

D. C. Form No. 106A

CIVIL

DOCKET

4156 (12)

TITLE OF CASE

KENNETH W. ADAMS, ET AL
 VS.

THE RANKIN COUNTY BOARD OF EDUCATION, LOUIN L. AUTRY, Superintendent of Education, MRS. R. T. GORDON, J. C. MURPHY, JR., V. R. WORLEY, WILBUR SMITH, KIRBY WARREN, Members of the Rankin County Board of Education, their agents, successors, employees, and all those in concert with them

Intervening Defendants: Mrs. Mary Libby Payne, etc.
 Per order 3-4-70

Basis of action: Permanent Injunction restraining defendants from operating a racially segregated school system - 42 U.S.C. §1983

Jury trial claimed by

on , 19

ATTORNEYS

Per oral order July 10-4-68
Reuben V. Anderson
 For Plaintiff Marian E. Wright,
 538-1/2 N. Farish St.,
 Jackson, Mississippi 39202
 R. Jess Brown, 125 1/2 North
 Farish St., Jackson, Miss.
 Fred L. Banks, Jr. & Melvyn R. Leventhal
 538 1/2 N. Farish St.
 Jackson, Miss. 39202
 For Defendants W. E. McIntyre,
Brandon, Miss.; Order 4-17-72
 William Allain, Asst. Atty
 Genl. P.O.Box 220, Jackson,
 Miss.
 William B. Compton
 P. O. Box 845
 Meridian, Miss. 39301
 (Intervening Defts.)
 Billy G. Bridges, P.O. Box 5767,
 Jackson, Miss. 39208 (Rankin Bd.
 Education)
 (See below)
 James W. Smith, Jr. (Same address)

DATE	PLAINTIFF'S ACCOUNT	RECEIVED	DISBURSED	DATE	DEFENDANT'S ACCOUNT	RECEIVED	DISBURSED
8-1-67	Paul A Brest	1500					
8-7-67	C/20 5-1		1500				
4-24-70	Melvin Leventhal	500					
4-30-70	C/20 44-1		500				
6-24-71	Fred L. Banks, Jr	500					
7-2-71	C/20 1-1		500				
					Arthur F. Jernigan, Jr. Bacon, Smith & Jernigan P. O. Box 15 Jackson, Ms. 39205 (Pearl-McLaurin - Pearl Municipa Sep. Sch. Dist.)		

ABSTRACT OF COSTS

RECEIPTS, REMARKS, ETC.

TO WHOM DUE	AMOUNT	REMARKS
		AMICUS CURIAE Robert E. Hauberg, U.S. Attorney P. O. Box 2091, Jackson, Miss. 39205
		Jerris Leonard, Asst. Atty. Gen. Dept. of Justice, Room 1145, Washington, D. C. 20530
		Brian K. Landsberg & Daniel F. Rinzel Dept. of Justice, Washington, D.C. 20530

UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
SOUTHERN DISTRICT OF MISSISSIPPI

DIVISIONS AND OFFICES
Jackson at Jackson 39205
Hattiesburg at Hattiesburg 39402
Southern at Biloxi 39533
Eastern at Meridian 39302
Western at Vicksburg 39381

Civil Action 4156

CURRENT ATTORNEYS IN THIS CASE - PER ATTY. BANKS.

PLAINTIFF

Defendant

Fred L. Banks
P.O. Drawer 290
Jackson, Miss. 39205

~~William Allain~~
~~Attorney General~~
~~P.O. Box 220~~
~~Jackson, Miss. 39205~~

Brad Pigott
Hon. ~~George Phillips~~

Arthur R. Jernigan, Jr.
Suite 500, Security Centre' North
200 S. Lamar Street
P. O. Box 23066
Jackson, MS 39225-3066
(601) 352-2300
(PEARL PUBLIC SCHOOL DISTRICT
BOARD OF EDUCATION)

One Jxn Place U.S. Attorney
188 E. Capitol P.O. Box 2091-
St., Suite 500 Jackson, Miss. --- 39205--
Jxn, MS 39201- Tel: 965-4480
0101

Fred Harrell
306 Government St.
Brandon, Miss. 39042
Tel: 825-7236
(Rankin Ct. School Dist.)

Andrew A. Foose
Civil Rights Division
Dept. of Justice
P. O. Box 65958
Washington, D.C. 20035-5958
Tel: (202) 514-3814

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DATE	FILINGS—PROCEEDINGS	AMOUNT REPORTED IN EMOLUMENT RETURNS
8-1-67	Complaint, original and 7 copies, filed.	
8-1-67	Motion for Preliminary Injunction, original and 7 copies, filed.	
8-2-67	Summons, original and 7 copies, copies having attached thereto copy of Complaint and Motion for Preliminary Injunction, issued and handed U.S. Marshal.	
8-21-67	Notice of Hearing Motion for Preliminary Injunction on 8-25-67 in Jackson before Judge Dan M. Russell, with certificate of service, filed.	
8-22-67	Answer of defendants to Complaint, with Exhibit "A" attached, filed.	
8-22-67	Marshal's return on Summons, executed as to all defendants except Mrs. R. T. Gordon and J. C. Murphy, filed.	
8-29-67	Notice of appearance of R. Jess Brown as additional counsel for plaintiff with certificate of service, filed.	
8-29-67	Notice of Motion for Preliminary Injunction before Hon. Dan M. Russell, on September 5, 1967 at 9:00 A.M. at Biloxi, Miss., with certificate of service, filed.	
9-5-67	ORDERED on Motion of Plaintiff's for preliminary Injunction will be heard on September 5, 1967 at Biloxi, Miss., filed and entered OB 1967 page 805.	
9-14-67	Plaintiff's amended complaint with certificate of service, filed.	
9-14-67	Plaintiff's Notice of dismissal against Louin L. Autry, Mrs. R. T. Gordon, J. C. Murphy, Jr., and Kirby Warren, with certificate of service, filed.	
9-15-67	Letter with attachments from Mr. W.E. McIntyre, Jr., requesting that documents be filed with letter, filed.	
9-18-67	Letter from Melvyn R. Leventhal Clerk to Marian E. Wright to W. E. McIntyre, Jr., Esquire, Brandon, Miss., for his perusal, Xerox copy of letter, filed.	
9-25-67	Carbon copy of letter to counsel for the plaintiffs from McIntyre and McIntyre with copy of suggested provision to be inserted paragraph II (g) proposed decree Rankin County School District, filed.	
9-26-67	JUDGMENT: Defendants permanently enjoined from discriminating on basis of race or color in the operation of the Rankin County school system; as set out more particularly in the body of the decree, they shall take affirmative action to disestablish all school segregation and to eliminate the effects of the dual school system. Further Ordered that the parties' rights to further modification of the school desegregation plan of the Rankin County School District as set forth herein, are hereby preserved, filed and entered OB 1967 pages 857 through 871. Copies mailed attorneys.	
9-26-67	Final J. S. 6 card.	
10-4-67	Defendants' Motion to Amend Judgment with certificate of service, filed.	
10-4-67	Notice of Hearing of Motion to Amend Judgment at a time and place set by the Court, filed.	
10-13-67	Motion to deny defendants motion to amend judgment with certificate of service, filed.	
10-31-67	School District's report on choice applications 1967-68 School Year by the Board of Education of Rankin County, Miss., with Exhibits attached, with certificate of service, filed.	
12-5-67	School District's Reports Required by Decree September 20, 1967 with certificate of service, filed.	

