

AOR,MEDREQ,REF\_DISCOV,REF\_PTRL

**U.S. District Court**  
**Southern District of Florida (Miami)**  
**CIVIL DOCKET FOR CASE #: 1:13-cv-22042-RNS**

Cummings v. Blank (former) et al  
Assigned to: Judge Robert N. Scola, Jr  
Referred to: Magistrate Judge Alicia M. Otazo-Reyes  
Cause: 42:1983 Civil Rights Act

Date Filed: 06/06/2013  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government  
Defendant

**Plaintiff****Nancie Jean Cummings**

represented by **Nancie Jean Cummings**  
5030 SW 73rd Terrace  
Miami, FL 33143  
PRO SE

V.

**Defendant****Rebecca M. Blank (former)**  
*Secretary, Department of Commerce,  
National Oceanic and Atmospheric  
Administration*

represented by **Stephanie I. R. Fidler**  
United States Attorney's Office  
99 NE 4 Street  
Suite 300  
Miami, FL 33132  
305-961-9073  
Fax: 305-530-7139  
Email: Stephanie.Fidler@usdoj.gov  
**ATTORNEY TO BE NOTICED**

**Defendant****Cameron F. Kerry**  
*Secretary, Department of Commerce,  
National Oceanic and Atmospheric  
Administration*

represented by **Stephanie I. R. Fidler**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****Kathryn D. Sullivan**  
*Acting NOAA Administrator*

represented by **Stephanie I. R. Fidler**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****Dr. Clarence E. Porch**  
*an an individual*

represented by **Stephanie I. R. Fidler**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Dr. Nancy Bruce Thompson**  
*as an individual*

represented by **Stephanie I. R. Fidler**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Dr. Gerald S. Scott**  
*as an individual*

represented by **Kelly B. Holbrook**  
Broad & Cassel  
100 N Tampa Street  
Suite 3500  
Tampa, FL 33602  
813-225-3031  
Fax: 204-2125  
Email: kholbrook@broadandcassel.com

*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Dr. Theophilus Brainerd**  
*as an individual*

represented by **Stephanie I. R. Fidler**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Dr. Bonnie Ponwith**  
*as an individual*

represented by **Stephanie I. R. Fidler**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Tyra Dent Smith**  
*as an individual*

represented by **Stephanie I. R. Fidler**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Dr. Peter Thompson**  
*as an individual*

represented by **Stephanie I. R. Fidler**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Todd G. Gedamke**  
*as an individual*

represented by **Kelly B. Holbrook**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Benita D. Parks**  
as an individual

represented by **Stephanie I. R. Fidler**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
06/06/2013	<a href="#"><u>1</u></a>	COMPLAINT against Rebecca M. Blank (former), Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Tyra Dent Smith, Todd G. Gedamke, Cameron F. Kerry, Benita D. Parks, Dr. Bonnie Ponwith, Dr. Clarence E. Porch, Dr. Gerald S. Scott, Kathryn D. Sullivan, Dr. Peter Thompson. Filing fees \$ 400.00, filed by Nancie Jean Cummings. (Attachments: # <a href="#"><u>1</u></a> Exhibit, # <a href="#"><u>2</u></a> Civil Cover Sheet)(tpl) (Entered: 06/06/2013)
06/06/2013	2	Judge Assignment to Judge Robert N. Scola, Jr (tpl) (Entered: 06/06/2013)
06/06/2013	<a href="#"><u>3</u></a>	Clerks Notice of Receipt of Filing Fee received on 6/6/2013 in the amount of \$ 400.00, receipt number FLS100060226 (tpl) (Entered: 06/06/2013)
06/12/2013	<a href="#"><u>4</u></a>	ORDER REQUIRING DISCOVERY AND SCHEDULING CONFERENCE AND REFERRING CASE to Ch. Magistrate Judge Barry S. Seltzer for Discovery Proceedings Signed by Judge Robert N. Scola, Jr on 6/11/2013. (yha) (Entered: 06/12/2013)
08/12/2013	<a href="#"><u>5</u></a>	Summons Issued as to All Defendants. (tpl) (Entered: 08/12/2013)
09/23/2013	<a href="#"><u>6</u></a>	CERTIFICATION AND ORDER OF TRANSFER TO MAGISTRATE JUDGE. Case transferred to Judge Scola's paired Magistrate Judge Alicia Valle, pursuant to Administrative Order No. 2013-38. Magistrate Judge Barry S. Seltzer no longer assigned to case. Signed by Ch. Magistrate Judge Barry S. Seltzer on 9/23/2013. (jmd) (Entered: 09/23/2013)
10/08/2013	<a href="#"><u>7</u></a>	NOTICE by Rebecca M. Blank (former) <i>Regarding Service</i> . Attorney Stephanie I. R. Fidler added to party Rebecca M. Blank (former)(pty:dft). (Fidler, Stephanie) (Entered: 10/08/2013)
10/11/2013	<a href="#"><u>8</u></a>	ORDER OF INSTRUCTIONS TO PRO SE LITIGANT. Signed by Judge Robert N. Scola, Jr on 10/11/2013. (jua) (Entered: 10/15/2013)
10/16/2013	<a href="#"><u>9</u></a>	ORDER Requiring Plaintiff to Properly Serve Defendants. Signed by Judge Robert N. Scola, Jr on 10/15/2013. (jua) (Entered: 10/16/2013)
10/21/2013	<a href="#"><u>10</u></a>	SUMMONS (Affidavit) Returned Executed on <a href="#"><u>1</u></a> Complaint, with a 21 day response/answer filing deadline Dr. Gerald S. Scott served on 9/3/2013, answer due 9/24/2013. (tpl) (Entered: 10/22/2013)
10/21/2013	<a href="#"><u>11</u></a>	SUMMONS (Affidavit) Returned Executed Cameron F. Kerry served on 9/11/2013, answer due 11/12/2013. (tpl) (Entered: 10/22/2013)
10/21/2013	<a href="#"><u>12</u></a>	SUMMONS (Affidavit) Returned Executed on <a href="#"><u>1</u></a> Complaint, with a 21 day

