

CLOSED

**U.S. District Court
Northern District of New York – Main Office (Syracuse) [LIVE – Version 6.1]
(Watertown)
CIVIL DOCKET FOR CASE #: 7:09-cv-00411-GTS-TWD**

Pratt et al v. Indian River Central School District et al
Assigned to: Judge Glenn T. Suddaby
Referred to: Magistrate Judge Therese Wiley Dancks
Cause: 42:1983 Civil Rights Act

Date Filed: 04/08/2009
Date Terminated: 06/21/2013
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Charles Patrick Pratt

represented by **Adam T. Humann**
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TERMINATED: 12/20/2010
LEAD ATTORNEY

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TERMINATED: 02/18/2010
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TERMINATED: 06/19/2012
PRO HAC VICE

Plaintiff

A.E.P.
through her parents and next friends
Bobbi Lynn Petranchuk and Todd
Edward Petranchuk

represented by **Adam T. Humann**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Hayley J. Gorenberg
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lisa V. LeCointe-Cephas
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Maura M. Klugman
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Michael D. Kavey
(See above for address)
TERMINATED: 12/20/2010
LEAD ATTORNEY

Sudwiti Chanda
(See above for address)
TERMINATED: 02/18/2010
LEAD ATTORNEY
PRO HAC VICE

Thomas W. Ude , Jr.
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Alexandra P. Kolod
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Robert A. Gretch
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Vickie Reznik
(See above for address)
TERMINATED: 06/19/2012
PRO HAC VICE

V.

Defendant

Indian River Central School District

represented by **Frank W. Miller**
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TERMINATED: 12/17/2009

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TERMINATED: 08/12/2010

Defendant

**Indian River Central School District
Board of Education**

represented by **Frank W. Miller**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bryan N. Georgiady
(See above for address)
ATTORNEY TO BE NOTICED

Charles C. Spagnoli
(See above for address)
ATTORNEY TO BE NOTICED

Charles E. Symons
(See above for address)
TERMINATED: 12/17/2009

Michael J. Livolsi
(See above for address)
TERMINATED: 08/12/2010

Defendant

James Kettrick
*Superintendent of Indian River Central
School District, in his official and
individual capacities*

represented by **Frank W. Miller**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bryan N. Georgiady
(See above for address)

ATTORNEY TO BE NOTICED

Charles C. Spagnoli
(See above for address)
ATTORNEY TO BE NOTICED

Charles E. Symons
(See above for address)
TERMINATED: 12/17/2009

Michael J. Livolsi
(See above for address)
TERMINATED: 08/12/2010

Defendant

Troy Decker
*Principal of Indian River High School, in
his official and individual capacities*

represented by **Frank W. Miller**
(See above for address)
LEAD ATTORNEY
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Bryan N. Georgiady
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ATTORNEY TO BE NOTICED

Charles C. Spagnoli
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ATTORNEY TO BE NOTICED

Charles E. Symons
(See above for address)
TERMINATED: 12/17/2009

Michael J. Livolsi
(See above for address)
TERMINATED: 08/12/2010

Defendant

Jay Brown
in individual capacities

represented by **Frank W. Miller**
(See above for address)
LEAD ATTORNEY
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Bryan N. Georgiady
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ATTORNEY TO BE NOTICED

Charles C. Spagnoli
(See above for address)
ATTORNEY TO BE NOTICED

Charles E. Symons
(See above for address)
TERMINATED: 12/17/2009

Michael J. Livolsi
(See above for address)
TERMINATED: 08/12/2010

Defendant

John Davis
in individual capacities

represented by **Frank W. Miller**
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LEAD ATTORNEY
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Bryan N. Georgiady
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ATTORNEY TO BE NOTICED

Charles C. Spagnoli
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ATTORNEY TO BE NOTICED

Charles E. Symons
(See above for address)
TERMINATED: 12/17/2009

Michael J. Livolsi
(See above for address)
TERMINATED: 08/12/2010

Defendant

Kenda Gray
in individual capacities

represented by **Frank W. Miller**
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LEAD ATTORNEY
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ATTORNEY TO BE NOTICED

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TERMINATED: 12/17/2009

Michael J. Livolsi
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TERMINATED: 08/12/2010

Defendant

Amable Turner
in individual capacities

represented by **Frank W. Miller**
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Bryan N. Georgiady
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ATTORNEY TO BE NOTICED

Charles C. Spagnoli
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ATTORNEY TO BE NOTICED

Charles E. Symons
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TERMINATED: 12/17/2009

Michael J. Livolsi
(See above for address)
TERMINATED: 08/12/2010

Defendant

represented by

Patricia Henderson
in individual capacities

Frank W. Miller
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ATTORNEY TO BE NOTICED

Bryan N. Georgiady
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ATTORNEY TO BE NOTICED

Charles C. Spagnoli
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ATTORNEY TO BE NOTICED

Charles E. Symons
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TERMINATED: 12/17/2009

Michael J. Livolsi
(See above for address)
TERMINATED: 08/12/2010

Defendant

Brian Moore
Individually

represented by **Frank W. Miller**
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LEAD ATTORNEY
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Bryan N. Georgiady
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ATTORNEY TO BE NOTICED

Charles C. Spagnoli
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ATTORNEY TO BE NOTICED

Michael J. Livolsi
(See above for address)
TERMINATED: 08/12/2010

Amicus

United States of America

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TERMINATED: 05/09/2011

Material Witness

**Jefferson County Probation
Department**

Jefferson County Attorney's Office
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Date Filed	#	Docket Text
04/08/2009	<u>1</u>	COMPLAINT against Troy Decker, Jay Brown, John Davis, Kenda Gray, Amable Turner, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick (Filing fee \$350 receipt number 1263269) filed by Charles Patrick Pratt, A.E.P.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibits)(sfp,) (Entered: 04/08/2009)
04/08/2009	<u>2</u>	G.O. 25 FILING ORDER ISSUED: Rule 16 Initial Conference set for 8/19/2009 at 11:00 AM by Telephone before Magistrate Judge George H. Lowe. Civil Case Management Plan due by 8/10/2009. (sfp,) (Entered: 04/08/2009)
04/08/2009	<u>3</u>	Summons Issued as to Jay Brown. (sfp,) (Entered: 04/08/2009)
04/08/2009	<u>4</u>	Summons Issued as to John Davis. (sfp,) (Entered: 04/08/2009)
04/08/2009	<u>5</u>	Summons Issued as to Troy Decker. (sfp,) (Entered: 04/08/2009)
04/08/2009	<u>6</u>	Summons Issued as to Kenda Gray. (sfp,) (Entered: 04/08/2009)
04/08/2009	<u>7</u>	Summons Issued as to Patricia Henderson. (sfp,) (Entered: 04/08/2009)
04/08/2009	<u>8</u>	Summons Issued as to Indian River Central School District. (sfp,) (Entered: 04/08/2009)
04/08/2009	<u>9</u>	Summons Issued as to Indian River Central School District Board of Education. (sfp,) (Entered: 04/08/2009)
04/08/2009	<u>10</u>	Summons Issued as to James Kettrick. (sfp,) (Entered: 04/08/2009)
04/08/2009	<u>11</u>	Summons Issued as to Amable Turner. (sfp,) (Entered: 04/08/2009)
04/09/2009	<u>12</u>	MOTION for Limited Admission Pro Hac Vice of Sudwiti Chanda Filing fee \$30, receipt number 02060000000001264524. filed by Charles Patrick Pratt, A.E.P.. (Attachments: # <u>1</u> Verified Petition, # <u>2</u> Affidavit of Sponsor, # <u>3</u> Certificate of Good Standing, # <u>4</u> E-Filing Registration Form, # <u>5</u> Proposed Order/Judgment, # <u>6</u> Certificate of Service) Motions referred to George H. Lowe. (Kavey, Michael) (Entered: 04/09/2009)
04/09/2009	<u>13</u>	MOTION for Limited Admission Pro Hac Vice of Adam T. Humann Filing fee \$30, receipt number 02060000000001264557. filed by Charles Patrick Pratt, A.E.P.. (Attachments: # <u>1</u> Verified Petition, # <u>2</u> Affidavit of Sponsor, # <u>3</u> Certificate of Good Standing, # <u>4</u> E-Filing Registration Form, # <u>5</u> Proposed Order/Judgment, # <u>6</u> Certificate of Service) Motions referred to George H. Lowe. (Kavey, Michael) (Entered: 04/09/2009)
04/09/2009	<u>14</u>	ORDER granting <u>12</u> Motion for Limited Admission Pro Hac Vice as to Sudwiti Chanda. Signed by Magistrate Judge George H. Lowe on 4/9/09. (rjb,) (Entered: 04/09/2009)
04/09/2009	<u>15</u>	ORDER granting <u>13</u> Motion for Limited Admission Pro Hac Vice as to Adam T. Humann. Signed by Magistrate Judge George H. Lowe on 4/9/09. (rjb,) (Entered: 04/09/2009)
04/16/2009	<u>16</u>	AFFIDAVIT of Service for Summons and Complaint served on Amable Turner on 4/13/2009, filed by A.E.P.. (Chanda, Sudwiti) Modified on 4/16/2009 (amt). (Entered: 04/16/2009)
04/16/2009	<u>17</u>	AFFIDAVIT of Service for Summons and Complaint <i>Corrected</i> served on Amable Turner on 4/13/2009, filed by A.E.P.. (Chanda, Sudwiti) (Entered: 04/16/2009)
04/16/2009	<u>18</u>	AFFIDAVIT of Service for Summons and Complaint served on IRCSD Board of Education on 4/13/2009, filed by A.E.P.. (Chanda, Sudwiti) (Entered: 04/16/2009)

04/16/2009	<u>19</u>	AFFIDAVIT of Service for Summons and Complaint served on Jay Brown on 4/13/2009, filed by A.E.P.. (Chanda, Sudwiti) (Entered: 04/16/2009)
04/16/2009	<u>20</u>	AFFIDAVIT of Service for Summons and Complaint served on Kenda Gray on 4/13/2009, filed by A.E.P.. (Chanda, Sudwiti) (Entered: 04/16/2009)
04/16/2009	<u>21</u>	AFFIDAVIT of Service for Summons and Complaint served on Patricia Henderson on 4/13/2009, filed by A.E.P.. (Chanda, Sudwiti) (Entered: 04/16/2009)
04/16/2009	<u>22</u>	AFFIDAVIT of Service for Summons and Complaint served on Troy Decker on 4/13/2009, filed by A.E.P.. (Chanda, Sudwiti) (Entered: 04/16/2009)
04/16/2009	<u>23</u>	AFFIDAVIT of Service for Summons and Complaint served on Indian River Central School District on 4/13/2009, filed by A.E.P.. (Chanda, Sudwiti) (Entered: 04/16/2009)
04/16/2009	<u>24</u>	AFFIDAVIT of Service for Summons and Complaint served on James Kettrick on 4/13/2009, filed by A.E.P.. (Chanda, Sudwiti) (Entered: 04/16/2009)
04/16/2009		CLERK'S CORRECTION OF DOCKET ENTRY; Text of <u>16</u> Affidavit of Service was modified to reflect the correct name of the Deft served. (amt) (Entered: 04/16/2009)
04/22/2009	<u>25</u>	NOTICE of Appearance by Michael D. Kavey on behalf of all plaintiffs (Kavey, Michael) (Entered: 04/22/2009)
04/30/2009	<u>26</u>	AFFIDAVIT of Service for Summons & Complaint served on John Davis on 4/24/2009, filed by A.E.P.. (Chanda, Sudwiti) (Entered: 04/30/2009)
05/04/2009	<u>27</u>	NOTICE of Appearance by Frank W. Miller on behalf of Troy Decker, Jay Brown, John Davis, Kenda Gray, Amable Turner, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick (Miller, Frank) (Entered: 05/04/2009)
05/04/2009	<u>28</u>	<i>Defendants'</i> ANSWER to <u>1</u> Complaint, <i>filed</i> by Troy Decker, Jay Brown, John Davis, Kenda Gray, Amable Turner, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick. (Attachments: # <u>1</u> Supplement Certificate of Service)(Miller, Frank) (Entered: 05/04/2009)
05/05/2009		TEXT NOTICE of Hearing CHANGE: The Initial Rule 16 Conference scheduled for 8/19/09 is hereby RESCHEDULED for 6/18/2009 at 09:30 AM before Magistrate Judge George H. Lowe; Civil Case Management Plan due by 6/15/2009. Plaintiff's attorney is responsible for initiating the call, using a teleconferencing service, and should call the chambers of Magistrate Judge George H. Lowe at (315) 234-8618, a dedicated conference line which may not be used for other purposes.(rjb,) (Entered: 05/05/2009)
06/02/2009		TEXT NOTICE of Hearing CHANGE: Pursuant to the request of Plaintiffs' counsel, the Initial Conference scheduled for 6/18/09 is hereby RESCHEDULED for 6/25/2009 at 09:30 AM before Magistrate Judge George H. Lowe; Civil Case Management Plan due by 6/22/2009. (rjb,) (Entered: 06/02/2009)
06/11/2009	<u>29</u>	Letter Motion from Sudwiti Chanda and Michael Kavey for Charles Patrick Pratt, A.E.P. requesting Civil Case Management Plan submitted to Judge Glenn T. Suddaby. (Chanda, Sudwiti) (Entered: 06/11/2009)
06/12/2009	<u>30</u>	First MOTION for Summary Judgment / <i>Motion to Dismiss</i> , Motion Hearing set for 7/16/2009 10:00 AM in Syracuse before Judge Glenn T. Suddaby Response to Motion due by 6/29/2009 Reply to Response to Motion due by 7/6/2009. filed by Troy Decker, Jay Brown, John Davis, Kenda Gray, Amable Turner, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick. (Attachments: # <u>1</u> Declaration Attorney Declaration, # <u>2</u> Exhibit(s) Ex. A, Part 1 to Atty. Declaration, # <u>3</u> Exhibit(s) Ex. A, Part 2, and Ex. B to Atty. Declaration, # <u>4</u> Affidavit Affidavit of James Kettrick, # <u>5</u> Memorandum of Law Defs'. MOL in support of Motion to Dismiss/Motion for Summary Judgment, # <u>6</u> Supplement Attachments to Defs' MOL, Part 1, # <u>7</u> Supplement Attachments to Defs' MOL, Part 2, # <u>8</u> Statement of Material Facts Defs' Statement of Material Facts, # <u>9</u> Supplement Certificate of

