

CLOSED,MHT-ClerkA,MHT-ClerkD

**U.S. District Court
Alabama Middle District (Montgomery)
CIVIL DOCKET FOR CASE #: 2:15-cv-00368-MHT-TFM**

United States of America v. State of Alabama, et al.
Assigned to: Honorable Judge Myron H. Thompson
Referred to: Honorable Judge Terry F. Moorer
Cause: 42:1997 Civil Rights of Institutionalized Persons Act

Date Filed: 05/28/2015
Date Terminated: 06/18/2015
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Plaintiff

Plaintiff

United States of America

represented by **Aaron S Fleisher**
U S Department of Justice; Special
Litigation Section
Civil Rights Division
Civil Rights Division
950 Pennsylvania Ave., NW
Washington, DC 20530
202-307-6457
Fax: 202-514-6903
Email: aaron.fleisher@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Joseph DuBois
U. S. Attorney's Office
PO Box 197
Montgomery, AL 36101
334-223-7280
Fax: 334-223-7418
Email: james.dubois2@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jerusha Tatiana Adams
Capell & Howard, P.C.
P O Box 2069
Montgomery, AL 36104
334-241-8028
Fax: 334-241-8228
Email: Jerusha.Adams@chlaw.com
TERMINATED: 02/27/2019
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Judith C. Preston
U S DOJ – Special Litigation / Civil Rights
Division
950 Pennsylvania Ave NW
Washington, DC 20530
202-514-6258
Email: judy.preston@usdoj.gov
TERMINATED: 09/12/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Julie Abbate
US DOJ – Special Litigation Section
Civil Rights Division
950 Pennsylvania Ave NW
Washington, DC 20530
202-353-4637

Email: julie.abbate@usdoj.gov
TERMINATED: 09/12/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark Kappelhoff
U S Department of Justice; Special
Litigation Section
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, DC 20530
202-307-6457
Fax: 202-514-6903
TERMINATED: 09/12/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mary Bohan
United States Department of Justice,
Special Litigation Sec.
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, DC 20530
202-616-2325
Fax: 202-514-6903
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert G Anderson
U.S. Attorney's Office
131 Clayton St
Montgomery, AL 36104
334-223-7280
Fax: 334-223-7418
Email: robert.anderson@usdoj.gov
TERMINATED: 03/01/2016
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Zazy I Lopez
U S DOJ – Civil Rights Division
Civil Rights Division
950 Pennsylvania Ave NW – SPL 601 D
St (PHB)
Washington, DC 20530
202-305-8702
Email: zazy.lopez@usdoj.gov
TERMINATED: 09/12/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

State of Alabama

represented by **Anne Adams Hill**
Alabama Department of Corrections
301 South Ripley Street
Montgomery, AL 36104
334-353-3884
Fax: 334-353-3891
Email: Anne.Hill@doc.alabama.gov
TERMINATED: 09/13/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bart Gregory Harmon
Alabama Department of Corrections
Legal Division
301 South Ripley Street
Montgomery, AL 36104
334-353-3881
Fax: 334-353-3891
Email: bart.harmon@doc.alabama.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carrie Ellis McCollum
Alabama Department of Corrections
301 South Ripley Street
Montgomery, AL 36104
334-353-3884
Fax: 334-353-3891
Email: carrie.mccollum@doc.alabama.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Alabama Department of Corrections

represented by **Anne Adams Hill**
(See above for address)
TERMINATED: 09/13/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bart Gregory Harmon
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carrie Ellis McCollum
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/28/2015	<u>1</u>	COMPLAINT against Alabama Department of Corrections and State of Alabama, filed by United States of America. (Attachments: # <u>1</u> Attachment A)(scn,) (Entered: 05/29/2015)
05/28/2015	<u>2</u>	Joint MOTION to Enter Settlement Agreement, by Alabama Department of Corrections, State of Alabama, and United States of America. (Attachments: # <u>1</u> Settlement Agreement, # <u>2</u> Proposed Order)(scn,) (Entered: 05/29/2015)
05/28/2015	<u>3</u>	Corporate/Conflict Disclosure Statement by United States of America. (scn,) (Entered: 05/29/2015)
05/29/2015	<u>4</u>	Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement sent to State of Alabama and Alabama Department of Corrections. Corporate Disclosures due by 6/8/2015. (Attachments: # <u>1</u> Standing ORDER and sample format)(scn,) (Entered: 05/29/2015)
05/29/2015	<u>5</u>	First NOTICE of Non-Compliance Regarding Registration for Electronic Noticing To Attorneys Aaron S. Fleisher, Judith C. Preston, Julie K. Abbate, Mark Kappelhoff, and Zazy I. Lopez. (Attachments: # <u>1</u> Standing ORDER, # <u>2</u> E-register Form)(scn,) (Entered: 05/29/2015)
06/03/2015		Motions No Longer Referred to Senior District Judge W. Harold Albritton, III: <u>2</u> MOTION for Settlement. (No pdf attached to this entry) (wcl,) (Entered: 06/03/2015)

