

**U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CIVIL DOCKET FOR CASE #: 2:14-cv-01447-NVW**

Wood et al v. Ryan et al
Assigned to: Senior Judge Neil V Wake
Related Case: 2:11-cv-01409-NVW
Case in other court: Ninth Circuit, 14-16310
Ninth Circuit, 17-16330 – Mandate
11/05/19

Date Filed: 06/26/2014
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Cause: 42:1983 Prisoner Civil Rights

Plaintiff

Joseph Rudolph Wood, III
TERMINATED: 09/18/2014

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Plaintiff

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Unknown Parties
named as: John Does – Unknown ADC
Personnel, in their official capacities as
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Defendant

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TERMINATED: 01/29/2016

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Date Filed	#	Docket Text
06/26/2014	<u>1</u>	PRISONER CIVIL RIGHTS COMPLAINT. Filing fee received: \$400.00, receipt number 0970-10605488 filed by David Gulbrandson, Charles M Hedlund, Todd Smith, Eldon Schurz, Graham S Henry, Joseph Rudolph Wood, III. (submitted by Dale Baich) (Attachments: # <u>1</u> Civil Cover Sheet)(REK) (Entered: 06/26/2014)

06/26/2014	<u>2</u>	SUMMONS Submitted by David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith, Joseph Rudolph Wood, III. (submitted by Dale Baich) (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons)(REK) (Entered: 06/26/2014)
06/26/2014	<u>3</u>	NOTICE OF ASSIGNMENT: (REK) (Entered: 06/26/2014)
06/26/2014	<u>4</u>	Summons Issued as to Ron Credio, Lance Hetmer, Charles L Ryan. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons)(REK). *** IMPORTANT: When printing the summons, select "Document and stamps" or "Document and comments" for the seal to appear on the document. (Entered: 06/26/2014)
06/26/2014	<u>5</u>	NOTICE TO FILER OF DEFICIENCY re: <u>1</u> Complaint filed by Graham S Henry, Joseph Rudolph Wood, III, Charles M Hedlund, Eldon Schurz, Todd Smith, David Gulbrandson. Other: Pursuant to the Electronic Case Filing Administrative Policies and Procedures Manual Section II(B), attorneys are required to submit the automated Civil Cover Sheet when filing a new case. No further action is required. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (REK) (Entered: 06/26/2014)
07/02/2014	<u>6</u>	*NOTICE of Appearance by Jeffrey Alan Zick on behalf of Charles L Ryan, Ron Credio, Lance Hetmer. (Zick, Jeffrey) *Modified filers on 7/2/2014 (LFIG). (Entered: 07/02/2014)
07/02/2014	<u>7</u>	*NOTICE of Appearance by John Pressley Todd on behalf of Charles L Ryan, Ron Credio, Lance Hetmer. (Todd, John) *Modified filers on 7/2/2014 (LFIG). (Entered: 07/02/2014)
07/02/2014	<u>8</u>	*NOTICE of Appearance by Jeffrey Lee Sparks on behalf of Charles L Ryan, Ron Credio, Lance Hetmer. (Sparks, Jeffrey) *Modified filers on 7/2/2014 (LFIG). (Entered: 07/02/2014)
07/02/2014	<u>9</u>	*NOTICE of Appearance by Lacey Stover Gard on behalf of Charles L Ryan, Ron Credio, Lance Hetmer. (Gard, Lacey) *Modified filers on 7/2/2014 (LFIG). (Entered: 07/02/2014)
07/02/2014	<u>10</u>	*NOTICE of Appearance by Matthew H Binford on behalf of Charles L Ryan, Ron Credio, Lance Hetmer. (Binford, Matthew) *Modified filers on 7/2/2014 (LFIG). (Entered: 07/02/2014)
07/02/2014	<u>11</u>	MOTION for Preliminary Injunction by Joseph Rudolph Wood, III. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(Baich, Dale) (Entered: 07/02/2014)
07/02/2014	<u>12</u>	ORDER that Defendants shall file a response to Plaintiff's <u>11</u> Motion for Preliminary Injunction or Temporary Restraining Order no later than 5:00 PM on Monday, 07/07/14. Plaintiff may file a reply no later than 4:00 PM on Tuesday, 07/08/14. FURTHER ORDERED that oral argument on Plaintiff's <u>11</u> motion will be held on Wednesday, 07/09/14, at 10:00 AM in Courtroom 504, 401 West Washington Street, Phoenix, AZ 85003 before Judge Neil V. Wake. See order for details. Signed by Judge Neil V. Wake on 7/2/14. (NKS) (Entered: 07/02/2014)
07/03/2014	<u>13</u>	MOTION for Leave to Appear Videoconference (<i>unopposed</i>) by Joseph Rudolph Wood, III. (Attachments: # <u>1</u> Text of Proposed Order)(Baich, Dale) (Entered: 07/03/2014)
07/03/2014	<u>14</u>	ORDER granting the Motion (Doc. <u>13</u>). Signed by Judge Neil V. Wake on 7/3/14. (NKS) (Entered: 07/03/2014)
07/07/2014	<u>15</u>	RESPONSE in Opposition re: <u>11</u> MOTION for Preliminary Injunction filed by Charles L Ryan. (Sparks, Jeffrey) (Entered: 07/07/2014)
07/08/2014	<u>16</u>	REPLY to Response to Motion re: <u>11</u> MOTION for Preliminary Injunction filed by Joseph Rudolph Wood, III. (Attachments: # <u>1</u> Exhibit)(Baich, Dale) (Entered: 07/08/2014)
07/09/2014	<u>17</u>	MINUTE ENTRY for proceedings held before Judge Neil V. Wake: Oral Argument held on 7/9/2014. Counsel argue their respective positions regarding Plaintiff Joseph Rudolph Wood III's Motion for Preliminary Injunction or Temporary Restraining Order (Doc. <u>11</u>). Motion taken under advisement. Order to follow.

		APPEARANCES: Robin Konrad and Dale Baich for Plaintiff. Matthew Binford, Jeffrey Zink, Lacey Gard and Jeffrey Sparks for Defendants. (Court Reporter Laurie Adams.) Hearing held 10:06 a.m. to 10:59 a.m. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (NKS) (Entered: 07/09/2014)
07/09/2014	<u>18</u>	TRANSCRIPT REQUEST by Joseph Rudolph Wood, III for proceedings held on 07/09/2014, Judge Neil V Wake hearing judge(s). (Baich, Dale) (Entered: 07/09/2014)
07/09/2014	<u>19</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Preliminary Injunction Proceedings held on 7/9/2014, before Judge Wake. Court Reporter Laurie Adams. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber by filing a Transcript Order Form on the docket before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/30/2014. Redacted Transcript Deadline set for 8/11/2014. Release of Transcript Restriction set for 10/7/2014. (VPB) (Entered: 07/10/2014)
07/10/2014	<u>20</u>	STRICKEN by Doc. 25 – MOTION to Dismiss for Failure to State a Claim by Charles L Ryan. (Zick, Jeffrey) Modified on 7/18/2014 (NKS). (Entered: 07/10/2014)
07/10/2014	<u>21</u>	ORDER that Plaintiff Wood's Motion for Preliminary Injunction or Temporary Restraining Order (Doc. <u>11</u>) is DENIED. See order for complete details. Signed by Judge Neil V. Wake on 7/10/14. (NKS) (Entered: 07/10/2014)
07/10/2014	<u>22</u>	NOTICE OF APPEAL to 9th Circuit Court of Appeals re: <u>21</u> Order on Motion for Preliminary Injunction by Joseph Rudolph Wood, III. (Baich, Dale) (Entered: 07/10/2014)
07/11/2014	<u>23</u>	*USCA Case Number re: <u>22</u> Notice of Appeal. Case number 14-16310, Ninth Circuit Court of Appeals. (LAD) (Distributed by the Ninth Circuit) Modified to correct appeal number on 8/5/2014 (REW). (Entered: 07/11/2014)
07/11/2014	<u>24</u>	TRANSCRIPT REQUEST of July 9, 2014 by Charles L Ryan for proceedings held on 7/9/2014, Judge Neil V Wake hearing judge(s). (Zick, Jeffrey) (Entered: 07/11/2014)
07/18/2014	<u>25</u>	ORDER that motions pursuant to Fed. R. Civ. P. 12(b)(6) and 12(c) are discouraged if the defect can be cured by filing an amended pleading. Therefore, the parties must meet and confer prior to the filing of such motions to determine whether it can be avoided. FURTHER ORDERED striking the Defendants' Motion to Dismiss Complaint Pursuant to Rule 12(B)(6) (Doc. <u>20</u>) without prejudice. Counsel may elect to refile a motion once they have complied with this Order. Signed by Judge Neil V. Wake on 7/18/14. (NKS) (Entered: 07/18/2014)
07/23/2014	<u>26</u>	Emergency MOTION to Stay <i>Execution</i> by Joseph Rudolph Wood, III. (Konrad, Robin) (Entered: 07/23/2014)
07/23/2014	<u>27</u>	TRANSCRIPT REQUEST by Joseph Rudolph Wood, III for proceedings held on 7/23/2014, Judge Neil V Wake hearing judge(s). (Baich, Dale) (Entered: 07/23/2014)
07/23/2014	<u>28</u>	MOTION by Joseph Rudolph Wood, III. (Attachments: # <u>1</u> Text of Proposed Order)(Baich, Dale) (Entered: 07/23/2014)
07/23/2014	<u>29</u>	ORDER granting Plaintiff's <u>28</u> Emergency Motion for Preservation of Evidence. See Order for details. Signed by Judge Neil V Wake on July 23, 2014.(NVW, vg) (Entered: 07/23/2014)
07/23/2014	<u>30</u>	NOTICE re: Notice Regarding Preservation of Evidence by David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith re: <u>29</u> Order on Motion for Miscellaneous Relief . (Konrad, Robin) (Entered: 07/23/2014)
07/23/2014	<u>33</u>	MINUTE ENTRY for proceedings held before Judge Neil V. Wake: Telephonic Motion Hearing held on 7/23/2014. The Court denies the Emergency Motion for Stay of Execution (Doc. <u>26</u>) as moot for the reasons stated on the record. Separate order to issue. (Court Reporter Laurie Adams.) Hearing held 3:27 p.m. to 3:57 p.m. (NKS) (Entered: 07/24/2014)

