

APPEAL, CLOSED

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Houston)  
CIVIL DOCKET FOR CASE #: 4:10-cv-01103  
Internal Use Only**

McPeters v. Edwards et al  
Assigned to: Judge Keith P Ellison  
Case in other court: 9th Dist. Ct., Montgomery  
County, Texas, 07-00009-  
09142  
Cause: 18:1961 Racketeering (RICO) Act

Date Filed: 04/06/2010  
Date Terminated: 01/31/2011  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights:  
Other  
Jurisdiction: Federal Question

**Plaintiff****Karen McPeters**

*individually, and on behalf of  
those individuals, Persons and  
entities who are similarly  
situated*

represented by **Robert L Mays , Jr**

Attorney at Law  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****The Honorable Frederick E  
Edwards**

*Individually and in His Capacity  
as the District Judge of the 9th  
District Court, Montgomery  
County, Texas*

represented by **Allison Standish Miller**

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**ATTORNEY TO BE NOTICED**

**Defendant**

**Barbara Gladden Adamick**  
*Individually and as The District  
Court Clerk of Montgomery  
County, Texas*

represented by **Rayborn C Johnson , Jr**  
Montgomery County Attorney's  
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**Defendant**

**Montgomery County, Texas**

represented by **Rayborn C Johnson , Jr**  
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**Defendant**

**Reed Elsevier, Inc.**  
*doing business as*  
LexisNexis

represented by **Miranda Tolar**  
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**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
04/06/2010	<a href="#">1</a>	COMPLAINT against Barbara Gladden Adamick, Frederick E Edwards, Montgomery County, Reed Elsevier, Inc. (Filing fee \$ 350 receipt number 0541-6214858) filed by Karen McPeters. (Attachments: # <a href="#">1</a> Exhibit)(Mays, Robert) (Entered: 04/06/2010)
04/07/2010	<a href="#">2</a>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 8/6/2010 at 11:15 PM in Room 3716 before Judge Keith P Ellison.(Signed by Judge Keith P Ellison) Parties notified. (dclark, ) (Entered: 04/07/2010)
04/09/2010		Summons Issued as to Barbara Gladden Adamick, Frederick E Edwards, Montgomery County, Texas, filed.(rosaldana) (Entered: 04/09/2010)
04/09/2010	<a href="#">3</a>	NOTICE REGARDING INITIAL CONFERENCE. (Signed by Judge Keith P. Ellison) (Attachments: # <a href="#">1</a> PROPOSED DCO WITH PRESET COURT DATES)(dgould) (Entered: 04/09/2010)

		04/09/2010)
04/13/2010	<a href="#">4</a>	CERTIFICATE OF INTERESTED PARTIES by Karen McPeters, filed.(Mays, Robert) (Entered: 04/13/2010)
05/03/2010	<a href="#">5</a>	RETURN of Service of SUMMONS Executed as to Montgomery County, Texas served on 4/19/2010, answer due 5/10/2010, filed.(jhancock) (Entered: 05/04/2010)
05/03/2010	<a href="#">6</a>	RETURN of Service of SUMMONS Executed as to Barbara Gladden Adamick served on 4/16/2010, answer due 5/7/2010, filed.(clamey, ) (Entered: 05/04/2010)
05/03/2010	<a href="#">7</a>	RETURN of Service of SUMMONS Executed as to Montgomery County, Texas served on 4/16/2010, answer due 5/7/2010, filed.(chorace) (Entered: 05/04/2010)
05/04/2010	<a href="#">8</a>	MOTION to Dismiss <i>for Failure to State a Claim and Brief in Support</i> by Montgomery County, Texas, filed. Motion Docket Date 5/25/2010. (Attachments: # <a href="#">1</a> Exhibit Exhibit 1, # <a href="#">2</a> Exhibit Exhibit 2, # <a href="#">3</a> Exhibit Exhibit 3, # <a href="#">4</a> Exhibit Exhibit 4, # <a href="#">5</a> Exhibit Exhibit 5)(Forlano, Sara) (Entered: 05/04/2010)
05/10/2010	<a href="#">9</a>	WAIVER OF SERVICE Excuted as to Reed Elsevier, Inc. served on 4/7/2010, answer due 6/7/2010 (kgilyard, ) Modified on 5/11/2010 (kgilyard, ). (Entered: 05/11/2010)
05/11/2010		*** Answer due for Reed Elsevier, Inc. 6/7/2010. (kgilyard, ) (Entered: 05/11/2010)
05/17/2010	<a href="#">10</a>	CERTIFICATE OF INTERESTED PARTIES by Montgomery County, Texas, filed.(Forlano, Sara) (Entered: 05/17/2010)
05/17/2010	<a href="#">11</a>	First AMENDED COMPLAINT with JURY DEMAND against Barbara Gladden Adamick, Frederick E Edwards, Montgomery County, Texas, Reed Elsevier, Inc. filed by Karen McPeters. (Attachments: # <a href="#">1</a> Exhibit A-I)(Mays, Robert) (Entered: 05/17/2010)
06/01/2010	<a href="#">12</a>	ORDER terminating as moot <a href="#">8</a> Motion to Dismiss.(Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 06/01/2010)
06/01/2010	<a href="#">13</a>	DOCKETED IN ERROR. SHOULD BE MOTION TO DISMISS. ANSWER to <a href="#">11</a> Amended Complaint/Counterclaim/Crossclaim etc. by Montgomery County, Texas, filed. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5, # <a href="#">6</a> Exhibit 6, # <a href="#">7</a>

