

**U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CIVIL DOCKET FOR CASE #: 2:20-cv-00901-DJH-DMF**

Romero-Lorenzo et al v. Koehn et al
Assigned to: Judge Diane J Humetewa
Referred to: Magistrate Judge Deborah M Fine
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 05/08/2020
Jury Demand: Both
Nature of Suit: 555 Prisoner: Prison
Condition
Jurisdiction: U.S. Government
Defendant

Plaintiff

**Maria Guadalupe Lucero-
Gonzalez**

*each individually and on behalf of
all others similarly situated
TERMINATED: 11/03/2020*

represented by **Alejandro Agustin Ortiz**
ACLU - New York, NY
125 Broad St., 18th Fl.
New York, NY 10004
212-549-2500
Fax: 212-549-2654
Email: ortiza@aclu.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Benjamin C Calleros
Perkins Coie LLP - Phoenix, AZ
2901 N Central Ave., Ste. 2000
Phoenix, AZ 85012
602-351-8174
Email: bcalleros@perkinscoie.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Emma A Andersson
ACLU - New York, NY
125 Broad St., 18th Fl.
New York, NY 10004
212-284-7365
Fax: 212549-2654
Email: eandersson@aclu.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jean-Jacques Cabou

Perkins Coie LLP - Phoenix, AZ
2901 N Central Ave., Ste. 2000
Phoenix, AZ 85012
602-351-8000
Fax: 602-648-7000
Email: jcabou@perkinscoie.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Margo Rose Casselman
Perkins Coie LLP - Phoenix, AZ
2901 N Central Ave., Ste. 2000
Phoenix, AZ 85012
602-351-8159
Fax: 602-648-7161
Email:
mcasselman@perkinscoie.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matthew Robert Koerner
Perkins Coie LLP - Phoenix, AZ
2901 N Central Ave., Ste. 2000
Phoenix, AZ 85012
602-351-8000
Fax: 602-648-7000
Email: mkoerner@perkinscoie.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Somil Bharat Trivedi
ACLU - Washington DC
915 15th St. NW, 7th Fl.
Washington, DC 20005
202-904-7727
Email: strivedi@aclu.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Thomas Dean Ryerson
Perkins Coie LLP - Phoenix, AZ
2901 N Central Ave., Ste. 2000
Phoenix, AZ 85012
602-351-8000
Fax: 602-648-7048

Email: tryerson@perkinscoie.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christine Keeyeh Wee
ACLU - Phoenix, AZ
P.O. Box 17148
Phoenix, AZ 85011
602-650-1854
Email: cwee@acluaz.org
ATTORNEY TO BE NOTICED

Jared G Keenan
ACLU - Phoenix, AZ
P.O. Box 17148
Phoenix, AZ 85011
602-650-1854
Email: jkeenan@acluaz.org
ATTORNEY TO BE NOTICED

Plaintiff

Claudia Romero-Lorenzo

*each individually and on behalf of
all others similarly situated*

represented by **Alejandro Agustin Ortiz**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Benjamin C Calleros
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Corene T Kendrick
ACLU - Washington DC
915 15th St. NW, 7th Fl.
Washington, DC 20005
202-393-4930
Email: ckendrick@aclu.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

David Cyrus Fathi
ACLU - Washington DC
915 15th St. NW, 7th Fl.
Washington, DC 20005

202-548-6609
Fax: 202-393-4931
Email: dfathi@aclu.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Emma A Andersson
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jean-Jacques Cabou
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Margo Rose Casselman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark Carter
ACLU - New York, NY
125 Broad St., 18th Fl.
New York, NY 10004
646-885-8344
Email: MCarter@aclu.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

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

Milo Rohr Inglehart
ACLU - New York, NY
125 Broad St., 18th Fl.
New York, NY 10004
718-954-7388
Email: minglehart@aclu.org
LEAD ATTORNEY
PRO HAC VICE

ATTORNEY TO BE NOTICED

Somil Bharat Trivedi

(See above for address)

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Thomas Dean Ryerson

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Christine Keeyeh Wee

(See above for address)

ATTORNEY TO BE NOTICED

Jared G Keenan

(See above for address)

ATTORNEY TO BE NOTICED

Plaintiff

Tracy Ann Peuplie

*each individually and on behalf of
all others similarly situated*

represented by **Alejandro Agustin Ortiz**

(See above for address)

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Benjamin C Calleros

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Corene T Kendrick

(See above for address)

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

David Cyrus Fathi

(See above for address)

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Emma A Andersson

(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jean-Jacques Cabou
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Margo Rose Casselman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark Carter
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

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

Milo Rohr Inglehart
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Somil Bharat Trivedi
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Thomas Dean Ryerson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christine Keeyeh Wee
(See above for address)
ATTORNEY TO BE NOTICED

Jared G Keenan
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

James Tyler Ciecierski
*each individually and on behalf of
all others similarly situated*

represented by **Alejandro Agustin Ortiz**
(See above for address)
*LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED*

Benjamin C Calleros
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Corene T Kendrick
(See above for address)
*LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED*

David Cyrus Fathi
(See above for address)
*LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED*

Emma A Andersson
(See above for address)
*LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED*

Jean-Jacques Cabou
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Margo Rose Casselman
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Mark Carter

(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

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

Milo Rohr Inglehart
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Somil Bharat Trivedi
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Thomas Dean Ryerson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christine Keeyeh Wee
(See above for address)
ATTORNEY TO BE NOTICED

