

**U.S. District Court
Middle District of Louisiana (Baton Rouge)
CIVIL DOCKET FOR CASE #: 3:17-cv-00194-SDD-RLB**

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Hamilton et al v. Vannoy et al
Assigned to: Chief Judge Shelly D. Dick
Referred to: Magistrate Judge Richard L. Bourgeois, Jr
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 03/29/2017
Jury Demand: Both
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

Marcus Hamilton
*on his own behalf, and on behalf of a
class of similarly situated prisoners*

represented by **Nicholas J. Trenticosta**
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Plaintiff

Winthrop Eaton

*on his own behalf, and on behalf of a
class of similarly situated prisoners*

represented by **Nicholas J. Trenticosta**

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LEAD ATTORNEY
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Betsy R. Ginsberg

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Elizabeth A. Seaver

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Robin L. Muir

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Plaintiff

Michael Perry

*on his own behalf, and on behalf of a
class of similarly situated prisoners*

represented by **Nicholas J. Trenticosta**

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V.

Defendant

Darrel Vannoy
Warden of Angola

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Defendant

Burl Cain

Former Warden of Angola

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Defendant

James Cruze

Warden of Death Row

represented by **Andrew Blanchfield**

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Defendant

Leslie Dupont

Deputy Warden of Security

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Defendant

James LeBlanc
*Secretary of the Louisiana
Department of Public Safety and
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Date Filed	#	Docket Text
03/29/2017	<u>1</u>	CLASS ACTION COMPLAINT and Demand for Jury Trial against All Defendants (Filing fee \$ 400 receipt number 053N-1546713.), filed by michael Perry, winthrop eaton, marcus hamilton.

		(Attachments: # 1 Attachment)(Trenticosta, Nicholas) (Attachment 1 replaced on 3/29/2017) (LLH). Modified on 3/29/2017 to edit text (LLH). (Entered: 03/29/2017)
03/31/2017	2	Summons Submitted (Trenticosta, Nicholas) (Main Document 2 replaced on 3/31/2017) (ELW). Modified on 3/31/2017 to flatten document (ELW). (Entered: 03/31/2017)
03/31/2017	3	Summons Issued as to Darrel Vannoy. (NOTICE: Counsel shall print and serve both the summons and all attachments in accordance with Federal Rule of Civil Procedure 4.) (ELW) (Entered: 03/31/2017)
04/17/2017	4	SCHEDULING CONFERENCE ORDER: Scheduling Conference set for 6/8/2017 at 01:30 PM in chambers before Magistrate Judge Richard L. Bourgeois Jr. Status Report due by 5/25/2017. Signed by Magistrate Judge Richard L. Bourgeois, Jr. on 4/17/2017. (JSL) (Entered: 04/17/2017)
04/20/2017	5	MOTION for Betsy Ginsberg to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1558958) by All Plaintiffs. (Attachments: # 1 Affidavit)(Trenticosta, Nicholas) (Entered: 04/20/2017)
04/21/2017		MOTION(S) REFERRED: 5 MOTION for Betsy Ginsberg to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1558958). This motion is now pending before the USMJ. (KAH) (Entered: 04/21/2017)
04/21/2017	6	ORDER granting 5 Motion for Betsy R. Ginsberg to Appear Pro Hac Vice as counsel for the Plaintiffs in this matter. Signed by Magistrate Judge Richard L. Bourgeois, Jr. on 4/21/2017. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (JSL) (Entered: 04/21/2017)
04/24/2017	7	MOTION for Extension of Time to File Answer to 1 Complaint, by All Defendants. (Attachments: # 1 Proposed Pleading; Proposed Order)(Blanchfield, Andrew) (Entered: 04/24/2017)
04/25/2017		MOTION(S) REFERRED: 7 MOTION for Extension of Time to File Answer to 1 Complaint, . This motion is now pending before the USMJ. (KAH) (Entered: 04/25/2017)
04/25/2017	8	ORDER granting 7 Motion for Extension of Time to File Responsive Pleadings and Request for Expedited Consideration. Defendants Burl Cain, James Cruze, Leslie Dupont, James LeBlanc and Darrel Vannoy shall file their responsive pleadings on or before 5/18/2017. Signed by Magistrate Judge Richard L. Bourgeois, Jr. on 4/25/2017. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (JSL) (Entered: 04/25/2017)

04/27/2017	9	MOTION for Pieter Van Tol to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1570463) by All Plaintiffs. (Attachments: # 1 Affidavit)(Trenticosta, Nicholas) (Entered: 04/27/2017)
04/27/2017	10	EX PARTE MOTION for Garima Malhotra to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1570465) by All Plaintiffs. (Attachments: # 1 Affidavit)(Trenticosta, Nicholas) Modified on 4/27/2017 to edit text (ELW). (Entered: 04/27/2017)
04/27/2017	11	MOTION for Elizabeth A. Seaver to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1570509) by All Plaintiffs. (Attachments: # 1 Affidavit)(Trenticosta, Nicholas) (Entered: 04/27/2017)
04/27/2017	12	MOTION for Nicole E. Schiavo to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1570513) by All Plaintiffs. (Attachments: # 1 Affidavit)(Trenticosta, Nicholas) (Entered: 04/27/2017)
04/27/2017	13	MOTION for Robin L. Muir to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1570515) by All Plaintiffs. (Attachments: # 1 Affidavit)(Trenticosta, Nicholas) (Entered: 04/27/2017)
04/27/2017		MOTION(S) REFERRED: 11 MOTION for Elizabeth A. Seaver to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1570509), 12 MOTION for Nicole E. Schiavo to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1570513), 9 MOTION for Pieter Van Tol to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1570463), 13 MOTION for Robin L. Muir to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1570515), 10 MOTION for Garima Malhotra to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1570465). This motion is now pending before the USMJ. (ELW) (Entered: 04/27/2017)
04/28/2017	14	ORDER granting 9 Motion for Pieter Van Tol to Appear Pro Hac Vice as co-counsel for Plaintiffs; granting 10 Motion for Garima Malhotra to Appear Pro Hac Vice as co-counsel for Plaintiffs in this matter. Signed by Magistrate Judge Richard L. Bourgeois, Jr. on 4/28/2017. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (JSL) (Entered: 04/28/2017)
04/28/2017	15	ORDER granting 11 Motion for Elizabeth A. Seaver to Appear Pro Hac Vice as co-counsel for plaintiffs in this matter; granting 12 Motion for Nicole E. Schiavo to Appear Pro Hac Vice as co-counsel for plaintiffs in this matter; granting 13 Motion for Robin

