

**U.S. District Court
District of Oregon (Portland (3))
CIVIL DOCKET FOR CASE #: 3:12-cv-02317-ST**

Miranda-Olivares v. Clackamas County et al
Assigned to: Magistrate Judge Janice M. Stewart
Case in other court: 9th Circuit Court of Appeals, 15-35439
9th Circuit Court of Appeals, 15-35501
Cause: 42:1983 Civil Rights Act

Date Filed: 12/21/2012
Date Terminated: 05/05/2015
Jury Demand: Defendant
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Maria Miranda-Olivares

represented by **Benjamin Wright Haile**
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ATTORNEY TO BE NOTICED

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TERMINATED: 06/09/2014

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V.

Defendant

Clackamas County

represented by **Stephen Lewis Madkour**
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Email: sciecko@co.clackamas.or.us
ATTORNEY TO BE NOTICED

Defendant

Craig Roberts
*in his official capacity as sheriff of
Clackamas County*
TERMINATED: 03/01/2013

represented by **Scott C. Ciecko**
(See above for address)
ATTORNEY TO BE NOTICED

Material Witness

**U.S. Immigrations and Customs
Enforcement**

represented by **James Cox , Jr.**
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Date Filed	#	Docket Text
12/21/2012	<u>1</u>	Complaint. Filing fee in the amount of \$350 collected. Agency Tracking ID: 0979-3135139 Jury Trial Requested: No. Filed by Maria Miranda-Olivares against All Defendants (Attachments: # <u>1</u> Civil Cover Sheet JS 44, # <u>2</u> Proposed Summons for county, # <u>3</u> Proposed Summons for sheriff). (Henretty, David) (Entered: 12/21/2012)
12/21/2012	<u>2</u>	Notice of Case Assignment to Magistrate Judge Janice M. Stewart and Discovery and Pretrial Scheduling Order. NOTICE: Counsel shall print and serve the summonses and all documents issued by the Clerk at the time of filing upon all named parties in accordance with Local Rule 3-5. Discovery is to be completed by 4/22/2013. Joint Alternate Dispute Resolution Report is due by 5/20/2013. Pretrial Order is due by 5/20/2013. Ordered by Magistrate Judge Janice M. Stewart. (sm) (Entered: 12/21/2012)
12/21/2012	<u>3</u>	Summons Issued Electronically as to All Defendants. NOTICE: Counsel shall print and serve the summonses and all documents issued by the Clerk at the time of filing upon all named parties in accordance with Local Rule 3-5. (sm) (Entered: 12/21/2012)
02/13/2013	<u>4</u>	Fed. R. Civ. P. 26(a)(1) Agreement . Filed by Clackamas County, Craig Roberts. (Ciecko, Scott) (Entered: 02/13/2013)
03/01/2013	<u>5</u>	Acceptance/Acknowledgement of Service on All Defendants Filed by Maria Miranda-Olivares. (Henretty, David) (Entered: 03/01/2013)
03/01/2013	<u>6</u>	First Amended Complaint . Filed by Maria Miranda-Olivares against Clackamas County. (Henretty, David) (Entered: 03/01/2013)
03/14/2013	<u>7</u>	Answer to <u>6</u> Amended Complaint with Jury Demand <i>and Affirmative Defenses</i> . Filed by Clackamas County. (Ciecko, Scott) (Entered: 03/14/2013)

03/25/2013	8	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING a TELPEHONE Rule 16 Conference for Wednesday 4/10/2013 at 02:00PM before Magistrate Judge Janice M. Stewart. Local Rules 16-2 and 26-1 require that counsel confer prior to the conference. At the conference, counsel should be prepared to discuss the status of the case, relevant dates and deadlines, and any other significant issues. Plaintiff shall advise the court at the conference whether or not there will be full consent from all parties to proceed before the magistrate judge in the case. Until full consents are filed, no trial date will be set. (jlr) (Entered: 03/25/2013)
04/10/2013	9	MINUTES of Proceedings: Telephone Rule 16 Conference and Notice Regarding Civil Case Procedures. ORDER Setting the Following Case Schedule: Joint ADR Report is due by 6/20/2013. Discovery is to be completed and written consents to proceed before a Magistrate Judge, if any, are to be filed by 7/15/2013. Defendant's Dispositive Motion is due by 8/14/2013. Plaintiff's Cross-Motion is due with its Response to Defendant's Dispositive Motion. Exchange of Expert Disclosure Statements is to be completed and the Pretrial Order is due 30 days after a final ruling on dispositive motions. Please see the attached Notice regarding additional procedures in cases before Magistrate Judge Janice M. Stewart. David R. Henretty present as counsel for plaintiff. Scott C. Ciecko present as counsel for defendant. Court Reporter: None. Tape No: None. Magistrate Judge Janice M. Stewart presiding. (ssm) (Entered: 04/10/2013)
04/10/2013	<u>10</u>	Full Consent by all Parties to Jurisdiction by US Magistrate Judge. (sss) (Entered: 04/10/2013)
06/10/2013	<u>11</u>	Joint ADR Report . Filed by All Plaintiffs.(Henretty, David) (Entered: 06/10/2013)
07/03/2013	<u>12</u>	Unopposed Motion for Extension of Discovery & PTO Deadlines . Filed by Maria Miranda-Olivares. (Henretty, David) (Entered: 07/03/2013)
07/03/2013	<u>13</u>	Declaration of David Henretty <i>in Support of Plaintiff's Motion to Extend Discovery and Pretrial Deadlines</i> . Filed by Maria Miranda-Olivares. (Related document(s): Motion for Extension of Discovery & PTO Deadlines <u>12</u> .) (Henretty, David) (Entered: 07/03/2013)
07/08/2013	14	ORDER: Granting Plaintiff's Unopposed Motion for Extension of Discovery and Pretrial Deadlines <u>12</u> . Discovery is to be completed by 9/13/2013. Dispositive Motions are due by 10/15/2013. Plaintiff's Cross-Motion is due with its Response to Defendant's Dispositive Motion. Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 07/08/2013)
09/26/2013	15	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING a TELEPHONE Scheduling Conference for Tuesday, 10/1/2013 at 01:30PM to set a trial date before Magistrate Judge Janice M. Stewart. Court staff will initiate the call to counsel. (jlr) (Entered: 09/26/2013)
10/01/2013	16	Scheduling Order by Magistrate Judge Janice M. Stewart. Due to a court conflict, Order RESETTING the TELEPHONE Scheduling Conference from 10/1/13 to Tuesday, 10/15/2013 at 10:30AM before Magistrate Judge Janice M. Stewart to set a trial date. Court staff will initiate the call to counsel. (jlr) (Entered: 10/01/2013)
10/15/2013	<u>17</u>	Motion for Summary Judgment . oral argument requested. Filed by Clackamas County. (Ciecko, Scott) (Entered: 10/15/2013)
10/15/2013	<u>18</u>	Memorandum in Support of <i>motion for summary judgment</i> . Filed by Clackamas County. (Related document(s): Motion for Summary Judgment <u>17</u> .) (Ciecko, Scott) (Entered: 10/15/2013)
10/15/2013	<u>19</u>	Declaration of Lt. Lee Eby <i>in support of motion for summary judgment</i> . Filed by Clackamas County. (Related document(s): Motion for Summary Judgment <u>17</u> .) (Attachments: # <u>1</u> Exhibit 101, # <u>2</u> Exhibit 102, # <u>3</u> Exhibit 103) (Ciecko, Scott) (Entered: 10/15/2013)
10/15/2013	<u>20</u>	Declaration of Scott Ciecko <i>in support of motion for summary judgment</i> . Filed by Clackamas County. (Related document(s): Motion for Summary Judgment <u>17</u> .) (Attachments: # <u>1</u> Exhibit 104, # <u>2</u> Exhibit 105) (Ciecko, Scott) (Entered: 10/15/2013)

