

CLOSED, Jury Trial, MEDIATION, STAYED, USMJ Gates

U.S. District Court
EASTERN DISTRICT OF NORTH CAROLINA (Eastern Division)
CIVIL DOCKET FOR CASE #: 4:12-cv-00154-D

North Carolina Environmental Justice Network et al v. Taylor et al

Assigned to: Chief Judge James C. Dever, III

Cause: 33:1365 Environmental Matters

Date Filed: 07/27/2012

Date Terminated: 08/13/2018

Jury Demand: Plaintiff

Nature of Suit: 893 Environmental Matters

Jurisdiction: Federal Question

Plaintiff

North Carolina Environmental Justice Network

TERMINATED: 10/21/2014

represented by **Johanna N. Skrzypczyk**
New York State Office of the Attorney General

120 Broadway, 24th Floor

New York, NY 10271

212-416-8000

Email: jskrzypczyk@gmail.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Michael T. Leigh

Debevoise & Plimpton LLP

919 Third Ave.

New York, NY 10022

Email: mtleigh@debevoise.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Stanley B. Green

Strauch Green & Mistretta, P.C.

911 Paverstone Drive

Suite F

Raleigh, NC 27615

704-564-9878

Fax: 336-725-8867

Email: sgreen@sgandm.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Bethany Davis Noll

Debevoise & Plimpton LLP

919 Third Ave.

New York, NY 10022

212-909-6000

Fax: 212-521-7763

Email: badavisn@debevoise.com

TERMINATED: 02/01/2013

Chinelo E. Dike-Minor

Debevoise & Plimpton LLP

919 Third Ave.

New York, NY 10022

212-909-6000

Fax: 212-521-7175

Email: cedike@debevoise.com

TERMINATED: 03/08/2013

Lee Knight Caffery

Strauch Green & Mistretta, P.C.

530 North Trade St., Suite 303

Winston-Salem, NC 27101

336-725-8688
Fax: 336-725-8867
Email: lcaffery@sgandm.com
TERMINATED: 03/05/2014

Plaintiff

Neuse Riverkeeper Foundation, Inc.

represented by **Kelly H. Foster**
Waterkeeper Alliance
P. O. Box 4483
Tulsa, OK 74159
918-619-9073
Fax: 212-747-0611
Email: kfoster@waterkeeper.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Gray Jernigan
Waterkeeper Alliance
19 W. Hargett St.
Raleigh, NC 27601
919-215-9466
Email: gjernigan@waterkeeper.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stanley B. Green
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lee Knight Caffery
(See above for address)
TERMINATED: 03/05/2014

Plaintiff

Waterkeeper Alliance, Inc.

represented by **Kelly H. Foster**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Gray Jernigan
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stanley B. Green
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lee Knight Caffery
(See above for address)
TERMINATED: 03/05/2014

V.

Defendant

Taylor Finishing, Inc.
TERMINATED: 08/31/2012

represented by **Amy P. Wang**
Ward and Smith, P.A.
P. O. Box 867
1001 College Court
New Bern, NC 28563-0867

252-672-5400
Fax: 252-672-5477
Email: apw@wardandsmith.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Donalt J. Eglinton
Ward and Smith, P.A.
P. O. Box 867
1001 College Court
New Bern, NC 28563-0867
252-672-5456
Fax: 252-672-5477
Email: dje@wardandsmith.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Frank H. Sheffield , Jr.
Ward and Smith, P.A.
Post Office Box 867
1001 College Court
New Bern, NC 28563-0867
252-672-5507
Fax: 672-5477
Email: fhs@wardandsmith.com
TERMINATED: 10/30/2014
LEAD ATTORNEY

Defendant

Donald Taylor
Individually and d/b/a Taylor Finishing

represented by **Amy P. Wang**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Donalt J. Eglinton
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Frank H. Sheffield , Jr.
(See above for address)
TERMINATED: 10/30/2014
LEAD ATTORNEY

Defendant

Frederick A. McLawhorn
TERMINATED: 09/17/2014

represented by **John William King , Jr.**
Stubbs & Perdue, PA
310 Craven St.
P. O. Box 1654
New Bern, NC 28563
252-633-2700
Fax: 252-633-9600
Email: jking@stubbsperdue.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lars P. Simonsen
Simonsen Law Firm, P.C.
P. O. Box 848
Edenton, NC 27932
252-482-2175
Fax: 252-482-1355
Email: lars@simonsenlawfirm.com
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Aaron McLawhorn

represented by **John William King , Jr.**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lars P. Simonsen
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Annie Taylor
Individually and d/b/a Taylor Finishing

represented by **Amy P. Wang**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Donalt J. Eglinton
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

McLawhorn Livestock Farm, Inc.

represented by **John William King , Jr.**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Justin T. McLawhorn

represented by **John William King , Jr.**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lars P. Simonsen
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Interested Party

U.S. Department of Justice
 Environment and Natural Resources
 Division
 P.O. Box 7415
 Washington, DC 20044
 202-305-0641

Date Filed	#	Docket Text
07/27/2012	<u>1</u>	COMPLAINT against Aaron McLawhorn, Frederick A. McLawhorn, Justin T McLawhorn, Donald E Taylor, Taylor Finishing, Inc. (Filing fee \$ 350 receipt number 0417-2160433.), filed by Waterkeeper Alliance, Inc., Neuse River Foundation, Inc., North Carolina Environmental Justice Network. (Attachments: # <u>1</u> Exhibit A -- Taylor Notice of Intent to Sue, # <u>2</u> Exhibit B -- McLawhorn Notice of Intent to Sue, # <u>3</u> Civil Cover Sheet, # <u>4</u> Summons for Aaron McLawhorn, # <u>5</u> Summons for Frederick McLawhorn, # <u>6</u> Summons for Justin McLawhorn, # <u>7</u> Summons for Taylor Finishing, Inc., # <u>8</u> Summons for Donald Taylor) (Green, Stanley) (Entered: 07/27/2012)

07/27/2012	<u>2</u>	NOTICE of Appearance by Stanley B. Green on behalf of All Plaintiffs (Green, Stanley) (Entered: 07/27/2012)
07/27/2012	<u>3</u>	NOTICE of Change of Address by Stanley B. Green (Green, Stanley) (Entered: 07/27/2012)
07/27/2012	<u>4</u>	FINANCIAL DISCLOSURE STATEMENT by North Carolina Environmental Justice Network (Green, Stanley) (Entered: 07/27/2012)
07/27/2012	<u>5</u>	FINANCIAL DISCLOSURE STATEMENT by Neuse River Foundation, Inc. (Green, Stanley) (Entered: 07/27/2012)
07/27/2012	<u>6</u>	FINANCIAL DISCLOSURE STATEMENT by Waterkeeper Alliance, Inc. (Green, Stanley) (Entered: 07/27/2012)
07/30/2012	<u>7</u>	SUMMONS ISSUED as to Aaron McLawhorn, Frederick A. McLawhorn, Justin T. McLawhorn, Donald Taylor, and Taylor Finishing, Inc. Counsel should print summonses and effect service. (Sawyer, D.) (Entered: 07/30/2012)
07/31/2012		Case Selected for Mediation – A printable list of certified mediators for the Eastern District of North Carolina is available on the court's Website, http://www.nced.uscourts.gov/attorney/mediators.aspx . Please serve this list on all parties. (Horton, B.) (Entered: 07/31/2012)
08/17/2012	<u>8</u>	SUMMONS Returned Executed by Waterkeeper Alliance, Inc., Neuse River Foundation, Inc., North Carolina Environmental Justice Network. Donald Taylor served on 8/2/2012, answer due 8/23/2012. (Green, Stanley) (Entered: 08/17/2012)
08/17/2012	<u>9</u>	SUMMONS Returned Executed by Waterkeeper Alliance, Inc., Neuse River Foundation, Inc., North Carolina Environmental Justice Network. Taylor Finishing, Inc. served on 8/2/2012, answer due 8/23/2012. (Green, Stanley) (Entered: 08/17/2012)
08/21/2012	<u>10</u>	SUMMONS Returned Executed by Waterkeeper Alliance, Inc., Neuse River Foundation, Inc., North Carolina Environmental Justice Network. Frederick A. McLawhorn served on 8/16/2012, answer due 9/6/2012. (Green, Stanley) (Entered: 08/21/2012)
08/21/2012	<u>11</u>	SUMMONS Returned Executed by Waterkeeper Alliance, Inc., Neuse River Foundation, Inc., North Carolina Environmental Justice Network. Justin T. McLawhorn served on 8/16/2012, answer due 9/6/2012. (Green, Stanley) (Entered: 08/21/2012)
08/21/2012	<u>12</u>	SUMMONS Returned Executed by Waterkeeper Alliance, Inc., Neuse River Foundation, Inc., North Carolina Environmental Justice Network. Aaron McLawhorn served on 8/16/2012, answer due 9/6/2012. (Green, Stanley) (Entered: 08/21/2012)
08/21/2012	<u>13</u>	NOTICE of Appearance by Frank H. Sheffield, Jr. on behalf of Donald Taylor, Taylor Finishing, Inc. (Sheffield, Frank) (Entered: 08/21/2012)
08/21/2012	<u>14</u>	NOTICE of Appearance by Donalt J. Eglinton on behalf of Donald Taylor, Taylor Finishing, Inc. (Eglinton, Donalt) (Entered: 08/21/2012)
08/21/2012	<u>15</u>	MOTION for Extension of Time to File Answer regarding <u>1</u> Complaint by Donald Taylor, Taylor Finishing, Inc. (Attachments: # <u>1</u> Text of Proposed Order) (Sheffield, Frank) (Entered: 08/21/2012)
08/21/2012	<u>16</u>	FINANCIAL DISCLOSURE STATEMENT by Donald Taylor, Taylor Finishing, Inc. (Sheffield, Frank) (Entered: 08/21/2012)
08/21/2012	<u>17</u>	FINANCIAL DISCLOSURE STATEMENT by Donald Taylor, Taylor Finishing, Inc. (Sheffield, Frank) (Entered: 08/21/2012)
08/22/2012		MOTION REFERRED to Julie A. Richards, Clerk of Court: <u>15</u> Motion for Extension of Time to File Answer to <u>1</u> Complaint. (Sawyer, D.) (Entered: 08/22/2012)
08/22/2012	<u>18</u>	NOTICE of Appearance by Amy P. Wang on behalf of Donald Taylor, Taylor Finishing, Inc. (Wang, Amy) (Entered: 08/22/2012)

