis Rpt & Recomm-Magis office to sub prop Ord for ECR's sig when prop ord is brought into office sub to ECR item #285 & prop Ord. lt.

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PLAINTIFF JAMES PHILLIPS, et.al. DILLY CHAPLEY, et. al. ROBERT MACINNIS, et al,	DEFENDANT RICHARD BRYAN, et.al. MICHAEL O'CALLAGHAN, et al,	CIV-R-77-221-ECR ²⁰⁴ ^{UP} DOCKET NO. PAGE 18 OF ____ PAGE
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DATE	NR.	PROCEEDINGS
7/9/82	297	MINUTE ORDER: (PHA) ORD that a hrng on prop PreTrial Ord & ds' suppl to the ord is set for 7/21/82 @4:00 p.m. before the Magis. Cps dist. lt.
--	-	RECIEVED ORDER-that applies to item #285-Magis & Rpt & Recomm. lt. (Note: SUB ite #285 & ord to ECR on 7/21/82 after PreTrial Conf hrng before PHA). (SS).
7/19/82	298	ORDER CONCERNING Ds' MOTIONS IN LIMINE: (PHA) ORD that mtn in limine on corr off training-item #288-is GRANTED, mtn in limine on job opportunities for inmates-item #289-is GRANTED & mtn in limine -item #290-is DENIED. EOD:7/19/82. Cps di lt.
--	299	X RECOMMENDATION: (PHA) RECOMMEND that the crt's ord of 7/23/80 consolidating CIV-R-78-47-ECR, CIV-R-78-94-ECR & CIV -R-77-242-ECR be reversed & that the 3 cases be held in abeyance until the instant action is tried & decided ord should not preclude the giving of any of these individual's testimony in t instant case obo of the named Ps. EOD:7/19/82. Cps dist. (SS). lt.
--	-	ORDER-rec'd on 7/19/82-to be sub to ECR when item #299 is sub to ECR. lt.
7/20/82	300	ORDER: (PHA) ORD that PreTrial ord may not include any more than two persons to testify on any one factual issue, & cnsl in this case are admonished to arr their pres in such a manner as to avoid cummulative testimony & trial set for 9/14/82 in Judge Griffin's crtrm in the Nevada 1st Judicial Dist Crt, Carson City, Nev. Cps dist. lt. (see item #300 for fur details)
7/23/82	301	MINUTES OF SECOND CONFERENCE ON THE PROPOSED PRETRIAL ORDER: (PHA) ORD that prop statement-statement of all uncontested facts is amend-see item #301 for amend, Mr. Zeh & staff have all the they need w/Ps' & prospective wit to prep for tri even it means temp altering some staff & visitation schedules & trial will try be compl in 2 wks which can include weekends & evenings & weekends-if crt feels it necessary after the wit list is prov on 8/2/82 ptys will be called to offer at to test of witnesses. Cps dist. lt.
--	302	MINUTE ORDER: (PHA) ORD that Ds' mtn to dismiss Ps' claim of denial of access to judicial proc-item #295-DENIED w/out prej to renew it at the time of trial & Ps' mtn for protective ord-DENIED. Cps dist. (SS). lt.
7/23/82	-	SUB to ECR item #285 & prop ord. (SS). lt.
7/27/82	303	APPEAL (OPPOSITION) to Magistrate's ruling on Ds various mtns in limine. (Under separate cover in file room) (SS) crc.
8/2/82	304	SUPPLEMENT TO P/T Ord obo Ds. (m) eac
--	305	X MOTION to Vac Trial Setting obo Ps w/P&As & affs. (m) (SS). eac
8/3/82	306	MINUTE ORDER: (ECR) ORD that case set for 9/14/82 9:30 a.m. for C/T @ Carson City; FUR ORD Trial Briefs & Propsd FFCL due 9/7/82; FUR ORD AG shall make nec arrangements to insure the presence of Ps & inmate wits @ trial; FUR ORD this case remains under ref to PHA for resolution & finalization of PTO. Cps dist. (SS) eac

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	JAMES PHILLIPS, et.al. DEAN SHAPIRO, et al. ROBERT MACINNIS, et al.	DEFENDANT	RICHARD BRYAN, et.al. MICHAEL O'CALLAHAN, et al.	CIV-R- DOCKET NO. 77-221- ECR PAGE 19 OF ____ PAGES	DWA CPHA
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DATE	NR.	PROCEEDINGS
4/82	307	MOTION for dism for want of prosec & failure to obey an ord of Crt obo Ds. (m-8/4/82) crc
--	-	SUB to PHA: Item #307.
5/82	308	MINUTE OF HEARING dtd 8/4/82: (PHA) Ps' Mtn to Vac Trial Setting taken under sub. Cps dist. eac
--	309	MINUTE ORDER: (PHA) ORD Ds' Mtn for Dism'l (#307) denied. EOD 8/5/82. Cps dist. (SS) eac
--	310	ORDER: (PHA) ORD that Ps' Mtn to Vac Trial Date Denied. FUR ORD that Ps' Mtn for Ext of Time to File List of Wits is Granted, List due 8/9/82. EOD 8/5/82. Cps dist. (SS) eac
9/82	311	APPEAL of Mag's Ruling on Mtn to Vac Trial Setting & Ord to Produce Final List of Wits (Obj to #310) obo Ps w/attchs. (m) (SS) eac
-	312	OPPOSITION to Ps' appeal of Mag's ruling on Idleness, & Correctional Officer training (Obj to #303) obo Ds. (m-8/6/82) eac
11/82	313	MINUTE ORDER: (ECR) ORD that appeal of Mag's ruling (#311) is denied. Cps dist. (SS) eac
10/82	314	ORDER (ECR): that action be maintain as class action obo named Ps & of all prisoners who are or who will be conf. in St. of Nv. Dept. of Prisons, Max & reser. till the time of trial the ques. of whether the matter of any monetary relief must be sep. determined; ntc has not been req. by ei pty & because the matter is expect. to be tried in Sept., 1982 no ntc to option out will be req. EOD: 8/13/82. Cps. dist. (or)
1/18/82	315	REPLY to Ds' Oppo to Ps' Appeal of Mag's Ruling Regarding Ds' Various Mtns in Limine (#298, 303 & 312) (m) eac
1/19/82	316	REPLY to Ds Mtn for Dism'l for one of prosecution & failure to Obey an Ord of Crt (#307). (m) eac
2/20/82	--	SUB to ECR Item #299. (SS) eac
2/27/82	317	MINUTE ORDER (ECR): that Ps appeal of mags. rulig (Item 298 & 303) denied; Appeal grant as to ring by Mag on "Mtn in Limine on Job Opportunities for Inmates" only so far as evid. of a lack of ed, vocational & job opportunities at NSP for inmates may be related /connected to claims which are properly cognizable in action. EOD: 8/27/82. Cps. dist. (or) (SS)
3/30/82	318	MOTION for Reconsideration on Req to Vac Trial Setting obo Ps w/attachs & aff. (m) (SS) eac
4/2/82	319	OPPOSITION to Mtn for Reconsid on Req to Vac Trial Setting & Renewal of Mtn to Dismiss for Want of Prosecution (#307 & #318) obo Ds. (m) eac
--	--	SUB TO ECR Item 318. (SS) eac

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JWH

PLAINTIFF		DEFENDANT		CV-R-77-221-ECR (DOCKET NO. _____)
ROBERT MAGINNIS, ET AL.		MICHAEL O'CALLACHAN, ET AL.		20
BILLY SHAPLEY, ET. AL.				PAGE ____ OF ____ PAGE
DATE	NR.	PROCEEDINGS		
9/9/82	320	MOTION to Disqualify Counsel for Conflict of Interest obo p, Shapley. w/attchs (m-9/3/82). sho. (Cp to PHA).		
--	--	SUB to ECR: Item #320. sho.		
--	321	REPLY to Oppo (#319) to Mtn for Reconsideration (#318) obo ps (m). sho.		
--	--	SUB to ECR: Item #321. sho.		
--	322	ORDER (ECR): Ps' mtn for reconsideration on req to vacate trial is DENIED. Cps dist. (SS). sho.		
--	323	MINUTE ORDER (ECR): ORD case set for HRG on Mtn to disq cnsl (#320) on 9/13/82 @9:30a. FUR ORD AG to insure presence of Maginnis, Shapley and Ybarra at hrg. Cps dist. sho.		
9/13/82	324	REPLY to Mtn for Voluntary Dismissal obo Ds (to oral statements made by Ps) w/P&As. (no srv sho) eac		
--	325	MINUTES OF PROCEEDINGS/ORDER: (ECR) ORD trial reset to 2/22/83 @ 9:30 A.M. in Crtrm No. 1; FUR ORD if Mr. Zeh is not to cont to represent P class to file Mtn w/i 15 days seeking W/D; FUR ORD Crt desires no sooner than 30 days Mr. Ze will show cause why he should not be held in crim contempt; Ernest Adler appt to prosecute act agnst Mr. Zeh; Mr. Zeh in viol LR 13(c) & 28 USC 1927. Clk to decide whether Mr. Zeh to provide costs; FUR ORD w/i 15 days USA & St of NV to file statement of expenses & costs incurred by reason of continuance; FUR OR MTN to Disqualify DENIED. Cps dist. (SS) eac		
9/16/82	326	MINUTES OF COURT on 9/13/82 (ECR): ORD C/T cont'd to 2/22/83 @9:30A; FUR ORD p's cnsl Zeh has 15 days to fil & srv mtn to w/draw or properly executed sub of atty if he seeks to discontinue representing ps; FUR ORD Clk is to set hrg not earlier than 30 days from 9/13/82 for Zeh to appear and show cause why he should not be held in criminal contempt (see #326 for specs of contempt); FUR ORD Mr. Adler appt'd to prosecute action against Zeh; FUR ORD w/in 15 days the St of NV shall fil & srv a detailed statement of costs & exps incurred because of Zeh's conduct FUR ORD w/in 15 days the US Atty shall fil & srv a detailed statement of costs & exps incurred because of Zeh's conduct; FUR ORD Mtn to Disq Cnsl (#320) is denied. Cps dist. sho. (SEE ACTION # CR-R-82-51-ECR FOR SETTING INFORMATION RE CONTEMPT PROCEEDINGS)		
--	--	REPORTER'S PARTIAL TRANSCRIPT of Proceedings of 9/13/82. (Transcript filed in CR-R-82-51-ECR). sho.		
9/21/82	--	REPORTER'S TRANSCRIPT of Proceedings Hrg on Mtn to Disqualify Cnsl of 9/13/82. sl		
9/27/82	327	MOTION for permission to w/draw as atty fld by Charles R. Zeh w/Aff. (m 9/25/82) (SS) cl.		

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF JAMES PHILLIPS, et.al. BILLY SHAPLEY, et.al. ROBERT MACINNIS, et.al.	DEFENDANT RICHARD BRYAN, et.al. MICHAEL O'CALLAGHAN, et.al.	CV-R-77-221- ECR ^{day} (PHA) DOCKET NO. PAGE 21 OF ____ PAGES
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DATE	NR.	PROCEEDINGS
9/30/82	328	AFFIDAVIT of Billy R. Shapley. (m 9/28/82) cl.
--	329	AFFIDAVIT of srvc by mail of item #327, on 9/29/82. cl.
--	330	AFFIDAVIT of srvc in person of item #327, on 9/28/82. cl.
10/1/82	331	ORDER REGARDING HEARING: (ECR) ORD prehrq conf on 10/25/82 @ 9:30 A.M. b/f U.S. Mag; @ prehrq conf or soon thereafter Mag shall settle prehrq ord. Ord shall provide that Fed.R.Civ.P & Fed. R of Evid. apply to procedngs. Prehrq ord shall specify statemts & affs of excess costs incurred by reason of delay caused by Mr. Zeh shall be treated as hearsay. Mag's prehrq ord shall govern hrg of charges describd in 1st para of this Ord. Prehrq ord shall not be amend except by ord of Crt pursu to agreemt of cnsl or to prevent manifest justice; Cnsl will be allowd until 10/7/82 @ 4 P.M. to file & srv any and all prehrq mtns. Resps shall be srvd & filed no later than 4 P.M. 10/19/82. Oral argumt on prehrq mts hrd by Mag 10/25/82 @ 9:30 A.M. Hrg briefs shall be fld in orig & 1 cpy on or b/f 4 P.M. 11/16/82. Clk of Crt to file orig & submit cpy to Crt. Cpy of each hrg brief shall be svd by cnsl upon oppsng cnsl contemporaneously w/flg thereof w/the Crt. Sugg format for hrg Memo attch. Cps dist EOD 10/1/82 (SS) eac
10/1/82	332	MINUTE ORDER: (ECR) ORD all hrqs in procedngs respectng crim chrgs of crim contempt shall be bifurcated fm hrqs in related procedngs arising from same transactions regarding Charles R. Zeh (CR-R-82-51-ECR); FUR ORD previous setting of 10/25/82 for hrg on merits vac; FUR ORD hrg on merits in respect to crim chrgs set @ 9:30 A.M. 11/22/82; FUR ORD hrg on merits of procedngs regarding atty Zeh based on 28 USC Sec 1927 & R 11 Fed.R.Civ.P & R 13(c) set 11/22/82 @ 1:30 P.M. Cps dist EOD 10/1/82 (SS) eac
10/6/82	333	RESPONSE to mtn for permiss to w/draw as atty (#327) obo Billy R. Shapley w/Affs of Billy Shapley & Bernard Ybarra. (m 10/4/82) cl.
--	334	MINUTE ORDER: (ECR) ORD insofar as pend matters relat to atty Charles R. Zeh, case assig to U.S. Magis, Reno, Nev, for determin of all prehrq mtns in acc w/her juris in rspect to same. All prehrq mtns which Magis subsequently crds to be heard shall be heard by her on 10/25/82 at 9:30 a.m. Cps dist. cl.
--	335	MINUTE ORDER: (ECR) ORD all pldgs fld in CR-R-82-51 be fld in this act & All pldgs fld in this act be fld in CR-R-82-51 insofar as Charles Zeh is concerned. FUR ORD C. Frederick Pinkerton to file Designtn of Ret Cnsl & Appearance Praeipce in CV-R-77-221-ECR. Cps dist (SS) eac
10/14/82	--	THE FOLLOWING DOCUMENTS <u>336</u> THROUGH <u>348</u> ARE COPIES OF ORIGINAL DOCUMENTS FILED IN CR-R-82-51-ECR.
--	336	ORDER (ECR): ORD Clk of Crt shall trans to Charles Zeh & Dep AG Ernest Adler 1 cpy of minutes of Crt in CV-R-77-221-ECR for 9/13/82 & R/T of Crt procedngs which commenced 4:57 P.M.; FUR ORD R/T shall be deemed a statemt of esstil facts constituting the crim contempt charge agnst Zeh; FUR ORD ORD shall constitute advisemt to Zeh that he has right to repress by atty. Cps dist. ls