		L. Muir to Appear Pro Hac Vice as co-counsel for plaintiffs in this matter. Signed by Magistrate Judge Richard L. Bourgeois, Jr. on 4/28/2017. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (JSL) (Entered: 04/28/2017)
05/15/2017	<u>16</u>	ANSWER to <u>1</u> Complaint, with Jury Demand by Burl Cain, James Cruze, Leslie Dupont, James LeBlanc, Darrel Vannoy.(Blanchfield, Andrew) (Entered: 05/15/2017)
05/25/2017	<u>17</u>	Joint STATUS REPORT by All Defendants. (Blanchfield, Andrew) (Entered: 05/25/2017)
05/26/2017	18	Notice to Counsel: The Scheduling Conference set for 6/8/2017 is RESET for 6/15/2017 at 01:30 PM in chambers before Magistrate Judge Richard L. Bourgeois Jr. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (JSL) (Entered: 05/26/2017)
05/31/2017	19	Notice to Counsel: Scheduling Conference set for 6/15/2017 is CONVERTED to a TELEPHONE SCHEDULING CONFERENCE and RESET for 6/27/2017 at 02:00 PM (CST) before Magistrate Judge Richard L. Bourgeois Jr. Plaintiffs' counsel with the law firm of Hogan Lovells US, LLP shall initiate the conference call to chambers at (225) 389-3602. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (JSL) (Entered: 05/31/2017)
06/27/2017	<u>20</u>	Minute Entry/Order for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Scheduling Conference held on 6/27/2017. Status of this matter discussed. The parties will attempt to come to a set of stipulated facts for class certification. A scheduling order will be issued by separate order. A telephone status conference is set for Monday, August 7, 2017 at 2:00 p.m. (CST). Plaintiff's counsel with the law firm of Hogan Lovells US, LLC shall initiate the conference call to chambers at (225) 389-3602. (EDC) (Entered: 06/28/2017)
06/28/2017	<u>21</u>	SCHEDULING ORDER: In accordance with FRCP 16(b), the following discovery deadlines are established. Amended Pleadings due by 12/8/2017. Discovery due by 1/16/2018. Plaintiff's Expert Witness List due by 3/16/2018. Defendant's Expert Witness List due by 4/16/2018. Plaintiff's Expert Reports due by 3/16/2018. Defendant's Expert Reports due by 4/16/2018. Discovery from Experts due by 7/16/2018. Motions shall be filed by 8/15/2018. Signed by Magistrate Judge Richard L. Bourgeois, Jr. on 6/28/2017. (EDC) (Entered: 06/28/2017)
08/07/2017	<u>22</u>	ORDER/Minute Entry for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr. Telephone Scheduling Conference held on

		8/7/2017. Telephone Status Conference set for 8/21/2017 at 03:30 PM before Magistrate Judge Richard L. Bourgeois Jr. (ELW) (Entered: 08/07/2017)
08/18/2017	<u>23</u>	STATUS REPORT <i>re class certification discovery and schedule</i> by All Plaintiffs. (Ginsberg, Betsy) (Entered: 08/18/2017)
08/21/2017	<u>24</u>	Order/Minute Entry for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Scheduling Conference held on 8/21/2017. The parties discussed the status of this matter. In light of the joint status report filed on 8/18/2017, the Court will supplement its original Scheduling Order with the following deadlines pertaining to class certification as stated in the attached Order. (KAH) (Entered: 08/23/2017)
12/15/2017	<u>25</u>	MOTION to Certify Class by Winthrop Eaton, Marcus Hamilton, Michael Perry. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Pieter Van Tol, # <u>3</u> Exhibit 1, # <u>4</u> Declaration of Nicholas Trenticosta, # <u>5</u> Declaration of Betsy Ginsberg, # <u>6</u> Declaration of Craig Haney, Ph.D., J.D., # <u>7</u> Declaration of Marcus Hamilton, # <u>8</u> Declaration of Winthrop Eaton)(Van Tol, Pieter) Modified to replace attachment 1 as per rec doc 35, replace attachment 6 as per rec doc 36 on 1/23/2018 (KAH). (Entered: 12/15/2017)
12/18/2017	26	NOTICE OF NON-COMPLIANCE with LR 7(g) as to <u>25</u> Motion to Certify Class. REQUIRED CORRECTION: A combined Motion for Leave to Exceed the Page Limits and Motion to Strike the Incorrect Pleading must filed within 24 hours of this notice. Otherwise, the original filing may be stricken by the Court without further notice. (ELW) (Entered: 12/18/2017)
12/19/2017	<u>27</u>	MOTION for Leave to Exceed the page Limits and to Strike the incorrect pleading (25-1) by Winthrop Eaton, Marcus Hamilton, Michael Perry. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading; Plaintiff's Memorandum in Support of Their Motion for Class Certification, # <u>3</u> Proposed Order)(Van Tol, Pieter) Modified on 12/19/2017 to edit text (ELW). Modified to replace main document and attachment 1 as per rec doc 37 on 1/23/2018 (KAH). (Entered: 12/19/2017)
12/19/2017	<u>28</u>	MOTION to Supplement the Declaration of Craig Haney, Ph.D., J.D., in Support of Plaintiffs' Motion for Class Certification [25-6] by Winthrop Eaton, Marcus Hamilton, Michael Perry. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading; Exhibit to Declaration of of Craig Haney, Ph.D., J.D., in Support of Plaintiffs' Motion for Class Certification, # <u>3</u> Proposed Order)(Van Tol, Pieter) Modified to replace main document and attachments 1-2 as per rec doc 38 on 1/23/2018 (KAH). (Entered: 12/19/2017)

