

CLOSED,JURY,MEDIATION,STAYED

**U.S. District Court [LIVE]  
Eastern District of TEXAS (Marshall)  
CIVIL DOCKET FOR CASE #: 2:12-cv-00699-JRG**

Prison Legal News v. Betterton et al  
Assigned to: Judge Rodney Gilstrap  
Cause: 42:1981 Civil Rights

Date Filed: 11/01/2012  
Date Terminated: 12/19/2013  
Jury Demand: Both  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Mediator**

**Earl F. Hale, Jr.**

represented by **Earl F Hale , Jr.**  
Earl F Hale, Jr.  
4144 N. Central Expressway  
Ste 225  
Dallas, TX 75204  
214/515-0199  
Fax: 214-515-0192  
Email: [efhale@earlhale.com](mailto:efhale@earlhale.com)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Prison Legal News**

represented by **Alissa R Hull**  
Human Rights Defense Center  
PO Box 2420  
West Brattleboro, VT 05303  
802/579-1309  
Fax: 866-228-1681  
Email: [ahull@humanrightsdefensecenter.org](mailto:ahull@humanrightsdefensecenter.org)  
**TERMINATED: 09/11/2013**

**Kimberly R McCoy**  
Vinson &Elkins – Dallas  
2001 Ross Ave  
3700 Trammell Crow Center  
Dallas, TX 75201-2975  
214-220-7920  
Fax: 214-999-7920  
Email: [kmccoy@velaw.com](mailto:kmccoy@velaw.com)  
**ATTORNEY TO BE NOTICED**

**Lance T Weber**  
Human Rights Defense Center  
PO Box 2420  
West Brattleboro, VT 05303  
561/360-2523  
Fax: 866/735-7136  
Email: [lweber@humanrightsdefensecenter.org](mailto:lweber@humanrightsdefensecenter.org)  
**ATTORNEY TO BE NOTICED**

**Marissa Anne Wilson**  
Vinson &Elkins – Dallas  
2001 Ross Ave  
3700 Trammell Crow Center  
Dallas, TX 75201-2975  
214/220-7854  
Fax: 214/999-7854  
Email: [mwilson@velaw.com](mailto:mwilson@velaw.com)  
**ATTORNEY TO BE NOTICED**

**Scott Medlock**  
Edwards Law

The Haehnel Building  
1101 East 11th Street  
Austin, TX 78702  
512/623-7727  
Fax: 512-623-7720  
Email: [scott@edwards-law.com](mailto:scott@edwards-law.com)  
*TERMINATED: 10/11/2013*

**Sean W Kelly**  
Vinson &Elkins – Dallas  
2001 Ross Ave  
3700 Trammell Crow Center  
Dallas, TX 75201-2975  
214-220-7720  
Fax: 214-999-7720  
Email: [skelly@velaw.com](mailto:skelly@velaw.com)  
*ATTORNEY TO BE NOTICED*

**Stephen Cass Weiland**  
Squire Patton Boggs (US) LLP – Dallas  
2000 McKinney Ave, Suite 1700  
Dallas, TX 75201  
214/758-1500  
Fax: 214-758-1550  
Email: [Cass.weiland@squirepb.com](mailto:Cass.weiland@squirepb.com)  
*ATTORNEY TO BE NOTICED*

**Thomas S Leatherbury**  
Vinson &Elkins  
2001 Ross Ave  
3700 Trammell Crow Center  
Dallas, TX 75201-2975  
214/220-7744  
Fax: 12149997792  
Email: [tleatherbury@velaw.com](mailto:tleatherbury@velaw.com)  
*ATTORNEY TO BE NOTICED*

**Brian Rolland McGiverin**  
Texas Civil Rights Project  
1405 Montopolis Drive  
Austin, TX 78741  
512-474-5073  
Fax: 512-474-0726  
Email: [bmcgiver@gmail.com](mailto:bmcgiver@gmail.com)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Anthony Betterton**

represented by **Stephen Cass Weiland**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joanna Youngblood Grigson**  
Patton Boggs LLP– Dallas  
2000 McKinney Ave  
Ste 1700  
Dallas, TX 75201  
214-758-6680  
Fax: 214-758-1550  
Email: [jgrigson@pattonboggs.com](mailto:jgrigson@pattonboggs.com)  
*ATTORNEY TO BE NOTICED*

**Robert Allen Hawkins**  
 Squire Patton Boggs (US) LLP – Dallas  
 2000 McKinney Ave, Suite 1700  
 Dallas, TX 75201  
 214/758–1500  
 Fax: 214–758–1550  
 Email: [Robert.hawkins@squirepb.com](mailto:Robert.hawkins@squirepb.com)  
*ATTORNEY TO BE NOTICED*

