

**U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:20-cv-01660-JMS-DLP**

INDY 10 BLACK LIVES MATTER et al v. CITY OF INDIANAPOLIS
Assigned to: Judge Jane Magnus-Stinson
Referred to: Magistrate Judge Doris L. Pryor
Cause: 42:1983 Civil Rights Act

Date Filed: 06/18/2020
Date Terminated: 12/14/2020
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

**INDY 10 BLACK LIVES
MATTER**

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Plaintiff

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Stevie Pactor
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Plaintiff

ASIAH BASSETT

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Plaintiff

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V.

Defendant

CITY OF INDIANAPOLIS

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Date Filed	#	Docket Text
06/18/2020	<u>1</u>	COMPLAINT <i>for Declaratory and Injunctive Relief and Individual Damages</i> against THE CITY OF INDIANAPOLIS, filed by All Plaintiffs. (Filing fee \$400, receipt number 0756-6038036) (Attachments: # <u>1</u> Proposed Summons, # <u>2</u> Civil Cover Sheet)(Falk, Kenneth) (Entered: 06/18/2020)
06/18/2020	<u>2</u>	NOTICE of Appearance by Kenneth J. Falk on behalf of Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON. (Falk, Kenneth) (Entered: 06/18/2020)
06/18/2020	<u>3</u>	NOTICE of Appearance by Gavin Minor Rose on behalf of Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON. (Rose, Gavin) (Entered: 06/18/2020)
06/18/2020	<u>4</u>	NOTICE of Appearance by Stevie Pactor on behalf of Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON. (Pactor, Stevie) (Entered: 06/18/2020)
06/18/2020	<u>5</u>	***WITHDRAWN PER <u>59</u> ORDER ON 10/07/2020*** MOTION for Preliminary Injunction , filed by Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE

		ROBINSON. (Attachments: # 1 Text of Proposed Order)(Falk, Kenneth) Modified on 10/7/2020 (JDH). (Entered: 06/18/2020)
06/18/2020	8	SCHEDULING ORDER: Status Conference set for 6/24/2020 02:00 PM (Eastern Time) in Telephonic before Magistrate Judge Doris L. Pryor. The purpose of the conference is to discuss a schedule regarding the Motion for Preliminary Injunction [Dkt. 5]. Counsel for Plaintiffs is to serve this order on the Defendant on or before June 22, 2020. Signed by Magistrate Judge Doris L. Pryor on 6/18/2020.(SWM) (Entered: 06/19/2020)
06/19/2020	6	Summons Issued as to CITY OF INDIANAPOLIS. (DJH) (Entered: 06/19/2020)
06/19/2020	7	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (DJH) (Entered: 06/19/2020)
06/19/2020	10	PROCEDURES AND PRACTICES before Judge Jane Magnus-Stinson. (JDH) (Entered: 06/19/2020)
06/22/2020	11	NOTICE of Appearance by Adam Scott Willfond on behalf of Defendant CITY OF INDIANAPOLIS. (Willfond, Adam) (Entered: 06/22/2020)
06/24/2020	12	NOTICE of Appearance by Anne Celeste Harrigan on behalf of Defendant CITY OF INDIANAPOLIS. (Harrigan, Anne) (Entered: 06/24/2020)
06/30/2020	13	MINUTE ORDER for proceedings held before Magistrate Judge Doris L. Pryor: The parties appeared by telephone for a Status Conference on June 24, 2020. The parties discussed the Motion for a Preliminary Injunction. A scheduling order will be filed by separate order. Signed by Magistrate Judge Doris L. Pryor. (CAG) (Entered: 07/01/2020)
06/30/2020	14	PRELIMINARY INJUNCTION SCHEDULING ORDER - The parties appeared by counsel telephonically for a Status Conference on June 24, 2020 pursuant to Rule 16 of the Federal Rules of Civil Procedure regarding the Plaintiffs' Motion for Preliminary Injunction, Dkt. [5]. The Court establishes the following schedule to prepare this matter for a hearing on that motion (see Order for established deadlines and additional information). Signed by Magistrate Judge Doris L. Pryor on 6/30/2020.(SWM) (Entered: 07/01/2020)
07/08/2020	15	NOTICE of Service of Initial Disclosures , filed by Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER,

