

**U.S. District Court
Eastern District of Virginia - (Alexandria)
CIVIL DOCKET FOR CASE #: 1:19-cv-01285-RDA-JFA**

Q.T., et al v. Fairfax County School Board, et. al.
Assigned to: District Judge Rossie D. Alston, Jr
Referred to: Magistrate Judge John F. Anderson
Cause: 42:12101 Americans with Disabilities Act

Date Filed: 10/08/2019
Jury Demand: Plaintiff
Nature of Suit: 446 Civil Rights:
Americans with Disabilities - Other
Jurisdiction: Federal Question

Plaintiff

Q. T.
*a minor, by and through next friend
Jennifer Tidd*

represented by **Abigail Graber**
Brown Goldstein & Levy LLP
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Plaintiff

A. O.
*a minor, by and through next friend
Pamela Ononiwu*

represented by **Abigail Graber**
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ATTORNEY TO BE NOTICED

Kevin Edward Byrnes
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ATTORNEY TO BE NOTICED

Plaintiff

D. O.

*a minor, by and through next friend
Pamela Ononiwu*

represented by **Abigail Graber**
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ATTORNEY TO BE NOTICED

Kevin Edward Byrnes
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ATTORNEY TO BE NOTICED

Plaintiff

C. T.

*a minor, by and through next friend
Ashley Thomas*

represented by **Abigail Graber**
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ATTORNEY TO BE NOTICED

Kevin Edward Byrnes
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ATTORNEY TO BE NOTICED

Plaintiff

**Council of Parent Attorneys and
Advocates**

represented by **Abigail Graber**
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ATTORNEY TO BE NOTICED

Kevin Edward Byrnes
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Autistic Self Advocacy Network

represented by **Abigail Graber**
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ATTORNEY TO BE NOTICED

Kevin Edward Byrnes
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Plaintiff

Communication First

represented by **Abigail Graber**
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ATTORNEY TO BE NOTICED

Kevin Edward Byrnes
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ATTORNEY TO BE NOTICED

Plaintiff

J. M.

*a minor, by and through next friend
Amanda Mills*

represented by **Abigail Graber**
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ATTORNEY TO BE NOTICED

Kevin Edward Byrnes
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

J. R.

*a minor, by and through next friends
Kristopher Roby and Loraine
Fearon Roby*

represented by **Abigail Graber**
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ATTORNEY TO BE NOTICED

Kevin Edward Byrnes
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ATTORNEY TO BE NOTICED

Defendant

Fairfax County School Board

represented by **Matthew Robert McGuire**
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Email: sraphael@huntonak.com
TERMINATED: 08/18/2021

Defendant

Dr. Scott Braband
Superintendent (in his official capacity)
TERMINATED: 10/02/2020

represented by **Stuart Alan Raphael**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matthew Robert McGuire
(See above for address)
ATTORNEY TO BE NOTICED

Maya Miriam Eckstein
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Teresa Johnson
Assistant Superintendent, Department of Special Services (in her official capacity)
TERMINATED: 10/02/2020

represented by **Stuart Alan Raphael**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matthew Robert McGuire
(See above for address)
ATTORNEY TO BE NOTICED

Maya Miriam Eckstein
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/08/2019	<u>1</u>	Complaint (Filing fee \$ 400, receipt number 0422-6876713.), filed by Autistic Self Advocacy Network, D. O., Communication First, A. O., C. T., Q. T., Council of Parent Attorneys and Advocates. (Attachments: # <u>1</u> Civil Cover Sheet)(Byrnes, Kevin) (Entered: 10/08/2019)
10/08/2019	<u>2</u>	Waiver of Service Returned Unexecuted as to Fairfax County School Board, Dr. Scott Braband, and Teresa Johnson, filed by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, A. O., D. O., C. T., Q. T.. (Byrnes, Kevin) (Main Document 2 replaced on 10/10/2019) filed in error per clerk's notification (acha,). (Entered: 10/08/2019)

