

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:15-cv-40162-GAO**

Briggs et al v. Massachusetts Department of Correction et al
Assigned to: Judge George A. OToole, Jr
Referred to: Magistrate Judge Judith G. Dein
Cause: 42:1218(2) Americans with Disabilities Act

Date Filed: 11/24/2015
Jury Demand: Defendant
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

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Mediator

Judge M. Page Kelley

Date Filed	#	Docket Text
11/24/2015	<u>1</u>	COMPLAINT against All Defendants Filing fee: \$ 400, receipt number 0101-5860226 (Fee Status: Filing Fee paid), filed by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Attachment to Civil Cover Sheet, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons, # <u>7</u> Summons, # <u>8</u> Summons, # <u>9</u> Summons, # <u>10</u> Summons)(Pirozzolo, Lisa) (Attachment 1 replaced on 11/25/2015) (Burgos, Sandra). (Entered: 11/24/2015)
11/24/2015	<u>2</u>	NOTICE of Appearance by Alexandra B. Bonneau on behalf of Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward (Bonneau, Alexandra) (Entered: 11/24/2015)
11/24/2015	<u>3</u>	NOTICE of Appearance by Alatheia E. Porter on behalf of Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward (Porter, Alatheia) (Entered: 11/24/2015)
11/25/2015	<u>4</u>	Case transferred to Eastern Division (Boston).(Burgos, Sandra) (Entered: 11/25/2015)
11/25/2015	<u>5</u>	Case transferred in from Central Division (Worcester) on 11/25/2015 Case Number 4:15-cv-40162. (Abaid, Kimberly) (Entered: 11/25/2015)
11/25/2015	<u>6</u>	ELECTRONIC NOTICE of Case Assignment. Judge George A. OToole, Jr assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Judith G. Dein. (Abaid, Kimberly) (Entered: 11/25/2015)
12/04/2015	<u>7</u>	NOTICE of Appearance by Elizabeth D. Matos on behalf of Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward (Matos, Elizabeth) (Entered: 12/04/2015)
12/07/2015	<u>8</u>	NOTICE of Appearance by Tatum A. Pritchard on behalf of Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward (Pritchard, Tatum) (Entered: 12/07/2015)
12/07/2015	<u>9</u>	Summons Issued as to All Defendants. Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service. (Halley, Taylor) (Entered: 12/07/2015)
12/07/2015	<u>10</u>	NOTICE of Appearance by William J. Flanagan on behalf of Massachusetts Partnership for Correctional Healthcare, LLC (Flanagan, William) (Entered: 12/07/2015)
12/07/2015	<u>11</u>	NOTICE of Appearance by Curtis L.S. Carpenter on behalf of Massachusetts Partnership for Correctional Healthcare, LLC (Carpenter, Curtis) (Entered: 12/07/2015)
12/29/2015	<u>12</u>	AFFIDAVIT OF SERVICE Executed by Rolando Jimenez, Louis Markham, Jennifer Ward, George Skinder, Leonard Briggs, Francis McGowan, Eric Roldan. Massachusetts Partnership for Correctional Healthcare, LLC served on 12/18/2015, answer due 1/8/2016. Acknowledgement filed by Rolando Jimenez; Louis Markham; Jennifer Ward; George Skinder; Leonard Briggs; Francis McGowan; Eric Roldan. (Bonneau, Alexandra) (Entered: 12/29/2015)
12/29/2015	<u>13</u>	AFFIDAVIT OF SERVICE Executed by Rolando Jimenez, Louis Markham, Jennifer Ward, George Skinder, Leonard Briggs, Francis McGowan, Eric Roldan. Massachusetts Department of Correction served on 12/29/2015, answer due 1/19/2016. Acknowledgement filed by Rolando Jimenez; Louis Markham; Jennifer Ward; George Skinder; Leonard Briggs; Francis McGowan; Eric Roldan. (Bonneau, Alexandra) (Entered: 12/29/2015)
01/04/2016	<u>14</u>	Assented to MOTION for Extension of Time to January 15, 2016 to File Answer re <u>1</u> Complaint,, by Massachusetts Partnership for Correctional Healthcare, LLC.(Carpenter, Curtis) (Entered: 01/04/2016)

01/04/2016	<u>15</u>	Judge George A. OToole, Jr: ELECTRONIC ORDER entered granting <u>14</u> Motion for Extension of Time to Answer re <u>1</u> Complaint,, Massachusetts Partnership for Correctional Healthcare, LLC answer due 1/15/2016. (Lyness, Paul) (Entered: 01/04/2016)
01/15/2016	<u>16</u>	ANSWER to <u>1</u> Complaint,, with Jury Demand by Massachusetts Partnership for Correctional Healthcare, LLC.(Carpenter, Curtis) (Entered: 01/15/2016)
01/19/2016	<u>17</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Deborah Golden Filing fee: \$ 100, receipt number 0101-5934269 by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Attachments: # <u>1</u> Affidavit of Deborah Golden)(Bonneau, Alexandra) (Entered: 01/19/2016)
01/20/2016	<u>18</u>	Judge George A. OToole, Jr: ELECTRONIC ORDER entered granting <u>17</u> Motion for Leave to Appear Pro Hac Vice Added Deborah M. Golden. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Lyness, Paul) (Entered: 01/20/2016)
01/21/2016	<u>19</u>	NOTICE of Appearance by Thomas Vincent DiGangi on behalf of Katherine A. Chmiel, Paul Henderson, Carol Higgins O'Brien, Massachusetts Department of Correction, Sean Medeiros, Steven O'Brien, Kelly Ryan (DiGangi, Thomas) (Entered: 01/21/2016)
01/27/2016	<u>20</u>	WAIVER OF SERVICE Returned Executed by Rolando Jimenez, Louis Markham, Jennifer Ward, George Skinder, Leonard Briggs, Francis McGowan, Eric Roldan. Carol Higgins O'Brien waiver sent on 12/29/2015, answer due 2/29/2016. (Bonneau, Alexandra) (Entered: 01/27/2016)
01/27/2016	<u>21</u>	WAIVER OF SERVICE Returned Executed by Rolando Jimenez, Louis Markham, Jennifer Ward, George Skinder, Leonard Briggs, Francis McGowan, Eric Roldan. Katherine A. Chmiel waiver sent on 12/29/2015, answer due 2/29/2016. (Bonneau, Alexandra) (Entered: 01/27/2016)
01/27/2016	<u>22</u>	WAIVER OF SERVICE Returned Executed by Rolando Jimenez, Louis Markham, Jennifer Ward, George Skinder, Leonard Briggs, Francis McGowan, Eric Roldan. Kelly Ryan waiver sent on 12/29/2015, answer due 2/29/2016. (Bonneau, Alexandra) (Entered: 01/27/2016)
01/27/2016	<u>23</u>	WAIVER OF SERVICE Returned Executed by Rolando Jimenez, Louis Markham, Jennifer Ward, George Skinder, Leonard Briggs, Francis McGowan, Eric Roldan. Paul Henderson waiver sent on 12/29/2015, answer due 2/29/2016. (Bonneau, Alexandra) (Entered: 01/27/2016)
01/27/2016	<u>24</u>	WAIVER OF SERVICE Returned Executed by Rolando Jimenez, Louis Markham, Jennifer Ward, George Skinder, Leonard Briggs, Francis McGowan, Eric Roldan. Sean Medeiros waiver sent on 12/29/2015, answer due 2/29/2016. (Bonneau, Alexandra) (Entered: 01/27/2016)
01/27/2016	<u>25</u>	WAIVER OF SERVICE Returned Executed by Rolando Jimenez, Louis Markham, Jennifer Ward, George Skinder, Leonard Briggs, Francis McGowan, Eric Roldan. Steven O'Brien waiver sent on 12/29/2015, answer due 2/29/2016. (Bonneau, Alexandra) (Entered: 01/27/2016)
03/04/2016	<u>26</u>	MOTION to Certify Class by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward.(Pirozzolo, Lisa) (Entered: 03/04/2016)
03/04/2016	<u>27</u>	MEMORANDUM in Support re <u>26</u> MOTION to Certify Class filed by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Attachments: # <u>1</u> Exhibit 1 – Declaration of Eric Roldan, # <u>2</u> Exhibit 2 – Declaration of Francis McGowan, # <u>3</u> Exhibit 3 – Declaration of George Skinder, # <u>4</u> Exhibit 4 – Declaration of Jennifer Ward, # <u>5</u> Exhibit 5 – Declaration of Leonard Briggs, # <u>6</u> Exhibit 6 – Declaration of Louis Markham, # <u>7</u> Exhibit 7 – Declaration of Rolando S. Jimenez)(Pirozzolo, Lisa) (Entered: 03/04/2016)

