

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

Graziano et al v. Pataki et al
Assigned to: Judge Cathy Seibel
Related Cases: [7:06-cv-03664-CLB](#)
[7:06-cv-05132-CLB](#)
[7:07-cv-11569-CLB](#)

Date Filed: 01/23/2006
Date Terminated: 12/16/2010
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Cause: 42:1983 Prisoner Civil Rights

Plaintiff

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

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

Plaintiff

Charles Friedgood

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

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

V.

Movant

Wamel Allah

#77-B-0684
PO BOX 500
Elmira Correctional Facility
Elmira, NY 14902

V.

Defendant

George E. Pataki

Governor of the State of New York

represented by **Neil Shevlin**
New York State Office of the Attorney
General
120 Broadway
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Fax: (212) 416-6009
Email: Neil.Shevlin@ag.ny.gov
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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Email: Julinda.Dawkins@ag.ny.gov
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

| Date Filed | # | Docket Text |
|------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 01/23/2006 | <u>1</u> | 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: # <u>1</u> 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 | <u>2</u> | 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 | <u>3</u> | 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. Brieant : 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 | <u>4</u> | LETTER addressed to Judge Charles L. Brieant 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 | <u>5</u> | FIRST AMENDED COMPLAINT amending <u>1</u> Complaint, against Aaron Talley, Robert Dennison, The New York State Division of Parole.Document filed by Charles Friedgood. Related document: <u>1</u> Complaint, filed by James Buckley,, Mark |

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| | | Malone,, Steven Ho,, Peter Graziano,, William Walker,, Aaron Talley,, Robert A. Harris,, Maurice Murrell,, Brian Jacques,. (Attachments: # <u>1</u>)(jma,) (Entered: 03/27/2006) |
| 04/04/2006 | <u>6</u> | ENDORSED LETTER addressed to Judge Charles L. Brieant 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. Brieant on 3/20/06) (fk,) (Entered: 04/06/2006) |
| 04/19/2006 | <u>7</u> | 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 | <u>8</u> | 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 | <u>9</u> | 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 | <u>10</u> | DECLARATION of Jennifer L. Johnson in Support re: <u>8</u> 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: # <u>1</u> Exhibit Buckley Transcript# <u>2</u> Exhibit Buckley Disposition and Petition# <u>3</u> Exhibit Talley Transcript# <u>4</u> Exhibit Graziano Transcript# <u>5</u> Exhibit Graziano Disposition and Petition# <u>6</u> Exhibit Malone Transcript# <u>7</u> Exhibit Harris Transcript# <u>8</u> Exhibit Walker Transcript# <u>9</u> Exhibit Walker Petition# <u>10</u> Exhibit Murrell Transcript# <u>11</u> Exhibit Ho Transcript# <u>12</u> Exhibit Jacques Transcript# <u>13</u> Exhibit Jacques Disposition and Petition# <u>14</u> Exhibit Friedgood Transcript# <u>15</u> Exhibit Friedgood Petition)(Shevlin, Neil) (Entered: 04/28/2006) |
| 05/02/2006 | <u>11</u> | 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 | <u>12</u> | MEMORANDUM OF LAW in Opposition re: <u>8</u> 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 | <u>13</u> | DECLARATION of Robert N. Isseks in Opposition re: <u>8</u> 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: # <u>1</u> Exhibit 01-24-06 NYLJ# <u>2</u> Exhibit Less Than Maximum Parole Denials 1# <u>3</u> Exhibit Less Than Maximum Parole Denials 2# <u>4</u> Exhibit Less Than Maximum Parole Denials 3# <u>5</u> Exhibit Maximum Parole Denials# <u>6</u> Exhibit Alvaro Sanchez# <u>7</u> Exhibit Isabel Torres# <u>8</u> Exhibit Andrea Williams# <u>9</u> Exhibit Cornell Alston# <u>10</u> Exhibit Charles Friedgood# <u>11</u> Exhibit Ricky Pender# <u>12</u> Exhibit Johnny Rivera# <u>13</u> Exhibit Derrick Newton# <u>14</u> Exhibit Joan Lambert# <u>15</u> Exhibit John Legette# <u>16</u> Exhibit Jose Diaz# <u>17</u> Exhibit 01-31-06 NYLJ# <u>18</u> Exhibit NYS Grant Application# <u>19</u> Exhibit Kelly Letter# <u>20</u> Exhibit The Deuce Club# <u>21</u> Exhibit Unpublished Decisions)(Isseks, Robert) (Entered: 05/25/2006) |
| 06/09/2006 | <u>14</u> | REPLY MEMORANDUM OF LAW in Support re: <u>8</u> 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: <u>9</u> Notice (Other) filed by Robert Dennison,, The New York State Division of Parole,, George E. Pataki,, <u>8</u> FIRST MOTION to Dismiss <i>the Amended Complaint</i> . filed by Robert Dennison,, The New York State |

