

JURY,LC 1

U.S. District Court
District of South Carolina (Columbia)
CIVIL DOCKET FOR CASE #: 3:10-cv-01724-JFA
Internal Use Only

Babb et al v. Lee County Landfill SC LLC et al
Assigned to: Honorable Joseph F Anderson, Jr
related Case: 3:12-cv-02280-JFA
Cause: 28:1332 Diversity-Notice of Removal

Date Filed: 07/01/2010
Jury Demand: Plaintiff
Nature of Suit: 893 Environmental
Matters
Jurisdiction: Federal Question

Plaintiff

Perrin Babb

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Plaintiff

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Plaintiff

Wayne Elstrom

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Plaintiff

Sarah Elstrom

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Plaintiff

Alan Jackson

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Plaintiff

Kathy Jackson
*on behalf of themselves and all others
similarly situated*

represented by **Gary W Poliakoff**
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V.

Defendant

Lee County Landfill SC LLC

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Defendant

**Republic Services of South Carolina
LLC**
TERMINATED: 02/09/2012

represented by **Kevin A Dunlap**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven D Weber
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Defendant

Republic Services Inc
TERMINATED: 02/09/2012

represented by **Kevin A Dunlap**
(See above for address)

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ATTORNEY TO BE NOTICED*

Steven D Weber
(See above for address)
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V.

Mediator

Julianne Farnsworth
TERMINATED: 07/24/2012

represented by **Julianne Farnsworth**
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Date Filed	#	Docket Text
07/01/2010	<u>1</u>	NOTICE OF REMOVAL from Lee County Court of Common Pleas, case number 2010-CP-31-110. (Filing fee \$ 350 receipt number 0420-2811537), filed by Republic Services of South Carolina LLC, Republic Services Inc, Lee County Landfill SC LLC. (Attachments: # <u>1</u> State Court Documents, # <u>2</u> Declaration Pursuant to 28 U.S.C. 1746)(bshr,) (Entered: 07/02/2010)
07/01/2010	<u>3</u>	Local Rule 26.01 Answers to Interrogatories by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC.(bshr,) (Entered: 07/02/2010)
07/06/2010	<u>5</u>	NOTICE and Acknowledgment of receipt of Notice of Removal by Clerk of Court for Lee County. (Attachments: # <u>1</u> State Court Documents Receipt of Notice of Removal)(Dunlap, Kevin) (Entered: 07/06/2010)
07/07/2010	<u>6</u>	ANSWER to Complaint by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC.(Dunlap, Kevin) (Entered: 07/07/2010)
07/08/2010	<u>7</u>	SCHEDULING ORDER: Rule 26(f) Conference Deadline 7/28/2010, 26(a) Initial Disclosures due by 8/11/2010, Rule 26 Report due by

		8/11/2010, Amended Pleadings due by 9/7/2010, Conference Call Deadline 10/12/2010. Plaintiffs ID of Expert Witness due by 9/7/2010, Defendants ID of Expert Witnesses Due by 10/7/2010, Discovery due by 11/8/2010, Motions due by 11/22/2010, Jury Selection Deadline 3/8/2011. Signed by Honorable Joseph F Anderson, Jr on 07/08/2010. (bshr,) (Entered: 07/08/2010)
07/15/2010	<u>9</u>	Local Rule 26.01 Answers to Interrogatories by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. (Hopkins, William) (Entered: 07/15/2010)
07/23/2010	<u>10</u>	MOTION and Memorandum in Support to Remand to State Court by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. Response to Motion due by 8/9/2010 (Attachments: # <u>1</u> Exhibit A - Lee County Newsletter)No proposed order(Hopkins, William) Modified on 7/26/2010 to add text(bshr,). (Entered: 07/23/2010)
08/09/2010	<u>11</u>	RESPONSE in Opposition re <u>10</u> MOTION to Remand to State Court Response filed by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC.Reply to Response to Motion due by 8/19/2010 (Attachments: # <u>1</u> Exhibit A - Schuler Affidavit, # <u>2</u> Exhibit B - Amick Declaration, # <u>3</u> Exhibit C - Bevins Declaration) (Dunlap, Kevin) (Entered: 08/09/2010)
08/11/2010	<u>12</u>	Joint Rule 26(f) Report, Joint Rule 26 Outline of Discovery Plan, Joint Local Rule 26.03 Answers to Interrogatories by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson, Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC. (Attachments: # <u>1</u> Exhibit Proposed Order) (Dunlap, Kevin) Modified on 8/12/2010 to add text(bshr,). (Entered: 08/11/2010)
08/13/2010	<u>13</u>	FIRST AMENDED SCHEDULING ORDER: Removal Discovery to begin by 09/01/2010, Removal Discovery due by 10/29/2010, Plaintiff's Supplemental Brief in Support of Remand due by 11/15/2010, Defendant's Supplemental Brief in Opposition to Remand due by 12/03/2010, Proposed Scheduling Order due fourteen (14) days after final disposition of Plaintiffs' Motion to Remand. Signed by Honorable Joseph F Anderson, Jr on 08/12/2010. (bshr,) (Entered: 08/13/2010)
08/18/2010	<u>14</u>	Consent MOTION for Extension of Time to File Reply to Response to <u>10</u> MOTION to Remand to State by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. Response to Motion due by 9/7/2010 No proposed order(Hopkins, William) Modified on 8/18/2010 to edit text(bshr,). (Entered: 08/18/2010)

08/19/2010	15	TEXT ORDER granting <u>14</u> Consent MOTION for Extension of Time to File Reply as to <u>11</u> Response in Opposition to Motion to Remand to State Court, filed by Wayne Elstrom, Alan Jackson, Sarah Elstrom, Perrin Babb, Kathy Jackson, Debbie Babb, (Reply due by 8/24/2010). Directed by Honorable Joseph F Anderson, Jr on 8/19/10. (mflo,) (Entered: 08/19/2010)
08/24/2010	<u>16</u>	REPLY to Response to Motion re <u>10</u> MOTION to Remand to State Court Response filed by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. (Attachments: # <u>1</u> Exhibit 1 - Lee County Landfill SC, LLC v. Industrial Waste Services, # <u>2</u> Exhibit 2 - location information, # <u>3</u> Exhibit 3 - National Union Fire Insurance 2005 WL 670617, # <u>4</u> Exhibit 4 - Berry v. Lee County Landfill SC, LLC, # <u>5</u> Exhibit 5 - letter from DHEC dated 3-8-2010, # <u>6</u> Exhibit 6 - DHEC Inspection-Investigation Reports 3-17-2007, # <u>7</u> Exhibit 7 - DHEC Inspection-Investigation Reports 4-1-2009, # <u>8</u> Exhibit 8 - letter from DHEC 4-24-2009, # <u>9</u> Exhibit 9 - letter from DHEC 1-12-2010, # <u>10</u> Exhibit 10 - Public Notice from DHEC 7-14-2010, # <u>11</u> Exhibit 11 - Construction Permit Application 9-5-2008, # <u>12</u> Exhibit 12 - Lee County Landfill SC, LLC Answers to Interrogatories, # <u>13</u> Exhibit 13 - Unifund CCR Partners 2006 WL 908755 (D.S.C.))(Hopkins, William) (Entered: 08/24/2010)
10/05/2010	17	NOTICE of Hearing: Telephone Conference set for 10/27/2010 10:50 AM before Honorable Joseph F Anderson Jr. ***The Court directs counsel to conference with each other and tie in Judge Anderson at 803-765-5136*** (bshr,) (Entered: 10/05/2010)
10/27/2010	20	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Telephone Conference held on 10/27/2010. Counsel request 45 additional days for remand discovery; Court will allow; Counsel to submit proposed order. Court Reporter not present. (mflo,) (Entered: 10/28/2010)
10/28/2010	21	TEXT ORDER granting parties forty-five (45) days from 10/27/2010 to complete removal discovery and notifying parties a new scheduling order will be issued, if necessary, after a hearing on the motion to remand. Directed by Honorable Joseph F Anderson, Jr on 10/28/2010. (bshr,) (Entered: 10/28/2010)
02/09/2011	24	TEXT ORDER directing plaintiffs, if they so choose, to submit a supplemental brief in ten (10) days from the date of this order to <u>10</u> MOTION to Remand to State Court. Defendants shall then have ten (10) days, if they so choose, to file a supplemental reply brief. Directed by Honorable Joseph F Anderson, Jr on 02/09/2011. (bshr,) (Entered: 02/09/2011)

02/15/2011	<u>26</u>	NOTICE of Hearing (Bar Meeting Notice and Special Pretrial Instructions): Bar Meeting set for 2/25/2011 10:00 AM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. (bshr,) (Entered: 02/15/2011)
02/15/2011	27	NOTICE of Hearing: Jury Selection set for 3/8/2011 09:30 AM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr (bshr,) (Entered: 02/15/2011)
02/17/2011	<u>28</u>	MOTION for Protective Order, MOTION for Extension of Time to File Response/Reply as to 24 Order, (Response to Motion due by 3/7/2011) by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC. No proposed order(Dunlap, Kevin) (Entered: 02/17/2011)
02/18/2011	<u>29</u>	RESPONSE in Support re <u>10</u> MOTION to Remand to State Court <i>Plaintiffs'</i> Response filed by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. (Attachments: # <u>1</u> Exhibit Ex. 1, # <u>2</u> Exhibit Eileen Schuler Depo Excerpts, # <u>3</u> Exhibit Eileen Schuler Depo Ex. 20, # <u>4</u> Exhibit Jamey Amick Depo Excerpts, # <u>5</u> Exhibit Jamey Amick Depo Ex. 17)(Hopkins, William) (Entered: 02/18/2011)
02/18/2011	30	NOTICE of Cancellation of Hearing: Bar Meeting set for 2/25/2011 10:00 AM (bshr,) (Entered: 02/18/2011)
02/18/2011	31	NOTICE of Cancellation of Hearing: Jury Selection set for 3/8/2011 09:30 AM (bshr,) (Entered: 02/18/2011)
02/22/2011	32	TEXT ORDER granting <u>28</u> Motion for Protective Order; granting <u>28</u> Motion for Extension of Time to File Supplemental Reply Brief to <u>10</u> MOTION to Remand to State Court. Supplemental Reply Brief due by 3/28/2011. Directed by Honorable Joseph F Anderson, Jr on 02/22/2011.(bshr,) (Entered: 02/22/2011)
03/09/2011	33	NOTICE of Hearing on <u>10</u> MOTION to Remand to State Court: Motion Hearing set for 3/30/2011 02:00 PM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. (bshr,) (Entered: 03/09/2011)
03/22/2011	<u>36</u>	First MOTION to Continue <i>Hearing</i> by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. Response to Motion due by 4/8/2011 (Attachments: # <u>1</u> Exhibit Ex. A)No proposed order(Hopkins, William) (Entered: 03/22/2011)
03/23/2011	37	NOTICE OF RESCHEDULED HEARING Motion Hearing set for 3/30/2011 02:00 PM cancelled and rescheduled to: Motion Hearing on <u>10</u> MOTION to Remand to State Court set for 3/28/2011 03:00 PM in


		Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. (mflo,) (Entered: 03/23/2011)
03/23/2011	38	TEXT ORDER granting <u>36</u> Motion to Reschedule motion hearing. Court reschedules motion hearing on <u>10</u> motion to remand to 3/28/11 at 3:00pm. Directed by Honorable Joseph F Anderson, Jr on 3/23/11.(mflo,) (Entered: 03/23/2011)
03/24/2011	<u>39</u>	NOTICE of Hearing (Bar Meeting Notice): Bar Meeting set for 4/6/2011 10:00 AM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. (bshr,) (Entered: 03/24/2011)
03/24/2011	40	NOTICE of Hearing: Jury Selection set for 5/10/2011 09:30 AM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr (bshr,) (Entered: 03/24/2011)
03/25/2011	<u>41</u>	RESPONSE in Opposition re <u>10</u> MOTION to Remand to State Court <i>Supplemental</i> Response filed by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC.Reply to Response to Motion due by 4/4/2011 (Attachments: # <u>1</u> Exhibit A - Perrin Babb Deposition Excerpts, # <u>2</u> Exhibit B - Sarah Elstrom Deposition Excerpts, # <u>3</u> Exhibit C - Eileen Shuler Deposition Excerpts, # <u>4</u> Exhibit D - Jamey Amick Deposition Excerpts, # <u>5</u> Exhibit E - Defendants Responses to Interrogatories)(Dunlap, Kevin) (Entered: 03/25/2011)
03/28/2011	42	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Motion Hearing held on 3/28/2011; taking under advisement <u>10</u> MOTION to Remand to State Court filed by Wayne Elstrom, Alan Jackson, Sarah Elstrom, Perrin Babb, Kathy Jackson, Debbie Babb. Court to file written order. Bar meeting to be canceled. Court Reporter Jenny Williams. (mflo,) (Entered: 03/28/2011)
03/28/2011	43	NOTICE of Cancellation of Hearing: Bar Meeting set for 4/6/2011 10:00 AM. (mflo,) (Entered: 03/28/2011)
03/30/2011	<u>44</u>	ORDER denying <u>10</u> Motion to Remand to State Court. Signed by Honorable Joseph F Anderson, Jr on 03/30/2011.(bshr,) (Entered: 03/30/2011)
04/28/2011	<u>46</u>	Consent MOTION to Amend/Correct <u>13</u> Scheduling Order, by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson, Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC. Response to Motion due by 5/16/2011 (Attachments: # <u>1</u> Exhibit Proposed Second Consent Amended

		Scheduling Order)Proposed order is being emailed to chambers with copy to opposing counsel(Dunlap, Kevin) (Entered: 04/28/2011)
05/02/2011	<u>47</u>	SECOND AMENDED SCHEDULING ORDER granting <u>46</u> Consent MOTION to Amend <u>13</u> First Amended Scheduling Order: Rule 26(f) Conference Deadline 5/16/2011, 26(a) Initial Disclosures due by 5/31/2011, Rule 26 Report due by 6/15/2011, Amended Pleadings due by 6/30/2011, Plaintiffs ID of Expert Witness due by 7/18/2011, Defendants ID of Expert Witnesses Due by 8/22/2011, Discovery due by 12/2/2011, Motions due by 12/5/2011, Jury Selection Deadline 1/4/2012. Signed by Honorable Joseph F Anderson, Jr on 05/02/2011. (bshr,) (Entered: 05/02/2011)
06/02/2011	50	NOTICE of Hearing: Jury Trial set for 1/31/2012 09:15 AM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. (mflo,) (Entered: 06/02/2011)
06/15/2011	<u>52</u>	Joint Rule 26(f) Report, Rule 26 Outline of Discovery Plan, and Local Rule 26.03 Answers to Interrogatories by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson, Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC.(Dunlap, Kevin) Modified on 6/16/2011 to add text(bshr,). (Entered: 06/15/2011)
07/05/2011	<u>54</u>	ORDER FOR SUBMISSION OF DISCOVERY STATUS REPORT. Discovery Status Report due by 7/19/2011. Signed by Honorable Joseph F Anderson, Jr on 07/05/2011. (bshr,) (Entered: 07/05/2011)
07/18/2011	<u>55</u>	PLAINTIFF'S ID OF EXPERT WITNESSES by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. (Attachments: # <u>1</u> Report & CV - Dr. Townsend, # <u>2</u> Disclosure and CV of Dr. Lawrence)(Poliakoff, Gary) (Entered: 07/18/2011)
07/19/2011	<u>56</u>	DISCOVERY REPORT by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC. (Dunlap, Kevin) (Entered: 07/19/2011)
07/19/2011	<u>58</u>	DISCOVERY REPORT by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. (Poliakoff, Gary) (Entered: 07/19/2011)
08/05/2011	<u>60</u>	MOTION to Compel <i>Responses to Interrogatories and Requests to Produce</i> by Lee County Landfill SC LLC. Response to Motion due by 8/22/2011 (Attachments: # <u>1</u> Exhibit A - LCLSC's Discovery Requests, # <u>2</u> Exhibit B - Plaintiffs' Discovery Responses, # <u>3</u> Exhibit C - Plaintiffs' Deeds)No proposed order(Dunlap, Kevin) (Entered: 08/05/2011)

08/18/2011	<u>61</u>	MOTION for Extension of Time to Respond to Plaintiffs' Discovery Requests by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC. Response to Motion due by 9/6/2011 (Attachments: # <u>1</u> Exhibit Plaintiffs' Discovery Requests, # <u>2</u> Exhibit Defendants Counsel's Email to Plaintiffs' counsel)No proposed order(Dunlap, Kevin) (Entered: 08/18/2011)
08/19/2011	<u>62</u>	TEXT ORDER granting defendants' <u>61</u> Motion for Extension of Time to serve their responses to the plaintiffs' interrogatories and requests for production of documents. Defendants' responses due on or before September 9, 2011. Directed by Honorable Joseph F Anderson, Jr on 8/19/2011. (ghay) (Entered: 08/19/2011)
08/22/2011	<u>63</u>	DEFENDANT'S ID OF EXPERT WITNESSES by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC.(Dunlap, Kevin) Modified on 8/23/2011 to add filers listed on document(bshr,). (Entered: 08/22/2011)
08/22/2011	<u>64</u>	RESPONSE to Motion re <u>60</u> MOTION to Compel Responses to Interrogatories and Requests to Produce Response filed by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson.Reply to Response to Motion due by 9/1/2011 (Attachments: # <u>1</u> Exhibit 1 - First Supplemental Responses to Defendants' First Set of Interrogatories, # <u>2</u> Exhibit 2 - First Supplemental Responses to Defendants' First Set of Requests to Produce)(Poliakoff, Gary) (Entered: 08/22/2011)
09/06/2011	<u>65</u>	RESPONSE to Motion re <u>61</u> MOTION for Extension of Time to Respond to Plaintiffs' Discovery Requests Response filed by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson.Reply to Response to Motion due by 9/16/2011 (Poliakoff, Gary) (Entered: 09/06/2011)
09/07/2011	<u>66</u>	NOTICE of Hearing on <u>60</u> MOTION to Compel Responses to Interrogatories and Requests to Produce: Motion Hearing set for 9/23/2011 02:00 PM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. (bshr,) (Entered: 09/07/2011)
09/09/2011	<u>67</u>	MOTION for Protective Order by Lee County Landfill SC LLC, Republic Services of South Carolina LLC, Republic Services Inc. Response to Motion due by 9/26/2011 (Attachments: # <u>1</u> Exhibit A - Interrogatories and Requests for Production to Defendant, # <u>2</u> Exhibit B - Email from Kevin Dunlap dated 08/16/2011 and copy of Proposed Consent Protective Order)(Dunlap, Kevin) Modified on 9/12/2011 to add filers listed on document and to add descriptions to exhibits(bshr,). (Entered: 09/09/2011)

