

**U.S. District Court
Eastern District of Michigan (Ann Arbor)
CIVIL DOCKET FOR CASE #: 5:17-cv-10343-JEL-MKM**

Lowery Sr. et al v. Snyder et al ****CASE CLOSED – ALL
ENTRIES MUST BE MADE IN 16-10444.****

Assigned to: District Judge Judith E. Levy
Referred to: Magistrate Judge Mona K. Majzoub
Cause: 28:1331 Fed. Question: Personal Injury

Date Filed: 02/02/2017
Date Terminated: 07/27/2017
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Tommie Lowery Sr.

represented by **Esther Berezofsky**
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Plaintiff

Tommie Lowery Jr

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Plaintiff

Isiah Lowery

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Plaintiff

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Plaintiff

Sandra York

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Plaintiff

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Plaintiff

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Plaintiff

Bernie Nelson

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V.

Defendant

Governor Rick Snyder

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Defendant

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ATTORNEY TO BE NOTICED

Defendant

Veolia Environment S.A.
TERMINATED: 05/05/2017

Defendant

Leo Daily

Defendant

State of Michigan

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Nathan A. Gambill
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Defendant

State of MDEQ Michigan

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

Edward Kurtz

Defendant

Darnell Earley

Defendant

Gerald Ambrose

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Defendant

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Defendant

Rowe LLC

Defendant

Veolia North America, LLC

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Defendant

Leo A Daily Company

Defendant

Veolia North America, Inc.

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Michael R. Williams
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ATTORNEY TO BE NOTICED

Defendant

**Veolia Water North America
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ATTORNEY TO BE NOTICED

Michael R. Williams
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ATTORNEY TO BE NOTICED

Defendant

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Defendant

Nick Lyon

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ATTORNEY TO BE NOTICED

Defendant

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Robert G. Kamenec
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Defendant

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Philip A. Erickson
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Defendant

Veolia North America, LLC

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V.

Movant

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Date Filed	#	Docket Text
02/02/2017	<u>1</u>	COMPLAINT <i>Class Action Complaint</i> filed by All Plaintiffs against All Defendants with Jury Demand. Plaintiff requests summons issued. Receipt No: 0645-6073725 – Fee: $ 400. County of 1st Plaintiff: Genesee – County Where Action Arose: Genesee – County of 1st Defendant: Genesee. [Previously dismissed case: No] [Possible companion case(s): Eastern District of Michigan, 16-cv-10323, Judge John Corbett O'Meara] (Washington, Valdemar) (Entered: 02/02/2017)
02/03/2017		NOTICE of Error directed to: Valdemar L. Washington re <u>1</u> Complaint,.. Parties listed on the initiating document were omitted. The filing attorney must use the docket event Addition of Parties to correct the error. [No Image Associated with this docket entry] (BGar) (Entered: 02/03/2017)

