

**U.S. District Court
CENTRAL DISTRICT OF ILLINOIS (Springfield)
CIVIL DOCKET FOR CASE #: 3:04-cv-03162-SEM-BGC**

Groesch et al v. City of Springfield
Assigned to: Judge Sue E. Myerscough
Referred to: Magistrate Judge Byron G. Cudmore
Case in other court: Seventh Circuit, 07-02932
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 07/27/2004
Date Terminated: 10/16/2012
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Kevin Groesch

represented by **James P Baker**
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Plaintiff

Greg Shaffer

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Plaintiff

Scott Allin

represented by **James P Baker**
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V.

Defendant

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Illinois

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Date Filed	#	Docket Text
07/27/2004	1	COMPLAINT against City of Springfield , filed by Plaintiffs Scott Allin, Kevin Groesch, Greg Shaffer. (Filing fee \$ 150.)(AJ, ilcd) (Entered: 07/28/2004)
07/27/2004		Filing fee: \$ 150.00, receipt number S005098 (AJ, ilcd) (Entered: 07/28/2004)
07/27/2004	2	CERTIFICATE OF INTEREST pursuant to Local Rule 11.3 by Scott Allin, Kevin Groesch, Greg Shaffer. (AJ, ilcd) (Entered: 07/28/2004)
08/16/2004	3	SUMMONS Returned Executed by plaintiffs. City of Springfield served on 8/13/2004, answer due 9/2/2004. (MR, ilcd) (Entered: 08/16/2004)
09/02/2004	<u>4</u>	MOTION to Dismiss by Defendant City of Springfield. Responses due by 9/16/2004 (Lang, James) (Entered: 09/02/2004)
09/02/2004	<u>5</u>	MEMORANDUM in Support re <u>4</u> MOTION to Dismiss filed by Defendant City of Springfield. (Attachments: # <u>1</u> Exhibit)(Lang, James) (Entered: 09/02/2004)
09/14/2004	<u>6</u>	RESPONSE to Motion re <u>4</u> MOTION to Dismiss <i>extension of time to respond to Defendant's motion to dismiss</i> filed by Plaintiffs Scott Allin, Kevin Groesch, Greg Shaffer. (Baker, James) (Entered: 09/14/2004)
09/15/2004		TEXT ORDER: The Court has received Plaintiffs' Request for an Extension of Time (d/e 6) e-filed as a "Response to Motion to Dismiss". Plaintiffs request that the Court extend the time for them to file a response to Defendant's Motion to Dismiss (d/e 4). Plaintiffs state that Defendant has no objection to the request. THEREFORE, Plaintiffs' Motion is ALLOWED. Plaintiffs are granted leave to file their reply up to and including September 27, 2004. Entered by Judge Jeanne E. Scott on 9/15/04. (AJ, ilcd) (Entered: 09/15/2004)
09/27/2004	<u>7</u>	Second MOTION for Extension of Time to File <i>Response to Motion to Dismiss</i> by Plaintiffs Scott Allin, Kevin Groesch, Greg Shaffer. Responses due by 10/12/2004 (Baker, James) (Entered: 09/27/2004)
09/29/2004		TEXT ORDER: by Mag. Judge Charles H. Evans. Motion For An Additional Extension of Time (d/e 7). Motion ALLOWED. Time extended to and including October 1, 2004, for plaintiffs to respond to defendant's motion to dismiss. Motion states "counsel for the Defendant does not object to this request." Entered by Mag. Judge Charles H. Evans on 9/29/04.(AJ, ilcd) (Entered: 09/29/2004)
09/29/2004		Set/Reset Deadlines/Hearings as to <u>4</u> MOTION to Dismiss. Responses due by 10/1/2004. (AJ, ilcd) (Entered: 09/29/2004)

