

CLOSED,PRIS,STAYED

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Houston)  
CIVIL DOCKET FOR CASE #: 4:14-cv-03037**

Zollicoffer v. Livingston et al  
Assigned to: Judge Alfred H Bennett  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 10/23/2014  
Date Terminated: 04/02/2018  
Jury Demand: Defendant  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**Joshua D Zollicoffer**  
*also known as*  
Passion Star

represented by **Christopher J. Kondon**  
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**TERMINATED: 06/18/2015**  
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**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Brad Livingston**  
*personally and in his official capacity as  
Executive Director of the Texas  
Department of Criminal Justice ("TDCJ")*

represented by **Kim J Coogan**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

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**ATTORNEY TO BE NOTICED**

**Defendant**

**Ralph Bales**  
*in his personal capacity*

represented by **Kim J Coogan**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Seth Byron Dennis**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Joni White**  
*personally and in her official capacity as  
Assistant Director of TDCJ's  
Classification and Records Department*

represented by **Kim J Coogan**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Seth Byron Dennis**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Bruce Armstrong**  
*in his personal capacity*

represented by **Kim J Coogan**  
(See above for address)  
**LEAD ATTORNEY**

ATTORNEY TO BE NOTICED

**Seth Byron Dennis**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Defendant**

**Fernando Fuster**  
*in his personal capacity*

represented by **Kim J Coogan**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Seth Byron Dennis**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Defendant**

**Kenneth Dean**  
*in his personal capacity*

represented by **Christin Cobe Vasquez**  
Office of the Attorney General  
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TERMINATED: 04/27/2015  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Seth Byron Dennis**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Defendant**

**Brian Blanchard**  
*in his personal capacity*

represented by **Christin Cobe Vasquez**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Seth Byron Dennis**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Defendant**

**Rene Maldonado**  
*in his personal capacity*

represented by **Christin Cobe Vasquez**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Seth Byron Dennis**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Defendant**

**Ralph Marez, Jr.**  
*in his personal capacity*

represented by **Christin Cobe Vasquez**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Seth Byron Dennis**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Defendant**

**Sigmund L Smith**

*in his personal capacity*

**Defendant**

**Prince Pickett**

*in his personal capacity*

represented by **Christin Cobe Vasquez**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Seth Byron Dennis**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Leslie Walters**

*in her personal capacity*

**Defendant**

**Ronald Fox**

*personally and in his official capacity as  
Senior Warden at the Robertson Unit*

represented by **Christin Cobe Vasquez**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Seth Byron Dennis**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Adam Gonzales**

*personally and in his official capacity as  
Assistant Warden at the Robertson Unit*

represented by **Christin Cobe Vasquez**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Seth Byron Dennis**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Jimmy S Webb**

*personally and in his official capacity as  
Assistant Warden at the Robertson Unit*

represented by **Christin Cobe Vasquez**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Seth Byron Dennis**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Juan Lopez**

*personally and in his official capacity as  
Sergeant at the Roberson Unit*

**Defendant**

**William Stephens**

*personally and in his official capacity as  
Director of TDCJs Correctional  
Institution Division  
TERMINATED: 09/22/2016*

represented by **Kim J Coogan**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****Lynne Sharp**

*personally and in her official capacity as  
TDCJ Safe Prisons/PREA Manager and  
PREA Ombudsman  
TERMINATED: 09/22/2016*

represented by **Kim J Coogan**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****Lorie Davis**

*personally and in her official capacity as  
Deputy Director Management Operations  
of TDCJ  
TERMINATED: 09/22/2016*

represented by **Kim J Coogan**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****Robert Eason**

*personally and in his official capacity as  
Deputy Director Prison and Jail  
Operations of TDCJ  
TERMINATED: 09/22/2016*

represented by **Kim J Coogan**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****James Sigmund**

*in his personal capacity*

represented by **Christin Cobe Vasquez**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Seth Byron Dennis**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant****Leslie Harman**

represented by **Christin Cobe Vasquez**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Seth Byron Dennis**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/23/2014	<u>1</u>	Prisoner Civil Rights COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0541-13888148) filed by Joshua D Zollicoffer. (Attachments: # <u>1</u> Civil Cover Sheet Civil Cover Sheet)(Upton, Kenneth) (Entered: 10/23/2014)
10/23/2014	<u>2</u>	MOTION for Paul D. Castillo to Appear Pro Hac Vice by Joshua D Zollicoffer, filed. Motion Docket Date 11/13/2014. (Upton, Kenneth) (Entered: 10/23/2014)
10/23/2014	<u>3</u>	MOTION for Jael Humphrey-Skomer to Appear Pro Hac Vice by Joshua D Zollicoffer, filed. Motion Docket Date 11/13/2014. (Upton, Kenneth) (Entered: 10/23/2014)
10/23/2014	<u>4</u>	MOTION for Christina N. Goodrich to Appear Pro Hac Vice by Joshua D Zollicoffer, filed. Motion Docket Date 11/13/2014. (Upton, Kenneth) (Entered: 10/23/2014)
10/23/2014	<u>5</u>	MOTION for Christopher J. Kondon to Appear Pro Hac Vice by Joshua D Zollicoffer, filed. Motion Docket Date 11/13/2014. (Upton, Kenneth) (Entered: 10/23/2014)
10/23/2014	<u>6</u>	MOTION for Saman M. Rejali to Appear Pro Hac Vice by Joshua D Zollicoffer, filed. Motion Docket Date 11/13/2014. (Upton, Kenneth) (Entered: 10/23/2014)