09/20/2011	68	NOTICE of Cancellation of Hearing: Motion Hearing, 9/23/2011, 02:00 PM (bshr,) (Entered: 09/20/2011)
09/21/2011	<u>69</u>	Withdrawal of Motions: <u>60</u> MOTION to Compel <i>Responses to Interrogatories and Requests to Produce</i> filed by Lee County Landfill SC LLC.. (Dunlap, Kevin) (Entered: 09/21/2011)
09/26/2011	<u>72</u>	RESPONSE to Motion re <u>67</u> MOTION for Protective Order Response filed by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson.Reply to Response to Motion due by 10/6/2011 (Poliakoff, Gary) (Entered: 09/26/2011)
10/12/2011	<u>73</u>	MOTION to Compel <i>Discovery</i> by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. Response to Motion due by 10/31/2011 (Attachments: # <u>1</u> Exhibit Plaintiffs' First Request for Production of Documents, # <u>2</u> Exhibit Response of Republic Services of SC, LLC, # <u>3</u> Exhibit Response of Republic Services, Inc., # <u>4</u> Exhibit Response of Lee Co Landfill SC, LLC, # <u>5</u> Exhibit Emails of 9-28-11, # <u>6</u> Exhibit Emails of 10-9-11 & 10-10-11)No proposed order(Poliakoff, Gary) (Entered: 10/12/2011)
10/21/2011	74	Case Reassigned to Judge Honorable Margaret B Seymour. Judge Honorable Joseph F Anderson, Jr no longer assigned to the case. (glev,) (Entered: 10/21/2011)
10/24/2011	<u>75</u>	MEDIATION ORDER Mediation Due by 11/1/2011,. Signed by Honorable Margaret B Seymour on 10/24/2011. (asni,) (Entered: 10/24/2011)
10/25/2011	76	Case Reassigned to Judge Honorable Joseph F Anderson, Jr. Judge Honorable Margaret B Seymour no longer assigned to the case. (pcas,) (Entered: 10/25/2011)
10/25/2011	77	NOTICE of Hearing: Telephone Conference set for 10/26/2011 04:30 PM before Honorable Joseph F Anderson Jr. ***The Court directs counsel to conference with each other and tie in Judge Anderson at 803-765-5136*** (bshr,) (Entered: 10/25/2011)
10/26/2011	79	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Telephone Conference held on 10/26/2011. Court vacates <u>75</u> Mediation Order. Motion hearing scheduled for 11/7/11 at 3:30 on all pending motions. Court Reporter not present. (mflo,) (Entered: 10/27/2011)
10/26/2011	80	TEXT ORDER Vacating <u>75</u> Mediation Order. Directed by Honorable Joseph F Anderson, Jr on 10/26/11. (mflo,) (Entered: 10/27/2011)
10/27/2011	81	NOTICE of Hearing on Motion <u>73</u> MOTION to Compel <i>Discovery</i> , <u>67</u> MOTION for Protective Order : Motion Hearing set for 11/7/2011 03:30

		PM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. (mflo,) (Entered: 10/27/2011)
10/31/2011	<u>83</u>	RESPONSE in Opposition re <u>73</u> MOTION to Compel <i>Discovery</i> Response filed by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC.Reply to Response to Motion due by 11/10/2011 (Attachments: # <u>1</u> Exhibit Exh A - Plaintiffs' July 18 Discovery Responses, # <u>2</u> Exhibit Exh B - Correspondence, # <u>3</u> Exhibit Exh C - Index of Document Provided to Experts, # <u>4</u> Exhibit Exh D - Index of Boxes, # <u>5</u> Exhibit Exh E - Index of Notebooks, # <u>6</u> Exhibit Exh F - Wingard Expert Report, # <u>7</u> Exhibit Exh G - Invoices from vendor)(Dunlap, Kevin) (Entered: 10/31/2011)
11/01/2011	84	TEXT ORDER: In light of the motions hearing scheduled for 11/07/2011 at 3:30 PM, counsel for the plaintiff is requested to file any replies to their <u>73</u> MOTION to Compel <i>Discovery</i> they would like to be considered for the motions hearing by Friday, 11/04/2011. Directed by Honorable Joseph F Anderson, Jr on 11/01/2011. (bshr,) (Entered: 11/01/2011)
11/04/2011	<u>85</u>	REPLY to Response to Motion re <u>73</u> MOTION to Compel <i>Discovery</i> Response filed by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. (Attachments: # <u>1</u> Exhibit) (Poliakoff, Gary) (Entered: 11/04/2011)
11/07/2011	86	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Motion Hearing began on 11/7/2011; Court grants in part <u>73</u> MOTION to Compel <i>Discovery</i> filed by Wayne Elstrom, Alan Jackson, Sarah Elstrom, Perrin Babb, Kathy Jackson, Debbie Babb, ; denied <u>67</u> MOTION for Protective Order filed by Lee County Landfill SC LLC, Republic Services of South Carolina LLC, Republic Services Inc. Court continues hearing to 12/5/11 at 10:00. Court Reporter Jenny Williams. (mflo,) Modified on 11/8/2011 to add text (mflo,). (Entered: 11/08/2011)
11/08/2011	87	NOTICE of Hearing on Motion <u>73</u> MOTION to Compel <i>Discovery</i> , <u>67</u> MOTION for Protective Order : Motion Hearing set for 12/5/2011 10:00 AM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. (mflo,) (Entered: 11/08/2011)
11/08/2011	<u>88</u>	ORDER re <u>67</u> MOTION for Protective Order and <u>73</u> MOTION to Compel <i>Discovery</i>, directing defendants to comply by 11/18/2011 with the court's direction from the motions hearing held 11/07/2011 regarding various requests made by the plaintiffs and notifying parties the court will hold a hearing on the motions for a protective order and to compel on 12/05/2011 at 10:00 AM. Signed by



		Honorable Joseph F Anderson, Jr on 11/08/2011. (bshr,) (Entered: 11/08/2011)
11/08/2011	89	NOTICE of Hearing on <u>67</u> MOTION for Protective Order AND <u>73</u> MOTION to Compel <i>Discovery</i> : Motion Hearing set for 12/5/2011 10:00 AM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. (bshr,) (Entered: 11/08/2011)
11/11/2011	<u>90</u>	MOTION for Protective Order by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC. Response to Motion due by 12/1/2011 (Attachments: # <u>1</u> Exhibit A - emails)No proposed order(Dunlap, Kevin) (Entered: 11/11/2011)
11/14/2011	 <u>91</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings. Motions Hearing held on 11-07-11, before Judge Joseph F. Anderson, Jr. Court Reporter/Transcriber Jenny H. Williams, RPR, Telephone number/E-mail Jenny_Williams@scd.uscourts.org or (803)351-9742. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction. Redaction Request due 12/5/2011. Redacted Transcript Deadline set for 12/15/2011. Release of Transcript Restriction set for 2/13/2012. (jwil,) (Entered: 11/14/2011)
11/28/2011	92	<u>AMENDED</u> NOTICE of Hearing on <u>67</u> MOTION for Protective Order, <u>73</u> MOTION to Compel <i>Discovery</i> , AND <u>90</u> MOTION for Protective Order: Motion Hearing set for 12/5/2011 10:00 AM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. *** <u>This notice was amended to inform counsel that the court will also hear arguments on the Defendants' 90 MOTION for Protective Order at this hearing</u> *** (bshr,) (Entered: 11/28/2011)
12/02/2011	93	NOTICE of Cancellation of Hearing: Motion Hearing, 12/5/2011, 10:00 AM (bshr,) (Entered: 12/02/2011)
12/05/2011	<u>95</u>	MOTION for Partial Summary Judgment by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC. Response to Motion due by 12/22/2011 (Attachments: # <u>1</u> Memo in Support, # <u>2</u> Exhibit Exh. I - Schuler Declaration (with Numbered Attachments), # <u>3</u> Exhibit Exh. II - E. Schuler 2010 Depo, # <u>4</u> Exhibit Exh. III - Chart of Legal Entities, # <u>5</u> Exhibit Exh. IV - Ludwig Declaration; # <u>6</u> Exhibit Exh. V - P. Babb 2011 Depo, # <u>7</u> Exhibit Exh. VI - K. Jackson 2011 Depo, # <u>8</u> Exhibit Exh. VII - S. Elstrom 2011 Depo, # <u>9</u> Exhibit Exh. VIII - D. Babb 2011 Depo, # <u>10</u> Exhibit Exh. IX



		- Unpublished or Out-of-Region Cases Cited)No proposed order(Dunlap, Kevin). Please see ECF No. <u>108</u> and <u>115</u> for additional attachments. (Entered: 12/05/2011)
12/07/2011	<u>96</u>	Withdrawal of Motions: <u>73</u> MOTION to Compel <i>Discovery</i> filed by Wayne Elstrom, Alan Jackson, Sarah Elstrom, Perrin Babb, Kathy Jackson, Debbie Babb.. (Poliakoff, Gary) (Entered: 12/07/2011)
12/13/2011	<u>98</u>	MOTION to Continue by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. Response to Motion due by 1/3/2012 (Attachments: # <u>1</u> Exhibit - Curriculum Vitae of Robert S. Lawrence, # <u>2</u> Exhibit - Proposed Third Amended Scheduling Order) (Poliakoff, Gary) Modified on 12/14/2011 to add descriptions to exhibits(bshr,). (Entered: 12/13/2011)
12/14/2011	<u>99</u>	ORDER/THIRD AMENDED SCHEDULING ORDER granting <u>98</u> MOTION to Continue: Dispositive Motions (Plaintiffs' response to defendants' Motion for Summary Judgment due by 1/6/2012, defendants' reply due by 01/13/2012), Discovery due by 2/10/2012, Jury Selection Deadline 3/1/2012, Jury Trial 03/19/2012, Pretrial Deadlines shall follow the Local Civil Rules. Signed by Honorable Joseph F Anderson, Jr on 12/14/2011. (bshr,) (Entered: 12/14/2011)
12/14/2011	100	NOTICE of Hearing: Jury Trial set for 3/19/2012 09:30 AM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. (bshr,) (Entered: 12/14/2011)
01/06/2012	<u>102</u>	RESPONSE in Opposition re <u>95</u> MOTION for Partial Summary Judgment Response filed by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson.Reply to Response to Motion due by 1/17/2012 (Attachments: # <u>1</u> Exhibit List, # <u>2</u> Exhibit 1 - Deposition excerpts of Henry Ludwig, Jr. dated 11/29/11, # <u>3</u> Exhibit Exhibit 2 - Deposition excerpts of James Amick, Jr. dated 11/29/11, # <u>4</u> Exhibit 3 - Deposition transcript of Eileen Schuler dated 12/2/11, # <u>5</u> Exhibit 4 - Deposition excerpts of Lee D. Postal dated 11/30/11, # <u>6</u> Exhibit 5 - SC DHEC Consent Order 09-26-SW, # <u>7</u> Exhibit 6 - SC DHEC Consent Order 09-07-SW, # <u>8</u> Exhibit 7 - Attachment to Consent Order 09-26-SW Penalties imposed by SC DHEC, # <u>9</u> Exhibit 8 - Deposition excerpts of Debbie Babb dated 11/23/11, # <u>10</u> Exhibit 9 - Preliminary Opinions - Timothy G. Townsend, PhD, PE)(Poliakoff, Gary) Modified on 1/9/2012 to add descriptions to exhibits(bshr,). (Entered: 01/06/2012)
01/13/2012	<u>104</u>	REPLY to Response to Motion re <u>95</u> MOTION for Partial Summary Judgment Response filed by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC. (Attachments: # <u>1</u> Exhibit A - Unpublished and Out-of-Region Cases Cited, # <u>2</u> Exhibit

