

CLOSED

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:01-cv-12145-RGS**

Hudson, et al v. Maloney
Assigned to: Judge Richard G. Stearns
Demand: \$0
Case in other court: First Circuit, 08-02100
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 12/05/2001
Date Terminated: 03/07/2008
Jury Demand: Defendant
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: Federal Question

Plaintiff

Mac S. Hudson

represented by **Benjamin A. Goldberger**
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TERMINATED: 08/31/2007
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Plaintiff

Derrick Tyler

represented by

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Plaintiff

Antwan Crawford
TERMINATED: 03/29/2004

represented by **Antwan Crawford**
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PRO SE

Plaintiff

Darrick Wilson
TERMINATED: 11/07/2002

represented by **Darrick Wilson**
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Plaintiff

Anthony Tucker
TERMINATED: 11/07/2002

represented by **Anthony Tucker**
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V.

Defendant

Michael Maloney

represented by **Mary C. Eiro-Bartevyan**
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Defendant**Kathleen Dennehy**

represented by **Richard C. McFarland**
 (See above for address)
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ATTORNEY TO BE NOTICED

Charles W. Anderson , Jr.
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant**Harold W. Clarke**

represented by **Richard C. McFarland**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant**Barry H. Spencer, Jr.**

Date Filed	#	Docket Text
12/05/2001	1	Motion by Mac S. Hudson to proceed without prepayment of fees (in forma pauperis) . filed. (scj) (Entered: 12/05/2001)
07/25/2002		Case reassigned from Judge Unassigned to Judge Richard G. Stearns . (scj) (Entered: 08/05/2002)
07/30/2002	3	Motion by Mac S. Hudson for class certification . filed. (scj) (Entered: 08/05/2002)
07/30/2002	4	Motion by Mac S. Hudson for appointment of counsel . filed. (scj) (Entered: 08/05/2002)

07/30/2002	5	Motion by Mac S. Hudson for service by US marshal . filed. (scj) (Entered: 08/05/2002)
07/30/2002	<u>6</u>	Judge Richard G. Stearns . Memorandum and Order entered. If plaintiffs Derrick Tyler, Antwan Crawford, Darrick Wilson and Anthony Tucker wish to proceed with this action, they shall each file, within 42 days of the date of this Memornadum and Order, individual Applications to Proceed Without Payment of the Filing Fee or the \$150.00 filing fee. Ordered denying [3-1] motion for class certification, denying [4-1] motion for appointment of counsel, granting [5-1] motion for service by US marshal. cc/ all pla with AO240 forms [EOD Date 8/5/02] (scj) Modified on 08/05/2002 (Entered: 08/05/2002)
07/30/2002	2	Judge Richard G. Stearns . Order entered granting [1-1] motion to proceed without prepayment of fees (in forma pauperis) . Clerk is to issue summons and the US marshal is to serve process at the directives of the plaintiff with all costs to be advanced by the US marshal. cc/plas [EOD Date 8/5/02] (scj) (Entered: 08/05/2002)
08/05/2002	<u>7</u>	Complaint filed in accordance with Order No. 2. Case assigned to Judge: Stearns. Fee Status: Prepayment Waived (scj) (Entered: 08/05/2002)
08/14/2002		Mail sent to Darrick Wilson returned by Post Office because: Not here. (scj) (Entered: 08/14/2002)
08/14/2002		Mail sent to Anthony Tucker returned by Post Office because: Not Here. (scj) (Entered: 08/14/2002)
10/15/2002	8	Return of service executed as to Michael Maloney with service on 8/22/02 filed. (eaf) (Entered: 10/15/2002)
10/15/2002	9	Motion by Michael Maloney for exemption from Local Rule 7.1(A)(2) requiring motion conference , filed. (eaf) (Entered: 10/15/2002)
10/15/2002	10	Motion by Michael Maloney to extend time to 11/29/02 to respond to complaint , filed. (eaf) (Entered: 10/15/2002)
10/16/2002		Judge Richard G. Stearns . Endorsed Order entered granting [10-1] motion to extend time to 11/29/02 to respond to complaint, granting [9-1] motion for exemption from Local Rule 7.1(A)(2) requiring motion conference . [EOD Date 10/16/02] cc: all counsel of record. (eaf) (Entered: 10/16/2002)
10/18/2002	<u>12</u>	Judge Richard G. Stearns . Memorandum and Order entered. [EOD Date 11/7/02] "...claims of Mr. Tucker and Mr. Wilson are dismissed without prejudice for want of prosecution pursuant to Rule 41(b) of the F.R.Civ.P." cc: all counsel of record. (eaf) (Entered: 11/07/2002)
10/22/2002	11	Motion by Mac S. Hudson for entry of default as to Michael Maloney , filed. (eaf) (Entered: 10/28/2002)
11/14/2002	13	Motion by Derrick Tyler for leave to file motion to proceed in forma pauperis late , filed. (eaf) (Entered: 11/14/2002)
11/27/2002	14	Motion by Michael Maloney to extend time to 12/27/02 to respond to complaint , filed. (eaf) (Entered: 11/27/2002)
11/27/2002		Judge Richard G. Stearns . Endorsed Order entered granting [14-1] motion to extend time to 12/27/02 to respond to complaint . [EOD Date 12/2/02] cc: all counsel of record. (eaf) (Entered: 12/02/2002)
12/02/2002		Terminated document: mooting [11-1] motion for entry of default as to Michael Maloney Requested by eaf. (the court having allowed deft's motion to extend time to file responsive pleading until 12/27/02) cc: all counsel of record. (eaf) (Entered: 12/02/2002)
12/24/2002	15	Motion by Michael Maloney to extend time to 1/27/03 to respond to complaint , filed. (eaf) (Entered: 12/24/2002)
12/27/2002		Judge Richard G. Stearns . Endorsed Order entered granting [15-1] motion to extend time to 1/27/03 to respond to complaint . [EOD Date 12/27/02] cc: all counsel of record. (eaf) (Entered: 12/27/2002)

