

***** PUBLIC DOCKET *****

CMP

**U.S. District Court
Southern District of Indiana (Terre Haute)
CIVIL DOCKET FOR CASE #: 2:14-cv-00099-LJM-MJD**

MCINTOSH v. BROWN et al
Assigned to: Judge Larry J. McKinney
Referred to: Magistrate Judge Mark J. Dinsmore
Demand: \$500,000
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 04/02/2014
Jury Demand: Both
Nature of Suit: 555 Prisoner Petitions -
Prison Condition
Jurisdiction: Federal Question

Plaintiff**MICHAEL MCINTOSH**

represented by **MICHAEL MCINTOSH**
c/o Rosewalk Assisted Living
1301 North Ritter Avenue
Apt. 232
Indianapolis, IN 46219
PRO SE

V.

Defendant**RICHARD BROWN****Defendant****THERESA LITTLEJOHN****Defendant****CORIZON**

represented by **Carol A. Dillon**
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*ATTORNEY TO BE NOTICED***Defendant****INDIANA DEPARTMENT OF
CORRECTION**

represented by **Betsy M. Isenberg**
OFFICE OF THE ATTORNEY

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Defendant

**COMMISSIONER INDIANA
 DEPARTMENT OF CORRECTION**
*in his capacity as an official of the State
 of Indiana*

represented by **Betsy M. Isenberg**
 (See above for address)
ATTORNEY TO BE NOTICED

Robert C. Allega
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/02/2014	<u>1</u>	CONSENT to Prisoner E-Service by MICHAEL MCINTOSH. Pursuant to General Order 2013-1, documents submitted by MICHAEL MCINTOSH to the court for filing will generate a Notice of Electronic Filing that will constitute official service upon registered users of CM/ECF. If any parties to the case are not registered CM/ECF users, the Clerk of the Court will mail the document via U.S. Postal Service on behalf of the inmate. NOTE: The E-Filing Program does not affect the obligation of other parties to serve copies of documents in accordance with the Federal Rules of Civil Procedure. (DJH) (Entered: 04/02/2014)
04/02/2014	<u>2</u>	COMPLAINT against RICHARD BROWN, CORIZON, THERESA LITTLEJOHN, filed by MICHAEL MCINTOSH. (No fee paid with this filing) (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> offender grievance case records, # <u>3</u> instructions for filing a civil rights complaint, # <u>4</u> proposed notice of lawsuit and request for waiver of service of summons, # <u>5</u> request for summonses)(DJH) (Entered: 04/02/2014)

04/02/2014	3	MOTION for Leave to Proceed in forma pauperis filed by Plaintiff, MICHAEL MCINTOSH. (Attachments: # 1 application to proceed without prepayment of fees and affidavit, # 2 certification of inmate trust fund account)(DJH) (Entered: 04/02/2014)
04/02/2014	4	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (DJH) (Entered: 04/02/2014)
04/03/2014	5	Entry Concerning Selected Matters - granting 3 Motion for Leave to Proceed in forma pauperis. The complaint is now subject to the screening requirement of 28 U.S.C. Sec. 1915A(b). (See Entry.) Signed by Judge William T. Lawrence on 4/3/2014. (RSF) (Entered: 04/03/2014)
04/09/2014	6	CONSENT to Jurisdiction to US Magistrate Judge by MICHAEL MCINTOSH. (SWM) (Entered: 04/09/2014)
04/17/2014	7	Entry Discussing Complaint and Directing Further Proceedings - Before the Court is plaintiff Michael McIntosh's complaint. McIntosh, an inmate at the Wabash Valley Correctional Facility ("WVCF"), has COPD and requires an oxygen tank. All of McIntosh's claims arise from his allegations that employees of the Indiana Department of Corrections ("IDOC") and Corizon, have failed to accommodate his disability by providing him with a portable oxygen tank and wheelchair so that he can utilize the religious and recreational facilities at WVCF. The statutory claims against the individual defendants are dismissed. The ADA and Rehabilitation Act claims shall proceed against the IDOC and Corizon only. No partial final judgment shall issue at this time as to the claims resolved in this Entry. The ADA and Rehabilitation Act claims alleged against Corizon and the Indiana Department of Correction shall proceed as submitted. The clerk is directed to update the docket to reflect that the Indiana Department of Correction is a defendant in this action. (See Entry.) Copies distributed pursuant to distribution list. Signed by Judge William T. Lawrence on 4/17/2014.(RSF) (Entered: 04/17/2014)
04/17/2014	8	NOTICE of Lawsuit & Waiver Issued by Clerk, upon 1) Corizon and 2) Indiana Department of Correction. (RSF) (Entered: 04/17/2014)
05/06/2014	9	Mail Returned as undeliverable, sent to CORIZON, re 8 NOTICE of Lawsuit & Waiver Issued by Clerk and other documents as directed in 7 Court's Entry. ***SEE LETTER from CT Corporation*** (Attachments: # 1 Envelope) (JKS) (Entered: 05/07/2014)
05/07/2014	10	MOTION to transfer facilities, filed by Plaintiff MICHAEL MCINTOSH. (Attachments: # 1 Envelope)(JKS) (Entered: 05/08/2014)
05/12/2014	11	Entry Directing Further Proceedings - The clerk is designated, pursuant to Fed. R. Civ. P. 4(c)(3), to reissue and serve process on the defendant Corizon Health, Inc., in the manner specified by Fed. R. Civ. P. 4(d)(1). Process shall consist of the complaint, applicable forms, this Entry and the Entry of April 17, 2014. Copies distributed pursuant to distribution list. Signed by Judge William T. Lawrence on 5/12/2014.(RSF) (Entered: 05/12/2014)

