

**United States District Court
Middle District of Pennsylvania (Harrisburg)
CIVIL DOCKET FOR CASE #: 1:07-cv-01688-TIV**

Reynolds et al v. The County of Dauphin
Assigned to: Honorable Thomas I. Vanaskie
Related Case: 1:08-cv-01563-TIV
Cause: 42:1983 Civil Rights Act

Date Filed: 09/16/2007
Date Terminated: 12/18/2009
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Jennifer Reynolds
*both individually and on behalf of a class
of others similarly situated*

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Plaintiff

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Plaintiff

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Plaintiff

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V.

Defendant

The County of Dauphin

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Date Filed	#	Docket Text
09/16/2007	<u>1</u>	COMPLAINT against The County of Dauphin (Filing fee \$350, Receipt Number 1111770), filed by Herbert Carter, Devon Shepard, Jennifer Reynolds, Ashley McCormick. (Attachments: # <u>1</u> Civil Cover Sheet)(dfm) (Entered: 09/17/2007)
09/16/2007	<u>2</u>	DISCLOSURE STATEMENT PURSUANT TO FRCP 7.1. (dfm) (Entered: 09/17/2007)
09/17/2007		Summons Issued as to The County of Dauphin and provided to Attorney for service on Defendant(s). (dfm) (Entered: 09/17/2007)
09/17/2007		SPECIAL ADMISSION FORM SENT to Alan M. Ross, Esquire. (dfm) (Entered: 09/17/2007)
09/17/2007		SPECIAL ADMISSION FORM SENT to Elmer Robert Keach, III, Esquire. (dfm) (Entered: 09/17/2007)
09/17/2007		SPECIAL ADMISSION FORM SENT to Charles J. LaDuca, Esquire. (dfm) (Entered: 09/17/2007)
09/17/2007		SPECIAL ADMISSION FORM SENT to Daniel C. Levin, Esquire. (dfm) (Entered: 09/17/2007)
09/17/2007		SPECIAL ADMISSION FORM SENT to Gary E. Mason, Esquire. (dfm) (Entered: 09/17/2007)
09/18/2007	<u>3</u>	ORDER – Letter to Counsel from Court Re: Case Assignment and Procedures. (See order for complete details.) Signed by Judge Christopher C. Conner on 09/18/07. (ki) (Entered: 09/18/2007)
09/20/2007	<u>4</u>	NOTICE of Appearance by Frank J. Lavery, Jr on behalf of The County of Dauphin (Lavery, Frank) (Entered: 09/20/2007)
09/20/2007	<u>5</u>	NOTICE of Appearance by Robert G. Hanna, Jr on behalf of The County of Dauphin (Hanna, Robert) (Entered: 09/20/2007)
09/20/2007	<u>6</u>	NOTICE of Appearance by Devon M. Jacob on behalf of The County of Dauphin (Jacob, Devon) (Entered: 09/20/2007)
09/21/2007	<u>7</u>	AFFIDAVIT of Service for Summons, Complaint, Disclosure Statement Pursuant to Rule 7.1 Amy Rinesmith served on William T. Tully, Esquire on September 21, 2007, filed by Jennifer Reynolds. (Attachments: # <u>1</u> Affidavit Return of Service)(Ross, Alan) (Entered: 09/21/2007)
09/25/2007	<u>8</u>	SCHEDULING ORDER: Initial Case Management Conference set for 10/30/2007 @ 09:30 AM; placement of the telephone conference call is the responsibility of the plaintiffs. (See order for complete details.) Signed by Judge Christopher C. Conner on 09/25/07. (ki) (Entered: 09/25/2007)
10/01/2007	<u>9</u>	NOTICE of Appearance by Devin J. Chwastyk on behalf of The County of Dauphin (Chwastyk, Devin) (Entered: 10/01/2007)