10/15/2013	21	MINUTES of Proceedings: Status Conference. Plaintiff's cross-motion and response to defendant's Motion for Summary Judgment <u>17</u> are due by 11/8/2013. Defendant's reply to its Motion for Summary Judgment <u>17</u> and response to plaintiff's cross-motion are due by 12/2/2013. Plaintiff's reply to the cross-motion is due by 12/19/2013. The PTO is waived. Oral Argument is set for 1/16/2014 at 09:30AM in Portland Courtroom 11A before Magistrate Judge Janice M. Stewart. If plaintiff files the last reply before 12/12/2013, the court will reset oral argument to 12/19/2013 at 9:30 AM. The court defers scheduling any jury trial on damages until after resolution of the dispositive motions. David R. Henretty present as counsel for plaintiff. Scott C. Ciecko present as counsel for defendant. Magistrate Judge Janice M. Stewart presiding. Modified number (21) to docket entry on 10/16/2013 (eo). (Entered: 10/15/2013)
11/08/2013	22	Scheduling Order by Magistrate Judge Janice M. Stewart: Pursuant to defendant's email request without objection by plaintiff, ORDER RESETTING Oral Argument on Motion for Summary Judgment <u>17</u> from 1/16/14 to Tuesday, 2/11/2014 at 09:30AM in Portland Courtroom 11A before Magistrate Judge Janice M. Stewart. (jlr) (Entered: 11/08/2013)
11/08/2013	<u>23</u>	Motion for Partial Summary Judgment <i>and Opposition to Defendant's Motion for Summary Judgment</i> . Oral Argument requested. Filed by All Plaintiffs. (Henretty, David) (Entered: 11/08/2013)
11/08/2013	<u>24</u>	<i>Plaintiff's Memorandum in Support of her Motion for Partial Summary Judgment and Opposition to Defendant's Motion for Summary Judgment</i> . Filed by All Plaintiffs. (Related document(s): Motion for Partial Summary Judgment <u>23</u> .) (Henretty, David) (Entered: 11/08/2013)
11/08/2013	<u>25</u>	Declaration of Maria Miranda-Olivares <i>in Support of her Motion for Partial Summary Judgment and Opposition to Defendant's Motion for Summary Judgment</i> . Filed by Maria Miranda-Olivares. (Related document(s): Motion for Partial Summary Judgment <u>23</u> .) (Henretty, David) (Entered: 11/08/2013)
11/08/2013	<u>26</u>	Declaration of Laura Miranda <i>in Support of Plaintiff's Motion for Partial Summary Judgment and Opposition to Defendant's Motion for Summary Judgment</i> . Filed by Maria Miranda-Olivares. (Related document(s): Motion for Partial Summary Judgment <u>23</u> .) (Henretty, David) (Entered: 11/08/2013)
11/08/2013	<u>27</u>	Declaration of David Henretty <i>in Support of Plaintiff's Motion for Partial Summary Judgment and Opposition to Defendant's Motion for Summary Judgment</i> . Filed by Maria Miranda-Olivares. (Related document(s): Motion for Partial Summary Judgment <u>23</u> .) (Attachments: # <u>1</u> Exhibit ICE FAQ from website, # <u>2</u> Exhibit Form I-247, # <u>3</u> Exhibit Jail criminal alien report, # <u>4</u> Exhibit Responses to First RFA, # <u>5</u> Exhibit Responses to First Interrogatories, # <u>6</u> Exhibit Lt. Eby deposition testimony, # <u>7</u> Exhibit Sheriff deposition testimony, # <u>8</u> Exhibit Responses to Second RFA, # <u>9</u> Exhibit Arraignment transcript, # <u>10</u> Exhibit County health records, # <u>11</u> Exhibit Responses to Second Interrogatories, # <u>12</u> Exhibit Jail policy and procedures, # <u>13</u> Exhibit 8 CFR 287.7, # <u>14</u> Exhibit ICE policy, # <u>15</u> Exhibit ICE Answer, # <u>16</u> Exhibit ICE Motion) (Henretty, David) (Entered: 11/08/2013)
11/08/2013	28	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Plaintiff's Motion for Partial Summary Judgment <i>and Opposition to Defendant's Motion for Summary Judgment</i> <u>23</u> for Oral Argument along with Defendant's Motion for Summary Judgment <u>17</u> for 2/11/2014 at 9:30AM in Portland Courtroom 11A before Magistrate Judge Janice M. Stewart. (jlr) (Entered: 11/08/2013)
12/02/2013	<u>29</u>	Response to Motion for Partial Summary Judgment <i>and Opposition to Defendant's Motion for Summary Judgment</i> <u>23</u> oral argument requested. Filed by Clackamas County. (Ciecko, Scott) (Entered: 12/02/2013)
12/12/2013	<u>30</u>	Reply to Motion for Partial Summary Judgment <i>and Opposition to Defendant's Motion for Summary Judgment</i> <u>23</u> Oral Argument requested. Filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 53 Fed. Register 9281, # <u>2</u> Exhibit Maryland Opinion, # <u>3</u> Exhibit California Opinion) (Henretty, David) (Entered: 12/12/2013)
02/11/2014	31	MINUTES of Proceedings: before Magistrate Judge Janice M. Stewart. Motion Hearing held regarding Motion for Summary Judgment <u>17</u> and Motion for Partial Summary Judgment <u>23</u> . Motions are taken under advisement as of 2/11/2014. David Henretty present as counsel for plaintiff. Scott Ciecko present as counsel for

