

U.S. District Court
U.S. District Court for the Northern District of Oklahoma (Tulsa)
CIVIL DOCKET FOR CASE #: 4:20-cv-00211-JED-JFJ

DCCC et al v. Ziriaux et al
Assigned to: Chief Judge John E Dowdell
Referred to: Magistrate Judge Jodi F Jayne
Cause: 28:1331 Fed. Question

Date Filed: 05/18/2020
Date Terminated: 09/17/2020
Jury Demand: None
Nature of Suit: 950 Constitutional -
State Statute
Jurisdiction: Federal Question

Plaintiff

DCCC

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Plaintiff

Oklahoma Democratic Party

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Defendant

Paul Ziriak

*in his official capacity as the
Secretary of Oklahoma State Election
Board*

represented by

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LEAD ATTORNEY

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Defendant

Tom Montgomery

*in his official capacity as Chairman
of the Oklahoma State Election
Board*

represented by

Bryan Cleveland

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Mithun S Mansinghani

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Tim Mauldin
Dr. Tim Mauldin in his official capacity as Vice-Chairman of the Oklahoma State Election Board

represented by **Bryan Cleveland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mithun S Mansinghani
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LEAD ATTORNEY
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Thomas R Schneider
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LEAD ATTORNEY
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Defendant

Heather Mahieu Cline
in her official capacity as a member of the Oklahoma State Election Board

represented by **Bryan Cleveland**
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ATTORNEY TO BE NOTICED

Mithun S Mansinghani
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LEAD ATTORNEY
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Thomas R Schneider
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Defendant

Jerry Buchanan
in his official capacity as an alternate member of the Oklahoma State Election Board

represented by **Bryan Cleveland**
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ATTORNEY TO BE NOTICED

Mithun S Mansinghani
(See above for address)
LEAD ATTORNEY

		<p><i>ATTORNEY TO BE NOTICED</i></p> <p>Thomas R Schneider (See above for address) <i>LEAD ATTORNEY</i> <i>ATTORNEY TO BE NOTICED</i></p>
<p><u>Defendant</u></p> <p>Debi Thompson <i>in her official capacity as an alternate member of the Oklahoma State Election Board</i></p>	<p>represented by</p>	<p>Bryan Cleveland (See above for address) <i>LEAD ATTORNEY</i> <i>ATTORNEY TO BE NOTICED</i></p> <p>Mithun S Mansinghani (See above for address) <i>LEAD ATTORNEY</i> <i>ATTORNEY TO BE NOTICED</i></p> <p>Thomas R Schneider (See above for address) <i>LEAD ATTORNEY</i> <i>ATTORNEY TO BE NOTICED</i></p>

Date Filed	#	Docket Text
05/18/2020	<u>1</u>	CIVIL COVER SHEET by DCCC, Oklahoma Democratic Party (With attachments) (Frasier, Frank) (Entered: 05/18/2020)
05/18/2020	<u>2</u>	COMPLAINT against Jerry Buchanan, Heather Mahieu Cline, Tim Mauldin, Tom Montgomery, Debi Thompson, Paul Zirix (paid \$400 filing fee; receipt number AOKNDC-2207162) by DCCC, Oklahoma Democratic Party (Frasier, Frank) (Entered: 05/18/2020)
05/18/2020	<u>3</u>	ATTORNEY APPEARANCE by Frank W Frasier, III on behalf of DCCC, Oklahoma Democratic Party (Frasier, Frank) (Entered: 05/18/2020)
05/18/2020	<u>4</u>	SUMMONS Issued by Court Clerk as to All Defendants (alg, Dpty Clk) (Entered: 05/18/2020)
06/03/2020	<u>5</u>	MOTION for Attorney(s) Sopen B. Shah to be Admitted Pro Hac Vice (paid \$50 PHV fee; receipt number AOKNDC-2213667) by DCCC, Oklahoma Democratic Party (With attachments) (Frasier, Frank) (Entered: 06/03/2020)
06/03/2020	<u>6</u>	MOTION for Attorney(s) Ariel Brynne Glickman to be Admitted Pro Hac Vice (paid \$50 PHV fee; receipt number AOKNDC-2213670) by DCCC, Oklahoma Democratic Party (With attachments) (Frasier, Frank) (Entered: 06/03/2020)