10/10/2007	<u>10</u>	PETITION FOR SPECIAL ADMISSION (PRO HAC VICE) by Gary E. Mason on behalf of Jennifer Reynolds Attorney Gary E. Mason is seeking special admission. Filing fee \$ 25, receipt number 1127657.. (Mason, Gary) (Entered: 10/10/2007)
10/10/2007	<u>11</u>	SPECIAL ADMISSIONS FORM APPROVED as to Gary E. Mason, Esquire (Orig: SCR Registry) Signed by Judge Christopher C. Conner on 10/10/07. (ki) (Entered: 10/10/2007)
10/11/2007	<u>12</u>	MOTION to Dismiss by The County of Dauphin. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Exhibit(s))(Lavery, Frank) (Entered: 10/11/2007)
10/24/2007	<u>13</u>	ORDER OF RECUSAL/REASSIGNMENT – Judge Christopher C. Conner no longer assigned to the case – recused – Case reassigned to Judge Thomas I. Vanaskie for all further proceedings. CMC set for 10/30/07 CANCELLED. (See order for complete details.) Signed by Judge Christopher C. Conner on 10/24/07. (ki) (Entered: 10/24/2007)
10/24/2007	<u>14</u>	PETITION FOR SPECIAL ADMISSION (PRO HAC VICE) by Alexandra C. Warren on behalf of all plaintiffs Attorney Alexandra Warren is seeking special admission. Filing fee \$ 25, receipt number 1137602.. (Warren, Alexandra) (Entered: 10/24/2007)
10/24/2007	<u>15</u>	PETITION FOR SPECIAL ADMISSION (PRO HAC VICE) by Charles J. LaDuca on behalf of all plaintiffs Attorney Charles LaDuca is seeking special admission. Filing fee \$ 25, receipt number 1137621.. (LaDuca, Charles) (Entered: 10/24/2007)
10/25/2007	<u>16</u>	BRIEF IN SUPPORT re <u>12</u> MOTION to Dismiss filed by The County of Dauphin.(Lavery, Frank) (Entered: 10/25/2007)
10/25/2007	<u>17</u>	ORDER re <u>14</u> Petition for Special Admission – Pro Hac Vice filed by Ashley McCormick, Devon Shepard, Jennifer Reynolds, Herbert Carter. Special Admission granted for Alexandra C. Warren. Signed by Judge Thomas I. Vanaskie on 10/25/07. (jfg) (Entered: 10/25/2007)
10/25/2007	<u>18</u>	ORDER re <u>15</u> Petition for Special Admission – Pro Hac Vice filed by Ashley McCormick, Devon Shepard, Jennifer Reynolds, Herbert Carter Special Admission granted for Charles J. LaDuca.Signed by Judge Thomas I. Vanaskie on 10/25/07. (jfg) (Entered: 10/25/2007)
10/31/2007	<u>19</u>	CASE MANAGEMENT PLAN by Herbert Carter, Devon Shepard, The County of Dauphin, Jennifer Reynolds, Ashley McCormick. (Keach, Elmer) (Entered: 10/31/2007)
11/02/2007	<u>20</u>	CASE MANAGEMENT PLAN <i>Corrected to Include Agreed Upon Deadline for Class Certification Discovery</i> by Herbert Carter, Devon Shepard, Jennifer Reynolds, Ashley McCormick. (Keach, Elmer) (Entered: 11/02/2007)
11/06/2007	<u>21</u>	ORDER: Case Management Conference set for 12/12/2007 08:30 AM in Scranton before Honorable Thomas I. Vanaskie.Signed by Judge Thomas I. Vanaskie on 11/6/07. (jfg) (Entered: 11/06/2007)
11/13/2007	<u>22</u>	MOTION for Extension of Time to File Brief <i>in Opposition to Motion to Dismiss</i> filed by Jennifer Reynolds. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Warren, Alexandra) (Entered: 11/13/2007)
11/14/2007	<u>23</u>	ORDER The plaintiff's shall file a brief in opposition to the deft's motion to dismiss and/or an amended complt on or before 11/20/07.Signed by Judge Thomas I. Vanaskie on 11/14/07 (jfg) (Entered: 11/14/2007)
11/20/2007	<u>24</u>	AMENDED COMPLAINT against all defendants, filed by Herbert Carter, Devon Shepard, Jennifer Reynolds, Ashley McCormick.(Keach, Elmer) (Entered: 11/20/2007)
11/21/2007	<u>25</u>	ORDER 1. Deft County of Dauphin's motin to dismiss (dkt 12), which is directed against the orginal complt is dismissed without prejudice. 2. The County of Dauphin shall plead or move in response to the am/complt in accordance with the requirement of Rule 15(a) of the Federal Rules of Civil Procedure. Signed by Judge Thomas I. Vanaskie on 11/21/07 (jfg) (Entered: 11/21/2007)
12/05/2007	<u>26</u>	MOTION to Dismiss <i>the Amended Complaint</i> by The County of Dauphin. (Attachments: # <u>1</u> Proposed Order)(Lavery, Frank) (Entered: 12/05/2007)

