

CLOSED,EMERG,SCR,SETOFFNS

**United States District Court
Middle District of Pennsylvania (Scranton)
CIVIL DOCKET FOR CASE #: 3:07-cv-00717-ARC**

Buck et al v. Stankovic
Assigned to: Honorable A. Richard Caputo
Cause: 42:1983 Civil Rights Act

Date Filed: 04/17/2007
Date Terminated: 02/11/2008
Jury Demand: Defendant
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Heather Buck

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Plaintiff

Jose Guadalupe Arias–Maravilla

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V.

Defendant

Dorothy Stankovic
In her individual and official capacities

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Date Filed	#	Docket Text
04/17/2007	<u>1</u>	COMPLAINT against Dorothy Stankovic (Filing fee \$350, Receipt Number 1011785), filed by Heather Buck, Jose Guadalupe Arias–Maravilla. (Attachments: # <u>1</u> Civil Cover Sheet # <u>2</u> Exhibit(s))(ch,) (Entered: 04/18/2007)
04/17/2007	<u>2</u>	AFFIDAVIT filed by Heather Buck, Jose Guadalupe Arias–Maravilla. (ch,) (Entered: 04/18/2007)

04/18/2007		Summons Issued as to Dorothy Stankovic and provided to Attorney Mary Catherine Roper for service on Defendant(s). (ch,) (Entered: 04/18/2007)
04/18/2007	<u>3</u>	MOTION for Temporary Restraining Order <i>and/or Preliminary Injunction</i> by Heather Buck, Jose Guadalupe Arias-Maravilla. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Affidavit # <u>3</u> Affidavit # <u>4</u> Affidavit)(Roper, Mary) (Entered: 04/18/2007)
04/18/2007	<u>4</u>	BRIEF IN SUPPORT re <u>3</u> MOTION for Temporary Restraining Order <i>and/or Preliminary Injunction</i> filed by Heather Buck, Jose Guadalupe Arias-Maravilla.(Roper, Mary) (Entered: 04/18/2007)
04/18/2007	<u>5</u>	PETITION FOR SPECIAL ADMISSION (PRO HAC VICE) by Mary Catherine Roper on behalf of Heather Buck, Jose Guadalupe Arias-Maravilla Attorney John Grogan is seeking special admission. Filing fee \$ 25, receipt number 1012810.. (Roper, Mary) (Entered: 04/18/2007)
04/18/2007	<u>6</u>	PETITION FOR SPECIAL ADMISSION (PRO HAC VICE) by Mary Catherine Roper on behalf of all plaintiffs Attorney Edward Diver is seeking special admission. Filing fee \$ 25, receipt number 1012814.. (Roper, Mary) (Entered: 04/18/2007)
04/18/2007	<u>7</u>	PETITION FOR SPECIAL ADMISSION (PRO HAC VICE) by Mary Catherine Roper on behalf of all plaintiffs Attorney Omar Jadwat is seeking special admission. Filing fee \$ 25, receipt number 1012816.. (Roper, Mary) (Entered: 04/18/2007)
04/19/2007	<u>9</u>	ORDER setting hearing on Plaintiff's Motion for a Temporary Restraining Order and/or Preliminary Injunction. TRO/Prel/Perm Injunction Hearing set for 4/26/2007 10:00 AM in Scranton before Honorable A. Richard Caputo. Signed by Judge A. Richard Caputo on 4/19/07. (hm,) (Entered: 04/19/2007)
04/19/2007	<u>10</u>	SPECIAL ADMISSIONS FORM APPROVED as to John J. Grogan signed by Judge A. Richard Caputo on 4/19/07. (hm,) (Entered: 04/19/2007)
04/19/2007	<u>11</u>	SPECIAL ADMISSIONS FORM APPROVED as to Edward Diver signed by Judge A. Richard Caputo on 4/19/07. (hm,) (Entered: 04/19/2007)
04/19/2007	<u>12</u>	SPECIAL ADMISSIONS FORM APPROVED as to Omar C. Jadwat signed by Judge A. Richard Caputo on 4/19/07. (hm,) (Entered: 04/19/2007)
04/21/2007	<u>13</u>	PETITION FOR SPECIAL ADMISSION (PRO HAC VICE) by Mary Catherine Roper on behalf of all plaintiffs Attorney Jennifer Chang is seeking special admission. Filing fee \$ 25, receipt number 1014633.. (Roper, Mary) (Entered: 04/21/2007)
04/23/2007	<u>14</u>	NOTICE of Appearance by Harry G. Mahoney on behalf of all defendants (Mahoney, Harry) (Entered: 04/23/2007)
04/24/2007	<u>15</u>	SPECIAL ADMISSIONS FORM APPROVED as to Jennifer C. Chang signed by Judge A. Richard Caputo on 4/24/07. (hm,) (Entered: 04/24/2007)
04/25/2007	<u>16</u>	ANSWER TO STATEMENT OF FACTS re <u>3</u> MOTION for Temporary Restraining Order <i>and/or Preliminary Injunction Response to Motion for Temporary Restraining Order</i> filed by Dorothy Stankovic.(Mahoney, Harry) (Entered: 04/25/2007)
04/25/2007	<u>17</u>	BRIEF IN SUPPORT <i>Brief Contra Plaintiffs' Motion for Temporary Restraining Order</i> re <u>3</u> MOTION for Temporary Restraining Order <i>and/or Preliminary Injunction</i> filed by Dorothy Stankovic.(Mahoney, Harry) (Entered: 04/25/2007)
04/26/2007	<u>26</u>	List of Exhibits admitted at the Temporary Restraining Order/Injunction hearing held 4/26/07. Exhibits located in Chambers. (hm,) (Entered: 05/09/2007)
04/27/2007	<u>19</u>	TRANSCRIPT of Excerpt of Proceedings from TRO Hearing held on 4/26/2007. (cr1,) (Entered: 04/27/2007)
04/27/2007	<u>20</u>	BRIEF IN SUPPORT re <u>3</u> MOTION for Temporary Restraining Order <i>and/or Preliminary Injunction</i> filed by Heather Buck, Jose Guadalupe Arias-Maravilla. (Attachments: # <u>1</u> Exhibit(s) Transcript# <u>2</u> Supplement DOT Publication)(Roper, Mary) (Entered: 04/27/2007)