		Service) (Miller, Frank) (Entered: 06/12/2009)
06/15/2009		TEXT NOTICE of Hearing on # <u>30</u> MOTION for Summary Judgment// <i>Motion to Dismiss</i> .: Motion Hearing set for 7/15/2009 on submit before Judge Glenn T. Suddaby. No appearances necessary. Response to Motion due by 6/29/2009. Reply to Response to Motion due by 7/6/2009. Counsel are directed to forward a courtesy copy of all motion papers in excess of 50 pages directly to Judge Suddaby's chambers.(lmw) (Entered: 06/15/2009)
06/15/2009		TEXT NOTICE: The Rule 16 conference scheduled for June 25, 2009 is hereby adjourned without date. The conference will be rescheduled, if necessary, once a decision has been issued on the <u>30</u> Motion for Summary Judgment/Motion to Dismiss. (rjb,) (Entered: 06/15/2009)
06/19/2009	<u>31</u>	NOTICE of Appearance by Charles E. Symons on behalf of Troy Decker, Jay Brown, John Davis, Kenda Gray, Amable Turner, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick (Symons, Charles) (Entered: 06/19/2009)
06/24/2009	<u>32</u>	Letter Motion from Lambda Legal and Kirkland & Ellis LLP on behalf of Plaintiffs for Charles Patrick Pratt, A.E.P. requesting adjournment of briefing schedule submitted to Judge Suddaby and Judge Lowe. (Chanda, Sudwiti) (Entered: 06/24/2009)
06/25/2009		TEXT ORDER granting Plaintiffs' # <u>32</u> request for an extension of the deadline for their response to Defendants' motion for summary judgment. In accordance with Plaintiffs' proposed motion—to—amend deadline set forth in their letter of 6/11/09, Plaintiffs shall have until 7/1/09, by which to file a motion to amend their Complaint. Upon the Court's issuance of its Decision and Order on Plaintiffs' motion to amend, the Court will reset the briefing schedule on Defendants' motion, including a deadline for any amendment or supplementation of the motion, should that be necessary. Authorized by Judge Glenn T. Suddaby on 6/25/09. (lmw) (Entered: 06/25/2009)
07/01/2009	<u>33</u>	MOTION for Leave to File <i>Amended Complaint</i> filed by Charles Patrick Pratt, A.E.P.. (Attachments: # <u>1</u> Affidavit) Motions referred to George H. Lowe. (Chanda, Sudwiti) (Entered: 07/01/2009)
07/02/2009		COURT TEXT NOTICE placing Plaintiff's <u>33</u> MOTION for Leave to File <i>Amended Complaint</i> on Magistrate Judge Lowe's 8/6/09 motion calendar; The motion will be ON SUBMIT – No appearances are necessary; Response to Motion due by 7/20/2009; Reply to Response to Motion due by 7/26/2009. (amt) (Entered: 07/02/2009)
07/20/2009	<u>34</u>	RESPONSE in Opposition re <u>33</u> MOTION for Leave to File <i>Amended Complaint</i> filed by Troy Decker, Jay Brown, John Davis, Kenda Gray, Amable Turner, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick. (Attachments: # <u>1</u> Memorandum of Law Response brief in opposition to motion to amend, # <u>2</u> Affidavit Electronic certificate of service)(Symons, Charles) (Entered: 07/20/2009)
07/27/2009	<u>35</u>	REPLY to Response to Motion re <u>33</u> MOTION for Leave to File <i>Amended Complaint</i> filed by Charles Patrick Pratt. (Attachments: # <u>1</u> Affidavit Affidavit of M. Kavey in Supp. of Reply Mem., # <u>2</u> Certificate of Service)(Kavey, Michael) (Entered: 07/27/2009)
07/30/2009	<u>36</u>	MOTION for Limited Admission Pro Hac Vice of Maura Martin Klugman Filing fee \$30, receipt number 0206000000001354958. filed by Charles Patrick Pratt, A.E.P.. (Attachments: # <u>1</u> Verified Petition, # <u>2</u> Affidavit of Sponsor, # <u>3</u> Klugman Certificate of Good Standing, NY, # <u>4</u> E-filing Registration, Klugman, # <u>5</u> Proposed Order/Judgment for Limited Pro Hac Vice Admission, Klugman, # <u>6</u> Certificate of Service) Motions referred to George H. Lowe. (Kavey, Michael) (Entered: 07/30/2009)
08/03/2009	<u>37</u>	ORDER granting <u>36</u> Motion for Limited Admission Pro Hac Vice as to Maura Martin Klugman. Signed by Magistrate Judge George H. Lowe on 8/3/09. (rjb,) (Entered: 08/03/2009)

10/08/2009	<u>38</u>	<i>Letter Request</i> / Letter Motion from attorney Charles E. Symons on behalf of defendants for Troy Decker, Jay Brown, John Davis, Kenda Gray, Amable Turner, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick requesting permission to submit a 2–page letter brief submitted to Judge Glenn T. Suddaby. (Symons, Charles) (Entered: 10/08/2009)
10/13/2009		TEXT ORDER granting Defendants' # <u>38</u> Letter Request. Defendants are granted permission to file a letter brief limited to two pages by 10/16/09 with regard to the recent decision issued by the Appellate Division Second Department. Plaintiffs' are granted permission to file a response letter brief of no more than two pages by 10/23/09. Authorized by Judge Glenn T. Suddaby on 10/13/09. (lmw) (Entered: 10/13/2009)
10/15/2009	<u>39</u>	<i>/ 2 page Letter Brief with attached cases</i> , filed by Troy Decker, Jay Brown, John Davis, Kenda Gray, Amable Turner, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick. (Attachments: # <u>1</u> Supplement Certificate of Service)(Symons, Charles) Modified on 10/16/2009 (amt). (Entered: 10/15/2009)
10/23/2009	<u>40</u>	LETTER BRIEF by Charles Patrick Pratt, A.E.P.. (Attachments: # <u>1</u> Supplement Certificate of Service)(Humann, Adam) (Entered: 10/23/2009)
12/04/2009	<u>41</u>	NOTICE of Appearance by Thomas W. Ude, Jr on behalf of A.E.P., Charles Patrick Pratt (Attachments: # <u>1</u> Certificate of Service)(Ude, Thomas) (Entered: 12/04/2009)
12/17/2009	<u>42</u>	NOTICE by Indian River Central School District (Symons, Charles) (Entered: 12/17/2009)
12/18/2009	<u>43</u>	<i>Letter Request</i> / Letter Motion from attorney Frank W. Miller for Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Amable Turner requesting Removal of Charles E. Symons from list of "noticed" attorneys submitted to Judge, submitted to Clerk of District Court, Northern District of New York. (Miller, Frank) (Entered: 12/18/2009)
02/09/2010	<u>44</u>	ORDER: Plaintiff's <u>33</u> Motion for Leave to File an amended complaint is GRANTED. The amended complaint is to be filed within ten days of this Order. Signed by Magistrate Judge George H. Lowe on 2/9/2010. (dmf) (Entered: 02/09/2010)
02/18/2010	<u>45</u>	NOTICE by A.E.P., Charles Patrick Pratt <i>Withdrawal of Counsel – Sudwiti Chanda</i> (Humann, Adam) (Entered: 02/18/2010)
02/18/2010	<u>46</u>	NOTICE by A.E.P., Charles Patrick Pratt <i>of Filing First Amended Complaint</i> (Attachments: # <u>1</u> Stipulation of Counsel of February 17, 2010, # <u>2</u> Certificate of Service)(Ude, Thomas) (Entered: 02/18/2010)
02/18/2010	<u>47</u>	AMENDED COMPLAINT by A.E.P., Charles Patrick Pratt. (Attachments: # <u>1</u> Certificate of Service)(Ude, Thomas) Modified on 2/18/2010 (amt). (Entered: 02/18/2010)
02/19/2010	<u>48</u>	NOTICE by A.E.P., Charles Patrick Pratt re <u>46</u> Notice (Other) <i>Letter Attachment to Stipulation re Amended Complaint</i> (Attachments: # <u>1</u> Letter of Counsel – Additional Attachment to Notice filed on February 18 2010)(Ude, Thomas) (Entered: 02/19/2010)
02/19/2010	<u>49</u>	Summons Issued as to Brian Moore re: <u>47</u> Amended Complaint. (amt) (Entered: 02/19/2010)
02/25/2010	<u>50</u>	AFFIDAVIT of Service for Summons and Amended Complaint served on Brian Moore on 2/22/2010, filed by A.E.P., Charles Patrick Pratt. (Humann, Adam) (Entered: 02/25/2010)
03/05/2010	<u>51</u>	<i>Defendant's ANSWER to</i> <u>47</u> Amended Complaint, by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner. (Attachments: # <u>1</u> Affidavit Certificate of