07/24/2014	<u>31</u>	NOTICE OF FILING OF OFFICIAL REDACTED TRANSCRIPT of Motion Proceedings held on 7/23/2014, before Judge Wake. Court Reporter Laurie Adams. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber by filing a Transcript Order Form on the docket before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/14/2014. Redacted Transcript Deadline set for 8/25/2014. Release of Transcript Restriction set for 10/22/2014. (VPB) (Entered: 07/24/2014)
07/24/2014	<u>32</u>	SEALED TRANSCRIPT of Telephonic Proceedings on 7/23/14 before Judge Neil V. Wake. Court Reporter: Laurie Adams. (MAP) (Entered: 07/24/2014)
07/24/2014	<u>34</u>	ORDER finding as moot <u>26</u> Plaintiff's Motion for Emergency Stay of Execution. Signed by Judge Neil V. Wake on July 24, 2014.(NVW, vg) (Entered: 07/24/2014)
07/24/2014	<u>35</u>	NOTICE: Ex Parte Communication on July 23, 2014 (see document for complete details). Signed by Judge Neil V. Wake on 7/24/14. (NKS) (Entered: 07/24/2014)
08/04/2014	<u>36</u>	NOTICE re: Joint Notice of Rule 12(c) Conferral Meeting Between the Parties by Charles L Ryan . (Zick, Jeffrey) (Entered: 08/04/2014)
08/19/2014	<u>37</u>	NOTICE re: Joint Notice of Conferral Meeting and Agreed Upon Dates by Joseph Rudolph Wood, III . (Baich, Dale) (Entered: 08/19/2014)
09/10/2014	<u>38</u>	MOTION for Admission Pro Hac Vice as to attorney Alycia A Degen on behalf of plaintiffs David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith, and Joseph Rudolph Wood, III. (BAS) (Entered: 09/10/2014)
09/10/2014		PRO HAC VICE FEE PAID. \$ 35, receipt number PHX150237 as to Alycia A Degen. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 09/10/2014)
09/10/2014	<u>39</u>	MOTION for Admission Pro Hac Vice as to attorney Mark E Haddad on behalf of plaintiffs David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith, and Joseph Rudolph Wood, III. (BAS) (Entered: 09/10/2014)
09/10/2014		PRO HAC VICE FEE PAID. \$ 35, receipt number PHX150238 as to Mark E Haddad. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 09/10/2014)
09/10/2014	<u>40</u>	MOTION for Admission Pro Hac Vice as to attorney Aimee G Mackay on behalf of plaintiffs David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith, and Joseph Rudolph Wood, III. (BAS) (Entered: 09/10/2014)
09/10/2014		PRO HAC VICE FEE PAID. \$ 35, receipt number PHX150239 as to Aimee G Mackay. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 09/10/2014)
09/10/2014	<u>41</u>	MOTION for Admission Pro Hac Vice as to attorney Lauren A McCray on behalf of plaintiffs David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith, and Joseph Rudolph Wood, III. (BAS) (Entered: 09/10/2014)
09/10/2014		PRO HAC VICE FEE PAID. \$ 35, receipt number PHX150240 as to Lauren A McCray. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 09/10/2014)
09/10/2014	<u>42</u>	MOTION for Admission Pro Hac Vice as to attorney Joshua E Anderson on behalf of plaintiffs David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith, and Joseph Rudolph Wood, III. (BAS) (Entered: 09/10/2014)
09/10/2014		PRO HAC VICE FEE PAID. \$ 35, receipt number PHX150242 as to Joshua E Anderson. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 09/10/2014)
09/10/2014	<u>43</u>	MOTION for Admission Pro Hac Vice as to attorney Collin P Wedel on behalf of plaintiffs David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith, and Joseph Rudolph Wood, III. (BAS) (Entered: 09/10/2014)

09/10/2014		PRO HAC VICE FEE PAID. \$ 35, receipt number PHX150243 as to Collin P Wedel. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 09/10/2014)
09/10/2014	<u>44</u>	ORDER pursuant to General Order 09-08 granting <u>38</u> Motion for Admission Pro Hac Vice; granting <u>39</u> Motion for Admission Pro Hac Vice; granting <u>40</u> Motion for Admission Pro Hac Vice; granting <u>41</u> Motion for Admission Pro Hac Vice; granting <u>42</u> Motion for Admission Pro Hac Vice; granting <u>43</u> Motion for Admission Pro Hac Vice. Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. Counsel is advised that they are limited to two (2) additional e-mail addresses in their District of Arizona User Account. (BAS) (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 09/10/2014)
09/17/2014	<u>45</u>	NOTICE of Appearance by Mark E Haddad on behalf of David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith. (Haddad, Mark) (Entered: 09/17/2014)
09/17/2014	<u>46</u>	NOTICE of Appearance by Joshua Eugene Anderson on behalf of David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith. (Anderson, Joshua) (Entered: 09/17/2014)
09/17/2014	<u>47</u>	NOTICE of Appearance by Alycia Ann Degen on behalf of David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith. (Degen, Alycia) (Entered: 09/17/2014)
09/17/2014	<u>48</u>	NOTICE of Appearance by Collin Partington Wedel on behalf of David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith. (Wedel, Collin) (Entered: 09/17/2014)
09/17/2014	<u>49</u>	NOTICE of Appearance by Lauren Ann McCray on behalf of David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith. (McCray, Lauren) (Entered: 09/17/2014)
09/17/2014	<u>50</u>	NOTICE of Appearance by Aimee Grace Mackay on behalf of David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith. (Mackay, Aimee) (Entered: 09/17/2014)
09/18/2014	<u>51</u>	AMENDED COMPLAINT against All Defendants filed by Charles M Hedlund. (Attachments: # <u>1</u> Exhibit)(Baich, Dale) (Entered: 09/18/2014)
09/18/2014	<u>52</u>	NOTICE of Filing Amended Pleading pursuant to LRCiv 15.1(b) by Charles M Hedlund . (Attachments: # <u>1</u> Attachment)(Baich, Dale) (Entered: 09/18/2014)
09/18/2014	<u>53</u>	*AMENDED COMPLAINT against All Defendants filed by Charles M Hedlund. (Attachments: # <u>1</u> Exhibit)(Baich, Dale) *Modified on 9/19/2014 to reflect PDF is duplicate of Doc. <u>51</u> . (LFIG) (Entered: 09/18/2014)
09/30/2014	<u>54</u>	NOTICE re: of Filing of Letter by Charles M Hedlund . (Attachments: # <u>1</u> Attachment)(Haddad, Mark) (Entered: 09/30/2014)
10/09/2014	<u>55</u>	First MOTION to Dismiss Counts/Claims : 2, 3, and 9 and Part of Claim 1 of the First Amended Complaint by Janice Brewer, Ron Credio, Greg Fizer, Charles L Ryan, Unknown Parties. (Zick, Jeffrey) (Entered: 10/09/2014)
10/16/2014	<u>56</u>	MOTION for Admission Pro Hac Vice as to attorney Katherine A Roberts on behalf of David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, and Todd Smith. (BAS) (Entered: 10/16/2014)
10/16/2014		PRO HAC VICE FEE PAID. \$ 35, receipt number PHX151421 as to Katherine A Roberts. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 10/16/2014)
10/16/2014	<u>57</u>	MOTION for Admission Pro Hac Vice as to attorney Matt Light on behalf of David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, and Todd Smith. (BAS) (Entered: 10/16/2014)