10/01/2004	<u>8</u>	MEMORANDUM in Opposition re <u>4</u> MOTION to Dismiss filed by Plaintiffs Scott Allin, Kevin Groesch, Greg Shaffer. (Baker, James) (Entered: 10/01/2004)
10/01/2004	<u>9</u>	MOTION <i>requesting that def mtd that it seeks summary judgment be denied or that court defer ruling on motion until disc complete</i> by Plaintiffs Scott Allin, Kevin Groesch, Greg Shaffer. Responses due by 10/15/2004 (Attachments: # <u>1</u> Affidavit)(Baker, James) (Entered: 10/01/2004)
10/01/2004	<u>10</u>	NOTICE of compliance by Scott Allin, Kevin Groesch, Greg Shaffer of compliance (Baker, James) (Entered: 10/01/2004)
10/04/2004		Deadlines and Hearings terminated. Response to motion deadline satisfied 10/1/2004. (AJ, ilcd) (Entered: 10/04/2004)
02/01/2005	<u>11</u>	ORDER entered by Judge Jeanne E. Scott on February 1, 2005: Defendant City of Springfield, Illinois' Motion to Dismiss (d/e 4) is DENIED. In light of the court's ruling on Defendant's Motion, the Motion of the Plaintiffs, Kevin Groesch, Greg Shaffer and Scott Allin, Requesting that the Defendant's Motion to Dismiss to the extent it seeks Summary Judgment be Denied, or, in Lieu Thereof, That this Court defer ruling on that motion until the Plaintiffs complete Discovery (d/e 9) is DENIED as moot. The City is directed to file an Answer to Plaintiff's Complaint on or before February 25, 2005. (MAS, ilcd) (Entered: 02/01/2005)
02/01/2005		Set/Reset Deadlines: Defendant City of Springfield's Answer due on or before 2/25/2005. (MAS, ilcd) (Entered: 02/01/2005)
02/09/2005	<u>12</u>	ANSWER to Complaint with Jury Demand by Defendant City of Springfield.(Lang, James) (Entered: 02/09/2005)
02/09/2005		TEXT ORDER: Telephone Status/Scheduling is set for TUESDAY, MARCH 1, 2005, at 10:00 a.m. Court will initiate conference call. Attorneys are directed to comply with Federal Rules of Civil Procedure 26(f) by meeting as soon as practicable, and in any event at least fourteen (14) days prior to the scheduling conference, and are to submit a proposed discovery plan in writing to the Court at least four (4) days prior to the scheduling conference. Such a plan must include, at a minimum, those items listed in CDIL-LR 26.2(3), Rule 26(f), and CDIL-LR 16.2(E) with proposed deadlines. If a discovery plan is not submitted as required, the discovery conference may not be held and costs may be assessed. Entered by Mag. Judge Evans on 2/9/05. (MAS, ilcd) (Entered: 02/09/2005)
02/21/2005	<u>13</u>	CERTIFICATE OF SERVICE by City of Springfield <i>Rule 26 Disclosure</i> (Lang, James) (Entered: 02/21/2005)
02/23/2005	<u>14</u>	REPORT of Rule 26(f) Planning Meeting by Kevin Groesch, Greg Shaffer. (Baker, James) (Entered: 02/23/2005)
02/23/2005	<u>15</u>	REPORT of Rule 26(f) Planning Meeting by Scott Allin. (Baker, James) (Entered: 02/23/2005)
03/01/2005		MINUTE ENTRY for telephone status/scheduling conference held before Magistrate Judge Evans on 3/1/05. Status, scheduling, further proceedings considered. Attys James Baker and James Lang present. Scheduling time limits ordered: (1) No motions to join other parties and to amend pleadings to be filed after 5/1/05; (2) 7/1/05 for plaintiffs to identify testifying experts and provide Rule 26 reports; (3) 8/1/05 for defendant to identify testifying experts and provide Rule 26 reports; (4) 2/28/06 to complete all discovery; (5) 3/15/06 to file dispositive motions; (6) 6/30/06 at 10:00 a.m. for Final Pre-trial Conference (IN PERSON); and (7) 7/10/06 at 9:00 a.m. for trial. See written scheduling order entered 3/1/05. Any conflicts between scheduling order and proposed discovery plan shall be controlled by scheduling order. Entered by Mag. Judge Charles H. Evans on 3/1/05. (MAS, ilcd) (Entered: 03/02/2005)
03/02/2005	<u>16</u>	SCHEDULING ORDER entered by Judge Charles H. Evans on March 1, 2005: No motions to join other parties and to amend the pleadings to be filed after May 1, 2005; (2) February 28, 2006 to complete all discovery; (3) March 15, 2006 to file dispositive motions; (4) June 30, 2006 at 10:00 a.m. for a Final Pre-Trial Conference; (5) July 10, 2006 at 9:00 a.m. for trial on the trailing trial calendar; (6) July 1, 2005 for all plaintiffs to identify testifying experts and provide Rule 26

