

CLOSED

**United States District Court
District of Nevada (Reno)
CIVIL DOCKET FOR CASE #: 3:00-cv-00373-HDM-WGC**

PRISON LEGAL NEWS, ET AL. V. JACKIE CRAWFORD,
ET AL.

Assigned to: Judge Howard D. McKibben
Referred to: Magistrate Judge William G. Cobb

Date Filed: 07/11/2000
Date Terminated: 03/03/2016
Jury Demand: Defendant
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Prison Legal News

represented by **David Fathi**
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Plaintiff

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TERMINATED: 07/08/2013

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TERMINATED: 07/17/2013

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Defendant

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TERMINATED: 07/08/2013

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TERMINATED: 06/26/2014

Defendant

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TERMINATED: 07/08/2013

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TERMINATED: 06/26/2014**Defendant****E.K. McDaniel**

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TERMINATED: 09/04/2015**Stephen D. Quinn**

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TERMINATED: 06/26/2014

Date Filed	#	Docket Text
07/11/2000	<u>2</u>	MOTION FOR PRELIMINARY INJUNCTION Motion for Preliminary Injunctive Relief obo P. [Placed in separate folder due to size] #3-Affidavit of Fred Markham in Support of Ps Mtn/Prelim/Injunct; #11 response obo Ds Crawford &Slansky; (#11 oppo) (#14 reply) (JC). (Entered: 02/10/2003)
07/11/2000	<u>1</u>	COMPLAINT Complaint for Declaratory and Injunctive Relief and Damages obo P. (JC). (Entered: 02/10/2003)
07/11/2000		SUMMONS ISSUED to counsel for P. (Entered: 02/10/2003)
07/11/2000	<u>3</u>	AFFIDAVIT of Fred Markham in Support of Ps Motion for Preliminary Injunctive Relief obo P. (JC). (Entered: 02/10/2003)
07/12/2000	<u>4</u>	CERTIFICATE OF INTERESTED PARTIES obo P; (m) (JC). (Entered: 02/10/2003)
07/12/2000	<u>5</u>	SUMMONS RETURNED EXECUTED SRVD as to JACKIE CRAWFORD by srvng Jackie Nancy on 7/12/00 (p) (JC). (Entered: 02/10/2003)

07/12/2000	<u>6</u>	SUMMONS RETURNED EXECUTED SRVD as to JOHN SLANSKY by srvng Beverly Allen on 7/12/00 (p) (JC). (Entered: 02/10/2003)
07/13/2000	<u>8</u>	DESIGNATION OF LOCAL COUNSEL APPRVD as to Donald York Evans as loc cnsl for out-of-state cnsl David Fathi, cnsl for P, Prison Legal News. (JC). (Entered: 02/10/2003)
07/13/2000	<u>9</u>	VERIFIED PETITION FOR PERMISSION TO PRACTICE PRO HAC VICE APPRVD as to David Fathi as out-of-state cnsl for P, Prison Legal News. (JC). (Entered: 02/10/2003)
07/20/2000	<u>7</u>	AFFIDAVIT of personal service of cmplt, affidavit of Fred Markham &mnt for prelim inj addressed to Jackie Crawford &John Slansky by James Miller on 7/12/00. (JC). (Entered: 02/10/2003)
07/26/2000	<u>10</u>	NOTICE (OTHER) of appearance of David C. Fathi as co-cnsl for Ps (m) (see VP #9) (JC). (Entered: 02/10/2003)
07/31/2000	<u>11</u>	RESPONSE IN OPPOSITION TO MOTION obo Ds, Crawford &Slansky. (m) (JC). (Entered: 02/10/2003)
08/01/2000	<u>12</u>	AMENDED COMPLAINT obo P. (m) (JC). (Entered: 02/10/2003)
08/03/2000	<u>13</u>	CERTIFICATE OF SERVICE as to document (#12) obo P; (m) (JC). (Entered: 02/10/2003)
08/04/2000	<u>14</u>	REPLY TO RESPONSE TO MOTION to mtn for prelim inj (#2) obo Ps; (m) (JC). (Entered: 02/10/2003)
08/04/2000	<u>15</u>	MISCELLANEOUS DOCUMENT Proposed order (attachment) granting prelim inj obo Ps (no srv sho) (JC). (Entered: 02/10/2003)
08/14/2000	<u>16</u>	ORDER ON MOTION FOR PRELIMINARY INJUNCTION ORD Ps mtn for prelim inj is GRANTED. Pending the final resolution of this action, Ds Crawford &Slansky, their officers agents servants employees &attys &all those in active concert or participation with them (JC). (Entered: 02/10/2003)
08/15/2000	<u>17</u>	MOTION FOR MISCELLANEOUS RELIEF for settlement conference &stay of proceedings obo Ds, Crawfor &Slansky (m) #20 oppo; (JC). (Entered: 02/10/2003)
08/15/2000	<u>19</u>	ANSWER TO COMPLAINT to 1st amended cmplt (#12) obo Ds Crawford &Slansky (m) (JC). (Entered: 02/10/2003)
08/16/2000	<u>18</u>	NOTICE (OTHER) of entry of order as to granting of preliminary inj (#16) obo P (m) (JC). (Entered: 02/10/2003)
08/22/2000	<u>20</u>	RESPONSE IN OPPOSITION TO MOTION to req for stay of prcdngs/settlmnt conf (#17) obo Ps; (m) (JC). (Entered: 02/10/2003)
08/30/2000	<u>22</u>	ORDER ORD Ds request for stay is denied. The req for settlmnt conf is granted. Actn referred to Mag/Jdg for settlmnt conf. (EOD: 8/30/00) (JC). (Entered: 02/10/2003)
08/31/2000	<u>23</u>	ORDER ORD the return of summons showing srvc on Robert Bayer (#21) is sealed. (JC). (Entered: 02/10/2003)
08/31/2000	<u>24</u>	ORDER ORD settlmnt conf sched for 9/12/00 @ 1:30 pm. The depo of Jackie Crawford sh be taken on 9/13/00 @ 9:00 am unless ptys arrive at a settlmnt agreement on 9/12/00. The depo of Mr. Slansky &Mr. Bayer sh be re-scheduled. An order scheduling settlmnt c (JC). (Entered: 02/10/2003)
09/01/2000	<u>25</u>	ORDER ORD settlmnt conf sched for 9/12/00 @ 1:30 pm. Settlmnt conf statements due in chambers by 4:00 pm on 9/8/00. (JC). (Entered: 02/10/2003)
09/12/2000	<u>26</u>	MISCELLANEOUS HEARING SETTLEMENT/CONFERENCE dtd 9/12/00: ORD the tape of this prcdng is sealed (settlmnt has been reached). FUR ORD cnsl for P sh w/in 45-dys file a mtn for atty fees; D sh hv 30-dys to file oppo &P sh hv 15-dys to reply. (Tape: 00-155) (JC). (Entered: 02/10/2003)

