

**U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:99-cv-01693-LJM-JMS**

UNITED STATES OF AMERICA et al v. CINERGY CORPORATION

Assigned to: Judge Larry J. McKinney

Referred to: Judge Jane Magnus-Stinson

Case in other court: 7th Circuit, 06-01224

Cause: 33:1365 Environmental Matters

Date Filed: 11/03/1999

Jury Demand: Defendant

Nature of Suit: 893 Environmental Matters

Jurisdiction: U.S. Government Plaintiff

Date Filed	#	Docket Text
01/05/2009	<u>1518</u>	RESPONSE in Opposition re <u>1503</u> MOTION to Compel <i>Discovery of Cinergy Expert William DePriest (CORRECTED FILING)</i> , filed by Defendants PSI ENERGY, INC., CINCINNATI GAS & ELECTRIC CO, CINERGY CORPORATION. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Thomson, Kathryn) (Entered: 01/05/2009)
01/05/2009	<u>1519</u>	Witness List for <i>Remedy Trial</i> , filed by Plaintiff UNITED STATES OF AMERICA. (Benson, Thomas) (Entered: 01/05/2009)
01/05/2009	<u>1520</u>	Witness List (<i>Remedy Phase</i>), filed by Defendants PSI ENERGY, INC., CINCINNATI GAS & ELECTRIC CO, CINERGY CORPORATION. (Thomson, Kathryn) (Entered: 01/05/2009)
01/05/2009	<u>1521</u>	Exhibit List (<i>Remedy Phase</i>), filed by Defendants PSI ENERGY, INC., CINCINNATI GAS & ELECTRIC CO, CINERGY CORPORATION. (Thomson, Kathryn) (Entered: 01/05/2009)
01/05/2009	<u>1522</u>	Exhibit List (<i>Remedy Phase</i>), filed by Plaintiff UNITED STATES OF AMERICA. (Savage, Justin) (Entered: 01/05/2009)
01/06/2009	<u>1523</u>	Witness List (<i>First Amended</i>), filed by Defendants PSI ENERGY, INC., CINCINNATI GAS & ELECTRIC CO, CINERGY CORPORATION. (Thomson, Kathryn) (Entered: 01/06/2009)
01/07/2009	<u>1524</u>	ORDER denying <u>1432</u> plaintiffs' Motion for Partial Summary Judgment. See Order for details. Signed by Judge Larry J. McKinney on 01/07/09. (GJQ) (Entered: 01/07/2009)
01/09/2009	<u>1525</u>	ORDER granting <u>1469</u> Motion in Limine; granting in part and denying in part <u>1472</u> Motion in Limine; granting <u>1475</u> Motion in Limine. See Order for details. c/m Signed by Judge Larry J. McKinney on 01/09/09. (GJQ) (Entered: 01/09/2009)
01/09/2009	<u>1526</u>	RESPONSE to the Court's Order to Show Cause dated 12/18/2008, re <u>1508</u> (Attachments: # <u>1</u> Declaration of D.M.Lynch)(JMC) (Entered: 01/09/2009)
01/09/2009	<u>1527</u>	Submission of <i>Defendants' Response to Order to Show Cause</i> , filed by Defendants PSI ENERGY, INC., CINCINNATI GAS & ELECTRIC CO, CINERGY CORPORATION. (Maley, John) (Entered: 01/09/2009)
01/09/2009	<u>1528</u>	APPENDIX re <u>1508</u> Order to Show Cause (<i>Appendix of Evidence in Support of Defendants' Response to Order to Show Cause</i>) by PSI ENERGY, INC., CINCINNATI GAS & ELECTRIC CO, CINERGY CORPORATION. (Attachments: # <u>1</u> Exhibit 1 – Declaration of Dean M. Moesser, # <u>2</u> Exhibit 2 – Affidavit of Kathryn B. Thomson – Part 1 (with exhibits), # <u>3</u> Exhibit 2 – Affidavit of Kathryn B. Thomson – Part 2 (with exhibits), # <u>4</u> Exhibit 3 – Declaration of Julie L. Ezell, # <u>5</u> Exhibit 4 – Affidavit of Mark D. Hopson, # <u>6</u> Exhibit 5 – Affidavit of

