

CLOSED

**U.S. District Court  
Western District of Louisiana (Shreveport)  
CIVIL DOCKET FOR CASE #: 5:09-cv-01919-TS-MLH**

Bernofsky et al v. Road Home Corp et al  
Assigned to: Judge Tom Stagg  
Referred to: Magistrate Judge Mark L Hornsby  
Demand: \$89,000  
Cause: 42:1983 Civil Rights Act

Date Filed: 11/13/2009  
Date Terminated: 09/30/2010  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff****Carl Bernofsky**

represented by **Carl Bernofsky**  
109 Southfield Rd Apt 51H  
Shreveport, LA 71105  
318-869-3871  
Email: cbernof@aol.com  
PRO SE

**Plaintiff****Shirley G Bernofsky**

represented by **Shirley G Bernofsky**  
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318-869-3871  
Email: sbernof@aol.com  
PRO SE

V.

**Defendant****Road Home Corp***TERMINATED: 12/30/2009***Defendant****I C F Emergency Management Services L L C**

represented by **Michael Christopher Drew**  
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*ATTORNEY TO BE NOTICED*

**Defendant****Louisiana Recovery Authority**

represented by **Allen J Krouse , III**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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 ATTORNEY TO BE NOTICED

**Defendant**

**Louisiana Division of Administration**  
*on behalf of*  
 Office of Community Development

represented by **Allen J Krouse , III**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Cheryl D Comer**  
 (See above for address)  
 ATTORNEY TO BE NOTICED

**Renee C Culotta**  
 (See above for address)  
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/13/2009	<a href="#">1</a>	COMPLAINT against Road Home Corp, I C F Emergency Management Services L L C, Louisiana Recovery Authority, Louisiana Division of Administration (Receipt number 54635020834, filing fee \$350) filed by Carl Bernofsky, Shirley G Bernofsky. (Attachments: # <a href="#">1</a> Exhibits, # <a href="#">2</a> Civil cover sheet)(crt,Thigpen, M) (Entered: 11/13/2009)
11/13/2009		CASE Assigned to Judge Tom Stagg and Magistrate Judge Mark L Hornsby. (crt,Thigpen, M) (Entered: 11/13/2009)
11/13/2009	<a href="#">2</a>	SUMMONS ISSUED as to *Road Home Corp (Defendant)+ I C F Emergency Management Services L L C (Defendant)+ Louisiana Recovery Authority (Defendant)+ Louisiana Division of Administration (Defendant)* with answer to complaint due within time required by law. Requesting person *Carl Bernofsky * *109 Southfield Rd Apt 51H* *Shreveport, LA 71105* (crt,Thigpen, M) (Entered: 11/13/2009)
11/16/2009	<a href="#">3</a>	NOTICE by Carl Bernofsky, Shirley G Bernofsky of their consent to receive notice and service electronically. (crt,Keifer, K) (Entered: 11/23/2009)
12/28/2009	<a href="#">4</a>	MOTION to Amend/Correct <a href="#">1</a> Complaint (with incorporated Memorandum), by Carl Bernofsky, Shirley G Bernofsky. Motions referred to Mark L Hornsby. (Attachments: # <a href="#">1</a> Exhibits, # <a href="#">2</a> Proposed Order)(crt,Alexander, E) (Entered: 12/29/2009)
12/28/2009	<a href="#">5</a>	WAIVER OF SERVICE Returned Executed by Carl Bernofsky, Shirley G Bernofsky. Louisiana Recovery Authority waiver sent on 11/13/2009, answer due 1/12/2010. (crt,Alexander, E) (Entered: 12/29/2009)
12/28/2009	<a href="#">6</a>	WAIVER OF SERVICE Returned Executed by Carl Bernofsky, Shirley G Bernofsky. I C F Emergency Management Services L L C waiver sent on 11/13/2009, answer due 1/12/2010. (crt,Alexander, E) (Entered: 12/29/2009)
12/28/2009	<a href="#">7</a>	WAIVER OF SERVICE Returned Executed by Carl Bernofsky, Shirley G Bernofsky. Louisiana Division of Administration waiver sent on 11/13/2009, answer due 1/12/2010. (crt,Alexander, E) (Entered: 12/29/2009)
12/28/2009	<a href="#">8</a>	WAIVER OF SERVICE Returned Executed by Carl Bernofsky, Shirley G Bernofsky. Road Home Corp waiver sent on 12/15/2009, answer due 2/16/2010. (crt,Alexander, E) (Entered: 12/29/2009)
12/30/2009	<a href="#">9</a>	ORDER granting <a href="#">4</a> Motion to Amend/Correct Complaint. The defendant, Road Home Corp, is dismissed. Signed by Magistrate Judge Mark L Hornsby on 12/30/2009. (crt,Keifer, K) (Entered: 12/30/2009)
01/08/2010	<a href="#">10</a>	MOTION for Extension of Time to File Responsive Pleading with consent by I C F Emergency Management Services L L C. Motions referred to Mark L Hornsby. (Attachments: # <a href="#">1</a> Text of proposed order)(aty,Drew, Michael) Modified on 1/11/2010 to edit text (Keifer, K). (Entered: 01/08/2010)