06/03/2020	7	MOTION for Attorney(s) Mark Erik Elias to be Admitted Pro Hac Vice (paid \$50 PHV fee; receipt number AOKNDC-2213671) by DCCC, Oklahoma Democratic Party (With attachments) (Frasier, Frank) (Entered: 06/03/2020)
06/03/2020	8	MOTION for Attorney(s) John Michael Devaney to be Admitted Pro Hac Vice (paid \$50 PHV fee; receipt number AOKNDC-2213672) by DCCC, Oklahoma Democratic Party (With attachments) (Frasier, Frank) (Entered: 06/03/2020)
06/03/2020	9	MOTION for Attorney(s) Charles G. Curtis, Jr. to be Admitted Pro Hac Vice (paid \$50 PHV fee; receipt number AOKNDC-2213673) by DCCC, Oklahoma Democratic Party (With attachments) (Frasier, Frank) (Entered: 06/03/2020)
06/03/2020	10	MINUTE ORDER by Chief Judge John E Dowdell <i>The Motions for Admission Pro Hac Vice of Sopen B. Shah (Doc. 5), Ariel Brynne Glickman (Doc. 6), Mark Erik Elias (Doc. 7), John Michael Devaney (Doc. 8) and Charles G. Curtis Jr. (Doc. 9) are granted. Counsel may appear in this matter on behalf of the plaintiffs.</i> ; granting 5 Motion for Admission Pro Hac Vice; granting 6 Motion for Admission Pro Hac Vice; granting 7 Motion for Admission Pro Hac Vice; granting 8 Motion for Admission Pro Hac Vice; granting 9 Motion for Admission Pro Hac Vice (This entry is the Official Order of the Court. No document is attached.) (SAS, Chambers) (Entered: 06/03/2020)
06/08/2020	11	SUMMONS Returned Executed re: Tom Montgomery (Re: 2 Complaint) by DCCC, Oklahoma Democratic Party (Frasier, Frank) (Entered: 06/08/2020)
06/08/2020	12	SUMMONS Returned Executed re: Heather Mahieu Cline (Re: 2 Complaint) by DCCC, Oklahoma Democratic Party (Frasier, Frank) (Entered: 06/08/2020)
06/08/2020	13	SUMMONS Returned Executed re: Tim Mauldin (Re: 2 Complaint) by DCCC, Oklahoma Democratic Party (Frasier, Frank) (Entered: 06/08/2020)
06/08/2020	14	SUMMONS Returned Executed re: Debi Thompson (Re: 2 Complaint) by DCCC, Oklahoma Democratic Party (Frasier, Frank) (Entered: 06/08/2020)
06/08/2020	15	SUMMONS Returned Executed re: Paul Ziriach (Re: 2 Complaint) by DCCC, Oklahoma Democratic Party (Frasier, Frank) (Entered: 06/08/2020)