05/12/2014	12	SECOND NOTICE of Lawsuit & Waiver Issued by Clerk, upon Corizon Health, Inc. (RSF) (Entered: 05/12/2014)
05/12/2014	13	ENTRY DISCUSSING MOTION TO TRANSFER FACILITIES - The plaintiff's motion seeking a court order directing the plaintiff's transfer to another Indiana Department of Correction facility [dkt. 10] is denied. Signed by Judge William T. Lawrence on 5/12/2014. (RSF) (Entered: 05/12/2014)
05/13/2014	14	WAIVER OF SERVICE Returned Executed on CORIZON, waiver sent on 5/12/2014. (Attachments: # 1 Envelope)(JKS) (Entered: 05/14/2014)
05/16/2014	15	WAIVER OF SERVICE Returned Executed CORIZON waiver sent on 4/17/2014. (Attachments: # 1 Cover Letter)(JKS) (Entered: 05/19/2014)
05/21/2014	16	MOTION for Discovery, filed by Plaintiff MICHAEL MCINTOSH. (Attachments: # 1 Envelope)(DW) (Entered: 05/21/2014)
05/22/2014	17	ENTRY - The plaintiff's motion for discovery [dkt. 16] is denied as premature. The defendants have not yet filed an appearance in this action. To the extent the plaintiff's motion requests the court's assistance in conducting discovery or taking depositions, that request is denied. Signed by Judge William T. Lawrence on 5/22/2014. (RSF) (Entered: 05/22/2014)
06/06/2014	18	NOTICE of Appearance by Carol A. Dillon on behalf of Defendant CORIZON. (Dillon, Carol) (Entered: 06/06/2014)
06/06/2014	19	MOTION to Dismiss , filed by Defendant CORIZON. (Attachments: # 1 Text of Proposed Order Granting Motion to Dismiss)(Dillon, Carol) (Entered: 06/06/2014)
06/06/2014	20	BRIEF/MEMORANDUM in Support re 19 MOTION to Dismiss , filed by Defendant CORIZON. (Dillon, Carol) (Entered: 06/06/2014)
06/13/2014	21	RESPONSE in Opposition re 19 MOTION to Dismiss , filed by Plaintiff MICHAEL MCINTOSH. (SWM) (Entered: 06/13/2014)
06/16/2014	22	NOTICE of Appearance by William M. Horne on behalf of Defendant INDIANA DEPARTMENT OF CORRECTION. (Horne, William) (Entered: 06/16/2014)
06/16/2014	23	<i>Defendant's</i> ANSWER to 2 Complaint <i>and Defenses</i> , filed by INDIANA DEPARTMENT OF CORRECTION.(Horne, William) (Entered: 06/16/2014)
06/19/2014	24	RESPONSE to 23 Answer to Complaint, filed by Plaintiff MICHAEL MCINTOSH. (JKS) (Entered: 06/19/2014)
07/03/2014	25	Submission of Writ of Attachment, filed by Plaintiff MICHAEL MCINTOSH. (Attachments: # 1 Various Documents)(SWM) (Entered: 07/03/2014)
07/10/2014	26	ENTRY - The plaintiff shall have through July 30, 2014, in which to notify the Court regarding whether he seeks the Court's assistance in recruiting counsel to represent him in this action. Signed by Judge William T. Lawrence on 7/10/2014. (ADH) (Entered: 07/10/2014)

07/17/2014	27	NOTICE of Appearance by Robert Allega on behalf of Defendant INDIANA DEPARTMENT OF CORRECTION. (Allega, Robert) (Entered: 07/17/2014)
07/21/2014	28	RESPONSE, re 26 Entry, filed by Plaintiff MICHAEL MCINTOSH. (Attachments: # 1 Envelope)(DW) (Entered: 07/22/2014)
07/24/2014	29	MOTION to Appoint Counsel, filed by Plaintiff MICHAEL MCINTOSH. (Attachments: # 1 Envelope)(SWM) (Entered: 07/25/2014)
07/31/2014	30	ENTRY REQUESTING APPEARANCE OF COUNSEL PURSUANT TO LOCAL RULE 4-6 and DIRECTING FURTHER PROCEEDINGS - Mr. Kent Hull is requested to represent the plaintiff in the above action. This representation shall continue until final judgment is entered unless otherwise modified by written order. The court requests that Mr. Hull enter his appearance at his earliest convenience. The magistrate judge is requested to hold a status conference after Mr. Hull has appeared in this action. The purpose of which will be to discuss deadlines and the orderly resolution of this action. Copy to Plaintiff and to Mr. Hull via US Mail. Signed by Judge William T. Lawrence on 7/31/2014. (ADH) (Entered: 07/31/2014)
08/05/2014	31	NOTICE of Change of Address for MICHAEL MCINTOSH. MICHAEL MCINTOSH is no longer participating in E-Service. (Attachments: # 1 Envelope) (SWM) (Entered: 08/06/2014)
08/05/2014	32	Submission of Plaintiff's Account of Events of 8/1/14 Regarding Medical Needs, filed by Plaintiff MICHAEL MCINTOSH. (Attachments: # 1 Envelope)(SWM) (Entered: 08/06/2014)
08/18/2014	33	NOTICE of Change of Address for MICHAEL MCINTOSH. (Attachments: # 1 Envelope) (DW) (Entered: 08/20/2014)
09/12/2014	34	NOTICE of Change of Attorney Information. Consistent with Local Rule 5-3, Robert Allega hereby notifies the Clerk of the court of changed contact information. (Allega, Robert) (Entered: 09/12/2014)
10/02/2014	35	NOTICE of Writ of Attachment, filed by Plaintiff MICHAEL MCINTOSH. No c/s. (Attachments: # 1 Envelope) (AH) (Entered: 10/03/2014)
10/06/2014	36	MOTION for Attorney(s) Kent Hull to Appear pro hac vice (No fee paid with this filing), filed by Plaintiff MICHAEL MCINTOSH. (Attachments: # 1 Text of Proposed Order) (AH) (Entered: 10/06/2014)
10/06/2014	37	ORDER - granting 36 Motion to Appear pro hac vice regarding Kent Hull. Signed by Magistrate Judge William G. Hussmann, Jr on 10/6/2014. (RSF) (Entered: 10/06/2014)
10/23/2014	38	Letter from MICHAEL MCINTOSH re Medical Issues. No c/s. (Attachments: # 1 Envelope) (AH) (Entered: 10/23/2014)
10/24/2014	42	Statement by MICHAEL MCINTOSH requesting personal approval, in writing, of amendments. (Attachments: # 1 Envelope) (AH) (Entered: 10/28/2014)

10/27/2014	39	SCHEULING ORDER: Telephonic Status Conference set for 12/1/2014 at 09:30 AM (EST) before Magistrate Judge William G. Hussmann Jr. Plaintiff's counsel may respond to the pending 19 motion to dismiss any time before the conference. If no response has been filed prior to the conference, a response deadline will be set at that time. Defense counsel should be prepared to state their view regarding whether the Indiana Department of Correction can provide the injunctive relief sought, which is a portable oxygen tank. Signed by Magistrate Judge William G. Hussmann, Jr on 10/27/2014. (AH) (Entered: 10/27/2014)
10/27/2014	41	NOTICE of Appearance by Kent Hull on behalf of Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 10/27/2014)
10/29/2014	43	NOTICE of Appearance by Kent Hull on behalf of Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 10/29/2014)
11/07/2014	44	**STRICKEN PER 52 ** SEALED Submission of Medical Records, filed Pro Se by Plaintiff MICHAEL MCINTOSH. (Attachments: # 1 Envelope) (AH) Modified on 12/2/2014 (AH). (Entered: 11/07/2014)
11/13/2014	45	**STICKEN PER 52 ** SUBMISSION of medical records (Redacted) by MICHAEL MCINTOSH. (Attachments: # 1 Envelope) (AH) Modified on 12/2/2014 (AH). (Entered: 11/14/2014)
11/18/2014	46	**STICKEN PER 52 ** Statement from Plaintiff filed Pro Se (not by counsel) by MICHAEL MCINTOSH. (Attachments: # 1 Envelope)(AH) Modified on 12/2/2014 (AH). (Entered: 11/19/2014)
11/19/2014	47	MOTION to Strike 45 Redacted Document, 44 SEALED Document, 46 Statement , filed by Defendant INDIANA DEPARTMENT OF CORRECTION. (Attachments: # 1 Proposed Order)(Horne, William) (Entered: 11/19/2014)
11/24/2014	48	RESPONSE to Motion re 47 MOTION to Strike 45 Redacted Document, 44 SEALED Document, 46 Statement <i>Plaintiff's Pro Se Filings and Objection to Plaintiff's Attempt to Amend Complaint Through Interlineation</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 11/24/2014)
11/24/2014	49	Statement regarding claims by MICHAEL MCINTOSH. c/s. (Attachments: # 1 REDACTED Exhibit 1, # 2 Exhibit 2, # 3 Envelope) (AH) (Entered: 11/25/2014)
11/26/2014	51	Statement of Claims by MICHAEL MCINTOSH. (Attachments: # 1 Attachments, # 2 Envelope) (AH) (Entered: 12/01/2014)
12/01/2014	50	***PLEASE DISREGARD - WITHDRAWN AT 168 *** AMENDED COMPLAINT <i>WITH JURY DEMAND</i> against CORIZON, filed by MICHAEL MCINTOSH.(Hull, Kent) Modified on 10/7/2016 (RSF). (Entered: 12/01/2014)
12/02/2014	52	ORDER granting Defendant's 47 Motion to Strike Medical Exhibits (Dkt. Nos. 44, 45) and Statement from Plaintiff (Dkt. No. 46) from the record in this

