

**U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:14-cv-00406-RLY-MJD**

LEE et al v. PENCE et al
Assigned to: Judge Richard L. Young
Referred to: Magistrate Judge Mark J. Dinsmore
Related Cases: [1:14-cv-00355-RLY-TAB](#)
[1:14-cv-00404-RLY-TAB](#)
[4:14-cv-00015-RLY-TAB](#)
[1:14-cv-00405-RLY-TAB](#)

Date Filed: 03/14/2014
Date Terminated: 06/25/2014
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Case in other court: 7th Circuit, 14-02388 – Mandate
Cause: 42:1983 Civil Rights Act

Plaintiff

PAMELA LEE
Officer

represented by **Karen Celestino-Horseman**
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ATTORNEY TO BE NOTICED

Plaintiff

CANDACE BATTEN-LEE

represented by **Karen Celestino-Horseman**
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ATTORNEY TO BE NOTICED

Kathleen M. Sweeney
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ATTORNEY TO BE NOTICED

Mark W. Sniderman
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ATTORNEY TO BE NOTICED

Robert A. Katz
(See above for address)
ATTORNEY TO BE NOTICED

William R. Groth
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

TERESA WELBORN
OFFICER

represented by **Karen Celestino-Horseman**
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William R. Groth
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Plaintiff

ELIZABETH J. PIETTE

represented by **Karen Celestino-Horseman**
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William R. Groth
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ATTORNEY TO BE NOTICED

Plaintiff

RUTH MORRISON
BATALLION CHIEF

represented by **Karen Celestino–Horseman**
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William R. Groth
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ATTORNEY TO BE NOTICED

Plaintiff

MARTHA LEVERETT

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Kathleen M. Sweeney
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Robert A. Katz
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William R. Groth
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ATTORNEY TO BE NOTICED

Plaintiff

KAREN VAUGHN–KAJMOWICZ
SERGEANT

represented by **Karen Celestino–Horseman**
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Kathleen M. Sweeney
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ATTORNEY TO BE NOTICED

Mark W. Sniderman
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William R. Groth
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Plaintiff

TAMMY VAUGHN-KAJMOWICZ

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Kathleen M. Sweeney
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Mark W. Sniderman
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Robert A. Katz
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William R. Groth
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ATTORNEY TO BE NOTICED

Plaintiff

J. S. V.
*by their parents and next friends, Sergeant
Karen Vaughn-Kajmowicz and Tammy
Vaughn-Kajmowicz*

represented by **Karen Celestino-Horseman**
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ATTORNEY TO BE NOTICED

Kathleen M. Sweeney
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ATTORNEY TO BE NOTICED

Mark W. Sniderman
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ATTORNEY TO BE NOTICED

Robert A. Katz
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ATTORNEY TO BE NOTICED

William R. Groth
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

T. S. V.
*by their parents and next friends, Sergeant
Karen Vaughn-Kajmowicz and Tammy
Vaughn-Kajmowicz*

represented by **Karen Celestino-Horseman**
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ATTORNEY TO BE NOTICED

Kathleen M. Sweeney
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ATTORNEY TO BE NOTICED

William R. Groth
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

T. R. V.
*by their parents and next friends, Sergeant
Karen Vaughn–Kajmowicz and Tammy
Vaughn–Kajmowicz*

represented by **Karen Celestino–Horseman**
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Mark W. Sniderman
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Robert A. Katz
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ATTORNEY TO BE NOTICED

William R. Groth
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

MIKE PENCE
*IN HIS OFFICIAL CAPACITY AS
GOVERNOR OF THE STATE OF
INDIANA*

represented by **Thomas M. Fisher**
OFFICE OF THE ATTORNEY
GENERAL
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ATTORNEY TO BE NOTICED

Defendant

BRIAN ABBOTT
*IN HIS OFFICIAL CAPACITY AS A
MEMBER OF THE BOARD OF
TRUSTEES OF THE INDIANA PUBLIC
RETIREMENT SYSTEM*

represented by **Thomas M. Fisher**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

CHRIS ATKINS
*IN HIS OFFICIAL CAPACITY AS A
MEMBER OF THE BOARD OF
TRUSTEES OF THE INDIANA PUBLIC
RETIREMENT SYSTEM*

represented by **Thomas M. Fisher**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

KEN COCHRAN
*IN HIS OFFICIAL CAPACITY AS A
MEMBER OF THE BOARD OF
TRUSTEES OF THE INDIANA PUBLIC
RETIREMENT SYSTEM*

represented by **Thomas M. Fisher**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

STEVE DANIELS
*IN HIS OFFICIAL CAPACITY AS A
 MEMBER OF THE BOARD OF
 TRUSTEES OF THE INDIANA PUBLIC
 RETIREMENT SYSTEM*

represented by **Thomas M. Fisher**
 (See above for address)
 ATTORNEY TO BE NOTICED