		reports and August 1, 2005, for defendant to identify testifying experts and provide Rule 26 reports. A CONTINUANCE OF THE TRIAL DATE AND/OR FINAL PRE-TRIAL DATE, DOES NOT ALTER OR EXTEND ANY OF THE OTHER ABOVE DATES. (MAS, ilcd) (Entered: 03/02/2005)
02/21/2006	<u>17</u>	First MOTION for Extension of Time to Complete Discovery <i>and Modify Scheduling Order</i> by Plaintiffs Kevin Groesch, Greg Shaffer, Scott Allin. Responses due by 3/7/2006 (Baker, James) (Entered: 02/21/2006)
02/23/2006		MINUTE ENTRY: for proceedings on 2/23/06. Telephone hearing regarding Joint Request of the Parties to Modify the Scheduling Order (d/e 17). Attys James Baker and James Lang present. Motion (d/e 17) ALLOWED. Scheduling Order dated 3/1/05 amended as follows: 5/30/06 to complete all discovery; 6/13/06 to file dispositive motions; 10/2/06 at 10:00 a.m. for Final Pre-trial Conference (IN PERSON); and 10/3/06 at 9:00 a.m. for trial. All other dates and provisions in the 3/1/05 scheduling order remain unchanged. (NOTE: 6/30/06 FPT and 7/10/06 trial dates CANCELED). Court understands no further motions for extensions of time will be sought by the parties. Entered by Mag. Judge Evans on 2/23/06. (MAS, ilcd) (Entered: 02/24/2006)
06/12/2006	<u>18</u>	MOTION to Dismiss by Defendant City of Springfield. Responses due by 6/26/2006 (Lang, James) (Entered: 06/12/2006)
06/12/2006	<u>19</u>	MOTION for Summary Judgment by Defendant City of Springfield. Responses due by 7/3/2006 (Lang, James) (Entered: 06/12/2006)
06/30/2006	<u>20</u>	MOTION for Extension of Time to File Response/Reply as to <u>19</u> MOTION for Summary Judgment by Plaintiffs Kevin Groesch, Greg Shaffer, Scott Allin. Responses due by 7/14/2006 (Baker, James) (Entered: 06/30/2006)
06/30/2006		TEXT ORDER: The Court has received Plaintiffs' Motion for an Extension of Time (d/e 20). Plaintiffs seek until July 7, 2006, to respond to the Defendant's Motion for Summary Judgment. The Defendant has no objection to the Motion. THEREFORE, Plaintiffs' Motion is ALLOWED. Plaintiffs are granted leave to file their response up to and including July 7, 2006. Entered by Judge Jeanne E. Scott on 6/30/2006. (CT, ilcd) (Entered: 06/30/2006)
07/06/2006		TEXT ORDER: The Court has received Defendant's Partial Motion to Dismiss (d/e 18). Pursuant to an Order entered in the United States Bankruptcy Court for the Central District of Illinois on March 15, 2006, in Case No. 05-70233, the Defendant moves to dismiss with prejudice all claims for monetary damages accruing to Plaintiff Gregory Shaffer until January 19, 2005. See Defendant's Partial Motion to Dismiss, Ex. A, U.S. Bankruptcy Court's Order on Trustee's "Motion for Authority to Settle Cause of Action". On January 19, 2005, Plaintiff Shaffer filed for bankruptcy. The March 15, 2006, Bankruptcy Order approved the sale to the City of Springfield of certain property of the bankruptcy estate consisting of claims of Shaffer for monetary damages accruing to Shaffer until the date his petition for bankruptcy was filed, arising from his employment as a police officer for the City of Springfield, as set forth in the instant case. THEREFORE, Defendant's Motion (d/e 18) is ALLOWED. All claims for monetary damages accruing to Plaintiff Shaffer before January 19, 2005, are DISMISSED with prejudice. Plaintiff Shaffer, however, remains a party to the case. Entered by Judge Jeanne E. Scott on 7/6/2006. (cc: all counsel) (MAS, ilcd) (Entered: 07/06/2006)
07/07/2006	<u>21</u>	MOTION for Leave to File Excess Pages by Plaintiffs Kevin Groesch, Greg Shaffer, Scott Allin. Responses due by 7/21/2006 (Baker, James) (Entered: 07/07/2006)
07/07/2006		TEXT ORDER: The Court has received the Plaintiffs' Motion for Leave to File in Excess of Page Limitations (d/e 21). The Plaintiffs request to file their memorandum in opposition to the Defendant's Motion for Summary Judgment in excess of the Court's page limitations. The Motion (d/e 21) is ALLOWED. Entered by Judge Jeanne E. Scott on 7/7/2006. (cc: all counsel) (MAS, ilcd) (Entered: 07/07/2006)
07/10/2006	<u>22</u>	MEMORANDUM in Opposition re <u>19</u> MOTION for Summary Judgment filed by Plaintiffs Kevin Groesch, Greg Shaffer, Scott Allin. (Attachments: # <u>1</u> Appendix #

