

**United States District Court
Western District of Michigan (Southern Division (1))
CIVIL DOCKET FOR CASE #: 1:11-cv-00170-JTN**

McAdam v. Warmuskerken et al
Assigned to: Judge Janet T. Neff
Demand: \$75,000
Cause: 42:1983 Other Civil Rights

Date Filed: 02/17/2011
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

plaintiff

Joseph M. McAdam

represented by **Joshua Patrick Fahlsing**
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ATTORNEY TO BE NOTICED

V.

defendant

Matthew Warmuskerken
Officer

represented by **Allan C. Vander Laan**
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defendant

Derek Wilson
Deputy

represented by **Jason D. Kolkema**
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defendant

Oscar Davila
Deputy

represented by **Jason D. Kolkema**
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defendant

Ludington, City of
TERMINATED: 12/19/2011

represented by **Allan C. Vander Laan**
(See above for address)
ATTORNEY TO BE NOTICED

Andrew James Brege
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defendant

Mason, County of

represented by **Jason D. Kolkema**
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Patrick A. Aseltyne
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interested party

**Michigan Department of Licensing and
Regulatory Affairs, Unemployment
Insurance Agency**

represented by **Thomas C. Johnson**
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(Labor/Unemployment-GR)
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interested party

**Michigan Municipal Risk Management
Authority**

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ATTORNEY TO BE NOTICED

V.

mediator

Facilitative Mediator

represented by **Bruce W. Neckers**
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Date Filed	#	Docket Text
02/17/2011	<u>1</u>	COMPLAINT with jury demand against All Defendants filed by Joseph M McAdam(Vander Ark, Steven) (Entered: 02/17/2011)
02/17/2011	<u>2</u>	NOTICE re <u>1</u> Summons by plaintiff Joseph M McAdam (Attachments: # <u>1</u> Summons Officer Matthew Warmuskerken, # <u>2</u> Summons Deputy Derek Wilson, # <u>3</u> Summons Deputy Oscar Davila, # <u>4</u> Summons City of Ludington, # <u>5</u> Summons County of Mason)(Vander Ark, Steven) (Entered: 02/17/2011)
02/17/2011		RECEIPT: in the amount of \$350.00, receipt number 0646-1874994; for filing fee (mkc) (Entered: 02/17/2011)
02/17/2011	<u>3</u>	NOTICE that this electronically-filed case has been assigned to Judge Janet T. Neff (rmw) (Entered: 02/17/2011)
02/17/2011		SUMMONS ISSUED as to defendants Oscar Davila, Ludington, City of, Mason, County of, Matthew Warmuskerken, Derek Wilson and returned to attorney for plaintiff (rmw) (Entered: 02/17/2011)
03/03/2011	<u>4</u>	ACKNOWLEDGMENT OF SERVICE on behalf of Oscar Davila served on 2/25/2011, answer due 3/18/2011 (Vander Ark, Steven) (Entered: 03/03/2011)
03/03/2011	<u>5</u>	ACKNOWLEDGMENT OF SERVICE on behalf of Derek Wilson served on 2/25/2011, answer due 3/18/2011 (Vander Ark, Steven) (Entered: 03/03/2011)
03/03/2011	<u>6</u>	SUMMONS returned executed; Mason, County of served on 2/23/2011, answer due 3/16/2011 (Vander Ark, Steven) (Entered: 03/03/2011)
03/03/2011	<u>7</u>	SUMMONS returned executed; Matthew Warmuskerken served on 2/23/2011, answer due 3/16/2011 (Vander Ark, Steven) (Entered: 03/03/2011)
03/03/2011	<u>8</u>	SUMMONS returned executed; Ludington, City of served on 2/23/2011, answer due 3/16/2011 (Vander Ark, Steven) (Entered: 03/03/2011)
03/08/2011		(NON-DOCUMENT) ATTORNEY APPEARANCE of Allan C. Vander Laan on behalf of defendants Ludington, City of, Matthew Warmuskerken (Vander Laan, Allan) (Entered: 03/08/2011)
03/08/2011		(NON-DOCUMENT) ATTORNEY APPEARANCE of Andrew James Brege on behalf of defendants Ludington, City of, Matthew Warmuskerken (Brege, Andrew) (Entered: 03/08/2011)
03/09/2011	<u>9</u>	PROPOSED STIPULATION & ORDER regarding <i>Extending Time for Defendants Warmuskerken & City of Ludington to Answer Complaint</i> by defendants Ludington, City of, Matthew Warmuskerken (Vander Laan, Allan) Modified text on 3/10/2011 (lkd). (Entered: 03/09/2011)
03/10/2011	<u>10</u>	ORDER granting PROPOSED ORDER <u>9</u> ; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 03/10/2011)
03/14/2011		(NON-DOCUMENT) ATTORNEY APPEARANCE of Patrick A. Aseltyne on behalf of defendants Oscar Davila, Mason, County of, Derek Wilson (Aseltyne, Patrick) (Entered: 03/14/2011)
03/14/2011		(NON-DOCUMENT) ATTORNEY APPEARANCE of Jason D. Kolkema on behalf of defendants Oscar Davila, Mason, County of, Derek Wilson (Kolkema, Jason) (Entered: 03/14/2011)
03/23/2011	<u>11</u>	PROPOSED STIPULATION and ORDER to <i>File a Response to Plaintiff's Complaint</i> by defendants Oscar Davila, Mason, County of, Derek Wilson (Aseltyne, Patrick) (Entered: 03/23/2011)

