

**U.S. District Court**  
**United States District Court for the Southern District of New York (White Plains)**  
**CIVIL DOCKET FOR CASE #: 7:06-cv-00480-CLB**

Graziano et al v. Pataki et al  
Assigned to: Judge Charles L. Briant  
Related Cases: [7:06-cv-03664-CLB](#)  
[7:06-cv-05132-CLB](#)  
[7:07-cv-11569-CLB](#)  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 01/23/2006  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**Peter Graziano**  
*suing on behalf of himself and all others similiary situated*

represented by **Robert Nathan Isseks**  
Robert N. Isseks  
6 North Street  
Middletown, NY 10940  
(845) 344-4322  
Fax: (845) 341-1760  
Email: isseks@frontiernet.net  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**James Buckley**  
*suing on behalf of himself and all others similiary situated*

represented by **Robert Nathan Isseks**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Mark Malone**  
*suing on behalf of himself and all others similiary situated*

represented by **Robert Nathan Isseks**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Robert A. Harris**  
*suing on behalf of himself and all others similiary situated*

represented by **Robert Nathan Isseks**  
(See above for address)  
**LEAD ATTORNEY**

ATTORNEY TO BE NOTICED

**Plaintiff**

**William Walker**

*suing on behalf of himself and all  
others similiary situated*

represented by **Robert Nathan Isseks**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Aaron Talley**

*suing on behalf of himself and all  
others similiary situated*

represented by **Robert Nathan Isseks**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Maurice Murrell**

*suing on behalf of himself and all  
others similiary situated*

represented by **Robert Nathan Isseks**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Steven Ho**

represented by **Robert Nathan Isseks**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Brian Jacques**

*suing on behalf of himself and all  
others similiary situated*

represented by **Robert Nathan Isseks**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Charles Friedgood**

*suing on behald of himself and all  
others similarly situated.*

represented by **Robert Nathan Isseks**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**George E. Pataki**

*Governor of the State of New York*

represented by **Neil Shevlin**

New York State Department of Law  
(EPB)

The Capitol

Albany, NY 12224

212-416-8561

Fax: (212) 416-6009

Email: Neil.Shevlin@oag.state.ny.us

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Jennifer Lynn Johnson**

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*ATTORNEY TO BE NOTICED*

**Julinda A. Dawkins**

New York State Office of the  
Attorney General (NYC)

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New York, NY 10271

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Julinda.Dawkins@oag.state.ny.us

*ATTORNEY TO BE NOTICED*

**Defendant**

**Robert Dennison**

*Chairman of the New York State*

*Division of Parole*

represented by **Neil Shevlin**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Jennifer Lynn Johnson**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Julinda A. Dawkins**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**The New York State Division of Parole**

represented by **Neil Shevlin**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jennifer Lynn Johnson**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Julinda A. Dawkins**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/23/2006	<a href="#"><u>1</u></a>	COMPLAINT against George E. Pataki, Robert Dennison, The New York State Division of Parole. (Filing Fee \$ 250.00, Receipt Number 561000)Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, Peter Graziano, James Buckley, Mark Malone, Robert A. Harris. (Attachments: # <a href="#"><u>1</u></a> Exhibit A)(tb, ) (Entered: 01/23/2006)
01/23/2006		SUMMONS ISSUED as to George E. Pataki, Robert Dennison, The New York State Division of Parole. (tb, ) (Entered: 01/23/2006)
01/23/2006		Case Designated ECF. (tb, ) (Entered: 01/23/2006)
01/23/2006		Magistrate Judge Lisa M. Smith is so designated. (tb, ) (Entered: 01/23/2006)
01/31/2006	<a href="#"><u>2</u></a>	WAIVER OF SERVICE RETURNED EXECUTED. George E. Pataki waiver sent on 1/27/2006, answer due 3/28/2006. Document filed by William Walker; Aaron Talley; Maurice Murrell; Steven Ho; Brian Jacques; Peter Graziano; James Buckley; Mark Malone; Robert A. Harris. (Isseks, Robert) (Entered: 01/31/2006)
02/06/2006	<a href="#"><u>3</u></a>	WAIVER OF SERVICE RETURNED EXECUTED. Robert Dennison waiver sent on 1/30/2006, answer due 3/31/2006; The New York State Division of Parole waiver sent on 1/30/2006, answer due 3/31/2006. Document filed by William Walker; Aaron Talley; Maurice Murrell; Steven Ho; Brian Jacques; Peter Graziano; James Buckley; Mark Malone; Robert A. Harris. (Isseks, Robert) (Entered: 02/06/2006)

