

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:11-cv-03200-RWL**

Betances v. Fischer et al  
Assigned to: Magistrate Judge Robert W. Lehrburger  
Lead case: [1:11-cv-01056-RWL](#)  
Member case: [\(View Member Case\)](#)  
Related Case: [1:11-cv-01056-RWL](#)  
Case in other court: US Court of Appeals, Second  
Circuit, 12-00704-cv  
U.S. Court of Appeals, Second  
Circuit, 15-02836  
Cause: 42:1983 Civil Rights Act

Date Filed: 05/11/2011  
Jury Demand: Both  
Nature of Suit: 440 Civil Rights:  
Other  
Jurisdiction: Federal Question

**Plaintiff**

**Paul Betances**  
*Individually and on behalf of all  
others similarly situated*

represented by **Matthew D. Brinckerhoff**  
Emery Celli Brinckerhoff Abady  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Nicholas Bourland**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Adam R Pulver**

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*TERMINATED: 12/06/2013*

**Alanna Gayle Kaufman**  
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*TERMINATED: 03/20/2020*  
*ATTORNEY TO BE NOTICED*

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*TERMINATED: 08/17/2017*

**Plaintiff**

**Lloyd A. Barnes**

represented by **Matthew D. Brinckerhoff**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Adam R Pulver**  
(See above for address)  
*TERMINATED: 12/06/2013*

**Alanna Gayle Kaufman**  
(See above for address)  
*TERMINATED: 03/20/2020*  
*ATTORNEY TO BE NOTICED*

**David A Lebowitz**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Emma Lerner Freeman**  
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*ATTORNEY TO BE NOTICED*

**Hayley Horowitz**  
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Email: hhorowitz@ecbalaw.com  
*TERMINATED: 08/17/2017*

**Nicholas Bourland**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Gabriel Velez**  
*Individually and on behalf of others*  
*similarly situated.*

represented by **Matthew D. Brinckerhoff**  
(See above for address)  
*LEAD ATTORNEY*

also known as  
Gabriel Belize

*ATTORNEY TO BE NOTICED*

**Adam R Pulver**

(See above for address)

*TERMINATED: 12/06/2013*

**Alanna Gayle Kaufman**

(See above for address)

*TERMINATED: 03/20/2020*

*ATTORNEY TO BE NOTICED*

**David A Lebowitz**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Emma Lerner Freeman**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Hayley Horowitz**

(See above for address)

*TERMINATED: 08/17/2017*

*ATTORNEY TO BE NOTICED*

**Nicholas Bourland**

(See above for address)

*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Brian Fischer**

*Individually*

represented by **Michael J. Keane**

Office of The Attorney

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*ATTORNEY TO BE NOTICED*

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*TERMINATED: 05/18/2020*

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*TERMINATED: 01/19/2017*

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*TERMINATED: 02/06/2020*

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*TERMINATED: 10/02/2020*

**Defendant**

**Brian Fischer**  
*in his capacity as Commissioner of  
the New York State Department of  
Correctional Services (DOCS)*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**Daniel A. Schulze**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Rebecca Lynn Johannesen**  
(See above for address)  
*TERMINATED: 10/02/2020*

**Defendant**

**Anthony J. Annucci**  
*Individually*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Barbara Kathryn Hathaway**  
(See above for address)  
*TERMINATED: 05/18/2020*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**Daniel A. Schulze**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Rebecca Lynn Johannesen**  
(See above for address)  
*TERMINATED: 10/02/2020*

**Defendant**

**Anthony J. Annucci**  
*in his capacity as Deputy  
Commissioner and Counsel for  
DOCS*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**Daniel A. Schulze**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Rebecca Lynn Johannesen**

(See above for address)  
*TERMINATED: 10/02/2020*

**Defendant**

**Lucien J. LeClaire, Jr.**  
*Individually*  
*TERMINATED: 08/06/2015*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**Lucien J. LeClaire, Jr.**  
*former Acting Commissioner of*  
*DOCS*  
*TERMINATED: 08/06/2015*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**Glenn S. Goord**  
*Individually*  
*TERMINATED: 08/06/2015*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*



**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**Glenn S. Goord**  
*former Commissioner of DOCS*  
*TERMINATED: 08/06/2015*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**John Does 1-25**  
*(DOCS Supervisory, Training, and*  
*Police Personnel)*

represented by **John Does 1-25**  
PRO SE

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**Jane Does 1-25**  
*(DOCS Supervisory, Training, and*  
*Policy Personnel)*

represented by **Jane Does 1-25**  
PRO SE

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**Andrea W. Evans**  
*in her individual capacity*  
*TERMINATED: 08/06/2015*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**Andrea W. Evans**  
*in her capacity as Chair and Chief*  
*Executive Officer of the New York*  
*State Division of Parole (DOP)*  
*TERMINATED: 08/06/2015*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**Mark Mantei**  
*in his individual capacity*  
*TERMINATED: 08/06/2015*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**Mark Mantei**  
*in his capacity as Executive Director  
of DOP*  
*TERMINATED: 08/06/2015*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**Terence Tracy**  
*in his individual capacity*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Barbara Kathryn Hathaway**  
(See above for address)  
*TERMINATED: 05/18/2020*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**Daniel A. Schulze**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Rebecca Lynn Johannesen**  
(See above for address)  
*TERMINATED: 10/02/2020*

**Defendant**

**Terence Tracy**  
*in his capacity as Chief Counsel for  
DOP*

represented by **Michael J. Keane**  
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*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
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**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**Daniel A. Schulze**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Rebecca Lynn Johannesen**  
(See above for address)  
*TERMINATED: 10/02/2020*

**Defendant**

**Robert J. Dennison**  
*in his individual capacity*  
*TERMINATED: 08/06/2015*

represented by **Michael J. Keane**  
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**Anna Hehenberger**

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*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**Robert J. Dennison**  
*former Chair of DOP*  
*TERMINATED: 08/06/2015*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**Anthony G. Ellis, II**  
*in his individual capacity*  
*TERMINATED: 08/06/2015*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**James Brennan Cooney**

(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**Anthony G. Ellis, II**  
*former Executive Director of DOP*  
*TERMINATED: 08/06/2015*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**George B. Alexander**  
*in his individual capacity*  
*TERMINATED: 08/06/2015*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**George B. Alexander**  
*former Chair and Chief Executive*  
*Officer of DOP*  
*TERMINATED: 08/06/2015*

represented by **Michael J. Keane**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Hehenberger**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Chinwe Okereke**  
(See above for address)  
*TERMINATED: 01/19/2017*

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**John Does 26-50**  
*(DOP Supervisory, Training, and  
Policy Personnel)*

represented by **John Does 26-50**  
PRO SE

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**Jane Does 26-50**  
*(DOP Supervisory, Training, and  
Policy Personnel)*

represented by **Jane Does 26-50**  
PRO SE

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

**Defendant**

**John/Jane Does 26-50**  
*(DOC Supervisory, Training, and  
Policy Personel)*

represented by **John/Jane Does 26-50**  
PRO SE

**James Brennan Cooney**  
(See above for address)  
*TERMINATED: 02/06/2020*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
05/11/2011	<a href="#"><u>1</u></a>	COMPLAINT against George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual

		capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Jane Does 1-25, Jane Does 26-50, John Does 1-25, John Does 26-50, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Filing Fee \$ 350.00, Receipt Number 1006477)Document filed by Paul Betances. (Attachments: # <a href="#">1</a> Related Case Statement)(ama) (Entered: 05/16/2011)
05/11/2011		SUMMONS ISSUED as to George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Jane Does 1-25, Jane Does 26-50, John Does 1-25, John Does 26-50, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (ama) (Entered: 05/16/2011)
05/11/2011		CASE REFERRED TO Judge Shira A. Scheindlin as possibly related to 1:11-cv-1056. (ama) (Entered: 05/16/2011)
05/11/2011		Case Designated ECF. (ama) (Entered: 05/16/2011)
05/23/2011		CASE ACCEPTED AS RELATED. Create association to 2:11-cv-01056-SAS. Notice of Assignment to follow. (sjo) (Entered: 05/24/2011)



05/23/2011	<a href="#"><u>2</u></a>	NOTICE OF CASE ASSIGNMENT to Judge Shira A. Scheindlin. Judge Unassigned is no longer assigned to the case. (sjo) (Entered: 05/24/2011)
05/23/2011		Magistrate Judge James C. Francis IV is so designated. (sjo) (Entered: 05/24/2011)
10/14/2011	<a href="#"><u>3</u></a>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Adam R. Pulver dated 10/14/2011 re: Counsel for the Plaintiffs writes to request an extension of time until 10/20/2011 to file and serve their amended complaints. ENDORSEMENT: Request to extend Plaintiffs' time to file and serve amended complaints until 10/20/2011 is granted. (Amended Pleadings due by 10/20/2011.) (Signed by Judge Shira A. Scheindlin on 10/14/2011) (ab) (Entered: 10/14/2011)
10/17/2011	<a href="#"><u>4</u></a>	NOTICE OF APPEARANCE by Adam R Pulver on behalf of Paul Betances (Pulver, Adam) (Entered: 10/17/2011)
10/20/2011	<a href="#"><u>5</u></a>	AMENDED COMPLAINT against George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Jane Does 1-25, Jane Does 26-50, John Does 1-25, John Does 26-50, John/Jane Does 26-50, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP) with JURY DEMAND. Document filed by Paul Betances, Lloyd A. Barnes, Gabriel Velez.(ft) (ama). (Entered: 10/21/2011)
10/21/2011	<a href="#"><u>6</u></a>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Adam R. Pulver dated 10/20/2011 re: Counsel for the plaintiffs write to request that the Court formally add the Betances matter to the conference scheduled for 4:30 p.m. on October 24, 2011, in the related case Bentley v. Dennison. ENDORSEMENT: Request granted. The conference scheduled for October 24, 2011 in Bentley V. Dennison, 11 Civ. 1056, will also include Bentances v. Fischer, 11 Civ. 3200. So

		ordered. (Signed by Judge Shira A. Scheindlin on 10/21/2011) (ft) (Entered: 10/21/2011)
10/26/2011	<a href="#">7</a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,, Complaint,,,,, Brian Fischer(Individually) served on 10/24/2011, answer due 11/14/2011. Service was accepted by Jason D. Effman - Assistant Counsel. Document filed by Paul Betances; Lloyd A. Barnes; Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 10/26/2011)
10/26/2011	<a href="#">8</a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,, Complaint,,,,, Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS) served on 10/24/2011, answer due 11/14/2011. Service was accepted by Jason D. Effman - Assistant Counsel. Document filed by Paul Betances; Lloyd A. Barnes; Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 10/26/2011)
10/26/2011	<a href="#">9</a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,, Complaint,,,,, Lucien J. LeClaire, Jr(Individually) served on 10/24/2011, answer due 11/14/2011. Service was accepted by Jason D. Effman - Assistant Counsel. Document filed by Paul Betances; Lloyd A. Barnes; Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 10/26/2011)
10/26/2011	<a href="#">10</a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,, Complaint,,,,, Glenn S. Goord served on 10/24/2011, answer due 11/14/2011. Service was accepted by Jason D. Effman - Assistant Counsel. Document filed by Paul Betances; Lloyd A. Barnes; Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 10/26/2011)
10/26/2011	<a href="#">11</a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,, Complaint,,,,, Andrea W. Evans(in her individual capacity) served on 10/24/2011, answer due 11/14/2011. Service was accepted by Craig R. Mausler - Assistant Counsel. Document filed by Paul Betances; Lloyd A. Barnes; Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 10/26/2011)
10/26/2011	<a href="#">12</a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,, Complaint,,,,, Mark Mantei(in his capacity as Executive Director of DOP) served on 10/24/2011, answer due 11/14/2011. Service was accepted by Craig R. Mausler - Assistant Counsel. Document filed by Paul Betances; Lloyd A. Barnes; Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 10/26/2011)
10/26/2011	<a href="#">13</a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,, Complaint,,,,, Terence Tracy(in his individual capacity) served on 10/24/2011, answer due 11/14/2011. Service was accepted by Craig R. Mausler - Assistant Counsel. Document filed by Paul Betances; Lloyd

		A. Barnes; Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 10/26/2011)
10/26/2011	<a href="#">14</a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,, Complaint,,,,,. George B. Alexander(in his individual capacity) served on 10/24/2011, answer due 11/14/2011. Service was accepted by Craig R. Mausler - Assistant Counsel. Document filed by Paul Betances; Lloyd A. Barnes; Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 10/26/2011)
10/26/2011	<a href="#">15</a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,, Complaint,,,,,. Robert J. Dennison(former Chair of DOP) served on 10/24/2011, answer due 11/14/2011. Service was accepted by Craig R. Mausler - Assistant Counsel. Document filed by Paul Betances; Lloyd A. Barnes; Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 10/26/2011)
10/26/2011	<a href="#">16</a>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,, Complaint,,,,,. Anthony G. Ellis, II(in his individual capacity) served on 10/24/2011, answer due 11/14/2011. Service was accepted by Jill Bertrand - Secretary to Counsel. Document filed by Paul Betances; Lloyd A. Barnes; Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 10/26/2011)
11/15/2011	<a href="#">17</a>	MOTION to Dismiss <i>the Amended Complaints</i> . Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Jane Does 1-25, Jane Does 26-50, John Does 1-25, John Does 26-50, John/Jane Does 26-50, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). Responses due by 12/12/2011(Cooney, James) (Entered: 11/15/2011)

11/15/2011	<a href="#">18</a>	MEMORANDUM OF LAW in Support re: <a href="#">17</a> MOTION to Dismiss <i>the Amended Complaints</i> .. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Jane Does 1-25, Jane Does 26-50, John Does 1-25, John Does 26-50, John/Jane Does 26-50, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Cooney, James) (Entered: 11/15/2011)
11/17/2011	<a href="#">19</a>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Michael J. Keane dated 11/16/2011 re: counsel for defendants respectfully request that the Court accept the filings --by ECF after midnight on November 10,2011 (4:30 -5:00 a.m. on November 11) -- and grant defendants leave to file a 30 page memorandum as briefing for both actions. ENDORSEMENT: Request granted. The Court accepts defendants filing and grants leave to file a 30-page memorandum. Defendants have leave to file a corrected memorandum of law fixing formatting irregularities. (Signed by Judge Shira A. Scheindlin on 11/17/2011) (pl) Modified on 11/18/2011 (pl). (Entered: 11/18/2011)
11/23/2011	<a href="#">20</a>	SCHEDULING ORDER: Motions to dismiss due by 11/11/2011. Responses due by 12/12/2011. Replies due by 12/19/2011. Deposition due by 6/15/2012. Expert Discovery due by 7/27/2012. Discovery due by 6/22/2012. Final Pretrial Conference set for 6/28/2012 at 04:30 PM before Judge Shira A. Scheindlin. Pretrial Order due by 8/13/2012. Anticipated length of trial and whether to court or jury cannot be determined at this time, and as further set forth. (Signed by Judge Shira A. Scheindlin on 11/22/2011) (rjm) (Entered: 11/23/2011)
12/12/2011	<a href="#">21</a>	MEMORANDUM OF LAW in Opposition re: <a href="#">17</a> MOTION to Dismiss <i>the Amended Complaints</i> .. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Pulver, Adam) (Entered: 12/12/2011)

12/12/2011	<a href="#">22</a>	DECLARATION of Matthew D. Brinckerhoff, Esq. in Opposition re: <a href="#">17</a> MOTION to Dismiss <i>the Amended Complaints</i> .. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Attachments: # <a href="#">1</a> Exhibit Exhibit A)(Pulver, Adam) (Entered: 12/12/2011)
12/14/2011	<a href="#">23</a>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Adain R. Pulver dated 12/13/2011 re: Counsel for the Plaintiff writes to request leave to file a 34-page combined memorandum in opposition to Defendant's motion to dismiss. ENDORSEMENT: Request granted. Plaintiffs may file one combined opposition memorandum, not to exceed thirty-four pages. Plaintiffs may efile the memorandum in Bentley today. (Signed by Judge Shira A. Scheindlin on 12/13/2011) (ab) (Entered: 12/14/2011)
12/16/2011	<a href="#">24</a>	AMENDED MEMORANDUM OF LAW in Support re: <a href="#">17</a> MOTION to Dismiss <i>the Amended Complaints</i> .. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Jane Does 1-25, Jane Does 26-50, John Does 1-25, John Does 26-50, John/Jane Does 26-50, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Cooney, James) (Entered: 12/16/2011)
12/19/2011	<a href="#">25</a>	NOTICE OF APPEARANCE by Christina Chinwe Okereke on behalf of George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as

		Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP) (Okereke, Christina) (Entered: 12/19/2011)
12/19/2011	<a href="#">26</a>	REPLY MEMORANDUM OF LAW in Support re: <a href="#">17</a> MOTION to Dismiss <i>the Amended Complaints</i> .. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Keane, Michael) (Entered: 12/19/2011)
12/19/2011	<a href="#">27</a>	AFFIRMATION of James B. Cooney in Support re: <a href="#">17</a> MOTION to Dismiss <i>the Amended Complaints</i> .. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit,