		Service)(Miller, Frank) Modified on 3/5/2010, to reflect correct document answering (mnm). (Entered: 03/05/2010)
03/05/2010	<u>52</u>	NOTICE of Appearance by Frank W. Miller on behalf of Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner (Attachments: # <u>1</u> Affidavit Certificate of Service)(Miller, Frank) (Entered: 03/05/2010)
04/14/2010	<u>53</u>	MOTION for Limited Admission Pro Hac Vice of Vickie Reznik Filing fee \$30, receipt number 0206-1545569. filed by A.E.P., Charles Patrick Pratt. (Attachments: # <u>1</u> Verified Petition, # <u>2</u> Affidavit of Sponsor, # <u>3</u> Certificate of Good Standing, # <u>4</u> E-Filing Registration Form, # <u>5</u> Proposed Order/Judgment, # <u>6</u> Certificate of Service) Motions referred to George H. Lowe. (Ude, Thomas) (Entered: 04/14/2010)
04/15/2010	<u>54</u>	ORDER granting <u>53</u> Motion for Limited Admission Pro Hac Vice as to Vickie Reznik. Signed by Magistrate Judge George H. Lowe on 4/15/10. (rjb,) (Entered: 04/15/2010)
05/19/2010	<u>55</u>	Letter Motion from Frank W. Miller for Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Amable Turner requesting further direction from the Court in light of the Courts prior Order in this matter, i.e., Docket Entry No. 54, regarding whether the Court wishes to establish a further briefing schedule for the motion to dismiss. submitted to Judge Glenn T. Suddaby. (Miller, Frank) (Entered: 05/19/2010)
05/21/2010		NOTICE of Hearing on # <u>30</u> First MOTION for Summary Judgment / <i>Motion to Dismiss</i> : Motion Hearing set for 7/15/2010 on submit before Judge Glenn T. Suddaby. No appearances are necessary. Defendants may file, if they so choose, an amendment or supplement to the # <u>30</u> motion to dismiss by 6/11/10. Response to Motion due by 6/28/2010. Reply to Response to Motion due by 7/6/2010. Counsel are directed to forward a courtesy copy of all motion papers in excess of 50 pages directly to chambers.(lmw) (Entered: 05/21/2010)
06/11/2010	<u>56</u>	SECOND MOTION to Dismiss Motion Hearing set for 7/15/2010 10:00 AM in Syracuse before Judge Glenn T. Suddaby Response to Motion due by 6/28/2010 Reply to Response to Motion due by 7/6/2010. filed by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Amable Turner. (Attachments: # <u>1</u> Statement of Material Facts Statement of Material Facts, # <u>2</u> Declaration Attorney Declaration of Michael J. Livolsi, # <u>3</u> Exhibit(s) Exhibit A to Declaration, # <u>4</u> Exhibit(s) Exhibit B to Declaration, # <u>5</u> Exhibit(s) Exhibit C to Declaration, # <u>6</u> Exhibit(s) Exhibit D to Declaration, # <u>7</u> Exhibit(s) Exhibit E to Declaration, # <u>8</u> Exhibit(s) Exhibit F to Declaration, # <u>9</u> Exhibit(s) Exhibit G to Declaration, # <u>10</u> Exhibit(s) Exhibit H to Declaration, # <u>11</u> Exhibit(s) Exhibit I to Declaration, # <u>12</u> Exhibit(s) Exhibit J to Declaration, # <u>13</u> Exhibit(s) Exhibit K to Declaration, # <u>14</u> Exhibit(s) Exhibit L to Declaration, # <u>15</u> Exhibit(s) Exhibit M to Declaration, # <u>16</u> Exhibit(s) Exhibit N to Declaration, # <u>17</u> Exhibit(s) Exhibit O to Declaration, # <u>18</u> Memorandum of Law Defendants' Memorandum of Law in Support of Defendants' Motion to Dismiss/Motion for Summary Judgment, # <u>19</u> Supplement Attachment 1 to MOL, # <u>20</u> Supplement Attachment 2 to MOL, # <u>21</u> Supplement Attachment 3 to MOL, # <u>22</u> Supplement Attachment 4 to MOL, # <u>23</u> Supplement Attachment 5 to MOL, # <u>24</u> Supplement Attachment 6 to MOL, # <u>25</u> Supplement Attachment 7 to MOL, # <u>26</u> Supplement Attachment 8 to MOL, # <u>27</u> Affidavit Certificate of Service) (Livolsi, Michael) (Entered: 06/11/2010)
06/16/2010		TEXT NOTICE of Hearing on # <u>56</u> Amended MOTION to Dismiss : Motion Hearing set for 7/15/2010 on submit before Judge Glenn T. Suddaby. No personal appearances. Response to Motion due by 6/28/2010. Reply to Response to Motion due by 7/6/2010. Counsel are directed to forward a courtesy copy of all motion papers in excess of 50 pages directly to chambers.(lmw) (Entered: 06/16/2010)

06/18/2010	<u>57</u>	Letter Motion from Plaintiffs for A.E.P., Charles Patrick Pratt requesting to file a response exceeding page limit submitted to Judge Suddaby. (Humann, Adam) (Entered: 06/18/2010)
06/22/2010		TEXT ORDER granting Plaintiff's # <u>57</u> Letter Request to file an oversized memorandum of law not to exceed 35 pages in length. Authorized by Judge Glenn T. Suddaby on 6/22/10. (lmw) (Entered: 06/22/2010)
06/28/2010	<u>58</u>	RESPONSE in Opposition re <u>56</u> Amended MOTION to Dismiss filed by A.E.P., Charles Patrick Pratt. (Attachments: # <u>1</u> Declaration, # <u>2</u> Affidavit, # <u>3</u> cert of service, # <u>4</u> Statement of Material Facts)(Ude, Thomas) (Entered: 06/28/2010)
06/28/2010	<u>59</u>	AFFIDAVIT in Opposition re <u>56</u> Amended MOTION to Dismiss (<i>Declaration of Maura M. Klugman</i>) filed by A.E.P., Charles Patrick Pratt. (Attachments: # <u>1</u> Exhibit(s), # <u>2</u> Exhibit(s))(Ude, Thomas) (Entered: 06/29/2010)
07/01/2010	<u>60</u>	Letter Motion from Michael J. Livolsi, Esq. for Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner requesting permission to file a Reply Memorandum of Law which is not to exceed twenty (20) pages, as well as the Courts permission to file a reply on or before July 13, 2010 submitted to Judge Hon. Glenn T. Suddaby. (Livolsi, Michael) (Entered: 07/01/2010)
07/01/2010	<u>61</u>	Letter Motion from Michael J. Livolsi, Esq. for Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner requesting permission to file a Reply Memorandum of Law which is not to exceed twenty (20) pages, as well as the Courts permission to file a reply on or before July 13, 2010 submitted to Judge Hon. Glenn T. Suddaby. (Attachments: # <u>1</u> Affidavit Certificate of Service)(Livolsi, Michael) (Entered: 07/01/2010)
07/02/2010		CLERK'S CORRECTION OF DOCKET ENTRY: The Clerk has terminated the # <u>60</u> Letter Motion requesting permission to file a Reply Memorandum of Law which is not to exceed twenty (20) pages, as well as the Courts permission to file a reply on or before July 13, 2010 filed by Michael Livolsi, Esq., as it was amended / supplemented by the # <u>61</u> Letter Motion. (jmb) (Entered: 07/02/2010)
07/02/2010		TEXT ORDER granting Defendants' # <u>61</u> Letter Request for an extension of time to file a reply to the # <u>56</u> 2nd motion to dismiss until 7/13/10 and granting Defendants' request to file an oversized reply brief not to exceed 20 pages in length. Authorized by Judge Glenn T. Suddaby on 7/2/10. (lmw) (Entered: 07/02/2010)
07/13/2010	<u>62</u>	REPLY to Response to Motion re <u>56</u> Amended MOTION to Dismiss filed by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner. (Attachments: # <u>1</u> Memorandum of Law Reply Memorandum of Law in Support of Defendants' Motion to Dismiss/Motion for Summary Judgment, # <u>2</u> Affidavit Certificate of Service)(Livolsi, Michael) (Entered: 07/13/2010)
07/16/2010	<u>63</u>	<i>Letter Request</i> / Letter Motion from attorney Michael J. Livolsi o/b/o Defendants for Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner requesting Permission to file a motion to amend Defendants' Answer to Plaintiffs' Amended Complaint submitted to Judge George H. Lowe. (Livolsi, Michael) (Entered: 07/16/2010)
07/19/2010		TEXT ORDER: The Court has reviewed Dkt. No. 63. The Defendants' motion papers are to be filed on or before July 28, 2010; Plaintiffs' opposition papers are to be filed on or before August 11, 2010. There will be no oral argument unless the Court so directs. SO ORDERED by Magistrate Judge George H. Lowe on 7/19/10. (rjb,) (Entered: 07/19/2010)
07/28/2010	<u>64</u>	First MOTION Requesting an Order permitting Defendants to amend their Answer to Plaintiffs' First Amended Complaint re <u>51</u> Answer to Complaint, Motion

		Hearing set for 9/2/2010 10:00 AM in Syracuse before Judge Glenn T. Suddaby Response to Motion due by 8/16/2010 filed by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner. (Attachments: # <u>1</u> Declaration Atty. Declaration of Michael J. Livolsi, # <u>2</u> Exhibit(s) Ex. A to Declaration of M. J. Livolsi, # <u>3</u> Exhibit(s) Ex. B to Declaration of M. J. Livolsi, # <u>4</u> Exhibit(s) Ex. C to Declaration of M. J. Livolsi, # <u>5</u> Exhibit(s) Ex. D to Declaration of M. J. Livolsi, # <u>6</u> Exhibit(s) Ex. E to Declaration of M. J. Livolsi, # <u>7</u> Exhibit(s) Ex. F to Declaration of M. J. Livolsi, # <u>8</u> Exhibit(s) Ex. G to Declaration of M. J. Livolsi, # <u>9</u> Exhibit(s) Ex. H to Declaration of M. J. Livolsi, # <u>10</u> Supplement Certificate of Service) Motions referred to George H. Lowe. (Livolsi, Michael) (Entered: 07/28/2010)
08/02/2010		TEXT NOTICE: The <u>64</u> Motion to Amend the Answer will be heard by Magistrate Judge George H. Lowe on submission of the papers only. Judge Lowe will notify counsel if oral argument is necessary. (rjb,) (Entered: 08/02/2010)
08/11/2010	<u>65</u>	REQUEST – STIPULATION -- Motion re <u>64</u> First MOTION Requesting an Order permitting Defendants to amend their Answer to Plaintiffs' First Amended Complaint re <u>51</u> Answer to Complaint, First MOTION Requesting an Order permitting Defendants to amend their Answer to Plaintiffs' First Amended Complaint re <u>51</u> Answer to Complaint, First MOTION Requesting an Order permitting Defendants to amend their Answer to Plaintiffs' First Amended Complaint re <u>51</u> Answer to Complaint, First MOTION Requesting an Order permitting Defendants to amend their Answer to Plaintiffs' First Amended Complaint re <u>51</u> Answer to Complaint, First MOTION Requesting an Order permitting Defendants to amend their Answer to Plaintiffs' First Amended Complaint re <u>51</u> Answer to Complaint, filed by A.E.P., Charles Patrick Pratt. (Attachments: # <u>1</u> Certificate of Service)(Ude, Thomas) Modified on 8/12/2010 to indicate Stipulation (mnm). (Entered: 08/11/2010)
08/12/2010	<u>66</u>	NOTICE by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner , <i>of Removal of Counsel.</i> (Miller, Frank) (Entered: 08/12/2010)
08/13/2010	<u>67</u>	ORDER granting <u>65</u> Letter Request, the amended answer is to be filed no later than August 20, 2010. Signed by Magistrate Judge George H. Lowe on 8/13/10. (rjb,) (Entered: 08/13/2010)
08/13/2010	<u>68</u>	MOTION for leave to participate as Amicus Curiae filed by William H. Pease on behalf of United States of America. (Attachments: # <u>1</u> Exhibit(s), # <u>2</u> Exhibit(s), # <u>3</u> Exhibit(s), # <u>4</u> Exhibit(s))(Pease, William) Modified on 8/16/2010 to reflect this as a pending motion. (lmw). (Entered: 08/13/2010)
08/16/2010		TEXT NOTICE of Hearing on # <u>68</u> MOTION for Leave to participate as <i>Amicus Curiae</i> : Motion Hearing set for 9/16/2010 on submit before Judge Glenn T. Suddaby. No personal appearance. Response to Motion due by 8/30/2010. Reply to Response to Motion due by 9/7/2010. The # <u>30</u> motion to dismiss/SJ and the # <u>56</u> motion to dismiss are hereby stayed pending a decision on this motion.(lmw) (Entered: 08/16/2010)
08/19/2010	<u>69</u>	<i>Defendants' First Amended ANSWER to Complaint , i.e., Plaintiffs' First Amended Complaint, filed</i> by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner. (Attachments: # <u>1</u> Supplement Certificate of Service)(Miller, Frank) (Entered: 08/19/2010)
08/30/2010	<u>70</u>	LETTER BRIEF / <i>Letter Response, with Exs. A & B, to Magistrate Judge George H. Lowe, in response to <u>68</u> Motion for Leave to Participate as Amicus Curiae. Letter Brief/Letter Response filed</i> by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner. (Attachments: # <u>1</u> Supplement Certificate of Service)(Miller, Frank) Modified on 8/31/2010 (amt). (Entered: 08/30/2010)