03/06/2006		Minute Entry for proceedings held before Judge Charles L. Briant : Initial Pretrial Conference held on 3/3/2006. File motion returnable 04/28/2006. See transcript. Submitted by Alice Cama, Deputy Court Clerk. (jma,) (Entered: 03/07/2006)
03/08/2006	<a href="#">4</a>	LETTER addressed to Judge Charles L. Briant from Robert Isseks dated 3/6/06 re: Reasons why a Class Action is necessary. Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, Peter Graziano, James Buckley, Mark Malone, Robert A. Harris.(fk, ) (Entered: 03/09/2006)
03/23/2006	<a href="#">5</a>	FIRST AMENDED COMPLAINT amending <a href="#">1</a> Complaint, against Aaron Talley, Robert Dennison, The New York State Division of Parole.Document filed by Charles Friedgood. Related document: <a href="#">1</a> Complaint, filed by James Buckley,, Mark Malone,, Steven Ho,, Peter Graziano,, William Walker,, Aaron Talley,, Robert A. Harris,, Maurice Murrell,, Brian Jacques,. (Attachments: # <a href="#">1</a> )(jma, ) (Entered: 03/27/2006)
04/04/2006	<a href="#">6</a>	ENDORSED LETTER addressed to Judge Charles L. Briant from Robert Isseks dated 3/16/06 re: Filing an Amended Complaint. Endorsement: Application to file Amended Complaint is granted. So Ordered. (Signed by Judge Charles L. Briant on 3/20/06) (fk, ) (Entered: 04/06/2006)
04/19/2006	<a href="#">7</a>	LETTER addressed to Your Honor from Jennifer L. Johnson dated 4/17/2006 re: request one-week extension...request that they may file and serve motion on 4/28/2006... Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.(mde, ) . (Entered: 04/19/2006)
04/28/2006	<a href="#">8</a>	FIRST MOTION to Dismiss <i>the Amended Complaint</i> . Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole. Responses due by 4/28/2006 (Shevlin, Neil) (Entered: 04/28/2006)
04/28/2006	<a href="#">9</a>	NOTICE of Motion to Dismiss. Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole. (Shevlin, Neil) (Entered: 04/28/2006)
04/28/2006	<a href="#">10</a>	DECLARATION of Jennifer L. Johnson in Support re: <a href="#">8</a> FIRST MOTION to Dismiss <i>the Amended Complaint</i> .. Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole. (Attachments: # <a href="#">1</a> Exhibit Buckley Transcript# <a href="#">2</a> Exhibit Buckley Disposition and Petition# <a href="#">3</a> Exhibit Talley Transcript# <a href="#">4</a> Exhibit Graziano Transcript# <a href="#">5</a> Exhibit Graziano Disposition and Petition# <a href="#">6</a> Exhibit Malone Transcript# <a href="#">7</a> Exhibit Harris Transcript# <a href="#">8</a> Exhibit Walker Transcript# <a href="#">9</a> Exhibit Walker Petition# <a href="#">10</a> Exhibit

		Murrell Transcript# <a href="#">11</a> Exhibit Ho Transcript# <a href="#">12</a> Exhibit Jacques Transcript# <a href="#">13</a> Exhibit Jacques Disposition and Petition# <a href="#">14</a> Exhibit Friedgood Transcript# <a href="#">15</a> Exhibit Friedgood Petition)(Shevlin, Neil) (Entered: 04/28/2006)
05/02/2006	<a href="#">11</a>	ENDORSED LETTER addressed to Judge Charles L. Brieant from Robert N. Isseks dated 5/1/2006 re: two-week extension of time...ENDORSED: Application Granted. Oral argument will be heard on 6/16/2006 at 10:00 a.m. SO ORDERED: (Signed by Judge Stephen C. Robinson on 5/2/2006) "The Clerk's Office Has Mailed Copies".(mde, ) (Entered: 05/03/2006)
05/25/2006	<a href="#">12</a>	MEMORANDUM OF LAW in Opposition re: <a href="#">8</a> FIRST MOTION to Dismiss <i>the Amended Complaint</i> .. Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, Peter Graziano, Charles Friedgood, James Buckley, Mark Malone, Robert A. Harris. (Isseks, Robert) (Entered: 05/25/2006)
05/25/2006	<a href="#">13</a>	DECLARATION of Robert N. Isseks in Opposition re: <a href="#">8</a> FIRST MOTION to Dismiss <i>the Amended Complaint</i> .. Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, Peter Graziano, Charles Friedgood, James Buckley, Mark Malone, Robert A. Harris. (Attachments: # <a href="#">1</a> Exhibit 01-24-06 NYLJ# <a href="#">2</a> Exhibit Less Than Maximum Parole Denials 1# <a href="#">3</a> Exhibit Less Than Maximum Parole Denials 2# <a href="#">4</a> Exhibit Less Than Maximum Parole Denials 3# <a href="#">5</a> Exhibit Maximum Parole Denials# <a href="#">6</a> Exhibit Alvaro Sanchez# <a href="#">7</a> Exhibit Isabel Torres# <a href="#">8</a> Exhibit Andrea Williams# <a href="#">9</a> Exhibit Cornell Alston# <a href="#">10</a> Exhibit Charles Friedgood# <a href="#">11</a> Exhibit Ricky Pender# <a href="#">12</a> Exhibit Johnny Rivera# <a href="#">13</a> Exhibit Derrick Newton# <a href="#">14</a> Exhibit Joan Lambert# <a href="#">15</a> Exhibit John Legette# <a href="#">16</a> Exhibit Jose Diaz# <a href="#">17</a> Exhibit 01-31-06 NYLJ# <a href="#">18</a> Exhibit NYS Grant Application# <a href="#">19</a> Exhibit Kelly Letter# <a href="#">20</a> Exhibit The Deuce Club# <a href="#">21</a> Exhibit Unpublished Decisions)(Isseks, Robert) (Entered: 05/25/2006)
06/09/2006	<a href="#">14</a>	REPLY MEMORANDUM OF LAW in Support re: <a href="#">8</a> FIRST MOTION to Dismiss <i>the Amended Complaint</i> . <i>Reply Memorandum of Law</i> . Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole. (Shevlin, Neil) (Entered: 06/09/2006)
06/16/2006		Minute Entry for proceedings held before Judge Charles L. Brieant : Oral Argument held on 6/16/2006 re: <a href="#">9</a> Notice (Other) filed by Robert Dennison,, The New York State Division of Parole,, George E. Pataki,, <a href="#">8</a> FIRST MOTION to Dismiss <i>the Amended Complaint</i> . filed by Robert Dennison,, The New York State Division of Parole,, George E. Pataki. Judge's Decision: Oral argument heard on defendant's motion to dismiss (Dkt#7/#9). Motion is now fully submitted decision reserved. See Transcript. Submitted By: Alice Cama, Deputy Court Clerk. (Court

