

**U.S. District Court  
Southern District of New York (White Plains)  
CIVIL DOCKET FOR CASE #: 7:18-cv-02468-VB**

Flores et al v. Stanford et al  
Assigned to: Judge Vincent L. Briccetti  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 03/20/2018  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**Carlos Flores**  
*on behalf of themselves and all others  
similarly situated*

represented by **Antony L Ryan**  
Cravath, Swaine & Moore LLP  
825 Eighth Avenue  
New York, NY 10019  
(212) 474-1000  
Fax: (212) 474-3700  
Email: [aryan@cravath.com](mailto:aryan@cravath.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Avery Phillips Gilbert**  
Law Offices of Avery Gilbert  
15 Shatzell Ave. Suite 232  
New York, NY 10022  
(845)-380-6265  
Email: [avery@agilbertlaw.com](mailto:avery@agilbertlaw.com)  
**ATTORNEY TO BE NOTICED**

**Issa Kohler-Hausmann**  
Yale Law School  
127 Wall St.  
New Haven, CT 06511  
(347)-856-6376  
Email: [issa.kohler-hausmann@yale.edu](mailto:issa.kohler-hausmann@yale.edu)  
**ATTORNEY TO BE NOTICED**

**Damaris Hernandez**  
Cravath, Swaine & Moore LLP  
825 Eighth Avenue  
New York, NY 10019  
(212)-474-1486  
Fax: (212)-474-3700  
Email: [dhernandez@cravath.com](mailto:dhernandez@cravath.com)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Lawrence Bartley**  
*on behalf of themselves and all others  
similarly situated*

represented by **Antony L Ryan**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Avery Phillips Gilbert**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Issa Kohler-Hausmann**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

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

**Plaintiff**

**Edgardo Lebron**

represented by **Antony L Ryan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

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

**Plaintiff**

**Antonio Roman**

represented by **Antony L Ryan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

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

**Plaintiff**

**Demetrius Bennett**

represented by **Antony L Ryan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

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

**Plaintiff**

**L'Mani Delima**

represented by **Antony L Ryan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

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

**Plaintiff**

**Dontae Quinones**

represented by **Antony L Ryan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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

**Plaintiff**

**Sharod Logan**

represented by **Antony L Ryan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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

V.

**Defendant**

represented by

**Tina M. Stanford**  
*as Chairwoman of the New York State  
Board of Parole*

**Jeb Harben**  
New York State Office of the Attorney  
General (28 Liberty)  
28 Liberty Street, 15th Floor  
New York, NY 10005  
(212) 416-6185  
Fax: (212) 416-6075  
Email: [Jeb.Harben@ag.ny.gov](mailto:Jeb.Harben@ag.ny.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Nicholas Patrick Stabile**  
New York State Attorney General  
120 Broadway, 24th Floor  
New York, NY 10271  
(212)-416-6248  
Email: [nicholas.stabile@ag.ny.gov](mailto:nicholas.stabile@ag.ny.gov)  
**TERMINATED: 11/16/2018**  
**LEAD ATTORNEY**

**Deanna Lea Collins**  
New York State Office of The Attorney  
General  
28 Liberty Street  
New York, NY 10005  
212-416-8906  
Fax: 212-416-6009  
Email: [deanna.collins@ag.ny.gov](mailto:deanna.collins@ag.ny.gov)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Walter W. Smith**  
*as Commissioner of the New York State  
Board of Parole*

represented by **Jeb Harben**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Nicholas Patrick Stabile**  
(See above for address)  
**TERMINATED: 11/16/2018**  
**LEAD ATTORNEY**

**Deanna Lea Collins**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Sally Thompson**  
*as Commissioner of the New York State  
Board of Parole*

represented by **Jeb Harben**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Nicholas Patrick Stabile**  
(See above for address)  
**TERMINATED: 11/16/2018**  
**LEAD ATTORNEY**

**Deanna Lea Collins**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Joseph P. Crangle**  
*as Commissioner of the New York State*

represented by **Jeb Harben**  
(See above for address)

*Board of Parole*

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Nicholas Patrick Stabile**  
(See above for address)  
*TERMINATED: 11/16/2018  
LEAD ATTORNEY*

**Deanna Lea Collins**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Ellen E. Alexander**  
*as Commissioner of the New York State  
Board of Parole*

represented by **Jeb Harben**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Nicholas Patrick Stabile**  
(See above for address)  
*TERMINATED: 11/16/2018  
LEAD ATTORNEY*

**Deanna Lea Collins**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Marc Coppola**  
*as Commissioner of the New York State  
Board of Parole*

represented by **Jeb Harben**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Nicholas Patrick Stabile**  
(See above for address)  
*TERMINATED: 11/16/2018  
LEAD ATTORNEY*

**Deanna Lea Collins**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Edward Sharkey**  
*as Commissioner of the New York State  
Board of Parole*

represented by **Jeb Harben**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Nicholas Patrick Stabile**  
(See above for address)  
*TERMINATED: 11/16/2018  
LEAD ATTORNEY*

**Deanna Lea Collins**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Tana Agostini**  
*as Commissioner of the New York State  
Board of Parole*

represented by **Jeb Harben**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Nicholas Patrick Stabile**  
(See above for address)  
*TERMINATED: 11/16/2018*  
*LEAD ATTORNEY*

**Deanna Lea Collins**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Charles Davis**  
*as Commissioner of the New York State*  
*Board of Parole*

represented by **Jeb Harben**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Nicholas Patrick Stabile**  
(See above for address)  
*TERMINATED: 11/16/2018*  
*LEAD ATTORNEY*

**Deanna Lea Collins**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Carol Shapiro**  
*as Commissioner of the New York State*  
*Board of Parole*

represented by **Jeb Harben**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Nicholas Patrick Stabile**  
(See above for address)  
*TERMINATED: 11/16/2018*  
*LEAD ATTORNEY*

**Deanna Lea Collins**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Erik Berliner**  
*as Commissioner of the New York State*  
*Board of Parole*

represented by **Jeb Harben**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Nicholas Patrick Stabile**  
(See above for address)  
*TERMINATED: 11/16/2018*  
*LEAD ATTORNEY*

**Deanna Lea Collins**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Otis Cruse**  
*as Commissioner of the New York State*  
*Board of Parole*

represented by **Jeb Harben**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Nicholas Patrick Stabile**

(See above for address)  
TERMINATED: 11/16/2018  
LEAD ATTORNEY

**Deanna Lea Collins**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Defendant**

**Tycee Drake**  
as Commissioner of the New York State  
Board of Parole

represented by **Jeb Harben**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Nicholas Patrick Stabile**  
(See above for address)  
TERMINATED: 11/16/2018  
LEAD ATTORNEY

**Deanna Lea Collins**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Defendant**

**Caryne Demosthenes**  
as Commissioner of the New York State  
Board of Parole

represented by **Jeb Harben**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Nicholas Patrick Stabile**  
(See above for address)  
TERMINATED: 11/16/2018  
LEAD ATTORNEY

**Deanna Lea Collins**  
(See above for address)  
ATTORNEY TO BE NOTICED

| Date Filed | #        | Docket Text   |
|------------|----------|---|
| 03/20/2018 | <u>1</u> | COMPLAINT against TANA AGOSTINI, ELLEN E. ALEXANDER, ERIK BERLINER, OTIS CRUSE, Marc Coppola, Joseph P. Crangle, CHARLES DAVIS, CARYNE DEMOSTHENES, TYCEE DRAKE, CAROL SHAPIRO, TINA M. STANFORD, Edward Sharkey, Walter W. Smith, SALLY THOMPSON. (Filing Fee \$ 400.00, Receipt Number 0208-14831993)Document filed by LAWRENCE BARTLEY, CARLOS FLORES.(Hernandez, Damaris) (Entered: 03/20/2018) |
| 03/20/2018 | <u>2</u> | CIVIL COVER SHEET filed. (Hernandez, Damaris) (Entered: 03/20/2018)   |
| 03/20/2018 | <u>3</u> | <b>FILING ERROR – DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS</b> REQUEST FOR ISSUANCE OF SUMMONS as to TINA M. STANFORD, re: <u>1</u> Complaint. Document filed by LAWRENCE BARTLEY, CARLOS FLORES. (Hernandez, Damaris) Modified on 3/22/2018 (sj). (Entered: 03/20/2018)   |
| 03/20/2018 | <u>4</u> | <b>FILING ERROR – DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS</b> REQUEST FOR ISSUANCE OF SUMMONS as to TANA AGOSTINI, re: <u>1</u> Complaint. Document filed by LAWRENCE BARTLEY, CARLOS FLORES. (Hernandez, Damaris) Modified on 3/22/2018 (sj). (Entered: 03/20/2018)  |
| 03/20/2018 | <u>5</u> | <b>FILING ERROR – DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS</b> REQUEST FOR ISSUANCE OF SUMMONS as to ELLEN E. ALEXANDER, re: <u>1</u> Complaint. Document filed by CARLOS FLORES. (Hernandez, Damaris) Modified on 3/22/2018 (sj). (Entered: 03/20/2018)   |