		case. Signed by Judge William T. Lawrence on 12/2/2014. (AH) (Entered: 12/02/2014)
12/11/2014	53	MINUTE ORDER for proceedings held before Magistrate Judge William G. Hussmann, Jr: Status Conference held on 12/1/2014. Plaintiff was represented by counsel, Kent Hull. Defendants were represented by counsel, Carol A. Dillon and William M. Horne. Telephonic Status Conference set for 1/13/2015 at 12:00 PM before Magistrate Judge William G. Hussmann Jr. **SEE ORDER** Signed by Magistrate Judge William G. Hussmann, Jr. (AH) (Entered: 12/11/2014)
12/23/2014	55	<i>Defendant's</i> ANSWER to 50 Amended Complaint , filed by CORIZON. (Dillon, Carol) (Entered: 12/23/2014)
01/02/2015	56	**WITHDRAWN PER 67 ** First MOTION to Strike 55 Answer to Amended Complaint <i>Affirmative Defenses Interposed by Defendant Corizon, Inc.</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) Modified on 1/29/2015 (AH). (Entered: 01/02/2015)
01/02/2015	57	BRIEF/MEMORANDUM in Support re 56 First MOTION to Strike 55 Answer to Amended Complaint <i>Affirmative Defenses Interposed by Defendant Corizon, Inc.</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 01/02/2015)
01/02/2015	58	First MOTION to Strike 55 Answer to Amended Complaint <i>Affirmative Defenses Interposed by Defendant Corizon, Inc.</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 01/02/2015)
01/02/2015	59	<i>Department of Correction Defendants'</i> ANSWER to 50 Amended Complaint (<i>First</i>), filed by INDIANA DEPARTMENT OF CORRECTION.(Horne, William) (Entered: 01/02/2015)
01/02/2015	60	RESPONSE in Opposition re 56 First MOTION to Strike 55 Answer to Amended Complaint <i>Affirmative Defenses Interposed by Defendant Corizon, Inc.</i> , 58 First MOTION to Strike 55 Answer to Amended Complaint <i>Affirmative Defenses Interposed by Defendant Corizon, Inc.</i> , filed by Defendant INDIANA DEPARTMENT OF CORRECTION. (Horne, William) (Entered: 01/02/2015)
01/08/2015	61	First MOTION to Withdraw 56 First MOTION to Strike 55 Answer to Amended Complaint <i>Affirmative Defenses Interposed by Defendant Corizon, Inc. Erroneous Filing</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 01/08/2015)
01/20/2015	62	RESPONSE in Opposition re 58 First MOTION to Strike 55 Answer to Amended Complaint <i>Affirmative Defenses Interposed by Defendant Corizon, Inc.</i> , filed by Defendant CORIZON. (Dillon, Carol) (Entered: 01/20/2015)
01/26/2015	63	BRIEF/MEMORANDUM in Support re 56 First MOTION to Strike 55 Answer to Amended Complaint <i>Affirmative Defenses Interposed by Defendant Corizon, Inc.</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 01/26/2015)

01/28/2015	65	MINUTE ORDER for proceedings held before Magistrate Judge William G. Hussmann, Jr: Status Conference held on 1/13/2015. Plaintiff was represented by counsel, Kent Hull. Defendants were represented by counsel, Carol A. Dillon and William M. Horne. The parties shall serve their initial disclosures required by Federal Rule of Civil Procedure 26(a)(1) by February 16, 2015. All discovery in this case shall be completed by July 13, 2015. Plaintiffs are to serve any expert disclosures on or before July 13, 2015. Any motions for summary judgment shall be filed and the Defendant's responsive expert disclosures shall be served on or before September 13, 2015. Telephonic Status Conference set for 6/3/2015 at 09:30 AM before Magistrate Judge William G. Hussmann Jr. Signed by Magistrate Judge William G. Hussmann, Jr. (AH) (Entered: 01/28/2015)
01/29/2015	67	ENTRY Discussing Amended Complaint and Directing Further Proceedings - The plaintiff's motion to withdraw the motion to strike at docket number 56 [dkt. 61] is granted. The plaintiff's motion to strike defendant Corizon, Inc.'s affirmative defenses to the First Amended Complaint has been considered. The motion [dkt. 58] is granted in part and denied in part. Corizon shall have through February 19, 2015, in which to either 1) file a dispositive motion in support of the affirmative defense that the plaintiff failed to exhaust his administrative remedies prior to filing this lawsuit, 2) notify the court that this affirmative defense is not amenable to resolution through a dispositive motion, or 3) notify the court that the defendant will not pursue the affirmative defense of failure to exhaust. If a dispositive motion is filed, the plaintiff shall have thirty (30) days in which to respond. The defendant shall then have fifteen (15) days in which to reply. **SEE ENTRY** Signed by Judge William T. Lawrence on 1/29/2015. (AH) (Entered: 01/29/2015)
02/13/2015	68	MOTION to Withdraw Attorney Appearance of <i>William M. Horne</i> , filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Attachments: # 1 Text of Proposed Order)(Horne, William) (Entered: 02/13/2015)
02/16/2015	69	Unopposed MOTION for Extension of Time to <i>Serve Initial Disclosures</i> , filed by Defendant INDIANA DEPARTMENT OF CORRECTION. (Attachments: # 1 Proposed Order)(Allega, Robert) (Entered: 02/16/2015)
02/18/2015	70	NOTICE of <i>Withdrawal of Affirmative Defense of Failure to Exhaust Administrative Remedies Under the PLRA</i> , filed by Defendant CORIZON (Dillon, Carol) (Entered: 02/18/2015)
02/18/2015	71	ORDER granting 69 Motion for Extension of Time to File Initial Disclosures. Defendants Indiana Department of Correction and its Commissioner shall have until March 9, 2015 in order to serve their initial disclosures. Signed by Judge William T. Lawrence on 2/18/2015. (AH) (Entered: 02/18/2015)
02/18/2015	72	ORDER granting 68 Motion to Withdraw Attorney Appearance. Attorney William M. Horne withdrawn. Signed by Judge William T. Lawrence on 2/18/2015. (AH) (Entered: 02/18/2015)

