

CLOSED,MEDIATION,MOTREF,STAYED

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CIVIL DOCKET FOR CASE #: 4:09-cv-01324**

Tolan et al v. The City of Bellaire, Texas et al
Assigned to: Judge Melinda Harmon
Cause: 28:1391 Personal Injury

Date Filed: 05/01/2009
Date Terminated: 11/04/2015
Jury Demand: Defendant
Nature of Suit: 360 P.L.: Other
Jurisdiction: Federal Question

Plaintiff

Robert R Tolan

represented by **Natalie A Jackson**
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Plaintiff

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Daryl Kevin Washington
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David H Berg
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Matthew Joseph Kita
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Plaintiff

Marian Tolan

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Plaintiff

Anthony Cooper

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Matthew Joseph Kita
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V.

Defendant

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Defendant

John C Edwards
TERMINATED: 03/31/2012

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William Scott Helfand
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Randall C Mack
TERMINATED: 06/06/2009

represented by **Norman Ray Giles**
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William Scott Helfand
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Defendant

Byron Holloway
TERMINATED: 06/06/2009

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William Scott Helfand
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Defendant

Cynthia Siegel
TERMINATED: 06/06/2009

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William Scott Helfand
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Defendant

Bernard Satterwhite
TERMINATED: 06/06/2009

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Defendant

The City of Bellaire, Texas

represented by **Norman Ray Giles**
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William Scott Helfand
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LEAD ATTORNEY
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Defendant

The Bellaire Police Department
TERMINATED: 06/06/2009

represented by **Norman Ray Giles**
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William Scott Helfand
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Date Filed	#	Docket Text
05/01/2009	<u>1</u>	COMPLAINT against all defendants (Filing fee \$ 350 receipt number 0541000000004999759) filed by Robert Tolan, Bobby Tolan, Marian Tolan, Anthony Cooper.(Berg, Geoffrey) (Entered: 05/01/2009)
05/01/2009	<u>2</u>	NOTICE of Appearance by George R. Gibson on behalf of Robert Tolan, Bobby Tolan, Marian Tolan, Anthony Cooper, filed. (Attachments: # <u>1</u> Letter)(Gibson, George) (Entered: 05/01/2009)
05/04/2009	<u>3</u>	NOTICE of Appearance by David Berg on behalf of Robert Tolan, Bobby Tolan, Marian Tolan, Anthony Cooper, filed. (Berg, David) (Entered: 05/04/2009)
05/04/2009	<u>4</u>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 9/2/2009 at 10:00 AM in Courtroom 704 before Magistrate Judge Frances H Stacy.(Signed by Judge Melinda Harmon) Parties notified.(Itien,) (Entered: 05/04/2009)

05/04/2009	<u>5</u>	CERTIFICATE OF INTERESTED PARTIES by Robert R Tolan, Bobby Tolan, Marian Tolan, Anthony Cooper, filed.(Berg, Geoffrey) (Entered: 05/04/2009)
05/04/2009		Summons Issued as to Bernard Satterwhite, City of Bellaire Texas, Bellaire Police Department, Jeffrey Wayne Cotton, John C Edwards, Randall C Mack, Byron Holloway, Cynthia Siegel, filed.(ghassan) (Entered: 05/04/2009)
05/08/2009	<u>6</u>	RETURN of Service Executed as to Bernard Satterwhite on 5/6/09 re: Complaint, filed.(chorace) (Entered: 05/08/2009)
05/08/2009	<u>7</u>	RETURN of Service Executed as to Bernard Satterwhite on 5/6/09 re: Complaint, filed.(chorace) (Entered: 05/08/2009)
05/08/2009	<u>8</u>	RETURN of Service Executed as to Cynthia Siegel on 5/6/09 re: Complaint, filed.(chorace) (Entered: 05/08/2009)
05/08/2009	<u>9</u>	RETURN of Service Executed as to Cynthia Siegel on 5/6/09 re: Complaint, filed.(chorace) (Entered: 05/08/2009)
05/08/2009	<u>10</u>	RETURN of Service Executed as to City of Bellaire (Cynthia Siegel) on 5/6/09 re: Complaint, filed.(chorace) (Entered: 05/08/2009)
05/08/2009	<u>11</u>	RETURN of Service Executed as to Byron Holloway on 5/6/09 re: Complaint, filed.(chorace) (Entered: 05/08/2009)
05/08/2009	<u>12</u>	RETURN of Service Executed as to Byron Holloway on 5/6/09 re: 5/6/09, filed.(chorace) (Entered: 05/08/2009)
05/08/2009	<u>13</u>	RETURN of Service of SUMMONS Executed as to Randall C Mack (Bellaire Police Department) served on 5/6/2009, answer due 5/26/2009, filed.(chorace) (Entered: 05/11/2009)
05/08/2009	<u>14</u>	RETURN of Service Executed as to Randall C. Mack on 5/6/09 re: Complaint and Summons, filed.(chorace) (Entered: 05/11/2009)
05/08/2009	<u>15</u>	RETURN of Service Executed as to Randall C. Mack on 5/6/09 re: Complaint, filed.(chorace) (Entered: 05/11/2009)
05/08/2009	<u>16</u>	RETURN of Service of SUMMONS Executed as to Jeffrey Wayne Cotton served on 5/6/2009, answer due 5/26/2009, filed.(chorace) (Entered: 05/11/2009)
05/08/2009	<u>17</u>	RETURN of Service Executed as to Jeffrey Wayne Cotton on 5/06/09 re: Complaint and Summons, filed.(chorace) (Entered: 05/11/2009)
05/12/2009	<u>18</u>	RETURN of Service of SUMMONS Executed as to John C Edwards served on 5/11/2009, answer due 6/1/2009, filed.(chorace) (Entered: 05/12/2009)
05/12/2009	<u>19</u>	RETURN of Service of SUMMONS Executed as to John C. Edwards (Bellaire Police Department) served on 5/11/2009, answer due 6/1/2009, filed.(chorace) (Entered: 05/12/2009)
05/28/2009	<u>20</u>	ANSWER to <u>1</u> Complaint with Jury Demand by City of Bellaire Texas, filed.(Helfand, William) (Entered: 05/28/2009)
05/28/2009	<u>21</u>	ANSWER to <u>1</u> Complaint with Jury Demand by Jeffrey Wayne Cotton, John C Edwards, filed.(Helfand, William) (Entered: 05/28/2009)
05/29/2009	<u>22</u>	STIPULATION of Dismissal <i>Without Prejudice of Randall C. Mack, Byron Holloway, Cynthia Siegel, Bernard Satterwhite, and the Bellaire Police Department</i> by Robert R Tolan, Bobby Tolan, Marian Tolan, Anthony Cooper, filed. (Attachments: # <u>1</u> Proposed Order)(Berg, Geoffrey) (Entered: 05/29/2009)
05/29/2009	<u>23</u>	CERTIFICATE OF INTERESTED PARTIES by Bernard Satterwhite, City of Bellaire Texas, Bellaire Police Department, Jeffrey Wayne Cotton, John C Edwards, Randall C Mack, Byron Holloway, Cynthia Siegel, filed.(Helfand, William) (Entered: 05/29/2009)
06/01/2009	<u>24</u>	JOINT DISCOVERY/CASE MANAGEMENT PLAN by Robert R Tolan, Bobby Tolan, Marian Tolan, Anthony Cooper, filed.(Berg, Geoffrey) (Entered: 06/01/2009)

06/06/2009	<u>25</u>	ORDER on <u>22</u> Stipulation of Dismissal of Randall C. Mack, Byron Holloway, Cynthia Siegel, Bernard Satterwhite and the Bellaire Police Department are dismissed without prejudice. Claims against Jeffrey Wayne Cotton, John C. Edwards, and the City of Bellaire remain pending. Randall C Mack; Bernard Satterwhite; Cynthia Siegel; Bellaire Police Department and Byron Holloway terminated.(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (htippen,). (Entered: 06/08/2009)
06/19/2009	<u>26</u>	MOTION to Quash Subpoena to National Personnel Records Center by Bernard Satterwhite, City of Bellaire Texas, Bellaire Police Department, Jeffrey Wayne Cotton, John C Edwards, Randall C Mack, Byron Holloway, Cynthia Siegel, filed. Motion Docket Date 7/9/2009. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 06/19/2009)
06/19/2009	<u>27</u>	MOTION to Quash Subpoena to University of Houston by Bernard Satterwhite, City of Bellaire Texas, Bellaire Police Department, Jeffrey Wayne Cotton, John C Edwards, Randall C Mack, Byron Holloway, Cynthia Siegel, filed. Motion Docket Date 7/9/2009. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 06/19/2009)
06/22/2009	<u>28</u>	INITIAL DISCLOSURES by City of Bellaire Texas, Jeffrey Wayne Cotton, John C Edwards, filed.(Giles, Norman) (Entered: 06/22/2009)
06/26/2009	<u>29</u>	MOTION to Quash Subpoena by Robert R Tolan, filed. Motion Docket Date 7/16/2009. (Attachments: # <u>1</u> Court 02e)(Gibson, George) (Entered: 06/26/2009)
06/26/2009	<u>30</u>	RESPONSE to <u>27</u> MOTION to Quash Subpoena to University of Houston, <u>26</u> MOTION to Quash Subpoena to National Personnel Records Center, filed by Robert R Tolan, Bobby Tolan, Marian Tolan, Anthony Cooper. (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, # <u>6</u> Exhibit F, # <u>7</u> Court 03e)(Gibson, George) (Entered: 06/26/2009)
07/08/2009	<u>31</u>	MOTION to Quash Subpoena to Pasadena Police Department by City of Bellaire Texas, Jeffrey Wayne Cotton, John C Edwards, filed. Motion Docket Date 7/28/2009. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 07/08/2009)
07/08/2009	<u>32</u>	MOTION to Quash Subpoena to Hempstead Police Department by City of Bellaire Texas, Jeffrey Wayne Cotton, John C Edwards, filed. Motion Docket Date 7/28/2009. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 07/08/2009)
07/08/2009	<u>33</u>	MOTION to Quash Subpoena to TCLEOSE Regarding Officer Edwards by City of Bellaire Texas, Jeffrey Wayne Cotton, John C Edwards, filed. Motion Docket Date 7/28/2009. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 07/08/2009)
07/08/2009	<u>34</u>	MOTION to Quash Subpoena to TCLEOSE Regarding Sergeant Cotton by City of Bellaire Texas, Jeffrey Wayne Cotton, John C Edwards, filed. Motion Docket Date 7/28/2009. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 07/08/2009)
07/23/2009	<u>35</u>	RESPONSE in Opposition to <u>32</u> MOTION to Quash Subpoena to Hempstead Police Department, <u>34</u> MOTION to Quash Subpoena to TCLEOSE Regarding Sergeant Cotton, <u>33</u> MOTION to Quash Subpoena to TCLEOSE Regarding Officer Edwards, <u>31</u> MOTION to Quash Subpoena to Pasadena Police Department, filed by Robert R Tolan, Bobby Tolan, Marian Tolan, Anthony Cooper. (Attachments: # <u>1</u> Exhibit 1-7, # <u>2</u> Proposed Order)(Berg, Geoffrey) (Entered: 07/23/2009)
07/24/2009	<u>36</u>	ORDER denying <u>27</u> Motion to Quash; denying <u>26</u> Motion to Quash.(Signed by Magistrate Judge Frances H Stacy) Parties notified.(bwhite,) (Entered: 07/27/2009)
08/06/2009	<u>37</u>	ORDER denying <u>31</u> Motion to Quash; denying <u>32</u> Motion to Quash; denying <u>33</u> Motion to Quash; denying <u>34</u> Motion to Quash.(Signed by Magistrate Judge Frances H Stacy) Parties notified.(bwhite,) (Entered: 08/06/2009)
08/07/2009	<u>38</u>	Opposed MOTION for Protective Order by City of Bellaire Texas, Jeffrey Wayne Cotton, John C Edwards, filed. Motion Docket Date 8/31/2009. (Attachments: # <u>1</u> Affidavit Verification, # <u>2</u> Exhibit, # <u>3</u> Proposed Order, # <u>4</u> Appendix Caselaw)(Helfand, William) (Entered: 08/07/2009)
08/07/2009	<u>39</u>	Opposed MOTION to Stay <i>Discovery</i> by City of Bellaire Texas, Jeffrey Wayne Cotton, John C Edwards, filed. Motion Docket Date 8/31/2009. (Attachments: # <u>1</u> Appendix caselaw, # <u>2</u> Exhibit, # <u>3</u> Affidavit verification, # <u>4</u> Proposed Order)(Helfand, William) (Entered: 08/07/2009)

