

CLOSED

**United States District Court  
District of Massachusetts (Boston)  
CIVIL DOCKET FOR CASE #: 1:12-cv-10291-WGY**

Smith et al v. City of Boston  
Assigned to: Judge William G. Young  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 02/14/2012  
Date Terminated: 02/01/2016  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**Bruce Smith**

represented by **Benjamin Weber**  
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*ATTORNEY TO BE NOTICED*

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**Plaintiff**

**Paul Joseph**

represented by **Benjamin Weber**  
(See above for address)  
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**Harold L. Lichten**  
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**Sara E. Smolik**  
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*TERMINATED: 04/16/2014*

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**Stephen S. Churchill**  
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**Plaintiff**

**John M Johnson**

represented by **Benjamin Weber**  
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**Harold L. Lichten**  
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**Stephen S. Churchill**  
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**Plaintiff**

**Robert Tinker**

represented by **Benjamin Weber**  
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**Harold L. Lichten**  
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**Stephen S. Churchill**  
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**Plaintiff**

**Martin Joseph**

represented by **Benjamin Weber**  
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**Harold L. Lichten**  
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*ATTORNEY TO BE NOTICED*

**Stephen S. Churchill**  
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**Plaintiff**

**Kim Gaddy**

represented by

**Benjamin Weber**  
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*ATTORNEY TO BE NOTICED*

**Harold L. Lichten**  
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**Sara E. Smolik**  
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**Stephen S. Churchill**  
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**Plaintiff**

**Brian Keith Latson**

represented by **Benjamin Weber**  
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**Harold L. Lichten**  
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**Stephen S. Churchill**  
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**Plaintiff**

**Leighton Facey**

represented by **Benjamin Weber**  
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**Harold L. Lichten**  
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**Stephen S. Churchill**  
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**Plaintiff**

**Marwan Moss**

represented by **Benjamin Weber**  
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**Harold L. Lichten**  
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**Sara E. Smolik**

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**Stephen S. Churchill**  
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**Plaintiff**

**LaTeisha Adams**

represented by **Benjamin Weber**  
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**Harold L. Lichten**  
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**Sara E. Smolik**  
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**Stephen S. Churchill**  
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V.

**Defendant**

**City of Boston**  
*Massachusetts*

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### Third Party Witness

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 Division**

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### Mediator

**Judge Robert B. Collings**  
**TERMINATED: 06/09/2016**

Date Filed	#	Docket Text
02/14/2012	<u>1</u>	COMPLAINT , <i>COMPENSATORY, INJUNCTIVE AND DECLARATORY RELIEF REQUESTED</i> against City of Boston, Massachusetts Filing fee: \$ 350, receipt number 0101-3808749 (Fee Status: Filing Fee paid), filed by Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit Category form)(Lichten, Harold) (Entered: 02/14/2012)
02/15/2012		ELECTRONIC NOTICE of Case Assignment. Judge Joseph L. Tauro assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Robert B. Collings. (Abaid, Kimberly) (Entered: 02/15/2012)
02/15/2012	<u>2</u>	Summons Issued as to City of Boston. <b>Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service.</b> (Paine, Matthew) (Entered: 02/15/2012)
02/15/2012	<u>3</u>	NOTICE of Appearance by Stephen S. Churchill on behalf of Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker (Churchill, Stephen) (Entered: 02/15/2012)
02/15/2012	<u>4</u>	NOTICE of Appearance by Sara E. Smolik on behalf of Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker (Smolik, Sara) (Entered: 02/15/2012)
03/20/2012	<u>5</u>	NOTICE of Appearance by Amy E Ambarik on behalf of City of Boston (Ambarik, Amy) (Entered: 03/20/2012)
03/20/2012	<u>6</u>	NOTICE of Appearance by Nicole I. Taub on behalf of City of Boston (Taub, Nicole) (Entered: 03/20/2012)
03/20/2012	<u>7</u>	First MOTION for Extension of Time to April 27, 2012 to File Responsive Pleading by City of Boston.(Taub, Nicole) (Entered: 03/20/2012)

03/21/2012		Judge Joseph L. Tauro: ELECTRONIC ORDER entered ALLOWED <u>7</u> Motion for Extension of Time. City of Boston answer due by 4/27/2012. (Geraldino-Karasek, Clarilde) (Entered: 03/21/2012)
03/21/2012		Reset Answer Deadlines for City of Boston. Answer due by 4/27/2012. (Geraldino-Karasek, Clarilde) (Entered: 03/21/2012)
03/23/2012	<u>8</u>	AMENDED COMPLAINT against City of Boston, filed by Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker.(Churchill, Stephen) (Entered: 03/23/2012)
03/23/2012	<u>9</u>	SUMMONS Returned Executed All Defendants. (Lichten, Harold) (Entered: 03/23/2012)
04/20/2012	<u>10</u>	Joint MOTION to Stay <i>Proceedings</i> by City of Boston.(Taub, Nicole) (Entered: 04/20/2012)
04/27/2012	<u>11</u>	Second MOTION for Extension of Time to 05/12/12 to File Responsive Pleading by City of Boston.(Taub, Nicole) (Entered: 04/27/2012)
04/30/2012		Judge Joseph L. Tauro: ELECTRONIC ORDER entered granting <u>11</u> Motion for Extension of Time (Lovett, Zita) (Entered: 04/30/2012)
04/30/2012		Reset Answer Deadlines for City of Boston. Answer due by 05/12/2012 (Geraldino-Karasek, Clarilde) (Entered: 04/30/2012)
04/30/2012	<u>12</u>	Judge Joseph L. Tauro: ENDORSED ORDER entered ALLOWED <u>10</u> Motion to Stay Proceedings (Geraldino-Karasek, Clarilde) (Entered: 05/01/2012)
05/01/2012		Filing of the Responsive Pleadings due in 30 Days after receipt of the Plaintiffs' Notice of Right to Sue Letters. (Geraldino-Karasek, Clarilde) (Entered: 05/01/2012)
09/04/2012	<u>13</u>	NOTICE by Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith <i>of Amended Complaint</i> (Attachments: # <u>1</u> Exhibit A (Second Amended Complaint))(Churchill, Stephen) (Entered: 09/04/2012)
09/04/2012	<u>14</u>	AMENDED COMPLAINT against All Defendants, filed by Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker.(Churchill, Stephen) (Entered: 09/04/2012)
09/04/2012	21	Judge Joseph L. Tauro: ORDER entered. ORDER LIFTING STAY as <u>14</u> Amended Complaint; <u>17</u> Answer filed. (Geraldino-Karasek, Clarilde) (Entered: 05/29/2013)
10/02/2012	<u>15</u>	First MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>for Plaintiffs Lateisha Adams, Leighton Facey, Robert Tinker and John M. Johnson</i> by City of Boston.(Taub, Nicole) (Entered: 10/02/2012)
10/02/2012	<u>16</u>	MEMORANDUM in Support re <u>15</u> First MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>for Plaintiffs Lateisha Adams, Leighton Facey, Robert Tinker and John M. Johnson</i> filed by City of Boston. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit)(Taub, Nicole) (Entered: 10/02/2012)
10/02/2012	<u>17</u>	ANSWER to <u>14</u> Amended Complaint by City of Boston.(Taub, Nicole) (Entered: 10/02/2012)
10/15/2012	<u>18</u>	Assented to MOTION for Extension of Time to October 22, 2012 to File Response/Reply as to <u>15</u> First MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>for Plaintiffs Lateisha Adams, Leighton Facey, Robert Tinker and John M. Johnson</i> by LaTeisha Adams, Leighton Facey, John M Johnson, Robert Tinker.(Churchill, Stephen) (Entered: 10/15/2012)
10/17/2012	19	Judge Joseph L. Tauro: ELECTRONIC ORDER entered ALLOWED <u>18</u> Motion for Extension of Time to File Response/Reply re <u>15</u> First MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>for Plaintiffs Lateisha Adams, Leighton Facey, Robert Tinker and John M. Johnson</i> Responses due by 10/22/2012 (Geraldino-Karasek, Clarilde) (Entered: 10/17/2012)