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DATE	FILINGS—PROCEEDINGS	CLERK'S FEES		AI REP EMO RR
		PLAINTIFF	DEFENDANT	
2-19-68	Carbon copy of letter from W. E. McIntyre, Jr., to Marian Wright dated 2-16-68 with xerox copies of choice form and a copy of letter to parents attached, filed.			
10-1-68	Plaintiffs' Motion for New Plan of Desegregation with Certificate of Service attached. Filed.			
10-16-68	School District's Report on Choice Applications 1968-69 School Year with Exhibits A through M attached, with certificate of service, filed.			
10-16-68	School District Reports on Teacher-Pupil Ratio; Pupil-Classroom Ratio; Per Pupil Operating Expenditure and Per Pupil Capital Improvement Expenditure with Exhibit A attached, with certificate of service, filed.			
10-16-68	School District's Reports Provided for by Paragraph IX and Paragraph VI of Decree Dated Sept. 20, 1967, with certificate of service, filed.			
10-23-68	Answer of defendants to motion for a new plan of desegregation filed by plaintiffs, with certificate of service, filed.			
12-4-68	Notice of Appearance of Fred L. Banks, Jr. as counsel for plaintiffs with certificate of service, filed.			
2-14-69	XXXXXX Plaintiffs' Notice of Motion for a new plan of desegregation in the U. S. Courthouse, Biloxi, 9:00 a.m., Feb. 24, 1969, with certificate, filed.			
2-19-69	School District's announcement with reference to exercise of freedom of choice, copy of proposed letter to parents, copy of proposed choice form for use in 1969-70 school year. filed			
4-1-69	Notice of hearing on motion of plaintiffs for a new plan of desegregation on 4-14-69 at Biloxi, with certificate of service, filed.			
5-16-69	Notice of hearing on motion of plaintiffs for a new plan of desegregation on 5-26-69 at 9:00 A.M. at Biloxi, with certificate of service, filed.			
5-22-69	Photocopy of Motion of plaintiffs for leave to associate Melvyn R. Leventhal as Co-Counsel for Plaintiffs with certificate of good standing attached and Notice of motion for hearing at 9:00 a.m. on 5-26-69 at Biloxi attached, with certificate of service, filed.			
6-27-69	Notice of Appearance of John A. Nichols as additional counsel for plaintiffs, with certificate of service, filed.			
11-14-69	Notice of Appearance of Melvyn R. Leventhal as additional counsel for plaintiffs, with certificate of service, filed.			
12-5-69	Plaintiffs' Notice of Motion For a New Plan of Desegregation for hearing in Biloxi on 12-8-69, with certificate of service, filed.			
12-10-69	Motion of Plaintiffs for supplemental relief with attached memorandum in support of motion, filed.			
12-10-69	Notice of above motion and of motion filed 9-30-68 for hearing on			

