

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PETER GRAZIANO, JAMES BUCKLEY, MARK
MALONE, ROBERT A. HARRIS, WILLIAM
WALKER, AARON TALLEY, MAURICE
MURRELL, STEVEN HO, BRIAN JACQUES,
and CHARLES FRIEDGOOD, suing on behalf of
themselves and all others similarly situated,

06 Civ. 00480 (CLB)(LMS)

**PROPOSED ORDER FOR
CLASS CERTIFICATION
AND NOTICE TO THE
CLASS**

Plaintiffs,

-against-

GEORGE E. PATAKI, Governor of the State of New
York, ROBERT DENNISON, Chairman of the New
York State Division of Parole, and THE NEW YORK
STATE DIVISION OF PAROLE,

Defendants.
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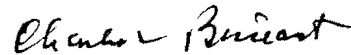
Upon consideration of Plaintiffs' Cross-Motion for Class Certification and Notice to the
Class and all responsive papers, it is hereby ORDERED that:

1. This action is certified as a class action for the plaintiff class pursuant to Rule
23(a) and 23(b)(2).
2. The plaintiff class shall be defined as all prisoners in the custody of the New York
State Department of Correctional Services who (1) were convicted of A-1 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.

3. Copies of the attached notice to the class of the pendency of this action shall be posted in all Law Libraries and Housing Units in all correctional facilities within the State of New York for the duration of this litigation.

Dated: White Plains, New York
December 20, 2007

SO ORDERED:



CHARLES L. BRIANT
United States District Judge