12/05/2007	<u>27</u>	BRIEF IN SUPPORT re <u>26</u> MOTION to Dismiss <i>the Amended Complaint</i> filed by The County of Dauphin.(Lavery, Frank) (Entered: 12/05/2007)
12/10/2007	<u>28</u>	PETITION FOR SPECIAL ADMISSION (PRO HAC VICE) by Elmer Robert Keach, III on behalf of Herbert Carter, Devon Shepard, Jennifer Reynolds, Ashley McCormick Attorney Elmer Keach, III is seeking special admission. Filing fee \$ 25, receipt number 1166454.. (Keach, Elmer) (Entered: 12/10/2007)
12/10/2007	<u>29</u>	CERTIFICATE of Counsel re <u>28</u> Petition for Special Admission – Pro Hac Vice, <i>Certification Regarding Code of Professional Conduct</i> by Elmer Robert Keach, III on behalf of Herbert Carter, Devon Shepard, Jennifer Reynolds, Ashley McCormick (Keach, Elmer) (Entered: 12/10/2007)
12/11/2007	<u>30</u>	ORDER re <u>28</u> Petition for Special Admission – Pro Hac Vice, filed by Ashley McCormick, Devon Shepard, Jennifer Reynolds, Herbert Carter. Special admission granted for Elmer Robert Keach, III. Signed by Judge Thomas I. Vanaskie on 12/11/07. (jfg) (Entered: 12/11/2007)
12/12/2007	<u>32</u>	ORDER: Pltfs shall move for class certification no later than 7/1/08. Discovery due by 5/1/2008. On or before 4/1/08 pltfs shall provide the Court with a written report concerning the status od discovery. Oral Argument set for 10/20/2008 10:00 AM in Scranton before Honorable Thomas I. Vanaskie.Signed by Judge Thomas I. Vanaskie on 12/12/07. (jfg) (Entered: 12/12/2007)
12/12/2007	<u>33</u>	PETITION FOR SPECIAL ADMISSION (PRO HAC VICE) by Nicholas A. Migliaccio on behalf of Jennifer Reynolds Attorney Nicholas A. Migliaccio is seeking special admission. Filing fee \$ 25, receipt number 1168924.. (Migliaccio, Nicholas) (Entered: 12/12/2007)
12/12/2007	<u>34</u>	MOTION for Extension of Time to File Brief filed by Jennifer Reynolds. (Attachments: # <u>1</u> Proposed Order)(Warren, Alexandra) (Entered: 12/12/2007)