		<u>2</u> Affidavit Groesch# <u>3</u> Affidavit Allin# <u>4</u> Exhibit Harris Dep# <u>5</u> Exhibit Schluter Dep# <u>6</u> Exhibit Kliment dep# <u>7</u> Exhibit Larkin dep# <u>8</u> Exhibit McNeil dep# <u>9</u> Exhibit Exhibit 1# <u>10</u> Exhibit Exhibit 2# <u>11</u> Exhibit Exhibit 3A# <u>12</u> Exhibit Exhibit 4# <u>13</u> Exhibit Exhibit 5# <u>14</u> Exhibit Exhibit 7# <u>15</u> Exhibit Exhibit 7A# <u>16</u> Exhibit Exhibit 8# <u>17</u> Exhibit Husch & Eppenberger# <u>18</u> Exhibit Harris Dep. 00-MR-180# <u>19</u> Exhibit 00-MR-180# <u>20</u> Exhibit Groesch charge# <u>21</u> Exhibit Allin charge)(Baker, James) (Entered: 07/10/2006)
07/10/2006	<u>23</u>	CERTIFICATE of Compliance. (Baker, James) (Entered: 07/10/2006)
07/24/2006	<u>24</u>	REPLY to Response to Motion re <u>19</u> MOTION for Summary Judgment filed by Defendant City of Springfield. (Lang, James) (Entered: 07/24/2006)
09/15/2006		TEXT ORDER: Due to the Court's schedule, a ruling on Defendant's Motion for Summary Judgment will not be filed before the scheduled pretrial hearing, currently set for October 2, 2006, at 10:00 a.m. The parties do not object to continuing both the pretrial hearing and trial to permit full consideration of the materials submitted on the summary judgment motion. THEREFORE, the Court hereby CANCELS the pretrial conference set for October 2, 2006, at 10:00 a.m., and trial set for October 3, 2006, at 9:00 a.m., and RESCHEDULES the pretrial conference for October 27, 2006, at 11:30 a.m., and trial for November 7, 2006, at 9:00 a.m. The Court refers the matter to Magistrate Judge Cudmore to conduct a settlement conference. Entered by Judge Jeanne E. Scott on 9/15/2006. (cc: all counsel) (MAS, ilcd) (Entered: 09/18/2006)
09/18/2006		TEXT ORDER: Magistrate Judge Charles Evans recuses himself from this case and transfers case to Magistrate Judge Byron Cudmore for all further proceedings. Entered by Mag. Judge Evans on 9/18/06. (MAS, ilcd) (Entered: 09/18/2006)