08/22/2012	<u>19</u>	ORDER granting <u>15</u> Motion for Extension of Time to Answer. Donald Taylor and Taylor Finishing, Inc. answer due 9/13/2012. Signed by Julie A. Richards, Clerk of Court on 8/22/2012. (Sawyer, D.) (Entered: 08/22/2012)
08/24/2012	<u>20</u>	NOTICE of Appearance by Bethany Davis Noll on behalf of North Carolina Environmental Justice Network (Noll, Bethany) (Entered: 08/24/2012)
08/24/2012	<u>21</u>	NOTICE of Appearance by Chinelo E. Dike—Minor on behalf of North Carolina Environmental Justice Network (Dike—Minor, Chinelo) (Entered: 08/24/2012)
08/24/2012	<u>22</u>	NOTICE of Appearance by Michael T. Leigh on behalf of North Carolina Environmental Justice Network (Leigh, Michael) (Entered: 08/24/2012)
08/24/2012	<u>23</u>	NOTICE of Appearance by Kelly H. Foster on behalf of Neuse River Foundation, Inc., Waterkeeper Alliance, Inc. (Foster, Kelly) (Entered: 08/24/2012)
08/31/2012	<u>24</u>	NOTICE of Voluntary Dismissal by Neuse River Foundation, Inc., North Carolina Environmental Justice Network, Waterkeeper Alliance, Inc. (Green, Stanley) (Entered: 08/31/2012)
08/31/2012	<u>25</u>	AMENDED COMPLAINT <i>and Jury Demand</i> against Aaron McLawhorn, Justin T. McLawhorn, Donald Taylor, filed by Waterkeeper Alliance, Inc., Neuse River Foundation, Inc., North Carolina Environmental Justice Network. (Attachments: # <u>1</u> Exhibit A—Taylor Notice of Intent to Sue, # <u>2</u> Exhibit B—McLawhorn Notice of Intent to Sue) (Green, Stanley) (Entered: 08/31/2012)
09/06/2012	<u>26</u>	NOTICE of Appearance by John William King, Jr on behalf of Aaron McLawhorn, Frederick A. McLawhorn, Justin T. McLawhorn (King, John) (Entered: 09/06/2012)
09/06/2012	<u>27</u>	MOTION for Extension of Time to File Answer <i>Complaint</i> by Aaron McLawhorn, Frederick A. McLawhorn, Justin T. McLawhorn. (Attachments: # <u>1</u> Text of Proposed Order) (King, John) (Entered: 09/06/2012)
09/07/2012		MOTION REFERRED to Julie A. Richards, Clerk of Court: <u>27</u> Motion for Extension of Time to File Answer to Complaint. (Sawyer, D.) (Entered: 09/07/2012)
09/10/2012	<u>28</u>	ORDER granting <u>27</u> Motion for Extension of Time to Answer. Aaron McLawhorn answer, Frederick A. McLawhorn, and Justin T. McLawhorn's answer due 9/27/2012. Signed by Julie A. Richards, Clerk of Court on 9/10/2012. (Sawyer, D.) (Entered: 09/10/2012)
09/11/2012	<u>29</u>	NOTICE of Appearance by Lars P. Simonsen on behalf of Aaron McLawhorn, Frederick A. McLawhorn, Justin T. McLawhorn (Simonsen, Lars) (Entered: 09/11/2012)
09/13/2012	<u>30</u>	MOTION to Dismiss <i>Plaintiffs' Complaint</i> by Donald Taylor. (Eglinton, Donalt) (Entered: 09/13/2012)
09/13/2012	<u>31</u>	Memorandum in Support regarding <u>30</u> MOTION to Dismiss <i>Plaintiffs' Complaint</i> filed by Donald Taylor. (Attachments: # <u>1</u> Exhibit 1—Notice of Intent to Sue) (Eglinton, Donalt) (Entered: 09/13/2012)
09/13/2012	<u>32</u>	FINANCIAL DISCLOSURE STATEMENT by Aaron McLawhorn, Frederick A. McLawhorn. (King, John) (Entered: 09/13/2012)
09/13/2012	<u>33</u>	FINANCIAL DISCLOSURE STATEMENT by Justin T. McLawhorn. (King, John) (Entered: 09/13/2012)
09/19/2012	<u>34</u>	WAIVER OF SERVICE Returned Executed by Waterkeeper Alliance, Inc., Neuse River Foundation, Inc., North Carolina Environmental Justice Network. Annie Taylor waiver sent on 9/14/2012. (Green, Stanley) (Entered: 09/19/2012)
09/27/2012	<u>35</u>	AFFIDAVIT by Aaron McLawhorn, Frederick A. McLawhorn. (Attachments: # <u>1</u> Errata Lease Termination Agreement, # <u>2</u> Exhibit Certificate of Existence) (King, John) (Entered: 09/27/2012)
09/27/2012	<u>36</u>	MOTION to Dismiss for Lack of Jurisdiction by Aaron McLawhorn, Frederick A. McLawhorn, Justin T. McLawhorn. (King, John) (Entered: 09/27/2012)

09/27/2012	<u>37</u>	Memorandum in Support regarding <u>36</u> MOTION to Dismiss for Lack of Jurisdiction filed by Aaron McLawhorn, Frederick A. McLawhorn, Justin T. McLawhorn. (King, John) (Entered: 09/27/2012)
10/09/2012	<u>38</u>	RESPONSE/MEMORANDUM in Opposition to <u>30</u> Motion to Dismiss filed by North Carolina Environmental Justice Network. (Leigh, Michael) (Entered: 10/09/2012)
10/09/2012	<u>39</u>	DECLARATION in support of <u>31</u> Response/Memorandum filed filed by North Carolina Environmental Justice Network. (Attachments: # <u>1</u> Exhibit 1 – Certificate of Coverage, # <u>2</u> Exhibit 2 – Letter from Frank H. Sheffield, # <u>3</u> Exhibit 3 – Compliance Inspection, # <u>4</u> Exhibit 4 – Plan of Action dated January 26, 2011, # <u>5</u> Exhibit 5 – Plan of Action dated September 27, 2011, # <u>6</u> Exhibit 6 – Letter from Donald and Annie Taylor, # <u>7</u> Exhibit 7 – Confidential Settlement Communications Agreement) (Noll, Bethany) (Entered: 10/09/2012)
10/10/2012	<u>40</u>	NOTICE of Appearance by Lee Knight Caffery on behalf of All Plaintiffs (Caffery, Lee) (Entered: 10/10/2012)
10/10/2012		REMINDER TO COUNSEL regarding <u>38</u> Memorandum in Opposition and <u>39</u> Declaration: Pursuant to Judge Dever's practice preferences, counsel shall provide a courtesy copy of motions and memoranda for documents over 20 pages, by mailing or delivering to the case manager at the clerk's office in Raleigh. (Sawyer, D.) (Entered: 10/10/2012)
10/15/2012		NOTICE TO COUNSEL regarding <u>38</u> Response/Memorandum and <u>39</u> Declaration. For future reference, counsel should reflect in the case caption the division in which the case has been assigned. Counsel failed to attach a certificate of service to <u>39</u> Declaration. Counsel should file the certificate of service using Civil Events – Service of Process. (Heath, D.) (Entered: 10/15/2012)
10/15/2012	<u>41</u>	CERTIFICATE OF SERVICE by North Carolina Environmental Justice Network regarding <u>39</u> Declaration. (Leigh, Michael) (Entered: 10/15/2012)
10/22/2012	<u>42</u>	MEMORANDUM IN OPPOSITION to <u>36</u> Motion to Dismiss filed by Neuse River Foundation, Inc., North Carolina Environmental Justice Network, and Waterkeeper Alliance, Inc. (Green, Stanley) (Entered: 10/22/2012)
10/22/2012	<u>43</u>	DECLARATION of Bethany A. Davis Noll in support of <u>36</u> Motion to Dismiss filed by Waterkeeper Alliance, Inc., Neuse River Foundation, Inc., and North Carolina Environmental Justice Network. (Attachments: # <u>1</u> Exhibit 1--Certificate of Coverage, # <u>2</u> Exhibit 2--Findings and Decision et al., # <u>3</u> Exhibit 3--North Carolina Department of Environment and Natural Resources Letter, # <u>4</u> Exhibit 4--Water Quality Inspection, # <u>5</u> Exhibit 5--North Carolina Department of Environment and Natural Resources Letter, # <u>6</u> Exhibit 6--Administrative Reinstatement, # <u>7</u> Exhibit 7--Affidavit) (Green, Stanley) (Entered: 10/22/2012)
10/23/2012	<u>44</u>	MOTION for Extension of Time to File Reply as to <u>38</u> Memorandum in Opposition to <i>Defendant Donald Taylor's Motion to Dismiss</i> by Donald Taylor. (Attachments: # <u>1</u> Text of Proposed Order) (Eglinton, Donalt) (Entered: 10/23/2012)
10/23/2012		MOTION REFERRED Julie A. Richards, Clerk of Court: Motion <u>44</u> for Extension of Time to File Reply to <u>30</u> Motion to Dismiss. (Sawyer, D.) (Entered: 10/23/2012)
10/24/2012		TEXT ORDER granting defendant's <u>44</u> motion for extension of time. Defendant Donald Taylor has through and including October 30, 2012 to reply to his <u>30</u> motion to dismiss. Signed by Jolie Skinner for Julie A. Richards, Clerk of Court on 10/24/2012. (Skinner, J.) (Entered: 10/24/2012)
10/30/2012	<u>45</u>	REPLY regarding <u>30</u> Defendant Donald Taylor's Motion to Dismiss filed by Donald Taylor. (Attachments: # <u>1</u> Exhibit December 22, 2010 Notice of Intent to Sue, # <u>2</u> Exhibit January 11, 2011 Notice Letter) (Eglinton, Donalt) (Entered: 10/30/2012)
11/06/2012	<u>46</u>	NOTICE of Change of Address by Stanley B. Green (Green, Stanley) (Entered: 11/06/2012)
11/06/2012	<u>47</u>	NOTICE of Change of Address by Lee Knight Caffery (Caffery, Lee) (Entered: 11/06/2012)