		SHANIECE LEWIS, BRE ROBINSON. (Pactor, Stevie) (Entered: 07/08/2020)
07/08/2020	16	Exhibit List (<i>Preliminary</i>), filed by Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON, Witness List (<i>Preliminary</i>), filed by Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON. (Pactor, Stevie) (Entered: 07/08/2020)
07/08/2020	17	NOTICE of Parties' First Extension of Time, filed by Defendant CITY OF INDIANAPOLIS. (Willfond, Adam) (Entered: 07/08/2020)
07/08/2020	18	Witness List -- <i>Preliminary</i> , filed by Defendant CITY OF INDIANAPOLIS, Exhibit List -- <i>Preliminary</i> , filed by Defendant CITY OF INDIANAPOLIS. (Willfond, Adam) (Entered: 07/08/2020)
07/10/2020	19	NOTICE of Filing of Exhibits in Support of Motion for Preliminary Injunction by All Plaintiffs (Attachments: # 1 Exhibit 1: Affidavit of Kyra Harvey, # 2 Exhibit 2: Affidavit of Bre Robinson, # 3 Exhibit 3: Affidavit of Asiah Bassett, # 4 Exhibit 4: Affidavit of Shaniece Lewis, # 5 Exhibit 5: Affidavit of Jacob Bower-Bir, # 6 Exhibit 6: Affidavit of Shelby Harper, # 7 Exhibit 7: Affidavit of Sara Lang, # 8 Exhibit 8: Affidavit of Caitlyn Parker, # 9 Exhibit 9: Affidavit of William Sipple, # 10 Exhibit 10: Affidavit of Brandon Arbuckle, # 11 Exhibit 11: Affidavit of Quinn Keitel, # 12 Exhibit 12: Affidavit of Robert Hart, # 13 Exhibit 13: Affidavit of Peter Oren, # 14 Exhibit 14: Affidavit of Sara Cooke, # 15 Exhibit 15: Affidavit of Ryan Bowling, # 16 Exhibit 16: Affidavit of Nicholas Hoagland, # 17 Exhibit 17: Affidavit of Matty Slaydon, # 18 Exhibit 18: Affidavit of Brandon Baker, # 19 Exhibit 19: Affidavit of Christopher Dance) (Pactor, Stevie) (Entered: 07/10/2020)
07/10/2020	20	NOTICE of Manual Filing re 19 NOTICE of Filing, 5 MOTION for Preliminary Injunction , filed by All Plaintiffs (Pactor, Stevie) (Entered: 07/10/2020)
07/10/2020	21	BRIEF/MEMORANDUM in Support re 5 MOTION for Preliminary Injunction , filed by Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON. (Pactor, Stevie) (Entered: 07/10/2020)
07/13/2020	22	NOTICE of Manual Filing - USB drive received re 20 NOTICE of Manual Filing, filed by ASIAH BASSETT, INDY 10 BLACK

		LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON (JDH) (Entered: 07/15/2020)
07/28/2020	23	Unopposed MOTION for Extension of Time to File Response to August 17, 2020 re 5 MOTION for Preliminary Injunction , filed by Defendant CITY OF INDIANAPOLIS. (Attachments: # 1 Text of Proposed Order Granting motion)(Willfond, Adam) (Entered: 07/28/2020)
07/28/2020	24	ORDER GRANTING EXTENSION OF TIME - The Defendant, by counsel, has moved the Court for an extension of time to file its response brief to the Plaintiffs' motion for preliminary injunction. This also necessitates extending the Plaintiffs' reply brief deadline. The Plaintiffs do not object to this motion. The Court finds that good cause exists to grant the Defendant's motion 23 . Accordingly, the Defendant's response brief is now due August 17, 2020, and the Plaintiffs' reply brief is now due August 24, 2020. Signed by Judge Jane Magnus-Stinson on 7/28/2020. (JDH) (Entered: 07/28/2020)
08/06/2020	25	<i>Defendant's</i> ANSWER to 1 Complaint , filed by CITY OF INDIANAPOLIS.(Willfond, Adam) (Entered: 08/06/2020)
08/07/2020	26	Witness List <i>Updated and Supplemental</i> , filed by Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON, Exhibit List <i>Updated and Supplemental</i> , filed by Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON. (Falk, Kenneth) (Entered: 08/07/2020)
08/07/2020	27	Witness List <i>Updated</i> , filed by Defendant CITY OF INDIANAPOLIS, Exhibit List <i>Updated</i> , filed by Defendant CITY OF INDIANAPOLIS. (Willfond, Adam) (Entered: 08/07/2020)
08/12/2020	28	NOTICE of <i>Error</i> , filed by Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON, re 20 NOTICE of Manual Filing. (Pactor, Stevie) (Entered: 08/12/2020)
08/13/2020	29	NOTICE of <i>Evidentiary Submissions</i> , filed by Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON (Attachments: # 1 Exhibit Barker Deposition - Part 1, # 2 Barker Deposition - Part 2, # 3 Barker Deposition - Part 3, # 4 Barker Deposition - Part 4, # 5 Exhibit Harvey Deposition, # 6 Exhibit Civil Unrest Incidents) (Falk, Kenneth) (Entered: 08/13/2020)

