

CLOSED

**United States District Court  
District of Massachusetts (Worcester)  
CIVIL DOCKET FOR CASE #: 4:89-cv-00031-RWZ**

Perry, et al v. Corrections, et al  
Assigned to: Judge Rya W. Zobel  
Demand: \$0  
related Case: [4:91-cv-40055-NMG](#)  
Cause: 28:1983 Civil Rights

Date Filed: 01/05/1989  
Date Terminated: 09/23/1993  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

**Special Master**

**William E. Bernstein**

**Plaintiff**

**Fitzpatrick Perry**

represented by **Douglas W. Salvesen**  
Yurko, Salvesen & Remz, P.C.  
One Washington Mall  
11th Floor  
Boston, MA 02108  
617-723-6900  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Peter J. Costanza**  
Massachusetts Correctional Legal Services  
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11th Floor  
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617-482-2773  
Fax: 617-451-6383  
Email: [pcostanza@mcls.net](mailto:pcostanza@mcls.net)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Guy H. Levia**

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

**Peter J. Costanza**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Frank Ginese**

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

**Peter J. Costanza**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**James Lyons**

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

**Peter J. Costanza**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Joseph Sacco**

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

**Peter J. Costanza**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Corrections, Commissioner of**

represented by **Ann M. McCarthy**  
Massachusetts Department of State Police  
470 Worcester Road  
Framingham, MA 01702  
508-820-2629  
Fax: 508-820-2649  
*LEAD ATTORNEY*  
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**William D. Saltzman**  
Commonwealth of Massachusetts,  
Department of Correction  
70 Franklin Street  
Suite 600  
Boston, MA 02110  
617-727-3300 Ext. 154  
Fax: 617-727-4703  
Email: [wdsaltzman@doc.state.ma.us](mailto:wdsaltzman@doc.state.ma.us)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Worcester County, Commissioners of**

**Defendant**

**Worcester County Sheriff**

represented by **Edward F. O'Brien, Jr.**  
Edward O'Brien  
197 Palmer Avenue  
Falmouth, MA 02540  
508 548-8382  
Fax: 508-457-9970  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jeffrey R. Turco**  
Attorney at Law  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael A. Gray**  
Worcester County Sheriff's Office  
5 Paul X. Tivnan Drive  
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508-854-1818  
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Email: [mgray@sdw.state.ma.us](mailto:mgray@sdw.state.ma.us)  
*TERMINATED: 12/12/2006*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Raymond J. Reed**  
Raymond J. Reed, Esquire  
37 Highland Street  
Worcester, MA 01609  
508-752-2064  
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Email: [ray@rayreedlaw.com](mailto:ray@rayreedlaw.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Deborah Prothrow-Stith**

represented by **Lawrence P. Fletcher-Hill**  
Gordon, Feinblatt, Rothman, Hoffberger  
& Hollander\*  
233 East Redwood Street  
Baltimore, MD 02322  
*TERMINATED: 02/12/2007*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Public Health, Mass Dept of**

**Defendant**

**John R. Sharry**  
*Individually and as Commissioner of  
Worcester County*

represented by **Hugh B. O'Malley**  
Worcester County Commissioners  
2 Main St.  
Worcester, MA 01608  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Paul X. Tivnan**  
*Individually and as Commissioner of  
Worcester County*

represented by **Hugh B. O'Malley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Francis J. Holloway**  
*Individually and as Commissioner of  
Worcester County*

represented by **Hugh B. O'Malley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
01/05/1989	1	Complaint filed (dfs) (Entered: 06/20/1991)
02/08/1989	11	Answer to Complaint by Worcester County Sheriff (dfs) (Entered: 06/20/1991)