08/07/2009	<u>40</u>	OBJECTIONS to Magistrate Judge's Orders and Motion for Protection, filed by City of Bellaire Texas, Jeffrey Wayne Cotton, John C Edwards. (Attachments: # <u>1</u> Exhibit A)(Helfand, William) (Entered: 08/07/2009)
08/11/2009	<u>41</u>	MOTION to Compel Request for Production by Robert R Tolan, Bobby Tolan, Marian Tolan, Anthony Cooper, filed. Motion Docket Date 9/3/2009. (Attachments: # <u>1</u> Court 04e)(Gibson, George) (Entered: 08/11/2009)
08/18/2009	<u>42</u>	SUPPLEMENT to <u>40</u> Objections by City of Bellaire Texas, Jeffrey Wayne Cotton, John C Edwards, filed.(Helfand, William) (Entered: 08/18/2009)
08/20/2009	<u>43</u>	RESPONSE to <u>42</u> Supplement, <u>40</u> Objections, filed by Robert R Tolan, Bobby Tolan, Marian Tolan, Anthony Cooper. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit A-L; A: Hoskins v. Kaufman; B: Gilbert v. Dallas; C: Tubar v. Clift; D: Buffin v. Bowles; E: Garza v. Scott; F: Stiward v. U.S.; G: Marchese v. Secretary; H: SW News, 5-5-09; I: Hou Chron, 4-17-09; J: Chron, 1-1-09; K: NYT, 4-6-09; L: LC v. CPR)(Berg, Geoffrey) (Entered: 08/20/2009)
08/20/2009	<u>44</u>	RESPONSE to <u>39</u> Opposed MOTION to Stay <i>Discovery</i> , <u>38</u> Opposed MOTION for Protective Order, filed by Robert R Tolan, Bobby Tolan, Marian Tolan. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Court 05e)(Gibson, George) (Entered: 08/20/2009)
08/24/2009	<u>45</u>	CONSENT to Mediation by City of Bellaire Texas, Jeffrey Wayne Cotton, John C Edwards, filed. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 08/24/2009)
08/28/2009	<u>46</u>	ORDER REFERRING CASE to Magistrate Judge Nancy K. Johnson. The parties shall complete the settlement conference on or before 10/1/09.(Signed by Judge Melinda Harmon) Parties notified.(sjones,) (Entered: 08/31/2009)
08/31/2009	<u>47</u>	NOTICE OF SETTLEMENT CONFERENCE, Settlement Conference set for 9/4/2009 at 09:00 AM in Courtroom 700 before Magistrate Judge Nancy K. Johnson.(Signed by Magistrate Judge Nancy K. Johnson) Parties notified.(sjones,) (Entered: 08/31/2009)
08/31/2009	<u>48</u>	AMENDED NOTICE OF SETTLEMENT CONFERENCE Settlement Conference set for 9/15/2009 at 09:00 AM in Courtroom 700 before Magistrate Judge Nancy K. Johnson.(Signed by Magistrate Judge Nancy K. Johnson) Parties notified.(sjones,) (Entered: 08/31/2009)
09/01/2009	<u>49</u>	NOTICE of Setting. Parties notified. Initial Conference set for 12/16/2009 at 10:00 AM in Courtroom 704 before Magistrate Judge Frances H Stacy, filed. (bwhite,) (Entered: 09/01/2009)
09/15/2009	<u>50</u>	Minute Entry for proceedings held before Magistrate Judge Nancy K. Johnson. SETTLEMENT CONFERENCE held on 9/15/2009. Settlement was unsuccessful. Appearances:David Donahue. Geoffrey Alan Berg, George R Gibson, Norman Ray Giles, William Scott Helfand., filed.(lgonzales,) (Entered: 09/15/2009)
10/23/2009	<u>51</u>	ORDER granting in part and denying in part <u>39</u> Motion to Stay.(Signed by Magistrate Judge Frances H Stacy) Parties notified.(bwhite,) (Entered: 10/23/2009)
11/06/2009	<u>52</u>	OBJECTIONS to <u>51</u> Order on Motion to Stay, filed by City of Bellaire Texas, Jeffrey Wayne Cotton, John C Edwards. (Attachments: # <u>1</u> Proposed Order)(Helfand, William) (Entered: 11/06/2009)
12/07/2009	<u>53</u>	RESPONSE to <u>52</u> Objections, filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Cover Letter)(Gibson, George) (Entered: 12/07/2009)
12/16/2009		Minute Entry for proceedings held before Magistrate Judge Frances H Stacy. SCHEDULING CONFERENCE held on 12/16/2009 ; docket control order to follow. Appearances: Norman Ray Giles, William Scott Helfand, George R Gibson, Geoffrey Alan Berg.(Court Reporter: ERO)(Digital # 10:49 – 10:56)(ERO:E Spencer), filed.(bwhite,) (Entered: 12/16/2009)
12/16/2009	<u>54</u>	RESPONSE in Opposition to <u>29</u> MOTION to Quash Subpoena, filed by City of Bellaire Texas, Jeffrey Wayne Cotton, John C Edwards. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 12/16/2009)

12/29/2009	<u>55</u>	SCHEDULING ORDER. Amended Pleadings due by 4/1/2010 Joinder of Parties due by 4/1/2010 Pltf Expert Witness List due by 7/30/2010 Pltf Expert Report due by 7/30/2010 Deft Expert Witness List due by 8/31/2010 Deft Expert Report due by 8/31/2010 Discovery due by 10/1/2010 Dispositive Motion Filing due by 11/1/2010 Non-Dispositive Motion Filing due by 11/15/2010 Joint Pretrial Order due by 2/7/2011 Docket Call set for 2/18/2011 at 01:30 PM in Courtroom 9C before Judge Melinda Harmon. The two week trial term begins 02/22/11.(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 12/29/2009)
03/25/2010	<u>56</u>	ORDER ON DISCOVERY MOTIONS denying <u>29</u> Motion to Quash; denying <u>41</u> Motion to Compel. It is further ORDERED that deft's objections to the Magistrate Judge's Orders and Motion for protection <u>41</u> <u>42</u> are SUSTAINED AND GRANTED. Motions to quash subpoenas, documents <u>26</u> , <u>27</u> , <u>31</u> , <u>32</u> , <u>33</u> , <u>34</u> are GRANTED. It is further ORDERED that the objection <u>52</u> to Magistrate Judge Frances Stacy's Memorandum and Order granting in part and denying in part deft's opposed mtn for protection and to stay discovery are OVERRULED. It is further ORDERED that the stay of discovery from deft Jeffrey Wayne Cotton be extended until the parties agree that Deft Cotton's criminal charges have been finally resolved or until this Court orders the stay lifted.(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 03/25/2010)
07/30/2010	<u>57</u>	Joint MOTION for Extension of Time Extend Deadlines Outlined in December 12, 2009 Scheduling Order by Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 8/20/2010. (Berg, David) (Entered: 07/30/2010)
07/30/2010	<u>58</u>	PROPOSED ORDER re: <u>57</u> Joint MOTION for Extension of Time Extend Deadlines Outlined in December 12, 2009 Scheduling Order, filed.(Berg, David) (Entered: 07/30/2010)
08/03/2010	<u>59</u>	Joint MOTION for Extension of Time Deadlines Outlined in December 12, 2009 Scheduling Order by City of Bellaire Texas, Anthony Cooper, Jeffrey Wayne Cotton, John C Edwards, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 8/24/2010. (Attachments: # <u>1</u> Proposed Order)(Helfand, William) (Entered: 08/03/2010)
08/05/2010	<u>60</u>	ORDER granting <u>59</u> Joint MOTION for Extension of Time Deadlines Outlined in December 12, 2009 Scheduling Order (Deft Expert Report due by 10/29/2010, Deft Expert Witness List due by 10/29/2010, Discovery due by 11/30/2010, Dispositive Motion Filing due by 1/3/2011, Pltf Expert Report due by 9/29/2010, Pltf Expert Witness List due by 9/29/2010).(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 08/05/2010)
10/06/2010	<u>61</u>	MOTION Order Setting Agreed Dates for Plaintiffs' Depositions by Jeffrey Wayne Cotton, John C Edwards, filed. Motion Docket Date 10/27/2010. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit)(Helfand, William) (Entered: 10/06/2010)
10/13/2010	<u>62</u>	MOTION to Expedite a ruling on the Motion for Order Setting Agreed Dates for Plaintiffs' Depositions filed on October 6, 2010 by Jeffrey Wayne Cotton, John C Edwards, filed. Motion Docket Date 11/3/2010. (Attachments: # <u>1</u> Proposed Order)(Helfand, William) (Entered: 10/13/2010)
10/13/2010	<u>63</u>	RESPONSE in Opposition to <u>61</u> MOTION Order Setting Agreed Dates for Plaintiffs' Depositions, filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Proposed Order)(Berg, Geoffrey) (Entered: 10/13/2010)
10/14/2010	<u>64</u>	ORDER ON DEFENDANTS' MOTION FOR EXPEDITED HEARING ON ITS MOTION FOR ORDER SETTING AGREED DATES FOR PLAINTIFFS' DEPOSITIONS denying <u>61</u> Defendant's Motion for an Order setting Agreed Dates For Plaintiffs' deposition; granting <u>62</u> Motion to Expedite ruling.(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 10/14/2010)
10/29/2010	<u>65</u>	DESIGNATION OF EXPERT WITNESS LIST by City of Bellaire Texas, Jeffrey Wayne Cotton, John C Edwards, filed. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Giles, Norman) (Entered: 10/29/2010)
12/22/2010	<u>66</u>	STIPULATION re: Dismissal of state law claims by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. (Attachments: # <u>1</u> Proposed Order)(Berg, Geoffrey) (Entered: 12/22/2010)