		defendant(s). Court Reporter: Bonita Shumway. (jlr) (Entered: 02/11/2014)
02/14/2014	<u>32</u>	Notice re Motion for Partial Summary Judgment <u>23</u> <i>Plaintiff's Notice of Supplemental Authority</i> Filed by Maria Miranda-Olivares (Related document(s): Motion for Partial Summary Judgment <u>23</u> .) (Attachments: # <u>1</u> Exhibit D.R.I. Memo and Order (2/12/2014)) (Henretty, David) (Entered: 02/14/2014)
02/19/2014	<u>33</u>	Motion to Supplement <i>Reply on Summary Judgment</i> . Filed by Clackamas County. (Ciecko, Scott) (Entered: 02/19/2014)
02/19/2014	<u>34</u>	Memorandum in Support . Filed by Clackamas County. (Related document(s): Motion to Supplement <u>33</u> .) (Ciecko, Scott) (Entered: 02/19/2014)
02/20/2014	35	ORDER: Granting Defendant's Unopposed Motion to Allow Filing of Supplemental Reply <u>33</u> . Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 02/20/2014)
02/20/2014	36	Scheduling Order by Magistrate Judge Janice M. Stewart. Defendant's supplemental reply is due by 2/27/2014. Regarding Motions for Summary Judgment <u>17</u> , <u>23</u> . (jlr) (Entered: 02/20/2014)
02/27/2014	<u>37</u>	Supplemental Reply on Summary Judgment <u>17</u> , <u>23</u> . Filed by Clackamas County. (Ciecko, Scott) Modified text and link on 2/28/2014 (sss). (Entered: 02/27/2014)
03/03/2014	<u>38</u>	Unopposed Motion for Leave to <i>File Response to Defendant's Supplemental Reply</i> . Filed by All Plaintiffs. (Attachments: # <u>1</u> Attachment Proposed Response) (Henretty, David) (Entered: 03/03/2014)
03/04/2014	39	ORDER: Granting Plaintiff's Unopposed Motion for Leave to File Response to Defendant's Supplemental Reply <u>38</u> . Response is due by 3/10/14. Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 03/04/2014)
03/04/2014	<u>40</u>	Response to Defendant's Supplemental Reply <u>37</u> . Filed by All Plaintiffs. (Related document(s): Motion for Leave <u>38</u> .) (Henretty, David) Modified text and added link on 3/5/2014 (sss). (Entered: 03/04/2014)
03/04/2014	<u>41</u>	Notice re Motion for Partial Summary Judgment <u>23</u> of <i>Additional Supplemental Authority</i> Filed by All Plaintiffs (Related document(s): Motion for Partial Summary Judgment <u>23</u> .) (Attachments: # <u>1</u> Attachment Galarza v. Szalczyk, 2012 U.S. Dist. LEXIS 47023, No. 12-3991, slip op. (3d Cir. March 4, 2014)) (Henretty, David) (Entered: 03/04/2014)
04/11/2014	<u>42</u>	OPINION AND ORDER: Granting in Part and Denying in Part Defendant's Motion for Summary Judgment <u>17</u> ; Granting in Part and Denying in Part Plaintiff's Motion for Partial Summary Judgment <u>23</u> . Signed on 4/11/2014 by Magistrate Judge Janice M. Stewart. (ST) (Entered: 04/11/2014)
04/14/2014	43	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING a TELEPHONE Scheduling Conference for Thursday, 5/8/2014 at 09:30AM before Magistrate Judge Janice M. Stewart. Court staff will initiate the call to counsel. (jlr) (Entered: 04/14/2014)
05/08/2014	44	MINUTES of Proceedings: TELEPHONE Scheduling Conference. Magistrate Judge Janice M. Stewart presiding. ORDER: Striking all case deadlines and setting the following new case schedule. Pretrial Order waived. Pretrial Documents are due by 9/24/2014; objections are due by 10/1/2014. Pretrial Conference is set for 10/8/2014 at 09:30AM before Magistrate Judge Janice M. Stewart. A 2-day Jury Trial is set for 10/15/2014 at 09:00AM in Portland Courtroom 11A before Magistrate Judge Janice M. Stewart. Jury Trial Management Order to follow. David R. Henretty present as counsel for plaintiff. Scott C. Ciecko present as counsel for defendant. Tape No: N/A. (st3) (Entered: 05/08/2014)
05/08/2014	<u>45</u>	Jury Trial Management Order. Signed on 5/8/14 by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 05/08/2014)
05/20/2014	<u>46</u>	Notice of Change of Address. Filed by Maria Miranda-Olivares (Henretty, David) (Entered: 05/20/2014)
05/21/2014	<u>47</u>	Motion to Withdraw <i>As Counsel for Plaintiff</i> . Filed by Maria Miranda-Olivares. (Henretty, David) (Entered: 05/21/2014)