**Sean W Kelly**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Stephen Tristan**  
 Email: [stristan@pattonboggs.com](mailto:stristan@pattonboggs.com)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jill McCauley**

represented by **Stephen Cass Weiland**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joanna Youngblood Grigson**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Robert Allen Hawkins**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Sean W Kelly**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Upshur County**

represented by **Stephen Cass Weiland**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joanna Youngblood Grigson**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Robert Allen Hawkins**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Sean W Kelly**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/01/2012	<u>1</u>	COMPLAINT against Anthony Betterton, Jill McCoy ( Filing fee \$ 350 receipt number 0540–3854654.), filed by Prison Legal News. (Attachments: # <u>1</u> Civil Cover Sheet)(McGiverin, Brian) (Entered: 11/01/2012)
11/01/2012	<u>2</u>	MOTION for Preliminary Injunction by Prison Legal News. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(McGiverin, Brian) (Additional attachment(s) added on 4/5/2013: # <u>4</u> Text of Proposed Order) (ch, ). (Entered: 11/01/2012)

11/01/2012		Case assigned to Judge Rodney Gilstrap. (ch, ) (Entered: 11/01/2012)
11/01/2012		In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form <u>Consent to Proceed Before Magistrate Judge</u> is available on our website. All signed consent forms, excluding pro se parties, should be filed electronically using the event <i>Notice of Consent to Proceed Before Magistrate Judge</i> . (ch, ) (Entered: 11/01/2012)
11/13/2012	<u>3</u>	SUMMONS Issued as to Anthony Betterton, Jill McCoy. (Attachments: # <u>1</u> Sheriff Betterton, # <u>2</u> Upshur County)(ehs, ) (Entered: 11/13/2012)
11/26/2012	<u>4</u>	MOTION to Amend/Correct <u>1</u> Complaint by Prison Legal News. (Attachments: # <u>1</u> Text of Proposed Order)(McGiverin, Brian) (Entered: 11/26/2012)
11/26/2012	<u>5</u>	AMENDED COMPLAINT against Anthony Betterton, Jill McCauley, filed by Prison Legal News.(McGiverin, Brian) (Entered: 11/26/2012)
11/29/2012	<u>6</u>	ORDER denying as moot <u>4</u> Motion to Amend. The Plaintiff does not need leave of court to file its Amended Complaint. Signed by Judge Rodney Gilstrap on 11/29/12. (bas) (Entered: 11/29/2012)
12/04/2012	<u>7</u>	SUMMONS REISSUED as to Jill McCauley. (ehs, ) (Entered: 12/04/2012)
12/11/2012	<u>8</u>	Unopposed MOTION for Extension of Time to File Answer re <u>5</u> Amended Complaint by Anthony Betterton, Jill McCauley, Upshur County. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order Text)(Weiland, Stephen) (Entered: 12/11/2012)
12/11/2012	<u>9</u>	NOTICE of Attorney Appearance – Pro Hac Vice by Lance T Weber on behalf of Prison Legal News. Filing fee \$ 100, receipt number 0540–3911208. (Weber, Lance) (Additional attachment(s) added on 12/13/2012: # <u>1</u> SEALED Attachment) (pkb, ). (Entered: 12/11/2012)
12/11/2012	<u>10</u>	NOTICE of Attorney Appearance – Pro Hac Vice by Alissa R Hull on behalf of Prison Legal News. Filing fee \$ 100, receipt number 0540–3911199. (Hull, Alissa) (Entered: 12/11/2012)
12/13/2012	<u>11</u>	ORDER granting <u>8</u> Motion for Extension of Time to Answer. Deadline extended to answer due 1/10/13. Signed by Judge Rodney Gilstrap on 12/13/12. (ehs, ) (Entered: 12/13/2012)
12/13/2012		Answer Due Deadline Updated for Anthony Betterton to 1/10/2013; Jill McCauley to 1/10/2013; Upshur County to 1/10/2013. (ehs, ) (Entered: 12/13/2012)
01/10/2013	<u>12</u>	ANSWER to <u>5</u> Amended Complaint by Anthony Betterton, Jill McCauley, Upshur County.(Weiland, Stephen) (Entered: 01/10/2013)
01/10/2013		In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form <u>Consent to Proceed Before Magistrate Judge</u> is available on our website. All signed consent forms, excluding pro se parties, should be filed electronically using the event <i>Notice of Consent to Proceed Before Magistrate Judge</i> . (sm, ) (Entered: 01/10/2013)
01/24/2013	<u>13</u>	NOTICE of Attorney Appearance by Sean W Kelly on behalf of Prison Legal News (Kelly, Sean) (Entered: 01/24/2013)
01/24/2013	<u>14</u>	NOTICE of Attorney Appearance by Thomas S Leatherbury on behalf of Prison Legal News (Leatherbury, Thomas) (Entered: 01/24/2013)
01/24/2013	<u>15</u>	NOTICE of Attorney Appearance by Kimberly R McCoy on behalf of Prison Legal News (McCoy, Kimberly) (Entered: 01/24/2013)
02/25/2013	<u>16</u>	Scheduling Conference set for 3/27/2013 02:20 PM before Judge Rodney Gilstrap. Signed by Judge Rodney Gilstrap on 2/25/2013. (ch, ) (Entered: 02/25/2013)