		Exhibit 7, # <a href="#">8</a> Exhibit 8, # <a href="#">9</a> Exhibit 9, # <a href="#">10</a> Exhibit 10, # <a href="#">11</a> Appendix 1)(Forlano, Sara) Modified on 6/2/2010 (sloewe). (Entered: 06/01/2010)
06/01/2010	<a href="#">14</a>	Agreed MOTION for Leave to File Excess Pages by Montgomery County, Texas, filed. Motion Docket Date 6/22/2010. (Forlano, Sara) (Entered: 06/01/2010)
06/01/2010	<a href="#">15</a>	PROPOSED ORDER re: <a href="#">14</a> Agreed MOTION for Leave to File Excess Pages, filed.(Forlano, Sara) (Entered: 06/01/2010)
06/01/2010	<a href="#">16</a>	Unopposed MOTION for Extension of Time For Defendant Honorable Frederick E. Edwards To Answer Or Move In Response To Plaintiff's First Amended Complaint by Frederick E Edwards, filed. Motion Docket Date 6/22/2010. (Attachments: # <a href="#">1</a> Proposed Order GRANTING Motion For Extension of Time)(Miller, Allison) (Entered: 06/01/2010)
06/02/2010	<a href="#">17</a>	ORDER granting <a href="#">16</a> Motion for Extension of Time.(Signed by Judge Keith P Ellison) Parties notified.(esmith, ) (Entered: 06/02/2010)
06/02/2010	<a href="#">18</a>	ORDER granting <a href="#">14</a> Motion for Leave to File Excess Pages. (Signed by Judge Keith P Ellison) Parties notified.(esmith, ) (Entered: 06/02/2010)
06/06/2010	<a href="#">19</a>	Second AMENDED COMPLAINT with Jury Demand against Barbara Gladden Adamick, Frederick E Edwards, Montgomery County, Texas, Reed Elsevier, Inc. filed by Karen McPeters. (Attachments: # <a href="#">1</a> Exhibit Exhibits A - I)(Mays, Robert) (Entered: 06/06/2010)
06/06/2010	<a href="#">20</a>	RESPONSE in Opposition to <a href="#">8</a> MOTION to Dismiss <i>for Failure to State a Claim and Brief in Support</i> , filed by Karen McPeters. (Mays, Robert) (Entered: 06/06/2010)
06/06/2010	<a href="#">21</a>	PROPOSED ORDER re <a href="#">13</a> re: <a href="#">20</a> Response in Opposition to Motion, filed.(Mays, Robert) (Entered: 06/06/2010)
06/07/2010	<a href="#">22</a>	MOTION to Dismiss by Reed Elsevier, Inc., filed. Motion Docket Date 6/28/2010. (Tolar, Miranda) (Entered: 06/07/2010)
06/07/2010	<a href="#">23</a>	APPENDIX re: <a href="#">22</a> MOTION to Dismiss by Reed Elsevier, Inc., filed.(Tolar, Miranda) (Entered: 06/07/2010)
06/07/2010	<a href="#">24</a>	CORPORATE DISCLOSURE STATEMENT by Reed Elsevier, Inc. identifying Reed Elsevier U.S. Holdings Inc. as Corporate Parent, filed.(Tolar, Miranda) (Entered: 06/07/2010)

06/07/2010	<a href="#">25</a>	CERTIFICATE OF INTERESTED PARTIES by Reed Elsevier, Inc., filed.(Tolar, Miranda) (Entered: 06/07/2010)
06/07/2010	<a href="#">26</a>	MOTION for John G. Parker to Appear Pro Hac Vice by Reed Elsevier, Inc., filed. Motion Docket Date 6/28/2010. (Tolar, Miranda) (Entered: 06/07/2010)
06/07/2010	<a href="#">27</a>	MOTION for J. Allen Maines to Appear Pro Hac Vice by Reed Elsevier, Inc., filed. Motion Docket Date 6/28/2010. (Tolar, Miranda) (Entered: 06/07/2010)
06/07/2010	<a href="#">28</a>	MOTION for Emily L. Shoemaker to Appear Pro Hac Vice by Reed Elsevier, Inc., filed. Motion Docket Date 6/28/2010. (Tolar, Miranda) (Entered: 06/07/2010)
06/07/2010	<a href="#">29</a>	MOTION for S. Tameka Phillips to Appear Pro Hac Vice by Reed Elsevier, Inc., filed. Motion Docket Date 6/28/2010. (Tolar, Miranda) (Entered: 06/07/2010)
06/07/2010	<a href="#">30</a>	PROPOSED ORDER re: <a href="#">22</a> MOTION to Dismiss, filed.(Tolar, Miranda) (Entered: 06/07/2010)
06/07/2010	<a href="#">31</a>	ORDER granting <a href="#">29</a> Tameka Phillips's Motion to Appear Pro Hac Vice.(Signed by Judge Keith P Ellison) Parties notified. (jhancock) (Entered: 06/08/2010)
06/07/2010	<a href="#">32</a>	ORDER granting <a href="#">27</a> Allen Maines's Motion to Appear Pro Hac Vice.(Signed by Judge Keith P Ellison) Parties notified. (jhancock) (Entered: 06/08/2010)
06/07/2010	<a href="#">33</a>	ORDER granting <a href="#">28</a> Emily Shoemaker's Motion to Appear Pro Hac Vice.(Signed by Judge Keith P Ellison) Parties notified. (jhancock) (Entered: 06/08/2010)
06/07/2010	<a href="#">35</a>	RETURN of Service of SUMMONS Executed as to Frederick E Edwards served on 5/19/2010, answer due 6/9/2010, filed. (blacy, ) (Entered: 06/08/2010)
06/08/2010	<a href="#">34</a>	ORDER granting <a href="#">26</a> John Parker's Motion to Appear Pro Hac Vice.(Signed by Judge Keith P Ellison) Parties notified. (jhancock) (Entered: 06/08/2010)
06/09/2010	<a href="#">36</a>	MOTION to Amend <a href="#">11</a> Amended Complaint/Counterclaim/Crossclaim etc. by Karen McPeters, filed. Motion Docket Date 6/30/2010. (Attachments: # <a href="#">1</a> Complaint Second Amended, # <a href="#">2</a> Exhibit A - I)(Mays, Robert) (Entered: 06/09/2010)

