

**U.S. District Court  
Southern District of Florida (Miami)  
CIVIL DOCKET FOR CASE #: 1:23-cv-23903-KMW**

Montano v. Washington State Department of Health et al  
Assigned to: Judge Kathleen M. Williams  
Referred to: Magistrate Judge Jonathan Goodman  
Cause: 28:1983 Civil Rights

Date Filed: 10/12/2023  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Diversity

**Plaintiff**

**Dr. Sandy Montano**

represented by **Sandy Montano**  
8250 SW 4th Street  
Miami, FL 33144  
PRO SE

V.

**Defendant**

**Washington State Department of Health**

represented by **Aaron J. Rothstein**  
Washington Attorney General Office  
1250 Pacific Ave suite 105  
Tacoma, WA 98402  
(253) 593-2368  
Email: aaron.rothstein@atg.wa.gov  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Washington State Spokane County**

represented by **Esther Elisa Galicia**  
Fowler White Burnett, P.A.  
1395 Brickell Avenue  
14th Floor  
Miami, FL 33131  
305-789-9200  
Fax: 305-789-9201  
Email: egalicia@fowler-white.com  
*ATTORNEY TO BE NOTICED*

**James Norford Hurley**

Fowler White Burnett  
1395 Brickell Avenue  
14th Floor  
Miami, FL 33131-3302  
305-789-9218  
Fax: 305-789-9201  
Email: jhurley@fowler-white.com  
*ATTORNEY TO BE NOTICED*

**John R. Nicholson**

Jackson & Nicholson, P.S.  
900 SW 16th Street, Suite 215  
Renton, WA 98057  
(206) 582-6001  
Email: John@jnseattle.com  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Washington State Spokane County,  
Sheriff's Office**

represented by **Esther Elisa Galicia**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**James Norford Hurley**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**John R. Nicholson**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Deputy Daniel Moman**  
*Spokane County, Sheriff's Office*

represented by **Esther Elisa Galicia**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**James Norford Hurley**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**John R. Nicholson**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Inspector Clark A. Wisswell**  
*Health Care Investigator, Washington State  
Department of Health*

represented by **Aaron J. Rothstein**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Erin Obenland**  
*Employee, Washington State Department  
of Health*

represented by **Aaron J. Rothstein**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Lydia Koroma**  
*Employee, Washington State Department  
of Health*

represented by **Aaron J. Rothstein**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Dr. David Carsten**  
*Chairperson, Dental Quality Assurance  
Commission, Washington State  
Department of Health*

represented by **Aaron J. Rothstein**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Sharon Moysiuk**  
*Employee, Washington State Department  
of Health*

represented by **Aaron J. Rothstein**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Shellie Carpenter**  
*Employee, Washington State Department  
of Health*

represented by **Aaron J. Rothstein**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Washington State Board of Health**

represented by **Aaron J. Rothstein**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Charles Villegas**  
*Agent, Washington State Department of  
Health*

**Defendant**

**Jamie Decker**  
*Former Employee of Plaintiff*

**Defendant**

**Brooklynn Kennedy**  
*Former Employee of Plaintiff*

**Defendant**

**Malenna Palmer**  
*Former Employee of Plaintiff*

represented by **Malenna Palmer**  
38910 North Short Rd.,  
Deer Park, WA 99006  
PRO SE

**Defendant**

**Heather Vincent**  
*Former Employee of Plaintiff*

**Defendant**

**YouTube**

represented by **Betty Chang Rowe**  
Wilson Sonsini Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, CA 94304-1050  
650-849-3096  
Email: browe@wsgr.com  
*ATTORNEY TO BE NOTICED*

**David H. Kramer**  
Wilson Sonsini Goodrich & Rosati, P.C.  
650 Page Mill Road  
Palo Alto, CA 94304  
(650) 493-9300  
Email: dkramer@wsgr.com  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Google**

represented by **Betty Chang Rowe**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**David H. Kramer**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**KREM2 Television Station**  
*Spokane County, Washington State*

represented by **Mark Richard Caramanica**  
Thomas and LoCicero PL  
601 South Boulevard  
Tampa, FL 33606  
(813) 984-3060  
Fax: (813) 984-3070  
Email: mcaramanica@tlolawfirm.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Elizabeth Drew Ernest**  
Thomas and LoCicero  
601 S Boulevard  
Tampa, FL 33606