Jared G Keenan
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Marvin Lee Enos
each individually and on behalf of
all others similarly situated

represented by **Alejandro Agustin Ortiz**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Benjamin C Calleros
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Corene T Kendrick
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

David Cyrus Fathi
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Emma A Andersson
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jean-Jacques Cabou
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Margo Rose Casselman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark Carter
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

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

Milo Rohr Inglehart
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Somil Bharat Trivedi
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Thomas Dean Ryerson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christine Keeyeh Wee
(See above for address)
ATTORNEY TO BE NOTICED

Jared G Keenan
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Brian Koehn
*Warden of the Central Arizona
Florence Correctional Complex*

represented by **Daniel Patrick Struck**
Struck Love Bojanowski & Acedo
PLC
3100 W Ray Rd., Ste. 300
Chandler, AZ 85226
480-420-1600
Email: dstruck@strucklove.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacob Brady Lee
Struck Love Bojanowski & Acedo
PLC
3100 W Ray Rd., Ste. 300
Chandler, AZ 85226
480-420-1641
Fax: 480-420-1696
Email: JLee@strucklove.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nicholas Daniel Acedo
Struck Love Bojanowski & Acedo

PLC
3100 W Ray Rd., Ste. 300
Chandler, AZ 85226
480-420-1600
Email: NAcedo@strucklove.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rachel Love
Struck Love Bojanowski & Acedo
PLC
3100 W Ray Rd., Ste. 300
Chandler, AZ 85226
480-420-1600
Fax: 480-420-1696
Email: RLove@strucklove.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

David Gonzales
*U.S. Marshal for the District of
Arizona, in their official capacities*

represented by **William Charles Staes**
US Attorneys Office - Phoenix, AZ
2 Renaissance Square
40 N Central Ave., Ste. 1800
Phoenix, AZ 85004-4408
602-514-7659
Email: william.staes@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Donald W Washington
*Director of the U.S. Marshals
Service, in their official capacities*

represented by **William Charles Staes**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Michael Carvajal
*Director of the Federal Bureau of
Prisons, in their official capacities*

represented by **William Charles Staes**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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05/08/2020	1	PRISONER CIVIL RIGHTS COMPLAINT (TRO Requested). Filing fee received: \$ 400.00, receipt number 0970-18265715 filed by Tracy Ann Peuplie, Claudia Romero-Lorenzo, James Tyler Ciecierski, Maria Guadalupe Lucero-Gonzalez, Marvin Lee Enos. (Koerner, Matthew) (Attachments: # 1 Civil Cover Sheet, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit)(MCO) (Entered: 05/11/2020)
05/08/2020	2	* MOTION for Temporary Restraining Order by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Koerner, Matthew) (Attachments: # 1 Text of Proposed Order)(MCO). * Added MOTION for Preliminary Injunction on 5/11/2020 (LAD). (Entered: 05/11/2020)
05/08/2020	3	MOTION to Certify Class (Motion for Class Certification and Memorandum in Support) by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Koerner, Matthew) (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Text of Proposed Order)(MCO) (Entered: 05/11/2020)
05/08/2020	4	NOTICE OF ASSIGNMENT (MCO) (Entered: 05/11/2020)
05/11/2020	5	SUMMONS Submitted by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Attachments: # 1 Summons, # 2 Summons, # 3 Summons)(Koerner, Matthew) (Entered: 05/11/2020)
05/11/2020	6	ORDER - Plaintiffs' Motion for a Temporary Restraining Order and Preliminary Injunction (Doc. 2) is denied to the extent it seeks a temporary restraining order without notice to Defendants. If Plaintiffs do not obtain a waiver of service of the summons or complete service of the Summons and Complaint on a Defendant within 90 days of the filing of the Complaint or within 60 days of the filing of this Order, whichever is later, the action may be dismissed as to each Defendant not served. Fed. R. Civ. P. 4(m); LRCiv 16.2(b)(2)(B)(ii). Defendants must respond to the Motion for Class Certification (Doc. 3) and answer the Complaint (Doc. 1) or otherwise respond by appropriate motion within the time provided by the applicable provisions of Rule 12(a) of the Federal Rules of Civil Procedure. Any answer or response must state the specific Defendant by name on whose behalf it is filed. NO LATER than 5:00 p.m. on THURSDAY, MAY 14, 2020, Defendants must RESPOND to the

		<p>Motion for Temporary Restraining Order and Preliminary Injunction. Plaintiffs may file a reply no later than 5:00 p.m. on Friday, May 15, 2020. The Clerk of Court must send a copy of this Order to counsel for CoreCivic, Daniel P. Struck, by email to dstruck@strucklove.com, and by certified mail to: Daniel P. Struck, Struck Love Bojanowski & Acedo PLC, 3100 W Ray Rd., Ste. The Clerk of Court must also send a copy of this Order by email to the United States Attorney for the District of Arizona, to the attention of Peter M. Lantka at peter.lantka@usdoj.gov and Mary Finlon at mary.finlon@usdoj.gov. This matter is referred to Magistrate Judge Deborah M. Fine pursuant to Rules 72.1 and 72.2 of the Local Rules of Civil Procedure for all pretrial proceedings as authorized under 28 U.S.C. § 636(b)(1). (See document for further details). Signed by Judge Diane J Humetewa on 5/11/2020. (LAD) (Entered: 05/11/2020)</p>
05/11/2020	8	<p>Summons Issued as to Michael Carvajal, David Gonzales, Kris Kline, Donald W Washington. (Attachments: # 1 Summons, # 2 Summons, # 3 Summons)(LAD). *** IMPORTANT: When printing the summons, select "Document and stamps" or "Document and comments" for the seal to appear on the document. (4 total) (Entered: 05/11/2020)</p>
05/12/2020		<p>Remark: Pro hac vice motion(s) granted for Emma A Andersson on behalf of Plaintiffs James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, and Claudia Romero-Lorenzo. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 05/12/2020)</p>
05/12/2020	9	<p>NOTICE of Appearance by Christine Keeyeh Wee on behalf of James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Wee, Christine) (Entered: 05/12/2020)</p>
05/12/2020	10	<p>NOTICE of Appearance by Daniel Patrick Struck on behalf of Kris Kline. (Struck, Daniel) (Entered: 05/12/2020)</p>
05/12/2020	11	<p>NOTICE of Appearance by Jared G Keenan on behalf of James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Keenan, Jared) (Entered: 05/12/2020)</p>
05/13/2020	12	<p>MOTION for Leave to File Excess Pages for Respondent Kline's Opposition to Motion for Preliminary Injunction by Kris Kline. (Attachments: # 1 Text of Proposed Order)(Acedo, Nicholas) (Entered: 05/13/2020)</p>