10/24/2014	<u>7</u>	Request for Issuance of Summons as to Ralph Bales, Ronald Fox, Fernando Fuster, Brad Livingston, Juan Lopez, Ralph Marez, Jr, Jimmy S Webb, Joni White, filed. (Attachments: # <u>1</u> Continuation Summons Ralph Bales, # <u>2</u> Continuation Summons Joni White, # <u>3</u> Continuation Summons Fernando Fuster, # <u>4</u> Continuation Summons Ralph Marez Jr, # <u>5</u> Continuation Summons Ronald Fox, # <u>6</u> Continuation Summons Jimmy Webb, # <u>7</u> Continuation Summons Juan Lopez)(Upton, Kenneth) (Entered: 10/24/2014)
10/24/2014	<u>8</u>	Amended Request for Issuance of Summons as to Ralph Bales, filed.(Upton, Kenneth) (Entered: 10/24/2014)
10/24/2014	<u>9</u>	Request for Issuance of Summons as to Bruce Armstrong, Kenneth Dean, Adam Gonzales, Rene Maldonado, filed. (Attachments: # <u>1</u> Continuation Summons Kenneth Dean, # <u>2</u> Continuation Summons Rene Maldonado, # <u>3</u> Continuation Summons Adam Gonzales)(Upton, Kenneth) (Entered: 10/24/2014)
10/27/2014		Summons Issued as to Bruce Armstrong, Ralph Bales, Kenneth Dean, Ronald Fox, Fernando Fuster, Adam Gonzales, Brad Livingston, Juan Lopez, Rene Maldonado, Ralph Marez, Jr, Jimmy S Webb, Joni White. Issued summons returned to counsel for plaintiff by: First-class mail, filed.(jdav, 4) (Entered: 10/27/2014)
10/29/2014	<u>10</u>	EXHIBITS re: <u>2</u> MOTION for Paul D. Castillo to Appear Pro Hac Vice by Joshua D Zollicoffer, filed.(Upton, Kenneth) (Entered: 10/29/2014)
10/29/2014	<u>11</u>	EXHIBITS re: <u>4</u> MOTION for Christina N. Goodrich to Appear Pro Hac Vice by Joshua D Zollicoffer, filed.(Upton, Kenneth) (Entered: 10/29/2014)
10/29/2014	<u>12</u>	EXHIBITS re: <u>5</u> MOTION for Christopher J. Kondon to Appear Pro Hac Vice by Joshua D Zollicoffer, filed.(Upton, Kenneth) (Entered: 10/29/2014)
10/30/2014	<u>14</u>	ORDER granting <u>5</u> Motion for Christopher J. Kondon to Appear Pro Hac Vice.(Signed by Judge Gray H. Miller) (Attachments: # <u>1</u> Exhibit) Parties notified.(amwilliams, 4) (Entered: 10/31/2014)
10/30/2014	<u>16</u>	ORDER granting <u>2</u> Motion for Paul Catillo to Appear Pro Hac Vice.(Signed by Judge Gray H. Miller) (Attachments: # <u>1</u> Exhibit) Parties notified.(amwilliams, 4) (Entered: 10/31/2014)
10/31/2014	<u>13</u>	ORDER granting <u>3</u> Motion for Jael Humphrey-Skomer to Appear Pro Hac Vice.(Signed by Judge Gray H. Miller) (Attachments: # <u>1</u> Exhibit) Parties notified.(amwilliams, 4) (Entered: 10/31/2014)
10/31/2014	<u>15</u>	ORDER granting <u>4</u> Motion for Christina N. Goodrich to Appear Pro Hac Vice.(Signed by Judge Gray H. Miller) (Attachments: # <u>1</u> Exhibit) Parties notified.(amwilliams, 4) (Entered: 10/31/2014)
10/31/2014	<u>17</u>	ORDER granting <u>6</u> Motion for Saman M. Rejali to Appear Pro Hac Vice.(Signed by Judge Gray H. Miller) (Attachments: # <u>1</u> Exhibit) Parties notified.(amwilliams, 4) (Entered: 10/31/2014)
11/07/2014	<u>18</u>	Request for Issuance of Summons as to Brian Blanchard, Prince Pickett, Leslie Walters, filed. (Attachments: # <u>1</u> Continuation Summons Leslie Walters, # <u>2</u> Continuation Summons Prince Pickett)(Goodrich, Christina) (Entered: 11/07/2014)
11/12/2014		Summons Issued as to Brian Blanchard, Prince Pickett, Leslie Walters. Issued summons returned to counsel for plaintiff by: First-class mail, filed.(jdav, 4) (Entered: 11/12/2014)
11/20/2014	<u>19</u>	Request for Issuance of Summons as to Kenneth Dean, filed.(Goodrich, Christina) (Entered: 11/20/2014)
11/21/2014		Summons Issued as to Kenneth Dean. Issued summons returned to plaintiff by: First-class mail, filed.(jdav, 4) (Entered: 11/21/2014)
01/07/2015	<u>20</u>	CERTIFICATE OF SERVICE of <u>4</u> MOTION for Christina N. Goodrich to Appear Pro Hac Vice, <u>10</u> Exhibits, <u>12</u> Exhibits, <u>1</u> Complaint, <u>3</u> MOTION for Jael Humphrey-Skomer to Appear Pro Hac Vice, <u>11</u> Exhibits, <u>6</u> MOTION for Saman M. Rejali to Appear Pro Hac Vice, <u>2</u> MOTION for Paul D. Castillo to Appear Pro Hac Vice, <u>5</u> MOTION for Christopher J. Kondon to Appear Pro Hac Vice by Joshua D