03/23/2011	<u>12</u>	ORDER granting STIPULATION <u>11</u> ; Defendants Derek Wilson, Oscar Davila and the County of Mason shall have until March 31, 2011 within which to file a response to the complaint; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 03/23/2011)
03/29/2011	<u>13</u>	ANSWER to complaint <u>1</u> , <i>Affirmative Defenses and Reliance Upon Jury Demand</i> by Ludington, City of, Matthew Warmuskerken (Vander Laan, Allan) (Entered: 03/29/2011)
03/31/2011	<u>14</u>	<i>Defendants'</i> ANSWER to complaint <u>1</u> with affirmative defenses and jury demand <i>with Proof of Service</i> by Oscar Davila, Mason, County of, Derek Wilson (Kolkema, Jason) (Entered: 03/31/2011)
04/01/2011	<u>15</u>	ORDER setting Rule 16 scheduling conference: Rule 16 scheduling conference is set for 5/5/2011 at 10:00 AM at 401 Federal Building, Grand Rapids, MI before Judge Janet T. Neff; status report due by 4/27/2011; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 04/01/2011)
04/22/2011	<u>16</u>	JOINT STATUS REPORT (Vander Ark, Steven) (Entered: 04/22/2011)
05/05/2011	<u>17</u>	NOTICE REGARDING RULE 16 SCHEDULING CONFERENCE; Rule 16 scheduling conference rescheduled to 7/7/2011 at 01:30 PM at 401 Federal Building, Grand Rapids, MI before Judge Janet T. Neff; amended joint status report is due 6/27/11; (Judge Janet T. Neff, rmw) (Entered: 05/05/2011)
05/09/2011	<u>18</u>	PROPOSED STIPULATION and ORDER <i>Allowing Filing of First Amended Complaint</i> by plaintiff Joseph M. McAdam (Vander Ark, Steven) (Entered: 05/09/2011)
05/09/2011	<u>19</u>	PROPOSED STIPULATION and ORDER <i>to Allow Limited Discovery Prior to Rule 16 Conference</i> by plaintiff Joseph M. McAdam (Vander Ark, Steven) (Entered: 05/09/2011)
05/10/2011		(NON-DOCUMENT) ORDER REFERRING PROPOSED STIPULATION and ORDER <i>Allowing Filing of First Amended Complaint</i> by plaintiff Joseph M. McAdam <u>18</u> and PROPOSED STIPULATION and ORDER <i>to Allow Limited Discovery Prior to Rule 16 Conference</i> by plaintiff Joseph M. McAdam <u>19</u> to Magistrate Judge Ellen S. Carmody pursuant to 28 U.S.C. 636(b)(1)(A); signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 05/10/2011)
05/10/2011	<u>20</u>	ORDER granting STIPULATION <u>18</u> <i>Allowing Filing of First Amended Complaint</i> by 5/20/2011; signed by Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 05/10/2011)
05/10/2011	<u>21</u>	ORDER granting STIPULATION <u>19</u> <i>to Allow Limited Discovery Prior to Rule 16 Conference</i> ; signed by Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 05/10/2011)
05/11/2011	<u>22</u>	<i>First AMENDED COMPLAINT</i> against All Defendants filed by Joseph M. McAdam (Vander Ark, Steven) (Entered: 05/11/2011)
05/24/2011	<u>23</u>	ANSWER to Amended Complaint <u>22</u> with affirmative defenses <i>and Reliance Upon Jury Demand</i> by Ludington, City of, Matthew Warmuskerken (Vander Laan, Allan) (Entered: 05/24/2011)
05/27/2011	<u>24</u>	<i>County Defendants'</i> ANSWER to Amended Complaint <u>22</u> with affirmative defenses and jury demand <i>with Proof of Service</i> by Oscar Davila, Mason, County of, Derek Wilson (Kolkema, Jason) (Entered: 05/27/2011)
06/27/2011	<u>25</u>	JOINT STATUS REPORT <i>Amended</i> (Vander Ark, Steven) (Entered: 06/27/2011)
07/01/2011	<u>26</u>	CERTIFICATE OF SERVICE by defendants Ludington, City of, Matthew Warmuskerken <i>RE: Responses to Plaintiff's Request for Production of Documents</i> (Vander Laan, Allan) (Entered: 07/01/2011)
07/06/2011	<u>27</u>	PROPOSED ORDER regarding <i>disclosure of Defendants' personnel files</i> by defendants Oscar Davila, Mason, County of, Derek Wilson (Kolkema, Jason) (Entered: 07/06/2011)