06/09/2010	<a href="#">37</a>	PROPOSED ORDER re: <a href="#">36</a> MOTION to Amend <a href="#">11</a> Amended Complaint/Counterclaim/Crossclaim etc., filed.(Mays, Robert) (Entered: 06/09/2010)
06/09/2010	<a href="#">38</a>	ORDER Setting Hearing on Motion <a href="#">36</a> MOTION to Amend <a href="#">11</a> Amended Complaint/Counterclaim/Crossclaim etc. : Motion Hearing set for 6/18/2010 at 11:00 AM in Courtroom 3A Houston before Judge Keith P Ellison. Parties may appear by telephone by calling in on the Court's Dial-In number 713250-5238.(Signed by Judge Keith P Ellison) Parties notified. (sloewe) (Entered: 06/09/2010)
06/09/2010	<a href="#">39</a>	NOTICE of Resetting. Parties notified. Motion Hearing set for 6/30/2010 at 02:30 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe) (Entered: 06/09/2010)
06/14/2010	<a href="#">40</a>	RESPONSE in Opposition to <a href="#">36</a> MOTION to Amend <a href="#">11</a> Amended Complaint/Counterclaim/Crossclaim etc., filed by Montgomery County, Texas. (Forlano, Sara) (Entered: 06/14/2010)
06/14/2010	<a href="#">41</a>	PROPOSED ORDER <i>Denying Plaintiff's Motion for Leave to Amend</i> re: <a href="#">40</a> Response in Opposition to Motion, filed.(Forlano, Sara) (Entered: 06/14/2010)
06/16/2010	<a href="#">42</a>	RESPONSE in Opposition to <a href="#">36</a> MOTION to Amend <a href="#">11</a> Amended Complaint/Counterclaim/Crossclaim etc., filed by Reed Elsevier, Inc.. (Tolar, Miranda) (Entered: 06/16/2010)
06/16/2010	<a href="#">43</a>	PROPOSED ORDER re: <a href="#">42</a> Response in Opposition to Motion, filed.(Tolar, Miranda) (Entered: 06/16/2010)
06/16/2010	<a href="#">44</a>	APPENDIX re: <a href="#">42</a> Response in Opposition to Motion by Reed Elsevier, Inc., filed.(Tolar, Miranda) (Entered: 06/16/2010)
06/16/2010	<a href="#">45</a>	Unopposed MOTION for Extension of Time for Judge Edwards to Answer or Move in Response to McPeters's Live Pleading by Frederick E Edwards, filed. Motion Docket Date 7/7/2010. (Attachments: # <a href="#">1</a> Proposed Order GRANTING Extension of Time for Judge Edwards to Answer or Move in Response to McPeters's Live Pleading)(Miller, Allison) (Entered: 06/16/2010)
06/16/2010	<a href="#">46</a>	JOINDER in <a href="#">42</a> Response in Opposition to Motion, <a href="#">40</a> Response in Opposition to Motion <i>to Amend</i> , filed by Frederick E Edwards. (Attachments: # <a href="#">1</a> Proposed Order DENYING Motion to Amend; STRIKING McPeters's Second Amended