01/08/2003	16	Motion by Mac S. Hudson to modify 12/27/02 order , filed. on enlargement of time (eaf) (Entered: 01/09/2003)
01/27/2003	<u>17</u>	Answer by Michael Maloney to complaint; jury demand, filed. (eaf) (Entered: 01/28/2003)
02/12/2003	18	Motion/memo by Mac S. Hudson for preliminary judgment , filed. (eaf) (Entered: 02/12/2003)
02/12/2003	19	Pltf's settlement proposal, filed. (eaf) (Entered: 02/12/2003)
03/03/2003	20	Motion by Michael Maloney to extend time to 4/25/03 to rpnd to p/i , filed. (eaf) (Entered: 03/04/2003)
03/03/2003		Judge Richard G. Stearns . Endorsed Order entered denying [16-1] motion to modify 12/27/02 order, denying [13-1] motion for leave to file motion to proceed in forma pauperis late . [EOD Date 3/4/03] cc: all counsel of record. (eaf) (Entered: 03/04/2003)
03/04/2003		Judge Richard G. Stearns . Endorsed Order entered granting [20-1] motion to extend time to 4/25/03 to rpnd to p/i . [EOD Date 3/4/03] cc: all counsel of record. (eaf) (Entered: 03/04/2003)
04/25/2003	21	Motion by Michael Maloney to extend time to 5/16/03 to respond to motion for preliminary injunction , filed. (eaf) (Entered: 04/28/2003)
04/28/2003		Judge Richard G. Stearns . Endorsed Order entered granting [21-1] motion to extend time to 5/16/03 to respond to motion for preliminary injunction . [EOD Date 4/29/03] cc: all counsel of record. (eaf) (Entered: 04/29/2003)
05/16/2003	<u>22</u>	MOTION for Extension of Time to 5/30/03 to respond to mtn for P/I by Michael Maloney.(Flaherty, Elaine) (Entered: 05/22/2003)
05/22/2003		Judge Richard G. Stearns : Electronic ORDER entered granting <u>22</u> Motion for Extension of Time cc: all counsel of record. (Flaherty, Elaine) (Entered: 05/27/2003)
06/02/2003	<u>23</u>	MOTION for Extension of Time to 6/20/03 to File Response/Reply as to 18 Motion for Preliminary Injunction by Michael Maloney.(Flaherty, Elaine) (Entered: 06/05/2003)
06/06/2003		Judge Richard G. Stearns : Electronic ORDER entered granting <u>23</u> Motion for Extension of Time to File Response/Reply re 18 Motion for Preliminary Injunction. cc: all counsel of record. Responses due by 6/20/2003 (Flaherty, Elaine) (Entered: 06/06/2003)
06/23/2003	<u>24</u>	RESPONSE to Motion re 18 Motion for Preliminary Injunction filed by Michael Maloney. (Flaherty, Elaine) (Entered: 06/25/2003)
06/23/2003	<u>25</u>	MEMORANDUM in Opposition re 18 Motion for Preliminary Injunction/TRO filed by Mac S. Hudson. (Flaherty, Elaine) (Entered: 06/25/2003)
07/07/2003	<u>26</u>	MOTION for Extension of Time to 7/25/03 to reply to response to mtn for P/I by Mac S. Hudson.Flaherty, Elaine) (Entered: 07/10/2003)
07/09/2003		Judge Richard G. Stearns : ORDER entered granting <u>26</u> Motion for Extension of Time cc: ALL COUNSEL OF RECORD. (Flaherty, Elaine) (Entered: 07/10/2003)
08/27/2003	<u>27</u>	NOTICE of Withdrawal of Appearance Attorney Mary C. Eiro-Bartevyan terminated. (Flaherty, Elaine) (Entered: 08/27/2003)
03/30/2004	<u>28</u>	Judge Richard G. Stearns : ORDER entered MEMORANDUM AND ORDER on Plaintiffs' Motion for a Preliminary Injunction, ENTERED. "DENIED."(Flaherty, Elaine) (Entered: 03/29/2004)
05/12/2004	<u>29</u>	MOTION for Summary Judgment by Michael Maloney.(Flaherty, Elaine) (Entered: 05/17/2004)
05/12/2004	<u>30</u>	MEMORANDUM in Support re <u>29</u> MOTION for Summary Judgment filed by Michael Maloney. (Flaherty, Elaine) (Entered: 05/17/2004)

05/12/2004	<u>31</u>	NOTICE of Appearance by Richard C. McFarland on behalf of Michael Maloney (Flaherty, Elaine) (Entered: 05/17/2004)
05/25/2004	<u>32</u>	MOTION to Stay defendant's summary judgment motion until the completion of discovery by Mac S. Hudson.(Flaherty, Elaine) (Entered: 05/26/2004)
05/28/2004	<u>33</u>	MOTION for Protective Order by Michael Maloney.(McFarland, Richard) (Entered: 05/28/2004)
05/28/2004	<u>34</u>	RESPONSE to Motion re <u>32</u> MOTION to Stay filed by Michael Maloney. (McFarland, Richard) (Entered: 05/28/2004)
05/28/2004	<u>35</u>	CERTIFICATE OF SERVICE by Michael Maloney re <u>33</u> MOTION for Protective Order, <u>34</u> Response to Motion. (McFarland, Richard) (Entered: 05/28/2004)
06/03/2004	<u>36</u>	MEMORANDUM in Support re 18 Motion for preliminary injunction/t.r.o Relief filed by Mac S. Hudson, Derrick Tyler. (Flaherty, Elaine) (Entered: 06/07/2004)
06/04/2004	<u>37</u>	Opposition re 18 Motion for preliminary injunction Relief filed by Michael Maloney. (Flaherty, Elaine) (Entered: 06/07/2004)
07/23/2004	<u>38</u>	Judge Richard G. Stearns : MEMORANDUM AND ORDER on Defendants' Motion for Summary Judgment, ENTERED.(Flaherty, Elaine) (Entered: 07/23/2004)
08/02/2004	<u>39</u>	MOTION for Reconsideration re <u>38</u> Memorandum & ORDER by Michael Maloney.(McFarland, Richard) (Entered: 08/02/2004)
08/09/2004	<u>40</u>	MOTION for Reconsideration re <u>38</u> Memorandum & ORDER by Mac S. Hudson.(Flaherty, Elaine) (Entered: 08/11/2004)
11/09/2004	<u>41</u>	Judge Richard G. Stearns : ORDER FOR APPOINTMENT OF PRO BONO COUNSEL entered: There being sufficient cause to exercise the discretionary power of the Court to appoint counsel, it is ORDERED that McDermott Will & Emery LLP, 28 State Street, Boston, MA 02109 is appointed to represent plaintiffs Mac Hudson and Derrick Tyler under the provisions of the United States District Court Plan for the Appointment of Counsel For Indigent Parties in Civil Cases, unless this appointment is declined by written notice (copy to pro bono coordinator) within twenty-one (21) days from the date of this Order. (Morse, Barbara) (Entered: 11/09/2004)
12/13/2004	<u>42</u>	Judge Richard G. Stearns : ORDER entered (Flaherty, Elaine) (Entered: 12/13/2004)
12/13/2004		Motions terminated: <u>39</u> MOTION for Reconsideration re <u>38</u> Memorandum & ORDER filed by Michael Maloney, <u>40</u> MOTION for Reconsideration re <u>38</u> Memorandum & ORDER filed by Mac S. Hudson See order no.42 (Flaherty, Elaine) (Entered: 12/13/2004)
12/14/2004	<u>43</u>	NOTICE of Appearance by Benjamin A. Goldberger on behalf of Mac S. Hudson, Derrick Tyler (Copy of Judge Stearns' most recent order mailed this day) (Flaherty, Elaine) (Entered: 12/15/2004)
01/21/2005	<u>44</u>	MOTION to Amend <i>the Complaint</i> by Mac S. Hudson, Derrick Tyler. (Attachments: # <u>1</u> Proposed Amended Complaint)(Goldberger, Benjamin) (Entered: 01/21/2005)
01/21/2005	<u>45</u>	Supplemental MOTION for Reconsideration by Mac S. Hudson, Derrick Tyler.(Goldberger, Benjamin) (Entered: 01/21/2005)
01/21/2005	<u>46</u>	Opposition re <u>39</u> MOTION for Reconsideration re <u>38</u> Memorandum & ORDER filed by Mac S. Hudson, Derrick Tyler. (Goldberger, Benjamin) (Entered: 01/21/2005)
01/21/2005	<u>47</u>	STATEMENT of facts <i>As to Which There is a Genuine Dispute to Be Tried.</i> (Attachments: # <u>1</u> Declaration of Mac S. Hudson# <u>2</u> Declaration of Derrick Tyler# <u>3</u> Declaration of Minister Don Muhammad)(Goldberger, Benjamin) (Entered: 01/21/2005)