01/02/2018	<u>29</u>	NOTICE of Letter to Magistrate Judge re Discovery Deadlines and Status Conference Request by Burl Cain, James Cruze, Leslie Dupont, James LeBlanc, Darrel Vannoy (Blanchfield, Andrew) (Entered: 01/02/2018)
01/02/2018	<u>30</u>	MOTION to Substitute with Papers Signed by Local Counsel by Winthrop Eaton, Marcus Hamilton, Michael Perry. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading; Motion for Leave to Exceed The Page Limits and to Strike the Incorrect Pleading, # <u>3</u> Proposed Pleading; Memorandum in Support of Motion for Leave to Exceed The Page Limits and to Strike the Incorrect Pleading, # <u>4</u> Proposed Order)(Van Tol, Pieter) Modified on 1/2/2018 to edit text. (EDC). (Entered: 01/02/2018)
01/02/2018	<u>31</u>	MOTION to Substitute with Papers Signed by Local Counsel re doc. no. 28 by Winthrop Eaton, Marcus Hamilton, Michael Perry. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Pleading; Motion to Supplement The Declaration of Craig Haney, Ph.D. in Support of Plaintiffs' Motion for Class Certification, # <u>3</u> Proposed Pleading; Memorandum in Support of Motion to Supplement The Declaration of Craig Haney, Ph.D. in Support of Plaintiffs' Motion for Class Certification, # <u>4</u> Proposed Pleading; Exhibit to Declaration of Craig Haney, Ph.D., # <u>5</u> Proposed Order)(Van Tol, Pieter) Modified on 1/2/2018 to edit text. (EDC). (Entered: 01/02/2018)
01/04/2018	<u>32</u>	ORDER: A Telephone Conference is set for 1/16/2018 at 10:00 AM. The deadline for filing all discovery motions is hereby STAYED pending the telephone conference. Signed by Magistrate Judge Richard L. Bourgeois, Jr. on 1/4/2018. (LLH) (Additional attachment(s) added on 1/16/2018: # <u>1</u> Attachment correspondence) (JSL). (Entered: 01/04/2018)
01/12/2018	<u>33</u>	MEMORANDUM in Opposition to <u>25</u> MOTION to Certify Class filed by All Defendants. (Attachments: # <u>1</u> Exhibit Regulation C-03-001, # <u>2</u> Exhibit Deposition of Francis Abbott, # <u>3</u> Exhibit Press Release, # <u>4</u> Exhibit The Marshall Project)(Blanchfield, Andrew) (Entered: 01/12/2018)
01/16/2018	<u>34</u>	ORDER/Minute Entry for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Conference held on 1/16/2018. The parties discussed the status of this matter, particularly the search and production of certain records pertaining to over seventy individuals on death row. The defense shall provide a list of the death row inmates to the plaintiff as soon as possible. This list of individuals is ATTORNEY EYES ONLY and is to be used for the purpose of facilitating this discovery production. Plaintiff shall select a representative sample of 10 individuals. The defense shall produce the requested information, consistent with the Federal Rules of Civil Procedure, for those 10 individuals for the last 10 years. Telephone

		Conference set for 2/6/2018 at 10:00 AM (CST) before Magistrate Judge Richard L. Bourgeois Jr. Mr. Andrew Blanchfield, defense counsel, shall initiate the conference call to chambers at (225) 389-3602 or provide call in information to Judge Bourgeois' courtroom deputy. The parties also discussed the search and production of electronically stored information(ESI). Counsel for the defense shall provide an update on this production on the conference call set for February 6, 2018. (JSL) (Entered: 01/16/2018)
01/16/2018	35	ORDER granting 27 Motion for Leave to File Excess Pages and granting 27 Motion to Strike. Signed by Judge Shelly D. Dick on 1/16/2018. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BKA) (Entered: 01/16/2018)
01/16/2018	36	ORDER granting 28 Motion to Supplement the Declaration of Craig Haney, Ph.D., J.D.. Signed by Judge Shelly D. Dick on 1/16/2018. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BKA) (Entered: 01/16/2018)
01/16/2018	37	ORDER granting 30 MOTION to Substitute File Motion for Leave to Exceed filed by Michael Perry, Winthrop Eaton, Marcus Hamilton. Signed by Judge Shelly D. Dick on 1/16/18. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BKA) (Entered: 01/16/2018)
01/16/2018	38	ORDER granting 31 MOTION to Substitute File Motion to Supplement Declaration filed by Michael Perry, Winthrop Eaton, Marcus Hamilton. Signed by Judge Shelly D. Dick on 1/16/18. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BKA) (Entered: 01/16/2018)
02/02/2018	39	MOTION for Entry of Protective Order by All Plaintiffs. (Attachments: # 1 Proposed Protective Order)(Ginsberg, Betsy) Modified on 2/7/2018 to replace the main document as per rec doc 45 (KAH). (Entered: 02/02/2018)
02/02/2018		MOTION(S) REFERRED: 39 Joint MOTION for Protective Order . This motion is now pending before the USMJ. (KAH) (Entered: 02/02/2018)
02/05/2018	40	MOTION to Substitute File Motion for Protective Order for Letter entitled "Joint Motion for Protective Order" by All Plaintiffs. (Attachments: # 1 Proposed Pleading;, # 2 Proposed Order)(Ginsberg, Betsy) (Entered: 02/05/2018)
02/05/2018		MOTION(S) REFERRED: 40 MOTION to Substitute File Motion for Protective Order for Letter entitled "Joint Motion for Protective Order" . This motion is now pending before the USMJ. (KAH) (Entered: 02/05/2018)