		response/answer filing deadline Dr. Theophilus Brainerd served on 9/10/2013, answer due 10/1/2013. (tpl) (Entered: 10/22/2013)
10/21/2013	<a href="#">13</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint, with a 21 day response/answer filing deadline Tyra Dent Smith served on 9/11/2013, answer due 10/2/2013. (tpl) (Entered: 10/22/2013)
10/21/2013	<a href="#">14</a>	SUMMONS (Affidavit) Returned Executed Rebecca M. Blank (former) served on 9/11/2013, answer due 11/12/2013. (tpl) (Entered: 10/22/2013)
10/21/2013	<a href="#">15</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint, with a 21 day response/answer filing deadline Dr. Clarence E. Porch served on 9/11/2013, answer due 10/2/2013. (tpl) (Entered: 10/22/2013)
10/21/2013	<a href="#">16</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint, with a 21 day response/answer filing deadline Dr. Nancy Bruce Thompson served on 9/25/2013, answer due 10/16/2013. (tpl) (Entered: 10/22/2013)
10/21/2013	<a href="#">17</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint, with a 21 day response/answer filing deadline Dr. Peter Thompson served on 9/10/2013, answer due 10/1/2013. (tpl) (Entered: 10/22/2013)
10/21/2013	<a href="#">18</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint, with a 21 day response/answer filing deadline Kathryn D. Sullivan served on 9/11/2013, answer due 10/2/2013. (tpl) (Entered: 10/22/2013)
11/18/2013	<a href="#">19</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint, with a 21 day response/answer filing deadline by Nancie Jean Cummings. Todd G. Gedamke served on 10/29/2013, answer due 11/19/2013. (ls) (Entered: 11/20/2013)
11/18/2013	<a href="#">20</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint, with a 21 day response/answer filing deadline by Nancie Jean Cummings. Dr. Bonnie Ponwith served on 11/16/2013, answer due 12/9/2013. (ls) (Entered: 11/20/2013)
11/18/2013	<a href="#">21</a>	AFFIRMATION OF SERVICE Executed as to US Attorney and United States Attorney General on 11/18/2013 Acknowledgment filed by Nancie Jean Cummings. (ls) (Entered: 11/20/2013)
12/03/2013	<a href="#">22</a>	MOTION/REQUEST for Clerks Entry of Default as to Dr. Clarence E. Porch by Nancie Jean Cummings. (gp) (Entered: 12/03/2013)
12/03/2013	<a href="#">23</a>	MOTION/REQUEST for Clerks Entry of Default as to Dr. Nancy Bruce Thompson by Nancie Jean Cummings. (gp) (Main Document 23 replaced with complete image on 12/5/2013) (ail). (Entered: 12/03/2013)
12/03/2013	<a href="#">24</a>	MOTION/REQUEST for Clerks Entry of Default as to Dr. Gerald S. Scott by Nancie Jean Cummings. (gp) (Entered: 12/03/2013)
12/03/2013	<a href="#">25</a>	MOTION/REQUEST for Clerks Entry of Default as to Dr. Theophilus Brainerd by Nancie Jean Cummings. (gp) (Entered: 12/03/2013)
12/03/2013	<a href="#">26</a>	MOTION/REQUEST for Clerks Entry of Default as to Dr. Peter Thompson by Nancie Jean Cummings. (gp) (Entered: 12/03/2013)

