

**U.S. DISTRICT COURT**  
**U.S. District Court, Western District of New York (Buffalo)**  
**CIVIL DOCKET FOR CASE #: 1:18-cv-00719-CCR**

Black Love Resists et al v. City of Buffalo et al  
Assigned to: Hon. Christina Clair Reiss  
Cause: 42:1983 Civil Rights Act

Date Filed: 06/28/2018  
Jury Demand: Both  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Black Love Resists in the Rust**  
*by and through its Co-Directors Natasha  
Soto and Shaketa Redden and on behalf  
of its members  
agent of  
Just Resisting*

represented by **Andrea Chinyere Ezie**  
Center for Constitutional Rights  
666 Broadway Floor 7  
New York, NY 10012  
212 614-6467  
Fax: 212 614-6467  
Email: [cezie@ccrjustice.org](mailto:cezie@ccrjustice.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Anjana Malhotra**  
Center for Constitutional Rights  
666 Broadway Floor 7  
New York, NY 10012  
917 583-5849  
Email: [anjana.malhotra@gmail.com](mailto:anjana.malhotra@gmail.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Baher Azmy**  
Center for Constitutional Rights  
666 Broadway Floor 7  
New York, NY 10012  
212-614-6427  
Fax: 212-614-6499  
Email: [bazmy@ccrjustice.org](mailto:bazmy@ccrjustice.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Britney Wilson**  
Center for Constitutional Rights  
666 Broadway Floor 7  
New York, NY 10012  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Claudia Wilner**  
National Center for Law and Economic  
Justice  
275 7th Avenue  
Suite 1506  
New York, NY 10001  
212-633-6967  
Fax: 212-633-6371  
Email: [wilner@nclej.org](mailto:wilner@nclej.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Darius Charney**  
Center for Constitutional Rights  
666 Broadway Floor 7  
New York, NY 10012

212 614-6475  
Fax: 212-614-6499  
Email: [dcharney@ccrjustice.org](mailto:dcharney@ccrjustice.org)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Edward Krugman**  
National Center for Law and Economic  
Justice  
275 7th Avenue  
Suite 1506  
New York, NY 10001  
212 633-6967  
Fax: 212 633-6371  
Email: [krugman@nclej.org](mailto:krugman@nclej.org)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joseph A. Kelemen**  
Western New York Law Center, Inc.  
37 Franklin Street  
2nd Floor  
Buffalo, NY 14203  
816-855-0203, Ext. 2  
Fax: 716-855-0203  
Email: [jkelemen@wnylc.com](mailto:jkelemen@wnylc.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Keisha Alecia Williams**  
Western New York Law Center, Inc.  
37 Franklin Street  
2nd Floor  
Buffalo, NY 14203  
716-855-0203  
Fax: 716-270-4005  
Email: [kwilliams@wnylc.com](mailto:kwilliams@wnylc.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Marc Cohan**  
National Center for Law and Economic  
Justice  
275 Seventh Avenue  
Suite 1506  
New York, NY 10001  
212-633-6967  
Fax: 212-633-6371  
Email: [cohan@nclej.org](mailto:cohan@nclej.org)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Travis W. England**  
National Center for Law and Economic  
Justice  
275 7th Avenue  
Suite 1506  
New York, NY 10001  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Theresa Lau**  
National Center for Law and Economic  
Justice  
275 7th Avenue

Suite 1506  
New York, NY 10001  
*TERMINATED: 07/25/2018*

**Plaintiff**

**Dorethea Franklin**

represented by **Andrea Chinyere Ezie**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anjana Malhotra**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Baher Azmy**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Britney Wilson**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Claudia Wilner**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Darius Charney**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Edward Krugman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joseph A. Kelemen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Keisha Alecia Williams**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Marc Cohan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Travis W. England**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Theresa Lau**  
(See above for address)  
*TERMINATED: 07/25/2018*

**Plaintiff**

**Taniqua Simmons**

represented by **Andrea Chinyere Ezie**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anjana Malhotra**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Baher Azmy**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Britney Wilson**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Claudia Wilner**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Darius Charney**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Edward Krugman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joseph A. Kelemen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Keisha Alecia Williams**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Marc Cohan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Travis W. England**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Theresa Lau**  
(See above for address)  
*TERMINATED: 07/25/2018*