Defendant

JODI GOLDEN
*IN HER OFFICIAL CAPACITY AS A
 MEMBER OF THE BOARD OF
 TRUSTEES OF THE INDIANA PUBLIC
 RETIREMENT SYSTEM*

represented by **Thomas M. Fisher**
 (See above for address)
 ATTORNEY TO BE NOTICED

Defendant

MICHAEL PINKHAM
*IN HIS OFFICIAL CAPACITY AS A
 MEMBER OF THE BOARD OF
 TRUSTEES OF THE INDIANA PUBLIC
 RETIREMENT SYSTEM*

represented by **Thomas M. Fisher**
 (See above for address)
 ATTORNEY TO BE NOTICED

Defendant

KYLE ROSEBROUGH
*IN HIS OFFICIAL CAPACITY AS A
 MEMBER OF THE BOARD OF
 TRUSTEES OF THE INDIANA PUBLIC
 RETIREMENT SYSTEM*

represented by **Thomas M. Fisher**
 (See above for address)
 ATTORNEY TO BE NOTICED

Defendant

BRET SWANSON
*IN HIS OFFICIAL CAPACITY AS A
 MEMBER OF THE BOARD OF
 TRUSTEES OF THE INDIANA PUBLIC
 RETIREMENT SYSTEM*

represented by **Thomas M. Fisher**
 (See above for address)
 ATTORNEY TO BE NOTICED

Defendant

STEVE RUSSO
*IN HIS OFFICIAL CAPACITY AS
 EXECUTIVE DIRECTOR OF THE
 INDIANA PUBLIC RETIREMENT
 SYSTEM*

represented by **Thomas M. Fisher**
 (See above for address)
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/14/2014	<u>1</u>	COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF against All Defendants, filed by All Plaintiffs. (Filing fee \$400, receipt number 0756-2989558) (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Attachment to Civil Cover Sheet, # <u>3</u> Proposed Summons)(Groth, William) Modified on 3/17/2014 for party text (DJH). (Entered: 03/14/2014)
03/14/2014	<u>2</u>	NOTICE of Appearance by William R. Groth on behalf of Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, T. R. V., BY THEIR PARENTS AND NEXT FRIENDS, SERGEANT KAREN VAUGHN-KAJMOWICZ AND TAMMY VAUGHN-KAJMOWICZ, T. S. V., BY THEIR PARENTS AND NEXT FRIENDS, SERGEANT KAREN VAUGHN-KAJMOWICZ AND TAMMY VAUGHN-KAJMOWICZ, J. S. V., BY THEIR PARENTS AND NEXT FRIENDS, SERGEANT KAREN VAUGHN-KAJMOWICZ AND TAMMY VAUGHN-KAMOWICZ, KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Groth, William) (Entered: 03/14/2014)

