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U.S. District Court
Western District of Missouri (Kansas City)
CRIMINAL DOCKET FOR CASE #: 4:08-cr-00026-FJG All Defendants

Case title: USA v. Rostie et al

Date Filed: 02/06/2008

Assigned to: Chief District Judge
Fernando J. Gaitan, Jr
Referred to: Magistrate Judge
Sarah W. Hays

Defendant (1)

Mary Lynn Rostie
also known as
Lynn Rostie

represented by **Curtis G Hanrahan**
Hanrahan, Nacy & Mathers, PC
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Pending Counts

CONSPIRACY TO DISTRIBUTE
CONTROLLED SUBSTANCE

(1)

MONEY LAUNDERING -
CONSPIRACY

(2)

CONTROLLED SUBSTANCE -
SELL, DISTRIBUTE, OR
DISPENSE

(3-12)

USE COMMUNICATIONS
FACILITY - CONTROLLED
SUBSTANCE - DISTR.

(13)

MONEY LAUNDERING -
CONTROLLED SUBSTANCE -
SELL/DISTR/DISP

(14)

CONTROLLED SUBSTANCE -
SELL, DISTRIBUTE, OR
DISPENSE

(15-20)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Disposition

Highest Offense Level
(Terminated)

None

Complaints

None

Disposition

Assigned to: Chief District Judge
Fernando J. Gaitan, Jr
Referred to: Magistrate Judge
Sarah W. Hays

Defendant (2)

Cynthia S. Martin

represented by **James R. Hobbs**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pending Counts

CONSPIRACY TO DISTRIBUTE
CONTROLLED SUBSTANCE
(1)

MONEY LAUNDERING -
CONSPIRACY
(2)

MONEY LAUNDERING -
CONTROLLED SUBSTANCE -
SELL/DISTR/DISP
(21-24)

Disposition

Highest Offense Level (Opening)

Felony

Terminated Counts

Disposition

None

Highest Offense Level
(Terminated)

None

Complaints

Disposition

None

Assigned to: Chief District Judge
Fernando J. Gaitan, Jr
Referred to: Magistrate Judge
Sarah W. Hays

Defendant (3)

Troy R. Solomon

represented by **Anthony L. Bannwart**
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TERMINATED: 08/25/2009
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TERMINATED: 08/25/2009
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Pending Counts

CONSPIRACY TO DISTRIBUTE
CONTROLLED SUBSTANCE
(1)

MONEY LAUNDERING -
CONSPIRACY
(2)

CONTROLLED SUBSTANCE -
SELL, DISTRIBUTE, OR
DISPENSE
(3-12)

Highest Offense Level (Opening)

Felony

Terminated Counts

Disposition

Disposition

None

Highest Offense Level
(Terminated)

None

Complaints

Disposition

None

Assigned to: Chief District Judge
Fernando J. Gaitan, Jr
Referred to: Magistrate Judge
Sarah W. Hays

Defendant (4)

Christopher L. Elder

represented by **John R. Osgood**
740 NW Blue Parkway
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pending Counts

Disposition

CONSPIRACY TO DISTRIBUTE
CONTROLLED SUBSTANCE
(1)

CONTROLLED SUBSTANCE -
SELL, DISTRIBUTE, OR
DISPENSE
(3-10)

Highest Offense Level (Opening)

Felony

Terminated Counts

Disposition

None

Highest Offense Level
(Terminated)

None

Complaints

None

Disposition

Assigned to: Chief District Judge
Fernando J. Gaitan, Jr
Referred to: Magistrate Judge
Sarah W. Hays

Defendant (5)

Delmon L. Johnson

TERMINATED: 06/28/2010

represented by **Anthony L. Bannwart**

(See above for address)

TERMINATED: 08/25/2009

LEAD ATTORNEY

PRO HAC VICE

Jay D DeHardt

(See above for address)

TERMINATED: 08/25/2009

LEAD ATTORNEY

Designation: Retained

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TERMINATED: 09/10/2009

Pending Counts

None

Highest Offense Level (Opening)

None

Terminated Counts

CONSPIRACY TO DISTRIBUTE
CONTROLLED SUBSTANCE
(1)

MONEY LAUNDERING -
CONSPIRACY
(2)

CONTROLLED SUBSTANCE -
SELL, DISTRIBUTE, OR
DISPENSE
(7-10)

Disposition

Dismissed on motion of the
Government

Dismissed on motion of the
Government

Dismissed on motion of the
Government

**Highest Offense Level
(Terminated)**

Felony

Complaints

None

Disposition

interested party

Texas Medical Board

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Plaintiff

USA

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Date Filed	#	Docket Text
02/06/2008	<u>1</u>	INDICTMENT as to Mary Lynn Rostie (1) count(s) 1, 2, 3-12, 13, 14, 15-20, Cynthia S. Martin (2) count(s) 1, 2, 21-24, Troy R. Solomon (3) count(s) 1, 2, 3-12, Christopher L. Elder (4) count(s) 1, 3-10, Delmon L. Johnson (5) count(s) 1, 2, 7-10. (Attachments:

		# 1 Criminal Cover Sheet Defendant Rostie, # 2 Criminal Cover Sheet Defendant Martin, # 3 Criminal Cover Sheet Defendant Solomon, # 4 Criminal Cover Sheet Defendant Elder, # 5 Criminal Cover Sheet Defendant Johnson) (Francis, Alexandra) (Entered: 02/08/2008)
02/06/2008		This indictment shall be kept secret until a defendant is in custody or has been given bail, and upon completion of the issuance of the warrant of arrest, the Clerk shall seal indictment, and it shall remain sealed pending further order of the court. Signed by Magistrate Judge Robert E. Larsen on 2/6/08. (Francis, Alexandra) (Entered: 02/08/2008)
02/14/2008		ORDER as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. A defendant having been arrested, it is ordered that this indictment be unsealed, and then processed in accordance with established procedure and law. Signed by Magistrate Judge Sarah W. Hays on 2/14/08. (No document attached) (Francis, Alexandra) (Entered: 02/15/2008)
02/14/2008	2	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: INITIAL APPEARANCE and ARRAIGNMENT as to Mary Lynn Rostie (1) Count 1,2,3-12,13,14,15-20 held on 2/14/2008. Defendant released on \$10,000 unsecured bond. Defendant advised of the conditions of release. Government currently has no objection to defendant continuing to work in a pharmacy. Defendant entered a plea of not guilty to each count of the indictment applicable to her. Case ordered set for trial on the joint criminal jury trial docket which commences March 17, 2008. Discovery order handed to all counsel. Scheduling Conference set for 2/28/2008 11:00 AM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. (Court Reporter Alex Francis.) (Francis, Alexandra) (Entered: 02/15/2008)
02/14/2008	3	DISCOVERY ORDER as to Mary Lynn Rostie. Signed by Magistrate Judge Sarah W. Hays on 2/14/08. (Francis, Alexandra) (Entered: 02/15/2008)
02/14/2008	24	APPEARANCE BOND ENTERED as to Mary Lynn Rostie in amount of \$ 10,000.00 UNSECURED, This is a text entry only - the document contains original signatures of non attorneys and is being maintained in a paper file at the court. (Gicinto, JoRita) (Entered: 03/25/2008)
02/14/2008	25	ORDER setting conditions of release as to Mary Lynn Rostie This is a text entry only - the document contains original signatures of non attorneys and is being maintained in a paper file at the court. Signed by Magistrate Judge Sarah W. Hays on 2/14/2008.

		(Gicinto, JoRita) (Entered: 03/25/2008)
02/15/2008	4	NOTICE OF ATTORNEY APPEARANCE John R. Osgood appearing for Christopher L. Elder , <i>MD</i> (Osgood, John) (Entered: 02/15/2008)
02/19/2008	5	ORDER REFERRING CASE to Magistrate Judge Sarah W. Hays as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. Signed by Chief District Judge Fernando J. Gaitan, Jr on 2/19/2008. (Baldwin, Joella) (Entered: 02/19/2008)
02/19/2008	6	NOTICE OF HEARING as to Cynthia S. Martin This is a TEXT ONLY ENTRY and is the official notice for this hearing. No document is attached. Initial Appearance and Arraignment set for 2/20/2008 03:00 PM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. (Gicinto, JoRita) (Entered: 02/19/2008)
02/20/2008	7	NOTICE OF ATTORNEY APPEARANCE James R. Hobbs appearing for Cynthia S. Martin (Hobbs, James) (Entered: 02/20/2008)
02/20/2008	8	NOTICE OF HEARING as to Christopher L. Elder This is a TEXT ONLY ENTRY and is the official notice for this hearing. No document is attached. Initial Appearance and Arraignment and Scheduling Conference set for 2/28/2008 11:00 AM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. (Gicinto, JoRita) (Entered: 02/20/2008)
02/20/2008	9	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: ARRAIGNMENT as to Cynthia S. Martin (2) Count 1,2,21-24 held on 2/20/2008, INITIAL APPEARANCE as to Cynthia S. Martin held on 2/20/2008. Defendant pleaded not guilty. This case is set on the 3/18/08 criminal trial docket. Defendant is released on a personal recognizance bond. Discovery Order handed to all parties. (Court Reporter Dorothy Myers.) (Myers, Dorothy) (Entered: 02/21/2008)
02/20/2008	10	ORDER SETTING SCHEDULING CONFERENCE as to Cynthia S. Martin Scheduling Conference set for 2/28/2008 11:00 AM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Signed by Magistrate Judge Sarah W. Hays on 2/20/08. (Myers, Dorothy) (Entered: 02/21/2008)
02/20/2008	17	ORDER setting conditions of release as to Cynthia S. Martin as to Cynthia S. Martin (2) PERSONAL RECOGNIZANCE. This is a text entry only - the document contains original signatures of non attorneys and is being maintained in a paper file at the court.

		Signed by Magistrate Judge Sarah W. Hays on 2/20/2008. (Gicinto, JoRita) (Entered: 03/04/2008)
02/22/2008	<u>11</u>	NOTICE of <i>Lis Pendens</i> by USA as to Cynthia S. Martin (Rhodes, Rudolph) (Entered: 02/22/2008)
02/22/2008	<u>12</u>	NOTICE of <i>Lis Pendens</i> by USA as to Mary Lynn Rostie (Rhodes, Rudolph) (Entered: 02/22/2008)
02/22/2008	<u>13</u>	NOTICE of <i>Lis Pendens</i> by USA as to Troy R. Solomon (Rhodes, Rudolph) (Entered: 02/22/2008)
02/28/2008	<u>14</u>	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: ARRAIGNMENT as to Christopher L. Elder (4) Count 1,3-10 held on 2/28/2008, INITIAL APPEARANCE as to Christopher L. Elder held on 2/28/2008. Defendant pleaded not guilty. Case ordered set for trial on the joint criminal jury trial docket which commences March 17, 2008 (but will be continued once a Motion to Continue has been filed as stated in the Scheduling Conference). Defendant released on a personal recognizance bond. Discovery Order handed to all parties.(Court Reporter Dorothy Myers.) (Myers, Dorothy) (Entered: 02/28/2008)
02/28/2008	<u>15</u>	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: SCHEDULING CONFERENCE as to Mary Lynn Rostie, Cynthia S. Martin, Christopher L. Elder held on 2/28/08. Government counsel present in person; defendant Rostie and Elder present in person with counsel; defendant Martin previously waived her appearance but counsel did appear. Defense counsel gives further explanation as to why continuance of trial from the March 17, 2008 trial docket is necessary. There being no objection from government counsel or defendants, the trial is continued until the criminal trial docket set to commence on September 29, 2008. Discovery issues discussed. Defendants are given up to and including June 16, 2008 to file pretrial motions; government responses due within twelve days from the filing of the pretrial motion(s). If pretrial motions hearing is needed, counsel are to contact chambers for a setting when motion is filed. Defendants continue on bond. Written Trial/Scheduling order to be issued. (Court Reporter Dorothy Myers.) (Myers, Dorothy) (Entered: 02/28/2008)
02/28/2008	18	ORDER setting conditions of release as to Christopher L. Elder as to Christopher L. Elder (4) PERSONAL RECOGNIZANCE. This is a text entry only - the document contains original signatures of non attorneys and is being maintained in a paper file at the court. Signed by Magistrate Judge Sarah W. Hays on 2/28/2008.

		(Gicinto, JoRita) (Entered: 03/04/2008)
03/03/2008	<u>16</u>	MOTION to continue by Cynthia S. Martin. Suggestions in opposition/response due by 3/18/2008 unless otherwise directed by the court. (Hobbs, James) (Entered: 03/03/2008)
03/05/2008	<u>19</u>	WAIVER of Speedy Trial by Cynthia S. Martin (Attachments: # <u>1</u> Acknowledgement and Waiver of Rights)(Hobbs, James) (Entered: 03/05/2008)
03/10/2008	20	NOTICE OF HEARING as to Troy R. Solomon, Delmon L. Johnson This is a TEXT ONLY ENTRY and is the official notice for this hearing. No document is attached. Rule 44(c) Hearing set for 4/2/2008 02:00 PM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Initial Appearance and Arraignment set for 4/2/2008 02:00 PM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. (Gicinto, JoRita) (Entered: 03/10/2008)
03/14/2008	<u>21</u>	TRIAL ORDER as to Mary Lynn Rostie, Cynthia S. Martin, Christopher L. Elder, 16 MOTION to continue filed by Cynthia S. Martin IS GRANTED. Status Conference set for 7/16/2008 10:00 AM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Accelerated Jury Trial set for 9/29/2008 09:00AM in Courtroom 7C, Kansas City (FJG) before Judge Fernando Gaitan. Pretrial conference is set for September 9, 2008 before Judge Hays. Pretrial motions shall be filed on or before June 16, 2008. Suggestions in opposition shall be filed within 12 days from the date the motion is filed. See Order for additional deadlines. Signed by Magistrate Judge Sarah W. Hays on 3/14/2008. (Gicinto, JoRita) (Entered: 03/14/2008)
03/23/2008	<u>22</u>	MOTION to sever defendant <i>Elder because of failure of the indictment to properly allege grounds for joinder on the face of the indictment as required by Rule 8(b), FRCrP</i> , by Christopher L. Elder. Suggestions in opposition/response due by 4/7/2008 unless otherwise directed by the court. (Osgood, John) (Entered: 03/23/2008)
03/23/2008	<u>23</u>	MOTION to strike <i>paragraphs one through seven from the indictment on grounds that they constitute prejudicial surplusage</i> by Christopher L. Elder. Suggestions in opposition/response due by 4/7/2008 unless otherwise directed by the court. (Osgood, John) (Entered: 03/23/2008)
03/26/2008	<u>26</u>	RULE 5(C)(3) documents received as to Troy R. Solomon (Attachments: # <u>1</u> Minute Entry - Initial Appearance, # <u>2</u> Appearance Bond, # <u>3</u> Order Setting Conditions of Release, # <u>4</u> Receipt for Surrender of Passport, # <u>5</u> Docket Sheet - Southern

		Texas)(Carr, Lori) (Entered: 03/27/2008)
03/26/2008	27	RULE 5(C)(3) documents received as to Delmon L. Johnson (Attachments: # 1 Minute Entry - Initial Appearance, # 2 Appearance Bond, # 3 Order Setting Conditions of Release, # 4 Docket Sheet - Southern Texas, # 5 Letter from transferring court)(Carr, Lori) (Entered: 03/27/2008)
04/02/2008	28	Motion to allow Anthony Bannwart to appear pro hac vice (Pro Hac fee \$50 receipt number 263691) to represent defendants, Delmon L. Johnson and Troy R. Solomon. (Baldwin, Joella) (Entered: 04/02/2008)
04/02/2008	29	ORDER granting 28 motion to appear pro hac vice approved by Clerk of Court. Attorney Anthony L. Bannwart for Troy R. Solomon and Delmon L. Johnson allowed to appear pro hac vice. This is a text only entry and will serve as authorization for the pro hac participation by the attorney. No document is attached. (Carr, Lori) (Entered: 04/02/2008)
04/02/2008	30	NOTICE OF ATTORNEY APPEARANCE Anthony L. Bannwart appearing for Troy R. Solomon (Carr, Lori) (Entered: 04/02/2008)
04/02/2008	31	MOTION to change venue, MOTION to sever by Troy R. Solomon. Suggestions in opposition/response due by 4/17/2008 unless otherwise directed by the court. (Carr, Lori) (Entered: 04/02/2008)
04/02/2008	32	NOTICE OF ATTORNEY APPEARANCE Anthony L. Bannwart appearing for Delmon L. Johnson (Carr, Lori) (Entered: 04/02/2008)
04/02/2008	33	MOTION to change venue, MOTION to sever by Delmon L. Johnson. Suggestions in opposition/response due by 4/17/2008 unless otherwise directed by the court. (Carr, Lori) (Entered: 04/02/2008)
04/02/2008	34	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: INITIAL APPEARANCE, ARRAIGNMENT, SCHEDULING CONFERENCE and RULE 44(c) HEARING as to Troy R. Solomon, Delmon L. Johnson held on 4/2/2008. Defendants tender Waiver of Right to Separate Representation. Anthony Bannwart will proceed as counsel for both defendants. Pleas of not guilty entered. Discovery order handed to counsel. The Court adopts the scheduling order in effect for the co-defendants. Defendants are given up to and including June 16, 2008, to file pretrial motions; government responses due within twelve days from the filing of the pretrial motion(s). If pretrial

		<p>motions hearing is needed, counsel are to contact chambers for a setting when motion is filed. Case ordered set for trial on the joint criminal jury trial docket which commences September 29, 2008. Defendants continued on bond & conditions of release set out on March 3, 2008 in the Southern District of Texas. (Court Reporter Alex Francis.) (Francis, Alexandra) (Entered: 04/02/2008)</p>
04/02/2008	36	<p>WAIVER of Right to Separate Representation by Troy R. Solomon (Francis, Alexandra) (Entered: 04/03/2008)</p>
04/02/2008	37	<p>WAIVER of Right to Separate Representation by Delmon L. Johnson (Francis, Alexandra) (Entered: 04/03/2008)</p>
04/03/2008	35	<p>DISCOVERY ORDER as to Troy R. Solomon, Delmon L. Johnson Signed by Magistrate Judge Sarah W. Hays on 4/2/2008. (Gicinto, JoRita) (Entered: 04/03/2008)</p>
04/04/2008	38	<p>ARREST WARRANT RETURNED EXECUTED on 3/3/08 as to Troy R. Solomon. This is a text entry only - the document contains original signatures of non attorneys and is being maintained in a paper file at the court.(Carr, Lori) (Entered: 04/04/2008)</p>
04/04/2008	39	<p>ARREST WARRANT RETURNED EXECUTED on 3/3/08 as to Delmon L. Johnson. This is a text entry only - the document contains original signatures of non attorneys and is being maintained in a paper file at the court.(Carr, Lori) (Entered: 04/04/2008)</p>
04/04/2008	40	<p>MOTION for leave to file <i>Out of Time and An Extension of Time in Which to File government's Responses to Defendant Elders' Motion for Severance and Motion to Strike Allegations in the Indictment</i> by USA as to Christopher L. Elder. Suggestions in opposition/response due by 4/21/2008 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 04/04/2008)</p>
04/11/2008	41	<p>TRIAL ORDER as to Troy R. Solomon, Delmon L. Johnson Accelerated Jury Trial set for 9/29/2008 09:00AM in Courtroom 7C, Kansas City (FJG) before Judge Fernando Gaitan. Pretrial conference is set for September 9, 2008 before Judge Hays. Pretrial motions shall be filed on or before June 16, 2008. Suggestions in opposition shall be filed within 12 days from the date the motion is filed. See Order for additional deadlines. Signed by Magistrate Judge Sarah W. Hays on 4/11/08. (Francis, Alexandra) (Entered: 04/11/2008)</p>
04/14/2008	42	<p>NOTICE OF ATTORNEY APPEARANCE Georgia Mathers appearing for Mary Lynn Rostie (Mathers, Georgia) (Entered: 04/14/2008)</p>