12/03/2013	<a href="#">27</a>	MOTION/REQUEST for Clerks Entry of Default as to Tyra Dent Smith by Nancie Jean Cummings. (gp) (Entered: 12/03/2013)
12/03/2013	<a href="#">28</a>	MOTION/REQUEST for Clerks Entry of Default as to Todd G. Gedamke by Nancie Jean Cummings. (gp) (Entered: 12/03/2013)
12/03/2013	<a href="#">29</a>	<b>**SET ASIDE**</b> ORDER by Clerk of Entry of Default re <a href="#">22</a> Motion for Clerks Entry of Default as to Dr. Clarence E. Porch. Signed by DEPUTY CLERK on 12/3/2013. (gp) Text Modified on 12/9/2013 SEE ORDER <a href="#">40</a> (ail). (Entered: 12/03/2013)
12/03/2013	<a href="#">30</a>	<b>**SET ASIDE**</b> ORDER by Clerk of Entry of Default re <a href="#">23</a> Motion for Clerks Entry of Default as to Dr. Nancy Bruce Thompson. Signed by DEPUTY CLERK on 12/3/2013. (gp) Text Modified on 12/9/2013 SEE DE <a href="#">40</a> ORDER (ail). (Entered: 12/03/2013)
12/03/2013	<a href="#">31</a>	<b>**SET ASIDE**</b> ORDER by Clerk of Entry of Default re <a href="#">24</a> Motion for Clerks Entry of Default as to Dr. Gerald S. Scott. Signed by DEPUTY CLERK on 12/3/2013. (gp)Text Modified SEE DE <a href="#">40</a> ORDER on 12/9/2013 (ail). (Entered: 12/03/2013)
12/03/2013	<a href="#">32</a>	<b>**SET ASIDE**</b> ORDER by Clerk of Entry of Default re <a href="#">25</a> Motion for Clerks Entry of Default as to Dr. Theophilus Brainerd. Signed by DEPUTY CLERK on 12/3/2013. (gp) Text Modified SEE DE <a href="#">40</a> ORDER on 12/9/2013 (ail). (Entered: 12/03/2013)
12/03/2013	<a href="#">33</a>	<b>** SET ASIDE**</b> ORDER by Clerk of Entry of Default re <a href="#">26</a> Motion for Clerks Entry of Default as to Dr. Peter Thompson. Signed by DEPUTY CLERK on 12/3/2013. (gp) Text Modified SEE DE <a href="#">40</a> ORDER on 12/9/2013 (ail). (Entered: 12/03/2013)
12/03/2013	<a href="#">34</a>	<b>** SET ASIDE**</b> ORDER by Clerk of Entry of Default re <a href="#">27</a> Motion for Clerks Entry of Default as to Tyra Dent Smith. Signed by DEPUTY CLERK on 12/3/2013. (gp) Text Modified SEE DE <a href="#">40</a> ORDER on 12/9/2013 (ail). (Entered: 12/03/2013)
12/03/2013	<a href="#">35</a>	<b>**SET ASIDE**</b> ORDER by Clerk of Entry of Default re <a href="#">28</a> Motion for Clerks Entry of Default as to Todd G. Gedamke. Signed by Judge Robert N. Scola, Jr on 12/3/2013. (gp)Text Modified SEE DE <a href="#">40</a> ORDER on 12/9/2013 (ail). (Entered: 12/03/2013)
12/04/2013	<a href="#">36</a>	MOTION to Set Aside Default <i>Against Gerald P. Scott</i> by Dr. Gerald S. Scott. Attorney Kelly B. Holbrook added to party Dr. Gerald S. Scott (pty:dft). (Holbrook, Kelly) (Entered: 12/04/2013)
12/04/2013	<a href="#">37</a>	ORDER ON DEFAULT JUDGMENT PROCEDURE Signed by Judge Robert N. Scola, Jr on 12/4/2013. (yha) (Entered: 12/04/2013)
12/04/2013		Reset Answer Due Deadline: Dr. Theophilus Brainerd response due 12/16/2013; Dr. Nancy Bruce Thompson response due 12/16/2013; Tyra Dent Smith response due 12/16/2013; Todd G. Gedamke response due 12/16/2013; Dr. Clarence E. Porch response due 12/16/2013; Dr. Gerald S. Scott response due 12/16/2013; Dr. Peter Thompson response due 12/16/2013 per <a href="#">37</a> Order (yha) (Entered: 12/04/2013)

12/06/2013	<a href="#">38</a>	MOTION to Set Aside Default <i>Against Todd G. Gedamke</i> by Todd G. Gedamke. Attorney Kelly B. Holbrook added to party Todd G. Gedamke (pty:dft). (Holbrook, Kelly) (Entered: 12/06/2013)
12/06/2013	<a href="#">39</a>	MOTION to Set Aside Default by Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Tyra Dent Smith, Dr. Clarence E. Porch, Dr. Peter Thompson. Attorney Stephanie I. R. Fidler added to party Dr. Theophilus Brainerd(pty:dft), Attorney Stephanie I. R. Fidler added to party Dr. Nancy Bruce Thompson(pty:dft), Attorney Stephanie I. R. Fidler added to party Tyra Dent Smith(pty:dft), Attorney Stephanie I. R. Fidler added to party Dr. Clarence E. Porch(pty:dft), Attorney Stephanie I. R. Fidler added to party Dr. Peter Thompson(pty:dft). (Attachments: # <a href="#">1</a> Text of Proposed Order)(Fidler, Stephanie) (Entered: 12/06/2013)
12/09/2013	<a href="#">40</a>	OMNIBUS ORDER SETTING ASIDE CLERK'S ORDERS OF DEFAULT; granting <a href="#">36</a> Motion to Set Aside Default. Signed by Judge Robert N. Scola, Jr on 12/5/2013. (ail) (Entered: 12/09/2013)
12/09/2013	41	Clerks Notice Setting Aside Defaults re <a href="#">35</a> Order on Motion for Clerks Entry of Default filed by Todd G. Gedamke, <a href="#">30</a> Order on Motion for Clerks Entry of Default filed by Dr. Nancy Bruce Thompson, <a href="#">29</a> Order on Motion for Clerks Entry of Default filed by Dr. Clarence E. Porch, <a href="#">32</a> Order on Motion for Clerks Entry of Default filed by Dr. Theophilus Brainerd, <a href="#">33</a> Order on Motion for Clerks Entry of Default filed by Dr. Peter Thompson, <a href="#">34</a> Order on Motion for Clerks Entry of Default filed by Tyra Dent Smith, <a href="#">31</a> Order on Motion for Clerks Entry of Default filed by Dr. Gerald S. Scott. SEE DE <a href="#">40</a> for ORDER (ail) (Entered: 12/09/2013)
12/18/2013	<a href="#">42</a>	NOTICE OF JOINT LIABILITY by Nancie Jean Cummings (yha) (Entered: 12/19/2013)
12/19/2013	<a href="#">43</a>	ORDER/NOTICE re the Mootness of <a href="#">42</a> Notice of Joint Liability filed by Nancie Jean Cummings Signed by Judge Robert N. Scola, Jr on 12/19/2013. (yha) (Entered: 12/20/2013)
12/20/2013	<a href="#">44</a>	MOTION to Dismiss <a href="#">1</a> Complaint, by Dr. Gerald S. Scott. Responses due by 1/6/2014 (Holbrook, Kelly) (Entered: 12/20/2013)
12/20/2013	<a href="#">45</a>	MOTION for Extension of Time to File Response/Reply to <i>Complaint</i> by Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Tyra Dent Smith, Cameron F. Kerry, Dr. Clarence E. Porch, Kathryn D. Sullivan, Dr. Peter Thompson. Attorney Stephanie I. R. Fidler added to party Cameron F. Kerry(pty:dft), Attorney Stephanie I. R. Fidler added to party Kathryn D. Sullivan(pty:dft). (Attachments: # <a href="#">1</a> Text of Proposed Order)(Fidler, Stephanie) (Entered: 12/20/2013)
12/24/2013	<a href="#">46</a>	MOTION to Dismiss <a href="#">1</a> Complaint, by Todd G. Gedamke. Responses due by 1/10/2014 (Holbrook, Kelly) (Entered: 12/24/2013)
12/26/2013	<a href="#">47</a>	ORDER granting <a href="#">45</a> Motion for Extension of Time to File Answer to Complaint. Signed by Judge Robert N. Scola, Jr on 12/26/2013. (yha) (Entered: 12/27/2013)