03/14/2014	<u>3</u>	NOTICE of Appearance by Karen Celestino Horseman on behalf of Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, T. R. V., BY THEIR PARENTS AND NEXT FRIENDS, SERGEANT KAREN VAUGHN-KAJMOWICZ AND TAMMY VAUGHN-KAJMOWICZ, T. S. V., BY THEIR PARENTS AND NEXT FRIENDS, SERGEANT KAREN VAUGHN-KAJMOWICZ AND TAMMY VAUGHN-KAJMOWICZ, J. S. V., BY THEIR PARENTS AND NEXT FRIENDS, SERGEANT KAREN VAUGHN-KAJMOWICZ AND TAMMY VAUGHN-KAMOWICZ, KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Horseman, Karen) (Entered: 03/14/2014)
03/14/2014	<u>4</u>	NOTICE of Appearance by Mark W. Sniderman on behalf of Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, T. R. V., BY THEIR PARENTS AND NEXT FRIENDS, SERGEANT KAREN VAUGHN-KAJMOWICZ AND TAMMY VAUGHN-KAJMOWICZ, T. S. V., BY THEIR PARENTS AND NEXT FRIENDS, SERGEANT KAREN VAUGHN-KAJMOWICZ AND TAMMY VAUGHN-KAJMOWICZ, J. S. V., BY THEIR PARENTS AND NEXT FRIENDS, SERGEANT KAREN VAUGHN-KAJMOWICZ AND TAMMY VAUGHN-KAMOWICZ, KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Sniderman, Mark) (Entered: 03/14/2014)
03/14/2014	<u>5</u>	NOTICE of Appearance by Kathleen M. Sweeney on behalf of Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, T. R. V., BY THEIR PARENTS AND NEXT FRIENDS, SERGEANT KAREN VAUGHN-KAJMOWICZ AND TAMMY VAUGHN-KAJMOWICZ, T. S. V., BY THEIR PARENTS AND NEXT FRIENDS, SERGEANT KAREN VAUGHN-KAJMOWICZ AND TAMMY VAUGHN-KAJMOWICZ, J. S. V., BY THEIR PARENTS AND NEXT FRIENDS, SERGEANT KAREN VAUGHN-KAJMOWICZ AND TAMMY VAUGHN-KAMOWICZ, KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Sweeney, Kathleen) Modified on 3/17/2014 for firm name (DJH). (Entered: 03/14/2014)
03/17/2014	<u>6</u>	Summons Issued as to All Defendants. (DJH) (Entered: 03/17/2014)
03/17/2014	<u>7</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (DJH) (Entered: 03/17/2014)
03/18/2014	<u>8</u>	ORDER REASSIGNING CASE. Clerk is directed to reassign case to Judge Richard L. Young and Magistrate Judge Tim A. Baker for all further proceedings. This case is related to 4:14-CV-15-RLY-TAB. Judge Jane Magnus-Stinson and Magistrate Judge Denise K. LaRue no longer assigned to case. Signed by Judge Richard L. Young on 3/18/2014. (TMD) (Entered: 03/18/2014)
03/19/2014	<u>9</u>	NOTICE of Reassignment of Case to Judge Richard L. Young and Magistrate Judge Tim A. Baker. Judge Jane Magnus-Stinson, Magistrate Judge Denise K. LaRue no longer assigned to the case. Please include the new case number, 1:14-cv-0406-RLY-TAB , on all future filings in this matter. (AAM) (Entered: 03/19/2014)
03/20/2014	<u>10</u>	RETURN of Personal Service, filed by All Plaintiffs. MIKE PENCE served on 3/20/2014. (Attachments: # <u>1</u> Affidavit)(Horseman, Karen) (Entered: 03/20/2014)
03/20/2014	<u>11</u>	RETURN of Personal Service, filed by All Plaintiffs. BRIAN ABBOTT served on 3/20/2014. (Attachments: # <u>1</u> Affidavit)(Horseman, Karen) (Entered: 03/20/2014)
03/20/2014	<u>12</u>	RETURN of Personal Service, filed by All Plaintiffs. CHRIS ATKINS served on 3/20/2014. (Attachments: # <u>1</u> Affidavit)(Horseman, Karen) (Entered: 03/20/2014)
03/20/2014	<u>13</u>	RETURN of Personal Service, filed by All Plaintiffs. KEN COCHRAN served on 3/20/2014. (Attachments: # <u>1</u> Affidavit)(Horseman, Karen) (Entered: 03/20/2014)
03/20/2014	<u>14</u>	RETURN of Personal Service, filed by All Plaintiffs. STEVE DANIELS served on 3/20/2014. (Attachments: # <u>1</u> Affidavit)(Horseman, Karen) (Entered: 03/20/2014)

03/20/2014	<u>15</u>	RETURN of Personal Service, filed by All Plaintiffs. JODI GOLDEN served on 3/20/2014. (Attachments: # <u>1</u> Affidavit)(Horseman, Karen) (Entered: 03/20/2014)
03/20/2014	<u>16</u>	RETURN of Personal Service, filed by All Plaintiffs. (Attachments: # <u>1</u> Affidavit)(Horseman, Karen) (Entered: 03/20/2014)
03/20/2014	<u>17</u>	RETURN of Personal Service, filed by All Plaintiffs. BRET SWANSON served on 3/20/2014. (Attachments: # <u>1</u> Affidavit)(Horseman, Karen) (Entered: 03/20/2014)
03/20/2014	<u>18</u>	RETURN of Personal Service, filed by All Plaintiffs. KYLE ROSEBROUGH served on 3/20/2014. (Attachments: # <u>1</u> Affidavit)(Horseman, Karen) (Entered: 03/20/2014)
03/20/2014	<u>19</u>	RETURN of Personal Service, filed by All Plaintiffs. STEVE RUSSO served on 3/20/2014. (Attachments: # <u>1</u> Affidavit)(Horseman, Karen) (Entered: 03/20/2014)
03/26/2014	<u>20</u>	NOTICE of Appearance by Thomas M. Fisher on behalf of Defendants BRIAN ABBOTT, CHRIS ATKINS, KEN COCHRAN, STEVE DANIELS, JODI GOLDEN, MIKE PENCE, MICHAEL PINKHAM, KYLE ROSEBROUGH, STEVE RUSSO, BRET SWANSON. (Fisher, Thomas) (Entered: 03/26/2014)
03/27/2014	<u>21</u>	SCHEDULING ORDER: A Telephonic Conference is set for 4/4/2014 at 2:00 PM (EST) before Judge Richard L. Young. The information needed to participate in this telephonic conference will be provided by a separate notification. Signed by Judge Richard L. Young on 3/27/2014.(TMD) (Entered: 03/27/2014)
04/04/2014	<u>23</u>	MINUTE ORDER for Scheduling Conference held 4/04/2014 before Judge Richard L. Young. Dispositive Motions due by 4/21/2014. Signed by Judge Richard L. Young. (Court Reporter Judy Mason.)(TMD) (Entered: 04/04/2014)
04/08/2014	<u>24</u>	NOTICE of Parties' First Extension of Time, filed by Defendants BRIAN ABBOTT, CHRIS ATKINS, KEN COCHRAN, STEVE DANIELS, JODI GOLDEN, MIKE PENCE, MICHAEL PINKHAM, KYLE ROSEBROUGH, STEVE RUSSO, BRET SWANSON. (Fisher, Thomas) (Entered: 04/08/2014)
04/18/2014	<u>25</u>	SCHEDULING ORDER: TELEPHONIC Status Conference is set for 4/21/2014 at 12:45 PM before Judge Richard L. Young. Signed by Judge Richard L. Young on 4/18/2014.(TMD) (Entered: 04/18/2014)
04/21/2014	<u>27</u>	MOTION for Summary Judgment , filed by Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. *** CERTAIN EXHIBITS SEALED PER ORDER DATED 4/30/2014 *** (Attachments: # (1) Exhibit A – Affidavit of Officer Pamela Lee and Candace Batten-Lee, # (2) Exhibit A-1 – Application for Beneficiary Designation for Active Member, # (3) Exhibit B – Affidavit of Officer Teresa Welborn and Elizabeth Peitte, # (4) Exhibit B-1 – Application for Beneficiary Designation for Active Member, # (5) Exhibit C – Affidavit of Sergeant Karen Vaughn-Kajmowicz and Tammy Vaughn-Kajmowicz, # (6) Exhibit C-1 – Memorandum to Pension Board, # (7) Exhibit C-2 – Memorandum to Sergeant Vaughn-Kajmowicz, # (8) Exhibit C-3 – Transcribed Voice Message from John Warren, # (9) Exhibit D – Affidavit of Battalion Chief Ruth Morrison and Martha Leverett, # (10) Exhibit D-1 – Application for Retirement Benefits, # (11) Exhibit D-2 – E-mail Exchange)(Groth, William) Modified on 4/30/2014 (SWM). (Entered: 04/21/2014)
04/21/2014	<u>28</u>	BRIEF/MEMORANDUM in Support re <u>27</u> MOTION for Summary Judgment , filed by Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Groth, William) (Entered: 04/21/2014)
04/21/2014	<u>29</u>	MOTION for Preliminary Injunction , filed by Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Groth, William) (Entered: 04/21/2014)