05/21/2014	<u>48</u>	Declaration of David Henretty <i>in Support of Motion to Withdraw As Counsel for Plaintiff</i> . Filed by Maria Miranda–Olivares. (Related document(s): Motion to Withdraw <u>47</u> .) (Henretty, David) (Entered: 05/21/2014)
05/21/2014	<u>49</u>	Certificate of Service by Maria Miranda–Olivares of Motion to Withdraw As Counsel for Plaintiff <u>47</u> Filed by Maria Miranda–Olivares. (Henretty, David) (Entered: 05/21/2014)
05/23/2014	50	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Motion to Withdraw As Counsel for Plaintiff <u>47</u> to be taken under advisement on 6/9/2014. (jlr) (Entered: 05/23/2014)
05/23/2014	51	Clerk's Notice of Mailing to Maria Miranda–Olivares regarding Scheduling Order 50 . (jlr) (Entered: 05/23/2014)
06/09/2014	52	ORDER: Granting Motion for Leave to Withdraw a Counsel for Plaintiff <u>47</u> . Signed on 6/9/14 by Magistrate Judge Janice M. Stewart. (ST) Modified on 6/10/2014 to indicate this is a paperless order. (jlr). (Entered: 06/09/2014)
06/10/2014	53	Clerk's Notice of Mailing to Maria Miranda–Olivares of Order on Motion to Withdraw 52 . (jlr) (Entered: 06/10/2014)
06/10/2014	<u>54</u>	Notice To Self–Represented Litigants. Signed by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 06/10/2014)
06/10/2014	55	Clerk's Notice of Mailing to Maria Miranda–Olivares of Notice <u>54</u> . (jlr) (Entered: 06/10/2014)
08/29/2014	56	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING a TELEPHONE STATUS CONFERENCE for Wednesday, 9/10/2014 at 2:00PM before Magistrate Judge Janice M. Stewart regarding the 10/8/14 Pretrial Conference and the Trial which is currently set 10/15/14. Court staff will initiate the call to the parties. (jlr) (Entered: 08/29/2014)
08/29/2014	57	Clerk's Notice of Mailing to Maria Miranda–Olivares regarding Scheduling Order, 56 . (jlr) (Entered: 08/29/2014)
09/10/2014	58	MINUTES of Proceedings: TELEPHONE Status Conference. Magistrate Judge Janice M. Stewart presiding. ORDER: Jury Trial Management Order <u>45</u> is WITHDRAWN and the following new case deadlines are set. Proposed voir dire, jury instructions, verdict form, and other pretrial submissions are due by 10/3/2014. The dates for the Pretrial Conference (10/8/14) and Jury Trial (10/15/14) remain unchanged. Maria Miranda–Olivares (pro se) present. Scott C. Ciecko present as counsel for defendants. Tape No: N/A. (st3) (Entered: 09/10/2014)
09/10/2014	59	Clerk's Notice of Mailing to Maria Miranda–Olivares regarding Status Conference, Set/Reset Schedules 58 . (jlr) (Entered: 09/10/2014)
09/11/2014	60	Scheduling Order by Magistrate Judge John Jelderks. A Settlement Conference is set for Wednesday, 10/1/2014 at 10:00AM in Portland Courtroom 12B before Magistrate Judge John Jelderks. Further instructions and requirements of Judge Jelderks regarding the conducting of this settlement conference will be sent by separate letter. (jlr) (Entered: 09/11/2014)
09/11/2014	61	Clerk's Notice of Mailing to Maria Miranda–Olivares regarding Scheduling Order, 60 . (jlr) (Entered: 09/11/2014)
09/25/2014	<u>62</u>	Motion <i>Pretrial Motions</i> . Filed by Clackamas County. (Ciecko, Scott) (Entered: 09/25/2014)
09/26/2014	63	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING Defendant's Motion <i>Pretrial Motions</i> <u>62</u> to be taken under advisement on 10/3/2014. (jlr) (Entered: 09/26/2014)
09/26/2014	64	Clerk's Notice of Mailing to Maria Miranda–Olivares regarding Scheduling Order 63 . (jlr) (Entered: 09/26/2014)
10/01/2014	65	MINUTES of Proceedings: Settlement Conference held. Maria Miranda–Olivares, pro se, present as plaintiff(s). Scott Ciecko present as counsel for defendant(s). Magistrate Judge John Jelderks presiding. (sm) (Entered: 10/01/2014)