05/14/2020	13	NOTICE OF ATTORNEY APPEARANCE: Wiliam C. Staes appearing for Michael Carvajal, David Gonzales, Donald W Washington. . (Staes, William) (Entered: 05/14/2020)
05/14/2020	14	ORDER that the referral to the Magistrate Judge is withdrawn as to Defendants' 12 Motion for Leave to Exceed Page Limit. ORDERED granting the 12 Motion for Leave to Exceed Page Limit. Signed by Judge Diane J Humetewa on 5/14/2020. (LFIG) (Entered: 05/14/2020)
05/14/2020	15	SUMMONS Submitted by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Attachments: # 1 Summons)(Koerner, Matthew) (Entered: 05/14/2020)
05/14/2020	16	RESPONSE to Motion re: 2 MOTION for Temporary Restraining Order MOTION for Preliminary Injunction, 12 MOTION for Leave to File Excess Pages for Respondent Kline's Opposition to Motion for Preliminary Injunction filed by Kris Kline. (Attachments: # 1 Declaration of Chief Deputy USMS Van D. Bayless, # 2 Declaration of K. Ivens, M.D., F.A.C.C.P. (w/Attachment 01), # 3 Declaration of Warden K. Kline, # 4 Attachments 01-11 to Declaration of Warden K. Kline, # 5 Attachments 12-18 to Declaration of Warden K. Kline, # 6 Attachments 19-27 to Declaration of Warden K. Kline, # 7 Attachments 28-32 to Declaration of Warden K. Kline, # 8 Declaration of A. Partain (w/Attachments 01-07))(Acedo, Nicholas) (Entered: 05/14/2020)
05/15/2020	17	Summons Issued as to U.S. Attorney and U.S. Attorney General. (Attachments: # 1 Summons)(BAS) (Entered: 05/15/2020)
05/15/2020	18	REPLY to Response to Motion re: 2 MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Attachments: # 1 Exhibit)(Koerner, Matthew) (Entered: 05/15/2020)
05/18/2020	19	ORDER that the referral to the Magistrate Judge is withdrawn as to Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction (Doc. 2). ORDERED setting a Telephonic Hearing re: Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction (Doc. 2) for 5/22/2020 at 10:00 AM

		(Arizona Time) in Courtroom 605, 401 West Washington Street, Phoenix, AZ 85003 before Judge Diane J Humetewa. Counsel will receive dial-in instructions for the teleconference separately via electronic mail. ORDERED the parties must meet and confer prior to the hearing in order to agree upon an expert willing and able to immediately serve as a Rule 706 expert should the Court grant Plaintiffs' Motion. IT IS FURTHER ORDERED that if any member of the public wishes to listen to the telephonic hearing, they shall contact chambers via electronic mail to request dial-in instructions to listen to the hearing. All other matters must remain with the Magistrate Judge for disposition as appropriate. Signed by Judge Diane J Humetewa on 5/18/2020. (See Order for details.) (LFIG) (Entered: 05/18/2020)
05/18/2020	20	SERVICE EXECUTED : Certified Mail Receipt re: Order upon Daniel Struck on 5/14/2020. (CLB) (Entered: 05/19/2020)
05/19/2020		Remark: Pro hac vice motion(s) granted for Alejandro Agustin Ortiz on behalf of Plaintiffs James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, and Claudia Romero-Lorenzo. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 05/19/2020)
05/19/2020	21	NOTICE of Errata re: 16 Response to Motion <i>Re: (Corrected) Index to Attachments of Declaration of K. Kline (Doc. 16-4, pgs. 1-2)</i> by Defendant Kris Kline.. (Attachments: # 1 Exhibit 1 - Index to Attachments of Declaration of K. Kline (Doc 16-4) - Corrected)(Lee, Jacob) (Entered: 05/19/2020)
05/21/2020	22	MINUTE ORDER: The Court has received inquiries from media representatives who wish to listen to the May 22, 2020, telephonic hearing. Although the standard is that federal district courts may not broadcast their proceedings, the Executive Committee of the Judicial Conference recently issued a guidance document that "approve[s] a temporary exception to the policy to allow a judge to authorize the use of teleconference technology to provide the public and the media audio access to court proceedings while public access to federal courthouses generally, or with respect to a particular district, is restricted due to health and safety concerns during the Coronavirus Disease (COVID-19) pandemic." Given this development, public access to the May 22, 2020 telephonic hearing will be permitted. Members of the media seeking access are directed to email: AZD-PIO@azd.uscourts.gov to obtain dialing instructions. Participants and listeners are reminded that audio recording the proceedings

