

**U.S. District Court  
District of South Dakota (Western Division)  
CIVIL DOCKET FOR CASE #: 5:20-cv-05055-LLP**

Esperance v. Vilsack  
Assigned to: U.S. District Judge Lawrence L. Piersol  
Demand: \$500,000  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/02/2020  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Employment  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Ruth Esperance**

represented by **G. Verne Goodsell**  
Goodsell & Oviatt Law Firm  
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*TERMINATED: 08/18/2022*

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V.

**Defendant**

**Thomas J. Vilsack**

*Secretary of Agriculture, U.S. Department of  
Agriculture*

represented by **Michaele Sanders Hofmann**  
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**Defendant**

**Sonny Perdue**

*Secretary of Agriculture, U.S. Department of  
Agriculture*

**TERMINATED: 07/05/2023**

represented by **Michaele Sanders Hofmann**

(See above for address)

**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/02/2020	<a href="#">1</a>	<b>COMPLAINT with Jury Demand, \$400.00 fee paid, receipt# 0869-3385148, in shell case on 9/2/2020 filed by Ruth Esperance. (SLT) (Entered: 09/03/2020)</b>
09/03/2020	<a href="#">2</a>	Summons Issued as to USA. Summmmons(es), AO 85, and Rule 73 Memo delivered to plaintiff's counsel via electronic delivery to plaintiffs attorney. (Attachments: # <a href="#">1</a> Summonses Issued, # <a href="#">2</a> AO85)(SLT) (Entered: 09/03/2020)
09/28/2020	<a href="#">3</a>	NOTICE of Appearance by Michaele S. Hofmann (USA) on behalf of Sonny Perdue. (Hofmann (USA), Michaele) (Entered: 09/28/2020)
11/23/2020	<a href="#">4</a>	CERTIFICATE OF SERVICE by Ruth Esperance <i>on Attorney General William Barr.</i> (Attachments: # <a href="#">1</a> Exhibit 1 - Proof of service)(Barari, David) (Entered: 11/23/2020)
11/23/2020	<a href="#">5</a>	CERTIFICATE OF SERVICE by Ruth Esperance <i>on US Attorney Ronald Parsons.</i> (Attachments: # <a href="#">1</a> Exhibit 1 - Proof of service)(Barari, David) (Entered: 11/23/2020)
11/23/2020	<a href="#">6</a>	CERTIFICATE OF SERVICE by Ruth Esperance <i>on Secretary of Agriculture Sonny Purdue.</i> (Attachments: # <a href="#">1</a> Exhibit 1 - Proof of service)(Barari, David) (Entered: 11/23/2020)
11/23/2020	<a href="#">7</a>	<b>ANSWER to <a href="#">1</a> Complaint by Sonny Perdue. (Hofmann (USA), Michaele) (Entered: 11/23/2020)</b>
11/30/2020	<a href="#">8</a>	MOTION for Attorney DANIEL GEBHARDT to be Admitted Pro Hac Vice (paid \$100 PHV fee; receipt number 0869-3436756) by Ruth Esperance. (Goodsell, G.) (Entered: 11/30/2020)
11/30/2020	<a href="#">9</a>	ORDER for Discovery Report and Scheduling Information. Signed by U.S. District Judge Jeffrey L. Viken on 11/30/20. (SB) (Entered: 11/30/2020)
12/01/2020	<a href="#">10</a>	ORDER granting <a href="#">8</a> Motion for Admission Pro Hac Vice of Attorney Daniel K. Gebhardt for Ruth Esperance. Signed by U.S. District Judge Jeffrey L. Viken on 12/1/20. (SB) (Entered: 12/01/2020)
12/30/2020	<a href="#">11</a>	Discovery Report re <a href="#">9</a> Order for Discovery Report by Sonny Perdue. Related document: <a href="#">9</a> Order for Discovery Report.(Hofmann (USA), Michaele) (Entered: 12/30/2020)
01/05/2021	<a href="#">12</a>	SCHEDULING ORDER: Discovery due by 1/10/2022. Motions due by 3/11/2022. Signed by U.S. District Judge Jeffrey L. Viken on 1/5/21. (SB) (Entered: 01/05/2021)
03/26/2021	<a href="#">13</a>	MOTION to Extend Deadlines by Sonny Perdue. (Hofmann (USA), Michaele) (Entered: 03/26/2021)