10/02/2014	<u>66</u>	Witness List <i>and Exhibit List</i> . Filed by Clackamas County. (Ciecko, Scott) (Entered: 10/02/2014)
10/02/2014	<u>67</u>	Proposed Jury Instructions . Filed by Clackamas County. (Ciecko, Scott) (Entered: 10/02/2014)
10/02/2014	<u>68</u>	Proposed Jury Verdict Form. Filed by Clackamas County. (Ciecko, Scott) (Entered: 10/02/2014)
10/02/2014	<u>69</u>	Proposed Voir Dire <i>Questions</i> . Filed by Clackamas County. (Ciecko, Scott) (Entered: 10/02/2014)
10/02/2014	70	Clerk's Notice of Mailing Minutes of Settlement Conference 65 to Maria Miranda-Olivares. (pvh) (Entered: 10/02/2014)
10/08/2014	<u>71</u>	MINUTES of Proceedings: Magistrate Judge Janice M. Stewart presiding. Pretrial Conference held. ORDER: Granting Pretrial Motions <u>62</u> . See attachment for full text of minutes. Maria Miranda-Olivares (pro se) present. Scott C. Ciecko present as counsel for defendant. Court Reporter: Jill Erwin. (st3) (Entered: 10/08/2014)
10/08/2014	72	Clerk's Notice of Mailing to Maria Miranda-Olivares regarding Order on Motion <u>71</u> , Pretrial Conference. (jlr) (Entered: 10/08/2014)
10/14/2014	73	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING a TELEPHONE Conference for Tuesday, 10/14/2014 at 02:00PM before Magistrate Judge Janice M. Stewart to discuss plaintiff's email request for postponement of the 10/15/14 jury trial. Court staff will initiate the call to counsel. (jlr) (Entered: 10/14/2014)
10/14/2014	74	Clerk's Notice of Mailing to Maria Miranda-Olivares regarding Scheduling Order 73 . (jlr) (Entered: 10/14/2014)
10/14/2014	75	MINUTES of Proceedings: TELEPHONE Status Conference. Magistrate Judge Janice M. Stewart presiding. ORDER: A 2-day Jury Trial is reset for 11/24/2014 at 09:00AM in Portland Courtroom 11A before Magistrate Judge Janice M. Stewart. Maria Miranda-Olivares (pro se) present. Scott C. Ciecko present as counsel for defendant. Tape No: N/A. (st3) Modified on 10/14/2014 to reflect this was a TELEPHONE conference. (jlr). (Entered: 10/14/2014)
10/14/2014	76	Clerk's Notice of Mailing to Maria Miranda-Olivares regarding Telephone Status Conference 75 . (jlr) (Entered: 10/14/2014)
10/30/2014	<u>77</u>	Motion to <i>Modify Subpoena</i> . Filed by U.S. Immigrations and Customs Enforcement. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4) (Cox, James) (Entered: 10/30/2014)
10/30/2014	78	ORDER: Granting in Part Denying in Part United States ICE's Motion to Modify Trial Subpoena <u>77</u> . The ICE witness must appear and testify at trial, but the scope of testimony is limited (on both direct and cross-examination) to the acts upon which Defendant has agreed to limit testimony. Ordered by Magistrate Judge Janice M. Stewart. (ST) (Entered: 10/30/2014)
10/30/2014	79	Clerk's Notice of Mailing to Maria Miranda-Olivares regarding Order on Motion – Miscellaneous, 78 . (jlr) (Entered: 10/30/2014)
11/12/2014	<u>80</u>	Notice of Appearance of Benjamin Wright Haile appearing on behalf of Maria Miranda-Olivares Filed by on behalf of Maria Miranda-Olivares (Haile, Benjamin) (Entered: 11/12/2014)
11/12/2014	<u>81</u>	Motion for Extension of Time . Filed by Maria Miranda-Olivares. (Haile, Benjamin) (Entered: 11/12/2014)
11/12/2014	<u>82</u>	Declaration of Benjamin Haile . Filed by Maria Miranda-Olivares. (Related document(s): Motion for Extension of Time <u>81</u> .) (Haile, Benjamin) (Entered: 11/12/2014)
11/13/2014	83	Scheduling Order by Magistrate Judge Janice M. Stewart regarding Motion for Extension of Time <u>81</u> . A TELEPHONE Conference is set for Monday, 11/17/2014 at 11:00AM before Magistrate Judge Janice M. Stewart. Court staff will initiate the call to counsel. (jlr) (Entered: 11/13/2014)

11/13/2014	<u>84</u>	Response to Motion for Extension of Time <u>81</u> . Filed by Clackamas County. (Ciecko, Scott) (Entered: 11/13/2014)
11/17/2014	85	MINUTES of Proceedings: TELEPHONE Scheduling Conference regarding Motion for Extension of Time <u>81</u> . Magistrate Judge Janice M. Stewart presiding. ORDER: Granting Motion for Extension of Time <u>81</u> and striking the 11/24/2014 trial. A 2–3 day Jury Trial is set for 5/5/2015 at 09:30AM in Portland Courtroom 11A before Magistrate Judge Janice M. Stewart. Pretrial Documents are due by 3/20/2015; objections are due by 3/27/2015. Pretrial Conference is set for 3/31/2015 at 09:30AM before Magistrate Judge Janice M. Stewart. An amended Jury Trial Management Order to follow. Benjamin Wright Haile present as counsel for plaintiff. Scott C. Ciecko present as counsel for defendant. (Tape #N/A.) (st3) (Entered: 11/17/2014)
11/17/2014	<u>86</u>	OFFICIAL COURT TRANSCRIPT OF PROCEEDINGS FILED Pretrial Conference held on October 8, 2014, before Judge Janice M. Stewart, Court Reporter Jill L. Erwin, telephone number (503)326–8191. Transcript may be viewed at Court's public terminal or purchased from the Court Reporter before the deadline for Release of Transcript Restriction. Afterwards it may be obtained through the court reporter or PACER–See Policy at ord.uscourts.gov. Notice of Intent to Redact Transcript is due by 12/1/2014. Redaction Request due 12/11/2014. Redacted Transcript Deadline set for 12/22/2014. Release of Transcript Restriction set for 2/20/2015. (Erwin, Jill) (Entered: 11/17/2014)
11/17/2014	<u>87</u>	Trial Management Order. As defendant has already filed pretrial documents, defendant need only submit supplemental documents by the deadlines indicated in the attached order. Signed on 11/17/14 by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 11/18/2014)
02/23/2015	88	Scheduling Order by Magistrate Judge Janice M. Stewart. Joint Statement of Trial Issues in lieu of a Pretrial Order is due by 3/20/2015. (jlr) (Entered: 02/23/2015)
02/24/2015	<u>89</u>	Notice of Appearance of Francie J. Nevill appearing on behalf of Maria Miranda–Olivares Filed by on behalf of Maria Miranda–Olivares (Nevill, Francie) (Entered: 02/24/2015)
03/18/2015	90	Scheduling Order by Magistrate Judge Janice M. Stewart: SETTING a TELEPHONE Conference regarding the Pretrial Conference date for Wednesday, 3/25/2015 at 11:00AM before Magistrate Judge Janice M. Stewart. Court staff will initiate the call to counsel. (jlr) (Entered: 03/18/2015)
03/19/2015	<u>91</u>	Joint Proposed Pretrial Order Lodged (<i>Joint Statement of Triable Issues filed in lieu</i>). Filed by Clackamas County. (Ciecko, Scott) (Entered: 03/19/2015)
03/19/2015	<u>92</u>	Trial Memorandum . Filed by Clackamas County. (Ciecko, Scott) (Entered: 03/19/2015)
03/19/2015	<u>93</u>	Supplemental Motion in limine . Filed by Clackamas County. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit) (Ciecko, Scott) (Entered: 03/19/2015)
03/19/2015	<u>94</u>	Declaration of Scott Ciecko . Filed by Clackamas County. (Related document(s): Motion in Limine <u>93</u> .) (Ciecko, Scott) (Entered: 03/19/2015)
03/19/2015	<u>95</u>	Supplemental Proposed Jury Instructions . Filed by Clackamas County. (Ciecko, Scott) (Entered: 03/19/2015)
03/20/2015	<u>96</u>	Witness List . Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 03/20/2015)
03/20/2015	<u>97</u>	Voir Dire . Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 03/20/2015)
03/20/2015	<u>98</u>	Motion in limine . Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 03/20/2015)
03/20/2015	<u>99</u>	Proposed Jury Instructions . Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 03/20/2015)
03/20/2015	<u>100</u>	Proposed Jury Verdict Form. Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 03/20/2015)

