

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:03-cv-00650-KTD-GWG**

Amador, et al v. Andrews, et al  
Assigned to: Judge Kevin Thomas Duffy  
Referred to: Magistrate Judge Gabriel W. Gorenstein  
Demand: \$0  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 01/28/2003  
Date Terminated: 07/06/2015  
Jury Demand: Defendant  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**Lucy Amador**

represented by **Maeve L. O'Connor**  
Debevoise & Plimpton, LLP (NYC)  
919 Third Avenue, 31st Floor  
New York, NY 10022  
(212)–909–6315  
Fax: (212)–521–7715  
Email: [mocconnor@debevoise.com](mailto:mocconnor@debevoise.com)  
*LEAD ATTORNEY*

**Claudio Damian Salas–Aguilar**  
Debevoise & Plimpton, LLP (NYC)  
919 Third Avenue, 31st Floor  
New York, NY 10022  
*ATTORNEY TO BE NOTICED*

**Dori A. Lewis**  
The Legal Aid Society, Civil Division  
199 Water Street  
New York, NY 10038  
212–577–3530  
Fax: (212) 509–8433  
Email: [dlewis@legal-aid.org](mailto:dlewis@legal-aid.org)  
*ATTORNEY TO BE NOTICED*

**Justin P. Smith**  
Debevoise & Plimpton, LLP (NYC)  
919 Third Avenue, 31st Floor  
New York, NY 10022  
(212) 909–6000  
Fax: (212)–909–6836

**Lisa Freeman**  
The Legal Aid Society  
199 Water Street  
New York, NY 10038  
212 577 7982  
Fax: 646 616 4982  
Email: [lafreeman@legal-aid.org](mailto:lafreeman@legal-aid.org)

**Terra Linden Gearhart**  
Debevoise & Plimpton LLP (919 Third Ave)  
919 Third Avenue  
New York, NY 10022  
(212)–909–6673  
Fax: (212)–521–8724  
Email: [tlgearha@debevoise.com](mailto:tlgearha@debevoise.com)  
*ATTORNEY TO BE NOTICED*

**Veronica Vela**  
Legal Aid Society

199 Water Street, 3rd Floor  
New York, NY 10038  
(212)-577-3530  
Fax: (212)-509-8433  
Email: [vvela@legal-aid.org](mailto:vvela@legal-aid.org)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Stacie Calloway**

represented by **Camille Gear**  
Debevoise & Plimpton  
919 Third Avenue  
New York, NY 10022  
(212) 909-6000  
*LEAD ATTORNEY*

**Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Scott Ruskay-Kidd**  
Kramer Levin Naftalis & Frankel, LLP  
1177 Avenue of the Americas  
New York, NY 10036  
(212) 715-9323  
Fax: (212) 715-8000  
Email: [sruskaykidd@kramerlevin.com](mailto:sruskaykidd@kramerlevin.com)  
*TERMINATED: 06/06/2008*  
*LEAD ATTORNEY*

**Dori A. Lewis**  
(See above for address)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Tonie Coggins**

represented by **Camille Gear**  
(See above for address)  
*LEAD ATTORNEY*

**Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Scott Ruskay-Kidd**  
(See above for address)  
*TERMINATED: 06/06/2008*  
*LEAD ATTORNEY*

**Dori A. Lewis**  
(See above for address)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Latasha Dockery**

represented by **Camille Gear**  
(See above for address)  
*LEAD ATTORNEY*

**Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Scott Ruskay-Kidd**  
(See above for address)  
*TERMINATED: 06/06/2008*  
*LEAD ATTORNEY*

**Dori A. Lewis**  
(See above for address)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Tanya Jones**

represented by **Camille Gear**  
(See above for address)  
*LEAD ATTORNEY*

**Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Scott Ruskay-Kidd**  
(See above for address)  
*TERMINATED: 06/06/2008*  
*LEAD ATTORNEY*

**Dori A. Lewis**  
(See above for address)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Bobbie Kidd**

represented by **Scott Ruskay-Kidd**  
(See above for address)  
*TERMINATED: 06/06/2008*

*LEAD ATTORNEY*

**Dori A. Lewis**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Bette Jean McDonald**

represented by **Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Scott Ruskay-Kidd**  
(See above for address)  
*TERMINATED: 06/06/2008*  
*LEAD ATTORNEY*

**Dori A. Lewis**  
(See above for address)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Kristina Muehleisen**

represented by **Camille Gear**  
(See above for address)  
*LEAD ATTORNEY*

**Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Scott Ruskay-Kidd**  
(See above for address)  
*TERMINATED: 06/06/2008*  
*LEAD ATTORNEY*

**Dori A. Lewis**  
(See above for address)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Jeanette Perez**  
*TERMINATED: 04/23/2009*

represented by **Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Scott Ruskay-Kidd**  
(See above for address)  
*TERMINATED: 06/06/2008*  
*LEAD ATTORNEY*

**Dori A. Lewis**  
(See above for address)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Laura Pullen**

represented by **Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Scott Ruskay-Kidd**  
(See above for address)  
*TERMINATED: 06/06/2008*  
*LEAD ATTORNEY*

**Dori A. Lewis**  
(See above for address)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Corilynn Rock**

represented by **Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Scott Ruskay-Kidd**  
(See above for address)  
*TERMINATED: 06/06/2008*  
*LEAD ATTORNEY*

**Dori A. Lewis**  
(See above for address)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Denise Saffioti**

represented by **Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Dori A. Lewis**  
(See above for address)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Shenyell Smith**  
*TERMINATED: 07/26/2012*

represented by **Camille Gear**  
(See above for address)  
*LEAD ATTORNEY*

**Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Scott Ruskay-Kidd**  
(See above for address)  
*TERMINATED: 06/06/2008*  
*LEAD ATTORNEY*

**Dori A. Lewis**  
(See above for address)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Hope Susoh**

represented by **Camille Gear**  
(See above for address)  
*LEAD ATTORNEY*

**Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Scott Ruskay-Kidd**  
(See above for address)  
*TERMINATED: 06/06/2008*  
*LEAD ATTORNEY*

**Dori A. Lewis**  
(See above for address)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Nakia Thompson**

represented by **Camille Gear**  
(See above for address)  
*LEAD ATTORNEY*

**Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Scott Ruskay-Kidd**  
(See above for address)  
*TERMINATED: 06/06/2008*  
*LEAD ATTORNEY*

**Dori A. Lewis**  
(See above for address)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Anginell Andrews**  
*Superintendent*

represented by **Rebecca Ann Durden**  
New York State Department of Law  
Litigation  
120 Broadway, 24th Floor  
New York, NY 10271  
(212) 416-8610  
Fax: (212) 416-6075  
Email: [Rebecca.Durden@ag.ny.gov](mailto:Rebecca.Durden@ag.ny.gov)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
State of New York  
Office of the Attorney General  
120 Broadway  
New York, NY 10271-0332  
(212) 416-8632  
*ATTORNEY TO BE NOTICED*

**Daniel A. Schulze**  
Attorney General of the State of New York

120 Broadway  
New York, NY 10271  
(212)-416-6557  
Fax: (212)-416-6009  
Email: [daniel.schulze@ag.ny.gov](mailto:daniel.schulze@ag.ny.gov)

**David William Novak**  
Hinman Straub, P.C.  
121 State Street  
Albany, NY 12207  
(518)-689-7263 ?  
Fax: (518)-436-4751  
Email: [davidn@hspm.com](mailto:davidn@hspm.com)

**Defendant**

**Superintendent Roberta Coward**

represented by **Rebecca Ann Durden**  
(See above for address)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Daniel A. Schulze**  
(See above for address)

**David William Novak**  
(See above for address)

**Defendant**

**Superintendent Dennis Crowley**

represented by **Rebecca Ann Durden**  
(See above for address)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Daniel A. Schulze**  
(See above for address)

**David William Novak**  
(See above for address)

**Defendant**

**Superintendent Alexandreena Dixon**

represented by **Rebecca Ann Durden**  
(See above for address)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Daniel A. Schulze**  
(See above for address)

**David William Novak**  
(See above for address)

**Defendant**

**Eliane Lord**  
*Superintendent*

represented by **Rebecca Ann Durden**  
(See above for address)



*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Daniel A. Schulze**  
(See above for address)

**David William Novak**  
(See above for address)

**Defendant**

**Ronald Moscicki**  
*Superintendent*

represented by **Rebecca Ann Durden**  
(See above for address)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Daniel A. Schulze**  
(See above for address)

**David William Novak**  
(See above for address)

**Defendant**

**Melvin Williams**  
*Superintendent*

represented by **Rebecca Ann Durden**  
(See above for address)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Daniel A. Schulze**  
(See above for address)

**David William Novak**  
(See above for address)

**Defendant**

**Donald Wolfe**  
*DOCS Deputy superintendent*  
*TERMINATED: 07/22/2010*

represented by **Rebecca Ann Durden**  
(See above for address)  
*LEAD ATTORNEY*

**Daniel A. Schulze**  
(See above for address)

**David William Novak**  
(See above for address)

**Defendant**

**Terry Baxter**  
*DOCS Director of Personnel*

represented by **Rebecca Ann Durden**  
(See above for address)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Daniel A. Schulze**  
(See above for address)

**David William Novak**  
(See above for address)

**Defendant**

**Richard Roy**  
*DOCS Inspector General*

represented by **Rebecca Ann Durden**  
(See above for address)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Daniel A. Schulze**  
(See above for address)

**David William Novak**  
(See above for address)

**Defendant**

**Barbara D. Leone**  
*DOCS Director of the Sex Crimes Unit of  
the Inspector General's Office*

represented by **Rebecca Ann Durden**  
(See above for address)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Daniel A. Schulze**  
(See above for address)

**David William Novak**  
(See above for address)

**Defendant**

**Peter Brown**  
*DOCS Director of the Bureau of Labor  
Relations*

represented by **Rebecca Ann Durden**  
(See above for address)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Daniel A. Schulze**  
(See above for address)

**David William Novak**  
(See above for address)

**Defendant**

**Glenn Goord**  
*DOCS Commissioner*

represented by **Rebecca Ann Durden**  
(See above for address)  
*LEAD ATTORNEY*

**Daniel A. Schulze**  
(See above for address)

**David William Novak**  
(See above for address)

**Defendant**

**Commissioner James Stone**  
*Office of Mental Health*

represented by **Rebecca Ann Durden**  
(See above for address)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Daniel A. Schulze**  
(See above for address)

**David William Novak**  
(See above for address)

**Defendant**

**Clarence Davis**  
*DOCS Correctional Officer*

represented by **Joseph M. La Tona**  
Joseph M. La Tona, Esq.  
403 Main Street  
Buffalo, NY 14203  
(716) 842-0416  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**David William Novak**  
(See above for address)

**Defendant**

**M. Evans**  
*DOCS Correction Officer*

represented by **Christopher T. Kennedy**  
Hinman Straub, P.C.  
121 State Street  
Albany, NY 12207  
(518) 436-0751  
Fax: (518) 436-4751  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lawrence Henry Schaefer**  
Sheehan Greene Carraway Golderman  
& Jacques, LLP  
54 State Street  
Albany, NY 12207  
(518) 462-0110  
Fax: (518) 462-5260  
Email: [lschaefer@sgcgjlaw.com](mailto:lschaefer@sgcgjlaw.com)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**David William Novak**  
(See above for address)

**James T. Potter**  
Hinman Straub, P.C.  
121 State Street  
Albany, NY 12207  
(518)-436-0751 ?

Fax: (518)-436-4751  
Email: [jpotter@hinmanstraub.com](mailto:jpotter@hinmanstraub.com)

**Defendant**

**Michael Galbreath**  
*Sergeant*

represented by **Michael R. Galbreath**  
518 Linn Street  
Apartment # 2  
Ithaca, NY 14850  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**David William Novak**  
(See above for address)

**Defendant**

**John E. Gilbert, III**  
*Officer*

represented by **Diane R. Tiveron**  
Hogan & Willig, PLLC  
One John James Audubon Parkway  
Suite 210  
Amherst, NY 14228  
(716) 636-7600  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**David William Novak**  
(See above for address)

**Defendant**

**Mario Pique**  
*TERMINATED: 07/22/2010*

represented by **David William Novak**  
(See above for address)

**Defendant**

**Officer Jeffrey Shawver**

represented by **Christopher T. Kennedy**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lawrence Henry Schaefer**  
(See above for address)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**David William Novak**  
(See above for address)

**James T. Potter**  
(See above for address)

**Defendant**

**Officer Robert Smith**

represented by **George V.C. Muscato**  
Muscato, Di Millo & Vona, L.L.P.  
107 East Avenue