08/13/2020	30	NOTICE of Manual Filing re 29 Notice (Other), filed by All Plaintiffs (Falk, Kenneth) (Entered: 08/13/2020)
08/13/2020	31	NOTICE of Evidentiary Submission, filed by Defendant CITY OF INDIANAPOLIS (Attachments: # 1 Affidavit #1, # 2 Affidavit #2, # 3 Exhibit #3, # 4 Exhibit #4, # 5 Exhibit #5, # 6 Exhibit #6, # 7 Exhibit #7, # 8 Exhibit #8, # 9 Exhibit #9, # 10 Exhibit #10, # 11 Affidavit #11, # 12 Affidavit #12, # 13 Affidavit #13, # 14 Affidavit #14, # 15 Affidavit #15) (Willfond, Adam) (Entered: 08/13/2020)
08/14/2020	32	NOTICE of Manual Filing re 31 Notice (Other), filed by CITY OF INDIANAPOLIS (Willfond, Adam) (Entered: 08/14/2020)
08/14/2020	33	Unopposed MOTION for Leave to File <i>Supplemental Evidentiary Submission</i> , filed by Defendant CITY OF INDIANAPOLIS. (Attachments: # 1 Text of Proposed Order Granting motion)(Willfond, Adam) (Entered: 08/14/2020)
08/14/2020	34	Receipt of one USB drive re 32 NOTICE of Manual Filing, filed by CITY OF INDIANAPOLIS (Attachments: # 1 Notice of Manual Filing, # 2 Cover Letter) (JDH) (Entered: 08/14/2020)
08/17/2020	35	RECEIPT of one USB drive re 30 NOTICE of Manual Filing, filed by ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON (Attachments: # 1 Notice of Manual Filing, # 2 Envelope) (JDH) (Entered: 08/17/2020)
08/17/2020	36	ORDER GRANTING LEAVE TO SUPPLEMENT EVIDENTIARY SUBMISSION - The Defendant, City of Indianapolis, by counsel, moved the Court for leave to supplement its evidentiary submission [Dkt. 31] to include two additional exhibits which the Defendant's counsel was unable to timely submit due to file size and technological issues. Having considered the Defendant's motion, the Court now GRANTS 33 the same. Accordingly, the Defendant is permitted to supplement its evidentiary submission to include the two exhibits described in its motion in appropriately-sized files. Signed by Judge Jane Magnus-Stinson on 8/17/2020. (JDH) (Entered: 08/17/2020)
08/17/2020	37	NOTICE of <i>Supplemental Evidentiary Submission</i> , filed by Defendant CITY OF INDIANAPOLIS, re 31 Notice (Other). (Attachments: # 1 Affidavit Supplemental Affidavit of Joshua Barker, # 2 Exhibit BlueTeam reports for May 29, 2020, # 3 Exhibit BlueTeam reports for May 30, 2020, # 4 Exhibit BlueTeam reports for May 31, 2020, # 5 Affidavit Affidavit of William Carter (with timeline exhibit attached), # 6 Exhibit Use of Force Case Reports