03/20/2015	<u>101</u>	Exhibit List . Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 03/20/2015)
03/20/2015	<u>102</u>	Trial Memorandum . Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 03/20/2015)
03/23/2015	<u>103</u>	Supplemental Witness List . Filed by Clackamas County. (Ciecko, Scott) (Entered: 03/23/2015)
03/25/2015	104	MINUTES of Proceedings: TELEPHONE Scheduling Conference. Magistrate Judge Janice M. Stewart presiding. ORDER: The 3/31/2015 Pretrial Conference at 09:30AM is rescheduled for 4/17/2015 at 09:30AM before Magistrate Judge Janice M. Stewart. The 5/5/2015 Jury Trial at 09:30AM is rescheduled for 5/5/2015 at 09:00AM in Portland Courtroom 11A before Magistrate Judge Janice M. Stewart, as previously listed in the Trial Management Order <u>87</u> . Benjamin Wright Haile and Francie Nevill present as counsel for plaintiff. Scott C. Ciecko present as counsel for defendant. Tape No: N/A.(st3) (Entered: 03/25/2015)
03/26/2015	<u>105</u>	Response to Motion in limine <u>98</u> . Filed by Clackamas County. (Ciecko, Scott) (Entered: 03/26/2015)
03/26/2015	<u>106</u>	Objection(s) to <u>99</u> Jury instructions – Proposed . Filed by Clackamas County. (Ciecko, Scott) (Entered: 03/26/2015)
03/26/2015	<u>107</u>	Objection(s) to <u>100</u> Jury Verdict Form – Proposed . Filed by Clackamas County. (Ciecko, Scott) (Entered: 03/26/2015)
03/26/2015	<u>108</u>	Objection(s) to <u>96</u> Witness List, <u>101</u> Exhibit List . Filed by Clackamas County. (Ciecko, Scott) (Entered: 03/26/2015)
03/26/2015	<u>109</u>	Objection(s) to <u>97</u> Proposed Voir Dire . Filed by Clackamas County. (Ciecko, Scott) (Entered: 03/26/2015)
03/27/2015	<u>110</u>	Objection to Trial Exhibit <u>66</u> Witness List . Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 03/27/2015)
03/27/2015	<u>111</u>	Objection(s) to <u>93</u> Motion in Limine, <u>62</u> Motion – Miscellaneous . Filed by Maria Miranda–Olivares. (Attachments: # <u>1</u> Appendix) (Haile, Benjamin) (Entered: 03/27/2015)
03/27/2015	<u>112</u>	Declaration of Francie Nevill . Filed by Maria Miranda–Olivares. (Related document(s): Witness List <u>103</u> , Witness List <u>66</u> .) (Attachments: # <u>1</u> Exhibit) (Haile, Benjamin) (Entered: 03/27/2015)
03/27/2015	<u>113</u>	Objection(s) to <u>95</u> Jury instructions – Proposed, <u>67</u> Jury instructions – Proposed . Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 03/27/2015)
03/27/2015	<u>114</u>	Objection(s) to <u>68</u> Jury Verdict Form – Proposed . Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 03/27/2015)
03/27/2015	<u>115</u>	Objection(s) to <u>69</u> Proposed Voir Dire . Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 03/27/2015)
03/27/2015	<u>116</u>	Objection(s) to <u>103</u> Witness List, <u>66</u> Witness List . Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 03/27/2015)
03/27/2015	<u>117</u>	Supplemental Proposed Jury Instructions . Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 03/27/2015)
03/31/2015	<u>118</u>	Amended Exhibit List . Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 03/31/2015)
03/31/2015	<u>119</u>	Supplemental Trial Memorandum . Filed by Clackamas County. (Ciecko, Scott) (Entered: 03/31/2015)
04/17/2015	<u>120</u>	MINUTES of Proceedings: Record of Continuation of Pretrial Conference before Magistrate Judge Janice M. Stewart. ORDER: Granting in Part Denying in Part Defendant's Supplemental Pretrial Motions <u>93</u> ; Granting Plaintiff's Motions in Limine <u>98</u> . See attachment for full text of minutes. Benjamin Wright Haile and Francie Nevill present as counsel for plaintiff. Scott C. Ciecko present as counsel for defendant.