12/27/2013		Reset Answer Due Deadline: Rebecca M. Blank (former) response due 1/6/2014; Dr. Theophilus Brainerd response due 1/6/2014; Dr. Nancy Bruce Thompson response due 1/6/2014; Tyra Dent Smith response due 1/6/2014; Todd G. Gedamke response due 1/6/2014; Cameron F. Kerry response due 1/6/2014; Dr. Clarence E. Porch response due 1/6/2014; Dr. Gerald S. Scott response due 1/6/2014; Kathryn D. Sullivan response due 1/6/2014; Dr. Peter Thompson response due 1/6/2014 per <a href="#">47</a> Order (yha) (Entered: 12/27/2013)
12/30/2013	<a href="#">48</a>	MOTION to Compel <i>Service of All Pleadings by U.S. Mail Simultaneous with any Filing of any Pleading by any Defendant or their Counsel and Memorandum of Law in Support of</i> by Nancie Jean Cummings. Responses due by 1/16/2014 (Attachments: # <a href="#">1</a> Text of Proposed Order)(yha) (Entered: 12/30/2013)
12/30/2013	<a href="#">49</a>	Affirmation of Pro Se Regarding Service of Defendants of ORDER REQUIRING DISCOVERY AND SCHEDULING CONFERENCE AND ORDER REFERRING DISCOVERY MATTERS TO THE MAGISTRATE JUDGE by Nancie Jean Cummings (yha) (Entered: 12/30/2013)
12/30/2013	<a href="#">50</a>	MOTION for Extension of Time to File Response as to <a href="#">44</a> MOTION to Dismiss <a href="#">1</a> Complaint, by Nancie Jean Cummings. (Attachments: # <a href="#">1</a> Text of Proposed Order)(yha) (Entered: 12/30/2013)
12/30/2013	<a href="#">51</a>	MOTION for Extension of Time to File Response as to <a href="#">46</a> MOTION to Dismiss <a href="#">1</a> Complaint, by Nancie Jean Cummings. (Attachments: # <a href="#">1</a> Text of Proposed Order)(yha) (Entered: 12/30/2013)
12/30/2013	<a href="#">52</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint, with a 21 day response/answer filing deadline by Nancie Jean Cummings. Benita D. Parks served on 8/16/2013, answer due 9/6/2013. (yha) (Entered: 12/30/2013)
12/30/2013	<a href="#">53</a>	RESPONSE to Motion re <a href="#">48</a> MOTION to Compel <i>Service of All Pleadings by U.S. Mail Simultaneous with any Filing of any Pleading by any Defendant or their Counsel and Memorandum of Law in Support of</i> filed by Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Tyra Dent Smith, Cameron F. Kerry, Benita D. Parks, Dr. Clarence E. Porch, Kathryn D. Sullivan, Dr. Peter Thompson. Attorney Stephanie I. R. Fidler added to party Benita D. Parks(pty:dft). Replies due by 1/9/2014. (Fidler, Stephanie) (Entered: 12/30/2013)
12/31/2013	<a href="#">54</a>	ORDER granting <a href="#">50</a> Motion for Extension of Time to File Response/Reply re <a href="#">44</a> MOTION to Dismiss <a href="#">1</a> Complaint, , <a href="#">46</a> MOTION to Dismiss <a href="#">1</a> Complaint, ; granting <a href="#">51</a> Motion for Extension of Time to File Response/Reply re <a href="#">44</a> MOTION to Dismiss <a href="#">1</a> Complaint, , <a href="#">46</a> MOTION to Dismiss <a href="#">1</a> Complaint, . Responses due by 1/23/2014 Responses due by 1/27/2014 Re: <a href="#">44</a> MOTION to Dismiss <a href="#">1</a> Complaint, , <a href="#">46</a> MOTION to Dismiss <a href="#">1</a> Complaint, . Signed by Judge Robert N. Scola, Jr on 12/31/2013. (yha) (Entered: 12/31/2013)
12/31/2013	<a href="#">55</a>	ORDER REQUIRING DEFENDANTS TO MAIL A HARD COPY OF