03/27/1989	16	Motion by Fitzpatrick Perry, Guy H Levia, Frank Ginese, James Lyons, Joseph Sacco to certify class action (dfs) (Entered: 06/20/1991)
03/27/1989	17	Memorandum by Fitzpatrick Perry, Guy H Levia, Frank Ginese, James Lyons, Joseph Sacco in support of [16-1] motion to certify class action (dfs) (Entered: 06/20/1991)
04/25/1989		Judge Rya W. Zobel . Endorsed Order granting [16-1] motion to certify class action (dfs) (Entered: 06/20/1991)
04/27/1989	22	Answer to Complaint by Corrections, Dept of (dfs) (Entered: 06/20/1991)
05/03/1989	23	Answer to Complaint by Deborah Prothrow-Stith (dfs) (Entered: 06/20/1991)
08/30/1989	54	CONSENT DECREE (dfs) (Entered: 06/20/1991)
09/11/1989	42	Answer to Complaint by John R. Sharry (dfs) (Entered: 06/20/1991)
09/11/1989	43	Answer to Complaint by Francis J. Holloway (dfs) (Entered: 06/20/1991)
09/11/1989	44	Answer to Complaint by Paul X. Tivnan (dfs) (Entered: 06/20/1991)
10/06/1989		Judge Rya W. Zobel . Endorsed Order approving Consent Decree (#54) (dfs) (Entered: 06/20/1991)
01/17/1990		Case assigned to Judge Rya W. Zobel (vah) (Entered: 01/17/1990)
01/17/1990		Case assigned to Judge Rya W. Zobel (vah) (Entered: 01/17/1990)
07/12/1990	93	Judge Rya W. Zobel . Order referring case to William E. Bernstein as special master (dfs) (Entered: 06/20/1991)
07/12/1990	94	Judge Rya W. Zobel . Order appointing Special Master (dfs) (Entered: 06/20/1991)
02/27/1991		Refer to Paper Docket for other entries prior to January 1, 1991. (dfs) Modified on 06/20/1991 (Entered: 02/28/1991)
02/27/1991	102	Ltr. dated 2/26/91 from Atty. Bernstein, Special Master enclosing a copy of bi-monthly bill filed. (dfs) (Entered: 02/28/1991)
05/06/1991	104	Fifth Compliance Report filed, c/s. (dfs) (Entered: 05/28/1991)
05/06/1991		Judge Rya W. Zobel . Endorsement Re: [104-1] Fifth Compliance Report: "Noted." cc/cl. (dfs) (Entered: 05/28/1991)
05/21/1991	103	Ltr. dated 5/20/91 enclosing copy of bi-monthly bill from Atty. Bernstein, Special Master filed. (dfs) (Entered: 05/22/1991)
07/08/1991	105	Notice by Fitzpatrick Perry in 4:89-cv-00031, Guy H Levia in 4:89-cv-00031, Frank Ginese in 4:89-cv-00031, James Lyons in 4:89-cv-00031, Joseph Sacco in 4:89-cv-00031 to take deposition of Worc. County Treasurer's Office on 7/24/91 @10:00 a.m. filed, c/s. (dfs) (Entered: 07/23/1991)
07/23/1991	106	Bill for services rendered filed in the amt. of \$1446.73 for Weinstein, Bernstein &Burwick. (dfs) (Entered: 08/02/1991)
08/02/1991	107	Notice by Fitzpatrick Perry in 4:89-cv-00031, Guy H Levia in 4:89-cv-00031, Frank Ginese in 4:89-cv-00031, James Lyons in 4:89-cv-00031, Joseph Sacco in 4:89-cv-00031 to take deposition of Worc. County Sheriff's Office on 8/12/91 @10:00 a.m. filed, c/s. (dfs) (Entered: 08/21/1991)
09/11/1991	108	Ltr. dated 9/7/91 from Mr. Mierzejewski re: comparison in treatment of inmates at Worcester House of Correction filed. (dfs) (Entered: 10/15/1991)
10/04/1991	109	Response dated 10/4/91 from Judge Zobel to ltr. from Mr. Mierzejewski dated 9/7/91. (dfs) (Entered: 10/15/1991)
11/09/1992		Case reassigned from Judge Zobel to Judge Nathaniel M. Gorton . Notice sent to counsel. (ktb) Modified on 11/23/1992 (Entered: 11/12/1992)
08/30/1993	110	Motion by Worc County Sherrif in 4:89-cv-00031 to alter or amend Consent Decree pursuant to Fed. Rules of Civil Procedure Rule 60(b)(6) and Short Order of