10/22/2012	<u>20</u>	Opposition re <u>15</u> First MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM for Plaintiffs Lateisha Adams, Leighton Facey, Robert Tinker and John M. Johnson filed by LaTeisha Adams, Leighton Facey, John M Johnson, Robert Tinker. (Churchill, Stephen) (Entered: 10/22/2012)
05/29/2013	<u>22</u>	NOTICE of Scheduling Conference set for 6/19/2013 11:00 AM in Courtroom 22 before Judge Joseph L. Tauro. (Geraldino-Karasek, Clarilde) (Entered: 05/29/2013)
05/29/2013	<u>23</u>	Judge Joseph L. Tauro: RULE 26 DISCOVERY ORDER entered. (Geraldino-Karasek, Clarilde) (Entered: 05/29/2013)
05/29/2013	<u>24</u>	NOTICE of Appearance by Benjamin Weber on behalf of LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker (Weber, Benjamin) (Entered: 05/29/2013)
06/12/2013	<u>25</u>	NOTICE of Appearance by John M. Simon on behalf of City of Boston (Simon, John) (Entered: 06/12/2013)
06/12/2013	26	ELECTRONIC NOTICE OF RESCHEDULING: Scheduling Conference set for 8/6/2013 11:30 AM in Courtroom 22 before Judge Joseph L. Tauro. The deadlines for the filings called for in the scheduling order are extended accordingly.(Lovett, Zita) Modified on 6/12/2013 (Lovett, Zita). (Entered: 06/12/2013)
07/24/2013	<u>27</u>	Judge Joseph L. Tauro: ORDER entered. For the reasons stated in the accompanying memorandum, this court hereby orders that Defendant's Partial Motion to Dismiss <u>15</u> is ALLOWED IN PART and DENIED IN PART. The claims of Plaintiffs Johnson and Tinker are DISMISSED WITHOUT PREJUDICE for failure to exhaust their administrative remedies. IT IS SO ORDERED (Geraldino-Karasek, Clarilde) (Entered: 07/24/2013)
07/24/2013	<u>28</u>	Judge Joseph L. Tauro: ORDER entered. MEMORANDUM and ORDER (Geraldino-Karasek, Clarilde) (Entered: 07/24/2013)
07/30/2013	<u>29</u>	STATEMENT OF COUNSEL of Harold Lichten <i>Joint Statement</i> by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Lichten, Harold) (Entered: 07/30/2013)
07/30/2013	<u>30</u>	NOTICE by City of Boston <i>Proposed List of Deponents</i> (Simon, John) (Entered: 07/30/2013)
07/30/2013	<u>31</u>	NOTICE by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker <i>List of Proposed Deponents</i> (Weber, Benjamin) (Entered: 07/30/2013)
08/02/2013	32	ELECTRONIC NOTICE of Hearing. Status Conference set for 8/14/2013 12:00 PM in Courtroom 22 before Judge Joseph L. Tauro. (Lovett, Zita) (Entered: 08/02/2013)
08/02/2013	33	ELECTRONIC NOTICE Canceling Hearing of 8/14/2013, wrong case. Thank you for the call. (Lovett, Zita) (Entered: 08/02/2013)
08/06/2013	34	ELECTRONIC Clerk's Notes for proceedings held before Judge Joseph L. Tauro: Scheduling Conference held on 8/6/2013. An order will issue. (Court Reporter: Carol Scott at 617-330-1377).(Attorneys present: Lechten,Churchill,Webb,plts; Simon,Taub,deft.t) (Lovett, Zita) (Entered: 08/07/2013)
08/07/2013	<u>35</u>	Judge Joseph L. Tauro: SCHEDULING ORDER entered. After a Scheduling Conference on August 6, 2013, this court hereby orders that: The parties may conduct the following depositions included in this ORDER. All depositions shall be completed by December 31, 2013 ( Discovery to be completed by 12/31/2013). No further discovery is permitted without leave of this court. Plaintiffs shall file their MOTION for class certification by October 11, 2013 ( Motions due by 10/11/2013). A Further Conference set for 1/9/2014 11:00 AM in Courtroom 22 before Judge Joseph L. Tauro. IT IS SO ORDERED. (Geraldino-Karasek, Clarilde) (Entered: 08/07/2013)
08/30/2013	<u>36</u>	CERTIFICATION pursuant to Local Rule 16.1 by City of Boston.(Simon, John) (Main Document 36 replaced on 8/30/2013 to correct PDF document attached ) (Geraldino-Karasek, Clarilde). (Entered: 08/30/2013)

09/17/2013	<u>37</u>	CERTIFICATION pursuant to Local Rule 16.1 of Plaintiff Brian Keith Latson. (Weber, Benjamin) (Entered: 09/17/2013)
09/17/2013	<u>38</u>	CERTIFICATION pursuant to Local Rule 16.1 of Plaintiff Bruce Smith. (Weber, Benjamin) (Entered: 09/17/2013)
09/17/2013	<u>39</u>	CERTIFICATION pursuant to Local Rule 16.1 of Plaintiff Kim Gaddy. (Weber, Benjamin) (Entered: 09/17/2013)
09/17/2013	<u>40</u>	CERTIFICATION pursuant to Local Rule 16.1 of Plaintiff Lateisha Adams. (Weber, Benjamin) (Entered: 09/17/2013)
09/17/2013	<u>41</u>	CERTIFICATION pursuant to Local Rule 16.1 of Plaintiff Leighton Facey. (Weber, Benjamin) (Entered: 09/17/2013)
09/17/2013	<u>42</u>	CERTIFICATION pursuant to Local Rule 16.1 of Plaintiff Martin Joseph. (Weber, Benjamin) (Entered: 09/17/2013)
09/17/2013	<u>43</u>	CERTIFICATION pursuant to Local Rule 16.1 of Plaintiff Marwan Moss. (Weber, Benjamin) (Entered: 09/17/2013)
09/17/2013	<u>44</u>	CERTIFICATION pursuant to Local Rule 16.1 of Plaintiff Paul Joseph. (Weber, Benjamin) (Entered: 09/17/2013)
10/09/2013	<u>45</u>	Assented to MOTION for Extension of Time to October 18, 2013 to File Plaintiffs' Motion for Class Certification by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker.(Weber, Benjamin) (Entered: 10/09/2013)
10/16/2013	46	Judge Joseph L. Tauro: ELECTRONIC ORDER entered granting <u>45</u> Motion for Extension of Time to File (Lovett, Zita) (Entered: 10/16/2013)
10/18/2013	<u>47</u>	MOTION to Certify Class and Memorandum in Support Thereof by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Weber, Benjamin) (Entered: 10/18/2013)
10/31/2013	<u>48</u>	Assented to MOTION for Extension of Time to November 15, 2013 to File Response/Reply as to <u>47</u> MOTION to Certify Class and Memorandum in Support Thereof by City of Boston.(Simon, John) (Entered: 10/31/2013)
11/04/2013	49	Judge Joseph L. Tauro: ELECTRONIC ORDER entered granting <u>48</u> Motion for Extension of Time to File Response/Reply re <u>48</u> Assented to MOTION for Extension of Time to November 15, 2013 to File Response/Reply as to <u>47</u> MOTION to Certify Class and Memorandum in Support Thereof Responses due by 11/15/2013 (Lovett, Zita) (Entered: 11/04/2013)
11/15/2013	<u>50</u>	Opposition re <u>47</u> MOTION to Certify Class and Memorandum in Support Thereof filed by City of Boston. (Simon, John) (Entered: 11/15/2013)
11/25/2013	<u>51</u>	Assented to MOTION for Leave to File Reply on Class Certification by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(Weber, Benjamin) (Entered: 11/25/2013)
11/26/2013	52	Judge Joseph L. Tauro: ELECTRONIC ORDER entered granting <u>51</u> Motion for Leave to File Document ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Lovett, Zita) (Entered: 11/26/2013)
11/26/2013	<u>53</u>	REPLY to Response to <u>47</u> MOTION to Certify Class and Memorandum in Support Thereof filed by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Weber, Benjamin) (Entered: 11/26/2013)

