

**U.S. District Court
Southern District of Mississippi (Southern)
CIVIL DOCKET FOR CASE #: 1:09-cv-00267-LG -RHW**

D.W. et al v. Harrison County, Mississippi
Assigned to: Chief District Judge Louis Guirola, Jr
Referred to: Magistrate Judge Robert H. Walker
Cause: 42:1983 Civil Rights Act

Date Filed: 04/20/2009
Date Terminated: 10/13/2009
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

D.W.

*by and through his next friend, Devonsha
Fairley on behalf of himself and all
persons similarly situated*

represented by **Sheila A. Bedi**
SOUTHERN POVERTY LAW CENTER
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert B. McDuff
ROBERT B. MCDUFF, ATTORNEY
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ATTORNEY TO BE NOTICED

Plaintiff

**Mississippi Protection and Advocacy
System, Inc.**

represented by **Sheila A. Bedi**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert B. McDuff
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

K.V.

*by and through her next friend Sina
Matheny*

represented by **Sheila A. Bedi**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert B. McDuff
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

A.R.

*by and through her next friend Laura
Reed*

represented by **Sheila A. Bedi**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert B. McDuff
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

J.P.
by and through his next friend Theresa Pope

represented by **Sheila A. Bedi**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert B. McDuff
 (See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

A.B.
by and through her next friend Bernadette Brossett

represented by **Sheila A. Bedi**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert B. McDuff
 (See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

W.R.
by and through his next friend, Calister Blackmon

represented by **Sheila A. Bedi**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert B. McDuff
 (See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Harrison County, Mississippi

represented by **Tim C. Holleman**
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LEAD ATTORNEY
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Karen Jobe Young
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TERMINATED: 07/01/2009

Date Filed	#	Docket Text
04/20/2009	<u>1</u>	REDACTED COMPLAINT against Harrison County, Mississippi (Filing fee \$ 350; receipt number B029671), filed by D.W., Mississippi Protection and Advocacy System, Inc. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit 1-2)(JCH) (Entered: 04/20/2009)

04/20/2009	<u>2</u>	MOTION to Certify Class by D.W., Mississippi Protection and Advocacy System, Inc. (JCH) (Entered: 04/20/2009)
04/20/2009	<u>3</u>	MEMORANDUM in Support re <u>2</u> MOTION to Certify Class filed by D.W., Mississippi Protection and Advocacy System, Inc. (Attachments: # <u>1</u> Affidavit)(JCH) (Entered: 04/20/2009)
04/20/2009	<u>4</u>	Summons Issued as to Harrison County, Mississippi (c/o Attorney Joe Meadows and c/o John McAdams, Chancery Clerk). (JCH) (Entered: 04/20/2009)
04/27/2009	<u>5</u>	AMENDED COMPLAINT against Harrison County, Mississippi, filed by D.W.. (Attachments: # <u>1</u> Exhibit one, # <u>2</u> Exhibit two)(Bedi, Sheila) (Entered: 04/27/2009)
04/27/2009	<u>6</u>	**NOTE: FILED INCORRECTLY. Amended MOTION to Certify Class, MOTION to Amend/Correct <u>2</u> MOTION to Certify Class, <u>3</u> Memorandum in Support of Motion by D.W. (Bedi, Sheila); Modified to add docket text on 4/28/2009 (JCH). (Entered: 04/27/2009)
04/27/2009	<u>7</u>	**NOTE: FILED INCORRECTLY. AMENDED DOCUMENT by D.W.. Amendment to <u>6</u> Amended MOTION to Certify Class MOTION to Amend/Correct <u>2</u> MOTION to Certify Class, <u>3</u> Memorandum in Support of Motion <i>Amended Declaration</i> (Bedi, Sheila); Modified to add docket text on 4/28/2009 (JCH). (Entered: 04/27/2009)
04/27/2009	<u>8</u>	**NOTE: FILED INCORRECTLY. AMENDED DOCUMENT by D.W.. Amendment to <u>7</u> Amended Document <i>Exhibit One</i> (Bedi, Sheila); Modified to add docket text on 4/28/2009 (JCH). (Entered: 04/27/2009)
04/28/2009		DOCKET ANNOTATION as to # 6 – # 8. Attorney's office is advised that all of these documents were filed incorrectly. Document # 6 should be re–filed as a Motion to Certify Class only, the word "Amended" can be text in. Also, a Memorandum should not be attached to the Motion, it should be filed as a separate document, the correct event can be found under the "Responses and Replies" category. Also, documents # 7 and # 8 are not amended documents, they are exhibits to document # 6 and should be attached as exhibits to the Amended Motion to Certify Class, which can all be docketed in the same entry. (JCH) (Entered: 04/28/2009)
04/28/2009	<u>9</u>	Amended MOTION to Certify Class by A.B. (Attachments: # <u>1</u> Exhibit one, # <u>2</u> Affidavit)(Bedi, Sheila) (Entered: 04/28/2009)
04/28/2009	<u>10</u>	**NOTE: FILED INCORRECTLY. MEMORANDUM in Support re Amended MOTION to Certify Class filed by D.W., K.V., A.R., J.P., A.B., W.R. (Attachments: # <u>1</u> Exhibit One, # <u>2</u> Affidavit)(Bedi, Sheila); Modified to delete link and add docket text on 4/29/2009 (JCH). (Entered: 04/28/2009)
04/29/2009		DOCKET ANNOTATION as to # 10. Attorney's office is advised that the wrong document was scanned in. The correct memorandum should be re–filed and linked to document <u>9</u> . (JCH) (Entered: 04/29/2009)
04/29/2009	<u>11</u>	MEMORANDUM in Support re <u>9</u> Amended MOTION to Certify Class filed by D.W., K.V., A.R., J.P., A.B., W.R. (Attachments: # <u>1</u> Exhibit One, # <u>2</u> Affidavit)(Bedi, Sheila) (Entered: 04/29/2009)
05/01/2009	<u>12</u>	NOTICE of Appearance by Robert B. McDuff on behalf of all plaintiffs (McDuff, Robert) (Entered: 05/01/2009)
05/06/2009	<u>13</u>	MOTION for Extension of Time to File Answer re <u>9</u> Amended MOTION to Certify Class by Harrison County, Mississippi (Young, Karen) (Entered: 05/06/2009)
05/06/2009	<u>14</u>	MOTION for Extension of Time to File Answer re <u>5</u> Amended Complaint by Harrison County, Mississippi (Young, Karen) (Entered: 05/06/2009)
05/08/2009		TEXT ONLY ORDER granting <u>14</u> Motion for Extension of Time to Answer re <u>5</u> Amended Complaint. Harrison County, Mississippi answer due 6/9/2009. No further written order will issue from the Court. Signed by Magistrate Judge Robert H. Walker on May 8, 2009 (King, Steve) (Entered: 05/08/2009)