10/16/2014		PRO HAC VICE FEE PAID. \$ 35, receipt number PHX151420 as to Matt Light. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 10/16/2014)
10/16/2014	<u>58</u>	MOTION for Admission Pro Hac Vice as to attorney Amanda V Lopez on behalf of David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, and Todd Smith. (BAS) (Entered: 10/16/2014)
10/16/2014		PRO HAC VICE FEE PAID. \$ 35, receipt number PHX151419 as to Amanda V Lopez. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 10/16/2014)
10/16/2014	59	ORDER pursuant to General Order 09-08 granting <u>56</u> Motion for Admission Pro Hac Vice; granting <u>57</u> Motion for Admission Pro Hac Vice; granting <u>58</u> Motion for Admission Pro Hac Vice. Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. Counsel is advised that they are limited to two (2) additional e-mail addresses in their District of Arizona User Account. (BAS) (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 10/16/2014)
10/16/2014	<u>60</u>	ORDER staying briefing on Defendants' motion to dismiss and setting a status conference for Tuesday, 10/28/14, at 1:30 p.m. in Courtroom 504, 401 West Washington Street, Phoenix, AZ 85003-2151 before Judge Neil V. Wake. See order for complete details. Signed by Judge Neil V. Wake on 10/16/14. (NKS) (Entered: 10/16/2014)
10/20/2014	<u>61</u>	Consent MOTION to Continue Status Conference by Charles M Hedlund. (Attachments: # <u>1</u> Text of Proposed Order)(Baich, Dale) (Entered: 10/20/2014)
10/21/2014	62	ORDER: The Court having reviewed the Plaintiffs' Consent Motion to Continue October 28 Status Conference (Doc. <u>61</u>), ORDERED granting the Motion. FURTHER ORDERED continuing the Status Conference from 10/28/14 to 10/29/14, at 1:30 PM, in Courtroom 504, 401 West Washington Street, Phoenix, AZ 85003 before Judge Neil V. Wake. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (NKS) (Entered: 10/21/2014)
10/29/2014	63	MINUTE ENTRY for proceedings held before Judge Neil V. Wake: Status Conference held on 10/29/2014. Current case status discussed. The Court lays out its thoughts on how to proceed moving forward. By no later than Friday, December 12, 2014, both sides are ordered to meet and confer regarding the options proposed by the Court. The Court requests briefing from both sides regarding why the Court should or should not stay the proceedings based on the current complaint. Briefing on this issue is ordered as follows: initial brief from defendants is due by Friday, November 21, 2014; brief from plaintiffs is due by Thursday, December 18, 2014; reply brief from defendants is due by Friday, January 9, 2015. APPEARANCES: Dale Baich, Mark Haddad, Robin Konrad, Amanda Lopez and Collin Wedel for Plaintiffs. Matthew Binford, Jeffrey Zick, Jeffrey Sparks and Lacey Gard for Defendants. (Court Reporter Laurie Adams.) Hearing held 1:38 p.m. to 2:42 p.m. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (NKS) (Entered: 10/29/2014)
10/29/2014	<u>64</u>	TRANSCRIPT REQUEST by Charles M Hedlund for proceedings held on 10/29/2014, Judge Neil V Wake hearing judge(s). (Baich, Dale) (Entered: 10/29/2014)
10/29/2014	<u>65</u>	TRANSCRIPT REQUEST by Charles L Ryan for proceedings held on 10/29/14, Judge Neil V Wake hearing judge(s). (Binford, Matthew) (Entered: 10/29/2014)
10/29/2014	<u>66</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Status Conference Proceedings held on 10/29/2014, before Judge Neil V. Wake. Court Reporter: Laurie A. Adams. The ordering party will have electronic access to the transcript immediately. All others may view the transcript at the court public terminal or it may be purchased through the Court Reporter/Transcriber by filing a Transcript Order Form on the docket before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/19/2014. Redacted Transcript Deadline set for 12/1/2014. Release of Transcript Restriction set

		for 1/27/2015. (RAP) (Entered: 10/31/2014)
11/21/2014	<u>67</u>	STIPULATION <i>Joint Stipulation for Temporary Stay</i> by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Eldon Schurz, Todd Smith, Joseph Rudolph Wood, III. (Attachments: # <u>1</u> [Proposed] Order Granting Joint Stipulation for Temporary Stay)(Haddad, Mark) (Entered: 11/21/2014)
11/24/2014	<u>68</u>	** VACATED BY <u>187</u> ORDER ** ORDER pursuant to the parties' Joint Stipulation for Temporary Stay (Doc. <u>67</u>) – this action, including briefing on the pending motion to dismiss (ECF No. <u>55</u>), and briefing regarding a stay, is stayed immediately. See order for complete details. Signed by Judge Neil V. Wake on 11/24/14. (NKS) Modified on 6/22/2017 (LAD). (Entered: 11/24/2014)
11/25/2014	<u>69</u>	ORDER that Defendants' Partial Motion to Dismiss (Doc. <u>55</u>) is denied without prejudice. See order for details. Signed by Judge Neil V. Wake on 11/25/14. (NKS) (Entered: 11/25/2014)
12/02/2014	<u>70</u>	ORDER vacating the Court's briefing schedule issued on 10/29/14 (Doc. 63) as moot. Signed by Judge Neil V. Wake on 12/2/14. (NKS) (Entered: 12/02/2014)
04/22/2015	<u>71</u>	NOTICE of Attorney Withdrawal of <i>Matthew H. Binford</i> filed by Jeffrey Lee Sparks. (Sparks, Jeffrey) (Entered: 04/22/2015)
06/05/2015	<u>72</u>	NOTICE of Appearance by Laura Patrice Chiasson on behalf of Janice Brewer, Ron Credio, Greg Fizer, Lance Hetmer. (Chiasson, Laura) (Entered: 06/05/2015)
10/23/2015	<u>73</u>	NOTICE re: Notice of Publishing of Revised Execution Protocol and Compliance with Court Order by Charles L Ryan . (Sparks, Jeffrey) (Entered: 10/23/2015)
10/23/2015	<u>74</u>	MOTION to Lift Stay by Charles L Ryan. (Attachments: # <u>1</u> Text of Proposed Order)(Sparks, Jeffrey) (Entered: 10/23/2015)
10/23/2015	<u>75</u>	NOTICE of Errata by Defendant Charles L Ryan.. (Sparks, Jeffrey) (Entered: 10/23/2015)
10/27/2015	<u>76</u>	*NOTICE of Attorney Withdrawal of <i>Amanda V. Lopez</i> filed by Alycia Ann Degen. (Degen, Alycia) *Modified to terminate attorney Amanda Lopez on 10/28/2015 (KGM). (Entered: 10/27/2015)
10/27/2015	<u>77</u>	*NOTICE of Attorney Withdrawal of <i>Lauren A. McCray</i> filed by Alycia Ann Degen. (Degen, Alycia) *Modified to terminate attorney Lauren McCray on 10/28/2015 (KGM). (Entered: 10/27/2015)
10/28/2015	<u>78</u>	ORDER TO SHOW CAUSE – that Defendants shall file a Notice no later than 11/18/15 indicating what execution drugs the Arizona Department of Corrections has in its possession and which of the four alternative execution protocols it intends to implement. Plaintiffs must file a response to Defendants' Notice that incorporates a response to the Motion to Lift Stay no later than 12/09/15. Defendants may file a reply no later than 12/16/15. FURTHER ORDERED that if the Arizona Department of Corrections does not currently possess the required lethal drugs for a particular protocol, or any of its four alternative protocols, Defendants shall show cause why the Court can or should adjudicate any protocol that cannot be implemented or why this action is ripe for consideration. Signed by Judge Neil V. Wake on 10/28/15. (NKS) (Entered: 10/28/2015)
11/03/2015	<u>79</u>	*RESPONSE TO ORDER TO SHOW CAUSE by Charles L Ryan re: <u>78</u> Order to Show Cause, Set/Reset Motion and R&R Deadlines/Hearings . (Sparks, Jeffrey) *Modified to correct event type on 11/4/2015 (KGM). (Entered: 11/03/2015)
11/06/2015	<u>80</u>	ORDER that Plaintiffs' response to Defendants' Notice that incorporates a response to the motion to lift stay must be filed no later than 11/25/15. Defendants may reply within 7 days of Plaintiffs' response. Signed by Judge Neil V. Wake on 11/6/15. (NKS) (Entered: 11/06/2015)
11/06/2015	<u>81</u>	NOTICE of Appearance by Julie Ann Done on behalf of Charles L Ryan. (Done, Julie) (Entered: 11/06/2015)

