

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,
Debtor.

Bankruptcy Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

**CITY OF DETROIT’S MOTION FOR THE ENTRY OF AN ORDER
AMENDING THE ORDER GRANTING THE *EX PARTE* MOTION
OF THE CITY OF DETROIT FOR AN NINTH EXTENSION OF THE
CLAIMS OBJECTION BAR DATE (NOTE: THIS IS THE LAST
EXTENSION OF THIS DEADLINE THAT WILL BE GRANTED)**

The City of Detroit, Michigan (the “City”) moves the Court (this “Motion”) for an order amending the *Order Granting the Ex Parte Motion of the City of Detroit for an Ninth Extension of the Claims Objection Bar Date (Note: This Is the Last Extension of This Deadline That Will Be Granted)* (“Extension Order, Doc. No. 13063). In support of its Motion, the City respectfully states as follows.

I. INTRODUCTION

On May 16, 2019, the City filed its Ex Parte Motion of the City of Detroit for an Order Granting a Ninth Extension of the Claims Objection Bar Date (“Extension Motion,” Doc. No. 13062). The Court granted the Extension Motion, entering the Extension Order in accord with the terms of the City’s plan (“Plan”).¹

¹ *Eighth Amended Plan for the Adjustment of Debts of the City of Detroit (October 22, 2014)*, as filed on October 22, 2014 [Doc. No. 8045] (“Plan”), and as confirmed as modified by Court order on November 12, 2014. [Doc. No. 8272].



However, the Extension Order included paragraph 3, stating that “*The Court will not grant any further extensions of this deadline.*” (emphasis in original).

The City was unaware that the Court might bar further extensions or requests for further extensions in granting the Extension Order. As such, the City did not address or otherwise explain to the Court why further extensions might be required or prudent. For example, the City is still litigating claims in other forums pursuant to the Stay Modification process approved by the Court. To the extent the City is successful in litigating those claims, the City intends to file objections in this Court in order to expunge them from the claims register. The City anticipates that some of those claims may still be on appeal or the subject of pending litigation beyond the new and final deadline of December 9, 2019, established in paragraph 3 of the Extension Order.

Further, as explained below, the City has been continuing to work on a plan for the distribution of B Notes to holders of allowed Class 14 claims under the Plan. The City has made the interest payments on the Class 14 B Notes that have accrued since the effective date of the Plan to the disbursing agent under the Plan. These interest payments will be remitted to holders of allowed Class 14 claims once distributions commence. When there were thousands of potential Class 14 claims outstanding, the distribution of B Notes appeared to be an almost unsurmountable challenge. However, as a result of the successful litigation and

resolution of claims to date (which is more specifically described in the Extension Motion), the City has been able to reduce the disputed unsecured claims reserve from over one billion dollars to one hundred million. This reduction was possible because of the City's diligence in resolving outstanding claims as quickly and efficiently as possible.

The City is not asking for the Court to grant one or more additional extensions now, in this Motion; but, rather, the City is asking only that the Court not irrevocably shut the door on future requests today, before the factual predicates of any such requests are known or can be established. The City has a small team of outside professionals which, together with City law department personnel, have been working diligently on reducing the number of claims in this case. The City has resolved – without the necessity of evidentiary hearings in this Court – many of the most complex and difficult claims. Those include, by way of examples, the AFSCME and Coalition of Detroit Unions settlement which resulted in approximately \$110 million in allowed class 14 claims. Doc. Nos. 11753 & 11754. Those also include the Brown putative class action, which had the potential to derail these proceedings for many years. Doc. Nos. 13051 & 13054. Closing the door on future extensions now, however, may result in injustice to the holders of agreed, negotiated or litigated allowed claims, for example, by enabling claims to be deemed “allowed” under the Plan solely because the objection deadline has

passed before liquidation of those claims in alternate forums has been completed – and for reasons beyond the City’s control. This injustice would come at the expense of innocent holders of agreed, negotiated or litigated allowed unsecured claims.²

Simply put, the City asks the Court to amend its Extension Order merely to afford the City the opportunity to seek further extensions of the claim objection deadline if the City determines that further extensions are necessary and in the best interest of the holders of allowed claims. The City is not asking the Court to rule now on the propriety of any such future request.³

II. BACKGROUND

The City will not repeat the status report that it provided to this Court in the Extension Motion, but will add here that the City is litigating a number of claims in non-bankruptcy forums pursuant to this Court’s ADR Order⁴ and the City’s Stay Modification Notices. *See* ADR Order, ¶ 9. Stated briefly, the stay modification process allows the City to designate a claim for liquidation in a non-bankruptcy

² Most of the remaining claims are Class 14 claims. The holders of Class 14 claims share in a fixed pot of New B Notes. Consequently, it is the holders of Class 14 claims and not the City itself that bears the burden of the allowance of what should otherwise be disallowed claims.

³ If it would assist the Court, the City will attend a status conference with the Court to help the Court better understand the status of the case.

⁴ *Order, Pursuant to Sections 105 and 502 of the Bankruptcy Code, Approving Alternative Dispute Resolution Procedures to Promote the Liquidation of Certain Prepetition Claims* [Doc. No. 2302].

forum. *See generally*, ADR Order. Once the City designates a claim for this procedure, the Plan injunction is modified to allow the claimant to liquidate its claim in a non-bankruptcy forum. ADR Order, ¶¶ 8-9. However, the procedure does not allow a claimant to enforce a liquidated claim other than as provided by the Plan. ADR Order, ¶ 11. The procedure is a liquidation procedure only. As a result, in each case the proof of claim filed in this Court must be amended or withdrawn, as appropriate, to reflect the liquidation in order to allow for distributions.

In many cases, when a claim is liquidated, the claimant fails to appropriately withdraw or amend its claim to reflect this. In such instances, the City must object to the claim in order to properly update the claims register. *E.g.*, *Debtor's Sixty-Third Omnibus Objection to Certain Claims (No Valid Basis for any Liability of the City)* [Doc. No. 12942]; *Order Sustaining Debtor's Sixty-Third Omnibus Objection to Certain Claims, Except as to Claim Number 3774 of Nathaniel Brent, and Adjourning the Hearing as to That Claim* [Doc. No. 12994]; *see also* Fed. R. Bankr. P. 3001(f), 3007 (proof of claim has prima facie validity absent objection).

This becomes especially important when the claims objection deadline passes. Once the deadline passes, any timely filed proof of claim becomes an

allowed claim by operation of the Plan and other law unless a timely objection has been filed. Plan, Art. I.A.19.⁵

There are a number of claims currently in the process of being liquidated, which could end up becoming allowed as filed regardless of the outcome of their liquidation. These include claim numbers 1125 (Derrez Payne, docket attached as **Exhibit 6-1**); 1064 (Abraham Greer and Sandra Greer, docket attached as **Exhibit 6-2**); 3631 (Marvin Seales, docket attached as **Exhibit 6-3**); 799 (Darryl Cain, docket attached as **Exhibit 6-4**); and 1925 (K&P Incorporated), 1845 (HDV Greektown, LLC), 1841 (415 East Congress, LLC) and 1857 (Shafer & Associates, P.C.) (docket attached as **Exhibit 6-5**).⁶ Some of these claims are currently being litigated in appellate courts. Indeed, a notice of appeal with respect to the Seales claim was recently filed on May 14, 2019; this appeal is unlikely to conclude by this December.

⁵ “‘Allowed Claim(s)’ means: (a) a Claim, proof of which has been timely Filed by the applicable Bar Date . . . provided that with respect to any Claim described in clauses (a) or (b) above, such Claim shall be considered allowed only if and to the extent that (x) no objection to the allowance thereof has been interposed within the applicable period of time fixed by the Plan, the Bankruptcy Code, the Bankruptcy Rules or the Bankruptcy Court”

⁶ As set forth on the docket, on May 24, 2019, the Sixth Circuit issued a ruling affirming the District Court’s denial of the fee enhancement requested by these parties. The parties now have 90 days, or until August 22, 2019, to file a petition for certiorari. U.S. Sup. Ct. R. 13(1).

In addition to the litigation claims, the City is also working with three different unions to resolve their remaining claims, and has an assortment of other claims that it is attempting to resolve through negotiation and consent.

While it has been resolving claims, the City has also been working toward distributing B Notes to holders of allowed Class 14 claims. These B Notes were issued in “book entry” form through The Depository Trust Company to a third-party Disbursing Agent retained by the City to make distributions to holders of allowed claims in Class 14.

While the delivery of the New B Notes in registered, book entry form facilitates the ability of the holder to sell the B Notes (a condition to settlements under the Plan that was insisted upon by claimants in other classes under the Plan), it also requires distributions of B Notes and any trades to be executed through a broker/dealer. This means that every holder of an allowed Class 14 claim must have a brokerage account to receive its pro rata distribution of B Notes and must provide pertinent information concerning its brokerage account to the City or Disbursing Agent. As a result, the City has been working on potential solutions to address this issue and anticipates that it will commence interim distribution(s) promptly upon reaching an acceptable solution.⁷

⁷ The distribution process is discussed in more detail in the Extension Motion at paragraphs 25-34.

III. ARGUMENT

A motion to amend an order proceeds under Eastern District of Michigan Local Bankruptcy Rule 9024-1(b), Federal Rule of Bankruptcy Procedure 9023, and Federal Rule of Civil Procedure 59(e). “A district court may grant a timely Rule 59 motion to alter or amend judgment to correct a clear error of law; to account for newly discovered evidence or an intervening change in the controlling law; or to otherwise prevent manifest injustice.” *Volunteer Energy Servs., Inc. v. Option Energy, LLC*, 579 F. App’x 319, 330 (6th Cir. 2014) (quoting *Doran v. Comm’r of Soc. Sec.*, 467 Fed. App’x. 446, 448 (6th Cir. 2012)). A court thus may grant a request to amend an order if it determines that the order entered would result in injustice. *Id.* at 331. It weighs in the movant’s favor if the movant “may reasonably have assumed that the issue [in question] was not in dispute” *See id.* at 330 (affirming district court’s decision to amend judgment).

In large bankruptcy cases, it often takes a significant amount of time to resolve claims. For instance, the Plastech Engineered Prods., Inc. case, Case Number 08-42417 (“Plastech Case”) in the Bankruptcy Court for the Eastern District of Michigan (“ED Mich. Court”), was filed on February 1, 2008. Plastech Case, Doc. No. 1. A plan was confirmed over ten months later on December 18, 2008. *Id.*, Doc. No. 4186. Over the life of the case, the trustee sought and received 29 extensions of the claim objection deadline, with the last running

through March 31, 2017, a period of nine years after the debtor filed its petition and eight years after confirmation of the debtor's plan. *Id.*, Doc. No. 8175.

Likewise, the Greektown Holdings, LLC case, Case Number 08-53104, also in the ED Mich. Court ("Greektown Case"), was filed on May 29, 2008. Greektown Case, Doc. No. 1. The debtor's plan was confirmed January 22, 2010. *Id.*, Doc. No. 2046. On January 30, 2019, the court entered an order extending the deadline to object to certain claims through March 30, 2022. *Id.*, Doc. No. 3966.

Similar extensions have granted in other larger cases. The Lehman Brothers Holdings Inc. case, Case Number 08-13555 ("Lehman Case") pending in the Bankruptcy Court for the Southern District of New York ("SDNY Court") was filed on September 15, 2008. On April 16, 2019, the "Plan Administrator" for the Lehman Case filed its most recent objection to claims in accord with that court's "Claims Procedure Order," initially entered in 2010. Lehman Case, Doc. No. 59622. The last claim objection in the WorldCom, Inc. bankruptcy case was resolved by court order on December 3, 2013, even though the petition in that case was filed on July 21, 2002. SDNY Court, Case No. 02-13533, Doc. No. 19762. The Washington Mutual, Inc. case was filed on September 26, 2008, and claims objections were still being filed five years later. Bankr. Ct. D. Del., Case No. 08-12229, Doc. No. 11546. And, there are many, many more examples of multi-year extensions being granted. The point is not that the City, on the basis or as a result

of those cases, should be granted a similar number of extensions or similar length of time to object to claims. Rather, the point is that the differing factual and legal predicates of each case warrant different treatment in order to afford justice to holders of allowed claims and to prevent injustice.

The City's case is similar to those cases, both in terms of size and complexity and, indeed, arguably more complex because it was the largest chapter 9 bankruptcy case in United States history at the time of its filing and there is limited precedent for municipal bankruptcies. Novel and complex issues were and continue to be involved in its case. The City continues to work to resolve these issues, which must occur alongside the claims resolution process. Most of these issues must be resolved before the case can be closed. *See* 11 U.S.C. § 945(b) (requiring case to be closed only after its administration is complete).

The City has encountered innumerable issues that could not have been contemplated by the Plan. Indeed, the City is unaware of any precedent for the settlement of litigation claims with unsecured municipal bonds, which are payable over 30 years and require each unsecured claimant to have a brokerage account. Working through this novel process has been difficult at best.

The City's law department has been working diligently with a small team of professionals in an attempt to balance speed with efficiency. The City believes it has made remarkable progress, superior to that of other large chapter 11 cases in

the time allotted to date. But, the City cannot in good faith promise this Court now that it will be able to resolve all claims and cases in non-bankruptcy forums by a fixed, immobile, date. Those timelines are largely in the hands of other jurists. The City may find it necessary and appropriate to seek a further extension of the claim objection deadline at a later point in time depending upon subsequent developments, and thus the City asks the Court to reconsider its order and not enjoin or otherwise prohibit the City from requesting a further extension should it believe such further extension is warranted and appropriate. Of course, at that time, the Court will be free to deny such a request should it disagree with the City's position.

IV. CONCLUSION

For the reasons set forth above, the City respectfully asks this Court to enter an order in substantially the same form as the one attached as Exhibit 1, amending the Extension Order to remove paragraph 3 and, if the Court so desires, setting a status conference to discuss the status of the City's bankruptcy case.

Dated: May 30, 2019

Respectfully submitted,

By: /s/ Marc N. Swanson

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ATTORNEYS FOR THE CITY OF DETROIT

EXHIBIT LIST

Exhibit 1	Proposed Order
Exhibit 2	Notice of Motion and Opportunity to Object
Exhibit 3	N/A
Exhibit 4	Certificate of Service
Exhibit 5	N/A
Exhibit 6-1	Docket of case liquidating claim of Derrez Payne
Exhibit 6-2	Docket of case liquidating claim of Abraham Greer and Sandra Greer
Exhibit 6-3	Docket of case liquidating claim of Marvin Seales
Exhibit 6-4	Docket of case liquidating claim of Darryl Cain
Exhibit 6-5	Docket of case liquidating claims of K&P Incorporated; HDV Greektown, LLC; 415 East Congress, LLC; and Shafer & Associates, P.C.

EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,

Debtor.

Bankruptcy Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

**[PROPOSED] ORDER AMENDING THE ORDER
GRANTING THE *EX PARTE* MOTION OF THE
CITY OF DETROIT FOR AN NINTH EXTENSION OF THE
CLAIMS OBJECTION BAR DATE (NOTE: THIS IS THE LAST
EXTENSION OF THIS DEADLINE THAT WILL BE GRANTED)**

This matter, having come before the Court on the *City of Detroit's Motion for the Entry of an Order Amending the Order Granting the Ex Parte Motion of the City of Detroit for an Ninth Extension of the Claims Objection Bar Date (Note: This Is the Last Extension of This Deadline That Will Be Granted)* (the "Motion," [Doc. No. [_____]])¹, upon proper notice and a hearing, the Court being fully advised in the premises, and there being good cause to grant the relief requested,

THE COURT ORDERS THAT:

1. The Motion is granted to the extent provided in this Order;
2. Paragraph 3 of the *Order Granting the Ex Parte Motion of the City of Detroit for an Ninth Extension of the Claims Objection Bar Date (Note: This Is the*

¹ Capitalized terms used but not otherwise defined in this Order shall have the meanings given to them in the Motion.

Last Extension of This Deadline That Will Be Granted) [Doc. No. 13063] (“Order”) is deleted. The words “*(Note: This Is the Last Extension of This Deadline That Will Be Granted)*” are also deleted from the title of the Order.

3. The remainder of the *Order Granting the Ex Parte Motion of the City of Detroit for an Ninth Extension of the Claims Objection Bar Date (Note: This Is the Last Extension of This Deadline That Will Be Granted)* [Doc. No. 13063] shall remain in full force and effect.

EXHIBIT 2

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,

Debtor.

Bankruptcy Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

**NOTICE AND OPPORTUNITY TO OBJECT TO
CITY OF DETROIT'S MOTION FOR THE ENTRY OF AN ORDER
AMENDING THE ORDER GRANTING THE *EX PARTE* MOTION
OF THE CITY OF DETROIT FOR AN NINTH EXTENSION OF THE
CLAIMS OBJECTION BAR DATE (NOTE: THIS IS THE LAST
EXTENSION OF THIS DEADLINE THAT WILL BE GRANTED)**

PLEASE TAKE NOTICE that on May 30, 2019, the City of Detroit filed its *City of Detroit's Motion for the Entry of an Order Amending the Order Granting the Ex Parte Motion of the City of Detroit for an Ninth Extension of the Claims Objection Bar Date (Note: This Is the Last Extension of This Deadline That Will Be Granted)* ("Motion").

Your rights may be affected. You may wish to review the Motion and discuss it with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you wish to object to the Court granting the relief sought in the Motion, or if you want the Court to otherwise consider your views on the Motion, within 14 days, you or your attorney must:

1. Electronically file with the Court a written response, explaining your position at:¹

¹ Response or answer must comply with Federal Rule of Civil Procedure 8(b), (c) and (e).

United States Bankruptcy Court
Eastern District of Michigan
211 West Fort Street
Detroit, Michigan 48226

If you mail your response to the Court for filing, you must mail it early enough that the Court will receive it on or before 14 days from the date below. You must also mail a copy to:

Miller, Canfield, Paddock and Stone, P.L.C.
Attn: Marc N. Swanson
150 West Jefferson, Suite 2500
Detroit, MI 48226

2. If a response is timely filed and served, the Clerk will schedule a hearing on the Motion and you will be served with a notice of the date, time, and location of the hearing.
3. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought and may enter an order granting the relief.

Respectfully submitted,

By: /s/ Marc N. Swanson
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ATTORNEYS FOR THE CITY OF DETROIT

Dated: May 30, 2019

EXHIBIT 3

None

EXHIBIT 4

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,

Debtor.