		Complaint; and REINSTATING McPeters's First Amended Complaint)(Miller, Allison) (Entered: 06/16/2010)
06/17/2010	<a href="#">47</a>	ORDER granting <a href="#">45</a> Motion for Extension of Time.(Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 06/17/2010)
06/25/2010	<a href="#">48</a>	NOTICE of Correction re: <a href="#">22</a> MOTION to Dismiss by Reed Elsevier, Inc., filed. (Tolar, Miranda) (Entered: 06/25/2010)
06/30/2010		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 6/30/2010 GRANTING <a href="#">36</a> MOTION to Amend <a href="#">11</a> Amended Complaint/Counterclaim/Crossclaim etc. Appearances:(Law Clerk: Shilpi Agarwal) Billy Shephed. Robert L Mays, Sara M Forlano, Emily L Shoemaker, Miranda Tolar.(Court Reporter: Manley), filed.(sloewe) (Entered: 06/30/2010)
07/13/2010	<a href="#">49</a>	MOTION to Dismiss <i>Plaintiff's Second Amended Complaint</i> by Reed Elsevier, Inc., filed. Motion Docket Date 8/3/2010. (Tolar, Miranda) (Entered: 07/13/2010)
07/13/2010	<a href="#">50</a>	PROPOSED ORDER re: <a href="#">49</a> MOTION to Dismiss <i>Plaintiff's Second Amended Complaint</i> , filed.(Tolar, Miranda) (Entered: 07/13/2010)
07/13/2010	<a href="#">51</a>	MOTION to Dismiss <i>Plaintiff's Second Amended Complaint for Failure to State a Claim and for Lack of Subject Matter Jurisdiction and Brief in Support by Montgomery County, Texas and Barbara Adamick</i> by Montgomery County, Texas, filed. Motion Docket Date 8/3/2010. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5, # <a href="#">6</a> Exhibit 6, # <a href="#">7</a> Appendix 1)(Forlano, Sara) (Entered: 07/13/2010)
07/13/2010	<a href="#">52</a>	Agreed MOTION for Leave to File Excess Pages by Montgomery County, Texas, filed. Motion Docket Date 8/3/2010. (Forlano, Sara) (Entered: 07/13/2010)
07/13/2010	<a href="#">53</a>	PROPOSED ORDER <i>for Leave to File Excess Pages</i> re: <a href="#">52</a> Agreed MOTION for Leave to File Excess Pages, filed. (Forlano, Sara) (Entered: 07/13/2010)
07/13/2010	<a href="#">54</a>	Unopposed MOTION for Leave to File Excess Pages by Frederick E Edwards, filed. Motion Docket Date 8/3/2010. (Attachments: # <a href="#">1</a> Proposed Order GRANTING Leave to File Extended Briefing)(Miller, Allison) (Entered: 07/13/2010)

07/13/2010	<a href="#">55</a>	PROPOSED ORDER re: <a href="#">51</a> MOTION to Dismiss <i>Plaintiff's Second Amended Complaint for Failure to State a Claim and for Lack of Subject Matter Jurisdiction and Brief in Support by Montgomery County, Texas and Barbara Adamick</i> , filed. (Forlano, Sara) (Entered: 07/13/2010)
07/14/2010	<a href="#">56</a>	MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> by Frederick E Edwards, filed. Motion Docket Date 8/4/2010. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5, # <a href="#">6</a> Exhibit 6, # <a href="#">7</a> Exhibit 7, # <a href="#">8</a> Proposed Order GRANTING Motion to Dismiss Second Amended Complaint, # <a href="#">9</a> Appendix, # <a href="#">10</a> Appendix Tab A, # <a href="#">11</a> Appendix Tab B, # <a href="#">12</a> Appendix Tab C, # <a href="#">13</a> Appendix Tab D)(Miller, Allison) (Entered: 07/14/2010)
07/14/2010	<a href="#">57</a>	ORDER mooting <a href="#">13</a> and <a href="#">22</a> Motion to Dismiss.(Signed by Judge Keith P Ellison) Parties notified.(esmith, ) (Entered: 07/14/2010)
07/14/2010	<a href="#">58</a>	ORDER granting <a href="#">54</a> Motion for Leave to File Excess Pages. (Signed by Judge Keith P Ellison) Parties notified.(esmith, ) (Entered: 07/14/2010)
07/14/2010	<a href="#">59</a>	ORDER granting <a href="#">52</a> Motion for Leave to File Excess Pages. (Signed by Judge Keith P Ellison) Parties notified.(esmith, ) (Entered: 07/14/2010)
07/20/2010	<a href="#">60</a>	MOTION Motion to Determine Treatment of Motions by Karen McPeters, filed. Motion Docket Date 8/10/2010. (Attachments: # <a href="#">1</a> Proposed Order)(Mays, Robert) (Entered: 07/20/2010)
07/21/2010	<a href="#">61</a>	NOTICE OF CORRECTION re: <a href="#">51</a> MOTION to Dismiss <i>Plaintiff's Second Amended Complaint for Failure to State a Claim and for Lack of Subject Matter Jurisdiction and Brief in Support by Montgomery County, Texas and Barbara Adamick</i> by Montgomery County, Texas, filed. (Forlano, Sara) (Entered: 07/21/2010)
07/21/2010	<a href="#">62</a>	ORDER granting in part and denied in part <a href="#">60</a> Motion to Determine Treatment of Motions ; Motion-related deadline set re: <a href="#">60</a> Motion to Determine Treatment of Motions ( Plaintiff's Responsive briefs due by 8/15/2010).(Signed by Judge Keith P Ellison) Parties notified.(kstrouse, ) (Entered: 07/21/2010)
07/25/2010	<a href="#">63</a>	CERTIFICATE OF INTERESTED PARTIES by Frederick E