09/18/2000		MISCELLANEOUS DOCUMENT stip/jdgmnt. (Entered: 02/10/2003)
09/26/2000	<u>27</u>	JUDGMENT (stipulation) ORD Ds Crawford & Slansky and their officers agents servants & employees & successors in office sh implement & maintain the following policy re prisoner subscription to publications: Prisoners in the custody of NDOP sh be permitted (JC). (Entered: 02/10/2003)
10/27/2000	<u>28</u>	MOTION FOR MISCELLANEOUS RELIEF for atty fees & costs obo Ps (m) (fld sep due to size) (#29–affdvts in sprt) (#30–oppo) (#31 reply) (JC). (Entered: 02/10/2003)
11/13/2000	<u>29</u>	AFFIDAVIT in suprt of fee application #28 obo Ps. (no srv shn) (JC). (Entered: 02/10/2003)
11/27/2000	<u>30</u>	RESPONSE IN OPPOSITION TO MOTION to P's mtn for reasonable attorney's fees/costs #28 obo Ds. (m) (JC). (Entered: 02/10/2003)
12/12/2000	<u>31</u>	REPLY TO RESPONSE TO MOTION in support of mtn for atty fees/costs (#28) obo P (m) (JC). (Entered: 02/10/2003)
12/18/2000	<u>32</u>	NOTICE OF CHANGE OF ADDRESS obo Ps to David C. Fathi, National Prison Project of the ACLU Foundation, 733 15th Street, N.W., Suite 620, Washington, DC 20005, phone (202) 393–4930 and fax (202) 393–4931, effectv 1/2/01. (m) (JC). (Entered: 02/10/2003)
02/22/2001	<u>33</u>	ORDER ORD Ps are entitled to recover their fees as adjusted by this ord together w/their costs of suit as taxed by clk of crt. Ps sh submit a ord to this crt consistent w/the adjustments herein ordered w/in 10–dys. (EOD: 2/23/01) (Entered: 02/10/2003)
02/27/2001		MISCELLANEOUS DOCUMENT prpsd order for payment of attorneys' fees and costs. (Entered: 02/10/2003)
03/02/2001	<u>34</u>	ORDER based upon ths crt's ord of 2/22/01 which was entered on 2/23/01, it is hereby ordered tht the Ds are to pay to cnsl for Ps the following fees/costs consistent w/thc crt's previous order #33 as follows; to the National Prison Projct of the American C (Entered: 02/10/2003)
03/02/2001		MISCELLANEOUS DOCUMENT proposed amend/ord for paymnt of attorneys' fees and costs obo P. (no srv shn) (Entered: 02/10/2003)
03/07/2001	<u>35</u>	NOTICE (OTHER) of entry of order as to Order #34 obo Ps (m) (Entered: 02/10/2003)
03/08/2001	<u>36</u>	AFFIDAVIT of service as to document #28 obo P (Entered: 02/10/2003)
03/09/2001	<u>37</u>	MOTION FOR MISCELLANEOUS RELIEF for reasonable attorney's fees/costs incurred in establishing Ps' entitlement to attorneys fees obo Ps. (no srv shn) (Entered: 02/10/2003)
03/26/2001	<u>38</u>	RESPONSE IN OPPOSITION TO MOTION to Ps' mtn for fees on fees #37 obo Ds. (m) (Entered: 02/10/2003)
04/09/2001	<u>39</u>	REPLY TO RESPONSE TO MOTION memo in suprt of Ps' mtn for reasonable attorney's fees/costs incurred in establishing Ps' entitlement to attorney fees #37 obo Ps. (m) (Entered: 02/10/2003)
04/12/2001	<u>40</u>	ORDER P's mtn for reasonable attorney fees/costs incurred in establishing Ps' entitlemnt to attorney's fees #37 is sched for tele/hrng on 4/26/01 @ 9am; cnsl hv bn tele notified. (Entered: 02/10/2003)
04/26/2001	<u>41</u>	MISCELLANEOUS HEARING TELEPHONIC/HEARING dtd 4/26/01: ORD Ps mtn for reasonable atty fees (#37) granted to the extent the P is awarded .00 as a total amount of fees for both attys and a total amount of .00 for costs. (EOD: 4/26/01) (C/R: Kat hryn) (JC). (Entered: 02/10/2003)
05/01/2001		MISCELLANEOUS DOCUMENT prpsd order for payment of atty fees/costs (purs to order #41) obo Ps; (orig to chambers) (Entered: 02/10/2003)

05/02/2001	<u>42</u>	ORDER for payment of atty fees/costs: ORD Ds are to pay cnsl for Ps fees/costs consistent with this court's previous order (#41) (see order for specific fee breakdown) (EOD: 5/3/01) (Entered: 02/10/2003)
05/09/2001	<u>43</u>	CERTIFICATE OF SERVICE as to Order #42 obo Ps; (Entered: 02/10/2003)
06/13/2001	<u>44</u>	MOTION FOR MISCELLANEOUS RELIEF for publication as to ord #16 and stip/judgmt/ord #27 obo Ps. (m) (Entered: 02/10/2003)
06/25/2001	<u>45</u>	RESPONSE IN OPPOSITION TO MOTION to mtn for publication #44 obo Ds Crawford and Slansky. (m) (Entered: 02/10/2003)
07/09/2001	<u>46</u>	REPLY TO RESPONSE TO MOTION memo in spt of mtn for publication (#44) obo P. (m) (Entered: 02/10/2003)
07/10/2001	<u>47</u>	ORDER ORD Ps mtn for publication (#44) is denied. The orders P seeks to hv published were entered purs to stipulation and are therefore not the type of orders tht this crt submits for publication. (Entered: 02/10/2003)
07/11/2002	<u>48</u>	MOTION FOR MISCELLANEOUS RELIEF to enforce order obo Ken Lake (m) (Entered: 02/10/2003)
08/13/2002	<u>49</u>	ORDER a mtn to enforce order #48 has bn filed by Ken Lake; the record reflects tht Lake is not a party to ths actn; therefore, Lake's mtn #48 is denied; the denial of the mtn shl not preclude Lake frm pursuing such other legal relief as may be proper. (Entered: 02/10/2003)
06/28/2013	<u>50</u>	MOTION to Substitute Party by Plaintiffs Prison Legal News, Rollin Wright. Responses due by 7/15/2013. (Lichtenstein, Allen) (Entered: 06/28/2013)
06/28/2013	<u>51</u>	MOTION for Order to Show Cause by Plaintiffs Prison Legal News, Rollin Wright. Motion ripe 6/28/2013. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Lichtenstein, Allen) (Entered: 06/28/2013)
07/03/2013	<u>52</u>	NOTICE of Appearance by attorney Stephen D. Quinn on behalf of Defendants Robert Bayer, Jackie Crawford, John Slansky. <i>Substitution of Attorney</i> (Quinn, Stephen) (Entered: 07/03/2013)
07/03/2013	<u>53</u>	STIPULATION TO SUBSTITUTE DEFENDANTS by Defendants Robert Bayer, Jackie Crawford, John Slansky. (Quinn, Stephen) (Entered: 07/03/2013)
07/08/2013	<u>54</u>	ORDER ON STIPULATION re <u>53</u> Stipulation. James Gregory Cox and E.K. McDaniel substituted in for John Slansky, Robert Bayer and Jackie Crawford. Signed by Judge Howard D. McKibben on 7/8/13. (Copies have been distributed pursuant to the NEF – JC) (Entered: 07/08/2013)
07/09/2013	<u>55</u>	ORDER – The defendants have until July 29, 2013 to respond to # <u>51</u> Motion; and the plaintiffs shall have 10 days thereafter to file a reply. Signed by Judge Howard D. McKibben on 7/9/2013. (Copies have been distributed pursuant to the NEF – DRM) (Entered: 07/09/2013)
07/10/2013	56	MINUTE ORDER IN CHAMBERS of The Honorable Judge Howard D. McKibben on 7/10/2013. By Deputy Clerk: Paris Rich. IT IS ORDERED, a Telephonic Status Conference is set for Thursday, 7/11/2013 at 10:45 AM in Reno Courtroom 4 before Judge Howard D. McKibben. Participants shall call ATTno later than 5 minutes prior to the hearing at 1 (877) 336-1839 and provide Access Code 3246567 and Security Code 0159. IT IS SO ORDERED. (no image attached) (Copies have been distributed pursuant to the NEF – PR) (Entered: 07/10/2013)
07/11/2013	57	MINUTES OF PROCEEDINGS – Case Nos. 3:00–cv–00373–HDM–RAM and 3:13–cv–00346–HDM–WGC – Telephonic Status Conference held on 7/11/2013 before Judge Howard D. McKibben. Crtrm Administrator: <i>Paris Rich</i> ; Plaintiffs' Counsel: <i>Allen Lichtenstein and Lance Weber</i> ; Defendants' Counsel: <i>Stephen Quinn</i> ; Court Reporter: <i>Kathryn French</i> ; Time of Hearing: <i>10:48 AM to 11:04 AM</i> ; Courtroom: 4; Counsel are present telephonically. The Court recites preliminary statements regarding the reasons for the setting of the Status Conference this date and the

