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APPEAL,STANDARD,STAYED

**U.S. District Court  
District of Maine (Portland)  
CIVIL DOCKET FOR CASE #: 2:20-cv-00176-LEW**

BAYLEY'S CAMPGROUND INC et al v. MILLS  
Assigned to: JUDGE LANCE E. WALKER  
Referred to: MAGISTRATE JUDGE JOHN H. RICH III  
Case in other court: First Circuit Court of Appeals, 20-01559  
Cause: 42:1981 Civil Rights

Date Filed: 05/15/2020  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**BAYLEY'S CAMPGROUND INC**  
*doing business as*  
**BAYLEY'S CAMPING RESORT**

represented by **GENE R. LIBBY**  
LIBBY O'BRIEN KINGSLEY &  
CHAMPION, LLC  
62 PORTLAND ROAD  
SUITE 17  
KENNEBUNK, ME 04043  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**KEITH P. RICHARD**  
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**Plaintiff**

**FKT RESORT MANAGEMENT LLC**

represented by **GENE R. LIBBY**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**KEITH P. RICHARD**  
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*LEAD ATTORNEY*  
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**TYLER J. SMITH**  
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*LEAD ATTORNEY*  
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**Plaintiff**

**FKT BAYLEY LIMITED  
PARTNERSHIP**

represented by **GENE R. LIBBY**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**KEITH P. RICHARD**  
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**TYLER J. SMITH**  
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*LEAD ATTORNEY*  
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**Plaintiff**

**DMJ PARKS LLC**  
*doing business as*  
**LITTLE OSSIPEE CAMPGROUND LLC**

represented by **GENE R. LIBBY**  
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*LEAD ATTORNEY*  
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**KEITH P. RICHARD**  
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**TYLER J. SMITH**  
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**Plaintiff**

**CURTIS BONNELL**

represented by **GENE R. LIBBY**  
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**KEITH P. RICHARD**

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**TYLER J. SMITH**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**DOLORES HUMISTON**

represented by **GENE R. LIBBY**  
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*LEAD ATTORNEY*  
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**KEITH P. RICHARD**  
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**TYLER J. SMITH**  
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**Plaintiff**

**JAMES BOISVERT**

represented by **GENE R. LIBBY**  
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**KEITH P. RICHARD**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**TYLER J. SMITH**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**JANET MILLS**

*In her official capacity as the Governor of  
the State of Maine*

represented by **KIMBERLY L. PATWARDHAN**  
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**ATTORNEY TO BE NOTICED**

**Interested Party**

**UNITED STATES OF AMERICA**

represented by **ALEXANDER VIRGIL MAUGERI**  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
05/15/2020	<a href="#">1</a> <b>R</b>	COMPLAINT against JANET MILLS with Jury Demand filed by FKT RESORT MANAGEMENT LLC, JAMES BOISVERT, BAYLEY'S CAMPGROUND INC, DOLORES HUMISTON, FKT BAYLEY LIMITED PARTNERSHIP, CURTIS BONNELL, DMJ PARKS LLC <b>PAYMENT OF FILING FEE DUE WITHIN 48 HOURS. IF FILING FEE IS BEING PAID WITH A CREDIT CARD COUNSEL ARE INSTRUCTED TO LOGIN TO CMECF AND DOCKET Case Opening Filing Fee Paid FOUND IN THE Complaints and Other Initiating Documents CATEGORY. CHECK PAYMENTS DUE WITHIN 48 HOURS..</b> (Service of Process Deadline 8/13/2020) Fee due by 5/18/2020.(jwr) (Entered: 05/15/2020)
05/15/2020	<a href="#">2</a>	CIVIL COVER SHEET. (jwr) (Entered: 05/15/2020)
05/15/2020		Set Deadlines : Per Local Rule 7.1 Notice of Interested Parties or Corporate Disclosure Statement due by 5/18/2020 from Plaintiffs. (jwr) (Entered: 05/15/2020)
05/15/2020		Filing Fee Paid via Credit Card ( Filing fee \$ 400 receipt number AMEDC-2230656.), filed by FKT RESORT MANAGEMENT LLC, JAMES BOISVERT, BAYLEY'S CAMPGROUND INC, DOLORES HUMISTON, FKT BAYLEY LIMITED PARTNERSHIP, CURTIS BONNELL, DMJ PARKS LLC.(SMITH, TYLER) (Entered: 05/15/2020)
05/15/2020	<a href="#">3</a>	MOTION for Preliminary Injunction <i>and Expedited Relief</i> by BAYLEY'S CAMPGROUND INC, JAMES BOISVERT, CURTIS BONNELL, DMJ PARKS LLC, FKT BAYLEY LIMITED PARTNERSHIP, FKT RESORT MANAGEMENT LLC, DOLORES HUMISTON Responses due by 6/5/2020. (Attachments: # <a href="#">1</a> Declaration of Thomas Bayley, # <a href="#">2</a> Declaration of Maryellen Bozza, # <a href="#">3</a> <b>R</b> Declaration of Curtis Bonnell, # <a href="#">4</a> <b>R</b> Declaration of Dolores Humiston, # <a href="#">5</a> <b>R</b> Declaration of James E. Boisvert, # <a href="#">6</a> Declaration of Keith P. Richard, Esq.)(SMITH, TYLER) (Entered: 05/15/2020)
05/18/2020	4	NOTICE of TELEPHONIC Hearing: Telephone Conference set for 5/18/2020 03:00 PM in Judge Walker's Chambers before JUDGE LANCE E. WALKER. All participants have been provided call-in information.(meh) (Entered: 05/18/2020)
05/18/2020	<a href="#">5</a>	CORPORATE DISCLOSURE STATEMENT by BAYLEY'S CAMPGROUND INC. (SMITH, TYLER) (Entered: 05/18/2020)