07/07/2011	<u>28</u>	PROTECTIVE ORDER granting PROPOSED ORDER <u>27</u> ; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 07/07/2011)
07/07/2011	<u>29</u>	MINUTES of scheduling conference held before Judge Janet T. Neff; Case Management Order to issue; (not recorded) (Judge Janet T. Neff, rmw) (Entered: 07/07/2011)
07/08/2011	<u>30</u>	CASE MANAGEMENT ORDER: settlement conference set for 6/22/2012 at 02:00 PM at 654 Federal Building, Grand Rapids, MI before Magistrate Judge Ellen S. Carmody; final pretrial conference set for 7/23/2012 at 10:30 AM at 401 Federal Building, Grand Rapids, MI before Judge Janet T. Neff; jury trial set for 7/31/2012 at 09:00 AM at 401 Federal Building, Grand Rapids, MI before Judge Janet T. Neff; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 07/08/2011)
07/20/2011	<u>31</u>	SELECTION of Bruce W. Neckers as facilitative mediator by plaintiff Joseph M. McAdam(Fahlsing, Joshua) (Entered: 07/20/2011)
07/27/2011	<u>32</u>	NOTICE of appointment of Facilitative Mediator Bruce W. Neckers ; plaintiff VFM fee to be submitted by 8/3/2011; defendant VFM fee to be submitted by 8/3/2011(lep) (Entered: 07/27/2011)
07/28/2011	<u>33</u>	PROPOSED STIPULATION and ORDER <i>compelling discovery</i> by plaintiff Joseph M. McAdam (Vander Ark, Steven) Modified text on 7/29/2011 (pjl) (Entered: 07/28/2011)
07/28/2011		(NON-DOCUMENT) ORDER REFERRING PROPOSED STIPULATION and ORDER <i>Compelling Discovery</i> by plaintiff Joseph M. McAdam <u>33</u> to Magistrate Judge Ellen S. Carmody pursuant to 28 U.S.C. 636(b)(1)(A); signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 07/28/2011)
07/29/2011	<u>34</u>	ORDER granting STIPULATION <u>33</u> compelling discovery; signed by Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, jal) (Entered: 07/29/2011)
07/29/2011		VFM FEE RECEIVED in the amount of \$25.00, check number 11956 as to plaintiff Joseph M. McAdam(lep) (Entered: 08/01/2011)
08/01/2011		VFM FEE RECEIVED in the amount of \$25.00, check number 106834 as to defendants Oscar Davila, Ludington, City of, Mason, County of, Matthew Warmuskerken, Derek Wilson(lep) (Entered: 08/01/2011)
08/04/2011	<u>35</u>	PROOF OF SERVICE by plaintiff Joseph M. McAdam <i>of Plaintiff's Rule 26 Disclosure and Notice of Expert Witnesses</i> (Vander Ark, Steven) (Entered: 08/04/2011)
08/05/2011	<u>36</u>	PROOF OF SERVICE by defendants Ludington, City of, Matthew Warmuskerken <i>Rule 26(a)(1) Disclosures</i> (Vander Laan, Allan) (Entered: 08/05/2011)
09/07/2011	<u>37</u>	CERTIFICATE OF SERVICE by defendants Ludington, City of, Matthew Warmuskerken <i>RE: Expert Witness Disclosures</i> (Vander Laan, Allan) (Entered: 09/07/2011)
09/26/2011	<u>38</u>	PROOF OF SERVICE by plaintiff Joseph M. McAdam <i>as to service of a Subpoena on TASER International, Inc.</i> (Attachments: # <u>1</u> Attachment Return Receipt Cards)(Vander Ark, Steven) (Entered: 09/26/2011)
09/26/2011	<u>39</u>	CERTIFICATE OF SERVICE by defendants Ludington, City of, Matthew Warmuskerken <i>RE: Interrogatories and Request for Production of Documents/Authorizations to Plaintiff</i> (Vander Laan, Allan) (Entered: 09/26/2011)
09/28/2011	<u>40</u>	CERTIFICATE OF SERVICE by defendants Ludington, City of, Matthew Warmuskerken <i>RE: Amended Responses to Plaintiff's Request for Production of Documents</i> (Vander Laan, Allan) (Entered: 09/28/2011)
10/11/2011	<u>41</u>	CERTIFICATE OF SERVICE by defendants Ludington, City of, Matthew Warmuskerken <i>RE: Notices of Deposition, Subpoenas to Holly Luft, Ruth Holmes, Susan Toll, Jonathan Russell, Michelle Koster and Susan McAdam</i> (Vander Laan, Allan) (Entered: 10/11/2011)

10/26/2011	<u>42</u>	PROOF OF SERVICE by plaintiff Joseph M. McAdam <i>Regarding Service of Plaintiff's Answers to Defendant City's Interrogatories and Requests for Production of Documents/Authorizations for Release of Information Directed to Plaintiff</i> (Vander Ark, Steven) (Entered: 10/26/2011)
10/27/2011	<u>43</u>	PROOF OF SERVICE by plaintiff Joseph M. McAdam <i>Plaintiffs Requests to Admit to Defendants County of Mason, Deputy Oscar Davila, and Deputy Derek Wilson, Interrogatories to Defendants County of Mason, Deputy Oscar Davila, and Deputy Derek Wilson, and Second Set of Requests to Produce to Defendants County of Mason, Deputy Oscar Davila, and Deputy Derek Wilson</i> (Vander Ark, Steven) (Entered: 10/27/2011)
10/27/2011	<u>44</u>	PROOF OF SERVICE by plaintiff Joseph M. McAdam <i>Plaintiffs Requests to Admit to Defendants City of Ludington and Officer Matthew Warmuskerken and Interrogatories to Defendants City of Ludington and Officer Matthew Warmuserken</i> (Vander Ark, Steven) (Entered: 10/27/2011)
11/03/2011	<u>45</u>	PROOF OF SERVICE by plaintiff Joseph M. McAdam <i>Expert Report of Melvin L. Tucker</i> (Vander Ark, Steven) (Entered: 11/03/2011)
11/07/2011	<u>46</u>	CERTIFICATE OF SERVICE by defendants Ludington, City of, Matthew Warmuskerken <i>RE: Expert Report of Dr. Robert Parsons</i> (Vander Laan, Allan) (Entered: 11/07/2011)
11/11/2011	<u>47</u>	CERTIFICATE OF SERVICE by defendants Ludington, City of, Matthew Warmuskerken <i>First Amended Deposition Notices of Susan McAdam, Jonathan M. Russell, Dr. Michelle Kuster, Ruth Holmes RN, Susan L. Toll RN and Holly J. Luft RN</i> (Vander Laan, Allan) (Entered: 11/11/2011)
11/16/2011	<u>48</u>	CERTIFICATE OF SERVICE by defendants Ludington, City of, Matthew Warmuskerken <i>RE: Answers to Plaintiff's Requests for Admissions</i> (Vander Laan, Allan) (Entered: 11/16/2011)
11/17/2011	<u>49</u>	PROOF OF SERVICE by plaintiff Joseph M. McAdam for a subpoena to produce documents for and on behalf of Michigan Municipal Risk Management Authority (Vander Ark, Steven) Modified text on 11/18/2011 (pjw) (Entered: 11/17/2011)
11/17/2011	<u>50</u>	PROOF OF SERVICE by plaintiff Joseph M. McAdam for a subpoena to produce documents to Michigan Medical Center (Vander Ark, Steven) Modified text on 11/18/2011 (pjw) (Entered: 11/17/2011)
11/17/2011	<u>51</u>	PROOF OF SERVICE by plaintiff Joseph M. McAdam <i>re: Subpoena to Produce Documents to Michigan Medical Center with Addendum</i> (Attachments: # <u>1</u> Attachment Return Receipt)(Vander Ark, Steven) Modified text on 11/18/2011 (pjw) (Entered: 11/17/2011)
11/22/2011	<u>52</u>	CERTIFICATE OF SERVICE by defendants Ludington, City of, Matthew Warmuskerken <i>Second Amended Notices of Deposition</i> (Vander Laan, Allan) (Entered: 11/22/2011)
11/28/2011	<u>53</u>	CERTIFICATE OF SERVICE by defendants Oscar Davila, Mason, County of, Derek Wilson <i>County Defendants' Response to the Plaintiff's Requests for Admissions</i> (Kolkema, Jason) (Entered: 11/28/2011)
11/30/2011	<u>54</u>	PROOF OF SERVICE by plaintiff Joseph M. McAdam <i>re: Notice of Subpoena to Produce Documents to MMRMA</i> (Vander Ark, Steven) (Entered: 11/30/2011)
11/30/2011	<u>55</u>	CERTIFICATE OF SERVICE by defendants Ludington, City of, Matthew Warmuskerken <i>RE: Notice of Duces Tecum Deposition of Melvin Tucker & Subpoena Duces Tecum of Melvin Tucker</i> (Vander Laan, Allan) (Entered: 11/30/2011)
12/05/2011	<u>56</u>	PROOF OF SERVICE by plaintiff Joseph M. McAdam <i>re: service of Subpoena with Attachment on MMRMA with return of certificate of mailing card</i> (Attachments: # <u>1</u> Exhibit Signed Certificate of Mailing Card)(Vander Ark, Steven) (Entered: 12/05/2011)
12/07/2011	<u>57</u>	FIRST REQUEST for pre-motion conference by defendants Oscar Davila, Mason, County of, Derek Wilson <i>County Defendants' Request for Pre-Motion Conference</i>

