

CLOSED_2001, LEAD

**U.S. DISTRICT COURT
WESTERN DISTRICT OF NEW YORK [LIVE] (Buffalo)
CIVIL DOCKET FOR CASE #: 1:80-cv-00385-WMS**

Eng, et al v. Coughlin, et al
Assigned to: Hon. William M. Skretny
Demand: \$0
Lead case: [1:80-cv-00385-WMS](#) ([View Member Cases](#))
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 05/08/1980
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

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Plaintiff

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Plaintiff

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V.

Intervenor Defendant

Esq. Robert Hite
TERMINATED: 06/20/1995

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Intervenor Defendant

**Enforcement Officers Union, District
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| Date Filed | # | Docket Text |
|-------------------|----------|---|
| 01/22/1992 | | Minute entry: status conf. held; nonjy trial re: "medical claim" adj'd to 6/15/92; dft to complete depositions by 3/17/92 and to respond to pltf's pre-trl stmts by 2/24/92; pltf to review his injunctive relief application, redraft, if any, to be filed & served n/l/t 2/5/92; stat. conf. adj'd to 3/16/92 @ 9:30 a.m. (former empl) (Entered: 01/31/1992) |
| 01/24/1992 | | Consolidated Lead Case (former empl) (Entered: 01/24/1992) |
| 01/24/1992 | 756 | ORDER, Pltf may submit add'l legal memo n/l/t 2/5/92; set Scheduling Order Deadlines: Deposition deadline on 3/17/92; Pretrial conference at 9:30 3/16/92; Trial Date re: adequacy of med'l care adj'd to 5/15/92; Pretrial Statements to be filed by 2/24/92 (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 01/24/1992) |
| 02/06/1992 | 757 | ORDER, to Extend Time for pltf's pre-trial brief to be submitted to 2/7/92 (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 02/06/1992) |
| 02/26/1992 | 758 | Filed DEFENDANTS' EXHIBIT LIST (former empl) (Entered: 02/26/1992) |
| 02/26/1992 | 759 | PRETRIAL STATEMENT by Dft's Harold J. Smith, Charles James, Keith Counterline (former empl) (Entered: 02/26/1992) |
| 02/26/1992 | 760 | CERTIFICATE OF SERVICE by Charles D. Steinman, re items #758 & 759 (former empl) (Entered: 02/26/1992) |
| 03/16/1992 | | Minute entry: Status conf. held; reset Status Conference for 9:30 5/7/92 (former empl) (Entered: 03/20/1992) |
| 03/17/1992 | 761 | ORDER, reset Status Conference for 9:30 5/7/92 , etc. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 03/18/1992) |
| 04/28/1992 | 762 | ORDER, reset Scheduling Order Deadlines: Discovery deadline (depositions of expert witnesses) on 5/15/92; Pretrial conference at 4:00 5/20/92 (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 04/29/1992) |
| 04/30/1992 | | Minute entry: status conf. held; pltf to provide ct w/ current witness list & deposition testimony to be used at trial n/l/t 5/8/92; Agreed Ct does not have to resolve grand jy issue prior to this segment of trial. (former empl) (Entered: 04/30/1992) |

| | | |
|------------|-----|---|
| | | 05/04/1992) |
| 05/05/1992 | 763 | NOTICE by atty for Harold J. Smith, Charles James, Keith Countermine to take deposition of Joseph Jamal Kitt on 6/19/92 @ 10:00 a.m. @ Wende C. F., w/ aff of svc. --NOTE: THIS ENTRY MADE IN ERROR. DOCUMENT DOES NOT BELONG IN THIS CASE.-- (former empl) Modified on 06/11/1992 (Entered: 05/06/1992) |
| 05/15/1992 | 764 | Letter MOTION by Jamal Kitt for Appointment of Counsel and containing objections to being deposed. --NOTE: THIS ENTRY MADE IN ERROR. THIS ITEM DOES NOT BELONG IN THIS CASE.-- (former empl) Modified on 06/11/1992 (Entered: 05/15/1992) |
| 05/20/1992 | | Minute entry: stat. cnf. held; depositions complete except for dfts' expert Dr. Hines; Ct. requests proposed findings of fact & conclusions of law w/ redacted dr's repts from parties; pltf has tendered settlement offer to dft; final pre-trial conf. to be scheduled. (former empl) (Entered: 05/22/1992) |
| 05/22/1992 | 765 | ORDER, set Scheduling Order Deadlines: Final Pretrial conference at 4:30 6/8/92 , and set Pretrial Instructions deadline to 6/4/92 (for counsel to submit updated exhibit lists to Ct on floppy disk, etc.) (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 05/27/1992) |
| 06/04/1992 | 766 | ORDER, for Clerk to issue Writ of Habeas Corpus Ad Testificandum for Luis Feliciano on 6/17/92, etc. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | | WRIT of Habeas Corpus Ad Testificandum issued for Luis Feliciano on 6/17/92 @ 9:00. Orig. & 1 cert cpy to U.S. Marshal, 2 cert. cpy to atty gen'l, 1 cert cpy to Supt. Hans Walker, & 1 cpy to Robert Hite, Joseph Gerkin, Charles Steinman & David Molik. (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | 767 | ORDER, for Clerk to issue Writ of Habeas Corpus Ad Testificandum for Melvin Mason on 6/17/92, etc. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | | WRIT of Habeas Corpus Ad Testificandum issued for Melvin Mason on 6/17/92 @ 9:00 a.m. (Orig. & 1 Cert cpy to U.S. Marshal, 2 cert cpy to atty gen'l, 1 cert cpy to Supt. Arthur Leonardo, 1 cpy to Robert Hite, Joseph Gerkin, Charles Steinman, & David Molik) (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | 768 | ORDER, for Clerk to issue Writ of Habeas Corpus Ad Testificandum for Donald Brusso on 6/17/92, etc. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | | WRIT of Habeas Corpus Ad Testificandum issued for Donald Brusso on 6/17/92 @ 9:00 a.m. (Orig'l & 1 Cert cpy to U.S. Marshal, 2 cert. cpy to atty. gen'l, 1 cert cpy to supt. Arthur Leonardo, 1 cpy to Robert Hite, Joseph Gerkin, Charles Steinman, & David Molik.) (former empl) (Entered: 06/04/1992) |

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| 06/04/1992 | 769 | ORDER, for Clerk to issue Writ of Habeas Corpus Ad Testificandum for Dean Simonds on 6/17/92, etc. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | | WRIT of Habeas Corpus Ad Testificandum issued for Dean Simonds on 6/17/92 @ 9:00 a.m. (orig'l & 1 cert cpy to U.S. Marshal, 2 Cert. cpy to atty. gen'l, 1 cert. cpy to Supt. Hans Walker, 1 cpy to Robert Hite, Joseph Gerkin, Charles Steinman, & David Molik) (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | 770 | ORDER, for Clerk to issue Writ of Habeas Corpus Ad Testificandum for Geraldo Herrera on 6/17/92, etc. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | | WRIT of Habeas Corpus Ad Testificandum issued for Geraldo Herrera on 6/17/92 @ 9:00 a.m. (orig'l & 1 Cert. cpy to U.S. Marshal, 2 cert. cpy to atty. gen'l, 1 cert cpy to supt. Arthur Leonardo, 1 cpy to Robert Hite, Joseph Gerkin, Charles Steinman, & David Molik) (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | 771 | ORDER, for Clerk to issue Writ of Habeas Corpus Ad Testificandum for Gerald Engles on 6/17/92, etc. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | | WRIT of Habeas Corpus Ad Testificandum issued for Gerald Engles on 6/17/92 @ 9:00 a.m. (orig'l & 1 Cert. cpy to U.S. Marshal, 2 cert. cpy to atty. gen'l, 1 cert. cpy to Supt. Daniel Senkowski, 1 cpy to Robert Hite, Joseph Gerkin, Charles Steinman, & David Molik) (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | 772 | ORDER, for Clerk to issue Writ of Habeas Corpus Ad Testificandum for Leon Wright on 6/17/92, etc. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | | WRIT of Habeas Corpus Ad Testificandum issued for Leon Wright on 6/17/92 @ 9:00 a.m. (orig'l & 1 Cert. cpy to U.S. Marshal, 2 cert. cpy to atty. gen'l, 1 cert. cpy to supt. Walter Kelly, 1 cpy to Robert Hite, Joseph Gerkin, Charles Steinman & David Molik) (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | 773 | ORDER, for Clerk to issue Writ of Habeas Corpus Ad Testificandum for Wilson Tangerife on 6/17/92, etc. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | | WRIT of Habeas Corpus Ad Testificandum issued for Wilson Tangerife on 6/17/92 @ 9:00 a.m. (orig'l & 1 cert cpy to U.S. Marshal, 2 cert cpy to atty. gen'l, 1 cert cpy to supt. Walter Kelly, 1 cpy to Robert Hite, Joseph Gerkin, Charles Steinman & David Molik) (former empl) (Entered: 06/04/1992) |
| 06/04/1992 | 774 | ORDER, for Clerk to issue Writ of Habeas Corpus Ad Testificandum for William Walker on 6/17/92, etc. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 06/04/1992) |