		ANY DOCUMENT THAT THEY FILE IN THIS CASE granting <a href="#">48</a> Motion to Compel. Signed by Judge Robert N. Scola, Jr on 12/31/2013. (yha) (Entered: 12/31/2013)
01/06/2014	<a href="#">56</a>	Defendant's MOTION to Dismiss <a href="#">1</a> Complaint, by Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Tyra Dent Smith, Cameron F. Kerry, Benita D. Parks, Dr. Clarence E. Porch, Kathryn D. Sullivan, Dr. Peter Thompson. Responses due by 1/24/2014 (Attachments: # <a href="#">1</a> Text of Proposed Order)(Fidler, Stephanie) (Entered: 01/06/2014)
01/16/2014	<a href="#">57</a>	MOTION for Extension of Time to Respond to Defendant's Motion to Dismiss re <a href="#">56</a> Defendant's MOTION to Dismiss <a href="#">1</a> Complaint, by Nancie Jean Cummings. Responses due by 2/3/2014 (Attachments: # <a href="#">1</a> Text of Proposed Order)(yar) (Entered: 01/16/2014)
01/23/2014	<a href="#">58</a>	RESPONSE to Motion re <a href="#">44</a> MOTION to Dismiss <a href="#">1</a> Complaint, filed by Nancie Jean Cummings. Replies due by 2/3/2014. (Attachments: # <a href="#">1</a> Text of Proposed Order)(yha) (Entered: 01/24/2014)
01/24/2014	<a href="#">59</a>	ORDER granting <a href="#">57</a> Motion for Extension of Time. Signed by Judge Robert N. Scola, Jr on 1/24/2014. (yha) (Entered: 01/27/2014)
01/24/2014	<a href="#">60</a>	(VACATE) ORDER REQUIRING PLAINTIFF TO MOVE FOR ENTRY OF CLERK'S DEFAULT AGAINST DEFENDANT BONNIE PONWITH Signed by Judge Robert N. Scola, Jr on 1/24/2014. (yha) Modified on 1/27/2014 (ra). (Entered: 01/27/2014)
01/27/2014		Reset Deadlines as to <a href="#">56</a> Defendant's MOTION to Dismiss <a href="#">1</a> Complaint, per <a href="#">59</a> Order. Responses due by 3/15/2014 (yha) (Entered: 01/27/2014)
01/27/2014	<a href="#">61</a>	Defendant's MOTION to Dismiss <a href="#">1</a> Complaint, by Dr. Bonnie Ponwith. Attorney Stephanie I. R. Fidler added to party Dr. Bonnie Ponwith(pty:dft). Responses due by 2/13/2014 (Attachments: # <a href="#">1</a> Text of Proposed Order) (Fidler, Stephanie) (Entered: 01/27/2014)
01/27/2014	<a href="#">62</a>	Order Vacating <a href="#">60</a> Order Requiring Plaintiff to Move for Entry of ClerksDefault Against Defendant Bonnie Ponwith Signed by Judge Robert N. Scola, Jr on 1/27/2014. (ra) (Entered: 01/27/2014)
01/27/2014	<a href="#">63</a>	RESPONSE to Motion re <a href="#">46</a> MOTION to Dismiss <a href="#">1</a> Complaint, filed by Nancie Jean Cummings. Replies due by 2/6/2014. (yha) (Entered: 01/28/2014)
02/07/2014	<a href="#">64</a>	MOTION for Extension of Time to File Response/Reply as to <a href="#">61</a> Defendant's MOTION to Dismiss <a href="#">1</a> Complaint, by Nancie Jean Cummings. (yha) (Entered: 02/07/2014)
02/21/2014	<a href="#">65</a>	ORDER granting <a href="#">64</a> Motion for Extension of Time to File Response/Reply re <a href="#">61</a> Defendant's MOTION to Dismiss <a href="#">1</a> Complaint, . Responses due by 4/15/2014 Re: <a href="#">61</a> Defendant's MOTION to Dismiss <a href="#">1</a> Complaint, . Signed by Judge Robert N. Scola, Jr on 2/21/2014. (yha) (Entered: 02/21/2014)
03/07/2014	<a href="#">66</a>	SCHEDULING ORDER AND ORDER OF REFERRAL TO MEDIATION: ( Jury Trial set for 11/3/2014 in Miami Division before