DATE	FILINGS—PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
1-2-70	ORDER: (1) Not later than 2-1-70 Principals, teachers, teacher-aids and other staff who work directly with children shall be assigned so that the racial composition of a school will not indicate if it is intended for negro or white students(2) Staff members who work directly with children will be hired, assigned, promoted, paid, demoted, dismissed or otherwise treated without regard to race(3) If a reduction in the number of principals, etc., it must be done on basis of non-discriminatory standards; Dist. shall permit a student in which his race is in majority to choose another school, if space is available and where his race is in minority; Transportation system shall be re-examined regularly by the Supt. his staff and school Board to insure transportation of all eligible pupils on a non-segregated, non-discriminatory basis; All construction shall be done in manner which will prevent the recurrence of the dual school structure; if Dist. grants transfers to to students to attend outside Dist. in which they live it shall be done on a non-discriminatory basis. FURTHER: (1) HEW requested to prepare a plan of desegregation which conforms to constitutional standards; (2) Defts. to collaborate with HEW in preparation of said plan (3) HEW requested to file its plan with this Court and serve a copy on Melvyn R. Leventhal, 538 1/2 N. Parish St., Jackson, Miss. counsel for plaintiffs no later than 1-26-70 (4) If school dist. wishes to offer add. plan or modification of HEW Plan it shall file with this Court and counsel opposite no later than 1-29-70.(5) Plaintiffs shall file objections to Off. of Education plan and school dist.'s proposed alternatives no later than 2-4-70(6) Court will consider plan or plans and objections on 3-9-70 at Jackson, Miss. FURTHER: (1) Court retains jurisdiction (2) Order of this Court dated 9-20-67 is vacated to extent that it is inconsistent with this order (3) Clerk directed to forward to the parties or their counsel and Mr. Jesse J. Jordan, Equal Educational Opportunity Div. office of HEW, 50 7th Street, N. Atlanta, Georgia a certified copy of this order. Filed and entered OB 1970, P. 1-5. (copies mailed attorneys of record)1-5-70			
1-5-70	Certified copy of above order mailed Jesse J. Jordan, Equal Educational Opp. Div. Office of Education, Dept. of HEW, 50-7th Street N. Atlanta, Ga.			
1-26-70	Plan of Office of HEW for operation of schools in Rankin County School District, six copies filed.			
1-26-70	One copy of Plan forwarded Vi Hilbert, Law Clerk to Judge Russell.			
1-29-70	Proposed modifications and suggestions by Defendant to School Desegregation plan filed by HEW with certificate of service, filed.			
2-4-70	Interrogatories of Plaintiffs to Defendants with certificate of service, filed.			
2-4-70	Objections of Plaintiffs to Defendants' proposed modifications to HEW Plan with certificate of service, filed.			
2-18-70	Answers to interrogatories by defendants with/certificate of service, filed.			
2-27-70	Notice of original defendants to the Court of the Position of the Original Defendants Regarding the Motion to Intervene Filed by Mrs. Mary Libby Payne, et al, filed.			
3-5-70	Motion of Mary L. Payne, et al to intervene as defendants under Rule 24, filed.			
3-5-70	Letter dated February 27, 1970 to William B. Compton from Melvyn Leventhal agreeing to intervention of the above parties as outlined in Motion for limited purposes only, filed.			
3- 5-70	Order allowing intervention of defendants for limited purposes, filed and entered O. B. 1970, Pages 376 and 378/ (copy of order mailed attorneys of record from Hattiesburg.)			
3-5-70	Response of Mrs. Mary Libby Payne, Willis H. Usry, P. T. Peagler, Robert M. Sorey, Harris Harvey, Bobby Lee Denton, Billy Patton and Ned L. Robinson,			

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D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS
	on their own behalf and as class defendants on behalf of all others similarly situated, to "Proposed Modifications and Suggestions to School Desegregation Plan filed by Office of Education of HEW Proposed on Behalf of defendants, Rankin County Board of Education", with certificate of service, filed.
3/9/70	EXHIBITS: Defendants 1 and 2 received and filed.
4-6-70	OPINION and ORDER providing for unitary school system. Filed and entered OB 1970, P.578-596. (copy mailed W.E.McIntyre, Melvyn R.Leventhal, William B. Compton, U.S.Attorney)
4-6-70	Copy of above opinion and order forwarded Clerk of Fifth Circuit Court in accordance with order.
4-15-70	Rendition by Rankin County Board of Education of Descriptions of School Zone Boundaries pursuant to opinion and order of this Court entered on 4-3-70 with Exhibit "A" attached, filed.
4-15-70	Copy of resolution of Board of Education of Rankin County, Miss. adopting plan formulated by Order of the Court entered on 4-3-70, filed.
4-21-70	ORDER Amending Order dated 4-3-70 as to grade structure at Pelahatchie-McCall School Attendance Zone, filed and entered OB 1970, Page 633. (Copy mailed attorneys Leventhal, Allain, McIntyre and Compton)
4-24-70	Interrogatories of plaintiffs to defendants, with certificate of service, filed.
4-24-70	NOTICE OF APPEAL of Plaintiff from Order and opinion of U.S.District Court dated 4-3-70, with certificate of service, filed.
4-24-70	Certified copy of Notice of Appeal forwarded Fifth Circuit.
4-24-70	Mimeographed notice of Appeal to E. Mathison and Court Reporters.
	Cash appeal bond in amount of \$250.00, filed.
5-11-70	Answers to interrogatories by defendants with certificate of services and exhibits A through E attached, filed.
5-11-70	Answers to interrogatories forwarded to Clerk, Fifth Circuit Court of Appeals.
5-18-70	Court Reporter's Transcript of proceedings had on 3-9-70 at Jackson, Miss., before Judge Dan M. Russell, Jr., filed.
5-18-70	Original Transcript forwarded Fifth Circuit Court of Appeals.
8-5-70	ORDER of Fifth Circuit Court: "It is ordered that appellants' motion to dismiss the appeal in the above cause and remand same to the United States District Court is hereby granted." Filed and entered OB 1970, P. 1038.
8-5-70	Case reopened.
10/14/70	ORDER for Clerk of Court to issue \$250.00 check to Melvyn Leventhal being refund or amount of Cash bond for costs on appeal, filed. (Copy mailed to McIntyre). Entered OB 1970, p 1551.
2-24-71	Motion of the United States for Appointment and Designation of the United States as Amicus Curiae, with certificate of service, filed.
2/26/71	ORDER: United States of America is designated to participate as amicus curiae to initiate any proceedings that may be necessary. Further ordered that Attorney General of U.S and such attorneys in the U. S. Dept. of Justice as he may designate be appointed to appear in behalf of the U.S., filed and entered OB 1971, pages 207 & 208. (Copies mailed Melvyn Leventhal, W.E.McIntyre, Jr., Wm. Allain and