12/13/2007	<u>35</u>	ORDER granting <u>34</u> Motion for Extension of Time to File. The Plt's shall file a brief in opposition to the def't's motion to dismiss the am/complt on or before 1/8/08. Signed by Judge Thomas I. Vanaskie on 12/13/07 (jfg) (Entered: 12/13/2007)
12/13/2007	<u>36</u>	ORDER re <u>33</u> Petition for Special Admission – Pro Hac Vice filed by Jennifer Reynolds. Special Admission granted by for Nicholas Migliaccio. Signed by Judge Thomas I. Vanaskie on 12/13/07. (jfg) (Entered: 12/13/2007)
12/18/2007	<u>37</u>	NOTICE of Appearance by Gary H. Dadamo on behalf of The County of Dauphin (Dadamo, Gary) (Entered: 12/18/2007)
12/21/2007	<u>38</u>	NOTICE of Appearance by Eric M. Morrison on behalf of The County of Dauphin (Morrison, Eric) (Entered: 12/21/2007)
12/27/2007	<u>39</u>	ORDER: Telephone Discovery Conference set for 1/4/2008 at 8:30 AM before Honorable Thomas I. Vanaskie. Signed by Judge Thomas I. Vanaskie on 12/27/07. (kn,) (Entered: 12/27/2007)
12/27/2007	<u>40</u>	Letter to Judge Vanaskie from Counsel for Defendants requesting a telephonic conference. (kn,) (Entered: 12/27/2007)
01/04/2008	<u>41</u>	COURT REPORTER NOTES OF PROCEEDINGS filed by K. Yeager of Discovery conference before Judge Vanaskie on 1/4/08. In accordance with 28 U.S.C. Section 753(b), I certify that these original notes are a true and correct record of proceedings in the United States District Court for the Middle District of PA before Judge Vanaskie on 1/4/08. By s/ K. Yeager. (Court Reporter Notes are viewable by court staff only). (cr,) (Entered: 01/04/2008)
01/07/2008	<u>43</u>	Letter from James P. DeAngelo <i>requesting telephone conference</i> . (DeAngelo, James) (Entered: 01/07/2008)
01/08/2008	<u>44</u>	Letter from Carol Steinour Young <i>re Proposed Protective Order</i> . (Attachments: # <u>1</u> Proposed Order)(Young, Carol) (Entered: 01/08/2008)
01/08/2008	<u>45</u>	BRIEF IN OPPOSITION re <u>26</u> MOTION to Dismiss <i>the Amended Complaint</i> filed by Herbert Carter, Devon Shepard, Jennifer Reynolds, Ashley McCormick. (Attachments: # <u>1</u> Exhibit(s) A -- DeRose Deposition, pp. 1–40, # <u>2</u> Exhibit(s) A – DeRose