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PLAINTIFF		DEFENDANT	CV-R-77-221- ECR ²²⁴ DOCKET NO. _____ PAGE <u>22</u> OF _____ PAGE:
JAMES PHILLIPS, et.al. ROBERT MAGINNIS, ET AL. DILLY CHAPLIN, ET AL.		RICHARD BRYAN, et.al. MICHAEL O'CALLAGHAN, ET AL.	
DATE	NR.	PROCEEDINGS	
10/14/82	337	MINUTE ORDER: (ECR) ORD matter placed on cal 10/25/82 at 1:30 P.M. for hrg for 2 shall appr & show cause why he should not be held in crim contempt & FUR ORD docs relating to crim contempt be fild in this crim action. Cps dist ls	
--	338	X MOTION to W/D as Prosecutor on Contempt Citation obo Ernest Adler. (m-9/15/82) e	
--	339	MINUTE ORDER: (ECR) ORD Ernest Adler Mtn to W/D granted/ USA appt to prosecute action. Cps dist eac	
--	340	STATEMENT OF COSTS & EXPENSES obo ds, St of Nv w/affs (totaling \$6,171.00) (m-9/17/82) sho	
--	341	DESIGNATION OF RETAINED COUNSEL & Appearance Praeipse (C. Frederick Pinkerton).sl	
--	342	ORDER REGARDING PREHEARING PROCEDURE: (ECR) Sides have to 10/7/82 at 4 P.M. to f & srv prehrg; resps due 10/19/82 at 4 P.M.; case is assgnd to USMag for determ of prehrg mtns; Hrg set 10/25/82 at 9:30 A.M.; cnsl have option of submg hrg memo to ct if so same to be fld 5 days prior to OSC hrg date; on stip by all parties a hrg memo or any part thereof may be subm to ct in camera w/o svrg other parties of flg w/clk. Sugg format for hrg memo attach. EOD 10/1/82. Cps dist sho	
--	343	X MOTION to Dism obo d w/P&As (p). (SS) sho	
--	344	X MOTION to Suppress obo d w/P&As (p). (SS) sho	
--	345	/MOTION to Disqualify Judge obo d w/P&As. (p) (SS) sho	
--	346	X MOTION for Bill of Particulars obo d (p) (SS) sho	
--	347	X MOTION for Ext of Ti to comply w/¶3 of Ord re Prehrg Procedure dtd 10/1/82 obo P w/aff. (m) sho	
--	348	MINUTE ORDER (PHA) ORD cnsl shall meet b/f 10/12/82 & confer re disc. Cnsl for prosec has to 10/15/82 to prepar & subm to resp joint statemt re disc. Cnsl for resp has to 10/20/82 to sig & fil, or reject joint statemt. Cps dist eac	
--	349	RESPONSE to Mtn for Ext of Ti obo Resp Zeh (Copy). (m) eac	
10/18/82	350	MINUTE ORDER: (PHA) ORD Washoe Legal Svcs srv Ps Maginnis & Phillips w/cpy of Ps' Mtn for Permsn to W/D as atty immediately upon receipt of this MO; FUR ORD Ps Maginnis & Phillips have 7 days from receipt of mtn for permnsn to w/d as atty w/i to file resp; FUR ORD Clk of Crt to mail Ps Maginnis & Phillips cpys of resp to mtn for permnsn to w/d as atty w/supportng affs fld by P Shapley 10/6/82 (Cert of Mailing did not indicate cpys mailed to Ps Maginnis & Phillip FUR ORD cpys of this MO be mailed to all 3 Ps, Charles Zeh & Ernest Adler; FUR ORD Ps' Mtn for Permsn to W/D as atty reasnd to ECR for decision. EOD 10/19/82. Cps dist (SS) eac	

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PLAINTIFF JAMES PHILLIPS, et.al.	DEFENDANT RICHARD BRYAN, et.al.	CV-R-77-221- ECR ^{PHA} (PHA)
BILL SIMPLEY, ET AL	MICHAEL O'CALLAGHAN, et al	DOCKET NO. _____
ROBERT MACINNIS, et al		PAGE 23 OF _____ PAGES

DATE	NR.	PROCEEDINGS
10/19/82	351	DESIGNATION of retained cnsl & appearance praecipe obo Charles R. Zeh, appointing C. Frederick Pinkerton to appear generally for him as his atty w/respect to contempt proceeds agnst him w/accept by Pinkerton. (m) cl.
0/20/82	352	X MOTION for Ext of Ti obo P. (m) eac
0/22/82	353	MINUTE ORDER: (PHA) ORD P have to 10/25/82 to fil resps to D's pret mtns; FUR ORD prehrng mtns MAG ords hrd to be hrd 10/27/82 at 1:30 P.M. Cps dist eac
0/25/82	354	OPPOSITION to Mtn to Dismiss obo P #10. (m) eac (cp to USMag)
---	355	OPPOSITION to Mtn for Bill of Particul obo P #13. (m) eac (cp to USMag)
0/26/82	356	MINUTE ORDER: (PHA) ORD oral argumt hrd on #10,11,13 hrd 10/27/82 at 1:30 P.M. Cps dist eac
---	357	MINUTE ORDER (PHA): ORD oral arg on mtn to disq set for 10/27/82 at 1:30PM. (Cnsl called by Sherry). Cps dist. sho.
---	358	OPPOSITION to Mtn to Suppress obo p. (p). sho. (Cp' to USMag)
---	359	OPPOSITION to Mtn to Disq Judge obo p. (p) sho. (Cp to USMag)
0/28/82	360	MINUTE ORDER (PHA): ORD oral args on d's mtns to suppress; bill of particulars; dismiss & disqualify reset to 10/29/82 at 9:30 AM. Cps dist. sho.
---	361	REPLY in Supt of Mtn for Bill of Particulars obo Zeh (p) (Cp to USMag). sho.
---	362	REPLY in Supt of Mtn for Disqualification obo Zeh (p). (Cp to USMag). sho.
0/29/82	363	REPLY to Govnt's Oppo to Mtn to Dismiss obo Zeh. (no srv sho) eac (Cpy) (Cpy to PHA)
---	364	REPLY to Govnt's Oppo to Petr's Mtn to Supp obo Zeh. (no srv sho) (Cpy) (Cpy to PHA) eac
1/10/82	365	X EXPARTE MOTION/ORDER: (PHA) ORD Clk of Crt provide gov't orig docs #245,305,320,327,328,330 & 333 & replace w/cert cpys. Cps dist EOD 11/10/82 eac (Cpy)
1/12/82	366	REPORT/RECOMMENDATION of U. S. Mag: (PHA) REC that D's mtn to dismiss be denied. Prop ord rec'd. EOD 11/12/82. Cps dist. (SS) cl.
-	367	ORDER: (PHA) ORD defense's mtn for bill of particulars is denied. EOD 11/12/82. Cps dist. (SS) cl.
-	368	ORDER: (PHA) ORD defense's mtn for suppression of D's stmts to Ct on 9/13/82 is hereby denied. EOD 11/12/82. Cps dist. (SS) cl.
-	369	MINUTE ORDER: (PHA) ORD time in which either party may file & srv req for review of magis's ords concern mtn to suppress & mtn for bill of particulars is hereby short to & includ 11/18/82 12:00noon. Cnsl for both sides has to & includ

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PLAINTIFF		DEFENDANT		CV-R-77-221- ECR ³⁰⁴ (F)
JAMES PHILLIPS, et.al.		RICHARD BRYAN, et.al.		DOCKET NO.
BILLY SHAPLEY, et. al.		MICHAEL O'CALLAGHAN, et al		PAGE 24 OF _____ PAGE:
ROBERT McGINNIS, et al				
DATE	NR.	PROCEEDINGS		
		11/19/82 4:00pm to file any reply to any req for review or obj to magis' recomm which may be fld. ORD P/T conf to settle prehrq ord is set 11/17/82 3:00pm befo this Ct. Cps dist. cl.		
11/12/82	370	REPORT/RECOMMENDATION of U. S. Magis: (PHA) REC that because this case appears to be one where judge is seek to vindicate Ct agnst obstruction rather than vindication of his personal sensibilities following outrageous personal attack frm alleged contemnor, there appears to be no legal requirmt for Judge Reed to excuse himself frm this case. It is therefore recom that he preside over hrg. EOD 11/12/82. Cps dist. (SS) cl.		
--	371	X MOTION to continue trial obo Charles R. Zeh w/Aff & stip of Fred D. Gibson. cl.		
--	--	SUB to ECR Item #371. sho.		
11/15/82	372	X MOTION for exten of time to rspnd to Magis' ord & recom obo D w/attach stip. (m) cl.		
--	--	SUB to PHA Item #372. cl.		
11/17/82	373	MINUTE ORDER (PHA): ORD d's mtn for ext to resp to USMag's ords & recommendation(is grtd; objs due 11/30/82 at 4p; resps to objs due 12/3/82 at 4p; d's mtn to cont tr (#371) is grtd; C/T set for 1/5/83 at 9:30a in ctrm 1; P/T conf set for 12/8/82 at 9:30 in Magistrate's ct. Cps dist. sho.		
SEE 373A		FOLLOWS 374.		
11/18/82	374	MINUTE ORDER (ECR): ORD mtn to w/draw (#327) set for hrg on 11/29/82 at 9:30a; St Atty Gen to arrange presence of Maginnis, Shapley & Ybarra. Cps dist. sho.		
11/17/82	373A	X EXPARTE MOTION for Ord Re Tobacco & Attire obo P Shapley w/aff. (m-11/15/82) eac		
11/22/82	--	SUB to PHA #373A. (SS) eac		
11/26/82	375	MINUTE ORDER: (cpy) (PHA) Re Ord 11/12/82. Mag cites authority & rec ECR den Mtn to Supp. Cps dist eac		
--	376	OPPOSITION to ex parte mtn for ord re tobacco & attire (#373A) obo Ds w/P&As & Aff. (m 11/24/82) cl.		
11/29/82	--	SUB to PHA Item #376. cl.		
11/29/82	377	MINUTES OF HEARING ON MOTION TO WITHDRAW: (ECR) Crt & cnsl confer; ORD hrg on Mtn to W/D cont to 12/6/82 at 1:30 P.M.; AG to make arrangements to insure presence (Ps Shapley & Ybarra. P Maginnis w/d's w/Crt's perm as representative of class but remains a member of class; Mr. Zeh advises of other inmates int in joining class. Cps dist eac		
11/30/82	378	X MOTION (cpy) to Cont P/T Conf obo Atty Zeh w/aff. (p) eac		
--	379	OBJECTION (cpy) to Rept Regarding Dism'l obo Atty Zeh. (p) eac		
--	380	OBJECTION (cpy) to Rept Regarding Suppression obo Atty Zeh. (no srv sho) eac		

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PLAINTIFF JAMES PHILLIPS, et.al. ROBERT MACINNIS, ET AL. BILLY SHAPLEY, ET AL.	DEFENDANT RICHARD BRYAN, et.al. MICHAEL O'CALLAGHAN, ET AL.	CV-R-77-221- ECR ²²⁴ (PHA) DOCKET NO. _____ PAGE 25 OF _____ PAGES
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DATE	NR.	PROCEEDINGS
/30/82	381	OBJECTION (cpy) to Rpt Regarding Disqualif obo Atty Zeh. (no srv shc) eac
2/6/82	382	MINUTES OF HEARING MOTION TO WITHDRAW: (ECR) ORD trial in action is set on calendar Tues, 4/12/83(fixed set) (trial cont'd so case will be held in 9 days) Furth ord Mr. Zeh is permit to w/draw his mtn to w/draw as cnsl & will contin as such. Furth ord w/in 20 days P's cnsl will file notice & srv same indicat who would be 2 represen to join Mr. Shapley as members of class. Cps dist. (SS) cl.
2/7/82	--	SUB to ECR Items #366 & 370. (SS) cl.
2/10/82	383	LETTER to Clk of Ct frm Washoe Legal Svcs re current address of James Phillips as being Indian Springs Correctional Facility, Indian Springs, Nev 89018. cl.
2/13/82	384	ORDER: (PHA) ORD that Mr. Shapley's mtn for ord re tobacco & attire (#373A) is hereby denied. Cps dist. (SS) cl.
2/28/82	385	X MOTION/STIPULATION for Ext of Ti obo Ps w/P&As. (no srv sho) eac
2/29/82	---	SUB to ECR #385 w/Prospd Ord. (SS) eac
--	386	ORDER: (ECR) ORD Parties have until 1/12/83 w/i whi to fil & notfy class of 2 add'l Ps. Cps dist EOD 12/29/82 (SS) eac
1/12/83	387	AFFIDAVIT of srvc by mail of Item #385 on 1/4/83. cl.
/13/83	388	X MOTION for Ext of Time to file new class members obo p w/P&As. (m-1/11/83). sho.
--	--	SUB to ECR: Item #388. sho.
1/13/83	389	AFFIDAVIT of Svc by mail of # 388 on 1/17/83. sho..
1/18/83	390	MINUTE ORDER (ECR): ORD p's mtn for ext (#388) is granted to 1/19/83. Cps dist. sho.
--	391	X EX PARTE MOTION to Shorten Time to Respond to req of ps' ord comeplling inspec of NSP obo ps w/P&As & afft. sho.
--	392	X MOTION for An Ord Compelling Inspec obo ps w/P&As & afft (no svc shn). sho.
--	393	AFFIDAVIT of Bernard Anthony Ybarra (no svc shn). sho.
--	394	AFFIDAVIT of Billy Ray Shapley (no svc shn). sho.
1/20/83	395	AFFIDAVIT OF SERVICE by hand of #392, 391, 394 & 393 on 1/18/83. sho.
--	396	ORDER (PHA): ORD that ds have to 1/21/83 to resp to ps' mtn to compel disc (#392). Cps dist. sho.
--	397	MINUTE ORDER (PHA): ORD that ds have to 1/24/83 at noon to resp to ps' mtn to compel disc (#392). Cps dist. sho.

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	CV-R-77-221- PCR ^{PCR} (P)
JAMES PHILLIPS, et.al.		RICHARD BRYAN, et.al.	DOCKET NO. _____
BILLY SHADLEY, ET. AL.			PAGE 26 OF _____ PAGE:
ROBERT MACINNIS, et al		MICHAEL O'CALLACHAN, et al	
DATE	NR.	PROCEEDINGS	
1/21/83	398	NOTICE of additional named Ps obo Ps that Michael J. Owens & Curtis Lange are hereby added to actn as named-party Ps. (m) cl.	
1/24/83	399	OPPOSITION to Mtn for ord complg disc(#392) w/P&As (m). sho.	
1/24/83	400	AFFIDAVIT of srvc by mail of Order on 1/20/83. cl.	
1/27/83	401	REPLY to Ds' docs spuriously styled oppos & mtn for protect ord concern disc obo Ps. (m 1/26/83) cl.	
1/28/83	402	MINUTES/ORDER: (PHA) ORD Ds permit P's atty, his assist & their experts as lstc in this ord to inspect & photo premises of NSP (maximum) for sole purp of up-dating earlier inspect for testim at trial, & not for purp of new disc. Furth Ord P's mtn w/rspct to prof Charles Mathews, Illinois, inspect premises is denied for rsn that professor was not on joint P/T stnt as expert witness. C dist. (SS) cl.	
1/31/83	403	MINUTE ORDER: (PHA) ORD Ds permit P's atty, his assist & their experts to inspect premis & photo NSP (maximum Security Facility) for sole purp of updat their earlier inspects for testim at trial, & not for purp of new disc. Cps dist. cl.	
--	404	NOTICE of appearance of cnsl. Claudia Wright appears as assoc cnsl for Ps. (m) cl.	
2/3/83	405	MINUTES OF COURT (PHA): ORD Ps atty contact warden's secy w/names of inmates nlt 5PM on day before the intended visit for inspection of Nevada State Prison (See minute order) Cps dist. crc.	
VOL. 10	405A	OPPOSITION to P's req to name more than 2 addit Ps obo Ds w/P&As & Aff. (m 2/2/	
2/4/83	406	NOTICE OF APPEAL of Mag's ord (Item #402) w/ps & as & srvc by mail on 2/4/83. (SS) crc.	
2/10/83	407	MOTION for protective ord & sanctions obo Ds w/ps & as & exhbs. (m-2/8/83) (SS) cr	
2/11/83	408	REQUEST to inspect premises obo Ps. (m) cl.	
2/15/83	--	SUB to PHA Item #408. cl.	
--	409	MOTION to correct clerical mistake obo Ps. (m-2/14/83) (SS) crc.	
--	410	REQUEST to inspect premises obo Ps. (m) (SS) crc.	
2/17/83	411	OPPOSITION to Ps' appeal of Magis ords (#406) obo Ds. (m 2/16/83) cl.	
--	412	MOTION for protective ord & sanctns obo D w/P&As & exhs. (m 2/16/83) (SS) cl.	
--	413	OPPOSITION to Ds' Mtn to Compel & for Sanctns obo Ps w/attchs. (m) eac	
--	--	SUB to PHA #411, #412 & #413. (SS) eac	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF JAMES PHILLIPS, et.al. BILL CHAPLIN, ET. AL. ROBERT MAGINNIS, et al.	DEFENDANT RICHARD BRYAN, et.al. MICHAEL O'CALLAGHAN, et al.	CV-R-77-221- ECR ^{OWA} (PHA) DOCKET NO. _____ PAGE 27 OF _____ PAGES
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DATE	NR.	PROCEEDINGS
2/18/83	414	ORDER: (PHA) ORD items #408 & 410 are denied. Furth ord all inspect of the prison for purp of updat experts prev inspect shall be compltd no latr than 4/1/83. Parties hereby ord to exchange stmts w/rspect to each expert who has reinspect prison, no latr than 5:00pm 3/18/83. As to any expert who has not yet reinspect prison & who does so on or aft 3/9/83, above-req stmt must be givn the other party no latr than 10 days aft compltn of inspect, but in no event latr than 4/5/83. Furth specifics in written ord. Cps dist. (SS) cl.
--	415	NOTICE/DEPOSITION of Michael J. Owens 2/25/83 10:00am & of Curtis Lang 1:30pm at NSP obo Ds. (m 2/17/83) cl.
2/22/83	416	MOTION for clk to ent default w/P&As & Aff obo D. (m 2/18/83) cl.
2/24/83	417	REPLY to P's appeal of Magis Ords of 1/25/83 & 1/27/83 obo P w/attach. (m 2/23/83) cl.
--	418	OPPOSITION to Ds mtn for protect ord & sanctns dtd 2/16/83 (#407) obo P w/exh. (m 2/23/83) cl.
--	419	OBJECTION to Magis ord on disc dtd 2/18/83 (#414) obo P. (m 2/23/83) cl.
2/25/83	420	MOTION to permit P/T disc obo Ps w/P&As & exhs. (m) (SS) cl.
3/2/83	421	LETTER to Charles R. Zeh (cpy) frm Barnell Bishop re representation by Mr. Zeh. cl.
3/4/83	--	PROPOSED DEFAULT JUDGMENT on Ds cnterclaim rec'd & lodged in file.
--	422	AFFIDAVIT of srvc of prop default jdgmt mld 3/3/83. cl.
--	423	ANSWER to Ds cnterclaim obo P. (no svc sho) cl.
3/7/83	424	MOTION to strike default & cnterclaim; MOTION for lv to file or for Ct to ratify flg of reply to cnterclaim obo Ps w/P&As. (no svc sho) (SS) cl.
3/8/83	425	AFFIDAVIT of srvc by mail of Item #424 on 3/7/83. cl.
3/10/83	--	SUB to PHA prop Default form. cl.
--	426	ORDER: (PHA) ORD Ds mtn for protect ord (#407) is grantd as to Ps req, dtd 2/3/83, for prod & copyg of docs & recds; that Ds mtn for protect ord is grantd as to Ps req to Ds to supplmt their answers to approx 68 partic interrogs; Ps mtn for P/T disc is grantd in part as to interrogs as listed in this ord (#420); that Ps mtn for P/T disc is grantd in part as to takg depos of George Sumner & Vernon Housewright on conditions as listed in this ord; Ps mtn for P/T disc is grantd in part as to inspect tour of prison, on conditions as listed in this ord; that Ds mtn for sanctions is hereby denied. Cps dist. (SS) cl.