10/08/2019		Initial Case Assignment to District Judge Leonie M. Brinkema and Magistrate Judge John F. Anderson. (acha,) (Entered: 10/08/2019)
10/09/2019		Case Reassigned to District Judge Rossie D. Alston, Jr and Magistrate Judge John F. Anderson. District Judge Leonie M. Brinkema no longer assigned to the case. (acha,) (Entered: 10/09/2019)
10/10/2019	3	WAIVER OF SERVICE Returned Executed by Autistic Self Advocacy Network, D. O., Communication First, A. O., C. T., Q. T., Council of Parent Attorneys and Advocates. Scott Braband waiver sent on 10/8/2019, answer due 12/9/2019; Fairfax County School Board waiver sent on 10/8/2019, answer due 12/9/2019; Teresa Johnson waiver sent on 10/8/2019, answer due 12/9/2019. (Byrnes, Kevin) (Entered: 10/10/2019)
10/10/2019	4	First Motion to appear Pro Hac Vice by Anthony Jovi May and Certification of Local Counsel Kevin E. Byrnes Filing fee \$ 75, receipt number 0422-6882528. by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, A. O., D. O., C. T., Q. T.. (Byrnes, Kevin) (Entered: 10/10/2019)
10/10/2019	5	First Motion to appear Pro Hac Vice by Eve Lynne Hill and Certification of Local Counsel Kevin E. Byrnes Filing fee \$ 75, receipt number 0422-6882552. by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, A. O., D. O., C. T., Q. T.. (Byrnes, Kevin) (Entered: 10/10/2019)
10/10/2019	6	First Motion to appear Pro Hac Vice by Regina Kline and Certification of Local Counsel Kevin E. Byrnes Filing fee \$ 75, receipt number 0422-6882564. by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, A. O., D. O., C. T., Q. T.. (Byrnes, Kevin) (Entered: 10/10/2019)
10/10/2019	7	First Motion to appear Pro Hac Vice by Sharon Krevor-Weisbaum and Certification of Local Counsel Kevin E. Byrnes Filing fee \$ 75, receipt number 0422-6882571. by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, A. O., D. O., C. T., Q. T.. (Byrnes, Kevin) (Entered: 10/10/2019)
10/16/2019	8	ORDER granting 4 Motion for Pro hac vice Anthony Jovi May. Signed by District Judge Rossie D. Alston, Jr on 10/16/2019. (acha,) (Entered: 10/17/2019)
10/16/2019	9	ORDER granting 5 Motion for Pro hac vice for Eve Lynne Hill. Signed by District Judge Rossie D. Alston, Jr on 10/16/2019. (acha,) (Entered: 10/17/2019)

10/16/2019	10	ORDER granting 6 Motion for Pro hac vice for Regina Kline. Signed by District Judge Rossie D. Alston, Jr on 10/16/2019. (acha,) (Entered: 10/17/2019)
10/16/2019	11	ORDER granting 7 Motion for Pro hac vice for Sharon Krevor-Weisbaum. Signed by District Judge Rossie D. Alston, Jr on 10/16/2019. (acha,) (Entered: 10/17/2019)
12/06/2019	12	Consent MOTION for Extension of Time to File Response/Reply as to 1 Complaint, <i>Setting Filing Schedule for Amended Complaint and Motion to Dismiss Amended Complaint, and Temporarily Staying Issuance of Scheduling Order</i> by Scott Braband, Fairfax County School Board, Teresa Johnson. (Attachments: # 1 Proposed Order Setting Filing and Briefing Schedule and Temporarily Staying Issuance of Scheduling Order)(Raphael, Stuart) (Entered: 12/06/2019)
12/09/2019	13	Waiver of re 12 Consent MOTION for Extension of Time to File Response/Reply as to 1 Complaint, <i>Setting Filing Schedule for Amended Complaint and Motion to Dismiss Amended Complaint, and Temporarily Staying Issuance of Scheduling Order</i> WAIVER OF HEARING by Scott Braband, Fairfax County School Board, Teresa Johnson (Raphael, Stuart) (Entered: 12/09/2019)
12/09/2019	14	NOTICE of Appearance by Maya Miriam Eckstein on behalf of Scott Braband, Fairfax County School Board, Teresa Johnson (Eckstein, Maya) (Entered: 12/09/2019)
12/09/2019	15	NOTICE of Appearance by Matthew Robert McGuire on behalf of Scott Braband, Fairfax County School Board, Teresa Johnson (McGuire, Matthew) (Entered: 12/09/2019)
12/10/2019	16	ORDER granting 12 Motion for Extension of Time to File Response/Reply re 12 Consent MOTION for Extension of Time to File Response/Reply as to 1 Complaint, <i>Setting Filing Schedule for Amended Complaint and Motion to Dismiss Amended Complaint, and Temporarily Staying Issuance of Scheduling Order</i> Responses due by 1/13/2020 Replies due by 2/21/2020. Signed by District Judge Rossie D. Alston, Jr on 12/10/2019. (See order for further details). (acha,) (Entered: 12/10/2019)
12/10/2019		Plaintiff's Amended Complaint due by 12/13/2019. (acha,) (Entered: 12/10/2019)