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| 06/04/1992 | | WRIT of Habeas Corpus Ad Testificandum issued for William Walker on 6/17/92 @ 9:00 a.m. (orig'l & 1 cert cpy to U.S. Marshal, 2 cert cpy to atty gen'l, 1 cert cpy to Supt. Walter Kelly, 1 cpy to Robert Hite, Joseph Gerkin, Charles Steinman & David Molik) (former empl) (Entered: 06/04/1992) |
| 06/08/1992 | | Minute entry: final pre-trl conf held; parties to try to settle medical claim by end of week; reset telephone Status Conference for 3:00 6/10/92 ; Marshals request prisoner witnesses be scheduled to testify for 2 days; dft submitted proposed findings of fact & conclusions of law. (former empl) (Entered: 06/11/1992) |
| 06/10/1992 | | Minute entry: status conf. held: Parties have reached agreement in principle & are awaiting approval from respective agencies; Ct. to track status day-to-day; non-jy trial scheduled for 6/15/92 adjourned generally; reset Status Conference for 9:00 6/15/92 (former empl) (Entered: 06/12/1992) |
| 06/15/1992 | | Minute entry: dft has rec'd verbal approval to settle medical claim segment of trial; necessary doc'ts to be finalized & signed. Settlement negotiations ongoing re: law library segment of trial. Reset Status Conference for 9:00 6/22/92 (former empl) (Entered: 06/17/1992) |
| 06/18/1992 | 775 | ORDER, reset Status Conference for 9:00 6/22/92 ; parties to discuss consummating settlemt of med'l care segment of trial, and status of adequacy of law library segment. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerkin, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 06/18/1992) |
| 06/22/1992 | | Minute entry: status conf. held; dft has signed proposed settlemt Stip'n and to forward same to all pl'tfs & any other members of class; pl'tfs to inform counsel if they have any objections to stip'n by 8/7/92; pl'tf to provide dft w/ settlemt proposal for law library claim by 7/10/92; Status Conference for 9:00 7/16/92 re: law library claim & mental health claim; add'l status conf. scheduled for 8/17/92 re: any objections to settlemt stip'n on medical claim segment. (former empl) (Entered: 06/25/1992) |
| 07/16/1992 | | Minute entry: no appces @ scheduled status conf.; reset Status Conference for 9:00 8/17/92 (former empl) (Entered: 07/21/1992) |
| 07/20/1992 | 776 | LETTER dtd 10/2/89 from AAG Charles D. Steinman to Judge Telesca re: dfts will not respond to pl'tf's mtn for order permitting disclosure of witness testimony, but will join in response to be submitted by US Atty's Ofc, etc. (former empl) (Entered: 07/22/1992) |
| 08/06/1992 | 777 | ORDER, reset Status Conference for 9:00 8/25/92 (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 08/07/1992) |
| 08/25/1992 | | Minute entry: status conf. scheduled for today adj'd gen'ly; pl'tf's atty to contact ctrm deputy on 8/27/92 to reschedule. (former empl) (Entered: 08/26/1992) |
| 09/02/1992 | | Minute entry: status conf held; common period expired; pl'tf to provide various doc'ts to ct; settlemt to be completed w/i 30 days re: mental health claim; trial scheduled for 11/92 adj'l gen'ly reset Status Conference for 9:00 10/15/92 (former empl) (Entered: 09/04/1992) |

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| 09/09/1992 | 778 | ORDER, RE: Mental Health segment of trial: reset Scheduling Order Deadlines: Status conference for 9:00 10/15/92 , trial date set for 11/17/92 adj'd gen'ly. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 09/11/1992) |
| 10/15/1992 | | Status conference held; crt to approve medical settlement w/accompanying order; status conferences scheduled as follows: library claim-11/13/92, mental health claim-12/15/92, remaining claims-1/15/93, etc. (mj) (Entered: 10/19/1992) |
| 10/16/1992 | 779 | ORDER directing that a status conf is set for 11/13/92 re: library issue; status conf is set for 12/15/92 re: mental health issue; and a status conf is set for 1/15/93 for all other outstanding issues (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (mj) (Entered: 10/19/1992) |
| 11/02/1992 | 780 | ORDER, directing that Court approves the Settlement Agreement executed in June 1992 and dismisses Phase I of this litigation re: living conditions, etc. in the Special Housing Unit, etc. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (mj) (Entered: 11/04/1992) |
| 11/02/1992 | 781 | SETTLEMENT AGREEMENT and JUDGMENT which settles phase I of lawsuit and action (signed by Judge William M. Skretny). Notice and copy of judgment sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (mj) (Entered: 11/04/1992) |
| 11/13/1992 | 782 | ORDER, set Status Conference for 9:00 12/15/92 (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (mj) (Entered: 11/17/1992) |
| 11/13/1992 | | Minute entry: Status conf held; attys to work on stipulation regarding library claim; final status report set for 12/15/92, etc. (mj) (Entered: 11/19/1992) |
| 12/21/1992 | | Minute entry: Status conf held; law library case has settled; proposed stipulation to be submitted, etc.; status conference regarding mental health claim and remaining claims set for 2/1/93; previously scheduled conference set for 1/15/93 is adjourned. (mj) (Entered: 12/22/1992) |
| 12/23/1992 | 783 | ORDER, Status conf set for 1/15/93 cancelled; reset Status Conference for 9:00 2/1/93 ; pltf's settlemt proposal to be sent to dfts by 12/31/92 re: mental health claim. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 01/05/1993) |
| 02/01/1993 | | Status conference held - law library claim stip'n signed by dft; issue of interpreters to be dealt w/ separately & to include any service requiring oral communication; counsel to work on agreemt to settle food, exercise, religion & sanitation claims - status conf. set for 5/3/93 @ 9:00 a.m., settlemt to be completed by 8/2/93 @ 9:00 when another stat cnf. will be held; pltf submitted draft proposal to dfts re: mental health claim, stat cnf on that claim set for 9:00 3/3/93 (former empl) (Entered: 02/04/1993) |

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| 02/05/1993 | 784 | ORDER, reset Status Conference for 9:00 3/3/93 re: matter of mental health stip'n; set conf. ddl for 5/3/93 @ 9:00 re: remaining trial phases which are now topic of settlemt negotiations; set negotiations ddl & Status Report deadline to 9:00 8/2/93 re: above 4 remaining phases; further stat. conf. re: issue of final phases of litigation to follow 8/2/93 stat. conf. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 02/08/1993) |
| 03/30/1993 | | Status conference held - class to be notified of law library settlement; counsel to meet w/ nec. parties re: mental health claim n/l/t 7/1/93, Ct to be notified by 8/1/93 if intervention nec.; final settlement conf set for 9:00 9/28/93 re: mental health claim & status of all remaining claims; counsel to advise ct. of status of Anderson case, etc. (former empl) (Entered: 04/01/1993) |
| 04/01/1993 | 785 | ORDER, set Status Conference for 9:00 5/3/93 re: food exercise, religion & sanitation claims; w/i 90 days from this order, parties to meet to discuss settlement of mental health claim; set Status Report deadline for 7/1/93 for pltf's counsel to submit rept re: progress of settlement of mental health claim; Counsel to appear on 9/28/93 @ 9:00 re: final settlement rept on mental health claim & status conf. on plexiglass & mistreatmt claims, etc. (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 04/05/1993) |
| 05/03/1993 | | Status conference held - short addendum letter to be filed w/consent order & jgmt; parties still working re settlement of remaining claims (former empl) (Entered: 05/14/1993) |
| 05/07/1993 | 786 | ORDER, set Status Conference for 9:00 7/1/93 re the food, exercise, sanitation & religion claims; (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 05/07/1993) |
| 05/25/1993 | 787 | ORDER, Approving Voluntary Stipulation & Dismissing law library/access to courts claim w/o prejudice subject to refileing w/o costs in event of enforcement action brought in good faith to enforce terms of stipulation (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 05/27/1993) |
| 05/25/1993 | 788 | LETTER to Judge Skretny from Joseph Gerken dated 5/14/93 (former empl) (Entered: 05/27/1993) |
| 05/25/1993 | 789 | VOLUNTARY STIPULATION and ORDER, Dismissing access to court-law library claim pursuant to Rule 41(1)(1)(ii) signed by Judge William M. Skretny . Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik . (former empl) (Entered: 05/27/1993) |
| 05/28/1993 | 790 | LETTER (Memorandum) to Members of pltf class from Josphe L. Gerken dated 4/5/93 re Proposed Settlement of the Law Library Claim (attached to Decision & Order dismissing Law Library Claim #787) (former empl) (Entered: 06/01/1993) |