DATE	PROCEEDINGS	Date of Judgment
2/26/71	Motion of U. S. A., amicus curiae for Enforcement of the Court's Orders, with cert. of service, and notice of hearing of motion on 4/1/71 in Jackson, Miss. at 9:00 AM or as soon as may be heard, filed.	
3/4/71	Interrogatories of USA, Amicus Curiae, to defendants, with cert. of service, filed.	
3-8-71	Notice of United States, Amicus Curiae, to take deposition of C. W. Jones, et al, on 3-22-71 at Brandon, Miss. with certificate of service, filed.	
3-8-71	Request of the United States, Amicus Curiae for production of documents with certificate of service, filed.	
3-16-71	Motion of plaintiffs for Supplemental Relief and Notice for hearing before Judge Russell in Jackson, Miss. on 4-1-71, with certificate of service, filed.	
3-16-71	Notice by plaintiffs that private plaintiffs will participate in the depositions noticed by the United States for 3-22-71 and that each deponent produce certain documents, with certificate of service, filed.	
3-17-71	Marshal's return on/subpoena unexecuted as to T.C.McKee, executed as to: J. H. Young, T. C. McLaurin, T. E. Manning, B.C.Vance, Shalley Vaughn, E. L. Perritt, Henry F. Shepherd, and C.W.Jones, filed.	
3-18-71	Marshal's return on deposition subpoena to testify or produce documents executed as to K. C. McKee, Principal of Pelahatchie Attendance Center, filed.	
3-19-71	Answer of defendants, members of Board of Education of Rankin County, Miss. to Interrogatories of United States of America with Exhibits attached, with certificate of service, filed.	
4-1-71	Amendment of Plaintiffs to Motion for Supplemental Relief with notice of motion for 4-7-71 at Jackson, Mississippi, with certificate of service, filed. (certificate attached to Motion for Enforcement)	
4-1-71	Motion of Plaintiffs for Enforcement of Court's Orders dated 2-25-70 with notice of motion for 4-7-71 at Jackson, Mississippi, and certificate of service, filed.	
4-2-71	Depositions of C. W. Jones taken 3-22-71, B.C.Vance taken 3-23-71, E. L. Perritt taken 3-22-71, T. E. Manning taken 3-23-71, J. H. Young, taken 3-22-71, T. C. McLaurin taken 3-23-71, K. C. McKee taken 3-22-71, Shalley Vaughn taken 3-22-71, and Henry F. Shepherd taken 3-22-71, filed.	
4/6/71	Marshal's return on Civil Subpoena executed as the following: Lottie Denton Smith, Bertha Jenkins, K. C. McKee, J. H. Young, T. C. McLaurin, T. E. Manning, B. C. Vance, Henry F. Sheppard, Shalley Vaughn, E. L. Perritt, Eli Grayson, Mrs. Dovie Lumbard, Ottriss Holmes, Alexander Martin, Everette Brown, Marie White, Clinton White, Leonard James, Mary Harris, Sylvester L. Collins, Henry Cannon and Mrs. Lucy McAfee filed.	

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DATE	PROCEEDINGS	I Ju
4/6/71	Marshal's return on deposition subpoena duces tecum executed as to the following: Irvin Breland, Mrs. Dorothy Bowling, Mrs. Wylma King, and Mary C. B. Adams, filed.	
4-8-71	EXHIBITS: Govt's 1 - 43 and D-1 and D-2, filed.	
4/29/71	Marshal's return on Civil Subpoena executed as to Estus Hood, Jr., filed.	
6-16-71	OPINION AND ORDER: School Board to immediately formulate appropriate non-racial objective criteria in selecting staff members; further directs the School Board to review all negro personnel who were not rehired after 1-2-70 and determine who should have been offered re-employment prior to replacements recruited; the Court requires a similar determination as to negro principals who were either not rehired or who were demoted and the Board to submit its report to the Court within 45 days; the Court directs board to comply in the future with provisions for employment, dismissal or demotion of employees; the Court suggests moving the vocational-technical program to Florence High School or submit an alternative plan which will promise to integrate the McLaurin School, said proposal to be within 45 days; Court requires written report as to charges of segregated classrooms, segregated buses and segregation by sex. Filed and entered OB 1971, P. 1002-1010. (copies mailed attorneys of record) DMR	
6-29-71	NOTICE OF APPEAL of Plaintiffs to U. S. Court of Appeals for Fifth Circuit from Opinion and Order of the District Court dated June 14, 1971 (entered June 16, 1971), with certificate of service, filed.	
6-29-71	Certified copy of above Notice of Appeal to Fifth Circuit Court.	
6-29-71	Mimeo. notice re appeal to E. Mathison.	
6-29-71	Cash bond in amount of \$250.00 paid into registry of Court.	
7-12-71	Court Reporter's Transcript of proceedings had on 4-7-71 at Jackson, Miss. before Judge Dan M. Russell, Jr., original filed.	
7-12-71	Original Transcript forwarded to Fifth Circuit Court.	
7/26/71	Report of Board of Education of Rankin County, Miss., required by Order of U.S. District Court entered 6/14/71, with cert. of service, and Exhibits A thru F, filed.	
3/22/72	Petition of W. E. McIntyre, Jr. for authority to withdraw as counsel, with cert. of service, filed.	
4/13/72	Petition of W. E. McIntyre, Jr. for authority to withdraw as counsel for the deft., with cert. of service, filed.	
4-17-72	ORDER: W. E. McIntyre, Jr. is permitted to withdraw as attorney for deft., Rankin County Board of Education, filed and entered OB 1972, Page 499 (DMR)	
9-28-73	Certified copy of OPINION-ORDER OF FIFTH CIRCUIT COURT OF APPEALS: Reversed and remanded, filed and entered OB 1973, page 1392-1402.	
10-9-73	Copy of Bill of Costs filed and taxed in Fifth Circuit in the amount of \$134.90 against appellees, filed.	
11/12/73	ORDER: Rankin County School Bd. directed immediately to adopt one of sets of objective non-racial criteria and submit such to Court within 20 days from 11/1/73, applying to all faculty and staff in question on or about the conclusion of 1969-70 school year. Further directed, Defts. file within 25 days from 11/1/73, a report with Court & copy to pltfs. & U.S. Parties shall within 60 days from 11/1/73 file memoranda with Court setting out issues in agreement & those to be	