04/21/2014	<u>30</u>	BRIEF/MEMORANDUM in Support re <u>29</u> MOTION for Preliminary Injunction , filed by Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Groth, William) (Entered: 04/21/2014)
04/21/2014	<u>31</u>	MOTION <i>To Consolidate Preliminary Injunction Proceedings With Final Trial On The Merits</i> , filed by Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Groth, William) (Entered: 04/21/2014)
04/21/2014	<u>33</u>	Minute Entry for telephonic conference held 4/21/2014 before Judge Richard L. Young. (Court Reporter Judy Mason.) (TMD) (Entered: 04/28/2014)
04/22/2014	<u>32</u>	MOTION to Seal Document <u>27</u> MOTION for Summary Judgment / <i>Exhibits A-1, B-1 and D-1</i> , filed by Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Attachments: # <u>1</u> Text of Proposed Order)(Groth, William) (Entered: 04/22/2014)
04/30/2014	<u>34</u>	ORDER granting Plaintiffs' <u>32</u> Motion to Seal. IT IS HEREBY ORDERED that Exhibits A-1 [Filing No. 27-2], B-1 [Filing No. 27-4], and D-1 [Filing No. 27-10], shall be sealed by the clerk, and counsel for Plaintiffs are hereby ordered to file redacted copies of same for the public record within 7 days. Signed by Magistrate Judge Tim A. Baker on 4/30/2014. (SWM) (Entered: 04/30/2014)
04/30/2014	<u>35</u>	STIPULATION <i>CONCERNING BRIEFING SCHEDULE</i> , filed by Defendants BRIAN ABBOTT, CHRIS ATKINS, KEN COCHRAN, STEVE DANIELS, JODI GOLDEN, MIKE PENCE, MICHAEL PINKHAM, KYLE ROSEBROUGH, STEVE RUSSO, BRET SWANSON. (Attachments: # (1) Text of Proposed Order)(Fisher, Thomas) Modified on 5/1/2014 (NMT). (Entered: 04/30/2014)
04/30/2014	<u>36</u>	Second MOTION for Extension of Time to May 16, 2014 <i>IN WHICH TO RESPOND TO PLAINTIFFS COMPLAINT</i> , filed by Defendants BRIAN ABBOTT, CHRIS ATKINS, KEN COCHRAN, STEVE DANIELS, JODI GOLDEN, MIKE PENCE, MICHAEL PINKHAM, KYLE ROSEBROUGH, STEVE RUSSO, BRET SWANSON. (Attachments: # (1) Text of Proposed Order)(Fisher, Thomas) Modified on 5/1/2014 (NMT). (Entered: 04/30/2014)
05/01/2014	<u>37</u>	Submission of <i>Redacted Exhibits</i> , filed by Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Attachments: # <u>1</u> Exhibit A-1 - Application for Beneficiary Designation, # <u>2</u> Exhibit B-1 - Application for Beneficiary Designation, # <u>3</u> Exhibit D-1 - Application for Retirement Benefits)(Groth, William) (Entered: 05/01/2014)
05/12/2014	<u>38</u>	ORDER re Parties' <u>35</u> Stipulation Concerning BriefingSchedule (see Order for briefing schedule). Signed by Magistrate Judge Tim A. Baker on 5/12/2014.(SWM) (Entered: 05/12/2014)
05/12/2014	<u>39</u>	ORDER granting Defendants' <u>36</u> Motion for Extension of Time to File response to Plaintiffs' Complaint to 5/16/2014. Signed by Magistrate Judge Tim A. Baker on 5/12/2014. (SWM) (Entered: 05/12/2014)
05/15/2014	<u>40</u>	MOTION for Attorney(s) Robert A. Katz to Appear pro hac vice (No fee paid with this filing), filed by Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Attachments: # <u>1</u> Exhibit Certification of Robert A. Katz, # <u>2</u> Text of Proposed Order)(Sniderman, Mark) (Entered: 05/15/2014)
05/15/2014	<u>41</u>	MOTION for Summary Judgment , filed by Defendants BRIAN ABBOTT, CHRIS ATKINS, KEN COCHRAN, STEVE DANIELS, JODI GOLDEN, MIKE PENCE, MICHAEL PINKHAM, KYLE ROSEBROUGH, STEVE RUSSO, BRET