12/13/2019	17	AMENDED COMPLAINT against Scott Braband, Fairfax County School Board, Teresa Johnson, filed by Autistic Self Advocacy Network, D. O., Communication First, A. O., C. T., Q. T., Council of Parent Attorneys and Advocates, J. M., J. R.. (Attachments: # 1 Exhibit FCPS Restraint and Seclusion Reports)(Byrnes, Kevin) (Entered: 12/13/2019)
01/13/2020	18	MOTION to Dismiss for Failure to State a Claim , MOTION to Dismiss for Lack of Jurisdiction by Scott Braband, Fairfax County School Board, Teresa Johnson. (McGuire, Matthew) (Entered: 01/13/2020)
01/13/2020	19	Memorandum in Support re 18 MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction filed by Scott Braband, Fairfax County School Board, Teresa Johnson. (Attachments: # 1 Exhibit A - Guidelines, # 2 Exhibit B - Decl. of Teresa Johnson)(McGuire, Matthew) (Entered: 01/13/2020)
01/13/2020		Notice of Correction re 18 MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction . The filing user has been notified to file a Notice of Hearing Date. (acha,) (Entered: 01/13/2020)
01/13/2020	20	MOTION to Stay <i>Issuance of the Scheduling Order, or in the Alternative, to Stay Discovery Pending Disposition of Dispositive Motions</i> by Scott Braband, Fairfax County School Board, Teresa Johnson. (Attachments: # 1 Exhibit A - Proposed Order)(Eckstein, Maya) (Entered: 01/13/2020)
01/13/2020	21	Memorandum in Support re 20 MOTION to Stay <i>Issuance of the Scheduling Order, or in the Alternative, to Stay Discovery Pending Disposition of Dispositive Motions</i> filed by Scott Braband, Fairfax County School Board, Teresa Johnson. (Eckstein, Maya) (Entered: 01/13/2020)
01/13/2020	22	Notice of Hearing Date set for March 20, 2020 re 18 MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction , 19 Memorandum in Support, (McGuire, Matthew) (Entered: 01/13/2020)
01/14/2020		Set Deadlines as to 18 MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction . Motion Hearing set for 3/20/2020 at 10:00 AM in Alexandria Courtroom 601 before District Judge Rossie D. Alston Jr.. (clar,) (Entered: 01/14/2020)