06/09/2020	16	MOTION for Attorney(s) Will M. Conley to be Admitted Pro Hac Vice (paid \$50 PHV fee; receipt number AOKNDC-2216916) by DCCC, Oklahoma Democratic Party (With attachments) (Frasier, Frank) (Entered: 06/09/2020)
06/09/2020	17	MINUTE ORDER by Chief Judge John E Dowdell <i>The Motion for Admission Pro Hac Vice (Doc. 16) of attorney Will M. Conley is granted. Mr. Conley may appear in this matter on behalf of the plaintiffs.</i> ; granting 16 Motion for Admission Pro Hac Vice (This entry is the Official Order of the Court. No document is attached.) (SAS, Chambers) (Entered: 06/09/2020)
06/11/2020	18	AMENDED COMPLAINT against Jerry Buchanan, Heather Mahieu Cline, Tim Mauldin, Tom Montgomery, Debi Thompson, Paul Ziriak (Re: 2 Complaint) by DCCC, Oklahoma Democratic Party (Frasier, Frank) (Entered: 06/11/2020)
06/11/2020	19	CORPORATE DISCLOSURE STATEMENT by DCCC (Frasier, Frank) (Entered: 06/11/2020)
06/11/2020	20	CORPORATE DISCLOSURE STATEMENT by Oklahoma Democratic Party (Frasier, Frank) (Entered: 06/11/2020)
06/17/2020	21	ATTORNEY APPEARANCE by Mithun S Mansinghani on behalf of All Defendants [Note: Attorney Mithun S Mansinghani added to party Jerry Buchanan(pty:dft), Attorney Mithun S Mansinghani added to party Heather Mahieu Cline(pty:dft), Attorney Mithun S Mansinghani added to party Tim Mauldin(pty:dft), Attorney Mithun S Mansinghani added to party Tom Montgomery (pty:dft), Attorney Mithun S Mansinghani added to party Debi Thompson(pty:dft), Attorney Mithun S Mansinghani added to party Paul Ziriak(pty:dft).] (Mansinghani, Mithun) (Entered: 06/17/2020)
06/17/2020	22	ATTORNEY APPEARANCE by Bryan Cleveland on behalf of All Defendants [Note: Attorney Bryan Cleveland added to party Jerry Buchanan(pty:dft), Attorney Bryan Cleveland added to party Heather Mahieu Cline(pty:dft), Attorney Bryan Cleveland added to party Tim Mauldin(pty:dft), Attorney Bryan Cleveland added to party Tom Montgomery (pty:dft), Attorney Bryan Cleveland added to party Debi Thompson(pty:dft), Attorney Bryan Cleveland added to party Paul Ziriak(pty:dft).] (Cleveland, Bryan) (Entered: 06/17/2020)
06/17/2020	23	ATTORNEY APPEARANCE by Thomas R Schneider on behalf of All Defendants [Note: Attorney Thomas R Schneider added to party Jerry Buchanan(pty:dft), Attorney Thomas R Schneider added to party Heather Mahieu Cline(pty:dft), Attorney Thomas R Schneider added to party Tim Mauldin(pty:dft), Attorney Thomas R Schneider added to party Tom Montgomery (pty:dft), Attorney Thomas R Schneider added to party Debi Thompson(pty:dft), Attorney Thomas R

		Schneider added to party Paul Ziriaux(pty:dft).] (Schneider, Thomas) (Entered: 06/17/2020)
06/19/2020	24	MOTION to Dismiss Party J. Buchanan; H. Cline; D. Thompson; Dr. Mauldin; & T. Montgomery , MOTION to Dismiss , MOTION to Transfer Case to Other District by Jerry Buchanan, Heather Mahieu Cline, Tim Mauldin, Tom Montgomery, Debi Thompson, Paul Ziriaux (Mansinghani, Mithun) (Entered: 06/19/2020)
06/23/2020	25	ATTORNEY APPEARANCE by Sopen B. Shah on behalf of All Plaintiffs [Note: Attorney Sopen B. Shah added to party DCCC(pty:pla), Attorney Sopen B. Shah added to party Oklahoma Democratic Party(pty:pla).] (Shah, Sopen) (Entered: 06/23/2020)
06/23/2020	26	ATTORNEY APPEARANCE by Will McDonell Conley on behalf of All Plaintiffs [Note: Attorney Will McDonell Conley added to party DCCC(pty:pla), Attorney Will McDonell Conley added to party Oklahoma Democratic Party(pty:pla).] (Conley, Will) (Entered: 06/23/2020)
06/25/2020	27	ATTORNEY APPEARANCE by Charles Grant Curtis, Jr on behalf of All Plaintiffs [Note: Attorney Charles Grant Curtis, Jr added to party DCCC(pty:pla), Attorney Charles Grant Curtis, Jr added to party Oklahoma Democratic Party(pty:pla).] (Curtis, Charles) (Entered: 06/25/2020)
06/25/2020	28	ATTORNEY APPEARANCE by Ariel Brynne Glickman on behalf of All Plaintiffs [Note: Attorney Ariel Brynne Glickman added to party DCCC(pty:pla), Attorney Ariel Brynne Glickman added to party Oklahoma Democratic Party(pty:pla).] (Glickman, Ariel) (Entered: 06/25/2020)
06/30/2020	29	ATTORNEY APPEARANCE by Marc Elias on behalf of DCCC, Oklahoma Democratic Party [Note: Attorney Marc Elias added to party DCCC(pty:pla), Attorney Marc Elias added to party Oklahoma Democratic Party(pty:pla).] (Elias, Marc) (Entered: 06/30/2020)
07/06/2020	30	ATTORNEY APPEARANCE by John M Devaney on behalf of All Plaintiffs [Note: Attorney John M Devaney added to party DCCC(pty:pla), Attorney John M Devaney added to party Oklahoma Democratic Party(pty:pla).] (Devaney, John) (Entered: 07/06/2020)
07/10/2020	31	RESPONSE in Opposition to Motion (Re: 24 MOTION to Dismiss Party J. Buchanan; H. Cline; D. Thompson; Dr. Mauldin; & T. Montgomery MOTION to Dismiss MOTION to Transfer Case to Other District) by DCCC, Oklahoma Democratic Party ; (Frasier, Frank) (Entered: 07/10/2020)
07/24/2020	32	REPLY to Response to Motion (Re: 24 MOTION to Dismiss Party J. Buchanan; H. Cline; D. Thompson; Dr. Mauldin; & T.