		Zollicoffer, filed.(Goodrich, Christina) (Entered: 01/07/2015)
01/07/2015	<u>21</u>	CERTIFICATE OF SERVICE of <u>4</u> MOTION for Christina N. Goodrich to Appear Pro Hac Vice, <u>10</u> Exhibits, <u>12</u> Exhibits, <u>1</u> Complaint, <u>3</u> MOTION for Jael Humphrey-Skomer to Appear Pro Hac Vice, <u>11</u> Exhibits, Summons Issued/Not Issued, <u>6</u> MOTION for Saman M. Rejali to Appear Pro Hac Vice, <u>2</u> MOTION for Paul D. Castillo to Appear Pro Hac Vice, <u>5</u> MOTION for Christopher J. Kondon to Appear Pro Hac Vice by Joshua D Zollicoffer, filed.(Goodrich, Christina) (Entered: 01/07/2015)
01/07/2015	<u>22</u>	CERTIFICATE OF SERVICE of <u>4</u> MOTION for Christina N. Goodrich to Appear Pro Hac Vice, <u>10</u> Exhibits, <u>12</u> Exhibits, <u>1</u> Complaint, <u>3</u> MOTION for Jael Humphrey-Skomer to Appear Pro Hac Vice, <u>11</u> Exhibits, Summons Issued/Not Issued, <u>6</u> MOTION for Saman M. Rejali to Appear Pro Hac Vice, <u>2</u> MOTION for Paul D. Castillo to Appear Pro Hac Vice, <u>5</u> MOTION for Christopher J. Kondon to Appear Pro Hac Vice, Summons Issued/Not Issued by Joshua D Zollicoffer, filed.(Goodrich, Christina) (Entered: 01/07/2015)
01/07/2015	<u>23</u>	CERTIFICATE OF SERVICE of <u>4</u> MOTION for Christina N. Goodrich to Appear Pro Hac Vice, <u>10</u> Exhibits, <u>12</u> Exhibits, <u>1</u> Complaint, <u>3</u> MOTION for Jael Humphrey-Skomer to Appear Pro Hac Vice, <u>11</u> Exhibits, Summons Issued/Not Issued, <u>6</u> MOTION for Saman M. Rejali to Appear Pro Hac Vice, <u>2</u> MOTION for Paul D. Castillo to Appear Pro Hac Vice, <u>5</u> MOTION for Christopher J. Kondon to Appear Pro Hac Vice by Joshua D Zollicoffer, filed.(Goodrich, Christina) (Entered: 01/07/2015)
01/07/2015	<u>24</u>	CERTIFICATE OF SERVICE of <u>4</u> MOTION for Christina N. Goodrich to Appear Pro Hac Vice, <u>10</u> Exhibits, <u>12</u> Exhibits, <u>1</u> Complaint, <u>3</u> MOTION for Jael Humphrey-Skomer to Appear Pro Hac Vice, <u>11</u> Exhibits, Summons Issued/Not Issued, <u>6</u> MOTION for Saman M. Rejali to Appear Pro Hac Vice, <u>2</u> MOTION for Paul D. Castillo to Appear Pro Hac Vice, <u>5</u> MOTION for Christopher J. Kondon to Appear Pro Hac Vice by Joshua D Zollicoffer, filed.(Goodrich, Christina) (Entered: 01/07/2015)
01/07/2015	<u>25</u>	CERTIFICATE OF SERVICE of <u>4</u> MOTION for Christina N. Goodrich to Appear Pro Hac Vice, <u>10</u> Exhibits, <u>12</u> Exhibits, <u>1</u> Complaint, <u>3</u> MOTION for Jael Humphrey-Skomer to Appear Pro Hac Vice, <u>11</u> Exhibits, Summons Issued/Not Issued, <u>6</u> MOTION for Saman M. Rejali to Appear Pro Hac Vice, <u>2</u> MOTION for Paul D. Castillo to Appear Pro Hac Vice, <u>5</u> MOTION for Christopher J. Kondon to Appear Pro Hac Vice by Joshua D Zollicoffer, filed.(Goodrich, Christina) (Entered: 01/07/2015)
01/07/2015	<u>26</u>	CERTIFICATE OF SERVICE of <u>4</u> MOTION for Christina N. Goodrich to Appear Pro Hac Vice, <u>10</u> Exhibits, <u>12</u> Exhibits, <u>1</u> Complaint, <u>3</u> MOTION for Jael Humphrey-Skomer to Appear Pro Hac Vice, <u>11</u> Exhibits, Summons Issued/Not Issued, <u>6</u> MOTION for Saman M. Rejali to Appear Pro Hac Vice, <u>2</u> MOTION for Paul D. Castillo to Appear Pro Hac Vice, <u>5</u> MOTION for Christopher J. Kondon to Appear Pro Hac Vice by Joshua D Zollicoffer, filed.(Goodrich, Christina) (Entered: 01/07/2015)
01/08/2015	<u>27</u>	WAIVER OF SERVICE Returned Executed as to Brian Blanchard served on 11/17/2014, answer due 1/16/2015, filed.(Goodrich, Christina) (Entered: 01/08/2015)
01/08/2015	<u>28</u>	WAIVER OF SERVICE Returned Executed as to Ronald Fox served on 11/10/2014, answer due 1/9/2015, filed.(Goodrich, Christina) (Entered: 01/08/2015)
01/08/2015	<u>29</u>	WAIVER OF SERVICE Returned Executed as to Brad Livingston served on 11/10/2014, answer due 1/9/2015, filed.(Goodrich, Christina) (Entered: 01/08/2015)
01/08/2015	<u>30</u>	WAIVER OF SERVICE Returned Executed as to Prince Pickett served on 11/17/2014, answer due 1/16/2015, filed.(Goodrich, Christina) (Entered: 01/08/2015)
01/09/2015	<u>31</u>	Joint MOTION to Transfer Case to Western District of Texas, Waco Division by Bruce Armstrong, Ralph Bales, Brian Blanchard, Kenneth Dean, Ronald Fox, Fernando Fuster, Adam Gonzales, Brad Livingston, Juan Lopez, Rene Maldonado, Ralph Marez, Jr, Prince Pickett, Sigmund L Smith, Leslie Walters, Jimmy S Webb, Joni White, filed. Motion Docket Date 1/30/2015. (Attachments: # <u>1</u> Proposed