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| 07/01/1993 | 791 | ORDER, reset Status Conference for 7/8/93 (signed by Judge William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 07/06/1993) |
| 07/08/1993 | 792 | ORDER, defts' response to pltfs' proposal re mental health claim by 8/9/93 , set Status Conference for 9:00 8/9/93 re mental health claim , set defts response to letter of pltfs' counsel re food, exercise, sanitation & religion claims by 9/8/93 & Status Report deadline to 9:00 9/8/93 re food, exercise, sanitation & religion claims (signed by Judge William M. Skretny) Notice and copy of order sent to Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 07/12/1993) |
| 07/08/1993 | | Status conference held. Deft. to file and serve its response to plaintiff's proposal of 7/6/93 re: mental health, on or before 8/9/93. Status conference is still for 8/9/93 at 9:00. Status conference on the food, exercise, et al claim is scheduled for 9/8/93 at 9:00 (SMO) (Entered: 07/30/1993) |
| 08/02/1993 | | Minute entry: Both counsel failed to show for a status conference previously scheduled by appearance and order (former empl) (Entered: 08/09/1993) |
| 08/09/1993 | | Status conference reset to 9:00 9/8/93 (former empl) (Entered: 08/16/1993) |
| 09/08/1993 | | Status conference; pltf to prepare proposed stipulation re food/exercise/sanitation/religion segment of case. An additional status conference is scheduled for 10/13/93 at 9:00; order to be issued (former empl) (Entered: 09/15/1993) |
| 09/09/1993 | 793 | ORDER, reset Status Conference for 9:00 10/13/93 re pltf's claims (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 09/10/1993) |
| 09/17/1993 | 794 | STIPULATION and ORDER, for Settlement , directing the State of New York o/b/o defendants, pay to Prisoners' Legal Services, with respect to costs, disbursements & attys' fees, sum of \$130,000.00 in full satisfaction and resolution of all claims for costs, disbursements & atty's fees agnst defts, related to the medical care claim herein, that payment be made w/i 90 days from date of stipulation, etc.; signed by USDJ William M. Skretny . Notice and copy of order sent to Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik . (former empl) (Entered: 09/20/1993) |
| 09/28/1993 | | Status conference held; additional status conference reset to 10/13/93, 9:00 at which time counsel to provide Court with a more detailed account of the status of this case; order to be issued (former empl) (Entered: 10/04/1993) |
| 10/08/1993 | 795 | ORDER, directing defts to respond to pltfs' proposal regarding pltfs' food, exercise, sanitation & religion claims and pltf to respond to defts' counter-proposal re pltfs' mental health claims by 10/13/93 , set Status Conference for 10/13/93, 9:00 (signed by USDJ William M. Skretny) Notice and copy of order sent to Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 10/08/1993) |

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| 10/13/1993 | | Minute entry: Status conference held; revised mental health proposal submitted; additional status conference set for 9:00 on 12/14/93; further, set Status Conference regarding food, exercise, etc. for 9:00 11/16/93 (mj) (Entered: 10/19/1993) |
| 10/19/1993 | 796 | ORDER counsel to appear 11/16/93 for status conference regarding plaintiff's food, exercise, sanitation and religion claims; set Status Report deadline to 9:00 12/14/93 for conference regarding plaintiffs mental health claims.- (signed by USDJ William M. Skretny) Notice and copy of sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 10/21/1993) |
| 11/16/1993 | | Minute entry:for Status Conference; pltf in receipt of depts' counteroffer re food, exercise, sanitation & religion; said counteroffer raised 17 points; pltf agrees with half of same; about 6 issues remain that parties will need to work at to resolve; attorneys and parties to meet to resolve outstanding issues;, Status Report deadline scheduled for 12/14/93 to remain as scheduled , set additional Status Conference for 9:00 2/2/94 re food, exercise, sanitation & religion (former empl) (Entered: 12/10/1993) |
| 12/14/1993 | | Status Conference held; Attorney Cream in Hospital, further, Status conference set at 9:00 1/10/94 (mj) (Entered: 12/22/1993) |
| 02/02/1994 | | Status conference; additional status conference scheduled for 3/9/94 at 9:00 (former empl) (Entered: 02/10/1994) |
| 02/04/1994 | 797 | ORDER, set pltf's Brief deadline (letter) to 2/18/94 , reset Status Conference for 9:00 3/9/94 (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (former empl) (Entered: 02/08/1994) |
| 03/03/1994 | | Status conference reset to 2:00 3/17/94 (former empl) (Entered: 03/09/1994) |
| 03/17/1994 | | Minute entry: Status Conference. Plaintiff is in receipt of a counter proposal re: non-mental health issues. Parties to meet at Attica on 4/13/94 to resolve same. set Status Conference for 5/20/94 . Once these issues are resolved, counsel will focus on the issues of mental hygiene, plexiglass and alleged brutality. (SMO) (Entered: 03/28/1994) |
| 05/20/1994 | | Status conference held; issue of food is remaining; Status conference regarding same is set at 9:00 6/24/94 and a final conference is set for 7/21/94 (mj) (Entered: 05/24/1994) |
| 06/27/1994 | | Status conference held; further Status conference is set at 3:00 on 7/21/94 (mj) (Entered: 07/06/1994) |
| 09/21/1994 | | Status Conference held; an agreement has been reached on various items, etc.; further, Status conference set at 9:00 11/4/94- WMS (mj) (Entered: 09/30/1994) |
| 11/04/1994 | | Status Conference held; plaintiff to submit proposed stipulation by close of business today, etc.; Once comments are received, a consent judgment may be entered, etc.; Status conference set at 9:00 12/1/94 - WMS (mj) (Entered: 11/08/1994) |

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| 12/01/1994 | | Status conference held regarding various issues and comments are due by 1/3/95; Status conference set at 9:00 1/23/95 regarding issue of mental health-WMS (mj) (Entered: 12/09/1994) |
| 01/23/1995 | | Minute entry: Status conference; counsel failed to appear- terminated deadlines -WMS (mj) (Entered: 01/27/1995) |
| 02/01/1995 | 798 | ORDER, set Status Conference for 9:00 2/15/95 (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik (mj) (Entered: 02/02/1995) |
| 02/10/1995 | 799 | RULE 41 VOLUNTARY STIPULATION and ORDER, to Dismiss claims related to food, exercise, sanitation and religious claims with conditions regarding same. signed by USDJ William M. Skretny . Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, Charles D. Steinman, David Molik . (mj) (Entered: 02/15/1995) |
| 02/15/1995 | 800 | ORDER allowing Charles Steinman to Withdraw as an attorney of record from this case (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, David Molik (mj) (Entered: 02/16/1995) |
| 02/15/1995 | | Status conference held; plaintiff's experts to conduct interviews on 2/22 and 2/25, etc. and a report to be supplied to defendants by 3/24/95, etc.; further, Status conference set at 9:00 3/31/95-WMS (mj) (Entered: 02/17/1995) |
| 03/31/1995 | | Status conference held; plaintiffs awaiting receipt of records, etc. further, Status conference set at 9:00 5/1/95 to report on status of records, etc. (mj) (Entered: 04/04/1995) |
| 04/04/1995 | 801 | ORDER set Status Conference for 9:00 5/1/95 and directing defendants to produce records before 5/1/95, etc. (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert Hite, Joseph L. Gerken, Douglas S. Cream, David Molik (mj) (Entered: 04/04/1995) |
| 05/01/1995 | | Status conference held; documents received in Attorney General's office, etc.; attorney general to provide plaintiff with same; plaintiff to move for disclosure, etc.; plaintiff to sent copy of proposed stipulation regarding substitution of Coombes for Coughlin to Attorney Hite for review, etc.-WMS (mj) (Entered: 05/08/1995) |
| 05/04/1995 | | Minute entry: Court corrects minute entry of 5/1/95; set Status Conference for 9:00 6/6/95 ; no appearance-WMS (mj) (Entered: 05/10/1995) |
| 06/01/1995 | 802 | ORDER, reset Status Conference for 4:00 6/8/95 ; further, Robert Hite to appear at conference and inform court by 6/6/95 of a telephone number he can be reached at. (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Joseph L. Gerken, Douglas S. Cream, David Molik (mj) (Entered: 06/01/1995) |
| 06/08/1995 | | Status conference held; plaintiff to sent notice regarding disclosure of records to 3 inmates; motion for disclosure of mental health records to be put under seal; Status conference set at 9:00 6/30/95; substitution of counsel to be filed; plaintiff's expert to submit preliminary report within 60 days-WMS (mj) |

