

**COVERSHEET FOR  
TRANSMISSION OF NEW CIVIL APPEAL TO LAW COURT**

Transmitting court: Augusta Superior	
(Short) Case name: Robbins et al vs. Maine Commission et al	Docket No.: AUGSC-CV-2022-54
Transmitting Clerk: Jen Kelley	Direct phone: 213-2853

<b>Ensure that filing is complete:</b>	
Order appealed from is by judge (not Family Law Magistrate)	<input checked="" type="checkbox"/> Yes
Notice of appeal is signed	<input checked="" type="checkbox"/> Yes
Appeal fee	<input type="checkbox"/> Paid <input type="checkbox"/> Mot to waive <input checked="" type="checkbox"/> Not required
Transcript order form <i>is complete and accurate</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not filed

<b>Docket all documents filed:</b>	
Notice of appeal	<input checked="" type="checkbox"/> Docketed
Appeal fee	<input type="checkbox"/> Docketed paid <input checked="" type="checkbox"/> Not required or mot to waive
Statement of issues on appeal	<input checked="" type="checkbox"/> Docketed <input type="checkbox"/> Not filed
Attachments/exhibits to notice of appeal	<input checked="" type="checkbox"/> Docketed <input type="checkbox"/> Not filed
Transcript order form	<input checked="" type="checkbox"/> Docketed <input type="checkbox"/> Not filed
Motion for transcript at state expense	<input checked="" type="checkbox"/> Docketed <input type="checkbox"/> Not filed
Motion to waive appeal fee	<input checked="" type="checkbox"/> Docketed <input type="checkbox"/> Not filed
Other motion(s)	<input checked="" type="checkbox"/> Docketed <input type="checkbox"/> None filed

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Order appealed from has been docketed	<input checked="" type="checkbox"/> Docketed
Attorney appearances and withdrawals docketed	<input checked="" type="checkbox"/> All docketed <input type="checkbox"/> All parties pro se
All parties', attys', & GALs' addresses are printed on docket sheet	<input checked="" type="checkbox"/> All appear correctly
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<b>Present all pending motions to judge</b>	<input checked="" type="checkbox"/> Presented <input type="checkbox"/> None filed
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Attorneys and pro se parties, except appellant	<input checked="" type="checkbox"/> Sent
If action involves Maine Tort Claims Act, Attorney General	<input type="checkbox"/> Sent <input checked="" type="checkbox"/> Not applicable

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Other motions filed with notice of appeal	<input type="checkbox"/> Sent <input checked="" type="checkbox"/> None filed
Orders on other motions filed with notice of appeal	<input type="checkbox"/> Sent <input checked="" type="checkbox"/> No mot's filed <input type="checkbox"/> No orders yet
Docket sheet from matter appealed from	<input checked="" type="checkbox"/> Sent
Docket sheets from cases with which case appealed was consolidated	<input type="checkbox"/> Sent <input checked="" type="checkbox"/> No other cases
Docket sheets from cases that were transferred to case appealed	<input type="checkbox"/> Sent <input checked="" type="checkbox"/> No other cases
<b>In PC cases: Word version of order appealed from</b>	<input type="checkbox"/> Sent <input checked="" type="checkbox"/> Not PC case

## MAINE JUDICIAL BRANCH

ANDREW ROBBINS, et al.

V.

MAINE COMMISSION ON PUBLIC DEFENDER SERVICES, et al.

"X" the court for filing:

☒ Superior Court ☐ District Court☐ Unified Criminal DocketCounty: Kennebec

Location (Town): \_\_\_\_\_

Docket No.: CV-22-54

## NOTICE OF APPEAL

☒ CIVIL ☐ CRIMINAL

I, (name of party appealing), State of Maine appeal from the judgment, order or ruling entered in this proceeding on (date of order appealed from - mm/dd/yyyy) 08/13/2024. Any party who wishes to be heard on this appeal must file an appearance.

☒ This is a civil appeal.

☐ This case arises from the Maine Tort Claims Act requiring the clerk to send a copy of this Notice of Appeal to the Office of the Attorney General.

☐ If this is a criminal appeal, check one of the following:

☐ The defendant is presently confined at \_\_\_\_\_

☐ The defendant is not in custody. The defendant's address is: \_\_\_\_\_

## "X" THE APPLICABLE BOX:

☐ The Transcript Order form is attached.

☒ No transcript will be ordered.

☐ No electronic or other recording of the proceedings can be prepared for this civil case. Therefore, a statement in lieu of transcript will be prepared pursuant to M.R. App. P. 5(d).

Date (mm/dd/yyyy): 08/16/2024

Signature of Appellant or Appellant's Attorney

Address of Appellant or Attorney:

Office of the Maine Attorney General

6 State House Station

Augusta, ME 04333

Paul E. Suitter, Esq.

Printed name of Appellant or Appellant's Attorney

If attorney, bar number: 5736

**PLEASE NOTE:** This Notice of Appeal must be filed in the court that issued the order appealed from. It will not be accepted or docketed unless (1) in a Civil case, it is accompanied by the required filing fee or a motion to waive the filing fee, and (2) if the appellant is represented, it contains the bar number of Appellant's attorney.

If this is an appeal from a civil case or a criminal case involving an adult defendant, this notice must be filed within 21 days of the entry of the judgment in the docket. If this is an appeal from a case involving the extradition of a fugitive to another state, this notice must be filed within 7 days of the entry of the judgment in the docket.

**WARNING:** Small Claims, Forcible Entry & Detainer and Juvenile matters have differing time limits for filing a Notice of Appeal. If this is an appeal from a Small Claims, Forcible Entry and Detainer or Juvenile matter, another form must be used which is available from the clerk.

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Received and Filed

AUG / 6 2024

Augusta District Court  
Kennebec Superior Court

STATE OF MAINE  
KENNEBEC, ss.

SUPERIOR COURT  
CIVIL ACTION  
DOCKET NO. KENSC-CV-22-54

ANDREW ROBBINS, et al.,

Plaintiffs,

v.

MAINE COMMISSION ON PUBLIC  
DEFENDER SERVICES, et al.,

Defendants.

**ORDER ON PENDING  
MOTIONS TO DISMISS**

Three Defendants in this action—the State of Maine, the Maine Commission on Public Defender Services (“MCPDS”),<sup>1</sup> and Attorney General Aaron Frey—have filed motions pursuant to M.R. Civ. P. 12(b)(1) and 12(b)(6) asking the Court to dismiss the claims against them as set forth in Plaintiffs’ First Amended Class Action Complaint for Injunctive and Declaratory Relief and Class Action Petition for Habeas Relief (“the Amended Complaint”). The State of Maine and MCPDS are represented in this matter by Assistant Attorneys General Sean Magenis and Paul Switter, and the Attorney General is separately represented by Assistant Attorneys General Valerie Wright and Jack Dafoe.

For the following reasons, the claims against MCPDS and the Attorney General will be dismissed. Moreover, the Court declines to dismiss the State of Maine as a party, though it clarifies the State’s status as a party-in-interest to the Petition for Habeas Relief.

**PROCEDURAL HISTORY**

This case has an extensive procedural history that the Court has described in prior orders. *E.g., Order on Pls.’ Mot. for Leave to Amend and Supp. the Compl.* 1-4 (May 23, 2024). The

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<sup>1</sup> The agency formerly went by the name “Maine Commission on Indigent Legal Services.”

Court dispenses with a recitation of that procedural history here and focuses on the context immediately relevant to the pending motions.

By order dated May 23, 2024, the Court granted in part Plaintiffs' Motion to Amend the Complaint over Defendants' objections. The order provided that the parties were being added subject to further challenges, such as those raised here on a motion to dismiss. The Amended Complaint added new claims and parties, including the State of Maine and the Attorney General, as well as a Petition for Habeas Relief. The claims in the Amended Complaint are summarized as follows:

Count	Defendants	Cause of Action	Brief Description
I	Attorney General; Executive Director & Commissioners of MCPDS	42 U.S.C. § 1983	Alleges violations of the right to counsel under the Sixth Amendment of the U.S. Constitution and seeks declaratory and injunctive relief
II	Attorney General; Executive Director & Commissioners of MCPDS	Maine Civil Rights Act ("MCRA"), 5 M.R.S. § 4682	Alleges violations of the right to counsel under Article I, Section 6 of the Maine Constitution and seeks declaratory and injunctive relief
III	State of Maine; County Sheriffs	Petition for a Writ of Habeas Corpus, 14 M.R.S. §§ 5501-5546	Alleges that members of the Plaintiff Subclass have been detained unlawfully without counsel in violation of their constitutional rights and seeks a writ of habeas corpus
IV	MCPDS	Declaratory Judgments Act ("DJA"), 14 M.R.S. §§ 5951-5963	Seeks a declaration that MCPDS has unconstitutionally failed to furnish representation to Class Members, <i>inter alia</i> , and requests injunctive relief
V	State of Maine	DJA, 14 M.R.S. §§ 5951-5963	Seeks a declaration that the State of Maine has unconstitutionally failed to furnish representation to Class Members and requests injunctive relief

After Plaintiffs filed their Amended Complaint, the Attorney General, State of Maine, and MCPDS each filed a motion to dismiss pursuant to M.R. Civ. P. 12(b)(1) and 12(b)(6). Specifically: (1) the Attorney General asks to be dismissed as a party from Counts I and II; (2) the State asks the Court to dismiss the DJA claim against it (Count V) and requests that the Court clarify its status as a party-in-interest with respect to Count III; and (3) MCPDS requests dismissal of the DJA claim in Count IV. All motions have been fully briefed and oral argument was heard on July 31, 2024.

### **STANDARD OF REVIEW**

A motion to dismiss tests the legal sufficiency of the complaint. *Livonia v. Town of Rome*, 1998 ME 39, ¶ 5, 707 A.2d 83. “For purposes of a Rule 12(b)(6) motion, the material allegations of the complaint must be taken as admitted.” *Id.* On review, the court examines the complaint “in the light most favorable to the plaintiff to determine whether it sets forth elements of a cause of action or alleges facts that would entitle the plaintiff to relief pursuant to some legal theory.” *Oakes v. Town of Richmond*, 2023 ME 65, ¶ 15, 303 A.3d 650 (quotation marks omitted). “A dismissal should only occur when it appears beyond doubt that a plaintiff is entitled to no relief under any set of facts that [she] might prove in support of [her] claim.” *Id.* (quotation marks omitted) (alterations in original). Because Maine is a notice-pleading jurisdiction, “the level of scrutiny used to assess the sufficiency of a complaint is ‘forgiving.’” *Id.* ¶ 16.

To the extent Defendants challenge this Court’s subject matter jurisdiction over Plaintiffs’ claims, that presents a question of law. *Tomer v. Me. Human Rights Comm’n*, 2008 ME 190, ¶ 9, 962 A.2d 335. “When a motion to dismiss is based on the court’s lack of subject matter jurisdiction, [the court] make[s] no favorable inferences in favor of the plaintiff.” *Id.*

## DISCUSSION

For several reasons—some different and some overlapping—the Attorney General, State of Maine, and MCPDS ask the Court to dismiss them from the various counts set forth in the Amended Complaint. The Court addresses the arguments by party below.<sup>2</sup>

### **I. Attorney General (Counts I and II)**

The Attorney General seeks dismissal from the Amended Complaint, which names him as a defendant to both the Section 1983 (Count I) and MCRA (Count II) claims. Among other contentions, the Attorney General argues that (1) Plaintiffs lack standing, as their constitutional injuries are not traceable to him and are unlikely to be redressed by the Court, and (2) Plaintiffs' claims do not fall within *Ex Parte Young*'s exception to sovereign immunity.

#### *A. Standing*

In Counts I-II, Plaintiffs allege that the Attorney General, along with other individual defendants, have violated their right to counsel under the Federal and Maine Constitution. To have standing to assert these claims, Plaintiffs “must show they suffered an injury that is fairly traceable to the challenged action and that is likely to be redressed by the judicial relief sought.” *Collins v. State*, 2000 ME 85, ¶ 6, 750 A.2d 1257. At issue in this case are the traceability and redressability requirements—closely related concepts that “are often flip sides of the same coin.” *Food & Drug Admin. v. All. for Hippocratic Med.*, 602 U.S. 367, 380 (2024) (quotation marks omitted). Here, the Court agrees with the Attorney General that Plaintiffs are unable to

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<sup>2</sup> To the extent any of the Court's statements or conclusions in this Order differ from those in its previous Order on Plaintiffs' Motion to Amend—which allowed the addition of parties the Court now dismisses today—that prior order was never intended to be the Court's final word on whether the parties were properly named. The conclusions reached in the Order on Plaintiffs' Motion to Amend were in part a function of the liberal standard of review governing motions to amend and were always subject to the filing of motions to dismiss in which the issues could be more fulsomely briefed by the newly-added parties.

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demonstrate traceability and redressability and thus, lack standing to assert their Section 1983 and MCRA claims against the Attorney General.

First, Plaintiffs have failed to persuade the Court that the alleged violation of their right to counsel is traceable to the Attorney General's actions. The Amended Complaint alleges several ways in which the Attorney General and other Defendant officers have caused the constitutional injury Plaintiffs claim. Specifically, Plaintiffs point to (1) Defendants' failure to provide continuous representation of counsel at the initial appearance and at all stages of the proceedings thereafter; (2) their failure to develop and implement an effective system for the appointment of counsel; and (3) their implementation of the lawyer-of-the-day program. Am. Compl. ¶¶ 139-42, 150-53. The Attorney General, however, plays no role in furnishing counsel or implementing Maine's indigent defense system, and Plaintiffs do not point to any provision of Maine law suggesting that he does. Nor do any factual allegations establish that the Attorney General has assumed any role in providing indigent defense services.

Instead, to try to establish the requisite causal connection between their constitutional injuries and the Attorney General's actions, Plaintiffs look to the Attorney General's enforcement authority and supervisory authority over prosecutions, including his power to:

- institute and maintain "all such actions and proceedings as he deems necessary for the enforcement of the laws of the State, the preservation of order, and *the protection of public rights*," *Superintendent of Ins. v. Attorney Gen.*, 558 A.2d 1197, 1199 (Me. 1989) (emphasis in original);
- "act in place of or with the district attorneys, or any of them, in instituting and conducting prosecutions for crime," 5 M.R.S. § 199; and
- direct and control the "investigation and prosecution of homicides and such other major crimes as the Attorney General may deem necessary for the peace and good order of the State of Maine," 5 M.R.S. § 200-A.

That the Attorney General may wield these powers does not demonstrate that Plaintiffs' alleged deprivation of counsel is traceable to the Attorney General. Courts elsewhere have rejected similar attempts to establish standing, concluding that provisions which "generally describ[e] the Attorney General's [enforcement] authority" are insufficient to demonstrate traceability. *Lewis v. Governor of Alabama*, 944 F.3d 1287, 1300 (11th Cir. 2019); *see also City of S. Miami v. Governor*, 65 F.4th 631, 640-45 (11th Cir. 2023). In the absence of any evidence that the Attorney General is responsible for furnishing counsel or implementing Maine's indigent defense system, Plaintiffs cannot rely on the Attorney General's general enforcement and supervisory authority to establish the traceability element of standing. Indeed, Maine law expressly gives control over the provision of counsel to other actors, including MCPDS and its officers. *E.g.*, 4 M.R.S. §§ 1801, 1804(3).

Plaintiffs argue that the "Attorney General shares the responsibility for the violation of Plaintiffs' constitutional rights," as he has failed to "adopt systems to ensure that [] prosecutions are maintained only when Plaintiffs have been appointed counsel." Pls.' Opp. to AG's Mot. to Dismiss 4. In other words, Plaintiffs appear to claim that they have been injured by the Attorney General's failure to scale down the number of prosecutions to match the limited supply of attorneys and/or his failure to dismiss charges when no attorney is available. Even accepting this theory of traceability, the Court is nevertheless unpersuaded that it has the authority to provide Plaintiffs with any meaningful redress.

Charging decisions are at the "core of the prosecutorial functions the courts have sought to insulate" from external influence. *Harrington v. Almy*, 977 F.2d 37, 40 (1st Cir. 1992). "If the court impermissibly interferes with an executive function," like a prosecutorial charging decision, "the doctrine of the separation of powers is implicated." *State v. Pelletier*, 2019 ME



112, ¶ 11, 212 A.3d 325; *see also Harrington*, 977 F.2d at 41 (“In the federal system, the separation of powers proscribes a judicial direction that a prosecutor commence a particular prosecution”). Yet, to rectify the Attorney General’s alleged failure to “adopt systems to ensure that [] prosecutions are maintained only when Plaintiffs have been appointed counsel,” Pls.’ Opp. to AG’s Mot. to Dismiss 4, the Court would have to do what constitutional separation of powers prohibits: Intrude on the Attorney General’s power to bring charges and control criminal prosecutions. *See* Me. Const. art. III, § 2. Thus, the Court cannot provide meaningful redress against the Attorney General without running afoul of Maine’s rigorous separation of powers doctrine. *Burr v. Dep’t of Corr.*, 2020 ME 130, ¶ 20, 240 A.3d 371.

In short, Plaintiffs lack standing to pursue their claims against the Attorney General, as they have failed to establish that their constitutional injury is traceable to the Attorney General’s actions and is capable of being redressed by the Court. *See Collins*, 2000 ME 85, ¶ 6, 750 A.2d 1257.

### *B. Sovereign Immunity*

Alternatively, the counts against the Attorney General require dismissal on sovereign immunity grounds. To be sure, the Attorney General does not dispute that an exception to sovereign immunity exists—consistent with *Ex Parte Young*, 209 U.S. 123 (1908)—for claims under Section 1983 and the MCRA seeking prospective injunctive relief against state officers acting in their official capacity. *Will v. Mich. Dep’t of State Police*, 491 U.S. 58, 71 n.10 (1989); *Wyman v. Sec’y of State*, 625 A.2d 307, 310-11 (Me. 1993).<sup>3</sup> Instead, the Attorney General

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<sup>3</sup> While 42 U.S.C. § 1983 and the MCRA are distinct statutory regimes, the MCRA was modeled after Section 1983, and courts have therefore interpreted them coextensively. *See Jenness v. Nickerson*, 637 A.2d 1152, 1158 (Me. 1994) (explaining that “[t]he MCRA was patterned after 42 U.S.C. § 1983” (quotation marks omitted)); *Estate of Bennett v. Wainwright*,

argues that Plaintiffs' claims do not fall within *Ex Parte Young*'s exception to the doctrine because the Attorney General lacks a sufficient connection to the alleged constitutional violations.

To qualify under the *Ex Parte Young* exception, the state officer must "by virtue of his office, ha[ve] some connection" with the allegedly unconstitutional conduct. *Ex Parte Young*, 209 U.S. at 157. "[W]hether [this connection] arises out of general law, or is specially created by the act itself, is not material so long as it exists." *Id.*

Here, the Court agrees that Plaintiffs have failed to demonstrate the requisite connection between the Attorney General and the claimed ongoing violations of their right to counsel. Although the standing analysis is distinct from *Ex Parte Young*'s "some connection" test, courts applying the latter standard have similarly rejected the notion that an official's generalized enforcement or supervisory powers suffice to establish the requisite nexus between the officer and unlawful conduct alleged. *E.g., Shell Oil Co. v. Noel*, 608 F.2d 208, 211 (1st Cir. 1979) ("The mere fact that a governor is under a general duty to enforce state laws does not make him a proper defendant in every action attacking the constitutionality of a state statute. Nor is the mere fact that an attorney general has a duty to prosecute all actions in which the state is interested enough to make him a proper defendant in every such action."); *Pennington Seed, Inc. v. Produce Exch. No. 299*, 457 F.3d 1334, 1342 (Fed. Cir. 2006) ("A nexus between the violation of federal law and the individual accused of violating that law requires more than simply a broad general obligation to prevent a violation."); *Snoeck v. Brussa*, 153 F.3d 984, 986 (9th Cir. 1998) ("[A] generalized duty to enforce state law or general supervisory power over the persons

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548 F.3d 155, 178-79 (1st Cir. 2008) ("[T]he protections provided by the Maine Civil Rights Act, including immunities, are coextensive with those afforded by 42 U.S.C. § 1983.").

responsible for enforcing the challenged provision will not subject an official to suit.”); *see also Chamber of Commerce of U.S. v. Edmondson*, 594 F.3d 742, 760 (10th Cir. 2010) (under *Ex Parte Young*, the officer must “have a particular duty to ‘enforce’ the statute in question and a demonstrated willingness to exercise that duty” (quotation marks omitted)).<sup>4</sup>

Here, as noted above, Plaintiffs have not shown that the Attorney General has a particular obligation to furnish counsel or implement Maine’s indigent defense system—pointing instead to provisions in Maine law that broadly describe the Attorney General’s enforcement and prosecutorial powers. *See* 5 M.R.S. §§ 199, 200-A. Accordingly, the Court concludes that the Attorney General lacks the necessary connection to the alleged ongoing violation of the right to counsel, and Plaintiffs’ claims therefore fall outside the scope of the *Ex Parte Young* exception.

## **II. State of Maine (Counts III & V)**

The State requests that the Court dismiss Count V against it, arguing that it is immune from suit under the doctrine of sovereign immunity and that the DJA does not provide a proper cause of action. It furthermore requests that it be designated as a party-in-interest, rather than a formal respondent, for purposes of the Petition for Habeas Corpus (Count III).

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<sup>4</sup> *Luckey v. Harris*—previously cited by this Court and by the parties—does not hold otherwise. 860 F.2d 1012 (11th Cir. 1988). In that case, the 11th Circuit held that the governor was a proper defendant under *Ex parte Young* because “[a]ccording to the Georgia constitution, the governor is responsible for law enforcement in that state and is charged with executing the laws faithfully” and “[t]he governor further has the residual power to commence criminal prosecutions and has the final authority to direct the attorney general to ‘institute and prosecute’ on behalf of the state.” *Id.* at 1016 (internal citations omitted); *City of S. Miami v. Governor*, 65 F.4th 631, 644 (11th Cir. 2023). To the extent *Luckey* might suggest that an officer’s general enforcement authority satisfies *Ex Parte Young*’s “some connection” test, the 11th Circuit noted in a subsequent case that “[p]art of the [Georgia] governor’s prosecutorial role included ‘furnish[ing] counsel’ to indigent defendants.” *S. Miami v. Governor*, 65 F.4th at 644. Thus, in *Luckey*, it appears that the governor had some statutorily prescribed role in the provision of counsel and thus, had “some connection” to the plaintiffs’ constitutional challenge to Georgia’s indigent defense system. 209 U.S. at 157.