		Order)(Coogan, Kim) (Entered: 01/09/2015)
01/09/2015	<u>32</u>	MOTION to Dismiss by Brad Livingston, filed. Motion Docket Date 1/30/2015. (Attachments: # <u>1</u> Proposed Order)(Coogan, Kim) (Entered: 01/09/2015)
01/09/2015	<u>33</u>	ANSWER to Complaint with Jury Demand by Bruce Armstrong, Ralph Bales, Fernando Fuster, Joni White, filed.(Coogan, Kim) (Entered: 01/09/2015)
01/09/2015	<u>34</u>	MOTION to Dismiss <i>Under 12(b)(6)</i> by Brian Blanchard, Kenneth Dean, Ronald Fox, Adam Gonzales, Rene Maldonado, Ralph Marez, Jr, Prince Pickett, Jimmy S Webb, filed. Motion Docket Date 1/30/2015. (Attachments: # <u>1</u> Proposed Order)(Cobe, Christin) (Entered: 01/09/2015)
01/28/2015	<u>35</u>	First AMENDED COMPLAINT with Jury Demand against Bruce Armstrong, Ralph Bales, Brian Blanchard, Kenneth Dean, Ronald Fox, Fernando Fuster, Adam Gonzales, Brad Livingston, Juan Lopez, Rene Maldonado, Ralph Marez, Jr, Prince Pickett, Sigmund L Smith, Leslie Walters, Jimmy S Webb, Joni White, William Stephens, Lynne Sharp, Lorie Davis, Robert Eason filed by Joshua D Zollicoffer.(Goodrich, Christina) (Entered: 01/28/2015)
01/29/2015	<u>36</u>	LETTER OF AGREEMENT re: Extension of Submission Date for Docket Entries 32 and 34 Until February 20, 2015. by Joshua D Zollicoffer, filed.(Castillo, Paul) (Entered: 01/29/2015)
01/29/2015	<u>37</u>	RESPONSE in Opposition to <u>31</u> Joint MOTION to Transfer Case to Western District of Texas, Waco Division, filed by Joshua D Zollicoffer. (Attachments: # <u>1</u> Proposed Order)(Goodrich, Christina) (Entered: 01/29/2015)
02/02/2015	<u>38</u>	Request for Issuance of Summons as to Robert Eason, filed.(Goodrich, Christina) (Entered: 02/02/2015)
02/02/2015	<u>39</u>	Request for Issuance of Summons as to Lorie Davis, Lynne Sharp, William Stephens, filed. (Attachments: # <u>1</u> Continuation Summons Lynne Sharp, # <u>2</u> Continuation Summons William Stephens)(Goodrich, Christina) (Entered: 02/02/2015)
02/03/2015		Summons Issued as to Lorie Davis, Robert Eason, Lynne Sharp, William Stephens. Issued summons returned to plaintiff by: First-class mail, filed.(jdav, 4) (Entered: 02/03/2015)
02/17/2015	<u>40</u>	MOTION to Dismiss <i>Under 12(b)(1) and (6) for Lack of Jurisdiction for Failure to State a Claim and Assertion of Qualified Immunity</i> by Brad Livingston, filed. Motion Docket Date 3/10/2015. (Attachments: # <u>1</u> Proposed Order)(Coogan, Kim) (Entered: 02/17/2015)
02/26/2015	<u>41</u>	NOTICE of Initial Disclosure by Bruce Armstrong, Ralph Bales, Fernando Fuster, Brad Livingston, Joni White, filed. (Coogan, Kim) (Entered: 02/26/2015)
02/26/2015	<u>42</u>	NOTICE of Initial Disclosure by Brian Blanchard, Rene Maldonado, Ralph Marez, Jr, Prince Pickett, filed. (Cobe, Christin) (Entered: 02/26/2015)
02/26/2015	<u>43</u>	Unopposed MOTION for Christin Cobe Vasquez and/or Kim Coogan to Withdraw as Attorney by Kenneth Dean, filed. Motion Docket Date 3/19/2015. (Attachments: # <u>1</u> Proposed Order On Unopposed Motion to Withdraw Attorney Appearances on Behalf of Kenneth Dean)(Cobe, Christin) (Entered: 02/26/2015)
02/26/2015	<u>44</u>	REPORT of Rule 26(f) Planning Meeting by Joshua D Zollicoffer, filed.(Goodrich, Christina) (Entered: 02/26/2015)
02/27/2015	<u>45</u>	NOTICE of Initial Disclosure by Joshua D Zollicoffer, filed. (Goodrich, Christina) (Entered: 02/27/2015)
03/04/2015	<u>46</u>	MOTION for Temporary Restraining Order, MOTION for Preliminary Injunction( Motion Docket Date 3/25/2015.) by Joshua D Zollicoffer, filed. (Attachments: # <u>1</u> Appendix of Unpublished Cases, # <u>2</u> Affidavit of Plaintiff Joshua D. Zollicoffer a/k/a Passion Star (redacted), # <u>3</u> Exhibit A-I to Affidavit of Plaintiff Joshua D. Zollicoffer a/k/a Passion Star (redacted), # <u>4</u> Exhibit J-M to Affidavit of Plaintiff Joshua D. Zollicoffer a/k/a Passion Star (redacted), # <u>5</u> Affidavit of Eldon Vail, # <u>6</u> Exhibit 1-2 to Affidavit of Eldon Vail, # <u>7</u> Affidavit of Valerie Jenness, Ph.D., # <u>8</u> Exhibit 1-2 to Affidavit of Valerie Jenness, Ph.D., # <u>9</u> Affidavit of Jael Humphrey, # <u>10</u> Exhibit 1-7