02/03/2017	<u>2</u>	SUMMONS Issued for *Gerald Ambrose, Stephen Busch, Patrick Cook, Darnell Earley, Edward Kurtz, State of MDEQ Michigan, State of Michigan, State of DHHS Michigan, Michael Prysby, Adam Rosenthal, Liane Shelter-Smith, Rick Snyder, Veolia Environment S.A., Eden Victoria Wells, Bradley Wurfel, Daniel Wyant* (BGar) (Entered: 02/03/2017)
02/03/2017		A United States Magistrate Judge of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form is available for download at http://www.mied.uscourts.gov (BGar) (Entered: 02/03/2017)
02/03/2017		Addition of Parties to CM/ECF: Plaintiffs Isiah Lowery, Marcus Lowery, Tommie Lowery Jr, Tommie Lowery Sr., Bernie Nelson, Eugene Nelson, Dorsey Ross Jr., Sandra York, Defendants Lockwood Andrews Newnam PC, LAN INC., Rowe LLC, Jerry Ambrose. Reason: Parties were omitted and incorrectly added to CM/ECF when e-filing <u>1</u> Complaint,, Plaintiff requests summons issued. (Washington, Valdemar) (Entered: 02/03/2017)
02/03/2017	<u>3</u>	SUMMONS Issued for *LAN INC.* (BGar) (Entered: 02/03/2017)
02/03/2017	<u>4</u>	SUMMONS Issued for *Rowe LLC* (BGar) (Entered: 02/03/2017)
02/03/2017	<u>5</u>	SUMMONS Issued for *Lockwood Andrews Newnam PC* (BGar) (Entered: 02/03/2017)
02/03/2017		Addition of Parties to CM/ECF: Plaintiffs Isiah Lowery, Marcus Lowery, Tommie Lowery Jr, Tommie Lowery Sr., Bernie Nelson, Eugene Nelson, Dorsey Ross Jr., Sandra York, Defendants Veolia North America, LLC, Leo A Daily Company. Reason: Parties were omitted and incorrectly added to CM/ECF when e-filing <u>1</u> Complaint,, Plaintiff requests summons issued. (Washington, Valdemar) (Entered: 02/03/2017)
02/06/2017	<u>6</u>	SUMMONS Issued for *Leo A Daily Company* (Ahmed, N) (Entered: 02/06/2017)
02/06/2017	<u>7</u>	SUMMONS Issued for *Veolia North America, LLC* (Ahmed, N) (Entered: 02/06/2017)
02/14/2017	<u>8</u>	NOTICE of Appearance by Krista A. Jackson on behalf of Stephen Busch. (Jackson, Krista) (Entered: 02/14/2017)
02/14/2017	<u>9</u>	NOTICE of Appearance by Philip A. Grashoff, Jr on behalf of Stephen Busch. (Grashoff, Philip) (Entered: 02/14/2017)
02/14/2017	<u>10</u>	NOTICE of Appearance by Courtney B. Ciullo on behalf of Stephen Busch. (Ciullo, Courtney) (Entered: 02/14/2017)
02/14/2017	<u>11</u>	NOTICE of Appearance by Dennis K. Egan on behalf of Stephen Busch. (Egan, Dennis) (Entered: 02/14/2017)
02/15/2017	<u>12</u>	STIPULATION AND ORDER Extending Time for MDEQ Defendants to Respond to <u>1</u> Complaint. Response due by 5/26/2017. Signed by District Judge Arthur J. Tarnow. (MLan) (Entered: 02/15/2017)
03/01/2017	<u>13</u>	NOTICE of Appearance by Michael J. Pattwell on behalf of Bradley Wurfel. (Pattwell, Michael) (Entered: 03/01/2017)
03/01/2017	<u>14</u>	NOTICE of Appearance by Michael J. Pattwell on behalf of Daniel Wyant. (Pattwell, Michael) (Entered: 03/01/2017)
03/07/2017	<u>15</u>	STIPULATION re <u>1</u> Complaint,, <i>Acceptance of Service and Stipulation to Establish Deadline to Respond to Complaint</i> by State of MDEQ Michigan, State of Michigan, State of DHHS Michigan, Rick Snyder, Eden Victoria Wells (Bettenhausen, Margaret) (Entered: 03/07/2017)
03/07/2017	<u>16</u>	ATTORNEY APPEARANCE: Margaret A. Bettenhausen appearing on behalf of State of MDEQ Michigan, State of Michigan, State of DHHS Michigan, Rick Snyder, Eden Victoria Wells (Bettenhausen, Margaret) (Entered: 03/07/2017)
03/07/2017	<u>17</u>	ATTORNEY APPEARANCE: Richard S. Kuhl appearing on behalf of State of MDEQ Michigan, State of Michigan, State of DHHS Michigan, Rick Snyder, Eden