### *A. Sovereign Immunity*

Plaintiffs seek a declaration under the DJA that the State—which bears the ultimate responsibility for furnishing counsel to indigent criminal defendants—has denied Class Members their fundamental right to counsel under the State and Federal Constitutions. *See* Pls.’ Am. Compl. ¶¶ 175-83. The State argues that such relief is unavailable, as it enjoys absolute immunity from suit under the doctrine of sovereign immunity. Whether the State may claim sovereign immunity under these unique circumstances appears to be an issue of first impression in Maine.

To resolve the present question, the Court must reconcile important competing legal principles and interests. On the one hand is the well-recognized principle that the State, as the sovereign, is entitled to immunity from suit—“one of the highest attributes inherent in the nature of sovereignty.” *Knowlton v. Attorney Gen.*, 2009 ME 79, ¶ 12, 976 A.2d 973 (quotation marks omitted). On the other hand is the interest of Maine citizens to seek redress for alleged violations of constitutionally imposed obligations. And still another interest to consider is the Court’s responsibility to provide a forum to Maine citizens to seek enforcement of those constitutional rights. The latter interest is rooted in Me. Const. art. VI, § 1 and Maine’s rigorous separation of powers doctrine, which assign this extraordinary responsibility to Maine’s judicial branch. Me. Const. art. III, § 2; Me. Const. art. VI, § 1; *Burr*, 2020 ME 130, ¶ 20, 240 A.3d 371. The Court concludes that under the unique circumstances of this case, the doctrine of sovereign immunity does not stand as a barrier to Maine citizens to seek a judicial declaration that the State of Maine has violated their constitutional right to counsel.

The origins of the State’s argument is the Eleventh Amendment to the United States Constitution, which “precludes the federal courts from circumventing the sovereign immunity of

the states.” *Moody v. Comm’r, Dept. of Human Services*, 661 A.2d 156, 158 n.3 (Me. 1995).

“Although the Eleventh Amendment is not directly applicable to state courts, the doctrine of sovereign immunity similarly protects the states from actions of state courts.” *Id.* While the Law Court has relied on Eleventh Amendment jurisprudence to develop its own doctrine of sovereign immunity, *id.* at 159 (Lipez, J., concurring), the doctrine in Maine is rooted in common law and is not protected by a provision of the State Constitution, *see Noel v. Town of Ogunquit*, 555 A.2d 1054, 1056 (Me. 1989) (referring to sovereign immunity as a “common law defense”).

The Law Court has stated that sovereign immunity “can only be waived by specific authority conferred by an enactment of the Legislature”; “[w]aivers are not generally implied.” *Knowlton*, 2009 ME 79, ¶ 12, 976 A.2d 973 (quotation marks omitted). While Maine’s sovereign immunity doctrine usually arises in the context of actions for monetary damages, the doctrine has been extended to actions seeking other forms of relief. *See Kentucky v. Graham*, 473 U.S. 159, 167 n.14 (1985). Moreover, “the Declaratory Judgments Act alone does not override sovereign immunity when that doctrine is properly applied.” *Bell v. Town of Wells*, 510 A.2d 509, 515 (Me. 1986).

Application of the doctrine becomes much less straightforward in a case such as this one. That is because it has long been understood that the State is the legal entity ultimately responsible for provision of the constitutional right to appointed counsel for indigent criminal defendants. It seems beyond dispute (and no Defendant really argues the point) that the constitutional right to counsel afforded by the Sixth Amendment of the Federal Constitution and article I, section 6 of the Maine Constitution “imposes an affirmative obligation on *the State* to provide court-appointed counsel” to indigent criminal defendants facing incarceration. *State v. Watson*, 2006 ME 80, ¶ 14, 900 A.2d 702 (emphasis added); *Gideon v. Wainwright*, 372 U.S.

335, 343-44 (1963). Nevertheless, the Office of the Attorney General insists that it has authority to assert the doctrine to prevent judicial enforcement of this right against the State as a party. Plaintiffs counter that given the nature of the liberty interests at stake, the Court has authority to issue a declaration as to whether the State is fulfilling a well-accepted and fundamental constitutional obligation.

While the Law Court has not directly confronted this issue in the context of constitutional claims brought under the Sixth Amendment or article I, section 6, it has carved out exceptions and disallowed assertions of the sovereign immunity doctrine by the State. In *Welch v. State*, the Law Court addressed a claim involving property rights and held that sovereign immunity does not bar quiet title and declaratory judgment actions involving land to which the State holds title in its sovereign capacity. *See* 2004 ME 84, 853 A.2d 214.

In that case, the lower court granted summary judgment in favor of the State on the grounds that sovereign immunity barred the plaintiffs' declaratory judgment action, which sought a declaration that the plaintiffs enjoyed easement rights over certain state-owned land. The Law Court vacated the judgment on appeal. *Id.* ¶ 10. Its basis for doing so was twofold, and both considerations are relevant here. First, the plaintiffs' action—which “ask[ed] only that a court decide the relative rights of the private claimant and the State regarding ownership of some specific property interests”—did not implicate any of the “modern day considerations that would justify the State’s invocation of sovereign immunity.” *Id.* ¶¶ 6-7. Specifically, the action did not “seek[] monetary damages to be paid out from the State’s treasury”; it did not ask the courts “to compel the Legislature or the Governor to do anything”; and it did not jeopardize “any essential governmental function of the State.” *Id.*

Second, the *Welch* Court observed that the “State [wa]s bound by the obligations and restraints imposed by the Constitution.” *Id.* ¶ 8. After commenting on the various constitutional provisions implicated in the case, the Law Court reasoned that those “constitutional protections would lose considerable meaning if the doctrine of sovereign immunity prohibited the people from bringing quiet title actions to settle ownership disputes with the State.” *Id.* ¶ 9. “To allow the State to assert sovereign immunity as a bar to quiet title actions brought in its own courts by private citizens would fly in the face of the constitutional protections and property rights of the people.” *Id.* ¶ 8. In other words, as the United States Supreme Court explained in *Alden v. Maine*, ““sovereign immunity . . . does not confer upon the State a concomitant right to disregard the Constitution.”” *Welch*, 2004 ME 84, ¶ 8, 853 A.2d 214 (quoting *Alden*, 527 U.S. 706, 754-55 (1999)).

Although *Welch* arose under different facts and involved “constitutional protections and property rights of the people,” the Court nevertheless discerns from that case the following basic principle: The doctrine of sovereign immunity does not preclude the Court from declaring the rights and obligations of the State when the doctrine’s invocation would permit the State to avoid accountability to its citizens for rights guaranteed by the State and Federal Constitution. *Id.* ¶¶ 6-10; *see also Farley v. Dep’t of Human Services*, 621 A.2d 404, 406 (Me. 1993) (“The defense of sovereign immunity will not insulate the State from liability if it is found to have committed an unconstitutional taking in violation of either the United States or Maine Constitutions”).<sup>5</sup>

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<sup>5</sup> Moreover, as Judge Duddy observed in *NECEC Transmission LLC v. Bureau of Parks and Lands*: “Several courts in other states have held that in [actions seeking declaratory judgments regarding constitutionality], sovereign immunity is unavailable as a defense.” No. BCD-CIV-2021-00058, 2021 WL 6125325, at \*8 n. 15 (Me. B.C.D. Dec. 16, 2021) (citing *Jones v. Bd. of Trs. of Ky. Retirement Sys.*, 910 S.W.2d 710, 713 (Ky. 1995), among other cases).

It is difficult to discern a principled reason why the analysis used by the Law Court in *Welch* would not extend to the fundamental right at issue here: The right to counsel for indigent defendants— “a right of the highest order.” *Watson*, 2006 ME 80, ¶ 14, 900 A.2d 702. The Court therefore will apply *Welch*’s principles here and concludes that Plaintiffs may in an action for declaratory judgment seek a declaration defining the State’s constitutional responsibilities and declaring whether the State is meeting its obligations under Sixth Amendment and article I, section 6.

As to the first concern expressed by *Welch*, the declaratory relief requested in this case neither requires the payment of monetary damages from the State’s treasury nor does it compel the Legislature or the Governor to do anything. 2004 ME 84, ¶¶ 6-7, 853 A.2d 214. If Plaintiffs can establish a constitution violation at trial, a judicial declaration in the nature identified above would resolve an existing constitutional dispute without impeding any essential governmental functions. *Id.* ¶ 7.

More importantly, to allow the State to invoke sovereign immunity as a bar to the declaratory relief Plaintiffs seek “would fly in the face of the constitutional protections” guaranteed by the Sixth Amendment and article I, section 6. *Id.* ¶ 8. The Court once again emphasizes that it is clearly the State’s obligation to furnish counsel as promised by the State and Federal Constitutions. *Watson*, 2006 ME 80, ¶ 14, 900 A.2d 702; *Gideon*, 372 U.S. at 343-44. This constitutional obligation would “lose considerable meaning” if the doctrine of sovereign immunity prohibited the Court from issuing a declaration as to whether the State was fulfilling a responsibility so integral to our constitutional framework. *Welch*, 2004 ME 84, ¶ 8, 853 A.2d 214.



The Court is also mindful of its obligation to safeguard the constitutional rights of Maine citizens and its authority to resolve constitutional disputes. Me. Const. art. VI, § 1; *State v. Leclair*, 30 A. 7, 9 (Me. 1894). While the State suggests that it is up to the Legislature—or perhaps even an Assistant Attorney General—to decide whether sovereign immunity will be waived as a defense, the Court observes that it “is the duty as well as the function of this Court to safeguard . . . the fundamental principles of government vouchsafed . . . by the State and Federal Constitutions.” *Morris v. Goss*, 83 A.2d 556, 565 (Me. 1951). And this is a function uniquely delegated to the Judicial Branch by Me. Const. art. VI, § 1 and protected by Maine’s rigorous separation of powers principle. *See* Me. Const. art. III, § 2; Me. Const. art. VI, § 1; *Burr*, 2020 ME 130, ¶ 20, 240 A.3d 371; *Leclair*, 30 A. at 9. The Court will therefore permit Plaintiffs to seek a declaration if liability can be established at trial.

To be clear, the Court does not decide at this juncture whether it would be appropriate to issue an *injunction* against the State enforcing any declaration the Court may grant. That issue may be explored and argued after trial, should Plaintiffs prevail in establishing liability. For present purposes, however, the Court is satisfied that relief may be available in the form of a declaration under the DJA. *See Oakes*, 2023 ME 65, ¶ 15, 303 A.3d 650 (explaining that at the motion to dismiss stage, “[a] dismissal should only occur when it appears beyond doubt that a plaintiff is entitled to no relief under any set of facts that [she] might prove in support of [her] claim.” (quotation marks omitted)). And the declaration alone is sufficient to provide Plaintiffs with some redress. *See* 14 M.R.S. § 5953 (“Courts . . . shall have power to declare rights, status and other legal relations *whether or not further relief is or could be claimed*” (emphasis added)); *Avangrid Networks, Inc. v. Sec’y of State*, 2020 ME 109, ¶¶ 38-39, 237 A.3d 882 (issuing declaratory relief but declining to issue an injunction).

In short, the doctrine of sovereign immunity does not bar the declaratory relief that Plaintiffs seek, and the Court declines to dismiss Count V on that basis.

*B. Cause of Action Under the DJA*

The State further argues that the DJA does not create an independent cause of action, but rather a remedy ancillary to some other valid claim. It also maintains that the DJA does not afford parties the opportunity to obtain a judicial declaration regarding a constitutional obligation. Neither argument is persuasive.

As to the former contention, the Law Court's recent jurisprudence suggests that parties may seek resolution of their disputes in actions for declaratory judgment under the DJA, thereby undercutting the State's contention that the DJA merely provides a remedy. *See, e.g., Parker v. Dep't of Inland Fisheries & Wildlife*, 2024 ME 22, ¶¶ 5, 12-15, 25, 314 A.3d 208; *NECEC Transmission LLC v. Bureau of Parks & Lands*, 2022 ME 48, ¶¶ 3-4, 281 A.3d 618; *Avangrid*, 2020 ME 109, ¶¶ 7, 38, 237 A.3d 882. So long as a plaintiff pleads "a sufficiently justiciable claim," declaratory relief under the DJA may be available. *Parker*, 2024 ME 22, ¶¶ 12-15, 314 A.3d 208. This holds true in standalone actions for declaratory judgment in which the plaintiff asserts no other cause of action. *Id.* ¶¶ 5, 12-15. As the Court is satisfied that Plaintiffs have pled a justiciable controversy in Count V, it will allow their DJA claim to go forward against the State.

The Court similarly rejects the State's narrow reading of the relief available under the DJA. According to the State, the DJA "provides only the opportunity to obtain the determination of 'any question . . . arising under [an] instrument, statute, ordinance, contract or franchise,'" and because Count V does not seek clarification of Plaintiffs' rights under a "statute," relief is

unavailable under the Act. *See* State’s Mot. to Dismiss 9-10 (quoting 14 M.R.S. § 5954) (emphasis in original). The DJA itself suggests otherwise.

14 M.R.S. § 5953 states that courts have the power to “declare rights, status and other legal relations,” without limitation as to the sources of law for which parties may seek a judicial determination. While Section 5954 enumerates sources of law subject to a declaration, *see* 14 M.R.S. § 5954 (noting that courts may declare rights arising under an “instrument, statute, ordinance, contract or franchise”), this list is not exclusive and does not prevent parties from seeking a judicial interpretation of their rights under the constitution, *see id.* §§ 5953, 5957. The DJA even says so: “The enumeration in sections 5954 to 5956 does not limit or restrict the exercise of the general powers conferred in section 5953 in any proceeding where declaratory relief is sought, in which a judgment or decree will terminate the controversy or remove an uncertainty.” *Id.* § 5957. The Court accordingly concludes that the type of relief requested by Plaintiffs is available under the DJA.

### *C. Petition for Habeas Corpus*

The State does not ask to be dismissed entirely from Count III, but rather designated as a party-in-interest instead of a formal party. The Court follows the lead of Justice Douglas in *Peterson v. Johnson* and designates the State of Maine as a party-in-interest to the Habeas Count. *See* No. SJC-23-2 (Nov. 6, 2023) (Douglas, J.). As a party-in-interest, the State will have the opportunity to participate in the proceedings and to be heard on the propriety of any relief that may affect it.

### **III. MCPDS (Count IV)**

MCPDS asks to be dismissed from the DJA claim in Count IV for many of the same reasons asserted by the State—among them, that the agency is immune from suit under the

doctrine of sovereign immunity. In rejecting the State’s claim of sovereign immunity above, the Court emphasized that the application of the doctrine was incompatible with the constitutional promise that it is *the State* that is responsible for furnishing counsel to indigent criminal defendants. *See supra* Part II.A. Because MCPDS bears no similar constitutional obligation,<sup>6</sup> the Court therefore questions whether the same reasoning would save Count IV.

In any event, MCPDS is adequately represented in this lawsuit by its Executive Director and Commissioners, who have been named in their official capacity as officers of the agency. In such a case, the Court sees no added benefit of a declaration that MCPDS has failed to fulfill its constitutional obligations when the same relief may be afforded against the agency’s officers in Counts I and II. Moreover, the Court believes that a declaration concerning the lawfulness of the officers’ actions is sufficient to resolve the uncertainty regarding the lawfulness of the actions of the agency that those officers represent. *See* 4 M.R.S. § 1803(1) (“The commission consists of 9 members . . .”). As Maine law holds that a “trial court should only issue a declaratory judgment when some useful purpose will be served,” the Court is not inclined to grant the declaratory relief requested against MCPDS in Count IV. *Parker*, 2024 ME 22, ¶ 15 n.3, 314 A.3d 208 (quotation marks omitted); *see also* 14 M.R.S. § 5958 (the court “may refuse to render or enter a declaratory judgment . . . where such judgment . . . would not terminate the uncertainty or controversy giving rise to the proceeding”). Count IV is therefore dismissed.

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<sup>6</sup> Title 4 M.R.S. § 1801 imposes an obligation on MCPDS “to provide high-quality, effective and efficient representation and promote due process for persons who receive indigent legal services in parity with the resources of the State and consistent with federal and state constitutional and statutory obligations.” That obligation, however, is imposed by statute and not the Constitution. *Cf. Welch*, 2004 ME 84, ¶¶ 8-9, 853 A.2d 214.

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## CONCLUSION

**The entry is:**

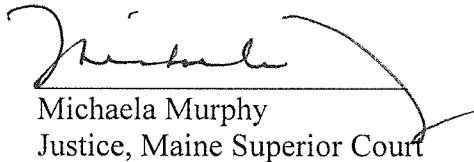
1. The Attorney General's Motion to Dismiss is **granted**, and he will be dismissed as a party from Counts I and II.
2. MCPDS's Motion to Dismiss Count IV is **granted**.
3. The State of Maine's Motion to Dismiss Count V is **denied**.
4. The State of Maine is designated as a party-in-interest with respect to Count III.
5. The State shall file their answer to the Amended Complaint within 14 days from the date of this order.

The clerk is directed to incorporate this order on the docket by reference pursuant to M.R.

Civ. P. 79(a).

DATED:

8/13/24

  
Michaela Murphy  
Justice, Maine Superior Court

8/13/24: Entered on the docket.

STATE OF MAINE  
KENNEBEC, ss.

SUPERIOR COURT  
CIVIL ACTION  
DOCKET NO. KENSC-CV-22-54

ANDREW ROBBINS, et al.,

Plaintiffs,

v.

MAINE COMMISSION ON PUBLIC  
DEFENDER SERVICES, et al.,

Defendants.

**ORDER ON MOTION FOR  
PROTECTIVE ORDER**

Before the Court is a Motion brought by Plaintiffs for a Protective Order and to Exclude Evidence regarding prejudice to individual class members. Oral argument was held on August 16, 2024. For reasons stated, the Motion is granted in part and denied in part. The Court will defer ruling on the issue of prejudice to individual Subclass members.

Defendants filed Requests for Admission and Requests for Production of Documents in this Class Action on June 28, 2024. Plaintiffs objected to both on the grounds of relevance and that production would be overly burdensome. Defendants argue that Plaintiffs “cannot avoid making any effort to determine whether even one member of Plaintiffs’ Class has been denied counsel” at enumerated critical stages. Def.’s Memorandum, pg. 8.

After considering the Requests and the arguments of counsel, the Court finds that the issue of whether Plaintiffs have been denied counsel is relevant, as actual deprivation of counsel is at the heart of the argument Plaintiffs are making in the Phase 1 trial. However, the Court also

finds that Rule 36 is not as black and white as Defendants seem to suggest, particularly as applied to this class action.

As discussed at oral argument, it appears Subclass members are being represented by Lawyers of the Day at their first appearance as Rule 5 of the Maine Rules of Criminal Procedure requires. However, it also appears the Plaintiffs seek to prove that after the first appearance numerous Subclass members become and remain unrepresented, and for unreasonable amounts of time. They may also seek to prove that ongoing, non-representation is occurring systemically, and whether this means that the State and/or federal constitutions are being violated by the Defendants.

Rule 36 provides a mechanism for Plaintiffs to fairly respond to these Requests while at the same time protecting them from having to do the impossible, namely having to provide discovery in the form of admissions or denials of whether Plaintiffs are “unrepresented” at proceedings that may not be taking place, or even being scheduled, by Maine Courts.<sup>1</sup> And importantly, the Rule permits Class counsel to consider and respond to each request with options not being limited to simply “Admit” or “Deny.”

Rule 36 provides:

If objection is made, the reasons therefor shall be stated. The answer shall specifically deny the matter or set forth in detail the reasons why the answering party cannot truthfully admit or deny the matter. A denial shall fairly meet the substance of the requested admission, and when good faith requires that a party qualify an answer or deny only a part of the matter of which an admission is requested, the party shall specify so much of it as true and qualify or deny the remainder. An answering party may not give lack of information or knowledge as a reason for the failure to admit or deny unless the party states that the party has made reasonable inquiry and that the information known or readily obtainable by the party is insufficient to enable the party to admit or deny....”

---

<sup>1</sup> In addition, Plaintiffs rightfully point out that the composition of this case management subclass is fluid, and Rule 23(b)(2) was “designed specifically for civil rights cases seeking broad declaratory and injunctive relief for a numerous and often unascertainable or amorphous class of persons.” *Barnes v. Am. Tobacco Co.*, 161 F.3d 127, 142 (3d Cir. 1998).

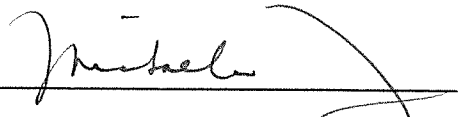
In sum, the issue of whether and to what extent Plaintiffs are unrepresented by counsel is relevant. In addition, the Court at this stage of the case cannot find that it would be unduly burdensome for the Plaintiffs to answer the Request for Admissions as Class Counsel have the ability, if they can do so in good faith, to answer or deny part of the matter; they may qualify any answer or denial; and they may cite lack of information or knowledge if they have made reasonable inquiry and the information is “not known or readily available” thereby justifying their failure to simply admit or deny the matter.<sup>2</sup>

The entry will be: Plaintiffs have 10 days from the date of this Order to answer the Requests for Admission and Requests for Production of Documents pursuant to the provisions of Rule 3 as discussed herein. The Motion for Protective Order is therefore granted in part and denied in part.

The Clerk shall note this Order on the docket by reference pursuant to Rule 79(a) of the Maine Rules of Civil Procedure.

8/20/24

DATE

  
SUPERIOR COURT JUSTICE

8/21/24: entered on the docket

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<sup>2</sup> Although the Court does not have complete information about the parties’ plans or schedules for discovery, it was made aware at oral argument that experts have been deployed to conduct what were referred to as “site visits” and that court administrative personnel may be scheduled for depositions. Rule 36 provides that the Court “may, in lieu of these orders, determine that final disposition of the request be made at a pretrial conference or at a time prior to trial.” It could be that information and evidence about what is happening “on the ground” might become available to all the parties in this case in the near term that might justify deferring decision on this discovery dispute or eliminate the need for the Court to resolve the issue as currently framed in the motion now before the Court.



## MAINE JUDICIAL BRANCH

Andrew Robbins, et al., Plaintiff

V.