03/10/2016	<u>28</u>	NOTICE of Appearance by Kirk G. Hanson on behalf of Katherine A. Chmiel, Paul Henderson, Carol Higgins O'Brien, Massachusetts Department of Correction, Sean Medeiros, Steven O'Brien, Kelly Ryan (Hanson, Kirk) (Entered: 03/10/2016)
03/10/2016	<u>29</u>	ANSWER to <u>1</u> Complaint,, with Jury Demand by Katherine A. Chmiel, Paul Henderson, Carol Higgins O'Brien, Massachusetts Department of Correction, Sean Medeiros, Steven O'Brien, Kelly Ryan.(Hanson, Kirk) (Entered: 03/10/2016)
03/16/2016	<u>30</u>	MOTION for Extension of Time to April 1, 2016 to File Response/Reply as to <u>26</u> MOTION to Certify Class by Katherine A. Chmiel, Paul Henderson, Carol Higgins O'Brien, Massachusetts Department of Correction, Sean Medeiros, Steven O'Brien, Kelly Ryan.(DiGangi, Thomas) (Entered: 03/16/2016)
03/17/2016	31	Judge George A. OToole, Jr: ELECTRONIC ORDER entered granting <u>30</u> Motion for Extension of Time to File Response/Reply re <u>26</u> MOTION to Certify Class Responses due by 4/1/2016 (Halley, Taylor) (Entered: 03/17/2016)
03/29/2016	<u>32</u>	Second MOTION for Extension of Time to File Response/Reply as to <u>26</u> MOTION to Certify Class by Katherine A. Chmiel, Paul Henderson, Carol Higgins O'Brien, Massachusetts Department of Correction, Sean Medeiros, Steven O'Brien, Kelly Ryan.(Hanson, Kirk) (Entered: 03/29/2016)
03/29/2016	<u>33</u>	MEMORANDUM in Opposition re <u>32</u> Second MOTION for Extension of Time to File Response/Reply as to <u>26</u> MOTION to Certify Class filed by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Pirozzolo, Lisa) (Entered: 03/29/2016)
03/31/2016	34	Judge George A. OToole, Jr: ELECTRONIC ORDER entered granting <u>32</u> Motion for Extension of Time to File Response/Reply re <u>26</u> MOTION to Certify Class Responses due by 4/15/2016 (Lyness, Paul) (Entered: 03/31/2016)
04/04/2016	<u>35</u>	Opposition re <u>26</u> MOTION to Certify Class filed by Massachusetts Partnership for Correctional Healthcare, LLC. (Carpenter, Curtis) (Entered: 04/04/2016)
04/13/2016	<u>36</u>	NOTICE of Appearance by Anna Rachel Dray-Siegel on behalf of Katherine A. Chmiel, Paul Henderson, Carol Higgins O'Brien, Massachusetts Department of Correction, Sean Medeiros, Steven O'Brien, Kelly Ryan (Dray-Siegel, Anna) (Entered: 04/13/2016)
04/14/2016	37	ELECTRONIC NOTICE Setting Hearing on Motion <u>26</u> MOTION to Certify Class : Motion Hearing set for 5/18/2016 02:00 PM in Courtroom 22 before Judge George A. OToole Jr.. Please mark your calendars accordingly. (Lyness, Paul) (Entered: 04/14/2016)
04/15/2016	<u>38</u>	Opposition re <u>26</u> MOTION to Certify Class filed by Katherine A. Chmiel, Paul Henderson, Carol Higgins O'Brien, Massachusetts Department of Correction, Sean Medeiros, Steven O'Brien, Kelly Ryan. (Attachments: # <u>1</u> Exhibit A)(Hanson, Kirk) (Entered: 04/15/2016)
05/03/2016	39	Judge George A. OToole, Jr: ELECTRONIC ORDER entered. The plaintiffs are invited to file a reply brief addressing the arguments raised in the DOC defendants brief (dkt. no. 38). Any such reply brief shall be filed on or before May 13, 2016.(Halley, Taylor) (Entered: 05/03/2016)
05/09/2016	<u>40</u>	REPLY to Response to <u>26</u> MOTION to Certify Class filed by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Pirozzolo, Lisa) (Entered: 05/09/2016)
05/18/2016	41	Electronic Clerk's Notes for proceedings held before Judge George A. OToole, Jr: Motion Hearing held on 5/18/2016 re <u>26</u> MOTION to Certify Class filed by Louis Markham, Rolando Jimenez, Jennifer Ward, Francis McGowan, Leonard Briggs, George Skinder, Eric Roldan. The court takes the matter under advisement. (Court Reporter: Debra Lajoie at ylajoied@yahoo.com.)(Attorneys present: For Plaintiffs: Lisa Pirozzolo; For Defendants: Kirk Hanson, Curtis Carpenter) (Lyness, Paul) (Entered: 05/18/2016)
06/29/2016	<u>42</u>	Judge George A. OToole, Jr: OPINION AND ORDER entered denying <u>26</u> Motion to Certify Class (Halley, Taylor) (Entered: 06/29/2016)