		to Affidavit of Jael Humphrey, # <u>11</u> Exhibit 8–10 to Affidavit of Jael Humphrey, # <u>12</u> Proposed Order)(Goodrich, Christina) (Entered: 03/04/2015)
03/04/2015	<u>47</u>	Unopposed MOTION to Seal Docket Entries 46–2, 46–3, & 46–4 by Joshua D Zollicoffer, filed. Motion Docket Date 3/25/2015. (Attachments: # <u>1</u> Proposed Order)(Goodrich, Christina) (Entered: 03/04/2015)
03/04/2015		***Set/Reset Deadlines/Hearings: Telephone Conference set for 3/4/2015 at 03:00 PM by telephone before Judge Gray H. Miller (rkonieczny, 4) (Entered: 03/04/2015)
03/04/2015	<u>48</u>	ORDER GRANTING <u>47</u> Unopposed MOTION to Seal Docket Entries 46–2, 46–3, & 46–4 (Signed by Judge Gray H. Miller) Parties notified.(rkonieczny, 4) (Entered: 03/04/2015)
03/04/2015	<u>49</u>	Minute Entry for proceedings held before Judge Gray H. Miller. TELEPHONE STATUS CONFERENCE held on 3/4/2015 re <u>46</u> Motion for Temporary Restraining Order and Motion for Preliminary Injunction. Defendants will file response by 3/25/2015 then a hearing will be set if no agreed resolution has been made. Appearances: Kim J Coogan, Christin Audrey Cobe, Christina Noel Goodrich, Paul David Castillo, Jael Humphrey–Skomer, filed.(rkonieczny, 4) (Entered: 03/04/2015)
03/05/2015	<u>50</u>	LETTER OF AGREEMENT re: Extension of Submission Date for Docket Entry 40 Until March 31, 2015 by Joshua D Zollicoffer, filed.(Castillo, Paul) (Entered: 03/05/2015)
03/09/2015	<u>51</u>	NOTICE of <i>First Supplemental Disclosure</i> by Bruce Armstrong, Ralph Bales, Fernando Fuster, Brad Livingston, Joni White, filed. (Coogan, Kim) (Entered: 03/09/2015)
03/12/2015	<u>52</u>	Joint MOTION to Transfer Case to Western District of Texas, Waco Division by Bruce Armstrong, Ralph Bales, Brian Blanchard, Fernando Fuster, Brad Livingston, Rene Maldonado, Ralph Marez, Jr, Prince Pickett, Joni White, filed. Motion Docket Date 4/2/2015. (Attachments: # <u>1</u> Proposed Order)(Coogan, Kim) (Entered: 03/12/2015)
03/17/2015	<u>53</u>	ANSWER to <u>35</u> Amended Complaint/Counterclaim/Crossclaim etc., with Jury Demand by Brian Blanchard, Rene Maldonado, Ralph Marez, Jr, Prince Pickett, filed.(Cobe, Christin) (Entered: 03/17/2015)
03/31/2015	<u>54</u>	RESPONSE in Opposition to <u>40</u> MOTION to Dismiss <i>Under 12(b)(1) and (6) for Lack of Jurisdiction for Failure to State a Claim and Assertion of Qualified Immunity</i> , filed by Joshua D Zollicoffer. (Attachments: # <u>1</u> Appendix of Unpublished Authority (Exs. 1–4), # <u>2</u> Appendix of Unpublished Authority (Exs. 5–7), # <u>3</u> Appendix of Unpublished Authority (Exs. 8–16), # <u>4</u> Appendix of Unpublished Authority (Exs. 17–22 (partial)), # <u>5</u> Appendix of Unpublished Authority (Exs. 22 (cont'd)))(Goodrich, Christina) (Entered: 03/31/2015)
03/31/2015	<u>55</u>	NOTICE of <i>Lodging of [Proposed] Order Denying Defendant Livingston's Motion to Dismiss</i> re: <u>54</u> Response in Opposition to Motion,, <u>40</u> MOTION to Dismiss <i>Under 12(b)(1) and (6) for Lack of Jurisdiction for Failure to State a Claim and Assertion of Qualified Immunity</i> by Joshua D Zollicoffer, filed. (Attachments: # <u>1</u> Proposed Order Denying Defendant Livingston's Motion to Dismiss)(Goodrich, Christina) (Entered: 03/31/2015)
04/02/2015	<u>56</u>	RESPONSE in Opposition to <u>52</u> Joint MOTION to Transfer Case to Western District of Texas, Waco Division, filed by Joshua D Zollicoffer. (Attachments: # <u>1</u> Proposed Order Denying Amended Motion to Transfer)(Goodrich, Christina) (Entered: 04/02/2015)
04/03/2015	<u>57</u>	NOTICE of <i>Lodging of Appendix of Authorities to Plaintiff's Response in Opposition to Defendants' Amended Motion to Transfer</i> re: <u>56</u> Response in Opposition to Motion, <u>52</u> Joint MOTION to Transfer Case to Western District of Texas, Waco Division by Joshua D Zollicoffer, filed. (Attachments: # <u>1</u> Appendix and Exhibits)(Goodrich, Christina) (Entered: 04/03/2015)
04/20/2015	<u>58</u>	ANSWER to <u>35</u> Amended Complaint/Counterclaim/Crossclaim etc., with Jury Demand by James Sigmund, Leslie Harman, filed.(Cobe, Christin) (Entered: 04/20/2015)