		04/14/2008)
04/14/2008	43	NOTICE OF ATTORNEY APPEARANCE William P. Nacy as co-counsel appearing for Mary Lynn Rostie (Mathers, Georgia) Modified on 4/15/2008 to amend docket text and docket header to reflect appearance of co-counsel(Baldwin, Joella). (Entered: 04/14/2008)
04/15/2008	44	MOTION for leave to file <i>Out of Time and an Extension of Time in Which to File Government's Responses to Defendants Solomon's and Johnson's Motions to Transfer Venue and Sever</i> by USA as to Troy R. Solomon, Delmon L. Johnson. Suggestions in opposition/response due by 4/30/2008 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 04/15/2008)
04/28/2008	45	RESPONSE to motion by USA as to Troy R. Solomon, Delmon L. Johnson re 31 MOTION to change venue MOTION to sever defendant, 33 MOTION to change venue MOTION to sever defendant. Reply suggestions due by 5/13/2008 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 04/28/2008)
05/05/2008	46	SUGGESTIONS in opposition by USA as to Christopher L. Elder re 23 MOTION to strike <i>paragraphs one through seven from the indictment on grounds that they constitute prejudicial surplusage</i> Reply suggestions due by 5/20/2008 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 05/05/2008)
05/05/2008	47	SUGGESTIONS in opposition by USA as to Christopher L. Elder re 40 MOTION for leave to file <i>Out of Time and An Extension of Time in Which to File government's Responses to Defendant Elders' Motion for Severance and Motion to Strike Allegations in the Indictment</i> Reply suggestions due by 5/20/2008 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 05/05/2008)
05/06/2008		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 5/5/08 as Document No. 47, SUGGESTIONS in opposition. The document has been deleted as the incorrect document was filed. Counsel will refile the correct document. This is a text entry only - no document is attached. (Kee, Georgia) (Entered: 05/06/2008)
05/06/2008	48	SUGGESTIONS in opposition by USA as to Christopher L. Elder re 22 MOTION to sever defendant <i>Elder because of failure of the indictment to properly allege grounds for joinder on the face of the indictment as required by Rule 8(b), FRCrP</i> , MOTION to sever defendant <i>Elder because of failure of the indictment to properly allege grounds for joinder on the face of the indictment</i>

		<i>as required by Rule 8(b), FRCP</i> , Reply suggestions due by 5/21/2008 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 05/06/2008)
05/15/2008	49	MOTION for order <i>Requiring the Defendant to Supply</i> Exemplars of Handwriting and Prints from Defendant by USA as to Christopher L. Elder. Suggestions in opposition/response due by 5/30/2008 unless otherwise directed by the court. (Rhodes, Rudolph) Modified on 5/29/2008 (Gicinto, JoRita).Motion is not terminated (Entered: 05/15/2008)
05/18/2008	50	MOTION for hearing on <i>Daubert issue of admissibility of handwriting expert testimony</i> by Christopher L. Elder. Suggestions in opposition/response due by 6/2/2008 unless otherwise directed by the court. (Osgood, John) (Entered: 05/18/2008)
05/18/2008	51	SUGGESTIONS in opposition by Christopher L. Elder re 49 MOTION for order <i>Requiring the Defendant to Supply</i> Exemplars of Handwriting and Prints from Defendant Reply suggestions due by 6/2/2008 unless otherwise directed by the court (Osgood, John) (Entered: 05/18/2008)
05/21/2008	52	NOTICE OF HEARING as to Christopher L. Elder This is a TEXT ONLY ENTRY and is the official notice for this hearing. No document is attached. Telephone Conference - <i>MOTION for order Requiring the Defendant to Supply Exemplars of Handwriting and Prints doc #49</i> set for 5/22/2008 01:30 PM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Signed by Magistrate Judge Sarah W. Hays on 5/21/2008. (Gicinto, JoRita) (Entered: 05/21/2008)
05/22/2008	53	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: in re 49 motion for order as to Christopher L. Elder (4); TELEPHONE CONFERENCE as to Christopher L. Elder held on 5/22/2008. Parties present by telephone. A Motion for Order Requiring the Defendant to Supply Exemplars of Handwriting and Prints (Doc. #49) was the discussion of this telephone conference along with the Suggestions in Opposition (Doc. #51). Parties are to work out the details if this will be done here in the Western District of Missouri or where defendant currently is in Texas. Parties are also to advise the Court of the date they have worked out in case the it is necessary for Court to become involved. (Court Reporter Dorothy Myers.) (Myers, Dorothy) Modified on 5/29/2008 (Gicinto, JoRita).To corret the entry that document #49-Motion for Order Requiring the Defendant to Supply Exemplars of Handwriting and Prints is pending. (Entered: 05/29/2008)

		05/23/2008)
05/27/2008	54	TRANSCRIPT of Telephone Conference as to Christopher L. Elder held on May 22, 2008 before Judge Sarah W. Hays. Court Reporter: Dorothy Myers. This is a text entry only - no document is attached. The transcript is available for review in the Clerk's Office. Please contact the court reporter listed above for copies. (Baldwin, Joella) (Entered: 05/28/2008)
06/07/2008	55	MOTION for bill of particulars <i>and Notice of partial alibi defense</i> by Christopher L. Elder. Suggestions in opposition/response due by 6/23/2008 unless otherwise directed by the court. (Osgood, John) (Entered: 06/07/2008)
06/16/2008	56	DELETED DOCUMENT: MOTION to Dismiss <i>for Failure to State an Offense as to Count(s) Counts Two and Twenty-One through Twenty-Four</i> by Cynthia S. Martin. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6)(Hobbs, James) Modified on 6/16/2008 to delete incomplete filing. Counsel will re-file complete document. (Baldwin, Joella). (Entered: 06/16/2008)
06/16/2008		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 6/16/2008 as Document No. 56, MOTION to Dismiss <i>for Failure to State an Offense as to Count(s) Counts Two and Twenty-One through Twenty-Four</i> by Cynthia S. Martin. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6)(Hobbs, James) (Entered: 06/16/2008). The document has been deleted as the incomplete document was filed. Counsel will refile the complete document. This is a text entry only - no document is attached. (Baldwin, Joella) (Entered: 06/16/2008)
06/16/2008	57	MOTION to Dismiss <i>for Failure to State an Offense Count(s) Two and Twenty-One through Twenty-Four</i> by Cynthia S. Martin. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6)(Hobbs, James) (Entered: 06/16/2008)
06/16/2008	58	MOTION for bill of particulars by Troy R. Solomon. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Attachments: # 1 Order)(Bannwart, Anthony) (Entered: 06/16/2008)

06/16/2008	<u>59</u>	MOTION for discovery by Troy R. Solomon. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Attachments: # 1 SOLOMON Order Granting Discovery)(Bannwart, Anthony) (Entered: 06/16/2008)
06/16/2008	<u>60</u>	MOTION for discovery <i>Concerning Informants</i> by Troy R. Solomon. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Attachments: # 1 SOLOMON Order Concerning Informants)(Bannwart, Anthony) (Entered: 06/16/2008)
06/16/2008	<u>61</u>	MOTION for discovery <i>Early Production of Witness Statements</i> by Troy R. Solomon. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Attachments: # 1 SOLOMON Order Granting Early Production of Wit Stmnts)(Bannwart, Anthony) (Entered: 06/16/2008)
06/16/2008	<u>62</u>	MOTION for discovery <i>of Evidence Favorable to Defendant</i> by Troy R. Solomon. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Attachments: # 1 SOLOMON Order for Discovery of FAVORable Evidence)(Bannwart, Anthony) (Entered: 06/16/2008)
06/16/2008	<u>63</u>	MOTION for bill of particulars by Delmon L. Johnson. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Attachments: # 1 JOHNSON Order Granting Bill of Particulars)(Bannwart, Anthony) (Entered: 06/16/2008)
06/16/2008	<u>64</u>	MOTION to quash indictment/information by Delmon L. Johnson. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Bannwart, Anthony) (Entered: 06/16/2008)
06/16/2008	<u>65</u>	MOTION to quash indictment/information by Troy R. Solomon. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Bannwart, Anthony) (Entered: 06/16/2008)
06/16/2008	<u>66</u>	MOTION to modify conditions of release by Delmon L. Johnson. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Bannwart, Anthony) (Entered: 06/16/2008)
06/16/2008	<u>67</u>	MOTION for discovery <i>of Informants</i> by Delmon L. Johnson. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Attachments: # 1 JOHNSON Order Concerning Discovery of Informants)(Bannwart, Anthony)

		(Entered: 06/16/2008)
06/16/2008	68	MOTION for discovery by Delmon L. Johnson. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Attachments: # 1 JOHNSON Order Granting Discovery)(Bannwart, Anthony) (Entered: 06/16/2008)
06/16/2008	69	MOTION for discovery of <i>Witness Statements</i> by Delmon L. Johnson. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Attachments: # 1 JOHNSON Order Granting Early Production of Wit Stmnts)(Bannwart, Anthony) (Entered: 06/16/2008)
06/16/2008	70	MOTION for discovery of <i>FAvorable Evidence</i> by Delmon L. Johnson. Suggestions in opposition/response due by 7/1/2008 unless otherwise directed by the court. (Attachments: # 1 JOHNSON Order Granting Discovery of FAvorable Evidence)(Bannwart, Anthony) (Entered: 06/17/2008)
06/17/2008		NOTICE OF DOCKET MODIFICATION. A modification has been made to the documents filed on 6/16/2008 as Document Nos. 70 69 68 67 62 61 60 59 Motions for discovery and 63 58 Motions for Bill of Particulars filed by Anthony Bannwart on behalf of Delmon L. Johnson and Troy R. Solomon. The proposed orders attached to the motions have been deleted. Per Administrative Procedures any proposed orders are to be emailed to the Courtroom Deputy in WordPerfect format. This is a text entry only - no document is attached. (Baldwin, Joella). (Entered: 06/17/2008)
06/19/2008	71	ORDER granting 66 motion to modify conditions of release as to Delmon L. Johnson (5). Signed by Magistrate Judge Sarah W. Hays on 6/19/08. Accordingly, the Order Setting Conditions of Release signed by the defendant is modified asfollows:(9)(b) Abide by the following restrictions on the defendant's personalassociations, place of abode, or travel: Travel restricted to the Southern District of Texas and the Northern District of Texas.All other conditions of the Order Setting Conditions of Release remain in effect. IT IS SO ORDERED (Myers, Dorothy) (Entered: 06/19/2008)
06/25/2008	72	MOTION for leave to file <i>Out of Time and an Extension of Time in Which to File Government's Response to Defendant Elders' Motion for a Bill of Particulars</i> by USA as to Christopher L. Elder. Suggestions in opposition/response due by 7/10/2008 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 06/25/2008)

06/26/2008	<u>73</u>	MOTION for extension of time to file <i>pretrial motions</i> by Mary Lynn Rostie. Suggestions in opposition/response due by 7/11/2008 unless otherwise directed by the court. (Mathers, Georgia) (Entered: 06/26/2008)
06/27/2008	<u>74</u>	MOTION for extension of time to file response/reply as to <u>57</u> MOTION to Dismiss <i>for Failure to State an Offense</i> Count(s) Two and Twenty-One through Twenty-Four MOTION to Dismiss <i>for Failure to State an Offense</i> Count(s) Two and Twenty-One through Twenty-Four by USA as to Cynthia S. Martin. Suggestions in opposition/response due by 7/14/2008 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 06/27/2008)
06/30/2008	<u>75</u>	MOTION for extension of time to file response/reply to <i>Defendants Solomon's and Johnson's Twelve Discovery Motions</i> by USA as to Troy R. Solomon, Delmon L. Johnson. Suggestions in opposition/response due by 7/15/2008 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 06/30/2008)
07/03/2008	<u>76</u>	ORDER - ORDERED that the Motion for Leave to File Out of Time and an Extension of Time in Which to File Governments Responses to Defendant Elders Motion for Severance and Motion to Strike Allegations in the Indictment (doc #40) is granted. The Governments Response to Defendant Elders Motion to Strike Surplusage (doc #46) and the Governments Response to Defendant Elders Motion for Severance (doc #48) shall be deemed properly filed. It is further ORDERED that the Motion for Leave to File Out of Time and an Extension of Time in Which to File Governments Responses to Defendants Solomons and Johnsons Motions to Transfer Venue and Sever (doc #44) is granted. The Governments Response to Defendants Troy Solomons and Delmon Johnsons Motions to Transfer (doc #45) shall be deemed properly filed. It is further ORDERED that the Motion for Leave to File Out of Time and an Extension of Time in Which to File Governments Response to Defendant Elders Motion for a Bill of Particulars (doc #72) is granted. The Government shall file its response by July 7, 2008. It is further ORDERED that the Governments Request for Extension of Time to Respond to Defendant Martins Motion to Dismiss (doc #74) is granted. The Government shall file its response by July 14, 2008. It is further ORDERED that the Governments Motion for an Extension of Time to Respond to Defendants Solomons and Johnsons Twelve Discovery Motions (doc #75) is granted. The Government shall file its responses by July 21, 2008.. Signed by Magistrate Judge Sarah W. Hays on 7/3/2008. (Gicinto, JoRita) (Entered: 07/03/2008)

07/07/2008	<u>77</u>	SUGGESTIONS in opposition by USA as to Christopher L. Elder re <u>55</u> MOTION for bill of particulars <i>and Notice of partial alibi defense</i> Reply suggestions due by 7/22/2008 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 07/07/2008)
07/14/2008	78	***Remark as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson: STATUS CONFERENCE that is set for Wednesday, July 16, 2008 at 10:00 a.m. before Judge Sarah W. Hays is cancelled. (Gicinto, JoRita) Modified on 7/14/2008 (Gicinto, JoRita). To correct the date of hearing (Entered: 07/14/2008)
07/14/2008	<u>79</u>	SUGGESTIONS in opposition by USA as to Cynthia S. Martin re <u>57</u> MOTION to Dismiss <i>for Failure to State an Offense</i> Count(s) Two and Twenty-One through Twenty-Four MOTION to Dismiss <i>for Failure to State an Offense</i> Count(s) Two and Twenty-One through Twenty-Four Reply suggestions due by 7/29/2008 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 07/14/2008)
07/15/2008	<u>80</u>	ORDER as to Mary Lynn Rostie (1) ORDERED that defendant Rosties Motion for Leave to File Pretrial Motions Out of Time(doc #73) is granted. Defendant Rostie shall file her pretrial motions by July 25, 2008. Signed by Magistrate Judge Sarah W. Hays on 7/15/2008. (Gicinto, JoRita) (Entered: 07/15/2008)
07/16/2008	<u>81</u>	MOTION to file out of time <i>and For Extension of Time in Which to File Government's Response to Defendant's Motion In Limine</i> (Doc. 50) by USA as to Christopher L. Elder. Suggestions in opposition/response due by 7/31/2008 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 07/16/2008)
07/21/2008	<u>82</u>	SUGGESTIONS in opposition by USA as to Troy R. Solomon, Delmon L. Johnson re 70 MOTION for discovery of <i>FAvorable Evidence</i> , <u>62</u> MOTION for discovery of <i>Evidence Favorable to Defendant</i> , <u>59</u> MOTION for discovery, 68 MOTION for discovery, <u>60</u> MOTION for discovery <i>Concerning Informants</i> , 69 MOTION for discovery of <i>Witness Statements</i> , <u>61</u> MOTION for discovery <i>Early Production of Witness Statements</i> , 67 MOTION for discovery of <i>Informants</i> Reply suggestions due by 8/5/2008 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 07/21/2008)
07/21/2008	<u>83</u>	SUGGESTIONS in opposition by USA as to Troy R. Solomon re <u>65</u> MOTION to quash indictment/information, <u>58</u> MOTION for bill of particulars Reply suggestions due by 8/5/2008 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 07/21/2008)

07/21/2008	<u>84</u>	SUGGESTIONS in opposition by USA as to Delmon L. Johnson re <u>64</u> MOTION to quash indictment/information, <u>63</u> MOTION for bill of particulars Reply suggestions due by 8/5/2008 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 07/21/2008)
07/22/2008	<u>85</u>	NOTICE OF ATTORNEY APPEARANCE James C. Bohling appearing for USA. (Bohling, James) (Entered: 07/22/2008)
07/29/2008	<u>86</u>	REPLY SUGGESTIONS to motion by Cynthia S. Martin re <u>57</u> MOTION to Dismiss <i>for Failure to State an Offense</i> Count(s) Two and Twenty-One through Twenty-Four MOTION to Dismiss <i>for Failure to State an Offense</i> Count(s) Two and Twenty-One through Twenty-Four (Hobbs, James) (Entered: 07/29/2008)
08/07/2008	<u>87</u>	MOTION for order <i>for</i> leave to file a motion to suppress under seal by Christopher L. Elder. Suggestions in opposition/response due by 8/22/2008 unless otherwise directed by the court. (Osgood, John) (Entered: 08/07/2008)
08/20/2008	<u>88</u>	MOTION for order <i>authorizing the</i> issuance of a Rule 17(c) pre-production subpoena duces tecum by Christopher L. Elder. Suggestions in opposition/response due by 9/4/2008 unless otherwise directed by the court. (Osgood, John) (Entered: 08/20/2008)
08/20/2008	<u>89</u>	ORDER setting pretrial conference as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson Pretrial Conference set for 9/9/2008 04:40 PM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Signed by Magistrate Judge Sarah W. Hays on 8/20/08.(Gicinto, JoRita) (Entered: 08/20/2008)
08/21/2008	<u>90</u>	NOTICE OF ATTORNEY APPEARANCE William Brian Gaddy appearing for Troy R. Solomon (Gaddy, William) (Entered: 08/21/2008)
08/21/2008	<u>91</u>	Motion to allow Chip Lewis to appear pro hac vice (Pro Hac fee \$50 receipt number 08660000000001863785) by Troy R. Solomon. (Gaddy, William) (Entered: 08/21/2008)
08/21/2008	<u>92</u>	Motion to allow Mary Grace Ruden to appear pro hac vice (Pro Hac fee \$50 receipt number 08660000000001863812) by Troy R. Solomon. (Gaddy, William) (Entered: 08/21/2008)
08/22/2008		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 8/21/08 as Document No. 93, Motion to dismiss indictment. The document has been deleted as the document had an error stating it was to be filed under seal

		which was incorrect. Counsel will refile the corrected document. This is a text entry only - no document is attached. (Rowland, Bonnie) (Entered: 08/22/2008)
08/22/2008	<u>93</u>	MOTION to Dismiss <i>the indictment and all counts therein as to Defendant Elder on grounds of government misconduct</i> Case(s) by Christopher L. Elder. Suggestions in opposition/response due by 9/8/2008 unless otherwise directed by the court. (Osgood, John) (Entered: 08/22/2008)
08/22/2008	94	ORDER granting <u>91</u> <u>92</u> motions to appear pro hac vice approved by Clerk of Court. Attorneys Chip Lewis and Mary Grace Ruden for Troy R. Solomon allowed to appear pro hac vice. This entry will serve as authorization for the pro hac participation by the attorney. Signed by Chief District Judge Fernando J. Gaitan, Jr on 08/22/08. This is a TEXT ONLY ENTRY. No document is attached. (Carr, Lori) (Entered: 08/22/2008)
08/22/2008	<u>95</u>	ORDER as to Christopher L. Elder (4) - ORDERED that defendant Elders Motion for Leave to File a Motion to Suppress All Evidence Seized from a Texas Business Under Seal and Out of Time With Suggestions in Support,doc. # 87 is granted. It is furtherORDERED that the government has twelve days from the date the motion is filed in which to file suggestions in opposition.. Signed by Magistrate Judge Sarah W. Hays on 8/22/2008. (Gicinto, JoRita) (Entered: 08/22/2008)
08/22/2008	<u>96</u>	MOTION to seal document, MOTION to suppress by Christopher L. Elder. Suggestions in opposition/response due by 9/8/2008 unless otherwise directed by the court. (Attachments: # <u>1</u> Exhibit Search Warrant for South Texas Wellness Center, # <u>2</u> Exhibit Application with supporting affidavit for a search warrant for STWC, # <u>3</u> Exhibit Texas Court Order authorizing temporary unsealing for copying and resealing)(Osgood, John) Modified on 8/25/2008 to seal the main document and all attachments, per Court order, document #95(Beard, Melanie). (Entered: 08/22/2008)
08/25/2008	<u>97</u>	MOTION to continue <i>Trial Setting</i> by Cynthia S. Martin as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. Suggestions in opposition/response due by 9/9/2008 unless otherwise directed by the court. (Hobbs, James) (Entered: 08/25/2008)
08/29/2008	<u>98</u>	MOTION to Dismiss Count(s) Two by Troy R. Solomon. Suggestions in opposition/response due by 9/15/2008 unless otherwise directed by the court. (Gaddy, William) (Entered: 08/29/2008)