		<p>recent 7/9/2013 Order issued in Case Nos. 3:00-cv-00373-HDM-RAM and 3:13-cv-00346-HDM-WGC. The Court further offers suggestions regarding a format for proceeding in these matters. The Court and counsel confer.</p> <p>Pursuant to the stipulation of the parties, IT IS ORDERED, Case No. 3:00-cv-00373-HDM-RAM and Case No. 3:13-cv-00346-HDM-WGC are hereby CONSOLIDATED for all purposes. Case No. 3:00-cv-00373-HDM-RAM shall be REOPENED and all future filings shall be solely in Case No. 3:00-cv-00373-HDM-RAM. Such consolidation shall not affect the Court's consideration of the additional prayers and claims set forth in the Amended Complaint. IT IS FURTHER ORDERED, each party shall have through Tuesday, 7/16/2013, to file any objection to the aforementioned consolidation. IT IS FURTHER ORDERED, leave is granted through Tuesday, 7/16/2013, for the Defendants' counsel to advise the Court if he cannot accept service on behalf of the Defendants. IT IS SO ORDERED.</p> <p>Mr. Quinn addresses the recent briefing schedule as set forth in the Court's 7/9/2013 Order. Pursuant to the stipulation by counsel, IT IS ORDERED, the Defendants shall respond to the Plaintiffs' 6/28/2013 Motion no later than Friday, 8/23/2013. Thereafter, the Plaintiffs shall have 30 days to reply, and the matter shall stand submitted. IT IS SO ORDERED.</p> <p>The Court recites final statements and urges the parties to explore a resolution. In the event the parties are able to reach an agreement, they shall contact the Court. Mr. Lichtenstein requests clarification regarding whether an Answer will be required by the Defendants. Pursuant to the parties' stipulation, IT IS ORDERED, the Defendants shall file their Answer to the Amended Complaint no later than 30 days from this date. IT IS SO ORDERED. (no image attached) (Copies have been distributed pursuant to the NEF - PR) (Entered: 07/16/2013)</p>
07/16/2013	<u>58</u>	NOTICE OF ACCEPTANCE OF SERVICE by James Gregory Cox, E.K. McDaniel. (Quinn, Stephen) (Entered: 07/16/2013)
07/16/2013	59	MINUTE ORDER IN CHAMBERS of the Honorable Chief Judge Robert C. Jones, on 7/16/2013. IT IS ORDERED that this case is reassigned to Magistrate Judge William G. Cobb for all further pretrial proceedings within his jurisdiction. Magistrate Judge Robert A McQuaid, Jr. no longer assigned to case. All further documents must bear the correct case number 3:00-cv-373-HDM-WGC. (no image attached) (Copies have been distributed pursuant to the NEF - BLG) (Entered: 07/16/2013)
07/17/2013	<u>60</u>	REMOVED FROM MEMBER CASE 3:13-cv-346-HDM-WGC filed on 6/28/13 (#5): AMENDED COMPLAINT with Jury Demand against James Gregory Cox, E.K. McDaniel, filed by Prison Legal News. No changes to parties. Proof of service due by 11/14/2013. (BLG) (Entered: 07/17/2013)
07/17/2013	61	NOTICE TO COUNSEL PURSUANT TO LOCAL RULE IA 10-2. Counsel LANCE WEBER to comply with completion and electronic filing of the Designation of Local Counsel and Verified Petition. For your convenience, click on the following link to obtain the form from the Court's website - www.nvd.uscourts.gov/Forms.aspx . Counsel is also required to register for the Court's Case Management and Electronic Case Filing (CM/ECF) system and the electronic service of pleadings. Please visit the Court's website www.nvd.uscourts.gov to register Attorney(s) upon approval of the Verified Petition. Verified Petition due by 8/12/2013. <i>(It will no longer be necessary to comply with this notice in the Member Case 3:13-cv-346-HDM-WGC)</i> (no image attached) (BLG) (Entered: 07/17/2013)
07/17/2013	62	NOTICE TO COUNSEL PURSUANT TO LOCAL RULE IA 10-2. Counsel ERNEST GALVAN to comply with completion and electronic filing of the Designation of Local Counsel and Verified Petition. For your convenience, click on the following link to obtain the form from the Court's website - www.nvd.uscourts.gov/Forms.aspx . Counsel is also required to register for the Court's Case Management and Electronic Case Filing (CM/ECF) system and the electronic service of pleadings. Please visit the Court's website

		www.nvd.uscourts.gov to register Attorney(s) upon approval of the Verified Petition. Verified Petition due by 8/12/2013. (<i>It will no longer be necessary to comply with this notice in the Member Case 3:13-cv-346-HDM-WGC</i>) (no image attached) (BLG) (Entered: 07/17/2013)
07/18/2013	<u>63</u>	VERIFIED PETITION for Permission to Practice Pro Hac Vice by Ernest Galvan and DESIGNATION of Local Counsel Staci Pratt (Filing fee \$ 200 receipt number 0978-2891749) by Plaintiffs Prison Legal News, Paul Wright, Rollin Wright. Motion ripe 7/18/2013. (Pratt, Staci) (Entered: 07/18/2013)
07/23/2013	<u>64</u>	ORDER APPROVING <u>63</u> Verified Petition for Permission to Practice Pro Hac Vice of Attorney Ernest Galvan for Prison Legal News and approving Designation of Local Counsel Staci Pratt. Signed by Judge Howard D. McKibben on 7/22/2013. Any Attorney not yet registered with the Court's CM/ECF System shall submit a Registration Form on the Court's website www.nvd.uscourts.gov (Copies have been distributed pursuant to the NEF - DRM) (Entered: 07/23/2013)
08/01/2013	<u>65</u>	ANSWER to <u>60</u> Amended Complaint, <i>ANSWER TO AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND DAMAGES</i> filed by James Gregory Cox, E.K. McDaniel. Certificate of Interested Parties due by 8/11/2013. Discovery Plan/Scheduling Order due by 9/15/2013.(Quinn, Stephen) (Entered: 08/01/2013)
08/02/2013	<u>66</u>	NOTICE PURSUANT TO LOCAL RULE IB 2-2: In accordance with 28 USC § 636(c) and FRCP 73, the parties in this action are provided with a link to the "AO 85 Notice of Availability, Consent, and Order of Reference - Exercise of Jurisdiction by a U.S. Magistrate Judge" form on the Court's website - www.nvd.uscourts.gov . Consent forms should NOT be electronically filed. Upon consent of all parties, counsel are advised to manually file the form with the Clerk's Office. A copy of form AO 85 has been mailed to parties not receiving electronic service. (no image attached) (KR) (Entered: 08/02/2013)
08/09/2013	<u>67</u>	VERIFIED PETITION for Permission to Practice Pro Hac Vice by Lance Weber and DESIGNATION of Local Counsel Staci Pratt (Filing fee \$ 200 receipt number 0978-2920646) filed by Plaintiffs Prison Legal News, Paul Wright, Rollin Wright . Motion ripe 8/9/2013. (Attachments: # <u>1</u> Exhibit Certificate of Good Standing)(Pratt, Staci) (Entered: 08/09/2013)
08/13/2013	<u>68</u>	ORDER APPROVING <u>67</u> Verified Petition for Permission to Practice Pro Hac Vice for Lance Weber and approving Designation of Local Counsel Staci Pratt. Signed by Judge Howard D. McKibben on 8/13/13. Any Attorney not yet registered with the Court's CM/ECF System shall submit a Registration Form on the Court's website www.nvd.uscourts.gov (Copies have been distributed pursuant to the NEF - JC) (Entered: 08/13/2013)
08/13/2013	<u>69</u>	MOTION to Extend Time regarding discovery/nondispositive matter (First Request) <i>MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFFS MOTION FOR ORDER TO SHOW CAUSE</i> by Defendants James Gregory Cox, E.K. McDaniel. Motion ripe 8/13/2013. (Attachments: # <u>1</u> Exhibit Exhibit A)(Quinn, Stephen) (Entered: 08/13/2013)
08/15/2013	<u>70</u>	ORDER GRANTING Defendants' <u>69</u> Motion to Extend Time re <u>51</u> Motion for Order to Show Cause. Responses due by 9/23/2013. Signed by Judge Howard D. McKibben on 08/15/2013. (Copies have been distributed pursuant to the NEF - KR) (Entered: 08/15/2013)
09/16/2013	<u>71</u>	STIPULATION FOR EXTENSION OF TIME (First Request) <i>to Submit Discovery Plan and Scheduling Order</i> by Plaintiff Prison Legal News. (Pratt, Staci) (Entered: 09/16/2013)
09/17/2013	<u>72</u>	ORDER ON STIPULATION re <u>71</u> Stipulation to Extend Deadline to Submit Discovery Plan and Scheduling Order. (Discovery Plan/Scheduling Order due by 11/15/2013.) Signed by Magistrate Judge William G. Cobb on 9/17/13. (Copies have been distributed pursuant to the NEF - JC) (Entered: 09/17/2013)