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PLAINTIFF	JAMES PHILLIPS, et.al.	DEFENDANT	RICHARD BRYAN, et.al.	CV-R-77-221-ECR
	BILLY SHAPLEY, et.al.			DOCKET NO.
	ROBERT MACINNIS, et al		MICHAEL O'CALLAGHAN, et al	PAGE 28 OF ____ PAGES

DATE	NR.	PROCEEDINGS
3/10/83	427	ORDER: (PHA) ORD that Ps prep & file w/Ct by 4/4/83 4:00pm stmt of witnesses from P/T ord expect to be calld, the ord of their appear & approx length of time ea of them is expect to testify on direct exam. Furth ord Michael J. Owens & Curtis Lang, inmates form namd as party Ps, are hereby add to Ps list of prosp witnesses on P/T ord in this matter. Cps dist. cl.
3/11/83	428	OBJECTION to Magistrate's ruling obo P w/P&As. (m) cl. (NO WRITTEN ORDER ON FILE CONSISTENT WITH THIS OBJECTION) cl.
3/16/83	429	NOTICE/DEPOSITION obo Ps tkg depos of Vernon Housewright on 3/17/83, 9:30AM in Sparks, NV. crc.
--	430	NOTICE/DEPOSITION obo Ps tkg depos of George Sumner, 3/17/83, 1:00 P.M., in Sparks, NV crc.
--	431	CHANGE of Address obo Ps cnsl Charles R. Zeh to 2100 Capurro Way, St.C, Sparks, NV 89431 (702) 331-5960. eac
--	432	OBJECTIONS to USMag's Ord (#426) & Req'd Expedited Ruling on ps' objs to USMag's Ord (#414) obo ps w/attchs (m). sho.
3/18/83 VOL. 11	433	EXPERT WITNESS SUMMARY obo Ps. (no svc sho) cl.
3/21/83	434	MINUTE ORDER: (ECR) ORD that matter is hereby set on calen for 3/30/83 9:30am for status conf. Furth ord office of AG represent Ds herein, make arrangmts to hv pres at sd status conf follow individs: Billy R. Shapley, Curtis Lange & Michael Owens. Cps dist. cl.
3/22/83	434A	LETTER dtd 2/28/83 fr Barnell Bishop to Zeh. sho.
3/23/83	435	OPPOSITION to Mtn to Strike Default (#424) obo ds w/P&As (m-3/22/83). sho.
--	436	MINUTE ORDER (PHA): ORD ps' mtn to correct (#409) is grtd; FUR ORD ds mtn to enter default (#416) is denied; FUR ORD ps mtn to strike def (#424) is Moot. Cps dist. (SS). sho.
--	--	SUB to ECR: U.S. Mag's R&R #370, #402 and #414 & USMag Ord (#426) w/objs. (SS). s
3/24/83	437	AFFIDAVIT or srvc by mail of #433 on 3/18/83. bq.
3/28/83	438	ORDER REGARDING TRIAL (ECR): C/T set for 4/12/83 (stk of 4/5/83) (fixed); cal call set for 4/4/83 at 8:30a (NOTE cal states that lst 4 days of testimony to be in Carson City, NV, rest of test in ctrm 1 Reno). Cps dist. (SS). sho.
3/28/83	439	NOTICE obo member of class Gary Wendler reservng his claims for personal inj & med malpractice. Wendler intends to fil own act. eac
3/29/83	440	ORDER (ECR): Ord theords of the USMag are affirmed. Cps dist. Cnsl called. sho.
3/30/83	441	VERIFIED PETITION obo Claudia Wright as co-cnsl for p (CCF:sho). Cps dist. sho.

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF JAMES PHILLIPS, et.al.

DEFENDANT ^{DWH} RICHARD BRYAN, et.al. ~~ECR (PH)~~CV-R-77-221-~~ECR~~ (PH)

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DATE	NR.	PROCEEDINGS
3/30/83	442	MINUTES OF COURT (ECR): ORD style of case henceforth "Shapley, Lange & Phillips vs. O'Callaghan, et al". Said ps appear individually & are réps of the p class; FUR ORD Owens removed as rep of class w/o prej to future claims; FUR ORD (in connection w/#427) ds to fil n/1/t 4/4/83 its stnt of inmate wits for tr, ord of appearance & apprx lgth of testimony; if settlement rchd FUR ORD cnsl to premrk exhs on 4/11/83 at 8:30a; bulky to be mrkd at tr; FUR ORD cnsl exempt fr cal callon 4/4/83 (to call clk by 4/8/83 re preparation); FUR ORD cnsl to fil w/settlement a Stip req'g ct to approve w/recommendations as to notice to be given to class. If settlement is not fld properly, case will proceed w/CT on 4/12/83. Cps dist. sho.
4/6/83	443	CONSENT DECREE STIPULATED SETTLEMENT AGREEMENT obo all parties. eac
--	444	STIPULATED AGREEMENT OF COSTS/ATTORNEY'S FEES obo all parties. eac
4/7/83	---	SUB to ECR #443 & #444. (SS) eac
4/8/83	445	MINUTE ORDER: (ECR) ORD Trial set 4/12/83 VACATED. Cps dist eac
4/15/83	446	MINUTES OF HEARING: (ECR) ORD prior to 4/29/83, 4:00pm, Ps cnsl shall file herein mtn seekng approvl of a form of Notice of prop sttlmnt to be gvn to members of the class. Sd mtn shal also st forth prop manner in Ps cnsl shal be given. Prior to filing of mtn, Ps cnsl shal confer with Clerk of Ct & defen cnsl in ord to set a prop date & tm for hrg to determ if prop sttlmnt shld be apprvd by Ct. Cps dist. (SS) blg.
4/2/83	---	SUB to ECR Stip & Not re Not to Class. eac
4/4/83	447	AFFIDAVIT of srvce by mail of Stip for class notice, notice to class & Aff on 4/29/83. cl.
-	448	NOTICE/ORDER: (ECR) ORD hrg will be conduct by this Ct concern fairness of settlmt terms as applicable to class defined & identif by Ct. Hrg will be held 6/30/83 1:30pm bef ECR. Cps dist. cl.
5/6/83	449	MINUTE ORDER (ECR): The blank on p. 6 line 24 in #448 shall have inserted thereon the 6/30/83 1:30pm date & time bef svc & publication. Cps dist. sho.
6/8/83	450	MINUTE ORDER (ECR): Hrg on notice to class set for 6/8/83 at 4pm. sho.
--	451	MINUTES OF COURT (ECR): Ct & cnsl agree on changes to Notice to Class; Hrg on notice set for 7/25/83 at 9:30am. Cps dist. sho.
--	452	DRAFT AMENDMENTS of Notice to Class. sho.
6/13/83	---	SUB to ECR: Proposed Amended Notice to Class. sho.
6/14/83	453	MINUTE ORDER: (ECR) ORD that form of notice to class recv'd by Crt on 6/13/83 is hereby aproved. Fur Ord that Office of Clk shall notify cnsl of Crt's approval. Cps. dist. blg. (cnsl called by SanDee on 6/14/83).

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PLAINTIFF JAMES PHILLIPS, et.al. ROBERT MAGINNIS, et. al. BILLY SHAPLEY, et. al.	DEFENDANT RICHARD BRYAN, et.al. MICHAEL O'CALLAGHAN, et. al.	CV-R-77-221- ECR ^{DeW} (P. DOCKET NO. _____ PAGE 30 OF _____ PAGE:
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DATE	NR.	PROCEEDINGS
6/20/83	454	PROOF OF SERVICE of Notice to Class obo Ds w/aff & exhs attch. (m) blg.
6/22/83	455	OBJECTION to Stip Settlement Agreement obo P Kenneth Carlisle. (no srv sho) blg.
--	456	X MOTION to be Excluded from Prisoner's Class Actn obo P, Barnell Bishop w/P&As & aff attch. (m 6/20/83) (SS) blg.
--	457	NOTICE & Req that Barnell Bishop be excluded from entitled class actn obo P, Barnell Bishop. (no srv sho) blg.
7/05/83	458	OBJECTIONS & X MOTION to w/draw & be exclud from Class Actn obo P, James Adams, Jr. (m 6/30/83) (SS) blg.
7/8/83	459	REPLY to notice of Barnell Bishop to be excluded as a member of the class obo P. (m) crc.
7/13/83	460	(copy) NOTICE of Intention of Members of Class to Appear & Objections to Prop Compromise Settlement of Class Actn Lawsuit obo Psw/exh attch. (m 7/11/83) blg.
--	461	(copy) NOTICE by Representatives of Class of Obj to Prop Compromise Settlement of Class Actn Lawsuit obo Ps w/P&As, Questns of Class actn. (m 7/11/83) blg.
--	462	REPLY to Obj & Mtn to w/draw & be exclud from Class Actn (#458) obo P, James Adams Jr. (no srv sho) blg.
7/14/83	---	SUB to ECR ExParte Mtn for Apptmt of Lay Asst. (SS) eac
7/14/83	463	MINUTE ORDER: (ECR) ORD that sd mtn is grntd. A/G will make arrngmnts for presenc of Mr. Ybarra st hrg on 7/25/83. Ybarra shall be permitd to asst Ps in Ps prese of objns to prop settlmnt agreemnt. Cps. dist. blg.
7/14/83	464	X EX-PARTE MOTION for apptmt of Lay Cnsl to Temp Reprsent Opponents to Prop Settlnm of Class Actn Lawsuit obo P, B. Shapley w/aff, & P&As attch. (no svc sho) blg.
7/14/83	465	REPLY to Mtn of Barnell Bishops to be exclud from class actn (#456) obo P, Bishop w/P&A, Aff, & exh attch. (m) blg.
7/21/83	466	REPLY to obj to Stip Settlement Agreement Item #455 obo Ps, w/aff. (m) blg.
7/25/83	467	MINUTES OF COURT (ECR): Crt takes hrg on notice to class under subm. Cps dist.crc
8/03/83	--	SUB to ECR: Item #456 & 458. (SS) blg.
8/18/83	468	MINUTE ORDER: (ECR) ORD that mtns for exclusion from class of Kenneth Carlisle, (#455); Barnell Bishop, (#456); James Adams, Jr., (#458) is denied. (See ord for specifics) (SS) Cps. dist. blg.
8/22/83	469	ORDER: (ECR) ORD Stip Settlement Agremt of 4/6/83 apprvd. Cps dist EOD 8/22/83 eac
--	---	JS-6. (SS) eac
8/23/83	---	SUB to ECR Memo. What to do w/Consol acts. eac

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PLAINTIFF JAMES PHILLIPS, et. al.	DEFENDANT RICHARD BRYAN, et. al.	CV-R-77-221- ECR ^{PHA} (PHA)
BILLY SHAPLEY, ET. AL.		DOCKET NO.
ROBERT MACINNIS, et. al.	MICHAEL O'CALLAGHAN, et. al.	PAGE 31 OF ____ PAGES

DATE	NR.	PROCEEDINGS
9/22/83	470	NOTICE OF INSTITUTION OF ACTION obo P, Billy R. Shapley. (m) blg.
1/6/84	--	<u>PADDED JS-5.</u> (SS) cl.
/19/84	--	SUB to PHA Stip Pet for Apptmt of Auditor. eac
/06/84	--	SUB to ECR: Item #299 w/propsd ord. blg.
'01/84	471	X REPORT/RECOMMENDATION: (PHA) REC that petitn for apptmt of auditr be gmt'd. (EOD: 2/7/84) Cps. dist. blg.
--	472	STIPULATION for apptmt of auditor obo Ds, w/stip, affid, & exhb attchd. Cps. dist. blg.
'07/84	--	SUB to ECR: Item #471. blg.
'06/84	473	ORDER: (ECR) ORD that Mag. Reprt/Rec fld 7/19/82 is hereby accptd, see ord for specifics. Cps. dist. blg.
'08/84	474	ORDER: (ECR) ORD that Mag. Reprt/Rec fld 2/1/84 is adoptd. Fur Ord that Stip petitn for apptmt of auditr fld by Ds on 1/19/84 is gmt'd. Dr. Allen F. Breed is apptd by crt as audtr provided for in stip settlmnt agrmnt reachd by prts herein on 8/22/83. Cps. dist. blg.
/13/84	475	LETTER to Dr. Breed from Billy R. Shapley re apptmt of auditr. blg.
5/13/84	476	NOTICE of change of address of lay assistant Bernard Anthony Ybarra from NNCC to P.O. Box 635, Reno, NV 89504. (m-3/12/84) crc.
'10/84	477	LETTER to ECR frm P, Robert Gordon Johnstone re Search & Shakedown Procedure. w/exhbs attchd. blg.
/07/84	478	LETTER to ECR frm P, Daniel C. Richmond re transfr conditns. blg.
/31/84	479	LETTER to ECR from Allen F. Breed Crt Auditor re 1st Progress on Compliance w/stip settlmnt agreemnt in case. blg.
--	480	FIRST PROGRESS REPORT on complinc w/stip settlmnt agreemnt. blg.
'04/84	--	SUB to ECR: Items #479 & 480. blg.
/11/84	481	AFFIDAVIT re svc of 1st progress rept obo Ds. ls.
/13/84	482	NOTICE/INSTITUTION of actn obo P (m 8/8/84) efm
'05/84	483	NOTICE/VIOLATIONS of the Consent Decree obo P, Billy R. Shapley, w/exhbs attchd. (no srv sho) blg.
'13/84	484	MINUTE ORDER: (ECR) ORD that lettr recv'd frm James E. Phillips re health hazards to Judge Reed be fld & cpy provided to cnsl & to Mr. Breed. Cps. dist. blg.