09/02/2008	99	WAIVER of Speedy Trial by Cynthia S. Martin (Attachments: # 1 Affidavit)(Hobbs, James) (Entered: 09/02/2008)
09/03/2008	100	NOTICE OF HEARING as to Mary Lynn Rostie This is the official notice for this hearing. Change of Plea Hearing set for 9/4/2008 11:15 AM in Courtroom 7C, Kansas City (FJG) before Judge Fernando Gaitan. This is a TEXT ONLY ENTRY. No document is attached. (McIlvain, Kelly) (Entered: 09/03/2008)
09/03/2008	101	SUGGESTIONS in opposition by USA as to Christopher L. Elder re 50 MOTION for hearing <i>on Daubert issue of admissibility of handwriting expert testimony</i> Reply suggestions due by 9/18/2008 unless otherwise directed by the court (Attachments: # 1 Curriculum Vitae)(Rhodes, Rudolph) (Entered: 09/03/2008)
09/04/2008	102	MOTION in limine <i>for an order precluding the prosecution from mentioning, offering, or alluding to any plea agreements between the government and potential witnesses in the case prior to obtaining a ruling from the court as to admissibility</i> by Christopher L. Elder as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. Suggestions in opposition/response due by 9/19/2008 unless otherwise directed by the court. (Osgood, John) (Entered: 09/04/2008)
09/04/2008	103	PLEA AGREEMENT as to Mary Lynn Rostie (Rhodes, Rudolph) (Entered: 09/04/2008)
09/04/2008	104	Minute Entry for proceedings held before Chief District Judge Fernando J. Gaitan, Jr.: CHANGE OF PLEA HEARING as to Mary Lynn Rostie held on 9/4/2008. Plea entered by Mary Lynn Rostie (1) Guilty to Counts 1 and 2. (Court Reporter Donna Turner.) (Enss, Rhonda) (Entered: 09/04/2008)
09/06/2008	105	MOTION in limine <i>for an order preventing the prosecution from offering hearsay opinion evidence obtained through search of an online data base of names and addresses of purported US residents and whether particular names and addresses of persons in this case are in fact real existing individuals based on results from said search with suggestions in support</i> by Christopher L. Elder. Suggestions in opposition/response due by 9/22/2008 unless otherwise directed by the court. (Osgood, John) (Entered: 09/06/2008)
09/06/2008	106	REPLY SUGGESTIONS to motion by Christopher L. Elder re 50 MOTION for hearing <i>on Daubert issue of admissibility of handwriting expert testimony</i> (Osgood, John) (Entered: 09/06/2008)

09/07/2008	<u>107</u>	MOTION in limine <i>for an order prohibiting the government from introducing evidence of alledged phone conversations between defendant Elder and co-defendant Rostie with suggestions in support</i> by Christopher L. Elder. Suggestions in opposition/response due by 9/22/2008 unless otherwise directed by the court. (Osgood, John) (Entered: 09/07/2008)
09/07/2008	<u>108</u>	MOTION to file out of time <i>a motion to supress handwrtng identification by witness Hearn on 5th Amendment due process grounds</i> by Christopher L. Elder. Suggestions in opposition/response due by 9/22/2008 unless otherwise directed by the court. (Osgood, John) (Entered: 09/07/2008)
09/08/2008	<u>109</u>	MOTION to seal document by USA as to Christopher L. Elder. Suggestions in opposition/response due by 9/23/2008 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 09/08/2008)
09/08/2008	110	ORAL ORDER denying <u>109</u> motion to seal document as to Christopher L. Elder (4). Signed by Magistrate Judge Sarah W. Hays on 9/8/2008. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 09/08/2008)
09/08/2008	111	NOTICE OF HEARING as to Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson This is the official notice for this hearing. Motion Hearing set for 9/24/2008 11:30 AM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Signed by Magistrate Judge Sarah W. Hays on 9/8/2008. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 09/08/2008)
09/08/2008	<u>112</u>	MOTION for extension of time to file response/reply as to <u>96</u> MOTION to seal document MOTION to suppress by USA as to Christopher L. Elder. Suggestions in opposition/response due by 9/23/2008 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 09/08/2008)
09/09/2008	<u>113</u>	SUGGESTIONS in opposition by USA as to Christopher L. Elder re <u>93</u> MOTION to Dismiss <i>the indictment and all counts therein as to Defendant Elder on grounds of government misconduct</i> Case(s) MOTION to Dismiss <i>the indictment and all counts therein as to Defendant Elder on grounds of government misconduct</i> Case(s) Reply suggestions due by 9/24/2008 unless otherwise directed by the court (Bohling, James) (Entered: 09/09/2008)
09/23/2008	<u>114</u>	NOTICE of Waiver of Appearance by Troy R. Solomon (Attachments: # <u>1</u> Exhibit A)(Gaddy, William) (Entered: 09/23/2008)

09/24/2008	<u>115</u>	Joint MOTION to suppress <i>Evidence</i> by Troy R. Solomon as to Troy R. Solomon, Delmon L. Johnson. Suggestions in opposition/response due by 10/9/2008 unless otherwise directed by the court. (Bannwart, Anthony) (Entered: 09/24/2008)
09/24/2008	<u>116</u>	NOTICE of Designation of Lead Counsel by Troy R. Solomon (Bannwart, Anthony) (Entered: 09/24/2008)
09/24/2008	<u>117</u>	MOTION to suppress <i>lay identification of handwriting of defendant by a lay witness on grounds that the identification procedure employed by the DEA was unduly suggestive in violation of the 5th Amendment Due Process Clause</i> by Christopher L. Elder. Suggestions in opposition/response due by 10/9/2008 unless otherwise directed by the court. (Osgood, John) (Entered: 09/24/2008)
09/24/2008	<u>119</u>	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: HEARING as to Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson held on 9/24/2008. Hearing held regarding various scheduling and discovery issues. Order to follow. (Court Reporter FTR Dorothy Myers.) (Gicinto, JoRita) (Entered: 10/01/2008)
09/25/2008	<u>118</u>	ORDER granting defendant Cynthia Martin's motion to continue <u>97</u> . The case as to defendants Cynthia S. Martin (2), Troy R. Solomon (3), Christopher L. Elder (4), Delmon L. Johnson (5) is continued. Accelerated Jury Trial set for 1/5/2009. Signed by Chief District Judge Fernando J. Gaitan, Jr. on 9/25/08. (Enss, Rhonda) (Entered: 09/25/2008)
09/29/2008		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 9/24/2008 as Document No. 119, Minute Sheet. The document has been deleted as it was filed in error. This is a text entry only - no document is attached. (Gicinto, JoRita) (Entered: 09/30/2008)
10/01/2008	<u>120</u>	ORDER -ORDERED that the Governments Motion for an Extension of Time in Which to File Governments Response to Defendant Elders Motion to Suppress All Evidence Seized from the South Texas Wellness Center (doc #112) is granted. The Government shall file its response to defendant Elders Motion to Suppress All Evidence Seized From the South Texas Wellness Center (doc #96) and to defendants Solomons and Johnsons Combined Motion to Suppress All Evidence Obtained in Search of South Texas Wellness Center (doc #115) by October 3, 2008. It is further ORDERED that the Governments Motion for Leave to File Out of Time and for an Extension of Time in Which to File Governments Response to Defendants Motion in Limine

		<p>toPreclude Testimony of a Governments Handwriting Expert (doc #81) is granted. TheGovernments Response in Opposition to Defendant Elders Motion in Limine on ProposedHandwriting Expert Under Rule 702 of the Federal Rules of Evidence (doc #101) shall be deemedproperly filed. It is furtherORDERED that Defendant Elders Motion for Leave to File Out of Time a Motion toSuppress the Testimony of Witness Hearn as to Her Lay Identification of Defendants PurportedHandwriting on Photo Copies of Previously Faxed Prescriptions on Due Process Grounds that theProcedure Used by the DEA was Unconstitutionally Suggestive (doc #108) is granted. DefendantElders Motion to Suppress the Testimony of Witness Hearn as to Her Lay Identification ofDefendants Purported Handwriting on Photo Copies of Previously Faxed Prescriptions on DueProcess Grounds that the Procedure Used By the DEA was Unconstitutionally Suggestive (doc#117) shall be deemed properly filed. It is furtherORDERED that the Government shall file any suggestions in opposition to DefendantElders Motion to Suppress the Testimony of Witness Hearn as to Her Lay Identification ofDefendants Purported Handwriting on Photo Copies of Previously Faxed Prescriptions on DueProcess Grounds that the Procedure Used By the DEA was Unconstitutionally Suggestive (doc#117) by October 6, 2008. It is further ORDERED that an evidentiary hearing is scheduled for Defendant Elders Motion toSuppress the Testimony of Witness Hearn as to Her Lay Identification of Defendants PurportedHandwriting on Photo Copies of Previously Faxed Prescriptions on Due Process Grounds that theProcedure Used By the DEA was Unconstitutionally Suggestive (doc #117) on October 21, 2008,at 1:30 p.m. At this hearing, counsel will also be allowed to inquire of Witness Hearn with respectto the allegations contained within the Motion to Dismiss the Indictment as to Defendant ElderBecause of Government Misconduct (doc #93). It is further ORDERED that the Government shall provide to defendants any additional discovery,including but not limited to the Houston prosecution and the computer seized from the South TexasWellness Center by October 15, 2008. It is furtherORDERED that a conference to discuss the parties standing to challenge the search warrantserved on the South Texas Wellness Center as well as any issues relating to the additional discoveryto be provided by the Government is scheduled for October 21, 2008, at 9:30 a.m. If a hearing ondefendant Elders Motion to Suppress All Evidence Seized From the South Texas Wellness Center(doc #96) and defendants Solomons and Johnsons Combined Motion to Suppress All EvidenceObtained in Search of South Texas Wellness Center (doc #115) is deemed appropriate, it will be set at a later time. It is</p>
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		<p>further ORDERED that Defendant Troy Solomons Motion for Discovery (doc #59) and Defendant Delmon L. Johnsons Motion for Discovery (doc #68) have been resolved and are, therefore, deemed moot. It is further ORDERED that Defendant Troy Solomons Motion for Early Production of Witness Statements (doc #61) and Defendant Delmon Johnsons Motion for Early Production of Witness Statements (doc #69) have been resolved and are, therefore, deemed moot. It is further ORDERED that the Trial Orders are modified to require the Government and defendants to file their witness and exhibits lists thirty days prior to trial (rather than the Friday prior to the pretrial conference as previously ordered). It is further ORDERED that the Trial Orders are modified to reflect that the Government will produce to defendants all proffer statements by October 8, 2008, and upon receipt of the proffer statements, defendants will produce to the Government any statements from witnesses they have interviewed. It is further ORDERED that Defendant Troy Solomons Motion for Discovery and Inspection Concerning Government Use of Informants, Operatives, and Cooperating Individuals (doc #60) and Defendant Delmon Johnsons Motion for Discovery and Inspection Concerning Government Use of Informants, Operatives, and Cooperating Individuals (doc #67) have been resolved and are, therefore, deemed moot. It is further ORDERED that to the extent that the Government has the ability to obtain information that anyone has claimed that they obtained drugs which are the subject of this prosecution from someone at the South Texas Wellness Center, the Government shall provide defendants with this information by October 15, 2008. It is further ORDERED that Defendant Troy Solomons Motion to Discover Evidence Favorable to Defendant (doc #62) and Defendant Delmon Johnsons Motion to Discover Evidence Favorable to Defendant (doc #70) have been resolved and are, therefore, deemed moot. It is further ORDERED that Defendant Elders Motion for a Bill of Particulars and Notice of Alibi Defense (doc #55) has been resolved and is, therefore, deemed moot. It is further ORDERED that defendant Solomons Motion for Bill of Particulars (doc #58) and defendant Johnsons Motion for Bill of Particulars (doc #63) are denied as seeking evidentiary detail. While the Court would have required the Government to advise defendants of the identity of the unindicted co-conspirator, the Government has already provided this information to defendants. The Government has further agreed to advise defendants of the identities of other persons known... to the Grand Jury who were involved in the conspiracy. The Government will not be required to produce anything further in response to the instant motions for bills of particulars. However, defendants may</p>
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		<p>refile a request for a bill of particulars if something specific is sought and the parties are unable to work it out between themselves. It is further ORDERED that the Motion Requesting That the Court Issue a Subpoena Pursuant to Rule 17(c) to the Texas Medical Board Directing Production of Certain Files That Are Relevant and Necessary to Defendant Elders Defense (doc #88) is denied as being overbroad. Defendant Elder may refile a request for a Rule 17(c) subpoena that is more narrowly tailored. It is further ORDERED that Defendant Troy Solomons Motion to Dismiss Count Two for Failure to State an Offense (doc #98) shall be deemed timely filed. It is further ORDERED that the Court will not entertain any additional discovery motions, until the following requirements have been satisfied: 1. Counsel for the moving party has in good faith conferred or attempted to confer by telephone or in person with opposing counsel concerning the matter prior to the filing of the motion. Merely writing a demand letter is not sufficient. Counsel for the moving party shall certify compliance with this directive in any discovery motion; and 2. If the issues remain unresolved after the attorneys have conferred in person or by telephone, counsel shall arrange with the Court for an immediate telephone conference with the judge and opposing counsel. No written discovery motion shall be filed until this telephone conference has been held.. Signed by Magistrate Judge Sarah W. Hays on 10/1/2008. (Gicinto, JoRita) (Entered: 10/01/2008)</p>
10/01/2008	121	<p>NOTICE OF HEARING as to Christopher L. Elder This is the official notice for this hearing. Evidentiary Hearing <i>Motion to Suppress the Testimony of Witness Hearn as to Her Lay Identification of Defendants Purported Handwriting on Photo Copies of Previously Faxed Prescriptions on Due Process Grounds that the Procedure Used By the DEA was Unconstitutionally Suggestive (doc #117)</i> set for 10/21/2008 01:30 PM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Signed by Magistrate Judge Sarah W. Hays on 10/1/2008. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 10/01/2008)</p>
10/01/2008	122	<p>NOTICE OF HEARING as to Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson This is the official notice for this hearing. Conference to discuss the parties standing to challenge the search warrant served on the South Texas Wellness Center as well as any issues relating to the additional discovery to be provided by the Government set for 10/21/2008 09:30 AM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Signed by Magistrate Judge Sarah W. Hays on</p>

		10/1/2008. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 10/01/2008)
10/01/2008	<u>123</u>	AFFIDAVIT by Mary Lynn Rostie (Mathers, Georgia) (Entered: 10/01/2008)
10/02/2008	<u>124</u>	AFFIDAVIT by Mary Lynn Rostie (Mathers, Georgia) (Entered: 10/02/2008)
10/02/2008	<u>125</u>	AFFIDAVIT by Mary Lynn Rostie (Mathers, Georgia) (Entered: 10/02/2008)
10/03/2008	<u>126</u>	MOTION for Order(SEALED) by USA as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. Suggestions in opposition/response due by 10/20/2008 unless otherwise directed by the court. (Attachments: # <u>1</u> Exhibit Order)(Rhodes, Rudolph) (Entered: 10/03/2008)
10/03/2008	<u>127</u>	SUGGESTIONS in opposition by USA as to Christopher L. Elder re <u>102</u> MOTION in limine Reply suggestions due by 10/20/2008 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 10/03/2008)
10/03/2008	<u>128</u>	ORDER granting <u>126</u> Motion for Order (Sealed) as to Troy R. Solomon (3), Christopher L. Elder (4), Delmon L. Johnson (5). (Martinez, Kerry) (Entered: 10/03/2008)
10/03/2008	<u>129</u>	RESPONSE to motion (Sealed) by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson re 96 MOTION to seal document MOTION to suppress, <u>115</u> Joint MOTION to suppress <i>Evidence</i> . Reply suggestions due by 10/20/2008 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit (1) Affidavit, # <u>2</u> Exhibit (2) TX search warrant)(Rhodes, Rudolph) (Entered: 10/03/2008)
10/10/2008	<u>130</u>	<p>ELECTRONIC TRANSCRIPT as to Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson of Hearing on Discovery Motions held September 24, 2008 before Judge Sarah W. Hays. Court Reporter: Lissa Whittaker/816-822-3653.</p> <p>NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our <u>website</u>. Please read this policy carefully.</p> <p>NOTICE: Attorneys must contact the court reporter for</p>

		copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 10/20/2008. Release of Transcript Restriction set for 1/8/2009. (Whittaker, Lissa) (Entered: 10/10/2008)
10/15/2008	131	SUGGESTIONS in opposition by USA as to Christopher L. Elder re 117 MOTION to suppress <i>lay identification of handwriting of defendant by a lay witness on grounds that the identification procedure employed by the DEA was unduly suggestive in violation of the 5th Amendment Due Process Clause</i> Reply suggestions due by 10/30/2008 unless otherwise directed by the court (Bohling, James) (Entered: 10/15/2008)
10/20/2008	132	NOTICE of citation of authorities to be argued on issue of standing by Christopher L. Elder re 96 MOTION to seal document MOTION to suppress (Osgood, John) (Entered: 10/20/2008)
10/21/2008	133	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: STATUS CONFERENCE as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson held on 10/21/2008. Parties present in person: defendant C. Elder with counsel; Defts. Solomon and D. Johnson waived appearance and counsel Barnwart in person and counsel Ruden appeared by phone. Counsel Barnwart will have five days to file any briefing on the Joint Motion to Suppress Evidence (Document #115) and the Government will have 12 days after that has been filed to respond. The Court will then decide if a hearing needs to be held. Discovery issues: Parties will need to file something by the 28th of October advising the Court and opposing counsel if the files from from the other ongoing investigation in Houston can be retrieved from Washington because of damages to the office due to Hurricane Ike. The search warrant for obtaining the imaging on the hard drive has been done and information will be distributed to opposing counsel soon. Counsel for the government advises the Court that a hearing on Document #117 (Motion to Suppress lay identification of handwriting of defendant...) is not necessary. (Court Reporter Dorothy Myers.) (Myers, Dorothy) (Entered: 10/23/2008)
10/21/2008	134	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: EVIDENTIARY HEARING as to Christopher L. Elder held on 10/21/2008. Parties present in person: defendant C. Elder with counsel. Witness for Plaintiff: Judi Watterson, Witness for Defendant: Mark Reider; Exhibits Admitted: Defendants #1. At the close of evidence the Court took the matter under advisement and will issue a Report and Recommendation to the District Court. Defendant continues on bond. (Court Reporter Dorothy Myers.)