09/17/2013	73	(1st Notice) PURSUANT TO SPECIAL ORDER 109: that Lance Weber is in violation of Special Order 109. Participation in the electronic filing system became mandatory for all attorneys effective January 1, 2006. You are required to register for the Court's Case Management and Electronic Case Filing (CM/ECF) program and the electronic service of pleadings. Please visit the Court's website to register for CM/ECF. (no image attached) (LG) (Entered: 09/17/2013)
09/23/2013	<u>74</u>	STIPULATION FOR EXTENSION OF TIME (Second Request) <i>to Respond to Plaintiff's Motion for Order to Show Cause</i> by Defendants Robert Bayer, James Gregory Cox, Jackie Crawford, E.K. McDaniel, John Slansky. (Quinn, Stephen) (Entered: 09/23/2013)
09/23/2013	<u>75</u>	ORDER ON STIPULATION re <u>74</u> Stipulation Regarding Time to Respond to <u>51</u> MOTION for Order to Show Cause. Responses due by 11/16/2013. Signed by Judge Howard D. McKibben on 9/23/13. (Copies have been distributed pursuant to the NEF – JC) (Entered: 09/24/2013)
11/08/2013	<u>76</u>	STIPULATION FOR EXTENSION OF TIME (Third Request) re <u>51</u> MOTION for Order to Show Cause ; by Defendants James Gregory Cox, E.K. McDaniel. (Quinn, Stephen) (Entered: 11/08/2013)
11/12/2013	<u>77</u>	ORDER ON <u>76</u> STIPULATION re <u>51</u> Motion for Order to Show Cause. Defendants' response due by 12/15/2013. Plaintiffs' reply due 11 days from service of Defendants' response. Signed by Judge Howard D. McKibben on 11/12/2013. (Copies have been distributed pursuant to the NEF – KR) (Entered: 11/12/2013)
12/12/2013	<u>78</u>	RESPONSE to <u>51</u> MOTION for Order to Show Cause , filed by Defendants James Gregory Cox, E.K. McDaniel. Replies due by 12/22/2013. (Attachments: # <u>1</u> Declaration, # <u>2</u> Declaration, # <u>3</u> Declaration)(Quinn, Stephen) (Entered: 12/12/2013)
12/23/2013	79	MINUTE ORDER IN CHAMBERS of the Honorable Judge Howard D. McKibben, on 12/23/2013. By Deputy Clerk: Paris Rich. IT IS ORDERED, a Telephonic Status Conference is set for Tuesday, 1/7/2014 at 10:00 AM before Judge Howard D. McKibben. Participants shall only appear telephonically and shall call ATTno later than 5 minutes prior to the hearing at 1 (877) 336-1839 and provide Access Code 3246567 and Security Code 0177. IT IS SO ORDERED. (no image attached) (Copies have been distributed pursuant to the NEF – PR) (Entered: 12/23/2013)
12/23/2013	<u>80</u>	REPLY to Response to <u>51</u> MOTION for Order to Show Cause filed by Plaintiff Prison Legal News. (Attachments: # <u>1</u> Declaration of Lance Weber, # <u>2</u> Declaration of Paul Wright)(Weber, Lance) (Entered: 12/23/2013)
01/07/2014	81	MINUTES OF PROCEEDINGS – Telephonic Status Conference held on 1/7/2014 before Judge Howard D. McKibben. Crtrm Administrator: <i>Paris Rich</i> ; Plaintiffs' Counsel: <i>Lance Weber, Robert Jack, Allen Lichtenstein, and Staci Pratt</i> ; Defendants' Counsel: <i>Stephen Quinn</i> ; Court Reporter: <i>Kathryn French</i> ; Time of Hearing: <i>10:00 AM to 10:22 AM</i> ; Courtroom: <i>4</i> ; Counsel are present telephonically. The Court addresses the status of this matter. Mr. Weber and Mr. Quinn present statements on behalf of the parties and confirm the parties have been working together steadily, but progress has taken time. The Court and counsel further confer. As it appears the parties are willing to continue to resolve this matter, IT IS ORDERED, a further Telephonic Status Conference is set for Thursday, 3/6/2014 at 10:00 AM in Reno Courtroom 4 before Judge Howard D. McKibben. At the 3/6/2014 hearing, the Court requests the parties be prepared to either (1) stipulate to resolve the matter; (2) request a slight extension, if settlement is close; or (3) be prepared to go forward with a proposal for hearing. IT IS SO ORDERED. (no image attached) (Copies have been distributed pursuant to the NEF – PR) (Entered: 01/07/2014)
01/07/2014	82	MINUTE ORDER IN CHAMBERS of the Honorable Judge Howard D. McKibben, on 1/7/2014. By Deputy Clerk: Paris Rich. IT IS ORDERED, a Telephonic Status Conference remains set for Thursday, 3/6/2014 at 10:00 AM in Reno Courtroom 4 before Judge Howard D. McKibben. IT IS FURTHER ORDERED, all parties shall only appear telephonically and shall call ATTno