12/18/2013	54	ELECTRONIC NOTICE Canceling Hearing of 1/9/2014. A new date will be announced for a hearing on the pending motions. (Lovett, Zita) (Entered: 12/18/2013)
12/26/2013	56	ELECTRONIC NOTICE of Reassignment. Pursuant to Judge Joseph L. Tauro's taking of senior status, this case is randomly reassigned to Judge William G. Young.(Abaid, Kimberly) (Entered: 12/26/2013)
12/30/2013	57	ELECTRONIC NOTICE of Hearing. Status Conference set for 1/14/2014 02:00 PM in Courtroom 18 before Judge William G. Young. (Gaudet, Jennifer) (Entered: 12/30/2013)
01/14/2014	58	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Status Conference held on 1/14/2014. The Court sets the pending motion <u>47</u> MOTION to Certify Class for hearing on 2/11/2014 at 2:00 PM before Judge William G. Young. This hearing will take place at Boston College Law School, 885 Centre Street, East Wing, Room 115, Newton, MA. Bench Trial is placed on the running trial list for December 2014. A final pretrial conference will be set during the month of November 2014. A joint final pretrial memorandum is due the first business day of November 2014. Any motions for summary judgment are due on or before the first business day of September 2014. (Ready for Trial on 12/1/2014 09:00 AM in Courtroom 18 before Judge William G. Young.). (Court Reporter: Donald Womack at womack@megatran.com.)(Attorneys present: Churchill, Lichten for the plaintiffs, Simon for the defendant) (Gaudet, Jennifer) (Entered: 01/15/2014)
01/16/2014	<u>59</u>	MOTION for Reconsideration of <i>Dismissal</i> by Bruce Smith.(Lichten, Harold) (Entered: 01/16/2014)
01/30/2014	<u>60</u>	Assented to MOTION for Extension of Time to February 6, 2014 to File <i>Opposition to Motion for Reconsideration</i> by City of Boston.(Simon, John) (Entered: 01/30/2014)
02/03/2014	61	Judge William G. Young: ELECTRONIC ORDER entered granting <u>60</u> Assented to MOTION for Extension of Time to February 6, 2014 to File Opposition to Motion for Reconsideration (Paine, Matthew) (Entered: 02/03/2014)
02/03/2014	62	Reset Deadlines as to <u>59</u> MOTION for Reconsideration of <i>Dismissal</i> . Responses due by 2/6/2014 (Paine, Matthew) (Entered: 02/03/2014)
02/06/2014	<u>63</u>	Joint MOTION for Extension of Time to February 13, 2014 to File <i>Opposition to Motion for Reconsideration and to Continue Class Certification Hearing</i> by City of Boston.(Simon, John) (Entered: 02/06/2014)
02/07/2014	64	Judge William G. Young: ELECTRONIC ORDER entered granting <u>63</u> Joint Motion for Extension of Time to February 13, 2014 to File Opposition to Motion for Reconsideration and to Continue Class Certification Hearing by City of Boston. (Gaudet, Jennifer) (Entered: 02/07/2014)
02/07/2014	65	ELECTRONIC NOTICE Resetting Hearing on Motion <u>47</u> MOTION to Certify Class and Memorandum in Support Thereof: Motion Hearing set for 3/6/2014 02:00 PM before Judge William G. Young. This hearing will take place at Suffolk Law School, 120 Tremont Street, 4th Floor, Boston, MA. (Gaudet, Jennifer) (Entered: 02/07/2014)
02/13/2014	<u>66</u>	Opposition re <u>59</u> MOTION for Reconsideration of <i>Dismissal</i> filed by City of Boston. (Simon, John) (Entered: 02/13/2014)
02/14/2014	67	Judge William G. Young: ELECTRONIC ORDER entered denying <u>59</u> MOTION for Reconsideration of Dismissal (Paine, Matthew) (Entered: 02/14/2014)
02/27/2014	68	ELECTRONIC NOTICE Setting Hearing on Motion <u>47</u> MOTION to Certify Class and Memorandum in Support Thereof: Motion Hearing set for 3/25/2014 02:00 PM before Judge William G. Young. This hearing will take place at Suffolk Law School, 120 Tremont Street, 4th Floor, Boston, MA. (Gaudet, Jennifer) (Entered: 02/27/2014)
03/25/2014	70	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Motion Hearing held at Suffolk Law School on 3/25/2014 re <u>47</u> MOTION to Certify Class and Memorandum in Support Thereof filed by John M Johnson, Robert Tinker, Bruce Smith, Paul Joseph, Kim Gaddy, Brian Keith Latson, LaTeisha Adams, Leighton Facey, Martin Joseph, Marwan Moss. After hearing from counsel, the Court enters an Order denying without prejudice <u>47</u> Motion to Certify Class. (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present:

		Liss–Riordan and Churchill for the plaintiff, Simon for the defendant) (Gaudet, Jennifer) Modified on 4/11/2014 (Gaudet, Jennifer). (Entered: 04/11/2014)
04/15/2014	<u>71</u>	NOTICE of Withdrawal of Appearance by Sara E. Smolik (Smolik, Sara) (Entered: 04/15/2014)
08/14/2014	<u>72</u>	MOTION to Compel <i>and Enforce Deposition and Document Subpoenas</i> by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit Affidavit of Ben Weber, # <u>2</u> Exhibit Deposition Subpoenas, # <u>3</u> Exhibit Proofs of service)(Lichten, Harold) (Entered: 08/14/2014)
08/14/2014	<u>73</u>	CERTIFICATE OF SERVICE pursuant to LR 5.2 by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker re <u>72</u> MOTION to Compel <i>and Enforce Deposition and Document Subpoenas</i> . (Lichten, Harold) (Entered: 08/14/2014)
08/28/2014	<u>74</u>	Assented to MOTION for Extension of Time to 9/11/2014 to Respond to Paper No. 72 ( <i>Plaintiffs' Discovery Motion directed at HRD</i> ) by Massachusetts Human Resources Division.(Quinan, Robert) Modified on 8/29/2014 (Gaudet, Jennifer). (Entered: 08/28/2014)
08/29/2014	75	Judge William G. Young: ELECTRONIC ORDER entered granting <u>74</u> Assented to Motion for Extension of Time to File Response/Reply re <u>72</u> MOTION to Compel <i>and Enforce Deposition and Document Subpoenas</i> . Responses due by 9/11/2014. (Gaudet, Jennifer) (Entered: 08/29/2014)
09/10/2014	<u>76</u>	Assented to MOTION for Extension of Time to 09/18/2014 to File Response/Reply as to <u>72</u> MOTION to Compel <i>and Enforce Deposition and Document Subpoenas</i> by Massachusetts Human Resources Division.(Quinan, Robert) (Entered: 09/10/2014)
09/11/2014	77	Judge William G. Young: ELECTRONIC ORDER entered granting <u>76</u> Motion for Extension of Time to File Response/Reply re <u>72</u> MOTION to Compel <i>and Enforce Deposition and Document Subpoenas</i> Responses due by 9/18/2014 (Paine, Matthew) (Entered: 09/11/2014)
09/17/2014	<u>78</u>	NOTICE of Change of Address or Firm Name by Harold L. Lichten (Lichten, Harold) (Main Document 78 replaced on 9/18/2014) (Gaudet, Jennifer). (Entered: 09/17/2014)
10/10/2014	79	Judge William G. Young: ELECTRONIC ORDER entered withdrawing as moot <u>72</u> Motion to Compel. Counsel represents the motion is withdrawn as moot. (Gaudet, Jennifer) (Entered: 10/10/2014)
10/23/2014	<u>80</u>	Judge William G. Young: ORDER entered. PROCEDURAL ORDER re pretrial/trial. Final Pretrial Conference set for 11/10/2014 02:00 PM in Courtroom 18 before Judge William G. Young.(Gaudet, Jennifer) (Entered: 10/23/2014)
10/31/2014	<u>81</u>	Emergency MOTION to Continue PreTrial Conference by City of Boston. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Simon, John) (Entered: 10/31/2014)
10/31/2014	<u>82</u>	Opposition re <u>81</u> Emergency MOTION to Continue PreTrial Conference filed by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Lichten, Harold) (Entered: 10/31/2014)
11/03/2014	<u>83</u>	PRETRIAL MEMORANDUM by Bruce Smith. (Attachments: # <u>1</u> Exhibit A)(Lichten, Harold) (Entered: 11/03/2014)
11/04/2014	84	Judge William G. Young: ELECTRONIC ORDER entered denying <u>81</u> Emergency Motion to Continue PreTrial Conference by City of Boston. (Gaudet, Jennifer) (Entered: 11/04/2014)
11/10/2014	<u>85</u>	Objection by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker <i>to Defendants' Witnesses and Exhibits</i> . (Lichten, Harold) (Entered: 11/10/2014)
11/10/2014	<u>86</u>	Objection by City of Boston <i>to Plaintiffs' Witnesses and Exhibits</i> . (Simon, John) (Entered: 11/10/2014)

11/10/2014	<u>98</u>	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Final Pretrial Conference held (lobby) on 11/10/2014. The Court inquires as to settlement. Any summary judgment motions shall be filed within one week. No response to motions is necessary. A hearing on motion(s) for summary judgment is set for 12/1/2014 at 2:00 PM. Case is bifurcated. Jury waived trial expected to begin December 10th or 11th and is expected to last 10 days (2 weeks). If plaintiff's counsel's case in another district goes forward, this case will be postponed. The Court goes over the requirements of the session regarding time limits, exhibits, etc. (Court Reporter: None.)(Attorneys present: Churchill, Lichten, Webber for the plaintiff, Bok and Simon for the defendants) (Gaudet, Jennifer) (Entered: 11/18/2014)
11/17/2014	<u>87</u>	NOTICE of Appearance by Kay H. Hodge on behalf of City of Boston (Hodge, Kay) (Entered: 11/17/2014)
11/17/2014	<u>88</u>	NOTICE of Appearance by Geoffrey R. Bok on behalf of City of Boston (Bok, Geoffrey) (Entered: 11/17/2014)
11/17/2014	<u>89</u>	MOTION for Summary Judgment by City of Boston.(Simon, John) (Entered: 11/17/2014)
11/17/2014	<u>90</u>	MEMORANDUM in Support re <u>89</u> MOTION for Summary Judgment filed by City of Boston. (Simon, John) (Entered: 11/17/2014)
11/17/2014	<u>91</u>	Statement of Material Facts L.R. 56.1 re <u>89</u> MOTION for Summary Judgment filed by City of Boston. (Simon, John) (Entered: 11/17/2014)
11/17/2014	<u>92</u>	AFFIDAVIT in Support re <u>89</u> MOTION for Summary Judgment by <i>John M. Simon</i> . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Simon, John) (Entered: 11/17/2014)
11/17/2014	<u>93</u>	AFFIDAVIT in Support re <u>89</u> MOTION for Summary Judgment by <i>Rick R. Jacobs</i> . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Simon, John) (Entered: 11/17/2014)
11/17/2014	<u>94</u>	MOTION for Summary Judgment by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker.(Lichten, Harold) (Entered: 11/17/2014)
11/17/2014	<u>95</u>	MEMORANDUM in Support re <u>94</u> MOTION for Summary Judgment filed by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit A)(Lichten, Harold) (Entered: 11/17/2014)
11/17/2014	<u>96</u>	Statement of Material Facts L.R. 56.1 re <u>94</u> MOTION for Summary Judgment filed by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Lichten, Harold) (Entered: 11/17/2014)
11/17/2014	<u>97</u>	AFFIDAVIT in Support re <u>96</u> Statement of Material Facts L.R. 56.1, . (Attachments: # <u>1</u> Exhibit 1)(Lichten, Harold) (Entered: 11/17/2014)
11/18/2014	<u>99</u>	Set/Reset Deadlines as to <u>94</u> MOTION for Summary Judgment , <u>89</u> MOTION for Summary Judgment . Motion Hearing set for 12/1/2014 02:00 PM in Courtroom 18 before Judge William G. Young. (Gaudet, Jennifer) (Entered: 11/18/2014)
11/21/2014	<u>100</u>	MOTION to Strike <u>93</u> Affidavit in Support of <i>Defendant's Motion for Summary Judgment</i> by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit A-1, # <u>2</u> Exhibit A-2, # <u>3</u> Exhibit A-3)(Weber, Benjamin) (Entered: 11/21/2014)
11/24/2014	<u>101</u>	Opposition re <u>89</u> MOTION for Summary Judgment filed by LaTeisha Adams, Leighton Facey, Kim Gaddy, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith. (Churchill, Stephen) (Entered: 11/24/2014)
11/24/2014	<u>102</u>	Counter Statement of Material Facts L.R. 56.1 re <u>89</u> MOTION for Summary Judgment filed by LaTeisha Adams, Leighton Facey, Kim Gaddy, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith. (Churchill, Stephen) (Entered: 11/24/2014)

