

**U.S. District Court  
Southern District of Florida (Ft Pierce)  
CIVIL DOCKET FOR CASE #: 2:22-cv-14394-AMC**

Spilker v. The District Board of Trustees for Indian River State  
College, Florida, (IRSC)  
Assigned to: Judge Aileen M. Cannon  
Referred to: Magistrate Judge Ryon M. McCabe (Settlement)  
Cause: 28:1332 Diversity

Date Filed: 11/30/2022  
Jury Demand: Plaintiff  
Nature of Suit: 446 Civil Rights:  
Americans with Disabilities - Other  
Jurisdiction: Diversity

**Plaintiff**

**Stephen Spilker**

represented by **Stephen Spilker**  
PO Box 783  
Roseland, FL 32957  
Email: stephenspilker@yahoo.com  
PRO SE

**Scott Reed Stark**

Scott Stark, Attorney  
200 South Betty Lane #3  
Clearwater, FL 33756  
(727) 403-1716  
Email: scottstarkattorney@yahoo.com  
*TERMINATED: 12/20/2022*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**The District Board of Trustees for  
Indian River State College, Florida,  
(IRSC)**

represented by **Richard E Mitchell**  
GrayRobinson, PA  
301 E. Pine Street, Suite 1400  
Orlando, FL 32802  
4078438880  
Email: rick.mitchell@gray-robinson.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Sarah Pleasant Lohn Reiner**

GrayRobinson, P.A.  
301 East Pine Street  
Suite 1400  
Orlando, FL 32801  
407-244-5650  
Fax: 407-244-5690  
Email: sarah.reiner@gray-robinson.com

*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
10/12/2023	<a href="#">61</a>	ORDER granting <a href="#">60</a> Motion For Referral To Volunteer Attorney Program. Signed by Judge Aileen M. Cannon on 10/12/2023. <i>See attached document for full details.</i> (kpe) (Entered: 10/12/2023)
10/10/2023	<a href="#">60</a>	MOTION for Referral to the Volunteer Attorney Program by Stephen Spilker. (kpe) (Entered: 10/11/2023)
10/10/2023	<a href="#">59</a>	NOTICE to the Clerk of Court by Stephen Spilker. (kpe) (Entered: 10/11/2023)
10/06/2023	58	CLERK'S NOTICE of Compliance re 57 Order. (kpe) (Entered: 10/06/2023)
10/06/2023	57	PAPERLESS ORDER: The Court grants Plaintiff's Motion to Use his Cellphone During Scheduled Settlement Conference <a href="#">56</a> . The Clerk of Court is directed to contact the CSO office and inform them of this order and allow pro-se Plaintiff to bring his cellphone into the courthouse on November 6, 2023. Signed by Magistrate Judge Ryon M. McCabe on 10/6/2023. (ime) (Entered: 10/06/2023)
10/06/2023	<a href="#">56</a>	MOTION Asking This Honorable Court to Grant the Plaintiff Permission to use his Cell Phone During Scheduled Settlement Conference by Stephen Spilker. (kpe) (Entered: 10/06/2023)
09/13/2023	<a href="#">55</a>	ORDER SCHEDULING SETTLEMENT CONFERENCE: SETTLEMENT CONFERENCE set for 11/6/2023 at 10:00 AM in West Palm Beach Division before Magistrate Judge Ryon M. McCabe. Signed by Magistrate Judge Ryon M. McCabe on 9/13/2023. <i>See attached document for full details.</i> (caw) (Entered: 09/13/2023)
09/13/2023	54	PAPERLESS ORDER granting <a href="#">51</a> Motion for Leave to Appear. In light of Plaintiff's Motion to Request Settlement Conference be Conducted in Person rather than via Zoom <a href="#">51</a> which is unopposed by Defendant <a href="#">53</a> , I grant Plaintiffs Motion <a href="#">51</a> . I will set the settlement conference which will include logistics, in a separate order. Signed by Magistrate Judge Ryon M. McCabe on 9/13/2023. (ime) (Entered: 09/13/2023)
09/12/2023	<a href="#">53</a>	RESPONSE to Motion re <a href="#">51</a> MOTION for Leave to Appear <i>in-Person for Settlement Conference</i> filed by The District Board of Trustees for Indian River State College, Florida, (IRSC). Replies due by 9/19/2023. (Reiner, Sarah) (Entered: 09/12/2023)
09/11/2023		Set Deadlines per DE 52 Order as to <a href="#">51</a> MOTION. Responses due by 9/15/2023. (kpe) (Entered: 09/11/2023)
09/11/2023	52	PAPERLESS ORDER: In light of Plaintiff's Motion to Request Settlement Conference be Conducted in Person <a href="#">51</a> , I am ordering an expedited response from Defendant. Defendant has until September 15, 2023 to file its response to this Motion. Signed by Magistrate Judge Ryon M. McCabe on 9/11/2023. (ime) (Entered: 09/11/2023)
09/11/2023	<a href="#">51</a>	MOTION to Request Settlement Conference be Conducted In Person rather than via Zoom by Stephen Spilker. Responses due by 9/25/2023 (kpe) (Entered: 09/11/2023)
09/07/2023	50	PAPERLESS ORDER granting <a href="#">49</a> Joint Motion for Settlement Conference. The Court will set the settlement conference by separate Order to take place on November 6 via Zoom. Signed by Magistrate Judge Ryon M. McCabe on 9/7/2023. (ime)