(813) 984-3060  
 Email: Eernest@tlolawfirm.com  
**ATTORNEY TO BE NOTICED**

**Defendant**

**TEGNA, Inc.**  
*Owner, KREM2 Television Station*

represented by **Mark Richard Caramanica**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Elizabeth Drew Ernest**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Patrick Henkels**  
*Reporter, KREM2 Television Station*

represented by **Mark Richard Caramanica**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Elizabeth Drew Ernest**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Delta Dental of Washington**

represented by **Adam Jason Lamb**  
 Fox Rothschild LLP  
 One Biscayne Tower  
 2 S. Biscayne Blvd.  
 Ste 2750  
 Miami, FL 33131  
 305-442-6558  
 Email: alamb@foxrothschild.com  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Guardian Insurance**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
10/12/2023	<a href="#">1</a>	Complaint pursuant to 42 USC 1983 against Washington State Department of Health, Washington State Spokane County, Shellie Carpenter, David Carsten, Jamie Decker, Delta Dental of Washington, Google, Guardian Insurance, Patrick Henkels, KREM2 Television Station, Brooklynn Kennedy, Lydia Koroma, Daniel Moman, Sharon Moysiuk, Erin Obenland, Malenna Palmer, TEGNA, Inc., Charles Villegas, Heather Vincent, Washington State Board of Health, Washington State Spokane County, Sheriff's Office, Clark A. Wisswell, YouTube. Filing fee \$402.00, filed by Sandy Montano. (Attachments: # <a href="#">1</a> Civil Cover Sheet)(jas) (Entered: 10/12/2023)
10/12/2023	2	Clerks Notice of Judge Assignment to Judge Robert N. Scola, Jr.  Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Jonathan Goodman is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent.  Pro se (NON-PRISONER) litigants may receive Notices of Electronic Filings (NEFS) via email after filing a Consent by Pro Se Litigant (NON-PRISONER) to Receive Notices of Electronic Filing. The consent form is available under the forms section of our website. (jas) (Entered: 10/12/2023)
10/12/2023	<a href="#">3</a>	MOTION for Referral to Volunteer Attorney Program by Sandy Montano. (jas) (Entered: 10/12/2023)
10/12/2023	<a href="#">4</a>	Clerks Notice of Receipt of Filing Fee received on 10/12/2023 in the amount of \$ 402.00, receipt number FLS276713. (vt) (Entered: 10/12/2023)

10/12/2023	<a href="#">5</a>	Summons Issued as to Shellie Carpenter, David Carsten, Jamie Decker, Delta Dental of Washington, Google, Guardian Insurance, Patrick Henkels, KREM2 Television Station, Brooklynn Kennedy, Lydia Koroma, Daniel Moman, Sharon Moysiuk, Erin Obenland, Malenna Palmer, TEGNA, Inc., Charles Villegas, Heather Vincent, Washington State Board of Health, Washington State Department of Health, Washington State Spokane County, Washington State Spokane County, Sheriff's Office, Clark A. Wisswell, YouTube. (jas) (Entered: 10/12/2023)
10/17/2023	<a href="#">6</a>	ORDER OF RECUSAL. Judge Robert N. Scola, Jr recused. Case reassigned to Judge Kathleen M. Williams for all further proceedings. Signed by Judge Robert N. Scola, Jr on 10/16/2023. <i>See attached document for full details.</i> (vjk) (Entered: 10/17/2023)
11/03/2023	<a href="#">7</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. TEGNA, Inc. served on 10/17/2023, response/answer due 11/7/2023. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">8</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. David Carsten served on 11/2/2023, response/answer due 11/27/2023. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">9</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Charles Villegas served on 10/21/2023, response/answer due 11/13/2023. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">10</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Brooklynn Kennedy served on 10/23/2023, response/answer due 11/13/2023. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">11</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Washington State Spokane County, Sheriff's Office served on 10/19/2023, response/answer due 11/9/2023. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">12</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Patrick Henkels served on 10/23/2023, response/answer due 11/13/2023. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">13</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. KREM2 Television Station served on 10/20/2023, response/answer due 11/13/2023. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">14</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Google served on 10/18/2023, response/answer due 11/8/2023. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">15</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Sharon Moysiuk served on 10/19/2023, response/answer due 11/9/2023. (scn) (Main Document 15 replaced with correct return on 11/6/2023) (scn). (Entered: 11/06/2023)
11/03/2023	<a href="#">16</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Washington State Department of Health served on 10/19/2023, response/answer due 11/9/2023. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">17</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Washington State Board of Health served on 10/19/2023, response/answer due 11/9/2023. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">18</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Heather Vincent served on 10/16/2023, response/answer due 11/6/2023. (scn) (Entered: 11/06/2023)