		Reporter Christina) (dcr, ) (Entered: 06/19/2006)
07/05/2006	<a href="#">15</a>	LETTER addressed to Judge Charles L. Brieant from Gerald Balone dated 6/24/06 re: Parole Board Practices. (fk, ) (Entered: 07/06/2006)
07/05/2006	<a href="#">16</a>	LETTER addressed to Judge Charles L. Brieant from Neil Shevlin dated 6/27/06 re: Notification that the deft's do not wish to withdraw their motion to dismiss the amended complaint.. (fk, ) (Entered: 07/06/2006)
07/17/2006	<a href="#">17</a>	MEMORANDUM AND ORDER denying <a href="#">8</a> Motion to Dismiss...the motion is denied....A case management conference with the Court is hereby set for 7/28/06 at 11:00 am. So Ordered. (Signed by Judge Charles L. Brieant on 7/17/06) (fk, ) (Entered: 07/18/2006)
07/26/2006	<a href="#">18</a>	LETTER addressed to Honorable Charles L. Brieant from Alfred Moncuto dated 07/23/2006 re: I am a 73-year old inmate at Colline Correctional facility who has been convicted and imprisoned for a murder I did not commit..... (jma, ) (Entered: 07/27/2006)
07/31/2006	<a href="#">19</a>	NOTICE OF APPEARANCE by Jennifer Lynn Johnson on behalf of George E. Pataki, Robert Dennison, The New York State Division of Parole (Johnson, Jennifer) (Entered: 07/31/2006)
08/11/2006	20	TRANSCRIPT of proceedings held on 6/16/2006 before Judge Charles L. Brieant. Court Reporter: Christina M. Arends-Dieck. (cg, ) (Entered: 08/11/2006)
08/18/2006	<a href="#">21</a>	ANSWER to Complaint. Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.(Johnson, Jennifer) (Entered: 08/18/2006)
09/08/2006	<a href="#">22</a>	LETTER addressed to Judge Charles L. Brieant from Lawrence Strouse dated 7/27/2006 re: Memorandum and order.. (cg, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">23</a>	LETTER addressed to Judge Charles L. Brieant from James Spearman dated 8/21/2006 re: Factors and actual outcome of his parole.. (cg, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">24</a>	LETTER addressed to Judge Charles L. Brieant from Michael T. Murphey dated 7/29/2006 re: Complaint Governor Pataki's policy of repeatedly denying parole applications.... (cg, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">25</a>	LETTER addressed to Judge Charles L. Brieant from Gerald T. Balone, MCH, MPS #74CO264 dated July 30, 2006 re: Thanking court for allowin prisoners across the state of NY serving life sentences an opportunity to be hear on the above metioned class action. Prays that he will be allowed to appear in the courtroom to tell his story of misconduct by parole officials.. (ll, ) (Entered: 09/08/2006)