		(Entered: 09/07/2023)
09/06/2023	<a href="#">49</a>	Joint MOTION for Settlement <i>Conference</i> by The District Board of Trustees for Indian River State College, Florida, (IRSC). Responses due by 9/20/2023 (Reiner, Sarah) (Entered: 09/06/2023)
08/30/2023	48	PAPERLESS ORDER: This matter has been referred to the undersigned for a settlement conference 47 . By or before, 9/6/2023, the parties shall file either: (A) a joint motion requesting a settlement conference that provides three mutually agreed upon dates to participate in the conference; or (B) a joint notice advising the Court that the parties are unable to agree on dates for the conference. Pursuant to DE 47, the settlement conference is to occur on or before November 20, 2023. The settlement conference will be conducted via Zoom unless the parties agree to an in-person conference. Signed by Magistrate Judge Ryon M. McCabe on 8/30/2023. (mw00) (Entered: 08/30/2023)
08/30/2023	47	PAPERLESS ORDER: This case is hereby REFERRED to Magistrate Judge Ryon M. McCabe for a settlement conference to occur on or before November 20, 2023. On or before September 6, 2023, counsel shall confer and contact Judge McCabe's chambers to schedule the settlement conference. Except as provided under Local Rule 16.2(e), the appearance of counsel and each party, or representatives of each party with full authority to enter into a complete settlement, is mandatory. <i>See</i> S.D. Fla. L.R. 16.2(e). Signed by Judge Aileen M. Cannon on 8/30/2023. (kts) (Entered: 08/30/2023)
08/30/2023	46	PAPERLESS ORDER granting <a href="#">45</a> Joint Motion for Settlement Conference. This case will be referred to Magistrate Judge Ryon M. McCabe for a settlement conference by separate order. The parties are relieved of the requirement to attend private mediation in the Court's Scheduling Order <a href="#">36</a> . Accordingly, Plaintiff's Motion to Waive Mediation Fees <a href="#">44</a> is DENIED AS MOOT. Signed by Judge Aileen M. Cannon on 8/30/2023. (kts) (Entered: 08/30/2023)
08/29/2023	<a href="#">45</a>	Joint MOTION for Hearing ( <i>Settlement Conference</i> ) <i>Before Magistrate Judge</i> by The District Board of Trustees for Indian River State College, Florida, (IRSC). (Reiner, Sarah) (Entered: 08/29/2023)
08/28/2023	<a href="#">44</a>	MOTION to Waive Mediation Fees or Motion to Change Mediation Venue to a More Affordable Venue re <a href="#">38</a> Notice of Mediator Selection and/or Hearing by Stephen Spilker. (drz) (Entered: 08/28/2023)
08/24/2023	43	PAPERLESS ORDER granting <a href="#">42</a> Mediator's Amended Motion to be Relieved as Mediator. On or before August 31, 2023, the parties shall file an amended joint notice of mediation in accordance with the Court's Order <a href="#">36</a> . Additionally, the Mediator's initial Motion <a href="#">40</a> is DENIED AS MOOT in light of the Amended Motion <a href="#">42</a> . Signed by Judge Aileen M. Cannon on 8/24/2023. (kts) (Entered: 08/24/2023)
08/23/2023	<a href="#">42</a>	Unopposed MOTION to Appoint Mediator <i>Notice of Conflict and Motion for Court to Relieve Mediator Robyn Hankins from Serving as the Mediator in this Matter</i> by Robyn S. Hankins. Responses due by 9/6/2023 (Hankins, Robyn) (Entered: 08/23/2023)