11/03/2023	<a href="#">19</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Lydia Koroma served on 10/24/2023, response/answer due 11/14/2023. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">20</a>	Summons (Affidavit) Returned Unexecuted by Sandy Montano as to Jamie Decker. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">21</a>	Summons (Affidavit) Returned Unexecuted by Sandy Montano as to Guardian Insurance. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">22</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. YouTube served on 10/18/2023, response/answer due 11/8/2023. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">23</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Shellie Carpenter served on 10/19/2023, response/answer due 11/9/2023. (scn) (Entered: 11/06/2023)
11/03/2023	<a href="#">24</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Erin Obenland served on 10/19/2023, response/answer due 11/9/2023. (scn) (Entered: 11/06/2023)
11/07/2023	<a href="#">25</a>	Defendant's MOTION to Dismiss with Prejudice <a href="#">1</a> Complaint 42 USC 1983 or Bivens., by Patrick Henkels, KREM2 Television Station, TEGNA, Inc.. Attorney Mark Richard Caramanica added to party Patrick Henkels(pty:dft), Attorney Mark Richard Caramanica added to party KREM2 Television Station(pty:dft), Attorney Mark Richard Caramanica added to party TEGNA, Inc.(pty:dft). Responses due by 11/21/2023 (Attachments: # <a href="#">1</a> Exhibit Ex. A, # <a href="#">2</a> Exhibit Ex. B, # <a href="#">3</a> Exhibit Composite Ex. C, # <a href="#">4</a> Exhibit Ex. D, # <a href="#">5</a> Exhibit Ex. E, # <a href="#">6</a> Exhibit Ex. F)(Caramanica, Mark) (Entered: 11/07/2023)
11/07/2023	<a href="#">26</a>	NOTICE of Attorney Appearance by Elizabeth Drew Ernest on behalf of Patrick Henkels, KREM2 Television Station, TEGNA, Inc.. Attorney Elizabeth Drew Ernest added to party Patrick Henkels(pty:dft), Attorney Elizabeth Drew Ernest added to party KREM2 Television Station(pty:dft), Attorney Elizabeth Drew Ernest added to party TEGNA, Inc.(pty:dft). (Ernest, Elizabeth) (Entered: 11/07/2023)
11/07/2023	<a href="#">27</a>	Defendant's Corporate Disclosure Statement / <i>NEWS MEDIA DEFENDANTS RULE 7.1 DISCLOSURE STATEMENT</i> by Patrick Henkels, KREM2 Television Station, TEGNA, Inc. (Caramanica, Mark) (Entered: 11/07/2023)
11/07/2023	28	Clerk's Notice to Filer re <a href="#">27</a> Certificate of Other Affiliates/Corporate Disclosure Statement. <b>Other Affiliates/Corporate Parents Not Entered; ERROR - The Filer failed to enter all Other Affiliates/Corporate Parents from the Certificate of Other Affiliates/Corporate Disclosure Statement. Filer is instructed to refile their Certificate of Other Affiliates/Corporate Disclosure Statement and enter the missing Other Affiliates/Corp Parents. Note - Other Affiliates/Corporate Parents do not appear on the docket sheet.</b> (ebz) (Entered: 11/07/2023)
11/07/2023	<a href="#">29</a>	Defendant's Corporate Disclosure Statement / <i>NEWS MEDIA DEFENDANTS RULE 7.1 DISCLOSURE STATEMENT</i> by Patrick Henkels, KREM2 Television Station, TEGNA, Inc. identifying Other Affiliate The Vanguard Group, Inc., Other Affiliate BlackRock, Inc. for TEGNA, Inc.; Other Affiliate Belo Holdings, Inc., Other Affiliate Belo Corp. for KREM2 Television Station (Caramanica, Mark) (Entered: 11/07/2023)
11/08/2023	<a href="#">30</a>	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for John R. Nicholson. Filing Fee \$ 200.00 Receipt # AFLSDC-17059071 by Daniel Moman, Washington State Spokane County, Washington State Spokane County, Sheriff's Office. Attorney James Norford Hurley added to party Daniel Moman(pty:dft), Attorney James Norford Hurley added to party Washington State Spokane County(pty:dft), Attorney James Norford Hurley added to party Washington State Spokane County, Sheriff's Office(pty:dft). Responses due by 11/22/2023 (Attachments: # <a href="#">1</a> Certification Certification, # <a href="#">2</a> Text of Proposed Order Proposed Order)(Hurley, James) (Entered: 11/08/2023)

