

CHASER Pre Extracted Civil Docket as of April 11, 2002 9:47 pm
LEAD

U.S. District Court

U.S. District Court - Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:97cv11743-

Elbery v. Sklut, et al
Assigned to: Judge Mark L. Wolf
Demand: \$6,000,000
Lead Docket: 1:97cv11047-
Dkt# in other court: None
Cause: 42:1983 Civil Rights Act

Filed: 08/01/97
Jury demand: Both
Nature of Suit: 440
Jurisdiction: Federal Question

* Parties *	* Attorneys *
MICHAEL ELBERY Plaintiff	Michael Elbery [COR LD NTC] 168 Fairfield Street Needham, MA 02492-9106 781-444-7324
v.	
DANIEL SKLUT Defendant	Douglas I. Louison [COR LD NTC] Bradford N. Louison [COR LD NTC] Merrick and Louison 67 Batterymarch Street Boston, MA 02110 617-439-0305
	Elizabeth M. Fahey [COR LD NTC] Pierce, Davis, Fahey & Perritano, LLP Ten Winthrop Square Boston, MA 02110 617-350-0950
	Michael J. Akerson [COR LD NTC] Edward P. Reardon, P.C. 397 Grove Street Worcester, MA 01605 508-754-7385
	Edward P. Reardon [COR LD NTC] Reardon & Reardon 397 Grove Street
	Worcester, MA 01605 508 754-7285
	Gerald Fabiano [COR LD NTC] Pierce, Davis, Fahey & Perritano, LLP Ten Winthrop Square Boston, MA 02110

	617-350-0950
JAMES CARLIN Defendant	Douglas I. Louison [term 04/14/98] (See above) [COR LD NTC] Bradford N. Louison [term 04/14/98] (See above) [COR LD NTC]
	Elizabeth M. Fahey (See above) [COR LD NTC]
	Michael J. Akerson (See above) [COR LD NTC]
	Edward P. Reardon (See above) [COR LD NTC]
STEPHEN FAUCHER Defendant	Douglas I. Louison [term 04/14/98] (See above) [COR LD NTC] Bradford N. Louison (See above) [COR LD NTC]
	Elizabeth M. Fahey [term 09/10/99] (See above) [COR LD NTC]
	Michael J. Akerson (See above) [COR LD NTC]
	Edward P. Reardon (See above) [COR LD NTC]
CARL HANSON Defendant	Douglas I. Louison (See above) [COR LD NTC] Bradford N. Louison (See above) [COR LD NTC]
	Elizabeth M. Fahey (See above) [COR LD NTC]
	Michael J. Akerson (See above) [COR LD NTC]
	Edward P. Reardon (See above) [COR LD NTC]
CHESTER JOHNSON Defendant	Douglas I. Louison [term 04/14/98] (See above) [COR LD NTC] Bradford N. Louison [term 04/14/98] (See above) [COR LD NTC]
	Elizabeth M. Fahey [term 09/10/99]

	(See above) [COR LD NTC]
	Michael J. Akerson (See above) [COR LD NTC]
	Edward P. Reardon (See above) [COR LD NTC]
WAYNE SAMPSON Defendant	Douglas I. Louison [term 04/14/98] (See above) [COR LD NTC] Bradford N. Louison [term 04/14/98] (See above) [COR LD NTC]
	Elizabeth M. Fahey [term 09/10/99] (See above) [COR LD NTC]
	Michael J. Akerson (See above) [COR LD NTC]
	Edward P. Reardon (See above) [COR LD NTC]
ROBERT MCGINLEY Defendant	Douglas I. Louison [term 04/14/98] (See above) [COR LD NTC] Bradford N. Louison [term 04/14/98] (See above) [COR LD NTC]
	Elizabeth M. Fahey [term 09/10/99] (See above) [COR LD NTC]
	Michael J. Akerson (See above) [COR LD NTC]
	Edward P. Reardon (See above) [COR LD NTC]
SHREWSBURY, TOWN OF, THE Defendant	Douglas I. Louison [term 04/14/98] (See above) [COR LD NTC] Bradford N. Louison [term 04/14/98] (See above) [COR LD NTC]
	Elizabeth M. Fahey [term 09/10/99] (See above) [COR LD NTC]
ROBERT SHEKETOFF Consolidated Defendant	Anthony M. Doniger [COR LD NTC]
	Sugarman, Rogers, Barshak &

	Cohen 101 Merrimac Street 9th Floor Boston, MA 02114-4737 617-227-3030
KIMBERLY HOMAN, Attorney Consolidated Defendant	
SHEKETOFF & HOMAN Consolidated Defendant	
CHARLES D NOLAN & SO interested party	David F. Hassett [COR LD NTC] Sarah L. Brown [COR LD NTC] Healy & Rocheleau 484 Main Street Suite 560 Worcester, MA 01608 508-791-6287
DENNIS KLUG interested party	Robert R. Pierce [COR LD NTC] Pierce & Mandell 11 Beacon Street Suite 800 Boston, MA 02108 617-720-2444
	Kelly A. Nickson [COR LD NTC] Pierce & Mandell, PC 11 Beacon Street Suite 800 Boston, MA 02108-3002 617-720-2444
DAYS INN MOTEL interested party	Robert R. Pierce (See above) [COR LD NTC]
	Kelly A. Nickson (See above) [COR LD NTC]

Docket Proceedings

Date	Doc #	Docket Entry
08/01/97	1	Complaint filed. Case assigned to Judge: 0129. Receipt #: 3 Amount:\$ 150.00. Fee Status: Paid. (bdb) [Entry date 08/08/97] [1:97cv11743]
08/01/97	--	Summons issued for Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 (bdb) [Entry date 08/08/97] [1:97cv11743]
08/12/97	2	Notice of case assignment. Case reassigned from Judge Saris to Judge Mark L. Wolf . (scj) [1:97cv11743]

09/24/97	3	Answer by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to complaint; jury demand. filed.c/s (scj) [1:97cv11743]
11/13/97	6	Answer by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to complaint; jury demand, filed. c/s (sad) [Entry date 12/03/97] [1:97cv11743]
11/17/97	4	Motion by Michael Elbery in 1:97-cv-11743 for leave to file amended complaint , filed. c/s (sad) [Entry date 11/24/97] [1:97cv11743]
11/26/97	5	Motion by Michael Elbery in 1:97-cv-11743 to extend time to 120 days to make service , filed. (sad) [Entry date 12/03/97] [1:97cv11743]
12/03/97	9	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to [5-1] motion to extend time to 120 days to make service , filed. (ktb) [Entry date 02/10/98] [1:97cv11743]
12/10/97	8	Waiver of service returned executed as to Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743. Mailed on 12/4/97 . (ktb) [Entry date 02/06/98] [1:97cv11743]
12/18/97	7	Notice of appearance of attorney for Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743 by Edward P. Reardon, Michael J. Akerson. filed, c/s. (scj) [Entry date 12/29/97] [1:97cv11743]
01/29/98	10	Wolf, DJ Order entered. Parties to report by February 13, 1998 re consent to proceed before M.J. Marianne B. Bowler Any failure to respond by the foregoing date will be deemed a consent... cc/cl. (ktb) [Entry date 02/10/98] [1:97cv11743]
02/05/98	11	Letter by Michael Elbery in 1:97-cv-11743 dated: 2/4/98 to: clerk NON-CONSENTING to the reassignment to MJ Bowler, FILED. (ktb) [Entry date 02/11/98] [1:97cv11743]
03/25/98	12	Judge Mark L. Wolf . Notice of Hearing/conference: set scheduling conference for 4:00 4/15/98 cc/cl. (ktb) [Entry date 03/27/98] [1:97cv11743]
04/08/98	13	Motion by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to continue the initial scheduling conference presently set for 4/15/98, FILED, c/s. (ktb) [1:97cv11743]
04/10/98	14	Notice of appearance of attorney for Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 by Elizabeth

		M. Fahey, filed. (ktb) [Entry date 04/13/98] [1:97cv11743]
04/14/98	15	Notice of withdrawal of counsel by attorney Douglas I. Louison for Shrewsbury, Town of in 1:97-cv-11743, attorney Bradford N. Louison for Shrewsbury, Town of in 1:97-cv-11743, attorney Douglas I. Louison for Robert McGinley in 1:97-cv-11743, attorney Bradford N. Louison for Robert McGinley in 1:97-cv-11743, attorney Douglas I. Louison for Wayne Sampson in 1:97-cv-11743, attorney Bradford N. Louison for Wayne Sampson in 1:97-cv-11743 filed, c/s. (ktb) [1:97cv11743]
04/16/98	--	Judge Mark L. Wolf . Endorsed Order entered granting [13-1] motion to continue the initial scheduling conference presently set for 4/15/98. "Motion allowed. The conference is hereby rescheduled to May 6, 1998 at 4:15 p.m." (ktb) [Entry date 04/17/98] [1:97cv11743]
05/04/98	16	Motion by Shrewsbury, Town of in 1:97-cv-11743 to consolidate cases, filed, c/s. (ktb) [1:97cv11743]
05/05/98	17	Proposed Discovery Plan by Daniel Sklut, James Carlin , Stephen Faucher, Carl Hanson, Chester Johnson, Wayne Sampson, Robert McGinley and Town of Shrewsbury, filed. c/s. (rca) [Entry date 05/06/98] [1:97cv11743]
05/05/98	18	Rule 16.1 Certification filed by Ms. Carolyn J. Hamel. c/s. (rca) [Entry date 05/06/98] [1:97cv11743]
05/05/98	19	Local Rule 16.1 Certification filed by Michael Hale. c/s. (rca) [Entry date 05/06/98] [1:97cv11743]
05/05/98	20	Local Rule 16.1 Certification filed by Chester Johnson. c/s. (rca) [Entry date 05/06/98] [1:97cv11743]
05/05/98	21	Local Rule 16.1 Certification filed by Wayne Sampson. c/s. (rca) [Entry date 05/06/98] [1:97cv11743]
05/05/98	22	Local Rule 16.1 Certification filed by James Hurley. c/s. (rca) [Entry date 05/06/98] [1:97cv11743]
05/05/98	26	Judge Mark L. Wolf . Scheduling Order entered setting Joining of parties, amending of pleadings on 5/15/98 Discovery cutoff 7/30/99 case ready for trial on 11/1/99 . (ktb) [Entry date 05/08/98] [1:97cv11743]
05/06/98	23	Motion by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 for order on scheduling conference, filed, c/s. (ktb) [1:97cv11743]
05/06/98	24	Joint Statement by Michael Elbery in 1:97-cv-11743, FILED, c/s. (ktb) [Entry date 05/07/98] [1:97cv11743]
05/06/98	--	Scheduling conference held . (ktb) [Entry date 05/08/98] [1:97cv11743]
05/06/98	25	Judge Mark L. Wolf . Clerk's Notes: Court Reporter: Coppola: There are two other pending cases before Judge Saris. Pltf states the essence of all three cases. Pltf

