

**U.S. District Court
District of New Jersey [LIVE] (Trenton)
CIVIL DOCKET FOR CASE #: 3:05-cv-04723-AET-TJB**

NEW JERSEY PROTECTION & ADVOCACY, INC., et al. v.
VELEZ
Assigned to: Judge Anne E. Thompson
Referred to: Magistrate Judge Tonianne J. Bongiovanni
Cause: 42:12101 Americans with Disabilities Act

Date Filed: 09/29/2005
Date Terminated: 12/21/2012
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: Federal Question

Plaintiff

**DISABILITY RIGHTS NEW
JERSEY, INC.**

represented by **BRIAN ANTHONY BERKLEY**
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Plaintiff

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*by and through her guardians, VALERIE
HARMON and LINDA LEMORE*

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Plaintiff

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Plaintiff

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V.

Defendant

JENNIFER VELEZ
*Commissioner of Human Services for the
State of New Jersey*

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Defendant

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Amicus

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Date Filed	#	Docket Text
09/29/2005	<u>1</u>	COMPLAINT against JAMES M. DAVY (Filing fee \$ 250 receipt number 345145.) , filed by NEW JERSEY PROTECTION &ADVOCACY, INC., ALLISON HARMON.(gr) (Entered: 09/30/2005)
10/31/2005	<u>2</u>	WAIVER OF SERVICE Returned Executed by FREDRENA THOMPSON, NEW JERSEY PROTECTION &ADVOCACY, INC., ALLISON HARMON. JAMES M. DAVY waiver sent on 10/5/2005, answer due 12/5/2005. (DWYER, WILLIAM) (Entered: 10/31/2005)
12/05/2005	<u>3</u>	ANSWER to Complaint by JAMES M. DAVY.(MITCHELL, BETH) (Entered: 12/05/2005)
12/07/2005	<u>4</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Stanley R. Chesler for all further proceedings. Judge Mary L. Cooper no longer assigned to case. Signed by Judge Garrett E. Brown, Jr. on 12/7/05. (ck) (Entered: 12/07/2005)
12/08/2005	<u>5</u>	CERTIFICATE OF SERVICE by JAMES M. DAVY re <u>3</u> Answer to Complaint (MITCHELL, BETH) (Entered: 12/08/2005)
12/28/2005	<u>6</u>	ORDER Scheduling a rule 16 Conference set for 2/14/2006 10:30 AM in Trenton – Courtroom 6E before Magistrate Judge Tonianne J. Bongiovanni.Signed by Judge Tonianne J. Bongiovanni on 12/28/05. (Attachments: # <u>1</u> ADR MEMO)(mm) (Entered: 12/29/2005)

02/01/2006	<u>7</u>	NOTICE of Appearance by AMY E. DUFF on behalf of JAMES M. DAVY (DUFF, AMY) (Entered: 02/01/2006)
02/14/2006		Minute Entry for proceedings held before Judge Tonianne J. Bongiovanni: Initial Pretrial Conference held on 2/14/2006. (mm) (Entered: 02/21/2006)
02/23/2006	<u>8</u>	SCHEDULING ORDER: Telephone Conference set for 5/22/2006 10:30 AM in Trenton – Courtroom 6E before Magistrate Judge Tonianne J. Bongiovanni. Final Pretrial Conference set for 3/15/2008 11:00 AM in Trenton – Courtroom 6E before Magistrate Judge Tonianne J. Bongiovanni. Discovery due by 2/28/2007 & setting schedule for service of certain reports. Signed by Judge Tonianne J. Bongiovanni on 2/17/06. (ij,) (Entered: 02/23/2006)
03/09/2006	<u>9</u>	NOTICE of Appearance by JOHN B. KEARNEY on behalf of all plaintiffs (KEARNEY, JOHN) (Entered: 03/09/2006)
05/17/2006		Reset Hearings: Status Telephone Conference set for 5/22/2006 1:00 PM before Magistrate Judge Tonianne J. Bongiovanni. (mm) (Entered: 05/17/2006)
05/22/2006		Minute Entry for proceedings held before Judge Tonianne J. Bongiovanni: Telephone Conference held on 5/22/2006. Status Telephone Conference set for 7/12/2006 3:00 PM before Magistrate Judge Tonianne J. Bongiovanni. Plaintiff is to initiate the call. (mm) (Entered: 05/22/2006)
05/25/2006	<u>10</u>	DISCOVERY CONFIDENTIALITY & PROTECTIVE ORDER. Signed by Judge Tonianne J. Bongiovanni on 5/25/06. (ck) (Entered: 05/30/2006)
07/10/2006	<u>11</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Freda L. Wolfson for all further proceedings. Judge Stanley R. Chesler no longer assigned to case. Signed by Judge Garrett E. Brown, Jr. on 7/10/06. (ij,) (Entered: 07/12/2006)
07/12/2006		Minute Entry for proceedings held before Judge Tonianne J. Bongiovanni: Telephone Conference held on 7/12/2006. Status Telephone Conference set for 9/11/2006 11:30 AM before Magistrate Judge Tonianne J. Bongiovanni. (mm) (Entered: 07/12/2006)
09/11/2006		Minute Entry for proceedings held before Judge Tonianne J. Bongiovanni: Telephone Conference held on 9/11/2006. Status Telephone Conference set for 1/25/2007 10:00 AM before Magistrate Judge Tonianne J. Bongiovanni. Plaintiff is to initiate the call. (mm) (Entered: 09/11/2006)
09/15/2006	<u>12</u>	ORDER confirming extention of certain deadlines. Signed by Judge Tonianne J. Bongiovanni on 9/13/06. (ms) (Entered: 09/15/2006)
12/20/2006	<u>13</u>	MOTION for Leave to File <i>Amended Complaint, Add Additional Defendant and Modify Pretrial Scheduling Order</i> by FREDRENA THOMPSON, NEW JERSEY PROTECTION & ADVOCACY, INC., ALLISON HARMON. (Attachments: # <u>1</u> Brief # <u>2</u> Text of Proposed Order # <u>3</u> Certification)(KUZINSKI, EUGENE) (Entered: 12/20/2006)
12/22/2006		Setting Deadlines as to <u>13</u> MOTION for Leave to File <i>Amended Complaint, Add Additional Defendant and Modify Pretrial Scheduling Order</i> . Motion set for 1/16/2007 10:00 AM in Trenton – Courtroom 6E before Magistrate Judge Tonianne J. Bongiovanni. (PLEASE NOTE THAT PURSUANT TO FED. R. CIV. P. 78 AND LOCAL RULE 7.1(B)(4), NO ORAL ARGUMENT WILL BE HELD IN THIS MATTER AND PARTIES SHOULD NOT APPEAR UNLESS SPECIFICALLY DIRECTED TO DO SO BY THE COURT.) (ij,) (Entered: 12/22/2006)
12/28/2006	<u>14</u>	ORDER extending time to file certain pleading. Signed by Judge Tonianne J. Bongiovanni on 12/27/06. (ij,) (Entered: 12/28/2006)
01/19/2007	<u>15</u>	RESPONSE to Motion re <u>13</u> MOTION for Leave to File <i>Amended Complaint, Add Additional Defendant and Modify Pretrial Scheduling Order</i> filed by JAMES M. DAVY. (DUFF, AMY) (Entered: 01/19/2007)
01/25/2007		Minute Entry for proceedings held before Judge Tonianne J. Bongiovanni: Telephone Conference held on 1/25/2007. (mm) (Entered: 01/29/2007)