11/24/2014	<u>103</u>	Second AFFIDAVIT of Joel P. Wiesen in Opposition re <u>89</u> MOTION for Summary Judgment filed by LaTeisha Adams, Leighton Facey, Kim Gaddy, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith. (Churchill, Stephen) (Entered: 11/24/2014)
11/24/2014	<u>104</u>	AFFIDAVIT of Stephen Churchill in Opposition re <u>89</u> MOTION for Summary Judgment filed by LaTeisha Adams, Leighton Facey, Kim Gaddy, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Churchill, Stephen) (Entered: 11/24/2014)
11/24/2014	<u>105</u>	Opposition re <u>94</u> MOTION for Summary Judgment filed by City of Boston. (Simon, John) (Entered: 11/24/2014)
11/24/2014	<u>106</u>	Counter Statement of Material Facts L.R. 56.1 re <u>94</u> MOTION for Summary Judgment by <i>Plaintiffs</i> filed by City of Boston. (Simon, John) (Entered: 11/24/2014)
11/24/2014	<u>107</u>	AFFIDAVIT in Support re <u>105</u> Opposition to Motion for Summary Judgment by <i>Plaintiffs</i> . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Simon, John) (Entered: 11/24/2014)
11/24/2014	<u>108</u>	AFFIDAVIT in Support re <u>105</u> Opposition to Motion for Summary Judgment by <i>Plaintiffs</i> . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Simon, John) (Entered: 11/24/2014)
11/25/2014	<u>109</u>	ELECTRONIC NOTICE issued requesting courtesy copy for <u>106</u> Statement of Material Facts L.R. 56.1, <u>102</u> Statement of Material Facts L.R. 56.1, <u>105</u> Opposition to Motion, <u>103</u> Affidavit in Opposition to Motion, <u>108</u> Affidavit in Support, <u>104</u> Affidavit in Opposition to Motion, <u>101</u> Opposition to Motion, <u>107</u> Affidavit in Support. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office attention Matt Paine – Docket Clerk – Judge Young. <b>These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF.</b> (Paine, Matthew) (Entered: 11/25/2014)
11/25/2014	<u>110</u>	MOTION to Strike <i>Affidavit of Jacintho Silva</i> by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit A)(Weber, Benjamin) (Entered: 11/25/2014)
11/25/2014	<u>111</u>	MOTION to Strike <i>Affidavit of Michael A. Champion</i> by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit A)(Weber, Benjamin) (Entered: 11/25/2014)
11/26/2014	<u>112</u>	MOTION to Strike <i>Plaintiffs' Expert Witness</i> by City of Boston.(Simon, John) (Entered: 11/26/2014)
11/26/2014	<u>113</u>	Opposition re <u>100</u> MOTION to Strike <u>93</u> Affidavit in Support of <i>Defendant's Motion for Summary Judgment</i> filed by City of Boston. (Simon, John) (Entered: 11/26/2014)
11/26/2014	<u>114</u>	Opposition re <u>110</u> MOTION to Strike <i>Affidavit of Jacintho Silva</i> filed by City of Boston. (Simon, John) (Entered: 11/26/2014)
11/26/2014	<u>115</u>	Opposition re <u>111</u> MOTION to Strike <i>Affidavit of Michael A. Champion</i> filed by City of Boston. (Simon, John) (Entered: 11/26/2014)
11/26/2014	<u>116</u>	MOTION to Amend <u>83</u> Pretrial Memorandum re <i>Defendant's Trial Witness List</i> by City of Boston.(Simon, John) (Entered: 11/26/2014)
11/29/2014	<u>117</u>	Opposition re <u>112</u> MOTION to Strike <i>Plaintiffs' Expert Witness</i> filed by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Lichten, Harold) (Entered: 11/29/2014)
11/29/2014	<u>118</u>	AFFIDAVIT re <u>117</u> Opposition to Motion, of <i>Benjamin J. Weber</i> by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit

		G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K)(Lichten, Harold) (Entered: 11/29/2014)
12/01/2014	<u>119</u>	MOTION to Strike <i>Report of Michael A. Champion</i> by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit A)(Lichten, Harold) (Entered: 12/01/2014)
12/01/2014	120	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Motion Hearing held on 12/1/2014 re <u>94</u> MOTION for Summary Judgment and <u>89</u> MOTION for Summary Judgment. The Court addresses the trial schedule. Due to counsel on trial in another district this matter is continued to Monday, December 15, 2014 at 9:00. After hearing from counsel, the Court enters an Order tentatively denying the pending motions for summary judgment. (Bench Trial Day One set for 12/15/2014 09:00 AM in Courtroom 18 before Judge William G. Young., Bench Trial Day Two set for 12/16/2014 09:00 AM in Courtroom 18 before Judge William G. Young., Bench Trial Day Three set for 12/17/2014 09:30 AM in Courtroom 18 before Judge William G. Young., Bench Trial Day Four set for 12/18/2014 09:00 AM in Courtroom 18 before Judge William G. Young., Bench Trial Day Five set for 12/19/2014 09:00 AM in Courtroom 18 before Judge William G. Young.). (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present: Churchill, Lichten for the plaintiffs, Simon, Bok for the deft.) (Gaudet, Jennifer) (Entered: 12/02/2014)
12/02/2014	121	Judge William G. Young: ELECTRONIC ORDER entered denying <u>119</u> MOTION to Strike Report of Michael A. Champion. (Paine, Matthew) (Entered: 12/02/2014)
12/03/2014	<u>122</u>	Joint MOTION for Order to Postpone Trial To Allow Parties To Mediate by City of Boston.(Simon, John) (Entered: 12/03/2014)
12/05/2014	123	Judge William G. Young: ELECTRONIC ORDER entered: denied. Mediation is always desirable but it may take place during the trial if not before re <u>122</u> Joint MOTION for Order to Postpone Trial To Allow Parties To Mediate. (Paine, Matthew) (Entered: 12/05/2014)
12/05/2014	<u>124</u>	Emergency MOTION to Permit Counsel's Attendance at Deposition by LaTeisha Adams, Leighton Facey, Kim Gaddy, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith.(Churchill, Stephen) (Entered: 12/05/2014)
12/05/2014	<u>125</u>	MOTION Opposition to Emergency Motion and Cross Motion for Protective Order re <u>124</u> Emergency MOTION to Permit Counsel's Attendance at Deposition of <i>Dr. Jacinto Silva</i> by City of Boston.(Bok, Geoffrey) (Entered: 12/05/2014)
12/05/2014	<u>126</u>	Letter/request (non-motion) from Harold Lichten <i>re: Case Status</i> . (Lichten, Harold) (Entered: 12/05/2014)
12/05/2014	<u>127</u>	Emergency MOTION for Protective Order <i>Regarding Plaintiffs' Demand to Depose Rick Jacobs, Ph.D – An Expert Witness Who Is Not Testifying At Trial For Either Party</i> by City of Boston.(Bok, Geoffrey) (Entered: 12/05/2014)
12/05/2014	<u>128</u>	Emergency MOTION to Take Deposition of Dr. Rick Jacobs by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit Affidavit of Harold Lichten)(Lichten, Harold) (Entered: 12/05/2014)
12/05/2014	<u>129</u>	MOTION Protection From Trial Being Held From December 23, 2014 to January 4, 2015 Due to Trial Counsels' Previously Scheduled Family Vacations ( <i>Unopposed by Plaintiffs</i> ) by City of Boston.(Bok, Geoffrey) (Entered: 12/05/2014)
12/07/2014	<u>130</u>	MEMORANDUM in Opposition re <u>128</u> Emergency MOTION to Take Deposition of Dr. Rick Jacobs filed by City of Boston. (Bok, Geoffrey) (Entered: 12/07/2014)
12/07/2014	<u>131</u>	MOTION in Limine to Exclude Any Use of the "Four-Fifths Rule" to Prove or Disprove Whether There Was an Adverse Impact Based on Race by City of Boston.(Bok, Geoffrey) (Entered: 12/07/2014)
12/07/2014	<u>132</u>	MOTION in Limine to Exclude From Trial Any Argument That Any of the Eight Current Plaintiffs Have a Viable Disparate Impact Liability Claim Based on Their