		<p># <a href="#">2</a> Exhibit, # <a href="#">3</a> Exhibit, # <a href="#">4</a> Exhibit, # <a href="#">5</a> Exhibit, # <a href="#">6</a> Exhibit, # <a href="#">7</a> Exhibit, # <a href="#">8</a> Exhibit, # <a href="#">9</a> Exhibit, # <a href="#">10</a> Exhibit, # <a href="#">11</a> Exhibit, # <a href="#">12</a> Exhibit, # <a href="#">13</a> Exhibit, # <a href="#">14</a> Exhibit, # <a href="#">15</a> Exhibit, # <a href="#">16</a> Exhibit, # <a href="#">17</a> Exhibit, # <a href="#">18</a> Exhibit, # <a href="#">19</a> Exhibit, # <a href="#">20</a> Exhibit, # <a href="#">21</a> Exhibit)(Keane, Michael) (Entered: 12/19/2011)</p>
12/19/2011	<a href="#">28</a>	<p>DECLARATION of Michael J. Keane in Support re: <a href="#">17</a> MOTION to Dismiss <i>the Amended Complaints</i>.. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Exhibit, # <a href="#">3</a> Exhibit, # <a href="#">4</a> Exhibit)(Keane, Michael) (Entered: 12/19/2011)</p>
12/19/2011	<a href="#">29</a>	<p>DECLARATION of Christina Okereke in Support re: <a href="#">17</a> MOTION to Dismiss <i>the Amended Complaints</i>.. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit)(Keane, Michael) (Entered: 12/19/2011)</p>

12/20/2011	<a href="#">30</a>	DECLARATION of Supplemental Cooney in Support re: <a href="#">17</a> MOTION to Dismiss <i>the Amended Complaints</i> .. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Exhibit)(Keane, Michael) (Entered: 12/20/2011)
12/20/2011	<a href="#">31</a>	NOTICE OF APPEARANCE by Michael J. Keane on behalf of George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP) (Keane, Michael) (Entered: 12/20/2011)
02/10/2012	<a href="#">32</a>	OPINION AND ORDER re: (17 in 1:11-cv-03200-SAS) MOTION to Dismiss <i>the Amended Complaints</i> filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Jane Does 26-50, John Does 1-25, John Does 26-50, Glenn S. Goord, Andrea W. Evans, Jane Does 1-25, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, John/Jane Does 26-50, Brian Fischer, Robert J. Dennison, (21 in 1:11-cv-01056-SAS) MOTION to Dismiss <i>the Amended Complaints</i> filed by Anthony



		J. Annucci, Lucien J. LeClaire, Jr., Glenn S. Goord, Jane Does 1-50, George B. Alexander, Terrence Tracy, Anthony G. Ellis, II, Luciente J. LeClaire, Jr., John Does 1-50, Brian Fischer, Robert J. Dennison. For the reasons stated above, defendants' motions to dismiss are denied. The Clerk of the Court is ordered to close these motions [Betances Docket No. 17 and Bentley Docket No. 21]. A status conference is scheduled for February 21, 2012 at 5:30 p.m. ( Status Conference set for 2/21/2012 at 05:30 PM before Judge Shira A. Scheindlin.) (Signed by Judge Shira A. Scheindlin on 2/10/2012) (mro) (Entered: 02/10/2012)
02/16/2012	<a href="#">33</a>	NOTICE OF INTERLOCUTORY APPEAL from <a href="#">32</a> Memorandum & Opinion, Set Hearings,,,,,,,,. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Okereke, Christina) (Entered: 02/16/2012)
02/16/2012		Appeal Fee Due: for <a href="#">33</a> Notice of Interlocutory Appeal,,,,,. \$455.00 Appeal fee due by 3/1/2012. (nd) (Entered: 02/16/2012)
02/16/2012		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <a href="#">33</a> Notice of Interlocutory Appeal,,,,,. (nd) (Entered: 02/16/2012)
02/16/2012		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <a href="#">23</a> Endorsed Letter, <a href="#">7</a> Affidavit of Service Complaints, filed by Gabriel Velez, Lloyd A. Barnes, Paul Betances, <a href="#">21</a> Memorandum of Law in Opposition to Motion filed by Gabriel Velez, Lloyd A. Barnes, Paul Betances, <a href="#">9</a> Affidavit of Service Complaints, filed by Gabriel Velez, Lloyd A. Barnes, Paul Betances, <a href="#">17</a> MOTION to Dismiss <i>the Amended Complaints</i> . filed by

Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Jane Does 26-50, John Does 1-25, John Does 26-50, Glenn S. Goord, Andrea W. Evans, Jane Does 1-25, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, John/Jane Does 26-50, Brian Fischer, Robert J. Dennison, [13](#) Affidavit of Service Complaints, filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez, [3](#) Endorsed Letter, Set Deadlines,, [33](#) Notice of Interlocutory Appeal,,,,, filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Glenn S. Goord, Andrea W. Evans, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, Brian Fischer, Robert J. Dennison, [12](#) Affidavit of Service Complaints, filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez, [18](#) Memorandum of Law in Support of Motion,,,,, filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Jane Does 26-50, John Does 1-25, John Does 26-50, Glenn S. Goord, Andrea W. Evans, Jane Does 1-25, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, John/Jane Does 26-50, Brian Fischer, Robert J. Dennison, [20](#) Scheduling Order,, [6](#) Endorsed Letter,, [25](#) Notice of Appearance,,,,, filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Glenn S. Goord, Andrea W. Evans, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, Brian Fischer, Robert J. Dennison, [32](#) Memorandum & Opinion, Set Hearings,,,,,,, [29](#) Declaration in Support of Motion,,,,, filed by Anthony J. Annucci, Lucien J. LeClaire, Jr., Glenn S. Goord, Andrea W. Evans, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, Brian Fischer, Robert J. Dennison, [10](#) Affidavit of Service Complaints, filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez, [16](#) Affidavit of Service Complaints, filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez, [24](#) Memorandum of Law in Support of Motion,,,,, filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Jane Does 26-50, John Does 1-25, John Does 26-50, Glenn S. Goord, Andrea W. Evans, Jane Does 1-25, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, John/Jane Does 26-50, Brian Fischer, Robert J. Dennison, [28](#) Declaration in Support of Motion,,,,, filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Glenn S. Goord, Andrea W. Evans, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, Brian Fischer, Robert J. Dennison, [22](#) Declaration in Opposition to Motion filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez, [27](#) Affirmation in Support of Motion,,,,, filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Glenn S. Goord, Andrea W. Evans, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, Brian Fischer, Robert J. Dennison, [19](#) Endorsed Letter,, [11](#) Affidavit of Service Complaints, filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez, [31](#) Notice of Appearance,,,,, filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Glenn S. Goord, Andrea W. Evans, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, Brian Fischer, Robert J. Dennison, [15](#) Affidavit of Service Complaints, filed

		<p>by Lloyd A. Barnes, Paul Betances, Gabriel Velez, <a href="#">14</a> Affidavit of Service Complaints, filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez, <a href="#">26</a> Reply Memorandum of Law in Support of Motion,,,, filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Glenn S. Goord, Andrea W. Evans, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, Brian Fischer, Robert J. Dennison, <a href="#">4</a> Notice of Appearance filed by Paul Betances, <a href="#">1</a> Complaint,,,,, filed by Paul Betances, <a href="#">8</a> Affidavit of Service Complaints, filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez, <a href="#">2</a> Notice of Case Assignment/Reassignment, <a href="#">30</a> Declaration in Support of Motion,,,,, filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Glenn S. Goord, Andrea W. Evans, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, Brian Fischer, Robert J. Dennison were transmitted to the U.S. Court of Appeals. (nd) (Entered: 02/16/2012)</p>
02/16/2012		<p>USCA Appeal Fees received \$ 455.00 receipt number 465401030098 on 2/16/2012 re: <a href="#">33</a> Notice of Interlocutory Appeal, filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Glenn S. Goord, Andrea W. Evans, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, Brian Fischer, Robert J. Dennison. (nd) (Entered: 03/13/2012)</p>
02/21/2012		<p>Minute Entry for proceedings held before Judge Shira A. Scheindlin: Status Conference held on 2/21/2012. (lmb) (Entered: 03/06/2012)</p>
03/13/2012		<p>USCA Case Number 12-0704-cv from the US Court of Appeals, Second Circuit assigned to <a href="#">33</a> Notice of Interlocutory Appeal,,,,, filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Glenn S. Goord, Andrea W. Evans, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, Brian Fischer, Robert J. Dennison. (nd) (Entered: 03/13/2012)</p>
03/23/2012		<p>Minute Entry for proceedings held before Judge Shira A. Scheindlin: Status Conference held on 3/23/2012. (lmb) (Entered: 04/12/2012)</p>
04/09/2012	<a href="#">34</a>	<p>ORDER: Plaintiffs wish to proceed with discovery, at least with respect to Paul Betances, arguing that "his claims for damages will unquestionably survive any conceivable ruling from the Court of Appeals for the Second Circuit.") PRS was imposed on Betances on April 24, 2008 and he was re-imprisoned for violation of that PRS on July 9, 2009. Defendants apparently intend to argue to the Second Circuit that they are entitled to qualified immunity for both of these actions. If the Second Circuit agrees with them, Betances' claims will not survive the appeal. There are twenty-four named plaintiffs in these actions, and the Betances plaintiffs seek to represent a putative class. Even if plaintiffs are correct regarding Betances' case, it would not be</p>

		an efficient use of the Court's or the parties' resources to attempt to proceed with discovery related only to Betances while awaiting a decision from the Second Circuit. Discovery is therefore stayed pending the appeal. (Signed by Judge Shira A. Scheindlin on 4/9/2012) (jfe) (Entered: 04/09/2012)
04/17/2012		<b>***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney Matthew D. Brinckerhoff for noncompliance with Section 14.3 of the S.D.N.Y. Electronic Case Filing Rules &amp; Instructions. E-MAIL the PDF for Document <u>5</u> Amended Complaint to: caseopenings@nysd.uscourts.gov. (jw)</b> (Entered: 04/17/2012)
06/28/2013	<a href="#">35</a>	MOTION for Adam R. Pulver to Withdraw as Attorney. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Pulver, Adam) (Entered: 06/28/2013)
06/28/2013	<a href="#">36</a>	AFFIRMATION of Adam R. Pulver in Support re: <a href="#">35</a> MOTION for Adam R. Pulver to Withdraw as Attorney.. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Pulver, Adam) (Entered: 06/28/2013)
07/29/2013	<a href="#">37</a>	ORDER: A conference is scheduled for August 8, 2013 at 5:00 p.m in Courtroom 15C of the United States Courthouse, 500 Pearl Street, New York, New York. The conference will cover the current status of the case. (Status Conference set for 8/8/2013 at 05:00 PM in Courtroom 15C, 500 Pearl Street, New York, NY 10007 before Judge Shira A. Scheindlin.) (Signed by Judge Shira A. Scheindlin on 7/26/2013) (ja) (Entered: 07/29/2013)
08/08/2013		Minute Entry for proceedings held before Judge Shira A. Scheindlin: Status Conference held on 8/8/2013. (Reily, James) (Entered: 08/19/2013)
08/14/2013	<a href="#">38</a>	SCHEDULING ORDER: The date of the conference and the appearances for the parties; August 8, 2013. Depositions to commence no later than March 9, 2012, and conclude by June 15, 2012. Requests for the production of documents to be served by January 13, 2012, with responses due September 20, 2013. Dates by which (i) each expert's reports will be supplied to the adverse side and (ii) each expert's deposition will be completed; If there are experts, by June 29, 2012 and July 20, 2012, respectively. Time when discovery is to be completed; If there are no experts, by February 7, 2014, otherwise by March 14, 2014. The date by which plaintiff will supply its pre-trial order matters to defendant; If there are no experts, by March 7, 2014, otherwise by April 14, 2014. The date by which the parties will submit a pre-trial order...; If there are no experts, by March 21, 2014; otherwise by April 28, 2014. Final pre-trial conference pursuant to Fed. R. Civ. P. 16(d),

		February 25, 2014, at 4:30 p.m. Anticipated length of trial and whether to court or jury; Cannot be determined at this time. Discovery due by 3/14/2014. Final Pretrial Conference set for 2/25/2014 at 04:30 PM before Judge Shira A. Scheindlin. Pretrial Order due by 4/28/2014. (Signed by Judge Shira A. Scheindlin on 8/13/2013) (ja) (Entered: 08/14/2013)
09/10/2013		Minute Entry for proceedings held before Judge Shira A. Scheindlin: Status Conference held on 9/10/2013. (Reily, James) (Entered: 09/24/2013)
12/06/2013	<a href="#">39</a>	MEMO ENDORSED granting <a href="#">35</a> Motion to Withdraw as Attorney. ENDORSEMENT: Adam R. Pulver's request to withdraw his appearance on behalf of Plaintiffs is hereby granted. The Clerk of the Court is directed to close this motion (docket #35). Attorney Adam R Pulver terminated (Signed by Judge Shira A. Scheindlin on 12/6/2013) (cd) (Entered: 12/06/2013)
01/06/2014	<a href="#">40</a>	ORDER: 2/25/2014 Pre-Motion Conference reset for 3/5/2014 at 04:30 PM in Courtroom 15C, 500 Pearl Street, New York, NY 10007 before Judge Shira A. Scheindlin. (Signed by Judge Shira A. Scheindlin on 1/6/2014) (cd) (Entered: 01/07/2014)
07/02/2014	<a href="#">41</a>	NOTICE OF APPEARANCE by Hayley Horowitz on behalf of Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Horowitz, Hayley) (Entered: 07/02/2014)
07/08/2014	<a href="#">42</a>	MANDATE of USCA (Certified Copy) as to <a href="#">33</a> Notice of Interlocutory Appeal,,,,, filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Glenn S. Goord, Andrea W. Evans, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, Brian Fischer, Robert J. Dennison USCA Case Number 12-0704-cv(L). 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: 07/08/2014. (nd) (Entered: 07/08/2014)
07/15/2014		Minute Entry for proceedings held before Judge Shira A. Scheindlin: Status Conference held on 7/15/2014. Premotion conference on class certification scheduled for September 22, 2013 at 4:30pm. Final pretrial conference scheduled for February 10, 2015 at 4:30pm.(Bloomfield, Clifford) (Entered: 07/15/2014)
07/16/2014	<a href="#">43</a>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Settlement. Referred to Magistrate Judge James C. Francis. December would be best. Bring in together with Bentley v Dennison

		11civ1056. (Signed by Judge Shira A. Scheindlin on 7/15/2014) (lmb) (Entered: 07/16/2014)
07/16/2014	<a href="#">44</a>	SCHEDULING ORDER: Anticipated length of trial and whether to court or jury: Jury, 3 weeks. Motions due by 10/10/2014. Responses due by 11/7/2014. Replies due by 11/21/2014. Deposition due by 12/15/2014. Discovery due by 1/30/2015. Final Pretrial Conference set for 2/10/2015 at 04:30 PM before Judge Shira A. Scheindlin. (Signed by Judge Shira A. Scheindlin on 7/15/2014) (lmb) (Entered: 07/16/2014)
07/23/2014	<a href="#">45</a>	NOTICE OF CHANGE OF ADDRESS by Matthew D. Brinckerhoff on behalf of All Plaintiffs. New Address: Emery Celli Brinckerhoff & Abady LLP, 600 Fifth Avenue, 10th Floor, New York, New York, U.S.A. 10020, 212-763-5000. (Brinckerhoff, Matthew) (Entered: 07/23/2014)
08/05/2014	<a href="#">46</a>	NOTICE OF CHANGE OF ADDRESS by Hayley Horowitz on behalf of All Plaintiffs. New Address: Emery Celli Brinckerhoff & Abady LLP, 600 Fifth Avenue, 10th Floor, New York, NY, USA 10020, 212-763-5000. (Horowitz, Hayley) (Entered: 08/05/2014)
08/07/2014		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Telephone Conference held on 8/7/2014. (Bacchus, Michael) (Entered: 08/07/2014)
08/15/2014	<a href="#">47</a>	LETTER MOTION for Extension of Time addressed to Judge Shira A. Scheindlin from Michael J. Keane dated August 15, 2014. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 08/15/2014)



08/15/2014		<b>***DELETED DOCUMENT. Deleted document number <a href="#">48</a> Endorsed Letter. The document was incorrectly filed in this case. (lmb)</b> (Entered: 08/15/2014)
08/15/2014	<a href="#">48</a>	ORDER granting <a href="#">47</a> Letter Motion for Extension of Time. Request granted. Responses to document requests and answers are due August 22, 2014. (Signed by Judge Shira A. Scheindlin on 8/15/2014) (lmb) (Entered: 08/15/2014)
08/22/2014	<a href="#">49</a>	ANSWER to <a href="#">5</a> Amended Complaint,,,,, with JURY DEMAND. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit Ex A, # <a href="#">2</a> Exhibit Ex B)(Okereke, Christina) (Entered: 08/22/2014)
09/17/2014	<a href="#">50</a>	LETTER MOTION to Adjourn Conference <i>scheduled for 9/22/14</i> addressed to Judge Shira A. Scheindlin from Matthew D. Brinckerhofr dated 9/17/2014. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 09/17/2014)
09/17/2014	<a href="#">51</a>	NOTICE OF APPEARANCE by Anna Hehenberger on behalf of George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as

		Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Hehenberger, Anna) (Entered: 09/17/2014)
09/18/2014	<a href="#">52</a>	ORDER granting <a href="#">50</a> Letter Motion to Adjourn Conference. Plaintiffs' request is hereby granted. The pre-motion conference scheduled for September 22, 2014 is adjourned and rescheduled for October 7, 2014 at 3:00 p.m. in Courtroom 15C. Pre-Motion Conference set for 10/7/2014 at 03:00 PM in Courtroom 15C, 500 Pearl Street, New York, NY 10007 before Judge Shira A. Scheindlin. (Signed by Judge Shira A. Scheindlin on 9/17/2014) (ja) Modified on 9/18/2014 (ja). (Entered: 09/18/2014)
09/26/2014	<a href="#">53</a>	LETTER addressed to Judge Shira A. Scheindlin from Matthew D. Brinckerhoff dated Sept. 26, 2014 re: Class Certification Pre-Motion Letter. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 09/26/2014)
10/01/2014	<a href="#">54</a>	LETTER addressed to Judge Shira A. Scheindlin from AAGs Michael J. Keane, Christina Okereke, and Anna Hehenberger dated October 1, 2014 re: Defendants' response to plaintiffs' Sept. 26, 2014 pre-motion letter (Docket #53). Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Okereke, Christina) (Entered: 10/01/2014)
10/06/2014	<a href="#">55</a>	STATUS REPORT. <i>re: cert petition</i> Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former



		Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit)(Keane, Michael) (Entered: 10/06/2014)
10/07/2014		Minute Entry for proceedings held before Judge Shira A. Scheindlin: Status Conference held on 10/7/2014. (Bloomfield, Clifford) (Entered: 10/07/2014)
10/24/2014	<a href="#">56</a>	<b>FILING ERROR - WRONG EVENT TYPE SELECTED FROM MENU - MOTION for Discovery .</b> Document filed by George B. Alexander(in his individual capacity), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Robert J. Dennison(former Chair of DOP), Anthony G. Ellis, II(in his individual capacity), Andrea W. Evans(in her individual capacity), Brian Fischer(Individually), Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Mark Mantei(in his capacity as Executive Director of DOP), Terence Tracy(in his individual capacity).(Keane, Michael) Modified on 10/24/2014 (db). (Entered: 10/24/2014)
10/24/2014		<b>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - EVENT TYPE ERROR. Note to Attorney Michael J. Keane to RE-FILE Document <a href="#">56</a> MOTION for Discovery . Use the event type Letter found under the event list Other Documents. (db)</b> (Entered: 10/24/2014)
10/29/2014	<a href="#">57</a>	LETTER addressed to Judge Shira A. Scheindlin from Matthew D. Brinckerhoff dated 10/29/2014 re: Response to Defendants' 10/24/2014 Letter. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 10/29/2014)
10/31/2014	<a href="#">58</a>	MOTION to Certify Class . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 10/31/2014)

10/31/2014	<a href="#">59</a>	MEMORANDUM OF LAW in Support re: <a href="#">58</a> MOTION to Certify Class . . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 10/31/2014)
10/31/2014	<a href="#">60</a>	DECLARATION of Matthew Brinckerhoff in Support re: <a href="#">58</a> MOTION to Certify Class .. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Attachments: # <a href="#">1</a> Exhibit 1-1, # <a href="#">2</a> Exhibit 1-2, # <a href="#">3</a> Exhibit 2, # <a href="#">4</a> Exhibit 3, # <a href="#">5</a> Exhibit 4, # <a href="#">6</a> Exhibit 5, # <a href="#">7</a> Exhibit 6, # <a href="#">8</a> Exhibit 7, # <a href="#">9</a> Exhibit 7-1, # <a href="#">10</a> Exhibit 8, # <a href="#">11</a> Exhibit 9, # <a href="#">12</a> Exhibit 10, # <a href="#">13</a> Exhibit 11, # <a href="#">14</a> Exhibit 12, # <a href="#">15</a> Exhibit 13, # <a href="#">16</a> Exhibit 14, # <a href="#">17</a> Exhibit 15, # <a href="#">18</a> Exhibit 16, # <a href="#">19</a> Exhibit 17, # <a href="#">20</a> Exhibit 18, # <a href="#">21</a> Exhibit 19, # <a href="#">22</a> Exhibit 20, # <a href="#">23</a> Exhibit 21, # <a href="#">24</a> Exhibit 22, # <a href="#">25</a> Exhibit 23)(Brinckerhoff, Matthew) (Entered: 10/31/2014)
11/03/2014	<a href="#">61</a>	LETTER addressed to Judge Shira A. Scheindlin from Michael J. Keane dated November 3, 2014 re: Leave to Take Depositions. Document filed by George B. Alexander(in his individual capacity), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Robert J. Dennison(former Chair of DOP), Anthony G. Ellis, II(in his individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Mark Mantei(in his capacity as Executive Director of DOP), Terence Tracy(in his individual capacity).(Keane, Michael) (Entered: 11/03/2014)
11/10/2014	<a href="#">62</a>	LETTER addressed to Judge Shira A. Scheindlin from Michael J. Keane dated November 10, 2014 re: Extension to Oppose Class Cert. Document filed by George B. Alexander(in his individual capacity), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Robert J. Dennison(former Chair of DOP), Anthony G. Ellis, II(in his individual capacity), Andrea W. Evans(in her individual capacity), Brian Fischer(Individually), Glenn S. Goord, Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 11/10/2014)
11/10/2014	<a href="#">63</a>	LETTER addressed to Judge Shira A. Scheindlin from Matthew D. Brinckerhoff dated Nov. 10, 2014 re: Defendants' Letter seeking a seven week extension to oppose class certification. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 11/10/2014)

11/13/2014		Minute Entry for proceedings held before Judge Shira A. Scheindlin: Status Conference held on 11/13/2014. (Bloomfield, Clifford) (Entered: 11/13/2014)
11/19/2014	<a href="#">64</a>	LETTER addressed to Judge Shira A. Scheindlin from Christina Okereke and Anna Hehenberger dated November 19, 2014 re: Request for extension of time until December 9 to oppose class certification. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Okereke, Christina) (Entered: 11/19/2014)
11/20/2014	<a href="#">65</a>	ORDER re: <a href="#">64</a> Letter filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Glenn S. Goord, Andrea W. Evans, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, Brian Fischer, Robert J. Dennison. Defendants' request is hereby GRANTED. Defendants shall serve and file their opposition to the motion by December 9, 2014, and ; Plaintiffs shall serve and file their reply by December 23, 2014. SO ORDERED. ( Responses due by 12/9/2014, Replies due by 12/23/2014.) (Signed by Judge Shira A. Scheindlin on 11/19/2014) (ama) (Entered: 11/20/2014)
12/01/2014	<a href="#">66</a>	STATUS REPORT. <i>to Magistrate Judge Francis re: discovery and settlement</i> Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Lloyd A. Barnes, Paul Betances, Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole

		(DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP), Gabriel Velez.(Okereke, Christina) (Entered: 12/01/2014)
12/08/2014	<a href="#">67</a>	LETTER MOTION for Leave to File Excess Pages addressed to Judge Shira A. Scheindlin from Michael J. Keane dated December 8, 2014. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 12/08/2014)
12/09/2014	<a href="#">68</a>	ORDER: granting <a href="#">67</a> Letter Motion for Leave to File Excess Pages. Request granted. Opposition brief 30 pages, Reply brief 15 pages. (Signed by Judge Shira A. Scheindlin on 12/8/2014) (djc) (Entered: 12/09/2014)
12/09/2014	<a href="#">69</a>	DECLARATION of Anna M. Hehenberger in Opposition re: <a href="#">58</a> MOTION to Certify Class .. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually),

		<p>Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F, # <a href="#">7</a> Exhibit G, # <a href="#">8</a> Exhibit H, # <a href="#">9</a> Exhibit I, # <a href="#">10</a> Exhibit J, # <a href="#">11</a> Exhibit K, # <a href="#">12</a> Exhibit L, # <a href="#">13</a> Exhibit M, # <a href="#">14</a> Exhibit N, # <a href="#">15</a> Exhibit O, # <a href="#">16</a> Exhibit P, # <a href="#">17</a> Exhibit Q, # <a href="#">18</a> Exhibit R, # <a href="#">19</a> Exhibit S, # <a href="#">20</a> Exhibit T, # <a href="#">21</a> Exhibit U, # <a href="#">22</a> Exhibit V, # <a href="#">23</a> Exhibit W, # <a href="#">24</a> Exhibit X, # <a href="#">25</a> Exhibit Y, # <a href="#">26</a> Exhibit Z, # <a href="#">27</a> Exhibit AA, # <a href="#">28</a> Exhibit BB, # <a href="#">29</a> Exhibit CC, # <a href="#">30</a> Exhibit DD, # <a href="#">31</a> Exhibit EE, # <a href="#">32</a> Exhibit FF, # <a href="#">33</a> Exhibit GG, # <a href="#">34</a> Exhibit HH, # <a href="#">35</a> Exhibit II, # <a href="#">36</a> Exhibit JJ, # <a href="#">37</a> Exhibit KK, # <a href="#">38</a> Exhibit LL, # <a href="#">39</a> Exhibit MM, # <a href="#">40</a> Exhibit NN, # <a href="#">41</a> Exhibit OO, # <a href="#">42</a> Exhibit PP, # <a href="#">43</a> Exhibit QQ, # <a href="#">44</a> Exhibit RR)(Hehenberger, Anna) (Entered: 12/09/2014)</p>
12/09/2014	<a href="#">70</a>	<p>DECLARATION of Steven H. Philbrick in Opposition re: <a href="#">58</a> MOTION to Certify Class .. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(Hehenberger, Anna) (Entered: 12/09/2014)</p>
12/09/2014	<a href="#">71</a>	<p>DECLARATION of Michael J. Keane in Opposition re: <a href="#">58</a> MOTION to Certify Class .. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP),</p>

		Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F, # <a href="#">7</a> Exhibit G, # <a href="#">8</a> Exhibit H)(Keane, Michael) (Entered: 12/09/2014)
12/09/2014	<a href="#">72</a>	MEMORANDUM OF LAW in Opposition re: <a href="#">58</a> MOTION to Certify Class . . Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Okereke, Christina) (Entered: 12/09/2014)
12/19/2014	<a href="#">73</a>	LETTER addressed to Judge Shira A. Scheindlin from Hayley Horowitz dated 12/19/2014 re: Extension of Discovery Schedule. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Horowitz, Hayley) (Entered: 12/19/2014)
12/23/2014	<a href="#">74</a>	REPLY MEMORANDUM OF LAW in Support re: <a href="#">58</a> MOTION to Certify Class . . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 12/23/2014)
12/23/2014	<a href="#">75</a>	MEMO ENDORSEMENT on re: (73 in 1:11-cv-03200-SAS) Letter filed by Gabriel Velez, Lloyd A. Barnes, Paul Betances.



		ENDORSEMENT: Request Granted in part Deposition to be complete by January 30, 2015; Discovery to close March 6, 2015; Pre-Trial Conference rescheduled to March 17, 2015 at 4:30 p.m. SO ORDERED. ( Deposition due by 1/30/2015., Discovery due by 3/6/2015., Pretrial Conference set for 3/17/2015 at 04:30 PM before Judge Shira A. Scheindlin.) (Signed by Judge Shira A. Scheindlin on 12/23/2014) (ama) (Entered: 12/24/2014)
01/23/2015	<a href="#">76</a>	JOINT LETTER MOTION for Extension of Time <i>to complete remaining depositions without altering discovery completion deadline</i> addressed to Judge Shira A. Scheindlin from Matthew D. Brinckerhoff dated Jan. 23, 2015. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 01/23/2015)
01/28/2015	<a href="#">77</a>	OPINION AND ORDER #105177 re: <a href="#">58</a> MOTION to Certify Class filed by Gabriel Velez, Lloyd A. Barnes, Paul Betances. For the foregoing reasons, the plaintiffs' motion for class certification is GRANTED. The Clerk of the Court is directed to close this motion (Docket No. 58). A conference is scheduled for February 10, 2015 at 4:30 p.m. SO ORDERED. ( Status Conference set for 2/10/2015 at 04:30 PM before Judge Shira A. Scheindlin.) (Signed by Judge Shira A. Scheindlin on 1/28/2015) (ama) Modified on 2/2/2015 (ca). (Entered: 01/28/2015)
01/28/2015	<a href="#">78</a>	ORDER granting <a href="#">76</a> Letter Motion for Extension of Time. Request Granted. SO ORDERED.(Signed by Judge Shira A. Scheindlin on 1/28/2015) (ama) (Entered: 01/28/2015)
03/09/2015	<a href="#">79</a>	STATUS REPORT. <i>in reponse to Judge Francis</i> Document filed by George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Robert J. Dennison(former Chair of DOP), Anthony G. Ellis, II(in his individual capacity), Andrea W. Evans(in her individual capacity), Brian Fischer(Individually), Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity).(Keane, Michael) (Entered: 03/09/2015)
03/10/2015	<a href="#">80</a>	LETTER addressed to Judge Shira A. Scheindlin from Michael J. Keane dated March 9, 2015 re: Summary Judgment Pre-Motion Conference. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP),

		Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Hehenberger, Anna) (Entered: 03/10/2015)
03/13/2015	<a href="#">81</a>	LETTER addressed to Judge Shira A. Scheindlin from Hayley Horowitz dated 3/13/2015 re: Response to Defendants' Pre-Motion Letter and Cross-Motion for Summary Judgment. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Horowitz, Hayley) (Entered: 03/13/2015)
03/17/2015		Minute Entry for proceedings held before Judge Shira A. Scheindlin: Status Conference held on 3/17/2015. (Entered: 03/17/2015)
03/23/2015	<a href="#">82</a>	LETTER addressed to Judge Shira A. Scheindlin from Matthew D. Brinckerhoff & Hayley Horowitz dated 3/23/2015 re: Pre-Motion Letter. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Horowitz, Hayley) (Entered: 03/23/2015)
03/25/2015	<a href="#">83</a>	LETTER addressed to Judge Shira A. Scheindlin from Michael J. Keane dated March 25, 2015 re: motion practice. Document filed by George B. Alexander(in his individual capacity), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Robert J. Dennison(former Chair of DOP), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Mark Mantei(in his capacity as Executive Director of DOP), Terence Tracy(in his individual capacity).(Keane, Michael) (Entered: 03/25/2015)
03/26/2015		Minute Entry for proceedings held before Judge Shira A. Scheindlin: Status Conference held on 3/26/2015. (Entered: 03/26/2015)
03/30/2015	<a href="#">84</a>	TRANSCRIPT of Proceedings re: CONFERENCE held on 3/17/2015 before Judge Shira A. Scheindlin. Court Reporter/Transcriber: Sabrina D'Emidio, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber



		before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/23/2015. Redacted Transcript Deadline set for 5/4/2015. Release of Transcript Restriction set for 7/2/2015.(McGuirk, Kelly) (Entered: 03/30/2015)
03/30/2015	<a href="#">85</a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 3/17/2015 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 03/30/2015)
04/14/2015	<a href="#">86</a>	TRANSCRIPT of Proceedings re: CONFERENCE held on 3/26/2015 before Judge Shira A. Scheindlin. Court Reporter/Transcriber: Steven Greenblum, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 5/8/2015. Redacted Transcript Deadline set for 5/18/2015. Release of Transcript Restriction set for 7/16/2015.(McGuirk, Kelly) (Entered: 04/14/2015)
04/14/2015	<a href="#">87</a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 3/26/2015 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 04/14/2015)
04/23/2015	<a href="#">88</a>	LETTER MOTION for Leave to File Excess Pages <i>to Rule 56.1 Statement</i> addressed to Judge Shira A. Scheindlin from Michael J. Keane dated April 23, 2015. Document filed by George B. Alexander(in his individual capacity), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Anthony G. Ellis, II(in his individual capacity), Andrea W. Evans(in her individual capacity), Brian Fischer(Individually), Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Mark Mantei(in his capacity as Executive Director of DOP), Terence Tracy(in his individual capacity).(Keane, Michael) (Entered: 04/23/2015)
04/24/2015	<a href="#">89</a>	ORDER denying <a href="#">88</a> Letter Motion for Leave to File Excess Pages. Requests denied. The 56.1 Statement is limited to 25 pages and only five declarations are permitted. So Ordered. The Clerk of Court is

		directed to close this motion (Docket # 88). (Signed by Judge Shira A. Scheindlin on 4/24/2015) (ajs) (Entered: 04/24/2015)
05/08/2015	<a href="#">90</a>	MOTION for Summary Judgment . Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Okereke, Christina) (Entered: 05/08/2015)
05/08/2015	<a href="#">91</a>	DECLARATION of Anthony J. Annucci in Support re: <a href="#">90</a> MOTION for Summary Judgment .. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (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)(Okereke, Christina) (Entered: 05/08/2015)
05/08/2015	<a href="#">92</a>	DECLARATION of Richard de Simone in Support re: <a href="#">90</a> MOTION for Summary Judgment .. Document filed by George B. Alexander(in his