03/06/2015	73	NOTICE of Appearance by Jefferson S. Garn on behalf of Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Garn, Jefferson) (Entered: 03/06/2015)
05/26/2015	74	First MOTION <i>TO EXTEND DISCOVERY PERIOD</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 05/26/2015)
05/26/2015	75	First MOTION <i>FOR INSTRUCTIONS ON ADVANCEMENT OF FEES BY THE COURT TO APPOINTED COUNSEL FOR DISCOVERY EXPENSES</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 05/26/2015)
06/02/2015	76	ORDER granting 75 Motion for instructions on advancement of fees by the Court to appointed counsel for discovery purposes. Plaintiff's counsel is encouraged to review Local Rule 4-6 which provides the circumstances under which Court recruited counsel can seek reimbursement of expenses (up to \$1,000.00) incurred while representing a litigant. Signed by Judge William T. Lawrence on 6/2/2015. (AH) (Entered: 06/03/2015)
06/04/2015	77	SUBMISSION re 74 <i>Proposed Order Extending Discovery Period</i> , filed by Plaintiff MICHAEL MCINTOSH.(Hull, Kent) Modified on 6/4/2015 (TMB). (Entered: 06/04/2015)
06/05/2015	78	ORDER granting 74 Motion to Extend Discovery Period. Accordingly, this Court now GRANTS the Plaintiff's Motion and ORDERS that the discovery period be extended through September 13, 2015. Signed by Magistrate Judge William G. Hussmann, Jr on 6/5/2015. (AH) (Entered: 06/05/2015)
06/09/2015	79	MINUTE ORDER for proceedings held before Magistrate Judge William G. Hussmann, Jr: Telephonic Status Conference held on 6/3/2015. Plaintiff's Motion to Extend Discovery Period was discussed and will be granted to September 13, 2015, by separate order. This deadline may be extended further depending upon the outcome of the Plaintiff's decision to seek leave to amend the Complaint. The final deadline for completion of discovery will be established at the next status conference. Telephonic Status Conference set for 7/29/2015 at 03:00 PM, Evansville time (CDT) before Magistrate Judge William G. Hussmann Jr. Signed by Magistrate Judge William G. Hussmann, Jr. (TMB) (Entered: 06/09/2015)
06/17/2015	81	First MOTION <i>FOR STATUS CONFERENCE</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 06/17/2015)
06/17/2015	82	First MOTION <i>CORRECTION FOR STATUS CONFERENCE</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 06/17/2015)
06/18/2015	83	Submission of Proposed Order <i>Granting Plaintiff's Motion for Status Conference</i> , re 82 First MOTION <i>CORRECTION FOR STATUS CONFERENCE</i> , 81 First MOTION <i>FOR STATUS CONFERENCE</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 06/18/2015)
06/18/2015	84	ORDER granting 82 Motion for Status Conference. Telephonic Status Conference set for 7/1/2015 at 03:00 PM, Terre Haute time (EST) before

		Magistrate Judge William G. Hussmann Jr. Signed by Magistrate Judge William G. Hussmann, Jr on 6/18/2015.(TMB) (Entered: 06/18/2015)
06/22/2015	86	NOTICE of Parties' First Extension of Time, filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Allega, Robert) (Entered: 06/22/2015)
07/08/2015	87	NOTICE <i>Of Extension of Time to Respond to Discovery Requests</i> , filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION (Allega, Robert) (Entered: 07/08/2015)
07/10/2015	88	MINUTE ORDER for proceedings held before Magistrate Judge William G. Hussmann, Jr: Telephonic Status Conference held on 7/1/2015. Over the objection of the Defendants, the Magistrate Judge GRANTS Plaintiff leave to file a motion for leave to amend the Complaint on or before September 1, 2015. The telephonic status conference currently set for July 29, 2015, is VACATED and is hereby RESET for MONDAY, SEPTEMBER 21, 2015, at 9:30 a.m., Terre Haute time (EDT), before the Magistrate Judge. Signed by Magistrate Judge William G. Hussmann, Jr. (TMB) (Entered: 07/10/2015)
07/20/2015	90	Second MOTION for Extension of Time to <i>RESPOND TO DISCOVERY REQUESTS FROM CO-DEFENDANT CORIZON</i> , filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Attachments: # 1 Text of Proposed Order)(Allega, Robert) (Entered: 07/20/2015)
07/22/2015	91	ORDER granting 90 Motion for Extension of Time. The Court, being duly advised in the premises, now GRANTS said motion. Defendants shall have up to and including August 3, 2015, to respond to discovery requests from Co-Defendant Corizon. Signed by Judge William T. Lawrence on 7/22/2015. (AH) (Entered: 07/22/2015)
08/06/2015	92	First MOTION <i>FOR APPOINTMENT OF INDEPENDENT EXPERT</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 08/06/2015)
08/13/2015	93	RESPONSE in Opposition re 92 First MOTION <i>FOR APPOINTMENT OF INDEPENDENT EXPERT</i> , filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Allega, Robert) (Entered: 08/13/2015)
08/14/2015	94	RESPONSE in Opposition re 92 First MOTION <i>FOR APPOINTMENT OF INDEPENDENT EXPERT</i> , filed by Defendant CORIZON. (Dillon, Carol) (Entered: 08/14/2015)
08/21/2015	95	REPLY in Support of Motion re 92 First MOTION <i>FOR APPOINTMENT OF INDEPENDENT EXPERT To Defendants' Responses</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 08/21/2015)
08/24/2015	96	ENTRY Regarding Appointment of Independent Expert - The plaintiff is directed to supplement his request with additional information regarding the

		scope of the expert opinion sought. In addition, all parties must supplement their briefing to explain whether and how the Seventh Circuit's opinion in <i>Rowe v. Gibson</i> , Case No. 14-3316, impacts this Court's consideration of the plaintiff's motion for appointment of independent expert. The supplements described above are due no later than September 22, 2015. Signed by Judge William T. Lawrence on 8/24/2015.(AH) (Entered: 08/24/2015)
08/26/2015	97	***PLEASE DISREGARD - WITHDRAWN AT 168 *** AMENDED COMPLAINT <i>SECOND AMENDED COMPLAINT WITH JURY DEMAND</i> against All Defendants, filed by MICHAEL MCINTOSH.(Hull, Kent) Modified on 10/7/2016 (RSF). (Entered: 08/26/2015)
09/09/2015	98	MOTION for Extension of Time to <i>Complete Discovery and File Dispositive Motions</i> , filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Attachments: # 1 Proposed Order)(Allega, Robert) (Entered: 09/09/2015)
09/09/2015	99	MOTION to Strike 97 Amended Complaint , filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Allega, Robert) (Entered: 09/09/2015)
09/18/2015	100	RESPONSE <i>TO ENTRY BY COURT DIRECTING PARTIES TO SUBMIT STATEMENTS ON SPECIFIED MATTERS</i> , re 96 Entry, filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 09/18/2015)
09/18/2015	101	RESPONSE , re 96 Entry, filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Allega, Robert) (Entered: 09/18/2015)
09/18/2015	102	RESPONSE in Opposition re 99 MOTION to Strike 97 Amended Complaint , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 09/18/2015)
09/21/2015	103	First MOTION <i>FOR LEAVE TO FILE SECOND AMENDED COMPLAINT</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 09/21/2015)
09/22/2015	104	<i>Corizon's Supplemental Brief Regarding Application of Rowe v. Gibson to Plaintiff's Request for a Court-Appointed Expert at the Defendants' Expense</i> , filed by Defendant CORIZON. (Dillon, Carol) Modified on 9/23/2015 - created link to 92 (RSF). (Entered: 09/22/2015)
09/22/2015	105	RESPONSE in Opposition re 103 First MOTION <i>FOR LEAVE TO FILE SECOND AMENDED COMPLAINT</i> , filed by Defendant CORIZON. (Dillon, Carol) (Entered: 09/22/2015)
09/30/2015	106	Minute Entry for proceedings held before Magistrate Judge William G. Hussmann, Jr: Status Conference held on 9/21/2015. Plaintiff shall serve formal responses to outstanding discovery propounded by the State Defendants on or before September 23, 2015. The parties were directed to confer pursuant to Rule 37. If motions to compel are required, they should be filed by October 15, 2015. Status Conference set for 12/15/2015 at 09:00 AM Telephonic before Magistrate Judge William G. Hussmann, Jr. (NRN)