09/08/2006	<a href="#">26</a>	LETTER addressed to Judge Charles L. Brieant from Savannah Moore dated 8/1/2006 re: Class Action lawsuit against New York State Parole Board Policy. (cg, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">27</a>	LETTER addressed to Hon. Charles L. Brieant from Joseph Ponder 96B0640 re: He's hoping to become part of the 1983 lawsuit. (ll, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">28</a>	LETTER addressed to Judge Charles L. Brieant from Billy taylor dated 8/21/2006 re: Request for assistance for Parole Baord.. (cg, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">29</a>	LETTER addressed to Judge Charles L. Brieant from Cedric Partee dated 8/14/2006 re: Request for good time credit.. (cg, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">30</a>	LETTER addressed to Judge Charles L. Brieant from Carlos A. Bailey Parks dated 8/13/2006 re: Request for a Parole Revocation Hearing.. (cg, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">31</a>	LETTER addressed to Honorable Charles L. Brieant from Terry Losicco 81B1188 dated July 29, 2006 re: Thanking the Judge for standing firmly on what the US Constitution truly means. (ll, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">32</a>	LETTER addressed to Judge Charles L. Brieant from Richard M. Salvatierra dated 7/30/2006 re: Request to file a 42 U.S.C. 1983 with this court.. (cg, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">33</a>	LETTER addressed to Hon. Charles L. Brieant from John MacKenzie dated July 30, 2006 re: If the present policy is allowed to remain in effect, any appeal would be an exercise in futility. (ll, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">34</a>	LETTER addressed to Judge Charles L. Brieant from Jeffrey Williams dated 7/26/2006 re: 2nd Parole board hearing and satisfactory disciplinary record. (cg, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">35</a>	LETTER addressed to Judge Charles L. Brieant from Lynn Rudolph dated 7/27/2006 re: Thank You for not dismissing Graziano V. Pataki.. (cg, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">36</a>	LETTER addressed to Honorable Justice Brieant from Nicholas T. Marchese dated July 28, 2006 re: Asking to become part of the Class Action. (ll, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">37</a>	LETTER addressed to Judge Charles L. Brieant from Dolores V. Higgins dated 9/7/2006 re: denying motion to dismiss Class Action Lawsuit. (cg, ) (Entered: 09/08/2006)

09/08/2006	<a href="#">38</a>	LETTER addressed to Judge Charles L. Brieant from Kain Melendez #94A2035 re: He wanted to thank the Judge for his decision not dismissing the charges against Pataki's administration for the Parole Board. (ll, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">39</a>	LETTER addressed to Judge Charles L. Brieant from Ralph Scott dated 7/31/2006 re: Recent decision in Graziano v. Pataki.. (cg, ) (Entered: 09/08/2006)
09/08/2006	<a href="#">40</a>	LETTER addressed to Judge Charles L. Brieant from Felipe Rosario dated 8/7/2006 re: The suit against the Parole Board.. (cg, ) (Entered: 09/11/2006)
09/08/2006	<a href="#">41</a>	LETTER addressed to Judge Charles L. Brieant from Patrick A. Campbell dated 8/3/2006 re: Thank you for standing up justice.. (cg, ) (Entered: 09/11/2006)
09/08/2006	<a href="#">42</a>	LETTER addressed to Judge Charles L. Brieant from Alvaro A. Sanchez Jr. dated 8/1/2006 re: Essay I wrote after I denied his second parole board appearance.. (cg, ) (Entered: 09/11/2006)
09/08/2006	43	LETTER addressed to Judge Charles L. Brieant from Lawrence Saunders M.P.S. dated 8/4/2006 re: Thank you for having the courage and non political bias to render your progressive 24 page decision.. (cg, ) (Entered: 09/11/2006)
09/08/2006	<a href="#">44</a>	LETTER addressed to Judge Charles L. Brieant from Ernest Henry dated 8/4/2006 re: The unfairness currently governing the parole board.. (cg, ) (Entered: 09/11/2006)
09/13/2006	<a href="#">45</a>	LETTER addressed to Judge Charles L. Brieant from Jennifer Johnson dated 9/12/06 re: Request for adjournment of conference currently set for 9/14/06 to 10/5/06. Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.(fk, ) (Entered: 09/15/2006)
09/15/2006	<a href="#">46</a>	LETTER addressed to Robert N. Isseks & Peter A. Sell from Jennifer L. Johnson dated 7/31/2006 re: Confirming Representation made by Mr. Isseks in the presence of Judge Brieant.... Representation will not object to the answer being filed on or before August 18,2006.(cg, ) (Entered: 09/18/2006)
09/21/2006	<a href="#">47</a>	LETTER addressed to Judge Charles L. Brieant from Michael Lemonies re: Request for assistance.... (cg, ) (Entered: 09/21/2006)
09/21/2006	<a href="#">48</a>	LETTER addressed to Robert N. Isseks & Peter A. Sell from Jennifer L. Johnson dated 9/18/2006 re: Discovery Conference.... (cg, ) (Entered: 09/21/2006)
09/26/2006	<a href="#">49</a>	LETTER addressed to Judge Brieant from Joseph Leino dated 09/21/06