		Judge Robert N. Scola Jr., Calendar Call set for 10/28/2014 09:00 AM in Miami Division before Judge Robert N. Scola Jr., Amended Pleadings due by 4/3/2014., Expert Discovery due by 7/28/2014., Fact Discovery due by 6/13/2014., Joinder of Parties due by 4/3/2014., In Limine Motions due by 9/15/2014., Dispositive Motions due by 6/27/2014., Pretrial Stipulation due by 10/24/2014., Status Report due by 5/5/2014.), ORDER REFERRING CASE to Mediation. Mediation Deadline 7/3/2014. Signed by Judge Robert N. Scola, Jr on 3/7/2014. (yha) (Entered: 03/10/2014)
03/14/2014	<a href="#">67</a>	RESPONSE to Motion re <a href="#">56</a> Defendant's MOTION to Dismiss <a href="#">1</a> Complaint, filed by Nancie Jean Cummings. Replies due by 3/24/2014. (yha) (Entered: 03/17/2014)
03/27/2014	<a href="#">68</a>	RESPONSE/REPLY to <a href="#">61</a> Defendant's MOTION to Dismiss <a href="#">1</a> Complaint, , <a href="#">56</a> Defendant's MOTION to Dismiss <a href="#">1</a> Complaint, by Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Tyra Dent Smith, Cameron F. Kerry, Benita D. Parks, Dr. Bonnie Ponwith, Dr. Clarence E. Porch, Kathryn D. Sullivan, Dr. Peter Thompson. (Fidler, Stephanie) (Entered: 03/27/2014)
04/03/2014	<a href="#">69</a>	MOTION for Extension of Time to File Discovery Plan, to File Joint Interim Status Report, and to Set Mediation by Nancie Jean Cummings. Responses due by 4/21/2014 (yha) (Entered: 04/04/2014)
04/04/2014	70	PAPERLESS ORDER denying <a href="#">69</a> Plaintiff's Motion for Extension of Time to File Discovery Plan, To File Joint Interim Status Report, and to Set Mediation. Plaintiff has not shown good cause for the requested adjustments to the schedule. The parties must comply with the deadlines set forth in the Court's March 7, 2014 Scheduling Order <a href="#">66</a> and are again admonished that ignoring the Court's orders may result in sanctions, up to and including striking a party's pleadings or dismissing this matter. Signed by Judge Robert N. Scola, Jr. (kdo) (Entered: 04/04/2014)
04/10/2014	<a href="#">71</a>	ORDER REFERRING CASE to Magistrate Judge Alicia O. Valle for Pretrial Matters Signed by Judge Robert N. Scola, Jr on 4/10/2014. (yha) (Entered: 04/10/2014)
04/10/2014	<a href="#">72</a>	ORDER requiring conflict check. See Order for further details. Signed by Magistrate Judge Alicia O. Valle on 4/10/2014. (sd01) (Entered: 04/10/2014)
04/14/2014	<a href="#">73</a>	NOTICE by Dr. Nancy Bruce Thompson, Dr. Peter Thompson, Cameron F. Kerry, Dr. Bonnie Ponwith, Dr. Theophilus Brainerd, Kathryn D. Sullivan, Tyra Dent Smith, Benita D. Parks, Dr. Clarence E. Porch re <a href="#">72</a> Order (Fidler, Stephanie) (Entered: 04/14/2014)
04/15/2014	<a href="#">74</a>	NOTICE by Dr. Gerald S. Scott, Todd G. Gedamke re <a href="#">72</a> Order (Holbrook, Kelly) (Entered: 04/15/2014)
04/15/2014	<a href="#">75</a>	RESPONSE to Motion re <a href="#">61</a> Defendant's MOTION to Dismiss <a href="#">1</a> Complaint, filed by Nancie Jean Cummings. Replies due by 4/25/2014. (yha) (Entered: 04/16/2014)

04/22/2014	<a href="#">76</a>	RESPONSE to <a href="#">68</a> Response/Reply (Other) to <a href="#">61</a> Defendant's MOTION to Dismiss <a href="#">1</a> Complaint, by Nancie Jean Cummings. (gp) (Entered: 04/23/2014)
04/24/2014	<a href="#">77</a>	Emergency MOTION For A Continuance For All Discovery Related Matters In Order To Interview/Retain Formal Legal Counsel by Nancie Jean Cummings. Responses due by 5/12/2014 (cbr) (Entered: 04/24/2014)
04/29/2014	<a href="#">78</a>	Defendant's MOTION to Compel <i>Discovery</i> by Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Tyra Dent Smith, Cameron F. Kerry, Benita D. Parks, Dr. Bonnie Ponwith, Dr. Clarence E. Porch, Kathryn D. Sullivan, Dr. Peter Thompson. Responses due by 5/16/2014 (Attachments: # <a href="#">1</a> Exhibit A - Letter from Fidler to Cummings dated April 21, 2014, # <a href="#">2</a> Exhibit B - Email from Fidler to Cummings dated April 28, 2014, # <a href="#">3</a> Text of Proposed Order)(Fidler, Stephanie) (Entered: 04/29/2014)
05/05/2014	<a href="#">79</a>	Defendant's MOTION for Extension of Time to file Interim Status Report and to file Proposed Order Scheduling Mediation by Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Tyra Dent Smith, Cameron F. Kerry, Benita D. Parks, Dr. Bonnie Ponwith, Dr. Clarence E. Porch, Kathryn D. Sullivan, Dr. Peter Thompson. Responses due by 5/22/2014 (Attachments: # <a href="#">1</a> Exhibit A - Letter from Stephanie Fidler to Nancie Cummings dated April 21, 2014, # <a href="#">2</a> Exhibit B - Email from Stephanie Fidler to Nancie Cummings dated April 28, 2014, # <a href="#">3</a> Text of Proposed Order)(Fidler, Stephanie) (Entered: 05/05/2014)
05/05/2014	<a href="#">80</a>	RESPONSE to <a href="#">72</a> Order Requesting Filing Re: Conflict Report by Nancie Jean Cummings. (yha) (Entered: 05/06/2014)
05/05/2014	<a href="#">81</a>	NOTICE to the Court by Nancie Jean Cummings (yha) (Entered: 05/06/2014)
05/08/2014	<a href="#">82</a>	Defendant's MOTION to Compel <i>Plaintiff to Appear for Deposition</i> by Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Tyra Dent Smith, Cameron F. Kerry, Benita D. Parks, Dr. Bonnie Ponwith, Dr. Clarence E. Porch, Kathryn D. Sullivan, Dr. Peter Thompson. Responses due by 5/27/2014 (Attachments: # <a href="#">1</a> Exhibit A - Notice of Taking Deposition, # <a href="#">2</a> Exhibit B - Letter from Stephanie Fidler to Nancie Cummings dated April 21, 2014, # <a href="#">3</a> Exhibit C - Email from Stephanie Fidler to Nancie Cummings dated April 28, 2014, # <a href="#">4</a> Exhibit D - Certificate of Non-Appearance, # <a href="#">5</a> Text of Proposed Order)(Fidler, Stephanie) (Entered: 05/08/2014)
05/16/2014	<a href="#">83</a>	ORDER granting in part and denying in part <a href="#">77</a> Motion to Continue; denying <a href="#">78</a> Motion to Compel; granting <a href="#">79</a> Motion for Extension of Time; denying <a href="#">82</a> Motion to Compel. Signed by Magistrate Judge Alicia O. Valle on 5/16/2014. (sd01) (Entered: 05/16/2014)
05/16/2014		Set/Reset Deadlines/Hearings. Deadline to obtain new counsel 6/5/2014. Discovery due by 7/3/2014. (sd01) (Entered: 05/16/2014)
06/06/2014	<a href="#">84</a>	MOTION for clarification <a href="#">83</a> Order on Motion to Continue, Order on Motion to Compel, Order on Motion for Extension of Time, ( Responses due by 6/23/2014), MOTION for Extension of Time to Complete