**Plaintiff**

**De'Jon Hall**

represented by **Andrea Chinyere Ezie**  
(See above for address)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Anjana Malhotra**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Baher Azmy**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Britney Wilson**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Claudia Wilner**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Darius Charney**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Edward Krugman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joseph A. Kelemen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Keisha Alecia Williams**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Marc Cohan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Travis W. England**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Theresa Lau**  
(See above for address)  
*TERMINATED: 07/25/2018*

**Plaintiff**

**Jane Doe**  
*individually and on behalf of a class of  
others similarly situated*

represented by **Andrea Chinyere Ezie**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anjana Malhotra**  
(See above for address)

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Baher Azmy**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Britney Wilson**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Claudia Wilner**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Darius Charney**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Edward Krugman**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Joseph A. Kelemen**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Keisha Alecia Williams**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Marc Cohan**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Travis W. England**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Theresa Lau**  
(See above for address)  
*TERMINATED: 07/25/2018*

V.

**Defendant**

**City of Buffalo, N.Y.**

represented by **Robert Emmet Quinn**  
City of Buffalo Department of Law  
65 Niagara Square  
Buffalo, NY 14202  
716-851-4326  
Fax: 716-851-4105  
Email: [rquinn@city-buffalo.com](mailto:rquinn@city-buffalo.com)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant****Byron B Brown***Mayor of the City of Buffalo, in his individual and official capacities*represented by **Robert Emmet Quinn**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****Byron C Lockwood***Commissioner of the Buffalo Police Department, in his individual capacity*represented by **Robert Emmet Quinn**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****Daniel Derenda***former Commissioner of the Buffalo Police Department, in his individual capacity*represented by **Robert Emmet Quinn**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****Aaron Young***officer of the Buffalo Police Department, in his individual capacity*represented by **Robert Emmet Quinn**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****Kevin Brinkworth**represented by **Robert Emmet Quinn**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****Philip Serafini***officer of the Buffalo Police Department, in his individual capacity*represented by **Robert Emmet Quinn**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****Robbin Thomas***officer of the Buffalo Police Department, in his individual capacity*represented by **Robert Emmet Quinn**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****Unknown Supervisory Personnel 1–10***officers of the Buffalo Police Department, in their individual capacities*represented by **Robert Emmet Quinn**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****Unknown Officers 1–20***officers of the Buffalo Police Department, in their individual capacities*represented by **Robert Emmet Quinn**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/28/2018	<u>1</u>	COMPLAINT against City of Buffalo \$ 400 receipt number 0209-3149240, filed by Black Love Resists. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Civil Cover Sheet)