		Edwards, filed.(Miller, Allison) (Entered: 07/25/2010)
07/26/2010	<a href="#">64</a>	Letter from Robert L. Mays, Jr. re: Vacation, filed. (dgould) (Entered: 07/26/2010)
07/27/2010	<a href="#">65</a>	Agreed JOINT DISCOVERY/CASE MANAGEMENT PLAN by Karen McPeters, filed. (Attachments: # <a href="#">1</a> Proposed Order Docket Control Order)(Mays, Robert) (Entered: 07/27/2010)
07/29/2010	<a href="#">66</a>	SCHEULING ORDER. Trial Term: 5 Days. ( Amended Pleadings due by 9/6/2010, Joinder of Parties due by 9/6/2010, Pltf Expert Witness List due by 2/4/2011, Pltf Expert Report due by 2/4/2011, Deft Expert Witness List due by 3/4/2011, Deft Expert Report due by 3/4/2011, Discovery due by 5/4/2011, Dispositive Motion Filing due by 7/4/2011, Non-Dispositive Motion Filing due by 7/4/2011, Joint Pretrial Order due by 9/26/2011, Jury Trial set for 10/3/2011 at 09:00 AM in Courtroom 3A Houston before Judge Keith P Ellison), Deadlines terminated: Initial Conference set for 8/6/2010 at 11:15 PM in Room 3716 before Judge Keith P Ellison is CANCELLED. Parties submitted their Agreed DCO..(Signed by Judge Keith P Ellison) Parties notified.(sloewe, ) (Entered: 07/29/2010)
08/05/2010	<a href="#">67</a>	INITIAL DISCLOSURES by Montgomery County, Texas, filed.(Forlano, Sara) (Entered: 08/05/2010)
08/10/2010	<a href="#">68</a>	MOTION for Leave to File Excess Pages by Karen McPeters, filed. Motion Docket Date 8/31/2010. (Attachments: # <a href="#">1</a> Proposed Order Granting Leave to File Excess Pages)(Mays, Robert) (Entered: 08/10/2010)
08/11/2010	<a href="#">69</a>	ORDER granting <a href="#">68</a> Motion for Leave to File Excess Pages. (Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 08/11/2010)
08/13/2010	<a href="#">70</a>	Third AMENDED Complaint with Jury Demand against Barbara Gladden Adamick, Frederick E Edwards, Montgomery County, Texas, Reed Elsevier, Inc. filed by Karen McPeters. (Attachments: # <a href="#">1</a> Exhibit Exhibit List and Exhibits A-I, # <a href="#">2</a> Exhibit Exhibits J-R)(Mays, Robert) (Entered: 08/13/2010)
08/13/2010	<a href="#">71</a>	Opposed MOTION for Leave to File Third Amended Complaint by Karen McPeters, filed. Motion Docket Date 9/3/2010. (Attachments: # <a href="#">1</a> Proposed Order Grant leave to File Third Amended Complaint)(Mays, Robert) (Entered: 08/13/2010)

08/13/2010	<a href="#">72</a>	RESPONSE in Opposition to <a href="#">56</a> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> , filed by Karen McPeters. (Attachments: # <a href="#">1</a> Proposed Order Denying Motion to Dismiss)(Mays, Robert) (Entered: 08/13/2010)
08/13/2010	<a href="#">73</a>	RESPONSE in Opposition to <a href="#">22</a> MOTION to Dismiss, <a href="#">49</a> MOTION to Dismiss <i>Plaintiff's Second Amended Complaint</i> , filed by Karen McPeters. (Attachments: # <a href="#">1</a> Proposed Order Denying Motion to Dismiss)(Mays, Robert) (Entered: 08/13/2010)
08/13/2010	<a href="#">74</a>	RESPONSE in Opposition to <a href="#">8</a> MOTION to Dismiss <i>for Failure to State a Claim and Brief in Support</i> , <a href="#">51</a> MOTION to Dismiss <i>Plaintiff's Second Amended Complaint for Failure to State a Claim and for Lack of Subject Matter Jurisdiction and Brief in Support by Montgomery County, Texas and Barbara Adamick</i> , filed by Karen McPeters. (Attachments: # <a href="#">1</a> Proposed Order Denying Motion to Dismiss)(Mays, Robert) (Entered: 08/13/2010)
08/23/2010	<a href="#">75</a>	REPLY to Response to <a href="#">51</a> MOTION to Dismiss <i>Plaintiff's Second Amended Complaint for Failure to State a Claim and for Lack of Subject Matter Jurisdiction and Brief in Support by Montgomery County, Texas and Barbara Adamick</i> , filed by Montgomery County, Texas. (Attachments: # <a href="#">1</a> Exhibit 1) (Forlano, Sara) (Entered: 08/23/2010)
08/23/2010	<a href="#">76</a>	ORDER FOR EXPEDITED RESPONSE AND ORDER Setting Hearing on Motion <a href="#">71</a> Opposed MOTION for Leave to File Third Amended Complaint : Motion Hearing set for 8/31/2010 at 11:30 AM in Courtroom 3A Houston before Judge Keith P Ellison.(Signed by Judge Keith P Ellison) Parties notified. (sloewe) (Entered: 08/23/2010)
08/23/2010	<a href="#">77</a>	REPLY to Response to <a href="#">56</a> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i>