		Discovery, MOTION for Extension of Time with respect to obtaining counsel by Nancie Jean Cummings. (yha) (Entered: 06/09/2014)
06/09/2014	<a href="#">85</a>	Defendant's MOTION to Stay <i>Discovery</i> by Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Tyra Dent Smith, Cameron F. Kerry, Benita D. Parks, Dr. Bonnie Ponwith, Dr. Clarence E. Porch, Kathryn D. Sullivan, Dr. Peter Thompson. Responses due by 6/26/2014 (Attachments: # <a href="#">1</a> Exhibit A - June 6, 2014 Letter to Nancie Cummings from Stephanie Fidler, # <a href="#">2</a> Text of Proposed Order)(Fidler, Stephanie) (Entered: 06/09/2014)
06/09/2014	86	RESPONSE to Motion re <a href="#">84</a> MOTION for clarification <a href="#">83</a> Order on Motion to Continue, Order on Motion to Compel, Order on Motion for Extension of Time, MOTION for Extension of Time to Complete Discovery MOTION for Extension of Time with respect to obtaining counsel filed by Rebecca M. Blank (former), Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Tyra Dent Smith, Cameron F. Kerry, Benita D. Parks, Dr. Bonnie Ponwith, Dr. Clarence E. Porch, Kathryn D. Sullivan, Dr. Peter Thompson. see <a href="#">85</a> for image. Replies due by 6/19/2014. (yha) (Entered: 06/10/2014)
06/10/2014	87	Clerks Notice to Filer re <a href="#">85</a> Defendant's MOTION to Stay <i>Discovery</i> . <b>Two or More Document Events Filed as One</b> ; ERROR - Only one event was selected by the Filer but more than one event was applicable to the document filed. The docket entry was corrected by the Clerk. It is not necessary to refile this document but in the future, the Filer must select all applicable events. (yha) (Entered: 06/10/2014)
06/12/2014	<a href="#">88</a>	RESPONSE re <a href="#">85</a> Defendant's MOTION to Stay <i>Discovery</i> and Response to Plaintiff's Request for Clarification filed by Todd G. Gedamke, Dr. Gerald S. Scott. (Holbrook, Kelly) Modified text on 6/13/2014 (jua). (Entered: 06/12/2014)
06/12/2014	<a href="#">89</a>	RESPONSE in Support re <a href="#">84</a> MOTION for clarification <a href="#">83</a> Order on Motion to Continue, Order on Motion to Compel, Order on Motion for Extension of Time, MOTION for Extension of Time to Complete Discovery MOTION for Extension of Time with respect to obtaining counsel filed by Todd G. Gedamke, Dr. Gerald S. Scott. (Holbrook, Kelly) (Entered: 06/12/2014)
06/24/2014	<a href="#">90</a>	ORDER GRANTING STAY OF DISCOVERY. See order for details. Signed by Magistrate Judge Alicia O. Valle on 6/24/2014. (sd01) (Entered: 06/24/2014)
07/18/2014	<a href="#">91</a>	REPORT AND RECOMMENDATIONS re <a href="#">61</a> Defendant's MOTION to Dismiss <a href="#">1</a> Complaint, filed by Dr. Bonnie Ponwith, <a href="#">56</a> Defendant's MOTION to Dismiss <a href="#">1</a> Complaint, filed by Dr. Peter Thompson, Dr. Clarence E. Porch, Cameron F. Kerry, Tyra Dent Smith, Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Kathryn D. Sullivan, Benita D. Parks, <a href="#">44</a> MOTION to Dismiss <a href="#">1</a> Complaint, filed by Dr. Gerald S. Scott, <a href="#">46</a> MOTION to Dismiss <a href="#">1</a> Complaint, filed by Todd G. Gedamke Objections to R&R due by 8/4/2014 Signed by Magistrate Judge Alicia O. Valle on 7/18/2014. (sd01) (Entered: 07/18/2014)