		Victoria Wells (Kuhl, Richard) (Entered: 03/07/2017)
03/07/2017	<u>18</u>	ATTORNEY APPEARANCE: Nathan A. Gambill appearing on behalf of State of MDEQ Michigan, State of Michigan, State of DHHS Michigan, Rick Snyder, Eden Victoria Wells (Gambill, Nathan) (Entered: 03/07/2017)
03/07/2017	<u>19</u>	ATTORNEY APPEARANCE: Zachary C. Larsen appearing on behalf of State of MDEQ Michigan, State of Michigan, State of DHHS Michigan, Rick Snyder, Eden Victoria Wells (Larsen, Zachary) (Entered: 03/07/2017)
03/07/2017	<u>20</u>	ATTORNEY APPEARANCE: Todd R. Mendel appearing on behalf of Rick Snyder (Mendel, Todd) (Entered: 03/07/2017)
03/07/2017	<u>21</u>	ATTORNEY APPEARANCE: Eugene Driker appearing on behalf of Rick Snyder (Driker, Eugene) (Entered: 03/07/2017)
03/07/2017	<u>22</u>	ATTORNEY APPEARANCE: Morley Witus appearing on behalf of Rick Snyder (Witus, Morley) (Entered: 03/07/2017)
03/16/2017	<u>23</u>	NOTICE of Appearance by Allison M. Collins on behalf of Patrick Cook, Michael Prysby, Adam Rosenthal. (Collins, Allison) (Entered: 03/16/2017)
03/16/2017	<u>24</u>	NOTICE of Appearance by Charles E. Barbieri on behalf of Patrick Cook, Michael Prysby, Adam Rosenthal. (Barbieri, Charles) (Entered: 03/16/2017)
03/16/2017	<u>25</u>	NOTICE of Appearance by Christopher B. Clare on behalf of Bradley Wurfel, Daniel Wyant. (Clare, Christopher) (Entered: 03/16/2017)
03/20/2017	<u>26</u>	NOTICE of Appearance by James M. Campbell on behalf of Veolia North America, LLC. (Campbell, James) (Entered: 03/20/2017)
03/20/2017	<u>27</u>	NOTICE of Appearance by John A.K. Grunert on behalf of Veolia North America, LLC. (Grunert, John) (Entered: 03/20/2017)
03/20/2017	<u>28</u>	NOTICE of Appearance by Cheryl A. Bush on behalf of Veolia North America, LLC. (Bush, Cheryl) (Entered: 03/20/2017)
03/20/2017	<u>29</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Veolia North America, LLC (Bush, Cheryl) (Entered: 03/20/2017)
03/20/2017	<u>30</u>	NOTICE of Appearance by Michael R. Williams on behalf of Veolia North America, LLC. (Williams, Michael) (Entered: 03/20/2017)
03/23/2017	<u>31</u>	AMENDED COMPLAINT with Jury Demand <i>AMENDED CLASS ACTION COMPLAINT</i> filed by Tommie Lowery Jr, Eugene Nelson, Isiah Lowery, Marcus Lowery, Bernie Nelson, Dorsey Ross Jr., Tommie Lowery Sr., Sandra York against Gerald Ambrose, Veolia North America, LLC, Stephen Busch, Patrick Cook, Darnell Earley, Edward Kurtz, State of MDEQ Michigan, State of Michigan, State of DHHS Michigan, Lockwood Andrews Newnam PC, Michael Prysby, Adam Rosenthal, Liane Shelter-Smith, Rick Snyder, Veolia Environment S.A., Eden Victoria Wells, Bradley Wurfel, Daniel Wyant, Veolia North America, Inc., Veolia Water North America Operating Services, LLC, Rowe Professional Services Company, f/k/a Rowe Engineering, Inc., Nick Lyon, Lockwood, Andrews & Newnam, Inc., Leo A. Daly Company. NEW PARTIES ADDED. (Berezofsky, Esther) (Entered: 03/23/2017)
03/23/2017		REQUEST for SUMMONS for Nick Lyon, Rowe Professional Services Company, f/k/a Rowe Engineering, Inc., Veolia North America, Inc., Veolia Water North America Operating Services, LLC. (Berezofsky, Esther) (Entered: 03/23/2017)
03/24/2017	<u>32</u>	SUMMONS Issued for *Nick Lyon, Rowe Professional Services Company, f/k/a Rowe Engineering, Inc., Veolia North America, Inc., Veolia Water North America Operating Services, LLC* (LGra) (Entered: 03/24/2017)
04/05/2017	<u>33</u>	STIPULATION re <u>31</u> Amended Complaint,, <i>to Establish Deadline to Respond</i> by Nick Lyon (Larsen, Zachary) (Entered: 04/05/2017)
04/21/2017	<u>34</u>	MOTION TO REASSIGN AS A COMPANION CASE by Veolia North America, LLC, Veolia North America, Inc., Veolia Water North America Operating Services,