		opposes the consolidation. Clerk Cronin and pltf shall talk to Barbara Billig. Scheduling Order to be issued. (ktb) [Entry date 05/08/98] [1:97cv11743]
05/06/98	--	Judge Mark L. Wolf . Endorsed Order entered granting [23-1] motion for order on scheduling conference, denying [16-1] motion to consolidate cases . (bfc) [Entry date 03/02/99] [1:97cv11743]
05/08/98	--	Judge Mark L. Wolf . Endorsed Order entered granting [5-1] motion to extend time to 120 days to make service, granting [4-1] motion for leave to file amended complaint . (bfc) [1:97cv11743]
05/11/98	27	Response by Michael Elbery in 1:97-cv-11743 in opposition to [16-1] motion to consolidate cases, filed. c/s. (ktb) [1:97cv11743]
07/15/98	28	Notice of change of address filed by Michael Elbery in 1:97-cv-11743 by Michael Elbery in 1:97-cv-11743 . (ktb) [1:97cv11743]
08/12/98	29	Motion by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743 for order of court that pltf comply with the F.R.C.P. Concerning Discovery, filed, c/s. (ktb) [Entry date 08/18/98] [1:97cv11743]
08/13/98	30	Letter dated: 8/13/98 to: Judge Wolf re: letter from Michael Elbery filed. (sad) [Entry date 08/19/98] [1:97cv11743]
08/15/98	31	Copy of a Letter (non-motion) dated: 8/10/98 from Atty Liftman to Mr. Elberty in receipt of a subpoena she received from him to permit inspection of ther deposition of John Nolan, FILED. (ktb) [Entry date 08/27/98] [1:97cv11743]
09/17/98	32	Notice of change of address filed by Elizabeth M. Fahey in 1:97-cv-11743 by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, FILED, c/s. (ktb) [Entry date 09/22/98] [1:97cv11743]
09/18/98	33	Motion by Michael Elbery in 1:97-cv-11743 to compel production of subpoenaed documentation, filed, c/s. (ktb) [Entry date 09/23/98] [1:97cv11743]
09/18/98	34	Motion by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to compel the deft to produce clear and readable copies of discoverable documents , filed, c/s. (ktb) [Entry date 09/23/98] [1:97cv11743]
09/24/98	35	Motion by Michael Elbery in 1:97-cv-11743 to require court reporter to allow this pltf to review transcript of deposition transcript, filed, c/s. (ktb)
10/05/98	3636	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to [33-1] motion to compel production of subpoenaed documentation , filed, c/s. (ktb) [Entry date 10/07/98] [1:97cv11743]

10/05/98	37	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743 in opposition to [33-1] motion to compel production of subpoenaed documentation, filed, c/s. (ktb) [Entry date 10/07/98] [1:97cv11743]
10/08/98	38	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to [35-1] motion to require court reporter to allow this pltf to review transcript of deposition transcript , filed, c/s (sad) [Entry date 10/13/98] [1:97cv11743]
10/26/98	39	Motion by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to consolidate case with 98-CV-10162-RCL, FILED, c/s. , filed. (ktb) [Entry date 11/04/98] [1:97cv11743]
11/13/98	40	Motion by Shrewsbury, Town of in 1:97-cv-11743 to require Pltfs to comply With Applicable Rules, filed, c/s. (ktb) [Entry date 11/17/98] [1:97cv11743]
11/30/98	41	Response and Opposition by Michael Elbery in 1:97-cv-11743 to [39-1] motion to consolidate case with 98-CV-10162-RCL , filed, c/s. (ktb) [Entry date 12/03/98] [1:97cv11743]
12/04/98	42	Motion by Michael Elbery in 1:97-cv-11743, Michael Elbery in 1:97-cv-11047 to suppress , filed. (bfc) [Entry date 12/07/98] [1:97cv11047 1:97cv11743]
12/09/98	43	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to [42-1] motion to suppress , filed, c/s (sad) [Entry date 12/10/98] [1:97cv11743]
01/14/99	--	Judge Mark L. Wolf . Endorsed Order entered granting [39-1] motion to consolidate case with 98-CV-10162-RCL . (bfc) [1:97cv11743]
01/14/99	--	Consolidated Lead Case. (ktb) [Entry date 06/21/99] [1:97cv11743]
03/14/99	44	Judge Mark L. Wolf . Order entered granting [29-1] motion for order of court that pltf comply with the F.R.C.P. Concerning Discovery. f shall in the future comply with Fed. R. Civ. cal Rule 5.2 (b). All papers "required to be served" shall be served on every party and shall contain, or be accompanied by, proof of service, in al legally permissalbe form, indication the time and manner of service. cc/cl. (ktb) [Entry date 03/24/99] [1:97cv11743]
05/03/99	45	Notice of change of address filed by Edward P. Reardon in 1:97-cv-1174i, FILED, c/s. (ktb) [Entry date 05/07/99] [1:97cv11743]
05/03/99	46	Motion by Michael Elbery in 1:97-cv-11743 to compel production of documents, filed, c/s. (ktb) [Entry date 05/10/99] [1:97cv11743]
05/03/99	47	Motion by Michael Elbery in 1:97-cv-11743 to Extend the Discovery Period by 6 months, filed, c/s. (ktb) [Entry date 05/10/99] [1:97cv11743]

05/13/99	48	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to [46-1] motion to compel production of documents , filed. c/s. (bfc) [1:97cv11743]
05/13/99	49	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to [47-1] motion to Extend the Discovery Period by 6 months , filed. c/s. (bfc) [1:97cv11743]
05/13/99	--	Judge Mark L. Wolf . Endorsed Order entered granting [50-1] motion for protective order "Allowed. The depositions shall be scheduled for May 20, June 4,9,23,24 or 25, 1999. Defts shall pay all reasonable expenses incurred by pltf due to cancellation of the Mmay 18, 1999 deposition." (faxed 5/17/99 to Elizabeth Fahey abd Anthony Doniger, Esq.)) (ktb) [Entry date 05/17/99] [1:97cv11743]
05/14/99	50	Emergency Motion (Request) by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 for protective order , filed. Referred to Judge Mark L. Wolf (bfc) [1:97cv11743]
05/17/99	90	Motion by Michael Elbery in 1:97-cv-11743 to compel attendance at the pltf's deposition, pltf's motion to require defts pay for future deposition and expenses, for enlargement of time of discovery period due to deft's continued delay tactics, filed. (ktb) [Entry date 08/20/99] [1:97cv11743]
05/19/99	93	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743. Shrewsbury, Town of in 1:97-cv-11743 in opposition to [85-1] motion to compel, [85-2] motion to compel, [85-3] motion ro sanction Atty Liz Fahey for ignoring to attend pltf's deposition of McGinley, and to enlarge discovery period to allow for McGinley's Deposition, filed, c/s.(received for docketing on 8/27/99) dopc (ktb) [Entry date 08/31/99] [1:97cv11743]
05/19/99	94	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743 in opposition to [90-2] motion pltf's motion to require defts pay for future deposition and expenses, filed, c/s. (ktb) [Entry date 08/31/99] [1:97cv11743]
05/24/99	<u>51</u>	Motion by Michael Elbery in 1:97-cv-11743 to compel the Shrewsbury Police Defts to Answer Pltf's Interrogatories , filed, c/s. (ktb) [Entry date 05/25/99] [1:97cv11743]
05/24/99	52	Motion by Michael Elbery in 1:97-cv-11743 to compel the Shrewsbury Police efts to produce Documentation as Requested, filed, c/s. (ktb) [Entry date 05/25/99] [1:97cv11743]
05/24/99	53	Motion by Michael Elbery in 1:97-cv-11743 to amend [1-1] complaint, filed, c/s. (ktb) [Entry date 05/25/99] [1:97cv11743]
06/01/99	54	Memorandum by Robert Sheketoff in 1:97-cv-11743 in opposition to [51-1] motion to compel the Shrewsbury Police Defts to Answer Pltf's Interrogatories, filed, c/s.