02/05/2018	41	STRICKEN FROM THE RECORD REPLY to 33 Memorandum in Opposition to 25 MOTION to Certify Class filed by All Plaintiffs. (Trenticosta, Nicholas) Modified to edit the text on 2/6/2018 (KAH). Modified on 2/16/2018 to remove the document as it has been stricken in accordance with record document 47 (KAH). (Entered: 02/05/2018)
02/06/2018	42	NOTICE OF NON-COMPLIANCE with LR 7(g) as to 41 Reply to Response to Motion. REQUIRED CORRECTION: A combined Motion for Leave to Exceed the Page Limits and Motion to Strike the Incorrect Pleading must filed within 24 hours of this notice. Otherwise, the original filing may be stricken by the Court without further notice. (KAH) (Entered: 02/06/2018)
02/06/2018	43	MOTION for Leave to Exceed the Page Limits and to Strike the 41 Reply by Winthrop Eaton, Marcus Hamilton, Michael Perry. (Attachments: # 1 Proposed Pleading; Reply Brief in Support of Motion for Class Certification, # 2 Proposed Order)(Van Tol, Pieter) Modified to edit the text on 2/7/2018 (KAH). (Entered: 02/06/2018)
02/06/2018	44	ORDER/Minute Entry for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Conference held on 2/6/2018. The parties discussed the status of this matter, particularly the anticipated production of documents outlined more fully in the February 5, 2018 correspondence from counsel for Defendants, attached herein. Telephone Conference set for 3/12/2018 at 10:00 AM (CST) before Magistrate Judge Richard L. Bourgeois Jr. wherein the parties shall be prepared to discuss Plaintiffs' review of the produced materials, as well as the manner and timing by which future productions will occur. Mr. Andrew Blanchfield, defense counsel, shall initiate the conference call to chambers at (225) 389-3602 or provide call in information to Judge Bourgeois' courtroom deputy. (JSL) (Entered: 02/07/2018)
02/07/2018	45	ORDER granting 40 Motion to Substitute Motion for Entry of Protective Order Governing Protected and Individually Identifiable Health Information for February 2, 2018 Letter re: Protective Order. The Proposed Protective Order Governing Protected and Individually Identifiable Health Information (R. Doc. 40-2) is entered. Signed by Magistrate Judge Richard L. Bourgeois, Jr. on 2/7/2018. (KAH) (Entered: 02/07/2018)
02/07/2018	46	PROTECTIVE ORDER Governing Protected and Individually Identifiable Health Information. Signed by Magistrate Judge Richard L. Bourgeois, Jr. on 2/7/2018. (KAH) (Entered: 02/07/2018)
02/14/2018	47	ORDER granting 43 MOTION for Leave to exceed page limits and granting 43 Motion to Strike Rec. Doc.41. Signed by Judge Shelly D. Dick on 2/14/2018. (This is a TEXT ENTRY ONLY. There is no

		hyperlink or PDF document associated with this entry.) (BKA) (Entered: 02/14/2018)
02/14/2018	48	REPLY BRIEF to 33 Memorandum in Opposition in Support of 25 MOTION to Certify Class filed by All Plaintiffs. (KAH) (Entered: 02/16/2018)
03/06/2018	49	Notice Setting Trial and Related Deadlines: Jury Trial set for 4/29/2019 at 09:00 AM in Courtroom 3 before Judge Shelly D. Dick. Pretrial Conference set for 4/16/2019 at 03:00 PM before Judge Shelly D. Dick. Affidavit of Settlement Efforts due by 3/18/2019. All other Trial deadlines are set as stated in the attached Notice. Signed by Judge Shelly D. Dick on 3/6/2018.(BKA) (Entered: 03/06/2018)
03/12/2018	50	Minute Entry/Order for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Status Conference held on 3/12/2018. The parties discussed the status. Telephone Conference set for 4/17/2018 at 11:30 AM in chambers before Magistrate Judge Richard L. Bourgeois Jr. The parties shall each submit a letter to chambers providing a status report by close of business on 4/13/2018. (KAH) (Entered: 03/12/2018)
04/17/2018	51	ORDER/Minute Entry for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Status Conference held on 4/17/2018. The parties discussed the status of this matter. On or before 5/29/2018, the parties are to discuss anticipated deposition topics for any Rule 30(b)(6) deponents and any potential witnesses either party may intend to depose. Telephone Conference set for 6/12/2018 at 11:00 AM before Magistrate Judge Richard L. Bourgeois Jr. The parties shall submit a letter to chambers providing a status report by 6/8/2018. (KAH) (Entered: 04/18/2018)
05/10/2018	52	NOTICE of Hearing on 25 MOTION to Certify Class : Motion Hearing set for 9/13/2018 at 02:00 PM in Courtroom 3 before Judge Shelly D. Dick. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BKA) (Entered: 05/10/2018)
06/08/2018	53	Notice to Counsel OF TIME CHANGE ONLY: Telephone Conference set for 6/12/2018 at 10:00 AM (CST) before Magistrate Judge Richard L. Bourgeois Jr. Mr. Andrew Blanchfield, defense counsel, shall initiate the conference call to chambers at (225) 389-3602 or provide call in information to Judge Bourgeois' courtroom deputy. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(JSL) Modified on 6/8/2018 (JSL). (Entered: 06/08/2018)
06/08/2018	54	Letter dated 6/8/2018 re STATUS REPORT by All Plaintiffs. (Ginsberg, Betsy) Modified on 6/8/2018 to edit the text (KAH). (Entered: 06/08/2018)