		<p>later than 5 minutes prior to the hearing at 1 (877) 336-1839 and provide Access Code 3246567 and Security Code 0178. IT IS SO ORDERED. (no image attached) (Copies have been distributed pursuant to the NEF – PR) (Entered: 01/07/2014)</p>
03/06/2014	83	<p>MINUTES OF PROCEEDINGS – Telephonic Status Conference held on 3/6/2014 before Judge Howard D. McKibben. Crtrm Administrator: <i>Paris Rich</i>; Plaintiffs' Counsel: <i>Allen Lichtenstein</i>; Defendants' Counsel: <i>Stephen Quinn</i>; Court Reporter: <i>Donna Davidson</i>; Time of Hearing: <i>10:03 AM to 10:16 AM</i>; Courtroom: <i>4</i>;</p> <p>At 10:03 AM, Counsel are present telephonically. The Court recites the recent chronology of this action and inquires as to the current status. Counsel agree the case should move forward. The Court recites further statements regarding pending <u>51</u> Motion for Order to Show Cause.</p> <p>IT IS ORDERED, Jury Trial is set for Tuesday, 11/4/2014 at 9:00 AM in Reno Courtroom 4 before Judge Howard D. McKibben. Calendar Call is set for Wednesday, 10/29/2014 at 9:30 AM in Reno Courtroom 4 before Judge Howard D. McKibben. In the event a calendar conflict is discovered with respect to the Trial date, counsel shall notify the Court.</p> <p>IT IS FURTHER ORDERED, the parties' proposed discovery plan and scheduling order shall be filed no later than Friday, 4/4/2014.</p> <p>IT IS FURTHER ORDERED, <u>51</u> Motion for Order to Show Cause is DENIED without prejudice. If an issue arises regarding matters contained in <u>51</u> Motion, the parties shall seek leave of Court for reinstatement of <u>51</u> Motion.</p> <p>The Court indicates if the parties request a settlement conference, they should file a request. At 10:16 AM, the Court adjourns. (Copies have been distributed pursuant to the NEF – PR) (Entered: 03/06/2014)</p>
03/06/2014	84	<p>MINUTE ORDER IN CHAMBERS of the Honorable Judge Howard D. McKibben, on 3/6/2014. By Deputy Clerk: Paris Rich. IT IS ORDERED, the Calendar Call currently set for Wednesday, 10/29/2014 at 9:30 AM is ADVANCED and RESET for Wednesday, 10/22/2014 at 9:30 AM in Reno Courtroom 4 before Judge Howard D. McKibben. IT IS SO ORDERED. (no image attached) (Copies have been distributed pursuant to the NEF – PR) (Entered: 03/06/2014)</p>
04/04/2014	<u>85</u>	<p>PROPOSED Discovery Plan/Scheduling Order filed by Plaintiff Prison Legal News . (Weber, Lance) (Entered: 04/04/2014)</p>
04/07/2014	86	<p>MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge William G. Cobb, on 4/7/2014. By Deputy Clerk: Katie Lynn Ogden. IT IS HEREBY ORDERED that a Discovery Status Conference is set for Tuesday, April 8, 2014, at 11:00 a.m., in Reno Courtroom 2 before Magistrate Judge William G. Cobb. The court will address the parties' <u>85</u> Proposed Discovery Plan/Scheduling Order. Counsel wishing to appear telephonically shall dial 1-877-873-8017, enter the access code 3416460, and enter the security code 4814 approximately five (5) minutes prior to the hearing. (no image attached) (Copies have been distributed pursuant to the NEF – KO) (Entered: 04/07/2014)</p>
04/08/2014	87	<p>MINUTES OF PROCEEDINGS – Telephonic Discovery Status Conference held on 4/8/2014 before Magistrate Judge William G. Cobb. Crtrm Administrator: <i>Katie Lynn Ogden</i>; Pla Counsel: <i>Lance Weber, Ernest Galvan, Allen Lichtenstein (Telephonically)</i>; Def Counsel: <i>Stephen Quinn (Telephonically)</i>; FTR #: <i>11:24:14 a.m. – 11:51:08 a.m.</i>; Time of Hearing: <i>11:00 a.m.</i>; Courtroom: <i>2</i>. The court addresses the parties' <u>85</u> Proposed Discovery Plan/Scheduling Order. The court notes the dispositive motions deadline proposed in paragraph #5 would not allow sufficient time for any perspective dispositive motion(s) to be fully briefed prior to the jury trial scheduled for 11/4/2014. The court discusses alternatives to avoid the scheduling conflict including the likelihood of the parties filing dispositive motions, the possibility of scheduling a settlement conference or continuing the trial date. Counsel agree both plaintiff and defendants will like to preserve the ability to file dispositive motions. The court approves the proposed dispositive</p>

		<p>motions deadline for 10/8/2014. However, the current calendar call (10/22/14) and jury trial (11/4/14) are hereby VACATED and CONTINUED to: <i>Calendar Call</i> set for Wednesday, 1/21/15 at 8:30 a.m. and <i>Jury Trial</i> set for MondayTuesday, 2/3/15 at 9:00 a.m. The <i>Pretrial Order</i> deadline shall also be revised and should indicate that: in the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until thirty (30) days after decision of the dispositive motions or no later than 12/31/2014. The parties shall file a revised Discovery Plan and Scheduling Order no later than Wednesday, April 16, 2014. The parties are reminded that if they would like to schedule a settlement conference before the court, they shall file such a request. Mr. Weber addresses the court regarding his Pro Hac Vice status (Doc. # <u>68</u>) and requests the court waive any requirement that he must file any additional Verified Petition for Permission to Practice Pro Hac Vice. The court advises Mr. Weber that it will discuss his request with District Judge McKibben and his courtroom administrator. (no image attached) (Copies have been distributed pursuant to the NEF – KO) Modified on 4/8/2014 to correct date of trial. (KO) (Entered: 04/08/2014)</p>
04/16/2014	<u>88</u>	<p>PROPOSED Discovery Plan/Scheduling Order filed by Plaintiff Prison Legal News . (Weber, Lance) (Entered: 04/16/2014)</p>
04/22/2014	<u>89</u>	<p>VACATED per <u>108</u> Order - SCHEDULING ORDER re <u>88</u> Proposed Order. Discovery due by 9/8/2014. Motions due by 10/8/2014. Proposed Joint Pretrial Order due by 12/31/2014. Signed by Magistrate Judge William G. Cobb on 4/22/2014. (Copies have been distributed pursuant to the NEF – KR) Modified on 8/5/2014 (JC). (Entered: 04/22/2014)</p>
04/23/2014	90	<p>NOTICE PURSUANT TO LOCAL RULE IB 2–2: In accordance with 28 USC § 636(c) and FRCP 73, the parties in this action are provided with a link to the "AO 85 Notice of Availability, Consent, and Order of Reference – Exercise of Jurisdiction by a U.S. Magistrate Judge" form on the Court's website – www.nvd.uscourts.gov. AO 85 Consent forms should NOT be electronically filed. Upon consent of all parties, counsel are advised to manually file the form with the Clerk's Office. (A copy of form AO 85 has been mailed to parties not receiving electronic service.)</p> <p>NOTICE OF GENERAL ORDER 2013–1 AND OPPORTUNITY FOR EXPEDITED TRIAL SETTING: The parties in this action are provided with a link to General Order 2013–1 and the USDC Short Trial Rules on the Court's website – www.nvd.uscourts.gov. If the parties agree that this action can be ready for trial within 180 days and that a trial of this matter would take three (3) days or less, the parties should consider participation in the USDC Short Trial Program. If the parties wish to be considered for entry into the Court's Short Trial Program, they should execute and electronically file with USDC Short Trial Form 4(a)(1) or Form 4(a)(2).</p> <p>(no image attached) (DRM) (Entered: 04/23/2014)</p>
05/06/2014	91	<p>MINUTE ORDER IN CHAMBERS of the Honorable Judge Howard D. McKibben, on 5/6/2014. By Deputy Clerk: Paris Rich.</p> <p>IT IS ORDERED, Jury Trial currently set for Tuesday, 2/3/2015 at 9:00 AM is ADVANCED and RESET for Tuesday, 1/27/2015 at 9:00 AM in Reno Courtroom 4 before Judge Howard D. McKibben.</p> <p>IT IS FURTHER ORDERED, Calendar Call currently set for Wednesday, 1/21/2015 at 8:30 AM is ADVANCED and RESET for Thursday, 1/15/2015 at 9:30 AM in Reno Courtroom 4 before Judge Howard D. McKibben. IT IS SO ORDERED.</p> <p>(no image attached) (Copies have been distributed pursuant to the NEF – PR) (Entered: 05/06/2014)</p>
06/17/2014	<u>92</u>	<p>MOTION to Dismiss by Defendants James Gregory Cox, E.K. McDaniel. Responses due by 7/4/2014. (Quinn, Stephen) (Entered: 06/17/2014)</p>