05/08/2009		TEXT ONLY ORDER granting <u>13</u> Motion for Extension of Time to Respond to <u>9</u> Amended MOTION to Certify Class. The Response is due June 9, 2009. NO FURTHER WRITTEN ORDER WILL ISSUE FROM THIS COURT. Signed by District Judge Louis Guirola, Jr., on 5/8/2009. (BR) (Entered: 05/08/2009)
06/11/2009	<u>15</u>	AGREED ORDER signed by District Judge Louis Guirola, Jr., on 6/11/2009. (CG) (Entered: 06/11/2009)
06/30/2009	<u>16</u>	MOTION to Substitute Attorney by Harrison County, Mississippi (Young, Karen) (Entered: 06/30/2009)
07/01/2009		TEXT ONLY ORDER granting <u>16</u> Motion to Substitute Attorney. Added attorney Tim C. Holleman for Harrison County, Mississippi. Attorney Karen Jobe Young terminated. No further written order will issue from the Court. Signed by Magistrate Judge Robert H. Walker on July 1, 2009 (King, Steve) (Entered: 07/01/2009)
08/18/2009	<u>17</u>	Joint MOTION for Settlement <i>Approval</i> by D.W., K.V., A.R., J.P., A.B., W.R., Harrison County, Mississippi (Attachments: # <u>1</u> Signed Settlement Agreement, # <u>2</u> Proposed Notice to Class)(Bedi, Sheila) (Entered: 08/18/2009)
08/18/2009	<u>18</u>	NOTICE of <i>Endorsement</i> by Harrison County, Mississippi re <u>17</u> Joint MOTION for Settlement <i>Approval</i> (Holleman, Tim) (Entered: 08/18/2009)
08/19/2009		DOCKET ANNOTATION as to # 17. Attorney's office is advised that all proposed orders should be submitted to the judge via email and not filed with the document. (JCH) (Entered: 08/19/2009)
08/21/2009	<u>19</u>	NOTICE of Hearing:IN PERSON Status Conference set for 9/3/2009 01:30 PM before District Judge Louis Guirola Jr. and Magistrate Judge Robert H. Walker.(JR) (Entered: 08/21/2009)
09/03/2009		Minute Entry for proceedings held before District Judge Louis Guirola, Jr. and Magistrate Judge Robert H. Walker: Status Conference held on 9/3/2009. Counsel for all parties were present and discussed issues related to the proposed settlement agreement. The parties will file an amended motion for preliminary approval of the settlement agreement and submit an amended proposed order approving same to the Court. (Whitsitt, K) (Entered: 09/03/2009)
10/02/2009	<u>20</u>	MOTION to Amend/Correct <i>FOR APPROVAL OF PROPOSED AMENDED SETTLEMENT AGREEMENT</i> by D.W., K.V., A.R., Mississippi Protection and Advocacy System, Inc., J.P., A.B., W.R. (Attachments: # <u>1</u> Exhibit One–Amended Settlement Agreement, # <u>2</u> Exhibit Two–Demuro CV/Invoice, # <u>3</u> Exhibit three–Balsamo CV, # <u>4</u> Exhibit 4–previously posted notice, # <u>5</u> Exhibit 5–amended notice, # <u>6</u> Exhibit 6–notice to future class members, # <u>7</u> Exhibit 7–class member statements)(Bedi, Sheila) (Entered: 10/02/2009)
10/13/2009	<u>21</u>	ORDER granting <u>20</u> Amended Joint Motion for Approval of Proposed Amended Settlement Agreement; finding as moot <u>2</u> Motion to Certify Class; granting <u>9</u> Amended Motion to Certify Class; finding as moot <u>17</u> Joint Motion for Settlement Approval. This matter is dismissed without prejudice. Signed by District Judge Louis Guirola, Jr. on 10/13/09. (RLW) (Entered: 10/13/2009)