

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:15-cv-00161-ABJ**

SMITH v. DISTRICT OF COLUMBIA et al
Assigned to: Judge Amy Berman Jackson
Referred to: Magistrate Judge G. Michael Harvey (Settlement)
Case in other court: SUPERIOR COURT OF THE
DISTRICT OF COLUMBIA, 2014
CA 007278 B

Date Filed: 02/02/2015
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Cause: Petition for Removal- Civil Rights

Plaintiff

GREGORY SMITH

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V.

Defendant

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Defendant

DISTRICT OF COLUMBIA
DEPARTMENT OF CORRECTIONS
TERMINATED: 02/27/2015

represented by **Alicia Marie Cullen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael K. Addo
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

WILLIAM J. SMITH
*WARDEN, Individually and in his official
capacity*
TERMINATED: 12/15/2015

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ATTORNEY TO BE NOTICED

Michael K. Addo
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

JOHN DOES 1-10
*being the fictitious names of agents and
employees of the D. C. Department of
Corrections who are not presently known
to Plaintiff*

TERMINATED: 04/21/2016

Defendant**JACK JONES**

represented by **Alicia Marie Cullen**
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ATTORNEY TO BE NOTICED

Michael K. Addo
 (See above for address)
LEAD ATTORNEY
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Robert A. DeBerardinis , Jr.
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Defendant**JEANETTE MYRICK**

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Date Filed	#	Docket Text
02/02/2015	<u>1</u>	NOTICE OF REMOVAL from Superior Court of the District of Columbia, case number 2014 CA 007278 B filed by DISTRICT OF COLUMBIA, DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS. (Attachments: # <u>1</u> Exhibit Superior Court Documents, # <u>2</u> Exhibit Civil Cover Sheet)(Cullen, Alicia) (Entered: 02/02/2015)
02/03/2015		Case Assigned to Judge Amy Berman Jackson. (rd) (Entered: 02/03/2015)
02/03/2015	<u>2</u>	NOTICE TO COUNSEL by DISTRICT OF COLUMBIA, DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS (rd) (Entered: 02/03/2015)
02/04/2015	<u>3</u>	Receipt on 2/4/2015 of ORIGINAL FILE, certified copy of transfer order and docket sheet from Superior Court. Superior Court Number 2014 CA 007278 B. (Attachments: # <u>1</u> Superior Court Documents)(rdj) (Entered: 02/04/2015)
02/09/2015	<u>4</u>	ANSWER to Complaint with Jury Demand by DISTRICT OF COLUMBIA.(Cullen, Alicia) (Entered: 02/09/2015)
02/09/2015	<u>5</u>	MOTION to Dismiss by DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS (Cullen, Alicia) (Entered: 02/09/2015)
02/12/2015		MINUTE ORDER. Meet and Confer Initial Scheduling Conference set for 3/10/2015 at 10:00 AM in Courtroom 3 before Judge Amy Berman Jackson. Plaintiff and Defendant District of Columbia shall meet, confer, and file a Joint Report pursuant to Local Rule 16.3 by 3/2/2015. Any dates contained in the Report should be expressed as specific dates (month/day/year) rather than as time frames (e.g., "60 days after the entry of the scheduling order"). Counsel are directed to contact the Court's Deputy Clerk in the first instance to request the rescheduling of court appearances. The party

		seeking the change in schedule must first confer with counsel for all other parties and be prepared to provide the Deputy Clerk with proposed mutually agreeable dates. Signed by Judge Amy Berman Jackson on 02/12/2015. (jth) (Entered: 02/12/2015)
02/20/2015	<u>6</u>	NOTICE of Appearance by David Akulian on behalf of GREGORY SMITH (Attachments: # <u>1</u> Certificate of Service)(Akulian, David) (Entered: 02/20/2015)
02/27/2015	<u>7</u>	STIPULATION of Dismissal <i>Defendant D.C. Department of Corrections</i> by GREGORY SMITH. (Attachments: # <u>1</u> Certificate of Service)(Klaproth, Brendan) (Entered: 02/27/2015)
03/02/2015		MINUTE ORDER denying as moot <u>5</u> defendant D.C. Department of Corrections' Motion to Dismiss, in light of <u>7</u> the Stipulation of Dismissal of that defendant. Signed by Judge Amy Berman Jackson on 3/2/2015. (lcabj2) (Entered: 03/02/2015)
03/03/2015	<u>8</u>	MOTION for Leave to File by GREGORY SMITH (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Certificate of Service, # <u>4</u> Text of Proposed Order)(Klaproth, Brendan) (Entered: 03/03/2015)
03/03/2015	<u>9</u>	REQUEST FOR SUMMONS TO ISSUE by GREGORY SMITH filed by GREGORY SMITH.(Klaproth, Brendan) (Entered: 03/03/2015)
03/04/2015		MINUTE ORDER granting <u>8</u> Motion for Leave to File plaintiff's LCvR 16.3 report. The Clerk is directed to file plaintiff's report [Dkt. # 8-1] on the docket. The parties shall continue to confer in an effort to submit a joint LCvR 16.3 report before the scheduling conference set for March 10, 2015. Signed by Judge Amy Berman Jackson on 3/4/2015. (lcabj2) (Entered: 03/04/2015)
03/04/2015	<u>10</u>	SUMMONS (1) Issued Electronically as to WILLIAM J. SMITH. (jf,) (Entered: 03/04/2015)
03/04/2015	<u>11</u>	MEET AND CONFER STATEMENT. (jf,) (Entered: 03/04/2015)
03/04/2015	<u>12</u>	MEET AND CONFER STATEMENT. (Attachments: # <u>1</u> Text of Proposed Order)(Cullen, Alicia) (Entered: 03/04/2015)
03/10/2015		Minute Entry for proceedings held before Judge Amy Berman Jackson: Meet and Confer Hearing held on 3/10/2015. A Status Conference is scheduled for 11/10/2015 at 10:00 AM before Judge Amy Berman Jackson. Scheduling Order to be issued. (Court Reporter Janice Dickman) (jth) (Entered: 03/10/2015)
03/10/2015	<u>13</u>	SCHEDULING ORDER. Initial disclosures shall be completed by April 24, 2015. All fact discovery shall be completed by November 10, 2015. All discovery requests shall be served in sufficient time to allow a response consistent with the timing set forth in the Federal Rules of Civil Procedure and the Local Civil Rules unless otherwise stipulated by the parties. Each side may conduct up to 10 depositions and serve up to 25 interrogatories. A further status conference is scheduled for November 10, 2015 at 10:00 am in Courtroom 3. Plaintiff's expert disclosures shall be made by December 10, 2015. Defendant's expert disclosures shall be made by February 10, 2016. All expert depositions shall be completed no later than April 10, 2016. See Order for details. Signed by Judge Amy Berman Jackson on 3/10/2015. (lcabj2) (Entered: 03/10/2015)
03/10/2015		Set/Reset Deadlines: Initial disclosures shall be completed by 4/24/2015. Fact Discovery to be completed by 11/10/2015. A further status conference is scheduled for 11/10/2015 at 10:00 AM. Plaintiff's Rule 26(a)(2) Expert Disclosures shall be made by 12/10/2015. Defendant's Rule 26(a)(2) Expert Disclosures shall be made by 2/10/2016. All expert depositions shall be completed by 4/10/2016. (jth) (Entered: 03/10/2015)
04/24/2015	<u>14</u>	RULE 26a1 STATEMENT. (Attachments: # <u>1</u> Certificate of Service)(Klaproth, Brendan) (Entered: 04/24/2015)
06/01/2015	<u>15</u>	MOTION for Extension of Time to <i>Serve Defendant Warden William J. Smith</i> by GREGORY SMITH (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration, # <u>3</u> Exhibit 1 to Declaration, # <u>4</u> Exhibit 2 to Declaration, # <u>5</u> Exhibit 3 to Declaration, # <u>6</u> Text of Proposed Order, # <u>7</u> Certificate of Service)(Klaproth, Brendan) (Entered: 06/01/2015)