11/09/2012	<u>48</u>	MOTION to Dismiss <i>Plaintiffs' Amended Complaint</i> by Annie Taylor. (Eglinton, Donalt) (Entered: 11/09/2012)
11/09/2012	<u>49</u>	MEMORANDUM in Support of <u>48</u> Motion to Dismiss Plaintiffs' Amended Complaint filed by Annie Taylor. (Attachments: # <u>1</u> Exhibit Notice of Intent – January 11, 2011) (Eglinton, Donalt) (Entered: 11/09/2012)
11/09/2012	<u>50</u>	DECLARATION in support of <u>48</u> Motion to Dismiss filed by Annie Taylor. (Attachments: # <u>1</u> Affidavit Declaration of Annie Taylor) (Eglinton, Donalt) (Entered: 11/09/2012)
11/13/2012		MOTIONS SUBMITTED to Chief Judge James C. Dever III: <u>30</u> and <u>36</u> Motions to Dismiss. (Sawyer, D.) (Entered: 11/13/2012)
11/28/2012	<u>51</u>	MOTION for Leave to File <i>Second Amended Complaint</i> by Neuse River Foundation, Inc., North Carolina Environmental Justice Network, Waterkeeper Alliance, Inc. (Green, Stanley) (Entered: 11/28/2012)
11/28/2012	<u>52</u>	Memorandum in Support of <i>Motion for Leave to File Second Amended Complaint</i> filed by Neuse River Foundation, Inc., North Carolina Environmental Justice Network, Waterkeeper Alliance, Inc. (Attachments: # <u>1</u> Exhibit Proposed Second Amended Complaint) (Green, Stanley) (Entered: 11/28/2012)
12/03/2012	<u>53</u>	Memorandum in Opposition regarding <u>48</u> MOTION to Dismiss <i>Plaintiffs' Amended Complaint / Plaintiffs' Memorandum of Law in Opposition to Defendant Annie Taylor's Motion to Dismiss</i> filed by North Carolina Environmental Justice Network. (Noll, Bethany) (Entered: 12/03/2012)
12/04/2012		NOTICE TO COUNSEL regarding the Certificate of Service attached to <u>53</u> Memorandum In Opposition. The document contains an incorrect signature block. The signature block does not reflect the filing attorney's signature. Counsel should file a separately captioned Certificate of Service using Civil Events – Service of Process. (Heath, D.) (Entered: 12/04/2012)
12/04/2012	<u>54</u>	CERTIFICATE OF SERVICE by North Carolina Environmental Justice Network regarding <u>53</u> Memorandum in Opposition, Certificate of Service for Plaintiffs' Memorandum of Law in Opposition to Defendant Annie Taylor's Motion to Dismiss, Dated December 3, 2012, Per Clerk's Notice of December 4, 2012 (Noll, Bethany) (Entered: 12/04/2012)
12/17/2012	<u>55</u>	REPLY to Response to Motion regarding <u>48</u> MOTION to Dismiss <i>Plaintiffs' Amended Complaint</i> filed by Annie Taylor. (Attachments: # <u>1</u> Exhibit 1–Warranty Deed) (Eglinton, Donalt) (Entered: 12/17/2012)
12/18/2012		MOTION SUBMITTED to Chief Judge James C. Dever III: <u>48</u> Motion to Dismiss. (Sawyer, D.) (Entered: 12/18/2012)
12/21/2012	<u>56</u>	RESPONSE in Opposition regarding <u>51</u> MOTION for Leave to File <i>Second Amended Complaint</i> filed by Annie Taylor, Donald Taylor. (Attachments: # <u>1</u> Exhibit Declaration of Donald Taylor, # <u>2</u> Exhibit Declaration of Annie Taylor, # <u>3</u> Exhibit Waterkeeper Alliance v. Alan Kristin Hudson Farm, document 210, # <u>4</u> Exhibit Waterkeeper Alliance v. Alan Kristin Hudson Farm, document 211, # <u>5</u> Exhibit Judge Nickerson's Order, # <u>6</u> Exhibit Administrative Reinstatement of the Corporation by the NC Secretary of State) (Eglinton, Donalt) (Entered: 12/21/2012)
12/21/2012	<u>57</u>	Declaration regarding <u>56</u> Response in Opposition to Motion,, <i>Notice of Filing</i> by Annie Taylor, Donald Taylor. (Attachments: # <u>1</u> Affidavit Declaration of Donald Taylor, # <u>2</u> Affidavit Declaration of Annie Taylor) (Eglinton, Donalt) (Entered: 12/21/2012)
01/02/2013		MOTION SUBMITTED to Chief Judge James C. Dever III: <u>51</u> Motion for Leave to File <i>Second Amended Complaint</i> . (Sawyer, D.) (Entered: 01/02/2013)
01/07/2013	<u>58</u>	REPLY to Response to Motion regarding <u>51</u> MOTION for Leave to File <i>Second Amended Complaint</i> filed by Neuse River Foundation, Inc., North Carolina Environmental Justice Network, Waterkeeper Alliance, Inc. (Attachments: # <u>1</u> Exhibit 1 – Email, # <u>2</u> Declaration of Michael T. Leigh) (Green, Stanley) (Entered: 01/07/2013)

01/29/2013	<u>59</u>	NOTICE of Appearance for non-district by Johanna N. Skrzypczyk on behalf of North Carolina Environmental Justice Network (Skrzypczyk, Johanna) (Entered: 01/29/2013)
01/30/2013	<u>60</u>	MOTION to Withdraw as Attorney by North Carolina Environmental Justice Network. (Noll, Bethany) (Entered: 01/30/2013)
01/30/2013		MOTION SUBMITTED to Chief Judge James C. Dever III: <u>60</u> Motion to Withdraw as Attorney. (Sawyer, D.) (Entered: 01/30/2013)
02/01/2013	<u>61</u>	ORDER granting <u>60</u> Motion to Withdraw as Attorney. Attorney Bethany Davis Noll terminated. Signed by Chief Judge James C. Dever III on 2/1/2013. (Sawyer, D.) (Entered: 02/01/2013)
03/06/2013	<u>62</u>	MOTION to Withdraw as Attorney by North Carolina Environmental Justice Network. (Dike-Minor, Chinelo) (Entered: 03/06/2013)
03/07/2013		NOTICE TO COUNSEL regarding <u>62</u> Motion to Withdraw and Proposed Order. Counsel failed to attach the proposed order as an exhibit. Pursuant to Local Civil Rule 6.1 and Section L(2)(b) of the Courts' Electronic Policy and Procedure Manual, all exhibits must be attached separately and identified with a clear and complete description of the document. (Heath, D.) (Entered: 03/07/2013)
03/07/2013		MOTION SUBMITTED to Chief Judge James C. Dever III: <u>62</u> Motion to Withdraw as Counsel. (Sawyer, D.) (Entered: 03/07/2013)
03/08/2013	<u>63</u>	ORDER granting <u>62</u> Motion to Withdraw as Attorney. Attorney Chinelo E. Dike-Minor terminated. Signed by Chief Judge James C. Dever III on 3/8/2013. (Sawyer, D.) (Entered: 03/08/2013)
04/24/2013	<u>64</u>	ORDER granting <u>51</u> Plaintiffs' Motion for Leave to File Second Amended Complaint and denying as moot <u>30</u> , <u>36</u> , and <u>48</u> Motions to Dismiss. Counsel should file the second amended complaint attached to its motion no later than 4/30/2013. Signed by Chief Judge James C. Dever III on 4/24/2013. (Sawyer, D.) (Entered: 04/24/2013)
04/25/2013	<u>65</u>	SECOND AMENDED COMPLAINT filed by Waterkeeper Alliance, Inc., Neuse River Foundation, Inc., and North Carolina Environmental Justice Network. (Green, Stanley) (Entered: 04/25/2013)
05/06/2013	<u>66</u>	MOTION for Extension of Time to File Answer regarding <u>65</u> Amended Complaint by Aaron McLawhorn, Frederick A. McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc.. (Attachments: # <u>1</u> Text of Proposed Order) (King, John) (Entered: 05/06/2013)
05/06/2013		MOTION REFERRED to Julie A. Richards, Clerk of Court: <u>66</u> Motion for Extension of Time to File Answer to <u>65</u> Amended Complaint. (Sawyer, D.) (Entered: 05/06/2013)
05/07/2013	<u>67</u>	MOTION to Correct the Style of the Case filed by Neuse River Foundation, Inc., North Carolina Environmental Justice Network, Waterkeeper Alliance, Inc. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order) (Green, Stanley) (Entered: 05/07/2013)
05/07/2013		TEXT ORDER granting defendants' <u>66</u> motion for extension of time. Defendants Aaron McLawhorn, Justin T. McLawhorn and McLawhorn Livestock Farm, Inc. have through and including June 5, 2013 to answer or otherwise respond to plaintiffs' second amended complaint. Signed by Jolie Skinner for Julie A. Richards, Clerk of Court on 5/7/2013. (Skinner, J.) (Entered: 05/07/2013)
05/09/2013	<u>68</u>	ANSWER to <u>65</u> Second Amended Complaint filed by Annie Taylor and Donald Taylor. (Wang, Amy) (Entered: 05/09/2013)
05/20/2013		MOTION SUBMITTED to Chief Judge James C. Dever III: <u>67</u> Motion to Correct the Style of the Case. (Sawyer, D.) (Entered: 05/20/2013)
05/21/2013	<u>69</u>	MOTION (Corrected) to Correct the Style of the Case filed by Neuse River Foundation, Inc., North Carolina Environmental Justice Network, and Waterkeeper Alliance, Inc. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order) (Green, Stanley) (Entered: 05/21/2013)