		LLC. (Attachments: # <u>1</u> Exhibit 1 – Unpublished Cases) (Williams, Michael) (Entered: 04/21/2017)
04/28/2017	<u>35</u>	MOTION for Leave to File Excess Pages by Veolia North America, LLC, Veolia North America, Inc., Veolia Water North America Operating Services, LLC. (Williams, Michael) (Entered: 04/28/2017)
05/01/2017	<u>36</u>	NOTICE of Appearance by Philip A. Erickson on behalf of Leo A. Daly Company, Lockwood, Lockwood, Andrews & Newnam, Inc.. (Erickson, Philip) (Entered: 05/01/2017)
05/01/2017	<u>37</u>	RESPONSE to <u>34</u> MOTION TO REASSIGN AS A COMPANION CASE filed by LAN INC., Lockwood. (Attachments: # <u>1</u> Exhibit A – List of Cases Reassigned to Judge O'Meara) (Erickson, Philip) (Entered: 05/01/2017)
05/01/2017	<u>38</u>	WAIVER OF SERVICE Returned Executed. Leo A. Daly Company waiver sent on 3/2/2017, answer due 5/1/2017; Lockwood, Andrews & Newnam, Inc. waiver sent on 3/2/2017, answer due 5/1/2017; Lockwood Andrews Newnam PC waiver sent on 3/2/2017, answer due 5/1/2017. (Berezofsky, Esther) (Entered: 05/01/2017)
05/01/2017	<u>39</u>	WAIVER OF SERVICE Returned Executed. Veolia North America, LLC waiver sent on 3/2/2017, answer due 5/1/2017. (Berezofsky, Esther) (Entered: 05/01/2017)
05/01/2017	<u>40</u>	WAIVER OF SERVICE Returned Executed. Veolia North America, Inc. waiver sent on 4/4/2017, answer due 6/5/2017; Veolia Water North America Operating Services, LLC waiver sent on 4/4/2017, answer due 6/5/2017. (Berezofsky, Esther) (Entered: 05/01/2017)
05/01/2017	<u>41</u>	MOTION to Dismiss <i>Or in the Alternative, Motion for More Definite Statement</i> by Veolia North America, Inc., Veolia Water North America Operating Services, LLC, Veolia North America, LLC. (Attachments: # <u>1</u> Exhibit 1) (Bush, Cheryl) (Entered: 05/01/2017)
05/01/2017	<u>42</u>	MOTION to Dismiss <i>for Failure to State a Cause of Action</i> by Lockwood, Andrews & Newnam, Inc., Lockwood Andrews Newnam PC. (Attachments: # <u>1</u> Exhibit A – Unpublished Cases) (Kamenec, Robert) (Entered: 05/01/2017)
05/01/2017	<u>43</u>	MOTION to Dismiss <i>Plaintiffs' Amended Class Action Complaint for Lack of Personal Jurisdiction, Rule 12(b)(2), Lack of Subject Matter Jurisdiction, Rule 12(b)(1), and For Failure to State a Claim Upon Which Relief Can Be Granted, Rule 12(b)(6)</i> by Leo A. Daly Company. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Unpublished Cases, # <u>3</u> Exhibit B – Affidavit of Ed Benes) (Kamenec, Robert) (Entered: 05/01/2017)
05/02/2017	<u>44</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Veolia North America, Inc. identifying Corporate Parent Veolia Environnement S.A. for Veolia North America, Inc.. (Bush, Cheryl) (Entered: 05/02/2017)
05/02/2017	<u>45</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Veolia Water North America Operating Services, LLC identifying Corporate Parent Veolia Environnement S.A. for Veolia Water North America Operating Services, LLC. (Bush, Cheryl) (Entered: 05/02/2017)
05/02/2017	<u>46</u>	NOTICE of Appearance by David C. Kent on behalf of Leo A. Daly Company, Lockwood, Lockwood, Andrews & Newnam, Inc.. (Kent, David)[NOTICE OF APPEARANCE ON BEHALF OF LOCKWOOD, ANDREWS & NEWNAM, INC., LOCKWOOD, ANDREWS & NEWNAM, P.C., AND LEO A. DALY COMPANY] Modified on 5/3/2017 (DPer). (Entered: 05/02/2017)
05/04/2017	<u>47</u>	WAIVER OF SERVICE Returned Executed. Darnell Earley waiver sent on 4/27/2017, answer due 6/26/2017. (Berezofsky, Esther) (Entered: 05/04/2017)
05/04/2017	<u>48</u>	WAIVER OF SERVICE Returned Executed. Gerald Ambrose waiver sent on 4/27/2017, answer due 6/26/2017. (Berezofsky, Esther) (Entered: 05/04/2017)
05/04/2017	<u>49</u>	RESPONSE to <u>34</u> MOTION TO REASSIGN AS A COMPANION CASE <i>in Opposition</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F) (Berezofsky,

