

CLOSED, CONSENT, STAYED

**United States District Court
District of Massachusetts (Springfield)
CIVIL DOCKET FOR CASE #: 3:15-cv-30023-KAR**

National Association of the Deaf et al v. Harvard University et al
Assigned to: Magistrate Judge Katherine A. Robertson
Cause: 42:1218(2) Americans with Disabilities Act

Date Filed: 02/12/2015
Date Terminated: 02/27/2020
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: Federal Question

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Date Filed	#	Docket Text
02/12/2015	<u>1</u>	COMPLAINT <i>Class Action for Declaratory and Injunctive Relief</i> against All Defendants Filing fee: \$ 400, receipt number 0101-5404055 (Fee Status: Filing Fee paid), filed by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Category Form, # <u>3</u> Proposed summons, # <u>4</u> Proposed summons)(Murphy, Thomas) (Attachment 2 replaced on 2/12/2015 with category sheet in the correct PDF format) (Finn, Mary). Modified on 2/12/2015 (Finn, Mary). (Entered: 02/12/2015)
02/12/2015	2	ELECTRONIC NOTICE of Case Assignment. Judge Mark G. Mastroianni assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Katherine A. Robertson. (Abaid, Kimberly) (Entered: 02/12/2015)
02/12/2015	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Bill Lann Lee, Julie Wilensky Filing fee: \$ 200, receipt number 0101-5404497 by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit Certificate of Bill Lann Lee, # <u>2</u> Exhibit Signature of Julie Wilensky)(Murphy, Thomas) (Entered: 02/12/2015)
02/12/2015	4	Summons Issued as to Harvard University. Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service. (Finn, Mary) (Entered: 02/12/2015)
02/12/2015	5	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>3</u> Motion for Leave to Appear Pro Hac Vice Added Bill Lann Lee and Julie Wilensky. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Finn, Mary) (Entered: 02/12/2015)
02/17/2015	<u>6</u>	CORPORATE DISCLOSURE STATEMENT by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Murphy, Thomas) (Entered: 02/17/2015)
02/17/2015	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Timothy Fox, Sarah Morris Filing fee: \$ 200, receipt number 0101-5410891 by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit Signature of Timothy Fox, # <u>2</u> Exhibit Signature of Sarah Morris)(Murphy, Thomas) (Entered: 02/17/2015)
02/17/2015	8	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>7</u> Motion for Leave to Appear Pro Hac Vice Added Timothy P. Fox and Sarah M. Morris. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Finn, Mary) (Entered: 02/17/2015)

02/19/2015	<u>9</u>	AFFIDAVIT OF SERVICE Executed by Lee Nettles, National Association of the Deaf, Christy Smith, C. Wayne Dore, Diane Nettles. Harvard University served on 2/17/2015, answer due 3/10/2015. Acknowledgement filed by Lee Nettles; National Association of the Deaf; Christy Smith; C. Wayne Dore; Diane Nettles. (Murphy, Thomas) (Entered: 02/19/2015)
02/19/2015	<u>10</u>	AFFIDAVIT OF SERVICE Executed by Lee Nettles, National Association of the Deaf, Christy Smith, C. Wayne Dore, Diane Nettles. President and Fellows of Harvard College served on 2/17/2015, answer due 3/10/2015. Acknowledgement filed by Lee Nettles; National Association of the Deaf; Christy Smith; C. Wayne Dore; Diane Nettles. (Murphy, Thomas) (Entered: 02/19/2015)
02/23/2015	<u>11</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Caroline Jackson, Marc Charmatz Filing fee: \$ 200, receipt number 0101-5419419 by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit M. Charmatz Signature, # <u>2</u> Exhibit C. Jackson Signature)(Murphy, Thomas) (Entered: 02/23/2015)
02/24/2015	12	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>11</u> Motion for Leave to Appear Pro Hac Vice Added Marc P. Charmatz and Caroline E. Jackson. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Finn, Mary) (Entered: 02/24/2015)
03/05/2015	<u>13</u>	Assented to MOTION for Extension of Time to May 11, 2015 to Respond to the Amended Complaint , Assented to MOTION for Extension of Time to File Answer re <u>1</u> Complaint,, (Responses due by 3/19/2015) by President and Fellows of Harvard College.(Morrison, Christopher) (Entered: 03/05/2015)
03/05/2015	<u>14</u>	CORPORATE DISCLOSURE STATEMENT by President and Fellows of Harvard College. (Morrison, Christopher) (Entered: 03/05/2015)
03/05/2015	<u>15</u>	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Robert A. Naeve Filing fee: \$ 100, receipt number 0101-5440617 by President and Fellows of Harvard College. (Attachments: # <u>1</u> Exhibit A)(Morrison, Christopher) (Entered: 03/05/2015)
03/06/2015	16	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>15</u> Motion for Leave to Appear Pro Hac Vice Added Robert A. Naeve. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Finn, Mary) (Entered: 03/06/2015)
03/06/2015	<u>17</u>	NOTICE of Appearance by Christopher M. Morrison on behalf of President and Fellows of Harvard College (Morrison, Christopher) (Entered: 03/06/2015)
03/06/2015	18	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>13</u> Motion for Extension of Time; granting <u>13</u> Motion for Extension of Time to Answer re <u>1</u> Complaint,, President and Fellows of Harvard College answer due 5/11/2015. (Finn, Mary) (Entered: 03/06/2015)
03/26/2015	<u>19</u>	NOTICE of Change of Address or Firm Name by Julie Wilensky (Wilensky, Julie) (Entered: 03/26/2015)
05/08/2015	<u>20</u>	Assented to MOTION for Leave to File <i>Memorandum of Law in Support of Defendants' Motion to Stay or Dismiss the Complaint</i> by President and Fellows of Harvard College.(Morrison, Christopher) (Entered: 05/08/2015)
05/08/2015	21	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>20</u> Motion for Leave to File Document In Excess of Twenty Pages. Allowed, up to thirty-five pages. Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Healy, Bethaney) (Entered: 05/08/2015)

05/11/2015	<u>22</u>	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Jeffrey R. Johnson Filing fee: \$ 100, receipt number 0101-5552337 by President and Fellows of Harvard College. (Attachments: # <u>1</u> Declaration of Jeffrey R. Johnson, Esq.)(Morrison, Christopher) (Entered: 05/11/2015)
05/11/2015	<u>23</u>	MOTION to Stay re <u>1</u> Complaint,, <i>or</i> MOTION to Dismiss by President and Fellows of Harvard College.(Naeve, Robert). Added an additional relief – MOTION to Dismiss on 5/12/2015. (Finn, Mary). (Entered: 05/11/2015)
05/11/2015	<u>24</u>	MEMORANDUM in Support re <u>23</u> MOTION to Stay re <u>1</u> Complaint,, <i>or</i> to Dismiss filed by President and Fellows of Harvard College. (Naeve, Robert) (Entered: 05/11/2015)
05/12/2015	25	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>22</u> Motion for Leave to Appear Pro Hac Vice Added Jeffrey R. Johnson. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Finn, Mary) (Entered: 05/12/2015)
05/21/2015	<u>26</u>	Assented to MOTION for Extension of Time to 06/25/2015 to File Response/Reply as to <u>23</u> MOTION to Stay re <u>1</u> Complaint,, <i>or</i> to Dismiss MOTION to Dismiss by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith.(Wilensky, Julie) (Entered: 05/21/2015)
05/22/2015	27	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>26</u> Motion for Extension of Time to File Response/Reply re <u>23</u> MOTION to Stay re <u>1</u> Complaint,, <i>or</i> to Dismiss MOTION to Dismiss Responses due by 6/25/2015. (Finn, Mary) (Entered: 05/22/2015)
06/11/2015	<u>28</u>	MOTION for Leave to File Excess Pages by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith.(Fox, Timothy) (Entered: 06/11/2015)
06/11/2015	29	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>28</u> Motion for Leave to File Memorandum in Excess of 20 Pages ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Finn, Mary) (Entered: 06/11/2015)
06/22/2015	<u>30</u>	NOTICE of Appearance by Charlotte L. Lanvers on behalf of The United States (Lanvers, Charlotte) (Entered: 06/22/2015)
06/22/2015	<u>31</u>	MOTION for Leave to File <i>a Statement of Interest in Excess of 20 Pages</i> by The United States.(Lanvers, Charlotte) (Entered: 06/22/2015)
06/23/2015	32	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>31</u> Motion for Leave to File Document ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Finn, Mary) (Entered: 06/23/2015)
06/25/2015	<u>33</u>	AMICUS BRIEF filed by The United States . (Lanvers, Charlotte) (Entered: 06/25/2015)
06/25/2015	<u>34</u>	Opposition re <u>23</u> MOTION to Stay re <u>1</u> Complaint,, <i>or</i> to Dismiss MOTION to Dismiss filed by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Appendix Appendix of Filings from Other Cases, # <u>2</u> Appendix Appendix A, # <u>3</u> Appendix Appendix B, # <u>4</u> Appendix Appendix C, # <u>5</u> Appendix Appendix D, # <u>6</u> Appendix Appendix E)(Murphy, Thomas) (Entered: 06/25/2015)
06/26/2015	35	ELECTRONIC NOTICE issued requesting courtesy copy for <u>34</u> Opposition to Motion and supporting exhibits. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office by 7/3/2015. These documents must be clearly marked as a Courtesy Copy and reflect the

