

**1:06-cv-00318-REB-BNB** Shell v. DeVries et al

Robert E. Blackburn, presiding

Boyd N. Boland, referral

**Date filed:** 02/23/2006

**Date terminated:** 01/31/2007 **Date of last filing:** 02/08/2007

**[Updated]**

<b>Doc. No.</b>	<b>Dates</b>	<b>Description</b>
<a href="#"><u>39</u></a>	<i>Filed &amp; Entered:</i>	Order (denying Plaintiff's Verified Motion to Consider)
<a href="#"><u>37</u></a>	<i>Filed &amp; Entered:</i> 03/14/2007	Defendants' Response to Shell's Motion to Strike
<a href="#"><u>34</u></a>	<i>Filed &amp; Entered:</i> 03/06/2007	Plaintiff's Reply in Support of her Verified Motion to Reconsider
<a href="#"><u>33</u></a>	<i>Filed &amp; Entered:</i> 03/07/2007	Plaintiff's Motion to Strike Defendants' Response to Verified Motion to Reconsider
<a href="#"><u>31</u></a>	<i>Filed &amp; Entered:</i> 03/06/2007	ORDER
		docket text: ORDER denying [29] Motion for Leave to Appeal <i>in Forma Pauperis</i> . Signed by Judge Robert E. Blackburn on 03/05/07.(brj2,)
<a href="#"><u>29</u></a>	<i>Filed &amp; Entered:</i> 03/02/2007	Plaintiff's Motion for Leave to Appeal <i>in Forma Pauperis</i>
<a href="#"><u>28</u></a>	<i>Filed &amp; Entered:</i> 03/06/2007	Notice of Appeal
<a href="#"><u>27</u></a>	<i>Filed &amp; Entered:</i> 02/26/2007	Response to Plaintiff Shell's Verified Motion to Reconsider
<a href="#"><u>26</u></a>	<i>Filed &amp; Entered:</i> 02/15/2007	Plaintiff Shell's Verified Motion to Reconsider

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## History

<b>Doc. No.</b>	<b>Dates</b>	<b>Description</b>
25	<i>Filed &amp; Entered:</i> 02/08/2007	Report re: Patent/Trademark/Copyright
	<i>Docket Text:</i> REPORT on the determination of an action mailed to Register of Copyrights. (llr, )	
24	<i>Filed &amp; Entered:</i> 02/05/2007	Clerk's Judgment
	<i>Docket Text:</i> JUDGMENT by Clerk in favor of Anna Hall Owen, Jolene DeVries against Suzanne Shell. Pursuant to and in accordance with the Order by Judge Robert E. Blackburn, entered, January 31, 2007, accepting and approving the Magistrate Judge's recommendation and granting the defendants' Motion to Dismiss Pursuant to F.R.C.P. Rule 12(b)(6) and for Attorneys' Fees and Costs Pursuant to 17 U.S.C. § 505 [5] filed March 17, 2006, which are incorporated herein by reference as if fully set forth, It is ORDERED as follows: That the recommendation of the Magistrate Judge [19], filed December 15, 2006, is APPROVED and ADOPTED as an order of this court; That the defendants' Motion to Dismiss Pursuant to F.R.C.P. Rule 12(b)(6) and for Attorneys' Fees and Costs Pursuant to 17 U.S.C. § 505 is GRANTED; provided, however, that the defendants' request for attorney fees and costs is DENIED; GRANTED; provided, however, that the defendants' request for attorney fees and costs is DENIED; That under 28 U.S.C. § 1367(c)(3), the court DECLINES to exercise supplemental jurisdiction over the plaintiff's second and third claims for relief, both of which are claims under state law; and That this case is dismissed without prejudice. DATED at Denver, Colorado, this 5th day of February, 20. Signed by Stephen P. Ehrlich, Chief Deputy on 2/5/07. (erv, )	
23	<i>Filed &amp; Entered:</i> 01/31/2007	Order on Motion to Dismiss
	<i>Docket Text:</i> ORDER adopting and Approving [19] Report and Recommendations. granting [5] Dfts Motion to Dismiss and for atty fees and costs;. Signed by Judge Robert E. Blackburn on 1/31/07.(erv, )	
22	<i>Filed &amp; Entered:</i> 01/08/2007	Response to Objection to Report and Recommendation
	<i>Docket Text:</i> RESPONSE to Objection to [19] REPORT AND RECOMMENDATIONS re [5] MOTION to Dismiss Pursuant to F.R.C.P. Rule 12 (b)(6) and for attorneys' fees and costs pursuant to 17 U.S.C. Section 505 filed by Jolene DeVries, Anna Hall OwenREPORT AND RECOMMENDATIONS re [5] MOTION to Dismiss Pursuant to F.R.C.P. Rule 12 (b)(6) and for attorneys' fees and costs pursuant to 17 U.S.C. Section 505 filed by Jolene DeVries, Anna Hall Owen filed by Defendants Jolene DeVries, Anna Hall Owen. (Slater, Daniel)	
21	<i>Filed &amp; Entered:</i> 12/28/2006	Objection to Report and Recommendations
	<i>Docket Text:</i> OBJECTION to [19] Report and Recommendations by Plaintiff Suzanne Shell. (erv, )	
19	<i>Filed &amp; Entered:</i> 12/15/2006	Report and Recommendations
	<i>Terminated:</i> 01/31/2007	
<i>Docket Text:</i> REPORT AND RECOMMENDATIONS re [5] MOTION to Dismiss Pursuant to F.R.C.P. Rule 12 (b)(6) and for attorneys' fees and costs pursuant to 17 U.S.C. Section 505 filed by Jolene DeVries, Anna Hall Owen; I respectfully RECOMMEND that the Motion be GRANTED to the extent it seeks dismissal of this case. I further RECOMMEND that the Motion be DENIED insofar as it seeks an award of attorneys' fees to the defendants. Signed by Magistrate Judge Boyd N. Boland on 12/15/06. (erv, )		
	<i>Filed &amp; Entered:</i> 12/15/2006	Order on Motion for Order