09/18/2006		MINUTE ENTRY for proceedings held before Magistrate Judge Byron G. Cudmore: Telephone conference held with Attorneys James Baker, James Lang, and Jennifer Johnson. By joint request, the Court schedules a mediation in chambers in Springfield, Illinois, on Friday, 10/13/2006, at 9:30 a.m. The following parties / representatives are directed to be personally present with full authority to compromise claims(s): Plaintiffs Kevin Groesch and Scott Allin to be personally present; Plaintiff Greg Shaffer to be available by telephone; Defendant to have representative present other than counsel; Defendant to make counter-proposal to Plaintiff by 9/29/2006. Confidential mediation statements to be submitted to Judge Cudmore via fax only to 217/492-4596 by 5:00 p.m. on 10/6/2006. (LB, ilcd) (Entered: 09/18/2006)
10/13/2006		MINUTE ENTRY for proceedings held before Judge Byron G. Cudmore: Mediation held. Defendant to present settlement proposal to City Council in Executive Session 10/17/2006. All current deadlines cancelled. Status Report concerning settlement to be filed by 10/19/2006. (LB, ilcd) (Entered: 10/13/2006)
10/13/2006		UTILITY: Set/Reset Deadlines: Status Report due by 10/19/2006. (LB, ilcd) (Entered: 10/13/2006)
10/18/2006	<u>25</u>	STATUS REPORT by City of Springfield. (Lang, James) (Entered: 10/18/2006)
10/18/2006		TEXT ORDER: The Court has received the Defendant's Settlement Report (d/e 25). The Report represents that a settlement has not been achieved in this case. The Court therefore resets the final pretrial conference for February 26, 2007, at 9:00 a.m., and the trial for March 6, 2007, at 9:00 a.m. Entered by Judge Jeanne E. Scott on 10/18/2006. (cc: all counsel)(MAS, ilcd) (Entered: 10/18/2006)
12/29/2006	<u>26</u>	OPINION entered by Judge Jeanne E. Scott on 12/29/2006: Defendant's Motion for Summary Judgment (d/e 19) is ALLOWED in part and DENIED in part. Defendant is entitled to summary judgment on Plaintiff's claims for damages arising prior to the state trial court judgment on November 10, 2003. Defendant is further entitled to summary judgment on Plaintiff Shaffer's claims for monetary damages accruing prior to January 19, 2005. Summary judgment is DENIED in all other respects. The parties are directed to file any Motions in Limine by January 19, 2007. The pretrial conference remains scheduled for February 26, 2007, at 9:00 a.m. (MAS, ilcd) (Entered: 12/29/2006)