		<p>individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit Exhibit A)(Okereke, Christina) (Entered: 05/08/2015)</p>
05/08/2015	<a href="#">93</a>	<p>DECLARATION of Steven H. Philbrick in Support re: <a href="#">90</a> MOTION for Summary Judgment .. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit Exhibit A, # <a href="#">2</a> Exhibit Exhibit B)(Okereke, Christina) (Entered: 05/08/2015)</p>
05/08/2015	<a href="#">94</a>	<p>DECLARATION of Terrence X. Tracy in Support re: <a href="#">90</a> MOTION for Summary Judgment .. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in</p>

		<p>his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit Exhibit A)(Okereke, Christina) (Entered: 05/08/2015)</p>
05/08/2015	<a href="#">95</a>	<p>DECLARATION of Michael J. Keane in Support re: <a href="#">90</a> MOTION for Summary Judgment .. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit Exhibit A, # <a href="#">2</a> Exhibit Exhibit B)(Okereke, Christina) (Entered: 05/08/2015)</p>
05/08/2015	<a href="#">96</a>	<p>RULE 56.1 STATEMENT. Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn</p>

		S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Okereke, Christina) (Entered: 05/08/2015)
05/08/2015	<a href="#">97</a>	MEMORANDUM OF LAW in Support re: <a href="#">90</a> MOTION for Summary Judgment . . Document filed by George B. Alexander(in his individual capacity), George B. Alexander(former Chair and Chief Executive Officer of DOP), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Robert J. Dennison(in his individual capacity), Anthony G. Ellis, II(in his individual capacity), Anthony G. Ellis, II(former Executive Director of DOP), Andrea W. Evans(in her individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Glenn S. Goord, Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Lucien J. LeClaire, Jr(former Acting Commissioner of DOCS), Mark Mantei(in his capacity as Executive Director of DOP), Mark Mantei(in his individual capacity), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Okereke, Christina) (Entered: 05/08/2015)
06/08/2015	<a href="#">98</a>	LETTER addressed to Judge Shira A. Scheindlin from Hayley Horowitz dated June 8, 2015 re: Extension of Time to File Summary Judgment Motion. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Horowitz, Hayley) (Entered: 06/08/2015)
06/09/2015	<a href="#">99</a>	MEMO ENDORSEMENT on re: <a href="#">98</a> Letter filed by Gabriel Velez, Lloyd A. Barnes, Paul Betances, re: Extension of Time to File Summary Judgment Motion. ENDORSEMENT: Request granted. So Ordered. (Signed by Judge Shira A. Scheindlin on 6/9/2015) (ajs) (Entered: 06/09/2015)
06/09/2015		Set/Reset Deadlines: Responses due by 6/22/2015 Replies due by 6/29/2015. (ajs) (Entered: 06/09/2015)
06/09/2015	<a href="#">100</a>	MOTION for Partial Summary Judgment <i>on liability against Defendants Fischer, Annucci and Tracy</i> . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. Responses due by 6/22/2015(Brinckerhoff, Matthew) (Entered: 06/09/2015)



06/10/2015	<a href="#">101</a>	RESPONSE in Opposition to Motion re: <a href="#">90</a> MOTION for Summary Judgment . <i>Local Rule 56.1 Response</i> . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 06/10/2015)
06/10/2015	<a href="#">102</a>	DECLARATION of Matthew D. Brinckerhoff in Support re: <a href="#">100</a> MOTION for Partial Summary Judgment <i>on liability against Defendants Fischer, Annucci and Tracy.</i> . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5, # <a href="#">6</a> Exhibit 6, # <a href="#">7</a> Exhibit 7, # <a href="#">8</a> Exhibit 8, # <a href="#">9</a> Exhibit 9, # <a href="#">10</a> Exhibit 10, # <a href="#">11</a> Exhibit 11, # <a href="#">12</a> Exhibit 12, # <a href="#">13</a> Exhibit 13)(Brinckerhoff, Matthew) (Entered: 06/10/2015)
06/10/2015	<a href="#">103</a>	MEMORANDUM OF LAW in Opposition re: <a href="#">90</a> MOTION for Summary Judgment . <i>and In Support of Plaintiff's Cross-Motion for Partial Summary Judgment</i> . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 06/10/2015)
06/10/2015	<a href="#">104</a>	MEMORANDUM OF LAW in Support re: <a href="#">100</a> MOTION for Partial Summary Judgment <i>on liability against Defendants Fischer, Annucci and Tracy. and In Opposition to Defendants' Motion for Summary Judgment</i> . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 06/10/2015)
06/10/2015	<a href="#">105</a>	RULE 56.1 STATEMENT. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 06/10/2015)
06/23/2015	<a href="#">106</a>	MEMORANDUM OF LAW in Opposition re: <a href="#">100</a> MOTION for Partial Summary Judgment <i>on liability against Defendants Fischer, Annucci and Tracy.</i> , <a href="#">90</a> MOTION for Summary Judgment . <i>and in further support of defendants' motion for summary judgment</i> . Document filed by George B. Alexander(in his individual capacity), Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Robert J. Dennison(former Chair of DOP), Anthony G. Ellis, II(in his individual capacity), Andrea W. Evans(in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Brian Fischer(Individually), Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Mark Mantei(in his capacity as Executive Director of DOP), Terence Tracy(in his individual capacity). (Keane, Michael) (Entered: 06/23/2015)
06/23/2015	<a href="#">107</a>	RULE 56.1 STATEMENT. Document filed by George B. Alexander(in his individual capacity), Anthony J. Annucci(Individually), Robert J. Dennison(former Chair of DOP), Anthony G. Ellis, II(in his individual

		capacity), Andrea W. Evans(in her individual capacity), Brian Fischer(Individually), Glenn S. Goord, Lucien J. LeClaire, Jr(Individually), Mark Mantei(in his capacity as Executive Director of DOP), Terence Tracy(in his individual capacity). (Keane, Michael) (Entered: 06/23/2015)
06/29/2015	<a href="#">108</a>	REPLY MEMORANDUM OF LAW in Support re: <a href="#">100</a> MOTION for Partial Summary Judgment <i>on liability against Defendants Fischer, Annucci and Tracy.</i> . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Horowitz, Hayley) (Entered: 06/29/2015)
06/29/2015	<a href="#">109</a>	<b>FILING ERROR - WRONG EVENT TYPE SELECTED FROM MENU - RESPONSE</b> in Support of Motion re: <a href="#">100</a> MOTION for Partial Summary Judgment <i>on liability against Defendants Fischer, Annucci and Tracy. Response to Defendants' 56.1 Counter-Statement.</i> Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Horowitz, Hayley) Modified on 6/30/2015 (db). (Entered: 06/29/2015)
06/29/2015		<b>***NOTICE TO ATTORNEY TO RE-FILE DOCUMENT - EVENT TYPE ERROR. Notice to Attorney Hayley Horowitz to RE-FILE Document <a href="#">109</a> Response in Support of Motion. Use the event type Response (non-motion) found under the event list Other Answers. (db)</b> (Entered: 06/30/2015)
06/30/2015	<a href="#">110</a>	RESPONSE re: <a href="#">100</a> MOTION for Partial Summary Judgment <i>on liability against Defendants Fischer, Annucci and Tracy. Plaintiffs' Response to Defendants' 56.1 Counter-Statement.</i> Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Horowitz, Hayley) (Entered: 06/30/2015)
07/14/2015	<a href="#">111</a>	LETTER from Albert Esposito, DIN#09A5466, dated 6/24/15 re: Non-party Albert Esposito requests that, because of improper addition to his sentence which caused him to serve numerous incarcerations etc., the Court add him as a plaintiff in this case, or to please inform him as to how to proceed to become added as a plaintiff. (sc) (Entered: 07/14/2015)
08/06/2015	<a href="#">112</a>	OPINION AND ORDER #105772 re: <a href="#">100</a> MOTION for Partial Summary Judgment <i>on liability against Defendants Fischer, Annucci and Tracy.</i> filed by Gabriel Velez, Lloyd A. Barnes, Paul Betances, <a href="#">90</a> MOTION for Summary Judgment . filed by Anthony J. Annucci, Mark Mantei, Lucien J. LeClaire, Jr., Glenn S. Goord, Andrea W. Evans, Terence Tracy, George B. Alexander, Anthony G. Ellis, II, Brian Fischer, Robert J. Dennison. For the foregoing reasons, plaintiffs' motion for summary judgment is GRANTED, and defendants' motion for summary judgment is GRANTED as to defendants Goord, LeClaire, Dennison, Alexander, Evans, Ellis, and Mantei, and DENIED as to the

		<p>remaining defendants and as to qualified immunity. Defendants' motion to modify the class is also DENIED. The Clerk of the Court is directed to close this motion (Dkt. No. 58). A conference is scheduled for September 2, 2015 at 4:30 p.m. SO ORDERED. (As further set forth within this Order.) (Status Conference set for 9/2/2015 at 04:30 PM before Judge Shira A. Scheindlin.), Robert J. Dennison (in his individual capacity), Robert J. Dennison (former Chair of DOP), Anthony G. Ellis, II (in his individual capacity), Anthony G. Ellis, II (former Executive Director of DOP), Andrea W. Evans (in her individual capacity), Andrea W. Evans (in her capacity as Chair and Chief Executive Officer of the New York State Division of Parole (DOP)), Glenn S. Goord (Individually), Glenn S. Goord (former Commissioner of DOCS), Lucien J. LeClaire, Jr (former Acting Commissioner of DOCS), Lucien J. LeClaire, Jr (Individually), Mark Mantei (in his capacity as Executive Director of DOP), Mark Mantei (in his individual capacity), George B. Alexander (in his individual capacity) and George B. Alexander (former Chair and Chief Executive Officer of DOP) terminated. (Signed by Judge Shira A. Scheindlin on 8/6/2015) (ajs) Modified on 8/13/2015 (ajs). Modified on 8/18/2015 (soh). (Entered: 08/06/2015)</p>
09/02/2015		<p>Minute Entry for proceedings held before Judge Shira A. Scheindlin: Status Conference held on 9/2/2015. (Entered: 09/18/2015)</p>
09/08/2015	<a href="#">113</a>	<p>NOTICE OF INTERLOCUTORY APPEAL from <a href="#">112</a> Memorandum &amp; Opinion, Set Hearings, Add and Terminate Parties,,,,,,,,,,,,,,,,,,,, Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Keane, Michael) (Entered: 09/08/2015)</p>
09/08/2015		<p>Appeal Fee Due: for <a href="#">113</a> Notice of Interlocutory Appeal,, \$505.00 Appeal fee due by 9/22/2015. (nd) (Entered: 09/08/2015)</p>
09/08/2015		<p>Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <a href="#">113</a> Notice of Interlocutory Appeal,, (nd) (Entered: 09/08/2015)</p>
09/08/2015		<p>Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <a href="#">113</a> Notice of Interlocutory Appeal,, filed by Anthony J. Annucci, Terence Tracy, Brian Fischer</p>



		were transmitted to the U.S. Court of Appeals. (nd) (Entered: 09/08/2015)
09/09/2015		USCA Case Number 15-2836 from the U.S. Court of Appeals, Second Circuit assigned to <a href="#">113</a> Notice of Interlocutory Appeal,, filed by Anthony J. Annucci, Terence Tracy, Brian Fischer. (nd) (Entered: 09/09/2015)
09/09/2015		USCA Appeal Fees received \$ 505.00 receipt number 465401134027 on 09/09/2015 re: <a href="#">113</a> Notice of Interlocutory Appeal,, filed by Anthony J. Annucci, Terence Tracy, Brian Fischer. [ <b>USCA Case No. 15-2836</b> ]. (nd) (Entered: 09/09/2015)
09/25/2015	<a href="#">114</a>	LETTER addressed to Judge Shira A. Scheindlin from Matthew D. Brinckerhoff dated 09/25/2015 re: Request for Pre-Motion Conference. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 09/25/2015)
09/30/2015	<a href="#">115</a>	LETTER addressed to Judge Shira A. Scheindlin from Michael J. Keane dated September 30, 2015 re: pre-motion letter response. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 09/30/2015)
10/05/2015	<a href="#">116</a>	LETTER addressed to Judge Shira A. Scheindlin from Matthew D. Brinckerhoff dated 10/5/2015 re: Response to Defendants' Letter dated Sept. 30, 2015. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 10/05/2015)
10/08/2015	<a href="#">117</a>	TRANSCRIPT of Proceedings re: Conference held on 9/2/2015 before Judge Shira A. Scheindlin. Court Reporter/Transcriber: Alena Lynch, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/2/2015. Redacted Transcript Deadline set for 11/12/2015. Release of Transcript Restriction set for 1/9/2016.(Siwik, Christine) (Entered: 10/08/2015)
10/08/2015	<a href="#">118</a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 9/2/15 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no

		such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Siwik, Christine) (Entered: 10/08/2015)
10/08/2015		Minute Entry for proceedings held before Judge Shira A. Scheindlin: Status Conference held on 10/8/2015. (Entered: 10/08/2015)
10/13/2015	<a href="#">119</a>	LETTER addressed to Judge Shira A. Scheindlin from Michael J. Keane dated October 13, 2015 re: supplement to oral argument of October 8, 2015. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 10/13/2015)
10/13/2015	<a href="#">120</a>	LETTER addressed to Judge Shira A. Scheindlin from Matthew D. Brinckerhoff dated 10/13/2015 re: Post-Motion Argument Sumission in Further Support of Motion to Certify Defendants' Interlocutory Qualified Immunity Appeal as Frivolous. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 10/13/2015)
10/14/2015	<a href="#">121</a>	OPINION AND ORDER #105957: For the foregoing reasons, plaintiffs' motion for an Order certifying defendants' interlocutory appeal as frivolous and retaining this Court's jurisdiction pending the appeal is GRANTED. SO ORDERED. (As further set forth within this Opinion.) (Signed by Judge Shira A. Scheindlin on 10/14/2015) (ajs) Modified on 10/19/2015 (ca). (Entered: 10/14/2015)
10/19/2015	<a href="#">122</a>	TRANSCRIPT of Proceedings re: CONFERENCE held on 10/8/2015 before Judge Shira A. Scheindlin. Court Reporter/Transcriber: Lisa Picciano Fellis, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/12/2015. Redacted Transcript Deadline set for 11/23/2015. Release of Transcript Restriction set for 1/20/2016.(McGuirk, Kelly) (Entered: 10/19/2015)
10/19/2015	<a href="#">123</a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 10/8/15 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically

		available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 10/19/2015)
10/23/2015		Minute Entry for proceedings held before Judge Shira A. Scheindlin: Status Conference held on 10/23/2015. (Entered: 10/26/2015)
10/26/2015	<a href="#">124</a>	ORDER: On October 23, 2015, the Court granted an adjournment of the scheduled trial of portions of these actions to February 8, 2016. The Court also set the following pre-trial schedule: (1) expert discovery must be complete by January 8, 2016; (2) any motions in limine must be fully briefed by January 8, 2016; and (3) the Joint Pretrial Order is due January 22, 2016. No further extension of this trial date will be granted. (Expert Discovery due by 1/8/2016., Motions due by 1/8/2016., Pretrial Order due by 1/22/2016.) (Signed by Judge Shira A. Scheindlin on 10/26/2015) (kl) (Entered: 10/26/2015)
10/30/2015	<a href="#">125</a>	NOTICE OF APPEARANCE by Alanna Gayle Kaufman Small on behalf of Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Small, Alanna) (Entered: 10/30/2015)
11/03/2015	<a href="#">126</a>	TRANSCRIPT of Proceedings re: CONFERENCE held on 10/23/2015 before Judge Shira A. Scheindlin. Court Reporter/Transcriber: Andrew Walker, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/27/2015. Redacted Transcript Deadline set for 12/7/2015. Release of Transcript Restriction set for 2/4/2016.(McGuirk, Kelly) (Entered: 11/03/2015)
11/03/2015	<a href="#">127</a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 10/23/15 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/03/2015)
11/05/2015	<a href="#">128</a>	TRANSCRIPT of Proceedings re: Conference held on 11/13/2014 before Judge Shira A. Scheindlin. Court Reporter/Transcriber: Jeffrey Benz, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/30/2015. Redacted Transcript Deadline set for 12/10/2015. Release of Transcript Restriction set for 2/6/2016.(Siwik, Christine) (Entered: 11/05/2015)