01/21/2005	<u>48</u>	MEMORANDUM in Support re <u>44</u> MOTION to Amend <i>the Complaint</i> , <u>45</u> Supplemental MOTION for Reconsideration <i>and in Opposition to</i> <u>39</u> Defendant's Motion for Reconsideration filed by Mac S. Hudson, Derrick Tyler. (Goldberger, Benjamin) (Entered: 01/21/2005)
02/04/2005	<u>49</u>	MEMORANDUM in Opposition re <u>44</u> MOTION to Amend <i>the Complaint</i> filed by Michael Maloney. (Attachments: # <u>1</u> Affidavit # <u>2</u> Affidavit)(McFarland, Richard) (Entered: 02/04/2005)
02/04/2005	<u>50</u>	Opposition re <u>45</u> Supplemental MOTION for Reconsideration filed by Michael Maloney. (McFarland, Richard) (Entered: 02/04/2005)
02/18/2005	<u>52</u>	MOTION for Leave to File reply memorandum in support of their motion to amend the complaint and their substitute motion for reconsideration by Mac S. Hudson, Derrick Tyler.(Flaherty, Elaine) (Entered: 02/24/2005)
02/18/2005	<u>53</u>	NOTICE of Appearance by Neal E. Minahan on behalf of Mac S. Hudson, Derrick Tyler (Flaherty, Elaine) (Entered: 02/24/2005)
02/23/2005	<u>51</u>	NOTICE of Hearing on Motion <u>44</u> MOTION to Amend <i>the Complaint</i> , <u>45</u> Supplemental MOTION for Reconsideration: Motion Hearing set for 5/5/2005 02:30 PM in Courtroom 21 before Judge Richard G. Stearns. (Johnson, Mary) (Entered: 02/23/2005)
02/24/2005		Judge Stearns : Electronic ORDER entered granting <u>52</u> Motion for Leave to File (Flaherty, Elaine) Modified on 2/28/2005 (Flaherty, Elaine). (Entered: 02/28/2005)
03/17/2005		Civil Case Terminated. (Flaherty, Elaine) (Entered: 03/17/2005)
03/17/2005		Case Reopened closed in error (Flaherty, Elaine) (Entered: 03/17/2005)
03/17/2005		Notice of correction to docket made by Court staff. Correction: #54 corrected because: wrong civil action number (deleted wrong case) (Flaherty, Elaine) (Entered: 03/17/2005)
04/26/2005	<u>54</u>	Letter/request (non-motion) from N. Minahan w/attachment, filed. (Flaherty, Elaine) (Entered: 04/26/2005)
05/04/2005	<u>55</u>	MOTION for Leave to File <i>Supplemental Materials Relating to Jumah Services</i> by Mac S. Hudson, Derrick Tyler. (Attachments: # <u>1</u> Affidavit of Mac Hudson with Attached Letter from Timothy Hall# <u>2</u> Affidavit of Zachariah F. Ibrahim-Bush# <u>3</u> Affidavit of Michael Keohane# <u>4</u> Affidavit of Adam Rosier# <u>5</u> Affidavit of Orrin Simmons)(Goldberger, Benjamin) (Entered: 05/04/2005)
05/05/2005		Judge Richard G. Stearns : ElectronicORDER entered allowing <u>55</u> Motion for Leave to File (Hamilton, Maria Raia) Modified on 5/6/2005 (Flaherty, Elaine). (Entered: 05/05/2005)
05/05/2005		Judge Richard G. Stearns : Electronic ORDER entered. ELECTRONIC ENDORSEMENT re <u>39</u> MOTION for Reconsideration re <u>38</u> Memorandum & ORDER filed by Michael Maloney, <u>44</u> MOTION to Amend <i>the Complaint</i> filed by Mac S. Hudson, Derrick Tyler, <u>40</u> MOTION for Reconsideration re <u>38</u> Memorandum & ORDER filed by Mac S. Hudson, <u>45</u> Supplemental MOTION for Reconsideration filed by Mac S. Hudson, Derrick Tyler. Plaintiffs' motions for reconsideration are DENIED. Defendant's motion for reconsideration of the court's order regarding Halal meat is DENIED. The motion to amend the Complaint <u>44</u> is ALLOWED. In allowing the motion to amend the Complaint, the court is not reversing its prior ruling regarding inmate meal preparation or prayer rugs. The court will, however, allow discovery on all the issues advanced in the Complaint, including those two issues, and allow plaintiffs to seek leave to file a motion for reconsideration after the close of discovery. The parties have ninety days to complete written discovery. At that time, the parties may seek leave of court to conduct depositions. (Hamilton, Maria Raia) (Entered: 05/05/2005)
05/05/2005		ElectronicClerk's Notes for proceedings held before Judge Richard G. Stearns : Motion Hearing held on 5/5/2005 re <u>39</u> MOTION for Reconsideration re <u>38</u> Memorandum & ORDER filed by Michael Maloney,. (Court Reporter Jmes Gibbons.) (Hamilton, Maria Raia) (Entered: 05/26/2005)

05/26/2005	<u>56</u>	AMENDED COMPLAINT against Kathleen Dennehy, filed by Mac S. Hudson, Derrick Tyler.(Goldberger, Benjamin) (Entered: 05/26/2005)
06/06/2005	<u>57</u>	Judge Richard G. Stearns : ORDER, entered. "The parties are hereby INVITED to supplement pleadings...within twenty-one (21) days of the date of this Order..."(Flaherty, Elaine) (Entered: 06/06/2005)
06/13/2005	<u>58</u>	ANSWER to Complaint with Jury Demand by Kathleen Dennehy.(McFarland, Richard) (Entered: 06/13/2005)
06/27/2005	<u>59</u>	MEMORANDUM OF LAW by Mac S. Hudson, Derrick Tyler to <u>57</u> Order. (Attachments: # <u>1</u> Exhibit 1)(Minahan, Neal) (Entered: 06/27/2005)
08/02/2005		Judge Richard G. Stearns : Electronic ORDER entered. ELECTRONIC ENDORSEMENT re <u>59</u> Memorandum of Law filed by Mac S. Hudson,, Derrick Tyler,"notd" (Flaherty, Elaine) (Entered: 08/03/2005)
08/04/2005	<u>60</u>	Joint MOTION for Extension of Time to 9/2/2005 to Complete Discovery by Mac S. Hudson, Kathleen Dennehy, Derrick Tyler.(Goldberger, Benjamin) (Entered: 08/04/2005)
08/09/2005		Judge Richard G. Stearns : Electronic ORDER entered granting <u>60</u> Motion for Extension of Time to Complete Discovery (Flaherty, Elaine) (Entered: 08/09/2005)
09/30/2005	<u>61</u>	Joint MOTION for Discovery (<i>Leave to Take Depositions</i>) and Proposed <i>Discovery Schedule</i> by Mac S. Hudson, Kathleen Dennehy, Derrick Tyler.(Goldberger, Benjamin) (Entered: 09/30/2005)
10/17/2005		Judge Richard G. Stearns : Electronic ORDER entered granting <u>61</u> Motion for Discovery : "Allowed, as proposed by counsel – all fact discovery to be completed by 12–20–05; each party shall, by 1–27–06, identify any expert witnesses who may offer testimony on issues for which that party has the burden of proof and provide opposing counsel with written expert(s) reports pursuant to Fed. R. Civ. P.26; each party shall, by 3–10–06, identify any expert witness who will offer testimony in rebuttal or opposition to any expert identified under paragraph 2 and provide opposing counsel with written expert(s) reports pursuant to Fed. R. Civ. P. 26; all dispositive motions shall be filed by 3–31–06; oppositions shall be filed 14 days later unless enlarged by the Court". (Johnson, Mary) Modified on 10/18/2005 (Johnson, Mary). (Entered: 10/18/2005)
12/09/2005	<u>62</u>	Joint MOTION for Extension of Time to January 27, 2006 to Take Fact Depositions by Mac S. Hudson, Kathleen Dennehy, Derrick Tyler.(Goldberger, Benjamin) (Entered: 12/09/2005)
12/15/2005		Judge Richard G. Stearns : Electronic ORDER entered granting <u>62</u> Motion for Extension of Time (Flaherty, Elaine) (Entered: 12/15/2005)
01/27/2006	<u>63</u>	Joint MOTION for Extension of Time to 02/24/2006 to Complete Discovery (<i>Extend Deadline for Expert Reports</i>) by Mac S. Hudson, Kathleen Dennehy, Derrick Tyler.(Minahan, Neal) (Entered: 01/27/2006)
01/30/2006		Judge Richard G. Stearns : Electronic ORDER entered granting <u>63</u> Motion for Extension of Time to Complete Discovery (Flaherty, Elaine) (Entered: 01/31/2006)
02/24/2006	<u>64</u>	Disclosure pursuant to Rule 26 by Kathleen Dennehy. (Attachments: # <u>1</u>)(McFarland, Richard) (Entered: 02/24/2006)
03/31/2006	<u>65</u>	Joint MOTION for Extension of Time to April 14, 2006 to File <i>Dispositive Motions</i> by Kathleen Dennehy.(McFarland, Richard) (Entered: 03/31/2006)
04/03/2006		Judge Richard G. Stearns : Electronic ORDER entered granting <u>65</u> Motion for Extension of Time: "pltfs. shall file a Motion for Reconsideration of the issues raised in the Court's 5–5–05 Order, by 4–14–06. Deft. to oppose pltfs' Motion for Reconsideration, and to file a Motion for Summary Judgment on remaining issues , by 5–12–06. Pltfs. to file their opposition to deft's Motion for Summary Judgment by 5–26–06. SO ORDERED." (Johnson, Mary) Modified on 4/3/2006 (Johnson, Mary). (Entered: 04/03/2006)