01/03/2007	<u>27</u>	MOTION for Extension of Time to File <i>Motions in Limine</i> by Plaintiffs Kevin Groesch, Greg Shaffer, Scott Allin. Responses due by 1/17/2007 (Baker, James) (Entered: 01/03/2007)
01/03/2007		TEXT ORDER: This matter is before the Court on Plaintiffs' Motion for an Extension of Time (d/e 27). Plaintiffs seek a brief extension of time for the submission of motions in limine. Plaintiffs' Motion for an Extension of Time (d/e 27) is ALLOWED. The parties are directed to file any motions in limine on or before February 2, 2007. The pretrial conference remains scheduled for February 26, 2007. Entered by Judge Jeanne E. Scott on 1/3/2007. (cc: all counsel)(MAS, ilcd) (Entered: 01/04/2007)
01/09/2007	<u>28</u>	NOTICE of Appearance of Attorney by Frank Martinez on behalf of City of Springfield (Martinez, Frank) (Entered: 01/09/2007)
01/16/2007		TEXT ORDER: Telephonic status conference set by Court for January 18, 2007, at 1:00 p.m. Court will initiate call. Entered by Judge Jeanne E. Scott on 1/16/07. (ME, ilcd) (Entered: 01/16/2007)
01/18/2007		MINUTE ENTRY: Status conference held. Both parties appeared telephonically. The Plaintiffs appeared by attorney John Baker. The Defendant appeared by attorneys Frank Martinez and James Lang. The Court apprised the parties of the pending Supreme Court case, Ledbetter v. Goodyear Tire and Rubber Co. Inc., and requested their views whether the instant case should be stayed until the Supreme Court rules on the Ledbetter case. Ledbetter, 421 F.3d 1169 (11th Cir. 2005), cert. granted, 126 S.Ct. 2965 (U.S. Jan. 26, 2006) (No. 05-1074). The parties are directed to advise the Court on or before January 31, 2007. (MAS, ilcd) (Entered: 01/19/2007)
01/29/2007	<u>29</u>	STATUS REPORT by City of Springfield. (Lang, James) (Entered: 01/29/2007)
02/02/2007		TEXT ORDER: The Court has received the parties' Joint Statement In Regard to Postponement (d/e 29). The parties seek to stay the trial in this case until after the Supreme Court issues its decision in Ledbetter v. Goodyear Tire and Rubber Co., Inc., 126 S.Ct. 2965 (2006). The Court finds good cause to stay the matter pending a decision in Ledbetter. THEREFORE, this case is STAYED pending the Supreme Court's decision in Ledbetter. A further status conference is set for July 16, 2007, at 9:00 a.m. Entered by Judge Jeanne E. Scott on 2/02/2007. (cc: all counsel)(MAS, ilcd) (Entered: 02/02/2007)
05/31/2007		TEXT ORDER: The Supreme Court has issued its decision in Ledbetter v. Goodyear Tire & Rubber Co., Inc., S.Ct., 2007 WL 1528298 (May 29, 2007). In light of Ledbetter, the Court will revisit its Opinion (d/e 26) on the Defendants Motion for Summary Judgment. If the parties wish to submit memoranda addressing the impact of Ledbetter on the present case, they are to do so by June 25, 2007. Entered by Judge Jeanne E. Scott on 5/31/2007. (cc: all counsel)(MAS, ilcd) (Entered: 05/31/2007)
06/05/2007	<u>30</u>	MEMORANDUM in Support re <u>19</u> MOTION for Summary Judgment <i>Supplemental Memorandum</i> filed by Defendant City of Springfield. (Lang, James) (Entered: 06/05/2007)
06/25/2007	<u>31</u>	MEMORANDUM in Opposition re <u>19</u> MOTION for Summary Judgment <i>Supplemental Pursuant to May 31, 2007 Order</i> filed by Plaintiffs Kevin Groesch, Greg Shaffer, Scott Allin. (Baker, James) (Entered: 06/25/2007)
07/11/2007	<u>32</u>	OPINION entered by Judge Jeanne E. Scott on 7/11/2007. Defendant's Motion for Summary Judgment (d/e 19) is now ALLOWED as to all claims. The Court vacates the portion of the December 29, 2006, Opinion (d/e 26) that denied summary judgment and directs that judgment be entered in favor of Defendant. The Court cancels the status conference set for July 16, 2007, at 9:00 a.m. All pending motions are denied as moot. The case is closed. (MAS, ilcd) (MAS, ilcd). (Entered: 07/11/2007)
07/11/2007	<u>33</u>	JUDGMENT entered in favor of the City of Springfield and against Greg Shaffer, Kevin Groesch, and Scott Allin pursuant to the Court's Opinion entered on 7/11/2007. (MAS, ilcd) (Entered: 07/11/2007)