Lockport, NY 14094  
(716) 434-9177  
*LEAD ATTORNEY*

**Thomas M. DiMillo**  
Muscato, DiMillo & Vona, L.L.P.  
107 East Avenue  
Lockport, NY 14094  
(716) 434-9177  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Daniel A. Schulze**  
(See above for address)

**David William Novak**  
(See above for address)

**Defendant**

**Officer Delroy Thorpe**

represented by **John J. Walsh, II**  
Hodges Walsh & Messemer, LLP  
55 Church Street, Suite 211  
White Plains, NY 10601  
914-385-6000  
Fax: 914-385-6060  
Email: [jwalsh@hwm-law.com](mailto:jwalsh@hwm-law.com)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**David William Novak**  
(See above for address)

**Defendant**

**Officer Pete Zawislak**

represented by **David William Novak**  
(See above for address)

**Defendant**

**Rick Laure**

represented by **Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Christina Leonard**  
Cronin & Byczek, LLP  
1983 Marcus Avenue  
Suite C-120  
Lake Success, NY 11042  
(516)-358-1700  
Fax: (516)-358-1730  
Email: [leonard@cblawyers.net](mailto:leonard@cblawyers.net)

**David William Novak**  
(See above for address)

**Defendant**

**Officer Rico Meyers**

represented by **Rocco G Avallone**  
Cronin & Byczek, LLP

1983 Marcus Avenue  
Suite C-120  
Lake Success, NY 11042  
(516)-358-1700  
Fax: (516)-358-1730  
Email: [ravallone@cblawyers.net](mailto:ravallone@cblawyers.net)  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**David William Novak**  
(See above for address)

**Defendant**

**Frederick Brenyah**

represented by **Harvey A. Kaminsky**  
Kaminsky & Rich  
399 Knollwood Road  
White Plains, NY 10601  
(914) 682-8180  
*LEAD ATTORNEY*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**David William Novak**  
(See above for address)

**Walter L. Rich**  
Kaminsky & Rich  
399 Knollwood Road  
White Plains, NY 10603  
(914)-682-8180  
Fax: (914)-682-2296  
Email: [kresqs@aol.com](mailto:kresqs@aol.com)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Chris Sterling**

represented by **Dennis B. Schlenker**  
174 Washington Avenue  
Albany, NY 12210  
(518) 463-4473  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Barbara P. Demchuk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**David William Novak**  
(See above for address)

**Intervenor Plaintiff**

**Ebony Hayes**

represented by **Dori A. Lewis**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Pedro Lourenco De Oliveira**  
Debevoise & Plimpton LLP (919 Third  
Ave)  
919 Third Avenue

New York, NY 10022  
(212) 909-6645  
Fax: (212) 521-8745  
Email: [pedro.deoliveira@yahoo.com](mailto:pedro.deoliveira@yahoo.com)  
*TERMINATED: 04/24/2014*

**Svetlana Malahova Eisenberg**  
Debevoise & Plimpton, LLP (NYC)  
919 Third Avenue, 31st Floor  
New York, NY 10022  
(212)-909-6927  
Fax: (212)-909-6836  
Email: [smeisenberg@hotmail.com](mailto:smeisenberg@hotmail.com)  
*TERMINATED: 07/30/2013*  
*ATTORNEY TO BE NOTICED*

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Veronica Vela**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Danielle Rogers**

represented by **Dori A. Lewis**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Pedro Lourenco De Oliveira**  
(See above for address)  
*TERMINATED: 04/24/2014*

**Svetlana Malahova Eisenberg**  
(See above for address)  
*TERMINATED: 07/30/2013*  
*ATTORNEY TO BE NOTICED*

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Veronica Vela**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Frances Perez**

represented by **Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**LeeAnn Wimmers**

represented by **Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Dori A. Lewis**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Terra Linden Gearhart**  
(See above for address)

*ATTORNEY TO BE NOTICED*

**Veronica Vela**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Jasmine Valentin**

represented by **Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Dori A. Lewis**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Veronica Vela**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Counter Claimant**

**John E. Gilbert, III**

represented by **Diane R. Tiveron**  
(See above for address)  
*LEAD ATTORNEY*

V.

**Counter Defendant**

**Lucy Amador**

represented by **Dori A. Lewis**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Lisa Freeman**  
(See above for address)

**Veronica Vela**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Counter Defendant**

**Stacie Calloway**

represented by **Dori A. Lewis**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Counter Defendant**

**Tonie Coggins**

represented by **Dori A. Lewis**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Counter Defendant**

**Latasha Dockery**

represented by **Dori A. Lewis**  
(See above for address)



**Lisa Freeman**  
(See above for address)

**Counter Defendant**

**Tanya Jones**

represented by **Dori A. Lewis**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Counter Defendant**

**Bobbie Kidd**

represented by **Dori A. Lewis**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Counter Defendant**

**Bette Jean McDonald**

represented by **Dori A. Lewis**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Counter Defendant**

**Kristina Muehleisen**

represented by **Dori A. Lewis**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Counter Defendant**

**Jeanette Perez**  
*TERMINATED: 04/23/2009*

represented by **Dori A. Lewis**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Counter Defendant**

**Laura Pullen**

represented by **Dori A. Lewis**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Counter Defendant**

**Corilynn Rock**

represented by **Dori A. Lewis**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Counter Defendant**

**Denise Saffioti**

represented by **Dori A. Lewis**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Counter Defendant**

**Shenyell Smith**  
*TERMINATED: 07/26/2012*

represented by **Dori A. Lewis**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Counter Defendant**

**Hope Susoh**

represented by **Dori A. Lewis**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Counter Defendant**

**Nakia Thompson**

represented by **Dori A. Lewis**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Plaintiff**

**Stephanie Dawson**

represented by **Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Svetlana Malahova Eisenberg**  
(See above for address)  
*TERMINATED: 07/30/2013*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Dori A. Lewis**  
(See above for address)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Zheng Wang**  
Debevoise & Plimpton LLP  
919 Third Ave.  
New York, NY 10022  
(212)–909–6991  
Fax: (212)–521–7952  
Email: [zwang@debevoise.com](mailto:zwang@debevoise.com)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Shantelle Smith**  
*TERMINATED: 09/13/2012*

represented by **Maeve L. O'Connor**  
(See above for address)  
*LEAD ATTORNEY*

**Alison Maie Mikkor**  
Debevoise & Plimpton, LLP (NYC)  
919 Third Avenue, 31st Floor  
New York, NY 10022

Email: [amikkor@debevoise.com](mailto:amikkor@debevoise.com)

**Dori A. Lewis**  
(See above for address)

**Jennifer Lea Smith**  
Beranbaum Menken Ben– Asher  
& Bierman LLP  
80 Pine Street– 32nd Floor  
New York, NY 10005  
(212)–509–1616  
Fax: (212)–509–8088  
Email: [jsmith@nyemployeeelaw.com](mailto:jsmith@nyemployeeelaw.com)

**Justin P. Smith**  
(See above for address)

**Lisa Freeman**  
(See above for address)

**Svetlana Malahova Eisenberg**  
(See above for address)  
*TERMINATED: 07/30/2013*

**Terra Linden Gearhart**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Cross Claimant**

**James Hudson**

represented by **Raymond L Colon**  
Law Offices of Raymond L. Colon  
233 Broadway, 5th Floor  
New York, NY 10279  
212–964–8030  
Fax: 212–964–2575  
Email: [rlcolonesq@aol.com](mailto:rlcolonesq@aol.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Cross Defendant**

**Officer Pete Zawislak**

**Cross Defendant**

**Ms. Thorpe**

represented by **David William Novak**  
(See above for address)

**Cross Defendant**

**Officer Delroy**

**Cross Defendant**

**Officer Sterling**

**Cross Defendant**

**Smith**

*Sergeant*

*TERMINATED: 11/08/2007*

**Cross Defendant**

**Robert Smith**  
*Officer*

represented by **George V.C. Muscato**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Cross Defendant**

**Officer Jeffrey Shawver**

represented by **Christopher T. Kennedy**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**James T. Potter**  
(See above for address)

**Cross Defendant**

**Mario Pique**  
*Officer*  
*TERMINATED: 07/22/2010*

**Cross Defendant**

**Officer Rico Meyers**  
*Officer*

**Cross Defendant**

**Rick Larue**  
*Officer*

**Cross Defendant**

**John E. Gilbert, III**  
*Officer*

represented by **Diane R. Tiveron**  
(See above for address)  
*LEAD ATTORNEY*

**Cross Defendant**

**Michael Galbreath**  
*Sergeant*

**Cross Defendant**

**Michael Evans**  
*DOCS Correction Officer*

represented by **Christopher T. Kennedy**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**James T. Potter**  
(See above for address)

**Cross Defendant**

**Charles Davis**  
*DOCS Correction Officer*

**Cross Defendant**

**Frederick Brenyah**  
*DOCS Correction Officer*

**Cross Defendant**

**Dr. James Stone**  
*Office of Mental Health Commissioner*

**Cross Defendant**

**Glen S. Goord**  
*DOCS Commissioner*

**Cross Defendant**

**Peter Brown**  
*DOCS Director of the Bureau of Labor  
Relations*

**Cross Defendant**

**Barbara D. Leon**  
*DOCS Director of the Sex Crimes Unit of  
the Inspector General's Office*

**Cross Defendant**

**Richard Roy**

**Cross Defendant**

**Terry Baxter**

**Cross Defendant**

**Deputy Supt. Donald Wolff**  
*TERMINATED: 07/22/2010*

**Cross Defendant**

**Melvin Williams**

**Cross Defendant**

**Superintendent Ronald Moscicki**

**Cross Defendant**

**Superintendent Elaine Lord**

**Cross Defendant**

**Supt. of D.O.C.S. Alexanreena Dixon**

**Cross Defendant**

**Dennis Crowley**

**Cross Defendant**

**Superintendent Roberta Coward**

**Cross Defendant**

**Superintendent Anginell Andrews**

**Cross Claimant**

**Rick Laure**

represented by **Christina Leonard**  
(See above for address)

V.

**Cross Defendant**

**Department of Correctional Services**

Date Filed	#	Docket Text
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01/28/2003	1	CLASS ACTION COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 463616. (gf) (Entered: 01/29/2003)
01/28/2003		CASE REFERRED TO Judge Denny Chin as possibly related to 1:00cv8166. (gf) (Entered: 01/29/2003)
02/10/2003		Case referred as related to 1:00cv8166 and declined by Judge Denny Chin and returned to wheel for assignment. (jol) (Entered: 02/11/2003)
02/10/2003	2	Notice of Case Assignment to Judge Allen G. Schwartz . Copy of notice and judge's rules mailed to Attorney(s) of record: Lisa Freeman, Dori . Lewis . (jol) (Entered: 02/11/2003)
02/10/2003		Magistrate Judge Gabriel W. Gorenstein is so designated. (jol) (Entered: 02/11/2003)
02/19/2003	3	Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for general pretrial/including initial case management conference. Referred to Magistrate Judge Gabriel W. Gorenstein. ( signed by Judge Allen G. Schwartz ) (kw) (Entered: 02/19/2003)
02/21/2003	4	Memo-Endorsement on letter addressed to Judge Schwartz from Richard W. Brewster, dated 2/19/03. Re:, answer due for 4/1/03 for Pete Zawislak, for Delroy Thorpe, for Robert Smith, for Jeffrey Shawver, for Michael Pinque, for Larue Rico Meyer, for John E. Gilbert III, for Michael Galbreath, for M. Evans, for Clarence Davis, for James Stone, for Glenn Goord, for Peter Brown, for Barbara D. Leone, for Richard Roy, for Terry Baxter, for Donald Wolfe, for Melvin Williams, for Ronald Moscicki, for Eliane Lord, for Alexandreena Dixon, for Dennis Crowley, for Roberta Coward, for Anginell Andrews, for Dept. of Corr. Application granted . ( signed by Judge Allen G. Schwartz ); (jco) Modified on 02/26/2003 (Entered: 02/25/2003)
03/31/2003	5	ORDER; answer due to complaint for 5/15/03 for Pete Zawislak, for Delroy Thorpe, for Robert Smith, for Jeffrey Shawver, for Michael Pinque, for Larue Rico Meyer, for John E. Gilbert III, for Michael Galbreath, for M. Evans, for Clarence Davis, for James Stone, for Glenn Goord, for Peter Brown, for Barbara D. Leone, for Richard Roy, for Terry Baxter, Donald Wolfe, for Melvin Williams, for Ronald Moscicki, for Eliane Lord, for Alexandreena Dixon, for Dennis Crowley, Roberta Coward, for Anginell Andrews, for Dept. of Corr. ( signed by Chief Judge Michael B. Mukasey ); (jco) (Entered: 04/01/2003)
04/16/2003	6	Notice of Case reassignment to Judge Kevin T. Duffy . Copy of notice and judge's rules mailed to Attorney(s) of record: Lisa Freeman, Dori . Lewis . (laq) (Entered: 04/21/2003)
05/07/2003	7	ANSWER to Complaint by Delroy Thorpe (Attorney John J. Walsh from the Firm: Boeggeman George Hodges); jury demand. (sb) (Entered: 05/09/2003)
05/15/2003	8	ANSWER to Complaint by Clarence Davis (Attorney John J. Walsh, Joseph M. La Tona from the Firm: Joseph M. La Tona, Esq.); jury demand. (gmo) (Entered: 05/16/2003)
05/15/2003	9	ANSWER to Complaint by Anginell Andrews, Roberta Coward, Dennis Crowley, Alexandreena Dixon, Eliane Lord, Ronald Moscicki, Melvin Williams, Donald Wolfe, Terry Baxter, Richard Roy, Barbara D. Leone, Peter Brown, Glenn Goord, James Stone (Attorney John J. Walsh, Joseph M. La Tona, Rebecca Ann Durden from the Attorney General) . (gmo) (Entered: 05/16/2003)
05/15/2003	12	CLASS ACTION ANSWER to Complaint and COUNTERCLAIM by John E. Gilbert III (Attorney Diane R. Tiveron) against Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson Firm of: Hogan & Willig by attorney Diane R. Tiveron for defendant John E. Gilbert III. (pl) (Entered: 06/09/2003)
05/16/2003	10	ANSWER to Complaint by Rico Meyers (Attorney Rocco G. Avallone from the Firm: Cronin Byczek, LLP) . (moc) (Entered: 05/20/2003)
05/20/2003	11	NOTICE OF MOTION by Robert Smith; for an Order permitting George V.C. Muscato to appear pro hac vice . Return Date not indicated. (jco) (Entered: 05/27/2003)
06/05/2003	13	ORDER, set case management conference for 10:30 a.m. on 7/15/03 in ctrm 228, US Courthouse, 40 Centre Street, New York, New York . ( signed by Magistrate Judge Gabriel W. Gorenstein ); Copies forwarded by chambers. (kw) (Entered: 06/09/2003)