		Deposition, pp. 41–80, # <u>3</u> Exhibit(s) A – DeRose Deposition, pp. 81–120, # <u>4</u> Exhibit(s) A – DeRose Deposition, pp. 121–160, # <u>5</u> Exhibit(s) A -- DeRose Deposition, pp. 161–201, # <u>6</u> Exhibit(s) B – Post Order, # <u>7</u> Exhibit(s) C -- Preliminary Approval Order, McDaniel v. County of Schenectady, # <u>8</u> Exhibit(s) D -- Preliminary Approval Order, Hicks v. County of Camden)(Keach, Elmer) (Entered: 01/08/2008)
01/09/2008	<u>46</u>	ORDER: that a telephonic conference to discuss a resolution of the continuing dispute between the parties related to preservation of evidence and the protective order proposed by the defense will be held on 1/14/08 at 1:30 p.m. Atty DeAngelo is responsible for arranging the call. Signed by Honorable Thomas I. Vanaskie on 1/9/08. (jfg) (Entered: 01/09/2008)
01/14/2008	<u>47</u>	ORDER Confidential information shall include the name, address, telephone numbers, date of birth, date of arrival at the Dauphin County Prison, identity and telephone number of next of kin, offense charged, and the video and photographic images of individuals taken at the Dauphin County Prison. The documents and material that have been marked confidential pursuant to this order shall continue to be treated as confidential at trial. At trial the Court may determine how the documents and material shall be kept confidential at trial. Signed by Honorable Thomas I. Vanaskie on 1/14/08. (jfg) (Entered: 01/14/2008)
01/14/2008	<u>48</u>	Letter from Elmer Keach <i>Regarding Plaintiffs' Response to Dauphin County's Motion to Dismiss Amended Complaint</i> . (Attachments: # <u>1</u> Supplement Defendant's First Motion to Dismiss, # <u>2</u> Supplement Exhibits to Defendant's First Motion)(Keach, Elmer) (Entered: 01/14/2008)
01/19/2008	<u>50</u>	TRANSCRIPT of Telephonic Discovery Conference held on 1/4/08 before Judge Vanaskie. Court Reporter: K. Yeager. (cr,) (Entered: 01/19/2008)
01/23/2008	<u>51</u>	REPLY BRIEF re <u>26</u> MOTION to Dismiss <i>the Amended Complaint</i> filed by The County of Dauphin.(Chwastyk, Devin) (Entered: 01/23/2008)
03/27/2008	<u>52</u>	MOTION for Extension of Time to Complete Discovery by Jennifer Reynolds. (Attachments: # <u>1</u> Proposed Order)(Warren, Alexandra) (Entered: 03/27/2008)
03/27/2008	<u>53</u>	NOTICE by Herbert Carter, Devon Shepard, Jennifer Reynolds, Ashley McCormick <i>Notice of Supplemental Authority of Plaintiffs In Response to Defendant's Motion to Dismiss the Amended Complaint</i> (Levin, Daniel) (Entered: 03/27/2008)
03/28/2008	<u>54</u>	ORDER granting <u>52</u> Motion for Extension of Time to Complete Discovery Class certification discovery shall be completed on or by 6/1/08. Signed by Honorable Thomas I. Vanaskie on 3/28/08 (jfg) (Entered: 03/28/2008)
04/02/2008	<u>55</u>	Letter from Atty Lavery to Judge Vanaskie. I am co-lead counsel for Dauphin county in the above referenced matter. I ma enclosing a copy of the march 7, 2008 Memo and order of Judge Rambo in the Magger of Zimmerman v. Schaffer, 2008 U.S. Dist. Lexis 1784 which we believe bears on the issues in defts pending motion to dismiss. (jfg) (Entered: 04/02/2008)
05/21/2008	<u>56</u>	MOTION for Extension of Time to Complete Discovery <i>and Class Certification Deadlines</i> by The County of Dauphin. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Certificate of Concurrence)(Young, Carol) (Entered: 05/21/2008)
05/22/2008	<u>57</u>	ORDER granting Defendants <u>56</u> Motion for Extension of Time to Complete Class Certification Discovery and for the Class Certification motion. Class certification discovery shall be completed by July 1, 2008, and plaintiffs must file the motion for class certification on or before August 1, 2008. Discovery due by 7/1/2008.Signed by Honorable Thomas I. Vanaskie on 5/22/08 (ts,) (Entered: 05/22/2008)
07/24/2008	<u>58</u>	MOTION for Extension of Time to to File Motion for Class Certification by Jennifer Reynolds. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Certificate of Concurrence)(Warren, Alexandra) (Entered: 07/24/2008)
07/25/2008	<u>59</u>	ORDER granting <u>58</u> Motion to Extend Time to file class certification. Plaintiffs shall file their motion for class certification on or by September 1, 2008Signed by Honorable Thomas I. Vanaskie on 7/25/08 (ts,) (Entered: 07/25/2008)