11/25/2015	<u>82</u>	ORDER: IT IS ORDERED that Defendants' time to file a Reply in support of their Motion to Lift Stay (Doc. <u>74</u>) is extended to December 11, 2015. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (NKS) (Entered: 11/25/2015)
11/25/2015	<u>83</u>	RESPONSE to Motion re: <u>74</u> MOTION to Lift Stay filed by Joseph Rudolph Wood, III. (Baich, Dale) (Entered: 11/25/2015)
12/03/2015	<u>84</u>	*REPLY to Response to Motion re: <u>74</u> MOTION to Lift Stay by Defendant Charles L Ryan. (Sparks, Jeffrey) *Modified to correct event type on 12/3/2015 (KGM). (Entered: 12/03/2015)
12/09/2015	<u>85</u>	ORDER granting <u>74</u> Defendants' Motion to Lift Stay as to Protocol C. The stay is lifted and this action will proceed to that extent. See PDF document for details. Signed by Judge Neil V Wake on 12/8/15.(LSP) (Entered: 12/09/2015)
12/10/2015	<u>86</u>	NOTICE re: Regarding Order Issued December 9, 2015 by Joseph Rudolph Wood, III . (Baich, Dale) (Entered: 12/10/2015)
12/15/2015	<u>87</u>	MINUTE ORDER: Pursuant to the Court's December 8, 2015 Order (Doc. <u>85</u>), IT IS ORDERED setting a Status Conference for 1/12/2016 at 1:30 PM in Courtroom 504, 401 West Washington Street, Phoenix, AZ 85003 before Judge Neil V Wake. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (NVW, vg) (Entered: 12/15/2015)
01/12/2016	<u>88</u>	MINUTE ENTRY for proceedings held before Judge Neil V. Wake: Status Conference held on 01/12/16. Discussion is held regarding the entire stay being lifted. Plaintiffs' counsel indicates that an amended complaint will be filed by no later than Tuesday, 01/26/16. Case status discussed. Potential discovery discussed. Written order to follow. APPEARANCES: Mark E. Haddad, Dale A. Baich and Collin P. Wedel for Plaintiffs. Jeffrey L. Sparks, Lacey S. Gard and John P. Todd for Defendants. (Court Reporter Laurie Adams.) Hearing held 1:36 p.m. to 2:44 p.m. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (NKS) (Entered: 01/12/2016)
01/12/2016	<u>89</u>	ORDER the stay in this matter is lifted in its entirety and this action will proceed. Plaintiffs must file their First Amended Complaint no later than January 26, 2016. The provision of the parties' Stipulation prohibiting the State from seeking a warrant of execution until after (1) this action has been resolved through settlement among the parties; or (2) this Court has entered a final judgment on the merits remains in effect. Signed by Judge Neil V. Wake on 1/12/16. (CLB) (Entered: 01/12/2016)
01/13/2016	<u>90</u>	TRANSCRIPT REQUEST by Joseph Rudolph Wood, III for proceedings held on 1/12/2016, Judge Neil V Wake hearing judge(s). (Baich, Dale) (Entered: 01/13/2016)
01/13/2016	<u>92</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of <i>STATUS CONFERENCE</i> proceedings held on 01/12/2016, before Judge Neil V. Wake. (Court Reporter: Laurie A. Adams). The ordering party will have electronic access to the transcript immediately. All others may view the transcript at the court public terminal or it may be purchased through the Court Reporter/Transcriber by filing a Transcript Order Form on the docket before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 2/3/2016. Redacted Transcript Deadline set for 2/16/2016. Release of Transcript Restriction set for 4/12/2016. (RAP) (Entered: 01/15/2016)
01/15/2016	<u>91</u>	TRANSCRIPT REQUEST by Janice Brewer, Charles L Ryan for proceedings held on 01/12/16, Judge Neil V Wake hearing judge(s). (Sparks, Jeffrey) (Entered: 01/15/2016)
01/26/2016	<u>93</u>	NOTICE of Filing Amended Pleading pursuant to LRCiv 15.1(b) by First Amendment Coalition of Arizona Incorporated . (Attachments: # <u>1</u> Exhibit)(Baich, Dale) (Entered: 01/26/2016)
01/26/2016	<u>94</u>	*Filed at (Doc. <u>97</u>) LODGED Proposed Second Amended Complaint. Document to be filed by Clerk if Motion or Stipulation for Leave to File or Amend is granted. Filed by First Amendment Coalition of Arizona Incorporated. (Baich, Dale) Modified on 1/29/2016 (EJA). (Entered: 01/26/2016)

01/26/2016	<u>95</u>	NOTICE of Service of Discovery filed by First Amendment Coalition of Arizona Incorporated. (Konrad, Robin) (Entered: 01/26/2016)
01/29/2016	<u>96</u>	ORDER that Plaintiffs' Second Amended Complaint (Doc. <u>94</u>) be filed. FURTHER ORDERED that Defendants file a responsive pleading within 21 days. Signed by Judge Neil V Wake on 1/29/16. (EJA) (Entered: 01/29/2016)
01/29/2016	<u>97</u>	*SECOND AMENDED COMPLAINT against Greg Fizer, Charles L Ryan, Unknown Parties, James O'Neil filed by David Gulbrandson, First Amendment Coalition of Arizona Incorporated, Charles M Hedlund, Todd Smith, Eldon Schurz, Graham S Henry, Robert Poyson, Roger Scott.(EJA) *Modified text on 1/29/2016 (EJA). (Entered: 01/29/2016)
02/19/2016	<u>98</u>	MOTION to Dismiss for Failure to State a Claim by Greg Fizer, James O'Neil, Charles L Ryan. (Attachments: # <u>1</u> Exhibit Exhibit A)(Weinzweig, David) (Entered: 02/19/2016)
03/03/2016	<u>99</u>	NOTICE of Service of Discovery filed by David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Konrad, Robin) (Entered: 03/03/2016)
03/07/2016	<u>100</u>	*REQUEST re: for Judicial Notice in Support of <u>102</u> Plaintiffs' Opposition to Defendants' Motion to Dismiss Second Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) by Plaintiffs First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Haddad, Mark) *Modified to correct document number on 3/8/2016 (EJA). (Entered: 03/07/2016)
03/07/2016	<u>101</u>	Additional Attachments to Main Document re: <u>100</u> Request by Plaintiffs First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Haddad, Mark) (Entered: 03/07/2016)
03/07/2016	<u>102</u>	RESPONSE in Opposition re: <u>98</u> MOTION to Dismiss for Failure to State a Claim filed by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Haddad, Mark) (Entered: 03/07/2016)
03/14/2016	<u>103</u>	*REPLY to Response to Motion re: <u>98</u> Motion to Dismiss for Failure to State a Claim by Defendant Greg Fizer. (Sparks, Jeffrey) *Modified to correct event type on 3/15/2016 (KGM). (Entered: 03/14/2016)
03/15/2016	<u>104</u>	IT IS ORDERED setting oral argument re: <u>98</u> State Defendants' Motion to Dismiss for 4/7/2016 at 01:30 PM in Courtroom 504, 401 West Washington Street, Phoenix, AZ 85003 before Judge Neil V Wake. Ordered by Judge Neil V Wake. (NVW, vg)(This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry.) (Entered: 03/15/2016)
03/29/2016	<u>105</u>	REPORT of Rule 26(f) Planning Meeting by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Attachments: # <u>1</u> Affidavit Declaration of Collin P. Wedel)(Haddad, Mark) (Entered: 03/29/2016)
03/29/2016	<u>106</u>	NOTICE of Service of Discovery filed by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith, Joseph Rudolph Wood, III. (Konrad, Robin) (Entered: 03/29/2016)
03/29/2016	<u>107</u>	NOTICE of Service of Discovery filed by Janice Brewer, Greg Fizer, James O'Neil, Charles L Ryan. (Sparks, Jeffrey) (Entered: 03/29/2016)
04/05/2016	<u>108</u>	NOTICE of Attorney Substitution by Dale A Baich. (Baich, Dale) (Entered: 04/05/2016)
04/07/2016	<u>109</u>	MINUTE ENTRY for proceedings held before Judge Neil V. Wake: Oral Argument held on 04/07/16. Counsel address the Court's questions and state their respective positions regarding the Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint (Doc. <u>98</u>). Motion taken under advisement. Written order to follow.