03/31/2021	14	TEXT ORDER granting <a href="#">13</a> Motion to Extend Deadline. All pre-discovery disclosures required by Rule 26(a)(1) shall be exchanged by the parties, but not filed with the court, on or before April 14, 2021. Signed by U.S. District Judge Jeffrey L. Viken on 3/31/21. (SB) (Entered: 03/31/2021)
04/01/2021	15	AMENDED TEXT ORDER granting <a href="#">13</a> Motion to Extend Deadline. All pre-discovery disclosures required by Rule 26(a)(1) shall be exchanged by the parties, but not filed with the court, on or before April 19, 2021. Signed by U.S. District Judge Jeffrey L. Viken on 4/1/21. (SB) (Entered: 04/01/2021)
08/06/2021	<a href="#">16</a>	Unopposed MOTION to Extend <i>CASE SCHEDULE</i> by Ruth Esperance. (Barari, David) (Entered: 08/06/2021)
08/06/2021	<a href="#">17</a>	ORDER granting <a href="#">16</a> Motion to Extend. Signed by U.S. District Judge Jeffrey L. Viken on 8/6/21. (SB) (Entered: 08/06/2021)
11/01/2021	<a href="#">18</a>	Unopposed MOTION to Extend Deadlines by Sonny Perdue. (Hofmann (USA), Michael) (Entered: 11/01/2021)
11/05/2021	<a href="#">19</a>	ORDER granting <a href="#">18</a> Motion to Extend Deadlines. Discovery due by 7/11/2022. Motions due by 9/13/2022. Signed by U.S. District Judge Jeffrey L. Viken on 11/5/21. (SB) (Entered: 11/05/2021)
11/09/2021	<a href="#">20</a>	Joint MOTION for Protective Order by Sonny Perdue. (Attachments: # <a href="#">1</a> Attachment Proposed Protective Order) (Hofmann (USA), Michael) (Entered: 11/09/2021)
11/30/2021	<a href="#">21</a>	ORDER granting <a href="#">20</a> Motion for Protective Order. Signed by U.S. District Judge Jeffrey L. Viken on 11/30/21. (SB) (Entered: 11/30/2021)
02/08/2022	<a href="#">22</a>	Unopposed MOTION to Extend Deadlines by Sonny Perdue. (Hofmann (USA), Michael) (Entered: 02/08/2022)
02/08/2022	<a href="#">23</a>	ORDER granting <a href="#">22</a> Motion to Extend Deadlines. Discovery due by 9/12/2022. Motions due by 11/14/2022. Signed by U.S. District Judge Jeffrey L. Viken on 2/8/22. (SB) (Entered: 02/08/2022)
03/25/2022	<a href="#">24</a>	Notice of upcoming case reassignment and opportunity to consent under Fed. R. Civ. P. 73. (Attachments: # <a href="#">1</a> AO 85 consent form) (MWT) (Entered: 03/25/2022)
04/19/2022	25	Case Reassigned to U.S. District Judge Lawrence L. Piersol. U.S. District Judge Jeffrey L. Viken no longer assigned to the case. (SLW) (Entered: 04/19/2022)
07/06/2022	<a href="#">26</a>	Filed in error: Unopposed MOTION to Extend <i>Case Schedule</i> by Ruth Esperance. (Barari, David) Modified on 7/7/2022 (SLW). (Entered: 07/06/2022)
07/06/2022		NOTICE of Filing Error: <a href="#">26</a> Motion to Extend was filed in error and should be disregarded. (Barari, David) (Entered: 07/06/2022)