01/01/2011	<u>67</u>	MOTION for Summary Judgment by Jeffrey Wayne Cotton, John C Edwards, filed. Motion Docket Date 1/24/2011. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit, # <u>23</u> Exhibit, # <u>24</u> Exhibit, # <u>25</u> Exhibit, # <u>26</u> Exhibit, # <u>27</u> Exhibit, # <u>28</u> Exhibit, # <u>29</u> Exhibit, # <u>30</u> Exhibit, # <u>31</u> Exhibit, # <u>32</u> Exhibit, # <u>33</u> Exhibit, # <u>34</u> Exhibit, # <u>35</u> Exhibit, # <u>36</u> Exhibit, # <u>37</u> Exhibit, # <u>38</u> Exhibit, # <u>39</u> Exhibit, # <u>40</u> Exhibit, # <u>41</u> Exhibit, # <u>42</u> Exhibit, # <u>43</u> Exhibit, # <u>44</u> Exhibit, # <u>45</u> Exhibit, # <u>46</u> Exhibit, # <u>47</u> Proposed Order)(Giles, Norman) (Entered: 01/01/2011)
01/03/2011	<u>68</u>	STIPULATION re: Dismissal of State Law Claims by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. (Attachments: # <u>1</u> Proposed Order)(Berg, Geoffrey) (Entered: 01/03/2011)
01/04/2011	<u>69</u>	ORDER OF DISMISSAL OF TEXAS STATE LAW CLAIMS AGAINST INDIVIDUAL DEFENDANTS on <u>68</u> Parties Amended Agreed Stipulation Of Dismissal Of State Law Claims Against Individual Defendants, as to defendants Sergeant Jeffrey Wayne Cotton and Officer John C. Edwards. All other claims asserted by Plaintiffs remain pending.(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 01/04/2011)
01/24/2011	<u>70</u>	RESPONSE in Opposition to <u>67</u> MOTION for Summary Judgment, filed by Anthony Cooper. (Attachments: # <u>1</u> Exhibit Ex 1, # <u>2</u> Exhibit Ex 2, # <u>3</u> Exhibit Ex 3, # <u>4</u> Exhibit Ex 4, # <u>5</u> Exhibit Ex 5, # <u>6</u> Exhibit Ex 6, # <u>7</u> Exhibit Ex 7, # <u>8</u> Exhibit Ex 8, # <u>9</u> Exhibit Ex 9, # <u>10</u> Exhibit Ex 10, # <u>11</u> Exhibit Ex 11, # <u>12</u> Exhibit Ex 12, # <u>13</u> Exhibit Ex 13, # <u>14</u> Exhibit Ex 14, # <u>15</u> Exhibit Ex 15, # <u>16</u> Exhibit Ex 16, # <u>17</u> Exhibit Ex 17, # <u>18</u> Exhibit Ex 18, # <u>19</u> Exhibit Ex 19, # <u>20</u> Proposed Order Proposed ORder)(Berg, Geoffrey) (Entered: 01/24/2011)
02/07/2011	<u>71</u>	REPLY to Response to <u>67</u> MOTION for Summary Judgment, filed by Jeffrey Wayne Cotton, John C Edwards. (Attachments: # <u>1</u> Exhibit 32, 33, 34)(Giles, Norman) (Entered: 02/07/2011)
02/07/2011	<u>72</u>	OBJECTIONS to <u>70</u> Response in Opposition to Motion,, <i>Plaintiffs' Exhibits Submitted</i> , filed by Jeffrey Wayne Cotton, John C Edwards. (Attachments: # <u>1</u> Exhibit A & B, # <u>2</u> Exhibit C & D, # <u>3</u> Proposed Order)(Giles, Norman) (Entered: 02/07/2011)
02/14/2011	<u>73</u>	Joint MOTION to Vacate <u>55</u> Scheduling Order,, by Bellaire Police Department, City of Bellaire Texas, Anthony Cooper, Jeffrey Wayne Cotton, John C Edwards, Byron Holloway, Randall C Mack, Bernard Satterwhite, Cynthia Siegel, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 3/7/2011. (Attachments: # <u>1</u> Proposed Order)(Helfand, William) (Entered: 02/14/2011)
02/14/2011	<u>74</u>	ORDER granting <u>73</u> Joint MOTION to Vacate <u>55</u> Scheduling Order, The Parties Joint Motion to Vacate Remaining Deadlines outlined in <u>55</u> the 12/12/09 Scheduling Order is GRANTED.(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 02/15/2011)
02/28/2011	<u>75</u>	SURREPLY to <u>67</u> MOTION for Summary Judgment, filed by Robert R Tolan. (Berg, Geoffrey) (Entered: 02/28/2011)
02/28/2011	<u>76</u>	First RESPONSE to <u>72</u> <i>Objections to Plaintiffs' Exhibits Submitted in Opposition to Defendants' Motion For Summary Judgment</i> , filed by Robert R Tolan. (Attachments: # <u>1</u> Exhibit Defendants' Initial Disclosures)(Berg, Geoffrey) (Entered: 02/28/2011)
03/09/2011	<u>77</u>	RESPONSE to <u>75</u> Surreply to Motion for Summary Judgment, filed by Jeffrey Wayne Cotton, John C Edwards. (Giles, Norman) (Entered: 03/09/2011)
04/04/2011	<u>78</u>	REPLY to <u>76</u> Response To Defendants' Objections to Plaintiffs' Exhibits Submitted in Opposition to Defendants' Motion for Summary Judgment, filed by Jeffrey Wayne Cotton, John C Edwards. (Giles, Norman) (Entered: 04/04/2011)
03/29/2012	<u>79</u>	EXHIBITS re: <u>67</u> MOTION for Summary Judgment by Jeffrey Wayne Cotton, John C Edwards, filed. (Attachments: # <u>1</u> Exhibit 35 pp 41-81, # <u>2</u> Exhibit 35 pp 82-109, # <u>3</u> Exhibit 35 pp 110-143, # <u>4</u> Exhibit 35 pp 144-171)(Giles, Norman) (Entered: 03/29/2012)