04/27/2015	<u>59</u>	ORDER DENYING <u>52</u> Joint MOTION to Transfer Case to Western District of Texas, Waco Division, <u>31</u> Joint MOTION to Transfer Case to Western District of Texas, Waco Division (Signed by Judge Gray H. Miller) Parties notified.(rkonieczny, 4) (Entered: 04/27/2015)
04/27/2015	<u>60</u>	MOTION to Dismiss <i>Under 12(b)1 and (6) for Lack of Jurisdiction, For Failure to State a Claim and Assertion of Qualified Immunity</i> by Lorie Davis, Robert Eason, Lynne Sharp, William Stephens, filed. Motion Docket Date 5/18/2015. (Attachments: # <u>1</u> Proposed Order)(Coogan, Kim) (Entered: 04/27/2015)
04/27/2015	<u>61</u>	ORDER GRANTING <u>43</u> Unopposed MOTION for Christin Cobe Vasquez and/or Kim Coogan to Withdraw as Attorney. Attorney Christin Audrey Cobe terminated.(Signed by Judge Gray H. Miller) Parties notified.(rkonieczny, 4) (Entered: 04/27/2015)
04/27/2015	<u>62</u>	NOTICE of Reassignment to Judge Alfred H. Bennett, pursuant to Special Order No. 2015-2. Deadlines in scheduling orders remain in effect. All court settings are vacated. Judge Gray H. Miller no longer assigned to the case. Parties notified, filed. (dkellyadi, 4) (Entered: 04/27/2015)
05/08/2015	<u>63</u>	ANSWER to <u>35</u> Amended Complaint/Counterclaim/Crossclaim etc., with Jury Demand by Bruce Armstrong, Ralph Bales, Fernando Fuster, Joni White, filed.(Coogan, Kim) (Entered: 05/08/2015)
05/18/2015	<u>64</u>	LETTER OF AGREEMENT re: Extension of Submission Date for Docket Entry 60 Until June 17, 2015 by Joshua D Zollicoffer, filed.(Castillo, Paul) (Entered: 05/18/2015)
05/18/2015		Plaintiff's response to Motion to Dismiss extended. Response due by 6/17/2015. (ledwards, 4) (Entered: 05/18/2015)
06/09/2015	<u>65</u>	MOTION for Demoya R. Gordon to Appear Pro Hac Vice by Joshua D Zollicoffer, filed. Motion Docket Date 6/30/2015. (Upton, Kenneth) (Entered: 06/09/2015)
06/12/2015	<u>66</u>	MOTION for Jael Humphrey-Skomer to Withdraw as Attorney by Joshua D Zollicoffer, filed. Motion Docket Date 7/6/2015. (Attachments: # <u>1</u> Proposed Order Proposed Order to Withdraw)(Humphrey-Skomer, Jael) (Entered: 06/12/2015)
06/15/2015	<u>67</u>	STATEMENT <i>Regarding Safekeeping Status of Joshua Zollicoffer TDCJ # 1138161</i> by Bruce Armstrong, Ralph Bales, Fernando Fuster, Joni White, filed.(Coogan, Kim) (Entered: 06/15/2015)
06/16/2015	<u>68</u>	STIPULATION of Dismissal <i>as to Defendants William Stephens, Lynne Sharp, Robert Eason, and Lorie Davis Only</i> by Joshua D Zollicoffer, filed.(Castillo, Paul) (Entered: 06/16/2015)
06/18/2015	<u>69</u>	Request for Issuance of Summons as to Kenneth Dean, filed.(Goodrich, Christina) (Entered: 06/18/2015)
06/18/2015	<u>70</u>	ORDER granting <u>66</u> Motion to Withdraw as Attorney. Attorney Jael Humphrey-Skomer terminated. (Signed by Judge Alfred H. Bennett) Parties notified. (wbostic, 4) (Entered: 06/18/2015)
06/19/2015		Summons Issued as to Kenneth Dean. Issued summons returned to plaintiff by: First-class mail, filed.(jdav, 4) (Entered: 06/19/2015)
07/17/2015	<u>71</u>	CERTIFICATE OF SERVICE of <u>35</u> Amended Complaint/Counterclaim/Crossclaim etc., <u>44</u> Report of Rule 26(f) Planning Meeting, <u>59</u> Order, <u>53</u> Answer to Amended Complaint, Summons Issued/Not Issued, <u>1</u> Complaint, <u>54</u> Response in Opposition to Motion,, <u>67</u> Statement, <u>58</u> Answer to Amended Complaint, <u>32</u> MOTION to Dismiss , <u>68</u> Stipulation of Dismissal by Joshua D Zollicoffer, filed.(Goodrich, Christina) (Entered: 07/17/2015)
07/20/2015	<u>72</u>	ANSWER to <u>35</u> Amended Complaint/Counterclaim/Crossclaim etc., with Jury Demand by Kenneth Dean, filed.(Cobe Vasquez, Christin) (Entered: 07/20/2015)
08/04/2015	<u>73</u>	CERTIFICATE OF SERVICE by Joshua D Zollicoffer, filed.(Goodrich, Christina) (Entered: 08/04/2015)