09/07/2010	<u>71</u>	RESPONSE in Support re <u>68</u> MOTION for Leave to File --U.S. <i>REPLY IN SUPPORT OF ITS MOTION FOR LEAVE TO PARTICIPATE AS AMICUS CURIAE</i> -- filed by United States of America. (Attachments: # <u>1</u> Supplement, # <u>2</u> Supplement, # <u>3</u> Supplement, # <u>4</u> Supplement, # <u>5</u> Supplement)(Pease, William) (Entered: 09/07/2010)
12/06/2010	<u>72</u>	MEMORANDUM, DECISION and ORDER – the United States motion to participate as amicus curiae <u>68</u> Motion for Leave to File is granted, and the government is directed to electronically file its brief which is currently attached at Exhibit B to its moving papers at <u>68</u> . Defendants may file a response in opposition to any arguments raised by the United States in its amicus brief, not to exceed five (5) pages in length, within fourteen (14) days of the date of this Decision and Order. Signed by Judge Glenn T. Suddaby on 12/6/10. (mmm) (Entered: 12/07/2010)
12/17/2010	<u>73</u>	NOTICE by A.E.P., Charles Patrick Pratt of <i>Withdrawal of M. Kavey as Counsel</i> (Ude, Thomas) (Entered: 12/17/2010)
12/20/2010	<u>74</u>	NOTICE of Appearance by Bryan N. Georgiady on behalf of Indian River Central School District (Georgiady, Bryan) (Entered: 12/20/2010)
12/20/2010	<u>75</u>	MEMORANDUM OF LAW re <u>68</u> Motion for Leave to File, <i>District's Response to the United States' Memorandum as Amicus Curiae</i> filed by Indian River Central School District. (Attachments: # <u>1</u> Supplement Certificate of Service)(Georgiady, Bryan) (Entered: 12/20/2010)
01/03/2011	<u>76</u>	Amicus Curiae APPEARANCE entered by William H. Pease on behalf of United States of America. (Attachments: # <u>1</u> Exhibit(s))(Pease, William) (Entered: 01/03/2011)
03/29/2011	<u>77</u>	MEMORANDUM–DECISION AND ORDER granting in part and denying in part Defendants' <u>30</u> Motion for Summary Judgment and <u>56</u> Motion to Dismiss. Signed by Judge Glenn T. Suddaby on 3/28/2011. (amt) (Entered: 03/29/2011)
03/30/2011		TEXT NOTICE of Hearing: Initial Conference set for 4/27/2011 at 11:00 AM before Magistrate Judge George H. Lowe; Civil Case Management Plan due by 4/20/2011. Plaintiff's attorney is responsible for initiating the call, USING A THIRD–PARTY TELECONFERENCING SERVICE, which is necessary to assure audibility. FAILURE TO USE A THIRD–PARTY TELECONFERENCING SERVICE WILL RESULT IN CANCELLATION OF THE CONFERENCE CALL AND THE SCHEDULING OF AN IN–PERSON CONFERENCE. When all required parties are present, the service should call the Court at (315) 234–8618, which is a dedicated conference line which may be called ONLY at the time of the conference. (rjb,) (Entered: 03/30/2011)
04/20/2011	<u>78</u>	CIVIL CASE MANAGEMENT PLAN (<i>Joint</i>) by A.E.P., Charles Patrick Pratt. (Humann, Adam) (Entered: 04/20/2011)
04/27/2011		TEXT Minute Entry for proceedings held before Magistrate Judge George H. Lowe: Initial Pretrial Conference held on 4/27/2011. Adam T. Humann, Esq and Alex Colod, Esq., for plaintiffs; Thomas W. Ude, Jr., Esq. for plaintiffs; Frank W. Miller, Esq. for defendants. Pretrial deadlines are established. A scheduling Order will be issued. Judge Lowe urges counsel to review draft protective order prior to discovery. (FTR Recorded) (ptm) (Entered: 04/28/2011)
05/06/2011	<u>79</u>	UNIFORM PRETRIAL SCHEDULING ORDER: Anticipated length of trial: 8 Days. Preferred Trial Location: Syracuse. Joinder of Parties due by 6/1/2011. Amended Pleadings due by 6/1/2011. Discovery due by 2/27/2012. Motions to be filed by 4/27/2012. Trial Ready Deadline is 4/27/2012. Deadline for completion of mediation is 3/12/2012. A Status Telephone Conference is set for June 29, 2011 at 10:00AM beore Magistrate Judge George H. Lowe. Defendants' attorney is directed to initiate the call in accordance with the order. Signed by Magistrate Judge George H. Lowe on 5/6/2011. (ptm,) (Entered: 05/06/2011)
05/09/2011	<u>80</u>	NOTICE of Appearance by William F. Larkin on behalf of United States of America (Attachments: # <u>1</u> Certificate of Service)(Larkin, William) (Entered: 05/09/2011)

05/10/2011	<u>81</u>	MOTION for Limited Admission Pro Hac Vice of Alexandra P. Kolod (Fee is waived) filed by A.E.P., Charles Patrick Pratt. (Attachments: # <u>1</u> Verified Petition, # <u>2</u> Affidavit of Sponsor, # <u>3</u> Certificate of Good Standing, # <u>4</u> Registration Form, # <u>5</u> Proposed Order, # <u>6</u> Certificate of Service, # <u>7</u> Receipt for Motion Fee Payment) Motions referred to George H. Lowe. (Gorenberg, Hayley) (Entered: 05/10/2011)
05/11/2011	<u>82</u>	ORDER on Substitution of Attorney: re <u>80</u> Notice of Appearance filed by William F. Larkin, AUSA for United States of America. Signed by Magistrate Judge George H. Lowe on 5/11/2011. (ptm,) (Entered: 05/11/2011)
05/16/2011	<u>83</u>	ORDER granting <u>81</u> Motion for Limited Admission Pro Hac Vice of Alexandra Kolod, Esq. Signed by Magistrate Judge George H. Lowe on 5/16/2011. (amt) (Entered: 05/16/2011)
06/29/2011		TEXT Minute Entry for proceedings held before Magistrate Judge George H. Lowe: Telephone Status Conference held on 6/29/2011. Adam T. Humann, Esq and Alexandra P. Kolod, Esq., for plaintiffs; Thomas W. Ude, Jr., Esq. for plaintiffs; Frank W. Miller, Esq. for defendants. The Court discussed with counsel the status of discovery. On or before 8/5/2011 Plaintiff's counsel will advise the Court in writing as to the status of paper discovery and the agreed upon dates for depositions. (FTR Recorded) (ptm,) (Entered: 06/30/2011)
08/05/2011	<u>84</u>	NOTICE by A.E.P., Charles Patrick Pratt <i>A. Humann letter to Judge Lowe re Discovery</i> (Kolod, Alexandra) (Entered: 08/05/2011)
08/31/2011	<u>85</u>	Letter Request / Motion requesting a conference <i>to Judge Lowe re Discovery</i> (Attachments: # <u>1</u> Exhibit(s) Exhibit A, # <u>2</u> Exhibit(s) Exhibit B, # <u>3</u> Exhibit(s) Exhibit C)(Humann, Adam) Modified on 9/1/2011 (amt). (Entered: 08/31/2011)
09/01/2011		CLERK'S CORRECTION OF DOCKET ENTRY: The text of document <u>85</u> was modified to correctly reflect it is a Letter Request/Motion for a conference re: discovery. (amt) (Entered: 09/01/2011)
09/13/2011		TEXT NOTICE of Hearing: Telephone Conference set for 9/26/2011 at 03:30 PM before Magistrate Judge George H. Lowe. Plaintiffs' attorney is responsible for initiating the call, USING A THIRD-PARTY TELECONFERENCING SERVICE, which is necessary to assure audibility. FAILURE TO USE A THIRD-PARTY TELECONFERENCING SERVICE WILL RESULT IN CANCELLATION OF THE CONFERENCE CALL AND THE SCHEDULING OF AN IN PERSON CONFERENCE. When all required parties are present, the service should call the Court at (315) 234-8618, which is a dedicated conference line which may be called ONLY at the time of the conference.(rjb,) (Entered: 09/13/2011)
09/26/2011		TEXT Minute Entry for proceedings held before Magistrate Judge George H. Lowe: Status Conference held on 9/26/2011. Appearances: Adam Humann, Esq., Alexandra Kolod, Esq., Hayley Gorenberg, Esq. and Thomas Ude, Esq. for Plaintiffs; Frank Miller, Esq. for Defendants. Judge Lowe reviews Dkt. No. 85 with counsel. Mr. Miller has forwarded additional records to Plaintiffs and is in the process of reviewing Plaintiffs' responses. Mr. Miller confirms a litigation hold is in place and that Defendant Henderson will be relocating out of state. Counsel will attempt to conduct Defendant Henderson's deposition before she moves. Counsel are directed to confer on outstanding discovery issues. Plaintiffs' attorneys will file a status report with the Court by 10/31/2011. (FTR Recorded) (rjb,) (Entered: 09/27/2011)
10/31/2011	<u>86</u>	NOTICE by A.E.P., Charles Patrick Pratt <i>A. Humann Letter to Judge Lowe re Discovery Status</i> (Humann, Adam) (Entered: 10/31/2011)
11/01/2011	<u>87</u>	STIPULATION <i>Protective Order regarding medical records</i> by A.E.P., Charles Patrick Pratt submitted to Judge George H. Lowe. (Humann, Adam) (Entered: 11/01/2011)
11/01/2011	<u>88</u>	STIPULATION <i>Protective Order regarding minors and students</i> by A.E.P., Charles Patrick Pratt submitted to Judge George H. Lowe. (Humann, Adam) (Entered: 11/01/2011)

11/08/2011	<u>89</u>	STIPULATED PROTECTIVE ORDER regarding medical records. Signed by Magistrate Judge George H. Lowe on 11/8/11. (rjb,) (Entered: 11/08/2011)
11/08/2011	<u>90</u>	STIPULATED PROTECTIVE ORDER regarding minors. Signed by Magistrate Judge George H. Lowe on 11/8/11. (rjb,) (Entered: 11/08/2011)
11/13/2011	<u>91</u>	NOTICE of Appearance by Charles C. Spagnoli on behalf of All Defendants (Spagnoli, Charles) (Entered: 11/13/2011)
11/18/2011	<u>92</u>	Letter Motion from A. Humann to Judge Lowe re Discovery Status for A.E.P., Charles Patrick Pratt requesting An extension of discovery deadlines submitted to Judge Lowe. (Humann, Adam) (Entered: 11/18/2011)
11/30/2011		TEXT Minute Entry for proceedings held before Magistrate Judge George H. Lowe: Status Conference held on 11/30/2011. Appearances: Adam Humann, Esq., Alexandra Kolod, Esq. and Thomas Ude, Esq. for Plaintiffs; Charles Spagnoli, Esq. for Defendants. Judge Lowe reviews Dkt. No. 92 with counsel and grants the request to extend the deadlines. Plaintiffs just received revised responses and supplemental documents but have not had a chance to review them. A conference is scheduled for 12/15/11 at 10:00 AM to discuss the status of paper discovery, depositions and expert disclosures. Plaintiffs anticipate at least 10 depositions and Defendants anticipate at least 7 or 8. (FTR Recorded) (rjb,) (Entered: 12/01/2011)
12/01/2011		TEXT ORDER granting <u>92</u> Letter Request. Discovery due by 4/12/2012; Discovery Motions due by 5/11/2012; Deadline for completion of mediation is 5/11/2012; Dispositive Motions to be filed by 6/26/2012. SO ORDERED by Magistrate Judge George H. Lowe on 12/1/11. (rjb,) (Entered: 12/01/2011)
12/01/2011		TEXT NOTICE of Hearing: Status Conference set for 12/15/2011 at 10:00 AM before Magistrate Judge George H. Lowe. Defendants' attorney is responsible for initiating the call, USING A THIRD-PARTY TELECONFERENCING SERVICE, which is necessary to assure audibility. FAILURE TO USE A THIRD-PARTY TELECONFERENCING SERVICE WILL RESULT IN CANCELLATION OF THE CONFERENCE CALL AND THE SCHEDULING OF AN IN PERSON CONFERENCE. When all required parties are present, the service should call the Court at (315) 234-8618, which is a dedicated conference line which may be called ONLY at the time of the conference.(rjb,) (Entered: 12/01/2011)
12/08/2011	<u>93</u>	MOTION for Limited Admission Pro Hac Vice of Robert A. Gretch Filing fee \$100, receipt number 0206-2041319. filed by A.E.P., Charles Patrick Pratt. (Attachments: # <u>1</u> Exhibit(s) Petition for Admission to Practice, # <u>2</u> Affidavit Affidavit of Sponsor, # <u>3</u> Exhibit(s) Certificate of Good Standing, # <u>4</u> Exhibit(s) New Attorney E-Filing Registration Form, # <u>5</u> Proposed Order/Judgment Proposed Order, # <u>6</u> Certificate of Service) Motions referred to George H. Lowe. (Ude, Thomas) (Entered: 12/08/2011)
12/09/2011	<u>94</u>	ORDER granting <u>93</u> Motion for Limited Admission Pro Hac Vice as to Robert Gretch. Signed by Magistrate Judge George H. Lowe on 12/9/11. (rjb,) (Entered: 12/09/2011)
12/14/2011	<u>95</u>	Letter Motion from Charles C. Spagnoli, Esq. for Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner requesting Assistance of court in discovery issues submitted to Judge George H. Lowe. (Attachments: # <u>1</u> Exhibit(s) "Matthew e-mail")(Spagnoli, Charles) (Entered: 12/14/2011)
12/14/2011	<u>96</u>	Letter Motion from Plaintiffs' Counsel for A.E.P., Charles Patrick Pratt requesting Assistance of Court with respect to discovery issues. submitted to Judge George H. Lowe. (Attachments: # <u>1</u> Exhibit(s) Exhibit A, # <u>2</u> Exhibit(s) Exhibit B)(Humann, Adam) (Entered: 12/14/2011)
12/15/2011		TEXT Minute Entry for proceedings held before Magistrate Judge George H. Lowe: Status Conference held on 12/15/2011. Appearances: Adam Humann, Esq., Alexandra Kolod, Esq., Robert Gretch, Esq. and Thomas Ude, Esq. for Plaintiffs; Charles Spagnoli, Esq. for Defendants. The medical records issue has been resolved. Counsel will confer on the interrogatory responses issue. Plaintiff will