		Notice Pursuant to Rule 6(d) filed, c/s. (dfs) (Entered: 08/30/1993)
08/30/1993	111	Affidavit of Edward F. O'Brien, Jr., Esq. by Worc County Sheriff in 4:89-cv-00031 Re: [110-1] motion to alter or amend Consent Decree pursuant Fed. Rules of Civil Procedure Rule 60(b)(6) and Short Order of Notice Pursuant to Rule 6(d) filed. (dfs) Modified on 08/30/1993 (Entered: 08/30/1993)
09/03/1993	112	Assented to motion by Joseph Sacco, James Lyons, Fitzpatrick Perry, Guy H. Levia, and Frank Ginese to extend time until September 13, 1993 to oppose defendant Flynn's motion to alter or amend consent decree , filed, c/s. (bah) (Entered: 09/03/1993)
09/03/1993		Judge Nathaniel M. Gorton. Endorsed Order granting [112-1] motion to extend time until September 13, 1993 to oppose defendant Flynn's motion to alter or amend consent decree, ENTERED, cc:cl. Response to motion reset to 9/13/93 for [110-1] motion to alter or amend Consent Decree pursuant to Fed. Rules of Civil Procedure Rule 60(b)(6) and Short Order of Notice Pursuant to Rule 6(d) (bah) (Entered: 09/03/1993)
09/14/1993		Case reassigned from Judge Gorton to Judge Rya W. Zobel . Notice sent to counsel. (dfs) (Entered: 09/14/1993)
09/23/1993		Case closed (dfs) (Entered: 09/23/1993)
09/28/1993	114	Letter from William E. Bernstein, Special Master filed dated 9/28/93 to Judge Zobel and Gorton Re: withdrawal of duties as special master. (lau) (Entered: 10/06/1993)
09/29/1993	113	Letter from Special Master William E. Berstein requesting that he be relieved of his duties as Special Master, filed. (bah) (Entered: 09/29/1993)
10/05/1993		Judge Rya W. Zobel . Endorsement Re: [113-1] remark. The request is granted with the thanks of the court for the great assistance provided by the Special Master in these proceedings. Entered (lau) (Entered: 10/06/1993)
08/10/1994		Terminated document mootng [110-1] motion to alter or amend Consent Decree pursuant to Fed. Rules of Civil Procedure Rule 60(b)(6) and Short Order of Notice Pursuant to Rule 6(d), after talking with Atty. O'Brien the matter will be raised via new motion after some housekeeping matters have been resolved. Requested by ctd. (fmr) (Entered: 08/10/1994)
12/13/1994	116	Letter by Joseph Ponte, Facility Director dated: 12/13/94 to: Judge Donohue re: prison facilities , filed. (lau) (Entered: 01/09/1995)
12/22/1994	115	Motion in letter form by: Edward O'Brien, Jr. dated: 12/21/94 for Hearing (status conference) , filed. (lau) (Entered: 01/05/1995)
01/04/1995		Judge Rya W. Zobel . Endorsed Order entered granting [115-1] motion for Hearing (status conference), set status conference for 2:30 1/26/95 . Entered cc/cl (lau) (Entered: 01/05/1995)
01/26/1995		Status conference held . (lau) (Entered: 01/27/1995)
01/26/1995	117	Judge Rya W. Zobel . Clerk's Notes: re: status conference; Court holds lengthy discussions with counselmas to amending the consent decree. After which counsel will send in a status report and may request a further conference if they cannot reach agreement. Entered (lau) (Entered: 01/27/1995)
02/15/1995		Proposed Order clarifying consent decre by Joseph Sacco in 4:89-cv-00031, James Lyons in 4:89-cv-00031, Fitzpatrick Perry in 4:89-cv-00031, Guy H. Levia in 4:89-cv-00031, Frank Ginese in 4:89-cv-00031 received for filing. (lau) (Entered: 02/15/1995)
02/21/1995	118	Judge Rya W. Zobel . Order Clarifying Consent Decree entered. Entered cc/cl (lau) (Entered: 02/22/1995)
03/03/1995	119	Motion by James Lyons in 4:89-cv-00031, Fitzpatrick Perry in 4:89-cv-00031, Guy H. Levia in 4:89-cv-00031, Frank Ginese in 4:89-cv-00031 for a determination and award of attorney fees and costs , filed. (lau) (Entered: 03/03/1995)