05/22/2013		MOTION SUBMITTED to Chief Judge James C. Dever III: <u>69</u> Motion (Corrected) to Correct the Style of the Case. (Sawyer, D.) (Entered: 05/22/2013)
05/23/2013	<u>70</u>	ORDER granting <u>69</u> Motion to Correct the Style of the Case. Signed by Chief Judge James C. Dever III on 5/23/2013. (Sawyer, D.) (Entered: 05/23/2013)
05/30/2013	<u>71</u>	MOTION TO DISMISS for Failure to State a Claim filed by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc. (King, John) (Entered: 05/30/2013)
05/30/2013	<u>72</u>	MEMORANDUM in Support of <u>71</u> Motion to Dismiss filed by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc. (King, John) (Entered: 05/30/2013)
06/21/2013	<u>73</u>	MEMORANDUM in Opposition to <u>71</u> Motion to Dismiss filed by Neuse River Foundation, Inc., North Carolina Environmental Justice Network, Waterkeeper Alliance, Inc. (Green, Stanley) (Entered: 06/21/2013)
06/24/2013		REMINDER TO COUNSEL regarding <u>73</u> Memorandum in Opposition: Pursuant to Chief Judge Dever's Practice and Procedures located on the court's website, counsel shall provide a courtesy copy of all filed documents that exceed 20 pages, by mailing or delivering to the clerk's office in Raleigh. (Sawyer, D.) (Entered: 06/24/2013)
07/29/2013		MOTION SUBMITTED to Chief Judge James C. Dever III: <u>71</u> Motion to Dismiss. (Sawyer, D.) (Entered: 07/29/2013)
08/26/2013	<u>74</u>	ORDER denying <u>71</u> Motion to Dismiss for Failure to State a Claim. Signed by Chief Judge James C. Dever III on 8/26/2013. (Sawyer, D.) (Entered: 08/26/2013)
09/03/2013	<u>75</u>	ANSWER to <u>65</u> Amended Complaint by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc.. (King, John) (Entered: 09/03/2013)
09/04/2013	<u>76</u>	ORDER FOR DISCOVERY PLAN sent to all parties. Counsel should read the order in its entirety for critical deadlines and information. Signed by Julie A. Richards, Clerk of Court on 9/4/2013. (Sawyer, D.) (Entered: 09/04/2013)
10/08/2013	<u>77</u>	MOTION for Extension of Time to <i>File Joint Discovery Plan</i> by Neuse River Foundation, Inc., North Carolina Environmental Justice Network, Waterkeeper Alliance, Inc.. (Attachments: # <u>1</u> Text of Proposed Order) (Green, Stanley) (Entered: 10/08/2013)
10/09/2013		MOTION SUBMITTED to Chief Judge James C. Dever III: <u>77</u> Motion for Extension of Time to File Joint Discovery Plan. (Sawyer, D.) (Entered: 10/09/2013)
10/18/2013	<u>78</u>	REPORT of Rule 26(f) Planning Meeting by Neuse River Foundation, Inc., North Carolina Environmental Justice Network, Waterkeeper Alliance, Inc.. (Caffery, Lee) (Entered: 10/18/2013)
10/18/2013	<u>79</u>	NOTICE by Neuse River Foundation, Inc., North Carolina Environmental Justice Network, Waterkeeper Alliance, Inc. <i>Firm Name Change</i> (Green, Stanley) (Entered: 10/18/2013)
10/18/2013	<u>80</u>	NOTICE by Neuse River Foundation, Inc., North Carolina Environmental Justice Network, Waterkeeper Alliance, Inc. <i>Firm Name Change</i> (Caffery, Lee) (Entered: 10/18/2013)
11/19/2013	<u>81</u>	SCHEDULING ORDER: Counsel should read the order in its entirety for all deadlines and information. Discovery due by 10/3/2014. Motions due by 11/7/2014. Signed by Chief Judge James C. Dever III on 11/19/2013. (Sawyer, D.) (Entered: 11/19/2013)
11/27/2013		Pursuant to Local ADR Rule 101.1c(a), counsel is reminded that the parties must file a written statement identifying an agreed upon mediator within twenty one (21) days of the entry of the Scheduling Order. If a statement is not timely filed, the Clerk of Court will appoint a mediator from the list of court certified mediators. (Horton, B.) (Entered: 11/27/2013)
12/10/2013	<u>82</u>	SELECTION OF Robert A. Beason, Esq. as mediator (Eglington, Donalt) (Entered: 12/10/2013)

12/11/2013	<u>83</u>	ORDER Appointing Mediator Robert A. Beason. Signed by Julie A. Richards, Clerk of Court on 12/11/13. (Horton, B.) (Entered: 12/11/2013)
02/21/2014	<u>84</u>	MOTION for Extension of Time to <i>Object or Otherwise Respond to Discovery</i> by Annie Taylor, Donald Taylor, Taylor Finishing, Inc.. (Attachments: # <u>1</u> Text of Proposed Order) (Eglinton, Donalt) (Entered: 02/21/2014)
02/21/2014	<u>85</u>	MOTION for Extension of Time to <i>Object or Otherwise Respond to Request to Permit Entry Upon Land</i> by Annie Taylor, Donald Taylor, Taylor Finishing, Inc.. (Attachments: # <u>1</u> Text of Proposed Order) (Eglinton, Donalt) (Entered: 02/21/2014)
02/21/2014	<u>86</u>	MOTION for Extension of Time by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc.. (King, John) (Entered: 02/21/2014)
02/21/2014	<u>87</u>	Proposed Order regarding <u>86</u> MOTION for Extension of Time filed by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc.. (King, John) (Entered: 02/21/2014)
02/24/2014		MOTIONS SUBMITTED to Chief Judge James C. Dever III: <u>84</u> <u>85</u> <u>86</u> Motions for Extension of Time. (Sawyer, D.) (Entered: 02/24/2014)
02/24/2014		Motions No Longer Submitted: <u>84</u> <u>85</u> <u>86</u> Motions for Extensions of Time. (Sawyer, D.) (Entered: 02/24/2014)
02/24/2014		MOTIONS REFERRED to Julie A. Richards, Clerk of Court: <u>84</u> <u>85</u> <u>86</u> Motions for Extension of Time. (Sawyer, D.) (Entered: 02/24/2014)
02/25/2014	<u>88</u>	ORDER granting <u>84</u> Motion for Extension of Time. Signed by Julie A. Richards, Clerk of Court on 2/25/2014. (Sawyer, D.) (Entered: 02/25/2014)
02/27/2014		TEXT ORDER granting defendants' <u>85</u> motion for extension of time. Defendants Donald Taylor and Annie Taylor, individually and d/b/a Taylor Finishing have through and including March 26, 2014 to object or otherwise respond to the request to permit entry upon land. Signed by Jolie Skinner for Julie A. Richards, Clerk of Court on 2/27/2014. (Skinner, J.) (Entered: 02/27/2014)
02/27/2014		TEXT ORDER granting defendants' <u>86</u> motion for extension of time. Defendants McLawhorn Livestock Farm, Inc., Justin T. McLawhorn and Aaron McLawhorn have through and including March 24, 2014 to respond to plaintiffs' first set of requests for production of documents. Signed by Jolie Skinner for Julie A. Richards, Clerk of Court on 2/27/2014. (Skinner, J.) (Entered: 02/27/2014)
03/04/2014	<u>89</u>	MOTION to Withdraw as Attorney by Neuse River Foundation, Inc., North Carolina Environmental Justice Network, Waterkeeper Alliance, Inc.. (Attachments: # <u>1</u> Text of Proposed Order) (Caffery, Lee) (Entered: 03/04/2014)
03/04/2014		MOTION SUBMITTED to Chief Judge James C. Dever III: <u>89</u> Motion to Withdraw as Attorney. (Sawyer, D.) (Entered: 03/04/2014)
03/05/2014	<u>90</u>	ORDER granting <u>89</u> Motion to Withdraw as Attorney. Attorney Lee Knight Caffery terminated. Signed by Chief Judge James C. Dever III on 3/5/2014. (Sawyer, D.) (Entered: 03/05/2014)
06/06/2014	<u>91</u>	Joint MOTION for Protective Order / <i>Joint Motion for Entry of Consent Protective Order</i> by North Carolina Environmental Justice Network. (Attachments: # <u>1</u> Proposed Consent Protective Order) (Leigh, Michael) (Entered: 06/06/2014)
06/09/2014		MOTION SUBMITTED to Chief Judge James C. Dever III: <u>91</u> Joint Motion for Protective Order. (Sawyer, D.) (Entered: 06/09/2014)
06/18/2014	<u>92</u>	ORDER REFERRING MOTION to US Magistrate Judge James E. Gates: <u>91</u> Joint Motion for Entry of a Consent Protective Order. Signed by US Chief District Judge James C. Dever, III, on 6/17/2014. (Fisher, M.) (Entered: 06/18/2014)
06/20/2014	<u>93</u>	First MOTION to Compel / <i>Plaintiffs' Notice of Motion to Compel Access to the Taylor Finishing Property</i> by North Carolina Environmental Justice Network. (Attachments: # <u>1</u> Text of Proposed Order) (Leigh, Michael) (Entered: 06/20/2014)
06/20/2014	<u>94</u>	Memorandum in Support regarding <u>93</u> First MOTION to Compel / <i>Plaintiffs' Notice of Motion to Compel Access to the Taylor Finishing Property</i> filed by North Carolina