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| 06/15/1995 | 803 | ORDER/CONSENT to Substitute Attorney and Added Robert Hite as attorney fro Enforcement Officers (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Joseph L. Gerken, Douglas S. Cream, David Molik (mj) (Entered: 06/20/1995) |
| 06/22/1995 | | Status conference adjourned to 2:00 on 6/30/95-WMS (mj) (Entered: 06/29/1995) |
| 06/30/1995 | | Minute entry: Status conference set for today is adjourned to 7/10/95; no appearances-WMS (mj) (Entered: 07/15/1995) |
| 07/10/1995 | | Status conference held; plaintiffs' expert still in need of mental health reports; plaintiffs' counsel to provide court with original motion regarding same; further Status conference set at 9:00 10/6/95-WMS (mj) (Entered: 07/17/1995) |
| 07/26/1995 | 804 | SEALED DOCUMENT by plaintiffs (motion) (mj) (Entered: 07/27/1995) |
| 07/26/1995 | 805 | SEALED DOCUMENT -order by Judge Skretny (notice and copies to all attorneys) (mj) (Entered: 07/27/1995) |
| 09/26/1995 | | Status conference adjourned to 9:00 on 11/9/95; no appearances-WMS (mj) (Entered: 10/02/1995) |
| 10/14/1995 | 806 | MOTION by plaintiffs to Compel disclosure (mj) (Entered: 10/16/1995) |
| 10/17/1995 | 807 | SEALED DOCUMENT-addendum (mj) (Entered: 10/18/1995) |
| 10/24/1995 | 808 | ORDER, defendant's Response to Motion reset to 11/2/95 for [806-1] motion to Compel disclosure , and set Status Conference for 9:00 11/9/95 (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Joseph L. Gerken, Douglas S. Cream, David Molik (mj) (Entered: 10/24/1995) |
| 11/09/1995 | | Motion to compel returnable; motion submitted; court requires defendant to assemble records and supply to plaintiff within 2 weeks; Status conference set at 9:00 1/24/96 -WMS (mj) (Entered: 11/15/1995) |
| 01/18/1996 | | Status conference set for 1/24/96 is adjourned to 9:00 on 2/2/96; no appearances-WMS (mj) (Entered: 01/30/1996) |
| 02/02/1996 | | Status conference held; plaintiff has received documentation plaintiff's agency in limbo regarding nonessential funding, etc.; final report to be submitted by 4/1/96 and Status conference set at 9:00 4/16/96; defendant's response due by 7/1/96 and further status conference set for 7/17/96 at 9:00-WMS (mj) Modified on 03/26/1996 (Entered: 02/15/1996) |
| 04/16/1996 | | Minute entry: Status conference held; plaintiff's expert report to be submitted to defendant by 4/20/96 and defendant to respond by 7/1/96; the same procedure to apply regarding sealing of names; parties continue to work towards settlement of mental health claim; court informs attorneys if this aspect not settled by next court appearance, defendant is required to have someone with settlement authority present at that appearance; further Status Conference for 7/9/96 -WMS (mj) (Entered: 05/02/1996) |
| 05/15/1996 | 809 | CERTIFICATE OF SERVICE (mj) (Entered: 05/20/1996) |

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| 05/15/1996 | 810 | AMENDED NOTICE of attorney appearance for Harold J. Smith, Charles James, Keith Counterline by Jerry McGrier Sr. (mj) (Entered: 05/20/1996) |
| 05/29/1996 | 811 | AFFIRMATION/DECLARATION BY STUART GRASSIAN regarding confinement, etc. (mj) (Entered: 05/29/1996) |
| 07/09/1996 | | Minute entry: status conference set for today is adjourned; counsel failed to appear; order to be issued-WMS (mj) (Entered: 07/30/1996) |
| 07/15/1996 | 812 | ORDER directing that as parties did not appear on 7/9/96 for a status, Court sets Status Conference for 9:00 8/14/96 (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Joseph L. Gerken, Jerry McGrier Sr., Douglas S. Cream, David Molik (mj) (Entered: 07/18/1996) |
| 08/12/1996 | 813 | ORDER reset Status Conference for 9:00 8/27/96 (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Joseph L. Gerken, Jerry McGrier Sr., David Molik (mj) (Entered: 08/13/1996) |
| 08/13/1996 | 814 | CERTIFICATE OF SERVICE (mj) (Entered: 08/13/1996) |
| 08/27/1996 | | Status conference held; defendant expected to receive response to Dr. Grassians report first week of September, etc.; parties intend to depose experts; further status set for 9/25/96 at 9:00-WMS (mj) (Entered: 09/24/1996) |
| 09/25/1996 | | Minute entry: Status conference held; defendant indicates that they're willing to discuss settlement re: mental health issue; court requires parties to submit it's position on issue, etc. in order to articulate direction in which settlement discussions should go within 3 weeks; status set for 10/11/96 at 9:00; court to discuss other outstanding issues at that time; court unsuccessfully attempted to contact Attorney Hite by phone, etc.-WMS (mj) (Entered: 10/18/1996) |
| 10/11/1996 | | Status conference adjourned to 9:00 10/25/96; no appearance by plaintiff-WMS (mj) (Entered: 10/18/1996) |
| 10/25/1996 | | Status conference held; depositions are set and settlement discussions held re: mental health issue; all counsel participating in discussions re: remaining issues by next status; Status conference set at 9:00 12/18/96; plaintiff to provide statement as to requested relief by that date.-WMS (mj) (Entered: 10/31/1996) |
| 12/18/1996 | | Status conference held; parties talking productively, etc; possible summary judgment motion regarding plexiglass; brutality claim is problematic with no effort to resolve same, etc.; further Status conference set at 9:00 1/29/97-WMS (mj) (Entered: 12/27/1996) |
| 01/29/1997 | | Status conference held; parties making progress re: mental health issue; defense working on conflict between Department of Corrections and Office of Mental Health; further, Status conference set at 9:00 2/20/97; counsel to notify court if a resolve is reached-WMS (mj) (Entered: 02/07/1997) |
| 02/20/1997 | | Status conference held; parties close to resolving mental health issue; further Status conference set at 9:00 on 4/8/97-WMS (mj) (Entered: 03/05/1997) |
| 04/08/1997 | | Status conference held; two issues need to be resolved re: mental health (although agreement has been reached in principal); Agreement needs to be approved by agencies; further Status conference set at 9:00 on 5/19/97-WMS |

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| | | (mj) (Entered: 04/22/1997) |
| 05/16/1997 | 815 | MOTION by Anthony Barton, Anderson Bernier, George Eng, John Griffin, Bruce Hawkins, Martin Spence, Ronald West, Joel Clayman, William Boddie, Milton Payne, R. Lloyad, Anthony Martin, Joey Tavolino, Abdul Beyah, Jamal Kitt, John Terry for adjournment of status conference with supporting papers (mj) (Entered: 05/19/1997) |
| 05/21/1997 | 816 | ORDER granting [815-1] motion for adjournment of status conference, and set Status Conference for 9:00 on 6/23/97 (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Joseph L. Gerken, Jerry McGrier Sr., David Molik (mj) (Entered: 05/22/1997) |
| 06/23/1997 | | Status conference held; parties have agreement re: mental health in substance; authorization is needed, etc.; Status conference set at 9:00 on 7/28/97 and 9/3/97 for report re: status of authorization; additional status set for 9/24/97 at 9:00 at which time executed steelement document re: mental health will be provided to court. The same class notification procedures will be followed; at each conference the court requires oral report on all remaining issues, etc.-WMS (mj) (Entered: 07/14/1997) |
| 06/27/1997 | 817 | ORDER set Status Conference for 9:00 on 7/28/97 regarding approval process of settlement documents concerning mental health and how to proceed on the multilingual claim, etc. and set Meeting/status for 9:00 on 9/3/97 regarding settlement documents and how to proceed on plexiglass aspect of claim , and set Settlement/status Conference for 9:00 on 9/24/97 regarding settlement documents and how to proceed on the multilingual, plexiglass and brutality aspects of claim, etc. (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Joseph L. Gerken, Jerry McGrier Sr., David Molik (mj) (Entered: 06/30/1997) |
| 07/30/1997 | | Status conference held; mental health stipulation working up the chain of command for approval; Status conference set at 9:00 on 9/3/97-WMS (mj) (Entered: 08/08/1997) |
| 09/03/1997 | | Status conference held; defendant has concerns regarding language in proposed settlement agreement; settlement agreement to be filed by 9/24/97; parties anticipate a summary judgment motion on plexiglass claim; defendants' motion to be filed by 12/12/97; additional status set for 9/24/97-WMS (mj) (Entered: 10/03/1997) |
| 09/03/1997 | | Deadline updated pursuant to minutes of 9/3/97- set summary judgment Motion Filing deadline to 12/12/97 (mj) (Entered: 10/03/1997) |
| 09/24/1997 | | Status conference held; parties have not reached agreement as expected on the mental health issue; At issue is the concept of substantial risk; Court orders parties to continue to work towards settlement and return on 9/25/97 at 10:00 for final report back-WMS (mj) (Entered: 10/03/1997) |
| 09/25/1997 | | Status conference held; parties to continue to work towards settlement; further Status conference set at 9:00 on 10/10/97; if a settlement regarding mental health has not been reached by that time, Court requires that Thomas Goetz of the Department of Corrections attend the conference-WMS (mj) (Entered: 10/03/1997) |