		03/06/1995)
03/03/1995	120	Memorandum by James Lyons in 4:89-cv-00031, Fitzpatrick Perry in 4:89-cv-00031, Guy H. Levia in 4:89-cv-00031, Frank Ginese in 4:89-cv-00031 in support of [119-1] motion for a determination and award of attorney fees and costs , filed. (lau) (Entered: 03/06/1995)
03/03/1995	121	Joint Affidavit of Douglas W. Salvesen and Michael R. Reinemann in 4:89-cv-00031 , re: [119-1] motion for a determination and award of attorney fees and costs , filed. (lau) (Entered: 03/06/1995)
03/03/1995	122	Affidavit of Mark A. Michelson, re: [119-1] motion for a determination and award of attorney fees and costs , filed. (lau) (Entered: 03/06/1995)
03/03/1995	123	Certificate of Consultation re: [119-1] motion for a determination and award of attorney fees and costs , filed. (lau) (Entered: 03/06/1995)
03/23/1995	124	Motion by Francis J. Holloway in 4:89-cv-00031, Paul X. Tivnan in 4:89-cv-00031, John R. Sharry in 4:89-cv-00031, Public Health, Mass in 4:89-cv-00031, Deborah Prothrow-Stith in 4:89-cv-00031, Worc County Sherrif in 4:89-cv-00031, Worcester County, Co in 4:89-cv-00031, Corrections, Dept. o in 4:89-cv-00031 to extend time to 3/28/95 for filing opposition to plaintiff's application for award of attorney's fees and costs , filed. (lau) (Entered: 03/23/1995)
03/30/1995	125	Response by Francis J. Holloway in 4:89-cv-00031, Paul X. Tivnan in 4:89-cv-00031, John R. Sharry in 4:89-cv-00031, Public Health, Mass in 4:89-cv-00031, Deborah Prothrow-Stith in 4:89-cv-00031, Worc County Sherrif in 4:89-cv-00031, Worcester County, Co in 4:89-cv-00031, Corrections, Dept. o in 4:89-cv-00031 in opposition to [119-1] motion for a determination and award of attorney fees and costs , filed. (lau) (Entered: 03/31/1995)
04/18/1995		Judge Rya W. Zobel . Endorsed Order entered mootng [124-1] motion to extend time to 3/28/95 for filing opposition to plaintiff's application for award of attorney's fees and costs. Opposition already filed 4/30/95. (lau) (Entered: 04/18/1995)
08/24/1995	126	Letter by Douglas W. Salvesen in 4:89-cv-00031 dated: 8/23/95 to: Ms. Dello Russo re: filing an emergency motion , filed. (lau) (Entered: 08/28/1995)
09/01/1995	127	Letter by Worc County Sherrif in 4:89-cv-00031 by Edward F. O'Brien in 4:89-cv-00031 dated: 8/31/95 to: Ms. Dello Russo re: situations which have occured at the Worcester County Jail and House of Correction , filed. (lau) (Entered: 09/05/1995)
09/01/1995	128	Emergency Motion by Joseph Sacco in 4:89-cv-00031, James Lyons in 4:89-cv-00031, Fitzpatrick Perry in 4:89-cv-00031, Guy H. Levia in 4:89-cv-00031, Frank Ginese in 4:89-cv-00031 to compel compliance with consent decree and request for sanctions arising from defendant's willful violation , filed. (lau) (Entered: 09/05/1995)
09/05/1995		Motion hearing re: [128-1] motion to compel compliance with consent decree and request for sanctions arising from defendant's willful violation (lau) (Entered: 09/13/1995)
09/05/1995	129	Judge Rya W. Zobel . Clerk's Notes: re: motion for contempt (compel); Mr. O'Brien has a suggestion to correct the situation, which he had not yet discussed with Mr. Salveson. Counsel shall try to work out a solution and return; Motion hearing set for 9:30 9/11/95 for [128-1] motion to compel compliance with consent decree and request for sanctions arising from defendant's willful violation (lau) (Entered: 09/13/1995)
09/11/1995		Motion hearing re: [128-1] motion to compel compliance with consent decree and request for sanctions arising from defendant's willful violation (lau) (Entered: 09/13/1995)
09/11/1995	130	Judge Rya W. Zobel . Clerk's Notes: re: motion hearing re motion for contempt (compel); after hearing, motion taken under advisement; granting [119-1] motion for a determination and award of attorney fees and costs Court Reporter: Ruggieri