		Environmental Justice Network. (Leigh, Michael) (Entered: 06/20/2014)
06/20/2014	<u>95</u>	Declaration regarding <u>93</u> First MOTION to Compel / <i>Plaintiffs' Notice of Motion to Compel Access to the Taylor Finishing Property // Declaration of Michael T. Leigh</i> by North Carolina Environmental Justice Network filed by North Carolina Environmental Justice Network. (Leigh, Michael) (Entered: 06/20/2014)
06/30/2014	<u>96</u>	MOTION for Extension of Time to File Response as to <u>93</u> First MOTION to Compel / <i>Plaintiffs' Notice of Motion to Compel Access to the Taylor Finishing Property</i> by Annie Taylor, Donald Taylor, Taylor Finishing, Inc. (Attachments: # <u>1</u> Text of Proposed Order) (Eglinton, Donalt) (Entered: 06/30/2014)
07/01/2014		MOTION REFERRED to Julie A. Richards, Clerk of Court: <u>96</u> MOTION for Extension of Time to File Response as to <u>93</u> First MOTION to Compel / <i>Plaintiffs' Notice of Motion to Compel Access to the Taylor Finishing Property</i> . (Edwards, S.) (Entered: 07/01/2014)
07/03/2014		TEXT ORDER granting defendants' <u>96</u> motion for extension of time. Defendants Donald Taylor and Annie Taylor, individually and d/b/a Taylor Finishing have through and including July 10, 2014 to respond to plaintiffs' first motion to compel. Signed by Jolie Skinner for Julie A. Richards, Clerk of Court on 7/3/2014. (Skinner, J.) (Entered: 07/03/2014)
07/10/2014	<u>97</u>	RESPONSE in Opposition regarding <u>93</u> First MOTION to Compel / <i>Plaintiffs' Notice of Motion to Compel Access to the Taylor Finishing Property</i> filed by Annie Taylor, Donald Taylor, Taylor Finishing, Inc.. (Eglinton, Donalt) (Entered: 07/10/2014)
07/10/2014	<u>98</u>	NOTICE by Annie Taylor, Donald Taylor regarding <u>97</u> Response in Opposition to <i>Motion to Compel</i> (Eglinton, Donalt) (Entered: 07/10/2014)
07/10/2014	<u>99</u>	Declaration regarding <u>97</u> Response in Opposition to Motion, <u>98</u> Notice–(other) <i>Second Declaration of Donald Taylor</i> by Annie Taylor, Donald Taylor, Taylor Finishing, Inc.. (Eglinton, Donalt) (Entered: 07/10/2014)
07/10/2014	<u>100</u>	Declaration regarding <u>97</u> Response in Opposition to Motion, <u>98</u> Notice–(other) <i>Declaration of Donalt J. Eglinton</i> by Annie Taylor, Donald Taylor, Taylor Finishing, Inc.. (Attachments: # <u>1</u> Exhibit A–Emails dated February 13–17, 2014, # <u>2</u> Exhibit B–Emails dated March 12–13, 2014, # <u>3</u> Exhibit C–Emails dated June 13–22, 2014) (Eglinton, Donalt) (Entered: 07/10/2014)
07/11/2014		Motion Submitted to Chief Judge James C. Dever III: <u>93</u> First MOTION to Compel / <i>Plaintiffs' Notice of Motion to Compel Access to the Taylor Finishing Property</i> . (Edwards, S.) (Entered: 07/11/2014)
07/17/2014	<u>101</u>	NOTICE of Appearance by Robert Gray Jernigan on behalf of Neuse River Foundation, Inc., Waterkeeper Alliance, Inc. (Attachments: # <u>1</u> Certificate of Service) (Jernigan, Robert) (Entered: 07/17/2014)
07/30/2014	<u>102</u>	CONSENT PROTECTIVE ORDER (AS MODIFIED) regarding <u>91</u> Joint Motion for Protective Order/ <i>Joint Motion for Entry of Consent Protective Order</i> – Signed by Magistrate Judge James E. Gates on 7/30/2014. (Tripp, S.) (Entered: 07/30/2014)
07/31/2014	<u>103</u>	ORDER REFERRING MOTION to Magistrate Judge James E. Gates: <u>93</u> First MOTION to Compel / <i>Plaintiffs' Notice of Motion to Compel Access to the Taylor Finishing Property</i> filed by North Carolina Environmental Justice Network. Signed by Chief Judge James C. Dever III on 7/31/2014. (Tripp, S.) (Entered: 07/31/2014)
07/31/2014		Motion No Longer Submitted to Chief Judge James C. Dever III: <u>93</u> First MOTION to Compel / <i>Plaintiffs' Notice of Motion to Compel Access to the Taylor Finishing Property</i> . (Tripp, S.) (Entered: 08/05/2014)
08/12/2014	<u>104</u>	Joint MOTION to Strike <i>Plaintiffs' Demand for Jury Trial</i> by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc., Annie Taylor, Donald Taylor, Taylor Finishing, Inc.. (Eglinton, Donalt) (Entered: 08/12/2014)
08/12/2014	<u>105</u>	Memorandum in Support regarding <u>104</u> Joint MOTION to Strike <i>Plaintiffs' Demand for Jury Trial</i> filed by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc., Annie Taylor, Donald Taylor, Taylor Finishing, Inc.. (Eglinton, Donalt) (Entered: 08/12/2014)

08/20/2014		NOTICE OF DEFICIENCY – Failure to File Financial Disclosure Statement as to McLawhorn Livestock Farm, Inc. and Annie Taylor. Pursuant to Fed. R. Civ. P. 7.1 and Local Civil Rule 7.3, all parties must file a corporate affiliate/financial interest disclosure statement. A negative statement is required if a party has no disclosures to make. The disclosure statement must be on a form provided by the clerk. This form is available at the clerk's office and on the court's website. (Tripp, S.) (Entered: 08/20/2014)
08/20/2014	<u>106</u>	FINANCIAL DISCLOSURE STATEMENT by McLawhorn Livestock Farm, Inc.. (King, John) (Entered: 08/20/2014)
08/21/2014	<u>107</u>	FINANCIAL DISCLOSURE STATEMENT by Annie Taylor. (Eglinton, Donalt) (Entered: 08/21/2014)
09/05/2014	<u>108</u>	RESPONSE to Motion regarding <u>104</u> Joint MOTION to Strike <i>Plaintiffs' Demand for Jury Trial</i> filed by Neuse River Foundation, Inc., North Carolina Environmental Justice Network, Waterkeeper Alliance, Inc.. (Jernigan, Robert) (Entered: 09/05/2014)
09/17/2014	<u>109</u>	REPLY to Response to Motion regarding <u>104</u> Joint MOTION to Strike <i>Plaintiffs' Demand for Jury Trial</i> filed by Annie Taylor, Donald Taylor. (Eglinton, Donalt) (Entered: 09/17/2014)
09/17/2014		Motion Submitted to Chief Judge James C. Dever III: <u>104</u> Joint MOTION to Strike <i>Plaintiffs' Demand for Jury Trial</i> . (Tripp, S.) (Entered: 09/17/2014)
10/21/2014	<u>110</u>	STIPULATION of Dismissal / <i>Stipulation of Voluntary Dismissal</i> by North Carolina Environmental Justice Network. (Leigh, Michael) (Entered: 10/21/2014)
10/23/2014	<u>111</u>	Joint MOTION to Amend/Correct <u>78</u> Discovery Plan, <u>81</u> Scheduling Order <i>to Extend Time for Filing Dispositive Motions and for Expedited Ruling</i> by Annie Taylor, Donald Taylor. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Text of Proposed Order) (Eglinton, Donalt) (Entered: 10/23/2014)
10/23/2014	<u>112</u>	Memorandum in Support regarding <u>111</u> Joint MOTION to Amend/Correct <u>78</u> Discovery Plan, <u>81</u> Scheduling Order <i>to Extend Time for Filing Dispositive Motions and for Expedited Ruling</i> filed by Annie Taylor, Donald Taylor. (Eglinton, Donalt) (Entered: 10/23/2014)
10/23/2014		Remark – Alerted chambers of Chief Judge James C. Dever III to the filing of <u>111</u> Joint MOTION to Amend/Correct <u>78</u> Discovery Plan, <u>81</u> Scheduling Order <i>to Extend Time for Filing Dispositive Motions and for Expedited Ruling</i> . (Tripp, S.) (Entered: 10/23/2014)
10/23/2014	<u>113</u>	ORDER regarding <u>111</u> Joint MOTION to Amend/Correct <u>78</u> Discovery Plan, <u>81</u> Scheduling Order <i>to Extend Time for Filing Dispositive Motions and for Expedited Ruling</i> – For good cause shown, upon Motion of Defendants Donald Taylor and Annie Taylor, individually and d/b/a Taylor Finishing, and Defendants McLawhorn Livestock Farm, Inc., Justin T. McLawhorn, and Aaron McLawhorn, and in order to expedite the resolution of their Motion to Modify Scheduling Order to Extend Time for Filing Dispositive Motions, Plaintiffs Neuse Riverkeeper Foundation, Inc. and Waterkeeper Alliance, Inc. are ordered to respond to the Motion to Modify Scheduling Order to Extend Time for Filing Dispositive Motions by October 28, 2014. Signed by Chief Judge James C. Dever III on 10/23/2014. (Tripp, S.) (Entered: 10/23/2014)
10/23/2014	<u>114</u>	ORDER granting <u>111</u> Joint Motion to Amend/Correct <u>78</u> Discovery Plan, <u>81</u> Scheduling Order <i>to Extend Time for Filing Dispositive Motions and for Expedited Ruling</i> – The Scheduling Order entered on November 19, 2013 is modified to extend the time within which to serve and file all potentially dispositive motions from November 7, 2014, to and including November 21, 2014. Signed by Chief Judge James C. Dever III on 10/23/2014. (Tripp, S.) (Entered: 10/23/2014)
10/28/2014	<u>115</u>	Memorandum in Opposition regarding <u>111</u> Joint MOTION to Amend/Correct <u>78</u> Discovery Plan, <u>81</u> Scheduling Order <i>to Extend Time for Filing Dispositive Motions and for Expedited Ruling</i> filed by Neuse Riverkeeper Foundation, Inc., North Carolina Environmental Justice Network, Waterkeeper Alliance, Inc.. (Green, Stanley) (Entered: 10/28/2014)