		SWANSON. (Fisher, Thomas) (Entered: 05/15/2014)
05/15/2014	<u>42</u>	BRIEF/MEMORANDUM in Support re <u>41</u> MOTION for Summary Judgment <i>AND IN OPPOSITION TO PLAINTIFFS MOTIONS FOR PRELIMINARY INJUNCTION AND SUMMARY JUDGMENT</i> , filed by Defendants BRIAN ABBOTT, CHRIS ATKINS, KEN COCHRAN, STEVE DANIELS, JODI GOLDEN, MIKE PENCE, MICHAEL PINKHAM, KYLE ROSEBROUGH, STEVE RUSSO, BRET SWANSON. (Fisher, Thomas) (Entered: 05/15/2014)
05/16/2014	<u>43</u>	ANSWER to <u>1</u> Complaint <i>FOR DECLARATORY AND INJUNCTIVE RELIEF</i> , filed by BRIAN ABBOTT, CHRIS ATKINS, KEN COCHRAN, STEVE DANIELS, JODI GOLDEN, MIKE PENCE, MICHAEL PINKHAM, KYLE ROSEBROUGH, STEVE RUSSO, BRET SWANSON.(Fisher, Thomas) (Entered: 05/16/2014)
05/30/2014	<u>44</u>	NOTICE of Appearance by Kelly R. Eskew on behalf of Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Eskew, Kelly) (Entered: 05/30/2014)
05/30/2014	<u>45</u>	RECEIPT #IP041010 for pro hac vice fee in the amount of \$30.00, paid by Catherine A. Martin on behalf of Robert A. Katz (Docket No. 40). (DJH) (Entered: 05/30/2014)
06/05/2014	<u>46</u>	REPLY in Support of Motion re <u>27</u> MOTION for Summary Judgment , <u>29</u> MOTION for Preliminary Injunction , <u>41</u> MOTION for Summary Judgment <i>and Response to Defendants' Motion for Summary Judgment</i> , filed by Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Attachments: # <u>1</u> Exhibit Ex E – Aff of Dr. Fulcher, # <u>2</u> Exhibit Ex F – Aff of Dr. Buffie, # <u>3</u> Exhibit Ex. G – Aff of Prof. Grossman, # <u>4</u> Exhibit Ex H – Publication of "More then Just a Couple", # <u>5</u> Exhibit Ex I – 1977 Pension Fund Summary of Benefits)(Horseman, Karen) (Entered: 06/05/2014)
06/05/2014	<u>47</u>	MOTION for Leave to File Excess Pages , filed by Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Attachments: # <u>1</u> Text of Proposed Order)(Horseman, Karen) (Entered: 06/05/2014)
06/05/2014	<u>48</u>	MOTION for Leave to File <i>First Amended Complaint</i> , filed by Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Attachments: # <u>1</u> Proposed Amended Complaint, # <u>2</u> Text of Proposed Order for Leave to Amend Complaint)(Horseman, Karen) (Entered: 06/05/2014)
06/05/2014	<u>49</u>	ORDER granting Motion to Appear pro hac vice <u>40</u> for Robert A. Katz on behalf of all Plaintiffs. Copy mailed. Signed by Magistrate Judge Tim A. Baker on 6/5/2014. (ADH) (Entered: 06/06/2014)
06/11/2014	<u>50</u>	ORDER granting <u>47</u> Motion for Leave to File Excess Pages. Signed by Judge Richard L. Young on 6/11/2014. (TMD) (Entered: 06/11/2014)
06/12/2014	<u>51</u>	ORDER granting Plaintiffs' <u>48</u> Motion for Leave to File Amended Complaint. Signed by Magistrate Judge Tim A. Baker on 6/12/2014. (SWM) (Entered: 06/12/2014)
06/12/2014	<u>52</u>	AMENDED COMPLAINT against All Defendants, filed by All Plaintiffs.(SWM) (Entered: 06/12/2014)
06/12/2014	<u>53</u>	Unopposed MOTION for Extension of Time to 06/26/2014 to file reply to <u>41</u> MOTION for Summary Judgment , filed by Defendants BRIAN ABBOTT, CHRIS ATKINS, KEN COCHRAN, STEVE DANIELS, JODI GOLDEN, MIKE PENCE, MICHAEL PINKHAM, KYLE ROSEBROUGH, STEVE RUSSO, BRET SWANSON. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Fisher, Thomas) (Entered: 06/12/2014)

