

**U.S. District Court  
District of New Jersey [LIVE] (Trenton)  
CIVIL DOCKET FOR CASE #: 3:08-cv-05926-AET-DEA**

THOMPSON v. RICCI et al  
Assigned to: Judge Anne E. Thompson  
Referred to: Magistrate Judge Douglas E. Arpert  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 12/03/2008  
Date Terminated: 11/25/2009  
Jury Demand: Defendant  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff****HOWARD THOMPSON, JR.**

represented by **EDWARD L. BAROCAS**  
AMERICAN CIVIL LIBERTIES UNION  
OF NJ FOUNDATION  
P.O. BOX 32159  
NEWARK, NJ 07102  
(973) 642-2086  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**MICHELLE R. RICCI**  
*IN HER OFFICIAL CAPACITY AS  
ADMINISTRATOR, NEW JERSEY STATE  
PRISON*

represented by **SUSAN MARIE SCOTT**  
OFFICE OF THE NJ ATTORNEY  
GENERAL  
RJ HUGHES JUSTICE COMPLEX  
PO BOX 112  
TRENTON, NJ 08625  
(609) 633-7786  
Fax: (609) 777-3607  
Email: [susan.scott@dol.lps.state.nj.us](mailto:susan.scott@dol.lps.state.nj.us)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**GEORGE W. HAYMAN**  
*IN HIS OFFICIAL CAPACITY AS  
COMMISSIONER, NEW JERSEY  
DEPARTMENT OF CORRECTIONS*

represented by **SUSAN MARIE SCOTT**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
12/03/2008	<u>1</u>	COMPLAINT against MICHELLE R. RICCI, GEORGE W. HAYMAN ( Filing fee \$ 350 receipt number 0312000000002295125.), filed by HOWARD THOMPSON, JR. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Civil Cover Sheet, # <u>6</u> Declaration OF BISHOP JOSEPH RAVENELL)(gjh) (Entered: 12/04/2008)
12/03/2008	<u>2</u>	MOTION for Preliminary Injunction by HOWARD THOMPSON, JR. (Attachments: # <u>1</u> Brief, # <u>2</u> Certificate of Service, # <u>3</u> Text of Proposed Order)(gjh) (Entered: 12/04/2008)
12/03/2008		Set Deadlines as to <u>2</u> MOTION for Preliminary Injunction. Motion set for 1/5/2009 before Judge Anne E. Thompson. The motion will be decided on the papers. No appearances required unless notified by the court. (gjh) (Entered: 12/04/2008)