		B - November 22, 2011 Deposition of Kenneth Babb)(Dunlap, Kevin) (Entered: 01/13/2012)
01/18/2012	<u>105</u>	MOTION to Appear Pro Hac Vice by Richard H. Middleton, Jr. (Filing fee \$ 250 receipt number 0420-3840102) by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. Response to Motion due by 2/6/2012 (Attachments: # <u>1</u> Exhibit Application/Affidavit for Admission, # <u>2</u> Exhibit Certificate of Good Standing)No proposed order(Poliakoff, Gary) (Entered: 01/18/2012)
01/18/2012	106	NOTICE of Hearing on <u>95</u> MOTION for Partial Summary Judgment: Motion Hearing set for 2/1/2012 10:00 AM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. (bshr,) (Entered: 01/18/2012)
01/19/2012	107	TEXT ORDER granting <u>105</u> Motion for Richard H. Middleton, Jr. to Appear Pro Hac Vice for Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson (Gary W. Poliakoff - Local Counsel). Directed by Honorable Joseph F Anderson, Jr on 01/19/2012.(bshr,) (Entered: 01/19/2012)
01/27/2012	<u>108</u>	SUPPLEMENT by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC to <u>95</u> MOTION for Partial Summary Judgment. (Attachments: # <u>1</u> Exhibit 1 - Excerpts from January 19, 2012 Deposition of Dr. Timothy Townsend, # <u>2</u> Exhibit 2 - December 8, 2011 Amended Declaration of Henry Ludwig)(Dunlap, Kevin) (Entered: 01/27/2012)
01/30/2012	<u>110</u>	RESPONSE in Opposition re <u>95</u> MOTION for Partial Summary Judgment Response filed by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson.Reply to Response to Motion due by 2/9/2012 (Attachments: # <u>1</u> Exhibit Deposition of Dr. Townsend, # <u>2</u> Exhibit Deposition of W. Elstrom, # <u>3</u> Exhibit Deposition of J. Houck, # <u>4</u> Exhibit Deposition of D. Mathis, # <u>5</u> Exhibit Martin v. Diamant Boart America, Inc.)(Poliakoff, Gary) (Entered: 01/30/2012)
02/01/2012	<u>111</u>	NOTICE / SPECIAL PRETRIAL PRETRIAL INSTRUCTIONS - Counsel for case 3:10-cv-1724-JFA is directed <u>not</u> to report to the Bar Meeting as they have been excused from the hearing by Judge Joseph F. Anderson, Jr. (bshr,) (Entered: 02/01/2012)
02/01/2012	112	NOTICE of Hearing: Jury Selection set for 3/1/2012 09:30 AM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr (bshr,) (Entered: 02/01/2012)
02/01/2012	113	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Motion Hearing held on 2/1/2012; taking under advisement <u>95</u> MOTION for Partial Summary Judgment filed by

		Lee County Landfill SC LLC, Republic Services of South Carolina LLC, Republic Services Inc. Plaintiff states class action has been withdrawn; Defendants to file document withdrawing <u>67</u> and <u>90</u> motions for protective order; Trial 2 weeks to begin on 3/19/12 with jury selection on 3/1/12. Clerk reviews Special Pretrial Instructions with counsel; Clerk informs counsel at the direction of Judge Joe Anderson they are excused from attending the Bar Meeting scheduled for 2/9/12 at 10:00am. Court Reporter Gary Smith. (mflo,) (Entered: 02/01/2012)
02/02/2012	<u>114</u>	MOTION for Protective Order by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC. Response to Motion due by 2/21/2012 (Attachments: # <u>1</u> Exhibit Unpublished Case Authority)No proposed order(Dunlap, Kevin) (Entered: 02/02/2012)
02/06/2012	<u>115</u>	SUPPLEMENT by Lee County Landfill SC LLC, Republic Services Inc, Republic Services of South Carolina LLC to <u>95</u> MOTION for Partial Summary Judgment. (Dunlap, Kevin) (Entered: 02/06/2012)
02/06/2012	<u>116</u>	RESPONSE in Opposition re <u>95</u> MOTION for Partial Summary Judgment <i>Second Supplemental</i> Response filed by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson.Reply to Response to Motion due by 2/16/2012 (Poliakoff, Gary) (Entered: 02/06/2012)
02/06/2012	<u>117</u>	TEXT ORDER directing counsel for the plaintiff to file a response to the defendants' <u>114</u> MOTION for Protective Order by 02/13/2012 and notifying parties that the court is implementing this expedited briefing schedule for this motion due to the impending jury selection for the case which will occur on 03/01/2012. Directed by Honorable Joseph F Anderson, Jr on 02/06/2012. (bshr,) (Entered: 02/06/2012)
02/08/2012	<u>118</u>	Withdrawal of Motions: <u>67</u> MOTION for Protective Order filed by Lee County Landfill SC LLC, Republic Services of South Carolina LLC, Republic Services Inc, <u>90</u> MOTION for Protective Order filed by Lee County Landfill SC LLC, Republic Services of South Carolina LLC, Republic Services Inc.. (Dunlap, Kevin) (Entered: 02/08/2012)
02/09/2012	<u>120</u>	ORDER granting in part the defendants' Motion for Partial Summary Judgment as to Defendants Republic Services of South Carolina LLC and Republic Services, Inc. and denying in part the defendants' Motion for Partial Summary Judgment as to the issue of punitive damages of <u>95</u> Motion for Partial Summary Judgment. Defendants Republic Services of South Carolina LLC and Republic Services, Inc. are hereby dismissed from this case. Signed by Honorable Joseph F Anderson, Jr on 2/9/12.(mflo,) (Entered: 02/09/2012)

02/13/2012	<u>122</u>	RESPONSE in Opposition re <u>114</u> MOTION for Protective Order Response filed by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. Reply to Response to Motion due by 2/24/2012 (Attachments: # <u>1</u> Exhibit Skipka deposition, pp. 46-52) (Poliakoff, Gary) (Entered: 02/13/2012)
02/15/2012	<u>124</u>	NOTICE of Hearing on <u>114</u> MOTION for Protective Order (hearing to be held via telephone): <u>Telephone Conference</u> set for 2/17/2012 at 10:00 AM before Honorable Joseph F Anderson Jr. *** <u>The Court directs counsel to conference with each other and tie in Judge Anderson at 803-765-5136</u> *** (bshr,) (Entered: 02/15/2012)
02/16/2012	<u>125</u>	REPLY to Response to Motion re <u>114</u> MOTION for Protective Order Response filed by Lee County Landfill SC LLC. (Attachments: # <u>1</u> Exhibit A - Jan. 26, 2012 Deposition of Kenneth Skipka)(Dunlap, Kevin) (Entered: 02/16/2012)
02/17/2012	<u>126</u>	Withdrawal of Motions: <u>114</u> MOTION for Protective Order filed by Lee County Landfill SC LLC, Republic Services of South Carolina LLC, Republic Services Inc.. (Dunlap, Kevin) (Entered: 02/17/2012)
02/17/2012	<u>127</u>	<i>PLAINTIFFS'</i> RULE 26(a)(3)PRETRIAL DISCLOSURES by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. Objections to PreTrial Disclosures due by 3/5/2012. (Attachments: # <u>1</u> Supporting Documents Witness List, # <u>2</u> Supporting Documents Exhibit List)(Poliakoff, Gary) (Entered: 02/17/2012)
02/17/2012	<u>128</u>	RULE 26(a)(3)PRETRIAL DISCLOSURES by Lee County Landfill SC LLC. Objections to PreTrial Disclosures due by 3/5/2012. (Attachments: # <u>1</u> Exhibit Defendant's Trial Exhibit List)(Dunlap, Kevin) (Entered: 02/17/2012)
02/23/2012	<u>130</u>	MOTION for Extension of Time to <i>File Pretrial Briefs and to Meet, Mark, and Exchange Exhibits</i> by Lee County Landfill SC LLC. Response to Motion due by 3/12/2012 (Attachments: # <u>1</u> Exhibit Proposed Order)Proposed order is being emailed to chambers with copy to opposing counsel(Dunlap, Kevin) (Entered: 02/23/2012)
02/23/2012	<u>131</u>	TEXT ORDER granting <u>130</u> Motion for Extension of Time to File Pretrial Briefs and to Meet, Mark, and Exchange Exhibits. Meet, Mark and Exchange of Exhibits to be completed by 5:00 PM on 02/24/2012. Pretrial Briefs due by 5:00 PM on 02/24/2012. Directed by Honorable Joseph F Anderson, Jr on 02/23/2012. (bshr,) Modified on 2/23/2012 to correct deadline for Meet, Mark and Exchange of Exhibits per the direction of Judge Joseph F. Anderson, Jr.(bshr,). (Entered: 02/23/2012)
02/24/2012	<u>132</u>	Proposed Voir Dire by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. (Poliakoff, Gary) (Entered: 02/24/2012)