		(ktb) [Entry date 06/21/99] [1:97cv11743]
06/01/99	55	Memorandum by Robert Sheketoff in 1:97-cv-11743 in opposition to [51-1] motion to compel the Shrewsbury Police Defts to Answer Pltf's Interrogatories, filed, c/s. (ktb) [Entry date 06/21/99] [1:97cv11743]
06/08/99	56	Notice by Michael Elbery in 1:97-cv-11743 of defts poor Conduct at Pltf's Deposition June 4, 1999, FILED, c/s. (ktb) [Entry date 06/21/99] [1:97cv11743]
06/08/99	57	Reply by Michael Elbery in 1:97-cv-11743 to response to [51-1] motion to compel the Shrewsbury Police Defts to Answer Pltf's Interrogatories, filed, c/s. (ktb) [Entry date 06/21/99] [1:97cv11743]
06/09/99	58	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743 in opposition to [53-1] motion to amend [1-1] complaint , filed, c/s. (ktb) [Entry date 06/21/99] [1:97cv11743]
06/09/99	59	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743 in opposition to [51-1] motion to compel the Shrewsbury Police Defts to Answer Pltf's Interrogatories, filed, c/s. (ktb) [Entry date 06/21/99] [1:97cv11743]
06/14/99	60	Response by James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to [53-1] motion to amend [1-1] complaint, filed, c/s. (ktb) [Entry date 06/22/99] [1:97cv11743]
06/15/99	61	Reply by Michael Elbery in 1:97-cv-11743 to response to [53-1] motion to amend [1-1] complaint , filed. (ktb) [Entry date 06/22/99] [1:97cv11743]
06/18/99	62	Memorandum by Michael Elbery in 1:97-cv-11743 in support of [51-1] motion to compel the Shrewsbury Police Defts to Answer Pltf's Interrogatories, filed, c/s. (ktb)
06/23/99	64	Reply/response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to [56-1] remark, filed, c/s. (ktb) [Entry date 06/24/99] [1:97cv11743]
06/24/99	63	John Nolan's Motion to quash deposition, and for protective order , filed. c/s. Referred to Judge Mark L. Wolf (bfc) [1:97cv11743]
06/24/99	--	Judge Mark L. Wolf . Endorsed Order entered granting [63-1] motion to quash deposition, granting [63-2] motion for protective order without prejudice. Allowed with regard to the deposition scheduled for June 25, 1999, without prejudice to a decision by the Magistrate Judge regarding whether any deposition should occur later and the scope of documentation production. This case is hereby REFERRED to the magistrate Judge for all permissable purposes prior to trial." cc/cl. [EOD Date 6/24/99] (ktb) [Edit date 06/24/99] [1:97cv11743]
06/24/99	65	Judge Mark L. Wolf . ORDER entered: referral to Mag. Judge Joyce L. Alexander .

		∴ Purpose: Special Instructions: For All pretrial purposes . (ktb) [1:97cv11743]
06/28/99	66	Notice regarding pltf's depositions in Sklut case by Michael Elbery in 1:97-cv-11743 by Michael Elbery in 1:97-cv-11743, FILED, c/s. (ktb) [1:97cv11743]
06/28/99	67	Motion by Michael Elbery in 1:97-cv-11743 for order of Court Order Compelling Documentation as per the pltf's 6-14-99 Subpoena, for order of Court order Crediting Witness Fees paid to John Nolan to be Credited to future E-Z Subpoena for order of Court that subpoenaed documentation is not Privileged And Pltf's Opposition to John A. Nolan's Motion to Quash Subpoenaed, FILED, c/s. (ktb) [1:97cv11743]
07/02/99	68	Judge Mark L. Wolf. Order entered. This court hereby recuses itself from Elbery v. Sklut and Elbery v. Sheketoff pursuant to 28 U.S.C.A. Sec. 455(a). SO ORDERED. [EOD Date 7/12/99] (ktb) [Entry date 07/12/99] [1:97cv11743]
07/09/99	69	Joh Nolan's Response in opposition to [67-1] motion for order of Court Order Compelling Documentation as per the pltf's 6-14-99 Subpoena, [67-2] motion for order of Court order Crediting Witness Fees paid to John Nolan to be Credited to future E-Z Subpoena, [67-3] motion for order of Court that subpoenaed documentation is not Privileged, filed, c/s. (ktb) [Entry date 07/12/99] [1:97cv11743]
07/12/99	70	Motion by Michael Elbery in 1:97-cv-11743 to compel Witness Dennis King's Attendance at Deposition, to access costs of Deposition Deaulted by Dennis King as Subpoenaed, to extend the discovery period, filed, c/s. (ktb) [Entry date 07/16/99] [1:97cv11743]
07/12/99	71	Response in opposition to [67-1] motion for order of Court Order Compelling Documentation as per the pltf's 6-14-99 Subpoena, [67-2] motion for order of Court order Crediting Witness Fees paid to John Nolan to be Credited to future E-Z Subpoena, [67-3] motion for order of Court that subpoenaed documentation is not Privileged, filed, c/s. (ktb) [Entry date 07/16/99] [1:97cv11743]
07/15/99	72	Judge Mark L. Wolf . ORDER entered: referral to Mag. Judge Marianne B. Bowler Purpose: Special Instructions: For All pretrial purposes . (ktb) [Entry date 07/16/99] [1:97cv11743]
07/16/99	74	Response in opposition to [70-1] motion to compel Witness Dennis King's Attendance at Deposition, filed, c/s. (ktb) [Entry date 07/21/99] [1:97cv11743]
07/16/99	75	Motion by John B. Nolan & Sons to quash Depsoition Subpoena Objection to Production, Inspection and Copying of Documents and Motion for Protective Order, filed, c/s.. (ktb) [Entry date 07/21/99] [Edit date 07/21/99] [1:97cv11743]
07/19/99	76	Response by Michael Elbery in 1:97-cv-11743 in opposition to [75-1] motion to quash Depsoition Subpoenas, and Motion to Enlarge Discovery Period, filed, c/s. (ktb) [Entry date 07/21/99] [1:97cv11743]
07/19/99	77	Motion by Michael Elbery in 1:97-cv-11743 to Ban Attorney Joe Coppola from the Depositions held on the case, filed, c/s. (ktb) [Entry date 07/21/99] [1:97cv11743]
07/20/99	73	Mag. Judge Marianne B. Bowler . Notice of Status Conference: set status conference for 10:00 8/3/99 before Mag. Judge Marianne B. Bowler. cc/cl. (rca) [1:97cv11743]

07/21/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered denying [70-1] motion to compel Witness Dennis King's Attendance at Deposition, denying [70-2] motion to access costs of Deposition Deaulted by Dennis King as Subpoenaed, denying [70-3] motion to extend the discovery period . [EOD Date 7/21/99] "Denied, without prejudice. This court will review all discovery issues at the conference scheduled for August 3, 1999 at 10:00 a.m." (ktb) [1:97cv11743]
07/22/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered granting [75-1] motion to quash Deposition Subpoena, granting [75-2] motion for Protective Order . [EOD Date 7/22/99] wed. Allowed. This court will review all discovery issues at the status conference." (ktb) [1:97cv11743]
07/22/99	78	Letter by Douglas I. Louison in 1:97-cv-11743 dated: 7/21/99 advising that he has withdrawn from the case as a result of the successor appearance by Atty Elizabeth Fahey and thus will not be at the 8/3/99 status conference. FILED. (ktb) [1:97cv11743]
07/28/99	79	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to [70-3] motion to extend the discovery period, filed, c/s. (ktb) [Entry date 07/29/99] [1:97cv11743]
08/03/99	--	Status conference held . (kd) [Entry date 08/11/99] [1:97cv11743]
08/03/99	86	Mag. Judge Marianne B. Bowler . Clerk's Notes: re: status conference held., Court addresses counsel as to Procedure and Discovery issues. Pro Se Plaintiff addresses court as to discovery. Counsel for defendant addresses court. Discovery to be completed by 10/1/99. Counsel for Dennis Klug addresses the court. Dispositive Motions due 11/1/99. Responses by 12/1/99. set Motion hearing for 10:00 8/16/99 Court Reporter: tape 99-19 (kd) [Entry date 08/11/99] [1:97cv11743]
08/05/99	80	Reply Briefby Michael Elbery in 1:97-cv-11743 in support of various discovery issues at 8-3-99 hearing, filed. (mlb) [1:97cv11743]
08/05/99	85	Motion by Michael Elbery in 1:97-cv-11743 to compel, to compel, ro sanction Atty Liz Fahey for ignoring to attend pltf's deposition of McGinley, and to enlarge discovery period to allow for McGinley's Deposition, filed, c/s. (ktb) [Entry date 08/11/99] [1:97cv11743]
08/06/99	81	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to [47-1] motion to Extend the Discovery Period by 6 months , and in opposition to motion to compel deflt to pay costs of defaulted depo,filed. (eaf) [1:97cv11743]
08/06/99	82	Supplement to Pltf's Motion to Amended Complaint with James Coates and Objection to Judge Bowler's Preventing Oral Argument on Coates Amendment and Resultant Due Process of Law Violation, FILED, c/s. (ktb) [Entry date 08/09/99] [1:97cv11743]
08/06/99	83	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to [77-1] motion to Ban Attorney Joe Coppola from the Depositions held on the case, filed,