|            |           |   |
|------------|-----------|---|
| 03/20/2018 | <u>6</u>  | <b>FILING ERROR – DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS</b><br>REQUEST FOR ISSUANCE OF SUMMONS as to ERIK BERLINER, re: <u>1</u><br>Complaint. Document filed by LAWRENCE BARTLEY, CARLOS FLORES.<br>(Hernandez, Damaris) Modified on 3/22/2018 (sj). (Entered: 03/20/2018)   |
| 03/20/2018 | <u>7</u>  | <b>FILING ERROR – DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS</b><br>REQUEST FOR ISSUANCE OF SUMMONS as to MARC COPPOLA, re: <u>1</u><br>Complaint. Document filed by LAWRENCE BARTLEY, CARLOS FLORES.<br>(Hernandez, Damaris) Modified on 3/22/2018 (sj). (Entered: 03/20/2018)  |
| 03/20/2018 | <u>8</u>  | <b>FILING ERROR – DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS</b><br>REQUEST FOR ISSUANCE OF SUMMONS as to JOSEPH P. CRANGLE, re: <u>1</u><br>Complaint. Document filed by LAWRENCE BARTLEY, CARLOS FLORES.<br>(Hernandez, Damaris) Modified on 3/22/2018 (sj). (Entered: 03/20/2018)   |
| 03/20/2018 | <u>9</u>  | <b>FILING ERROR – DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS</b><br>REQUEST FOR ISSUANCE OF SUMMONS as to OTIS CRUSE, re: <u>1</u> Complaint.<br>Document filed by LAWRENCE BARTLEY, CARLOS FLORES. (Hernandez,<br>Damaris) Modified on 3/22/2018 (sj). (Entered: 03/20/2018)  |
| 03/20/2018 | <u>10</u> | <b>FILING ERROR – DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS</b><br>REQUEST FOR ISSUANCE OF SUMMONS as to CHARLES DAVIS, re: <u>1</u><br>Complaint. Document filed by LAWRENCE BARTLEY, CARLOS FLORES.<br>(Hernandez, Damaris) Modified on 3/22/2018 (sj). (Entered: 03/20/2018)   |
| 03/20/2018 | <u>11</u> | <b>FILING ERROR – DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS</b><br>REQUEST FOR ISSUANCE OF SUMMONS as to CARYNE DEMOSTHENES, re:<br><u>1</u> Complaint. Document filed by LAWRENCE BARTLEY, CARLOS FLORES.<br>(Hernandez, Damaris) Modified on 3/22/2018 (sj). (Entered: 03/20/2018)  |
| 03/20/2018 | <u>12</u> | <b>FILING ERROR – DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS</b><br>REQUEST FOR ISSUANCE OF SUMMONS as to TYCEE DRAKE, re: <u>1</u><br>Complaint. Document filed by LAWRENCE BARTLEY, CARLOS FLORES.<br>(Hernandez, Damaris) Modified on 3/22/2018 (sj). (Entered: 03/20/2018)   |
| 03/20/2018 | <u>13</u> | <b>FILING ERROR – DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS</b><br>REQUEST FOR ISSUANCE OF SUMMONS as to CAROL SHAPIRO, re: <u>1</u><br>Complaint. Document filed by LAWRENCE BARTLEY, CARLOS FLORES.<br>(Hernandez, Damaris) Modified on 3/22/2018 (sj). (Entered: 03/20/2018)   |
| 03/20/2018 | <u>14</u> | <b>FILING ERROR – DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS</b><br>REQUEST FOR ISSUANCE OF SUMMONS as to EDWARD SHARKEY, re: <u>1</u><br>Complaint. Document filed by LAWRENCE BARTLEY, CARLOS FLORES.<br>(Hernandez, Damaris) Modified on 3/22/2018 (sj). (Entered: 03/20/2018)  |
| 03/20/2018 | <u>15</u> | <b>FILING ERROR – DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS</b><br>REQUEST FOR ISSUANCE OF SUMMONS as to SALLY THOMPSON, re: <u>1</u><br>Complaint. Document filed by LAWRENCE BARTLEY, CARLOS FLORES.<br>(Hernandez, Damaris) Modified on 3/22/2018 (sj). (Entered: 03/20/2018)  |
| 03/20/2018 | <u>16</u> | <b>FILING ERROR – DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS</b><br>REQUEST FOR ISSUANCE OF SUMMONS as to WALTER W. SMITH, re: <u>1</u><br>Complaint,. Document filed by LAWRENCE BARTLEY, CARLOS FLORES.<br>(Hernandez, Damaris) Modified on 3/22/2018 (sj). (Entered: 03/20/2018)  |
| 03/20/2018 | <u>17</u> | NOTICE OF APPEARANCE by Antony L Ryan on behalf of LAWRENCE<br>BARTLEY, CARLOS FLORES. (Ryan, Antony) (Entered: 03/20/2018)   |
| 03/20/2018 | <u>18</u> | NOTICE OF APPEARANCE by Avery Phillips Gilbert on behalf of LAWRENCE<br>BARTLEY, CARLOS FLORES. (Gilbert, Avery) (Entered: 03/20/2018)  |
| 03/20/2018 | <u>19</u> | NOTICE OF APPEARANCE by Issa Kohler–Hausmann on behalf of LAWRENCE<br>BARTLEY, CARLOS FLORES. (Kohler–Hausmann, Issa) (Entered: 03/20/2018)   |
| 03/22/2018 |           | <b>***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice<br/>to attorney Damaris Hernandez. The party information for the following<br/>party/parties has been modified: Carlos Flores; Lawrence Bartley; Tina M.<br/>Stanford; Sally Thompson; Ellen E. Alexander; Tana Agostini; Erik Berliner;<br/>Carol Shapiro; Charles Davis; Otis Cruse; Tycee Drake; Caryne Demosthenes.</b> |

|            |           |  |
|------------|-----------|--|
|            |           | <b>The information for the party/parties has been modified for the following reason/reasons: party name was entered in all caps. (sj)</b> (Entered: 03/22/2018)  |
| 03/22/2018 |           | CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Vincent L. Briccetti. Please download and review the Individual Practices of the assigned District Judge, located at <a href="http://nysd.uscourts.gov/judges/District">http://nysd.uscourts.gov/judges/District</a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at <a href="http://nysd.uscourts.gov/ecf_filing.php">http://nysd.uscourts.gov/ecf_filing.php</a> . (sj) (Entered: 03/22/2018)  |
| 03/22/2018 |           | Magistrate Judge Judith C. McCarthy is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: <a href="http://nysd.uscourts.gov/forms.php">http://nysd.uscourts.gov/forms.php</a> . (sj) (Entered: 03/22/2018)   |
| 03/22/2018 |           | Case Designated ECF. (sj) (Entered: 03/22/2018)  |
| 03/22/2018 |           | <b>***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Damaris Hernandez to RE–FILE Document No. <u>7</u> Request for Issuance of Summons, <u>13</u> Request for Issuance of Summons, <u>12</u> Request for Issuance of Summons, <u>3</u> Request for Issuance of Summons, <u>4</u> Request for Issuance of Summons, <u>8</u> Request for Issuance of Summons, <u>6</u> Request for Issuance of Summons, <u>10</u> Request for Issuance of Summons, <u>16</u> Request for Issuance of Summons, <u>5</u> Request for Issuance of Summons, <u>11</u> Request for Issuance of Summons, <u>9</u> Request for Issuance of Summons, <u>15</u> Request for Issuance of Summons, <u>14</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): When listing another entity in the "To" field that is not party to the case, you must include "c/o" on the second line. Re–file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (sj)</b> (Entered: 03/22/2018) |
| 03/23/2018 | <u>20</u> | REQUEST FOR ISSUANCE OF SUMMONS as to Tina M. Stanford, Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Sally Thompson, re: <u>1</u> Complaint,. Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/23/2018)  |
| 03/23/2018 | <u>21</u> | ELECTRONIC SUMMONS ISSUED as to Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. (laq) (Entered: 03/23/2018)   |
| 03/23/2018 | <u>22</u> | MOTION to Certify Class (" <i>Notice of Motion for Class Certification</i> "). Document filed by Lawrence Bartley, Carlos Flores.(Hernandez, Damaris) (Entered: 03/23/2018)  |
| 03/23/2018 | <u>23</u> | MEMORANDUM OF LAW in Support re: <u>22</u> MOTION to Certify Class (" <i>Notice of Motion for Class Certification</i> "). (" <i>Memorandum of Law in Support of Plaintiffs' Motion for Class Certification</i> "). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/23/2018)   |
| 03/23/2018 | <u>24</u> | DECLARATION of Damaris Hernandez in Support re: <u>22</u> MOTION to Certify Class (" <i>Notice of Motion for Class Certification</i> ")... Document filed by Lawrence Bartley, Carlos Flores. (Attachments: # <u>1</u> Exhibit A to Hernandez Declaration)(Hernandez, Damaris) (Entered: 03/23/2018)   |
| 03/23/2018 | <u>25</u> | DECLARATION of Issa Kohler–Hausmann in Support re: <u>22</u> MOTION to Certify Class (" <i>Notice of Motion for Class Certification</i> ")... Document filed by Lawrence Bartley, Carlos Flores. (Attachments: # <u>1</u> Exhibit A to Kohler–Hausmann Declaration)(Hernandez, Damaris) (Entered: 03/23/2018)  |
| 03/23/2018 | <u>26</u> | DECLARATION of Avery Gilbert in Support re: <u>22</u> MOTION to Certify Class (" <i>Notice of Motion for Class Certification</i> ")... Document filed by Lawrence Bartley, Carlos Flores. (Attachments: # <u>1</u> Exhibit A to Gilbert Declaration)(Hernandez,  |