01/14/2020	23	ORDER- Accordingly, it is ORDERED that the Court will not issue the scheduling order until the pending motion (Dkt. 18) to dismiss is resolved IT IS FURTHER ORDERED that discovery in this case is stayed pending resolution of the School Board's and individual school defendants' motions to dismiss (Dkt. 18). Signed by District Judge Rossie D. Alston, Jr on 1/14/2020. (See order for further details). (acha,) (Entered: 01/14/2020)
02/12/2020	24	Opposition to 18 MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction , Notice of Correction, 19 Memorandum in Support, filed by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4)(Byrnes, Kevin) (Entered: 02/12/2020)
02/21/2020	25	REPLY to Response to Motion re 18 MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction filed by Scott Braband, Fairfax County School Board, Teresa Johnson. (McGuire, Matthew) (Entered: 02/21/2020)
03/17/2020		Per RDA chambers motions set for 3/20/2020 have been POSTPONED and CONTINUED In pursuant to the General Order No. 2020-03 (clar,) (Entered: 03/17/2020)
06/23/2020	26	MOTION for Leave to File <i>Notice of Supplemental Authority in Opposition to Defendants' Motion to Dismiss</i> by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # 1 Proposed Order Proposed Order)(Byrnes, Kevin) (Entered: 06/23/2020)
06/23/2020	27	NOTICE by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T. re 19 Memorandum in Support, <i>Notice of Supplemental Authority</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P)(Byrnes, Kevin) (Entered: 06/23/2020)
06/23/2020	28	Notice of Hearing Date re 18 MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction , 26 MOTION for Leave to File <i>Notice of Supplemental Authority in Opposition to Defendants' Motion to Dismiss</i> , 27

		NOTICE,, 19 Memorandum in Support, (Byrnes, Kevin) (Entered: 06/23/2020)
06/24/2020		Set/Reset Deadlines as to 26 MOTION for Leave to File <i>Notice of Supplemental Authority in Opposition to Defendants' Motion to Dismiss</i> , 18 MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction . Motion Hearing set for 6/23/2020 at 10:00 AM in Alexandria Courtroom 601 before District Judge Rossie D. Alston Jr. (clar,) (Entered: 06/24/2020)
06/26/2020	29	RESPONSE to Motion re 26 MOTION for Leave to File <i>Notice of Supplemental Authority in Opposition to Defendants' Motion to Dismiss</i> filed by Scott Braband, Fairfax County School Board, Teresa Johnson. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Proposed Order)(McGuire, Matthew) (Entered: 06/26/2020)
06/26/2020	30	ORDER- It is hereby ORDERED that Motion (Dkt. 26) is GRANTED; IT IS FURTHER ORDERED that Plaintiffs file a motion with their supplemental authority on or before July 1, 2020; IT IS FURTHER ORDERED that Defendants respond with any supplemental authority they may have on or before July 8, 2020; and IT IS FURTHER ORDERED that both Plaintiffs' and Defendants' filings containing such supplemental authority be no longer than 10 pages, and otherwise comply with the formatting requirements of Local Civil Rule 7(F)(3). Signed by District Judge Rossie D. Alston, Jr on 6/26/2020. (See order for further details). (acha,) Copy sent (Entered: 06/26/2020)
06/26/2020		Set/Reset Deadlines as to 18 MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction . Responses due by 7/1/2020 Replies due by 7/8/2020. (acha,) (Entered: 06/26/2020)
07/01/2020	31	NOTICE by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T. re 18 MOTION to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction , 19 Memorandum in Support, <i>Notice of Supplemental Authority in Opposition to Defendants' Motion to Dismiss</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K,