03/31/2012	<u>80</u>	ORDER ON DEFENDANTS' OBJECTIONS TO PLAINTIFFS' EXHIBITS SUBMITTED IN OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT.(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 04/02/2012)
03/31/2012	<u>81</u>	MEMORANDUM AND ORDER ON JEFFREY WAYNE COTTON'S AND JOHN C EDWARDS'S MOTION FOR SUMMARY JUDGMENT granting <u>67</u> Motion for Summary Judgment.(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 04/02/2012)
03/31/2012	<u>82</u>	FINAL SUMMARY JUDGMENT. Case terminated as to Defendants Jeffrey Wayne Cotton and John C Edwards on March 31, 2012.(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 04/02/2012)
03/31/2012	<u>83</u>	CORRECTED MEMORANDUM AND ORDER ON JEFFREY WAYNE COTTON'S AND JOHN C. EDWARDS'S MOTION FOR SUMMARY JUDGMENT.(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 04/03/2012)
04/13/2012	<u>84</u>	BILL OF COSTS in total amount \$6755.54 by Jeffrey Wayne Cotton, John C Edwards, filed. (Attachments: # <u>1</u> Exhibit)(Helfand, William) (Entered: 04/13/2012)
04/19/2012	<u>85</u>	OBJECTIONS to <u>84</u> Bill of Costs, filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Proposed Order)(Berg, Geoffrey) (Entered: 04/19/2012)
04/26/2012	<u>86</u>	MOTION Emergency Mtn for Clarification by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 5/17/2012. (Attachments: # <u>1</u> Court 07e)(Gibson, George) (Entered: 04/26/2012)
04/27/2012	<u>87</u>	NOTICE OF APPEAL to US Court of Appeals for the Fifth Circuit re: <u>82</u> Final Judgment by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan (Filing fee \$ 455, receipt number 0541-9654122), filed. (Attachments: # <u>1</u> Court 09e)(Gibson, George) (Entered: 04/27/2012)
04/30/2012	<u>88</u>	AMENDED FINAL SUMMARY JUDGMENT Summary Judgment having been granted in the Court's (Corrected) Opinion and Order of 03/31/12, it is ORDERED that Pltfs take nothing of Defts Jeffrey Wayne Cotton and John C. Edwards and shall pay all costs of action. It is further ORDERED that pursuant to Rule 54(b), the Court expressly determines that there is no just reason for delay and directs entry of FINAL JUDGMENT as to all claims of Pltfs against Jeffrey Wayne Cotton and John C. Edwards.(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 04/30/2012)
05/01/2012		Costs Taxed in the amount of \$ 6,755.54 re: <u>84</u> Bill of Costs. (Itien,) (Entered: 05/01/2012)
05/01/2012	<u>89</u>	Amended NOTICE OF APPEAL to US Court of Appeals for the Fifth Circuit re: <u>88</u> Final Judgment,, <u>82</u> Final Judgment by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. (Attachments: # <u>1</u> Court 10e)(Gibson, George) (Entered: 05/01/2012)
05/03/2012	<u>90</u>	Notice of the Filing of an Appeal. DKT13 transcript order form was mailed to appellant (1 copies). Fee status: Paid. The following Notice of Appeal and related motions are pending in the District Court: <u>87</u> Notice of Appeal,, filed.(blacy,) (Entered: 05/03/2012)
05/03/2012	<u>91</u>	Notice of the Filing of an AMENDED Appeal. The following Notice of Appeal and related motions are pending in the District Court: <u>89</u> Notice of Appeal – Amended, filed.(blacy,) (Entered: 05/03/2012)
05/07/2012	<u>92</u>	Notice of Assignment of USCA No. 12-20296 re: <u>87</u> Notice of Appeal,, filed.(kcraig,) (Entered: 05/08/2012)
05/08/2012	<u>93</u>	MOTION Motion for Review of Clerk's Taxation of Costs by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 5/29/2012. (Attachments: # <u>1</u> Exhibit A-Decl of Bobby Tolan, # <u>2</u> Proposed Order)(Berg, Geoffrey) (Entered: 05/08/2012)

05/15/2012	<u>94</u>	REQUEST for Electronic Copy of Certified Record on Appeal re: <u>89</u> Notice of Appeal – Amended, <u>87</u> Notice of Appeal, by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed.(Gibson, George) (Entered: 05/15/2012)
05/16/2012	<u>95</u>	DKT–13 TRANSCRIPT ORDER FORM by George Gibson advising No hearings.. This order form relates to the following: <u>89</u> Notice of Appeal – Amended, <u>87</u> Notice of Appeal,, filed.(jdav,) (Entered: 05/16/2012)
05/18/2012		Electronic record on appeal certified as requested to the Fifth Circuit Court of Appeals re: <u>89</u> Notice of Appeal – Amended, <u>92</u> USCA Case Number, <u>87</u> Notice of Appeal, USCA No. 12–20296, filed.(lfilmore,) (Entered: 05/18/2012)
06/11/2012	<u>96</u>	ORDER Because there may have been confusion about this Court's jurisdiction and because Plaintiffs have raised some specific objections to <u>84</u> the Bill of Costs, the Court ORDERS Defendants Cotton and Edwards to file within ten days a response to <u>85</u> Plaintiff's Objection to Defendants' Bill of Costs and Motion to Stay taxation of Costs Pending Any Appeal.(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 06/11/2012)
06/21/2012	<u>97</u>	RESPONSE to <u>93</u> MOTION Motion for Review of Clerk's Taxation of Costs <i>and Response in Opposition to Plaintiffs' Objections to the Bill of Costs Filed</i> , filed by Jeffrey Wayne Cotton, John C Edwards. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Proposed Order)(Giles, Norman) (Entered: 06/21/2012)
06/22/2012	<u>98</u>	MOTION for Judgment by City of Bellaire Texas, filed. Motion Docket Date 7/13/2012. (Attachments: # <u>1</u> Unredacted attachment Cardenas Case, # <u>2</u> Unredacted attachment Fail Case, # <u>3</u> Unredacted attachment Hardy Case, # <u>4</u> Proposed Order)(Giles, Norman) (Entered: 06/22/2012)
06/27/2012	<u>99</u>	CD Request: Response re Certified Record on Appeal re: <u>94</u> Request for Record filed by Robert R Tolan, Bobby Tolan, Marian Tolan, Anthony Cooper, filed. (smurdock,) (Entered: 06/27/2012)
07/12/2012	<u>101</u>	OPINION AND ORDER overruling <u>85</u> Plaintiffs' objections to the bill of costs, denying <u>93</u> Plaintiff's Motion For Review And Stay pending appeal. Defendants Edwards and Cotton are entitled to recover \$6,755.54 in costs against Plaintiffs.(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 07/13/2012)
07/13/2012	<u>100</u>	Unopposed MOTION for Extension of Time to Respond to City of Bellaire's Motion for Judgment on the Pleadings (Dkt. No. 98) by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 8/3/2012. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Berg, David) (Entered: 07/13/2012)
07/17/2012	<u>102</u>	ORDER granting <u>100</u> Motion for Extension of Time. Plaintiff's Response to <u>98</u> Defendant City of Bellaire's Motion for Judgment on the Pleadings due by 7/27/2012.(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 07/18/2012)
07/27/2012	<u>103</u>	STIPULATION of Dismissal <i>Without Prejudice</i> by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. (Attachments: # <u>1</u> Proposed Order Proposed Order re Stipulated Dismissal)(Berg, David) (Entered: 07/27/2012)
07/31/2012	<u>104</u>	ORDER OF DISMISSAL WITHOUT PREJUDICE OF PLAINTIFFS' CLAIMS AGAINST DEFENDANT CITY OF BELLAIRE It is ORDERED that all claims brought against Defendant City of Bellaire are dismissed without prejudice. All costs to be taxed against the party incurring the same. Case terminated on July 31, 2012(Signed by Judge Melinda Harmon) Parties notified.(htippen,) (Entered: 07/31/2012)
08/10/2012	<u>105</u>	REQUEST for Electronic Copy of Certified Record on Appeal re: <u>89</u> Notice of Appeal – Amended, <u>87</u> Notice of Appeal, by Jeffrey Wayne Cotton, filed.(mmapps,) (Entered: 08/13/2012)
08/17/2012	<u>106</u>	CD Request: Response re Certified Record on Appeal re: <u>105</u> Request for Record filed by Jeffrey Wayne Cotton, filed. FEDEX 4220 8748 3199 Modified on 8/17/2012 (smurdock,). (Entered: 08/17/2012)

11/27/2012		Supplemental Electronic record on appeal certified to the Fifth Circuit Court of Appeals re: <u>89</u> Notice of Appeal – Amended, <u>92</u> USCA Case Number, <u>87</u> Notice of Appeal, USCA No. 12–20296, filed.(lfilmore,) (Entered: 11/27/2012)
11/27/2012	<u>108</u>	Transmittal Letter on Appeal Certified re: <u>89</u> Notice of Appeal – Amended, <u>87</u> Notice of Appeal,. A paper copy of the electronic record is being transmitted to the Fifth Circuit Court of Appeals in 14 volumes. CDs containing the electronic record previously sent to appellant, filed.(lfilmore,) Modified on 11/28/2012 (lfilmore,). UPS Tracking# 1Z7262750348092533. (Entered: 11/27/2012)
12/07/2012	<u>109</u>	RETURN of Service Executed as to Bobby Tolan on 11/28/2012 re: Writ of Execution, filed.(amwilliams) (Entered: 12/07/2012)
12/07/2012	<u>110</u>	RETURN of Service of Writ of Execution on Anthony Cooper, filed.(sguevara,) (Entered: 12/07/2012)
12/07/2012	<u>111</u>	RETURN of Service Executed as to Marian Tolan on 11/28/2012 re: Writ of Execution, filed. (wbostic) (Entered: 12/07/2012)
12/07/2012	<u>112</u>	RETURN of Service Executed as to Robert R. Tolan on 11/28/12 re: Writ of Execution, filed.(sguevara,) (Entered: 12/07/2012)
12/07/2012	<u>113</u>	NOTICE of Receipt of Record on Appeal from US Court of Appeals for the Fifth Circuit re: <u>89</u> Notice of Appeal – Amended, <u>87</u> Notice of Appeal, (USCA No. 12–20296). Record received by USCA on 11/30/2012, filed.(gkelner,) (Entered: 12/07/2012)
08/06/2013	<u>114</u>	Judgment of USCA; judgment issued as mandate Aug 1, 2013 re: <u>89</u> Notice of Appeal – Amended, <u>87</u> Notice of Appeal, ; USCA No. 12–20296. The judgment of the District Court is Affirmed, filed.(bdaniel,) (Entered: 08/06/2013)
08/06/2013	<u>115</u>	Opinion of USCA re: <u>89</u> Notice of Appeal – Amended, <u>87</u> Notice of Appeal, ; USCA No. 12–20296. the judgment in favor of Sergeant Cotton is Affirmed, filed.(bdaniel,) (Entered: 08/06/2013)
08/06/2013	<u>116</u>	Copy of Bill of Costs by USCA in the amount of \$81.60 against Appellants, Robbie Tolan and Marian Tolan (USCA No. 12–20296), filed.(bdaniel,) (Entered: 08/06/2013)
08/06/2013	<u>117</u>	Court of Appeals LETTER advising Record/original papers/exhibits to be returned. (USCA No. 12–20296), filed.(bdaniel,) (Entered: 08/06/2013)
05/12/2014	<u>118</u>	Order of USCA re: <u>89</u> Notice of Appeal – Amended ; USCA No. 12–20296. order granting certiorari, filed.(dterrell, 2) (Entered: 05/13/2014)
06/02/2014	<u>119</u>	MOTION for Benjamin L. Crump to Appear Pro Hac Vice by Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 6/23/2014. (mmapps, 4) (Entered: 06/02/2014)
06/03/2014	<u>120</u>	ORDER granting <u>119</u> Motion to Appear Pro Hac Vice as to Benjamin L. Crump.(Signed by Judge Melinda Harmon) Parties notified.(rhawkins, 4) (Entered: 06/03/2014)
06/18/2014		Supreme Court Court of Appeals LETTER advising shred 1 Box and 1 Envelope (USCA No. 13–551), filed.(cfelchak, 4) (Entered: 06/18/2014)
06/30/2014	<u>121</u>	Fifth Circuit Court of Appeals LETTER advising enclosing an opinion–order on remand (USCA No. 12–20296), filed.(dnoriega, 1) (Entered: 07/01/2014)
06/30/2014	<u>122</u>	Order of USCA – PER CURIAM; judgment issued as mandate 6/17/2014 re: <u>89</u> Notice of Appeal – Amended, <u>87</u> Notice of Appeal; USCA No. 12–20296. Affirmed in part; vacated and remanded in part, filed.(dnoriega, 1) (Entered: 07/01/2014)
06/30/2014	<u>123</u>	Order of USCA – PER CURIAM; judgment issued as mandate 6/17/2014 re: <u>89</u> Notice of Appeal – Amended, <u>87</u> Notice of Appeal; USCA No. 12–20296. Affirmed in part; vacated and remanded in part.. Case reopened on 6/30/14, filed. (Attachments: # <u>1</u> Cover Letter)(lcayce, 2) (Entered: 07/01/2014)
07/15/2014	<u>124</u>	ORDER Referring Matter to Magistrate Judge for Status/Rule 16 Conference. (Signed by Judge Melinda Harmon) Parties notified.(rvazquez) (Entered: 07/15/2014)