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| | | 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 | <u>15</u> | LETTER addressed to Judge Charles L. Briant from Gerald Balone dated 6/24/06 re: Parole Board Practices. (fk,) (Entered: 07/06/2006) |
| 07/05/2006 | <u>16</u> | LETTER addressed to Judge Charles L. Briant from Neil Shevlin dated 6/27/06 re: Notification that the def't's do not wish to withdraw their motion to dismiss the amended complaint.. (fk,) (Entered: 07/06/2006) |
| 07/17/2006 | <u>17</u> | MEMORANDUM AND ORDER denying <u>8</u> 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. Briant on 7/17/06) (fk,) (Entered: 07/18/2006) |
| 07/26/2006 | <u>18</u> | LETTER addressed to Honorable Charles L. Briant 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 | <u>19</u> | 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 | <u>20</u> | TRANSCRIPT of proceedings held on 6/16/2006 before Judge Charles L. Briant. Court Reporter: Christina M. Arends-Dieck. (cg,) (Entered: 08/11/2006) |
| 08/18/2006 | <u>21</u> | 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 | <u>22</u> | LETTER addressed to Judge Charles L. Briant from Lawrence Strouse dated 7/27/2006 re: Memorandum and order.. (cg,) (Entered: 09/08/2006) |
| 09/08/2006 | <u>23</u> | LETTER addressed to Judge Charles L. Briant from James Spearman dated 8/21/2006 re: Factors and actual outcome of his parole.. (cg,) (Entered: 09/08/2006) |
| 09/08/2006 | <u>24</u> | LETTER addressed to Judge Charles L. Briant 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 | <u>25</u> | LETTER addressed to Judge Charles L. Briant 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 | <u>26</u> | LETTER addressed to Judge Charles L. Briant from Savanah Moore dated 8/1/2006 re: Class Action lawsuit against New York State Parole Board Policy. (cg,) (Entered: 09/08/2006) |
| 09/08/2006 | <u>27</u> | LETTER addressed to Hon. Charles L. Briant from Joseph Ponder 96B0640 re: He's hoping to become part of the 1983 lawsuit. (ll,) (Entered: 09/08/2006) |
| 09/08/2006 | <u>28</u> | LETTER addressed to Judge Charles L. Briant from Billy taylor dated 8/21/2006 re: Request for assistance for Parole Baord.. (cg,) (Entered: 09/08/2006) |
| 09/08/2006 | <u>29</u> | LETTER addressed to Judge Charles L. Briant from Cedric Partee dated 8/14/2006 re: Request for good time credit.. (cg,) (Entered: 09/08/2006) |
| 09/08/2006 | <u>30</u> | LETTER addressed to Judge Charles L. Briant from Carlos A. Bailey Parks dated 8/13/2006 re: Request for a Parole Revocation Hearing.. (cg,) (Entered: 09/08/2006) |
| 09/08/2006 | <u>31</u> | LETTER addressed to Honorable Charles L. Briant 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) |

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| 09/08/2006 | <u>32</u> | 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 | <u>33</u> | 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 | <u>34</u> | 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 | <u>35</u> | 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 | <u>36</u> | 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 | <u>37</u> | 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 | <u>38</u> | 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 Patakis administration for the Parole Board. (ll,) (Entered: 09/08/2006) |
| 09/08/2006 | <u>39</u> | 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 | <u>40</u> | 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 | <u>41</u> | 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 | <u>42</u> | 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 | <u>44</u> | 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 | <u>45</u> | 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 | <u>46</u> | 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 | <u>47</u> | LETTER addressed to Judge Charles L. Brieant from Michael Lemonies re: Request for assistance.... (cg,) (Entered: 09/21/2006) |
| 09/21/2006 | <u>48</u> | 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 | <u>49</u> | 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. |

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| | | Submitted By: Alice Cama, Courtroom Deputy. (Court Reporter Angela) (dcr,) (Entered: 10/06/2006) |
| 10/10/2006 | <u>50</u> | 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 | <u>51</u> | 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 | <u>52</u> | 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 | <u>53</u> | 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 | <u>54</u> | 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 | <u>55</u> | 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 | <u>56</u> | 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 | <u>57</u> | 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 | <u>58</u> | 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 | <u>59</u> | 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 | <u>62</u> | 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 | <u>60</u> | 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 | <u>61</u> | 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 | <u>63</u> | 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 | <u>64</u> | 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) |

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| 01/09/2007 | <u>65</u> | LETTER addressed to Dear Judge Briant 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. Briant on 01/10/2007) "Copies Mailed By Chambers".(jma,) (Entered: 01/11/2007) |
| 01/29/2007 | <u>67</u> | 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 | <u>68</u> | 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 | <u>69</u> | 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 | <u>70</u> | 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 | <u>71</u> | 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 | <u>72</u> | 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 | <u>73</u> | 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 | <u>74</u> | MEMORANDUM OF LAW in Support re: <u>73</u> 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 | <u>75</u> | DECLARATION of Jennifer L. Johnson in Support re: <u>73</u> 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: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Johnson, Jennifer) (Entered: 04/17/2007) |
| 05/07/2007 | <u>76</u> | 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, |