06/06/2003		Memo endorsed on dft Smith's motion; granting [11-1] motion for an Order permitting George V.C. Muscato and Thomas M. DiMillo to appear pro hac vice on behalf of dft Robert Smith. ( signed by Judge Kevin T. Duffy ); (dle) (Entered: 06/09/2003)
06/06/2003	14	ANSWER by Anginell Andrews, Roberta Coward, Dennis Crowley, Alexandreena Dixon, Eliane Lord, Ronald Moscicki, Melvin Williams, Donald Wolfe, Terry Baxter, Richard Roy, Barbara D. Leone, Peter Brown, Glenn Goord, James Stone to Cross claims of Rico Meyers; by attorney Rebecca Ann Durden. (moc) (Entered: 06/12/2003)
06/11/2003		CASHIER'S OFFICE REMARK on [11-1] motion for an Order permitting George V.C. Muscato to appear pro hac vice in the amount of \$50.00 paid on 6/11/03 Receipt # 476154. (jco) (Entered: 06/12/2003)
06/12/2003	17	NOTICE OF MOTION by M. Evans, Jeffrey Shawver for an order, pursuant to Rule 12(b)(6) of the FRCP, dismissing the complaint as against dft's Jeffrey Shawver and Michael Evans . Return Date 7/29/03 at 9:30. (laq) (Entered: 06/23/2003)
06/16/2003	15	ANSWER to Complaint by Robert Smith (Attorney George V.C. Muscato ). (jco) (Entered: 06/17/2003)
06/18/2003	16	REPLY by Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson to [12-2] counter claim ; Firm of: The Legal Aid Society, The Prisoners' Right Project by attorney Lisa Freeman for counter-defendant Nakia Thompson, Dori A. Lewis for counter-defendant Nakia Thompson (db) (Entered: 06/19/2003)
06/19/2003	18	MEMORANDUM OF LAW by M. Evans, Jeffrey Shawver in support of [17-1] motion for an order, pursuant to Rule 12(b)(6) of the FRCP, dismissing the complaint as against dft's Jeffrey Shawver and Michael Evans. (laq) (Entered: 06/23/2003)
07/02/2003	19	ORDER; that Lawrence H. Schaefer to appear pro hac vice on behalf of dft's Michael Evans and Jeffrey Shawver . signed by Magistrate Judge Gabriel W. Gorenstein ); forwarded this document to Attorney Admissions Clerk. (pl) (Entered: 07/03/2003)
07/14/2003	20	NOTICE of attorney appearance for Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Kristina Muehleisen, Shenyell Smith, Hope Susoh, Nakia Thompson by Scott Ruskay-Kidd, Camille Gear, Justin Smith. (dle) (Entered: 07/15/2003)
07/15/2003	21	ACKNOWLEDGEMENT OF SERVICE of summons and complaint as to Anginell Andrews, Roberta Coward, Dennis Crowley, Alexandreena Dixon, Eliane Lord, Ronald Moscicki, Melvin Williams, Donald Wolfe, Terry Baxter, Richard Roy, Barbara D. Leone, Peter Brown, Glenn Goord, James Stone, Clarence Davis, M. Evans, Michael Galbreath, John E. Gilbert III, Michael Pinque, Jeffrey Shawver, Robert Smith, Delroy Thorpe, Pete Zawislak, Laure, Rico Meyers by acknowledgment of receipt by m on 4/21/03 . Answer due on 5/12/03 for Anginell Andrews, for Roberta Coward, for Dennis Crowley, for Alexandreena Dixon, for Eliane Lord, for Ronald Moscicki, for Melvin Williams, for Donald Wolfe, for Terry Baxter, for Richard Roy, for Barbara D. Leone, for Peter Brown, for Glenn Goord, for James Stone, for Clarence Davis, for M. Evans, for Michael Galbreath, for John E. Gilbert III, for Michael Pinque, for Jeffrey Shawver, for Robert Smith, for Delroy Thorpe, for Pete Zawislak, for Laure, for Rico Meyers. (sb) (Entered: 07/16/2003)
07/15/2003	22	Memo endorsed on copy of defendant Shower and Evans' motion; Per the discussion at today's conference, withdrawing without jurisdiction to renewal [17-1] motion for an order, pursuant to Rule 12(b)(6) of the FRCP, dismissing complaint as against dft's Jeffrey Shawver and Michael Evans; Counsel shall file an answer on these de fendants' behal within 30 days ; ( signed by Magistrate Judge Gabriel W. Gorenstein ); (dj) (Entered: 07/16/2003)
07/15/2003	23	Memo endorsed on COPY motion; granting deft's Delroy Thorpe motion to amend answer, without opposition, as stated at the 7/15/03 conference. ( signed by Magistrate Judge Gabriel W. Gorenstein ); (sac) (Entered: 07/16/2003)
07/15/2003	24	NOTICE OF MOTION (filed on service date) by Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson for an order purs. to Rule 23(a), (b)(1) and (b)(2) of

		the FRCP, certifying this action as a class action, and ordering that notice of this class action be distributed to the class . No Return Date. (sb) Modified on 07/16/2003 (Entered: 07/16/2003)
07/15/2003	25	MEMORANDUM OF LAW by Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson in support of [24-1] motion for an order purs. to Rule 23(a), (b)(1) and (b)(2) of the FRCP, certifying this action as a class action, and ordering that notice of this class action be distributed to the class . (sb) (Entered: 07/16/2003)
07/15/2003	26	DECLARATION of Lisa Freeman by Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson in support of [24-1] motion for an order purs. to Rule 23(a), (b)(1) and (b)(2) of the FRCP, certifying this action as a class action, and ordering that notice of this class action be distributed to the class . (sb) (Entered: 07/16/2003)
07/17/2003	27	ORDER, after consultation with the parties attending the conference on July 16, 2003, the following scheduling order is adopted by the Court purs to Rule 16 of the FRCP ; reset scheduling order deadlines: all non-expert discovery shall be completed by 12/15/04; see document for further discovery deadlines; Defendants shall inform the parties by letter on or before 06/17/05 whether any of them intend to move for summary judgment. Any such motion shall be served on or before 08/17/05; If no motion for summary judgment is contemplated, the joint pretrial order and any motions in limine shall be submitted on or before 07/18/05; the parties shall submit a confidentiality agreement to the Court by 08/29/03; Plaintiffs request Septemer 6, 2005 as the trial date. The Supervisory Defendants request February 1, 2006 as the trial date; Plaintiffs' motion for class certification shall be served by 07/15/03; Defendants' oppositon thereto, if nay, shall be served by 08/29/03; plaintiffs' reply, if any, shall be served by 09/19/03; Defendants' motions to dismiss shall be served by 09/19/03; Plaintiffs' opposition thereto, if any shall be served by 10/31/03; Defendants' reply, if any, shall be served by by 11/14/03 ; ( signed by Magistrate Judge Gabriel Gorenstein ); (djc) (Entered: 07/17/2003)
07/21/2003	28	NOTICE of attorney appearance for Defendant Mario Pique; (not named as a party to action) (djc) (Entered: 07/24/2003)
07/29/2003	29	NOTICE of to defendant Pete Zawislak to respond to complaint by Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson. (jco) (Entered: 07/31/2003)
07/29/2003	30	NOTICE to defendant Rick Larue to respond to complaint by Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson . (jco) (Entered: 07/31/2003)
07/29/2003	31	NOTICE to Defendants Michael R. Galbreath to respond to complaint of by Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson . (jco) (Entered: 07/31/2003)
07/29/2003	32	ANSWER to Complaint by Michael Pinque (Attorney Rocco G. Avallone from the Firm: Cronin Byczek) . (cd) (Entered: 08/01/2003)
08/11/2003	33	Transcript of record of proceedings before Magistrate Judge Gabriel W. Gorenstein for the date(s) of 7/15/03. (cd) Modified on 10/20/2003 (Entered: 08/13/2003)
08/12/2003	34	AMENDED ANSWER to Complaint by Delroy Thorpe : amends [7-1] answer; jury demand (moc) (Entered: 08/18/2003)
08/14/2003	35	Memo-Endorsement on letter addressed to Mag. Judge Gorenstein from Peter Zawislak, dated 8/11/03. Re: dft. Pete Zawislak writes to the court and response to the complaint; this document shall be deemed the answer of this defendant . ( signed by Magistrate Judge Gabriel W. Gorenstein ); (pl) (Entered: 08/19/2003)