		02/24/2012)
02/24/2012	<u>133</u>	Exhibit List by Lee County Landfill SC LLC. (Attachments: # <u>1</u> Witness List)(Dunlap, Kevin). Modified on 3/1/2012 to replace document with corrected signature as provided by filing user(bshr,). (Main Document 133 replaced on 3/1/2012) (Entered: 02/24/2012)
02/24/2012	<u>134</u>	Proposed Jury Instructions by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. (Attachment(s): # <u>1</u> Proposed Jury Charges, # <u>2</u> Exhibit 1 - Environmental Law in SC Third Edition, # <u>3</u> Exhibit 2 - SCCA Opinion No. 4943) (Poliakoff, Gary). Modified on 3/1/2012 to add notice of filing with signature page(bshr,). (Entered: 02/24/2012)
02/24/2012	<u>135</u>	Exhibit List by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. (Attachment(s): # <u>1</u> Exhibit List, # <u>2</u> Witness List) (Poliakoff, Gary). Modified on 3/1/2012 to add notice of filing with signature block(bshr,). (Entered: 02/24/2012)
02/24/2012	<u>136</u>	Proposed Jury Instructions by Lee County Landfill SC LLC. (Dunlap, Kevin) (Entered: 02/24/2012)
02/24/2012	<u>137</u>	Proposed Voir Dire by Lee County Landfill SC LLC. (Dunlap, Kevin) (Entered: 02/24/2012)
02/27/2012	<u>138</u>	NOTICE of Hearing: Pretrial Conference to be held after the conclusion of Jury Selection on 03/01/2012 in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. *** <u>Counsel for case 3:10-cv-1724-JFA is notified the court will conduct a pretrial conference after the conclusion of jury selection on 03/01/2012***</u> (bshr,) (Entered: 02/27/2012)
02/28/2012	<u>139</u>	DEPOSITION DESIGNATIONS by Lee County Landfill SC LLC.(Dunlap, Kevin). Modified on 3/1/2012 to replace document with corrected signature as provided by filing user(bshr,). Modified on 3/13/2012 to add text (mflo,). (Entered: 02/28/2012)
02/28/2012	 <u>140</u>	REQUEST TO STRIKE FOR CAUSE by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. (Poliakoff, Gary) (Entered: 02/28/2012)
02/28/2012	 <u>141</u>	REQUEST TO STRIKE FOR CAUSE by Lee County Landfill SC LLC. (Dunlap, Kevin) (Entered: 02/28/2012)
02/28/2012	<u>142</u>	DEPOSITION DESIGNATIONS by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson.(Poliakoff, Gary) Modified on 3/13/2012 to add text (mflo,). (Entered: 02/28/2012)
03/01/2012	<u>143</u>	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Jury Selection held on 3/1/2012. Panel of 31 present






			and sworn; Jury of 10 seated not sworn; Trial 5-7 days, scheduled for 3/19/12; Court reviews CAP sheet and gives extensive instructions to jurors not to do any research about the case and instructs them to call on 3/16/12 for additional information; Court Reporter Kathleen Richardson. (mflo,) Modified on 3/2/2012 to correct filing date (mflo,). (Entered: 03/02/2012)
03/01/2012		<u>144</u>	Panel Strike List. (mflo,) Modified on 3/2/2012 to correct filing date (mflo,). (Entered: 03/02/2012)
03/01/2012		<u>145</u>	Jury List. (mflo,) Modified on 3/2/2012to correct filing date (mflo,). (Entered: 03/02/2012)
03/01/2012		146	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Pretrial Conference held on 3/1/2012. Court Reporter not present. (mflo,) (Entered: 03/02/2012)
03/02/2012		147	NOTICE of Hearing on Motion All Pending Motions Hearing set for 3/15/2012 10:00 AM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. (mflo,) (Entered: 03/02/2012)
03/06/2012		<u>148</u>	DEPOSITION DESIGNATIONS by Lee County Landfill SC LLC.(Dunlap, Kevin) Modified on 3/13/2012 to add text (mflo,). (Entered: 03/06/2012)
03/06/2012		<u>149</u>	DEPOSITION DESIGNATIONS of Timothy Townsend taken on January 19, 2012 by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. (Attachments: # <u>1</u> Objections to Deposition Designations)(Poliakoff, Gary) Modified on 3/13/2012 to add text (mflo,). (Entered: 03/06/2012)
03/08/2012		<u>150</u>	DEPOSITION DESIGNATIONS by Lee County Landfill SC LLC.(Dunlap, Kevin) Modified on 3/13/2012 to add text(mflo,). (Entered: 03/08/2012)
03/08/2012		<u>151</u>	OBJECTIONS byLee County Landfill SC LLC to <u>135</u> Exhibit List,. (Attachments: # <u>1</u> Objections to Plaintiffs' Witness List)(Dunlap, Kevin) (Entered: 03/08/2012)
03/08/2012		<u>152</u>	Exhibit List <i>Objections of Plaintiffs</i> by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. (Attachment(s): # <u>1</u> Exhibit List, # <u>2</u> Objections to Deft Witnesses)(Poliakoff, Gary). Modified on 3/14/2012 to add notice of filing. (bshr,). (Entered: 03/08/2012)
03/13/2012		<u>153</u>	MOTION in Limine to <i>Exclude Hearsay Testimony</i> by Lee County Landfill SC LLC. Response to Motion due by 3/30/2012 (Attachments: # <u>1</u> Exhibit A - Unpublished and Out-of-Region Opinions, # <u>2</u> Exhibit B - Plaintiffs' Trial Exhibit 47, # <u>3</u> Exhibit C - Plaintiffs' Trial Exhibit 1, #


		<u>4</u> Exhibit D - Plaintiffs' Trial Exhibit 19, # <u>5</u> Exhibit E - Plaintiffs' Trial Exhibit 11, # <u>6</u> Exhibit F - Plaintiffs' Trial Exhibit 2, # <u>7</u> Exhibit G - Plaintiffs' Trial Exhibit 8, # <u>8</u> Exhibit H - Plaintiffs' Trial Exhibit 22)No proposed order(Dunlap, Kevin) (Entered: 03/13/2012)
03/13/2012	<u>154</u>	MOTION in Limine to Exclude any Testimony or Evidence Concerning the Consents Orders Between Defendant and DHEC, the Notices of Alleged Violation Underlying those Consent Orders and the Substance of the Findings and Opinions Contained Therein by Lee County Landfill SC LLC. Response to Motion due by 3/30/2012 (Attachments: # <u>1</u> Exhibit A - April 7, 2009 Consent Order, # <u>2</u> Exhibit B - January 14, 2009 Notice of Alleged Violation, # <u>3</u> Exhibit C - September 14, 2009 Consent Order, # <u>4</u> Exhibit D - June 3, 2009 Notice of Alleged Violation, # <u>5</u> Exhibit E - Compliance and Enforcement Referral Forms, # <u>6</u> Exhibit F - October 29, 2007 Notice of Alleged Violation, # <u>7</u> Exhibit G - February 4, 2008 Informal Warning Settlement, # <u>8</u> Exhibit H - Unpublished and Out-of-Region Cases)No proposed order(Dunlap, Kevin) (Entered: 03/13/2012)
03/13/2012	<u>155</u>	MOTION in Limine to Preclude the Plaintiffs' Counsel from Referring to their Personal Experiences or the Experiences of their Non-Witness Family and Acquaintances with Alleged Odors in the Neighborhood of the Lee County Landfill by Lee County Landfill SC LLC. Response to Motion due by 3/30/2012 No proposed order(Dunlap, Kevin) (Entered: 03/13/2012)
03/13/2012	<u>156</u>	MOTION in Limine to Bifurcate and Memorandum in Support by Lee County Landfill SC LLC. Response to Motion due by 3/30/2012 (Attachments: # <u>1</u> Exhibit A - Out-of-Region Opinion)No proposed order(Dunlap, Kevin) (Entered: 03/13/2012)
03/13/2012	<u>157</u>	MOTION in Limine to exclude evidence and exhibits relating to fair market value, property value, appraisals, lending issues, et al by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. Response to Motion due by 3/30/2012 (Attachments: # <u>1</u> Memo in Support)No proposed order(Poliakoff, Gary) Modified on 3/14/2012 to add test(bshr,). (Entered: 03/13/2012)
03/13/2012	<u>158</u>	MOTION in Limine to Exclude any Testimony or Evidence Concerning Any Property Purchase Negotiations Between Any Defendant Representative and Any Plaintiff or Any Local Resident by Lee County Landfill SC LLC. Response to Motion due by 3/30/2012 (Attachments: # <u>1</u> Exhibit A - Plaintiffs' Trial Exhibits 1 and 2, # <u>2</u> Exhibit B - Plaintiffs' Trial Exhibit 26)No proposed order(Dunlap, Kevin) (Entered: 03/13/2012)
03/13/2012	<u>159</u>	MOTION in Limine to Exclude any Testimony or Evidence Concerning any Alleged Personal Injury or Adverse Health Effects Resulting from