		<i>12(b)(1), and 9(b)</i> , filed by Frederick E Edwards. (Attachments: # <a href="#">1</a> Appendix Bryant v. Watts, # <a href="#">2</a> Proposed Order GRANTING Motion to Dismiss)(Miller, Allison) (Entered: 08/23/2010)
08/23/2010	<a href="#">78</a>	Corrected REPLY to Response to <a href="#">56</a> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> , filed by Frederick E Edwards. (Attachments: # <a href="#">1</a> Appendix Bryant v. Watts, # <a href="#">2</a> Proposed Order GRANTING Motion to Dismiss)(Miller, Allison) (Entered: 08/23/2010)
08/24/2010	<a href="#">79</a>	REPLY in Support of <a href="#">49</a> MOTION to Dismiss <i>Plaintiff's Second Amended Complaint</i> , filed by Reed Elsevier, Inc.. (Attachments: # <a href="#">1</a> Appendix To Reply in Support of Defendant's Motion to Dismiss Plaintiff's Second Amended Complaint) (Tolar, Miranda) (Entered: 08/24/2010)
08/30/2010	<a href="#">80</a>	RESPONSE in Opposition to <a href="#">71</a> Opposed MOTION for Leave to File Third Amended Complaint, filed by Barbara Gladden Adamick, Frederick E Edwards, Montgomery County, Texas, Reed Elsevier, Inc.. (Attachments: # <a href="#">1</a> Appendix to Defendants' Response In Opposition to Plaintiff's August 13, 2010 Motion to Amend Complaint)(Tolar, Miranda) (Entered: 08/30/2010)
08/30/2010	<a href="#">81</a>	Corrected RESPONSE in Opposition to <a href="#">71</a> Opposed MOTION for Leave to File Third Amended Complaint, filed by Barbara Gladden Adamick, Frederick E Edwards, Montgomery County, Texas, Reed Elsevier, Inc.. (Attachments: # <a href="#">1</a> Appendix Corrected Appendix to Defendants' Response in Opposition to Plaintiff's August 13, 2010 Motion to Amend)(Tolar, Miranda) (Entered: 08/30/2010)
08/30/2010	<a href="#">82</a>	Unopposed MOTION for Leave to File Supplemental Reply by Karen McPeters, filed. Motion Docket Date 9/20/2010. (Attachments: # <a href="#">1</a> Proposed Order to Allow Supplemental Reply)(Mays, Robert) (Entered: 08/30/2010)
08/30/2010	<a href="#">83</a>	Supplemental RESPONSE in Opposition to <a href="#">22</a> MOTION to Dismiss, <a href="#">51</a> MOTION to Dismiss <i>Plaintiff's Second Amended Complaint for Failure to State a Claim and for Lack of Subject Matter Jurisdiction and Brief in Support by Montgomery County, Texas and Barbara Adamick</i> , <a href="#">49</a> MOTION to Dismiss

		<i>Plaintiff's Second Amended Complaint, <a href="#">56</a> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. Under Rules 12(b)(6), 12(b)(1), and 9(b) MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. Under Rules 12(b)(6), 12(b)(1), and 9(b) MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. Under Rules 12(b)(6), 12(b)(1), and 9(b), filed by Karen McPeters. (Mays, Robert) (Entered: 08/30/2010)</i>
08/31/2010		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 8/31/2010. The Court will rule on the motions to dismiss based on the 2nd Amended Complaint. Appearances:(Law Clerk: Mullkoff), filed.(sloewe) (Entered: 09/23/2010)
09/06/2010	<a href="#">84</a>	MOTION for Extension of Time to Join Parties by Karen McPeters, filed. Motion Docket Date 9/27/2010. (Attachments: # <a href="#">1</a> Proposed Order Extend Time to Join Parties)(Mays, Robert) (Entered: 09/06/2010)
09/06/2010	<a href="#">85</a>	MOTION to Certify Class by Karen McPeters, filed. Motion Docket Date 9/27/2010. (Attachments: # <a href="#">1</a> Proposed Order Order Certifying Class)(Mays, Robert) (Entered: 09/06/2010)
09/06/2010	<a href="#">86</a>	Corrected MOTION to Certify Class by Karen McPeters, filed. Motion Docket Date 9/27/2010. (Attachments: # <a href="#">1</a> Proposed Order Order Certifying Class)(Mays, Robert) (Entered: 09/06/2010)
09/07/2010	<a href="#">87</a>	Unopposed MOTION for Extension of Time to Stay Deadline for Responses to Plaintiffs' Filings of September 6, 2010, MOTION to Expedite Ruling on Unopposed Motion to Stay Deadline for Responses to Plaintiff's Filings of September 6, 2010( Motion Docket Date 9/28/2010.) by Barbara Gladden Adamick, Frederick E Edwards, Montgomery County, Texas, Reed Elsevier, Inc., filed. (Attachments: # <a href="#">1</a> Proposed Order GRANTING Motion for Stay of Deadline to Respond to Docket Nos. 84 & 86)(Miller, Allison) (Entered: 09/07/2010)
09/08/2010	<a href="#">88</a>	ORDER GRANTING <a href="#">87</a> Motion for Extension of Time; all defendants' unopposed joint motion and request for expedited ruling to stay responses to plaintiff's motions filed September 6, 2010. Document # <a href="#">84</a> and Document# <a href="#">86</a> is indefinitely STAYED until after such time as the Court has ruled on the Defendants' pending dispositive motions ( Document # <a href="#">49</a> , <a href="#">51</a> ,