05/18/2020	<a href="#">6</a>	CORPORATE DISCLOSURE STATEMENT by DMJ PARKS LLC. (SMITH, TYLER) (Entered: 05/18/2020)
05/18/2020	<a href="#">7</a>	CORPORATE DISCLOSURE STATEMENT by FKT BAYLEY LIMITED PARTNERSHIP. (SMITH, TYLER) (Entered: 05/18/2020)
05/18/2020	<a href="#">8</a>	CORPORATE DISCLOSURE STATEMENT by FKT RESORT MANAGEMENT LLC. (SMITH, TYLER) (Entered: 05/18/2020)
05/18/2020	9	Minute Entry for proceedings held before JUDGE LANCE E. WALKER: Telephone Conference held. Response to ECF #3 due 5/25/2020. Reply to ECF #3 due 5/28/2020. No oral argument is needed. (Court Reporter: Melissa Merenberg) (meh) (Entered: 05/18/2020)
05/18/2020		Set Deadlines as to <a href="#">3</a> MOTION for Preliminary Injunction <i>and Expedited Relief</i> : Responses due by 5/25/2020. Reply due by 5/28/2020. (meh) (Entered: 05/18/2020)
05/21/2020	<a href="#">10</a>	WAIVER OF SERVICE Returned Executed JANET MILLS waiver sent on 5/18/2020. (SMITH, TYLER) Modified on 6/11/2020 to correct waiver sent date (meh). (Entered: 05/21/2020)
05/21/2020		Set Answer Deadline for JANET MILLS : Answer due by 7/20/2020. (meh) (Entered: 05/21/2020)
05/25/2020	<a href="#">11</a>	NOTICE of Appearance by KIMBERLY L. PATWARDHAN on behalf of JANET MILLS (PATWARDHAN, KIMBERLY) (Entered: 05/25/2020)
05/25/2020	<a href="#">12</a> <b>R</b>	RESPONSE in Opposition re <a href="#">3</a> MOTION for Preliminary Injunction <i>and Expedited Relief</i> filed by JANET MILLS. Reply due by 6/8/2020. (TAUB, CHRISTOPHER) (Entered: 05/25/2020)
05/25/2020	<a href="#">13</a> <b>R</b>	AFFIDAVIT of Nirav Dinesh Shah, M.D., J.D. re <a href="#">12</a> <b>R</b> Response in Opposition to Motion filed by JANET MILLS. (TAUB, CHRISTOPHER) (Entered: 05/25/2020)
05/25/2020	<a href="#">14</a> <b>R</b>	AFFIDAVIT of Derek P. Langhauser re <a href="#">12</a> <b>R</b> Response in Opposition to Motion filed by JANET MILLS. (TAUB, CHRISTOPHER) (Entered: 05/25/2020)
05/25/2020		Set Deadlines as to <a href="#">3</a> MOTION for Preliminary Injunction <i>and Expedited Relief</i> : Reply due by 5/28/2020. (meh) (Entered: 05/26/2020)
05/26/2020	<a href="#">15</a> <b>R</b>	Unopposed MOTION to Enlarge Page Limitation by BAYLEY'S CAMPGROUND INC, JAMES BOISVERT, CURTIS BONNELL, DMJ PARKS LLC, FKT BAYLEY LIMITED PARTNERSHIP, FKT RESORT MANAGEMENT LLC, DOLORES HUMISTON Responses due by 6/16/2020. (SMITH, TYLER) (Entered: 05/26/2020)
05/26/2020	16	ORDER granting <a href="#">15</a> <b>R</b> Unopposed Motion to Enlarge Page Limitation By JUDGE LANCE E. WALKER. (meh) (Entered: 05/26/2020)
05/28/2020	<a href="#">17</a>	REPLY to Response to Motion re <a href="#">3</a> MOTION for Preliminary Injunction <i>and Expedited Relief</i> filed by BAYLEY'S CAMPGROUND INC, JAMES BOISVERT, CURTIS BONNELL, DMJ PARKS LLC, FKT BAYLEY LIMITED PARTNERSHIP, FKT RESORT MANAGEMENT LLC, DOLORES HUMISTON. (Attachments: # <a href="#">1</a> Wiley & Vladek Law Review Article, # <a href="#">2</a> CDC COVID-19 Planning Scenarios)(SMITH, TYLER) (Entered: 05/28/2020)
05/29/2020	<a href="#">18</a>	NOTICE of Appearance by ALEXANDER VIRGIL MAUGERI on behalf of UNITED STATES OF AMERICA (MAUGERI, ALEXANDER) (Entered: 05/29/2020)
05/29/2020	<a href="#">19</a> <b>R</b>	BRIEF by UNITED STATES OF AMERICA. (MAUGERI, ALEXANDER) (Entered: 05/29/2020)