		re: The Graziano v Pataki Class Action. (dcr, ) (Entered: 09/26/2006)
10/06/2006		Minute Entry for proceedings held before Judge Charles L. Brieant : Status Conference held on 10/6/2006. Status Conference - November 16, 2006, 4:00 pm. Submitted By: Alice Cama, Courtroom Deputy. (Court Reporter Angela) (dcr, ) (Entered: 10/06/2006)
10/10/2006	<a href="#">50</a>	LETTER addressed to Judge Charles L. Brieant from Waki Millings dated 10/2/2006 re: Applaud your reasoning and ultimate decision in regards to the matter in this case.... (cg, ) (Entered: 10/10/2006)
10/10/2006	<a href="#">51</a>	LETTER addressed to Judge Charles L. Brieant from Alfred Mancuso dated 10/4/2006 re: previous letter dated 7/23/2006.... (mde, ) (Entered: 10/10/2006)
10/10/2006	<a href="#">52</a>	LETTER addressed to Judge Charles L. Brieant from Derek Campbell dated 10/8/2006 re: Request to be included in this class action.. (cg, ) (Entered: 10/11/2006)
10/16/2006	<a href="#">53</a>	LETTER addressed to Judge Charles L. Brieant from George Harris dated 10/11/2006 re: Request to be a member of the class action.... (cg, ) (Entered: 10/16/2006)
10/19/2006	<a href="#">54</a>	LETTER addressed to Judge Charles L. Brieant from John W. Stroh dated 10/16/2006 re: Parole Commissioners Illegal & Unethical Practices... (mde, ) (Entered: 10/20/2006)
10/30/2006	<a href="#">55</a>	LETTER addressed to Judge Charles L. Brieant from Joseph Vanier dated 10/25/2006 re: Graziano v. Pataki, parole class action. (mde, ) (Entered: 11/01/2006)
11/03/2006	<a href="#">56</a>	LETTER addressed to Dear Sirs from Waki Milling dated 8/31/2006 re: I would like to be added to the above referenced case...(mde, ) (Entered: 11/06/2006)
11/03/2006	<a href="#">57</a>	LETTER addressed to Judge Charles L. Brieant from Frank Di Chiara dated 7/27/2006 re: What course of action I need to join the above Class Action... (mde, ) (Entered: 11/06/2006)
11/03/2006	<a href="#">58</a>	LETTER addressed to Dear Court Clerk from Joseph Navedo dated 8/12/2006 re: Please place my name as an interested party... (mde, ) (Entered: 11/06/2006)
11/06/2006	<a href="#">59</a>	STIPULATION AND PROTECTIVE ORDER...So Ordered. (Signed by Judge Charles L. Brieant on 11/3/06) (fk, ) Additional attachment(s) added on 11/8/2006 (gco, ). (Entered: 11/08/2006)
11/13/2006	<a href="#">62</a>	LETTER addressed to Judge Charles L. Brieant from Joseph Vanier dated 10/19/2006 re: I believe that I may be a Plaintiff in the Graziano v. Pataki litigation... (mde, ) Additional attachment(s) added on

		12/1/2006 (mde, ). (Entered: 11/20/2006)
11/14/2006	<a href="#">60</a>	LETTER addressed to Dear Bob from Neil Shevlin dated 11/14/2006 re: Status Conference adjourned... Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.(mde, ) (Entered: 11/15/2006)
11/14/2006	<a href="#">61</a>	ENDORSED LETTER addressed to Hon. Charles L. Brieant from Neil Shevlin dated 11/14/2006 re: request an adjournment of the status conference scheduled for this Thursday, November 16, 2006 at 4:00pm.....ENDORSED, Application Granted - Adjourned to 12/14/2006 at 3:00pm. So Ordered. White Plains, NY. (Signed by Judge Charles L. Brieant on 11/14/2006) (jma, ) (Entered: 11/15/2006)
11/14/2006		Set Deadlines/Hearings: Status Conference set for 12/14/2006 03:00 PM before Judge Charles L. Brieant. (jma, ) (Entered: 11/15/2006)
12/27/2006	<a href="#">63</a>	LETTER addressed to Dear Ms. Johnson and Mr. Shevlin from Robert N. Isseks dated 12/26/2006 re: request consent to amend the caption... Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, Peter Graziano, Charles Friedgood, James Buckley, Mark Malone, Robert A. Harris.(mde, ) (Entered: 12/28/2006)
12/28/2006	<a href="#">64</a>	LETTER addressed to Judge Charles L. Brieant from Robert Isseks dated 12/26/2006 re: Proposal an outline of a settlement of this case..... (cg, ) (Entered: 12/29/2006)
01/09/2007	<a href="#">65</a>	LETTER addressed to Dear Judge Brieant from Gerald T. Balone dated 01/07/2007 re: On December 8, 2006, the New York Law Journal published oan article by John Caher, dealing with sentencing minutes..... (jma, ) (Entered: 01/10/2007)
01/10/2007	66	ENDORSED LETTER addressed to Dear Sir/Madam from Peter K. Debo dated 01/03/2007 re: permission to become a later party to that action.....ENDORSED, No more parties are being added to this class action. SO ORDERED.. (Signed by Judge Charles L. Brieant on 01/10/2007) "Copies Mailed By Chambers".(jma, ) (Entered: 01/11/2007)
01/29/2007	<a href="#">67</a>	LETTER addressed to Your Honor from Jennifer L. Johnson dated 1/23/2007 re: request that discovery conference be rescheduled.... Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.(mde) (Entered: 01/29/2007)
01/31/2007	<a href="#">68</a>	LETTER addressed to Robert N. Isseks, Esq. from Jennifer L. Johnson dated 01/25/2007 re: At the Court's instruction, this letter informs you that the discovery conference initially scheduled for January 26, 2007 has been rescheduled for February 9, 2007 at 11:00am..... Document