		for May 29, 2020, # 7 Exhibit Use of Force Case Reports for May 30, 2020, # 8 Exhibit Use of Force Case Reports for May 31, 2020) (Willfond, Adam) (Entered: 08/17/2020)
08/17/2020	38	Unopposed MOTION for Extension of Time to File Reply to August 31, 2020 re 5 MOTION for Preliminary Injunction , filed by Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON. (Attachments: # 1 Text of Proposed Order)(Falk, Kenneth) (Entered: 08/17/2020)
08/17/2020	39	RESPONSE in Opposition re 5 MOTION for Preliminary Injunction , filed by Defendant CITY OF INDIANAPOLIS. (Willfond, Adam) (Entered: 08/17/2020)
08/18/2020	40	ORDER - Plaintiffs, having filed their Unopposed 38 Motion to Extend Time to File Reply Memorandum, and the Court having read the motion and being duly advised finds that good cause exists to grant the motion 38 , and IT IS THEREFORE ORDERED that the time within which plaintiffs must file a reply memorandum in support of their 5 motion for preliminary injunction is extended to, and including, August 31, 2020. Signed by Judge Jane Magnus-Stinson on 8/18/2020.(NAD) (Entered: 08/18/2020)
08/21/2020	41	Unopposed MOTION for Leave to File Excess Pages <i>in Reply in Support of Motion for Preliminary Injunction</i> , filed by Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON. (Attachments: # 1 Text of Proposed Order)(Falk, Kenneth) (Entered: 08/21/2020)
08/25/2020	42	ORDER - This matter comes before the Court on the Plaintiffs' Unopposed Motion to File Oversized Reply in Support of Motion for Preliminary Injunction, Dkt. [41]. The Court, having considered the same and being duly advised, hereby GRANTS said Motion. Plaintiffs are permitted to file an oversized reply in support of the Motion for Preliminary Injunction that does not exceed twenty-five (25) pages. Signed by Magistrate Judge Doris L. Pryor on 8/25/2020.(SWM) (Entered: 08/25/2020)
08/25/2020	43	REPLY in Support of Motion re 5 MOTION for Preliminary Injunction , filed by Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON. (Rose, Gavin) (Entered: 08/25/2020)
08/26/2020	44	ORDER SETTING HEARING - The Plaintiffs' Motion For Preliminary Injunction 5 is set for a hearing on September 15, 2020 at 9:30 a.m. in Courtroom 202, U.S. Courthouse, 46 E. Ohio Street, Indianapolis, Indiana. Further direction concerning the hearing will

		provided in a separate entry. Signed by Judge Jane Magnus-Stinson on 8/26/2020.(JDH) (Entered: 08/26/2020)
08/26/2020	45	SCHEDULING ORDER-TELEPHONIC Status Conference set for 9/2/2020 at 12:30 PM (Eastern) before Magistrate Judge Doris L. Pryor. The purpose of the conference is to discuss case status. Counsel shall attend the conference by calling the designated phone number, to be provided by the Court via email generated by the Court's ECF System. Signed by Magistrate Judge Doris L. Pryor on 8/26/2020.(CBU) (Entered: 08/26/2020)
08/27/2020	46	Joint MOTION for Continuance of Preliminary Injunction Hearing, filed by Defendant CITY OF INDIANAPOLIS. (Attachments: # 1 Text of Proposed Order Granting motion)(Willfond, Adam) (Entered: 08/27/2020)
08/28/2020	47	ENTRY SETTING TELEPHONIC STATUS CONFERENCE - The above cause is set for an attorney only telephonic status conference on September 3, 2020 at 9:30 a.m. The purpose of the conference is to discuss the Joint Motion for Continuance of Preliminary Injunction Hearing 46 . Call-in information for the telephonic status conference will be provided by separate entry. Signed by Judge Jane Magnus-Stinson on 8/28/2020.(JDH) (Entered: 08/28/2020)
09/03/2020	50	MINUTE ORDER for proceedings held before Judge Jane Magnus-Stinson. On September 3, 2020, the Court held a telephone conference. Plaintiffs Indy 10 Black Lives Matter, Bre Robinson, Asiah Bassett, and Shaniece Lewis were present by counsel Kenneth Falk, and Defendant the City of Indianapolis was present by counsel Adam Willfond. The Court reporter was Jean Knepley. The purpose of the telephone conference was to discuss the parties' Joint Motion to Continue and Reschedule Hearing, [Filing No. 46]. The Court advised the parties that an evidentiary hearing including live witness testimony would be necessary to resolve factual disputes concerning Plaintiffs' Motion for Preliminary Injunction, [Filing No. 5]. The parties represented that they are currently working with the Magistrate Judge to attempt to reach an agreed resolution to this matter. Accordingly, the parties' Joint Motion to Continue and Reschedule Hearing, 46 , is GRANTED to the extent that the Court VACATES the preliminary injunction hearing presently scheduled for September 15, 2020. The parties are DIRECTED that, within 14 days after their upcoming settlement conference presently scheduled for September 25, 2020, they shall confer and file a joint report stating whether an agreed resolution was reached. If no resolution is reached, the parties shall indicate how they wish to proceed with the evidentiary hearing on Plaintiffs'