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| | | Steven Ho, Brian Jacques, Peter Graziano, Charles Friedgood, James Buckley, Mark Malone, Robert A. Harris.(dcr) (Entered: 05/07/2007) |
| 05/10/2007 | <u>77</u> | 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 | <u>78</u> | MEMORANDUM OF LAW in Opposition re: <u>73</u> 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 | <u>79</u> | MEMORANDUM OF LAW in Support re: <u>77</u> 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 | <u>80</u> | DECLARATION of Robert N. Isseks in Opposition re: <u>73</u> 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: # <u>1</u> Exhibit Exhibit A# <u>2</u> Exhibit Exhibit B# <u>3</u> Exhibit Exhibit C# <u>4</u> Exhibit Exhibit D# <u>5</u> Exhibit Exhibit E# <u>6</u> Exhibit Exhibit F# <u>7</u> Exhibit Exhibit G# <u>8</u> Exhibit Exhibit H# <u>9</u> Exhibit Exhibit I# <u>10</u> Exhibit Exhibit J# <u>11</u> Exhibit Exhibit K)(Isseks, Robert) (Entered: 05/10/2007) |
| 05/10/2007 | <u>81</u> | DECLARATION of Robert N. Isseks in Support re: <u>77</u> 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: # <u>1</u> Exhibit Exhibit A# <u>2</u> Exhibit Exhibit B# <u>3</u> Exhibit Exhibit C# <u>4</u> Exhibit Exhibit D# <u>5</u> Exhibit Exhibit E# <u>6</u> Exhibit Exhibit F# <u>7</u> Exhibit Exhibit G# <u>8</u> Exhibit Exhibit H# <u>9</u> Exhibit Exhibit I# <u>10</u> Exhibit Exhibit J# <u>11</u> Exhibit Exhibit K)(Isseks, Robert) (Entered: 05/10/2007) |
| 05/22/2007 | <u>82</u> | 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 | <u>83</u> | 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 | <u>84</u> | LETTER addressed to Hon. Charles L. Brieant 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 | <u>85</u> | LETTER addressed to Robert N. Isseks, Esq. from Neil Shevlin dated 06/18/2007 re:...Please be advise that Judge Brieant 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 | <u>86</u> | DECLARATION of Neil Shevlin in Support re: <u>73</u> 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 | <u>87</u> | REPLY MEMORANDUM OF LAW in Support re: <u>73</u> 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) |

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| 06/28/2007 | <u>88</u> | 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 | <u>89</u> | REPLY MEMORANDUM OF LAW in Support re: <u>77</u> 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 | <u>90</u> | REPLY AFFIRMATION of Robert N. Isseks in Support re: <u>77</u> 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: # <u>1</u> 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: <u>73</u> SECOND MOTION to Dismiss <i>the Amended Complaint</i> . filed by The New York State Division of Parole, Robert Dennison, George E. Pataki, <u>77</u> 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 | <u>91</u> | 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 | <u>92</u> | 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 | <u>93</u> | 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 | <u>94</u> | 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 | <u>95</u> | 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 | <u>96</u> | 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 | <u>97</u> | 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 |

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| | | 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 | <u>98</u> | ORDER FOR CLASS CERTIFICATION AND NOTICE OF THE CLASS... re: <u>97</u> 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 | <u>99</u> | ORDER re: <u>97</u> 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 | <u>100</u> | 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 | <u>101</u> | 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) |
| 01/29/2008 | 102 | TRANSCRIPT of proceedings held on December 20, 2007 before Judge Charles L. Brieant. Court Reporter: Angela A. O'Donnell. (br) (Entered: 01/29/2008) |
| 02/07/2008 | <u>103</u> | LETTER addressed to Hon. Charles L. Brieant from Neil Shevlin dated 02/7/2008 re:....I write, respectfully on behalf of plaintiffs and deft's., to adjourn the status conference scheduled for tomorrow..... Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.(jma) (Entered: 02/08/2008) |
| 02/14/2008 | <u>104</u> | MOTION TO AMEND AMENDED COMPLAINT to Amend/Correct_5 Amended Complaint,. Document filed by Wamel Allah.(gco) (Entered: 02/27/2008) |
| 02/29/2008 | <u>105</u> | MEMO ENDORSEMENT on re: <u>104</u> MOTION to Amend/Correct_5 Amended Complaint,. filed by Wamel Allah ;... The within motion (Doc. 104) is denied without prejudice. The movant is a member of the class certified in this action, and therefore is directed to proceed through attorneys Robert N. Isseks and Alex Smith, at 6 North Street, Middletown, NY, 10940, or attorney Peter A. Sell, at 324 West 96th Street, Suite 4B, New York, NY, 10025, whom this Court previously certified as class counsel by order dated December 3, 2007. SO ORDERED. (Signed by Judge Charles L. Brieant on 02/28/2008) (gco) (Entered: 03/04/2008) |