08/18/2015	<u>74</u>	ORDER granting <u>65</u> Motion for Demoya Gordon to Appear Pro Hac Vice. (Signed by Judge Alfred H. Bennett) Parties notified. (wbostic, 4) (Entered: 08/18/2015)
09/10/2015	<u>75</u>	NOTICE of Setting. Parties notified. Scheduling Conference set for 9/15/2015 at 10:30 AM in Courtroom 8B before Judge Alfred H. Bennett, filed. (ledwards, 4) (Entered: 09/10/2015)
09/15/2015		Minute Entry for proceedings held before Judge Alfred H. Bennett. STATUS CONFERENCE held on 9/15/2015. Motion to Dismiss(doc # <u>40</u> ),Under Advisement. Scheduling dates to be agreed upon by counsel and submitted; Scheduling Order to follow. Appearances: Kim J Coogan, Christin Cobe Vasquez, Demoya R. Gordon, Paul David Castillo.(Court Reporter: L. Wells), filed.(ledwards, 4) (Entered: 09/15/2015)
09/22/2015	<u>76</u>	SCHEDULING ORDER: Amended Pleadings due by 1/4/2016. Joinder of Parties due by 1/4/2016 Pltf Expert Report due by 6/17/2016. Deft Expert Report due by 7/18/2016. Discovery due by 10/17/2016. Dispositive Motion Filing due by 11/14/2016. Plaintiff must file Joint Pretrial Order by 1/2/2017. Defendant must supply plaintiff with its Pretrial Order by 12/26/2016. Docket Call set for 1/6/2017 at 01:30 PM in Courtroom 8B before Judge Alfred H. Bennett. Trial Term is set for two weeks beginning 1/9/2017.(Signed by Judge Alfred H. Bennett) Parties notified.(ledwardsadi, 4) (Entered: 09/22/2015)
03/14/2016	<u>77</u>	ORDER on Defendant Brad Livingston's Motion to Dismiss (Doc. # 40) (Signed by Judge Alfred H. Bennett) Parties notified.(ledwards, 4) (Entered: 03/14/2016)
06/15/2016	<u>78</u>	Unopposed MOTION to Amend <u>76</u> Scheduling Order., by Joshua D Zollicoffer, filed. Motion Docket Date 7/6/2016. (Attachments: # <u>1</u> Proposed Amended Scheduling Order)(Castillo, Paul) (Entered: 06/15/2016)
06/17/2016	<u>79</u>	AMENDED SCHEDULING ORDER Granting <u>78</u> Unopposed MOTION to Amend <u>76</u> Scheduling Order., Jury. ( Pltf Expert Report due by 8/16/2016., Deft Expert Report due by 9/16/2016., Discovery due by 2/28/2017., Dispositive Motion Filing due by 3/31/2017., Non-Dispositive Motion Filing due by 3/31/2017., Joint Pretrial Order due by 5/8/2017., Docket Call set for 5/19/2017 at 01:30 PM in Courtroom 8C before Judge Alfred H Bennett, Jury Trial set for 5/22/2017 at 09:00 AM in Courtroom 8C before Judge Alfred H Bennett)(Signed by Judge Alfred H Bennett) Parties notified.(ledwards, 4) (Entered: 06/17/2016)
07/27/2016	<u>80</u>	NOTICE of <i>Third Supplemental Disclosure</i> by Bruce Armstrong, Ralph Bales, Fernando Fuster, Brad Livingston, Joni White, filed. (Coogan, Kim) (Entered: 07/27/2016)
07/28/2016	<u>81</u>	NOTICE of <i>Fourth Supplemental Disclosure</i> by Bruce Armstrong, Ralph Bales, Fernando Fuster, Brad Livingston, Joni White, filed. (Coogan, Kim) (Entered: 07/28/2016)
08/05/2016	<u>82</u>	Joint MOTION for Extension of Time to Designate Expert Witnesses by Joshua D Zollicoffer, filed. Motion Docket Date 8/26/2016. (Attachments: # <u>1</u> Proposed Order)(Gordon, Demoya) (Entered: 08/05/2016)
08/10/2016	<u>83</u>	ORDER granting <u>82</u> Joint MOTION for Extension of Time to Designate Expert Witnesses ( Pltf Expert Report due by 10/17/2016., Deft Expert Report due by 11/16/2016.)(Signed by Judge Alfred H Bennett) Parties notified.(gclair, 4) (Entered: 08/11/2016)
08/11/2016	<u>84</u>	NOTICE of <i>Fifth Supplemental Disclosure</i> by Bruce Armstrong, Ralph Bales, Fernando Fuster, Brad Livingston, Joni White, filed. (Coogan, Kim) (Entered: 08/11/2016)
09/22/2016	<u>85</u>	ORDER granting <u>68</u> Stipulation of Dismissal as to Defendants William Stephens, Lynne Sharp, Robert Eason, and Lorie Davis. (Signed by Judge Alfred H Bennett) Parties notified.(ledwards, 4) (Entered: 09/22/2016)
10/07/2016	<u>86</u>	NOTICE of <i>Sixth Supplemental Disclosure</i> by Bruce Armstrong, Ralph Bales, Fernando Fuster, Brad Livingston, Joni White, filed. (Coogan, Kim) (Entered: 10/07/2016)

