

CLOSED

U.S. District Court
United States District Court for the District of Connecticut (New Haven)
CIVIL DOCKET FOR CASE #: 3:02-cv-01066-CFD

Leocata v. Social Svc, et al
Assigned to: Judge Christopher F. Droney
Demand: \$0
Case in other court: USCA, 04-06068cv
Cause: 42:1983 Civil Rights Act

Date Filed: 06/19/2002
Date Terminated: 11/03/2004
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Michela Leocata
through Matthew T. Gilbride, Esq,
Conservator over her Est &Next Friend

represented by **Raymond J. Rigat**
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V.

Defendant

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Tommy Thompson, Sec, /O

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Defendant

Dept of Social Services
Patricia Wilson-Coker, Comm

represented by **Richard J. Lynch**
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Tanya Feliciano DeMattia
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Notice

US Court of Appeals
TERMINATED: 12/07/2005

represented by **US Court of Appeals**
Office of the Clerk
US Courthouse
Foley Square
New York, NY 10007
212-857-8500
*TERMINATED: 12/07/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
06/19/2002	1	COMPLAINT Filing Fee \$ 150.00 Receipt # H006592 (Ferguson, L.) (Entered: 06/20/2002)
06/19/2002		SUMMONS(ES) issued for Dept of Soc Svc , HHS (Ferguson, L.) Modified on 06/26/2002 (Entered: 06/20/2002)
06/19/2002	2	ORDER on Pretrial Deadlines handed to counsel Discovery cutoff 12/19/02 ; Dispositive Motions due 1/18/03 Amended Pleadings due 08/19/02 Motions to Dismiss due 09/19/02 (Ferguson, L.) (Entered: 06/20/2002)
06/27/2002	3	SUMMONS Returned Executed on 6/24/02 as to US Attorney (Montgomery, C.) (Entered: 06/27/2002)
06/27/2002	4	SUMMONS Returned Executed on 6/24/02 as to HHS (Montgomery, C.) (Entered: 06/27/2002)
06/27/2002	5	SUMMONS Returned Executed on 6/24/02 as to HHS (Montgomery, C.) (Entered: 06/27/2002)
06/27/2002	6	SUMMONS Returned Executed on 6/21/02 as to Dept of Social Services (Montgomery, C.) (Entered: 06/27/2002)
07/02/2002	7	APPEARANCE of Attorney for Dept of Social Services --- Richard J. Lynch and Tanya Feliciano (Montgomery, C.) (Entered: 08/22/2002)
07/10/2002	8	Certified Return Receipt Card as to U.S. Attorney on 6/21/02 (Montgomery, C.) (Entered: 07/11/2002)
07/11/2002	9	MOTION by Dept of Social Services to Extend Time to 8/20/02 to answer (Montgomery, C.) (Entered: 07/11/2002)
07/15/2002	10	SUMMONS Returned Executed on 7/1/02 as to HHS (Montgomery, C.) (Entered: 07/16/2002)
07/16/2002		ENDORSEMENT granting [9-1] motion to Extend Time to 8/20/02 to answer (signed by Judge Christopher F. Droney) (Montgomery, C.) (Entered: 07/16/2002)
08/12/2002	11	MOTION by Michela Leocata to Extend Time to file 26(f) report until after all appearances are filed (Montgomery, C.) (Entered: 08/12/2002)