Bankruptcy Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 30, 2019, he filed the *City of Detroit's Motion for the Entry of an Order Amending the Order Granting the Ex Parte Motion of the City of Detroit for an Ninth Extension of the Claims Objection Bar Date (Note: This Is the Last Extension of This Deadline That Will Be Granted)* using the court's CM/ECF system which provided notice of the filing to all registered participants in this matter.

By: /s/ Marc N. Swanson

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May 30, 2019

EXHIBIT 5

None

Exhibit 6-1

Docket of case liquidating claim of Derrez Payne

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REGISTER OF ACTIONS

[CASE No. 12-013105-CZ](#)

PARTY INFORMATION		
Defendant	Arsenault, Rachael	Lead Attorneys Christina Vernice Kennedy <i>Retained</i> (313) 237-5051(W)
Defendant	Carruthers, Ryan	Christina Vernice Kennedy <i>Retained</i> (313) 237-5051(W)
Defendant	City of Detroit	Christina Vernice Kennedy <i>Retained</i> (313) 237-5051(W)
Defendant	Jackson, Edward	Christina Vernice Kennedy <i>Retained</i> (313) 237-5051(W)
Defendant	Pierce, James	Christina Vernice Kennedy <i>Retained</i> (313) 237-5051(W)
Defendant	Wiencek, James	Christina Vernice Kennedy <i>Retained</i> (313) 237-5051(W)
Plaintiff	Payne, Derrez	David A. Robinson <i>Retained</i> (248) 423-7234(W)

EVENTS & ORDERS OF THE COURT

	OTHER EVENTS AND HEARINGS
10/03/2012	Service Review Scheduled
10/03/2012	Status Conference Scheduled
10/03/2012	Case Filing and Jury Trial Fee - Paid
10/03/2012	Complaint, Filed
11/28/2012	Return of Service, Filed
12/13/2012	Return of Service, Filed
12/14/2012	Service of Complaint, filed
12/14/2012	Service of Complaint, filed
12/17/2012	Answer to Complaint, Filed
12/18/2012	Answer to Affirmative Defenses, Filed
12/20/2012	Motion for Alternate Service, Filed
12/21/2012	Order for Extension of Summons, Signed and Filed (Judicial Officer: Curtis, Daphne Means)
12/26/2012	Answer to Complaint, Filed
01/07/2013	Proof of Service, Filed
01/09/2013	Answer to Affirmative Defenses, Filed
01/31/2013	Return of Service, Filed
01/31/2013	Return of Service, Filed
02/12/2013	Answer to Complaint, Filed
02/13/2013	Answer to Affirmative Defenses, Filed
02/13/2013	Answer to Complaint, Filed
02/19/2013	Answer to Affirmative Defenses, Filed
04/15/2013	Status Conference (9:00 AM) (Judicial Officer Curtis, Daphne Means)
	01/02/2013 Reset by Court to 01/04/2013
	01/04/2013 Reset by Court to 04/05/2013
	04/05/2013 Reset by Court to 04/09/2013
	04/09/2013 Reset by Court to 04/11/2013
	04/11/2013 Reset by Court to 04/15/2013
	Result: Reviewed by Court
04/15/2013	Status Conference Scheduling Order, Signed and Filed (Judicial Officer: Curtis, Daphne Means)
04/18/2013	Settlement Conference Scheduled
05/21/2013	Proof of Service, Filed

06/11/2013 [Witness List, Filed](#)
 06/28/2013 [Motion to Compel Answers to Interrogatories, Filed](#)
 07/01/2013 [Praecipe, Filed](#) (Judicial Officer: Curtis, Daphne Means)
 07/17/2013 [Answer to Motion, Filed](#)
 07/19/2013 **Motion Hearing** (9:00 AM) (Judicial Officer Curtis, Daphne Means)
 Result: Motion and/or Praecipe Dismissed
 08/21/2013 [Closed/Final - Admin Clsng Due to Bankrpty, Signed and Filed](#) (Judicial Officer: Curtis, Daphne Means)
 08/22/2013 **Case Evaluation - General Civil**
 11/20/2013 **CANCELED Settlement Conference** (8:30 AM) (Judicial Officer Curtis, Daphne Means)
 Case Disposed/Order Previously Entered
 07/22/2014 [Motion to Withdraw as Attorney, Filed](#)
 07/24/2014 [Praecipe, Filed](#) (Judicial Officer: Curtis, Daphne Means)
 08/29/2014 **CANCELED Motion Hearing** (9:00 AM) (Judicial Officer Curtis, Daphne Means)
 Dismiss Hearing or Injunction
 03/06/2015 [Miscellaneous Action](#)
 06/21/2018 [Miscellaneous Motion, Filed](#)
 06/21/2018 [Proof of Service, Filed](#)
 07/24/2018 [Praecipe, Filed](#) (Judicial Officer: Strong, Craig S.)
 07/27/2018 **CANCELED Motion Hearing** (9:00 AM) (Judicial Officer Strong, Craig S.)
 Scheduling Error
 07/27/2018 **Motion Hearing** (9:00 AM) (Judicial Officer Strong, Craig S.)
 Result: Held
 07/27/2018 **Motion Granted, Order to Follow** (Judicial Officer: Strong, Craig S.)
 07/27/2018 [Proof of Service, Filed](#)
 08/03/2018 [Case Reopened - Order of Reinstatement, Signed and Filed](#)
 08/10/2018 [Non-Party Filing](#)
 08/10/2018 [Proof of Service, Filed](#)
 08/27/2018 [Order for Miscellaneous Action, Signed and Filed](#)
 09/07/2018 [Order for Miscellaneous Action, Signed and Filed](#)
 09/18/2018 **Status Conference** (11:00 AM) (Judicial Officer Strong, Craig S.)
 09/12/2018 Reset by Court to 09/18/2018
 Result: Held
 10/02/2018 **Status Conference** (9:00 AM) (Judicial Officer Strong, Craig S.)
 Result: Reviewed by Court
 10/02/2018 **Motion for Miscellaneous Action Granted, Order to Follow** (Judicial Officer: Strong, Craig S.)
 10/03/2018 [Order Adjourning Mediation and Settlement Conference, S/F](#)
 10/03/2018 [Order for Miscellaneous Action, Signed and Filed](#)
 10/03/2018 [Proof of Service, Filed](#)
 10/30/2018 [Proof of Service, Filed](#)
 10/30/2018 [Notice of Taking Deposition, Filed](#)
 11/05/2018 [Notice of Taking Deposition, Filed](#)
 11/05/2018 [Proof of Service, Filed](#)
 12/05/2018 [Appearance of Attorney, Filed](#)
 12/05/2018 [Substitution of Attorney, Filed](#)
 12/05/2018 [Proof of Service, Filed](#)
 01/14/2019 [Miscellaneous Motion, Filed](#)
 01/14/2019 [Notice of Hearing, Filed](#)
 01/14/2019 [Proof of Service, Filed](#)
 01/15/2019 [Praecipe, Filed](#) (Judicial Officer: Strong, Craig S.)
 01/18/2019 [Motion to Withdraw as Attorney, Filed](#)
 01/18/2019 [Proof of Service, Filed](#)
 01/18/2019 [Praecipe, Filed](#) (Judicial Officer: Strong, Craig S.)
 01/22/2019 [Answer to Motion, Filed](#)
 01/22/2019 [Notice of Hearing, Filed](#)
 01/22/2019 [Proof of Service, Filed](#)
 01/22/2019 [Proof of Service, Filed](#)
 01/25/2019 **Motion Hearing** (9:00 AM) (Judicial Officer Strong, Craig S.)
 Result: Held
 01/25/2019 **Motion for Miscellaneous Action Granted, Order to Follow** (Judicial Officer: Strong, Craig S.)
 01/25/2019 [Order Compelling Action, Signed and Filed](#)
 01/25/2019 [Proof of Service, Filed](#)
 01/28/2019 [Notice of Taking Deposition, Filed](#)
 01/28/2019 [Proof of Service, Filed](#)
 02/01/2019 **Motion Hearing** (9:00 AM) (Judicial Officer Strong, Craig S.)
 Result: Held
 02/01/2019 **Motion to Withdraw as Attorney Granted, Order to Follow** (Judicial Officer: Strong, Craig S.)
 02/01/2019 [Order to Withdraw as Attorney, Signed and Filed](#)
 02/01/2019 [Proof of Service, Filed](#)
 03/12/2019 **Status Conference** (11:00 AM) (Judicial Officer Strong, Craig S.)
 Result: Held
 03/12/2019 **Motion for Miscellaneous Action Granted, Order to Follow** (Judicial Officer: Strong, Craig S.)
 03/12/2019 [Proof of Service, Filed](#)
 03/13/2019 [Notice of Taking Deposition, Filed](#)
 03/13/2019 [Proof of Service, Filed](#)
 03/13/2019 [Order for Miscellaneous Action, Signed and Filed](#)
 04/04/2019 [Appearance of Attorney, Filed](#)
 04/04/2019 [Proof of Service, Filed](#)
 04/04/2019 [Miscellaneous Motion, Filed](#)
 04/04/2019 [Proof of Service, Filed](#)
 04/09/2019 [Answer to Motion, Filed](#)
 04/09/2019 [Proof of Service, Filed](#)
 04/12/2019 [Proof of Service, Filed](#)
 04/15/2019 [Appearance of Attorney, Filed](#)
 04/15/2019 [Proof of Service, Filed](#)

04/15/2019 [Order Adjourning Mediation, Signed and Filed](#)
 04/29/2019 **Case Evaluation - General Civil**
 04/29/2019 [Motion to Compel Action, Filed](#)
 04/29/2019 [Proof of Service, Filed](#)
 04/30/2019 [Praecipe, Filed](#) (Judicial Officer: Strong, Craig S.)
 05/07/2019 [Answer to Motion, Filed](#)
 05/07/2019 [Proof of Service, Filed](#)
 05/17/2019 **CANCELED Motion Hearing** (9:00 AM) (Judicial Officer Strong, Craig S.)
Dismiss Non-Appearance
 06/06/2019 **Final Pre-Trial Conference** (9:00 AM) (Judicial Officer Strong, Craig S.)
 06/12/2019 **Settlement Conference** (9:00 AM) (Judicial Officer Strong, Craig S.)
04/02/2019 Reset by Court to 04/03/2019
04/03/2019 Reset by Court to 05/28/2019
05/28/2019 Reset by Court to 06/12/2019
 06/24/2019 **Trial** (9:00 AM) (Judicial Officer Strong, Craig S.)

FINANCIAL INFORMATION

	Plaintiff Payne, Derrez		
	Total Financial Assessment		100.00
	Total Payments and Credits		100.00
	Balance Due as of 05/22/2019		0.00
06/21/2018	Transaction Assessment		20.00
06/21/2018	eFiling	Receipt # 2018-48976	(20.00)
01/15/2019	Transaction Assessment		20.00
01/15/2019	eFiling	Receipt # 2019-03774	(20.00)
01/18/2019	Transaction Assessment		20.00
01/18/2019	eFiling	Receipt # 2019-05468	(20.00)
04/05/2019	Transaction Assessment		20.00
04/05/2019	eFiling	Receipt # 2019-28296	(20.00)
04/29/2019	Transaction Assessment		20.00
04/29/2019	eFiling	Receipt # 2019-35526	(20.00)

Exhibit 6-2

Docket of case liquidating claim of Abraham Greer and Sandra Greer

[Home](#) → [Cases, Opinions & Orders](#) →

Case Search

Case Docket Number Search Results - 345698

Appellate Docket Sheet

COA Case Number: 345698

ESTATE OF SANDRA GREER V DETROIT WATER AND SEWERAGE DEPARTMENT

1	GREER SANDRA ESTATE OF	ZZ		
2	GREER ABRAHAM PERSONAL REPRESENTATIVE AND INDIVIDUALLY		(57937)	RUBINSTEIN JAN JEFFREY
3	DETROIT WATER AND SEWERAGE DEPARTMENT OF Oral Argument: Y Timely: Y	DF-AT	RET	(34731) WILLIAMS AVERY K
4	FAUSONE JAMES G	DF		
5	EINHEUSER MICHAEL	DF		

COA Status: OPEN

Case Flags: Electronic Record

- 10/01/2018 1 Claim of Appeal - Civil
 Proof of Service Date: 10/01/2018
 Jurisdictional Checklist: Y
 Register of Actions: Y
 Fee Code: EPAY
 Attorney: 34731 - WILLIAMS AVERY K
- 09/28/2018 2 Order Appealed From
 From: WAYNE CIRCUIT COURT
 Case Number: 16-012832-CZ
 Trial Court Judge: 37512 GIBSON SHEILA ANN
 Nature of Case:
 Summary Disposition Denied - Gov'tal Immunity
- 10/05/2018 4 Appearance - Appellee
 Date: 10/05/2018
 For Party: 2
 Attorney: 57937 - RUBINSTEIN JAN JEFFREY
- 10/22/2018 5 Invol Dismissal Warning - No Steno Cert
 Attorney: 34731 - WILLIAMS AVERY K
 Due Date: 11/12/2018
 Comments: No cert for dates reqstd in evt#3
- 10/25/2018 6 Transcript Requested By Atty Or Party
 Date: 10/25/2018
 Timely: Y
 Reporter: 5634 - JONES MANUWELLA
 Hearings:
 01/23/2018
 03/09/2018
 07/03/2018
 Comments: By Court Reporting
- 10/25/2018 7 Steno Certificate - Tr Request Received

Date: 10/25/2018
Timely: Y
Reporter: 5634 - JONES MANUWELLA
Hearings:
01/23/2018
03/09/2018
07/03/2018

10/26/2018 **8 Docketing Statement MCR 7.204H**
For Party: 3 DETROIT WATER AND SEWERAGE DEPARTMENT OF DF-AT
Proof of Service Date: 10/26/2018
Filed By Attorney: 34731 - WILLIAMS AVERY K

01/03/2019 **10 Transcript Overdue - Notice to Reporter**
Mail Date: 01/04/2019
Reporter: 5634 - JONES MANUWELLA
Comments: 1/23/18, 3/9/18, 7/3/18 hrg dates

01/04/2019 **11 Telephone Contact**
Comments: Rptr asks about evt 10 - not 91 d from CRS order date. Changed evt w/letter req, earlier order date

01/24/2019 **12 Other**
Date: 01/24/2019
Comments: Amended steno cert for that in evt 7 as to estimated date of completion only

02/01/2019 **13 Other**
Date: 01/29/2019
Comments: Amended cert as in evt 12 as to pty name & designation in #1a & 1b only

02/01/2019 **14 Notice Of Filing Transcript**
Date: 01/24/2019
Timely: Y
Reporter: 5634 - JONES MANUWELLA
Hearings:
01/23/2018
03/09/2018
07/03/2018

03/20/2019 **16 Brief: Appellant**
Proof of Service Date: 03/20/2019
Oral Argument Requested: Y
Timely Filed: Y
Filed By Attorney: 34731 - WILLIAMS AVERY K
For Party: 3 DETROIT WATER AND SEWERAGE DEPARTMENT OF DF-AT
Comments: Brief on behalf of party 3 only; E-filed appendices not printed for file

03/22/2019 **15 Telephone Contact**
For Party: 3 DETROIT WATER AND SEWERAGE DEPARTMENT OF DF-AT
Attorney: 34731 - WILLIAMS AVERY K
Comments: Asst Webly says Fausone as AT was mistake. May move to amend claim, stip for partl dism, or invol-b.

04/17/2019 **17 Brief: Appellee**
Proof of Service Date: 04/17/2019
Oral Argument Requested: Y
Timely Filed: Y
Filed By Attorney: 57937 - RUBINSTEIN JAN JEFFREY
For Party: 2
Comments: E-filed appendices not printed for file

04/18/2019 **18 Motion: Motion**
Proof of Service Date: 04/18/2019

Filed By Attorney: 34731 - WILLIAMS AVERY K
For Party: 3 DETROIT WATER AND SEWERAGE DEPARTMENT OF DF-AT
Fee Code: EPAY
Answer Due: 04/25/2019
Comments: To remove James G Fausone as a party

04/23/2019 19 Noticed

Record: REQST
Mail Date: 04/24/2019

04/24/2019 20 Answer - Motion

Proof of Service Date: 04/24/2019
Event No: 18 Motion
For Party: 2
Filed By Attorney: 57937 - RUBINSTEIN JAN JEFFREY

04/27/2019 21 Electronic Record Filed

05/07/2019 23 Submitted on Administrative Motion Docket

Event: 18 Motion
District: D

05/07/2019 24 Brief: Reply

Proof of Service Date: 05/07/2019
Oral Argument Requested:
Timely Filed:
Filed By Attorney: 34731 - WILLIAMS AVERY K
For Party: 3 DETROIT WATER AND SEWERAGE DEPARTMENT OF DF-AT

05/08/2019 25 Order: Grant - Generic

[View document in PDF format](#)

Event: 18 Motion
Panel: CMM
Attorney: 34731 - WILLIAMS AVERY K
Comments: Mt to remove James G Fausone as a party; Claim amended to reflect pty 3 as only AT; Caption amended

Case Listing Complete

Exhibit 6-3

Docket of case liquidating claim of Marvin Seales

CLOSED,APPEAL,JURY_TRIAL,MEDIATION,REOPENED,reassigned

**U.S. District Court
Eastern District of Michigan (Flint)
CIVIL DOCKET FOR CASE #: 4:12-cv-11679-GAD-DRG**

Seales v. Detroit, City of et al
Assigned to: District Judge Gershwin A. Drain
Referred to: Magistrate Judge David R. Grand
Demand: \$75,000
Case in other court: U.S. Court of Appeals - Sixth Circuit,
17-01096
U.S. Court of Appeals - Sixth Circuit,
17-01096
Cause: 42:1983 Civil Rights Act

Date Filed: 04/16/2012
Date Terminated: 09/05/2018
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Marvin Seales

represented by **Brian R. Garves**
61 N Deeplands Rd
Grosse Pointe Shores, MI 48236
313-417-0625
TERMINATED: 02/26/2013
ATTORNEY TO BE NOTICED

Geoffrey N. Fieger
Fieger, Fieger,
19390 W. Ten Mile Road
Southfield, MI 48075-2463
248-355-5555
Fax: 248-355-5148
Email: g.fieger@fiegerlaw.com
ATTORNEY TO BE NOTICED

James S. Craig
Fieger, Fieger, Kenney, Giroux, Danzig
& HarringtonPC
19390 West Ten Mile Road
Southfield, MI 48075-2463
248-355-5555
Fax: 248-355-5148
Email: j.craig@fiegerlaw.com
ATTORNEY TO BE NOTICED

James J. Harrington , IV
Fieger, Fieger, Kenney, Giroux &
Harrington, P.C.
19390 W. Ten Mile Road

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ATTORNEY TO BE NOTICED

Stephanie L. Arndt
Fieger, Fieger, Kenney & Harrington,
PC
19390 West Ten Mile Rd
Southfield, MI 48075
248-355-5555
Fax: 248-355-5148
Email: s.arndt@fiegerlaw.com
ATTORNEY TO BE NOTICED

Martin T. Shepherd
Fieger, Fieger, Kenney, Giroux &
Danzig, P.C.
19390 West Ten Mile Road
Southfield, MI 48075
248-355-5555
Fax: 248-355-5148
ATTORNEY TO BE NOTICED

V.