06/11/2018	55	Letter dated 6/8/2018 re STATUS REPORT by All Plaintiffs. (Ginsberg, Betsy) Modified to edit the text on 6/11/2018 (KAH). (Entered: 06/11/2018)
06/12/2018	56	Minute Entry/Order for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Status Conference held on 6/12/2018. Status of this matter was discussed as set forth in the Status Report. In accordance with FRCP 16(b), the following discovery deadlines are established. Discovery from Experts due by 11/30/2018. Plaintiff's Expert Reports due by 10/1/2018. Defendant's Expert Reports due by 10/31/2018. Discovery due by 10/15/2018. Plaintiff's Expert Witness List due by 6/15/2018. Defendant's Expert Witness List due by 6/29/2018. Motions shall be filed by 12/31/2018. (EDC) (Entered: 06/13/2018)
06/22/2018	57	Notice to Counsel: Telephone Conference set for 6/28/2018 at 11:00 AM (CST) before Magistrate Judge Richard L. Bourgeois Jr. Mr. Andrew Blanchfield, defense counsel, shall initiate the conference call to chambers at (225) 389-3602 or provide call in information to Judge Bourgeois' courtroom deputy.(This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(JSL) (Entered: 06/22/2018)
06/28/2018	58	ORDER/Minute Entry for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Status Conference held on 6/28/2018. The parties discussed the status of this matter. Both sides have disclosed their experts as required by the current scheduling order. As set forth in the letter from counsel dated 6/22/2018, which is attached, and confirmed during the conference, the expert site visit is scheduled for August 29 and 30, 2018. The parties would like for the Magistrate Judge to meet and discuss settlement with them on 8/31/2018. Settlement Conference set for 8/31/2018 at 09:30 AM in chambers before Magistrate Judge Richard L. Bourgeois Jr. The parties are to submit to the Court confidential settlement position papers by 12:00 p.m. on 8/17/2018, to the judge's chambers. Telephone Conference set for 9/25/2018 at 10:00 AM in chambers before Magistrate Judge Richard L. Bourgeois Jr. (KAH) (Entered: 06/29/2018)
08/31/2018	59	ORDER/Minute Entry for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Settlement Conference held on 8/31/2018. After a period of negotiations, the parties were unable to reach a resolution at this time; however, negotiations are ongoing and the undersigned will continue to be involved. Telephone Conference set for 9/5/2018 at 03:30 PM (CST) before Magistrate Judge Richard L. Bourgeois Jr. Plaintiffs' counsel shall initiate the call to chambers at (225) 389-3602. (JSL) (Entered: 08/31/2018)

09/05/2018	<u>60</u>	Minute Entry for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Conference held on 9/5/2018. The parties discussed ongoing settlement negotiations and the upcoming hearing on the motion for class certification. The parties were advised to continue with settlement negotiations and submit materials to the Court. (SWE) (Entered: 09/05/2018)
09/06/2018	<u>61</u>	Letter to Honorable Shelly D. Dick dated 9/6/2018 regarding MOTION to Withdraw <u>25</u> MOTION to Certify Class filed by All Defendants. (Attachments: # <u>1</u> Exhibit Regulation C-03-001, # 2 Exhibit Deposition of Francis Abbott, # 3 Exhibit Press Release, # 4 Exhibit The Marshall Project)(Blanchfield, Andrew) by All Plaintiffs. (Attachments: # <u>1</u> Proposed Order)(Ginsberg, Betsy) Modified on 9/6/2018 to edit the text (KAH). (Entered: 09/06/2018)
09/07/2018	<u>62</u>	Consent MOTION to Conditionally Withdraw Their <u>25</u> MOTION to Certify Class by All Plaintiffs. (Attachments: # <u>1</u> Proposed Order)(Ginsberg, Betsy) Modified on 9/7/2018 to edit text (SGO). (Entered: 09/07/2018)
09/10/2018	<u>63</u>	ORDER granting <u>62</u> Motion to Withdraw and terminating <u>25</u> MOTION to Certify Class . The hearing set for 9/13/18 is CANCELED. Signed by Chief Judge Shelly D. Dick on 9/10/2018. (SWE) (Entered: 09/10/2018)
04/10/2019	64	Notice to Counsel: Telephone Conference set for 4/16/2019 at 11:00 AM before Magistrate Judge Richard L. Bourgeois Jr. Counsel for plaintiff shall initiate the call to all parties and contact the Court at 225-389-3602. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(SGO) (Entered: 04/10/2019)
04/10/2019	65	Notice to Counsel Resetting Hearing: Considering Rec. Doc. 64, the Pretrial Conference set for 4/16/19 and the Jury Trial set for 4/29/19 are hereby CANCELED. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BKA) (Entered: 04/10/2019)
04/16/2019	<u>66</u>	Order/Minute Entry for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Conference held on 4/16/2019. Telephone Conference set for 5/15/2019 at 10:00 AM before Magistrate Judge Richard L. Bourgeois Jr. Counsel for plaintiff shall initiate the call to all parties and contact the Court. In advance of the telephone conference, but not later than 3:00pm CST on Tuesday, May 14, 2019, counsel for plaintiff shall send to the undersigned, via facsimile. (ELW) (Entered: 04/16/2019)
05/15/2019	<u>67</u>	Minute Entry/Order for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Conference held on 5/15/2019. The parties discussed the status of settlement negotiations in this