		APPEARANCES: Mark E. Haddad, Dale A. Baich, Joshua E. Anderson, Katherine A. Roberts, Collin P. Wedel and Jessica L. Felker for Plaintiffs. David W. Weinzwieg, Jeffrey L. Sparks, Lacey S. Gard and Julie A. Done for Defendants. (Court Reporter David German.) Hearing held 1:35 p.m. to 3:37 p.m. (with a recess from 2:24 p.m. to 2:41 p.m.) This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (NKS) (Entered: 04/07/2016)
04/07/2016	<u>110</u>	TRANSCRIPT REQUEST by David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith for proceedings held on 4/07/2016, Judge Neil V Wake hearing judge(s). (Baich, Dale) (Entered: 04/07/2016)
04/07/2016	111	NOTICE TO FILER OF DEFICIENCY re: AO435 <u>110</u> Transcript Request filed by Graham S Henry, Charles M Hedlund, Robert Poyson, Eldon Schurz, Todd Smith, Roger Scott, David Gulbrandson. Item 17 – TRANSCRIPT REQUESTED: No portions or dates of proceedings specified. FOLLOW-UP ACTION REQUIRED: Please refile with portions and dates of proceedings in Item 17. Deficiency must be corrected within one business day of this notice. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (RAP) (Entered: 04/07/2016)
04/08/2016	<u>112</u>	AMENDED TRANSCRIPT REQUEST pursuant to 111 Notice of Deficiency by David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith for proceedings held on 4/07/2016, Judge Neil V Wake hearing judge(s). (Baich, Dale) (Entered: 04/08/2016)
04/11/2016	<u>113</u>	TRANSCRIPT REQUEST by Janice Brewer, Ron Credio, Greg Fizer, Lance Hetmer, Charles L Ryan, Unknown Parties for proceedings held on 4/7/16, Judge Neil V Wake hearing judge(s). (Sparks, Jeffrey) (Entered: 04/11/2016)
04/12/2016	<u>114</u>	SUPPLEMENT Submission Re: California First Amendment Coalition v. Woodford by Plaintiffs First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Haddad, Mark) (Entered: 04/12/2016)
04/12/2016	<u>116</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of ORAL ARGUMENT proceedings held on 04/07/2016, before Judge Neil V. Wake. (Court Reporter: David C. German). The ordering party will have electronic access to the transcript immediately. All others may view the transcript at the court public terminal or it may be purchased through the Court Reporter/Transcriber by filing a Transcript Order Form on the docket before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 5/3/2016. Redacted Transcript Deadline set for 5/13/2016. Release of Transcript Restriction set for 7/11/2016. (RAP) (Entered: 04/20/2016)
04/15/2016	<u>115</u>	*NOTICE of Service of Discovery by Greg Fizer, James O'Neil, Charles L Ryan . (Sparks, Jeffrey) *Modified to correct event on 4/18/2016 (KMG). (Entered: 04/15/2016)
05/18/2016	<u>117</u>	ORDER that Defendants' motion to dismiss (Doc. <u>98</u>) is granted with prejudice as to the following claims in Plaintiffs' Second Amended Complaint: Claim 1 (in part): First Amendment right to know efficacy of midazolam. Claim 2: Substantive due process claim against use of paralytic. Claims 3 and 4: First Amendment claims to information about the execution. Claim 5: First Amendment right of access to courts. Claim 8: Class of one equal protection violation. FURTHER ORDERED that Defendants' motion to dismiss (Doc. <u>98</u>) is denied as to the following claims in Plaintiffs' Second Amended Complaint: Claim 1 (in part): Eighth Amendment claim as to midazolam and paralytic. Claim 6: Eighth Amendment claim for failure to follow protocol. Claim 7: Procedural due process claim for failure to follow protocol. FURTHER ORDERED that Plaintiff First Amendment Coalition of Arizona, Inc., is dismissed from this action with prejudice, as any amendment would be futile. FURTHER ORDERED that Plaintiffs' unopposed request for judicial notice of the 1992 General Election Arizona Publicity Pamphlet (Doc. <u>100</u>) is granted. FURTHER ORDERED: (1) that Defendants shall file an answer to Plaintiffs' Second Amended Complaint no later than Friday, 05/27/16. (2) that initial disclosures shall be served no later than Wednesday, 06/08/16. (3) that the parties shall file a joint proposed Discovery Plan pursuant to Federal Rule of Civil Procedure 26(f) no later than Friday, 06/24/16. (4) that a Scheduling Conference pursuant to Federal Rule of Civil Procedure 16 is set for Wednesday,

		06/29/16, at 1:30 PM in Courtroom 504, Sandra Day O'Connor U.S. Courthouse, 401 West Washington Street, Phoenix, Arizona 85003. See order for complete details. Signed by Judge Neil V. Wake on 5/18/16. (NKS) (Entered: 05/18/2016)
05/18/2016	<u>118</u>	ORDER ISSUED: Scheduling Conference is set for 06/29/16, at 1:30 PM in Courtroom 504, Sandra Day O'Connor U.S. Courthouse, 401 West Washington Street, Phoenix, Arizona 85003. ORDERED that Defendants' Answer to Plaintiffs' Second Amended Complaint (Doc. <u>97</u>) is due on or before 05/27/16. The parties are ordered to provide initial disclosures on or before 06/08/16, in the form required by Federal Rule of Civil Procedure 26(a)(1). See order for details. Signed by Judge Neil V. Wake on 5/18/16. (NKS) (Entered: 05/18/2016)
05/27/2016	<u>119</u>	<i>Defendants'</i> ANSWER to <u>97</u> Amended Complaint by Greg Fizer, James O'Neil, Charles L Ryan, Unknown Parties.(Sparks, Jeffrey) (Entered: 05/27/2016)
06/08/2016	<u>120</u>	NOTICE of Service of Discovery filed by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith, Joseph Rudolph Wood, III. (Felker, Jessica) (Entered: 06/08/2016)
06/08/2016	<u>121</u>	*NOTICE of Service of Discovery filed by Charles Ryan, Greg Fizer, James O'Neil. (Sparks, Jeffrey) *Modified to correct filers on 6/9/2016 (KGM). (Entered: 06/08/2016)
06/14/2016	<u>122</u>	ORDER – This matter is set for a scheduling conference on 06/29/16. In addition to the issues outlined in the order setting the conference (Doc. <u>118</u>), the parties shall be prepared to discuss the following questions (see order for details). Signed by Judge Neil V. Wake on 6/14/16. (NKS) (Entered: 06/14/2016)
06/24/2016	<u>123</u>	NOTICE re: of Protocol Amendment, Response to Court Order, and Suggestion of Mootness by Janice Brewer, Ron Credio, Greg Fizer, Lance Hetmer, James O'Neil, Charles L Ryan re: <u>122</u> Order . (Sparks, Jeffrey) (Entered: 06/24/2016)
06/24/2016	<u>124</u>	REPORT of Rule 26(f) Planning Meeting by David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Felker, Jessica) (Entered: 06/24/2016)
06/27/2016	<u>125</u>	MOTION for Entry of Judgment under Rule 54(b) by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Attachments: # <u>1</u> Text of Proposed Order)(Haddad, Mark). (Entered: 06/27/2016)
06/29/2016	126	MINUTE ENTRY for proceedings held before Judge Neil V. Wake: In-Court Hearing (set as a Scheduling Conference) held on 06/29/16. The Court advises counsel of its preliminary thoughts. Counsel address those issues. As discussed on the record, defendants shall file their comprehensive mootness motion by no later than Friday, 07/29/16. The Court directs counsel to meet and confer regarding discovery issues by no later than Friday, 08/12/16. Counsel shall file a supplemental case management report addressing discovery in detail and identifying any disagreements the parties may have by Friday, 08/19/16. APPEARANCES: Mark E. Haddad, Joshua E. Anderson, Dale A. Baich, Jessica L. Felker and Collin P. Wedel for Plaintiffs. Jeffrey L. Sparks, Lacey S. Gard and David D. Weinzwieg for Defendants. (Court Reporter Laurie Adams.) Hearing held 1:35 p.m. to 2:32 p.m. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (NKS) (Entered: 06/29/2016)
06/29/2016	<u>127</u>	TRANSCRIPT REQUEST by David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith, Joseph Rudolph Wood, III for proceedings held on 6/29/2016, Judge Neil V Wake hearing judge(s). (Baich, Dale) (Entered: 06/29/2016)
06/29/2016	<u>132</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of <i>Scheduling Conference</i> proceedings held on 06/29/2016, before Judge Neil V. Wake. (Court Reporter: Laurie A. Adams). The ordering party will have electronic access to the transcript immediately. All others may view the transcript at the court public terminal or it may be purchased through the Court Reporter/Transcriber by filing a Transcript Order