		(lau) (Entered: 09/13/1995)
09/11/1995	131	Notice of appearance of attorney for Worc County Sherrif in 4:89-cv-00031 by Michael A. Gray, filed. (lau) (Entered: 09/13/1995)
09/11/1995	132	Motion by Worc County Sherrif in 4:89-cv-00031 to amend consent decree , filed. (lau) (Entered: 09/13/1995)
09/11/1995	133	Memorandum by Worc County Sherrif in 4:89-cv-00031 in support of [132-1] motion to amend consent decree , filed. (lau) (Entered: 09/13/1995)
09/11/1995	134	Response by Worc County Sherrif in 4:89-cv-00031 in opposition to [128-1] motion to compel compliance with consent decree and request for sanctions arising from defendant's willful violation , filed. (lau) (Entered: 09/13/1995)
09/11/1995		Judge Rya W. Zobel . Endorsed Order entered granting [119-1] motion for a determination and award of attorney fees and costs. Plaintiffs' counsel are awarded the amount of \$106,917.40 for their fee and \$12,776.29 for their expenses. Entered cc/cl (lau) (Entered: 09/13/1995)
09/21/1995	135	Assented to Motion by James Lyons in 4:89-cv-00031, Fitzpatrick Perry in 4:89-cv-00031, Guy H. Levia in 4:89-cv-00031, Frank Ginese in 4:89-cv-00031 to extend time to 9/25/95 to respond to defendant Flynn's Emergency motion to amend Consent Decree , filed. (lau) (Entered: 09/25/1995)
09/26/1995	136	Memorandum by Joseph Sacco in 4:89-cv-00031, James Lyons in 4:89-cv-00031, Fitzpatrick Perry in 4:89-cv-00031, Guy H. Levia in 4:89-cv-00031, Frank Ginese in 4:89-cv-00031 in opposition to [132-1] motion to amend consent decree , filed. (lau) (Entered: 10/04/1995)
10/05/1995	137	Letter from Michael D. Souza dated: 10/1/95 to: Judge Zobel re: consent decree , filed. (lau) (Entered: 10/05/1995)
10/11/1995	138	Letter by Douglas W. Salvesen in 4:89-cv-00031 dated: 10/11/95 to: Ms. Dello Russo re: Worcester County Jail , filed. (lau) (Entered: 10/12/1995)
10/13/1995	139	Letter from Thomas Finn dated: 10/2/95 re: examining records , filed. (lau) (Entered: 10/16/1995)
10/30/1995	140	Letter Ralph Gobin dated: 9/27/95 to: Judge Zobel re: problems in jail , filed. (lau) (Entered: 10/30/1995)
10/30/1995	141	Letter from John E. Carter III dated: 10/6/95 to: Judge Zobel re: problems in the jail , filed. (lau) (Entered: 10/30/1995)
11/22/1995	142	Supplemental Memorandum by Joseph Sacco in 4:89-cv-00031, James Lyons in 4:89-cv-00031, Fitzpatrick Perry in 4:89-cv-00031, Guy H. Levia in 4:89-cv-00031, Frank Ginese in 4:89-cv-00031 in opposition to [132-1] motion to amend consent decree , filed. (lau) (Entered: 11/29/1995)
10/02/1996		Terminated document: mootng [135-1] motion to extend time to 9/25/95 to respond to defendant Flynn's Emergency motion to amend Consent Decree Requested by ctd. (fmr) (Entered: 10/02/1996)
09/30/1998		Terminated document: terminating [132-1] motion to amend consent decree, terminating [128-1] motion to compel compliance with consent decree and request for sanctions arising from defendant's willful violation Requested by lau. (vah) (Entered: 10/09/1998)
05/30/2006	<u>143</u>	NOTICE of Appearance by Raymond J. Reed on behalf of Worcester County Sheriff (Reed, Raymond) (Entered: 05/30/2006)
05/30/2006	<u>144</u>	MOTION to Vacate <i>Consent Decree</i> by Worcester County Sheriff.(Reed, Raymond) Additional attachment(s) added on 5/30/2006 (Jones, Sherry). Additional attachment(s) added on 6/1/2006 (Johnson, Jay). (Entered: 05/30/2006)
05/30/2006	<u>145</u>	NOTICE by Worcester County Sheriff of <i>Substitution for John M. Flynn</i> (Reed, Raymond) (Entered: 05/30/2006)