08/23/2023	<a href="#">41</a>	Clerk's Notice of Filing Deficiency Re: <a href="#">40</a> MOTION to Appoint Mediator <i>Mediator's Notice of Conflict and Motion for Court to Relieve Robyn S. Hankins from Serving as Mediator on this Matter</i> filed by Robyn S. Hankins. Document(s) missing required signature(s) (Fed.R.Civ.P. 11(a)). (jas) (Entered: 08/23/2023)
08/23/2023	<a href="#">40</a>	MOTION to Appoint Mediator <i>Mediator's Notice of Conflict and Motion for Court to Relieve Robyn S. Hankins from Serving as Mediator on this Matter</i> by Robyn S. Hankins. Attorney Robyn Sue Hankins added to party Robyn S. Hankins(pty:med). Responses due by 9/6/2023 (Hankins, Robyn) (Entered: 08/23/2023)
05/03/2023	<a href="#">39</a>	ORDER Scheduling Mediation before Robyn S. Hankins. Mediation Hearing set for 9/27/2023 10:00 AM. Signed by Judge Aileen M. Cannon on 5/3/2023. <i>See attached document for full details.</i> (jas) (Entered: 05/03/2023)
05/02/2023	<a href="#">38</a>	NOTICE of Mediator Selection and Hearing. ( <i>Joint</i> ) Selected/Added Robyn S. Hankins as Mediator. Mediation Hearing set for 9/27/2023 at 10:00 a.m.. (Attachments: # <a href="#">1</a> Proposed Order)(Reiner, Sarah) (Entered: 05/02/2023)
04/05/2023	<a href="#">37</a>	ORDER SETTING DISCOVERY PROCEDURE. Signed by Magistrate Judge Ryon M. McCabe on 4/5/2023. <i>See attached document for full details.</i> (jas) (Entered: 04/05/2023)
04/05/2023	<a href="#">36</a>	ORDER SETTING TRIAL, SETTING PRE-TRIAL DEADLINES, AND REFERRING CERTAIN MATTERS TO MAGISTRATE JUDGE: Jury Trial set for 4/8/2024 09:00 AM in Fort Pierce Division before Judge Aileen M. Cannon., Calendar Call set for 4/2/2024 01:45 PM in Fort Pierce Division before Judge Aileen M. Cannon., Amended Pleadings due by 5/23/2023., Discovery due by 11/6/2023., Expert Discovery due by 11/6/2023., Joinder of Parties due by 5/23/2023., Mediation Deadline 11/20/2023., In Limine Motions due by 2/16/2024., Pretrial Motions due by 11/27/2023., Joint Pretrial Stipulation due by 2/16/2024.). REFERRING CASE to Magistrate Judge Ryon M. McCabe for appropriate disposition of all pro hac vice motions, motions to withdraw and/or substitute counsel, and pretrial motions related to discovery. Signed by Judge Aileen M. Cannon on 4/5/2023. <i>See attached document for full details.</i> (jas) (Entered: 04/05/2023)
04/04/2023	<a href="#">35</a>	Joint SCHEDULING REPORT - <b>Rule 16.1</b> by The District Board of Trustees for Indian River State College, Florida, (IRSC) (Attachments: # <a href="#">1</a> Exhibit A - Joint Proposed Scheduling Order)(Reiner, Sarah) (Entered: 04/04/2023)
03/26/2023	34	PAPERLESS ORDER striking <a href="#">32</a> Plaintiff's Reply to Defendant's Answer. Pursuant to Rule 7(a)(7) of the Federal Rules of Civil Procedure, a reply to an answer may be filed "if the court orders one." Fed R. Civ. P. 7(a)(7). The Court has not ordered any reply to answer in this action. Signed by Judge Aileen M. Cannon on 3/26/2023. (kts) (Entered: 03/26/2023)
03/24/2023	<a href="#">33</a>	Clerk's Notice of Docket Correction re <a href="#">32</a> REPLY to <a href="#">25</a> Answer and Affirmative Defenses to Amended Complaint and MOTION to Quash the Defendant's Prayer for Relief in its Entirety. <b>Document Restricted Due to Missing Page</b> ; The correct document has been attached to this notice. (mab) (Entered: 03/24/2023)
03/24/2023	<a href="#">32</a>	STRICKEN per DE# 34 , REPLY to <a href="#">25</a> Answer and Affirmative Defenses to Amended Complaint and MOTION to Quash the Defendant's Prayer for Relief in its Entirety by Stephen Spilker. (jas) Modified text on 3/27/2023 (jas). (Entered: 03/24/2023)