08/20/2003	36	NOTICE of attorney appearance for Bette Jean McDonald, Jeanette Perez, Corilynn Rock by Scott Ruskay-Kidd. (sb) (Entered: 08/22/2003)
09/04/2003	37	Memo-Endorsement on letter addressed to Judge Gorenstein from Rebecca Ann Durden, dated 08/28/03; Supervisory defendants' time to submit a proposed confidentiality agreement is extended to and including October 17, 2003 ; ( signed by Magistrate Judge Gabriel W. Gorenstein ); (djc) (Entered: 09/05/2003)
09/04/2003	39	Transcript of record of proceedings before Magistrate Judge Gabriel W. Gorenstein for the date(s) of 9/3/03. (yv) (Entered: 09/11/2003)
09/05/2003	38	ANSWER to Complaint by Michael Galbreath (Attorney Michael R. Galbreath). (moc) (Entered: 09/09/2003)
09/15/2003	40	NOTICE OF MOTION by Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyll Smith, Hope Susoh, Nakia Thompson; for an Order for leave to file a First Amended Class Action Complaint in this action . Return Date not indicated. (jco) (Entered: 09/19/2003)
09/15/2003	41	MEMORANDUM OF LAW by Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyll Smith, Hope Susoh, Nakia Thompson in support of [40-1] motion for an Order for leave to file a First Amended Class Action Complaint in this action. (jco) (Entered: 09/19/2003)
09/15/2003	42	DECLARATION of Dori A. Lewis in support [40-1] motion for an Order for leave to file a First Amended Class Action Complaint in this action. (jco) (Entered: 09/19/2003)
09/25/2003	43	REQUEST for Production of Documents by Robert Smith (djc) (Entered: 09/29/2003)
10/07/2003	48	ANSWER to Complaint by Jeffrey Shawver (Attorney Lawrence H. Schaefer from the Firm: Hinman Straub P.C.) . (yv) (Entered: 10/27/2003)
10/07/2003	49	ANSWER to Complaint by M. Evans (Attorney Lawrence H. Schaefer from the Firm: Hinman Straub, P.C.) . (yv) (Entered: 10/27/2003)
10/08/2003		Memo endorsed on motion; No opposition having been received, the [40-1] motion for an Order for leave to file a First Amended Class Action Complaint in this action is granted. ( signed by Magistrate Judge Gabriel W. Gorenstein ); (dle) (Entered: 10/10/2003)
10/14/2003	44	Supervisory Defendants' DECLARATION of Daniel Schulze in opposition to Motion for Class Certification. (djc) (Entered: 10/16/2003)
10/14/2003	72	FIRST AMENDED COMPLAINT by Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyll Smith, Hope Susoh, Nakia Thompson (Answer due 10/24/03 for Anginell Andrews, for Roberta Coward, for Dennis Crowley, for Alexandreena Dixon, for Eliane Lord, for Ronald Moscicki, for Melvin Williams, for Donald Wolfe, for Terry Baxter, for Richard Roy, for Barbara D. Leone, for Peter Brown, for Glenn Goord, for James Stone, for Clarence Davis, for M. Evans, for Michael Galbreath, for John E. Gilbert III, for Jeffrey Shawver, Robert Smith, for Rico Meyers, for Delroy Thorpe, for Pete Zawislak, for Rick Laure, for Mario Pique ) amending [1-1] complaint ; Summons issued. Jury Trial Demanded. (ae) Modified on 11/19/2003 (Entered: 11/19/2003)
10/15/2003	45	MEMORANDUM OF LAW by M. Evans, Jeffrey Shawver in support of motion to sever and transfer and in opposition to plaintiff's motion for class certification. (moc) (Entered: 10/20/2003)
10/20/2003	46	DECLARATION of Thomas G. Eagen by defendants in opposition Re: [24-1] motion for an order purs. to Rule 23(a), (b)(1) and (b)(2) of the FRCP, certifying this action as a class action, and ordering that notice of this class action be distributed to the class . (kw) Modified on 10/20/2003 (Entered: 10/20/2003)
10/22/2003	47	Memo-Endorsement on letter addressed to Judge Gorenstein from Richard W. Brewster, dated 10/8/03. counsel requests that the Court approve the previously agreed deadline for response to initial document requests. In light of plaintiffs' 10/7/03 letter, the Court is

		troubled that the Supervisory defendants did not fully disclose the plaintiffs' position as to their request (including plaintiffs' apparent offer of a 2-week extension). Nonetheless, in light of the sudden departure of lead counsel – for whom the Attorney General must promptly arrange coverage – the Court Will grant an extension to 11/3/03. The parties are warned that in the future, they must strictly adhere to the requirements of this Court's Individual Practices including paragraph 2A . ( signed by Magistrate Judge Gabriel W. Gorenstein ); (yv) (Entered: 10/24/2003)
10/29/2003	50	INITIAL RULE 26 DISCLOSURE by Michael Pinque . (moc) (Entered: 10/30/2003)
10/30/2003	51	Letter filed by Pete Zawislak addressed to Judge Gorenstein from Peter Zawislak, dated 10/27/03, re: as an answer to the complaint. (moc) (Entered: 10/31/2003)
10/30/2003	52	NOTICE of attorney appearance for Bobbie Kidd, Laura Pullen by Scott Ruskay–Kidd. (sb) (Entered: 10/31/2003)
10/30/2003	53	NOTICE OF MOTION (filed on service date) of Defendant Charles Davis, for dismissal of the amended complaint as to the defendant, Charles Davis under Rule 12(b) of the Federal Rules of Civil Procedure ; Joinder in co-defendants' arguments for dismissal ; Return Date not indicated; (djc) (Entered: 11/03/2003)
10/30/2003	59	ANSWER to Complaint by Robert Smith (Attorney George V.C. Muscato from the Firm: Muscato, DiMillo & Vona) . (dle) (Entered: 11/04/2003)
10/30/2003		Motion Not Referred: re: 53 Motion to Dismiss Motion for Joinder Motion for Joinder. (dw, ) (Entered: 06/29/2004)
10/31/2003	54	MEMORANDUM OF LAW in support of [53–1] motion for dismissal of the amended complaint as to the defendant, Charles Davis under Rule 12(b) of the Federal Rules of Civil Procedure, [53–2] motion Joinder in co-defendants' arguments for dismissal. (djc) (Entered: 11/03/2003)
10/31/2003	55	NOTICE OF MOTION by Rico Meyers and Mario Pique pursuant to Rule 12(b)(1)(6) and Rule 56 of the FRCP, dismissing this action on the grounds that plaintiffs failed to exhaust their administrative remedies, the amended complaint fails to state a claim against the defendant upon which relief may be granted and that this Court lacks jurisdiction . Return Date not indicated. Declaration of Rocco G. Avallone in support attached. (yv) Modified on 11/04/2003 (Entered: 11/04/2003)
10/31/2003	56	MEMORANDUM OF LAW by Rico Meyers and Mario Pique in support of [55–1] motion pursuant to Rule 12(b)(1)(6) and Rule 56 of the FRCP, dismissing this action on the grounds that plaintiffs failed to exhaust their administrative remedies, the amended complaint fails to state a claim against the defendant upon which relief may be granted and that this Court lacks jurisdiction . (yv) (Entered: 11/04/2003)
10/31/2003	57	MEMORANDUM OF LAW by Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyll Smith, Hope Susoh, Nakia Thompson, Stephanie Dawson, Shantelle Smith in support of [24–1] motion for an order purs. to Rule 23(a), (b)(1) and (b)(2) of the FRCP, certifying this action as a class action, and ordering that notice of this class action be distributed to the class and in opposition to defendants Shawver and Evans's motion to sever and transfer and defendant Thorpe's motion to sever. (yv) (Entered: 11/04/2003)
10/31/2003	58	DECLARATION of Scott Ruskay–Kidd by Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyll Smith, Hope Susoh, Nakia Thompson, Stephanie Dawson, Shantelle Smith in support Re: [24–1] motion for an order purs. to Rule 23(a), (b)(1) and (b)(2) of the FRCP, certifying this action as a class action, and ordering that notice of this class action be distributed to the class and in opposition to defendants Shawver and Evans's motion to sever and transfer and defendant Thorpe's motion to sever. (yv) (Entered: 11/04/2003)
10/31/2003	61	NOTICE OF MOTION (filed on service date) by John E. Gilbert III for an order dismissing complaint purs to Rule 12(b)(6) of the FRCP ; Return Date not indicated; (djc) (Entered: 11/05/2003)

10/31/2003	64	NOTICE OF MOTION (FILED ON SERVICE DATE) by "Supervisory Dfts" Anginell Andrews, Roberta Coward, Dennis Crowley, Alexandreena Dixon, Eliane Lord, Ronald Moscicki, Melvin Williams, Donald Wolfe, Terry Baxter, Richard Roy, Barbara D. Leone, Peter Brown, Glenn Goord, James Stone for an order pursuant to Rule 12(b)(1), 12(b)(3) and 12(b)(6), 28 USC 1391, 1404 and 42 USC 1997e(a) dismissing all claims asserted against them in this action . No Return Date indicated. (db) (Entered: 11/05/2003)
10/31/2003		Motion Not Referred: re: 55 Motion to Dismiss/Lack of Jurisdiction filed by Rico Meyers. (dw, ) (Entered: 06/29/2004)
10/31/2003		Motion Not Referred: re: 61 Motion to Dismiss filed by John E. Gilbert, 64 Motion to Dismiss filed by Glenn Goord, Anginell Andrews, Alexandreena Dixon, James Stone, Ronald Moscicki, Richard Roy, Peter Brown, Roberta Coward, Dennis Crowley, Eliane Lord, Melvin Williams, Donald Wolfe, Terry Baxter, Barbara D. Leone. (dw, ) (Entered: 06/29/2004)
11/03/2003		PRETRIAL CONFERENCE held before Magistrate Judge Gabriel W. Gorenstein at 4:00 p.m. (kw) (Entered: 11/04/2003)
11/03/2003	60	Memorandum to Docket Clerk: PRETRIAL CONFERENCE held before Magistrate Judge Gabriel W. Gorenstein at 4:00 p.m. (kw) (Entered: 11/04/2003)
11/03/2003	62	MEMORANDUM OF LAW by John E. Gilbert III in support of [61-1] motion for an order dismissing complaint purs to Rule 12(b)(6) of the FRCP . (djc) (Entered: 11/05/2003)
11/03/2003	63	Attorney AFFIDAVIT of Diane R. Tiveron, Esq. by John E. Gilbert III in support of [61-1] motion for an order dismissing complaint purs to Rule 12(b)(6) of the FRCP . (djc) (Entered: 11/05/2003)
11/03/2003	65	MEMORANDUM OF LAW by "Supervisory Dfts" Anginell Andrews, Roberta Coward, Dennis Crowley, Alexandreena Dixon, Eliane Lord, Ronald Moscicki, Melvin Williams, Donald Wolfe, Terry Baxter, Richard Roy, Barbara D. Leone, Peter Brown, Glenn Goord, James Stone in support of [64-1] motion for an order pursuant to Rule 12(b)(1), 12(b)(3) and 12(b)(6), 28 USC 1391, 1404 and 42 USC 1997e(a) dismissing all claims asserted against them in this action. (db) (Entered: 11/05/2003)
11/03/2003	67	NOTICE OF MOTION by Jeffrey Shawver, M. Evans; for an order, pursuant to Rule 12(b)(6) of the FRCP, dismissing the Amended Complaint as against defendants Jeffrey Shawver and Michael Evans ; Return Date not indicated. Affidavit of Lawrence H. Schaefer attached. (sac) (Entered: 11/07/2003)
11/03/2003	68	MEMORANDUM OF LAW by Jeffrey Shawver, M. Evans in support of [67-1] motion for an order, pursuant to Rule 12(b)(6) of the FRCP, dismissing the Amended Complaint as against defendants Jeffrey Shawver and Michael Evans. (sac) (Entered: 11/07/2003)
11/03/2003	69	NOTICE OF MOTION by Robert Smith: for an order, pursuant to Rule 56(c), of the Federal Rules of Federal Procedure, granting summary judgment to Defendant Robert Smith and against Lucy Amador ; Return Date not indicated. Affidavit of George V. C. Muscato attached. (sac) (Entered: 11/07/2003)
11/03/2003	70	MEMORANDUM OF LAW by Robert Smith in support of [69-1] motion for an order, pursuant to Rule 56(c), of the Federal Rules of Federal Procedure, granting summary judgment to Defendant Robert Smith and against Lucy Amador. (sac) (Entered: 11/07/2003)
11/03/2003		Motion Not Referred: re: 69 Motion for Summary Judgment filed by Robert Smith, 67 Motion to Dismiss filed by M. Evans, Jeffrey Shawver. (dw, ) (Entered: 06/29/2004)
11/04/2003	66	CONFIDENTIALITY ORDER; regarding the procedures that will govern the handling of confidential information . ( signed by Magistrate Judge Gabriel W. Gorenstein ); (pl) (Entered: 11/06/2003)
11/05/2003	73	MEMORANDUM OF LAW by Michael Galbreath in support of Motion to Dismiss Purs oFRCP 12(B)(6); (djc) (Entered: 11/19/2003)
11/12/2003	71	Transcript of record of proceedings before Magistrate Judge Gabriel W. Gorenstein for the dates of 11/3/03. (sb) (Entered: 11/14/2003)