		Montgomery MOTION to Dismiss MOTION to Transfer Case to Other District) by Jerry Buchanan, Heather Mahieu Cline, Tim Mauldin, Tom Montgomery, Debi Thompson, Paul Ziriaux ; (Mansinghani, Mithun) (Entered: 07/24/2020)
08/04/2020	33	ORDER by Chief Judge John E Dowdell ; denying 24 Motion to Dismiss Party; denying 24 Motion to Dismiss; denying 24 Motion to Transfer Case to Other District (JED1, Chambers) (Entered: 08/04/2020)
08/04/2020	34	ORDER by Chief Judge John E Dowdell <i>Setting a hearing on Plaintiff's requests for injunctive relief for 8/26/2020 at 10:00 a.m., setting/resetting deadline(s)/hearing(s): (Miscellaneous Deadline set for 8/19/2020, Miscellaneous Hearing set for 8/26/2020 at 10:00 AM before Chief Judge John E Dowdell) (Re: 18 Amended Complaint) (lml, Dpty Clk) (Entered: 08/04/2020)</i>
08/12/2020	35	MOTION for leave to depose Defendant Paul Ziriaux by DCCC, Oklahoma Democratic Party (Frasier, Frank) Modified on 8/13/2020; this is a two-part motion of which one part was filed - see 39 for Motion to Expedite Ruling (sac, Dpty Clk). (Entered: 08/12/2020)
08/12/2020	36	MINUTE ORDER by Chief Judge John E Dowdell , referring motion(s) to Magistrate Judge Jodi F Jayne (Re: 35 MOTION for leave to depose Defendant Paul Ziriaux and request for expedited consideration) (This entry is the Official Order of the Court. No document is attached.) (lml, Dpty Clk) (Entered: 08/12/2020)
08/12/2020	39	MOTION to Expedite Ruling (<i>submitted as part of 35</i>) (Re: 35 MOTION for leave to depose Defendant Paul Ziriaux) by DCCC, Oklahoma Democratic Party (sac, Dpty Clk) (Entered: 08/13/2020)
08/12/2020		***Motion(s) Referred to Magistrate Judge Jayne (Re: 39 MOTION to to Expedite Ruling (<i>submitted as part of 35</i>)) (sac, Dpty Clk) (Entered: 08/13/2020)
08/13/2020	37	MINUTE ORDER by Magistrate Judge Jodi F Jayne <i>Plaintiff's Motion for Leave to Take Deposition (ECF No. 35) is set for an expedited telephone hearing on Friday, August 14, 2020, at 10:00 am. Counsel for Plaintiff is directed to arrange the conference call and contact the Courtroom Deputy at stephanie_cope@oknd.uscourts.gov and all counsel of the conference number, setting/resetting deadline(s)/hearing(s): (Motion Hearing set for 8/14/2020 at 10:00 AM before Magistrate Judge Jodi F Jayne) (Re: 35 MOTION for leave to depose Defendant Paul Ziriaux and request for expedited</i>