|            |           |  |
|------------|-----------|--|
|            |           | Damaris) (Entered: 03/23/2018)   |
| 03/23/2018 | <u>27</u> | DECLARATION of Carlos Flores in Support re: <u>22</u> MOTION to Certify Class (" <i>Notice of Motion for Class Certification</i> "). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/23/2018)   |
| 03/23/2018 | <u>28</u> | DECLARATION of Lawrence Bartley in Support re: <u>22</u> MOTION to Certify Class (" <i>Notice of Motion for Class Certification</i> "). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/23/2018)  |
| 03/23/2018 | <u>29</u> | LETTER addressed to Judge Vincent L. Briccetti from Damaris Hernandez dated March 23, 2018 re: Oral Argument. Document filed by Lawrence Bartley, Carlos Flores.(Hernandez, Damaris) (Entered: 03/23/2018)   |
| 03/26/2018 | <u>30</u> | ORDER. Plaintiffs filed the complaint in this action on March 20, 2018. (Doc. #1 ). On March 23, 2018, electronic summonses were issued to defendants. (Doc. #21). On the same date, plaintiffs' counsel moved to certify a class of "[a]ll persons eligible for release to parole supervision who were convicted of crimes committed when they were children under the age of 18 and sentenced to indeterminate life sentences with the possibility of parole in the custody of the New York State Department of Corrections and Community Supervision." (Doc. #22). However, defendants have not yet been served, nor has defendants' counsel appeared. In view of the foregoing, by April 9, 2018, plaintiffs' counsel shall show cause in writing why the motion for class certification should not be denied without prejudice as premature. So Ordered. (Signed by Judge Vincent L. Briccetti on 3/26/18) (yv) (Entered: 03/26/2018) |
| 03/26/2018 | <u>31</u> | AFFIDAVIT OF SERVICE of Summons and Complaint,. Marc Coppola served on 3/26/2018, answer due 4/16/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley; Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)   |
| 03/26/2018 | <u>32</u> | AFFIDAVIT OF SERVICE of Summons and Complaint,. Joseph P. Crangle served on 3/26/2018, answer due 4/16/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley; Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)  |
| 03/26/2018 | <u>33</u> | AFFIDAVIT OF SERVICE of Summons and Complaint,. Tina M. Stanford served on 3/26/2018, answer due 4/16/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley; Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)   |
| 03/26/2018 | <u>34</u> | AFFIDAVIT OF SERVICE of Summons and Complaint,. Tana Agostini served on 3/26/2018, answer due 4/16/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley; Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)  |
| 03/26/2018 | <u>35</u> | AFFIDAVIT OF SERVICE of Summons and Complaint,. Walter W. Smith served on 3/26/2018, answer due 4/16/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley; Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)  |
| 03/26/2018 | <u>36</u> | AFFIDAVIT OF SERVICE of Summons and Complaint,. Caryne Demosthenes served on 3/26/2018, answer due 4/16/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley; Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)   |
| 03/26/2018 | <u>37</u> | AFFIDAVIT OF SERVICE of Summons and Complaint,. Erik Berliner served on 3/26/2018, answer due 4/16/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley; Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)  |
| 03/26/2018 | <u>38</u> | AFFIDAVIT OF SERVICE of Summons and Complaint,. Otis Cruse served on 3/26/2018, answer due 4/16/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley; Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)   |
| 03/26/2018 | <u>39</u> | AFFIDAVIT OF SERVICE of Summons and Complaint,. Tycee Drake served on 3/26/2018, answer due 4/16/2018. Service was accepted by Lindsay Bates, Legal  |

|            |           |   |
|------------|-----------|---|
|            |           | Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley; Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)   |
| 03/26/2018 | <u>40</u> | AFFIDAVIT OF SERVICE of Summons and Complaint,. Charles Davis served on 3/26/2018, answer due 4/16/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley; Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)   |
| 03/26/2018 | <u>41</u> | AFFIDAVIT OF SERVICE of Summons and Complaint,. Carol Shapiro served on 3/26/2018, answer due 4/16/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley; Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)   |
| 03/26/2018 | <u>42</u> | AFFIDAVIT OF SERVICE of Summons and Complaint,. Sally Thompson served on 3/26/2018, answer due 4/16/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley; Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)  |
| 03/26/2018 | <u>43</u> | AFFIDAVIT OF SERVICE of Summons and Complaint,. Ellen E. Alexander served on 3/26/2018, answer due 4/16/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley; Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)  |
| 03/26/2018 | <u>44</u> | AFFIDAVIT OF SERVICE of Summons and Complaint,. Edward Sharkey served on 3/26/2018, answer due 4/16/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley; Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)  |
| 03/26/2018 | <u>45</u> | AFFIDAVIT OF SERVICE of Motion to Certify Class, Memorandum in Support of Motion to Certify Class, Declarations of Damaris Hernandez, Issa Kohler-Hausmann, Avery Gilbert, Carlos Flores and Lawrence Bartley in Support of Motion for Class Certification, and Civil Cover Sheet served on Marc Coppola on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)  |
| 03/26/2018 | <u>46</u> | AFFIDAVIT OF SERVICE of Motion to Certify Class, Memorandum in Support of Motion to Certify Class, Declarations of Damaris Hernandez, Issa Kohler-Hausmann, Avery Gilbert, Carlos Flores and Lawrence Bartley in Support of Motion for Class Certification, Letter to Judge Briccetti requesting oral argument and Civil Cover Sheet served on Joseph P. Crangle on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission).. Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018) |
| 03/26/2018 | <u>47</u> | AFFIDAVIT OF SERVICE of Motion to Certify Class, Memorandum in Support of Motion to Certify Class, Declarations of Damaris Hernandez, Issa Kohler-Hausmann, Avery Gilbert, Carlos Flores and Lawrence Bartley in Support of Motion for Class Certification, Letter to Judge Briccetti requesting oral argument and Civil Cover Sheet served on Tina M. Stanford on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)   |
| 03/26/2018 | <u>48</u> | AFFIDAVIT OF SERVICE of Motion to Certify Class, Memorandum in Support of Motion to Certify Class, Declarations of Damaris Hernandez, Issa Kohler-Hausmann, Avery Gilbert, Carlos Flores and Lawrence Bartley in Support of Motion for Class Certification, Letter to Judge Briccetti requesting oral argument and Civil Cover Sheet served on Tana Agostini on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)      |
| 03/26/2018 | <u>49</u> | AFFIDAVIT OF SERVICE of Motion to Certify Class, Memorandum in Support of Motion to Certify Class, Declarations of Damaris Hernandez, Issa Kohler-Hausmann, Avery Gilbert, Carlos Flores and Lawrence Bartley in Support of Motion for Class Certification, Letter to Judge Briccetti requesting oral argument and Civil Cover Sheet served on Walter W. Smith on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)    |

