

**U.S. District Court
Southern District of New York (White Plains)
CIVIL DOCKET FOR CASE #: 7:12-cv-02303-KMK**

Eccleston et al v. Pine Bush Central School District
Assigned to: Judge Kenneth M. Karas
Cause: 42:1981 Equal Rights Under the Law

Date Filed: 03/28/2012
Date Terminated: 07/10/2015
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

T.E.

*by her next friend and parent, Sherri
Eccleston*

represented by **Michael David Meth**
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Chester, NY 10918
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Plaintiff

O.C. and D.C

by their next friend and parent, David

represented by **Michael David Meth**
(See above for address)

Cohen

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Adele Phyllis Kimmel
(See above for address)
ATTORNEY TO BE NOTICED

Ilann M. Maazel
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ATTORNEY TO BE NOTICED

Ogilvie Andrew Fraser Wilson
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ATTORNEY TO BE NOTICED

Zoe Antonia Salzman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

A.R. and D.R.
*by their next friend and parent, Jerrold
Rosen*

represented by **Michael David Meth**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Adele Phyllis Kimmel
(See above for address)
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Ilann M. Maazel
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ATTORNEY TO BE NOTICED

Ogilvie Andrew Fraser Wilson
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Zoe Antonia Salzman
(See above for address)
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V.

Defendant

Pine Bush Central School District

represented by **Laura Wong-Pan**
Thomas Drohan Waxman Petigrow
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ATTORNEY TO BE NOTICED*

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TERMINATED: 01/10/2013

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Maree Sneed

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PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

**Pine Bush Central School District
Board of Education**

represented by **Laura Wong-Pan**
(See above for address)
LEAD ATTORNEY

Daniel Petigrow

(See above for address)
ATTORNEY TO BE NOTICED

Joan M. Gilbride

(See above for address)
ATTORNEY TO BE NOTICED

Maree Sneed

(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

Philip G. Steinberg
*Superintendent of Pine Bush Central
School District, in his official and
individual capacities*

represented by **Laura Wong-Pan**
(See above for address)
LEAD ATTORNEY

Daniel Petigrow

(See above for address)
ATTORNEY TO BE NOTICED

Joan M. Gilbride

(See above for address)
ATTORNEY TO BE NOTICED

Maree Sneed

(See above for address)

PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

John Boyle
*Principal of Crispell Middle School, in
his official capacity*

represented by **Laura Wong–Pan**
(See above for address)
LEAD ATTORNEY

Joan M. Gilbride
(See above for address)
ATTORNEY TO BE NOTICED

Maree Sneed
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

Eric Winter
*Principal of Pine Bush Elementary
School and former Assistant Principal of
Crispell Middle School*

represented by **Laura Wong–Pan**
(See above for address)
LEAD ATTORNEY

Daniel Petigrow
(See above for address)
ATTORNEY TO BE NOTICED

Joan M. Gilbride
(See above for address)
ATTORNEY TO BE NOTICED

Maree Sneed
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

Steve Fisch
*former Principal of Pine Bush
Elementary School, in his individual
capacity*

represented by **Laura Wong–Pan**
(See above for address)
LEAD ATTORNEY

Daniel Petigrow
(See above for address)
ATTORNEY TO BE NOTICED

Joan M. Gilbride
(See above for address)
ATTORNEY TO BE NOTICED

Maree Sneed
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

Robert Peters
*former Assistant Principal of Crispell
Middle School, in his individual capacity*

represented by **Laura Wong–Pan**
(See above for address)
LEAD ATTORNEY

Daniel Petigrow
(See above for address)
ATTORNEY TO BE NOTICED

Joan M. Gilbride
(See above for address)
ATTORNEY TO BE NOTICED

Maree Sneed
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

Aaron Hopmayer
*Principal of Pine Bush High School, in
his official capacity*

represented by **Laura Wong-Pan**
(See above for address)
LEAD ATTORNEY

Joan M. Gilbride
(See above for address)
ATTORNEY TO BE NOTICED

Maree Sneed
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Interested Party

**United States of America Department
of Justice**

Date Filed	#	Docket Text
03/28/2012	<u>1</u>	COMPLAINT against Pine Bush Central School District. (Filing Fee \$ 350.00, Receipt Number 465407002969) Document filed by Sherri Eccleston, David Cohen, Jerold Rosen. (mml) (Entered: 03/30/2012)
03/28/2012		SUMMONS ISSUED as to Pine Bush Central School District. (mml) (Entered: 03/30/2012)
03/28/2012		Case Designated ECF. (mml) (Entered: 03/30/2012)
03/28/2012		Magistrate Judge Paul E. Davison is so designated. (mml) (Entered: 03/30/2012)
04/10/2012	<u>2</u>	AFFIDAVIT OF SERVICE of Summons and Complaint. All Defendants. Service was accepted by Deborah June District Clerk. Document filed by Sherri Eccleston, David Cohen, Jerold Rosen. (Meth, Michael) (Entered: 04/10/2012)
04/10/2012	<u>3</u>	SUMMONS RETURNED EXECUTED Summons and Complaint served. All Defendants. Service was accepted by Deborah June District Clerk. Document filed by Sherri Eccleston, David Cohen, Jerold Rosen. (Meth, Michael) (Entered: 04/10/2012)
04/16/2012	<u>4</u>	ENDORSED LETTER addressed to Judge Kenneth M. Karas from Aron Z. Karabel dated 4/16/2012 re: Defendants respectfully request that, upon consent of Plaintiff's counsel, the Court extend Defendant's time to serve its Answer to Plaintiffs' complaint by no later than Monday, June 18, 2012. ENDORSEMENT: Granted. (Signed by Judge Kenneth M. Karas on 4/16/2012) (rj) (Entered: 04/16/2012)
06/18/2012	<u>5</u>	ANSWER to <u>1</u> Complaint. Document filed by Pine Bush Central School District.(Karabel, Aron) (Entered: 06/18/2012)
07/20/2012	<u>6</u>	CALENDAR NOTICE: Please take notice that the above captioned matter has been scheduled for: Rule (16) conference before the Honorable Kenneth M. Karas, United States District Judge, on Monday, August 6, 2012 at 11:15 a.m. in Courtroom 521, U. S. District Court, 300 Quarropas Street, White Plains, New York 10601. Any scheduling difficulties must be brought to the attention of the Court in writing, at least five business days beforehand. Initial Conference set for

		8/6/2012 at 11:15 AM in Courtroom 521, 300 Quarropas Street, White Plains, NY 10601 before Judge Kenneth M. Karas. (Signed by Judge Kenneth M. Karas on 7/20/2012) (Inl) (Entered: 07/20/2012)
09/18/2012	<u>7</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement). Referred to Magistrate Judge Paul E. Davison. (Signed by Judge Kenneth M. Karas on 9/18/2012) (mml) (Entered: 09/18/2012)
09/18/2012	<u>8</u>	ORDER:In order to facilitate the progress of pre-trial discovery of this litigation in a just, speedy and inexpensive manner, to insure compliance with the case management plan, and to prevent the accumulation of unresolved discovery issues, the following procedures will be followed for the resolution of discovery disputes as set forth in this order. (Signed by Magistrate Judge Paul E. Davison on 9/18/2012) (rj) (Entered: 09/19/2012)
09/19/2012	<u>9</u>	SCHEDULING ORDER:The matter has been scheduled before the Honorable Paul E. Davison, United States Magistrate Judge, for a telephone conference on October 5, 2012 at 9:30 am. Plaintiffs counsel will be responsible for placing the conference call. Please have all parties on the line when calling chambers. Telephone Conference set for 10/5/2012 at 09:30 AM before Magistrate Judge Paul E. Davison. (Signed by Magistrate Judge Paul E. Davison on 9/19/2012) (rj) (Entered: 09/20/2012)
10/05/2012		Minute Entry for proceedings held before Magistrate Judge Paul E. Davison: Telephone Conference held on 10/5/2012. Next conference by phone: 12/3/12 at 10:00 am. (Telephone Conference set for 12/3/2012 at 10:00 AM before Magistrate Judge Paul E. Davison.). (fk) (Entered: 10/05/2012)
10/10/2012	<u>10</u>	ENDORSED LETTER addressed to Magistrate Judge Paul E. Davison from Aron Z Karabel dated 10/9/2012 re: Defense counsel submits this letter in response to plaintiffs' request to amend their complaint to (1) modify their Section 1983 and Title VI claims; (2) add state law claims; (3) modify the relief requested; and (4) name additional defendants in their individual capacities. ENDORSEMENT: Counsel for Defendants having provided "written consent" to certain aspects of Plaintiffs' proposal to amend their complaint, see Rule 15(a)(2), Fed. R. Civ. P., but having withheld consent as to other aspects of the proposed pleading, it is hereby ORDERED, that to the extent that Plaintiffs seek leave to amend their complaint to name additional defendants in their additional capacities, they shall file a motion seeking that relief on or before October 19, 2012. The motion shall be accompanied by a copy of the entire proposed amended pleading, but Plaintiffs shall confine their argument to the portions of the pleading to which defendants have not consented. Defendants shall reply to the motion on or before October 26, 2012, and any further response from Plaintiffs shall be filed by October 31, 2012., (Motions due by 10/19/2012., Responses due by 10/31/2012, Replies due by 10/26/2012.) (Signed by Magistrate Judge Paul E. Davison on 10/10/2012) (rj) (Entered: 10/10/2012)
10/19/2012	<u>11</u>	FIRST MOTION to Amend/Correct <i>Complaint</i> . Document filed by David Cohen, Sherri Eccleston, Jerold Rosen. (Attachments: # <u>1</u> Exhibit First Amended Complaint, # <u>2</u> Exhibit Letter dated October 9, 2012)(Meth, Michael) (Entered: 10/19/2012)
10/26/2012	<u>12</u>	MEMORANDUM OF LAW in Opposition re: <u>11</u> FIRST MOTION to Amend/Correct <i>Complaint</i> .. Document filed by Pine Bush Central School District. (Karabel, Aron) (Entered: 10/26/2012)
11/01/2012	<u>13</u>	ENDORSED LETTER addressed to Magistrate Judge Paul E. Davison from Michael D. Meth dated 10/31/2012 re: respectfully requesting a one week adjournment on the return date of plaintiff's motion so that we may have the opportunity to reply to the defendant's opposition papers. ENDORSEMENT: Reply papers due 11/7/2012., (Signed by Magistrate Judge Paul E. Davison on 10/31/2012) (lb) (Entered: 11/01/2012)
11/01/2012	<u>14</u>	RULE 16(b) SCHEDULING ORDER: If necessary, Plaintiffs shall file the motion for leave to amend complaint by 10/19/2012. Response due by 10/26/2012. Reply