		Form on the docket before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/20/2016. Redacted Transcript Deadline set for 8/1/2016. Release of Transcript Restriction set for 9/27/2016. (RAP) (Entered: 07/14/2016)
06/30/2016	<u>128</u>	TRANSCRIPT REQUEST by Charles L Ryan for proceedings held on June 29, 2016, Judge Neil V Wake hearing judge(s). (Sparks, Jeffrey) (Entered: 06/30/2016)
06/30/2016	<u>129</u>	ORDER that Defendants shall file their motion addressing mootness, ripeness, and any other issues of justiciability no later than 07/29/16. FURTHER ORDERED that no later than 08/12/16, counsel shall meet and confer about discovery issues. FURTHER ORDERED that no later than 08/19/16, counsel shall file a supplemental case management report addressing discovery in detail and identifying any disagreements the parties may have. Signed by Judge Neil V. Wake on 6/30/16. (NKS) (Entered: 06/30/2016)
07/08/2016	<u>130</u>	*NOTICE of Service of Discovery re: Defendant's Notice of Mailing of Amended Responses to Plaintiffs' Request for Production by Janice Brewer, Greg Fizer, James O'Neil, Charles L Ryan . (Sparks, Jeffrey) *Modified to correct event on 7/11/2016 (REK). (Entered: 07/08/2016)
07/14/2016	<u>131</u>	*RESPONSE in Opposition re: <u>125</u> MOTION for Entry of Judgment under Rule 54(b) filed by Charles L Ryan, James O'Neil and Greg Fizer. (Gard, Lacey) *Modified to add correct filer on 7/14/2016 (LSP). (Entered: 07/14/2016)
07/25/2016	<u>133</u>	REPLY to Response to Motion re: <u>125</u> MOTION for Entry of Judgment under Rule 54(b) filed by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Attachments: # <u>1</u> Exhibit Wedel Declaration)(Haddad, Mark) (Entered: 07/25/2016)
07/25/2016	<u>134</u>	NOTICE of Errata re: <u>133</u> Reply to Response to Motion <i>Certificate of Service to Reply in Support of Plaintiffs' Motion for Entry of Final Judgment as to Claims 3 and 4 Pursuant to Fed. R. Civ. P. 54(b)</i> by Plaintiffs First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith.. (Attachments: # <u>1</u> Errata Certificate of Service to Reply in Support of Plaintiffs' Motion for Entry of Final Judgment as to Claims 3 and 4 Pursuant to Fed. R. Civ. P. 54(b))(Felker, Jessica) (Entered: 07/25/2016)
07/29/2016	<u>135</u>	MOTION to Dismiss Counts/Claims : Claim 1 by Ron Credio, Greg Fizer, James O'Neil, Charles L Ryan. (Attachments: # <u>1</u> Exhibit Attachment)(Sparks, Jeffrey) (Entered: 07/29/2016)
08/05/2016	<u>136</u>	NOTICE of Service of Discovery filed by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Baich, Dale) (Entered: 08/05/2016)
08/10/2016	<u>137</u>	ORDER denying Plaintiffs' Motion for Entry of Final Judgment as to Claims 3 and 4. (Doc. <u>125</u> .) See order for details. Signed by Senior Judge Neil V. Wake on 8/10/16. (NKS) (Entered: 08/10/2016)
08/19/2016	<u>138</u>	STATUS REPORT <i>Joint Supplemental Case Management Report</i> by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Anderson, Joshua) (Entered: 08/19/2016)
08/19/2016	<u>139</u>	NOTICE of Service of Discovery filed by Greg Fizer, James O'Neil, Charles L Ryan. (Sparks, Jeffrey) (Entered: 08/19/2016)
08/22/2016	<u>140</u>	Additional Attachments to Main Document re: <u>138</u> Report – <i>Status Appendices</i> by Plaintiffs First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Felker, Jessica) (Entered: 08/22/2016)
09/06/2016	<u>141</u>	*NOTICE of Service of Discovery re: of Mailing of Discovery Responses by Janice Brewer, Ron Credio, Greg Fizer, Charles L Ryan . (Sparks, Jeffrey) *Modified to correct event type on 9/7/2016 (EJA). (Entered: 09/06/2016)

09/19/2016	<u>142</u>	NOTICE of Service of Discovery filed by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Anderson, Joshua) (Entered: 09/19/2016)
10/05/2016	<u>143</u>	NOTICE re: of Mailing of Amended Discovery Responses by Greg Fizer, James O'Neil, Charles L Ryan . (Sparks, Jeffrey) (Entered: 10/05/2016)
10/07/2016	<u>144</u>	ORDER that a hearing in this matter is will be held on 10/19/16 at 2:00 PM in Courtroom 504, 401 West Washington Street, Phoenix, AZ 85003-2151. FURTHER ORDERED that the parties must be prepared to discuss the issues detailed in this Order. FINALLY ORDERED that Defendants must file a brief two days prior to the hearing explaining why Ohio's acquisition of midazolam does not defeat their mootness argument. Signed by Senior Judge Neil V. Wake on 10/7/16. (NKS) (Entered: 10/07/2016)
10/17/2016	<u>145</u>	BRIEF re: <u>144</u> Order, Set/Reset Hearings by Defendants Greg Fizer, James O'Neil, Charles L Ryan. (Sparks, Jeffrey) (Entered: 10/17/2016)
10/19/2016	<u>146</u>	MINUTE ENTRY for proceedings held before Senior Judge Neil V. Wake: In-Court Hearing held on 10/19/16. Counsel address the Court's questions. The Court sets 12/09/16 as the deadline for the Defendants to file their replacement motion. The Plaintiffs shall have until 01/20/17 to file a response to the replacement motion. Written order to follow. APPEARANCES: Collin P. Wedel, Mark E. Haddad, Jessica L. Felker, Joshua E. Anderson and Dale A. Baich for Plaintiffs. Jeffrey L. Sparks, Lacey S. Gard and David D. Weinzwieg for Defendants. (Court Reporter Laurie Adams.) Hearing held 2:06 p.m. to 2:59 p.m. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (NKS) (Entered: 10/19/2016)
10/19/2016	<u>147</u>	TRANSCRIPT REQUEST by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith for proceedings held on 10/19/2016, Judge Neil V Wake hearing judge(s). (Baich, Dale) (Entered: 10/19/2016)
10/19/2016	<u>150</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of <i>Status Hearing</i> proceedings held on 10/19/2016, before Judge Neil V. Wake. (Court Reporter: Laurie A. Adams). The ordering party will have electronic access to the transcript immediately. All others may view the transcript at the court public terminal or it may be purchased through the Court Reporter/Transcriber by filing a Transcript Order Form on the docket before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/9/2016. Redacted Transcript Deadline set for 11/21/2016. Release of Transcript Restriction set for 1/17/2017. (RAP) (Entered: 10/26/2016)
10/20/2016	<u>148</u>	TRANSCRIPT REQUEST by Greg Fizer, James O'Neil, Charles L Ryan for proceedings held on 10/19/2016, Judge Neil V Wake hearing judge(s). (Sparks, Jeffrey) (Entered: 10/20/2016)
10/24/2016	<u>149</u>	ORDER that Defendants may refile their motion to dismiss on mootness no later than 12/09/16. Plaintiffs may respond by 01/20/17. Defendants may file a reply by 01/27/17. FURTHER ORDERED that Defendants' Motion to Dismiss (Doc. <u>135</u>) is denied without prejudice. Signed by Senior Judge Neil V. Wake on 10/21/16. (NKS) (Entered: 10/24/2016)
12/09/2016	<u>151</u>	*MOTION to Dismiss for Lack of Jurisdiction filed by Greg Fizer, James O'Neil, Charles L Ryan, Charles L Ryan. (Sparks, Jeffrey) *Modified to correct event type on 12/9/2016 (DXD). (Entered: 12/09/2016)
12/19/2016	<u>152</u>	STIPULATION <i>For Settlement And Dismissal of Claim One</i> by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Haddad, Mark) (Entered: 12/19/2016)
12/21/2016	<u>153</u>	ORDER that the parties submit a revised form of order on a stand-alone document. Signed by Senior Judge Neil V. Wake on 12/21/16. (NKS) (Entered: 12/21/2016)

