

Proceedings include all events.

TERMED

2:00cv74 Hargis, et al v. AAA Collections, Inc, et al

APPEAL

CM50BD

TERMED APPEAL

CM50BD

U.S. District Court  
MIDDLE DISTRICT OF TENNESSEE (Northeastern)

CIVIL DOCKET FOR CASE #: 00-CV-74

Hargis, et al v. AAA Collections, Inc, et al

Filed: 09/07/00

Assigned to: Judge William J. Haynes, Jr. Jury demand: Plaintiff

Demand: \$0,000

Nature of Suit: 440

Lead Docket: None

Jurisdiction: Federal Question

Dkt# in other court: None

Cause: 15:1692 Fair Debt Collection Act

DEWAYNE HARGIS

Marla K. Williams

pltf

[COR LD NTC]

Rural Legal Services of

Tennessee, Inc.

9 S Jefferson Street

Suite 102

Cookeville, TN 38501

(931) 528-7436

Samuel J. Harris

[COR LD NTC]

Harris Law Firm

P O Box 873

Cookeville, TN 38503

(931) 372-7227

JUDY HARGIS

Marla K. Williams

pltf

(See above)

[COR LD NTC]

Samuel J. Harris

(See above)

[COR LD NTC]

v.

AAA COLLECTIONS, INC Daniel P. Berexa  
deft [COR LD NTC]  
Cornelius & Collins, LLP  
P O Box 190695  
511 Union Street  
Suite 1500  
Nashville, TN 37219-0695  
(615) 244-1440

Docket as of June 11, 2002 7:01 pm Page 2

Proceedings include all events. TERMED  
2:00cv74 Hargis, et al v. AAA Collections, Inc, et al APPEAL  
CM50BD

CITY OF COOKEVILLE, TENNESSEE Daniel Hurley Rader, III  
deft [COR LD NTC]  
Lane Moore  
[COR]  
Moore, Rader, Clift &  
Fitzpatrick, P.C.  
P O Box 3347  
Cookeville, TN 38502  
(931) 526-3311

Docket as of June 11, 2002 7:01 pm Page 3

Proceedings include all events. TERMED  
2:00cv74 Hargis, et al v. AAA Collections, Inc, et al APPEAL  
CM50BD

9/7/00 1 COMPLAINT w/attached exh. 1 (Summons(es) issued) Filing fee  
paid in the amount of : \$150.00 Receipt # 75903 (jb)  
[Entry date 09/11/00] [Edit date 09/11/00]

9/7/00 2 NOTICE of Initial Case Management Conference; Case  
referred to Magistrate Judge E. C. Knowles; Initial Case  
Management Conference set for 11:00 10/19/00 (jb)

[Entry date 09/11/00]

- 10/10/00 3 ATTORNEY APPEARANCE for deft Cookeville City of by Daniel Hurley Rader III. (dlt) [Entry date 10/11/00]
- 10/11/00 -- PROPOSED Agreed Order re: CMC rescheduled for 10/25/00 at 2:00 p.m. (dlt) [Entry date 10/12/00]
- 10/16/00 4 ATTORNEY APPEARANCE for deft AAA Collections, Inc by Daniel P. Berexa. (dlt) [Entry date 10/17/00]
- 10/16/00 5 MOTION by deft AAA Collections, Inc for extension of time of 20 days to file a response to the complaint. (dlt) [Entry date 10/17/00]
- 10/16/00 6 ORDER by Magistrate Judge E. C. Knowles ; Case Management Conference reset for 2:00 p.m. on 10/25/00. EOD 10/17/00 (cc: all counsel) (dlt) [Entry date 10/17/00]
- 10/18/00 7 ORDER by Magistrate Judge E. C. Knowles granting motion for extension of time of 20 days to file a response to the complaint [5-1]. EOD 10/19/00 (cc: all counsel) (dlt) [Entry date 10/19/00]
- 10/25/00 8 CLERK'S RESUME: Case Management Conference held on 10/25/00. Parties submitted a proposed CMO. Discovery ddl 3/31/01; dispositive mtn ddl 5/15/01; Case Management Order to enter. C/R : Tape No.: 2000-27 MK (dlt) [Entry date 10/30/00]
- 10/27/00 9 INITIAL CASE MANAGEMENT ORDER by Magistrate Judge E. C. Knowles: Discovery ddl set for 3/31/01; dispositive mtn filing ddl set for 5/15/01. EOD 10/30/00 (cc: all counsel) (dlt) [Entry date 10/30/00]
- 11/13/00 10 ANSWER by deft Cookeville City of to [1-1] (dlt) [Entry date 11/14/00]
- 11/14/00 11 ANSWER by deft AAA Collections, Inc to [1-1]; jury demand (dlt) [Entry date 11/15/00]
- 2/28/01 12 OBJECTIONS by deft Cookeville City to Notice of Deposition (dlt) [Entry date 03/01/01]
- 5/11/01 13 MOTION by deft Cookeville City of for summary judgment (dlt) [Entry date 05/14/01]