06/03/2015	<u>6</u>	Case Reassigned to Honorable Judge Myron H. Thompson; Honorable Judge W. Harold Albritton, III no longer assigned to the case as presiding judge. (wcl,) (Entered: 06/03/2015)
06/03/2015	<u>7</u>	NOTICE of Appearance by Bart Gregory Harmon on behalf of Alabama Department of Corrections, State of Alabama (Harmon, Bart) (Entered: 06/03/2015)
06/03/2015	<u>8</u>	Corporate/Conflict Disclosure Statement by Alabama Department of Corrections, State of Alabama re <u>4</u> Notice of Deficiency requiring filing of Corporate Disclosure/Conflict Statement. (Harmon, Bart) (Entered: 06/03/2015)
06/04/2015		Set Hearings: Telephone Conference re <u>2</u> Joint Motion to Enter Agreement set for 6/8/2015 02:45 PM by telephone before Honorable Judge Myron H. Thompson. (ag,) (Entered: 06/04/2015)
06/08/2015	<u>9</u>	Minute Entry for proceedings held before Honorable Judge Myron H. Thompson: Telephone Conference held on 6/8/2015 (PDF available for court use only). (Recording Time 2:58 – 3:39.) (ag,) (Entered: 06/08/2015)
06/18/2015	<u>10</u>	OPINION. Signed by Honorable Judge Myron H. Thompson on 6/18/2015. (wcl,) (Entered: 06/18/2015)
06/18/2015	<u>11</u>	CONSENT DECREE. Signed by Honorable Judge Myron H. Thompson on 6/18/2015. (wcl,) (Entered: 06/18/2015)
06/18/2015	<u>12</u>	JUDGMENT: it is the ORDER, JUDGMENT, and DECREE of the court that: (1) The parties' <u>2</u> joint motion to enter settlement agreement is granted as outlined below; (2) The court adopts the parties' settlement agreement, and its terms have been entered separately as a consent decree of the court; (3) This case is dismissed conditionally and without prejudice. Final dismissal is conditioned on compliance with the consent decree; (4) The court retains jurisdiction for the purpose of enforcing the consent decree as well as to resolve any disputes arising out of the consent decree and to enter final dismissal of this matter as contemplated by the consent decree; (5) No costs are taxed at this time; (6) This case is closed administratively; DIRECTING the clerk DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 FRCP. Signed by Honorable Judge Myron H. Thompson on 6/18/2015. (Attachments: # <u>1</u> Civil Appeals Checklist) (wcl,) (Entered: 06/18/2015)
06/29/2015		Mail Returned as Undeliverable. <u>10</u> Opinion, <u>11</u> Consent Decree, and <u>12</u> Judgment sent to Judith C. Preston were returned with no notation. (No pdf attached to this entry) (wcl,) (Entered: 06/29/2015)
08/17/2015	<u>13</u>	JOINT NOTICE by United States of America, State of Alabama, Alabama Department of Corrections. (Fleisher, Aaron) Modified on 8/17/2015 to add as also filed on behalf of the dfts (wcl,). (Entered: 08/17/2015)
08/24/2015		Mail Returned as Undeliverable. <u>5</u> Notice of Non-Compliance and <u>6</u> Notice of Reassignment sent to Judith C. Preston were returned with no notation as to why. (No pdf attached to this entry) (wcl,) (Entered: 08/24/2015)
08/26/2015	<u>14</u>	NOTICE (Responset by United States of America re <u>5</u> Notice of Non-Compliance. (Fleisher, Aaron) Modified on 8/26/2015 to clarify the docket text and to add the link to the <u>5</u> notice (wcl,). (Entered: 08/26/2015)
09/09/2015	<u>15</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Conference Call Proceedings (PDF ACCESS RESTRICTED FOR 90 DAYS) held on 6/8/2015, before Judge Myron H. Thompson; Court Reporter/Transcriber Patricia G. Starkie, Telephone number 334-262-1221; Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction; After that date it may be obtained through PACER; NOTICE OF INTENT TO REQUEST REDACTION DUE WITHIN 7 BUSINESS DAYS; Redaction Request due 9/30/2015; Redacted Transcript Deadline set for 10/13/2015; Release of Transcript Restriction set for 12/8/2015. (wcl,) (Entered: 09/09/2015)
02/26/2016	<u>16</u>	NOTICE by Alabama Department of Corrections, State of Alabama (Attachments: # <u>1</u> Exhibit Frist Monitor Report, # <u>2</u> Exhibit Compliance Tool)(Harmon, Bart) (Entered: 02/26/2016)