State of Maine, et al., Defendant

"X" the court for filing:

☒ Superior Court ☐ District Court☐ Unified Criminal Docket

County: Kennebec

Location (Town): Augusta

Docket No.: KENSC-CV-22-54

## TRANSCRIPT AND AUDIO ORDER FORM

Plaintiff/State Attorney: Carol Garvan Defendant Attorney: Sean Magenis

## Purpose of Transcript or Audio Request: ("X" one box)

1. Appeal – Appeals require paper transcripts unless otherwise ordered by the court. M.R. App. P. 5.  
☐ Law Court ☒ Superior Court ☐ UCD ☐ Sentence Review Panel ☐ Post-Conviction Review

2. Reference – ☐ Use in another pending case ☐ Personal Reference

If for use in another pending case, is there a court imposed due date? ☐ Yes ☐ No

If yes, due date (mm/dd/yyyy): \_\_\_\_\_

## Type of Request: ("X" one box):

1. ☒ Paper Transcript  
 2. ☐ Audio Recording (MP3 Recording on CD)

AUGUSTA COURTS  
SEP 11 '24 PM 3:47

## Payment: ("X" one box)

1. ☒ Private Pay  
 2. ☐ State Agency  
 3. ☐ MCILS (Motion for Transcript at State Expense (CV-CR-166) required)  
 4. ☐ Judicial Branch (Motion for Transcript at State Expense (CV-CR-166) required)

**Please note: A clerk must verify that all of the necessary information is listed below.** Under hearing type, please be specific if you want the entire hearing or just a specific portion of it.

Hearing Date(s) (mm/dd/yyyy)	Hearing Type	Courtroom	CD Start/End Times, Tape & Index Number or OCR Name
1. 08/16/2024	Scheduling Conference + Protective Order mtr hearing		
2.			
3.			
4.			
5.			

Court Clerk Signature: \_\_\_\_\_ Date (mm/dd/yyyy): \_\_\_\_\_

INCOMPLETE FORMS MAY BE RETURNED

**ADA Notice:** The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, [accessibility@courts.maine.gov](mailto:accessibility@courts.maine.gov), or a court clerk.

**Language Services:** For language assistance and interpreters, contact a court clerk or [interpreters@courts.maine.gov](mailto:interpreters@courts.maine.gov).

## MAINE JUDICIAL BRANCH

Please write your contact information clearly in the section below. This information is used only to ensure delivery of transcript/audio recordings.

Name of person ordering transcript/recording: Carol Garvan

Firm or Agency and Bar Number (if applicable): American Civil Liberties Union of Maine

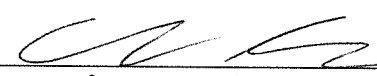
Mailing Address: PO Box 7860

Phone Number: (207) 619-6224

Email Address: cgarvan@aclumaine.org

**PLEASE NOTE: Transcripts are generally sent via email. Audio recordings are generally sent via US Mail.** Email delivery of audio can be arranged in some circumstances. If you do not have an email address, the Office of Transcript Operation will need your phone number and mailing address to assist you with receiving your materials.

Date (mm/dd/yyyy): 9/11/24

►   
Signature of Person Ordering Transcript/Recording

Office of Transcript Operations  
Penobscot Judicial Center  
78 Exchange Street, Suite 200, Bangor, ME 04401  
207-991-6322  
[OTO@courts.maine.gov](mailto:OTO@courts.maine.gov)

## INSTRUCTIONS FOR ORDERING TRANSCRIPTS

- A. You must include all of the information requested on the **transcript order form** or the form may be returned and your request will not be acted upon.
- B. The party who will be responsible for the bill must **sign** the order.
- C. If you are requesting that the transcript be provided at no cost or paid for by MCILS, you must complete and attach this form: **Motion for Transcript at State Expense (CV-CR-166)**.
- D. **File** the complete transcript and audio request form with the clerk of court.
- E. The **costs** for transcripts of any court proceedings are specified in Administrative Order JB-05-26.
- F. All transcripts for the Maine Judicial Branch are produced by AVTranz or by Official Court Reporters.
- G. If AVTranz is preparing your transcript, AVTranz will automatically send you an email that includes a cost estimate (based on the 14-day turnaround rate), deposit information, and payment options after they receive your request from the Office of Transcript Operations. If your transcript is being paid for **privately**, you can also opt for 1, 3, 7, 21 and 30-day turnaround. If your transcript is provided at **no cost** to you or is paid by **MCILS**, the standard turnaround is 30 days.
- H. Turnaround times begin once AVTranz receives a digital copy of the audio. When the transcript has been completed, you will receive it by email from AVTranz and, depending on your circumstances, you will either be charged the balance due or issued a refund.

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**Language Services:** For language assistance and interpreters, contact a court clerk or [interpreters@courts.maine.gov](mailto:interpreters@courts.maine.gov).

**MAINE JUDICIAL BRANCH**

- I. If an Official Court Reporter is preparing your transcript, s/he will contact you by phone directly to discuss arrangements of payment and a timeframe for completion.
- J. Neither an Official Court Reporter nor the Office of Transcript Operations is responsible for delay in transcript production or for requesting additional time to obtain a transcript if you fail to comply with these procedures.

**APPEAL ORDERS:** If you are ordering a transcript as part of an appeal, you must file the order with the clerk of the trial court when you file the Notice of Appeal. Once it is completed, the transcript will be filed with the appropriate court and a copy of the transcript will be delivered to you.

**REFERENCE ORDERS:** If you are ordering a transcript for reference purposes, you must file the order with the clerk of the trial court. The clerk will then forward it to the Official Court Reporter and/or the Office of Transcript Operations.

**INCOMPLETE FORMS MAY BE RETURNED**

**ADA Notice:** The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, [accessibility@courts.maine.gov](mailto:accessibility@courts.maine.gov), or a court clerk.

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STATE OF MAINE  
KENNEBEC, ss.

SUPERIOR COURT  
CIVIL ACTION  
DOCKET NO. KENSC-CV-22-54

ANDREW ROBBINS, et al.,

Plaintiffs,

v.

MAINE COMMISSION ON PUBLIC  
DEFENDER SERVICES, et al.,

Defendants.

**ORDER TO CORRECT  
CLERICAL ERROR**

Pursuant to Rule 60(a) of the Maine Rules of Civil Procedure, the Court on its own motion corrects a clerical error “arising from oversight or omission” as follows.

On August 13, 2024 this Court issued an Order denying a Motion to dismiss brought by the State of Maine (hereinafter “State”). The State’s Motion sought dismissal of all claims brought against the State by Plaintiffs based on its assertion of sovereign immunity. The Court found that sovereign immunity did not bar Plaintiffs claims based on Law Court precedent that the doctrine does not preclude Maine courts from declaring the rights and obligations of the State when the doctrine’s invocation might result in the State to avoiding accountability to Maine citizens if their rights under the State and federal Constitutions have been violated.

On August 16, 2024 the State timely filed at the Clerk’s window a Notice of Appeal along with two other documents of this Court’s August 13, 2024 Order. In addition, the State filed electronically a “courtesy copy” of these filing with the Clerk’s Office that attached copies of the documents. A review of the electronic correspondence that arrived at 9:57 a.m. on August 16, 2024 indicates that the physical copies of these documents were hand-delivered to the Clerk’s Office just “a few minutes ago.” As the correspondence indicates, the Court had

scheduled for that same date a conference with counsel of record for 11:00 am. At that conference the Court acknowledged to the parties that the Clerk's Office had received the Notice of Appeal earlier that morning.

On September 30, 2024 the Court learned that the Clerk did not docket the appeal, although it is clear that the Attorney General's Office timely filed it at the Clerk's window three days after the Order appealed from had been docketed.

The Court is aware that the State faces legal impediments to obtaining an extension of the appeal deadline. In addition, there is no question that this appeal was diligently pursued, and there is no question that the Clerk's Office received the appeal documents and was at all pertinent times in control of these documents. However, a diligent search conducted over the last two days by Court personnel failed to locate these documents. The Court has considered these circumstances and believes it has authority under Rule 1 and Rule 60(a) of the Maine Rules of Civil Procedure to correct this error of omission by the Clerk's Office to docket the appeal that was timely filed by the State of Maine.

### ANALYSIS

Under Rule 60(a) of the Maine Rules of Civil Procedure, a Maine court may correct "at any time of its own initiative" clerical mistakes in judgments, orders "or other parts of the record and errors therein arising from oversight or omission" before the appeal is docketed. M.R. Civ. P. 60(a). Other courts have interpreted Rule 60(a) "clerical mistakes" to include delays in docketing and accidental omissions in the record. *See, e.g., Matter of Am. Precision Vibrator Co.*, 863 F.2d 428, 430–31 (5th Cir. 1989) ("The delay in docketing [the] opposition is indisputably a clerical mistake. Traditionally, parties have not borne the brunt of the court's clerical errors. Hence, the court could order [the] opposition added to the record, even at this late

date.”); *United States v. Stuart*, 392 F.2d 60, 62 (3d Cir. 1968) (the inadvertent omission of documents from the record was a “clerical mistake” under Rule 60(a)); *Pattiz v. Schwartz*, 386 F.2d 300, 303 (8th Cir. 1968) (“[T]he omission and failure to have the amended complaint formally entered on the clerk’s docket (when that amended complaint had been accepted by the court and had lain in the file in the clerk’s possession continuously since 1962) was, despite the clerk’s lack of awareness thereof,” a clerical mistake warranting correction by the trial court under Rule 60(a)). Here, the notice of appeal was not docketed by the Clerk’s office. This omission constitutes a “clerical mistake” warranting the Court’s correction under Rule 60(a). This decision is also consistent with the demands of Rule 1, which requires Maine courts to construe the Rules of Civil Procedure “to secure the just, speedy and inexpensive determination of every action.” M.R. Civ. P. 1.

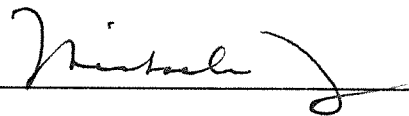
This unfortunate series of events justifies application of the Court’s nunc pro tunc authority. Courts may employ nunc pro tunc to retroactively apply an order “to supply omissions in the exercise of functions that are merely clerical.” *Jacks v. Adamson*, 47 N.E. 48 (1897) (cleaned up). Nunc pro tunc does not allow for substantive changes to a judgment. *See Elsasser v. Elsasser*, 989 P.2d 106, 108 (Wyo. 1999). Such an order is an exercise of a court’s power to make the record “speak the truth” of what actually occurred. *See King & Houston v. State Bank*, 9 Ark. 185, 188 (1848). Other courts have cited their nunc pro tunc authority when considering the correction of clerical mistakes under Rule 60(a). *See, e.g., Elsasser*, 989 P.2d at 108–09; *Vo v. Gorski*, 175 N.E.3d 594, 600–04 (Ohio App. 8th Dist. 2021); *A.T. v. D.M.*, 265 So.3d 294, 298–99 (Ala. Civ. App. 2018); *Bank of Hampton Roads v. Wilkins*, 831 S.E.2d 635, 639–41 (N.C. App. 2019); *Lord v. Mazzanti*, 2 S.W.3d 76, 78–80 (1999). Here, the Court finds that it received the notice of appeal at the Clerk’s window on August 16, 2024 but after a diligent

search the hard copy of the notice of appeal cannot be located by Court personnel. Due to this clerical omission, the docket in this case does not accurately reflect that this timely filing occurred. It is the intent of the Court to correct this clerical omission in order to make the docket accurately reflect what transpired on August 16, 2024: the Superior Court received and accepted the State's timely appeal of the Court's August 13, 2024 Order. Today, nunc pro tunc, the Court finds that appeal to have been timely filed and it shall be docketed.

Therefore, the Clerk of Court is directed to docket forthwith the copy of the Notice of Appeal which was received electronically by the Clerk's Office at the same time the hard copies were filed, so as to make the State's appeal effective as of August 16, 2024.

The Clerk shall note this Order on docket by reference pursuant to Rule 79(a) of the Maine Rules of Civil Procedure.

10/2/24  
DATE

  
SUPERIOR COURT JUSTICE

STATE OF MAINE  
KENNEBEC, ss

SUPERIOR COURT  
Docket No. KENSC-CV-22-54

ANDREW ROBBINS, et al.,

Plaintiffs,

v.

MAINE COMMISSION ON INDIGENT  
LEGAL SERVICES, et al.,

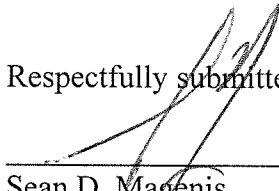
Defendants

**DEFENDANTS' JURY TRIAL DEMAND**

The Executive Director of the Maine Commission on Indigent Legal Services, in his official capacity, and each of the Commissioners of the Maine Commission on Indigent Legal Services in their official capacities ("Defendants"), pursuant to M. R. Civ. P. 38 and this Court's Scheduling Conference of September 13, 2024, hereby demand trial by jury for all the issues so triable. This demand is asserted pursuant to Article I, § 20 of the Maine Constitution with respect to all claims asserted against Defendants. Additionally, with respect to Count II of Plaintiffs' Amended Complaint, this demand is asserted pursuant to both Article I, § 20 of the Maine Constitution and 5 M.R.S.A. § 4682(3).

Dated: October 1, 2024

Respectfully submitted,



---

Sean D. Magenis  
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6 State House Station  
Augusta, ME 04333-0006  
Tel. (207) 626-8800  
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AUGUSTA COURT  
OCT 1 '24 PM12:



STATE OF MAINE  
KENNEBEC, ss

SUPERIOR COURT  
Docket No. KENSC-CV-22-54

ANDREW ROBBINS, et al.,  
  
Plaintiffs,  
  
v.  
  
STATE OF MAINE, et al.,  
  
Defendants

**NOTICE OF WITHDRAWAL  
M. R. Civ. P. 89(a)**

Undersigned counsel, pursuant to M. R. Civ. P. 89(a) hereby gives notice of withdrawal from representation of the State of Maine in the above-captioned litigation. The State of Maine remains represented by Asst. Attorney General Paul Suttter, who has previously entered his appearance on its behalf.

Undersigned counsel remains counsel of record for Defendants James Billings, in his official capacity as Executive Director of the Maine Commission on Public Defense Services; Joshua Tardy, in his official capacity as Chair of the Maine Commission on Public Defense Services; Donald Alexander, Randall Bates, Meegan Burbank, Michael Cantara, Michael Carey, Roger Katz, Kimberly Monaghan, and David Soucy, in their official capacities as Commissioners of the Maine Commission on Public Defense Services.

**Received and Filed**

**AUG / 6 2024**

**Augusta District Court  
Kennebec Superior Court**

Dated: August 16, 2024

Respectfully submitted,

*Bar No 0301*



*8/6/24*

---

SEAN D. MAGENIS

Maine Bar No. 9495

Assistant Attorney General

Office of the Attorney General

6 State House Station

Augusta, ME 04333-0006

Tel. (207) 626-8800

[sean.d.magenis@maine.gov](mailto:sean.d.magenis@maine.gov)

**Received and Filed**

**AUG / 6 2024**

**Augusta District Court  
Kennebec Superior Court**

STATE OF MAINE  
KENNEBEC, ss

SUPERIOR COURT  
Docket No. KENSC-CV-22-54

ANDREW ROBBINS, et al.

Plaintiffs,

v.

MAINE COMMISSION ON PUBLIC  
DEFENDER SERVICES, et al.

Defendants

**Notice of Representation and  
Request to Be Added to Service List**

Please note that as of today's date, undersigned counsel, Assistant Attorney General Paul Switter, will be the sole counsel representing Defendant State of Maine. Assistant Attorney General Switter will no longer be representing Defendant Maine Commission On Public Defender Services ("MCPDS") or its official capacity officer Defendants, which will continue to be represented by Assistant Attorney General Sean Magenis.

Additionally, since his entry of appearance on June 14, 2024, undersigned counsel has not been regularly receiving Orders or other updates issued by or from the Court in this matter. Given the separate representation of Defendant State of Maine and the MCPDS Defendants, it is especially important for undersigned counsel to be added to the service list. Accordingly, undersigned counsel respectfully requests that he be added to the service list for this matter as soon as practicable.

**Received and Filed**

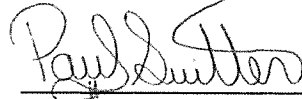
**AUG / 6 2024**

**Augusta District Court  
Kennebec Superior Court**

Dated: August 16, 2024

Respectfully submitted,

AARON M. FREY  
Attorney General



---

PAUL E. SUTTER  
Maine Bar No. 5736  
Assistant Attorney General  
Office of the Attorney General  
6 State House Station  
Augusta, ME 04333-0006  
Tel. (207) 626-8800  
paul.sutter@maine.gov

*Counsel for Defendant State of Maine*

**Received and Filed**

**AUG 16 2024**

**Augusta District Court  
Kennebec Superior Court**

STATE OF MAINE  
KENNEBEC, SS.

SUPERIOR COURT  
DOCKET NO. KENSC-CV-22-54

ANDREW ROBBINS, ET AL.,

*Plaintiffs,*

v.

STATE OF MAINE, ET AL.,

*Defendants.*

**ORDER ON PRODUCTION OF JUDICIAL BRANCH DATA**

Upon Joint Motion by Plaintiffs and Defendants the Executive Director of the Maine Commission on Public Defense Services, in his official capacity, and each of the Commissioners of the Maine Commission on Public Defense Services in their official capacities, the Court hereby orders the following.

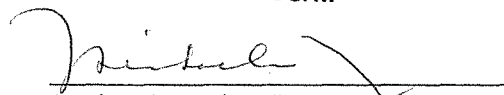
Defendants shall provide to Plaintiffs, on or before October 1, 2024, an electronic copy of the most recent data provided to the Maine Commission on Public Defense Services by the Administrative Office of the Courts reflecting case information in criminal matters as maintained by the Administrative Office of the Courts. It is the understanding of the Parties that this data is susceptible of production in table form in multiple .csv files.

The data to be produced, consisting of non-public information protected from disclosure by Maine law, including but not limited to 4 M.R.S.A. § 1806(3), shall be subject to and maintained by Plaintiffs in a manner which will preserve its confidentiality, including but not limited to compliance with a Consent Confidentiality Order jointly filed by the Parties in this matter on November 21, 2022 and entered by this Court on 9/26, 2024.

SO ORDERED

ORDER INCORPORATED BY  
REFERENCE AT THE DIRECTION OF THE  
COURT.

Date: 9/26/24

  
Justice, Superior Court

Entered on the Docket: 9/26/24

STATE OF MAINE  
KENNEBEC, ss

SUPERIOR COURT  
Docket No. KENSC-CV-22-54

ANDREW ROBBINS, et al.,

Plaintiffs,

v.

MAINE COMMISSION ON INDIGENT  
LEGAL SERVICES, et al.,

Defendants

### CONSENT CONFIDENTIALITY ORDER

The parties to this Consent Confidentiality Order have agreed to the terms of this Order; accordingly, it is ORDERED:

**1. Scope.** All documents produced in the course of discovery, including initial disclosures, all responses to discovery requests, all deposition testimony and exhibits, other materials which may be subject to restrictions on disclosure for good cause and information derived directly therefrom (hereinafter collectively “documents”), shall be subject to this Order concerning confidential information as set forth below. This Order is subject to the Maine Rules of Civil Procedure on matters of procedure and calculation of time periods.

**2. Form and Timing of Designation.** A party may designate documents as confidential and restricted in disclosure under this Order by placing or affixing the words “CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER” on the document in a manner that will not interfere with the legibility of the document and that will permit

AUGUSTA COURTS  
SEP 26 '24 PM2:04

complete removal of the CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER designation. Documents shall be designated CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER prior to or at the time of the production or disclosure of the documents. The designation "CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER" does not mean that the document has any status or protection by statute or otherwise except to the extent and for the purposes of this Order.

**3. Documents Which May be Designated CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER.** Any party may designate documents as CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER but only after review of the documents by an attorney or a party appearing *pro se* who has in good faith determined that the documents contain information protected from disclosure by statute or that should be protected from disclosure as confidential personal information, trade secrets, personnel records, or commercial information. The designation shall be made subject to the standards of Rule 11 and the sanctions of Rule 37 of the Maine Rules of Civil Procedure. Information or documents that are available in the public sector may not be designated as CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER.

**4. Depositions.** Deposition testimony shall be deemed CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER only if designated as such. Such designation shall be specific as to the portions to be designated CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER. Depositions, in whole or in part, shall be designated on the record as CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER at the time of the deposition. Deposition testimony so designated shall remain CONFIDENTIAL -

SUBJECT TO PROTECTIVE ORDER until seven days after delivery of the transcript by the court reporter. Within seven days after delivery of the transcript, a designating party may serve a Notice of Designation to all parties of record as to specific portions of the transcript to be designated CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER. Thereafter, those portions so designated shall be protected as CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER pending objection under the terms of this Order. The failure to serve a Notice of Designation shall waive the CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER designation made on the record of the deposition. If deposition excerpts have not been designated as confidential pursuant to this order, they are not to be treated as sealed documents when filed with the court.

#### **5. Protection of Confidential Material.**

**(a) General Protections.** Documents designated CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER under this Order shall not be used or disclosed by the parties, counsel for the parties or any other persons identified in ¶ 6(b) for any purpose whatsoever other than to prepare for and to conduct discovery and trial in this action [adversary proceeding], including any appeal thereof.

**(b) Limited Third-Party Disclosures.** The parties and counsel for the parties shall not disclose or permit the disclosure of any CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER documents to any third person or entity except as set forth in subparagraphs (1)-(6). Subject to these requirements, the following categories of persons may be allowed to review documents that have been designated CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER:



**(1) Counsel.** Counsel for the parties and employees of counsel who have responsibility for the preparation and trial of the action;

**(2) Parties.** Parties and employees of a party to this Order but only to the extent counsel determines that the specifically named individual party or employee's assistance is reasonably necessary to the conduct of the litigation in which the information is disclosed.

**(3) Court Reporters and Recordors.** Court reporters and recorders engaged for depositions;

**(4) Contractors.** Those persons specifically engaged for the limited purpose of making copies of documents or organizing or processing documents but only after each such person has completed the certification contained in Attachment A, Acknowledgment of Understanding and Agreement to Be Bound.

**(5) Consultants and Experts.** Consultants, investigators, or experts (hereinafter referred to collectively as "experts") employed by the parties or counsel for the parties to assist in the preparation and trial of this action but only after such persons have completed the certification contained in Attachment A, Acknowledgment of Understanding and Agreement to Be Bound; and

**(6) Others by Consent.** Other persons only by written consent of the producing party or upon order of the Court and on such conditions as may be agreed or ordered. All such persons shall execute the certification

contained in Attachment A, Acknowledgment of Understanding and Agreement to Be Bound.