		c/s. (ktb) [Entry date 08/09/99] [1:97cv11743]
08/06/99	84	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury. Town of in 1:97-cv-11743 in opposition to [70-1] motion to compel Witness Dennis King's Attendance at Deposition, [70-2] motion to access costs of Deposition Deaulted by Dennis King as Subpoenaed, [70-3] motion to extend the discovery period, filed, c/s. (ktb) [Entry date 08/09/99] [1:97cv11743]
08/10/99	87	Motion by Michael Elbery in 1:97-cv-11743 for reconsideration of allowing pltf's second set of document requests or to compel defts to respond to pltf's document request, filed, c/s. (ktb) [Entry date 08/11/99] [1:97cv11743]
08/11/99	88	Notice of Michael Elbery Status of 8/13/99 Deposition in 1:97-cv-11743, filed, c/s. (ktb) [Entry date 08/12/99] [1:97cv11743]
08/13/99	89	Notice Regarding 8/3/99 Pretrial Hearing by Michael Elbery in 1:97-cv-11743, filed, c/s. (ktb) [Entry date 08/17/99] [1:97cv11743]
08/16/99	--	Mag. Judge Marianne B. Bowler. Endorsed Order entered granting in part, denying in part [67-1] motion for order of Court Order Compelling Documentation as per the pltf's 6-14-99 Subpoena, granting in part, denying in part [67-2] motion for order of Court order Crediting Witness Fees paid to John Nolan to be Credited to future E-Z Subpoena, granting in part, denying in part [67-3] motion for order of Court that subpoenaed documentation is not Privileged. "Allowed in part and Denied in Part, to the extent set forth in open court on this date. The June 14, 1999 subpoena directed to John A. Nolan as opposed to E-Z Mini Storage is not a Rule 30(b)(6) deposition notice. Nolan, whi resdies in Minnesota is not requirited to appear or prodcue the requested documents. See fed.R. Civ. P.45(b)(2). Nolan's counsel shall produce the single report referred to in open court on this date. A Rule 30(b)(6) deposition of the person designated by E-Z Mini Storage as knowledgeable with repect to the 8/94 fire shall take place on 9.1.99 at 2:00 p.m., as set forth in open court on 8/16/99 The motions are otherwise DENEID as except as set forth in open court on this date." [EOD Date 8/20/99] (ktb) [Entry date 08/20/99] [Edit date 08/20/99] [1:97cv11743]
08/16/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered denying [35-1] motion to require court reporter to allow this pltf to review transcript of deposition transcript . [EOD Date 8/20/99] "Denied. to the extent that pltf shall be allowed to rebiew the deposition transcripts in uaccordance with the time frame and the procedure set forth in Fed.R. iv. P 30(e). Defts indicate that pltf was given the oppurtunity and did complete an errata sheet. See Docket entry #43. (ktb) [Entry date 08/20/99] [1:97cv11743]
08/16/99	--	Judge Mark L. Wolf . Endorsed Order entered denying [77-1] motion to Ban Attorney Joe Coppola from the Depositions held on the case. [EOD Date 8/20/99] (ktb) [Entry date 08/20/99] [1:97cv11743]
08/16/99	--	Magistrate Judge Mariane Bowler. Endorsed Order entered denying [90-1] motion to compel attendance at the pltf's deposition, denying [90-2] motion pltf's motion to require defts pay for future deposition and expenses, denying [90-3] motion for enlargement of time of discovery period due to deft's continued delay tactics . [EOD Date 8/20/99] (ktb) [Entry date 08/20/99] [Edit date 08/20/99] [1:97cv11743]
08/16/99	--	Mag Judge Marianne Bowler. Endorsed Order entered denying [47-1] motion to Extend the Discovery Period by 6 months . [EOD Date 8/20/99] "Denied except as to the extent that discovery is extended until October 1, 1999. " (ktb) [Entry date 08/20/99] [Edit date 08/20/99] [1:97cv11743]

08/16/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered denying [85-1] motion to compel, denying [85-2] motion to compel, denying [85-3] motion to sanction Atty Liz Fahey for ignoring to attend pltf's deposition of McGinley, and to enlarge discovery period to allow for McGinley's Deposition . [EOD Date 8/20/99] (ktb) [Entry date 08/20/99] [1:97cv11743]
08/16/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered denying [34-1] motion to compel the deft to produce clear and readable copies of discoverable documents . [EOD Date 8/20/99] "Defts represent that they produced the best copies available of the documents and that the originals are available for inspection." (ktb) [Entry date 08/20/99] [1:97cv11743]
08/16/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered granting [4-1] motion for leave to file amended complaint . [EOD Date 8/20/99] (ktb) [Entry date 08/20/99] [1:97cv11743]
08/16/99	91	Amended complaint by Michael Elbery in 1:97-cv-11743 filed. . (ktb) [Entry date 08/20/99] [1:97cv11743]
08/16/99	--	Motion hearing held. (ktb) [Entry date 08/20/99] [1:97cv11743]
08/16/99	92	Mag. Judge Marianne B. Bowler. Clerk's Notes: Motion Hearing held. Counsel to Charles Nolan and Sons addresses the Court. Pltf addresses the court as to discovery issues. Counsel to Town of Shrewsbury addresses the court. Court establishes deposition schedule for 9/1/99. Counsel to Robert Sheketoff addresses court as to discovery motions. Conf. set for 9/29/99 at 10:00 a.m. (ktb) [Entry date 08/20/99] [1:97cv11743]
08/17/99	--	Magistrate Judge Bowler Endorsed Order entered denying [53-1] motion to amend [1-1] complaint. "Denied. The Motion is untimley in light of the May 5, 1998 Scheduling Order requiring that "Amendment of the pleadings...shall be filed by May 15, 1998. "In addition, defts represent that their initial discovery disclosure included a copy fo police paperwork, indication Officer Coates in involvement. Accordingly, pltf's argument that this Shrewsbury Police Dept concealad Officer Cotates identity is without merit and does not provide an adequate basisto allow the late filing. Not withstanding pltf's failure to seek leave of court, this court considered pltf's supplemental filings (Docket entry 61 and 82)." [EOD Date 8/20/99] (ktb) [Entry date 08/20/99] [Edit date 08/20/99] [1:97cv11743]
08/17/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered denying [33-1] motion to compel production of subpoenaed documentation. "Atty Liftman is not under a obligation to produce to pltf without costs acopy of the transcript of the deposition of John A. Nolan. [EOD Date 8/20/99] (ktb) [Entry date 08/20/99] [Edit date 08/20/99] [1:97cv11743]
08/17/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered denying [42-1] motion to suppress . [EOD Date 9/29/99] (ktb) [Entry date 09/29/99] [1:97cv11743]
08/30/99	95	Objection by Michael Elbery in 1:97-cv-11743 re: [0-0] endorsed order Regarding Subpoenaed Documentation of Charles D. Nolan & Sons, FILED, c/s. (ktb) [Entry date 08/31/99] [1:97cv11743]
08/30/99	96	Objection by Michael Elbery in 1:97-cv-11743 re: [0-0] endorsed order Regarding Amendments of James Coates, filed, c/s. (ktb) [Entry date 08/31/99] [1:97cv11743]
08/31/99	97	Motion by Michael Elbery in 1:97-cv-11743 to compel Dennis Klug to Deposition, filed, c/s. (ktb) [1:97cv11743]

08/31/99	98	Motion by Dennis Klug for protective order re 9/1/99 deposition, filed, c/s. (ktb) [1:97cv11743]
08/31/99	99	Memorandum in support of [98-1] motion for protective order re 9/1/99 deposition, filed., c/s. (ktb) [1:97cv11743]
08/31/99	100	Dennis Klug, named deft in 98-12468PBS, Response in opposition to [97-1] motion to compel Dennis Klug to Deposition, filed, c/s. (ktb) [Entry date 09/01/99] [1:97cv11743]
08/31/99	101	Motion by Dennis Klug, named deft in Elbery v. King, CA. 98-12468-PBS for protective order, filed, c/s. (ktb) [Entry date 09/01/99] [1:97cv11743]
09/01/99	102	Response by Michael Elbery in 1:97-cv-11743 in opposition to [98-1] motion for protective order re 9/1/99 deposition , filed, c/s. (ktb) [1:97cv11743]
09/03/99	103	Emergency Motion by Robert Sheketoff in 1:97-cv-11743 for protective order, filed, c/s. (ktb) [1:97cv11743]
09/04/99	--	Judge Mark L. Wolf . Endorsed Order entered granting [103-1] motion for protective order. [EOD Date 9/7/99] (ktb) [Entry date 09/07/99] [1:97cv11743]
09/07/99	104	Response by Michael Elbery in 1:97-cv-11743 in opposition to [103-1] motion for protective order, filed, c/s. (ktb) [Entry date 09/08/99] [1:97cv11743]
09/07/99	105	Motion by Michael Elbery in 1:97-cv-11743 to send knowledgeable witness for new deposition and Objection to Deposition of Charles D. Nolan & Sons, Inc., filed, c/s. (ktb) [Entry date 09/08/99] [1:97cv11743]
09/10/99	106	Notice of withdrawal of counsel by attorney Elizabeth M. Fahey for Shrewsbury, Town of in 1:97-cv-11743, attorney Elizabeth M. Fahey for Robert McGinley in 1:97-cv-11743, attorney Elizabeth M. Fahey for Wayne Sampson in 1:97-cv-11743, attorney Elizabeth M. Fahey for Chester Johnson in 1:97-cv-11743, attorney Elizabeth M. Fahey for Stephen Faucher in 1:97-cv-11743 filed, c/s. (ktb) [Entry date 09/13/99] [1:97cv11743]
09/14/99	108	Motion by Robert Sheketoff in 1:97-cv-11743, Kimberly Homan in 1:97-cv-11743, Sheketoff & Homan in 1:97-cv-11743 for sanctions for pltf's failure to answer interrogatories, or alternatively, to compel answers, filed, c/s. (ktb) [Entry date 09/15/99] [1:97cv11743]
09/14/99	109	Memorandum by Michael Elbery in 1:97-cv-11743, Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743, Robert Sheketoff in 1:97-cv-11743, Kimberly Homan in 1:97-cv-11743, Sheketoff & Homan in 1:97-cv-11743 in support of [108-1] motion for sanctions for pltf's failure to answer interrogatories, or alternatively, to compel answers, filed, c/s. (ktb) [Entry date 09/15/99] [1:97cv11743]
09/15/99	107	Charles D. Nolan & Sons, Inc.'s Response in opposition to [105-1] motion to send knowledgeable witness for new deposition, filed, c/s. (ktb) [1:97cv11743]