		is prohibited. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (LFIG) (Entered: 05/21/2020)
05/21/2020	23	NOTICE re: Joint Supplemental Declarations in Support of Joint Response in Opposition to Motion for Temporary Restraining Order and Preliminary Injunction by Kris Kline re: 2 MOTION for Temporary Restraining Order MOTION for Preliminary Injunction, 21 Notice of Errata, 18 Reply to Response to Motion, 16 Response to Motion . (Attachments: # 1 Supplemental Declaration of Warden K. Kline, # 2 Supplemental Declaration of A. Partain)(Acedo, Nicholas) (Entered: 05/21/2020)
05/22/2020	24	NOTICE re: Supplemental Authority Re: Exhaustion (Joint) by Michael Carvajal, David Gonzales, Donald W Washington, Kris Kline re: 16 Response to Motion. (Acedo, Nicholas) *Modified to add filer on 5/22/2020 (DXD). (Entered: 05/22/2020)
05/22/2020	25	NOTICE re: Notice of Proposed Rule 706 Expert and Objections (Joint) by Michael Carvajal, David Gonzales, Kris Kline, Donald W Washington re: 19 Order, Set/Reset Hearings . (Attachments: # 1 Exhibit 1-3)(Acedo, Nicholas) (Entered: 05/22/2020)
05/22/2020	26	MINUTE ENTRY for proceedings held before Judge Diane J Humetewa: Telephonic Temporary Restraining Order/Preliminary Injunction Hearing held on 5/22/2020 re: Plaintiffs' 2 Motion. Arguments heard. IT IS ORDERED taking this matter under advisement. APPEARANCES: Telephonic appearances by Matthew Koerner, Emma Andersson, Jean-Jacques Cabou, Benjamin Calleros, Margo Casselman, Jared Keenan, Christine Wee, Alejandro Ortiz for Plaintiffs. Telephonic appearances by Nicholas Acedo and Jacob Lee for Defendants. Telephonic appearance by William Staes for the Federal Defendants. (Court Reporter Linda Schroeder.) Hearing held 9:59 AM to 11:23 AM. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (LFIG) (Entered: 05/22/2020)

05/22/2020	27	<p>NOTICE re: Identity of Petitioner Claudia Romero-Lorenzo (Joint) by Michael Carvajal, David Gonzales, Kris Kline, Donald W</p> <p>Washington re: 16 Response to Motion . (Attachments: # 1 Exhibit 1-2)(Acedo, Nicholas) (Entered: 05/22/2020)</p>
05/22/2020	28	<p>NOTICE re: Plaintiffs' Proposed Rule 706 Expert and Objections by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo . (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D)(Cabou, Jean-Jacques) (Entered: 05/22/2020)</p>
06/02/2020	29	<p>ORDER that the reference to the Magistrate Judge is withdrawn as to Plaintiffs' 2 Motion for Temporary Restraining Order and Preliminary Injunction. ORDERED denying Plaintiffs' 2</p> <p>Motion for Temporary Restraining Order and Preliminary Injunction. All other matters must remain with the Magistrate Judge for disposition as appropriate. Signed by Judge Diane J Humetewa on 6/2/2020. (See Order for details.) (LFIG) (Entered: 06/02/2020)</p>
06/03/2020	30	<p>TRANSCRIPT REQUEST <i>of Hearing held on 5/22/2020</i> by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo for proceedings held on 5/22/2020, Judge Diane J Humetewa hearing judge(s). (Koerner, Matthew) (Entered: 06/03/2020)</p>
06/03/2020	31	<p>TRANSCRIPT REQUEST <i>Amended to reflect daily rate</i> by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo for proceedings held on 5/22/2020, Judge Diane J Humetewa hearing judge(s). (Koerner, Matthew) (Entered: 06/03/2020)</p>
06/03/2020	32	<p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT <i>of TELEPHONIC MOTION FOR TRO/PRELIMINARY INJUNCTION HEARING</i> proceedings held on 05/22/2020, before Judge DIANE J. HUMETEWA. [Court Reporter: Linda Schroeder, RDR, CRR, Telephone number (602) 322-7249]. The ordering party will have electronic access to the transcript immediately. All others may view the transcript at the court public terminal or it may be purchased through the Court Reporter/Transcriber by filing a Transcript Order Form on the docket before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/24/2020. Redacted Transcript</p>

		Deadline set for 7/6/2020. Release of Transcript Restriction set for 9/1/2020. (RAP) (Entered: 06/05/2020)
06/15/2020	33	*SERVICE EXECUTED : Rule 4 Waiver of Service of Summons. Waiver sent on 6/12/20 to Kris Kline by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo . (Koerner, Matthew) *Modified to correct event type on 6/16/2020 (EJA). (Entered: 06/15/2020)
06/15/2020	34	*NOTICE of Service filed by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo: Notice of Service re: Summons, Complaint, Motion for Temporary Restraining Order and Motion for Class Certification upon David Gonzales, Donald W. Washington, Michael Carvajal, United States Attorney's office, United States Attorney General on 5/15/20, 6/11/20, 6/12/20. (Koerner, Matthew) *Modified to correct event type on 6/16/2020 (EJA). (Entered: 06/15/2020)
06/16/2020	35	MOTION for Reconsideration re: 29 Order on Motion for TRO, Order on Motion for Preliminary Injunction by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Attachments: # 1 Text of Proposed Order)(Casselman, Margo) (Entered: 06/16/2020)
06/18/2020	36	ORDER that the reference to the Magistrate Judge is withdrawn as to the Motion for Reconsideration (Doc. 35). Defendants must file a response to the Motion for Reconsideration within 10 days of the date of this Order. Plaintiffs may file a Reply in support of their Motion within 5 days of the date Defendants' response is filed. All other matters must remain with the Magistrate Judge for disposition as appropriate. Signed by Judge Diane J Humetewa on 6/18/2020. (LFIG) (Entered: 06/18/2020)
06/24/2020	37	*Joint MOTION to Vacate 6 Order, Set/Reset Motion and R&R Deadlines/Hearings Re: <i>Defendants-Respondents Joint Motion to Vacate Class Certification Briefing</i> by Kris Kline, David Gonzales, Donald W Washington, Michael Carvajal. (Attachments: # 1 Text of Proposed Order)(Lee, Jacob) *Modified to add filers on 6/26/2020 (EJA). (Entered: 06/24/2020)
06/26/2020	38	RESPONSE to Motion re: 35 MOTION for Reconsideration re: 29 Order on Motion for TRO, Order on Motion for Preliminary