DATE	PROCEEDINGS	Date Order Judgment 1
11/29/73	Interrogatories of Amicus-Curiae to defendant, with cert. of service, filed.	
11/29/73	CONSENT ORDER: Order modifying assignment of students to schools of Rankin County School District; Otherwise Opinion & Order providing for Unitary School System on 4/6/70 to continue Parties shall jointly file with Clerk within 30 days, a map of School District which reflects location of each school, etc.; Further setting out when plan is to be put in effect, facilities to be used, etc.; Assignment of students to classrooms, etc; Reinstate & maintain a "recess", etc.; School sponsored or encouraged events & activities to be held in public accommodations; Graduation exercises on school grounds; Eliminate overlapping bus routes, etc; Assign bus drivers without regard to race, etc.; Establish routes, etc; Further ordered that on or about 3/30/74 & 10/15/74 each year subsequent to 1973-74 term defts. file report to Court, serving copy on Counsel for pltf. providing certain information. Further ordered defts. relocate to McLaurin Junior High School vocational-technical courses & facilities removed by Opinion & Order of 6/16/71. All prior Orders of this Court, not inconsistent herewith, shall remain in full force & effect. Court retains jurisdiction for purpose of entering further Orders as may appear necessary, filed and entered OB 1973, pages 1623-1628. (Copies mailed all attys. of record.)	
11/30/73	Report of the Board of Education of Rankin County, Miss., as to the set of objective non-racial criteria adopted by said Board of Education as required by Order of U. S. District Court on 11/1/73, with cert. of service and Exhibit A, filed.	
12/4/73	ORDER: Clerk of this Court issue his check for the amount of \$250.00 payable to Fred L. Banks, Jr., being refund of the amount of cash bond for the costs on appeal, filed and entered OB 1973, page 1652.	
12/20/73	CONSENT ORDER: Time for parties to file memoranda is extended to 2/15/74, and parties afforded discovery in accordance with FRCP within that time; Defts. directed not to offer employment to any teacher for 1974-75 school year until issues reinstatement and back pay are resolved by Court; Deft. not precluded from hiring personnel, in emergency situation, to complete the current year of 1973-74, filed and entered OB 1973, pages 1681-1683. (Copies mailed all attys. of record.)	
1/21/74	Request of Amicus Curiae for admissions by defendants, with cert. of service, filed.	
1/31/74	Report of the Board of Education of Rankin County, Miss. as to the application of the adopted criteria to all of the faculty and staff employed by the school district on or about the conclusion of the year 1969-70 school year, with cert. of service, filed.	
1/31/74	Answers to interrogatories of Amicus-Curiae to defendant, with cert. of service and Exhibits "A" through "J", filed. (EXHIBITS PLACED IN SEPARATE ENVELOPE AND PLACED IN VAULT.)	
2/13/74	Deft's. motion to vacate or modify consent order, with cert. of service and notice of motion on 2/19/74 at 9:00 AM filed.	
2/13/74	Affidavit of James W. Smith, Jr. on motion to vacate or modify consent order, with attachment, filed.	
2/14/74	Answer to second interrogatories of Amicus Curiae to defendants, with cert. of service, filed.	
2/14/74	Answer to request of Amicus Curiae for admissions by defendants, with cert. of	

D. C. 110A Rev. Civil Docket Continuation

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DATE	PROCEEDINGS	Da Jud
2/26/74	Joint report and filing by ;the parties of a map of the school district and legal description of the sub-zones and zones pursuant to Order of this Court on the 27th day of November, 1973 with attachment, filed.	
3/12/74	DEPUTY CLERK'S SHEET: PRE-TRIAL Held in Jackson on 3/11/74 for 45 min. ACTION TAKEN: Synopsis of what the testimony will be in a report to the Court, setting out defenses. Consent Order to be submitted on hearing today. Report due in Judge's office by 3/29/74, filed.	
3-29-74	Report of The Rankin County Bd. of Education as to What Will be Shown or Proven Concerning Those Persons Listed in Par. 1 of Amicus Curiae for Admissions by the Deft. filed 2-14-74, as Required by this Court at the Pre-Trial Conference 3-11-74, with cert. of service, filed.	
3-29-74	Notice of Motion for hearing in Jackson ^{Gulfport} on 4-22-74 at 10:00 a.m. and Motion of Rankin County Bd. of Education to Withdraw or Amend a Portion of the Response or Answer to Request of Amicus Curiae for Admissions by Deft. and to Withdraw or Amend a Portion of the Answers to Second Interrogatories of Amicus Curiae to Deft. filed on 2-14-74 with Exhibits A and B attached, with cert. of service, filed.	
4-12-74	Stipulation by and between counsel for the respective parties: facts contained therein are true and accurate and remedies agreed upon at settlement conference 1-7-74, as are set out in this stip., will resolve issues concerning extent of relief to be afforded to 20 of the 42 faculty and staff members involved in the orders entered 6-14-71 and 11-1-73; This agreement in no way affects the rights of other personnel whose claims shall be determined at subsequent hearings, filed.	
4/15/74	Motion of U.S., Amicus Curiae, for summary judgment with notice of motion on 4/22/74 at 9:00 AM in Gulfport, filed. (Memorandum handed U. S. Attorney)	
4/24/74	DEPUTY CLERK'S SHEET: Hearing on 1.Deft's. motion to withdraw or amend a portion of the response or answer to request of Amicus Curiae, etc. and 2. Amicus Curiae's motion for summary judgment on 4/22/74 in Gulfport for 35 min. ACTION TAKEN: 1. Motion granted-Order to be submitted. 2. Motion to be Renoticed. Defendant's attorney to submit reply brief to Court and counsel opposite in support of motion for summary within 10 days, filed.	
4/24/74	ORDER: Defts. permitted to withdraw and amend their previous admissions and shall on or before 5/2/74 file their amended admissions and answers to interrogatories; Defts. further directed to file on or before 5/2/74 a memorandum in response to motion for summary judgment of U.S.; Court reserves ruling on motion for summary judgment and directs the U.S. to renotice motion for summary judgment, filed and entered OB 1974, pages 548-549. (Copies mailed attys. of record.)	
4-30-74	Amended Answer of deft. Rankin Co. Bd. of Education to Second Interrogatories of Amicus Curiae to defts., with cert. of service, filed.	
4-30-74	Amended Answer of deft. Rankin Co. Bd. of Education to Request of Amicus Curiae for Admission by defts., with cert. of service, filed.	
5/1/74	Defendant's Memorandum pursuant to Order of 4/22/74 with cert. of service, filed. (Mr. Bridges stated he had mailed copy to Judge Russell)	
6/20/74	DEPUTY CLERK'S SHEET: Court trial on 6/19/74 in Gulfport for 2 hrs. ACTION TAKEN: Mr. Bridges to submit Brief within 10 days; Final Brief to be submitted; Record left open until Mr. Leventhal deposes Miss Harris, filed.	
6/20/74	EXHIBITS: G-1 thru G-11; D-1 thru D-7, filed.	