11/05/2015	<a href="#">129</a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 11/13/14 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Siwik, Christine) (Entered: 11/05/2015)
12/10/2015	<a href="#">130</a>	ORDER of USCA (Certified Copy) as to <a href="#">113</a> Notice of Interlocutory Appeal,, filed by Anthony J. Annucci, Terence Tracy, Brian Fischer. USCA Case Number 15-2836. Appellants move for an order overturning the district court's determination that this appeal is frivolous and confirming that further proceedings in the trial court are stayed pending this appeal. It is hereby ORDERED that the motion is DENIED in part, insofar as we refer the arguable questions of frivolousness, appellate jurisdiction or the merits to the merits panel, and GRANTED in part, insofar as we hereby ORDER a stay of further District Court proceedings until further order of this Court. The Clerk is directed to EXPEDITE consideration of this matter by a merits panel. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 12/10/2015. (nd) (Entered: 12/11/2015)
12/11/2015	<a href="#">131</a>	ORDER of USCA (Certified Copy) as to <a href="#">113</a> Notice of Interlocutory Appeal,, filed by Anthony J. Annucci, Terence Tracy, Brian Fischer. USCA Case Number 15-2836. The Court's December 10, 2015 order issued as the result of an administrative error. IT IS HEREBY ORDERED that the order is vacated. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 12/11/2015. (nd) (Entered: 12/11/2015)
12/16/2015	<a href="#">132</a>	ORDER of USCA (Certified Copy) as to <a href="#">113</a> Notice of Interlocutory Appeal,, filed by Anthony J. Annucci, Terence Tracy, Brian Fischer. USCA Case Number 15-2836-cv. On November 10, 2015, defendants-appellants Brian Fischer, Anthony J. Annucci, and Terence Tracy (jointly, "defendants") moved to stay all proceedings in the District Court during the pendency of their interlocutory appeal. Plaintiffs-appellees opposed their motion. The motion is GRANTED. Further proceedings in the District Court are STAYED pending disposition of defendants interlocutory appeal, which appeal will be EXPEDITED. This order is without prejudice to consideration by a merits panel of the various issues identified by the parties in their moving papers, including the question of the district courts' institutional competence to determine whether this Court should not hear an interlocutory appeal on the ground that it is frivolous. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 12/16/2015. (nd) (Entered: 12/16/2015)

03/09/2016	<a href="#">133</a>	NOTICE OF CHANGE OF ADDRESS by Alanna Gayle Kaufman Small on behalf of Lloyd A. Barnes, Paul Betances. New Address: Emery Celli Brinckerhoff & Abady LLP, 600 Fifth Avenue, 10th Floor, New York, NY, USA 10020, 212-763-5000. (Small, Alanna) (Entered: 03/09/2016)
03/31/2016		NOTICE OF CASE REASSIGNMENT to Judge Deborah A. Batts. Judge Shira A. Scheindlin is no longer assigned to the case. (wb) (Entered: 03/31/2016)
09/16/2016	<a href="#">134</a>	OPINION of USCA as to <a href="#">113</a> Notice of Interlocutory Appeal,, filed by Anthony J. Annucci, Terence Tracy, Brian Fischer. USCA Case Number 15-2836-cv. In Earley v. Murray, 451 F.3d 71 (2d Cir. 2006) ("Earley I"), we held that the New York State Department of Correctional Services's ("DOCS") practice of administratively adding a term of postrelease supervision ("PRS") to sentences in which PRS had not been imposed by the sentencing judge and the New York State Division of Parole's ("DOP") practice of enforcing the administratively added PRS terms violated the Constitution. Notwithstanding their awareness of our holding, defendants DOCS officials Anthony J. Annucci and Brian Fischer and DOP official Terence Tracy decided not to follow it and only did so after the New York Court of Appeals invalidated the administrative practice more than 22 months later. The plaintiffs, offenders who had been subject to PRS in violation of Earley I, sued the defendants for the actions they took in violation of Earley I and moved for summary judgment. The district court (Scheidlin, J.) granted the motion. The defendants appeal the grant of summary judgment and also argue that the district court erred in granting plaintiffs' motion to deem the appeal frivolous so that the district court could retain jurisdiction and proceed with a trial on damages. We AFFIRM. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 09/16/2016. (nd) (Entered: 09/16/2016)
10/11/2016	<a href="#">135</a>	MANDATE of USCA (Certified Copy) as to <a href="#">113</a> Notice of Interlocutory Appeal,, filed by Anthony J. Annucci, Terence Tracy, Brian Fischer. USCA Case Number 15-2836. IT IS HEREBY ORDERED, ADJUDGED and DECREED that the order is AFFIRMED and the case is REMANDED for further proceedings consistent with this Courts opinion. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 10/11/2016. (nd) (Entered: 10/11/2016)
10/14/2016	<a href="#">136</a>	LETTER addressed to Judge Deborah A. Batts from Hayley Horowitz dated October 14, 2016 re: Referral to Magistrate for Settlement. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Horowitz, Hayley) (Entered: 10/14/2016)

10/19/2016	<a href="#">137</a>	LETTER addressed to Judge Deborah A. Batts from Michael J. Keane dated October 19, 2016 re: Status of Case and Response to Plaintiffs' Letter of October 14, 2016. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 10/19/2016)
10/20/2016	<a href="#">138</a>	NOTICE OF APPEARANCE by Barbara Kathryn Hathaway on behalf of Anthony J. Annucci(Individually), Brian Fischer(Individually), Terence Tracy(in his individual capacity). (Hathaway, Barbara) (Entered: 10/20/2016)
10/20/2016	<a href="#">139</a>	LETTER addressed to Judge Deborah A. Batts from Hayley Horowitz dated October 20, 2016 re: Reply to Defendants' Letter [dkt 137]. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Horowitz, Hayley) (Entered: 10/20/2016)
10/20/2016	<a href="#">140</a>	LETTER addressed to Judge Deborah A. Batts from Michael J. Keane dated October 20, 2016 re: Reply to Plaintiffs' Letter of October 19, 2016. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Brian Fischer(Individually), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 10/20/2016)
10/20/2016	<a href="#">141</a>	ORDER: The Court reopens the discovery period and refers these cases to Magistrate Judge Francis for supervision of discovery and for settlement purposes. Discovery is extended until January 31, 2017, subject to further extension by Judge Francis in his discretion. Discovery due by 1/31/2017. (Signed by Judge Deborah A. Batts on 10/20/2016) (kgo) (Entered: 10/21/2016)
10/20/2016	<a href="#">142</a>	AMENDED ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Settlement and Discovery Supervision. Referred to Magistrate Judge James C. Francis. (Signed by Judge Deborah A. Batts on 10/20/2016) (kgo) (Entered: 10/21/2016)
11/28/2016	<a href="#">143</a>	LETTER addressed to Magistrate Judge James C. Francis IV from Matthew D. Brinckerhoff dated November 28, 2016 re: Request for an Adjournment. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 11/28/2016)
12/07/2016	<a href="#">144</a>	ORDER: A settlement conference will be held in these cases on January 9, 2017, at 1:30 p.m. in Courtroom 18-D at the United States



		Courthouse, 500 Pearl Street, New York, NY. ( Settlement Conference set for 1/9/2017 at 01:30 PM in Courtroom 18D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge James C. Francis.) (Signed by Magistrate Judge James C. Francis on 12/7/2016) (mro) (Entered: 12/07/2016)
01/05/2017	<a href="#">145</a>	ENDORSED LETTER addressed to Magistrate Judge James C. Francis IV from Joel Berger dated 1/5/2017 re: Request to consolidate cases. ENDORSEMENT: granted. (Signed by Judge Deborah A. Batts on 1/5/2017) (kgo) (Entered: 01/06/2017)
01/05/2017		CONSOLIDATED MEMBER CASE: Create association to 1:11-cv-01056-DAB. (kgo) (Entered: 01/06/2017)
01/05/2017	<a href="#">146</a>	LETTER from Barry Inman(DIN#14B2988 dated 12/29/16 re: Non-party Barry Inman requests that the Court inform him as to what the initials (SAS) stand for(Scheidlin). (sc) (Entered: 01/09/2017)
01/09/2017		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Settlement Conference held on 1/9/2017. Associated Cases: 1:11-cv-01056-DAB, 1:11-cv-03200-DAB(Bacchus, Michael) (Entered: 01/09/2017)
01/19/2017	<a href="#">147</a>	NOTICE OF WITHDRAWAL AND APPEARANCE AND ORDER: PLEASE TAKE NOTICE that the undersigned, Assistant Attorney General Christina Okereke, will no longer be employed by the New York State Office of the Attorney General and, accordingly, hereby withdraws as counsel of record for the defendants in the above-captioned action and requests that her appearance be terminated. Attorney Christina Chinwe Okereke terminated. (Signed by Judge Deborah A. Batts on 1/19/2017) (kgo) (Entered: 01/19/2017)
01/20/2017	<a href="#">148</a>	ORDER: A pretrial conference having been held on January 20, 2017, it is hereby ORDERED as follows: 1. By February 28, 2017, plaintiffs shall conduct a Rule 30(b) (6) deposition relating to the Department of Corrections and Division of Parole databases containing information about post-release supervision. 2. Within one week of completion of the deposition referred to in paragraph 1 above, counsel shall schedule a telephone conference with the Court. 3. The deadline for completing remaining discovery is extended to April 28, 2017., ( Deposition due by 2/28/2017., Discovery due by 4/28/2017.) (Signed by Magistrate Judge James C. Francis on 1/20/2017) (lmb) (Entered: 01/20/2017)
02/24/2017	<a href="#">149</a>	LETTER MOTION for Extension of Time to Complete Discovery addressed to Magistrate Judge James C. Francis IV from Michael J. Keane dated February 24, 2017. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for

		DOCS), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 02/24/2017)
02/27/2017	150	ORDER granting <a href="#">149</a> Letter Motion for Extension of Time to Complete Discovery. The deadline for completing the 30(b)(6) deposition referred to in my January 20, 2017 order is extended to March 30, 2017. (HEREBY ORDERED by Magistrate Judge James C. Francis)(Text Only Order) (Francis, James) (Entered: 02/27/2017)
03/30/2017	<a href="#">151</a>	LETTER MOTION for Extension of Time to Complete Discovery addressed to Magistrate Judge James C. Francis IV from Matthew D. Brinckerhoff dated March 30, 2017., LETTER MOTION for Conference re: <a href="#">148</a> Order, Set Deadlines,,,, addressed to Magistrate Judge James C. Francis IV from Matthew D. Brinckerhoff dated March 30, 2017. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 03/30/2017)
03/31/2017	152	ORDER granting <a href="#">151</a> Letter Motion for Extension of Time to Complete Discovery; granting <a href="#">151</a> Letter Motion for Conference. The time to complete the 30(b)(6) deposition concerning the DOCCS database is extended to April 28, 2017. Counsel shall contact chambers to schedule a conference to discuss the completion of the remaining discovery. (HEREBY ORDERED by Magistrate Judge James C. Francis)(Text Only Order) (Francis, James) (Entered: 03/31/2017)
04/12/2017	<a href="#">153</a>	LETTER addressed to Judge Deborah A. Batts from Shawn Nelson dated 4/6/2017 re: I am also a class member in (Betances v. Fischer) case against the Dept. of Corrections and Supervision. Document filed by Shawn Nelson.(sac) (Entered: 04/13/2017)
04/14/2017	<a href="#">154</a>	LETTER addressed to Judge Deborah A. Batts from Hayley Horowitz dated April 14, 2017 re: Correspondence from S. Nelson, dkt. no. <a href="#">153</a> . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Horowitz, Hayley) (Entered: 04/14/2017)
04/19/2017		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Telephone Conference held on 4/19/2017. (Bacchus, Michael) (Entered: 04/19/2017)
04/19/2017	<a href="#">155</a>	LETTER MOTION for Extension of Time to Complete Discovery addressed to Magistrate Judge James C. Francis IV from Matthew D. Brinckerhoff dated April 19, 2017. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 04/19/2017)



04/20/2017	156	ORDER granting <a href="#">155</a> Letter Motion for Extension of Time to Complete Discovery. The discovery deadline is extended to May 31, 2017. This order also applies to Bentley v. Dennison, 11 Civ. 1056 (DAB). (HEREBY ORDERED by Magistrate Judge James C. Francis)(Text Only Order) (Francis, James) (Entered: 04/20/2017)
05/26/2017	<a href="#">157</a>	LETTER MOTION for Extension of Time to Complete Discovery addressed to Magistrate Judge James C. Francis IV from Hayley Horowitz dated May 26, 2017. Document filed by Lloyd A. Barnes, Paul Betances.(Horowitz, Hayley) (Entered: 05/26/2017)
05/30/2017	<a href="#">158</a>	ORDER granting <a href="#">157</a> Letter Motion for Extension of Time to Complete Discovery. Application granted. This order applies to 11 civ. 1056 as well. So Ordered. (Discovery due by 6/30/2017.) (Signed by Magistrate Judge James C. Francis on 5/30/17) (yv) (Entered: 05/30/2017)
06/19/2017		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Telephone Conference held on 6/19/2017. (Bacchus, Michael) (Entered: 06/19/2017)
06/28/2017	<a href="#">159</a>	LETTER MOTION for Extension of Time to Complete Discovery <i>from June 30, 2017 to August 15, 2017</i> addressed to Magistrate Judge James C. Francis IV from Hayley Horowitz dated June 28, 2017. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Horowitz, Hayley) (Entered: 06/28/2017)
06/30/2017	<a href="#">160</a>	ORDER granting <a href="#">159</a> Letter Motion for Extension of Time to Complete Discovery. (11-civ-3200 and 11-civ-1056 file in both) Application granted. SO ORDERED. (Discovery due by 8/15/2017.) (Signed by Magistrate Judge James C. Francis on 6/30/2017) (anc) (Entered: 06/30/2017)
07/13/2017	<a href="#">161</a>	LETTER MOTION to Adjourn Conference addressed to Magistrate Judge James C. Francis IV from Alanna Kaufman dated July 13, 2017. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Kaufman, Alanna) (Entered: 07/13/2017)
07/13/2017	162	ORDER granting <a href="#">161</a> Letter Motion to Adjourn Conference. The telephone conference is rescheduled for July 21, 2017 at 2:00 p.m. (HEREBY ORDERED by Magistrate Judge James C. Francis)(Text Only Order) (Francis, James) (Entered: 07/13/2017)
07/21/2017		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Telephone Conference held on 7/21/2017. Associated Cases: 1:11-cv-01056-DAB, 1:11-cv-03200-DAB(Bacchus, Michael) (Entered: 07/25/2017)

08/14/2017	<a href="#">163</a>	LETTER MOTION for Extension of Time to Complete Discovery <i>from August 15, 2017 to September 29, 2017</i> addressed to Magistrate Judge James C. Francis IV from Alanna Kaufman dated August 14, 2017. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Kaufman, Alanna) (Entered: 08/14/2017)
08/16/2017	<a href="#">164</a>	MOTION for Hayley Horowitz to Withdraw as Attorney . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Horowitz, Hayley) (Entered: 08/16/2017)
08/16/2017	<a href="#">165</a>	AFFIRMATION of Hayley Horowitz in Support re: <a href="#">164</a> MOTION for Hayley Horowitz to Withdraw as Attorney .. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Horowitz, Hayley) (Entered: 08/16/2017)
08/17/2017	166	ORDER granting <a href="#">164</a> Motion to Withdraw as Attorney. Attorney Hayley Horowitz terminated. (HEREBY ORDERED by Magistrate Judge James C. Francis)(Text Only Order) (Francis, James) (Entered: 08/17/2017)
08/17/2017	167	ORDER granting <a href="#">163</a> Letter Motion for Extension of Time to Complete Discovery. Discovery shall be completed by September 29, 2017. (HEREBY ORDERED by Magistrate Judge James C. Francis)(Text Only Order) (Francis, James) (Entered: 08/17/2017)
08/23/2017		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Telephone Conference held on 8/23/2017. Associated Cases: 1:11-cv-01056-DAB, 1:11-cv-03200-DAB(Bacchus, Michael) (Entered: 08/23/2017)
09/12/2017		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Telephone Conference held on 9/12/2017. Associated Cases: 1:11-cv-01056-DAB, 1:11-cv-03200-DAB(Bacchus, Michael) (Entered: 09/12/2017)
09/27/2017	<a href="#">168</a>	LETTER MOTION for Extension of Time to Complete Discovery <i>from September 29, 2017 to October 31, 2017 and Two Week Adjournment of the Teleconference Scheduled for Tomorrow, September 28, 2017 to October 12, 2017</i> addressed to Magistrate Judge James C. Francis IV from Alanna Kaufman dated September 27, 2017. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Kaufman, Alanna) (Entered: 09/27/2017)
09/28/2017	169	ORDER granting <a href="#">168</a> Letter Motion for Extension of Time to Complete Discovery. All discovery shall be completed by October 31, 2017; the telephone conference is rescheduled to October 12, 2017, at 9:00 a.m.

