

**U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:06-cv-00359-DFH-WTL**

E.C. v. OBERGFELL
Assigned to: Judge David Frank Hamilton
Referred to: Judge William T. Lawrence
Cause: 42:1983 Civil Rights Act

Date Filed: 03/02/2006
Date Terminated: 03/02/2007
Jury Demand: None
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

E.C.
*on her own behalf and on behalf of a
class of those similarly situated*

represented by **Jacquelyn Bowie Suess**
ATTORNEY AT LAW
1417 North New Jersey Street
Indianapolis, IN 46202
(317) 490-1528
Email: jsuess1417@gmail.com
ATTORNEY TO BE NOTICED

Kenneth J. Falk
ACLU OF INDIANA
1031 East Washington Street
Indianapolis, IN 46202-3952
(317) 635-4059 x104
Fax: (317) 635-4105
Email: kfalk@aclu-in.org
ATTORNEY TO BE NOTICED

Plaintiff

E.S.

represented by **Jacquelyn Bowie Suess**
(See above for address)
ATTORNEY TO BE NOTICED

Kenneth J. Falk
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

M.A.

represented by **Jacquelyn Bowie Suess**
(See above for address)
ATTORNEY TO BE NOTICED

Kenneth J. Falk
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

DENNIS OBERGFELL
*in his official capacity as acting
Executive Director of the State
Student Assistance Commission of
Indiana*

represented by **Barbara A. Nardi**
OFFICE OF THE ATTORNEY
GENERAL
302 West Washington Street
IGCS - 5th Floor
Indianapolis, IN 46204
(317) 232-6291
Fax: (317) 232-7979
Email: bnardi@atg.state.in.us
ATTORNEY TO BE NOTICED

Melinda C. Frick
OFFICE OF THE ATTORNEY
GENERAL
302 West Washington Street
IGCS - 5th Floor
Indianapolis, IN 46204
(317) 232-6292
Fax: (317) 232-7979
Email: lfrick@atg.state.in.us
ATTORNEY TO BE NOTICED

Robert B. Wentz
OFFICE OF THE ATTORNEY
GENERAL
302 West Washington Street
IGCS - 5th Floor
Indianapolis, IN 46204
(317)233-6506
Fax: (317)232-7979
Email: robert.wentz@atg.in.gov
ATTORNEY TO BE NOTICED

Date Filed	#	clear	Docket Text
-------------------	----------	-----------------------	--------------------

03/02/2006	1	<input type="checkbox"/>	COMPLAINT (Class Action) against DENNIS OBERGFELL, filed by E.C.(DH,) (Entered: 03/02/2006)
03/02/2006	2	<input type="checkbox"/>	CIVIL COVER SHEET filed by Plaintiff, E.C. (DH,) (Entered: 03/02/2006)
03/02/2006	3	<input type="checkbox"/>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction. (DH,) (Entered: 03/02/2006)
03/02/2006	4	<input type="checkbox"/>	RECEIPT #102-7987 in the amount of \$250.00 for filing fee. (DH,) (Entered: 03/02/2006)
03/02/2006	5	<input type="checkbox"/>	Summons Issued as to DENNIS OBERGFELL. (DH,) (Entered: 03/02/2006)
03/02/2006	6	<input type="checkbox"/>	MOTION to Certify Class by all plaintiffs. (Attachments: # 1 Text of Proposed Order)(Falk, Kenneth) (Entered: 03/02/2006)
03/02/2006	7	<input type="checkbox"/>	BRIEF/MEMORANDUM in Support re 6 MOTION to Certify Class filed by all plaintiffs. (Attachments: # 1 Attachment 1# 2 Attachment 2)(Falk, Kenneth) (Entered: 03/02/2006)
03/06/2006	8	<input type="checkbox"/>	RETURN of Service by CMRRR by all plaintiffs. DENNIS OBERGFELL served on 3/3/2006. (Falk, Kenneth) (Entered: 03/06/2006)
03/16/2006	9	<input type="checkbox"/>	NOTICE of Appearance by Barbara A. Nardi on behalf of all defendants (Nardi, Barbara) (Entered: 03/16/2006)
03/16/2006	10	<input type="checkbox"/>	Unopposed MOTION for Extension of Time to May 9, 2006 by all defendants. (Attachments: # 1 Text of Proposed Order)(Nardi, Barbara) (Entered: 03/16/2006)
03/16/2006	11	<input type="checkbox"/>	NOTICE of Appearance by Melinda C. Frick on behalf of DENNIS OBERGFELL (Frick, Melinda) (Entered: 03/16/2006)
03/17/2006	12	<input type="checkbox"/>	STIPULATION <i>of the Parties to Enter Protective Order</i> by all plaintiffs. (Attachments: # 1 Text of Proposed Order Protective Order)(Falk, Kenneth) (Entered: 03/17/2006)
03/17/2006	13	<input type="checkbox"/>	SCHEDULING ORDER: Initial Pretrial Conference set for 6/9/2006 10:30 AM in room #277 before Magistrate Judge William T. Lawrence. Signed by Judge William T. Lawrence on 03/17/2006. (TMA,) (Entered: 03/17/2006)
03/20/2006	14	<input type="checkbox"/>	STIPULATED PROTECTIVE ORDER. Signed by Judge William T. Lawrence on 3/20/06. (JHO) (Entered: 03/20/2006)
03/20/2006	15	<input type="checkbox"/>	ORDER granting 10 Unopposed Motion for Extension of Time to 5/9/06 to File Answer . Signed by Judge William T. Lawrence on 3/20/06. (JHO) (Entered: 03/20/2006)