		due by 10/31/2012. All Discovery due by 2/1/2013. (Signed by Magistrate Judge Paul E. Davison on 10/26/2012) (lb) (Entered: 11/01/2012)
11/07/2012	<u>15</u>	FIRST REPLY MEMORANDUM OF LAW in Support re: <u>11</u> FIRST MOTION to Amend/Correct <i>Complaint</i> .. Document filed by David Cohen, Sherri Eccleston, Jerold Rosen. (Meth, Michael) (Entered: 11/07/2012)
11/26/2012	<u>16</u>	MOTION for Adele P. Kimmel to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8004908. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by David Cohen, Sherri Eccleston, Jerold Rosen.(Kimmel, Adele) (Entered: 11/26/2012)
11/27/2012		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>16</u> MOTION for Adele P. Kimmel to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8004908. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 11/27/2012)
11/28/2012	<u>17</u>	ORDER granting <u>16</u> Motion for Adele P. Kimmel to Appear Pro Hac Vice (HEREBY ORDERED by Magistrate Judge Paul E. Davison)(Text Only Order) (Davison, Paul) (Entered: 11/28/2012)
11/29/2012	<u>18</u>	NOTICE of Substitution of Attorney. Old Attorney: Aron Karabel, New Attorney: Laura Wong-Pan, Address: Thomas, Drohan, Waxman, Petigrow & Mayle LLP, 2517 Route 52, Hopewell Junction, NY, USA 12533, 845-592-7000. Document filed by Pine Bush Central School District. (Wong-Pan, Laura) (Entered: 11/29/2012)
12/03/2012		Minute Entry for proceedings held before Magistrate Judge Paul E. Davison: Telephone conference held. The deadline for the completion of all discovery is extended to 3/1/13. Next conference by phone: 1/8/13 at 9:30 am. Telephone Conference held on 12/3/2012, (Discovery due by 3/1/2013.), (Telephone Conference set for 1/8/2013 at 09:30 AM before Magistrate Judge Paul E. Davison.). (rj) (Entered: 12/03/2012)
12/06/2012	<u>19</u>	MEMORANDUM AND ORDER: For the reasons set forth above, Plaintiffs motion to amend is GRANTED IN PART AND DENIED IN PART. To the extent Plaintiffs wish to seek leave to further amend their pleading to address defects identified herein, they shall do so within 30 days. The Clerk is respectfully directed to terminate the motion. (Dkt. 11.) (Signed by Magistrate Judge Paul E. Davison on 12/6/2012) (rj) (Entered: 12/06/2012)
12/26/2012	<u>20</u>	FIRST MOTION to Amend/Correct <i>Memorandum and Order dated December 6, 2012</i> . Document filed by David Cohen, Sherri Eccleston, Jerold Rosen. Return Date set for 1/17/2013 at 09:30 AM. (Attachments: # <u>1</u> Exhibit Memorandum and Order dated December 6, 2012, # <u>2</u> Exhibit First Proposed Amended Complaint)(Meth, Michael) (Entered: 12/26/2012)
01/04/2013	<u>21</u>	MEMORANDUM OF LAW in Opposition re: <u>20</u> FIRST MOTION to Amend/Correct <i>Memorandum and Order dated December 6, 2012</i> .. Document filed by Pine Bush Central School District. (Wong-Pan, Laura) (Entered: 01/04/2013)
01/07/2013	<u>25</u>	AMENDED COMPLAINT amending <u>1</u> Complaint against John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter with JURY DEMAND. Document filed by O.C. and D.C, T.E., A.R. and D.R. Related document: <u>1</u> Complaint. (mml) (Entered: 01/14/2013)
01/07/2013		AMENDED SUMMONS ISSUED as to John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Entered: 01/14/2013)
01/08/2013		Minute Entry for proceedings held before Magistrate Judge Paul E. Davison: Telephone conference held. Next conference by phone: 2/7/13 at 9:30 am. Telephone Conference held on 1/8/2013, (Telephone Conference set for 2/7/2013 at 09:30 AM before Magistrate Judge Paul E. Davison.). (rj) (Entered: 01/08/2013)

		01/08/2013)
01/08/2013	<u>22</u>	AMENDED MEMORANDUM ORDER granting in part and denying in part <u>20</u> Motion to Amend/Correct. For the reasons set forth above, Plaintiffs' motion to amend is GRANTED IN PART AND DENIED IN PART. The Clerk is directed to terminate the currently pending motion(Dkt. 20). (Signed by Magistrate Judge Paul E. Davison on 1/8/2013) (rj) (Entered: 01/08/2013)
01/10/2013	<u>23</u>	ORDER: In order that defendant Pine Bush Central School District (Defendant) may comply with its discovery obligations pursuant to the Federal Rules of Civil Procedure, the Court hereby ORDERS Defendants to release to Plaintiffs certain educational records as defined and governed by the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g. The records, which concern students who are not parties to this action and shall be produced without redaction of personal identification information, include disciplinary referrals and incident reports related to the allegations made and/or defenses raised in this action; handwritten notes containing information about non-parties that are related to the allegations made and/or defense raised; and records maintained through the CrossPointe Schools online electronic system, with redaction of events identified on the documents that are unrelated to the allegations made and/or the defense raised. FERPA provides for the release of educational records. including student records. without parental consent under limited circumstances. including issuance of a judicial order. § 1232g(b)(2)(B). To ensure compliance with FERPA, and as a condition precedent to the release of these records to Plaintiffs. Defendants are ORDERED to notify either (a) the parent/guardian of the student, or (b) if the student is either 18 years old or attending an institution of post secondary education, the student, of defendants intention to release student records. Such notification shall be accompanied by a copy of this Order. No records shall be disclosed to Plaintiffs earlier than five (5) days after the notice ordered herein has been served. It is further ORDERED that no student records shall be disclosed until a protective order covering the records has been entered by the Court. Counsel are directed to confer and thereafter submit a mutually agreeable proposed protective order. (Signed by Magistrate Judge Paul E. Davison on 1/10/2013) (rj) (Entered: 01/11/2013)
01/10/2013	<u>24</u>	ENDORSED LETTER addressed to Magistrate Judge Paul E. Davison from Laura Wong-Pan dated 1/10/2013 re: We request an Order under Local Rule 1.4 directing that Aron Karabel, Esq. be relieved as counsel for the Pine Bush Central School District, and substituting the undersigned in his stead. The reason for the request is that Mr. Karabel is no longer with this office. At this point, since Mr. Karabel is named as attorney of record for this defendant, we are not receiving ECF notices. ENDORSEMENT: So Ordered. (Signed by Magistrate Judge Paul E. Davison on 1/10/2013) (rj) (Entered: 01/11/2013)
01/23/2013	<u>26</u>	ADDENDUM ORDER: This Addendum Order is an integral part of an Order entered today governing the confidential treatment of documents and/or information. Notwithstanding any other provision of the Order, no document may be filed under seal with the Clerk of the Court without a further Order of this Court entered upon an application addressed to the specific document(s) sought to be sealed. Any such application must include a showing that the standards for sealing have been met. See <i>Lugosch v. Pyramid Co. of Onondaga</i> , 435 F.3d 110, 119-20 (2d Cir. 2006). Any party that wishes to file a motion or other pleading containing document(s) or information for which confidential treatment is sought shall file a redacted pleading with the Clerk and submit the unredacted pleading directly to the Court along with the sealing application described in the preceding paragraph. on CONFIDENTIALITY AGREEMENT AND PROTECTIVE ORDER: "Confidential Information as used herein means documents and information consisting of educational records and documents maintained by the Pine Bush Central School District concerning students who are not a party to this action. Such Confidential Information shall not be used for any purposes by plaintiffs other than in connection with this litigation and shall not be disclosed to any person or entity except as provided herein as set forth in this Order. (Signed by Magistrate Judge Paul E. Davison on 1/23/2013) (rj) (Entered: 01/23/2013)

01/29/2013	<u>27</u>	SUMMONS RETURNED EXECUTED Summons and Amended Complaint, served. All Defendants. Service was accepted by Laura Wong-Pan, Esq.. Service was made by Mail. Document filed by O.C. and D.C, T.E., A.R. and D.R.. (Meth, Michael) (Entered: 01/29/2013)
01/29/2013	<u>28</u>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,. All Defendants. Service was accepted by Laura Wong-Pan, Esq.. Service was made by Mail. Document filed by O.C. and D.C, T.E., A.R. and D.R.. (Meth, Michael) (Entered: 01/29/2013)
01/30/2013	<u>29</u>	ANSWER to <u>25</u> Amended Complaint,. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter.(Wong-Pan, Laura) (Entered: 01/30/2013)
02/05/2013	<u>30</u>	NOTICE OF APPEARANCE by Ogilvie Andrew Fraser Wilson on behalf of A.R. and D.R., O.C. and D.C, T.E. (Wilson, Ogilvie) (Entered: 02/05/2013)
02/05/2013	<u>31</u>	NOTICE OF APPEARANCE by Ilann M. Maazel on behalf of A.R. and D.R., O.C. and D.C, T.E. (Maazel, Ilann) (Entered: 02/05/2013)
02/05/2013	<u>32</u>	NOTICE OF APPEARANCE by Zoe Antonia Salzman on behalf of A.R. and D.R., O.C. and D.C, T.E. (Salzman, Zoe) (Entered: 02/05/2013)
02/07/2013		Minute Entry for proceedings held before Magistrate Judge Paul E. Davison: Telephone conference held. Next conference by phone: 3/26/13 at 9:30 am.Telephone Conference held on 2/7/2013, (Status Conference set for 3/26/2013 at 09:30 AM before Magistrate Judge Paul E. Davison.). (rj) (Entered: 02/07/2013)
02/13/2013	<u>33</u>	ENDORSED LETTER addressed to Magistrate Judge Paul E. Davison from Zoe Salzman dated 2/13/2013 re: We write on behalf of all parties, pursuant to Your Honor's direction at the status conference held on February 7, 2013, to propose the following new discovery schedule; Close of all fact discovery May 1, 2013, Plaintiffs' expert disclosures May 15, 2013, Defendants' expert disclosures June 14, 2013, Close of all expert discovery July 15, 2013. ENDORSEMENT: So Ordered., (Expert Discovery due by 7/15/2013., Fact Discovery due by 5/1/2013.) (Signed by Magistrate Judge Paul E. Davison on 2/13/2013) (rj) (Entered: 02/14/2013)
02/15/2013	<u>34</u>	STIPULATION AND PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material...Now Therefore IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for Plaintiffs and Defendants as follows As used herein,"Confidential Materials" shall mean medical or psychiatric records for medical and/or psychiatric treatment of Plaintiffs, and the information contained therein, and any records provided by any medical or psychiatric provider pursuant to the releases requested by Defendants for medical and/or psychiatric records as set forth in this order. (Signed by Magistrate Judge Paul E. Davison on 2/15/2013) (rj) (Entered: 02/15/2013)
02/22/2013	<u>35</u>	NOTICE OF APPEARANCE by Joan M. Gilbride on behalf of John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg (Gilbride, Joan) (Entered: 02/22/2013)
02/26/2013	<u>36</u>	ENDORSED LETTER addressed to Judge Kenneth M. Karas from Zoe Salzman dated 2/13/2013 re: We write on behalf of all parties to propose that that the Court adjourn the pre-motion conference currently scheduled for March 15 to after July 15, 2013. ENDORSEMENT: The Court will hold a status conference on July 26, 2013, at 2:00. This conference will not be adjourned at the Parties' request. SO ORDERED. (Status Conference set for 7/26/2013 at 02:00 PM before Judge Kenneth M. Karas.) (Signed by Judge Kenneth M. Karas on 2/24/2013) (mml) (Entered: 02/26/2013)
03/26/2013		Minute Entry for proceedings held before Magistrate Judge Paul E. Davison: Telephone Conference held on 3/26/2013. Next conference (in person): 4/1/13 at 2:00 pm. (Conference set for 4/1/2013 at 02:00 PM before Magistrate Judge Paul E. Davison.) (mml) (Entered: 03/26/2013)