Proceedings include all events.

TERMED

2:00cv74 Hargis, et al v. AAA Collections, Inc, et al

APPEAL

CM50BD

5/11/01 14 MEMORANDUM (BRIEF) by deft Cookeville City of in support of motion for summary judgment [13-1]. (dlt) [Entry date 05/14/01]

5/11/01 15 STATEMENT of material facts by deft Cookeville City of in support of [13-1]. (dlt) [Entry date 05/14/01]

5/11/01 16 NOTICE by deft City of Cookeville of filing copies of depositions. (w/ att'd copies of depositions of DeWayne Hargis, Judy Hargis, Donna Dennis, and Tammy Williams) (dlt) [Entry date 05/14/01]

5/15/01 17 MOTION by pltfs for partial summary judgment. (dlt) [Entry date 05/16/01]

5/15/01 18 MEMORANDUM of Law by pltfs in support of motion for partial summary judgment [17-1]. (dlt) [Entry date 05/16/01]

5/15/01 19 STATEMENT of materail facts by pltf in support of [17-1] (dlt) [Entry date 05/16/01]

5/15/01 20 NOTICE by pltfs of filing of Earl Maddux Jr. deposition. (dlt) [Entry date 05/16/01]

5/15/01 21 MOTION by deft AAA Collections, Inc for summary judgment. (w/ att'd exhibits A-E) (dlt) [Entry date 05/16/01]

5/15/01 22 MEMORANDUM by deft AAA Collections, Inc in support of motion for summary judgment [21-1]. (dlt) [Entry date 05/16/01]

5/15/01 23 STATEMENT of material facts by deft AAA Collections, Inc in support of [21-1]. (dlt) [Entry date 05/16/01]

6/11/01 24 RESPONSE by deft City of Cookeville to motion for partial summary judgment [17-1]. (dlt) [Entry date 06/12/01]

6/11/01 25 RESPONSE by deft City of Cookeville to [19-1]. (dlt)

[Entry date 06/12/01]

6/13/01 26 RESPONSE by deft AAA Collections, Inc to motion for partial summary judgment [17-1]. (dlt) [Entry date 06/14/01]

6/13/01 27 RESPONSE by deft AAA Collections, Inc to stmt of material facts [19-1]. (dlt) [Entry date 06/14/01]  
[Edit date 06/18/01]

6/15/01 28 RESPONSE by pltfs to defts' motions for summary judgment [21-1] & [13-1] (af) [Entry date 06/18/01]

6/15/01 29 RESPONSE by pltfs to deft AAA's Statement of Material Facts [23-1] (af) [Entry date 06/18/01] [Edit date 06/18/01]

Docket as of June 11, 2002 7:01 pm

Page 5

Proceedings include all events.

TERMED

2:00cv74 Hargis, et al v. AAA Collections, Inc, et al

APPEAL

CM50BD

6/15/01 30 RESPONSE by pltfs to deft City of Cookeville's Statement of Material Facts [15-1] (af) [Entry date 06/18/01]

6/29/01 31 REPLY by deft Cookeville City of to response to motion for summary judgment [13-1]. (dlt) [Entry date 07/02/01]

6/29/01 32 REPLY by deft AAA Collections, Inc to response to motion for summary judgment [21-1]. (dlt) [Entry date 07/02/01]