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| 10/10/1997 | | Status conference held; all substantive issues resolved re: mental health agreement; plaintiff to prepare/send letter to class participants re: settlement and participants will be given 30 days to review, etc.; Court will be provided with copy of letter; further, Status conference set for 9:00 on 12/1/97 to report on the status of the mental health settlement and all remaining issues-WMS (mj) (Entered: 10/15/1997) |
| 12/01/1997 | | Minute entry: Status conference-no appearance by counsel-WMS (mj) (Entered: 12/09/1997) |
| 12/02/1997 | 818 | ORDER setting a Status Conference for 9:00 on 12/11/97 regarding the settlement of the mental health aspect of case; and multilingual, plexiglass and brutality aspects of this claim; plaintiff's counsel to provide court with copy of letter notifying the class of settlement. (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Joseph L. Gerken, Jerry McGrier Sr., David Molik (mj) (Entered: 12/03/1997) |
| 12/09/1997 | 819 | MOTION with supporting papers by defendants to adjourn status conference (mj) (Entered: 12/10/1997) |
| 12/11/1997 | | Minute entry: Status conference held; notice has been sent to class and they have approximately another week and a half to comment; defendant's summary judgment motion re: plexiglass due shortly; brutality cause of action does not seek money damages; Though 10 years have gone by and conditions have improved, the plaintiff will not concede that the issue is moot; further, set Status Conference for 9:00 on 1/21/98 , and plaintiffs Response to Motion reset to 1/21/98 for [820-1] motion , and defendants' Reply to Response to Motion reset to 1/28/98 for [820-1] motion -WMS (mj) (Entered: 01/05/1998) |
| 12/17/1997 | 820 | MOTION by defendants to Dismiss portion of claim relative to use of plexiglass (mj) (Entered: 12/18/1997) |
| 12/17/1997 | 821 | MEMORANDUM by defendants in support of [820-1] motion to Dismiss portion of claim relative to use of plexiglass (mj) (Entered: 12/18/1997) |
| 01/21/1998 | | Status conference held; comment period has run with no substantive issues raised; defense counsel needs to obtain written confirmation from client; plaintiff to file response to summary judgment motion by 2/11/98 and an additional status conference is set for 9:00 on 2/11/98-WMS (mj) (Entered: 02/18/1998) |
| 02/11/1998 | | Status conference held; defendant has received all necessary documents; additional status conference set for 2/23/98 at 9:00-WMS (mj) (Entered: 03/30/1998) |
| 02/23/1998 | | Minute entry: No appearances at status conference; Courtroom Deputy contacted parties and status conference reset for 2/25/98 at 9:00 - WMS (mj) (Entered: 03/02/1998) |
| 02/25/1998 | | Status conference. The Court has reviewed the settlement document. Court to file the voluntary stipulation re: issue of mental health. Plaintiff to file and serve its response to defendant's motion for summary judgment on the issue of Plexiglass by 3/6/98; defendant to file its' reply by 3/11/98. A Status conference/Oral argument is scheduled for 9:00 on 4/29/98. (WMS) (DLC) (Entered: 03/30/1998) |

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| 03/09/1998 | 822 | STIPULATION Rule 41 Voluntary dismissal subject to conditions - signed by attorneys (copy sent to all parties along with order filed 3/9/98) (case remains open pursuant to chambers) (mj) (Entered: 03/11/1998) |
| 03/09/1998 | 823 | ORDER directing that the terms of the voluntary stipulation of dismissal subject to conditions are narrowly drawn, extend no further than necessary to correct the violation of Federal rights and are the least intrusive means necessary to correct the violation of Federal Rights. (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Joseph L. Gerken, Jerry McGrier Sr., David Molik (mj) (Entered: 03/11/1998) |
| 03/09/1998 | 824 | LETTER of understanding regarding a matter of interpretation concerning the voluntary stipulation of dismissal subject to conditions - signed by Jerry McGrier and Joseph Gerken (mj) (Entered: 03/11/1998) |
| 04/29/1998 | | Minute entry: Status conference; No appearance by parties; Court to issue order rescheduling same-WMS (mj) (Entered: 05/07/1998) |
| 04/30/1998 | 825 | ORDER set Status Conference for 9:00 on 5/6/98 (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Joseph L. Gerken, Thomas Goetz, Jerry McGrier Sr. (mj) (Entered: 04/30/1998) |
| 05/06/1998 | | Minute entry:, Court issues statement from the Bench, Court grants summary judgment motion and dismisses 8th amendment claim with a 60 day report back to the Court if corrective measures are not adequate and determines that there is no contest as to the Sandin claim, at the 60 day mark the dismissal will be with prejudice, the Court's ruling in granting defendants summary judgment motion presumes there will not be any difficulty with the plaintiff examining the ventilation system in SHU, Attorney Hite is granted permission to attend any inspection of the ventilation system by plaintiff, PLS funding is currently at issue, brutality and multi-lingual claims remain in this lawsuit, plaintiff intends to proceed with brutality claim, additional Status Conference is set for 9:00 a.m. on 7/8/98. WMS (JMD) (Entered: 06/04/1998) |
| 07/08/1998 | | Minute entry: Michael McCarthy of Prisoners Legal Services to be substituted as counsel for plaintiff, Multilingual and Bilingual claims to be addressed next, possibly both can be settled, parties to identify the issues that remain and the elements of those issues, prisoners legal services laid off most of its staff on 7/3/98 , is trying to obtain substitute counsel from Prisoners Rights Services, and searching for alternative forms of funding, Court will entertain motion for appointment of an expert to conduct the 4 required monitorings re: mental health, it will also consider appointment of an expert to follow up re: plexiglass issue, Court considers plexiglass ventilation issue to be dismissed but Attorney McGrier should inform Attorney McCarthy what is in place and if there is a problem with same it must be brought to the attention of the Court by 9/2/98 or it will be forever waived, settlement of attorneys fees re: settled mental health claim is still being considered by AG's office, additional Status Conference is set for 9:00 a.m. on 9/2/98, Court informs parties that it wants to resolve the remaining claims, it will not allow the case to drag on for a couple more years. WMS (JMD) (Entered: 07/24/1998) |
| 07/22/1998 | 826 | ORDER setting Status Conference for 9:00 on 9/2/98 ; All further appearances for the intervenor-defendants shall be in person; further, defendants shall inquire |

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| | | of the status and adequacy of the ventilation system and advise plaintiff of results prior to 9/2/98; further, the plexiglass claim is unconditionally dismissed subject to any application of plaintiffs to reopen, etc.; further, Court reveals the following issues which remain for resolution-settlement of plaintiffs' claim for attorney fees, etc.; Services to monolingual inmates, etc. and Brutality, etc. (see order for additional information) (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Joseph L. Gerken, Thomas Goetz, Jerry McGrier Sr. (mj) (Entered: 07/22/1998) |
| 08/07/1998 | 827 | ORDER resetting Status Conference for 10:30 on 9/3/98 (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Michael W. McCarthy, Thomas Goetz, Jerry McGrier Sr. (mj) (Entered: 08/07/1998) |
| 08/31/1998 | 828 | NOTICE of attorney appearance for Anthony Barton, Anderson Bernier, George Eng, John Griffin, Bruce Hawkins, Martin Spence, Ronald West, Joel Clayman, William Boddie, Milton Payne, R. Lloyad, Anthony Martin, Joey Tavolino, Abdul Beyah, Jamal Kitt, John Terry by Dori A. Lewis (mj) (Entered: 08/31/1998) |
| 09/03/1998 | | Status conference held; Parties cannot agree on attorney fees for mental health settlement; plaintiff to file motion but motion will not be accepted until 10/16/98; Court instructs McGrier to write specifics on ventilation, Attorneys to meet with USDJ Law Clerk on 9/11/98 by telephone to isolate issues; Case to be disciplined, etc. Court will entertain sanctions; Union defendant requests list of what plaintiff wants; further status conference set for 9/22/98 at 9:00-WMS (mj) (Entered: 10/06/1998) |
| 09/14/1998 | 829 | NOTICE of attorney appearance for Anthony Barton, Anderson Bernier, George Eng, John Griffin, Bruce Hawkins, Martin Spence, Ronald West, Joel Clayman, William Boddie, Milton Payne, R. Lloyad, Anthony Martin, Joey Tavolino, Abdul Beyah, Jamal Kitt, John Terry by Tom Terrizzi (mj) (Entered: 09/15/1998) |
| 09/22/1998 | | Status conference held; Defendant reviewed portion of entries regarding attorney fees and will request clarification on some entries; Court directs defendant to provide entries in question; Information regarding Spanish/Multilingual claim forwarded to plaintiff; Plaintiff requires more specification on law library/mental health and defendant needs relevant information pursuant to order of 7/22/98; plaintiff will review same with expert; ventilation issues need to be addressed; McGrier to request more information from clients; refinements to be provided to plaintiffs by 10/16/98; Parties are exchanging documents regarding brutality issue and copies of same are to be provided to Attorney Savat; McGrier to renew request regarding log books and clients to comply by Friday of this week; Status conference set at 9:00 on 10/29/98 - WMS (mj) (Entered: 10/06/1998) |
| 09/23/1998 | 830 | ORDER allowing plaintiff to proceed without local counsel, etc. (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Thomas Goetz, Jerry McGrier Sr. (mj) (Entered: 09/23/1998) |
| 10/29/1998 | | Status conference held; Parties have agreed on attorney fees re: mental health claim; Multilingual services discussed, etc.; Relevant portion of accreditation report to be distributed by 11/16/98, etc.; Defendant to copy court on brutality materials; plaintiff's counsel to review materials, etc.; plaintiff to provide court |