03/22/2023	<a href="#">31</a>	NOTICE of Attorney Appearance by Richard E Mitchell on behalf of The District Board of Trustees for Indian River State College, Florida, (IRSC). Attorney Richard E Mitchell added to party The District Board of Trustees for Indian River State College, Florida, (IRSC)(pty:dft). (Mitchell, Richard) (Entered: 03/22/2023)
03/21/2023	<a href="#">30</a>	Defendant's Certificate of Other Affiliates by The District Board of Trustees for Indian River State College, Florida, (IRSC) identifying Other Affiliate Milo Thornton, Other Affiliate Anthony D. George, Jr., Other Affiliate Christa Lune, Other Affiliate Susan R. Caron, Other Affiliate Jose L. Conrado, Other Affiliate Vicki H. Davis, Other Affiliate Melissa D. Kindell, Other Affiliate Madhu Sasidhar, Other Affiliate J. Brantley Schirard, Jr. for The District Board of Trustees for Indian River State College, Florida, (IRSC) (Reiner, Sarah) (Entered: 03/21/2023)
03/20/2023	29	Clerk's Notice to Filer re <a href="#">28</a> Certificate of Other Affiliates/Corporate Disclosure Statement. <b>Other Affiliates/Corporate Parents Not Entered</b> ; ERROR - The Filer failed to enter all Other Affiliates/Corporate Parents from the Certificate of Other Affiliates/Corporate Disclosure Statement. Filer is instructed to refile their Certificate of Other Affiliates/Corporate Disclosure Statement and enter the missing Other Affiliates/Corp Parents. Note - Other Affiliates/Corporate Parents do not appear on the docket sheet. (jas) (Entered: 03/20/2023)
03/20/2023	<a href="#">28</a>	Defendant's Corporate Disclosure Statement by The District Board of Trustees for Indian River State College, Florida, (IRSC) (Reiner, Sarah) (Entered: 03/20/2023)
03/15/2023	<a href="#">27</a>	Plaintiff's Certificate of Interested Persons and Corporate Disclosure Statement by Stephen Spilker. (jas) (Entered: 03/16/2023)
03/13/2023	<a href="#">26</a>	Order Requiring Joint Scheduling Report and Certificates of Interested Parties. Joint Scheduling Report due by 4/4/2023. Signed by Judge Aileen M. Cannon on 3/13/2023. <i>See attached document for full details.</i> (ls) (Entered: 03/13/2023)
03/10/2023	<a href="#">25</a>	<i>Defendant's</i> ANSWER and Affirmative Defenses to Amended Complaint by The District Board of Trustees for Indian River State College, Florida, (IRSC). (Reiner, Sarah) (Entered: 03/10/2023)
02/06/2023	<a href="#">24</a>	NOTICE of Filing Amended Civil Cover Sheet by Stephen Spilker. (jas) (Entered: 02/07/2023)
01/09/2023	<a href="#">23</a>	WAIVER OF SERVICE Returned Executed by The District Board of Trustees for Indian River State College, Florida, (IRSC). The District Board of Trustees for Indian River State College, Florida, (IRSC) waiver sent on 1/9/2023, response/answer due 3/10/2023. (Reiner, Sarah) (Entered: 01/09/2023)
01/09/2023	<a href="#">22</a>	NOTICE of Attorney Appearance by Sarah Pleasant Lohn Reiner on behalf of The District Board of Trustees for Indian River State College, Florida, (IRSC). Attorney Sarah Pleasant Lohn Reiner added to party The District Board of Trustees for Indian River State College, Florida, (IRSC)(pty:dft). (Reiner, Sarah) (Entered: 01/09/2023)
12/20/2022	<a href="#">21</a>	ORDER OF INSTRUCTIONS TO PRO SE PLAINTIFF. Signed by Judge Aileen M. Cannon on 12/20/2022. <i>See attached document for full details.</i> (jas) (Entered: 12/21/2022)
12/20/2022	<a href="#">20</a>	ORDER FOLLOWING STATUS CONFERENCE. Attorney Scott Reed Stark representing Spilker, Stephen (Plaintiff) terminated. Granting <a href="#">10</a> MOTION to Proceed as Pro Se, MOTION to Remove, Denying as Moot <a href="#">18</a> MOTION Ordering