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| 04/03/2008 | <u>106</u> | ENDORSED LETTER addressed to Hon. Charles L. Brieant from Julinda Dawkins dated 04/03/2008 re:.....I write on behalf of both parties to request that the status conference scheduled for tommorrow 04/04/2008 at 11:00am be adjourned until Friday 05/02/2008..... ENDORSEMENT: Granted. So Ordered.. (Signed by Judge Charles L. Brieant on 04/03/2008) (jma) (Entered: 04/04/2008) |
| 05/02/2008 | | Minute Entry for proceedings held before Judge Charles L. Brieant: Status Conference held on 5/2/2008. A status conference is scheduled for June 13, 2008 at 11:00. (Court Reporter Albi Gorn) (jma) (Entered: 05/05/2008) |
| 05/12/2008 | <u>107</u> | ENDORSED LETTER addressed to The Hon. Charles L. Brieant from Neil Shevlin dated 05/09/2008 re:...I write in response to Your Honor's May 2, 2008 Order directing the parties to advise the Court as to what should be done with regard to three cases currently before the Court..... ENDORSEMENT: The Court agrees with counsel for the deft's. with respect to future case management of the above entitled cases. Specifically, the Tucker case is deemed subsumed with the Class Action under Docker No. 06cv0480 (CLB), and is hereby dismissed without prejudice and without costs. All subsequent proceedings and papers are to be filed under Docket No. 06 cv 0480 CLB. SO ORDERED.. (Signed by Judge Charles L. Brieant on 05/12/2008) "Copies Mailed By Chambers.(jma) (Entered: 05/13/2008) |
| 08/05/2008 | <u>108</u> | NOTICE OF CASE REASSIGNMENT to Judge Cathy Seibel. Judge Charles L. Brieant is no longer assigned to the case. (Attachments: # <u>1</u> Case List) (mj) (Entered: 08/07/2008) |
| 11/06/2008 | | Minute Entry for proceedings held before Judge Cathy Seibel: Status Conference held on 11/6/2008, (Deposition due by 11/28/2008., Motions due by 12/15/2008., Replies due by 1/19/2009., Responses due by 1/12/2009, Status Conference set for 1/19/2009 at 09:30 AM before Judge Cathy Seibel.). Depositions, other than that of former Gov. Pataki, are to be completed by November 28, 2008. A motion to compel the deposition of Gov. Pataki, if filed, should be filed by December 15, 2008; Opposition by January 12, 2009. The Court will determine if oral argument is required. If no motion is filed, a status conference will be held on Monday January 12, 2009 at 9:30 am. See Transcript.(Court Reporter Sue Ghorayeb) (rj) (Entered: 11/06/2008) |
| 12/12/2008 | <u>109</u> | MOTION to Take Deposition from George Pataki. 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: 12/12/2008) |
| 12/12/2008 | <u>110</u> | MEMORANDUM OF LAW in Support re: <u>109</u> MOTION to Take Deposition from George Pataki.. 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: 12/12/2008) |
| 12/12/2008 | <u>111</u> | DECLARATION of Robert N. Isseks in Support re: <u>109</u> MOTION to Take Deposition from George Pataki.. 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: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Isseks, Robert) (Entered: 12/12/2008) |
| 01/07/2009 | <u>112</u> | NOTICE OF ADJOURNMENT OF COURT CONFERENCE: Conference set for 1/30/2009 at 09:45 AM before Judge Cathy Seibel. The conference scheduled before this Court for January 12,2009 has been ADJOURNED by the Court to January 30,2009 at 9:45am., at the Charles L. Brieant, Jr. United States Courthouse,300 Quarropas Street, White Plains, NY 10601, Courtroom 218. (rj) (Entered: 01/07/2009) |
| 01/20/2009 | <u>113</u> | ENDORSED LETTER addressed to Your Honor from Neil Shevlin dated 1/16/2009 re:...I write respectfully to request a three- week extension of defendants' time to oppose plaintiffs' Fed. R.. Civ. P. 37 motion from January 12,2009 to February 2,2009.. ENDORSEMENT: Application granted. Conference set for 1/30/09 adjourned pending decision on motion.., (Replies due by 2/9/2009., Responses due by 2/2/2009) SO ORDERED. (Signed by Judge Cathy Seibel on 1/16/2009) (rj) (Entered: 01/21/2009) |