08/19/2008	<u>60</u>	ORDER: THAT a telephone settlement conference will be held on Thursday, August 21, 2008 at 9:30a.m. Attorney Keach is responsible for placing the call to (570) 207-5720 and all parties should be ready to proceed before the undersigned is contacted. Signed by Honorable Thomas I. Vanaskie on 8/19/08. (jfg) (Entered: 08/19/2008)
08/21/2008	<u>61</u>	COURT REPORTER NOTES OF PROCEEDINGS filed by K. Yeager of Teleconference Re: Settlement before Judge Vanaskie on 8/21/08. In accordance with 28 U.S.C. Section 753(b), I certify that these original notes are a true and correct record of proceedings in the United States District Court for the Middle District of PA before Judge Vanaskie on 8/21/08. By s/ K. Yeager. (Court Reporter Notes are viewable by court staff only). (cr,) (Entered: 08/21/2008)
08/21/2008	<u>62</u>	ORDER THAT Defendant Dauphin Countys Motion to Dismiss the Amended Complaint (Dkt. Entry 26) is DISMISSED, WITHOUT PREJUDICE. Signed by Honorable Thomas I. Vanaskie on 8/21/08 (jfg) (Entered: 08/21/2008)
10/01/2008	<u>64</u>	ORDER THAT the oral argument previously scheduled for Monday, October 20, 2008 at 10:00 a.m. is cancelled. Signed by Honorable Thomas I. Vanaskie on 10/1/08. (jfg) (Entered: 10/01/2008)
01/28/2009	<u>65</u>	MOTION For Preliminary Approval of Settlement and Provisional Class Certification by Jennifer Reynolds. (Attachments: # <u>1</u> Exhibit(s) Certificate of Concurrence, # <u>2</u> Exhibit(s) Certificate of Service)(Warren, Alexandra) (Entered: 01/28/2009)
01/28/2009	<u>66</u>	BRIEF IN SUPPORT re <u>65</u> MOTION For Preliminary Approval of Settlement and Provisional Class Certification filed by Jennifer Reynolds.(Warren, Alexandra) (Entered: 01/28/2009)
01/28/2009	<u>67</u>	AFFIDAVIT in Support re <u>65</u> MOTION For Preliminary Approval of Settlement and Provisional Class Certification filed by Jennifer Reynolds. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 1-A, # <u>3</u> Exhibit(s) 1-B, # <u>4</u> Exhibit(s) 1-C, # <u>5</u> Exhibit(s) 1-D, # <u>6</u> Exhibit(s) 1-E, # <u>7</u> Exhibit(s) 1-F, # <u>8</u> Exhibit(s) 2)(Warren, Alexandra) (Entered: 01/28/2009)
02/02/2009	<u>68</u>	EXHIBIT 1 (<i>Corrected</i>) by Jennifer Reynolds re <u>67</u> Affidavit in Support of Motion,. (Warren, Alexandra) (Entered: 02/02/2009)
04/08/2009	<u>69</u>	ORDER PRELIMINARILY APPROVING SETTLEMENT- Capitalized terms used in this Order have the meanings assigned to them in the Settlement Agreement and this Order. The terms of the parties Settlement Agreement are hereby conditionally approved, subject to further consideration thereof at the Final Approval Hearing provided for below. The Court finds that said settlement is sufficiently within the range of reasonableness and that notice of the proposed settlement should be given as provided in this Order. Pursuant to Fed R. Civ. P. 34 the Court conditionally certifies the following settlement class: Signed by Honorable Thomas I. Vanaskie on 4/8/09. (jfg) (Entered: 04/08/2009)
09/11/2009	<u>70</u>	MOTION to Appear Pro Hac Vice - Attorney Daniel C. Levin is seeking special admission. Filing fee \$ 25, receipt number 0314000000001670831. by Herbert Carter, Devon Shepard, Jennifer Reynolds, Ashley McCormick.(Warren, Alexandra) (Entered: 09/11/2009)
09/14/2009	<u>71</u>	ORDER granting <u>70</u> Motion to Appear Pro Hac Vice for Atty Daniel C. Levin. Signed by Honorable Thomas I. Vanaskie on 9/14/09 (jfg) (Entered: 09/14/2009)
09/14/2009		DOCKET ANNOTATION: Petitioning attorney and associate counsel's bar status verified. (aaa) (Entered: 09/14/2009)
09/29/2009	<u>72</u>	NOTICE by Herbert Carter, Devon Shepard, Jennifer Reynolds, Ashley McCormick of <i>Intention to Appear from Tony Walington</i> (Warren, Alexandra) (Entered: 09/29/2009)
09/29/2009	<u>73</u>	NOTICE by Herbert Carter, Devon Shepard, Jennifer Reynolds, Ashley McCormick of <i>Intention to Appear from Lawrence E. Stringer</i> (Warren, Alexandra) (Entered: 09/29/2009)
09/30/2009	<u>74</u>	Joint MOTION for Final Approval of Class Action Settlement, for an Award of Expenses and Attorneys' Fees, and for Approval of Incentive Award to Class Representatives by Herbert Carter, Devon Shepard, Jennifer Reynolds, Ashley