		matter. The parties believe that an in-person settlement conference with undersigned could be beneficial in resolving any remaining disagreements. The deadlines and orders are provided herein to facilitate settlement. A settlement Telephone Conference is set for 7/10/2019 at 01:00 PM and 7/16/2019 at 01:30 PM before Magistrate Judge Richard L. Bourgeois Jr. (SGO) (Entered: 05/16/2019)
05/20/2019	68	SETTLEMENT CONFERENCE ORDER: Settlement Conference set for 7/23/2019 at 01:30 PM in chambers before Magistrate Judge Richard L. Bourgeois Jr. Signed by Magistrate Judge Richard L. Bourgeois, Jr. on 5/20/2019. (SGO) (Entered: 05/20/2019)
07/10/2019	69	Minute Entry/Order for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr. Settlement Conference held on 7/10/2019. The Magistrate Judge and plaintiff's counsel discussed this matter in anticipation of the in-person conference with all parties on July 23, 2019. (ELW) Modified on 7/11/2019 to correct file date and typo on document (SGO). Modified on 7/16/2019 to edit docket text (SGO). (Entered: 07/10/2019)
07/16/2019	70	Order/Minute Entry for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Settlement Telephone Conference held on 7/16/2019. The undersigned and defendants' counsel discussed this matter in anticipation of the in-person conference with all parties on 7/23/2019. (KAH) (Entered: 07/16/2019)
07/23/2019	71	Minute Entry/Order for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Settlement Conference held on 7/23/2019. Telephone Conference set for 8/15/2019 at 02:00 PM. Signed by Magistrate Judge Richard L. Bourgeois, Jr. on 7/24/2019. (SWE) (Entered: 07/25/2019)
08/08/2019	72	Notice to Counsel: The Telephone Conference set for 8/15/2019 is RESET for 8/16/2019 at 01:30 PM before Magistrate Judge Richard L. Bourgeois Jr. Plaintiff shall initiate the call to all parties and contact the Court at 225-389-3602. Plaintiff is still required to fax an update regarding the status of negotiations on or before 8/14/2019. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(SGO) (Entered: 08/08/2019)
08/16/2019	73	Notice to Counsel: Due to an unforeseen conflict, the Telephone Conference set for 8/16/2019 is RESET for 8/23/2019 at 10:30 AM before Magistrate Judge Richard L. Bourgeois Jr. Plaintiff shall initiate the call to all parties and contact the Court at 225-389-3602. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(Bourgeois, Richard) (Entered: 08/16/2019)
08/19/2019	74	Notice to Counsel: The parties having notified the Court of a scheduling conflict, the Telephone Conference set for 8/23/2019 is

		RESET for 8/26/2019 at 10:30 AM before Magistrate Judge Richard L. Bourgeois Jr. Plaintiff shall initiate the call to all parties and contact the Court at 225-389-3602. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(SGO) (Entered: 08/19/2019)
08/26/2019	75	Minute Entry/Order for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Conference held on 8/26/2019. The parties discussed the status of settlement negotiations. Counsel for defendants shall call the court on Friday, August 30, 2019 at 09:30 AM in chambers before Magistrate Judge Richard L. Bourgeois Jr. to discuss settlement. This conference is a continuation of the Court's role in facilitating settlement and the contents of such conference will remain confidential. (EDC) (Entered: 08/26/2019)
08/30/2019	76	Order/Minute Entry for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Conference held on 8/30/2019. The purpose of the conference was to follow-up regarding the matters discussed with the parties on August 26, 2019. The parties are encouraged to finalize a full and final resolution of this matter in its entirety. On or before September 13, 2019, counsel for plaintiff shall submit a faxed letter to the undersigned providing the status of negotiations to date. Brief due by 9/13/2019. (ELW) (Entered: 08/30/2019)
11/14/2019	77	Notice to Counsel: At the request of the parties received via facsimile, a Telephone Conference is set for 11/22/2019 at 10:15 AM before Magistrate Judge Richard L. Bourgeois Jr. Those participating in the telephone conference shall dial in to the AT&T Conferencing Line using 888-363-4749, access code 1799163 five minutes prior to the conference. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(SGO) (Entered: 11/14/2019)
11/14/2019	78	Amended Notice to Counsel: At the request of Plaintiffs, an Ex Parte Telephone Settlement Conference is set for 11/22/2019 at 10:15 AM before Magistrate Judge Richard L. Bourgeois Jr. Counsel for plaintiffs shall initiate the call, then contact the Court at (225) 389-3602. The parties may disregard the previous notice entered at R. Doc. 77. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(SGO) (Entered: 11/14/2019)
11/22/2019	79	Minute Entry for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr. Telephone Settlement Conference held on 11/22/2019. The Court agreed to continue to facilitate negotiations and will contact counsel for the defense to set another conference that includes certain individuals with appropriate settlement authority. (ELW) (Entered: 11/22/2019)