06/02/2015		MINUTE ORDER granting <u>15</u> Motion for Extension of Time. Plaintiff shall have until August 3, 2015, to effectuate service on defendant William J. Smith. Signed by Judge Amy Berman Jackson on 6/2/2015. (lcabj2) (Entered: 06/02/2015)
06/02/2015		Set/Reset Deadlines: Time to effectuate service upon defendant William J. Smith due by 8/3/2015. (tb) (Entered: 06/02/2015)
06/05/2015	<u>16</u>	Consent MOTION for Protective Order by DISTRICT OF COLUMBIA (Attachments: # <u>1</u> Exhibit Proposed Protective Order)(Cullen, Alicia) (Entered: 06/05/2015)
06/12/2015	<u>17</u>	PROTECTIVE ORDER (see the order for more complete details). Signed by Judge Amy Berman Jackson on 6/12/2015. (jth) (Entered: 06/12/2015)
07/27/2015	<u>18</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. WILLIAM J. SMITH served on 7/24/2015, answer due 8/14/2015 (Akulian, David) (Entered: 07/27/2015)
08/14/2015	<u>19</u>	MOTION to Dismiss by WILLIAM J. SMITH (Cullen, Alicia) (Entered: 08/14/2015)
08/31/2015	<u>20</u>	Memorandum in opposition to re <u>19</u> MOTION to Dismiss filed by GREGORY SMITH. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Klaproth, Brendan) (Entered: 08/31/2015)
10/01/2015	<u>21</u>	Unopposed MOTION for Leave to File <i>REPLY TO PLAINTIFFS OPPOSITION TO HIS MOTION TO DISMISS</i> by WILLIAM J. SMITH (Attachments: # <u>1</u> Exhibit Proposed Reply)(Addo, Michael) (Entered: 10/01/2015)
10/02/2015		MINUTE ORDER granting <u>21</u> Motion for Leave to File. The Clerk of Court is directed to docket [21-1] defendant Smith's reply in support of his motion to dismiss. The parties are instructed that any future requests for an extension must be filed two days before the date to be extended. Signed by Judge Amy Berman Jackson on 10/2/2015. (lcabj2) (Entered: 10/02/2015)
10/02/2015	<u>22</u>	REPLY to opposition to re <u>19</u> MOTION to Dismiss filed by WILLIAM J. SMITH. (jf) (Entered: 10/05/2015)
11/05/2015	<u>23</u>	MOTION for Extension of Time to Complete Discovery by GREGORY SMITH (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Text of Proposed Order, # <u>10</u> Certificate of Service)(Klaproth, Brendan) (Entered: 11/05/2015)
11/05/2015		MINUTE ORDER. In light of the issues raised in <u>23</u> plaintiff's motion for an extension of time to complete discovery, it is ORDERED that the status conference presently set for November 10, 2015 at 10:00 am in Courtroom 3 will proceed as scheduled, and the Court will resolve the issues identified in plaintiff's motion at that time. Signed by Judge Amy Berman Jackson on 11/5/2015. (lcabj2) (Entered: 11/05/2015)
11/06/2015	<u>24</u>	RESPONSE re <u>23</u> MOTION for Extension of Time to Complete Discovery filed by DISTRICT OF COLUMBIA. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9)(Cullen, Alicia) (Entered: 11/06/2015)
11/09/2015		MINUTE ORDER granting in part and denying in part <u>23</u> Motion for Extension of Time to Complete Discovery. Notwithstanding the minute order issued on November 5, 2015, the Court hereby vacates the status conference scheduled for November 10, 2015 and resets it for January 13, 2016 at 10:00 a.m. in Courtroom 3. Plaintiff's motion to extend the time to complete discovery will be granted in part, and the schedule established by this Court on March 10, 2015 will be amended as follows: Fact discovery, including both the taking of individual and 30(b)(6) depositions and the completion of outstanding paper discovery, shall be completed by January 15, 2016. Plaintiff's expert disclosures shall be made by February 10, 2016. Defendants' expert disclosures shall be made by April 11, 2016. All expert depositions shall be completed no later than June 10, 2016. The parties are reminded that the scheduling order in this case specifically provides: "No written discovery motion may be filed without a prior conference with the Court and leave of Court." Any future pleadings concerning discovery that are filed in violation of the order will be stricken. Signed by Judge Amy Berman Jackson on 11/9/15. (DMK) (Entered: 11/09/2015)