		file a supplemental letter brief, Defendants will have until 12/30/11 to file a response. Counsel inform the Court that the discovery deadline proposed in Dkt. No. 92 should have been 4/27/12, not 4/12/12. (FTR Recorded) (rjb,) (Entered: 12/19/2011)
12/20/2011	<u>97</u>	Letter Motion from Plaintiffs in follow-up to 12/15/2011 status conference for A.E.P., Charles Patrick Pratt requesting production of Defendants' litigation hold and related information submitted to Judge George H. Lowe. (Humann, Adam) (Entered: 12/20/2011)
12/27/2011	<u>98</u>	LETTER BRIEF by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner. (Attachments: # <u>1</u> Exhibit(s) "Matthew e-mail", # <u>2</u> Exhibit(s) Plaintiffs' Rule 26 disclosures)(Spagnoli, Charles) (Entered: 12/27/2011)
01/03/2012		TEXT ORDER: The Court has reviewed Dkt. Nos. 95-98. During a conference call on 12/15/11 it was agreed that the only issue addressed in these documents that had to be resolved by the Court is that which has been described as the "Matthew e-mail". The Court finds that Plaintiffs have not made a sufficient showing of spoliation of evidence, and therefore Plaintiffs' request (Dkt. No. 97, at 1, first paragraph) is denied. SO ORDERED by Magistrate Judge George H. Lowe on 1/3/12. (rjb,) (Entered: 01/03/2012)
01/09/2012		TEXT ORDER: As discussed during the conference call on 12/15/2011 the discovery deadline is extended to 4/27/2012. SO ORDERED by Magistrate Judge George H. Lowe on 1/9/12. (rjb,) (Entered: 01/09/2012)
01/09/2012		TEXT NOTICE of Hearing: Status Conference set for 1/17/2012 at 02:00 PM before Magistrate Judge George H. Lowe. Plaintiffs' attorney is responsible for initiating the call, USING A THIRD-PARTY TELECONFERENCING SERVICE, which is necessary to assure audibility. FAILURE TO USE A THIRD-PARTY TELECONFERENCING SERVICE WILL RESULT IN CANCELLATION OF THE CONFERENCE CALL AND THE SCHEDULING OF AN IN PERSON CONFERENCE. When all required parties are present, the service should call the Court at (315) 234-8618, which is a dedicated conference line which may be called ONLY at the time of the conference.(rjb,) (Entered: 01/09/2012)
01/17/2012		TEXT Minute Entry for proceedings held before Magistrate Judge George H. Lowe: Status Conference held on 1/17/2012. Appearances: Alexandra Kolod, Esq., Robert Gretch, Esq. and Thomas Ude, Esq. for Plaintiffs; Charles Spagnoli, Esq. for Defendants. Plaintiffs served supplemental responses on 1/3/12. Defendants will serve their supplemental responses by the end of the day. Judge Lowe hears from counsel on their outstanding discovery issues. Counsel will confer on scheduling Plaintiff's deposition and will further confer on the issue of how much time is to be set aside for the deposition. The expert disclosure deadline for each side is extended by a week. Counsel are directed to confer on the interrogatory issue and see if it can be narrowed. Attorney Ude will contact Judge Lowe's Courtroom Deputy by 1/25/2012, if the issue has not been resolved a conference call will be scheduled. Defendants' attorney will submit a deposition schedule to the Court by 2/1/12. (FTR Recorded) (rjb,) (Entered: 01/19/2012)
01/30/2012		TEXT NOTICE of Hearing: Telephone Conference set for 1/31/2012 at 10:30 AM before Magistrate Judge George H. Lowe. Plaintiffs' attorney is responsible for initiating the call, USING A THIRD-PARTY TELECONFERENCING SERVICE, which is necessary to assure audibility. FAILURE TO USE A THIRD-PARTY TELECONFERENCING SERVICE WILL RESULT IN CANCELLATION OF THE CONFERENCE CALL AND THE SCHEDULING OF AN IN PERSON CONFERENCE. When all required parties are present, the service should call the Court at (315) 234-8618, which is a dedicated conference line which may be called ONLY at the time of the conference.(rjb,) (Entered: 01/30/2012)
01/31/2012		TEXT Minute Entry for proceedings held before Magistrate Judge George H. Lowe: Telephone Conference held on 1/31/2012. Appearances: Adam Humann, Esq., Alexandra Kolod, Esq., Robert Gretch, Esq. and Thomas Ude, Esq. for

		Plaintiffs; Charles Spagnoli, Esq. for Defendants. Judge Lowe hears from counsel on outstanding discovery issues. With respect to Interrogatory No. 13, Judge Lowe rules that Defendants are to respond to Plaintiffs' proposal by 2/21/12. With regards to the issue of time allotted for Plaintiff Pratt's deposition, Judge Lowe rules that Defendants be given an additional 3 1/2 hours to depose Plaintiff Pratt. If Plaintiffs believe that Attorney Spagnoli is abusing the time given, they may make a request to the Court. Attorney Spagnoli raises an issue regarding redacted medical records that he received. Judge Lowe directs counsel to confer on this issue and get it before the Court if it cannot be resolved. (FTR Recorded) (rjb,) (Entered: 01/31/2012)
02/01/2012	<u>99</u>	LETTER BRIEF <i>regarding tentative deposition schedule</i> by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner. (Spagnoli, Charles) (Entered: 02/01/2012)
02/06/2012		TEXT ORDER: The Court has reviewed Dkt. No. 99. On or before 4/20/12 Plaintiffs are to advise the Court in writing as to the status of depositions. SO ORDERED by Magistrate Judge George H. Lowe on 2/6/12. (rjb,) (Entered: 02/06/2012)
02/13/2012	<u>100</u>	ORDER REASSIGNING CASE. Case reassigned to Magistrate Judge Therese Wiley Dancks for all further proceedings. Magistrate Judge George H. Lowe no longer assigned to case. Signed by Chief Judge Gary L. Sharpe on 2/10/2012. (amt) (Entered: 02/13/2012)
02/22/2012		TEXT NOTICE of Hearing: At the request of counsel, a Status Conference is set for 3/1/2012 at 10:00 AM before Magistrate Judge Therese Wiley Dancks. Plaintiffs' attorney is responsible for initiating the call, USING A THIRD-PARTY TELECONFERENCING SERVICE, which is necessary to assure audibility. FAILURE TO USE A THIRD-PARTY TELECONFERENCING SERVICE WILL RESULT IN CANCELLATION OF THE CONFERENCE CALL AND THE SCHEDULING OF AN IN PERSON CONFERENCE. When all required parties are present, the service should call the Court at (315) 234-8618, which is a dedicated conference line which may be called ONLY at the time of the conference.(rjb,) (Entered: 02/22/2012)
02/27/2012	<u>101</u>	Letter Motion from Defendants (with all parties' consent) for Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner requesting Extension of deadlines submitted to Judge Hon. Therese Wiley Dancks . (Spagnoli, Charles) (Entered: 02/27/2012)
02/28/2012		TEXT ORDER: The Court has reviewed Dkt. No. 101. Pretrial deadlines are extended as follows: Defendants' expert disclosure due by 5/20/2012; Rebuttal expert reports due by 5/28/2012; Discovery due by 6/27/2012; Discovery motions and Deadline for completion of mediation is 7/11/2012; Dispositive Motions to be filed by 8/26/2012. Counsel is to submit a deposition schedule to the Court no later than 4/20/2012. The Status Conference scheduled for 3/1/2012 is adjourned until 5/1/2012 at 09:30 AM before Magistrate Judge Therese Wiley Dancks. Plaintiffs' attorney is responsible for initiating the call, USING A THIRD-PARTY TELECONFERENCING SERVICE, which is necessary to assure audibility. FAILURE TO USE A THIRD-PARTY TELECONFERENCING SERVICE WILL RESULT IN CANCELLATION OF THE CONFERENCE CALL AND THE SCHEDULING OF AN IN PERSON CONFERENCE. When all required parties are present, the service should call the Court at (315) 234-8618, which is a dedicated conference line which may be called ONLY at the time of the conference. SO ORDERED by Magistrate Judge Therese Wiley Dancks on 2/28/12. (rjb,) (Entered: 02/28/2012)
03/06/2012	<u>102</u>	MOTION for Limited Admission Pro Hac Vice of Lisa V. LeCointe-Cephas Filing fee \$100, receipt number 0206-2124247. filed by Charles Patrick Pratt. (Attachments: # <u>1</u> Exhibit(s) Petition for Admission Pro Hac Vice, # <u>2</u> Affidavit of Sponsor, # <u>3</u> Exhibit(s) Certificate of Good Standing, # <u>4</u> Exhibit(s) E-Filing Registration, # <u>5</u> Proposed Order/Judgment, # <u>6</u> Certificate of Service) Motions referred to Therese Wiley Dancks. (Ude, Thomas) (Entered: 03/06/2012)