**(c) Control of Documents.** Counsel for the parties shall make reasonable efforts to prevent unauthorized disclosure of documents designated as CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER pursuant to the terms of this Order. Counsel shall maintain the originals of the forms signed by persons acknowledging their obligations under this Order for a period of six years from the date of signing.

**(d) Copies.** Prior to production to another party, all copies, electronic images, duplicates, extracts, summaries or descriptions (hereinafter referred to collectively as “copies”) of documents designated as CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER under this Order, or any individual portion of such a document, shall be affixed with the designation “CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER” if the word does not already appear on the copy. All such copies shall thereafter be entitled to the protection of this Order. The term “copies” shall not include indices, electronic databases or lists of documents provided these indices, electronic databases or lists do not contain substantial portions or images of the text of confidential documents or otherwise disclose the substance of the confidential information contained in those documents.

**6. Filing of CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER Documents.** Before any document marked as CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER is filed with the Clerk the party filing the document shall make

reasonable efforts to ensure that the document is protected from public disclosure or has been redacted to remove nonessential confidential information. The filing party shall first consult with the party which originally designated the document as CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER to determine whether, with the consent of that party, a redacted document may be filed with the Court not under seal. If the confidential contents of CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER documents are incorporated into memoranda or other pleadings filed with the court, counsel shall prepare two versions of the pleadings, a public and a confidential version. The public version shall contain a redaction of the contents of CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER documents and shall be filed with the Clerk. The confidential version shall be a full and complete version of the pleading, including any exhibits which the party maintains should be under seal and shall be filed with the Clerk attached to a motion to seal. The public version shall plainly indicate the exhibits (both by number and description of the exhibit) that have been filed under seal with the confidential version. In the event the confidential exhibit must be filed under seal because the parties cannot reach agreement on redaction, the filing party, if not the party seeking to maintain confidentiality status, shall describe the document and give it an Exhibit Number, indicating that it will be filed separately under seal by the opposing party. The party seeking to maintain confidential status shall file a motion to seal within 3 business days of the filing of the opposing party's pleading. Failure to file a timely motion to seal could result in the pleading/exhibit being unsealed by the court without further notice or hearing.

**7. No Greater Protection of Specific Documents.** No party may withhold information from discovery on the ground that it requires protection greater than that afforded by this Order unless the party moves for an order providing such special protection.

**8. Challenges by a Party to Designation as Confidential or Redactions.** Any CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER designation is subject to challenge by any party or non-party. The party or non-party may challenge the designation by requesting a M.R. Civ. P. 26(g) conference.

**9. Use of Confidential Documents or Information at Trial.** A party which intends to present or which anticipates that another party may present at trial CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER documents or information derived therefrom shall identify the issue, not the information, in the pretrial memorandum. The Court may thereafter make such orders as are necessary to govern the use of such documents or information at trial.

**10. Obligations on Conclusion of Litigation.**

**(a) Order Remains in Effect.** Unless otherwise agreed or ordered, this Order shall remain in force after dismissal or entry of final judgment not subject to further appeal.

**(b) Return of CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER Documents.** Within thirty days after dismissal or entry of final judgment not subject to further appeal, all documents treated as CONFIDENTIAL - SUBJECT

TO PROTECTIVE ORDER under this Order, including copies as defined in ¶ 6(d), shall be returned to the producing party unless: (1) the document has been offered into evidence or filed without restriction as to disclosure; (2) the parties agree to destruction in lieu of return; or (3) as to documents bearing the notations, summations, or other mental impressions of the receiving party, that party elects to destroy the documents and certifies to the producing party that it has done so. Notwithstanding the above requirements to return or destroy documents, counsel may retain attorney work product, including an index which refers or relates to information designated CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER, so long as that work product does not duplicate verbatim substantial portions of the text or images of confidential documents. This work product shall continue to be CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER under this Order. An attorney may use his or her work product in a subsequent litigation provided that its use does not disclose or use CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER documents.

**10. Order Subject to Modification.** This Order shall be subject to modification by the Court on its own motion or on motion of a party or any other person with standing concerning the subject matter. Motions to modify this Order shall be served and filed under M. R. Civ. P. 7.

**11. No Prior Judicial Determination.** This Order is entered based on the representations and agreements of the parties and for the purpose of facilitating discovery. Nothing herein shall be construed or presented as a judicial determination that

any documents or information designated CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER by counsel or the parties is subject to protection under Rule 26(c) of the Maine Rules of Civil Procedure or otherwise until such time as the Court may rule on a specific document or issue.

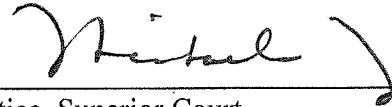
**12. Persons Bound.** This Order shall take effect when entered and shall be binding upon all counsel and their law firms, the parties, and persons made subject to this Order by its terms.

ORDER INCORPORATED BY  
REFERENCE AT THE DIRECTION OF THE  
COURT.

*So Ordered.*

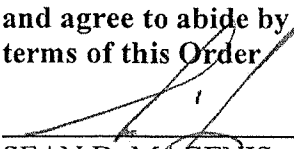
Dated:

9/26/22

  
Justice, Superior Court

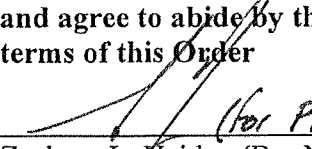
Entered on the Docket: 10/2/24

**WE SO MOVE**  
and agree to abide by the  
terms of this Order.

  
SEAN D. MAGENIS  
Maine Bar No. 9495  
Assistant Attorney General  
Office of the Attorney General  
6 State House Station  
Augusta, ME 04333-0006  
Tel. (207) 626-8800  
[sean.d.magenis@maine.gov](mailto:sean.d.magenis@maine.gov)  
Counsel for: Defendants

Dated: November 21, 2022

**WE SO CONSENT**  
and agree to abide by the  
terms of this Order

  
(for Plaintiffs)  
Zachary L. Heiden (Bar No. 9476)  
Carol Garvan (Bar No. 4449)  
Anahita Sotoohi (Bar No. 10120)  
ACLU OF MAINE FOUNDATION  
PO Box 7860  
Portland, Maine 04112  
(207) 619-6224  
[zheiden@aclumaine.org](mailto:zheiden@aclumaine.org)  
[asotoohi@aclumaine.org](mailto:asotoohi@aclumaine.org)  
Counsel for: Plaintiffs

Dated: November 21, 2022

STATE OF MAINE

☐ UNIFIED CRIMINAL DOCKET  
☒ SUPERIOR COURT  
☐ DISTRICT COURT

County: Kennebec County  
Location: Augusta  
Docket No: KENSC-CV-22-54

SEP 6 '23 AM 9:25

Andrew Robbins et al.

Plaintiff

**MOTION FOR TRANSCRIPT  
AT STATE EXPENSE**

v.

Maine Commission on Indigent Legal Services

Defendant

I request preparation of a transcript at State expense for the following reason(s):

The clerks erred in entering this scheduled hearing into the docket, docketing it as a telephone conference call when it was supposed to be a public hearing. As a result, the Portland Press Herald was given the wrong information on two instances and missed the hearing.

The Press Herald requests that the court expedite the transcript request and waive the processing fee because the transcript would not be necessary if not for the clerks providing incorrect information.

Date: 09/05/2023

Julia Arenstam  
Attorney/Party Requesting Transcript

**File this motion AND the Transcript and Audio Order Form (CV-CR-JV-165) with the clerk of the trial court. This motion must be filed with Transcript and Audio Order Form (CV-CR-JV-165).**

**ORDER**

The above motion is:

*\* GRANTED. The transcript & processing fee  
is waived given what transpired.*

**Granted.**

☐ This is a criminal, child protection, juvenile, or involuntary commitment proceeding, therefore, a **paper transcript** as requested in the transcript order form shall be produced at State expense. M.R. Civ. P. 91(f)(2)(A), M.R. Crim. P. 27(c).

☐ This is a civil case that is not a child protection or involuntary commitment proceeding, therefore, a copy of the **audio recording** shall be produced at State expense. M.R. Civ. P. 91(f)(2)(B)(i).

**Denied.**

☐ The hearing or trial was recorded by a court reporter, in lieu of a transcript the parties shall prepare and submit a statement of the evidence. M.R. Civ. P. 91(f)(2)(B)(ii), M.R. App. P. 5(d).

☐ The hearing or trial was not recorded, or a transcript of the hearing or trial cannot be prepared. The parties shall prepare and submit a statement of the evidence in lieu of a transcript. M.R. App. P. 5(d).

☐ Applicant is not indigent. M.R. Civ. P. 91(f)(1), M.R. App. P. (5)(b)(1).

☐ The appeal is frivolous and not brought in good faith. M.R. Civ. P. 91(f)(1).

☐ Other:

Dated: 9/14/23

[Signature]  
Judge/Justice

*# per  
Justice Murphy Expedite to 7 days.*

# STATE OF MAINE

☐ UNIFIED CRIMINAL DOCKET  
☒ SUPERIOR COURT  
☐ DISTRICT COURT  
 Andrew Robbins et al.

County: Kennebec  
 Location: Augusta  
 Docket No: KENSC-CV-22-54

Plaintiff

## TRANSCRIPT AND AUDIO ORDER FORM

v.  
Maine Commission on Indigent Legal Se  
 Defendant

Plaintiff/State Attorney Zachary Heiden

Defendant Attorney Sean Magenis

### Purpose of Transcript or Audio Request: (Please check one)

1. ☐ **Appeal** - Appeals require paper transcripts unless otherwise ordered by the court. M.R. App. P. 5  
☐ Law Court ☐ Superior Court ☐ UCD ☐ Sentence Review Panel ☐ Post-Conviction Review

2. ☒ **Reference** ☐ Use in another pending case ☒ Personal Reference  
 If for use in another pending case, is there a court imposed due date? ☐ Yes ☐ No  
 If yes, date due: \_\_\_\_\_

### Type of Request: (Please check one)

☒ Paper Transcript (Appeals require paper transcripts unless otherwise ordered by the court. M.R. App. P. 5)  
☐ Audio Recording (MP3 Recording on CD)

### Payment: (Please check one)

1. ☐ Private Pay
2. ☐ State Agency (Office of the Attorney General, District Attorney, etc.)
3. ☐ MCILS (Motion for Transcript at State Expense (CV/CR-166) required)
4. ☒ Judicial Branch (Motion for Transcript at State Expense (CV/CR-166) required)

ALGUSTA COURTS  
SEP 6 '23 4:08:26

A clerk must verify that all of the necessary information is listed below. Under hearing type, please be specific if you want the entire hearing or just a specific portion of it.

Hearing Date(s)	Hearing Type	Courtroom	CD Start/End Times, Tape & Index Number or OCR Name
1. <u>08/30/2023</u>	<u>entire public hearing</u>	<u>3</u>	<u>hearing began at approximately 10 a.m.</u>
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
Court Clerk Signature <u>Tamara M Breda</u>		Date <u>9/7/2023</u>	

INCOMPLETE FORMS MAY BE RETURNED



**Please write your contact information clearly in the section below. This information is used only to ensure delivery of transcript/audio recordings.**

Name of person ordering transcript/recording: Julia Arenstam

Firm or Agency: (if applicable)Portland Press Herald

Mailing Address: 295 Gannett Drive South Portland, ME 04106

Phone Number: 207-791-6389

Signature of person ordering transcript/recording: Julia Arenstam

**Email Address:** jarenstam@pressherald.com

Transcripts are generally sent via email. Audio recordings are generally sent via US Mail. Email delivery of audio can be arranged in some circumstances. If you do not have an email address, the Office of Transcript Operations will need your phone number and mailing address to assist you with receiving your materials.

Office of Transcript Operations  
Penobscot Judicial Center  
78 Exchange Street, Suite 200, Bangor, ME 04401  
207-991-6322      [OTO@courts.maine.gov](mailto:OTO@courts.maine.gov)

#### INSTRUCTIONS FOR ORDERING TRANSCRIPTS

- A. You must include all of the information requested on the **transcript order form** or the form may be returned and your request will not be acted upon.
- B. The party who will be responsible for the bill must **sign** the order.
- C. If you are requesting that the transcript be provided at no cost or paid for by MCILS, you must complete and attach to this form a **Motion for Transcript at State Expense (CV/CR-166)**.
- D. **File** the complete transcript and audio request form with the clerk of court.
- E. The **costs** for transcripts of any court proceedings are specified in Administrative Order JB-05-26.
- F. All transcripts for the Maine Judicial Branch are produced by AVTranz or by Official Court Reporters.
- G. If AVTranz is preparing your transcript, AVTranz will automatically send you an email that includes a cost estimate (based on the 14-day turnaround rate), deposit information, and payment options after they receive your request from the Office of Transcript Operations. If your transcript is being paid for **privately**, you can also opt for 1, 3, 7, 21 and 30-day turnaround. If your transcript is provided at **no cost** to you or is paid for by **MCILS**, the standard turnaround is 30 days.
- H. Turnaround times begin once AVTranz receives a digital copy of the audio. When the transcript has been completed, you will receive it by email from AVTranz and, depending on your circumstances, you will either be charged the balance due or issued a refund.
- I. If an Official Court Reporter is preparing your transcript, s/he will contact you by phone directly to discuss arrangements of payment and a timeframe for completion.
- J. Neither an Official Court Reporter nor the Office of Transcript Operations is responsible for delay in transcript production or for requesting additional time to obtain a transcript if you fail to comply with these procedures.

**APPEAL ORDERS:** If you are ordering a transcript as part of an appeal, you must file the order with the clerk of the trial court when you file the Notice of Appeal. Once it is completed, the transcript will be filed with the appropriate court and a copy of the transcript will be delivered to you.

**REFERENCE ORDERS:** If you are ordering a transcript for reference purposes, you must file the order with the clerk of the trial court. The clerk will then forward it to the Official Court Reporter and/or the Office of Transcript Operations.

#### INCOMPLETE FORMS MAY BE RETURNED

ANDREW ROBBINS - PLAINTIFF

Attorney for: ANDREW ROBBINS  
ZACHARY L HEIDEN - RETAINED  
AMERICAN CIVIL LIBERTIES UNION OF MAINE  
PO BOX 7860  
PORTLAND ME 04112

SUPERIOR COURT

KENNEBEC, ss.

Docket No AUGSC-CV-2022-00054

**DOCKET RECORD**

Attorney for: ANDREW ROBBINS  
CAROL J GARVAN - RETAINED  
AMERICAN CIVIL LIBERTIES UNION OF MAINE  
PO BOX 7860  
PORTLAND ME 04112

BRANDY GROVER - PLAINTIFF

Attorney for: BRANDY GROVER  
ZACHARY L HEIDEN - RETAINED  
AMERICAN CIVIL LIBERTIES UNION OF MAINE  
PO BOX 7860  
PORTLAND ME 04112

Attorney for: BRANDY GROVER  
CAROL J GARVAN - RETAINED  
AMERICAN CIVIL LIBERTIES UNION OF MAINE  
PO BOX 7860  
PORTLAND ME 04112

RAY MACK - PLAINTIFF

Attorney for: RAY MACK  
ZACHARY L HEIDEN - RETAINED  
AMERICAN CIVIL LIBERTIES UNION OF MAINE  
PO BOX 7860  
PORTLAND ME 04112

Attorney for: RAY MACK  
CAROL J GARVAN - RETAINED  
AMERICAN CIVIL LIBERTIES UNION OF MAINE  
PO BOX 7860  
PORTLAND ME 04112

MALCOLM PEIRCE - PLAINTIFF

Attorney for: MALCOLM PEIRCE  
ZACHARY L HEIDEN - RETAINED  
AMERICAN CIVIL LIBERTIES UNION OF MAINE  
PO BOX 7860  
PORTLAND ME 04112

Attorney for: MALCOLM PEIRCE  
CAROL J GARVAN - RETAINED  
AMERICAN CIVIL LIBERTIES UNION OF MAINE  
PO BOX 7860  
PORTLAND ME 04112

LANH DANH HUYNH - PLAINTIFF

Attorney for: LANH DANH HUYNH  
ZACHARY L HEIDEN - RETAINED  
AMERICAN CIVIL LIBERTIES UNION OF MAINE  
PO BOX 7860  
PORTLAND ME 04112

Attorney for: LANH DANH HUYNH  
CAROL J GARVAN - RETAINED  
AMERICAN CIVIL LIBERTIES UNION OF MAINE  
PO BOX 7860  
PORTLAND ME 04112

vs

JUSTIN ANDRUS-SUBSTITUED JIM BILLINGS - DEFENDANT  
JOSHUA TARDY - DEFENDANT

Attorney for: JOSHUA TARDY  
SEAN D MAGENIS - RETAINED 08/16/2024  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA ME 04333-0006

DONALD ALEXANDER - DEFENDANT

Attorney for: DONALD ALEXANDER  
SEAN D MAGENIS - RETAINED 08/16/2024  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA ME 04333-0006

MEEGAN BURBANK - DEFENDANT

Attorney for: MEEGAN BURBANK  
SEAN D MAGENIS - RETAINED 08/16/2024  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA ME 04333-0006

MICHAEL CAREY - DEFENDANT

Attorney for: MICHAEL CAREY  
SEAN D MAGENIS - RETAINED 08/16/2024  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA ME 04333-0006

ROGER KATZ - DEFENDANT

## Receipts

Attorney for: ROGER KATZ  
SEAN D MAGENIS - RETAINED 08/16/2024  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA ME 04333-0006

MATTHEW MORGAN-SUBSTITUTED - DEFENDANT  
RONALD SCHEIDER-SUBSTITUTED - DEFENDANT  
MAINE COMMISSION OF INDIGENT LEGAL SERVICES - DEFENDANT

Attorney for: MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
SEAN D MAGENIS - RETAINED  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA ME 04333-0006

JIM BILLINGS - DEFENDANT

Attorney for: JIM BILLINGS  
SEAN D MAGENIS - RETAINED 08/16/2024  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA ME 04333-0006

ROBERT CUMMINS-SUBSTITUTED - DEFENDANT  
RANDALL BATES - DEFENDANT  
KIMBERLY MONAGHAN - DEFENDANT  
DAVID SOUCY - DEFENDANT  
AARON FREY, AAG - DEFENDANT  
6 STATE HOUSE STATION  
AUGUSTA ME 04330

Attorney for: AARON FREY, AAG  
VALERIE A WRIGHT - RETAINED 07/26/2024  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA ME 04333-0006

ERIC SAMPSON - DEFENDANT

Attorney for: ERIC SAMPSON  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

ERIC SAMPSON - DEFENDANT OBO

Attorney for: ERIC SAMPSON  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

PETER JOHNSON - DEFENDANT OBO

Attorney for: PETER JOHNSON  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

KEVIN JOYCE - DEFENDANT OBO

Attorney for: KEVIN JOYCE  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

SCOTT NICHOLS - DEFENDANT OBO

Attorney for: SCOTT NICHOLS  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

Attorney for: SCOTT NICHOLS  
ERICA M JOHANSON - RETAINED 06/17/2024  
JENSEN BAIRD  
P.O. BOX 4510  
PORTLAND ME 04112-4510

SCOTT KANE - DEFENDANT OBO

Attorney for: SCOTT KANE  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

KENNETH MASON - DEFENDANT OBO

Attorney for: KENNETH MASON  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

PATRICK POLKY - DEFENDANT OBO

Attorney for: PATRICK POLKY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

TODD BRACKET - DEFENDANT OBO

Attorney for: TODD BRACKET  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

CHRISTOPHER WAINWRIGHT - DEFENDANT OBO

Attorney for: CHRISTOPHER WAINWRIGHT  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

TROY MORTON - DEFENDANT OBO

Attorney for: TROY MORTON  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

ROBERT YOUNG - DEFENDANT OBO

Attorney for: ROBERT YOUNG  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

JOEL MERRY - DEFENDANT OBO

Attorney for: JOEL MERRY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

DALE LANCASTER - DEFENDANT OBO

Attorney for: DALE LANCASTER  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

JASON TRUNDY - DEFENDANT OBO

Attorney for: JASON TRUNDY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

BARRY CURTIS - DEFENDANT OBO

Attorney for: BARRY CURTIS  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

WILLIAM KING - DEFENDANT OBO

Attorney for: WILLIAM KING  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

Attorney for: WILLIAM KING  
TYLER SMITH - RETAINED 07/22/2024  
LIBBY O'BRIEN KINGSLEY & CHAMPION LLC  
62 PORTLAND RD STE 17  
KENNEBUNK ME 04043

MAINE COMMISSION ON PUBLIC DEFENSE SERVICES - DEFENDANT

Attorney for: MAINE COMMISSION ON PUBLIC DEFENSE SERVICES  
SEAN D MAGENIS - RETAINED  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA ME 04333-0006

OFFICE OF THE ATTORNEY GENERAL - DEFENDANT  
6 STATE HOUSE STATION  
AUGUSTA ME 04330

Attorney for: OFFICE OF THE ATTORNEY GENERAL  
SCOTT W BOAK - RETAINED 07/11/2024  
ATTORNEY GENERAL OFFICE OF AG  
111 SEWALL STREET  
6 STATE HOUSE STATION  
AUGUSTA ME 04333-0006

Attorney for: OFFICE OF THE ATTORNEY GENERAL  
VALERIE A WRIGHT - RETAINED 06/24/2024  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA ME 04333-0006

MICHAEL CANTARA - DEFENDANT

Attorney for: MICHAEL CANTARA  
SEAN D MAGENIS - RETAINED 08/16/2024  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA ME 04333-0006

STATE OF MAINE AS TO COUNT III - PARTIES IN INTEREST

Attorney for: STATE OF MAINE AS TO COUNT III  
PAUL SUITTER - RETAINED 08/16/2024  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA ME 04333-0006

SHERIFF OF ANDROSCOGGIN COUNTY - ORGANIZATION

Attorney for: SHERIFF OF ANDROSCOGGIN COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

SHERIFF AROOSTOOK COUNTY - ORGANIZATION

Attorney for: SHERIFF AROOSTOOK COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

SHERIFF CUMERLAND COUNTY - ORGANIZATION

Attorney for: SHERIFF CUMERLAND COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