09/20/99	110	Motion by Michael Elbery in 1:97-cv-11743 to compel the Shrewsbury Police Defts to Produce Second Document Request , filed, c/s. (ktb) [Entry date 09/21/99] [1:97cv11743]
09/27/99	111	Objection by Michael Elbery in 1:97-cv-11743 to Magistrate Judge's Handling of Discovery, FILED. (ktb) [Entry date 09/28/99] [1:97cv11743]
09/28/99	113	Motion by Michael Elbery in 1:97-cv-11743 to compel, filed, c/s.. (ktb) [Entry date 09/30/99] [1:97cv11743]
09/29/99	112	Response by Michael Elbery in 1:97-cv-11743, Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743, Robert Sheketoff in 1:97-cv-11743, Kimberly Homan in 1:97-cv-11743, Sheketoff & Homan in 1:97-cv-11743 in opposition to Pltf's Various Motions s to Entend Discovery, FILED, C/S. (ktb) [Entry date 09/30/99] [1:97cv11743]
09/29/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered mootng [101-1] motion for protective order . [EOD Date 9/30/99] (ktb) [Entry date 09/30/99] [1:97cv11743]
09/29/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered mootng [98-1] motion for protective order re 9/1/99 deposition . [EOD Date 9/30/99] (ktb) [Entry date 09/30/99] [1:97cv11743]
09/29/99	--	Judge Mark L. Wolf . Endorsed Order entered granting [97-1] motion to compel Dennis Klug to Deposition . [EOD Date 9/30/99] "Granted. The pltf is directed to give reasonable notice." (ktb) [Entry date 09/30/99] [1:97cv11743]
09/29/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered granting in part, denying in part [108-1] motion for sanctions for pltf's failure to answer interrogatories, or alternatively, to compel answers. "As stated in open cpurt on this date the motion to,compel is allowed to the extent that pltf shall respond to interrogatories by 10/13/99. The motion for sanctions is Denied without prejudice at this time to be renewed at the conclusion of the case." [EOD Date 9/30/99] (ktb) [Entry date 09/30/99] [1:97cv11743]
09/29/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered granting [40-1] motion to require Pltfs to comply With Applicable Rules [EOD Date 9/30/99] (ktb) [Entry date 09/30/99] [1:97cv11743]
09/29/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered granting in part, denying in part [46-1] motion to compel production of documents. cc/cl. [EOD Date 9/30/99] (ktb) [Entry date 09/30/99] [1:97cv11743]
09/29/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered denying [105-1] motion to send knowledgeable witness for new deposition . [EOD Date 9/30/99] (ktb) [Entry date 09/30/99] [1:97cv11743]
09/29/99	114	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to [87-2] motion to compel defts to respond to pltf's document request , filed, c/s. (ktb) [Entry date 09/30/99] [1:97cv11743]

09/29/99	115	Objection by William T. "Bill" Walls and Houston General Insurance Company's Objections to Subpoena, FILED, c/s. (ktb) [Entry date 10/01/99] [1:97cv11743]
09/29/99	116	Affidavit of Willaim T. "Bill" Walls, FILED, c/s. (ktb) [Entry date 10/01/99] [1:97cv11743]
09/29/99	--	Status conference held. (ktb) [Entry date 10/04/99] [1:97cv11743]
09/29/99	118	Mag. Judge Marianne B. Bowler . Clerk's Notes: re: Status Conference: Court Reporter: TAPE (ktb) [Entry date 10/04/99] [1:97cv11743]
10/01/99	117	Response in opposition of Crum & Forster Insurance and United States Fire Insurance Company to [113-1] motion to compel, filed, c/s. (ktb) [1:97cv11743]
10/14/99	119	Motion by Michael Elbery in 1:97-cv-11743 to Judge Wolf and Objection to Magistrate's Ruling/Order on Discovery Issue Regarding Magistrate's Ruling on Plt's 1st set of documents and failure of deft SPD to produce documents as requested, FILED, c/s. filed. (ktb) [1:97cv11743]
10/18/99	120	Motion by Michael Elbery in 1:97-cv-11743 to compel Bill Walls and Houston General Insurance Cp. to Produce Documents as Subpoenaed, filed, c/s. (ktb) [1:97cv11743]
10/18/99	121	Motion by Michael Elbery in 1:97-cv-11743 to compel the Dept. of Treasury - B.A.T.F. to Produce Documents, filed, c/s. (ktb) [1:97cv11743]
10/18/99	122	Motion by Michael Elbery in 1:97-cv-11743 for review of Magistrate Judge's ruling on Discovery Issue Re Failure of Charles D. Nolan & Sons's to prodcue Knowledgable Witness for Deposition. filed, c/s. (ktb) [1:97cv11743]
10/20/99	123	Motion by Michael Elbery in 1:97-cv-11743 to compel the Massachusetts Dept of Public Safety to Respond to pktf's Subpoena and Produce Documents, filed, c/s. (ktb) [Entry date 10/21/99] [1:97cv11743]
10/20/99	124	Motion by Michael Elbery in 1:97-cv-11743 to compel the Commonwealth of mass Crime Lab to produce Documents as Compelled, filed, c/s. (ktb) [Entry date 10/21/99]
10/20/99	125	Response in opposition to [120-1] motion to compel Bill Walls and Houston General Insurance Cp. to Produce Documents as Subpoenaed, filed, c/s. (ktb) [Entry date 10/21/99] [1:97cv11743]
10/22/99	126	Mag. Judge Marianne B. Bowler . Notice of Hearing: Motion hearing before Mag. Judge Marianne B. Bowler set for 2:00 11/17/99 for [113-1] motion to compel, set for 2:00 11/17/99 for [120-1] motion to compel Bill Walls and Houston General Insurance Cp. to Produce Documents as Subpoenaed, set for 2:00 11/17/99 for [121-1] motion to compel the Dept. of Treasury - B.A.T.F. Produce Documents, set for 2:00 11/17/99 for [123-1] motion to compel the Massachusetts Dept of Public Safety to to pktf's Subpoena and Produce Documents, set for 2:00 11/17/99 for [124-1] motion to compel the Commonwealth of mass Crime Lab to produce Documents as Compelled. cc/cl. (rca) [1:97cv11743]
10/22/99	--	Status conference held. (ktb) [Entry date 10/25/99] [1:97cv11743]

10/22/99	127	Mag. Judge Marianne B. Bowler . Clerk's Notes: re: Status Con Court Reporter: TAPE Court addresses parties as to status of pending discovery. Pltf addresses court as to pending discovery motions. Court to schedule hearings on motions Nos. 113, and 120. Court allows response period to run for motions 121,123,124 even though discovery cut off has passed. Court sets hearing on pending discovery motions for 11/17/99 at 3:00 p.m. Re #'s 113,120,121,123 and 124. Court recesses. Court resumes. (ktb) [Entry date 10/25/99] [Edit date 10/25/99] [1:97cv11743]
10/22/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered granting in part, denying in part [110-1] motion to compel the Shrewsbury Police Defts to Produce Second Document Request.i "Motion allowed in part and denied in part in accordance with rulings made in open court." [EOD Date 10/25/99] (ktb) [Entry date 10/25/99] [1:97cv11743]
10/22/99	--	Judge Mark L. Wolf . Endorsed Order entered withdrawing [51-1] motion to compel the Shrewsbury Police Defts to Answer Pltf's Interrogatories. "Withdrawn in open court." [EOD Date 10/25/99] (ktb) [Entry date 10/25/99] [1:97cv11743]
10/22/99	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered [52-1] motion to compel the Shrewsbury Police efts to produce Documentation as Requested. "Pltf states in open court that this docket entry od duplicative of docket #46." [EOD Date 10/25/99] (ktb) [Entry date 10/25/99] [1:97cv11743]
10/25/99	128	Response by Charles D Nolan & So in 1:97-cv-11743 in opposition to [119-1] Motion to Judge Wolf and Response to Pltf's Objection to Magistrate's Ruling/Order on Discovery Issue Regarding Magistrate's Ruling on Pltf's 1st set of documents and failure of deft SPD to produce documents as requested , filed. (ktb) [1:97cv11743]
11/03/99	129	Motion by Michael Elbery in 1:97-cv-11743 for review of the 10/22/99 Magistrate's Ruling on Pltf's 2nd Set of Documents and Failure of Deft SPD to Prodcue Documents, filed. (ktb) [1:97cv11743]
11/15/99	130	Motion by Michael Elbery in 1:97-cv-11743 to reconsider Magistrate's Violation of this Pltf's Due Process Regarding Deposition Fee Due to Default of Dennis King, filed, c/s. (ktb) [Entry date 11/18/99] [1:97cv11743]
11/17/99	--	Motion hearing re: [121-1] motion to compel the Dept. of Treasury - B.A.T.F. to Produce Documents Motion hearing held, [120-1] motion to compel Bill Walls and Houston General Insurance Cp. to Produce Documents as Subpoenaed Motion hearing held, [113-1] motion to compel Motion hearing held (ktb) [Entry date 11/18/99] [1:97cv11743]
11/17/99	131	Mag. Judge Marianne B. Bowler . Clerk's Notes: re: Motion Hearing mootng [121-1] motion to compel the Dept. of Treasury - B.A.T.F. to Produce Documents denying [120-1] motion to compel Bill Walls and Houston General Insurance Cp. to Produce Documents as Subpoenaed denying [113-1] motion to compel Court Reporter: Tape (ktb) [Entry date 11/18/99] [1:97cv11743]
11/29/99	132	Notice of appearance of attorneys Kelley A. Nickson and Robert Pierce for dennis Klug and Days Inn Motel, FILED. (ktb) [Entry date 12/01/99] [1:97cv11743]
11/29/99	133	Response by Dennis Klug in 1:97-cv-11743, Days Inn Motel (parties in a related action in Elbery v. Klug, et als, C.A. 98-12468-PBS in 1:97-cv-11743 in opposition to [130-1] motion to reconsider Magistrate's Violation of this Pltf's Due Process Regarding Deposition Fee Due to Default of Dennis King, filed, c/s. (ktb) [Entry date 12/06/99] [1:97cv11743]