08/19/2002	12	MOTION by Dept of Social Services to Extend Time to 10/19/02 to respond to Complaint (Ferguson, L.) (Entered: 08/19/2002)
08/21/2002		ENDORSEMENT granting [11-1] motion to Extend Time to file 26(f) report until 9/15/02, 26(f) Report of Conference Due 9/15/02 (signed by Judge Christopher F. Droney) (Gothers, M.) (Entered: 08/21/2002)
08/21/2002	13	APPEARANCE of Attorney for HHS --- Carolyn Aiko Ikari (Montgomery, C.) Modified on 08/22/2002 (Entered: 08/22/2002)
08/21/2002	14	MOTION by HHS to Extend Time to 9/25/02 to answer (Montgomery, C.) (Entered: 08/22/2002)
08/28/2002		ENDORSEMENT granting [14-1] motion to Extend Time to 9/25/02 to answer (signed by Judge Christopher F. Droney) (Montgomery, C.) (Entered: 08/28/2002)
08/28/2002		ENDORSEMENT granting [12-1] motion to Extend Time to 10/19/02 to respond to Complaint (signed by Judge Christopher F. Droney) (Montgomery, C.) (Entered: 08/28/2002)
09/20/2002	15	MOTION by HHS to Dismiss (Brief Due 10/11/02) (Kunofsky, L.) (Entered: 09/23/2002)
09/20/2002	16	MEMORANDUM by HHS in support of [15-1] motion to Dismiss (Kunofsky, L.) (Entered: 09/23/2002)
10/03/2002	17	REPORT of Parties Planning Meeting (Montgomery, C.) (Entered: 10/03/2002)
10/11/2002	18	MOTION by Dept of Social Services to Extend Time until 11/18/02 to file motion to dismiss (Bauer, J.) (Entered: 10/11/2002)
10/11/2002	19	OBJECTIONS by Michela Leocata to [15-1] motion to Dismiss by HHS (Bauer, J.) (Entered: 10/15/2002)
10/18/2002		ENDORSEMENT granting [18-1] motion to Extend Time until 11/18/02 to file motion to dismiss (signed by Judge Christopher F. Droney) (Blue,A.) (Entered: 10/18/2002)
11/13/2002	20	MOTION by HHS, Dept of Social Services to Dismiss complaint (Brief Due 12/4/02) (Montgomery, C.) (Entered: 11/13/2002)
11/13/2002	21	MEMORANDUM by HHS, Dept of Social Services in support of [20-1] motion to Dismiss complaint (Montgomery, C.) (Entered: 11/13/2002)
11/27/2002		ENDORSEMENT granting [17-1] report of parties planning meeting (signed by Judge Christopher F. Droney) (Montgomery, C.) (Entered: 12/02/2002)
12/03/2002	22	OBJECTIONS by Michela Leocata to [20-1] motion to Dismiss complaint by Dept of Social Services, HHS (Montgomery, C.) (Entered: 12/03/2002)
03/13/2003	23	ORDERED that within 21 days the parties shall file a joint status report (signed by Judge Christopher F. Droney) (Grady, B.) (Entered: 03/13/2003)
04/01/2003	24	Joint STATUS REPORT (Basile, F.) (Entered: 04/01/2003)
09/16/2003	25	APPEARANCE of Attorney for HHS, Dept of Social Services ---Cliffor M. Pierce (Basile, F.) (Entered: 09/16/2003)
09/19/2003	26	Motion hearing held re: [20-1] motion to Dismiss complaint by Dept of Social Services, HHS, [15-1] motion to Dismiss by HHS (CFD) (Basile, F.) (Entered: 09/22/2003)
09/19/2003		MINUTE Entry: [20-1] motion to Dismiss complaint under advisement, [15-1] motion to Dismiss under advisement (CFD) (Basile, F.) (Entered: 09/22/2003)
04/27/2004	<u>27</u>	MOTION for Temporary Injunction by Michela Leocata.Responses due by 5/18/2004 (Basile, F.) (Entered: 04/27/2004)
04/27/2004	<u>28</u>	Memorandum in Support re <u>27</u> MOTION for Preliminary Injunction filed by Michela Leocata. (Basile, F.) (Entered: 04/27/2004)