04/27/2007	<u>21</u>	BRIEF IN SUPPORT <i>With Tables</i> re <u>3</u> MOTION for Temporary Restraining Order <i>and/or Preliminary Injunction</i> filed by Heather Buck, Jose Guadalupe Arias-Maravilla. (Attachments: # <u>1</u> Exhibit(s) Transcript# <u>2</u> Exhibit(s) DOT Publication# <u>3</u> Exhibit(s) Unpublished case)(Roper, Mary) (Entered: 04/27/2007)
04/30/2007	<u>22</u>	TRANSCRIPT of Proceedings of TRO Hearing held on Thursday, April 26, 2007. (cr1,) (Entered: 04/30/2007)
04/30/2007	<u>23</u>	BRIEF IN OPPOSITION re <u>3</u> MOTION for Temporary Restraining Order <i>and/or Preliminary Injunction Defendant's Post Hearing Brief Contra Plaintiffs' Motion for TRO</i> filed by Dorothy Stankovic.(Mahoney, Harry) (Entered: 04/30/2007)
05/01/2007	<u>24</u>	MEMORANDUM AND ORDER granting <u>3</u> Plaintiffs' Motion for TRO and/or Preliminary Injunction. Defendant Dorothy Stankovic, Register of Wills for Luzerne County, her agents and employees, are ENJOINED and RESTRAINED from requiring that Plaintiff Jose Guadalupe Arias-Maravilla produce a visa or other proof of his lawful presence in the United States as a condition of obtaining a marriage license. The requirement that a security bond be posted is hereby WAIVED. Signed by Judge A. Richard Caputo on 5/1/07 (hm,) (Entered: 05/01/2007)
05/08/2007	<u>25</u>	Letter from Harry G. Mahoney, Esquire <i>to Judge Caputo noticing compliance with Court Order of May 1, 2007.</i> (Mahoney, Harry) (Entered: 05/08/2007)
05/11/2007	<u>27</u>	STIPULATION re <u>1</u> Complaint <i>Stipulation to Extend Time to Answer Complaint</i> by Dorothy Stankovic. (Mahoney, Harry) (Entered: 05/11/2007)
05/15/2007	<u>28</u>	ORDER Approving <u>27</u> Stipulation to Extend Time to Answer Complaint. Dorothy Stankovic answer due 5/26/2007. Signed by Judge A. Richard Caputo on 5/15/07. (hm,) (Entered: 05/15/2007)
05/25/2007	<u>29</u>	<i>Answer to Plaintiffs' Complaint with Affirmative Defenses</i> ANSWER to Complaint with Jury Demand by Dorothy Stankovic.(Mahoney, Harry) (Entered: 05/25/2007)
08/01/2007	<u>30</u>	ORDER Scheduling Case Management Conference for 10/4/2007 11:00 AM in Chambers, Scranton before Honorable A. Richard Caputo. Signed by Judge A. Richard Caputo on 8/1/07. (hm,) (Entered: 08/01/2007)
08/20/2007	<u>31</u>	Letter to Court dated 8/10/07 from Mary Catherine Roper, Esquire, requesting this matter be referred to a Magistrate Judge for the purposes of mediation. (hm,) (Entered: 08/21/2007)
08/21/2007	<u>32</u>	ORDER REFERRING CASE for Settlement Conference/Mediation to Judge Thomas M. Blewitt. Signed by Judge A. Richard Caputo on 8/21/07. (hm,) (Entered: 08/21/2007)
08/22/2007	<u>33</u>	ORDER; IT IS ORDERED THAT: 1. A settlement confr shall be conducted on Sept 27, 2007 at 10 AM in chambers. 2. All persons having settlement authority shall be either present or available telephonically on the date and time of the confr. The attention of the parties and counsel is directed to the District Court's order of Aug 21, 2007. (Doc 32). 3. On or by Sept 24, 2007, the parties shall submit to the undersigned, via facsimile at 570-207-5749, a brief, concise and confidential settlement memorandum. Signed by Judge Thomas M. Blewitt on 8/22/07. (jb,) (Entered: 08/22/2007)
08/24/2007	<u>34</u>	RE-SCHEDULING ORDER: Case Management Conference set for 10/4/2007 11:00 AM in Scranton will now take place in the US Courthouse, Suite 235, Wilkes-Barre before Honorable A. Richard Caputo.Signed by Judge A. Richard Caputo on 8/23/2007. (bg,) (Entered: 08/24/2007)
09/28/2007	<u>36</u>	CASE MANAGEMENT PLAN <i>of all parties</i> by Heather Buck, Jose Guadalupe Arias-Maravilla. (Roper, Mary) (Entered: 09/28/2007)
10/03/2007	<u>37</u>	MOTION to Continue <i>Rule 16 Scheduling Conference</i> by Dorothy Stankovic. (Attachments: # <u>1</u> Proposed Order)(Mahoney, Harry) (Entered: 10/03/2007)
10/04/2007	<u>38</u>	ORDER granting <u>37</u> Defendant's Motion to Continue the Rule 16 Scheduling Conference. The conference is hereby continued generally until rescheduled by the Court, if necessary, in order to permit the parties to conclude their settlement.