		(Entered: 09/30/2015)
10/01/2015	108	RESPONSE in Opposition re 103 First MOTION <i>FOR LEAVE TO FILE SECOND AMENDED COMPLAINT</i> , filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Allega, Robert) (Entered: 10/01/2015)
10/06/2015	109	NOTICE of Change of Attorney Information. Consistent with Local Rule 5-3, Kent Hull hereby notifies the Clerk of the court of changed contact information. <i>Email Disruption and Unavailability of Some Electronically-Stored Files</i> (Hull, Kent) (Entered: 10/06/2015)
10/13/2015	110	Entry Concerning Selected Matters - The plaintiff's motion for leave to file a second amended complaint [dkt. 103] is granted nunc pro tunc. The second amended complaint filed on August 26, 2015, is the operative pleading. The defendants' motion for an extension of time [dkt. 98] is granted. The defendants shall have through January 15, 2016, in which to complete discovery and through February 17, 2016, in which to file any dispositive motions. The defendants' motion to strike [dkt. 99] Plaintiff's Second Amended Complaint is granted in part and denied in part. The defendants shall have through November 10, 2015, in which to answer or otherwise respond to the plaintiff's second amended complaint [dkt. 97]. Signed by Judge William T. Lawrence on 10/13/2015. (RSF) (Main Document 110 replaced on 10/13/2015) (RSF). Modified on 10/13/2015 (RSF). (Entered: 10/13/2015)
10/13/2015	111	Entry - denying 92 Motion appointment of independent expert is denied as premature. Signed by Judge William T. Lawrence on 10/13/2015. (RSF) (Entered: 10/13/2015)
10/15/2015	112	*** WITHDRAWN PER 122 ORDER ***MOTION to Compel <i>Plaintiff to Respond to Discovery Requests served on June 1, 2015</i> , filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Attachments: # 1 Exhibit A - Defendants' Letter, 1st Set Interrogatories, 1st Request for Production) (Allega, Robert) Modified on 11/18/2015 (NRN). (Entered: 10/15/2015)
10/15/2015	113	BRIEF/MEMORANDUM in Support re 112 MOTION to Compel <i>Plaintiff to Respond to Discovery Requests served on June 1, 2015</i> , filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Allega, Robert) (Entered: 10/15/2015)
10/16/2015	114	First MOTION to Withdraw Attorney Appearance <i>BY ATTORNEY KENT HULL AS ATTORNEY FOR PLAINTIFF</i> , filed by Plaintiff MICHAEL MCINTOSH. (Hull, Kent) (Entered: 10/16/2015)
10/16/2015	115	Submission of Proposed Order , re 112 MOTION to Compel <i>Plaintiff to Respond to Discovery Requests served on June 1, 2015</i> , filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Allega, Robert) (Entered: 10/16/2015)

10/27/2015	116	SCHEULING ORDER: HEARING on the Motion to Compel filed October 15, 2015 (Dkt. 112) and the Verified Motion by Attorney Kent Hull to Withdraw as Attorney for Plaintiff filed October 16, 2015 (Dkt. 114) set for 11/17/2015 at 02:00 PM, Terre Haute time (EST) before Magistrate Judge William G. Hussmann Jr. Signed by Magistrate Judge William G. Hussmann, Jr on 10/27/2015.(TMB) (Entered: 10/27/2015)
10/28/2015	118	Entry Directing Plaintiff's Personal Participation at November 17, 2015 Hearing - The plaintiff is notified that he is expected to participate in this hearing. He may obtain call in information from Magistrate Judge Hussmann's chambers by calling (812) 434-6430. The plaintiff's failure to participate in the telephonic hearing or to provide the court in writing his current contact information by November 17, 2015 may result in a finding that the plaintiff has abandoned this action and this action may be dismissed for failure to prosecute without further notice to the plaintiff. (See Entry) Copy to plaintiff via US Mail. Signed by Judge William T. Lawrence on 10/28/2015.(RSF) (Entered: 10/28/2015)
11/09/2015	119	MOTION for Extension of Time to <i>Answer Plaintiff's Second Amended Complaint</i> , filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Attachments: # 1 Proposed Order)(Allega, Robert) (Entered: 11/09/2015)
11/10/2015	120	ORDER - granting 119 Motion for Extension of Time. The deadline for IDOC to file an answer to Plaintiff's Second Amended Complaint is November 24, 2015. Signed by Judge William T. Lawrence on 11/10/2015. (RSF) (Entered: 11/10/2015)
11/12/2015	121	Mail Returned as undeliverable - 118 Entry sent to MICHAEL MCINTOSH. (GSO) (Entered: 11/13/2015)
11/18/2015	122	MINUTE ENTRY for proceedings held before Magistrate Judge William G. Hussmann, Jr: Motion Hearing held on 11/17/2015 re 112 MOTION to Compel Plaintiff to Respond to Discovery Requests served on June 1, 2015 and 114 First MOTION to Withdraw Attorney Appearance BY ATTORNEY KENT HULL AS ATTORNEY FOR PLAINTIFF. Mr. Hull's Verified Motion to Withdraw as Attorney for Plaintiff (Dkt. 114) is GRANTED. Defendant Department of Correction agreed to withdraw its current Motion to Compel (Dkt. 112), subject to its right to reassert that motion after answers to the Interrogatories and Requests for Production have been provided as specified later in this Order. That Motion is, therefore, WITHDRAWN. In the event the Motion to Compel is reasserted, copies of the motion must be served upon the Plaintiff and upon Mr. Hull at the address previously listed in this Order. Counsel for the Department of Correction has agreed to re-serve the Interrogatories and Requests for Production previously sent to Mr. McIntosh by not later than November 23, 2015. Mr. McIntosh is DIRECTED to answer those Interrogatories and Requests for Production by not later than January 17, 2016. The telephonic status conference previously set on December 15, 2015, at 9:00 a.m. (EST), is confirmed and will be held. The Clerk of Court is