		(Kolkema, Jason) (Entered: 12/07/2011)
12/07/2011	<u>58</u>	REQUEST for pre-motion conference by defendants Ludington, City of, Matthew Warmuskerken (Brege, Andrew) (Entered: 12/07/2011)
12/13/2011	<u>59</u>	CERTIFICATE OF SERVICE by defendants Ludington, City of, Matthew Warmuskerken <i>RE: Answers to Plaintiff's First Set of Interrogatories</i> (Vander Laan, Allan) (Entered: 12/13/2011)
12/13/2011	<u>60</u>	RESPONSE TO FIRST REQUEST for pre-motion conference by defendants Oscar Davila, Mason, County of, Derek Wilson <i>County Defendants' Request for Pre-Motion Conference</i> <u>57</u> ; filed by Joseph M. McAdam (Vander Ark, Steven) (Entered: 12/13/2011)
12/13/2011	<u>61</u>	RESPONSE TO REQUEST for pre-motion conference by defendants Ludington, City of, Matthew Warmuskerken <u>58</u> ; filed by Joseph M. McAdam (Vander Ark, Steven) (Entered: 12/13/2011)
12/15/2011	<u>62</u>	PROPOSED STIPULATION and ORDER of <i>Dismissal of the Defendant City of Ludington</i> by plaintiff Joseph M. McAdam (Vander Ark, Steven) (Entered: 12/15/2011)
12/15/2011	<u>63</u>	CERTIFICATE OF SERVICE by interested party State of Michigan, Dept of Licensing & Regulatory Affairs, Unemployment Insurance Agency <i>Objection To Subpoena</i> (Johnson, Thomas) Modified text on 12/29/2011 (jlg). (Entered: 12/15/2011)
12/16/2011	<u>64</u>	MOTION to quash <i>and/or For Protective Order with Brief in Support and Certificate of Service</i> by interested party Michigan Municipal Risk Management Authority; (Attachments: # <u>1</u> Index, # <u>2</u> Exhibit A – Subpoena issued to MMRMA dated 11/30/2011, # <u>3</u> Exhibit B – U.S. v. Jones, 260 Fed. Appx. 769 (6th Cir. 2008), # <u>4</u> Exhibit C – Excerpts from Deposition of Chief Deputy Bob Brown)(Mellon, James) Modified text on 12/19/2011 (jlg). (Entered: 12/16/2011)
12/19/2011		(NON-DOCUMENT) ORDER REFERRING MOTION to quash <i>and/or for protective order</i> <u>64</u> to Magistrate Judge Ellen S. Carmody pursuant to 28 U.S.C. 636(b)(1)(A); signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 12/19/2011)
12/19/2011	<u>65</u>	ORDER OF PARTIAL DISMISSAL granting STIPULATION <u>62</u> ; Defendant City of Ludington is dismissed with prejudice and without costs; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 12/19/2011)
12/19/2011	<u>66</u>	PROOF OF SERVICE by plaintiff Joseph M. McAdam of <i>Notice of Deposition Duces Tucem, Subpoena to Produce and Subpoena Addendum on Robert Parsons</i> (Attachments: # <u>1</u> Exhibit Return Receipt Card)(Vander Ark, Steven) (Entered: 12/19/2011)
12/28/2011	<u>67</u>	RESPONSE BRIEF by plaintiff Joseph M. McAdam re <u>64</u> to MMRMA's <i>Motion to Quash and/or For Protective Order</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Vander Ark, Steven) Modified text on 12/29/2011 (pjw). (Entered: 12/28/2011)
12/28/2011	<u>68</u>	NOTICE OF MOTION HEARING regarding MMRMA's Motion to Quash and/or for Protective Order <u>64</u> : motion hearing is set for 1/11/2012 at 11:00 AM at 650 Federal Building, Grand Rapids, MI before Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 12/28/2011)
12/29/2011	<u>69</u>	ORDER: Defendant Matthew Warmuskerken shall file an amended request for pre-motion conference no later than January 5, 2012; Plaintiff shall file a response to the amended request no later than January 12, 2012; pre-motion conference is set for 1/25/2012 at 03:30 PM at 401 Federal Building, Grand Rapids, MI before Judge Janet T. Neff; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 12/29/2011)
12/29/2011	<u>70</u>	RESPONSE TO MOTION to quash <i>and/or For Protective Order</i> <u>64</u> with brief in support filed by Matthew Warmuskerken (Vander Laan, Allan) Modified text on 12/30/2011 (pjw) (Entered: 12/29/2011)

