

PR1983, TERMINATED

**U.S. District Court
District of Oregon (Portland)
CIVIL DOCKET FOR CASE #: 3:80-cv-00841-RE**

Jordan, et al v. Multnomah County, et al
Assigned to: Judge James A. Redden
Demand: \$0
Case in other court: C/A12/01/97, :97- -36116
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 09/18/1980
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil
Rights
Jurisdiction: Federal Question

Plaintiff**Gary Jordan**

represented by **Forrest N. Rieke**
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Plaintiff**Douglas Smalley**

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Plaintiff

Robert C Curvey

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

Frank Jackson
and all all others similarly situated

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V.

Defendant

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Defendant

Gladys McCoy
*Chairperson of Multnomah County
Commission*

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Defendant

Fred B Pearce
Multnomah County Sheriff

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Defendant

Robert Skipper
*Multnomah County Director, Division
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Amicus

**Multnomah County Circuit &
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represented by **Jan Peter Londahl**
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Date Filed	#	Docket Text
02/21/1989	427	Defts' reply to pltfs' memo in oppos to defts' mot to remove Fed Monitor (former employee) (Entered: 02/22/1989)
02/21/1989	428	Defts' reply to pltfs' reply to defts' oppos to pltfs' mot for amendmt of the final order (former employee) (Entered: 02/22/1989)
02/21/1989	429	RECORD OF TELCONF: Hrg set for 2/27/89 is stricken. A Tour of facilities at MCDC will be taken at that time instead. A Hrg on amendments to Final Order will be held on 3/3/89, 10:00 am. ; setting status hrg oral argument on County's mot to expand population (beginning w/another inspection at 9:30) for 1:30 4/13/89 (ntfd c/d) Honorable James A. Redden (former employee) (Entered: 02/24/1989)
02/27/1989	430	2/27/89 Federal Court Monitor Rpt of Court Order Violations (former employee) (Entered: 02/27/1989)
03/08/1989	431	Deft Multnomah Cty's response to Fed Monitor's reports & violation notices 2/21/89 (former employee) (Entered: 03/09/1989)
03/08/1989	432	Deft Mult Cty's response to Fed Monitor's reports & violation notices 1/20/89 (former employee) (Entered: 03/09/1989)
03/08/1989	433	Deft Mult Cty's response to Fed Monitor's reports & violation notices 2/2/89 (former employee) (Entered: 03/09/1989)
03/14/1989	434	John E. del Nero Fed Monitor Court report for the months of Jan & Feb 1989, March 1989 (former employee) (Entered: 03/14/1989)
03/14/1989	435	Deft Mult Cty's response to Federal Monitor's rpts & violation notices 2/27/89 (former employee) (Entered: 03/14/1989)
03/14/1989	436	MOTION of Petitioners Mult Cty Circ & Dist Crt Judges for leave to file memo as amicus curiae (exped hrg req & oral arg NOT req) (former employee) (Entered: 03/15/1989)
03/21/1989	437	Pltfs' response to motion of petitioners' Mult Cty Circuit & Dist Court Judges for leave to file memo as amicus curiae (former employee)