		<a href="#">56</a> ).(Signed by Judge Keith P Ellison) Parties notified. (jegonzalez, ) Modified on 9/8/2010 (jegonzalez, ). (Entered: 09/08/2010)
09/10/2010	<a href="#">89</a>	ORDER granting <a href="#">82</a> Motion for Leave to File.(Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 09/10/2010)
11/03/2010	<a href="#">90</a>	DESIGNATION of Rayborn C. Johnson, Jr. as attorney in charge of Montgomery County, Texas, filed.(Johnson, Rayborn) (Entered: 11/03/2010)
11/05/2010	<a href="#">91</a>	Unopposed MOTION for Extension of Time Deadlines in Joint Discovery/Case Management Plan and Scheduling Order by Barbara Gladden Adamick, Frederick E Edwards, Montgomery County, Texas, Reed Elsevier, Inc., filed. Motion Docket Date 11/26/2010. (Attachments: # <a href="#">1</a> Proposed Order)(Tolar, Miranda) (Entered: 11/05/2010)
11/08/2010	<a href="#">92</a>	ORDER granting <a href="#">91</a> Motion for Extend Dates. If a ruling in favor of Plaintiff occurs, the parties shall be required to submit a proposed scheduling order within 14 days of the ruling, proposing new deadlines for the completion of fact and expert discovery.(Signed by Judge Keith P Ellison) Parties notified. (jhancock) (Entered: 11/09/2010)
11/09/2010		***Deadlines terminated. (jhancock) (Entered: 11/09/2010)
11/27/2010	<a href="#">93</a>	NOTICE of Setting as to <a href="#">51</a> MOTION to Dismiss <i>Plaintiff's Second Amended Complaint for Failure to State a Claim and for Lack of Subject Matter Jurisdiction and Brief in Support by Montgomery County, Texas and Barbara Adamick</i> , <a href="#">49</a> MOTION to Dismiss <i>Plaintiff's Second Amended Complaint</i> , <a href="#">56</a> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> . Parties notified. The parties should be prepared to discuss, in particular, Plaintiff's due process and equal protection claims under the U.S. Constitution, and whether such claims are sufficient for federal jurisdiction. As stated in the August 31 hearing, the Court will decide the pending motions to dismiss based on the Second Amended Complaint. Motion Hearing set for 12/9/2010 at 01:30 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed.

		(sloewe ) (Entered: 11/27/2010)
12/08/2010	<a href="#">94</a>	BRIEF in Opposition to Rule 12b(6) Motions to Dismiss by Karen McPeters, filed. (Attachments: # <a href="#">1</a> Continuation Hearing Brief No. 2, # <a href="#">2</a> Continuation Hearing Brief No. 3, # <a href="#">3</a> Continuation Hearing Brief No. 4, # <a href="#">4</a> Continuation Hearing Brief No. 5, # <a href="#">5</a> Continuation Hearing Brief No. 6, # <a href="#">6</a> Continuation Hearing Brief No. 7)(Mays, Robert) (Entered: 12/08/2010)
12/09/2010		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 12/9/2010. Motions taken under advisement re: Motion-related deadline set re: <a href="#">51</a> MOTION to Dismiss <i>Plaintiff's Second Amended Complaint for Failure to State a Claim and for Lack of Subject Matter Jurisdiction and Brief in Support by Montgomery County, Texas and Barbara Adamick</i> , <a href="#">49</a> MOTION to Dismiss <i>Plaintiff's Second Amended Complaint</i> , <a href="#">56</a> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> MOTION to Dismiss <a href="#">19</a> Amended Complaint/Counterclaim/Crossclaim etc. <i>Under Rules 12(b)(6), 12(b)(1), and 9(b)</i> . Appearances:(Law Clerk: D. Mullkoff) Rayborn C Johnson, Allison Standish Miller, Robert L Mays. (Court Reporter: A. Manley), filed.(kstrouse, ) (Entered: 12/09/2010)
12/23/2010	<a href="#">95</a>	Supplemental BRIEF in Opposition to <i>Motions to Dismiss</i> by Karen McPeters, filed.(Mays, Robert) (Entered: 12/23/2010)
12/28/2010	<a href="#">96</a>	RESPONSE to <a href="#">95</a> <i>Brief in Opposition to Motions to Dismiss</i> , filed by Reed Elsevier, Inc.. (Tolar, Miranda) (Entered: 12/28/2010)
12/29/2010	<a href="#">97</a>	Supplemental BRIEF in Opposition to <i>Defendants' Motions to Dismiss</i> by Karen McPeters, filed.(Mays, Robert) (Entered: 12/29/2010)
01/06/2011	<a href="#">98</a>	Vacation Letter from Attorney, Robert Mays, Jr., filed. (bdaniel, ) (Entered: 01/10/2011)
01/27/2011	<a href="#">99</a>	Supplemental BRIEF in Opposition to <i>Motions to Dismiss</i> by Karen McPeters, filed.(Mays, Robert) (Entered: 01/27/2011)
01/27/2011	<a href="#">100</a>	MEMORANDUM AND ORDER Granting, <a href="#">49</a> MOTION to