		McCormick. (Attachments: # <u>1</u> Affidavit of Charles J. LaDuca in Support of Joint Motion, # <u>2</u> Memorandum of Law in Support of Joint Motion for Final Approval of Class Action Settlement, for an Award of Expenses and Attorneys' Fees, and for Approval of Incentive Award to the Class Representatives, # <u>3</u> Proposed Order Granting Final Approval of Class Action Settlement and Judgment, # <u>4</u> Certificate of Concurrence, # <u>5</u> Certificate of Service)(Warren, Alexandra) (Entered: 09/30/2009)
10/16/2009	<u>76</u>	Letter from Alexandra C. Warren <i>Enclosing Affidavits of Class Counsel</i> . (Attachments: # <u>1</u> Affidavit of Class Counsel)(Warren, Alexandra) (Entered: 10/16/2009)
10/19/2009	<u>77</u>	ORDER:THAT a telephone conference concerning settlement administration issues will be held on Thursday, October 29, 2009 at 10:00 a.m. Attorney Alexandra C. Warren is responsible for placing the call to (570) 207-5720, and all parties should be ready to proceed before the undersigned is contacted. Signed by Honorable Thomas I. Vanaskie on 10/19/09. (jfg) (Entered: 10/19/2009)
10/29/2009	<u>78</u>	COURT REPORTER NOTES OF PROCEEDINGS filed by K. Yeager of Telephone conference before Judge Vanaskie on 10/29/09. In accordance with 28 U.S.C. Section 753(b), I certify that these original notes are a true and correct record of proceedings in the United States District Court for the Middle District of PA before Judge Vanaskie on 10/29/09. By s/ K. Yeager. (Court Reporter Notes are viewable by court staff only). (cr,) (Entered: 10/29/2009)
10/29/2009	<u>80</u>	ORDER:1. The proposed Notice of Revised Deadlines attached hereto is approved.2. A final hearing to determine whether the class action settlement should be approved will be conducted on December 18, 2009, at 10:00 a.m. in the Federal Building and U.S. Courthouse, 228 Walnut Street, Harrisburg, PA 17108. The hearing will be held in a courtroom to be designated by the Clerk of Court. Counsel can obtain information on courtroom assignments by contacting the Clerk's office the Friday before the scheduled appearance. Signed by Honorable Thomas I. Vanaskie on 10/29/09. (jfg) (Entered: 10/29/2009)
12/10/2009	<u>81</u>	ORDER 1. The request of the parties counsel to participate in the December 18, 2009 hearing by phone is GRANTED. Plaintiffs counsel is responsible for placing the call to (717) 221-3920, and all parties should be ready to proceed before the undersigned is contacted. 2. Notwithstanding counsels participation in the hearing by phone, a final hearing to determine whether the class action settlement should be approved and allow class members to speak as to the fairness of the settlement or the request for fees and costs, will be conducted on December 18, 2009, at 10:00 a.m. in the Federal Building and U.S. Courthouse, 228 Walnut Street, Harrisburg, PA 17108. The hearing will be held in a courtroom to be designated by the Clerk of Court. Counsel can obtain information on courtroom assignments by contacting the Clerk's office the Friday before the scheduled appearance. Signed by Honorable Thomas I. Vanaskie on 12/10/09. (jfg) (Entered: 12/10/2009)
12/15/2009	<u>82</u>	AFFIDAVIT in Support re <u>74</u> Joint MOTION for Final Approval of Class Action Settlement, for an Award of Expenses and Attorneys' Fees, and for Approval of Incentive Award to Class Representatives of <i>Charles J. LaDuca, Esq.</i> filed by Devon Shepard, Jennifer Reynolds, Ashley McCormick. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) Certificate of Service)(Warren, Alexandra) (Entered: 12/15/2009)
12/17/2009	<u>83</u>	AFFIDAVIT in Support re <u>74</u> Joint MOTION for Final Approval of Class Action Settlement, for an Award of Expenses and Attorneys' Fees, and for Approval of Incentive Award to Class Representatives <i>Fee Affidavit for Elmer Robert Keach, III</i> filed by Herbert Carter, Devon Shepard, Jennifer Reynolds, Ashley McCormick.(Keach, Elmer) (Entered: 12/17/2009)
12/17/2009	<u>84</u>	ORDER THAT prior to tomorrows final settlement hearing, Plaintiffs Class Counsel, Cuneo, Gilbert &LaDuca, LLP, shall provide the Court with additional information in support of its Hours and Expenses request. The additional information shall include: a listing of each of the attorneys who participated in the matter; identification as to whether they are partners, associates, or support staff; a firm biography; and biographies for each of the partners and associates participating in the matter. Counsel shall also provide a written explanation of the entry entitled litigation fees in the amount of \$2,500 on the expense report of Cuneo, Gilbert &LaDuca, LLP. Signed by Honorable Thomas I. Vanaskie on 12/17/09. (jfg) (Entered: 12/17/2009)