		(Myers, Dorothy) (Entered: 10/23/2008)
10/21/2008	135	DEFENDANT'S EXHIBIT INDEX for Suppression Hearing on 10/21/08 as to Christopher L. Elder. (Myers, Dorothy) (Entered: 10/23/2008)
10/26/2008	136	<p>ELECTRONIC TRANSCRIPT as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson of Status Conference held October 21, 2008 before Judge Sarah W. Hays. Court Reporter: Lissa Whittaker/816-822-3653.</p> <p>NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website. Please read this policy carefully.</p> <p>NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 11/3/2008. Release of Transcript Restriction set for 1/26/2009.(Whittaker, Lissa) (Entered: 10/26/2008)</p>
10/27/2008		<p>NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 10/26/2008 as Document No. 137, ELECTRONIC TRANSCRIPT. The document has been deleted as the incomplete document was filed. Transcriber will refile the complete document. This is a text entry only - no document is attached. (Gicinto, JoRita) (Entered: 10/27/2008)</p>
10/27/2008	137	<p>ELECTRONIC TRANSCRIPT as to Christopher L. Elder of Evidentiary Hearing held October 21, 2008 before Judge Sarah W. Hays. Court Reporter: Lissa Whittaker/816-822-3653.</p> <p>NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website. Please read this policy carefully.</p> <p>NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 11/3/2008. Release of Transcript Restriction set for 1/26/2009.(Whittaker, Lissa) (Entered: 10/27/2008)</p>

10/27/2008	<u>138</u>	Supplemental MOTION to suppress <i>and Motion to Extend Time</i> by Troy R. Solomon. Suggestions in opposition/response due by 11/12/2008 unless otherwise directed by the court. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Bannwart, Anthony) (Entered: 10/27/2008)
11/05/2008	<u>140</u>	SUGGESTIONS in opposition by USA as to Troy R. Solomon re <u>138</u> Supplemental MOTION to suppress <i>and Motion to Extend Time</i> . Reply suggestions due by 11/20/2008 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit (A) Texas Secretary of State Documents)(Rhodes, Rudolph) (Entered: 11/05/2008)
11/19/2008	<u>141</u>	SUGGESTIONS in support by Troy R. Solomon re <u>138</u> Supplemental MOTION to suppress <i>and Motion to Extend Time</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Bannwart, Anthony) (Entered: 11/19/2008)
12/01/2008	<u>142</u>	ORDER setting pretrial conference as to Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson Pretrial Conference set for 12/16/2008 10:20 AM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Signed by Magistrate Judge Sarah W. Hays on 12/1/2008.(Gicinto, JoRita) (Entered: 12/01/2008)
12/03/2008	<u>143</u>	SUGGESTIONS in opposition by USA as to Troy R. Solomon re <u>138</u> Supplemental MOTION to suppress <i>and Motion to Extend Time</i> . Reply suggestions due by 12/18/2008 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 12/03/2008)
12/04/2008	<u>144</u>	REPORT AND RECOMMENDATIONS as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson - RECOMMENDED that the Court, after making an independent review of the record and applicable law, enter an order denying defendant Elders Motion to Suppress All Evidence Seized From the South Texas Wellness Center (doc #96) and defendants Solomons and Johnsons Combined Motion to Suppress All Evidence Obtained in Search of South Texas Wellness Center (doc #115).Counsel are reminded they have ten days in which to file any objections to this Report and Recommendation. A failure to file and serve objections by this date shall bar an attack on appeal of the factual findings in this Report and Recommendation which are accepted or adopted by the district judge, except on the grounds of plain error or manifest injustice. Objections to R&R due by 12/22/2008 Signed by Magistrate Judge Sarah W. Hays on 12/4/2008.(Gicinto, JoRita) (Entered: 12/04/2008)
12/05/2008	<u>145</u>	PROPOSED WITNESS LIST by USA as to Cynthia S. Martin,

		Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Rhodes, Rudolph) (Entered: 12/05/2008)
12/05/2008	146	PROPOSED EXHIBIT LIST by Cynthia S. Martin (Hobbs, James) (Entered: 12/05/2008)
12/05/2008	147	PROPOSED WITNESS LIST by Cynthia S. Martin (Hobbs, James) (Entered: 12/05/2008)
12/06/2008	148	NOTICE of defendant's objections to the Magistrate's report and recommendation to deny defendant's motion to suppress for lack of standing by Christopher L. Elder (Osgood, John) (Entered: 12/06/2008)
12/09/2008	149	First PROPOSED WITNESS LIST by Christopher L. Elder (Osgood, John) (Entered: 12/09/2008)
12/10/2008	150	NOTICE of Expert Witnesses by USA as to Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit)(Rhodes, Rudolph) (Entered: 12/10/2008)
12/10/2008	151	REPORT AND RECOMMENDATIONS as to Cynthia S. Martin, Troy R. Solomon, Delmon L. Johnson - RECOMMENDED that the Court, after making an independent review of the record and applicable law, enter an order denying Defendant Martins Motion to Dismiss for Failure to State an Offense as to Counts Two and Twenty-One Through Twenty-Four (doc #57). It is furtherRECOMMENDED that the Court, after making an independent review of the record and applicable law, enter an order denying Defendant Troy Solomons Motion to Dismiss Count Two for Failure to State an Offense (doc #98). It is furtherRECOMMENDED that the Court, after making an independent review of the record and applicable law, enter an order denying Defendant Delmon Johnsons Motion to Quash Indictment (doc #64). It is furtherRECOMMENDED that the Court, after making an independent review of the record and applicable law, enter an order denying Defendant Troy Solomons Motion to Quash Indictment (doc #65).Counsel are reminded they have ten days from the date of receipt of a copy of this Report and Recommendation within which to file and serve objections to same. A failure to file and serve timely objections shall bar an attack on appeal of the factual findings in this Report and Recommendation which are accepted or adopted by the district judge, except on the grounds of plain error or manifest injustice. Objections to R&R due by 12/29/2008 Signed by Magistrate Judge Sarah W. Hays on 12/10/2008.(Gicinto, JoRita) (Entered: 12/10/2008)

		12/10/2008)
12/11/2008	152	NOTICE OF HEARING as to Cynthia S. Martin. This is the official notice for this hearing. Change of Plea Hearing set for 12/18/2008 at 9:30 AM in Courtroom 7C, Kansas City (FJG) before Judge Fernando Gaitan. Signed by Chief District Judge Fernando J. Gaitan, Jr. on 12/11/08. This is a TEXT ONLY ENTRY. No document is attached. (Enss, Rhonda) (Entered: 12/11/2008)
12/12/2008	153	REPORT AND RECOMMENDATIONS as to Christopher L. Elder - RECOMMENDED that the Court, after making an independent review of the record and applicable law, enter an order denying the Motion to Dismiss the Indictment as to Defendant Elder Because of Government Misconduct (doc #93). Counsel are reminded they have ten days from the date of receipt of a copy of this Report and Recommendation within which to file and serve objections to same. A failure to file and serve objections by this date shall bar an attack on appeal of the factual findings in this Report and Recommendation which are accepted or adopted by the district judge, except on the grounds of plain error or manifest injustice Objections to R&R due by 12/30/2008 Signed by Magistrate Judge Sarah W. Hays on 12/12/2008.(Gicinto, JoRita) (Entered: 12/12/2008)
12/12/2008	154	Joint MOTION to continue <i>the trial setting</i> by Christopher L. Elder as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. Suggestions in opposition/response due by 12/29/2008 unless otherwise directed by the court. (Osgood, John) (Entered: 12/12/2008)
12/12/2008	155	NOTICE TO COUNSEL as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson - The Pertrial Conference set for Tuesday, December 16, 2008 at 10:20 a.m. is going to be held before Judge Sarah W. Hays. Out of State attorneys may appear by telephone. (Gicinto, JoRita) (Entered: 12/12/2008)
12/12/2008	156	MOTION to dismiss by Troy R. Solomon as to Troy R. Solomon, Delmon L. Johnson. Suggestions in opposition/response due by 12/29/2008 unless otherwise directed by the court. (Attachments: # 1 order)(Lewis, Chip) (Entered: 12/12/2008)
12/12/2008	157	DOCUMENT DELETED and opposition/response deadlines terminated. MOTION by Troy R. Solomon as to Troy R. Solomon, Delmon L. Johnson. Suggestions in opposition/response due by 12/29/2008 unless otherwise directed by the court. (Lewis, Chip) Modified on 12/15/2008 (Carr, Lori). (Entered: 12/12/2008)

12/14/2008	158	OBJECTION TO REPORT AND RECOMMENDATIONS 144 by Troy R. Solomon (Attachments: # 1 Exhibit A, # 2 Appendix Texas Partnership Law)(Bannwart, Anthony) (Entered: 12/14/2008)
12/15/2008	159	DOCUMENT DELETED. MOTION First Proposed Exhibit List by Troy R. Solomon as to Troy R. Solomon, Delmon L. Johnson. Suggestions in opposition/response due by 12/30/2008 unless otherwise directed by the court. (Lewis, Chip) Modified on 12/15/2008 (Carr, Lori). (Entered: 12/15/2008)
12/15/2008		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 12/12/08 as Document No. 157, MOTION by Troy R. Solomon, Delmon L. Johnson. The document has been deleted as the incorrect event was used when filing the document. Counsel will refile the document using the correct event - Trial Documents, Proposed Witness List. This is a text entry only - no document is attached. (Carr, Lori) (Entered: 12/15/2008)
12/15/2008	160	PROPOSED WITNESS LIST by Troy R. Solomon as to Troy R. Solomon, Delmon L. Johnson (Lewis, Chip) (Entered: 12/15/2008)
12/15/2008		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 12/15/08 as Document No. 159, MOTION First Proposed Exhibit List. The document has been deleted as the incorrect event was used when filing the document. Counsel will refile the document using the correct event - Trial Documents, Proposed Exhibit List. This is a text entry only - no document is attached. (Carr, Lori) (Entered: 12/15/2008)
12/15/2008	161	PROPOSED EXHIBIT LIST by Troy R. Solomon as to Troy R. Solomon, Delmon L. Johnson (Lewis, Chip) (Entered: 12/15/2008)
12/15/2008	162	Joint MOTION to sever defendant <i>and transfer</i> by Troy R. Solomon as to Troy R. Solomon, Delmon L. Johnson. Suggestions in opposition/response due by 12/30/2008 unless otherwise directed by the court. (Bannwart, Anthony) (Entered: 12/15/2008)
12/16/2008	163	NOTICE OF HEARING as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson This is the official notice for this hearing. Status Conference set for 12/17/2008 10:00 AM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Signed by Magistrate Judge Sarah W. Hays on 12/16/2008. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto,

		JoRita) (Entered: 12/16/2008)
12/17/2008	164	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: STATUS CONFERENCE as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson held on 12/17/2008. Government and counsel for defendant Christopher Elder present in person. Counsel for defendants Soloman and Johnson appear telephonically. Defendant Elder present telephonically. Defense counsel for defendant Elder (04) has filed a Motion to continue the trial to the 4/27/2009 trial docket. Counsel request that the entire two-week time period be blocked to try this case. Additional pretrial matters are discussed as well as possible additional motions to be filed. Revised scheduling order to be issued. (Court Reporter FTR - G. Kee.) (Kee, Georgia) (Entered: 12/18/2008)
12/18/2008	165	Minute Entry for proceedings held before Chief District Judge Fernando J. Gaitan, Jr.: CHANGE OF PLEA HEARING as to Cynthia S. Martin held on 12/18/2008. Plea entered by Cynthia S. Martin (2) Guilty to Counts 1 and 2 (conditional). (Court Reporter Donna Turner.) (Enss, Rhonda) (Entered: 12/18/2008)
12/18/2008	166	PLEA AGREEMENT as to Cynthia S. Martin (Rhodes, Rudolph) (Entered: 12/18/2008)
12/22/2008	167	OBJECTION TO REPORT AND RECOMMENDATIONS 151 by Cynthia S. Martin (Attachments: # 1 Exhibit A)(Hobbs, James) (Entered: 12/22/2008)
12/22/2008	168	OBJECTION TO REPORT AND RECOMMENDATIONS 151 by Troy R. Solomon as to Troy R. Solomon, Delmon L. Johnson <i>Joint</i> (Bannwart, Anthony) (Entered: 12/22/2008)
01/02/2009	169	MOTION in limine <i>to preclude testimony by Houston Texas Police Officer about what he suspects might have happend to medications delivered to Houston and practices of street drug dealers in the Houston area</i> by Christopher L. Elder. Suggestions in opposition/response due by 1/20/2009 unless otherwise directed by the court. (Osgood, John) (Entered: 01/02/2009)
01/07/2009	170	MOTION for extension of time to file response/reply as to 169 MOTION in limine <i>to preclude testimony by Houston Texas Police Officer about what he suspects might have happend to medications delivered to Houston and practices of street drug dealers in the Houston area</i> by USA as to Christopher L. Elder. Suggestions in opposition/response due by 1/22/2009 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 01/07/2009)

01/09/2009	171	Motion to allow John Langley to appear pro hac vice (Pro Hac fee \$50 receipt number 0866000000001960853) by Texas Medical Board as to Christopher L. Elder. (Kronawitter, Joseph) (Entered: 01/09/2009)
01/12/2009	172	TRIAL ORDER granting motion to continue 154 . The case as to defendants Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson is continued. as to Troy R. Solomon (3), Christopher L. Elder (4), Delmon L. Johnson (5) Accelerated Jury Trial set for 4/27/2009 09:00AM in Courtroom 7C, Kansas City (FJG) before Judge Fernando Gaitan. Counsel request that the entire two-week trial docket be set aside to try this case. Pretrial conference is set for April 7, 2009 before Judge Sarah W. Hays. Pretrial motions shall be filed on or before January 15, 2009. Suggestions in opposition shall be filed within 12 days from the motion is filed. See Order for additional deadlines. Signed by Magistrate Judge Sarah W. Hays on 1/12/2009. (Gicinto, JoRita) (Entered: 01/12/2009)
01/12/2009	173	ORDER granting 171 motion to appear pro hac vice approved by Clerk of Court. Attorney John S. Langley for Texas Medical Board allowed to appear pro hac vice. This entry will serve as authorization for the pro hac participation by the attorney This is a TEXT ONLY ENTRY. No document is attached. (Carr, Lori) (Entered: 01/12/2009)
01/15/2009	174	ORAL ORDER granting 170 Motion for Extension of Time to File Response to defendant Elder's Motion In Limine To Preclude Testimony of a Houston Police Officer as to Christopher L. Elder (4). Response shall be filed on or before January 28, 2009. Signed by Magistrate Judge Sarah W. Hays on 1/15/2009. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 01/15/2009)
01/15/2009	175	Amended MOTION to sever defendant <i>and Transfer</i> by Troy R. Solomon as to Troy R. Solomon, Delmon L. Johnson. Suggestions in opposition/response due by 1/30/2009 unless otherwise directed by the court. (Attachments: # 1 Exhibit A)(Bannwart, Anthony) (Entered: 01/15/2009)
01/27/2009	176	ORDER ADOPTING REPORT AND RECOMMENDATION 144 denying defendant Elder's motion to suppress 96 and defendants Solomon and Johnson's motion to suppress 115 . Signed by Chief District Judge Fernando J. Gaitan, Jr. on 1/27/09.(Enss, Rhonda) (Entered: 01/27/2009)
01/28/2009	177	SUGGESTIONS in opposition by USA as to Christopher L. Elder re 169 MOTION in limine <i>to preclude testimony by Houston</i>

		<i>Texas Police Officer about what he suspects might have happend to medications delivered to Houston and practices of street drug dealers in the Houston area.</i> Reply suggestions due by 2/12/2009 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 01/28/2009)
02/02/2009	178	MOTION to file out of time <i>and extension of time in which to file government's response.</i> by USA as to Troy R. Solomon, Delmon L. Johnson. Suggestions in opposition/response due by 2/17/2009 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 02/02/2009)
02/09/2009	179	ORDER ADOPTING REPORT AND RECOMMENDATIONS [doc #153]. FURTHER ORDERED denying defenant's MOTION to Dismiss <i>the indictment and all counts therein as to Defendant Elder on grounds of government misconduct</i> 93 filed by Christopher L. Elder. Signed by Chief District Judge Fernando J. Gaitan, Jr. on 2/9/2009.(Baldwin, Joella) (Entered: 02/09/2009)
02/09/2009	180	ORDER ADOPTING REPORT AND RECOMMENDATIONS. FURTHER ORDERED that defendant Martins motion to dismiss for failure to state an offense as to counts two and twenty-one through twenty-four [Doc. #57]; defendant Solomons motion to dismiss count two for failure to state an offense [Doc. #98]; defendant Johnsons motion to quash indictment [Doc. #64] and defendant Solomons motion to quash indictment [Doc. #65] are denied. Signed by Chief District Judge Fernando J. Gaitan, Jr. on 2/9/2009.(Baldwin, Joella) (Entered: 02/10/2009)
02/10/2009	181	SUGGESTIONS in opposition by USA as to Troy R. Solomon, Delmon L. Johnson re 175 Amended MOTION to sever defendant <i>and Transfer</i> . Reply suggestions due by 2/25/2009 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 02/10/2009)
02/17/2009		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 2/17/09 as Document No. 182, Jury List. The document has been deleted as it was filed in the incorrect case. This is a text entry only - no document is attached. (Kee, Georgia) (Entered: 02/17/2009)
02/17/2009	182	MOTION to change venue <i>from Missouri to Texas</i> by Christopher L. Elder. Suggestions in opposition/response due by 3/4/2009 unless otherwise directed by the court. (Osgood, John) (Entered: 02/17/2009)
02/18/2009	183	MOTION to quash <i>rule 17(c) subpoena</i> by Texas Medical Board as to Christopher L. Elder. Suggestions in opposition/response due

		by 3/5/2009 unless otherwise directed by the court. (Attachments: # 1 Exhibit rule 17(c) subpoena, # 2 Exhibit Tex. Occ. Code 155.007, # 3 Exhibit Tex Occ Code 164.007)(Langley, John) (Entered: 02/18/2009)
02/19/2009	184	SUGGESTIONS in opposition by Christopher L. Elder re 183 MOTION to quash <i>rule 17(c) subpoena</i> MOTION to quash <i>rule 17(c) subpoena filed by Texas Medical Board</i> . Reply suggestions due by 3/6/2009 unless otherwise directed by the court (Attachments: # 1 Appendix defense PI interview of Okose)(Osgood, John) (Entered: 02/19/2009)
02/23/2009	185	NOTICE OF HEARING as to Christopher L. Elder This is the official notice for this hearing. Oral Argument by Telephone NON-PARTY TEXAS MEDICAL BOARDS MOTION TO QUASH RULE 17(c) SUBPOENA AND IN THE ALTERNATIVE, MOTION FOR PROTECTION WITH SUGGESTIONS IN SUPPORT doc #183 set for 3/4/2009 02:00 PM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Court will initiate the telephone call. Signed by Magistrate Judge Sarah W. Hays on 2/23/2009. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 02/23/2009)
03/04/2009	186	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: ORAL ARGUMENT held on 3/4/09. Parties present telephonically. Governments counsel waives present. Motion to quash Rule 17 subpoena and in the alternative, Motion for protection, Doc.183 discussed as stated on the record.. Counsel shall submit additional documents for in camera review by 03/19/09. The court will then make a ruling. (Court Reporter FTR - G. Kee.) (Kee, Georgia) (Additional attachment(s) added on 3/19/2009: # 1 Main Document) (Kee, Georgia). Modified on 3/19/2009 to attach correct document. (Kee, Georgia). (Entered: 03/05/2009)
03/05/2009	187	MOTION for leave to file <i>under seal motion for determinations concerning the representation of defendants Solomon and Johnson</i> by USA as to Troy R. Solomon, Delmon L. Johnson. Suggestions in opposition/response due by 3/20/2009 unless otherwise directed by the court. (Bohling, James) (Entered: 03/05/2009)
03/06/2009	189	ORAL ORDER granting 187 motion for leave to file under seal as to Troy R. Solomon (3), Delmon L. Johnson (5). Signed by Magistrate Judge Sarah W. Hays on 3/6/2009. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 03/06/2009)
03/06/2009	190	MOTION for Order(SEALED) by USA as to Troy R. Solomon,

		Delmon L. Johnson. Suggestions in opposition/response due by 3/23/2009 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 03/06/2009)
03/16/2009	191	ORDER setting pretrial conference as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson Pretrial Conference set for 4/7/2009 12:00 PM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Signed by Magistrate Judge Sarah W. Hays on 3/16/2009.(Gicinto, JoRita) Modified on 3/16/2009 (Gicinto, JoRita). To correct the time of the hearing (Entered: 03/16/2009)
03/17/2009	192	MOTION to seal document <i>tendered in camera</i> by Texas Medical Board as to Christopher L. Elder. Suggestions in opposition/response due by 4/1/2009 unless otherwise directed by the court. (Langley, John) (Entered: 03/17/2009)
03/17/2009	193	NOTICE <i>of in camera tender under seal TMB0001-0047</i> by Texas Medical Board as to Christopher L. Elder (Langley, John) (Entered: 03/17/2009)
03/17/2009	194	MOTION to continue <i>the trial to July 20, 2009 docket filed on behalf of all defendants which is unopposed by the Government</i> by Christopher L. Elder as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. Suggestions in opposition/response due by 4/1/2009 unless otherwise directed by the court. (Osgood, John) (Entered: 03/17/2009)
03/18/2009	195	ORDER as to Christopher L. Elder (4)- ORDERED that the Texas Medical Boards Motion to Seal Documents Tendered in Camera(doc #192) is granted. The documents tendered will remain sealed for in camera review until furtherorder of the Court. Signed by Magistrate Judge Sarah W. Hays on 3/18/2009. (Gicinto, JoRita) (Entered: 03/18/2009)
03/19/2009	196	ELECTRONIC TRANSCRIPT as to Christopher L. Elder of Oral Argument held March 4, 2009 before Judge Sarah W. Hays. Court Reporter: Lissa Whittaker/816-822-3653. <P> NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website. Please read this policy carefully. <P> NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 3/30/2009.