SHERIFF FRANKLIN COUNTY - ORGANIZATION

Attorney for: SHERIFF FRANKLIN COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

Attorney for: SHERIFF FRANKLIN COUNTY  
ERICA M JOHANSON - RETAINED 06/17/2024  
JENSEN BAIRD  
P.O. BOX 4510  
PORTLAND ME 04112-4510

SHERIFF HANCOCK COUNTY - ORGANIZATION

Attorney for: SHERIFF HANCOCK COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901



## SHERIFF KENNEBEC COUNTY - ORGANIZATION

Attorney for: SHERIFF KENNEBEC COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

## SHERIFF KNOX COUNTY - ORGANIZATION

Attorney for: SHERIFF KNOX COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

## SHERIFF LINCOLN COUNTY - ORGANIZATION

Attorney for: SHERIFF LINCOLN COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

## SHERIFF OXFORD COUNTY - ORGANIZATION

Attorney for: SHERIFF OXFORD COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

## SHERIFF PENOBSCOT COUNTY - ORGANIZATION

Attorney for: SHERIFF PENOBSCOT COUNTY  
JOHN HAMER - RETAINED  
RUDMAN & WINCHELL  
PO BOX 1401  
BANGOR ME 04402-1401

Attorney for: SHERIFF PENOBSCOT COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

## SHERIFF PISCATAQUIS COUNTY - ORGANIZATION

Attorney for: SHERIFF PISCATAQUIS COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

SHERIFF SAGADAHOC COUNTY - ORGANIZATION

Attorney for: SHERIFF SAGADAHOC COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

SHERIFF SOMERSET COUNTY - ORGANIZATION

Attorney for: SHERIFF SOMERSET COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

SHERIFF WALDO COUNTY - ORGANIZATION

Attorney for: SHERIFF WALDO COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

SHERIFF WASHINGTON COUNTY - ORGANIZATION

Attorney for: SHERIFF WASHINGTON COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

SHERIFF YORK COUNTY - ORGANIZATION

Attorney for: SHERIFF YORK COUNTY  
PETER MARCHESI - RETAINED  
WHEELER & AREY PA  
27 TEMPLE ST  
WATERVILLE ME 04901

Filing Document: COMPLAINT  
Filing Date: 03/01/2022

Minor Case Type: GENERAL INJUNCTIVE RELIEF

**Docket Events:**

03/01/2022 FILING DOCUMENT - COMPLAINT FILED ON 03/01/2022

03/01/2022 Party(s): ANDREW ROBBINS  
ATTORNEY - RETAINED ENTERED ON 03/01/2022  
Plaintiff's Attorney: ZACHARY L HEIDEN

03/01/2022 Party(s): BRANDY GROVER  
ATTORNEY - RETAINED ENTERED ON 03/01/2022  
Plaintiff's Attorney: ZACHARY L HEIDEN

03/01/2022 Party(s): RAY MACK  
ATTORNEY - RETAINED ENTERED ON 03/01/2022  
Plaintiff's Attorney: ZACHARY L HEIDEN

03/01/2022 Party(s): MALCOLM PEIRCE  
ATTORNEY - RETAINED ENTERED ON 03/01/2022  
Plaintiff's Attorney: ZACHARY L HEIDEN

03/01/2022 Party(s): LANH DANH HUYNH  
ATTORNEY - RETAINED ENTERED ON 03/01/2022  
Plaintiff's Attorney: ZACHARY L HEIDEN

03/01/2022 Party(s): ANDREW ROBBINS  
MOTION - MOTION TO ADMIT VISIT. ATTY FILED ON 01/03/2022  
WITH MEMORANDUM OF LAW, DRAFT ORDER, NOTICE OF HEARING

03/01/2022 Party(s): ANDREW ROBBINS  
MOTION - MOTION TO ADMIT VISIT. ATTY GRANTED ON 03/01/2022  
COPIES TO PARTIES/COUNSEL

03/01/2022 Party(s): ANDREW ROBBINS  
MOTION - OTHER MOTION FILED ON 03/01/2022  
PL MOTION FOR CLASS CERTIFICATION AND INCORPORATED MEMORANDUM OF LAW

03/31/2022 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES, RAY MACK  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE SERVED ON 03/15/2022  
ON AL DEF

03/31/2022 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES, RAY MACK  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE FILED ON 03/21/2022  
Defendant's Attorney: SEAN D MAGENIS  
FOR ALL DEF

03/31/2022 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
ATTORNEY - RETAINED ENTERED ON 03/21/2022  
Defendant's Attorney: SEAN D MAGENIS

04/12/2022 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
MOTION - MOTION TO DISMISS FILED ON 04/08/2022  
Defendant's Attorney: SEAN D MAGENIS  
WITH MEMORANDUM OF LAW, DRAFT ORDER, NOTICE OF HEARING

04/12/2022 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
OTHER FILING - OPPOSING MEMORANDUM FILED ON 04/08/2022  
Defendant's Attorney: SEAN D MAGENIS  
OPPOSITION TO PLTFS MOTION FOR CLASS CERTIFICATION

04/14/2022 Party(s): ANDREW ROBBINS, BRANDY GROVER, RAY MACK, MALCOLM PEIRCE, LANH DANH HUYNH  
MOTION - MOTION FOR ENLARGEMENT OF TIME FILED WITH AFFIDAVIT ON 04/12/2022  
TO ENLARGE FILING DEADLINES FOR REPLY IN SUPPORT OF MOTION FOR CLASS ACT AND OPP TO  
MOTION TO DISMISS

04/15/2022 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
MOTION - MOTION FOR ENLARGEMENT OF TIME GRANTED ON 04/15/2022  
M MICHAELA MURPHY , JUSTICE  
COPIES TO PARTIES/COUNSEL  
ON ALL PENDING MOTION TO BE HELD ON 5/26/22 AT 9:00 AM  
ORAL ARGUMENTS

04/15/2022 HEARING - OTHER MOTION SCHEDULED FOR 05/26/2022 at 09:00 a.m.  
ON ALL PENDING MOTIONS

04/15/2022 HEARING - OTHER MOTION NOTICE SENT ON 04/15/2022  
ON ALL PENDING MOTIONS

04/20/2022 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
OTHER FILING - OTHER DOCUMENT FILED ON 04/19/2022  
Defendant's Attorney: SEAN D MAGENIS  
AMENDING THE CAPTION OF THE CASE  
BRANDY GROVER, RAY MACK, MALCOLM PIERCE AND LANH DANH HUYNHV  
MAINE COMMISSION ON INDIGENT LEGAL SERVICES  
JUSTIN ANDRUS, JOSHUA TARDY DONALD ALEXANDER, MEEGAN BURBANK, MICHAEL CAREY, ROGET  
KATZ, MATTHEW MORGAN AND RONALD SCHNEIDER  
ANDREW ROBBINS,

05/13/2022 Party(s): ANDREW ROBBINS  
OTHER FILING - OPPOSING MEMORANDUM FILED ON 05/13/2022  
Plaintiff's Attorney: ZACHARY L HEIDEN  
PL OPP TO DEF MOTION TO DISMISS

05/13/2022 Party(s): ANDREW ROBBINS  
OTHER FILING - REPLY MEMORANDUM FILED ON 05/13/2022  
Plaintiff's Attorney: ZACHARY L HEIDEN  
REPLY IN SUPPOSRT OF PL MOTION FOR CLASS CERTIFICATION

05/13/2022 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
OTHER FILING - ENTRY OF APPEARANCE FILED ON 05/13/2022  
ENTRY OF APPEARANCE AS CO COUNSEL FOR PL ANDREW ROBBINS, BRANDY GROVER, RAY MACK,  
MALCOLM PEIRCE AND LANH DANH HUYNH

05/13/2022 Party(s): ANDREW ROBBINS  
ATTORNEY - RETAINED ENTERED ON 05/13/2022  
Plaintiff's Attorney: CAROL J GARVAN

05/13/2022 Party(s): BRANDY GROVER  
ATTORNEY - RETAINED ENTERED ON 05/13/2022  
Plaintiff's Attorney: CAROL J GARVAN

05/13/2022 Party(s): RAY MACK  
ATTORNEY - RETAINED ENTERED ON 05/13/2022  
Plaintiff's Attorney: CAROL J GARVAN

05/13/2022 Party(s): LANH DANH HUYNH  
ATTORNEY - RETAINED ENTERED ON 05/13/2022  
Plaintiff's Attorney: CAROL J GARVAN

05/13/2022 Party(s): MALCOLM PEIRCE

ATTORNEY - RETAINED ENTERED ON 05/13/2022  
Plaintiff's Attorney: CAROL J GARVAN

05/24/2022 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
OTHER FILING - REPLY MEMORANDUM FILED ON 05/24/2022  
DEF REPLY TO PL OPP TO DEF MOTION TO DISMISS

06/02/2022 ORDER - COURT ORDER ENTERED ON 06/02/2022  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL THE STATES MOTION TO  
DISMISS IS GRANTED INPART AND DENIED IN PART PL COUNT II IS DISMISSED. THE STATE  
MUST FILE AN ANSWER TO COUNT I NO LATER THE 6/20/22.OA ON THE FULLY BRIEFED MOTION  
FOR CLASS CERT SHALL BE SCHEDULED AS SOON AS PRACTIVABLE AFTER THAT DATE

06/09/2022 HEARING - OTHER MOTION HELD ON 05/26/2022  
ON ALL PENDING MOTIONS

06/09/2022 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
MOTION - MOTION TO DISMISS OTHER DECISION ON 06/02/2022  
M MICHAELA MURPHY , JUSTICE  
THE STATES MOTION TO DISMISS IS GRANTED IN PART AND DENIED IN PART PL COUNT II IS  
DISMISSED. THE STATE MUST FILE AN ANSWER TO COUNT I NO LATER THAN 6/20/22

06/10/2022 HEARING - OTHER HEARING SCHEDULED FOR 06/22/2022 at 10:00 a.m.  
NOTICE TO PARTIES/COUNSEL PL MOTION FOR  
CLASS CERTIFICATION

06/10/2022 HEARING - OTHER HEARING NOTICE SENT ON 06/10/2022 at 10:00 a.m.  
ORAL ARGUMENTS

06/16/2022 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
RESPONSIVE PLEADING - ANSWER FILED ON 06/15/2022  
Defendant's Attorney: SEAN D MAGENIS

06/22/2022 HEARING - OTHER HEARING HELD ON 06/22/2022

07/12/2022 HEARING - OTHER MOTION SCHEDULED FOR 07/25/2022 at 11:00 a.m.  
SCHEDULING CONFERENCE

07/12/2022 HEARING - OTHER MOTION NOTICE SENT ON 07/12/2022  
SCHEDULING CONFERENCE

07/13/2022 ORDER - COURT ORDER ENTERED ON 07/13/2022  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL PL MOTION FOR CLASS  
CERTIFICATION IS GRANTED COURT APPOINTS INDIVIDUALS AS CLASS  
COUNSEL: ZACHARY HEIDEN, ANAHITA SOTOOHI, MATT WARNER, ANNE SEDLACK, KEVIN  
MARTIN GERARD CEDRONE AND JORDAN BOCK

07/21/2022 OTHER FILING - OTHER DOCUMENT FILED ON 07/19/2022

~~TRANSCRIPT REQUEST FILED ONLINE DIRECTLY TO TRANSCRIPT OFFICE 7/19/22 SENT TO CTA~~

CATHERINE SMITH FOR PROCESSING 7/20/22  
7/20/22 BY CTA CATHERINE SMITH

PROCESSING COMPLETED

07/25/2022 HEARING - OTHER MOTION HELD ON 07/25/2022  
M MICHAELA MURPHY , JUSTICE  
SCHEDULING CONFERENCE

09/12/2022 ORDER - SCHEDULING ORDER ENTERED ON 08/04/2022  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL DIS 4/3/23, ADR NOT  
2/3/23, REPORT 4/3/23, JT REQ 4/3/23, EST TIME JT 4/18/23, WIT/EXH LIST 4/18/23,  
MOTIONS 5/15/23

09/12/2022 DISCOVERY FILING - DISCOVERY DEADLINE ENTERED ON 04/03/2023

09/12/2022 ASSIGNMENT - SINGLE JUDGE/JUSTICE ASSIGNED TO JUSTICE ON 08/04/2022  
M MICHAELA MURPHY , JUSTICE

10/05/2022 ORDER - COURT ORDER ENTERED ON 10/04/2022  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL JUDICIAL SETTLEMENT  
CONFERENCE WITH ACTIVE RETIRED J WARREN INITIAL CONFERENCE 10/12/22 AT  
10:00 AM CUMBERLAND SUPERIOR COURT

10/21/2022 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
OTHER FILING - OTHER DOCUMENT FILED ON 10/20/2022  
Defendant's Attorney: SEAN D MAGENIS  
NOTICE OF SUBSTITUTION

10/21/2022 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
OTHER FILING - OTHER DOCUMENT FILED ON 10/20/2022  
Defendant's Attorney: SEAN D MAGENIS  
AMENDED NOTICE OF SUBSTITUTION

10/21/2022 Party(s): ANDREW ROBBINS  
OTHER FILING - OTHER DOCUMENT FILED ON 10/19/2022  
RETURNED ORDER FOR JSC TO CAROL GARVAN ESQ

11/18/2022 HEARING - REQUEST TELEPHONE CONFERENCE SCHEDULED FOR 11/28/2022 at 12:00 p.m.

11/18/2022 HEARING - REQUEST TELEPHONE CONFERENCE NOTICE SENT ON 11/18/2022

11/28/2022 HEARING - REQUEST TELEPHONE CONFERENCE HELD ON 11/28/2022  
M MICHAELA MURPHY , JUSTICE

11/28/2022 ORDER - COURT ORDER ENTERED ON 11/28/2022  
M MICHAELA MURPHY , JUSTICE  
PARTIES HAVE DISCOVER DISPUTES WHICH MAY REQUIRE COURT INTERVENTION. COUNSEL WILL FILE  
RULE 26G LETTERS WITH THE COURT ELECTRONICALLY AND THE COURT WILL CONDUCT A RULE 26G  
CONFERENCE BYN PHONE AT 2:00 ON DECEMBER 6, 2022. CLERK TO SEND NOTICE AND SAME  
CONFERENCE NUMBER TO BE USED. IF DISPUTE IS NOT RESOLVED AFTER CONFERENCE THE COURT WILL

SET UP A BRIEFING SCHEDULE FOR MOTIONS TO BE FILED.

11/28/2022 HEARING - 26 (G) CONFERENCE SCHEDULED FOR 12/06/2022 at 02:00 p.m.  
NOTICE TO PARTIES/COUNSEL

COURT TO CONDUCT CONFERENCE

WITH BCD CONFERENCE LINE. ATTORNEYS NOTIFIED.

11/28/2022 HEARING - 26 (G) CONFERENCE NOTICE SENT ON 11/28/2022

12/07/2022 HEARING - 26 (G) CONFERENCE HELD ON 12/06/2022

12/07/2022 ORDER - CONFERENCE REPORT & ORDER ENTERED ON 12/06/2022  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL PL HAVE LEAVE TO FILE A  
MOTION TO COMPEL DIS BY 12/16/22. OPP BY DEF DEF SHALL BE FILED BY 1/06/23 WITH REPLY BY  
1/13/23 PL WILL ALSO BE FILING A MOTION TO EXTEND DEADLINE TO  
DES EXPERTS WHICH WILL BE UNOPPOSED

12/14/2022 Party(s): ANDREW ROBBINS, BRANDY GROVER, RAY MACK, MALCOLM PEIRCE, LANH DANH HUYNH  
MOTION - MOTION FOR ENLARGEMENT OF TIME FILED ON 12/14/2022  
Plaintiff's Attorney: ZACHARY L HEIDEN  
CONSENT MOTION TO ENLARGE EXPERT DISCOVERY DEADLINES

12/20/2022 Party(s): ANDREW ROBBINS  
MOTION - MOTION TO COMPEL FILED ON 12/19/2022  
Plaintiff's Attorney: ZACHARY L HEIDEN  
WITH MEMORANDUM OF LAW, DRAFT ORDER, NOTICE OF HEARING

12/21/2022 Party(s): ANDREW ROBBINS, BRANDY GROVER, RAY MACK, MALCOLM PEIRCE, LANH DANH HUYNH  
MOTION - MOTION FOR ENLARGEMENT OF TIME GRANTED ON 12/21/2022  
M MICHAELA MURPHY , JUSTICE  
COPIES TO PARTIES/COUNSEL

12/22/2022 ORDER - COURT ORDER ENTERED ON 12/22/2022  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL AMENDED ORDER GRANTING  
CONSENT MOTION TO ENLARGE THE EXPERT DISCOVERY DEADLINES  
BY 3/3/23 PL SHALL SERVE THEIR EXPERT ON DEF  
BY 4/3/23 DEF SHALL SERVE THEIR EXPERT ON PL

01/06/2023 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
OTHER FILING - OPPOSING MEMORANDUM FILED ON 01/06/2023  
Defendant's Attorney: SEAN D MAGENIS

01/13/2023 Party(s): ANDREW ROBBINS  
OTHER FILING - REPLY MEMORANDUM FILED ON 01/13/2023  
Plaintiff's Attorney: ZACHARY L HEIDEN  
REPLY IN SUPPORT OF MOTION TO COMPEL

02/03/2023 Party(s): ANDREW ROBBINS  
OTHER FILING - REPLY MEMORANDUM FILED ON 02/03/2023

Plaintiff's Attorney: CAROL J GARVAN  
SUP REPLY IN SUPPORT OF PL MOTION TO COMPEL

02/07/2023 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
MOTION - MOTION TO IMPOUND FILED ON 02/06/2023  
Defendant's Attorney: SEAN D MAGENIS  
WITH MEMORANDUM OF LAW, DRAFT ORDER, NOTICE OF HEARING DEF MOTION TO  
IMPOUND OR SEAL EXHIBITS TO PL SUPP REPLY IN SUPPORT OF PL MOTION TO COMPEL

02/10/2023 HEARING - MOTION TO COMPEL SCHEDULED FOR 02/06/2023 at 09:00 a.m.

02/10/2023 HEARING - MOTION TO COMPEL NOTICE SENT ON 02/09/2023

02/10/2023 HEARING - MOTION TO COMPEL HELD ON 02/10/2023  
PRESENT VIA ZOOM JORDAN BOCK ESQ, ANAHITA SOTOHI ESQ, CAROL GARVAN ESQ GERARD CEDRONE  
ESQ, JUSTIN ANDRUS, SEAN MAGENIS AAG, ZACH HEIDEN AAG

02/16/2023 Party(s): ANDREW ROBBINS  
MOTION - MOTION TO COMPEL OTHER DECISION ON 02/10/2023  
M MICHAELA MURPHY , JUSTICE  
MOTION IS GRANTED IN PART.PL SHALL BY 2/13/23 SUBMIT A LIST OF SECOND TERMS TO DEF. DEF  
SHALL RESPOND BY 2/17/23. ANY AGREED UPON SEARCH TERMS SHALL BE SUBMITTED TO EXEC DIR  
OIT. ANY TERMS NOT AGREED TO SHALL BE PRESENTED TO COURT FOR RESOLUTION. ONCE THE COURT  
IS INFORMED AS TO RESULTS OF THE OIT SEARCH AND IF THERE ARE OUTSTANDING ISSUES RE  
SEARCH TERMS, ANOTHER HEARING ON THEMOTION TO COMPEL WILL BE SET BY THE COURT

03/14/2023 ORDER - COURT ORDER ENTERED ON 12/22/2022  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL

EDITED BY J MURPHY, DEADLINES TO BE:  
PL 4/3/23 FOR EXPERT-WITNESS DESIGNATION  
DEF 5/3/23 FOR EXPERT-WITNESS DESIGNATION

03/15/2023 HEARING - OTHER HEARING SCHEDULED FOR 03/15/2023 at 10:00 a.m.  
NOTICE TO PARTIES/COUNSEL

03/15/2023 HEARING - OTHER HEARING NOTICE SENT ON 03/15/2023

03/15/2023 HEARING - OTHER HEARING NOT HELD ON 03/15/2023

03/15/2023 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
MOTION - MOTION STAY OF PROCEEDINGS FILED ON 03/13/2023  
WITH MEMORANDUM OF LAW, DRAFT ORDER, NOTICE OF HEARING  
JOINT REQUEST FOR STAY.