05/04/2006	16	<input type="checkbox"/>	AMENDED COMPLAINT against all defendants, filed by all plaintiffs. (Attachments: # 1 Attachment 1# 2 Attachment 2)(Falk, Kenneth) (Entered: 05/04/2006)
05/04/2006	17	<input type="checkbox"/>	Amended MOTION to Certify Class by all plaintiffs. (Falk, Kenneth) (Entered: 05/04/2006)
05/04/2006	18	<input type="checkbox"/>	BRIEF/MEMORANDUM in Support re 17 Amended MOTION to Certify Class filed by all plaintiffs. (Attachments: # 1 Attachment 1# 2 Attachment 2)(Falk, Kenneth) (Entered: 05/04/2006)
05/17/2006	19	<input type="checkbox"/>	STIPULATION <i>of the Parties to Enter Additional Protective Order</i> by all plaintiffs. (Attachments: # 1 Text of Proposed Order)(Falk, Kenneth) (Entered: 05/17/2006)
05/17/2006	20	<input type="checkbox"/>	First MOTION for Extension of Time to June 19, 2006 to file response to 17 Amended MOTION to Certify Class by DENNIS OBERGFELL. (Attachments: # 1 Text of Proposed Order granting enlargement of time to respond to Amended Motion to Certify Class)(Frick, Melinda) (Entered: 05/17/2006)
05/19/2006	21	<input type="checkbox"/>	PROTECTIVE ORDER. Signed by Judge William T. Lawrence on 5/19/06. (JHO) (Entered: 05/19/2006)
05/19/2006	22	<input type="checkbox"/>	ORDER granting 20 Unopposed Motion for Extension of Time to 6/19/2006 to File Response re 17 Amended MOTION to Certify Class . Signed by Judge William T. Lawrence on 5/19/06. (JHO) (Entered: 05/19/2006)
05/23/2006	23	<input type="checkbox"/>	First MOTION for Extension of Time to 7/14/2006 <i>to Answer Amended Complaint</i> by DENNIS OBERGFELL. (Attachments: # 1 Text of Proposed Order to Unopposed Motion for Enlargment of Time to Answer)(Frick, Melinda) (Entered: 05/23/2006)
05/26/2006	24	<input type="checkbox"/>	First MOTION for Continuance <i>to reset PTC and date for filing CMP</i> by DENNIS OBERGFELL. (Attachments: # 1 Text of Proposed Order resetting PTC and CMP deadline)(Frick, Melinda) (Entered: 05/26/2006)
05/26/2006	25	<input type="checkbox"/>	CERTIFICATE OF SERVICE by DENNIS OBERGFELL re 23 First MOTION for Extension of Time to 7/14/2006 <i>to Answer Amended Complaint</i> (Frick, Melinda) (Entered: 05/26/2006)
05/26/2006	26	<input type="checkbox"/>	ORDER granting 23 Defendant's Motion for Extension of Time to 07/14/2006 to respond to complaint. Signed by Judge William T. Lawrence on 05/26/2006. (TMA,) (Entered: 05/26/2006)
05/31/2006	27	<input type="checkbox"/>	ORDER granting 24 Motion for Continuance. Initial Pretrial Conference set for 6/9/06 is VACATED AND RESCHEDULED for 7/21/2006 08:30 AM in room #277 before Magistrate Judge William