07/06/2022	<a href="#">27</a>	Unopposed MOTION to Extend <i>Case Schedule</i> by Ruth Esperance. (Barari, David) (Entered: 07/06/2022)
08/03/2022	<a href="#">28</a>	AMENDED RULE 16 SCHEDULING ORDER: Discovery due by 3/1/2023, Motions due by 4/3/2023, Pretrial Conference set for 8/14/2023 at 11:00 AM in Rapid City Courtroom 1 - Room 301 before U.S. District Judge Lawrence L. Piersol, Jury Trial set for 9/18/2023 at 09:00 AM in Rapid City Courtroom 1 - Room 301 before U.S. District Judge Lawrence L. Piersol. Granting <a href="#">27</a> Unopposed MOTION to Extend <i>Case Schedule</i> filed by Ruth Esperance. Signed by U.S. District Judge Lawrence L. Piersol on 08/03/2022. (SAC) (Entered: 08/03/2022)
08/18/2022	<a href="#">29</a>	Notice of Withdrawal of Attorney by Ruth Esperance. Attorney David S. Barari terminated. (Barari, David) (Entered: 08/18/2022)
03/01/2023	<a href="#">30</a>	MOTION to Seal Defendant's Motion for Extension of Discovery Deadline, Brief, and Declaration of Michael S. Hofmann (Including Exhibits) by Sonny Perdue. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Proposed Sealed Motion, # <a href="#">3</a> Proposed Sealed Brief, # <a href="#">4</a> Proposed Sealed Declaration, # <a href="#">5</a> Proposed Sealed Exhibit A - Emailed dated 5-31-2022, # <a href="#">6</a> Proposed Sealed Exhibit B - Plaintiff's Response to Defendant's Interrogatories & Requests for Production of Documents, # <a href="#">7</a> Proposed Sealed Exhibit C - Email dated 11-30-2022, # <a href="#">8</a> Proposed Sealed Exhibit D - Defendant's Requests for Production of Documents (Second Set), # <a href="#">9</a> Proposed Sealed Exhibit E - Excerpts from deposition of Ruth Esperance, # <a href="#">10</a> Proposed Sealed Exhibit F - Email string re production of documents, # <a href="#">11</a> Proposed Sealed Exhibit G - Therapeutic Summary, # <a href="#">12</a> Proposed Sealed Exhibit H - Email string re deposition of Knuppe) (CLR) (Entered: 03/01/2023)
03/20/2023	<a href="#">31</a>	ORDER granting <a href="#">30</a> Motion to Seal. Signed by U.S. District Judge Lawrence L. Piersol on 3/20/2023. (CLR) (Entered: 03/20/2023)
03/20/2023	<a href="#">32</a>	SEALED MOTION FOR EXTENSION OF DISCOVERY DEADLINE by Sonny Perdue. (CLR) (Entered: 03/20/2023)
03/20/2023	<a href="#">33</a>	SEALED Brief in Support of Defendant's <a href="#">32</a> SEALED MOTION FOR EXTENSION OF DISCOVERY DEADLINE. (CLR) (Entered: 03/20/2023)
03/20/2023	<a href="#">34</a>	SEALED Declaration in Support of Defendant's <a href="#">32</a> SEALED MOTION FOR EXTENSION OF DISCOVERY DEADLINE. (Attachments: # <a href="#">1</a> Exhibit A - Email dated 5-31-2022, # <a href="#">2</a> Exhibit B - Plaintiff's Response to Defendant's Interrogatories and Requests for Production, # <a href="#">3</a> Exhibit C - Email dated 11-30-2022, # <a href="#">4</a> Exhibit D -