03/07/2012	<u>103</u>	ORDER granting <u>102</u> Motion for Limited Admission Pro Hac Vice as to Lisa V. Lecointe-Cephas. Signed by Magistrate Judge Therese Wiley Dancks on 3/7/12. (rjb,) (Entered: 03/07/2012)
04/09/2012		TEXT NOTICE of Hearing: At the request of Defendants' counsel, a Telephone Conference is set for 4/10/2012 at 10:30 AM before Magistrate Judge Therese Wiley Dancks. Defendants' attorney is responsible for initiating the call, USING A THIRD-PARTY TELECONFERENCING SERVICE, which is necessary to assure audibility. FAILURE TO USE A THIRD-PARTY TELECONFERENCING SERVICE WILL RESULT IN CANCELLATION OF THE CONFERENCE CALL AND THE SCHEDULING OF AN IN PERSON CONFERENCE. When all required parties are present, the service should call the Court at (315) 234-8618, which is a dedicated conference line which may be called ONLY at the time of the conference.(rjb,) (Entered: 04/09/2012)
04/10/2012		TEXT Minute Entry for proceedings held before Magistrate Judge Therese Wiley Dancks: Telephone Conference held on 4/10/2012. Appearances: Adam Humann, Esq., Robert Gretch, Esq. and Thomas Ude, Esq. for Plaintiffs; Charles Spagnoli, Esq. for Defendants. Mr. Spagnoli would like to file a motion pursuant to Rules 35 and 37. Seven depositions have been completed, counsel would like to take approximately thirty more depositions. Judge Dancks directs counsel to try to narrow the number of depositions before requesting permission to take more depositions than allowed by the Rules. Mr. Spagnoli would like the Court to narrow the scope of discovery and make a ruling as to what evidence is admissible at trial. Judge Dancks gives Mr. Spagnoli permission to file two separate motions. Both motions are due by 4/24/2012 and the motion requesting the Court narrow the scope of discovery and make a ruling as to what evidence will be admissible at trial will be submitted to Judge Suddaby. Judge Dancks extends pretrial deadlines by 60 days. Mr. Spagnoli advises the Court that he intends to make a motion in Family Court to request permission to question Plaintiff Pratt's probation officer. (FTR Recorded) (rjb,) (Entered: 04/10/2012)
04/10/2012		TEXT ORDER: Defendants' Expert Disclosure due by 7/20/2012; Rebuttal reports due by 8/3/2012; Discovery due by 8/27/2012; Discovery Motions due by 9/11/2012; Dispositive Motions to be filed by 10/26/2012; Deadline for completion of mediation is 9/11/2012. SO ORDERED by Magistrate Judge Therese Wiley Dancks on 4/10/12. (rjb,) (Entered: 04/10/2012)
04/12/2012	<u>104</u>	MOTION for Discovery <i>Rule 35 Examination of Plaintiff</i> Motion Hearing set for 5/17/2012 10:00 AM in Syracuse before Magistrate Judge Therese Wiley Dancks Response to Motion due by 4/30/2012 filed by Indian River Central School District. (Attachments: # <u>1</u> Declaration Declaration of Charles C. Spagnoli Supporting Motion, # <u>2</u> Exhibit(s) A, # <u>3</u> Exhibit(s) B, # <u>4</u> Exhibit(s) C, # <u>5</u> Exhibit(s) D, # <u>6</u> Exhibit(s) E, # <u>7</u> Exhibit(s) F, # <u>8</u> Exhibit(s) G, # <u>9</u> Exhibit(s) H, # <u>10</u> Memorandum of Law, # <u>11</u> Affidavit Certificate of service) Motions referred to Therese Wiley Dancks. (Spagnoli, Charles) (Entered: 04/12/2012)
04/20/2012	<u>105</u>	STATUS REPORT to Judge Dancks re Depositions by A.E.P., Charles Patrick Pratt. (Ude, Thomas) (Entered: 04/20/2012)
04/24/2012	<u>106</u>	MOTION in Limine , MOTION for Protective Order regarding <i>Non-Pratt Environment Evidence</i> (Motion Hearing set for 6/21/2012 10:00 AM in Syracuse before Judge Glenn T. Suddaby, Response to Motion due by 6/4/2012) filed by Indian River Central School District. (Attachments: # <u>1</u> Affidavit of James Kettrick, # <u>2</u> Affidavit of Charles C. Spagnoli, # <u>3</u> Exhibit(s) A, # <u>4</u> Exhibit(s) B, # <u>5</u> Exhibit(s) C, # <u>6</u> Exhibit(s) D, # <u>7</u> Exhibit(s) E, # <u>8</u> Exhibit(s) F, # <u>9</u> Exhibit(s) G, # <u>10</u> Memorandum of Law Supporting Motion in Limine and for Protective Order, # <u>11</u> Appendix Unpublished decision (Alexander), # <u>12</u> Appendix Unpublished decision (Bliss), # <u>13</u> Appendix Unpublished decision (DT v. Somers), # <u>14</u> Appendix Unpublished decision (Patenaude), # <u>15</u> Appendix Unpublished decision (Swift), # <u>16</u> Declaration Certificate of service) Motions referred to Therese Wiley Dancks. (Spagnoli, Charles) (Entered: 04/24/2012)
04/30/2012	<u>107</u>	STIPULATION re <u>104</u> MOTION for Discovery <i>Rule 35 Examination of Plaintiff</i> by A.E.P., Charles Patrick Pratt submitted to Judge Dancks. (Gretch, Robert) (Entered: 04/30/2012)

05/01/2012		TEXT Minute Entry for proceedings held before Magistrate Judge Therese Wiley Dancks: Status Conference held on 5/1/2012. Appearances: Adam Humann, Esq., Alexandra Kolod, Esq., Robert Gretch, Esq. and Thomas Ude, Esq. for Plaintiffs; Charles Spagnoli, Esq. for Defendants. Judge Dancks approves the <u>107</u> Stipulation, counsel are attempting to resolve the issue raised in the <u>104</u> Motion themselves and will notify the Court if they reach a resolution. Counsel report on the status of discovery. Seven depositions have been taken, several more remain. Judge Dancks grants permission for each side to take 15 depositions. Counsel agree to follow the <u>105</u> deposition schedule that was submitted to the Court and agree to stick to the current discovery schedule. A follow up conference will be scheduled for early July. (FTR Recorded) (rjb,) (Entered: 05/01/2012)
05/01/2012		TEXT NOTICE of Hearing: Status Conference set for 7/2/2012 at 10:00 AM before Magistrate Judge Therese Wiley Dancks. Plaintiffs' attorney is responsible for initiating the call, USING A THIRD-PARTY TELECONFERENCING SERVICE, which is necessary to assure audibility. FAILURE TO USE A THIRD-PARTY TELECONFERENCING SERVICE WILL RESULT IN CANCELLATION OF THE CONFERENCE CALL AND THE SCHEDULING OF AN IN PERSON CONFERENCE. When all required parties are present, the service should call the Court at (315) 234-8618, which is a dedicated conference line which may be called ONLY at the time of the conference.(rjb,) (Entered: 05/01/2012)
05/01/2012		TEXT ORDER denying without prejudice # <u>106</u> Defendant District's motion to the extent that it requests an Order precluding the introduction of Non-Pratt Environment Evidence at trial, pursuant to Fed.R.Evid. 401-404, as premature and unripe for a judicial determination. See, e.g., Jones v. Harris, 665 F. Supp.2d 384, 404 (S.D.N.Y. 2009); James v. Gilmore, 2009 WL 435286, at *2 (W.D.N.Y. 2009); Reed v. Edmonds, 2006 WL 435453, at *1 (S.D.N.Y. 2006). The remainder of Defendant District's motion remains pending before Magistrate Judge Dancks. Authorized by Judge Glenn T. Suddaby on 5/1/12. (lmw) (Entered: 05/01/2012)
05/02/2012	<u>108</u>	LETTER REQUEST/MOTION by Indian River Central School District to withdraw the <u>104</u> MOTION for Discovery <i>Rule 35 Examination of Plaintiff</i> (Spagnoli, Charles) Modified on 5/3/2012 (amt). (Entered: 05/02/2012)
05/03/2012		CLERK'S CORRECTION OF DOCKET ENTRY: Document <u>108</u> was modified to correctly reflect it is a Letter Request/Motion. (amt) (Entered: 05/03/2012)
05/04/2012		TEXT ORDER: The Court has reviewed Dkt. Nos. 104 and 108. By stipulation of the parties as indicated in Dkt. No. 108, the motion for a Rule 35 exam (Dkt. No. 104) is withdrawn without prejudice to refile. SO ORDERED by Magistrate Judge Therese Wiley Dancks on 5/4/12. (rjb,) (Entered: 05/04/2012)
05/17/2012	<u>109</u>	Amended MOTION for Protective Order <i>and Supplemental Motion for Protective Order</i> Motion Hearing set for 6/21/2012 10:00 AM in Syracuse before Magistrate Judge Therese Wiley Dancks Response to Motion due by 6/4/2012 filed by Indian River Central School District. (Attachments: # <u>1</u> Affidavit Supplemental Affidavit of Charles C. Spagnoli, # <u>2</u> Exhibit(s) H, # <u>3</u> Exhibit(s) I, # <u>4</u> Exhibit(s) J, # <u>5</u> Exhibit(s) K, # <u>6</u> Exhibit(s) L, # <u>7</u> Exhibit(s) M, # <u>8</u> Exhibit(s) N, # <u>9</u> Exhibit(s) O, # <u>10</u> Memorandum of Law Supplemental Memorandum of Law Supporting Motion, # <u>11</u> Affidavit Certificate of Service) Motions referred to Therese Wiley Dancks. (Spagnoli, Charles) (Entered: 05/17/2012)
05/22/2012	<u>110</u>	Letter Motion from Thomas Ude, Jr. and Alexandra Kolod for A.E.P., Charles Patrick Pratt requesting that the Court reject the Supplemental Motion, order Defendants to confer with Plaintiffs regarding the Notice, and hold a conference regarding the document retention dispute. submitted to Judge Dancks . (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C)(Kolod, Alexandra) (Entered: 05/22/2012)
05/23/2012	<u>111</u>	RESPONSE to Motion re <u>110</u> Letter Motion from Thomas Ude, Jr. and Alexandra Kolod for A.E.P., Charles Patrick Pratt requesting that the Court reject the Supplemental Motion, order Defendants to confer with Plaintiffs regarding the Notice, and hold a conference regardi filed by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Ketrwick, Brian

		Moore, Amable Turner. (Spagnoli, Charles) (Entered: 05/23/2012)
05/23/2012	<u>112</u>	Amended MOTION for Protective Order (<i>Second Amended Notice of Motion</i>) Motion Hearing set for 6/21/2012 10:00 AM in Syracuse before Magistrate Judge Therese Wiley Dancks Response to Motion due by 6/4/2012 filed by Indian River Central School District. (Attachments: # <u>1</u> Affidavit Certificate of service) Motions referred to Therese Wiley Dancks. (Spagnoli, Charles) (Entered: 05/23/2012)
06/04/2012	<u>113</u>	RESPONSE in Opposition re <u>109</u> Amended MOTION for Protective Order <i>and Supplemental Motion for Protective Order</i> , <u>106</u> MOTION in Limine MOTION for Protective Order <i>regarding Non-Pratt Environment Evidence</i> , <u>112</u> Amended MOTION for Protective Order (<i>Second Amended Notice of Motion</i>) filed by A.E.P., Charles Patrick Pratt. (Attachments: # <u>1</u> Declaration in Support of Plaintiffs' Opposition, # <u>2</u> Exhibit(s) A, # <u>3</u> Exhibit(s) B, # <u>4</u> Exhibit(s) C, # <u>5</u> Exhibit(s) D, # <u>6</u> Exhibit(s) E, # <u>7</u> COS)(Kolod, Alexandra) (Entered: 06/04/2012)
06/15/2012	<u>114</u>	***STRICKEN FROM THE RECORD BY TEXT ORDER ISSUED 6/25/2012*** REPLY to Response to Motion re <u>112</u> Amended MOTION for Protective Order (<i>Second Amended Notice of Motion</i>), <u>109</u> Amended MOTION for Protective Order <i>and Supplemental Motion for Protective Order</i> , <u>106</u> MOTION in Limine MOTION for Protective Order <i>regarding Non-Pratt Environment Evidence</i> filed by Indian River Central School District. (Attachments: # <u>1</u> Appendix Abdullah case, # <u>2</u> Appendix Sauerhaft case)(Spagnoli, Charles) Modified on 6/25/2012 (rjb,). (Entered: 06/15/2012)
06/18/2012	<u>115</u>	AFFIDAVIT re <u>114</u> Reply to Response to Motion, <i>Certificate of service</i> by Indian River Central School District. (Spagnoli, Charles) (Entered: 06/18/2012)
06/19/2012	<u>116</u>	NOTICE by A.E.P., Charles Patrick Pratt <i>Withdrawal of Counsel-Vickie Reznik</i> (Humann, Adam) (Entered: 06/19/2012)
06/21/2012	<u>117</u>	Letter Motion from Thomas Ude, Jr. and Adam Humann for A.E.P., Charles Patrick Pratt requesting that the Court not consider Defendants' Reply Memorandum of Law Supporting Motion in Limine and for Protective Order (Dkt No. 114) submitted to Judge Therese Wiley Dancks . (Attachments: # <u>1</u> Exhibit(s) A)(Humann, Adam) (Entered: 06/21/2012)
06/21/2012	<u>118</u>	Letter Motion from Indian River Central School District for Indian River Central School District requesting Ruling on prior request for leave to file reply brief submitted to Judge Dancks . (Spagnoli, Charles) (Entered: 06/21/2012)
06/25/2012		TEXT ORDER: The Court has reviewed Dkt. Nos. 117 and 118. Defendants' <u>114</u> Reply is hereby stricken from the record. Defendants may file a reply, not exceeding 10 pages in length, on or before June 29, 2012. SO ORDERED by Magistrate Judge Therese Wiley Dancks on 6/25/12. (rjb,) (Entered: 06/25/2012)
06/29/2012	<u>119</u>	REPLY to Response to Motion re <u>112</u> Amended MOTION for Protective Order (<i>Second Amended Notice of Motion</i>), <u>109</u> Amended MOTION for Protective Order <i>and Supplemental Motion for Protective Order</i> , <u>106</u> MOTION in Limine MOTION for Protective Order <i>regarding Non-Pratt Environment Evidence filed per the Court's order of 6/25/12</i> filed by Indian River Central School District. (Spagnoli, Charles) (Entered: 06/29/2012)
06/29/2012	<u>120</u>	AFFIDAVIT of service re: <u>119</u> Reply Memorandum filed by Indian River Central School District. (Spagnoli, Charles) Modified on 6/29/2012 (amt). (Entered: 06/29/2012)
07/02/2012		TEXT Minute Entry for proceedings held before Magistrate Judge Therese Wiley Dancks: Status Conference held on 7/2/2012. Appearances: Adam Humann, Esq., Robert Gretch, Esq. and Thomas Ude, Esq. for Plaintiffs; Charles Spagnoli, Esq. for Defendants. Parties have been moving forward with depositions. Seven more depositions are scheduled but some have to be rescheduled. Counsel anticipate only a couple of the needed depositions being effected by the pending motion. There are approximately 16 more depositions to be done. Judge Dancks extends all pretrial deadlines by 30 days. A text order will be issued. Mr. Spagnoli has petitioned Family Court and is waiting for a final order. Mr. Spagnoli anticipates issuing a subpoena for Pltf. Pratt's probation officer. A follow up conference will be