		<i>the Lee County Landfill</i> by Lee County Landfill SC LLC. Response to Motion due by 3/30/2012 (Attachments: # <u>1</u> Exhibit A - Excerpts from Nov. 29, 2011 Hank Ludwig Deposition)No proposed order(Dunlap, Kevin) (Entered: 03/13/2012)
03/13/2012	<u>160</u>	MOTION in Limine to <i>Exclude any Testimony or Evidence Concerning any Alleged Groundwater Contamination Resulting from the Lee County Landfill</i> by Lee County Landfill SC LLC. Response to Motion due by 3/30/2012 (Attachments: # <u>1</u> Exhibit A - January 20, 2012 Plaintiffs Second Supplemental Responses, # <u>2</u> Exhibit B - Tom Champion Preliminary Opinions, # <u>3</u> Exhibit C - June 5, 2009 Email re Groundwater)No proposed order(Dunlap, Kevin) (Entered: 03/13/2012)
03/13/2012	<u>161</u>	MOTION in Limine to <i>Exclude the Deposition Testimony of Eileen Schuler and to Exclude all Reference to Dismissed Entities</i> by Lee County Landfill SC LLC. Response to Motion due by 3/30/2012 (Attachments: # <u>1</u> Exhibit A - December 2, 2011 Eileen Schuler Deposition, # <u>2</u> Exhibit B - November 21, 2011 Email re Deposition Schedule, # <u>3</u> Exhibit B - November 21, 2011 Email re Deposition Schedule)No proposed order(Dunlap, Kevin) (Entered: 03/13/2012)
03/13/2012	<u>162</u>	MOTION in Limine to <i>Exclude any Testimony or Evidence Concerning the Lee County Landfill's Acceptance of Waste from New York or the Northeast</i> by Lee County Landfill SC LLC. Response to Motion due by 3/30/2012 No proposed order(Dunlap, Kevin) (Entered: 03/13/2012)
03/13/2012	<u>163</u>	Exhibit List <i>Objections and Deposition Designation Objections</i> by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. (Attachments: # <u>1</u> Supporting Documents Plaintiff Objections to Defendant Exhibits, # <u>2</u> Supporting Documents Defendant Objections to Plaintiff Exhibits, # <u>3</u> Supporting Documents Shuler Depo Designations & Defendant Objections, # <u>4</u> Supporting Documents Lee Depo Designations & Defendant Objections, # <u>5</u> Supporting Documents Lamb Depo Designations & Defendant Objections, # <u>6</u> Supporting Documents Ludwig Depo Designations & Defendant Objections, # <u>7</u> Supporting Documents Amick Depo Designations & Defendant Objections)(Poliakoff, Gary) (Entered: 03/13/2012)
03/15/2012	<u>164</u>	RESPONSE in Opposition re <u>157</u> MOTION in Limine Response filed by Lee County Landfill SC LLC.Reply to Response to Motion due by 3/26/2012 (Dunlap, Kevin) (Entered: 03/15/2012)
03/15/2012	<u>165</u>	RESPONSE in Opposition re <u>157</u> MOTION in Limine Response filed by Lee County Landfill SC LLC.Reply to Response to Motion due by 3/26/2012 (Dunlap, Kevin). Please see ECF No. <u>166</u> for additional attachments. (Entered: 03/15/2012)




03/15/2012	<u>166</u>	Additional Attachments to Main Document <u>165</u> Response in Opposition to Motion <i>Exhibit</i> . (Attachments: # <u>1</u> Exhibit Part 2, # <u>2</u> Exhibit Part 3)(Dunlap, Kevin) (Entered: 03/15/2012)
03/15/2012	167	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Pretrial Conference held on 3/15/2012. granting in part and denying in part <u>153</u> Motion in Limine; granting <u>154</u> Motion in Limine; granting <u>155</u> Motion in Limine; granting in part and denying in part <u>156</u> Motion in Limine; granting in part and denying in part <u>157</u> Motion in Limine; granting <u>158</u> Motion in Limine; granting <u>159</u> Motion in Limine; granting in part and denying in part <u>160</u> Motion in Limine; granting in part and denying in part <u>161</u> Motion in Limine; granting <u>162</u> Motion in Limine; Jury to report at 10:30am; Counsel to report at 9:00am. Counsel to supply Clerk with a list of agreed upon exhibits, and exhibits entered over objection from previous rulings. Court Reporter Jenny Williams. (mflo,) Modified on 3/19/2012 to edit text(mflo,). (Entered: 03/15/2012)
03/19/2012	169	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Jury Trial held on 3/19/2012. Class action is removed from case; Plaintiff and Defendant submit in writing exhibits by agreement to be entered for trial; jury roll call and sworn; court gives preliminary instructions; opening statements; witnesses and exhibits. Court in recess until 3/20/12 at 9:30am. Court Reporter Jenny Williams. (mflo,) (Entered: 03/19/2012)
03/20/2012	170	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Jury Trial continues on 3/20/2012. witnesses and exhibits; court in recess until 3/21/12 at 9:30. Court Reporter Jenny Williams. (mflo,) (Entered: 03/20/2012)
03/21/2012	171	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Jury Trial held on 3/21/2012. trial continues; witnesses and exhibits; court to reconvene on 3/23/12 at 9:30. Court Reporter Jenny Williams. (mflo,) (Entered: 03/21/2012)
03/23/2012	172	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Jury Trial held on 3/23/2012. Trial continues; witnesses and exhibits; plaintiff rest; Court denies motions for directed verdict at this time; Court in recess until 3/26/12 at 9:30; Jury to return on 3/26 at 9:30. Court Reporter Jenny Williams. (mflo,) (Entered: 03/23/2012)
03/23/2012	<u>173</u>	DEPOSITION of Brian W. Lee taken on 12/1/11 by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. (mflo,) (Entered: 03/26/2012)





03/23/2012	<u>174</u>	DEPOSITION of Eileen Schuler taken on 12/2/11 by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson.(mflo,) (Entered: 03/26/2012)
03/23/2012	<u>175</u>	DEPOSITION of Donald E. Mathis taken on 1/24/12 by Lee County Landfill SC LLC.(mflo,) (Entered: 03/26/2012)
03/23/2012	<u>176</u>	DEPOSITION of Kenneth Perrin Babb taken on 11/22/11 by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson.(mflo,) (Entered: 03/26/2012)
03/23/2012	<u>177</u>	DEPOSITION of James (Jamey) Gilbert Amick, Jr. taken on 11/29/11 by Lee County Landfill SC LLC.(mflo,) (Entered: 03/26/2012)
03/23/2012	<u>178</u>	DEPOSITION of Timothy Townsend Ph.D. taken on 1/19/12 by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson.(mflo,) (Entered: 03/26/2012)
03/26/2012	179	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Jury Trial held on 3/26/2012. Trial continues with defense case; witnesses and exhibits; Court in recess until 9:45. Court Reporter Jenny Williams. (mflo,) (Entered: 03/26/2012)
03/26/2012	<u>180</u>	DEPOSITION of Steven Lamb, PE taken on 2/8/12 by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson.(mflo,) (Entered: 03/27/2012)
03/27/2012	181	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Jury Trial held on 3/27/2012. Trial continues with witnesses and exhibits; Court in recess until 9:30 on 3/28/12. Court Reporter Jenny Williams. (mflo,) (Entered: 03/27/2012)
03/27/2012	<u>182</u>	DEPOSITION of Morton Barlaz, Ph. D. taken on 2/2/12 by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson.(mflo,) (Entered: 03/28/2012)
03/28/2012	184	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Jury Trial held on 3/28/2012. Trial continues with witnesses and exhibits; Court in recess until 3/29 at 9:00 for counsel and 9:30 for jurors; Partial Charge Conference. Court Reporter Jenny Williams. (mflo,) (Entered: 03/28/2012)
03/28/2012	<u>185</u>	DEPOSITION of Jack James Hill taken on 2/9/12 by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson.(mflo,) (Entered: 03/29/2012)
03/28/2012	<u>186</u>	DEPOSITION of Kenneth Skipka taken on 1/26/12 by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson.(mflo,) (Entered: 03/29/2012)


03/29/2012		<u>187</u>	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Jury Trial held on 3/29/2012. Trial continues; Charge Conference; witnesses and exhibits; Defense Rest; Defendant moves for judgment as a matter of law as to all claims; Court denies motion judgment as a matter of law; Jury Charge; closing arguments; attorneys agree on exhibits to jury; jury begins deliberations; jury to return on 3/30/12 at 9:30 to continue deliberations. Court Reporter Jenny Williams. (mflo,) (Entered: 03/30/2012)
03/30/2012		<u>188</u>	COURT EXHIBITS Exhibit 1. (Attachments: # <u>1</u> Court Exhibit 2, # <u>2</u> Court Exhibit 3)(mflo,) (Entered: 03/30/2012)
03/30/2012		<u>189</u>	Plaintiff Exhibit List. (mflo,) (Entered: 03/30/2012)
03/30/2012		<u>190</u>	Defendant Exhibit List. (mflo,) (Entered: 03/30/2012)
03/30/2012		<u>191</u>	Trial Witness List. (mflo,) (Entered: 03/30/2012)
03/30/2012		<u>192</u>	Jury Instructions. (mflo,) (Entered: 03/30/2012)
03/30/2012		<u>193</u>	COURT EXHIBIT #4 Deposition of Alan E. Jackson (Attachments: # <u>1</u> deft exhibit 16, # <u>2</u> deft exhibit 17, # <u>3</u> deft exhibit 18)(mflo,) (Entered: 03/30/2012)
03/30/2012		<u>194</u>	COURT EXHIBIT #5. (Attachments: # <u>1</u> Exhibit)(mflo,) (Entered: 03/30/2012)
03/30/2012		<u>195</u>	Jury Notes. (mflo,) (Entered: 03/30/2012)
03/30/2012		<u>202</u>	JURY VERDICT in favor of plaintiff Perrin Babb(mflo,) (Entered: 03/30/2012)
03/30/2012		<u>203</u>	JURY VERDICT in favor of Debbie Babb(mflo,) (Entered: 03/30/2012)
03/30/2012		<u>204</u>	JURY VERDICT in favor of plaintiff Wayne Elstrom (mflo,) (Entered: 03/30/2012)
03/30/2012		<u>205</u>	JURY VERDICT in favor of plaintiff Sarah Elstrom(mflo,) (Entered: 03/30/2012)
03/30/2012		<u>206</u>	JURY VERDICT in favor of plaintiff Alan Jackson(mflo,) (Entered: 03/30/2012)
03/30/2012		<u>207</u>	JURY VERDICT in favor of plaintiff Kathy Jackson(mflo,) (Entered: 03/30/2012)
03/30/2012		<u>214</u>	Jury Instructions for Phase 2, punitive damages(mflo,) (Entered: 04/01/2012)
03/30/2012		<u>215</u>	ORDER RETURNING EXHIBITS from Jury Trial to introducing parties. Signed by Honorable Joseph F Anderson, Jr on 3/30/12.