Defendant

Detroit, City of

represented by **Calvert A. Bailey**
Detroit City Law Department
1650 First National Building
Detroit, MI 48226
313-224-4550
Fax: 313-224-5505
Email: bailc@detroitmi.gov
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Dennis Burnett
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660 Woodward Avenue
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Fax: 313-224-5505
ATTORNEY TO BE NOTICED

Josephine A. DeLorenzo
Plunkett Cooney
38505 Woodward Avenue

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Mary Massaron
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ATTORNEY TO BE NOTICED

Yvonne R. Bradley
City of Detroit Law Department
2 Woodward Avenue, Suite 500
Detroit
Detroit, MI 48226
313-224-4550
Fax: 313-224-5505
Email: bradleyy@detroitmi.gov
ATTORNEY TO BE NOTICED

Defendant

Detroit, City of, Police Officer

represented by **Josephine A. DeLorenzo**
(See above for address)
ATTORNEY TO BE NOTICED

Mary Massaron
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Det PO Thomas Zberkot

represented by **Calvert A. Bailey**
(See above for address)
ATTORNEY TO BE NOTICED

Charles N. Raimi
Detroit Medical Center
Legal Affairs
4707 St. Antoine
Suite W514
Detroit, MI 48201

313-966-2226
Fax: 313-966-2040
Email: raimic@detroitmi.gov
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Josephine A. DeLorenzo
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Krystal A. Crittendon
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Mary Massaron
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ATTORNEY TO BE NOTICED

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Email: whyts@detroitmi.gov
ATTORNEY TO BE NOTICED

Defendant

Wayne County of

represented by **Aaron C. Thomas**
Macomb County Corporation Counsel
1 South Main Street
8th Floor
Mt. Clemens, MI 48043
586.469.6346
Email: aaron.thomas@macombgov.org
ATTORNEY TO BE NOTICED

Davidde A. Stella
Wayne County Corporation Counsel
500 Griswold St.
30th Floor
Detroit, MI 48226
313-224-5030

Email: dstella@waynecounty.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/16/2012	<u>1</u>	COMPLAINT <i>Complaint and Demand for Trial by Jury</i> filed by Marvin Seales against Marvin Seales with Jury Demand. Plaintiff requests summons issued . Fee Required - Fee Not Paid. County of 1st Plaintiff: Wayne - County Where Action Arose: Wayne - County of 1st Defendant: Wayne . [Previously dismissed case: No] [Possible companion case(s): None] (Attachments: # <u>1</u> Exhibit Order of Dismissal) (Shepherd, Martin) (Entered: 04/16/2012)
04/17/2012	<u>2</u>	Notice of Filing Fee Not Paid Correction due by 4/24/2012 (PMil) (Entered: 04/17/2012)
04/19/2012		FILING FEE Received in the amount of \$350.00 by Marvin Seales - Receipt No. DET042377 [No Image Associated with this docket entry] (KByr) (Entered: 04/19/2012)
04/20/2012	<u>3</u>	SUMMONS Issued for *Detroit, City of, Detroit, City of, Police Officer* (KByr) (Entered: 04/20/2012)
05/21/2012	<u>4</u>	CERTIFICATE of Service/Summons Returned Executed. Detroit, City of served on 5/16/2012, answer due 6/6/2012. (Shepherd, Martin) (Entered: 05/21/2012)
05/22/2012	<u>5</u>	ANSWER to Complaint with Affirmative Defenses <i>City of Detroit Only</i> by Detroit, City of. (Burnett, Dennis) (Entered: 05/22/2012)
05/29/2012	<u>6</u>	RESPONSE to Defendant <i>City of Detroit's Affirmative Defenses</i> by Marvin Seales. (Shepherd, Martin) (Entered: 05/29/2012)
07/13/2012	<u>7</u>	NOTICE of Appearance by Yuvonne R. Bradley on behalf of Detroit, City of. (Bradley, Yuvonne) (Entered: 07/13/2012)
10/04/2012	<u>8</u>	MOTION to Compel <i>Answers to Interrogatories and Requests for Production of Documents</i> by Marvin Seales. (Attachments: # <u>1</u> Exhibit 1 - August 21, 2012 email to Yuvonne Bradley) (Shepherd, Martin) (Entered: 10/04/2012)
11/02/2012	<u>9</u>	NOTICE of reassignment from District Judge Stephen J. Murphy, III to District Judge Gershwin A. Drain pursuant to Administrative Order 12-AO-018. (SSch) (Entered: 11/02/2012)
11/06/2012	<u>10</u>	NOTICE TO APPEAR: Scheduling Conference set for 12/19/2012 10:00 AM before District Judge Gershwin A. Drain (Bankston, T) (Entered: 11/06/2012)
11/21/2012	<u>11</u>	ORDER Granting <u>8</u> Motion to Compel and Setting Hearing. Signed by District Judge Gershwin A. Drain. (Bankston, T) (Entered: 11/21/2012)
11/21/2012	<u>12</u>	NOTICE of hearing. Motion Hearing for Attorney fees <u>8</u> set for 12/19/2012 10:00 AM before District Judge Gershwin A. Drain (Bankston, T) (Entered: 11/21/2012)

11/26/2012	13	NOTICE of Appearance by Brian R. Garves on behalf of All Plaintiffs. (Garves, Brian) (Entered: 11/26/2012)
12/12/2012	14	MOTION Reimbursement of Attorney Fees by All Plaintiffs. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2) (Garves, Brian) (Entered: 12/12/2012)
12/13/2012	15	SUPPLEMENTAL BRIEF re 11 Order on Motion to Compel filed by All Plaintiffs. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2) (Garves, Brian) (Entered: 12/13/2012)
12/18/2012	16	NOTICE of Appearance by Calvert A. Bailey on behalf of Detroit, City of. (Bailey, Calvert) (Entered: 12/18/2012)
12/18/2012	17	RESPONSE to 14 MOTION Reimbursement of Attorney Fees filed by Detroit, City of. (Bailey, Calvert) (Entered: 12/18/2012)
12/19/2012		Minute Entry - Motion Hearing held on 12/19/2012 re 14 MOTION Reimbursement of Attorney Fees filed by Marvin Seales before District Judge Gershwin A. Drain. Disposition: NOT HELD,PARTIES RESOLVED(Court Reporter MERILYN J JONES) (Bankston, T) (Entered: 12/19/2012)
12/19/2012		Minute Entry - Scheduling Conference held on 12/19/2012 before District Judge Gershwin A. Drain. (Court Reporter MERILYN J JONES) (Bankston, T) (Entered: 12/19/2012)
12/20/2012	18	ORDER Denying 14 Motion for Reimbursement of Attorney Fees and allowing Plaintiff to file Amended Complaint.. Signed by District Judge Gershwin A. Drain. (Bankston, T) (Entered: 12/20/2012)
12/20/2012	19	SCHEDULING ORDER: Discovery due by 7/8/2013 Dispositive Motion Cut-off set for 9/12/2013 Settlement Conference set for 9/26/13 before Magistrate Judge David R. Grand Final Pretrial Conference set for 10/15/2013 10:00 AM before District Judge Gershwin A. Drain Jury Trial set for 10/21/2013 09:00 AM before District Judge Gershwin A. Drain Signed by District Judge Gershwin A. Drain. (Refer to image for additional dates) (Bankston, T) (Entered: 12/20/2012)
12/20/2012	20	ORDER REFERRING OTHER MATTERS to Magistrate Judge Grand : Settlement Conference. Signed by District Judge Gershwin A. Drain. (Bankston, T) (Entered: 12/20/2012)
12/20/2012	21	ORDER REFERRING CASE to Mediation. Signed by District Judge Gershwin A. Drain. (Bankston, T) (Entered: 12/20/2012)
12/20/2012	22	NOTICE TO APPEAR: Settlement Conference set for 9/23/2013 at 10:00 AM before Magistrate Judge David R. Grand. LOCATION: ANN ARBOR, MI (FMos) (Entered: 12/20/2012)
02/01/2013	23	NOTICE of Appearance by James S. Craig on behalf of Marvin Seales. (Craig, James) (Entered: 02/01/2013)
02/26/2013	24	MOTION to Amend/Correct <i>Complaint</i> by Marvin Seales. (Craig, James) (Entered: 02/26/2013)
02/26/2013	25	

		STIPULATED ORDER FOR SUBSTITUTION OF COUNSEL. Signed by District Judge Gershwin A. Drain. (Bankston, T) (Entered: 02/26/2013)
02/27/2013	26	REQUEST FOR RESPONSE AND ORDER FOR SUBMISSION AND DETERMINATION OF MOTION WITHOUT ORAL HEARING. Signed by District Judge Gershwin A. Drain. (Bankston, T) (Entered: 02/27/2013)
04/08/2013	27	ORDER Granting 24 Plaintiff's Motion to File First Amended Compliant and Setting Deadline for Adding Parties.. Signed by District Judge Gershwin A. Drain. (Bankston, T) (Entered: 04/08/2013)
04/09/2013	28	AMENDED COMPLAINT with Jury Demand filed by Marvin Seales against Thomas Zberkot, Wayne County of. NEW PARTIES ADDED. (Craig, James) (Entered: 04/09/2013)
04/09/2013		REQUEST for SUMMONS for Wayne County of. (Craig, James) (Entered: 04/09/2013)
04/09/2013		REQUEST for SUMMONS for Thomas Zberkot. (Craig, James) (Entered: 04/09/2013)
04/10/2013	29	SUMMONS Issued for *Wayne County of, Thomas Zberkot* (KKra) (Entered: 04/10/2013)
05/02/2013	30	CERTIFICATE of Service/Summons Returned Executed. Wayne County of served on 4/24/2013, answer due 5/15/2013. (Craig, James) (Entered: 05/02/2013)
05/02/2013	31	CERTIFICATE of Service/Summons Returned Executed. Thomas Zberkot served on 4/29/2013, answer due 5/20/2013. (Craig, James) (Entered: 05/02/2013)
05/08/2013	32	<i>Plaintiff's</i> WITNESS LIST by Marvin Seales (Craig, James) (Entered: 05/08/2013)
05/16/2013	33	ANSWER to Amended Complaint with Affirmative Defenses by Wayne County of. (Thomas, Aaron) (Entered: 05/16/2013)
05/19/2013	34	ANSWER to Amended Complaint with Affirmative Defenses by Detroit, City of. (Bailey, Calvert) (Entered: 05/19/2013)
05/19/2013	35	ANSWER to Amended Complaint with Affirmative Defenses by Thomas Zberkot. (Bailey, Calvert) (Entered: 05/19/2013)
05/22/2013	36	RESPONSE to 33 Answer to Amended Complaint <i>Regarding Affirmative Defenses</i> by Marvin Seales. (Craig, James) (Entered: 05/22/2013)
05/22/2013	37	RESPONSE to 34 Answer to Amended Complaint <i>Regarding Affirmative Defenses</i> by Marvin Seales. (Craig, James) (Entered: 05/22/2013)
05/22/2013	38	RESPONSE to 35 Answer to Amended Complaint <i>Regarding Affirmative Defenses</i> by Marvin Seales. (Craig, James) (Entered: 05/22/2013)
07/23/2013	39	MOTION TO EXTEND Case Eval date,discovery , MOTION to Compel <i>Rule 26 Disclosures</i> by Marvin Seales. (Craig, James) (Entered: 07/23/2013)

07/23/2013	40	NOTICE by Detroit, City of, Thomas Zberkot (Attachments: # 1 Exhibit A-Bankruptcy Petition) (Bailey, Calvert) Modified on 7/23/2013 (DWor). [DOCUMENT ENTITLED "NOTICE OF SUGGESTION OF PENDENCY OF BANKRUPTCY CASE AND APPLICATION OF THE AUTOMATIC STAY"] (Entered: 07/23/2013)
07/29/2013	41	ORDER ADMINISTRATIVELY CLOSING CASE Signed by District Judge Gershwin A. Drain. (Bankston, T) (Entered: 07/29/2013)
07/30/2013	42	NOTICE of Joinder/Concurrence in 40 Notice (Other), filed by Detroit, City of, Thomas Zberkot by Wayne County of <i>Concurrence in Notice and Application of the Automatic Stay</i> (Thomas, Aaron) (Entered: 07/30/2013)
10/06/2015	43	MOTION to Reopen Case <i>and Lift Stay</i> by Marvin Seales. (Attachments: # 1 Exhibit 1 - Stay Modification Notice, # 2 Exhibit 2 - Propsed Order) (Craig, James) (Entered: 10/06/2015)
10/07/2015	44	NOTICE OF HEARING on 43 MOTION to Reopen Case <i>and Lift Stay</i> . Motion Hearing set for 11/18/2015 11:00 AM before District Judge Gershwin A. Drain (TBan) (Entered: 10/07/2015)
10/22/2015	45	Notice of E-mail Delivery Failure as to attorney Martin T. Shepherd. Bounced NEF for 43 MOTION to Reopen Case <i>and Lift Stay</i> . (SSch) (Entered: 10/22/2015)
10/22/2015	46	Notice of E-mail Delivery Failure as to attorney Martin T. Shepherd. Bounced NEF for 44 Notice of Hearing on Motion. (SSch) (Entered: 10/22/2015)
11/13/2015	47	RESPONSE to 43 MOTION to Reopen Case <i>and Lift Stay</i> filed by Wayne County of. (Thomas, Aaron) (Entered: 11/13/2015)
11/13/2015	48	RESPONSE to 43 MOTION to Reopen Case <i>and Lift Stay</i> filed by Detroit, City of. (Bailey, Calvert) (Entered: 11/13/2015)
11/17/2015		TEXT-ONLY NOTICE: Hearing on 11/18/2015 is Cancelled re 44 Notice of Hearing on Motion (TMcg) (Entered: 11/17/2015)
11/17/2015	49	ORDER granting 43 Motion to set aside bankruptcy stay, reopening case, and dismissing 41 Order.Signed by District Judge Gershwin A. Drain. (DPer) (Entered: 11/17/2015)
11/17/2015	50	NOTICE TO APPEAR: Status Conference set for 1/25/2016 11:00 AM before District Judge Gershwin A. Drain (TMcg) (Entered: 11/17/2015)
11/20/2015	51	Notice of E-mail Delivery Failure as to attorney Martin T. Shepherd. Bounced NEF for 48 Response to Motion. (SSch) (Entered: 11/20/2015)
11/20/2015	52	Notice of E-mail Delivery Failure as to attorney Martin T. Shepherd. Bounced NEF for 49 Order on Motion to Reopen Case, 50 Notice to Appear. (SSch) (Entered: 11/20/2015)
12/08/2015	53	Mail Returned as Undeliverable. Mail sent to Martin T. Shepherd re 48 Response to Motion, 51 Notice of Email Delivery Failure (SSch) (Entered: 12/09/2015)

01/25/2016		Minute Entry for proceedings before District Judge Gershwin A. Drain: Scheduling Conference held on 1/25/2016 (FMos) (Entered: 01/25/2016)
01/25/2016	54	AMENDED SCHEDULING ORDER: Discovery due by 5/25/2016, Dispositive Motion Cut-off set for 6/27/2016, Final Pretrial Order due by 10/4/2016, Final Pretrial Conference set for 10/11/2016 at 2:00 PM, Jury Trial set for 10/25/2016 09:00 AM before District Judge Gershwin A. Drain - Signed by District Judge Gershwin A. Drain. (Refer to image for additional dates) (FMos) (Entered: 01/25/2016)
01/25/2016	55	ORDER REFERRING OTHER MATTERS to Magistrate Judge Grand : Settlement Conference to be conducted in September 2016 - Signed by District Judge Gershwin A. Drain. (FMos) (Entered: 01/25/2016)
02/01/2016	56	NOTICE TO APPEAR: Settlement Conference set for 9/7/2016 09:30 AM before Magistrate Judge David R. Grand (EBut) (Entered: 02/01/2016)
03/14/2016	57	<i>Plaintiff's Second</i> WITNESS LIST by Marvin Seales (Craig, James) (Entered: 03/14/2016)
03/14/2016	58	<i>Wayne County's First</i> WITNESS LIST by Wayne County of (Thomas, Aaron) (Entered: 03/14/2016)
03/14/2016	59	WITNESS LIST by Detroit, City of, Thomas Zberkot (Bailey, Calvert) (Entered: 03/14/2016)
04/04/2016	60	<i>Wayne Couty's First Amended</i> WITNESS LIST by Wayne County of (Thomas, Aaron) (Entered: 04/04/2016)
04/20/2016	61	NOTICE of Appearance by Davidde A. Stella on behalf of Wayne County of. (Stella, Davidde) (Entered: 04/20/2016)
05/26/2016	62	STIPULATED ORDER EXTENDING DISCOVERY CUT-OFF. Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 05/26/2016)
06/08/2016	63	MOTION Motion for Partial Judgment on the Pleadings by Defendant Wayne County re 28 Amended Complaint by Wayne County of. (Stella, Davidde) (Entered: 06/08/2016)
06/09/2016	64	<i>SECOND AMENDED WITNESS LIST BY DEFENDANT WAYNE COUNTY</i> WITNESS LIST by Wayne County of (Stella, Davidde) (Entered: 06/09/2016)
06/09/2016	65	<i>CORRECTED SECOND AMENDED WITNESS LIST by Defendant Wayne County</i> WITNESS LIST by Wayne County of (Stella, Davidde) (Entered: 06/09/2016)
06/21/2016	66	NOTICE OF HEARING on 63 MOTION Motion for Partial Judgment on the Pleadings by Defendant Wayne County re 28 Amended Complaint . Motion Hearing set for 8/29/2016 10:00 AM before District Judge Gershwin A. Drain (DPar) (Entered: 06/21/2016)
06/29/2016	67	RESPONSE to 63 MOTION Motion for Partial Judgment on the Pleadings by Defendant Wayne County re 28 Amended Complaint <i>and exhibits</i> filed by Marvin Seales. (Craig, James) (Entered: 06/29/2016)