			T. Lawrence. The case management plan is due on 7/20/06. Signed by Judge William T. Lawrence on 05/31/2006. (TMA,) (Entered: 05/31/2006)
07/12/2006	28	<input type="checkbox"/>	Second MOTION for Extension of Time to August 14, 2006 <i>to Respond to Amended Complaint</i> by DENNIS OBERGFELL. (Attachments: # 1 Text of Proposed Order for Unopposed Motion for Enlargement of Time to Respond To Amended Complaint)(Frick, Melinda) (Entered: 07/12/2006)
07/13/2006	29	<input type="checkbox"/>	CASE MANAGEMENT PLAN TENDERED by all parties. (Attachments: # 1 CMP Summary)(Falk, Kenneth) Modified on 7/14/2006 (LSC,). (Entered: 07/13/2006)
07/13/2006	30	<input type="checkbox"/>	ORDER granting defendant's 28 Motion for Extension of Time to File Answer or to otherwise Respond to the Complaint to 8/14/06 . Signed by Judge William T. Lawrence on 7/13/06. (MAC,) (Entered: 07/13/2006)
07/13/2006	31	<input type="checkbox"/>	*** DUPLICATE ENTRY to 30 - DISREGARD *** - ORDER granting 28 Motion for Extension of Time to 8/14/06 to Respond. Signed by Judge William T. Lawrence on 7/13/06. (JHO) Modified on 7/13/2006 (LSC,). (Entered: 07/13/2006)
07/21/2006	32	<input type="checkbox"/>	ENTRY FOR 7/21/06: Parties appear by counsel for initial pretrial conference. Conference held and concluded without further order. SCHEDULING ORDER: Telephonic Status Conference set for 8/23/2006 01:30 PM before Magistrate Judge William T. Lawrence. Signed by Judge William T. Lawrence on 7/21/06. (JHO) (Entered: 07/21/2006)
07/21/2006	33	<input type="checkbox"/>	ORDER: CASE MANAGEMENT PLAN APPROVED AS SUBMITTED. SCHEDULING ORDER: Dispositive Motions due by 2/2/2007. Signed by Judge William T. Lawrence on 7/21/06. (JHO) (Entered: 07/21/2006)
07/26/2006	34	<input type="checkbox"/>	STIPULATION <i>to Class Certification</i> by all plaintiffs. (Attachments: # 1 Text of Proposed Order)(Falk, Kenneth) (Entered: 07/26/2006)
07/28/2006	35	<input type="checkbox"/>	ORDER - Stipulation to Class Certification. Signed by Judge David Frank Hamilton on 7/28/2006. (LSC,) (Entered: 07/28/2006)
07/28/2006	36	<input type="checkbox"/>	SCHEDULING ORDER: Bench Trial set for 10/1/2007 at 09:00 AM in room #344; Final Pretrial Conference set for 9/21/2007 at 10:00 AM in room #330; both before Judge David Frank Hamilton. Signed by Judge David Frank Hamilton on 7/28/2006. (LSC,) (Entered: 07/28/2006)
08/02/2006	37	<input type="checkbox"/>	NOTICE of Service of Initial Disclosures by all plaintiffs (Falk,