		(HEREBY ORDERED by Magistrate Judge James C. Francis)(Text Only Order) (Francis, James) (Entered: 09/28/2017)
10/11/2017	<a href="#">170</a>	LETTER MOTION to Adjourn Conference addressed to Magistrate Judge James C. Francis IV from Matthew D. Brinckerhoff dated Oct. 11, 2017. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 10/11/2017)
10/11/2017	171	ORDER granting <a href="#">170</a> Letter Motion to Adjourn Conference. The telephone conference is adjourned to October 24, 2017, at 9:00 a.m. (HEREBY ORDERED by Magistrate Judge James C. Francis)(Text Only Order) (Francis, James) (Entered: 10/11/2017)
10/23/2017	<a href="#">172</a>	LETTER MOTION to Adjourn Conference addressed to Magistrate Judge James C. Francis IV from Alanna Kaufman dated October 23, 2017. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Kaufman, Alanna) (Entered: 10/23/2017)
10/24/2017	173	ORDER granting <a href="#">172</a> Letter Motion to Adjourn Conference. The telephone conference scheduled for today, October 24, 2017, is cancelled. Counsel shall contact my successor, the Honorable Robert Lehrburger, next week to reschedule. (HEREBY ORDERED by Magistrate Judge James C. Francis)(Text Only Order) (Francis, James) (Entered: 10/24/2017)
10/24/2017	<a href="#">174</a>	LETTER MOTION for Extension of Time to Complete Discovery <i>from October 31, 2017 to November 30, 2017</i> addressed to Magistrate Judge James C. Francis IV from Alanna Kaufman dated October 24, 2017. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Kaufman, Alanna) (Entered: 10/24/2017)
10/25/2017	175	ORDER granting <a href="#">174</a> Letter Motion for Extension of Time to Complete Discovery. The discovery deadline in this case and in Bentley, 11 Civ. 1056 (DAB), is extended to November 30, 2017. (HEREBY ORDERED by Magistrate Judge James C. Francis)(Text Only Order) (Francis, James) (Entered: 10/25/2017)
11/09/2017		NOTICE OF REDESIGNATION TO ANOTHER MAGISTRATE JUDGE. The above entitled action has been redesignated to Magistrate Judge Robert W. Lehrburger. Please note that this is a reassignment of the designation only. (jc) (Entered: 11/09/2017)
11/09/2017		NOTICE OF REASSIGNMENT OF A REFERRAL TO ANOTHER MAGISTRATE JUDGE. The referral in the above entitled action has been reassigned to Magistrate Judge Robert W. Lehrburger, for Settlement. Magistrate Judge James C. Francis no longer referred to the case. (jc) (Entered: 11/09/2017)

11/13/2017		NOTICE of Hearing: Telephone Conference set for 11/22/2017 at 10:00 AM before Magistrate Judge Robert W. Lehrburger. Counsel shall jointly call the chambers conference line at (212) 805-0113.(rsh) (Entered: 11/13/2017)
11/13/2017		DUE TO A SCHEDULING CONFLICT, THE 11/22/17, 10:00 A.M. TELEPHONE CONFERENCE HAS BEEN CHANGED TO 11/22/2017 at 11:00 AM before Magistrate Judge Robert W. Lehrburger. Counsel shall jointly call the chambers conference line at (212) 805-0113. (rsh) (Entered: 11/13/2017)
11/22/2017		Minute entry for proceedings held before Magistrate Judge Robert W. Lehrburger: Telephone Conference held on 11/22/2017 at 11:00 a.m. (rsh) (Entered: 11/22/2017)
11/22/2017		NOTICE and ORDER of Hearing: Settlement Conference set for 1/25/2018 at 10:00 AM in Courtroom 18D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Robert W. Lehrburger. Parties are instructed to review and adhere to Judge Lehrburger's individual Settlement Conference Procedures. The parties are further instructed to submit their pre-conference submissions, along with their Attendance Acknowledgment Form (available in pdf fillable format as attachment to the Settlement Conference Procedures) no later than January 18, 2018, by 5:00 p.m.(rsh) (Entered: 11/22/2017)
11/27/2017	<a href="#">176</a>	LETTER MOTION for Extension of Time to Complete Discovery addressed to Magistrate Judge Robert W. Lehrburger from Matthew D. Brinckerhoff dated 11/27/2017. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 11/27/2017)
11/27/2017	177	ORDER granting <a href="#">176</a> Letter Motion for Extension of Time to Complete Discovery. Discovery due by 1/16/2018. (HEREBY ORDERED by Magistrate Judge Robert W. Lehrburger)(Text Only Order) (Lehrburger, Robert) (Entered: 11/27/2017)
01/12/2018	<a href="#">178</a>	LETTER MOTION for Extension of Time to Complete Discovery addressed to Magistrate Judge Robert W. Lehrburger from Alanna Kaufman dated January 12, 2018. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Kaufman, Alanna) (Entered: 01/12/2018)
01/16/2018	179	ORDER granting <a href="#">178</a> Letter Motion for Extension of Time to Complete Discovery Discovery due by 3/16/2018. The request for an extension of time to March 16, 2018 to complete discovery is GRANTED. The parties should be mindful of the age of this case and the numerous extensions previously granted, and make every effort to avoid further

		extensions. (HEREBY ORDERED by Magistrate Judge Robert W. Lehrburger)(Text Only Order) (Lehrburger, Robert) (Entered: 01/16/2018)
01/22/2018	<a href="#">180</a>	STATUS REPORT. <i>re Second Circuit decision</i> Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit A)(Keane, Michael) (Entered: 01/22/2018)
01/25/2018		Minute entry for proceedings held before Magistrate Judge Robert W. Lehrburger: Case Management Conference held on 1/25/2018 at 10:00 a.m. (rsh) (Entered: 02/15/2018)
01/30/2018		NOTICE of Hearing: Telephone Conference set for 2/1/2018 at 4:00 PM before Magistrate Judge Robert W. Lehrburger. Parties shall jointly call the chambers conference line at (212) 805-0113.(rsh) (Entered: 01/30/2018)
02/01/2018		Minute entry for proceedings held before Magistrate Judge Robert W. Lehrburger: Telephone Conference held on 2/1/2018 at 4:00 p.m. (rsh) (Entered: 02/01/2018)
03/15/2018	<a href="#">181</a>	LETTER addressed to Robert W. Lehrburger from Matthew D. Brinckerhoff dated March 15, 2018 re: Request for Extension of the Discovery Deadline. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 03/15/2018)
03/15/2018	182	ORDER. The motion to extend the deadline for discovery (Dkt. 181) from March 16, 2018 to April 15, 2018, is granted. SO ORDERED. (Signed by Magistrate Judge Robert W. Lehrburger on 3/15/2018) (Lehrburger, Robert) (Entered: 03/15/2018)
04/12/2018	<a href="#">183</a>	LETTER MOTION for Extension of Time to Complete Discovery addressed to Magistrate Judge Robert W. Lehrburger from Matthew D. Brinckerhoff dated April 12, 2018. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 04/12/2018)
04/13/2018	184	ORDER granting <a href="#">183</a> Letter Motion for Extension of Time to Complete Discovery.The deadline to complete Discovery is extended to May 31, 2018. No conference shall be held at this time. Should the parties require the Court's assistance with discovery issues or interim deadlines, they shall meet and confer and file a letter. Discovery due by 5/31/2018. (HEREBY ORDERED by Magistrate Judge Robert W.

		Lehrburger)(Text Only Order) (Lehrburger, Robert) (Entered: 04/13/2018)
05/03/2018	<a href="#">185</a>	NOTICE OF CHANGE OF ADDRESS by Barbara Kathryn Hathaway on behalf of Anthony J. Annucci(Individually), Brian Fischer(Individually), Terence Tracy(in his individual capacity). New Address: Office of the New York State Attorney General, 28 Liberty Street, New York, New York, USA 10005, (212) 416-8560. (Hathaway, Barbara) (Entered: 05/03/2018)
05/10/2018	<a href="#">186</a>	NOTICE OF CHANGE OF ADDRESS by Michael J. Keane on behalf of Anthony J. Annucci(Individually), Brian Fischer(Individually), Terence Tracy(in his individual capacity). New Address: Office of the Attorney General of the State of New York, 28 Liberty, New York, New York, United States 10005, 212-416-8550. (Keane, Michael) (Entered: 05/10/2018)
05/30/2018	<a href="#">187</a>	CONSENT TO JURISDICTION BY A US MAGISTRATE JUDGE by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Lloyd A. Barnes, Paul Betances, Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP), Gabriel Velez. (Case No Longer Referred to Magistrate Judge) CASE ASSIGNED to Magistrate Judge Robert W. Lehrburger. (Signed by Judge Deborah A. Batts on 5/30/2018) (kgo) (Entered: 05/30/2018)
05/30/2018	<a href="#">188</a>	LETTER MOTION for Extension of Time to Complete Discovery addressed to Magistrate Judge Robert W. Lehrburger from Matthew D. Brinckerhoff dated May 30, 2018. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 05/30/2018)
05/30/2018	189	ORDER granting <a href="#">188</a> Letter Motion for Extension of Time to Complete Discovery. The discovery deadline is extended to July 31, 2018. My courtroom deputy will reach out to the parties to schedule a conference call. (HEREBY ORDERED by Magistrate Judge Robert W. Lehrburger)(Text Only Order) (Lehrburger, Robert) (Entered: 05/30/2018)
05/31/2018	190	SCHEDULING ORDER: Telephone Conference set for 6/21/2018 at 4:00 PM before Magistrate Judge Robert W. Lehrburger. Parties shall jointly call the chambers conference line at (212) 805-0113. (Signed by Magistrate Judge Robert W. Lehrburger on 5/31/2018) (rsh) (Entered: 05/31/2018)



06/21/2018	<a href="#">191</a>	<p>ORDER: No later than June 29, 2018, Defendants shall file a letter setting forth the issues on which it proposes to move for summary judgment. Plaintiffs shall respond by July 6, 2018. The parties shall meet and confer as to framing of the issues. The parties also shall meet and confer as to a proposed briefing schedule and report the proposed schedule to the Court by July 6, 2018. If the parties cannot agree on a briefing schedule, they shall submit their competing proposals to the Court in a single letter. By June 29, 2018, Plaintiffs shall identify to Defendants the fields from the "DOCS Database" screenshots that Plaintiffs believe are necessary to this litigation. By July 13, 2018, Defendants shall determine and report to the Court whether the data for the fields identified by Plaintiffs can be produced in native format (i.e., electronic data that can be fed into an electronic database) to Plaintiffs within a reasonable time period of not more than 2 months. If Defendants determine that this can be done, they shall produce the data to Plaintiff no later than September 13, 2018. Depending on the expense incurred in producing the data in native form, the Court may require Plaintiffs to pay some or all of that cost. If production in native format is not feasible or cannot be completed within a two-month period, then Defendants shall produce to Plaintiffs all screenshots of information for the population of potential class members by September 13, 2018. There will be no extensions on this date absent truly compelling circumstances. Depending on the costs of processing the information into a database or other useful format, the Court may require Defendants to pay some or all of that cost. Failure to meet the above deadlines may result in sanctions. (Signed by Magistrate Judge Robert W. Lehrburger on 6/21/2018) Copies transmitted to all counsel of record. (mro) (Entered: 06/22/2018)</p>
06/21/2018		<p>Minute entry for proceedings held before Magistrate Judge Robert W. Lehrburger: Telephone Conference held on 6/21/2018 at 4:00 p.m. (rsh) (Entered: 06/25/2018)</p>
06/29/2018	<a href="#">192</a>	<p><b>FILING ERROR - WRONG EVENT TYPE SELECTED FROM MENU - LETTER MOTION</b> for Conference <i>to schedule motion</i> addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated June 29, 2018. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) Modified on 7/2/2018 (db). (Entered: 06/29/2018)</p>
07/02/2018		<p><b>***NOTICE TO ATTORNEY TO RE-FILE DOCUMENT - EVENT TYPE ERROR. Notice to Attorney Michael J. Keane to RE-FILE Document (83 in 1:11-cv-01056-RWL) LETTER</b></p>

		<p><b>MOTION for Conference to schedule motion addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated June 29, 2018. (192 in 1:11-cv-03200-RWL) LETTER MOTION for Conference to schedule motion addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated June 29, 2018. Use the event type Letter found under the event list Other Documents. Filed In Associated Cases: 1:11-cv-01056-RWL, 1:11-cv-03200-RWL(db) (Entered: 07/02/2018)</b></p>
07/06/2018	<a href="#">193</a>	<p>LETTER addressed to Robert W. Lehrburger from Matthew D. Brinckerhoff dated July 6, 2018 re: Plaintiffs' Letter in response to Defendants' letter dated June 29, 2018. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 07/06/2018)</p>
07/10/2018	<a href="#">194</a>	<p>ORDER: The parties having agreed upon a briefing schedule, the following briefing schedule shall apply to Defendants' motion for a ruling as a matter of law on the issues outlined in Defendants' June 29, 2018 letter (Dkt. 192). a. Aug. 10, 2018: Defendants' Opening Brief. b. Sept. 7, 2018: Plaintiffs' Responsive Brief. c. Sept. 21, 2018: Defendants' Reply Brief. With respect to the issues outlined in Defendants' June 29, 2018 letter, the Court suggests a potential way to organize the issues would be as set forth herein. ( Motions due by 8/10/2018., Responses due by 9/7/2018, Replies due by 9/21/2018.) (Signed by Magistrate Judge Robert W. Lehrburger on 7/10/2018) Copies transmitted to all counsel of record. (mro) (Entered: 07/10/2018)</p>
07/13/2018	<a href="#">195</a>	<p>STATUS REPORT. <i>regarding database production in native format</i> Document filed by Anthony J. Annucci(Individually), Brian Fischer(Individually), Terence Tracy(in his individual capacity).(Keane, Michael) (Entered: 07/13/2018)</p>
07/16/2018	196	<p>ORDER: The Court is in receipt of Defendants' letter submitted pursuant to the Court's June 21, 2018 Order. Defendants assert that production of database information in electronic/native form is not feasible. Therefore, in accordance with Paragraph 3 of the June 21, 2018 Order, Defendants must produce all screenshots of information for the population of potential class members by September 13, 2018. The parties are free to discuss and agree upon alternative means of production for the information sought, but as per the June 21, 2018 Order, the deadline for production of the information will not be extended absent truly compelling circumstances. SO ORDERED. (Signed by Magistrate Judge Robert W. Lehrburger on 07/16/18) (Lehrburger, Robert) (Entered: 07/16/2018)</p>



08/08/2018	<a href="#">197</a>	LETTER MOTION for Leave to File Excess Pages addressed to Magistrate Judge Robert W. Lehrburger dated August 8, 2018. Document filed by Anthony J. Annucci(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 08/08/2018)
08/09/2018	198	ORDER granting <a href="#">197</a> Letter Motion for Leave to File Excess Pages. (HEREBY ORDERED by Magistrate Judge Robert W. Lehrburger)(Text Only Order) (Lehrburger, Robert) (Entered: 08/09/2018)
08/10/2018	<a href="#">199</a>	MOTION for Summary Judgment <i>and to Modify or Decertify the Class</i> . Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 08/10/2018)
08/10/2018	<a href="#">200</a>	RULE 56.1 STATEMENT. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Keane, Michael) (Entered: 08/10/2018)
08/11/2018	<a href="#">201</a>	MEMORANDUM OF LAW in Support re: <a href="#">199</a> MOTION for Summary Judgment <i>and to Modify or Decertify the Class</i> . . Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Keane, Michael) (Entered: 08/11/2018)
08/11/2018	<a href="#">202</a>	DECLARATION of Michael J. Keane in Support re: <a href="#">199</a> MOTION for Summary Judgment <i>and to Modify or Decertify the Class</i> .. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his

		capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit E, # <a href="#">5</a> Exhibit E-A, # <a href="#">6</a> Exhibit E-B, # <a href="#">7</a> Exhibit E-C, # <a href="#">8</a> Exhibit E-D, # <a href="#">9</a> Exhibit E-E, # <a href="#">10</a> Exhibit F, # <a href="#">11</a> Exhibit F-A, # <a href="#">12</a> Exhibit G, # <a href="#">13</a> Exhibit G-A, # <a href="#">14</a> Exhibit G-B, # <a href="#">15</a> Exhibit H, # <a href="#">16</a> Exhibit H-A, # <a href="#">17</a> Exhibit H-B, # <a href="#">18</a> Exhibit I, # <a href="#">19</a> Exhibit I-A, # <a href="#">20</a> Exhibit I-B, # <a href="#">21</a> Exhibit J, # <a href="#">22</a> Exhibit K, # <a href="#">23</a> Exhibit L)(Keane, Michael) (Entered: 08/11/2018)
08/16/2018	<a href="#">203</a>	DECLARATION of Michael J. Keane in Support re: <a href="#">199</a> MOTION for Summary Judgment <i>and to Modify or Decertify the Class.</i> . Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Brian Fischer(Individually), Terence Tracy(in his individual capacity). (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit E-A, # <a href="#">7</a> Exhibit E-B, # <a href="#">8</a> Exhibit E-C, # <a href="#">9</a> Exhibit E-D, # <a href="#">10</a> Exhibit E-E, # <a href="#">11</a> Exhibit F, # <a href="#">12</a> Exhibit F-A, # <a href="#">13</a> Exhibit G, # <a href="#">14</a> Exhibit G-A, # <a href="#">15</a> Exhibit G-B, # <a href="#">16</a> Exhibit H, # <a href="#">17</a> Exhibit H-A, # <a href="#">18</a> Exhibit H-B, # <a href="#">19</a> Exhibit I, # <a href="#">20</a> Exhibit I-A, # <a href="#">21</a> Exhibit I-B, # <a href="#">22</a> Exhibit J, # <a href="#">23</a> Exhibit K, # <a href="#">24</a> Exhibit L)(Keane, Michael) (Entered: 08/16/2018)
08/16/2018	<a href="#">204</a>	LETTER addressed to Robert W. Lehrburger from Michael J. Keane dated August 16, 2018 re: Corrected Filing Docket #202. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 08/16/2018)
08/27/2018	<a href="#">205</a>	LETTER MOTION for Leave to File Excess Pages addressed to Magistrate Judge Robert W. Lehrburger from Matthew D. Brinckerhoff dated August 27, 2018. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 08/27/2018)
08/27/2018	206	ORDER re <a href="#">205</a> Letter Motion for Leave to File Excess Pages. Granted. So ordered. (Signed by Magistrate Judge Robert W. Lehrburger)(Text Only Order) (Lehrburger, Robert) (Entered: 08/27/2018)
09/07/2018	<a href="#">207</a>	LETTER MOTION for Extension of Time to File Response/Reply <i>by five days</i> addressed to Magistrate Judge Robert W. Lehrburger from Matthew D. Brinckerhoff dated 9/7/2018. Document filed by Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 09/07/2018)
09/07/2018	208	ORDER granting <a href="#">207</a> Letter Motion for Extension of Time to File Response/Reply. (HEREBY ORDERED by Magistrate Judge Robert W. Lehrburger)(Text Only Order) (Lehrburger, Robert) (Entered: 09/07/2018)