		DIRECTED to furnish the call-in information for that conference to Mr. McIntosh, along with a copy of this Order. See Entry for other orders entered. Signed by Magistrate Judge William G. Hussmann, Jr. (served via USMail on McIntosh and Hull) (NRN) (Entered: 11/18/2015)
12/29/2015	123	MINUTE ORDER for proceedings held before Magistrate Judge William G. Hussmann, Jr: Telephonic Status Conference held on 12/15/2015. If Plaintiff wishes to file any motions for leave to amend the current Complaint, he must do so by January 25, 2016. Any responsive pleading to the currently pending Second Amended Complaint shall be filed not later than February 25, 2016, unless leave is ultimately granted for a further amended complaint. Discovery due by 6/25/2016. Dispositive Motions due by 7/25/2016. Telephonic Status Conference set for 5/13/2016 at 10:00 AM before the Magistrate Judge. The information needed for counsel to participate in this telephonic conference will be provided by a separate notification at a later date. Signed by Magistrate Judge William G. Hussmann, Jr. (copy mailed to Plaintiff) (TMB) (Entered: 12/29/2015)
01/23/2016	124	NOTICE of Appearance by Andrea Lynn Ciobanu on behalf of Plaintiff MICHAEL MCINTOSH. (Ciobanu, Andrea) (Entered: 01/23/2016)
01/23/2016	125	NOTICE of Appearance by Alex Maurice Beeman on behalf of Plaintiff MICHAEL MCINTOSH. (Beeman, Alex) (Entered: 01/23/2016)
01/25/2016	126	CERTIFICATE OF SERVICE by MICHAEL MCINTOSH re 125 Notice of Appearance (Beeman, Alex) (Entered: 01/25/2016)
01/25/2016	127	CERTIFICATE OF SERVICE by MICHAEL MCINTOSH re 124 Notice of Appearance (Ciobanu, Andrea) (Entered: 01/25/2016)
02/01/2016	128	Reassignment of Case to Magistrate Judge Mark J. Dinsmore. Magistrate Judge William G. Hussmann, Jr., is no longer assigned to the case. Please include the new case number (2:14-cv-0099-WTL-MJD), which includes the initials of the newly assigned judge, on all future filings in this matter. (JD) (Entered: 02/01/2016)
02/03/2016	129	SCHEDULING ORDER - Since counsel has entered and appearance on behalf of the Plaintiff, the telephonic status conference scheduled for May 13, 2016 at 10:00 a.m. is VACATED and rescheduled for Friday, February 12, 2016 at 4:00 p.m. (Eastern). The purpose of the conference is to discuss case status. Counsel shall attend the status conference by calling the designated telephone number, to be provided by the Court via email generated by the Court's ECF system. Signed by Magistrate Judge Mark J. Dinsmore on 2/3/2016. (GSO) (Entered: 02/03/2016)
02/16/2016	131	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 2/12/2016. The parties reported on case status. The Court will issue a Case Management Order, with dates to which the parties agreed. Settlement Conference set for 11/17/2016 at 09:00 AM (Eastern) in room #257, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Magistrate Judge Mark J. Dinsmore. Status

		Conference set for 3/14/2016 at 10:30 AM (Eastern) in Telephonic before Magistrate Judge Mark J. Dinsmore. *see order for additional information and deadlines* Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 02/16/2016)
02/16/2016	132	ORDER: CASE MANAGEMENT PLAN APPROVED AS AMENDED - Dispositive motions are expected and shall be filed by September 9, 2016; all discovery shall be completed by August 12, 2016. (See Order.) Signed by Magistrate Judge Mark J. Dinsmore on 2/16/2016. (GSO) (Entered: 02/16/2016)
02/17/2016	133	ANSWER to 97 Amended Complaint , filed by COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION.(Allega, Robert) (Entered: 02/17/2016)
02/23/2016	134	<i>Corizon's</i> ANSWER to 97 Amended Complaint (<i>Second</i>), filed by CORIZON. (Dillon, Carol) (Entered: 02/23/2016)
02/29/2016	135	***PLEASE DISREGARD - See 137 *** Witness List (<i>Preliminary</i>), filed by Plaintiff MICHAEL MCINTOSH, Exhibit List (<i>Preliminary</i>), filed by Plaintiff MICHAEL MCINTOSH. (Beeman, Alex) Modified on 3/1/2016 (GSO). (Entered: 02/29/2016)
02/29/2016	136	***PLEASE DISREGARD - See 138 *** NOTICE of Service of Initial Disclosures , filed by Plaintiff MICHAEL MCINTOSH. (Beeman, Alex) Modified on 3/1/2016 (GSO). (Entered: 02/29/2016)
02/29/2016	137	Witness List (<i>Preliminary</i>), filed by Plaintiff MICHAEL MCINTOSH, Exhibit List (<i>Preliminary</i>) (<i>With Corrected Case Number</i>), filed by Plaintiff MICHAEL MCINTOSH. (Beeman, Alex) (Entered: 02/29/2016)
02/29/2016	138	NOTICE of Service of Initial Disclosures (<i>With Corrected Case Number</i>), filed by Plaintiff MICHAEL MCINTOSH. (Beeman, Alex) (Entered: 02/29/2016)
02/29/2016	139	***PLEASE DISREGARD - See 140 *** Exhibit List (<i>Preliminary</i>), filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Allega, Robert) Modified on 3/1/2016 (GSO). (Entered: 02/29/2016)
02/29/2016	140	Exhibit List (<i>Preliminary</i>) (<i>With Correct Exhibit List</i>), filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Allega, Robert) (Entered: 02/29/2016)
02/29/2016	141	Witness List (<i>Preliminary</i>), filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Allega, Robert) (Entered: 02/29/2016)
03/10/2016	143	Witness List (<i>Preliminary</i>), filed by Defendant CORIZON, Exhibit List (<i>Preliminary</i>), filed by Defendant CORIZON. (Dillon, Carol) (Entered: 03/10/2016)

03/15/2016	144	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 3/14/2016. The parties discussed the status of and future plans for discovery. Status Conference set for 4/29/2016 at 10:30 AM in Telephonic before Magistrate Judge Mark J. Dinsmore. *see order for additional information* Signed by Magistrate Judge Mark J. Dinsmore. (NLR) (Entered: 03/15/2016)
05/03/2016	146	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Status Conference held on 4/29/2016. The parties discussed the status of and future plans for discovery. Status Conference set for 6/14/2016 at 10:30 AM (Eastern) in Telephonic before Magistrate Judge Mark J. Dinsmore. *See order for additional information.* Signed by Magistrate Judge Mark J. Dinsmore. (GD) (Entered: 05/04/2016)
05/22/2016	147	MOTION to Withdraw Attorney Appearance (<i>for Andrea Ciobanu and Alex Beeman</i>), filed by Plaintiff MICHAEL MCINTOSH. (Attachments: # 1 Text of Proposed Order)(Beeman, Alex) (Entered: 05/22/2016)
05/27/2016	148	SCHEDULING ORDER: EX PARTE Motion Hearing on counsel for Plaintiff's Motion to Withdraw Attorney Appearance set for 6/7/2016 at 10:30 AM (Eastern Time) in Telephonic before Magistrate Judge Mark J. Dinsmore. Plaintiff Michael McIntosh is ordered to appear telephonically along with his counsel of record Andrea Ciobanu and/or Alex Beeman. Counsel for Defendants may not participate in this hearing. Participating parties shall attend the hearing by calling 1-877-873-8017, Access Code 7786882, and Security Code 140099. Counsel for Plaintiff are ordered to serve this order on Plaintiff and file proof of such service by no later than June 3, 2016. The hearing will be vacated if other counsel for Plaintiff enters an appearance in advance of the hearing. Signed by Magistrate Judge Mark J. Dinsmore on 5/27/2016.(MAC) (Entered: 05/27/2016)
05/27/2016	149	ORDER to make Plaintiff available to Kindred Transitional Care & Rehabilitation for telephonic hearing. Copy to Kindred via U.S. Mail. Signed by Magistrate Judge Mark J. Dinsmore on 5/27/2016.(MAC) (Entered: 05/27/2016)
06/01/2016	150	NOTICE of Service of Scheduling Order, filed by Plaintiff MICHAEL MCINTOSH, re 148 Scheduling Order. (Beeman, Alex) (Entered: 06/01/2016)
06/07/2016	151	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Ex Parte Hearing held on 6/7/2016 re 147 MOTION to Withdraw Attorney Appearance 147 . That motion is hereby GRANTED and the appearances of Alex Beeman, Andrea Ciobanu and the law firm Ciobanu Law, P.C. are hereby WITHDRAWN. Mr. McIntosh is reminded that all discovery is scheduled to be completed in this matter by no later than August 12, 2016. The Court sua sponte enlarged the time for Plaintiff to respond to Defendants' presently pending Request for Admissions to and including June 24, 2016. *See order for additional information.* (Copies & distribution to Plaintiff via U.S. mail.) Signed by Magistrate Judge Mark J. Dinsmore. (GD) (Entered: 06/07/2016)