		(Court Reporter Jill Erwin.) (st3) (Entered: 04/20/2015)
04/21/2015	121	ORDER: Amending Record of Continuation of Pretrial Conference <u>120</u> . Deferring defendant's Exhibit No. 104 without redaction or highlighting, instead of with redaction. Ordered by Magistrate Judge Janice M. Stewart. (st3) (Entered: 04/21/2015)
05/04/2015	<u>122</u>	Notice of Acceptance of Offer of Judgment Filed by Maria Miranda-Olivares (Attachments: # <u>1</u> Attachment Offer of Judgment) (Haile, Benjamin) (Entered: 05/04/2015)
05/04/2015	123	Scheduling Order by Magistrate Judge Janice M. Stewart. Order STRIKING the jury trial currently scheduled for 5/5/15 through 5/7/15 as a Notice of Acceptance of Offer of Judgment <u>122</u> has been filed. (jlr) (Entered: 05/04/2015)
05/05/2015	<u>124</u>	JUDGMENT entered in favor of plaintiff, Maria Miranda-Olivares, and against defendant, Clackamas County. Signed on 5/5/15 by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 05/05/2015)
05/15/2015	<u>125</u>	Unopposed Motion for Extension of Time . Filed by Maria Miranda-Olivares. (Haile, Benjamin) (Entered: 05/15/2015)
05/15/2015	126	ORDER: Granting Unopposed Motion for Extension of Time <u>125</u> To File Motion for Attorney Fees and Cost Bill. Motion is due by 6/2/15. Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 05/15/2015)
05/28/2015	<u>127</u>	Unopposed Motion for Extension of Time . Filed by Maria Miranda-Olivares. (Haile, Benjamin) (Entered: 05/28/2015)
05/29/2015	128	ORDER: Granting Plaintiff's Motion for Extension of Time <u>127</u> to 6/16/15 to file Motion For Attorney Fees and Cost Bill. Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 05/29/2015)
06/03/2015	<u>129</u>	Notice of Appeal to the 9th Circuit Filing fee \$505 collected; Agency Tracking ID 0979-4147415: . Filed by Clackamas County. (Ciecko, Scott) (Entered: 06/03/2015)
06/03/2015		USCA Case Number and Notice confirming Docketing Record on Appeal re Notice of Appeal <u>129</u> . Case Appealed to 9th Circuit Court of Appeals Case Number 15-35439 assigned. (dsg) (Entered: 06/03/2015)
06/16/2015	<u>130</u>	Unopposed Motion for Extension of Time . Filed by Maria Miranda-Olivares. (Haile, Benjamin) (Entered: 06/16/2015)
06/16/2015	131	ORDER: Granting Unopposed Motion for Extension of Time <u>130</u> . Attorney Fees Motion deadline extended to 6/23/2015. Ordered by Magistrate Judge Janice M. Stewart. (st1) (Entered: 06/16/2015)
06/17/2015	<u>132</u>	Notice of Appeal to the 9th Circuit from Judgment <u>124</u> Filing fee \$505 collected; Agency Tracking ID 0979-4164799: . Filed by Maria Miranda-Olivares. (Haile, Benjamin) (Entered: 06/17/2015)
06/19/2015		USCA Case Number and Notice confirming Docketing Record on Appeal re Notice of Appeal <u>132</u> . Case Appealed to 9th Circuit Court of Appeals Case Number 15-35501 assigned. (dsg) (Entered: 06/19/2015)
06/23/2015	<u>133</u>	Motion for Attorney Fees . Filed by Maria Miranda-Olivares. (Haile, Benjamin) (Entered: 06/23/2015)
06/23/2015	<u>134</u>	Declaration of Benjamin Haile . Filed by Maria Miranda-Olivares. (Related document(s): Motion for Attorney Fees <u>133</u> .) (Attachments: # <u>1</u> Exhibit Libby & Knudtsen Billing Records, # <u>2</u> Exhibit Haile Billing Records, # <u>3</u> Exhibit PLC Costs) (Haile, Benjamin) (Entered: 06/23/2015)
06/23/2015	<u>135</u>	Declaration of Francie Nevill . Filed by Maria Miranda-Olivares. (Related document(s): Motion for Attorney Fees <u>133</u> .) (Attachments: # <u>1</u> Exhibit Nevill Billing Records) (Haile, Benjamin) (Entered: 06/23/2015)
06/23/2015	<u>136</u>	Declaration of David Henretty . Filed by Maria Miranda-Olivares. (Related document(s): Motion for Attorney Fees <u>133</u> .) (Attachments: # <u>1</u> Exhibit Henretty Billing Records and Costs) (Haile, Benjamin) (Entered: 06/23/2015)