		Release of Transcript Restriction set for 6/15/2009. (Whittaker, Lissa) (Entered: 03/19/2009)
03/31/2009	197	NOTICE OF HEARING as to Troy R. Solomon, Delmon L. Johnson. This is the official notice for this hearing. Rule 44(c) Hearing set for 4/14/2009 10:00 AM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Counsel and defendants to appear in person for hearing Signed by Magistrate Judge Sarah W. Hays on 3/31/2009. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 03/31/2009)
03/31/2009	198	DELETED DOCUMENT-SUGGESTIONS in opposition by Christopher L. Elder re 183 MOTION to quash <i>rule 17(c) subpoena</i> MOTION to quash <i>rule 17(c) subpoena (Supplemental submission of Exhibit filed in aid of Court's in camera review of certain sealed documents)</i> . Reply suggestions due by 4/15/2009 unless otherwise directed by the court (Osgood, John) Modified on 4/2/2009 to delete the main document, as it was filed in error (Beard, Melanie). (Entered: 03/31/2009)
04/02/2009	199	ORDER - ORDERED that Defendant Elders Motion for Severance Pursuant to Rule 8(b) and Rule 14, Federal Rules of Criminal Procedure (doc #22) is denied. It is furtherORDERED that defendant Solomons Motion to Transfer Venue and Sever (doc #31) is denied. It is furtherORDERED that defendant Johnsons Motion to Transfer Venue and Sever (doc #33) is denied. It is furtherORDERED that defendants Solomons and Johnsons Joint Amended Motion to Transfer Venue and Sever (doc #162) is denied. It is furtherORDERED that defendants Solomons and Johnsons Joint Second Amended Motion to Transfer Venue and Sever (doc #175) is denied. It is furtherORDERED that the Motion for Leave to File Out of Time and an Extension of Time in Which to File Governments Response to Defendants Solomons and Johnsons Joint Second Amended Motion to Transfer (doc #178) is granted. The Governments Response to Defendants Troy Solomons and Delmon Johnsons Second Amended Motion to Transfer (doc #181) shall be deemed properly filed. It is furtherORDERED that Defendant Elders Motion for Change of Venue (doc #182) is denied. Signed by Magistrate Judge Sarah W. Hays on 4/2/2009. (Gicinto, JoRita) (Entered: 04/02/2009)
04/02/2009		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 3/31/09 as Document No. 198, SUGGESTIONS in opposition by Christopher L. Elder re 183 MOTION to quash rule 17(c) subpoena MOTION to quash rule 17(c) subpoena (Supplemental submission of Exhibit filed in

		aid of Court's in camera review of certain sealed documents). The document has been deleted as the incorrect document was filed. Counsel will refile the correct document. This is a text entry only - no document is attached. (Beard, Melanie) (Entered: 04/02/2009)
04/02/2009	200	SUGGESTIONS in opposition by Christopher L. Elder re 183 MOTION to quash <i>rule 17(c) subpoena</i> MOTION to quash <i>rule 17(c) subpoena (supplemental pleading)</i> . Reply suggestions due by 4/17/2009 unless otherwise directed by the court (Osgood, John) (Entered: 04/02/2009)
04/03/2009	201	MOTION for reconsideration of <i>that portion of the Magistrate's Order denying Elder's motion for severance</i> by Christopher L. Elder. Suggestions in opposition/response due by 4/20/2009 unless otherwise directed by the court. (Osgood, John) (Entered: 04/03/2009)
04/06/2009	202	***Remark as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson: Pretrial conference set for April 7, 2009 is cancelled. Will be set at a later date. (Gicinto, JoRita) (Entered: 04/06/2009)
04/07/2009	203	AFFIDAVIT by Troy R. Solomon (Bannwart, Anthony) (Entered: 04/07/2009)
04/07/2009	204	AFFIDAVIT by Delmon L. Johnson (Bannwart, Anthony) (Entered: 04/07/2009)
04/10/2009	206	DOCUMENT DELETED: MOTION for order by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. Suggestions in opposition/response due by 4/27/2009 unless otherwise directed by the court. (Attachments: # 1 Exhibit)(Rhodes, Rudolph) Modified on 4/10/2009 (Carr, Lori). Modified on 4/10/2009 (Gicinto, JoRita). (Entered: 04/10/2009)
04/10/2009		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 4/10/09 as Document No. 206, MOTION for order by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. The document has been deleted as the incorrect document was filed. Counsel will refile the correct document. This is a text entry only - no document is attached. (Carr, Lori) (Entered: 04/10/2009)
04/10/2009	207	MOTION for order by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. Suggestions in opposition/response due by 4/27/2009 unless otherwise directed by the court. (Attachments: # 1 Exhibit)(Rhodes, Rudolph) Modified on 4/16/2009 (Gicinto, JoRita). Ruled on 4/13/2009 per Order doc #211 (Entered: 04/10/2009)

04/10/2009	208	Joint MOTION for extension of time to file response/reply by Troy R. Solomon. Suggestions in opposition/response due by 4/27/2009 unless otherwise directed by the court. (Bannwart, Anthony) (Entered: 04/10/2009)
04/10/2009	209	SUGGESTIONS in opposition by Troy R. Solomon re 190 MOTION for Order(SEALED). Reply suggestions due by 4/27/2009 unless otherwise directed by the court (Bannwart, Anthony) (Entered: 04/10/2009)
04/13/2009	210	MOTION for order by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. Suggestions in opposition/response due by 4/28/2009 unless otherwise directed by the court. (Attachments: # 1 Exhibit)(Rhodes, Rudolph) Modified on 4/16/2009 (Gicinto, JoRita). Ruled on 4/13/2009 Order doc #212 (Entered: 04/13/2009)
04/13/2009	211	ORDER granting 207 government's motion for order to compel testimony of Ada Johnson. Signed by Chief District Judge Fernando J. Gaitan, Jr. on 4/10/09. (Enss, Rhonda) (Entered: 04/13/2009)
04/13/2009	212	ORDER granting 210 motion for order to compel testimony of Pleshette B. Johnson. Signed by Chief District Judge Fernando J. Gaitan, Jr. on 4/13/09. (Enss, Rhonda) (Entered: 04/13/2009)
04/13/2009	213	PROPOSED EXHIBIT LIST by USA as to Troy R. Solomon, Delmon L. Johnson (Bohling, James) (Entered: 04/13/2009)
04/14/2009	216	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: Rule 44(c) HEARING as to Troy R. Solomon, Delmon L. Johnson held on 4/14/2009. Parties present in person and with counsel. Witnesses for Plaintiff: Pleshette Johnson, Cynthia Martin and Lillian Zapata. Exhibits Admitted: Govt. #3; At the close of evidence, the Court took the matter under advisement and will issue a Report and Recommendation to the District Court. Defendant Soloman was also advised by the Court that he should avoid all contact with any potential victim and/or witness in this case. (Court Reporter Dorothy Myers.) (Myers, Dorothy) (Entered: 04/17/2009)
04/14/2009	217	GOVERNMENT'S EXHIBIT INDEX for Rule 44(c) hearing on 4/14/09 as to Troy R. Solomon, Delmon L. Johnson. (Myers, Dorothy) (Entered: 04/17/2009)
04/15/2009	214	REPORT AND RECOMMENDATIONS as to Troy R. Solomon, Delmon L. Johnson - RECOMMENDED that the Court, after making an independent review of the record and applicable law,

		enter an order denying Defendants Troy Solomon and Delmon Johnsons Motion to Dismiss (doc #156). Objections to R&R due by 5/4/2009 Signed by Magistrate Judge Sarah W. Hays on 4/15/2009.(Gicinto, JoRita) (Entered: 04/15/2009)
04/15/2009	215	ORDER granting motion to continue 194 . The case as to defendants Troy R. Solomon, Christopher L. Elder, and Delmon L. Johnson is continued. Accelerated Jury Trial set for 7/20/2009 at 8:30AM in Courtroom 7C, Kansas City (FJG) before Judge Fernando Gaitan. Signed by Chief District Judge Fernando J. Gaitan, Jr. on 4/15/09. (Enss, Rhonda) (Entered: 04/15/2009)
04/20/2009	218	REPLY SUGGESTIONS to motion by USA as to Troy R. Solomon, Delmon L. Johnson re 190 MOTION for Order(SEALED) <i>Reply Suggestions as to Motion for Determination of Representation</i> (Bohling, James) (Entered: 04/20/2009)
04/21/2009	219	ELECTRONIC TRANSCRIPT as to Troy R. Solomon, Delmon L. Johnson of Hearing on Rule 44(c) held April 14, 2009 before Judge Sarah W. Hays. Court Reporter: Lissa Whittaker/816-822-3653. <P> NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov. Please read this policy carefully. <P> NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 4/30/2009. Release of Transcript Restriction set for 7/17/2009. (Whittaker, Lissa) (Entered: 04/21/2009)
04/30/2009	220	REPLY SUGGESTIONS to motion by Troy R. Solomon re 187 MOTION for leave to file <i>under seal motion for determinations concerning the representation of defendants Solomon and Johnson</i> (Attachments: # 1 Order)(Lewis, Chip) (Entered: 04/30/2009)
05/01/2009	221	REPORT AND RECOMMENDATIONS as to Christopher L. Elder - RECOMMENDED that the Court, after making an independent review of the record and applicable law, enter an order denying Defendant Elders Motion to Suppress the Testimony of Witness Hearn as to Her Lay Identification of Defendants Purported Handwriting on Photo Copies of Previously Faxed Prescriptions on Due Process Grounds That the Procedure Used By the DEA was Unconstitutionally Suggestive (doc #117).Counsel are reminded they have ten days from the date of

		receipt of a copy of this Report and Recommendation within which to file and serve objections to same. A failure to file and serve objections by this date shall bar an attack on appeal of the factual findings in this Report and Recommendation which are accepted or adopted by the district judge, except on the grounds of plainerror or manifest injustice. Objections to R&R due by 5/18/2009 Signed by Magistrate Judge Sarah W. Hays on 5/1/2009.(Gicinto, JoRita) (Entered: 05/01/2009)
05/01/2009	<u>222</u>	OBJECTION TO REPORT AND RECOMMENDATIONS <u>221</u> by Christopher L. Elder <i>as to application of the law to the facts</i> (Osgood, John) (Entered: 05/01/2009)
05/01/2009		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 4/30/09 as Document No. 220, REPLY SUGGESTIONS to motion. The proposed order attached to the motion has been deleted. Per Administrative Procedures any proposed orders are to be emailed to the Courtroom Deputy in WordPerfect format. This is a text entry only - no document is attached. (Carr, Lori) (Entered: 05/01/2009)
05/27/2009	<u>223</u>	ORDER ADOPTING REPORT AND RECOMMENDATION and denying defendants Solomon and Troy's motion to dismiss <u>156</u> . Signed by Chief District Judge Fernando J. Gaitan, Jr. on 5/27/09.(Enss, Rhonda) (Entered: 05/27/2009)
05/27/2009	<u>224</u>	ORDER ADOPTING REPORT AND RECOMMENDATION and denying defendant Elder's motion to suppress testimony of witness Hearn <u>117</u> . Signed by Chief District Judge Fernando J. Gaitan, Jr. on 5/27/09.(Enss, Rhonda) Modified on 5/27/2009 to reflect motion document number ruled (Enss, Rhonda). (Entered: 05/27/2009)
06/01/2009	<u>225</u>	ORDER as to Christopher L. Elder (4) - ORDERED that Defendant Elders Motion to Strike Paragraphs One Through Seven From the Indictment on Grounds That the Paragraphs are Surplusage and a Generic Statement of Law That [is] More Properly Addressed in Jury Instructions (doc #23) is denied. Signed by Magistrate Judge Sarah W. Hays on 6/1/2009. (Gicinto, JoRita) (Entered: 06/01/2009)
06/01/2009	<u>226</u>	ORDER as to Troy R. Solomon (3) and Delmon L. Johnson (5)- ORDERED that the Motion for Leave to File Out of Time a Response to United States Motion for Determinations Concerning the Representation of Defendants Solomon and Johnson (doc#208) is granted. Defendants Solomon and Johnsons Joint Response to the United States Motion for Determinations Concerning the Representation of Defendants Solomon and

		Johnson With Suggestions in Support (doc #209) shall be deemed properly filed. Signed by Magistrate Judge Sarah W. Hays on 6/1/2009. (Gicinto, JoRita) (Entered: 06/01/2009)
06/15/2009	227	ORDER setting pretrial conference as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson Pretrial Conference set for 6/30/2009 09:20 AM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Signed by Magistrate Judge Sarah W. Hays on 6/15/2009.(Gicinto, JoRita) (Entered: 06/15/2009)
06/17/2009	228	NOTICE of Prior Conviction of the Defendant and Notice of the Government's Intent to Use for Impeachment by USA as to Delmon L. Johnson (Rhodes, Rudolph) (Entered: 06/17/2009)
06/22/2009	229	MOTION in limine concerning trial procedures by USA as to Troy R. Solomon, Delmon L. Johnson. Suggestions in opposition/response due by 7/7/2009 unless otherwise directed by the court. (Bohling, James) Modified on 5/24/2010 (Gicinto, JoRita). Motion termed as this motion was found moot at the April 20, 2010 status conference. (Entered: 06/22/2009)
06/22/2009	230	ORDER as to Troy R. Solomon, Delmon L. Johnsonre 190 MOTION for Order(SEALED) filed by USA, 218 Reply Suggestions to Motion filed by USA Signed by Magistrate Judge Sarah W. Hays on 6/22/09. ORDERED that counsel for the government is directed to file the proposed plea agreement(s)in camera prior to the pretrial conference on June 30, 2008. It is furtherORDERED that counsel are directed to be prepared to address this issue at the June 30, 2009, pretrial conference.(Myers, Dorothy) (Entered: 06/22/2009)
06/26/2009	231	NOTICE Supplemental Notice of Expert Witness by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Rhodes, Rudolph) (Entered: 06/26/2009)
06/26/2009	232	PROPOSED EXHIBIT LIST by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Rhodes, Rudolph) (Entered: 06/26/2009)
06/27/2009	233	Amended PROPOSED WITNESS LIST by Christopher L. Elder (Osgood, John) (Entered: 06/27/2009)
06/29/2009	234	PROPOSED VOIR DIRE by Christopher L. Elder (Osgood, John) (Entered: 06/29/2009)
06/29/2009	235	MOTION for hearing required by <i>Daubert v. Merrell Dow case to determine qualification of a police officer to testify as an expert on medical practices</i> by Christopher L. Elder. Suggestions in opposition/response due by 7/14/2009 unless otherwise directed

		by the court. (Osgood, John) (Entered: 06/29/2009)
06/29/2009	236	OBJECTION to notice by Delmon L. Johnson as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Bannwart, Anthony) (Entered: 06/29/2009)
06/29/2009	237	MOTION for order to Adopt Defendant Elder's Proposed Voir Dire Questions by Troy R. Solomon. Suggestions in opposition/response due by 7/14/2009 unless otherwise directed by the court. (Lewis, Chip) (Entered: 06/29/2009)
06/29/2009	238	MOTION for order to Adopt Defendant Elder's Request for a Daubert Hearing on The Issue of the Qualifications of Houston Police Officer John Kowal by Troy R. Solomon. Suggestions in opposition/response due by 7/14/2009 unless otherwise directed by the court. (Lewis, Chip) (Entered: 06/29/2009)
06/29/2009	239	MOTION to continue by Troy R. Solomon as to Troy R. Solomon, Delmon L. Johnson. Suggestions in opposition/response due by 7/14/2009 unless otherwise directed by the court. (Lewis, Chip) (Entered: 06/29/2009)
06/30/2009	240	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: PRETRIAL CONFERENCE as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson held on 6/30/2009. (Court Reporter FTR - J. Baldwin) (Baldwin, Joella) (Entered: 06/30/2009)
06/30/2009	241	Amended PROPOSED WITNESS LIST by USA as to Troy R. Solomon (Rhodes, Rudolph) (Entered: 06/30/2009)
07/02/2009	242	MOTION for reconsideration of <i>Transfer of Venue to The Southern District of Texas</i> by Troy R. Solomon as to Troy R. Solomon, Delmon L. Johnson. Suggestions in opposition/response due by 7/17/2009 unless otherwise directed by the court. (Lewis, Chip) (Entered: 07/02/2009)
07/06/2009	243	ORDER as to Christopher L. Elder (4) - ORDERED that Defendant Elders Motion for Reconsideration of the Magistrates Order(doc #199) Denying Defendants Motion for Severance on Grounds: 1) That the Indictment Does Not on Its Face State a Basis for Joinder of Counts One and Two and That Even if It Does Joinder is None the Less Highly Prejudicial to Elder Such That Severance is Mandated (doc #201) is denied. Signed by Magistrate Judge Sarah W. Hays on 7/6/2009. (Gicinto, JoRita) (Entered: 07/06/2009)
07/06/2009	244	ORDER as to Christopher L. Elder (4) -ORDERED that Non-Party Texas Medical Boards Motion to Quash Rule 17(c)