		Attorney Scott Stark to Stop Filing Documents on My Case. (Non-Prisoner) Stephen Spilker to receive Notices of Electronic Filing at email address: stephenspilker@yahoo.com Signed by Judge Aileen M. Cannon on 12/20/2022. <i>See attached document for full details.</i> (jas) (Entered: 12/21/2022)
12/20/2022	19	PAPERLESS Minute Entry for proceedings held before Judge Aileen M. Cannon: Status Conference held on December 20, 2022. The Court granted Attorney Scott Reed Stark's <i>ore tenus</i> Motion to Withdraw as Counsel. Order to follow. Total time in court: 10 minutes. Appearances: Scott Reed Stark, Stephen Spilker. Court Reporter: Diane Miller, 772-467-2337 / Diane_Miller@flsd.uscourts.gov. (kts) (Entered: 12/20/2022)
12/19/2022	<a href="#">18</a>	MOTION ORDERING ATTORNEY SCOTT STARK AND JEANE STARK TO STOP FILING DOCUMENTS ON MY CASE by Stephen Spilker. Responses due by 1/3/2023 (ebz) (Entered: 12/19/2022)
12/19/2022	<a href="#">17</a>	AMENDED COMPLAINT AND DEMAND FOR JURY TRIAL against The District Board of Trustees for Indian River State College, Florida, (IRSC), filed by Stephen Spilker. (Address Updated)(ebz) (Entered: 12/19/2022)
12/19/2022	16	<b>PAPERLESS NOTICE of Hearing:</b> Status Conference scheduled for 12/20/2022 at 2:00 PM in Fort Pierce Division before Judge Aileen M. Cannon via the Zoom platform. The Zoom link and information will be emailed to all parties of record. Plaintiff and his counsel should be prepared to discuss Plaintiff's Motion to Proceed <i>Pro Se</i> <a href="#">10</a> . (kts) (Entered: 12/19/2022)
12/19/2022	15	Clerk's Notice to Filer re DE <a href="#">14</a> : Summons cannot be issued. The party on the summons does not match the initiating documents. Filer may file a <b>Notice of Filing Proposed Summons</b> with the corrected summons attached. (pes) (Entered: 12/19/2022)
12/16/2022	<a href="#">14</a>	NOTICE of Attorney Appearance by Scott Reed Stark on behalf of Stephen Spilker (Attachments: # <a href="#">1</a> Summon(s)) (Stark, Scott) (Entered: 12/16/2022)
12/14/2022	13	CLERK'S NOTICE re <a href="#">11</a> Consent by Pro Se Litigant to receive Notices of Electronic Filing. Email address cannot be added for Stephen Spilker. Plaintiff Stephen Spiker is represented by an attorney in this matter (Motion to Remove Counsel is Pending). (jc) (Entered: 12/14/2022)
12/14/2022	<a href="#">12</a>	NOTICE of Filing Summons(es) by Stephen Spilker. (Party on summons is not part of case). (jas) (Entered: 12/14/2022)
12/14/2022	<a href="#">11</a>	Consent by Pro Se Litigant (Non-Prisoner) Stephen Spilker to receive Notices of Electronic Filing at email address: stephenspilker@yahoo.com (jas) (Entered: 12/14/2022)
12/14/2022	<a href="#">10</a>	MOTION to Proceed as Pro Se, MOTION to Remove Counsel (Responses due by 12/28/2022) by Stephen Spilker. (jas) (jas). (Entered: 12/14/2022)
12/12/2022	<a href="#">9</a>	ORDER granting <a href="#">5</a> Motion for Leave to Proceed in forma pauperis. Signed by Judge Aileen M. Cannon on 12/12/2022. <i>See attached document for full details.</i> (jas) (Entered: 12/12/2022)
12/12/2022	8	PAPERLESS ORDER: Plaintiff is reminded that as a party represented by an attorney in this matter, he may not "appear or act on [his] own behalf in the action or proceeding." <i>See</i> S.D. Fla. L.R. 11.1(d)(4). <b>Counsel for Plaintiff, Scott Reed Stark,</b>