		# 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P)(Byrnes, Kevin) (Entered: 07/01/2020)
07/08/2020	32	Response to 31 NOTICE,, <i>of Supplemental Authority</i> filed by Scott Braband, Fairfax County School Board, Teresa Johnson. (McGuire, Matthew) (Entered: 07/08/2020)
07/14/2020	33	ORDER- For the foregoing reasons, it is hereby ORDERED that Defendants Motion (Dkt. 18) is DENIED in part and GRANTED in part. IT IS FURTHER ORDERED that Counts Two and Three of the Amended Complaint (Dkt. 17) be DISMISSED, without prejudice. This Court grants the Individual Plaintiffs leave to amend their Amended Complaint. IT IS FURTHER ORDERED that Counts One, Two, and Three of the Amended Complaint (Dtk. 17) be DISMISSED, without prejudice, as it pertains to the Organizational Plaintiffs. This Court grants the Organizational Plaintiffs leave to amend their Amended Complaint. Signed by District Judge Rossie D. Alston, Jr on 7/14/2020. (See order for further details). (acha,) Copies sent as directed in the order. (Entered: 07/14/2020)
07/24/2020	34	Consent MOTION Setting Dates to File Amended Complaint and Responsive Pleading by Scott Braband, Fairfax County School Board, Teresa Johnson. (Attachments: # 1 Proposed Order)(McGuire, Matthew) (Entered: 07/24/2020)
07/27/2020	35	ORDER granting 34 Consent Motion Setting Dates to File Amended Complaint and Responsive; suspending the July 28, 2020 deadline by which defendants are required to respond; directing that plaintiff's will file their second amended complaint by August 4, 2020; directing that defendants will file their response to plaintiff's second amended complaint by August 25, 2020. Signed by District Judge Rossie D. Alston, Jr on 7/27/2020. (aott) (Entered: 07/27/2020)
07/28/2020	36	MOTION to Amend/Correct 33 Order on Motion to Dismiss for Failure to State a Claim,, Order on Motion to Dismiss/Lack of Jurisdiction,, <i>Defendants' Motion to Amend the July 14, 2020 Order to Certify it for Interlocutory Appeal</i> by Scott Braband, Fairfax County School Board, Teresa Johnson. (Attachments: # 1 Proposed Order)(McGuire, Matthew) (Entered: 07/28/2020)
07/28/2020	37	Brief in Support to 36 MOTION to Amend/Correct 33 Order on Motion to Dismiss for Failure to State a Claim,, Order on Motion to Dismiss/Lack of Jurisdiction,, <i>Defendants' Motion to Amend the July 14, 2020 Order to Certify it for Interlocutory Appeal</i> filed by

		Scott Braband, Fairfax County School Board, Teresa Johnson. (McGuire, Matthew) (Entered: 07/28/2020)
07/29/2020	38	Consent MOTION for Extension of Time to File Response/Reply as to 36 MOTION to Amend/Correct 33 Order on Motion to Dismiss for Failure to State a Claim,, Order on Motion to Dismiss/Lack of Jurisdiction,, <i>Defendants' Motion to Amend the July 14, 2020 Order to Certify it for Interlocutory Appeal</i> , 37 Brief in Support, by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # 1 Proposed Order)(Byrnes, Kevin) (Entered: 07/29/2020)
07/30/2020	39	ORDER granting 38 Consent Motion for Order Setting Dates to Respond (See order for details). Signed by District Judge Rossie D. Alston, Jr on 07/30/2020. (jlan) (Entered: 07/30/2020)
08/04/2020	40	AMENDED COMPLAINT <i>Second Amended Complaint</i> against All Defendants, filed by Autistic Self Advocacy Network, J. R., D. O., Communication First, A. O., C. T., Q. T., J. M., Council of Parent Attorneys and Advocates. (Attachments: # 1 Exhibit 1)(Byrnes, Kevin) (Entered: 08/04/2020)
08/21/2020	41	RESPONSE in Opposition re 36 MOTION to Amend/Correct 33 Order on Motion to Dismiss for Failure to State a Claim,, Order on Motion to Dismiss/Lack of Jurisdiction,, <i>Defendants' Motion to Amend the July 14, 2020 Order to Certify it for Interlocutory Appeal</i> filed by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Byrnes, Kevin) (Entered: 08/21/2020)
08/25/2020	42	ANSWER to Complaint <i>SECOND AMENDED</i> by Fairfax County School Board.(McGuire, Matthew) (Entered: 08/25/2020)
08/25/2020	43	MOTION to Dismiss for Failure to State a Claim by Scott Braband, Teresa Johnson. (McGuire, Matthew) (Entered: 08/25/2020)
08/25/2020	44	Memorandum in Support re 43 MOTION to Dismiss for Failure to State a Claim filed by Scott Braband, Teresa Johnson. (McGuire, Matthew) (Entered: 08/25/2020)
08/26/2020	45	MOTION to Withdraw as Attorney <i>Motion to Withdraw Appearance of Regina Kline</i> by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # 1 Proposed Order)(Byrnes, Kevin) (Entered: 08/26/2020)

