

UNITED STATES DISTRICT COURT SOUTHERN INDIANA

UNITED STATES OF AMERICA -VS- BD OF SCHOOL COMMISSIONERS

IP68-C-0225 -D/?

FILED	CLOSED	NATR SUIT	JURY?	DEMAND (\$1000)	JUDGE	MAGISTRATE
05/31/1968	06/25/1998	440	N	0	DILLIN	?

CAUSE: CIVIL RIGHTS; Other Civil Rights

UNITED STATES OF AMERICA
plaintiff

HAROLD R BICKHAM (O1)
UNITED STATES ATTORNEY'S OFFICE
10 WEST MARKET STREET, SUITE 2100
INDIANAPOLIS, IN 46204
(317)226-6333

PAULINE A MILLER
CIVIL RIGHTS DIVISION
U. S. DEPARTMENT OF JUSTICE
P. O. BOX 65958
WASHINGTON, DC 20035
(202)514-2179

DONNY BRURELL BUCKLEY %
plaintiff

JOHN O MOSS
MOSS & MOSS LLP
510 JEFFERSON PLAZA
ONE VIRGINIA AVENUE
INDIANAPOLIS, IN 46204
(317)635-1945

JOHN PRESTON WARD
ATTORNEY AT LAW
4225 N FIRST AVENUE
APARTMENT 911
TUCSON, AZ 85719

CHARLES D KELSO
MCGEORGE SCHOOL OF LAW
3200 FIFTH AVENUE
SACRAMENTO, CA 95817

JOHN M. DECASTRO
LEE BURNS & COSSELL
151 DELAWARE STREET SUITE 2025
INDIANAPOLIS, IN 46204
(317)631-5151

ALYCIA MARQUESE BUCKLEY %
plaintiff

JOHN O MOSS
MOSS & MOSS LLP
510 JEFFERSON PLAZA
ONE VIRGINIA AVENUE

INDIANAPOLIS, IN 46204

(317)635-1945

JOHN PRESTON WARD

ATTORNEY AT LAW

4225 N FIRST AVENUE

APARTMENT 911

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CHARLES D KELSO

MCGEORGE SCHOOL OF LAW

3200 FIFTH AVENUE

SACRAMENTO, CA 95817

JOHN M. DECASTRO

LEE BURNS & COSSELL

151 DELAWARE STREET SUITE 2025

INDIANAPOLIS, IN 46204

(317)631-5151

RICHARD J DARKO (01)

LOWE GRAY STEELE & DARKO

111 MONUMENT CIRCLE

SUITE 4600

INDIANAPOLIS, IN 46204

(317)236-8020

INDIANA STATE TEACHERS ASSOC %

plaintiff

RELATED CASE IP 93-368-C

plaintiff

CHARLES D. KELSO \$ APPT'D MASTER

plaintiff

CHARLES D KELSO

MCGEORGE SCHOOL OF LAW

3200 FIFTH AVENUE

SACRAMENTO, CA 95817

V.

BD OF SCHOOL COMMISSIONERS

defendant

PATRICIA A BRANNAN

HOGAN & HARTSON

555 THIRTEENTH STREET, N W

WASHINGTON, DC 20004

(202)637-5600

EUGENE L HENDERSON

HENDERSON, DAILEY, WITHROW & DEVOE

ONE INDIANA SQUARE, SUITE 2600

INDIANAPOLIS, IN 46204

METROPOLITAN SCHOOL -BEECH GROVE

defendant

METROPOLITAN SCHOOL - SPEEDWAY

defendant

ESPERANZA ZENDEJAS, SUPT.

defendant

EUGENE L HENDERSON

HENDERSON, DAILEY, WITHROW & DEVOE

FRANK O'BANNON, GOVERNOR
defendant

JEFFREY A. MODISETT, ATTY GEN.
defendant

SUELLEN REED, SUPT.
defendant

MORRIS WOODEN, AUDITOR
defendant

JOYCE ELAINE BRINKMAN, TREAS.
defendant

METROPOLITAN SCHOOL - DECATUR
defendant

FRANKLIN TWP COMMUNITY SCHOOL

ONE INDIANA SQUARE, SUITE 2600
INDIANAPOLIS, IN 46204
PATRICIA A BRANNAN
HOGAN & HARTSON
555 THIRTEENTH STREET, N W
WASHINGTON, DC 20004
(202)637-5600

JANICE E KREUSCHER
DEPUTY ATTORNEY GENERAL
INDIANA GOVT CENTER SOUTH 5TH FLR
402 W WASHINGTON ST
INDIANAPOLIS, IN 46204
(317)232-6316

JANICE E KREUSCHER
DEPUTY ATTORNEY GENERAL
INDIANA GOVT CENTER SOUTH 5TH FLR
402 W WASHINGTON ST
INDIANAPOLIS, IN 46204
(317)232-6316

JANICE E KREUSCHER
DEPUTY ATTORNEY GENERAL
INDIANA GOVT CENTER SOUTH 5TH FLR
402 W WASHINGTON ST
INDIANAPOLIS, IN 46204
(317)232-6316

JANICE E KREUSCHER
DEPUTY ATTORNEY GENERAL
INDIANA GOVT CENTER SOUTH 5TH FLR
402 W WASHINGTON ST
INDIANAPOLIS, IN 46204
(317)232-6316

JANICE E KREUSCHER
DEPUTY ATTORNEY GENERAL
INDIANA GOVT CENTER SOUTH 5TH FLR
402 W WASHINGTON ST
INDIANAPOLIS, IN 46204
(317)232-6316

JON M BAILEY
BOSE MCKINNEY & EVANS
2700 FIRST INDIANA PLAZA
135 N. PENNSYLVANIA STREET
INDIANAPOLIS, IN 46204
(317)684-5000

JOHN A KITLEY

defendant
KITLEY PROFESSIONAL CORP
380 MAIN STREET
P O BOX 158
BEECH GROVE, IN 46107

METROPOLITAN SCHOOL - LAWRENCE
defendant
DAVID R DAY (O1)
JOHNSON SMITH HEATH LLP
ONE INDIANA SQUARE #1800
INDIANAPOLIS, IN 46204
(317)634-9777

METROPOLITAN SCHOOL - PERRY
defendant
LOUIS H BORGMANN
JACKSON & BORGMANN
431 E HANNA AVE
INDIANAPOLIS, IN 46227
(317)782-9890

METROPOLITAN SCHOOL - WARREN
defendant
DAVID R DAY (O1)
JOHNSON SMITH HEATH LLP
ONE INDIANA SQUARE #1800
INDIANAPOLIS, IN 46204
(317)634-9777

METROPOLITAN SCHOOL - WAYNE
defendant
JON M BAILEY
BOSE MCKINNEY & EVANS
2700 FIRST INDIANA PLAZA
135 N. PENNSYLVANIA STREET
INDIANAPOLIS, IN 46204
(317)684-5000

THE INDIANA STATE BOARD OF EDUCATION
defendant

DATE	NR.	PROCEEDINGS
01/02/1991	1	* * * CONTINUED FROM PAPER DOCKET * * *
01/02/1991	2	DEFT,Board of School Comm.Report on IPS student enrollment by School &
01/02/1991	3	DEFT,Board of School Comm:Report on IPS & transfer area en-rollment under interdistrict desegregation plan. c/s
01/02/1991	4	DEFT,Board of School of Comm.:Report of IPS student enrollment by school & grade-Sept.1990. c/s
01/14/1991	5	ORDER Approving New Magnet Instructional programs for plan in 1991-92 and implementation in 1992-93. SHD cm eod 1/14/91
02/01/1991	6	DEFT,Bd of School Comm: Reply to State's memo in oppo to IPS mot to amend and reconsider. c/s
02/01/1991	7	DEFT, Bd of School of Comm: Appendix of exhbs to reply to State's memo in oppo to IPS mot to

amend and reconsider.

- 04/06/1992 501 MOTION of IPS for informal conference concerning proposed new school assignment plan c/s DEFT Bd of Commissioners City of Indianapolis
- 04/06/1992 502 REPORT on IPS student enrollment by school & grade - September 1991 DEFT Bd of School Commissioners City of Indianapolis
- 04/06/1992 503 REPORT on IPS & transfer area enrollment under interdistrict desegregation plan - School Year 1991-92 DEFT Bd of School Commissioners City of Indianapolis
- 04/07/1992 504 APPEARANCE of Andrew P Wirick w/ City Co Legal Div on behalf defts City of Indianapolis, through the Div of Metropolitan Development and the Indianapolis Housing Authority
- 04/15/1992 505 ENTRY - Court unable to grant IPS' req for "informal conference" S E (501) cm-crd shd eod 4/16/92
- 07/09/1992 506 MOTION of IPS for ptc.c/s-DEFT Board of School Comm
- 07/09/1992 507 The Indpls Public School select school plan-DEFT The Board of School Comm
- 07/09/1992 508 MOTION to modify injunction concerning intradistrict student assignment plan to authorize IPS select schools plan.c/s-The Board of School Comm
- 07/21/1992 509 MOTION FOR TIME TO respond c/s State Defts
- 07/22/1992 510 ORDER GRANTS motion for ext of time for State defts to respond to/incl 8/23/92 cm SHD 509 eod 7/23/92
- 07/23/1992 511 MOTION FOR TIME TO file responsive pleading c/s Intervening Pltfs
- 07/23/1992 512 MOTION FOR TIME TO resp to the mot of IPS for PT conf & mot of IPS to modify inj concerning Intradistrict Student Assignment Plan to authorize IPS select schools plan c/s DEFT City of Indianapolis
- 07/24/1992 513 NOTICE: of intent to file objs to IPS mot to modify inj; and
- 07/24/1992 = REQUEST for schedule c/s DEFT "ISTA"
- 07/27/1992 514 MOTION IN SUPPORT of IPS select schools pet & req for PT conf; and
- 07/27/1992 = MOTION TO ALLOW enhanced parental choice & to establish a process for determining unitary status c/s DEFT City of Indianapolis
- 07/27/1992 515 MEMORANDUM IN SUPPORT mot of deft City of Indianapolis in supp IPS select schools pet & req for PT conf and mot to allow enhanced parental choice and to establish a process for determining unitary status c/s DEFT City of Indianapolis
- 08/05/1992 516 MOTION FOR TIME TO resp to mot of City of Indianapolis in supp of IPS select schools pet, and req for PT Conf and mot to allow enhanced parental choice and to establish process for determining unitary status c/s DEFT "Wayne Township"
- 08/07/1992 517 MOTION FOR TIME TO respond to the Motin of the City of Indpls in support of IPS Select Schools p etition, Req for PTC and Motionto allow Enhanced Parental Choise and to establish a process for determing Unitary Status cs DEFTS