		Signed by Judge A. Richard Caputo on 10/4/07. (hm,) (Entered: 10/04/2007)
01/09/2008	<u>39</u>	NOTICE by Heather Buck, Jose Guadalupe Arias–Maravilla <i>OF FIRM NAME CHANGE</i> (Grogan, John) (Entered: 01/09/2008)
01/09/2008		Copy of Notice (Doc. 39) forwrded to Corey to be updated in the Attorney Database (bg,) (Entered: 01/09/2008)
01/18/2008	<u>40</u>	ORDER for parties to file a status report re: settlement within ten (10) days of the date of this Order. Signed by Honorable A. Richard Caputo on 1/18/08. (hm,) (Entered: 01/18/2008)
01/28/2008	<u>41</u>	STATUS REPORT by Heather Buck, Jose Guadalupe Arias–Maravilla, Dorothy Stankovic. (Attachments: # <u>1</u> Consent Order)(Mahoney, Harry) (Entered: 01/28/2008)
02/11/2008	<u>42</u>	CONSENT ORDER resolving remaining issues in this case. Signed by Honorable A. Richard Caputo on 2/11/08. (hm,) (Entered: 02/11/2008)
03/27/2008	<u>43</u>	Letter to Attorney Grogan from Court re: removal or destruction of exhibits submitted at the injunction hearing held 4/26/08 w/permission for destruction form attached. (hm,) (Entered: 03/27/2008)
03/27/2008	<u>44</u>	Letter to Attorney Mahoney from Court re: removal or destruction of exhibits submitted at the injunction hearing held 4/26/08 w/permission for destruction form attached. (hm,) (Entered: 03/27/2008)
03/27/2008	<u>45</u>	MOTION for Attorney Fees <i>and Costs Pursuant to 42 U.S.C. 1988</i> by Heather Buck, Jose Guadalupe Arias–Maravilla. (Attachments: # <u>1</u> Exhibit(s) #1 Transcript, # <u>2</u> Exhibit(s) #2 Dec. Witold Walczak, # <u>3</u> Exhibit(s) #3 Dec. John Grogan, # <u>4</u> Exhibit(s) #4 Dec. Edward Diver, # <u>5</u> Exhibit(s) #5 Dec. Mary Catherine Roper, # <u>6</u> Exhibit(s) #6 Dec. Omar Jadwat, # <u>7</u> Exhibit(s) #7 Dec. Jennifer Chang, # <u>8</u> Exhibit(s) #8 Dec. Seth Kreimer, # <u>9</u> Exhibit(s) #9 Dec. Edward Posner, # <u>10</u> Exhibit(s) #10 Dec. Francis Patrick Newell, # <u>11</u> Exhibit(s) #11 Composite Chart of Fees)(Roper, Mary) (Additional attachment(s) added on 3/28/2008: # <u>12</u> Unpublished Cases – Binder 1, # <u>13</u> Unpublished Cases – Binder 2) (rm,). (Entered: 03/27/2008)
04/08/2008	<u>46</u>	STIPULATION re <u>45</u> MOTION for Attorney Fees <i>and Costs Pursuant to 42 U.S.C. 1988</i> by Heather Buck, Jose Guadalupe Arias–Maravilla, Dorothy Stankovic. (Mahoney, Harry) (Entered: 04/08/2008)
04/09/2008		REPORT OF SETTLEMENT OFFICER – Settlement Not Reached on 9/27/07. (This report should have been docketed by minute sheet of 9/27/07 docketed by clerks office) (jb,) (Entered: 04/09/2008)
04/10/2008	<u>47</u>	STIPULATION AND ORDER – Of Extension of time to repsond to Plaintiff's Petition for Attorneys Fees and Costs is GRANTED until May 1, 2008.Signed by Honorable A. Richard Caputo on 4/10/08. (ga,) (Entered: 04/10/2008)
05/01/2008	<u>48</u>	RESPONSE by Dorothy Stankovic to <u>45</u> MOTION for Attorney Fees <i>and Costs Pursuant to 42 U.S.C. 1988</i> . (Attachments: # <u>1</u> Exhibit(s) Exhibit A to Response to Fee Petition, # <u>2</u> Exhibit(s) Exhibit B to Response to Fee Petition)(Mahoney, Harry) (Entered: 05/01/2008)
05/13/2008	<u>49</u>	STIPULATION re <u>45</u> MOTION for Attorney Fees <i>and Costs Pursuant to 42 U.S.C. 1988</i> by Heather Buck, Jose Guadalupe Arias–Maravilla. (Roper, Mary) (Entered: 05/13/2008)
05/16/2008	<u>50</u>	ORDER re <u>45</u> Stipulation to Extend Time for Plaintiff's Reply in Support of Petition for Attorney's Fees and Costs. The Plaintiff is granted an extension of one week, May 23,2008, to file a reply in support of their Petition for Attorney's Fees and Costs.Reply Brief due by 5/23/2008.Signed by Honorable A. Richard Caputo on 5/16/08. (erp,) (Entered: 05/16/2008)
05/23/2008	<u>51</u>	REPLY BRIEF re <u>45</u> MOTION for Attorney Fees <i>and Costs Pursuant to 42 U.S.C. 1988</i> filed by Heather Buck, Jose Guadalupe Arias–Maravilla. (Attachments: # <u>1</u> Exhibit(s) Declaration of Thomas B. Schmidt, III, # <u>2</u> Exhibit(s) Supplemental Decl. of Mary Catherine Roper, # <u>3</u> Exhibit(s) Transcript of Proceedings)(Roper,