05/29/2020	<a href="#">20</a> <b>R</b>	ORDER ON PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION denying <a href="#">3</a> Motion for Preliminary Injunction By JUDGE LANCE E. WALKER. (CJD) (Entered: 05/29/2020)
06/01/2020	<a href="#">21</a>	INTERLOCUTORY APPEAL as to <a href="#">20</a> <b>R</b> Order on Motion for Preliminary Injunction by BAYLEY'S CAMPGROUND INC, JAMES BOISVERT, CURTIS BONNELL, DMJ PARKS LLC, FKT BAYLEY LIMITED PARTNERSHIP, FKT RESORT MANAGEMENT LLC, DOLORES HUMISTON . ( Filing fee \$ 505 receipt number AMEDC-2240846.)  <b>NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from our web site at <a href="http://www.med.uscourts.gov/forms/">http://www.med.uscourts.gov/forms/</a> MUST be completed and submitted to the Court of Appeals. Counsel should also register for a First Circuit CM/ECF Appellate Filer Account at <a href="https://pacer.psc.uscourts.gov/pscof/regWizard.jsf">https://pacer.psc.uscourts.gov/pscof/regWizard.jsf</a> and review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at <a href="http://www.ca1.uscourts.gov/cmecf">http://www.ca1.uscourts.gov/cmecf</a> (LIBBY, GENE) Modified on 6/2/2020 to change Appeal type to Interlocutory (meh). (Entered: 06/01/2020)</b>
06/01/2020	<a href="#">22</a>	APPEAL COVER SHEET Re: <a href="#">21</a> Notice of Appeal (bfa) (Entered: 06/01/2020)
06/01/2020	<a href="#">23</a>	CLERK'S CERTIFICATE Re: <a href="#">21</a> Notice of Appeal. Documents sent to the U.S. Court of Appeals. (bfa) (Entered: 06/01/2020)
06/01/2020		Abbreviated Appeal Record Transmitted Electronically to U.S. Court of Appeals re <a href="#">21</a> Notice of Appeal (bfa) (Entered: 06/01/2020)
06/01/2020	24	USCA Case Number 20-1559 for <a href="#">21</a> Notice of Appeal, filed by JAMES BOISVERT, DOLORES HUMISTON, FKT RESORT MANAGEMENT LLC, BAYLEY'S CAMPGROUND INC, FKT BAYLEY LIMITED PARTNERSHIP, CURTIS BONNELL, DMJ PARKS LLC. (bfa) (Entered: 06/01/2020)
06/02/2020	<a href="#">25</a>	MOTION for Preliminary Injunction <i>Pending Appeal</i> by BAYLEY'S CAMPGROUND INC, JAMES BOISVERT, CURTIS BONNELL, DMJ PARKS LLC, FKT BAYLEY LIMITED PARTNERSHIP, FKT RESORT MANAGEMENT LLC, DOLORES HUMISTON Responses due by 6/23/2020. (SMITH, TYLER) (Entered: 06/02/2020)
06/02/2020		COPIES of Notice of Appeal Sent to Counsel Re: <a href="#">21</a> Notice of Appeal, filed by JAMES BOISVERT, DOLORES HUMISTON, FKT RESORT MANAGEMENT LLC, BAYLEY'S CAMPGROUND INC, FKT BAYLEY LIMITED PARTNERSHIP, CURTIS BONNELL, DMJ PARKS LLC. (tcs) Modified on 6/3/2020 to correct date filed (tcs). (Entered: 06/03/2020)
06/03/2020		Per Judge Lance Walker response and reply deadlines are to be expedited reset Deadlines as to <a href="#">25</a> MOTION for Preliminary Injunction <i>Pending Appeal</i> : Responses due by 6/9/2020. Reply due by 6/12/2020. (meh) Modified on 6/3/2020 to add expedited response and reply wording (meh). (Entered: 06/03/2020)
06/04/2020	<a href="#">26</a>	MOTION for Reconsideration re <a href="#">20</a> <b>R</b> Order on Motion for Preliminary Injunction by BAYLEY'S CAMPGROUND INC, JAMES BOISVERT, CURTIS BONNELL, DMJ PARKS LLC, FKT BAYLEY LIMITED PARTNERSHIP, FKT RESORT MANAGEMENT LLC, DOLORES HUMISTON Responses due by 6/25/2020. (SMITH, TYLER) (Entered: 06/04/2020)
06/05/2020	<a href="#">27</a> <b>R</b>	ORDER ON PLAINTIFFS' MOTION FOR EXPEDITED INJUNCTION PENDING APPEAL AND MOTION FOR RECONSIDERATION denying <a href="#">25</a> Motion for Preliminary Injunction; denying <a href="#">26</a> Motion for Reconsideration By JUDGE LANCE E. WALKER. (CJD) (Entered: 06/05/2020)