		Modified on 03/22/1989 (Entered: 03/22/1989)
03/21/1989	438	Certificate of service by plaintiffs (former employee) (Entered: 03/22/1989)
03/23/1989	439	ORDER granting motion for leave to file memo as amicus curiae [436-1] (State of OR) (see order) This ord limited to allowing amicus curiae brief mentioned & does not authorize intervention by petitioners to challenge this court's 6/23/87 ord, or any systems implemented by Sheriff re release conditions ntfld Signed 3/23/89 microfilmed 3/23/89 Honorable James A. Redden (former employee) (Entered: 03/23/1989)
03/24/1989	440	Memorandum of petitioner's Multnomah County Circuit & District Court Judges as amicus curiae [436-1] (former employee) (Entered: 03/24/1989)
03/30/1989	441	RECORD OF ORD: tel status conf 3/30/89, 3:30 , ntfld by tel Honorable James A. Redden (former employee) (Entered: 03/31/1989)
03/30/1989	442	RECORD OF tel SRC: ;status hearing set 9:30 4/13/89 , ntfld Honorable James A. Redden (former employee) (Entered: 03/31/1989)
04/06/1989	443	Federal Court Monitor John E del Nero report of court order violations 4/6/89 (former employee) (Entered: 04/06/1989)
04/12/1989	445	ORDER-The Ffinal ord ent in this case be amended (see ord for specifics) ntfld Signed 4/12/89 microfilmed 4/14/89 Honorable James A. Redden (former employee) (Entered: 04/14/1989)
04/13/1989	444	Federal Court Monitor Report of the Court Order Violations Month of April 1989 (former employee) (Entered: 04/13/1989)
04/13/1989	446	RECORD OF HRG: ORD pend mots deferred for 6 mos to allow time to gather further statistical data. Another ;status hearing set 9:30 10/16/89 , ntfld Honorable James A. Redden (former employee) (Entered: 04/17/1989)
04/14/1989	447	Stipulation and ORDER: amending final judgment- pop capacity from 476 to 518 beds (see this order , ntfld Signed 4/13/89 Honorable James A. Redden (former employee) (Entered: 04/17/1989)
04/20/1989	448	Objections by defendants to form of pltf's order (former employee) (Entered: 04/20/1989)
05/02/1989	449	Response by defendant Multnomah County to Fed Monitor's violation report 4/6/89 (former employee) (Entered: 05/03/1989)
05/02/1989	450	Response by defendant Multnomah County to Fed Monitor's court report Jan/Feb 89 (former employee) (Entered: 05/03/1989)
05/02/1989	451	Response by defendant Multnomah County to Fed Monitor's violation report 4/13/89 (former employee) (Entered: 05/03/1989)
05/04/1989	452	RECORD OF ORD: telephone stat conf MON, 5/8/89, 3:00 , ntfld Honorable James A. Redden (former employee) (Entered: 05/05/1989)

05/08/1989	453	RECORD OF StatConf: County to supply order for signature , ntfed Honorable James A. Redden (former employee) (Entered: 05/09/1989)
05/16/1989	454	Federal Monitor report of court order violations 5/16/89 (former employee) (Entered: 05/16/1989)
05/16/1989	455	ORDER Based on hrg 4/13/89 & record herein ORD that final order 6/23/87 be amended (see this order) 1) Fed Monitor be responsible to eprform monitoring duties as to TH-8 along w/the other areas of MCDC & CHJ. Defts' mot to remove Fed Monitor denied at this time. Status of monitor will be reviewed at hrg on 10/16/89. See ord) ntfed Signed 5/16/89 microfilmed & ent 5/16/89 Honorable James A. Redden (former employee) (Entered: 05/16/1989)
06/02/1989	456	Response by defendant Multnomah County to Federal Monitor's Violation Rpt [454-1] (former employee) (Entered: 06/02/1989)
06/12/1989	457	Defts' statistical data report (former employee) (Entered: 06/13/1989)
06/15/1989	458	Federal Monitor Reprot for Months of March, April & May 1989, (June 15, 1989) (former employee) (Entered: 06/16/1989)
06/15/1989	459	MOTION by plaintiffs for award of attorney fees and expenses #459 OA REQ (former employee) (Entered: 06/16/1989)
06/16/1989	460	Affidavit of Spencer M. Neal (former employee) (Entered: 06/16/1989)
06/16/1989	461	Affidavit of David B Markowitz (former employee) (Entered: 06/16/1989)
06/16/1989	462	Affidavit of Henry Kantor (former employee) (Entered: 06/16/1989)
06/16/1989	463	Affidavit as to hours, expenses, hourly rates, & billing practices / Jerome LaBarre (former employee) (Entered: 06/16/1989)
06/16/1989	464	Affidavit of Tom Steenson (former employee) (Entered: 06/16/1989)
06/16/1989	465	Affidavit of Roy S Haber (former employee) (Entered: 06/16/1989)
06/16/1989	466	Affidavit and Memorandum by plaintiff in support of motion for award of attorney fees and expenses [459-1], Jerome LaBarre (former employee) (Entered: 06/16/1989)
06/16/1989	467	Certificate of service by plaintiff (former employee) (Entered: 06/16/1989)
06/26/1989	468	MOTION by defendants for enlargement of time, bifurcating ptlfs' motion and petition for attorney fees and resetting date for OA OA REQ, Exped Consid Req, memo in support (former employee) (Entered: 06/27/1989)
06/26/1989	469	Defts' response objecting to ptlfs' entitlement to an award of atty fees and expenses [459-1] OA REQ, Exped consid req (former employee) (Entered: 06/27/1989)
06/27/1989	470	Federal Court Monitor Report of court order violations 6/27/89 (former