04/10/2006		Judge Richard G. Stearns : Electronic ORDER entered. Counsel shall advise the court, within twenty-one days of the date of this order, as to what effect the Supreme Judicial Court's recent ruling in Rashad Rasheed vs. Comm. of Corrections, SJC-09617, April 7, 2006, has on plaintiff's causes of action.(Hamilton, Maria Raia) (Entered: 04/10/2006)
04/14/2006	<u>66</u>	MOTION for Reconsideration re <u>38</u> Memorandum & ORDER by Mac S. Hudson, Derrick Tyler.(Minahan, Neal) (Entered: 04/14/2006)
04/14/2006	<u>67</u>	MEMORANDUM in Support re <u>66</u> MOTION for Reconsideration re <u>38</u> Memorandum & ORDER filed by Mac S. Hudson, Derrick Tyler. (Attachments: # <u>1</u> Affidavit # <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C# <u>5</u> Exhibit D# <u>6</u> Exhibit E# <u>7</u> Exhibit F# <u>8</u> Exhibit G# <u>9</u> Exhibit H# <u>10</u> Exhibit I# <u>11</u> Exhibit J# <u>12</u> Exhibit K# <u>13</u> Exhibit L# <u>14</u> Exhibit M# <u>15</u> Exhibit N)(Minahan, Neal) (Entered: 04/14/2006)
05/01/2006	<u>68</u>	Response by Kathleen Dennehy to Order, of April 10, 2006. (McFarland, Richard) (Entered: 05/01/2006)
05/13/2006	<u>69</u>	MOTION for Summary Judgment by Kathleen Dennehy.(McFarland, Richard) (Entered: 05/13/2006)
05/13/2006	<u>70</u>	MEMORANDUM in Support re <u>69</u> MOTION for Summary Judgment filed by Kathleen Dennehy. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit # <u>6</u> Exhibit # <u>7</u> Exhibit # <u>8</u> Exhibit # <u>9</u> Exhibit # <u>10</u> Exhibit # <u>11</u> Exhibit # <u>12</u> Exhibit # <u>13</u> Exhibit # <u>14</u> Exhibit # <u>15</u> Exhibit)(McFarland, Richard) (Entered: 05/13/2006)
05/13/2006	<u>71</u>	MOTION for Leave to File Excess Pages by Kathleen Dennehy.(McFarland, Richard) (Entered: 05/13/2006)
05/13/2006	<u>72</u>	MEMORANDUM in Opposition re <u>66</u> MOTION for Reconsideration re <u>38</u> Memorandum & ORDER filed by Kathleen Dennehy. (McFarland, Richard) (Entered: 05/13/2006)
05/23/2006	<u>73</u>	Assented to MOTION for Extension of Time to 6/2/2006 to File Response/Reply as to <u>69</u> MOTION for Summary Judgment by Mac S. Hudson, Derrick Tyler.(Goldberger, Benjamin) (Entered: 05/23/2006)
06/02/2006	<u>74</u>	Assented to MOTION for Leave to File Excess Pages by Mac S. Hudson, Derrick Tyler.(Minahan, Neal) (Entered: 06/02/2006)
06/02/2006	<u>75</u>	Counter Statement of Material Facts L.R. 56.1 re <u>69</u> MOTION for Summary Judgment filed by Mac S. Hudson, Derrick Tyler. (Minahan, Neal) (Entered: 06/02/2006)
06/02/2006	<u>76</u>	Opposition re <u>69</u> MOTION for Summary Judgment, <u>71</u> MOTION for Leave to File Excess Pages filed by Mac S. Hudson, Derrick Tyler. (Attachments: # <u>1</u> Affidavit of Neal E. Minahan, Esq.# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C# <u>5</u> Exhibit D# <u>6</u> Exhibit E# <u>7</u> Exhibit F# <u>8</u> Exhibit G# <u>9</u> Exhibit H# <u>10</u> Exhibit I# <u>11</u> Exhibit J# <u>12</u> Exhibit K# <u>13</u> Exhibit L# <u>14</u> Exhibit M# <u>15</u> Exhibit N# <u>16</u> Exhibit O# <u>17</u> Exhibit P# <u>18</u> Exhibit Q# <u>19</u> Exhibit R# <u>20</u> Exhibit S# <u>21</u> Exhibit T# <u>22</u> Exhibit U# <u>23</u> Exhibit V# <u>24</u> Exhibit W# <u>25</u> Exhibit X# <u>26</u> Exhibit Y# <u>27</u> Exhibit Z# <u>28</u> Exhibit AA# <u>29</u> Exhibit BB# <u>30</u> Exhibit CC)(Minahan, Neal) (Entered: 06/02/2006)
06/15/2006		Judge Richard G. Stearns : Electronic ORDER entered granting <u>71</u> Motion for Leave to File Excess Pages, granting <u>73</u> Motion for Extension of Time to File Response/Reply, granting <u>74</u> Motion for Leave to File Excess Pages (Hamilton, Maria Raia) (Entered: 06/15/2006)
06/19/2006		ELECTRONIC NOTICE of Hearing on Motion <u>66</u> MOTION for Reconsideration re <u>38</u> Memorandum & ORDER, <u>69</u> MOTION for Summary Judgment: Motion Hearing set for 8/31/2006 10:00 AM in Courtroom 21 before Judge Richard G. Stearns. (Johnson, Mary) (Entered: 06/19/2006)
08/31/2006		Judge Richard G. Stearns : Electronic ORDER entered granting <u>66</u> Motion for Reconsideration and denying <u>69</u> Motion for Summary Judgment. A non-jury trial is hereby scheduled to commence on January 8, 2007, at 9:30 a.m. in Courtroom 21. Counsel shall notify the Courtroom Clerk within fourteen days of the date of this Order as to problems with witness availability. (Hamilton, Maria Raia)