20	<i>Docket Text:</i> MINUTE ORDER finding as moot [16] Motion for Order Granting Motion to Dismiss by Magistrate Judge Boyd N. Boland on 12/15/06.(erv, )
18	<i>Filed &amp; Entered:</i> 10/31/2006   Response to Motion
	<i>Docket Text:</i> RESPONSE to Motion re [16] MOTION for Order to Grant Motion to Dismiss filed by Plaintiff Suzanne Shell. (erv, )
17	<i>Filed &amp; Entered:</i> 10/20/2006   Memorandum
	<i>Docket Text:</i> MEMORANDUM regarding [16] MOTION for Order to <i>Grant Motion to Dismiss</i> filed by Jolene DeVries, Anna Hall Owen by Judge Robert E. Blackburn on 10/20/06. (Text Only Entry - No Document Attached)Motions referred to Magistrate Judge Boyd N. Boland (rebsec, )
16	<i>Filed &amp; Entered:</i> 10/19/2006   Motion for Order <i>Terminated:</i> 12/15/2006
	<i>Docket Text:</i> MOTION for Order to <i>Grant Motion to Dismiss</i> by Defendants Jolene DeVries, Anna Hall Owen. (Slater, Daniel)
15	<i>Filed &amp; Entered:</i> 06/14/2006   Order on Motion for Leave
	<i>Docket Text:</i> MINUTE ORDER denying [12] MOTION for Extension of Time (Leave to file late) plaintiff's response to motion to dismiss by Plaintiff and STRIKING the tendered Amended Response by Judge Robert E. Blackburn on 6/14/06. (dln, )
14	<i>Filed &amp; Entered:</i> 06/09/2006   Response to Motion
	<i>Docket Text:</i> RESPONSE to Motion re [12] MOTION for Leave to filed by Defendants Jolene DeVries, Anna Hall Owen. (Slater, Daniel)
12	<i>Filed &amp; Entered:</i> 06/05/2006   Motion for Leave <i>Terminated:</i> 06/14/2006
	<i>Docket Text:</i> MOTION for Extension of Time (Leave to file late) plaintiff's response to motion to dismiss by Plaintiff Suzanne Shell. (Attachments: # (1) Amended Response)(dln, ) (Modified on 6/14/2006 to indicate the tendered Amended Response is STRICKEN pursuant to minute order, #15) (dln, ).
13	<i>Filed &amp; Entered:</i> 06/05/2006   Memorandum
	<i>Docket Text:</i> MEMORANDUM referring to Magistrate Judge Boland : [12] MOTION for Leave to filed by Suzanne Shell, by Judge Robert E. Blackburn on 6/5/06. (Text Only Entry - No Document Attached) (rebsec, )
11	<i>Filed &amp; Entered:</i> 04/24/2006   Order
	<i>Docket Text:</i> MINUTE ORDER STRIKING [10] RESPONSE to [5] MOTION to Dismiss Pursuant to F.R.C.P. Rule 12 (b)(6) and for attorneys' fees and costs pursuant to 17 U.S.C. Section 505 filed by Plaintiff. Pla has to 5/9/06 to refile by Judge Robert E. Blackburn on 4/24/06. (dlb, )
10	<i>Filed &amp; Entered:</i> 04/20/2006   Response to Motion
	<i>Docket Text:</i> RESPONSE to [5] MOTION to Dismiss <i>Pursuant to F.R.C.P. Rule 12 (b)(6) and for attorneys' fees and costs pursuant to 17 U.S.C. Section 505</i> filed by Plaintiff Suzanne Shell. (gms, ) (Modified on 7/27/2006 to indicate STRICKEN pursuant to order) (dln, ).
6	<i>Filed &amp; Entered:</i> 03/20/2006   Memorandum
	<i>Docket Text:</i> MEMORANDUM referring to Magistrate Judge Boland : [5] MOTION to Dismiss <i>Pursuant to F.R.C.P. Rule 12 (b)(6) and for attorneys' fees and costs pursuant to 17 U.S.C. Section 505</i> filed by Anna Hall Owen, Jolene DeVries, by Judge Robert E. Blackburn on 3/20/06. (Text Only Entry - No Document Attached) (rebsec, )
7	<i>Filed &amp; Entered:</i> 03/20/2006   Order
	<i>Docket Text:</i> MINUTE ORDER Plaintiff to respond to [5] MOTION to Dismiss <i>Pursuant to F.R.C.P. Rule 12 (b)(6) and for attorneys' fees and costs pursuant to 17 U.S.C. Section 505</i> filed by Anna Hall