		filed by George E. Pataki.(jma) (Entered: 02/01/2007)
02/09/2007	<a href="#">69</a>	LETTER addressed to Judge Briant from Robert N. Isseks dated 02/06/07 re: Adjournment of the conference scheduled for Friday, February 23, 2007, in lieu of settlement discussions.. Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, George E. Pataki, Robert Dennison, The New York State Division of Parole, Peter Graziano, Charles Friedgood, James Buckley, Mark Malone, Robert A. Harris.(dcr) (Entered: 02/09/2007)
02/09/2007	<a href="#">70</a>	LETTER addressed to Hon. Charles L. Briant from Timothy Williams dated 02/03/2007 re:.....I have been to Parole Board Four (4) time and was deny, based upon the Nature of offense.....I have completed all the program that are require and more..... (jma) Additional attachment(s) added on 2/13/2007 (Martinez, Johnny). (Entered: 02/13/2007)
02/21/2007	<a href="#">71</a>	LETTER addressed to Your Honor from Jennifer Lynn Johnson dated 1/20/2007 re: request to reschedule discovery conference... Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.(mde) (Entered: 02/22/2007)
03/23/2007		Minute Entryfor proceedings held before Judge Charles L. Briant : Status Conference held on 3/23/2007. The parties are to inform the Court of their agreement re: mediation by 4/6/07. A status conference is scheduled for 5/25/2007 at 11:00. (Court Reporter Angela O' Donnell) (jma) (Entered: 03/28/2007)
04/10/2007	<a href="#">72</a>	LETTER addressed to Your Honor from Jennifer L. Johnson dated 4/6/2007 re: defendants inform the Court and Plaintiffs' counsel that they cannot, at this time, proceed with mediation regarding settlement.... Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.(mde) (Entered: 04/13/2007)
04/17/2007	<a href="#">73</a>	SECOND MOTION to Dismiss <i>the Amended Complaint</i> . Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.Responses due by 5/1/2007,Return Date set for 5/15/2007 11:00 AM.(Johnson, Jennifer) (Entered: 04/17/2007)
04/17/2007	<a href="#">74</a>	MEMORANDUM OF LAW in Support re: <a href="#">73</a> SECOND MOTION to Dismiss <i>the Amended Complaint</i> .. Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole. (Johnson, Jennifer) (Entered: 04/17/2007)
04/17/2007	<a href="#">75</a>	DECLARATION of Jennifer L. Johnson in Support re: <a href="#">73</a> SECOND MOTION to Dismiss <i>the Amended Complaint</i> .. Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Exhibit C)(Johnson, Jennifer) (Entered: 04/17/2007)

05/07/2007	<a href="#">76</a>	LETTER addressed to Judge Briant from Robert N. Isseks dated 05/01/07 re: Request that the Court set June 22, 2007, at 11:00 am as the return date for defendant's pending Motion to dismiss and Plaintiff's anticipated Motion for Class Certification.. Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, Peter Graziano, Charles Friedgood, James Buckley, Mark Malone, Robert A. Harris.(dcr) (Entered: 05/07/2007)
05/10/2007	<a href="#">77</a>	CROSS MOTION to Certify Class. Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, Peter Graziano, Charles Friedgood, James Buckley, Mark Malone, Robert A. Harris.Return Date set for 6/22/2007 11:00 AM.(Isseks, Robert) (Entered: 05/10/2007)
05/10/2007	<a href="#">78</a>	MEMORANDUM OF LAW in Opposition re: <a href="#">73</a> SECOND MOTION to Dismiss <i>the Amended Complaint</i> .. Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, Peter Graziano, Charles Friedgood, James Buckley, Mark Malone, Robert A. Harris. (Isseks, Robert) (Entered: 05/10/2007)
05/10/2007	<a href="#">79</a>	MEMORANDUM OF LAW in Support re: <a href="#">77</a> CROSS MOTION to Certify Class.. Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, Peter Graziano, Charles Friedgood, James Buckley, Mark Malone, Robert A. Harris. (Isseks, Robert) (Entered: 05/10/2007)
05/10/2007	<a href="#">80</a>	DECLARATION of Robert N. Isseks in Opposition re: <a href="#">73</a> SECOND MOTION to Dismiss <i>the Amended Complaint</i> .. Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, Peter Graziano, Charles Friedgood, James Buckley, Mark Malone, Robert A. Harris. (Attachments: # <a href="#">1</a> Exhibit Exhibit A# <a href="#">2</a> Exhibit Exhibit B# <a href="#">3</a> Exhibit Exhibit C# <a href="#">4</a> Exhibit Exhibit D# <a href="#">5</a> Exhibit Exhibit E# <a href="#">6</a> Exhibit Exhibit F# <a href="#">7</a> Exhibit Exhibit G# <a href="#">8</a> Exhibit Exhibit H# <a href="#">9</a> Exhibit Exhibit I# <a href="#">10</a> Exhibit Exhibit J# <a href="#">11</a> Exhibit Exhibit K)(Isseks, Robert) (Entered: 05/10/2007)
05/10/2007	<a href="#">81</a>	DECLARATION of Robert N. Isseks in Support re: <a href="#">77</a> CROSS MOTION to Certify Class.. Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, Peter Graziano, Charles Friedgood, James Buckley, Mark Malone, Robert A. Harris. (Attachments: # <a href="#">1</a> Exhibit Exhibit A# <a href="#">2</a> Exhibit Exhibit B# <a href="#">3</a> Exhibit Exhibit C# <a href="#">4</a> Exhibit Exhibit D# <a href="#">5</a> Exhibit Exhibit E# <a href="#">6</a> Exhibit Exhibit F# <a href="#">7</a> Exhibit Exhibit G# <a href="#">8</a> Exhibit Exhibit H# <a href="#">9</a> Exhibit Exhibit I# <a href="#">10</a> Exhibit Exhibit J# <a href="#">11</a> Exhibit Exhibit K)(Isseks, Robert) (Entered: 05/10/2007)
05/22/2007	<a href="#">82</a>	LETTER addressed to Your Honor from Neil Shevlin dated 5/21/2007 re: request that the Conference scheduled for this Friday, 5/25/2007, at