		Attachment, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons, # <u>7</u> Summons, # <u>8</u> Summons, # <u>9</u> Summons, # <u>10</u> Summons, # <u>11</u> Attachment, # <u>12</u> Exhibit Summons)(Williams, Keisha) (Entered: 06/28/2018)
06/29/2018		Case assigned to Hon. Christina Clair Reiss. Notification to chambers of on-line civil opening. (KLH) (Entered: 06/29/2018)
06/29/2018		Notice of Availability of Magistrate Judge: A United States Magistrate of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form (AO-85) is available for download at <a href="http://www.uscourts.gov/services-forms/forms">http://www.uscourts.gov/services-forms/forms</a> . (KLH) (Entered: 06/29/2018)
06/29/2018		AUTOMATIC REFERRAL to Mediation The ADR Plan is available for download at <a href="http://www.nywd.uscourts.gov/alternative-dispute-resolution">http://www.nywd.uscourts.gov/alternative-dispute-resolution</a> . (KLH) (Entered: 06/29/2018)
06/29/2018	<u>2</u>	Summons Issued as to Kevin Brinkworth, Byron B Brown, City of Buffalo, N.Y., Daniel Derenda, Byron C Lockwood, Philip Serafini, Robbin Thomas, Aaron Young. (KLH) (Entered: 06/29/2018)
07/24/2018	<u>3</u>	AFFIDAVIT of Service for Summons & Complaint served on Daniel Derenda on July 9, 2018, filed by Black Love Resists in the Rust, Jane Doe, Dorethea Franklin, De'Jon Hall, Taniqua Simmons. (Williams, Keisha) (Entered: 07/24/2018)
07/24/2018	<u>4</u>	SUMMONS Returned Executed by Jane Doe, Dorethea Franklin, Black Love Resists in the Rust, Taniqua Simmons, De'Jon Hall. Byron C Lockwood served on 7/9/2018, answer due 7/30/2018. (Williams, Keisha) (Entered: 07/24/2018)
07/24/2018	<u>5</u>	SUMMONS Returned Executed by Jane Doe, Dorethea Franklin, Black Love Resists in the Rust, Taniqua Simmons, De'Jon Hall. City of Buffalo, N.Y. served on 7/9/2018, answer due 7/30/2018. (Williams, Keisha) (Entered: 07/24/2018)
07/30/2018	<u>6</u>	ANSWER to <u>1</u> Complaint, by Kevin Brinkworth, Byron B Brown, City of Buffalo, N.Y., Daniel Derenda, Byron C Lockwood, Philip Serafini, Robbin Thomas, Unknown Officers 1-20, Unknown Supervisory Personnel 1-10, Aaron Young. (Attachments: # <u>1</u> Certificate of Service)(Quinn, Robert) (Entered: 07/30/2018)
07/31/2018		ADR Plan electronically forwarded to attorneys. The ADR Plan is available for download at <a href="http://www.nywd.uscourts.gov/alternative-dispute-resolution">http://www.nywd.uscourts.gov/alternative-dispute-resolution</a> .(KLH) (Entered: 07/31/2018)
08/22/2018	<u>7</u>	ORDER regarding Scheduling Conference set for 10/9/2018 03:00 PM in US Courthouse, 2 Niagara Square, Buffalo, NY 14202-3350 before Hon. Christina Clair Reiss, who will appear by videoconference. Signed by Hon. Christina Clair Reiss on 8/21/2018. (Attachments: # <u>1</u> Case Management Order Template)(KLH) (Entered: 08/22/2018)
09/17/2018	<u>8</u>	SUMMONS Returned Executed by Jane Doe, Dorethea Franklin, Black Love Resists in the Rust, Taniqua Simmons, De'Jon Hall. Philip Serafini served on 9/8/2018, answer due 10/1/2018. (Williams, Keisha) (Entered: 09/17/2018)
09/17/2018	<u>9</u>	SUMMONS Returned Executed by Jane Doe, Dorethea Franklin, Black Love Resists in the Rust, Taniqua Simmons, De'Jon Hall. Kevin Brinkworth served on 9/11/2018, answer due 10/2/2018. (Williams, Keisha) (Entered: 09/17/2018)
09/17/2018	<u>10</u>	SUMMONS Returned Executed by Jane Doe, Dorethea Franklin, Black Love Resists in the Rust, Taniqua Simmons, De'Jon Hall. Aaron Young served on 9/5/2018, answer due 9/26/2018. (Williams, Keisha) (Entered: 09/17/2018)
09/17/2018	<u>11</u>	SUMMONS Returned Executed by Jane Doe, Dorethea Franklin, Black Love Resists in the Rust, Taniqua Simmons, De'Jon Hall. Byron B Brown served on 9/6/2018, answer due 9/27/2018. (Williams, Keisha) (Entered: 09/17/2018)
09/17/2018	<u>12</u>	SUMMONS Returned Executed by Jane Doe, Dorethea Franklin, Black Love Resists in the Rust, Taniqua Simmons, De'Jon Hall. Robbin Thomas served on 9/8/2018, answer due 10/1/2018. (Williams, Keisha) (Entered: 09/17/2018)