		consideration) (This entry is the Official Order of the Court. No document is attached.) (sdc, Dpty Clk) (Entered: 08/13/2020)
08/13/2020	38	MINUTE ORDER by Magistrate Judge Jodi F Jayne <i>resetting Telephone Conference (TIME CHANGE ONLY)</i> , setting/resetting deadline(s)/hearing(s): (Motion Hearing set for 8/14/2020 at 11:00 AM before Magistrate Judge Jodi F Jayne) (Re: 35 MOTION for leave to depose Defendant Paul Ziriaux and request for expedited consideration , 37 Minute Order,,,, Setting/Resetting Deadline(s)/Hearing(s),,) (This entry is the Official Order of the Court. No document is attached.) (sdc, Dpty Clk) (Entered: 08/13/2020)
08/13/2020	40	RESPONSE in Opposition to Motion (Re: 35 MOTION for leave to depose Defendant Paul Ziriaux) by Jerry Buchanan, Heather Mahieu Cline, Tim Mauldin, Tom Montgomery, Debi Thompson, Paul Ziriaux ; (Mansinghani, Mithun) (Entered: 08/13/2020)
08/14/2020	41	MINUTES of Proceedings - held before Magistrate Judge Jodi F Jayne: Motion Hearing held on 8/14/2020 ; striking/terminating deadline(s)/Hearing(s); granting 35 Motion for Miscellaneous Relief (Re: 35 MOTION for leave to depose Defendant Paul Ziriaux) (Court Reporter: C1) (crp, Dpty Clk) (Entered: 08/14/2020)
08/17/2020	42	MOTION Joint Request for Status Confernce by DCCC, Oklahoma Democratic Party (Frasier, Frank) (Entered: 08/17/2020)
08/17/2020	43	MINUTE ORDER by Chief Judge John E Dowdell <i>As Judge Jayne already ruled expeditiously on Doc. 35, the request for expedited ruling (Doc. 39) is moot ; finding as moot 39 Motion to Expedite Ruling (This entry is the Official Order of the Court. No document is attached.)</i> (JED1, Chambers) (Entered: 08/17/2020)
08/18/2020	44	MOTION for Attorney(s) David L. Anstaett to be Admitted Pro Hac Vice (paid \$50 PHV fee; receipt number AOKNDC-2249948) by DCCC, Oklahoma Democratic Party (With attachments) (Frasier, Frank) (Entered: 08/18/2020)
08/18/2020	45	MINUTE ORDER by Chief Judge John E Dowdell <i>The Motion for Admission Pro Hac Vice of attorney David L. Anstaett (Doc. 44) is granted. Mr. Anstaett may appear in this matter on behalf of the plaintiffs. ; granting 44 Motion for Admission Pro Hac Vice (This entry is the Official Order of the Court. No document is attached.)</i> (SAS, Chambers) (Entered: 08/18/2020)
08/18/2020	46	ANSWER (Re: 18 Amended Complaint) by Jerry Buchanan, Heather Mahieu Cline, Tim Mauldin, Tom Montgomery, Debi Thompson, Paul Ziriaux (Mansinghani, Mithun) (Entered: 08/18/2020)