12/21/2016	<u>154</u>	Additional Attachments to Main Document re: <u>152</u> Stipulation [<i>Proposed</i>] Order for Dismissal of Claim One by Plaintiffs First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Haddad, Mark) (Entered: 12/21/2016)
12/22/2016	<u>155</u>	ORDER (re: Doc. <u>152</u>) – (1) Claim One of Plaintiffs' Second Amended Complaint is dismissed, without prejudice. (2) Upon any showing by any Plaintiff or any other current or future prisoner sentenced to death in the State of Arizona that ADC intends to use midazolam, or any other benzodiazepine, in an execution or in an execution protocol, Claim One shall be reinstated and reopened pursuant to Rule 60(b)(6) of the Federal Rules of Civil Procedure, and, based on the agreement and consent of the parties granted in their stipulated settlement agreement (Doc. <u>152</u>), an injunction shall issue, in this action or in a separate action for breach of the parties' stipulated settlement agreement, permanently enjoining ADC from using midazolam, or any other benzodiazepine, in an execution or in an execution protocol. (3) Plaintiffs shall not be awarded attorneys' fees or costs incurred in litigating Claim One unless Defendants or ADC breach the parties' stipulated settlement agreement, in which case Plaintiffs shall be entitled to seek an award of their reasonable attorneys' fees and costs incurred in litigating Claim One, in an amount to be determined by the Court, either in this action or in a separate action for breach of the parties' stipulated settlement agreement. In that circumstance, Plaintiffs shall also be entitled to seek to collect their reasonable attorneys' fees and costs incurred in moving to enforce this stipulated settlement agreement. Signed by Senior Judge Neil V. Wake on 12/22/16. (NKS) (Entered: 12/22/2016)
12/22/2016	<u>156</u>	ORDER (TEXT ONLY): IT IS ORDERED denying the Defendants' Replacement Motion to Dismiss Claim 1 (Doc. <u>151</u>) as moot. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (NKS) (Entered: 12/22/2016)
12/23/2016	<u>157</u>	ORDER that the parties must submit a joint status report to the Court as described herein no later than Friday, 01/27/17. Signed by Senior Judge Neil V. Wake on 12/23/16. (NKS) (Entered: 12/23/2016)
01/13/2017	<u>158</u>	NOTICE re: Publication of Revised Execution Protocol by Greg Fizer, James O'Neil, Charles L Ryan . (Attachments: # <u>1</u> Appendix Attachment)(Sparks, Jeffrey) (Entered: 01/13/2017)
01/27/2017	<u>159</u>	STATUS REPORT (<i>Joint</i>) in Response to the Court's December 23, 2016 Order by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Attachments: # <u>1</u> Exhibit /Attachment A, # <u>2</u> Exhibit /Attachment B)(Anderson, Joshua) (Entered: 01/27/2017)
02/02/2017	<u>160</u>	NOTICE of Attorney Withdrawal of <i>David Weinzwieg</i> filed by Jeffrey Lee Sparks. (Sparks, Jeffrey) (Entered: 02/02/2017)
02/09/2017	<u>161</u>	NOTICE of Service of Discovery filed by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Felker, Jessica) (Entered: 02/09/2017)
02/13/2017	<u>162</u>	*ORDER: The Court has reviewed the parties' Joint Status Report <u>159</u> . Fact discovery due by 3/24/2017. Proposed Pretrial Order due by 7/7/2017. See order for additional deadlines and details. Signed by Senior Judge Neil V Wake on 2/13/2017. (LMR) *Modified text on 2/14/2017 to include proposed pretrial order deadline (ATD). (Entered: 02/13/2017)
02/24/2017	<u>163</u>	SUPPLEMENT Complaint Pursuant to Fed. R. Civ. P. (15)d re: <u>162</u> Order by Plaintiffs First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Haddad, Mark) *Modified on linkage 2/27/2017 (DXD). (Entered: 02/24/2017)
03/02/2017	<u>164</u>	REPORT of Joint Summary of Discovery Dispute Re Plaintiff Graham S. Henry's Interrogatories Nos. 2, 3, 4, and 18 by Plaintiffs First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Anderson, Joshua) (Entered: 03/02/2017)

		03/02/2017)
03/06/2017	<u>165</u>	ORDER: Final Pretrial Conference set for 8/30/2017 at 02:00 PM. Proposed Final Pretrial Order due by 7/7/2017. Trial to the Court set for 9/11/2017 at 08:45 AM in Courtroom 504, 401 West Washington Street, Phoenix, AZ 85003 before Senior Judge Neil V Wake. See order for additional deadlines and details. Signed by Senior Judge Neil V Wake on 3/6/2017. (LMR) (Entered: 03/06/2017)
03/07/2017	<u>166</u>	ORDER pursuant to the parties' first joint statement of discovery dispute <u>164</u> : Objections are overruled and Defendants have 14 days to show cause why fees should not be assessed for Plaintiffs' preparation of the discovery dispute. See order for additional details. Signed by Senior Judge Neil V Wake on 3/7/2017. (LMR) (Entered: 03/07/2017)
03/10/2017	<u>167</u>	NOTICE of Appearance by Keith Joseph Miller on behalf of Lance Hetmer, James O'Neil, Charles L Ryan(Director of the Arizona Department of Corrections). (Miller, Keith) (Entered: 03/10/2017)
03/10/2017	<u>168</u>	NOTICE of Service of Discovery filed by Greg Fizer, James O'Neil, Charles L Ryan. (Sparks, Jeffrey) (Entered: 03/10/2017)
03/10/2017	<u>169</u>	ANSWER to Complaint <i>Supplemental [Doc 163]</i> by Lance Hetmer, James O'Neil, Charles L Ryan(Director of the Arizona Department of Corrections).(Miller, Keith) (Entered: 03/10/2017)
03/13/2017	<u>170</u>	*NOTICE of Service of Discovery filed by Charles L Ryan, James O'Neil and Greg Fizer (Director of the Arizona Department of Corrections). (Gard, Lacey) *Modified to add filers on 3/14/2017 (EJA). (Entered: 03/13/2017)
03/21/2017	<u>171</u>	RESPONSE TO ORDER TO SHOW CAUSE re: <u>166</u> Order by Defendants Greg Fizer, James O'Neil, Charles L Ryan, Unknown Parties. (Sparks, Jeffrey) (Entered: 03/21/2017)
03/27/2017	<u>172</u>	Joint MOTION for Clarification of the Court's Scheduling Orders of February 13, 2017 (ECF No. 162) and March 6, 2017 (ECF No. 165) re: <u>165</u> Order, Set/Reset Deadlines/Hearings, <u>162</u> Order, Set Deadlines by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith, Joseph Rudolph Wood, III. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order Re Joint Motion for Clarification of the Court's Scheduling Orders of February 13, 2017 (ECF No. 162) and March 6, 2017 (ECF No. 165))(Anderson, Joshua) (Entered: 03/27/2017)
03/31/2017	<u>173</u>	ORDER granting in part and denying in part the parties' Joint Motion for Clarification <u>172</u> . Joint Motion for Clarification is granted to the extent explained in the attached order and is otherwise denied. The deadline to file a joint proposed pretrial order and proposed findings of fact and conclusions of law is extended until 8/11/2017. All other deadlines and requirements remain unchanged. See attached order for additional details. Signed by Senior Judge Neil V Wake on 3/31/2017.(LMR) (Entered: 03/31/2017)
04/06/2017	<u>174</u>	ORDER: Plaintiffs may reply to Defendants' response to the Order to Show Cause within 14 days of this Order and Defendants may file a sur-reply within 10 days of Plaintiffs' reply. See order for additional details. Signed by Senior Judge Neil V Wake on 4/6/2017. (LMR) (Entered: 04/06/2017)
04/14/2017	<u>175</u>	NOTICE of Service of Discovery filed by Joseph Rudolph Wood, III. (Roberts, Katherine) (Entered: 04/14/2017)
04/19/2017	<u>176</u>	REPLY re: <u>171</u> Response to Order to Show Cause, <u>174</u> Order [<i>PLAINTIFFS' REPLY TO DEFENDANTS' RESPONSE TO ORDER TO SHOW CAUSE</i>] by Plaintiffs First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Anderson, Joshua) (Entered: 04/19/2017)
04/19/2017	<u>177</u>	NOTICE of Errata re: <u>176</u> Reply to Defendants' Response to Order to Show Cause by Plaintiffs First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith.. (Attachments: # <u>1</u> Certificate of Record Exhibit A)(Anderson, Joshua)