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	CV-R-77-221- ECR ^{DCR} DOCKET NO. _____ PAGE <u>32</u> OF _____ PAGES
JAMES PHILLIPS, et.al. BILLY SHAPLEY, ET AL. ROBERT MAGINNIS, Et. al.		RICHARD BRYAN, et.al. MICHAEL O'CALLACHAN, et al.	
DATE	NR.	PROCEEDINGS	
9/13/84	485	LETTER to ECR frm James Earl Phillips re NSP health hazards. (no srv sho) blg.	
9/19/84	486	ITEMIZED STATEMENT of Crt Auditor's tm & expenses obo Allen F. Breed Criminal Justice Consultant. (no srv sho) blg.	
10/05/84	487	LETTER to Pratt frm Clks Office re recpt of mtn by class member to intervene as P wh you wish to hv fld in referenced actn. blg.	
10/15/84	488	MINUTE ORDER: (ECR) ORD that letter frm John P. Wright. Lettr indictes that cpy thereof has been suppld to atty Charles Zeh. Clk sh file lettr & sh supply cpy to defense cnsl & to Mr. Allen F. Breed. Cps. Dist. blg.	
--	489	LETTER to ECR; frm P, John P. Wright re representation of Mr. Allen Breed, he is not represntng the inmates to their best interest. Cps. dist. blg.	
--	490	ITEMIZED STATEMENT of crt auditor's tm & exp obo Crt Auditor/Allen Breed. blg.	
10/24/84	491	MINUTE ORDER: (ECR) ORD that lettr recv'd by Crt frm James F. Taylor. Lettr sh b fld by Clk of Crt & cpy sh be supplied to Mr. Zeh, atty for P. Cps. dist. blg.	
--	492	LETTER frm James F. Taylor, re prison conditns addressed to ECR. (per item #491 cpy has been sent). blg.	
10/26/84	493	LETTER to Mr. Pratt frm Clk/Crt re mtn by class member to intervene as P, w/exhib attch. blg.	
10/31/84	494	X MOTION to clarify class obo P, w/P&As. (m 10/29/84) (SS) blg.	
--	495	X MOTION for orders to show cause obo P, w/P&As. (m 10/29/84) (SS) blg.	
--	496	X MOTION for appntmt of cnsl obo P, w/P&As. (m 10/29/84) (SS) blg.	
--	497	X MOTION to disqualify cnsl atty General for conflct of interest obo P, w/Affdvts, & P&As. (m 10/29/84) (SS) blg.	
--	498	X MOTION to disqualify cnsl for conflct of interest obo P, w/affdvts, & P&As. (m 10/29/84 - this proof of srv pretains to items #494,495,496, & 497) (SS) blg.	
11/2/84	499	LETTER to Clerk from Ray Donald Pratt re attempts to file mtn to intervene & to appeal w/attachmt.	
11/7/84	--	SUB TO ECR: #499. (SS) ls.	
11/06/84	500	AUDITOR'S SECOND PROGRESS REPORT in compliance w/stip agreeemnt obo Allen F. Bree (no srv sho) blg. /Criminal Justic	
11/13/84	501	OPPOSITION to mtn to clarify class (#494) obo Ds, w/P&As. (m) blg.	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	CV-R-77-221- ECR ^{PHA} (PHA)
JAMES PHILLIPS, et.al.	RICHARD BRYAN, et.al.	DOCKET NO. _____
JIM R. SHAPLEY, et. al.	MICHAEL O'CALLAHAN, et. al.	PAGE <u>33</u> OF _____ PAGES

DATE	NR.	PROCEEDINGS
11/13/84	502	OPPOSITION to mtn for ords to show cause (#495) obo Ds, w/P&As. (m) blg.
--	503	OPPOSITION to mtn to disqualify cnsl, A.G. for conflct of interest (#497) obo Ds, w/P&As. (m) blg.
1/14/84	504	COURT AUDITOR'S tm & expense stmt fr Allen F. Breed, Criminal Justice Consultant. blg.
1/20/84	--	SUB TO PHA: Stip & ord for ext of ti for P to file reply to Ds oppos re mtn to disqualify. crc.
1/19/84	505	NON OBJECTION obo P re ext of tm for Crts juridctn & supervisn over enforcmt of settlmnt agreemnt in this case., w/affidvt attchd. (un-signed) blg.
1/21/84	506	EX-PARTE MOTION/ORDER: (PHA) ORD enlrgmnt of tm to respnd to Ds oppositn to mtn for ords to show cause (#495) to & inclng 12/14/84 at 4pm. Cps. dist. (SS) blg.
1/23/84	507	MINUTE ORDER: (ECR) ORD two letters hv been recv'd by Crt on 11/9/84 & 11/15/84 fm James F. Taylor. The letters sh be fld by Clk of Crt & cps sh be supplied to Mr. Zeh, atty for P & to Mr. Alan Breed. Cps. dist. blg.
--	508	LETTER to Judge Reed fr James F. Taylor (See item #507) re conditns at the prison being unsafe. blg.
--	509	LETTER to Judge Reed fr James F. Taylor (See Item #507) re misuse of Inmate Funds. blg.
1/28/84	510	LETTER to Clk of Crt fr Ray D. Pratt re amendmnt of process on appeal. (no srv sho) blg. (Correspndnce lettr fr Clks office loc behind lettr.) blg.
2/6/84	-	SUB TO ECR: Mtn for ext of ti for Ps fo tile replies to various mtns. crc.
2/7/84	511	MOTION/ORDER: (ECR) ORD that cnsl sh hv to & inclng 12/30/84 w/in wh to file reply pldngs to pending mtns. Cps. dist. (SS) blg.
2/10/84	512	RESPONSE to atty Generals oppositn to Ps mtn to disqualify atty general, et, al., for conflct of interest (#497) obo P, (m) blg.
--	513	RESPONSE to Ds mtn in oppositn to mtn to clarify class (#494) obo P, w/P&As. (m) blg.
--	514	RESPONSE to Ds mtn in oppositn to mtn for OSC (#495) obo P, w/P&As & exhbs attchd. (m) blg.
1/20/84	515	RESPONSE & oppositn to Charles R. Zeh's mtn for ext of tm obo P, Billy Shapley & Donald E. Bray. (m) blg.
1/21/84	516	MOTION to strik the multiple mtns of Billy Shapley & Donald Bray Viz redefinition of the class & replcmnt of cnsl obo Ps, Charles Zeh & Claudia Wright. w/P&As. (m) (SS) blg.

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PLAINTIFF		DEFENDANT	
JAMES PHILLIPS, et.al.		RICHARD BRYAN, et.al.	CV-R-77-221- ECR ^{PWH} (6)
BILLY R. SHAPLEY, Et. al.		MICHAEL O'CALLAGHAN, et. al.	PAGE 34 OF PAGE
DATE	NR.	PROCEEDINGS	
12/21/84	517	REPLY to oppositn of Bray & Shapley to mtn of cnsl for Ps for an ext of tm to respnd to multiplicity of mtns fld by Messers, Bray & Shapley (#515) obo P, atty Charles Zeh. (m) blg.	
1/04/85	518	OPPOSITION to mtn to strk (#516) obo P, Shapley & Bray, w/P&As. (m) blg.	
1/11/85	519	REPLY to oppositn fld by Messrs. Shapley & Bray to Ps mtn to strk multiple mtns sd individuals Viz., redefinitn of class & replcmnt of cnsl (#516) obo P. (fld by atty for P, Charles Zeh). (m) blg.	
1/21/85	520	NOTICE of institutn of actn obo P, Billy Shapley. (m) blg.	
1/25/85	---	SUB to PHA: Items #494,495,496,497, & 498. (SS) blg.	
---	521	REBUTAL REPLY to oppositn fld by Charles R. Zeh's in re (#519)-Reply to Ps Shapley & Bray's mtn to redefine class & replcmnt of class cnsl (#516) obo Ps, Shapley & Bray. (m) blg.	
2/01/85	522	RESPONSE to rebuttal reply (#521) obo Ps. (m) blg.	
2/08/85	523	NOTICE of institutn of actn obo P, Shapley. (m) blg.	
* 2/14/85	524	MINUTE ORDER: (PHA) ORD that mtn to strk multiple mtns of Billy R. Shapley & Donald Bray (#516) is gmtd. Mr. Zeh & Ms. Wright are still attys of recd in this matt'r & will continue to hv control of this actn pursnt to L/R 4(g) (1). Cps. dist. (SS) blg.	
2/15/85	525	NOTICE of institution of acnt & of criminal contempt of Shapley V. O'Callaghan consent decree obo P, Billy Shapley. (m) blg.	
2/19/85	526	LETTER to Mr. Breed frm Norman J. Crew re prison conditns. blg.	
2/21/85	527	MOTION to join & hld named officers, agents, srvants, employees in civ contempt for violatn of this crts consent decrees and MOTION to hld Ps & Ds in Civ Contempt for violatn of consent decree, obo P, Collier, w/P&As in supprt of both mtns. (m-2/19/85) (SS) blg.	
2/22/85	528	MOTION for eratta obo P, (fld by Shapley). (m-2/20/85) (SS) blg.	
2/26/85	529	REQUEST for rew of U.S. Mags ord that gmtd mtn to strike (#524) obo Ps, Billy Shapley, & Donald Bray, w/P&As. (m) (SS) blg.	
2/28/85	530	MOTION to strk obo Ds, w/P&As. (m-2/27/85) (SS) blg.	
3/01/85	531	INFORMATION & req for an ord for show cause hrg obo P, Robert G. Johnstone. (m) b	
3/06/85	532	OPPOSITION to Ds mtn to strk (#524) obo P, Billy R. Shapley, w/P&As. (m) blg.	

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** PLEASE SEE DOCKET ENTRY #532a & #532b.

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CIVIL DOCKET CONTINUATION SHEET

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PLAINTIFF JAMES PHILLIPS, et.al.	DEFENDANT RICHARD BRYAN, et.al.	CV-R-77-221-ECR (PHA)
SIX P. SHADLEY, et. al.	MICHAEL O'CALLAGHAN, et. al.	PAGE 35 OF ____ PAGES

DATE	NR.	PROCEEDINGS
12/85	533	OPPOSITION to appeal of Messers, Shapley & Bray to Mags Ord (#524) obo P, (fld by Mr. Zeh, atty for Ps) w/exhbs attchd. (m) blg.
07/85	532a	LETTER to ECR frm Mr. Allen Breed, Crt Auditor re Third Progress Reprt on St of Compliance in case , if any questions about reprt or Ds current status of Compliance w/stip agreemnt please call him. (Loc in back of file is the auditor's 3rd progress reprt in compliance w/stip agreemnt). blg.
--	532b	ITEMIZED STATEMENT of Crt Auditor's tm & exp obo Allen F. Breed, Criminal Justice Consultant. blg.
3/85	--	SUB TO PHA: Mtn to enlarg ti for Ds to respond to Motion to hold Ds in contempt.crc. ITEMS #532d & 532c listed below. blg.
9/85	534	X MOTION in oppositn for enlargmnt of tm to file Ds respnse obo P, w/P&As. (m-3/17/85) *(Per Robin-Moot) blg.
0/85	535	X MOTION to enlarge tm to respnd to Ps mtn to hld Ds in Civ contempt obo Ds, w/P&As affdvts attchd. (m) blg.
-	536	X MOTION for Crt ord to issue a show cause ord commandng P & Ds to show cause bef this Crt why they & ea of them sh not be hld in criminal contempt. (m). (SS) blg.
-	537	POINTS/AUTHORITIES in supprt of (Item #536) obo P, Collier. (m) blg.
-	538	AFFIDAVIT/SERVICE of item #536 & 537 mld on 3/18/85 obo P, Collier. blg.
-	539	MINUTE ORDER: (PHA) ORD mtn to enlrg tm (#535) is denied. Cps. dist. (SS) blg.
/85	532d	MEDICAL COMPLAINT obo P, William C. Frankell. blg.
/85	532c	MINUTE ORDER: (ECR) ORD lettr has been attchd by Crt fm Daniel Richmond. Cpy of lettr sh be provided to Allen Breed & to cnsl in this case. Orig letter sh be returned to Mr. Richmond. Cps. Dist. blg.
9/85	540	LETTER to ECR re Auditor's 3rd Progress Report frm Allen F. Breed, Court Auditor. blg.
6/85	541	AFFIDAVIT of Patti Bengtson obo P mld on 3/20/85. blg.
3/85	542	✓ MOTION to be plcd on mlg list obo P. (m-4/1/85) (SS) blg.
-	543	CERTIFICATE/SERVICE of item #542 mld on 4/1/85 obo P. blg.
/85	544	X MOTION to strk obo Ds, w/P&As. (m-4/3/85) (SS) blg.
9/85	545	ORDER: (PHA) ORD that any docmnt not fld by cnsl in this actn sh be disregarded by Crt. No respnse need be md by any pty to any docmnts wh hv prev been fld by individual class members. (EOD: 4/15/85) Cps. dist. blg.

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PLAINTIFF		DEFENDANT	CV-R-77-221-ECR DOCKET NO. _____ PAGE 36 OF _____
JAMES PHILLIPS, et.al.		RICHARD BRYAN, et.al.	
WILLIAM R. SHAPLEY, et.al.		MICHAEL O'CALLACHAN, et.al.	
DATE	NR.	PROCEEDINGS	
4/11/85	546	APPLICATION for hrg to present oral test & other evid obo P, w/P&As. (no srv blg. <u>**per ord #545 no actn req**</u>	
--	547	MOTION for Crt ord to show cause why permanent injunctn sh not issue obo P, w (m-4/9/85) (**NO ACTION REQUIRED PURSUANT TO PHA - ORD #545**) blg.	
--	548	STATEMENT of case & of Facts obo P. (m) blg. **NO ACTION REQUIRED PURSUANT PHA - ORD #545***.	
4/15/85	--	SUB to ECR: Item #524. blg.	
4/15/85	549	MOTION to grant Ps mtns fld 2/21/85 obo P (fld by P-Collier) w/P&As. (m-4/7/85)	
4/16/85	550	OPPOSITION & memo to Ds mtn to strk (#544) obo Ds, (fld by Shapley & Bray), w (m) blg.	
4/29/85	551	MINUTE ORDER: (ECR) ORD that mags min-ord (#524) is affirmed, It is not clear erroneous or contrary to law. Cps. dist. blg.	
5/6/85	552	NOTICE of appeal or in alternative Ps objctns to U.S. Mags ord dtd 4/9/85 obo P, w/P&As, & Affdvts. (m) blg.	
5/20/85	553	RESPONSE to notice/appeal or in alt objctns to Magistrate's ord dtd 4/15/85.0 Ds. (m-5/20/85) crc.	
5/31/85	--	SUB to ECR Item #552. cl.	
6/10/85	--	SUB to ECR: Item #545. (SS) blg.	
6/4/85	554	LETTER TO Mr. Breed re Civ Rights violations frm Mr. Lawrence Pa blg.	
6/6/85	555	LETTER to ECR re prison conditns/& Civ Rights frm Daniel Richmond blg.	
		*SEE DOCKET ENTRY BELOW #555a.	
7/12/85	556	LETTER to Mr. Breed re Civ Rights violatns frm Bill Shapley. blg	
7/11/85	555a	NOTICE of institution of actn obo P, Shapley. (no srv sho) blg.	
7/19/85	557	MINUTE ORDER: (ECR) ORD follwng matters are ref to U.S. Mag for determtn: (1) Wh class is being represntd properly by presnt cl (2) Wh former NSP inmates who are no longer incarcerated in ma sec are still members of class & (3) Wh any of representvs of who may no longer be incarcerated in NSP are & cont to be proper representatvs of class. Cps. dist. (SS) blg.	
--	558	MINUTE ORDER: (ECR) ORD that Clk of Crt sh retain certain mtns, notices & other docmnts hv been sub to Clk of Crt for flg by in members of class. However, class is represntd by cnsl, therefor L/R 4(g)(1) preclds indiv members fm flg docmnts may be assiste to Mag Atkins in condctng hrg on representatn. ORD Clk of Crt retain those docmnts in Crt file, but sh not file them until fr ord of this Crt. Cps. dist. blg.	