12/17/2009	<u>85</u>	AFFIDAVIT in Support re <u>74</u> Joint MOTION for Final Approval of Class Action Settlement, for an Award of Expenses and Attorneys' Fees, and for Approval of Incentive Award to Class Representatives <i>Supplemental Affirmation of Elmer Keach Reducing Request for Expert Expenses</i> filed by Herbert Carter, Devon Shepard, Jennifer Reynolds, Ashley McCormick.(Keach, Elmer) (Entered: 12/17/2009)
12/17/2009	<u>86</u>	AFFIDAVIT in Support re <u>74</u> Joint MOTION for Final Approval of Class Action Settlement, for an Award of Expenses and Attorneys' Fees, and for Approval of Incentive Award to Class Representatives (<i>filed in accordance with Order dated December 17, 2009</i>) filed by Devon Shepard, Jennifer Reynolds, Ashley McCormick. (Attachments: # <u>1</u> Exhibit(s) Certificate of Service)(Warren, Alexandra) (Entered: 12/17/2009)
12/18/2009	<u>87</u>	ORDER This Court has considered Class Counsels request and hereby grants an award of fees in the amount of twenty-five percent (25%) of the gross settlement amount, and an award of all expenses incurred. The Settlement Class Representatives, Jennifer Reynolds and Ashley McCormick, are entitled to and are each hereby awarded a payment of \$15,000, and Class Representative Devon Shepard is awarded a payment of \$10,000. These awards are in recognition of the efforts the Class Representatives undertook in connection with this lawsuit. The Court finds that an amount of attorneys fees in the amount of twenty-five percent (25%) of the gross settlement is reasonable under the circumstances of this case. Signed by Honorable Thomas I. Vanaskie on 12/18/09. (jfg) (Entered: 12/18/2009)
12/21/2009	<u>89</u>	COURT REPORTER NOTES OF PROCEEDINGS filed by L. Shuey of settlement before Judge Vanaskie on 12/18/09. In accordance with 28 U.S.C. Section 753(b), I certify that these original notes are a true and correct record of proceedings in the United States District Court for the Middle District of PA before Judge Vanaskie on 12/18/09. By s/ L. Shuey. (Court Reporter Notes are viewable by court staff only). (ctrep1,) (Entered: 12/21/2009)
01/11/2010	<u>90</u>	LETTER – from Tony Blount re: status of case. (docket sheet mailed) (jc) (Entered: 01/11/2010)
01/12/2010	<u>91</u>	ORDER THAT class counsel shall respond to Mr. Blounts request, informing him of the status of the above-captioned action and his status as a potential class member, within seven (7) days of the date of this Order. Signed by Honorable Thomas I. Vanaskie on 1/12/10. (jfg) (Entered: 01/12/2010)
01/12/2010	<u>92</u>	Letter from Alexandra C. Warren to Mr. Tony Blount. (Warren, Alexandra) (Entered: 01/12/2010)