		(Entered: 04/19/2017)
05/01/2017	<u>178</u>	SUR REPLY re: <u>176</u> Reply Sur – Reply to Plaintiff's Reply to Defendant's Response to Order to Show Cause by Defendants Greg Fizer, James O'Neil, Charles L Ryan. (Sparks, Jeffrey) Modified on 5/2/2017 (KGM). (Entered: 05/01/2017)
05/16/2017	<u>179</u>	ORDER: Before the Court is Defendants' response to the Court's Order to Show Cause <u>171</u> . Defendants are sanctioned in the reasonable amount of Plaintiffs'attorneys' fees for preparation of the parties' first joint discovery dispute. By 5/30/2017, Plaintiffs shall communicate to Defendants the amount of fees they are claiming. If the parties are unable to agree upon the quantification of fees, Plaintiffs may submit their proposed request 6/9/2017. Defendants may respond by 6/23/2017. Plaintiffs may reply by 6/30/2017. See order for additional details. Signed by Senior Judge Neil V Wake on 5/16/2017. (LMR) (Entered: 05/16/2017)
05/30/2017	<u>180</u>	ORDER: The Court finds that an additional degree of planning is necessary to prepare for trial in this matter. Status Conference is set for 6/12/2017 at 10:30 AM in Courtroom 504, 401 West Washington Street, Phoenix, AZ 85003 before Senior Judge Neil V Wake. See order for additional details. Signed by Senior Judge Neil V Wake on 5/30/2017. (LMR) (Entered: 05/30/2017)
06/07/2017	<u>181</u>	Joint MOTION to Continue Deadlines for Submission of Letters and Arranging Conference With The Court Re: Anticipated Summary Judgment Motions Pursuant to Paragraph 7 of This Court's February 13, 2017 Order (ECF # 162) by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith, Joseph Rudolph Wood, III. (Attachments: # <u>1</u> Text of Proposed Order Re Motion for Summary Judgment Deadlines)(Anderson, Joshua) (Entered: 06/07/2017)
06/12/2017	<u>182</u>	MINUTE ENTRY for proceedings held before Senior Judge Neil V Wake: Status Conference held on 6/12/2017. Status of settlement is discussed. Final Pretrial Conference and Bench Trial dates are affirmed. APPEARANCES: Joshua Anderson, Dale Baich and Jessica Felker for Plaintiffs. Keith Miller, Jeffrey Sparks and John Todd for Defendants. (Court Reporter Laurie Adams.) Hearing held 10:42 AM to 11:05 AM. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (LMR) (Entered: 06/12/2017)
06/13/2017	<u>183</u>	TRANSCRIPT REQUEST by First Amendment Coalition of Arizona Incorporated for proceedings held on 06/12/17, Judge Neil V Wake hearing judge(s). (Felker, Jessica) (Entered: 06/13/2017)
06/15/2017	<u>184</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of <i>Status Conference</i> proceedings held on 06/12/2016, before Judge Neil V. Wake. (Court Reporter: Laurie A. Adams). The ordering party will have electronic access to the transcript immediately. All others may view the transcript at the court public terminal or it may be purchased through the Court Reporter/Transcriber by filing a Transcript Order Form on the docket before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/6/2017. Redacted Transcript Deadline set for 7/17/2017. Release of Transcript Restriction set for 9/13/2017. (RAP) (Entered: 06/19/2017)
06/21/2017	<u>185</u>	ORDER: In accordance with the discussion in open court on June 12, 2017, IT IS ORDERED that the Joint Motion to Continue, etc., (Doc. <u>181</u>) is denied.(NVW, vg)(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 06/21/2017)
06/21/2017	<u>186</u>	STIPULATION <i>Settlement Agreement and Proposed Order for Dismissal of Claims Six and Seven</i> by David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Attachments: # <u>1</u> Text of Proposed Order For Dismissal of Claims Six and Seven)(Haddad, Mark) (Entered: 06/21/2017)
06/22/2017	<u>187</u>	ORDER FOR DISMISSAL OF CLAIMS SIX AND SEVEN – Pursuant to <u>186</u> Stipulated Settlement Agreement – Claims Six and Seven of Plaintiffs' Second Amended Complaint and Supplemental Complaint are dismissed, without prejudice. Plaintiffs shall not be awarded attorneys' fees or costs incurred in litigating Claims Six and Seven unless Defendants, Defendants' successors, or the ADC breach the parties'

		Stipulated Settlement Agreement, in which case Plaintiffs shall be entitled to an award, either in this action or in a separate action for breach of the parties' Stipulated Settlement Agreement, of their reasonable attorneys' fees and costs incurred in litigating this action from its inception through the date of this Order (which currently are in excess of \$2,630,000), as determined by the Court after briefing by the parties. In that circumstance, Plaintiffs shall also be entitled to seek to collect their reasonable attorneys' fees and costs incurred in moving to enforce the parties' Stipulated Settlement Agreement and this Order. The stay order (Doc. <u>68</u>) entered November 24, 2014, is vacated. With the entry of this Order, all claims of all parties have been disposed of. The Clerk shall terminate this case. (See document for full details). Signed by Senior Judge Neil V Wake on 6/22/17. (LAD) (Entered: 06/22/2017)
06/27/2017	<u>188</u>	Joint MOTION for Judgment Final by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. (Attachments: # <u>1</u> Exhibit A ([Proposed] Judgment)(Haddad, Mark) (Entered: 06/27/2017)
06/28/2017	<u>189</u>	ORDER – IT IS THEREFORE ORDERED that Joint Motion for Judgment for Entry of Final Judgment (Doc. <u>188</u>) is denied as unnecessary. (See document for further details). Signed by Senior Judge Neil V Wake on 6/28/17. (LAD) (Entered: 06/28/2017)
06/28/2017	<u>190</u>	NOTICE OF APPEAL to 9th Circuit Court of Appeals re: <u>189</u> Order on Motion for Judgment, <u>117</u> Order on Motion to Dismiss for Failure to State a Claim, <u>187</u> Order Dismissing Case, Order on Stipulation, Order Lifting Stay by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith. Filing fee received: \$ 505.00, receipt number 0970-14380661. (Attachments: # <u>1</u> Exhibit A – Final Judgment, # <u>2</u> Exhibit B – June 2017 Order, # <u>3</u> Exhibit C – May 2016 Order)(Haddad, Mark) (Entered: 06/28/2017)
06/29/2017	<u>191</u>	USCA Case Number re: <u>190</u> Notice of Appeal, Ninth Circuit Case number 17-16330. (LSP) (Entered: 06/29/2017)
07/07/2017	<u>192</u>	TRANSCRIPT REQUEST (<i>Notice Re Order Re Appeal</i>) by First Amendment Coalition of Arizona Incorporated, David Gulbrandson, Charles M Hedlund, Graham S Henry, Robert Poyson, Eldon Schurz, Roger Scott, Todd Smith for proceedings held on N/A, Judge Neil V Wake hearing judge(s). (Haddad, Mark) (Entered: 07/07/2017)
07/26/2019	<u>193</u>	NOTICE of Attorney Withdrawal of <i>Jessica Felker</i> filed by Jessica Lynn Felker. (Felker, Jessica) (Entered: 07/26/2019)
08/16/2019	<u>194</u>	*NOTICE of Appearance by Oramel Horace Skinner on behalf of Greg Fizer, Charles L Ryan, James O'Neil. (Skinner, Oramel) *Modified to add additional filer on 8/19/2019 (REK). (Entered: 08/16/2019)
08/16/2019	<u>195</u>	NOTICE of Attorney Substitution by Oramel Horace Skinner. (Skinner, Oramel) (Entered: 08/16/2019)
08/19/2019	<u>196</u>	*Amended NOTICE of Attorney Substitution by Oramel Horace Skinner. (Skinner, Oramel) *Modified text on 8/19/2019 (REK). (Entered: 08/19/2019)
11/05/2019	<u>198</u>	MANDATE of USCA (17-16330) AFFIRMED in part, REVERSED in part, and REMANDED re: <u>190</u> Notice of Appeal filed by First Amendment Coalition of Arizona Incorporated, Eldon Schurz, Todd Smith, Roger Scott, David Gulbrandson, Graham S Henry, Charles M Hedlund, Robert Poyson. (Attachments: # <u>1</u> Opinion)(GMP) (Entered: 11/05/2019)