|            |           |   |
|------------|-----------|---|
| 03/26/2018 | <u>50</u> | AFFIDAVIT OF SERVICE of Motion to Certify Class, Memorandum in Support of Motion to Certify Class, Declarations of Damaris Hernandez, Issa Kohler-Hausmann, Avery Gilbert, Carlos Flores and Lawrence Bartley in Support of Motion for Class Certification, Letter to Judge Briccetti requesting oral argument and Civil Cover Sheet served on Caryne Demosthenes on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018) |
| 03/26/2018 | <u>51</u> | AFFIDAVIT OF SERVICE of Motion to Certify Class, Memorandum in Support of Motion to Certify Class, Declarations of Damaris Hernandez, Issa Kohler-Hausmann, Avery Gilbert, Carlos Flores and Lawrence Bartley in Support of Motion for Class Certification, Letter to Judge Briccetti requesting oral argument and Civil Cover Sheet served on Erik Berliner on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)      |
| 03/26/2018 | <u>52</u> | AFFIDAVIT OF SERVICE of Motion to Certify Class, Memorandum in Support of Motion to Certify Class, Declarations of Damaris Hernandez, Issa Kohler-Hausmann, Avery Gilbert, Carlos Flores and Lawrence Bartley in Support of Motion for Class Certification, Letter to Judge Briccetti requesting oral argument and Civil Cover Sheet served on Otis Cruse on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)         |
| 03/26/2018 | <u>53</u> | AFFIDAVIT OF SERVICE of Motion to Certify Class, Memorandum in Support of Motion to Certify Class, Declarations of Damaris Hernandez, Issa Kohler-Hausmann, Avery Gilbert, Carlos Flores and Lawrence Bartley in Support of Motion for Class Certification, Letter to Judge Briccetti requesting oral argument and Civil Cover Sheet served on Tycee Drake on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)        |
| 03/26/2018 | <u>54</u> | AFFIDAVIT OF SERVICE of Motion to Certify Class, Memorandum in Support of Motion to Certify Class, Declarations of Damaris Hernandez, Issa Kohler-Hausmann, Avery Gilbert, Carlos Flores and Lawrence Bartley in Support of Motion for Class Certification, Letter to Judge Briccetti requesting oral argument and Civil Cover Sheet served on Charles Davis on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)      |
| 03/26/2018 | <u>55</u> | AFFIDAVIT OF SERVICE of Motion to Certify Class, Memorandum in Support of Motion to Certify Class, Declarations of Damaris Hernandez, Issa Kohler-Hausmann, Avery Gilbert, Carlos Flores and Lawrence Bartley in Support of Motion for Class Certification, Letter to Judge Briccetti requesting oral argument and Civil Cover Sheet served on Carol Shapiro on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)      |
| 03/26/2018 | <u>56</u> | AFFIDAVIT OF SERVICE of Motion to Certify Class, Memorandum in Support of Motion to Certify Class, Declarations of Damaris Hernandez, Issa Kohler-Hausmann, Avery Gilbert, Carlos Flores and Lawrence Bartley in Support of Motion for Class Certification, Letter to Judge Briccetti requesting oral argument and Civil Cover Sheet served on Sally Thompson on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)     |
| 03/26/2018 | <u>57</u> | AFFIDAVIT OF SERVICE of Motion to Certify Class, Memorandum in Support of Motion to Certify Class, Declarations of Damaris Hernandez, Issa Kohler-Hausmann, Avery Gilbert, Carlos Flores and Lawrence Bartley in Support of Motion for Class Certification, Letter to Judge Briccetti requesting oral argument and Civil Cover Sheet served on Ellen E. Alexander on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018) |
| 03/26/2018 | <u>58</u> | AFFIDAVIT OF SERVICE of Motion to Certify Class, Memorandum in Support of Motion to Certify Class, Declarations of Damaris Hernandez, Issa Kohler-Hausmann, Avery Gilbert, Carlos Flores and Lawrence Bartley in Support of Motion for Class  |

|            |           |  |
|------------|-----------|--|
|            |           | Certification, Letter to Judge Briccetti requesting oral argument and Civil Cover Sheet served on Edward Sharkey on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)   |
| 03/26/2018 | <u>59</u> | AFFIDAVIT OF SERVICE of Letter to Judge Briccetti requesting oral argument served on Marc Coppola on 03/26/2018. Service was accepted by Lindsay Bates, Legal Assistant at offices of NYSDOCSS (with permission). Document filed by Lawrence Bartley, Carlos Flores. (Hernandez, Damaris) (Entered: 03/26/2018)  |
| 04/09/2018 | <u>60</u> | LETTER MOTION for Extension of Time <i>to respond to Complaint</i> addressed to Judge Vincent L. Briccetti dated 4/9/18. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson.(Harben, Jeb) (Entered: 04/09/2018)   |
| 04/09/2018 | <u>61</u> | NOTICE OF APPEARANCE by Jeb Harben on behalf of Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. (Harben, Jeb) (Entered: 04/09/2018)   |
| 04/09/2018 | <u>62</u> | NOTICE OF APPEARANCE by Nicholas Patrick Stabile on behalf of Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. (Stabile, Nicholas) (Entered: 04/09/2018)   |
| 04/09/2018 | 63        | ORDER granting <u>60</u> Letter Motion for Extension of Time: All defendants' time to answer, move, or otherwise respond to the complaint is extended to 5/17/2018. (HEREBY ORDERED by Judge Vincent L. Briccetti)(Text Only Order) (Briccetti, Vincent) (Entered: 04/09/2018)   |
| 04/09/2018 | <u>64</u> | RESPONSE re: <u>30</u> Order to Show Cause,,, . Document filed by Lawrence Bartley, Carlos Flores. (Attachments: # <u>1</u> Exhibit A: 3/23/2018 Email from Kathleen M. King)(Ryan, Antony) (Entered: 04/09/2018)  |
| 04/11/2018 | <u>65</u> | LETTER addressed to Judge Vincent L. Briccetti from Jeb Harben dated 4/11/18 re: Plaintiffs' April 9, 2018 Submission. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson.(Harben, Jeb) (Entered: 04/11/2018)   |
| 04/11/2018 | <u>66</u> | ORDER. By April 18, 2018, defendants' counsel shall respond to plaintiffs' counsel's April 9, 2018, letter regarding plaintiff's motion for class certification. Defendants' time to respond to the motion (Doc. #22) is stayed pending further Order of the Court. So Ordered. (Signed by Judge Vincent L. Briccetti on 4/11/18) (yv) (Entered: 04/11/2018)   |
| 04/16/2018 | <u>67</u> | MOTION for Preliminary Injunction . Document filed by Carlos Flores.(Ryan, Antony) (Entered: 04/16/2018)   |
| 04/16/2018 | <u>68</u> | MEMORANDUM OF LAW in Support re: <u>67</u> MOTION for Preliminary Injunction . . Document filed by Carlos Flores. (Ryan, Antony) (Entered: 04/16/2018)   |
| 04/16/2018 | <u>69</u> | DECLARATION of Antony L. Ryan in Support re: <u>67</u> MOTION for Preliminary Injunction .. Document filed by Carlos Flores. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 (Part 1), # <u>3</u> Exhibit 2 (Part 2), # <u>4</u> Exhibit 3 (Part 1), # <u>5</u> Exhibit 3 (Part 2), # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10 (Part 1), # <u>13</u> Exhibit 10 (Part 2), # <u>14</u> Exhibit 11, # <u>15</u> Exhibit 12, # <u>16</u> Exhibit 13, # <u>17</u> Exhibit 14)(Ryan, Antony) (Entered: 04/16/2018) |
| 04/16/2018 | <u>70</u> | DECLARATION of Robert J. Dennison in Support re: <u>67</u> MOTION for Preliminary Injunction .. Document filed by Carlos Flores. (Ryan, Antony) (Entered: 04/16/2018)  |
| 04/16/2018 | <u>71</u> | DECLARATION of Vernon C. Manley in Support re: <u>67</u> MOTION for Preliminary Injunction .. Document filed by Carlos Flores. (Ryan, Antony) (Entered: 04/16/2018)  |