11/08/2023	<a href="#">31</a>	NOTICE of Attorney Appearance by Betty Chang Rowe on behalf of Google, YouTube. Attorney Betty Chang Rowe added to party Google(pty:dft), Attorney Betty Chang Rowe added to party YouTube(pty:dft). (Rowe, Betty) (Entered: 11/08/2023)
11/08/2023	<a href="#">32</a>	Corporate Disclosure Statement by Google, YouTube identifying Corporate Parent XXVI Holdings Inc., Corporate Parent Alphabet Inc. for Google, YouTube (Rowe, Betty) (Entered: 11/08/2023)
11/08/2023	<a href="#">33</a>	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for David H. Kramer. Filing Fee \$ 200.00 Receipt # AFLSDC-17060369 by Google, YouTube. Responses due by 11/22/2023 (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Proposed Order)(Rowe, Betty) (Entered: 11/08/2023)
11/08/2023	<a href="#">34</a>	MOTION TO DISMISS <a href="#">1</a> Complaint 42 USC 1983 or Bivens,, FOR FAILURE TO STATE A CLAIM by Google, YouTube. Responses due by 11/22/2023 (Rowe, Betty) (Entered: 11/08/2023)
11/09/2023	<a href="#">35</a>	NOTICE of Attorney Appearance by James Norford Hurley on behalf of Daniel Moman, Washington State Spokane County, Washington State Spokane County, Sheriff's Office (Hurley, James) (Entered: 11/09/2023)
11/09/2023	<a href="#">36</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983 or Bivens,, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Delta Dental of Washington served on 11/6/2023, response/answer due 11/27/2023. (ls) (Entered: 11/09/2023)
11/09/2023	<a href="#">37</a>	RESPONSE in Opposition re <a href="#">25</a> Defendant's MOTION to Dismiss with Prejudice <a href="#">1</a> Complaint 42 USC 1983 or Bivens,, filed by Sandy Montano. Replies due by 11/16/2023. (ls) (Entered: 11/09/2023)
11/09/2023	<a href="#">38</a>	NOTICE of Attorney Appearance by Esther Elisa Galicia on behalf of Daniel Moman, Washington State Spokane County, Washington State Spokane County, Sheriff's Office. Attorney Esther Elisa Galicia added to party Daniel Moman(pty:dft), Attorney Esther Elisa Galicia added to party Washington State Spokane County(pty:dft), Attorney Esther Elisa Galicia added to party Washington State Spokane County, Sheriff's Office(pty:dft). (Galicia, Esther) (Entered: 11/09/2023)
11/09/2023	<a href="#">39</a>	MOTION to Dismiss for Lack of Jurisdiction <a href="#">1</a> Complaint 42 USC 1983 or Bivens,, by Daniel Moman, Washington State Spokane County, Washington State Spokane County, Sheriff's Office. Responses due by 11/27/2023 (Hurley, James) (Entered: 11/09/2023)
11/09/2023	<a href="#">40</a>	ORDER REFERRING CASE to Magistrate Judge Lisette M. Reid for Discovery and Pretrial Non-Dispositive Matters, and Notice of Court Practice and Procedures. Signed by Judge Kathleen M. Williams on 11/9/2023. <i>See attached document for full details.</i> (ls) (Entered: 11/13/2023)
11/09/2023	<a href="#">41</a>	ORDER OF INSTRUCTIONS TO PRO SE LITIGANT. Signed by Judge Kathleen M. Williams on 11/9/2023. <i>See attached document for full details.</i> (ls) (Entered: 11/13/2023)
11/14/2023	<a href="#">42</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983 or Bivens,, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Delta Dental of Washington served on 11/6/2023, response/answer due 11/27/2023, Clark A. Wisswell served on 11/9/2023, response/answer due 11/30/2023. (ls) (Entered: 11/15/2023)
11/14/2023	<a href="#">43</a>	RESPONSE in Opposition re <a href="#">34</a> MOTION TO DISMISS <a href="#">1</a> Complaint 42 USC 1983 or Bivens,, FOR FAILURE TO STATE A CLAIM filed by Sandy Montano. Replies due by 11/21/2023. (ls) (Entered: 11/15/2023)
11/20/2023	<a href="#">44</a>	REPLY to Response to Motion re <a href="#">34</a> MOTION TO DISMISS <a href="#">1</a> Complaint 42 USC 1983 or Bivens,, FOR FAILURE TO STATE A CLAIM filed by Google, YouTube. (Rowe, Betty) (Entered: 11/20/2023)
11/21/2023	<a href="#">45</a>	RESPONSE in Opposition re <a href="#">39</a> MOTION to Dismiss for Lack of Jurisdiction <a href="#">1</a> Complaint 42 USC 1983 or Bivens,, filed by Sandy Montano. Replies due by 11/28/2023. (ls) (Entered: 11/21/2023)
11/22/2023	<a href="#">46</a>	MOTION for Extension of Time to File Response/Reply/Answer as to <a href="#">1</a> Complaint 42 USC 1983 or Bivens,, by Delta Dental of Washington. Attorney Adam Jason Lamb added to party Delta Dental of Washington(pty:dft). (Attachments: # <a href="#">1</a> Text of Proposed