04/01/2013		Minute Entry for proceedings held before Magistrate Judge Paul E. Davison: Conference held to address discovery disputes. Disputes resolved on the record. Defendants are granted leave to file an amended answer as discussed on the record. Next conference by phone: 5/2/13 at 2:00 pm. Discovery Hearing held on 4/1/2013, (Telephone Conference set for 5/2/2013 at 02:00 PM before Magistrate Judge Paul E. Davison.). (rj) (Entered: 04/02/2013)
04/05/2013	<u>37</u>	AMENDED ANSWER to <u>25</u> Amended Complaint,. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Wong-Pan, Laura) (Entered: 04/05/2013)
04/12/2013		Minute Entry for proceedings held before Magistrate Judge Paul E. Davison: Telephone Conference held on 4/12/2013. Telephone conference held to address discovery issues. Issues resolved. The telephone conference currently scheduled for 5/2/13 at 2:00 pm shall proceed. (Inl) (Entered: 04/12/2013)
05/02/2013		Minute Entry for proceedings held before Magistrate Judge Paul E. Davison: Telephone conference held. Next conference by phone: 6/10/13 at 9:30 am. Telephone Conference held on 5/2/2013, (Telephone Conference set for 6/10/2013 at 09:30 AM before Magistrate Judge Paul E. Davison.). (rj) (Entered: 05/02/2013)
06/10/2013		Minute Entry for proceedings held before Magistrate Judge Paul E. Davison: Telephone Conference held on 6/10/2013. Telephone Conference set for 7/19/2013 at 10:00 AM before Magistrate Judge Paul E. Davison. (rj) (Entered: 06/10/2013)
06/11/2013	<u>38</u>	ENDORSED LETTER addressed to Judge Kenneth M. Karas from Laura Wong-Pan dated 6/10/2013 re: Counsel requests a June 28, 2013 deadline for submission of pre-motion conference letters, and a July 12, 2013 deadline for the submission of responses. ENDORSEMENT: Granted. SO ORDERED. (Signed by Judge Kenneth M. Karas on 6/11/2013) (mml) (Entered: 06/11/2013)
07/16/2013	<u>39</u>	ENDORSED LETTER addressed to Judge Kenneth M. Karas from Laura Wong-Pan dated 6/28/2013 re: Defendants request a pre-motion conference prior to filing their respective Rule 56 motions for summary judgment. ENDORSEMENT: The Court will hold a pre-motion conference on September 10, 2013, at 3:00. SO ORDERED. (Pre-Motion Conference set for 9/10/2013 at 03:00 PM before Judge Kenneth M. Karas.) (Signed by Judge Kenneth M. Karas on 7/15/2013) (mml) (Entered: 07/16/2013)
07/16/2013	<u>41</u>	ORDER: Accordingly, the Court ORDERS that the letter (Dkt. No. 40) be removed immediately from the public docket and placed under seal. The Court also ORDERS that Plaintiffs fax to the Court another letter that complies with the privacy protections contained in Federal Rule of Civil Procedure 5.2. SO ORDERED. (Signed by Judge Kenneth M. Karas on 7/16/2013) (mml) (Entered: 07/17/2013)
07/17/2013	<u>42</u>	ENDORSED LETTER addressed to Judge Kenneth M. Karas from Ilann Maazel dated 7/12/2013 re: Were a motion' filed, plaintiff could continue this litany for 31 pages, showing the anti-Semitism in school was "severe and discriminatory," defendants had "actual knowledge" of the harassment, and they exhibited "deliberate indifference" in response. ENDORSEMENT: The Clerk of the Court is respectfully requested to docket this letter. SO ORDERED. (Signed by Judge Kenneth M. Karas on 7/17/2013) (mml) (Entered: 07/18/2013)
07/19/2013	<u>43</u>	NOTICE OF CHANGE OF ADDRESS by Laura Wong-Pan on behalf of All Defendants. New Address:. (Wong-Pan, Laura) (Entered: 07/19/2013)
07/19/2013		Minute Entry for proceedings held before Magistrate Judge Paul E. Davison: Telephone Conference held on 7/19/2013. Telephone conference held. Reference closed for magistrate purposes. (jty) (Entered: 07/19/2013)
09/10/2013		Minute Entry for proceedings held before Judge Kenneth M. Karas: Pre-Motion Conference held on 9/10/2013. Ilann Maazel and Michael Meth for Plaintiffs. Laura Wong-Pan for Defendants. The Court held a pre-motion conference and set a briefing schedule. See scheduling order. Court reporter, Mary. (mml) (Entered: 09/11/2013)

09/11/2013	<u>44</u>	SCHEDULING ORDER: Defendants must file and serve a motion for summary judgment, along with an accompanying memorandum of law and other supporting materials, by November 22, 2013. The memorandum of law shall not exceed fifty pages without prior permission of the Court. Plaintiffs must file and serve their opposition, which shall also not exceed 50 pages, by January 24, 2014. Defendants must file and serve their reply, which shall not exceed 25 pages, by March 3, 2013. No sur-reply will be permitted without prior permission of the Court. Any pending deadlines found in the Federal Rules of Civil Procedure or in any applicable statute are hereby stayed until the date the motion is due. Oral argument may be scheduled by the Court at a later date. (Motions due by 11/22/2013. Responses due by 1/24/2014. Replies due by 3/3/2014.) (Signed by Judge Kenneth M. Karas on 9/11/2013) (mml) (Entered: 09/12/2013)
11/18/2013	<u>45</u>	LETTER addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated 11/18/2013 re: an Extension of their time to move for summary judgment, and proposing to modify the briefing schedule. Document filed by A.R. and D.R., O.C. and D.C, T.E..(Maazel, Ilann) (Entered: 11/18/2013)
11/19/2013	<u>46</u>	MEMO ENDORSEMENT on <u>45</u> LETTER addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated 11/18/2013 re: an Extension of their time to move for summary judgment, and proposing to modify the briefing schedule. ENDORSEMENT: The revised schedule is as follows: Moving Brief: 12/6/2013. Opposition Brief: 1/17/2014. Reply Brief: 2/7/2014. No more extensions will be granted. So Ordered. (Motions due by 12/6/2013. Responses due by 1/17/2014. Replies due by 2/7/2014.) (Signed by Judge Kenneth M. Karas on 11/19/2013) (lnl) (Entered: 11/19/2013)
11/19/2013	<u>47</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Maree Sneed to Appear Pro Hac Vice. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Attachments: # <u>1</u> Exhibit Certificates of Good Standing, # <u>2</u> Text of Proposed Order)(Wong-Pan, Laura) Modified on 11/19/2013 (bcu). (Entered: 11/19/2013)
11/19/2013		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice regarding Document No. <u>47</u> MOTION for Maree Sneed to Appear Pro Hac Vice. Motion and supporting papers to be reviewed by Clerk's Office staff.. The filing is deficient for the following reason(s): Filing fee not paid. Pay the filing fee by selecting the Pro Hac Vice Fee Payment event from the Other Documents menu item. (bcu) (Entered: 11/19/2013)
11/19/2013		Pro Hac Vice Fee Payment: for <u>47</u> MOTION for Maree Sneed to Appear Pro Hac Vice. Motion and supporting papers to be reviewed by Clerk's Office staff. Filing fee \$ 200.00, receipt number 0208-9095982.(Wong-Pan, Laura) (Entered: 11/19/2013)
11/21/2013	<u>48</u>	ENDORSED LETTER addressed to Judge Kenneth M. Karas from Joan Gilbride, dated 11/15/2013, re: Counsel for defendant Pine Bush Central School District writes to request an extension of time to file its motion for summary judgment. Under the Court's September 10, 2013 Scheduling Order, Pine Bush's motion for summary judgment is due November 22, 2013. Pine Bush requests an extension of three weeks, to December 13, 2013, to file the motion for summary judgment. ENDORSEMENT: The Clerk of the Court is respectfully requested to docket this letter. So Ordered. (Signed by Judge Kenneth M. Karas on 11/21/2013) (lnl) (Entered: 11/22/2013)
12/06/2013	<u>49</u>	FILING ERROR – DEFICIENT DOCKET ENTRY (See <u>50</u> MOTION)– MOTION for Summary Judgment. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. Responses due by 1/17/2013 Return Date set for 2/7/2014 at 11:59 PM.(Wong-Pan, Laura) Modified on 12/9/2013 (db). (Entered: 12/06/2013)
12/06/2013	<u>50</u>	MOTION for Partial Summary Judgment. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. Responses

		due by 1/17/2014 Return Date set for 2/7/2014 at 11:59 PM.(Wong-Pan, Laura) (Entered: 12/06/2013)
12/06/2013	<u>51</u>	AFFIDAVIT of Joan Carbone in Support re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Attachments: # <u>1</u> Exhibit A -, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F Part 1, # <u>7</u> Exhibit F Part 2, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K)(Wong-Pan, Laura) (Entered: 12/06/2013)
12/06/2013	52	DECLARATION of Maree Sneed in Support re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E (Part 1), # 6 Exhibit E (Part 1), # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K (Part 1), # 13 Exhibit K (Part 2), # 14 Exhibit L (part 1), # 15 Exhibit L (part 2), # 16 Exhibit L (part 3), # 17 Exhibit M, # 18 Exhibit N, # 19 Exhibit O 2005 Code of Conduct, # 20 Exhibit P 2007 Code of CONduct, # 21 Exhibit 2012 Code of Conduct, # 22 Exhibit R, # 23 Exhibit S, # 24 Exhibit T, # 25 Exhibit U, # 26 Exhibit V, # 27 Exhibit W, # 28 Exhibit X, # 29 Exhibit Y, # 30 Exhibit Z, # 31 Exhibit AA, # 32 Exhibit BB, # 33 Exhibit CC, # 34 Exhibit DD, # 35 Exhibit EE, # 36 Exhibit FF Police Report 12-2011, # 37 Exhibit GG, # 38 Exhibit HH, # 39 Exhibit II Police Report 1-2012, # 40 Exhibit JJ)(Wong-Pan, Laura) (Entered: 12/06/2013)
12/06/2013	53	AFFIDAVIT of John Boyle in Support re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Wong-Pan, Laura) (Entered: 12/06/2013)
12/06/2013	54	AFFIDAVIT of Christopher Mummery in Support re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Attachments: # 1 Exhibit A, # 2 Exhibit B (PART 1), # 3 Exhibit B (PART 2), # 4 Exhibit B (PART 3), # 5 Exhibit C, # 6 Exhibit D, # 7 Errata E)(Wong-Pan, Laura) (Entered: 12/06/2013)
12/06/2013	55	AFFIDAVIT of Deborah Brush in Support re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(Wong-Pan, Laura) (Entered: 12/06/2013)
12/06/2013	56	RULE 56.1 STATEMENT. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Wong-Pan, Laura) (Entered: 12/06/2013)
12/06/2013	57	MEMORANDUM OF LAW in Support re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Wong-Pan, Laura) (Entered: 12/06/2013)
12/10/2013	<u>58</u>	ORDER GRANTING MOTION FOR ADMISSION OF ATTORNEY MAREE SNEED PRO HAC VICE: IT IS HEREBY ORDERED that Attorney Maree Sneed is admitted to practice Pro Hac Vice in the above-captioned action in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. (Signed by Judge Kenneth M. Karas on 12/9/2013) (lnl) (Entered: 12/10/2013)
01/07/2014	<u>59</u>	ENDORSED LETTER addressed to Judge Kenneth M. Karas from O. Andrew F. Wilson, dated 1/2/2014, re: Counsel writes on behalf of the plaintiffs to request an

		additional twenty pages (for a total of seventy) for their consolidated brief in opposition to defendants' summary judgment motion. ENDORSEMENT: Plaintiffs are given ten additional pages (on top of the already given 25 additional pages) in the summary judgment opposition. So Ordered. (Signed by Judge Kenneth M. Karas on 1/6/2014) (ENDORSEMENT verified with KMK Chambers) (Inl) (Entered: 01/07/2014)
01/14/2014	<u>60</u>	ENDORSED LETTER addressed to Judge Kenneth M. Karas from Ilann M. Maazel, dated 1/10/2014, re: Counsel for the plaintiffs writes to request an additional four days over the holiday weekend from (1/17/14 – 1/21/14) to finalize their papers in opposition to summary judgment. Defendants consent to this request, provided that they are given a similar weekend extension from February 7 to February 11. ENDORSEMENT: Granted. So Ordered. (Signed by Judge Kenneth M. Karas on 1/14/2014) (Inl) (Entered: 01/14/2014)
01/14/2014		Set/Reset Deadlines: Responses due by 1/21/2014. Replies due by 2/11/2014. (Inl) (Entered: 01/14/2014)
01/16/2014	<u>61</u>	ENDORSED LETTER addressed to Judge Kenneth M. Karas from Michael J. Byars dated 1/15/2014 re: Counsel for the United States writes: The United States respectfully requests leave to file a Statement of Interest in the above-referenced civil rights action. Specifically, the United States anticipates that its Statement of Interest will address the legal standards under Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d et seq. ("Title VI"), and the United States Department of Education's implementing regulations, 34 C.F.R. §§ 100.1 et seq. The United States also respectfully requests that, if the above request is granted, the briefing schedule for defendants' summary judgment motion be extended by an additional three days. Thus, the United States would file its statement of interest on January 24, 2014 (i.e., three days after the plaintiffs' opposition brief is due), and defendants would file their reply on February 14, 2014. The current date for defendants' reply submission is February 11, 2014. While the United States had hoped to submit its Statement of interest on the same day that plaintiffs' submission is due, January 21, 2014, the additional time is needed for our Office to coordinate with other governmental components. ENDORSEMENT: This requests is granted, but there will be no more extensions. So Ordered. (Signed by Judge Kenneth M. Karas on 1/16/2014) (Inl) (Entered: 01/17/2014)
01/21/2014	62	MEMORANDUM OF LAW in Opposition re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Maazel, Ilann) (Entered: 01/21/2014)
01/21/2014	<u>63</u>	DECLARATION of Ilann M. Maazel in Opposition re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4 (Part 1), # <u>5</u> Exhibit 4 (Part 2), # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7 (Part 1), # <u>9</u> Exhibit 7 (Part 2), # <u>10</u> Exhibit 8 (Part 1), # <u>11</u> Exhibit 8 (Part 2), # <u>12</u> Exhibit 8 (Part 3), # <u>13</u> Exhibit 9, # <u>14</u> Exhibit 10, # <u>15</u> Exhibit 11, # <u>16</u> Exhibit 12, # <u>17</u> Exhibit 13, # <u>18</u> Exhibit 14, # <u>19</u> Exhibit 15, # <u>20</u> Exhibit 16, # <u>21</u> Exhibit 17, # <u>22</u> Exhibit 18, # <u>23</u> Exhibit 19, # <u>24</u> Exhibit 20, # <u>25</u> Exhibit 21, # <u>26</u> Exhibit 22, # <u>27</u> Exhibit 23, # <u>28</u> Exhibit 24, # <u>29</u> Exhibit 25, # <u>30</u> Exhibit 26, # <u>31</u> Exhibit 27, # <u>32</u> Exhibit 28, # <u>33</u> Exhibit 29, # <u>34</u> Exhibit 30, # <u>35</u> Exhibit 31, # <u>36</u> Exhibit 32, # <u>37</u> Exhibit 33, # <u>38</u> Exhibit 34, # <u>39</u> Exhibit 35, # <u>40</u> Exhibit 36, # <u>41</u> Exhibit 37, # <u>42</u> Exhibit 38, # <u>43</u> Exhibit 39, # <u>44</u> Exhibit 40, # <u>45</u> Exhibit 41, # <u>46</u> Exhibit 42, # <u>47</u> Exhibit 43, # <u>48</u> Exhibit 44, # <u>49</u> Exhibit 45, # <u>50</u> Exhibit 46, # <u>51</u> Exhibit 47, # <u>52</u> Exhibit 48, # <u>53</u> Exhibit 49, # <u>54</u> Exhibit 50, # <u>55</u> Exhibit 51, # <u>56</u> Exhibit 52 (Part 1), # <u>57</u> Exhibit 52 (Part 2), # <u>58</u> Exhibit 53, # <u>59</u> Exhibit 54, # <u>60</u> Exhibit 55, # <u>61</u> Exhibit 56, # <u>62</u> Exhibit 57, # <u>63</u> Exhibit 58, # <u>64</u> Exhibit 59, # <u>65</u> Exhibit 60, # <u>66</u> Exhibit 61, # <u>67</u> Exhibit 62, # <u>68</u> Exhibit 63, # <u>69</u> Exhibit 64, # <u>70</u> Exhibit 65, # <u>71</u> Exhibit 66, # <u>72</u> Exhibit 67, # <u>73</u> Exhibit 68, # <u>74</u> Exhibit 69, # <u>75</u> Exhibit 70, # <u>76</u> Exhibit 71, # <u>77</u> Exhibit 72, # <u>78</u> Exhibit 73, # <u>79</u> Exhibit 74)(Maazel, Ilann) (Entered: 01/21/2014)
01/21/2014	64	DECLARATION of O. Andrew F. Wilson in Opposition re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10,