		Subpoena and in the Alternative, Motion for Protection (doc #183) is granted.. Signed by Magistrate Judge Sarah W. Hays on 7/6/2009. (Gicinto, JoRita) (Entered: 07/06/2009)
07/07/2009	245	ELECTRONIC TRANSCRIPT as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson of Pretrial Conference held June 30, 2009 before Judge Sarah W. Hays. Court Reporter: Lissa Whittaker, 816-822-3653. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov. Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 7/16/2009. Release of Transcript Restriction set for 10/2/2009. (Whittaker, Lissa) (Entered: 07/07/2009)
07/13/2009	246	ORDER as to Troy R. Solomon (3), Delmon L. Johnson (5)-ORDERED that the United States Motion for Determinations Concerning the Representation of Defendants Solomon and Johnson (doc. #190) is granted. Mr. Bannwart is disqualified from any further representation of defendants Troy Solomon or Delmon Johnson in this action. Signed by Magistrate Judge Sarah W. Hays on 7/13/2009. (Gicinto, JoRita) (Entered: 07/13/2009)
07/14/2009	247	SUGGESTIONS in opposition by USA as to Christopher L. Elder re 235 MOTION for hearing <i>required by Daubert v. Merrell Dow case to determine qualification of a police officer to testify as an expert on medical practices</i> . Reply suggestions due by 7/29/2009 unless otherwise directed by the court (Bohling, James) (Entered: 07/14/2009)
07/15/2009	248	SUGGESTIONS in opposition by USA as to Troy R. Solomon, Delmon L. Johnson re 242 MOTION for reconsideration of <i>Transfer of Venue to The Southern District of Texas</i> . Reply suggestions due by 7/30/2009 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 07/15/2009)
07/22/2009	249	NOTICE OF HEARING as to Troy R. Solomon, Delmon L. Johnson. This is the official notice for this hearing. Telephone Conference set for 7/29/2009 01:30 PM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Signed by Magistrate Judge Sarah W. Hays on 7/22/2009. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 07/22/2009)
07/22/2009	250	ORDER granting defendants Soloman and Johnson's motion to

		continue 239 . The case as to defendants Troy R. Solomon (3) and Delmon L. Johnson (5) is continued. Accelerated Jury Trial set for 11/2/2009 at 8:30AM in Kansas City (FJG) before Chief Judge Fernando Gaitan, Jr. Signed by Chief District Judge Fernando J. Gaitan, Jr. on 7/22/09. (Enss, Rhonda) (Entered: 07/22/2009)
07/23/2009	251	MOTION for reconsideration by Delmon L. Johnson as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson re 246 Order on Motion for Order (Sealed), Order on Motion for Order (Sealed) Suggestions in opposition/response due by 8/7/2009 unless otherwise directed by the court (Bannwart, Anthony) Modified docket text to correct event and set/reset deadlines on 7/24/2009 (Carr, Lori). (Entered: 07/23/2009)
07/23/2009		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 7/23/09 as Document No. 251, APPEAL of Magistrate Decision. Corrected docket text to reflect correct event type and to set/reset Deadlines re Motion or Report and Recommendation in case as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson 251 MOTION for reconsideration. NOTE: Suggestions in opposition/response due by 8/7/2009 unless otherwise directed by the court. (Carr, Lori) (Entered: 07/24/2009)
07/24/2009	252	***Remark as to Troy R. Solomon, Delmon L. Johnson: Telephone Conference set for Wednesday, July 29, 2009 at 1:30 p.m. before Judge Hays is cancelled. (Gicinto, JoRita) (Entered: 07/24/2009)
07/30/2009	253	SUGGESTIONS in opposition by USA as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson re 251 MOTION for reconsideration . Reply suggestions due by 8/14/2009 unless otherwise directed by the court (Bohling, James) Modified on 7/31/2009 to correct event type and set/reset reply/response deadline. (Carr, Lori). (Entered: 07/30/2009)
07/30/2009		Set/Reset Deadlines re Motion or Report and Recommendation in case as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson Reply suggestions due by 8/14/2009 unless otherwise directed by the court (Carr, Lori) (Entered: 07/31/2009)
07/31/2009		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 7/30/09 as Document No. 253, NOTICE Suggestions in Opposition. Modified to correct

		event type and to set/reset reply/response deadline. (Related Document 253) NOTE: Reply suggestions due by 8/14/2009 unless otherwise directed by the court. This is a text entry only - no document is attached. (Carr, Lori) (Entered: 07/31/2009)
08/25/2009	254	ORDER denying 251 defendants' joint objection to, appeal from, and motion for reconsideration of Magistrate Judge's order disqualifying counsel Anthony Bannwart as to Troy R. Solomon (3) and Delmon L. Johnson (5). Signed by Chief District Judge Fernando J. Gaitan, Jr. on 08/25/09. (Enss, Rhonda) (Entered: 08/25/2009)
09/04/2009	255	ORDER APPOINTING COUNSEL UNDER CJA as to Delmon L. Johnson Jeremy Sean Weis for Delmon L. Johnson appointed. Signed by Magistrate Judge Sarah W. Hays on 9/4/2009.(Gicinto, JoRita) (Entered: 09/04/2009)
09/09/2009		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 9/9/2009 as Document No. 256, Motion for Reconsideration of Order (doc 255) appointing Attorney Weis as CJA Counsel for defendant Johnson. The document has been deleted as it was filed in error per attorney John Osgood. This is a text entry only - no document is attached. (Gicinto, JoRita) (Entered: 09/09/2009)
09/09/2009		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 9/9/2009 as Document No. 257, Motion for Order withdrawing and striking previously filed docket entry 256. The document has been deleted as it was filed in error per attorney John Osgood. This is a text entry only - no document is attached. (Gicinto, JoRita) (Entered: 09/09/2009)
09/10/2009	256	ORDER APPOINTING COUNSEL UNDER CJA as to Delmon L. Johnson Darren E. Fulcher for Delmon L. Johnson appointed., ORDER terminating counsel as to Delmon L. Johnson - Order terminating appointment of counsel ; representation by attorney Jeremy Sean Weis terminated. Signed by Magistrate Judge Sarah W. Hays on 9/10/2009.(Gicinto, JoRita) (Entered: 09/10/2009)
09/14/2009	257	NOTICE OF HEARING as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. This is the official notice for this hearing. Telephone Conference set for 9/16/2009 03:15 PM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. Signed by Magistrate Judge Sarah W. Hays on 9/14/2009. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 09/14/2009)
09/16/2009	258	MOTION to continue w/ <i>Suggestions</i> by Delmon L. Johnson.

		Suggestions in opposition/response due by 10/1/2009 unless otherwise directed by the court. (Fulcher, Darren) (Entered: 09/16/2009)
09/16/2009	259	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: TELEPHONE CONFERENCE as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson held on 9/16/2009. Counsel appear telephonically. Discovery issue and trial schedule discussed. Judge Hays will inform counsel of the trial date by an email. To order a transcript of this hearing please contact Georgia Kee, 816-512-5000. (Kee, Georgia) (Entered: 09/17/2009)
10/03/2009	260	ELECTRONIC TRANSCRIPT as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson of Pretrial Scheduling Conference held September 16, 2009 before Judge Sarah W. Hays. Court Reporter: Lissa Whittaker, 816-822-3653. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov. Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 10/13/2009. Release of Transcript Restriction set for 12/29/2009. (Whittaker, Lissa) (Entered: 10/03/2009)
10/06/2009	261	MOTION for order To Approve Litigation Costs by Delmon L. Johnson. Suggestions in opposition/response due by 10/21/2009 unless otherwise directed by the court. (Attachments: # 1 Prepay Invoice)(Fulcher, Darren) (Entered: 10/06/2009)
10/13/2009	262	ORDER as to Delmon L. Johnson (5) - ORDERED that defendant Johnsons Motion for Order to Approve Litigation Costs (doc #261) is granted. It is furtherORDERED that payment in the amount of \$95.00 to the U.S. Department of Justice for the cost of providing discovery to defense counsel is approved. Signed by Magistrate Judge Sarah W. Hays on 10/13/2009. (Gicinto, JoRita) (Entered: 10/13/2009)
10/27/2009	263	ORDER granting defendant Johnson's motion to continue 258 . The case as to defendants Troy R. Solomon, Christopher L. Elder, and Delmon L. Johnson is continued. Jury Trial specially set for 2/23/2010 at 8:30 AM in Courtroom 7C, Kansas City (FJG) before Judge Fernando Gaitan. Signed by Chief District Judge Fernando J. Gaitan, Jr. on 10/27/09. (Enss, Rhonda) (Entered: 10/27/2009)
12/14/2009	264	NOTICE OF HEARING as to Troy R. Solomon, Christopher L.

		Elder, Delmon L. Johnson. This is the official notice for this hearing. Status Conference by telephone set for 12/17/2009 11:30 AM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays.. Signed by Magistrate Judge Sarah W. Hays on 12/14/2009. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 12/14/2009)
12/14/2009	265	AMNEDED NOTICE OF HEARING as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. This is the official notice for this hearing. Status Conference by telephone set for 12/17/2009 12:00 PM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. <i>The time is the only change</i> Counsel only. Signed by Magistrate Judge Sarah W. Hays on 12/14/2009. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 12/14/2009)
12/17/2009	266	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: STATUS CONFERENCE as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson held on 12/17/2009. Parties appear by telephone; defendants not present. John Osgood not present.Discussion held regarding current special trial setting of February 23, 2010. Parties believe theywill be ready to proceed with the February trial setting. However, counsel for Solomon, ChipLewis, indicates co-counsel Mary Ruden is expecting and might not be able to travel to KansasCity for the February setting. Counsel will keep the court informed of her status. Partiesanticipate a two week trial.Government counsel agreed to confer with government counsel in Texas regarding a related caseand report back to the court by January 11, 2010. Parties are advised to contact chambers and setup a telephone conference if additional matters arise.Discussion held regarding outstanding pretrial motions. Counsel for Elder, John Osgood, hasrequested hearings on two specific pretrial matters: the Houston police officer and thehandwriting expert. The court believes that if a more detailed description were given by thegovernment with respect to the Houston police officer, it might eliminate the need for a hearing.Government states it has provided a more detailed description of what the Houston officer will becalled to testify on with respect to expert opinions. Because Mr. Osgood was not present, theCourt will defer ruling on the pending pretrial motions until such time as all parties are availableby telephone. Transcript ordered. To order a transcript of this hearing please contact Lori Carr, 816-512-5064. (Carr, Lori) (Entered: 12/21/2009)
12/22/2009	267	ELECTRONIC TRANSCRIPT as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson of Status Conference held December 17, 2009 before Judge Sarah W. Hays. Court

		Reporter: Lissa Whittaker, 816-822-3653. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov. Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 12/29/2009. Release of Transcript Restriction set for 3/22/2010. (Whittaker, Lissa) (Entered: 12/22/2009)
12/28/2009	268	NOTICE OF HEARING as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. This is the official notice for this hearing. Telephone Conference set for 1/7/2010 11:00 AM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. <i>For counsel only.</i> Signed by Magistrate Judge Sarah W. Hays on 12/28/2009. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 12/28/2009)
12/31/2009	269	NOTICE of Intent to Offer Rule 404(b) Evidence and Non-404(b) Evidence by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Rhodes, Rudolph) (Entered: 12/31/2009)
01/06/2010	270	AMENDED NOTICE OF HEARING as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. This is the official notice for this hearing. Telephone Conference reset for 1/21/2010 11:00 AM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays. FOR COUNSEL ONLY. Signed by Magistrate Judge Sarah W. Hays on 1/6/2010. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 01/06/2010)
01/08/2010	271	NOTICE <i>Government's Second Supplemental Notice of Expert Witnesses</i> by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Attachments: # 1 Exhibit A)(Rhodes, Rudolph) (Entered: 01/08/2010)
01/11/2010	272	ORDER setting pretrial conference as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson Pretrial Conference set for 1/26/2010 02:20 PM in Courtroom 6E, Kansas City (SWH) before Judge Sarah Hays.. Signed by Magistrate Judge Sarah W. Hays on 1/11/2010.(Gicinto, JoRita) (Entered: 01/11/2010)
01/20/2010	273	MOTION to continue by Delmon L. Johnson. Suggestions in opposition/response due by 2/8/2010 unless otherwise directed by the court. (Fulcher, Darren) (Entered: 01/20/2010)
01/20/2010	274	MOTION for order <i>on medical grounds</i> to excuse defedant from

		personal appearance at the pretrial hearing on 1/26/2010 and allow him instead to appear by telephone by Christopher L. Elder. Suggestions in opposition/response due by 2/8/2010 unless otherwise directed by the court. (Osgood, John) (Entered: 01/20/2010)
01/20/2010	275	SUGGESTIONS in opposition by Christopher L. Elder as to Delmon L. Johnson re 273 MOTION to continue. Reply suggestions due by 2/8/2010 unless otherwise directed by the court (Osgood, John) (Entered: 01/20/2010)
01/21/2010	276	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: TELEPHONE CONFERENCE as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson held on 1/21/2010. Parties appear by telephone; defendants not present. Discussion held regarding current special trial setting of February 23, 2010. Counsel for Johnson filed a motion to continue the trial setting to the May trial docket; counsel for Solomon joins that motion and the government has no objection. Counsel for Elder opposes the continuance but understands he has no speedy trial argument. The court advised that it has discussed the continuance request with Judge Gaitan and Judge Gaitan is inclined to grant a continuance. The court believes that Judge Gaitan may be available to try the case beginning June 1, but that would allow only nine days for trial. Parties state that they believe the case can be tried in nine days. The court suggests to the parties that they get together and discuss stipulations and trial documents and then report back to the court. Discussion held regarding pretrial motion deadlines. Counsel for Johnson requests pretrial motions be filed by February 12, 2010. Discussion held regarding the outstanding motion to transfer and follow-up regarding the Texas investigation. Counsel for Solomon and government counsel provide a brief update. Defendant Elders pending motions will be taken up at a later date. To order a transcript of this hearing please contact Lori Carr, 816-512-5064. (Carr, Lori) (Entered: 01/28/2010)
02/05/2010	277	MOTION for order Unopposed Motion to Declare Case Extended and Complex by Delmon L. Johnson. Suggestions in opposition/response due by 2/22/2010 unless otherwise directed by the court. (Fulcher, Darren) (Entered: 02/05/2010)
02/09/2010	278	ORDER as to Delmon L. Johnson (5) - ORDERED that defendant Johnsons Unopposed Motion to Declare Case Extended and Complex, doc. #277, this granted. This case is declared complex and extended pursuant to 18 U.S.C. § 3006A(d)(3). Counsel for defendant Johnson is authorized to submit requests for interim payment for legal services and expenses.. Signed on 2/9/2010 by

		Magistrate Judge Sarah W. Hays. (Gicinto, JoRita) (Entered: 02/09/2010)
02/18/2010	279	ORDER granting defendant Johnson's motion to continue 273 . The trial as to defendants Troy R. Solomon, Christopher L. Elder, and Delmon L. Johnson is continued. Jury Trial specially set for 6/21/2010 at 8:30 AM in Courtroom 7C, Kansas City (FJG) before Chief District Judge Fernando J. Gaitan Jr. Signed on 2/18/10 by Chief District Judge Fernando J. Gaitan, Jr. (Enss, Rhonda) (Entered: 02/18/2010)
03/31/2010	280	NOTICE OF HEARING as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. This is the official notice for this hearing. Status Conference set for 4/20/2010 11:00 AM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on 3/31/2010 by Magistrate Judge Sarah W. Hays. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 03/31/2010)
04/08/2010	281	DOCUMENT WAS WITHDRAWN PER ORDER 286 DATED 4/21/10. MOTION to travel by Delmon L. Johnson. Suggestions in opposition/response due by 4/26/2010 unless otherwise directed by the court. (Fulcher, Darren) Modified on 4/22/2010 to add text as to withdrawal of document (Rowland, Bonnie). (Entered: 04/08/2010)
04/13/2010	282	ORDER setting pretrial conference as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson Pretrial Conference set for 6/8/2010 10:00 AM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on 4/13/2010 by Magistrate Judge Sarah W. Hays.(Gicinto, JoRita) (Entered: 04/13/2010)
04/16/2010	283	Amended PROPOSED EXHIBIT LIST by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Attachments: # 1 Exhibit)(Rhodes, Rudolph) (Entered: 04/16/2010)
04/20/2010	284	MOTION to withdraw document by Delmon L. Johnson. Suggestions in opposition/response due by 5/7/2010 unless otherwise directed by the court. (Fulcher, Darren) (Entered: 04/20/2010)
04/21/2010	285	ORAL ORDER granting 284 motion to withdraw document as to Delmon L. Johnson (5). MOTION FOR ORDER TO APPROVE LITIGATION COSTS FOR TRAVEL doc #281 is withdrawn.. Signed on 4/21/2010 by Magistrate Judge Sarah W. Hays. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 04/21/2010)

04/21/2010	286	ORAL ORDER withdrawing 281 motion to travel as to Delmon L. Johnson (5). Signed on 4/21/2010 by Magistrate Judge Sarah W. Hays. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 04/21/2010)
04/29/2010	287	ELECTRONIC TRANSCRIPT as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson of Status Telephone Conference held April 20, 2010 before Judge Sarah W. Hays. Court Reporter: Lissa Whittaker, 816-822-3653, twhittaker1@kc.rr.com. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov. Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 5/6/2010. Release of Transcript Restriction set for 7/28/2010. (Whittaker, Lissa) (Entered: 04/29/2010)
05/06/2010	288	NOTICE OF HEARING as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. This is the official notice for this hearing. Telephone Conference set for 5/7/2010 02:00 PM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on 5/6/2010 by Magistrate Judge Sarah W. Hays. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 05/06/2010)
05/07/2010	289	NOTICE OF HEARING as to Christopher L. Elder. This is the official notice for this hearing. Daubert Hearing set for 6/4/2010 09:30 AM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on 5/7/2010 by Magistrate Judge Sarah W. Hays. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 05/07/2010)
05/07/2010	290	AMENDED NOTICE OF HEARING as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. This is the official notice for this hearing. Pretrial Conference reset for 6/4/2010 01:30 PM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on 5/7/2010 by Magistrate Judge Sarah W. Hays. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 05/07/2010)
05/07/2010	291	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: STATUS CONFERENCE as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson held on 5/7/2010.

		Parties present telephonically and with counsel. Discussion held regarding status of case. Parties notified the court that an indictment had been returned in Texas charging only defendant Solomon; and the court previously deferred ruling on the motion to transfer until such time as Texas moved forward with an indictment. Chip Lewis, counsel for Solomon, will be filing a motion to continue the trial due to the Texas indictment. Parties are given 5 days to file any opposition to the motion to continue. The court and parties agree to notice a Daubert hearing at 9:30 a.m. and a pretrial conference at 1:30 p.m. on Friday, June 4, 2010. Court adjourned. To order a transcript of this hearing please contact Lori Carr, 816-512-5064. (Carr, Lori) (Entered: 05/07/2010)
05/11/2010	292	MOTION to continue by Troy R. Solomon. Suggestions in opposition/response due by 5/28/2010 unless otherwise directed by the court. (Attachments: # 1 Proposed Order)(Lewis, Chip) Modified on 5/12/2010 to reflect that proposed order was deleted pursuant to Local Rules (Rowland, Bonnie). (Entered: 05/11/2010)
05/11/2010	293	SUGGESTIONS in opposition by Christopher L. Elder as to Troy R. Solomon re 292 MOTION to continue <i>the trial setting in the pending Misosuri case.</i> . Reply suggestions due by 5/28/2010 unless otherwise directed by the court (Osgood, John) (Entered: 05/11/2010)
05/12/2010		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 5/11/10 as Document No. 292, Motion to continue. The proposed order attached to the motion has been deleted. Per Administrative Procedures any proposed orders are to be emailed to the Courtroom Deputy in WordPerfect format. This is a text entry only - no document is attached. (Rowland, Bonnie) (Entered: 05/12/2010)
05/12/2010	294	SECOND Amended PROPOSED WITNESS LIST by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Rhodes, Rudolph) Modified on 5/13/2010 to correct event title (Kee, Georgia). (Entered: 05/12/2010)
05/14/2010	295	RESPONSE to motion by Delmon L. Johnson Reply suggestions due by 6/1/2010 unless otherwise directed by the court (Fulcher, Darren) (Entered: 05/14/2010)
05/14/2010	296	SUGGESTIONS in opposition by USA as to Troy R. Solomon re 292 MOTION to continue. Reply suggestions due by 6/1/2010 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 05/14/2010)