05/30/2006	<u>146</u>	MEMORANDUM in Support re <u>144</u> MOTION to Vacate <i>Consent Decree</i> filed by Worcester County Sheriff. (Reed, Raymond) Additional attachment(s) added on 5/30/2006 (Jones, Sherry). (Entered: 05/30/2006)
05/30/2006	<u>147</u>	DECLARATION <i>Pursuant to Local Rule 7.1</i> by Worcester County Sheriff. (Reed, Raymond) (Entered: 05/30/2006)
05/30/2006	<u>148</u>	NOTICE by Worcester County Sheriff of <i>Hand Filing of Attachments</i> (Reed, Raymond) (Entered: 05/30/2006)
05/30/2006	<u>149</u>	Letter/request (non-motion) from Raymond J. Reed. (Reed, Raymond) (Entered: 05/30/2006)
08/02/2006	<u>150</u>	Letter/request (non-motion) from Raymond J. Reed requesting action on pending motion. (Johnson, Jay) (Entered: 08/03/2006)
08/04/2006	<u>151</u>	Judge Rya W. Zobel : ORDER CONCERNING CONSENT DECREE entered. (Johnson, Jay) (Entered: 08/04/2006)
08/24/2006	<u>152</u>	Response by Fitzpatrick Perry, Guy H. Levia, Frank Ginese, James Lyons, Joseph Sacco to <u>151</u> Order <i>Concerning Consent Decree</i> . (Salvesen, Douglas) (Entered: 08/24/2006)
08/25/2006	<u>153</u>	Response by Worcester County Sheriff to <i>Counsel's Response to August 4, 2006 Order Concerning Consent Decree</i> . (Reed, Raymond) (Entered: 08/25/2006)
08/31/2006	<u>154</u>	<i>Supplemental</i> Response by Worcester County Sheriff. (Reed, Raymond) (Entered: 08/31/2006)
08/31/2006	<u>155</u>	AFFIDAVIT of Jeffrey R. Turco, Esquire by Worcester County Sheriff. (Attachments: # <u>1</u> )(Reed, Raymond) (Entered: 08/31/2006)
09/01/2006	<u>156</u>	AFFIDAVIT of Jeffrey R. Turco. (Sonnenberg, Elizabeth) (Entered: 09/01/2006)
11/02/2006	<u>157</u>	MOTION Immediately Terminate Consent Decree of 1989 by Worcester County Sheriff.(Reed, Raymond) (Entered: 11/02/2006)
11/02/2006	<u>158</u>	MEMORANDUM in Support re <u>157</u> MOTION Immediately Terminate Consent Decree of 1989 filed by Worcester County Sheriff. (Reed, Raymond) (Entered: 11/02/2006)
11/03/2006	<u>159</u>	Opposition re <u>157</u> MOTION Immediately Terminate Consent Decree of 1989, <u>144</u> MOTION to Vacate <i>Consent Decree</i> filed by all plaintiffs. (Salvesen, Douglas) (Entered: 11/03/2006)
12/11/2006	<u>160</u>	NOTICE of Withdrawal of Appearance by Raymond J. Reed <i>Withdrawal of Michael Gray</i> (Reed, Raymond) (Entered: 12/11/2006)
12/12/2006		Notice of correction to docket made by Court staff. Correction: #160 Notice of Withdrawal corrected because: UNSIGNED DOCUMENT. E-mail sent describing the fix. (Johnson, Jay) (Entered: 12/12/2006)
12/12/2006	<u>161</u>	NOTICE of Withdrawal of Appearance Attorney Michael A. Gray terminated. (Jones, Sherry) (Entered: 12/14/2006)
12/15/2006	<u>162</u>	Judge Rya W. Zobel : ORDER CONCERNING CONSENT DECREE entered reserving ruling on <u>144</u> Motion to Vacate, reserving ruling on <u>157</u> Motion to terminate consent decree. ("parties shall appear on 1/16/07 at 2:00 pm for a pre-hearing conference preparatory to a evidentiary hearing".) (Johnson, Jay) (Entered: 12/15/2006)
12/21/2006	<u>163</u>	NOTICE of Appearance by William D. Saltzman on behalf of Corrections, Commissioner of (Saltzman, William) (Entered: 12/21/2006)
01/16/2007		ElectronicClerk's Notes for proceedings held before Judge Rya W. Zobel : Prehearing conference held on 1/16/2007. Plaintiff to visit the jail and work out an agenda with defendant by 2/1/07; Possible dates to visit jail 3/19/07; defendant's objections noted; Status report by 2/1/07; (Court Reporter Catherine Handel.) (Urso, Lisa) (Entered: 01/16/2007)