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| 02/11/2009 | <u>114</u> | DECLARATION of Neil Shevlin in Opposition re: <u>109</u> MOTION to Take Deposition from George Pataki.. Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(Shevlin, Neil) (Entered: 02/11/2009) |
| 02/11/2009 | <u>115</u> | MEMORANDUM OF LAW in Opposition re: <u>109</u> MOTION to Take Deposition from George Pataki.. Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole. (Shevlin, Neil) (Entered: 02/11/2009) |
| 02/11/2009 | <u>117</u> | ORDER: Pursuant to the parties' Stipulation and Order of Protection dated November 3, 2006, it is hereby ORDERED that the following attached documents be sealed... SO ORDERED. (Signed by Judge Cathy Seibel on 02/10/2009) (gco) (Entered: 02/24/2009) |
| 02/23/2009 | 116 | SEALED DOCUMENT placed in vault.(jma) (Entered: 02/24/2009) |
| 03/12/2009 | 119 | SEALED DOCUMENT placed in vault.(jma) (Entered: 03/16/2009) |
| 03/13/2009 | <u>118</u> | ORDER TO FILE DOCUMENTS UNDER SEAL..... (Signed by Judge Cathy Seibel on 02/23/2008) (jma) (Entered: 03/16/2009) |
| 04/16/2009 | 120 | LETTER addressed to Judge Cathy Seibel from Steven Dennehy dated 4/10/09. (fk) (Entered: 04/20/2009) |
| 04/27/2009 | <u>121</u> | MEMORANDUM DECISION AND ORDER :...For the reasons stated above, Plaintiffs' Motion to Compel Deposition is DENIED. The Clerk of Court is respectfully directed to terminate the pending motion.(Doc.109.) Motions terminated: <u>109</u> MOTION to Take Deposition from George Pataki. filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley. SO ORDERED (Signed by Judge Cathy Seibel on 4/27/2009) (rj) (Entered: 04/27/2009) |
| 10/05/2009 | <u>122</u> | NOTICE OF COURT CONFERENCE: A conference will be held before the Hon. Cathy Seibel, U.S.D.J. on October 15, 2009 at 10:00 a.m. at the United States Courthouse, 300 Quarropas Street, White Plains, NY 10601, Courtroom 218. Conference set for 10/15/2009 at 10:00 AM before Judge Cathy Seibel. (mml) (Entered: 10/08/2009) |
| 10/15/2009 | | Minute Entry for proceedings held before Judge Cathy Seibel: Status Conference held on 10/15/2009. Counsel indicate that discovery and interrogatories have been completed. Conference is scheduled for April 16, 2010 at 11:00 a.m. See transcript. (Court Reporter Albi Gorn) (fk) (Entered: 10/15/2009) |
| 01/22/2010 | <u>123</u> | NOTICE OF ADJOURNMENT OF COURT CONFERENCE: The conference before this Court previously scheduled for April 16, 2010 is adjourned by this Court to April 23, 2010 at 11:00 a.m. at the Charles L. Brieant Jr. United States Courthouse, 300 Quarropas St., White Plains, NY 10601, Courtroom 216. Case Management Conference set for 4/23/2010 at 11:00 AM before Judge Cathy Seibel. (mml) (Entered: 01/25/2010) |
| 03/18/2010 | <u>124</u> | LETTER addressed to Judge Cathy Seibel from Neil Shevlin dated 3/17/2010 re:...I write in response to plaintiff's March 4,2010 letter to the Court requesting that the stay in the instant action be lifted. Defendants oppose this request.... Document filed by George E. Pataki, Robert Dennison, The New York State Division of Parole.(rj) (Entered: 03/18/2010) |
| 03/18/2010 | <u>125</u> | ENDORSED LETTER addressed to Judge Cathy Seibel from Robert N. Isseks dated 3/4/2010 re: Enclosed please find our letter to the Clerk of the Court of appeals which is self explanatory. For the reasons set forth in that letter we are respectfully that your Honor lift the stay in Graziano.. ENDORSEMENT: In light of Mr. Mathies' opposition to withdrawal of his appeal, I will await the Court of Appeals decision in his case(either to stay it or a decision on the merits). Plaintiff may renew their application if appropriate once the Court of Appeals makes its views known. SO ORDERED (Signed by Judge Cathy Seibel on 3/17/2010) (rj) (Entered: 03/18/2010) |