11/09/2015		Set/Reset Deadlines/Hearings: The Status Conference is re-scheduled for 1/13/2016 at 10:00 AM in Courtroom 3; Fact discovery, including both the taking of individual and 30(b)(6) depositions and the completion of outstanding paper discovery, shall be completed by 1/15/2016; Plaintiff's Expert Disclosures are due by 2/10/2016; Defendants' Expert Disclosures are due by 4/11/2016. All expert depositions shall be completed by 6/10/2016. (jth) (Entered: 11/09/2015)
12/15/2015	<u>25</u>	ORDER granting <u>19</u> Motion to Dismiss. See Order for details. Signed by Judge Amy Berman Jackson on 12/15/2015. (lcabj2) (Entered: 12/15/2015)
12/15/2015	<u>26</u>	MEMORANDUM OPINION. Signed by Judge Amy Berman Jackson on 12/15/2015. (lcabj2) (Entered: 12/15/2015)
01/13/2016		Minute Entry for proceedings held before Judge Amy Berman Jackson: Status Conference held on 1/13/2016. Fact Discovery now closes on 1/29/2016. The parties are directed to file a Joint Status Report on 1/29/2016 proposing the remainder of a schedule, including their respective positions on Expert Discovery and Mediation. (Court Reporter Janice Dickman) (jth) (Entered: 01/13/2016)
01/29/2016	<u>27</u>	Joint STATUS REPORT by DISTRICT OF COLUMBIA. (Addo, Michael) (Entered: 01/29/2016)
02/01/2016	<u>28</u>	ORDER REFERRING CASE for Mediation to Magistrate Judge Alan Kay, to commence on February 1, 2016 and to conclude April 1, 2016. Fact discovery shall conclude by February 12, 2016, and the remainder of the discovery schedule, including the need to identify expert witnesses and any date for the filing of an amended complaint, shall be held in abeyance until the close of mediation. The parties shall file a report on the status of the mediation on March 11, 2016, and if the case settles in whole or in part, both parties shall immediately advise the Court of the settlement by filing a stipulation. See Order for details. Signed by Judge Amy Berman Jackson on 2/1/2016. (lcabj2) (Entered: 02/01/2016)
02/01/2016		CASE DIRECTLY REFERRED to Magistrate Judge Alan Kay to commence February 1, 2016 and to conclude 4/1/2016. (sth) (Entered: 02/03/2016)
02/02/2016		Set/Reset Deadlines: Mediation to conclude by 4/1/2016; Fact discovery to conclude by 2/12/2016; The Parties shall file a Report on the Status of Mediation on 3/11/2016. (jth) (Entered: 02/02/2016)
02/12/2016		MINUTE ORDER. Pursuant to the teleconference held between the parties on February 12, 2016, it is ORDERED that the deadline to complete fact discovery in this matter is hereby extended until February 26, 2016. In the future, if the parties seek an extension of a deadline, and the parties agree to the requested extension, the parties may obtain the extension by filing a consent motion. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/12/2016. (lcabj2) (Entered: 02/12/2016)
02/12/2016		Set/Reset Deadlines: The deadline to complete Fact Discovery is extended until 2/26/2016. (jth) (Entered: 02/12/2016)
02/18/2016		MINUTE ORDER: This case has been referred to Magistrate Judge Kay for mediation. Counsel have been given a tentative Settlement Conference date: February 25, 2016, at 10:00 a.m. Counsel should please contact chambers (202-354-3030) to confirm this date or select a new date. Signed by Magistrate Judge Alan Kay on 02/18/16. (DM) (Entered: 02/18/2016)
02/22/2016		MINUTE ORDER Per request of counsel, the Settlement Conference is rescheduled from 2/25/2016 to 3/3/2016 at 10:00 AM in Chambers (room 2333) before Magistrate Judge Alan Kay. Signed by Magistrate Judge Alan Kay on 2/22/2016. (lcak1) (Entered: 02/22/2016)
02/24/2016	<u>29</u>	Joint MOTION for Extension of Time to Complete Discovery by GREGORY SMITH (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Memorandum in Support, # <u>3</u> Text of Proposed Order)(Akulian, David) (Entered: 02/24/2016)
02/25/2016		MINUTE ORDER granting <u>29</u> Motion for Extension of Time to Complete Discovery. The deadline to complete fact discovery in this matter is hereby extended until March 11, 2016. Signed by Judge Amy Berman Jackson on 2/25/2016. (lcabj2) (Entered: 02/25/2016)

02/25/2016		Set/Reset Deadlines: The deadline to complete Fact Discovery in this matter is hereby extended until 3/11/2016. (jth) (Entered: 02/25/2016)
03/03/2016		Minute Entry for proceedings held before Magistrate Judge Alan Kay: Settlement Conference held on 3/3/2016. (DM) (Entered: 04/12/2016)
03/14/2016		MINUTE ORDER. On February 1, 2016, the Court referred this matter to Magistrate Judge Alan Kay for mediation, and it called for the parties to file a status report on the mediation by March 11, 2016. The Court also stated that "the remainder of the discovery schedule, including the need to identify expert witnesses and any date for the filing of an amended complaint," would be held in abeyance pending the close of mediation. As of today's date, the parties have not filed the joint status report as ordered. Thus, it is ORDERED that by March 18, 2016, the parties shall file a joint status report advising the Court of the status of mediation and proposing a schedule for expert discovery and the briefing of dispositive motions, if necessary. SO ORDERED. Signed by Judge Amy Berman Jackson on 3/14/2016. (lcabj2) (Entered: 03/14/2016)
03/15/2016		Set/Reset Deadlines: The Parties shall file a Joint Report advising the Court of the Status of Mediation and proposing a schedule for expert discovery and the briefing of dispositive motions, if necessary, by 3/18/2016. (jth) (Entered: 03/15/2016)
03/15/2016	<u>30</u>	NOTICE of Appearance by Akua Damali Coppock on behalf of DISTRICT OF COLUMBIA (Coppock, Akua) (Entered: 03/15/2016)
03/16/2016	<u>31</u>	Joint STATUS REPORT by GREGORY SMITH. (Attachments: # <u>1</u> Text of Proposed Order)(Klaproth, Brendan) (Entered: 03/16/2016)
03/17/2016		MINUTE ORDER. In light of <u>31</u> the parties' joint status report, it is ORDERED that: plaintiff shall file his motion for leave to file an amended complaint, if any, by March 25, 2016; plaintiff's expert disclosures shall be made by April 15, 2016; defendant's expert disclosures shall be made by June 15, 2016; expert discovery shall be completed by July 15, 2016; motions for summary judgment, if any, shall be filed by August 15, 2016, with oppositions filed by September 5, 2016, and replies filed by September 19, 2016. It is FURTHER ORDERED that a status conference shall be held on July 19, 2016, at 10:00 am in Courtroom 3. Signed by Judge Amy Berman Jackson on 3/17/2016. (lcabj2) (Entered: 03/17/2016)
03/17/2016		Set/Reset Deadlines/Hearings: Plaintiff's Motion for leave to file an Amended complaint, if any, is due by 3/25/2016; Plaintiff's expert disclosures are due by 4/15/2016; Defendant's expert disclosures are due by 6/15/2016; Expert Discovery shall be completed by 7/15/2016; Motions for Summary Judgment, if any, are due by 8/15/2016; Oppositions are due by 9/5/2016, Replies are due by 9/19/2016; a Status Conference is scheduled for 7/19/2016 at 10:00 AM in Courtroom 3 before Judge Amy Berman Jackson. (jth) (Entered: 03/17/2016)
03/25/2016	<u>32</u>	MOTION to Amend/Correct <i>Complaint</i> by GREGORY SMITH (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1 – First Amended Complaint, # <u>3</u> Text of Proposed Order, # <u>4</u> Certificate of Service)(Klaproth, Brendan) (Entered: 03/25/2016)
04/08/2016	<u>33</u>	Memorandum in opposition to re <u>32</u> MOTION to Amend/Correct <i>Complaint</i> filed by DISTRICT OF COLUMBIA. (Attachments: # <u>1</u> Exhibit A)(Cullen, Alicia) (Entered: 04/08/2016)
04/18/2016	<u>34</u>	REPLY to opposition to motion re <u>32</u> MOTION to Amend/Correct <i>Complaint</i> filed by GREGORY SMITH. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Certificate of Service)(Klaproth, Brendan) (Entered: 04/18/2016)
04/19/2016	<u>35</u>	ORDER granting <u>32</u> Motion to Amend/Correct. By April 22, 2016, plaintiff shall file an amended complaint which consists of the revised version of the proposed amended complaint found at Dkt. # 34–1 and the exhibit attached to the earlier version of the proposed amended complaint at Dkt. # 32–2. Signed by Judge Amy Berman Jackson on 4/19/2016. (lcabj2) (Entered: 04/19/2016)
04/20/2016		Set/Reset Deadlines: Plaintiff shall file by 4/22/2016, an Amended Complaint which consists of the revised version of the proposed amended complaint found at Dkt. # 34–1 and the exhibit attached to the earlier version of the proposed amended complaint at Dkt. # 32–2. (jth) (Entered: 04/20/2016)