		Esther) (Entered: 05/04/2017)
05/04/2017	<u>50</u>	STIPULATION of Dismissal <i>Without Prejudice as to Defendant Veolia Environnement, S.A.</i> by All Plaintiffs (Attachments: # <u>1</u> Proposed Form of Order) (Berezofsky, Esther) (Entered: 05/04/2017)
05/05/2017	<u>51</u>	ORDER of Dismissal of Veolia Environment S.A. Signed by District Judge Arthur J. Tarnow. (MLan) (Entered: 05/05/2017)
05/05/2017	<u>52</u>	RESPONSE to <u>34</u> MOTION TO REASSIGN AS A COMPANION CASE filed by State of MDEQ Michigan, State of Michigan, State of DHHS Michigan, Rick Snyder, Eden Victoria Wells. (Larsen, Zachary) (Entered: 05/05/2017)
05/08/2017	<u>53</u>	STIPULATION re <u>41</u> MOTION to Dismiss <i>Or in the Alternative, Motion for More Definite Statement to Extend Time for Plaintiffs to Respond on or before June 12, 2017</i> by All Plaintiffs (Berezofsky, Esther) (Entered: 05/08/2017)
05/08/2017	<u>54</u>	ATTORNEY APPEARANCE: Barry A. Wolf appearing on behalf of Gerald Ambrose (Wolf, Barry) (Entered: 05/08/2017)
05/11/2017	<u>55</u>	REPLY to Response re <u>34</u> MOTION TO REASSIGN AS A COMPANION CASE filed by Veolia North America, LLC, Veolia North America, Inc., Veolia Water North America Operating Services, LLC. (Williams, Michael) (Entered: 05/11/2017)
05/16/2017	<u>56</u>	MOTION for Leave to File Excess Pages <i>in their Motion to Dismiss</i> by Nick Lyon, State of MDEQ Michigan, State of Michigan, State of DHHS Michigan, Rick Snyder, Eden Victoria Wells. (Larsen, Zachary) (Entered: 05/16/2017)
05/17/2017	<u>57</u>	STIPULATION re <u>42</u> MOTION to Dismiss <i>for Failure to State a Cause of Action, 43</i> MOTION to Dismiss <i>Plaintiffs' Amended Class Action Complaint for Lack of Personal Jurisdiction, Rule 12(b)(2), Lack of Subject Matter Jurisdiction, Rule 12(b)(1), and For Failure to State a Claim Upon Which Relief Can Be Granted, Rule 12(b)(6) to Extend Time for Plaintiffs to Respond to Defendants' Motions to Dismiss on or before June 12, 2017</i> by All Plaintiffs (Berezofsky, Esther) (Entered: 05/17/2017)
05/17/2017		TEXT-ONLY ORDER Granting <u>56</u> MOTION for Leave to File Excess Pages <i>in their Motion to Dismiss</i> filed by State of MDEQ Michigan, Nick Lyon, State of DHHS Michigan, Rick Snyder, State of Michigan, Eden Victoria Wells. Signed by District Judge Arthur J. Tarnow. (TMcg) (Entered: 05/17/2017)
05/17/2017	<u>58</u>	MOTION to Dismiss <i>UNDER FED. R. CIV. P. 12(b)(1) & (b)(6)</i> by Nick Lyon, State of MDEQ Michigan, State of Michigan, State of DHHS Michigan, Rick Snyder, Eden Victoria Wells. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Executive Order No. 2015–4, # <u>3</u> Exhibit 2 – MDHHS Announcement of Eden Wells Appointment, # <u>4</u> Exhibit 3 – Order of Dismissal 04–19–2016, # <u>5</u> Exhibit 4 – Opinion and Order 02–02–2017, # <u>6</u> Exhibit 5 – Opinion and Order 02–07–2017, # <u>7</u> Exhibit 6 – Order Granting Motion to Dismiss 02–07–2017, # <u>8</u> Exhibit 7 – Notice of Oral Argument 05–08–2017, # <u>9</u> Exhibit 8 – Opinion and Order 12–21–2016, # <u>10</u> Exhibit 9 – Opinion and Order 11–28–2016) (Larsen, Zachary) (Entered: 05/17/2017)
05/18/2017	<u>59</u>	Ex Parte MOTION for Leave to File Excess Pages <i>MDEQ Employee Defendants' Exparte Motion for Leave to File Brief in Excess of Page Limitation</i> by Stephen Busch, Patrick Cook, Michael Prysby, Adam Rosenthal, Liane Shelter–Smith. (Grashoff, Philip) (Entered: 05/18/2017)
05/18/2017		TEXT-ONLY ORDER Granting <u>59</u> Ex Parte MOTION for Leave to File Excess Pages <i>MDEQ Employee Defendants' Exparte Motion for Leave to File Brief in Excess of Page Limitation</i> filed by Stephen Busch, Michael Prysby, Adam Rosenthal, Liane Shelter–Smith, Patrick Cook. Signed by District Judge Arthur J. Tarnow. (TMcg) (Entered: 05/18/2017)
05/19/2017	<u>60</u>	ATTORNEY APPEARANCE: Thaddeus E. Morgan appearing on behalf of Liane Shelter–Smith (Morgan, Thaddeus) (Entered: 05/19/2017)
05/19/2017	<u>61</u>	NOTICE of Appearance by Michael H. Perry on behalf of Liane Shelter–Smith. (Perry, Michael) (Entered: 05/19/2017)