		document number assigned by CM/ECF. (Finn, Mary) (Entered: 06/26/2015)
06/29/2015	36	Remark – Courtesy copyo of document <u>34</u> received and placed in the file. (Finn, Mary) (Entered: 06/29/2015)
06/29/2015	37	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered. REFERRING CASE to Magistrate Judge Katherine A. Robertson Referred for: Full Pretrial, No Dispositive Motions (ptn). Motions referred: <u>23</u> MOTION to Stay re <u>1</u> Complaint,, <i>or to Dismiss</i> MOTION to Dismiss for Report and Recommendation. (Pelegano, Theresa) (Entered: 06/29/2015)
06/30/2015	<u>38</u>	MOTION for Leave to File <i>Reply Memorandum by July 24, 2015</i> by President and Fellows of Harvard College.(Morrison, Christopher) Modified on 6/30/2015 to correct date. (Calderon, Melissa). (Entered: 06/30/2015)
07/20/2015	39	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>38</u> defendant's Motion for Leave to File Reply Memorandum by July 24, 2015. Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Robertson, Katherine) (Entered: 07/20/2015)
07/24/2015	<u>40</u>	REPLY to Response to <u>23</u> MOTION to Stay re <u>1</u> Complaint,, <i>or to Dismiss</i> MOTION to Dismiss filed by President and Fellows of Harvard College. (Naeve, Robert) (Entered: 07/24/2015)
08/14/2015	41	ELECTRONIC NOTICE Setting Hearing on MOTION to Stay or Dismiss (Dkt. No. 23 in 3:15-cv-30023-MGM) and MOTION to Stay or Dismiss (Dkt. No. 24 in 3:15-cv-30024-MGM) ISSUED: A Motion Hearing is set for 9/10/2015 at 2:30 PM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM (Calderon, Melissa) (Entered: 08/14/2015)
09/10/2015	42	ELECTRONIC Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Motion Hearing re MOTION to Stay or Dismiss (Dkt. No. 23 in 3:15-cv-30023-MGM) and MOTION to Stay or Dismiss (Dkt. No. 24 in 3:15-cv-30024-MGM) was held on 9/10/2015. Attorneys Present: Arlene B. Mayerson, Timothy P. Fox, Robert A. Naeve, Christopher M. Morrison and Charlotte L. Lanvers. Arguments were heard on the pending motions. This matter is taken under advisement. R&R to issue. (Court Reporter: Digital Recording – For transcripts or CDs contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .) Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM (Calderon, Melissa) (Entered: 09/11/2015)
09/29/2015	<u>43</u>	Transcript of Motion Hearing held on September 10, 2015, before Magistrate Judge Katherine A. Robertson. The Transcript may be purchased through Janice Russell at trussell31@tdsmail.com , viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name: No Reporter Used. Digital Recording transcribed by Janice Russell. Redaction Request due 10/20/2015. Redacted Transcript Deadline set for 10/30/2015. Release of Transcript Restriction set for 12/28/2015. Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM(Scalfani, Deborah) (Entered: 09/29/2015)
09/29/2015	44	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM(Scalfani, Deborah) (Entered: 09/29/2015)
11/20/2015	<u>45</u>	NOTICE of Change of Address or Firm Name by Thomas P. Murphy <i>for Julie Wilensky and Bill Lann Lee</i> (Murphy, Thomas) (Entered: 11/20/2015)
11/20/2015	<u>46</u>	NOTICE by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith re <u>34</u> Opposition to Motion, <i>Notice of Supplemental Authority in Support of Opposition to Motion to Dismiss</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Murphy, Thomas) (Entered: 11/20/2015)

11/24/2015	<u>47</u>	NOTICE by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith re <u>34</u> Opposition to Motion, <i>Second Notice of Supplemental Authority in Support of Opposition to Motion to Dismiss</i> (Attachments: # <u>1</u> Exhibit 1)(Murphy, Thomas) (Entered: 11/24/2015)
12/04/2015	<u>48</u>	Notice of Supplemental Authorities re <u>23</u> MOTION to Stay re <u>1</u> Complaint,, <i>or to Dismiss</i> MOTION to Dismiss (Attachments: # <u>1</u> Exhibit DOJ, Statement of Regulatory Priorities (November 24, 2015))(Naeve, Robert) (Entered: 12/04/2015)
02/03/2016	<u>49</u>	NOTICE of Withdrawal of Appearance by Thomas P. Murphy <i>of Sarah Morris</i> (Murphy, Thomas) (Entered: 02/03/2016)
02/09/2016	<u>50</u>	Magistrate Judge Katherine A. Robertson: ORDER entered. REPORT AND RECOMMENDATIONS re Defendant's <u>23</u> MOTION to Stay or Dismiss. For the reasons stated, it is this Court's recommendation that the Defendant's Motion to Stay or Dismiss be denied in its entirety. See attached R&R for complete details. Objections to R&R due by 2/23/2016 . (Calderon, Melissa) (Entered: 02/09/2016)
02/10/2016	<u>51</u>	NOTICE of Appearance by Roberto M. Braceras on behalf of Harvard University, President and Fellows of Harvard College (Braceras, Roberto) (Entered: 02/10/2016)
02/10/2016	<u>52</u>	NOTICE of Appearance by Stephen M. Hoeplinger on behalf of Harvard University, President and Fellows of Harvard College (Hoeplinger, Stephen) (Entered: 02/10/2016)
02/16/2016	<u>53</u>	Assented to MOTION for Extension of Time to March 18, 2016 to File <i>Objections to Magistrate Judge's Report and Recommendation</i> by Harvard University, President and Fellows of Harvard College.(Braceras, Roberto) Modified on 2/17/2016 (to change the relief type of the motion to motion for ext. of time to file resp./reply. Finn, Mary). (Entered: 02/16/2016)
02/19/2016	54	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting (53) Motion for Extension of Time to File Response/Reply re (50 in 3:15-cv-30023-MGM) RESPONSES/OBJECTIONS due by 3/18/2016. Associated Cases: 3:15-cv-30024-MGM, 3:15-cv-30024-MGM(Finn, Mary) Modified on 2/19/2016 to clean up the text. (Finn, Mary). (Entered: 02/19/2016)
02/19/2016	55	Set/Reset Deadlines as to <u>50</u> REPORT AND RECOMMENDATIONS. Defts' Ojbections due by 3/18/2016. (Finn, Mary) (Entered: 02/19/2016)
02/23/2016	56	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered taking under advisement <u>23</u> Motion to Dismiss; taking under advisement <u>50</u> Report and Recommendations.; taking under advisement <u>23</u> Motion to Stay (Pelegano, Theresa) (Entered: 02/23/2016)
03/16/2016	<u>57</u>	SUGGESTION OF DEATH Upon the Record as to Diane Nettles by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Murphy, Thomas) (Entered: 03/16/2016)
03/16/2016	<u>58</u>	NOTICE of Withdrawal of Appearance by Christopher M. Morrison <i>of Christopher M. Morrison</i> (Morrison, Christopher) (Entered: 03/16/2016)
03/16/2016	<u>59</u>	NOTICE of Withdrawal of Appearance by Christopher M. Morrison <i>of Robert A. Naeve</i> (Morrison, Christopher) (Entered: 03/16/2016)
03/16/2016	<u>60</u>	NOTICE of Withdrawal of Appearance by Christopher M. Morrison <i>of Jeffrey R. Johnson</i> (Morrison, Christopher) (Entered: 03/16/2016)
03/17/2016	<u>61</u>	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of William M. Jay Filing fee: \$ 100, receipt number 0101-6025756 by Harvard University, President and Fellows of Harvard College. (Attachments: # <u>1</u> Exhibit A)(Braceras, Roberto) (Entered: 03/17/2016)
03/17/2016	62	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>61</u> Motion for Leave to Appear Pro Hac Vice Added William M. Jay. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Finn, Mary) (Entered: 03/17/2016)