06/17/2014	<u>93</u>	MOTION for Protective Order <i>and Order Staying Discovery</i> by Defendants James Gregory Cox, E.K. McDaniel. Motion ripe 6/17/2014. (Quinn, Stephen) (Entered: 06/17/2014)
06/18/2014	<u>94</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Howard D. McKibben, on 6/18/2014. By Deputy Clerk: Paris Rich. IT IS ORDERED, the Plaintiffs shall file any responsive pleading to <u>93</u> Defendants' Motion for Protective Order and Order Staying Discovery no later than Friday, 6/27/2014 at 4:00 PM. IT IS FURTHER ORDERED, the Defendants shall file any reply to <u>93</u> Motion no later than Wednesday, 7/2/2014 at 4:00 PM. IT IS SO ORDERED. (no image attached) (Copies have been distributed pursuant to the NEF – PR) (Entered: 06/18/2014)
06/20/2014	<u>95</u>	VERIFIED PETITION for Permission to Practice Pro Hac Vice by Robert E. Jack and DESIGNATION of Local Counsel Staci Pratt (Filing fee \$200 – paid; Receipt Number NVRNO 2366). Motion ripe 6/20/2014. (JC) (Entered: 06/20/2014)
06/26/2014	<u>96</u>	NOTICE of Change of Attorney on behalf of Defendants James Gregory Cox, E.K. McDaniel. (Fairbank, Micheline) (Entered: 06/26/2014)
06/27/2014	<u>97</u>	RESPONSE to <u>93</u> MOTION for Protective Order <i>and Order Staying Discovery</i> , filed by Plaintiffs Prison Legal News, Paul Wright, Rollin Wright. Replies due by 7/7/2014. (Lichtenstein, Allen) (Entered: 06/27/2014)
06/27/2014	<u>98</u>	ORDER approving <u>95</u> Verified Petition for Permission to Practice Pro Hac Vice by Robert E. Jack for Prison Legal News, and approving Designation of Local Counsel Staci Pratt. Signed by Judge Howard D. McKibben on 6/27/2014. Any Attorney not yet registered with the Court's CM/ECF System shall submit a Registration Form on the Court's website www.nvd.uscourts.gov (Copies have been distributed pursuant to the NEF – KR) (Entered: 06/27/2014)
07/07/2014	<u>99</u>	RESPONSE to <u>92</u> MOTION to Dismiss , filed by Plaintiff Prison Legal News. Replies due by 7/17/2014. (Weber, Lance) (Entered: 07/07/2014)
07/14/2014	<u>100</u>	REPLY to Response to <u>93</u> MOTION to Protective order filed by Defendants James Gregory Cox, E.K. McDaniel. (Fairbank, Micheline) Modified on 7/17/2014 link to proper motion. (WJ). (Entered: 07/14/2014)
07/16/2014	<u>101</u>	REPLY to Response to <u>92</u> MOTION to Dismiss filed by Defendants James Gregory Cox, E.K. McDaniel. (Fairbank, Micheline) (Entered: 07/16/2014)
07/16/2014	<u>102</u>	Joint MOTION to Vacate <u>89</u> Scheduling Order, by Plaintiff Prison Legal News. Motion ripe 7/16/2014. (Attachments: # <u>1</u> Proposed Order to Vacate)(Jack, Robert) (Entered: 07/16/2014)
07/24/2014	<u>103</u>	ORDER granting Defendants' <u>93</u> motion. Discovery is stayed pending further action of the court. Signed by Judge Howard D. McKibben on 7/24/2014. (Copies have been distributed pursuant to the NEF – KR) (Entered: 07/25/2014)
07/29/2014	<u>104</u>	MOTION to Substitute Attorney by Plaintiffs Prison Legal News, Paul Wright. Motion ripe 7/29/2014. (Lichtenstein, Allen) (Entered: 07/29/2014)
07/30/2014	<u>105</u>	ORDER granting # <u>104</u> Motion for Substitution of Attorneys : Alleen Lichtenstein and Staci Pratt of Allen Lichtenstein, Attorney at Law, Ltd. in the place and stead of Allen Lichtenstein and Staci Pratt of the ACLU of Nevada. Signed by Magistrate Judge William G. Cobb on 7/30/2014. (Copies have been distributed pursuant to the NEF – DRM) (Entered: 07/30/2014)
08/01/2014	<u>106</u>	MOTION For Clarification of the Court's July 24, 2014 Order re <u>103</u> Order on Motion for Protective Order by Plaintiff Prison Legal News. Responses due by 8/18/2014. (Jack, Robert) (Entered: 08/01/2014)
08/05/2014	<u>107</u>	Submission of PROPOSED ORDER on <u>106</u> MOTION For Clarification of the Court's July 24, 2014 Order re <u>103</u> Order on Motion for Protective Order ; filed by Plaintiff Prison Legal News . (Jack, Robert) (Entered: 08/05/2014)

08/05/2014	<u>108</u>	ORDER granting <u>102</u> Joint MOTION to Vacate <u>89</u> Scheduling Order. Please see attached for further details and deadlines. Signed by Judge Howard D. McKibben on 8/5/14. (Copies have been distributed pursuant to the NEF – JC) (Entered: 08/05/2014)
08/05/2014	109	MINUTE ORDER IN CHAMBERS of the Honorable Judge Howard D. McKibben, on 8/5/2014. By Deputy Clerk: Paris Rich. IT IS ORDERED, a Telephonic Motion Hearing Re: <u>92</u> Defendant's Motion to Dismiss is set for Wednesday, 9/3/2014 at 4:00 PM (PDT) before Judge Howard D. McKibben. <u>All participants shall appear telephonically and call ATTno later than 5 minutes prior to the hearing at 1 (877) 336-1839 and provide Access Code 3246567 and Security Code 0200. IT IS SO ORDERED.</u> (no image attached) (Copies have been distributed pursuant to the NEF – PR) (Entered: 08/05/2014)
08/06/2014	<u>110</u>	UNOPPOSED MOTION To Continue Court Hearing re 109 Minute Order Setting Hearing on Motion,, by Defendants James Gregory Cox, E.K. McDaniel. Motion ripe 8/6/2014. (Fairbank, Micheline) (Entered: 08/06/2014)
08/06/2014	111	MINUTE ORDER IN CHAMBERS of the Honorable Judge Howard D. McKibben, on 8/6/2014. By Deputy Clerk: Paris Rich. IT IS ORDERED, to the extent <u>106</u> Motion for Clarification is not addressed in <u>108</u> Order granting the joint motion to vacate the scheduling order, <u>106</u> Motion is DENIED. IT IS SO ORDERED. (no image attached) (Copies have been distributed pursuant to the NEF – PR) (Entered: 08/06/2014)
08/08/2014	<u>112</u>	Unopposed MOTION to Withdraw as Attorney by Robert Jack by Plaintiff Prison Legal News. Motion ripe 8/8/2014. (Attachments: # <u>1</u> Proposed Order)(Jack, Robert) (Entered: 08/08/2014)
08/11/2014	<u>113</u>	ORDER GRANTING # <u>112</u> Motion to Withdraw as Attorney. Robert Jack withdrawn from the case as attorney for Plaintiff Prison Legal News. Signed by Judge Howard D. McKibben on 8/11/2014. (Copies have been distributed pursuant to the NEF – DRM) (Entered: 08/11/2014)
08/11/2014	114	MINUTE ORDER IN CHAMBERS of the Honorable Judge Howard D. McKibben, on 8/11/2014. By Deputy Clerk: Paris Rich. IT IS ORDERED, the Defendants' <u>110</u> Unopposed Motion to Continue Telephonic Hearing is GRANTED. IT IS FURTHER ORDERED, the Telephonic Motion Hearing Re: the Defendants' <u>92</u> Motion to Dismiss currently set for Wednesday, 9/3/2014 at 4:00 PM is CONTINUED and RESET for Wednesday, 9/10/2014 at 4:00 PM in Reno Courtroom 4 before Judge Howard D. McKibben. <u>Participants shall call ATTno later than 5 minutes prior to the hearing at 1 (877) 336-1839 and provide Access Code 3246567 and Security Code 0200. IT IS SO ORDERED.</u> (no image attached) (Copies have been distributed pursuant to the NEF – PR) (Entered: 08/11/2014)
09/03/2014	115	MINUTE ORDER IN CHAMBERS of the Honorable Judge Howard D. McKibben, on 9/3/2014. By Deputy Clerk: Paris Rich. IT IS ORDERED, the Telephonic Motion Hearing Re: <u>92</u> Defendants' Motion to Dismiss currently set for Wednesday, 9/10/2014 at 4:00 PM is ADVANCED and RESET for <u>Wednesday, 9/10/2014 at 10:30 AM</u> before Judge Howard D. McKibben. <u>All participants shall appear telephonically</u> by calling ATTno later than 5 minutes prior to the hearing at 1 (877) 336-1839 and provide Access Code 3246567 and Security Code 0200. IT IS SO ORDERED.