04/21/2016	<u>36</u>	AMENDED COMPLAINT against DISTRICT OF COLUMBIA, JACK JONES, JEANETTE MYRICK with Jury Demand filed by GREGORY SMITH. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons)(Klaproth, Brendan) (Entered: 04/21/2016)
04/21/2016	<u>37</u>	SUMMONS (2) Issued Electronically as to JACK JONES, JEANETTE MYRICK. (jf) (Entered: 04/21/2016)
05/05/2016	<u>38</u>	ANSWER to <u>36</u> Amended Complaint by DISTRICT OF COLUMBIA. Related document: <u>36</u> Amended Complaint filed by GREGORY SMITH.(Addo, Michael) (Entered: 05/05/2016)
05/11/2016	<u>39</u>	MOTION for Costs and Fees by GREGORY SMITH (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Declaration of Klaproth, # <u>15</u> Declaration of Akulian, # <u>16</u> Text of Proposed Order, # <u>17</u> Certificate of Service)(Klaproth, Brendan) Modified event title on 5/12/2016 (znmw). (Entered: 05/11/2016)
05/31/2016	<u>40</u>	Memorandum in opposition to re <u>39</u> MOTION for Costs and Fees filed by DISTRICT OF COLUMBIA. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Addo, Michael) (Entered: 05/31/2016)
06/10/2016	<u>41</u>	REPLY to opposition to motion re <u>39</u> MOTION for Costs and Fees filed by GREGORY SMITH. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Certificate of Service)(Klaproth, Brendan) (Entered: 06/10/2016)
06/13/2016		MINUTE ORDER REFERRING CASE for Determination on Motion. It is ORDERED that <u>39</u> plaintiff's Motion for Costs and Fees is hereby referred to a United States Magistrate Judge for determination pursuant to LCvR 72.2. Until this referral is terminated, all filings related to this motion shall include the initials of the Magistrate Judge in the caption next to the initials of the undersigned judge. See LCvR 5.1(f). Signed by Judge Amy Berman Jackson on 6/13/2016. (lcabj2) (Entered: 06/13/2016)
06/13/2016	<u>42</u>	MOTION for Extension of Time to <i>Designate Experts</i> by DISTRICT OF COLUMBIA (Cullen, Alicia) (Entered: 06/13/2016)
06/13/2016		CASE RANDOMLY REFERRED to Magistrate Judge Deborah A. Robinson for determination on <u>39</u> Motion pursuant to LCvR 72.2 (md) (Entered: 06/13/2016)
06/14/2016		MINUTE ORDER granting <u>42</u> Motion for Extension of Time. The Court finds that defendant has shown good cause for the requested extension, notwithstanding plaintiff's objection. It is therefore ORDERED that defendant's expert disclosures shall be made by August 15, 2016; expert discovery shall be completed by September 14, 2016; and motions for summary judgment, if any, shall be filed by October 17, 2016, with oppositions filed by November 7, 2016, and replies filed by November 21, 2016. It is FURTHER ORDERED that the status conference presently set for July 19, 2016, is hereby rescheduled to September 23, 2016, at 10:00 am in Courtroom 3. Signed by Judge Amy Berman Jackson on 6/14/2016. (lcabj2) (Entered: 06/14/2016)
06/14/2016		Set/Reset Hearings: Status Conference set for 9/14/2016 at 11:00 AM in Courtroom 4 before Magistrate Judge Deborah A. Robinson. (lcdar1,) (Entered: 06/14/2016)
06/14/2016		Set/Reset Deadlines/Hearings: Defendant's Expert Disclosures shall be made by 8/15/2016; Expert Discovery shall be completed by 9/14/2016; Motions for Summary Judgment, if any, are due by 10/17/2016; Oppositions are due by 11/7/2016; Replies are due by 11/21/2016; The status conference presently scheduled for 7/19/2016 at 10:00 AM, is hereby rescheduled to 9/23/2016, at 10:00 AM in Courtroom 3 before Judge Amy Berman Jackson. The Status Conference before Magistrate Judge Deborah A. Robinson remains scheduled for 9/14/2016 at 11:00 AM in Courtroom 4. (jth) (Entered: 06/14/2016)
06/16/2016	<u>43</u>	WAIVER OF SERVICE by GREGORY SMITH. JACK JONES waiver sent on 5/11/2016, answer due 7/10/2016. (Klaproth, Brendan) (Entered: 06/16/2016)
07/08/2016	<u>44</u>	WAIVER OF SERVICE by GREGORY SMITH. JEANETTE MYRICK waiver sent on 5/11/2016, answer due 7/10/2016. (Klaproth, Brendan) (Entered: 07/08/2016)

07/08/2016	<u>45</u>	ANSWER to <u>36</u> Amended Complaint by JACK JONES, JEANETTE MYRICK. Related document: <u>36</u> Amended Complaint filed by GREGORY SMITH.(Addo, Michael) (Entered: 07/08/2016)
08/12/2016	<u>46</u>	MOTION to Conduct Independent Medical Examination and Motion to Extend Time to Designate Expert Psychiatrist by DISTRICT OF COLUMBIA (Attachments: # <u>1</u> Exhibit A)(Cullen, Alicia) (Entered: 08/12/2016)
08/23/2016		MINUTE ORDER. In light of <u>46</u> defendant's motion seeking to conduct an independent medical examination of plaintiff and its request for an extension of time in which to designate an expert psychiatrist, it is ORDERED that the deadlines for expert discovery set in the Court's Minute Order of June 14, 2016, are hereby VACATED and will be revisited when the Court rules on the pending motion. Signed by Judge Amy Berman Jackson on 8/23/2016. (lcabj2) (Entered: 08/23/2016)
08/25/2016	<u>47</u>	Memorandum in opposition to re <u>46</u> MOTION to Conduct Independent Medical Examination and Motion to Extend Time to Designate Expert Psychiatrist filed by GREGORY SMITH. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Akulian, David) (Entered: 08/25/2016)
08/26/2016	<u>48</u>	NOTICE of Appearance by Robert A. DeBerardinis, Jr on behalf of DISTRICT OF COLUMBIA, JACK JONES, JEANETTE MYRICK (DeBerardinis, Robert) (Entered: 08/26/2016)
08/29/2016		Minute Entry for proceedings held before Judge Amy Berman Jackson: Telephone Conference Call held on 8/29/2016. (No Court Reporter Present) (jth) (Entered: 08/29/2016)
08/30/2016		MINUTE ORDER. By September 2, 2016, the parties shall notify the Court of the agreed-upon date, time, and location for the medical examination of the plaintiff, as discussed during the teleconference held on August 29, 2016. SO ORDERED. Signed by Judge Amy Berman Jackson on 8/30/2016. (lcabj2) (Entered: 08/30/2016)
08/30/2016		Set/Reset Deadline: By 9/2/2016, the parties shall notify the Court of the agreed-upon date, time, and location for the medical examination of the plaintiff, as discussed during the teleconference held on 8/29/2016. (jth) (Entered: 08/30/2016)
09/01/2016		MINUTE ORDER granting <u>46</u> defendant's Motion to Conduct Independent Medical Examination of Plaintiff. Pursuant to Federal Rule of Civil Procedure 35, and as discussed during the teleconference held on August 29, 2016, it is ORDERED that plaintiff shall submit to a medical examination to be conducted by Dr. Carolina Klein on September 20, 2016, at 9:00 am, at 4803B Eisenhower Avenue, Alexandria VA 22304. By September 9, 2016, defendant shall provide plaintiff with a general description of the examination as well as copies of any biographical or intake forms the plaintiff will be asked to complete and the names of the psychological tests to be administered during the examination, if any. The examination itself shall focus on the "mental anguish, "mental...pain," and "emotional distress" plaintiff claims he suffered as a result of the alleged over-detention at issue in this matter, including his emotional, mental, and psychological condition during and after the detention; his emotional, mental, and psychological history prior to the detention; and any prior traumatic event in plaintiff's life that may be related to his alleged mental pain and emotional distress. It is FURTHER ORDERED that the following schedule shall apply in this action moving forward: Dr. Klein shall provide her expert report to plaintiff by October 4, 2016; plaintiff shall have until October 31, 2016, to depose Dr. Klein; and motions for summary judgment shall be due by November 17, 2016, with oppositions due by December 7, 2016, and replies due by December 21, 2016. The status conference presently scheduled for September 23, 2016, is hereby rescheduled for November 4, 2016, at 10:00 am in Courtroom 3. SO ORDERED. Signed by Judge Amy Berman Jackson on 9/1/2016. (lcabj2) (Entered: 09/01/2016)
09/01/2016		Set/Reset Deadlines/Hearings: Summary Judgment motions due by 11/17/2016. Response to Motion for Summary Judgment due by 12/7/2016. Reply to Motion for Summary Judgment due by 12/21/2016. Status Conference set for 11/4/2016 at 10:00 AM in Courtroom 3 before Judge Amy Berman Jackson. (zsm) (Entered: 09/01/2016)
09/05/2016		Set/Reset Deadlines: Plaintiff shall have until 10/31/2016 to depose Dr. Klein. (jth) (Entered: 09/05/2016)