03/27/2013		Minute Entry for proceedings held before Judge Rodney Gilstrap: Scheduling Conference held on 3/27/2013. Proposed deadlines for Docket Control Order and Discovery Order discussed. Earl F. Hale, Jr. appointed as Mediator. (Court Reporter Susan Simmons.) (bga, ) (Entered: 04/02/2013)
04/01/2013	<u>17</u>	NOTICE of Designation of Mediator, Earl F. Hale, Jr., filed by Anthony Betterton, Jill McCauley, Prison Legal News, Upshur County. (Weiland, Stephen) (Entered: 04/01/2013)
04/02/2013	<u>18</u>	NOTICE of Attorney Appearance by Scott Medlock on behalf of Prison Legal News (Medlock, Scott) (Entered: 04/02/2013)
04/03/2013	<u>19</u>	DISCOVERY ORDER. Signed by Judge Rodney Gilstrap on 4/2/2013. (ch, ) (Entered: 04/03/2013)
04/03/2013	<u>20</u>	DOCKET CONTROL ORDER – Amended Pleadings due by 9/12/2013., Discovery due by 9/5/2013., Joinder of Parties due by 7/11/2013., Proposed Pretrial Order due by 11/14/2013., Bench Trial set for 12/3/2013 09:00 AM before Judge Rodney Gilstrap. Signed by Judge Rodney Gilstrap on 4/2/2013. (ch, ) (Entered: 04/03/2013)
04/03/2013	<u>21</u>	ORDER REFERRING CASE to Mediator. Earl F. Hale, Jr., 4144 N. Central Expressway, Suite 225, Dallas, Texas 75204, telephone number 214/515–0199, fax number 214/515–0192, and email address efhale@earlhale.com is hereby appointed as mediator in the above referenced case. Mediation shall be completed by September 26, 2013. Signed by Judge Rodney Gilstrap on 4/2/13. (ehs, ) (Entered: 04/03/2013)
04/05/2013	<u>22</u>	ORDER re <u>2</u> MOTION for Preliminary Injunction filed by Prison Legal News ORDERING that defendants shall file a response to pla motion no later than 14 days from date of this order. Signed by Judge Rodney Gilstrap on 4/4/2013. (sm, ) (Entered: 04/05/2013)
04/11/2013	<u>23</u>	AFFIDAVIT in Support re <u>2</u> MOTION for Preliminary Injunction <i>Declaration of Paul Wright filed by Prison Legal News.</i> (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)(Kelly, Sean) (Entered: 04/11/2013)
04/12/2013	<u>24</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>23</u> Affidavit in Support of Motion, <u>22</u> Order, <u>1</u> Complaint by Anthony Betterton, Jill McCauley, Upshur County. (Attachments: # <u>1</u> Text of Proposed Order)(Weiland, Stephen) (Entered: 04/12/2013)
04/16/2013	<u>25</u>	ORDER granting <u>24</u> Motion for Extension of Time to File Response re <u>2</u> MOTION for Preliminary Injunction. Responses due by 4/25/2013. Signed by Judge Rodney Gilstrap on 4/15/13. (mrm, ) (Entered: 04/16/2013)
04/25/2013	<u>26</u>	RESPONSE to Motion re <u>2</u> MOTION for Preliminary Injunction <i>filed by Anthony Betterton, Jill McCauley, Upshur County.</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Weiland, Stephen) (Additional attachment(s) added on 4/26/2013: # <u>3</u> REVISED ORDER) (ch, ). (Entered: 04/25/2013)
04/26/2013	<u>27</u>	NOTICE of Discovery Disclosure by Anthony Betterton, Jill McCauley, Upshur County (Weiland, Stephen) (Entered: 04/26/2013)
04/26/2013	<u>28</u>	NOTICE of Discovery Disclosure by Prison Legal News (Kelly, Sean) (Entered: 04/26/2013)
05/03/2013	<u>29</u>	REPLY to Response to Motion re <u>2</u> MOTION for Preliminary Injunction <i>filed by Prison Legal News.</i> (Attachments: # <u>1</u> Exhibit A – Declaration of Devadus Nelson)(Kelly, Sean) (Entered: 05/03/2013)
05/13/2013	<u>30</u>	SUR–REPLY to Reply to Response to Motion re <u>2</u> MOTION for Preliminary Injunction <i>filed by Anthony Betterton, Jill McCauley, Upshur County.</i> (Weiland, Stephen) (Entered: 05/13/2013)
05/13/2013	<u>31</u>	NOTICE of Discovery Disclosure by Prison Legal News (Kelly, Sean) (Entered: 05/13/2013)