12/03/2008	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice by HOWARD THOMPSON, JR. (Attachments: # <u>1</u> Certification IN SUPPORT OF PRO HAC VICE PETITION, # <u>2</u> Certification IN SUPPORT OF PRO HAC VICE PETITION, # <u>3</u> Text of Proposed Order)(gjh) (Entered: 12/04/2008)
12/03/2008		Set Deadlines as to <u>3</u> MOTION for Leave to Appear Pro Hac Vice. Motion set for 1/5/2009 before Magistrate Judge John J. Hughes. The motion will be decided on the papers. No appearances required unless notified by the court. (gjh) (Entered: 12/04/2008)
12/04/2008	<u>4</u>	Summons Issued as to MICHELLE R. RICCI. Days Due – 20. Summons mailed to counsel. (gjh) (Entered: 12/04/2008)
12/04/2008	<u>5</u>	Summons Issued as to GEORGE W. HAYMAN. Days Due – 20. Summons mailed to counsel. (gjh) (Entered: 12/04/2008)
12/29/2008	<u>6</u>	ORDER adjourning pltf's motion for preliminary injunction to 2/17/09; and setting briefing schedule. Signed by Judge Anne E. Thompson on 12/29/08. (lk) (Entered: 12/29/2008)
01/08/2009	<u>7</u>	ORDER granting <u>3</u> Motion for Daniel Mach, Esq. Leave to Appear Pro Hac Vice. Signed by Magistrate Judge John J. Hughes on 1/7/09. (lk) (Entered: 01/08/2009)
01/09/2009	<u>8</u>	SUMMONS Returned Executed by HOWARD THOMPSON, JR. MICHELLE R. RICCI served on 1/5/2009, answer due 1/26/2009. (BAROCAS, EDWARD) (Entered: 01/09/2009)
01/09/2009	<u>9</u>	SUMMONS Returned Executed by HOWARD THOMPSON, JR. GEORGE W. HAYMAN served on 1/5/2009, answer due 1/26/2009. (BAROCAS, EDWARD) (Entered: 01/09/2009)
01/16/2009	<u>10</u>	BRIEF in Opposition re <u>2</u> MOTION for Preliminary Injunction filed by MICHELLE R. RICCI, GEORGE W. HAYMAN. (Attachments: # <u>1</u> Certification of Michelle Ricci, # <u>2</u> Certificate of Service)(MORATTI, DIANNE) (Entered: 01/16/2009)
01/22/2009	<u>11</u>	Application and Proposed Order for Clerk's Order to extend time to answer Attorney SUSAN MARIE SCOTT and SUSAN MARIE SCOTT for MICHELLE R. RICCI and GEORGE W. HAYMAN added. (Attachments: # <u>1</u> Certificate of Service)(SCOTT, SUSAN) (Entered: 01/22/2009)
01/23/2009		Granting <u>11</u> Application and Clerk's text only Order to extend time to answer as to MICHELLE R. RICCI answer due 2/9/2009; GEORGE W. HAYMAN answer due 2/9/2009. (lk) (Entered: 01/23/2009)
01/23/2009		Pro Hac Vice fee received for Daniel Mach, Esq.: \$150, receipt number 300371075 (mmh) (Entered: 01/23/2009)
01/23/2009	<u>12</u>	Letter from Request by Local Counsel for Pro Hac Vice Attorney to Receive Electronic Notification. (BAROCAS, EDWARD) (Entered: 01/23/2009)
02/09/2009	<u>13</u>	ANSWER to Complaint with Jury Demand by MICHELLE R. RICCI, GEORGE W. HAYMAN. (Attachments: # <u>1</u> Certificate of Service)(SCOTT, SUSAN) (Entered: 02/09/2009)
02/09/2009	<u>14</u>	REPLY to Response to Motion re <u>2</u> MOTION for Preliminary Injunction ( <i>Reply Brief</i> ) filed by HOWARD THOMPSON, JR. (Attachments: # <u>1</u> Declaration of Howard Thompson, # <u>2</u> Declaration of Dr. Yolanda Pierce)(BAROCAS, EDWARD) (Entered: 02/09/2009)
02/10/2009		CLERK'S QUALITY CONTROL MESSAGE: FOR FUTURE REFERENCE The Answer <u>13</u> submitted by S. Scott, Esq. on 2/9/09 did not contain a proper handwritten signature of Dianne M. Moratti. Only the filing user is permitted to sign electronically filed documents with an s/. This submission will remain on the docket unless otherwise ordered by the court. (lk) (Entered: 02/10/2009)
02/11/2009	<u>15</u>	NOTICE of Hearing:A Telephone Conference Call has been set for 3/12/2009 03:00 PM in Trenton – Courtroom 6E before Magistrate Judge Tonianne J. Bongiovanni. (ce3) (Additional attachment(s) added on 2/11/2009: # <u>1</u> Main