01/30/2007	<u>16</u>	ORDER granting <u>13</u> Motion for Leave to File an Amended Complaint by 2/16/07. Signed by Judge Tonianne J. Bongiovanni on 1/29/07. (ck) (Entered: 01/30/2007)
02/01/2007	<u>17</u>	AMENDED COMPLAINT against Clarke Bruno, STATE OF NEW JERSEY, filed by FREDRENA THOMPSON, NEW JERSEY PROTECTION & ADVOCACY, INC., ALLISON HARMON.(KUZINSKI, EUGENE) (Entered: 02/01/2007)
02/02/2007		CLERK'S OFFICE QUALITY CONTROL MESSAGE: In reference to the <u>17</u> Amended Complaint filed by E. KUZINSKI, ESQ counsel is advised when adding parties to a case to please add parties in UPPER CASE LETTERS. (ij,) (Entered: 02/02/2007)
02/15/2007	<u>18</u>	ORDER confirming certain deadlines: Telephone Conference set for 5/15/2007 11:30 AM before Magistrate Judge Tonianne J. Bongiovanni. Discovery due by 8/31/2007.. Signed by Judge Tonianne J. Bongiovanni on 2/15/07. (ck,) (Entered: 02/16/2007)
02/20/2007	<u>19</u>	CONSENT ORDER re-setting answer deadlines for Amended Complaint to April 3, 2007. Signed by Judge Tonianne J. Bongiovanni on 2/20/07. (ij,) (Entered: 02/21/2007)
03/12/2007	<u>20</u>	WAIVER OF SERVICE Returned Executed by FREDRENA THOMPSON, NEW JERSEY PROTECTION & ADVOCACY, INC., ALLISON HARMON. STATE OF NEW JERSEY waiver sent on 2/2/2007, answer due 4/3/2007. (DWYER, WILLIAM) (Entered: 03/12/2007)
03/21/2007	<u>21</u>	CONSENT ORDER extending time for responsive pleading to be filed as to Amended Complaint by May 3, 2007. Signed by Judge Tonianne J. Bongiovanni on 3/19/07. (ij,) (Entered: 03/21/2007)
05/03/2007	<u>22</u>	CONSENT ORDER directing that all responsive pleadings to the amended complaint shall be due on or before June 4, 2007. Signed by Judge Tonianne J. Bongiovanni on 5/2/07. (ij,) (Entered: 05/03/2007)
05/15/2007		Minute Entry for proceedings held before Judge Tonianne J. Bongiovanni: Telephone Conference held on 5/15/2007. (mm) (Entered: 05/15/2007)
05/29/2007	<u>23</u>	ORDER confirming parties are meeting on 5/24/2007 to discuss certain issues Signed by Judge Tonianne J. Bongiovanni on 5/23/2007. (ss,) (Entered: 05/29/2007)
06/04/2007	<u>24</u>	ANSWER to Amended Complaint by CLARKE BRUNO, STATE OF NEW JERSEY. (Attachments: # <u>1</u> Certificate of Service)(MITCHELL, BETH) (Entered: 06/04/2007)
08/02/2007	<u>25</u>	SCHEDULING ORDER:Telephone Conference set for 8/21/2007 11:00 AM in Trenton – Courtroom 6E before Magistrate Judge Tonianne J. Bongiovanni. Signed by Judge Tonianne J. Bongiovanni on 8/2/07. (ij,) (Entered: 08/02/2007)
08/21/2007		Minute Entry for proceedings held before Judge Tonianne J. Bongiovanni: Telephone Conference held on 8/21/2007. (mm) (Entered: 08/27/2007)
08/27/2007	<u>26</u>	LETTER ORDER:Telephone Conference set for 11/28/2007 03:00 PM in Trenton – Courtroom 6E before Magistrate Judge Tonianne J. Bongiovanni. Discovery due by 11/30/2007 and setting schedule for service of certain reports. Signed by Judge Tonianne J. Bongiovanni on 8/27/07. (ij,) (Entered: 08/28/2007)
11/15/2007	<u>27</u>	Substitution of Attorney – Attorney ROSEMARY BATES WALSH for ALLISON HARMON, NEW JERSEY PROTECTION & ADVOCACY, INC., and FREDRENA THOMPSON added. Attorney EUGENE J. KUZINSKI terminated. (Attachments: # <u>1</u> Certificate of Service)(WALSH, ROSEMARY) Modified on 11/16/2007 to correct text. (ms). (Entered: 11/15/2007)
11/26/2007	<u>28</u>	MOTION for Leave to Appear Pro Hac Vice <i>of David Ferleger</i> by NEW JERSEY PROTECTION & ADVOCACY, INC.. (Attachments: # <u>1</u> Notice of Motion# <u>2</u> Declaration of David Ferleger# <u>3</u> Text of Proposed Order Granting Pro Hac Vice Admission# <u>4</u> Certification of Service)(DWYER, WILLIAM) (Entered: 11/26/2007)