01/16/2007	<u>164</u>	NOTICE of Appearance by Peter J. Costanza on behalf of all plaintiffs (Costanza, Peter) (Entered: 01/16/2007)
01/31/2007	<u>165</u>	Assented to MOTION for Protective Order by Fitzpatrick Perry, Guy H. Levia, Frank Ginese, James Lyons, Joseph Sacco. (Attachments: # <u>1</u> Text of Proposed Order)(Costanza, Peter) (Entered: 01/31/2007)
02/02/2007		Set/Reset Deadlines: Status Report re: agenda due by 2/15/2007. (Urso, Lisa) (Entered: 02/02/2007)
02/02/2007	<u>166</u>	Judge Rya W. Zobel : ORDER entered. PROTECTIVE ORDER(Urso, Lisa) (Entered: 02/02/2007)
02/02/2007	<u>167</u>	NOTICE of Appearance by Jeffrey R. Turco on behalf of Worcester County Sheriff (Johnson, Jay) (Entered: 02/05/2007)
02/15/2007	<u>168</u>	JOINT STATEMENT of counsel ( <i>AGENDA</i> ). (Costanza, Peter) (Entered: 02/15/2007)
02/22/2007		ELECTRONIC NOTICE of Hearing : Status Conference set for 3/1/2007 03:00 PM in Courtroom 12 before Judge Rya W. Zobel. (Urso, Lisa) (Entered: 02/22/2007)
02/27/2007	<u>169</u>	MOTION in Limine <i>To Exclude Possible Future Violations</i> by Worcester County Sheriff.(Reed, Raymond) (Entered: 02/27/2007)
02/27/2007	<u>170</u>	CERTIFICATE OF CONSULTATION re <u>169</u> MOTION in Limine <i>To Exclude Possible Future Violations Rule 7.1.</i> (Reed, Raymond) (Entered: 02/27/2007)
02/27/2007	<u>171</u>	MOTION in Limine <i>To Exclude Modular Complex Issues</i> by Worcester County Sheriff.(Reed, Raymond) (Entered: 02/27/2007)
02/27/2007	<u>172</u>	CERTIFICATE OF CONSULTATION re <u>171</u> MOTION in Limine <i>To Exclude Modular Complex Issues Rule 7.1.</i> (Reed, Raymond) (Entered: 02/27/2007)
03/01/2007		ElectronicClerk's Notes for proceedings held before Judge Rya W. Zobel : Status Conference held on 3/1/2007. Agreed to visit the joint areas agreed on in the joint agenda; Bench Trial set for 4/30/2007 09:00 AM in Courtroom 12 before Judge Rya W. Zobel. Pretrial Conference set for 4/4/2007 02:30 PM in Courtroom 12 before Judge Rya W. Zobel. (Urso, Lisa) (Entered: 03/02/2007)
03/14/2007	<u>173</u>	MEMORANDUM in Opposition re <u>171</u> MOTION in Limine <i>To Exclude Modular Complex Issues</i> filed by all plaintiffs. (Costanza, Peter) (Entered: 03/14/2007)
03/14/2007	<u>174</u>	MEMORANDUM in Opposition re <u>169</u> MOTION in Limine <i>To Exclude Possible Future Violations</i> filed by all plaintiffs. (Costanza, Peter) (Entered: 03/14/2007)
03/15/2007	<u>175</u>	MOTION to Strike <i>Plaintiff's Opposition to Defendant's Motion in Limine to Exclude Evidence Regarding the Modular Complex</i> by Worcester County Sheriff.(Reed, Raymond) (Entered: 03/15/2007)
03/15/2007	<u>176</u>	MOTION to Strike <i>Plaintiff's Opposition to Defendant's Motion in Limine to Exclude Evidence Regarding Possible Future Violations</i> by Worcester County Sheriff.(Reed, Raymond) (Entered: 03/15/2007)
04/11/2007		ElectronicClerk's Notes for proceedings held before Judge Rya W. Zobel : Initial Pretrial Conference held on 4/11/2007. The parties are close to settlement and discussed some implementation issues; they will prepare a proposed addendum to the current consent decree for the court's review; the hearing scheduled for 4/30/07 was not canceled but might need a postponement (Urso, Lisa) (Entered: 04/12/2007)
04/30/2007		ELECTRONIC NOTICE OF RESCHEDULINGHearing set for 6/7/2007 02:00 PM in Courtroom 12 before Judge Rya W. Zobel. (Urso, Lisa) (Entered: 04/30/2007)
06/07/2007		ELECTRONIC NOTICE OF RESCHEDULINGHearing reset for 6/27/2007 02:30 PM in Courtroom 12 before Judge Rya W. Zobel. (Urso, Lisa) (Entered: 06/07/2007)