		Dismiss <i>Plaintiff's Second Amended Complaint</i> , <a href="#">51</a> MOTION to Dismiss <i>Plaintiff's Second Amended Complaint for Failure to State a Claim and for Lack of Subject Matter Jurisdiction and Brief in Support by Montgomery County, Texas and Barbara Adamick</i> , Denying <a href="#">71</a> Plaintiffs MOTION for Leave to File Third Amended Complaint.(Signed by Judge Keith P Ellison) Parties notified.(aalonzo) (Entered: 01/28/2011)
02/15/2011	<a href="#">101</a>	MOTION for Reconsideration of <a href="#">100</a> Memorandum and Order, by Karen McPeters, filed. Motion Docket Date 3/8/2011. (Attachments: # <a href="#">1</a> Exhibit 1-7)(Mays, Robert) (Entered: 02/15/2011)
02/15/2011	<a href="#">102</a>	PROPOSED ORDER re: <a href="#">101</a> MOTION for Reconsideration of <a href="#">100</a> Memorandum and Order,, filed.(Mays, Robert) (Entered: 02/15/2011)
03/07/2011	<a href="#">103</a>	Joint RESPONSE in Opposition to <a href="#">101</a> MOTION for Reconsideration of <a href="#">100</a> Memorandum and Order,, filed by Barbara Gladden Adamick, Frederick E Edwards, Montgomery County, Texas, Reed Elsevier, Inc.. (Attachments: # <a href="#">1</a> Proposed Order DENYING Plaintiff's Motion for Reconsideration) (Miller, Allison) (Entered: 03/07/2011)
03/08/2011	<a href="#">104</a>	REPLY to Response to <a href="#">101</a> MOTION for Reconsideration of <a href="#">100</a> Memorandum and Order,, filed by Karen McPeters. (Mays, Robert) (Entered: 03/08/2011)
03/11/2011	<a href="#">105</a>	NOTICE of Setting as to <a href="#">101</a> MOTION for Reconsideration of <a href="#">100</a> Memorandum and Order,. Parties notified. Motion Hearing set for 4/6/2011 at 02:30 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe) (Entered: 03/11/2011)
03/28/2011	<a href="#">106</a>	Supplemental MOTION for Reconsideration of <a href="#">101</a> MOTION for Reconsideration of <a href="#">100</a> Memorandum and Order, by Karen McPeters, filed. Motion Docket Date 4/18/2011. (Mays, Robert) (Entered: 03/28/2011)
04/01/2011	<a href="#">107</a>	Unopposed MOTION to Substitute Attorney B. David L. Foster in place of Miranda Tolar by Reed Elsevier, Inc., filed. Motion Docket Date 4/22/2011. (Attachments: # <a href="#">1</a> Proposed Order) (Schaeffer, Amanda) (Entered: 04/01/2011)
04/01/2011	<a href="#">108</a>	ORDER granting <a href="#">107</a> Motion to Substitute, Attorney Miranda Tolar terminated.(Signed by Judge Keith P Ellison) Parties notified. (aalonzo) (Entered: 04/04/2011)

04/05/2011	<a href="#">109</a>	NOTICE of Resetting as to <a href="#">105</a> Notice of Setting, <a href="#">101</a> MOTION for Reconsideration of <a href="#">100</a> Memorandum and Order,. Parties notified. Motion Hearing set for 4/6/2011 at 04:00 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe) (Entered: 04/05/2011)
04/06/2011		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 4/6/2011. Arguments heard regarding Motion for Reconsideration. This matter is taken under advisement. Appearances:(Law Clerk: Mullkoff) William Scheel. Rayborn C Johnson, Allison Standish Miller, Robert L Mays, Emily L Shoemaker, S. Tameka Phillips, Amanda Marie Schaeffer, J. Allen Maines.(Court Reporter: Malone), filed. (sloewe) (Entered: 04/07/2011)
04/07/2011	<a href="#">110</a>	MEMORANDUM of Law by Karen McPeters, filed.(Mays, Robert) (Entered: 04/07/2011)
04/14/2011	<a href="#">111</a>	AMENDED MEMORANDUM AND ORDER DENYING <a href="#">106</a> Supplemental MOTION for Reconsideration of <a href="#">101</a> MOTION for Reconsideration of <a href="#">100</a> Memorandum and Order, DENYING <a href="#">101</a> MOTION for Reconsideration of <a href="#">100</a> Memorandum and Order,.(Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 04/15/2011)
04/15/2011	<a href="#">112</a>	NOTICE Re: Robert L. Mays, Jr. will be on vacation between 6/20/2011-7/2/2011, filed. (aboyd) (Entered: 04/18/2011)
04/19/2011	<a href="#">113</a>	FINAL JUDGMENT.(Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 04/19/2011)
05/12/2011	<a href="#">114</a>	NOTICE OF APPEAL to US Court of Appeals for the Fifth Circuit re: <a href="#">113</a> Final Judgment, <a href="#">111</a> Memorandum and Order, by Karen McPeters (Filing fee \$ 455), filed.(rosaldana) (Entered: 05/12/2011)