07/11/2016	68	REPLY to Response re 63 MOTION Motion for Partial Judgment on the Pleadings by Defendant Wayne County re 28 Amended Complaint filed by All Defendants. (Attachments: # 1 Exhibit Exhibit 1) (Stella, Davidde) (Entered: 07/11/2016)
08/09/2016		Set/Reset Scheduling Order Deadlines: Dispositive Motion Cut-off RE-set for 9/9/2016. (TMcg) (Entered: 08/09/2016)
08/24/2016	69	RENOTICE TO APPEAR: Settlement Conference set for 9/19/2016 01:00 PM before Magistrate Judge David R. Grand (EBut) (Entered: 08/24/2016)
08/26/2016	70	MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT BY DEFENDANT WAYNE COUNTY</i> by Wayne County of. (Attachments: # 1 Index of Exhibits, # 2 Exhibit DPD Records, # 3 Exhibit Seales Dep. Transcript, # 4 Exhibit 1/20/12 Arraignment Transcript, # 5 Exhibit Mittimus, # 6 Exhibit Marks Dep. Transcript, # 7 Exhibit Livescan Policy, # 8 Exhibit Medical Records, # 9 Exhibit Grievance Log, # 10 Exhibit Crawford Decl, # 11 Exhibit Grievance Policy, # 12 Exhibit 2/1/12 Transcript, # 13 Exhibit 2/1/12 Order, # 14 Exhibit Release Checklist) (Stella, Davidde) (Entered: 08/26/2016)
08/29/2016	71	STIPULATED ORDER of Dismissal with Prejudice of Counts II, III, and IV of the First Amended Complaint Against Defendant Wayne County only. Signed by District Judge Gershwin A. Drain. (TMcg) (Entered: 08/29/2016)
08/29/2016		TEXT-ONLY NOTICE: Hearing on 8/29/2016 is Cancelled re 66 Notice of Hearing on Motion, 63 MOTION Motion for Partial Judgment on the Pleadings by Defendant Wayne County re 28 Amended Complaint (TMcg) (Entered: 08/29/2016)
09/09/2016	72	MOTION for Partial Summary Judgment by Detroit, City of, Thomas Zberkot. (Attachments: # 1 Exhibit Affidavit of Thomas Zberkot) (Bailey, Calvert) (Entered: 09/09/2016)
09/14/2016	73	NOTICE OF HEARING on 70 MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT BY DEFENDANT WAYNE COUNTY</i> , 72 MOTION for Partial Summary Judgment . Motion Hearing set for 12/5/2016 at 2:30 PM before District Judge Gershwin A. Drain. (TMcg) (Entered: 09/14/2016)
09/14/2016	74	MOTION to Amend/Correct 72 MOTION for Partial Summary Judgment by Detroit, City of, Thomas Zberkot. (Attachments: # 1 Exhibit Affidavit of Thomas Zberkot) (Bailey, Calvert) [DOCKET ERROR-DOCUMENT IS THE AMENDED MOTION PARTIAL SUMMARY JUDGMENT] Modified on 9/14/2016 (TMcg). (Entered: 09/14/2016)
09/16/2016	75	RESPONSE to 70 MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT BY DEFENDANT WAYNE COUNTY</i> filed by Marvin Seales. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A - Photos, # 3 Exhibit B - Prelimin Exam transcript, # 4 Exhibit C - Dep of Sgt Marks, # 5 Exhibit D - Video Arraignment transcript, # 6 Exhibit E - Order, 36th DC, # 7 Exhibit F - WC interrog answers, # 8 Exhibit G - Crawford Affidavit) (Craig, James) (Entered: 09/16/2016)

09/19/2016		TEXT-ONLY NOTICE: Settlement Conference on 9/19/16 at 1:00p.m. before Magistrate Judge Grand is Cancelled. (EBut) (Entered: 09/19/2016)
09/19/2016	76	RENOTICE TO APPEAR: Settlement Conference set for 1/11/2017 09:30 AM before Magistrate Judge David R. Grand (EBut) (Entered: 09/19/2016)
09/19/2016	77	MOTION Add adverse inference instruction by Marvin Seales. (Craig, James) (Entered: 09/19/2016)
09/30/2016	78	REPLY to Response re 70 MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT BY DEFENDANT WAYNE COUNTY REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT</i> filed by Wayne County of. (Stella, Davidde) (Entered: 09/30/2016)
09/30/2016	79	RESPONSE to 77 MOTION Add adverse inference instruction <i>RESPONSE TO PLAINTIFFS MOTION FOR ADVERSE INFERENCE BASED ON FED. R. CIV. P. 404(B) BY DEFENDANT WAYNE COUNTY</i> filed by Wayne County of. (Attachments: # 1 Exhibit) (Stella, Davidde) (Entered: 09/30/2016)
09/30/2016	80	RESPONSE to 74 MOTION to Amend/Correct 72 MOTION for Partial Summary Judgment filed by Marvin Seales. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A - photos, # 3 Exhibit B - Prelim Hearing Trans, # 4 Exhibit C - Det PD recs) (Craig, James) (Entered: 09/30/2016)
10/03/2016	81	NOTICE OF HEARING on 77 MOTION Add adverse inference instruction . Motion Hearing set for 12/5/2016 02:30 PM before District Judge Gershwin A. Drain (TBan) (Entered: 10/03/2016)
10/05/2016		TEXT-ONLY NOTICE: Final Pretrial Hearing on 10/11/16 is Cancelled. (TBan) (Entered: 10/05/2016)
10/19/2016		TEXT-ONLY NOTICE: Jury Trial on 10/25/16 is Cancelled. (TBan) (Entered: 10/19/2016)
12/01/2016		Set/Reset Deadlines as to 74 MOTION to Amend/Correct 72 MOTION for Partial Summary Judgment , 72 MOTION for Partial Summary Judgment . Motion Hearing set for 12/27/2016 10:00 AM before District Judge Gershwin A. Drain (TBan) (Entered: 12/01/2016)
12/05/2016		Minute Entry for proceedings before District Judge Gershwin A. Drain: Motion Hearing held on 12/5/2016 re 70 MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT BY DEFENDANT WAYNE COUNTY</i> filed by Wayne County of Disposition: Motion taken under advisement (Court Reporter: Marilyn Jones) (TBan) (Entered: 12/12/2016)
12/07/2016	82	OPINION AND ORDER GRANTING WAYNE COUNTY'S MOTION FOR SUMMARY JUDGMENT 70 AND DENYING PLAINTIFF'S MOTION FOR AN ADVERSE INFERENCE 77 . Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 12/07/2016)
12/16/2016		Set/Reset Deadlines as to 74 MOTION to Amend/Correct 72 MOTION for Partial Summary Judgment , 72 MOTION for Partial Summary Judgment . Motion Hearing reset for 1/10/2017 10:00 AM before District Judge Gershwin A. Drain (TBan) (Entered: 12/16/2016)

01/03/2017	83	OPINION AND ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS CITY OF DETROIT'S AND THOMAS ZBERKOT'S AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT 74 . Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 01/03/2017)
01/03/2017		Set/Reset Scheduling Order Deadlines: Motion in Limine Due 2/21/17; Final Pretrial Order Due 3/7/2017; Final Pretrial Conference set for 3/14/2017 03:00 PM before District Judge Gershwin A. Drain Jury Trial set for 3/21/2017 09:00 AM before District Judge Gershwin A. Drain (TBan) (Entered: 01/03/2017)
01/10/2017		TEXT-ONLY NOTICE: Settlement Conference on 1/11/17 at 9:30a.m. before Magistrate Judge Grand is Cancelled. (EBut) (Entered: 01/10/2017)
01/19/2017	84	RENOTICE TO APPEAR: Settlement Conference set for 2/22/2017 01:00 PM before Magistrate Judge David R. Grand (EBut) (Entered: 01/19/2017)
01/26/2017	85	[STRICKEN] NOTICE OF APPEAL by Thomas Zberkot re 83 Order on Motion to Amend/Correct. Receipt No: 0645-6060829 - Fee: \$ 505 - Fee Status: Fee Paid. (Whyte, Sheri) Modified on 1/27/2017 (SOso). (Entered: 01/26/2017)
01/26/2017	86	[STRICKEN] NOTICE OF APPEAL by Thomas Zberkot. Fee Status: No Fee Paid. (Whyte, Sheri) Modified on 1/27/2017 (SOso). (Entered: 01/26/2017)
01/27/2017		NOTICE of Error directed to: Sheri L. Whyte re 86 Notice of Appeal, 85 Notice of Appeal. Wrong or incomplete PDF image was uploaded. Document was stricken and must be refiled correctly. [No Image Associated with this docket entry] (SOso) (Entered: 01/27/2017)
01/27/2017	87	NOTICE OF APPEAL by Thomas Zberkot re 83 Order on Motion to Amend/Correct. Fee Status: No Fee Paid. (Whyte, Sheri) Modified on 1/27/2017 (SOso). Receipt No: 0645-6060829 - Fee: \$ 505 - Fee Status: Fee Paid (Entered: 01/27/2017)
01/27/2017	88	Certificate of Service re 87 Notice of Appeal. (SOso) (Entered: 01/27/2017)
03/08/2017		TEXT-ONLY NOTICE: Hearing on 3/14/17 is Cancelled. (TBan) (Entered: 03/08/2017)
03/17/2017		TEXT-ONLY NOTICE: Jury Trial on 3/21/17 is Cancelled. (TBan) (Entered: 03/17/2017)
01/31/2018	89	OPINION from U.S. Court of Appeals - Sixth Circuit re 87 Notice of Appeal filed by Thomas Zberkot [Appeal Case Number 17-1096] (DWor) (Entered: 01/31/2018)
02/22/2018	90	MANDATE from U.S. Court of Appeals - Sixth Circuit as to 89 Appeal Order/Opinion/Judgment [Appeal Case Number 17-1096] (SKra) (Entered: 02/22/2018)
02/22/2018	91	NOTICE TO APPEAR: Status Conference set for 4/2/2018 11:00 AM before District Judge Gershwin A. Drain (TBan) (Entered: 02/22/2018)
04/02/2018		

		Minute Entry for proceedings before District Judge Gershwin A. Drain: Status Conference held on 4/2/2018. (Court Reporter: None Present, Not on the Record) (TBan) (Entered: 04/02/2018)
04/02/2018	<u>92</u>	SCHEDULING ORDER: Final Pretrial Conference set for 6/25/2018 02:00 PM before District Judge Gershwin A. Drain; Jury Trial set for 7/17/2018 09:00 AM before District Judge Gershwin A. Drain Signed by District Judge Gershwin A. Drain. (Refer to image for additional dates) (TBan) (Entered: 04/02/2018)
06/04/2018	<u>93</u>	MOTION in Limine <i>Preclude Evidence Re: Plaintiff's Prior Arrests and/or Convictions</i> by Marvin Seales. (Craig, James) (Entered: 06/04/2018)
06/04/2018	<u>94</u>	MOTION in Limine <i>Preclude Evidence of Dismissed Parties or Claims</i> by Marvin Seales. (Craig, James) (Entered: 06/04/2018)
06/04/2018	<u>95</u>	MOTION in Limine <i>Preclude Def. from Offering Evidence Regarding Outstanding Warrants</i> by Marvin Seales. (Craig, James) (Entered: 06/04/2018)
06/04/2018	<u>96</u>	MOTION in Limine <i>Preclude Def. Offering Evidence Re: Subsequent Conduct at Wayne county</i> by Marvin Seales. (Craig, James) (Entered: 06/04/2018)
06/05/2018	<u>97</u>	NOTICE OF HEARING on <u>94</u> MOTION in Limine <i>Preclude Evidence of Dismissed Parties or Claims</i> , <u>95</u> MOTION in Limine <i>Preclude Def. from Offering Evidence Regarding Outstanding Warrants</i> , <u>93</u> MOTION in Limine <i>Preclude Evidence Re: Plaintiff's Prior Arrests and/or Convictions</i> , <u>96</u> MOTION in Limine <i>Preclude Def. Offering Evidence Re: Subsequent Conduct at Wayne county</i> . Motion Hearing set for 6/25/2018 02:00 PM before District Judge Gershwin A. Drain (TBan) (Entered: 06/05/2018)
06/06/2018	<u>98</u>	ORDER SETTING EXPEDITED BRIEFING SCHEDULE. Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 06/06/2018)
06/14/2018	<u>99</u>	RESPONSE to <u>93</u> MOTION in Limine <i>Preclude Evidence Re: Plaintiff's Prior Arrests and/or Convictions</i> filed by Thomas Zberkot. (Bailey, Calvert) (Entered: 06/14/2018)
06/14/2018	<u>100</u>	RESPONSE to <u>96</u> MOTION in Limine <i>Preclude Def. Offering Evidence Re: Subsequent Conduct at Wayne county</i> filed by Thomas Zberkot. (Bailey, Calvert) (Entered: 06/14/2018)
06/14/2018	<u>101</u>	RESPONSE to <u>95</u> MOTION in Limine <i>Preclude Def. from Offering Evidence Regarding Outstanding Warrants</i> filed by Thomas Zberkot. (Bailey, Calvert) (Entered: 06/14/2018)
06/14/2018	<u>102</u>	RESPONSE to <u>94</u> MOTION in Limine <i>Preclude Evidence of Dismissed Parties or Claims</i> filed by Thomas Zberkot. (Bailey, Calvert) (Entered: 06/14/2018)
06/18/2018	<u>103</u>	REPLY to Response re <u>93</u> MOTION in Limine <i>Preclude Evidence Re: Plaintiff's Prior Arrests and/or Convictions</i> filed by Marvin Seales. (Craig, James) (Entered: 06/18/2018)
06/18/2018	<u>104</u>	

		REPLY to Response re 95 MOTION in <i>Limine Preclude Def. from Offering Evidence Regarding Outstanding Warrants</i> filed by Marvin Seales. (Craig, James) (Entered: 06/18/2018)
06/18/2018	105	REPLY to Response re 96 MOTION in <i>Limine Preclude Def. Offering Evidence Re: Subsequent Conduct at Wayne county</i> filed by Marvin Seales. (Craig, James) (Entered: 06/18/2018)
06/25/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Motion Hearing held on 6/25/2018 re 96 MOTION in <i>Limine Preclude Def. Offering Evidence Re: Subsequent Conduct at Wayne county</i> 93 MOTION in <i>Limine Preclude Evidence Re: Plaintiff's Prior Arrests and/or Convictions</i> 94 MOTION in <i>Limine Preclude Evidence of Dismissed Parties or Claims</i> 95 MOTION in <i>Limine Preclude Def. from Offering Evidence Regarding Outstanding Warrants</i> Disposition: Motion granted in part and denied in part (Court Reporter: Rene Twedt) (TBan) (Entered: 06/25/2018)
06/26/2018	106	ORDER Granting Plaintiff's 93 & 95 Motions in Limine; and Denying Plaintiff's 96 Motion in Limine. Signed by District Judge Gershwin A. Drain. (TMcg) (Entered: 06/26/2018)
06/26/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Final Pretrial Conference held on 6/26/2018 Disposition: Trial date set (Court Reporter: None Present, Not on the Record) (TMcg) (Entered: 06/26/2018)
06/27/2018	107	Order regarding final pretrial conference and trial. Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 06/27/2018)
06/27/2018	108	NOTICE OF HEARING on 94 MOTION in <i>Limine Preclude Evidence of Dismissed Parties or Claims</i> . Motion Hearing set for 7/16/2018 02:00 PM before District Judge Gershwin A. Drain (TBan) (Entered: 06/27/2018)
06/28/2018	109	MOTION to Withdraw 94 MOTION in <i>Limine Preclude Evidence of Dismissed Parties or Claims</i> by Marvin Seales. (Craig, James) (Entered: 06/28/2018)
06/29/2018	110	NOTICE of Appearance by Krystal A. Crittendon on behalf of Thomas Zberkot. (Crittendon, Krystal) (Entered: 06/29/2018)
07/05/2018	111	STIPULATED ORDER GRANTING PLAINTIFF'S MOTION IN LIMINE #2 TO PRECLUDE EVIDENCE OF DISMISSED PARTIES OR CLAIMS 94 . Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 07/05/2018)
07/06/2018	112	NOTICE of Appearance by Geoffrey N. Fieger on behalf of Marvin Seales. (Fieger, Geoffrey) (Entered: 07/06/2018)
07/06/2018	113	MOTION for Order to <i>Allow the Jury to Inspect the Jails Where Plaintiff was Unlawfully Incarcerated</i> by Marvin Seales. (Fieger, Geoffrey) (Entered: 07/06/2018)
07/06/2018	114	NOTICE of Appearance by James J. Harrington, IV on behalf of Marvin Seales. (Harrington, James) (Entered: 07/06/2018)
07/07/2018	115	