06/27/2007		Electronic Clerk's Notes for proceedings held before Judge Rya W. Zobel : Hearing re settlement held on 6/27/2007. next hearing 8/8/07 at 3:00 p.m. (Court Reporter Catherine Handel.) (Urso, Lisa) (Entered: 06/28/2007)
07/03/2007	<u>177</u>	Joint MOTION to Amend <i>Consent Decree</i> by Fitzpatrick Perry. (Attachments: # <u>1</u> Supplement Defendant's Memorandum in Support of Joint Motion to Amend Consent Decree# <u>2</u> Supplement 1989 Consent Decree (This is the Order the parties seek jointly to amend.)# <u>3</u> Text of Proposed Order Text of Proposed Order Amending 1989 Consent Decree# <u>4</u> Appendix This regulation is referred to in the proposed Order amending the 1989 Consent Decree)(Costanza, Peter) (Entered: 07/03/2007)
07/09/2007	<u>178</u>	Letter/request (non-motion) from Douglass W. Salvesen. (Attachments: # <u>1</u> Attachment# <u>2</u> Consent Decree)(Johnson, Jay) (Entered: 07/09/2007)
07/23/2007	<u>179</u>	Judge Rya W. Zobel : ORDER entered granting <u>177</u> Motion to Amend consent order (Urso, Lisa) (Entered: 07/23/2007)
07/23/2007		ELECTRONIC NOTICE OF RESCHEDULINGSettlement Hearing reset for 8/28/2007 02:30 PM in Courtroom 12 before Judge Rya W. Zobel. (Urso, Lisa) (Entered: 07/23/2007)
08/27/2007	<u>180</u>	Letter/request (non-motion) from Marcus B. Diggs Jr.(Hassett, Kathy) (Entered: 08/27/2007)
08/27/2007	<u>181</u>	STATUS REPORT of <i>Objections Received From Class Members</i> by Fitzpatrick Perry, Guy H. Levia, Frank Ginese, James Lyons, Joseph Sacco. (Attachments: # <u>1</u> Exhibit A-1# <u>2</u> Exhibit A-2# <u>3</u> Exhibit A-3# <u>4</u> Exhibit A-4# <u>5</u> Exhibit A-5# <u>6</u> Exhibit B)(Salvesen, Douglas) (Entered: 08/27/2007)
08/28/2007		Electronic Clerk's Notes for proceedings held before Judge Rya W. Zobel : Settlement Conference held on 8/28/2007. Approve Consent Decree; Judge modifies the modification orally today; plaintiff's objections overruled; (Court Reporter Catherine Handel.) (Urso, Lisa) (Entered: 08/28/2007)
08/29/2007	<u>182</u>	STATEMENT OF COUNSEL of <i>Proposed Amended Modification to Consent Decree</i> by Fitzpatrick Perry, Guy H. Levia, Frank Ginese, James Lyons, Joseph Sacco, Worcester County Sheriff. (Attachments: # <u>1</u> Amended Modification to Consent Decree)(Salvesen, Douglas) (Entered: 08/29/2007)
09/27/2007	<u>183</u>	Letter/request (non-motion) from Marcus B. Diggs. (Hassett, Kathy) (Entered: 09/27/2007)
10/15/2007		Electronic Clerk's Notes for proceedings held before Judge Rya W. Zobel : Telephone Conference held on 10/15/2007. parties talk to Judge re; recent developments. (Urso, Lisa) (Entered: 10/15/2007)
11/06/2007	<u>184</u>	Assented to MOTION to Amend <i>Modification to Consent Decree</i> by Worcester County Sheriff. (Attachments: # <u>1</u> Text of Proposed Order)(Turco, Jeffrey) (Entered: 11/06/2007)
11/08/2007	<u>185</u>	Judge Rya W. Zobel : AMENDED CONSENT DECREE entered (Urso, Lisa) (Entered: 11/08/2007)
04/08/2008		Electronic Clerk's Notes for proceedings held before Judge Rya W. Zobel: Telephone Conference held on 4/8/2008. The parties gave the judge a status report. They will work together to resolve outstanding issues and get back to the court if they need its help. (Attorneys present: Salvesen, Costanza, Turco, Saltzman & Reed) (Urso, Lisa) (Entered: 04/10/2008)