05/13/2013	<u>32</u>	NOTICE of Discovery Disclosure by Anthony Betterton, Jill McCauley, Upshur County (Weiland, Stephen) (Entered: 05/13/2013)
08/13/2013	<u>33</u>	Joint MOTION for Extension of Time to Complete Discovery <i>Deadlines</i> by Anthony Betterton, Jill McCauley, Prison Legal News, Upshur County. (Attachments: # <u>1</u> Text of Proposed Order)(Kelly, Sean) (Additional attachment(s) added on 8/13/2013: # <u>2</u> REVISED ORDER (no lines)) (sm, ). (Entered: 08/13/2013)
08/15/2013	<u>34</u>	ORDER, granting <u>33</u> Joint MOTION to Extend Discovery <i>Deadlines</i> filed by Anthony Betterton, Prison Legal News, Jill McCauley, Upshur County. ( Amended Pleadings due by 9/16/2013., Discovery due by 9/13/2013.) Signed by Judge Rodney Gilstrap on 8/14/13. (mrm, ) (Entered: 08/15/2013)
08/27/2013	<u>35</u>	Agreed MOTION to Continue <i>Scheduling Conference Deadlines</i> by Anthony Betterton, Jill McCauley, Prison Legal News, Upshur County. (Attachments: # <u>1</u> Text of Proposed Order)(Weiland, Stephen) (Entered: 08/27/2013)
08/28/2013	<u>36</u>	ORDER granting <u>35</u> Agreed MOTION to Extend Deadlines. Signed by Judge Rodney Gilstrap on 8/28/2013. (ch, ) (Entered: 08/28/2013)
08/29/2013	<u>37</u>	Joint MOTION for Extension of Time to Complete Discovery <i>Deadlines</i> by Prison Legal News. (Attachments: # <u>1</u> Text of Proposed Order)(McCoy, Kimberly) (Entered: 08/29/2013)
09/03/2013	<u>38</u>	ORDER granting <u>37</u> Motion for Extension of Time to Complete Discovery. Signed by Judge Rodney Gilstrap on 8/31/2013. (ch, ) (Entered: 09/03/2013)
09/03/2013	<u>39</u>	<b>***DEFICIENT DOCUMENT. PLEASE IGNORE.***</b> DEMAND for Trial by Jury by Anthony Betterton, Jill McCauley, Upshur County. (Attachments: # <u>1</u> Text of Proposed Order)(Grigson, Joanna) Modified on 9/4/2013 (ch, ). (Entered: 09/03/2013)
09/04/2013		NOTICE of Deficiency regarding the 39 submitted NO CERTIFICATE OF SERVICE. Correction should be made by one business day (ch, ) (Entered: 09/04/2013)
09/04/2013	<u>40</u>	DEMAND for Trial by Jury by Anthony Betterton, Jill McCauley, Upshur County. (Attachments: # <u>1</u> Text of Proposed Order)(Weiland, Stephen) (Entered: 09/04/2013)
09/09/2013	<u>41</u>	MOTION for Leave to File a <i>Supplemental Memorandum in Opposition to Plaintiff's Motion for Preliminary Injunction</i> by Anthony Betterton, Jill McCauley, Upshur County. (Attachments: # <u>1</u> Text of Proposed Order)(Weiland, Stephen) (Entered: 09/09/2013)
09/09/2013	<u>42</u>	SUPPLEMENTAL SUR-REPLY to Reply to Response to Motion re <u>2</u> MOTION for Preliminary Injunction, filed by Anthony Betterton, Jill McCauley, Upshur County. (Attachments: # <u>1</u> Exhibit A-B)(Weiland, Stephen) Modified on 9/10/2013 (sm, ). (Entered: 09/09/2013)
09/10/2013		NOTICE BY CLERK re <u>42</u> Sur-Reply to Reply to Response to Motion. Clerk hs modified this entry, per atty, to reflect that this is a SUPPLEMENTAL surreply to <u>2</u> Motion for prelinary injunction instead of to #41 Motion. (sm, ) (Entered: 09/10/2013)
09/10/2013	<u>43</u>	NOTICE by Prison Legal News of <i>change of attorney information</i> (Weber, Lance) (Entered: 09/10/2013)
09/10/2013	<u>44</u>	NOTICE of Change of Address by Lance T Weber (Weber, Lance) (Entered: 09/10/2013)
09/10/2013	<u>45</u>	RESPONSE to Motion re <u>41</u> MOTION for Leave to File a <i>Supplemental Memorandum in Opposition to Plaintiff's Motion for Preliminary Injunction</i> filed by Prison Legal News. (Kelly, Sean) (Entered: 09/10/2013)
09/11/2013	<u>46</u>	ORDER granting <u>41</u> Motion for Leave to File Supplemental Memorandum. Signed by Judge Rodney Gilstrap on 9/11/2013. (ch, ) (Entered: 09/11/2013)