11/18/2003	74	ANSWER to Complaint by Delroy Thorpe (Attorney John J. Walsh from the Firm: Boeggeman, George, et. al.); jury demand. (moc) (Entered: 11/20/2003)
11/21/2003	75	ANSWER to Amended Complaint. Document filed by Jeffrey Shawver. Related document: 72 Amended Complaint,, filed by Jeanette Perez, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson.(yv, ) (Entered: 12/02/2003)
12/01/2003		Motion Not Referred: re: 24 Motion to Certify Class filed by Jeanette Perez, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson. (rag, ) (Entered: 12/01/2003)
12/01/2003		Motion Not Referred: re: 24 Motion to Certify Class filed by Jeanette Perez, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson. (rag, ) (Entered: 12/01/2003)
12/01/2003	76	TRANSCRIPT of proceedings held on 11/3/03 before Judge Gabriel W. Gorenstein.(cd, ) (Entered: 12/10/2003)
12/05/2003	77	ADMISSION OF SERVICE. The Class Action First Amended Complaint was served on 12/1/03. Document filed by Lieutenant David Smith. (sb, ) (Entered: 12/16/2003)
01/09/2004	78	TRANSCRIPT of proceedings held on 11/3/03 before Judge Gabriel W. Gorenstein.(pr, ) (Entered: 01/09/2004)
01/09/2004	81	MEMORANDUM OF LAW in Opposition to 61 Motion to Dismiss, 55 Motion to Dismiss/Lack of Jurisdiction, 64 Motion to Dismiss, 69 Motion for Summary Judgment, 53 Motion to Dismiss Motion for Joinder, 67 Motion to Dismiss. Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shantelle Smith, Shenyell Smith, Hope Susoh, Nakia Thompson. (sb, ) (Entered: 01/21/2004)
01/09/2004	82	REPLY MEMORANDUM OF LAW in Support of 64 Motion to Dismiss. Document filed by Anginell Andrews, Terry Baxter, Peter Brown, Roberta Coward, Dennis Crowley, Alexandreena Dixon, Glenn Goord, Barbara D. Leone, Eliane Lord, Ronald Moscicki, Richard Roy, James Stone, Melvin Williams, Donald Wolfe. (sb, ) (Entered: 01/21/2004)
01/12/2004	80	REPLY MEMORANDUM OF LAW in Support re: 61 Motion to Dismiss. Document filed by John E. Gilbert III. (sac, ) (Entered: 01/14/2004)
01/13/2004	79	TRANSCRIPT of proceedings held on 11/3/03 before Magistrate Judge Gabriel W. Gorenstein. (ml, ) Modified on 2/19/2004 (kw, ). (Entered: 01/13/2004)
01/13/2004	83	REPLY MEMORANDUM OF LAW in Support re: 67 Motion to Dismiss. Document filed by M. Evans, Jeffrey Shawver. (dle, ) (Entered: 01/22/2004)
01/16/2004	84	REPLY MEMORANDUM OF LAW in Support re: 55 Motion to Dismiss/Lack of Jurisdiction. Document filed by Rico Meyers, Mario Pique. (jco, ) (Entered: 01/27/2004)
01/26/2004	85	ENDORSED LETTER addressed to Magistrate Judge Gorenstein from Harvey A. Kaminsky dated 1/20/04 re: granting defendant Brenyah's request for extension of time until 3/1/04 to answer the complaint. (Signed by Judge Gabriel W. Gorenstein on 1/23/04) (tp, ) (Entered: 02/02/2004)
01/27/2004	88	ENDORSED LETTER addressed to Magistrate Judge Gorenstein from Camille Rich dated 1/26/04 re: that DOCS shall disclose the address in accordance with this letter. Time for service on this defendant is extended to 2/27/04. (Signed by Judge Gabriel W. Gorenstein on 1/26/04) (tp, ) (Entered: 02/04/2004)
01/29/2004	96	NOTICE OF MOTION (FILED ON SERVICE DATE) to Dismiss all claims against deft any opposing affdvts and ansering memo must be served by 2/17/04 (nite dep. box). Document filed by Robert Smith. (pa, ) (Entered: 03/01/2004)

01/30/2004	86	Admission OF SERVICE. Frederick Brenyah served on 1/20/2004, answer due 2/9/2004. Service was accepted by Harvey Kaminsky. Document filed by Lucy Amador ; Stacie Calloway ; Tonie Coggins ; Stephanie Dawson ; Latasha Dockery ; Tanya Jones ; Bobbie Kidd ; Bette Jean McDonald ; Kristina Muehleisen ; Jeanette Perez ; Laura Pullen ; Corilynn Rock ; Denise Saffioti ; Shantelle Smith ; Shenyell Smith ; Hope Susoh ; Nakia Thompson. (kw, ) (Entered: 02/03/2004)
01/30/2004	87	AFFIDAVIT OF SERVICE of Summons and Amended Complaint. Chris Sterling served on 1/20/2004, answer due 2/9/2004. Service was accepted by unidentified co-worker. Also service was made by mail. Document filed by Lucy Amador ; Stacie Calloway ; Tonie Coggins ; Stephanie Dawson ; Latasha Dockery ; Tanya Jones ; Bobbie Kidd ; Bette Jean McDonald ; Kristina Muehleisen ; Jeanette Perez ; Laura Pullen ; Corilynn Rock ; Denise Saffioti ; Shantelle Smith ; Shenyell Smith ; Hope Susoh ; Nakia Thompson. (kw, ) (Entered: 02/03/2004)
02/02/2004		Motion Not Referred: re: 24 Motion to Certify Class filed by Jeanette Perez, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson. (rag, ) (Entered: 02/02/2004)
02/03/2004	89	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Richard W. Brewster dated 2/2/2004; granting counsel's request to set 3/1/2004 as a control date for defendants Hudson and Sterling to move, answer or otherwise respond to the amended complaint after service and the necessary representational determinations. (Signed by Magistrate Judge Gabriel W. Gorenstein on 2/2/2004) (kkc, ) (Entered: 02/06/2004)
02/04/2004	90	ORDER. The exhibits attached to the declarations of Thomas G. Eagen and Daniel A. Schulze in opposition to plaintiffs' motion for class certification, and designated as either confidential or highly confidential pursuant to the Court's Confidentiality Order issued on 11/3/03, shall be filed under seal. The envelope containing these documents shall not be opened nor the contents displayed or revealed, other than to the Court, except by Order of the Court. (Signed by Judge Gabriel W. Gorenstein on 2/4/04) Document forwarded to Records Management. (yv, ) Modified on 2/10/2004 (yv, ). (Entered: 02/10/2004)
02/26/2004	93	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Camille Gear Rich dated 2/24/2004; counsel writes to request that the Court orders DOCS to provide the current address information for pro se defendant Pete Zawislak to plaintiffs' counsel. Granted without opposition. (Signed by Magistrate Judge Gabriel W. Gorenstein on 2/25/2004) (kkc, ) (Entered: 02/27/2004)
02/26/2004	94	ANSWER to Class Action Amended Complaint. Document filed by Frederick Brenyah.(tp, ) (Entered: 02/27/2004)
02/26/2004	98	AFFIDAVIT OF SERVICE of Supplemental Summons and First Amended Complaint. Service was accepted by James Hudson, C.O.. Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shantelle Smith, Shenyell Smith, Hope Susoh, Nakia Thompson. (djc, ) (Entered: 03/02/2004)
02/27/2004	95	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Dennis B. Schlenker dated 2/26/04 re: counsel for defendant Christopher Sterling request an extension of time to answer or file a responsive pleading to and including 4/1/04. Application GRANTED. (Signed by Judge Gabriel W. Gorenstein on 2/26/04) (db, ) Modified on 3/1/2004 (db, ). (Entered: 03/01/2004)
02/27/2004		Set Answer Due Date purs. to 95 Endorsed Letter, as to Chris Sterling answer due on 4/1/2004. (db, ) (Entered: 03/01/2004)
02/27/2004	97	REPLY MEMORANDUM OF LAW in Support re: 96 MOTION (FILED ON SERVICE DATE) to Dismiss. (nite dep. box). Document filed by Robert Smith. (pa, ) (Entered: 03/01/2004)
03/12/2004	102	MOTION (FILED ON SERVICE DATE) for an Order pursuant to Rule 12(b)(6) of the FRCP, dismissing the Amended Complaint. Document filed by Chris Sterling. Affidavit of Dennis B. Schlenker is attached along with Exhibits. (tp, ). (Entered: 04/19/2004)

03/25/2004	99	NOTICE of Change of Address by Lisa Freeman, Dori A. Lewis on behalf of Stephanie Dawson, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shantelle Smith, Shenyell Smith, Hope Susoh, Nakia Thompson. New Address: The Prisoners' Rights Project, The Legal Aid Society, 199 Water Street, 6th floor, New York, NY, 10038, 212-577-3530. (djc, ) (Entered: 03/31/2004)
04/01/2004	100	ANSWER to Amended Complaint with Jury Demand., CROSSCLAIM against Pete Zawislak, Thorpe, Delroy, Sterling, Smith, Robert Smith, Jeffrey Shawver, Mario Pique, Rico Meyers, Rick Larue, John E. Gilbert III, Michael Galbreath, Michael Evans, Charles Davis, Frederick Brenyah, James Stone, Glen S. Goord, Peter Brown, Barbara D. Leon, Richard Roy, Terry Baxter, Donald Wolff, Melvin Williams, Ronald Moscicki, Elaine Lord, Alexanreena Dixon, Dennis Crowley, Roberta Coward, Anginell Andrews. Document filed by James Hudson. Related document: 72 Amended Complaint,, filed by Jeanette Perez, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson.(dle, ) (Entered: 04/06/2004)
04/08/2004	101	MEMORANDUM OF LAW in Opposition to defendant Sterling's motion to dismiss. Document filed by Jeanette Perez. (kw, ) (Entered: 04/09/2004)
04/09/2004	103	MEMORANDUM OF LAW in Support re: 102 MOTION (FILED ON SERVICE DATE) to Dismiss. Document filed by Chris Sterling. (tp, ) (Entered: 04/19/2004)
04/09/2004	104	MEMORANDUM OF LAW in Opposition re: 102 MOTION (FILED ON SERVICE DATE) to Dismiss. Document filed by Jeanette Perez. (tp, ) (Entered: 04/19/2004)
05/04/2004		Minute Entry for proceedings held before Judge Gabriel W. Gorenstein : Oral Argument held on 5/4/2004 (pl, ) (Entered: 05/06/2004)
05/05/2004	105	MEMORANDUM TO THE DOCKET CLERK: that oral argument was held in this matter on 5/4/04, @3:00 p.m. before Mag. Judge Gabriel W. Gorenstein. (pl, ) (Entered: 05/06/2004)
05/10/2004	106	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Daniel Schulze dated 5/6/04 re: counsel for defendants request the following schedule motion due 5/25/04; response due 6/8/04 and reply due 6/15/04. Application GRANTED. Oral argument adjourned to 7/1/04 at 10:00 a.m. (Signed by Judge Gabriel W. Gorenstein on 5/7/04) (db, ) (Entered: 05/11/2004)
05/10/2004		Set Deadlines/Hearings: Motions due by 5/25/2004. Replies due by 6/15/2004. Responses due by 6/8/2004 Oral Argument set for 7/1/2004 10:00 AM before Magistrate Judge Gabriel W. Gorenstein. (db, ) (Entered: 05/11/2004)
05/12/2004	107	ORDER. Plaintiffs are free to seek entry of a default from the Clerk pursuant to FRCP 55 and thereafter to move for a default judgment. Plaintiffs are directed to serve a copy of this Order upon all counsel and unrepresented parties (Signed by Judge Gabriel W. Gorenstein on 5/11/04) (yv, ) (Entered: 05/13/2004)
05/14/2004	108	ORDER; regarding procedures that shall govern the release the handling of Medical and Mental Health Records; (Signed by Judge Gabriel W. Gorenstein on 05/13/04) (djc, ) (Entered: 05/17/2004)
05/18/2004	109	MOTION (FILED ON SERVICE DATE) to Dismiss the cross-claims asserted against them by co-defendant James Hudson in his "Verified Answer to First Amended Complaint" dated 3/31/04. Document filed by Anginell Andrews, Terry Baxter, Peter Brown, Roberta Coward, Alexandreena Dixon, Glenn Goord, Barbara D. Leone, Eliane Lord, Ronald Moscicki, Richard Roy, Robert Smith, James Stone, Melvin Williams, Donald Wolfe. (kw, ) (Entered: 05/20/2004)
05/18/2004	110	MEMORANDUM OF LAW in Support re: 109 MOTION (FILED ON SERVICE DATE) to Dismiss. Document filed by Anginell Andrews, Terry Baxter, Peter Brown, Dennis Crowley, Alexandreena Dixon, Glenn Goord, Barbara D. Leone, Eliane Lord, Ronald Moscicki, Richard Roy, Robert Smith, James Stone, Melvin Williams, Donald Wolfe. (kw, ) (Entered: 05/20/2004)
05/24/2004	111	ENDORSED LETTER addressed to Magistrate Judge Gorenstein from Daniel Schulze dated 5/21/2004 re: granting counsels request for the briefing schedule as follows:

		Motions due by 5/28/2004. Responses due by 6/15/2004 Replies due by 6/22/2004. (Signed by Judge Gabriel W. Gorenstein on 5/24/2004) (jp, ) (Entered: 05/25/2004)
05/28/2004	112	MOTION (FILED ON SERVICE DATE) for Protective Order. Document filed by Anginell Andrews, Terry Baxter, Peter Brown, Roberta Coward, Dennis Crowley, Alexandreena Dixon, Glenn Goord, Barbara D. Leone, Eliane Lord, Ronald Moscicki, Richard Roy, James Stone, Melvin Williams, Donald Wolfe. (jmi, ) (Entered: 06/01/2004)
05/28/2004	113	MEMORANDUM OF LAW in Support re: 112 MOTION (FILED ON SERVICE DATE) for Protective Order.. Document filed by Anginell Andrews, Terry Baxter, Peter Brown, Roberta Coward, Dennis Crowley, Alexandreena Dixon, Glenn Goord, Rick Laure, Barbara D. Leone, Eliane Lord, Ronald Moscicki, Richard Roy, James Stone. (jmi, ) (Entered: 06/01/2004)
05/28/2004	114	DECLARATION of Daniel Schulze in Support re: 112 MOTION (FILED ON SERVICE DATE) for Protective Order.. Document filed by James Stone. (jmi, ) (Entered: 06/01/2004)
06/15/2004	115	TRANSCRIPT of proceedings held on 5/4/04 before Judge Gabriel W. Gorenstein.(pa, ) (Entered: 06/17/2004)
06/25/2004	117	(REDACTED) MEMORANDUM OF LAW in Opposition re: 112 MOTION (FILED ON SERVICE DATE) for Protective Order. Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shantelle Smith, Shenyell Smith, Hope Susoh, Nakia Thompson. (sac, ) (Entered: 06/30/2004)
06/25/2004	118	(REDACTED) DECLARATION of Alison Mikkor in Opposition re: 112 MOTION (FILED ON SERVICE DATE) for Protective Order. Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shantelle Smith, Shenyell Smith, Hope Susoh, Nakia Thompson. (sac, ) (Entered: 06/30/2004)
06/25/2004	119	SUPERVISORY REPLY MEMORANDUM OF LAW in Further Support re: 112 MOTION (FILED ON SERVICE DATE) for Protective Order. Document filed by Anginell Andrews, Terry Baxter, Frederick Brenyah, Peter Brown, Roberta Coward, Dennis Crowley, Clarence Davis, Alexandreena Dixon, M. Evans, Michael Galbreath, John E. Gilbert III, Glenn Goord, Rick Laure, Barbara D. Leone, Eliane Lord, Rico Meyers, Ronald Moscicki, Mario Pique, Richard Roy, Robert Smith, Chris Sterling, James Stone, Delroy Thorpe, Melvin Williams, Donald Wolfe, Pete Zawislak. (sac, ) (Entered: 06/30/2004)
06/25/2004	120	REPLY DECLARATION of Daniel Schulze in Support re: 112 MOTION (FILED ON SERVICE DATE) for Protective Order. Document filed by Anginell Andrews, Terry Baxter, Frederick Brenyah, Peter Brown. (sac, ) (Entered: 06/30/2004)
07/01/2004	124	MEMORANDUM TO THE DOCKET CLERK: that a Pre-trial conference was held on 7/1/04. (pl, ) (Entered: 07/28/2004)
07/01/2004		Minute Entry for proceedings held before Judge Gabriel W. Gorenstein : Interim Pretrial Conference held on 7/1/2004. (pl, ) (Entered: 07/28/2004)
07/02/2004	121	ORDER; for the reasons set forth on this Order, objections to the production of documents due 8/2/2004; plttfs response due 8/23/2004; reply (if any) due 9/9/2004. (Signed by Judge Gabriel W. Gorenstein on 7/1/2004) (jp, ) (Entered: 07/07/2004)
07/08/2004	122	TRANSCRIPT of proceedings held on 7/1/2004 before Judge Gabriel W. Gorenstein.(mbe, ) (Entered: 07/13/2004)
07/14/2004	123	TRANSCRIPT of proceedings held on 7/1/04 before Judge Gabriel W. Gorenstein.(pa, ) (Entered: 07/14/2004)
07/30/2004	125	ENDORSED LETTER addressed to Judge Gorenstein from Daniel Schulze dated 07/29/04 re: the date for producing or logging documents (as stated in this letter) are extended from August 2, 2004 to August 16, 2004; (Signed by Judge Gabriel W.

		Gorenstein on 7/30/04) (djc, ) (Entered: 08/03/2004)
09/10/2004	129	LETTER addressed to Judge Gabriel W. Gorenstein from Scott Ruskay-Kidd dated 8/23/04 re: in support for disclosure of personnel and other records relating to officers of the N.Y. State Dept. of Correctional Services. Document filed by Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Tanya Jones, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shantelle Smith, Shenyell Smith, Hope Susoh, Nakia Thompson.(pl, ) (Entered: 09/17/2004)
09/13/2004	128	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Daniel Schulze dated 9/10/04. Granting Supervisory defendants' request for an extension until 9/15/04 to submit documents in camera review in connection with plaintiff's motion to compel production. (Signed by Judge Gabriel W. Gorenstein on 9/10/04) (kw, ) (Entered: 09/16/2004)
09/14/2004	127	LETTER addressed to Judge Kevin T. Duffy from Scott Ruskay-Kidd, Esq., Camille Angelique Rich, Esq. dated 9/2/04 re: Five Consolidated Appeals that were recently decided by the Second Circuit...For the foregoing reasons and those previously described by plaintiffs, the Court should deny defendants' motions to dismiss based on non-exhaustion of administrative remedies. (rag, ) (Entered: 09/14/2004)
10/14/2004	130	ORDER that the court has concluded that the only practical way to address plaintiffs' request and dfts' objections is to make a ruling on which of the items called for in request no. 73 are relevant pursuant to FRCP 26(a). For each such ruling, the court directs the supervisory dfts to produce the documents that fall within that category; the court addresses the various subcategories in request no. 73 as further set forth in this order. (Signed by Judge Gabriel W. Gorenstein on 10/14/04) (dle, ) (Entered: 10/19/2004)
10/25/2004	131	ENDORSED LETTER addressed to Judge Gabriel W. Gorenstein from Daniel Schulze dated 10/22/04 re: this letter accurately states the import of the Court's ruling. (Signed by Judge Gabriel W. Gorenstein on 10/20/04) (sac, ) (Entered: 10/27/2004)
12/14/2004	133	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Scott Ruskay-Kidd dated 12/8/04 re: counsel for plaintiffs request that the court compel the supervisory dfts to produce the random sample of the 25 most recently closed investigations. The court has reviewed the transcript and the dfts' 12/13/04 letter. The plaintiffs' interpretation of the court's ruling (as limited by the footnote below) is correct. (Signed by Judge Gabriel W. Gorenstein on 12/14/04) (dle, ) (Entered: 12/21/2004)
12/15/2004	132	PROPOSED SCHEDULING ORDER: Motions due by 5/17/2006. Discovery due by 9/15/2005. Rule 26 Meeting Report due by 2/17/2006. Pretrial Order due by 4/17/2006. Ready for Trial by 6/5/2006. (Signed by Judge Gabriel W. Gorenstein on 12/13/2004) (jsa, ) (Entered: 12/16/2004)
01/18/2005	134	Application for entry of default against Rick Larue. Document filed by Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Stephanie Dawson, Tanya Jones, Shantelle Smith, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez. (dle, ) (Entered: 01/24/2005)
03/21/2005	135	ORDER regarding procedures to be followed that shall govern the handling of "confidential information". (Signed by Judge Gabriel W. Gorenstein on 3/21/05) (jco, ) (Entered: 03/23/2005)
04/04/2005	136	ANSWER to Amended Complaint., CROSSCLAIM against Department of Correctional Services. Document filed by Rick Laure. Related document: 72 Amended Complaint.,, filed by Jeanette Perez., Lucy Amador., Stacie Calloway., Tonie Coggins., Latasha Dockery., Bobbie Kidd., Bette Jean McDonald., Kristina Muehleisen., Laura Pullen., Corilynn Rock., Denise Saffioti., Shenyell Smith., Hope Susoh., Nakia Thompson.,(Leonard, Christina) (Entered: 04/04/2005)
04/05/2005	137	ANSWER to Class Action First Amended Complaint. Document filed by Rick Laure.(jmi, ) (Entered: 04/07/2005)
04/08/2005	138	MOTION (FILED ON SERVICE DATE) for Diane R. Tiveron to Appear Pro Hac Vice. Document filed by John E. Gilbert, III, John E. Gilbert, III, John E. Gilbert, III. (db, ) (Entered: 04/19/2005)



04/19/2005	139	ORDER granting 138 Motion for Diane R. Tiveron to Appear Pro Hac Vice for deft Gilbert. (Signed by Judge Kevin Thomas Duffy on 4/8/05) (cd, ) (Entered: 04/20/2005)
04/19/2005		Transmission to Attorney Admissions Clerk. Transmitted re: 139 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (cd, ) (Entered: 04/20/2005)
04/28/2005		CASHIERS OFFICE REMARK on 139 Order on Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 4/26/05, Receipt Number 541650. (mlo, ) (Entered: 04/28/2005)
05/09/2005	140	ENDORSED LETTER addressed to Judge Gabriel W. Gorenstein from Christina A. Leonard dated 5/6/05 re: Counsel for defendant writes in response to plaintiff's attorney's letter dated 5/2/05. Counsel shall file, on or before 5/25/05, with an application to be relieved (or notice to Mr. LaRue) or papers in opposition to the motion for entry of default. (Signed by Judge Gabriel W. Gorenstein on 5/6/05) (jco, ) (Entered: 05/10/2005)
05/25/2005	141	MEMORANDUM OF LAW in Opposition re: 134 MOTION (FILED ON SERVICE DATE) for Default Judgment as to.. Document filed by Rick Laure. (cd, ) (Entered: 05/26/2005)
05/25/2005	142	AFFIDAVIT of Rick Larue in Opposition re: 134 MOTION (FILED ON SERVICE DATE) for Default Judgment as to.. Document filed by Rick Laure. (cd, ) (Entered: 05/26/2005)
05/25/2005	143	AFFIDAVIT of Christina Leonard in Opposition re: 134 MOTION (FILED ON SERVICE DATE) for Default Judgment as to.. Document filed by Rick Laure. (cd, ) (Entered: 05/26/2005)
06/08/2005	144	REPLY MEMORANDUM OF LAW in further support of application for default. Document filed by Lucy Amador, Tonie Coggins, Latasha Dockery, Stephanie Dawson. (dle, ) (Entered: 06/14/2005)
06/30/2005	145	ORDER; that a conference shall be held regarding discovery disputes on 7/18/05 @3:30 p.m. in Courtroom 219, 40 Centre Street, N.Y.C. Only parties with an interest in the disputes raised in the 6/28 Letter need attend this conference. Plaintiff's counsels are directed to provide a copy of this Order to all parties. (Signed by Judge Gabriel W. Gorenstein on 6/30/05) (pl, ) (Entered: 07/05/2005)
07/01/2005	146	ORDER that the application contained in the 6/28/05 letter is denied without prejudice; in addition the order issued earlier today of even date is vacated ond the 7/18/05. In addition (Signed by Judge Gabriel W. Gorenstein on 6/30/05) (dle, ) (Entered: 07/06/2005)
07/20/2005	147	ORDER: the court is in receipt of a letter dated 7/18/05, from plaintiffs' counsel pertaining to certain discovery disputes. A conference shall be held regarding these disputes on 8/16/05 at 4:00 p.m. in ctrm 219, 40 Centre Street, NY, NY, 10007. Only parties with an interest in the disputes raised in the 7/18/05 letter need attend this conference. (Signed by Judge Gabriel W. Gorenstein on 7/19/05) (kw, ) (Entered: 07/21/2005)
07/20/2005	148	ORDER; the Court is in receipt of a letter dated 7/18/05, from plaintiffs' counsel pertaining to certain discovery disputes. A conference shall be held regarding these disputes on 9/7/05 at 11:00 a.m. in Courtroom 219, 40 Centre Street. Only parties with an interest in the disputes raised in the 7/18/ letter need attend this conference. (Signed by Judge Gabriel W. Gorenstein on 7/19/05) (sac, ) (Entered: 07/22/2005)
09/13/2005	149	MEMORANDUM & ORDER (Duplicate Original) As set forth in greater detail above, both parties are instructed to address whether Plaintiffs' individual claims for damages are properly joined with one another and with their class claims for injunctive relief. Accordingly, I reserve ruling on any pending motions pertaining to Plaintiffs' individual claims for damages. Regarding Plaintiffs' claims for injunctive relief, I grant in part and deny in part the Supervisory Defendants' motion to dismiss based on Plaintiffs' lack of standing. I deny the Supervisory Defendants' motion to dismiss for improper venue and reserve ruling on their motion to transfer venue. I convert Supervisory Defendants' motion to dismiss Plaintiffs' claims for injunctive relief on exhaustion grounds to one for summary judgment. I reserve ruling on the Supervisory Defendants' motions to dismiss for failure to state a claim. I also reserve ruling on Plaintiffs' motion for class certification. (Signed by Judge Kevin Thomas Duffy on 9/13/05) (rag, ). (Entered: 09/13/2005)