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| 04/20/2010 | <u>126</u> | ENDORSED LETTER addressed to Judge Cathy Seibel from Julinda Dawkins dated 4/16/2010 re: I write with the consent of Plaintiff's counsel to request that the status conference scheduled for April 23, 2010 at 11:00 AM be adjourned sine dine... ENDORSEMENT: Conference adjourned to 7/23/2010 at 11:30 AM. SO ORDERED. (Signed by Judge Cathy Seibel on 4/19/2010) (mml) (Entered: 04/20/2010) |
| 04/20/2010 | | Set/Reset Hearings: Status Conference set for 7/23/2010 at 11:30 AM before Judge Cathy Seibel. (mml) (Entered: 04/20/2010) |
| 07/23/2010 | | Minute Entry for proceedings held before Judge Cathy Seibel: Status Conference held on 7/23/2010. Defendant has leave to file renewal of its 12(b) motion by 9/24/10; Opposition by 10/25/10; Repl yby 11/8/10. Oral argument is scheduled before this Court for December 8, 2010 at 9:45.am. See transcript. (Court Reporter Mary Staten) (fk) (Entered: 07/26/2010) |
| 10/06/2010 | <u>127</u> | NOTICE OF ADJOURNMENT OF COURT CONFERENCE:The conference previously scheduled by this Court for December 8,2010 is adjourned by this Court to December 10,2010 at 11:00am at the Charles L. Brieant United States Courthouse, 300 Quarropas St., White Plains, NY 10601, Courtroom 218. All other deadlines remain in place. Case Management Conference set for 12/10/2010 at 11:00 AM before Judge Cathy Seibel. (rj) (Entered: 10/06/2010) |
| 10/21/2010 | <u>128</u> | ENDORSED LETTER addressed to Cathy Seibel from Peter A. Sell dated 10/20/2010 re: I am one of the attorneys representing the plaintiffs in the above-referenced class action case and I write to request a one-week extension of time for plaintiffs to oppose defendant's motion to dismiss.. ENDORSEMENT: Application Granted. SO ORDERED. (Signed by Judge Cathy Seibel on 10/20/2010) (jma) (Entered: 10/21/2010) |
| 11/10/2010 | <u>129</u> | ENDORSED LETTER addressed to Judge Cathy Seibel from Wamel Allah dated 11/5/2010 re: Please be advised that I am writing to you about the upcoming motion schedule for the Attorney General's Challenge to the claims and oral arguments scheduled for December 8,2010 at 9:45am... ENDORSEMENT: Class counsel are directed to advise Mr. Allah that Judge Brieant on 2/29/08 denied his motion to amend the complaint, that in this action Plaintiffs may proceed only through counsel, and that if Plaintiffs have separate issues they would need to initiate a separate case. SO ORDERED (Signed by Judge Cathy Seibel on 11/10/2010) (rj) (Entered: 11/12/2010) |
| 11/15/2010 | <u>130</u> | THIRD MOTION to Dismiss <i>First Amended Complaint</i> . Document filed by Robert Dennison, George E. Pataki, The New York State Division of Parole.(Shevlin, Neil) (Entered: 11/15/2010) |
| 11/15/2010 | <u>131</u> | MEMORANDUM OF LAW in Support re: <u>130</u> THIRD MOTION to Dismiss <i>First Amended Complaint</i> .. Document filed by Robert Dennison, George E. Pataki, The New York State Division of Parole. (Shevlin, Neil) (Entered: 11/15/2010) |
| 11/15/2010 | <u>132</u> | MEMORANDUM OF LAW in Opposition re: <u>130</u> THIRD MOTION to Dismiss <i>First Amended Complaint</i> .. Document filed by James Buckley, Charles Friedgood, Peter Graziano, Robert A. Harris, Steven Ho, Brian Jacques, Mark Malone, Maurice Murrell, Aaron Talley, William Walker. (Shevlin, Neil) (Entered: 11/15/2010) |
| 11/15/2010 | <u>133</u> | DECLARATION of Robert N. Isseks in Opposition re: <u>130</u> THIRD MOTION to Dismiss <i>First Amended Complaint</i> .. Document filed by James Buckley, Charles Friedgood, Peter Graziano, Robert A. Harris, Steven Ho, Brian Jacques, Mark Malone, Maurice Murrell, Aaron Talley, William Walker. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Isseks, Robert) (Entered: 11/15/2010) |
| 11/15/2010 | <u>134</u> | AFFIDAVIT OF SERVICE of Declaration and Memorandum of Law in Opposition served on Neil Shevlin on October 29, 2010. Service was made by Mail. Document filed by James Buckley, Charles Friedgood, Peter Graziano, Robert A. Harris, Steven Ho, Brian Jacques, Mark Malone, Maurice Murrell, Aaron Talley, William Walker. (Isseks, Robert) (Entered: 11/15/2010) |