09/14/2016		Minute Entry for proceedings held before Magistrate Judge Deborah A. Robinson on 9/14/16 : Case was called as a Status Hearing, but proceeded as a Hearing on Plaintiff's Motion for Costs and Fees <u>39</u> . The Court will take the matter under advisement and issue a memorandum opinion and order. Plaintiff's Counsel: Brendan Klaproth and David Akulian; Defendants' Counsel: Alicia Cullen, Michael Addo and Akua Coppock. (Court Reporter: FTR Gold – Ctrm. 4; FTR Time Frame: 11:34:05 – 12:25:14. (kk) (Entered: 09/14/2016)
10/03/2016	<u>49</u>	Consent MOTION for Extension of Time to <i>Complete Expert Discovery</i> by DISTRICT OF COLUMBIA, JACK JONES, JEANETTE MYRICK (Cullen, Alicia) (Entered: 10/03/2016)
10/04/2016		MINUTE ORDER granting <u>49</u> Motion for Extension of Time. It is therefore ORDERED that defendant issue Dr. Klein's expert report to plaintiff by October 18, 2016, and plaintiff depose Dr. Klein by November 14, 2016. Signed by Judge Amy Berman Jackson on 10/4/2016. (lcabj2) (Entered: 10/04/2016)
10/05/2016		Set/Reset Deadlines: Defendant shall issue Dr. Klein's expert report to Plaintiff by 10/18/2016; Plaintiff shall depose Dr. Klein by 11/14/2016. (jth) (Entered: 10/05/2016)
10/18/2016	<u>50</u>	RULE 26a2 STATEMENT. (Cullen, Alicia) (Entered: 10/18/2016)
10/27/2016		Minute Entry for proceedings held before Judge Amy Berman Jackson: Discovery Telephone Conference Call held in chambers on 10/27/2016. (No Court Reporter) (jth) (Entered: 10/27/2016)
10/28/2016		MINUTE ORDER. Based on the matters discussed during the telephonic discovery conference held on October 27, 2016, it is ORDERED that defendant may depose plaintiff's liability expert on a mutually agreeable date that will not necessitate extending the summary judgment briefing schedule that is now in place. If plaintiff cannot make his expert available within that time period, defendant may move for a brief extension of the schedule. In addition, it is ORDERED that the existing schedule be revised as follows: defendant's motion for summary judgment is due by November 17, 2016, plaintiff's opposition (and his cross-motion for summary judgment, if any, which shall be supported by a single memorandum of points and authorities) is due by December 7, 2016, defendant's reply (and cross-opposition, if needed) will be due by December 21, 2016, and plaintiff's cross-reply, if any, will be due by December 30, 2016. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/28/16. (lcabj2) (Entered: 10/28/2016)
10/28/2016		Set/Reset Deadlines: Cross Motions due by 12/7/2016. Response to Cross Motions due by 12/21/2016. Reply to Cross Motions due by 12/30/2016. Summary Judgment motions due by 11/17/2016. Response to Motion for Summary Judgment due by 12/7/2016. Reply to Motion for Summary Judgment due by 12/21/2016. (tb) (Entered: 10/28/2016)
11/04/2016		Minute Entry for proceedings held before Judge Amy Berman Jackson: Status Conference held on 11/4/2016. (Court Reporter: Bryan A. Wayne) (jth) (Entered: 11/04/2016)
11/16/2016	<u>51</u>	MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by DISTRICT OF COLUMBIA, JACK JONES, JEANETTE MYRICK (Cullen, Alicia) (Entered: 11/16/2016)
11/17/2016	<u>52</u>	Memorandum in opposition to re <u>51</u> MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> filed by GREGORY SMITH. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(Klaproth, Brendan) (Entered: 11/17/2016)
11/18/2016		MINUTE ORDER granting <u>51</u> Motion for Extension of Time. Upon consideration of both <u>51</u> the motion and <u>52</u> the opposition, defendant's motion is granted. The Court acknowledges that there is little to justify defendant's request and that defendant has not pointed to extenuating circumstances that would warrant the imposition of a substantial delay over plaintiff's objection. But this is not a substantial delay. And plaintiff's opposition, which was more vituperative than necessary, did not point to any real prejudice to plaintiff that would arise out of the relatively short extension of the briefing schedule that has been requested. If the extension poses a problem for