		Injunction filed by Michael Carvajal, David Gonzales, Kris Kline, Donald W Washington. (Acedo, Nicholas) (Entered: 06/26/2020)
07/01/2020	39	REPLY to Response to Motion re: 35 MOTION for Reconsideration re: 29 Order on Motion for TRO, Order on Motion for Preliminary Injunction filed by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Casselmann, Margo) (Entered: 07/01/2020)
07/06/2020	40	NOTICE re: PLAINTIFFS-PETITIONERS NOTICE OF THIRTY-NINE (39) ADDITIONAL CONFIRMED COVID-19 CASES AT CORECIVIC by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo . (Koerner, Matthew) (Entered: 07/06/2020)
07/08/2020	41	RESPONSE re: 40 Notice (Other) <i>Re: Joint Response to Plaintiffs-Petitioners' Notice of Thirty-Nine (39) Additional Confirmed COVID-19 Cases</i> by Defendant Kris Kline. (Attachments: # 1 Exhibit 1 - Declaration of Warden K. Kline)(Lee, Jacob) (Entered: 07/08/2020)
07/08/2020	42	RESPONSE to Motion re: 37 Joint MOTION to Vacate 6 Order, Set/Reset Motion and R&R Deadlines/Hearings <i>Re: Defendants-Respondents Joint Motion to Vacate Class Certification Briefing, 3 MOTION to Certify Class</i> filed by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Attachments: # 1 Exhibit Exhibit 1)(Koerner, Matthew) (Entered: 07/08/2020)
07/10/2020	43	First MOTION for Extension of Time to File Answer re: 1 Complaint , MOTION for Extension of Time to File Response/Reply as to 3 MOTION to Certify Class by Michael Carvajal, David Gonzales, Donald W Washington. (Attachments: # 1 Text of Proposed Order)(Staes, William) (Entered: 07/10/2020)
07/14/2020	44	ORDER that the reference to the Magistrate Judge is withdrawn as to Defendants-Respondents Joint Motion to Vacate Class Certification Briefing, which the Court construes as a Motion for Extension of Time. ORDERED that Defendants-Respondents' 37 Motion for Extension of Time is granted. Defendants-Respondents will have until August 11, 2020 to respond to the Motion for Class Certification. Federal Defendants' 43 Motion for Extension of Time to File Answer and Response to Motion for Class Certification is

		granted. Federal Defendants will have until August 11, 2020 to answer the Complaint and respond to the Motion for Class Certification. Signed by Judge Diane J Humetewa on 7/14/2020. (See Order for details.) (LFIG) (Entered: 07/14/2020)
07/17/2020	45	ORDER that the reference to the Magistrate Judge is withdrawn as to the Motion for Reconsideration (Doc. 35). Plaintiffs' Motion for Reconsideration (Doc. 35) is granted to the extent that the Court clarifies that <i>Monell v. Department of Social Services</i> , 436 U.S. 658, 694 (1978), is inapplicable to Plaintiffs' claims, and is denied to the extent it seeks any other relief. All other matters must remain with the Magistrate Judge for disposition as appropriate. Signed by Judge Diane J Humetewa on 7/17/2020. (LFIG) (Entered: 07/17/2020)
08/10/2020		Remark: Pro hac vice motion(s) granted for Somil Bharat Trivedi on behalf of Plaintiffs James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 08/10/2020)
08/10/2020	46	MOTION for Extension of Time to File Response/Reply as to 3 MOTION to Certify Class (<i>Unopposed</i>) by Kris Kline. (Attachments: # 1 Text of Proposed Order)(Acedo, Nicholas) (Entered: 08/10/2020)
08/11/2020	47	ORDER: Defendant's Unopposed Motion for Extension of Time to File Response to Plaintiff's Motion to Certify Class (Doc. 46) is GRANTED. Defendant's Response shall be filed by August 12, 2020. ORDERED by Judge Diane J Humetewa on 8/11/2020. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (LFIG) (Entered: 08/11/2020)
08/11/2020	48	*Joint MOTION to Dismiss for Lack of Jurisdiction , MOTION to Dismiss for Failure to State a Claim by Michael Carvajal, David Gonzales (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E)(Staes, William) *Modified to correct filers on 8/12/2020 (GMP). (Entered: 08/11/2020)
08/11/2020	49	MOTION to Expedite Discovery by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Attachments: # 1 Exhibit Exhibits A-E, # 2 Text of Proposed Order)(Calleros, Benjamin) (Entered: 08/11/2020)
08/11/2020	50	MOTION to Expedite Consideration of Plaintiffs-Petitioners' Motion for Accelerated and Expedited Discovery by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann

		Peuplie, Claudia Romero-Lorenzo. (Attachments: # 1 Text of Proposed Order)(Calleros, Benjamin) (Entered: 08/11/2020)
08/12/2020	51	RESPONSE in Opposition re: 50 MOTION to Expedite Consideration of Plaintiffs-Petitioners' Motion for Accelerated and Expedited Discovery filed by Kris Kline. (Acedo, Nicholas) (Entered: 08/12/2020)
08/12/2020	52	Additional Attachments to Main Document re: 48 Joint MOTION to Dismiss for Lack of Jurisdiction MOTION to Dismiss for Failure to State a Claim <i>Re: Attachment 1 to Exhibit A - Supplemental Declaration of Warden K. Kline [Doc. 48-1]</i> by Defendant Kris Kline. (Acedo, Nicholas) (Entered: 08/12/2020)
08/12/2020	53	RESPONSE in Opposition re: 3 MOTION to Certify Class (<i>Joint Response</i>) filed by Kris Kline. (Attachments: # 1 Exhibit 1)(Acedo, Nicholas) (Entered: 08/12/2020)
08/13/2020	54	*REPLY re: 50 MOTION to Expedite Consideration of Plaintiffs-Petitioners' Motion for Accelerated and Expedited Discovery by Plaintiffs James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Koerner, Matthew) *Modified text and document link on 8/13/2020 (SLQ). (Entered: 08/13/2020)
08/13/2020	55	ORDER - IT IS HEREBY ORDERED that Plaintiffs-Petitioners' Motion for Expedited Consideration of Plaintiffs-Petitioners' Motion for Accelerated and Expedited Discovery (Doc. 50) is granted. IT IS FURTHER ORDERED that Defendants-Respondents may file a responsive memorandum to the Motion for Accelerated and Expedited Discovery (Doc. 49) no later than five days after the issuance of this Order. IT IS FURTHER ORDERED that Plaintiffs-Petitioners may file a reply in support of their Motion for Accelerated and Expedited Discovery (Doc. 49) no later than two days after Defendants-Respondents' responsive memorandum is filed. (See document for complete details). Signed by Magistrate Judge Deborah M Fine on 8/13/20. (SLQ) (Entered: 08/13/2020)
08/18/2020	56	RESPONSE in Opposition re: 49 MOTION to Expedite Discovery filed by Kris Kline. (Attachments: # 1 Exhibit 01 - 03)(Acedo, Nicholas) (Entered: 08/18/2020)
08/19/2020	57	NOTICE re: Notice of Filing Signed Declaration of Warden K. Kline in Support of Joint Response in Opposition to Plaintiffs-Petitioners Motion for Accelerated and Expedited Discovery by Kris Kline re: 56 Response in Opposition to Motion . (Attachments:

		# 1 Declaration of Warden K. Kline (Signed))(Acedo, Nicholas) (Entered: 08/19/2020)
08/19/2020	58	REPLY to Response to Motion re: 3 MOTION to Certify Class filed by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Calleros, Benjamin) (Entered: 08/19/2020)
08/20/2020	59	REPLY to Response to Motion re: 49 MOTION to Expedite Discovery filed by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Calleros, Benjamin) (Entered: 08/20/2020)
08/28/2020	60	ORDER granting in part, as set forth herein, Plaintiffs' motion for accelerated and expedited discovery to support Plaintiffs' forthcoming motion for preliminary injunctive relief (Doc. 49). See document for complete details. Signed by Magistrate Judge Deborah M Fine on 8/28/20. (EJA) (Entered: 08/28/2020)
09/04/2020	61	MOTION to Stay <i>Defendants-Respondents Joint Motion to Stay Accelerated and Expedited Discovery</i> by Kris Kline. (Attachments: # 1 Text of Proposed Order)(Lee, Jacob) (Entered: 09/04/2020)
09/04/2020	62	MOTION Defendants-Respondents Joint Motion for Expedited Consideration of Joint Motion to Stay re: 61 MOTION to Stay <i>Defendants-Respondents Joint Motion to Stay Accelerated and Expedited Discovery</i> by Kris Kline. (Attachments: # 1 Text of Proposed Order)(Lee, Jacob) (Entered: 09/04/2020)
09/08/2020	63	ORDER - IT IS ORDERED granting Defendants-Respondents' Joint Motion for Expedited Consideration (Doc. 62). IT IS FURTHER ORDERED granting Defendants-Respondents' Joint Motion to Stay Accelerated and Expedited Discovery (Doc. 61). IT IS FURTHER ORDERED staying the August 28, 2020 Order (Doc. 60) requiring Defendants to respond to expedited discovery pending a ruling from the Court as to Defendants' objections to the August 28, 2020 Order, which shall be timely filed within fourteen days from the date of the August 28, 2020 Order. Signed by Magistrate Judge Deborah M Fine on 9/8/2020. (WLP) (Entered: 09/08/2020)
09/10/2020	64	RESPONSE in Opposition re: 48 Joint MOTION to Dismiss for Lack of Jurisdiction MOTION to Dismiss for Failure to State a Claim (<i>Response in Opposition to Joint Motion to Dismiss</i>) filed by James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo.