		# 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16)(Maazel, Ilann) (Entered: 01/21/2014)
01/21/2014	65	DECLARATION of O. Andrew F. Wilson in Opposition re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Attachments: # 1 Exhibit 3 (Part 1))(Maazel, Ilann) (Entered: 01/21/2014)
01/21/2014	66	RULE 56.1 STATEMENT. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Maazel, Ilann) (Entered: 01/21/2014)
01/24/2014	<u>67</u>	BRIEF re: <u>50</u> MOTION for Partial Summary Judgment. <i>Statement of Interest of the United States</i> . Document filed by United States of America Department of Justice.(Kennedy, David) (Entered: 01/24/2014)
01/30/2014	<u>68</u>	ENDORSED LETTER addressed to Judge Kenneth M. Karas from Laura Wong-Pan, dated 1/29/2014, re: Counsel for the Defendants writes to the Court to request a brief telephone conference regarding an issue related to the redactions made in several of the documents that were docketed. And for leave for an enlargement of Defendant's Reply Memorandum of Law, from 10 to 30 pages. ENDORSEMENT: Defendants may seek permission to remove the errantly filed documents and to replace them with properly redacted filings. Also, Defendants may file their 30-page reply, especially given the very recent involvement of the US Attorney's Office. So Ordered. (Signed by Judge Kenneth M. Karas on 1/30/2014) (lnl) (Entered: 01/31/2014)
01/30/2014	<u>69</u>	ENDORSED LETTER addressed to Judge Kenneth M. Karas from Laura Wong-Pan, dated 1/30/2014, re: Counsel writes to request an Order removing Documents numbered 52 through 57 from the public docket and will file replacement documents. It is also counsel's position that Plaintiffs' Exhibit 4 of Document 65 (Transcript of Steven Fisch), their Memorandum of Law and Rule 56.1 (Documents 65 and 66 require additional redactions to remove personally identifiable information concerning a non-party minor. Plaintiff's attorneys advise that "as a courtesy (without conceding confidentiality)" they consent to the additional redactions to Document 65, by have not responded to a message concerning similar redactions to Document 62 and 66. ENDORSEMENT: Granted. All proposal replacements may be filed. So Ordered. (Signed by Judge Kenneth M. Karas on 1/30/2014) (lnl) (Entered: 01/31/2014)
01/31/2014	<u>70</u>	MEMORANDUM OF LAW in Opposition re: <u>50</u> MOTION for Partial Summary Judgment. (<i>Replacing Dkt. No. 62</i>). Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Maazel, Ilann) (Entered: 01/31/2014)
01/31/2014	<u>71</u>	RULE 56.1 STATEMENT. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Maazel, Ilann) (Entered: 01/31/2014)
01/31/2014	<u>72</u>	MEMORANDUM OF LAW in Support re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Wong-Pan, Laura) (Entered: 01/31/2014)
01/31/2014	<u>73</u>	AFFIDAVIT of John Boyle in Support re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Wong-Pan, Laura) (Entered: 01/31/2014)
01/31/2014	<u>74</u>	AFFIDAVIT of Deborah Brush in Support re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Attachments: # <u>1</u> Exhibit Email, # <u>2</u> Exhibit Email, # <u>3</u> Exhibit Email, # <u>4</u> Exhibit Email)(Wong-Pan, Laura) (Entered: 01/31/2014)
01/31/2014	<u>75</u>	AFFIDAVIT of Christopher Mummery in Support re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Pine Bush Central School District, Pine Bush Central School District

		Board of Education, Philip G. Steinberg, Eric Winter. (Attachments: # <u>1</u> Exhibit Photograph, # <u>2</u> Exhibit Discipline, # <u>3</u> Exhibit Notes, # <u>4</u> Exhibit Discipline, # <u>5</u> Exhibit Discipline)(Wong-Pan, Laura) (Entered: 01/31/2014)
01/31/2014	<u>76</u>	RULE 56.1 STATEMENT. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Wong-Pan, Laura) (Entered: 01/31/2014)
01/31/2014	<u>77</u>	DECLARATION of Maree Sneed in Support re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Attachments: # <u>1</u> Exhibit Amended Complaint, # <u>2</u> Exhibit Answer, # <u>3</u> Exhibit Amended Answer, # <u>4</u> Exhibit Transcript, # <u>5</u> Exhibit Transcript (Part 1), # <u>6</u> Exhibit Transcript (Part 2), # <u>7</u> Exhibit Transcript, # <u>8</u> Exhibit Transcript, # <u>9</u> Exhibit Transcript (part 2), # <u>10</u> Exhibit Transcript, # <u>11</u> Exhibit Transcript, # <u>12</u> Exhibit Transcript, # <u>13</u> Exhibit Transcript, # <u>14</u> Exhibit Transcript (Hopmayer), # <u>15</u> Exhibit Transcript (Hopmayer), # <u>16</u> Exhibit Transcript (Hopmayer), # <u>17</u> Exhibit Transcript (Steinberg), # <u>18</u> Exhibit Transcript (Carbone), # <u>19</u> Exhibit 2005 Code of CONduct, # <u>20</u> Exhibit 2007 Code of Conduct, # <u>21</u> Exhibit 2012 Code of Conduct, # <u>22</u> Exhibit Anti-Bullying Policies, # <u>23</u> Exhibit Elementary School CONduct and Disc. Handbook, # <u>24</u> Exhibit Discipline, # <u>25</u> Exhibit Work Order May 5, 2009, # <u>26</u> Exhibit Letter to Parents May 2009, # <u>27</u> Exhibit Discipline, # <u>28</u> Exhibit Detention, # <u>29</u> Exhibit Discipline, # <u>30</u> Exhibit Letter to US DOJ, # <u>31</u> Exhibit Letter to NYPD, # <u>32</u> Exhibit Email, # <u>33</u> Exhibit Email, # <u>34</u> Exhibit Emails, # <u>35</u> Exhibit Discipline, # <u>36</u> Exhibit Police Report 12-2011, # <u>37</u> Exhibit NYSED Document, # <u>38</u> Exhibit Discipline-related documents, # <u>39</u> Exhibit Police Report 1-2012, # <u>40</u> Exhibit Email)(Wong-Pan, Laura) (Entered: 01/31/2014)
02/03/2014	<u>78</u>	ENDORSED LETTER addressed to Judge Kenneth M. Karas from Laura Wong-Pan, dated 1/31/2014, re: Counsel writes: Plaintiffs have contacted us this afternoon, and indicated that Exhibit 4 to the Declaration of O. Andrew F. Wilson (Document 64) should be removed from the docket rather than Document 65. As earlier stated, both parties consent to the filing of replacement documents with full redactions. ENDORSEMENT: Granted, but Plaintiff is to re-file document #65. Document 64 is to be removed from the docket, so it can be refiled with appropriate redacting. So Ordered. (Signed by Judge Kenneth M. Karas on 2/3/2014) (Inl) (Entered: 02/03/2014)
02/03/2014	<u>79</u>	DECLARATION of O. Andrew F. Wilson (replacing Dkt. No. 64 &65) in Opposition re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3 (Part 1 of 2), # <u>4</u> Exhibit 3 (Part 2 of 2), # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16)(Wilson, Ogilvie) (Entered: 02/03/2014)
02/12/2014	<u>80</u>	ENDORSED LETTER addressed to Judge Kenneth M. Karas from Laura Wong-Pan dated 2/11/2014 re: Counsel requests an extension of time to submit a reply memorandum. ENDORSEMENT: Granted. SO ORDERED. (Signed by Judge Kenneth M. Karas on 2/11/2014) (mml) (Entered: 02/14/2014)
02/21/2014	<u>81</u>	COUNTER STATEMENT TO <u>76</u> Rule 56.1 Statement., RULE 56.1 STATEMENT. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Wong-Pan, Laura) (Entered: 02/21/2014)
02/21/2014	<u>82</u>	AFFIDAVIT of Kelly King in Support re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Wong-Pan, Laura) (Entered: 02/21/2014)