12/29/2011	<u>71</u>	NOTICE RESCHEDULING MOTION HEARING regarding MMRMA's Motion to Quash and/or for Protective Order <u>64</u> that was previously set for 1/11/2012; motion hearing is rescheduled to 1/12/2012 at 03:00 PM at 650 Federal Building, Grand Rapids, MI before Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 12/29/2011)
01/03/2012	<u>72</u>	MOTION for extension of time to complete discovery by defendants Oscar Davila, Mason, County of, Derek Wilson; (Aseltyne, Patrick) (Entered: 01/03/2012)
01/03/2012	<u>73</u>	BRIEF in support of MOTION for extension of time to complete discovery <u>72</u> with <i>Proof of Service</i> filed by Oscar Davila, Mason, County of, Derek Wilson(Aseltyne, Patrick) (Entered: 01/03/2012)
01/04/2012		(NON-DOCUMENT) ORDER REFERRING MOTION for extension of time to complete discovery <u>72</u> to Magistrate Judge Ellen S. Carmody pursuant to 28 U.S.C. 636(b)(1)(A); signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 01/04/2012)
01/04/2012	<u>74</u>	AMENDED REQUEST for pre-motion conference by defendant Matthew Warmuskerken (Vander Laan, Allan) (Entered: 01/04/2012)
01/04/2012	<u>75</u>	NOTICE re <u>72</u> <i>Notice of Errata Regarding County Defendants' Motion to Extend the Discovery Cut-Off Date</i> by defendants Oscar Davila, Mason, County of, Derek Wilson (Aseltyne, Patrick) Modified text on 1/5/2012 (jlg). (Entered: 01/04/2012)
01/05/2012	<u>76</u>	AMENDED RESPONSE TO AMENDED REQUEST for pre-motion conference by defendant Matthew Warmuskerken <u>74</u> ; filed by Joseph M. McAdam (Vander Ark, Steven) Modified text on 1/6/2012 (jlg). (Entered: 01/05/2012)
01/05/2012	<u>77</u>	RESPONSE TO MOTION to quash <i>and/or For Protective Order 64 with Proof of Service</i> filed by Oscar Davila, Mason, County of, Derek Wilson (Attachments: # <u>1</u> Exhibit Policy 03.10, # <u>2</u> Exhibit Policy 01.20a, # <u>3</u> Exhibit Dep Transcript of Fiers)(Kolkema, Jason) (Entered: 01/05/2012)
01/05/2012	<u>78</u>	RESPONSE TO MOTION for extension of time to complete discovery <u>72</u> filed by Joseph M. McAdam (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Vander Ark, Steven) Modified text on 1/6/2012 (jlg). (Entered: 01/05/2012)
01/05/2012	<u>79</u>	NOTICE OF MOTION HEARING regarding County Defendants' Motion to Extend the Discovery Cut-Off Date <u>72</u> : motion hearing is set for 1/12/2012 at 03:00 PM at 650 Federal Building, Grand Rapids, MI before Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 01/05/2012)
01/12/2012	<u>80</u>	MINUTES of motion hearing re <u>64</u> MMRMA's Motion to Quash and/or for Protective Order, taken under advisement, proposed documents to be submitted for in camera review within seven days; re <u>72</u> County Defendants' Motion to Extend the Discovery Cut-Off Date, granted, parties to submit proposed stipulated order; held before Magistrate Judge Ellen S. Carmody (Proceedings Digitally Recorded) (Magistrate Judge Ellen S. Carmody, jal) (Entered: 01/12/2012)
01/17/2012	<u>81</u>	PROPOSED ORDER regarding <i>Motion to Quash and/or for Protective Order</i> by interested party Michigan Municipal Risk Management Authority (Mellon, James) (Entered: 01/17/2012)
01/17/2012	<u>82</u>	PROPOSED ORDER regarding <i>Protective Order</i> by interested party Michigan Municipal Risk Management Authority (Mellon, James) (Entered: 01/17/2012)
01/17/2012		(NON-DOCUMENT) ORDER REFERRING PROPOSED ORDER regarding <i>Protective Order 82</i> and PROPOSED ORDER regarding <i>Motion to Quash 81</i> to Magistrate Judge Ellen S. Carmody pursuant to 28 U.S.C. 636(b)(1)(A); signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 01/17/2012)
01/20/2012	<u>83</u>	PROTECTIVE ORDER granting PROPOSED ORDER <u>82</u> ; signed by Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 01/20/2012)
01/20/2012	<u>84</u>	ORDER on PROPOSED ORDER <u>81</u> , taking under advisement <u>64</u> MMRMA's Motion to Quash and/or for Protective Order; signed by Magistrate Judge Ellen S.

		Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 01/20/2012)
01/20/2012	<u>85</u>	PROPOSED STIPULATION and ORDER <i>Extending Discovery Cut-Off</i> by defendants Oscar Davila, Mason, County of, Derek Wilson (Aseltyne, Patrick) (Entered: 01/20/2012)
01/23/2012		(NON-DOCUMENT) ORDER REFERRING PROPOSED STIPULATION and ORDER <i>Extending Discovery Cut-Off</i> <u>85</u> to Magistrate Judge Ellen S. Carmody pursuant to 28 U.S.C. 636(b)(1)(A); signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 01/23/2012)
01/23/2012	<u>86</u>	ORDER accepting <u>85</u> , granting <u>72</u> motion for extension of time to complete discovery; signed by Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 01/23/2012)
01/25/2012	<u>87</u>	REPORT of facilitative mediation held 01/16/2012; mediation is continuing; next hearing to be held May 9, 2012(Neckers, Bruce) (Entered: 01/25/2012)
01/25/2012	<u>88</u>	MINUTES of pre-motion conference re <u>57</u> and <u>74</u> held before Judge Janet T. Neff; pre-motion conference to be rescheduled; Order to issue; (Court Reporter: Kathy Anderson) (Judge Janet T. Neff, rmw) (Entered: 01/26/2012)
01/26/2012	<u>89</u>	ORDER rescheduling pre-motion conference regarding document numbers <u>57</u> and <u>74</u> : pre-motion conference rescheduled to 6/4/2012 at 03:30 PM at 401 Federal Building, Grand Rapids, MI before Judge Janet T. Neff; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 01/26/2012)
02/01/2012	<u>90</u>	ORDER granting in part and denying in part <u>64</u> Michigan Municipal Risk Management Authority's Motion to Quash and/or for Protective Order; signed by Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 02/01/2012)
02/01/2012	<u>91</u>	TRANSCRIPT of Motion to Quash held January 12, 2012 before Honorable Ellen Carmody; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the <u>Policy Regarding Transcripts</u> the parties have 14 days within which to file a Notice of Intent to redact, and 21 days within which to file a Redaction Request; if no Transcript Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 5/1/2012 ; redaction request due 2/22/2012 (Court Reporter/Transcriptionist: Anderson, Kathy (616) 914-2384) (Entered: 02/01/2012)
02/06/2012	<u>92</u>	PROPOSED STIPULATION and ORDER <i>Regarding Production of Documents</i> by interested party Michigan Municipal Risk Management Authority (Mellon, James) (Entered: 02/06/2012)
02/07/2012		(NON-DOCUMENT) ORDER REFERRING PROPOSED STIPULATION and ORDER <i>Regarding Production of Documents</i> by interested party Michigan Municipal Risk Management Authority <u>92</u> to Magistrate Judge Ellen S. Carmody pursuant to 28 U.S.C. 636(b)(1)(A); signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 02/07/2012)
02/08/2012	<u>93</u>	ORDER granting STIPULATION <u>92</u> Regarding Production of Documents; signed by Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, jal) (Entered: 02/08/2012)
02/28/2012	<u>94</u>	CERTIFICATE OF SERVICE by defendant Matthew Warmuskerken <i>RE: Defendant Warmuskerken's Facilitation Summary</i> (Vander Laan, Allan) (Entered: 02/28/2012)
02/28/2012	<u>95</u>	PROOF OF SERVICE by defendants Oscar Davila, Mason, County of, Derek Wilson <i>Re: County Defendants' Mediation Summary</i> (Aseltyne, Patrick) (Entered: 02/28/2012)
02/29/2012	<u>96</u>	PROOF OF SERVICE by plaintiff Joseph M. McAdam <i>regarding service of Plaintiff's Facilitative Mediation Brief on all Defendants</i> (Vander Ark, Steven)

		(Entered: 02/29/2012)
03/07/2012	<u>97</u>	REPORT of facilitative mediation held 03/05/2012; mediation is complete; (Neckers, Bruce) (Entered: 03/07/2012)
03/08/2012	<u>98</u>	MOTION (REQUEST) to reschedule pre-motion conference by plaintiff Joseph M. McAdam; (Vander Ark, Steven) Modified text on 3/9/2012 (pjw) (Entered: 03/08/2012)
03/12/2012	<u>99</u>	OBJECTION re <u>90</u> <i>Order Regarding Production of Documents</i> by interested party Michigan Municipal Risk Management Authority (Attachments: # <u>1</u> Exhibit A)(Mellon, James) Modified text on 3/13/2012 (jlg). (Entered: 03/12/2012)
03/13/2012	<u>100</u>	ORDER granting <u>98</u> motion for pre-motion conference; the pre-motion conference is rescheduled to April 5, 2012 at 1:30 PM; the parties shall file a Joint Status Report by 3/27/2012; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 03/13/2012)
03/26/2012	<u>101</u>	REPLY to objection to <u>90</u> <i>Order Regarding Production of Documents</i> by plaintiff Joseph M. McAdam (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Vander Ark, Steven) Modified text and link on 3/27/2012 (jlg). (Entered: 03/26/2012)
03/27/2012	<u>102</u>	JOINT STATUS REPORT for pre-motion conference (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Vander Ark, Steven) Modified text on 3/28/2012 (pjw). (Entered: 03/27/2012)
03/28/2012	<u>103</u>	ORDER denying Objections <u>99</u> ; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 03/28/2012)
04/05/2012	<u>104</u>	MINUTES of pre-motion conference re <u>57</u> and <u>74</u> held before Judge Janet T. Neff; Order and Amended Case Management Order to issue; (Court Reporter: Kathy Anderson) (Judge Janet T. Neff, rmw) (Entered: 04/05/2012)
04/05/2012	<u>105</u>	ORDER regarding pre-motion conference: anticipated motions for summary judgment must be served and a proof of service filed within 28 days of the date of entry of this Order; responses must be served and a proof of service filed within 28 days of service of the respective motion; any reply must be served and a proof of service filed within 14 days of service of the respective response; motion papers to be filed as soon as the motion is fully briefed; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 04/05/2012)
04/09/2012	<u>106</u>	AMENDED CASE MANAGEMENT ORDER: settlement conference set for 9/26/2012 at 02:00 PM at 664 Federal Building, Grand Rapids, MI before Magistrate Judge Ellen S. Carmody; final pretrial conference set for 11/27/2012 at 04:00 PM at 401 Federal Building, Grand Rapids, MI before Judge Janet T. Neff; jury trial set for 12/4/2012 at 09:00 AM at 401 Federal Building, Grand Rapids, MI before Judge Janet T. Neff; counsel shall meet for an in-chambers conference one-half hour prior to the final pretrial conference and jury trial; signed by Judge Janet T. Neff (Judge Janet T. Neff, rmw) (Entered: 04/09/2012)
05/03/2012	<u>107</u>	CERTIFICATE OF SERVICE by defendant Matthew Warmuskerken re Pre-Motion Conference Order,, <u>105</u> of <i>Motion for Summary Judgment and Brief in Support of Motion for Summary Judgment</i> (Vander Laan, Allan) (Entered: 05/03/2012)
05/07/2012	<u>108</u>	PROOF OF SERVICE by defendants Oscar Davila, Mason, County of, Derek Wilson of <i>County Defendants' Motion for Summary Judgment and Brief in Support</i> (Kolkema, Jason) (Entered: 05/07/2012)
05/30/2012	<u>109</u>	CERTIFICATE OF SERVICE by plaintiff Joseph M. McAdam to <i>City Defendant re: Brief in Opposition to Motion for Summary Judgment with Joint Exhibit List and Judge's Copy of Same</i> (Vander Ark, Steven) (Entered: 05/30/2012)
05/30/2012	<u>110</u>	CERTIFICATE OF SERVICE by plaintiff Joseph M. McAdam to <i>County re: Plaintiff's Brief in Opposition to Motion for Summary Judgment, with Joint Exhibit List and Judge's copy</i> (Vander Ark, Steven) (Entered: 05/30/2012)