		MOTION to Strike <i>Undisclosed Witnesses Billie Bryant and Jason Lane</i> by All Plaintiffs. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C) (Craig, James) (Entered: 07/07/2018)
07/09/2018	116	NOTICE OF HEARING on 113 MOTION for Order to Allow the Jury to Inspect the Jails Where Plaintiff was Unlawfully Incarcerated, 115 MOTION to Strike <i>Undisclosed Witnesses Billie Bryant and Jason Lane</i> . Motion Hearing set for 7/16/2018 02:00 PM before District Judge Gershwin A. Drain (TBan) (Entered: 07/09/2018)
07/09/2018	117	RESPONSE to 113 MOTION for Order to Allow the Jury to Inspect the Jails Where Plaintiff was Unlawfully Incarcerated filed by Thomas Zberkot. (Crittendon, Krystal) (Entered: 07/09/2018)
07/10/2018	118	Proposed Jury Instructions by Marvin Seales (Craig, James) (Entered: 07/10/2018)
07/10/2018	119	Proposed Jury Instructions by Marvin Seales (Craig, James) (Entered: 07/10/2018)
07/10/2018	120	Proposed Voir Dire by Marvin Seales (Attachments: # 1 Defendant's Voir Dire) (Craig, James) (Entered: 07/10/2018)
07/10/2018	121	Proposed Voir Dire by Thomas Zberkot (Bailey, Calvert) (Entered: 07/10/2018)
07/11/2018	122	Emergency MOTION for Protective Order and Objection to Untimely Notice of Taking Trial Deposition by Marvin Seales. (Attachments: # 1 Exhibit A - Notice of Deposition) (Craig, James) (Entered: 07/11/2018)
07/11/2018	123	RESPONSE to 115 MOTION to Strike <i>Undisclosed Witnesses Billie Bryant and Jason Lane</i> filed by Thomas Zberkot. (Bailey, Calvert) (Entered: 07/11/2018)
07/12/2018	124	REPLY to Response re 122 Emergency MOTION for Protective Order and Objection to Untimely Notice of Taking Trial Deposition and Response to Emergency Motion for Protective Order Pursuant to Fed.R.Civ.P, 26(c) filed by Thomas Zberkot. (Attachments: # 1 Exhibit A - Notice of Deposition Via E-Mail, # 2 Exhibit B - Notice of Deposition Via Facsimile Transmission, # 3 Exhibit C -Law Office of Fieger Law Website, # 4 Exhibit D - Commentary on Federal Rule of Civil Procedure 32) (Crittendon, Krystal) (Entered: 07/12/2018)
07/12/2018	125	ORDER GRANTING PLAINTIFF'S EMERGENCY MOTION FOR PROTECTIVE ORDER [# 122] TO PROHIBIT THE 12:00 PM JULY 12, 2018 DEPOSITION OF SERGEANT STEVE FAITH. Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 07/12/2018)
07/12/2018	126	Emergency MOTION To Adjourn Trial, or alternatively, To Delay Commencement of Defendant's Presentation of Proofs Until Wednesday, July 25, 2018 by Thomas Zberkot. (Crittendon, Krystal) (Entered: 07/12/2018)
07/13/2018	127	RESPONSE to 126 Emergency MOTION To Adjourn Trial, or alternatively, To Delay Commencement of Defendant's Presentation of Proofs Until

		Wednesday, July 25, 2018 filed by Marvin Seales. (Attachments: # 1 Exhibit A - E-mail) (Harrington, James) (Entered: 07/13/2018)
07/15/2018	128	MOTION to Compel <i>Unreacted File</i> by Marvin Seales. (Craig, James) (Entered: 07/15/2018)
07/16/2018	129	ORDER DENYING PLAINTIFF'S MOTION TO ALLOW THE JURY TO INSPECT THE JAILS WHERE PLAINTIFF WAS UNLAWFULLY INCARCERATED [#113], GRANTING PLAINTIFF'S MOTION TO STRIKE UNDISCLOSED WITNESSES BILLIE BRYANT AND JASON LANE [#115], DENYING EMERGENCY MOTION TO ADJOURN TRIAL OR ALTERNATIVELY TO DELAY COMMENCEMENT OF DEFENDANT'S PRESENTATION OF PROOFS UNTIL WEDNESDAY JULY 25, 2018 [#126] AND GRANTING PLAINTIFF'S MOTION TO COMPEL AND MOTION TO SHOW CAUSE AS TO NON-PARTY, WAYNE COUNTY PROSECUTORS OFFICE, FOR FAILURE TO PRODUCE COMPLETE AND UN-REDACTED FILE [#128]. Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 07/16/2018)
07/16/2018	130	MOTION for Reconsideration re 129 Order on Motion for Order,,, Order on Motion to Strike,,, Order on Motion - Free,,, Order on Motion to Compel,, <i>MOTION FOR RECONSIDERATION OF THE COURTS JULY 16, 2018 ORDER GRANTING PLAINTIFFS MOTION TO COMPEL AND MOTION TO SHOW CAUSE AS TO NON-PARTY WAYNE COUNTY</i> by Wayne County of. (Attachments: # 1 Exhibit Subpoena, # 2 Exhibit Email) (Stella, Davidde) (Entered: 07/16/2018)
07/16/2018		NOTICE of Error directed to: James S. Craig re 133 Certificate of Service, 135 Certificate of Service, 132 Certificate of Service, 137 Certificate of Service, 131 Certificate of Service, 134 Certificate of Service, 136 Certificate of Service. Document is prohibited discovery, disclosure or a certificate of service thereof. Document was stricken. [No Image Associated with this docket entry] (SKra) (Entered: 07/16/2018)
07/16/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Motion Hearing held on 7/16/2018 re 130 MOTION for Reconsideration re 129 Order on Motion for Order, Order on Motion to Strike, Order on Motion - Free, Order on Motion to Compel, <i>MOTION FOR RECONSIDERATION OF THE COURTS JULY 16, 2018 ORDER. Disposition: Motion granted (Court Reporter: Darlene May)</i> (TBan) (Entered: 07/17/2018)
07/17/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Voir Dire Begun and Concluded and Jury Impaneled on 7/17/2018. (Court Reporter: Rene Twedt) (TBan) (Entered: 07/17/2018)
07/17/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Jury Trial Begun and Continued on 7/17/2018. Jury Trial continued to 7/18/2018 08:30 AM before District Judge Gershwin A. Drain; Jury Trial continued to 7/19/2018 08:30 AM before District Judge Gershwin A. Drain (Court Reporter: Rene Twedt) (TBan) (Entered: 07/17/2018)
07/18/2018		

		Minute Entry for proceedings before District Judge Gershwin A. Drain: Jury Trial Begun and Completed on 7/18/2018 MISTRIAL DECLARED. (Court Reporter: Rene Twedt) (TBan) (Entered: 07/18/2018)
07/18/2018	138	NOTICE TO APPEAR: Jury Trial set for 7/24/2018 09:00 AM before District Judge Gershwin A. Drain (TBan) (Entered: 07/18/2018)
07/18/2018	139	NOTICE TO APPEAR: Final Pretrial Conference set for 7/23/2018 02:00 PM before District Judge Gershwin A. Drain (TBan) (Entered: 07/18/2018)
07/18/2018	140	ORDER Granting 130 Motion for Reconsideration. Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 07/18/2018)
07/19/2018	141	MOTION for Leave to File <i>to File Motion for Summary Judgment</i> by Marvin Seales. (Attachments: # 1 Index of Exhibits Index of Exhibits, # 2 Exhibit Exhibit 1 - Motion for Summary Judgment) (Arndt, Stephanie) (Entered: 07/19/2018)
07/19/2018	142	MOTION for Summary Judgment by Marvin Seales. (Attachments: # 1 Index of Exhibits, # 2 Exhibit Exhibit 1 - Trial Transcript) (Arndt, Stephanie) (Entered: 07/19/2018)
07/19/2018	143	EXHIBIT (<i>Corrected Exhibit 1</i>) re 141 MOTION for Leave to File <i>to File Motion for Summary Judgment</i> by Marvin Seales (Arndt, Stephanie) (Entered: 07/19/2018)
07/20/2018	144	JOINT FINAL PRETRIAL ORDER. Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 07/20/2018)
07/20/2018	145	TRANSCRIPT of Jury Trial Excerpt - Opening Statements held on 07/17/2018. (Court Reporter/Transcriber: Rene L Twedt) (Number of Pages: 26) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 8/10/2018. Redacted Transcript Deadline set for 8/20/2018. Release of Transcript Restriction set for 10/18/2018. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Twedt, R) (Entered: 07/20/2018)
07/20/2018	146	TRANSCRIPT of Jury Trial - Volume 2 held on 07/18/2018. (Court Reporter/Transcriber: Rene L Twedt) (Number of Pages: 58) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 8/10/2018. Redacted Transcript Deadline set for 8/20/2018. Release of Transcript Restriction set for 10/18/2018. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Twedt, R) (Entered: 07/20/2018)

07/21/2018	147	MOTION for Sanctions by Marvin Seales. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E) (Craig, James) (Entered: 07/21/2018)
07/21/2018	148	Amended MOTION for Sanctions by Marvin Seales. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E) (Craig, James) (Entered: 07/21/2018)
07/23/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Motion Hearing held on 7/23/2018 re 141 MOTION for Leave to File <i>to File Motion for Summary Judgment</i> filed by Marvin Seales and 142 MOTION for Summary Judgment filed by Marvin Seales Disposition: Motions denied (Court Reporter: Rene Twedt) (TMcg) (Entered: 07/24/2018)
07/24/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Voir Dire Begun and Concluded and Jury Impaneled on 7/24/2018. (Court Reporter: Rene Twedt) (TMcg) (Entered: 07/24/2018)
07/24/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Jury Trial Begun and Continued on 7/24/2018. Jury Trial set for 7/25/2018 at 8:30 AM before District Judge Gershwin A. Drain. (Court Reporter: Rene Twedt) (TMcg) (Entered: 07/24/2018)
07/24/2018		ORAL JOINT MOTION to Sequester the Witnesses re Jury Trial. (TMcg) (Entered: 07/24/2018)
07/24/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Motion Hearing held on 7/24/2018 re MOTION to Sequester the Witness re Jury Trial, Disposition: Motion granted (Court Reporter: Rene Twedt) (TMcg) (Entered: 07/24/2018)
07/25/2018	149	Proposed Jury Instructions by Marvin Seales (Arndt, Stephanie) (Entered: 07/25/2018)
07/25/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Jury Trial Held and Continued on 7/25/2018. Jury Trial set for 7/26/2018 at 8:30 AM before District Judge Gershwin A. Drain (Court Reporter: Rene Twedt) (TMcg) (Entered: 07/25/2018)
07/25/2018		ORAL MOTION for Mistrial re Jury Trial, by All Defendants. (TMcg) (Entered: 07/25/2018)
07/25/2018		ORAL MOTION for Judgment as Matter of law under Rule 50 re Jury Trial, by All Defendants. (TMcg) (Entered: 07/25/2018)
07/25/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Motion Hearing held on 7/25/2018 re ORAL MOTIONS for Judgment as Matter of law under Rule 50 and for Mistrial re Jury Trial, filed by Detroit, City of, Police Officer, Detroit, City of, Thomas Zberkot, Wayne County of, Motions terminated: MOTIONS for Judgment as Matter of law under Rule 50 and for Mistrial re Jury Trial, filed by Detroit, City of, Police Officer, Detroit, City of, Thomas Zberkot, Wayne County of. Disposition: Motions denied (Court Reporter: Rene Twedt) (TMcg) (Entered: 07/25/2018)

07/26/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Jury Trial Held and Continued on 7/26/2018. Jury Deliberations set for 7/27/2018 at 8:30 AM before District Judge Gershwin A. Drain (Court Reporter: Rene Twedt) (TMcg) (Entered: 07/26/2018)
07/26/2018		ORAL MOTION for Mistrial re Jury Trial, by Marvin Seales. (TMcg) (Entered: 07/26/2018)
07/26/2018		ORAL MOTIONS for Judgment as Matter of law and for Mistrial by Defendants re Jury Trial. (TMcg) (Entered: 07/26/2018)
07/26/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Motion Hearing held on 7/26/2018 re Plaintiff's ORAL MOTION for Mistrial and Defendants' ORAL MOTIONS for Judgment as Matter of law under Rule 50 and for Mistrial re Jury Trial, Disposition: Motions denied (Court Reporter: Rene Twedt) (TMcg) (Entered: 07/26/2018)
07/27/2018	150	ORDER for Lunch to be Provided to Jury re Jury Trial,. Signed by District Judge Gershwin A. Drain. (TMcg) (Entered: 07/27/2018)
07/27/2018	152	Jury Verdict Form. (TMcg) (Entered: 07/27/2018)
07/27/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Jury Deliberation Held All Day on 7/27/2018. (Court Reporter: Rene Twedt) (TMcg) (Entered: 07/27/2018)
07/27/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Jury Trial Held and Completed on 7/27/2018. Jury Deliberation also held and JURY VERDICT REACHED. (Court Reporter: Rene Twedt) (TMcg) (Entered: 07/27/2018)
08/02/2018	153	RESPONSE to 148 Amended MOTION for Sanctions <i>and Defendant's Counter-Motion for Sanctions</i> filed by Thomas Zberkot. (Crittendon, Krystal) (Entered: 08/02/2018)
08/08/2018	154	ORDER DENYING PLAINTIFF'S MOTION FOR LEAVE TO FILE MOTION FOR SUMMARY JUDGMENT [#141], DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [#142]. Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 08/08/2018)
08/08/2018	155	MOTION for Judgment by Marvin Seales. (Attachments: # 1 Exhibit) (Harrington, James) (Entered: 08/08/2018)
08/09/2018	156	REPLY to Response re 148 Amended MOTION for Sanctions <i>and Response to Defendant's Counter-Motion for Sanctions</i> filed by Marvin Seales. (Craig, James) (Entered: 08/09/2018)
08/10/2018	157	NOTICE OF HEARING on 148 Amended MOTION for Sanctions , 147 MOTION for Sanctions , and 155 MOTION for Judgment . Motion Hearing set for 9/4/2018 at 03:30 PM before District Judge Gershwin A. Drain. (TMcg) (Entered: 08/10/2018)
08/13/2018	158	SEALED VOIR DIRE TRANSCRIPT held on 07/24/2018. (Court Reporter/Transcriber: Rene L Twedt) (Number of Pages: 59) Attorneys of

		record may purchase a copy of the transcript from the Court Reporter/Transcriber. (Twedt, R) (Entered: 08/13/2018)
08/13/2018	159	TRANSCRIPT of Jury Trial - Volume 1 held on 07/24/2018. (Court Reporter/Transcriber: Rene L Twedt) (Number of Pages: 55) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 9/4/2018. Redacted Transcript Deadline set for 9/13/2018. Release of Transcript Restriction set for 11/13/2018. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Twedt, R) (Entered: 08/13/2018)
08/13/2018	160	TRANSCRIPT of Jury Trial - Volume 2 held on 07/25/2018. (Court Reporter/Transcriber: Rene L Twedt) (Number of Pages: 200) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 9/4/2018. Redacted Transcript Deadline set for 9/13/2018. Release of Transcript Restriction set for 11/13/2018. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Twedt, R) (Entered: 08/13/2018)
08/13/2018	161	TRANSCRIPT of Jury Trial - Volume 3 held on 07/26/2018. (Court Reporter/Transcriber: Re) (Number of Pages: 112) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 9/4/2018. Redacted Transcript Deadline set for 9/13/2018. Release of Transcript Restriction set for 11/13/2018. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Twedt, R) (Entered: 08/13/2018)
08/13/2018	162	TRANSCRIPT of Jury Trial - Volume 4 held on 07/27/2018. (Court Reporter/Transcriber: Rene L Twedt) (Number of Pages: 107) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 9/4/2018. Redacted Transcript Deadline set for 9/13/2018. Release of Transcript Restriction set for 11/13/2018. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Twedt, R) (Entered: 08/13/2018)
08/17/2018	163	

		CORRECTED TRANSCRIPT of Jury Trial - Volume 2 held on 07/25/2018. (Court Reporter/Transcriber: Rene L Twedt) (Number of Pages: 200) [Cover page - date corrected to reflect July 25, 2018] The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 9/7/2018. Redacted Transcript Deadline set for 9/17/2018. Release of Transcript Restriction set for 11/15/2018. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Twedt, R) (Entered: 08/17/2018)
08/22/2018	164	NOTICE of Appearance by Mary Massaron on behalf of Detroit, City of, Detroit, City of, Police Officer, Thomas Zberkot. (Massaron, Mary) (Entered: 08/22/2018)
08/22/2018	165	NOTICE of Appearance by Josephine A. DeLorenzo on behalf of Detroit, City of, Detroit, City of, Police Officer, Thomas Zberkot. (DeLorenzo, Josephine) (Entered: 08/22/2018)
08/22/2018	166	RESPONSE to 155 MOTION for Judgment filed by Thomas Zberkot. (Bailey, Calvert) (Entered: 08/22/2018)
08/31/2018	167	MOTION to Stay by Thomas Zberkot. (Whyte, Sheri) Modified on 9/18/2018 (TMcg). (Entered: 08/31/2018)
09/04/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Motion Hearing held on 9/4/2018 re 155 MOTION for Judgment filed by Marvin Seales Disposition: Motion granted (Court Reporter: Marilyn Jones) (TBan) (Entered: 09/04/2018)
09/04/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Motion Hearing held on 9/4/2018 re 148 Amended MOTION for Sanctions filed by Marvin Seales Disposition: Motion denied (Court Reporter: Marilyn Jones) (TBan) (Entered: 09/04/2018)
09/05/2018	168	ORDER GRANTING PLAINTIFF'S MOTION FOR ENTRY OF JUDGMENT [#155], DENYING PLAINTIFF'S AMENDED MOTION FOR SANCTIONS [#148] AND FINDING PLAINTIFF'S MOTION FOR SANCTIONS MOOT[#147]. Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 09/05/2018)
09/05/2018	169	JUDGMENT. Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 09/05/2018)
09/05/2018	170	MOTION for Leave to File Excess Pages by Thomas Zberkot. (Crittendon, Krystal) (Entered: 09/05/2018)
09/05/2018	171	MOTION For Judgment as a Matter of Law by Thomas Zberkot. (Crittendon, Krystal) (Entered: 09/05/2018)
09/05/2018	172	MOTION for Judgment as a Matter of Law (With Exhibits) by Thomas Zberkot. (Attachments: # 1 Exhibit A - Seales v. Zberkot, 724 Fed.Appx.356 (6th Cir. 2018), # 2 Exhibit B - Jury Trial - Volume 2, July 25, 2018, # 3