09/11/2013	<u>47</u>	Opposed MOTION for Protective Order by Anthony Betterton, Jill McCauley, Upshur County. (Attachments: # <u>1</u> Exhibit A1–A6, # <u>2</u> Text of Proposed Order)(Weiland, Stephen) (Entered: 09/11/2013)
09/12/2013	<u>48</u>	NOTICE by Anthony Betterton, Jill McCauley, Upshur County of <i>Change of Attorney Information</i> (Weiland, Stephen) (Entered: 09/12/2013)
09/12/2013	<u>49</u>	NOTICE of Attorney Appearance by Robert Allen Hawkins on behalf of Anthony Betterton, Jill McCauley, Upshur County (Hawkins, Robert) (Entered: 09/12/2013)
09/12/2013	<u>50</u>	NOTICE of Attorney Appearance by Joanna Youngblood Grigson on behalf of Anthony Betterton, Jill McCauley, Upshur County (Grigson, Joanna) (Entered: 09/12/2013)
09/12/2013	<u>51</u>	RESPONSE in Opposition re <u>47</u> Opposed MOTION for Protective Order <i>filed by Prison Legal News</i> . (Attachments: # <u>1</u> Exhibit A)(Kelly, Sean) (Entered: 09/12/2013)
09/18/2013	<u>52</u>	RESPONSE to <u>42</u> Sur–Reply to Reply to Response to Motion <i>for Preliminary Injunction filed by Prison Legal News</i> . (Attachments: # <u>1</u> Exhibit A)(Kelly, Sean) (Entered: 09/18/2013)
09/19/2013	<u>53</u>	MEMORANDUM OPINION AND ORDER –. Signed by Judge Rodney Gilstrap on 9/18/2013. (ch, ) (Entered: 09/19/2013)
09/23/2013	<u>54</u>	Joint MOTION for Extension of Time to Complete Discovery <i>Joint Motion to Extend Deadlines for Expert Deposition</i> by Prison Legal News. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Wilson, Marissa) (Additional attachment(s) added on 9/24/2013: # <u>2</u> REVISED ORDER) (ch, ). (Entered: 09/23/2013)
09/24/2013	<u>55</u>	Unopposed MOTION to Continue <i>Trial Setting</i> by Anthony Betterton, Jill McCauley, Upshur County. (Attachments: # <u>1</u> Text of Proposed Order)(Weiland, Stephen) (Entered: 09/24/2013)
09/25/2013	<u>56</u>	ORDER granting <u>54</u> Motion for Extension of Time to Complete Discovery. Signed by Judge Rodney Gilstrap on 9/24/2013. (ch, ) (Entered: 09/25/2013)
09/25/2013	<u>57</u>	NOTICE of Attorney Appearance by Marissa Anne Wilson on behalf of Prison Legal News (Wilson, Marissa) (Entered: 09/25/2013)
09/27/2013	<u>58</u>	Joint MOTION to Continue <i>Deadlines</i> by Anthony Betterton, Jill McCauley, Prison Legal News, Upshur County. (Attachments: # <u>1</u> Text of Proposed Order)(Weiland, Stephen) (Entered: 09/27/2013)
09/30/2013	<u>59</u>	MEMORANDUM OPINION AND ORDER granting in part and denying in part <u>2</u> Motion for Preliminary Injunction. Signed by Judge Rodney Gilstrap on 9/30/13. (mrm, ) (Entered: 09/30/2013)
09/30/2013	<u>60</u>	AMENDED DOCKET CONTROL ORDER – Motions in limine due by 11/14/2013., Proposed Pretrial Order due by 11/14/2013., Jury Selection set for 12/9/2013 09:00AM before Judge Rodney Gilstrap., Pretrial Conference set for 11/26/2013 01:30 PM before Judge Rodney Gilstrap. Signed by Judge Rodney Gilstrap on 9/30/2013. (ch, ) (Entered: 09/30/2013)
10/02/2013	<u>61</u>	ORDER denying <u>55</u> Motion to Continue; denying <u>58</u> Motion to Continue. Parites will follow the schedule set forth in the Amended Docket Control Order. Signed by Judge Rodney Gilstrap on 10/1/2013. (ch, ) (Entered: 10/02/2013)
10/03/2013	<u>62</u>	NOTICE of Discovery Disclosure by Prison Legal News (Kelly, Sean) (Entered: 10/03/2013)
10/03/2013	<u>63</u>	MOTION for Reconsideration re <u>61</u> Order on Motion to Continue, <i>and Motion to Extend Deadlines</i> by Anthony Betterton, Jill McCauley. (Attachments: # <u>1</u> Exhibit A–B, # <u>2</u> Text of Proposed Order)(Weiland, Stephen) (Entered: 10/03/2013)
10/03/2013	<u>64</u>	Trial Witness List by Prison Legal News. (Kelly, Sean) (Entered: 10/03/2013)
10/03/2013	<u>65</u>	Emergency MOTION for Discovery <i>Deadline Extension for Court–Ordered Depositions</i> by Prison Legal News. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u>