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| | | with interim report by 11/20/98, etc.; additional status conference set for 12/1/98 at 9:00-WMS (mj) (Entered: 12/04/1998) |
| 11/09/1998 | 831 | ORDER resetting Status Conference for 2:00 on 12/7/98 (order filed 11/9/98 and received for docketing 11/12/98) (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Thomas Goetz, Jerry McGrier Sr. (mj) (Entered: 11/12/1998) |
| 12/08/1998 | | Status conference held-Monitoring reports regarding brutality issue to be provided to plaintiff for the next 9 months, etc.; A status is set for 1/6/99 regarding monolingual; The mental health issue is resolved and attorney fee issue remains unresolved and an additional status is set for 12/17/98; Compliance with OHM records to be completed by then, etc.; Plaintiff finalizes details regarding tour of facility; Status conference set at 9:00 on 2/10/99 re: monolingual/library, etc.-WMS (mj) (Entered: 01/21/1999) |
| 12/17/1998 | | Status conference. 8 of 25 of the OHM records and 18 of 25 of the DOCS records have been turned over to the plaintiff. Stipulation re: HIV is executed by the parties and approved by the Court. Tour date of facility to be confirmed. Attorney McGrier surmises that the requested documents from the prior accreditation on the ventilation issue do not exist therefore he will seek documentation from the current accreditation. No progress has been made re: attorneys fees stipulation. Attorney McGrier advises Court that he now has authorization to execute the stipulation but the plaintiff does not want to be bound by that stipulation. Plaintiffs position needs to be finalized. Submissions re: attorney fees issue to be filed on or before 12/21/98 at 12 noon. Plaintiff given permission to fax submission to the Court but is advised that if it is not filed by Tuesday a.m. the submission will not be considered. Status conference set for 12/22/98 at 9:00. WMS (JMD) (Entered: 02/12/1999) |
| 12/21/1998 | 832 | TRANSCRIPT of proceeding held before USDJ Skretny on 9/22/98 (telephone conference) (43 pages) (mj) (Entered: 12/21/1998) |
| 12/21/1998 | 833 | TRANSCRIPT of telephone conference held before USDJ Skretny on 10/29/98 (17 pages) (mj) (Entered: 12/21/1998) |
| 12/22/1998 | 834 | VARIOUS LETTERS filed pursuant to instructions from chambers (mj) (Entered: 12/22/1998) |
| 12/22/1998 | 835 | STIPULATION and ORDER regarding the handling of records related to confidential HIV information, etc. signed by USDJ William M. Skretny . Notice and copy of order sent to Robert S. Hite, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Thomas Goetz, Jerry McGrier Sr.. (mj) (Entered: 12/23/1998) |
| 12/22/1998 | | Status conference held; Attorney Terrizzi signed stipulation regarding attorney fees and will provide same to Attorney McGrier; Position of Attorney McGrier's superiors to be obtained; Additional status set for 12/30/98 at 9:00-WMS (mj) (Entered: 01/21/1999) |
| 12/28/1998 | 836 | TRANSCRIPT of telephone conference held on 12/8/98 with USDJ Skretny (43 pages) (mj) (Entered: 12/28/1998) |
| 12/30/1998 | | Status conference held; signed stipulation regarding attorney fees to be forwarded to court; Said stipulation does not speak to the prisoner rights project-that will be |

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| | | dealt with as a separate issue; Said issue to be addressed formally after the first facility tout-WMS (mj) (Entered: 01/21/1999) |
| 12/31/1998 | 837 | STIPULATION and ORDER for Attorney Fees in the amount of \$136,225.00, etc. signed by USDJ William M. Skretny . Notice and copy of order sent to Robert S. Hite, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Thomas Goetz, Jerry McGrier Sr.. (mj) (Entered: 12/31/1998) |
| 01/25/1999 | | TOUR. Tour conducted of Attica Correctional Facility Special Housing Unit-Mental Health pursuant to the stipulation entered into by the parties. WMS (JMD) (Entered: 02/10/1999) |
| 02/10/1999 | | Status conference, additional status conference set for 2/23/99 at 9:00 a.m. , order to be issued, no appearance by plaintiff. WMS (JMD) (Entered: 03/09/1999) |
| 02/16/1999 | 838 | ORDER setting Status Conference for 9:00 2/23/99 (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Sarah Kerr, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Thomas Goetz, Jerry McGrier Sr. (mj) (Entered: 02/16/1999) |
| 02/23/1999 | | Status conference, discussions held re: monolingual law library, plexiglass, inspection to be completed by 4/1/99, additional status conference set for 9:00 a.m. on 5/12/99. WMS (JMD) (Entered: 03/09/1999) |
| 04/13/1999 | 839 | TRANSCRIPT of proceeding held before USDJ Skretny on 12/17/98 (16 pages) (mj) (Entered: 04/13/1999) |
| 04/13/1999 | 840 | TRANSCRIPT of telephone conference with USDJ Skretny held 12/22/98 (27 pages) (mj) (Entered: 04/13/1999) |
| 04/13/1999 | 841 | TRANSCRIPT of telephone conference held with USDJ Skretny on 2/23/99 (10 pages) (mj) (Entered: 04/13/1999) |
| 05/12/1999 | | Status conference held; Department of Correction documentation has been transmitted. OMH documentation is still outstanding and will be transmitted shortly; The second Attica tour will be scheduled for June; A few issues still need to be worked out, etc.; Status conference set at 9:00 7/15/99-WMS (mj) (Entered: 05/20/1999) |
| 06/15/1999 | 842 | MOTION by plaintiffs to file expert report under seal (mj) (Entered: 06/15/1999) |
| 06/17/1999 | 843 | STIPULATION and ORDER regarding records released pursuant to Rule 41 Voluntary stipulation of dismissal subject to conditions. signed by USDJ William M. Skretny . Notice and copy of order sent to Robert S. Hite, Sarah Kerr, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Thomas Goetz, Jerry McGrier Sr.. (mj) (Entered: 06/17/1999) |
| 07/01/1999 | 844 | ORDER granting [842-1] motion to file expert report under seal; The clerk shall file the First Site Visit Report under seal and shall file the REadacted First Site Visit Report-for public file. (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Sarah Kerr, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Thomas Goetz, Jerry McGrier Sr. (mj) (Entered: 07/02/1999) |
| 07/01/1999 | 845 | SEALED DOCUMENT (mj) (Entered: 07/02/1999) |

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| 07/01/1999 | 846 | Redacted Copy of First Site Visit (mj) (Entered: 07/02/1999) |
| 08/27/1999 | 847 | amended NOTICE of attorney appearance for Harold J. Smith, Charles James, Keith Counterline by Kim S. Murphy (mj) (Entered: 08/30/1999) |
| 09/16/1999 | | Status conference held, second site visit was held in early July, before defendants had the opportunity to respond to the 1st , defendants response to the 1st report was received on 9/1/99 plaintiff is not satisfied with the response as to mental health issue, parties request 60 day time period to work through issues, attorney Terrizi is trying to obtain expert re: ventilation issue in Ithaca area, expert will need to go in and conduct testing, parties to resolve within 60 days, Court dismisses attorney fees issue as to PLS as resolved, attorney Kerr is advised that she must formally raise issue of attorney fees as to her agency prior to conclusion of the case, status conference set for 11/15/99 at 9:00 am. WMS (JMD) (Entered: 11/22/1999) |
| 11/15/1999 | | Status conference held, prisoners legal services is re-opening up a Buffalo office, defendants need to response to Dr. Grassians report and Sara Kerrs letter, plaintiff states defendant are not in compliance and SHU care is sub-standard, parties provide Court with agreed to time line for completion of outstanding matters, plaintiff has proposed stipulation re: law library, will need to be translated into Spanish since issue is multilingual issue of force is still open, at this time plaintiff is unclear as to what is needed/it is intertwined with mental health issue, additional status conference set for 11/22/99 at 9:00 AM. WMS (JMD) (Entered: 12/22/1999) |
| 11/18/1999 | 848 | MOTION by plaintiffs to Seal documents (mj) (Entered: 11/18/1999) |
| 11/18/1999 | 849 | SEALED DOCUMENT (mj) (Entered: 11/18/1999) |
| 11/18/1999 | 850 | Redacted copy of Second Site Visit report. (mj) (Entered: 11/18/1999) |
| 11/22/1999 | | Status conference held; Counsel has made some progress; Defendant to provide response to Dr. Grassian's report and Sara Kerr's letter no later than 12/22/99; Defendant to provide it's clinical response no later than 1/24/00;The continuity issue re: SHU is due no later than 3/6/00; Court to extend the monitoring period but the length of extension has not yet been determined; Status conference set at 9:00 1/27/00-WMS (mj) (Entered: 12/13/1999) |
| 12/28/1999 | 851 | TRANSCRIPT of proceeding held on 5/12/99 before USDJ Skretny (9 pages) (mj) (Entered: 12/28/1999) |
| 12/28/1999 | 852 | TRANSCRIPT of proceeding held on 9/16/99 before USDJ Skretny (11 pages) (mj) (Entered: 12/28/1999) |
| 12/28/1999 | 853 | TRANSCRIPT of proceeding held before USDJ Skretny on 11/15/99 (19 pages) (mj) (Entered: 12/28/1999) |
| 12/28/1999 | 854 | TRANSCRIPT of proceeding held on 11/22/99 before USDJ Skretny (16 pages) (mj) (Entered: 12/28/1999) |
| 01/27/2000 | | Status conference held, draft plan re: continuity of care issue is in the works, to be shared by 2/15; plaintiff still wishes to modify terms of stipulation re: mental health and extend monitoring period, plaintiff to refrain from filing motion at this time, additional status conference set for 5/7/00 at 9:00 am. WMS (JMD) |