11/27/2007		Setting Deadlines as to <u>28</u> MOTION for Leave to Appear Pro Hac Vice of <i>David Ferleger</i> . Motion set for 1/7/2008 10:00 AM in Trenton – Courtroom 6E before Magistrate Judge Tonianne J. Bongiovanni. (PLEASE NOTE THAT PURSUANT TO FED. R. CIV. P. 78 AND LOCAL RULE 7.1(B)(4), NO ORAL ARGUMENT WILL BE HELD IN THIS MATTER AND PARTIES SHOULD NOT APPEAR UNLESS SPECIFICALLY DIRECTED TO DO SO BY THE COURT.) (ij,) (Entered: 11/27/2007)
11/29/2007	<u>29</u>	NOTICE of Appearance by JENNIFER J. DUGAN on behalf of all defendants (Attachments: # <u>1</u> Certificate of Service Cert re: notice of appearance)(DUGAN, JENNIFER) (Entered: 11/29/2007)
11/29/2007	<u>30</u>	LETTER ORDER setting certain discovery deadlines. Signed by Judge Tonianne J. Bongiovanni on 11/28/07. (ij,) (Entered: 11/29/2007)
12/03/2007	<u>31</u>	CONSENT ORDER amending caption. Signed by Judge Tonianne J. Bongiovanni on 11/30/07. (ms) (Entered: 12/03/2007)
01/22/2008	<u>32</u>	ORDER granting <u>28</u> Motion for David Ferleger, Esq to Appear Pro Hac Vice. Signed by Judge Tonianne J. Bongiovanni on 1/22/08. (ij,) (Entered: 01/22/2008)
02/04/2008	<u>33</u>	Substitution of Attorney. (WALSH, ROSEMARY) Modified on 2/5/2008 to show this incomplete entry by counsel is a Substitution of Attorney. (ms) (Entered: 02/04/2008)
02/05/2008		CLERK'S OFFICE QUALITY CONTROL MESSAGE: In reference to the <u>33</u> Substitution of Attorney filed by R. Walsh, Esq on 2/4/08 counsel is advised that this document must be re-submitted properly as the Superseding attorney (Mr. Duffield) was never added to the docket and the docket text is incomplete. (ij,) (Entered: 02/05/2008)
02/05/2008		Pro Hac Vice fee for DAVID FERLEGER, ESQ.: \$ 150.00, receipt number 300-362971. (ms) (Entered: 02/05/2008)
02/05/2008	<u>34</u>	NOTICE of Appearance by ROBERT P. DUFFIELD, II on behalf of FREDRENA THOMPSON, NEW JERSEY PROTECTION & ADVOCACY, INC., ALLISON HARMON (DUFFIELD, II, ROBERT) (Entered: 02/05/2008)
02/21/2008	<u>35</u>	LETTER ORDER re-scheduling certain conference to March 5, 2008 at 9:30 a.m. Signed by Magistrate Judge Tonianne J. Bongiovanni on 2/20/08. (ij,) (Entered: 02/21/2008)
02/25/2008	<u>36</u>	Substitution of Attorney – Attorney GAIL R. BERAN for JENNIFER VELEZ and STATE OF NEW JERSEY added. Attorney AMY E. DUFF terminated. (ij,) (Entered: 02/25/2008)
03/05/2008		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 3/5/2008. (mm) (Entered: 03/05/2008)
03/06/2008		Remark: Fact discovery to be completed by April 1, 2008, and parties are to provide a status update. The Court shall set settlement upon completion of fact discovery. (mm) (Entered: 03/06/2008)
03/10/2008	<u>37</u>	ORDER resetting Fact Discovery Deadline to 4/15/2008.. Signed by Magistrate Judge Tonianne J. Bongiovanni on 3/7/2008. (tp) (Entered: 03/10/2008)
05/01/2008		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Settlement Conference held on 5/1/2008. Status Telephone Conference set for 8/12/2008 10:30 AM before Magistrate Judge Tonianne J. Bongiovanni. (mm) (Entered: 05/01/2008)
05/05/2008	<u>38</u>	LETTER ORDER setting certain discovery deadlines. Signed by Magistrate Judge Tonianne J. Bongiovanni on 5/2/08. (ij,) (Entered: 05/06/2008)
06/16/2008	<u>39</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Judge Anne E. Thompson for all further proceedings. Signed by Chief Judge Garrett E. Brown, Jr. on 6/11/08. (ij,) (Entered: 06/16/2008)

08/12/2008		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 8/12/2008. (mm) (Entered: 08/12/2008)
09/22/2008	<u>40</u>	Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 9/22/2008. (DIGITALLY RECORDED B08#9.) (mm) (mm,). (Entered: 09/23/2008)
10/10/2008	<u>41</u>	LETTER ORDER setting telephone conference for January 23, 2009 at 10:00 a.m. Signed by Magistrate Judge Tonianne J. Bongiovanni on 10/9/08. (ij,) (Entered: 10/10/2008)
10/16/2008	<u>42</u>	Substitution of Attorney – Attorney DAVID L. DACOSTA and DAVID L. DACOSTA for JENNIFER VELEZ, CLARKE BRUNO and STATE OF NEW JERSEY added. Attorney JENNIFER J. DUGAN terminated.. (DACOSTA, DAVID) (Entered: 10/16/2008)
10/24/2008	<u>43</u>	STIPULATION re <u>17</u> Amended Complaint, <u>1</u> Complaint <i>changing the caption to reflect Plaintiff's new name</i> by JENNIFER VELEZ, STATE OF NEW JERSEY. (MITCHELL, BETH) (Entered: 10/24/2008)
10/29/2008	<u>44</u>	STIPULATION & ORDER that "Disability Rights New Jersey, Inc." be substituted for "New Jersey Protection & Advocacy, Inc." as plaintiff. Signed by Magistrate Judge Tonianne J. Bongiovanni on 10/29/08. (ij,) (Entered: 10/30/2008)
01/23/2009		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 1/23/2009. (mm) (Entered: 01/23/2009)
03/20/2009		TEXT ORDER – Status Conference via telephone set for April 16, 2009 at 1:00 PM before Magistrate Judge Tonianne J. Bongiovanni. It shall be plaintiffs counsels responsibility to contact all counsel to set up the conference as well as to initiate the call. Kindly mark your calendar accordingly. Ordered by Magistrate Judge Tonianne J. Bongiovanni.(mm) (Entered: 03/20/2009)
04/16/2009		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 4/16/2009. (mm) (Entered: 04/17/2009)
05/08/2009	<u>45</u>	ORDER SCHEDULING ORDER: Telephone Conference set for 9/10/2009 10:00 AM before Magistrate Judge Tonianne J. Bongiovanni., Motions due by 12/11/2009.. Signed by Magistrate Judge Tonianne J. Bongiovanni on 5/8/09. (lk) (Entered: 05/08/2009)
09/04/2009	<u>46</u>	NOTICE of Appearance by GERARD ANDREW HUGHES on behalf of JENNIFER VELEZ, CLARKE BRUNO, STATE OF NEW JERSEY (HUGHES, GERARD) (Entered: 09/04/2009)
09/08/2009	<u>47</u>	LETTER ORDER rescheduling the Telephone Conference originally set for 9/10/2009 to 9/21/2009 at 3:00 PM before Magistrate Judge Tonianne J. Bongiovanni. Pltf shall initiate the call. Signed by Magistrate Judge Tonianne J. Bongiovanni on 9/8/2009. (gxh) (Entered: 09/08/2009)
09/21/2009		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 9/21/2009. Status report regarding discovery is due to this Court no later than November 17, 2009. (mm) (Entered: 09/21/2009)
10/29/2009	<u>48</u>	LETTER ORDER extending the deadline for Deft to serve her expert report to 11/13/2009, the deadline for the status update to the court to 12/1/2009, the deadline for expert depositions to 12/4/2009 and the deadline for dispositive motions to 1/11/2010. Signed by Magistrate Judge Tonianne J. Bongiovanni on 10/29/2009. (gxh) (Entered: 10/29/2009)
11/24/2009	<u>49</u>	LETTER ORDER extending the deadline for completion of expert depositions to 12/18/2009 and the deadline for dispositive motions to 1/25/2010. Signed by Magistrate Judge Tonianne J. Bongiovanni on 11/24/2009. (gxh) (Entered: 11/24/2009)