		Exhibit C, # <u>4</u> Text of Proposed Order)(Kelly, Sean) (Entered: 10/03/2013)
10/04/2013	<u>66</u>	RESPONSE to Motion re <u>65</u> Emergency MOTION for Discovery <i>Deadline Extension for Court-Ordered Depositions filed by Anthony Betterton, Jill McCauley, Upshur County.</i> (Hawkins, Robert) (Entered: 10/04/2013)
10/04/2013	<u>67</u>	NOTICE of Discovery Disclosure by Anthony Betterton, Jill McCauley, Upshur County (Hawkins, Robert) (Entered: 10/04/2013)
10/07/2013	<u>68</u>	AMENDED ANSWER to <i>Plaintiff's</i> <u>5</u> Amended Complaint by Anthony Betterton, Jill McCauley, Upshur County. (Weiland, Stephen) (Entered: 10/07/2013)
10/07/2013	<u>69</u>	AMENDED COMPLAINT against All Defendants, filed by Prison Legal News.(Kelly, Sean) (Entered: 10/07/2013)
10/08/2013	<u>70</u>	NOTICE by Prison Legal News re <u>65</u> Emergency MOTION for Discovery <i>Deadline Extension for Court-Ordered Depositions</i> (McCoy, Kimberly) (Entered: 10/08/2013)
10/09/2013		NOTICE of Hearing on Motions <u>63</u> Motion for Reconsideration re <u>61</u> Order on Motion to Continue and Motion to Extend Deadlines, <u>65</u> Emergency Motion for Discovery Deadline Extension for Court-Ordered Depositions : Telephonic Motion Hearing set for 10/11/2013 09:00 AM before Judge Rodney Gilstrap. The Court's conference number is (903) 938-8452. ***The parties are to contact the Court AFTER all parties have joined the call.***(jml) (Entered: 10/09/2013)
10/10/2013	<u>71</u>	MOTION To Exclude Plaintiff's Expert Witnesses by Anthony Betterton, Jill McCauley, Upshur County. (Attachments: # <u>1</u> Exhibit A-B, # <u>2</u> Text of Proposed Order)(Weiland, Stephen) (Entered: 10/10/2013)
10/10/2013	<u>72</u>	MOTION for Summary Judgment <i>and Permanent Injunction with Memorandum in Support</i> by Prison Legal News. (Attachments: # <u>1</u> Exhibit A - Wright Declaration, # <u>2</u> Exhibit A-1 - September 2013 PLN, # <u>3</u> Exhibit A-2 - Returned Mail, # <u>4</u> Exhibit A-3 - Inmate Declarations, # <u>5</u> Exhibit A-4 - Upshur County Mail Policy, # <u>6</u> Exhibit A-5 - Upshur County Handbook, # <u>7</u> Exhibit A-6 Prisoner Correspondence, # <u>8</u> Exhibit B - McCoy Declaration, # <u>9</u> Exhibit B-1 - Deposition of Upshur County, # <u>10</u> Exhibit B-2 - Deposition of Jill McCauley, # <u>11</u> Exhibit B-3 - Declaration of Jill McCauley, # <u>12</u> Exhibit B-4 - Sept 2013 Correspondence Plan, # <u>13</u> Exhibit B-5 - July 2011 Email Larsen to McCauley, # <u>14</u> Text of Proposed Order Proposed Order)(Leatherbury, Thomas) (Entered: 10/10/2013)
10/10/2013	<u>73</u>	MOTION for Partial Summary Judgment <i>and Brief in Support</i> by Anthony Betterton, Jill McCauley. Responses due by 10/31/2013 (Attachments: # <u>1</u> Exhibit A-K, # <u>2</u> Text of Proposed Order)(Weiland, Stephen) (Entered: 10/10/2013)
10/10/2013	<u>74</u>	***DEFICIENT DOCUMENT. PLEASE IGNORE.*** MOTION to Withdraw as Attorney <i>Scott Medlock</i> by Prison Legal News. (Attachments: # <u>1</u> Text of Proposed Order)(Medlock, Scott) Modified on 10/11/2013 (ch, ). (Entered: 10/10/2013)
10/11/2013		NOTICE of Deficiency regarding the 74 submitted NO CERTIFICATE OF CONFERENCE. Correction should be made by one business day. MOTION HAS BEEN TERMINATED. (ch, ) (Entered: 10/11/2013)
10/11/2013	<u>75</u>	MOTION to Withdraw as Attorney <i>Scott Medlock</i> by Prison Legal News. (Attachments: # <u>1</u> Text of Proposed Order)(Medlock, Scott) (Entered: 10/11/2013)
10/11/2013	<u>76</u>	ORDER granting <u>75</u> Motion to Withdraw as Attorney. Attorney Scott Medlock terminated. Signed by Judge Rodney Gilstrap on 10/11/2013. (ch, ) (Entered: 10/11/2013)
10/11/2013		Minute Entry for proceedings held before Judge Rodney Gilstrap: Telephonic Motions Hearing held on 10/11/2013 re <u>65</u> Emergency Motion for Discovery Deadline Extension for Court-Ordered Depositions <u>63</u> Motion for Reconsideration re <u>61</u> Order on Motion to Continue, and Motion to Extend Deadlines. Parties are to meet and confer regarding a new schedule that includes a January 13, 2014 Jury Selection date and submit a proposed schedule within 7 days. (Court Reporter