02/21/2014	<u>83</u>	DECLARATION of Maree Sneed in Support re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Attachments: # <u>1</u> Exhibit Transcript fo 4-1-13 proceeding, # <u>2</u> Exhibit Notice of Objections, # <u>3</u> Exhibit NSBA Letter, # <u>4</u> Exhibit USDOE Letter, # <u>5</u> Exhibit NYSED Commr. Decision, # <u>6</u> Exhibit NYSED Commr. Decision, # <u>7</u> Exhibit NYSED Commr. Decision, # <u>8</u> Exhibit VADIR Form)(Wong-Pan, Laura) (Entered: 02/21/2014)
02/21/2014	<u>84</u>	REPLY MEMORANDUM OF LAW in Support re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Wong-Pan, Laura) (Entered: 02/21/2014)
04/10/2014	<u>85</u>	LETTER MOTION for Conference of oral argument on partial summary judgment motion addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated 4/10/2014. Document filed by A.R. and D.R., T.E..(Maazel, Ilann) (Entered: 04/10/2014)
06/02/2014	<u>86</u>	ENDORSED LETTER addressed to Judge Kenneth M. Karas from Zoe Salzman, dated 5/30/2014, re: Counsel for the plaintiffs writes to request an Order directing that Dkt. No. 63, and all exhibits attached thereto, be removed from the public docket and that they be permitted to file a replacement document. Counsel for Defendants consent to this request. ENDORSEMENT: Granted. So Ordered. (Signed by Judge Kenneth M. Karas on 5/30/2014) (Inl) (Entered: 06/02/2014)
06/03/2014	<u>87</u>	DECLARATION of Ilann M. Maazel in Opposition re: <u>50</u> MOTION for Partial Summary Judgment.. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, Part 1, # <u>5</u> Exhibit 4, Part 2, # <u>6</u> Exhibit 4, Part 3, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, Part 1, # <u>9</u> Exhibit 6, Part 2, # <u>10</u> Exhibit 7, Part 1, # <u>11</u> Exhibit 7, Part 2, # <u>12</u> Exhibit 8, Part 1, # <u>13</u> Exhibit 8, Part 2, # <u>14</u> Exhibit 8, Part 3, # <u>15</u> Exhibit 9, # <u>16</u> Exhibit 10, # <u>17</u> Exhibit 11, # <u>18</u> Exhibit 12, # <u>19</u> Exhibit 13, # <u>20</u> Exhibit 14, # <u>21</u> Exhibit 15, # <u>22</u> Exhibit 16, # <u>23</u> Exhibit 17, # <u>24</u> Exhibit 18, # <u>25</u> Exhibit 19, # <u>26</u> Exhibit 20, # <u>27</u> Exhibit 21, # <u>28</u> Exhibit 22, # <u>29</u> Exhibit 23, # <u>30</u> Exhibit 24, # <u>31</u> Exhibit 25, # <u>32</u> Exhibit 26, # <u>33</u> Exhibit 27, # <u>34</u> Exhibit 28, # <u>35</u> Exhibit 29, # <u>36</u> Exhibit 30, # <u>37</u> Exhibit 31, # <u>38</u> Exhibit 32, # <u>39</u> Exhibit 33, # <u>40</u> Exhibit 34, # <u>41</u> Exhibit 35, # <u>42</u> Exhibit 36, # <u>43</u> Exhibit 37, # <u>44</u> Exhibit 38, # <u>45</u> Exhibit 39, # <u>46</u> Exhibit 40, # <u>47</u> Exhibit 41, # <u>48</u> Exhibit 42, # <u>49</u> Exhibit 43, # <u>50</u> Exhibit 44, # <u>51</u> Exhibit 45, # <u>52</u> Exhibit 46, Part 1, # <u>53</u> Exhibit 46, Part 2, # <u>54</u> Exhibit 46, Part 3, # <u>55</u> Exhibit 47, # <u>56</u> Exhibit 48, # <u>57</u> Exhibit 49, # <u>58</u> Exhibit 50, # <u>59</u> Exhibit 51, # <u>60</u> Exhibit 52, Part 1, # <u>61</u> Exhibit 52, Part 2, # <u>62</u> Exhibit 53, # <u>63</u> Exhibit 54, # <u>64</u> Exhibit 55, # <u>65</u> Exhibit 56, # <u>66</u> Exhibit 57, # <u>67</u> Exhibit 58, # <u>68</u> Exhibit 59, # <u>69</u> Exhibit 60, # <u>70</u> Exhibit 61, # <u>71</u> Exhibit 62, # <u>72</u> Exhibit 63, # <u>73</u> Exhibit 64, # <u>74</u> Exhibit 65, # <u>75</u> Exhibit 66, # <u>76</u> Exhibit 67, # <u>77</u> Exhibit 68, # <u>78</u> Exhibit 69, Part 1, # <u>79</u> Exhibit 69, Part 2, # <u>80</u> Exhibit 69, Part 3, # <u>81</u> Exhibit 70, # <u>82</u> Exhibit 71, # <u>83</u> Exhibit 72, # <u>84</u> Exhibit 73, # <u>85</u> Exhibit 74)(Maazel, Ilann) (Entered: 06/03/2014)
06/18/2014	<u>88</u>	CALENDAR NOTICE re: <u>85</u> LETTER MOTION for Conference of oral argument on partial summary judgment motion addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated 4/10/2014 filed by T.E., A.R. and D.R., <u>50</u> MOTION for Partial Summary Judgment filed by Steve Fisch, Philip G. Steinberg, Eric Winter, John Boyle, Pine Bush Central School District Board of Education, Pine Bush Central School District, Aaron Hopmayer. This action has been scheduled for Oral Argument on all pending motions before the Honorable Kenneth M. Karas, United States District Judge, on 7/17/2014 at 10:00 AM in Courtroom 521, 300 Quarropas Street, White Plains, NY 10601 before Judge Kenneth M. Karas. (Signed by Judge Kenneth M. Karas on 6/18/2014) (tro) (Entered: 06/19/2014)
07/17/2014		Minute Entry for proceedings held before Judge Kenneth M. Karas: Oral Argument held on 7/17/2014. O. Andrew F. Wilson and Michael Meth for Plaintiffs. Joan Gilbride for Defendants. The Court heard oral argument from the Parties' counsel on Defendants' Motion for Summary Judgment. (Court Reporter Christina Arends-Dieck) (Inl) (Entered: 09/11/2014)

07/23/2014	<u>89</u>	NOTICE OF CHANGE OF ADDRESS by Ilann M. Maazel on behalf of All Plaintiffs. New Address: Emery Celli Brinckerhoff & Abady LLP, 600 Fifth Avenue, 10th Floor, New York, New York, U.S.A. 10020, 212-763-5000. (Maazel, Ilann) (Entered: 07/23/2014)
08/01/2014	<u>90</u>	NOTICE OF CHANGE OF ADDRESS by Zoe Antonia Salzman on behalf of A.R. and D.R., O.C. and D.C, T.E.. New Address: Emery Celli Brinckerhoff & Abady LLP, 600 Fifth Avenue, 10th Floor, New York, NY-New York, 10020, 2127635000. (Salzman, Zoe) (Entered: 08/01/2014)
08/01/2014	<u>91</u>	NOTICE OF CHANGE OF ADDRESS by Ogilvie Andrew Fraser Wilson on behalf of A.R. and D.R., O.C. and D.C, T.E.. New Address: Emery Celli Brinckerhoff & Abady LLP, 600 Fifth Avenue, 10th Floor, New York, NY-New York, 10020, 2127635000. (Wilson, Ogilvie) (Entered: 08/01/2014)
10/14/2014	<u>92</u>	LETTER addressed to Judge Kenneth M. Karas from Zoe Salzman dated October 14, 2014 re: Subpoena. Document filed by A.R. and D.R., O.C. and D.C, T.E..(Salzman, Zoe) (Entered: 10/14/2014)
11/04/2014	<u>93</u>	OPINION AND ORDER: Defendants' Motion for Summary Judgment is granted in part and denied in part. In particular, the Court grants the motion to dismiss Plaintiffs' claims against the individual defendants in their official capacity as redundant with Plaintiffs' claims against the District. The remainder of Defendants' Motion is denied. The Clerk of the Court is respectfully requested to terminate the pending motion. (See Dkt. No. 50.) SO ORDERED. (Signed by Judge Kenneth M. Karas on 11/3/2014) (Inl) (Entered: 11/04/2014)
11/10/2014	<u>94</u>	CALENDAR NOTICE: Please take notice that the above captioned matter has been scheduled for a Status Conference before the Honorable Kenneth M. Karas, United States District Judge, on Wednesday, December 3, 2014 at 10:30 a.m. in Courtroom 521, U.S. District Court, 300 Quarropas Street, White Plains, New York 10601. Any scheduling difficulties must be brought to the attention of the Court in writing, at least three business days beforehand. So Ordered. Status Conference set for 12/3/2014 at 10:30 AM in Courtroom 521, 300 Quarropas Street, White Plains, NY 10601 before Judge Kenneth M. Karas. (Signed by Judge Kenneth M. Karas on 11/10/2014) (Inl) (Entered: 11/10/2014)
11/12/2014	<u>95</u>	LETTER MOTION to Adjourn Conference addressed to Judge Kenneth M. Karas from Laura Wong-Pan dated November 12, 2014. Document filed by Steve Fisch, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter.(Wong-Pan, Laura) (Entered: 11/12/2014)
11/13/2014	<u>96</u>	MEMO ENDORSEMENT on re: <u>95</u> LETTER MOTION to Adjourn Conference addressed to Judge Kenneth M. Karas from Laura Wong-Pan dated November 12, 2014. filed by Steve Fisch, Philip G. Steinberg, Eric Winter, Pine Bush Central School District Board of Education, Robert Peters, Pine Bush Central School District. ENDORSEMENT: The December 3 conference is adjourned to December 16, 2014, at 10:00. Counsel may pick up the remaining CD's from plaintiff's counsel. (Signed by Judge Kenneth M. Karas on 11/12/2014) (rj) (Entered: 11/13/2014)
11/13/2014		Set/Reset Hearings: Status Conference set for 12/16/2014 at 10:00 AM before Judge Kenneth M. Karas. (rj) (Entered: 11/13/2014)
11/14/2014	<u>97</u>	LETTER MOTION to Adjourn Conference addressed to Judge Kenneth M. Karas from O. Andrew F. Wilson dated 11/14/2014. Document filed by A.R. and D.R., O.C. and D.C, T.E..(Wilson, Ogilvie) (Entered: 11/14/2014)
11/14/2014	<u>98</u>	MEMO ENDORSED ORDER granting <u>97</u> Letter Motion to Adjourn Conference. ENDORSEMENT: Granted. Status Conference set for 12/5/2014 at 12:00 PM before Judge Kenneth M. Karas. (Signed by Judge Kenneth M. Karas on 11/14/2014) (rj) (Entered: 11/14/2014)
11/20/2014	<u>99</u>	NOTICE OF APPEARANCE by Daniel Petigrow on behalf of John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Petigrow, Daniel) (Entered: 11/20/2014)

11/24/2014	<u>100</u>	NOTICE OF INTERLOCUTORY APPEAL from <u>93</u> Memorandum & Opinion,, Document filed by Steve Fisch, Philip G. Steinberg, Eric Winter. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Wong-Pan, Laura) (Entered: 11/24/2014)
11/24/2014		Appeal Fee Due: for <u>100</u> Notice of Interlocutory Appeal. \$505.00 Appeal fee due by 12/8/2014. (nd) (Entered: 11/24/2014)
11/24/2014		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>100</u> Notice of Interlocutory Appeal. (nd) (Entered: 11/24/2014)
11/24/2014		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>100</u> Notice of Interlocutory Appeal filed by Steve Fisch, Philip G. Steinberg, Eric Winter were transmitted to the U.S. Court of Appeals. (nd) (Entered: 11/24/2014)
12/03/2014		USCA Appeal Fees received \$505.00 receipt number 4654070010084 on 12/3/2014 re: <u>100</u> Notice of Interlocutory Appeal filed by Steve Fisch, Philip G. Steinberg, Eric Winter. (Inl) (Entered: 12/03/2014)
12/05/2014		Minute Entry for proceedings held before Judge Kenneth M. Karas: Status Conference held on 12/5/2014. Ilann Maazel, Zoe Salzman, and Michael Meth for Plaintiffs. Joan Gilbride, Maree Sneed, and Laura Wong-Pan for Defendants. Christina Arends-Diack served as court reporter. The Court from the Parties' as to the status of the case pending appeal. The Court set a briefing schedule on Defendants' motion to the stay pending appeal. See Order. (Court Reporter Christina Arends-Dieck) (Inl) (Entered: 12/05/2014)
12/05/2014	<u>101</u>	MOTION SCHEDULING ORDER: At the Scheduling Conference held before the Court on December 5, 2014, the Court adopted the following scheduling order: Defendants shall file their motion to stay by no later than January 16, 2015. Plaintiffs shall file opposition papers by no later than January 30, 2015. Defendants shall file their replies in support of their motion by no later than February 13, 2015. Sur-reply papers will not be accepted unless prior permission of the Court is given. Counsel are reminded that there is a strict page limit, which will be extended only in extreme circumstances. Any pending deadlines found in the Federal Rules of Civil Procedure or in any applicable statute are hereby stayed until the date the motions are due. Courtesy copies are to be served upon counsel by the assigned date. One courtesy copy of all papers also shall be sent to the Court at the time they are served upon opposing counsel. If oral argument is requested, it may be scheduled by the Court. Please wait to hear from the Court to schedule argument. SO ORDERED. Motions due by 1/16/2015. Responses due by 1/30/2015. Replies due by 2/13/2015. (Signed by Judge Kenneth M. Karas on 12/5/2014) (Inl) (Entered: 12/08/2014)
01/16/2015	<u>102</u>	MOTION to Stay . Document filed by Steve Fisch, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. Return Date set for 2/13/2015 at 11:59 PM.(Wong-Pan, Laura) (Entered: 01/16/2015)
01/16/2015	<u>103</u>	DECLARATION of Laura Wong-Pan in Support re: <u>102</u> MOTION to Stay .. Document filed by Steve Fisch, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Attachments: # <u>1</u> Exhibit A)(Wong-Pan, Laura) (Entered: 01/16/2015)
01/16/2015	<u>104</u>	MEMORANDUM OF LAW in Support re: <u>102</u> MOTION to Stay . . Document filed by Steve Fisch, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Wong-Pan, Laura) (Entered: 01/16/2015)
01/30/2015	<u>105</u>	MEMORANDUM OF LAW in Opposition re: <u>102</u> MOTION to Stay . . Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Salzman, Zoe) (Entered: 01/30/2015)
02/03/2015	<u>106</u>	LETTER addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated February 3, 2015 re: request for telephone conference to set trial date in light of Second Circuit dismissal of the appeal. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Attachments: # <u>1</u> Exhibit Second Circuit dismissal of appeal)(Maazel, Ilann) (Entered: 02/03/2015)