03/18/2016	<u>63</u>	OBJECTION to <u>50</u> Report and Recommendations filed by Harvard University, President and Fellows of Harvard College. (Braceras, Roberto) (Entered: 03/18/2016)
03/22/2016	<u>64</u>	Assented to MOTION for Extension of Time to 4/8/16 to File Response/Reply as to <u>63</u> Objection to Report and Recommendations by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 03/22/2016)
03/22/2016	<u>65</u>	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>64</u> Motion for Extension of Time to File Response/Reply re <u>50</u> REPORT AND RECOMMENDATIONS re <u>23</u> MOTION to Stay re <u>1</u> Complaint., <i>or to Dismiss</i> MOTION to Dismiss filed by President and Fellows of Harvard College. Pltfs' Replies due by 4/8/2016. (Finn, Mary) (Entered: 03/22/2016)
04/08/2016	<u>66</u>	REPLY TO OBJECTION to <u>50</u> Report and Recommendations filed by The United States. (Lanvers, Charlotte) (Entered: 04/08/2016)
04/08/2016	<u>67</u>	REPLY TO OBJECTION to <u>50</u> Report and Recommendations filed by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Murphy, Thomas) (Entered: 04/08/2016)
04/25/2016	<u>68</u>	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered regarding <u>63</u> Defendants Objection to Report and Recommendations, <u>67</u> Plaintiffs Reply to Objection, and <u>66</u> United States of Americas Reply to Objection. The Court wishes to clarify that it will not hold a hearing on the parties responses to the <u>50</u> Report and Recommendations. While the Court is mindful of Defendants request in their Objection to hold a hearing, the Court notes that a hearing was already held before Judge Robertson issued her Report and Recommendations. The issues before the Court are largely questions of law and, given the thorough briefing and the hearing that has already occurred in this case, an additional hearing would not assist the Court in resolving the issues. (Montes, Mariliz) (Entered: 04/25/2016)
04/27/2016	<u>69</u>	MOTION for Leave to File <i>Reply in Support of Its Objections to the Magistrate Judge's Report and Recommendation</i> by Harvard University, President and Fellows of Harvard College. (Attachments: # <u>1</u> Proposed Reply)(Braceras, Roberto) (Entered: 04/27/2016)
04/29/2016	<u>70</u>	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>69</u> Motion for Leave to File Reply in Support of Objections ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Montes, Mariliz) (Entered: 04/29/2016)
04/29/2016	<u>71</u>	REPLY by Harvard University in support of <u>63</u> Objection to Report and Recommendations <i>Reply In Support</i> (Braceras, Roberto) Modified on 5/2/2016 to correct the text to reflect the document that is being filed. (Finn, Mary). (Entered: 04/29/2016)
05/02/2016	<u>72</u>	NOTICE of Appearance by Jennifer B. Luz on behalf of Harvard University, President and Fellows of Harvard College (Luz, Jennifer) (Entered: 05/02/2016)
05/09/2016	<u>73</u>	NOTICE of Withdrawal of Appearance by Stephen M. Hoeplinger (Hoeplinger, Stephen) (Entered: 05/09/2016)
08/05/2016	<u>74</u>	NOTICE of Withdrawal of Appearance by Julie Wilensky (Wilensky, Julie) (Entered: 08/05/2016)
09/23/2016	<u>75</u>	Notice of Supplemental Authorities re <u>50</u> REPORT AND RECOMMENDATIONS re <u>23</u> MOTION to Stay re <u>1</u> Complaint., <i>or to Dismiss</i> MOTION to Dismiss filed by President and Fellows of Harvard College filed by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Appendix)(Murphy, Thomas) (Entered: 09/23/2016)
09/26/2016	<u>76</u>	Response by Harvard University, President and Fellows of Harvard College to <u>75</u> Notice of Supplemental Authorities, . (Braceras, Roberto) (Entered: 09/26/2016)
11/03/2016	<u>77</u>	Judge Mark G. Mastroianni: MEMORANDUM AND ORDER entered. As follows: For the reasons stated in the findings and ruling of the Magistrate Judge, the <u>50</u> Report and Recommendation is hereby ADOPTED in its entirety. Defendants <u>23</u> Motion to

		Stay or Dismiss is hereby DENIED. It is So Ordered. See the attached memo and order for complete details. (Lindsay, Maurice) (Entered: 11/03/2016)
11/14/2016	<u>78</u>	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Andrew Kim Filing fee: \$ 100, receipt number 0101-6372594 by Harvard University, President and Fellows of Harvard College. (Attachments: # <u>1</u> Exhibit A)(Braceras, Roberto) (Entered: 11/14/2016)
11/14/2016	<u>79</u>	Assented to MOTION for Extension of Time to December 9, 2016 to File Answer re <u>1</u> Complaint,, by Harvard University, President and Fellows of Harvard College.(Braceras, Roberto) (Entered: 11/14/2016)
11/15/2016	80	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>78</u> Motion for Leave to Appear Pro Hac Vice. Added: Andrew Kim. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Calderon, Melissa) (Entered: 11/15/2016)
11/15/2016	81	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting Assented-to <u>79</u> MOTION for Extension of Time to Answer the Complaint. Answer due by no later than December 9, 2016 . (Calderon, Melissa) (Entered: 11/15/2016)
12/09/2016	<u>82</u>	ANSWER to <u>1</u> Complaint,, by Harvard University, President and Fellows of Harvard College.(Braceras, Roberto) (Entered: 12/09/2016)
12/13/2016	<u>83</u>	NOTICE of Scheduling Conference. Scheduling Conference set for 1/17/2017 11:30 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. Joint Statement due by 1/10/2017.(Finn, Mary) (Entered: 12/13/2016)
12/22/2016	<u>84</u>	Assented to MOTION to Continue Scheduling Conference to Feb. 14, 15, 16, or 17 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 12/22/2016)
12/22/2016	<u>85</u>	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Janet Grumer Filing fee: \$ 100, receipt number 0101-6427930 by Harvard University, President and Fellows of Harvard College. (Attachments: # <u>1</u> Exhibit A)(Braceras, Roberto) (Entered: 12/22/2016)
12/23/2016	86	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>84</u> Motion to Continue the Scheduling Conference. The Scheduling Conference is reset to 2/14/2017 02:00 PM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson; granting <u>85</u> Motion for Leave to Appear Pro Hac Vice. Added Janet Grumer. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. . (Finn, Mary) (Entered: 12/23/2016)
02/07/2017	<u>87</u>	Joint MOTION for Hearing <i>by Telephone</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 02/07/2017)
02/07/2017	<u>88</u>	Joint MOTION for Extension of Time <i>to Comply with Federal Rule of Civil Procedure 26(f) and Local Rule 16.1</i> by Harvard University, President and Fellows of Harvard College.(Braceras, Roberto) (Entered: 02/07/2017)
02/08/2017	89	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>87</u> Motion to Appear at the 2/14/29017 scheduling conference by telephone. Telephone conference information sent to counsel who will appear by telephone, the other counsel will appear in person. (Finn, Mary) (Entered: 02/08/2017)
02/08/2017	90	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>88</u> Joint MOTION for Extension of Time to Comply with Federal Rule of Civil Procedure 26(f) and Local Rule 16.1. (Finn, Mary) (Entered: 02/08/2017)
02/14/2017	91	Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Scheduling Conference held on 2/14/2017. Attorneys Present: Thomas P.