05/24/2010	<u>297</u>	MOTION for reconsideration by Troy R. Solomon. Suggestions in opposition/response due by 6/10/2010 unless otherwise directed by the court. (Attachments: # <u>1</u> Exhibit One)(Lewis, Chip) (Entered: 05/24/2010)
05/24/2010	<u>298</u>	ORDER - ORDERED that Defendants Motion for Reconsideration of Transfer of Venue to the Southern District of Texas (doc #242) is denied. It is furtherORDERED that Defendant Elders... Motion to Sever Solomon and Grant His Request for Change of Venue to Texas (doc #293) is denied.. Signed on 5/24/2010 by Magistrate Judge Sarah W. Hays. (Gicinto, JoRita) (Entered: 05/24/2010)
05/25/2010	<u>299</u>	ORDER as to Troy R. Solomon (3) - ORDERED that Troy Solomons Motion for Continuance (doc #292) is denied.. Signed on 5/25/2010 by Magistrate Judge Sarah W. Hays. (Gicinto, JoRita) (Entered: 05/25/2010)
05/26/2010	<u>300</u>	ORDER as to Christopher L. Elder (4) - ORDERED that Defendant Elders Motion to Excuse Him From Personal Appearance at thePending Pretrial Hearing Because of Medical Restrictions on Flying (doc #274) is moot.. Signed on 5/26/2010 by Magistrate Judge Sarah W. Hays. (Gicinto, JoRita) (Entered: 05/26/2010)
05/28/2010	<u>301</u>	SUGGESTIONS in opposition by USA as to Troy R. Solomon re <u>297</u> MOTION for reconsideration. Reply suggestions due by 6/14/2010 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 05/28/2010)
06/02/2010	<u>302</u>	First PROPOSED EXHIBIT LIST by Christopher L. Elder (Osgood, John) (Entered: 06/02/2010)
06/03/2010	<u>303</u>	ORDER as to Troy R. Solomon (3) - ORDERED that Defendants Motion to Reconsider Continuance and Transfer (doc #297) is denied.. Signed on 6/3/2010 by Magistrate Judge Sarah W. Hays. (Gicinto, JoRita) (Entered: 06/03/2010)
06/03/2010	<u>304</u>	PROPOSED WITNESS LIST by Delmon L. Johnson (Fulcher, Darren) (Entered: 06/03/2010)
06/04/2010	<u>305</u>	PROPOSED EXHIBIT LIST by Delmon L. Johnson (Attachments: # <u>1</u> Exhibit List)(Fulcher, Darren) (Entered: 06/04/2010)
06/04/2010	<u>306</u>	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: EVIDENTIARY HEARING as to Christopher L. Elder held on 6/4/2010. Parties present in person and with counsel ready to proceed with hearing on defendant's request for a Daubert

		hearing filed on June 29, 2009 (Doc. #235). Government calls Officer John Kowal to the stand. Direct, cross, re-direct, re-cross and voir dire examinations conducted. Government's exhibit #1 is admitted without objection. The Court takes the matter under advisement. Transcript to be ordered. Court adjourns. To order a transcript of this hearing please contact Bonnie Rowland, 816-512-5000. (Rowland, Bonnie) (Entered: 06/04/2010)
06/04/2010	307	GOVERNMENT'S EXHIBIT INDEX from Daubert hearing held on 6/4/10 as to Christopher L. Elder. (Rowland, Bonnie) (Entered: 06/04/2010)
06/04/2010	348	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: STATUS CONFERENCE as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson held on 6/4/2010. Defendants Elder and Johnson appear in person with counsel; defendant Solomon appears telephonically with counsel. Judy Waterson, Diversion Investigator with the DEA, also present at counsel table. Pretrial conference held as this case is set for trial on June 21, 2010. Discussion held regarding the parties witness and exhibit lists. No additional objections by parties to any witness or exhibit that was not covered in the Daubert hearing or in any motion in limine. Counsel for Elder makes a request for copies of defendant Rosties tax returns. Government stated those documents were provided to him via email the previous evening. Discussion held regarding outstanding motions; particularly Doc. nos. 50 , 102 , 105 , 107 , 169 , 235 , 238 , 237 and 236 . Regarding the length of trial, including jury selection, the Governments case will take six days, defendant Elders case will take two days; defendant Johnsons case will take two days; defendant Solomons case will take two days. Defendants Solomon, Elder, and Johnson may take the stand. This case is definitely for trial. The Court directs the parties to file voir dire and jury instructions by Monday, June 14, 2010. Government is directed to file its motion in limine regarding the Texas Medical Center letter by Thursday, June 10. Defense is given until Monday, June 14 to respond. To order a transcript of this hearing please contact Lori Carr, 816-512-5064. (Carr, Lori) (Entered: 06/29/2010)
06/08/2010	308	ELECTRONIC TRANSCRIPT as to Christopher L. Elder of Daubert Hearing held June 4, 2010 before Judge Sarah W. Hays. Court Reporter: Lissa Whittaker, 816-822-3653, twhittaker1@kc.rr.com. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located

		on our website at www.mow.uscourts.gov . Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 6/15/2010. Release of Transcript Restriction set for 9/7/2010. (Whittaker, Lissa) (Entered: 06/08/2010)
06/08/2010	309	ORDER that by 06/14/10 the government shall file under seal a proposed order of proof for trial as to Troy R. Solomon, Christopher L. Elder, and Delmon L. Johnson. Signed on 6/8/10 by Chief District Judge Fernando J. Gaitan, Jr.(Enss, Rhonda) (Entered: 06/08/2010)
06/09/2010	310	ORDER as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. This is the official notice for this hearing. Pretrial telephone Conference set for 6/15/2010 at 8:15 AM before Chief District Judge Fernando J. Gaitan Jr. After securing all participants on the line, counsel for the United States shall initiate the teleconference to the Court at telephone number (816)512-5630. Signed on 6/9/10 by Chief District Judge Fernando J. Gaitan, Jr.(Enss, Rhonda) (Entered: 06/09/2010)
06/09/2010	311	ELECTRONIC TRANSCRIPT as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson of Pretrial Conference held June 4, 2010 before Judge Sarah W. Hays. Court Reporter: Lissa Whittaker,816-822-3653, twittaker1@kc.rr.com . NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov . Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 6/16/2010. Release of Transcript Restriction set for 9/7/2010. (Whittaker, Lissa) (Entered: 06/09/2010)
06/11/2010	312	PROPOSED VOIR DIRE by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Rhodes, Rudolph) (Entered: 06/11/2010)
06/14/2010	313	MEMORANDUM OF MATTERS DISCUSSED AND ACTION TAKEN AT PRETRIAL CONFERENCE by Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Myers, Dorothy) (Entered: 06/14/2010)
06/14/2010	314	PROPOSED VOIR DIRE by Delmon L. Johnson (Fulcher, Darren) (Entered: 06/14/2010)

06/14/2010	315	MOTION in limine by Delmon L. Johnson. Suggestions in opposition/response due by 7/1/2010 unless otherwise directed by the court. (Fulcher, Darren) (Entered: 06/14/2010)
06/14/2010	316	ORDER overruling 50 defendant's Elder's motion in limine; sustaining 102 defendant Elder's motion in limine; sustaining 105 defendant Elder's motion in limine; sustaining 107 defendant Elder's motion in limine; sustaining 236 defendant Johnson's objection; sustaining, subject to Court's ruling on any objections to defendant Elder's proposed voir dire questions, 237 defendant Solomon's motion to adopt defendant Elder's proposed voir dire; and denying as moot 238 defendant Solomon's motion to adopt defendant Elder's request for a Daubert hearing. Signed on 6/14/10 by Chief District Judge Fernando J. Gaitan, Jr. (Enss, Rhonda) (Entered: 06/14/2010)
06/14/2010	317	ORDER finding as moot 315 defendant Johnson's motion in limine pursuant to Doc. #316 filed 06/14/10. Signed on 6/14/10 by Chief District Judge Fernando J. Gaitan, Jr. This is a TEXT ONLY ENTRY. No document is attached. (Enss, Rhonda) (Entered: 06/14/2010)
06/14/2010	318	REPORT AND RECOMMENDATIONS as to Christopher L. Elder re 169 MOTION in limine <i>to preclude testimony by Houston Texas Police Officer about what he suspects might have happend to medications delivered to Houston and practices of street drug dealers in the Houston area</i> , 235 MOTION for hearing <i>required by Daubert v. Merrell Dow case to determine qualification of a police officer to testify as an expert on medical practices</i> . Objections to R&R due by 7/1/2010. Signed on 6/14/10 by Magistrate Judge Sarah W. Hays.(Carr, Lori) (Entered: 06/14/2010)
06/14/2010	319	MOTION in limine by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson. Suggestions in opposition/response due by 7/1/2010 unless otherwise directed by the court. (Attachments: # 1 Exhibit)(Rhodes, Rudolph) (Entered: 06/14/2010)
06/14/2010	320	TRIAL DOCUMENT (SEALED) by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson <i>Government's Order of Proof</i> (Rhodes, Rudolph) (Entered: 06/14/2010)
06/14/2010	321	PROPOSED JURY INSTRUCTIONS by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Rhodes, Rudolph) (Entered: 06/14/2010)
06/14/2010	322	Amended PROPOSED WITNESS LIST by Christopher L. Elder

		(Osgood, John) (Entered: 06/14/2010)
06/15/2010	323	ORDER as to defendants Troy R. Solomon, Christopher L. Elder, and Delmon L. Johnson clarifying matters discussed at pretrial teleconference held 6/15/10. Signed on 6/15/10 by Chief District Judge Fernando J. Gaitan, Jr.(Enss, Rhonda) (Entered: 06/15/2010)
06/15/2010	324	Minute Entry for proceedings held before Chief District Judge Fernando J. Gaitan, Jr.: Pretrial TELEPHONE CONFERENCE as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson held on 6/15/2010. To order a transcript of this hearing please contact Gayle Wambolt, 816-512-5641. (Text Entry Only - No Document Attached.) (Enss, Rhonda) (Entered: 06/15/2010)
06/15/2010	325	MOTION in limine <i>to preclude admission of faxed documents from Houston to Missouri, subsequently seized in Missouri as business records on ground that such documents are not originals and not reliable in the absence of the originals</i> , by Christopher L. Elder. Suggestions in opposition/response due by 7/2/2010 unless otherwise directed by the court. (Osgood, John) (Entered: 06/15/2010)
06/15/2010	326	PROPOSED JURY INSTRUCTIONS by Delmon L. Johnson (Fulcher, Darren) (Entered: 06/15/2010)
06/15/2010	327	Third PROPOSED WITNESS LIST by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Rhodes, Rudolph) (Entered: 06/15/2010)
06/15/2010	328	Amended PROPOSED WITNESS LIST by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Rhodes, Rudolph) (Entered: 06/15/2010)
06/16/2010	329	Second PROPOSED EXHIBIT LIST by USA as to Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Rhodes, Rudolph) (Main Document 329 replaced with corrected document and # 1 Exhibit) Notice has been regenerated to counsel (Rowland, Bonnie). (Entered: 06/16/2010)
06/16/2010	330	SUGGESTIONS in opposition by USA as to Christopher L. Elder re 325 MOTION in limine <i>to preclude admission of faxed documents from Houston to Missouri, subsequently seized in Missouri as business records on ground that such documents are not originals and not reliable in the absence of the originals</i> ,. Reply suggestions due by 7/6/2010 unless otherwise directed by the court (Rhodes, Rudolph) (Entered: 06/16/2010)
06/17/2010	331	Amended PROPOSED EXHIBIT LIST by Christopher L. Elder

		(Osgood, John) (Entered: 06/17/2010)
06/17/2010	332	Amended PROPOSED WITNESS LIST by Christopher L. Elder (Osgood, John) (Entered: 06/17/2010)
06/17/2010		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 6/16/10 as Document No. 329, Second Proposed Exhibit List by USA. Document was replaced to include pleading and attachment. (Related Document 329) This is a text entry only - no document is attached. (Rowland, Bonnie) (Entered: 06/17/2010)
06/17/2010	333	ORDER ADOPTING REPORT AND RECOMMENDATIONS for 169 Motion in Limine, filed by Christopher L. Elder, 318 Report and Recommendations 235 Motion for Hearing filed by Christopher L. Elder. The Court, after independent review of the record and applicable law, adopts and incorporates by reference herein, the Magistrate's findings and conclusions. Therefore, the Court will reserve ruling on the admissibility of Officer Kowal's expert testimony until immediately prior to the close of the government's case. Signed on June 17, 2010 by Chief District Judge Fernando J. Gaitan, Jr.(Rowland, Bonnie) (Entered: 06/17/2010)
06/17/2010	334	Third PROPOSED WITNESS LIST by Christopher L. Elder (Osgood, John) (Entered: 06/17/2010)
06/18/2010	335	ORDER sustaining 319 government's motion in limine to admit documents pursuant to business record certifications and denying defendant Elder's motion in limine w/o prejudice 325 to reassertion at trial. Signed on 6/18/10 by Chief District Judge Fernando J. Gaitan, Jr. (Enss, Rhonda) (Entered: 06/18/2010)
06/20/2010	336	MOTION in limine to <i>Exclude Evidence of Texas Medical Board</i> by USA as to Christopher L. Elder. Suggestions in opposition/response due by 7/7/2010 unless otherwise directed by the court. (Bohling, James) (Entered: 06/20/2010)
06/20/2010	337	Third PROPOSED EXHIBIT LIST by USA as to Mary Lynn Rostie, Cynthia S. Martin, Troy R. Solomon, Christopher L. Elder, Delmon L. Johnson (Attachments: # 1 Index Thrid Amended EXhibit List and Index)(Bohling, James) (Entered: 06/20/2010)
06/21/2010	338	MOTION in limine by Troy R. Solomon. Suggestions in opposition/response due by 7/8/2010 unless otherwise directed by the court. (Lewis, Chip) (Entered: 06/21/2010)
06/21/2010	339	Minute Entry for proceedings held before Chief District Judge Fernando J. Gaitan, Jr: JURY TRIAL - Day 1 as to Troy R.

		Solomon, Christopher L. Elder held on 6/21/2010. Attorney pretrial conference in chambers - 8:25 to 8:45 a.m. Parties appear for trial. Jury panel of 50 sworn, qualified, and voirdire conducted by the Court and counsel - 9:11 a.m. Strikes for cause made - 11:35 a.m. A jury of 12 and 2 alternates selected. Jury sworn - 1:00 p.m. Initial instructions read. Opening statements made - 1:14 p.m. At 2:00 p.m., Plaintiff presents evidence before the Court and jury. Direct & cross examinations conducted of witnesses Claue Martin Redd & Donna Kerste. Direct examination of witness Jill Gerstner commences. Court in recess at 4:34 p.m. until Tuesday, 06/22/10 at 8:30 a.m. To order a transcript of this hearing please contact Gayle Wambolt, 816-512-5641. (Rowland, Bonnie) (Entered: 06/22/2010)
06/21/2010	340	JURY LIST (SEALED) as to Troy R. Solomon, Christopher L. Elder (Rowland, Bonnie) (Entered: 06/22/2010)
06/22/2010	341	Minute Entry for proceedings held before Chief District Judge Fernando J. Gaitan, Jr: JURY TRIAL - DAY 2 as to Troy R. Solomon, Christopher L. Elder held on 6/22/2010. Attorney conference in chambers - 8:40 am to 8:55 am. Parties appear for trial. Plaintiff continues to present evidence before the Court and jury - 9:03 am. Cross, re-direct and re-cross examinations conducted of Jill Gerstner. Direct & cross examinations conducted of Jacque Leslie, Kirsten Walters and Marylynn Rostie. Lunch recess - 12:11 pm to 12:54 pm. Plaintiff continues to present evidence before the Court and jury. Further cross, re-direct and re-cross examinations conducted of Marylynn Rostie. Direct and cross examinations conducted of Brenda Viquain, Cynthia Martin and Frank Van Fleet. Jury released for day - 4:39 p.m. Attorney conference w/Court. Court in recess at 4:47 p.m. until Wednesday, 06/23/10 at 8:15am. To order a transcript of this hearing please contact Gayle Wambolt, 816-512-5641. (Rowland, Bonnie) (Entered: 06/23/2010)
06/23/2010	342	Minute Entry for proceedings held before Chief District Judge Fernando J. Gaitan, Jr: JURY TRIAL - DAY 3 as to Troy R. Solomon, Christopher L. Elder held on 6/23/2010. Parties appear for trial. Plaintiff continues to present evidence before the Court and jury - 8:28 am. Direct and cross examinations for witnesses Bobby Parikh, Pleshette Johnson and Quan Pham are conducted. Lunch recess - 12:00 p.m. to 12:48. Attorney conference w/Court. Plaintiff continues to present evidence before the Court and jury - 12:50 p.m. Direct and cross examinations for witnesses June Howard, Sunny Chin, Maggie Ortega, Diane Hearn and Leah Swicegood are conducted. Direct examination of Judi Watterson begins at 3:08 pm. Court recesses at 4:40 p.m. until Thursday,

		6/24/10 @ 8:30 a.m. To order a transcript of this hearing please contact Gayle Wambolt, 816-512-5641. (Rowland, Bonnie) (Entered: 06/24/2010)
06/24/2010	343	Minute Entry for proceedings held before Chief District Judge Fernando J. Gaitan, Jr: JURY TRIAL - DAY 4 as to Troy R. Solomon, Christopher L. Elder held on 6/24/2010. Parties appear for trial. Plaintiff continues to present evidence before the Court and jury - 8:37 am. Cross examination of witness, Judi Watterson, conducted. Direct and cross examinations of witnesses Connie Overton, Lillian Zapata and Robert Klemen conducted. Lunch recess - 11:35 am to 12:19 pm. Plaintiff continues to present evidence before the Court and jury. Direct and cross examinations of witnesses Lori Nelson and Don Lock conducted. Court recesses at 1:30 p.m. until Monday, June 28, 2019 @ 8:15 a.m. To order a transcript of this hearing please contact Gayle Wambolt, 816-512-5641. (Rowland, Bonnie) (Entered: 06/24/2010)
06/25/2010	344	MOTION to Dismiss <i>Indictment</i> Case by USA as to Delmon L. Johnson. Suggestions in opposition/response due by 7/12/2010 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 06/25/2010)
06/25/2010	345	Amended PROPOSED JURY INSTRUCTIONS by USA as to Troy R. Solomon, Christopher L. Elder (Rhodes, Rudolph) (Entered: 06/25/2010)
06/28/2010	346	ORDER granting 344 Motion to Dismiss Case/Indictment as to as to Delmon L. Johnson (5). Signed on 6/28/10 by Chief District Judge Fernando J. Gaitan, Jr. (Rowland, Bonnie) (Entered: 06/28/2010)
06/28/2010	347	Minute Entry for proceedings held before Chief District Judge Fernando J. Gaitan, Jr: JURY TRIAL-DAY 5 as to Troy R. Solomon, Christopher L. Elder held on 6/28/2010. Atty. conf. w/Court - 8:27 am. Exhibit Index reviewed by parties. Parties appear for trial. Plaintiff continues to present evidence before the Court and jury - 9:06 am. Direct and cross examination of witness Richard Morgan conducted. Government rests at 10:11 a.m. Defendants make oral motions for judgment of acquittal at close of government's evidence - denied. Defendant Solomon presents evidence before the Court and jury - 10:20 am. Direct and cross examination of witness Delmon Johnson is conducted. Defendant, Troy Solomon, takes the stand and direct examination starts at 11:52 am. Lunch recess - 12:32 pm to 1:23 pm. Defendant Solomon continues to present evidence before the Court and jury. Defendant Solomon rests at 3:48 p.m. Defendant Elder presents

		evidence before the Court and jury - 3:49 p.m. Direct and cross examination of witness Mark Reeder conducted; direct examination of witness Arlene Elder Henry conducted. Court in recess at 4:15 pm until Tuesday, 06/29/10, at 8:15 am. To order a transcript of this hearing please contact Gayle Wambolt, 816-512-5641. (Rowland, Bonnie) (Entered: 06/29/2010)
06/29/2010	349	Minute Entry for proceedings held before Chief District Judge Fernando J. Gaitan, Jr: JURY TRIAL - DAY 6 as to Troy R. Solomon, Christopher L. Elder held on 6/29/2010. Parties appear for trial. Defendant Elder continues to present evidence before the Court and jury - 8:27 am. Direct examination of witness, Lionel Lynch conducted; direct and cross examination of defendant Christopher Elder conducted. Lunch recess - 12:13 pm to 12:58 pm. Defendant Elder continues to present evidence before the Court and jury. Cross examination of defendant Christopher Elder continues. Defendant Elder rests at 1:17 p.m. At bench conference, defendants make oral motion to renew/reconsider motion for judgment of acquittal at close of all evidence - denied. Rebuttal evidence presented - 1:19 p.m. Stipulation read and witness Doris Cooks called to testify. Sur-rebuttal evidence presented by defendant Christopher Elder - 1:35 pm. Jury recessed for the day - 1:40 pm. Attorney instruction conference - 1:45 pm. Instruction conference w/Court - 3:45 pm. - 4:25 pm. Court recesses at 4:25 pm until Wednesday, June 30, 2010 @ 8:00 am. To order a transcript of this hearing please contact Gayle Wambolt, 816-512-5641. (Rowland, Bonnie) (Entered: 06/30/2010)
06/30/2010	350	Minute Entry for proceedings held before Chief District Judge Fernando J. Gaitan, Jr: JURY TRIAL - DAY 7 as to Troy R. Solomon, Christopher L. Elder held on 6/30/2010. Parties appear for trial. Attorney conf. w/Court. Defendants reurge motion for directed verdict/jgm of acquittal - denied at 8:14am. Final instructions read to jury - 8:17 am. Closing arguments made - 9:54 am. Both alternates released to wait in Jury Assembly Room while jury is deliberating - 11:43 a.m. Jury deliberates - 11:45 am. Jury finds both defendants guilty on all counts - 3:42 pm. Jury polled - 3:55 p.m. Court accepts verdicts and discharges jury. Government counsel makes oral request that defendants be taken into custody and defendants' counsel respond- denied. Court orders presentence investigation be conducted. Court adjourned. To order a transcript of this hearing please contact Gayle Wambolt, 816-512-5641. (Rowland, Bonnie) (Entered: 07/01/2010)
06/30/2010	351	GOVERNMENT'S EXHIBIT INDEX as to Troy R. Solomon, Christopher L. Elder from jury trial held 6/21/10 thru 6/30/10.