05/22/2017	<u>62</u>	Ex Parte MOTION for Leave to File Excess Pages by Bradley Wurfel. (Pattwell, Michael) (Entered: 05/22/2017)
05/22/2017		TEXT-ONLY ORDER Granting <u>62</u> Ex Parte MOTION for Leave to File Excess Pages filed by Bradley Wurfel. Signed by District Judge Arthur J. Tarnow. (TMcg) (Entered: 05/22/2017)
05/24/2017	<u>63</u>	ORDER REASSIGNING CASE from District Judge Arthur J. Tarnow and Magistrate Judge R. Steven Whalen in Detroit to District Judge Judith E. Levy and Magistrate Judge Mona K. Majzoub in Ann Arbor. (SSch) (Main Document 63 replaced on 5/24/2017) (SSch). (Entered: 05/24/2017)
05/26/2017	<u>64</u>	MOTION to Dismiss <i>Amended Class Complaint and Brief in Support</i> by Stephen Busch, Patrick Cook, Michael Prysby, Adam Rosenthal, Liane Shelter-Smith. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I) (Grashoff, Philip) (Entered: 05/26/2017)
05/26/2017	<u>65</u>	MOTION to Dismiss by Daniel Wyant. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B) (Pattwell, Michael) (Entered: 05/26/2017)
05/26/2017	<u>66</u>	MOTION to Dismiss by Bradley Wurfel. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B) (Pattwell, Michael) (Entered: 05/26/2017)
05/30/2017	<u>67</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by LAN INC. identifying Corporate Parent Leo A Daly Company for LAN INC.. (Erickson, Philip) (Entered: 05/30/2017)
05/30/2017	<u>68</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Leo A. Daly Company identifying Other Affiliate Lockwood Andrews & Newnam Inc for Leo A. Daly Company. (Erickson, Philip) (Entered: 05/30/2017)
05/30/2017	<u>69</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Lockwood identifying Other Affiliate Lockwood Andrews & Newnam Inc for Lockwood. (Erickson, Philip) (Entered: 05/30/2017)
05/31/2017	<u>70</u>	STIPULATION re <u>58</u> MOTION to Dismiss <i>UNDER FED. R. CIV. P. 12(b)(1) & (b)(6) Extend Time for Plaintiffs to Respond and for State Defendants' Reply</i> by All Plaintiffs (Berezofsky, Esther) (Entered: 05/31/2017)
05/31/2017	<u>71</u>	WAIVER OF SERVICE Returned Executed. Rowe Professional Services Company, f/k/a Rowe Engineering, Inc. waiver sent on 5/9/2017, answer due 7/10/2017. (Berezofsky, Esther) (Entered: 05/31/2017)
06/01/2017		TEXT-ONLY ORDER Granting <u>70</u> Stipulation to Extend Time for Plaintiffs to Respond to the Motion to Dismiss Filed by State Defendants and for State Defendants' Reply –(Responses due by 6/28/2017 & Replies are due by 7/28/2017) – Issued by District Judge Judith E. Levy. (FMos) . (Entered: 06/01/2017)
06/06/2017		TEXT-ONLY ORDER Denying <u>34</u> MOTION TO REASSIGN AS A COMPANION CASE filed by Veolia Water North America Operating Services, LLC, Veolia North America, LLC, Veolia North America, Inc. – Issued by District Judge Judith E. Levy. (FMos) (Entered: 06/06/2017)
06/08/2017	<u>72</u>	ORDER Regarding Status Conference in All Flint Water Cases: (In-Person Status Conference set for 7/26/2017 at 1:00 PM in Courtroom 1 before District Judge Judith E. Levy) – Signed by District Judge Judith E. Levy. (FMos) (Entered: 06/08/2017)
06/09/2017	<u>73</u>	RESPONSE to <u>43</u> MOTION to Dismiss <i>Plaintiffs' Amended Class Action Complaint for Lack of Personal Jurisdiction, Rule 12(b)(2), Lack of Subject Matter Jurisdiction, Rule 12(b)(1), and For Failure to State a Claim Upon Which Relief Can Be Granted, Rule 12(b)(6) In Opposition</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Declaration of Esther Berezofsky, Esq., # <u>2</u> Index of Exhibits, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10) (Berezofsky, Esther) (Entered: 06/09/2017)