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CIVIL DOCKET CONTINUATION SHEET

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PLAINTIFF	DEFENDANT	CV-R-77-221- ECR (PHA)
JAMES PHILLIPS, et.al.	RICHARD BRYAN, et.al.	DOCKET NO.
BY R. SHAPLEY, Et. al.	MICHAEL O'CALLAGHAN, et. al.	PAGE 37 OF _____ PAGES

DATE	NR.	PROCEEDINGS
25/85	--	SUB to PHA: Items #557 & 558. blg.
0/85	--	SUB TO PHA: Proposed Notice of Appeal obo Shapley & Letter dtd 7/29/85 addressed to ECR. crc.
9/85	559	MEMO of correspnd frm Clk of Crt to Mr. Allen Breed re prison conditns w/attachd letters. blg.
	560	NOTICE of ch of address of Ps cnsl Claudia Wright. (m) blg.
/85	561	LETTER to ECR frm P, Shapley re constitutnl rights. blg.
13/85	562	MOTION for OSC why Ps are being deprived of sectns 13 (E) & 18 of the CAA19 V. Hocker Consent decree obo P, w/P&As. (m-8/9/85) (SS) blg. No actn; has apptd cnsl.
5/85	563	MINUTE ORDER: (ECR) ORD letter has been rec'vd by Crt dtd 8/12/85 fm James F. Taylor. Sd letter sh be fld & cpy sh be provided to cnsl. Letter sh be called to attn of Magistrate in connectn w/her consideratn of representatn of class. Cps. dist. blg.
-	564	LETTER to ECR frm P, Taylor re represntn. Cps. Dist. (per Item #563) blg.
6/85	--	SUB to PHA: Item #563 & 564. blg.
6/85	565	MINUTE ORDER: (PHA) ORD matter ref to PHA to determ wh class is being properly represntd. Wh former NSP inmates who are no longer incarcerated in max sec are still members of class. Wh any representatv of class who may no longer be incarcerated in NSP are & cont to be proper representatvs of class. In rept of this a status conf is set for 10/24/85 commencing at 11am in visitors rm of max sec division of NSP. It sh be respn of cnsl for Ds to sec presence of follwng individuals. *See ord for specifics. Cps. dist. blg.
13/85	--	SUB to PHA: Item #562. (SS) blg. *Per memo fm PHA no actn, however she has noted it for her 10/24/85 hearing. blg.
11/85	566	NOTICE/APPEARANCE of Urvashi Vaid, ACLU National Prison Project cnsl for Plaintiffs. (m) blg.
3/85	567	NOTICE re V.P. & designatn loc/cnsl as to Urvashi Vaid due by 10/23/85 Cps. dist. (SS) blg.
6/85	567	MOTION for ord to compel entry on Land for Inspectn obo Ps, w/P&As, exhbs & declrtn attachd. (no srv sho) (SS) blg.
	568	LETTER to Crt/Clk re prison conditns frm Mr. Allen Breed. blg. (fld per ECR's instrcts). blg.

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FPI-MAR-7-14-80-20-38

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BILLY R. SHAPLEY, et.al.	MICHAEL O'CALLAGHAN, et.al.	DOCKET NO. _____
		PAGE <u>38</u> OF _____ PAGES

DATE	NR.	PROCEEDINGS
10/17/85	569	POSITION on class representn obo Ps, w/declratn. (m) blg. (Charles Zeh)
--	570	AFFIDAVIT of Charles R. Zeh obo Ps. blg.
10/18/85	571	OPPOSITION to mtn for ord to compel entry on land for inspection (#567) obo Ds. (m) blg.
--	572	LETTER to ECR frm Allen F. Breed/Crt Auditor re 4th progree report. blg.
--	573	FOURTH PROGRESS REPORT on compliance w/stip settlmnt agreemnt obo Allen Breed/Crt Auditor. <u>*DUE TO SIZE LOCATED UNDER SEPARATE COVER</u> BLG.
--	574	MINUTE ORDER: (PHA) ORD mtn for ord to compel entry on land for inspectn (#567) hrg was condctd by crt. Cnsl for ds sub to crt their written. Oppositn thereto. Matter tkn under advismnt by crt (dt of hrg: 10/17/85) Cps. dist. (SS) blg. *mld: 10/21/85.
10/18/85	575	MINUTE ORDER: (ECR) ORD mtn for ord to compel entry on land for inspectn fld on behalf of Ps on 10/16/85 (#567) is hereby assigne Mag/PHA for her consideratn & decision. Cps. dist. blg.
--	576	ORDER (cpy) denying Ps applic for writ of mandamus. crc.
10/23/85		SUB TO PHA: Mtn obo Ps to cont settlmnt agreement, etc. crc.
	576a	MOTION to cont settlmnt agreemnt obo Ps, w/exhbs attchd. (m) blg.
10/21/85	--	RECEIVED VERIFIED PETITION obo Urvashi Vaid cnsl for Ps. blg.
10/28/85	577	MINUTES/HEARING: (PHA) Status Conf (hrge dt 10/24/85) tm to discuss wh class is being represented properly by presnt legal cnsl; wh former NSP inmates who are no longer incarcerated in max sec are still members of the class; wh any of representatv of class who may no longer be incarcerated in NSP are & cont to be proper representvs of class matter hrd & tkn under subm. *See ord for specifics. Cps. dist. (C/R: Michelle Doty) blg. M-10/30/85
10/29/85	578	LETTER to PHA from Charles R. Zeh re attys fees. blg.
10/30/85	579	MOTION/ORDER: (PHA) ORD ext of tm for P, Shapley to Reply to Charles Zeh's flg intitld Ps positn on class representn (#569) to 11/10/ Cps. dist. (SS) blg. *mld-11/4/85
10/31/85	580	ORDER: (PHA) ORD that Ps mtn fld 10/16/85 (#567a) for ord to compel entry on land for inspection is denied. Cps. dist. (SS) blg. *mld-11/4/85.
11/14/85	--	SUB TO PHA: Mtn obo Ds for ext of ti to file late pleading, i.e. response to Ps mtn to cont settlmnt agreement. crc.

SEE DOCKET ENTRY 580a on page #39.

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CIVIL DOCKET CONTINUATION SHEET

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PLAINTIFF JAMES PHILLIPS, et.al.	DEFENDANT RICHARD BRYAN, et.al.	CV-R-77-221- ECR ^{PHA} DOCKET NO
ILLY R. SHAPLEY, et.al.	MICHAEL O'CALLAGHAN, et.al.	PAGE 39 OF ____ PAGES

(PH)

DATE	NR.	PROCEEDINGS
/18/85	581	X MOTION to reconsider obo P, memo, declrtn & prpsd ord. (m-11/15/85) (SS) blg.
/19/85	582	DESIGNATION/LOCAL COUNSEL Urvashi Vaid in class actn designatd Crt appt cnsl Chuck Zeh. Cps. dist. blg.
/13/85	580a	X MOTION for lv to file late pldng obo Ds, w/P&As, & affdvt. (m) blg.
/19/85	583	ORDER: (ECR) ORD mtn for lv to file late pldng grntd to 11/22/85 for Ds to file & srv response to Ps mtn to cont settlmnt agreemnt & w/in context of settlmnt agreemnt to cont Crts jurisdictn over NSP. Cps. Dist. blg. *mld-11/20/85.
/22/85	584	RESPONSE to mtn to cont settlmnt agreemnt (#??) obo Ds, w/P&As & Affdvt atchd. (m) blg.
/3/85	585	X MOTION obo P for issu of O/S/C & for suppl relief w/attachmnts. (m) crc.
--	--	SUB TO PHA: Item #585. crc.
1/27/85	586	RESPONSE to mtn to reconsider (#581) obo Ds, w/P&As. (m) blg.
/10/85	587	REPLY to mtn to reconsider (#581) obo Ps. (m) blg.
/17/85	588	REPLY to oppositn to mtn to ext Crts jurisdictn & continue settlmnt conf (#576a) obo Ps. (m) blg.
/18/85	589	FIFTH PROGRESS REPORT on complanc w/stip settlmnt agreemnt obo Allen Breed/Crt Auditor. <u>DUE TO SIZE/UNDER SEPARATE COVER.</u> BLG.
2/86	590	STIPULATION/ORDER: (ECR) ORD ext of tm to file response to mtn for issuance of OSC & for supplmntl relief to & incldng 1/3/86. Cps. Dist. (SS) blg. *mld-1/8/86
3/86	591	OPPOSITION to mtn for issu of OSC & for suppl relief (#585) obo Ds, w/P&As & exhbs. (m) blg. <u>DUE TO SIZE/UNDER SEPARATE COVER.</u>
2/86	591a	LETTER frm P, Wm C. Frankell re prsn conditns. Cps. Sent to Breed/Shirl
5/86	592	ORDER: (PHA) ORD Billy Shapley no longer named P or personal representv of class; Ps cnsl sub one of more names & reasons therefor to Crt for consideratn as new class representatvs on or bef 1/24/86. If cnsl believes no now representatvs are needed they sh notify the crt on or bef 1/24/86. Cps. dist. (SS) blg. (EOD: 1/8/86) *mld-1/8/86
8/86	593	MINUTE ORDER: (ECR) ORD letter recv'd fm Charles Harry Collier req an emergency hrg to show cause for civ & criminal contempt has been rec'd by Crt. Communicatn is ref to Magistrate for her consideratn to determin wh letter sh be permit to file in 1 or both cases or neither of sd cases. In this connectn Mag sh consider wh Collier has standing to file this docmnt in vw of fact that Ps in Shapley case are represntd by cnsl & that he is not prty in Edwards case.

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CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-7-14-80-70

PLAINTIFF JAMES PHILLIPS, et.al.	DEFENDANT RICHARD BRYAN, et.al.	CV-R-77-221- 2
BILLY R. SHAPLEY, et.al.	MICHAEL O'CALLAGHAN, et.al.	DOCKET NO. _____
		PAGE 40 OF ____ PA

DATE	NR.	PROCEEDINGS
593--Cont'd-		Mag sh also consider wh issues raised in Collier's letter were raised in sd cases. Crt advised that Mag prev hrg w/respect to propriety of cnsls representatn of class in Shapley case & sh will hv to determine wh Collier's letter might or might not be considered w/respect to that issue. To extent necessary to consid dispositn of Mr. Collier's letter & to tk appropriate actn w/respect to matters referred to therein, sd cases are assigned to her for her consideratn, ords & recommendatns. Clk sh supply cps of forms to file civ rights case to Mr. Collier, in event he desires to initiate an actn in his own behalf. Cps. dist. blg. *mld-1/15/86
1/15/86	--	SUB to PHA: Item #593 w/letters. blg.
2/3/86	--	SUB to PHA: Items #593,581,585,576a & 592. (SS) blg.
1/29/86	594	LETTER to Urvashi Vaid fm P, Kenneth Carlisle re current classifi procedures at NSP. In appenix III of the stipulation agreemnt.
1/30/86	595	OBJECTIONS to Mags Ord (Item #592) obo Billy Shapley. (m) blg. <u>FLD BY BILLY SHAPLEY NOT THE APPOINTED COUNSEL.</u>
2/5/86	596	LETTER to Clk frm Gale Robert Waldron re medical attention. blg. <u>FLD BY GALE ROBERT WALDRON NOT THE APPOINTED COUNSEL.</u>
2/7/86	597	NOTICE/SUBSTITUTION/COUNSEL of Claudia Wright she has left the employmnt of NPP & Urvashi Vaid has now tkn over in her plc. (r blg.
2/10/86	598	ORDER: (PHA) ORD Ps mtn (#581) grntd. Ord of 11/4/85 (#580) rescin as follws: Fm 1st paragrph of pg 5 thru pg 6, remainder of ord 11/4/85 thru pg 4 thru 1st line of pg 5, sh remain in effect, th Ps mtn fld 10/16/85 (#567a) grntd sd inspectns sh be condct as follws: Cnsl for Ps & Ds are to determine schdle for inspectns b Ps experts that compatible to both parties allowng for inspectns reasonable tm for such inspectns & tkg into consideratn prison's schedlng of staff & orderly operatn of facility; Disc by Ps expe to be condct w/in 6-wks fm entry of this ord. See Ord for Specif Cps. dist. (EOD: 2/13/86) (SS) blg.
--	599	ORDER: (PHA) ORD re-Collier's emergency letter recv'd on 1/8/86 re hrg on OSC. It has been determ by Mag that Collier does not hv standng to file subj letter in Edwards vs. Sumner, CV-R-85-599-1 & it is improper, under L/R 4(g)(1) for it to be fld in Phillips vs. O'Callaghan, CV-R-77-221-ECR wh are both subj of actv litigatn; That adequacy of representatn of P class in Phillips vs. O'Calla CV-R-77-221-ECR, was recently considered by the undersigned Mag found cnsl's representatn to be proper & adequate; nothing raise in letter or in subsequent proceedngs in Phillips has indicated the findings sh be reconsidered. For reasons stated. Ord that letteris subj of this report sh not be permitted to be fld in either Phillips vs. O'Callaghan, CV-R-77-221-ECR, or in Edwards vs. Sumner, CV-R-86-26-ECR, AS FRIEND OF Crt. See Ord for specif Cps. dist. (EOD: 2/13/86) (SS) blg.

DOCKET ENTRIES CONT'D ON PAGE #41

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CIVIL DOCKET CONTINUATION SHEET

FPI-VAC-7-14 89-70M-4388

PLAINTIFF JAMES PHILLIPS, et.al.		DEFENDANT RICHARD BRYAN, et.al.	CV-R-77-221- ECR ^{PHA} DOCKET NO.
BILLY R. SHAPLEY, et.al.		MICHAEL O'CALLAGHAN, et.al.	PAGE 41 OF ____ PAGES

DATE	NR.	PROCEEDINGS
2/11/86	600	ITEMIZED STATEMENT of Crt Auditor's tm & expenses obo Allen F. Breed Criminal Justice Consultant. blg.
2/12/86	601	REPLY to Ds oppositn to mtn for sanctns (#585) obo Ps, exhbs. (m) blg.
3/10/85	599a	LETTER/RESPONSE pursnt to Ord (Item #592) obo Charles Zeh. blg.
3/13/86	--	SUB to ECR: Items:#585;576a; & 592. (SS) blg.
2/27/86	602	MOTION for clarificatn & req for status conf obo Ps, w/P&As. (m) (SS) b. /of scope of disc permitted Ps by virtue of parag 3(b) /of Crts ord dtd 2/13/86. (m) blg.
3/4/86	603	MINUTE ORDER: (PHA) ORD status conf set for 3/21/86 at 10am bef this Crt. Sd status conf will be hld in Mags Crtrm & Mr. Zeh & Ms. Nielsen only need appear for sd conf it will not be necessary for any other parties to attend. Cps. dist. (SS) blg.
3/12/86	604	LETTER to Mr. Zeh frm Billy Shapley re cps to be returned to him. blg.
3/24/86	605	LETTER to Judge Reed frm P, Gale Robert Waldron re prison conditns. blg.
3/25/86	606	MINUTES/HEARING: (PHA) dtd-3/21/86: ORD this was tm set by crt for status conf in matter, re new P class representatv. The name of Mario Dellara was sub to crt by cnsl for P & cnsl for Ds concurred w/choice of Mr. Dellara as new class representatv. Clk of Crt is instructed to list Mario Dellara as new P class representatv w/James Phillips. Clk of crt is fur instructed to sub name of D, Michael O'Callaghan for the name of Richard Bryan, as Governor of the St of Nv. Therefore, new case caption is read James Phillips, et.al. vs. Richard Bryan, et.al. pursnt to Rule 25(d), FRCP. Cps. Dist. blg. *mld-4/2/86.
3/2/86	--	SUB to ECR: Items #585,576a, & 602. (SS) blg. See Docket Entry listed below #606a. blg.
3/8/86	607	MINUTE ORDER: (ECR) ORD mtn for clarificatn (#602); Mtn for contin of Settlmnt Agreeemnt (#576a) & mtn for OSC (#585) ref to Mag for her consideratn & to determ when mtns are ripe for hrg & at that tm sh in conjctn w/Cal Clk set sm for hrg bef this Judge. Mag sh cause prehrhg Notc Ord to be issued w/respect to hrg on ea of sd mtns. Cps. dist. (SS) blg.
3/7/86	606a	REQUEST FOR TRIAL on Ps mtn for contempt obo Ps. (m) blg.
3/08/86	--	SUB to PHA: Items #585,576a, & 602, & 606a. blg.
3/11/86	608	INDEX of pldngs that were refused by the Clks Off to be on file as part of this record as the pleadings were not filed by their counsel of record. blg. Pleadings located behind the file in a separate folder

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CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-7-14-83-12M-43

PLAINTIFF		DEFENDANT	CV-R-77-221-ECR DOCKET NO. _____ PAGE 42 OF _____ PAGE
JAMES E. PHILLIPS, et.al.		RICHARD BRYAN, et.al.	
DATE	NR.	PROCEEDINGS	
4/11/86	609	MOTION for Protectv Ord obo Ds, w/P&As & exhbs. (m) (SS) blg.	
--	--	SUB to PHA: Item #609, 606a. (SS) blg.	
4/21/86	--	SUB TO PHA: Stip mtn for ext of ti for Ps to respond to Ds mtn for prot ord.crc.	
4/21/86	610	NOTICE/APPEARANCE of Alvin J. Bronstein w/ACLU National Prison Proj & Alexa Freeman also w/ACLU National Prison Proj. (m) blg.	
4/25/86	611	OPPOSITION to mtn for protect/ord (#609) obo Ps, w/P&As & exhbs. (m) blg.	
4/30/86	612	STIPULATION/MOTION-ORDER: (PHA) ORD apprvng late flg. of oppostn (#6 Cps. dist. blg. *mld-5/1/86.	
5/1/86	--	SUB TO PHA: Stip mtn for ext of ti for Ds to reply to Ps oppos to Ds mtn for prot ord.crc.	
5/6/86	613	MINUTE/ORDER: (PHA) ORD status conf set for 5/28/86 at 2pm. Individ Ps do not need to attend sd conf. At this tm all pending mtms will be argued as well. Cps. dist. (SS) blg. *mld-5/9/86.	
--	614	STIPULATED/ORDER: (PHA) ORD ext of tm to file oppositn to mtn for protectv ord (#609) to & incldng 5/16/86. Cps. dist. (SS) blg. *mld-5/9/86.	
5/09/86	615	LETTER to ECR fm Inmate Clifford E. Osborn re requirmnt of Shapley Decree. blg.	
5/16/86	616	MINUTE ORDER: (ECR) ORD letter recvd fm Osborn (Item #615) sh be fld Clk & cps sent to Mr. Zeh, A.G. of Nv & Mr. Breed. Crt has no authority to sua sponte respnd to letter. Cps. Dist. blg. *mld-5/16/86.	
--	617	REPLY P&As n spprt of mtn for Protectv/Ord (#609) obo Ds, w/P&As, affdvts. (m) blg.	
5/19/86	618	MINUTE ORDER: (ECR) ORD that Shapley's letter sh be fld & cpy provi to defense cnsl (cpy has already been sent to Mr. Zeh) Documnts w were enclosed w/Shapleys letter sh be returned to him by Clk. See Ord for specifics. Cps. dist. blg. (cpy sent to Judge Browning) & (Mr. Shapleys letter has been fld and the documnts returned) blg.	
--	619	LETTER to ECR frm Shapley re not being able to file documnts. blg.	
5/20/86	620	MINUTE/ORDER: (PHA) ORD oral argmnt of mtms set for 5/28/86 commenc at 2pm is cont'd to 6/12/86 at 2pm. Individual Ps need not attend sd cof. Cps. dist. (SS) blg. *mld-5/21/86.	
6/12/86	621	MINUTES/STATUS CONFERENCE: (PHA) ORD status conf re disc set for 1:30pm on 6/24/86. Cps. Dist. blg. *mld-6/16/86.	