		<i>Taking the City's 2005 Lieutenant Promotional Examination</i> by City of Boston. (Attachments: # <u>1</u> Exhibit A)(Bok, Geoffrey) (Entered: 12/07/2014)
12/09/2014	133	Judge William G. Young: ELECTRONIC ORDER entered: The deposition of Jacinto Silva shall take place live in Miami on Thursday, December 11, 2014. All counsel may be present and may interrogate in person. re <u>124</u> Emergency MOTION to Permit Counsel's Attendance at Deposition (Paine, Matthew) (Entered: 12/09/2014)
12/09/2014	134	Judge William G. Young: ELECTRONIC ORDER entered: Dr. Jacobs need not be deposed. re <u>127</u> Emergency MOTION for Protective Order Regarding Plaintiffs' Demand to Depose Rick Jacobs, Ph.D – An Expert Witness Who Is Not Testifying At Trial For Either Party (Paine, Matthew) (Entered: 12/09/2014)
12/09/2014	<u>135</u>	Emergency MOTION to Bifurcate <i>the Trial on Liability in Accordance with Rule 26(a)</i> by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker.(Lichten, Harold) (Entered: 12/09/2014)
12/09/2014	<u>136</u>	MEMORANDUM in Support re <u>135</u> Emergency MOTION to Bifurcate <i>the Trial on Liability in Accordance with Rule 26(a)</i> filed by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit Email with Silva Report, # <u>2</u> Exhibit Email with Champion Report)(Lichten, Harold) (Entered: 12/09/2014)
12/09/2014	<u>137</u>	Opposition re <u>135</u> Emergency MOTION to Bifurcate <i>the Trial on Liability in Accordance with Rule 26(a)</i> filed by City of Boston. (Simon, John) (Entered: 12/09/2014)
12/11/2014	138	Judge William G. Young: ELECTRONIC ORDER entered denying <u>135</u> Emergency MOTION to Bifurcate the Trial on Liability in Accordance with Rule 26(a). (Paine, Matthew) (Entered: 12/11/2014)
12/12/2014	139	Judge William G. Young: ELECTRONIC ORDER entered granting <u>129</u> Motion for Protection From Trial Being Held From December 23, 2014 to Janaury 4, 2015 Due to Trial Counsels' Previously Scheduled Family Vacations (Unopposed by Plainitffs) by City of Boston. (Gaudet, Jennifer) (Entered: 12/12/2014)
12/12/2014	140	Set/Reset Hearings: Bench Trial Day One set for 12/15/2014 09:00 AM in Courtroom 18 before Judge William G. Young. Bench Trial Day Two set for 12/16/2014 09:00 AM in Courtroom 18 before Judge William G. Young. Bench Trial Day Three set for 12/17/2014 09:30 AM in Courtroom 18 before Judge William G. Young. Bench Trial Day Four set for 12/18/2014 09:00 AM in Courtroom 18 before Judge William G. Young. Bench Trial Day Five set for 12/19/2014 09:00 AM in Courtroom 18 before Judge William G. Young. Bench Trial Day Six set for 12/22/2014 09:00 AM in Courtroom 18 before Judge William G. Young. (Gaudet, Jennifer) (Entered: 12/12/2014)
12/12/2014	<u>141</u>	Proposed Findings of Fact by City of Boston. (Simon, John) (Entered: 12/12/2014)
12/14/2014	<u>142</u>	Opposition re <u>131</u> MOTION in Limine <i>to Exclude Any Use of the "Four-Fifths Rule" to Prove or Disprove Whether There Was an Adverse Impact Based on Race</i> filed by LaTeisha Adams, Leighton Facey, Kim Gaddy, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith. (Attachments: # <u>1</u> Exhibit A)(Churchill, Stephen) (Entered: 12/14/2014)
12/14/2014	<u>143</u>	Opposition re <u>132</u> MOTION in Limine <i>to Exclude From Trial Any Argument That Any of the Eight Current Plaintiffs Have a Viable Disparate Impact Liability Claim Based on Their Taking the City's 2005 Lieutenant Promotional Examination</i> filed by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Weber, Benjamin) (Entered: 12/14/2014)
12/14/2014	<u>144</u>	Interim Proposed Findings of Fact by LaTeisha Adams, Leighton Facey, Kim Gaddy, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith. (Churchill, Stephen) (Entered: 12/14/2014)

12/15/2014	145	Set/Reset Hearings: Bench Trial Day Two set for 12/16/2014 09:00 AM in Courtroom 18 before Judge William G. Young. (Gaudet, Jennifer) (Entered: 12/15/2014)
12/15/2014	146	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Bench Trial Day One held on 12/15/2014. The Court and counsel review preliminary and housekeeping matters. Opening statements are made. All exhibits in the Lopez case (J O'Toole) are admitted in this case. Plaintiffs' evidence commences with P-1, Joel Wiesen (sworn). The Court Orders that Ms. Hough can only testify if the report is filed by noon on 12/22/2014. Defendant may depose Ms. Hough by 1/5/2015. Bench trial continued to 12/16/2014 at 9:00 AM. (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present: Weber, Lichten, Churchill for the plaintiffs, Bok, Simon and Hodge for the defendant) (Gaudet, Jennifer) (Entered: 12/16/2014)
12/16/2014	147	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Bench Trial Day Two held on 12/16/2014. P-1, Joel Wiesen resumes the stand. (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present: Weber, Lichten, Churchill for the plaintiffs, Bok, Simon and Hodge for the defendant) (Gaudet, Jennifer) (Entered: 12/16/2014)
12/16/2014	148	Judge William G. Young: ELECTRONIC ORDER entered denying <u>128</u> Emergency MOTION to Take Deposition of Dr. Rick Jacobs (Paine, Matthew) (Entered: 12/16/2014)
12/16/2014	149	Judge William G. Young: ELECTRONIC ORDER entered denying <u>131</u> MOTION in Limine to Exclude Any Use of the "Four-Fifths Rule" to Prove or Disprove Whether There Was an Adverse Impact Based on Race. (Paine, Matthew) (Entered: 12/16/2014)
12/16/2014	150	Judge William G. Young: ELECTRONIC ORDER entered granting <u>132</u> MOTION in Limine to Exclude From Trial Any Argument That Any of the Eight Current Plaintiffs Have a Viable Disparate Impact Liability Claim Based on Their Taking the City's 2005 Lieutenant Promotional Examination (Paine, Matthew) (Entered: 12/16/2014)
12/17/2014	151	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Bench Trial Day Three held on 12/17/2014. P-1, Wiesen resumes the stand. P-2, Bruce Smith (sworn). A witness is taken out of order. D-1, J. Silva (sworn). Court adjourned and continued to Thursday, December 18th at 9:00 AM. (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present: Weber, Lichten, Churchill for the plaintiffs, Bok, Simon and Hodge) (Gaudet, Jennifer) (Entered: 12/19/2014)
12/18/2014	152	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Bench Trial Day Four held on 12/18/2014. D-1, J. Silva resumes the stand. Testimony of Silva concludes at 12:30. The Court Orders that Ms. Hough shall be available for deposition on or before January 2, 2015 and that the location of the deposition should be worked out among counsel. Trial suspended early and continued to Friday, December 19th at 9:00 AM. (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present: Weber, Lichten, Churchill for the plaintiffs, Bok, and Hodge for the defendant) (Gaudet, Jennifer) (Entered: 12/19/2014)
12/19/2014	153	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Bench Trial Day Five held on 12/19/2014. D-2, Dr. Michael Campion (sworn) direct examination. Court adjourned at 12:25 PM. Cross examination of D-2 to begin at 9:00 AM on Monday, December 22, 2014. (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present: Weber, Lichten, Churchill for the plaintiffs, Bok, Simon and Hodge for the defendant.) (Gaudet, Jennifer) (Entered: 12/30/2014)
12/22/2014	154	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Bench Trial Day Six held on 12/22/2014. Cross examination of D-2, Michael Campion. Court adjourned and continued to Monday, January 5, 2015 at 9:00 AM. (Bench Trial Seven set for 1/5/2015 09:00 AM, Bench Trial Day Eight set for 1/6/2015 09:00 AM, Bench Trial Day Nine set for 1/7/2015 09:00 AM, Bench Trial Day Ten set for 1/8/2015 09:00 AM in Courtroom 18 before Judge William G. Young.) (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present: Weber, Lichten, Churchill for the plaintiffs, Bok, Simon and Hodge for the defendant.) (Gaudet, Jennifer) (Entered: 12/30/2014)