4156(R)

DATE	PROCEEDINGS	Date of Judgment
7/11/74	ORDER-REPORT TO THE FIFTH CIRCUIT COURT OF APPEALS: In consideration of government's motion for summary judgment, Court approves part of stipulation "Appendix B" as to 20 named employees, but will not assess liability for back pay until further briefing. Court grants government's motion for summary judgment insofar as directing Rankin County Board of Education to offer re-instatement to certain employees; Parties to furnish additional information relative to others. Court reserves ruling on portion of government's motion to establish liability against Board for back pay for those former employees listed in motion, for reimbursement for Estes Hoos for moving expenses and for those former employees listed in Stipulation "Appendix B", hereto attached. Court directs Clerk to forward copy to Chief Judge Brown, Judges Morgan & Ingraham, Dept. of Justice & attys. for private plaintiffs & School Board, filed and entered OB 1974, pages 1024. (Copies mailed all Judges and attorneys of record as directed.)	
8/30/74	DEPUTY CLERK SHEET: Hearing on Conference concerning Opinion on 8/28/74 in Meridian for 1 hour. ACTION TAKEN: Additional Briefs to be submitted by 9/16/74; Additional hearing scheduled for Gulfport on 9/23/74, filed.	
9/10/74	ORDER: Board shall immediately offer reinstatement to named persons, together with annual increment for coming year and determine whether failure to re-employ certain persons has resulted in change of retirement funds and if so, shall make adjustments; Board shall report in writing to this Court by 9/16/74 as to take steps to comply with this Order; Parties shall submit to Court, in brief form, written arguments on questions raised in this Court's July 12, 1974 Report to the Fifth Circuit, to be filed no later than 9/16/74; Parties to appear in Gulfport on 9/23/74 for hearing and Court will hear oral arguments, filed and entered OB 1974, pages 1359-1360. (Copies mailed all attys. of record.)	
**		
9-26-74	DEPUTY CLERK SHEET: Hearing on Report & Memorandum in Gulfport on 9-23-74 - 40 mins. Action taken: Under advisement, held in abeyance pending 5th Circuit decision, filed.	
**		
9-16-74	Report of Bd. of Ed. and Memorandum and Brief, filed by Judge Russell, filed.	
10/15/74	Report of Board of Education of Rankin County, Mississippi, as required by Order of U. S. District Court rendered 11/29/74, with cert. of service and attachments, filed.	
12/26/74	SUPPLEMENTAL REPORT TO THE FIFTH CIRCUIT COURT OF APPEALS BY JUDGE DAN M. RUSSELL, JR.: This Court adopts and approves so much of the report of the board as is attached as Exhibit "B". Only issue not resolved is the immunity of the school board from liability for back pay, an issue now before the Fifth Circuit Court of Appeals. This Court considers its report of July 10, 1974, as supplemented herein its full and final report and directs the Clerk of this Court to forward a copy of this report to Chief Judge Brown, and Judges Morgan and Ingraham, to the Dept. of Justice, and attys. for private pltf's. and the school board, filed and entered OB 1974, pages 1792-1814. (Copies mailed all attys. of record and Judges Brown, Morgan and Ingraham.)	
01/13/75	Motion of U. S. A. for written Findings of Fact, Conclusions of Law, and Entry of Judgment, with cert. of service and notice of motion on 02/03/75 at 9:00 AM in Gulfport, filed.	
02/04/75	DEPUTY CLERK SHEET: Hearing on 02/03/75 in Gulfport for 10 min. on motion for written Findings of Fact, Conclusions of Law, and Entry of Judgment: ACTION TAKEN: Attorneys to prepare an order that all previous reports constitute the order of the Court, filed.	

D. C. 110A Rev. Civil Docket Continuation

4156(R)