08/27/2020	46	REPLY to Response to Motion re 36 MOTION to Amend/Correct 33 Order on Motion to Dismiss for Failure to State a Claim,,, Order on Motion to Dismiss/Lack of Jurisdiction,, <i>Defendants' Motion to Amend the July 14, 2020 Order to Certify it for Interlocutory Appeal</i> filed by Scott Braband, Fairfax County School Board, Teresa Johnson. (McGuire, Matthew) (Entered: 08/27/2020)
08/28/2020	47	ORDER granting 45 Motion to Withdraw as Attorney. The appearance of Regina Kline, admitted Pro Hac Vice, is hereby WITHDRAWN. Signed by Magistrate Judge John F. Anderson on 08/28/2020. (dvanm,) (Entered: 08/28/2020)
08/31/2020	48	Motion to appear Pro Hac Vice by Jessica Paulie Weber and Certification of Local Counsel Kevin E. Byrnes Filing fee \$ 75, receipt number 0422-7375339. by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Byrnes, Kevin) (Entered: 08/31/2020)
09/01/2020	49	Notice of Hearing Date set for September 23, 2020 re 43 MOTION to Dismiss for Failure to State a Claim (McGuire, Matthew) (Entered: 09/01/2020)
09/01/2020	50	Notice of Hearing Date set for September 23, 2020 re 36 MOTION to Amend/Correct 33 Order on Motion to Dismiss for Failure to State a Claim,,, Order on Motion to Dismiss/Lack of Jurisdiction,, <i>Defendants' Motion to Amend the July 14, 2020 Order to Certify it for Interlocutory Appeal</i> (McGuire, Matthew) (Entered: 09/01/2020)
09/02/2020		Set Deadlines as to 36 MOTION to Amend/Correct 33 Order on Motion to Dismiss for Failure to State a Claim,,, Order on Motion to Dismiss/Lack of Jurisdiction,, <i>Defendants' Motion to Amend the July 14, 2020 Order to Certify it for Interlocutory Appeal</i> , 43 MOTION to Dismiss for Failure to State a Claim . Motion Hearing set for 9/23/2020 at 10:00 AM in Alexandria Courtroom 601 before District Judge Rossie D. Alston Jr. (clar,) (Entered: 09/02/2020)
09/02/2020	51	NOTICE of Voluntary Dismissal by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T. (Byrnes, Kevin) (Entered: 09/02/2020)

09/02/2020	52	ORDER granting 48 Motion for Pro hac vice as to Jessica Paulie Weber. Signed by District Judge Rossie D. Alston, Jr on 09/02/2020. (dvanm,) (Entered: 09/03/2020)
09/03/2020		Per RDA chambers motions set for 9/30/2020 on the pleadings. The Court also considers the guidance set forth in General Order 2020-16. (clar,) (Entered: 09/03/2020)
09/03/2020		Per RDA chambers motions set for 9/23/2020 on the pleadings. The Court also considers the guidance set forth in General Order 2020-16. (clar,) (Entered: 09/03/2020)
10/02/2020	53	So Ordered re 51 Notice of Voluntary Dismissal filed by C.T., A.O., J.R., Council of Parent Attorneys and Advocates, Q.T., Autistic Self Advocacy Network, D.O., Communication First, J. M. Plaintiffs' claims against Defendants Dr. Scott Braband and Teresa Johnson are DISMISSED without prejudice. At this juncture, Plaintiffs claims against Defendant FairfaxCounty School Board are to remain intact. Signed by District Judge Rossie D. Alston, Jr on 10/02/2020. (dvanm,) (Entered: 10/02/2020)
10/29/2020	54	ORDER denying 36 Motion to Amend. Signed by District Judge Rossie D. Alston, Jr on 10/29/2020. (dvanm,) (Entered: 10/29/2020)
04/22/2021	55	SCHEDULING ORDER: Initial Pretrial Conference set for 5/12/2021 at 11:00 AM in Alexandria Courtroom 501 before Magistrate Judge John F. Anderson. Final Pretrial Conference set for 8/26/2021 at 10:00 AM in Alexandria Courtroom 601 before District Judge Rossie D. Alston Jr. Discovery due by 8/20/2021. Signed by District Judge Rossie D. Alston, Jr on 4/22/21. (Attachments: # 1 Pretrial Notice, # 2 Magistrate Judge Consent Form)(tarm) (Entered: 04/22/2021)
04/22/2021	56	MOTION to Sever <i>Plaintiffs</i> by Fairfax County School Board. (Eckstein, Maya) (Entered: 04/22/2021)
04/22/2021	57	Memorandum in Support re 56 MOTION to Sever <i>Plaintiffs</i> filed by Fairfax County School Board. (Eckstein, Maya) (Entered: 04/22/2021)
04/23/2021		Notice of Correction re 56 MOTION to Sever <i>Plaintiffs</i> . The filing user has been notified to file a Notice of Hearing Date or a Notice of Waiver of Oral Argument. (dvanm,) (Entered: 04/23/2021)