		employee) (Entered: 06/27/1989)
07/10/1989	471	Pltfs' affidavit and memorandum in reply to defts' memo on entitlement and amount of atty fees [459-1] (former employee) (Entered: 07/11/1989)
07/10/1989	472	Pltfs'(motion) and memo in repsonse to defts' motion for enlargement of time, bifurcating ptlfs' motion and petition for attorney fees and resetting date for OA (former employee) (Entered: 07/11/1989)
07/10/1989	473	Certificate of service by plaintiffs (former employee) (Entered: 07/11/1989)
07/13/1989	474	Defts' statistical data report from 6/1/89 through 6/30/89 (former employee) (Entered: 07/13/1989)
08/07/1989	475	Federal Court Monitor Report of Court Order Violations 8/7/89 (former employee) (Entered: 08/07/1989)
08/08/1989	476	Defts' statistical data report (former employee) (Entered: 08/08/1989)
09/13/1989	477	Defts' statistical data report (8/1/89-8/31/89) (former employee) (Entered: 09/14/1989)
09/21/1989	478	Federal Monitor report for the months of June, July, Aug 1989 (9/21/89) (former employee) (Entered: 09/21/1989)
10/10/1989	479	Defts' statistical date report (former employee) (Entered: 10/10/1989)
10/12/1989	480	RECORD OF ord status hrg set for 10/16 is stricken and reset to 10/31/89 at 9:30am . Deft's mot to bifurcate [468] is Granted. The mot by pltfs' for attys fees [459] will be heard only as to entitlement. Once the court rules on that aspect, further briefing & hrg will be set, if necessary. , ntfd Honorable James A. Redden (former employee) (Entered: 10/12/1989)
10/13/1989	481	Pltfs' supplemental affidavits of other attorneys on Lodestar & Multiplier issues. (former employee) (Entered: 10/13/1989)
10/13/1989	482	Certificate of service of document [481] (former employee) (Entered: 10/13/1989)
10/13/1989	483	Transcript of proceedings had 4/13/89 before the Honorable James M. Redden filed (former employee) (Entered: 10/13/1989)
10/17/1989	484	Federal Monitor Report of Court Order Violation & 10 hour Processing for September 1989 (10/17/89) (former employee) (Entered: 10/17/1989)
10/18/1989	485	Supplemental MOTION by pltfs' & petition for attorney fees and expenses #485 , OA REQ (former employee) (Entered: 10/19/1989)
10/18/1989	486	Affidavit as to hours and expenses re motion & petition for attorney fees and expenses [485-1] (former employee) (Entered: 10/19/1989)
10/18/1989	487	Certificate of service by plaintiff (former employee) (Entered: 10/19/1989)