		plaintiff's counsel, the Court will of course extend the time for plaintiff to respond accordingly. The Court notes that given the state of its docket, revising the briefing schedule will not have a significant impact on when the Court considers the cross-motions in any event. Therefore, defendant's motion for summary judgment is due by December 8, 2016. Because plaintiff did not inform the Court of the date plaintiff's counsel will return from his trip, the Court will await a proposal from plaintiff before setting the date for plaintiff's opposition/cross-motion and any further pleadings. Under all of these circumstances, any further requests for extensions by defendant will not be favorably received. SO ORDERED. Signed by Judge Amy Berman Jackson on 11/18/16. (lcabj2) (Entered: 11/18/2016)
11/18/2016		Set/Reset Deadlines: Defendant's Motion for Summary Judgment is now due by 12/8/2016. Because plaintiff did not inform the Court of the date counsel will return from his trip, the Court will await a proposal from plaintiff before setting the date for plaintiff's opposition/cross-motion and any further pleadings. (jth) (Entered: 11/18/2016)
11/21/2016		MINUTE ORDER. In light of the Court's Minute Order on November 18, 2016, and plaintiff's response to it, the Court hereby ORDERS that the briefing schedule will be as follows: defendant's motion for summary judgment is due by December 8, 2016; plaintiff's opposition (and his cross-motion for summary judgment, if any, which shall be supported by a single memorandum of points and authorities) is due by January 9, 2017; defendant's reply (and cross-opposition, if needed) is due by January 30, 2017; and plaintiff's cross-reply, if any, is due by February 13, 2017. SO ORDERED. Signed by Judge Amy Berman Jackson on 11/21/16. (lcabj2) (Entered: 11/21/2016)
11/21/2016		Set/Reset Deadlines: Defendant's motion for summary judgment is due by 12/8/2016; Plaintiff's opposition and cross-motion for summary judgment, if any, is due by 1/9/2017; Defendant's reply and cross-opposition, if any, is due by 1/30/2017; Plaintiff's cross-reply, if any, is due by 2/13/2017. (jth) (Entered: 11/21/2016)
12/05/2016		MINUTE ORDER. The Court has been informed that the parties are currently engaged in a discovery dispute. Due to the Court's trial schedule, defendants are hereby granted leave to submit a motion in writing instead of the Court conducting a telephonic discovery conference with the parties. If the parties cannot resolve the discovery dispute amongst themselves, defendants may submit a motion, not to exceed two pages, by December 8, 2016. Plaintiff may file a response by December 12, 2016 also not to exceed two pages. The Court will review the parties' submissions and will advise the parties if further information is needed to resolve the dispute. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/5/16. (lcabj2) (Entered: 12/05/2016)
12/05/2016		Set/Reset Deadlines: Defendant's Motion due by 12/8/2016, if discovery dispute not resolved; Plaintiff's Response due by 12/12/2016 (tg) (Entered: 12/06/2016)
12/06/2016	<u>53</u>	ORDER granting in part and denying in part <u>39</u> Motion for Costs and Fees. Signed by Magistrate Judge Deborah A. Robinson on 12/6/2016. (lcdar1) (Entered: 12/06/2016)
12/06/2016	<u>54</u>	MEMORANDUM AND OPINION re <u>39</u> Plaintiff's Motion for Costs and Fees. Signed by Magistrate Judge Deborah A. Robinson on 12/6/2016. (lcdar1) (Entered: 12/06/2016)
12/08/2016	<u>55</u>	MOTION to Compel <i>Signed Authorizations</i> by DISTRICT OF COLUMBIA (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Cullen, Alicia) (Entered: 12/08/2016)
12/08/2016	<u>56</u>	MOTION for Summary Judgment by DISTRICT OF COLUMBIA, JACK JONES, JEANETTE MYRICK (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13)(Cullen, Alicia) (Entered: 12/08/2016)
12/12/2016	<u>57</u>	Memorandum in opposition to re <u>55</u> MOTION to Compel <i>Signed Authorizations</i> filed by GREGORY SMITH. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(Klaproth, Brendan) (Entered: 12/12/2016)
12/20/2016	<u>58</u>	OBJECTIONS re <u>54</u> Memorandum & Opinion, <u>53</u> Order on Motion for Attorney Fees filed by DISTRICT OF COLUMBIA, JACK JONES, JEANETTE MYRICK. (Addo,

		Michael) Modified event title on 12/21/2016 (znmw). (Entered: 12/20/2016)
01/03/2017	<u>59</u>	RESPONSE re <u>58</u> Response to Order of the Court filed by GREGORY SMITH. (Klaproth, Brendan) (Entered: 01/03/2017)
01/09/2017	<u>60</u>	Memorandum in opposition to re <u>56</u> MOTION for Summary Judgment <i>and Cross Motion for Summary Judgment on Liability</i> filed by GREGORY SMITH. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts Plaintiff's Statement of Genuine Issues of Material Fact, # <u>3</u> Statement of Facts Plaintiff's Statement of Undisputed Material Facts, # <u>4</u> Certificate of Service, # <u>5</u> Text of Proposed Order, # <u>6</u> Exhibit Table of Exhibits, # <u>7</u> Exhibit 1, # <u>8</u> Exhibit 2, # <u>9</u> Exhibit 3, # <u>10</u> Exhibit 4, # <u>11</u> Exhibit 5, # <u>12</u> Exhibit 6, # <u>13</u> Exhibit 7, # <u>14</u> Exhibit 8, # <u>15</u> Exhibit 9, # <u>16</u> Exhibit 10, # <u>17</u> Exhibit 11, # <u>18</u> Exhibit 12, # <u>19</u> Exhibit 13, # <u>20</u> Exhibit 14, # <u>21</u> Exhibit 15, # <u>22</u> Exhibit 16, # <u>23</u> Exhibit A, # <u>24</u> Exhibit B, # <u>25</u> Exhibit C, # <u>26</u> Exhibit D, # <u>27</u> Exhibit E, # <u>28</u> Exhibit F, # <u>29</u> Exhibit G, # <u>30</u> Exhibit H)(Klaproth, Brendan) (Entered: 01/09/2017)
01/09/2017	61	Cross MOTION for Partial Summary Judgment on Liability by GREGORY SMITH; (See docket entry no. <u>60</u> to view document.) (td) (Entered: 01/10/2017)
01/10/2017		NOTICE OF ERROR re <u>60</u> Memorandum in Opposition; emailed to bklaproth@klaprothlaw.com, cc'd 10 associated attorneys -- The PDF file you docketed contained errors: 1. This has been corrected. In the future if your document has multiple events or reliefs, remember to docket all parts. (td,) (Entered: 01/10/2017)
01/10/2017	<u>62</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by GREGORY SMITH (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit 5, # <u>4</u> Exhibit 7, # <u>5</u> Exhibit 10, # <u>6</u> Exhibit 11)(Klaproth, Brendan) (Entered: 01/10/2017)
01/11/2017	<u>63</u>	ORDER granting <u>55</u> Motion to Compel. See Order for details. Signed by Judge Amy Berman Jackson on 1/11/2017. (lcabj2) (Entered: 01/11/2017)
01/11/2017		Set/Reset Deadlines: Plaintiff shall provide to Defendant by 2/6/2017 an Authorization for the Release of Tax Records for the last five years, as well as an Authorization for Use or Disclosure of Employment, Income, and Insurance Information. (jth) (Entered: 01/11/2017)
01/11/2017		MINUTE ORDER granting <u>62</u> Sealed Motion for Leave to File Document Under Seal. Defendant is ORDERED to show cause by January 20, 2017 why any of these materials designated confidential by the defense must remain sealed. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/11/2017. (lcabj2) (Entered: 01/11/2017)
01/11/2017	<u>64</u>	SEALED DOCUMENT (EXHIBITS 5, 7, 10 and 11) filed by GREGORY SMITH. re <u>60</u> Memorandum in Opposition,,, filed by GREGORY SMITH. (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Exhibit 7, # <u>2</u> Exhibit 10, # <u>3</u> Exhibit 11)(znmw) (Entered: 01/12/2017)
01/12/2017		Set/Reset Deadlines: Defendant is Ordered to show cause by 1/20/2017 why any of these materials designated confidential by the defense must remain sealed. (jth) (Entered: 01/12/2017)
01/20/2017	<u>65</u>	RESPONSE TO ORDER TO SHOW CAUSE by DISTRICT OF COLUMBIA . (Cullen, Alicia) (Entered: 01/20/2017)
01/23/2017		MINUTE ORDER. In light of <u>65</u> defendants' response to the Court's order to show cause, Min. Order (Jan. 11, 2017), the documents at issue will remain sealed pursuant to the Court's order, id., granting <u>62</u> plaintiff's sealed motion for leave to file document under seal. However, sealed filings may be subject to further review. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/23/2017. (lcabj2) (Entered: 01/23/2017)
01/30/2017	<u>66</u>	Memorandum in opposition to re 61 MOTION for Partial Summary Judgment filed by DISTRICT OF COLUMBIA, JACK JONES, JEANETTE MYRICK. (Attachments: # <u>1</u> Exhibit 14, # <u>2</u> Exhibit 15, # <u>3</u> Exhibit 16, # <u>4</u> Exhibit 17)(Cullen, Alicia) (Entered: 01/30/2017)