		Exhibit C - Jury Trial - Volume 3, July 26, 2018, # 4 Exhibit D - Jury Trial - Volume 2, July 18, 2018, # 5 Exhibit E - Detroit Police Department Manual Item 202.1-5.1, # 6 Exhibit F - Jury Trial - Volume 2, July 18, 2018, # 7 Exhibit G - Jury Trial - Volume 1, July 24, 2018) (Crittendon, Krystal) (Entered: 09/05/2018)
09/14/2018	173	RESPONSE to 167 MOTION to Stay filed by Marvin Seales. (Arndt, Stephanie) (Entered: 09/14/2018)
09/18/2018	174	NOTICE OF HEARING on 167 MOTION to Stay . Motion Hearing set for 10/16/2018 at 3:00 PM before District Judge Gershwin A. Drain. (TMcg) (Entered: 09/18/2018)
09/18/2018	175	NOTICE OF HEARING on 172 MOTION for Judgment as a Matter of Law (With Exhibits) , 171 MOTION For Judgment as a Matter of Law . Motion Hearing set for 11/19/2018 at 02:00 PM before District Judge Gershwin A. Drain. (TMcg) (Entered: 09/18/2018)
09/18/2018	176	ORDER Granting Defendant's 170 Motion for Leave to File Excess Pages. Signed by District Judge Gershwin A. Drain. (TMcg) (Entered: 09/18/2018)
09/18/2018	177	MOTION for Costs , <i>Attorney fees and Prejudgment Interest and to Amend Judgment</i> by Marvin Seales. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A - Affidavit of Martin Shepherd, # 3 Exhibit B - Affidavit of James S. Craig, # 4 Exhibit C - Affidavit of James J. Harrington, IV, # 5 Exhibit D - Affidavit of Danielle Dezbor, # 6 Exhibit E - Affidavit of Sima Patel, # 7 Exhibit F - Affidavit of Stephanie Arndt, # 8 Exhibit G - Bill of Costs) (Craig, James) (Entered: 09/18/2018)
09/19/2018	178	STIPULATION re 172 MOTION for Judgment as a Matter of Law (With Exhibits) by Marvin Seales (Arndt, Stephanie) (Entered: 09/19/2018)
09/21/2018	179	ORDER Extending Time to Respond to Defendant Thomas Zberkot's 172 MOTION for Judgment as a Matter of Law (With Exhibits) and, 171 MOTION For Judgment as a Matter of Law. Signed by District Judge Gershwin A. Drain. (TMcg) (Entered: 09/21/2018)
09/26/2018	180	RESPONSE to 172 MOTION for Judgment as a Matter of Law (With Exhibits) , 171 MOTION For Judgment as a Matter of Law filed by Marvin Seales. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 - Opinion) (Arndt, Stephanie) (Entered: 09/26/2018)
09/27/2018	181	STIPULATION re 180 Response to Motion, by Marvin Seales (Arndt, Stephanie) (Entered: 09/27/2018)
09/27/2018	182	ORDER Granting 181 Stipulation Extending Page Limit for Plaintiff's Memorandum of Law in Opposition to Defendant to Thomas Zberkot's 172 Motion for Judgment as a Matter of Law. Signed by District Judge Gershwin A. Drain. (JOWe) (Entered: 09/27/2018)
10/02/2018	183	MOTION for Leave to File by Thomas Zberkot. (Bailey, Calvert)[MOTION FOR LEAVE TO EXCEED MOTION BRIEF PAGE LIMIT] Modified on 10/3/2018 (DPer). (Entered: 10/02/2018)

10/02/2018	184	[STRICKEN] RESPONSE to 177 MOTION for Costs , <i>Attorney fees and Prejudgment Interest and to Amend Judgment</i> filed by Thomas Zberkot. (Bailey, Calvert) Modified on 10/10/2018 (TMcg). (Entered: 10/02/2018)
10/03/2018	185	MOTION for New Trial by Thomas Zberkot. (Bailey, Calvert) (Entered: 10/03/2018)
10/03/2018	186	MOTION for New Trial <i>Remittitur or, Alternatively, a New Trial</i> by Thomas Zberkot. (Attachments: # 1 Index of Exhibits, # 2 Exhibit Exhibit A - Jury Trial Excerpt - Opening Statements - July 17, 2018, # 3 Exhibit Exhibit B - Jury Trial - Volume 1 Excerpt - July 24, 2018, # 4 Exhibit Exhibit C - Jury Trial - Volume 4 - July 27, 2018, # 5 Exhibit Exhibit D - Calaway ex rel. Calaway v. Schucker, # 6 Exhibit Exhibit E - Verdict Form, # 7 Exhibit Exhibit F - Matteson v. You Walk Bail Bond Agency, Inc., # 8 Exhibit Exhibit G - Sykes v. Anderson, # 9 Exhibit Exhibit H - Neme v. Nomusko, # 10 Exhibit Exhibit I - Roland v. Johnson, # 11 Exhibit Exhibit J - Docket Entries for Mapes v. Rourke, et al, Case No. 98-73711, # 12 Exhibit Exhibit K - Jennings v. Fuller, Case No. 13-13308, Memorandum Opinion & Order) (Whyte, Sheri) (Entered: 10/03/2018)
10/03/2018	187	REPLY to Response re 172 MOTION for Judgment as a Matter of Law (With Exhibits) filed by Thomas Zberkot. (Crittendon, Krystal) (Entered: 10/03/2018)
10/03/2018	188	[STRICKEN] RESPONSE to 177 MOTION for Costs , <i>Attorney fees and Prejudgment Interest and to Amend Judgment</i> filed by Thomas Zberkot. (Attachments: # 1 Exhibit Bill of Costs Handbook, # 2 Exhibit Plaintiff's Amended Complaint, # 3 Exhibit Plaintiff's Witness List, # 4 Exhibit Disclosure of corporate Affiliations) (Bailey, Calvert) Modified on 10/10/2018 (TMcg). (Entered: 10/03/2018)
10/10/2018	189	ORDER Denying Defendant's 183 Motion for Leave to File to Exceed Motion Brief Page Limit, Striking Docket Entries Number 184 and 188 and Requiring Response no later than October 17, 2018. Signed by District Judge Gershwin A. Drain. (TMcg) (Entered: 10/10/2018)
10/16/2018	190	NOTICE OF HEARING on 186 MOTION for New Trial <i>Remittitur or, Alternatively, a New Trial</i> , 177 MOTION for Costs , <i>Attorney fees and Prejudgment Interest and to Amend Judgment</i> , 185 MOTION for New Trial . Motion Hearing set for 11/19/2018 at 2:00 PM before District Judge Gershwin A. Drain. (TMcg) (Entered: 10/16/2018)
10/16/2018	191	NOTICE of Appearance by Charles N. Raimi on behalf of Thomas Zberkot. (Raimi, Charles) (Entered: 10/16/2018)
10/16/2018		Minute Entry for proceedings before District Judge Gershwin A. Drain: Motion Hearing Not Held re 167 MOTION to Stay Miscellaneous Hearing reset for 11/19/2018 at 2:00 PM before District Judge Gershwin A. Drain. (Court Reporter: None Present, Not on the Record) (TMcg) (Entered: 10/16/2018)
10/17/2018	192	STIPULATION re 186 MOTION for New Trial <i>Remittitur or, Alternatively, a New Trial for Extension to File Response</i> by Marvin Seales (Arndt, Stephanie) (Entered: 10/17/2018)

10/17/2018	193	RESPONSE to 177 MOTION for Costs , <i>Attorney fees and Prejudgment Interest and to Amend Judgment</i> filed by Thomas Zberkot. (Attachments: # 1 Exhibit Bill of Costs handbook, # 2 Plaintiff's First Amended Complaint, # 3 Plaintiff's Witness List, # 4 Disclosure of corporate Affiliations) (Bailey, Calvert) (Entered: 10/17/2018)
10/19/2018	194	STIPULATION AND ORDER Extending Time to Respond to Defendant Thomas Zberkot's 186 MOTION for New Trial <i>Remittitur or, Alternatively, a New Trial</i> . Signed by District Judge Gershwin A. Drain. (TMcg) (Entered: 10/19/2018)
10/24/2018	195	REPLY to Response re 177 MOTION for Costs , <i>Attorney fees and Prejudgment Interest and to Amend Judgment</i> filed by Marvin Seales. (Craig, James) (Entered: 10/24/2018)
10/24/2018	196	RESPONSE to 186 MOTION for New Trial <i>Remittitur or, Alternatively, a New Trial</i> filed by Marvin Seales. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1-Compilation of Verdicts and Settlements) (Arndt, Stephanie) (Entered: 10/24/2018)
10/30/2018	197	REPLY to Response re 186 MOTION for New Trial <i>Remittitur or, Alternatively, a New Trial</i> filed by Thomas Zberkot. (Crittendon, Krystal) (Entered: 10/30/2018)
11/09/2018		Set Motion and R&R Deadlines/Hearings as to 186 MOTION for New Trial <i>Remittitur or, Alternatively, a New Trial</i> , 177 MOTION for Costs , <i>Attorney fees and Prejudgment Interest and to Amend Judgment</i> , 167 MOTION to Stay , 172 MOTION for Judgment as a Matter of Law (With Exhibits) , 171 MOTION For Judgment as a Matter of Law , 185 MOTION for New Trial : Motion Hearing reset for 1/4/2019 at 10:00 AM before District Judge Gershwin A. Drain . Signed by District Judge Gershwin A. Drain. (TMcg) (Entered: 11/09/2018)
12/28/2018		Set/Reset Deadlines as to 186 MOTION for New Trial <i>Remittitur or, Alternatively, a New Trial</i> , 177 MOTION for Costs , <i>Attorney fees and Prejudgment Interest and to Amend Judgment</i> , 167 MOTION to Stay , 172 MOTION for Judgment as a Matter of Law (With Exhibits) , 171 MOTION For Judgment as a Matter of Law , 185 MOTION for New Trial . Motion Hearing reset for 1/28/2019 at 3:00 PM before District Judge Gershwin A. Drain (TMcg) (Entered: 12/28/2018)
01/28/2019		TEXT-ONLY NOTICE: Motion Hearing on 1/28/2019 is Cancelled re Set Motion and R&R Deadlines/Hearings,, (TMcg) (Entered: 01/28/2019)
01/29/2019	198	NOTICE OF HEARING on 186 MOTION for New Trial <i>Remittitur or, Alternatively, a New Trial</i> , 177 MOTION for Costs , <i>Attorney fees and Prejudgment Interest and to Amend Judgment</i> , 167 MOTION to Stay , 172 MOTION for Judgment as a Matter of Law (With Exhibits) , 171 MOTION For Judgment as a Matter of Law , 185 MOTION for New Trial . Motion Hearing reset for 3/22/2019 at 9:30 AM before District Judge Gershwin A. Drain (TMcg) (Entered: 01/29/2019)
03/21/2019		

		TEXT-ONLY NOTICE: Motion Hearing scheduled on 3/22/2019 is Cancelled re 167 MOTION to Stay , 171 MOTION For Judgment as a Matter of Law , 177 MOTION for Costs , <i>Attorney fees and Prejudgment Interest and to Amend Judgment</i> , 172 MOTION for Judgment as a Matter of Law (With Exhibits) , 185 MOTION for New Trial , 198 Notice of Hearing on Motion,, 186 MOTION for New Trial <i>Remittitur or, Alternatively, a New Trial</i> (TMcg) (Entered: 03/21/2019)
03/21/2019	199	Notice of Determination of Motions Without Oral Argument re 167 MOTION to Stay , 172 MOTION for Judgment as a Matter of Law (With Exhibits) , 185 MOTION for New Trial , 186 MOTION for New Trial <i>Remittitur or, Alternatively, a New Trial</i> , 171 MOTION For Judgment as a Matter of Law , 177 MOTION for Costs , <i>Attorney fees and Prejudgment Interest and to Amend Judgment</i> (TMcg) (Entered: 03/21/2019)
04/19/2019	200	ORDER Denying Defendant's 171 , 172 Motion for Judgment as Matter of Law, Denying 185 Motion for New Trial, Granting 186 Motion for Remittitur and Granting in Part 177 Motion to Amend Judgment. Signed by District Judge Gershwin A. Drain. (TMcg) (Entered: 04/19/2019)
04/19/2019	201	AMENDED JUDGMENT. Signed by District Judge Gershwin A. Drain. (TMcg) (Entered: 04/19/2019)
04/19/2019	202	NOTICE TO APPEAR: Status Conference set for 5/2/2019 at 10:00 AM before District Judge Gershwin A. Drain . (TMcg) (Entered: 04/19/2019)
04/23/2019		Set Deadlines/Hearings: Status Conference reset for 5/8/2019 at 9:30 AM before District Judge Gershwin A. Drain (TMcg) (Entered: 04/23/2019)
04/26/2019	203	STATEMENT of Acceptance of Remittitur by Marvin Seales (Arndt, Stephanie) (Entered: 04/26/2019)
05/08/2019		Minute Entry for proceedings before District Judge Gershwin A. Drain: Status Conference held on 5/8/2019 (Court Reporter: None Present, Not on the Record) (TMcg) (Entered: 05/08/2019)
05/14/2019	204	NOTICE OF APPEAL by Thomas Zberkot re 201 Judgment, 200 Order on Motion - Free,,, Order on Motion for Costs,, Order on Motion for New Trial,,, 169 Judgment. Receipt No: 0645-7238303 - Fee: \$ 505 - Fee Status: Fee Paid. (Massaron, Mary) (Entered: 05/14/2019)
05/14/2019	205	Certificate of Service re 204 Notice of Appeal,. (SOso) (Entered: 05/14/2019)

PACER Service Center			
Transaction Receipt			
05/22/2019 15:04:03			
PACER Login:	mcps3037:2884939:0	Client Code:	
Description:	Docket Report	Search Criteria:	4:12-cv-11679-GAD-DRG
	20	Cost:	2.00

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Exhibit 6-4

Docket of case liquidating claim of Darryl Cain

LR11.2_NOTICE,REOPENED,reassigned

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:13-cv-10525-PDB-SDD**

Cain v. Carroll
Assigned to: District Judge Paul D. Borman
Referred to: Magistrate Judge Stephanie Dawkins Davis
Case in other court: U.S. Court of Appeals - Sixth Circuit,
16-02463
U.S. Court of Appeals - Sixth Circuit,
16-02463
Cause: No cause code entered

Date Filed: 02/08/2013
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil
Rights
Jurisdiction: Federal Question

Plaintiff

Darryl Cain

represented by **Darryl Cain**
351791
CARSON CITY CORRECTIONAL
FACILITY
10274 BOYER ROAD
CARSON CITY, MI 48811
PRO SE

Alexandra Stan
Brooks Wilkins Sharkey and Turco
PLLC
401 S. Old Woodward
Suite 400
Birmingham, MI 48009
248-881-4272
Fax: 248-971-1801
Email: stan@bwst-law.com
TERMINATED: 08/22/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Daniel N. Sharkey
Brooks Wilkins Sharkey & Turco
PLLC
401 South Old Woodward
Suite 400
Birmingham, MI 48009
248-971-1712
Fax: 248-971-1801
Email: sharkey@bwst-law.com

TERMINATED: 08/22/2018
ATTORNEY TO BE NOTICED

V.

Defendant

Frank Carroll

Sergeant - Detroit Police Department

represented by **Calvert A. Bailey**

Detroit City Law Department
 1650 First National Building
 Detroit, MI 48226
 313-224-4550
 Fax: 313-224-5505
 Email: bailc@detroitmi.gov
ATTORNEY TO BE NOTICED

James D. Noseda

Detroit City Law Department
 Commercial Litigation
 660 Woodward Avenue
 Suite 1650
 Detroit, MI 48226-3491
 313-237-3057
 Fax: 313-237-6329
 Email: nosej@detroitmi.gov
ATTORNEY TO BE NOTICED

Defendant

Detroit, City of

represented by **James D. Noseda**

(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/08/2013	<u>1</u>	COMPLAINT filed by Darryl Cain against Frank Carroll. (Monda, H) (Entered: 02/08/2013)
02/08/2013	<u>2</u>	APPLICATION to Proceed without prepayment of fees by Darryl Cain. (Monda, H) (Entered: 02/08/2013)
02/12/2013	<u>3</u>	ORDER Granting <u>2</u> Application to Proceed Without Prepayment of Fees and Directing Payment of an Initial Partial Filing Fee in the amount of \$0 and subsequent payments. Signed by Magistrate Judge R. Steven Whalen. (EBro) (Entered: 02/12/2013)
02/12/2013	<u>4</u>	ORDER directing service without prepayment of costs and authorizing the US Marshal to collect costs after service is made. Signed by Magistrate Judge R. Steven Whalen. (EBro) (Entered: 02/12/2013)
02/12/2013	<u>5</u>	ORDER Referring Pretrial Matters to Magistrate Judge Michael J. Hluchaniuk. Signed by District Judge Paul D. Borman. (DGoo) (Entered: 02/12/2013)

02/12/2013		TEXT-ONLY CERTIFICATE OF SERVICE re 5 Order Referring Pretrial Matters to Magistrate Judge on Darryl Cain Pris. No. 351791 at Muskegon Correctional Facility; 2400 S. Sheridan, Muskegon, MI 49442. (DGoo) (Entered: 02/12/2013)
02/13/2013	6	ACKNOWLEDGMENT from U.S. Marshal Service of Receipt of Service of Process Documents. (KKra) (Entered: 02/13/2013)
02/15/2013	7	Notice Regarding Parties' Responsibility to Notify Court of Address Changes (KKra) (Entered: 02/15/2013)
02/19/2013		TEXT-ONLY NOTICE by the US Marshal of Mailing 1 Complaint on 02/19/2013 as to Frank Carroll. Acknowledgement of Waiver of Service due by 3/26/2013 (DMac) (Entered: 02/19/2013)
03/20/2013	8	MOTION to Appoint Counsel by Darryl Cain. (KKra) (Entered: 03/21/2013)
03/25/2013	9	ORDER denying 8 Motion to Appoint Counsel. Signed by Magistrate Judge Michael J. Hluchaniuk. (THal) (Entered: 03/25/2013)
03/25/2013		TEXT-ONLY CERTIFICATE OF SERVICE re 9 Order on Motion to Appoint Counsel on Darryl Cain Pris. No. 351791 at MUSKEGON CORRECTIONAL FACILITY, 2400 S. SHERIDAN, MUSKEGON, MI 49442. (THal) (Entered: 03/25/2013)
03/27/2013		TEXT-ONLY WAIVER OF SERVICE Returned Executed. Frank Carroll answer due 4/22/2013. (Fetter, S) (Entered: 03/27/2013)
04/05/2013	10	ANSWER to Complaint with Affirmative Defenses by Frank Carroll. (Bailey, Calvert) (Entered: 04/05/2013)
04/18/2013	11	REQUEST for a Reproduction Copy of the Complaint by Darryl Cain. (KKra) (Entered: 04/18/2013)
04/25/2013		TEXT-ONLY ORDER granting 11 Request filed by Darryl Cain. Signed by Magistrate Judge Michael J. Hluchaniuk. (THal) (Entered: 04/25/2013)
04/25/2013		TEXT-ONLY CERTIFICATE OF SERVICE re Text-Only Order and Copy of 1 Complaint on Darryl Cain Pris. No. 351791 at Earnest C. Brooks Correctional Facility, 2500 S. Sheridan Drive, Muskegon Heights, MI 49444 (THal) (Entered: 04/25/2013)
04/29/2013	12	MOTION to Amend/Correct 1 Complaint by Darryl Cain. (KKra) (Entered: 05/01/2013)
05/08/2013	13	ORDER Requiring Response to 12 Motion to Amend/Correct. Response due: 5/16/2013. Signed by Magistrate Judge Michael J. Hluchaniuk. (THal) (Entered: 05/08/2013)
05/08/2013		TEXT-ONLY CERTIFICATE OF SERVICE re 13 Order Requiring Responsive Pleading on Darryl Cain Pris. No. 351791 at Muskegon Correctional Facility, 2400 S. Sheridan, Muskegon, MI 49442. (THal) (Entered: 05/08/2013)
05/31/2013	14	