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| 11/15/2010 | <u>135</u> | TRANSCRIPT of proceedings held on 7/13/2010 before Judge Cathy Seibel. Court Reporter: Mary M. Staten. (jma) (Entered: 11/15/2010) |
| 11/15/2010 | <u>136</u> | REPLY MEMORANDUM OF LAW in Support re: <u>130</u> THIRD MOTION to Dismiss <i>First Amended Complaint</i> .. Document filed by Robert Dennison, George E. Pataki, The New York State Division of Parole. (Shevlin, Neil) (Entered: 11/15/2010) |
| 11/15/2010 | <u>137</u> | DECLARATION of Neil Shevlin in Support re: <u>130</u> THIRD MOTION to Dismiss <i>First Amended Complaint</i> .. Document filed by Robert Dennison, George E. Pataki, The New York State Division of Parole. (Shevlin, Neil) (Entered: 11/15/2010) |
| 11/23/2010 | <u>138</u> | ENDORSED LETTER addressed to Dear Judge Seibel from Wamel Allah dated 11/22/2010 re:.....request your honor appoint my amended complaint for all damage claim or my individual claims..... ENDORSEMENT: A pro se amendment to the complaint cannot be accepted in this case in which the class is represented by counsel. If Mr. Allah chooses to file an individual action. The issues (statute of limitations) and otherwise by may be litigated in the content of that case.. (Signed by Judge Cathy Seibel on 11/23/2010) (jma) (Entered: 11/24/2010) |
| 12/01/2010 | | Mailed <u>138</u> Endorsed Letter to Wamel Allah. (fk) (Entered: 12/01/2010) |
| 12/01/2010 | <u>139</u> | Letter addressed to Hon. Cathy Seibel from Wamel Allah dated 11/18/2010 re: Accordingly to the Docket sheet Judge Judge Brieants order memo endorsement never articulated I had to bring a separate case..... Document filed by Wamel Allah.(jma) (Entered: 12/02/2010) |
| 12/10/2010 | | Minute Entry for proceedings held before Judge Cathy Seibel: Motion Hearing held on 12/10/2010 re: <u>130</u> THIRD MOTION to Dismiss <i>First Amended Complaint</i> . filed by The New York State Division of Parole, Robert Dennison, George E. Pataki. Oral argument heard. The Court issues oral decision on Motion Doc. No. 130. Motion is granted. The clerk is directed to term motion Doc No. 130 and close the case (Court Reporter Albi Gorn) (jma) (Entered: 12/14/2010) |
| 12/16/2010 | <u>140</u> | JUDGMENT in favor of The New York State Division of Parole, George E. Pataki, Robert Dennison against Aaron Talley, Brian Jacques, Charles Friedgood, James Buckley, Mark Malone, Maurice Murrell, Peter Graziano, Robert A. Harris, Steven Ho, Wamel Allah, William Walker.ORDERED, ADJUDGED AND DECREED: That the action be and it is hereby dismissed. (Signed by Clerk of Court Ruby Krajick on 12/16/2010) (jma) (Entered: 12/16/2010) |
| 01/11/2011 | <u>141</u> | NOTICE OF APPEAL from <u>140</u> Judgment,. Document filed by James Buckley, Charles Friedgood, Peter Graziano, Robert A. Harris, Steven Ho, Brian Jacques, Mark Malone. Fee waived IFP Granted. (ll) (Entered: 01/11/2011) |
| 01/11/2011 | <u>142</u> | ENDORSEMENT on Declaration in Support of Request to Proceed In Forma Pauperis, I.F.P. REQUEST IS GRANTED as to AARON TALLEY. SO ORDERED. (Signed by Judge Cathy Seibel on 1/11/2011) (mml) (Entered: 01/13/2011) |
| 01/11/2011 | <u>143</u> | ENDORSEMENT on Declaration in Support of Request to Proceed In Forma Pauperis, I.F.P. REQUEST IS GRANTED as to MARK MALONE. SO ORDERED. (Signed by Judge Cathy Seibel on 1/11/2011) (mml) (Entered: 01/13/2011) |
| 01/11/2011 | <u>144</u> | ENDORSEMENT on Declaration in Support of Request to Proceed In Forma Pauperis, I.F.P. REQUEST IS GRANTED as to ROBERT A. HARRIS. SO ORDERED. (Signed by Judge Cathy Seibel on 1/11/2011) (mml) (Entered: 01/13/2011) |
| 01/11/2011 | <u>145</u> | ENDORSEMENT on Declaration in Support of Request to Proceed In Forma Pauperis, I.F.P. REQUEST IS GRANTED as to PETER GRAZIANO. SO ORDERED. (Signed by Judge Cathy Seibel on 1/11/2011) (mml) (Entered: 01/13/2011) |
| 01/18/2011 | | Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>99</u> Order,,, <u>81</u> Declaration in Support of Motion,, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. |

Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, 105 Memo Endorsement,, 69 Letter, filed by Maurice Murrell, Peter Graziano, Robert Dennison, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, The New York State Division of Parole, Steven Ho, Brian Jacques, George E. Pataki, Aaron Talley, 22 Letter, 76 Letter, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, 26 Letter, 36 Letter, 89 Reply Memorandum of Law in Support of Motion, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, 111 Declaration in Support of Motion, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, 100 Declaration filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 52 Letter, 72 Letter, filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 78 Memorandum of Law in Opposition to Motion, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, 46 Letter, 58 Letter, 56 Letter, 118 Order, 143 I.F.P. Endorsement, 59 Stipulation and Order, 61 Endorsed Letter, 114 Declaration in Opposition to Motion, filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 41 Letter, 34 Letter, 108 Notice of Case Assignment/Reassignment, 122 Notice of Hearing, 2 Waiver of Service Executed, filed by Maurice Murrell, Peter Graziano, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, 74 Memorandum of Law in Support of Motion filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 9 Notice (Other) filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 42 Letter, 16 Letter, 60 Letter filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 14 Reply Memorandum of Law in Support of Motion filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 7 Letter, filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 48 Letter, 133 Declaration in Opposition to Motion, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, 90 Reply Affirmation in Support of Motion, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, 127 Notice of Hearing, 113 Endorsed Letter, Set Deadlines/Hearings,, 44 Letter, 84 Letter, filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 65 Letter, 115 Memorandum of Law in Opposition to Motion filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 137 Declaration in Support of Motion filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 73 SECOND MOTION to Dismiss *the Amended Complaint*. filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 57 Letter, 32 Letter, 51 Letter, 107 Endorsed Letter,, 11 Endorsed Letter, 83 Letter filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 124 Letter, filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 53 Letter, 123 Notice of Hearing, 77 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, 128 Endorsed Letter, 79 Memorandum of Law in Support of Motion, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, 130 THIRD MOTION to Dismiss *First Amended Complaint*. filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 54 Letter, 101 Order,, 50 Letter, 35 Letter, 13 Declaration in Opposition to Motion,, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, 71 Letter filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 23 Letter, 75 Declaration in Support of Motion, filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, 18 Letter, 37 Letter, 117 Order, 64 Letter, 8 FIRST MOTION to Dismiss *the Amended Complaint*. filed by Robert Dennison, The New York State Division of Parole,