03/16/2023 HEARING - OTHER MOTION SCHEDULED FOR 04/07/2023 at 10:00 a.m.  
MOTION FOR TEMPORARY STAY

03/16/2023 HEARING - OTHER MOTION NOTICE SENT ON 03/16/2023  
MOTION FOR TEMPORARY STAY

03/16/2023 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES



MOTION - MOTION STAY OF PROCEEDINGS GRANTED ON 03/16/2023  
M MICHAELA MURPHY , JUSTICE  
COPIES TO PARTIES/COUNSEL

05/10/2023 CASE STATUS - CASE FILE LOCATION ON 05/10/2023  
M MICHAELA MURPHY , JUSTICE  
IN CHAMBERS

06/16/2023 CASE STATUS - CASE FILE RETURNED ON 06/15/2023

06/21/2023 HEARING - OTHER HEARING SCHEDULED FOR 06/23/2023 at 10:00 a.m. in Room No. 5  
NOTICE TO PARTIES/COUNSEL

06/21/2023 HEARING - OTHER HEARING NOTICE SENT ON 06/21/2023  
SENT ELECTRONICALLY

06/21/2023 HEARING - OTHER MOTION HELD ON 04/07/2023  
M MICHAELA MURPHY , JUSTICE  
Defendant Present in Court

MOTION FOR TEMPORARY STAY

06/23/2023 HEARING - OTHER HEARING HELD ON 06/23/2023  
M MICHAELA MURPHY , JUSTICE

06/23/2023 HEARING - PRETRIAL/STATUS SCHEDULED FOR 07/28/2023 at 10:00 a.m. in Room No. 4  
NOTICE TO PARTIES/COUNSEL BY ZOOM

06/23/2023 HEARING - PRETRIAL/STATUS NOTICE SENT ON 06/23/2023

07/21/2023 HEARING - PRETRIAL/STATUS CONTINUED ON 07/21/2022  
M MICHAELA MURPHY , JUSTICE

07/21/2023 HEARING - PRETRIAL/STATUS SCHEDULED FOR 08/02/2023 at 03:30 p.m.  
NOTICE TO PARTIES/COUNSEL VIA ZOOM

07/21/2023 HEARING - PRETRIAL/STATUS NOTICE SENT ON 07/21/2023

08/01/2023 CASE STATUS - CASE FILE LOCATION ON 08/01/2023  
FILE WITH J MURPHY

08/02/2023 HEARING - PRETRIAL/STATUS HELD ON 08/02/2023  
CR 6

08/22/2023 Party(s): ANDREW ROBBINS,MAINE COMMISSION OF INDIGENT LEGAL SERVICES,BRANDY GROVER,RAY  
MACK,MALCOLM PEIRCE,LANH DANH HUYNH,JUSTIN ANDRUS-SUBSTITUED JIM BILLINGS,JOSHUA  
TARDY,DONALD ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER KATZ,MATTHEW MORGAN-  
SUBSTITUTED,RONALD SCHEIDER-SUBSTITUED  
MOTION - MOTION FOR LEAVE FILED ON 08/21/2023  
MOTION FOR LEAVE TO FILE MOTION IN EXCESS OF PAGE LIMIT

08/22/2023 Party(s): ANDREW ROBBINS,MAINE COMMISSION OF INDIGENT LEGAL SERVICES,BRANDY GROVER,RAY  
MACK,MALCOLM PEIRCE,LANH DANH HUYNH,JUSTIN ANDRUS-SUBSTITUED JIM BILLINGS,JOSHUA

TARDY, DONALD ALEXANDER, MEEGAN BURBANK, MICHAEL CAREY, ROGER KATZ, MATTHEW MORGAN-  
SUBSTITUTED, RONALD SCHEIDER-SUBSTITUED  
MOTION - OTHER MOTION FILED ON 08/21/2023  
JOINT MOTION TO CONDUCT PRELIMINARY REVIEW OF CLASS ACTION SETTLEMENT

08/23/2023 Party(s): ANDREW ROBBINS, MAINE COMMISSION OF INDIGENT LEGAL SERVICES, BRANDY GROVER, RAY  
MACK, MALCOLM PEIRCE, LANH DANH HUYNH, JUSTIN ANDRUS-SUBSTITUED JIM BILLINGS, JOSHUA  
TARDY, DONALD ALEXANDER, MEEGAN BURBANK  
MOTION - MOTION FOR LEAVE FILED ON 08/23/2023  
M MICHAELA MURPHY , JUSTICE  
Defendant's Attorney: SEAN D MAGENIS  
Plaintiff's Attorney: ZACHARY L HEIDEN  
MOTION FOR LEAVE TO FILE MOTION IN EXCESS OF PAGE LIMIT

08/23/2023 Party(s): ANDREW ROBBINS, MAINE COMMISSION OF INDIGENT LEGAL SERVICES, BRANDY GROVER, RAY  
MACK, MALCOLM PEIRCE, LANH DANH HUYNH, JUSTIN ANDRUS-SUBSTITUED JIM BILLINGS, JOSHUA  
TARDY, DONALD ALEXANDER, MEEGAN BURBANK  
MOTION - MOTION FOR LEAVE GRANTED ON 08/23/2023  
M MICHAELA MURPHY , JUSTICE

08/25/2023 HEARING - PRETRIAL/STATUS SCHEDULED FOR 08/30/2023 at 10:00 a.m. in Room No. 3  
M MICHAELA MURPHY , JUSTICE  
NOTICE TO PARTIES/COUNSEL EMAILED PER J MURPHY  
IN PERSON CONFERENCE SCHEDULED  
AT J MURPHYS REQUEST

08/25/2023 HEARING - PRETRIAL/STATUS NOTICE SENT ON 08/25/2023  
M MICHAELA MURPHY , JUSTICE  
EMAILED PER J MURPHYS REQUEST

08/31/2023 HEARING - PRETRIAL/STATUS HELD ON 08/30/2023  
M MICHAELA MURPHY , JUSTICE  
2 HOUR HEARING HELD

09/06/2023 HEARING - OTHER HEARING HELD ON 08/30/2023  
M MICHAELA MURPHY , JUSTICE  
Defendant Present in Court  
3 HOUR HEARING

09/07/2023 MOTION - OTHER MOTION FILED ON 09/06/2023  
REC/FIL MOTION FOR TRANSCRIPT AT STATE EXPENSE FILED BY PORTLAND PRESS HERALD BY JULIA  
ARENSTAM PPH

09/07/2023 MOTION - OTHER MOTION GRANTED ON 09/07/2023  
M MICHAELA MURPHY , JUSTICE  
REC/FIL MOTION FOR TRANSCRIPT AT STATE EXPENSE FILED BY PORTLAND PRESS HERALD BY JULIA  
ARENSTAM PPH

09/07/2023 ORDER - TRANSCRIPT ORDER ENTERED ON 09/07/2023  
M MICHAELA MURPHY , JUSTICE  
COPIES TO PARTIES/COUNSEL.  
THIS DAY  
SENT TO OTO

09/07/2023 HEARING - OTHER HEARING SCHEDULED FOR 09/15/2023 at 10:00 a.m. in Room No. 3  
NOTICE TO PARTIES/COUNSEL SCHEDULING  
STATUS CONFERENCE IN PERSON OPEN COURT- FOR UNDETERMINED AMOUNT OF TIME

PENNY CARVER, COURT REPORTER PRESENT

09/07/2023 HEARING - OTHER HEARING NOTICE SENT ELECTRONICALLY ON 09/07/2023  
NOTICE TO COUNSEL SENT VIA EMAIL

09/08/2023 HEARING - OTHER HEARING NOTICE SENT ON 09/08/2023  
TAMARA RUEDA , CLERK IV

09/13/2023 OTHER FILING - OTHER DOCUMENT FILED ON 09/13/2023  
TRANSCRIPT AND  
AUDIO ORDER FORM FILED BY SEAN MAGENIS, AAG REQUESTING CD OF HEARING HELD 8/30/23. CD  
COMPLETED AND MAILED WITH \$25 INVOICE 9/13/2023 BY CTA CATHERINE SMITH

09/13/2023 Party(s): ANDREW ROBBINS, MAINE COMMISSION OF INDIGENT LEGAL SERVICES, BRANDY GROVER, RAY  
MACK, MALCOLM PEIRCE, LANH DANH HUYNH, JUSTIN ANDRUS-SUBSTITUED JIM BILLINGS, JOSHUA  
TARDY, DONALD ALEXANDER, MEEGAN BURBANK, MICHAEL CAREY, ROGER KATZ, MATTHEW MORGAN-  
SUBSTITUTED, RONALD SCHEIDER-SUBSTITUED  
MOTION - OTHER MOTION DENIED ON 09/13/2023  
M MICHAELA MURPHY , JUSTICE  
JOINT MOTION TO CONDUCT PRELIMINARY REVIEW OF CLASS ACTION SETTLEMENT

09/13/2023 ORDER - COURT ORDER ENTERED ON 09/13/2023  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL DENIED ORDER ON JOINT  
MOTION FOR PRELIMINARY SETTLEMENT APPROVAL

09/15/2023 HEARING - OTHER HEARING HELD ON 09/15/2023  
M MICHAELA MURPHY , JUSTICE

09/15/2023 HEARING - OTHER HEARING SCHEDULED FOR 09/29/2023 at 10:00 a.m. in Room No. 2  
M MICHAELA MURPHY , JUSTICE  
NOTICE TO PARTIES/COUNSEL IN PERSON

09/15/2023 HEARING - OTHER HEARING NOTICE SENT ON 09/15/2023

09/29/2023 Party(s): ANDREW ROBBINS, MAINE COMMISSION OF INDIGENT LEGAL SERVICES, BRANDY GROVER, RAY  
MACK, MALCOLM PEIRCE, LANH DANH HUYNH, JUSTIN ANDRUS-SUBSTITUED JIM BILLINGS, JOSHUA  
TARDY, DONALD ALEXANDER, MEEGAN BURBANK  
OTHER FILING - TRANSCRIPT ORDER FORM FILED ON 09/29/2023  
M MICHAELA MURPHY , JUSTICE

09/29/2023 Party(s): ANDREW ROBBINS, MAINE COMMISSION OF INDIGENT LEGAL SERVICES, BRANDY GROVER, RAY  
MACK, MALCOLM PEIRCE, LANH DANH HUYNH, JUSTIN ANDRUS-SUBSTITUED JIM BILLINGS, JOSHUA  
TARDY, DONALD ALEXANDER, MEEGAN BURBANK  
OTHER FILING - TRANSCRIPT ORDER FORM SENT TO REPORTER/ER ON 09/29/2023  
M MICHAELA MURPHY , JUSTICE  
REQUESTED FROM CAROL GARVAN, ESQ/ACLU OF MAINE

10/06/2023 OTHER FILING - TRANSCRIPT ORDER FORM FILED ON 10/06/2023  
EXPEDITED REQUEST FROM CAROL GARVIN ESQ FROM ACLU

10/06/2023 OTHER FILING - TRANSCRIPT ORDER FORM SENT TO REPORTER/ER ON 10/06/2023  
SENT TO PENNY CARVER AND OTO THIS DAY

10/06/2023 HEARING - SETTLEMENT CONFERENCE SCHEDULED FOR 10/13/2023 at 08:30 a.m. in Room No. 4  
NOTICE TO PARTIES/COUNSEL WITH JUSTICE  
BILLINGS

10/06/2023 HEARING - SETTLEMENT CONFERENCE NOTICE SENT ON 10/04/2023  
BY CHANDRA PITCHER VIA EMAIL

10/06/2023 HEARING - SETTLEMENT CONFERENCE SCHEDULED FOR 11/03/2023 at 08:30 a.m. in Room No. 6  
NOTICE TO PARTIES/COUNSEL WITH JUSTICE  
BILLINGS

10/06/2023 HEARING - SETTLEMENT CONFERENCE NOTICE SENT ON 10/04/2023  
SENT BY CHANDRA PITCHER VIA EMAIL TO THE PARTIES

10/13/2023 HEARING - SETTLEMENT CONFERENCE HELD ON 10/13/2023  
DANIEL I BILLINGS , JUSTICE

11/28/2023 MOTION - OTHER MOTION FILED ON 11/28/2023  
Defendant's Attorney: SEAN D MAGENIS  
SUPPLEMENTAL JOINT MOTION TO CONDUCT PRELIMINARY REVIEW OF AMENDED CLASS ACTION  
SETTLEMENT, DIRECT NOTICE TO CLASS MEMBERS OF AMENDED PROPOSED SETTLEMENT AND MAKE FURTHER  
ORDERS AS PART OF THE SETTLEMENT APPROVAL PROCESS

11/30/2023 HEARING - OTHER HEARING SCHEDULED FOR 12/15/2023 at 10:30 a.m. in Room No. 1  
NOTICE TO PARTIES/COUNSEL ORAL ARGUMENT  
IN PERSON

11/30/2023 HEARING - OTHER HEARING NOTICE SENT ON 11/30/2023

11/30/2023 HEARING - SETTLEMENT CONFERENCE HELD ON 11/03/2023

11/30/2023 HEARING - OTHER HEARING HELD ON 09/29/2023

12/08/2023 OTHER FILING - OTHER DOCUMENT FILED ON 11/27/2023  
LETTER FROM THOMAS PROIA COPIES MAILED  
TO COUNSEL ON RECORD 12/8/23

01/08/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES,JUSTIN ANDRUS-SUBSTITUED JIM  
BILLINGS,JOSHUA TARDY,DONALD ALEXANDER,MEEGAN BURBANK  
OTHER FILING - TRANSCRIPT ORDER FORM FILED ON 01/03/2024  
Plaintiff's Attorney: SEAN D MAGENIS  
TRANSCRIPT AND AUDIO ORDER FORM  
REC'D 01/19/24

01/08/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES,JUSTIN ANDRUS-SUBSTITUED JIM  
BILLINGS,JOSHUA TARDY,DONALD ALEXANDER,MEEGAN BURBANK

OTHER FILING - TRANSCRIPT ORDER FORM SENT TO REPORTER/ER ON 01/08/2024  
M MICHAELA MURPHY , JUSTICE  
CD COMPLETED AND MAILED 1/9/24 BY CTA CATHERINE SMITH

01/12/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
MOTION - MOTION FOR ENLARGEMENT OF TIME FILED ON 01/11/2024  
Plaintiff's Attorney: ZACHARY L HEIDEN  
CONSET MOTION TO ENLARGE DEADLINE FOR PARTIES TO FILE SUPPLEMENTAL BRIEFINGIN SUPPORT OF  
JOINT MOTION TO CONDUCT PRELIMINARY REVIEW OF CLASS ACTION SETTLEMENT

01/17/2024 HEARING - PRETRIAL/STATUS SCHEDULED FOR 02/02/2024 at 09:00 a.m. in Room No. 4  
M MICHAELA MURPHY , JUSTICE  
NOTICE TO PARTIES/COUNSEL

IN PERSON CONFERENCE

01/17/2024 HEARING - PRETRIAL/STATUS NOTICE SENT ON 01/17/2024

01/17/2024 HEARING - OTHER HEARING HELD ON 01/17/2024  
M MICHAELA MURPHY , JUSTICE

01/19/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
MOTION - MOTION FOR ENLARGEMENT OF TIME GRANTED ON 01/19/2024  
M MICHAELA MURPHY , JUSTICE  
COPIES TO PARTIES/COUNSEL

PARTIES HAVE UNTIL JANUARY 22,  
2024 TO FILE AND SERVE SUPPLEMENTAL BRIEFING

01/19/2024 CASE STATUS - CASE FILE LOCATION ON 01/19/2024  
W/JUSTICE MURPHY

01/22/2024 Party(s): ANDREW ROBBINS  
LETTER - TO PARTY(S) SENT ON 01/22/2024  
I NOAH BREWINGTON WISH TO BE CALLED AS A WITNESS IN THIS CASE

01/23/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES,BRANDY GROVER,RAY MACK,MALCOLM  
PEIRCE,LANH DANH HUYNH,JUSTIN ANDRUS-SUBSTITUED JIM BILLINGS,JOSHUA TARDY,DONALD  
ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER KATZ,MATTHEW MORGAN-SUBSTITUTED,RONALD  
SCHEIDER-SUBSTITUED

OTHER FILING - REPLY MEMORANDUM FILED ON 01/22/2024  
Plaintiff's Attorney: SEAN D MAGENIS  
MEMORANDUM IN FURTHER SUPPORT OF THE PARTIES SUPPLEMENTAL JOINT MOTION REGARDING  
SETTLEMENT APPROVAL

02/01/2024 Party(s): ANDREW ROBBINS,MAINE COMMISSION OF INDIGENT LEGAL SERVICES,BRANDY GROVER,RAY  
MACK,MALCOLM PEIRCE,LANH DANH HUYNH,JUSTIN ANDRUS-SUBSTITUED JIM BILLINGS,JOSHUA  
TARDY,DONALD ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER KATZ,MATTHEW MORGAN-  
SUBSTITUTED,RONALD SCHEIDER-SUBSTITUED

OTHER FILING - OTHER DOCUMENT FILED ON 12/14/2023  
M MICHAELA MURPHY , JUSTICE

MEDIA NOTIFICATION REQUEST FOR COVERAGE OF COURT PROCEEDINGS ON 12/15/23

GRANTED 12/5/23 J. MURPHY

02/16/2024 Party(s): ANDREW ROBBINS,MAINE COMMISSION OF INDIGENT LEGAL SERVICES,BRANDY GROVER,RAY

MACK,MALCOLM PEIRCE,LANH DANH HUYNH,JUSTIN ANDRUS-SUBSTITUED JIM BILLINGS,JOSHUA TARDY,DONALD ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER KATZ,MATTHEW MORGAN-SUBSTITUTED,RONALD SCHEIDER-SUBSTITUED

MOTION - OTHER MOTION FILED ON 02/14/2024

Defendant's Attorney: SEAN D MAGENIS

Plaintiff's Attorney: ZACHARY L HEIDEN

SECOND AMENDED JOINT MOTION TO CONDUCT PRELIMINARY REVIEW OF SECOND AMENDED CLASS ACTION SETTLEMENT, DIRECT NOTICE TO CLASS MEMBERS OF AMENDED PROPOSED SETTLEMENT

02/16/2024 Party(s): ANDREW ROBBINS,MAINE COMMISSION OF INDIGENT LEGAL SERVICES,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH,JUSTIN ANDRUS-SUBSTITUED JIM BILLINGS,JOSHUA TARDY,DONALD ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER KATZ,MATTHEW MORGAN-SUBSTITUTED,RONALD SCHEIDER-SUBSTITUED

OTHER FILING - OTHER DOCUMENT FILED ON 02/14/2024

Defendant's Attorney: SEAN D MAGENIS

Plaintiff's Attorney: ZACHARY L HEIDEN

NOTICE OF WITHDRAWAL OF AMENDED JOINT MOTION TO CONDUCT PRELIMINARY REVIEW OF AMENDED CLASS ACTION SETTLEMENT (NOVEMBER 28, 2023)

02/27/2024 HEARING - PRETRIAL/STATUS SCHEDULED FOR 03/15/2024 at 09:00 a.m. in Room No. 3  
M MICHAELA MURPHY , JUSTICE  
NOTICE TO PARTIES/COUNSEL

IN PERSON CONFERENCE

02/27/2024 HEARING - PRETRIAL/STATUS NOTICE SENT ELECTRONICALLY ON 02/27/2024  
M MICHAELA MURPHY , JUSTICE

02/27/2024 HEARING - PRETRIAL/STATUS NOTICE SENT ON 02/27/2024  
M MICHAELA MURPHY , JUSTICE

02/27/2024 ORDER - COURT ORDER ENTERED ON 02/27/2024  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO PARTIES/COUNSEL

COMBINED ORDER

02/28/2024 HEARING - PRETRIAL/STATUS HELD ON 02/02/2024  
M MICHAELA MURPHY , JUSTICE

03/11/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
MOTION - MOTION FOR LEAVE FILED ON 03/08/2024  
M MICHAELA MURPHY , JUSTICE  
PLT MOT FOR LEAVE TO AMEND AND SUPPLEMENT COMPLAINT

03/11/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
LETTER - REQUEST FOR PROTECTION FILED ON 03/08/2024  
Plaintiff's Attorney: CAROL J GARVAN  
TRIAL PROTECTION DATES

6/24/24-7/5/24

03/11/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
MOTION - MOTION TO INTERVENE FILED ON 03/11/2024  
M MICHAELA MURPHY , JUSTICE  
WITH MEMORANDUM OF LAW, DRAFT ORDER, NOTICE OF HEARING

PLT PETITION TO INTERVENE  
DANIEL FELDMAN

03/11/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
OTHER FILING - ENTRY OF APPEARANCE FILED ON 03/11/2024  
ENTRY OF APPEARANCE  
ENTER MY APPEARANCE AS A SELF REPRESENTED PLAINTIFF  
CLERK SHALL  
DANIEL FELDMAN

03/15/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES,JUSTIN ANDRUS-SUBSTITUED JIM  
BILLINGS,JOSHUA TARDY,DONALD ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER  
KATZ,MATTHEW MORGAN-SUBSTITUTED,RONALD SCHEIDER-SUBSTITUED  
MOTION - OTHER MOTION FILED ON 03/15/2024  
Defendant's Attorney: SEAN D MAGENIS  
DEF CONSENT MOT TO EXCEED PAGE LIMITS

03/15/2024 HEARING - PRETRIAL/STATUS HELD ON 03/15/2024  
M MICHAELA MURPHY , JUSTICE

03/22/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES,JUSTIN ANDRUS-SUBSTITUED JIM  
BILLINGS,JOSHUA TARDY,DONALD ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER  
KATZ,MATTHEW MORGAN-SUBSTITUTED,RONALD SCHEIDER-SUBSTITUED  
APPEAL - NOTICE OF APPEAL FILED ON 03/15/2024  
Defendant's Attorney: SEAN D MAGENIS

03/22/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES,JUSTIN ANDRUS-SUBSTITUED JIM  
BILLINGS,JOSHUA TARDY,DONALD ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER  
KATZ,MATTHEW MORGAN-SUBSTITUTED,RONALD SCHEIDER-SUBSTITUED  
LETTER - REQUEST FOR PROTECTION FILED ON 03/15/2024  
Defendant's Attorney: SEAN D MAGENIS  
PROTECTION DATE  
FOURTH WEEK OF JULY  
THIRD AND

03/22/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES,JUSTIN ANDRUS-SUBSTITUED JIM  
BILLINGS,JOSHUA TARDY,DONALD ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER  
KATZ,MATTHEW MORGAN-SUBSTITUTED,RONALD SCHEIDER-SUBSTITUED  
MOTION - MOTION TO DISMISS FILED ON 03/20/2024  
WITH MEMORANDUM OF LAW, DRAFT ORDER, NOTICE OF HEARING  
MOT TO D/M APPEAL

03/22/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES,JUSTIN ANDRUS-SUBSTITUED JIM  
BILLINGS,JOSHUA TARDY,DONALD ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER  
KATZ,MATTHEW MORGAN-SUBSTITUTED,RONALD SCHEIDER-SUBSTITUED  
APPEAL - NOTICE OF APPEAL SENT TO LAW COURT ON 03/22/2024  
M MICHAELA MURPHY , JUSTICE

03/22/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
OTHER FILING - REPLY MEMORANDUM FILED ON 03/22/2024  
Plaintiff's Attorney: ZACHARY L HEIDEN

03/22/2024 MOTION - OTHER MOTION FILED ON 03/22/2024  
Plaintiff's Attorney: ZACHARY L HEIDEN  
PLT MOT FOR LEAVE TO EXCEED PAGE LIMITS

03/22/2024 MOTION - OTHER MOTION FILED ON 03/22/2024  
MOT FOR LEAVE TO FILE AMICUS CURIAE BRIEF IN SUPPORT OF CLASS OF INDIGENT ACCUSED

03/22/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES,JUSTIN ANDRUS-SUBSTITUED JIM  
BILLINGS,JOSHUA TARDY,DONALD ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER  
KATZ,MATTHEW MORGAN-SUBSTITUTED,RONALD SCHEIDER-SUBSTITUED  
OTHER FILING - REPLY MEMORANDUM FILED ON 03/22/2024  
BRIEF OF AMICUS CURIAE A PREVIOUSLY NAMED DEFENDANT IN SUPPORT OF CLASS OF INDIGENT  
ACCUSED