		(mflo,) (Entered: 04/01/2012)
03/30/2012	216	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Jury Trial completed on 3/30/2012. Jury returns to continue deliberations; jury returns a verdict for all 6 plaintiffs; punitive phase begins; jury charge on punitive damages; arguments by counsel; jury begins deliberations; jury returns verdict on phase 2, punitive damages in favor for all 6 plaintiffs; Court orders exhibits to be returned to introducing parties to maintain for appeal purposes; Jury excused. Court Reporter Jenny Williams. (mflo,) (Entered: 04/01/2012)
03/30/2012	<u>217</u>	JURY VERDICT as to Phase 2, punitive damages in favor of plaintiff Perrin Babb(mflo,) (Entered: 04/01/2012)
03/30/2012	<u>218</u>	JURY VERDICT as to Phase 2, punitive damages in favor of plaintiff Debbie Babb(mflo,) (Entered: 04/01/2012)
03/30/2012	<u>219</u>	JURY VERDICT as to Phase 2, punitive damages in favor of plaintiff Wayne Elstrom(mflo,) (Entered: 04/01/2012)
03/30/2012	<u>220</u>	JURY VERDICT as to Phase 2, punitive damages in favor of plaintiff Sarah Elstrom(mflo,) (Entered: 04/01/2012)
03/30/2012	<u>221</u>	JURY VERDICT as to Phase 2, punitive damages in favor of plaintiff Alan Jackson (mflo,) (Entered: 04/01/2012)
03/30/2012	<u>222</u>	JURY VERDICT as to Phase 2, punitive damages in favor of plaintiff Kathy Jackson (mflo,) (Entered: 04/01/2012)
04/04/2012	<u>224</u>	MOTION TO RESOLVE POST-TRIAL MOTIONS PRIOR TO INJUNCTION PHASE OF TRIAL by Lee County Landfill SC LLC. Response to Motion due by 4/23/2012 (Attachments: # <u>1</u> Exhibit A US ex rel. Drakeford v Tuomey Healthcare Sys. Inc.)No proposed order(Dunlap, Kevin) (Entered: 04/04/2012)
04/06/2012	<u>225</u>	ORDER granting <u>224</u> Motion to resolve post-trial motions prior to injunction phase of trial. Signed by Honorable Joseph F Anderson, Jr on 04/06/2012.(bshr,) (Entered: 04/06/2012)
04/06/2012	226	NOTICE of Cancellation of Hearing: Injunction hearing set for 04/18/2012. (bshr,) (Entered: 04/06/2012)
04/17/2012	<u>228</u>	RECEIPT signed for both plaintiff and defendant for Jury Trial Exhibits (mflo,) (Entered: 04/17/2012)
04/23/2012	 <u>229</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings, motion hearing held on February 1, 2012, before Judge Joseph F. Anderson, Jr. Court Reporter/Transcriber Gary Smith, Telephone number/E-mail (803) 256-7743, Gary_Smith@scd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased

		through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction.. Redaction Request due 5/14/2012. Redacted Transcript Deadline set for 5/24/2012. Release of Transcript Restriction set for 7/23/2012. (gsmith,) (Entered: 04/23/2012)
04/27/2012	 <u>230</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of jury selection held on March 1, 2012, before Judge Joseph F. Anderson, Jr.. Court Reporter/Transcriber Kathleen Richardson, RPR, CRR, Telephone number/E-mail Kathleen_Richardson@scd.uscourts.gov or (803)779-6709. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction.. Redaction Request due 5/18/2012. Redacted Transcript Deadline set for 5/29/2012. Release of Transcript Restriction set for 7/26/2012. (kari,) (Entered: 04/27/2012)
04/27/2012	 <u>231</u>	MOTION for Judgment as a Matter of Law <i>or for a New Trial or Remittitur</i> by Lee County Landfill SC LLC. Response to Motion due by 5/14/2012 (Attachments: # <u>1</u> Memo in Support, # <u>2</u> Exhibit A - Unpublished and Out-of-Region Cases)No proposed order(Dunlap, Kevin). Please see ECF No. <u>245</u> for additional attachments. (Entered: 04/27/2012)
05/04/2012	 <u>233</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings. Pre-trial motions held on 03-15-12, before Judge Joseph F. Anderson, Jr. Court Reporter/Transcriber Jennifer H. Williams, RPR, Telephone number/E-mail (803)351-9742 or Jenny_Williams@scd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction. Redaction Request due 5/25/2012. Redacted Transcript Deadline set for 6/4/2012. Release of Transcript Restriction set for 8/2/2012. (jwil,) (Entered: 05/04/2012)
05/06/2012	 <u>234</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings. Trial held on 03-19-12, before Judge Joseph F. Anderson, Jr. Court Reporter/Transcriber Jennifer H. Williams, RPR, Telephone number/E-mail Jenny_Williams@scd.uscourts.gov or (803)351-9742. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release

		of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction. Redaction Request due 5/29/2012. Redacted Transcript Deadline set for 6/6/2012. Release of Transcript Restriction set for 8/6/2012. (jwil,) (Entered: 05/06/2012)
05/06/2012	 <u>235</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings. Trial held on 03-20-12, before Judge Joseph F. Anderson, Jr. Court Reporter/Transcriber Jennifer H. Williams, RPR, Telephone number/E-mail Jenny_Williams@scd.uscourts.gov or (803)351-9742. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction. Redaction Request due 5/29/2012. Redacted Transcript Deadline set for 6/6/2012. Release of Transcript Restriction set for 8/6/2012. (jwil,) (Entered: 05/06/2012)
05/06/2012	 <u>236</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings. Trial held on 03-21-12, before Judge Joseph F. Anderson, Jr. Court Reporter/Transcriber Jennifer H. Williams, RPR, Telephone number/E-mail Jenny_Williams@scd.uscourts.gov or (803)351-9742. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction. Redaction Request due 5/29/2012. Redacted Transcript Deadline set for 6/6/2012. Release of Transcript Restriction set for 8/6/2012. (jwil,) (Entered: 05/06/2012)
05/06/2012	 <u>237</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings. Trial held on 03-23-12, before Judge Joseph F. Anderson, Jr. Court Reporter/Transcriber Jennifer H. Williams, RPR, Telephone number/E-mail Jenny_Williams@scd.uscourts.gov or (803)351-9742. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction. Redaction Request due 5/29/2012. Redacted Transcript Deadline set for 6/6/2012. Release of Transcript Restriction set for 8/6/2012. (jwil,) (Entered: 05/06/2012)

05/06/2012	 <u>238</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings. Trial held on 03-26-12, before Judge Joseph F. Anderson, Jr. Court Reporter/Transcriber Jennifer H. Williams, RPR, Telephone number/E-mail Jenny_Williams@scd.uscourts.gov or (803)351-9742. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction. Redaction Request due 5/29/2012. Redacted Transcript Deadline set for 6/6/2012. Release of Transcript Restriction set for 8/6/2012. (jwil,) (Entered: 05/06/2012)
05/06/2012	 <u>239</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings. Trial held on 03-27-12, before Judge Joseph F. Anderson, Jr. Court Reporter/Transcriber Jennifer H. Williams, RPR, Telephone number/E-mail Jenny_Williams@scd.uscourts.gov or (803)351-9742. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction. Redaction Request due 5/29/2012. Redacted Transcript Deadline set for 6/6/2012. Release of Transcript Restriction set for 8/6/2012. (jwil,) (Entered: 05/06/2012)
05/06/2012	 <u>240</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings. Trial held on 03-28-12, before Judge Joseph F. Anderson, Jr. Court Reporter/Transcriber Jennifer H. Williams, RPR, Telephone number/E-mail Jenny_Williams@scd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction. Redaction Request due 5/29/2012. Redacted Transcript Deadline set for 6/6/2012. Release of Transcript Restriction set for 8/6/2012. (jwil,) (Entered: 05/06/2012)
05/06/2012	 <u>241</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings. Trial held on 03-29-12, before Judge Joseph F. Anderson, Jr. Court Reporter/Transcriber Jennifer H. Williams, RPR, Telephone number/E-mail Jenny_Williams@scd.uscourts.gov or (803)351-9742. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction. Redaction