07/17/2014	<u>125</u>	NOTICE of Setting. Parties notified. Initial Conference set for 8/27/2014 at 10:00 AM in Courtroom 704 before Magistrate Judge Frances H Stacy, filed. (bwhite, 4) (Entered: 07/17/2014)
08/27/2014	<u>126</u>	NOTICE of Appearance by Daryl K. Washington on behalf of Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. (Washington, Daryl) (Entered: 08/27/2014)
08/27/2014		Minute Entry for proceedings held before Magistrate Judge Frances H Stacy. SCHEDULING CONFERENCE held on 8/27/2014 ; docket control order to follow. Appearances:U Lawrence Boze. William Scott Helfand, Daryl Kevin Washington, Benjamin L Crump.(Court Reporter: ERO)(Digital # 10:07 – 10:15)(ERO:C Felchak), filed.(bwhite, 4) (Entered: 08/27/2014)
08/27/2014	<u>127</u>	SCHEDULING ORDER. Amended Pleadings due by 12/5/2014. Joinder of Parties due by 12/5/2014 Pltf Expert Witness List due by 2/17/2015. Pltf Expert Report due by 2/17/2015. Deft Expert Witness List due by 4/1/2015. Deft Expert Report due by 4/1/2015. Discovery due by 5/27/2015. Dispositive Motion Filing due by 6/30/2015. Non-Dispositive Motion Filing due by 6/30/2015. Joint Pretrial Order due by 8/31/2015. Docket Call set for 9/11/2015 at 01:30 PM before Judge Melinda Harmon. Trial Term by 9/14/2015(Signed by Judge Melinda Harmon) Parties notified.(bwhite, 4) (Entered: 08/27/2014)
08/27/2014	<u>128</u>	NOTICE of Appearance by Uriele Lawrence Boze' on behalf of Robert R Tolan, filed. (Boze, Uriele) (Entered: 08/27/2014)
08/28/2014	<u>129</u>	MOTION to Substitute Attorney Benjamin Crump in place of David Berg by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 9/18/2014. (Attachments: # <u>1</u> Proposed Order)(Berg, Geoffrey) (Entered: 08/28/2014)
08/28/2014	<u>130</u>	MOTION to Withdraw <u>129</u> MOTION to Substitute Attorney Benjamin Crump in place of David Berg by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 9/18/2014. (Berg, Geoffrey) (Entered: 08/28/2014)
09/02/2014	<u>131</u>	MOTION to Substitute Attorney Benjamin L. Crump in place of David Berg by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 9/23/2014. (Attachments: # <u>1</u> Proposed Order)(Berg, Geoffrey) (Entered: 09/02/2014)
09/22/2014	<u>132</u>	RESPONSE in Opposition to <u>131</u> MOTION to Substitute Attorney Benjamin L. Crump in place of David Berg, filed by Jeffrey Wayne Cotton. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Helfand, William) (Entered: 09/22/2014)
09/24/2014	<u>133</u>	REPLY in Support of <u>131</u> MOTION to Substitute Attorney Benjamin L. Crump in place of David Berg, filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Exhibit A)(Berg, Geoffrey) (Entered: 09/24/2014)
10/07/2014	<u>134</u>	Opposed MOTION for Leave to File Amended Complaint by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 10/28/2014. (Attachments: # <u>1</u> Exhibit 1: Proposed Amended Complaint, # <u>2</u> Proposed Order)(Berg, Geoffrey) (Entered: 10/07/2014)
10/27/2014	<u>135</u>	RESPONSE in Opposition to <u>134</u> Opposed MOTION for Leave to File Amended Complaint, filed by Jeffrey Wayne Cotton. (Helfand, William) (Entered: 10/27/2014)
11/04/2014	<u>136</u>	REPLY to Response to <u>134</u> Opposed MOTION for Leave to File Amended Complaint, filed by Robert R Tolan. (Washington, Daryl) (Entered: 11/04/2014)
01/23/2015	<u>137</u>	Opposed AMENDED <u>134</u> MOTION by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 2/13/2015. (Attachments: # <u>1</u> Exhibit Proposed Plaintiffs' First Amended Complaint)(Washington, Daryl) (Entered: 01/23/2015)
02/10/2015	<u>138</u>	NOTICE of Referral of Motion to Magistrate Judge Frances H. Stacy re <u>131</u> MOTION to Substitute Attorney Benjamin L. Crump in place of David Berg, <u>137</u> Opposed AMENDED <u>134</u> MOTION, <u>134</u> Opposed MOTION for Leave to File Amended Complaint, filed. (amwilliams, 4) (Entered: 02/10/2015)

02/12/2015	<u>139</u>	RESPONSE in Opposition to <u>137</u> Opposed AMENDED <u>134</u> MOTION, <u>134</u> Opposed MOTION for Leave to File Amended Complaint, filed by Jeffrey Wayne Cotton. (Attachments: # <u>1</u> Proposed Order)(Helfand, William) (Entered: 02/12/2015)
02/13/2015	<u>140</u>	NOTICE of Referral of Motion to Magistrate Judge Frances H. Stacy re <u>137</u> Opposed AMENDED <u>134</u> MOTION, filed. (amwilliams, 4) (Entered: 02/13/2015)
02/17/2015	<u>141</u>	DESIGNATION OF EXPERT WITNESS LIST by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed.(Washington, Daryl) (Entered: 02/17/2015)
02/19/2015	<u>142</u>	ORDER granting <u>131</u> Motion to Substitute Attorney Benjamin L. Crump and Attorney Daryl K. Washington for Plaintiffs; Attorney George R Gibson; Nathan Sommers Jacobs, David H Berg and Geoffrey Alan Berg terminated.(Signed by Magistrate Judge Frances H Stacy) Parties notified.(bwhite, 4) (Entered: 02/19/2015)
02/20/2015	<u>143</u>	ORDER mootng <u>134</u> Motion for Leave to File; granting <u>137</u> Amended Motion.(Signed by Magistrate Judge Frances H Stacy) Parties notified.(bwhite, 4) (Entered: 02/20/2015)
02/20/2015	<u>144</u>	Plaintiff's First Amended Complaint by Anthony Cooper, Robert Tolan, Marian Tolan, and Bobby Tolan, filed.(bwhite, 4) (Entered: 02/20/2015)
03/06/2015	<u>145</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Bellaire Police Department, City of Bellaire Texas, Jeffrey Wayne Cotton, filed. Motion Docket Date 3/27/2015. (Attachments: # <u>1</u> Proposed Order)(Helfand, William) (Entered: 03/06/2015)
03/24/2015	<u>146</u>	Unopposed MOTION for Extension of Time File a Response to Defendants' Motion to Dismiss by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 4/14/2015. (Attachments: # <u>1</u> Proposed Order Unopposed Motion for Extension of time to File a Response)(Washington, Daryl) (Entered: 03/24/2015)
03/27/2015	<u>147</u>	ORDER granting <u>146</u> Motion for Extension of Time. Plaintiffs to file a response to Defendants' Motion to Dismiss <u>145</u> within 14 days.(Signed by Judge Melinda Harmon) Parties notified.(rhawkins) (Entered: 03/30/2015)
04/01/2015	<u>148</u>	MOTION for Extension of Time to Enlarge Deadline for Defendants to Designate Expert Witnesses by Jeffrey Wayne Cotton, filed. Motion Docket Date 4/22/2015. (Helfand, William) (Entered: 04/01/2015)
04/02/2015	<u>149</u>	NOTICE of Referral of Motion to Magistrate Judge Frances H. Stacy re <u>148</u> MOTION for Extension of Time to Enlarge Deadline for Defendants to Designate Expert Witnesses, filed. (rhawkins) (Entered: 04/02/2015)
04/05/2015	<u>150</u>	NOTICE of Appearance by Matthew J. Kita on behalf of Marian Tolan, Robert R Tolan, filed. (Kita, Matthew) (Entered: 04/05/2015)
04/06/2015	<u>151</u>	RESPONSE in Opposition to <u>148</u> MOTION for Extension of Time to Enlarge Deadline for Defendants to Designate Expert Witnesses, filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Proposed Order)(Washington, Daryl) (Entered: 04/06/2015)
04/07/2015	<u>152</u>	RESPONSE in Opposition to <u>145</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM , filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Exhibit A -- Fifth Circuit Brief, # <u>2</u> Exhibit B -- Petition for Writ of Certiorari, # <u>3</u> Exhibit 3 -- Chart of Causes of Action)(Kita, Matthew) (Entered: 04/07/2015)
04/13/2015	<u>153</u>	REPLY to Response to <u>148</u> MOTION for Extension of Time to Enlarge Deadline for Defendants to Designate Expert Witnesses, filed by Jeffrey Wayne Cotton. (Helfand, William) (Entered: 04/13/2015)
04/22/2015	<u>154</u>	ORDER denying <u>148</u> Motion to Enlarge Deadline for Defts to Designate Expert Witnesses. Defts, however, shall have 14 days from the date this Order is entered to designate experts and provide expert reports and the discovery deadline is extended to June 12, 2015. (Signed by Magistrate Judge Frances H Stacy) Parties notified. (rnieto, 1) (Entered: 04/23/2015)