06/29/2016	<u>43</u>	Set Hearings: Scheduling Conference set for 8/1/2016 02:00 PM in Courtroom 22 before Judge George A. OToole Jr.. (Halley, Taylor) (Entered: 06/29/2016)
07/25/2016	<u>44</u>	JOINT SUBMISSION pursuant to Local Rule 16.1 by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward.(Porter, Alatheia) (Entered: 07/25/2016)
07/25/2016	<u>45</u>	CERTIFICATION pursuant to Local Rule 16.1 by Leonard Briggs.(Porter, Alatheia) (Entered: 07/25/2016)
07/25/2016	<u>46</u>	CERTIFICATION pursuant to Local Rule 16.1 by Rolando Jimenez.(Porter, Alatheia) (Entered: 07/25/2016)
07/25/2016	<u>47</u>	CERTIFICATION pursuant to Local Rule 16.1 by Louis Markham.(Porter, Alatheia) (Entered: 07/25/2016)
07/25/2016	<u>48</u>	CERTIFICATION pursuant to Local Rule 16.1 by Francis McGowan.(Porter, Alatheia) (Entered: 07/25/2016)
07/25/2016	<u>49</u>	CERTIFICATION pursuant to Local Rule 16.1 by Eric Roldan.(Porter, Alatheia) (Entered: 07/25/2016)
07/25/2016	<u>50</u>	CERTIFICATION pursuant to Local Rule 16.1 by George Skinder.(Porter, Alatheia) (Entered: 07/25/2016)
07/25/2016	<u>51</u>	CERTIFICATION pursuant to Local Rule 16.1 by Jennifer Ward.(Porter, Alatheia) (Entered: 07/25/2016)
07/25/2016	<u>52</u>	CERTIFICATION pursuant to Local Rule 16.1 <i>by the Massachusetts Department of Correction, Carol Higgins O'Brien, Katherine Chmiel, Kelly Ryan, Sean Medeiros, Steven O'Brien, and Paul Henderson.</i> (Hanson, Kirk) Modified on 7/25/2016 (Jones, Sherry). (Entered: 07/25/2016)
07/25/2016	<u>53</u>	CERTIFICATION pursuant to Local Rule 16.1 <i>by Massachusetts Partnership for Correctional Healthcare LLC.</i> (Carpenter, Curtis) (Entered: 07/25/2016)
08/01/2016	54	Electronic Clerk's Notes for proceedings held before Judge George A. OToole, Jr: Scheduling Conference held on 8/1/2016. Fact discovery to be completed by 6/1/17. (Status Conference set for 2/6/2017 02:00 PM in Courtroom 22 before Judge George A. OToole Jr.). (Court Reporter: Marcia Patrisso at m.patrisso@outlook.com.)(Attorneys present: For Plaintiffs: Alatheia Porter; For Defendants: Kirk Hanson, Curtis Carpenter) (Lyness, Paul) (Entered: 08/01/2016)
09/01/2016	<u>55</u>	Joint MOTION for Protective Order by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit A to Proposed Order)(Pirozzolo, Lisa) (Entered: 09/01/2016)
10/11/2016	<u>56</u>	Judge George A. O'Toole, Jr: ORDER entered granting <u>55</u> Motion for Protective Order (Halley, Taylor) (Entered: 10/12/2016)
10/25/2016	<u>57</u>	NOTICE of Withdrawal of Appearance by Thomas Vincent DiGangi (DiGangi, Thomas) (Entered: 10/25/2016)
10/31/2016	<u>58</u>	NOTICE of Appearance by Dennis N. D'Angelo on behalf of Katherine A. Chmiel, Paul Henderson, Carol Higgins O'Brien, Massachusetts Department of Correction, Sean Medeiros, Steven O'Brien, Kelly Ryan (D'Angelo, Dennis) (Entered: 10/31/2016)
11/07/2016	<u>59</u>	NOTICE of Appearance by Jocelyn M. Keider on behalf of Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward (Keider, Jocelyn) (Entered: 11/07/2016)
11/21/2016	<u>60</u>	NOTICE of Withdrawal of Appearance by Alatheia E. Porter (Porter, Alatheia) (Entered: 11/21/2016)
12/07/2016	<u>61</u>	Joint MOTION to Amend <u>56</u> Order on Motion for Protective Order by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Keider, Jocelyn) (Entered: 12/07/2016)

12/27/2016	<u>62</u>	Judge George A. O'Toole, Jr: ORDER entered granting <u>61</u> Motion to Amend (Halley, Taylor) (Entered: 12/28/2016)
01/10/2017	<u>63</u>	NOTICE of Appearance by Seth Moskowitz on behalf of Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward (Moskowitz, Seth) (Entered: 01/10/2017)
01/11/2017	<u>64</u>	NOTICE of Withdrawal of Appearance by Alexandra B. Bonneau (Bonneau, Alexandra) (Entered: 01/11/2017)
01/25/2017	<u>65</u>	Transcript of Scheduling Conference held on August 1, 2016, before Judge George A. OToole. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Marcia Patrisso at m.patrisso@outlook.com Redaction Request due 2/15/2017. Redacted Transcript Deadline set for 2/27/2017. Release of Transcript Restriction set for 4/25/2017. (Scalfani, Deborah) (Entered: 01/25/2017)
01/25/2017	66	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, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 01/25/2017)
01/26/2017	<u>67</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>as to Count I and II of Plaintiffs' Complaint</i> by Massachusetts Partnership for Correctional Healthcare, LLC.(Carpenter, Curtis) (Entered: 01/26/2017)
01/26/2017	<u>68</u>	MEMORANDUM in Support re <u>67</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>as to Count I and II of Plaintiffs' Complaint</i> filed by Massachusetts Partnership for Correctional Healthcare, LLC. (Attachments: # <u>1</u> Exhibit 1)(Carpenter, Curtis) (Entered: 01/26/2017)
01/26/2017	<u>69</u>	MOTION to Compel <i>Document Production and Supplemental Interrogatory Responses from Defendant MPCH</i> by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward.(Keider, Jocelyn) (Entered: 01/26/2017)
01/26/2017	<u>70</u>	MEMORANDUM in Support re <u>69</u> MOTION to Compel <i>Document Production and Supplemental Interrogatory Responses from Defendant MPCH</i> filed by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Keider, Jocelyn) (Entered: 01/26/2017)
01/26/2017	<u>71</u>	DECLARATION re <u>69</u> MOTION to Compel <i>Document Production and Supplemental Interrogatory Responses from Defendant MPCH</i> by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K)(Keider, Jocelyn) (Entered: 01/26/2017)
02/06/2017	<u>72</u>	Opposition re <u>69</u> MOTION to Compel <i>Document Production and Supplemental Interrogatory Responses from Defendant MPCH</i> filed by Massachusetts Partnership for Correctional Healthcare, LLC. (Attachments: # <u>1</u> Exhibit A: Plaintiffs Written Discovery Requests, # <u>2</u> Exhibit B: E-mail from Attorney Alatheia Porter, # <u>3</u> Exhibit C: MPCHs Response to Plaintiffs Request for Production of Documents, # <u>4</u> Exhibit D: Affidavit of Curtis L.S. Carpenter, # <u>5</u> Exhibit E: MPCHs Answers to Interrogatories, # <u>6</u> Exhibit F: Letter from Attorney Alexandra Bonneau dated November 7, 2016, # <u>7</u> Exhibit G: Letter from Attorney Alexandra Bonneau dated December 9, 2016, # <u>8</u> Exhibit H: E-mail from counsel for DOC, dated January 20, 2017, # <u>9</u> Exhibit I: E-mail from counsel for MPCH, dated January 25, 2016, # <u>10</u> Exhibit J: E-mail from counsel for MPCH, dated January 26, 2016)(Carpenter, Curtis) (Entered: 02/06/2017)
02/06/2017	<u>73</u>	Joint MOTION for Extension of Time to 2/21/2017 to File Opposition to MPCH's Motion to Dismiss by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward.(Moskowitz, Seth) (Entered: 02/06/2017)