08/07/1992 518 ORDER GRANTS ext of time to respond to the Motion of City of Indpls to/incl 9/14/92 cm SHD 517 eod 8/ 8/92

08/10/1992 519 ORDER granting defts Metropolitan School Districts of Lawrence and Warren Twps to/incl 9/4/92 to respond to motion of the City of Indpls in support of IPS Select Schools Petition, and Req for PTC and Motion to Allow Enhances Parental Choice and to establish a process for determining Unitary Status cm SHD 517 eod 8/ 8/92

08/10/1992 520 ORDER - AMENDED order VACATING the time w/i which Metropolitan School District of Wayne Twp is required to respond to the motion of the City of Indpls 7/29/92 is ext to/incl 9/4/92 cm SHD #516 eod 8/10/92

08/11/1992 521 MOTION FOR TIME TO resp to mot of the City of Indianapolis in supp of IPS Select Schools Petition, and Req for PT Conf and Mot to Allow Enhanced Parental Choice and to Establish a Process for Determining Unitary Status c/s DEFT "Perry Township"

08/11/1992 522 MOTION FOR TIME TO resp to mot of the City of Indianapolis in supp of IPS Select Schools Petition, and Req for PT Conf and Motion to Allow Enhanced Parental Choice and to Establish a Process for Determining Unitary Status c/s ADDED DEFT "Decatur"

08/12/1992 523 MOTION FOR TIME TO respond to the Motion of City of Indpls in support of IPS Select Schools Petn, and Req for PTC and Motion to Allow Enhanced Parental Choice and to establish a process for Determining Unitary Status cs FRANKLIN TOWNSHIP COMMUNITY SCHOOL CORP

08/12/1992 524 RESPONSE TO Mot of City of Indianapolis in supp of IPS Select Schools Petn and req for PT Conf and Mot to Allow Enhanced Parental Choice and to Establish a Process for Determining Unitary Status c/s DEFT "IPS"

08/13/1992 525 ORDER GRANTING Franklin Twp Community School to/incl 9/4/92 to respond to Motion of the City of Indpls in support of IPS Select Schools Pet, and Req for PTC and Motion to allow Enhanced Parental choice and to establish a process for determining Unitary Status cm SHD #523 eod 8/13/92

08/13/1992 526 ORDER GRANTING Perry Township to/incl 9/4/92 to respond to the motion of the City of Indpls in support of IPS Select Schools Petition, and Req for PTC and motion to allow Enhanced Parental choice and to establish a process for determining Unitary Status cm SHD eod 8/13/92

08/13/1992 527 ORDER GRANTING ext of time for Added Deft The Metropolitan School District of Decatur Twp to 9/4/92 to respond to the Motion of the City of Indpls in Support of IPS Select Schools Petition and Req for PTC and motion to allow Enhanced Parental Choice and to establish a process for determining Unitary Status cm SHD eod 8/13/92

08/14/1992 528 MOTION FOR TIME TO (1) resp to IPS mot to modify inj and (2) to resp to mot of City of Indpls in supp of IPS mot c/s Intervenor Pltf IN State Teachers Assoc

08/14/1992 529 ORDER GRANTS intervening pltfs time to respond to Petition to Modify Intradistrict Student Assignments to/incl 8/24/92 cm SHD #528 eod 8/18/92

08/20/1992 530 ORDER GRANTS Intervening Pltf Indiana State Teachers Assoc until 8/21/92 to resp to IPS mot to modify inj; and until 9/4/92 to resp to mot of City of Indpls in supp of IPS mot (528) c/m SHD eod 8/20/92

08/21/1992 531 OBJECTIONS of Indiana State Teachers Association to IPS Motion to Modify Injunction cs

08/21/1992 532 RESPONSE TO currently pending mots to modify c/s STATE Defts

08/24/1992 533 MOTION FOR TIME TO resp to pet to modify intradistrict student assignments c/s

INTERVENING PLTFs

08/26/1992 534 OBJECTIONS to mot of intervening pltf's for second enlgmt time to resp to pet to modify intradistrict student assignments c/s DEFT "IPS"

08/26/1992 535 ORDER GRANTS Intervening pltf's until 9/4/92 to resp to pet to modify intradistrict student assignments c/m SHD eod 8/27/92

09/03/1992 536 RESPONSE TO mot of City of Indianapolis c/s ADDED DEFTS "Receiving School Districts"

09/04/1992 537 OBJECTIONS to IPS mot to modify inj cs INTERVENING PLTFs Buckley

09/04/1992 538 OBJECTIONS to mot of City of Indianapolis c/s Intervening Pltf The IN State Teachers Assoc

09/04/1992 539 REPLY to obj's of IN State Teachers Assoc to IPS mot to modify inj c/s "IPS"

09/10/1992 540 MOTION for lv to file pleading instanter c/s INTERVENING PLTFs "Buckley"

09/14/1992 541 MOTION FOR TIME TO reply to the responses to def't "City"'s mot in supp of IPS select schools pet & req for PT Conf & mot to allow enhanced parental choice & to establish a process for determining unitary status c/s DEFT City of Indianapolis

09/21/1992 542 Intervening pltf's "Objections of Intervening Pltf Buckley to Motion of the City Indpls. PLTF

09/21/1992 543 ORDER - GRANTS Intervening Pltf's Buckley motion to file Pleading instanter; and eod 9/22/92

09/21/1992 = ORDER that Intervening Pltf's Obj's to motion fo the City of Indpls filed 7/27/92 is ORDERED filed cm SHD #542 eod 9/22/92

09/21/1992 544 ORDER GRANTS time to "City of Indpls" to reply to the various responses S.O. cm SHD eod 9/22/92

09/25/1992 545 MOTION FOR TIME TO reply to the responses to its motion in support of IPS Select Schools petition and req for PTC; and

09/25/1992 = MOTION to allow enhanced parental choice; and

09/25/1992 = ESTABLISH a process for determining unitary status (SECOND MOTION) cs DEFTS

09/28/1992 546 ENTRY - DENIES for time to reply to the responses to Receiving School Districts; and the response to Indiana State Teachers Assn, and the response to the Intervening Pltf's Buckley to Motion of the City of Indpls of 7/27/92- Court does not recognize City of Indpls as a proper party in this action cm SHD #545 eod 9/28/92

10/08/1992 547 MOTION TO RECONSIDER and/or clarify Court's Entry of 9/28/92 denying def't's second mot to enlg the time to reply c/s DEFT City of Indianapolis

01/06/1993 548 MOTION FOR IPS TO BE ORDERED TO SHOW CAUSE why it should not be held in contempt of Court for violation of this Court's desegregation orders c/s INTERVENING PLTFs Buckley

01/14/1993 549 ENTRY ASSIGNS HEARING for 01/27/93 at 09:30AM Room 243 (SHD) c/m (RE; Modification of Court's desegregation order) eod 1/14/93

01/20/1993 550 APPLICATION for permission to photograph, record or broadcast from the courtroom - WRTV News - Raymond Bredemann

01/21/1993 551 APPLICATION for permission to photograph, record or broadcast fr the courtroom - The Indianapolis News by Joe Vitti

01/22/1993 552 APPLICATION for permission to photograph, record or broadcast from the courtroom - WISH-TV Steve Sweitzer

01/22/1993 553 ENTRY GRANTS applications of all media organizations to record proceedings sched for 1/27/93 that are filed by Jan 26, 1993 c/m SHD eod 1/22/93

01/26/1993 554 ENTRY dismissing action re added defts, School City of Beech Grove and School Town of Speedway. S.E. cmcrd SHD eod 1/27/93

01/26/1993 555 APPLICATION for permission to photograph, record or broadcast from the courtroom - WXIN-TV Meredith A. Molenaar

01/27/1993 556 APPEARANCE of Janice E Kreuscher, Deputy Atty Gen on behalf Evan Bayh, as Governor State of Indiana; Pamela Carter, as Atty Gen State of Indiana; Suellen Reed,as Superintendent of Public Instruction State of Indiana; Indiana State Board of Education, a public corporate body and all addtl state officials joined as party-defts previously c/s

01/29/1993 557 ADDENDUM to IPS Select Schools Plan, c/s DEFTS

01/27/1993 558 COURTROOM MINUTES Comes now parties and the hrg on deft IPS' mot for approval of the School Choice Plan is begun. Opening stmts are heard and contd. Court is adjourned until 9:15 am tomorrow SHD eod 2/ 1/93

01/28/1993 559 COURTROOM MINUTES Come again the parties and the hrg is resumed. Evidence of the parties is heard and concluded. Final arguments of parties heard. Court directs deft IPS to submit amend plan for consideration and the Court is adjourned SHD eod 2/ 1/93

02/09/1993 560 ORDER Court APPROVES IPS Select School Plan, Part II, Parts IV-IX, and the Addendum thereto. Court DECLINES to approve or disapprove Part III, Middle School Conversion. Court observes that those parts of the Plan which the Court has approved appear to be viable whether or not IPS elects to go forward with Part III S.O. cm-crd SHD; eod 2/10/93

02/09/1993 561 OBV 39 PG 87

04/27/1993 562 REPORT on IPS student enrollment by school and grade, September 1992 c/s DEFT IPS

04/27/1993 563 REPORT on IPS and transfer area enrollment under Interdistrict Desegregation Plan , School Year 1992-93 c/s DEFT IPS

05/17/1994 564 REPORT on IPS 1993-94 opening of school enrollment, Sept 1993 c/s DEFT IPS