10/24/1989	488	Pltfs' statistical report evaluation (former employee) (Entered: 10/24/1989)
10/24/1989	489	Certificate of svce by plaintiffs (former employee) (Entered: 10/24/1989)
10/27/1989	490	RECORD OF TELCONF: Status hrg set for 10/31/89 stricken & reset ;status hearing set 9:30 11/20/89 , ntd Honorable James A. Redden (former employee) (Entered: 10/27/1989)
11/13/1989	491	Defts statistical report form 10/1 through 10/31/89 (former employee) (Entered: 11/14/1989)
11/20/1989	492	Stipulation and ORDER: (see stipo.) this order supplements final order this court 6/23/87 this order supersedes. 1/1/90 monitor shall cease monitoring requirements set forth in paras 6,11,12, & 15 of order 6/23/87. (see stipo) ntd Signed 11/20/89 Honorable James A. Redden (former employee) (Entered: 11/20/1989)
11/20/1989	493	RECORD OF Fairness Hearing: on settlement of class-action suit , Stipulation & order signed ntd Honorable James A. Redden (former employee) (Entered: 11/21/1989)
12/12/1989	494	Defts' statistical data report from 11/1/89 through 11/30/89 (former employee) (Entered: 12/12/1989)
01/12/1990	495	Monitor Report of court order violation 1/12/90 (former employee) (Entered: 01/16/1990)
01/25/1990	496	Defts' statistical data report from 12/1/89-12/31/89 (former employee) (Entered: 01/25/1990)
01/26/1990	497	Federal Court Monitor Report for months of Sept, Oct, Nov & Dec 1989 (1/26/90) (former employee) (Entered: 01/29/1990)
02/15/1990	498	Federal Court Monitor Report of court order violation 2/15/90 (former employee) (Entered: 02/16/1990)
02/20/1990	499	Defts' Statistical data report from 1/1/90-1/31/90 (former employee) (Entered: 02/20/1990)
02/27/1990	500	Federal Court Monitor Report of court order violations 2/27/90 for month of February 1990 (former employee) (Entered: 02/27/1990)
03/12/1990	501	Deft's statistical data report (former employee) (Entered: 03/12/1990)
03/15/1990	502	Federal Monitor report for the months of January & February 1990 (former employee) (Entered: 03/15/1990)
04/06/1990	503	Federal Court Monitor Rpt of Court Order Violations 4/6/90 for months of March & April (former employee) (Entered: 04/09/1990)
04/10/1990	504	Defts' statistical data report from 3/1/90 through 3/31/90 (former employee) (Entered: 04/10/1990)
04/17/1990	505	Federal Court Monitor Report of Court Order Violation during inspection 4/6/90 (former employee) (Entered: 04/18/1990)

04/25/1990	506	Federal Court Monitor Rpt of Court Violations 4/25/90 (former employee) (Entered: 04/25/1990)
05/08/1990	507	Federal Monitor report of court order violations 5/8/90 (former employee) (Entered: 05/09/1990)
05/11/1990	508	Defts' statistical data report (former employee) (Entered: 05/11/1990)
05/22/1990	509	Federal Court Monitor Report of Court Violation 5/22/90 (former employee) (Entered: 05/23/1990)
05/30/1990	510	Federal Court Monitor Report for months of March & April 1990 - Final Report (former employee) (Entered: 05/30/1990)
06/29/1990	511	RECORD OF HRG: (see modified final order of this date) ntfd Honorable James A. Redden (former employee) (Entered: 06/29/1990)
06/29/1990	512	Modified Final ORDER (see order) declaratory judgment & case be considered closed subject to the court reopening the case , ntfd Signed 6/29/90 microfilmed & ent 6/29/90 Honorable James A. Redden (former employee) (Entered: 06/29/1990)
11/27/1990	513	Letter re exhibits: pltf's returned 10/25/90; defts none found (former employee) (Entered: 11/28/1990)
08/12/1997	514	MOTION AND SUPPORTING MEMORANDUM by Defendant Multnomah County FOR ORDER TO TERMINATE MODIFIED FINAL ORDER IN THIS CASE (former employee) Modified on 08/12/1997 (Entered: 08/12/1997)
08/12/1997		SUBSTITUTION of Attorney Thomas C Sponsler Jr replacing attorney Sandra N Duffy for Defendants Robert Skipper, Fred B Pearce, Gladys McCoy and Multnomah County (former employee) (Entered: 08/27/1997)
08/13/1997	515	ORDER by Honorable James A. Redden GRANTING MOTION FOR ORDER TO TERMINATE MODIFIED FINAL ORDER IN THIS CASE [514-1] Signed 8/12/97 (counsel notified) (former employee) (Entered: 08/13/1997)
08/20/1997	516	RECORD OF ORDER by Honorable James A. Redden Telephone Status Conference set for 10:00am 8/26/97 Court will initiate call (counsel notified) (former employee) (Entered: 08/21/1997)
08/22/1997	517	SUBSTITUTION of Attorney replacing attorney Jerome E La Barre by Forrest Reike & William J Savage for Frank Jackson, Herman Jackson, Donald Cobbs, Richard Kienitz, Wallace Washington, Raymond Wielebski, Robert C Curvey, Douglas Smalley, Gary Jordan (former employee) Modified on 08/25/1997 (Entered: 08/25/1997)
08/25/1997	519	CERTIFICATE OF SERVICE of attorney notice [517-1] by Plaintiffs (former employee) (Entered: 08/27/1997)
08/26/1997	518	RECORD OF PROCEEDINGS (TELEPHONE CONFERENCE) before Honorable James A. Redden TO REOPEN CASE ORDER: pursuant to