		(no image attached) (Copies have been distributed pursuant to the NEF – PR) (Entered: 09/03/2014)
09/10/2014	116	<p>MINUTES OF PROCEEDINGS – Telephonic Motion Hearing Re: <u>92</u> Defendants' Motion to Dismiss held on 9/10/2014 before Judge Howard D. McKibben. Crtrm Administrator: <i>Paris Rich</i>; Plaintiffs' Counsel: <i>Lance Weber and Staci Pratt</i>; Defendants' Counsel: <i>Micheline Fairbank</i>; Court Reporter: <i>Kathryn French</i>; Time of Hearing: <i>10:27 AM to 11:30 AM</i>; Courtroom: <i>4</i>;</p> <p>At 10:27 AM, the Court convenes. All counsel are present telephonically. The Court addresses <u>92</u> Defendants' Motion to Dismiss and inquires as to the current status of the issues. Mr. Weber presents statements and confirms the common thread between the consolidated cases is denial of due process. The Court and Mr. Weber further confer regarding the current posture of deliveries to the facilities, specifically relating to the delivery of books. Mr. Weber advises that prisoner interviews remain to be conducted for information regarding the specifics of delivery of publications (journals and newspapers) vs. books. The Court and counsel discuss the Plaintiffs' Amended Complaint and the previous Stipulated Judgment by the parties in 2000.</p> <p>At 10:38 AM, Ms. Fairbank presents argument as to <u>92</u> Defendants' Motion to Dismiss. Mr. Weber presents argument on behalf of the Defendants. At 11:12 AM, the Court recites findings. IT IS ORDERED, with respect to the qualified good faith immunity of Defendants James Greg Cox and E.K. McDaniel, <u>92</u> Motion is DENIED without prejudice to renew upon the completion of discovery. IT IS FURTHER ORDERED, leave is GRANTED, within 20 days of this date, for the Plaintiffs to file any amendment to the complaint and more specifically set forth the personal involvement of the individual Defendants in connection with the issues surrounding damages. IT IS SO ORDERED.</p> <p>The Court and counsel confer regarding accomplished discovery to date. IT IS ORDERED, the Discovery Deadline is set for Monday, 3/9/2015, subject to modification by the U.S. Magistrate Judge or this Court. IT IS FURTHER ORDERED, consistent with the 3/9/2015 Discovery Deadline, the parties shall submit a proposed discovery plan and scheduling order to the U.S. Magistrate Judge for consideration. IT IS SO ORDERED.</p> <p>The Court recites closing comments to counsel relating to compliance of the parties' 2000 Stipulated Judgment and any potential updating or modification, if necessary. At 11:30 AM, the Court adjourns.</p> <p>(Copies have been distributed pursuant to the NEF – PR) (Entered: 09/10/2014)</p>
09/30/2014	<u>117</u>	SECOND AMENDED COMPLAINT <i>Second</i> with Jury Demand against James Gregory Cox, E.K. McDaniel, filed by Prison Legal News. No changes to parties. Proof of service due by 1/28/2015. (Attachments: # <u>1</u> Exhibit Exhibits 1–3) (Lichtenstein, Allen) (Entered: 09/30/2014)
10/10/2014	<u>118</u>	PROPOSED Discovery Plan/Scheduling Order filed by Defendants James Gregory Cox, E.K. McDaniel, Plaintiff Prison Legal News . (Fairbank, Micheline) (Entered: 10/10/2014)
10/15/2014	<u>119</u>	SCHEDULING ORDER re <u>118</u> Proposed Discovery Plan/Scheduling Order. Discovery due by 6/30/2015. Motions due by 7/8/2015. Proposed Joint Pretrial Order due by 8/8/2015. Signed by Magistrate Judge William G. Cobb on 10/15/14. (Copies have been distributed pursuant to the NEF – JC) (Entered: 10/15/2014)
10/16/2014	120	NOTICE PURSUANT TO LOCAL RULE IB 2–2: In accordance with 28 USC § 636(c) and FRCP 73, the parties in this action are provided with a link to the "AO 85 Notice of Availability, Consent, and Order of Reference – Exercise of Jurisdiction by a U.S. Magistrate Judge" form on the Court's website – www.nvd.uscourts.gov . AO 85 Consent forms should NOT be electronically filed. Upon consent of all parties, counsel are advised to manually file the form with the Clerk's Office. (A copy of form AO 85 has been mailed to parties not receiving electronic service.)

		<p>NOTICE OF GENERAL ORDER 2013–1 AND OPPORTUNITY FOR EXPEDITED TRIAL SETTING: The parties in this action are provided with a link to General Order 2013–1 and the USDC Short Trial Rules on the Court's website – www.nvd.uscourts.gov. If the parties agree that this action can be ready for trial within 180 days and that a trial of this matter would take three (3) days or less, the parties should consider participation in the USDC Short Trial Program. If the parties wish to be considered for entry into the Court's Short Trial Program, they should execute and electronically file with USDC Short Trial Form 4(a)(1) or Form 4(a)(2).</p> <p>(no image attached) (DRM) (Entered: 10/16/2014)</p>
10/21/2014	<u>121</u>	ANSWER to <u>117</u> Amended Complaint, filed by James Gregory Cox, E.K. McDaniel.(Fairbank, Micheline) (Entered: 10/21/2014)
02/19/2015	<u>122</u>	VERIFIED PETITION for Permission to Practice Pro Hac Vice by Sabarish Neelakanta and DESIGNATION of Local Counsel Allen Lichtenstein (Filing fee \$ 250 receipt number 0978–3563841) by Plaintiff Prison Legal News. (Weber, Lance) (Entered: 02/19/2015)
02/20/2015	<u>123</u>	ORDER approving <u>122</u> Verified Petition for Permission to Practice Pro Hac Vice for Sabarish Neelakanta and approving Designation of Local Counsel. Signed by Judge Howard D. McKibben on 2/20/15. Any Attorney not yet registered with the Court's CM/ECF System shall submit a Registration Form on the Court's website www.nvd.uscourts.gov (Copies have been distributed pursuant to the NEF – JC) (Entered: 02/20/2015)
04/03/2015	<u>124</u>	Joint MOTION to Vacate <i>Scheduling Order</i> by Plaintiff Prison Legal News. (Neelakanta, Sabarish) (Entered: 04/03/2015)
04/07/2015	<u>125</u>	Amended SCHEDULING ORDER denying <u>124</u> Joint Motion. Discovery due by 10/30/2015. Motions due by 11/9/2015. Proposed Joint Pretrial Order due by 12/18/2015. There shall be no further extensions. Signed by Magistrate Judge William G. Cobb on 4/7/2015. (Copies have been distributed pursuant to the NEF – KR) (Entered: 04/07/2015)
09/02/2015	<u>126</u>	VERIFIED PETITION for Permission to Practice Pro Hac Vice by Lisa Ells and DESIGNATION of Local Counsel Allen Lichtenstein (Filing fee \$ 250 receipt number 0978–3800983) filed by Plaintiffs Prison Legal News, Paul Wright, Rollin Wright . (Lichtenstein, Allen) (Entered: 09/02/2015)
09/02/2015	<u>127</u>	VERIFIED PETITION for Permission to Practice Pro Hac Vice by Krista Stone–Manista and DESIGNATION of Local Counsel Allen Lichtenstein (Filing fee \$ 250 receipt number 0978–3801014) filed by Plaintiffs Prison Legal News, Paul Wright, Rollin Wright . (Lichtenstein, Allen) (Entered: 09/02/2015)
09/03/2015	<u>128</u>	ORDER approving <u>127</u> Verified Petition for Permission to Practice Pro Hac Vice for Krista Stone–Manista and approving Designation of Local Counsel. Signed by Judge Howard D. McKibben on 9/3/15. Any Attorney not yet registered with the Court's CM/ECF System shall submit a Registration Form on the Court's website www.nvd.uscourts.gov (Copies have been distributed pursuant to the NEF – JC) (Entered: 09/03/2015)
09/03/2015	<u>129</u>	ORDER approving <u>126</u> Verified Petition for Permission to Practice Pro Hac Vice for Lisa Ells and approving Designation of Local Counsel. Signed by Judge Howard D. McKibben on 9/3/15. Any Attorney not yet registered with the Court's CM/ECF System shall submit a Registration Form on the Court's website www.nvd.uscourts.gov (Copies have been distributed pursuant to the NEF – JC) (Entered: 09/03/2015)
09/04/2015	<u>130</u>	NOTICE of Appearance by attorney Charles W. Lehman on behalf of Defendants James Gregory Cox, E.K. McDaniel. (Lehman, Charles) (Entered: 09/04/2015)
09/11/2015	<u>131</u>	STIPULATION FOR EXTENSION OF TIME (Third Request) <i>to Extend Discovery and other Deadlines</i> by Defendants James Gregory Cox, E.K. McDaniel, Plaintiff Prison Legal News. (Lehman, Charles) (Entered: 09/11/2015)