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| | <p>George E. Pataki, <u>134</u> Affidavit of Service Other, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, <u>106</u> Endorsed Letter, <u>92</u> Letter, filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, <u>70</u> Letter, <u>4</u> Letter, filed by Maurice Murrell, Peter Graziano, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, <u>30</u> Letter, <u>112</u> Notice of Hearing, <u>136</u> Reply Memorandum of Law in Support of Motion filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, <u>141</u> Notice of Appeal filed by Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, Mark Malone, Steven Ho, Brian Jacques, <u>67</u> Letter filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, <u>126</u> Endorsed Letter, <u>62</u> Letter, <u>39</u> Letter, <u>3</u> Waiver of Service Executed, filed by Maurice Murrell, Peter Graziano, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, <u>40</u> Letter, <u>121</u> Order, Terminate Motions,,,,, <u>68</u> Letter, filed by George E. Pataki, <u>49</u> Letter, <u>33</u> Letter, <u>131</u> Memorandum of Law in Support of Motion filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, <u>145</u> I.F.P. Endorsement, <u>29</u> Letter, <u>85</u> Letter, filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, <u>45</u> Letter, filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, <u>138</u> Endorsed Letter,, <u>97</u> Order on Motion to Dismiss, Order on Motion to Certify Class,,,,, <u>38</u> Letter, <u>142</u> I.F.P. Endorsement, <u>63</u> Letter, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, <u>47</u> Letter, <u>98</u> Order, <u>31</u> Letter, <u>10</u> Declaration in Support of Motion,,, filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, <u>15</u> Letter, <u>110</u> Memorandum of Law in Support of Motion, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, <u>19</u> Notice of Appearance filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, <u>55</u> Letter, <u>104</u> MOTION to Amend/Correct <u>5</u> Amended Complaint,. filed by Wamel Allah, <u>129</u> Endorsed Letter,, <u>82</u> Letter, filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, <u>27</u> Letter, <u>12</u> Memorandum of Law in Opposition to Motion, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, <u>6</u> Endorsed Letter, <u>132</u> Memorandum of Law in Opposition to Motion, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, <u>80</u> Declaration in Opposition to Motion,, filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, <u>87</u> Reply Memorandum of Law in Support of Motion filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, <u>1</u> Complaint, filed by Maurice Murrell, Peter Graziano, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, <u>28</u> Letter, <u>139</u> Letter filed by Wamel Allah, <u>88</u> Notice of Appearance filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, <u>86</u> Declaration in Support of Motion filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, <u>95</u> Letter filed by Peter Graziano, <u>21</u> Answer to Complaint filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, <u>140</u> Judgment, <u>5</u> Amended Complaint, filed by Charles Friedgood, <u>109</u> MOTION to Take Deposition from George Pataki. filed by Maurice Murrell, Peter Graziano, Charles Friedgood, James Buckley, Robert A. Harris, William Walker, Mark Malone, Steven Ho, Brian Jacques, Aaron Talley, <u>17</u> Order on Motion to Dismiss, <u>25</u> Letter, <u>96</u> Letter, filed by Peter Graziano, <u>103</u> Letter, filed by Robert Dennison, The New York State Division of Parole, George E. Pataki, <u>125</u> Endorsed Letter,, <u>24</u> Letter, <u>91</u> Endorsed Letter, <u>144</u> I.F.P. Endorsement, <u>94</u> Letter were transmitted to the U.S. Court of Appeals. (cda) (Entered: 01/18/2011)</p> |
| 06/08/2011 | Request for Copies/Transcripts/Docket Sheet Received: Request for Docket Sheet from Joseph Quick received on 06/08/2011. (gs) (Entered: 06/13/2011) |
| 06/13/2011 | Request for Copies/Transcripts/Docket Sheet Mailed: Request for Docket Sheet from Joseph Quick mailed on 06/13/2011. (gs) (Entered: 06/13/2011) |

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| 01/27/2012 | | Request for Copies/Transcripts/Docket Sheet Received: Request for Docket Sheet from Wamel Allah received on January 25, 2012. Request for Copies/Transcripts/Docket Sheet Mailed: Request for Docket Sheet from Wamel Allah mailed on January 25, 2012. (vn) (Entered: 01/27/2012) |
| 11/14/2012 | <u>146</u> | MANDATE of USCA (Certified Copy) USCA Case Number 11-116. Ordered, Adjudged and Decreed that the judgment of the District Court is AFFIRMED. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 11-14-2012. Certified: 11-14-2012. (br) (Entered: 11/15/2012) |
| 11/14/2012 | | Transmission of USCA Mandate/Order to the District Judge Seibel re: <u>146</u> USCA Mandate,. (br) (Entered: 11/15/2012) |