01/11/2010	<a href="#">11</a>	NOTICE of Corporate Disclosure Statement Requirement sent to Michael Christopher Drew on behalf of I C F Emergency Management Services L L C. (crt,Keifer, K) (Entered: 01/11/2010)
01/11/2010	<a href="#">12</a>	CORPORATE DISCLOSURE STATEMENT by I C F Emergency Management Services L L C identifying Corporate Parent I C F Consulting Group Inc for I C F Emergency Management Services L L C. (aty,Drew, Michael) Modified on 1/11/2010 to edit text (Keifer, K). (Entered: 01/11/2010)
01/11/2010	<a href="#">13</a>	ORDER granting <a href="#">10</a> Motion for Extension of Time to File Responsive Pleading re <a href="#">1</a> Complaint. I C F Emergency Management Services L L C answer due 2/1/2010. Signed by Magistrate Judge Mark L Hornsby on 1/11/2010. (crt,Keifer, K) (Entered: 01/11/2010)
01/11/2010	<a href="#">14</a>	MOTION for Extension of Time to File Responsive Pleadings with consent by Louisiana Division of Administration, Louisiana Recovery Authority. Motions referred to Mark L Hornsby. (Attachments: # <a href="#">1</a> Proposed Order)(aty,Comer, Cheryl) Modified on 1/11/2010 to edit text (Keifer, K). (Entered: 01/11/2010)
01/12/2010	<a href="#">15</a>	ORDER granting <a href="#">14</a> Motion for Extension of Time to Answer re <a href="#">1</a> Complaint, Louisiana Division of Administration and Louisiana Recovery Authority answer due 2/1/2010. Signed by Magistrate Judge Mark L Hornsby on 1/12/2010. (crt,Keifer, K) (Entered: 01/12/2010)
01/14/2010	<a href="#">16</a>	NOTICE of Appearance by Cheryl D Comer on behalf of Louisiana Division of Administration, Louisiana Recovery Authority (aty,Comer, Cheryl) (Entered: 01/14/2010)
01/14/2010	<a href="#">17</a>	NOTICE of Appearance by Renee C Culotta on behalf of Louisiana Division of Administration, Louisiana Recovery Authority (aty,Culotta, Renee) (Entered: 01/14/2010)
01/14/2010	<a href="#">18</a>	NOTICE of Appearance by Allen J Krouse, III on behalf of Louisiana Division of Administration, Louisiana Recovery Authority (aty,Krouse, Allen) (Entered: 01/14/2010)
02/01/2010	<a href="#">19</a>	MOTION to Dismiss Plaintiffs' Complaint by Louisiana Division of Administration, Louisiana Recovery Authority. (Attachments: # <a href="#">1</a> Memorandum / Brief, # <a href="#">2</a> Exhibits A, # <a href="#">3</a> Exhibits B, # <a href="#">4</a> Exhibits C, # <a href="#">5</a> Exhibits D, # <a href="#">6</a> Exhibits E, # <a href="#">7</a> Exhibits F, # <a href="#">8</a> Exhibits G)(aty,Culotta, Renee) (Entered: 02/01/2010)
02/01/2010	<a href="#">20</a>	MOTION to Dismiss ICF by I C F Emergency Management Services L L C. (Attachments: # <a href="#">1</a> Memorandum / Brief)(aty,Drew, Michael) (Entered: 02/01/2010)
02/02/2010	<a href="#">21</a>	NOTICE of Motion Setting regarding <a href="#">19</a> MOTION to Dismiss Plaintiffs' Complaint, <a href="#">20</a> MOTION to Dismiss ICF. Motions referred to Tom Stagg. (crt,Keifer, K) (Entered: 02/02/2010)
02/02/2010	<a href="#">22</a>	CORRECTED NOTICE of Motion Setting regarding <a href="#">19</a> MOTION to Dismiss, <a href="#">20</a> MOTION to Dismiss. Motions referred to Mark L Hornsby. (crt,Reasor, M) (Entered: 02/02/2010)
02/18/2010	<a href="#">23</a>	MOTION for Extension of Time to File Response/Reply as to <a href="#">19</a> MOTION to Dismiss Plaintiffs' Complaint with consent by Carl Bernofsky. Motions referred to Mark L Hornsby. (Attachments: # <a href="#">1</a> Consent, # <a href="#">2</a> Text of proposed order)(crt,Keifer, K) (Entered: 02/18/2010)
02/18/2010	<a href="#">24</a>	MEMORANDUM in Opposition re <a href="#">20</a> MOTION to Dismiss ICF filed by Carl Bernofsky. (Attachments: # <a href="#">1</a> Memorandum in Support, # <a href="#">2</a> Text of proposed order, # <a href="#">3</a> Exhibit A, # <a href="#">4</a> Exhibits B - L, # <a href="#">5</a> Exhibits M - S)(crt,Keifer, K) (Entered: 02/18/2010)
02/19/2010	<a href="#">25</a>	ORDER granting <a href="#">23</a> Motion for Extension of Time to File Response/Reply re <a href="#">19</a> MOTION to Dismiss. Plaintiffs are granted until 3/15/2010 within which to file a responsive pleading. Signed by Magistrate Judge Mark L Hornsby on 2/19/2010. (crt,Keifer, K) (Entered: 02/22/2010)
02/25/2010	<a href="#">26</a>	REPLY to Response to Motion re <a href="#">20</a> MOTION to Dismiss ICF filed by I C F Emergency Management Services L L C. (aty,Drew, Michael) (Entered: 02/25/2010)
03/03/2010	<a href="#">27</a>	MOTION for Leave to File Response to Defendant's Reply in Support of Motion to Dismiss with opposition by Carl Bernofsky. Motions referred to Mark L Hornsby. (Attachments: # <a href="#">1</a> Text of proposed order, # <a href="#">2</a> Exhibits) (crt,Keifer, K) (Entered: 03/04/2010)
03/05/2010	<a href="#">28</a>	ORDER granting <a href="#">27</a> Motion for Leave to File: Plaintiffs are allowed until March 12, 2010 to file a sur-reply to the pending Motion to Dismiss ICF (Doc. 20). Sur-replies are not favored and should not be filed absent a compelling need to address an issue that could not have been foreseen. Keep it short and concise. Signed by Magistrate Judge Mark Hornsby on 3/5/10. (crt,Cassanova, M) (Entered: 03/05/2010)
03/09/2010	<a href="#">29</a>	SUR-REPLY re <a href="#">20</a> MOTION to Dismiss ICF filed by Carl Bernofsky. (Attachments: # <a href="#">1</a> Text of proposed order) (crt,Keifer, K) (Entered: 03/10/2010)
03/15/2010	<a href="#">30</a>	MEMORANDUM in Opposition re <a href="#">19</a> MOTION to Dismiss Plaintiffs' Complaint filed by Carl Bernofsky. (Attachments: # <a href="#">1</a> Memorandum / Brief, # <a href="#">2</a> Text of proposed order, # <a href="#">3</a> Exhibits)(crt,Keifer, K) Modified on 3/17/2010 to indicate highlighted exhibits re-filed as document <a href="#">31</a> (Keifer, K). (Entered: 03/15/2010)