01/30/2017	<u>67</u>	REPLY to opposition to motion re <u>56</u> MOTION for Summary Judgment filed by DISTRICT OF COLUMBIA, JACK JONES, JEANETTE MYRICK. (Attachments: # <u>1</u> Exhibit 14, # <u>2</u> Exhibit 15, # <u>3</u> Exhibit 16, # <u>4</u> Exhibit 17)(Cullen, Alicia) (Entered: 01/30/2017)
02/07/2017	<u>68</u>	Unopposed MOTION for Extension of Time to <i>File Cross–Reply in Support of Summary Judgment</i> by GREGORY SMITH (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Klaproth, Brendan) (Entered: 02/07/2017)
02/08/2017	<u>69</u>	NOTICE of Filing by DISTRICT OF COLUMBIA, JACK JONES, JEANETTE MYRICK (Cullen, Alicia) (Entered: 02/08/2017)
02/08/2017		MINUTE ORDER granting <u>68</u> Motion for Extension of Time. Plaintiff must file his cross–reply on or before February 20, 2017. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/8/2017. (lcabj2) (Entered: 02/08/2017)
02/09/2017		MINUTE ORDER. In light of <u>69</u> defendants' notice of filing, the parties shall file a joint status report by February 17, 2017 if nothing has been filed with the Court by then. Signed by Judge Amy Berman Jackson on 2/9/2017 (lcabj2) (Entered: 02/09/2017)
02/09/2017		Set/Reset Deadlines: The parties shall file a Joint Status Report by 2/17/2017 if nothing has been filed with the Court by that date. (jth) (Entered: 02/09/2017)
02/17/2017	<u>70</u>	STATUS REPORT by GREGORY SMITH. (Attachments: # <u>1</u> Exhibit 1)(Klaproth, Brendan) (Entered: 02/17/2017)
02/17/2017	<u>71</u>	NOTICE of Defendants' Report to the Court by DISTRICT OF COLUMBIA, JACK JONES, JEANETTE MYRICK (Cullen, Alicia) (Entered: 02/17/2017)
02/20/2017	<u>72</u>	REPLY to opposition to motion re 61 MOTION for Partial Summary Judgment filed by GREGORY SMITH. (Attachments: # <u>1</u> Exhibit Updated Table of Exhibits, # <u>2</u> Exhibit 17, # <u>3</u> Exhibit 18, # <u>4</u> Exhibit 19, # <u>5</u> Certificate of Service)(Klaproth, Brendan) (Entered: 02/20/2017)
02/21/2017		MINUTE ORDER. In light of <u>70</u> plaintiff's status report and <u>71</u> defendants' status report, the Court hereby DENIES as MOOT <u>56</u> defendants' motion for summary judgment and 61 plaintiff's cross–motion for partial summary judgment. Defendants must produce a corporate representative to provide testimony relating to the Department of Correction's receipt of the Release Order, and plaintiff must take this corporate representative's 30(b)(6) deposition by March 17, 2017. Additionally, the Court ORDERS that the briefing schedule will be as follows: defendants' motion for summary judgment is due by March 31, 2017; plaintiff's opposition (and his cross–motion for summary judgment, if any, which shall be supported by a single memorandum of points and authorities) is due by April 14, 2017; defendants' reply (and cross–opposition, if needed) is due by April 28, 2017; and plaintiff's cross–reply, if any, is due by May 12, 2017. If the discovery of the Release Order and the taking of the corporate representative's deposition clarify matters such that the parties jointly conclude that they would benefit from a referral to the Court's mediation program, the parties may inform chambers and it will issue the appropriate order. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/21/2017. (lcabj2) (Entered: 02/21/2017)
03/31/2017	<u>73</u>	MOTION for Partial Summary Judgment by DISTRICT OF COLUMBIA, JACK JONES, JEANETTE MYRICK (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12, # <u>15</u> Exhibit 13)(Cullen, Alicia) (Entered: 03/31/2017)
04/06/2017	<u>74</u>	MEMORANDUM OPINION & ORDER. It is hereby ORDERED that the Magistrate Judge's Report and Recommendation <u>54</u> is modified; and it is FURTHER ORDERED that the Court awards plaintiff attorneys' fees in the amount of \$15,579.90. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/6/2017. (lcabj2) (Entered: 04/06/2017)
04/14/2017	<u>75</u>	Memorandum in opposition to re <u>73</u> MOTION for Partial Summary Judgment and Cross Motion for Summary Judgment as to Liability and Entry for a Permanent Injunction filed by GREGORY SMITH. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts Plaintiff's Statement of Genuine Issues of Material Fact, # <u>3</u>