05/17/1994 565 REPORT of IPS and transfer area enrollment under interdistrict desegregation plan, school year 1993-94 c/s DEFT IPS

06/20/1994 566 JOINT MOTION to modify transportation plan c/s STATE DEFTS

06/29/1994 567 APPEARANCE of Jon M Bailey on behalf of DEFT Metropolitan School Dist of Wayne Township c/s

06/29/1994 568 MOTION to modify transportation plan (Joint). c/s-DEFTS

07/07/1994 569 ORDER GRANTS joint mot to modify transportation plan S.O. c/m SHD eod 07/08/94

07/25/1994 570 ORDER TO MODIFY TRANSPORTATION PLAN entered S.O. cm-crd SHD eod 07/27/94

10/04/1994 571 MOTION to MODIFY student transfer orders, declare unitary status and enter final judgment as to such added depts in this case c/s ADDED SCHOOL DEFTS Metropolitan School Districts of Lawrence, Warren and Wayne Township

10/18/1994 572 APPEARANCE of Robert D MacGill and David E Kirtley on behalf of the City of Indianapolis through the Division of Metropolitan Development and The Indianapolis Housing Authority c/s

10/18/1994 573 MOTION FOR TIME TO respond to Motion of the Added Defts Lawrence, Warren and Wayne Township school corporations to modify the student transfer orders as filed with the Court of 10/4/94 c/s Counsel for the Bd of School Commissioners of the City of Indianapolis

10/20/1994 574 NOTICE: of withdrawal and substitution of counsel for Decatur by Charles W Hunter. Further Decatur substitutes Robert E Cambridge as its counsel in this litigation c/s

10/20/1994 575 RESPONSE to the motion of added school depts Metropolitan School Districts of Lawrence, Warren and Wayne Townships to modify student transfer orders, declare unitary status and enter final judgment as to such added depts c/s ADDED SCHOOL DEFT METROPOLITAN SCHOOL DISTRICT OF DECATUR TOWNSHIP

10/20/1994 576 MOTION to MODIFY student transfer orders c/s "DECATUR"

10/20/1994 577 MOTION FOR TIME TO respond to modification of student transfer orders c/s INTERVENING PLTFs

10/20/1994 578 MOTION TO withdraw to appear (FOR LEAVE) by Andrew P Wirick, counsel for the City of Indianapolis through the Div of Metropolitan Development and The Indianapolis Housing Authority c/s

10/24/1994 579 ORDER GRANTS the deft "IPS" until 11/11/94 to file its response to the Motion of the Added Defts "LWW" to Modify the Student Transfer Orders c/m SHD eod 10/25/94

10/24/1994 580 ORDER GRANTS Intervening Pltfs until 11/24/94 to respond to Modification of Student Transfer Orders c/m SHD eod 10/25/94

10/24/1994 581 ENTRY GRANTS Andrew P Wirick leave to withdraw as attorney of record for the deft City of Indianapolis through the Div of Metropolitan Development and The Indianapolis Housing Authority c/m SHD eod 10/25/94

10/24/1994 582 ORDER GRANTS Charles W Hunter leave to withdraw as counsel for Decatur in this matter and that Robert E Cambridge shall be substituted as counsel of record for Decatur c/m SHD eod 10/25/94

11/09/1994 583 RESPONSE to the motion of the added school depts to modify student transfer orders, declare unitary status and enter final judgment as to such added depts in this case c/s DEFT IPS

11/09/1994 584 RESPONSE to motion of added school deft Metropolitan School District of Decatur Township to modify student transfer orders c/s DEFT IPS

11/15/1994 585 RESPONSE to depts' motions to modify existing orders c/s PLTF USA

11/17/1994 586 MOTION FOR TIME TO reply to the response of IPS and the United States c/s ADDED SCHOOL DEFTS "LWW"

11/22/1994 587 UNOPPOSED MOTION of added School Deft Metropolitan School District of Decatur Twp to file a reply in support of its motion to modify student transfer orders c/s DECATUR

11/21/1994 588 ORDER GRANTS added school defts "LWW" until 12/5/94 to reply to the responses of IPS and the United States c/m SHD eod 11/22/94

11/28/1994 589 ORDER granting Decatur ext to 12/5/94 to file reply in supp of its mot to amend Ct's student transfer ords c/m crd SHD eod 11/28/94

11/28/1994 590 Intervening pltf's resp to:1)mot of added school defts Lawrence Warren & Wayne Twnshp to modify student transfer orders, declare unitary status and enter final judgment &;

11/28/1994 = Resp mot of Franklin twnshp to modify transportation plan &;

11/28/1994 = Resp to motion of Perry Twnshp to modify transportation plan;

11/28/1994 = MOTION TO DISMISS by Intervening Plaintiff Buckley c/s

12/05/1994 591 REPLY MEMORANDUM of added school deft Metro Sch Dist of Decatur Twp in supp of its mot to modify student trans ords - c/s ADDED DEFT DECATUR TWP

12/05/1994 592 REPLY to resp of IPS and US to LWW's mots to modify existing ords - c/s LWW

12/08/1994 593 REQUEST for oral argument, evid hrg, and expedited consideration of mot to modify transfer ords - c/s ADDED DEFTS LWW

12/08/1994 594 REPLY to response of interven pltf's to LWW mots to modify existing ords - c/s DEFTS LWW

12/12/1994 595 ORDER ASSIGNS HEARING to 02/02/95 at 09:30AM Room 243 (SHD) c/m (evid hrg and oral argument) on mot to modify existing transf ords eod 12/12/94

12/15/1994 596 PETITION to approve Metro Sch Dist of Perry Twp Board reorganization plan - cs PERRY TWP

12/22/1994 597 NOTICE: (ERRATA) - ADDED DEFT DECATUR TWP

01/17/1995 598 RESPONSE to mots of added sch defts LWW in regard to student transf ords; and

01/17/1995 = RESPONSE to mots of added sch deft Decatur Twp in regard to modif of student transf ords - c/s INTERVENING PLTF IND ST TCHRS ASSOC

01/18/1995 599 MOTION TO APPROVE reassign process under IPS Select Schls Plan of students attending sch facilities to be closed - c/s DEFT BD OF SCH COMM (IPS)

01/17/1995 600 ORDER approves board reorg of Metro Sch Dist of Perry Twp - cm crd SHD eod 01/18/95

01/24/1995 601 MOTION TO MODIFY (JOINT) student transfer ords - LWW & DECATUR TWPS

01/24/1995 602 MOTION FOR CONT OF SCHEDULED evidentiary hrg on 2/2/95 - c/s IPS, LWW & DECATUR

01/25/1995 603 ORDER continues evid hrg pending decision of Ct on modification of student transf ords - cm crd SHD eod 01/25/95

01/25/1995 604 ORDER setting time for objs to joint mot of IPS, LWW & Decatur to modify student transf ords as 2/28/95; and eod 01/25/95

01/25/1995 = ORDER VACATES HEARING of 02/02/95 at 09:30AM Room 243 (SHD) c/m ; and eod 01/25/95

01/25/1995 = ORDER REASSIGNS HEARING to 03/17/95 at 09:30AM Room 243 (SHD) c/m (on objs, if any) - cm crd SHD eod 01/25/95

02/02/1995 605 RESPONSE to defts' mots to modify student transf ords - c/s PLTF U.S.

02/02/1995 606 APPEARANCE of Frank Hogan of Symmes, Voyles, Zahn, Paul & Hogan - c/s intervening pltf KEEP HOWE OPEN, INC.

02/02/1995 607 MOTION for leave to intervene - c/s INTERVENING PLTF KEEP HOWE OPEN, INC.

02/17/1995 608 NOTICE: of withdrawal and substitution of counsel of David S. Tatel for deft IPS c/s

02/17/1995 609 Motion of IPS for transportation and other desegregation costs for kindergarten students residing in the Lawrence, Warren, Wayne and Decatur transfer areas c/s DEFT IPS

02/17/1995 610 RESPONSE to defts' mots to modify student transfer orders c/s PLTF United States

02/21/1995 611 RESPONSE i/opposition to mot for lv to intervene c/s DEFT-IPS

02/21/1995 612 Motion for approval of new option and Magnet Instructional programs for which IPS is seeking funding from U.S. Department of Education c/s DEFT-IPS

02/24/1995 613 Motion of Indiana State Teachers Association for relief supplemental to joint motion to modify student transfer order c/s INTERVENING PLTF-Indiana State Teachers Assoc

02/28/1995 614 OBJECTION to LLW, Decatur & IPS agreement - c/s INTERVENING PLTFs BUCKLEY

02/28/1995 615 RESPONSE (obj) to joint mot to modify student transf ords - c/s STATE DEFTS

02/28/1995 616 MOTION FOR TIME TO file reply in supp of mot for leave to intervene - c/s INTV PLTF KEEP HOWE OPEN

03/03/1995 617 ORDER grants intervening pltf Keep Howe Open time thru 3/20/95 to file reply in supp of mot for leave to intervene - cm crd SHD eod 03/07/95

03/09/1995 618 MOTION to approve joint mot to modify student transf ords w/o hearing - c/s DEFTS IPS, LWW & DECATUR

03/09/1995 619 REPLY to Buckley pltf's objs - c/s IPS LWW & DECATUR

03/09/1995 620 REPLY to State defts response to joint mot to modify transf ord - c/s IPS, LWW & DECATUR

03/10/1995 621 RESPONSE to supplemental mot of ISTA - c/s DEFT IPS

03/10/1995 622 MOTION FOR TIME TO respond to mot of ISTA for relief supplemental to joint mot to modify student transf ords - c/s ADDED DEFTS LW

03/13/1995 623 RESPONSE to mot to approve joint mot w/o hrg - c/s STATE DEFTS

03/17/1995 624 STIPULATION for purposes of 3/17/95 hearing - PLTF USA, DEFT BD OF SCH COMM, ADDED DEFTS METRO SCH DIST OF LAWRENCE, WARREN, WAYNE AND DECATUR TWPS, ADDED SCH DEFTS EVAN BAYH, P. CARTER, S. REED & IN STATE BD OF EDUC.