		Request due 5/29/2012. Redacted Transcript Deadline set for 6/6/2012. Release of Transcript Restriction set for 8/6/2012. (jwil,) (Entered: 05/06/2012)
05/06/2012	 <u>242</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings. Trial held on 03-30-12, before Judge Joseph F. Anderson, Jr. Court Reporter/Transcriber Jennifer H. Williams, RPR, Telephone number/E-mail Jenny_Williams@scd.uscourts.gov or (803)351-9742. Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction. Redaction Request due 5/29/2012. Redacted Transcript Deadline set for 6/6/2012. Release of Transcript Restriction set for 8/6/2012. (jwil,) (Entered: 05/06/2012)
05/14/2012	<u>243</u>	RESPONSE in Opposition re <u>231</u> MOTION for Judgment as a Matter of Law <i>or for a New Trial or Remittitur</i> Response filed by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Alan Jackson, Kathy Jackson. Reply to Response to Motion due by 5/24/2012 (Attachments: # <u>1</u> Exhibit Fairchild v. S.C. DOT)(Poliakoff, Gary). Modified on 5/15/2012 to replace main document with corrected version (containing corrected signature) per the request of the filing user(bshr,). (Entered: 05/14/2012)
05/21/2012	244	NOTICE of Hearing on <u>231</u> MOTION for Judgment as a Matter of Law <i>or for a New Trial or Remittitur</i> : Motion Hearing set for 6/6/2012 10:30 AM in Columbia # 4, Matthew J. Perry Court House, 901 Richland St, Columbia before Honorable Joseph F Anderson Jr. (bshr,) (Entered: 05/21/2012)
05/24/2012	<u>245</u>	Additional Attachments to <u>231</u> MOTION for Judgment as a Matter of Law <i>or for a New Trial or Remittitur Modified to Insert Final Trial Transcript Cites That Were Not Available When the Memorandum Was Initially Filed.</i> (Dunlap, Kevin) (Entered: 05/24/2012)
05/24/2012	<u>246</u>	REPLY to Response to Motion re <u>231</u> MOTION for Judgment as a Matter of Law <i>or for a New Trial or Remittitur</i> Response filed by Lee County Landfill SC LLC. (Attachments: # <u>1</u> Exhibit A - LCL's Proposed Verdict Forms, # <u>2</u> Exhibit B - Schneider Nat Carriers Inc)(Dunlap, Kevin) (Entered: 05/24/2012)
06/06/2012	248	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Motion Hearing held on 6/6/2012; taking under advisement <u>231</u> MOTION for Judgment as a Matter of Law <i>or for a New Trial or Remittitur</i> filed by Lee County Landfill SC LLC. Court to file written order. Court Reporter Kathleen Richardson. (mflo,) (Entered: 06/06/2012)

06/08/2012	<u>250</u>	ORDER appointing Julianne Farnsworth, Esq. as mediator for the case and directing counsel to schedule a mediation date within 45 days from the date of this order with mediation to occur within 90 days. Signed by Honorable Joseph F Anderson, Jr on 06/07/2012. (bshr,) (Entered: 06/08/2012)
06/12/2012	<u>252</u>	ORDER directing parties to submit briefs on the issue of nuisance damages. Briefs due by 07/03/2012. Signed by Honorable Joseph F Anderson, Jr on 06/12/2012. (bshr,) (Entered: 06/12/2012)
06/27/2012	 <u>255</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings. motion hearing held on June 6, 2012, before Judge Joseph F. Anderson, Jr.. Court Reporter/Transcriber Kathleen Richardson, RPR, CRR, Telephone number/E-mail (803)779-6709 or kathleen_richardson@scd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction.. Redaction Request due 7/18/2012. Redacted Transcript Deadline set for 7/30/2012. Release of Transcript Restriction set for 9/25/2012. (kari,) (Entered: 06/27/2012)
06/29/2012	<u>256</u>	Consent MOTION for Extension of Time <i>for Parties to Submit Briefs on the Issue of Nuisance Damages</i> by Lee County Landfill SC LLC. Response to Motion due by 7/16/2012 No proposed order(Dunlap, Kevin) (Entered: 06/29/2012)
06/29/2012	257	TEXT ORDER granting <u>256</u> Motion for Extension of Time <i>for Parties to Submit Briefs on the Issue of Nuisance Damages</i>. Briefs on the issues of nuisance damages due by 07/10/2012. Directed by Honorable Joseph F Anderson, Jr on 06/29/2012.(bshr,) (Entered: 06/29/2012)
07/10/2012	<u>258</u>	NOTICE of Request for Protection from Court Appearance by William E Hopkins, Jr for 07/11/2012 - 07/13/2012 and 07/30/2012 - 08/03/2012 (bshr,). Modified on 07/10/2012 to correct event code(bshr,). (Entered: 07/10/2012)
07/10/2012	 <u>260</u>	Supplemental MOTION for Judgment as a Matter of Law (<i>Nuisance Damages Briefing</i>) by Lee County Landfill SC LLC. Response to Motion due by 7/27/2012 (Attachments: # <u>1</u> Exhibit A - Discovery Responses)No proposed order(Weber, Steven) (Main Document 260 replaced on 7/11/2012 to replace with corrected document provided by filing user) (mflo,). (Entered: 07/10/2012)
07/10/2012	<u>261</u>	RESPONSE in Opposition re <u>231</u> MOTION for Judgment as a Matter of Law <i>or for a New Trial or Remittitur (Nuisance Damages Briefing)</i>

		Response filed by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Julianne Farnsworth, Alan Jackson, Kathy Jackson. Reply to Response to Motion due by 7/20/2012 (Attachments: # <u>1</u> McGuire v. Kenoma, 2012 Mo.App., W.D. June 26, 2012)(Poliakoff, Gary) (Entered: 07/10/2012)
07/19/2012	<u>262</u>	MOTION for Extension of Time <i>for Parties to Mediate and to Substitute Mediator</i> by Lee County Landfill SC LLC. Response to Motion due by 8/6/2012 No proposed order(Weber, Steven) (Entered: 07/19/2012)
07/20/2012	263	NOTICE of Hearing: Telephone Conference (Re: <u>262</u> MOTION for Extension of Time <i>for Parties to Mediate and to Substitute Mediator</i>) set for 7/20/2012 02:00 PM before Honorable Joseph F Anderson Jr. ***The Court directs counsel to conference with each other and tie in Judge Anderson at 803-765-5136*** (bshr,) (Entered: 07/20/2012)
07/20/2012	264	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Telephone Conference held on 7/20/2012. Court takes under advisement <u>262</u> MOTION for Extension of Time <i>for Parties to Mediate and to Substitute Mediator</i>. (bshr,) (Entered: 07/20/2012)
07/23/2012	265	NOTICE of Hearing: Second Telephone Conference (Re: <u>262</u> MOTION for Extension of Time <i>for Parties to Mediate and to Substitute Mediator</i>) set for 7/23/2012 03:00 PM before the Honorable Joseph F Anderson Jr. ***The Court directs counsel to conference with each other and tie in Judge Anderson at 803-765-5136*** (bshr,) (Entered: 07/23/2012)
07/23/2012	266	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr / Telephone Conference held on 7/23/2012: Court notifies counsel the nuisance damages issue will likely be certified to the South Carolina Supreme Court. Counsel is directed to notify the court by August 1st if they have decided to keep Ms. Farnsworth as a mediator for the case. Mediation deadline to be extended to the end of the year. (bshr,) (Entered: 07/24/2012)
07/24/2012	267	NOTICE of Hearing: Telephone Conference (Re: Certification of Question to the South Carolina Supreme Court) set for 7/24/2012 03:00 PM before Honorable Joseph F Anderson Jr. ***The Court directs counsel to conference with each other and tie in Judge Anderson at 803-765-5136*** (bshr,) (Entered: 07/24/2012)
07/24/2012	<u>268</u>	ORDER granting <u>262</u> Motion for Extension of Time <i>for Parties to Mediate and to Substitute Mediator</i>, allowing the parties to substitute another mediator for the court-appointed mediator, directing defendant to pay for the time Ms. Farnsworth has already put into preparation for mediation of the case, and extending the mediation deadline to 12/31/2012. Signed by Honorable Joseph F Anderson, Jr on 07/24/2012. (bshr,) (Entered: 07/24/2012)

07/24/2012	272	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr / Telephone Conference held on 7/24/2012: Court to certify questions to South Carolina Supreme Court - proposed order to be submitted to parties for review. (bshr,) (Entered: 07/25/2012)
07/25/2012	<u>273</u>	REPLY to Response to Motion re <u>231</u> MOTION for Judgment as a Matter of Law or for a New Trial or Remittitur Response to Plaintiffs' Memorandum of Law Regarding Damages in Cases of Private Temporary Nuisance Response filed by Lee County Landfill SC LLC. (Weber, Steven) (Entered: 07/25/2012)
07/26/2012	<u>274</u>	REPLY to Response to Motion re <u>260</u> Supplemental MOTION for Judgment as a Matter of Law (<i>Nuisance Damages Briefing</i>) Response to Deft. Brief Response filed by Debbie Babb, Perrin Babb, Sarah Elstrom, Wayne Elstrom, Julianne Farnsworth, Alan Jackson, Kathy Jackson. (Poliakoff, Gary) (Entered: 07/26/2012)
08/13/2012	276	NOTICE of Hearing: Telephone Conference (Re: Issuance of Question for Certification) set for 8/13/2012 at 03:30 PM before Honorable Joseph F Anderson Jr. ***The Court directs counsel to conference with each other and tie in Judge Anderson at 803-765-5136*** (bshr,) (Entered: 08/13/2012)
08/13/2012	277	Minute Entry. Proceedings held before Honorable Joseph F Anderson, Jr: Telephone Conference held on 8/13/2012. Court informs the parties he will be filing an order certifying questions to the Supreme Court. Court will wait until after the mediation takes place to consider the injunction. Court Reporter not present. (mflo,) (Entered: 08/13/2012)
08/13/2012	<u>278</u>	Certification of Issue to State Court/ORDER for Certification, certifying questions to the South Carolina Supreme Court. Signed by Honorable Joseph F Anderson, Jr on 08/13/2012. (bshr,) (Entered: 08/13/2012)
08/13/2012	279	***DOCUMENT MAILED <u>278</u> Certification of Issue to State Court/Order for Certification placed in U.S. Mail to The Honorable Daniel E. Shearouse, Clerk of Court, South Carolina Supreme Court, Post Office Box 11330, Columbia, SC 29211. (bshr,) (Entered: 08/13/2012)