04/02/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
OTHER FILING - OPPOSING MEMORANDUM FILED ON 03/15/2024  
REC/FIL DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION TO LEAVE TO AMEND AND SUPPLEMENT THE  
COMPLAINT S/ SEAN MAGENIS AAG

04/02/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES,JUSTIN ANDRUS-SUBSTITUED JIM  
BILLINGS,JOSHUA TARDY,DONALD ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER  
KATZ,MATTHEW MORGAN-SUBSTITUTED,RONALD SCHEIDER-SUBSTITUED  
MOTION - OTHER MOTION GRANTED ON 03/15/2024  
M MICHAELA MURPHY , JUSTICE  
DEF CONSENT MOT TO EXCEED PAGE LIMITS

04/08/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES,JUSTIN ANDRUS-SUBSTITUED JIM  
BILLINGS,JOSHUA TARDY,DONALD ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER  
KATZ,MATTHEW MORGAN-SUBSTITUTED,RONALD SCHEIDER-SUBSTITUED  
OTHER FILING - OPPOSING MEMORANDUM FILED ON 04/01/2024  
DEFT'S OPPOSTION TO PETITION TO INTERVENE S/ SEAN MAGENIS ESQ

04/12/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
OTHER FILING - TRANSCRIPT ORDER FORM FILED ON 04/08/2024

04/12/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
OTHER FILING - TRANSCRIPT ORDER FORM SENT TO REPORTER/ER ON 04/12/2024  
TAMARA RUEDA , CLERK IV  
OTO

04/12/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
OTHER FILING - OPPOSING MEMORANDUM FILED ON 04/09/2024  
REC/FIL DEFENDANT'S OPPOSITION TO MOTION FOR LEAVE TO FILE AMICUS BRIEF S/ SEAN MAGENIS  
AAG

04/12/2024 OTHER FILING - OTHER DOCUMENT FILED ON 04/11/2024  
REC'D PLAINTIFF'S PROPOSED PHASE 1 SCHEDULING ORDER S/ ZACHARY HEIDEN ESQ AND KEVIN MARTIN  
ESQ

04/12/2024 OTHER FILING - OTHER DOCUMENT FILED ON 04/12/2024  
REC'D DEFT'S PROPOSED SCHEDULING ORDER S/SEAN MAGENIS ESQ

05/07/2024 APPEAL - MANDATE/ORDER DISMISSED ON 05/01/2024  
APPEAL DISMISSED

05/08/2024 HEARING - PRETRIAL/STATUS SCHEDULED FOR 05/13/2024 at 09:00 a.m. in Room No. 3  
NOTICE TO PARTIES/COUNSEL

CONFERENCE WITH



COUNSEL ONLY  
7511 PASSCODE 635234

VIA ZOOM MEETING ID 991 8305

05/08/2024 HEARING - PRETRIAL/STATUS NOTICE SENT ELECTRONICALLY ON 05/07/2024

05/13/2024 HEARING - PRETRIAL/STATUS HELD ON 05/13/2024

CR 3

BY ZOOM

05/13/2024 ORDER - COURT ORDER ENTERED ON 05/13/2024

M MICHAELA MURPHY , JUSTICE

ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL

PRELIMINARY SCHEDULING

ORDER FOR PHASE 1 TRIAL

05/13/2024 ORDER - SCHEDULING ORDER ENTERED ON 05/13/2024

M MICHAELA MURPHY , JUSTICE

ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL

05/13/2024 DISCOVERY FILING - DISCOVERY DEADLINE ENTERED ON 09/13/2024

05/17/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH

RESPONSIVE PLEADING - RESPONSE FILED ON 05/15/2024

Plaintiff's Attorney: ZACHARY L HEIDEN

PLT TAKE NO POSITION ON DANIEL FELDMAN'S MOTION TO INTERVENE FILED 3/11/2024 OR ROBERT  
CUMMINS'S MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF FILED 3/20/24.

05/21/2024 LETTER - FROM NON-PARTY FILED ON 05/13/2024

LETTER FROM FRANCIS ENWONWN FILING A CLASE ACTION LAW SUITE FOR FAILING TO APPOINT COUNSEL  
FOR HIS LEGAL NEEDS IN A CRIMINAL MATTER PER JUSTICE MURPHY LETTER AND  
DOCUMENTS SENT TO ATTY MAGIS , HEIDEN AND PARSONS FOR POSITIONS.

05/21/2024 MOTION - MOTION TO INTERVENE FILED WITH AFFIDAVIT ON 05/13/2024

FILED BY FRANCIS ENWONWN PRO SE

05/21/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH

LETTER - FROM PARTY FILED ON 05/17/2024

REC'D LETTER FROM ZACH HEIDEN ESQ STATING THE PLAINTIFF'S TAKES NO POSITION ON DANIEL D  
FELDMAN'S MOTION TO INTERVENE FILED ON MARCH 11, 2024 OR ROBERT CUMMINS'S MOTION FOR LEAVE  
T FILE AMICUS CURIE BRIEF (FILED MARCH 20 2024) S/ZACH HEIDEN ESQ

05/23/2024 MOTION - OTHER MOTION FILED ON 03/08/2024

REC/FIL PLAINTIFF'S MOTION FOR LEAVE TO AMEND AND SUPPLEMENT THE COMPLAINT S/ ZACH HEIDEN  
ESQ, MATT WARNER ESQ AND KEVIN MARTIN ESQ

05/23/2024 MOTION - OTHER MOTION OTHER DECISION ON 05/23/2024

M MICHAELA MURPHY , JUSTICE

REC/FIL PLAINTIFF'S MOTION FOR LEAVE TO AMEND AND SUPPLEMENT THE COMPLAINT S/ ZACH HEIDEN  
ESQ, MATT WARNER ESQ AND KEVIN MARTIN ESQ PLAINTIFF'S MOTION IS GRANTED  
IN PART AND DENIED IN PART

05/23/2024 ORDER - COURT ORDER ENTERED ON 05/23/2024

M MICHAELA MURPHY , JUSTICE

ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL ORDER ON PLAINTIFF'S  
MOTION FOR LEAVE TO AMEND & SUPPL COMPLAINT

06/06/2024 Party(s): ANDREW ROBBINS, BRANDY GROVER, RAY MACK, MALCOLM PEIRCE, LANH DANH HUYNH  
SUPPLEMENTAL FILING - AMENDED COMPLAINT FILED ON 05/31/2024  
PLAINTIFF'S FIRST AMENDED COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF AND CASE ACTION  
PETITION FOR HABEAS RELIEF AND EXHIBITS 1-7 TO THE FIRST AMENDED ACTION COMPLAINT.  
S/ZACH HEIDEN ESQ

06/06/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
OTHER FILING - OPPOSING MEMORANDUM FILED ON 06/03/2024  
Defendant's Attorney: SEAN D MAGENIS  
DEFS OPPOSITION TO MOTION TO INTERVENE BY

06/13/2024 Party(s): AARON FREY, AAG  
MOTION - MOTION FOR ENLARGEMENT OF TIME FILED ON 06/12/2024  
Defendant's Attorney: VALERIE A WRIGHT  
UNOPPOSED MOTION TO ENLARGE DEADLINE TO ANSWER AMENDED COMPLAINT WITH PROPOSED ORDER

06/13/2024 Party(s): TROY MORTON  
RESPONSIVE PLEADING - ANSWER FILED ON 06/11/2024  
Defendant's Attorney: JOHN HAMER

06/13/2024 Party(s): MATTHEW MORGAN-SUBSTITUTED  
ATTORNEY - RETAINED ENTERED ON 06/11/2024

06/13/2024 Party(s): SHERIFF PENOBSCOT COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/11/2024  
Attorney: JOHN HAMER

06/13/2024 Party(s): ERIC SAMPSON  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

Party(s): ERIC SAMPSON  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

Party(s): PETER JOHNSON  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

Party(s): KEVIN JOYCE  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

Party(s): SCOTT NICHOLS  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

06/13/2024 Party(s): SCOTT KANE  
ATTORNEY - RETAINED ENTERED ON 06/12/2024

Defendant's Attorney: PETER MARCHESI

06/13/2024 Party(s): KENNETH MASON  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

Party(s): PATRICK POLKY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

Party(s): TODD BRACKET  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

Party(s): CHRISTOPHER WAINWRIGHT  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

Party(s): TROY MORTON  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

Party(s): ROBERT YOUNG  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

Party(s): JOEL MERRY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

Party(s): DALE LANCASTER  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

Party(s): JASON TRUNDY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

06/13/2024 Party(s): BARRY CURTIS  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

Party(s): WILLIAM KING  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

Party(s): SHERIFF OF ANDROSCOGGIN COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

Party(s): SHERIFF AROOSTOOK COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

Party(s): SHERIFF CUMERLAND COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

Party(s): SHERIFF FRANKLIN COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

Party(s): SHERIFF HANCOCK COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

Party(s): SHERIFF KENNEBEC COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

Party(s): SHERIFF KNOX COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

Party(s): SHERIFF LINCOLN COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

06/13/2024 Party(s): SHERIFF OXFORD COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

Party(s): SHERIFF PENOBSCOT COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

Party(s): SHERIFF PISCATAQUIS COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

Party(s): SHERIFF SAGADAHOC COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

Party(s): SHERIFF SOMERSET COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

Party(s): SHERIFF WALDO COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

Party(s): SHERIFF WASHINGTON COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

Party(s): SHERIFF YORK COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/12/2024  
Attorney: PETER MARCHESI

06/13/2024 Party(s): ERIC SAMPSON, ERIC SAMPSON, SHERIFF OF ANDROSCOGGIN COUNTY, PETER JOHNSON, SHERIFF AROOSTOOK COUNTY, KEVIN JOYCE, SHERIFF CUMERLAND COUNTY, SCOTT NICHOLS, SHERIFF FRANKLIN COUNTY, SCOTT KANE, SHERIFF HANCOCK COUNTY, KENNETH MASON, SHERIFF KENNEBEC COUNTY, PATRICK POLKY, SHERIFF KNOX COUNTY, TODD BRACKET, SHERIFF LINCOLN COUNTY, CHRISTOPHER WAINWRIGHT, SHERIFF OXFORD COUNTY, TROY MORTON, SHERIFF PENOBSHOT COUNTY, ROBERT YOUNG, SHERIFF PISCATAQUIS COUNTY, JOEL MERRY, SHERIFF SAGadahoc COUNTY, DALE LANCASTER, SHERIFF SOMERSET COUNTY, JASON TRUNDY, SHERIFF WALDO COUNTY, BARRY CURTIS, SHERIFF WASHINGTON COUNTY, WILLIAM KING, SHERIFF YORK COUNTY

RESPONSIVE PLEADING - ANSWER & AFFIRMATIVE DEFENSE FILED ON 06/12/2024  
Defendant's Attorney: PETER MARCHESI

06/20/2024 Party(s): TROY MORTON, SHERIFF PENOBSHOT COUNTY  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE SERVED ON 06/05/2024

06/20/2024 Party(s): TROY MORTON, SHERIFF PENOBSHOT COUNTY  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE FILED ON 06/14/2024  
Defendant's Attorney: JOHN HAMER

06/20/2024 Party(s): WILLIAM KING, SHERIFF YORK COUNTY  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE SERVED ON 06/05/2024

06/20/2024 Party(s): WILLIAM KING, SHERIFF YORK COUNTY  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE FILED ON 06/14/2024  
Defendant's Attorney: TYLER SMITH

06/20/2024 Party(s): SCOTT KANE, SHERIFF HANCOCK COUNTY  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE SERVED ON 06/06/2024

06/20/2024 Party(s): SCOTT KANE, SHERIFF HANCOCK COUNTY  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE FILED ON 06/14/2024  
Defendant's Attorney: MICHAEL LICHTENSTEIN

06/20/2024 Party(s): ERIC SAMPSON, SHERIFF OF ANDROSCOGGIN COUNTY  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE SERVED ON 06/06/2024

06/20/2024 Party(s): ERIC SAMPSON, SHERIFF OF ANDROSCOGGIN COUNTY  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE FILED ON 06/14/2024  
Defendant's Attorney: MICHAEL LICHTENSTEIN

06/20/2024 Party(s): KEVIN JOYCE, KENNETH MASON, PATRICK POLKY, TODD BRACKET, CHRISTOPHER WAINWRIGHT, JOEL MERRY, DALE LANCASTER, JASON TRUNDY, BARRY CURTIS  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE SERVED ON 06/06/2024  
Defendant's Attorney: MICHAEL LICHTENSTEIN  
ACCEPTANCE OF SERVICE OF COMPLAINT AND WAIVER OF SERVICE OF SUMMONS

06/20/2024 Party(s): KEVIN JOYCE, KENNETH MASON, PATRICK POLKY, TODD BRACKET, CHRISTOPHER WAINWRIGHT, JOEL MERRY, DALE LANCASTER, JASON TRUNDY, BARRY CURTIS  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE FILED ON 06/14/2024

06/20/2024 Party(s): SHERIFF OF ANDROSCOGGIN COUNTY, SHERIFF CUMERLAND COUNTY, SHERIFF KENNEBEC COUNTY, SHERIFF KNOX COUNTY, SHERIFF LINCOLN COUNTY, SHERIFF OXFORD COUNTY, SHERIFF PISCATAQUIS COUNTY, SHERIFF SAGADAHOC COUNTY, SHERIFF SOMERSET COUNTY, SHERIFF WALDO COUNTY, SHERIFF WASHINGTON COUNTY  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE SERVED ON 06/06/2024

06/20/2024 Party(s): SHERIFF OF ANDROSCOGGIN COUNTY, SHERIFF CUMERLAND COUNTY, SHERIFF KENNEBEC COUNTY, SHERIFF KNOX COUNTY, SHERIFF LINCOLN COUNTY, SHERIFF OXFORD COUNTY, SHERIFF PISCATAQUIS COUNTY, SHERIFF SAGADAHOC COUNTY, SHERIFF SOMERSET COUNTY, SHERIFF WALDO COUNTY, SHERIFF WASHINGTON COUNTY  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE FILED ON 06/14/2024  
Defendant's Attorney: MICHAEL LICHTENSTEIN

06/20/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE SERVED ON 06/03/2024

06/20/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE FILED ON 06/14/2024  
Defendant's Attorney: CHRISTOPHER C TAUB

06/20/2024 Party(s): SCOTT NICHOLS  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE SERVED ON 06/03/2024

06/20/2024 Party(s): SCOTT NICHOLS  
SUMMONS/SERVICE - ACCEPTANCE OF SERVICE FILED ON 06/14/2024  
Defendant's Attorney: ERICA M JOHANSON

06/20/2024 Party(s): WILLIAM KING, SHERIFF YORK COUNTY  
RESPONSIVE PLEADING - ANSWER & AFFIRMATIVE DEFENSE FILED ON 06/14/2021  
Defendant's Attorney: TYLER SMITH  
RESPONDENT WILLIAM KING'S ANSWER AND AFFIRMATIVE DEFENSES TO FIRST AMENDED CLASS ACTION COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF AND CLASS ACTION PETITION FOR HABEAS RELIEF.

06/20/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
RESPONSIVE PLEADING - ANSWER FILED ON 06/14/2024  
Defendant's Attorney: SEAN D MAGENIS  
AND PAUL SUITTER BAR # 5736

06/21/2024 Party(s): SCOTT NICHOLS  
RESPONSIVE PLEADING - RESPONSE FILED ON 06/17/2024  
ANSWER OF RESPONDENT SCOTT NICHOLS

06/26/2024 Party(s): OFFICE OF THE ATTORNEY GENERAL  
ATTORNEY - RETAINED ENTERED ON 06/24/2024  
Defendant's Attorney: VALERIE A WRIGHT

06/26/2024 Party(s): OFFICE OF THE ATTORNEY GENERAL  
MOTION - MOTION TO DISMISS FILED ON 06/24/2024  
WITH MEMORANDUM OF LAW, DRAFT ORDER, AND EXHIBIT A AND A PROPOSED ORDER

06/26/2024 Party(s): SCOTT NICHOLS, SHERIFF FRANKLIN COUNTY  
RESPONSIVE PLEADING - ANSWER TO AMENDED PLEADING FILED ON 06/17/2024

06/26/2024 Party(s): SCOTT NICHOLS  
ATTORNEY - RETAINED ENTERED ON 06/17/2024  
Defendant's Attorney: ERICA M JOHANSON

06/26/2024 Party(s): SHERIFF FRANKLIN COUNTY  
ATTORNEY - RETAINED ENTERED ON 06/17/2024  
Attorney: ERICA M JOHANSON

07/03/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
OTHER FILING - OPPOSING MEMORANDUM FILED ON 07/03/2024  
PLAINTIFF'S OPPOSITION TO MOTION TO DISMISS THE STAT OF MAINE AND MCILS AS DEFENDANTS. S.  
ZACHARY HEIDEN ESQ

07/08/2024 HEARING - OTHER HEARING SCHEDULED FOR 07/31/2024 at 09:00 a.m. in Room No. 3  
NOTICE TO PARTIES/COUNSEL FOR ORAL  
AGRUMENT ON ALL PENDING MOTIONS

07/08/2024 HEARING - OTHER HEARING NOTICE SENT ON 07/08/2024  
NOTCE MAILED TO ATTY SMITH ON 7/22/24.

07/12/2024 Party(s): OFFICE OF THE ATTORNEY GENERAL  
ATTORNEY - RETAINED ENTERED ON 07/11/2024  
Defendant's Attorney: SCOTT W BOAK

07/12/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
OTHER FILING - OPPOSING MEMORANDUM FILED ON 07/12/2024  
OPPOSITION TO MOTION TO DISMISS BY THE MAINE ATTORNEY GENERAL S. ZACHARY HEIDEN ESQ

07/18/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
RESPONSIVE PLEADING - RESPONSE FILED ON 07/17/2024  
Defendant's Attorney: HALLIDAY MONCURE  
MAINE COMMISSION ON INDIGENT LEGAL SERVICES REPLY TO PLTS OPPOSITION TO THE MAINE  
COMMISSION ON INDIGENT LEGAL SERVICES MOTION TO DISMISS AND STATE OF MAINE'S REPLY IN  
SUPPORT OF MOTION TO DISMISS

07/18/2024 Party(s): OFFICE OF THE ATTORNEY GENERAL  
RESPONSIVE PLEADING - RESPONSE FILED ON 07/17/2024  
Plaintiff's Attorney: PAUL SUITTER  
STATE OF MAINE'S REPLY IN SUPPORT OF ITS MOTION TO DISMISS

07/22/2024 Party(s): WILLIAM KING  
ATTORNEY - RETAINED ENTERED ON 07/22/2024  
Defendant's Attorney: TYLER SMITH

07/24/2024 HEARING - 26(G) CONFERENCE SCHEDULED FOR 07/31/2024 at 11:30 a.m. in Room No. 3  
NOTICE TO PARTIES/COUNSEL

07/24/2024 HEARING - 26(G) CONFERENCE NOTICE SENT ON 07/24/2024

07/25/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
RESPONSIVE PLEADING - RESPONSE FILED ON 07/23/2024  
Plaintiff's Attorney: ZACHARY L HEIDEN

PLTS OBJECTIONS TO DEF.S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS  
 PROPOUNDED UPON PLTS FILED VIA EMAIL

07/29/2024 Party(s): AARON FREY, AAG  
 ATTORNEY - RETAINED ENTERED ON 07/26/2024  
 Defendant's Attorney: VALERIE A WRIGHT

07/29/2024 Party(s): AARON FREY, AAG  
 OTHER FILING - REPLY MEMORANDUM FILED ON 07/26/2024  
 REPLY TO PLAINTIFF'S OPPOSITION TO DISMISS BY THE ATTORNEY GENERAL S/ VALERIE WRIGHT AAG

07/29/2024 LETTER - FROM NON-PARTY FILED ON 07/26/2024  
 LETTER FROM FRANCIS ENWONWU PRO SE ASKING FOR A WRIT TO BE ISSUED SO HE CAN PARTICIPATE IN  
 THE JULY 31 ORAL ARGUMENTS

08/06/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
 OTHER FILING - OTHER DOCUMENT FILED ON 08/05/2024  
 Defendant's Attorney: SEAN D MAGENIS  
 NOTICE OF SUBSTITUTION FILED BY THE AAG MAGENIS; JAMES BILLINGS IN HIS OFFICIAL  
 CAPACITY AS EXEC. DIRECTOR OF MAINE COMMISSION ON PUBLIC DEFENSES JOSHUA TARTY AS CHAIR OF  
 THE MAINE COMMISSION OF PUBLIC DEFENSE SERVICES; DONALD ALEXANDER, RANDALL BATES MEEGAN  
 BURBANK, MICHAEL CONTARA, MICHAEL CAREY, ROGER KATZ, KIMBERLY MONAGHAN AND DAVID SOUCY IN  
 THEIR OFFICIAL CAPACITIES AS COMMISSIONERS OF THE MAINE COMMISSION ON PUBLIC DEFENSE  
 SERVICE.

08/06/2024 Party(s): ANDREW ROBBINS, BRANDY GROVER, RAY MACK, MALCOLM PEIRCE  
 MOTION - OTHER MOTION FILED ON 08/02/2024  
 Plaintiff's Attorney: ZACHARY L HEIDEN  
 MOTION FOR PROTECTIVE ORDER AND TO EXCLUDE EVIDENCE REGARDING PREJUDICE TO INDIVIDUAL CLASS  
 MEMBERS FILED BY COUNSEL FOR THE PTLs.

08/07/2024 Party(s): MAINE COMMISSION ON PUBLIC DEFENSE SERVICES  
 ATTORNEY - RETAINED ENTERED ON 08/05/2024  
 Defendant's Attorney: SEAN D MAGENIS

08/12/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES, MAINE COMMISSION ON PUBLIC DEFENSE  
 SERVICES  
 RESPONSIVE PLEADING - RESPONSE FILED ON 08/09/2024  
 Defendant's Attorney: SEAN D MAGENIS  
 DEFS OPPOSITION TO PLTS MOTION FOR PROTECTIVE ORDER AND TO EXCLUDE EVIDENCE  
 REGARDING PREJUDICE TO INDIVIDUAL CLASS MEMBER WITH EXHIBITS A-E TO DEFS OPPOSITION  
 TO PLTS MOTION FOR PROTECTION ORDER AND TO EXCLUDE EVIDENCE REGARDING PREJUDICE TO  
 INDIVIDUAL CLASS MEMBERS FILED BY AAG MAGENIS.