01/05/2015	155	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Bench Trial Day Seven held on 1/5/2015. D-2, Michael Campion resumes the stand by video conference. P-3, Edward Davis (sworn). Court adjourned and continued to 9:00 AM on Tuesday, January 6, 2015. (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present: Weber, Lichten, Churchill for the plaintiffs, Bok, Simon and Hodge for the defendant) (Gaudet, Jennifer) (Entered: 01/09/2015)
01/06/2015	156	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Bench Trial Day Eight (8) held on 1/6/2015. P-4, Hough (sworn); P-5, Callahan (sworn). Court adjourned and continued to Wednesday, January 7th at 9:00 AM. (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present: Weber, Lichten, Churchill for the plaintiffs, Bok, Simon and Hodge for the defendant) (Gaudet, Jennifer) (Entered: 01/09/2015)
01/07/2015	157	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Bench Trial Day Nine (9) held on 1/7/2015. D-3, William B. Evans (sworn). The Court hears closing arguments and takes the matter under advisement. (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present: Weber, Lichten, Churchill for the plaintiffs, Bok, Simon and Hodge for the defendant) (Gaudet, Jennifer) (Entered: 02/13/2015)
01/07/2015	<u>221</u>	Exhibit and Witness List. (Gaudet, Jennifer) (Entered: 06/06/2016)
02/19/2015	<u>158</u>	Transcript of Bench Trial held on January 5, 2015, before Judge William G. Young. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Richard Romanow at bulldog@richromanow.com Redaction Request due 3/12/2015. Redacted Transcript Deadline set for 3/23/2015. Release of Transcript Restriction set for 5/20/2015. (Scalfani, Deborah) (Entered: 02/19/2015)
02/19/2015	<u>159</u>	Transcript of Bench Trial held on January 6, 2015, before Judge William G. Young. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Richard Romanow at bulldog@richromanow.com Redaction Request due 3/12/2015. Redacted Transcript Deadline set for 3/23/2015. Release of Transcript Restriction set for 5/20/2015. (Scalfani, Deborah) (Entered: 02/19/2015)
02/19/2015	<u>160</u>	Transcript of Bench Trial held on January 7, 2015, before Judge William G. Young. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Richard Romanow at bulldog@richromanow.com Redaction Request due 3/12/2015. Redacted Transcript Deadline set for 3/23/2015. Release of Transcript Restriction set for 5/20/2015. (Scalfani, Deborah) (Entered: 02/19/2015)
02/19/2015	<u>161</u>	Transcript of Bench Trial held on December 15, 2014, before Judge William G. Young. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Richard Romanow at bulldog@richromanow.com Redaction Request due 3/12/2015. Redacted Transcript Deadline set for 3/23/2015. Release of Transcript Restriction set for 5/20/2015. (Scalfani, Deborah) (Entered: 02/19/2015)
02/19/2015	<u>162</u>	Transcript of Bench Trial held on December 16, 2014, before Judge William G. Young. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Richard Romanow at bulldog@richromanow.com Redaction Request due 3/12/2015. Redacted Transcript Deadline set for 3/23/2015. Release of Transcript Restriction set for 5/20/2015. (Scalfani, Deborah) (Entered: 02/19/2015)
02/19/2015	<u>163</u>	Transcript of Bench Trial held on December 17, 2014, before Judge William G. Young. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Richard Romanow at bulldog@richromanow.com Redaction Request due 3/12/2015. Redacted Transcript Deadline set for 3/23/2015. Release of Transcript Restriction set for 5/20/2015. (Scalfani, Deborah) (Entered: 02/19/2015)

02/19/2015	<u>164</u>	SEALED Transcript of Bench Trial held on December 17, 2014, before Judge William G. Young. Court Reporter Name and Contact Information: Richard Romanow at bulldog@richromanow.com. (Scalfani, Deborah) (Entered: 02/19/2015)
02/19/2015	<u>165</u>	Transcript of Bench Trial held on December 18, 2014, before Judge William G. Young. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Richard Romanow at bulldog@richromanow.com Redaction Request due 3/12/2015. Redacted Transcript Deadline set for 3/23/2015. Release of Transcript Restriction set for 5/20/2015. (Scalfani, Deborah) (Entered: 02/19/2015)
02/19/2015	<u>166</u>	Transcript of Bench Trial held on December 19, 2014, before Judge William G. Young. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Richard Romanow at bulldog@richromanow.com Redaction Request due 3/12/2015. Redacted Transcript Deadline set for 3/23/2015. Release of Transcript Restriction set for 5/20/2015. (Scalfani, Deborah) (Entered: 02/19/2015)
02/19/2015	<u>167</u>	Transcript of Bench Trial held on December 22, 2014, before Judge William G. Young. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Richard Romanow at bulldog@richromanow.com Redaction Request due 3/12/2015. Redacted Transcript Deadline set for 3/23/2015. Release of Transcript Restriction set for 5/20/2015. (Scalfani, Deborah) (Entered: 02/19/2015)
02/19/2015	168	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at <a href="http://www.mad.uscourts.gov/attorneys/general-info.htm">http://www.mad.uscourts.gov/attorneys/general-info.htm</a> (Scalfani, Deborah) (Entered: 02/19/2015)
03/02/2015	<u>169</u>	NOTICE by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker of <i>Filing of First Circuit Brief in Lopez v. City of Lawrence, No. 14-1952</i> (Attachments: # <u>1</u> Exhibit Lopez Appeals Brief)(Lichten, Harold) (Entered: 03/02/2015)
03/09/2015	<u>170</u>	NOTICE by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker of <i>Filing of Amicus Brief with First Circuit in Lopez v. City of Lawrence</i> (Attachments: # <u>1</u> Exhibit Exhibit A – DOJ Amicus Brief)(Lichten, Harold) (Entered: 03/09/2015)
03/09/2015	<u>171</u>	NOTICE by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker of <i>Filing of Amicus Brief with First Circuit in Lopez v. City of Lawrence</i> (Attachments: # <u>1</u> Exhibit Exhibit A – MAMLEO Amicus Brief)(Lichten, Harold) (Entered: 03/09/2015)
03/10/2015	<u>172</u>	NOTICE by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker of <i>Filing of Amicus Brief with First Circuit in Lopez v. City of Lawrence</i> (Attachments: # <u>1</u> Exhibit NAACP Amicus Brief)(Lichten, Harold) (Entered: 03/10/2015)
03/20/2015	<u>173</u>	MOTION to Seal Document <i>and Supplement the Trial Record by Receiving the Results of 2014 Promotional Examination as an Impounded Trial Exhibit</i> by City of Boston.(Bok, Geoffrey) (Entered: 03/20/2015)
03/25/2015	<u>174</u>	MEMORANDUM in Opposition re <u>173</u> MOTION to Seal Document <i>and Supplement the Trial Record by Receiving the Results of 2014 Promotional Examination as an Impounded Trial Exhibit</i> filed by LaTeisha Adams, Leighton Facey, Kim Gaddy, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Weber, Benjamin) (Entered: 03/25/2015)
03/27/2015	<u>175</u>	MOTION for Leave to File <i>Affidavit of Devin Taylor in Support of its Pending Motion to Supplement the Trial Record</i> by City of Boston. (Attachments: # <u>1</u> Affidavit Affidavit of Devin Taylor)(Bok, Geoffrey) (Entered: 03/27/2015)