		Shelly Holmes, CSR.) (jml) (Entered: 10/18/2013)
10/15/2013	<u>77</u>	AMENDED ANSWER to <i>Plaintiff's Second</i> <u>69</u> Amended Complaint by Anthony Betterton, Jill McCauley, Upshur County. (Weiland, Stephen) (Entered: 10/15/2013)
10/15/2013	<u>78</u>	MOTION to Compel <i>Production</i> by Prison Legal News. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Text of Proposed Order)(Kelly, Sean) (Entered: 10/15/2013)
10/15/2013	<u>79</u>	Amended MOTION to Compel <i>Production</i> by Prison Legal News. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Text of Proposed Order)(Kelly, Sean) (Entered: 10/15/2013)
10/18/2013	<u>80</u>	Joint MOTION to Amend/Correct <u>60</u> Order, Set Deadlines/Hearings., by Prison Legal News. (Attachments: # <u>1</u> Text of Proposed Order)(Wilson, Marissa) (Additional attachment(s) added on 10/21/2013: # <u>2</u> REVISED ORDER) (ch, ). (Entered: 10/18/2013)
10/21/2013	<u>81</u>	MOTION Joint Motion to Request Mediation <i>Before U.S. Magistrate Judge Roy Payne</i> by Prison Legal News. (Attachments: # <u>1</u> Text of Proposed Order)(Wilson, Marissa) (Entered: 10/21/2013)
10/22/2013	<u>82</u>	AMENDED DOCKET CONTROL ORDER – Motions due by 12/20/2013., Proposed Pretrial Order due by 12/20/2013., Jury Selection set for 1/13/2014 09:00AM before Judge Rodney Gilstrap., Jury Trial set for 1/13/2014 09:00 AM before Judge Rodney Gilstrap. Signed by Judge Rodney Gilstrap on 10/21/2013. (ch, ) (Entered: 10/22/2013)
10/23/2013	<u>83</u>	ORDER denying <u>63</u> Motion for Reconsideration ; denying <u>65</u> Motion for Discovery. Signed by Judge Rodney Gilstrap on 10/22/2013. (ch, ) (Entered: 10/23/2013)
10/23/2013	<u>84</u>	ORDER REFERRING CASE to Mediator Judge Payne, granting <u>81</u> MOTION Joint to Request Mediation before the US Magistrate Judge. Signed by Judge Rodney Gilstrap on 10/22/2013. (ch, ) (Entered: 10/23/2013)
10/25/2013	<u>85</u>	MOTION for Protective Order <i>and Brief in Support</i> by Anthony Betterton, Jill McCauley, Upshur County. (Attachments: # <u>1</u> Text of Proposed Order)(Grigson, Joanna) (Entered: 10/25/2013)
10/28/2013	<u>86</u>	RESPONSE in Opposition re <u>85</u> MOTION for Protective Order <i>and Brief in Support filed by Prison Legal News.</i> (McCoy, Kimberly) (Entered: 10/28/2013)
10/28/2013	<u>87</u>	NOTICE by Prison Legal News re <u>79</u> Amended MOTION to Compel <i>Production Notice of Withdrawal of Motion to Compel Production of Insurance Agreements</i> (McCoy, Kimberly) (Entered: 10/28/2013)
10/28/2013	<u>88</u>	ORDER denying <u>85</u> Motion for Protective Order. Defendants shall produce Sheriff Betterton for deposition on October 30, 2013, at 9:00 AM as presently scheduled. Signed by Judge Rodney Gilstrap on 10/28/13. (mrm, ) (Entered: 10/28/2013)
10/30/2013	<u>89</u>	ORDER SCHEDULING MEDIATION CONFERENCE – Mediation Conference set for 11/6/2013 01:00 PM before Magistrate Judge Roy S. Payne. Signed by Magistrate Judge Roy S. Payne on 10/30/2013. (ch, ) (Entered: 10/30/2013)
10/30/2013	<u>90</u>	NOTICE of Settlement by Prison Legal News (Wilson, Marissa) Modified on 10/30/2013 (sm, ). (Entered: 10/30/2013)
10/30/2013		NOTICE that the mediation set for November 6, 2013 is CANCELLED. (bga, ) (Entered: 10/30/2013)
10/30/2013	<u>91</u>	Joint MOTION to Stay / <i>Abate</i> by Prison Legal News. (Attachments: # <u>1</u> Text of Proposed Order)(Wilson, Marissa) (Entered: 10/30/2013)
11/01/2013	<u>92</u>	NOTICE of Advisory regarding office fire by Prison Legal News (McGiverin, Brian) (Entered: 11/01/2013)