		Order Proposed Order)(Lamb, Adam) (Entered: 11/22/2023)
11/27/2023	<a href="#">47</a>	REPLY to Response to Motion re <a href="#">39</a> MOTION to Dismiss for Lack of Jurisdiction <a href="#">1</a> Complaint 42 USC 1983 or Bivens., filed by Daniel Moman, Washington State Spokane County, Washington State Spokane County, Sheriff's Office. (Hurley, James) (Entered: 11/27/2023)
11/29/2023	<a href="#">48</a>	AMENDED ORDER REFERRING CASE to Magistrate Judge Jonathan Goodman for Discovery and Pretrial Non-Dispositive Matters. Magistrate Judge Lisette M. Reid no longer assigned as presider/referral judge(s) in case., and Notice of Court Practice and Procedures. Signed by Judge Kathleen M. Williams on 11/29/2023. <i>See attached document for full details.</i> (ls) (Entered: 11/29/2023)
11/29/2023	49	PAPERLESS ORDER granting <a href="#">30</a> Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Attorney John R. Nicholson. Signed by Magistrate Judge Jonathan Goodman on 11/29/2023. (mkr) (Entered: 11/29/2023)
11/29/2023	50	PAPERLESS ORDER granting <a href="#">33</a> Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Attorney David H. Kramer. Signed by Magistrate Judge Jonathan Goodman on 11/29/2023. (mkr) (Entered: 11/29/2023)
11/29/2023	51	PAPERLESS ORDER granting <a href="#">46</a> Motion for Extension of Time to File Response Complaint. Defendant Delta Dental of Washington shall file a response to the Complaint on or before December 11, 2023. Signed by Magistrate Judge Jonathan Goodman on 11/29/2023. (mkr) (Entered: 11/29/2023)
12/01/2023	<a href="#">52</a>	MAGISTRATE JUDGE GOODMAN'S DISCOVERY PROCEDURES ORDER. Signed by Magistrate Judge Jonathan Goodman on 12/1/2023. <i>See attached document for full details.</i> (fbn) (Entered: 12/01/2023)
12/05/2023	<a href="#">53</a>	SUMMONS (Affidavit) Returned Executed on <a href="#">1</a> Complaint 42 USC 1983 or Bivens., with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Sandy Montano. Malenna Palmer served on 11/28/2023, response/answer due 12/19/2023. (ls) (Entered: 12/05/2023)