10/30/2014	<u>116</u>	MOTION to Withdraw as Attorney by Annie Taylor, Donald Taylor. (Attachments: # <u>1</u> Text of Proposed Order) (Eglinton, Donalt) (Entered: 10/30/2014)
10/30/2014		Motion Submitted to Chief Judge James C. Dever III: <u>116</u> MOTION to Withdraw as Attorney . (Tripp, S.) (Entered: 10/30/2014)
10/30/2014	<u>117</u>	ORDER granting <u>116</u> Motion to Withdraw as Attorney. Attorney Frank H. Sheffield, Jr. terminated. Signed by Chief Judge James C. Dever III on 10/30/2014. (Tripp, S.) (Entered: 10/30/2014)
10/31/2014	<u>118</u>	REPLY to Response to Motion regarding <u>111</u> Joint MOTION to Amend/Correct <u>78</u> Discovery Plan, <u>81</u> Scheduling Order to <i>Extend Time for Filing Dispositive Motions and for Expedited Ruling</i> filed by Annie Taylor, Donald Taylor. (Eglinton, Donalt) (Entered: 10/31/2014)
10/31/2014		Remark – <u>115</u> Memorandum in Opposition and <u>118</u> REPLY submitted to Chief Judge James C. Dever III. (Tripp, S.) (Entered: 10/31/2014)
10/31/2014	<u>119</u>	MOTION for Reconsideration regarding <u>114</u> Order on Motion to Amend/Correct, <i>AND FOR COURT CONFERENCE TO DISCUSS OUTSTANDING DISCOVERY AND MODIFICATION OF SCHEDULING ORDER DEADLINES</i> by Neuse Riverkeeper Foundation, Inc., Waterkeeper Alliance, Inc.. (Green, Stanley) (Entered: 10/31/2014)
10/31/2014	<u>120</u>	Memorandum in Support regarding <u>119</u> MOTION for Reconsideration regarding <u>114</u> Order on Motion to Amend/Correct, <i>AND FOR COURT CONFERENCE TO DISCUSS OUTSTANDING DISCOVERY AND MODIFICATION OF SCHEDULING ORDER DEADLINES</i> filed by Neuse Riverkeeper Foundation, Inc., Waterkeeper Alliance, Inc.. (Green, Stanley) (Entered: 10/31/2014)
11/10/2014	<u>121</u>	RESPONSE to Motion regarding <u>119</u> MOTION for Reconsideration regarding <u>114</u> Order on Motion to Amend/Correct, <i>AND FOR COURT CONFERENCE TO DISCUSS OUTSTANDING DISCOVERY AND MODIFICATION OF SCHEDULING ORDER DEADLINES</i> filed by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc.. (King, John) (Entered: 11/10/2014)
11/10/2014	<u>122</u>	Declaration regarding <u>121</u> Response to Motion, by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc.. (King, John) (Entered: 11/10/2014)
11/11/2014	<u>123</u>	RESPONSE regarding <u>119</u> MOTION for Reconsideration regarding <u>114</u> Order on Motion to Amend/Correct, <i>AND FOR COURT CONFERENCE TO DISCUSS OUTSTANDING DISCOVERY AND MODIFICATION OF SCHEDULING ORDER DEADLINES</i> filed by Annie Taylor, Donald Taylor. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A–Excerpt from Klecker, # <u>3</u> Exhibit B–Map, # <u>4</u> Exhibit C–Working Agreement, # <u>5</u> Exhibit D–General Permit, # <u>6</u> Exhibit E–Certificate of Coverage, # <u>7</u> Exhibit F–Excerpt from Anderson, # <u>8</u> Exhibit G–Excerpt from Larick, # <u>9</u> Exhibit H–Excerpt from D. Taylor, # <u>10</u> Exhibit I–Excerpt from Dove, # <u>11</u> Exhibit J–Excerpt from A. McLawhorn, # <u>12</u> Exhibit K–Excerpt from Baldwin, # <u>13</u> Exhibit L–Excerpt from Yaggi, # <u>14</u> Exhibit M–Excerpt from Jacobson, # <u>15</u> Exhibit N–Email from Baldwin, # <u>16</u> Exhibit O–Email from Jernigan) (Eglinton, Donalt) (Entered: 11/11/2014)
11/11/2014	<u>124</u>	NOTICE by Annie Taylor, Donald Taylor regarding <u>119</u> MOTION for Reconsideration regarding <u>114</u> Order on Motion to Amend/Correct, <i>AND FOR COURT CONFERENCE TO DISCUSS OUTSTANDING DISCOVERY AND MODIFICATION OF SCHEDULING ORDER DEADLINES</i> , <u>123</u> Response,, <u>121</u> Response to Motion, (Eglinton, Donalt) (Entered: 11/11/2014)
11/12/2014		REMINDER TO COUNSEL: Pursuant to Chief Judge Dever's Practice and Procedures located on the court's website, http://www.nced.uscourts.gov/judges/dever.aspx , counsel shall provide a courtesy copy of motions and memoranda for documents over 20 pages, by mailing or delivering to the clerk's office in Raleigh. If your recently filed document(s) is less than 20 pages or if you have already mailed the courtesy copy(ies), please disregard this notice. Thank you. The courtesy copies MUST have the court's file stamp numbers on the bottom of every page. (Tripp, S.) (Entered: 11/12/2014)
11/21/2014	<u>125</u>	Joint MOTION for Summary Judgment by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc., Annie Taylor, Donald Taylor. (King, John)

		(Entered: 11/21/2014)
11/21/2014	<u>126</u>	Memorandum in Support regarding <u>125</u> Joint MOTION for Summary Judgment filed by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc., Annie Taylor, Donald Taylor. (Attachments: # <u>1</u> Exhibit A– Excerpt from L. Baldwin # <u>2</u> Exhibit B, Excerpt from R. Dove # <u>3</u> Exhibit C– Excerpt from J. Klecker, # <u>4</u> Exhibit D– Excerpt from J. Jacobson, # <u>5</u> Exhibit E– Excerpt from M. Yaggi, # <u>6</u> Exhibit F– Excerpt from J. Somerday, # <u>7</u> Exhibit G– Excerpt from J. Jacobson, # <u>8</u> Exhibit H– Excerpt from D. McCracken, # <u>9</u> Exhibit I– Excerpt from J. Starr, # <u>10</u> Exhibit J– Declaration of V. Spillane) (King, John) (Modified on 11/25/2014 by O'Brien, C. to correct exhibit description pursuant to Section L of the CM/ECF Policies and Procedures Manual.) (Entered: 11/21/2014)
11/21/2014	<u>127</u>	NOTICE by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc., Annie Taylor, Donald Taylor regarding <u>126</u> Memorandum in Support, <i>of Filing</i> (King, John) (Entered: 11/21/2014)
11/21/2014	<u>128</u>	MOTION for Summary Judgment by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc.. (King, John) (Entered: 11/21/2014)
11/21/2014	<u>129</u>	Memorandum in Support regarding <u>128</u> MOTION for Summary Judgment filed by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc.. (Attachments: # <u>1</u> Declaration) (King, John) (Entered: 11/21/2014)
11/21/2014	<u>130</u>	NOTICE by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc. regarding <u>129</u> Memorandum in Support <i>of Filing</i> (King, John) (Entered: 11/21/2014)
11/21/2014	<u>131</u>	MOTION for Summary Judgment by Annie Taylor, Donald Taylor. (Eglinton, Donalt) (Entered: 11/21/2014)
11/21/2014	<u>132</u>	Memorandum in Support regarding <u>131</u> MOTION for Summary Judgment filed by Annie Taylor, Donald Taylor. (Attachments: # <u>1</u> Index, # <u>2</u> Exhibit A–Third Declaration of Taylor, # <u>3</u> Exhibit B–Excerpt from Klecker, # <u>4</u> Exhibit C–Memorandum of Agreement, # <u>5</u> Exhibit D–Excerpt from DENR 30.b.6, # <u>6</u> Exhibit E–Declaration of Anderson, # <u>7</u> Exhibit F–Excerpt from Larick, # <u>8</u> Exhibit G–Excerpt from Dove, # <u>9</u> Exhibit H–Excerpt from A.McLawhorn, # <u>10</u> Exhibit I–Excerpt from Stilley, # <u>11</u> Exhibit J–Excerpt from May, # <u>12</u> Exhibit K–Excerpt from M.McLawhorn, # <u>13</u> Exhibit L–Excerpt from Baldwin, # <u>14</u> Exhibit M–Excerpt from WKA 30.b.6, # <u>15</u> Exhibit N–Excerpt from NRF 30.b.6, # <u>16</u> Exhibit O–Produced Doc–MTPRDEM–2240, # <u>17</u> Exhibit P–Excerpt from Jacobson) (Eglinton, Donalt) (Entered: 11/21/2014)
11/21/2014	<u>133</u>	NOTICE by Annie Taylor, Donald Taylor regarding <u>131</u> MOTION for Summary Judgment , <u>132</u> Memorandum in Support,, (Eglinton, Donalt) (Entered: 11/21/2014)
11/21/2014	<u>134</u>	Declaration regarding <u>133</u> Notice–(other), <u>131</u> MOTION for Summary Judgment , <u>132</u> Memorandum in Support,, by Annie Taylor, Donald Taylor. (Attachments: # <u>1</u> Index, # <u>2</u> Exhibit A–Google Earth Image, # <u>3</u> Exhibit B–Notice to State, # <u>4</u> Exhibit C–Permit dated February 20, 2009, # <u>5</u> Exhibit D–Certificate of Coverage dated February 4, 2011, # <u>6</u> Exhibit E–Permit dated March 7, 2014, # <u>7</u> Exhibit F–Certificate of Coverage dated October 1, 2014, # <u>8</u> Exhibit G–Benchmark Proposal, # <u>9</u> Exhibit H–Field Leveling Plan, # <u>10</u> Exhibit I–Report of Inspection, # <u>11</u> Exhibit J–Response to Report) (Eglinton, Donalt) (Entered: 11/21/2014)
11/21/2014	<u>135</u>	Declaration regarding <u>133</u> Notice–(other), <u>131</u> MOTION for Summary Judgment , <u>132</u> Memorandum in Support,, by Annie Taylor, Donald Taylor. (Attachments: # <u>1</u> Exhibit A–Certificate of Coverage dated February 4, 2011, # <u>2</u> Exhibit B–Certificate of Coverage dated October 1, 2014, # <u>3</u> Exhibit C–EPA Report, # <u>4</u> Exhibit D–Taylors' Response) (Eglinton, Donalt) (Entered: 11/21/2014)
11/24/2014	<u>136</u>	AMENDED DOCUMENT by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc.. Amendment to <u>126</u> Memorandum in Support, <i>Notice of Filing</i> . (King, John) (Entered: 11/24/2014)
11/24/2014	<u>137</u>	AMENDED DOCUMENT by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc.. Amendment to <u>129</u> Memorandum in Support <i>Notice of Filing</i> . (King, John) (Entered: 11/24/2014)