01/20/2010	<u>50</u>	LETTER ORDER granting the parties' request for an extension of time to file dispositive motions until 2/25/2010. Signed by Magistrate Judge Tonianne J. Bongiovanni on 1/20/2010. (gxh) (Entered: 01/20/2010)
02/17/2010	<u>51</u>	LETTER ORDER extending the deadline for the filing of dispositive motions to 3/11/2010. Signed by Magistrate Judge Tonianne J. Bongiovanni on 2/16/2010. (gxh) (Entered: 02/17/2010)
03/05/2010	<u>52</u>	LETTER ORDER granting counsel's request for a two-week extension of time to 3/25/2010 to file summary judgment motions; granting counsel's request for leave to file overlength summary judgment briefs. Signed by Magistrate Judge Tonianne J. Bongiovanni on 3/5/2010. (gxh) (Entered: 03/08/2010)
03/10/2010	<u>53</u>	LETTER ORDER granting counsel's request for a two-week extension of time to 3/25/2010 to file summary judgment motions; granting counsel's request for leave to file overlength summary judgment briefs. Signed by Magistrate Judge Tonianne J. Bongiovanni on 3/10/2010. (gxh) (Entered: 03/10/2010)
03/25/2010	<u>54</u>	MOTION for Summary Judgment by DISABILITY RIGHTS NEW JERSEY, INC., ALLISON HARMON, FREDRENA THOMPSON. Responses due by 4/5/2010 (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Brief, # <u>3</u> Certification of Counsel, # <u>4</u> Exhibit A, # <u>5</u> Exhibit B Part 1 of 3, # <u>6</u> Exhibit B Part 2 of 3, # <u>7</u> Exhibit B Part 3 of 3, # <u>8</u> Exhibit C, D and E, # <u>9</u> Exhibit F, G and H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, K and L, # <u>12</u> Exhibit M Part 1 of 4, # <u>13</u> Exhibit M Part 2 of 4, # <u>14</u> Exhibit M Part 3 of 4, # <u>15</u> Exhibit M Part 4 of 4, # <u>16</u> Exhibit N, O, P and Q, # <u>17</u> Exhibit R, S and T, # <u>18</u> Exhibit U Part 1 of 4, # <u>19</u> Exhibit U Part 2 of 4, # <u>20</u> Exhibit U Part 3 of 4, # <u>21</u> Exhibit U Part 4 of 4, # <u>22</u> Exhibit V, W and X, # <u>23</u> Exhibit Y, # <u>24</u> Exhibit Z, # <u>25</u> Exhibit AA, BB, CC, DD and EE, # <u>26</u> Statement of Undisputed Material Facts, # <u>27</u> Certificate of Service)(KEARNEY, JOHN) (Entered: 03/25/2010)
03/25/2010	<u>55</u>	MOTION to Preclude Testimony of Defendants' Expert Robert Gettings <i>Pursuant to Federal Rule of Evidence 702</i> by DISABILITY RIGHTS NEW JERSEY, INC., ALLISON HARMON, FREDRENA THOMPSON. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Brief, # <u>3</u> Certification of Counsel, # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Certificate of Service)(KEARNEY, JOHN) (Entered: 03/25/2010)
03/25/2010		Set Deadlines as to <u>55</u> MOTION to Preclude Testimony of Defendants' Expert Robert Gettings <i>Pursuant to Federal Rule of Evidence 702</i> , <u>54</u> MOTION for Summary Judgment. Motion set for 4/19/2010 before Judge Anne E. Thompson. The motion will be decided on the papers. No appearances required unless notified by the court. (gxh) (Entered: 03/25/2010)
03/25/2010	<u>56</u>	MOTION for Summary Judgment by STATE OF NEW JERSEY, JENNIFER VELEZ. Responses due by 4/16/2010 (Attachments: # <u>1</u> Brief, # <u>2</u> Statement of Material Facts, # <u>3</u> Certification of Kenneth Ritchey, # <u>4</u> Certification of Patricia Merk, # <u>5</u> Certification of Jonathan Seifried, # <u>6</u> Certification of Gerard Hughes, # <u>7</u> Exhibit A (Part 1), # <u>8</u> Exhibit A (Part 2) through C, # <u>9</u> Exhibit D through M, # <u>10</u> Certificate of Service, # <u>11</u> Text of Proposed Order)(HUGHES, GERARD) (Entered: 03/25/2010)
03/26/2010		Set Deadlines as to <u>56</u> MOTION for Summary Judgment. Motion set for 5/3/2010 before Judge Anne E. Thompson. The motion will be decided on the papers. No appearances required unless notified by the court. (gxh) (Entered: 03/26/2010)
04/05/2010	<u>57</u>	ORDER certifying to the Attorney General of the United States a challenge to the constitutionality of an Act of Congress; that in the event the United States seeks to file a petition for intervention, it shall do so by 5/5/2010; directing Clerk to send a copy of this Order to the United States Attorney for this District, the Office of the Attorney General, and the United States Department of Justice. Signed by Judge Anne E. Thompson on 4/5/2010. (gxh) (Entered: 04/05/2010)
04/05/2010	<u>58</u>	LETTER ORDER that the deadline for opposition briefs for the Motions for Summary Judgment and Motion to Preclude Defts' experts is 5/24/2010; reply briefs due 6/23/2010. Signed by Judge Anne E. Thompson on 4/5/2010. (gxh) (Entered: 04/05/2010)