06/16/2014	<u>54</u>	MOTION for Withdrawal of Appearance by <i>Kelly R. Eskew</i> on behalf of All Plaintiffs (Attachments: # <u>1</u> Text of Proposed Order) (Eskew, Kelly) Modified on 6/18/2014 (ADH). (Entered: 06/16/2014)
06/17/2014	<u>55</u>	ORDER OF RECUSAL. Clerk is directed to randomly reassign case and notify parties of newly assigned Magistrate Judge. Signed by Magistrate Judge Tim A. Baker on 6/17/2014. (ADH) (Entered: 06/17/2014)
06/17/2014	<u>56</u>	NOTICE of Reassignment of Case to Magistrate Judge Mark J. Dinsmore. Magistrate Judge Tim A. Baker no longer assigned to the case. Please include the new case number, 1:14-cv-406-RLY-MJD , on all future filings in this matter. (DJH) (Entered: 06/17/2014)
06/19/2014	<u>57</u>	ORDER granting <u>54</u> Motion to Withdraw Attorney Appearance. Attorney Kelly R. Eskew withdrawn. Signed by Magistrate Judge Mark J. Dinsmore on 6/19/2014. (ADH) (Entered: 06/19/2014)
06/25/2014	<u>58</u>	**STAYED PENDING APPEAL PER <u>67</u> USCA ORDER** ORDER granting in part and denying in part Plaintiffs' <u>27</u> Motion for Summary Judgment and granting in part and denying in part Defendants' <u>41</u> Motion for Summary Judgment. Order also denies as moot Plaintiffs' <u>29</u> Motion for Preliminary Injunction, denies as moot Plaintiffs' <u>31</u> Motion to Consolidate Preliminary Injunction Proceedings with Final Trial on the Merits and denies as moot Defendants' <u>53</u> Motion for Extension of Time. (SEE ENTRY FOR DETAILS). Signed by Judge Richard L. Young on 6/25/2014. (TMD) Modified on 6/30/2014 (LBT). (Entered: 06/25/2014)
06/25/2014	<u>59</u>	CLOSED JUDGMENT in favor of Plaintiffs and Governor Pence and against Defendants Brian Abbott, Chris Atkins, Ken Cochran, Steve Daniels, Jodi Golden, Michael Pinkham, Kyle Rosebrough, and Bret Swanson in their official capacities as members of the Board of Trustees of the Indiana Public Retirement System; and Steve Russo, in his official capacity as Executive Director of the Indiana Public Retirement System. Signed by Judge Richard L. Young on 6/25/2014.(TMD) (Entered: 06/25/2014)
06/25/2014	<u>60</u>	NOTICE OF APPEAL as to <u>58</u> Entry on Cross-Motions for Summary Judgment and <u>59</u> Final Judgment, filed by Defendants BRIAN ABBOTT, CHRIS ATKINS, KEN COCHRAN, STEVE DANIELS, JODI GOLDEN, MICHAEL PINKHAM, KYLE ROSEBROUGH, STEVE RUSSO, BRET SWANSON. (No fee paid with this filing) (Fisher, Thomas) Modified on 6/26/2014 to correctly identify parties included in NOA and to create link to judgment (LBT). (Entered: 06/25/2014)
06/25/2014	<u>61</u>	DOCKETING STATEMENT by BRIAN ABBOTT, CHRIS ATKINS, KEN COCHRAN, STEVE DANIELS, JODI GOLDEN, MICHAEL PINKHAM, KYLE ROSEBROUGH, STEVE RUSSO, BRET SWANSON re <u>60</u> Notice of Appeal (Fisher, Thomas) Modified on 6/26/2014 to correctly identify filers of document (LBT). (Entered: 06/25/2014)
06/26/2014	<u>62</u>	SEVENTH CIRCUIT APPEAL INFORMATION SHEET re <u>60</u> Notice of Appeal – Instructions for Attorneys – Parties' Short Record, Instructions, and Designation of Record information attached. Copy mailed to Atty Robert Katz. (JLM) (Entered: 06/26/2014)
06/26/2014	<u>63</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>60</u> Notice of Appeal. – for Court of Appeals Use Only. (JLM) (Entered: 06/26/2014)
06/26/2014	<u>64</u>	USCA Case Number 14-2388 for <u>60</u> Notice of Appeal filed by MICHAEL PINKHAM, CHRIS ATKINS, BRET SWANSON, BRIAN ABBOTT, KEN COCHRAN, JODI GOLDEN, KYLE ROSEBROUGH, STEVE DANIELS, STEVE RUSSO. (Attachments: # <u>1</u> Circuit Rule 3(b) Notice)(JLM) (Entered: 06/26/2014)
06/26/2014	<u>65</u>	USCA Appeal Fees received \$505.00 receipt number IP041372 re <u>60</u> Notice of Appeal filed by MICHAEL PINKHAM, CHRIS ATKINS, BRET SWANSON, BRIAN ABBOTT, KEN COCHRAN, JODI GOLDEN, KYLE ROSEBROUGH, STEVE DANIELS, STEVE RUSSO (USCA #14-2388) (DJH) (Entered: 06/26/2014)
06/27/2014	<u>66</u>	Emergency MOTION to Stay <i>Pending Appeal</i> , filed by Defendants BRIAN ABBOTT, CHRIS ATKINS, KEN COCHRAN, STEVE DANIELS, JODI GOLDEN, MIKE PENCE, MICHAEL PINKHAM, KYLE ROSEBROUGH, STEVE RUSSO, BRET