	Owen, Jolene DeVries on or before 4/20/06. Defendant has 15 days after filing of response to file a reply, by Magistrate Judge Boyd N. Boland on 3/20/06. (gms, )	
8	<i>Filed:</i> 03/20/2006 <i>Entered:</i> 03/21/2006	Summons Returned Executed
	<i>Docket Text:</i> SUMMONS Returned Executed by Suzanne Shell. (dlb, )	
9	<i>Filed:</i> 03/20/2006 <i>Entered:</i> 03/21/2006	Summons Returned Executed
	<i>Docket Text:</i> SUMMONS Returned Executed by Suzanne Shell. (dlb, )	
5	<i>Filed &amp; Entered:</i> 03/17/2006 <i>Terminated:</i> 01/31/2007	Motion to Dismiss
	<i>Docket Text:</i> MOTION to Dismiss Pursuant to F.R.C.P. Rule 12 (b)(6) and for attorneys' fees and costs pursuant to 17 U.S.C. Section 505 by Defendants Jolene DeVries, Anna Hall Owen. (Slater, Daniel)	
4	<i>Filed:</i> 03/06/2006 <i>Entered:</i> 03/07/2006	Amended Complaint
	<i>Docket Text:</i> FIRST AMENDED COMPLAINT and Jury Demand against Jolene DeVries, Anna Hall Owen and Unknown Defendant Doe, filed by Suzanne Shell. (Attachments: # (1) Exhibit)(dlb, )	
3	<i>Filed &amp; Entered:</i> 03/01/2006	Order
	<i>Docket Text:</i> MINUTE ORDER re: [1] Complaint filed by Suzanne Shell. Plaintiff shall file proof of service by 6/23/06 by Magistrate Judge Boyd N. Boland on 3/1/06. (dlb, )	
2	<i>Filed &amp; Entered:</i> 02/24/2006	Order Referring Case to Magistrate Judge
	<i>Docket Text:</i> ORDER REFERRING CASE to Magistrate Judge Boyd N. Boland by Judge Blackburn. (rebsec, )	
1	<i>Filed:</i> 02/23/2006 <i>Entered:</i> 02/24/2006	Complaint
	<i>Docket Text:</i> COMPLAINT and jury demand against all defendants ( Filing fee \$ 250, Receipt Number 266233) Summons Issued, filed by Suzanne Shell. (Attachments: # (1) Civil Cover Sheet # (2) Receipt) (bpm, )	