		Robert Batdorf (2005), # <u>7</u> Exhibit 6 – Declaration of Thomas Green, # <u>8</u> Exhibit 7 – Declaration of Kosta Stanko Stojilkovic, # <u>9</u> Exhibit 8 – Affidavit of Meghan Colleen Delaney, # <u>10</u> Exhibit 9 – Affidavit of Frank R. Volpe, # <u>11</u> Exhibit 10 – Affidavit of Samuel B. Boxerman, # <u>12</u> Exhibit 11 – Affidavit of James A. King, # <u>13</u> Exhibit 12 – Affidavit of John D. Papageorge, # <u>14</u> Exhibit 13 – Affidavit of Robert R. Clark, # <u>15</u> Exhibit 14 – Affidavit of Scott R. Alexander, # <u>16</u> Exhibit 15 – Affidavit of Robert Batdorf (2008), # <u>17</u> Exhibit 16 – Declaration of Dean M. Moesser (2008) (with exhibits), # <u>18</u> Exhibit 17 – Declaration and Expert Report of Patti Ayars, # <u>19</u> Exhibit 18 – Declaration and Expert Report of S.R. Chic Born, # <u>20</u> Exhibit 19 – Declaration and Expert Report of Kathleen A. DeLaney, # <u>21</u> Exhibit 20 – Declaration and Expert Report of Jay Tidmarsh, # <u>22</u> Exhibit 21 – Declaration and Expert Report of Julia Blackwell Gelinias, # <u>23</u> Exhibit 22 – Declaration and Expert Report of Ronald D. Rotunda, # <u>24</u> Exhibit 23 – February 18, 1991 Sheldon Breskow Letter to David McCrea, # <u>25</u> Exhibit 24 – November 1, 1998 Richard Rothman Letter to David McCrea, # <u>26</u> Exhibit 25 – Affidavit of Paul E. Gutermann (with exhibits))(Maley, John) (Entered: 01/09/2009)
01/09/2009	<u>1529</u>	Submission of <i>Defendants' Disclosure of Expert Witnesses Pursuant to Fed.R.Civ.P. 26(a)(2)</i> , filed by Defendants PSI ENERGY, INC., CINCINNATI GAS & ELECTRIC CO, CINERGY CORPORATION. (Attachments: # <u>1</u> Exhibit A – Declaration and Expert Report of Patti Ayars, # <u>2</u> Exhibit B – Declaration and Expert Report of S.R. Chic Born, # <u>3</u> Exhibit C – Declaration and Expert Report of Kathleen A. DeLaney, # <u>4</u> Exhibit D – Declaration and Expert Report of Jay Tidmarsh, # <u>5</u> Exhibit E – Declaration and Expert Report of Ronald D. Rotunda, # <u>6</u> Exhibit F – Declaration and Expert Report of Julia Blackwell Gelinias)(Maley, John) (Entered: 01/09/2009)
01/09/2009	<u>1530</u>	REPLY in Support of Motion re <u>1503</u> MOTION to Compel <i>Discovery of Cinergy Expert William DePriest (CORRECTED FILING)</i> , filed by Plaintiff UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Attachment A)(Benson, Thomas) (Entered: 01/09/2009)
01/09/2009	<u>1531</u>	TRIAL BRIEF by all plaintiffs. (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Exhibit A, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Benson, Thomas) (Entered: 01/09/2009)
01/09/2009	<u>1532</u>	SEALED <i>Exhibit B</i> , re <u>1531</u> Trial Brief, filed by Plaintiff UNITED STATES OF AMERICA. (Benson, Thomas) (Entered: 01/09/2009)
01/09/2009	<u>1533</u>	TRIAL BRIEF by all defendants. (Thomson, Kathryn) (Entered: 01/09/2009)
01/09/2009	<u>1534</u>	RESPONSE to Order to Show Cause re <u>1508</u> , filed by Barbara Fruehling Gambill. (TRG) (Entered: 01/12/2009)
01/09/2009	<u>1535</u>	AFFIDAVIT of Barbara Fruehling Gambill re <u>1508</u> Order to Show Cause, filed by Barbara Fruehling Gambill. (TRG) (Entered: 01/12/2009)
01/12/2009	<u>1536</u>	ORDER re <u>1508</u> Order to Show Cause – Certain Parties shall have 30 days to submit a statement of attorneys' fees for filling Plaintiffs' Motion for New Trial (See Order). Hearing on the Order to Show Cause set for 1/13/2009, is VACATED. Cause remains SET for a Final Pretrial Conference on the Remedy Phase on 1/16/2009, at 9:00 a.m., in Courtroom 202 and for a Bench Trial on the Remedy Phase on 2/2/2009, in Courtroom 202. Signed by Judge Larry J. McKinney on 1/12/2009.(TRG) (Entered: 01/12/2009)