06/23/2015	<u>137</u>	Declaration of Arthur Schmidt . Filed by Maria Miranda–Olivares. (Related document(s): Motion for Attorney Fees <u>133</u> .) (Attachments: # <u>1</u> Exhibit Schmidt Billing Records) (Haile, Benjamin) (Entered: 06/23/2015)
06/23/2015	<u>138</u>	Declaration of Beth Creighton . Filed by Maria Miranda–Olivares. (Related document(s): Motion for Attorney Fees <u>133</u> .) (Haile, Benjamin) (Entered: 06/23/2015)
06/24/2015	139	Scheduling Order by Magistrate Judge Janice M. Stewart regarding Motion for Attorney Fees <u>133</u> . Motion will be taken under advisement on 7/27/2015. (jlr) (Entered: 06/24/2015)
07/07/2015	<u>140</u>	Motion for Extension of Time to File a Response/Reply to Motion for Attorney Fees <u>133</u> . Filed by Clackamas County. (Ciecko, Scott) (Entered: 07/07/2015)
07/08/2015	141	ORDER: Granting Motion for Extension of Time to File Response to Motion for Attorney Fees <u>133</u> filed by Maria Miranda–Olivares. Response is due by 7/20/2014. Motion will be taken under advisement on 8/6/2015. Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 07/08/2015)
07/20/2015	<u>142</u>	Joint Motion to File Excess Pages . Filed by Clackamas County. (Ciecko, Scott) (Entered: 07/20/2015)
07/20/2015	<u>143</u>	Response in Opposition to Motion for Attorney Fees <u>133</u> . Filed by Clackamas County. (Ciecko, Scott) (Entered: 07/20/2015)
07/20/2015	<u>144</u>	Declaration of Kevin Layng . Filed by Clackamas County. (Related document(s): Response in Opposition to Motion <u>143</u> .) (Ciecko, Scott) (Entered: 07/20/2015)
07/20/2015	<u>145</u>	Declaration of Darian Stanford . Filed by Clackamas County. (Related document(s): Response in Opposition to Motion <u>143</u> .) (Ciecko, Scott) (Entered: 07/20/2015)
07/20/2015	<u>146</u>	Declaration of Scott Ciecko . Filed by Clackamas County. (Related document(s): Response in Opposition to Motion <u>143</u> .) (Ciecko, Scott) Modified on 7/21/2015. STRICKEN per Order 148 (jlr). (Entered: 07/20/2015)
07/20/2015	<u>147</u>	Declaration of Scott Ciecko <i>with Exhibits attached</i> . Filed by Clackamas County. (Related document(s): Response in Opposition to Motion <u>143</u> .) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit) (Ciecko, Scott) (Entered: 07/20/2015)
07/21/2015	148	Order STRIKING Declaration <u>146</u> as it has been refiled as document <u>147</u> . Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 07/21/2015)
07/21/2015	149	ORDER: Granting Joint Motion to File Excess Pages <u>142</u> . Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 07/21/2015)
07/29/2015	<u>150</u>	Amended Response to Motion for Attorney Fees <u>133</u> . Filed by Clackamas County. (Ciecko, Scott) (Entered: 07/29/2015)
07/29/2015	<u>151</u>	Amended Declaration of Darian Stanford . Filed by Clackamas County. (Related document(s): Response to Motion <u>150</u> .) (Ciecko, Scott) (Entered: 07/29/2015)
07/29/2015	<u>152</u>	Amended Declaration of Scott Ciecko . Filed by Clackamas County. (Related document(s): Response to Motion <u>150</u> .) (Attachments: # <u>1</u> Exhibit Exhibit 101, # <u>2</u> Exhibit Exhibit 102, # <u>3</u> Exhibit Exhibit 103) (Ciecko, Scott) (Entered: 07/29/2015)
08/06/2015	<u>153</u>	Motion to File Excess Pages <i>for Plaintiff's Reply</i> . Filed by Maria Miranda–Olivares. (Nevill, Francie) (Entered: 08/06/2015)
08/06/2015	<u>154</u>	Reply to Motion for Attorney Fees <u>133</u> . Filed by Maria Miranda–Olivares. (Haile, Benjamin) (Entered: 08/06/2015)
08/06/2015	<u>155</u>	Declaration of Benjamin Haile . Filed by Maria Miranda–Olivares. (Related document(s): Reply to Motion <u>154</u> .) (Attachments: # <u>1</u> Exhibit Billing Records of Scott Ciecko) (Haile, Benjamin) (Entered: 08/06/2015)
08/06/2015	<u>156</u>	Declaration of Francie Nevill . Filed by Maria Miranda–Olivares. (Related document(s): Reply to Motion <u>154</u> .) (Attachments: # <u>1</u> Exhibit Attorney Communication) (Haile, Benjamin) (Entered: 08/06/2015)

08/07/2015	<u>157</u>	ORDER: Granting Unopposed Motion to File Excess Pages for Plaintiff's Reply <u>153</u> . Ordered by Magistrate Judge Janice M. Stewart. (jlr) (Entered: 08/07/2015)
08/08/2015	<u>158</u>	<i>Motion to Strike Portions of and to Place Under Seal Defendant's Filings that Breach Settlement Conference Privilege</i> . Filed by Maria Miranda-Olivares. (Attachments: # <u>1</u> Proposed Order) (Haile, Benjamin) (Entered: 08/08/2015)
08/08/2015	<u>159</u>	Declaration of Benjamin Haile . Filed by Maria Miranda-Olivares. (Related document(s): Motion – Miscellaneous <u>158</u> .) (Attachments: # <u>1</u> Exhibit Conferral by Email) (Haile, Benjamin) (Entered: 08/08/2015)
08/13/2015	<u>160</u>	Response to Motion to Strike Portions of and to Place Under Seal Defendant's Filings that Breach Settlement Conference Privilege <u>158</u> . Filed by Clackamas County. (Ciecko, Scott) (Entered: 08/13/2015)
08/21/2015	<u>161</u>	Reply to Motion to Strike Portions of and to Place Under Seal Defendant's Filings that Breach Settlement Conference Privilege <u>158</u> . Filed by Maria Miranda-Olivares. (Haile, Benjamin) (Entered: 08/21/2015)
08/21/2015	<u>162</u>	Declaration of Maria Miranda-Olivares . Filed by Maria Miranda-Olivares. (Related document(s): Reply to Motion <u>161</u> .) (Haile, Benjamin) (Entered: 08/21/2015)
08/28/2015	<u>163</u>	OPINION AND ORDER: Plaintiff's Motion to Strike Portions of and to Place Under Seal Defendants Filings that Breach Settlement Conference Privilege <u>158</u> is DENIED and Motion for Attorney Fees and Costs is GRANTED <u>133</u> in the reduced sum of \$97,373.14. Signed on 8/28/15 by Magistrate Judge Janice M. Stewart. (ST) Modified on 8/31/2015 to correct typo. NEF regenerated(jlr). (Entered: 08/28/2015)
09/15/2015	<u>164</u>	MANDATE of USCA for the 9th Circuit, USCA # 15-35439 and 15-35501 , re Notice of Appeal <u>132</u> and Notice of Appeal <u>129</u> . The court is informed that this matter has been resolved. Unless objection is filed within seven calendar days of the date of this order, these appeals will be deemed dismissed voluntarily pursuant to Fed. R. App. P. 42(b). (dsg) (Entered: 09/15/2015)