05/12/2004	<u>29</u>	Memorandum in Opposition re <u>27</u> MOTION for Preliminary Injunction filed by HHS. (Bauer, J.) (Entered: 05/12/2004)
05/19/2004	<u>30</u>	Memorandum in Opposition re <u>27</u> MOTION for Preliminary Injunction filed by Dept of Social Services. (Attachments: # <u>1</u> Affidavit # <u>2</u> Exhibit)(Basile, F.) (Entered: 05/19/2004)
06/22/2004	<u>31</u>	ORDER re <u>27</u> MOTION for Preliminary Injunction filed by Michela Leocata, Set Deadlines as to <u>27</u> MOTION for Preliminary Injunction. Motion Hearing set for 7/19/2004 10:00 AM in Courtroom Two – Hartford before Judge Christopher F. Droney.. Signed by Judge Christopher F. Droney on 6/22/04. (Bauer, J.) (Entered: 06/22/2004)
06/23/2004		Show Cause Hearing set for 7/19/2004 10:00 AM in Courtroom Two – Hartford before Judge Christopher F. Droney. (Johnson, D.) (Entered: 06/23/2004)
07/08/2004	<u>32</u>	Calendar Entry Telephonic Status Conference set for 7/13/2004 04:30 PM in Chambers Room 108 – Hartford Annex before Judge Christopher F. Droney. Council are instructed to refer to the attached special instructions.(Attachments: # <u>1</u>)(Newcomb, P.) (Entered: 07/08/2004)
07/09/2004	<u>33</u>	AMENDED COMPLAINT against HHS, Dept of Social Services , filed by Michela Leocata.(Basile, F.) (Entered: 07/13/2004)
07/09/2004	<u>34</u>	MEMORANDUM OF LAW IN SUPPORT re <u>33</u> Amended Complaint by Michela Leocata. (Basile, F.) (Entered: 07/13/2004)
07/09/2004	<u>35</u>	PRE-HEARING MEMORANDUM filed by Michela Leocata. (Basile, F.) (Entered: 07/13/2004)
07/12/2004	<u>36</u>	RESPONSE to <u>31</u> order to show cause filed by Dept of Social Services. (Bauer, J.) (Entered: 07/13/2004)
07/12/2004	<u>37</u>	RESPONSE re: <u>31</u> order filed by HHS. (Bauer, J.) (Entered: 07/13/2004)
07/13/2004	<u>38</u>	RESPONSE re <u>33</u> Amended Complaint filed by Dept of Social Services. (Bauer, J.) (Entered: 07/13/2004)
07/13/2004	<u>39</u>	ORDER Granting Motion to Amend Complaint without prejudice to filing a motion for more definite statement, to dismiss or for summary judgment.. Signed by Judge Christopher F. Droney on 07/13/04. (Droney, Christopher) (Entered: 07/13/2004)
07/14/2004	<u>40</u>	Calendar Entry ** Show Cause Hearing set for 7/19/2004 at 10:00 AM in Courtroom Two – Hartford, before Judge Christopher F. Droney. (Newcomb, P.) (Entered: 07/14/2004)
07/16/2004	<u>41</u>	MOTION in Limine by Dept of Social Services.Responses due by 8/6/2004 (Walker, J.) (Entered: 07/19/2004)
07/16/2004	<u>42</u>	Memorandum in Support re <u>41</u> MOTION in Limine filed by Dept of Social Services. (Walker, J.) (Entered: 07/19/2004)
07/16/2004	<u>43</u>	MOTION to Dismiss Amended Complaint by Dept of Social Services.Responses due by 8/6/2004 (Walker, J.) (Entered: 07/19/2004)
07/16/2004	<u>44</u>	Memorandum in Support re <u>43</u> MOTION to Dismiss filed by Dept of Social Services. (Attachments: # <u>1</u> Exhibits to Memorandum – filed in paper form only)(Walker, J.) (Entered: 07/19/2004)
07/19/2004	<u>45</u>	Minute Entry for proceedings held before Judge Christopher F. Droney : Motion Hearing held on 7/19/2004 re <u>27</u> MOTION for Preliminary Injunction filed by Michela Leocata. (Court Reporter Martha Marshall.) (Basile, F.) (Entered: 07/21/2004)
07/19/2004		Motions Taken Under Advisement: <u>27</u> MOTION for Preliminary Injunction (Basile, F.) (Entered: 07/21/2004)
07/19/2004	<u>46</u>	Marked Exhibit List by HHS, Dept of Social Services. (Basile, F.) (Entered: 07/21/2004)