08/13/2024 HEARING - OTHER MOTION SCHEDULED FOR 08/16/2024 at 11:00 a.m. in Room No. 3  
 M MICHAELA MURPHY, JUSTICE  
 SCHEDULE CONFERENCE AND MOTION FOR PROTECTIVE ORDER

08/13/2024 HEARING - OTHER MOTION NOTICE SENT ELECTRONICALLY ON 08/13/2024  
 M MICHAELA MURPHY, JUSTICE  
 SCHEDULE CONFERENCE AND MOTION FOR PROTECTIVE ORDER VIA ZOOM

08/13/2024 HEARING - OTHER MOTION NOTICE SENT ON 08/13/2024



SCHEDULE CONFERENCE AND MOTION FOR PROTECTIVE ORDER

08/13/2024 ORDER - COURT ORDER ENTERED ON 08/13/2024  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL ELECTRONICALLY THIS DATE. ORDER ON PENDING MOTIONS  
TO DISMISS MAILED ON 8/14/24. AG MOTION TO DISMISS GRANTED AS TO PARTY IN CT 1&2; MCPD  
MOTION TO DISMISS IV IS GRANTED; STATE MOTION TO DISMISS COUNT V IS DENIED; STATE IS  
DESIGNATION AS PARTY IN INTEREST WITH RESPECT TO COUNT III; STATE SHALL FILE ANSWER TO  
AMENDED COMPLAINT WITHIN 14 DAYS OF THIS ORDER.

08/14/2024 Party(s): ANDREW ROBBINS, MAINE COMMISSION OF INDIGENT LEGAL SERVICES, BRANDY GROVER, RAY  
MACK, MALCOLM PEIRCE, LANH DANH HUYNH, JUSTIN ANDRUS-SUBSTITUTED JIM BILLINGS, JOSHUA  
TARDY, DONALD ALEXANDER, MEEGAN BURBANK  
RESPONSIVE PLEADING - RESPONSE FILED ON 08/14/2024  
Plaintiff's Attorney: ZACHARY L HEIDEN  
PLTS REPLY IN SUPPORT OF ITS MOTION FOR PROTECTIVE ORDER AND TO EXCLUDE EVIDENCE REGARDING  
PREJUDICE TO INDIVIDUAL CLASS MEMBERS FILED.

08/14/2024 OTHER FILING - OTHER DOCUMENT FILED ON 08/14/2024  
18 PAGE HAND WRITTEN CORRESPONDENCE FILED BY FRANCIS OBIORA ENWONWM WHO IS IN THE  
CUMBERLAND COUNTY JAIL. COPY OF THIS FILING MAILED TO ALL COUNSEL OF RECORD

08/15/2024 Party(s): ANDREW ROBBINS, BRANDY GROVER, RAY MACK, MALCOLM PEIRCE, LANH DANH HUYNH  
MOTION - OTHER MOTION FILED ON 08/15/2024  
Plaintiff's Attorney: ZACHARY L HEIDEN  
PLAINTIFFS MOTION TO AMEND THE CLASS DEFINITION.

08/15/2024 OTHER FILING - OTHER DOCUMENT FILED ON 08/14/2024  
AUDIO ORDER COMPLETED AND FORWARDED TO OTO ON 8/14/24 BY CTA SANDRA BOURGET

08/21/2024 ORDER - COURT ORDER ENTERED ON 08/20/2024  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. ORDER ON MOTION  
FOR PROTECTIVE ORDER-PLTS HAVE 10 DAYS FROM THE DATE OF THIS ORDER TO ANSWER THE REQUEST  
FOR ADMISSIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS PURSUANT TO THE PROVISION OF RULE 3  
AS DISCUSSED HEREIN. THE MOTION FOR PROTECTIVE ORDER IS THEREFORE GRANTED IN PART AND  
DENIED IN PART 8/21/24: COPY OF ORDER MAILED TO ALL COUNSEL OF RECORD THIS DATE.

08/21/2024 HEARING - OTHER MOTION HELD ON 08/16/2024  
M MICHAELA MURPHY , JUSTICE  
SCHEDULE CONFERENCE AND MOTION FOR PROTECTIVE ORDER

08/21/2024 Party(s): ANDREW ROBBINS, BRANDY GROVER, RAY MACK, MALCOLM PEIRCE  
MOTION - OTHER MOTION OTHER DECISION ON 08/20/2024  
M MICHAELA MURPHY , JUSTICE  
MOTION FOR PROTECTIVE ORDER AND TO EXCLUDE EVIDENCE REGARDING PREJUDICE TO INDIVIDUAL CLASS  
MEMBERS FILED BY COUNSEL FOR THE PTLS. MOTION FOR PROTECTIVE ORDER  
GRANTED IN PART AND DENIED IN PART.

08/22/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
OTHER FILING - TRANSCRIPT ORDER FORM FILED ON 08/14/2024  
Defendant's Attorney: SEAN D MAGENIS

WITH CD OF THE 7/31/24 ORAL ARGUMENT

08/22/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
MOTION - MOTION TO AMEND PLEADING FILED ON 08/19/2024  
Defendant's Attorney: ZACHARY L HEIDEN

ORDER AND EXHIBITS  
DEFINITION

WITH PROPOSED  
MOTION TO AMEND THE CLASS

VIA EMAIL

ORIGINAL FILING REC'D ON 8/15/24

08/22/2024 ORDER - COURT ORDER ENTERED ON 08/14/2024  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL 8/22/24 VIA MAIL ORDER OF SUBSTITUED JIM  
BILLINGS IS SUBSTITUTED FOR JUSTIN ANDRUS; RANDALL BATES, KIMBERLY MONAGHAN AND  
DAVID SOUCY ARE SUBSTITUTED AS DEFS FOR RONALD SCHNEIDER, ROBERT CUMMINS AND MATTHEW  
MORGAN

08/22/2024 HEARING - OTHER MOTION SCHEDULED FOR 09/13/2024 at 09:00 a.m.  
M MICHAELA MURPHY , JUSTICE  
SCHEDULING AND PENDING MOTIONS ZOOM  
HTTPS://COURTS-MAINE-GOV.ZOOM.US/J/96825125735 MEETING ID 968 2512  
5735 PASSCODE 513415

08/22/2024 HEARING - OTHER MOTION NOTICE SENT ON 08/22/2024  
SCHEDULING AND PENDING MOTIONS

09/06/2024 Party(s): OFFICE OF THE ATTORNEY GENERAL  
RESPONSIVE PLEADING - RESPONSE FILED ON 09/05/2024  
Defendant's Attorney: SEAN D MAGENIS  
OPPOSITION TO PLTS MOTION TO AMEND CLASS FILED BY AAG MAGENIS.

09/11/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
RESPONSIVE PLEADING - RESPONSE FILED ON 09/11/2024  
Plaintiff's Attorney: ZACHARY L HEIDEN  
PLT'S REPLY IN SUPPOIRT OF MITON TO AMEND THE CLASS DEFINITION AND PLT'S PRETRIAL STATUS  
REPORT FILED BY COUNSEL.

09/11/2024 Party(s): LANH DANH HUYNH  
OTHER FILING - TRANSCRIPT ORDER FORM FILED ON 09/11/2024  
Plaintiff's Attorney: CAROL J GARVAN  
OF HEARING ON 8/16/24

09/12/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
RESPONSIVE PLEADING - RESPONSE FILED ON 09/11/2024  
Plaintiff's Attorney: CAROL J GARVAN  
PLTS REPLY IN SUPPORT OF MOTION TO AMEND THE CLASS DEFINITION FILED BY PLT WITH  
PLAINTIFFS PRETRIAL STATUS REPORT VIA HAND DELIVERY AND EMAIL

09/17/2024 Party(s): OFFICE OF THE ATTORNEY GENERAL  
RESPONSIVE PLEADING - RESPONSE FILED ON 09/12/2024  
Defendant's Attorney: SEAN D MAGENIS  
REESPONCE TO PLTS SEPT. 11 FILING

09/17/2024 ORDER - SCHEDULING ORDER ENTERED ON 09/17/2024  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL ELECTRONICALLY THIS DATE.

09/17/2024 DISCOVERY FILING - DISCOVERY DEADLINE ENTERED ON 11/08/2024

09/26/2024 HEARING - OTHER MOTION HELD ON 09/13/2024  
M MICHAELA MURPHY , JUSTICE  
SCHEDULING AND PENDING MOTIONS  
HTTPS://COURTS-MAINE-GOV.ZOOM.US/J/96825125735  
5735 PASSCODE 513415  
ZOOM  
MEETING ID 968 2512

09/26/2024 ORDER - COURT ORDER ENTERED ON 09/26/2024  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
COUNSEL OF RECORD VIA EMAIL AND USPS THIS DATE. THIS ORDER IS SUBJECT TO  
THE MAINE RULES OF CIVIL PROCEDURE ON MATTER OF PROCEDURE AND CALCULATION OF TIME PERIODS.  
FORMS AND TIMING OF DESIGNATION APARTY MAY DESIGNATE DOCUMENTS AS CONFIDENTIAL AND  
RESTRICTED IN DISCLOSURE UNDER THIS ORDER BY PLACING OR AFFIXING THE WORDS "CONFIDENTIAL-  
SUBJECT TO PROTECTIVE ORDER ON THE DOCUMENT (CONT)

09/26/2024 ORDER - COURT ORDER ENTERED ON 09/26/2024  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL 9/26/24. (CONT) SCOPE: ALL DOCUMENTS PRODUCED IN THE COURSE OF DISCOVERY  
INCLUDING INITIAL DISCLOSURES, ALL RESPONSES TO DISCOVERY REQUESTS, ALL DEPOSITION  
TESTIMONY AND EXHIBITS....SHALL BE SUBJECT TO THIS ORDER CONCERNING CONFIDENTIAL INFORMATION  
AS SET FORTH BELOW. THIS ORDER IS SUBJECT TO THE MAINE RULES OF CIVIL PROCEDURE ON  
MATTERS OF PROCEDURE AND CALCULATION OF TIME PERIODS.

09/26/2024 ORDER - COURT ORDER ENTERED ON 09/26/2024  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL 9/26/24. DOCUMENT WHICH MAY BE DESIGNATED CONFIDENTIAL SUBJECT TO  
PROTECTIVE ORDER; DEPOSITIONS; PROTECTION OF CONFIDENTIAL MATERIAL A. GENERAL PROTECTIONS  
B. LIMITED THIRD PARTY DISCLOSURES 1. COUNSEL 2. PARTIES 3. COURT REPORTERS AND RECORDERS  
4. CONTRACTORS 5 CONSULTANTS AND EXPERTS 6. OTHERS BY CONSENT C CONTROL OF DOCUMENTS; D  
COPIES 6. FILING OF CONFIDENTIAL-SUBJECT TO PROT.ORDER

09/26/2024 ORDER - COURT ORDER ENTERED ON 09/26/2024  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL 9/26/24. NO GREATER PROTECTION OF SPECIFIC DOCUMENTS; CHALLENGES BY  
A PARTY TO DESIGNATION AS CONFIDENTIAL OR REDACTIONS; USE OF CONFIDENTIAL DOCUMENT OR  
INFORMATION AT TRIAL; OBLIGATIONS ON CONCLUSIONS OF LITIGATION ORDER REMAINS IN EFFECT  
RETURN OF CONFIDENTIAL SUBJECT TO PROTECTIVE ORDER DOCUMENTS; ORDER SUBJECT TO  
MODIFICATION; NO PRIOR JUDICIAL DETERMINATION; PERSONS BOUND

09/26/2024 ORDER - COURT ORDER ENTERED ON 09/26/2024  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO

PARTIES/COUNSEL 9/26/24. ORDER ON PRODUCTION OF JUDICIAL BRANCH DATA-DATA TO BE PRODUCED, CONSISTING OF NON-PUBLIC INFORMATION PROTECTED FROM DISCLOSURE BY MAINE LAW INCLUDING BUT NOT LIMITED TO 4 MRSA SEC. 1806(3) SHALL BE SUBJECT TO AND MAINTAINED BY PLTS IN A MANNER WHICH WILL PRESERVE ITS CONFIDENTIALITY CONSENT CONFIDENTIALITY ORDER JOINTLY FILED BY THE PARTIES ON 11/21/22 AND ENTERED BY COURT 9/26/24.

09/26/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
MOTION - OTHER MOTION GRANTED ON 09/26/2024  
M MICHAELA MURPHY , JUSTICE  
PLAINTIFFS MOTION TO AMEND THE CLASS DEFINITION. GRANTED IN  
PART. CASE-MANAGEMENT SUBCLASS MEETS THE CRITERIA SET FORTH IN RULES 23(A) AND (B) AND  
23(B)(2) AND WILL NOW BE TREATED AS A CLASS PURSUANT TO RULE 23(C)(4)(B). THE DEFINITION  
FOR THE SUBCLASS IS AMENDED AS SET FORTH ABOVE PURSUANT TO RULE 23(C)(1). CLERK IS  
DIRECTED TO DOCKET BY REFERENCE PURSUANT TO RULE 79(A) OF THE MAINE RULES OF CIVIL  
PROCEDURE. 9/26/24: COPY EMAILED AND USPS TO COUNSEL

09/30/2024 HEARING - 26(G) CONFERENCE HELD ON 07/31/2024  
M MICHAELA MURPHY , JUSTICE

09/30/2024 Party(s): OFFICE OF THE ATTORNEY GENERAL  
MOTION - MOTION TO DISMISS OTHER DECISION ON 08/13/2024  
M MICHAELA MURPHY , JUSTICE  
AG'S MOTION TO DISMISS IS GRANTED, AND HE WILL BE DISMISSED AS A PARTY FROM COUNTS I AND  
II; MCPD'S MOTION TO DISMISS IV IS GRANTED;STATE'S MOTION TO DISMISS IS DENIED; STATE OF  
MAINE IS DESIGNATED AS A PARTY IN INTEREST WITH RESPECT TO COUNT III; THE STATE SHALL FILE  
THEIR ANSWER TO THE AMENDED COMPLAINT WITHIN 14 DAYS FROM THE DATE OF THIS ORDER. COPIES  
TO COUNSEL OF RECORD ELECTRONICALLY AND VIA USPS ON 8/13/24

10/01/2024 HEARING - OTHER HEARING HELD ON 07/31/2024

10/01/2024 Party(s): AARON FREY, AAG  
JURY FILING - DEMAND FOR JURY TRIAL FILED ON 10/01/2024  
Defendant's Attorney: SEAN D MAGENIS  
WITH 300.00 FILING FEE.

10/02/2024 ORDER - COURT ORDER ENTERED ON 10/02/2024  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL ORDER TO CORRECT CLERICAL  
ERROR - THE CLERK IS DIRECTED TO DOCKET FORTHWITH THE COPY OF THE NOTOICE OF APPEAL WITH  
WAS REC'D ELECTRONICALLY BY THE CLERK'S OFFICE AT THE SAME TIME AS THE HARD COPIES WERE  
FILED,SO AS TO MEK THE STATE'S APPEAL EFFECTIVE AS OF AUGUST 16 2024

10/02/2024 Party(s): OFFICE OF THE ATTORNEY GENERAL  
OTHER FILING - OTHER DOCUMENT FILED ON 08/16/2024  
NOTICE OF WITHDRAWAL AND REQUEST TO BE ADDED TO SERVICE LIST S/ PAUL SUITTER AAG

10/02/2024 Party(s): STATE OF MAINE AS TO COUNT III  
ATTORNEY - RETAINED ENTERED ON 08/16/2024  
Attorney: PAUL SUITTER

10/02/2024 Party(s): STATE OF MAINE AS TO COUNT III  
APPEAL - NOTICE OF APPEAL FILED ON 08/16/2024 at 10:18 a.m.

10/3/24 COPY OF NOTICE OF APPEAL EMAILED TO COUNSEL OF RECORD

10/02/2024 Party(s): JOSHUA TARDY  
ATTORNEY - RETAINED ENTERED ON 08/16/2024  
Defendant's Attorney: SEAN D MAGENIS

Party(s): DONALD ALEXANDER  
ATTORNEY - RETAINED ENTERED ON 08/16/2024  
Defendant's Attorney: SEAN D MAGENIS

Party(s): MEEGAN BURBANK  
ATTORNEY - RETAINED ENTERED ON 08/16/2024  
Defendant's Attorney: SEAN D MAGENIS

10/02/2024 Party(s): MICHAEL CAREY  
ATTORNEY - RETAINED ENTERED ON 08/16/2024  
Defendant's Attorney: SEAN D MAGENIS

Party(s): ROGER KATZ  
ATTORNEY - RETAINED ENTERED ON 08/16/2024  
Defendant's Attorney: SEAN D MAGENIS

10/02/2024 Party(s): JIM BILLINGS  
ATTORNEY - RETAINED ENTERED ON 08/16/2024  
Defendant's Attorney: SEAN D MAGENIS

Party(s): MICHAEL CANTARA  
ATTORNEY - RETAINED ENTERED ON 08/16/2024  
Defendant's Attorney: SEAN D MAGENIS

10/02/2024 ORDER - COURT ORDER ENTERED ON 09/26/2024  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. CONSENT  
CONFIDENTIALITY ORDER ISSUED 9/26/24

10/03/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
OTHER FILING - OTHER DOCUMENT FILED ON 12/08/2023  
Plaintiff's Attorney: ZACHARY L HEIDEN  
NOTICE OF SUBSTITUTION OF DEFS UNDER RULE 25(D) (1) JIM BILLINGS  
SUBSTITUTED FOR JUSTIN ANDRUS; RANDAL BATES, KIMBERLY MONAGHANAND DAVID SOUCY SHOULD BE  
SUBSTITUTED AS DEFS FOR FORMER COMMISSIONERS RONALD SCHNEIDER, ROBERT CUMMINS AND MATTHEW  
MORGAN.

10/03/2024 Party(s): MAINE COMMISSION OF INDIGENT LEGAL SERVICES  
MOTION - MOTION TO IMPOUND GRANTED ON 10/02/2024  
M MICHAELA MURPHY , JUSTICE  
COPIES TO PARTIES/COUNSEL

10/03/2024 Party(s): ANDREW ROBBINS  
MOTION - OTHER MOTION GRANTED ON 07/13/2022  
M MICHAELA MURPHY , JUSTICE  
PL MOTION FOR CLASS CERTIFICATION AND INCORPORATED MEMORANDUM OF LAW

10/03/2024 ORDER - COURT ORDER ENTERED ON 12/21/2022  
M MICHAELA MURPHY , JUSTICE  
ORDERED INCORPORATED BY REFERENCE AT THE SPECIFIC DIRECTION OF THE COURT. COPIES TO  
PARTIES/COUNSEL CONSENT CONFIDENTIALITY  
ORDER FILED

10/03/2024 Party(s): ANDREW ROBBINS,MAINE COMMISSION OF INDIGENT LEGAL SERVICES,BRANDY GROVER,RAY  
MACK,MALCOLM PEIRCE,LANH DANH HUYNH,JUSTIN ANDRUS-SUBSTITUED JIM BILLINGS,JOSHUA  
TARDY,DONALD ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER KATZ,MATTHEW MORGAN-  
SUBSTITUTED,RONALD SCHEIDER-SUBSTITUED  
MOTION - MOTION FOR LEAVE GRANTED ON 08/23/2023  
M MICHAELA MURPHY , JUSTICE

10/03/2024 MOTION - OTHER MOTION MOOT ON 10/03/2024  
M MICHAELA MURPHY , JUSTICE  
SUPPLEMENTAL JOINT MOTION TO CONDUCT PRELIMINARY REVIEW OF AMENDED CLASS ACTION  
SETTLEMENT, DIRECT NOTICE TO CLASS MEMBERS OF AMENDED PROPOSED SETTLEMENT AND MAKE FURTHER  
ORDERS AS PART OF THE SETTLEMENT APPROVAL PROCESS

10/03/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
OTHER FILING - OTHER DOCUMENT FILED ON 12/08/2023  
ANDREW ROBBINS, BRANDY GROVER, RAY MAC, MALCOLM PIERCE, LANH DANH HYNH NOTICE OF  
SUBSTITUTION UNDER RULE 25(D) (1)

10/03/2024 Party(s): ANDREW ROBBINS,MAINE COMMISSION OF INDIGENT LEGAL SERVICES,BRANDY GROVER,RAY  
MACK,MALCOLM PEIRCE,LANH DANH HUYNH,JUSTIN ANDRUS-SUBSTITUED JIM BILLINGS,JOSHUA  
TARDY,DONALD ALEXANDER,MEEGAN BURBANK,MICHAEL CAREY,ROGER KATZ,MATTHEW MORGAN-  
SUBSTITUTED,RONALD SCHEIDER-SUBSTITUED  
MOTION - OTHER MOTION DENIED ON 02/27/2024  
M MICHAELA MURPHY , JUSTICE  
SECOND AMENDED JOINT MOTION TO CONDUCT PRELIMINARY REVIEW OF SECOND AMENDEDCLASS ACTION  
SETTLEMENT, DIRECT NOTICE TO CLASS MEMBERS OF AMENDED PROPOSED SETTLEMENT

10/03/2024 Party(s): ANDREW ROBBINS,BRANDY GROVER,RAY MACK,MALCOLM PEIRCE,LANH DANH HUYNH  
OTHER FILING - OTHER DOCUMENT FILED ON 03/11/2024  
PETITION TO INTERVENE FILED BY COUNSEL FOR PLT.

10/03/2024 Party(s): STATE OF MAINE AS TO COUNT III  
APPEAL - NOTICE OF APPEAL SENT TO REPORTER/ER ON 10/03/2024

10/03/2024 Party(s): STATE OF MAINE AS TO COUNT III  
APPEAL - NOTICE OF APPEAL SENT TO LAW COURT ON 10/03/2024

03/02/2022	Misc Fee Payments	\$100.00	paid.
03/02/2022	Misc Fee Payments	\$600.00	paid.
03/02/2022	Misc Fee Payments	\$25.00	paid.
03/02/2022	Misc Fee Payments	\$100.00	paid.
03/02/2022	Misc Fee Payments	\$150.00	paid.
03/02/2022	Misc Fee Payments	\$100.00	paid.
03/02/2022	Misc Fee Payments	\$600.00	paid.

03/02/2022	Misc Fee Payments	\$600.00	paid.
09/29/2023	Misc Fee Payments	\$25.00	paid.
10/01/2024	Misc Fee Payments	\$300.00	paid.

A TRUE COPY

ATTEST: \_\_\_\_\_  
Clerk