		Murphy, Timothy P. Fox (by telephone), Arlene B. Mayerson (by telephone), Stanley Eichner (by telephone), Caitlin Parton (by telephone), Roberto M. Braceras, Jennifer Luz, William M. Jay (by telephone), and Janet Grumer (by telephone). Colloquy re: status of the case. The parties are working closely towards trying to narrow the issues and/or possible resolution. A further Scheduling Conference is set for 4/4/2017 at 2:30 PM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. A joint status report report shall be filed by no later than 3/31/2017 . (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .) Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM (Calderon, Melissa) (Entered: 02/15/2017)
03/31/2017	<u>92</u>	STATUS REPORT (<i>JOINT</i>) and Motion to Continue Scheduling Conference by Harvard University, President and Fellows of Harvard College. (Braceras, Roberto) (Entered: 03/31/2017)
04/03/2017	93	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered re Joint Status Report (Dkt. <u>92</u>). A further status report shall be filed by no later than 5/3/2017 . The parties' request to continue has been allowed inasmuch as the Scheduling Conference shall be rescheduled. The proposed date, however, is not available. The Scheduling Conference is reset for 5/10/2017 at 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. No further extensions should be anticipated. Associated Cases: 3:15-cv-30023-MGM & 3:15-cv-30024-MGM. (Calderon, Melissa) (Entered: 04/03/2017)
05/03/2017	<u>94</u>	STATUS REPORT (<i>JOINT</i>) by Harvard University, President and Fellows of Harvard College. (Braceras, Roberto) (Entered: 05/03/2017)
05/04/2017	95	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered. The parties are directed to appear on May 10, 2017 at 11:00 a.m. for a status conference to report in further detail concerning the status of potential mediation. Counsel who desire to appear by telephone at the status conference may file a motion requesting leave to do so. (Robertson, Katherine) (Entered: 05/04/2017)
05/05/2017	<u>96</u>	Joint MOTION for Hearing <i>by Telephone (Status Conference 05/10/2017)</i> by Harvard University, President and Fellows of Harvard College.(Braceras, Roberto) (Entered: 05/05/2017)
05/08/2017	97	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting (96) Motion for Certain Counsel to appear at the 5/10/2017 Status Conference by telephone in case 3:15-cv-30023-MGM; granting (96) Motion for Certian Counsel to Appear at the 5/10/2017 Status Conference by telephone in case 3:15-cv-30024-MGM. Telephone call in information e-mailed to counsel this date. Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM(Finn, Mary) (Entered: 05/08/2017)
05/10/2017	98	Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Scheduling Conference held on 5/10/2017. Attorneys Present: Thomas P. Murphy, Caroline Jackson (by telephone), Stanley Eichner (by telephone), Caitlin Parton (by telephone), Roberto M. Braceras, Jennifer Luz, William M. Jay (by telephone), Andrew Kim (by telephone), Janet Grumer (by telephone) and Namita Gupta (by telephone). Colloquy re: status of the case. Further deadlines were established. A status report, informing the selection of the private mediator, shall be filed by no later than 5/19/2017 ; a status report, notifying the timetable of the mediation schedule, shall be filed by no later than 6/2/2017 ; and a Status Conference is set for 8/2/2017 at 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. No further deadlines were set. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .) Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM (Calderon, Melissa) (Entered: 05/15/2017)
05/19/2017	<u>99</u>	STATUS REPORT (<i>JOINT</i>) by Harvard University, President and Fellows of Harvard College. (Braceras, Roberto) (Entered: 05/19/2017)

06/02/2017	<u>100</u>	STATUS REPORT (<i>Joint</i>) by Harvard University, President and Fellows of Harvard College. (Braceras, Roberto) (Entered: 06/02/2017)
07/26/2017	<u>101</u>	Joint MOTION for Hearing <i>by Telephone (Status Conference 8/2/17)</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 07/26/2017)
07/27/2017	102	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>101</u> Motion for Certain Attorney's to Appear at the 8/2/2017 Status Conference by Telephone. Telephone Conference call in information e-mailed to counsel. (Finn, Mary) (Entered: 07/27/2017)
08/02/2017	103	Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Status Conference held on 8/2/2017. Attorneys Present: Thomas P. Murphy, Roberto M. Braceras and Jennifer B. Luz. Attorneys on the Telephone: Caroline Jackson, Timothy P. Fox, Caitlin Parton, Stanley Eichner, William M. Jay and Janet Grumer. Colloquy re: status of the cases. Plaintiffs to respond to defendants' proposal (in 15-cv-30023) by the end of August. A brief Joint Status Report (as to both cases) shall be filed by no later than 9/22/2017 . A Status Conference is set for 9/25/2017 at 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .) Associated Cases: 3:15-cv-30023-MGM & 3:15-cv-30024-MGM. (Calderon, Melissa) Modified on 8/8/2017 to correct date. (Calderon, Melissa) (Entered: 08/08/2017)
09/21/2017	<u>104</u>	Joint MOTION for Hearing <i>by Telephone (Status Conference 9/25/17)</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 09/21/2017)
09/22/2017	105	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>104</u> Motion for certain counsel to appear at the 9/25/2017 Status Conference by Telephone. Telephone Conference information e-mailed to counsel this date. (Finn, Mary) (Entered: 09/22/2017)
09/22/2017	<u>106</u>	STATUS REPORT (<i>Joint</i>) by Harvard University, President and Fellows of Harvard College. (Braceras, Roberto) (Entered: 09/22/2017)
09/25/2017	107	Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Status Conference held on 9/25/2017. Attorneys Present: Thomas P. Murphy, Roberto M. Braceras and Jennifer B. Luz. Attorneys by Telephone: Caroline Jackson, Timothy P. Fox and Arlene B. Mayerson. Colloquy re: status of the case. A brief Joint Status Report shall be filed by no later than 11/27/2017 at 10:00 AM . A Status Conference is set for 11/27/2017 at 2:00 PM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .) Associated Cases: 3:15-cv-30023-MGM & 3:15-cv-30024-MGM. (Calderon, Melissa) (Entered: 09/25/2017)
11/21/2017	<u>108</u>	Joint MOTION for Hearing <i>by Telephone (Status Conference 11/27/17)</i> by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 11/21/2017)
11/22/2017	109	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>108</u> Motion for Certain Attorney's to appear at the 11/27/2017 status conference by telephone. Telephone conference information e-mailed to counsel this date. (Finn, Mary) (Entered: 11/22/2017)
11/22/2017	<u>110</u>	STATUS REPORT (<i>Joint</i>) by Harvard University. (Braceras, Roberto) (Entered: 11/22/2017)
11/27/2017	111	Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Status Conference held on 11/27/2017. Attorneys Present: Timothy P. Fox and Roberto M. Braceras. Attorneys by Telephone: Caroline Jackson, Arlene B.