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CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-77-14-BO-70M-4398

LAINTIFF	DEFENDANT	CV-R-77-221- ECR ^{PHF} DOCKET NO. <u>43</u> PAGE <u>43</u> OF <u>43</u> PAGES
AMES B. PHILLIPS, et al.,	RICHARD BRYAN, et al.,	

DATE	NR.	PROCEEDINGS
27-86	622	MINUTES OF CONTINUED STATUS CONFERENCE dtd 6-24-86: (PHA) ORD that 1. re 2nd req #5 (listed as #2) complete set of adm regs of NDP: all 300 & 400 series to be given to cnsl for Ps, none to be shown any inmate; an ord re this & all confidential info will be prepared by crt & dist to cnsl; foll items are cons confidential: 2,3,6,8,23,24, 38 & 45. 2. 2nd req covered in #1. 3. 3rd req is denied. 4. 2nd req #11 (see mins for sepcs). Cnsl for Ds to prod bal of materials by 8-8-86. Foll <u>not</u> to be deposed: Debra J. Fox, Mike Sheehan, Miles Long, Robin Bates & John Ignacio-all oth to be taken at tme mut convenient to ptys. All depos to be taken at NSP. <u>Disc to be completed by 9-30-86; prop jnt factual ord to be sub to crt by 10-14-86. Stat conf set 10-15-86 at 10:00am.</u> Cps dist 7-10-86. (AT) vf.
'10/86	623	CHANGE/ADDRESS obo Charles R. Zeh cnsl for Ps. (no srv sho) blg.
/17/86	624	ORDER fr C/A ordering writ of mandamus fld w/o prepayment of fees & denyg same. crc.
/21/86	625	LETTER to ECR frm James R. Burke re Prison Law Library w/cpy of letter that Burke sent to Allen Breed. (cpy md for HDM per ECR's instrctns) blg.
5/86	626	NOTICE of appearance obo Ps (ACLU-National Prison Project) Mary E. McClymont. (m) blg.
/25/86	626a	VERIFIED/PETITION obo Alexa P. Freeman cnsl for Ps. Cps. Dist. blg.
'3/86	627	MINUTE/ORDER: (ECR) ORD docmnt entitled Judicial Notc of Adj (sic) Facts sought to be fld in above cases by Donald E. Bray is Strken & sh be returned. Cps. Dist. blg. *mld-9/10/86.
25/86	--	SUB TO PHA: Stip & ord staying disc pendg settlmnt negotiations, staying procs until 1/15/87. crc.
/2/86	628	STIPULATION for stay of disc. blg.
--	629	ORDER: (PHA) ORD that status conf presently schldd for 10/15/86 be vac. Tm for flg jnt P/T/O sh be contd til fur ord of this Crt. Cps. Dist. (AT) blg. *mld-10/6/86.
--	630	MINUTE/ORDER: (PHA) ORD status conf set for 1/21/87 at 10am. Cps. Dist. (AT) blg. *mld-10/6/86.
/6/86	631	MINUTE/ORDER: (PHA) ORD status conf set for 10/15/86 has been contd to 1/21/87. Cps. Dist. blg. Cps. Dist. (AT) blg. *mld-10/14/86. *cnsl notified by teleph*
/24/86	--	TRANSCRIPT/HEARING-NOTICE TO CLASS tkn on 7/25/86 at 9:50am. (C/R: Ronald Caughron) (1-cpy) blg.
14/87	--	SUB TO PHA: Stip & ord for stay of disc.crc.

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CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-7-14-83 **Don**

PLAINTIFF		DEFENDANT	CV-R-77-221- ECR DOCKET NO. _____ PAGE 44 OF _____ PAGE
JAMES PHILLIPS, et.al.		RICHARD H. BRYAN, et.al.	
DATE	NR.	PROCEEDINGS	
1/13/87	632	STIPULATION for stay req that disc in matter be stayed til 3/16/87 blg. (See Minute Order below #633)	
1/20/87	633	MINUTE/ORDER: (PHA) ORD disc conf set for 1/21/87 at 10am. Cnsl hv sub to Crt stip for stay (#632) req that disc be stayed til 3/16, & that sd matter be conf be vac. Cnsl hv been teleph notified th sd 1/21/87 conf will be <u>not</u> be vac & that tm staying disc will be discussed. Cnsl for Ds was fur instructed to secure presence of James Phillips & Mario Dellara at sd conf. Cps.Dist. (AT) blg. *mld-1/21/87.	
1/20/87	634	AFFIDAVIT/MAILING as to stip for stay (#632) mld on 1/16/87 obo Ds. blg. SEE DOCKET ENTRY BELOW #634a.	
1/22/87	635	MINUTE/ORDER: (Dtd-1/21/87/Status Conf) (ECR) ORD that class repres Mario Dellara is no longer housed at NSP. Mr. Phillips advised th he had no objs to continuing on as sole class representv for Ps. Crt concurred. Zeh adv that final draft of propsd settlmnt agreem would be available for revw by cnsl for Ds no later than middle o next wk, 1/28/87. Crt grntd req that disc be stayed til 3/16/87, based on this informatn. Cps.Dist. (AT) blg. *mld-1/23/87.	
1/21/87	634a	NOTICE/SUBSTITUTION of assigned cnsl as to Ds, James Rankl will no be handlng this case. (m) blg.	
3/13/87	636	MOTION for stay of disc & other procs obo Ds. (m-3/12/87) crc.	
--	-	SUB TO PHA: Item #636. crc.	
3/24/87	637	MINUTE/ORDER: (PHA) ORD mtn to stay (#636) set for status conf on 4/24/87 at 10am. Cps.Dist. (AT) blg.	
4/24/87	638	MINUTES OF STATUS CONFERENCE: (PHA) ORD 2 furth status conf set 5/8/87 3:00pm & 5/11/87 10:00am. Oral argumt re mtn for issu of ord to show cause (#585) set 7/27/87 10:00am bef Judge Burns. Cps dist 4/27/87. cl.	
5-5-87	639	MINUTE ORDER: (ECR) ORD that oral arg of mtn for iss of OSC set 7-27-87 is <u>cont to 7-27-87 @ 2:00pm</u> . Cps dist 5-6-87. vf.	
5/8/87	640	MINUTE/ORDER: (PHA) ORD tm set for status conf on 5/11/87 vacated. Cps.Dist. blg.	
6/22/87	641	MOTION to reappoint auditor conduct follow-up tour of NSP & for subsequent stat conf obo Ps. (m-6/11/87) (SS) crc	
7/1/87	642	JURY TRIAL DEMAND obo D, James Phillips. (m) blg. <u>NO ACTION HAS APPT. CNSL.</u> blg.	
7/6/87	--	SUB to ECR: Item #642. (AT) blg.	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	CV-R-77-221- ECR ^{DWH} (P) DOCKET NO. _____
JAMES E. PHILLIPS, et.al.		RICHARD BRYAN, et.al.	PAGE 45 OF _____ PAGES
DATE	NR.	PROCEEDINGS	
7/2/87	643	ORDER: (JMB) ORD auditor Alan Breed to visit prison for several days beg on 6/30/87, in ord for him to reprt to Crt. Cnsl are to meet w/Allen Breed at Carson City on 7/6/87 to explore settlmnt possibi any fur actn under Ps mtn fld 6/22/87 will be deferred pending a conf call w/cnsl, Mr. Breed & Crt as envisioned in #1 above. Simil def until then are any matters relatv to disc & preparatn for hrg presently set in Reno on 7/27/87. Cps.Dist. (AT) blg. See Ord for Specifics.	
7/6/87	644	RESPONSE to Ps Rule 34 req to inspect premises obo Ds. (m) blg.	
7/9/87	644a	LETTER fm Inmate Greory R. Hogan re prison conditn & Jury demand. bl	
7/28/87	645	MINUTES/TELEPHONE-CONFERENCE dtd 7/27/87: (JMB) ORD hrg on mtn of P for issuanc of OSC. ORD stip of parties of settlmnt agreemnt sh be sub to Crt no later than 8/31/87 & Crt will then retn sd agreemnt by 9/4/87 to parties. Notc of propsd settlmnt agreemnt must be given to class members by 9/9/87 wh will specify comments & objs to Clk in Reno by 10/9/87. Hrg on final approval of settlmnt sh be hld bef Judge James M. Burns on 10/16/87 at 10am & all named class representatvs sh be presnt at sd hrg. Cps.Dist. (AT) blg. (C/R: Karen Netley)	
8/20/87	646	LETTER to Alexa Freeman re consent decree obo Inmates. (m) blg. *cpy to Judge Burns.	
9/21/87	--	SUB to JMB: Items #645 & 646. (AT) blg.	
9/18/87	647	NOTICE to Crt re posting of notc of class re settlmnt hrg in class actn Prisoners Civ Rights clm hv not been met obo P, James F. Taylor. . (m) blg. *cpy to Judge Burns.	
--	648	OBJECTIONS to propsd stip settlmnt agreemnt obo P, w/P&As & exhbs. (m) blg. *cpy to Judge Burns	
9/25/87	649	OBJECTIONS to propsd stip settlmnt agreemnt obo P, Gerald E. Rogers. (m) blg. (not fld by his atty) *cpy to Judge Burns.	
9/23/87	650	OBJECTIONS to propsd stip settlmnt agreemnt obo P, Wm J. Berry. (m) blg. (not fld by his atty) *cpy to Judge Burns.	
9/29/87	651	OBJECTIONS to propsd stip settlmnt agreemnt obo P, John Witherow (m) blg. (no fld by his atty) *cpy to Judge Burns.	
9/30/87	652	OBJECTIONS to propsd stip settlmnt agreemnt obo P, Mark A. Azbill w/P&As. (m) blg. *cpy to Judge Burns.	
10/2/87	653	OBJECTION to propsd stip settlmnt agreemnt obo P, Gregory R. Hogan. (m) blg. *cpy to Judge Burns.	
10/5/87	654	OBJECTIONS to stip settlmnt agreemnt obo Ps, w/P&As obo P, Russell Lee White. (m) blg. *cpy to Judge Burns.	

NO ACTION TO BE TAKEN NOT FILED BY THEIR ATTORNEY.

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DWA

PLAINTIFF		DEFENDANT	CV-R-77-221-ECR DOCKET NO. _____ PAGE 46 OF _____ PAGES
JAMES E. PHILLIPS, et.al.		RICHARD BRYAN, et.al.	
DATE	NR.	PROCEEDINGS	
10/6/87	655	OBJECTIONS to propsd stip settlmnt agreemnt obo P, Edward Wills, w/P&As. (m) blg. *No Actn, not fld by his atty.	
--	656	MOTION to sub named P pty obo P, Gregory R. Hogan, w/P&As. (m-10/4/87) (AT) bg. *No Actn not fld by his atty.	
--	657	OBJECTIONS to propsd stip settlmnt agreemnt & MOTION to dism cnsl obo class members, w/P&A (signed by several Inmate (m-10/4/87) (AT) blg. *No Actn, Not fld by his Atty.	
10/16/87	658	PROOF of posting of notc to class re stip settlmnt agreemnt obo Ds, w/exhb. blg.	
--	659	MINUTES/SETTLEMENT/CONFERENCE: (JMB) ORD Crt & cnsl confer re settlmnt matter stands sub to Crt. Cps. Dist. (C/R: Ron Caughron <u>A.M.</u>) & (C/R: Marion Brown-Pava <u>P.M.</u>). blg.	
--	--	Responses fld by members of class, per Judge Burns to be plcd in sep fldr. no actn class is represented by cnsl. blg. *Located in sep folder, per Judge's instructions.	
11/2/87	--	TRANSCRIPT tkn on 10/16/87 hrg bef JMB. (1-cpy) (C/R: Marian S. Brown Pava). blg.	
11/23/87	660	WITHDRAWAL of mtn to intervene obo P, Ray Donald Pratt. (m) blg.	
5/10/88	661	NOTICE of chg of address of Robert Mitchenfelder transfered to Oregon State Penitentiary 2605 State St., Salem, Oregon 97310 on or about 4/29/88. (m) blg.	
5/12/88	662	PETITION for writ of mandamus or for writ of prohibitn obo P, Gregory R. Hogan, w/exhbs. (Not fld by his atty). blg.	
5/13/88	--	SUB to ECR: Item #662 & Status of case. blg.	
5/19/88	663	STIPULATED/SETTLEMENT/AGREEMENT. blg. (Due to Size Loc/Sep Cover.)	
--	664	ORDER: (JMB) ORD stip settlmnt agreemnt & stip for settlmnt of attys fees fld w/Crt on 5/19/88 are apprvd. Cps. Dist. (EOD: 5/20/88) blg.	
--	665	STIPULATION/SETTLEMENT: (JMB) ORD clms by Ps cnsl for reasonable atty fees, costs & expense wh hv been or could hv been md on or bef this dt in this actn are settled in full for sum of \$160,000. Settlemnt inclds all attys fees, costs & expenses incurred in any litigatn in this actn to this dt & any tm spent in seeking to collect or preparing to collect such fees, costs & expenses to this dt. Attys for Ps certify that they hv authority fm all Ps cnsl to enter into this settlmnt stip. Parties intend to sub this stip & settlmnt of attys fees along w/Stip=Settlmnt=Agreemnt on sub issues on this case to U.S. Dist. Court for Dist. of NV for appvl. Stip Settlmnt	

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PLAINTIFF		DEFENDANT	CV-R-77-221- ²⁰¹⁵ ECR DOCKET NO. _____
JAMES E. PHILLIPS, et.al.		RICHARD BRYAN, et.al.	PAGE 47 OF _____ PAGES
DATE	NR.	PROCEEDINGS	
		CONTINUED FROM DOCKET SHEET PAGE #47 Cont'd 665 of Atty fees is contingent upon executn of stip settlmnt agreemnt concerning sub issues by Crt & parties both agreemnts sh become effectvsimultaneously upon approval by Crt & parties. Parties agreed that attys fees & costs sh be md by NV Board of Prison Commissioners or Board of Examiners or both & that paymnt of these fees & costs sh be md directly to National Prison Project & it is understood & agreed among parties that Charles Zeh, Washoe Leg Services, Sfercrazz & Zeh & Beckley, Singleton, Delanoy, Jemison & List, Chtd. waive any & all clms for attys fees, costs & expenses fm & agnst St of NV & an & all Ds in this case. Nothing in this agreemnt or in any jdgmnt or act pursnt thereto sh be interpreted to constitute an admissn of any kind by Ds that any clms by Ps for fees, costs & expenses, wh or not settled or waived by this agreemnt, are or would be compensable unde 42 USC 1988 or any other applicable law. Nothing in this agreemnt or any jdgmnt or act pursnt theret9 sh be interpreted to constitute an admissn of any kind by Ps that any clms for fees, costs & expense except as settled by this agreemnt, are not or would not be compensa under applicable law. It is understood & agreed that this agreemnt o any jdgmnt or act pursnt thereto sh not be construed as, nor constit an admissn of any liability on part of Ds. Cps.Dist. (EOD: 5/20/88) blg.	
6/15/88	666	NOTICE/APPEAL obo Ps. Dist Crt flg fee NOT PD. Cps to C/A w/docket sheet; cnsl; C/R & D. (SS) crc.	
6/22/88	667	LETTER (cpy) to Clerk of C/A fr D/C dtd 6/22/88 re notc/appeal. Orig to C/A; cps dist 6/22/88. crc.	
--	668	DOCKET FEE PAYMENT NOTIFICATION FORM (cpy). Orig to C/A. Flg Fees NOT PAID. crc.	
--	--	9CA notified in writing on this date that Ps have counsel and chose to file without attorney and that filing fees not pd as of this date. crc. (C/A# 88-2896)	
9/15/88	669	DESIGNATION of Clerk's Record on appeal obo Applnts. (m-9/13/88)crc.	
--	669A	DESIGNATION of R/T obo Applnts. crc.	
9/21/88	669B	MOTION for lv to proceed in F/P w/Petn for Removal obo Michael R. Evans. (m-9/19/88) crc. (672)	
11/8/88	670	MOTION to proceed in forma pauperis on appeal obo Ps Hogan & Garcia, In Pro per. (m-11/7/88) crc.	
--	671	LETTER fr Michael Evans re apptmnt of monitors. crc.	
9/17/88	--	SUB TO JDM: Items #669B, 670 & 671. crc.	
11/30/88	672	ORDER: (JMB) ORD Mtn for lv to procd in forma per on appeal (#669B) fld by Evans (Dulin); Mtms to procd in forma per on appeal fld by Hogan & Garcia (#670). Sd Ds sh ref sd mtms to atty Zeh. Letter to Judge Reed asking questns how to contact Crt Appt Monito fm Evans is to be treated as a mtn sd mtn grntd & ref to Atty Zeh. Cos.Dist. bla. *mld-12/2/88.	