		11:00 a.m., be rescheduled... Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.(mde) (Entered: 05/23/2007)
05/30/2007	<a href="#">83</a>	LETTER addressed to Dear Mr. Isseks from Susan H. Odessky dated 5/24/2007 re: conference scheduled for 5/25/2007, has been adjourned.... Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.(mde) (Entered: 05/31/2007)
06/18/2007	<a href="#">84</a>	LETTER addressed to Hon. Charles L. Briant from Neil Shevlin dated 06/13/2007 re:...I write, respectfully to request an adjournment of the return date of def't's. motion to dismiss and plaintiff's cross-motion for class certification..... Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.(jma) (Entered: 06/18/2007)
06/20/2007	<a href="#">85</a>	LETTER addressed to Robert N. Isseks, Esq. from Neil Shevlin dated 06/18/2007 re:...Please be advise that Judge Briant has granted def't's. request to adjourn the return date on their motion to dismiss and plaintiff's cross-motion for class certification from June 22, 2007, to July 20, 2007 at 10:00am..... Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.(jma) (Entered: 06/21/2007)
06/22/2007	<a href="#">86</a>	DECLARATION of Neil Shevlin in Support re: <a href="#">73</a> SECOND MOTION to Dismiss <i>the Amended Complaint</i> .. Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole. (Shevlin, Neil) (Entered: 06/22/2007)
06/22/2007	<a href="#">87</a>	REPLY MEMORANDUM OF LAW in Support re: <a href="#">73</a> SECOND MOTION to Dismiss <i>the Amended Complaint</i> .. Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole. (Shevlin, Neil) (Entered: 06/22/2007)
06/28/2007	<a href="#">88</a>	NOTICE OF APPEARANCE by Julinda A. Dawkins on behalf of George E. Pataki, Robert Dennison, The New York State Division of Parole (Dawkins, Julinda) (Entered: 06/28/2007)
07/12/2007	<a href="#">89</a>	REPLY MEMORANDUM OF LAW in Support re: <a href="#">77</a> CROSS MOTION to Certify Class.. Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, Peter Graziano, Charles Friedgood, James Buckley, Mark Malone, Robert A. Harris. (Isseks, Robert) (Entered: 07/12/2007)
07/12/2007	<a href="#">90</a>	REPLY AFFIRMATION of Robert N. Isseks in Support re: <a href="#">77</a> CROSS MOTION to Certify Class.. Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, Peter Graziano, Charles Friedgood, James Buckley, Mark Malone, Robert A. Harris.

		(Attachments: # <a href="#">1</a> Exhibit)(Isseks, Robert) (Entered: 07/12/2007)
07/20/2007		Minute Entryfor proceedings held before Judge Charles L. Brieant : Oral Argument held on 7/20/2007 re: <a href="#">73</a> SECOND MOTION to Dismiss <i>the Amended Complaint</i> . filed by The New York State Division of Parole, Robert Dennison, George E. Pataki, <a href="#">77</a> CROSS MOTION to Certify Class. filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley. Oral argument heard on motions Dkt# 73 and #77. Motions are fully submitted, decision reserved. The parties are to notify the Court by August 3, 2007 if they are able to settle. (Court Reporter Angela O'Donnell) (jma) (Entered: 07/24/2007)
08/06/2007	<a href="#">91</a>	ENDORSED LETTER addressed to Judge Charles L. Brieant from Neil Shevlin dated 8/3/2007 re: status of settlement decisions...request for a brief adjournment... ENDORSEMENT: Application Granted. SO ORDERED: (Signed by Judge Charles L. Brieant on 8/6/2007) "The Clerk's Office Has Mailed Copies".(mde) (Entered: 08/07/2007)
08/10/2007	<a href="#">92</a>	LETTER addressed to Gentlemen from Neil Shevlin dated 8/6/2007 re: Please be advised that Judge Brieant has granted our request for a two-week extension, until 8/17/2007, of time to inform the Court as to whether the parties have reached a settlement in this case.. Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.(mde) (Entered: 08/10/2007)
09/17/2007	93	LETTER addressed to Hon. Charles L. Brieant from Robert N. Isseks dated 08/16/2007 re: I write to letter to advise your Honor that the parties expect to reach a settlement in the above matter and wer therefore respectfully ask that the decisions on the pending motions be deferred..... Document filed by William Walker, Aaron Talley, Maurice Murrell, Steven Ho, Brian Jacques, Peter Graziano, Charles Friedgood, James Buckley, Mark Malone, Robert A. Harris.(jma) (Entered: 09/18/2007)
10/12/2007		Minute Entry for proceedings held before Judge Charles L. Brieant : Status Conference held on 10/12/2007. Remark: Parties notify court by October 29, 2007, if able to settle. Submitted By: Alice Cama, Courtroom Deputy (dcr) (Entered: 10/17/2007)
11/15/2007	<a href="#">94</a>	LETTER addressed to Judge Charles L. Brieant from Neil Shevlin dated 11/14/07 re: Notification that defendants no longer wish to pursue settlement. (fk) (Entered: 11/16/2007)
12/03/2007	<a href="#">95</a>	LETTER addressed to Hon. Frank A. Sedita, Jr. from Angel Claudio dated 11/19/07 re: I will start off by stating that the above matter was postponed do till the outcome of Graziano..... Document filed by Peter