		Mayerson, Stanley Eichner and Janet Grumer. Colloquy re: status of the cases. A brief joint status report shall be filed by no later than 1/30/2018 . A Status Conference is set for 1/31/2018 at 2:00 PM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .) Associated Cases: 3:15-cv-30023-MGM & 3:15-cv-30024-MGM. (Calderon, Melissa) (Entered: 11/30/2017)
01/29/2018	<u>112</u>	Joint MOTION for Hearing <i>by Telephone (Status Conference 1/31/18)</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 01/29/2018)
01/30/2018	113	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>112</u> Parties Motion for Certain Attorneys' to Appear at the 1/31/2018 Status Conference by telephone. Telephone call in information e-mailed to counsel this date. (Finn, Mary) (Entered: 01/30/2018)
01/31/2018	<u>114</u>	STATUS REPORT (<i>Joint</i>) by Harvard University, President and Fellows of Harvard College. (Braceras, Roberto) (Entered: 01/31/2018)
01/31/2018	115	Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Status Conference held on 1/31/2018. Attorneys Present: Thomas P. Murphy, Timothy P. Fox (by telephone), Arlene B. Mayerson (by telephone), Stanley Eichner (by telephone), Caitlin Parton (by telephone), Roberto M. Braceras, William M. Jay (by telephone), and Janet Grumer (by telephone). Colloquy re: status of the cases. A Status Report in 15-cv-30023-MGM shall be filed by 2/22/2018 . An Initial Scheduling Conference is set for 3/7/2018 at 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. A Status Report in 15-cv-30024-MGM shall be filed by 3/26/2018 . A Status Conference is set for 3/28/2018 at 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .) Associated Cases: 3:15-cv-30023-MGM & 3:15-cv-30024-MGM. (Calderon, Melissa) (Entered: 02/06/2018)
01/31/2018	116	ELECTRONIC NOTICE of Hearing ISSUED: A Scheduling Conference is set for 3/7/2018 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Calderon, Melissa) (Entered: 02/08/2018)
02/22/2018	<u>117</u>	STATUS REPORT (<i>Joint Status Report</i>) by Harvard University, President and Fellows of Harvard College. (Braceras, Roberto) (Entered: 02/22/2018)
02/26/2018	<u>118</u>	NOTICE of Scheduling Conference ISSUED: A Scheduling Conference ia set for 3/7/2018 at 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. Joint Statement due by 3/6/2018 . See attached Notice for complete details. (Calderon, Melissa) (Entered: 02/26/2018)
03/06/2018	119	ELECTRONIC NOTICE OF RESCHEDULING ISSUED: Due to anticipated winter weather and after conferring with counsel, the Scheduling Conference is reset to 3/9/2018 at 2:30 PM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. Joint Statement due by 3/8/2018 . (Calderon, Melissa) (Entered: 03/06/2018)
03/06/2018	<u>120</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Amy Farr Robertson Filing fee: \$ 100, receipt number 0101-7038014 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Affidavit signature page)(Murphy, Thomas) (Entered: 03/06/2018)
03/06/2018	<u>121</u>	Joint MOTION for Hearing <i>by Telephone (Scheduling Conference 3/9/18)</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) Modified on 3/7/2018 to change the relief type to MOTION for Miscellaneous Relief. (Finn, Mary). (Entered: 03/06/2018)

03/06/2018	122	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting (120) Motion for Leave to Appear Pro Hac Vice. Added Amy Farr Robertson. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. in case 3:15-cv-30023-MGM; granting (117) Motion for Leave to Appear Pro Hac Vice. Added Amy Farr Robertson. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. in case 3:15-cv-30024-MGM Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM(Finn, Mary) (Entered: 03/06/2018)
03/07/2018	123	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>121</u> Motion for Certain Attorneys' to Appear at the 3/9/2018 Scheduling Conference by Telephone. Telephone call in information e-mailed to counsel this date. (Finn, Mary) (Entered: 03/07/2018)
03/08/2018	<u>124</u>	JOINT SUBMISSION pursuant to Local Rule 16.1 <i>and Federal Rule of Civil Procedure 26(f)</i> by Harvard University, President and Fellows of Harvard College.(Braceras, Roberto) (Entered: 03/08/2018)
03/09/2018	<u>125</u>	CONSENT by all parties to Jurisdiction by US Magistrate Judge by Harvard University, President and Fellows of Harvard College.. (Braceras, Roberto) (Entered: 03/09/2018)
03/09/2018	127	Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Scheduling Conference held on 3/9/2018. Attorneys Present: Timothy P. Fox and Roberto M. Braceras. Attorneys by Telephone: Caroline Jackson, Stanley Eichner, Amy F. Robertson, Caitlin Parton, William M. Jay and Janet Grumer. Colloquy re: status of the case. A schedule was established. Scheduling order to issue. If the parties would like to participate in court-sponsored mediation, a joint notice requesting an ADR conference should be filed. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .) (Calderon, Melissa) (Entered: 03/15/2018)
03/14/2018	126	ELECTRONIC NOTICE of Reassignment. Magistrate Judge Katherine A. Robertson added. (admn,) (Entered: 03/14/2018)
03/15/2018	<u>128</u>	Magistrate Judge Katherine A. Robertson: ORDER entered. SCHEDULING ORDER: Motions for Leave to Amend the Pleadings to add claims, defenses, or parties due by 5/8/2018. Motions for Judgment on the Pleadings due by 5/18/2018. Oppositions to any Motion for Leave to Amend the Pleadings due by 6/8/2018. Oppositions to Motions for Judgment on the Pleadings due by 6/18/2018. Replies to Motion for Leave to Amend the Pleadings due by 6/22/2018. Replies to Motions for Judgment on the Pleadings due by 7/2/2018. Non-Expert Discovery to be completed by 1/31/2019. Expert Depositions to be completed by 5/17/2019. Motion for Class Certification due by 5/31/2019. Oppositions to Motion for Class Certification due by 7/1/2019. Reply to Motion for Class Certification due by 7/15/2019. (Finn, Mary) (Entered: 03/15/2018)
04/05/2018	<u>129</u>	Disclosure pursuant to Rule 26 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 04/05/2018)
04/17/2018	<u>130</u>	Joint MOTION to Amend <u>128</u> Scheduling Order,,,, Set Scheduling Order Deadlines,,,, Set Motion and R&R Deadlines/Hearings,,, by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith.(Robertson, Amy) (Additional attachment(s) added on 4/18/2018: # <u>1</u> Correct Main Document, # <u>2</u> A) (Finn, Mary). Modified on 4/18/2018 to separate Exhibit A from the main document and to add it as an attachment. (Finn, Mary). (Entered: 04/17/2018)
04/18/2018	131	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Parties <u>130</u> Joint Motion to Amend the Scheduling Order. A Revised Scheduling Order will issue. (Finn, Mary) (Entered: 04/18/2018)

05/04/2018	<u>132</u>	Magistrate Judge Katherine A. Robertson: ORDER entered. REVISED SCHEDULING ORDER ISSUED: Motions for Judgment on the Pleadings due by 6/22/2018 ; Oppositions due by 7/30/2018 ; and Replies, if any, due by 8/20/2018 . See attached order for complete details. (Calderon, Melissa) (Entered: 05/04/2018)
05/21/2018	<u>133</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Joseph M. Sellers Filing fee: \$ 100, receipt number 0101-7147959 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Appendix)(Murphy, Thomas) (Main Document 133 replaced on 5/21/2018) (Finn, Mary). (Additional attachment(s) added on 5/21/2018: # <u>2</u> Exhibit A – Certificate of Joseph M. Sellers) (Finn, Mary). Modified on 5/21/2018 to separate Exhibit A from the Main Document and to add it as an attachment. (Finn, Mary). (Entered: 05/21/2018)
05/21/2018	<u>134</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Shaylyn C. Cochran Filing fee: \$ 100, receipt number 0101-7148007 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Main Document 134 replaced on 5/21/2018) (Finn, Mary). (Additional attachment(s) added on 5/21/2018: # <u>1</u> Exhibit A – Certificate of Shaylyn C. Cochran) (Finn, Mary). Modified on 5/21/2018 to separate Exhibit A from the main document and to add it as an attachment. (Finn, Mary). (Entered: 05/21/2018)
05/22/2018	135	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>133</u> Motion for Leave to Appear Pro Hac Vice Added Joseph M. Sellers. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. . (Finn, Mary) (Entered: 05/22/2018)
05/22/2018	136	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>134</u> Motion for Leave to Appear Pro Hac Vice Added Shaylyn Cochran. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. . (Finn, Mary) (Entered: 05/22/2018)
06/20/2018	<u>137</u>	Assented to MOTION for Extension of Time to File Motions for Judgment on the Pleadings by Harvard University, President and Fellows of Harvard College.(Braceras, Roberto) (Entered: 06/20/2018)
06/21/2018	138	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>137</u> the Defendant's Assented to Motion to Alter the Briefing Schedule set forth in the existing Scheduling Order to adopt the parties' Proposed Revised Deadlines. Motions for Judgment on the Pleadings due 6/29/2018. Oppositions due 8/6/2018. Replies due 8/27/2018. (Finn, Mary) (Entered: 06/21/2018)
06/21/2018	139	Set/Reset Deadlines: Motions for Judgment on the Pleadings due by 6/29/2018. Responses due by 8/6/2018. Replies due by 8/27/2018. (Finn, Mary) (Entered: 06/21/2018)
06/29/2018	<u>140</u>	MOTION for Judgment on the Pleadings by Harvard University, President and Fellows of Harvard College.(Braceras, Roberto) (Entered: 06/29/2018)
06/29/2018	<u>141</u>	MEMORANDUM in Support re <u>140</u> MOTION for Judgment on the Pleadings filed by Harvard University, President and Fellows of Harvard College. (Braceras, Roberto) (Entered: 06/29/2018)
07/23/2018	<u>142</u>	Assented to MOTION for Extension of Time to File Response/Reply to August 29, 2018 to File Opposition to <i>Motion for Judgment on the Pleadings</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) Modified on 7/24/2018 to change the relief type to MOTOION for Extension of Time to file Response/Reply (Finn, Mary). (Entered: 07/23/2018)
07/24/2018	143	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Plaintiffs' Assented to <u>142</u> Motion for Extension of Time to File Response/Reply re <u>140</u> MOTION for Judgment on the Pleadings . Plaintiffs' response due by 8/29/2018. Defendants' Reply due and extended to 9/28/2018. (Finn, Mary) (Entered: 07/24/2018)