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PLAINTIFF		DEFENDANT	CV-R-77-221- ECR ^{DWA} DOCKET NO.
JAMES PHILLIPS, ET AL.		RICHARD BRYAN, ET AL.	PAGE 48 OF ____ PAGES
DATE	NR.	PROCEEDINGS	
11/30/88	673	REQUEST for subm of #670 obo P, Hogan & Garcia, Jr. blg.	
1/31/89	674	NOTICE of cnsl's chg of address for Washoe Leg Srv obo Ps. (m) blg.	
2/27/89	675	REQUEST for subm of designatn on appeal obo Appellants, Pro Se, Hogan & Garcia, Jr. *Per Cliff no actn req; plc in file*	
3/14/89	676	FIRST PROGRESS REPORT on complianc w/stip settlmnt agreemnt obo Crim Justice Consultant, Jerry J. Enomoto, Patrick D. McManus. blg.	
4/3/89	--	SUB to ECR: Recvd Docmnt 3/17/89 fm Gale Robert Waldron mtn & petitn for appt of cnsl. blg.	
4/10/89	677	MINUTE/ORDER: (ECR) ORD recvd dcmnt 3/17/89 fm Gale Robert Waldron for mtn & petitn for appt of cnsl denied, as there is cnsl of recd for this class actn. (Recvd docmnt rtn to Gale Robert Waldron) blg.	
4/18/89	678	RETURN/MAIL as to Item #677 mld to ACLU National Prison indicatn "rtn to sender" forwardng ord expired. blg.	
8/24/89	679	NOTICE chg address of atty Zeh obo Ps. (m) blg.	
8/25/89	680	LETTER to Rod Countryman fm Hogan re incidents at the prison. blg.	
10/23/89	681	SECOND REPORT obo Monitor. blg.	
4/9/90	682	MOTION for status conference obo James Edward Kimsey w/P&A's. (m 3-30-90)(AT) dr.	
--	683	NOTICE of mtn #682 obo Kimsey. dr.	
--	684	REQUEST for subm of mtn #682 obo Kimsey. dr.	
4/19/90	--	SUB to ECR ^{ECR} : #682. dr.	
4/25/90	685	MINUTE/ORDER: (ECR) ORD mtn for status conf referred to U.S. Mag for her consid & dec. (cps dist 4-25-90)(AT) dr.	
--	--	SUB TO PHA: #682. dr.	
5/16/90	686	APPLICATION for setting obo Kimsey & Brown. (m) dr.	
--	687	RETURN/MAIL of item #685, mld to ACLU Natl Prison, rtnd "forwarding order expired". dr.	
5/23/90	688	RESPONSE to app for setting obo Ds.(m) dr.	
5/29/90	689	REPLY to resp #688 obo Kimsey & Brown.(m) dr.	

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PLAINTIFF		DEFENDANT	CV-N-77-221-ECR (P) DOCKET NO. <u> </u> PAGE <u>49</u> OF <u> </u> PAGES
JAMES PHILLIPS, ET AL.		RICHARD BRYAN, ET AL.	
DATE	NR.	PROCEEDINGS	
6/4/90	--	SUB TO PHA: #686. dr.	
--	690	NOTICE to ptys re status conf obo P.(m) dr.	
6/6/90	691	AFFIDAVIT of cnsl obo Ps. dr.	
--	692	RESPONSE to dos recvd by Washoe Legal servs obo Ps. (no srv shn) dr.	
--	693	POINTS & AUTHORITIES obo Ps. (no srv shn) dr.	
--	694	CERTIFICATE of mng of item #692 & 693 on 6/7/90 obo Ps. (m) dr.	
6/7/90	695	JUDICIAL NOTICE pursuant to Rule 201 obo Kimsey & Brown. (m) dr.	
6/11/90	696	CERTIFICATE of srv of items #683,682,686,689,690 obo Kimsey & Brown. (m) dr.	
6/26/90	697	NOTICE of intent obo Kimsey & Brown.(m) dr.	
7/13/90	698	MONITORS' THIRD REPORT obo Ds, w/exhbs. (m) blg. <u>DUE TO SIZE PLCD under separate cover.</u> / #682/	
7/26/90	699	SUPPLEMENT to mtn for status conf obo NSP Law Library as Pty in Interest, w/P&As & Exhbs. (m) (DUE TO SIZE PLCD SEP/FOLDER).	
8/1/90	700	MINUTE ORDER: (PHA) ORD Ernest K. Nielson of Washoe Legal Svcs, cnsl for Ps sh notfy crt in writing by 4:00pm 8/24/90 whether he or another atty with Washoe Legal Svcs has discusd these matters w/their client/class reps & whether or not a hrng is req. Cps dist. (AT) mp	
8/6/90	701	RETURNED MAIL: Cpy of #700 sent Charles Zeh retnd as undelvrbl. mp	
8/7/90	702	RETURNED MAIL: Cpy of #700 sent to Ernest Nielson retnd as undelvrbl. mp	
8/8/90	703	RETURNED MAIL: Cpy #700 mld to (ACLU) retnd, "Forward Ord expired" bl	
8/10/90	704	NOTICE of Reprs indict Marc Cardinalli replaces Jim Rankl as Cnsl for Ds (m 8/9/90) bh.	
8/15/90	705	NOTICE to crt re status of status conf obo P Kimsey. mp	
8/21/90		SUB TO PHA: #682. mp	
8/27/90	706	MONITORS' FOURTH REPORT obo Ds, w/exhibs. (m) mp	
8/29/90	707	REQUEST/ORDER: (PHA) ORD P grntd ext of ti to 9/14/90 to advise Ct wh hrg necess (re Item #700). Cps dist 9/6/90. (AT) mp	

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JWA

PLAINTIFF		DEFENDANT	CV-N-77-221-ECR (P)
JAMES PHILLIPS, ET AL,		RICHARD BRYAN, ET AL,	DOCKET NO. _____
			PAGE 50 OF _____ PAGES

DATE	NR.	PROCEEDINGS
9/11/90	708	NOTICE of chg/add obo Natl Prison Project, cnsl for P. (m) jl.
9/18/90	709	NOTICE (2nd) re ct's ord of 8/1/90 (#700) obo P & X MOTION/ORDER: (ECR) ORD Ps sh hv to 10/30/90 to file stmt of issues to be addressd at status conf. Cps dist 9/19/90. (AT) jl.
10/30/90	710	THIRD NOTIFICATION in res to ct ord of 8/1/90 (#700) cbo P's cnsl Nielsen w/aff. (m) jl.
11/2/90	--	SUB to PHA: #682. (AT) jl.
11/28/90	711	MINUTE ORDER: (ECR) ORD tht hrafrt ths actn sh bear case # CV-N-77-221-ECR (PHA) wh sh appear on -ll fut docs fld w/ct. Cps dist 11/29/90. jl.
--	712	RESPONSE to 3rd notif (#710) obo Ds. (m) jl.
12/10/90	713	REPLY to response (#712) obo P's cnsl Nielsen. (m) jl.
12/24/90	714	AFFIDAVIT of James E. Kimsey & Phillip M. Brown re request for hrg/contempt agnst Ds & Ds' cnsl. (m) jl.
1/4/91	715	X MOTION to strike affs (#714) obo Ds. (m) (AT) jl.
1/11/91	716	OPPOSITION to mtn to strike (#715) obo Ps Kimsey & Brown. (m) jl.
1/17/91	717	ORDER: (PHA) ORD that mtn req status conf (#710) is granted ; status conf set 2/19/91, 11am ; prisoners need not attend. FUR ORD that mtn for status conf (#682) sh not be consid as they are members of class & repres by cnsl. Cps dist 1/18/91. (AT) jl.
1/22/91	718	NOTICE to the ct obo NSP library as pty in interest (Kimsey & Brown) (m) jl.
2/14/91	719	STIPULATION/ORDER: (PHA) ORD that status conf prev set for 2/19/91 is vacated . Cps dist 2/15/91. jl.
2/15/91	---	SUB to PHA: #715. (AT) jl.
2/22/91	720	MINUTE/ORDER: (PHA) ORD that status conf set 6/11/91, 10am . FUR ORD only cnsl need appear. Cps dist 2/25/91. jl.
3/29/91	721	LETTER to ct requesting status conf obo James Kimsey. (no proof of svc to Ds shown). jl.
3/29/91	722	MINUTE/ORDER: (PHA) ORD that req of Kimsey (#721) is denied . Cps dist 4/1/91. jl.
4/10/91	723	MONITORS' FIFTH REPORT obo Ds. (m) mj
5/2/91	724	MINUTE ORDER: (PHA) ORD tht status conf previously set for 6/11/91 is advanced 5/30/91 10AM ; FUR ORD tht a hrng on all pendng mtns will proceed at tht time; FUR ORD tht only cnsl need appear. Cps dist 5/3/91. (AT) mj DOCKET ENTRIES CONT'D ON PAGE #51

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Dw4

PLAINTIFF	DEFENDANT	CV-N-77-221-ECR DOCKET NO. _____ (PHA) PAGE <u>51</u> OF _____ PAGES
JAMES PHILLIPS, et.al.	RICHARD BRYAN, et.al.	

DATE	NR.	PROCEEDINGS
5/8/91	725	MOTION to vac settlmnt agreemnt & REQUEST for status conf re compliance obo Ds. (m) (AT) blg.
5/28/91	726	OPPOSITION to Ds' mtn to vacate (#715) obo Ps. (m) (AT) mj
--	727	AFFIDAVIT/SERVICE re oppo (#726). mj
5/30/91	--	SUED TO PHA: (ITEM #715, #714, & #718, & #726) (AT) mj
5/31/91	728	MINUTE ORDER: (PHA) ORD tht Ds' mtn to strike (#715) is grntd ; FUR ORD tht Ds' mtn to vacate the settlmnt agreemnt (#725) is held in abeyance until such time as an evidentiary hrng is conductd. Cps dist 6/5/91. (AT) mj
--	729	MINUTES OF STATUS CONFERENCE: (dtd 5/30/91) (PHA) ORD tht the case caption shl be amended to reflect new Ps, William England, Norman Crew & Juan Martinez, the Ds shl be am to reflect the current govnm of NV, Robert A. Miller; it appears to the Crt tht an evident hrng will be necessary, upon filing of Monitor's 6th rept (in or about August 1991), a prehrng notc ord will be issd with aview to said hrng held w/in 90 dys, the Crt will sched a disc conf prior to the evident hrng. Cps dist 6/5/91 (AT) mj (C/R: Cathy Worken)
7/1/91	730	ORDER: (Cpy) frm C/A dtd 6/24/91 re briefing sched. mj
7/9/91	--	REPORTERS TRANSCRIPT re Status Conf hld 5/30/91. mj
7/30/91	731	CERTIFICATE OF RECORD: (cpy) Record complete for appeal. Orig to C/A Cps dist. mj
--	732	LETTER (cpy) to Clk C/A frm D/C re cert/rec. Cps dist. mj
8/12/91	733	ORDER: (cpy) frm C/A re applnts design ofv transcript due 8/15/91 ; Crt repts to provide cost est to applnts by 8/26/91 ; Applnts shl pay the Crt repts for transcripts by 9/3/91 ; transcripts are due 10/3/91 ; opening brief due 11/4/91 & answring brief due 12/4/91; FUR ORD tht cpy of this ord shl be provided to Crt Reportr Suprv & USDC Clk who shl provide cpy to each designtd reprtr; (once they designtd) FUR ORD tht applnts failure to timely comply w/this Ord will subject this appeal to disml; this Ord is subj to reconsdrtn by a judge if any objectn is fld w/in 10 dys of the entry of Ord. Cps dist by C/A - cpy by USDC to Crt Reprtr Supv. mj
8/23/91	--	SUBD TO PHA: (ITEM #725) (AT) mj
8/27/91	734	LETTER (cpy) to Applnt re desig R/T due 8/15/91. Cpy to C/A. mj
9/13/91	735	MINUTE ORDER: (PHA) ORD tht disc hrng set 10/23/91 10AM ; Cnsl for the prties need to be in attendance; the monitors, the Ps & D parties do not need to attend . Cps dist 9/16/91. (AT) mj

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DWA

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JAMES PHILLIPS, et al.,		RICHARD BRYAN, et al.,	DOCKET NO. _____
			PAGE <u>52</u> OF _____ PAGES
DATE	NR.	PROCEEDINGS	
10/8/91	736	MONITOR'S SIXTH REPORT obo Ds. (m) (AT) mj	
10/11/91	--	SUBD TO PHA: (ITEM #736) (AT) mj	
10/15/91	737	RESPONSE to 6th repmt obo Ds. (m) (AT) mj	
10/16/91	--	SUBD TO PHA. (ITEM #737) (AT) mj	
10/23/91	738	MINUTES OF STATUS CONFERENCE: (PHA) ORD tht status conf is set 11/22/91 10AM ; FUR ORD tht cnsl to confer w/each other & the Monitors to resolve all possible differences; Cnsl shl provide the Crt w/a list all outstanding req discover. (C/R: Oma L. Rose) Cps dist 10/24/91. (AT) mj	
11/25/91	739	MINUTE ORDER: (ECR) ORD tht in order to clarify the record/intention of the Crt; the Crt ords tht this actn is assigned to US Mag Judge PHA for all further proceedngs consistent w/her jurus. Cps dist 11/ (AT) mj	
11/27/91	740	MINUTES OF STATUS CONFERENCE: (dtd 11/22/91) (PHA) ORD tht subject matter of hrng taken under advisemnt: (Ps' remaing concerns at NSP Ps' request tht Crt ord a 7th Monitors Reprt; Ds orl mtn for evide hrng) (C/R: Oma Rose) Cps dist. (AT) mj	
4/9/92	741	ORDER (CC) frm C/A dtd 2/14/92 ORD A's mtn to dismiss for failure to prosecute is granted (cps dist) (AT). rm	
4/9/92	742	JUDGMENT (CC) frm C/A dtd 2/14/92 ORD appeal dismiss (cps dist). rm.	
---	---	SUBD TO ECR: (ITEMS #741 & #742). rm	
4/13/92	743	ORDER ON MANDATE (ECR): ORD mandate spread upon rcrds of this Crt (cps dist) rm.	
8/3/92	744	ORDER (PHA): ORD 1) monitors shl file 7th monitors' repmt by 9/4/92; 2) parties are to meet and outline steps to be taken w/spec time limits for implementation; 3) Ds oral mtn for hrg is granted, sd hrg is sched for 9/28/92 @ 2:p.m. (cps dist) (AT). rm	
8/18/92	745	NOTICE to Court obo Ds re NSP inspection by Crt appt'd monitors (m) (A	
8/20/92	---	SUBD TO PHA: ITEM #745--any act'n req'd?). rm	
8/20/92	746	RETURNED MAIL: Item #744 addr'd to Jerry Enomoto retn'd marked "moved forward order expired". rm	
8/26/92	--	ITEM #744 remailed to Jerry Enomoto at new address supplied by Candace, 7751 Sleepy River Way, Sacramento 95831. rm	
---	747	RESPONSE obo Ps to Ds notice to Crt (#745) (m). rm	