03/15/2010	<a href="#">31</a>	HIGHLIGHTED EXHIBITS A - H re <a href="#">30</a> Memorandum in Opposition to Motion by Carl Bernofsky. (Attachments: # <a href="#">1</a> Exhibit B, # <a href="#">2</a> Exhibit C, # <a href="#">3</a> Exhibit D, # <a href="#">4</a> Exhibit E, # <a href="#">5</a> Exhibit F, # <a href="#">6</a> Exhibit G, # <a href="#">7</a> Exhibit H)(crt,Keifer, K) (Entered: 03/17/2010)
03/30/2010	<a href="#">32</a>	REPLY to Response to Motion re <a href="#">19</a> MOTION to Dismiss Plaintiffs' Complaint filed by Louisiana Division of Administration, Louisiana Recovery Authority. (aty,Culotta, Renee) (Entered: 03/30/2010)
09/30/2010	<a href="#">33</a>	MEMORANDUM RULING re <a href="#">19</a> MOTION to Dismiss Plaintiffs' Complaint filed by Louisiana Division of Administration, Louisiana Recovery Authority and <a href="#">20</a> MOTION to Dismiss ICF filed by I C F Emergency Management Services L L C. Signed by Judge Tom Stagg on 9/30/2010. (crt,Keifer, K) (Entered: 09/30/2010)
09/30/2010	<a href="#">34</a>	JUDGMENT granting <a href="#">19</a> Motion to Dismiss; granting <a href="#">20</a> Motion to Dismiss. All claims asserted against Louisiana Recovery Authority and the Louisiana Division of Administration through the Office of Community Development are dismissed without prejudice. All federal law claims asserted against ICF are dismissed with prejudice. The court declines to exercise supplemental jurisdiction over the remaining state law claims against ICF and these claims are dismissed without prejudice. Signed by Judge Tom Stagg on 9/30/2010. (crt,Keifer, K) (Entered: 09/30/2010)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
10/02/2010 11:16:19			
<b>PACER Login:</b>	cb0263	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	5:09-cv-01919-TS-MLH
<b>Billable Pages:</b>	4	<b>Cost:</b>	0.32