12/02/99	134	Motion and request for a Hearing by Michael Elbery in 1:97-cv-11743 for review of Magistrate's 11/17/99 ruling re Pltf's Subpoena for Documents to Houston General Ins. Co/Bill Walls, Crumb and Foster - U.S. Fire Inc., Co., filed. (ktb) [Entry date 12/07/99] [1:97cv11743]
12/08/99	135	Motion by Michael Elbery in 1:97-cv-11743 to suspend or freeze action due to i prsonment of pltf, filed, c/s. (ktb) [Entry date 12/13/99] [1:97cv11743]
12/27/99	136	Motion by Michael Elbery in 1:97-cv-11743 to suspend or freeze action fue to imprisonment of pltf, filed, c/s. (ktb) [1:97cv11743]
01/06/00	137	Response by Michael Elbery in 1:97-cv-11743, Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743, Robert Sheketoff in 1:97-cv-11743, Kimberly Homan in 1:97-cv-11743, Sheketoff & Homan in 1:97-cv-11743 in opposition to [136-1] motion to suspend or freeze action fue to imprisonment of pltf , filed. (ktb) [1:97cv11743]
01/19/00	138	Motion by Michael Elbery in 1:97-cv-11743 to extend time to to , filed. (ktb) [Entry date 01/24/00] [1:97cv11743]
02/03/00	--	Mag. Judge Bowler . Endorsed Order entered granting [138-1] motion to extend time to reply to Deft's opposition to Motion to Freeze Action [EOD Date 2/10/00] (ktb) [Entry date 02/10/00] [Edit date 02/10/00] [1:97cv11743]
02/17/00	139	Notice of change of address filed by Michael Elbery in 1:97-cv-11743 by Michael Elbery in 1:97-cv-11743, FILED C/S. (ktb) [Entry date 02/22/00] [1:97cv11743]
02/29/00	--	Judge Mark L. Wolf . Endorsed Order entered denying [130-1] motion to reconsider Magistrate's Violation of this Pltf's Due Process Regarding Deposition Fee Due to Default of Dennis King. "S pltf has not shown either an abuse of discretion or error of law by the Magistrate Judge, this Motion is hereby Denied." cc/cl. [EOD Date 2/29/00] (ktb) [1:97cv11743]
02/29/00	140	Judge Mark L. Wolf . Order entered. It is ORDERED that: the defts shall, by 3/15/00, file oppositions or other responsive pleadings to each of the following motions and objections of the pltf: Pltf's objection to the Magistrate's handling of subpoenaed documents of Charles D. Nolan and Sons (Docket No. 95, C.A. 97-11743-MLW)....[EOD Date 3/1/00] cc/cl. (ktb) [Entry date 03/01/00] [1:97cv11743]
03/15/00	141	Reply by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to response to Pltf's Objection to magistrate's Handling of Subpoenaed documents of Charles D. Nolan & Sons, Inc., FILED, c/s. (ktb) [Entry date 03/17/00] [1:97cv11743]
03/15/00	142	Reply/response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to Pltf's Objection to Magistrat's Ruling on Pltf's First Document Request, FILED, c/s. (ktb) [Entry date 03/17/00] [1:97cv11743]

03/15/00	143	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to [134-1] motion for review of Magistrate's 11/17/99 ruling re Plt's Subpoena for Documents to Houston General Ins. Co/Bill Walls, Crumb and Foster - U.S. Fire Inc., Co. , filed. (ktb) [Entry date 03/17/00] [1:97cv11743]
03/15/00	144	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to [134-1] motion for review of Magistrate's 11/17/99 ruling re Plt's Subpoena for Documents to Houston General Ins. Co/Bill Walls, Crumb and Foster - U.S. Fire Inc., Co. , filed, c/s. (ktb) [Entry date 03/17/00] [1:97cv11743]
03/15/00	145	Motion by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to extend time to 3/22/00 to file responsive pleadings or oppositions to Plt's Motions and Objections, filed, c/s. (ktb) [Entry date 03/17/00] [1:97cv11743]
03/16/00	146	Reply/response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to [95-1] miscellaneous , filed. (ktb) [Entry date 03/17/00] [1:97cv11743]
03/16/00	147	Response by Charles D Nolan & So in 1:97-cv-11743 in opposition to [122-1] motion for review of Magistrate Judge's ruling on Discovery Issue Re Failure of Charles D. Nolan & Sons's to produe Knowledgable Witness for Deposition , filed. (ktb) [Entry date 03/17/00] [1:97cv11743]
03/20/00	--	Writ of Habeas Corpus issued for appearance of: Michael Elbery on 3/22/00 at 11:00 a.m. (ktb) [Entry date 03/21/00] [1:97cv11743]
03/20/00	148	Notice of change of address filed by Michael Elbery in 1:97-cv-11743 by Michael Elbery in 1:97-cv-11743 . (ktb) [Entry date 03/21/00] [1:97cv11743]
03/22/00	149	Reply/response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to [111-1] miscellaneous, filed, c/s. (ktb) [Entry date 03/24/00] [1:97cv11743]
03/22/00	150	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to , Plt's Objection to Magistrate's ruling on the amendment of James Coates, FILED. (ktb) [Entry date 03/24/00] [1:97cv11743]
03/22/00	151	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to [129-1] motion for review of the 10/22/99 Magistrate's Ruling on Plt's 2nd Set of Documents and Failure of Deft SPD to Prodce Documents , filed. (ktb) [Entry date

		03/24/00] [1:97cv11743]
03/31/00	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered mootng [135-1] motion to suspend or freeze action due to i prosoument of pltf . [EOD Date 3/31/00] (ktb) [1:97cv11743]
03/31/00	--	Judge Mark L. Wolf . Endorsed Order entered mootng [136-1] motion to suspend or freeze action fue to imprisonment of pltf . [EOD Date 3/31/00] (ktb) [1:97cv11743]
03/31/00	152	Mag. Judge Marianne B. Bowler . Memorandum and Order entered. denying [87-1] motion for reconsideration of allowing pltf's second set of document requests, denying [87-2] motion to compel defts to respond to pltf's document request [EOD Date 3/31/00] (ktb) [1:97cv11743]
04/03/00	153	Mag. Judge Marianne B. Bowler . Notice of motion Hearing: Motion hearing before Mag. Judge Marianne B. Bowler set for 10:30 4/24/00 for [123-1] motion to compel the Massachusetts Dept of Public Safety to to pktf's Subpoena and Produce Documents, set for 10:30 4/24/00 for [124-1] motion to compel the Commonwealth of mass Crime Lab to produce Documents as Compelled . cc/cl. (rca) [1:97cv11743]
04/20/00	--	Judge Mark L. Wolf . Endorsed Order entered mootng [123-1] motion to compel the Massachusetts Dept of Public Safety to Respond to pktf's Subpoena and Produce Documents . [EOD Date 4/25/00] "Moot, the answers having been provided to the staisfaction of this court, having reviewed the documents produced in open court this date." (ktb) [Entry date 04/25/00] [1:97cv11743]
04/24/00	--	Motion hearing re: [123-1] motion to compel the Massachusetts Dept of Public Safety to Respond to pktf's Subpoena and Produce Documents Motion hearing held, [124-1] motion to compel the Commonwealth of mass Crime Lab to produce Documents as Compelled Motion hearing held (ktb) [1:97cv11743]
04/24/00	154	Magistrate Judge Bowler . Clerk's Notes: re: Motion Hearing mootng [123-1] motion to compel the Massachusetts Dept of Public Safety to Respond to pktf's Subpoena and Produce Documents mootng [124-1] motion to compel the Commonwealth of mass Crime Lab to produce Documents as Compelled; Court informs the parties that with no other issues pending in the case, it will be turned over to the District Judge. Court Reporter: Tape (ktb) [Edit date 04/25/00] [1:97cv11743]
04/24/00	--	CASE NO LONGER REFERRED TO Mag. Judge Marianne B. Bowler . (ktb) [1:97cv11047 1:97cv11743]
04/24/00	--	Motion(s) no longer referred: [124-1] motion to compel the Commonwealth of mass Crime Lab to produce Documents as Compelled, [123-1] motion to compel the Massachusetts Dept of Public Safety to Respond to pktf's Subpoena and Produce Documents . (ktb) [1:97cv11743]
04/24/00	--	Mag. Judge Marianne B. Bowler . Endorsed Order entered mootng [124-1] motion to compel the Commonwealth of mass Crime Lab to produce Documents as Compelled . [EOD Date 4/25/00] (ktb) [Entry date 04/25/00] [1:97cv11743]
04/24/00	155	Mag. Judge Marianne B. Bowler. Order entered. This case was referred to this court for pretrial purposes (Docket Entry #72). [EOD Date 4/25/00] (ktb) [Entry date 04/25/00] [1:97cv11743]