05/05/2010	<u>59</u>	NOTICE by UNITED STATES OF AMERICA <i>to Intervene Pursuant to 28 U.S.C. 2403(a)</i> (Attachments: # <u>1</u> Certificate of Service)(RUYMANN, JOHN) (Entered: 05/05/2010)
05/05/2010	<u>60</u>	NOTICE of Appearance by JOHN ANDREW RUYMANN on behalf of UNITED STATES OF AMERICA (Attachments: # <u>1</u> Certificate of Service)(RUYMANN, JOHN) (Entered: 05/05/2010)
05/24/2010	<u>61</u>	MOTION for Leave to Appear Amicus Curiae by UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Memorandum in Support of Motion, # <u>2</u> Text of Proposed Order, # <u>3</u> Brief)(FARANO, RICHARD) (Entered: 05/24/2010)
05/24/2010		Set Deadlines as to <u>61</u> MOTION for Leave to Appear Amicus Curiae. Motion set for 6/21/2010 before Judge Anne E. Thompson. The motion will be decided on the papers. No appearances required unless notified by the court. (gxh) (Entered: 05/24/2010)
05/24/2010	<u>62</u>	MEMORANDUM in Opposition re <u>56</u> MOTION for Summary Judgment of <i>Defendants</i> filed by DISABILITY RIGHTS NEW JERSEY, INC., ALLISON HARMON, FREDRENA THOMPSON. (Attachments: # <u>1</u> Statement of Undisputed Material Facts (Response), # <u>2</u> Certificate of Service, # <u>3</u> Certification of Counsel, # <u>4</u> Exhibit FF, Part 1, # <u>5</u> Exhibit FF, Part 2, # <u>6</u> Exhibit FF, Part 3, # <u>7</u> Exhibit GG, # <u>8</u> Exhibit HH, # <u>9</u> Exhibit II, # <u>10</u> Exhibit JJ, # <u>11</u> Exhibit KK, # <u>12</u> Exhibit LL)(DUFFIELD, ROBERT) (Entered: 05/24/2010)
05/24/2010	<u>63</u>	BRIEF of the United States as Intervenor in Support of the Constitutionality of Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act filed by UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Certificate of Service)(RUYMANN, JOHN) (Entered: 05/24/2010)
05/24/2010	<u>64</u>	BRIEF in Opposition re <u>54</u> MOTION for Summary Judgment filed by STATE OF NEW JERSEY, JENNIFER VELEZ. (Attachments: # <u>1</u> Statement Counter Statement of Fact, # <u>2</u> Certification of Gerard Hughes, # <u>3</u> Exhibit A through E, # <u>4</u> Exhibit F through K, # <u>5</u> Certification of Kenneth Ritchey, # <u>6</u> Certificate of Service)(HUGHES, GERARD) (Entered: 05/24/2010)
05/24/2010	<u>65</u>	BRIEF in Opposition re <u>55</u> MOTION to Preclude Testimony of Defendants' Expert Robert Gettings <i>Pursuant to Federal Rule of Evidence 702</i> filed by STATE OF NEW JERSEY, JENNIFER VELEZ. (Attachments: # <u>1</u> Certification of Gerard Hughes, # <u>2</u> Exhibit A and B, # <u>3</u> Certificate of Service)(HUGHES, GERARD) (Entered: 05/24/2010)
06/21/2010	<u>66</u>	ORDER granting <u>61</u> Motion to Appear Amicus Curiae; directing the Clerk to file the brief of the United States as <i>amicus curiae</i> . Signed by Judge Anne E. Thompson on 6/18/2010. (gxh) (Entered: 06/21/2010)
06/21/2010	<u>67</u>	BRIEF in Support re <u>54</u> MOTION for Summary Judgment filed by UNITED STATES OF AMERICA as <i>amicus curiae</i> . [Filed per <u>66</u> ORDER] (gxh) (Entered: 06/21/2010)
06/23/2010	<u>68</u>	REPLY BRIEF to Opposition to Motion re <u>55</u> MOTION to Preclude Testimony of Defendants' Expert Robert Gettings <i>Pursuant to Federal Rule of Evidence 702</i> filed by DISABILITY RIGHTS NEW JERSEY, INC., ALLISON HARMON, FREDRENA THOMPSON. (DUFFIELD, ROBERT) (Entered: 06/23/2010)
06/23/2010	<u>69</u>	REPLY BRIEF to Opposition to Motion re <u>54</u> MOTION for Summary Judgment filed by DISABILITY RIGHTS NEW JERSEY, INC., ALLISON HARMON, FREDRENA THOMPSON. (Attachments: # <u>1</u> Certification of Counsel, # <u>2</u> Certificate of Service)(DUFFIELD, ROBERT) (Entered: 06/23/2010)
06/23/2010	<u>70</u>	REPLY BRIEF to Opposition to Motion re <u>56</u> MOTION for Summary Judgment <i>and to United States' amicus curiae and intervening briefs</i> filed by STATE OF NEW JERSEY, JENNIFER VELEZ. (Attachments: # <u>1</u> Certification of Counsel, # <u>2</u> Exhibit A, # <u>3</u> Certificate of Service)(HUGHES, GERARD) (Entered: 06/23/2010)
06/28/2010	<u>71</u>	Letter from W. Emmett Dwyer. (Attachments: # <u>1</u> attachment, # <u>2</u> attachment)(DWYER, WILLIAM) (Entered: 06/28/2010)

07/26/2010	<u>72</u>	Substitution of Attorney – Attorney JOHN B. KEARNEY terminated. Attorney ANGELO A. STIO, III for DISABILITY RIGHTS NEW JERSEY, INC., ANGELO A. STIO, III for ALLISON HARMON, ANGELO A. STIO, III for FREDRENA THOMPSON added.. (STIO, ANGELO) (Entered: 07/26/2010)
08/03/2010		Set Deadlines as to <u>56</u> MOTION for Summary Judgment, <u>54</u> MOTION for Summary Judgment. Motion hearing set for 9/22/2010 10:00 AM in Trenton – Courtroom 4W before Judge Anne E. Thompson. (jb,) (Entered: 08/03/2010)
08/04/2010	<u>73</u>	NOTICE of Appearance by TRAVIS PAUL NELSON on behalf of All Plaintiffs (NELSON, TRAVIS) (Entered: 08/04/2010)
08/10/2010	<u>74</u>	OPINION & ORDER denying without prejudice <u>55</u> Pltfs' Motion to Exclude the Testimony of Deft's Expert Robert Gettings. Signed by Judge Anne E. Thompson on 8/8/2010. (gxh) (Entered: 08/10/2010)
08/31/2010	<u>75</u>	Letter from Gerard Hughes. (Attachments: # <u>1</u> Certification of Kenneth Ritchey w Exhibits A – E)(HUGHES, GERARD) (Entered: 08/31/2010)
09/01/2010		CLERK'S QUALITY CONTROL MESSAGE – The Amended Certification in Support of Motion <u>75</u> filed by Gerard Hughes, Esq. on 8/31/2010 was submitted incorrectly as a Letter. PLEASE RESUBMIT THE Amended Certification in Support of Motion USING the event Certification in Support of Motion found under MOTIONS AND RELATED FILINGS -> RESPONSES AND RESPONSES. This submission will remain on the docket unless otherwise ordered by the court. (gxh) (Entered: 09/01/2010)
09/01/2010	<u>76</u>	CERTIFICATION in Support re <u>56</u> MOTION for Summary Judgment filed by STATE OF NEW JERSEY, JENNIFER VELEZ. (Attachments: # <u>1</u> Certification of Kenneth Ritchey w Exhibits A through E)(HUGHES, GERARD) (Entered: 09/01/2010)
09/09/2010		Set Deadlines as to <u>56</u> MOTION for Summary Judgment, <u>54</u> MOTION for Summary Judgment. Motion set for 9/22/2010 10:00 AM in Trenton – Courtroom 4W before Judge Anne E. Thompson. (jb,) (Entered: 09/09/2010)
09/09/2010	<u>77</u>	NOTICE by UNITED STATES OF AMERICA <i>advising of the appearance of Samuel R. Bagenstos, Principal Deputy Assistant Attorney General</i> (Attachments: # <u>1</u> Certificate of Service)(RUYMANN, JOHN) (Entered: 09/09/2010)
09/22/2010	<u>78</u>	NOTICE of Appearance by JEFFREY A. CARR on behalf of All Plaintiffs (CARR, JEFFREY) (Entered: 09/22/2010)
09/22/2010	<u>79</u>	Minute Entry for proceedings held before Judge Anne E. Thompson: Motion Hearing held on 9/22/2010 re <u>54</u> MOTION for Summary Judgment filed by ALLISON HARMON, DISABILITY RIGHTS NEW JERSEY, INC., FREDRENA THOMPSON, <u>56</u> MOTION for Summary Judgment filed by STATE OF NEW JERSEY, JENNIFER VELEZ. DECISION RESERVED. (Court Reporter/Recorder M. Kalbach.) (jb,) (Entered: 09/22/2010)
09/23/2010	<u>80</u>	NOTICE of Appearance by JAMES BRADFORD MC ILVAIN on behalf of JENNIFER VELEZ (MC ILVAIN, JAMES) (Entered: 09/23/2010)
09/23/2010	<u>81</u>	NOTICE of Appearance by NATALIE D'AMORA on behalf of JENNIFER VELEZ (D'AMORA, NATALIE) (Entered: 09/23/2010)
09/24/2010	<u>82</u>	OPINION & ORDER denying <u>54</u> Pltfs' Motion for Summary Judgment; granting in part and denying in part <u>56</u> Defts' Motion for Summary Judgment; that Pltfs' Medicaid Act claim (Count III of the Amended Complaint) is DISMISSED. Signed by Judge Anne E. Thompson on 9/24/2010. (gxh) (Entered: 09/27/2010)
09/30/2010	<u>83</u>	NOTICE of Appearance by MARY STEPHANIE BEATY on behalf of All Defendants (BEATY, MARY) (Entered: 09/30/2010)
10/06/2010	<u>84</u>	MOTION for Reconsideration of the Court's September 24, 2010 Opinion & Order by DISABILITY RIGHTS NEW JERSEY, INC., ALLISON HARMON, FREDRENA THOMPSON. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order)(NELSON, TRAVIS) (Entered: 10/06/2010)