08/19/2020	47	MOTION for Preliminary Injunction by DCCC, Oklahoma Democratic Party (With attachments) (Frasier, Frank) (Entered: 08/19/2020)
08/20/2020	48	RESPONSE to Order to Show Cause (Re: 34 Order,, Setting/Resetting Deadline(s)/Hearing(s),,,) by Jerry Buchanan, Heather Mahieu Cline, Tim Mauldin, Tom Montgomery, Debi Thompson, Paul Ziriaux (With attachments) (Mansinghani, Mithun) (Entered: 08/20/2020)
08/21/2020	49	ATTORNEY APPEARANCE by David Lee Anstaett on behalf of All Plaintiffs (Anstaett, David) (Entered: 08/21/2020)
08/21/2020	50	MINUTE ORDER by Chief Judge John E Dowdell <i>The Joint Request for a Status Conference (Doc. 42) is granted. The Status Conference will take place via phone conference on 8/24/2020 at 2:00 p.m. The courtroom deputy will send an e-mail with call-in instructions forthwith. ; setting/resetting deadline(s)/hearing(s): (Status Hearing set for 8/24/2020 at 02:00 PM before Chief Judge John E Dowdell);</i> granting 42 Motion for Miscellaneous Relief (This entry is the Official Order of the Court. No document is attached.) (lml, Dpty Clk) (Entered: 08/21/2020)
08/24/2020	51	MINUTE ORDER by Chief Judge John E Dowdell <i>At the parties' joint request (Doc. 42), the Court conducted an off-record status conference by telephone on August 24, 2020 to discuss the hearing scheduled for August 26, 2020. During the status conference, the plaintiffs and defendants agreed that they wish the Court proceed upon the written record provided by the parties in their submissions, as well as any additional evidence the parties may wish to present during the August 26 hearing. The plaintiffs and defendants also agree that it is appropriate for the Court to advance the trial on the merits of a potential permanent injunction and consolidate it with the hearing on the preliminary injunction. Accordingly, the Court will consider the parties' written evidentiary submissions, exhibits, and legal arguments, as well as any additional witness testimony the parties wish to provide at the August 26 hearing. By the end of today, the parties shall exchange the names of any witnesses they intend to call at the hearing and shall inform the Court as well. In addition, the parties shall submit proposed findings and conclusions, in both pdf and Word format, to Courtroom Deputy Lisa Lyles, by August 31, 2020. (This entry is the Official Order of the Court. No document is attached.) (JED1, Chambers) (Entered: 08/24/2020)</i>
08/24/2020	52	FINAL WITNESS LIST by DCCC, Oklahoma Democratic Party (Frasier, Frank) (Entered: 08/24/2020)

08/26/2020	53	MINUTES of Proceedings - held before Chief Judge John E Dowdell: Evidentiary Hearing held on 8/26/2020 , Motion Hearing held on 8/26/2020 , setting/resetting deadline(s)/hearing(s): (Miscellaneous Deadline set for 8/31/2020) (Re: 47 MOTION for Preliminary Injunction) (Court Reporter: Terri Beeler) (With attachments) (lml, Dpty Clk) (Entered: 08/26/2020)
08/31/2020	54	PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW by Jerry Buchanan, Heather Mahieu Cline, Tim Mauldin, Tom Montgomery, Debi Thompson, Paul Ziriach (Mansinghani, Mithun) (Entered: 08/31/2020)
09/01/2020	55	TRANSCRIPT of Proceedings (Unredacted) of preliminary injunction/permanent injunction & trial on the merits held on 8/26/20 before Chief Judge John E Dowdell (Court Reporter: Terri Beeler) (Pages: 203). NOTICE RE REDACTION OF TRANSCRIPTS: A party must file a Transcript Redaction Request within 21 calendar days. If a party fails to request redaction, this unredacted transcript may be made electronically available to the public without redaction after 90 calendar days. Any party needing a copy of the transcript to review for redaction purposes may view the transcript at the court public terminal at no charge or may purchase a copy from the court reporter. (Re: 53 Minutes of Evidentiary Hearing,, Minutes of Motion Hearing,, Setting/Resetting Deadline(s)/Hearing(s),) (tdb, Crt Rptr) (Entered: 09/01/2020)
09/17/2020	56	OPINION AND ORDER by Chief Judge John E Dowdell <i>The plaintiffs' request for injunctive relief (Doc. 18, 47) is denied</i> ; FINDINGS OF FACT AND CONCLUSIONS OF LAW by Chief Judge John E Dowdell ; denying 47 Motion for Preliminary Injunction (JED1, Chambers) (Entered: 09/17/2020)
09/17/2020	57	JUDGMENT by Chief Judge John E Dowdell , entering judgment in favor of defendants (terminates case) (JED1, Chambers) (Entered: 09/17/2020)
09/17/2020		***Civil Case Terminated (see document number 57) (sac, Dpty Clk) (Entered: 09/18/2020)