		(Entered: 08/31/2006)
08/31/2006		ElectronicClerk's Notes for proceedings held before Judge Richard G. Stearns : Motion Hearing held on 8/31/2006 re <u>69</u> MOTION for Summary Judgment filed by Kathleen Dennehy, <u>66</u> and MOTION for Reconsideration re <u>38</u> Memorandum & ORDER filed by Mac S. Hudson, and Derrick Tyler,. (Court Reporter Marcia Patrisso.) (Hamilton, Maria Raia) (Entered: 08/31/2006)
10/25/2006	<u>77</u>	Judge Richard G. Stearns : ORDER entered. PROCEDURAL ORDER re non-jury trial: Bench Trial set for 1/8/2007 at 09:30 AM in Courtroom 21 before Judge Richard G. Stearns. Trial Documents to be filed by 12-29-06. (Johnson, Mary) Modified on 10/25/2006 (Johnson, Mary). (Entered: 10/25/2006)
11/29/2006	<u>78</u>	MOTION for Extension of Time to For Designation of Expert by Kathleen Dennehy. (Attachments: # <u>1</u> Exhibit)(McFarland, Richard) (Entered: 11/29/2006)
12/07/2006	<u>79</u>	Opposition re <u>78</u> MOTION for Extension of Time to For Designation of Expert filed by Mac S. Hudson, Derrick Tyler. (Minahan, Neal) (Entered: 12/07/2006)
12/08/2006		Judge Richard G. Stearns : Electronic ORDER entered denying <u>78</u> Motion for Extension of Time. (Hamilton, Maria Raia) (Entered: 12/08/2006)
12/15/2006	<u>80</u>	MOTION for Writ of Habeas Corpus ad testificandum (<i>UNOPPOSED</i>) by Mac S. Hudson, Derrick Tyler.(Goldberger, Benjamin) (Entered: 12/15/2006)
12/15/2006		Judge Richard G. Stearns : Electronic ORDER entered granting <u>80</u> Motion for Writs of Habeas Corpus ad testificandum. (Johnson, Mary) (Entered: 12/15/2006)
12/18/2006	<u>81</u>	WRIT of Habeas Corpus Ad Testificandum issued as toDerick Tyler. (Johnson, Mary) (Entered: 12/18/2006)
12/18/2006	<u>82</u>	WRIT of of Habeas Corpus Ad Testificandum issued as toMac S. Hudson. (Johnson, Mary) (Entered: 12/18/2006)
12/22/2006	<u>83</u>	MOTION in Limine <i>Regarding Jum'ah Services</i> by Mac S. Hudson, Derrick Tyler.(Goldberger, Benjamin) (Entered: 12/22/2006)
12/26/2006	<u>84</u>	NOTICE of Appearance by Charles W. Anderson, Jr on behalf of all defendants (Anderson, Charles) (Entered: 12/26/2006)
12/29/2006	<u>85</u>	Joint Pretrial Memorandum <i>Joint Stipulation of Facts, Exhibit list and Witness List</i> by Mac S. Hudson, Kathleen Dennehy, Derrick Tyler. (Minahan, Neal) Modified on 1/3/2007 (Flaherty, Elaine). (Entered: 12/29/2006)
01/02/2007	<u>86</u>	MOTION in Limine <i>to Preclude Testimony of Randy Muhammad</i> by Mac S. Hudson, Derrick Tyler. (Attachments: # <u>1</u> Exhibit A – Interrogatories# <u>2</u> Exhibit B – Interrogatory Responses)(Goldberger, Benjamin) (Entered: 01/02/2007)
01/04/2007	<u>87</u>	RESPONSE to Motion re <u>83</u> MOTION in Limine <i>Regarding Jum'ah Services</i> filed by Kathleen Dennehy. (McFarland, Richard) (Entered: 01/04/2007)
01/04/2007	<u>88</u>	RESPONSE to Motion re <u>86</u> MOTION in Limine <i>to Preclude Testimony of Randy Muhammad</i> filed by Kathleen Dennehy. (McFarland, Richard) (Entered: 01/04/2007)
01/04/2007	<u>89</u>	MOTION in Limine <i>Regarding Access to a Prayer Rug</i> by Kathleen Dennehy.(McFarland, Richard) (Entered: 01/04/2007)
01/06/2007	<u>90</u>	MEMORANDUM in Opposition re <u>89</u> MOTION in Limine <i>Regarding Access to a Prayer Rug</i> filed by Mac S. Hudson, Derrick Tyler. (Goldberger, Benjamin) (Entered: 01/06/2007)
01/06/2007	<u>91</u>	Assented to MOTION to Sequester <i>Trial Witnesses</i> by Mac S. Hudson, Derrick Tyler. (Attachments: # <u>1</u> Text of Proposed Order)(Goldberger, Benjamin) (Entered: 01/06/2007)
01/07/2007	<u>92</u>	TRIAL BRIEF by Mac S. Hudson, Derrick Tyler. (Goldberger, Benjamin) (Entered: 01/07/2007)

01/08/2007		Electronic Clerk's Notes for proceedings held before Judge Richard G. Stearns : Bench Trial held on 1/8/2007, Day 1. Attys. Goldberger, Minihan, Kendall present for the plaintiffs. Attys. McFarland and Anderson present for the defendant. Pltf's opening. Deft's opening. P-1 sworn. Direct. Cross. Re-direct. Excused. P-2 sworn. Direct. Adjourn 1:00 P.M. (Court Reporter James Gibbons.) (Johnson, Mary) Modified on 1/22/2007 (Johnson, Mary). (Entered: 01/22/2007)
01/08/2007		Judge Richard G. Stearns : Electronic ORDER entered granting <u>91</u> Motion to Sequester. (Johnson, Mary) (Entered: 01/25/2007)
01/08/2007		Judge Richard G. Stearns : Electronic ORDER entered denying <u>83</u> Motion in Limine, denying <u>86</u> Motion in Limine, denying <u>89</u> Motion in Limine. () (Entered: 01/25/2007)
01/09/2007		Electronic Clerk's Notes for proceedings held before Judge Richard G. Stearns : Bench Trial held on 1/9/2007, Day 2. Direct of P-2 continues. Cross. Re-direct. Excused. P-3 sworn. Direct. Cross. Adjourn 12:45 P.M. (Court Reporter James Gibbons.) (Johnson, Mary) Modified on 1/22/2007 (Johnson, Mary). (Entered: 01/22/2007)
01/10/2007		Electronic Clerk's Notes for proceedings held before Judge Richard G. Stearns : Bench Trial held on 1/10/2007, Day 3. Cross of P-3 continues. Re-direct. Excused. D-1 sworn out of turn. Direct. Cross. Re-direct. Excused. D-2 sworn out of turn. Direct. Cross. Excused. Adjourn 1:00 P.M. (Court Reporter Carol Scott.) (Johnson, Mary) Modified on 1/22/2007 (Johnson, Mary). (Entered: 01/22/2007)
01/12/2007		Electronic Clerk's Notes for proceedings held before Judge Richard G. Stearns : Bench Trial held on 1/12/2007, Day 4. D-3 sworn out of turn. Direct. Cross. Re-direct. Excused. P-4 sworn. Direct. Cross. Re-direct. Excused. Trial continued to 1-18-07 at 9:30 a.m. Adjourn 1:00 P.M. (Court Reporter James Gibbons.) (Johnson, Mary) Modified on 1/22/2007 (Johnson, Mary). (Entered: 01/22/2007)
01/17/2007	<u>93</u>	Writ of Habeas Corpus issued as to Mac Hudson. (Johnson, Mary) (Entered: 01/17/2007)
01/17/2007	<u>94</u>	WRIT of Habeas Corpus issued as to Derick Tyler. (Johnson, Mary) (Entered: 01/17/2007)
01/17/2007	<u>95</u>	NOTICE of Appearance by James J. Marcellino on behalf of all plaintiffs (Marcellino, James) (Entered: 01/17/2007)
01/18/2007		Electronic Clerk's Notes for proceedings held before Judge Richard G. Stearns : Bench Trial held on 1/18/2007, Day 5. Plaintiffs rest. Deft. files Motion for Partial Findings after completion of Plaintiffs Case. The Court provisionally denies the motion until such time as all the evidence has been completed and plaintiffs have had a chance to respond to the motion. D-4 sworn. Direct. Cross. Re-direct. Excused. D-6 sworn. Direct. Cross. Re-direct. Re-cross. Excused. Defendant rests. Plaintiffs shall file their response to deft's motion within next week or so. Final Arguments will be held when parties agree to a mutually convenient time with the Court. Counsel will contact the clerk for dates and times. (Court Reporter James Gibbons.) (Johnson, Mary) Modified on 1/22/2007 (Johnson, Mary). Modified on 1/22/2007 (Johnson, Mary). (Entered: 01/22/2007)
01/18/2007	<u>97</u>	MOTION for Judgment on Partial Findings by Michael Maloney, Kathleen Dennehy.(Flaherty, Elaine) (Entered: 01/26/2007)
01/18/2007	<u>98</u>	MEMORANDUM in Support re <u>97</u> MOTION for Judgment on Partial Findings filed by Michael Maloney, Kathleen Dennehy. (Flaherty, Elaine) (Entered: 01/26/2007)
01/22/2007		ELECTRONIC NOTICE of Hearing : "Final Arguments by the Court shall beheld on Thursday, February 1, 2007 at 10 a.m." (Johnson, Mary) (Entered: 01/22/2007)
01/25/2007	<u>96</u>	MEMORANDUM OF LAW by Mac S. Hudson, Derrick Tyler. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Minahan, Neal) (Entered: 01/25/2007)
01/30/2007	<u>99</u>	WRIT of Habas Corpus issued as to Mac Hudson. (Johnson, Mary) (Entered: 01/30/2007)