|            |           |  |
|------------|-----------|--|
| 04/16/2018 | <u>72</u> | DECLARATION of Barbara Hanson Treen in Support re: <u>67</u> MOTION for Preliminary Injunction .. Document filed by Carlos Flores. (Ryan, Antony) (Entered: 04/16/2018)  |
| 04/16/2018 | <u>73</u> | LETTER addressed to Judge Vincent L. Briccetti from Antony L. Ryan dated April 16, 2018 re: requesting oral argument on motion for preliminary injunction (dkt. no. 67). Document filed by Carlos Flores.(Ryan, Antony) (Entered: 04/16/2018)  |
| 04/18/2018 | <u>74</u> | LETTER addressed to Judge Vincent L. Briccetti from Jeb Harben dated 4/18/18 re: Class Certification Briefing. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson.(Harben, Jeb) (Entered: 04/18/2018)   |
| 04/18/2018 | <u>75</u> | NOTICE OF CHANGE OF ADDRESS by Jeb Harben on behalf of Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. New Address: New York State Office of the Attorney General, 28 Liberty St., New York, New York, 10005, 212-416-6185. (Harben, Jeb) (Entered: 04/18/2018)   |
| 04/20/2018 | <u>76</u> | MEMO ENDORSEMENT on re: <u>73</u> Letter filed by Carlos Flores. ENDORSEMENT: If the Court desires oral argument, it will so advise counsel. (Signed by Judge Vincent L. Briccetti on 4/20/2018) (mro) Modified on 6/18/2018 (mro). (Entered: 04/20/2018)  |
| 04/26/2018 | <u>77</u> | ORDER denying without prejudice <u>22</u> Motion to Certify Class. Plaintiffs' motion for class certification (Doc. #22) is premature and is therefore DENIED WITHOUT PREJUDICE to re-filing at a later date. The Clerk is instructed to terminate the pending motion. (Doc. #22). SO ORDERED. (Signed by Judge Vincent L. Briccetti on 4/26/18) (yv) (Entered: 04/26/2018)  |
| 04/26/2018 | <u>78</u> | LETTER MOTION for Extension of Time to File Response/Reply to <i>Preliminary Injunction Motion</i> addressed to Judge Vincent L. Briccetti from Jeb Harben dated 4/26/18. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson.(Harben, Jeb) (Entered: 04/26/2018)  |
| 04/27/2018 | <u>79</u> | ORDER granting <u>78</u> Letter Motion for Extension of Time to File Response/Reply: Defendants' time to respond to plaintiffs' preliminary injunction motion is extended to 5/11/2018. Plaintiffs' reply, if any, is due 5/18/18. Plaintiffs have not moved for relief on an expedited basis, and this motion will be decided in the ordinary course. (HEREBY ORDERED by Judge Vincent L. Briccetti)(Text Only Order) (Briccetti, Vincent) (Entered: 04/27/2018)  |
| 04/30/2018 | <u>80</u> | ORDER. By 12:00 p.m. on May 1, 2018, defendants' counsel shall submit a letter in response to plaintiffs' proposed order to show cause, at which point the Court will determine how to proceed. So Ordered. (Signed by Judge Vincent L. Briccetti on 4/30/18) (yv) (Entered: 04/30/2018)   |
| 05/01/2018 | <u>81</u> | RESPONSE in Opposition to Motion re: <u>67</u> MOTION for Preliminary Injunction . <i>Opposition to Order to Show Cause</i> . Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. (Harben, Jeb) (Entered: 05/01/2018)   |
| 05/01/2018 | <u>82</u> | ORDER, The Court hereby ORDERS as follows: The Court declines to sign the proposed order to show cause. Defendants' time to oppose plaintiff's motion for a preliminary injunction remains May 11, 2018. Plaintiff's deadline to file a reply is advanced from the previously-scheduled date of May 18, 2018 to May 14, 2018. Plaintiff's reply, if any, shall be filed on ECF by no later than at 12:00 p.m. on May 14, 2018. All counsel are directed to attend an in-person conference on May 15, 2018, at 2:00 p.m., at which time the Court may decide the motion by bench ruling or schedule further proceedings in the matter. Mr. Ryan is directed to file his declaration on ECF. So Ordered. (Responses due by 5/11/2018, Replies due by 5/14/2018., Status Conference set for 5/15/2018 at 02:00 PM before Judge Vincent L. Briccetti.) (Signed by Judge Vincent L. Briccetti on 5/1/18) (yv) (Entered: 05/01/2018) |

|            |           |  |
|------------|-----------|--|
| 05/01/2018 | <u>83</u> | DECLARATION of Antony L. Ryan re: <u>82</u> Order,,,, Set Deadlines/Hearings,,, ( <i>"Declaration of Antony L. Ryan In Support Of Plaintiff Carlos Flores's Order To Show Cause"</i> ). Document filed by Carlos Flores. (Ryan, Antony) (Entered: 05/01/2018)  |
| 05/11/2018 | <u>84</u> | MEMORANDUM OF LAW in Opposition re: <u>67</u> MOTION for Preliminary Injunction . . Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. (Stabile, Nicholas) (Entered: 05/11/2018)   |
| 05/11/2018 | <u>85</u> | DECLARATION of Tina M. Stanford in Opposition re: <u>67</u> MOTION for Preliminary Injunction .. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. (Stabile, Nicholas) (Entered: 05/11/2018)  |
| 05/11/2018 | <u>86</u> | DECLARATION of Kathleen M. Kiley in Opposition re: <u>67</u> MOTION for Preliminary Injunction .. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. (Attachments: # <u>1</u> Exhibit A — Flores Parole Interview Transcript, # <u>2</u> Exhibit B — Flores Parole Decision, # <u>3</u> Exhibit C — Bartley Parole Interview Transcript)(Stabile, Nicholas) (Entered: 05/11/2018)  |
| 05/11/2018 | <u>87</u> | DECLARATION of Jennifer Bryant in Opposition re: <u>67</u> MOTION for Preliminary Injunction .. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. (Stabile, Nicholas) (Entered: 05/11/2018)   |
| 05/14/2018 | <u>88</u> | REPLY MEMORANDUM OF LAW in Support re: <u>67</u> MOTION for Preliminary Injunction . . Document filed by Carlos Flores. (Ryan, Antony) (Entered: 05/14/2018)   |
| 05/15/2018 |           | Minute Entry for proceedings held before Judge Vincent L. Briccetti: Bench Ruling on Plaintiffs' Motion for Preliminary Injunction on 5/15/2018. (Court Reporter Angie Shaw-Crockett) Order to follow. (dh) (Entered: 05/15/2018)  |
| 05/15/2018 | <u>89</u> | ORDER denying <u>67</u> Motion for Preliminary Injunction: For the reasons stated on the record today, plaintiff Flores's motion for a preliminary injunction (Doc. #67) is DENIED. In addition, it is hereby ORDERED: 1. By June 22, 2018, defendants shall answer, move, or otherwise respond to the complaint. 2. If defendants file a motion to dismiss, plaintiffs' opposition is due July 13, 2018. 3. Defendants' reply, if any, is due July 27, 2018. The Clerk is instructed to terminate the motion. (Doc. #67). (Signed by Judge Vincent L. Briccetti on 5/15/2018) (jwh) (Entered: 05/15/2018)   |
| 05/15/2018 |           | Set/Reset Deadlines: Tana Agostini answer due 6/22/2018; Ellen E. Alexander answer due 6/22/2018; Erik Berliner answer due 6/22/2018; Marc Coppola answer due 6/22/2018; Joseph P. Crangle answer due 6/22/2018; Otis Cruse answer due 6/22/2018; Charles Davis answer due 6/22/2018; Caryne Demosthenes answer due 6/22/2018; Tycee Drake answer due 6/22/2018; Carol Shapiro answer due 6/22/2018; Edward Sharkey answer due 6/22/2018; Walter W. Smith answer due 6/22/2018; Tina M. Stanford answer due 6/22/2018; Sally Thompson answer due 6/22/2018. Motions due by 6/22/2018. Responses due by 7/13/2018 Replies due by 7/27/2018. (jwh) (Entered: 05/15/2018) |
| 05/30/2018 | <u>90</u> | LETTER addressed to Judge Vincent L. Briccetti from Jeb Harben dated 5/30/18 re: Status. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford.(Harben, Jeb) (Entered: 05/30/2018)   |
| 06/19/2018 | <u>91</u> | LETTER MOTION for Leave to File Excess Pages addressed to Judge Vincent L. Briccetti from Jeb Harben dated 6/19/18. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson.(Harben, Jeb) (Entered: 06/19/2018)  |