		SWANSON. (Fisher, Thomas) (Entered: 06/27/2014)
06/27/2014	<u>67</u>	ORDER of USCA as to <u>60</u> Notice of Appeal filed by MICHAEL PINKHAM, CHRIS ATKINS, BRET SWANSON, BRIAN ABBOTT, KEN COCHRAN, JODI GOLDEN, KYLE ROSEBROUGH, STEVE DANIELS, STEVE RUSSO (USCA #14-2388) – Upon consideration of the Emergency Motion for Staying Pending Appeal, filed on 6/27/2014, by counsel for the appellants, it is ORDERED that the motion is GRANTED. The district court's order dated 6/25/2014 is STAYED pending resolution of this appeal. (LBT) (Entered: 06/30/2014)
07/02/2014	<u>68</u>	ORDER of USCA as to <u>60</u> Notice of Appeal filed by MICHAEL PINKHAM, CHRIS ATKINS, BRET SWANSON, BRIAN ABBOTT, KEN COCHRAN, JODI GOLDEN, KYLE ROSEBROUGH, STEVE DANIELS, STEVE RUSSO (USCA #14-2388) – Upon consideration of the Plaintiffs–Appellees Officer Pamela Lee, et al, Emergency Motion to Lift the Court's Stay in Part, filed on 7/1/2014, by counsel for the appellees, it is ORDERED that the motion is DENIED. (LBT) (Entered: 07/02/2014)
07/09/2014	<u>69</u>	DESIGNATION of Record on Appeal by BRIAN ABBOTT, CHRIS ATKINS, KEN COCHRAN, STEVE DANIELS, JODI GOLDEN, MIKE PENCE, MICHAEL PINKHAM, KYLE ROSEBROUGH, STEVE RUSSO, BRET SWANSON re <u>60</u> Notice of Appeal (Fisher, Thomas) (Entered: 07/09/2014)
07/09/2014	<u>70</u>	Unopposed MOTION for Extension of Time to <i>File for Attorneys Fees and Costs</i> , filed by Plaintiffs CANDACE BATTEN–LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN–KAJMOWICZ, TAMMY VAUGHN–KAJMOWICZ, TERESA WELBORN. (Attachments: # <u>1</u> Text of Proposed Order)(Sniderman, Mark) (Entered: 07/09/2014)
07/23/2014	<u>71</u>	Appeal Remark re <u>60</u> Notice of Appeal (USCA #14-2388): Long Record and Supplemental Long Record transmitted to USCA under Cause No. 1:14-cv-355-RLY-TAB. See that docket for transmittal information. (Attachments: # <u>1</u> Notice to Transmit Record)(LBT) (Entered: 07/23/2014)
07/24/2014	<u>72</u>	Appeal Remark re (53 in 1:14-cv-00404-RLY-TAB) Notice of Appeal, (91 in 1:14-cv-00355-RLY-TAB) Notice of Appeal, (60 in 1:14-cv-00406-RLY-MJD) Notice of Appeal (USCA #14-2386, 14-2387, 14-2388): Original record on appeal filed electronically by USCA. Contents of record : 4 vol. of pleadings and 1 unrestricted transcript. (LBT) (Entered: 07/24/2014)
07/25/2014	<u>73</u>	Appeal Remark re (53 in 1:14-cv-00404-RLY-TAB) Notice of Appeal, (91 in 1:14-cv-00355-RLY-TAB) Notice of Appeal, (60 in 1:14-cv-00406-RLY-MJD) Notice of Appeal (USCA #14-2386, 14-2387, 14-2388): Supplemental record on appeal filed electronically by USCA. Contents of record : 3 sealed documents and 1 restricted transcripts. (LBT) (Entered: 07/25/2014)
08/19/2014	<u>74</u>	ORDER granting <u>70</u> Motion for Extension of Time to File for reasonable attorneys' fees and costs until 95 days after the 7th Circuit issues its mandate in this case or the case is otherwise resolved in the 7th Circuit, or 35 days after any proceedings in this case in the US Supreme Court are resolved, whichever is later. Signed by Magistrate Judge Mark J. Dinsmore on 8/19/2014. **Copy sent to USCA re #14-2388.** (CBU) Modified on 8/20/2014 (JLM). (Entered: 08/19/2014)
09/15/2014	<u>75</u>	ORDER of USCA as to (53 in 1:14-cv-00404-RLY-TAB) Notice of Appeal filed by CLERK, ALLEN COUNTY, INDIANA, COMMISSIONER, INDIANA STATE DEPARTMENT OF REVENUE, CLERK, HAMILTON COUNTY, INDIANA [USCA No. 2387], (91 in 1:14-cv-00355-RLY-TAB) Notice of Appeal filed by PENNY BOGAN, WILLIAM C. VANNESS, GREG ZOELLER, PEGGY BEAVER [USCA No. 14-2386], (60 in 1:14-cv-00406-RLY-MJD) Notice of Appeal filed by MICHAEL PINKHAM, CHRIS ATKINS, BRET SWANSON, BRIAN ABBOTT, KEN COCHRAN, JODI GOLDEN, KYLE ROSEBROUGH, STEVE DANIELS, STEVE RUSSO [USCA No. 14-2388]: IT IS ORDERED that the Motion for Stay of Mandate Pending Final Disposition of Petition for Writ of Certiorari is GRANTED. The mandate in appeals 142386, 142387, and 142388 is STAYED pending final disposition of petition for writ of certiorari. The stay will terminate automatically if the certiorari petition is denied or will terminate upon the judgment of the Supreme Court if the certiorari petition is granted. (LBT) (Entered: 09/16/2014)