02/06/2017	<u>74</u>	Electronic Clerk's Notes for proceedings held before Judge George A. OToole, Jr: Status Conference held on 2/6/2017, (Status Conference set for 3/6/2017 02:00 PM in Courtroom 22 before Judge George A. OToole Jr.). The motion for extension of time (73) is granted. Motions terminated: <u>73</u> Joint MOTION for Extension of Time to 2/21/2017 to File Opposition to MPCH's Motion to Dismiss filed by Louis Markham, Rolando Jimenez, Jennifer Ward, Francis McGowan, Leonard Briggs, George Skinder, Eric Roldan. (Court Reporter: Marcia Patrisso at m.patrisso@outlook.com.)(Attorneys present: For Plaintiffs: Lisa Pirozzolo, Jocelyn Keider; For Defendants: Dennis D'Angelo, Curtis Carpenter) (Lyness, Paul) (Entered: 02/06/2017)
02/06/2017	<u>75</u>	Set/Reset Deadlines as to <u>67</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>as to Count I and II of Plaintiffs' Complaint</i> . Responses due by 2/21/2017 (Lyness, Paul) (Entered: 02/06/2017)
02/16/2017	<u>76</u>	NOTICE of Appearance by Kate R. Isley on behalf of Massachusetts Department of Correction, Sean Medeiros, Steven O'Brien (Isley, Kate) (Entered: 02/16/2017)
02/21/2017	<u>77</u>	Transcript of Scheduling Conference held on February 6, 2017, before Judge George A. OToole. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Marcia Patrisso at m.patrisso@outlook.com Redaction Request due 3/14/2017. Redacted Transcript Deadline set for 3/24/2017. Release of Transcript Restriction set for 5/22/2017. (Scalfani, Deborah) (Entered: 02/21/2017)
02/21/2017	<u>78</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, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 02/21/2017)
02/21/2017	<u>79</u>	Opposition re <u>67</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>as to Count I and II of Plaintiffs' Complaint</i> filed by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Moskowitz, Seth) (Entered: 02/21/2017)
03/06/2017	<u>80</u>	Electronic Clerk's Notes for proceedings held before Judge George A. OToole, Jr: Status Conference held on 3/6/2017, (Status Conference set for 5/1/2017 02:00 PM in Courtroom 22 before Judge George A. OToole Jr.). (Court Reporter: Joan Daly at joanmdaly62@gmail.com.)(Attorneys present: For Plaintiffs: Jocelyn Keider, Seth Moskowitz; For Defendants: Dennis D'Angelo, Kate Isley, Curtis Carpenter) (Lyness, Paul) (Entered: 03/06/2017)
03/10/2017	<u>81</u>	REDACTED Transcript of Status Conference held on March 6, 2017, before Judge George A. OToole. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Joan Daly at joanmdaly62@gmail.com Redaction Request due 3/31/2017. Redacted Transcript Deadline set for 4/10/2017. Release of Transcript Restriction set for 6/8/2017. (Scalfani, Deborah) (Additional attachment(s) added on 4/7/2017: # <u>1</u> Redacted) (Scalfani, Deborah). Modified on 4/7/2017 (Scalfani, Deborah). (Entered: 03/10/2017)
03/10/2017	<u>82</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, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 03/10/2017)
03/21/2017	<u>83</u>	NOTICE of Intent to Request Redaction by Jocelyn M. Keider re <u>81</u> Transcript, (Keider, Jocelyn) (Entered: 03/21/2017)
03/31/2017	<u>84</u>	Transcript Redaction Request re <u>81</u> Transcript, by attorney Jocelyn M. Keider. (Keider, Jocelyn) (Entered: 03/31/2017)
03/31/2017	<u>85</u>	Joint MOTION to Redact <u>81</u> Transcript, by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward.(Keider, Jocelyn) (Entered: 03/31/2017)

04/07/2017	86	Judge George A. OToole, Jr: ELECTRONIC ORDER entered granting the Joint Motion for Redaction of Electronic Transcript <u>85</u> . The transcript of the March 6, 2017 status conference shall be redacted as outlined in the parties Redaction Request. The unredacted transcript shall remain on the docket under seal. (Lyness, Paul) (Entered: 04/07/2017)
05/01/2017	87	Electronic Clerk's Notes for proceedings held before Judge George A. OToole, Jr: Status Conference held on 5/1/2017; discovery disputed addressed mostly stemming for documents production (electronic and paper); Court will assign the Magistrate Judge for purposes of discovery, and defer on any request for extension of discovery until case returned by the Magistrate Judge; scheduling a hearing re <u>67</u> Motion to Dismiss is to be determined. (Court Reporter: Marcia Patrisso at m.patrisso@outlook.com.)(Attorneys present: Carpenter, D'Angelo, Isley, Keider, and Moskowitz) (Lovett, Jarrett) (Entered: 05/01/2017)
05/04/2017	88	Judge George A. OToole, Jr: ELECTRONIC ORDER entered. REFERRING CASE to Magistrate Judge Judith G. Dein Referred for: Discovery (d). Further information: management of all discovery issues..(Lyness, Paul) (Entered: 05/04/2017)
05/04/2017	<u>89</u>	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Philip Fornaci Filing fee: \$ 100, receipt number 0101-6612442 by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Attachments: # <u>1</u> Exhibit A)(Keider, Jocelyn) (Entered: 05/04/2017)
05/04/2017	<u>90</u>	NOTICE of Appearance by Jessica L. Lewis on behalf of Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward (Lewis, Jessica) (Entered: 05/04/2017)
05/05/2017	91	Judge George A. O'Toole, Jr: ELECTRONIC ORDER entered granting <u>89</u> Motion for Leave to Appear Pro Hac Vice Added Philip Fornaci. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Halley, Taylor) (Entered: 05/05/2017)
05/08/2017	92	ELECTRONIC NOTICE issued requesting courtesy copy of <u>71</u> Affidavit in Support of Plaintiffs' Motion to Compel and <u>72</u> Defendant's Opposition to Plaintiffs' Motion to Compel. Counsel who filed these documents is requested to submit a courtesy copy to Magistrate Judge Dein by 5/15/17. The documents must be clearly marked as a Courtesy Copy, reflect the document numbers assigned by CM/ECF, and the exhibits must be tabbed. (Dambrosio, Jolyne) (Entered: 05/08/2017)
05/10/2017	93	ELECTRONIC NOTICE SETTING HEARING on <u>69</u> Plaintiffs' MOTION to Compel Document Production and Supplemental Interrogatory Responses from Defendant MPCH: Motion Hearing set for 5/23/2017 11:00 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 05/10/2017)
05/12/2017	<u>94</u>	Transcript of Status Conference held on May 1, 2017, before Judge George A. OToole. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Marcia Patrisso at m.patrisso@outlook.com Redaction Request due 6/2/2017. Redacted Transcript Deadline set for 6/12/2017. Release of Transcript Restriction set for 8/10/2017. (Scalfani, Deborah) (Entered: 05/12/2017)
05/12/2017	95	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, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 05/12/2017)
05/18/2017	<u>96</u>	Joint MOTION for Extension of Time to September 15, 2017 to Complete Discovery (<i>Fact Discovery</i>) by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward.(Keider, Jocelyn) (Entered: 05/18/2017)
05/22/2017	<u>97</u>	NOTICE of Withdrawal of Appearance by Deborah Golden (Golden, Deborah) (Entered: 05/22/2017)