|            |            |   |
|------------|------------|---|
| 06/20/2018 | 92         | ORDER granting <u>91</u> Letter Motion for Leave to File Excess Pages: Defendants may submit a 30–page brief in support of their anticipated motion to dismiss the complaint. (HEREBY ORDERED by Judge Vincent L. Briccetti)(Text Only Order) (Briccetti, Vincent) (Entered: 06/20/2018)  |
| 06/22/2018 | <u>93</u>  | MOTION to Dismiss <i>the Complaint</i> [ECF No. 1]. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson.(Stabile, Nicholas) (Entered: 06/22/2018)   |
| 06/22/2018 | <u>94</u>  | DECLARATION of Jeb Harben in Support re: <u>93</u> MOTION to Dismiss <i>the Complaint</i> [ECF No. 1].. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. (Attachments: # <u>1</u> Ex. A -- Kiley Declaration, # <u>2</u> Ex. A of Kiley Declaration -- Flores Parole Interview Transcript, 10/24/17)(Stabile, Nicholas) (Entered: 06/22/2018)   |
| 06/22/2018 | <u>95</u>  | MEMORANDUM OF LAW in Support re: <u>93</u> MOTION to Dismiss <i>the Complaint</i> [ECF No. 1]. . Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. (Stabile, Nicholas) (Entered: 06/22/2018)   |
| 06/25/2018 | <u>96</u>  | ORDER: Defendants having filed a motion to dismiss the complaint on June 22, 2018 (Doc. #93), the Court sua sponte grants plaintiffs leave to file an amended complaint. Accordingly, it is hereby ORDERED that, by no later than July 2, 2018, plaintiffs must notify the Court by letter, with copies simultaneously delivered to defendants' counsel, whether (i) they intend to file an amended complaint, or (ii) they will rely on the complaint that is the subject of the motion to dismiss, as further set forth in this Order. (Signed by Judge Vincent L. Briccetti on 6/25/2018) (mml) (Entered: 06/25/2018)                                    |
| 07/02/2018 | <u>97</u>  | LETTER addressed to Judge Vincent L. Briccetti from Antony L. Ryan dated July 2, 2018 re: Intention to file an amended complaint. Document filed by Lawrence Bartley, Carlos Flores.(Ryan, Antony) (Entered: 07/02/2018)  |
| 07/03/2018 | <u>98</u>  | MEMO ENDORSEMENT on re: <u>97</u> Letter filed by Carlos Flores, Lawrence Bartley. ENDORSEMENT: Plaintiffs shall file an amended complaint by 7/16/2018. SO ORDERED. (Signed by Judge Vincent L. Briccetti on 7/3/2018) (mml) (Entered: 07/03/2018)   |
| 07/03/2018 |            | Set/Reset Deadlines: Amended Pleadings due by 7/16/2018. (mml) (Entered: 07/03/2018)  |
| 07/16/2018 | <u>99</u>  | <b>FILING ERROR – DEFICIENT DOCKET ENTRY (SEE <u>100</u> Amended Complaint) – FIRST AMENDED COMPLAINT</b> amending <u>1</u> Complaint, against Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson.Document filed by Lawrence Bartley, Carlos Flores. Related document: <u>1</u> Complaint..(Ryan, Antony) Modified on 7/17/2018 (db). (Entered: 07/16/2018)  |
| 07/16/2018 | <u>100</u> | AMENDED COMPLAINT amending <u>1</u> Complaint, against Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson.Document filed by Lawrence Bartley, Carlos Flores, Edgardo Lebron, Antonio Roman, Demetrius Bennett, L'Mani Delima. Related document: <u>1</u> Complaint..(Ryan, Antony) (Entered: 07/16/2018)   |
| 07/26/2018 | <u>101</u> | LETTER MOTION for Extension of Time to File Response/Reply as to <u>100</u> Amended Complaint, addressed to Judge Vincent L. Briccetti from Jeb Harben dated 7/26/18., LETTER MOTION for Extension of Time to File addressed to Judge Vincent L. Briccetti from Jeb Harben dated 7/26/18., LETTER MOTION for Extension of Time addressed to Judge Vincent L. Briccetti from Jeb Harben dated 7/26/18. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Walter W. Smith, Tina M. Stanford.(Harben, Jeb) (Entered: 07/26/2018) |

|            |            |   |
|------------|------------|---|
| 07/26/2018 | 102        | ORDER granting <u>101</u> Letter Motion for Extension of Time to File Response/Reply: Defendants' time to submit their anticipated motion to dismiss is extended to 8/3/2018. Plaintiffs' opposition is due 8/27/2018, and defendants' reply, if any, is due 9/18/2018. Defendants may submit a 32–page brief in support of their anticipated motion to dismiss, and plaintiffs may submit a 32–page brief in opposition. (HEREBY ORDERED by Judge Vincent L. Briccetti)(Text Only Order) (Briccetti, Vincent) (Entered: 07/26/2018)  |
| 08/03/2018 | <u>103</u> | MOTION to Dismiss <i>the Amended Complaint [ECF No. 100]</i> . Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson.(Stabile, Nicholas) (Entered: 08/03/2018)  |
| 08/03/2018 | <u>104</u> | DECLARATION of Kathleen Kiley in Support re: <u>103</u> MOTION to Dismiss <i>the Amended Complaint [ECF No. 100]</i> .. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. (Attachments: # <u>1</u> Ex. A, # <u>2</u> Ex. B, # <u>3</u> Ex. C, # <u>4</u> Ex. D, # <u>5</u> Ex. E, # <u>6</u> Ex. F, # <u>7</u> Ex. G, # <u>8</u> Ex. H, # <u>9</u> Ex. I)(Stabile, Nicholas) (Entered: 08/03/2018) |
| 08/03/2018 | <u>105</u> | MEMORANDUM OF LAW in Support re: <u>103</u> MOTION to Dismiss <i>the Amended Complaint [ECF No. 100]</i> . . Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. (Stabile, Nicholas) (Entered: 08/03/2018)   |
| 08/06/2018 | 106        | ORDER terminating <u>93</u> Motion to Dismiss: The motion is terminated in light of the motion to dismiss the amended complaint. (Doc. #103). (HEREBY ORDERED by Judge Vincent L. Briccetti)(Text Only Order) (Briccetti, Vincent) (Entered: 08/06/2018)  |
| 08/21/2018 | <u>107</u> | LETTER MOTION for Extension of Time <i>to respond to Defendants' motion to dismiss</i> addressed to Judge Vincent L. Briccetti from Antony L. Ryan dated August 21, 2018. Document filed by Lawrence Bartley, Demetrius Bennett, L'Mani Delima, Carlos Flores, Edgardo Lebron, Antonio Roman.(Ryan, Antony) (Entered: 08/21/2018)   |
| 08/21/2018 | 108        | ORDER granting <u>107</u> Letter Motion for Extension of Time: Plaintiffs' opposition to defendants' motion to dismiss is due 9/26/2018. Defendants' reply, if any, is due 10/18/2018. (HEREBY ORDERED by Judge Vincent L. Briccetti)(Text Only Order) (Briccetti, Vincent) (Entered: 08/21/2018)   |
| 09/25/2018 | <u>109</u> | PROPOSED STIPULATION AND ORDER. Document filed by Lawrence Bartley, Demetrius Bennett, L'Mani Delima, Carlos Flores, Edgardo Lebron, Antonio Roman. (Attachments: # <u>1</u> Exhibit A—Second Amended Complaint) (Hernandez, Damaris) (Entered: 09/25/2018)   |
| 09/25/2018 | <u>110</u> | SECOND AMENDED COMPLAINT amending <u>1</u> Complaint, <u>100</u> Amended Complaint, against Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson.Document filed by L'Mani Delima, Edgardo Lebron, Lawrence Bartley, Carlos Flores, Demetrius Bennett, Antonio Roman, Dontae Quinones, Sharod Logan. Related document: <u>1</u> Complaint, <u>100</u> Amended Complaint,.(Hernandez, Damaris) (Entered: 09/25/2018)       |
| 09/25/2018 | <u>111</u> | LETTER MOTION for Extension of Time addressed to Judge Vincent L. Briccetti from Jeb Harben dated 9/25/18. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Walter W. Smith, Tina M. Stanford.(Harben, Jeb) (Entered: 09/25/2018)  |
| 09/26/2018 | <u>112</u> | STIPULATION AND ORDER CONSENTING TO THE FILING OF A SECOND AMENDED COMPLAINT AND WITHDRAWING MOTION TO DISMISS THE AMENDED COMPLAINT: IT IS HEREBY STIPULATED AND AGREED between the undersigned counsel for their respective parties, that, pursuant to Fed. R. Civ. P. 15(a)(2), Plaintiffs may file a Second Amended Complaint in the form attached hereto   |