		(Attachments: # 1 Exhibit A - Proposed First Amended Complaint and Petition)(Koerner, Matthew) (Entered: 09/10/2020)
09/11/2020	65	APPEAL OF MAGISTRATE JUDGE DECISION TO DISTRICT COURT by Kris Kline re: 60 Order on Motion to Expedite. (Acedo, Nicholas) (Entered: 09/11/2020)
09/14/2020	66	ORDER: Defendants have appealed a decision of the Magistrate Judge (Doc. 65). The Court finds cause to expedite briefing on the appeal. Accordingly, IT IS ORDERED that Plaintiffs shall file a response to the appeal by September 21, 2020. No reply will be permitted. ORDERED by Judge Diane J Humetewa on 9/14/2020. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (LFIG) (Entered: 09/14/2020)
09/21/2020	67	RESPONSE to Defendants-Respondents' Objection to Discovery Order by Plaintiffs James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Calleros, Benjamin) (Entered: 09/21/2020)
09/25/2020	68	REPLY to Response to Motion re: 48 Joint MOTION to Dismiss for Lack of Jurisdiction MOTION to Dismiss for Failure to State a Claim & (64) Plaintiffs-Petitioners' Response to Joint Motion to Dismiss filed by Michael Carvajal, David Gonzales, Kris Kline. (Staes, William) (Entered: 09/25/2020)
11/03/2020	69	ORDER granting 3 Plaintiffs' Motion for Class Certification. The following Classes are certified pursuant to Rule 23: (a) The Pretrial Class, defined as All current and future persons held by Defendants Kline, Gonzalez, and Washington in pretrial detention at Central Arizona Florence Correctional Complex ('CoreCivic'), and (b) The Post-Conviction Class, defined as All current and future persons held by Defendants Kline and Carvajal in post-conviction detention at CoreCivic. Named Plaintiffs Tracy Ann Peuplie, James Tyler Ciecierski, and Marvin Lee Enos are appointed as class representatives for the Pretrial Class, and Plaintiff Claudia Romero-Lorenzo is appointed as class representative for the Post-Conviction Class. Named Plaintiff Lucero-Gonzalez is dismissed from this action. The Clerk of Court must update the docket to reflect that named Plaintiff Maria Guadalupe Lucero-Gonzalez has been released from custody and is no longer a Plaintiff in this action. Signed by Judge Diane J Humetewa on 11/3/20. (EJA) (Entered: 11/03/2020)

11/09/2020	70	ORDER affirming the Magistrate Judge's Order granting Plaintiffs' Motion for Expedited Discovery (Doc. 60). Signed by Judge Diane J Humetewa on 11/9/2020. (See Order for details.) (LFIG) (Entered: 11/09/2020)
11/18/2020	71	NOTICE re: Party Substitution Re: Warden Brian Koehn by Kris Kline . (Acedo, Nicholas) (Entered: 11/18/2020)
11/19/2020	72	ORDER - Telephonic Discovery Dispute Hearing is set for 12/9/2020 at 10:00 AM before Magistrate Judge Deborah M Fine. ORDERED that on or before December 2, 2020, counsel for Plaintiffs and counsel for Defendants may separately file memoranda regarding the discovery dispute not to exceed five pages, including caption but excluding signature block, with exhibits of up to fifteen pages. FURTHER ORDERED that if any members of the public or of the media are seeking access to the hearing, they are directed to email AZD-PIO@azd.uscourts.gov to obtain dial-in instructions. Pursuant to Local Rule 43.1, participants are reminded that audiotaping court proceedings is prohibited. Signed by Magistrate Judge Deborah M Fine on 11/19/20. (EJA) (Entered: 11/19/2020)
11/19/2020	73	*STIPULATION <i>Proposed Protective Order</i> by James Tyler Ciecierski, Marvin Lee Enos, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Calleros, Benjamin) *Modified to remove filer on 11/20/2020 (EJA). (Entered: 11/19/2020)
11/20/2020	74	ORDER - In all future filings, the case caption shall eliminate Maria Guadalupe Lucero-Gonzalez, making Claudia Romero-Lorenzo the first named Plaintiff; the case caption shall also reflect Defendant Brian Koehn, rather than Kris Kline, as Warden of the Central Arizona Florence Correctional Complex. Signed by Magistrate Judge Deborah M Fine on 11/20/20. (EJA) (Entered: 11/20/2020)
11/23/2020	75	NOTICE of Service of Discovery filed by Brian Koehn. (Lee, Jacob) (Entered: 11/23/2020)
11/23/2020	76	NOTICE of Service of Discovery filed by Michael Carvajal, David Gonzales, Donald W Washington. (Staes, William) (Entered: 11/23/2020)
11/24/2020	77	PROTECTIVE ORDER - ORDERED granting the parties' Stipulation for Protective Order (Doc. 73). See document for complete details. Signed by Magistrate Judge Deborah M Fine on 11/24/20. (EJA) (Entered: 11/24/2020)