		Mary) (Entered: 05/23/2008)
08/27/2008	<u>52</u>	MEMORANDUM AND ORDER granting <u>45</u> Motion for Attorney Fees. IT IS HEREBY ORDERED that Plaintiffs' Petition for attorneys' fees and costs is GRANTED as follows: (1) Plaintiffs are awarded counsel fees as follows: (a) for Mary Catherine Roper, of the ACLU of Pennsylvania: nineteen thousand, two hundred thirty-eight dollars and sixty cents (\$19,238.60). (b) For John Grogan of Langer, Grogan and Diver, P.C.: thirty three thousand, four hundred eighty-six dollars and thirty cents (\$33,486.30). (c) For Edward Diver of Langer, Grogan, and Diver, P.C.: twenty-nine thousand, eight hundred twenty-two dollars (\$29,822). (d) For Omar Jadwat of the ACLU Foundation Immigrants' Rights Project based in New York: one thousand, five hundred forty-eight dollars (\$1,548). (e) For Jennifer Chang of the ACLU Foundation Immigrants' Rights Project based in San Francisco: seven hundred and four dollars (\$704.). (f) For Seth Kreimer, of the University of Pennsylvania Law School: one thousand, two hundred dollars (\$1,200). (2) Plaintiffs are awarded costs in the amount of one thousand, eight hundred fifteen dollars and fifty-nine center (\$1,815.59). Signed by Honorable A. Richard Caputo on 8/27/08 (jam,) (Entered: 08/27/2008)
10/23/2008	<u>53</u>	Praeipice to Satisfy Award of Attorneys Fees and Costs filed by Defense Counsel on behalf of Plaintiffs Counsel <i>Mary Catherine Roper, Esquire</i> . (Mahoney, Harry) (Entered: 10/23/2008)