10/28/2016	<u>87</u>	MOTION to Quash Deposition by Brad Livingston, filed. Motion Docket Date 11/18/2016. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Proposed Order)(Coogan, Kim) (Entered: 10/28/2016)
11/08/2016	<u>88</u>	NOTICE of <i>Seventh Supplemental Disclosure</i> by Bruce Armstrong, Ralph Bales, Fernando Fuster, Brad Livingston, Joni White, filed. (Coogan, Kim) (Entered: 11/08/2016)
11/16/2016	<u>89</u>	DESIGNATION OF EXPERT WITNESS LIST by Bruce Armstrong, Ralph Bales, Brian Blanchard, Kenneth Dean, Ronald Fox, Fernando Fuster, Adam Gonzales, Juan Lopez, Rene Maldonado, Ralph Marez, Jr, Prince Pickett, Sigmund L Smith, Leslie Walters, Jimmy S Webb, Joni White, filed.(Coogan, Kim) (Entered: 11/16/2016)
11/16/2016	<u>90</u>	NOTICE <i>Regarding Deposition of Defendant Brad Livingston</i> by Joshua D Zollicoffer, filed. (Gordon, Demoya) (Entered: 11/16/2016)
02/22/2017	<u>91</u>	Joint MOTION to Stay <i>the Proceedings Pending Finalization of a Settlement Agreement</i> by Joshua D Zollicoffer, filed. Motion Docket Date 3/15/2017. (Attachments: # <u>1</u> Proposed Order)(Gordon, Demoya) (Entered: 02/22/2017)
03/01/2017	<u>92</u>	ORDER granting <u>91</u> Motion to Stay. The proceedings in this matter are stayed until June 1, 2017, pending finalization of the parties' settlement agreement. (Signed by Judge Alfred H Bennett) Parties notified. (wbostic, 4) (Entered: 03/02/2017)
05/19/2017	<u>93</u>	Joint MOTION for Extension of Time re Stay of Proceedings Pending Finalization of a Settlement Agreement by Joshua D Zollicoffer, filed. Motion Docket Date 6/9/2017. (Attachments: # <u>1</u> Proposed Order)(Gordon, Demoya) (Entered: 05/19/2017)
05/22/2017	<u>94</u>	ORDER granting <u>93</u> Motion for Extension of Stay Pending Finalization of Settlement Agreement. Proceedings are stayed until 7/17/2017. (Signed by Judge Alfred H Bennett) Parties notified.(gclair, 4) (Entered: 05/23/2017)
07/11/2017	<u>95</u>	NOTICE of attorney substitution by Bruce Armstrong, Ralph Bales, Fernando Fuster, Brad Livingston, Joni White. Attorney Seth Byron Dennis added, filed. (Dennis, Seth) (Entered: 07/11/2017)
07/11/2017	<u>96</u>	Joint MOTION to Stay <i>of the Proceeding Pending Finalization of a Settlement Package</i> by Bruce Armstrong, Ralph Bales, Fernando Fuster, Brad Livingston, Joni White, filed. Motion Docket Date 8/1/2017. (Attachments: # <u>1</u> Proposed Order)(Dennis, Seth) (Entered: 07/11/2017)
08/02/2017	<u>97</u>	NOTICE of Setting. Parties notified. Status Conference set for 8/25/2017 at 11:00 AM in Courtroom 8C before Judge Alfred H Bennett, filed. (ledwards, 4) (Entered: 08/02/2017)
09/05/2017	<u>98</u>	NOTICE of Setting. Parties notified. Status Conference set for 2/2/2018 at 10:00 AM in Courtroom 8C before Judge Alfred H Bennett, filed. (ledwards, 4) (Entered: 09/05/2017)
09/08/2017	<u>99</u>	NOTICE of Setting. Parties notified. Status Conference set for 10/26/2017 at 01:30 PM in Courtroom 8C before Judge Alfred H Bennett, filed. (ledwards, 4) (Entered: 09/08/2017)
10/03/2017	<u>100</u>	ORDER granting <u>96</u> Second Motion to Stay of the Proceeding Pending Finalization of a Settlement Package. The stay is extended another ninety days until October 31, 2017. (Signed by Judge Alfred H Bennett) Parties notified.(rosaldana, 4) (Entered: 10/04/2017)
10/26/2017		Minute Entry for proceedings held before Judge Alfred H Bennett. STATUS CONFERENCE held on 10/26/2017. Status Conference set for November 30, 2017 at 1:30 PM Appearances: Seth Byron Dennis, Christin Cobe Vasquez, Demoya Renee Gordon.(Court Reporter: H. Alcaraz), filed.(ledwards, 4) (Entered: 10/26/2017)
10/26/2017	<u>101</u>	NOTICE of Setting. Parties notified. Status Conference set for 11/30/2017 at 01:30 PM in Courtroom 8C before Judge Alfred H Bennett, filed. (ledwards, 4) (Entered: 10/26/2017)
11/30/2017		Minute Entry for proceedings held before Judge Alfred H Bennett. STATUS CONFERENCE held on 11/30/2017. Policy changes have been signed, defense

		counsel to email to plaintiff for review. Status Conference set for 1/5/2018 at 11:00 AM in Courtroom 8C before Judge Alfred H Bennett, court request CFO attend. Appearances: Seth Byron Dennis, Christin Cobe Vasquez, Demoya Renee Gordon.(Court Reporter: L. Wells), filed.(ledwards, 4) (Entered: 11/30/2017)
01/05/2018		Minute Entry for proceedings held before Judge Alfred H Bennett. STATUS CONFERENCE held on 1/5/2018. Parties anticipate policy changes and a final settlement to be entered in approximately thirty (30) days. Court orders a Status Conference set for 2/16/2018 at 11:00 AM in Courtroom 8C before Judge Alfred H Bennett Appearances: Seth Byron Dennis, Demoya Renee Gordon, Christopher J. Kondon.(Court Reporter: B. Slavin), filed.(ledwards, 4) (Entered: 01/05/2018)
02/16/2018		Minute Entry for proceedings held before Judge Alfred H Bennett. STATUS CONFERENCE held on 2/16/2018. Policy issues resolved, agreed payments were not made due to technical issues. Settlement papers to be filed next week. Appearances: Seth Byron Dennis, Demoya Renee Gordon, Christina Noel Goodrich.(Court Reporter: F. Warner), filed.(ledwards, 4) (Entered: 02/20/2018)
02/26/2018	<u>102</u>	STIPULATION of Dismissal <i>with Prejudice</i> by Bruce Armstrong, Ralph Bales, Brian Blanchard, Kenneth Dean, Ronald Fox, Fernando Fuster, Adam Gonzales, Leslie Harman, Brad Livingston, Rene Maldonado, Ralph Marez, Jr, Prince Pickett, James Sigmund, Jimmy S Webb, Joni White, filed. (Attachments: # <u>1</u> Proposed Order)(Dennis, Seth) (Entered: 02/26/2018)
04/02/2018	<u>103</u>	ORDER OF DISMISSAL. Case terminated on 4/2/18 (Signed by Judge Alfred H Bennett) Parties notified.(rguerrero, 4) (Entered: 04/02/2018)