		Motion for Preliminary Injunction, including how much time they estimate they will need to present evidence and whether they request that any witnesses be permitted to testify remotely. If necessary, the Court will schedule a hearing by separate order following the receipt of the parties' joint report. Signed by Judge Jane Magnus-Stinson. (Court Reporter Jean Knepley.)(MRI) (Entered: 09/03/2020)
09/03/2020	51	MINUTE ORDER for proceedings held before Magistrate Judge Doris L. Pryor: Parties appeared by telephone for a Status Conference on September 2, 2020. The parties reported on the status of and future plans for discovery and potential settlement conference. This matter is scheduled for a settlement conference on September 25, 2020 at 1:00 p.m. (Eastern), by telephone, before Magistrate Judge Doris L. Pryor. The parties shall attend the conference by calling the designated telephone number, to be provided by the Court via email generated by the Court's ECF system. Signed by Magistrate Judge Doris L. Pryor. (CAG) (Entered: 09/03/2020)
09/30/2020	54	MINUTE ORDER for proceedings held before Magistrate Judge Doris L. Pryor: The parties appeared in person and by counsel for a settlement conference on September 25, 2020. This matter is CONTINUED to October 5, 2020 at 11:30 a.m. (Eastern) by telephone. Counsel shall attend the status conference by calling the designated telephone number, to be provided by the Court via email generated by the Court's ECF system. Signed by Magistrate Judge Doris L. Pryor. (CAG) (Entered: 10/01/2020)
10/05/2020	57	ORDER - The Court has been advised by counsel that a settlement has been reached in this action. Therefore, all pending motions, if any, are now DENIED AS MOOT and all previously ordered dates relating to discovery, filings, schedules, conferences and trial, if any, are VACATED. IT IS ORDERED that within sixty days of this date, counsel for the plaintiff shall file a motion to dismiss this cause or a stipulation of dismissal. Signed by Magistrate Judge Doris L. Pryor on 10/5/2020.(SWM) (Entered: 10/06/2020)
10/06/2020	58	MOTION to Withdraw <i>Motion for Preliminary Injunction</i> , filed by Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON. (Attachments: # 1 Text of Proposed Order)(Falk, Kenneth) (Entered: 10/06/2020)
10/07/2020	59	ORDER - Plaintiffs, having filed their Motion to Withdraw Motion for Preliminary Injunction, and the Court having reviewed the motion 58 , and being duly advised, finds that good cause exists to

		grant it, and, IT IS THEREFORE ORDERED that plaintiffs' Motion for Preliminary Injunction Dkt. 5 is WITHDRAWN. SEE ORDER. Signed by Judge Jane Magnus-Stinson on 10/7/2020. (JDH) (Entered: 10/07/2020)
11/29/2020	60	Unopposed MOTION for Extension of Time to January 4, 2021 <i>to File Dismissal Papers</i> , filed by Plaintiffs ASIAH BASSETT, INDY 10 BLACK LIVES MATTER, SHANIECE LEWIS, BRE ROBINSON. (Attachments: # 1 Text of Proposed Order)(Falk, Kenneth) (Entered: 11/29/2020)
12/03/2020	61	ORDER - This matter comes before the Court on Plaintiffs' Unopposed Motion for Extension of Time to File Dismissal Papers, Dkt. 60 . The Court, being duly advised, hereby GRANTS said Motion. The parties shall have to and including January 4, 2021 to file dismissal documents. Signed by Magistrate Judge Doris L. Pryor on 12/3/2020.(NAD) (Entered: 12/04/2020)
12/11/2020	62	STIPULATION of Dismissal <i>with Prejudice</i> , as to Defendant CITY OF INDIANAPOLIS, filed by All Plaintiffs. (Attachments: # 1 Text of Proposed Order)(Falk, Kenneth) (Entered: 12/11/2020)
12/14/2020	63	CLOSED DISMISSED - The parties having filed their Stipulation to Dismiss with Prejudice and the Court having reviewed the filing hereby acknowledges that this case is DISMISSED with prejudice, with each party to pay its own costs and attorneys' fees 62 . Signed by Judge Jane Magnus-Stinson on 12/14/2020. (MAC) (Entered: 12/14/2020)

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