03/17/1995 625 COURTROOM MINUTES - Court called to session for hrg on joint mot to modify student transfer

ords. Intvning pltf's Buckleys appear by John O Moss and John Preston Ward; USA appears by Sandra L Beber; Bd of Sch Comm by Maree Sneed; State of In by Janice Kreuscher and Anthony Overholt; City of Indpls by David E Kirtley; ISTA by Richard Darko; IPS by Frederick Rice; Perry Twp by Louis H. Borgmann; Decatur Twp by Robt Cambridge; Wayne Twp by Jon Bailey; and Lawrence & Warren Twps by David R. Day. Stipulation submitted by Wayne Twp accepted and filed. Opening statements by counsel. Movants begin w/evid and rest. Buckleys and State begin w/evid and rest. Final argument by parties. Court approves joint mot to modify student transfer ords. Voting rights of citizens in transfer areas approved. Ct grants IPS motion for approval of magnet programs for federal funds (not part of this hrg). Entry to follow. crd SHD eod 03/20/95

- 03/20/1995 626 REPLY in supp of mot for leave to intervene - c/s INVN PLTF KEEP HOWE OPEN
- 03/20/1995 = AFFIDAVIT of Nicholas P. Childers
- 03/21/1995 627 MOTION FOR TIME TO respond to mot for transportation and costs - c/s STATE DEFTS
- 03/22/1995 628 ORDER grants state defts time to 10 days after ct's written entry on joint mot to modify student transf ords (hrg held 3/17/95) - cm crd SHD eod 03/22/95
- 03/29/1995 629 ENTRY grants option of black kindergarten children residing in transfer areas of LWW & Decatur to attend such schools; and eod 03/29/95
- 03/29/1995 = ENTRY states ord will reflect terms of agreement between ISTA and joint movants regarding any displaced kindergarten teacher, S/E; and eod 03/29/95
- 03/29/1995 = ENTRY grants agreed mot to permit residents in sending areas to vote and serve on LWW boards, S/E - cm bb SHD eod 03/29/95
- 03/29/1995 630 ORDER effective 1995-96 school yr, African-American kindergarten students will have option to attend in either IPS or LWW and Decatur and such transportation will be the same as provided to students who live in LWW & Decatur. Transfer tuition, transportation and other costs set forth. IPS shall continue to have right to furnish kindergarten educ to students living in transfer area. IPS and LWW & Decatur will provide parents information on programs; and eod 03/30/95
- 03/29/1995 = ORDER Selection of surplus IPS teachers set forth, S.O.; and eod 03/30/95
- 03/29/1995 = ORDER modifies ct's Plan entered 3/15/84 and amd 1/7/86 to permit residents in sending areas to vote in sch board elections in LWW, S.O. - cm bb SHD eod 03/30/95
- 03/29/1995 631 ORDER approves new IPS option and magnet instructional progs for inclusion in Select Schools Plan - cm bb SHD eod 03/30/95
- 04/03/1995 632 MOTION for leave to file surreply brief to Howe applicants reply - c/s IPS
- 04/04/1995 633 ORDER grants IPS mot to file surreply brief - cm crd SHD eod 04/04/95
- 04/04/1995 634 SURREPLY brief to Howe's reply in supp of mot to intervene - c/s IPS
- 04/10/1995 635 RESPONSE to IPS mot for transp and other deseg costs - c/s STATE DEFTS
- 04/11/1995 636 MOTION TO AMEND (and alter) order modifying student transfers - c/s IPS
- 04/19/1995 637 MOTION FOR TIME TO respond to IPS surreply - c/s KEEP HOWE OPEN
- 04/21/1995 638 ORDER grants Keep Howe Open time thru 4/26/95 to file response to IPS surreply - cm crd SHD eod 04/21/95

04/26/1995 639 RESPONSE to IPS surreply brief - c/s KEEP HOWE OPEN

05/01/1995 640 MOTION FOR ATTNY'S FEES (PETITION) and costs and app to defer action and affidavits until 6/6/95 - c/s INTV PLTFS BUCKLEY

05/19/1995 641 ORDER denies mot of Howe Applicants for permission to intervene and approves modifications to Select Sch Plan to provide added priority to displaced students of George Wash HS and Thomas Carr Howe HS - cm bb SHD eod 05/22/95

05/19/1995 642 ORDER grants alternate mot to revoke previous ord, S.O.; and eod 05/22/95

05/19/1995 = ORDER dismisses as moot IPS motions of 2/17/95 and 4/11/95 - cm bb SHD eod 05/22/95

04/21/1995 643 REPLY in supp of mot for trans and other deseg costs - c/s IPS

06/06/1995 644 REPORT to court re: status of pending pet for atty fees - PLTFS BUCKLEY & DEFTS MSD LAWRENCE & WARREN TWP

06/09/1995 645 ORDER approves status report and grants parties to 7/19/95 to reach resolution on pet for atty fees - cm crd SHD eod 06/12/95

07/12/1995 646 MOTION TO MODIFY the student assignment guidelines under the select schools plan c/s IPS

07/19/1995 647 REPORT to Court re: pending pet for atty fees - PLTFS BUCKLEY

07/21/1995 648 ORDER approving 7/19/95 report to court (Item #171) - cm crd SHD eod 07/24/95

07/24/1995 649 MOTION FOR TIME TO respond to IPS mot to modify select schools plan - c/s PLTF USA

07/27/1995 650 ORDER grants pltf USA time to 8/5/95 to respond to IPS mot to modify student assignment guidelines - cm crd SHD eod 07/27/95

08/14/1995 651 RESPONSE to IPS' mot to modify Select Schools Plan (incorrectly titled "mot of the US to extend time to respond to IPS' mot to modify Select Schools Plan") - c/s PLTF USA

08/14/1995 652 ORDER grants IPS' mot to modify student guidelines under Select Schools Plan - cm bb SHD eod 08/15/95

08/21/1995 653 REPORT on IPS and transfer area enrollment under interdistrict desegregation plan-School Year 1994-95 c/s DEFTS-IPS

08/21/1995 654 REPORT -IPS 1994-95 Opening of School enrollment by School September 1994 c/s DEFTS-IPS

09/19/1995 655 MEMORANDA submitted in supp of pet for fees filed 5/1/95 - c/s PLTFS BUCKLEY

09/29/1995 656 OBJECTION to intervening pltfs' pet for costs and fees - c/s ADDED DEFTS LAWRENCE, WARREN & WAYNE TWPS

10/03/1995 657 OBJECTION to intervening pltfs' pet for costs and fees - c/s ADDED DEFTS PERRY & FRANKLIN TWPS

10/06/1995 658 CT REPORTER'S TRANSCRIPT of hearing held 03/17/95

10/10/1995 659 OBJECTION to intervening pltfs' pet for costs and fees - c/s ADDED DEFT MSD OF DECATUR

TWP

10/12/1995 660 MOTION FOR TIME TO file obj to intervening pltf's pet for costs and fees - DEFT IPS

10/13/1995 661 ORDER grants deft IPS time thru 11/15/95 to respond to intervening pltf's pet for costs and fees - cm crd SHD eod 10/13/95

11/15/1995 662 RESPONSE to pet for fees - c/s IPS

11/16/1995 663 REPORT - IPS 1994-95 opening of school enrollment report by school 9/95 - c/s IPS

11/16/1995 664 REPORT of IPS and transfer area enrollment under interdistrict desegregation plan - school year 1995-96 - c/s IPS

12/15/1995 665 REPLY in supp of pet for fees; and

12/15/1995 = REQUEST for attys conference - c/s INTERVENING PLTF'S BUCKLEY

03/11/1996 666 APPEARANCE of B. Keith Shake of Henderson, Daily, Withrow & DeVoe - c/s DEFT BD OF SCH COMM OF CITY OF INPLS eod 03/12/96 [JMC]

03/11/1996 667 APPEARANCE of Eugene L. Henderson of Henderson, Daily, Withrow & DeVoe - c/s DEFT BD OF SCH COMM OF CITY OF INDPLS eod 03/12/96 [JMC]

03/11/1996 668 MOTION FOR PROTECTIVE ORDER - c/s IPS eod 03/12/96 [JMC]

03/11/1996 669 MEMORANDUM in supp of mot for protective ord - c/s DEFT IPS (BD OF SCH COMM OF CITY OF INDPLS) eod 03/12/96 [JMC]

03/11/1996 670 STATEMENT (LOCAL RULE 37.1) - c/s DEFT IPS (BD OF SCH COMM OF CITY OF INDPLS) eod 03/12/96 [JMC]

03/14/1996 671 ENTRY grants IPS' motion for a protective order and quashes the notices served by the City housing defts - cm bb SHD eod 03/14/96 [JMC]

03/14/1996 672 MEMORANDUM in supp of IPS' mot for protective ord - c/s PLTF USA eod 03/15/96 [JMC]

03/14/1996 673 BRIEF in support of IPS' mot for protective ord - c/s ISTA eod 03/15/96 [JMC]

03/18/1996 674 MOTION TO W/D APPEAR of Frederick Rice on behalf of deft-Board of School Commissioners of the City of Indpls c/s eod 03/18/96 [CBU]

03/19/1996 675 ORDER grants the withdrawal of Frederick Rice effective immediately cm SHD eod 03/19/96 [CBU]

05/03/1996 676 MOTION TO FILE OVERSIZE BRIEF -memorandum in support of motion for declaration of unitary status c/s DEFT-Bd of School Commissioners of the City of Indpls eod 05/03/96 [CBU]

05/03/1996 677 MOTION for declaration of unitary status c/s DEFT-Bd of School Commissioners of City of Indpls eod 05/03/96 [CBU]

05/16/1996 678 MOTION FOR TIME TO respond to motion for unitary status c/s DEFTS-LWPDF Township Comm School Corp eod 05/17/96 [CBU]

05/17/1996 679 MOTION FOR TIME TO respond to motion for unitary status c/s INTERVENING PLTFs eod 05/17/96 [CBU]

05/20/1996 680 ORDER grants defts LWWPDF Twnshp Comm School Corp to and including 6/19/96 to respond to motion for unitary status cm SHD eod 05/20/96 [CBU]