06/14/2012	<u>111</u>	MOTION for summary judgment by defendants Oscar Davila, Mason, County of, Derek Wilson; (Kolkema, Jason) (Entered: 06/14/2012)
06/14/2012	<u>112</u>	BRIEF in support of MOTION for summary judgment <u>111</u> filed by Oscar Davila, Mason, County of, Derek Wilson (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4)(Kolkema, Jason) Modified text on 6/15/2012 (pjw). (Entered: 06/14/2012)
06/14/2012	<u>113</u>	<i>Continued</i> EXHIBIT 5 re <u>111</u> <i>Brief in Support of Motion for Summary Judgment</i> by defendants Oscar Davila, Mason, County of, Derek Wilson (Attachments: # <u>1</u> Exhibit 6, # <u>2</u> Exhibit 7, # <u>3</u> Exhibit 8, # <u>4</u> Exhibit 9, # <u>5</u> Exhibit 10)(Kolkema, Jason) Modified text on 6/15/2012 (pjw) (Entered: 06/14/2012)
06/14/2012	<u>114</u>	<i>Continued</i> EXHIBIT 11 re <u>111</u> <i>Brief in Support to Motion for Summary Judgment</i> by defendants Oscar Davila, Mason, County of, Derek Wilson (Attachments: # <u>1</u> Exhibit 12, # <u>2</u> Exhibit 13, # <u>3</u> Exhibit 14, # <u>4</u> Exhibit 15, # <u>5</u> Exhibit 16)(Kolkema, Jason) Modified text on 6/15/2012 (pjw) (Entered: 06/14/2012)
06/14/2012	<u>115</u>	<i>Continued</i> EXHIBIT 17 re <u>111</u> <i>Brief in Support of Motion for Summary Judgment</i> by defendants Oscar Davila, Mason, County of, Derek Wilson (Attachments: # <u>1</u> Exhibit 18, # <u>2</u> Exhibit 19, # <u>3</u> Exhibit 20, # <u>4</u> Exhibit 21, # <u>5</u> Exhibit 22)(Kolkema, Jason) Modified text on 6/15/2012 (pjw) (Entered: 06/14/2012)
06/14/2012	<u>116</u>	<i>Continued</i> EXHIBIT 23 re <u>111</u> <i>Brief in Support of Motion for Summary Judgment</i> by defendants Oscar Davila, Mason, County of, Derek Wilson (Attachments: # <u>1</u> Exhibit 24, # <u>2</u> Exhibit 25, # <u>3</u> Exhibit 26)(Kolkema, Jason) Modified text on 6/15/2012 (pjw) (Entered: 06/14/2012)
06/14/2012	<u>117</u>	BRIEF IN OPPOSITION (RESPONSE) TO MOTION for summary judgment <u>111</u> <i>Oral Argument Requested</i> filed by Joseph M. McAdam (Attachments: # <u>1</u> Appendix, # <u>2</u> Joint Index of Exhibits, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12, # <u>15</u> Exhibit 13, # <u>16</u> Exhibit 14, # <u>17</u> Exhibit 15, # <u>18</u> Exhibit 16, # <u>19</u> Exhibit 17, # <u>20</u> Exhibit 18, # <u>21</u> Exhibit 19, # <u>22</u> Exhibit 20, # <u>23</u> Exhibit 21, # <u>24</u> Exhibit 22, # <u>25</u> Exhibit 23, # <u>26</u> Exhibit 24, # <u>27</u> Exhibit 25, # <u>28</u> Exhibit 26, # <u>29</u> Exhibit 27, # <u>30</u> Exhibit 28, # <u>31</u> Exhibit 29, # <u>32</u> Exhibit 30, # <u>33</u> Exhibit 31, # <u>34</u> Exhibit 32, # <u>35</u> Exhibit 33, # <u>36</u> Exhibit 34, # <u>37</u> Exhibit 35, # <u>38</u> Exhibit 36)(Vander Ark, Steven) Modified text on 6/15/2012 (pjw) (Entered: 06/14/2012)
06/14/2012	<u>118</u>	MOTION for summary judgment by defendant Matthew Warmuskerken; (Vander Laan, Allan) (Entered: 06/14/2012)
06/14/2012	<u>119</u>	BRIEF in support of MOTION for summary judgment <u>118</u> filed by Matthew Warmuskerken (Attachments: # <u>1</u> Exhibit 1 York Dep Excerpts, # <u>2</u> Exhibit 2 Ludington PD Report, # <u>3</u> Exhibit 3 CD, # <u>4</u> Exhibit 4 Plaintiff Dep Excerpts, # <u>5</u> Exhibit 5 Warmuskerken Dep Excerpts)(Vander Laan, Allan) (Entered: 06/14/2012)
06/14/2012	<u>120</u>	<i>Continued</i> EXHIBIT re <u>118</u> by defendant Matthew Warmuskerken (Attachments: # <u>1</u> Exhibit 6 Mason County Sheriff's Report, # <u>2</u> Exhibit 7 Warmuskerken Photo, # <u>3</u> Exhibit 8 Holmes Dep Exerpts, # <u>4</u> Exhibit 9 Russell Dep Excerpts, # <u>5</u> Exhibit 10 Luft Dep Excerpts)(Vander Laan, Allan) (Entered: 06/14/2012)
06/14/2012	<u>121</u>	<i>Continued</i> EXHIBIT re <u>118</u> by defendant Matthew Warmuskerken (Attachments: # <u>1</u> Exhibit 11 Patient Report, # <u>2</u> Exhibit 12 Wilson Dep Excerpts, # <u>3</u> Exhibit 13 Felony Information, # <u>4</u> Exhibit 14 Felony Complaint, # <u>5</u> Exhibit 15 Plea & Sentence Transcript)(Vander Laan, Allan) (Entered: 06/14/2012)
06/14/2012	<u>122</u>	<i>Continued</i> EXHIBIT re <u>118</u> by defendant Matthew Warmuskerken (Attachments: # <u>1</u> Exhibit 16 Judgment of Sentence, # <u>2</u> Exhibit 17 Plea & Sentence Agreement, # <u>3</u> Exhibit 18 Opinion, # <u>4</u> Exhibit 19 Austin v Redford PD, # <u>5</u> Exhibit 20 McGee v Cincinnati PD, # <u>6</u> Exhibit 21 Cockrwell v Cincinnati)(Vander Laan, Allan) (Entered: 06/14/2012)
06/14/2012	<u>123</u>	BRIEF IN OPPOSITION (RESPONSE TO MOTION) for summary judgment <u>118</u> <i>Oral Argument Requested</i> filed by Joseph M. McAdam (Attachments: # <u>1</u> Appendix, # <u>2</u> Index Joint Exhibit Index of Exhibits, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, #