02/04/2015	<u>107</u>	MEMO ENDORSEMENT on <u>106</u> LETTER addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated February 3, 2015 re: request for telephone conference to set trial date in light of Second Circuit dismissal of the appeal. ENDORSEMENT: The Court will hold a conference on March 3, 2015, at 10:30. In light of the Second Circuit's dismissal of Defendants' partial appeal, the motion to stay is denied as moot. The Clerk is directed to terminate the motion (Doc. #102). So Ordered. (Status Conference set for 3/3/2015 at 10:30 AM before Judge Kenneth M. Karas) (Motions terminated: <u>102</u> MOTION to Stay) (Signed by Judge Kenneth M. Karas on 2/4/2015) (Inl) (Entered: 02/04/2015)
02/11/2015	<u>108</u>	LETTER MOTION to Adjourn Conference addressed to Judge Kenneth M. Karas from Laura Wong-Pan dated February 11, 2015. Document filed by Steve Fisch, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter.(Wong-Pan, Laura) (Entered: 02/11/2015)
02/13/2015	<u>109</u>	MEMO ENDORSEMETN granting <u>108</u> LETTER MOTION to Adjourn Conference addressed to Judge Kenneth M. Karas from Laura Wong-Pan dated February 11, 2015. ENDORSEMENT: Granted. The March 3 conference is adjourned to March 10, 2015, at 10:00. So Ordered. Status Conference set for 3/10/2015 at 10:00 AM before Judge Kenneth M. Karas. (Signed by Judge Kenneth M. Karas on 2/13/2015) (Inl) (Entered: 02/13/2015)
03/10/2015		Minute Entry for proceedings held before Judge Kenneth M. Karas: Status Conference held on 3/10/2015. Ilann Maazel, Andrew Wilson, and Michael Meth for Plaintiffs. Joan Gilbride and Laura Wong-Pan for Defendants. Plaintiffs are to turn over all relevant medical records by April 10, 2015. The Court set a Trial Scheduling Order. See Order. The Parties estimate that the trial will last approximately 2 weeks. (Court Reporter Albi Gorn) (Inl) (Entered: 03/10/2015)
03/10/2015	<u>110</u>	TRIAL SCHEDULING ORDER: At the Conference held before the Court on March 10, 2015, the Court adopted the following scheduling order: Jury selection will begin on July 13, 2015, at 10:00 a.m. During the trial, the Court will sit from 9:30 a.m. until 2:00 p.m., five days a week. The Parties will file a pre-trial order, which will include any motions in limine, requests to charge, and proposed voir dire by May 29, 2015. Responses must be submitted by June 12, 2015. The Parties are to turn over all exhibits and witness lists no later than May 29, 2015. The Final Pre-Trial Conference will be held on June 30, 2015 at 10:00 a.m. SO ORDERED. (Jury Selection set for 7/13/2015 at 10:00AM before Judge Kenneth M. Karas. Pretrial Order due by 5/29/2015. Motions due by 5/29/2015. Responses due by 6/12/2015. Final Pretrial Conference set for 6/30/2015 at 10:00 AM before Judge Kenneth M. Karas.) (Signed by Judge Kenneth M. Karas on 3/10/2015) (Inl) (Entered: 03/10/2015)
05/01/2015	<u>111</u>	MANDATE of USCA (Certified Copy) as to <u>100</u> Notice of Interlocutory Appeal filed by Steve Fisch, Philip G. Steinberg, Eric Winter. USCA Case Number 14-4373. Appellees move to dismiss the appeal. Upon due consideration, it is hereby ORDERED that Appellees' motion is GRANTED and the appeal is DISMISSED. This Court has determined that it lacks jurisdiction over this appeal because a final order has not been issued by the district court as contemplated by 28 U.S.C. § 1291, <i>see Coopers & Lybrand v. Livesay</i> , 437 U.S. 463, 467 (1978), and the order being appealed does not fall within the collateral order doctrine, <i>see Bolmer v. Oliveira</i> , 594 F.3d 134, 140 (2d Cir. 2010); <i>Stephenson v. Doe</i> , 332 F.3d 68, 81 (2d Cir. 2003). Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 05/01/2015. (nd) (Entered: 05/04/2015)
05/13/2015	<u>112</u>	LETTER MOTION for Conference addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated May 13, 2015. Document filed by A.R. and D.R., O.C. and D.C, T.E..(Maazel, Ilann) (Entered: 05/13/2015)
05/13/2015	<u>113</u>	LETTER addressed to Judge Kenneth M. Karas from Joan M. Gilbride dated May 13, 2015 re: Plaintiffs' counsel's letter dated May 13, 2015. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter.(Gilbride, Joan) (Entered: 05/13/2015)

05/13/2015		Minute Entry for proceedings held before Judge Kenneth M. Karas: Telephone Conference held on 5/13/2015. Ilann Maazel, Andrew Wilson, Michael Meth, and Zoe Salzman appeared on behalf of Plaintiffs. Joan Gilbride and Daniel Petigrow appeared on behalf of Defendants. Defendants will draft a letter requesting parental consent before they speak with any students in connection with the lawsuit. Defendants will review the letter with counsel for Plaintiffs before sending it to the relevant parents. (Court Reporter Anglea O'Donnell) (AM) (Entered: 05/13/2015)
05/14/2015	<u>114</u>	LETTER addressed to Judge Kenneth M. Karas from O. Andrew F. Wilson dated 5/14/2015 re: Opposition to Defendants' 5/11/2015 Letter Request to "Reopen Discovery". Document filed by A.R. and D.R., O.C. and D.C, T.E..(Wilson, Ogilvie) (Entered: 05/14/2015)
05/19/2015	<u>115</u>	CALENDAR NOTICE: Please take notice that the above captioned matter has been scheduled for a Pre-trial Conference before the Honorable Kenneth M. Karas, United States District Judge, on Tuesday, May 26, 2015 at 3:00 p.m. in Courtroom 521, U. S. District Court, 300 Quarropas Street, White Plains, New York 10601. Any scheduling difficulties must be brought to the attention of the Court in writing, at least five business days beforehand. So Ordered. (Pretrial Conference set for 5/26/2015 at 03:00 PM in Courtroom 521, 300 Quarropas Street, White Plains, NY 10601 before Judge Kenneth M. Karas) (Signed by Judge Kenneth M. Karas on 5/19/2015) (Inl) (Entered: 05/19/2015)
05/19/2015	<u>116</u>	LETTER MOTION to Adjourn Conference addressed to Judge Kenneth M. Karas from Joan M. Gilbride dated May 19, 2015. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg.(Gilbride, Joan) (Entered: 05/19/2015)
05/20/2015	<u>117</u>	MEMO ENDORSEMENT granting <u>116</u> LETTER MOTION to Adjourn Conference addressed to Judge Kenneth M. Karas from Joan M. Gilbride dated May 19, 2015. ENDORSEMENT: The May 26 conference is moved to June 2, 2015, at 3 pm. (Pretrial Conference set for 6/2/2015 at 03:00 PM before Judge Kenneth M. Karas) (Signed by Judge Kenneth M. Karas on 5/20/2015) (Inl) (Entered: 05/20/2015)
05/28/2015	<u>118</u>	LETTER MOTION to Reopen Case <i>for discovery purposes</i> addressed to Judge Kenneth M. Karas from Joan M. Gilbride dated May 28, 2015. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter.(Gilbride, Joan) (Entered: 05/28/2015)
05/29/2015	<u>119</u>	MEMO ENDORSEMENT on <u>118</u> LETTER MOTION to Reopen Case for discovery purposes addressed to Judge Kenneth M. Karas from Joan M. Gilbride dated May 28, 2015. ENDORSEMENT: Plaintiffs are to respond to this letter by 5 pm on June 1, 2015. So Ordered. (Signed by Judge Kenneth M. Karas on 5/29/2015) (Inl) (Entered: 05/29/2015)
05/29/2015	<u>120</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION for Sanctions <i>for Spoliation of Evidence.</i> , MOTION Sanctions for Spoliation of Evidence . Document filed by A.R. and D.R.. (Attachments: # <u>1</u> Notice of Motion, # <u>2</u> 1st Am. Compl. in this Action, # <u>3</u> Decl. in Support of Motion, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit, # <u>23</u> Exhibit, # <u>24</u> Exhibit, # <u>25</u> Exhibit)(Kimmel, Adele) Modified on 6/1/2015 (db). (Entered: 05/29/2015)
05/29/2015	<u>121</u>	MOTION in Limine . Document filed by Steve Fisch, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. Return Date set for 6/12/2015 at 11:59 PM.(Gilbride, Joan) (Entered: 05/29/2015)
05/29/2015	<u>122</u>	MEMORANDUM OF LAW in Support re: <u>121</u> MOTION in Limine . . Document filed by Steve Fisch, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Gilbride, Joan) (Entered: 05/29/2015)