|            |            |   |
|------------|------------|---|
|            |            | as Exhibit A. IT IS FURTHER STIPULATED AND AGREED that if Plaintiffs file the proposed Second Amended Complaint, Defendants' Motion to Dismiss the Amended Complaint (ECF No. 103) is withdrawn without prejudice to Defendants moving to dismiss Plaintiffs' Second Amended Complaint. (Signed by Judge Vincent L. Briccetti on 9/26/2018) (mml) (Entered: 09/26/2018)   |
| 09/26/2018 | <u>113</u> | ORDER granting <u>111</u> Letter Motion for Extension of Time: Defendants time to submit their anticipated motion to dismiss the second amended complaint is extended to 10/18/2018. Defendants may submit a 33–page brief in support of their anticipated motion to dismiss. (HEREBY ORDERED by Judge Vincent L. Briccetti)(Text Only Order) (Briccetti, Vincent) (Entered: 09/26/2018)  |
| 10/18/2018 | <u>114</u> | MOTION to Dismiss <i>Second Amended Complaint</i> . Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Walter W. Smith, Tina M. Stanford.(Harben, Jeb) (Entered: 10/18/2018)   |
| 10/18/2018 | <u>115</u> | DECLARATION of Kathleen Kiley in Support re: <u>114</u> MOTION to Dismiss <i>Second Amended Complaint</i> .. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Walter W. Smith, Tina M. Stanford. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N)(Harben, Jeb) (Entered: 10/18/2018) |
| 10/18/2018 | <u>116</u> | MEMORANDUM OF LAW in Support re: <u>114</u> MOTION to Dismiss <i>Second Amended Complaint</i> . . Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Walter W. Smith, Tina M. Stanford. (Harben, Jeb) (Entered: 10/18/2018)  |
| 10/29/2018 | <u>117</u> | LETTER MOTION for Leave to File Excess Pages addressed to Judge Vincent L. Briccetti from Antony L. Ryan dated October 29, 2018. Document filed by Lawrence Bartley, Demetrius Bennett, L'Mani Delima, Carlos Flores, Edgardo Lebron, Sharod Logan, Dontae Quinones, Antonio Roman.(Ryan, Antony) (Entered: 10/29/2018)   |
| 10/29/2018 | <u>118</u> | ORDER granting <u>117</u> Letter Motion for Leave to File Excess Pages. Plaintiffs may file a 33–page brief in opposition to defendants' motion to dismiss. (Doc. #114). SO ORDERED. (Signed by Judge Vincent L. Briccetti on 10/29/2018) (rro) (Entered: 10/29/2018)   |
| 11/01/2018 | <u>119</u> | MEMORANDUM OF LAW in Opposition re: <u>114</u> MOTION to Dismiss <i>Second Amended Complaint</i> . . Document filed by Lawrence Bartley, Demetrius Bennett, L'Mani Delima, Carlos Flores, Edgardo Lebron, Sharod Logan, Dontae Quinones, Antonio Roman. (Ryan, Antony) (Entered: 11/01/2018)  |
| 11/01/2018 | <u>120</u> | LETTER addressed to Judge Vincent L. Briccetti from Antony L. Ryan dated November 1, 2018 re: Request for Oral Argument on Motion to Dismiss Second Amended Complaint (Dkt. No. 114). Document filed by Lawrence Bartley, Demetrius Bennett, L'Mani Delima, Carlos Flores, Edgardo Lebron, Sharod Logan, Dontae Quinones, Antonio Roman.(Ryan, Antony) (Entered: 11/01/2018)  |
| 11/02/2018 | <u>121</u> | MEMO ENDORSEMENT on re: <u>120</u> Letter, filed by Carlos Flores, Sharod Logan, L'Mani Delima, Lawrence Bartley, Dontae Quinones, Demetrius Bennett, Edgardo Lebron, Antonio Roman. ENDORSEMENT: If the Court decided oral argument is necessary or appropriate, it will so advise counsel. SO ORDERED. (Signed by Judge Vincent L. Briccetti on 11/2/2018) (jca) (Entered: 11/02/2018)  |
| 11/13/2018 | <u>122</u> | LETTER MOTION for Extension of Time to File Response/Reply addressed to Judge Vincent L. Briccetti from Jeb Harben dated 11/13/18. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford.(Harben, Jeb) (Entered: 11/13/2018)  |
| 11/14/2018 | <u>123</u> | ORDER granting <u>122</u> Letter Motion for Extension of Time to File Response/Reply: Defendants' time to reply is extended to 11/20/2018. (HEREBY ORDERED by Judge   |

|            |            |   |
|------------|------------|---|
|            |            | Vincent L. Briccetti)(Text Only Order) (jal) (Entered: 11/14/2018)  |
| 11/15/2018 | <u>124</u> | MOTION for Nicholas P. Stabile to Withdraw as Attorney . Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson.(Stabile, Nicholas) (Entered: 11/15/2018)  |
| 11/16/2018 | <u>125</u> | MEMO ENDORSEMENT on NOTICE AND ORDER OF WITHDRAWAL AS COUNSEL granting <u>124</u> Motion to Withdraw as Attorney. ENDORSEMENT: Granted. IT IS SO ORDERED. Attorney Nicholas Patrick Stabile terminated. (Signed by Judge Vincent L. Briccetti on 11/16/2018) (ama) (Entered: 11/16/2018)  |
| 11/21/2018 | <u>126</u> | REPLY MEMORANDUM OF LAW in Support re: <u>114</u> MOTION to Dismiss <i>Second Amended Complaint</i> . Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. (Harben, Jeb) (Entered: 11/21/2018)                              |
| 11/26/2018 | <u>127</u> | ORDER: By email dated November 21, 2018, defense counsel asks the Court to accept as timely defendants' reply brief (Doc. #126) respecting the pending motion to dismiss. In light of defense counsel's email, the Court extends defendants' time to reply to November 21, 2018, nunc pro tunc. SO ORDERED. (Signed by Judge Vincent L. Briccetti on 11/21/2018) (mml) Modified on 5/13/2019 (mml). (Entered: 11/26/2018) |
| 03/08/2019 | <u>128</u> | LETTER addressed to Judge Vincent L. Briccetti from Jeb Harben dated 3/8/19 re: Update. Document filed by Tina M. Stanford. (Attachments: # <u>1</u> Exhibit)(Harben, Jeb) (Entered: 03/08/2019)  |
| 03/14/2019 | <u>129</u> | LETTER addressed to Judge Vincent L. Briccetti from Antony L. Ryan dated March 14, 2019 re: Response to Defendants' Letter dated March 8, 2019. Document filed by Lawrence Bartley, Demetrius Bennett, L'Mani Delima, Carlos Flores, Edgardo Lebron, Sharod Logan, Dontae Quinones, Antonio Roman.(Ryan, Antony) (Entered: 03/14/2019)  |
| 04/18/2019 | <u>130</u> | LETTER addressed to Judge Vincent L. Briccetti from Jeb Harben dated 4/18/19 re: Update. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Harben, Jeb) (Entered: 04/18/2019)      |
| 04/19/2019 | <u>131</u> | LETTER addressed to Judge Vincent L. Briccetti from Antony L. Ryan dated April 19, 2019 re: Defendants' letter dated April 18, 2019. Document filed by Lawrence Bartley, Demetrius Bennett, L'Mani Delima, Carlos Flores, Edgardo Lebron, Sharod Logan, Dontae Quinones, Antonio Roman.(Ryan, Antony) (Entered: 04/19/2019)   |
| 07/03/2019 | <u>132</u> | LETTER addressed to Judge Vincent L. Briccetti from Antony L. Ryan dated July 3, 2019 re: supplemental authority. Document filed by Lawrence Bartley, Demetrius Bennett, L'Mani Delima, Carlos Flores, Edgardo Lebron, Sharod Logan, Dontae Quinones, Antonio Roman. (Attachments: # <u>1</u> Exhibit A)(Ryan, Antony) (Entered: 07/03/2019)  |
| 07/11/2019 | <u>133</u> | LETTER addressed to Judge Vincent L. Briccetti from Jeb Harben dated 7/11/19 re: Plaintiffs' 7/3/19 letter. Document filed by Tina M. Stanford.(Harben, Jeb) (Entered: 07/11/2019)  |
| 07/11/2019 | <u>134</u> | MEMO ENDORSEMENT on re: <u>133</u> Letter filed by Tina M. Stanford. ENDORSEMENT: APPLICATION GRANTED. (Signed by Judge Vincent L. Briccetti on 7/11/2019) (jwh) (Entered: 07/11/2019)  |
| 07/19/2019 | <u>135</u> | LETTER addressed to Judge Vincent L. Briccetti from Jeb Harben dated 7/19/19 re: Response to 7/3/19 letter. Document filed by Tina M. Stanford.(Harben, Jeb) (Entered: 07/19/2019)  |
| 09/06/2019 | <u>136</u> | LETTER from Jorge Linares(#96A3483), dated 8/31/19 re: Non-party Jorge L. Linares requests that the Court send him a copy of the Court's docket sheet; and he can be contacted at the following address: Otisville Correctional Facility, P.O. Box 8, Otisville, New York 10963. (sc) (Entered: 09/06/2019)   |