		07/24/2018)
07/25/2018	<u>144</u>	STIPULATION <i>re Protective Order</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Sellers, Joseph) (Entered: 07/25/2018)
08/27/2018	<u>145</u>	Assented to MOTION for Leave to File Excess Pages by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith.(Robertson, Amy) (Entered: 08/27/2018)
08/28/2018	146	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>145</u> Motion for Leave to File Excess Pages. Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Healy, Bethaney) (Entered: 08/28/2018)
08/29/2018	<u>147</u>	Opposition re <u>140</u> MOTION for Judgment on the Pleadings filed by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Amy F. Robertson Declaration and Exhibit)(Robertson, Amy) (Entered: 08/29/2018)
09/10/2018	148	ELECTRONIC NOTICE Setting Hearing on Defendants' <u>140</u> MOTION for Judgment on the Pleadings ISSUED: After conferring with counsel, a Motion Hearing is set for 11/8/2018 at 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Calderon, Melissa) (Entered: 09/10/2018)
09/11/2018	149	ELECTRONIC NOTICE Resetting Hearing on Defendants' <u>140</u> MOTION for Judgment on the Pleadings ISSUED: After conferring with counsel, the Motion Hearing is reset to 10/30/2018 at 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Calderon, Melissa) (Entered: 09/11/2018)
09/26/2018	<u>150</u>	MOTION for Leave to File Excess Pages <i>of a Reply Memorandum</i> by Harvard University, President and Fellows of Harvard College.(Braceras, Roberto) (Entered: 09/26/2018)
09/27/2018	151	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>150</u> Motion for Leave to File a Reply Memorandum in Excess of Pages re: <u>140</u> Motion for Judgment on the Pleadings. The Memorandum is not to exceed 15 pages. Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Finn, Mary) (Entered: 09/27/2018)
09/28/2018	<u>152</u>	REPLY to Response to <u>140</u> MOTION for Judgment on the Pleadings filed by Harvard University, President and Fellows of Harvard College. (Braceras, Roberto) (Entered: 09/28/2018)
10/30/2018	154	Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Motion Hearing held on 10/30/2018 re Defendants' MOTION for Judgment on the Pleadings (140 in 3:15-cv-30023-KAR) and Defendants' MOTION for Judgment on the Pleadings (148 in 3:15-cv-30024-KAR). Attorneys Present: Joseph M. Sellers, Arlene B. Mayerson, Thomas P. Murphy, Andrew Kim, Roberto M. Braceras and William M. Jay. Arguments heard. This matter is taken under advisement. Order to issue. (Court Reporter: Kathleen Silva at kathysilva@verizon.net.) (ASL Interpreter: Jane Hecker-Cain & CART Reporter: Jonathan Young. Associated Cases: 3:15-cv-30023-KAR & 3:15-cv-30024-KAR. (Calderon, Melissa) (Entered: 11/03/2018)
10/30/2018	156	Motions Taken Under Advisement: Defendants' MOTION for Judgment on the Pleadings (140 in 3:15-cv-30023-KAR) and Defendants' MOTION for Judgment on the Pleadings (148 in 3:15-cv-30024-KAR). Associated Cases: 3:15-cv-30023-KAR, 3:15-cv-30024-KAR (Calderon, Melissa) (Entered: 11/07/2018)
11/02/2018	<u>153</u>	MOTION to Consolidate Cases by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith.(Robertson, Amy) (Entered: 11/02/2018)

11/05/2018	<u>155</u>	Magistrate Judge Katherine A. Robertson: ORDER entered. STIPULATED PROTECTIVE ORDER. <i>See</i> attached order for complete details. (Calderon, Melissa) (Entered: 11/05/2018)
11/15/2018	<u>157</u>	Transcript of Motion Hearing held on October 30, 2018, before Magistrate Judge Katherine A. Robertson. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Kathleen Silva at kathysilva@verizon.net Redaction Request due 12/6/2018. Redacted Transcript Deadline set for 12/17/2018. Release of Transcript Restriction set for 2/13/2019. Associated Cases: 3:15-cv-30024-KAR, 3:15-cv-30023-KAR(Scalfani, Deborah) (Entered: 11/15/2018)
11/15/2018	158	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm Associated Cases: 3:15-cv-30024-KAR, 3:15-cv-30023-KAR(Scalfani, Deborah) (Entered: 11/15/2018)
11/16/2018	<u>159</u>	Opposition re <u>153</u> MOTION to Consolidate Cases by <i>Harvard and MIT</i> filed by Harvard University, President and Fellows of Harvard College. (Braceras, Roberto) (Entered: 11/16/2018)
11/19/2018	<u>160</u>	Assented to MOTION for Leave to File <i>Reply in Support of Motion for Consolidation</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Sellers, Joseph) (Entered: 11/19/2018)
11/20/2018	161	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Plaintiff's Assented to <u>160</u> Motion for Leave to File a Reply Memorandum in support of their <u>153</u> Motion to Consolidate. Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Finn, Mary) (Entered: 11/20/2018)
11/20/2018	<u>162</u>	REPLY to Response to <u>153</u> MOTION to Consolidate Cases filed by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit)(Sellers, Joseph) (Entered: 11/20/2018)
11/27/2018	<u>163</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Arlene Mayerson; Namita Gupta Filing fee: \$ 200, receipt number 0101-7428312 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit Certificate of Arlene B. Mayerson, # <u>2</u> Exhibit Certificate of Namita Gupta)(Murphy, Thomas) (Entered: 11/27/2018)
12/19/2018	164	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>163</u> Motion for Leave to Appear Pro Hac Vice Added Arlene B. Mayerson and Namita Gupta.. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. . (Finn, Mary) Modified on 12/19/2018 Correct spelling of Counsel (Figuroa, Tamara). (Entered: 12/19/2018)
12/20/2018	<u>165</u>	Joint MOTION to Amend <i>Scheduling Order</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 12/20/2018)
12/21/2018	166	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>165</u> the parties' Joint Motion to Amend Scheduling Order. A revised scheduling order will issue. (Robertson, Katherine) (Entered: 12/21/2018)
12/26/2018	167	Set/Reset Deadlines: Non-Expert Discovery to be completed by 5/31/2019. Motion for Class Certification due by 9/30/2019. (Finn, Mary) (Entered: 12/26/2018)
01/10/2019	<u>168</u>	Magistrate Judge Katherine A. Robertson: ORDER entered. REVISED SCHEDULING ORDER: (Figuroa, Tamara) (Entered: 01/11/2019)