12/03/2019	80	Notice to Counsel: Counsel for the defendants having selected a date, an Ex Parte Telephone Settlement Conference is set for 12/6/2019 at 10:00 AM before Magistrate Judge Richard L. Bourgeois Jr. Counsel for defendants shall initiate the call, then contact the Court at (225) 389-3602. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(SGO) (Entered: 12/03/2019)
12/06/2019	81	Minute Entry/Order for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Conference held on 12/6/2019. This conference was a continuance of numerous and extensive efforts to facilitate settlement between the parties. The Court discussed the respective positions of the parties and agreed to further facilitate negotiations through the end of the year. The parties have been unable to reach an agreement. On 1/6/2020, the parties were informed that further efforts to facilitate settlement by the Court would not continue. Should a full and final agreement not be possible, the parties should anticipate preparation for trial. (SGO) (Entered: 01/07/2020)
01/07/2020	82	Notice to Counsel: Status Conference before the District Judge set for 1/22/2020 at 02:30 PM in Courtroom 3 before Chief Judge Shelly D. Dick. Evidence, in electronic format, shall be provided in accordance with Local Rule 79 and Administrative Procedures. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BKA) (Entered: 01/07/2020)
01/13/2020	83	Consent MOTION to Continue Jan 22 Status Conference by Winthrop Eaton, Marcus Hamilton, Michael Perry. (Ginsberg, Betsy) (Entered: 01/13/2020)
01/14/2020	84	ORDER granting 83 Motion to Continue Status Conference. A new Status Conference date will be set by separate Order. Signed by Chief Judge Shelly D. Dick on 1/14/2020. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BKA) (Entered: 01/14/2020)
01/14/2020	85	Notice to Counsel Resetting Hearing: Status Conference before the District Judge hereby RESET for 1/30/2020 at 10:30 AM in Courtroom 3 before Chief Judge Shelly D. Dick. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BKA) (Entered: 01/14/2020)
01/30/2020	86	Minute Entry for proceedings held before Chief Judge Shelly D. Dick: Status Conference held on 1/30/2020. (BKA) (Entered: 01/30/2020)
01/30/2020	87	Notice to Counsel Resetting Hearing: Telephone Status Conference before the District Judge set for 4/1/2020 at 11:00 AM CST. Plaintiff

		is to initiate the call and have all the Parties on the line when the call is made into Chambers.(This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(BKA) (Entered: 01/30/2020)
03/16/2020	88	MOTION Appoint Guardian ad Litem by Michael Perry. (Attachments: # 1 Memorandum in Support, # 2 Exhibit Declaration of Dr. Sarah DeLand, # 3 Exhibit Declaration of Keith Nordyke)(Ginsberg, Betsy) (Entered: 03/16/2020)
03/17/2020	89	ORDER REFERRING MOTION to USMJ: 88 MOTION Appoint Guardian ad Litem filed by Michael Perry. Signed by Chief Judge Shelly D. Dick on 3/17/2020. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(BKA) (Entered: 03/17/2020)
03/23/2020	90	Joint STATUS REPORT <i>in advance of April 1 Status Conference</i> by Winthrop Eaton, Marcus Hamilton, Michael Perry. (Ginsberg, Betsy) (Entered: 03/23/2020)
03/23/2020	91	ORDER granting 88 Unopposed Motion to Appoint a Guardian Ad Litem. Mr. Keith Nordyke is APPOINTED to act as Mr. Michael Perrys guardian ad litem in this matter. Signed by Magistrate Judge Richard L. Bourgeois, Jr. on 3/23/2020. (KMW) (Entered: 03/23/2020)
03/25/2020	92	Notice to Counsel CANCELING Hearing: In light of Rec. Doc. 90, the Telephone Status Conference set for 4/1/2020 is hereby CANCELED. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BKA) (Entered: 03/25/2020)
06/22/2020	93	Notice to Counsel: A Telephone Conference is set for 7/22/2020 at 02:00 PM before Magistrate Judge Richard L. Bourgeois Jr. Counsel for Plaintiffs shall initiate the call to all parties then contact the Court at (225) 389-3602. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(SGO) (Entered: 06/22/2020)
07/22/2020	94	Minute Entry/Order for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Conference held on 7/22/2020. The parties discussed the status of settlement negotiations, including one remaining area of disagreement. Counsel will contact chambers to set another telephone conference for continuing settlement negotiations. (SWE) Modified on 7/22/2020 to edit docket text (SWE). (Entered: 07/22/2020)
08/04/2020	95	Notice to Counsel: At the request of counsel for Defendants, and in accordance with the Court's Order (R. Doc. 94), a Telephone Conference with counsel for Defendants and relevant prison officials