06/07/2016	152	SCHEULING ORDER: Pursuant to the Court's Order dated May 3, 2016 146 , this matter is set for a telephonic status conference on Tuesday, June 14, 2016 at 10:30 a.m. (Eastern). The parties shall attend the conference by calling 1-877-336-1839, Access Code 4951264, and Security Code 140099. Signed by Magistrate Judge Mark J. Dinsmore on 6/7/2016. (Distribution to Plaintiff via U.S. Mail.)(GD) (Entered: 06/07/2016)
06/07/2016	153	ORDER to Make Plaintiff Available to Kindred Transitional Care & Rehabilitation for Telephonic Status Conference on 6/14/2016 at 10:30 AM (Eastern) by calling 1-877- 873-339-1839, Access Code 4651264, and Security Code 140099. Signed by Magistrate Judge Mark J. Dinsmore on 6/7/2016. (Distribution to Kindred Transitional Care & Rehabilitation via U.S. Mail.) (GD) (Entered: 06/07/2016)
06/14/2016	154	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Status Conference held on 6/14/2016. The parties discussed the status of and future plans for discovery and reported that liability discovery is nearly complete. Telephonic Status Conference set for 10/18/2016 at 10:30 AM (Eastern Time) before Magistrate Judge Mark J. Dinsmore. The parties shall attend the conference by calling 1-877-336-1839, Access Code 4951264, and Security Code 140099. *See order for additional information.* Signed by Magistrate Judge Mark J. Dinsmore. (Distribution to Plaintiff via U.S. mail.) (GD) (Entered: 06/16/2016)
06/16/2016	155	ORDER TO MAKE PLAINTIFF AVAILABLE - Anne Orban, Kindred Transitional Care & Rehabilitation - Greenwood. You or your designee(s) are ORDERED to make Michael McIntosh available to participate in a telephonic status conference at the time and date specified in this Order by calling 1-877-873-339-1839, Access Code 4951264, and Security Code 14009 re 154 Status Conference Set Hearings on October 18, 2016. Copy distributed pursuant to distribution list. Signed by Magistrate Judge Mark J. Dinsmore on 6/17/2016. (BRR) (Entered: 06/17/2016)
07/01/2016	156	Witness List (<i>Final</i>), filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION, Exhibit List (<i>Final</i>), filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Allega, Robert) (Entered: 07/01/2016)
08/16/2016	157	Exhibit List , filed by Defendant CORIZON, Witness List , filed by Defendant CORIZON. (Dillon, Carol) (Entered: 08/16/2016)
09/01/2016	158	MOTION to Strike 97 Amended Complaint , filed by Defendant CORIZON. (Attachments: # 1 Exhibit A. Deposition of Michael McIntosh, # 2 Text of Proposed Order)(Dillon, Carol) (Entered: 09/01/2016)
09/06/2016	159	MOTION for Extension of Time to in which to 132 Order: Case ManagementScheduling Order , filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Attachments: # 1 Text of Proposed Order Extending Dispositive Motion Deadline)(Allega, Robert) (Entered: 09/06/2016)

09/06/2016	160	MOTION to Strike 158 MOTION to Strike 97 Amended Complaint , filed by Defendants COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION. (Attachments: # 1 Text of Proposed Order Granting State Defendants' Motion to Strike Plaintiff's Second Amended Complaint)(Allega, Robert) (Entered: 09/06/2016)
09/09/2016	161	MOTION for Extension of Time to 30 days in which to 132 Order: Case ManagementScheduling Order , filed by Defendant CORIZON. (Attachments: # 1 Text of Proposed Order Extending Dispositive Motion Deadline)(Dillon, Carol) (Entered: 09/09/2016)
09/20/2016	162	SCHEDULING ORDER - Telephonic Status Conference set for 9/30/2016 09:00 AM (Eastern Time) before Magistrate Judge Mark J. Dinsmore. The purpose of the conference is to discuss the issues raised in Defendants' Motions to Extend Dispositive Motion Deadline. [Dkts. 159 and 161 .] The parties shall attend the conference by calling 1-877- 873-8017, Access Code 7786882, and Security Code 140099. The Clerk is directed to send a copy of the Second Amended Complaint with Jury Demand [Dkt. 97] to Plaintiff with his copy of this order. Copies to Plaintiff via US Mail. Signed by Magistrate Judge Mark J. Dinsmore on 9/20/2016.(BRR) (Entered: 09/20/2016)
09/30/2016	163	Mail Returned as undeliverable. 162 Scheduling Order sent to MICHAEL MCINTOSH. (BRR) (Entered: 10/03/2016)
10/03/2016	164	ORDER REASSIGNING CASE. Clerk is directed to reassign case to Judge Larry J. McKinney. Signed by Judge Richard L. Young on 10/3/2016. (RSF) (Entered: 10/03/2016)
10/03/2016	165	NOTICE of Reassignment of Case to Judge Larry J. McKinney. Judge William T. Lawrence no longer assigned to the case. Please include the new case number, 2:14-cv-00099-LJM-MJD , on all future filings in this matter. (RSF) (Entered: 10/03/2016)
10/04/2016	166	NOTICE of Substitution of Appearance by Betsy M. Isenberg replacing <i>Jefferson S. Garn</i> on behalf of COMMISSIONER INDIANA DEPARTMENT OF CORRECTION, INDIANA DEPARTMENT OF CORRECTION (Isenberg, Betsy) (Entered: 10/04/2016)
10/05/2016	167	MARGINAL ENTRY - Substitution of counsel is acknowledged. Jefferson S. Garn is withdrawn as counsel of record for State Defendants. Signed by Judge Larry J. McKinney on 10/5/2016.(RSF) (Entered: 10/05/2016)
10/06/2016	168	MINUTE ORDER for proceedings held before Magistrate Judge Mark J. Dinsmore: Telephonic Status Conference held on 9/30/2016. The Court and parties discussed the pending motions. The Clerk is directed to show the First Amended Complaint [Dkt. 50] and Second Amended Complaint [Dkt. 97] as WITHDRAWN. This matter shall proceed henceforth pursuant to the original Complaint [Dkt. 2] as screened by the Court [Dkt. 7]. The approved Case Management Plan [Dkt. 132] is hereby amended as follows: II. Discovery and Dispositive Motions B. Dispositive Motions due by 12/9/2016. Discovery due