11/25/2014		NOTICE OF CORRECTION regarding: <u>126</u> Memorandum in Support– Pursuant to Section L of the CM/ECF Policies and Procedures Manual, attachments and exhibits must be identified with a clear and complete description in the docket entry text. The clerk's office has corrected the deficiency in this instance, but future filings must adhere to the courts filing policy. (O'Brien, C.) (Entered: 11/25/2014)
11/25/2014	<u>138</u>	REPLY to Response to Motion regarding <u>119</u> MOTION for Reconsideration regarding <u>114</u> Order on Motion to Amend/Correct, <i>AND FOR COURT CONFERENCE TO DISCUSS OUTSTANDING DISCOVERY AND MODIFICATION OF SCHEDULING ORDER DEADLINES</i> by Taylor Defendants filed by Neuse Riverkeeper Foundation, Inc., Waterkeeper Alliance, Inc.. (Jernigan, Robert) (Entered: 11/25/2014)
11/26/2014		Motion Submitted to Chief Judge James C. Dever III: <u>119</u> MOTION for Reconsideration regarding <u>114</u> Order on Motion to Amend/Correct, <i>AND FOR COURT CONFERENCE TO DISCUSS OUTSTANDING DISCOVERY AND MODIFICATION OF SCHEDULING ORDER DEADLINES</i> . (O'Brien, C.) (Entered: 11/26/2014)
12/05/2014	<u>139</u>	MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for Summary Judgment , <u>125</u> Joint MOTION for Summary Judgment <i>and, alternatively, MOTION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANTS MOTIONS FOR SUMMARY JUDGMENT, and REQUEST FOR EXPEDITED RULING</i> by Neuse Riverkeeper Foundation, Inc., Waterkeeper Alliance, Inc.. (Attachments: # <u>1</u> Exhibit A—Smolen Declaration, # <u>2</u> Text of Proposed Order (Relief Pursuant to Rule 56(d) and Extension of Time), # <u>3</u> Text of Proposed Order (Request for Expedited Ruling)) (Green, Stanley) (Entered: 12/05/2014)
12/05/2014	<u>140</u>	Memorandum in Support regarding <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for Summary Judgment , <u>125</u> Joint MOTION for Summary Judgment <i>and, alternatively, MOTION FOR EXTENSION OF TIME TO RES</i> filed by Neuse Riverkeeper Foundation, Inc., Waterkeeper Alliance, Inc.. (Green, Stanley) (Entered: 12/05/2014)
12/09/2014	<u>141</u>	ORDER for Telephonic Conference. A telephonic conference will be held before US Magistrate Judge James E. Gates on Thursday, 11 December 2014, at 1:00 p.m. regarding <u>93</u> and <u>139</u> . Signed by US Magistrate Judge James E. Gates on 12/9/14. Counsel is reminded to read the order in its entirety for critical deadlines and information. (O'Brien, C.) (Entered: 12/09/2014)
12/10/2014	<u>142</u>	RESPONSE regarding <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for Summary Judgment , <u>125</u> Joint MOTION for Summary Judgment <i>and, alternatively, MOTION FOR EXTENSION OF TIME TO RES</i> filed by Annie Taylor, Donald Taylor. (Attachments: # <u>1</u> Exhibit A—Email from Stanley Green to Donalt Eglinton) (Eglinton, Donalt) (Entered: 12/10/2014)
12/10/2014	<u>143</u>	Joint MOTION to Strike <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for Summary Judgment , <u>125</u> Joint MOTION for Summary Judgment <i>and, alternatively, MOTION FOR EXTENSION OF TIME TO RES</i> the Declaration of Michael D. Smolen, Ph.D. by Annie Taylor, Donald Taylor. (Eglinton, Donalt) (Entered: 12/10/2014)
12/10/2014	<u>144</u>	Memorandum in Support regarding <u>143</u> Joint MOTION to Strike <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for Summary Judgment , <u>125</u> Joint MOTION for Summary Judgment <i>and, alternatively, MOT</i> filed by Annie Taylor, Donald Taylor. (Attachments: # <u>1</u> Exhibit A—Email Correspondence, # <u>2</u> Exhibit B—Itemized Expense Report) (Eglinton, Donalt) (Entered: 12/10/2014)
12/10/2014	<u>145</u>	RESPONSE regarding <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for Summary Judgment , <u>125</u> Joint MOTION for Summary Judgment <i>and, alternatively, MOTION FOR EXTENSION OF TIME TO RES</i> filed by Aaron McLawhorn, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc.. (King, John) (Entered: 12/10/2014)
12/11/2014		Set Hearing as to: <u>93</u> First MOTION to Compel / <i>Plaintiffs' Notice of Motion to Compel Access to the Taylor Finishing Property</i> , <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for

		Summary Judgment , <u>125</u> Joint MOTION for Summary Judgment <i>and, alternatively, MOTION FOR EXTENSION OF TIME TO RES. Motion Hearing set for 12/11/2014 01:00 PM Telephonically before US Magistrate Judge James E. Gates. (O'Brien, C.) (Entered: 12/11/2014)</i>
12/11/2014		MOTIONS REFERRED to U.S. Magistrate Judge James E. Gates: <u>143</u> Joint MOTION to Strike <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for Summary Judgment , <u>125</u> Joint MOTION for Summary Judgment <i>and, alternatively, MOT, 139 MOTION Relief Pursuant to Rule 56(d) regarding 128 MOTION for Summary Judgment , 131 MOTION for Summary Judgment , 125 Joint MOTION for Summary Judgment and, alternatively, MOTION FOR EXTENSION OF TIME TO RES. (O'Brien, C.) (Entered: 12/11/2014)</i>
12/11/2014	<u>146</u>	ORDER regarding <u>128</u> MOTION for Summary Judgment filed by Justin T. McLawhorn, McLawhorn Livestock Farm, Inc., Aaron McLawhorn, <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for Summary Judgment , <u>125</u> Joint MOTION for Summary Judgment <i>and, alternatively, MOTION FOR EXTENSION OF TIME TO RES</i> filed by Neuse Riverkeeper Foundation, Inc., Waterkeeper Alliance, Inc., <u>131</u> MOTION for Summary Judgment filed by Donald Taylor, Annie Taylor, <u>125</u> Joint MOTION for Summary Judgment filed by Donald Taylor, Justin T. McLawhorn, McLawhorn Livestock Farm, Inc., Aaron McLawhorn, Annie Taylor. The deadline for plaintiffs to respond to defendants motions for summary judgment is STAYED pending further order of the court. Signed by US Magistrate Judge James E. Gates on 12/11/14. Counsel is reminded to read the order in its entirety for critical dates and information. (O'Brien, C.) (Entered: 12/11/2014)
12/29/2014	<u>147</u>	ORDER denying <u>104</u> Motion to Strike: In sum, the court DENIES defendants' motion to strike plaintiffs' jury demand on the issue of liability for civil penalties. Signed by Chief Judge James C. Dever III on 12/29/14. Counsel is reminded to read the order in its entirety for critical deadlines and information. (O'Brien, C.) (Entered: 12/29/2014)
01/14/2015	<u>148</u>	ORDER AND MEMORANDUM AND RECOMMENDATION regarding: <u>93</u> Plaintiff's Motion to Compel; <u>139</u> Defendant's Motion to Strike; <u>143</u> Plaintiff's Motion for Relief Pursuant to Rule 56(d); <u>125</u> Join Motion for Summary Judgment; <u>128</u> Motion for Summary Judgment and <u>131</u> Motion for Summary Judgment. In sum, IT IS ORDERED that plaintiff's motion to compel <u>93</u> is ALLOWED IN PART AND DENIED IN PART and that defendant's motion to strike <u>139</u> is DENIED AS MOOT. IT IS RECOMMENDED that plaintiff's motion for relief pursuant to Rule 56(d) <u>143</u> be denied but that the pending motions for summary judgment be DENIED without prejudice. Objections to M&R due by 1/27/2015. Signed by US Magistrate Judge James E. Gates on 1/14/15. Counsel is reminded to read the order in its entirety for critical deadlines and information. (O'Brien, C.) (Entered: 01/14/2015)
01/22/2015	<u>149</u>	NOTICE by Neuse Riverkeeper Foundation, Inc., Waterkeeper Alliance, Inc. <i>Notice of Secured Leave</i> (Green, Stanley) (Entered: 01/22/2015)
01/23/2015	<u>150</u>	Joint MOTION for Reconsideration regarding <u>148</u> MEMORANDUM AND RECOMMENDATIONS regarding <u>143</u> Joint MOTION to Strike <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for Summary Judgment , <u>125</u> Joint MOTION for Summ by Annie Taylor, Donald Taylor, Taylor Finishing, Inc.. (Eglinton, Donalt) (Entered: 01/23/2015)
01/23/2015	<u>151</u>	Memorandum in Support regarding <u>150</u> Joint MOTION for Reconsideration regarding <u>148</u> MEMORANDUM AND RECOMMENDATIONS regarding <u>143</u> Joint MOTION to Strike <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for Sum filed by Annie Taylor, Donald Taylor, Taylor Finishing, Inc.. (Attachments: # <u>1</u> Exhibit A–Taylors' Objections and Responses to First Request to Permit Entry Upon Land, # <u>2</u> Exhibit B–Letter from Donalt Eglinton to Stanley Green, # <u>3</u> Exhibit C–Emails dated June 13–22, 2014) (Eglinton, Donalt) (Entered: 01/23/2015)
02/06/2015	<u>152</u>	Memorandum in Opposition regarding <u>150</u> Joint MOTION for Reconsideration regarding <u>148</u> MEMORANDUM AND RECOMMENDATIONS regarding <u>143</u> Joint MOTION to Strike <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for Sum filed by Neuse Riverkeeper Foundation, Inc., Waterkeeper Alliance, Inc.. (Green, Stanley) (Entered: 02/06/2015)