02/01/2019	169	ELECTRONIC NOTICE of Hearing ISSUED: A Telephone Conference is set for 2/7/2019 at 9:30 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. The clerk shall inform counsel of the procedures to follow in order to participate by telephone. (Calderon, Melissa) (Entered: 02/01/2019)
02/01/2019	170	Remark: Telephone conference information sent to counsel by email. (Calderon, Melissa) (Entered: 02/01/2019)
02/07/2019	172	Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Telephone Conference held on 2/7/2019. Attorneys Present: Amy F. Robertson, Thomas P. Murphy, Janet Grumer, Roberto M. Braceras and William M. Jay. Counsel heard on discovery letters filed with the Court. Harvard's response to interrogatories shall be deferred until 4/29/2019 , for the reasons stated in open court. Non-expert discovery shall be completed by 5/31/2019 . The Court did not rule on Plaintiffs' request for an additional ten (10) interrogatories, for the reasons stated. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .) (Calderon, Melissa) (Entered: 02/19/2019)
02/13/2019	<u>171</u>	NOTICE of Appearance by Timothy Kistner on behalf of Harvard University, President and Fellows of Harvard College (Kistner, Timothy) (Entered: 02/13/2019)
03/28/2019	<u>173</u>	Magistrate Judge Katherine A. Robertson: ORDER entered. MEMORANDUM AND ORDER Regarding Defendant's <u>140</u> MOTION for Judgment on the Pleadings. For the foregoing reasons, the court DENIES in part and GRANTS in part Harvard's Motion. See attached Memo & Order for complete details. (Calderon, Melissa) (Entered: 03/28/2019)
04/15/2019	<u>174</u>	MOTION to Withdraw as Attorney by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith.(Jackson, Caroline) (Entered: 04/15/2019)
04/15/2019	175	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>174</u> Motion to Withdraw as Attorney. Attorney Caroline Jackson terminated as counsel for the Plaintiffs'. (Finn, Mary) (Entered: 04/15/2019)
05/10/2019	<u>176</u>	Joint MOTION to Stay <i>Proceedings</i> by Harvard University, President and Fellows of Harvard College.(Braceras, Roberto) (Entered: 05/10/2019)
05/10/2019	177	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Parties' Joint <u>176</u> Motion to Stay the Case until 5/31/2019. (Finn, Mary) (Entered: 05/10/2019)
06/03/2019	178	Set/Reset Deadlines: Parties' Joint Status Report due by close of business on 6/7/2019. (Finn, Mary) (Entered: 06/03/2019)
06/07/2019	<u>179</u>	Joint MOTION to Stay re 178 Set/Reset Deadlines by C. Wayne Dore, Lee Nettles, Christy Smith.(Sellers, Joseph) (Entered: 06/07/2019)
06/10/2019	180	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Parties' Joint <u>179</u> Motion to Stay proceedings through 7/31/2019, with a Joint Status Report concerning the negotiation to be filed by close of business on 7/29/2019. The Parties' should not anticipate any further extensions of the Stay. (Finn, Mary) (Entered: 06/10/2019)
06/10/2019	181	Set/Reset Deadlines: Parties' Status Report concerning the status of negotiation due by 7/29/2019. (Finn, Mary) (Entered: 06/10/2019)
07/29/2019	<u>182</u>	STATUS REPORT (<i>Joint</i>) by Harvard University, President and Fellows of Harvard College. (Braceras, Roberto) (Entered: 07/29/2019)
07/30/2019	183	Magistrate Judge Katherine A. Robertson: ELECTRONIC ENDORSEMENT re <u>182</u> Status Report filed by President and Fellows of Harvard College, Harvard University. The Stay of the Case is extended through 9/30/2019 for the purposes of Further Settlement Negotiations. A Status Conference will be held on 9/30/2019 at 11:00 A.M. (Finn, Mary) (Entered: 07/30/2019)

07/30/2019	184	Set/Reset Hearings: Status Conference set for 9/30/2019 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Finn, Mary) (Entered: 07/30/2019)
08/23/2019	<u>185</u>	Joint MOTION for Order Referring Case to Mediation by Harvard University, President and Fellows of Harvard College.(Braceras, Roberto) (Entered: 08/23/2019)
08/23/2019	186	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Parties Joint <u>185</u> Motion to Refer the Case to Magistrate Dein for Mediation and to Extend the Stay of the Case. The Case is STAYED until 11/29/2019. The Status Conference is reset to 12/5/2019 at 11:00 A.M. (Finn, Mary) (Entered: 08/23/2019)
08/23/2019	187	Set/Reset Hearings: Case is STAYED through 11/29/2019. Status Conference is reset to 12/5/2019 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Finn, Mary) (Entered: 08/23/2019)
08/23/2019	188	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered. ORDER REFERRING CASE to Alternative Dispute Resolution to Magistrate Judge Judith Dein.Associated Cases: 3:15-cv-30023-KAR, 3:15-cv-30024-KAR(Finn, Mary) (Entered: 08/23/2019)
08/27/2019	189	Notice of assignment to ADR Provider. Judge Judith G. Dein Appointed(Belpedio, Lisa) (Entered: 08/27/2019)
08/28/2019	190	ELECTRONIC NOTICE OF AND ORDER REGARDING ADR CONFERENCE: By agreement of counsel, mediation before Magistrate Judge Dein set for <i>Thursday, October 24, 2019, at 10:00AM in Courtroom #15 on the 5th Floor in BOSTON.</i> Counsel are directed to be present with their clients or representatives thereof with full settlement authority. No later than three business days before the conference, each party shall submit (by mail or hand delivery addressed to Judge Dein, or by email to Jolyne_Dambrosio@mad.uscourts.gov) a brief memorandum marked "Confidential – Not for Docketing" addressing the party's position on the merits of the case and on settlement. If you use a standard form settlement agreement, please bring a copy with you. If you believe the case is not ripe for mediation at this time, please notify opposing counsel and the court as soon as possible. (Dambrosio, Jolyne) (Entered: 08/28/2019)
10/02/2019	<u>191</u>	NOTICE of Appearance by Tatum A. Pritchard on behalf of C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith (Pritchard, Tatum) (Entered: 10/02/2019)
10/24/2019	193	INTERIM ELECTRONIC REPORT OF ADR PROVIDER. Magistrate Judge Dein: On October 24, 2019, I conducted a mediation in this case. All parties were represented by counsel, and were present in person, by telephone or by authorized corporate officer. Progress was made, and the mediation will continue on <i>Thursday, November 7, 2019, at 10:00AM in Courtroom #5 on the fifth floor.</i> (Dambrosio, Jolyne) (Entered: 10/24/2019)
11/08/2019	195	FINAL ELECTRONIC REPORT OF ADR PROVIDER. Magistrate Judge Dein: On October 24 and November 7, 2019, I conducted a mediation in this case. All parties were represented by counsel, and were present in person, by telephone or by authorized corporate officer. The case was settled. No later than November 27, 2019, the plaintiffs will move for an order seeking preliminary approval of the Consent Decree and approval of a Joint Notice Plan pursuant to Fed. R. Civ. P. 23. (Dambrosio, Jolyne) (Entered: 11/08/2019)
11/26/2019	<u>196</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Howard Rosenblum Filing fee: \$ 100, receipt number 0101-7988528 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 11/26/2019)
11/26/2019	<u>197</u>	Joint MOTION for Hearing <i>by Telephone</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 11/26/2019)
11/26/2019	198	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Plaintiffs' <u>196</u> Motion for Leave to Appear Pro Hac Vice. Added Howard Rosenblum. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go