		09/13/2005)
09/19/2005	<u>150</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF CASE – NOTICE of Appearance by James T. Potter on behalf of M. Evans, Jeffrey Shawver (Potter, James) Modified on 10/18/2005 (gf, ). (Entered: 09/19/2005)
09/19/2005	<u>151</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF CASE – NOTICE of Appearance by David William Novak on behalf of M. Evans, Jeffrey Shawver (Novak, David) Modified on 10/18/2005 (gf, ). (Entered: 09/19/2005)
09/27/2005	152	TRANSCRIPT of proceedings held on 9/7/05 before Judge Gabriel W. Gorenstein. (pl, ) (Entered: 09/28/2005)
09/27/2005	153	MOTION (FILED ON SERVICE DATE) to Amend/Correct, MOTION (FILED ON SERVICE DATE) for Reconsideration pursuant to Fed. R. Civ.P. (59(e) and Local Rule 6.3. Document filed by Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Stephanie Dawson, Tanya Jones, Shantelle Smith, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez. (jmi, ) (Entered: 09/30/2005)
09/27/2005	154	MEMORANDUM OF LAW in Support re: 153 MOTION (FILED ON SERVICE DATE) to Amend/Correct. MOTION (FILED ON SERVICE DATE) for Reconsideration. MOTION (FILED ON SERVICE DATE) for Reconsideration.. Document filed by Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Stephanie Dawson, Tanya Jones, Shantelle Smith, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez. (jmi, ) (Entered: 09/30/2005)
10/14/2005	155	SUPERVISORY DEFENDANTS' MEMORANDUM OF LAW in Opposition re: 153 MOTION (FILED ON SERVICE DATE) to Amend/Correct. MOTION (FILED ON SERVICE DATE) for Reconsideration. MOTION (FILED ON SERVICE DATE) for Reconsideration.. Document filed by Anginell Andrews, Roberta Coward, Dennis Crowley, Alexandreena Dixon, Eliane Lord, Ronald Moscicki, Melvin Williams, Donald Wolfe, Terry Baxter, Richard Roy, Barbara D. Leone, Peter Brown, Glenn Goord, James Stone, Clarence Davis, M. Evans, Michael Galbreath, John E. Gilbert, III, Mario Pique, Jeffrey Shawver, Robert Smith, Delroy Thorpe, Pete Zawislak, Rick Laure, Rico Meyers, Frederick Brenyah, Chris Sterling. (jmi, ) (Entered: 10/17/2005)
10/18/2005		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – NON–ECF CASE ERROR. Note to Attorney James Potter to MANUALLY RE–FILE Document Notice of Appearance, Document No. 150. This case is not ECF. (gf, ) (Entered: 10/18/2005)
10/18/2005		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – NON–ECF CASE ERROR. Note to Attorney David Novak to MANUALLY RE–FILE Document Notice of Appearance, Document No. 151. This case is not ECF. (gf, ) (Entered: 10/18/2005)
10/20/2005	156	NOTICE of Appearance by David William Novak on behalf of Jeffrey Shawver and Michael Evans. (jco, ) Modified on 10/21/2005 (jco, ). (Entered: 10/21/2005)
10/20/2005	157	NOTICE of Appearance by James T. Potter on behalf of M. Evans, Jeffrey Shawver, Jeffrey Shawver, Michael Evans. (jco, ) (Entered: 10/21/2005)
11/04/2005	158	MEMORANDUM OF LAW in Support of the motion of defendants Jeffrey Shawyer and Michael Evans to sever all claims. Document filed by M. Evans, Jeffrey Shawver. (jco, ) (Entered: 11/08/2005)
11/04/2005	159	MEMORANDUM OF LAW in Support of Severance. Document filed by Charles Davis. (jco, ) (Entered: 11/08/2005)
11/07/2005	160	CROSS–MOTION (FILED ON SERVICE DATE) to Sever claims against him pursuant to FRCP 42(b). Document filed by Robert Smith, Robert Smith. (db, ) Modified on 11/9/2005 (db, ). (Entered: 11/09/2005)
11/07/2005	161	MEMORANDUM OF LAW in Support re: 160 MOTION (FILED ON SERVICE DATE) to Sever. Document filed by Robert Smith, Robert Smith. (db, ) (Entered: 11/09/2005)

11/10/2005	162	ORDER: denying 153 Motion to Amend/Correct, denying 153 Motion for Reconsideration . (Signed by Judge Kevin Thomas Duffy on 11/10/2005) (lb, ) (Entered: 11/14/2005)
11/10/2005	163	ENDORSED LETTER addressed to Judge Kevin T. Duffy from Camille Gear Rich and Dori A. Lewis dated 10/31/05 re: leave to submit a 40 page response brief. ENDORSEMENT: OK. (Signed by Judge Kevin Thomas Duffy on 11/10/05) (kco, ) (Entered: 11/14/2005)
11/10/2005	166	MEMORANDUM OF LAW in Support of motion for severance. Document filed by Mario Pique, Rick Laure, Rico Meyers. (jco, ) (Entered: 11/16/2005)
11/14/2005	164	MOTION (FILED ON SERVICE DATE) to Serve. Document filed by John E. Gilbert, III. (jmi, ) (Entered: 11/15/2005)
11/14/2005	165	MEMORANDUM OF LAW in Support re: 164 MOTION (FILED ON SERVICE DATE) to Serve.. Document filed by John E. Gilbert, III. (jmi, ) (Entered: 11/15/2005)
11/16/2005	167	ENDORSED LETTER addressed to Judge Kevin Thomas Duffy from Daniel Schulze dated 11/3/05 re: granting requests for a modification of the supplemental briefing schedule and submissions. Motions due by 11/11/2005. Responses due by 12/23/2005 Replies due by 1/9/2006. (Signed by Judge Kevin Thomas Duffy on 11/3/05) (pl, ) (Entered: 11/17/2005)
12/22/2005	168	NOTICE OF APPEARANCE by Maeve L. O'Connor on behalf of Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Stephanie Dawson, Tanya Jones, Shantelle Smith, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez (jmi, ) (Entered: 12/27/2005)
01/04/2006	169	ORDER; defendant's motion to extend the briefing schedule for their supplemental memo in further support of their motion for summary judgment is GRANTED. Defendant's reply is now due on 2/23/2006. Defendant's motion for permission to file a reply brief to the brief proposed to be filed by amicus curie Center for Constitutional Rights, et al is DENIED. Plaintiff's motion to file a surreply to defendant's reply is DENIED. (Signed by Judge Kevin Thomas Duffy on 1/3/2006) (kco, ) (Entered: 01/04/2006)
01/04/2006		Set Deadlines: Replies due by 2/23/2006. (kco, ) (Entered: 01/04/2006)
01/04/2006	170	ORDER GRANTING LEAVE TO FILE BRIEF OF AMICI CURIAE CNETER FOR CONSTITUTIONAL RIGHTS, ET AL..., IN OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT. The Clerk is directed to file the amicus memorandum received. So Ordered. (Signed by Judge Kevin Thomas Duffy on 1/3/06) (jco, ) (Entered: 01/04/2006)
02/10/2006	171	SEALING ORDER; the declarations of plaintiffs Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Tanya Jones, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Shantelle Smith, Shenyell Smith, Hope Susoh and Nakia Thompson dated 12/23/05 shall be filed under seal, pursuant to the confidentiality order of 11/3/2003. (Signed by Judge Kevin Thomas Duffy on 2/7/06) (kco, ) (Entered: 02/10/2006)
02/22/2006	173	REPLY MEMORANDUM OF LAW re: 64 Motion to Dismiss. Document filed by Charles Davis. (jmi, ) (Entered: 02/24/2006)
02/23/2006	172	DECLARATION of Alison Mikkor in Opposition to re: 64 Motion to Dismiss. Document filed by Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Stephanie Dawson, Tanya Jones, Shantelle Smith, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez. (jmi, ) (Entered: 02/24/2006)
02/23/2006	183	SUPERVISORY DEFENDANTS' SUPPLEMENTAL REPLY in further support of re: 64 Motion to Dismiss, 69 Motion for Summary Judgment. Document filed by Anginell Andrew, Roberta Coward, Dennis Crowley, Alexandreena Dixon, Eliane Lord, Ronald Moscicki, Melvin Williams, Donald Wolfe, Terry Baxter, Richard Roy, Barbara D. Leone, Peter Brown, Glenn Goord, James Stone, Clarence Davis, M. Evans, Michael Galbreath, John E. Gilbert, III, Mario Pique, Jeffrey Shawver, Robert Smith, Delroy Thorpe, Pete Zawislak, Rick Laure, Rico Meyers, Frederick Brenyah, Chris Sterling.

		(jmi, ) (Entered: 02/24/2006)
02/23/2006	184	SUPERVISORY DEFENDANTS' RULE 56.1 STATEMENT. Document filed by Anginell Andrews, Roberta Coward, Dennis Crowley, Alexandreena Dixon, Eliane Lord, Ronald Moscicki, Terry Baxter, Richard Roy, Barbara D. Leone, Peter Brown, Glenn Goord, James Stone, Clarence Davis, M. Evans, Michael Galbreath, John E. Gilbert, III, Mario Pique, Jeffrey Shawver, Robert Smith, Rick Laure, Rico Meyers, Frederick Brenyah, Chris Sterling. (jmi, ) (Entered: 02/24/2006)
02/23/2006	185	SUPERVISORY DEFENDANTS' MEMORANDUM OF LAW in Support re: 64 Motion to Dismiss, 67 Motion to Dismiss. Document filed by Anginell Andrews, Roberta Coward, Dennis Crowley, Alexandreena Dixon, Eliane Lord, Ronald Moscicki, Melvin Williams, Donald Wolfe, Terry Baxter, Richard Roy, Barbara D. Leone, Peter Brown, Glenn Goord, James Stone, Clarence Davis, M. Evans, Michael Galbreath, John E. Gilbert, III, Mario Pique, Jeffrey Shawver, Robert Smith, Delroy Thorpe, Pete Zawislak, Rick Laure, Rico Meyers, Frederick Brenyah, Chris Sterling. (jmi, ) (Entered: 02/24/2006)
02/23/2006	186	DECLARATION of Daniel Schelze in Support of SUPERVISORY DEFENDANTS' re: 64 Motion to Dismiss. Document filed by Roberta Coward, Dennis Crowley, Alexandreena Dixon, Eliane Lord, Ronald Moscicki, Terry Baxter, Richard Roy, Barbara D. Leone, Peter Brown, Glenn Goord, James Stone, Clarence Davis, M. Evans, Michael Galbreath, John E. Gilbert, III, Mario Pique, Jeffrey Shawver, Robert Smith, Rick Laure, Rico Meyers, Frederick Brenyah, Chris Sterling. (jmi, ) (Entered: 02/24/2006)
06/21/2006	187	ORDER AUTHORIZING DEPOSITION OF INCARCERATED INDIVIDUAL: It is hereby ordered that defendants in this action is granted leave to take deposition on oral questions of plaintiff Bette Jean McDonald, DIN # 00-G-0114, beginning at 9:00 a.m. on 7/18/2006, or such other date hereafter agreed to be the parties, at a Correctional Facility in which she is confined. (Signed by Magistrate Judge Gabriel W. Gorenstein on 6/20/2006) (lb, ) (Entered: 06/21/2006)
06/21/2006	188	ORDER AUTHORIZING DEPOSITION OF INCARCERATED INDIVIDUAL: It is hereby ordered that defendants in this action are granted leave to take deposition on oral questions of plaintiff Shenyell Smith, DIN # 99-G-0824, beginning at 9:00 a.m. on 6/28/2006, or such other date hereafter agreed to be the parties, at a Correctional Facility in which she is confined. (Signed by Magistrate Judge Gabriel W. Gorenstein on 6/20/2006)(lb, ) (Entered: 06/21/2006)
11/13/2006	189	ORDER AUTHORIZING DEPOSITION OF INCARCERATED INDIVIDUAL; the defendants are granted leave to take the deposition on oral questions of plaintiff Nakia Thompson beginning at 9:30 a.m. on 11/20/06 at the Correctional Facility in which she is confined. (Signed by Judge Gabriel W. Gorenstein on 11/7/06) (kco, ) (Entered: 11/15/2006)
06/12/2007	190	ORDER AUTHORIZING DEPOSITION OF INCARCERATED INDIVIDUAL that defts are granted leave to take the deposition on oral questions of plaintiff Corilynn Rock beginning at 10:00 am on 6/13/07, or such other date hereafter agreed to by the parties, at a Correctional Facility in which she is confined. (Signed by Judge Gabriel W. Gorenstein on 6/8/07) (cd) (Entered: 06/13/2007)
06/12/2007	191	ORDER AUTHORIZING DEPOSITION OF INCARCERATED INDIVIDUAL: Pursuant to FRCP 30(a)(2), it is ordered that defts in the above captioned action are granted leave to take the deposition on oral questions of plt Kristina Muehleisen beginning at 9:30 a.m. on 6/25/2007 or such other date hereafter agree to the parties, at a Correctional Facility in which she is confined. (Signed by Judge Gabriel W. Gorenstein on 6/8/2007) (jar) (Entered: 06/13/2007)
06/29/2007	192	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Alison Mikkor and Daniel Schulze dated 6/27/2007 re: The parties propose to update the Court on the progress of deposition discovery either after Judge Duffy's ruling or, should Judge Duffy not yet have ruled, within eight months. ENDORSEMENT: SO ORDERED. (Signed by Judge Gabriel W. Gorenstein on 6/28/2007) (jar) (Entered: 07/03/2007)
11/08/2007	193	STIPULATION OF VOLUNTARY DISMISSAL OF CLAIMS AGAINST DEFENDANT DAVID SMITH. The claims of plaintiff Perez against defendant Smith shall be dismissed with prejudice, each party shall bear its own costs. (Signed by Judge