05/29/2015	<u>123</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION in Limine . Document filed by A.R. and D.R., O.C. and D.C, T.E. (Salzman, Zoe) Modified on 6/1/2015 (db). (Entered: 05/29/2015)
05/29/2015	<u>124</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Zoe Salzman in Support re: <u>123</u> MOTION in Limine . Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Salzman, Zoe) Modified on 6/1/2015 (db). (Entered: 05/29/2015)
05/29/2015	<u>125</u>	DECLARATION of Joan Gilbride in Support re: <u>121</u> MOTION in Limine .. Document filed by Steve Fisch, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Attachments: # <u>1</u> Exhibit PL–30 redacted, # <u>2</u> Exhibit PL–32 redacted, # <u>3</u> Exhibit PL–42 redacted, # <u>4</u> Exhibit PL–50 redacted, # <u>5</u> Exhibit PL–53 redacted, # <u>6</u> Exhibit PL–58 redacted, # <u>7</u> Exhibit PL–59 part 1, # <u>8</u> Exhibit PL–59 part 2, # <u>9</u> Exhibit PL–59 part 3, # <u>10</u> Exhibit PL–59 part 4, # <u>11</u> Exhibit PL–69 redacted, # <u>12</u> Exhibit PL–77 redacted, # <u>13</u> Exhibit PL–78 redacted, # <u>14</u> Exhibit PL–79 redacted, # <u>15</u> Exhibit PL–80 redacted, # <u>16</u> Exhibit PL–81 redacted, # <u>17</u> Exhibit PL–82 redacted, # <u>18</u> Exhibit PL–84 redacted, # <u>19</u> Exhibit PL–87 redacted, # <u>20</u> Exhibit PL–89 redacted, # <u>21</u> Exhibit PL–90 redacted, # <u>22</u> Exhibit PL–100 redacted, # <u>23</u> Exhibit PL–103 redacted, # <u>24</u> Exhibit PL–104 redacted, # <u>25</u> Exhibit PL–106 part 1, # <u>26</u> Exhibit PL–106 part 2, # <u>27</u> Exhibit PL–106 part 3, # <u>28</u> Exhibit PL–106 part 4, # <u>29</u> Exhibit PL–106 part 5, # <u>30</u> Exhibit PL–106 part 6, # <u>31</u> Exhibit PL–107 part 1, # <u>32</u> Exhibit PL–107 part 2, # <u>33</u> Exhibit PL–107 part 3, # <u>34</u> Exhibit PL–107 part 4, # <u>35</u> Exhibit PL–108 part 1, # <u>36</u> Exhibit PL–108 part 2, # <u>37</u> Exhibit PL–108 part 3, # <u>38</u> Exhibit PL–108 part 4, # <u>39</u> Exhibit PL–127, # <u>40</u> Exhibit PL–135 portion, # <u>41</u> Exhibit Deposition excerpts, # <u>42</u> Exhibit Deposition excerpts, # <u>43</u> Exhibit M. Shucker Affidavit, # <u>44</u> Exhibit PL–93, PL–112, PL–113, # <u>45</u> Exhibit Misc. PART1, # <u>46</u> Exhibit Misc. PART 2, # <u>47</u> Exhibit Misc. PART 3, # <u>48</u> Exhibit Misc. PART 4, # <u>49</u> Exhibit Misc. PART 5)(Gilbride, Joan) (Entered: 05/29/2015)
05/29/2015	<u>126</u>	PROPOSED JURY INSTRUCTIONS. Document filed by Steve Fisch, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter.(Gilbride, Joan) (Entered: 05/29/2015)
05/29/2015	<u>127</u>	PROPOSED VOIR DIRE QUESTIONS. Document filed by Steve Fisch, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter.(Gilbride, Joan) (Entered: 05/29/2015)
05/29/2015	<u>128</u>	JOINT PRETRIAL STATEMENT / <i>Joint Pretrial Order</i> . Document filed by A.R. and D.R., O.C. and D.C, T.E..(Salzman, Zoe) (Entered: 05/29/2015)
05/29/2015	<u>129</u>	REQUEST TO CHARGE. Document filed by Steve Fisch, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter.(Gilbride, Joan) (Entered: 05/29/2015)
05/29/2015	<u>130</u>	PROPOSED JURY INSTRUCTIONS. Document filed by A.R. and D.R., O.C. and D.C, T.E..(Salzman, Zoe) (Entered: 05/29/2015)
05/29/2015	<u>131</u>	PROPOSED VOIR DIRE QUESTIONS. Document filed by A.R. and D.R., O.C. and D.C, T.E..(Salzman, Zoe) (Entered: 05/29/2015)
05/29/2015	<u>132</u>	REQUEST TO CHARGE. Document filed by A.R. and D.R., O.C. and D.C, T.E..(Salzman, Zoe) (Entered: 05/29/2015)
06/01/2015	<u>133</u>	LETTER MOTION to Adjourn Conference addressed to Judge Kenneth M. Karas from Joan M. Gilbride dated June 1, 2015. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter.(Gilbride, Joan) (Entered: 06/01/2015)
06/01/2015		***NOTICE TO ATTORNEY TO RE–FILE DOCUMENT – EVENT TYPE ERROR. Notice to Attorney Adele Phyllis Kimmel to RE–FILE Document <u>120</u> MOTION for Sanctions for Spoliation of Evidence. MOTION Sanctions for Spoliation of Evidence . (1) Use the event type Memorandum in Support of

		Motion found under the event list Replies, Opposition and Supporting Documents. (2) Refile the attached Notice AS THE MOTION for Sanctions. (3) File all other Supporting Documents separately each to receive their own document #. Supporting Documents are found under the Event Type – Replies, Opposition and Supporting Documents. (db) (Entered: 06/01/2015)
06/01/2015		***NOTICE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Notice to Attorney Zoe Antonia Salzman to RE-FILE Document <u>123</u> MOTION in Limine . Use the event type Memorandum in Support of Motion found under the event list Replies, Opposition and Supporting Documents. ***REMINDER*** – Motion WAS NOT FILED. First file Motion, then file and link any supporting documents. (db) (Entered: 06/01/2015)
06/01/2015		***NOTICE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Notice to Attorney Zoe Antonia Salzman to RE-FILE Document <u>124</u> Declaration in Support of Motion. ERROR(S): Document linked to filing error. (db) (Entered: 06/01/2015)
06/01/2015	<u>134</u>	MOTION for Sanctions <i>for Spoliation of Evidence</i> . Document filed by A.R. and D.R., O.C. and D.C, T.E..(Kimmel, Adele) (Entered: 06/01/2015)
06/01/2015	<u>135</u>	MEMORANDUM OF LAW in Support re: <u>134</u> MOTION for Sanctions <i>for Spoliation of Evidence</i> . . Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Kimmel, Adele) (Entered: 06/01/2015)
06/01/2015	<u>136</u>	LETTER RESPONSE in Opposition to Motion addressed to Judge Kenneth M. Karas from Zoe Salzman dated June 1, 2015 re: <u>118</u> LETTER MOTION to Reopen Case <i>for discovery purposes</i> addressed to Judge Kenneth M. Karas from Joan M. Gilbride dated May 28, 2015. . Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Salzman, Zoe) (Entered: 06/01/2015)
06/01/2015	<u>137</u>	DECLARATION of Adele Kimmel in Support re: <u>134</u> MOTION for Sanctions <i>for Spoliation of Evidence</i> .. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Attachments: # <u>1</u> Copy of Complaint per Judge's Rules, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit, # <u>23</u> Exhibit)(Kimmel, Adele) (Entered: 06/01/2015)
06/01/2015	<u>138</u>	MOTION in Limine . Document filed by A.R. and D.R., O.C. and D.C, T.E..(Salzman, Zoe) (Entered: 06/01/2015)
06/01/2015	<u>139</u>	MEMORANDUM OF LAW in Support re: <u>138</u> MOTION in Limine . . Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Salzman, Zoe) (Entered: 06/01/2015)
06/01/2015	<u>140</u>	DECLARATION of Zoe Salzman in Support re: <u>138</u> MOTION in Limine .. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Salzman, Zoe) (Entered: 06/01/2015)
06/01/2015	<u>141</u>	MEMO ENDORSEMENT denying <u>133</u> LETTER MOTION to Adjourn Conference addressed to Judge Kenneth M. Karas from Joan M. Gilbride dated June 1, 2015. ENDORSEMENT: Applications are denied. The issues to be discussed at the June 2 conference should be resolved as quickly as possible, otherwise the trial date might slip. So Ordered. (Signed by Judge Kenneth M. Karas on 6/1/2015) (Inl) (Entered: 06/02/2015)
06/02/2015		Minute Entry for proceedings held before Judge Kenneth M. Karas: Interim Pretrial Conference held on 6/2/2015. Ilann Maazel, Andrew Wilson, and Zoe Salzman appeared for Plaintiffs. Joan Gilbride and Daniel Petigrow appeared on behalf of Defendants. The Court granted in part and denied in part Defendants' Motion to reopen discovery for the reasons stated on the record. Defendants are to provide Plaintiffs with the name of the five individuals to be deposed by end of business day on June 4, 2015. The next conference is scheduled on June 10, 2015 at 3:45pm. (Court Reporter Albi Gorn) (AM) (Entered: 06/02/2015)
06/03/2015	<u>142</u>	ORDER granting in part and denying in part <u>118</u> LETTER MOTION to Reopen Case for discovery purposes: the Conference held before the Court on June 2, 2015, the Court granted in part and denied in part Defendants' request to reopen

		discovery for the reasons stated on the record. The Clerk of the Court is respectfully requested to terminate the pending Motion. (See Dkt. Nos. 114, 118.) SO ORDERED. (Signed by Judge Kenneth M. Karas on 6/3/2015) (Inl) (Entered: 06/03/2015)
06/09/2015	<u>143</u>	MEMORANDUM OF LAW in Opposition re: <u>134</u> MOTION for Sanctions <i>for Spoliation of Evidence</i> . . Document filed by Steve Fisch, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Gilbride, Joan) (Entered: 06/09/2015)
06/09/2015	<u>144</u>	DECLARATION of Joan Gilbride in Opposition re: <u>134</u> MOTION for Sanctions <i>for Spoliation of Evidence</i> .. Document filed by Steve Fisch, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Attachments: # <u>1</u> Exhibit Deposition Transcript, # <u>2</u> Exhibit Deposition Transcript, # <u>3</u> Exhibit Deposition Transcript, # <u>4</u> Exhibit DIsciplinary Referral, # <u>5</u> Exhibit Deposition Transcript, # <u>6</u> Exhibit Disciplinary Referral, # <u>7</u> Exhibit Deposition Transcript, # <u>8</u> Exhibit Deposition Transcript, # <u>9</u> Exhibit Disciplinary Referrals, # <u>10</u> Exhibit Deposition Transcript, # <u>11</u> Exhibit Deposition Transcript, # <u>12</u> Exhibit Deposition Transcript, # <u>13</u> Exhibit VADIR Overview, # <u>14</u> Exhibit NYSED Schedule, # <u>15</u> Exhibit VADIR Q# <u>16</u> Exhibit CRDC Overview, # <u>17</u> Exhibit CRDC Survey 2009–10, # <u>18</u> Exhibit CRDC Data Notes)(Gilbride, Joan) (Entered: 06/09/2015)
06/09/2015	<u>145</u>	FIRST LETTER MOTION to Adjourn Conference <i>scheduled for June 10, 2015</i> addressed to Judge Kenneth M. Karas from Ilann Maazel on behalf of all parties dated June 9, 2015. Document filed by A.R. and D.R., O.C. and D.C, T.E..(Maazel, Ilann) (Entered: 06/09/2015)
06/10/2015	<u>146</u>	MEMO ENDORSEMENT granting <u>145</u> FIRST LETTER MOTION to Adjourn Conference scheduled for June 10, 2015 addressed to Judge Kenneth M. Karas from Ilann Maazel on behalf of all parties dated June 9, 2015. ENDORSEMENT: All requests are granted. So Ordered. (Deadlines Terminated) (Brief in Opposition due by 6/19/2015) (Signed by Judge Kenneth M. Karas on 6/10/2015) (Inl) (Entered: 06/10/2015)
06/10/2015		Set/Reset Deadlines: Brief in Opposition due by 6/19/2015. (Inl) (Entered: 06/10/2015)
06/15/2015	<u>147</u>	LETTER addressed to Judge Kenneth M. Karas from Ilann Maazel dated June 15, 2015 re: Settlement agreement. Document filed by A.R. and D.R., O.C. and D.C, T.E..(Maazel, Ilann) (Entered: 06/15/2015)
06/16/2015	<u>148</u>	MEMO ENDORSEMENT on <u>147</u> LETTER addressed to Judge Kenneth M. Karas from Ilann Maazel dated June 15, 2015 re: Settlement agreement. ENDORSEMENT: The infant compromise hearing will go forward at 9:30 am on June 30, 2015. So Ordered. (Infant Compromise Hearing set for 6/30/2015 at 09:30 AM before Judge Kenneth M. Karas) (Signed by Judge Kenneth M. Karas on 6/16/2015) (Inl) (Entered: 06/16/2015)
06/29/2015	<u>149</u>	LETTER addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated June 29, 2015 re: Settlement and Infant Compromise. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Attachments: # <u>1</u> Affidavit Declaration of Ilann M. Maazel in Support of Settlement and Infant Compromise, # <u>2</u> Exhibit Exhibit A: Settlement Agreement, # <u>3</u> Exhibit Exhibit B: Proposed Order, # <u>4</u> Exhibit Exhibit C: Board of Education Minutes, # <u>5</u> Exhibit Exhibit D: Summary of Costs, # <u>6</u> Affidavit Declaration of S.E., # <u>7</u> Exhibit Exhibit A to Declaration of S.E., # <u>8</u> Affidavit Declaration of D.C., # <u>9</u> Exhibit Exhibit A to Declaration of D.C.)(Maazel, Ilann) (Entered: 06/29/2015)
06/29/2015	<u>150</u>	ORDER: In light of Plaintiffs' 205–page submission filed today, June 29, 2015, (see Dkt. No. 149), the hearing scheduled for tomorrow, June 30, 2015, is hereby rescheduled for July 9, 2015 at 3:30p.m. SO ORDERED. (Signed by Judge Kenneth M. Karas on 6/29/2015) (mml) (Entered: 06/29/2015)
07/06/2015	<u>151</u>	ORDER: On June 29, 2015, Plaintiffs submitted a letter from Ilann M. Maazel to the Court concerning the Settlement Agreement and the infant compromise hearing, now scheduled for July 9, 2015. (Dkt. No. 149.) Attached to the letter,