11/04/2013	<u>93</u>	ORDER granting <u>91</u> Motion to Stay. ORDERS that all proceedings are abated and deadlines suspended for thirty (30) days for the Parties to finalize settlement documents and file an agreed judgment with the Court. Signed by Judge Rodney Gilstrap on 11/4/2013. (ch, ) (Entered: 11/04/2013)
12/04/2013	<u>94</u>	Joint MOTION for Extension of Time to File <i>Agreed Judgment</i> by Anthony Betterton, Jill McCauley, Upshur County. (Attachments: # <u>1</u> Text of Proposed Order)(Weiland, Stephen) (Entered: 12/04/2013)
12/06/2013	<u>95</u>	ORDER granting <u>94</u> Motion for Extension of Time to File An Agreed Judgment. Signed by Judge Rodney Gilstrap on 12/5/2013. (ch, ) (Entered: 12/06/2013)
12/06/2013	<u>96</u>	Proposed Agreed Judgment . (Attachments: # <u>1</u> Exhibit A)(Weiland, Stephen) (Entered: 12/06/2013)
12/13/2013	<u>97</u>	NOTICE of Settlement <i>Joint Notice of Executed Settlement Agreement</i> by Anthony Betterton, Jill McCauley, Prison Legal News, Upshur County (Wilson, Marissa) (Entered: 12/13/2013)
12/19/2013	<u>98</u>	AGREED FINAL JUDGMENT signed by Judge Rodney Gilstrap on 12/18/13. (bas, ) (Entered: 12/19/2013)
03/19/2014	<u>99</u>	NOTICE by Anthony Betterton, Jill McCauley, Upshur County <i>of Compliance</i> (Hawkins, Robert) (Entered: 03/19/2014)