12/11/2023	54	PAPERLESS ORDER. <b>THIS MATTER</b> is before the Court <i>sua sponte</i> . Pursuant to Federal Rule of Civil Procedure 4(m), Plaintiff shall effect service of process and file proof of service of the Complaint on all remaining Defendants no later than <b>January 10, 2024</b> . All claims against any Defendant that has not been served with notice of this action by that day--evidenced by valid proof of service filed to the docket--will be dismissed without prejudice pursuant to Rule 4(m). Signed by Judge Kathleen M. Williams on 12/11/2023. (bj) (Entered: 12/11/2023)
12/11/2023	<a href="#">55</a>	MOTION to Dismiss <a href="#">1</a> Complaint 42 USC 1983 or Bivens., by Delta Dental of Washington. Responses due by 12/27/2023 (Attachments: # <a href="#">1</a> Affidavit DECLARATION OF ELIZABETH PETERSON)(Lamb, Adam) (Entered: 12/11/2023)
12/11/2023	<a href="#">56</a>	Third Attempt to Mitigate Damages, Official Legal Notice to Cease and Desist all out of Court contact by Sandy Montano (ls) (Entered: 12/12/2023)
12/12/2023	<a href="#">57</a>	NOTICE of Attorney Appearance by Aaron J. Rothstein on behalf of Shellie Carpenter, David Carsten, Lydia Koroma, Sharon Moysiuk, Erin Obenland, Washington State Board of Health, Washington State Department of Health, Clark A. Wisswell. Attorney Aaron J. Rothstein added to party Shellie Carpenter(pty:dft), Attorney Aaron J. Rothstein added to party David Carsten(pty:dft), Attorney Aaron J. Rothstein added to party Lydia Koroma(pty:dft), Attorney Aaron J. Rothstein added to party Sharon Moysiuk(pty:dft), Attorney Aaron J. Rothstein added to party Erin Obenland(pty:dft), Attorney Aaron J. Rothstein added to party Washington State Board of Health(pty:dft), Attorney Aaron J. Rothstein added to party Washington State Department of Health(pty:dft), Attorney Aaron J. Rothstein added to party Clark A. Wisswell(pty:dft). (Rothstein, Aaron) (Entered: 12/12/2023)
12/13/2023	<a href="#">58</a>	Defendant's MOTION TO DISMISS <a href="#">1</a> Complaint 42 USC 1983 or Bivens., FOR FAILURE TO STATE A CLAIM , Defendant's MOTION to Dismiss for Lack of Jurisdiction <a href="#">1</a> Complaint 42 USC 1983 or Bivens., ( Responses due by 12/27/2023) by Shellie Carpenter, David Carsten, Lydia Koroma, Sharon Moysiuk, Erin Obenland, Washington State Board of Health, Clark A. Wisswell. (Rothstein, Aaron) (Entered: 12/13/2023)
12/18/2023	<a href="#">59</a>	NOTICE of Appearance and Address by Malenna Palmer (nan) (Entered: 12/19/2023)