12/02/2020	78	BRIEF re: 72 Order, Set/Reset Hearings <i>Re: Respondent Koehn's Discovery Dispute Brief</i> by Defendant Brian Koehn. (Lee, Jacob) (Entered: 12/02/2020)
12/02/2020	79	MEMORANDUM On The Deposition of Warden Kris Kline by Plaintiffs James Tyler Ciecierski, Marvin Lee Enos, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Attachments: # 1 Exhibit A-B)(Calleros, Benjamin) (Entered: 12/02/2020)
12/04/2020	80	NOTICE of Service of Discovery filed by Brian Koehn. (Lee, Jacob) (Entered: 12/04/2020)
12/09/2020	81	NOTICE of Appearance by Thomas Dean Ryerson on behalf of James Tyler Ciecierski, Marvin Lee Enos, Maria Guadalupe Lucero-Gonzalez, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Ryerson, Thomas) (Entered: 12/09/2020)
12/09/2020		Remark: Pro hac vice motion(s) granted for Milo Rohr Inglehart on behalf of Plaintiffs James Tyler Ciecierski, Marvin Lee Enos, Tracy Ann Peuplie, Claudia Romero-Lorenzo. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 12/09/2020)
12/09/2020	82	<p>MINUTE ENTRY for proceedings held before Magistrate Judge Deborah M Fine: Telephonic Discovery Hearing held on 12/9/2020. Discovery Dispute discussed. The Court informs that it has carefully reviewed the dispute memoranda. Plaintiffs and Defendants are given opportunity to raise additional arguments, highlight key items in their memoranda, and update the Court on any factual developments. After discussion, IT IS ORDERED allowing Plaintiffs to conduct expedited, remote, video depositions of CAFCC Warden Koehn as well as former CAFCC Warden Kline, each deposition not to last more than four hours of on record time. The depositions shall be conducted within thirty days of this hearing. The Court encourages all counsel to work cooperatively towards trying to avoid a second deposition of former CAFCC Warden Kline later in the litigation.</p> <p>APPEARANCES: Telephonic appearances by Benjamin Calleros, Margo Casselman, Matthew Koerner, Thomas Ryerson observing, will be filing a Notice of Appearance for Plaintiff. Telephonic appearances by Jacob Lee, William Staes for Defendants. (Recorded by COURTSMART.) Hearing held 10:02 am to 11:06 am. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MSA) (Entered: 12/10/2020)</p>

12/21/2020	83	NOTICE of Service of Discovery filed by James Tyler Ciecierski, Marvin Lee Enos, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Calleros, Benjamin) (Entered: 12/21/2020)
12/22/2020	84	Additional Attachments to Main Document re: 83 Notice of Service of Discovery by Plaintiffs James Tyler Ciecierski, Marvin Lee Enos, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Calleros, Benjamin) (Entered: 12/22/2020)
12/22/2020		Remark: Pro hac vice motion(s) granted for Mark Carter on behalf of Plaintiffs James Tyler Ciecierski, Marvin Lee Enos, Tracy Ann Peuplie, Claudia Romero-Lorenzo. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 12/22/2020)
12/28/2020	85	*NOTICE of Service of Discovery filed by James Tyler Ciecierski, Marvin Lee Enos, Tracy Ann Peuplie, Claudia Romero-Lorenzo. (Attachments: # 1 Exhibit Exhibit A)(Koerner, Matthew) *Modified to remove filer on 12/29/2020 (MHW). (Entered: 12/28/2020)
01/12/2021	86	NOTICE of Service of Discovery filed by Brian Koehn. (Lee, Jacob) (Entered: 01/12/2021)
01/20/2021	87	NOTICE of Service of Discovery filed by Brian Koehn. (Lee, Jacob) (Entered: 01/20/2021)
01/26/2021	88	NOTICE of Service of Discovery filed by Michael Carvajal, David Gonzales, Donald W Washington. (Staes, William) (Entered: 01/26/2021)
01/27/2021		Remark: Pro hac vice motion(s) granted for Corene T Kendrick on behalf of Plaintiffs James Tyler Ciecierski, Marvin Lee Enos, Tracy Ann Peuplie, Claudia Romero-Lorenzo. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 01/27/2021)
02/02/2021		Remark: Pro hac vice motion(s) granted for David Cyrus Fathi on behalf of Plaintiffs James Tyler Ciecierski, Marvin Lee Enos, Tracy Ann Peuplie, Claudia Romero-Lorenzo. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 02/02/2021)
02/19/2021	89	ORDER that the reference to the Magistrate Judge is withdrawn as to Defendants-Respondents' Joint Motion to Dismiss (Doc. 48). IT IS ORDERED the Joint Motion to Dismiss (Doc. 48) is granted in part and denied in part. The Motion is granted in part as to (a) Plaintiffs-Petitioners' claims seeking release under § 1331 and/or writs of

		habeas corpus under § 2241, and these claims are dismissed for lack of subject-matter jurisdiction under Rule 12(b)(1); and (b) Plaintiffs' Eighth Amendment claims on behalf of the post-conviction class, and these claims are dismissed for failure to state a claim under Rule 12(b)(6). The Motion is denied as to Defendants' Motion to Dismiss Plaintiff's Fifth Amendment claims on behalf of the pre-trial class. Signed by Judge Diane J Humetewa on 2/17/2021. (See Order for details.) (LFIG) (Entered: 02/19/2021)
03/05/2021	90	<i>Warden Brian Koehn's Answer to Class Action Complaint for Declaratory and Injunctive Relief</i> ANSWER to 1 Complaint with Jury Demand by Brian Koehn.(Lee, Jacob) (Entered: 03/05/2021)
03/05/2021	91	ANSWER to 1 Complaint by Michael Carvajal, David Gonzales, Donald W Washington.(Staes, William) (Entered: 03/05/2021)
03/05/2021	92	ORDER SETTING RULE 16 CASE MANAGEMENT CONFERENCE - Pursuant to Rule 16 of the Federal Rules of Civil Procedure, a Telephonic Case Management Conference is set for April 7, 2021, at 10:30 a.m. in courtroom 304, Sandra Day O'Connor U.S. Courthouse, 401 W. Washington St., Phoenix, Arizona 85003-2151. See document for complete details. Signed by Magistrate Judge Deborah M Fine on 3/5/2021. (WLP) (Entered: 03/05/2021)

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