07/19/2004	<u>47</u>	Marked Witness List by HHS, Dept of Social Services. (Basile, F.) (Entered: 07/21/2004)
07/19/2004	<u>48</u>	Marked Witness List by Michela Leocata. (Basile, F.) (Entered: 07/21/2004)
07/21/2004	<u>49</u>	MOTION for Extension of Time until 7/28/04 to file post-hearing brief by HHS, Dept of Social Services. (Kunofsky, L.) (Entered: 07/22/2004)
07/22/2004	50	ELECTRONIC ORDER granting <u>49</u> Motion for Extension of Time to July 28, 2004 to file post-hearing brief. Signed by Judge Christopher F. Droney on 7/22/04. (Newcomb, P.) (Entered: 07/22/2004)
07/22/2004	<u>51</u>	MOTION for Extension of Time to 7/28/04 to file supplemental brief to respond to Plaintiff's argument raised at 7/19 hearing by HHS, Dept of Social Services. (Montgomery, A.) (Entered: 07/23/2004)
07/28/2004	<u>52</u>	MOTION to Dismiss by HHS.Responses due by 8/18/2004 (Bauer, J.) (Entered: 07/28/2004)
07/28/2004	<u>53</u>	Memorandum in Opposition re <u>27</u> MOTION for Preliminary Injunction filed by HHS.AND, Memorandum in support of <u>52</u> Motion to dismiss (Part 1 of 2) (Bauer, J.) (Entered: 07/28/2004)
07/28/2004	<u>54</u>	Memorandum in Opposition re <u>27</u> MOTION for Preliminary Injunction, AND, Memorandum in Support re <u>52</u> MOTION to Dismiss filed by HHS (Part 2 of 2) (Bauer, J.) (Entered: 07/28/2004)
07/28/2004	<u>55</u>	Supplemental Response to <u>27</u> MOTION for Preliminary Injunction filed by Dept of Social Services. (Bauer, J.) (Entered: 07/28/2004)
08/03/2004	<u>56</u>	ENDORSEMENT ORDER granting <u>51</u> Motion for Extension of Time . Signed by Judge Christopher F. Droney on 8/3/04. (Basile, F.) (Entered: 08/03/2004)
08/06/2004	<u>57</u>	OBJECTION re <u>52</u> MOTION to Dismiss, <u>43</u> MOTION to Dismiss filed by Michela Leocata. (Basile, F.) (Entered: 08/09/2004)
11/03/2004	<u>58</u>	ORDER granting 15 Motion to Dismiss, granting 20 Motion to Dismiss, denying <u>27</u> Motion for Preliminary Injunction, granting <u>43</u> Motion to Dismiss, granting <u>52</u> Motion to Dismiss . Signed by Judge Christopher F. Droney on 11/3/04. (Basile, F.) (Entered: 11/04/2004)
11/03/2004	<u>59</u>	JUDGMENT in favor of DEFENDANTS against PLAINTIFFS. Signed by Clerk on 11/3/04. (Basile, F.) (Entered: 11/04/2004)
11/12/2004	<u>60</u>	NOTICE OF APPEAL as to <u>58</u> Order on Motion to Dismiss,, Order on Motion for Preliminary Injunction,, by Michela Leocata. Filing fee \$ 255, receipt number H014189.Certified copy of docket and copy of NOA mailed to USCA. (Bauer, J.) (Entered: 11/15/2004)
11/24/2004	61	Acknowledged Receipt of NOA at USCA on 11/18/04 re <u>60</u> Notice of Appeal: (Bauer, J.) (Entered: 11/24/2004)
11/24/2004	<u>62</u>	Index to Record on Appeal by Michela Leocata re <u>60</u> Notice of Appeal (Basile, F.) (Entered: 11/29/2004)
12/08/2004		USCA Case Number 04-6068cv for <u>60</u> Notice of Appeal filed by Michela Leocata. (Bauer, J.) (Entered: 12/08/2004)
12/16/2004	<u>63</u>	USCA Scheduling Order as to <u>60</u> Notice of Appeal filed by Michela Leocata. USCA Number: 04-6068-ag (Basile, F.) (Entered: 12/17/2004)
12/22/2004	<u>64</u>	USCA Scheduling Order as to <u>60</u> Notice of Appeal filed by Michela Leocata. USCA Number: 04-6068-ag (Fazekas, J.) (Entered: 12/30/2004)
02/08/2005	65	TRANSCRIPT of Proceedings held on 7/19/04 before Judge Christopher F. Droney. Court Reporter: Martha C. Marshall. (Bauer, J.) (Entered: 02/08/2005)
12/07/2005	<u>66</u>	MANDATE of USCA (certified copy) dated 11/22/05 affirming judgment re: <u>60</u> Notice of Appeal filed by Michela Leocata, (Bauer, J.) (Entered: 12/08/2005)