06/09/2017	<u>74</u>	RESPONSE to <u>42</u> MOTION to Dismiss <i>for Failure to State a Cause of Action in Opposition to Defendants Lockwood, Andrews & Newnam, Inc.s and Lockwood, Andrews & Newnam, P.C.'s Motion to Dismiss</i> filed by All Plaintiffs. (Berezofsky, Esther) (Entered: 06/09/2017)
06/09/2017	<u>75</u>	NOTICE by Village Shores LLC <i>Notice of Motion to Consolidate</i> (Attachments: # <u>1</u> Exhibit 1) (Levens, Emmy) (Entered: 06/09/2017)
06/12/2017	<u>76</u>	[STRICKEN] Ex Parte MOTION for Leave to File Excess Pages to <i>MDEQ Employee Defendants' Motion to Dismiss</i> by All Plaintiffs. (Berezofsky, Esther) Modified on 6/14/2017 (KJac). (Entered: 06/12/2017)
06/12/2017	<u>77</u>	Ex Parte MOTION for Leave to File Excess Pages to <i>Veolia Defendants' Motion to Dismiss</i> by All Plaintiffs. (Berezofsky, Esther) (Entered: 06/12/2017)
06/12/2017	<u>78</u>	RESPONSE to <u>41</u> MOTION to Dismiss <i>Or in the Alternative, Motion for More Definite Statement in Opposition to The Veolia Defendants' Motion to Dismiss</i> filed by All Plaintiffs. (Berezofsky, Esther) (Entered: 06/12/2017)
06/13/2017		TEXT-ONLY ORDER Granting <u>77</u> Ex Parte MOTION for Leave to File Excess Pages to <i>Veolia Defendants' Motion to Dismiss</i> filed by Sandra York, Dorsey Ross Jr., Isiah Lowery, Tommie Lowery Jr, Tommie Lowery Sr., Bernie Nelson, Eugene Nelson, Marcus Lowery, [STRICKEN] <u>76</u> Ex Parte MOTION for Leave to File Excess Pages to <i>MDEQ Employee Defendants' Motion to Dismiss</i> filed by Sandra York, Dorsey Ross Jr., Isiah Lowery, Tommie Lowery Jr, Tommie Lowery Sr., Bernie Nelson, Eugene Nelson, Marcus Lowery. Issued by District Judge Judith E. Levy. (FMos) Modified on 6/15/2017 (FMos). (Entered: 06/13/2017)
06/13/2017	<u>79</u>	STIPULATED ORDER Extending Response Deadline to Plaintiffs' First Amended Complaint – Signed by District Judge Judith E. Levy. (FMos) (Entered: 06/13/2017)
06/13/2017	<u>80</u>	STIPULATION re <u>65</u> MOTION to Dismiss , <u>66</u> MOTION to Dismiss , <u>64</u> MOTION to Dismiss <i>Amended Class Complaint and Brief in Support to Extend Briefing Schedule for MDEQ Employee Defendants' Joint Motion to Dismiss</i> by All Plaintiffs (Berezofsky, Esther) (Entered: 06/13/2017)
06/13/2017	<u>81</u>	MOTION to Strike <u>76</u> Ex Parte MOTION for Leave to File Excess Pages to <i>MDEQ Employee Defendants' Motion to Dismiss</i> by All Plaintiffs. (Berezofsky, Esther) (Entered: 06/13/2017)
06/14/2017		TEXT-ONLY ORDER GRANTING <u>81</u> MOTION to Strike <u>76</u> Ex Parte MOTION for Leave to File Excess Pages to <i>MDEQ Employee Defendants' Motion to Dismiss</i> filed by Sandra York, Dorsey Ross Jr., Isiah Lowery, Tommie Lowery Jr, Tommie Lowery Sr., Bernie Nelson, Eugene Nelson, Marcus Lowery. Issued by District Judge Judith E. Levy. (KJac) (Entered: 06/14/2017)
06/14/2017	<u>82</u>	WAIVER OF SERVICE Returned Executed. Edward Kurtz waiver sent on 5/15/2017, answer due 7/14/2017. (Berezofsky, Esther) (Entered: 06/14/2017)
06/15/2017		TEXT-ONLY ORDER Granting Relief Sought in <u>80</u> Stipulation, filed by Sandra York, Dorsey Ross Jr., Isiah Lowery, Tommie Lowery Jr, Tommie Lowery Sr., Bernie Nelson, Eugene Nelson, Marcus Lowery. Issued by District Judge Judith E. Levy. (FMos) (Entered: 06/15/2017)
06/22/2017	<u>83</u>	NOTICE of Appearance by Craig S. Thompson on behalf of Rowe Professional Services Company, f/k/a Rowe Engineering, Inc.. (Thompson, Craig) (Entered: 06/22/2017)
06/22/2017	<u>84</u>	STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Rowe Professional Services Company, f/k/a Rowe Engineering, Inc. (Thompson, Craig) (Entered: 06/22/2017)
06/23/2017	<u>85</u>	REPLY to Response re <u>42</u> MOTION to Dismiss <i>for Failure to State a Cause of Action</i> filed by Lockwood, Andrews & Newnam, Inc and Lockwood, Andrews & Newnam, PC. (Attachments: # <u>1</u> Exhibit A – Guertin Motion for Reconsideration) (Erickson, Philip) Modified on 6/23/2017 (ATee). (Entered: 06/23/2017)
06/23/2017	<u>86</u>	REPLY to Response re <u>43</u> MOTION to Dismiss <i>Plaintiffs' Amended Class Action Complaint for Lack of Personal Jurisdiction, Rule 12(b)(2), Lack of Subject Matter</i>