05/23/2017	<u>98</u>	Magistrate Judge Judith G. Dein: ORDER entered withdrawing <u>69</u> Plaintiffs' Motion to Compel, and granting <u>96</u> Joint Motion to Extend Case Deadlines. (Dambrosio, Jolyne) (Entered: 05/23/2017)
05/23/2017	99	ELECTRONIC NOTICE OF HEARING. Status Conference set for 9/12/2017 10:00 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. See Docket No. 98 for details. (Dambrosio, Jolyne) (Entered: 05/23/2017)
05/23/2017	100	Electronic Clerk's Notes for proceedings held before Magistrate Judge Judith G. Dein: Status Conference held on 5/23/2017.; case called; #96 Motion to compel is withdrawn; Counsel report case type, status of discovery; court adopts discovery schedule and sets next conference for 9/12/17 @ 10:00am. (Court Reporter: Digital Recording.) To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .(Attorneys present: Moskowitz, Carpenter, D'Angelo and Isley) (Quinn, Thomas) (Entered: 05/26/2017)
06/28/2017	<u>101</u>	Transcript of Status Conference held on May 23, 2017, before Magistrate Judge Judith G. Dein. The Transcript may be purchased through Karen Aveyard at k.aveyard@comcast.net , viewed at the public terminal, or viewed through PACER after it is released. No Reporter Used. Digital Recording transcribed by Karen Aveyard. Redaction Request due 7/19/2017. Redacted Transcript Deadline set for 7/31/2017. Release of Transcript Restriction set for 9/26/2017. (Scalfani, Deborah) (Entered: 06/28/2017)
06/28/2017	102	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, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 06/28/2017)
08/01/2017	<u>103</u>	STATUS REPORT (<i>Joint</i>) by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Moskowitz, Seth) (Entered: 08/01/2017)
08/03/2017	104	ELECTRONIC NOTICE OF HEARING. Status Conference set for 8/16/2017 10:30 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 08/03/2017)
08/14/2017	<u>105</u>	Assented to MOTION to Take Deposition from Incarcerated Named Plaintiffs by Katherine A. Chmiel, Paul Henderson, Carol Higgins O'Brien, Massachusetts Department of Correction, Sean Medeiros, Steven O'Brien, Kelly Ryan.(Hanson, Kirk) (Entered: 08/14/2017)
08/15/2017	106	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered granting <u>105</u> Defendants' Assented to Motion to Take Deposition from Incarcerated Named Plaintiffs. (Dambrosio, Jolyne) (Entered: 08/15/2017)
08/16/2017	<u>107</u>	Magistrate Judge Judith G. Dein: ORDER entered. SCHEDULING ORDER: Status Conference set for 9/12/2017 10:00 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 08/16/2017)
08/16/2017	108	Electronic Clerk's Notes for proceedings held before Magistrate Judge Judith G. Dein: Status Conference held on 8/16/2017. case called; counsel report current discovery status; USMJ Dein modified the discovery schedule and set the next conference for 9/12/17 @ 10:00am. (Court Reporter: Digital Recording.) To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .(Attorneys present: Moskowitz, Pritchard, Keider, Isley and Carpenter) (Quinn, Thomas) (Entered: 08/18/2017)
08/31/2017	<u>109</u>	MOTION to Amend <u>107</u> Scheduling Order <i>Paragraph Two Only</i> by Massachusetts Partnership for Correctional Healthcare, LLC.(Carpenter, Curtis) (Entered: 08/31/2017)

09/01/2017	<u>110</u>	Opposition re <u>109</u> MOTION to Amend <u>107</u> Scheduling Order <i>Paragraph Two Only and Request for Hearing</i> filed by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Attachments: # <u>1</u> Affidavit of Seth Moskowitz, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4)(Moskowitz, Seth) (Entered: 09/01/2017)
09/05/2017	<u>111</u>	STATUS REPORT (<i>Joint</i>) by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Moskowitz, Seth) (Entered: 09/05/2017)
09/07/2017	112	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered finding as moot <u>109</u> Defendant's Motion to Amend <u>107</u> Scheduling Order Paragraph Two Only. The parties may continue to negotiate until the hearing on 9/12/17. The document production shall be discussed at the Status Conference. (Dambrosio, Jolyne) (Entered: 09/07/2017)
09/12/2017	113	Electronic Clerk's Notes for proceedings held before Magistrate Judge Judith G. Dein: Status Conference held on 9/12/2017. case called; Counsel report current status of electronic discovery production with the deadline of 9/27/17; USMJ Dein orders Dft. to begin rolling production of outstanding discovery and sets next conference for 11/21/17 @ 10:15am. (Court Reporter: Digital Recording.) To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .(Attorneys present: Moskowitz, Pirozzolo,Pritchard, Isley D'Angelo, Carpenter and Flangan) (Quinn, Thomas) (Entered: 09/12/2017)
09/12/2017	<u>114</u>	Magistrate Judge Judith G. Dein: ORDER entered. SCHEDULING ORDER: Status Conference set for 11/21/2017 10:15 AM in Courtroom 15 before Magistrate Judge Judith G. Dein.(Quinn, Thomas) (Quinn, Thomas). (Entered: 09/12/2017)
09/14/2017	<u>115</u>	Transcript of Status Conference held on August 16, 2017, before Magistrate Judge Judith G. Dein. The Transcript may be purchased through Karen Aveyard at k.aveyard@comcast.net , viewed at the public terminal, or viewed through PACER after it is released. No Reporter Used. Digital Recording transcribed by Karen Aveyard. Redaction Request due 10/5/2017. Redacted Transcript Deadline set for 10/16/2017. Release of Transcript Restriction set for 12/13/2017. (Scalfani, Deborah) (Entered: 09/14/2017)
09/14/2017	116	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, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 09/14/2017)
09/25/2017	<u>117</u>	Transcript of Status Conference held on September 12, 2017, before Magistrate Judge Judith G. Dein. The Transcript may be purchased through Karen Aveyard at k.aveyard@comcast.net , viewed at the public terminal, or viewed through PACER after it is released. No Reporter Used. Digital Recording transcribed by Karen Aveyard. Redaction Request due 10/16/2017. Redacted Transcript Deadline set for 10/26/2017. Release of Transcript Restriction set for 12/26/2017. (Scalfani, Deborah) (Entered: 09/25/2017)
09/25/2017	118	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, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 09/25/2017)
10/26/2017	<u>119</u>	NOTICE of Appearance by John G. Bagley on behalf of Massachusetts Partnership for Correctional Healthcare, LLC (Bagley, John) (Entered: 10/26/2017)
11/14/2017	<u>120</u>	STATUS REPORT <i>Joint</i> by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Moskowitz, Seth) (Entered: 11/14/2017)
11/17/2017	<u>121</u>	NOTICE of Appearance by Rachel L. Gargiulo on behalf of Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer

		Ward (Gargiulo, Rachel) (Entered: 11/17/2017)
11/20/2017	122	ELECTRONIC NOTICE RESETTING HEARING (<i>LOCATION ONLY</i>): The Status Conference scheduled for 11/21/2017 at 10:15AM before Magistrate Judge Judith G. Dein will be held in <i>Courtroom 8 on the 3rd Floor</i> . (Dambrosio, Jolyne) (Entered: 11/20/2017)
11/21/2017	<u>123</u>	Magistrate Judge Judith G. Dein: ORDER entered. SCHEDULING ORDER: Status Conference set for 1/8/2018 10:15 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 11/21/2017)
11/21/2017	124	Electronic Clerk's Notes for proceedings held before Magistrate Judge Judith G. Dein: Status Conference held on 11/21/2017. case called; counsel report current discovery status and seek to extend fact discovery date; USMJ Dein set next conference for 1/8/18 @ 10:15am. (Court Reporter: Digital Recording.) To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov . (Quinn, Thomas) (Entered: 11/21/2017)
11/27/2017	<u>125</u>	NOTICE of Appearance by William J. Durkin on behalf of Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward (Durkin, William) (Entered: 11/27/2017)
11/29/2017	<u>126</u>	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Katherine V. Mackey Filing fee: \$ 100, receipt number 0101-6905019 by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Attachments: # <u>1</u> Exhibit Certification of Katherine V. Mackey)(Moskowitz, Seth) (Entered: 11/29/2017)
11/30/2017	127	Judge George A. O'Toole, Jr: ELECTRONIC ORDER entered granting <u>126</u> Motion for Leave to Appear Pro Hac Vice Added Katherine V. Mackey. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Halley, Taylor) (Entered: 11/30/2017)
12/11/2017	<u>128</u>	Transcript of Status Conference held on November 21, 2017, before Magistrate Judge Judith G. Dein. No Reporter Used. Digital Recording transcribed by Karen Aveyard. The Transcript may be purchased through Karen Aveyard at k.aveyard@comcast.net , viewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 1/2/2018. Redacted Transcript Deadline set for 1/11/2018. Release of Transcript Restriction set for 3/12/2018. (Scalfani, Deborah) (Entered: 12/11/2017)
12/11/2017	129	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, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 12/11/2017)
12/11/2017	<u>130</u>	NOTICE of Appearance by Tory A. Weigand on behalf of Massachusetts Partnership for Correctional Healthcare, LLC (Weigand, Tory) (Entered: 12/11/2017)
01/03/2018	<u>131</u>	STATUS REPORT (<i>Joint</i>) by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Moskowitz, Seth) (Entered: 01/03/2018)
01/08/2018	<u>132</u>	Magistrate Judge Judith G. Dein: ORDER entered. SCHEDULING ORDER: Status Conference set for 3/15/2018 10:00 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 01/08/2018)
01/08/2018	133	Electronic Clerk's Notes for proceedings held before Magistrate Judge Judith G. Dein: Status Conference held on 1/8/2018. case called; counsel report current discovery status and seek to extend the discovery schedule; USMJ Dein adopts the proposed schedule and sets next conference for 3/15/18 @ 10:00am. (Court Reporter: Digital Recording.) To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this

		proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov . (Quinn, Thomas) (Entered: 01/09/2018)
01/18/2018	<u>134</u>	Transcript of Status Conference held on January 8, 2018, before Magistrate Judge Judith G. Dein. The Transcript may be purchased through Karen Aveyard at k.aveyard@comcast.net , viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: No Reporter Used. Redaction Request due 2/8/2018. Redacted Transcript Deadline set for 2/20/2018. Release of Transcript Restriction set for 4/18/2018. (Scalfani, Deborah) (Entered: 01/18/2018)
01/18/2018	135	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, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 01/18/2018)
01/22/2018	<u>136</u>	NOTICE of Appearance by Lindsay Kosan on behalf of Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward (Kosan, Lindsay) (Entered: 01/22/2018)
02/09/2018	<u>137</u>	NOTICE of Withdrawal of Appearance by Curtis L.S. Carpenter (Carpenter, Curtis) (Entered: 02/09/2018)
02/22/2018	<u>138</u>	Joint MOTION for Extension of Time to March 23, 2018 to complete Fact Discovery (and other deadlines) by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward.(Moskowitz, Seth) (Entered: 02/22/2018)
02/26/2018	139	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered granting <u>138</u> Joint Motion for Extension of Deadlines. (Dambrosio, Jolyne) (Entered: 02/26/2018)
03/12/2018	<u>140</u>	NOTICE of Appearance by John P. Graceffa on behalf of Massachusetts Partnership for Correctional Healthcare, LLC (Graceffa, John) (Entered: 03/12/2018)
03/12/2018	<u>141</u>	STATUS REPORT (<i>Joint</i>) by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Moskowitz, Seth) (Entered: 03/12/2018)
03/14/2018	142	ELECTRONIC NOTICE of Hearing. Status Conference set for 3/15/2018 10:00 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Quinn, Thomas) (Entered: 03/14/2018)
03/15/2018	143	Electronic Clerk's Notes for proceedings held before Magistrate Judge Judith G. Dein: Status Conference held on 3/15/2018. case called; counsel report current discovery status and seek referral to ADR in late April-May; counsel shall contact deputy clerk Quinn with specific mediation requests; If a settlement is not reached, the parties shall file a joint proposed schedule within one week following completion of the mediation. (Court Reporter: Digital Recording.) To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov . (Quinn, Thomas) (Entered: 03/15/2018)
03/19/2018	<u>144</u>	Transcript of Status Conference held on March 15, 2018, before Magistrate Judge Judith G. Dein. The Transcript may be purchased through Karen Aveyard at k.aveyard@comcast.net , viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: No Reporter Used. Audio Recording transcribed by Karen Aveyard. Redaction Request due 4/9/2018. Redacted Transcript Deadline set for 4/19/2018. Release of Transcript Restriction set for 6/18/2018. (Scalfani, Deborah) (Entered: 03/19/2018)
03/19/2018	145	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, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 03/19/2018)

03/26/2018	<u>146</u>	NOTICE of Appearance by Victor J. Koufman on behalf of Massachusetts Partnership for Correctional Healthcare, LLC (Koufman, Victor) (Entered: 03/26/2018)
03/26/2018	<u>147</u>	NOTICE of Appearance by George J. Puddister on behalf of Massachusetts Partnership for Correctional Healthcare, LLC (Puddister, George) (Entered: 03/26/2018)
03/26/2018	<u>148</u>	NOTICE of Withdrawal of Appearance by Tory A. Weigand <i>for defendant, Massachusetts Partnership for Correctional Healthcare, LLC</i> (Weigand, Tory) (Entered: 03/26/2018)
03/26/2018	<u>149</u>	NOTICE of Appearance by Melissa J. Garand on behalf of Massachusetts Partnership for Correctional Healthcare, LLC (Garand, Melissa) (Entered: 03/26/2018)
03/27/2018	<u>150</u>	NOTICE of Withdrawal of Appearance by William J. Flanagan (Flanagan, William) (Entered: 03/27/2018)
03/27/2018	<u>151</u>	NOTICE of Withdrawal of Appearance by John P. Graceffa (Graceffa, John) (Entered: 03/27/2018)
03/28/2018	<u>152</u>	NOTICE of Withdrawal of Appearance by John G. Bagley (Bagley, John) (Entered: 03/28/2018)
03/30/2018	153	Judge George A. OToole, Jr: ELECTRONIC ORDER entered. After review of the parties' submissions, the Court determines that the issues presented by the motion to dismiss should be resolved on a more developed factual record. The Motion to Dismiss as to Counts I and II (dkt. no. 67) is therefore DENIED without prejudice. (Lyness, Paul) (Entered: 04/02/2018)
04/03/2018	<u>154</u>	Assented to MOTION for Extension of Time <i>of Expert Discovery Deadlines</i> by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward.(Moskowitz, Seth) (Entered: 04/03/2018)
04/04/2018	155	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered granting <u>154</u> Plaintiffs' Assented to Motion for Extension of Expert Discovery Deadlines. (Dambrosio, Jolyne) (Entered: 04/04/2018)
05/08/2018	156	ELECTRONIC ORDER REFERRING CASE TO ADR PROGRAM. Magistrate Judge Dein: After consultation with counsel, I find this matter appropriate for ADR and, accordingly, refer this case for mediation. (Dambrosio, Jolyne) (Entered: 05/08/2018)
05/11/2018	157	Notice of assignment to ADR Provider. Judge M. Page Kelley appointed.(Garvin, Brendan) (Entered: 05/11/2018)
05/14/2018	<u>158</u>	Assented to MOTION for Extension of Time to June 8, 2018 to serve Defendants expert reports (<i>and extend other deadlines</i>) by Massachusetts Department of Correction.(D'Angelo, Dennis) (Entered: 05/14/2018)
05/15/2018	159	ELECTRONIC NOTICE of Hearing. Alternative Dispute Resolution Hearing set for 6/22/2018 09:30 AM in Courtroom 24 before Magistrate Judge M. Page Kelley. Telephone Conference re mediation set for 6/18/2018 02:00 PM in Courtroom 24 before Magistrate Judge M. Page Kelley. Counsel wishing to be heard may participate by calling 1-866-434-5269 and entering Access Code 7576465. Counsel are advised to dial in to the teleconference number five minutes before the hearing. INSTRUCTIONS – Counsel and principals are directed to be present and to have full settlement authority. They should be prepared to stay until 6:00 p.m. A brief mediation memorandum addressing both the merits of the case and the filing party's settlement position should be submitted to patricia_macdougall@mad.uscourts.gov no later than June 14, 2018 (preferably via email to patricia_macdougall@mad.uscourts.gov or to her attention via hand delivery to the Chambers of Mag. Judge Kelley, Suite 7-410). The mediation memorandum should be marked "Confidential – Not for Docketing" and is not to be served upon opposing parties. Counsel are asked to accommodate this date. In the event that you believe the case is not ripe for mediation at this time, or if the date poses a serious conflict, please confer with opposing counsel and email Kellyann Moore (kellyann_moore@mad.uscourts.gov) and request another date. Please email Patricia MacDougall with any other mediation related issues(Moore, Kellyann)(Moore, Kellyann) (Entered: 05/15/2018)