08/06/2014	<a href="#">92</a>	MOTION for Extension of Time to Amend <a href="#">1</a> Complaint, ( Responses due by 8/25/2014), MOTION for Extension of Time to Contact Volunteer Lawyers Project by Nancie Jean Cummings. (yha) (Entered: 08/07/2014)
08/14/2014	<a href="#">93</a>	VACATED Amended Scheduling Order And Order Of Referral To Mediation: ( Jury Trial set for 2/23/2015 in Miami Division before Judge Robert N. Scola Jr., Calendar Call set for 2/17/2015 09:00 AM in Miami Division before Judge Robert N. Scola Jr., Expert Discovery due by 12/5/2014., Fact Discovery due by 11/7/2014., In Limine Motions due by 1/26/2015., Dispositive Motions due by 11/17/2014., Pretrial Stipulation due by 2/13/2015., Status Report due by 10/10/2014.), ORDER REFERRING CASE to Mediation. Mediation Deadline 11/21/2014. Signed by Judge Robert N. Scola, Jr on 8/13/2014. (yha) Modified to vacate per 107 Order on 9/22/2014 (asl). (Entered: 08/14/2014)
08/14/2014	<a href="#">94</a>	ORDER Adopting Magistrates Report And Recommendation granting in part and denying in part <a href="#">44</a> Motion to Dismiss; granting in part and denying in part <a href="#">46</a> Motion to Dismiss; granting in part and denying in part <a href="#">56</a> Motion to Dismiss; granting in part and denying in part <a href="#">61</a> Motion to Dismiss; adopting Report and Recommendations re <a href="#">91</a> Report and Recommendations ( Amended Complaint due by 9/15/2014.); granting in part <a href="#">92</a> Motion for Extension of Time to Amend ; granting in part <a href="#">92</a> Motion for Extension of Time. Signed by Judge Robert N. Scola, Jr on 8/13/2014. (yha) (Entered: 08/14/2014)
08/14/2014	95	CERTIFICATION AND ORDER OF TRANSFER TO MAGISTRATE JUDGE. Pursuant to Administrative Order 2014-64, the undersigned certifies that the above-captioned case presently has no referred, fully briefed pending motions and is therefore ready to be transferred to Magistrate Judge Alicia Otazo-Reyes, as the new paired Magistrate Judge to the Honorable Robert N. Scola, Jr. The Clerk of Court shall transfer the Magistrate Judge assignment for this case to Magistrate Judge Otazo-Reyes. Signed by Magistrate Judge Alicia O. Valle on 8/14/2014. (sd01) (Entered: 08/14/2014)
08/14/2014	96	CASE REFERRED to Magistrate Judge Alicia M. Otazo-Reyes per 95 Order. (asl) (Entered: 08/15/2014)
08/15/2014	 <a href="#">97</a>	MOTION to Compel <i>Discovery</i> by Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Tyra Dent Smith, Cameron F. Kerry, Benita D. Parks, Dr. Bonnie Ponwith, Dr. Clarence E. Porch, Kathryn D. Sullivan, Dr. Peter Thompson. Responses due by 9/2/2014 (Attachments: # <a href="#">1</a> Exhibit A - Letter dated April 21, 2014, # <a href="#">2</a> Exhibit B - Email dated April 28, 2014, # <a href="#">3</a> Text of Proposed Order)(Fidler, Stephanie) (Entered: 08/15/2014)
08/27/2014	<a href="#">98</a>	MOTION to Appoint Volunteer Counsel by Nancie Jean Cummings. Responses due by 9/15/2014 (yha) (Entered: 08/27/2014)
09/05/2014	<a href="#">99</a>	ORDER TO SHOW CAUSE. Show Cause Response due by 9/18/2014. Signed by Magistrate Judge Alicia M. Otazo-Reyes on 9/4/2014. (ahd) (Entered: 09/05/2014)
09/05/2014	 <a href="#">100</a>	Defendant's MOTION for Extension of Time To File Mediator Selection by

		Rebecca M. Blank (former), Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Tyra Dent Smith, Cameron F. Kerry, Benita D. Parks, Dr. Bonnie Ponwith, Kathryn D. Sullivan, Dr. Peter Thompson. Responses due by 9/22/2014 (Attachments: # <a href="#">1</a> Text of Proposed Order)(Fidler, Stephanie) (Entered: 09/05/2014)
09/05/2014	<a href="#">101</a>	SECOND NOTICE to the Court of Intention to Amend Complaint by Nancie Jean Cummings (yha) (Entered: 09/08/2014)
09/05/2014	 <a href="#">102</a>	MOTION for Adequate Time to Amend <a href="#">1</a> Complaint, by Nancie Jean Cummings. See <a href="#">101</a> for image. Responses due by 9/22/2014 (yha) (Entered: 09/08/2014)
09/18/2014	<a href="#">103</a>	RESPONSE to Motion re <a href="#">97</a> MOTION to Compel <i>Discovery</i> filed by Nancie Jean Cummings. Replies due by 9/29/2014. (yha) (Entered: 09/18/2014)
09/18/2014	 <a href="#">104</a>	SECOND MOTION to Compel <i>Service of all pleadings by U.S. Mail simultaneous with any filing of any pleading by any defendant or their counsel and memorandum of law in support</i> by Nancie Jean Cummings. Responses due by 10/6/2014 (yha) (Entered: 09/18/2014)
09/18/2014	<a href="#">105</a>	ORDER REFERRING CASE for Volunteer/Pro Bono Counsel. Signed by Magistrate Judge Alicia M. Otazo-Reyes on 9/18/2014. (ahd) (Entered: 09/18/2014)
09/18/2014	<a href="#">106</a>	RESPONSE to Motion re <a href="#">104</a> MOTION to Compel <i>Service of all pleadings by U.S. Mail simultaneous with any filing of any pleading by any defendant or their counsel and memorandum of law in support</i> filed by Dr. Theophilus Brainerd, Dr. Nancy Bruce Thompson, Tyra Dent Smith, Cameron F. Kerry, Benita D. Parks, Dr. Bonnie Ponwith, Dr. Clarence E. Porch, Kathryn D. Sullivan, Dr. Peter Thompson. Replies due by 9/29/2014. (Attachments: # <a href="#">1</a> Exhibit A - e-mail Cc proposed order re DE 97)(Fidler, Stephanie) (Entered: 09/18/2014)
09/19/2014	107	PAPERLESS ORDER: The Court Vacates <a href="#">93</a> Amended Scheduling Order. This case is referred to Magistrate Judge Alicia Otazo-Reyes for a ruling on all pre-trial, nondispositive matters and for a Report and Recommendation on any dispositive matters. Therefore, the Court vacates its prior scheduling order so that Judge Otazo-Reyes can enter a scheduling order as appropriate in order to move this case along. The Court will set a trial date after ruling on all dispositive motions. Signed by Judge Robert N. Scola, Jr. (kdo) (Entered: 09/19/2014)