7/25/01 33 SUPPLEMENTATION of Authority by deft AAA Collections, Inc offered in its response to mtn for partial summary judgment [26-1]. (w/ attachment) (dlt) [Entry date 07/26/01]

2/22/02 34 MEMORANDUM OF THE COURT (cc: all counsel) EOD 2/25/02 (dlt) [Entry date 02/25/02]

2/22/02 35 ORDER by Judge William J. Haynes Jr.: In accordance w/ the Memorandum file herewith, denying pltfs' motion for partial summary judgment [17-1], except for declaratory relief. Granting deft, AAA Collection Inc.'s motion for summary judgment [21-1]. Granting deft City of Cookeville's motion for summary judgment [13-1] in part, but only as to dismiss pltfs' claims for damages. As to Pltf's procedural due process rights, pltfs are awarded declaratory relief,

in light of the City's failure to comply w/ the procedural due process requirements. This is the Final Order in this action; terminating case. EOD 2/25/02 (cc: all counsel) (dlt) [Entry date 02/25/02]

3/7/02 36 MOTION by pltfs for the award of attorney fees for pltfs' counsel. (w/ att'd afdt) (dlt)

3/7/02 37 AFFIDAVIT of Samuel J. Harris re [36-1] (dlt)

3/18/02 38 RESPONSE by deft City of Cookeville to application for the award of attorney fees for pltfs' counsel [36-1] (w/attached exhs. 1 & 2) (jb) [Entry date 03/19/02]

3/25/02 39 NOTICE OF APPEAL by pltf from Dist. Court decision [35-2] (mg)

3/25/02 -- TRANSCRIPT Order Form re [39-1] No hrgs. (mg) [Entry date 03/26/02]

3/25/02 40 RECEIVED filing fee and forwarded to 6th CCA, rcpt #84921 (mg) [Entry date 03/26/02]

3/26/02 -- REMARK - Copy of Notice of Appeal forwarded to all counsel of record & Judge Haynes this date (af) [Edit date 03/26/02]

3/26/02 -- Short Record on Appeal sent to 6th CCA re [39-1] (af)

Docket as of June 11, 2002 7:01 pm Page 6

Proceedings include all events. TERMED  
2:00cv74 Hargis, et al v. AAA Collections, Inc, et al APPEAL  
CM50BD

4/3/02 41 STATEMENT of issues presented on appeal by pltfs Dewayne Hargis & Judy Hargis in support of [39-1] (af) [Entry date 04/08/02]

4/10/02 42 NOTIFICATION by 6th CCA of Appellate Docket Number 02-5390 (gi) [Entry date 04/11/02]

4/19/02 43 NOTICE from USBC of meeting of creditors & ddls as to Dewayne E. Hargis on 4/24/02 at 9:30 a.m. in Cookeville, TN (af) [Entry date 04/22/02] [Edit date 04/22/02]

5/1/02 44 ORDER by Judge William J. Haynes Jr. granting in part and denying in part pltf's mtn for the award of attorney fees [36-1]. Pltfs awarded \$1000.00 in attorney fees and \$929.50 in cash. EOD 5/2/02 (cc: all counsel) (mk) [Entry date 05/02/02]

5/17/02 45 NOTICE OF APPEAL by deft Cookeville City of from Dist. Court decision [44-1] awarding pltfs' counsel atty's fees and declaratory relief (af) [Entry date 05/22/02]

5/23/02 46 RECEIVED filing fee from City of Cookeville in the amt of \$105, receipt no. 85968 re: appeal-docket entry no.45 (af) [Entry date 05/24/02]

5/24/02 -- Short Record on Appeal sent to 6CCA re appeal [45-1] of assessment of atty's fees (af)

5/24/02 -- REMARK - Copy of Notice of Appeal/Docket Sheet forwarded to all counsel of record (af)

6/10/02 47 NOTIFICATION by 6CCA of receipt of short record & assignment of appellate case number 02-5717 as to [45-1] (af) [Entry date 06/11/02]

[END OF DOCKET: 2:00cv74]

-----  
PACER Service Center  
Transaction Receipt

08/12/2003 18:06:32

PACER Login: pp0530 Client Code:  
Description: docket report Search Criteria: 2:00cv00074  
Billable Pages: 6 Cost: 0.42  
-----