05/15/2018	160	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered granting <u>158</u> Defendants' Assented to Motion for Extension of Deadlines. Expert discovery completed by 8/3/18; Summary Judgment & Daubert Motions due 10/22/18; Oppositions due 10/22/18; Replies due 11/5/18. (Dambrosio, Jolyne) (Entered: 05/15/2018)
06/05/2018	<u>161</u>	Assented to MOTION for Extension of Time to to June 12, 2018 to to serve Defendants' expert reports (and to extend another expert discovery deadline) by Katherine A. Chmiel, Paul Henderson, Carol Higgins O'Brien, Massachusetts Department of Correction, Sean Medeiros, Steven O'Brien, Kelly Ryan.(Hanson, Kirk) (Entered: 06/05/2018)
06/07/2018	162	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered granting <u>161</u> Defendants' Assented to Motion to Extend Deadlines for Serving Expert Reports. All other deadlines remain the same. (Dambrosio, Jolyne) (Entered: 06/07/2018)
06/14/2018	<u>163</u>	Emergency MOTION for Extension of Time to June 20, 2018 to File <i>Mediation Memorandum (Assented to)</i> by Massachusetts Partnership for Correctional Healthcare, LLC.(Koufman, Victor) (Entered: 06/14/2018)
06/15/2018	164	Magistrate Judge M. Page Kelley: ELECTRONIC ORDER entered granting <u>163</u> Assented To Emergency Motion Motion. Defendant Massachusetts Partnership for Correctional Healthcare, LLC shall file its confidential mediation memorandum on or before the close of business on Wednesday, June 20, 2018. (MacDougall, Patricia) (Entered: 06/15/2018)
06/18/2018	<u>165</u>	NOTICE of Appearance by Alexandra B. Lavin on behalf of Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward (Lavin, Alexandra) (Entered: 06/18/2018)
06/18/2018	166	Electronic Clerk's Notes for proceedings held before Magistrate Judge M. Page Kelley: Telephone Conference held on 6/18/2018. Counsel and the Court go over the upcoming mediation. Mediation set for 6/22/18 at 9:30AM in courtroom 24 in front of Magistrate Judge Kelley. (Court Reporter: SEALED Digital Recording.) To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .(Attorneys present: Lisa J. Pirozzolo, Alexandra B. Lavin, Lindsay Kosan, Rachel L. Gargiulo, Tatum A. Pritchard and James Pingeon for plaintiffs and Anna Rachel Dray-Siegel, Kirk G. Hanson for defendants and Melissa J. Garand and Victor J. Koufman for Massachusetts Partnership for Correctional Healthcare, LLC) (Belmont, Kellyann) (Entered: 06/18/2018)
06/22/2018	168	ELECTRONIC NOTICE of Hearing. Status Conference re mediation set for 7/26/2018 11:00 AM in Courtroom 24 before Magistrate Judge M. Page Kelley. Counsel may appear by phone. Counsel wishing to be heard may participate by calling 1-866-434-5269 and entering Access Code 7576465.(Belmont, Kellyann) (Entered: 06/22/2018)
06/26/2018	<u>169</u>	Joint MOTION to Stay by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward.(Kosan, Lindsay) (Entered: 06/26/2018)
06/27/2018	<u>170</u>	STIPULATION of Dismissal by Massachusetts Partnership for Correctional Healthcare, LLC. (Garand, Melissa) (Entered: 06/27/2018)
06/28/2018	171	Judge George A. O'Toole, Jr: ELECTRONIC ORDER entered granting <u>169</u> Motion to Stay (Halley, Taylor) (Entered: 06/28/2018)
07/26/2018	172	Electronic Clerk's Notes for proceedings held before Magistrate Judge M. Page Kelley: Status Conference via telephone held on 7/26/2018. Parties discuss progress since mediation. The Court sets a further Telephone Conference for 8/30/2018 11:45 AM in Courtroom 24 before Magistrate Judge M. Page Kelley. Counsel wishing to be heard may participate by calling 1-866-434-5269 and entering Access Code 7576465. (Court Reporter: Sealed Digital Recording.) You must seek leave of court to order transcript or recording. (Attorneys present: Various) (Belmont, Kellyann) (Entered: 07/26/2018)

08/15/2018	<u>173</u>	NOTICE of Withdrawal of Appearance by Rachel L. Gargiulo (Gargiulo, Rachel) (Entered: 08/15/2018)
08/30/2018	174	Electronic Clerk's Notes for proceedings held before Magistrate Judge M. Page Kelley: Telephone Conference held on 8/30/2018. Parties discuss progress since the last telephone conference. Defendants will give preliminary results to plaintiffs by 9/17 and the parties will have a conference the week of 9/24. The Court sets a further Telephone Conference for 10/2/2018 03:30 PM in Courtroom 24 before Magistrate Judge M. Page Kelley. Counsel wishing to be heard may participate by calling 1-866-434-5269 and entering Access Code 7576465. (Court Reporter: Sealed Digital Recording.) You must seek leave of court to order transcript or recording. (Attorneys present: Various) (Belmont, Kellyann) (Entered: 08/30/2018)
09/04/2018	<u>175</u>	NOTICE of Withdrawal of Appearance by Seth Moskowitz (Moskowitz, Seth) (Entered: 09/04/2018)
09/06/2018	<u>176</u>	Joint MOTION to Stay <i>All Discovery and Court Deadlines Until 10/31/2018</i> by Katherine A. Chmiel, Paul Henderson, Carol Higgins O'Brien, Massachusetts Department of Correction, Sean Medeiros, Steven O'Brien, Kelly Ryan.(Hanson, Kirk) (Entered: 09/06/2018)
09/07/2018	177	Judge George A. O'Toole, Jr: ELECTRONIC ORDER entered granting <u>176</u> Motion to Stay (Lyness, Paul) (Entered: 09/07/2018)
09/07/2018	178	Set/Reset Deadlines: Discovery to be completed by 10/31/2018 (Lyness, Paul) (Entered: 09/07/2018)
09/07/2018	179	Notice of correction to docket made by Court staff. Correction: Entry 178 corrected because: Discovery is stayed until 10/31/18 and not be concluded by 10/31/18. (Lyness, Paul) (Entered: 09/07/2018)
10/02/2018	180	Electronic Clerk's Notes for proceedings held before Magistrate Judge M. Page Kelley: Telephone Conference re ongoing mediation held on 10/2/2018. Counsel inform the Court of progress. Court sets a further Telephone Conference for 10/25/2018 11:30 AM in Courtroom 24 before Magistrate Judge M. Page Kelley. Counsel wishing to be heard may participate by calling 1-866-434-5269 and entering Access Code 7576465. (Court Reporter: Sealed Digital Recording.) (Court Reporter: Digital Recording.) You must seek leave of court to order transcript or recording. (Attorneys present: Various) (Belmont, Kellyann) (Entered: 10/02/2018)
10/25/2018	181	Electronic Clerk's Notes for proceedings held before Magistrate Judge M. Page Kelley: Telephone Conference re ongoing mediation held on 10/25/2018. Counsel informs the Court of the status of the progress. Court sets a further Telephone Conference for 11/27/2018 02:00 PM in Courtroom 24 before Magistrate Judge M. Page Kelley. Counsel wishing to be heard may participate by calling 1-866-434-5269 and entering Access Code 7576465. (Court Reporter: Digital Recording.) You must seek leave of court to order transcript or recording. (Attorneys present: Various) (Belmont, Kellyann) (Entered: 10/25/2018)
10/26/2018	<u>182</u>	Joint MOTION to Stay (<i>Joint Motion to Extend Stay</i>) by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward.(Kosan, Lindsay) (Entered: 10/26/2018)
11/01/2018	183	Judge George A. O'Toole, Jr: ELECTRONIC ORDER entered granting <u>182</u> MOTION to Stay (<i>Joint Motion to Extend Stay</i>) (Halley, Taylor) (Entered: 11/01/2018)
11/27/2018	<u>184</u>	NOTICE of Withdrawal of Appearance by William J. Durkin (Durkin, William) (Entered: 11/27/2018)
11/27/2018	185	Electronic Clerk's Notes for proceedings held before Magistrate Judge M. Page Kelley: Telephone Conference re ongoing mediation held on 11/27/2018. Counsel inform the Court of their progress. Defendants will respond to plaintiff's 11/21 letters by 12/14. Court will hold a further in person meeting 1/7 and or 1/10 and counsel will inform the Court what dates work for the all the parties and who will attend. (Court Reporter: Sealed Digital Recording.) You must seek leave of court to order transcript or recording. (Attorneys present: Various) (Belmont, Kellyann) (Entered: 11/28/2018)