01/30/2007	<u>100</u>	WRIT of Habeas Corpus as to Derick Tyler, issued. (Johnson, Mary) (Entered: 01/30/2007)
02/01/2007		ElectronicClerk's Notes for proceedings held before Judge Richard G. Stearns : Bench Trial held on 2/1/2007, Day 6. Attys. Goldberger, Minihan and Marcellino present for the plaintiffs. Attys. McFarland and Anderson present for the defts. Court hears final arguments by counsel. After hearing, the matter is taken "under advisement." (Court Reporter James Gibbons.) (Johnson, Mary) Modified on 2/1/2007 (Johnson, Mary). (Entered: 02/01/2007)
02/20/2007	<u>101</u>	Proposed Findings of Fact by Kathleen Dennehy. (McFarland, Richard) (Entered: 02/20/2007)
04/10/2007	<u>102</u>	NOTICE by Mac S. Hudson, Derrick Tyler of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Supplement Spratt Decision)(Goldberger, Benjamin) (Entered: 04/10/2007)
04/11/2007	<u>103</u>	Response by Kathleen Dennehy to <i>Plaintiffs' Notice of Supplemental Authority</i> . (McFarland, Richard) (Entered: 04/11/2007)
08/06/2007	<u>104</u>	NOTICE of Withdrawal of Appearance by Benjamin A. Goldberger and <i>James J. Marcellino</i> (Goldberger, Benjamin) Additional attachment(s) added on 9/11/2007 (Flaherty, Elaine). (Entered: 08/06/2007)
09/11/2007		Remark by Deputy Clerk Mary Johnson: "Attorney Benjamin Goldberger has filed a notice of withdrawal which appears on the instant docket. Note that the caption of the case is a Judge Woodlock case – CA 05–11576–DPW) and therefore it was filed in error in this case (Hudson v. Maloney)." Mary Johnson, Deputy Clerk. (Johnson, Mary) Modified on 9/11/2007 (Johnson, Mary). (Entered: 09/11/2007)
09/11/2007		Notice of correction to docket made by Court staff. Correction: notice of withdrawal of appearance corrected because: to rreflect correct image and case number (Flaherty, Elaine) (Entered: 09/11/2007)
09/27/2007		Judge Richard G. Stearns : Electronic ORDER entered denying <u>97</u> Motion for Judgment on Partial Findings. Ruled on at trial and consolidated with Findings, Rulings and Order. (Zierk, Marsha) (Entered: 09/27/2007)
03/05/2008	<u>105</u>	Judge Richard G. Stearns: FINDINGS OF FACT, RULINGS OF LAW AND ORDER AFTER A NON–JURY TRIAL, ENTERED."...For the foregoing reasons, the court will enter judgment in part for plaintiffs. The Commissioner's motion for judgment on partial findings is DENIED. The court will grant plaintiffs' prayers for declaratory judgment on the issues of Halal meals and closed–circuit television access to Jum'ah services while confined in Ten Block. Judgment will enter for defendant on the prayer rug issue. No money damages are awarded. Plaintiffs will within ten (10) days of the entry of this Order file a Proposed Form of Final Judgment. Defendant will have seven (7) days thereafter to comment. On entry of Final Judgment, the Clerk may close the case. The court will, however, retain jurisdiction to oversee the implementation of any remedial aspects of the Judgment."(Flaherty, Elaine) (Entered: 03/05/2008)
03/07/2008		Civil Case Terminated. (Flaherty, Elaine) (Entered: 03/07/2008)
03/17/2008	<u>106</u>	MOTION for Order to Enter Proposed Final Judgment by Mac S. Hudson, Derrick Tyler. (Attachments: # <u>1</u> Exhibit 1)(Minahan, Neal) (Entered: 03/17/2008)
03/24/2008	<u>107</u>	Response by Kathleen Dennehy to <u>106</u> MOTION for Order to Enter Proposed Final Judgment. (Attachments: # <u>1</u> Text of Proposed Order)(McFarland, Richard) (Entered: 03/24/2008)
04/02/2008	<u>108</u>	MEMORANDUM in Support re <u>106</u> MOTION for Order to Enter Proposed Final Judgment and in Opposition to Defendant's Proposed Final Judgment filed by Mac S. Hudson, Derrick Tyler. (Minahan, Neal) (Entered: 04/02/2008)
04/11/2008	<u>109</u>	Opposition re <u>106</u> MOTION for Order to Enter Proposed Final Judgment filed by Kathleen Dennehy. (Attachments: # <u>1</u> Affidavit)(McFarland, Richard) (Entered: 04/11/2008)