		Graziano.(jma) (jma). (Entered: 12/04/2007)
12/03/2007	<a href="#">96</a>	LETTER addressed to Judge C. Brieant from Lawrence Jones dated 11/19/07 re:.....This document needs your attention because the case before you needs a justice served. In God.....honor please take notice in interest of humanity for a common goal of law and rights..... Document filed by Peter Graziano.(jma) (jma). (Entered: 12/04/2007)
12/05/2007	<a href="#">97</a>	MEMORANDUM AND ORDER...Defendants' motion to dismiss is thus denied....For all of the foregoing reasons, Plaintiffs' motion for class certification is granted. Although Plaintiffs have not explicitly moved for an order certifying their counsel as class counsel, their memorandum of law in support of their motion for class certification discusses their qualifications to represent the proposed class....This Court finds that Plaintiffs' counsel, Robert N. Isseks, Alex Smith and Peter A. Sell, are qualified to represent the class and the Court hereby appoints them as class counsel. A status conference of counsel with the Court will be held on 12/20/07 at 9:00 am., at which time counsel is directed to serve and present for signature an order to provide notice to the class. So Ordered. (Signed by Judge Charles L. Brieant on 12/3/07) (fk) (Entered: 12/06/2007)
12/20/2007		Minute Entry for proceedings held before Judge Charles L. Brieant: Pretrial Conference held on 12/20/2007. Proposed order and notice to the Class is presented to the Court. Counsel have agreed on context of the Notice. The Order as signed the Order and approved Notice as to form. Conference is scheduled for 11:30am 2/8/08. (Court Reporter Angela O'Donnell) (jma) (Entered: 12/21/2007)
12/21/2007	<a href="#">98</a>	ORDER FOR CLASS CERTIFICATION AND NOTICE OF THE CLASS... re: <a href="#">97</a> Order on Motion to Dismiss, Order on Motion to Certify Class,,,,,, Pretrial Conference - Initial,.....This action is certified as a class action for the plaintiff class pursuant to rule 23a and 23b2.....see order for more details... (Signed by Judge Charles L. Brieant on 12/20/2007) (jma) (Entered: 12/26/2007)
12/21/2007	<a href="#">99</a>	ORDER re: <a href="#">97</a> Order on Motion to Dismiss, Order on Motion to Certify Class,,,,,,.....By Memorandum and Order dated December 3, 2007, the Court granted the plaintiff's motion for class certification. The class that has been certified consists of all prisoners in the custody of the New York State Department of Correctional Services who (1) were convicted of A-1 violent felony offenses; (2) have served the minimum terms of their indeterminate sentences and are therefore eligible for parole release; and (3) have had their most recent applications for parole release denied by the Parole Board solely because of the seriousness of the offense, the nature of the present offense, or similar reasons.....see order for more details... (Signed by

		Judge Charles L. Brieant on 12/20/2007) (jma) (Entered: 12/26/2007)
01/04/2008	<a href="#">100</a>	DECLARATION of Neil Shevlin <i>in support of proposed order to take depositions of incarcerated plaintiffs</i> . Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole. (Shevlin, Neil) (Entered: 01/04/2008)
01/04/2008	<a href="#">101</a>	ORDER GRANTING LEAVE FOR THE TAKING OF THE DEPOSITIONS OF INCARCERATED PLAINTIFFS...it is hereby Ordered, that tpursuant to FRCP 30(a), and upon notice given by defendants to plaintiffs, defendants may take the depositions of plaintiffs Peter Graziano (DIN # 86-A-4738), Mark Malone (DIN # 84-B-0878), Robert Harris (DIN # 79-C-0370), William Walker (DIN # 88-T-1224), Aaron Talley (DIN # 79-A-1113), and Brian Jacques (DIN # 83-B-2801), at a New York Correctional Facility. So Ordered. (Signed by Judge Charles L. Brieant on 1/4/08) (fk) (Entered: 01/07/2008)

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