		to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. . (Finn, Mary) (Entered: 11/26/2019)
11/26/2019	199	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the parties' Joint <u>197</u> Motion for Certain Counsel to Appear at the 12/5/2019 Status Conference by Telephone. Telephone Conference call in Information e-mailed to counsel this date. (Finn, Mary) (Entered: 11/26/2019)
11/27/2019	<u>200</u>	Assented to MOTION to Certify Class <i>for Settlement Purposes and for Preliminary Approval of Class Action Settlement</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Sellers, Joseph) (Entered: 11/27/2019)
11/27/2019	<u>201</u>	MEMORANDUM in Support re <u>200</u> Assented to MOTION to Certify Class <i>for Settlement Purposes and for Preliminary Approval of Class Action Settlement</i> filed by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Sellers, Joseph) (Entered: 11/27/2019)
12/05/2019	205	<p>Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Status Conference and Motion Hearing held on 12/5/2019 re Assented to MOTION to Certify Class for Settlement Purposes and for Preliminary Approval of Class Action Settlement (in 3:15-cv-30023-KAR). Attorneys Present: Thomas P. Murphy and Roberto M. Braceras. Attorneys Present (by telephone): Amy F. Robertson, Joseph M. Sellers, Shaylyn Cochran, Tatum A. Pritchard and Janet Grumer. Colloquy re: status of 15-cv-30024-KAR. The parties are very close to finding a resolution and asked for 45 days. The parties were heard on the pending motion in 15-cv-30023-KAR. Memorandum and Order issued. (<i>See</i> Dkt. No. <u>202</u>). The Court set the following deadlines:</p> <p>&nbsp; a. Plaintiffs will issue the Notice to the Class by December 16, 2019;</p> <p>&nbsp; b. The deadline to submit Objections to the Settlement in accordance with the Instructions in the Notice is February 10, 2020;</p> <p>&nbsp; c. Responses to Objections will be submitted by February 17, 2020; and</p> <p>&nbsp; d. A Fairness Hearing is set for 2/25/2020 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson.</p> <p>(Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov.) Associated Cases: 3:15-cv-30023-KAR & 3:15-cv-30024-KAR. (Rivera, Melissa) (Entered: 12/12/2019)</p>
12/09/2019	<u>202</u>	Magistrate Judge Katherine A. Robertson: MEMORANDUM AND ORDER entered re: Plaintiffs' Motion to Certify Class – <u>200</u> . For the reasons set forth, the Court GRANTS the Plaintiffs' Motion to Certify the Class – <u>200</u> . 1. The following class is certified for settlement purposes: All persons (other than students of Harvard University) who, at any time between February 11, 2013 and the date of preliminary approval of this settlement, have claimed or could have claimed to assert a right under Title III of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and/or other federal, state or local statutes or regulations that set forth standards or obligations coterminous with or equivalent to Title III of the Americans with Disabilities Act or any of the rules or regulations promulgated thereunder, alleging that they are deaf or hard of hearing and that Harvard has failed to make accessible to persons who are deaf or hard of hearing online content posted and available for the general public that is produced, created, hosted, linked to, or embedded by Harvard. 2. The Court Appoints named Plaintiffs, C. Wayne Dore, Christy Smith, and Lee Nettles as class representatives. 3. The Court Appoints the following lawyers as Class Counsel: Joseph Sellers and Shaylyn Cochran of Cohen Milstein Sellers & Toll PLLC; Thomas P. Murphy, Tatum A. Pritchard, and Caitlin Parton of the Disability Law Center, Inc.; Amy Farr Robertson of the Civil Rights Education and Enforcement Center; Arlene Mayerson and Namita Gupta of the Disability Rights Education and Defense Fund, Inc.; and Howard Rosenblum of the National Association of the Deaf.

		4. The Proposed Consent Decree is preliminarily approved. 5. The Proposed Notice and the Jointly Proposed Plan for Dissemination of the Proposed Notice is approved. 6. The Court sets the following deadlines: a. Plaintiffs will issue the Notice to the Class by December 16, 2019; b. The deadline to submit Objections to the Settlement in accordance with the Instructions in the Notice is February 10, 2020; c. Responses to Objections will be submitted by February 17, 2020; and d. A Fairness Hearing will be held on February 25, 2020 at 11:00 a.m. It is so ordered. (Finn, Mary) (Entered: 12/09/2019)
12/09/2019	203	Set/Reset Hearings: A Fairness Hearing is set for 2/25/2020 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Finn, Mary) (Entered: 12/09/2019)
12/11/2019	<u>204</u>	NOTICE of Change of Address or Firm Name by Amy F. Robertson (Robertson, Amy) (Entered: 12/11/2019)
01/15/2020	<u>206</u>	NOTICE of Withdrawal of Appearance by Namita Gupta (Gupta, Namita) (Entered: 01/15/2020)
01/23/2020	<u>207</u>	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Carly A. Myers Filing fee: \$ 100, receipt number 0101-8067905 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 01/23/2020)
01/23/2020	208	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Plaintiffs' <u>207</u> Motion for Leave to Appear Pro Hac Vice. Added Carly A. Myers. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Finn, Mary) (Entered: 01/23/2020)
01/31/2020	<u>209</u>	MOTION for Attorney Fees <i>and Costs</i> by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Declaration of Arlene Mayerson, # <u>2</u> Declaration of Bill Lann Lee, # <u>3</u> Declaration of Howard Rosenblum, # <u>4</u> Declaration of Joseph Sellers, # <u>5</u> Declaration of Thomas Murphy, # <u>6</u> Declaration of Timothy Fox)(Robertson, Amy) (Entered: 01/31/2020)
02/17/2020	<u>210</u>	Assented to MOTION for final approval of class action settlement and response to objections by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit)(Sellers, Joseph) (Entered: 02/17/2020)
02/19/2020	<u>211</u>	MOTION to Withdraw as Attorney by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Parton, Caitlin) (Entered: 02/19/2020)
02/20/2020	<u>212</u>	Joint MOTION for Hearing <i>by Telephone (Fairness Hearing 2/25/20)</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 02/20/2020)
02/21/2020	213	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Parties' <u>212</u> Motion for certain counsel to appear at the 2/25/2020 Fairness Hearing by Telephone. Telephone Conference Call In Information e-mailed to counsel this date. (Finn, Mary) (Entered: 02/21/2020)
02/21/2020	214	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Plaintiffs' <u>211</u> Motion for Attorney Caitlin H. Parton to Withdraw as Attorney. Attorney Caitlin H. Parton terminated as counsel for the Plaintiffs. (Finn, Mary) (Entered: 02/21/2020)
02/25/2020	215	Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Fairness Hearing held on 2/25/2020. Present (in the courtroom): Atty Thomas P. Murphy, Plaintiff Lee Nettles and Atty Roberto M. Braceras. Attorneys Present (by telephone): Amy F. Robertson, Carly A. Myers, Howard Rosenblum, Joseph M. Sellers, Shaylyn Cochran, Tatum A. Pritchard, Janet Grumer and William M. Jay. Colloquy re: status of the case. Objections to the fairness hearing were discussed. No substantive objections were made. No one was present at the hearing. Consent decreed approved and will be entered as final judgment in the case. The unopposed motion for attorneys fees was allowed, for the reasons stated in open court.

		Order to issue. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .) (American Sign Language Interpreter: LeWana Clark.) (Rivera, Melissa) (Entered: 02/25/2020)
02/26/2020	216	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting Plaintiff's Response to Objections and <u>210</u> MOTION for Final Approval of Class Action Settlement, for the reasons stated in open court. (Rivera, Melissa) (Entered: 02/26/2020)
02/26/2020	217	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered finding as moot <u>153</u> Motion to Consolidate Cases, in light of the fact that the case was stayed for a period of time and has now settled. (Finn, Mary) (Entered: 02/26/2020)
02/26/2020	218	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered GRANTING <u>209</u> Plaintiffs' Unopposed Motion for Award of Fees and Costs in the amount of \$1,575,000. The petition for fees and costs is for an amount that was negotiated with the assistance of a Magistrate Judge of this court. An award in this amount is not opposed by the defendant. The court carefully reviewed the plaintiffs' fee submission and supporting declarations and finds that an award in this amount is fair and reasonable. The plaintiffs' motion for fees and costs is granted for all of the reasons stated in court at the fairness hearing, which are incorporated herein by reference. (Robertson, Katherine) (Entered: 02/26/2020)
02/26/2020	<u>219</u>	Magistrate Judge Katherine A. Robertson: ORDER entered. CONSENT DECREE AND FINAL JUDGMENT in favor of National Association of the Deaf, C. Wayne Dore, Christy Smith, Diane Nettles, Lee Nettles against Harvard University, President and Fellows of Harvard College entered.(Finn, Mary) (Entered: 02/27/2020)