		Defendant's Requests for Production - Second Set, # <a href="#">5</a> Exhibit E - Excerpts from Ruth Esperance deposition, # <a href="#">6</a> Exhibit F - Email string re Production of Documents, # <a href="#">7</a> Exhibit G - Summary, # <a href="#">8</a> Exhibit H - Email string re deposition of Knuppe) (CLR) (Entered: 03/20/2023)
03/22/2023	<a href="#">35</a>	[FILED IN ERROR] RESPONSE to <a href="#">30</a> Motion to Seal Document,,, filed by Ruth Esperance. (Goodsell, G.) Modified on 3/23/2023 (CLR). (Entered: 03/22/2023)
03/23/2023		NOTICE of Filing Error: <a href="#">35</a> Response, <a href="#">30</a> Motion to Seal Document,,, was filed in error and should be disregarded. (Goodsell, G.) (Entered: 03/23/2023)
03/23/2023	<a href="#">36</a>	RESPONSE to <a href="#">32</a> Sealed Motion <i>To Extend Deadlines</i> filed by Ruth Esperance. (Goodsell, G.) (Entered: 03/23/2023)
03/28/2023	<a href="#">37</a>	SECOND AMENDED RULE 16 SCHEDULING ORDER: Motions due by 4/3/2023. Pretrial Conference set for 8/14/2023 at 11:00 AM in Rapid City Courtroom 2 before U.S. District Judge Lawrence L. Piersol. Jury Trial set for 9/18/2023 at 09:00 AM in Rapid City Courtroom 2 before U.S. District Judge Lawrence L. Piersol. Signed by U.S. District Judge Lawrence L. Piersol on 3/28/2023. (CLR) (Entered: 03/28/2023)
03/29/2023		Reset Hearings (location only): Jury Trial set for 9/18/2023 at 09:00 AM in Rapid City Courtroom 1 before U.S. District Judge Lawrence L. Piersol. Pretrial Conference set for 8/14/2023 at 11:00 AM in Rapid City Courtroom 1 before U.S. District Judge Lawrence L. Piersol. (TAL) (Entered: 03/29/2023)
03/29/2023		Reset Hearings (pretrial locaiton only): Pretrial Conference set for 8/14/2023 at 11:00 AM in Rapid City Courtroom 3 before U.S. District Judge Lawrence L. Piersol. (TAL) (Entered: 03/29/2023)
04/03/2023	<a href="#">38</a>	<b>MOTION to DISMISS for Lack of Jurisdiction , MOTION for SUMMARY JUDGMENT by Sonny Perdue. (Hofmann, Michaele) (Entered: 04/03/2023)</b>
04/03/2023	<a href="#">39</a>	MEMORANDUM in Support re <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction MOTION for SUMMARY JUDGMENT</b> filed by Sonny Perdue. (Hofmann, Michaele) (Entered: 04/03/2023)
04/03/2023	<a href="#">40</a>	STATEMENT OF UNDISPUTED MATERIAL FACTS re <a href="#">38</a> Motion to Dismiss/Lack of Jurisdiction, Motion for Summary Judgment filed by Sonny Perdue. (Hofmann, Michaele) (Entered: 04/03/2023)
04/03/2023	<a href="#">41</a>	DECLARATION of Tracy Anderson re <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction MOTION for SUMMARY JUDGMENT . (Hofmann, Michaele) (Entered: 04/03/2023)</b>
04/03/2023	<a href="#">42</a>	DECLARATION of Anne Apodaca re <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction MOTION for SUMMARY JUDGMENT . (Attachments: # <a href="#">1</a> Exhibit A - 9/21/18 E-mail Message) (Hofmann, Michaele) (Entered: 04/03/2023)</b>
04/03/2023	<a href="#">43</a>	DECLARATION of Michaele S. Hofmann re <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction MOTION for SUMMARY JUDGMENT . (Attachments: # <a href="#">1</a> Exhibit A - Esperance Deposition Excerpts, # <a href="#">2</a> Exhibit B - Formal EEO Complaint) (Hofmann, Michaele) (Entered: 04/03/2023)</b>
04/03/2023	<a href="#">44</a>	DECLARATION of Brian Jackson re <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction MOTION for SUMMARY JUDGMENT . (Hofmann, Michaele) (Entered: 04/03/2023)</b>
04/03/2023	<a href="#">45</a>	DECLARATION of Scott Jacobson re <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction MOTION for SUMMARY JUDGMENT . (Hofmann, Michaele) (Entered: 04/03/2023)</b>
04/03/2023	<a href="#">46</a>	DECLARATION of Steven Kozel re <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction MOTION for SUMMARY JUDGMENT . (Hofmann, Michaele) (Entered: 04/03/2023)</b>
04/03/2023	<a href="#">47</a>	DECLARATION of Jerome Krueger re <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction MOTION for SUMMARY JUDGMENT . (Hofmann, Michaele) (Entered: 04/03/2023)</b>
04/03/2023	<a href="#">48</a>	DECLARATION of Twila Morris re <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction MOTION for SUMMARY JUDGMENT . (Hofmann, Michaele) (Entered: 04/03/2023)</b>
04/03/2023	<a href="#">49</a>	DECLARATION of Julie Nelson re <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction MOTION for SUMMARY JUDGMENT . (Attachments: # <a href="#">1</a> Exhibit A - Placeholder for Notice of Personnel Action, # <a href="#">2</a> Exhibit B - Placeholder for Request for Personnel Action, # <a href="#">3</a> Exhibit C - Placeholder for Request for Personnel Action) (Hofmann, Michaele) (Attachment 1 replaced on 5/1/2023) (SLT). (Attachment 2 replaced on 5/1/2023) (SLT). (Attachment 3 replaced on 5/1/2023) (SLT). (Entered: 04/03/2023)</b>
04/03/2023	<a href="#">50</a>	DECLARATION of Mark Van Every re <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction MOTION for SUMMARY JUDGMENT . (Attachments: # <a href="#">1</a> Exhibit A - Placeholder for Note "Issues with Ruth", # <a href="#">2</a> Exhibit B - BHNF Implementation Instructions, # <a href="#">3</a> Exhibit C - Notes "Conversations with Ruth", # <a href="#">4</a> Exhibit D - Placeholder for Calendar Page, # <a href="#">5</a> Exhibit E - Letter of Reassignment, # <a href="#">6</a> Exhibit F - Notice of Reassignment) (Hofmann, Michaele) (Attachment 1 replaced on 5/1/2023) (SLT). (Attachment 4 replaced on 5/1/2023) (SLT). (Entered: 04/03/2023)</b>