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WILLIAM ENGLAND, et al.		ROBERT A. MILLER	
DATE	NR.	PROCEEDINGS	
8/26/92	748	MINUTES OF TELEPHONIC STATUS CONFERENCE (PHA): ORD monitors shl tour prison 9/21/92 & present 7th monitors' rpt orally on 9/30/92 @ 11:a.m. in Crtrm 3; FUR ORD evid hrg sched for 9/28/92 is vacated & reset for 9/30/92 @ 11:a.m. (C/R: Oma Rose) (cps dist) (AT). rm	
9/29/92	749	MINUTE ORDER (PHA): ORD evid hrg sched for 9/30/92 @ 11:a.m. to 9/30/92 @ 10:a.m. (cps dist) (AT). rm	
9/30/92	750	MINUTES OF EVIDENTIARY HEARING (PHA): ORD prties may not depose monitors; monitors McManus & Enomoto swrn & give oral rpt; ORD minotirs 7th rept be filed & srvd by 10/9/92, objctns srvd & filed by 10/19/92, response due 10/25/92; FUR ORD telephonic status conf sched 10/28/92 @ 9:a.m, Evidentiary Hrg sched 12/9/92 @ 10:am. (cps dist) (AT). rm	
10/5/92	751	RETURNED MAIL: #749 addressed to Charles Zeh, marked "no such #"; remailed to new address of 100 W. Liberty, #700, Reno, NV 89501 10/6/92. rm	
---	752	RETURNED MAIL: #750 addressed to Charles Zeh, marked "no such #"; remailed to new address of 100 W. Liberty, #700, Reno, NV 89501 10/6/92. rm	
---	753	NOTICE TO COURT obo D re substitution of Dr. Geo. Kaiser in place of Rod Countryman in evid hrg 12/9/92 (m) (AT). rm	
10/9/92	754	MONITOR'S SEVENTH REPORT obo Ds (m) (AT). rm 755	
10/19/92	755	RESPONSE obo Ps to monitors 7th report (m) (AT). rm	
---	756	RESPONSE obo Ds to monitors 6th report (m) (AT). rm	
10/20/92	--	SUBD TO PHA: ITEMS #753, 754, 755 & 756. rm <i>replied to 10/20/92</i>	
10/26/92	757	REPLY obo Ps to Ds' response to 7th rpt (#756)(m). rm	
10/27/92	758	ADDENDUM TO REPLY (#757) to Ds response to 7th rpt (#756). (m). rm	
10/28/92	759	MINUTES OF TELEPHONIC STATUS CONFERENCE (PHA): ORD issue re need for evid hrg stands subd (cps dist) (AT). rm (C/R: Oma Rose)	
---	760	NOTICE TO COURT obo Ds req'g case be subd to PHA based on rcd currently before Crt; req evid hrg sched for 12/9/92 be vacated (m) (AT). rm	
10/29/92	--	SUBD TO PHA: ITEM #760. rm <i>subd to PHA</i>	
1/17/92	761	RETURNED MAIL: #759 addr to ACLU retnd marked "attempted-not known" remailed to 418 S. Maryland Parkway, LV 89101 11/18/92. rm	

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PLAINTIFF		DEFENDANT	CV-N-77-221-ECR(1) DOCKET NO. _____
WILLIAM ENGLAND, et.al.		ROBERT A. MILLER, et.al.	PAGE 54 OF _____ PAGES
DATE	NR.	PROCEEDINGS	
3/31/93	762	REPORT/RECOMMENDATION: (PHA) REC for all stated reasons (See Ord for Specifics) USD-Jdg enter ord that Ds are not in full compliance w/section III of 1988 agreemnt, & that sectn III not be certif & Ds are in full compliance w/Sectn II of 1988 agreemnt, & that this sectn be certif. Cps.Dist. (EOD: 4/5/93) (AT) blg. #769, *#770 775	
4/19/93	763	INITIAL/OBJECTIONS to R&R (#760) obo Ps. (m) (AT) blg.	
4/22/93	764	MOTION/ORDER: (ECR) ORD tm to modif & or add addtnl objs & to file P&As in spprt of those objs & objs fld on 4/19/93 sh be ext til 9/30/93; R&R (#762) & (#763). Cps.Dist. (AT) blg. *mld-4/26/93.	
4/23/93	765	MOTION for reconsidrtn of R&R (#762) obo Ds. (m) (AT) blg.	
4/27/93	766	MOTION/ORDER: (ECR) ORD tht D's mtn for enlg of tm is <u>GRANTED</u> ; D's shl hv <u>30 dys</u> frm the fl date of P's objctns/rspns to PHA's R & R (#762). (AT) Cps dist 4/27/93. jm.	
4/28/93	--	TRANSCRIPT of status conf tkn on 9/30/92. (1-cpy) (C/R: Oma L. Rose) (Transcriptn By: Typewrite Services) blg.	
5/6/93	767	NOTICE of chg of address by atty Charles R. Zeh, Esq. obo Ps. (m) blg.	
5/10/93	768	NOTIFICATION of recpt of transcripts obo Ps. (m) blg.	
6/4/93	--	SUB to PHA: Item #765. (AT) blg.	
6/16/93	769	OBJECTIONS obo Ps to R&R (#762) (m) (AT). rm	
7/15/93	770	RESPONSE to objs to R&R (#762) obo Ds. (m) (AT) blg.	
9/21/93	771	AMENDED REPORT/RECOMMENDATION : (PHA) RECOMM tht Ds' mtn for reconsidrtn (#765) is <u>granted</u> . RECOMM tht the DC ent an ord cetify Section III as bein in full compliance of the 1988 stipulated settlmnt agreemnt. This is in addtn to Section II wh was recomm to be in full compliance in the prev R&R (#762). EOD/Cps. dist 9/27/93. (AT) bh. 773, 775	
9/27/93	--	SUBD TO ECR: Items #762, 763, 764, 769, 770 & 771. (AT) bh.	
10/12/93	772	OBJECTIONS to Am R&R (#771) of U. S. Magist Jdg obo Ps. (m) (AT) bh.	
10/13/93	--	SUBD TO ECR: Item #772. (AT) bh.	
11/3/93	773	RESPONSE to Ps' objs to am R&R of Unites States Magist Jdg (#771) obo Ds. (m) (AT) bh.	

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DWH

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WILLIAM ENGLAND, et al.		ROBERT A. MILLER, et al.	
DATE	NR.	PROCEEDINGS	
11/29/93	--	SUBD TO DWH: Items #762, 763, 764, 769, 770, 771, 772 & 773. (AT) lls.	
12/27/93	774	MINUTE ORDER: (LDG) ORD case reassign to DWH for all fur procdngs. Cps dist. (AT) tb	
3/9/94	775	ORDER (DWH): ORD matter of section II compliance is remanded to PHA for her review of any recommendtns called for by § 14 of 1988 Stip settlmnt agrmnt tht monitors shl file w/i 30 days of this ord; flwing expirtn of tht period, matter of § II compliance shl be deemed resub'd to PHA for recommendation to this Crt; FUR ORD PHA's R&Rs are adopted in part as follows: Ds are in full compliance w/§ III of the 1988 Stip settlmnt agrmnt & § III is hereby certified (cps dist) (AT).rm	
4/15/94	--	SUB TO PHA: Item #775. (AT) bh.	
4/20/94	776	MOTION/ORDER: (DWH) ORD P granted extn of ti til 6/1/94, for monitors to file recomms & for ord that Ds pay monitors' fees & exp for on site visit. Cps dist 4/21/94. (AT) bh.	
4/25/94	777	MOTION for reconsidrtn of ord (#776) obo Ds. (m) (AT) blg. 778, 793	
5/9/94	778	OPPOSITION to mtn for reconsidrtn (#777) obo Ps. (m) (AT) bh.	
5/13/94	779	MINUTES OF PROCEEDINGS: (PHA) ORD tht Crts ord (#776) is clarfd such tht St. of NV shl pay for the Monitors visit to NSP. (AT) (C/R: Tape 94-15) Cps dist 5/17/94. jb	
5/24/94	780	MOTION for protective ord obo P. (m) (AT) bh. Stricken (782)	
	781	MOTION for ord to show cause obo P. (m) (AT) bh. Stricken (782)	
--	--	SUB TO PHA: Items #780 & 781. (AT) bh.	
5/25/94	782	MINUTE ORDER: (PHA) ORD tht the subj docs (#780 & 781) shl be stricke & rtnd to Mr. Smith. Cps. dist. 5/31/94. (AT) bh.	
5/31/94	783	MONITORS' REPORT in rsnse to the Crt's ords of 3/9 & 5/13, 1994 to recomm approp actn to meet the req of Sect II of the 1988 stip settlmnt agreemnt obo Crt Monitor. (m) (AT) bh. 789	
6/1/94	--	SUB TO PHA: Item #783. (AT) bh.	
5/26/94	782a	LETTER fm Warden NSP/Helling re P, ALBERT GARCIA's relocatn to DVI - Prison in Tracy, CA. blg.	

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PLAINTIFF		DEFENDANT	CV-N-77-221-DWH
WILLIAM ENGLAND, et al.,		ROBERT A. MILLER,	DOCKET NO _____
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DATE	NR.	PROCEEDINGS	
6/6/94	784	RESPONSE to Ps' mtn for ord to show cause (#781) obo Ds. (m) (AT)	
6/8/94	785	MINUTE ORDER: (PHA) ORD tht cnsl for any party wishing to respond to the Monitors' Report shl file such response on or bef 6/27/94 Cps. dist. 6/10/94 (AT) bh.	
6/16/94	786	LETTER dtd 6/9/94 obo P. bh.	
6/30/94	787	MOTION/ORDER (DWH): ORD Ds shl hv to 7/7/94 to file oppo to monitor report (#783) (cps dist) (AT).rm	
6/24/94	788	EX PARTE MOTION for ord of contempt of crt obo P. bh. (790) Stricken	
7/8/94	789	OPPOSITION to Monitors' report (#783) obo Ds. (m) (AT) bh.	
7/11/94	790	ORDER: (PHA) ORD tht the ex parte mtn for ord of contempt of Ord shl be stricken & rtnd to P Phillips. Cps. dist. 7/12/94. (AT) b	
7/12/94	791	MOTION/ORDER: (DWH) ORD Ds granted permiss to file late pleading re oppo to monitors' report (#789) obo Ds. bh. Cps. dist. 7/13/94	
7/13/94	792	SUBMISSION of affid in supprt of oppo to monitors report (#789) obo Ds. (m) (AT) bh.	
7/20/94	--	LETTER to ECR re doc #788 & 789 obo P. bh.	
8/4/94	--	SUB TO PHA: Item No #---- (AT) bh.	
8/19/94	793	MINUTE ORDER (PHA): ORD D's mtn for recons (#777) is denied (cps dist)(AT).csd	
8/19/94	794	MINUTE ORDER (PHA): ORD stat conf re Monitors' report filed 5/31/94 & oppo is sched on 10/5/94 at 2:00 pm (cps dist)(AT).csd	
10/4/94	795	DESIGNATION/LOCAL COUNSEL: (CCF/jb) Apprvd as to Ernest Nielson as loc cnsl for out of st atty Mark J. Lopez for P. Cps. dist 10/6/94 (AT) bh.	
--	796	VERIFIED/PETITION: (CCF/jb) Apprvd as to Mark J. Lopez as co-cnsl for P. Cps. dist. 10/6/94. (AT) bh.	
10/5/94	797	MINUTES PROCEEDINGS/STATUS CONFERENCE: (PHA) ORD the Crt & parties conf re the recomms outlined in the Monitor's Report fld 5/26/94 (#783) as to the actn nec to meet the req of Section II of the 1988 stipulated settlmnt agreemnt. A Report and Recomm is to follow. (Recorder: Tape #94-59/94-60) Cps. dist. 10/6/94. (AT) bh.	
11/16/94	798	EX PARTE MOTION for contempt of Crt of Ps. (m) (AT) bh. Stricken	
11/21/94	--	SUB TO PHA: Item #798. (AT) bh.	

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PLAINTIFF		DEFENDANT	CV-N-77-221-DWH (PH)
WILLIAM ENGLAND, et al.,		ROBERT A. MILLER, et al.,	DOCKET NO. _____
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DATE	NR.	PROCEEDINGS	
11/29/94	799	MINUTE ORDER: (PHA) ORD tht the subj doc (#798) shl be strckn & returned to Mr. Smith. Cps. dist. 12/6/94. (AT) bh.	
12/12/94	800	RETURNED/MAIL item #799 sent to ACLU of NV w/indictn "return to Sender forward expired. bh.	
--	801	RETURNED/MAIL item #799 sent to James E. Phillips w/indictn "Paroled" bh.	
2/17/95	802	REPORT/RECOMMENDATION: (PHA) RECOMMS tht the Dist Jdg ent an Ord as follows: Tht Section II be cert as being in compliance with the 1988 stipulated settlmnt agreeemnt. EOD/Cps. dist. 2/17/95 (AT) bm.	
--	803	ORDER: (PHA) ORD tht any spec writtn obj to the R&R shl be fld & prsnly srvd (not mailed) no later than 3/2/95. Rsponses to objs sh be fld 3/15/95. There will be no replies. FUR ORD tht the Clrk shl sub the R&R to Jdg Hagen on 3/3/95, if no objs are fld; tht the R&R with objs & rsponses sh be sub 3/16/95, if objs are fld on or bef 3/2/95. EOD/Cps. dist. 2/17/95 (AT) bm.	
3/2/95	804	OBJECTIONS to R&R (#802) obo Ps. (m) bm.	
3/10/95	805	POINTS/AUTHORITIES in supprt of their objs to R&R of U. S. Magist Jdg obo Ps. (m) (AT) bm.	
--	806	AFFIDAVIT/SERVICE obo Ps. bm.	
3/15/95	807	RESPONSE to Ps' objs to the R&R of U. S. Magist Jdg (#802) obo Ds. (m) (AT) bm.	
3/16/95	--	SUB TO DWH: Item #802, 803, 804, 805, 806, 807 (AT) bm.	
--	808	ORDER: (PHA) ORD tht Ps' mtn for extn of tm to file P&A's in supprt of the objs to the R&R is denied . fur ord tht the Clrk of Crt sub the R&R & this Ord to the Dist Jdg no later than 3/17/95. (AT) EOD/Cps. dist. 3/17/95 (AT) bm.	
3/17/95	809	MOTION for extn of tm to file P&A's in supprt of objs fld 3/2/95 obo P. <i>denied</i> (808)	
3/24/95	810	RETURNED MAIL; cpy of item #808 addr to James Phillips returned marked "Paroled." rm	
4/3/95	811	OBJECTIONS to Magist Atkins 3/16/95 ord (#808) obo Ps. (m) (AT)	
4/4/95	812	REQUEST to file corrected P&A's in supprt of P's objs (#811) obo Ps.	

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DATE	NR.	PROCEEDINGS
4/6/95	813	ORDER: (DWH) ORD tht the Mag Jdg's R&R (#802) is <u>adopted</u> in whole. Let jdgmnt be ent accord, follwng wh this case shl be admin closed . EOD/Cps. dist. 4/7/95. (AT) bm.
4/7/95	814	JUDGMENT: (DWH) ORD Jdgmnt ent dism above actn. EOD/Cps. dist 4/7/95. (AT) bm.
--	--	JS-6. (AT) bm.
8/7/97	815	MOTION affdvt to enforce consent decree or al hld Ds in contempt of Crt obo P. (no srv sho) (AT) blg.
08/29/97	-	SUB to DWH: Item #815. (AT) mkc
9/11/97	816	CERTIFICATE of service re #815 obo P. (m)(A)T wj
09/19/97	817	ORDER: (DWH) ORD clk sh remove frm file & return to filer dkt #815. Clk sh administratively close this file & return it to archives. Cps dist. (AT) mkc *mld 9/25/97*