03/27/2015	176	Judge William G. Young: ELECTRONIC ORDER entered re <u>173</u> MOTION to Seal Document and Supplement the Trial Record by Receiving the Results of 2014 Promotional Examination as an Impounded Trial Exhibit.  Allowed. The plaintiffs may, of course, seek such additional discovery as may be appropriate.  (Paine, Matthew) (Entered: 03/27/2015)
03/30/2015	<u>177</u>	AFFIDAVIT of Edward Callahan – Trial Exhibit (85). (FILED UNDER SEAL) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Paine, Matthew) (Entered: 03/31/2015)
04/03/2015	<u>178</u>	MOTION to Bifurcate Briefing and Consideration of the Less Discriminatory Alternatives Prong by LaTeisha Adams, Leighton Facey, Kim Gaddy, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith.(Weber, Benjamin) (Entered: 04/03/2015)
04/03/2015	<u>179</u>	Opposition re <u>178</u> MOTION to Bifurcate Briefing and Condiseration of the Less Discriminatory Alternatives Prong filed by City of Boston. (Bok, Geoffrey) (Entered: 04/03/2015)
04/07/2015	180	Judge William G. Young: ELECTRONIC ORDER entered: denied. Further briefing will be filed by April 30, 2015. re <u>178</u> Motion to Bifurcate (Paine, Matthew) (Entered: 04/07/2015)
04/15/2015	<u>181</u>	Emergency MOTION for Protective Order <i>Regarding Plaintiffs' Post-Trial Discovery Requests Seeking to Litigate All Aspects of the 2014 Police Promotional Examination</i> by City of Boston. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Bok, Geoffrey) (Entered: 04/15/2015)
04/17/2015	<u>182</u>	Opposition re <u>181</u> Emergency MOTION for Protective Order <i>Regarding Plaintiffs' Post-Trial Discovery Requests Seeking to Litigate All Aspects of the 2014 Police Promotional Examination</i> filed by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Lichten, Harold) (Entered: 04/17/2015)
04/19/2015	<u>183</u>	Proposed Findings of Fact by LaTeisha Adams, Leighton Facey, Kim Gaddy, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Lichten, Harold) (Entered: 04/19/2015)
04/27/2015	<u>184</u>	Emergency MOTION to Strike <u>177</u> Sealed document by LaTeisha Adams, Leighton Facey, Kim Gaddy, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Lichten, Harold) (Entered: 04/27/2015)
04/28/2015	<u>185</u>	Joint MOTION for Extension of Time to 5/4/2015 to File Post-Trial Briefs by LaTeisha Adams, Leighton Facey, Kim Gaddy, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith.(Lichten, Harold) (Entered: 04/28/2015)
04/28/2015	<u>186</u>	Opposition re <u>184</u> Emergency MOTION to Strike <u>177</u> Sealed document filed by City of Boston. (Attachments: # <u>1</u> Exhibit A)(Bok, Geoffrey) (Entered: 04/28/2015)
04/29/2015	187	Judge William G. Young: ELECTRONIC ORDER entered granting <u>185</u> Joint MOTION for Extension of Time to 5/4/2015 to File Post-Trial Briefs. (Paine, Matthew) (Entered: 04/29/2015)
04/30/2015	188	ELECTRONIC NOTICE of Hearing. Status Conference set for 5/5/2015 02:00 PM in Courtroom 18 before Judge William G. Young. (Gaudet, Jennifer) (Entered: 04/30/2015)
04/30/2015	189	Judge William G. Young: ELECTRONIC ORDER entered denying <u>184</u> Motion to Strike (Paine, Matthew) (Entered: 04/30/2015)
05/04/2015	<u>190</u>	Proposed Findings of Fact by City of Boston. (Bok, Geoffrey) (Entered: 05/04/2015)
05/04/2015	<u>191</u>	Proposed Findings of Fact by All Plaintiffs. (Weber, Benjamin) (Entered: 05/04/2015)

05/05/2015	192	ELECTRONIC NOTICE OF RESCHEDULING. Status Conference reset for 5/6/2015 10:00 AM in Courtroom 18 before Judge William G. Young. (Gaudet, Jennifer) (Entered: 05/05/2015)
05/06/2015	193	ELECTRONIC Clerk's Notes for proceedings held before Judge William G. Young: Status Conference held on 5/6/2015. Colloquy re: discovery motion. Order to issue. (Court Reporter: No Court Reporter Used.) (Folan, Karen) (Entered: 05/06/2015)
06/01/2015	<u>194</u>	<i>Plaintiffs'</i> Response by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker to <u>190</u> Proposed Findings of Fact . (Lichten, Harold) (Entered: 06/01/2015)
06/15/2015	<u>195</u>	Notice of Supplemental Authorities by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker re <u>191</u> Proposed Findings of Fact (Attachments: # <u>1</u> Exhibit A)(Lichten, Harold) (Modified on 6/16/2015 to Correct Docket Text) (Paine, Matthew). (Entered: 06/15/2015)
08/28/2015	<u>196</u>	MEMORANDUM OF LAW by City of Boston. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Bok, Geoffrey) (Entered: 08/28/2015)
09/01/2015	197	ELECTRONIC NOTICE issued requesting courtesy copy for <u>196</u> Memorandum of Law. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office attention Matthew Paine – Docket Clerk Judge Young. <b>These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF.</b> (Paine, Matthew) (Entered: 09/01/2015)
09/14/2015	<u>198</u>	MOTION to Strike <u>196</u> Memorandum of Law by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Lichten, Harold) (Entered: 09/14/2015)
11/16/2015	<u>199</u>	Judge William G. Young: ORDER entered; FINDINGS OF FACT, RULINGS OF LAW, AND ORDER.(Gaudet, Jennifer) (Entered: 11/16/2015)
12/16/2015	<u>200</u>	MEMORANDUM OF LAW by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit Expert Report)(Lichten, Harold) (Entered: 12/16/2015)
12/18/2015	201	ELECTRONIC NOTICE of Hearing. Status Conference set for 1/12/2016 02:00 PM in Courtroom 18 before Judge William G. Young. (Gaudet, Jennifer) (Entered: 12/18/2015)
12/22/2015	202	ELECTRONIC NOTICE OF RESCHEDULING. Status Conference reset for 1/19/2016 02:00 PM in Courtroom 18 before Judge William G. Young. (Gaudet, Jennifer) (Entered: 12/22/2015)
01/06/2016	203	ELECTRONIC NOTICE OF RESCHEDULING. Status Conference reset for 1/19/2016 11:00 AM in Courtroom 18 before Judge William G. Young. PLEASE NOTE: TIME CHANGE ONLY. (Gaudet, Jennifer) (Entered: 01/06/2016)
01/15/2016	<u>204</u>	MEMORANDUM OF LAW by City of Boston. (Attachments: # <u>1</u> Affidavit of Jacinto M. Silva, Ph.D)(Bok, Geoffrey) (Entered: 01/15/2016)
01/19/2016	205	Electronic Clerk's Notes for proceedings held before Judge William G. Young: Status Conference held on 1/19/2016. After hearing from counsel, the Court sets schedules the matter for a jury waived trial which is expected to last five days. The first three days are set for 2/29/2016, 3/1/2016 and 3/2/2016. Further days if necessary will be set for later in the month. The trial will not cover attorney's fees. The Court welcomes motions in limine and sets a final pretrial conference. (Bench Trial Day One set for 2/29/2016 09:00 AM in Courtroom 18 before Judge William G. Young, Bench Trial Day Two set for 3/1/2016 09:00 AM in Courtroom 18 before Judge William G. Young, Bench Trial Day Three set for 3/2/2016 09:00 AM in Courtroom 18 before Judge William G. Young, Final Pretrial Conference set for 2/11/2016 02:00 PM in Courtroom 18 before Judge William G. Young.) (Court Reporter: Richard Romanow

		at bulldog@richromanow.com.)(Attorneys present: Churchill, Lichten and Weber for the plaintiffs, Simon, Hodge and Bok for the defendant) (Gaudet, Jennifer) (Entered: 01/20/2016)
01/22/2016	<u>206</u>	Transcript of Status Conference held on January 19, 2016, before Judge William G. Young. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Richard Romanow at bulldog@richromanow.com Redaction Request due 2/12/2016. Redacted Transcript Deadline set for 2/22/2016. Release of Transcript Restriction set for 4/21/2016. (Scalfani, Deborah) (Entered: 01/22/2016)
01/22/2016	207	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at <a href="http://www.mad.uscourts.gov/attorneys/general-info.htm">http://www.mad.uscourts.gov/attorneys/general-info.htm</a> (Scalfani, Deborah) (Entered: 01/22/2016)
01/28/2016	208	ELECTRONIC NOTICE OF RESCHEDULING. Final Pretrial Conference reset for 2/11/2016 10:00 AM in Courtroom 18 before Judge William G. Young. TIME CHANGE ONLY. (Gaudet, Jennifer) (Entered: 01/28/2016)
01/28/2016	<u>209</u>	Joint MOTION for Order to For Referral of Case to Mediation Before the Honorable Robert B. Collings and for Recheduling of Pretrial Conference and Damages Trial to May 2016 to Allow for Mediation by City of Boston.(Bok, Geoffrey) (Entered: 01/28/2016)
02/01/2016	210	Judge William G. Young: ELECTRONIC ORDER entered re <u>209</u> Joint MOTION for Order to For Referral of Case to Mediation Before the Honorable Robert B. Collings and for Recheduling of Pretrial Conference and Damages Trial to May 2016 to Allow for Mediation.  Motion allowed and the case is referred to Magistrate Judge Collings for mediation. The case is ordered administratively closed. It may be reopened upon motion of any party should the mediation succeed or fail.  (Paine, Matthew) (Entered: 02/01/2016)
02/01/2016	211	REFERRING CASE to Alternative Dispute Resolution as of February 2016.(Paine, Matthew) (Entered: 02/01/2016)
02/01/2016	<u>212</u>	Judge William G. Young: ORDER entered. ORDER FOR CLOSURE (Paine, Matthew) (Entered: 02/01/2016)
02/02/2016	213	Notice of assignment to ADR Provider. Judge Robert B. Collings appointed.(Garvin, Brendan) (Entered: 02/02/2016)
02/17/2016	214	ELECTRONIC NOTICE of ADR Conference. Alternative Dispute Resolution Hearing set for APRIL 26, 2016 AT 9:00 AM in Courtroom 5 before Magistrate Judge Robert B. Collings. INSTRUCTIONS – COUNSEL ARE DIRECTED TO BE PRESENT WITH THEIR CLIENTS AND REPRESENTATIVES THEREOF WITH FULL SETTLEMENT AUTHORITY. AN ASSENTED-TO MOTION MUST BE FILED FOR ANY REASON WHEN REQUESTING ATTENDANCE BY PHONE AND WILL BE TAKEN UNDER CONSIDERATION. A brief mediation memoranda (5–6 pages, including exhibits) addressing both the merits of the case and parties settlement position should be submitted by email to yvonne_franklin@mad.uscourts.gov no later than APRIL 20, 2016 and marked "Confidential – Not for Docketing" and is not to be served upon opposing Parties. Counsel are requested to try and accommodate this date. In the event that you believe the case is not ripe for mediation at this time, or the date poses a serious conflict, counsel are to confer with opposing counsel and FILE AN ASSENTED-TO MOTION WITH THE COURT to continue the mediation as soon as possible. (Entered: 02/17/2016)
04/26/2016	<u>217</u>	NOTICE: Reference for Alternative Dispute Resolution. There was some progress case retained for further mediation session. (See report for further details) (Franklin, Yvonne) (Entered: 04/26/2016)