		<b>is directed to file a Notice of Appearance in this action, on or before December 16, 2022.</b> Signed by Judge Aileen M. Cannon on 12/12/2022. (kts) (Entered: 12/12/2022)
12/09/2022	<a href="#">7</a>	NOTICE of Filing Clarification to Proceed In Forma Pauperis by Stephen Spilker re <a href="#">5</a> MOTION for Leave to Proceed in forma pauperis. (jas) (Entered: 12/09/2022)
12/02/2022	6	PAPERLESS ORDER requiring clarification of <a href="#">5</a> Plaintiff's Motion for Leave to Proceed In Forma Pauperis. Plaintiff seeks to proceed without prepaying fees or costs, but Plaintiff is represented by counsel in this action, and the long form attached to the motion indicates that Plaintiff has or will spend \$3,000 on "expenses or attorney fees in conjunction with this lawsuit." In light of that information, on or before December 9, 2022, Plaintiff shall file a clarification to the Motion providing additional information relevant to the Court's inquiry of whether Plaintiff is unable to pay the fees or costs associated with this matter. <i>See</i> 28 U.S.C. § 1915(a). Signed by Judge Aileen M. Cannon on 12/2/2022. (kts) (Entered: 12/02/2022)
12/01/2022	<a href="#">5</a>	MOTION for Leave to Proceed in forma pauperis by Stephen Spilker. (jas) (Entered: 12/01/2022)
11/30/2022	4	Clerk's Notice to Filer re: Electronic Case. Filing fees not paid. Filer is instructed to file a Notice of Compliance of Filing Fee, and electronically pay the correct fees of \$402.00 within 24 hours of this notice. (rbe) (Entered: 11/30/2022)
11/30/2022	3	Clerk's Notice to Filer re: Summons(es) cannot be issued. The filing fee has not been paid. Filer may file a Notice of Filing Proposed Summons(es) with the summons attached upon payment of filing fee. (rbe) (Entered: 11/30/2022)
11/30/2022	2	Clerks Notice of Judge Assignment to Judge Aileen M. Cannon.  Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Ryon M. McCabe is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent. (rbe) (Entered: 11/30/2022)
11/30/2022	<a href="#">1</a>	COMPLAINT 2;22-cv-14394 against All Plaintiffs. Filing fees \$ 402.00. IFP Filed-Not Paid/ No IFP , filed by Stephen Spilker. (Attachments: # <a href="#">1</a> Summon(s), # <a href="#">2</a> Civil Cover Sheet)(Stark, Scott) Modified text on 11/30/2022 (rbe). (Entered: 11/30/2022)