04/03/2023	<a href="#">51</a>	MOTION to Seal by Sonny Perdue. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Proposed Sealed Exhibits) (CLR) (Entered: 04/03/2023)
04/18/2023	<a href="#">52</a>	Unopposed MOTION to Extend Deadlines by Ruth Esperance. (Goodsell, G.) (Entered: 04/18/2023)
04/24/2023	<a href="#">53</a>	ORDER granting <a href="#">52</a> Motion to Extend Deadlines re <a href="#">52</a> Unopposed MOTION to Extend Deadlines . Pretrial Conference set for 8/14/2023 at 12:00 PM in Sioux Falls Courtroom 1 before U.S. District Judge Lawrence L. Piersol. Jury Trial set for 9/18/2023 at 09:00 AM in Rapid City Courtroom 1 before U.S. District Judge Lawrence L. Piersol. Signed by U.S. District Judge Lawrence L. Piersol on 4/24/2023. (SLT) (Entered: 04/24/2023)
05/01/2023	<a href="#">54</a>	ORDER granting <a href="#">51</a> Motion to Seal Document. Signed by U.S. District Judge Lawrence L. Piersol on 5/1/2023. (SLT) (Entered: 05/01/2023)
05/08/2023	<a href="#">55</a>	NOTICE of Appearance by Nathan R. Oviatt on behalf of Ruth Esperance. (Oviatt, Nathan) (Entered: 05/08/2023)
05/08/2023	<a href="#">56</a>	RESPONSE to Motion re <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction</b> MOTION for SUMMARY JUDGMENT filed by Ruth Esperance. (Attachments: # <a href="#">1</a> Memorandum of Points and Authorities in Opposition to Defendant's Motion to Dismiss and Motion for Summary Judgment, # <a href="#">2</a> Response to Defendant's Statement of Undisputed Material Facts, # <a href="#">3</a> Plaintiff's Declaration and Exhibits, # <a href="#">4</a> Plaintiff's Counsel's Declaration and Exhibits) (Oviatt, Nathan) (Entered: 05/08/2023)
05/22/2023	<a href="#">57</a>	REPLY to Motion Response re <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction</b> MOTION for SUMMARY JUDGMENT filed by Sonny Perdue. (Hofmann, Michaele) (Entered: 05/22/2023)
05/22/2023	<a href="#">58</a>	(FILED IN ERROR) STATEMENT OF UNDISPUTED MATERIAL FACTS re <a href="#">38</a> Motion to Dismiss/Lack of Jurisdiction, Motion for Summary Judgment filed by Sonny Perdue. (Hofmann, Michaele) Modified on 5/22/2023 (CLR). (Entered: 05/22/2023)
05/22/2023	<a href="#">59</a>	DECLARATION of MELANIE FULLMAN re <a href="#">57</a> Reply to Motion Response, <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction</b> MOTION for SUMMARY JUDGMENT . (Hofmann, Michaele) (Entered: 05/22/2023)
05/22/2023	<a href="#">60</a>	DECLARATION of MISTY HAYS re <a href="#">57</a> Reply to Motion Response, <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction</b> MOTION for SUMMARY JUDGMENT . (Hofmann, Michaele) (Entered: 05/22/2023)
05/22/2023	<a href="#">61</a>	DECLARATION of MICHAELE S. HOFMANN (SECOND) re <a href="#">57</a> Reply to Motion Response, <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction</b> MOTION for SUMMARY JUDGMENT . (Attachments: # <a href="#">1</a> Exhibit A - Esperance Depo Excerpts, # <a href="#">2</a> Exhibit B - Van Every Depo Excerpts) (Hofmann, Michaele) (Entered: 05/22/2023)
05/22/2023	<a href="#">62</a>	DECLARATION of JEROME KRUEGER (SECOND) re <a href="#">57</a> Reply to Motion Response, <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction</b> MOTION for SUMMARY JUDGMENT . (Hofmann, Michaele) (Entered: 05/22/2023)
05/22/2023	<a href="#">63</a>	DECLARATION of JULIE NELSON (SECOND) re <a href="#">57</a> Reply to Motion Response, <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction</b> MOTION for SUMMARY JUDGMENT . (Hofmann, Michaele) (Entered: 05/22/2023)
05/22/2023	<a href="#">64</a>	DECLARATION of MICHAEL SHANE WALKER re <a href="#">57</a> Reply to Motion Response, <a href="#">38</a> <b>MOTION to DISMISS for Lack of Jurisdiction</b> MOTION for SUMMARY JUDGMENT . (Hofmann, Michaele) (Entered: 05/22/2023)
05/22/2023		NOTICE of Filing Error: <a href="#">58</a> Statement of Material Facts was filed in error and should be disregarded. (Hofmann, Michaele) (Entered: 05/22/2023)
05/22/2023	<a href="#">65</a>	STATEMENT OF UNDISPUTED MATERIAL FACTS re <a href="#">38</a> Motion to Dismiss/Lack of Jurisdiction, Motion for Summary Judgment filed by Sonny Perdue. (Hofmann, Michaele) (Entered: 05/22/2023)
06/06/2023	<a href="#">66</a>	FOURTH AMENDED RULE 16 SCHEDULING ORDER: Pretrial Conference set for 8/21/2023 at 10:00 AM in Rapid City Courtroom 1 before U.S. District Judge Lawrence L. Piersol. Jury Trial set for 9/18/2023 at 09:00 AM in Rapid City Courtroom 1 before U.S. District Judge Lawrence L. Piersol. Signed by U.S. District Judge Lawrence L. Piersol on 6/6/2023. (CLR) (Entered: 06/06/2023)
06/29/2023	<a href="#">67</a>	NOTICE of Appearance by Samuel Strommen on behalf of Ruth Esperance. (Strommen, Samuel) (Entered: 06/29/2023)
07/24/2023	<a href="#">68</a>	Pretrial Submissions by Thomas J. Vilsack.(Hofmann, Michaele) (Entered: 07/24/2023)
07/24/2023	<a href="#">69</a>	Proposed Jury Instructions by Thomas J. Vilsack .(Hofmann, Michaele) (Entered: 07/24/2023)
07/24/2023	<a href="#">70</a>	MOTION IN LIMINE: by Thomas J. Vilsack. (Hofmann, Michaele) (Entered: 07/24/2023)
07/24/2023	<a href="#">71</a>	MEMORANDUM in Support re <a href="#">70</a> MOTION IN LIMINE: filed by Thomas J. Vilsack. (Hofmann, Michaele) (Entered: 07/24/2023)