10/07/2010		Set Deadlines as to <u>84</u> MOTION for Reconsideration of the Court's September 24, 2010 Opinion & Order. Motion set for 11/1/2010 before Judge Anne E. Thompson. The motion will be decided on the papers. No appearances required unless notified by the court. (gxh) (Entered: 10/07/2010)
10/15/2010	<u>85</u>	Notice to be terminated and withdraw from Notices of Electronic filing as to case. Attorney TRAVIS PAUL NELSON terminated. (NELSON, TRAVIS) (Entered: 10/15/2010)
10/18/2010	<u>86</u>	BRIEF in Opposition re <u>84</u> MOTION for Reconsideration of the Court's September 24, 2010 Opinion & Order filed by STATE OF NEW JERSEY, JENNIFER VELEZ. (Attachments: # <u>1</u> Certificate of Service)(HUGHES, GERARD) (Entered: 10/18/2010)
10/25/2010	<u>87</u>	Letter from Jeffrey A. Carr. (Attachments: # <u>1</u> Brief)(CARR, JEFFREY) (Entered: 10/25/2010)
10/29/2010	<u>88</u>	LETTER ORDER granting counsel's request to file a short 4-page reply brief in support of Pltfs' Motion for Reconsideration. Signed by Judge Anne E. Thompson on 10/29/2010. (gxh) (Entered: 10/29/2010)
11/02/2010	<u>89</u>	REPLY BRIEF to Opposition to Motion re <u>84</u> MOTION for Reconsideration of the Court's September 24, 2010 Opinion & Order filed by DISABILITY RIGHTS NEW JERSEY, INC., ALLISON HARMON, FREDRENA THOMPSON. (Attachments: # <u>1</u> Certificate of Service)(CARR, JEFFREY) (Entered: 11/02/2010)
12/02/2010	<u>90</u>	OPINION & ORDER granting <u>84</u> Pltfs' Motion for Reconsideration; that Pltfs' Medicaid Act claim (Count III of the Amended Complaint) is hereby reinstated. Signed by Judge Anne E. Thompson on 11/30/2010. (gxh) (Entered: 12/03/2010)
12/20/2010	<u>91</u>	LETTER ORDER that the Conference is rescheduled to 1/5/2011 at 10:30 AM. Plaintiff shall initiate the call. Signed by Magistrate Judge Tonianne J. Bongiovanni on 12/20/2010. (gxh) (Entered: 12/21/2010)
12/29/2010	<u>92</u>	Notice to be terminated and withdraw from Notices of Electronic filing as to case. Attorney GAIL R. BERAN terminated. (BERAN, GAIL) (Entered: 12/29/2010)
01/05/2011		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 1/5/2011. (mm) (Entered: 01/06/2011)
01/06/2011	<u>93</u>	AMENDED CASE MANAGEMENT ORDER, Plaintiff's proposed Second Amended Complaint due by 1/19/2011. Signed by Magistrate Judge Tonianne J. Bongiovanni on 1/5/2011. (eaj) (Entered: 01/06/2011)
02/03/2011	<u>94</u>	NOTICE of Appearance by WILLIAM GIBSON on behalf of DISABILITY RIGHTS NEW JERSEY, INC., ALLISON HARMON, FREDRENA THOMPSON (GIBSON, WILLIAM) (Entered: 02/03/2011)
02/03/2011	<u>95</u>	MOTION for Leave to File <i>Second Amended Complaint</i> by DISABILITY RIGHTS NEW JERSEY, INC., ALLISON HARMON, FREDRENA THOMPSON. (Attachments: # <u>1</u> Brief, # <u>2</u> Declaration of Angelo A. Stio, Esq., # <u>3</u> Declaration of William Emmett Dwyer, Esq., # <u>4</u> Exhibit A to Dwyer Declaration, # <u>5</u> Text of Proposed Order, # <u>6</u> Certificate of Service)(GIBSON, WILLIAM) (Entered: 02/03/2011)
02/04/2011		Set Deadlines as to <u>95</u> MOTION for Leave to File <i>Second Amended Complaint</i> . Motion set for 3/7/2011 before Magistrate Judge Tonianne J. Bongiovanni. The motion will be decided on the papers. No appearances required unless notified by the court. (gxh) (Entered: 02/04/2011)
02/22/2011	<u>96</u>	RESPONSE in Opposition re <u>95</u> MOTION for Leave to File <i>Second Amended Complaint</i> filed by JENNIFER VELEZ. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Declaration)(MC ILVAIN, JAMES) (Entered: 02/22/2011)
02/24/2011	<u>97</u>	Letter from Angelo A. Stio III. (STIO, ANGELO) (Entered: 02/24/2011)
02/28/2011	<u>98</u>	REPLY BRIEF to Opposition to Motion re <u>95</u> MOTION for Leave to File <i>Second Amended Complaint</i> filed by DISABILITY RIGHTS NEW JERSEY, INC.,