		court's ordersigned and filed 8/12/97 [515-1] is set aside. New counsel representing the class are Forrest N Rieke and William J Savage; ORDER: Plaintiffs response to Defendants motion to terminate order is due 10/14/97; Plaintiffs reply due 10/20/97; telephone oral argument set for 11/3/97 at 9:30am (counsel notified) Court Rptr Jerry Harris (former employee) (Entered: 08/27/1997)
10/14/1997	520	MOTION by Plaintiffs TO REOPEN CASE (RECORD) (former employee) (Entered: 10/15/1997)
10/14/1997	521	MOTION by Plaintiffs FOR ORDER TO DECLARE UNCONSTITUTIONAL 18:3626(b)(2) Oral Argument Requested (former employee) (Entered: 10/15/1997)
10/14/1997	522	RESPONSE by Plaintiffs to MOTION FOR ORDER TO DECLARE UNCONSTITUTIONAL 18:3626(b)(2) [521-1] (former employee) (Entered: 10/15/1997)
10/14/1997	523	AFFIDAVIT by Plaintiffs of Darcy Bjork (former employee) (Entered: 10/15/1997)
10/17/1997	524	MOTION by Defendant Multnomah County TO EXTEND TIME TO REPLY TO Plaintiffs RESPONSE TO MOTION TO TERMINATE ORDER [521-1] (former employee) (Entered: 10/21/1997)
10/21/1997	525	EXHIBITS 1-5 Plaintiffs motion to declare 18:3626(b)(2) unconstitutional [521-1] (former employee) (Entered: 10/22/1997)
10/22/1997	526	RECORD OF ORDER by Honorable James A. Redden GRANTING Defendants MOTION TO EXTEND TIME TO 10/27/97 TO REPLY TO Plaintiffs RESPONSE TO MOTION TO TERMINATE ORDER [524-1] (counsel notified) (former employee) (Entered: 10/23/1997)
10/27/1997	527	REPLY by Defendant to Plaintiff's response to MOTION FOR ORDER TO DECLARE UNCONSTITUTIONAL 18:3626(b)(2) [521-1], & to Plaintiff's MOTION TO REOPEN CASE (RECORD) [520-1] (former employee) (Entered: 10/27/1997)
10/29/1997	528	NOTICE OF ADDRESS CHANGE by attorney Multnomah County Counsel for Defendants' (former employee) (Entered: 10/29/1997)
10/31/1997	529	RECORD OF ORDER by Honorable James A. Redden GRANTING Plaintiffs' letter request of 10/30/97 requesting that the telephone oral argument of 11/3/97 be held in the courtroom re MOTION FOR ORDER TO TERMINATE MODIFIED FINAL ORDER IN THIS CASE [514-1] (counsel notified) Court Rptr none (former employee) (Entered: 10/31/1997)
11/03/1997	530	MOTION by Plaintiffs' FOR TEMPORARY RESTRAINING ORDER FOR HOUSING 2 INMATES IN ANY CELL (former employee) (Entered: 11/03/1997)
11/03/1997	531	ORDER by Honorable James A. Redden GRANTING Plaintiff's MOTION FOR TEMPORARY RESTRAINING ORDER FOR