		document) (ce3, ). (Entered: 02/11/2009)
02/17/2009	<u>16</u>	Minute Entry for proceedings held before Judge Anne E. Thompson: Motion Hearing held on 2/17/2009 re <u>2</u> MOTION for Preliminary Injunction filed by HOWARD THOMPSON, JR. DENIED. OTBS. (Court Reporter/Recorder M. Kalbach.) (jb, ) (Entered: 02/18/2009)
02/18/2009	<u>17</u>	Letter from Defendants Requesting Extension of Producing a Discovery Plan. (MORATTI, DIANNE) (Entered: 02/18/2009)
02/23/2009	<u>18</u>	MEMORANDUM AND ORDER denying <u>2</u> Motion for Preliminary Injunction. Signed by Judge Anne E. Thompson on 2/23/09. (lk) (Entered: 02/24/2009)
03/06/2009	<u>19</u>	Transcript of MOTION HEARING held on 2/17/2009, before Judge ANNE E. THOMPSON. Court Reporter/Transcriber J & J COURT TRANSCRIBERS, INC., Telephone number (609) 586-2311. <b>NOTICE REGARDING REDACTION OF TRANSCRIPTS:</b> The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this Transcript. If no such notice is filed, the transcript will be made remotely available in electronic format to the public without redaction after ninety(90) calendar days. The redaction policy is located on our website at www.njd.uscourts.gov. Transcripts may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for release of transcript restriction. After that date it may be obtained through PACER. Redaction Request due 3/27/2009. Redacted Transcript Deadline set for 4/6/2009. Release of Transcript Restriction set for 6/4/2009. (mmh) (Entered: 03/09/2009)
03/16/2009		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 3/12/2009. (ce3) (Entered: 03/16/2009)
03/16/2009		TEXT ORDER – Status Conference via telephone set for Tuesday, July 21, 2009 at 10:30 AM before Magistrate Judge Douglas E. Arpert. It shall be plaintiffs counsels responsibility to contact all counsel to set up the conference as well as initiate the conference call. Kindly mark your calendar accordingly.(ce3) (Entered: 03/16/2009)
03/16/2009	<u>20</u>	SCHEDULING ORDER: Telephone Conference set for 7/21/2009 10:30 AM in Trenton – Courtroom 6E before Magistrate Judge Tonianne J. Bongiovanni. Final Pretrial Conference set for 11/5/2009 11:00 AM in Trenton – Courtroom 6E before Magistrate Judge Tonianne J. Bongiovanni. Discovery due by 9/11/2009 and setting schedule for service of certain reports. Signed by Magistrate Judge Tonianne J. Bongiovanni on 3/13/09. (ij, ) (Entered: 03/16/2009)
04/03/2009		Case Reassigned to Magistrate Judge Douglas E. Arpert. (mak) (Entered: 04/03/2009)
04/08/2009	<u>21</u>	MOTION for Leave to Appear Pro Hac Vice ( <i>for Heather Weaver</i> ) by HOWARD THOMPSON, JR. (Attachments: # <u>1</u> Certification of Ed Barocas in Support of Pro Hac Vice Petition, # <u>2</u> Certification of Heather Weaver in Support of Pro Hac Vice Petition, # <u>3</u> Text of Proposed Order)(BAROCAS, EDWARD) (Entered: 04/08/2009)
04/09/2009		Set Deadlines as to <u>21</u> MOTION for Leave to Appear Pro Hac Vice ( <i>for Heather Weaver</i> ) MOTION for Leave to Appear Pro Hac Vice ( <i>for Heather Weaver</i> ). Motion set for 5/4/2009 before Magistrate Judge Douglas E. Arpert. The motion will be decided on the papers. No appearances required unless notified by the court. (lk) (Entered: 04/09/2009)
04/13/2009		Pro Hac Vice fee received for Heather L. Weaver, Esq.: \$150, receipt number 200 356313 (mmh) (Entered: 04/14/2009)
04/14/2009	<u>22</u>	ORDER granting <u>21</u> Motion for Heather L. Weaver, Esq. Leave to Appear Pro Hac Vice for pltf.. Signed by Judge Anne E. Thompson on 4/13/09. (lk) (Entered: 04/15/2009)
04/14/2009	<u>23</u>	ORDER setting certain discovery deadlines (lk) (Entered: 04/15/2009)