05/20/1996 681 ORDER grants intervening pltf's to and including 6/19/96 to respond to motion for unitary status cm SHD eod 05/20/96 [CBU]

05/20/1996 682 MOTION FOR TIME TO respond to IPS motion for unitary status c/s STATE DEFTS eod 05/21/96 [CBU]

05/20/1996 683 MOTION FOR TIME TO respond to IPS' motion for unitary status c/s PLTF-USA eod 05/21/96 [CBU]

05/22/1996 684 ORDER grants defts Evan Bayh, Pamela Carter, Suellen Reed, Ind St. Bd of Educ, and "state defts" time to 6/24/96 to respond to IPS' mot for unitary status - cm SHD eod 05/22/96 [JMC]

05/22/1996 685 ORDER grants United States time to 6/19/96 to respond to IPS' mot for declaration of unitary status - cm SHD eod 05/22/96 [JMC]

05/22/1996 686 MOTION FOR TIME TO respond to IPS' motion for unitary status c/s INTERVENING PLTF-Indiana State Teachers Assoc eod 05/23/96 [CBU]

05/24/1996 687 ORDER grants the Board of School Commissioners of the City of Indpls lv to file a memorandum in excess of 35 pages cm SHD eod 05/28/96 [CBU]

05/24/1996 688 ORDER grants Indiana State Teachers Assoc to June 24 to respond to the IPS motion for unitary status cm SHD eod 05/28/96 [CBU]

05/03/1996 689 MEMORANDUM in support of motion of School Commissioners of the City of Indpls for declaration of Unitary Status-DEFTS-Board of School Commissioners of City of Indpls eod 05/28/96 [CBU]

06/11/1996 690 MOTION FOR TIME TO respond to motion for unitary status c/s - LWWPDF DEFTS eod 06/11/96 [KAH]

06/14/1996 691 ORDER grants defts Lawrence, Warren, Wayne, Perry, Decatur Twps and Franklin Twp Comm Sch Corp. time to 7/15/96 to respond to IPS' mot for unitary status - cm SHD eod 06/17/96 [JMC]

06/19/1996 692 MOTION FOR TIME TO respond to IPS' motion for Unitary Status c/s USA eod 06/20/96 [CBU]

06/20/1996 693 MOTION FOR TIME TO to respond to IPS' Motion for Unitary Status c/s - INTERVENING PLTF ISTA eod 06/20/96 [MAC]

06/21/1996 694 MOTION FOR TIME TO respond to IPS Motion for Unitary Status c/s STATE DEFTS eod 06/24/96 [CBU]

06/21/1996 695 ORDER grants U.S. time thru 7/15/96 to respond to IPS' mot for declaration of unitary status - cm SHD eod 06/24/96 [JMC]

06/21/1996 696 ORDER grants intervening pltf ISTA time thru 7/15/96 to respond to IPS' mot for unitary status - cm SHD eod 06/24/96 [JMC]

06/26/1996 697 ORDER grants defts Bayh, Carter, Reed, and add'l state defts time thru 7/15/96 to respond to IPS' mot for unitary status - cm SHD eod 06/27/96 [JMC]

07/01/1996 698 MOTION to schedule hearing on motion for declaration of unitary status c/s IPS eod 07/02/96 [CBU]

07/15/1996 699 RESPONSE to motion of deft IPS to be declared a unitary status school system c/s INTERVENING PLTFS-Buckley eod 07/15/96 [CBU]

07/15/1996 700 BRIEF in response to deft the Board of School Commissioners of the City of Indpls motion for declaration of unitary status c/s DEFT-Decatur Twnshp eod 07/15/96 [CBU]

07/15/1996 701 MEMORANDUM in opposition to IPS' motion for Unitary Status c/s PLTF-USA eod 07/16/96 [CBU]

07/15/1996 702 OBJECTION to motion for November hearing c/s STATE DEFTS eod 07/16/96 [CBU]

07/15/1996 703 RESPONSE to IPS motion for Unitary Status c/s STATE DEFTS eod 07/16/96 [CBU]

07/15/1996 704 RESPONSE to IPS' motion for Unitary Status c/s SCHOOL DEFTS-Other than MSD Decatur Twnshp eod 07/16/96 [CBU]

07/18/1996 705 RESPONSE to motion for declaration of Unitary Status c/s INTERVENING PLTF Indiana State Teachers Assoc(ISTA) eod 07/19/96 [CBU]

07/19/1996 706 MOTION FOR TIME TO reply to the brief of Decatur Township c/s DEFT-IPS eod 07/19/96 [CBU]

07/23/1996 707 ORDER grants IPS time to 7/30/96 to reply to responses of Decatur Twp and U.S.A. in opp to IPS's mot for unitary status - cm SHD eod 07/23/96 [JMC]

07/30/1996 708 CONSOLIDATED REPLY of IPS to Briefs in Response to IPS Motion for Unitary Status cs UNITED STATES, STATE OF INDIANA, METROPOLITAN SCHOOL DIST OF DECATUR TWP, INDIANA STATE TEACHERS ASSN, CONSOLIDATED REPLY BY IPS eod 07/31/96 [LMW]

08/01/1996 709 MOTION FOR TIME TO respond to deft's motion filed on or about July 15, 1996 in response to IPS' motion for Unitary Status and related matters and other appropriate relief cs INTERVENING PLTFS HUCKLEY eod 08/02/96 [LMW]

08/19/1996 710 MOTION to provide notice of further proceedings and memo in support - c/s INTERVENING PLTFS BUCKLEY eod 08/19/96 [JMC]

08/26/1996 711 ORDER grants defts Decatur, Lawrence, Perry, Warren, Wayne Twps and Franklin Twp Comm School time to 9/20/96 to respond to Intervening Pltfs' mot to provide notice of further proceedings - cm SHD eod 08/26/96 [JMC]

09/06/1996 712 MOTION FOR TIME TO respond to intervening pltfs' mot to provide notice of further proceedings - c/s STATE DEFTS eod 09/10/96 [JMC]

09/09/1996 713 ORDER grants state defts time thru 9/20/96 to respond to intervening pltfs' mot to provide notice of further proceedings - cm SHD eod 09/10/96 [JMC]

09/20/1996 714 MOTION FOR TIME TO respond to intervening pltfs' mot to provide notice of further proceedings - c/s STATE DEFTS eod 09/24/96 [JMC]

09/20/1996 715 RESPONSE to intervening pltfs' mot to provide notice of further proceedings - ADDED SCHOOL DEFTS eod 09/24/96 [JMC]

09/23/1996 716 ORDER grants state defts time thru 9/30/96 to respond to intervening pltfs' mot to provide notice of further proceedings - cm SHD eod 09/24/96 [JMC]

09/30/1996 717 RESPONSE to intervening pltfs' mot - c/s STATE DEFTS eod 10/01/96 [JMC]

10/17/1996 718 CERTIFICATE OF SERVICE that copy of answers to deft IPS' first set of interrogs was mailed to counsel of record - c/s ADDED DEFT MSD OF DECATUR TWP eod 10/18/96 [JMC]

11/05/1996 719 MOTION (verified) for status/scheduling conference - c/s IPS eod 11/06/96 [JMC]

10/29/1996 720 CERTIFICATE OF SERVICE that copy of answers to deft IPS second set of interrogs was mailed to counsel of record - c/s ADDED DEFT MSD OF DECATUR TWP eod 11/07/96 [JMC]

11/20/1996 721 ENTRY ASSIGNS HEARING to 01/21/97 at 09:30AM Room 243 (SHD) c/m on mot for declaration of unitary status eod 11/20/96 [JMC]

11/20/1996 722 CERTIFICATE OF SERVICE that first set of interrogs was mailed to deft IPS - ADDED SCH DEFT DECATUR TWP eod 11/21/96 [JMC]

11/26/1996 723 REPORT (opening of school enrollment by school, Sept 1996) - c/s IPS eod 11/27/96 [JMC]

11/27/1996 724 APPEARANCE of Pauline A. Miller and Michael E. O'Connor, Jr for USA and that Sandra Beber has withdrawn as counsel for USA - c/s PLTF USA eod 11/27/96 [JMC]

12/11/1996 725 CERTIFICATE OF SERVICE of first set of requests for prod of documents to deft State of IN - ADDED SCH DEFT DECATUR TWP eod 12/13/96 [JMC]

12/11/1996 726 CERTIFICATE OF SERVICE of first set of interrogs to deft State of IN - ADDED SCH DEFT DECATUR TWP eod 12/13/96 [JMC]

12/11/1996 727 CERTIFICATE OF SERVICE of first set of requests for prod of documents to deft IPS - ADDED SCH DEFT DECATUR TWP eod 12/13/96 [JMC]

12/11/1996 728 CERTIFICATE OF SERVICE of second set of interrogs to deft IPS - ADDED SCH DEFT DECATUR TWP eod 12/13/96 [JMC]

12/18/1996 729 MOTION FOR CONT OF SCHEDULED unitary status hearing - c/s PLTF USA eod 12/19/96 [JMC]

12/19/1996 731 RESPONSE (opposition) to pltf's mot for cont of unitary status hearing - c/s IPS eod 12/20/96 [JMC]

12/19/1996 732 ENTRY denies pltf's mot for cont of unitary status hearing - cm SHD eod 12/20/96 [JMC]

12/20/1996 733 NOTICE OF TAKING DEPOSITION of the Superintendents c/s DEFTS-Bd of School Commissioners of the City of Indpls eod 12/24/96 [CBU]

12/23/1996 734 CERTIFICATE OF SERVICE :ADDED deft Decatur supplemented answers to IPS's second set of interrogatories c/s DEFT-Decatur eod 12/24/96 [CBU]

01/15/1997 735 SUPPLEMENT to brief in response to deft Bd of Sch Commissioners' mot for declaration of unitary status: proposed interdistrict plan - c/s ADDED SCH DEFT DECATUR TWP eod 01/16/97 [JMC]

01/15/1997 736 CERTIFICATE OF SERVICE of response to IPS' first set of request for prod of documents - ADDED SCH DEFT DECATUR TWP eod 01/16/97 [JMC]