09/12/2018	<a href="#">209</a>	COUNTER STATEMENT TO <a href="#">200</a> Rule 56.1 Statement., Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 09/12/2018)
09/12/2018	<a href="#">210</a>	MEMORANDUM OF LAW in Opposition re: <a href="#">199</a> MOTION for Summary Judgment <i>and to Modify or Decertify the Class.</i> . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 09/12/2018)
09/24/2018	<a href="#">211</a>	LETTER MOTION for Extension of Time addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated September 24 2018., LETTER MOTION for Extension of Time to File Response/Reply addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated September 24 2018. Document filed by Anthony J. Annucci(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 09/24/2018)
09/25/2018	212	ORDER granting <a href="#">211</a> Letter Motion for Extension of Time: Defendants' request, on consent, for an extension of time until October 1, 2018, to file a reply is granted. (HEREBY ORDERED by Magistrate Judge Robert W. Lehrburger)(Text Only Order) (Lehrburger, Robert) (Entered: 09/25/2018)
10/01/2018	<a href="#">213</a>	REPLY MEMORANDUM OF LAW in Support re: <a href="#">199</a> MOTION for Summary Judgment <i>and to Modify or Decertify the Class.</i> . Document filed by Anthony J. Annucci(Individually), Brian Fischer(Individually), Terence Tracy(in his individual capacity). (Keane, Michael) (Entered: 10/01/2018)
10/02/2018	<a href="#">214</a>	LETTER MOTION for Oral Argument addressed to Magistrate Judge Robert W. Lehrburger from Matthew D. Brinckerhoff dated 10/2/2018. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 10/02/2018)
10/02/2018	215	ORDER granting <a href="#">214</a> Letter Motion for Oral Argument: The Court will hear oral argument on the pending motion for summary judgment and class decertification. The date will be determined at a later time and notice given by separate order. (HEREBY ORDERED by Magistrate Judge Robert W. Lehrburger)(Text Only Order) (Lehrburger, Robert) (Entered: 10/02/2018)
01/17/2019	216	SCHEDULING ORDER: Oral Argument set for 2/5/2019 at 2:15 PM in Courtroom 18D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Robert W. Lehrburger. Parties are instructed to review and adhere to Judge Lehrburger's individual rules and practices.

		(Signed by Magistrate Judge Robert W. Lehrburger on 1/17/2019) (rsh) (Entered: 01/17/2019)
01/29/2019	<a href="#">217</a>	LETTER addressed to Magistrate Judge Robert W. Lehrburger from Matthew D. Brinckerhoff dated 1/29/2019 re: Relevant Court Decision. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 01/29/2019)
02/01/2019	<a href="#">218</a>	LETTER addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated February 1, 2019 re: response to Plaintiff's January 29, 2019 letter. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 02/01/2019)
02/04/2019	<a href="#">219</a>	LETTER addressed to Magistrate Judge Robert W. Lehrburger from Joel Berger dated 02/04/2019 re: Response to Defendants' Letter of February 1, 2019, re. Issues to be Discussed at Tomorrow's 2:15 P.M. Oral Argument.. Document filed by Kevin Michael Bentley.Filed In Associated Cases: 1:11-cv-01056-RWL, 1:11-cv-03200-RWL(Berger, Joel) (Entered: 02/04/2019)
02/05/2019		Minute Entry for proceedings held before Magistrate Judge Robert W. Lehrburger: Oral Argument held on 2/5/2019 at 2:15 p.m. (Court Reporter Pamela Utter present) (rsh) (Entered: 02/05/2019)
02/11/2019	<a href="#">220</a>	LETTER addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated February 11, 2019 re: response to Bentley counsel letter of February 4, 2019. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 02/11/2019)
02/12/2019	<a href="#">221</a>	LETTER addressed to Magistrate Judge Robert W. Lehrburger from Joel Berger, Esq. dated 02/12/2019 re: Letter Responding to Defendants' Letter of 02/11/19. Document filed by Kevin Michael Bentley.Filed In Associated Cases: 1:11-cv-01056-RWL, 1:11-cv-03200-RWL(Berger, Joel) (Entered: 02/12/2019)
02/21/2019	<a href="#">222</a>	DECISION AND ORDER granting in part and denying in part <a href="#">199</a> Motion for Summary Judgment. For the foregoing reasons,

		Defendants' Motion for Summary Judgment is GRANTED IN PART and DENIED IN PART. Defendants are granted summary judgment limiting the Nunc Pro Tunc Plaintiffs to nominal damages. Defendants' motion is denied in all other respects. All other arguments asserted by Defendants but not expressly discussed herein have been considered by the Court and determined to be without merit. (Signed by Magistrate Judge Robert W. Lehrburger on 2/21/2019) Copies Sent By Chambers. (mml) (Entered: 02/21/2019)
02/27/2019	223	ORDER: The Court having issued its decision on Plaintiffs' summary judgment motion on February 21, 2019, the parties are directed to meet and confer and, by March 13, 2019, file with the Court a proposed schedule for the remainder of the case. (Signed by Magistrate Judge Robert W. Lehrburger on 02/27/2019) (Lehrburger, Robert) (Entered: 02/27/2019)
03/13/2019	<a href="#">224</a>	JOINT LETTER addressed to Magistrate Judge Robert W. Lehrburger from Matthew D. Brinckerhoff dated March 13, 2019 re: Propose Schedule for Simultaneously Pursuing Settlement & Preparing for a Class-Wide Damages Trial. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 03/13/2019)
03/14/2019	<a href="#">225</a>	MEMO ENDORSEMENT on re: <a href="#">224</a> Letter, filed by Gabriel Velez, Lloyd A. Barnes, Paul Betances. ENDORSEMENT: SO ORDERED. (Expert Deposition due by 8/30/2019., Motions due by 9/27/2019., Joint Pretrial Order due by 9/27/2019.) (Signed by Magistrate Judge Robert W. Lehrburger on 3/14/2019) (mml) (Entered: 03/14/2019)
04/08/2019	<a href="#">226</a>	NOTICE OF APPEARANCE by David A Lebowitz on behalf of Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Lebowitz, David) (Entered: 04/08/2019)
06/07/2019	<a href="#">227</a>	JOINT LETTER MOTION for Extension of Time addressed to Magistrate Judge Robert W. Lehrburger from Matthew D. Brinckerhoff dated 6/7/2019. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 06/07/2019)
06/10/2019	228	ORDER denying <a href="#">227</a> Letter Motion for Extension of Time. The Court will not approve a suspension of deadlines. However, the parties may submit no later than June 19, 2019, a proposed revised schedule for the Courts consideration. The Court also urges the parties to make finalizing these tasks a priority, particularly given the age of the case. (HEREBY ORDERED by Magistrate Judge Robert W. Lehrburger)(Text Only Order) (rsh) (Entered: 06/10/2019)

06/19/2019	<a href="#">229</a>	LETTER MOTION for Extension of Time addressed to Magistrate Judge Robert W. Lehrburger from Matthew D. Brinckerhoff dated 06/19/2019. Document filed by Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 06/19/2019)
06/20/2019	<a href="#">230</a>	ORDER granting <a href="#">229</a> Letter Motion for Extension of Time. Granted. SO ORDERED. Expert Deposition due by 11/8/2019. Pretrial Order due by 11/15/2019. (Signed by Magistrate Judge Robert W. Lehrburger on 6/20/2019) (mml) (Entered: 06/20/2019)
09/26/2019	<a href="#">231</a>	JOINT LETTER MOTION for Extension of Time <i>and Settlement Status Report</i> addressed to Magistrate Judge Robert W. Lehrburger from Matthew D. Brinckerhoff dated 9/26/2019. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez.(Brinckerhoff, Matthew) (Entered: 09/26/2019)
09/26/2019	<a href="#">232</a>	ORDER granting <a href="#">231</a> Letter Motion for Extension of Time. Revised dates approved. SO ORDERED. Expert Deposition due by 1/6/2020. Pretrial Order due by 1/15/2020. (Signed by Magistrate Judge Robert W. Lehrburger on 9/26/2019) (mml) (Entered: 09/26/2019)
10/16/2019	<a href="#">234</a>	LETTER addressed to Magistrate Judge Robert W. Lehrburger from Shawn Nelson, dated 10/11/19 re: Non-party Shawn Nelson informs the Court that the D.O.C.C.S. is using the New York State Office of Rehabilitation Office's Counsel, as part of the N.Y.S. Attorney General's Office, by manipulating individuals like himself to unknowingly opt out of this class action. (sc) (Entered: 10/25/2019)
10/22/2019	<a href="#">239</a>	LETTER addressed to Magistrate Judge Robert W. Lehrburger from Shawn Nelson dated 10/16/2019 re: Sir good day to you, I am having to write to your chamber today October 16th 2019 In regards to a case being litigated in your court room "Betances v. Fischer 11cv3200 (S.D.N.Y. 2011) a case were I am a potential Class Memeber. (vn) (Additional attachment(s) added on 11/4/2019: # <a href="#">1</a> 5d) (vn). (Entered: 11/04/2019)
10/25/2019	<a href="#">235</a>	Federal Rules of Civil Procedures - Rule 5d Memo: The following document(s): Letter cannot be immediately filed because: Mr. Shawn Nelson does not appear to be a plaintiff. Document(s) forwarded to Magistrate Judge Robert W. Lehrburger for approval on 10/25/2019. (vn) (Main Document 235 replaced on 10/25/2019) (vn). (Entered: 10/25/2019)
10/28/2019	237	ORDER: The Court has received two separate letters from an inmate concerning his status as a potential member of the class. These letter have been or shortly will be entered on the docket. By November 7, 2019, Plaintiffs' counsel shall file a letter with the Court confirming that



		they have reviewed the correspondence and will take whatever action they deem appropriate in representing the class. (Signed by Magistrate Judge Robert W. Lehrburger on 10/28/2019) (Lehrburger, Robert) (Entered: 10/28/2019)
11/01/2019	<a href="#">238</a>	STATUS REPORT. <i>Joint Status Report</i> Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 11/01/2019)
11/07/2019	<a href="#">240</a>	RESPONSE re: 237 Order, . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Brinckerhoff, Matthew) (Entered: 11/07/2019)
12/11/2019	<a href="#">241</a>	LETTER MOTION for Extension of Time to Complete Discovery addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated December 11 2019. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 12/11/2019)
12/12/2019	242	ORDER: The Court is in receipt of Defendants' request to defer expert discovery. The parties shall coordinate with each other and my Courtroom Deputy to schedule a conference for the new year; expert discovery is temporarily STAYED until that conference. (HEREBY ORDERED by Magistrate Judge Robert W. Lehrburger)(Text Only Order) (Lehrburger, Robert) (Entered: 12/12/2019)
12/12/2019	243	SCHEDULING ORDER: Status Conference set for 1/14/2020 at 10:00 AM in Courtroom 18D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Robert W. Lehrburger. Parties are instructed to review and adhere to Judge Lehrburger's individual rules and practices. (Signed by Magistrate Judge Robert W. Lehrburger on 12/12/2019) (rsh) (Entered: 12/12/2019)
01/08/2020	<a href="#">244</a>	LETTER RESPONSE in Opposition to Motion addressed to Magistrate Judge Robert W. Lehrburger from Alanna Kaufman dated January 8, 2020 re: <a href="#">241</a> LETTER MOTION for Extension of Time to Complete Discovery addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated December 11 2019. . Document filed by Lloyd

		A. Barnes, Paul Betances, Gabriel Velez. (Kaufman, Alanna) (Entered: 01/08/2020)
01/13/2020	<a href="#">245</a>	LETTER addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated January 13, 2020 Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 01/13/2020)
01/14/2020		Minute Entry for proceedings held before Magistrate Judge Robert W. Lehrburger: Status Conference held on 1/14/2020 at 10:00 a.m. (rsh) (Entered: 01/14/2020)
01/14/2020	<a href="#">246</a>	ORDER: For the reasons stated during the conference held on January 14, 2020: 1. Expert discovery in this action will not be stayed pending the Second Circuit's adjudication of Earley v. Annucci, No. 18-3739. 2. By April 14, 2020, Defendants shall complete all data analysis required to determine class membership, and for each member, their time of re-incarceration, supervised release, and other data points relevant to the parties' damages assessment. The Court will not grant any extensions to this deadline. If there is any doubt as to the relevant data points, the parties shall meet and confer to make sure they have an agreement as to what they are by January 28, 2020. 3. The parties shall meet and confer regarding proposed deadlines for expert discovery, motions and pre-trial filings. By January 28, 2020, the parties shall submit the proposed schedule to the Court or inform the Court as to why parties are unable to agree. (Signed by Magistrate Judge Robert W. Lehrburger on 1/14/2020) Copies transmitted to all counsel of record. (mml) (Entered: 01/14/2020)
01/24/2020	<a href="#">247</a>	TRANSCRIPT of Proceedings re: status conference held on 1/14/2020 before Magistrate Judge Robert W. Lehrburger. Court Reporter/Transcriber: Mary Greco, (518) 581-8973. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 2/14/2020. Redacted Transcript Deadline set for 2/24/2020. Release of Transcript Restriction set for 4/23/2020.(rro) (Entered: 01/24/2020)
01/24/2020	<a href="#">248</a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a status conference proceeding held on 1/14/2020 has been filed by the court reporter/transcriber in the



		above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.(rro) (Entered: 01/24/2020)
01/28/2020	<a href="#">249</a>	STATUS REPORT. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP).(Keane, Michael) (Entered: 01/28/2020)
01/29/2020	<a href="#">250</a>	ORDER: Having considered the parties' views with regard to the remaining schedule (Dkt. 249): 1. Affirmative expert reports shall be served by May 15, 2020. 2. Rebuttal expert reports shall be served by July 1, 2020. 3. Expert depositions and all expert discovery shall be completed by August 31, 2020. 4. Pre-trial submissions shall be filed by September 30, 2020. 5. A pre-trial conference shall be held on October 21, 2020 at 2:30 pm. 6. Trial shall begin on November 2, 2020. SO ORDERED. Expert Deposition due by 8/31/2020. Expert Discovery due by 8/31/2020. Pretrial Conference set for 10/21/2020 at 02:30 PM before Magistrate Judge Robert W. Lehrburger. (Signed by Magistrate Judge Robert W. Lehrburger on 1/29/2020) Copies transmitted to all counsel of record. (mml) (Entered: 01/29/2020)
02/06/2020	<a href="#">251</a>	PROPOSED ORDER FOR WITHDRAWAL OF ATTORNEY. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP). (Cooney, James) (Entered: 02/06/2020)
02/06/2020	<a href="#">252</a>	MEMO ENDORSEMENT on re: <a href="#">251</a> Proposed Order for Withdrawal of Attorney, filed by Anthony J. Annucci, Terence Tracy, Brian Fischer. ENDORSEMENT: SO ORDERED. (Attorney James Brennan Cooney terminated.) (Signed by Magistrate Judge Robert W. Lehrburger on 2/6/2020) (jwh) (Entered: 02/06/2020)
03/19/2020	<a href="#">253</a>	<b>FILING ERROR - DEFICIENT DOCKET ENTRY</b> - MOTION for Alanna Kaufman to Withdraw as Attorney . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez..(Kaufman, Alanna) Modified on 4/14/2020 (db). (Entered: 03/19/2020)

03/20/2020	254	ORDER granting <a href="#">253</a> Motion to Withdraw as Attorney. Attorney Alanna Gayle Kaufman terminated. (HEREBY ORDERED by Magistrate Judge Robert W. Lehrburger) (Text Only Order) (Entered: 03/20/2020)
04/08/2020	<a href="#">255</a>	NOTICE OF APPEARANCE by Emma Lerner Freeman on behalf of Lloyd A. Barnes, Paul Betances, Gabriel Velez..(Freeman, Emma) (Entered: 04/08/2020)
05/12/2020	<a href="#">256</a>	CONSENT LETTER MOTION for Extension of Time to Complete Discovery addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated May 12 2020. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP)..(Keane, Michael) (Entered: 05/12/2020)
05/12/2020	<a href="#">257</a>	ORDER granting <a href="#">256</a> Letter Motion for Extension of Time to Complete Discovery. The parties' extension requests and request for a conference are hereby GRANTED. The parties are directed to coordinate with the Deputy Clerk to schedule a conference in June 2020. SO ORDERED. (Signed by Magistrate Judge Robert W. Lehrburger on 5/12/2020) (mml) (Entered: 05/13/2020)
05/12/2020		Set/Reset Deadlines: Expert Deposition due by 9/15/2020. (mml) (Entered: 05/13/2020)
05/18/2020	<a href="#">258</a>	PROPOSED ORDER FOR WITHDRAWAL OF ATTORNEY. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Brian Fischer(Individually), Terence Tracy(in his individual capacity)..(Hathaway, Barbara) (Entered: 05/18/2020)
05/18/2020	<a href="#">259</a>	NOTICE OF WITHDRAWAL AS COUNSEL: PLEASE TAKE NOTICE that, pursuant to Rule 1.4 of the Local Rules for the United States District Courts for the Southern and Eastern Districts of New York, I, Barbara K. Hathaway, an Assistant Attorney General at the Office of Letitia James, Attorney General of the State of New York, attorney for defendants Fischer, Annucci and Tracy in the above-entitled action, hereby withdraws as an attorney of record for Defendants Fischer, Annucci and Tracy, as I am leaving the Office of the Attorney General and am no longer assigned to the defense of this case on the Attorney Generals behalf. The Office of the Attorney General will continue to serve as counsel of record to Defendants in the above-referenced matter, and this matter will continue to be handled by