07/24/2023	<a href="#">72</a>	Pretrial Submissions of <i>Plaintiff</i> by Ruth Esperance.(Goodsell, G.) (Entered: 07/24/2023)
07/24/2023	<a href="#">73</a>	MOTION IN LIMINE: by Ruth Esperance. (Strommen, Samuel) (Entered: 07/24/2023)
07/24/2023	<a href="#">74</a>	MEMORANDUM in Support re <a href="#">73</a> MOTION IN LIMINE: <i>and for Sanctions</i> filed by Ruth Esperance. (Attachments: # <a href="#">1</a> Exhibit October 26, 2018, Reassignment Memo, # <a href="#">2</a> Exhibit January 31, 2019 Second Reassignment Memo, # <a href="#">3</a> Exhibit Van Every Deposition Transcript) (Strommen, Samuel) (Entered: 07/24/2023)
07/28/2023	<a href="#">75</a>	MOTION to Extend Deadlines by Ruth Esperance. (Strommen, Samuel) (Entered: 07/28/2023)
07/31/2023	<a href="#">76</a>	ORDER granting <a href="#">75</a> Motion to Extend Deadlines. Signed by U.S. District Judge Lawrence L. Piersol on 7/31/2023. (SLT) (Entered: 07/31/2023)
08/07/2023	<a href="#">77</a>	RESPONSE by Defendant Thomas J. Vilsack re <a href="#">73</a> MOTION IN LIMINE: (Hofmann, Michaele) Modified to fix docket text per attorney's request on 8/8/2023 (MSB). (Entered: 08/07/2023)
08/07/2023	<a href="#">78</a>	DECLARATION of MARK VAN EVERY re <a href="#">73</a> MOTION IN LIMINE:, <a href="#">77</a> Objection . (Attachments: # <a href="#">1</a> Exhibit A - Conversations w/Ruth, # <a href="#">2</a> Exhibit B - Daily Planner Entry, # <a href="#">3</a> Exhibit C - Daily Planner Entry, # <a href="#">4</a> Exhibit D - Issues w/Ruth) (Hofmann, Michaele) (Entered: 08/07/2023)
08/07/2023	<a href="#">79</a>	DECLARATION of MICHAELE S. HOFMANN re <a href="#">73</a> MOTION IN LIMINE:, <a href="#">77</a> Objection . (Attachments: # <a href="#">1</a> Exhibit A - Van Every Depo Excerpts) (Hofmann, Michaele) (Entered: 08/07/2023)
08/07/2023	<a href="#">80</a>	OBJECTION by Defendant Thomas J. Vilsack re <a href="#">72</a> Pretrial Submissions (Hofmann, Michaele) (Entered: 08/07/2023)
08/07/2023	<a href="#">81</a>	DECLARATION of MICHAELE S. HOFMANN re <a href="#">72</a> Pretrial Submissions, <a href="#">80</a> Objection . (Attachments: # <a href="#">1</a> Exhibit A - Plf's Rule 26(a)(1) Disclosures, # <a href="#">2</a> Exhibit B - Plf's Discovery Responses, # <a href="#">3</a> Exhibit C - Plf's Bates Numbers, # <a href="#">4</a> Exhibit D - Defendant's Bates Numbers) (Hofmann, Michaele) (Entered: 08/07/2023)
08/07/2023	<a href="#">82</a>	OBJECTION by Plaintiff Ruth Esperance re <a href="#">68</a> Pretrial Submissions (Strommen, Samuel) (Entered: 08/07/2023)
08/07/2023	<a href="#">83</a>	RESPONSE to <a href="#">70</a> Motion in Limine <i>IN OPPOSITON TO DEFENDANT'S</i> filed by Ruth Esperance. (Strommen, Samuel) (Entered: 08/07/2023)