		(Rowland, Bonnie) (Entered: 07/01/2010)
06/30/2010	352	DEFENDANT'S EXHIBIT INDEX as to Troy R. Solomon from jury trial held 6/21/10 thru 6/30/10. (Rowland, Bonnie) (Entered: 07/01/2010)
06/30/2010	353	DEFENDANT'S EXHIBIT INDEX as to Christopher L. Elder from jury trial held 6/21/10 thru 6/30/10. (Rowland, Bonnie) (Entered: 07/01/2010)
06/30/2010	354	JURY INSTRUCTIONS given and used by jurors. (Rowland, Bonnie) (Entered: 07/01/2010)
06/30/2010	355	COURT EXHIBITS/JURY NOTES as to Troy R. Solomon, Christopher L. Elder (Rowland, Bonnie) (Additional attachment(s) added on 8/23/2010: # 1 Court's Response to Court's Exhibit #1) (Moore, Terri). (Entered: 07/01/2010)
06/30/2010	356	JURY VERDICTS as to Troy R. Solomon (3) Guilty on Count 1,2,3-12. (Rowland, Bonnie) (Entered: 07/01/2010)
06/30/2010	357	JURY VERDICTS as to Christopher L. Elder (4) Guilty on Count 1,3-10. (Rowland, Bonnie) (Entered: 07/01/2010)
07/12/2010	358	Joint MOTION for extension of time to file <i>an UNAPPOSED motion for new trial for Defendants Solomon and Elder by Chip Lewis for Solomon and John Osgood for Christopher Elder</i> filed by Christopher L. Elder. Suggestions in opposition/response due by 7/29/2010 unless otherwise directed by the court. (Osgood, John) (Entered: 07/12/2010)
07/21/2010	359	Accordingly, for good cause shown, defendants motion for extension of time 358 will be GRANTED. Defendants shall file their motion(s) for new trial on or before WEDNESDAY, AUGUST 4, 2010. IT IS SO ORDERED.. Signed on 7/21/2010 by Chief District Judge Fernando J. Gaitan, Jr. (McIlvain, Kelly) (Entered: 07/21/2010)
07/27/2010	360	Joint MOTION for extension of time to file <i>defendants Elder and Solomon's motion for new trial which extension is unopposed by the United States</i> by Christopher L. Elder. Suggestions in opposition/response due by 8/13/2010 unless otherwise directed by the court. (Osgood, John) (Entered: 07/27/2010)
07/30/2010	361	ORDER granting 360 defendants Elder and Solomon's joint motion for extension of time until 8/16/10 to file motion(s) for new trial. Signed on 7/30/10 by Chief District Judge Fernando J. Gaitan, Jr. (Enss, Rhonda) (Entered: 07/30/2010)
07/30/2010	362	MOTION to modify conditions of release by USA as to

		Christopher L. Elder. Suggestions in opposition/response due by 8/16/2010 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 07/30/2010)
07/30/2010	363	SUGGESTIONS in opposition by Christopher L. Elder re 362 MOTION to modify conditions of release. Reply suggestions due by 8/16/2010 unless otherwise directed by the court (Osgood, John) (Entered: 07/30/2010)
08/02/2010	364	ORDER as to Christopher L. Elder (4) - ORDERED that the Government's Motion to Modify Conditions of Release (Doc. #362) is granted. Defendant Elder's conditions of release are modified to prohibit defendant Elder from ordering, manufacturing, distributing, possessing, dispensing, administering and/or prescribing controlled substances, as well as engaging in any other controlled substance activities, either directly or indirectly (such as through another physician, nurse or physician's assistant). Signed on 8/2/2010 by Magistrate Judge Sarah W. Hays. (Gicinto, JoRita) (Entered: 08/02/2010)
08/16/2010	365	MOTION for acquittal <i>Pursuant to Rule 29, or, in the Alternative, Motion for New Trial Pursuant to Rule 33</i> by Troy R. Solomon. Suggestions in opposition/response due by 9/2/2010 unless otherwise directed by the court. (Attachments: # 1 Exhibit One)(Lewis, Chip) Docket text modified to note two copies of sealed exhibit received on 8/18/2010; one copy to Chambers, one to Records. (Moore, Terri). (Entered: 08/16/2010)
08/16/2010	366	MOTION to continue <i>new trial motion deadline by one day</i> by Christopher L. Elder. Suggestions in opposition/response due by 9/2/2010 unless otherwise directed by the court. (Osgood, John) (Main Document 366 replaced on 8/17/2010) (Beard, Melanie). Modified on 8/17/2010 to replace and delete the original document, as the incorrect document was originally attached(Beard, Melanie). (Entered: 08/16/2010)
08/17/2010	367	MOTION to continue <i>his new trial motion deadline by one day</i> by Christopher L. Elder. Suggestions in opposition/response due by 9/3/2010 unless otherwise directed by the court. (Osgood, John) Modified on 8/17/2010 to terminate the motion and it's deadlines, as it was filed in error(Beard, Melanie). (Entered: 08/17/2010)
08/17/2010		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 8/17/10 as Document No. 367, MOTION to continue his new trial motion deadline by one day. The document was deleted, as it was filed in error. The document has been attached to document #366, as it should have been originally. All motion deadlines for #367 are terminated.

		This is a text entry only - no document is attached. (Beard, Melanie) (Entered: 08/17/2010)
08/17/2010	368	ELECTRONIC TRANSCRIPT as to Christopher L. Elder of Testimony of Richard Lloyd Morgan, MD held June 28, 2010 before Judge Fernando J. Gaitan, Jr.. Court Reporter: Gayle Wambolt, 816-512-5641, gayle_wambolt@mow.uscourts.gov. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov. Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 8/24/2010. Release of Transcript Restriction set for 11/15/2010. (Wambolt, Gayle) (Entered: 08/17/2010)
08/17/2010	369	MOTION for new trial <i>or judgment of acquittal on grounds of insufficient evidence</i> by Christopher L. Elder. Suggestions in opposition/response due by 9/3/2010 unless otherwise directed by the court. (Osgood, John) (Entered: 08/17/2010)
08/26/2010	370	MOTION for bond , <i>that is, clarification of defendant's right to practice medicine so long as he is not involved with controlled substances in anyway whatsoever, with suggestions</i> , by Christopher L. Elder. Suggestions in opposition/response due by 9/13/2010 unless otherwise directed by the court. (Osgood, John) (Entered: 08/26/2010)
08/30/2010	371	SUGGESTIONS in opposition by USA as to Christopher L. Elder re 370 MOTION for bond , <i>that is, clarification of defendant's right to practice medicine so long as he is not involved with controlled substances in anyway whatsoever, with suggestions</i> , . Reply suggestions due by 9/16/2010 unless otherwise directed by the court (Attachments: # 1 Exhibit Order of Suspension)(Rhodes, Rudolph) (Entered: 08/30/2010)
08/30/2010	372	REPLY SUGGESTIONS to motion by Christopher L. Elder re 370 MOTION for bond , <i>that is, clarification of defendant's right to practice medicine so long as he is not involved with controlled substances in anyway whatsoever, with suggestions</i> , (Osgood, John) (Entered: 08/30/2010)
09/02/2010	373	ORDER as to Christopher L. Elder (4) - ORDERED that Defendants Request for Further Clarification of His Conditions of Release (doc. #370) is denied. Signed on 9/2/2010 by Magistrate

		Judge Sarah W. Hays. (Gicinto, JoRita) (Entered: 09/02/2010)
09/02/2010	374	MOTION for extension of time to file response/reply as to 365 MOTION for acquittal <i>Pursuant to Rule 29, or, in the Alternative, Motion for New Trial Pursuant to Rule 33</i> by USA as to Troy R. Solomon. Suggestions in opposition/response due by 9/20/2010 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 09/02/2010)
09/03/2010	375	MOTION for extension of time to file response/reply as to 369 MOTION for new trial <i>or judgment of acquittal on grounds of insufficient evidence</i> by USA as to Christopher L. Elder. Suggestions in opposition/response due by 9/20/2010 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 09/03/2010)
09/03/2010	376	ELECTRONIC TRANSCRIPT as to Troy R. Solomon, Christopher L. Elder of Christopher Elder Cross-examination held June 29, 2010 before Judge Fernando J. Gaitan, Jr.. Court Reporter: Gayle Wambolt, 816-512-5641, gayle_wambolt@mow.uscourts.gov. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov. Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 9/10/2010. Release of Transcript Restriction set for 12/2/2010. (Wambolt, Gayle) (Entered: 09/03/2010)
09/07/2010	377	ORDER granting defendant Elder's motion 366 for extension of time of one day until 8/17/10 to file his motion for new trial. Signed on 9/7/10 by Chief District Judge Fernando J. Gaitan, Jr. This is a TEXT ONLY ENTRY. No document is attached. (Enss, Rhonda) (Entered: 09/07/2010)
09/07/2010	378	ORDER granting 374 and 375 plaintiff's motions for extension of time until 9/24/10 to file response as to Troy R. Solomon's (3) motion for new trial and to file response as to Christopher L. Elder's (4) motion for trial new trial. No further extension of this deadline will be granted. Signed on 9/7/10 by Chief District Judge Fernando J. Gaitan, Jr. (Enss, Rhonda) (Entered: 09/07/2010)
09/24/2010	379	SUGGESTIONS in opposition by USA as to Troy R. Solomon, Christopher L. Elder re: 369 MOTION for new trial <i>or judgment of acquittal on grounds of insufficient evidence</i> , 365 MOTION for

		acquittal <i>Pursuant to Rule 29, or, in the Alternative, Motion for New Trial Pursuant to Rule 33</i> . Reply suggestions due by 10/12/2010 unless otherwise directed by the court (Bohling, James) (Entered: 09/24/2010)
09/30/2010	380	MOTION for extension of time to file <i>objections to PSR</i> by Troy R. Solomon. Suggestions in opposition/response due by 10/18/2010 unless otherwise directed by the court. (Lewis, Chip) (Entered: 09/30/2010)
09/30/2010	380	MOTION for extension of time to file <i>objections to PSR</i> by Troy R. Solomon. Suggestions in opposition/response due by 10/18/2010 unless otherwise directed by the court. (Lewis, Chip) (Entered: 09/30/2010)
10/12/2010	382	REPLY SUGGESTIONS to motion by Christopher L. Elder re 369 MOTION for new trial <i>or judgment of acquittal on grounds of insufficient evidence</i> (Osgood, John) (Entered: 10/12/2010)
10/18/2010	383	ORDER granting 380 defendant's motion for extension of time until 11/15/10 to file objections to PSIR as to Troy R. Solomon (3). Signed on 10/18//10 by Chief District Judge Fernando J. Gaitan, Jr. (Enss, Rhonda) (Entered: 10/18/2010)
10/25/2010	384	MOTION for forfeiture of property by USA as to Troy R. Solomon, Christopher L. Elder. Suggestions in opposition/response due by 11/12/2010 unless otherwise directed by the court. (Attachments: # 1 Affidavit Declaration of Lori Nelson)(Bohling, James) (Entered: 10/25/2010)
11/01/2010	385	ORDER denying 365 defendant Solomon's motion for judgment of acquittal or motion for new trial and denying 369 defendant Elder's motion for judgment of acquittal or motion for new trial. Signed on 11/1/10 by Chief District Judge Fernando J. Gaitan, Jr. (Enss, Rhonda) (Entered: 11/01/2010)
11/08/2010	386	RESPONSE to motion by Troy R. Solomon re 384 MOTION for forfeiture of property . Reply suggestions due by 11/29/2010 unless otherwise directed by the court (Lewis, Chip) (Entered: 11/08/2010)
11/10/2010	387	MOTION for order <i>of Forfeiture</i> by USA as to Mary Lynn Rostie, Cynthia S. Martin. Suggestions in opposition/response due by 11/29/2010 unless otherwise directed by the court. (Rhodes, Rudolph) (Entered: 11/10/2010)
11/12/2010	388	REPLY SUGGESTIONS to motion by USA as to Troy R. Solomon re 384 MOTION for forfeiture of property (Bohling, James) (Entered: 11/12/2010)

11/12/2010	389	MOTION for Order(SEALED) by Troy R. Solomon. Suggestions in opposition/response due by 12/2/2010 unless otherwise directed by the court. (Attachments: # 1 Exhibit One, # 2 Exhibit Two, # 3 Exhibit Three)(Lewis, Chip) (Entered: 11/12/2010)
11/15/2010	390	NOTICE (SEALED) <i>Defendant's Reply to the Government's Objectionns to PSR</i> by Troy R. Solomon (Lewis, Chip) (Entered: 11/15/2010)
11/15/2010	391	MOTION for extension of time to file response/reply as to 384 MOTION for forfeiture of property by Christopher L. Elder. Suggestions in opposition/response due by 12/2/2010 unless otherwise directed by the court. (Osgood, John) (Entered: 11/15/2010)
11/18/2010	392	ORDER as to Christopher L. Elder - ***Motions terminated as to Christopher L. Elder: granting 391 defendant Elder's MOTION for extension of time to file response to 384 MOTION for forfeiture of property. Suggestions in opposition/response now due 11/19/2010 unless otherwise directed by the court.Signed on 11/18/10 by Chief District Judge Fernando J. Gaitan, Jr.(Enss, Rhonda) (Entered: 11/18/2010)
11/18/2010	393	SUGGESTIONS in opposition by Christopher L. Elder re 384 MOTION for forfeiture of property . Reply suggestions due by 12/6/2010 unless otherwise directed by the court (Osgood, John) (Entered: 11/18/2010)
12/06/2010	395	REPLY SUGGESTIONS to motion by USA as to Christopher L. Elder re 384 MOTION for forfeiture of property (Bohling, James) (Entered: 12/06/2010)
12/21/2010	396	The document originally filed as Document #396, NOTICE of Release of Lis Pendens by USA as to Mary Lynn Rostie, has been deleted as the document was filed as to the incorrect defendant. The document has been correctly refiled as Document 398 . Modified on 12/22/2010 (Jones, Robin). (Entered: 12/21/2010)
12/21/2010	397	NOTICE of Release of Lis Pendens by USA as to Cynthia S. Martin (Rhodes, Rudolph) (Entered: 12/21/2010)
12/21/2010	398	NOTICE of Release of Lis Pendens by USA as to Mary Lynn Rostie (Rhodes, Rudolph) (Entered: 12/21/2010)
12/22/2010		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on December 21, 2010 as Document No. 396, NOTICE of Release of Lis Pendens. The document has been deleted as the document was filed as to the incorrect defendant. The document has been correctly refiled as

		Document 398 . This is a text entry only - no document is attached. (Jones, Robin) (Entered: 12/22/2010)
03/04/2011	399	<p>NOTICE OF HEARING as to Mary Lynn Rostie. This is the official notice for this hearing. Sentencing set for 4/5/2011 at 9:30 AM in Courtroom 7C, Kansas City (FJG) before Chief District Judge Fernando J. Gaitan Jr.</p> <p>**OPTIONAL SENTENCING MEMORANDUM DUE FIFTEEN (15) DAYS BEFORE HEARING (03/21/11). Mandatory response due five (5) days thereafter. Counsel who plan to argue variance under <u>Gall v. U.S.</u> should submit a memo outlining factors which support the variance; mandatory response required. Failure to timely file may result in case being removed from docket. <u>Memos are limited to twelve (12) pages and one (1) memo per party unless a motion for leave to exceed is granted in advance.</u>**</p> <p>Signed on 3/4/11 by Chief District Judge Fernando J. Gaitan, Jr.This is a TEXT ONLY ENTRY. No document is attached.(Enss, Rhonda) (Entered: 03/04/2011)</p>
03/04/2011	400	<p>NOTICE OF HEARING as to Cynthia S. Martin. This is the official notice for this hearing. Sentencing set for 4/13/2011 10:00 AM in Courtroom 7C, Kansas City (FJG) before Chief District Judge Fernando J. Gaitan Jr.</p> <p>**OPTIONAL SENTENCING MEMORANDUM DUE FIFTEEN (15) DAYS BEFORE HEARING (03/29/11). Mandatory response due five (5) days thereafter. Counsel who plan to argue variance under <u>Gall v. U.S.</u> should submit a memo outlining factors which support the variance; mandatory response required. Failure to timely file may result in case being removed from docket. <u>Memos are limited to twelve (12) pages and one (1) memo per party unless a motion for leave to exceed is granted in advance.</u>**</p> <p>Signed on 3/4/11 by Chief District Judge Fernando J. Gaitan, Jr.This is a TEXT ONLY ENTRY. No document is attached.(Enss, Rhonda) (Entered: 03/04/2011)</p>
03/07/2011	401	<p>NOTICE OF HEARING as to Christopher L. Elder. This is the official notice for this hearing. Sentencing set for 4/22/2011 at 9:00 AM in Courtroom 7C, Kansas City (FJG) before Chief District Judge Fernando J. Gaitan Jr.</p> <p>**OPTIONAL SENTENCING MEMORANDUM DUE</p>

		<p>FIFTEEN (15) DAYS BEFORE HEARING (04/07/11). Mandatory response due five (5) days thereafter. Counsel who plan to argue variance under <u>Gall v. U.S.</u> should submit a memo outlining factors which support the variance; mandatory response required. Failure to timely file may result in case being removed from docket. <u>Memos are limited to twelve (12) pages and one (1) memo per party unless a motion for leave to exceed is granted in advance.</u>**</p> <p>Signed on 3/7/11 by Chief District Judge Fernando J. Gaitan, Jr.This is a TEXT ONLY ENTRY. No document is attached.(Enss, Rhonda) (Entered: 03/07/2011)</p>
03/08/2011	402	<p>NOTICE OF HEARING as to Troy R. Solomon. This is the official notice for this hearing. Sentencing set for 5/6/2011 AT 9:00 AM in Courtroom 7C, Kansas City (FJG) before Chief District Judge Fernando J. Gaitan Jr.</p> <p>**OPTIONAL SENTENCING MEMORANDUM DUE FIFTEEN (15) DAYS BEFORE HEARING (04/21/11). Mandatory response due five (5) days thereafter. Counsel who plan to argue variance under <u>Gall v. U.S.</u> should submit a memo outlining factors which support the variance; mandatory response required. Failure to timely file may result in case being removed from docket. <u>Memos are limited to twelve (12) pages and one (1) memo per party unless a motion for leave to exceed is granted in advance.</u>**</p> <p>Signed on 3/8/11 by Chief District Judge Fernando J. Gaitan, Jr.This is a TEXT ONLY ENTRY. No document is attached.(Enss, Rhonda) (Entered: 03/08/2011)</p>
03/10/2011	403	<p>**Amended** NOTICE OF HEARING as to Troy R. Solomon. This is the official notice for this hearing. Sentencing **RESET for 5/16/2011 AT 10:00 AM** (previously set on 5/6/11)in Courtroom 7C, Kansas City (FJG) before Chief District Judge Fernando J. Gaitan Jr.</p> <p>**OPTIONAL SENTENCING MEMORANDUM DUE FIFTEEN (15) DAYS BEFORE HEARING (04/29/11). Mandatory response due five (5) days thereafter. Counsel who plan to argue variance under <u>Gall v. U.S.</u> should submit a memo outlining factors which support the variance; mandatory response required. Failure to timely file may result in case being removed from docket. <u>Memos are limited to twelve (12) pages and one (1) memo per party unless a motion</u></p>

		<p><u>for leave to exceed is granted in advance.**</u></p> <p>Signed on 3/10/11 by Chief District Judge Fernando J. Gaitan, Jr. This is a TEXT ONLY ENTRY. No document is attached.(Enss, Rhonda) (Entered: 03/10/2011)</p>
03/29/2011	404	SENTENCING MEMORANDUM by Cynthia S. Martin (Hobbs, James) (Entered: 03/29/2011)