04/28/00	156	Pltf's Notice Regarding the 4/24/00 discovery hearing, filed, c/s. (ktb) [Entry date 05/01/00] [1:97cv11743]
05/05/00	157	Motion by Michael Elbery in 1:97-cv-11743 for leave to file discovery late , filed. Referred to Judge Mark L. Wolf (bfc) [1:97cv11743]
07/25/00	158	Motion by Michael Elbery in 1:97-cv-11743 to stay case with notice of address change, FILED. (ktb) [Entry date 07/31/00] [1:97cv11743]
08/10/00	159	Reply by Michael Elbery in 1:97-cv-11743 to response to [158-1] motion to stay case, filed, c/s. (ktb) [1:97cv11743]
09/28/00	--	Terminated document: denying [158-1] motion to stay case Requested by mlw. to 9/28/00 Memorandum and Order (ktb) [Entry date 09/29/00] [1:97cv11743]
09/28/00	--	Judge Mark L. Wolf . Memorandum and Order entered. granting [145-1] motion to extend time to 3/22/00 to file responsive pleadings or oppositions to Pltf's Motions and Objections denying [119-1] motion to Judge Wolf and Objection to Magistrate's Ruling/Order on Discovery Issue Regarding Magistrate's Ruling on Pltf's 1st set of documents and failure of deft SPD to produce documents as requested denying [122-1] motion for review of Magistrate Judge's ruling on Discovery Issue Re Failure of Charles D. Nolan & Sons's to prodcue Knowledgable Witness for Deposition denying [129-1] motion for review of the 10/22/99 Magistrate's Ruling on Pltf's 2nd Set of Documents and Failure of Deft SPD to Prodcue Documents denying [134-1] motion for review of Magistrate's 11/17/99 ruling re Pltf's Subpoena for Documents to Houston General Ins. Co/Bill Walls, Crumb and Foster - U.S. Fire Inc., Co. denying [96-1] Objection... Pretrial conference set for 12/6/00 at 3:00 p.m. cc/cl. [EOD Date 9/29/00] (ktb) [Entry date 09/29/00] [Edit date 09/29/00] [1:97cv11743]
09/28/00	<u>180</u>	Judge Mark L. Wolf . Memorandum and Order entered. granting [145-1] motion to extend time to 3/22/00 to file responsive pleadings or oppositions to Pltf's Motions and Objections denying [119-1] motion to Judge Wolf and Objection to Magistrate's Ruling/Order on Discovery Issue Regarding Magistrate's Ruling on Pltf's 1st set of documents and failure of deft SPD to produce documents as requested denying [122-1] motion for review of Magistrate Judge's ruling on Discovery Issue Re Failure of Charles D. Nolan & Sons's to prodcue Knowledgable Witness for Deposition denying [129-1] motion for review of the 10/22/99 Magistrate's Ruling on Pltf's 2nd Set of Documents and Failure of Deft SPD to Prodcue Documents denying [134-1] motion for review of Magistrate's 11/17/99 ruling re Pltf's Subpoena for Documents to Houston General Ins. Co/Bill Walls, Crumb and Foster - U.S. Fire Inc., Co. denying [96-1] [EOD Date 9/29/00] Objection ... PTC set for 12/6/200. cc/cl. (ktb) [Entry date 09/29/00] [1:97cv11743]
09/28/00	181	Judge Mark L. Wolf . Order entered. set pretrial conference for 3:00 12/6/00 trial to be scheduled atht eh pretrial conference. cc/cl. [EOD Date 10/3/00] (ktb) [Entry date 10/03/00] [1:97cv11743]
09/28/00	--	Judge Mark L. Wolf . Endorsed Order entered granting [157-1] motion for leave to file discovery late . [EOD Date 10/30/00] (bfc) [Entry date 10/30/00] [1:97cv11743]
10/18/00	182	Motion by Dennis Klug in 1:97-cv-11743 for order of Dismissal, filed, c/s. (ktb) [Entry date 10/19/00] [1:97cv11743]
10/27/00	183	Motion by Robert Sheketoff in 1:97-cv-11743, Kimberly Homan in 1:97-cv-11743, Sheketoff & Homan in 1:97-cv-11743 for summary judgment, and for a separate and final judgment , filed, c/s. (ktb) [Entry date 10/30/00] [1:97cv11743]

10/27/00	184	Affidavit of Robert Sheketoff in 1:97-cv-11743 re: [183-1] motion for summary judgment, filed. (ktb) [Entry date 10/30/00] [1:97cv11743]
10/27/00	185	Affidavit of Karen McNutt, Esq., FILED, c/s. (ktb) [Entry date 10/30/00] [1:97cv11743]
10/27/00	186	Statement of Facts by Robert Sheketoff in 1:97-cv-11743, Kimberly Homan in 1:97-cv-11743, Sheketoff & Homan in 1:97-cv-11743 re: [183-1] motion for summary judgment, filed. (ktb) [Entry date 10/30/00] [1:97cv11743]
10/27/00	187	Affidavit of Anthony M. Doniger in 1:97-cv-11743, re: [183-1] motion for summary judgment, filed. (ktb) [Entry date 10/30/00] [1:97cv11743]
10/27/00	188	Notice of change of address filed by Michael Elbery in 1:97-cv-11743, FILED. (ktb) [Entry date 10/31/00] [1:97cv11743]
10/27/00	189	Motion by Michael Elbery in 1:97-cv-11743 for clarification of 9/28/00 Order, filed, c/s. (ktb) [Entry date 10/31/00] [1:97cv11743]
11/29/00	190	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743, Robert Sheketoff in 1:97-cv-11743, Kimberly Homan in 1:97-cv-11743, Sheketoff & Homan in 1:97-cv-11743, Charles D Nolan & So in 1:97-cv-11743, Dennis Klug in 1:97-cv-11743, Days Inn Motel in 1:97-cv-11743 in opposition to [189-1] motion for clarification of 9/28/00 Order, filed. (bfc) [1:97cv11743]
11/30/00	191	Pretrial memorandum by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743, Robert Sheketoff in 1:97-cv-11743, filed. (bfc) [1:97cv11743]
12/01/00	192	Pretrial memorandum by Robert Sheketoff in 1:97-cv-11743, filed, c/s. (ktb) [Entry date 12/04/00] [1:97cv11743]
12/04/00	<u>193</u>	Judge Mark L. Wolf. Order entered. The docket shall changed to reflect the pltf's address as Michael Wilberty SECC 12 Administrative Road, Bridgewater, MA. 02324.....The hearing shcheduled for 12/6/00 is RESCHEDULED for 2/26/01 at 3:00..cc/cl. [EOD Date 12/4/00] (ktb) [1:97cv11743]
12/21/00	194	Motion by Dennis Klug in 1:97-cv-11743, Days Inn Motel in 1:97-cv-11743 for separate and final judgment, filed, c/s. (ktb) [Entry date 12/26/00] [1:97cv11743]
01/02/01	202	Response by Michael Elbery in 1:97-cv-11743 to Deft's Request to oppose Pltf's Summary Judgment, FILED (ktb) [Entry date 01/25/01] [1:97cv11743]
01/05/01	195	Objection by Michael Elbery in 1:97-cv-11743 re: [180-1] memorandum order re discovery, FILED. (ktb) [Entry date 01/08/01] [1:97cv11743]
01/05/01	196	Motion by Michael Elbery in 1:97-cv-11743 for summary judgment, filed, c/s. (ktb) [Entry date 01/08/01] [1:97cv11743]

01/05/01	197	Exhibits (List of Attachments) by Michael Elbery in support of 1:97-cv-11743 [196-1] motion for summary judgment, FILED, c/s. (ktb) [Entry date 01/08/01] [1:97cv11743]
01/05/01	198	Memorandum by Michael Elbery in 1:97-cv-11743 in support of [196-1] motion for summary judgment against the Shrewsbury Police Defts and the Town of Shrewsbury, FILED, c/s. (ktb) [Entry date 01/08/01] [1:97cv11743]
01/05/01	199	Schedule of Abbreviations to Pltf's memorandum in Support of pltf's motion for summary judgment, FILED. (ktb) [Entry date 01/08/01] [1:97cv11743]
01/05/01	200	Affidavits of Michael Elbery in 1:97-cv-11743 in support of Motion for Summary Judgment, (Doc. 196), FILED. filed. (ktb) [Entry date 01/08/01] [1:97cv11743]
01/17/01	201	Motion by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to extend time to 1/26/01 to file opposition to pltf's motion for summary judgment, filed, c/s. (ktb) [1:97cv11743]
01/22/01	--	Judge Mark L. Wolf . Endorsed Order entered granting [201-1] motion to extend time to 1/26/01 to file opposition to pltf's motion for summary judgment. cc/cl. [EOD Date 1/25/01] (ktb) [Entry date 01/25/01] [1:97cv11743]
01/24/01	203	Motion by Michael Elbery in 1:97-cv-11743 to disqualify Judge Mark Wilf, filed. (ktb) [Entry date 01/25/01] [1:97cv11743]
01/24/01	--	Judge Mark L. Wolf . Endorsed Order entered granting [201-1] motion to extend time to 1/26/01 to file opposition to pltf's motion for summary judgment. cc/cl. [EOD Date 1/29/01] (ktb) [Entry date 01/29/01] [1:97cv11743]
01/26/01	204	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to [196-1] motion for summary judgment , filed. (bfc) [Entry date 01/29/01] [1:97cv11743]
01/26/01	205	Memorandum by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in support of [204-1] opposition response , filed. (bfc)
02/01/01	206	Response by Robert Sheketoff in 1:97-cv-11743, Kimberly Homan in 1:97-cv-11743 in opposition to [203-1] motion to disqualify Judge Mark Wolf, filed, c/s. (w/attachments) (ktb) [1:97cv11743]
02/08/01	207	Memorandum by Robert Sheketoff in 1:97-cv-11743, Kimberly Homan in 1:97-cv-11743 in opposition to [196-1] motion for summary judgment, and in further support of thir motion for s/j, filed, c/s. (ktb) [1:97cv11743]
02/20/01	<u>208</u>	Judge Mark L. Wolf. Memorandum and Order entered. denying [203-1] motion to disqualify Judge Mark Wilf [EOD Date 2/20/01] cc/cl. (ktb) [1:97cv11743]