Plaintiffs submitted a Declaration of Ilann M. Maazel, a copy of the Settlement Agreement, a proposed order approving the Settlement Agreement, the minutes of the Pine Bush Central School District Board for June 9, 2015, a summary of costs incurred by Plaintiffs in this case, an Affidavit Declaration of S.E. and an accompanying exhibit, and an Affidavit Declaration of D.C. and an accompanying exhibit. (Id.) "Under Rule 83.2(a)(1) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, [a]n action by or on behalf of an infant or incompetent shall not be settled or compromised, or voluntarily discontinued, dismissed or terminated, without leave of the Court embodied in an order, judgment or decree." *Camac v. Long Beach City Sch. Dist.*, No. 09-CV-5309, 2013 WL 991355, at *2 (E.D.N.Y. Mar. 13, 2013) (quoting Local Civ. R. 83.2(a)(1)). In particular, "[i]n this judicial district, a proposed settlement involving a claim made by an infant must be reviewed by a judicial officer, who must determine whether: (1) the best interests of the infant are protected by the terms and conditions of the proposed settlement; and (2) the proposed settlement, including any legal fees and expenses to be paid, as part of the proposal, are fair and reasonable." *Martegani v. Cirrus Design Corp.*, 687 F. Supp. 2d 373, 377 (S.D.N.Y. 2010); see also *Mateo v. United States*, No. 06-CV-2647, 2008 WL 3166974, at *2 (S.D.N.Y. Aug. 6, 2008) (same). "[A] strong presumption exists that a settlement is fair and reasonable where (i) the settlement is not collusive but was reached after arm's length negotiation; (ii) the proponents have counsel experienced in similar cases; and (iii) there has been sufficient discovery to enable counsel to act intelligently." *Camac*, 2013 WL 991355, at *2 (alterations and internal quotation marks omitted). "An attorney for a minor child must establish that a proposed settlement for the minor is fair and reasonable, and that includes, necessarily, any proposed attorney compensation." *Martegani*, 687 F. Supp. 2d at 378 (citing N.Y. C.P.L.R. § 1208(b); N.Y. Jud. Law § 474). "The burden is on counsel to keep and present records from which the court may determine the nature of the work done, the need for it, and the amount of time reasonably required; where adequate contemporaneous records have not been kept the court should not award the full amount requested." *Id.* (alteration and internal quotation marks omitted). This is so even where the guardian of a child has entered into a contingency fee agreement. See *id.*; see also *Johnson v. City of New York*, No. 08-CV-3673, 2010 WL 5818290, at *4 (E.D.N.Y. Dec. 13, 2010) (explaining that "[t]he Court must ensure that the allocation of attorney's fees from the settlement proceeds represents suitable compensation for the attorney for his services, notwithstanding contingency agreements with a party" (quoting N.Y. Jud. Law § 474)). "[T]o determine whether a proposed attorney fee is reasonable, a court should evaluate what a reasonable paying client would be willing to pay for the legal services, in other words, the appropriate market rate for counsel over the course of the number of hours appropriately worked." *Martegani*, 687 F. Supp. 2d at 378. Indeed, "the United States Supreme Court has stated that 'the party seeking an award of fees should submit evidence supporting the hours worked and the rates claimed.'" *Id.* (quoting *Hensley v. Eckerhart*, 461 U.S. 424, 433 (1983) (alterations omitted)). Moreover, in the context of an infant compromise hearing, "[w]hen multiple attorneys are involved in [an inquiry into whether fees are fair and reasonable], fee splitting agreements offer no more than non-mandatory guidance because the court is under a duty to evaluate the quantity and quality of the representation by each attorney in order to ensure that the fees are appropriate." *Wagner & Wagner, LLP v. Atkinson, Haskins, Nellis, Brittingham, Gladd & Carwile, P.C.*, 596 F.3d 84, 90 (2d Cir. 2010). Accordingly, it is appropriate for the Court to "inquire as to the roles played and services provided by each firm." *Id.* Finally, "[a] party's request for costs is generally governed by Local Civil Rule 54.1," which requires, among other things, that "the party must include as part of the request an affidavit that the costs claimed are allowable by law, are correctly stated and were necessarily incurred" and "[b]ills for the costs claimed must be attached as exhibits." *D.J. ex. rel. Roberts v. City of New York*, No. 11-CV-5458, 2012 WL 5431034, at *9 (S.D.N.Y. Oct. 16, 2012) (quoting Local Civ. R. 54.1)). In light of these considerations, Plaintiffs are to supplement the record by providing the Court with the following information: (1) the experience of each law firm and/or lawyer in representing plaintiffs in similar cases; (2) evidence supporting the hours that each attorney and/or law firm worked and the rates that they claim; (3) a copy of the retainer agreement between Plaintiffs and counsel (see Decl. of Ilann M. Maazel in Support of Proposed Order of Compromise ("Maazel

		Decl.") paragraph 23 (Dkt. No. 149-1).); (4) a copy of the co-counsel agreement (see id. paragraph 28 n.1); and (5) a request for costs in accordance with the requirements of Local Civil Rule 54.1, by no later than July 7, 2015. SO ORDERED. (Signed by Judge Kenneth M. Karas on 7/6/2015) (Inl) (Entered: 07/07/2015)
07/07/2015	<u>152</u>	LETTER MOTION for Extension of Time <i>until July 8, 2015</i> addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated July 7, 2015. Document filed by A.R. and D.R., O.C. and D.C, T.E..(Maazel, Ilann) (Entered: 07/07/2015)
07/08/2015	<u>153</u>	MEMO ENDORSEMENT granting <u>152</u> LETTER MOTION for Extension of Time until July 8, 2015 addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated July 7, 2015. ENDORSEMENT: Granted. So Ordered. (Signed by Judge Kenneth M. Karas on 7/7/2015) (Inl) (Entered: 07/08/2015)
07/08/2015	<u>154</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – LETTER MOTION for Conference <i>in further support of Infant Compromise Order</i> addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated July 8, 2015. Document filed by A.R. and D.R., O.C. and D.C, T.E..(Maazel, Ilann) Modified on 7/9/2015 (db). (Entered: 07/08/2015)
07/08/2015	<u>155</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – DECLARATION of Ilann M. Maazel in Support re: <u>154</u> LETTER MOTION for Conference <i>in further support of Infant Compromise Order</i> addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated July 8, 2015.. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Attachments: # <u>1</u> Exhibit ECBA Time Records, # <u>2</u> Exhibit Retainer Agreement, # <u>3</u> Exhibit Co-Counsel Agreement, # <u>4</u> Exhibit Biography of Ilann M. Maazel, # <u>5</u> Exhibit Biography of Andrew Wilson, # <u>6</u> Exhibit Biography of Zoe Salzman)(Maazel, Ilann) Modified on 7/9/2015 (db). (Entered: 07/08/2015)
07/08/2015	<u>156</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – DECLARATION of Sherri Eccleston in Support re: <u>154</u> LETTER MOTION for Conference <i>in further support of Infant Compromise Order</i> addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated July 8, 2015.. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Maazel, Ilann) Modified on 7/9/2015 (db). (Entered: 07/08/2015)
07/08/2015	<u>157</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – DECLARATION of David Cohen in Support re: <u>154</u> LETTER MOTION for Conference <i>in further support of Infant Compromise Order</i> addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated July 8, 2015.. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Maazel, Ilann) Modified on 7/9/2015 (db). (Entered: 07/08/2015)
07/08/2015	<u>158</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – DECLARATION of Adele P. Kimmel in Support re: <u>154</u> LETTER MOTION for Conference <i>in further support of Infant Compromise Order</i> addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated July 8, 2015.. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Maazel, Ilann) Modified on 7/9/2015 (db). (Entered: 07/08/2015)
07/08/2015	<u>159</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – DECLARATION of Michael D. Meth in Support re: <u>154</u> LETTER MOTION for Conference <i>in further support of Infant Compromise Order</i> addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated July 8, 2015.. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Maazel, Ilann) Modified on 7/9/2015 (db). (Entered: 07/08/2015)
07/08/2015	<u>160</u>	DECLARATION of Joan M. Gilbride in Support. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter. (Gilbride, Joan) Modified on 7/9/2015 (db). (Entered: 07/08/2015)
07/09/2015		***NOTICE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Notice to Attorney Ilann M. Maazel to RE-FILE Document <u>154</u> LETTER MOTION for Conference <i>in further support of Infant Compromise</i>

		Order addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated July 8, 2015. Use the event type Letter found under the event list Other Documents. (db) (Entered: 07/09/2015)
07/09/2015		***NOTICE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Notice to Attorney Ilann M. Maazel to RE-FILE Document <u>159</u> Declaration in Support of Motion, <u>156</u> Declaration in Support of Motion, <u>158</u> Declaration in Support of Motion, <u>157</u> Declaration in Support of Motion, <u>155</u> Declaration in Support of Motion. Use the event type Declaration in Support (non-motion) found under the event list Other Answers. (db) (Entered: 07/09/2015)
07/09/2015	<u>161</u>	LETTER addressed to Judge Kenneth M. Karas from Ilann M. Maazel dated July 8, 2015 re: Ilann M. Maazel's Letter to Judge Karas in Response to Your Honor's Order, dkt. #151. Document filed by A.R. and D.R., O.C. and D.C, T.E..(Maazel, Ilann) (Entered: 07/09/2015)
07/09/2015	<u>162</u>	LETTER addressed to Judge Kenneth M. Karas from Joan M. Gilbride dated July 8, 2015 re: support of settlement agreement and infant's compromise order. Document filed by John Boyle, Steve Fisch, Aaron Hopmayer, Robert Peters, Pine Bush Central School District, Pine Bush Central School District Board of Education, Philip G. Steinberg, Eric Winter.(Gilbride, Joan) (Entered: 07/09/2015)
07/09/2015	<u>163</u>	DECLARATION of Ilann M. Maazel in Support. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Attachments: # <u>1</u> Exhibit ECBA Time Records, # <u>2</u> Exhibit Retainer Agreement, # <u>3</u> Exhibit Co-Counsel Agreement, # <u>4</u> Exhibit Biography of Ilann M. Maazel, # <u>5</u> Exhibit Biography of Andrew Wilson, # <u>6</u> Exhibit Biography of Zoe Salzman)(Maazel, Ilann) (Entered: 07/09/2015)
07/09/2015	<u>164</u>	DECLARATION of Sherri Eccleston in Support. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Maazel, Ilann) (Entered: 07/09/2015)
07/09/2015	<u>165</u>	DECLARATION of David Cohen in Support. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Maazel, Ilann) (Entered: 07/09/2015)
07/09/2015	<u>166</u>	DECLARATION of Adele P. Kimmel in Support. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Maazel, Ilann) (Entered: 07/09/2015)
07/09/2015	<u>167</u>	DECLARATION of Michael D. Meth in Support. Document filed by A.R. and D.R., O.C. and D.C, T.E.. (Maazel, Ilann) (Entered: 07/09/2015)
07/09/2015		Minute Entry for proceedings held before Judge Kenneth M. Karas: Infant Compromise Hearing held on 7/9/2015. Ilann Maazel and Michael Meth appeared on behalf of Plaintiffs. Joan Gilbride and Daniel Petigrow appeared on behalf of Defendants. The Court approved the Settlement for the reasons stated on the record. See Order. (Court Reporter Angela O'Donnell) (AM) (Entered: 07/09/2015)
07/10/2015	<u>168</u>	ORDER: NOW, THEREFORE, IT IS HEREBY ORDERED, as follows: 1. The Settlement and General Release, attached as Exhibit A to the Declaration of Ilann M. Maazel dated June 29, 2015, is approved. 2. The proposed trusts for the infant Plaintiffs T.E. and O.C. are approved. 3. Attorneys' fees of \$1,493,333 and disbursements of \$77,648 are approved, which together amount to a total payment of \$1,570,981 to Plaintiffs' counsel. The Clerk of the Court is respectfully directed to close this case. The Court will retain jurisdiction as per the terms of the Settlement Agreement. SO ORDERED. (Signed by Judge Kenneth M. Karas on 7/10/2015) (Inl) (Entered: 07/10/2015)
01/05/2016	<u>169</u>	TRANSCRIPT of Proceedings re: conference held on 9/10/2013 before Judge Kenneth M. Karas. Court Reporter/Transcriber: Mary Staten, (914) 390-4027. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/29/2016. Redacted Transcript Deadline set for 2/8/2016. Release of Transcript Restriction set for 4/7/2016.(Staten, Mary) (Entered: 01/05/2016)
01/05/2016	<u>170</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a conference proceeding held on 09/10/2013 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have

		seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Staten, Mary) (Entered: 01/05/2016)
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