		scheduled. (FTR Recorded) (rjb,) (Entered: 07/03/2012)
07/03/2012		TEXT ORDER: Defendants' Expert Disclosure due by 8/20/2012; Rebuttal reports due by 9/3/2012; Discovery due by 9/27/2012; Discovery Motions due by 10/11/2012; Dispositive Motions to be filed by 11/26/2012. A Status Conference is set for 9/17/2012 at 09:30 AM before Magistrate Judge Therese Wiley Dancks; Defendants' attorney is directed to initiate the call and should contact chambers at (315) 234-8618 once all counsel are on the line. SO ORDERED by Magistrate Judge Therese Wiley Dancks on 7/3/12. (rjb,) (Entered: 07/03/2012)
07/20/2012	<u>121</u>	AFFIDAVIT of Service of Written Objections to Plaintiff's Subpoena by Jefferson County Probation Department. (Paulsen, David) (Entered: 07/20/2012)
07/25/2012	<u>122</u>	Letter Motion from Charles C. Spagnoli for Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Ketrick, Brian Moore, Amable Turner requesting Issuance of judicial subpoenae submitted to Judge Therese Wiley Dancks . (Attachments: # <u>1</u> Appendix Subpoena to Jefferson County Probation Department, # <u>2</u> Appendix Subpoena to Rebecca A. Davis)(Spagnoli, Charles) (Entered: 07/25/2012)
07/27/2012		TEXT ORDER granting <u>122</u> Letter Request. The signed subpoenas will be mailed to Attorney Spagnoli. SO ORDERED by Magistrate Judge Therese Wiley Dancks on 7/27/12. (rjb,) (Entered: 07/27/2012)
08/22/2012	<u>123</u>	Letter Motion from T. Ude and A. Humann re discovery schedule for A.E.P., Charles Patrick Pratt requesting extension of discovery schedule submitted to Judge Therese Wiley Dancks . (Humann, Adam) (Entered: 08/22/2012)
08/23/2012		TEXT ORDER granting the parties' joint letter motion for extension of deadlines. (Dkt. No. 123.) Discovery due by 10/31/2012. Discovery motions to be filed by 11/13/2012. Dispositive motions to be filed by 1/10/2013. Authorized by Magistrate Judge Therese Wiley Dancks on 8/23/2012. (ckm) (Entered: 08/23/2012)
09/17/2012		TEXT Minute Entry for proceedings held before Magistrate Judge Therese Wiley Dancks: Status Conference held on 9/17/2012. Appearances: Alexandra Kolod, Esq. and Thomas Ude, Esq. for Plaintiffs; Charles Spagnoli, Esq. for Defendants. Counsel report on the status of discovery. 21 depositions have been taken. Counsel anticipate up to 9 more depositions. 5 or 6 of these depositions depend on the outcome of the pending motion. Counsel are working on paper discovery. A protective order, which Mr. Ude will draft, will be submitted to the Court by 10/5/2012. Judge Dancks adjourns pending deadlines without date. A conference will be scheduled after a decision on the motion has been issued to reset deadlines. Counsel will select a mediator by the next conference. (FTR Recorded) (rjb,) Modified on 9/17/2012 (rjb,). (Entered: 09/17/2012)
10/05/2012	<u>124</u>	STIPULATION for Protective Order re Confidential Court Information by A.E.P., Charles Patrick Pratt submitted to Judge Dancks. (Ude, Thomas) (Entered: 10/05/2012)
10/09/2012		STIPULATED PROTECTIVE ORDER. Signed by Magistrate Judge Therese Wiley Dancks on 10/9/12. (rjb,) (Entered: 10/09/2012)
11/05/2012	<u>125</u>	ORDER granting in part and denying in part Defendants' <u>106</u> Motion for Protective Order; denying Defendants' <u>109</u> and <u>112</u> Motions for Protective Order; granting Plaintiffs' <u>110</u> Letter Request. Signed by Magistrate Judge Therese Wiley Dancks on 11/5/2012. (amt) (Entered: 11/05/2012)
11/06/2012		TEXT NOTICE of Hearing: Status Conference set for 12/4/2012 at 09:30 AM before Magistrate Judge Therese Wiley Dancks. Plaintiffs' attorney is directed to initiate the call and should contact chambers at (315) 234-8618 once all counsel are on the line. This number is a conference line and should be used only at the time of the conference.(rjb,) (Entered: 11/06/2012)
11/19/2012	<u>126</u>	APPEAL OF MAGISTRATE JUDGE DECISION to District Court by A.E.P., Charles Patrick Pratt re <u>125</u> Order on Motion for Protective Order,, Order on Letter Request,,,,, Motion Hearing set for 12/20/2012 10:00 AM in Syracuse before Judge

		Glenn T. Suddaby Response to Motion due by 12/3/2012 (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Affidavit, # <u>3</u> Record on Appeal, # <u>4</u> Exhibit(s) 1 to Record on Appeal, # <u>5</u> Exhibit(s) 2 to Record on Appeal, # <u>6</u> Exhibit(s) 3 to Record on Appeal, # <u>7</u> Exhibit(s) 4 to Record on Appeal, # <u>8</u> Exhibit(s) 5 to Record on Appeal, # <u>9</u> Exhibit(s) 6 to Record on Appeal, # <u>10</u> Exhibit(s) 7 to Record on Appeal, # <u>11</u> Exhibit(s) 8 to Record on Appeal, # <u>12</u> Exhibit(s) 9 to Record on Appeal, # <u>13</u> Exhibit(s) 10 to Record on Appeal, # <u>14</u> Exhibit(s) 11 to Record on Appeal, # <u>15</u> Exhibit(s) 12 to Record on Appeal, # <u>16</u> Exhibit(s) 13 to Record on Appeal)(Ude, Thomas) (Entered: 11/19/2012)
11/20/2012		TEXT NOTICE of Hearing on # <u>126</u> APPEAL OF MAGISTRATE JUDGE DECISION to District Court by A.E.P., Charles Patrick Pratt re <u>125</u> Order on Motion for Protective Order : Motion Hearing set for 12/20/2012 on submit before Judge Glenn T. Suddaby. No personal appearance. Response to Motion due by 12/3/2012. (lmw) (Entered: 11/20/2012)
11/30/2012	<u>127</u>	Response by Indian River Central School District to <u>126</u> Appeal of Magistrate Judge Decision to District Court,, (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Appendix Abdullah case, # <u>3</u> Appendix Alexander case, # <u>4</u> Appendix Bliss case, # <u>5</u> Appendix Campbell case, # <u>6</u> Appendix DT v. Somers case, # <u>7</u> Appendix Eldaghar case, # <u>8</u> Appendix Fox case, # <u>9</u> Appendix Patenaude case, # <u>10</u> Appendix Sauerhaft case, # <u>11</u> Affidavit Certificate of service)(Spagnoli, Charles) (Entered: 11/30/2012)
12/04/2012	<u>128</u>	STATUS REPORT <i>regarding 12/5/12 deposition</i> by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner. (Spagnoli, Charles) (Entered: 12/04/2012)
12/04/2012		TEXT Minute Entry for proceedings held before Magistrate Judge Therese Wiley Dancks: Status Conference held on 12/4/2012. Appearances: Adam Humann, Esq., Alexandra Kolod, Esq. and Thomas Ude, Esq. for Plaintiffs; Charles Spagnoli, Esq. for Defendants. Counsel report on the status of discovery. One deposition is scheduled for 12/5/12. Counsel are trying to schedule 3 expert depositions for January. The meet and confer has not been done yet. Plaintiffs' counsel will file a status report regarding the meet and confer issues and the schedule for expert depositions by 1/4/13. (FTR Recorded) (rjb,) (Entered: 12/05/2012)
12/04/2012		Set Deadlines: Status Report due by 1/4/2013. (rjb,) (Entered: 12/05/2012)
12/07/2012		TEXT ORDER: The Court has reviewed and appreciates Dkt. No. 128. Counsel for Defendants to provide updated status report on deposition referenced in Dkt. No. 128 by December 27, 2012. SO ORDERED by Magistrate Judge Therese Wiley Dancks on 12/7/12. (rjb,) (Entered: 12/07/2012)
12/13/2012	<u>129</u>	MEMORANDUM-DECISION & ORDER denying plaintiffs' objections to the 11/5/12 order of Magistrate Judge Dancks granting in part and denying in part Defendants' motion for a protective order (Dkt. No. <u>126</u>) and AFFIRMING # <u>126</u> the November 5, 2012 order of Magistrate Judge Dancks. Signed by Judge Glenn T. Suddaby on 12/13/12. (lmw) (Entered: 12/13/2012)
12/21/2012	<u>130</u>	LETTER BRIEF <i>regarding completion of Kemple deposition</i> by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner. (Spagnoli, Charles) (Entered: 12/21/2012)
01/04/2013	<u>131</u>	NOTICE by A.E.P., Charles Patrick Pratt <i>T. Ude and A. Kolod letter to Judge Dancks re Discovery</i> (Kolod, Alexandra) (Entered: 01/04/2013)
01/07/2013		CLERK'S CORRECTION OF DOCKET ENTRY. Deleted letter request filed by Attorney Spagnoli on 1/4/2013 as an incorrect image was attached in error. Attorney Spagnoli will re-file the letter request. (rjb,) (Entered: 01/07/2013)
01/07/2013	<u>132</u>	Letter Motion from Charles C. Spagnoli, Esq. for Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner requesting Deferral of court conference submitted to Judge