08/10/2007	<u>34</u>	NOTICE OF APPEAL by Kevin Groesch, Greg Shaffer, Scott Allin. (Baker, James) (Entered: 08/10/2007)
08/10/2007		U S Court of Appeal Fees received in the amount of \$ 455.00; receipt number S009159 regarding Notice of Appeal [d/e 34] filed by Kevin Groesch, Greg Shaffer and Scott Allin. (MAS, ilcd) (Entered: 08/10/2007)
08/15/2007	<u>35</u>	Short Record of Appeal Sent to U S Court of Appeals regarding [d/e 34] Notice of Appeal (MAS, ilcd) (Entered: 08/15/2007)
08/15/2007	<u>36</u>	NOTICE of Docketing Record on Appeal from U S Court of Appeals regarding Notice of Appeal [d/e 34] filed by Kevin Groesch, Greg Shaffer, and Scott Allin. U S Court of Appeals Case Number is 07-2932 (MAS, ilcd) (Entered: 08/23/2007)
04/23/2008	<u>37</u>	MOTION to Withdraw as Attorney by Defendant City of Springfield. Responses due by 5/12/2008 (Lang, James) (Entered: 04/23/2008)
04/23/2008		TEXT ORDER by Magistrate Judge Byron Cudmore: Motion to Withdraw as Attorney of Record <u>37</u> ALLOWED. Attorney James A Lang terminated as counsel in this cause. (LB, ilcd) (Entered: 04/23/2008)
10/06/2010	<u>38</u>	MOTION to Withdraw <i>Record on Appeal</i> by Defendant City of Springfield. Responses due by 10/25/2010 (Martinez, Frank) (Entered: 10/06/2010)
10/07/2010		TEXT ORDER entered by Chief Judge Michael P. McCuskey on 8/12/10. This case is reassigned to Chief Judge Michael P. McCuskey for further proceedings as the Chief Judge deems appropriate in the proper administration of justice. The case will remain a Springfield Division case, and the referral Magistrate Judge shall remain the same.(MC, ilcd) (Entered: 10/07/2010)
10/08/2010		TEXT ORDER: Defendant City of Springfield's Motion to Withdraw the Record on Appeal (d/e 38) is ALLOWED. Entered by Chief Judge Michael P. McCuskey on 10/8/2010. (MAS, ilcd) (Entered: 10/08/2010)
10/14/2010	<u>39</u>	Letter acknowledging receipt of the Appeal Record by M Carlisle for attorney Frank Martinez. (MAS, ilcd) (Entered: 10/15/2010)
12/13/2010	<u>40</u>	NOTICE OF ORAL ARGUMENT by U S Court of Appeals re <u>34</u> Notice of Appeal. Argument set for Friday, 1/14/2011 at 9:30 a.m. (MAS, ilcd) (Entered: 12/13/2010)
12/14/2010	<u>41</u>	Request from U S Court of Appeals for Long Record regarding d/e <u>34</u> Notice of Appeal. (MAS, ilcd) (Entered: 12/14/2010)
12/16/2010		Certified and Transmitted Record on Appeal to U S Court of Appeals regarding d/e <u>34</u> Notice of Appeal (MAS, ilcd) (Entered: 12/16/2010)
12/16/2010	<u>42</u>	Letter of Transmittal to U S Court of Appeals regarding d/e <u>34</u> Notice of Appeal. Appeal Record sent on a CD consisting of 6 Volumes of Pleadings via UPS, tracking # 1Z 647 649 03 1005 236 4. (MAS, ilcd) (Entered: 12/16/2010)
12/22/2010		Letter of Transmittal from U S Court of Appeals regarding d/e <u>34</u> Notice of Appeal. U S Court of Appeals acknowledged receipt of the Appeal Record consisting of 6 volumes of pleadings. (MAS, ilcd) (Entered: 12/23/2010)
04/19/2011	<u>43</u>	NOTICE OF ISSUANCE OF MANDATE by U S Court of Appeals. (MAS, ilcd) (Entered: 04/19/2011)
04/19/2011	<u>44</u>	MANDATE of U S Court of Appeals as to d/e <u>34</u> Notice of Appeal filed by Kevin Groesch, Greg Shaffer and Scott Allin. The judgment of the District Court is AFFIRMED IN PART, with respect to the dismissal of all claims arising before November 10, 2003 and with respect to Officer Shaffer's claims for monetary damages before January 19, 2005. In all other respects the judgment is REVERSED and the case is REMANDED for proceedings consistent with this opinion. (Attachment: # <u>1</u> Judgment)(MAS, ilcd) (Entered: 04/19/2011)
12/27/2011		TEXT ORDER entered by Chief Judge Michael P. McCuskey on 12/27/2011. This case is reassigned to Judge Sue E. Myerscough for further proceedings. (MB, ilcd) (Entered: 12/27/2011)