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| | | (Entered: 02/09/2000) |
| 01/27/2000 | | Status conference set at 9:00 5/7/00 (JMD) (Entered: 02/09/2000) |
| 02/16/2000 | | Deadline updated; set Status Conference for 9:00 3/7/00 (JMD) (Entered: 02/16/2000) |
| 02/17/2000 | 855 | TRANSCRIPT of proceedings held before Judge Skretny dated 1/27/00, pages 1-15 (JMD) (Entered: 02/18/2000) |
| 03/07/2000 | | Status conference held, large portion of the plan are tied to state budget that hasnt been approved yet, gaps in plan need to be ironed out, plaintiff requests additional 60 days to review plan and an agreement that the monitoring period will be extended, Court orders experts meet by 4/10/00, counsel to continue ongoing discussions, plaintiff to complete analysis of draft plan, identify problem areas in outline form by 3/28/00, counsel to conference week of 5/5/00 to try to resolve comments/objections to plan, Court requires submission of a joint statement re: resolved issues, and a separate document re: issues where there is no resolve on or before 5/12/00, additional status conference set for 6/1/00 at 10:00 am. WMS (JMD) (Entered: 03/15/2000) |
| 03/07/2000 | | Status conference set at 10:00 6/1/00 (JMD) (Entered: 03/15/2000) |
| 04/03/2000 | 856 | TRANSCRIPT of proceedings held before Judge Skretny dated 3/7/00, pages 1-28 (JMD) (Entered: 04/04/2000) |
| 04/10/2000 | 857 | MOTION by plaintiffs re: meeting between the parties experts with exhibit in support. (JMD) (Entered: 04/10/2000) |
| 04/11/2000 | 858 | AFFIDAVIT by Kim S. Murphy counsel for defendants in opposition to [857-1] motion re: meeting between the parties experts (JMD) (Entered: 04/11/2000) |
| 04/13/2000 | | Status conference held. Court reserves decision on plaintiff's motion re: meeting of parties. Attorneys are required to meet the week of 5/1/00. Status conference set at 9:00 6/1/00. (WMS) (DMZ) Modified on 05/16/2000 (Entered: 05/15/2000) |
| 04/14/2000 | 859 | DECLARATION by Sarah Kerr for plaintiffs in support of [857-1] motion re: meeting between the parties experts (JMD) (Entered: 04/14/2000) |
| 04/24/2000 | 860 | ORDER granting in part, denying in part [857-1] motion re: meeting between the parties experts; parties shall meet on or before 5/5/00; plaintiff's shall submit a proposed agenda by 4/26/00; defendants shall submit their proposed modifications by 4/28/00. (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Sarah Kerr, Tom Terrizzi, Doris A. Lewis, Michael W. McCarthy, Kim S. Murphy, Thomas Goetz (mj) (Entered: 04/25/2000) |
| 04/27/2000 | | Mail returned by post office - Michael McCarthy's copy of order filed 4/24/00 (mj) (Entered: 04/27/2000) |
| 05/01/2000 | 861 | JOINT MOTION by the parties to Extend Time/modify schedule of meetings/submissions (mj) (Entered: 05/02/2000) |
| 05/01/2000 | 862 | NOTICE of motion by parties to modify schedule, etc. (mj) (Entered: 05/02/2000) |

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| 05/01/2000 | 863 | DECLARATION by Sarah Kerr regarding extension, etc. (mj) (Entered: 05/02/2000) |
| 05/01/2000 | 864 | CERTIFICATE OF SERVICE (mj) (Entered: 05/02/2000) |
| 05/04/2000 | 865 | ORDER granting [861-1] joint motion to Extend Time/modify schedule of meetings/submissions, Meeting of Drs. Grassian & Patterson 5/18/00; Meeting between counsel by 6/2/00; Joint & Separate submissions on plan by 6/12/00; Reset Status Conference for 9:00 on 6/22/00. (Signed by USDJ William M. Skretny.) Notice and copy of order sent to Robert S. Hite, Sarah Kerr, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Kim S. Murphy, Thomas Goetz (DLC) (Entered: 05/08/2000) |
| 06/12/2000 | 866 | Joint submission regarding status of Rule 41 Voluntary Stipulation of Dismissal subject to conditions re: mental health. (DMZ) (Entered: 06/13/2000) |
| 06/12/2000 | 868 | AFFIDAVIT by Harold J. Smith, Charles James, Keith Counterline Re: Mental Health Services Plan for Special Housing Unit Patients (SG) (Entered: 06/14/2000) |
| 06/13/2000 | 867 | DECLARATION by plaintiffs re: status of Rule 41 voluntary stipulation of dismissal subject to conditions re: mental health (JMD) (Entered: 06/13/2000) |
| 06/22/2000 | | Minute entry: Status conference held; experts have met; parties have provided a proposed Rule 41 stipulation to court; parties agreed to implementation of STP by 12/20/00; setting additional Status Conferences for 9:00 on 8/1/00 , and 9:00 on 11/21/00 (WMS) (DMZ) (Entered: 07/13/2000) |
| 07/17/2000 | 869 | ORDER, that Rule 41 Stipulations of Dismissal Subject to Conditions is granted (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Robert Hite, Sarah Kerr, Michael W. McCarthy, Kim S. Murphy, Thomas Goetz (DMZ) (Entered: 07/17/2000) |
| 07/21/2000 | | Mail returned by Post Office - Michael McCarthy's copy of order filed 7/17/00 (DMZ) (Entered: 07/25/2000) |
| 08/01/2000 | | Status conference held; dismissal motion re: law library to be filed on or before 8/7/00; response to be filed by 8/17/00; reply to be filed by 8/22/00; additional status conference scheduled for 8/31/00 at 10:00 (WMS) (DMZ) (Entered: 08/28/2000) |
| 08/07/2000 | 870 | MOTION by Sarah Kerr and John Boston, attorneys for plaintiffs for an order approving Rule 41 Voluntary Stipulation of Dismissal of the claim related to law library services for mono-lingual Spanish speaking prisoners, and approving the proposed Notice to the Class (DMZ) (Entered: 08/07/2000) |
| 08/07/2000 | 871 | MEMORANDUM by attorneys for plaintiffs in support of [870-1] motion for an order approving Rule 41 Voluntary Stipulation of Dismissal of the claim related to law library services for mono-lingual Spanish speaking prisoners, and approving the proposed Notice to the Class (DMZ) (Entered: 08/07/2000) |
| 08/07/2000 | 872 | DECLARATION by Sarah Kerr, attorney for plaintiffs Re: [870-1] motion for an order approving Rule 41 Voluntary Stipulation of Dismissal of the claim related to law library services for mono-lingual Spanish speaking prisoners, and approving the proposed Notice to the Class (DMZ) (Entered: 08/07/2000) |