02/23/2015	<u>153</u>	Supplemental MOTION for Reconsideration regarding <u>151</u> Memorandum in Support,, <u>148</u> MEMORANDUM AND RECOMMENDATIONS regarding <u>143</u> Joint MOTION to Strike <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for Summary Judgment , <u>125</u> Joint MOTION for Summ, <u>150</u> Joint MOTION for Reconsideration regarding <u>148</u> MEMORANDUM AND RECOMMENDATIONS regarding <u>143</u> Joint MOTION to Strike <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for Sum by Annie Taylor, Donald Taylor. (Eglinton, Donalt) (Entered: 02/23/2015)
02/23/2015	<u>154</u>	Memorandum in Support regarding <u>153</u> Supplemental MOTION for Reconsideration regarding <u>151</u> Memorandum in Support,, <u>148</u> MEMORANDUM AND RECOMMENDATIONS regarding <u>143</u> Joint MOTION to Strike <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Jud filed by Annie Taylor, Donald Taylor. (Attachments: # <u>1</u> Index, # <u>2</u> Exhibit A–Objections and Responses to Request for Entry, # <u>3</u> Exhibit B–Letter dated May 23, 2014, # <u>4</u> Exhibit C–Letter dated June 3, 2014, # <u>5</u> Exhibit D–Email exchange dated June 13–18, 2014, # <u>6</u> Exhibit E–Plaintiffs' Proposed Order, # <u>7</u> Exhibit F–Email exchange dated February 13–17, 2015, # <u>8</u> Exhibit G–Email exchange dated February 13–20, 2015) (Eglinton, Donalt) (Entered: 02/23/2015)
02/23/2015	<u>155</u>	REPLY to Response to Motion regarding <u>150</u> Joint MOTION for Reconsideration regarding <u>148</u> MEMORANDUM AND RECOMMENDATIONS regarding <u>143</u> Joint MOTION to Strike <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Judgment , <u>131</u> MOTION for Sum filed by Annie Taylor, Donald Taylor. (Attachments: # <u>1</u> Exhibit A–Letter dated May 2, 2014, # <u>2</u> Exhibit B–Biosecurity Guide, # <u>3</u> Exhibit C–General Biosecurity Practices) (Eglinton, Donalt) (Entered: 02/23/2015)
03/05/2015	<u>156</u>	NOTICE by Annie Taylor, Donald Taylor <i>Renewed and Restated Request for Expedited Ruling</i> (Eglinton, Donalt) (Entered: 03/05/2015)
03/05/2015		Remark: <u>156</u> submitted to Chief Judge James C. Dever III for his review and consideration. (O'Brien, C.) (Entered: 03/05/2015)
03/12/2015	<u>157</u>	RESPONSE in Opposition regarding <u>153</u> Supplemental MOTION for Reconsideration regarding <u>151</u> Memorandum in Support,, <u>148</u> MEMORANDUM AND RECOMMENDATIONS regarding <u>143</u> Joint MOTION to Strike <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Jud filed by Neuse Riverkeeper Foundation, Inc., Waterkeeper Alliance, Inc.. (Green, Stanley) (Entered: 03/12/2015)
03/30/2015	<u>158</u>	REPLY to Response to Motion regarding <u>153</u> Supplemental MOTION for Reconsideration regarding <u>151</u> Memorandum in Support,, <u>148</u> MEMORANDUM AND RECOMMENDATIONS regarding <u>143</u> Joint MOTION to Strike <u>139</u> MOTION Relief Pursuant to Rule 56(d) regarding <u>128</u> MOTION for Summary Jud filed by Annie Taylor, Donald Taylor, Taylor Finishing, Inc.. (Attachments: # <u>1</u> Exhibit A – Indemnification Agreement, # <u>2</u> Exhibit B – Email Between D. Eglinton and K. Foster) (Eglinton, Donalt) (Entered: 03/30/2015)
03/30/2015		Motions Submitted to Chief Judge James C. Dever III: <u>148</u> MEMORANDUM AND RECOMMENDATION, <u>150</u> Joint MOTION for Reconsideration, and <u>153</u> Supplemental Motion for Reconsideration. (O'Brien, C.) (Entered: 03/30/2015)
04/13/2015	<u>159</u>	ORDER: The court adopts the Memorandum and Recommendation and Order <u>148</u> and overrules the objections. Defendants' joint motion for reconsideration and clarification <u>150</u> and the Taylor defendants' supplemental motion for reconsideration <u>153</u> are DENIED. Defendants' motion to strike <u>143</u> , defendants' motion to expedite <u>153</u> , and plaintiffs' motion to reconsider <u>119</u> are DISMISSED as moot. Signed by Chief Judge James C. Dever III on 4/13/2015. Counsel is reminded to read the order in its entirety for critical information. (O'Brien, C.) (Entered: 04/13/2015)
04/28/2015	<u>160</u>	NOTICE by Neuse Riverkeeper Foundation, Inc., Waterkeeper Alliance, Inc. --NOTICE OF SUBPOENA (Green, Stanley) (Entered: 04/28/2015)
05/14/2015	<u>161</u>	NOTICE by Neuse Riverkeeper Foundation, Inc., Waterkeeper Alliance, Inc. <i>Notice of Subpoena</i> (Green, Stanley) (Entered: 05/14/2015)

05/14/2015	<u>162</u>	NOTICE by Neuse Riverkeeper Foundation, Inc., Waterkeeper Alliance, Inc. <i>Amended Notice of Subpoena</i> (Green, Stanley) (Entered: 05/14/2015)
05/18/2015	<u>163</u>	NOTICE by Annie Taylor, Donald Taylor <i>of Filing of Notice of Bankruptcy Case Filing</i> (Attachments: # <u>1</u> Exhibit Notice of Bankruptcy Case Filing) (Eglinton, Donalt) (Entered: 05/18/2015)
06/03/2015	<u>164</u>	ORDER STAYING CASE: Pursuant to 11 U.S.C. § 362, the action in this court is STAYED pending resolution of the bankruptcy case. Parties shall notify the court within 14 days of settlement or resolution of the bankruptcy case. Signed by Chief Judge James C. Dever, III on 6/3/2015. (Lee, L.) (Entered: 06/03/2015)
06/04/2015	<u>165</u>	ORDER – This case comes before the court sua sponte to place in the public record correspondence submitted by counsel directly to the undersigned magistrate judge (without filing in the court's CM/ECF case management system). Given the need for formal motions practice, the parties' submissions did not effectively bring any request for relief before the court, and does not deem any such request to be pending before it. Counsel should read this order in its entirety for pertinent information. Signed by Magistrate Judge James E. Gates on 6/4/2015. (Attachments: # <u>1</u> Exhibit 1– Letters and email exchanges between counsel, # <u>2</u> Exhibit 2– Letter and emails between counsel dated 5/28/15, # <u>3</u> Exhibit 3– Letter and emails exchanges between counsel dated 5/27/15 through 5/29/15, # <u>4</u> Exhibit 4– Letters and email exchanges between dated 5/14/15 through 5/15/15; 5/20/15 through 5/21/15 and 5/27/15 through 5/29/15) (Rudd, D.) (Entered: 06/04/2015)
06/29/2018	<u>166</u>	Notice filed by Waterkeeper Alliance, Inc. <i>NOTICE OF LODGING OF PROPOSED CONSENT DECREE</i> . (Attachments: # <u>1</u> Text of Proposed Order Consent Decree) (Green, Stanley) (Entered: 06/29/2018)
07/02/2018		<u>166</u> Notice submitted to Chief Judge James C. Dever III. (Briggeman, N.) (Entered: 07/02/2018)
07/25/2018	<u>167</u>	Notice filed by U.S. Department of Justice regarding <u>166</u> Notice – other <i>of the United States' Comments on the Proposed Consent Judgment</i> . (Turner, Frederick) (Entered: 07/25/2018)
07/25/2018		<u>167</u> Notice of the United States' Comments on the Proposed Consent Judgment submitted to Chief Judge James C. Dever III. (Sellers, N.) (Entered: 07/25/2018)
08/13/2018	<u>168</u>	CONSENT DECREE – Signed by Chief Judge James C. Dever III on 8/13/2018. (Sellers, N.) (Entered: 08/13/2018)
08/14/2018	<u>169</u>	STIPULATION of Dismissal <i>Voluntary Dismissal with Prejudice</i> by Neuse Riverkeeper Foundation, Inc., Waterkeeper Alliance, Inc. (Green, Stanley) (Entered: 08/14/2018)
08/29/2018	<u>170</u>	STATUS REPORT <i>JOINT STATEMENT REGARDING STATUS OF CASE</i> by Neuse Riverkeeper Foundation, Inc. (Green, Stanley) (Entered: 08/29/2018)