02/20/01	--	Writ of Habeas Corpus issued for appearance of: Michael Elbery on 2/26/01 at 3:00 p.m. (ktb) [1:97cv11743]
03/01/01	212	Part II Reply by Michael Elbery in 1:97-cv-11743 to response to [196-1] motion for summary judgment, filed, c/s., (ktb) [Entry date 03/22/01] [1:97cv11743]
03/01/01	213	Reply by Michael Elbery in 1:97-cv-11743 to response to [196-1] motion for summary judgment, filed, c/s. (ktb) [Entry date 03/22/01] [1:97cv11743]
03/01/01	216	Motion by Michael Elbery in 1:97-cv-11743 to stay trial, filed, c/s. (ktb) [Entry date 03/23/01] [1:97cv11743]
03/01/01	217	Affidavit of Michael Elbery in 1:97-cv-11743 in support of [216-1] motion to stay trial, filed, c/s. (ktb) [Entry date 03/23/01] [1:97cv11743]
03/07/01	209	Motion by Michael Elbery in 1:97-cv-11743 to stay trial , filed. (copy) (eaf) [Entry date 03/19/01] [1:97cv11743]
03/07/01	210	Memorandum by Michael Elbery in 1:97-cv-11743 in support of [209-1] motion to stay trial , filed. (copy) (eaf) [Entry date 03/19/01] [1:97cv11743]
03/07/01	214	Letter by Michael Elbery in 1:97-cv-11743 requesting that a printout of docket entries from 7/1/00 to 3/7/01 be mailed to him, FILED. (ktb) [Entry date 03/22/01] [1:97cv11743]
03/16/01	211	Response by Robert Sheketoff in 1:97-cv-11743, Kimberly Homan in 1:97-cv-11743, Sheketoff & Homan in 1:97-cv-11743 in opposition to [209-1] motion to stay trial , filed. c/s. (mlb) [Entry date 03/19/01] [1:97cv11743]
03/22/01	215	Reply by Michael Elbery in 1:97-cv-11743 to response to [209-1] motion to stay trial, filed. (ktb) [1:97cv11743]
09/26/01	<u>218</u>	Judge Mark L. Wolf . Memorandum and Order entered, denying [196-1] motion for summary judgment, set pretrial conference for 3:00 11/29/01, set Jury trial for 12/10/01 cc/cl. [EOD Date 9/26/01] (ktb) [1:97cv11743]
09/26/01	219	Judge Mark L. Wolf . Procedural Order entered re: Pretrial/Trial; PTC set for 11/19/01 at 3:00 p.m.; Counsel shall be prepared to commence trial on or after 12/10/01. cc/cl. [EOD Date 9/26/01] (ktb) [1:97cv11743]
09/26/01	--	Terminated document: [209-1] motion to stay trial, [216-1] motion to stay trial, [194-1] motion for separate and final judgment, [189-1] motion for clarification of 9/28/00 Order, [183-1] motion for summary judgment, [183-2] motion and for a separate and final judgment, [182-1] motion for order of Dismissal Requested by mlw. (ktb) [1:97cv11743]
10/17/01	220	Letter by Michael Elbery in 1:97-cv-11743 requesting that trial subpoenas be mailed to him, FILED. (ktb) [Entry date 10/22/01] [1:97cv11743]
10/18/01	221	Motion by Michael Elbery in 1:97-cv-11743 for reconsideration of [218-1] memorandum order set pretrial conference for 3:00 11/29/01, filed, c/s. (ktb) [Entry date 10/23/01] [1:97cv11743]

10/25/01	222	Motion by Michael Elbery in 1:97-cv-11743 to have US Marshals serve pltf's subpoenas, filed, c/s. (ktb) [Entry date 10/29/01] [1:97cv11743]
10/25/01	223	Motion by Michael Elbery in 1:97-cv-11743 for a copy of Pltf's opposition to s/j motions filed in Elbery v. Breen. 98-cv-10438-MLW, filed, c/s. (ktb) [Entry date 10/29/01] [1:97cv11743]
10/25/01	224	Motion by Michael Elbery in 1:97-cv-11743 to stay Judgment on Consolidated Cases, 98-10163 and 98-10438, until disposition of the Sklut Case, filed, c/s. (ktb) [Entry date 10/29/01] [1:97cv11743]
10/25/01	225	Motion by Michael Elbery in 1:97-cv-11743 to continue trial date, filed, c/s. (ktb) [Entry date 10/29/01] [1:97cv11743]
10/30/01	228	Motion by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to extend time to 10/30/01 to oppose pltf's otion to correct court's error of law on summary judgment decision of 9/26/01, filed, c/s. (ktb) [Entry date 11/05/01] [1:97cv11743]
10/30/01	242	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to [221-1] motion for reconsideration of [218-1] memorandum order, filed, c/s. (ktb) [Entry date 11/29/01] [1:97cv11743]
11/01/01	226	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in opposition to [224-1] motion to stay Judgment on Consolidated Cases, 98-10163 and 98-10438, until disposition of the Sklut Case , filed, c/s. (ktb) [Entry date 11/05/01] [1:97cv11743]
11/01/01	227	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to [225-1] motion to continue trial date, filed, c/s. (ktb) [Entry date 11/05/01] [1:97cv11743]
11/01/01	229	Letter by Gerald Fabiano in 1:97-cv-11743 dated: 10/31/01 to: Deputy Clerk O'Leary containing a list of citations with parallel citations to the West reports, FILED. (ktb) [Entry date 11/05/01] [1:97cv11743]
11/08/01	230	Motion by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in limine to preclude memtion of claimed consequences of arrest for firearms on previous criminal conviction, filed, c/s. (ktb) [Entry date 11/09/01] [1:97cv11743]
11/08/01	231	Motion by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 in limine to preclude evidence relating only to previously adjudicated issues, filed, c/s. (ktb) [Entry date 11/09/01] [1:97cv11743]

11/08/01	232	Supplementation Memorandum to Defts' Pretrial Memorandum by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 filed. (ktb) [Entry date 11/09/01] [1:97cv11743]
11/08/01	233	Motion by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to bifurcate, filed, c/s. (ktb) [Entry date 11/09/01] [1:97cv11743]
11/09/01	234	Motion by Michael Elbery in 1:97-cv-11743 in limine , filed, c/s. (ktb) [Entry date 11/14/01] [1:97cv11743]
11/15/01	235	Pretrial memorandum by Michael Elbery in 1:97-cv-11743 , filed, c/s. (ktb) [1:97cv11743]
11/26/01	--	Writ of Habeas Corpus issued for appearance of: Michael Elbery on 11/29/01 at 3:00 p.m.. (ktb) [1:97cv11743]
11/26/01	236	Response by Michael Elbery in 1:97-cv-11743 in opposition to [230-1] motion in limine to preclude mention of claimed consequences of arrest for firearms on previous criminal conviction, filed, c/s./ (ktb) [1:97cv11743]
11/26/01	237	Response by Michael Elbery in 1:97-cv-11743 in opposition to [231-1] motion in limine to preclude evidence relating only to previously adjudicated issues, filed, c/s. (ktb) [1:97cv11743]
11/26/01	238	Response by Michael Elbery in 1:97-cv-11743 in opposition to [233-1] motion to bifurcate, filed, c/s. (ktb) [1:97cv11743]
11/26/01	239	Notice by Michael Elbery in 1:97-cv-11743 that prison is holding pltf's legal mail, FILED, c/s. (ktb) [1:97cv11743]
11/26/01	240	Response by Daniel Sklut in 1:97-cv-11743, James Carlin in 1:97-cv-11743, Stephen Faucher in 1:97-cv-11743, Carl Hanson in 1:97-cv-11743, Chester Johnson in 1:97-cv-11743, Wayne Sampson in 1:97-cv-11743, Robert McGinley in 1:97-cv-11743, Shrewsbury, Town of in 1:97-cv-11743 to [234-1] motion in limine, filed, c/s. (ktb) [1:97cv11743]
11/27/01	241	Motion by Michael Elbery in 1:97-cv-11743 for the Court to Perform Ministerial Act, filed, c/s. (ktb) [1:97cv11743]
11/29/01	<u>243</u>	Judge Mark L. Wolf . Order entered denying [221-1] motion for reconsideration of [218-1] memorandum order set pretrial conference for 3:00 11/29/01 denying [241-1] motion for the Court to Perform Ministerial Act mootng [224-1] motion to stay Judgment on Consolidated Cases, 98-10163 and 98-10438, until disposition of the Sklut Case granting [228-1] motion to extend time to 10/30/01 to oppose pltf's otion to correct court's error of law on summary judgment decision of 9/26/01 . [EOD Date 11/30/01] (ktb) [Entry date 11/30/01] [1:97cv11743]
11/29/01	--	Pre-trial conference held. (ktb) [Entry date 11/30/01] [1:97cv11743]

11/29/01	--	Pre-trial conference held . (ktb) [Entry date 12/03/01] [1:97cv11743]
11/29/01	244	Judge Mark L. Wolf . Clerk's Notes: granting [223-1] motion for a copy of Plt's opposition to s/j motions filed in Elbery v. Breen, 98-cv-10438-MLW granting [225-1] motion to continue trial date [233-1] motion to bifurcate taken under advisement [234-1] motion in limine taken under advisement reserving [234-1] motion in limine for district judge granting [230-1] motion in limine to preclude mention of claimed consequences of arrest for firearms on previous criminal conviction; Deft's motion in limine, #231 deft ordered to specify/identity the exact claims/evidence he seeks to preclude; parties to file proposed voir dire, jury instructions, special verdict forms, trial briefs and supporting motions in limine by 4/19/02; responses to suu motions filed by 4/26/02; Final Pretrial conference scheduled for 5/2/02 at 3:00 p.m. parties to file any stipulations in writing, exhibit lists, identifying those in dispute and potential by 4/19/02. i (ktb) [Entry date 12/03/01] [1:97cv11743]
12/02/01	245	Letter dated: 12/2/01 to: Michael Elbery from Barbara Morse, Pro Se Attorney re copies of documents and subpoenas for witnesses Mr. Elbery had requested, FILED. (ktb) [Entry date 12/05/01] [1:97cv11743]
12/06/01	246	Application/petition by Michael Elbery in 1:97-cv-11743 for Writ of Mandamus, filed. (ktb) [1:97cv11743]
12/07/01	247	Supplement to Petition for Writ of Mandamas, IFLED. (ktb) [Entry date 12/14/01] [1:97cv11743]
12/21/01	248	Order of the US Court of Appeals re: Writ of Mandamus: Petitioner has failed to show, either in his initial filing or in his supplementary papers, that an appeal will not suffice to protect his rights. Mandamus is an extraordinary remedy that will not lie where an appeal is and available remedy...petitioner may move in the district court for voluntary dismissal of his claim if he chooses to do so. The petition, as supplemented, is DENIED. (jr) [1:97cv11743]
01/04/02	249	Docuement compliance with court's request, FILED. (ktb) [1:97cv11743]
04/04/02	250	Notice of change of address filed by Michael Elbery in 1:97-cv-11743, FILED. (ktb) [Entry date 04/11/02] [1:97cv11743]
[END OF DOCKET: 1:97cv11743]		