		Statement of Facts Plaintiff's Statement of Undisputed Fact, # <u>4</u> Certificate of Service, # <u>5</u> Text of Proposed Order, # <u>6</u> Exhibit Table of Exhibits, # <u>7</u> Exhibit 1, # <u>8</u> Exhibit 2, # <u>9</u> Exhibit 3, # <u>10</u> Exhibit 4, # <u>11</u> Exhibit 5, # <u>12</u> Exhibit 6, # <u>13</u> Exhibit 7, # <u>14</u> Exhibit 8, # <u>15</u> Exhibit 9, # <u>16</u> Exhibit 10, # <u>17</u> Exhibit 11, # <u>18</u> Exhibit 12, # <u>19</u> Exhibit 13, # <u>20</u> Exhibit 14, # <u>21</u> Exhibit 15, # <u>22</u> Exhibit 16, # <u>23</u> Exhibit 17, # <u>24</u> Exhibit A, # <u>25</u> Exhibit B, # <u>26</u> Exhibit D, # <u>27</u> Exhibit E, # <u>28</u> Exhibit F, # <u>29</u> Exhibit G, # <u>30</u> Exhibit H, # <u>31</u> Exhibit I, # <u>32</u> Exhibit J, # <u>33</u> Exhibit C)(Klaproth, Brendan) (Entered: 04/14/2017)
04/14/2017	<u>77</u>	Cross MOTION for Summary Judgment by GREGORY SMITH (See docket entry <u>75</u> to view document)(zrdj) (Entered: 04/17/2017)
04/17/2017	<u>76</u>	NOTICE of Appearance by Jesse Colin Klaproth on behalf of GREGORY SMITH (Klaproth, Jesse) (Entered: 04/17/2017)
04/21/2017	<u>78</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by GREGORY SMITH (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service, # <u>3</u> Exhibit 5, # <u>4</u> Exhibit 7, # <u>5</u> Exhibit 10, # <u>6</u> Exhibit 11)(Klaproth, Brendan) (Entered: 04/21/2017)
04/24/2017		MINUTE ORDER granting <u>78</u> sealed motion for leave to file under seal Exhibits 5, 7, 10, and 11 to plaintiff's opposition to defendants' motion for summary judgment. The Clerk of the Court is directed to enter plaintiff's exhibits 5, 7, 10, and 11 [Dkt. ## 78-3 through 78-6] on the docket under seal. The Court notes that sealed filings may be subject to further review. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/24/17. (DMK) (Entered: 04/24/2017)
04/24/2017	<u>79</u>	SEALED Exhibit 5 re <u>75</u> Memorandum in Opposition filed by GREGORY SMITH. (This document is SEALED and only available to authorized persons.)(zjf) (Entered: 04/25/2017)
04/24/2017	<u>80</u>	SEALED Exhibit 7 re <u>75</u> Memorandum in Opposition,,,, filed by GREGORY SMITH. (This document is SEALED and only available to authorized persons.)(zjf) (Entered: 04/25/2017)
04/24/2017	<u>81</u>	SEALED Exhibit 10-11 re <u>75</u> Memorandum in Opposition filed by GREGORY SMITH. (This document is SEALED and only available to authorized persons.)(zjf) (Entered: 04/25/2017)
04/28/2017	<u>82</u>	Memorandum in opposition to re 77 MOTION for Summary Judgment filed by DISTRICT OF COLUMBIA, JACK JONES, JEANETTE MYRICK. (Attachments: # <u>1</u> Statement of Facts Response to Plaintiff's Statement of Undisputed Material Facts, # <u>2</u> Statement of Facts Reply in Further Support of Defendants' Statement of Undisputed Material Facts, # <u>3</u> Text of Proposed Order Proposed Order, # <u>4</u> Exhibit 14, # <u>5</u> Exhibit 15, # <u>6</u> Exhibit 16, # <u>7</u> Exhibit 17, # <u>8</u> Exhibit 18, # <u>9</u> Exhibit 19, # <u>10</u> Exhibit 20, # <u>11</u> Exhibit 21, # <u>12</u> Exhibit 22, # <u>13</u> Exhibit 23)(Cullen, Alicia) (Entered: 04/28/2017)
04/28/2017	<u>83</u>	REPLY to opposition to motion re <u>73</u> MOTION for Partial Summary Judgment filed by DISTRICT OF COLUMBIA, JACK JONES, JEANETTE MYRICK. (Attachments: # <u>1</u> Statement of Facts Response to Plaintiff's Statement of Undisputed Material Facts, # <u>2</u> Statement of Facts Reply in Further Support of Defendants' Statement of Undisputed Material Facts, # <u>3</u> Text of Proposed Order Proposed Order, # <u>4</u> Exhibit 14, # <u>5</u> Exhibit 15, # <u>6</u> Exhibit 16, # <u>7</u> Exhibit 17, # <u>8</u> Exhibit 18, # <u>9</u> Exhibit 19, # <u>10</u> Exhibit 20, # <u>11</u> Exhibit 21, # <u>12</u> Exhibit 22, # <u>13</u> Exhibit 23)(Cullen, Alicia) (Entered: 04/28/2017)
05/12/2017	<u>84</u>	REPLY to opposition to motion re 77 MOTION for Summary Judgment <i>on Liability</i> filed by GREGORY SMITH. (Attachments: # <u>1</u> Certificate of Service)(Klaproth, Brendan) (Entered: 05/12/2017)
03/30/2018	<u>85</u>	ORDER. Pursuant to Federal Rule of Civil Procedure 56, and for the reasons stated in the accompanying Memorandum Opinion, it is hereby ORDERED that defendants' <u>73</u> Motion for Partial Summary Judgment and plaintiff's 77 Cross-Motion for Summary Judgment are GRANTED IN PART and DENIED IN PART. See Order for complete details. SO ORDERED. Signed by Judge Amy Berman Jackson on 3/30/2018. (lcabj2) (Entered: 03/30/2018)

03/30/2018	<u>86</u>	MEMORANDUM OPINION. Signed by Judge Amy Berman Jackson on 3/30/2018. (lcabj2) (Entered: 03/30/2018)
04/06/2018		MINUTE ORDER. A Status Conference in this matter is set for 4/20/2018 at 9:30 AM in Courtroom 3 before Judge Amy Berman Jackson. SO ORDERED. By Judge Amy Berman Jackson on 4/6/2018. (jth) (Entered: 04/06/2018)
04/20/2018		Minute Entry for proceedings held before Judge Amy Berman Jackson: Status Conference held on 4/20/2018. Case to be referred to Magistrate Judge Harvey for mediation. Order to be issued. (Court Reporter: Janice Dickman) (jth) (Entered: 04/20/2018)
04/20/2018	<u>87</u>	ORDER REFERRING CASE for Mediation. With the consent of the parties on April 20, 2018, it is ORDERED that this matter is referred to Magistrate Judge Harvey for settlement purposes to commence on April 20, 2018 and to conclude on June 19, 2018. It is FURTHER ORDERED that the parties submit a report to this Court on the status of the mediation by June 19, 2018, and if the case settles in whole or in part, both parties shall immediately advise the Court of the settlement by filing a stipulation. See Order for details. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/20/2018. (lcabj2) (Entered: 04/20/2018)
04/20/2018		CASE DIRECTLY REFERRED to Magistrate Judge G. Michael Harvey for Mediation. Settlement purposes to commence on April 20, 2018 and to conclude on June 19, 2018. (zmd) (Entered: 04/23/2018)
04/23/2018	<u>88</u>	MEDIATION STANDING ORDER. Signed by Magistrate Judge G. Michael Harvey on 4/23/2018. (lcmh2) (Entered: 04/23/2018)
04/26/2018		Set/Reset Hearings: Settlement Conference set for 6/5/2018 at 10:00 AM in Courtroom 6 before Magistrate Judge G. Michael Harvey. (lcmh2) (Entered: 04/26/2018)
06/05/2018		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: Settlement Conference held on 6/5/2018. (lcmh2) (Entered: 06/08/2018)