05/04/2021	58	Joint MOTION to Stay by Fairfax County School Board. (Attachments: # 1 Proposed Order Proposed Order re Motion to Stay)(Eckstein, Maya) (Entered: 05/04/2021)
05/04/2021	59	Waiver of re 58 Joint MOTION to Stay <i>Notice of Waiver of Oral Argument</i> by Fairfax County School Board (Eckstein, Maya) (Entered: 05/04/2021)
05/05/2021	60	ORDERED that 58 the Motion is GRANTED; and IT IS FURTHER ORDERED that the proceedings in this matter, including scheduling, discovery, and briefing deadlines on motions, are STAYED for a period of 30 days from the date of this Order, as the parties seek to try to resolve this matter. Signed by District Judge Rossie D. Alston, Jr on 05/05/2021. (dvanm,) (Entered: 05/05/2021)
05/05/2021	61	ORDER - ORDERED that the initial pretrial conference is continued from May 12, 2021 to June 16, 2021 at 11:00 a.m. The parties shall submit a proposed joint discovery plan pursuant to the scheduling order by June 9, 2021. Signed by Magistrate Judge John F. Anderson on 05/05/2021. (wgar,) (Entered: 05/05/2021)
05/05/2021		Initial Pretrial Conference reset for 6/16/2021 at 11:00 AM in Alexandria Courtroom 501 before Magistrate Judge John F. Anderson. (wgar,) (Entered: 05/05/2021)
06/03/2021	62	Joint MOTION for Extension of Stay by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # 1 Proposed Order Granting Motion to Extend Stay)(Byrnes, Kevin) (Entered: 06/03/2021)
06/03/2021	63	Waiver of re 62 Joint MOTION for Extension of Stay <i>Oral Argument</i> by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T. (Byrnes, Kevin) (Entered: 06/03/2021)
06/03/2021	64	Motion to appear Pro Hac Vice by Abigail Graber and Certification of Local Counsel Kevin E. Byrnes Filing fee \$ 75, receipt number AVAEDC-7823858. by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Byrnes, Kevin) (Entered: 06/03/2021)
06/03/2021	65	ORDER granting 64 Motion for Pro hac vice Appointed Abigail Graber for Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J.