		STRICKEN REQUEST FOR CLERK'S ENTRY OF DEFAULT as to Frank Carroll by Darryl Cain. (KKra) Modified on 6/11/2013 (THal). (Entered: 06/10/2013)
06/10/2013	15	ORDER granting in part 12 Motion to Amend Complaint and Striking 14 Request for Clerk's Entry of Default. Signed by Magistrate Judge Michael J. Hluchaniuk. (THal) (Entered: 06/10/2013)
06/10/2013		TEXT-ONLY CERTIFICATE OF SERVICE re 15 Order on Motion to Amend/Correct on Darryl Cain Pris. No. 351791 at Muskegon Correctional Facility, 2400 S. Sheridan, Muskegon, MI 49442 and Earnest C. Brooks Correctional Facility, 2500 S. Sheridan, Muskegon Heights, MI 49444 (THal) (Entered: 06/11/2013)
06/24/2013	16	FIRST AMENDED COMPLAINT filed by Darryl Cain against All Defendants. (KKra) (Entered: 06/25/2013)
07/30/2013	17	Notifying Defendants Attorney About Case Number by Darryl Cain (KKra) (Entered: 07/30/2013)
07/30/2013	18	REQUEST for Production of a Copy of Your Local Rules Darryl Cain. by Darryl Cain. (KKra) (Entered: 07/30/2013)
07/30/2013	19	Reply as to Defendant Frank Carroll's Answer by Darryl Cain. (KKra) (Entered: 07/30/2013)
07/31/2013	20	ORDER Withdrawing Reference to Magistrate Judge Hluchaniuk and STAYING CASE and Administratively CLOSING CASE Signed by District Judge Paul D. Borman. (SSch) (Entered: 08/01/2013)
09/11/2013	21	Plaintiff asking the Court to direct the defendants to Answer the Amended Complaint jointly or separately filed by Darryl Cain. (DWor) (Entered: 09/13/2013)
09/13/2013		TEXT-ONLY CERTIFICATE OF SERVICE re 20 Order Dismissing Case, Order Staying Case on Darryl Cain Pris. No. 351791 at Muskegon Correctional Facility, 2400 S. Sheridan, Muskegon, Michigan, 49442. (DTof) (Entered: 09/13/2013)
10/07/2013	22	MOTION for Relief from the Stay by Darryl Cain. (PMil) (Entered: 10/11/2013)
02/26/2015	23	ORDER REOPENING CASE and Finding Moot 22 MOTION for Relief from the Stay filed by Darryl Cain. Signed by District Judge Paul D. Borman. (DTof) (Entered: 02/26/2015)
02/26/2015	24	ORDER Referring Pretrial Matters to Magistrate Judge Michael J. Hluchaniuk. Signed by District Judge Paul D. Borman. (DTof) (Entered: 02/26/2015)
02/26/2015		TEXT-ONLY CERTIFICATE OF SERVICE re 23 Order Reopening Case, Terminate Motions, 24 Order Referring Pretrial Matters to Magistrate Judge on Darryl Cain, Pris. No. 351791, at MUSKEGON CORRECTIONAL FACILITY, 2400 S. SHERIDAN, MUSKEGON, MI 49442. (DTof) (Entered: 02/26/2015)
07/13/2015	25	ORDER directing service as to defendant City of Detroit without prepayment of costs and authorizing the US Marshal to collect costs after service is made.

		Signed by Magistrate Judge Michael J. Hluchaniuk. (THal) (Entered: 07/13/2015)
07/13/2015		TEXT-ONLY CERTIFICATE OF SERVICE re 25 Order Directing Service by the US Marshal as to City of Detroit on Darryl Cain Pris. No. #351791 at Muskegon Correctional Facility, 2400 S. Sheridan, Muskegon, MI 49442 (THal) (Entered: 07/14/2015)
07/16/2015	26	ACKNOWLEDGMENT from U.S. Marshal Service of Receipt of Service of Process Documents. (DPer) (Entered: 07/20/2015)
07/27/2015	27	Return of Service executed on 7/20/15 as to Detroit, City of. (LHos) (Entered: 07/29/2015)
07/28/2015	28	WAIVER OF SERVICE Returned Executed. Detroit, City of waiver sent on 7/18/2015, answer due 9/16/2015. (LHos) (Entered: 07/30/2015)
08/04/2015	29	ANSWER to Amended Complaint with Affirmative Defenses by All Defendants. (Nosedal, James) (Entered: 08/04/2015)
08/24/2015	30	REQUEST for a copy of amended complaint by Darryl Cain. (DPer) (Entered: 08/25/2015)
08/28/2015		TEXT-ONLY ORDER Granting 30 Request for a copy of amended complaint filed by Darryl Cain. A copy of the amended complaint will be mailed to plaintiff. Signed by Magistrate Judge Michael J. Hluchaniuk. (THal) (Entered: 08/28/2015)
08/28/2015		TEXT-ONLY CERTIFICATE OF SERVICE re 16 Amended Complaint, TEXT-ONLY Order on Request on Darryl Cain Pris. No. #351791 at Muskegon Correctional Facility, 2400 S. Sheridan, Muskegon, MI 48442 (THal) (Entered: 08/28/2015)
09/17/2015	31	CASE MANAGEMENT ORDER: Discovery due by 3/18/2016. Dispositive Motion Cut-off set for 4/18/2016. Signed by Magistrate Judge Michael J. Hluchaniuk. (Refer to image for additional dates) (THal) (Entered: 09/17/2015)
09/17/2015		TEXT-ONLY CERTIFICATE OF SERVICE re 31 Case Management Order, on Darryl Cain Pris. No. #351791 at Muskegon Correctional Facility, 2400 S. Sheridan, Muskegon, MI 49442 (THal) (Entered: 09/17/2015)
10/07/2015	32	MOTION for Summary Judgment by All Defendants. (Attachments: # 1 Document Continuation Brief in Support, # 2 Index of Exhibits, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E) (Nosedal, James) (Entered: 10/07/2015)
10/08/2015	33	ORDER Requiring Response to 32 Motion for Summary Judgment. Response due by 11/23/2015. Reply due by 12/10/2015. Signed by Magistrate Judge Michael J. Hluchaniuk. (THal) (Entered: 10/08/2015)
10/08/2015		TEXT-ONLY CERTIFICATE OF SERVICE re 33 Order Requiring Responsive Pleading on Darryl Cain Pris. No. #351791 at Muskegon Correctional Facility, 2400 S. Sheridan, Muskegon, MI 49442 (THal) (Entered: 10/08/2015)
11/19/2015	34	

		EXHIBIT <i>Unpublished Opinion, Artley v City of Detroit</i> , 96-74736 (5/29/1998) (<i>Borman, Judge</i>) re 32 MOTION for Summary Judgment by All Defendants (Nosedá, James) (Entered: 11/19/2015)
11/19/2015	35	RESPONSE to 32 Motion for summary judgment filed by Darryl Cain. (DPer) (Entered: 11/20/2015)
11/23/2015	36	REPLY to Response re 32 MOTION for Summary Judgment filed by All Defendants. (Nosedá, James) (Entered: 11/23/2015)
01/05/2016		Text-Only Order of reassignment from Magistrate Judge Michael J. Hluchaniuk to Magistrate Judge Stephanie Dawkins Davis pursuant to Administrative Order. (SSch) (Entered: 01/05/2016)
01/07/2016	37	ORDER Referring Pretrial Matters to Magistrate Judge Stephanie Dawkins Davis including 32 Motion for Summary Judgment. Signed by District Judge Paul D. Borman. (DTof) (Entered: 01/07/2016)
01/07/2016		TEXT-ONLY CERTIFICATE OF SERVICE re 37 Order Referring Pretrial Matters to Magistrate Judge on Darryl Cain Pris. No. #351791 at Muskegon Correctional Facility, 2400 S. Sheridan, Muskegon, MI 49442 (DTof) (Entered: 01/07/2016)
02/10/2016	38	NOTICE of Change of Address/Contact Information by Darryl Cain. (DPer) (Entered: 02/11/2016)
04/20/2016	39	MOTION for summary judgment by Darryl Cain. (DPer) (Entered: 04/21/2016)
04/21/2016	40	RESPONSE to 39 MOTION for Summary Judgment filed by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E) (Nosedá, James) (Entered: 04/21/2016)
08/05/2016	41	REPORT AND RECOMMENDATION re 32 MOTION for Summary Judgment filed by Detroit, City of, Frank Carroll, 39 MOTION for Summary Judgment filed by Darryl Cain. Signed by Magistrate Judge Stephanie Dawkins Davis. (THal) (Entered: 08/05/2016)
08/05/2016		TEXT-ONLY CERTIFICATE OF SERVICE re 41 REPORT AND RECOMMENDATION on Darryl Cain Pris. No. #351791 at Oaks Correctional Facility, 1500 Caberfae Highway, Manistee, MI 49660 (THal) (Entered: 08/05/2016)
08/22/2016	42	OBJECTION to 41 Report and Recommendation by Darryl Cain. (DAll) (Entered: 08/26/2016)
08/22/2016	43	MOTION for Extension of Time to File Objections as to 41 REPORT AND RECOMMENDATION re 32 MOTION for Summary Judgment filed by Detroit, City of, Frank Carroll, 39 MOTION for Summary Judgment filed by Darryl Cain by Darryl Cain. (DAll) (Entered: 08/26/2016)
09/16/2016	44	OPINION and ORDER Granting 43 MOTION for Extension of Time to File Response/Reply as to 41 REPORT AND RECOMMENDATION; Denying 42 Objection to Report and Recommendation; Adopting in part and rejecting in part 41 REPORT AND RECOMMENDATION Granting 32 MOTION for Summary Judgment filed by Detroit, City of, Frank Carroll, Denying 39 MOTION for

		Summary Judgment filed by Darryl Cain - Signed by District Judge Paul D. Borman. (DTof) (Entered: 09/16/2016)
09/16/2016	45	JUDGMENT - Signed by District Judge Paul D. Borman. (DTof) (Entered: 09/16/2016)
09/16/2016		TEXT-ONLY CERTIFICATE OF SERVICE re 45 Judgment, 44 Memorandum Opinion & Order, on Darryl Cain, Pris. No. 351791 at OAKS CORRECTIONAL FACILITY, 1500 CABERFAE HIGHWAY, MANISTEE, MI 49660. (DTof) (Entered: 09/16/2016)
10/12/2016	46	NOTICE of Change of Address/Contact Information by Darryl Cain. (Ahmed, N) (Entered: 10/13/2016)
10/12/2016	47	NOTICE OF APPEAL by Darryl Cain re 45 Judgment, 44 Memorandum Opinion & Order,. Fee Status: No Fee Paid. (Ahmed, N) (Entered: 10/13/2016)
10/13/2016	48	Certificate of Service re 47 Notice of Appeal. (Ahmed, N) (Entered: 10/13/2016)
11/21/2016	49	APPLICATION to Proceed without prepaying fees or costs on Appeal by Darryl Cain. (Ahmed, N) (Entered: 11/22/2016)
12/19/2016	50	LETTER from the Court of Appeals U.S. Court of Appeals - Sixth Circuit re 47 Notice of Appeal filed by Darryl Cain - leave to proceed in forma pauperis [Appeal Case Number 16-2463] (Ahmed, N) (Entered: 12/19/2016)
01/12/2017	51	ORDER granting 49 Application to Proceed Without Prepaying Fees or Costs on Appeal. Signed by District Judge Paul D. Borman. (DTof) (Entered: 01/12/2017)
01/12/2017		TEXT-ONLY CERTIFICATE OF SERVICE re 51 Order on Application to Proceed Without Prepaying Fees or Costs on Darryl Cain, Pris. No. 351791 at CARSON CITY CORRECTIONAL FACILITY, 10274 BOYER ROAD, CARSON CITY, MI 48811. (DTof) (Entered: 01/12/2017)
10/05/2017	52	ORDER from U.S. Court of Appeals - Sixth Circuit re 47 Notice of Appeal filed by Darryl Cain [Appeal Case Number 16-2463] (DWor) (Entered: 10/05/2017)
10/05/2017	53	ORDER from U.S. Court of Appeals - Sixth Circuit re 47 Notice of Appeal filed by Darryl Cain [Appeal Case Number 16-2463] (DWor) (Entered: 10/05/2017)
01/11/2018	54	MANDATE from U.S. Court of Appeals - Sixth Circuit as to 53 Appeal Order/Opinion/Judgment [Appeal Case Number 16-2463] (SKra) (Entered: 01/11/2018)
04/11/2018	55	Order of Assignment of Counsel signed by District Judge Paul D. Borman. Attorney Alexandra Stan is Assigned to Represent Plaintiff, Darryl Cain. (Grimes, K.) (Entered: 04/11/2018)
04/11/2018		TEXT-ONLY CERTIFICATE OF SERVICE re 55 Order of Assignment of Counsel on Darryl Cain Pris. No. 351791 at Carson City Correctional Facility, 10274 Boyer Road, Carson City, MI 48811 (Grimes, K.) (Entered: 04/11/2018)
04/17/2018	56	

		NOTICE TO APPEAR BY TELEPHONE: Status Conference set for 4/23/2018 03:00 PM before District Judge Paul D. Borman (DTof) (Entered: 04/17/2018)
04/23/2018	57	NOTICE of Appearance by Daniel N. Sharkey on behalf of Darryl Cain. (Sharkey, Daniel) (Entered: 04/23/2018)
04/23/2018		Minute Entry for proceedings before District Judge Paul D. Borman: Telephonic Status Conference held on 4/23/2018 (Court Reporter: Leann Lizza) (DTof) (Entered: 04/23/2018)
04/23/2018	58	NOTICE TO APPEAR: Status Conference set for 5/24/2018 10:30 AM before District Judge Paul D. Borman (DTof) (Entered: 04/23/2018)
05/18/2018		RESET TIME ONLY: Status Conference RESET for 5/24/2018 03:30 PM before District Judge Paul D. Borman (DTof) (Entered: 05/18/2018)
05/24/2018		Minute Entry for proceedings before District Judge Paul D. Borman: Status Conference held on 5/24/2018. (Court Reporter: Leann Lizza) (DTof) (Entered: 05/24/2018)
06/05/2018	59	TRANSCRIPT of Status Conference held on 05/24/2018. (Court Reporter: Leann S. Lizza) (Number of Pages: 7) The parties have 21 days to file with the court and Court Reporter a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 6/26/2018. Redacted Transcript Deadline set for 7/6/2018. Release of Transcript Restriction set for 9/4/2018. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Lizza, L.) (Entered: 06/05/2018)
06/12/2018	60	NOTICE TO APPEAR: Status Conference set for 6/29/2018 11:30 AM before District Judge Paul D. Borman *NOTE CHANGE IN TIME* (DTof) (Entered: 06/12/2018)
06/29/2018		Minute Entry for proceedings before District Judge Paul D. Borman: Status Conference held on 6/29/2018, Set Deadlines/Hearings:(Status Conference set for 8/28/2018 02:30 PM before District Judge Paul D. Borman) (Court Reporter: Rob Smith) (DTof) (Entered: 06/29/2018)
07/24/2018		RESET Deadlines/Hearings: Status Conference RESET for 8/27/2018 03:30 PM before District Judge Paul D. Borman (DTof) (Entered: 07/24/2018)
07/30/2018	61	MOTION for Trial by Jury on all issues by Darryl Cain. (SSch) (Entered: 07/31/2018)
07/31/2018	62	MOTION for Withdrawal of Attorney Alexandra Stan by Darryl Cain. (Stan, Alexandra) (Entered: 07/31/2018)
08/01/2018	63	RESPONSE to 61 MOTION for Trail by Jury on all issues filed by All Defendants. (Nosedá, James) (Entered: 08/01/2018)
08/22/2018	64	ORDER granting 62 Motion to Withdraw as Attorney.. Signed by District Judge Paul D. Borman. (DTof) (Entered: 08/22/2018)

08/22/2018		TEXT-ONLY NOTICE: Status Conference set for 08/27/2018 is Cancelled. (DTof) (Entered: 08/22/2018)
08/22/2018		TEXT-ONLY CERTIFICATE OF SERVICE re 64 Order on Motion to Withdraw as Attorney on Darryl Cain, # 351791 at CARSON CITY CORRECTIONAL FACILITY, 10274 BOYER ROAD, CARSON CITY, MI 48811. (DTof) (Entered: 08/22/2018)
09/07/2018	65	MOTION to re-open full discovery by Darryl Cain. (DPer) (Entered: 09/07/2018)
09/07/2018	66	REPLY to Response re 61 MOTION for Trial by Jury on all issues filed by Darryl Cain. (ATee) (Entered: 09/07/2018)
09/10/2018	67	RESPONSE to 65 MOTION <i>to reopen discovery</i> filed by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit a, # 3 Exhibit b, # 4 Exhibit c) (Nosedá, James) (Entered: 09/10/2018)
03/06/2019	68	ORDER REFERRING MOTIONS to Magistrate Judge Stephanie Dawkins Davis: 65 MOTION filed by Darryl Cain, 61 MOTION for Trial by Jury on all issues filed by Darryl Cain. Signed by District Judge Paul D. Borman. (DTof) (Entered: 03/06/2019)
03/06/2019		TEXT-ONLY CERTIFICATE OF SERVICE re 68 Order Referring Motion to Magistrate Judge on Darryl Cain, #351791 AT CARSON CITY CORRECTIONAL FACILITY, 10274 BOYER ROAD, CARSON CITY, MI 48811. (DTof) (Entered: 03/06/2019)
03/22/2019	69	Notice of Determination of Motion Without Oral Argument re 65 MOTION, 61 MOTION for Trial by Jury on all issues (THal) (Entered: 03/22/2019)
03/22/2019		TEXT-ONLY CERTIFICATE OF SERVICE re 69 Notice of Determination of Motion Without Oral Argument on Darryl Cain #351791, CARSON CITY CORRECTIONAL FACILITY, 10274 BOYER ROAD, CARSON CITY MI 48811 (THal) (Entered: 03/22/2019)

PACER Service Center			
Transaction Receipt			
05/22/2019 15:09:05			
PACER Login:	mcps3037:2884939:0	Client Code:	
Description:	Docket Report	Search Criteria:	2:13-cv-10525-PDB-SDD
Billable Pages:	7	Cost:	0.70

Exhibit 6-5

Docket of case liquidating claims of K&P Incorporated; HDV Greektown, LLC;
415 East Congress, LLC; and Shafer & Associates, P.C.