12/27/2011		TEXT ORDER: On the Court's own motion, this matter is set for a status hearing on January 30, 2012 at 3:30 p.m. in Courtroom 1 in Springfield before Judge Sue E. Myerscough. Entered by Judge Sue E. Myerscough on 12/27/2011. (DM, ilcd) (Entered: 12/27/2011)
01/30/2012		Minute Entry for proceedings held before Judge Sue E. Myerscough: STATUS CONFERENCE. Plaintiffs represented by Attorney James Baker. Defendant represented by Attoreney Mark Cullen. Discussion held regarding trial date, mediation and/or settlement. Parties are to advise Court by 2/10/2012 if they are interested in mediation. Hearing adjourned. (Court Reporter KS.) (CT, ilcd) (Entered: 01/31/2012)
02/10/2012	<u>45</u>	STATUS REPORT by City of Springfield. (DM, ilcd) (Entered: 02/13/2012)
02/14/2012		TEXT ORDER: At the request of the parties (see d/e 45), the deadline by which the parties shall advise the Court if they are interested in mediation is extended to March 2, 2012. Entered by Judge Sue E. Myerscough on 02/14/2012. (DM, ilcd) (Entered: 02/14/2012)
03/05/2012	<u>46</u>	STATUS REPORT by Scott Allin, Kevin Groesch, Greg Shaffer. (Baker, James) (Entered: 03/05/2012)
03/06/2012		TEXT ORDER: Because the parties have not advised the Court that they are interested in mediation, this matter is set for a final pretrial conference on June 4, 2012 at 3:00 p.m. and set for jury trial on July 3, 2012 at 9:00 a.m. The parties are advised to read the General Rules for Conduct of Counsel in the Courtroom and During Trial in Proceedings before U.S. District Judge Sue Myerscough, available at the Court's website: www.ilcd.uscourts.gov. Entered by Judge Sue E. Myerscough on 03/06/2012. (DM, ilcd) (Entered: 03/06/2012)
05/21/2012	<u>47</u>	MOTION to Continue (<i>Reschedule</i>) <i>the Final Pretrial Conference</i> by Plaintiffs Scott Allin, Kevin Groesch, Greg Shaffer. Responses due by 6/7/2012 (Baker, James) (Entered: 05/21/2012)
05/22/2012		TEXT ORDER: Plaintiffs' Motion Requesting the Final Pretrial Conference Be Rescheduled <u>47</u> is GRANTED. The final pretrial conference set for June 4, 2012 at 3:00 p.m. is VACATED and RESET for June 18, 2012 at 10:30 a.m. The case remains set on the July trial calendar. Entered by Judge Sue E. Myerscough on 05/22/2012. (DM, ilcd) (Entered: 05/22/2012)
05/30/2012	<u>48</u>	NOTICE of Appearance of Attorney by Geannette S Wittendorf on behalf of City of Springfield (Wittendorf, Geannette) (Entered: 05/30/2012)
05/30/2012	<u>49</u>	MOTION to Continue <i>the Pre-Trial Conference Date and Trial Date</i> by Defendant City of Springfield. Responses due by 6/18/2012 (Wittendorf, Geannette) (Entered: 05/30/2012)
06/06/2012		MINUTE ENTRY: Hearing held June 6, 2012 before Judge Sue E. Myerscough by telephone conference in chambers. James Baker present on behalf of Plaintiff. Geannette Wittendorf present on behalf of Defendant. Counsel advised the Court that the parties are discussing settlement and request a continuance of the pretrial and trial settings. The pretrial conference set for June 18, 2012 at 10:30 a.m. and the jury trial set for July 3, 2012 are VACATED. The parties are DIRECTED to file a status report on or before July 9, 2012. Defendant's Motion to Continue <u>49</u> is DENIED AS MOOT. (No Court Reporter present; Proceeding not Recorded). (DM, ilcd) (Entered: 06/07/2012)
07/03/2012	<u>50</u>	STATUS REPORT by City of Springfield. (Wittendorf, Geannette) (Entered: 07/03/2012)
09/04/2012		TEXT ORDER: The parties are DIRECTED to file a status report on or before September 10, 2012. Entered by Judge Sue E. Myerscough on 9/4/2012. (MJ, ilcd) (Entered: 09/04/2012)
09/05/2012	<u>51</u>	STATUS REPORT by City of Springfield. (Wittendorf, Geannette) (Entered: 09/05/2012)

10/16/2012	<u>52</u>	STIPULATION of Dismissal by City of Springfield. (Wittendorf, Geannette) (Entered: 10/16/2012)
10/16/2012	<u>53</u>	ORDER DISMISSING CASE with prejudice. Each party to bear its own cost. Entered by Judge Sue E. Myerscough on 10/16/2012. (DM, ilcd) (Entered: 10/16/2012)