01/15/1997 737 CERTIFICATE OF SERVICE of response to IPS' third set of interrogatories - ADDED SCH DEFT DECATUR TWP eod 01/16/97 [JMC]

01/17/1997 738 PRE-TRIAL MEMORANDUM - c/s PLTF US eod 01/22/97 [JMC]

01/17/1997 739 WITNESS LIST - c/s INTERVENING PLTFs eod 01/22/97 [JMC]

01/21/1997 740 CERTIFICATE OF SERVICE of supplement to response to IPS' first set of request for production of documents - c/s ADDED SCH DEFT DECATUR TWP eod 01/27/97 [JMC]

01/21/1997 741 COURTROOM MINUTES - Court called to session for hearing on IPS' motion for unitary status. Court Reporter - Kate Andrews. USA appears by Pauline Miller and Michael O'Connor, Pltfs Buckley appear by John Ward and John Moss, IPS appears by Maree Sneed, Patricia Brannan and Eugene Henderson, ISTA appears by Mary Jane LaPointe, State appears by Janice Kreuzscher and Anthony Overholt, Franklin Twp appears by John D. Kitley, Perry Twp appears by Lou Borgmann, Wayne Twp appears by Jon Bailey, Lawrence & Warren Twps appear by David Day and Decatur Twp appears by Robt Cambridge. Opening statements made by all parties. Court denies suggestion to reopen entire case. IPS begins evidence. Court adjourned, to reconvene 1/22/97 - SHD eod 01/27/97 [JMC]

01/22/1997 = COURTROOM MINUTES - Court reconvenes with all parties present. IPS continues with evidence. Court adjourns, to resume 1/23/97 - SHD eod 01/27/97 [JMC]

01/23/1997 742 COURTROOM MINUTES - Court resumes with all parties present. IPS concludes its case and rests on motion. US presents no witnesses, but gives statement. Wayne Twp presents evidence and rests. Perry Twp presents evidence and rests. Lawrence/Warren Twps present evidence and rest. Court adjourns until 1/24/97 - SHD eod 01/27/97 [JMC]

01/24/1997 = COURTROOM MINUTES - Court resumes with all parties present. Intervening pltfs present evidence and rest. Franklin Twp presents evidence and rests. Decatur Twp presents evidence and rests. State has no witnesses. Rebuttal evidence by IPS. Evidence is closed. Closing arguments heard (all parties). Any briefs are due 2/3/97. No responses due. Court takes matter U/A. Court adjourned. SHD eod 01/27/97 [JMC]

01/31/1997 743 CT REPORTER'S TRANSCRIPT of testimony of Rodney Black on 1/22/97 held before Judge Dillin eod 02/04/97 [CBU]

02/03/1997 744 SUBMISSION of Post Hearing Memorandum c/s DEFT-Added School Deft-Metro School Dist of Decatur Twnshp eod 02/04/97 [CBU]

02/27/1997 745 ENTRY (MEMORANDUM OF OPINION) - Court will take addt'l evidence on issue of declaring unitary status at a future hearing. Court approves IPS Board's intradistrict plan for 1997-98, insofar as it deals with the students residing in territory now served. Court's interdistrict order will remain intact. Court orders that transfer for educational purposes of African-American students, including kindergarten pupils, residing in the existing transfer areas be permanent. Registered voters in transfer districts to have same rights to vote for board members as citizens residing in townships. Transferee school districts should offer African-American kindergarten age children residing in transfer areas same opportunity to attend kindergarten as children residing in districts, transportation to be furnished by transferee districts. The option for kindergarteners to attend either IPS or transferee districts is rescinded. Present financing of interdistrict remedy shall remain. S.E. - cm bb SHD eod 02/27/97 [JMC]

09/04/1996 746 OBJECTION (opposition to) Buckley pltf intervenors' mot to provide notice of further proceedings - c/s IPS (pleading file-stamped and w/n file, but not previously placed on docket) eod 02/27/97 [JMC]

09/13/1996 747 SUPPLEMENT to motion to provide notice of further proceedings filed 8/19/96 - c/s INTERVENING PLTFs (pleading file-stamped and found w/n file, but not previously placed on

docket) eod 02/27/97 [JMC]

- 01/06/1997 748 OBJECTION to interrogatories filed by IPS - c/s INTERVENING PLTFs (pleading file-stamped and w/n file, but not previously placed on docket) eod 02/27/97 [JMC]
- 03/05/1997 749 NOTICE OF APPEAL to CA from the memorandum of opinion entered February 27, 1997, c/s. - DEFENDANTS/APPELLANTS BOARD OF SCHOOL COMMISSIONERS OF THE CITY OF INDIANAPOLIS AND ESPERANZA ZENDEJAS, SUPERINTENDENT OF SCHOOLS. eod 03/06/97 [JAT]
- 03/05/1997 750 APPEAL FEES PAID RECEIPT # 024944 eod 03/06/97 [JAT]
- 03/05/1997 751 SHORT RECORD SENT TO CA w Notice, Info Sheet & Docket Sheet Designation of record letter sent to counsel. eod 03/06/97 [JAT]
- 02/27/1997 752 OBV 43 PG 243 as to document #745. eod 03/07/97 [JAT]
- 03/17/1997 753 DESIGNATION OF RECORD - c/s Appellants eod 03/17/97 [GRN]
- 03/17/1997 754 SEVENTH CIRCUIT TRANSCRIPT INFORMATION SHEET Ordering All proceedings at trial on Motion for Unitary Status, January 21-24, 1997 c/s Appellants eod 03/17/97 [GRN]
- 03/14/1997 755 ACK FROM CA SHORT RECORD received & assigned CA # 97-1530 eod 03/20/97 [GRN]
- 03/24/1997 756 NOTICE of implementation of boundary plan for 1997-98 - c/s BOARD OF SCHOOL COMM & DR. ZENDEJAS eod 03/24/97 [JMC]
- 04/23/1997 757 CT REPORTER'S TRANSCRIPT (Vol. 1) of 1/21/97 hearing - K. Andrews eod 04/24/97 [JMC]
- 04/23/1997 758 CT REPORTER'S TRANSCRIPT (Vol. 2) for 1/22/97 - K. Andrews eod 04/24/97 [JMC]
- 04/23/1997 759 CT REPORTER'S TRANSCRIPT (Vol. 3) for 1/23/97 - K. Andrews eod 04/24/97 [JMC]
- 04/23/1997 760 CT REPORTER'S TRANSCRIPT (Vol. 4) for 1/24/97 - K. Andrews eod 04/24/97 [JMC]
- 05/16/1997 761 NOTICE of Elementary School boundaries for 1997-98 c/s DEFTS-Bd of School Commissioners of Indpls and Dr. Zendejas Superintendent of Schools eod 05/19/97 [CBU]
- 05/29/1997 762 MOTION to intervene or in the alternative for leave to appear as amicus curiae - c/s ATTYS FOR FAMILIES OF SCHOOL 86 eod 05/29/97 [JMC]
- 05/29/1997 763 MEMORANDUM in support of motion to intervene - c/s ATTYS FOR FAMILIES OF SCHOOL 86 eod 05/29/97 [JMC]
- 05/30/1997 764 APPEARANCE of Offer Korin and Frank Capozza of Katz & Korin on behalf of petr The Concerned Families for School 86 - c/s eod 06/02/97 [JMC]
- 06/10/1997 765 RESPONSE in opposition to petition for leave to intervene of School 86 - c/s IPS eod 06/11/97 [JMC]
- 06/24/1997 766 RESPONSE of the U.S. Petition to Intervene or in the alternative, for leave to appear as amicus curiae by the Concerned Families for School 86 c/s - PLTF USA eod 06/24/97 [MAC]
- 08/26/1997 767 LONG RECORD SENT TO CA consisting of two volumes of pleadings*, five volumes of transcripts, two volumes of loose pleadings and three volumes of exhibits. (per request from CA)

(Please note: this record consists of all documents from document # 676 through # 761. All other documents identified in appellant's designation of record will be sent as a supplemental record.) eod 08/26/97 [JAT]

- 09/03/1997 768 SUPPLEMENTAL RECORD SENT TO CA consisting of three volumes of pleadings.] eod 09/17/97 [JAT]
- 09/03/1997 769 ACK FROM CA SUPPLEMENTAL RECORD RECEIVED on September 8, 1997. eod 09/17/97 [JAT]
- 10/28/1997 770 BILL OF COSTS: for the appellants as judgment was entered by the Seventh Circuit Court of Appeals on 10/14/97, in favor of IPS vacating the judgment of the District Court DEFTS-Bd of School Commissioners of the City of Indpls and Zendejas eod 10/28/97 [CBU]
- 12/05/1997 771 CERTIFICATE OF SERVICE -Added deft-Decatur answers to IPS's supplement set of interrogatories eod 12/08/97 [CBU]
- 12/10/1997 772 MANDATE RECEIVED FROM CA. The judgment of the District Court is VACATED and this appeal is REMANDED, in accordance with the decision of the CA entered 10-14-97. Bill of costs taxed in favor of Appellant in the amount of \$908.80. Received certified copy of judgment and opinion. Records returned consisting of 2 vols pleadings, 2 vols loose pleadings, 5 vols transcripts and 3 vols exhibits. {3 volumes of pleadings (copies) to be returned at a later date}. eod 12/10/97 [GRN]
- 12/12/1997 773 SUBMISSION of IPS opening of school enrollment report by school September 1997 c/s IPS eod 12/15/97 [CBU]
- 01/14/1998 774 ENTRY ASSIGNS HEARING to 04/13/98 at 09:30AM Room 243 (SHD) c/m eod 01/15/98 [JMC]
- 02/11/1998 775 MOTION (JOINT) for modification of court's prior orders concerning transfer of African-American IPS students to Perry and Frank Twps - c/s PERRY & FRANKLIN TWPS eod 02/12/98 [JMC]
- 02/11/1998 776 MOTION FOR PTC - c/s DECATUR TWP eod 02/12/98 [JMC]
- 02/11/1998 777 CERTIFICATE OF SERVICE of supplemental interros to its first set of interros to deft IPS - ADDED SCH DEFT DECATUR TWP eod 02/12/98 [JMC]
- 02/11/1998 778 CERTIFICATE OF SERVICE of supplemental interros to its second set of interros to pltf USA - ADDED SCH DEFT DECATUR TWP eod 02/12/98 [JMC]
- 02/11/1998 779 CERTIFICATE OF SERVICE of supplemental request to its first set of requests for production of documents to deft IPS - ADDED SCH DEFT DECATUR TWP eod 02/12/98 [JMC]
- 02/11/1998 780 CERTIFICATE OF SERVICE of supplemental request to its first set of requests for production of documents to intervening pltf's Buckleys, et al - ADDED SCH DEFT DECATUR TWP eod 02/12/98 [JMC]
- 02/11/1998 781 CERTIFICATE OF SERVICE of supplemental request to its first set of requests for production of documents to deft State of Indiana - ADDED SCH DEFT DECATUR TWP eod 02/12/98 [JMC]
- 02/11/1998 782 CERTIFICATE OF SERVICE of supplemental request to its first set of requests for production of documents to pltf USA - ADDED SCH DEFT DECATUR TWP eod 02/12/98 [JMC]
- 02/11/1998 783 CERTIFICATE OF SERVICE of first set of interros to deft State of Indiana - ADDED SCH DEFT DECATUR TWP eod 02/12/98 [JMC]