04/21/2009	<u>24</u>	NOTICE of Appearance by EDWARD L. BAROCAS on behalf of HOWARD THOMPSON, JR (BAROCAS, EDWARD) (Entered: 04/21/2009)
06/02/2009	<u>25</u>	Joint MOTION to Amend/Correct / <i>Modify the Pretrial Scheduling Order</i> by HOWARD THOMPSON, JR. (Attachments: # <u>1</u> Text of Proposed Order)(BAROCAS, EDWARD) (Entered: 06/02/2009)
06/03/2009		Set Deadlines as to <u>25</u> Joint MOTION to Amend/Correct / <i>Modify the Pretrial Scheduling Order</i> . Motion set for 7/6/2009 before Magistrate Judge Douglas E. Arpert. The motion will be decided on the papers. No appearances required unless notified by the court. (lk) (Entered: 06/03/2009)
06/08/2009	<u>26</u>	ORDER granting <u>25</u> Joint Motion to Modify Pretrial Scheduling Order. Signed by Magistrate Judge Douglas E. Arpert on 6/4/2009. (mmh) (Entered: 06/08/2009)
07/20/2009	<u>27</u>	Letter from Deputy Attorney General Susan M. Scott on behalf of Defendants seeking an Order to depose Plaintiff, an inmate. (Attachments: # <u>1</u> Text of Proposed Order)(SCOTT, SUSAN) (Entered: 07/20/2009)
07/21/2009		Minute Entry for proceedings held before Magistrate Judge Douglas E. Arpert: Telephone Conference held on 7/21/2009. (ce3) (Entered: 07/21/2009)
07/22/2009	<u>28</u>	ORDER granting request to take deposition of plaintiff. Signed by Magistrate Judge Douglas E. Arpert on 7/21/09. (lk) (Entered: 07/27/2009)
09/11/2009		Minute Entry for proceedings held before Magistrate Judge Douglas E. Arpert: Telephone Conference held on 9/11/2009. (ce3) (Entered: 09/14/2009)
09/25/2009	<u>29</u>	Proposed Pretrial Order / <i>Modifying the Pretrial Scheduling Order</i> by HOWARD THOMPSON, JR. (BAROCAS, EDWARD) (Entered: 09/25/2009)
09/28/2009		CLERK'S QUALITY CONTROL MESSAGE: The Document <u>29</u> Proposed Order submitted by E. Barocas, Esq. on 9/25/09 must be executed by a Judicial Officer before filing. Please forward to the appropriate Judicial Officer in accordance with his/her preferred practice. This submission will remain on the docket unless otherwise ordered by the court. This message is for informational purposes only.(lk) (Entered: 09/28/2009)
10/05/2009		NOTICE of Hearing: Telephone Conference set for 10/8/2009 11:00 AM in Trenton – Courtroom 6W before Magistrate Judge Douglas E. Arpert. (ce3) (Entered: 10/05/2009)
10/08/2009		Minute Entry for proceedings held before Magistrate Judge Douglas E. Arpert: Telephone Conference held on 10/8/2009, ( Status Conference set for 1/5/2010 10:30 AM in Trenton – Courtroom 6W before Magistrate Judge Douglas E. Arpert. It shall be Plaintiff's responsibility to set up and initiate call. Mark your calendars accordingly). (ce3, ) (Entered: 10/08/2009)
10/08/2009	<u>30</u>	SCHEDULING ORDER: Telephone Conference set for 1/5/2010 10:30 AM before Magistrate Judge Douglas E. Arpert. Motions due by 5/14/2010.. Signed by Magistrate Judge Douglas E. Arpert on 10/8/09. (lk) (Entered: 10/08/2009)
11/24/2009	<u>31</u>	STIPULATION of Dismissal by HOWARD THOMPSON, JR. (SEERATAN, NADIA) (Entered: 11/24/2009)
11/25/2009		***Civil Case Terminated. (ss, ) (Entered: 11/25/2009)