		by 11/10/2016. All other requirements of the approved Case Management Plan [Dkt. 132] remain in effect. Defendant Corizon's Motion to Strike Plaintiff's Second Amended Complaint [Dkt. 158], State Defendants' Motion to Extend Dispositive Motion Deadline [Dkt. 159], State Defendants' Motion to Strike Plaintiff's Second Amended Complaint [Dkt. 160], and Defendant Corizon, Inc.'s Motion to Extend Dispositive Motion Deadline [Dkt. 161] all DENIED AS MOOT. Settlement Conference remains scheduled at 9:00 a.m. (Eastern) on November 17, 2016. [Dkt. 131 at 1-5.] The Clerk is directed to include a copy of Docket No. 131 with the copy of this order mailed to Mr. McIntosh. Telephonic Status Conference previously scheduled for October 18, 2016 [Dkts. 154 & 155] is VACATED. Signed by Magistrate Judge Mark J. Dinsmore. (Distribution via U.S. Mail to Plaintiff with copy of Dkt. 131 .) Signed by Magistrate Judge Mark J. Dinsmore. (GD) (Entered: 10/06/2016)
10/18/2016	169	Mail Returned as undeliverable 168 Order on Motion to Strike, Order on Motion for Extension of Time to File sent to MICHAEL MCINTOSH. Unable to forward/vacant. Mailed to 1301 N. Ritter Ave., Apt. 232, Indy, IN 46219. (RSF) (Entered: 10/19/2016)
10/24/2016	170	SCHEDULING ORDER: The Court, being duly advised by the approved Case Management Plan and the Minute Order from the Telephonic Status Conference held on September 30, 2016, hereby sets the Jury Trial in this matter to begin on Wednesday, August 23, 2017, at 9:00 a.m., in Courtroom 131; and the Final Pretrial Conference for Thursday, August 10, 2017, at 10:00 a.m., in Conference Room, United States Courthouse, 921 Ohio Street, Terre Haute, Indiana, at which time Plaintiff Michael McIntosh, pro se, shall appear and Defendants shall appear by counsel to discuss all matters preparatory for trial. Copy sent to Plaintiff via US Mail. Signed by Judge Larry J. McKinney on 10/24/2016.(DW) Modified on 10/24/2016 (DW). (Entered: 10/24/2016)
10/25/2016		Remark re 168 MINUTE ORDER - Copies resent per conversation with facility confirming address. (LDH) (Entered: 10/25/2016)
11/09/2016	171	***STRICKEN per 172 ORDER*** THIRD AMENDED COMPLAINT against RICHARD BROWN, CORIZON, INDIANA DEPARTMENT OF CORRECTION, THERESA LITTLEJOHN, filed by MICHAEL MCINTOSH. (Attachments: # 1 Envelope)(DW) Modified on 11/16/2016 (DW). (Entered: 11/10/2016)
11/15/2016	172	ORDER: Plaintiff Michael McIntosh ("McIntosh"), pro se, has filed a Third Amended Complaint. Dkt. No. 171 . However, this case has progressed far beyond the pleading stage, and in fact, is in its final stages. As such, McIntosh must file a motion for leave to file any amendments to his Complaint pursuant to Rule 15 of the Federal Rules of Civil Procedure. The Third Amended Complaint is hereby STRICKEN until leave is sought and granted under the applicable Rules and caselaw. Copy sent to Plaintiff via US Mail. Signed by Judge Larry J. McKinney on 11/15/2016.(DW) (Entered: 11/15/2016)
11/16/2016	173	SCHEDULING ORDER: Plaintiff Michael McIntosh has notified the Court

		that he does not plan to attend the November 17, 2016 Settlement Conference as ordered. [Dkt. 131 .] Therefore, the Court now VACATES the Settlement Conference scheduled for November 17, 2016 at 9:00 a.m. Signed by Magistrate Judge Mark J. Dinsmore on 11/16/2016.(DW) (Entered: 11/16/2016)
11/17/2016	174	MOTION to Investigate, filed by Plaintiff MICHAEL MCINTOSH. (Attachments: # 1 Envelope)(DW) (Entered: 11/18/2016)
11/21/2016	175	SCHEDULING ORDER: Plaintiff Michael McIntosh has filed a motion seeking a hearing on allegations that Defendants and certain attorneys of Defendants improperly "hacked" his cell phone in order to access conversations between Mr. McIntosh and his once-appointed attorney Kent Hull and/or that Defendants and their attorneys caused both of his appointed attorneys to resign or otherwise be removed from the case. Dkt. No. 174 . Because of the seriousness of the allegations, the Court hereby SETS a hearing on these issues for Tuesday, December 6, 2016, at 2:00 p.m., in Courtroom 131, United States Courthouse, 921 Ohio Street, Terre Haute, Indiana, at which time the parties shall appear with counsel to answer to Plaintiff Michael McIntosh's allegations. Copy sent to Plaintiff via US Mail. Signed by Judge Larry J. McKinney on 11/21/2016. (DW) (Entered: 11/21/2016)
11/30/2016	176	SCHEDULING ORDER: By order dated November 21, 2016, the Court set a hearing on Plaintiff Michael McIntosh's motion alleging improper behavior by Defendants and their attorneys for Tuesday, December 6, 2016, at 2:00 p.m., in Terre Haute, Indiana. Given that Plaintiff Michael McIntosh currently resides in Indianapolis and that Defendants' attorneys are in Indianapolis, the hearing is hereby RESET for the same day and time, Tuesday, December 6, 2016, at 2:00 p.m., but will take place in Courtroom 246, Birch Bayh Federal Building and United States Courthouse, 46 East Ohio Street, Indianapolis, Indiana. Copy sent to Plaintiff via US Mail. Signed by Judge Larry J. McKinney on 11/30/2016.(DW) (Entered: 11/30/2016)
12/06/2016	177	MINUTE ORDER for hearing on 174 Plaintiff's Motion to Investigate held before Judge Larry J. McKinney on 12/6/2016. Plaintiff appears in person, pro se. Defendants appear by counsel. Plaintiff McIntosh is sworn. Testimony is heard. The Court DENIES his Motion to Investigate, but will appoint McIntosh an attorney to help him investigate the allegations in his motion, to discuss settlement, and to further represent him in this action. Defendants move to extend the deadlines to file dispositive motions thirty days. The Court GRANTS the motion. The discovery and dispositive motion deadline is hereby RESET for February 10, 2017. Signed by Judge Larry J. McKinney. (Court Reporter Cathy Jones.) Copies sent per distribution list.(LDH) (Entered: 12/06/2016)

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