04/11/2008	<u>110</u>	Judge Richard G. Stearns: Final Judgment/Memorandum and Order entered (Giannotti, Diane) Modified on 4/14/2008 (Johnson, Mary). (Entered: 04/11/2008)
04/16/2008	<u>111</u>	Letter/request (non-motion) from Defendant. (McFarland, Richard) (Entered: 04/16/2008)
04/17/2008	<u>112</u>	Assented to MOTION for Extension of Time to 5/2/2008 to File an Attorneys' Fees Petition and Bill of Costs by Mac S. Hudson, Derrick Tyler.(Minahan, Neal) (Entered: 04/17/2008)
04/17/2008	<u>113</u>	Response by Mac S. Hudson, Derrick Tyler to <u>111</u> Letter/request (non-motion) for Clarification of Final Judgment. (Minahan, Neal) (Entered: 04/17/2008)
04/28/2008		Judge Richard G. Stearns: Electronic ORDER entered granting <u>112</u> Motion for Extension of Time (Flaherty, Elaine) (Entered: 04/28/2008)
04/28/2008	<u>114</u>	Judge Richard G. Stearns: ORDER – Clarification of Final Judgment, entered. (Flaherty, Elaine) (Entered: 04/28/2008)
05/02/2008	<u>115</u>	MOTION for Attorney Fees <i>and Costs</i> by Mac S. Hudson, Derrick Tyler.(Minahan, Neal) (Entered: 05/02/2008)
05/02/2008	<u>116</u>	MEMORANDUM in Support re <u>115</u> MOTION for Attorney Fees <i>and Costs</i> filed by Mac S. Hudson, Derrick Tyler. (Attachments: # <u>1</u> Affidavit of Neal E. Minahan, Esq., # <u>2</u> Exhibit A (Part I), # <u>3</u> Exhibit A (Part II), # <u>4</u> Exhibit A (Part III), # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Exhibit E, # <u>9</u> Exhibit F)(Minahan, Neal) (Entered: 05/02/2008)
05/12/2008	<u>117</u>	MOTION to Stay re <u>110</u> Memorandum & ORDER by Kathleen Dennehy.(McFarland, Richard) (Entered: 05/12/2008)
05/12/2008	<u>118</u>	MOTION for Reconsideration re <u>110</u> Memorandum & ORDER by Kathleen Dennehy. (Attachments: # <u>1</u> Affidavit)(McFarland, Richard) (Entered: 05/12/2008)
05/13/2008		Judge Richard G. Stearns: Electronic ORDER entered granting <u>117</u> Motion to Stay (Flaherty, Elaine) (Entered: 05/14/2008)
05/15/2008	<u>119</u>	Assented to MOTION for Extension of Time to June 6, 2008 to file Opposition to Plaintiffs' Petition for Attorneys' Fees and Bill of Costs by Kathleen Dennehy.(McFarland, Richard) (Entered: 05/15/2008)
05/15/2008		Judge Richard G. Stearns: Electronic ORDER entered granting <u>119</u> Motion for Extension of Time (Flaherty, Elaine) (Entered: 05/15/2008)
05/23/2008	<u>120</u>	Opposition re <u>118</u> MOTION for Reconsideration re <u>110</u> Memorandum & ORDER filed by Mac S. Hudson, Derrick Tyler. (Minahan, Neal) (Entered: 05/23/2008)
06/06/2008		ELECTRONIC NOTICE of Hearing on Motion <u>118</u> MOTION for Reconsideration re <u>110</u> Memorandum & ORDER : Motion Hearing set for 6/19/2008 03:15 PM in Courtroom 21 before Judge Richard G. Stearns. (Johnson, Mary) (Entered: 06/06/2008)
06/06/2008	<u>121</u>	Opposition re <u>115</u> MOTION for Attorney Fees <i>and Costs</i> filed by Kathleen Dennehy. (McFarland, Richard) (Entered: 06/06/2008)
06/19/2008		Electronic Clerk's Notes for proceedings held before Judge Richard G. Stearns: Motion Hearing held on 6/19/2008 re <u>118</u> MOTION for Reconsideration re <u>110</u> Memorandum & ORDER. " After hearing, the motion is denied without prejudice. Plaintiff Hudson is currently confined in general population at the Old Colony Correctional Facility. Accordingly, there is no actual controversy appropriate for judicial resolution. The stay on the Final Judgment is hereby lifted." Richard G. Stearns, USDJ. (Court Reporter: James Gibbons.)(Attorneys present: Attys. Minahan and Kendall for pltf; Atty. McFarland for depts.) (Johnson, Mary) . (Entered: 06/19/2008)
06/19/2008		Judge Richard G. Stearns: Electronic ORDER entered denying <u>118</u> Motion for Reconsideration. "Denied without prejudice. Hudson is currently confined in general population at the Old Colony Correctional Facility. Accordingly, there is no actual controversy appropriate for judicial resolution. The stay on the Final Judgment is lifted." R. G. Stearns, USDJ. (Johnson, Mary). (Entered: 06/19/2008)

07/17/2008	<u>122</u>	NOTICE OF APPEAL as to Order on Motion for Reconsideration, by Harold W. Clarke NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 8/6/2008. (McFarland, Richard) (Entered: 07/17/2008)
07/17/2008	<u>123</u>	MOTION to Stay re <u>122</u> Notice of Appeal, by Harold W. Clarke.(McFarland, Richard) (Entered: 07/17/2008)
07/17/2008	<u>124</u>	NOTICE by Harold W. Clarke of <i>Compliance with Final Judgment</i> (McFarland, Richard) (Entered: 07/17/2008)
07/25/2008	<u>125</u>	Judge Richard G. Stearns: ORDER entered. MEMORANDUM AND ORDER(Prussia, Kevin) (Entered: 07/25/2008)
07/28/2008	<u>126</u>	MOTION to Intervene by Barry H. Spencer, Jr.. (Attachments: # <u>1</u> Affidavit)(Seelye, Terri) (Entered: 07/28/2008)
07/28/2008	<u>127</u>	MOTION for Leave to Proceed in forma pauperis by Barry H. Spencer, Jr.. (Attachments: # <u>1</u> Inmate Transaction Report)(Seelye, Terri)(2nd page of application missing) (Entered: 07/28/2008)
07/28/2008	<u>128</u>	NOTICE by Harold W. Clarke re <u>122</u> Notice of Appeal, (Attachments: # <u>1</u> Exhibit)(McFarland, Richard) (Entered: 07/28/2008)
07/28/2008	<u>129</u>	Assented to MOTION for Extension of Time to August 8, 2008 to : (1) Respond to Defendant's Motion for Stay of Execution of Judgment (Dkt. No. 123) and (2) File Any Cross Notice of Appeal (Regarding Dkt. No. 122) by Mac S. Hudson, Derrick Tyler.(Kendall, Michael) (Entered: 07/28/2008)
07/29/2008		Judge Richard G. Stearns: Electronic ORDER entered granting <u>129</u> Motion for Extension of Time (Prussia, Kevin) (Entered: 07/29/2008)
07/30/2008		Filing fee/payment: \$ 455.00, receipt number BST005041 for <u>122</u> Notice of Appeal, (Russo, Patricia) (Entered: 07/30/2008)
08/08/2008	<u>130</u>	NOTICE of Appearance by David Q. Gacioch on behalf of Mac S. Hudson, Derrick Tyler (Gacioch, David) (Entered: 08/08/2008)
08/08/2008	<u>131</u>	Opposition re <u>123</u> MOTION to Stay re <u>122</u> Notice of Appeal, filed by Mac S. Hudson, Derrick Tyler. (Minahan, Neal) (Entered: 08/08/2008)
08/13/2008	<u>132</u>	Judge Richard G. Stearns: ORDER entered. MEMORANDUM AND ORDER. (Prussia, Kevin) (Entered: 08/13/2008)
08/18/2008	<u>133</u>	Judge Richard G. Stearns: ORDER entered denying <u>123</u> Motion to Stay (Flaherty, Elaine) (Entered: 08/18/2008)
08/27/2008	<u>134</u>	Certified and Transmitted Record on Appeal to US Court of Appeals re <u>122</u> Notice of Appeal, (Attachments: # <u>1</u> docket sheet)(Ramos, Jeanette) (Entered: 08/27/2008)
08/29/2008	<u>135</u>	USCA Case Number 08-2100 for <u>122</u> Notice of Appeal, filed by Harold W. Clarke. (Ramos, Jeanette) (Entered: 08/29/2008)
09/11/2008	<u>136</u>	MOTION for reinstatement of the case or for New Trial by Barry H. Spencer, Jr.. (Attachments: # <u>1</u> exhibits)(Flaherty, Elaine) (Entered: 09/11/2008)
09/11/2008	<u>137</u>	Letter/request (non-motion) from Nathaniel Bilal Ahmad. (Attachments: # <u>1</u> exhibits)(Flaherty, Elaine) (Entered: 09/11/2008)
09/23/2008		Judge Judge Richard G. Stearns: ELECTRONIC ENDORSEMENT re <u>137</u> Letter/request (non-motion) "noted." (Flaherty, Elaine) (Entered: 09/23/2008)
09/23/2008	<u>138</u>	Opposition re <u>136</u> MOTION for New Trial by <i>Barry Spencer</i> filed by Harold W. Clarke. (McFarland, Richard) (Entered: 09/23/2008)
09/26/2008	<u>139</u>	Judge Richard G. Stearns: ORDER entered. MEMORANDUM AND ORDER(Giannotti, Diane)re: motion to reinstate <u>136</u> Modified on 10/22/2008 (Flaherty, Elaine). Modified on 10/22/2008 (Flaherty, Elaine). (Entered: 09/26/2008)