09/14/2015	<u>132</u>	SCHEDULING ORDER re <u>131</u> Stipulation. Discovery due by 1/29/2016. Motions due by 2/29/2016. Proposed Joint Pretrial Order due by 3/28/2016. Signed by Magistrate Judge William G. Cobb on 9/14/15. (Copies have been distributed pursuant to the NEF – JC) (Entered: 09/14/2015)
09/25/2015	<u>133</u>	NOTICE of Change of Address by Krista M. Stone–Manista. <i>for Rosen Bien Galvan & Grunfeld</i> (Stone–Manista, Krista) (Entered: 09/25/2015)
10/20/2015	<u>134</u>	UNOPPOSED MOTION <i>Defendants' Unopposed Motion for Status Conference and Order Shortening Time</i> by Defendants James Gregory Cox, E.K. McDaniel. (Lehman, Charles) (Entered: 10/20/2015)
10/21/2015	135	<p>MINUTE ORDER IN CHAMBERS of the Honorable Judge Howard D. McKibben, on 10/21/2015. By Deputy Clerk: Paris Rich.</p> <p>IT IS ORDERED, a Telephonic Status Conference is set for Thursday, 10/22/2015 at 9:30 AM in Reno Courtroom 4 before Judge Howard D. McKibben.</p> <p>IT IS FURTHER ORDERED, all participants shall <u>only</u> appear telephonically by calling ATTno later than 5 minutes prior to the hearing at 1 (877) 336–1839 with Access Code 3246567 and Security Code 0234. IT IS SO ORDERED.</p> <p>(no image attached) (Copies have been distributed pursuant to the NEF – PR) (Entered: 10/21/2015)</p>
10/22/2015	136	<p>MINUTES OF PROCEEDINGS – Telephonic Status Conference held on 10/22/2015 before Judge Howard D. McKibben. Crtrm Administrator: <i>Paris Rich</i>; Plaintiff's Counsel: <i>Lisa Ells, Lance Weber, and Sabarish Neelakanta</i>; Defendants' Counsel: <i>Andrea Barraclough</i>; Court Reporter: <i>Kathryn French</i>; Time of Hearing: <i>9:30 AM to 9:40 AM</i>; Courtroom: <i>4</i>;</p> <p>At 9:30 AM, the Court convenes. Counsel are present telephonically. The Court addresses <u>134</u> Unopposed Motion and the parties' request therein that the Court retain jurisdiction over the enforcement of the proposed settlement agreement for a period of ten (10) years. Ms. Ellis and Ms. Barraclough discuss the anticipated jurisdictional issues. The Court states that as soon as a written and enforceable agreement has been signed by each party, the parties shall provide such agreement to the Court for review and consideration. Thereafter, the Court would administratively close this action. The Court states that conceptually it is willing to accept jurisdiction. The Court and counsel further confer.</p> <p>IT IS ORDERED, Discovery and all pending deadlines are STAYED pending resolution of this matter.</p> <p>IT IS FURTHER ORDERED, a Telephonic Status Conference is set for Wednesday, 2/17/2016 at 10:00 AM in Reno Courtroom 4 before Judge Howard D. McKibben. IT IS SO ORDERED.</p> <p>On behalf of the Plaintiff, Mr. Weber inquires whether the 2/29/2016 summary judgment deadline is also stayed. The Court confirms that Discovery and all current deadlines are stayed. At 9:40 AM, the Court adjourns.</p> <p>(Copies have been distributed pursuant to the NEF – PR) (Entered: 10/26/2015)</p>
10/27/2015	137	<p>MINUTE ORDER IN CHAMBERS of the Honorable Judge Howard D. McKibben, on 10/27/2015. By Deputy Clerk: Paris Rich.</p> <p>IT IS ORDERED, a Telephonic Status Conference remains set for Wednesday, 2/17/2016 at 10:00 AM in Reno Courtroom 4 before Judge Howard D. McKibben.</p> <p>IT IS FURTHER ORDERED, Participants shall only appear telephonically by calling ATTno later than 5 minutes prior to the hearing at 1 (877) 336–1839 with Access Code 3246567 and Security Code 0236. IT IS SO ORDERED.</p>

		(no image attached) (Copies have been distributed pursuant to the NEF – PR) (Entered: 10/27/2015)
01/14/2016	<u>138</u>	STIPULATION by Defendants James Gregory Cox, E.K. McDaniel, Plaintiff Prison Legal News. (Attachments: # <u>1</u> Exhibit A – Settlement Agreement)(Barraclough, Andrea) (Entered: 01/14/2016)
02/17/2016	139	<p>MINUTES OF PROCEEDINGS – Telephonic Status Conference held on 2/17/2016 before Judge Howard D. McKibben. Crtrm Administrator: <i>Paris Rich</i>; Plaintiff's Counsel: <i>Lance Weber</i>; Defendants' Counsel: <i>Charles Lehman</i>; Court Reporter: <i>Margaret Griener</i>; Time of Hearing: <i>10:05 AM to 10:21 AM</i>; Courtroom: <i>4</i>;</p> <p>Counsel are present telephonically. The Court recites inquiries regarding the parties' <u>138</u> Stipulation and Order of Dismissal with Prejudice, with Stipulation to Hold Dismissal in Abeyance. Mr. Weber responds. The Court, Mr. Weber, and Mr. Lehman confer. The Court outlines a recommendation for a revised stipulation and order to be presented to the Court for signature. Further, counsel confirm they have no issue with an additional recommendation to administratively close this action, upon the Court's execution of the revised stipulation and order, subject to reopening at any time by either party,</p> <p>IT IS ORDERED, counsel shall submit a revised stipulation and order consistent with the recommendation this date for the Court's consideration. IT IS SO ORDERED.</p> <p>Mr. Weber confirms the parties will submit the revised stipulation and order within one week of this date. In closing, the Court recites complimentary comments and appreciation to counsel for their hard work to reach this agreement.</p> <p>(no image attached) (Copies have been distributed pursuant to the NEF – PR) (Entered: 02/19/2016)</p>
02/26/2016	<u>140</u>	STIPULATION <i>and Order of Dismissal without Prejudice</i> by Defendants James Gregory Cox, E.K. McDaniel. (Barraclough, Andrea) (Entered: 02/26/2016)
03/03/2016	<u>141</u>	ORDER DISMISSING CASE without prejudice re <u>140</u> Stipulation. The court retains jurisdiction to consider any motion to reopen case to compel compliance with the terms of the settlement. Signed by Judge Howard D. McKibben on 3/3/2016. (Copies have been distributed pursuant to the NEF – KR) (Entered: 03/03/2016)
05/06/2016	<u>142</u>	LETTER to Judge from NNCC inmate Beau Brown, #73698. (DRM) (Entered: 05/06/2016)