09/19/2018	<u>13</u>	DISCOVERY PLAN by Black Love Resists in the Rust, Jane Doe, Dorethea Franklin, De'Jon Hall, Taniqua Simmons.(Wilner, Claudia) (Entered: 09/19/2018)
10/09/2018	14	Minute Entry for proceedings held before Hon. Christina Clair Reiss. Scheduling Conference via video conference held on 10/9/2018.  Parties have agreed to select a mediator and complete first mediation session by 12/1/2018.  Discovery schedule, potential class action, proposed protective order and general case management issues discussed.  The Court will schedule a further telephone conference in 60 days.  Parties may contact the Court directly for assistance with discovery issues.  Appearances: Darius Charney, Esq., Anjana Malhotra, Esq., and Claudia Wilner, Esq., on behalf of plaintiffs; Robert Quinn, Esq., on behalf of defendants. (Court Reporter FTR Gold.) (JDK) (Entered: 10/09/2018)
10/09/2018	<u>15</u>	ORDER. The <u>13</u> Joint Discovery Plan is SO ORDERED. <b>Please note: This docket entry does not contain every detail of this order. It is your responsibility to read and download the pdf to this document for future reference.</b> Motions to Join Parties/Amend Pleadings due by 5/14/2019, Discovery completed by 6/14/2019, Expert Witness List due by 9/13/2019, Motions due by 10/9/2019. Signed by Hon. Christina Clair Reiss on 10/9/2018. (KLH) (Entered: 10/09/2018)
10/12/2018		NOTICE of Hearing: Telephone Status Conference set for 12/21/2018 11:00 AM before Hon. Christina Clair Reiss. Call-in instructions will be emailed shortly before this conference is held. (LMD) (Entered: 10/12/2018)
10/29/2018	<u>16</u>	NOTICE of Appearance by Andrea Chinyere Ezie on behalf of All Plaintiffs (Ezie, Andrea) (Entered: 10/29/2018)
11/06/2018	<u>17</u>	Stipulation-Selection of Mediator by Kevin Brinkworth, Byron B Brown, City of Buffalo, N.Y., Daniel Derenda, Byron C Lockwood, Philip Serafini, Robbin Thomas, Unknown Officers 1-20, Unknown Supervisory Personnel 1-10, Aaron Young (Attachments: # <u>1</u> Certificate of Service)(Quinn, Robert) (Entered: 11/06/2018)
12/21/2018	18	Minute Entry for proceedings held before Hon. Christina Clair Reiss. Telephone Status Conference held on 12/21/2018.  Discovery issues discussed.  The Court will not intervene in discovery dispute at this time, but directs the parties to contact the Court within the next 30 days either individually or jointly regarding issues that can not be resolved.  The Court will schedule either a telephone conference or a video conference following report of the parties.  Appearances: Claudia Wilner, Esq., Andrea Ezie, Esq., Britney Wilson, Esq., Darius Charney, Esq., Travis England, Esq., Anjana Malhotra, Esq., on behalf of plaintiffs; Robert Quinn, Esq., on behalf of defendants. (Court Reporter FTR Gold.) (JDK) (Entered: 12/21/2018)
01/22/2019	<u>19</u>	Letter filed by Black Love Resists in the Rust, Jane Doe, Dorethea Franklin, De'Jon Hall, Taniqua Simmons as to Aaron Young, City of Buffalo, N.Y., Philip Serafini, Unknown Officers 1-20, Byron C Lockwood, Kevin Brinkworth, Robbin Thomas, Unknown Supervisory Personnel 1-10, Byron B Brown, Daniel Derenda <i>re Current Status of Discovery</i> . (Charney, Darius) (Entered: 01/22/2019)
01/25/2019	20	TEXT ORDER granting <u>19</u> letter request for an extension of time. Signed by Hon. Christina Clair Reiss on 1/25/2019. (KLH) (Entered: 01/28/2019)
01/29/2019	<u>21</u>	Letter filed by Black Love Resists in the Rust, Jane Doe, Dorethea Franklin, De'Jon Hall, Michael Menard, Taniqua Simmons as to Aaron Young, City of Buffalo, N.Y.,

	Philip Serafini, Unknown Officers 1–20, Byron C Lockwood, Kevin Brinkworth, Robbin Thomas, Unknown Supervisory Personnel 1–10, Byron B Brown, Daniel Derenda <i>re Current Status of Discovery</i> . (Wilner, Claudia) (Entered: 01/29/2019)
--	--