		<u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12, # <u>15</u> Exhibit 13, # <u>16</u> Exhibit 14, # <u>17</u> Exhibit 15, # <u>18</u> Exhibit 16, # <u>19</u> Exhibit 17, # <u>20</u> Exhibit 18, # <u>21</u> Exhibit 19, # <u>22</u> Exhibit 20, # <u>23</u> Exhibit 21, # <u>24</u> Exhibit 22, # <u>25</u> Exhibit 23, # <u>26</u> Exhibit 24, # <u>27</u> Exhibit 25, # <u>28</u> Exhibit 26, # <u>29</u> Exhibit 27, # <u>30</u> Exhibit 28, # <u>31</u> Exhibit 29, # <u>32</u> Exhibit 30, # <u>33</u> Exhibit 31, # <u>34</u> Exhibit 32, # <u>35</u> Exhibit 33, # <u>36</u> Exhibit 34, # <u>37</u> Exhibit 35, # <u>38</u> Exhibit 36)(Vander Ark, Steven) Modified text on 6/15/2012 (pjw). (Entered: 06/14/2012)
06/14/2012	<u>124</u>	REPLY to response to motion <u>111</u> with Appendix filed by Oscar Davila, Mason, County of, Derek Wilson (Attachments: # <u>1</u> Exhibit 27, # <u>2</u> Exhibit 28)(Kolkema, Jason) Modified text on 6/15/2012 (pjw). (Entered: 06/14/2012)
06/14/2012	<u>125</u>	REPLY to response to motion <u>118</u> filed by Matthew Warmuskerken (Attachments: # <u>1</u> Exhibit 1 Statement of Facts, # <u>2</u> Exhibit 2 4/30/12 Email, # <u>3</u> Exhibit 3 Mr. Vander Ark's 5/2/12 Letter, # <u>4</u> Exhibit 4 McAdam Dep Excerpts, # <u>5</u> Exhibit 5 Davila Dep Excerpts)(Vander Laan, Allan) Modified text on 6/15/2012 (pjw) (Entered: 06/14/2012)
06/14/2012	<u>126</u>	<i>Continued</i> EXHIBIT re <u>125</u> by defendant Matthew Warmuskerken (Attachments: # <u>1</u> Exhibit 6 Wilson Dep Excerpts, # <u>2</u> Exhibit 7 Potvin v Westland PD)(Vander Laan, Allan) Modified document link on 6/15/2012 (pjw) (Entered: 06/14/2012)
06/14/2012	<u>127</u>	PROOF OF SERVICE by defendants Oscar Davila, Mason, County of, Derek Wilson for their reply to plaintiff's brief in opposition to motion for summary judgment <u>124</u> (Kolkema, Jason) Modified text and document link on 6/15/2012 (pjw) (Entered: 06/14/2012)