General Docket
United States Court of Appeals for the Sixth Circuit

Court of Appeals Docket #: 18-1203 Nature of Suit: 3440 Civil Rights: Other H.D.V. - Greektown, LLC, et al v. City of Detroit, MI, et al Appeal From: Eastern District of Michigan at Detroit Fee Status: fee paid	Docketed: 02/26/2018 Termed: 05/24/2019												
Case Type Information: 1) Civil 2) Private 3) Civil Rights													
Originating Court Information: District: 0645-2 : 2:06-cv-11282 Trial Judge: Arthur J Tarnow, Senior District Judge Date Filed: 03/28/2006 Date Order/Judgment: 01/25/2018 <div style="text-align: right;">Date NOA Filed: 02/22/2018</div>													
Prior Cases: <table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">08-1329</td> <td style="width: 20%;">Date Filed: 03/13/2008</td> <td style="width: 20%;">Date Disposed: 06/12/2009</td> <td style="width: 45%;">Disposition: Oral Argument</td> </tr> <tr> <td>08-1361</td> <td>Date Filed: 03/20/2008</td> <td>Date Disposed: 06/12/2009</td> <td>Disposition: Oral Argument</td> </tr> <tr> <td>15-1449</td> <td>Date Filed: 04/21/2015</td> <td>Date Disposed: 08/23/2016</td> <td>Disposition: Oral Argument</td> </tr> </table>		08-1329	Date Filed: 03/13/2008	Date Disposed: 06/12/2009	Disposition: Oral Argument	08-1361	Date Filed: 03/20/2008	Date Disposed: 06/12/2009	Disposition: Oral Argument	15-1449	Date Filed: 04/21/2015	Date Disposed: 08/23/2016	Disposition: Oral Argument
08-1329	Date Filed: 03/13/2008	Date Disposed: 06/12/2009	Disposition: Oral Argument										
08-1361	Date Filed: 03/20/2008	Date Disposed: 06/12/2009	Disposition: Oral Argument										
15-1449	Date Filed: 04/21/2015	Date Disposed: 08/23/2016	Disposition: Oral Argument										
Current Cases: None													

H.D.V. - GREEKTOWN, LLC Plaintiff - Appellant	Matthew Joseph Hoffer Direct: 517-886-6560 [COR LD NTC Retained] Shafer & Associates 3800 Capital City Boulevard Suite 2 Lansing, MI 48906 Bradley J. Shafer Direct: 517-886-6560 [COR NTC Retained] Shafer & Associates 3800 Capital City Boulevard Suite 2 Lansing, MI 48906
415 EAST CONGRESS, LLC Plaintiff - Appellant	Matthew Joseph Hoffer Direct: 517-886-6560 [COR LD NTC Retained] (see above) Bradley J. Shafer Direct: 517-886-6560 [COR NTC Retained] (see above)
K AND P, INCORPORATED, dba Deja Vu, dba Zoo Bar Plaintiff - Appellant	Matthew Joseph Hoffer Direct: 517-886-6560 [COR LD NTC Retained] (see above) Bradley J. Shafer Direct: 517-886-6560 [COR NTC Retained] (see above)
v.	
CITY OF DETROIT, MI Defendant - Appellee	Linda Denise Fegins Direct: 313-237-3022 [COR LD NTC Retained]

City Of Detroit Law Department
2 Woodward Avenue
Suite 500
Detroit, MI 48226

MAJED DABISH
Defendant

H.D.V. - GREEKTOWN, LLC; 415 EAST CONGRESS, LLC; K AND P, INCORPORATED, dba Deja Vu, dba Zoo Bar

Plaintiffs - Appellants


v.

CITY OF DETROIT, MI

Defendant - Appellee

MAJED DABISH


Defendant

02/26/2018	<input type="checkbox"/> 1	Civil Case Docketed. Notice filed by Appellants 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated. Transcript needed: y. (RLJ) [Entered: 02/26/2018 10:08 AM]
	3 pg, 13.05 KB	
02/26/2018	<input type="checkbox"/> 2	The case manager for this case is: Robin L. Johnson (RLJ) [Entered: 02/26/2018 10:12 AM]
02/26/2018	<input type="checkbox"/> 3	BRIEFING LETTER SENT setting briefing schedule: appellant brief due 04/09/2018; appellee brief due 05/07/2018. (RLJ) [Entered: 02/26/2018 10:13 AM]
	5 pg, 30.48 KB	
03/02/2018	<input type="checkbox"/> 4	Mediation Office is involved in this appeal. (LMR) [Entered: 03/02/2018 12:41 PM]
03/02/2018	<input type="checkbox"/> 5	A Telephone Mediation conference has been scheduled for 03/23/2018 at 10:00 AM (ET) with Rod McFaul. [Please open notice for important details and deadlines.] (LMR) [Entered: 03/02/2018 12:45 PM]
	2 pg, 56.92 KB	
03/08/2018	<input type="checkbox"/> 6	The Telephone Mediation Conference has been rescheduled for 03/27/2018 at 2:00 PM (ET) with Rod McFaul. [Please open notice for important details and deadlines.] (MLB) [Entered: 03/08/2018 09:29 AM]
	1 pg, 46.47 KB	
03/14/2018	<input type="checkbox"/> 7	APPEARANCE filed for Appellants 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated by Matthew J. Hoffer. Certificate of Service: 03/14/2018. [18-1203] (MJH) [Entered: 03/14/2018 05:03 PM]
	1 pg, 42.25 KB	
03/14/2018	<input type="checkbox"/> 8	APPEARANCE filed for Appellants 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated by Bradley J. Shafer. Certificate of Service: 03/14/2018. [18-1203] (BJS) [Entered: 03/14/2018 05:07 PM]
	1 pg, 42.25 KB	
03/14/2018	<input type="checkbox"/> 9	TRANSCRIPT ORDER filed - transcript is already on file in the District Court Clerks Office. Filed by Mr. Matthew Joseph Hoffer for 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated. Certificate of Service: 03/14/2018. [18-1203] (MJH) [Entered: 03/14/2018 05:27 PM]
03/14/2018	<input type="checkbox"/> 10	CIVIL APPEAL STATEMENT OF PARTIES AND ISSUES filed by Attorney Mr. Matthew Joseph Hoffer for Appellants 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated. Certificate of Service: 03/14/2018. [18-1203] (MJH) [Entered: 03/14/2018 06:00 PM]
	1 pg, 21.41 KB	
03/14/2018	<input type="checkbox"/> 11 	**LOCKED - FORM IS A DUPLICATE OF RE 10 ABOVE**CIVIL APPEAL STATEMENT OF PARTIES AND ISSUES filed by Attorney Mr. Matthew Joseph Hoffer for Appellants 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated. Certificate of Service: 03/14/2018. [18-1203]--[Edited 03/15/2018 by RLJ] (MJH) [Entered: 03/14/2018 06:05 PM]
	0 pg, 0 KB	
03/14/2018	<input type="checkbox"/> 12	CORPORATE DISCLOSURE STATEMENT filed by Attorney Mr. Matthew Joseph Hoffer for Appellants H.D.V. - Greektown, LLC. Certificate of Service: 03/14/2018. [18-1203]--[Edited 03/15/2018 by RLJ] (MJH) [Entered: 03/14/2018 06:16 PM]
	1 pg, 19.58 KB	
03/14/2018	<input type="checkbox"/> 13	CORPORATE DISCLOSURE STATEMENT filed by Attorney Mr. Matthew Joseph Hoffer for Appellants K and P, Incorporated. Certificate of Service: 03/14/2018. [18-1203]--[Edited 03/15/2018 by RLJ] (MJH) [Entered: 03/14/2018 06:17 PM]
	1 pg, 22.63 KB	
03/14/2018	<input type="checkbox"/> 14	CORPORATE DISCLOSURE STATEMENT filed by Attorney Mr. Matthew Joseph Hoffer for Appellants 415 East Congress, LLC. Certificate of Service: 03/14/2018. [18-1203]--[Edited 03/15/2018 by RLJ] (MJH) [Entered: 03/14/2018 06:18 PM]
	1 pg, 22.63 KB	
03/15/2018	<input type="checkbox"/> 15	APPEARANCE filed for Appellee City of Detroit, MI by Linda Denise Fegins. Certificate of Service: 03/15/2018. [18-1203] (LDF) [Entered: 03/15/2018 03:09 PM]
	1 pg, 330.82 KB	
03/15/2018	<input type="checkbox"/> 16	CORPORATE DISCLOSURE STATEMENT filed by Attorney Ms. Linda Denise Fegins for Appellee City of Detroit, MI Certificate of Service: 03/15/2018. [18-1203] (LDF) [Entered: 03/15/2018 03:14 PM]
	2 pg, 69.99 KB	
03/27/2018	<input type="checkbox"/> 17	Letter sent by Mediation Office REGARDING MEDIATION: The Mediation Conference scheduled for 03/27/2018 is hereby canceled. (LMR) [Entered: 03/27/2018 01:39 PM]
	1 pg, 45.85 KB	
03/30/2018	<input type="checkbox"/> 18	Mediation Office is no longer involved in this appeal. (MLB) [Entered: 03/30/2018 03:32 PM]
04/11/2018	<input type="checkbox"/> 19	MOTION filed by Mr. Matthew Joseph Hoffer for 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated to extend time to file brief. Certificate of Service: 04/11/2018. [18-1203] (MJH) [Entered: 04/11/2018 03:50 PM]
	4 pg, 219.07 KB	
04/12/2018	<input type="checkbox"/> 20	RULING LETTER SENT granting motion to extend time to file brief [19] filed by Mr. Matthew Joseph Hoffer., resetting briefing schedule: appellant brief now due 04/23/2018. appellee brief now due 05/21/2018. (RLJ) [Entered: 04/12/2018 08:38 AM]
	5 pg, 29.76 KB	
04/23/2018	<input type="checkbox"/> 21	APPELLANT BRIEF filed by Mr. Matthew Joseph Hoffer for 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated. Certificate of Service: 04/23/2018. Argument Request: requested. [18-1203] (MJH) [Entered: 04/23/2018 07:13 PM]
	60 pg, 635.62 KB	
05/02/2018	<input type="checkbox"/> 22	MOTION filed by Ms. Linda Denise Fegins for City of Detroit, MI to extend time to file brief. Certificate of Service: 05/02/2018. [18-1203] (LDF) [Entered: 05/02/2018 05:19 PM]
	4 pg, 38.83 KB	
05/03/2018	<input type="checkbox"/> 23	RULING LETTER SENT granting motion to extend time to file brief [22] filed by Ms. Linda Denise Fegins., resetting briefing schedule: appellee brief now due 06/20/2018. (RLJ) [Entered: 05/03/2018 07:12 AM]
	5 pg, 29.71 KB	

06/11/2018 ☐ [24](#) MOTION filed by Ms. Linda Denise Fegins for City of Detroit, MI to extend time to file brief. Certificate of Service: 06/11/2018. [18-1203] (LDF) [Entered: 06/11/2018 10:41 AM]
3 pg, 216.32 KB

06/11/2018 ☐ [25](#) RULING LETTER SENT GRANTING Appellee's second motion to extend time to file brief [24](#) filed by Ms. Linda Denise Fegins. Reset briefing: appellee brief now due 07/05/2018. (PJE) [Entered: 06/11/2018 10:54 AM]
5 pg, 117.55 KB

07/03/2018 ☐ [26](#) LETTER filed by Mr. Matthew Joseph Hoffer for 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated communicating dates of unavailability for oral argument: 07/26/2018; 08/08/2018; 08/20/2018 - 08/24/2018; 09/06/2018; 10/09/2018 - 10/11/2018; 10/17/2018; 10/18/2018; 11/06/2018; 11/21/2018 - 11/23/2018; 12/17/2018; 12/24/2018 - 01/02/2019; 01/07/2019 - 01/11/2019; and 03/25/2019 - 03/28/2019. Certificate of Service: 07/03/2018. [18-1203] (MJH) [Entered: 07/03/2018 05:03 PM]
1 pg, 144.61 KB

07/05/2018 ☐ [27](#)  APPELLEE BRIEF filed by Ms. Linda Denise Fegins for City of Detroit, MI. Certificate of Service: 07/05/2018. Argument Request: requested. [18-1203] **** LOCKED: See Brief Corrections Letter. Filer notified to file corrected brief. ****--[Edited 07/06/2018 by LTK] (LDF) [Entered: 07/05/2018 08:33 PM]
0 pg, 0 KB

07/06/2018 ☐ [28](#) BRIEFING LETTER SENT requesting brief corrections from Ms. Linda Denise Fegins for City of Detroit, MI due to incorrect Oral Argument Statement. Corrections due: 07/13/2018. (LTK) [Entered: 07/06/2018 09:31 AM]
4 pg, 117.95 KB

07/06/2018 ☐ [29](#) CORRECTED APPELLEE BRIEF filed by Ms. Linda Denise Fegins for City of Detroit, MI. Certificate of Service: 07/06/2018. Argument Request: requested. [18-1203] (LDF) [Entered: 07/06/2018 11:27 AM]
52 pg, 607.67 KB

07/18/2018 ☐ [30](#) MOTION filed by Mr. Matthew Joseph Hoffer for 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated to extend time to file REPLY brief. Certificate of Service: 07/18/2018. [18-1203] --[Edited 07/19/2018 by RLJ] (MJH) [Entered: 07/18/2018 05:49 PM]
4 pg, 218.77 KB

07/19/2018 ☐ [31](#) RULING LETTER SENT granting motion to extend time to file brief [30](#) filed by Mr. Matthew Joseph Hoffer., setting reply brief deadline: reply brief due 08/03/2018. (RLJ) [Entered: 07/19/2018 06:51 AM]
1 pg, 74.13 KB

08/03/2018 ☐ [32](#) MOTION filed by Mr. Matthew Joseph Hoffer for 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated to extend time to file reply brief. Certificate of Service: 08/03/2018. [18-1203]--[Edited 10/15/2018 by RLJ] (MJH) [Entered: 08/03/2018 01:13 PM]
5 pg, 221.04 KB

08/09/2018 ☐ [33](#) MOTION filed by Mr. Matthew Joseph Hoffer for 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated to hold case in abeyance. Certificate of Service: 08/09/2018. [18-1203] (MJH) [Entered: 08/09/2018 01:53 PM]
7 pg, 1.29 MB

08/14/2018 ☐ [34](#) RESPONSE in opposition filed regarding a motion, [33](#); previously filed by Mr. Matthew Joseph Hoffer for H.D.V. - Greektown, LLC, 415 East Congress, LLC and K and P, Incorporated. Response from Attorney Ms. Linda Denise Fegins for Appellee City of Detroit, MI Certificate of Service: 08/14/2018. [18-1203] (LDF) [Entered: 08/14/2018 02:00 PM]
5 pg, 219.96 KB

10/15/2018 ☐ [35](#) ORDER filed: the motion to hold the appeal in abeyance is GRANTED. The plaintiffs are directed to file a status report within thirty days of the entry of this order and every thirty days thereafter [33](#). Status report due 11/14/2018. Entered by order of the court. (RLJ) [Entered: 10/15/2018 10:44 AM]
2 pg, 149.84 KB

11/07/2018 ☐ [36](#) STATUS REPORT filed by Mr. Matthew Joseph Hoffer for 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated. Plaintiffs respectfully request that the Honorable Court enter an order removing the matter from abeyance and setting a briefing schedule that allows Plaintiffs to submit a reply brief within fourteen days or more of such order. Certificate of Service: 11/07/2018. Next status report due 12/07/2018 [18-1203]--[Edited 11/07/2018 by RLJ] (MJH) [Entered: 11/07/2018 12:51 PM]
5 pg, 1.37 MB

11/07/2018 ☐ [37](#) RULING LETTER SENT: the matter which placed this appeal in abeyance having been resolved, the appeal will resume on its normal course; setting reply brief deadline: reply brief due 11/21/2018.--[Edited 11/07/2018 by RLJ] (RLJ) [Entered: 11/07/2018 03:40 PM]
1 pg, 73.19 KB

11/21/2018 ☐ [38](#) REPLY BRIEF filed by Attorney Mr. Matthew Joseph Hoffer for Appellants 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated Certificate of Service: 11/21/2018. [18-1203] (MJH) [Entered: 11/21/2018 10:29 PM]
15 pg, 268.3 KB

01/25/2019 ☐ [39](#) ORAL ARGUMENT SCHEDULED for 9:00 a.m. (Eastern Time) on Tuesday, March 12, 2019. (JRH) [Entered: 01/25/2019 08:04 AM]
2 pg, 87.4 KB

02/08/2019 ☐ [40](#) Oral argument acknowledgment filed by Attorney Mr. Matthew Joseph Hoffer for Appellants 415 East Congress, LLC, H.D.V. - Greektown, LLC and K and P, Incorporated. Certificate of Service: 02/08/2019. [18-1203] (MJH) [Entered: 02/08/2019 05:30 PM]
1 pg, 116.99 KB

02/11/2019 ☐ [41](#) Oral argument acknowledgment filed by Attorney Ms. Linda Denise Fegins for Appellee City of Detroit, MI. Certificate of Service: 02/11/2019. [18-1203] (LDF) [Entered: 02/11/2019 10:17 AM]
1 pg, 123.62 KB

03/12/2019 ☐ [42](#) CAUSE ARGUED by Mr. Matthew Joseph Hoffer for Appellants H.D.V. - Greektown, LLC, 415 East Congress, LLC and K and P, Incorporated and Ms. Linda Denise Fegins for Appellee City of Detroit, MI before Keith, Circuit Judge; Stranch, Circuit Judge and Donald, Circuit Judge. (KSC) [Entered: 03/12/2019 11:21 AM]
1 pg, 24.97 KB

05/24/2019

☐ [43](#)

10 pg, 243.33 KB

Per Curiam OPINION filed : AFFIRMED. Decision not for publication. Jane Branstetter Stranch and Bernice Bouie Donald, Circuit Judges. (CL) [Entered: 05/24/2019 11:42 AM]

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