02/11/1998 784 CERTIFICATE OF SERVICE of first set of interrogs to pltf USA - ADDED SCH DEFT DECATUR TWP eod 02/12/98 [JMC]

02/11/1998 785 CERTIFICATE OF SERVICE of supplemental interrogs to its second set of interrogs to deflt IPS - ADDED SCH DEFT DECATUR TWP eod 02/12/98 [JMC]

02/11/1998 786 CERTIFICATE OF SERVICE of supplemental interrogs to deflt State of Indiana - ADDED SCH DEFT DECATUR TWP eod 02/12/98 [JMC]

02/11/1998 787 CERTIFICATE OF SERVICE of supplemental interrogs to its second set of interrogs to intervening pltf's Donald B. Buckley and Alicia Marques Buckley, et al. - ADDED SCH DEFT DECATUR TWP eod 02/12/98 [JMC]

02/11/1998 788 CERTIFICATE OF SERVICE of second set of supplemental interrogs to deflt IPS - ADDED SCH DEFT DECATUR TWP eod 02/12/98 [JMC]

02/18/1998 789 CERTIFICATE OF SERVICE of second set of requests for the production of documents to the deflt IPD by Added School Deflt MSD of Decatur Twnshp eod 02/18/98 [CBU]

02/18/1998 790 CERTIFICATE OF SERVICE of third set of interrogatories to deflt IPS of Added School Deflt Decatur Twnshp eod 02/18/98 [CBU]

02/23/1998 791 RESPONSE to deflts-Perry Twnshp and Franklin Twnshp motion with regard to the kindergarten attendance c/s IPS eod 02/23/98 [CBU]

02/26/1998 792 APPEAL RECORD returned from CA consisting of 3 vols. supplemental pleadings {"loose pleadings"}. eod 02/26/98 [GRN]

02/27/1998 793 MOTION-request to shorten time to respond to interrogatories c/s DEFTS-State of Indiana eod 02/28/98 [CBU]

03/02/1998 794 MOTION TO MODIFY of the orders transferring IPS kindergarten students to the added school deflts c/s ADDED DEFTS-Decatur eod 03/03/98 [CBU]

03/02/1998 795 CERTIFICATE OF SERVICE -Added school deflt Decatur Township's supplemental request for the production of documents to IPS eod 03/03/98 [CBU]

03/02/1998 796 CERTIFICATE OF SERVICE -Added School Deflt-Decatur Township's supplemental interrogatories to IPS eod 03/03/98 [CBU]

03/05/1998 797 ORDER shortens time to respond to interrogatories. Added Twp deflts, pltf, and USA are to respond to deflt State of Indiana's interrogatories by 3/23/98 - cm SHD eod 03/05/98 [JMC]

03/05/1998 798 ENTRY ASSIGNS HEARING to 04/13/98 at 09:30AM Room 243 (SHD) c/m on Decatur Twp's motin for modification of orders transferring IPS kindergarten students. eod 03/06/98 [JMC]

03/09/1998 799 CERTIFICATE OF SERVICE -Added School deflt-Decatur Twnshp first set of requests for the production of documents to deflt Housing Authority of City of Indianapolis eod 03/09/98 [CBU]

03/09/1998 800 CERTIFICATE OF SERVICE -Added School deflt-Decatur Twnshp first set of interrogatories to deflt Housing Authority of City of Indianapolis eod 03/09/98 [CBU]

03/10/1998 801 MOTION to shorten time to respond to interrogatories and document requests c/s PLTF-USA eod 03/10/98 [CBU]

03/13/1998 802 MOTION FOR CONT OF SCHEDULED of a hearing c/s ADDED DEFT-MSD of Perry Township

eod 03/13/98 [CBU]

- 03/13/1998 803 MOTION FOR TIME TO respond supplemental interrogatories to its second set of interrogatories and its supplemental request to its first set of requests for the production of documents c/s INTERVENING PLTFS-Buckley, et al. eod 03/16/98 [CBU]
- 03/17/1998 804 NOTICE to the Court that there is no objection to Perry's request and that Decatur's expert will be out of the country from 5/6 through 6/8 c/s ADDED DEFT-MSD of Decatur Township eod 03/17/98 [CBU]
- 03/18/1998 805 ORDER grants intervening pltf's Buckleys, et al time thru 3/27/98 to respond to added school district deft MSD of Decatur Twp's supplemental interrogs and supplemental requests for production. cm SHD eod 03/19/98 [JMC]
- 03/18/1998 806 ORDER VACATES HEARING of 04/13/98 at 09:30AM Room 243 (SHD) c/m ; and eod 03/19/98 [JMC]
- 03/18/1998 = ORDER REASSIGNS HEARING to 06/22/98 at 09:30AM Room 243 (SHD) c/m eod 03/19/98 [JMC]
- 03/19/1998 807 ANSWER to IPS' supplemental interrogatories to added deft c/s FTCSC eod 03/20/98 [CBU]
- 03/19/1998 808 ANSWER to deft-State of Indiana's interrogatories c/s ADDED DEFT-FTCSC eod 03/20/98 [CBU]
- 03/19/1998 809 RESPONSE to IPS' first request for production of documents c/s ADDED DEFT-FTCSC eod 03/20/98 [CBU]
- 03/19/1998 810 ANSWER to first set of interrogatories of the Bd of School Commissioners of the City of Indpls c/s ADDED DEFT-FTCSC eod 03/20/98 [CBU]
- 03/23/1998 811 RESPONSE-Opposition to the modification of the orders transferring IPS Kindergarten students to the added school defts c/s DEFT-IPS eod 03/23/98 [CBU]
- 03/24/1998 812 CERTIFICATE OF SERVICE -Response to IPS' interrogatories dated 2/24/98 ADDED DEFT-MSD Decatur Township eod 03/24/98 [CBU]
- 03/24/1998 813 CERTIFICATE OF SERVICE -RESPONSE to IPS' request for production of documents 2/24/98 ADDED DEFT-MSD Decatur Township eod 03/24/98 [CBU]
- 03/24/1998 814 CERTIFICATE OF SERVICE -RESPONSE to IPS' supplementary request for production of documents dated 2/25/98 ADDED DEFT-MSD Decatur Township eod 03/25/98 [CBU]
- 03/24/1998 815 CERTIFICATE OF SERVICE -RESPONSE to IPS' supplementary interrogatories dated 2/25/98 ADDED DEFT-MSD Decatur Township eod 03/25/98 [CBU]
- 03/26/1998 816 ENTRY denies motion of U S to shorten time to respond to interrogs and document requests - cm SHD eod 03/27/98 [JMC]
- 03/26/1998 817 MOTION FOR TIME TO respond to added sch deft MSD of Decatur Twp's supplemental interrogs to second set of interrogs and supplemental request to first set of requests for the production of documents - c/s INTERVENING PLTFS BUCKLEY eod 03/27/98 [JMC]
- 03/27/1998 818 ORDER grants intervening pltf's Buckleys time thru 5/5/98 to respond to added sch district deft MSC of Decatur Twp's supplemental interrogs and supplemental requests for production - cm SHD eod 03/27/98 [JMC]

03/26/1998 819 MOTION FOR TIME TO respond to IPS' requests for production of documents - c/s INTERVENING PLTFS BUCKLEY eod 03/27/98 [JMC]

03/27/1998 820 ORDER grants intervening pltfs Buckleys time thru 5/5/98 to respond to IPS' request for production of documents - cm SHD eod 03/27/98 [JMC]

03/31/1998 821 CERTIFICATE OF SERVICE - copy of added School Deft Metropolitan School District Decatur Township's Response to State of Indiana Interrogatories dated 2/27/98 - mailed first-class mail on 3/31/98 to counsel eod 03/31/98 [MAC]

04/13/1998 822 MOTION for approval of new option and magnet instructional programs for which IPS is seeking funding from US Dept of Education c/s IPS eod 04/14/98 [CBU]

04/27/1998 823 CERTIFICATE OF SERVICE -supplementary response to IPS' interrogatories dated 2/25/98 ADDED SCHOOL DEFT-Metro School Dist Decatur Township eod 04/27/98 [CBU]

05/01/1998 824 ORDER approves new IPS option and magnet instructional programs and authorizes IPS to apply for available funding, including US Dept of Education, and to implement the new programs in accordance with time schedule stated in motion - cm SHD eod 05/02/98 [JMC]

05/15/1998 825 MOTION TO MODIFY student transfer orders for kindergarten students (joint) c/s DEFTS-IPS, LWW, Decatur, Perry and Franklin eod 05/17/98 [CBU]

05/18/1998 826 ORDER grants the joint modification of the transfer order for Kindergarten students cm SHD eod 05/18/98 [CBU]

06/01/1998 827 WITNESS LIST -designation of expert witnesses c/s INTERVENING PLTFS eod 06/03/98 [CBU]