DATE	PROCEEDINGS	Date Judgm
02/06/75	ORDER: This Court's Reports of 07/10/74 and 12/23/72 are hereby adopted as a FINAL JUDGMENT in accordance with the F.R.C.P. The Court, as part of its final order, reserves ruling on whether the Eleventh Amendment to U. S. Constitution precludes either an award of back pay by this Court or Court's approval of a stipulation which would resolve certain claims for reinstatement with back pay that have been raised in this case. The Clerk is directed to file this order and serve a copy on all counsel of record, filed and entered OB 1975, page 219. (Copies mailed all attys. of record.)	
02/06/75	FINAL js 6 CARD FILED.	
3-3-75	Pltfs' Notice of Appeal to U. S. Court of Appeals for Fifth Circuit from Order dated 3-3-75, with cert. of service, filed.	
3-3-75	Cash Appeal Bond in the sum of \$250.00 received and deposited in Registry of Court.	
04/18/75	Supplemental report of Board of Education of Rankin County, Miss. as required by Order of the U. S. District Court rendered Nov. 29, 1973, filed.	
11/17/75	Supplemental report of Board of Education of Rankin County, Miss. as required by Order of U. S. District Court rendered 11/29/73, with cert. of service, filed.	
12/05/75	Certified copy OF JUDGMENT OF FIFTH CIRCUIT COURT OF APPEALS: Affirmed and remanded with instructions, filed and entered OB 1975, pages 2379-2381.	
6-25-76	CONSENT ORDER: Ordered that pupil assignment plan and geographic boundaries of Pearl-McLaurin Attendance area and Brandon Attendance Center be modified or altered as agreed upon by parties hereto pursuant to map attached hereto, filed and entered OB 1976, Pages 1125 - 1130. (Copy to attys)	
08/10/77	Receipt signed Billy G. Bridges by Paul B. Henderson for Exhibit No. 1 (General Highway Map Rankin County, Miss.), filed on 03/9/77, filed.	
12-20-77	CONSENT ORDER: The geographical boundaries of the Pearl-McLaurin attendance area now known as the Pearl Municipal Separate School District and the Florence-Richland-McLaurin attendance zone of the Rankin County School District be modified or altered as agreed upon by the parties hereto pursuant to the map reflecting location of each of said schools and the geographic boundaries of the zones or sub-zones thereof, and the legal description of the zones or sub-zones boundaries are hereby altered, with Exhibits "A" thru "C" attached, filed and entered OB 1977, pages 2769-2777. (Copies mailed attys. of record).	
3-30-78	Motion of David Rieger, Betty Twiner, Rev. Samuel Thompson, Bill Chaney and Joe Wade, acting members of the Pearl Mun. Sep. School Dist. Board of Trustees, for leave to intervene as a defendant under Rule 24, with notice of motion on 4-7-78, at 10:00 A.M., in Jackson, before Judge Russell and cert. of service, with attachments, filed.	
4-13-78	DEPUTY CLERK SHEET: Hearing on Motion to intervene as a defendant under Rule 24 on 4-7-78, in Jackson, before Judge Russell, for 50 min.; ACTION TAKEN: Motion not heard as Mr. Banks and Mr. Smith had not had time to prepare; Court instructed attorneys to get together and stipulate to as many facts as possible; response and stipulations to be submitted on April 28; Counsel to contact Court if a hearing is necessary on April 21 and if necessary it will be held before Judge Countiss;	

4156(R)

DATE	PROCEEDINGS	Date of Judgment
4-19-78	ORDER: Parties desire to attempt to enter into an agreement with Movants to intervene concerning stipulations of fact and questions of law relevant to Movants' Motion to Intervene and such stipulations and questions of law shall be submitted to this Court on or before 4-21-78; if stipulations of parties hereto do not effectively dispose of said motion to intervene then said Motion is hereby set for argument on the merits before Mag. Countiss on 4-28-78, at 10:00 A.M., in Jackson, filed and entered OB 1978, page 971. (Copies mailed attys. of record).	
4-27-78	Pltfs'. response to motion to intervene, with cert. of service, filed.	
04/28/78	Deft., Rankin County Board of Education's response to motion to intervene, with cert. of service, filed.	
04/28/78	ORDER: Matter be continued until Wed. 05/03/78 at 1:30 PM and USA as Amicus Curiae be properly notice of said hearing, filed and entered OB 1978, page 1054. (Copies mailed attys. of record.)	
15/04/78	DEPUTY CLERK SHEET: Hearing in Jackson on 05/03/78 before Judge Countiss for 60 min. on motion to intervene. ACTION TAKEN: Motion denied. Order to be submitted by Fred Banks for Judge Countiss' signature, filed.	
15/09/78	ORDER: Motion of the Pearl Municipal Separate School District to intervene as deft. under Rule 24 be overruled and same is dismissed, filed and entered OB 1978, pages 1170-1171. (Copies mailed attys. of record.)	
5-15-78	Application of The Pearl Municipal Separate School District for Review of Magistrate's Order entered 5-9-78, with cert. of service, filed.	
5-24-78	Deft's Answer to Application for Review, with cert. of service, filed.	
7-27-78	Pearl Municipal Separate School District's Motion to Dismiss Application for Review, with cert. of service, filed. (Agreed order being mailed to Judge Russell)	
7-31-78	ORDER Dismissing Application for Review:filed by applicant, Pearl Municipal Separate School District is sustained, filed and entered OB 1978, page 1846. (Copies mailed attys. of record.)	
8-21-78	CONSENT ORDER: supplementing Order of Court filed 4-6-70 and Consent Order filed 11-29-73, with Appendix "A" thru "F", filed and entered OB 1978, pages 2267-2282. (Copies mailed attys. of record.)	
1-16-78	REPORT OF BOARD OF EDUCATION OF TANKIN COUNTY, MISSISSIPPI, AS REQUIRED BY ORDER OF THE UNITED STATES DISTRICT COURT RENDERED AUGUST 18, 1978, filed.	
10-31-78	Supplemental Report of Board of Education of RANKIN COUNTY, MISS., as required by order of the U. S. District Court rendered 8-18-78, filed.	

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR

PLAINTIFF		DEFENDANT	DOCKET NO: 4156
Kenneth W. Adams, et al		The Rankin County Board of Education, et al	PAGE 13 OF 13 PAGES
DATE	NR.	PROCEEDINGS	
1-31-79		Report of The Board of Education of Rankin County, Mississippi, as Required by Order of the United States District Court, Rendered on 8-18-78, filed.	
4-19-79		Report of The Board of Education of Rankin County, MS, as Required by Order of the Court rendered 8-18-78, filed.	
7-23-79		Report of Board of Education of Rankin, Ms as required by order of USDC rendered on 8-18-79, with cert of service, filed.	
10-23-79		Report of the Board of Education of Rankin County, Mississippi, as required by Order of the United States District Court rendered on 8-18-78, with cert. of service, filed.	
5-16-80		DEPUTY CLERK SHEET: Pretrial for 15 mins., in Jackson, before Judge Russell, on 5-14-80; ACTION TAKEN: Two issues remaining are back pay for teachers and attorney fees; final pretrial conference to be held before Magistrate Countiss on 6-9-80, filed.	
6-2-80		ORDER: That, upon receipt of this Order, the Clerk of this Court issue a check in the amt. of \$250.00 payable to Banks & Nichols, said check representing the refund cash bond, and mail to P.O. Drawer 290, Jackson, Miss., 39205, filed and entered OB 1980 page 1690. (Copies mailed attys.)-DMR. (Orig. copy handed B. Price).	
8-5-80		ORDER: Judgment be and the same is hereby entered against deft. Rankin County Public School Dist., for back pay, accrued interest and attys. fees, in the total amt. of \$164,139.90 in favor of and apportioned between the individual teachers and the firm Banks & Nichols, as set out, filed and entered OB 1980 pages 2433-2435. (Copies handed atty. Banks and Harrell and mailed attys.) DMR.	