12/19/2023	<a href="#">60</a>	Joint MOTION to Continue <i>Joint Conference Report and Joint Proposed Scheduling Order Deadline and to Stay Discovery</i> by Shellie Carpenter, David Carsten, Delta Dental of Washington, Patrick Henkels, KREM2 Television Station, Lydia Koroma, Daniel Moman, Sharon Moysiuk, Erin Obenland, TEGNA, Inc., Washington State Board of Health, Washington State Department of Health, Washington State Spokane County, Washington State Spokane County, Sheriff's Office, Clark A. Wisswell. Responses due by 1/2/2024 (Ernest, Elizabeth) (Entered: 12/19/2023)
01/17/2024	61	PAPERLESS ORDER. <b>THIS MATTER</b> is before the Court on the Joint Motion to Continue Joint Conference Report and Joint Proposed Scheduling Order Deadline and Stay Discovery (DE <a href="#">60</a> ) ("Joint Motion") filed by Defendants TEGNA Inc., King Broadcasting Company, Patrick Henkels, Spokane County, Spokane County Sheriff's Office, Daniel Moman, Washington State Department of Health, Clark A. Wisswell, Erin Obenland, Lydia Koroma, David Carsten, Sharon Moysiuk, Shellie Carpenter, Washington State Board of Health, and Delta Dental of Washington (collectively, "Certain Defendants"). In the Joint Motion, Certain Defendants request the Court continue the deadline for the Parties to confer and submit the joint conference report and proposed scheduling order. Plaintiff did not file a response in opposition to Certain Defendants' Motion and the time to do so has passed. Accordingly, it is <b>ORDERED AND ADJUDGED</b> that Certain Defendants' Motion (DE <a href="#">60</a> ) is <b>GRANTED</b> . The deadline for the Parties to conduct discovery and to confer and file a joint conference report and proposed scheduling order is <b>CONTINUED</b> pending the Court's order on the pending motions to dismiss. Signed by Judge Kathleen M. Williams on 1/17/2024. (bj) (Entered: 01/17/2024)
01/17/2024	62	PAPERLESS ORDER. <b>THIS MATTER</b> is before the Court on the Motion for Referral to Volunteer Attorney Program (DE <a href="#">3</a> ) ("Motion") filed by Plaintiff. In the Motion, Plaintiff requests a referral to the Court's Volunteer Attorney Program to find legal counsel to represent them in this matter.  A party in a civil case has no constitutional or statutory right to counsel. <i>See Bass v. Perrin</i> , 170 F.3d 1312, 1320 (11th Cir. 1999). However, a court, in its broad discretion, may appoint counsel to an indigent individual. <i>Id.</i> "Appointment of counsel in civil cases is, rather, a privilege 'justified only by exceptional circumstances,' such as the presence of 'facts and legal issues [which] are so novel or complex as to require the assistance of a trained practitioner.'" <i>See Kilgo v. Ricks</i> , 983 F.2d 189, 193 (11th Cir. 1993). In the Motion, Plaintiff failed to provide any exceptional circumstance entitling them to counsel in this matter. Accordingly, it is <b>ORDERED AND ADJUDGED</b> that Plaintiff's Motion (DE <a href="#">3</a> ) is <b>DENIED</b> . Plaintiff shall either proceed <i>pro se</i> or retain private counsel to represent them in this matter. Signed by Judge Kathleen M. Williams on 1/17/2024. (bj) (Entered: 01/17/2024)
01/17/2024	63	OMNIBUS PAPERLESS ORDER REFERRING MOTIONS. <b>THIS MATTER</b> is before the Court <i>sua sponte</i> . Pursuant to 28 U.S.C. § 636 and the Magistrate Rules of the Local Rules for the Southern District of Florida, Certain Defendants' motion to dismiss (DE <a href="#">25</a> ; DE <a href="#">34</a> ; DE <a href="#">39</a> ; DE <a href="#">55</a> ; DE <a href="#">58</a> ) are <b>REFERRED</b> to United States Magistrate Judge Jonathan Goodman for a report and recommendation. Signed by Judge Kathleen M. Williams on 1/17/2024. (bj) (Entered: 01/17/2024)

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