06/08/1998 828 RESPONE to IPS' set of requests for admissions c/s DECATUR TWNSHP eod 06/09/98 [CBU]

06/08/1998 829 MOTION PRO HAC VICE to admit Stephanie God on behalf of the deft-Bd of School Commissioners of the City of Indpls c/s eod 06/09/98 [CBU]

06/08/1998 830 RECEIPT #031070 in the amount of \$30.00 eod 06/09/98 [CBU]

06/11/1998 831 ORDER grants admission of Stephanie J. Gold to appear pro hac vice as co-counsel for Board of Sch Comm of City of Indianapolis - cm SHD eod 06/11/98 [JMC]

06/10/1998 832 WITNESS LIST c/s INTERVENING PLTF Buckley eod 06/11/98 [SWM]

06/18/1998 833 RESPONSE to IPS' first set of requests for admissions c/s ADDED DEFT-FT Comm School Corp eod 06/19/98 [CBU]

06/22/1998 834 COURTROOM MINUTES - Court called to session for further hearing, re: unitary status, etc. Court Reporter - K. Andrews. USA appears by Pauline Miller. Pltfs Buckley appear by John Moss. IPS appears by Maree Sneed, Patricia Brannan and Eugene Henderson. State of Indiana appears by Jeffrey Modisett, Janice Kreuzscher and Anthony Overholt. Franklin Twp appears by John Kitley, Jr. Perry Twp appears by Lou Borgmann. Wayne Twp appears by Jon Bailey. Lawrence & Warren Twps appear by David Day and John Erickson. Decatur Twp appears by Robt Cambridge. Opening statements by IPS, US and State. IPS witnesses heard. United States submits two agreements of parties (Joint Exhibits 1 and 2). First agreement between State, US, IPS and 6 townships. Second agreement by State, US and Housing Authority. Both agreements approved in open court. (SHD) eod 06/23/98 [JMC]

06/22/1998 835 SUBMISSION of AGREEMENT on the return of transfer areas to IPS - IPS, STATE, LAWRENCE & WARREN TWPS, WAYNE TWP, FRANKLIN COMMUNITY SCHOOL CORP, DECATUR

TWP, PERRY TWP and US. eod 06/23/98 [JMC]

- 06/22/1998 836 SUBMISSION of AGREEMENT - USA, STATE and INDPLS HOUSING AUTHORITY eod 06/23/98 [JMC]
- 06/25/1998 837 CLOSED Judgment consent - It is considered and adjudged that IPS has achieved unitary status within the meaning of the Supreme Court's decision in Board of Educ v. Dowell. The agreement relative to the phasing out of the mandatory transfer of IPS resident students to the six deft school townships is ratified and approved. This case is administratively closed, subject to the continuing jurisdiction of the Court to the extent necessary to enforce the agreements made by the parties. cm bb SHD OBV 44 PG 592 eod 06/25/98 [JMC]
- 07/02/1998 838 CT REPORTER'S TRANSCRIPT of hearing held 6/22/98 - K. Andrews eod 07/13/98 [JMC]
- 07/24/1998 839 MOTION FOR ATTNYS FEES and consultants fees to be paid to counsel and others who provided service c/s INTERVENING PLTFs-Buckley eod 07/27/98 [CBU]
- 08/10/1998 840 RESPONSE (initial) to intervening pltf's petition for costs and fees c/s TOWNSHIP DEFTS eod 08/10/98 [CBU]
- 08/10/1998 841 RESPONSE to Intervening pltf's Buckley's petition for a determination of attnys fees and consultants fees c/s IPS eod 08/11/98 [CBU]
- 08/17/1998 842 RESPONSE to intervening pltf's petition c/s STATE DEFTS eod 08/18/98 [CBU]
- 09/11/1998 843 MOTION to clarify finance order or in the alternative, eod 09/11/98 [CBU]
- 09/11/1998 = MOTION FOR EMERGENCY HEARING c/s STATE DEFTS eod 09/11/98 [CBU]
- 09/14/1998 844 ENTRY ASSIGNS HEARING to 10/09/98 at 09:30AM Room 243 (SHD) c/m eod 09/15/98 [JMC]
- 09/25/1998 845 RESPONSE to State defts motion to clarify finance order c/s TOWNSHIP DEFTS eod 09/28/98 [CBU]
- 09/30/1998 846 APPEARANCE of Jon Bailey on behalf of the added deft-MSD of Decatur Township c/s eod 10/01/98 [CBU]
- 10/08/1998 847 PRE-HEARING BREIF and; eod 10/08/98 [CBU]
- 10/08/1998 = REPLY to response of township defts c/s STATE DEFTS eod 10/08/98 [CBU]
- 10/14/1998 848 CT REPORTER'S TRANSCRIPT of hearing 10/9/98 - (K. Andrews) eod 10/15/98 [JMC]
- 10/16/1998 849 POST-HEARING BRIEF c/s STATE DEFTS eod 10/19/98 [CBU]
- 10/16/1998 850 POST-HEARING brief regarding financial issues c/s DEFTS-DFLPWW(Recieving school corporations) eod 10/19/98 [CBU]
- 10/09/1998 851 COURTROOM MINUTES for hearing on State's motion to clarify finance order. State appears by J Kreuzscher and A Overholt. Intervening pltf's by John Moss. IPS by E Henderson and M Sneed. US by P Miller. State Teachers Assoc by R Darko. Perry Twp by L Borgmann, Franklin Twp by J Kitley, Decatur and Wayne Twps by J Bailey, and Warren Twp and Rise Center by D Day. State presents evidence and rests. Lawrence and Perry Twps present evidence and all Twps rest. US, IPS and Intervening pltf's have nothing. Final argument heard. Post-hearing briefs due Friday, 10/16/98. Matter taken U/A. (SHD) eod 10/19/98 [JMC]

10/21/1998 852 MOTION TO STRIKE a portion of the State defts post-hearing brief and supplemental exhibits c/s DEFTS-Receiving School Corp eod 10/21/98 [CBU]

10/22/1998 853 RESPONSE School Corporations' Motion to Strike cs STATE DEFTS eod 10/23/98 [LMW]

01/08/1999 854 NOTICE regarding payments made pursuant to 1981 Financing Order cs STATE DEFTS eod 01/08/99 [LMW]

01/14/1999 855 MOTION TO WITHDRAW appearance of Robert Cambridge c/s ADDED DEFT-DECATUR TOWNSHIP eod 01/15/99 [CBU]

01/19/1999 856 ORDER GRANTS Motion to W/D Appearance by Robert E. Cambridge on behalf of added deft Metro School District of Decatur Twp. cm SHD eod 01/20/99 [MAC]

03/17/1999 857 ENTRY - the court declines to redefine the terms in its Finance Order of 6/17/81. However, the court does not order or permit townships to double bill the State for expenditures. The townships are ordered not to double bill any costs including, but not limited to those specifically pointed out by the State. The State's claims for these years are therefore barred as not raised within the time period established. Inasmuch as the State has indicated in its pleadings that it intends to pursue the township defts in state court for reimbursement, it is permissible for such defts to raise the issue in this Court. S.E. cm SHD eod 03/17/99 [CLL]

09/27/2000 858 AFFIDAVIT to supplement motion for attny fees of attny for intervening pltfs Buckley -- John Moss eod 09/28/00 [CBU]

09/27/2000 859 STATEMENT of John Moss attny for intervening pltfs Buckley for legal services rendered from July 1983 to the present c/s eod 09/28/00 [CBU]

09/29/2000 860 ORDER moots the intervening pltfs 5/1/95 petition for fees as a supplemental motion for attny fees has been filed cm bb SHD eod 10/03/00 [CBU]

10/23/2000 861 MOTION FOR TIME TO respond to intervening pltfs fees and costs information c/s TOWNSHIP DEFTS eod 10/24/00 [CBU]

10/25/2000 862 ORDER grants the motion for time for the Township Defts to respond to and including 12/11/00 cm SHD eod 10/26/00 [CBU]

10/25/2000 863 MOTION FOR TIME TO respond to the affidavit to supplement motion for attny fees c/s DEFTS-IPS eod 10/26/00 [CBU]

10/27/2000 864 ORDER grants IPS to and including 12/11/00 to respond to the motion for attny fees cm SHD eod 10/30/00 [CBU]

11/02/2000 865 MOTION FOR TIME TO respond to the affidavit to supplement motion for attny fees c/s STATE DEFTS eod 11/03/00 [CBU]

11/06/2000 866 ORDER grants the state defts to and including 12/11/00 to respond to the intervening pltfs filing cm SHD eod 11/07/00 [CBU]

12/07/2000 867 MOTION for settlement conference on request for atty's fees -cs DEFTS MSDL and Warren Township eod 12/08/00 [PE]

12/07/2000 868 ENTRY ASSIGNS CONF to 12/20/00 at 01:00PM Room 277 (KPF) c/m eod 12/08/00 [PE]

12/08/2000 869 RESPONSE-opposition to motion for attny fees of attny for intervening pltfs-Buckley c/s DEFTS-IPS eod 12/12/00 [CBU]

12/11/2000 870 RESPONSE to intervening pltfs petition for costs and fees c/s TOWNSHIP DEFTS eod 12/12/00 [CBU]

12/11/2000 871 RESPONSE to intervening pltfs petition c/s STATE DEFTS eod 12/12/00 [CBU]

12/20/2000 872 APPEARANCE of Nathaniel Lee of law firm Lee Burns & Cossell on behalf of John Moss, Attorney for Intervening Pltfs Buckley c/s - INTERVENING PLTFS COUNSEL eod 12/21/00 [MAC]

03/13/2001 873 STIPULATION of withdrawal of intervening pltfs' petition for attorneys fees and costs c/s - INTERVENING PLTFS, STATE DEFTS and SCHOOL DEFTS eod 03/13/01 [EAH]

03/14/2001 874 ORDER grants withdrawal of intervening pltfs petition for attorneys fees and costs cm SHD eod 03/14/01 [EAH]

05/03/2004 875 ENTRY by clerk requesting retrieval of exhibits and depositions on or before 5/17/04. Items will be disposed of if not taken. eod 05/03/04 [CLL]