		HOUSING 2 INMATES IN ANY CELL [530-1]. This Order will remain in effect until the issuance of my Opinion & Order ruling on the following motions: Defendant's motion to terminate the Jordan Order; Plaintiffs' motion to declare unconstitutional 18 USC sec 3626(b)(2) & Plaintiffs motion to reopen the record Signed 11/3/97 (counsel notified) (former employee) (Entered: 11/04/1997)
11/07/1997	532	OPINION AND ORDER DENYING Plaintiffs MOTION FOR ORDER TO DECLARE UNCONSTITUTIONAL 18:3626(b)(2) [521-1], DENYING Plaintiffs MOTION TO REOPEN CASE (RECORD) [520-1], GRANTING Defendants MOTION FOR ORDER TO TERMINATE MODIFIED FINAL ORDER IN THIS CASE [514-1] (See file for full 4 page opinion and order) 11/7/97 by Honorable James A. Redden microfilmed 11/7/97 (counsel notified) (former employee) (Entered: 11/07/1997)
12/01/1997	533	NOTICE OF APPEAL to Court of Appeals by Plaintiffs' from Opinion & Order entered 11/7/97 [532-1] Receipt # none (former employee) (Entered: 12/02/1997)
12/01/1997		NO APPEAL FEE RECEIVED from Gary Jordan and in forma pauperis granted 9/18/80. (tomg) Modified on 12/03/1997 (Entered: 12/03/1997)
12/03/1997		NOTIFICATION OF APPEAL with attached REPRESENTATION STATEMENT mailed to Court of Appeals For the Ninth Circuit and to counsel along with copy of appealed document and docket sheet. CADS mailed to Court of Appeals (tomg) (Entered: 12/03/1997)
12/15/1997	534	NOTIFICATION by US Court of Appeals for the Ninth Circuit of Docket Number 97-36116 by Plaintiff regarding appeal filed 12/1/97 [533-1] (former employee) (Entered: 12/17/1997)
12/23/1997	535	TRANSCRIPT DESIGNATION AND ORDERING FORM for date(s) NONE re Plaintiffs 12/1/97 appeal [533-1] (former employee) (Entered: 12/30/1997)
02/04/1998	536	JUDGMENT this matter came before court on Defendants Motion to Terminate Order on 8/12/97. On 11/7/97 court granted Defendants motion, denied Plaintiffs motion in opposition and issued opinion and order to that effect. IT IS ORDERED AND ADJUDGED the Modified Final Order entered by this court on 6/29/90 is TERMINATED Signed 1/30/98 microfilmed 2/4/98 Honorable James A. Redden (counsel notified) (former employee) (Entered: 02/04/1998)
03/05/1998	537	CERTIFICATE OF RECORD transmitted to US Court of Appeals for the Ninth Circuit re appeal CA 97-36116 [533-1] filed by Gary Jordan on 12/1/97. (tomg) (Entered: 03/05/1998)
09/26/2000	538	MANDATE/JUDGMENT from USCA AFFIRMING the decision of the District Court [533-1] (ljl) (Entered: 09/28/2000)

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PACER Login:	wu0055	Client Code:	
Description:	Docket Report	Search Criteria:	3:80-cv-00841-RE
Billable Pages:	7	Cost:	0.56