|            |            |   |
|------------|------------|---|
| 09/06/2019 |            | Request for Copy of the updated Docket Sheet Received: Re <u>136</u> Letter. Request for Docket Report, from Jorge Linares(#96A3483)Otisville Corr. Facility, P.O. Box 8, Otisville, NY 10963, received on 9/6/19. Transmission to Pro Se Assistants for processing. (sc) (Entered: 09/06/2019)   |
| 09/09/2019 |            | Request for Copies/Transcripts/Docket Sheet Processed: Mailed copy of Docket Sheet to Jorge L. Linares at Otisville Correctional Facility, P.O. Box 8, Otisville, New York 10963 on 9/9/2019. (bwa) (Entered: 09/09/2019)   |
| 09/20/2019 | <u>137</u> | OPINION AND ORDER re: <u>114</u> MOTION to Dismiss <i>Second Amended Complaint</i> filed by Caryne Demosthenes, Tycee Drake, Marc Coppola, Ellen E. Alexander, Tina M. Stanford, Carol Shapiro, Tana Agostini, Otis Cruse, Joseph P. Crangle, Erik Berliner, Walter W. Smith, Charles Davis. The motion to dismiss is GRANTED IN PART and DENIED IN PART. Plaintiffs Eighth and Fourteenth Amendment claims, to the extent they seek declaratory relief, shall proceed. Their Sixth Amendment Claim, and all claims to the extent they seek injunctive relief, are dismissed. The Court will schedule an initial pretrial conference by separate Order. The Clerk is instructed to terminate the motion. (Doc. #114). SO ORDERED. (Signed by Judge Vincent L. Briccetti on 9/20/2019) (mml) (Entered: 09/20/2019) |
| 09/20/2019 | <u>138</u> | NOTICE OF INITIAL CONFERENCE: THIS MATTER HAS BEEN SCHEDULED FOR AN INITIAL CASE MANAGEMENT AND SCHEDULING CONFERENCE, pursuant to Fed. R. Civ. P. 16, on 10/28/2019 at 11:45a.m., at the United States Courthouse, 300 Quarropas Street, Courtroom 620, White Plains, NY 10601. Initial Conference set for 10/28/2019 at 11:45 AM in Courtroom 620, 300 Quarropas Street, White Plains, NY 10601 before Judge Vincent L. Briccetti. (mml) (Entered: 09/20/2019)  |
| 10/01/2019 | <u>139</u> | LETTER MOTION for Extension of Time to File Answer addressed to Judge Vincent L. Briccetti from Jeb Harben dated 10/1/19. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson.(Harben, Jeb) (Entered: 10/01/2019)   |
| 10/01/2019 | 140        | ORDER granting <u>139</u> Letter Motion for Extension of Time to Answer: Defendants' time to answer the second amended complaint is extended to 10/24/2019. (HEREBY ORDERED by Judge Vincent L. Briccetti)(Text Only Order) (jal) (Entered: 10/01/2019)   |
| 10/21/2019 | <u>141</u> | NOTICE OF APPEARANCE by Deanna Lea Collins on behalf of Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson. (Collins, Deanna) (Entered: 10/21/2019)  |
| 10/24/2019 | <u>142</u> | ANSWER to <u>110</u> Amended Complaint,.. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Walter W. Smith, Tina M. Stanford.(Harben, Jeb) (Entered: 10/24/2019)  |
| 10/28/2019 |            | Minute Entry for proceedings held before Judge Vincent L. Briccetti: Initial Pretrial Conference held on 10/28/2019. Case management plan signed. Next conference is scheduled for 6-3-20 at 9:30 a.m. (dh) (Entered: 10/28/2019)   |
| 10/28/2019 | <u>143</u> | CIVIL CASE DISCOVERY PLAN AND SCHEDULING ORDER: All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). This case is not to be tried to a jury. Motions due by 11/27/2019. Non-expert depositions shall be completed by 6/26/2020. Expert Deposition due by 10/9/2020. Fact Discovery due by 6/26/2020. Expert Discovery due by 10/9/2020. Discovery due by 10/9/2020. Case Management Conference set for 6/3/2020 at 09:30 AM before Judge Vincent L. Briccetti. The parties have conferred and their present best estimate of the length of the trial is two weeks. (Signed by Judge Vincent L. Briccetti on 10/28/2019) (mml) (Entered: 10/28/2019)   |
| 11/08/2019 | <u>144</u> | PROPOSED STIPULATION AND ORDER. Document filed by Lawrence Bartley, Demetrius Bennett, L'Mani Delima, Carlos Flores, Edgardo Lebron, Sharod Logan, Dontae Quinones, Antonio Roman. (Hernandez, Damaris) (Entered: 11/08/2019)   |

|            |            |  |
|------------|------------|--|
| 11/12/2019 | <u>145</u> | STIPULATION AND ORDER AMENDING OFFICIAL CAPTION: IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that: 1. Defendants shall file an amended answer on or before November 15, 2019. 2. The official caption in this action be amended as further set forth in this stipulation. (Tana Agostini answer due 11/15/2019; Ellen E. Alexander answer due 11/15/2019; Erik Berliner answer due 11/15/2019; Marc Coppola answer due 11/15/2019; Joseph P. Crangle answer due 11/15/2019; Otis Cruse answer due 11/15/2019; Charles Davis answer due 11/15/2019; Caryne Demosthenes answer due 11/15/2019; Tycee Drake answer due 11/15/2019; Carol Shapiro answer due 11/15/2019; Edward Sharkey answer due 11/15/2019; Walter W. Smith answer due 11/15/2019; Tina M. Stanford answer due 11/15/2019; Sally Thompson answer due 11/15/2019.) (Signed by Judge Vincent L. Briccetti on 11/12/2019) (jwh) (Entered: 11/12/2019)  |
| 11/15/2019 | <u>146</u> | AMENDED ANSWER to <u>110</u> Amended Complaint,.. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Walter W. Smith, Tina M. Stanford. (Harben, Jeb) (Entered: 11/15/2019)  |
| 04/10/2020 | <u>147</u> | FIRST LETTER MOTION for Extension of Time <i>to complete discovery</i> addressed to Judge Vincent L. Briccetti from AAG Deanna L. Collins dated 4/10/2020. Document filed by Tana Agostini, Ellen E. Alexander, Erik Berliner, Marc Coppola, Joseph P. Crangle, Otis Cruse, Charles Davis, Caryne Demosthenes, Tycee Drake, Carol Shapiro, Edward Sharkey, Walter W. Smith, Tina M. Stanford, Sally Thompson..(Collins, Deanna) (Entered: 04/10/2020)  |
| 04/10/2020 | 148        | ORDER granting <u>147</u> Letter Motion for Extension of Time: Discovery deadlines extended as set forth in the Revised Civil Case Discovery Plan and Scheduling Order, which shall be separately docketed. The deadline for completion of discovery is extended to 11/20/2020. <b>The case management conference scheduled for 6/3/2020 is adjourned to 11/23/2020, at 9:30 a.m.</b> In the future, counsel shall consult Judge Briccetti's Individual Practices prior to submitting an application for relief. Paragraph 1.G of Judge Briccetti's Individual Practices requires parties to submit a proposed Revised Civil Case Discovery Plan and Scheduling Order when requesting extensions of discovery deadlines. (HEREBY ORDERED by Judge Vincent L. Briccetti)(Text Only Order) (vjm) (Entered: 04/10/2020)   |
| 04/10/2020 | <u>149</u> | REVISED CIVIL CASE DISCOVERY PLAN AND SCHEDULING ORDER: All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. 636(c). This case is not to be tried to a jury. The parties have conferred and their present best estimate of the length of the trial is 2 weeks. The Magistrate Judge assigned to this case is the Honorable Judith C. McCarthy. Deposition due by 11/20/2020. Non-expert depositions 8/7/2020. Fact Discovery due by 8/7/2020. Expert Discovery due by 11/20/2020. Discovery due by 11/20/2020. Case Management Conference set for 11/23/2020 at 09:30 AM before Judge Vincent L. Briccetti. So Ordered (Signed by Judge Vincent L. Briccetti on 4/10/2020) (js) (Entered: 04/13/2020)  |
| 04/20/2020 | <u>150</u> | PROPOSED STIPULATION AND ORDER. Document filed by Lawrence Bartley, Demetrius Bennett, L'Mani Delima, Carlos Flores, Edgardo Lebron, Sharod Logan, Dontae Quinones, Antonio Roman..(Hernandez, Damaris) (Entered: 04/20/2020)  |
| 04/21/2020 | <u>151</u> | STIPULATION OF CONFIDENTIALITY AND PROTECTIVE ORDER:...regarding procedures to be followed that shall govern the handling of confidential material... So Ordered (Signed by Judge Vincent L. Briccetti on 4/21/2020) (js) (Entered: 04/21/2020)  |
| 04/21/2020 | <u>152</u> | ORDER REGARDING SEALED DOCUMENTS: The Court having So Ordered the parties' Stipulation of Confidentiality and Protective Order, dated April 21, 2020, which, among other things, provides for the filing of documents under seal, it is further ORDERED: 1. The parties shall consult and comply with the instructions for filing documents under seal, as set forth in: (i) Section 6 of the Court's Electronic Case Filing Rules & Instructions; (ii) the Court's "Sealed Records Filing Instructions," available at <a href="https://nysd.uscourts.gov/programs/records">https://nysd.uscourts.gov/programs/records</a> ; and (iii) Judge Briccetti's Individual Practices. 2. A full and unredacted courtesy copy of any submission of documents filed under seal shall be provided to Chambers as soon as practicable, marked "Chambers Copy" and "Contains Confidential Information Filed Under Seal." SO ORDERED. (Signed by Judge Vincent L. Briccetti on 4/21/2020) (mml) (Entered: 04/21/2020) |

|            |            |  |
|------------|------------|--|
| 04/29/2020 | <u>153</u> | PROPOSED STIPULATION AND ORDER. Document filed by Lawrence Bartley, Demetrius Bennett, L'Mani Delima, Carlos Flores, Edgardo Lebron, Sharod Logan, Dontae Quinones, Antonio Roman..(Hernandez, Damaris) (Entered: 04/29/2020)  |
| 04/29/2020 | <u>154</u> | SUPPLEMENTAL STIPULATION OF CONFIDENTIALITY AND PROTECTIVE ORDER WITH NORTHPOINTE INC...regarding procedures to be followed that shall govern the handling of confidential material... (Signed by Judge Vincent L. Briccetti on 4/29/2020) (mml) (Entered: 04/29/2020) |