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| 08/07/2000 | | Exhibits to August 4, 2000 Declaration of Sarah Kerr received. (DMZ) (Entered: 08/07/2000) |
| 08/17/2000 | 873 | AFFIDAVIT by Kim Murhph, attorney for defendants, in opposition to [870-1] motion for an order approving Rule 41 Voluntary Stipulation of Dismissal of the claim related to law library services for mono-lingual Spanish speaking prisoners, and approving the proposed Notice to the Class by Anthony Barton (DMZ) (Entered: 08/18/2000) |
| 08/23/2000 | 874 | REPLY DECLARATION by Sarah Kerr, attorney for plaintiffs, in support of [870-1] motion for an order approving Rule 41 Voluntary Stipulation of Dismissal of the claim related to law library services for mono-lingual Spanish speaking prisoners, and approving the proposed Notice to the Class by Anthony Barton (DMZ) (Entered: 08/23/2000) |
| 08/31/2000 | | Status conference held; parties have reached an agreement as to voluntary dismissal re: law library mono-lingual claims but not as to notice to the class; court reserves decision; experts to conduct ventilation inspection 9/14/00; status conference set at 9:00 11/22/00 (WMS) (DMZ) (Entered: 09/21/2000) |
| 09/05/2000 | 875 | NOTICE of attorney appearance for Anthony Barton, Anderson Bernier, George Eng, John Griffin, Bruce Hawkins, Martin Spence, Ronald West, Joel Clayman, William Boddie, Milton Payne, R. Lloyad, Anthony Martin, Joey Tavolino, Abdul Beyah, Jamal Kitt, John Terry by Maria E. Pagano (DMZ) (Entered: 09/06/2000) |
| 09/05/2000 | 876 | NOTICE of attorney appearance for Anthony Barton, Anderson Bernier, George Eng, John Griffin, Bruce Hawkins, Martin Spence, Ronald West, Joel Clayman, William Boddie, Milton Payne, R. Lloyad, Anthony Martin, Joey Tavolino, Abdul Beyah, Jamal Kitt, John Terry by Karen J. Draves (DMZ) (Entered: 09/06/2000) |
| 09/07/2000 | 877 | TRANSCRIPT of proceedings held on 8/1/00 before USDJ William Skretny (15 pages) (DMZ) (Entered: 09/08/2000) |
| 11/21/2000 | | Minute entry: status conference scheduled for 11/21/00 is adjourned generally; no appearances (WMS) (DMZ) (Entered: 12/13/2000) |
| 11/27/2000 | 878 | NOTICE of attorney appearance for Harold J. Smith, Charles James, Keith Counterline by Stephen F. Gawlik (DMZ) (Entered: 11/28/2000) |
| 12/22/2000 | 879 | ORDER, set Status Conference for 10:00 1/17/01 (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Karen J. Draves, Maria E. Pagano, Sarah Kerr, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Stephen F. Gawlik, Thomas Goetz (JMD) (Entered: 12/22/2000) |
| 12/28/2000 | | Mail returned by Post Office addressed to Michael W. McCarthy at Prisoners' Legal Services, 210 Franklin St. (copy of Order item #879); mail redirected to new address at 107 Delaware Ave., Buffalo, 14202 (DMZ) (Entered: 12/28/2000) |
| 01/05/2001 | | Pursuant to conversation with Attorney Murphy and document #878, Attorney Murphy remains as counsel for defendants (DMZ) (Entered: 01/05/2001) |
| 01/17/2001 | 880 | Status conference held; mental health issue seems to be resolved; plaintiffs feel original ventilation testing is no longer valid; court discussed possible |

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| | | administrative dismissal; additional status conference set for 9:00 2/20/01 (WMS) (DMZ) (Entered: 02/05/2001) |
| 02/16/2001 | 881 | NOTICE of attorney appearance for Anthony Barton, Anderson Bernier, George Eng, John Griffin, Bruce Hawkins, Martin Spence, Ronald West, Joel Clayman, William Boddie, Milton Payne, R. Lloyad, Anthony Martin, Joey Tavolino, Abdul Beyah, Jamal Kitt, John Terry by Joanne G. Macri (DMZ) (Entered: 02/20/2001) |
| 02/20/2001 | 882 | Status conference held; mental health claim to be placed on the in-active calendar; monitoring to last through 2003; court to rule re: format of notice to class in regards to dismissal of the lawsuit; ventilation claim to also be placed on the in-active calendar; requested adjustments have been made; the use of force claim again to be put on the inactive calendar (WMS) (DMZ) (Entered: 03/14/2001) |
| 03/27/2001 | 883 | ORDER, that the Clerk of Court administratively terminate this action, without prejudice to the right of the parties to reopen the proceedings for good cause shown, for the entry of any stipulation or order, or for any other purposes related to enforcement of the settlement or approval by the class (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Joanne G. Macri, Karen J. Draves, Maria E. Pagano, Sarah Kerr, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Stephen F. Gawlik, Kim S. Murphy, Thomas Goetz (DMZ) (Entered: 03/28/2001) |
| 03/27/2001 | | Case closed (DMZ) (Entered: 03/28/2001) |
| 04/16/2001 | 884 | CERTIFICATE OF SERVICE re: Rule 41 Voluntary Stipulation of Dismissal, Notice to Class of Proposed Rule 41 Voluntary Stipulation of Dismissal, and Order for Notice to Class of Proposed Rule 41 Voluntary Stipulation of Dismissal upon Kim S. Murphy (DMZ) (Entered: 04/17/2001) |
| 06/13/2001 | 885 | ORDER, For Notice to Class of Proposed Rule 41 Voluntary Stipulation of Dismissal ; plaintiffs counsel to prepare sufficient copies of attached notice and deliver it by mail to each inmate housed in Attica SHU. (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Joanne G. Macri, Karen J. Draves, Maria E. Pagano, Sarah Kerr, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Stephen F. Gawlik, Kim S. Murphy, Thomas Goetz (DMZ) (Entered: 06/14/2001) |
| 06/22/2001 | 886 | ORDER, For Notice to Class of Proposed Rule 41 Voluntary Stipulation of Dismissal ; plaintiff's counsel to prepare sufficient copies of attached notice and deliver it by mail to each inmate housed in the Attica SHU. (signed by USDJ William M. Skretny) Notice and copy of order sent to Robert S. Hite, Joanne G. Macri, Karen J. Draves, Maria E. Pagano, Sarah Kerr, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Stephen F. Gawlik, Kim S. Murphy, Thomas Goetz (DMZ) (Entered: 06/22/2001) |
| 10/30/2001 | 887 | Report of Plaintiffs' Counsel Regarding Comments From The Plaintiff Class on the Proposed Stipulation and Order Discontinuing Action (DMZ) (Entered: 10/30/2001) |
| 10/30/2001 | 888 | RULE 41 VOLUNTARY STIPULATION OF DISMISSAL and ORDER, defendants will amend local Attica Correctional Facility Operations Manual |

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| | | (FOM) and based upon defendants adopting the policies and procedures and after notice to class and an opportunity to object, the claim of inadequate ventilation in cells in SHU at Attica Correctional Facility which have plexiglass shields is voluntarily dismissed with prejudice; (please see order for all details) signed by USDJ William M. Skretny . Notice and copy of order sent to Robert S. Hite, Joanne G. Macri, Karen J. Draves, Maria E. Pagano, Sarah Kerr, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Stephen F. Gawlik, Kim S. Murphy, Thomas Goetz . (DMZ) (Entered: 11/01/2001) |
| 11/27/2001 | 889 | STIPULATION and ORDER, for Settlement and Attorney Fees and costs. signed by USDJ William M. Skretny . Notice and copy of order sent to Robert S. Hite, Joanne G. Macri, Karen J. Draves, Maria E. Pagano, Sarah Kerr, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Stephen F. Gawlik, Thomas Goetz . (JMD) (Entered: 11/28/2001) |
| 01/22/2002 | 890 | MOTION by plaintiffs to approve Rule 41 Voluntary Stipulation of Dismissal of claim re: law library services for mono-lingual Spanish speaking prisoners (JMD) (Entered: 01/23/2002) |
| 01/22/2002 | 891 | MEMORANDUM of LAW by plaintiffs in support of [890-1] motion to approve Rule 41 Voluntary Stipulation of Dismissal of claim re: law library services for mono-lingual Spanish speaking prisoners (JMD) (Entered: 01/23/2002) |
| 01/22/2002 | 892 | DECLARATION by Sarah Kerr counsel for plaintiffs in support of [890-1] motion to approve Rule 41 Voluntary Stipulation of Dismissal of claim re: law library services for mono-lingual Spanish speaking prisoners (JMD) (Entered: 01/23/2002) |
| 04/29/2002 | 893 | RULE 41 VOLUNTARY STIPULATION and ORDER OF DISMISSAL re: Monolingual SHU Law Library Services the claim f inadequate access to the law library and to legal research materials for monolingual Spanish speaking inmates housed in Attica SHU is dismissed without prejudice to renewal in another action based on events after this date. No attorney fees or costs will be awarded to either party signed by USDJ William M. Skretny . Notice and copy of order sent to Robert S. Hite, Joanne G. Macri, Karen J. Draves, Maria E. Pagano, Sarah Kerr, Tom Terrizzi, Dori A. Lewis, Michael W. McCarthy, Stephen F. Gawlik, Kim S. Murphy, Thomas Goetz . (DMZ) (Entered: 04/30/2002) |
| 11/06/2002 | 894 | NOTICE of Change of Address by Attorney Sarah Kerr: Prisoners' Rights Project Legal Aid Society, One Battery Park Plaza, New York, NY 10004 (DMZ) (Entered: 11/06/2002) |

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