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CIVIL DOCKET CONTINUATION SHEET

(1)

PLAINTIFF	DEFENDANT	DOCKET NO. 4156(R)
Kenneth Adams, et al	Rankin County Board of Education	PAGE 14 OF _____ PAGES

DATE	NR.	PROCEEDINGS
5-7-84		Joint motion by all parties for limited consolidation with regard to interdistrict student transfers for Simpson County and Rankin County School Districts, filed. (Copy to Gwen)
5-11-84		ORDER: Order granting limited consolidation of 4156(R) Rankin County Bd. of Education and 4706(R) Simpson County School Dist. for the single issue of interdistrict student transfers, filed and entered OB 1984, Pages 2653-2654. DMR Copy mailed attys.
5-11-84		CONSENT DECREE: Consent Decree as to interdistrict student transfer of Simpson County residents into the Florence and Puckett public schools in Rankin County. Order sets out provisions and agreed commitments to be followed in implementing terms of agreement. This Court shall retain jurisdiction to monitor compliance with the provisions of this consent decree and to consider any appropriate pleadings filed regarding enforcement thereof, filed and entered OB 1984, Pages 2659-2671. DMR Copy mailed attorneys.
10-1-84		Report of RANKIN COUNTY SCHOOL DIST. as required by order of U.S. Dist. Court rendered 8-18-78, filed.
5/14/84 This sheet in drawer to be forwarded to Recd Ctr - See July 1991 Forwarded Rec Ctr - See		
3/23/95		PEARL PUBLIC SCHOOL DISTRICT Board of Education Motion to Intervene as a Defendant (Copy to Judge Lee) - See Docket Sheet #15

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 4156 (L)
Kenneth Adams, et al		Rankin County Board of Education	PAGE 15 OF PAGES
DATE	NR.	PROCEEDINGS	
3/23/95		Pearl Public School District Board of Education Motion to Intervene as a Defendant (Copy to Judge Lee)	
4/6/95		United States's Motion for Extension of Time to Respond to Motion to Intervene.	
4/11/95		ORDER: Granting United States's Motion for Extension of Time to Respond to Motion to Intervene as a Defendant made by Milton Brown, Sondra Odom, Jimmy Foster, Tony Thornton and Roger Parham, members of the Pearl Public School District Board of Education. TSL,cc,eod 4/11/95. (Such response is due by 4/17/95)	
4/24/95		United States's Motion for Extension of Time to Respond to Motion to Intervene as Defendant.	
5/17/95		United States's Response to Pearl Public School District Board of Education's Motion to Intervene as a defendant.	
6/1/95		Pearl Public School District's Motion for Extension of Time to Reply to United State's Response to its Motion to Intervene.	
6/1/95		ORDER: granting Pearl Public School's a 20 day extension of time to file a reply to the Response of the United States of America is hereby granted up to and including June 26, 1995. TSL,cc,eod 6/1/95.	
6/20/95		Pearl Public School District Board of Education's Reply to United States Response to Motion to Intervene	
12/7/95		MEMORANDUM OPINION AND ORDER: granting Pearl Public School District Motion to Intervene as a defendant. OB 1995, pgs. 2844-2849, TLS,cc,eod 12/7/95	
12/13/95		(Pearl Public School) Complaint of Intervention	
12/29/95		Milton Brown, et al.'s First Amended Complaint of Intervention.	
1/12/96		Letter from atty Orlansky addressed to atty Bey re their agreement to extend responsive pleading deadline - First Amended Complaint of Intervention.	
2/5/96		Answer of Trustees of the Rankin County School Dist.	
2/6/96		ORDER: case set for status conference 2/26/96 at 10:00 am.	
2/23/96		Response of United States to Intervenor's first amended complaint.	
2/26/96		M.E., CMC held on 2/26/96 before Mag. Nicols, CMC to be entered.	
2/26/96		CASE MANAGEMENT PLAN ORDER: case assigned to standard track; trial of this case set 11/11/96, pretrial conference 10/28/96, discovery deadline 7/11/96, amendments 3/10/96, Pearl School's experts 4/11/96, other parties 5/11/96, motions 7/26/96, case status report 8/10/96. AGN cc	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>4156</u>
✓ Adams et al.		Rankin County Board of Ed.	PAGE <u>16</u> OF <u> </u> PAGES
DATE	NR.	PROCEEDINGS	
3/25/96		Notice of Service of Pre-Discovery Disclosure Information by Pearl Public School District Board of Trustees.	
3/25/96		Notice of Service of Prediscovery Disclosure Information by Rankin County School Dist.	
4/29/96		Pearl Public School Designation of Expert Witness.	
5/9/96		ORDER MODIFYING EXPERT DESIGNATION DEADLINE: that the Case Management Plan Order filed on 2/26/96 is hereby modified so as to extend until 5/26/96, the deadline by which all parties other than the Pearl Public School District shall designate their expert witnesses. TSL,cc,eod 5/9/96.	
5/24/96		Rankin Co. School (Trustees): Designation of Expert Witnesses.	
6/4/96		Pearl Public School's Notice of Service of First Set of Interrogatories and First Set of Request for Production of Documents to Rankin County Schools	
5/1/97		CONSENT ORDER: came on for hearing upon the announcement of the parties that they have reached a compromise settlement as to issues raised in the Amended Complaint of Intervention by Board of Trustees of the Pearl Public School Dist. Bd. of Ed. and a Consent Order is entered establishing certain attendance zones as set out, TSL, cc, eod 5/2/97	
3/18/05		ORDER: allowing case to be checked out by attorney Joseph L. Adams for (10) days. TSL,eod.	