		<i>Jurisdiction, Rule 12(b)(1), and For Failure to State a Claim Upon Which Relief Can Be Granted, Rule 12(b)(6) filed by Leo A. Daly Company. (Attachments: # <u>1</u> Exhibit A – Bristol–Meyers Squib Co v Superior Court of California) (Erickson, Philip) (Entered: 06/23/2017)</i>
06/26/2017	<u>87</u>	REPLY to Response re <u>41</u> MOTION to Dismiss <i>Or in the Alternative, Motion for More Definite Statement</i> filed by Veolia North America, Inc., Veolia North America, LLC, Veolia Water North America Operating Services, LLC. (Attachments: # <u>1</u> Exhibit 1) (Bush, Cheryl) (Entered: 06/26/2017)
06/28/2017	<u>88</u>	STIPULATION re <u>86</u> Reply to Response to Motion, <u>43</u> MOTION to Dismiss <i>Plaintiffs' Amended Class Action Complaint for Lack of Personal Jurisdiction, Rule 12(b)(2), Lack of Subject Matter Jurisdiction, Rule 12(b)(1), and For Failure to State a Claim Upon Which Relief Can Be Granted, Rule 12(b)(6), <u>73</u> Response to Motion,, Permitting Plaintiffs to File a Sur–Reply by All Plaintiffs (Berezofsky, Esther) (Entered: 06/28/2017)</i>
06/28/2017		TEXT–ONLY ORDER Granting Sur–Reply re <u>88</u> Stipulation. Signed by District Judge Judith E. Levy. (SBur) (Entered: 06/28/2017)
06/28/2017	<u>89</u>	MOTION for Leave to File Excess Pages <i>in Opposition to State Defendants' Motion to Dismiss</i> by All Plaintiffs. (Berezofsky, Esther) (Entered: 06/28/2017)
06/28/2017	<u>90</u>	RESPONSE to <u>58</u> MOTION to Dismiss <i>UNDER FED. R. CIV. P. 12(b)(1) & (b)(6) Plaintiffs' Opposition to State Defendants' Motion to Dismiss</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A) (Berezofsky, Esther) (Entered: 06/28/2017)
06/29/2017	<u>91</u>	SUR–REPLY re <u>43</u> MOTION to Dismiss <i>Plaintiffs' Amended Class Action Complaint for Lack of Personal Jurisdiction, Rule 12(b)(2), Lack of Subject Matter Jurisdiction, Rule 12(b)(1), and For Failure to State a Claim Upon Which Relief Can Be Granted, Rule 12(b)(6) Addressing New Authority Related to Defendant Leo A. Daly Company's Motion to Dismiss</i> filed by All Plaintiffs. (Berezofsky, Esther) (Entered: 06/29/2017)
07/05/2017		TEXT–ONLY ORDER Granting <u>57</u> Stipulation to Extend Time for Plaintiffs to Respond to Defendants' <u>42</u> , <u>43</u> Motions to Dismiss on or before June 12, 2017 and <u>53</u> Stipulation to Extend Time for Plaintiffs to Respond to Defendants' <u>41</u> MOTION to Dismiss on or before June 12, 2017. Signed by District Judge Judith E. Levy. (JOWe) (Entered: 07/05/2017)
07/05/2017		TEXT–ONLY ORDER Granting <u>89</u> MOTION for Leave to File Excess Pages in Opposition to State Defendants' Motion to Dismiss. Signed by District Judge Judith E. Levy. (JOWe) (Entered: 07/05/2017)
07/10/2017	<u>92</u>	ANSWER to Amended Complaint with Affirmative Defenses by Rowe Professional Services Company, f/k/a Rowe Engineering, Inc.. (Thompson, Craig) (Entered: 07/10/2017)
07/26/2017		Minute Entry for proceedings before District Judge Judith E. Levy: Status Conference held on 7/26/2017. (Court Reporter: Jeseca Eddington) (SBur) (Entered: 07/27/2017)
07/27/2017	<u>93</u>	ORDER consolidating cases. (See order for details.) Signed by District Judge Judith E. Levy. (DPer) (Entered: 07/28/2017)
07/27/2017	<u>94</u>	Notice to Parties Regarding Consolidated Case: Order of consolidation entered on *07/27/17*. Designated lead case number is *16–10444*. (DPer) (Entered: 07/28/2017)