		Therese Wiley Dancks . (Spagnoli, Charles) (Entered: 01/07/2013)
01/08/2013		TEXT ORDER: The Court has reviewed status report (Dkt. No. 131) and letter motion (Dkt. No.132). Request for court conference granted. Telephone Conference set for 1/18/2013 at 11:00 AM; Defendants' attorney is directed to initiate the call and should contact chambers at (315) 234-8618 once all counsel are on the line. This number is a conference line and should be used only at the time of the conference. SO ORDERED by Magistrate Judge Therese Wiley Dancks on 1/8/13. (rjb,) (Entered: 01/08/2013)
01/18/2013		TEXT Minute Entry for proceedings held before Magistrate Judge Therese Wiley Dancks: Telephone Conference held on 1/18/2013. Appearances: Alexandra Kolod, Esq. and Thomas Ude, Esq. for Plaintiffs; Charles Spagnoli, Esq. for Defendants. Judge Dancks has reviewed Dkt. Nos. 131 and 132. A mediation with George Lowe, Esq. is scheduled for 2/28/2013. Plaintiffs' motion to compel regarding document preservation is due by 2/1/2013. Mr. Spagnoli is directed to send Plaintiffs' counsel a letter by 2/1/2013 with his proposal regarding 30(b)(6) depositions. Plaintiffs' counsel is to contact the Court if the proposal is not acceptable. Each side is to file a letter brief by 2/8/2013 regarding Plaintiffs' attorney retainer agreement, responses may be filed by 2/15/2013. (FTR Recorded) (rjb,) (Entered: 01/18/2013)
02/01/2013	<u>133</u>	MOTION to Compel <i>Discovery</i> Motion Hearing set for 3/7/2013 10:00 AM in Syracuse before Magistrate Judge Therese Wiley Dancks Response to Motion due by 2/19/2013 filed by A.E.P., Charles Patrick Pratt. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Declaration of Alexandra P. Kolod with Exhibits A-G, # <u>3</u> Exhibit(s) Certificate of Service) Motions referred to Therese Wiley Dancks. (Kolod, Alexandra) (Entered: 02/01/2013)
02/07/2013		TEXT ORDER: The Court has reviewed Notice of Motion (Dkt. No. 133) regarding Plaintiffs' request to file reply brief. Plaintiffs shall be permitted to file reply brief no longer than 5 pages by 3/1/13. SO ORDERED by Magistrate Judge Therese Wiley Dancks on 2/7/13. (rjb,) (Entered: 02/07/2013)
02/08/2013	<u>134</u>	LETTER BRIEF <i>Regarding Discovery of Retainer Agreements</i> by A.E.P., Charles Patrick Pratt. (Attachments: # <u>1</u> Exhibit(s) June 2, 2011 Demand for Discovery and Inspection)(Ude, Thomas) (Entered: 02/08/2013)
02/08/2013	<u>135</u>	LETTER BRIEF <i>regarding discovery of Plaintiffs' attorneys' fees agreements</i> by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C)(Spagnoli, Charles) Modified on 6/4/2013 (rjb,). (Entered: 02/08/2013)
02/16/2013	<u>136</u>	RESPONSE TO LETTER BRIEF filed by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner as to <u>134</u> LETTER BRIEF filed by A.E.P., Charles Patrick Pratt <i>regarding discovery of attorneys' fees agreements</i> . (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C)(Spagnoli, Charles) (Entered: 02/16/2013)
02/16/2013	<u>137</u>	Letter Motion from Charles C. Spagnoli, Esq. for Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner requesting Leave for insurer's representative not to attend mediation in person submitted to Judge Hon. Therese Wiley Dancks . (Spagnoli, Charles) (Entered: 02/16/2013)
02/16/2013	<u>138</u>	RESPONSE in Opposition re <u>133</u> MOTION to Compel <i>Discovery</i> filed by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D, # <u>5</u> Exhibit(s) E, # <u>6</u> Memorandum of Law, # <u>7</u> Affirmation Certificate of service)(Spagnoli, Charles) (Entered: 02/16/2013)

02/17/2013	<u>139</u>	RESPONSE TO LETTER BRIEF filed by A.E.P., Charles Patrick Pratt as to <u>135</u> LETTER BRIEF, filed by Jay Brown, Brian Moore, Amable Turner, Kenda Gray, Indian River Central School District Board of Education, John Davis, James Kettrick, Indian River Central School District, Troy Decker, Patricia Henderson . (Attachments: # <u>1</u> Attachment re time of filing)(Ude, Thomas) (Entered: 02/17/2013)
02/19/2013	<u>140</u>	RESPONSE TO LETTER BRIEF filed by A.E.P., Charles Patrick Pratt as to <u>137</u> Letter Request/Motion, filed by Jay Brown, Brian Moore, Amable Turner, Kenda Gray, Indian River Central School District Board of Education, John Davis, James Kettrick, Indian River Central School District, Troy Decker, Patricia Henderson . (Ude, Thomas) (Entered: 02/19/2013)
02/26/2013	<u>141</u>	Letter Motion from Charles C. Spagnoli, Esq. for Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner requesting Leave for individual defendants not to attend mediation in person submitted to Judge Therese Wiley Dancks . (Spagnoli, Charles) (Entered: 02/26/2013)
02/26/2013	<u>142</u>	NOTICE by A.E.P., Charles Patrick Pratt <i>Letter to Judge Dancks re Mediation Cancellation</i> (Kolod, Alexandra) (Entered: 02/26/2013)
02/27/2013		TEXT ORDER: The Court has reviewed Defendants' letter motions (Dkt. Nos. 137 and 141) regarding mediation attendees. The Court has also reviewed Dkt. No. 142 and is aware of need for new mediator. Letter motions (Dkt. Nos 137 and 141) denied at this time without prejudice to renew once new mediator selected. Telephone Conference set for 3/12/2013 at 10:30 AM before Magistrate Judge Therese Wiley Dancks. Parties should be prepared to identify agreed new mediator, discuss discovery issues and set new deadlines. Plaintiffs' attorney is directed to initiate the call and should contact chambers at (315) 234-8618 once all counsel are on the line. This number is a conference line and should be used only at the time of the conference. SO ORDERED by Magistrate Judge Therese Wiley Dancks on 2/27/13. (rjb,) (Entered: 02/27/2013)
03/01/2013	<u>143</u>	REPLY to Response to Motion re <u>133</u> MOTION to Compel <i>Discovery</i> filed by A.E.P., Charles Patrick Pratt. (Attachments: # <u>1</u> Declaration of Alexandra P. Kolod with exhibit)(Kolod, Alexandra) (Entered: 03/01/2013)
03/12/2013		TEXT Minute Entry for proceedings held before Magistrate Judge Therese Wiley Dancks: Telephone Conference held on 3/12/2013. Appearances: Alexandra Kolod, Esq. and Thomas Ude, Esq. for Plaintiffs; Charles Spagnoli, Esq. for Defendants. Counsel are in the process of selecting a mediator and conferring on the 30(b)(6) deposition issue. Five expert depositions need to be done and the 30(b)(6) witness. Defendants' counsel is directed to respond to Plaintiffs' counsel by the end of the week regarding the 30(b)(6) issues and submit a deposition schedule/status report regarding the mediator to the Court by 3/29/2013. Expert reports have been exchanged. Judge Dancks resets pretrial deadlines. The mediation deadline will be reset once the 3/29/2013 status report has been received. (FTR Recorded) (rjb,) (Entered: 03/13/2013)
03/13/2013	144	TEXT ORDER: Discovery due by 7/31/2013; Discovery Motions due by 8/9/2013; Dispositive Motions to be filed by 9/6/2013. SO ORDERED by Magistrate Judge Therese Wiley Dancks on 3/13/13. (rjb,) (Entered: 03/13/2013)
03/23/2013	<u>145</u>	STATUS REPORT by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Kettrick, Brian Moore, Amable Turner. (Spagnoli, Charles) (Entered: 03/23/2013)
03/27/2013	146	TEXT ORDER: The Court has reviewed Dkt. No. 145. Case is opted out of mediation program. Settlement conference will be scheduled with Court once pending discovery motion (Dkt. No. 133) and letter requests regarding retainer agreements (Dkt. Nos. 134, 135, 136, 139) are decided. Parties are to continue conferring on Rule 30(b)(6) deposition topics and to schedule and complete depositions of remaining experts, except Dr. Dragan and Dr. Strauss, in the meantime. Conference call scheduled for April 19, 2013 at 10:30 AM. Parties

		should be prepared to discuss confirmed schedule of depositions and status of 30(b)(6) and motion deadline, if needed, on that issue. Defendants' attorney is directed to initiate the call and should contact chambers at (315) 234-8618 once all counsel are on the line. This number is a conference line and should be used only at the time of the conference. SO ORDERED by Magistrate Judge Therese Wiley Dancks on 3/27/13. (rjb,) (Entered: 03/27/2013)
04/19/2013		TEXT Minute Entry for proceedings held before Magistrate Judge Therese Wiley Dancks: Telephone Conference held on 4/19/2013. Appearances: Alexandra Kolod, Esq. and Thomas Ude, Esq. for Plaintiffs; Charles Spagnoli, Esq. for Defendants. Counsel have been conferring on the 30(b)(6) issues and may be able to resolve them without Court intervention. Defendants' counsel will submit a status report on the issues by 5/17/2013. The 30(b)(6) deposition cannot be done until the motions pending before Judge Dancks have been decided. The Collins and Grace depositions are scheduled for 5/10/2013 and 5/20/2013. A settlement conference will be scheduled for early June. (FTR Recorded) (rjb,) (Entered: 04/19/2013)
05/08/2013	<u>147</u>	NOTICE of Hearing: Settlement Conference set for 6/4/2013 at 01:00 PM in Syracuse before Magistrate Judge Therese Wiley Dancks. Settlement Statements due by 5/28/2013. (Attachments: # <u>1</u>) (rjb,) (Entered: 05/08/2013)
05/14/2013	<u>148</u>	STATUS REPORT <i>pursuant to Court's April 19, 2013 direction</i> by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Ketrwick, Brian Moore, Amable Turner. (Spagnoli, Charles) (Entered: 05/14/2013)
06/04/2013		TEXT Minute Entry for proceedings held before Magistrate Judge Therese Wiley Dancks: Settlement Conference held on 6/4/2013. Appearances: Adam Humann, Esq., Alexandra Kolod, Esq., Thomas Ude, Esq., Charles Pratt and Ashley Pratt for Plaintiffs; Charles Spagnoli, Esq., Paul Campbell and Jim Ketrwick for Defendants. Final settlement not reached. Parties to continue negotiations and report back to the Court by 6/18/2013. Judge Dancks grants in part and denies in part the <u>133</u> and <u>135</u> motions, an order will be issued. Portion of record regarding settlement is sealed by the Court. (Court Reporter Eileen McDonough) (rjb,) (Entered: 06/04/2013)
06/05/2013	<u>149</u>	ORDER granting in part and denying in part <u>133</u> Motion to Compel; granting in part and denying in part <u>135</u> Letter Request. Signed by Magistrate Judge Therese Wiley Dancks on 6/5/13. (Attachments: # <u>1</u> Transcript) (rjb,) (Entered: 06/05/2013)
06/17/2013	<u>150</u>	STATUS REPORT <i>as directed by court on June 4, 2013</i> by Jay Brown, John Davis, Troy Decker, Kenda Gray, Patricia Henderson, Indian River Central School District, Indian River Central School District Board of Education, James Ketrwick, Brian Moore, Amable Turner. (Spagnoli, Charles) (Entered: 06/17/2013)
06/21/2013	<u>151</u>	JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT: this action is DISMISSED in its entirety without prejudice to the right of the parties to secure reinstatement of the case within thirty (30) days after the date of this judgment by making a showing that the settlement was not, in fact, consummated; and in the event that no request is made for reinstatement within thirty (30) days of the date of this judgment, the dismissal of this case shall thereafter be with prejudice. (lmw) (Entered: 06/21/2013)
07/23/2013	<u>152</u>	Letter Motion from Thomas Ude, Jr. and Alexandra Kolod for A.E.P., Charles Patrick Pratt requesting additional time to finalize settlement submitted to Judge Hon. Glenn T. Suddaby . (Kolod, Alexandra) (Entered: 07/23/2013)
07/23/2013	153	TEXT ORDER granting # <u>152</u> Plaintiff's Letter Request extending the period of time within which to consummate the settlement in this action pursuant to the # <u>151</u> Judgment for thirty (30) days from the date of this text order. In the event that no request is made for reinstatement within thirty (30) days of the date of this text order, the dismissal shall thereafter be with prejudice. Authorized by Judge Glenn T. Suddaby on 7/23/13. (lmw) (Entered: 07/23/2013)
08/08/2013	<u>154</u>	STIPULATION of Dismissal by A.E.P., Charles Patrick Pratt submitted to Judge Suddaby. (Kolod, Alexandra) (Entered: 08/08/2013)

08/08/2013	<u>155</u>	ORDER approving # <u>154</u> Stipulation of Dismissal with prejudice. Signed by Judge Glenn T. Suddaby on 8/8/13. (lmw) (Entered: 08/08/2013)
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