05/08/2015	<u>155</u>	REPLY to Response to <u>145</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM , filed by Jeffrey Wayne Cotton. (Helfand, William) (Entered: 05/08/2015)
05/12/2015	<u>156</u>	SURREPLY to <u>145</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM , filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Kita, Matthew) (Entered: 05/12/2015)
06/30/2015	<u>157</u>	MOTION for Summary Judgment by Jeffrey Wayne Cotton, filed. Motion Docket Date 7/21/2015. (Attachments: # <u>1</u> Proposed Order)(Helfand, William) (Entered: 06/30/2015)
06/30/2015	<u>158</u>	MOTION for Summary Judgment by City of Bellaire Texas, filed. Motion Docket Date 7/21/2015. (Attachments: # <u>1</u> Exhibit 36, # <u>2</u> Exhibit 37, # <u>3</u> Exhibit 38, # <u>4</u> Exhibit 39, # <u>5</u> Exhibit 40, # <u>6</u> Exhibit 41, # <u>7</u> Exhibit 42, # <u>8</u> Exhibit 43, # <u>9</u> Exhibit 44, # <u>10</u> Exhibit 45, # <u>11</u> Exhibit 46, # <u>12</u> Exhibit 47, # <u>13</u> Exhibit 48, # <u>14</u> Exhibit 49, # <u>15</u> Exhibit 50, # <u>16</u> Exhibit 51, # <u>17</u> Exhibit 52, # <u>18</u> Exhibit 53, # <u>19</u> Exhibit 54, # <u>20</u> Exhibit 55, # <u>21</u> Exhibit 56, # <u>22</u> Proposed Order)(Helfand, William) (Entered: 06/30/2015)
06/30/2015	<u>159</u>	MOTION to Strike <i>Plaintiffs' Damage Claims</i> by City of Bellaire Texas, Jeffrey Wayne Cotton, filed. Motion Docket Date 7/21/2015. (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, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit American Realty Trust Inc v Matisse Partners LLC, # <u>18</u> Proposed Order)(Helfand, William) (Entered: 06/30/2015)
06/30/2015	<u>160</u>	MOTION for Separate Trial by City of Bellaire Texas, Jeffrey Wayne Cotton, filed. Motion Docket Date 7/21/2015. (Attachments: # <u>1</u> Proposed Order)(Helfand, William) (Entered: 06/30/2015)
06/30/2015	<u>161</u>	Opposed MOTION to Exclude Expert Testimony of Stan Smith by City of Bellaire Texas, Jeffrey Wayne Cotton, filed. Motion Docket Date 7/21/2015. (Attachments: # <u>1</u> Exhibit 61, # <u>2</u> Proposed Order)(Helfand, William) (Entered: 06/30/2015)
06/30/2015	<u>162</u>	Opposed MOTION to Exclude Expert Testimony of George Kenneth Griffey, Sr., George Kenneth Griffey, Jr., Dennis Gilbert, Tony Torasco and Danel Coles by City of Bellaire Texas, Jeffrey Wayne Cotton, filed. Motion Docket Date 7/21/2015. (Attachments: # <u>1</u> Exhibit 63, # <u>2</u> Exhibit Bell v. Illinois Central Railroad Company, # <u>3</u> Exhibit Huffman v. Conroe, # <u>4</u> Proposed Order)(Helfand, William) (Entered: 06/30/2015)
06/30/2015	<u>163</u>	Opposed MOTION to Exclude Expert Testimony of Dmitri Young by City of Bellaire Texas, Jeffrey Wayne Cotton, filed. Motion Docket Date 7/21/2015. (Attachments: # <u>1</u> Exhibit 59, # <u>2</u> Exhibit 60, # <u>3</u> Exhibit Bell v. Illinois Central Railroad Company, # <u>4</u> Exhibit Huffman v. Conroe, # <u>5</u> Proposed Order)(Helfand, William) (Entered: 06/30/2015)
06/30/2015	<u>164</u>	Opposed MOTION to Exclude Expert Testimony of Bill Flynn by City of Bellaire Texas, Jeffrey Wayne Cotton, filed. Motion Docket Date 7/21/2015. (Attachments: # <u>1</u> Exhibit 62, # <u>2</u> Proposed Order)(Helfand, William) (Entered: 06/30/2015)
06/30/2015	<u>165</u>	Opposed MOTION to Exclude Expert Testimony of William Gaut by City of Bellaire Texas, Jeffrey Wayne Cotton, filed. Motion Docket Date 7/21/2015. (Attachments: # <u>1</u> Exhibit 57, # <u>2</u> Exhibit 58, # <u>3</u> Proposed Order)(Helfand, William) (Entered: 06/30/2015)
06/30/2015	<u>166</u>	Opposed MOTION to Exclude Defendants' Expert Albert Rodriguez by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 7/21/2015. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Proposed Order)(Washington, Daryl) (Entered: 06/30/2015)
06/30/2015	<u>167</u>	Corrected MOTION to Exclude Defendants' Expert Albert Rodriguez by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 7/21/2015. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Proposed Order)(Washington, Daryl) (Entered: 06/30/2015)

06/30/2015	<u>168</u>	Opposed MOTION to Exclude Defendants' Expert William Lewinski by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 7/21/2015. (Attachments: # <u>1</u> Appendix, # <u>2</u> Proposed Order)(Washington, Daryl) (Entered: 06/30/2015)
07/02/2015	<u>169</u>	NOTICE of Referral of Motion to Magistrate Judge Frances H. Stacy re <u>166</u> Opposed MOTION to Exclude Defendants' Expert Albert Rodriguez, <u>168</u> Opposed MOTION to Exclude Defendants' Expert William Lewinski, <u>163</u> Opposed MOTION to Exclude Expert Testimony of Dmitri Young, <u>164</u> Opposed MOTION to Exclude Expert Testimony of Bill Flynn, <u>167</u> Corrected MOTION to Exclude Defendants' Expert Albert Rodriguez, <u>159</u> MOTION to Strike <i>Plaintiffs' Damage Claims</i> , <u>162</u> Opposed MOTION to Exclude Expert Testimony of George Kenneth Griffey, Sr., George Kenneth Griffey, Jr., Dennis Gilbert, Tony Torasco and Darnel Coles, <u>165</u> Opposed MOTION to Exclude Expert Testimony of William Gaut, filed. (rhawkins) (Entered: 07/02/2015)
07/02/2015	<u>170</u>	Unopposed MOTION for Extension of Time to File Responses to Defendants' Pre-Trial Motions by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 7/23/2015. (Kita, Matthew) (Entered: 07/02/2015)
07/07/2015	<u>171</u>	Unopposed PROPOSED ORDER re: <u>170</u> Unopposed MOTION for Extension of Time to File Responses to Defendants' Pre-Trial Motions, filed.(Washington, Daryl) (Entered: 07/07/2015)
07/15/2015	<u>172</u>	EMERGENCY MOTION, MOTION for Continuance of Continuance Under FRCP 56(d) of Defendants' Motions for Summary Judgment(Motion Docket Date 8/5/2015.) by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6, # <u>7</u> Exhibit Exhibit 7, # <u>8</u> Exhibit Exhibit 8, # <u>9</u> Exhibit Exhibit 9, # <u>10</u> Exhibit Exhibit 10, # <u>11</u> Exhibit Exhibit 11, # <u>12</u> Exhibit Exhibit 12, # <u>13</u> Exhibit Exhibit 13, # <u>14</u> Exhibit Exhibit 14, # <u>15</u> Exhibit Exhibit 15, # <u>16</u> Exhibit Exhibit 16, # <u>17</u> Exhibit Exhibit 17)(Washington, Daryl) (Entered: 07/15/2015)
07/16/2015	<u>173</u>	ORDER granting <u>170</u> Motion for Extension of Time.(Signed by Judge Melinda Harmon) Parties notified.(rhawkins) (Entered: 07/16/2015)
07/20/2015	<u>174</u>	RESPONSE in Opposition to <u>168</u> Opposed MOTION to Exclude Defendants' Expert William Lewinski, filed by Jeffrey Wayne Cotton. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Helfand, William) (Entered: 07/20/2015)
07/20/2015	<u>175</u>	RESPONSE in Opposition to <u>167</u> Corrected MOTION to Exclude Defendants' Expert Albert Rodriguez, filed by City of Bellaire Texas, Jeffrey Wayne Cotton. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Helfand, William) (Entered: 07/20/2015)
07/22/2015	<u>176</u>	PROPOSED ORDER re: <u>172</u> EMERGENCY MOTION MOTION for Continuance of Continuance Under FRCP 56(d) of Defendants' Motions for Summary Judgment, <u>157</u> MOTION for Summary Judgment , <u>158</u> MOTION for Summary Judgment , filed.(Washington, Daryl) (Entered: 07/22/2015)
07/28/2015	<u>177</u>	ORDER on Plaintiffs' Emergency Motion for Continuance (Signed by Judge Melinda Harmon) Parties notified.(rhawkins) (Entered: 07/28/2015)
07/30/2015	<u>178</u>	RESPONSE in Opposition to <u>165</u> Opposed MOTION to Exclude Expert Testimony of William Gaut, filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Exhibit)(Washington, Daryl) (Entered: 07/30/2015)
07/30/2015	<u>179</u>	RESPONSE in Opposition to <u>163</u> Opposed MOTION to Exclude Expert Testimony of Dmitri Young, filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Washington, Daryl) (Entered: 07/30/2015)
07/30/2015	<u>180</u>	RESPONSE in Opposition to <u>162</u> Opposed MOTION to Exclude Expert Testimony of George Kenneth Griffey, Sr., George Kenneth Griffey, Jr., Dennis Gilbert, Tony Torasco and Darnel Coles, filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Exhibit)(Washington, Daryl) (Entered: 07/30/2015)