06/08/2020	<a href="#">28</a> <b>R</b>	Unopposed MOTION to Stay <i>Pending Appeal</i> by JANET MILLS Responses due by 6/29/2020. (TAUB, CHRISTOPHER) (Entered: 06/08/2020)
06/09/2020	29	ORDER granting <a href="#">28</a> <b>R</b> Motion to Stay Pending Appeal By JUDGE LANCE E. WALKER. (meh) (Entered: 06/09/2020)
01/12/2021	<a href="#">30</a>	***Filed in Error. Counsel to file a Motion to Withdraw as Attorney*** NOTICE/CORRESPONDENCE Re: Attorney Withdrawal by UNITED STATES OF AMERICA (MAUGERI, ALEXANDER) Modified on 1/12/2021 to indicate filed in error (jgd). (Entered: 01/12/2021)
01/13/2021	<a href="#">31</a>	MOTION by Attorney Alexander V. Maugeri to Withdraw as Attorney by UNITED STATES OF AMERICA Responses due by 2/3/2021. (MAUGERI, ALEXANDER) (Entered: 01/13/2021)
01/15/2021	32	ORDER denying <a href="#">31</a> Motion to Withdraw as Attorney. The motion is denied without prejudice, as, from all that appears, the United States remains an Interested Party and no successor counsel has entered an appearance. By MAGISTRATE JUDGE JOHN H. RICH III. (RICH III, JOHN) (Entered: 01/15/2021)

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