		09/26/2008)
11/12/2008	<u>140</u>	Transcript of Bench Trial Day One held on January 8, 2007, before Judge Stearns. COA Case No. 08–2100. Court Reporter: James P. Gibbons at jmsgibbons@yahoo.com. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 12/1/2008. Redacted Transcript Deadline set for 12/10/2008. Release of Transcript Restriction set for 2/7/2009. (Scalfani, Deborah) (Entered: 11/12/2008)
11/12/2008	<u>141</u>	Transcript of Bench Trial Day Two held on January 9, 2007, before Judge Stearns. COA Case No. 08–2100. Court Reporter: James P. Gibbons at jmsgibbons@yahoo.com. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 12/1/2008. Redacted Transcript Deadline set for 12/10/2008. Release of Transcript Restriction set for 2/7/2009. (Scalfani, Deborah) (Entered: 11/12/2008)
11/12/2008	<u>142</u>	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above–captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is attached to this entry.. (Scalfani, Deborah) (Entered: 11/12/2008)
11/18/2008	<u>143</u>	Transcript of Bench Trial Day Four held on January 12, 2007, before Judge Stearns. COA Case No. 08–2100. Court Reporter: James P. Gibbons at jmsgibbons@yahoo.com. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 12/8/2008. Redacted Transcript Deadline set for 12/16/2008. Release of Transcript Restriction set for 2/13/2009. (Scalfani, Deborah) (Entered: 11/18/2008)
11/18/2008	<u>144</u>	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above–captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is attached to this entry.. (Scalfani, Deborah) (Entered: 11/18/2008)
11/25/2008	<u>145</u>	Transcript of Bench Trial Day Five held on January 18, 2007, before Judge Stearns. COA Case No. 08–2100. Court Reporter: James P. Gibbons at jmsgibbons@yahoo.com. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 12/15/2008. Redacted Transcript Deadline set for 12/23/2008. Release of Transcript Restriction set for 2/20/2009. (Scalfani, Deborah) Modified on 12/4/2008 (Scalfani, Deborah). (Entered: 11/25/2008)
11/25/2008	<u>146</u>	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above–captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is attached to this entry.. (Scalfani, Deborah) (Entered: 11/25/2008)
12/04/2008	<u>147</u>	Transcript of Non Jury Trial Day Three held on January 10, 2007, before Judge Stearns. COA Case No. 08–2100. Court Reporter: Carol Lynn Scott at 617/330–1377. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 12/22/2008. Redacted Transcript Deadline set for 1/1/2009. Release of Transcript Restriction set for 3/1/2009. (Scalfani, Deborah) (Entered: 12/04/2008)
12/04/2008	<u>148</u>	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above–captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is attached to this entry.. (Scalfani, Deborah) (Entered: 12/04/2008)
12/22/2008	<u>149</u>	Letter/request (non–motion) from Abdul–Karim Muwakkil a prisoner at MCI Norfolk requesting certification of documentation re: compliance of the preparation of Halal Meals, filed. (Flaherty, Elaine) (Entered: 12/22/2008)

01/07/2009	<u>150</u>	Transcript of Motion for Reconsideration held on June 19, 2008, before Judge Stearns. Court Reporter: James P. Gibbons at jmvgibbons@yahoo.com. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 1/26/2009. Redacted Transcript Deadline set for 2/4/2009. Release of Transcript Restriction set for 4/6/2009. (Scalfani, Deborah) (Entered: 01/07/2009)
01/07/2009	<u>151</u>	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is attached to this entry.. (Scalfani, Deborah) (Entered: 01/07/2009)
01/26/2009	<u>152</u>	MOTION of Raheem Rasheed Abubarbar to Intervene.(Flaherty, Elaine) (Entered: 01/27/2009)
01/26/2009		Judge Richard G. Stearns: Electronic ORDER entered denying <u>152</u> Raheem Rasheed Abubardar Motion to Intervene "Denied. The case is closed. (01-12145-RGS)" All documents filed with this motion to be returned to Mr. Raheem Rasheed Abubardar per RGS. Copy of this Order and those documents mailed to Mr. Abubardar at 2 Clark Street, P.O. Box 43, Norfolk, MA 02056 this day. (Flaherty, Elaine) (Entered: 01/27/2009)
02/10/2009	<u>153</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re <u>122</u> Notice of Appeal, Documents included: 140-141 (Scalfani, Deborah) (Entered: 02/10/2009)
02/18/2009	<u>154</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re <u>122</u> Notice of Appeal, Documents included: 143 (Scalfani, Deborah) (Entered: 02/18/2009)
02/20/2009	<u>155</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re <u>122</u> Notice of Appeal, Documents included: 145 (Scalfani, Deborah) (Entered: 02/20/2009)
03/03/2009	<u>156</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re <u>122</u> Notice of Appeal, Documents included: 147 (Scalfani, Deborah) (Entered: 03/03/2009)
04/07/2009	<u>157</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re <u>122</u> Notice of Appeal, Documents included: 150 (Scalfani, Deborah) (Entered: 04/07/2009)
08/25/2009	<u>158</u>	OPINION of USCA. Opinion issued in the USCA 8/24/2009 (Ramos, Jeanette) (Entered: 08/25/2009)
08/25/2009	<u>159</u>	USCA Judgment as to <u>122</u> Notice of Appeal, filed by Harold W. Clarke. This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts and was argued by counsel. Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The district court's entry of the injunction is affirmed. Judgment issued in the USCA 8/24/2009 (Ramos, Jeanette) (Entered: 08/25/2009)
09/16/2009	<u>160</u>	MANDATE of USCA as to <u>122</u> Notice of Appeal, filed by Harold W. Clarke. Appeal <u>122</u> Terminated. Mandate issued in the USCA 9/15/2009 (Ramos, Jeanette) (Entered: 09/16/2009)
09/16/2009		Appeal Record Returned: <u>122</u> Notice of Appeal, (Ramos, Jeanette) (Entered: 09/16/2009)
10/22/2009	<u>161</u>	Transcript of Bench Trial Day Six held on February 1, 2007, before Judge Stearns. Court Reporter: James P. Gibbons at jmvgibbons@yahoo.com. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 11/9/2009. Redacted Transcript Deadline set for 11/19/2009. Release of Transcript Restriction set for 1/19/2010. (Scalfani, Deborah) (Entered: 10/22/2009)
10/22/2009	<u>162</u>	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is attached to this entry.. (Scalfani, Deborah) (Entered: 10/22/2009)