07/30/2015	<u>181</u>	RESPONSE in Opposition to <u>159</u> MOTION to Strike <i>Plaintiffs' Damage Claims</i> , filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Exhibit A – Expert Report, # <u>2</u> Exhibit B – Plaintiffs' Supplemental Disclosure Responses, # <u>3</u> Exhibit C – Wright & Miller Treatise)(Kita, Matthew) (Entered: 07/30/2015)
07/30/2015	<u>182</u>	Corrected RESPONSE in Opposition to <u>163</u> Opposed MOTION to Exclude Expert Testimony of Dmitri Young, filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Exhibit)(Washington, Daryl) (Entered: 07/30/2015)
07/30/2015	<u>183</u>	RESPONSE in Opposition to <u>164</u> Opposed MOTION to Exclude Expert Testimony of Bill Flynn, filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Exhibit)(Washington, Daryl) (Entered: 07/30/2015)
07/30/2015	<u>184</u>	RESPONSE in Opposition to <u>161</u> Opposed MOTION to Exclude Expert Testimony of Stan Smith, filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Exhibit)(Washington, Daryl) (Entered: 07/30/2015)
07/30/2015	<u>185</u>	RESPONSE in Opposition to <u>160</u> MOTION for Separate Trial, filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Washington, Daryl) (Entered: 07/30/2015)
08/04/2015	<u>186</u>	RESPONSE in Opposition to <u>172</u> EMERGENCY MOTION MOTION for Continuance of Continuance Under FRCP 56(d) of Defendants' Motions for Summary Judgment, filed by City of Bellaire Texas, Jeffrey Wayne Cotton. (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, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Proposed Order)(Helfand, William) (Entered: 08/04/2015)
08/05/2015	<u>187</u>	REPLY to <u>186</u> Response in Opposition to Motion,, <i>and in support of Plaintiffs' Emergency Motion for Continuance</i> , filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Washington, Daryl) (Entered: 08/05/2015)
08/10/2015	<u>188</u>	REPLY to Response to <u>164</u> Opposed MOTION to Exclude Expert Testimony of Bill Flynn, filed by City of Bellaire Texas, Jeffrey Wayne Cotton. (Helfand, William) (Entered: 08/10/2015)
08/10/2015	<u>189</u>	REPLY to Response to <u>165</u> Opposed MOTION to Exclude Expert Testimony of William Gaut, filed by City of Bellaire Texas, Jeffrey Wayne Cotton. (Helfand, William) (Entered: 08/10/2015)
08/10/2015	<u>190</u>	REPLY to Response to <u>162</u> Opposed MOTION to Exclude Expert Testimony of George Kenneth Griffey, Sr., George Kenneth Griffey, Jr., Dennis Gilbert, Tony Torasco and Darnel Coles, filed by City of Bellaire Texas, Jeffrey Wayne Cotton. (Helfand, William) (Entered: 08/10/2015)
08/14/2015	<u>191</u>	OPINION AND ORDER denying <u>172</u> Motion for Emergency. Plaintiffs have ten days from the date of the entry of this Opinion and Order to file responses to Defendants' Motions for Summary Judgment.(Signed by Judge Melinda Harmon) Parties notified.(rhawkins) (Entered: 08/14/2015)
08/18/2015	<u>192</u>	ORDER denying <u>159</u> Motion to Strike damages Claims.(Signed by Magistrate Judge Frances H Stacy) Parties notified.(bwhite, 4) (Entered: 08/18/2015)
08/18/2015	<u>193</u>	ORDER denying <u>162</u> Motion to Exclude testimony.(Signed by Magistrate Judge Frances H Stacy) Parties notified.(bwhite, 4) (Entered: 08/18/2015)
08/18/2015	<u>194</u>	ORDER denying <u>163</u> Motion to Exclude testimony.(Signed by Magistrate Judge Frances H Stacy) Parties notified.(bwhite, 4) (Entered: 08/18/2015)
08/18/2015	<u>195</u>	ORDER granting <u>164</u> Motion to Exclude testimony.(Signed by Magistrate Judge Frances H Stacy) Parties notified.(bwhite, 4) (Entered: 08/18/2015)
08/18/2015	<u>196</u>	ORDER denying <u>166</u> Motion to Exclude; denying <u>167</u> Motion to Exclude.(Signed by Magistrate Judge Frances H Stacy) Parties notified.(bwhite, 4) (Entered: 08/18/2015)
08/21/2015	<u>197</u>	Opposed OBJECTIONS to <u>193</u> Order on Motion to Exclude <i>the Testimony of George Kenneth Griffey, Sr., George Kenneth Griffey, Jr., Dennis Gilbert, Tony Torasco, and</i>

		<i>Darnel Coles</i> , filed by City of Bellaire Texas, Jeffrey Wayne Cotton. (Attachments: # <u>1</u> Exhibit Huffman v. Conroe, # <u>2</u> Proposed Order)(Helfand, William) (Entered: 08/21/2015)
08/24/2015	<u>198</u>	OBJECTIONS to <u>157</u> MOTION for Summary Judgment , <u>158</u> MOTION for Summary Judgment <i>and Motion to Strike Summary Judgment Evidence</i> , filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Kita, Matthew) (Entered: 08/24/2015)
08/24/2015	<u>199</u>	RESPONSE in Opposition to <u>158</u> MOTION for Summary Judgment , filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Exhibit A – Chart of Allegations, # <u>2</u> Exhibit B – Fifth Circuit Brief, # <u>3</u> Exhibit C – Petition for Writ of Certiorari, # <u>4</u> Exhibit D – Gaut Report, # <u>5</u> Exhibit E – Gaut Affidavit)(Kita, Matthew) (Entered: 08/24/2015)
08/24/2015	<u>200</u>	Filed in Error, filed in error per caller and refiled <u>201</u> , Modified on 8/25/2015 (pyebernetsky, 4). (Entered: 08/24/2015)
08/24/2015	<u>201</u>	RESPONSE in Opposition to <u>157</u> MOTION for Summary Judgment , filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 6, # <u>6</u> Exhibit Exhibit 7, # <u>7</u> Exhibit Exhibit 8, # <u>8</u> Exhibit Exhibit 9, # <u>9</u> Exhibit Exhibit 10, # <u>10</u> Exhibit Exhibit 13, # <u>11</u> Exhibit exhibit 12)(Washington, Daryl) (Entered: 08/25/2015)
08/25/2015	<u>202</u>	Supplemental EXHIBITS re: <u>201</u> Response in Opposition to Motion, by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. (Attachments: # <u>1</u> Exhibit Exhibit 14, # <u>2</u> Exhibit Exhibit 15, # <u>3</u> Exhibit Exhibit 16, # <u>4</u> Exhibit Exhibit 17, # <u>5</u> Exhibit Exhibit 18, # <u>6</u> Exhibit Exhibit 19, # <u>7</u> Exhibit Exhibit 20, # <u>8</u> Exhibit Exhibit 21, # <u>9</u> Exhibit Exhibit 22)(Washington, Daryl) (Entered: 08/25/2015)
08/25/2015	<u>203</u>	Supplemental EXHIBITS re: <u>201</u> Response in Opposition to Motion, by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed.(Washington, Daryl) (Entered: 08/25/2015)
08/28/2015	<u>204</u>	ORDER denying <u>165</u> Motion to Exclude; denying <u>168</u> Motion to Exclude.(Signed by Magistrate Judge Frances H Stacy) Parties notified.(bwhite, 4) (Entered: 08/28/2015)
08/31/2015	<u>205</u>	Proposed Pretrial Order by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan (Attachments: # <u>1</u> Exhibit Plaintiffs' Exhibit List, # <u>2</u> Exhibit Plaintiffs' Witness List, # <u>3</u> Exhibit Plaintiffs' Proposed Questionnaire and Voir Dire Questions, # <u>4</u> Exhibit Plaintiffs' Proposed Jury Charge and Instructions)(Washington, Daryl) (Entered: 08/31/2015)
09/01/2015	<u>206</u>	REPLY to Response to <u>158</u> MOTION for Summary Judgment , filed by City of Bellaire Texas. (Helfand, William) (Entered: 09/01/2015)
09/02/2015	<u>207</u>	OBJECTIONS to <u>201</u> Response in Opposition to Motion, , filed by Jeffrey Wayne Cotton. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 09/02/2015)
09/02/2015	<u>208</u>	OBJECTIONS to <u>199</u> Response in Opposition to Motion, , filed by City of Bellaire Texas. (Attachments: # <u>1</u> Exhibit Ex. 63 – Gaut Depo Ex. 4, # <u>2</u> Exhibit Ex. 64 – Gaut Depo Excerpts, # <u>3</u> Proposed Order)(Giles, Norman) (Entered: 09/02/2015)
09/03/2015	<u>209</u>	REPLY to Response to <u>157</u> MOTION for Summary Judgment , filed by Jeffrey Wayne Cotton. (Helfand, William) (Entered: 09/03/2015)
09/04/2015	<u>210</u>	REPLY to <u>197</u> Objections, <u>193</u> Order on Motion to Exclude <i>George Keneth Griffey, Sr., George Keneth Griffey, Jr., Dennis Gilbert, Tony Torasco and Darnell Coles</i> , filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Washington, Daryl) (Entered: 09/04/2015)
09/04/2015	<u>211</u>	Letter from William S. Helfand re: joint pretrial order, filed. (rhawkins) (Entered: 09/04/2015)
09/04/2015	<u>212</u>	Letter from Daryl K. Washington re: response to Helfrand letter, filed. (rhawkins) (Entered: 09/04/2015)