08/07/2023	<a href="#">84</a>	BRIEF by Plaintiff Ruth Esperance re <a href="#">83</a> Response <i>IN SUPPORT OF PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTIONS IN LIMINE</i> (Strommen, Samuel) (Entered: 08/07/2023)
08/10/2023	<a href="#">85</a>	MOTION to Seal Existing Document <a href="#">81</a> Declaration, <i>DE 81-3 and DE 81-4</i> by Thomas J. Vilsack. (Attachments: # <a href="#">1</a> Proposed Order) (Hofmann, Michaele) (Entered: 08/10/2023)
08/11/2023	<a href="#">86</a>	NOTICE of Appearance by Alison J. Ramsdell on behalf of Thomas J. Vilsack. (Ramsdell, Alison) (Entered: 08/11/2023)
08/14/2023		Set/Reset Hearings: Telephonic Pretrial Conference set for 8/21/2023 at 11:00 AM Central Time/ 10:00 AM Mountain Time in Sioux Falls Courtroom 1 before U.S. District Judge Lawrence L. Piersol. (SLW) (Entered: 08/14/2023)
08/15/2023	<a href="#">87</a>	ORDER granting <a href="#">85</a> Motion to Seal Existing Document. Signed by U.S. District Judge Lawrence L. Piersol on 8/15/2023. (SLT) (Entered: 08/15/2023)
08/18/2023	<a href="#">88</a>	Proposed Jury Instructions by Ruth Esperance .(Strommen, Samuel) (Entered: 08/18/2023)
08/21/2023	<a href="#">89</a>	Motion Hearing held on 8/21/2023; Pretrial Conference held on 8/21/2023 before U.S. District Judge Lawrence L. Piersol. (Court Reporter: Connie Heckenlaible) (DJP) (Entered: 08/21/2023)
08/21/2023	<a href="#">90</a>	ORDER re: <a href="#">38</a> Defendant's Motion to Dismiss for Lack of Jurisdiction; <a href="#">38</a> Defendant's Motion for Summary Judgment; <a href="#">70</a> Defendant's Motions in Limine; <a href="#">73</a> Plaintiff's Motion in Limine and for Sanctions. Signed by U.S. District Judge Lawrence L. Piersol on 8/21/2023. (DJP) (Entered: 08/21/2023)
08/23/2023	<a href="#">91</a>	MEMORANDUM OPINION AND ORDER Signed by U.S. District Judge Lawrence L. Piersol on 8/23/2023. (SLT) (Entered: 08/23/2023)
08/25/2023	<a href="#">92</a>	Witness List by Ruth Esperance.(Strommen, Samuel) (Entered: 08/25/2023)
08/31/2023	<a href="#">93</a>	RESPONSE to <a href="#">92</a> Witness List filed by Thomas J. Vilsack. (Hofmann, Michaele) (Entered: 08/31/2023)
09/12/2023	<a href="#">94</a>	Jury Questionnaires for Trial.  NOTICE: Counsel for parties participating in voir dire, their staff and consultants may electronically access the names and other personal information concerning petit jurors summoned to report. Such information is Confidential. Counsel may review this information with their clients but may not provide copies. Following jury selection, such information must be returned or destroyed as directed by the Clerk. These documents will be sealed in CM/ECF upon conclusion of jury selection. (KLE) (Entered: 09/12/2023)