		R., C. T., and Q. T. Signed by Magistrate Judge John F. Anderson on 06/03/2021. (jlan) (Entered: 06/03/2021)
06/07/2021	66	Opposition to 56 MOTION to Sever <i>Plaintiffs</i> filed by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # 1 Declaration of Jessica P. Weber)(Byrnes, Kevin) (Entered: 06/07/2021)
06/09/2021	67	ORDER granting 62 Joint Motion to Extend Stay through July 6, 2021. Signed by District Judge Rossie D. Alston, Jr on 06/09/2021. (dvanm,) (Entered: 06/09/2021)
06/09/2021	68	ORDER continuing the Rule 16 conference from Wednesday, June 16, 2021 to Wednesday, July 21, 2021 at 11:00 . The parties shall file a proposed discovery plan pursuant to the scheduling order by July 14, 2021. Signed by Magistrate Judge John F. Anderson on 06/09/2021. (dvanm,) (Entered: 06/09/2021)
06/09/2021		Reset Hearings: Initial Pretrial Conference set for 7/21/2021 at 11:00 AM in Alexandria Courtroom 500 before Magistrate Judge John F. Anderson. (dvanm,) (Entered: 06/09/2021)
06/30/2021	69	Joint MOTION for Extension of <i>Stay</i> by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # 1 Proposed Order)(Byrnes, Kevin) (Entered: 06/30/2021)
07/06/2021	70	ORDER granting 69 Joint MOTION for Extension of <i>Stay</i> ; and IT IS FURTHER ORDERED that the proceedings in this matter, including scheduling, discovery, and briefing dates on any motions, are STAYED through August 5, 2021, as the parties seek to try to resolve this matter. Signed by District Judge Rossie D. Alston, Jr on 7/6/2021. (dest) (Entered: 07/06/2021)
07/09/2021	71	ORDERED that the initial pretrial conference scheduled for July 21, 2021 at 11 :00 a.m. is cancelled. A status conference will be held at 10:00 a.m. on Friday, August 6, 2021 before the undersigned unless a stipulated order of dismissal is filed. Signed by Magistrate Judge John F. Anderson on 7/9/2021. (swil) (Entered: 07/09/2021)
07/09/2021		Set Hearings: Status Conference set for 8/6/2021 at 10:00 AM in Alexandria Courtroom 501 before Magistrate Judge John F. Anderson. (swil) (Entered: 07/09/2021)

08/03/2021	72	Joint MOTION for Extension of Stay by Fairfax County School Board. (Attachments: # 1 Proposed Order)(Eckstein, Maya) (Entered: 08/03/2021)
08/05/2021	73	ORDER - ORDERED that the status conference currently scheduled for August 6, 2021 is cancelled. A status conference will be rescheduled once the District Judge has decided whether to continue the stay any further. While the parties' efforts to resolve this case are commendable, there comes a time when they must decide whether to resolve a dispute or to proceed. Signed by Magistrate Judge John F. Anderson on 08/05/2021. (wgar,) (Entered: 08/05/2021)
08/06/2021	74	RESPONSE in Support re 56 MOTION to Sever <i>Plaintiffs</i> filed by Fairfax County School Board. (Eckstein, Maya) (Entered: 08/06/2021)
08/09/2021	75	ORDER granting 72 Joint Motion to Extend Stay. IT IS FURTHER ORDERED that the proceedings in this matter, including scheduling, discovery, and briefing dates on any motions, are STAYED through September 7, 2021, as the parties seek to try to resolve this matter. Signed by District Judge Rossie D. Alston, Jr on 08/09/2021. (dvanm,) (Entered: 08/10/2021)
08/18/2021	76	MOTION to Withdraw as Attorney by Fairfax County School Board. (Raphael, Stuart) (Entered: 08/18/2021)
08/18/2021	77	ORDER granting 76 Motion to Withdraw as Attorney. Attorney Stuart Alan Raphael terminated. Signed by Magistrate Judge John F. Anderson on 08/18/2021. (dvanm,) (Entered: 08/18/2021)
09/09/2021	78	Joint MOTION to Stay <i>Based on Settlement of Claims</i> by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T.. (Attachments: # 1 Proposed Order)(Byrnes, Kevin) (Entered: 09/09/2021)
09/09/2021	79	Waiver of re 78 Joint MOTION to Stay <i>Based on Settlement of Claims</i> by Autistic Self Advocacy Network, Communication First, Council of Parent Attorneys and Advocates, J. M., A. O., D. O., J. R., C. T., Q. T. (Byrnes, Kevin) (Entered: 09/09/2021)

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