		ALLISON HARMON, FREDRENA THOMPSON. (GIBSON, WILLIAM) (Entered: 02/28/2011)
03/01/2011	<u>99</u>	LETTER ORDER granting counsel's request for a one-week extension of time, to 3/7/2011, to file a reply brief in support of Pltfs' Motion for Leave to File a Second Amended Complaint. Signed by Magistrate Judge Tonianne J. Bongiovanni on 2/28/2011. (gxb) (Entered: 03/01/2011)
03/07/2011	<u>100</u>	Letter from Angelo A. Stio III. (STIO, ANGELO) (Entered: 03/07/2011)
03/31/2011	<u>101</u>	LETTER ORDER that oral argument on Pltf Disabilities Rights New Jersey, Inc.'s Motion for Leave to File a Second Amended Complaint will take place on 4/7/2011 at 10:15 AM. Signed by Magistrate Judge Tonianne J. Bongiovanni on 3/31/2011. (gxb) (Entered: 04/01/2011)
04/06/2011	<u>102</u>	Letter from counsel for the United States stating that United States does not intend to appear at oral argument set for April 7, 2011. (Attachments: # <u>1</u> Certificate of Service)(RUYMANN, JOHN) (Entered: 04/06/2011)
04/06/2011	<u>103</u>	NOTICE of Appearance by BRIAN ANTHONY BERKLEY on behalf of DISABILITY RIGHTS NEW JERSEY, INC., ALLISON HARMON, FREDRENA THOMPSON (BERKLEY, BRIAN) (Entered: 04/06/2011)
04/07/2011	<u>104</u>	LETTER ORDER granting in part and denying in part <u>95</u> Pltfs' Motion for Leave to File a Second Amended Complaint; that Pltfs may file an amended complaint in order to add only Reginald Brown and Jonathan Stevens as Pltfs; that Pltfs must file their amended complaint by 4/21/2011. Signed by Magistrate Judge Tonianne J. Bongiovanni on 4/7/2011. (gxb) (Entered: 04/07/2011)
04/11/2011	<u>105</u>	Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Motion Hearing held on 4/7/2011 re <u>95</u> MOTION for Leave to File Second Amended Complaint. Ordered motion granted in part and denied in part. (DIGITALLY RECORDED)(mm) (Entered: 04/11/2011)
04/21/2011	<u>106</u>	AMENDED COMPLAINT (<i>Second Amended Complaint</i>) against STATE OF NEW JERSEY, JENNIFER VELEZ, filed by FREDRENA THOMPSON, DISABILITY RIGHTS NEW JERSEY, INC., ALLISON HARMON, REGINALD BROWN, JONATHAN STEVENS.(GIBSON, WILLIAM) (Entered: 04/21/2011)
05/11/2011	<u>107</u>	Application and Proposed Order for Clerk's Order to extend time to answer. (BEATY, MARY) (Entered: 05/11/2011)
05/26/2011	<u>108</u>	ANSWER to Amended Complaint by STATE OF NEW JERSEY, JENNIFER VELEZ. (Attachments: # <u>1</u> Certificate of Service)(HUGHES, GERARD) (Entered: 05/26/2011)
06/01/2011	<u>109</u>	LETTER ORDER granting Defts' request for an additional 30 days to complete the retention process and to transfer the files. Signed by Magistrate Judge Tonianne J. Bongiovanni on 5/31/2011. (gxb) (Entered: 06/01/2011)
06/14/2011	<u>110</u>	Transcript of MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT held on 4/7/2011, before Judge TONIANNE J. BONGIOVANNI. Court Reporter/Transcriber AudioEdge Transcription, LLC, Telephone number (973) 618-2310. NOTICE REGARDING REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this Transcript. Redaction Request due 7/5/2011. Redacted Transcript Deadline set for 7/15/2011. Release of Transcript Restriction set for 9/12/2011. (mmh) (Entered: 06/14/2011)
06/17/2011	<u>111</u>	Substitution of Attorney – Attorney NATALIE D'AMORA and JAMES BRADFORD MC ILVAIN terminated. Attorney LANCE J. KALIK for STATE OF NEW JERSEY, LANCE J. KALIK for JENNIFER VELEZ added.. (KALIK, LANCE) (Entered: 06/17/2011)
06/20/2011	<u>112</u>	CORRECTED Transcript of MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT held on 4/7/2011, before Judge TONIANNE J. BONGIOVANNI. Court Reporter/Transcriber AudioEdge Transcription, LLC, Telephone number (973) 618-2310. NOTICE REGARDING REDACTION OF

		TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this Transcript. Redaction Request due 7/11/2011. Redacted Transcript Deadline set for 7/21/2011. Release of Transcript Restriction set for 9/19/2011. (mmh,) (Entered: 06/20/2011)
07/21/2011	<u>113</u>	LETTER ORDER setting a schedule for this case going forward; Fact Discovery due by 11/18/2011; setting a Final Pretrial Conference for 12/22/2011 at 11:00 AM in Trenton – Courtroom 6E before Magistrate Judge Tonianne J. Bongiovanni; setting a Conference Call, which Pltf shall initiate, for 10/12/2011 at 10:30 AM before Magistrate Judge Tonianne J. Bongiovanni. Signed by Magistrate Judge Tonianne J. Bongiovanni on 7/21/2011. (gxh) (Entered: 07/21/2011)
08/12/2011	<u>114</u>	Letter from William Gidson to Judge Bongiovanni concerning service of updated Rule 26 Disclosures. (BERKLEY, BRIAN) (Entered: 08/12/2011)
08/12/2011	<u>115</u>	Letter from Brenda C. Liss to Court dated 8.12.11. (LISS, BRENDA) (Entered: 08/12/2011)
09/02/2011	<u>116</u>	Letter from William Gibson. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(GIBSON, WILLIAM) (Entered: 09/02/2011)
09/06/2011	<u>117</u>	Letter from Lance Kalik to Hon. Bongiovanni dated Sept. 6, 2011 re <u>116</u> Letter. (KALIK, LANCE) (Entered: 09/06/2011)
09/06/2011	<u>118</u>	LETTER ORDER that, in light of Defts' apparent confusion, its discovery responses which are overdue, are to be produced by 9/12/2011. Signed by Magistrate Judge Tonianne J. Bongiovanni on 9/6/2011. (gxh) (Entered: 09/06/2011)
10/12/2011		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 10/12/2011. (mm) (Entered: 10/12/2011)
10/13/2011	<u>119</u>	NOTICE of Appearance by BRENDA C. LISS on behalf of STATE OF NEW JERSEY, JENNIFER VELEZ (LISS, BRENDA) (Entered: 10/13/2011)
10/17/2011	<u>120</u>	Letter from Robert P. Duffield, II. (DUFFIELD, ROBERT) (Entered: 10/17/2011)
10/26/2011	<u>121</u>	Letter from William Gibson. (GIBSON, WILLIAM) (Entered: 10/26/2011)
10/27/2011	<u>122</u>	LETTER ORDER that Defts' expert reports shall be due on 12/20/2011; that the Final Pretrial Conference set for 12/22/2011 at 11:00 AM is converted to a Telephone Conference which shall be initiated by Pltf. Signed by Magistrate Judge Tonianne J. Bongiovanni on 10/27/2011. (gxh) (Entered: 10/27/2011)
10/27/2011	<u>123</u>	Letter from Brenda Liss to Hon. Bongiovanni re: deliberative process privilege re <u>120</u> Letter. (Attachments: # <u>1</u> Exhibit A)(KALIK, LANCE) (Entered: 10/27/2011)
10/27/2011	<u>124</u>	AFFIDAVIT of Dawn Agar re <u>123</u> Letter <i>as to deliberative process privilege</i> by STATE OF NEW JERSEY, JENNIFER VELEZ. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(KALIK, LANCE) (Entered: 10/27/2011)
10/31/2011	<u>125</u>	Notice to be terminated and withdraw from Notices of Electronic filing as to case. Attorney DAVID L. DACOSTA terminated. (DACOSTA, DAVID) (Entered: 10/31/2011)
10/31/2011	<u>126</u>	Letter from William Gibson. (Attachments: # <u>1</u> Exhibit A)(GIBSON, WILLIAM) (Entered: 10/31/2011)
11/01/2011	<u>127</u>	Letter from Brenda Liss to Hon. Bongiovanni re: Plaintiffs' 10/31 ltr on deliberative process privilege. (KALIK, LANCE) (Entered: 11/01/2011)
11/04/2011	<u>128</u>	Letter from William Gibson. (GIBSON, WILLIAM) (Entered: 11/04/2011)
11/04/2011	<u>129</u>	Letter from Brenda Liss to Hon. Bongiovanni dated November 4, 2011. (LISS, BRENDA) (Entered: 11/04/2011)
11/07/2011	<u>130</u>	Letter from William Gibson re <u>129</u> Letter. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(GIBSON, WILLIAM) (Entered: 11/07/2011)