04/26/2016	218	ELECTRONIC NOTICE of Continued ADR Conference. Alternative Dispute Resolution Hearing set for JUNE 8, 2016 AT 11:30 AM in Courtroom 5 before Magistrate Judge Robert B. Collings.(Franklin, Yvonne) (Entered: 04/26/2016)
05/06/2016	219	Mail Returned as Undeliverable. Mail sent to Harold L. Lichten (Paine, Matthew) (Entered: 05/06/2016)
05/11/2016	220	NOTICE Resetting a Hearing. The 6/8/16 hearing is canceled. Alternative Dispute Resolution Hearing Reset for JUNE 9, 2016 at 11:30 AM in Courtroom 5 before Magistrate Judge Robert B. Collings. (Franklin, Yvonne) (Entered: 05/11/2016)
06/09/2016	<u>223</u>	REPORT of Alternative Dispute Resolution Provider. Magistrate Judge Robert B. Collings reports case did not settle. See report for further details. (Franklin, Yvonne) (Main Document 223 replaced on 6/14/2016)to correct ADR report. (Franklin, Yvonne). (Entered: 06/09/2016)
06/21/2016	<u>224</u>	Joint MOTION to Permit Interlocutory Review by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker.(Lichten, Harold) (Entered: 06/21/2016)
06/22/2016	225	Judge William G. Young: ELECTRONIC ORDER entered granting <u>224</u> Joint MOTION to Permit Interlocutory Review (Paine, Matthew) (Entered: 06/22/2016)
06/27/2016	<u>226</u>	Joint MOTION Entry of Proposed Amended Order re <u>224</u> Joint MOTION to Permit Interlocutory Review by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit Proposed Order)(Lichten, Harold) (Entered: 06/27/2016)
07/09/2016	227	Judge William G. Young: ELECTRONIC ORDER entered granting <u>226</u> Joint MOTION Entry of Proposed Amended Order. (Paine, Matthew) (Entered: 07/11/2016)
07/09/2016	<u>228</u>	Judge William G. Young: ORDER entered: AMENDED ORDER re <u>199</u> FINDINGS OF FACT, RULINGS OF LAW, AND ORDER. (Paine, Matthew) (Entered: 07/11/2016)
10/11/2016	<u>229</u>	JUDGMENT of the USCA (16–8034):  The district court issued its findings on liability in this case without the benefit of our subsequently–issued opinion in the case of <u>Lopez v. City of Lawrence</u> , 823 F.3d 102 (1st Cir. 2016). Since then, the district court has not yet purported to apply <u>Lopez</u> to the facts of this case. For example, it has not stated whether and how its assessment of validity has taken into consideration the guidance we provided. <i>Id.</i> at 116–117. We therefore deny the petition without prejudice to renewal, if otherwise appropriate, after the district court has itself applied <u>Lopez</u> to this case.  (Paine, Matthew) (Entered: 10/12/2016)
10/17/2016	<u>230</u>	Letter/request (non–motion) from Plaintiff's Counsel . (Attachments: # <u>1</u> Exhibit A)(Lichten, Harold) (Entered: 10/17/2016)
10/18/2016	231	ELECTRONIC NOTICE of Hearing. Status Conference set for 10/20/2016 02:00 PM in Courtroom 18 before Judge William G. Young. (Gaudet, Jennifer) (Entered: 10/18/2016)
10/20/2016	232	Electronic Clerk's Notes for proceedings held before Judge William G. Young: Status Conference held on 10/20/2016. The parties notify the Court of their positions regarding the COA Judgment (#229). Briefs are due on or before Tuesday, November 29, 2016. Briefs may not exceed 20 pages. (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present: Churchill, Lichten and Webber for the plaintiffs, Simon, Bok and Taub for the defendant) (Gaudet, Jennifer) (Entered: 10/24/2016)
11/17/2016	<u>233</u>	MOTION for Extension of Time to December 13, 2016 to File <i>Briefs On Effect of Lopez Decision (Unopposed)</i> by City of Boston.(Simon, John) (Entered: 11/17/2016)
11/21/2016	234	Judge William G. Young: ELECTRONIC ORDER entered granting <u>233</u> MOTION for Extension of Time to December 13, 2016 to File Briefs On Effect of Lopez Decision (Unopposed). (Paine, Matthew) (Entered: 11/21/2016)

12/13/2016	<u>235</u>	BRIEF by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker to 232 Status Conference, <i>Regarding Court of Appeal Judgment</i> . (Lichten, Harold) (Entered: 12/13/2016)
12/13/2016	<u>236</u>	BRIEF by City of Boston <i>On Affect of Lopez on Court's Liability Decision</i> . (Hodge, Kay) (Entered: 12/13/2016)
12/20/2016	<u>237</u>	Joint MOTION for Leave to File <i>Responses</i> by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker.(Lichten, Harold) (Entered: 12/20/2016)
12/22/2016	238	Judge William G. Young: ELECTRONIC ORDER entered granting <u>237</u> Joint MOTION for Leave to File Responses. Response Due On or Before January 20, 2017. (Paine, Matthew) (Entered: 12/22/2016)
01/18/2017	<u>239</u>	Assented to MOTION for Extension of Time to January 27, 2017 to File Response/Reply <i>re: Affect of Lopez Decision</i> by City of Boston.(Simon, John) (Entered: 01/18/2017)
01/20/2017	240	Judge William G. Young: ELECTRONIC ORDER entered granting <u>239</u> Assented to MOTION for Extension of Time to January 27, 2017 to File Reply Briefs (Paine, Matthew) (Entered: 01/20/2017)
01/27/2017	<u>241</u>	Response by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker to <u>236</u> Brief <i>Regarding Court of Appeal Judgment in Lopez</i> . (Lichten, Harold) (Entered: 01/27/2017)
01/27/2017	<u>242</u>	Response by City of Boston to <u>235</u> Brief, <i>of Plaintiffs Regarding Court of Appeals Judgment</i> . (Attachments: # <u>1</u> Exhibit A)(Hodge, Kay) (Entered: 01/27/2017)
02/07/2017	243	ELECTRONIC NOTICE of Hearing.Hearing Re: Briefs set for 3/1/2017 09:30 AM in Courtroom 18 before Judge William G. Young. (Gaudet, Jennifer) (Entered: 02/07/2017)
03/01/2017	244	Electronic Clerk's Notes for proceedings held before Judge William G. Young: Hearing re Re: Briefs held on 3/1/2017. Court hears arguments from counsel on the briefs. Court will prepare a further memorandum and order consistent with the mandate of the Court of Appeals. (Court Reporter: Richard Romanow at bulldog@richromanow.com.)(Attorneys present: Weber, Lichten, Churchill, Simon, Hodge, Bok) (Lima, Christine) (Entered: 03/01/2017)
07/26/2017	<u>245</u>	Judge William G. Young: ORDER entered. MEMORANDUM AND ORDER(Sonnenberg, Elizabeth) (Entered: 07/26/2017)
08/01/2017	<u>246</u>	MOTION to Amend <u>245</u> Memorandum & ORDER by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit A – Declaration of Harold Lichten)(Lichten, Harold) (Entered: 08/01/2017)
08/08/2017	<u>247</u>	Joint MOTION to Permit Interlocutory Review by LaTeisha Adams, Leighton Facey, Kim Gaddy, John M Johnson, Martin Joseph, Paul Joseph, Brian Keith Latson, Marwan Moss, Bruce Smith, Robert Tinker. (Attachments: # <u>1</u> Exhibit A – Judgment Entered 10.11.2016, # <u>2</u> Text of Proposed Order)(Lichten, Harold) (Entered: 08/08/2017)
08/11/2017	<u>248</u>	Judge William G. Young: ORDER entered re <u>247</u> Joint MOTION to Permit Interlocutory Review (Paine, Matthew) (Entered: 08/16/2017)
03/26/2018	249	Judge William G. Young: ELECTRONIC ORDER entered denying <u>246</u> Motion to Amend (Paine, Matthew) (Entered: 03/26/2018)