		is set for 8/6/2020 at 03:00 PM before Magistrate Judge Richard L. Bourgeois Jr. Counsel for Defendants shall initiate the call to the relevant prison official(s), then contact the Court at (225) 389-3602. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(SGO) (Entered: 08/04/2020)
08/06/2020	<u>96</u>	Minute Entry/Order for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Settlement Conference held on 8/6/2020 with defense counsel and certain representatives from Louisiana State Penitentiary. Defense counsel will contact the court next week to follow-up. (EDC) (Entered: 08/07/2020)
08/17/2020	97	Notice to Counsel: A Telephone Settlement Conference is set for 8/18/2020 at 09:30 AM before Magistrate Judge Richard L. Bourgeois Jr. Plaintiff's counsel, Betsy Ginsberg, shall initiate the call to all relevant parties/counsel, then contact the Court at (225) 389-3602. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (SGO) (Entered: 08/17/2020)
08/18/2020	<u>98</u>	Minute Entry/Order for proceedings held before Magistrate Judge Richard L. Bourgeois, Jr.: Telephone Settlement Conference held on 8/18/2020. Counsel will confer with their client(s) regarding the latest proposed resolution. (SWE) (Entered: 08/18/2020)
11/13/2020	<u>99</u>	ORDER: On or before November 30, 2020, counsel for plaintiffs shall submit to the undersigned, via facsimile at (225) 389-3603, a confidential settlement status report, providing an update of the conference with plaintiffs regarding the latest proposed resolution. (See R. Doc. 98). Signed by Magistrate Judge Richard L. Bourgeois, Jr. on 11/13/2020. (DCB) (Entered: 11/13/2020)
07/16/2021	<u>100</u>	Joint MOTION to Certify Class <i>Preliminarily Approve Class Action Settlement, Approve Class Notice and Notice Procedures and Set Fairness Hearing</i> by Winthrop Eaton, Marcus Hamilton, Keith Nordyke, Michael Perry. (Attachments: # <u>1</u> Memorandum in Support Plaintiffs' Mem. Supp. Joint Motion, # <u>2</u> Decl. of Betsy Ginsberg, # <u>3</u> Exhibit Ex. A to Ginsberg Decl., # <u>4</u> Exhibit Ex. B to Ginsberg Decl., # <u>5</u> Exhibit Ex. C to Ginsberg Decl., # <u>6</u> Exhibit Ex. D to Ginsberg Decl., # <u>7</u> Exhibit Ex. E. to Ginsberg Decl., # <u>8</u> Exhibit Ex. F. to Ginsberg Decl., # <u>9</u> Exhibit Ex. G. to Ginsberg Decl., # <u>10</u> Exhibit Ex. H. to Ginsberg Decl., # <u>11</u> Exhibit Ex. I. to Ginsberg Decl., # <u>12</u> Exhibit Ex. J. to Ginsberg Decl., # <u>13</u> Decl. of Pieter Van Tol, # <u>14</u> Decl. of Nicholas Trenticosta, # <u>15</u> Decl. of Plaintiff Marcus Hamilton, # <u>16</u> Decl. of Plaintiff Earl Eaton, # <u>17</u> Decl. of Plaintiff Matthew Perry by G-A-L Keith Nordyke, # <u>18</u> Proposed Order)(Ginsberg, Betsy) (Entered: 07/16/2021)

07/28/2021	<u>101</u>	ORDER : The <u>100</u> Joint Motion for Preliminary Approval of Class Action Settlement, Class Certification for Settlement Purposes, Approval of Class Notice and Notice Procedures, and Scheduling of a Fair Hearing is GRANTED. A Fairness Hearing is scheduled for 9/10/2021 at 10:30 a.m. in Courtroom 3. Signed by Chief Judge Shelly D. Dick on 7/28/2021. (ELW) (Entered: 07/28/2021)
07/30/2021	<u>102</u>	Consent MOTION to Continue Class Action Fairness Hearing <i>From Sept. 10, 2021 Until After Sept. 17, 2021</i> by Winthrop Eaton, Marcus Hamilton, Keith Nordyke, Michael Perry. (Attachments: # <u>1</u> Proposed Order)(Ginsberg, Betsy) (Entered: 07/30/2021)
07/30/2021	<u>103</u>	ORDER granting <u>102</u> Motion to Continue Fairness Hearing. Signed by Chief Judge Shelly D. Dick on 7/30/2021. (Attachments: # <u>1</u> Attachment Class Notice) (BKA) (Entered: 07/30/2021)
07/30/2021	104	Notice to Counsel Resetting Hearing: Class Action Fairness Hearing set for 9/10/2021 is hereby CANCELED and RESET for 9/23/2021 at 09:30 AM in Courtroom 3 before Chief Judge Shelly D. Dick. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BKA) (Entered: 07/30/2021)
09/20/2021	<u>105</u>	Consent MOTION for Leave to Allow Counsel to Participate in Class Action Fairness Hearing by Video Conference by Winthrop Eaton, Marcus Hamilton, Keith Nordyke, Michael Perry. (Attachments: # <u>1</u> Proposed Order)(Ginsberg, Betsy) (Entered: 09/20/2021)
09/21/2021	106	ORDER granting <u>105</u> MOTION for Leave to Participate by Video. Participant instructions for ZoomGov will be forwarded by separate email from the Courtroom Deputy. Signed by Chief Judge Shelly D. Dick on 9/21/2021. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BKA) (Entered: 09/21/2021)
09/21/2021	<u>107</u>	Consent MOTION to Allow Counsel to Participate by Video by Winthrop Eaton, Marcus Hamilton, Michael Perry. (Van Tol, Pieter) (Entered: 09/21/2021)
09/22/2021	108	ORDER granting <u>107</u> Motion to Allow Plaintiff's Counsel to Participate by Video. Signed by Chief Judge Shelly D. Dick on 9/22/2021. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (Dick, Shelly) (Entered: 09/22/2021)
09/23/2021	<u>109</u>	Minute Entry for proceedings held before Chief Judge Shelly D. Dick: Fairness Hearing held on 9/23/2021. (Court Reporter Shannon Thompson.) (BKA) (Entered: 09/23/2021)
09/28/2021	<u>110</u>	ORDER: The Settlement Agreement, which has been proposed and attached hereto, are hereby APPROVED AND ENTERED by the

		Court. Signed by Chief Judge Shelly D. Dick on 09/28/2021. (Attachments: # 1 Attachment)(ELW) (Entered: 09/28/2021)
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