02/29/2016	<u>17</u>	MOTION to Substitute Counsel by United States of America. (Adams, Jerusha) Modified on 3/1/2016 to clarify the docket text (wcl,). (Entered: 02/29/2016)
03/01/2016	18	TEXT ORDER granting <u>17</u> Motion to Substitute Counsel. Signed by Honorable Judge Myron H. Thompson on 3/1/2016. (No pdf attached to this entry) (wcl,) (Entered: 03/01/2016)
03/01/2016		***Attorney Robert G Anderson terminated pursuant to the court's text order (Doc. No. 18). (No pdf attached to this entry) (wcl,) (Entered: 03/01/2016)
08/24/2016	<u>19</u>	MOTION for Joinder <i>Joint Motion to Approve Kathleen M. Dennehy as Monitor</i> by Alabama Department of Corrections, State of Alabama. (Hill, Anne) (Entered: 08/24/2016)
08/24/2016	<u>20</u>	(STRICKEN AS ERRONEOUS DOCKET ENTRY BY ATTORNEY) MOTION for Order <i>Proposed Order Granting Motion to Approve New Monitor</i> by Alabama Department of Corrections, State of Alabama. (Hill, Anne) Modified on 8/25/2016 to reflect this a "proposed order" and not a "motion" (kh,). (Entered: 08/24/2016)
08/25/2016	<u>21</u>	ORDER: Upon consideration of the parties' joint motion to approve Kathleen M. Dennehy as monitor to replace Jennie Lancaster (doc. no. [19]), it is ORDERED that the motion is granted. Signed by Honorable Judge Myron H. Thompson on 8/25/2016. (kh,) (Entered: 08/25/2016)
08/25/2016	<u>22</u>	NOTICE of Filing Tutwiler Prison for Women "Monitor's Second Compliance Report" by Alabama Department of Corrections, State of Alabama (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Hill, Anne) (Entered: 08/25/2016)
02/24/2017	<u>23</u>	NOTICE by Alabama Department of Corrections (Harmon, Bart) (Entered: 02/24/2017)
02/24/2017	<u>24</u>	MOTION for Extension of Time to File <i>Third Compliance Report</i> by Alabama Department of Corrections. (Attachments: # <u>1</u> Text of Proposed Order)(Harmon, Bart) (Entered: 02/24/2017)
02/27/2017	<u>25</u>	ORDER: Based on the representations made in the monitors unopposed request for a 30-day extension to file the third compliance report (doc. no. <u>24</u>), it is ORDERED that the request is granted. Signed by Honorable Judge Myron H. Thompson on 2/27/2017. (kh,) (Entered: 02/27/2017)
03/28/2017	<u>26</u>	NOTICE of Filing Tutwiler Prison for Women "Monitor's Third Compliance Report" by Alabama Department of Corrections, State of Alabama . (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Hill, Anne) Modified on 3/28/2017 to clarify the docket text (wcl,). (Entered: 03/28/2017)
08/25/2017	<u>27</u>	NOTICE of Filing of Tutwiler Prison for Women "Monitor's Fourth Compliance Report" by Alabama Department of Corrections, State of Alabama (Attachments: # <u>1</u> Exhibit, Monitor's Fourth Compliance Report, Part 1, # <u>2</u> Exhibit Monitor's Fourth Compliance Report, Part 2)(Hill, Anne) Modified on 2/26/2019 to include actual title and exhibit descriptions. (dmn,) (Entered: 08/25/2017)
02/27/2018	<u>28</u>	NOTICE of Filing Tutwiler Prison for Women "Monitor's Fifth Compliance Report" by Alabama Department of Corrections. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Hill, Anne) Modified on 2/28/2018 to clean up text. (dmn,) (Entered: 02/27/2018)
08/23/2018	<u>29</u>	NOTICE of Filing Tutwiler Prison for Women "Sixth Monitor Report" by Alabama Department of Corrections, State of Alabama (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Willford, Gary) Modified on 8/24/2018 to clean up text. (dmn,) (Entered: 08/23/2018)
09/12/2018	<u>30</u>	MOTION to Substitute Counsel Deputy Chief Mary Bohan for Mark Kappelhoff, Judith C. Preston, Julie Abbate, and Zazy I. Lopez by United States of America. (Fleisher, Aaron) Modified on 9/12/2018 to include names of attorneys. (dmn,) (Entered: 09/12/2018)
09/12/2018		***Attorney Mary Bohan added for United States of America. (dmn,) (NO PDF, see Doc. <u>30</u> for pdf.) (Entered: 09/12/2018)