		Assistant Attorney General Michael Keane. Therefore, I hereby request that the Court grant my withdrawal and that my appearance be removed from the docket. IT IS SO ORDERED. Attorney Barbara Kathryn Hathaway terminated. (Signed by Magistrate Judge Robert W. Lehrburger on 5/18/2020) (mml) (Entered: 05/19/2020)
06/15/2020	<a href="#">260</a>	LETTER MOTION for Conference <i>to discuss status</i> addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated June 15 2020. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Brian Fischer(Individually), Terence Tracy(in his individual capacity)..(Keane, Michael) (Entered: 06/15/2020)
06/16/2020	<a href="#">261</a>	ORDER granting <a href="#">260</a> Letter Motion for Conference. The request for a conference is granted. The parties shall coordinate with this Court's Deputy Clerk to schedule a telephone conference. The parties shall meet and confer regarding next steps, and at least three days before the conference shall submit a joint proposal and/or list of agenda items. SO ORDERED. (Signed by Magistrate Judge Robert W. Lehrburger on 6/16/2020) (mml) (Entered: 06/16/2020)
06/17/2020	<a href="#">262</a>	ORDER: A telephonic conference in this matter is hereby set for June 25, 2020 at 11:30 a.m. The parties are directed to call (888) 398-2342 and enter access code 9543348 at that time. The parties are further directed to review and adhere to Judge Lehrburger's individual rules and practices. SO ORDERED. (Telephone Conference set for 6/25/2020 at 11:30 AM before Magistrate Judge Robert W. Lehrburger). (Signed by Magistrate Judge Robert W. Lehrburger on 6/17/2020) Copies transmitted to all counsel of record. (rjm) (Entered: 06/17/2020)
06/22/2020	<a href="#">263</a>	JOINT LETTER addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated June 22 2020 re: Joint Letter re Defendants' Proposed Agenda. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Robert J. Dennison(former Chair of DOP), Terence Tracy(in his individual capacity)..(Keane, Michael) (Entered: 06/22/2020)
06/24/2020	<a href="#">264</a>	NOTICE OF APPEARANCE by Rebecca Lynn Johannesen on behalf of Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP)..(Johannesen, Rebecca) (Entered: 06/24/2020)

06/25/2020	<a href="#">265</a>	NOTICE OF APPEARANCE by Daniel A. Schulze on behalf of Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP)..(Schulze, Daniel) (Entered: 06/25/2020)
06/25/2020	<a href="#">266</a>	ORDER: For the reasons stated during the conference held on June 25, 2020: by July 9, 2020, Defendants shall provide to Plaintiffs a list of proposed "subgroups" of class members, which shall include for each at least the following: (1) a description of the "subgroup"; (2) the reasons for forming that subgroup; and (3) the role that subgroup would play in advancing settlement or at trial. By July 16, 2020, the parties shall meet and confer on Defendants' proposed subgroups. The parties shall contact the Deputy Clerk to schedule a status conference with this Court to take place in early to mid-August. At least three days prior to the conference, the parties shall file a joint letter describing the issues to be discussed at the conference. SO ORDERED. (Signed by Magistrate Judge Robert W. Lehrburger on 6/25/2020) Copies transmitted to all counsel of record. (mml) (Entered: 06/25/2020)
06/25/2020		Minute Entry for proceedings held before Magistrate Judge Robert W. Lehrburger: Telephonic Case Management Conference held on 6/25/2020 at 11:30 a.m. (rsh) (Entered: 06/29/2020)
07/30/2020	<a href="#">267</a>	LETTER MOTION for Extension of Time <i>to serve expert rebuttal</i> addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated July 29 2020. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Brian Fischer(Individually), Terence Tracy(in his individual capacity)..(Keane, Michael) (Entered: 07/30/2020)
07/31/2020	268	NOTICE of Hearing: Telephonic Status Conference set for 8/19/2020 at 2:30 PM before Magistrate Judge Robert W. Lehrburger. Parties shall call the teleconference number at (888)-398-2342, and enter access code 9543348.(rsh) (Entered: 07/31/2020)
08/03/2020	<a href="#">269</a>	ORDER granting <a href="#">267</a> Letter Motion for Extension of Time. SO ORDERED. (Signed by Magistrate Judge Robert W. Lehrburger on 8/03/2020) (ama) (Entered: 08/04/2020)
08/18/2020	<a href="#">270</a>	JOINT LETTER addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated August 18, 2020 re: Agenda for Conference. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J.

		Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP)..(Keane, Michael) (Entered: 08/18/2020)
09/11/2020	<a href="#">271</a>	JOINT LETTER addressed to Magistrate Judge Robert W. Lehrburger from Matthew D. Brinckerhoff dated 9/11/2020 re: Trial Schedule. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez..(Brinckerhoff, Matthew) (Entered: 09/11/2020)
09/14/2020	<a href="#">272</a>	ORDER: This Order responds to the parties' joint letter dated September 11, 2020 (Dkt. 271), inquiring about the likelihood of the jury trial in this case going forward as currently scheduled in early November. This case is one of several that are designated as potentially being trial ready at that time. Given the priority given to criminal trials, and the backlog in jury trials as a result of the pandemic, there is hardly a guarantee of trial taking place as scheduled. At the same time, other variables - settlement of other cases, adjournments in other cases, etc. - could operate in favor of trial in early November. The bottom line is that I cannot offer a firm prediction either way as to what will happen. In light of that uncertainty and the parties concerns about completing requisite remaining tasks on schedule, the Court will entertain a proposal for a revised schedule. Should the parties wish to make a proposal, they shall do so by September 23, 2020. (Signed by Magistrate Judge Robert W. Lehrburger on 9/14/2020) Copies transmitted to all counsel of record. (mml) (Entered: 09/14/2020)
09/23/2020	<a href="#">273</a>	JOINT LETTER MOTION for Extension of Time addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated September 23, 2020., JOINT LETTER MOTION for Extension of Time to Complete Discovery <i>and submit motions in limine</i> addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated September 23, 2020. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP)..(Keane, Michael) (Entered: 09/23/2020)
09/23/2020	<a href="#">274</a>	ORDER granting <a href="#">273</a> Letter Motion for Extension of Time; granting <a href="#">273</a> Letter Motion for Extension of Time to Complete Discovery. SO ORDERED. (Expert Deposition due by 10/30/2020. Motions due by 11/16/2020.) (Signed by Magistrate Judge Robert W. Lehrburger on 9/23/2020) (mml) (Entered: 09/23/2020)

10/01/2020	<a href="#">275</a>	MOTION for Rebecca L. Johannesen to Withdraw as Attorney . Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP)..(Johannesen, Rebecca) (Entered: 10/01/2020)
10/02/2020	<a href="#">276</a>	MEMO ENDORSED ORDER granting <a href="#">275</a> Motion to Withdraw as Attorney. ENDORSEMENT: IT IS SO ORDERED. Attorney Rebecca Lynn Johannesen terminated. (Signed by Magistrate Judge Robert W. Lehrburger on 10/2/2020) (mml) (Entered: 10/02/2020)
10/28/2020	<a href="#">277</a>	JOINT LETTER MOTION for Extension of Time <i>to Complete Expert Depositions and Submit Pre-Trial Materials</i> addressed to Magistrate Judge Robert W. Lehrburger from Matthew Brinckerhoff dated 10/28/20. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez..(Brinckerhoff, Matthew) (Entered: 10/28/2020)
10/28/2020	<a href="#">278</a>	ORDER granting <a href="#">277</a> JOINT LETTER MOTION for Extension of Time to Complete Expert Depositions and Submit Pre-Trial Materials. SO ORDERED. Deposition due by 11/10/2020. (Signed by Magistrate Judge Robert W. Lehrburger on 10/28/2020) (jca) (Entered: 10/28/2020)
11/25/2020	<a href="#">279</a>	LETTER MOTION for Extension of Time addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated November 25, 2020. Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Brian Fischer(Individually), Terence Tracy(in his individual capacity)..(Keane, Michael) (Entered: 11/25/2020)
11/25/2020	280	ORDER granting <a href="#">279</a> Letter Motion for Extension of Time. Extension granted. The Court has scheduled a tentative trial date of March 15, 2021. (HEREBY ORDERED by Magistrate Judge Robert W. Lehrburger)(Text Only Order) (Stephan, Keegan) (Entered: 11/25/2020)
12/23/2020	<a href="#">281</a>	NOTICE OF APPEARANCE by Nicholas Bourland on behalf of Lloyd A. Barnes, Paul Betances, Gabriel Velez..(Bourland, Nicholas) (Entered: 12/23/2020)
01/14/2021	<a href="#">282</a>	JOINT LETTER MOTION for Extension of Time <i>to modify scheduling order to accomodate motions related to experts</i> addressed to Magistrate Judge Robert W. Lehrburger from Michael J. Keane dated January 14, 2021. Document filed by Anthony



		J. Annucci(Individually), Brian Fischer(Individually), Terence Tracy(in his individual capacity)..(Keane, Michael) (Entered: 01/14/2021)
01/14/2021	<a href="#">283</a>	ORDER granting <a href="#">282</a> Letter Motion for Extension of Time. Application granted. However, due to that change in the schedule, and due to the uncertainty of when jury trials will resume in this District, trial will be reschedule for the second quarter of 2021. Dates for pretrial submissions will be reset based on the new trial date. SO ORDERED. Motions due by 1/19/2021. (Signed by Magistrate Judge Robert W. Lehrburger on 1/14/2021) (mml) (Entered: 01/14/2021)
01/14/2021		Set/Reset Deadlines: Responses due by 2/2/2021. Replies due by 2/9/2021. (mml) (Entered: 01/14/2021)
01/19/2021	<a href="#">284</a>	MOTION to Preclude <i>Rebuttal Expert Testimony</i> . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez..(Bourland, Nicholas) (Entered: 01/19/2021)
01/19/2021	<a href="#">285</a>	MEMORANDUM OF LAW in Support re: <a href="#">284</a> MOTION to Preclude <i>Rebuttal Expert Testimony</i> . . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez..(Bourland, Nicholas) (Entered: 01/19/2021)
01/19/2021	<a href="#">286</a>	DECLARATION of Nick Bourland in Support re: <a href="#">284</a> MOTION to Preclude <i>Rebuttal Expert Testimony</i> .. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Attachments: # <a href="#">1</a> Exhibit - A Report of Dr. Frank Lovett (June 15, 2020), # <a href="#">2</a> Exhibit - B Defendants Rule 26 Disclosures of Dr. Lofgreen's Record of Testimony (May 20, 2020), # <a href="#">3</a> Exhibit - C CV of Dr. Victor Lofgreen, # <a href="#">4</a> Exhibit - D Rebuttal Report of Dr. Lofgreen (Aug 25, 2020), # <a href="#">5</a> Exhibit - E Deposition Transcript of Dr. Lofgreen (Nov 10, 2020)).(Bourland, Nicholas) (Entered: 01/19/2021)
01/19/2021	<a href="#">287</a>	MOTION to Preclude <i>Plaintiffs' Expert OPinion and Testimony</i> . Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Brian Fischer(Individually), Terence Tracy(in his individual capacity)..(Keane, Michael) (Entered: 01/19/2021)
01/19/2021	<a href="#">288</a>	MEMORANDUM OF LAW in Support re: <a href="#">287</a> MOTION to Preclude <i>Plaintiffs' Expert OPinion and Testimony</i> . . Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity)..(Keane, Michael) (Entered: 01/19/2021)



01/19/2021	<a href="#">289</a>	DECLARATION of Michael J Keane in Support re: <a href="#">287</a> MOTION to Preclude <i>Plaintiffs' Expert OPinion and Testimony</i> .. Document filed by Anthony J. Annucci(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit C, # <a href="#">3</a> Exhibit D).(Keane, Michael) (Entered: 01/19/2021)
01/20/2021	<a href="#">290</a>	AFFIRMATION of Michael J Keane in Support re: <a href="#">287</a> MOTION to Preclude <i>Plaintiffs' Expert OPinion and Testimony</i> .. Document filed by Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his capacity as Chief Counsel for DOP). (Attachments: # <a href="#">1</a> Exhibit B-1, # <a href="#">2</a> Exhibit B-2).(Keane, Michael) (Entered: 01/20/2021)
02/02/2021	<a href="#">291</a>	RESPONSE in Opposition to Motion re: <a href="#">287</a> MOTION to Preclude <i>Plaintiffs' Expert OPinion and Testimony</i> . . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez..(Bourland, Nicholas) (Entered: 02/02/2021)
02/02/2021	<a href="#">292</a>	DECLARATION of NICK BOURLAND in Opposition re: <a href="#">287</a> MOTION to Preclude <i>Plaintiffs' Expert OPinion and Testimony</i> .. Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez. (Attachments: # <a href="#">1</a> Exhibit (Ex. A) Report of Dr. Frank Lovett (June 15, 2020), # <a href="#">2</a> Exhibit (Ex. B) Excerpts of Dr. Frank Lovett deposition transcript (Nov 6, 2020)).(Bourland, Nicholas) (Entered: 02/02/2021)
02/02/2021	<a href="#">293</a>	MEMORANDUM OF LAW in Opposition re: <a href="#">284</a> MOTION to Preclude <i>Rebuttal Expert Testimony</i> . . Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and Counsel for DOCS), Anthony J. Annucci(Individually), Brian Fischer(Individually), Brian Fischer(in his capacity as Commissioner of the New York State Department of Correctional Services (DOCS)), Terence Tracy(in his individual capacity), Terence Tracy(in his capacity as Chief Counsel for DOP)..(Keane, Michael) (Entered: 02/02/2021)
02/09/2021	<a href="#">294</a>	REPLY to Response to Motion re: <a href="#">284</a> MOTION to Preclude <i>Rebuttal Expert Testimony</i> . <i>Re: Reply Memorandum of Law In Further Support of Plaintiffs' Motion to Preclude Rebuttal Expert Testimony</i> . Document filed by Lloyd A. Barnes, Paul Betances, Gabriel Velez..(Bourland, Nicholas) (Entered: 02/09/2021)
02/09/2021	<a href="#">295</a>	REPLY MEMORANDUM OF LAW in Support re: <a href="#">287</a> MOTION to Preclude <i>Plaintiffs' Expert OPinion and Testimony</i> . . Document filed by Anthony J. Annucci(in his capacity as Deputy Commissioner and

		Counsel for DOCS), Brian Fischer(Individually), Terence Tracy(in his individual capacity)..(Keane, Michael) (Entered: 02/09/2021)
02/23/2021	<a href="#">296</a>	ORDER: MOTIONS TO EXCLUDE EXPERT TESTIMONY granting <a href="#">284</a> Motion to Preclude; granting <a href="#">287</a> Motion to Preclude. For the reasons set forth, Defendants' motion to exclude the testimony of Plaintiffs' expert Frank Lovett is GRANTED, and Plaintiffs' motion to exclude the testimony of Defendants' expert Victor Lofgreen is GRANTED. By April 22, 2021, the parties shall file final pre-trial order papers consistent with the individual rules of this Court. Jury trial dates are being set by a court committee based on a number of factors; accordingly, the Court cannot schedule a firm trial date at this time but will keep the parties apprised. The Clerk of Court is respectfully requested to terminate the motions at Dkt. 284 and 287. SO ORDERED. (Signed by Magistrate Judge Robert W. Lehrburger on 2/23/2021) (mml) (Entered: 02/23/2021)
02/23/2021		Set/Reset Deadlines: Pretrial Order due by 4/22/2021. (mml) (Entered: 02/23/2021)
03/01/2021	<a href="#">297</a>	ORDER: The Court's jury trial coordinator has advised that trial of this matter is scheduled to begin on June 16, 2021. Trial is scheduled to last no more than five days. The final pre-trial conference will be held on June 9, 2021 at 9:30 a.m. SO ORDERED. Final Pretrial Conference set for 6/9/2021 at 09:30 AM before Magistrate Judge Robert W. Lehrburger. (Signed by Magistrate Judge Robert W. Lehrburger on 3/1/2021) Copies transmitted to all counsel of record. (mml) (Entered: 03/01/2021)

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