09/13/2023	<a href="#">95</a>	ORDER. Signed by U.S. District Judge Lawrence L. Piersol on 9/13/2023. (SLT) (Entered: 09/13/2023)
09/15/2023	<a href="#">96</a>	Supplemental Proposed Jury Instructions by Thomas J. Vilsack .(Hofmann, Michael) (Entered: 09/15/2023)
09/18/2023	<a href="#">97</a>	Motion Hearing and Pretrial Conference held on 9/18/2023 before U.S. District Judge Lawrence L. Piersol. (Court Reporter: Sheri Not Help Him) (KLE) (Entered: 09/18/2023)
09/18/2023		Jury Trial began on 9/18/2023 before U.S. District Judge Lawrence L. Piersol. (Court Reporter: Sheri Not Help Him) (KLE) (Entered: 09/18/2023)
09/18/2023	<a href="#">98</a>	Jury List. (KLE) (Entered: 09/18/2023)
09/18/2023	<a href="#">99</a>	Preliminary Jury Instructions. (KLE) (Main Document 99 replaced on 9/18/2023) (KLE). (Entered: 09/18/2023)
09/19/2023		Jury Trial continued on 9/19/2023 before U.S. District Judge Lawrence L. Piersol. (Court Reporter: Sheri Not Help Him) (KLE) (Entered: 09/19/2023)
09/20/2023		Jury Trial continued on 9/20/2023 before U.S. District Judge Lawrence L. Piersol. (Court Reporter: Sheri Not Help Him) (KLE) (Entered: 09/20/2023)
09/21/2023		Jury Trial continued on 9/21/2023 before U.S. District Judge Lawrence L. Piersol.. (Court Reporter: Sheri Not Help Him) (KLE) (Entered: 09/21/2023)
09/22/2023		Jury Trial continued on 9/22/2023 before U.S. District Judge Lawrence L. Piersol. (Court Reporter: Sheri Not Help Him) (KLE) (Entered: 09/22/2023)
09/22/2023	<a href="#">100</a>	Jury Instructions. (KLE) (Entered: 09/23/2023)
09/23/2023	<a href="#">101</a>	Jury Trial completed on 9/23/2023 before U.S. District Judge Lawrence L. Piersol. (Court Reporter: Sheri Not Help Him) (KLE) (Entered: 09/23/2023)
09/23/2023	<a href="#">102</a>	SEALED Jury Question: How does the jury chose a monetary amount if we come to a consensus that is in favor of the plaintiff? Dated 9/23/23 0905 (KLE) (Entered: 09/23/2023)
09/23/2023	<a href="#">103</a>	SEALED Jury Note: We the jury have come to a unanimous decision. Dated 9/23/2023 at 11:20 (KLE) (Entered: 09/23/2023)
09/23/2023	<a href="#">104</a>	VERDICT in favor of Plaintiff, Ruth Esperance and against Defendant, Thomas J. Vilsack in the amount of \$400,000. (KLE) (Entered: 09/23/2023)
09/23/2023	<a href="#">105</a>	REDACTED VERDICT. Name of jury foreperson redacted. (KLE) (Entered: 09/23/2023)
09/23/2023	<a href="#">106</a>	Exhibit List re <a href="#">101</a> Jury Trial - Completed held on 9/18/23-9/23/23 before U.S. District Judge Lawrence L. Piersol. (KLE) (Entered: 09/23/2023)
09/23/2023	<a href="#">107</a>	RESTRICTED EXHIBITS offered by Thomas J. Vilsack during <a href="#">101</a> Jury Trial - Completed on 09/18/2023-09/23/2023 before U.S. District Judge Lawrence L. Piersol. <hr/> The offering party must review its attached exhibits to determine if redactions are required. If redactions are required, the offering party must electronically file its documentary exhibits offered and/or received into evidence during the trial or evidentiary hearing, including ALL redacted documents and ALL documents that do not require redaction, within 21 days using the Redacted Trial/Hearing Exhibits event. This requirement excludes exhibits that were sealed when offered and/or received. If no redactions are necessary, the attached exhibits will be unrestricted in 21 days on 10/16/2023. (KLE) (Main Document 107 replaced on 9/23/2023) (KLE). (Entered: 09/23/2023)
09/23/2023	<a href="#">108</a>	RESTRICTED EXHIBITS offered by Ruth Esperance during <a href="#">101</a> Jury Trial - Completed on 09/18/2023-09/23/2023 before U.S. District Judge Lawrence L. Piersol. <hr/> The offering party must review its attached exhibits to determine if redactions are required. If redactions are required, the offering party must electronically file its documentary exhibits offered and/or received into evidence during the trial or evidentiary hearing, including ALL redacted documents and ALL documents that do not require redaction, within 21 days using the Redacted Trial/Hearing Exhibits event. This requirement excludes exhibits that were sealed when offered and/or received. If no redactions are necessary, the attached exhibits will be unrestricted in 21 days on 10/16/2023. (KLE) (Entered: 09/23/2023)

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