			Kenneth) (Entered: 08/02/2006)
08/02/2006	38	<input type="checkbox"/>	Witness List - <i>Exhibit List- Preliminary</i> by all plaintiffs. (Falk, Kenneth) (Entered: 08/02/2006)
08/11/2006	39	<input type="checkbox"/>	Third MOTION for Extension of Time to 09/14/2006 <i>to file Answer</i> by DENNIS OBERGFELL. (Attachments: # 1 Text of Proposed Order Granting Enlargement of Time to File Answer)(Frick, Melinda) (Entered: 08/11/2006)
08/15/2006	40	<input type="checkbox"/>	ORDER granting 39 Defendant's Motion for Extension of Time to 09/14/2006 to respond to amended complaint. Signed by Judge William T. Lawrence on 08/15/2006. (TMA,) (Entered: 08/15/2006)
08/22/2006	41	<input type="checkbox"/>	SCHEDULING ORDER: Telephonic Status Conference set for 8/23/06 is VACATED AND RESCHEDULED for 8/25/2006 09:00 AM before Magistrate Judge William T. Lawrence. Signed by Judge William T. Lawrence on 08/22/2006. (TMA,) (Entered: 08/22/2006)
08/25/2006	42	<input type="checkbox"/>	ENTRY - Parties appear by counsel for status conference. Conference held and concluded without further order. SCHEDULING ORDER: Status Conference set for 9/28/2006 01:00 PM in room #277 before Magistrate Judge William T. Lawrence. Signed by Judge William T. Lawrence on 08/25/2006. (TMA,) (Entered: 08/25/2006)
09/27/2006	43	<input type="checkbox"/>	NOTICE of Appearance by Robert B. Wentz on behalf of Defendant DENNIS OBERGFELL. (Wentz, Robert) (Entered: 09/27/2006)
09/27/2006	44	<input type="checkbox"/>	STIPULATION <i>to Amend Definition of the Class</i> , filed by Plaintiffs E.C., E.S., M.A.. (Attachments: # 1 Text of Proposed Order)(Falk, Kenneth) (Entered: 09/27/2006)
09/28/2006	45	<input type="checkbox"/>	ORDER AMENDING CLASS DEFINITION. Signed by Judge David Frank Hamilton on 09/28/2006. (CEB) (Entered: 09/28/2006)
09/29/2006	46	<input type="checkbox"/>	ENTRY - Parties appear by counsel for status conference. Conference held and concluded without further order. Signed by Judge William T. Lawrence on 09/28/2006. (TMA) (Entered: 09/29/2006)
12/21/2006	47	<input type="checkbox"/>	STIPULATION <i>to Settle all Issues with the Exception of Attorneys' Fees and Costs Following Notice to the Class/Motion to Approve Form of Notice to the Class</i> , filed by Plaintiffs E.C., E.S., M.A.. (Attachments: # 1 Attachment 1# 2 Attachment 2# 3 Attachment 3# 4 Attachment 3.5# 5 Attachment 4# 6 Attachment 5 (Part 1)# 7 Attachment 5 (Part 2)# 8 Attachment 5 (Part 3)# 9 Attachment 6# 10 Attachment 7# 11 Text of Proposed Order)(Falk, Kenneth) (Entered: 12/21/2006)
12/21/2006	48	<input type="checkbox"/>	NOTICE, filed by Plaintiffs E.C., E.S., M.A. <i>to Court by Class Counsel Concerning Stipulation to Settle all Issues with the Exception</i>

			<i>of Attorneys' Fees and Costs Following Notice to the Class.</i> (Falk, Kenneth) (Entered: 12/21/2006)
12/22/2006	49	<input type="checkbox"/>	ORDER approving 47 Stipulation to Settle all Issues with the Exception of Attorneys' Fees and Costs Following Notice to the Class/Motion to Approve Form of Notice to the Class, filed by M.A., E.C., E.S.. Signed by Judge David Frank Hamilton on 12/22/2006. (LSC) (Entered: 12/22/2006)
01/10/2007	50	<input type="checkbox"/>	MOTION to Set Fairness Hearing After February 22, 2007, filed by Plaintiffs E.C., E.S., M.A., (Attachments: # 1 Text of Proposed Order)(Falk, Kenneth) (Entered: 01/10/2007)
01/11/2007	51	<input type="checkbox"/>	ORDER granting 50 Motion to Set Fairness Hearing. Hearing set for 3/2/2007 09:00 AM in room #344 before Judge David Frank Hamilton. Signed by Judge David Frank Hamilton on 01/11/2007. (CEB) (Entered: 01/11/2007)
02/23/2007	52	<input type="checkbox"/>	NOTICE Concerning Class Counsel's Report, filed by Plaintiffs E.C., E.S., M.A. (Falk, Kenneth) Modified on 2/26/2007 (LSC). (Entered: 02/23/2007)
02/27/2007	53	<input type="checkbox"/>	NOTICE of Filing <i>Class Counsel's Report to the Court Following Notice to the Class</i> by all plaintiffs (Falk, Kenneth) (Entered: 02/27/2007)
03/02/2007	54	<input type="checkbox"/>	Courtroom Minutes for proceedings held before Judge David Frank Hamilton : Hearing held on 3/2/2007 to determine if proposed settlement was fair, reasonable and adequate; plaintiffs' counsel made a presentation; the Court approved the settlement agreement as fair reasonable and adequate; the Court stated it would enter a final judgment. (Court Reporter Fred Pratt.) (CEB) (Entered: 03/02/2007)
03/02/2007	55	<input type="checkbox"/>	CLOSED per FINAL JUDGMENT as to all issues with the exception of pltf's claims for attys' fees and costs. Signed by Judge David Frank Hamilton on 3/2/2007. (LSC) (Entered: 03/02/2007)
03/30/2007	56	<input type="checkbox"/>	NOTICE of Resolution of Plaintiffs' Claims for Attorneys' Fees and Costs, filed by Plaintiffs E.C., E.S., M.A. (Falk, Kenneth) Modified on 4/2/2007 (LSC). (Entered: 03/30/2007)

Case #: 1:06-cv-00359-DFH-WTL