09/08/2015	<u>213</u>	RESPONSE to <u>208</u> Objections <i>PLAINTIFFS EXHIBITS SUBMITTED</i> , filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Exhibit Deposition Testimony of Dr. William Gaut, # <u>2</u> Exhibit Affidavits supporting claim of selective enforcement)(Washington, Daryl) (Entered: 09/08/2015)
09/08/2015	<u>214</u>	SURREPLY to <u>158</u> MOTION for Summary Judgment , filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Washington, Daryl) (Entered: 09/08/2015)
09/08/2015	<u>215</u>	Opposed OBJECTIONS to <u>204</u> Order on Motion to Exclude, , filed by City of Bellaire Texas, Jeffrey Wayne Cotton. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 09/08/2015)
09/09/2015		***Set/Reset Hearings: Jury Trial set for 9/14/2015 at 09:00 AM in Courtroom 9C before Judge Melinda Harmon (rhawkins) (Entered: 09/09/2015)
09/09/2015	<u>216</u>	RESPONSE to <u>198</u> Objections , filed by City of Bellaire Texas, Jeffrey Wayne Cotton. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 09/09/2015)
09/09/2015	<u>217</u>	RESPONSE to <u>207</u> Objections to <i>Plaintiffs' Exhibits Submitted in Opposition to Defendant Cotton's Motion for Summary Judgment</i> , filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Attachments: # <u>1</u> Exhibit Declaration of Daryl K. Washington, # <u>2</u> Exhibit Error Notice, # <u>3</u> Exhibit Defendants' Third Supplemental Disclosures)(Washington, Daryl) (Entered: 09/09/2015)
09/09/2015	<u>218</u>	EXHIBITS re: <u>216</u> Response by City of Bellaire Texas, Jeffrey Wayne Cotton, filed.(Giles, Norman) (Entered: 09/09/2015)
09/09/2015	<u>219</u>	SURREPLY to <u>157</u> MOTION for Summary Judgment , filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Washington, Daryl) (Entered: 09/09/2015)
09/09/2015	<u>220</u>	OBJECTIONS to <u>213</u> Response, , filed by City of Bellaire Texas, Jeffrey Wayne Cotton. (Attachments: # <u>1</u> Proposed Order)(Giles, Norman) (Entered: 09/09/2015)
09/09/2015	<u>221</u>	Joint Proposed Pretrial Order by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan (Attachments: # <u>1</u> Exhibit Plaintiffs' Exhibit List, # <u>2</u> Exhibit Defendants' Exhibit List, # <u>3</u> Exhibit Plaintiffs' List of Witnesses, # <u>4</u> Exhibit Defendants' List of Witnesses, # <u>5</u> Exhibit Plaintiffs' Jury Questionnaire and Voir Dire, # <u>6</u> Exhibit Defendants' Voir Dire Questions, # <u>7</u> Exhibit Plaintiffs' Jury Charge Questions, # <u>8</u> Exhibit Defendants' Jury Charge Questions)(Washington, Daryl) (Entered: 09/09/2015)
09/09/2015	<u>222</u>	MOTION In Limine by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 9/30/2015. (Washington, Daryl) (Entered: 09/09/2015)
09/09/2015	<u>223</u>	MOTION In Limine by City of Bellaire Texas, Jeffrey Wayne Cotton, filed. Motion Docket Date 9/30/2015. (Attachments: # <u>1</u> Proposed Order)(Helfand, William) (Entered: 09/09/2015)
09/11/2015	<u>224</u>	NOTICE of Appearance by Aubrey "Nick" Pittman on behalf of Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. (Pittman, Aubrey) (Entered: 09/11/2015)
09/11/2015	<u>225</u>	ORDER ON DEFENDANT CITY OF BVELLAIRE'S MOTION FOR SUMMARY JUDGMENT granting <u>158</u> MOTION for Summary Judgment (Signed by Judge Melinda Harmon) Parties notified.(rhawkins) (Entered: 09/11/2015)
09/11/2015		***Set/Reset Deadlines/Hearings: Jury Trial set for 9/15/2015 at 09:00 AM in Courtroom 9C before Judge Melinda Harmon (rhawkins) (Entered: 09/11/2015)
09/11/2015		Minute Entry for proceedings held before Judge Melinda Harmon. DOCKET CALL held on 9/11/2015. The parties will proceed to trial. Jury selection to begin at 9:00 a.m. on 9/15/2015 Appearances: Daryl Kevin Washington, Benjamin L Crump, Matthew Joseph Kita, Aubrey Pittman, William Scott Helfand, Norman Ray Giles.(Court Reporter: M. Malone), filed.(rhawkins) (Entered: 09/11/2015)

09/12/2015	<u>226</u>	MOTION for Natalie A. Jackson to Appear Pro Hac Vice by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 10/5/2015. (Washington, Daryl) (Entered: 09/12/2015)
09/13/2015	<u>227</u>	Opposed MOTION for Recusal by Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 10/5/2015. (Attachments: # <u>1</u> Exhibit Robert R. Tolan's Affidavit, # <u>2</u> Exhibit Ben Crump's Certificate of Good Faith)(Crump, Benjamin) Modified on 9/14/2015 (mmapps, 4). (Per attorney this document was filed in error.) (Entered: 09/13/2015)
09/13/2015	<u>228</u>	EMERGENCY MOTION by Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 10/5/2015. (Attachments: # <u>1</u> Exhibit Robert R. Tolan's Affidavit, # <u>2</u> Exhibit Ben Crump's Certificate of Good Faith)(Crump, Benjamin) (Entered: 09/13/2015)
09/14/2015	<u>229</u>	SUPPLEMENT to <u>223</u> MOTION In Limine by Jeffrey Wayne Cotton, filed.(Giles, Norman) (Entered: 09/14/2015)
09/14/2015	<u>230</u>	Amended EXHIBITS re: <u>221</u> Proposed Pretrial Order., by Jeffrey Wayne Cotton(Giles, Norman) (Entered: 09/14/2015)
09/14/2015	<u>231</u>	OPINION AND ORDER reversing <u>193</u> Magistrate Judge's Order of 8/18/2015 and granting <u>162</u> Defendants' motion to exclude the testimony of the five proposed expert witnesses.(Signed by Judge Melinda Harmon) Parties notified.(rhawkins) (Entered: 09/14/2015)
09/14/2015	<u>232</u>	RESPONSE to <u>204</u> Order on Motion to Exclude, <u>215</u> Objections , filed by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan. (Washington, Daryl) (Entered: 09/14/2015)
09/14/2015	<u>233</u>	ORDER granting <u>226</u> Motion to Appear Pro Hac Vice as to Natalie A. Jackson.(Signed by Judge Melinda Harmon) Parties notified.(rhawkins) (Entered: 09/14/2015)
09/14/2015	<u>234</u>	ORDER ON PLAINTIFFS' EMERGENCY MOTION FOR RECUSAL AND REQUEST FOR LEAVE TO FILE MOTION TO TRANSFER on <u>228</u> denying Robert R. Tolans Motion to Recuse, denying the motion for continuance and denying the Request for Leave to File Motion to Transfer. (Signed by Judge Melinda Harmon) Parties notified. (rhawkins) (Entered: 09/14/2015)
09/14/2015	<u>235</u>	EMERGENCY MOTION by Bobby Tolan, Marian Tolan, Robert R Tolan, filed. Motion Docket Date 10/5/2015. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Crump, Benjamin) (Entered: 09/14/2015)
09/14/2015	<u>236</u>	OBJECTIONS to <u>221</u> Proposed Pretrial Order., <i>Plaintiffs' Trial Exhibits</i> , filed by Jeffrey Wayne Cotton. (Giles, Norman) (Entered: 09/14/2015)
09/14/2015	<u>237</u>	ORDER ON MOTION TO RECONSIDER DENIAL OF RECUSAL denying <u>235</u> Motion for Emergency for Reconsideration.(Signed by Judge Melinda Harmon) Parties notified.(rhawkins) (Entered: 09/14/2015)
09/15/2015		Minute Entry for proceedings held before Judge Melinda Harmon. First day of JURY TRIAL held on 9/15/2015. Several conferences with the Court and counsel held in Chambers. Parties announced resolution of the case. Trial cancelled; jury panel released. Appearances: Daryl Kevin Washington, Benjamin L Crump, Matthew Joseph Kita, Aubrey Pittman, William Scott Helfand, Norman Ray Giles, Natalie A Jackson.(Court Reporter: M. Malone), filed.(rhawkins) (Entered: 09/15/2015)
10/14/2015	<u>238</u>	AO 435 TRANSCRIPT ORDER FORM by Charlie Jones. This is to order a transcript of Pre-Trial Hearing held on 9/11/2015 before Judge Melinda Harmon. Court Reporter/Transcriber: M. Malone, filed. (sguevara, 4) (Entered: 10/15/2015)
10/29/2015	<u>239</u>	STIPULATION of Dismissal by Anthony Cooper, Bobby Tolan, Marian Tolan, Robert R Tolan, filed. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Washington, Daryl) (Entered: 10/29/2015)
10/30/2015	<u>240</u>	TRANSCRIPT re: Docket Call held on September 11, 2015 before Judge Melinda Harmon. Court Reporter/Transcriber Mayra Malone. Ordering Party Charlie Jones Release of Transcript Restriction set for 1/28/2016., filed. (mmalone,) (Entered: 10/30/2015)

		10/30/2015)
10/30/2015	<u>241</u>	TRANSCRIPT re: Hearing held on September 15, 2015 before Judge Melinda Harmon. Court Reporter/Transcriber Mayra Malone. Ordering Party Charlie Jones Release of Transcript Restriction set for 1/28/2016., filed. (mmalone,) (Entered: 10/30/2015)
11/02/2015	<u>242</u>	Notice of Filing of Official Transcript as to <u>240</u> Transcript, <u>241</u> Transcript. Party notified, filed. (hcarr, 4) (Entered: 11/02/2015)
11/04/2015	<u>243</u>	ORDER OF DISMISSAL and FINAL JUDGMENT. Case terminated on 11/4/15.(Signed by Judge Melinda Harmon) Parties notified.(arrivera, 4) (Entered: 11/05/2015)