10/07/2014	<u>76</u>	MANDATE of USCA as to <u>60</u> Notice of Appeal filed by MICHAEL PINKHAM, CHRIS ATKINS, BRET SWANSON, BRIAN ABBOTT, KEN COCHRAN, JODI GOLDEN, KYLE ROSEBROUGH, STEVE DANIELS, STEVE RUSSO (USCA #14-2388) – The judgment of the District Court is AFFIRMED, with costs, in accordance with the decision of this court entered on this date. The petition for writ of certiorari is DENIED by the U.S. Supreme Court. (LBT) (Entered: 10/07/2014)
10/20/2014	<u>77</u>	ORDER denying as moot <u>66</u> Motion to Stay Pending Appeal. Signed by Judge Richard L. Young on 10/20/2014. (TMD) (Entered: 10/20/2014)
01/05/2015	<u>78</u>	MOTION for Extension of Time to 01/26/2015 <i>TO FILE PETITION FOR ATTORNEYS' FEES AND COSTS</i> , filed by Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Attachments: # <u>1</u> Text of Proposed Order)(Groth, William) (Entered: 01/05/2015)
01/07/2015	<u>79</u>	ORDER granting <u>78</u> Plaintiffs' Unopposed Motion to Extend Time. The Plaintiffs shall have up to and including 1/26/2015, to file their petition for attorney's fees and costs in this case. Signed by Magistrate Judge Mark J. Dinsmore on 1/7/2015. (JLM) (Entered: 01/07/2015)
01/26/2015	<u>80</u>	Third MOTION for Extension of Time to 02/25/2015 <i>To File for Attorneys' Fees and Costs</i> , filed by Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN. (Attachments: # <u>1</u> Text of Proposed Order)(Groth, William) (Entered: 01/26/2015)
01/28/2015	<u>81</u>	ORDER granting <u>80</u> Motion for Extension of Time. Plaintiffs shall file their petition for reasonable attorneys' fees and costs on, or before, February 25, 2015. Signed by Magistrate Judge Mark J. Dinsmore on 1/28/2015. (MGG) (Entered: 01/28/2015)
02/19/2015	<u>82</u>	NOTICE to Court regarding resolution of attorney's fees and costs, filed by Plaintiffs CANDACE BATTEN-LEE, PAMELA LEE, MARTHA LEVERETT, RUTH MORRISON, ELIZABETH J. PIETTE, J. S. V., T. R. V., T. S. V., KAREN VAUGHN-KAJMOWICZ, TAMMY VAUGHN-KAJMOWICZ, TERESA WELBORN (Groth, William) Modified on 2/20/2015 (NRN). (Entered: 02/19/2015)

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