12/20/2018	186	ELECTRONIC NOTICE of Hearing.Further Alternative Dispute Resolution Hearing set for 1/7/2019 09:30 AM in Courtroom 24 before Magistrate Judge M. Page Kelley. Counsel to inform Court who will attend. (Belmont, Kellyann) (Entered: 12/20/2018)
01/31/2019	<u>188</u>	Joint MOTION to Extend Stay by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward.(Kosan, Lindsay) (Entered: 01/31/2019)
03/15/2019	189	Judge George A. O'Toole, Jr: Electronic Order entered GRANTING <u>188</u> Joint Motion to Extend Stay to the extent it requests a stay of discovery and other case deadlines through March 15, 2019. The Clerk shall set a status conference before the District Judge for April 23, 2019 at 3:00 p.m. (Halley, Taylor) (Entered: 03/15/2019)
03/15/2019	190	Set Hearings: Status Conference set for 4/23/2019 03:00 PM in Courtroom 22 before Judge George A. O'Toole Jr. (Halley, Taylor) (Entered: 03/15/2019)
03/21/2019	191	ELECTRONIC NOTICE of Hearing. Further Alternative Dispute Resolution Hearing set for 4/19/2019 10:00 AM in Courtroom 24 before Magistrate Judge M. Page Kelley. (MacDougall, Patricia) (Entered: 03/21/2019)
04/19/2019	193	REPORT of Alternative Dispute Resolution Provider Magistrate Judge M. Page Kelley: Mediation is ongoing. (Belmont, Kellyann) (Entered: 04/19/2019)
04/23/2019	<u>194</u>	NOTICE of Appearance by Timothy M. Pomarole on behalf of Katherine A. Chmiel, Paul Henderson, Carol Higgins O'Brien, Massachusetts Department of Correction, Sean Medeiros, Steven O'Brien, Kelly Ryan (Pomarole, Timothy) (Entered: 04/23/2019)
04/23/2019	195	Electronic Clerk's Notes for proceedings held before Judge George A. OToole, Jr: Status Conference held on 4/23/2019. Counsel to file a brief with amended deadlines. (Status Conference set for 9/11/2019 02:00 PM in Courtroom 22 before Judge George A. OToole Jr.). (Court Reporter: Kathleen Silva at kathysilva@verizon.net.)(Attorneys present: For Plaintiffs: Lisa Pirozzolo, Lindsay Kosan Tatum Pritchard. For Defendants: Timothy Pomarole, Kirk Hanson) (Lyness, Paul) (Entered: 04/23/2019)
04/25/2019	<u>196</u>	Joint MOTION for Order to Grant the Parties' Request for Entry of Joint Proposed Schedule by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Attachments: # <u>1</u> Text of Proposed Order)(Kosan, Lindsay) (Entered: 04/25/2019)
05/17/2019	<u>197</u>	NOTICE of Appearance by James R. Pingeon on behalf of Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward (Pingeon, James) (Entered: 05/17/2019)
05/24/2019	<u>198</u>	Joint MOTION for Extension of Time to May 28, 2019 to to File Settlement Documentation and Related Motions by Katherine A. Chmiel, Paul Henderson, Carol Higgins O'Brien, Massachusetts Department of Correction, Sean Medeiros, Steven O'Brien, Kelly Ryan.(Hanson, Kirk) (Entered: 05/24/2019)
05/28/2019	<u>199</u>	MOTION for Settlement – <i>Preliminary Approval</i> , MOTION to Certify Class for <i>Plaintiffs</i> , MOTION for Hearing – <i>Fairness</i> by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward. (Attachments: # <u>1</u> Exhibit 1 Joint Class Certification Proposal, # <u>2</u> Exhibit 2 Settlement Agreement, # <u>3</u> Exhibit 3 Proposed Notice, # <u>4</u> Supplement Memorandum in Support of Motion)(Pirozzolo, Lisa) (Entered: 05/28/2019)
06/20/2019	<u>200</u>	Assented to MOTION for Extension of Time to Extend Case Deadlines by Leonard Briggs, Rolando Jimenez, Louis Markham, Francis McGowan, Eric Roldan, George Skinder, Jennifer Ward.(Kosan, Lindsay) (Entered: 06/20/2019)
06/21/2019	<u>201</u>	NOTICE of Withdrawal of Appearance by Kirk G. Hanson (Hanson, Kirk) (Entered: 06/21/2019)
06/21/2019	<u>202</u>	NOTICE of Withdrawal of Appearance by Dennis N. D'Angelo (D'Angelo, Dennis) (Entered: 06/21/2019)
06/21/2019	<u>203</u>	NOTICE of Withdrawal of Appearance by Kate R. Isley (Isley, Kate) (Entered: 06/21/2019)

06/27/2019	<u>204</u>	NOTICE of Withdrawal of Appearance by Philip Fornaci (Fornaci, Philip) (Entered: 06/27/2019)
06/28/2019	205	Judge George A. OToole, Jr: ELECTRONIC ORDER entered GRANTING <u>196</u> Joint Motion for Order to Grant the Parties Request for Entry of Joint Proposed Schedule, as modified by <u>200</u> Assented to Motion for Extension of Time to Extend Case Deadlines; GRANTING nunc pro tunc <u>198</u> Joint Motion for Extension of Time to May 28, 2019 to File Settlement Documentation and Related Motions. (McDonagh, Christina) (Entered: 06/28/2019)
06/28/2019	206	Judge George A. OToole, Jr: ORDER entered. SCHEDULING ORDER entered: Plaintiffs will conduct any deposition(s) based on Defendants supplemental production by July 22, 2019; Plaintiffs shall file any supplemental expert report(s) and any reply expert report(s) by August 2, 2019; Defendants shall file any rebuttal expert report(s) to Plaintiffs supplemental expert report(s) by September 9, 2019; expert discovery shall be completed by October 21, 2019; the parties shall file any motions for summary judgment and any Daubert motions by December 9, 2019, any oppositions to which shall be filed by January 6, 2020, with any replies filed by January 20, 2020.(McDonagh, Christina) (Entered: 06/28/2019)