11/08/2011	<u>131</u>	Letter from Brenda Liss to Hon. Bongiovanni re: Plaintiffs' 11/7 letter re <u>130</u> Letter, <u>112</u> Transcript,,. (KALIK, LANCE) (Entered: 11/08/2011)
11/09/2011	<u>132</u>	LETTER ORDER granting Pltfs' request that the deadline to serve their expert report be extended to 11/7/2011. Signed by Magistrate Judge Tonianne J. Bongiovanni on 11/7/2011. (gxx) (Entered: 11/09/2011)
11/09/2011	<u>133</u>	LETTER ORDER that, having reviewed the submission of the parties and for the reasons cited herein by Deft, the Court finds that the identified documents, which it has reviewed <u>in camera</u> as described by the Deputy Commissioner of DDD, Dawn Apgar (see Docket Entry No. <u>124</u>) in her affidavit dated 10/27/2011, have appropriately been withheld pursuant to the deliberative process privilege. Signed by Magistrate Judge Tonianne J. Bongiovanni on 11/7/2011. (gxx) (Entered: 11/09/2011)
11/09/2011	<u>134</u>	TEXT ORDER – Status Conference via telephone set for November 16, 2011 at 10:00 AM before Magistrate Judge Tonianne J. Bongiovanni. It shall be plaintiffs counsels responsibility to contact all counsel to set up the conference as well as to initiate the call. Kindly mark your calendar accordingly. Ordered by Magistrate Judge Tonianne J. Bongiovanni.(mm) (Entered: 11/09/2011)
11/16/2011	<u>135</u>	Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 11/16/2011. (DIGITALLY RECORDED) (mm) (Entered: 11/16/2011)
12/15/2011	<u>136</u>	Letter from William Gibson regarding joint proposed discovery schedule. (GIBSON, WILLIAM) (Entered: 12/15/2011)
12/19/2011	<u>137</u>	LETTER ORDER setting certain deadlines; that fact discovery is to be completed by 2/29/2012; setting a Telephone Conference, which Pltf shall initiate, for 3/1/2012 at 3:30 PM before Magistrate Judge Tonianne J. Bongiovanni. Signed by Magistrate Judge Tonianne J. Bongiovanni on 12/16/2011. (gxx) (Entered: 12/19/2011)
02/17/2012	<u>138</u>	Letter from Lance Kalik. (KALIK, LANCE) (Entered: 02/17/2012)
02/22/2012	<u>139</u>	LETTER ORDER that this matter is stayed; that an update is to be provided by 3/30/2012. Signed by Magistrate Judge Tonianne J. Bongiovanni on 2/21/2012. (gxx) (Entered: 02/22/2012)
03/30/2012	<u>140</u>	Letter from Lance J. Kalik. (KALIK, LANCE) (Entered: 03/30/2012)
04/02/2012	<u>141</u>	LETTER ORDER granting counsel's request for an additional 30–day stay of the deadlines. Signed by Magistrate Judge Tonianne J. Bongiovanni on 4/2/2012. (gxx) (Entered: 04/02/2012)
04/30/2012	<u>142</u>	Letter from Lance Kalik. (KALIK, LANCE) (Entered: 04/30/2012)
05/01/2012	<u>143</u>	LETTER ORDER granting counsel's request for an additional 30–day stay of the deadlines. Signed by Magistrate Judge Tonianne J. Bongiovanni on 5/1/2012. (gxx) (Entered: 05/01/2012)
06/01/2012	<u>144</u>	Letter from Brenda C. Liss to Court dated June 1, 2012. (LISS, BRENDA) (Entered: 06/01/2012)
06/11/2012	<u>145</u>	LETTER ORDER that the Court will conduct a Settlement Conference in these matters on 8/3/2012 at 02:00 PM in Trenton – Courtroom 7E before Magistrate Judge Lois H. Goodman. Signed by Magistrate Judge Lois H. Goodman on 6/11/2012. (eaj) (Entered: 06/11/2012)
08/10/2012	<u>146</u>	PRETRIAL SCHEDULING ORDER setting a Settlement Conference for 10/1/2012 at 2:00 PM in Trenton – Courtroom 7E before Magistrate Judge Lois H. Goodman; setting a Telephone Status Conference, which Ms. Liss shall initiate, for 9/24/2012 at 4:00 PM before Magistrate Judge Lois H. Goodman; that Pltfs are to submit their itemized bills to Deft by 8/17/2012; that Deft is to respond to Pltfs' submission by 9/17/2012. Signed by Magistrate Judge Lois H. Goodman on 8/10/2012. (gxx) (Entered: 08/10/2012)

08/30/2012	<u>147</u>	CONSENT ORDER as to confidentiality of Pltfs' attys' fees and costs. Signed by Magistrate Judge Lois H. Goodman on 8/30/2012. (gxx) (Entered: 08/30/2012)
09/26/2012	<u>148</u>	NOTICE by STATE OF NEW JERSEY, JENNIFER VELEZ <i>Notice of Withdrawal of Appearance of Stephanie Beaty, Esq.</i> (JENKINS, KIMBERLY) (Entered: 09/26/2012)
09/27/2012		CLERK'S QUALITY CONTROL MESSAGE – The Withdrawal of Appearance <u>148</u> filed by K. Jenkins, Esq. on 9/26/2012 was submitted incorrectly as a Notice (Other). PLEASE have Stephanie Beaty, Esq. RESUBMIT the Withdrawal of Appearance USING the event NOTICE TO WITHDRAW FROM NEF AS TO CASE found under Other Filings -> Notices. This submission will remain on the docket unless otherwise ordered by the court. (gxx) (Entered: 09/27/2012)
12/21/2012	<u>149</u>	ORDER dismissing case without prejudice as settled. Signed by Judge Anne E. Thompson on 12/21/2012. (gxx) (Entered: 12/21/2012)
12/21/2012		***Civil Case Terminated. (gxx) (Entered: 12/21/2012)
02/15/2013	<u>150</u>	Letter from Brenda C. Liss to Court dated 2.15.13 with attached order requesting extension of time to consummate the settlement. (LISS, BRENDA) (Entered: 02/15/2013)
02/15/2013	<u>151</u>	Letter from William Gibson re <u>150</u> Letter, <u>149</u> Order. (GIBSON, WILLIAM) (Entered: 02/15/2013)
02/19/2013	<u>152</u>	ORDER that the time in which this action may, upon good cause shown, be reopened if the settlement is not consummated shall be and hereby is extended for two weeks, to 3/5/2013. Signed by Judge Anne E. Thompson on 2/19/2013. (gxx) (Entered: 02/19/2013)
03/05/2013	<u>153</u>	Letter from William Gibson. (Attachments: # <u>1</u> Exhibit Settlement Agreement, # <u>2</u> Exhibit Stipulation of Dismissal with Prejudice)(GIBSON, WILLIAM) (Entered: 03/05/2013)
03/06/2013	<u>154</u>	STIPULATION AND ORDER of dismissal with prejudice. Signed by Judge Anne E. Thompson on 3/5/2013. (gxx) (Entered: 03/06/2013)