09/12/2018	31	TEXT ORDER granting <u>30</u> Motion to Substitute Mary Bohan as counsel of record for the United States of America in place of Mark Kappelhoff, Judith C. Preston, Julie Abbate, and Zazy I. Lopez. Signed by Honorable Judge Myron H. Thompson on 9/12/2018. (dmn,) (NO PDF) (Entered: 09/12/2018)
09/12/2018		*** Attorney Zazy I Lopez; Judith C. Preston; Julie Abbate and Mark Kappelhoff terminated pursuant to 31 Text Order. (dmn,) (NO PDF) (Entered: 09/12/2018)
09/13/2018	<u>32</u>	MOTION for Anne Adams Hill to Withdraw as Counsel by Alabama Department of Corrections, State of Alabama. (Hill, Anne) Modified on 9/13/2018 to include name requesting withdrawal. (dmn,) (Entered: 09/13/2018)
09/13/2018	33	TEXT ORDER granting <u>32</u> Motion for Anne Adams Hill to Withdraw as Counsel. Signed by Honorable Judge Myron H. Thompson on 9/13/2018. (dmn,) (NO PDF) (Entered: 09/13/2018)
09/13/2018		*** Attorney Anne Adams Hill terminated pursuant to Court 33 Text Order. (dmn,) (NO PDF) (Entered: 09/14/2018)
02/25/2019	<u>34</u>	NOTICE of Filing Tutwiler Prison for Women "Seventh Monitor Report" by Alabama Department of Corrections, State of Alabama (Attachments: # <u>1</u> Exhibit Monitor's Seventh Compliance Report, Part 1, # <u>2</u> Exhibit Monitor's Seventh Compliance Report, Part 2)(McCollum, Carrie) Modified on 2/26/2019 to reflect actual title and include exhibit description. (dmn,) (Entered: 02/25/2019)
02/25/2019		***Attorney Carrie Ellis McCollum added for Alabama Department of Corrections, and State of Alabama. (dmn,) (NO PDF, see Doc. <u>34</u> .) (Entered: 02/26/2019)
02/27/2019	<u>35</u>	MOTION to Substitute United States Attorney James J. Dubois in place of former Assistant United States Attorney Jerusha T. Adams by United States of America. (DuBois, James) Modified on 2/27/2019 to include attorney names. (dmn,) (Entered: 02/27/2019)
02/27/2019	36	TEXT ORDER granting <u>35</u> Motion to Substitute Attorney. Signed by Honorable Judge Myron H. Thompson on 2/27/2019. (dmn,) (NO PDF) (Entered: 02/27/2019)
02/27/2019		*** Attorney Jerusha Tatiana Adams terminated. (dmn,) (NO PDF, see 36 Text Order.) (Entered: 02/27/2019)
08/27/2019	<u>37</u>	NOTICE of Filing Tutwiler Prison for Women "Eight Month Report" by Alabama Department of Corrections, State of Alabama (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(McCollum, Carrie) (Entered: 08/27/2019)