		Kevin Thomas Duffy on 9/24/2007) (jar) (Entered: 11/08/2007)
12/04/2007	194	MEMORANDUM AND OPINION # 95488. All of Plaintiffs' claims for injunctive and declaratory relief against the Supervisory Defendant have now been dismissed for the reasons stated above and in the previous Order of 9/13/2005. Therefore, there is no need to grant Plaintiffs' motion for class certification, which is hereby denied. Summary Judgment dismissing the complaint will be entered for all Supervisory Defendants and for all defendants with the exception of the claims of Shenyell Smith against Delroy Thorpe. (Signed by Judge Kevin Thomas Duffy on 12/3/2007) (jar) (Entered: 12/05/2007)
01/22/2008	196	MEMORANDUM IN REPLY to Plaintiffs' Motion for Reconsideration. Document filed by Charles Davis. (jar) (Entered: 01/25/2008)
01/23/2008	197	MEMORANDUM OF LAW in Opposition to Plaintiffs' Motion for Reconsideration and Certification. Document filed by John E. Gilbert, III. (djc) (Entered: 01/25/2008)
01/23/2008	198	MEMORANDUM OF LAW in Opposition to Plaintiffs' Motion for leave to submit the declaration of Alison Mikkor, Esq. Document filed by John E. Gilbert, III. (djc) (Entered: 01/25/2008)
01/23/2008	199	MEMORANDUM OF LAW in Opposition re: 153 MOTION for Reconsideration. Document filed by M. Evans, Jeffrey Shawver, Michael Evans. (jar) (Entered: 01/30/2008)
01/23/2008	200	CERTIFICATE OF SERVICE of Memorandum of Law in Opposition to Motion for Reconsideration served on (parties listed, see Certificate) on 1/22/2008. Service was made by fax and first class mail. Document filed by M. Evans, Jeffrey Shawver, Michael Evans. (jar) (Entered: 01/30/2008)
01/23/2008	202	MEMORANDUM OF LAW in Opposition re: 153 MOTION for Reconsideration. Document filed by Mario Pique, Rick Laure, Rico Meyers. (jar) (Entered: 01/30/2008)
01/23/2008	203	MEMORANDUM OF LAW in Opposition to re Motion for Leave to Submit the Declaration of Allison Mikkor in Support of Plaintiffs' Motion for Reconsideration and Certification. Document filed by Mario Pique, Rick Laure, Rico Meyers. (jar) (Entered: 01/30/2008)
01/28/2008	201	MEMORANDUM OF LAW on Behalf of Defendant Officer Sterling in Response to Plaintiffs' Motion for Reconsideration and Certification. Document filed by Chris Sterling. (djc) (Entered: 01/30/2008)
02/11/2008	204	MEMORANDUM OF LAW in Further Support of Motion for Reconsideration and for Certification. Document filed by Lucy Amador. (djc) (Entered: 02/14/2008)
02/11/2008	205	MEMORANDUM OF LAW in Opposition to Plaintiffs' Motion for Reconsideration. Document filed by Anginell Andrews, Roberta Coward, Dennis Crowley, Alexandreena Dixon, Ronald Moscicki, Melvin Williams, Donald Wolfe, Terry Baxter, Richard Roy, Barbara D. Leone, Glenn Goord, James Stone, Robert Smith, Delroy Thorpe, Rick Laure. (djc) (Entered: 02/19/2008)
04/09/2008	206	ORDER; that the Opinion and Order dated 12/4/07 is AMENDED as set forth in this Order. (Signed by Judge Kevin Thomas Duffy on 3/27/08) (ae) (Entered: 04/09/2008)
04/23/2008	207	NOTICE OF APPEAL from 206 Order, 194 Memorandum & Opinion. Document filed by Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson, Stacie Calloway, Tonie Coggins, Latasha Dockery, Stephanie Dawson, Tanya Jones, Shantelle Smith, Kristina Muehleisen. Filing fee \$ 455.00, receipt number E 649037. Copies mailed to attorney(s) of record: Cronin & Byczek, LLP; Department of Law, Litigation Bureau State of New York; Raymond L. Colon, Esq.; Michael R. Galbreath; Kaminsky & Rich; Joseph M. LaTona, Esq.; Muscato, DiMillo & Vona, LLP.; Hinman Straub P.C.; Dennis B. Schlenker, Esq.; Hogan & Willig, PLLC.; Boeggeman, George & Corde, P.C.; and Peter Zawislak. (tp) (Entered: 04/24/2008)
04/24/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 207 Notice of Appeal.(tp) (Entered: 04/24/2008)
04/24/2008		Transmission of Notice of Appeal to the District Judge re: 207 Notice of Appeal.(tp) (Entered: 04/24/2008)

05/08/2008	<u>208</u>	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal for 207 Notice of Appeal, filed by Shantelle Smith, Stephanie Dawson, Latasha Dockery, Denise Saffioti, Nakia Thompson, Tanya Jones, Hope Susoh, Kristina Muehleisen, Laura Pullen, Tonie Coggins, Shenyell Smith, Corilynn Rock, Stacie Calloway USCA Case Number 08-2079, 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (tp) (dt). (Entered: 05/08/2008)
05/21/2008		Appeal Record Sent to USCA (File). Indexed record on Appeal Files for 207 Notice of Appeal, filed by Shantelle Smith, Stephanie Dawson, Latasha Dockery, Denise Saffioti, Nakia Thompson, Tanya Jones, Hope Susoh, Kristina Muehleisen, Laura Pullen, Tonie Coggins, Shenyell Smith, Corilynn Rock, Stacie Calloway USCA Case Number 08-1956, were transmitted to the U.S. Court of Appeals. (tp) (Entered: 05/21/2008)
05/29/2008	<u>209</u>	First Supplemental ROA Sent to USCA (Index). Notice that the Supplemental Index to the record on Appeal for 207 Notice of Appeal, filed by Shantelle Smith, Stephanie Dawson, Latasha Dockery, Denise Saffioti, Nakia Thompson, Tanya Jones, Hope Susoh, Kristina Muehleisen, Laura Pullen, Tonie Coggins, Shenyell Smith, Corilynn Rock, Stacie Calloway USCA Case Number 08-2079, 3 Copies of the index, Certified Supplemental Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (tp) (dt). (Entered: 05/29/2008)
05/29/2008		First Supplemental ROA Sent to USCA (File)(2 VOL.). Supplemental Indexed record on Appeal Files for 207 Notice of Appeal, filed by Shantelle Smith, Stephanie Dawson, Latasha Dockery, Denise Saffioti, Nakia Thompson, Tanya Jones, Hope Susoh, Kristina Muehleisen, Laura Pullen, Tonie Coggins, Shenyell Smith, Corilynn Rock, Stacie Calloway USCA Case Number 08-2079, were transmitted to the U.S. Court of Appeals. (tp) (Entered: 05/29/2008)
07/22/2008	210	MANDATE of USCA (Certified Copy) USCA Case Number 08-1956-mp. Petitioners, through counsel, move pursuant to Federal Rule of Civil Procedure 23(f), for permission to appeal the district court's order denying petitioners' motion for class certification. Upon due consideration, it is hereby ordered that the petition is denied. See Sumitomo Copper Litig. v. Credit Lyonnais Rouse, Ltd., 262 F. 3d 134, 139-40 (2d Cir. 2001) Catherine O'Hagan Wolfe, Clerk USCA. Issued As Mandate: 7/22/2008. (nd) (Entered: 07/22/2008)
07/31/2008	<u>211</u>	ORDER: All non-expert discovery shall be commenced in time to be completed by 12/31/2008. Any depositions of experts shall be completed by 2/17/2009. The parties shall inform each other in writing by 2/17/2009, whether either intends to file a dispositive motion. Any dispositive pretrial motions shall be filed by 4/20/2009. The pretrial order shall be filed within 15 days after plaintiffs supply defendants with pretrial materials. All discovery must be initiated in time to be concluded by the deadline for all discovery. SO ORDERED. (Signed by Magistrate Judge Gabriel W. Gorenstein on 7/31/2008) (tve) (Entered: 07/31/2008)
09/11/2008		Appeal Record Returned. Indexed record on Appeal Files for <u>208</u> Appeal Record Sent to USCA - Index, Appeal Record Sent to USCA - File, USCA Case Number 08-2079, returned from the U.S. Court of Appeals. (Total of 7 volumes of Records Returned). (nd) (Entered: 09/24/2008)
09/24/2008		First Supplemental ROA Returned. Supplemental Indexed record on Appeal Files for 207 Notice of Appeal,, filed by Shantelle Smith, Stephanie Dawson, Latasha Dockery, Denise Saffioti, Nakia Thompson, Tanya Jones, Hope Susoh, Kristina Muehleisen, Laura Pullen, Tonie Coggins, Shenyell Smith, Corilynn Rock, Stacie Calloway USCA Case Number 08-2079-pr, returned from the U.S. Court of Appeals. (nd) (Entered: 01/07/2009)
11/21/2008		Minute Entry for proceedings held before Magistrate Judge Gabriel W. Gorenstein: Telephone Conference held on 11/21/2008. (mro) (Entered: 11/24/2008)
12/10/2008	<u>212</u>	SCHEDULING ORDER: All non-expert discovery concerning the Pending Damages Claims shall be commenced in time to be completed by December 31, 2008, with the exception of the depositions of plaintiff Lucy Amador, plaintiff Better Jean McDonald (to the extent that it is required), defendant Michael Gaibreath, defendant Donald Wolff, and any person identified on plaintiffs Supplemental Rule 26(a) statements, dated November 21, 2008, which shall be commenced in time to be completed by February 2, 2009. Disclosure of the identities and reports of experts concerning the Pending Damages

		Claims, if any, as required by Rule 26(a)(2)(A) and (B) shall be made by February 13, 2009; The disclosure of identities and reports of any expert intended by an opposing party solely to rebut such previously-disclosed expert evidence shall be made by March 6, 2009; Any depositions of experts concerning the Pending Damages Claims shall be completed by March 19, 2009; The parties shall inform each other in writing by March 19, 2009, whether either intends to file a dispositive motion concerning the Pending Damages Claims; Any dispositive pretrial motions concerning the Pending Damages Claims shall be filed by April 24, 2009. The motion shall be returnable before Judge Duffy and comply with his individual practices. The parties may apply to Judge Duffy with respect to any proposed briefing schedule on this motion; If no party states its intention to file a dispositive pre-trial motion concerning the Pending Damages Claims, plaintiffs will supply pretrial order materials to defendants in accordance with Judge Duffy's individual practices on or before April 17, 2009. The pre-trial order shall be filed "Within 15 days thereafter. If, however, a dispositive motion is served on or before the date in the previous paragraph, the due date of the plaintiff's portion of the pretrial order materials shall be extended to 30 days following decision on the dispositive motion and the pretrial order shall be filed within 15 days thereafter. (Signed by Magistrate Judge Gabriel W. Gorenstein on 12/9/08) (mme) Modified on 1/17/2009 (mme). (Entered: 12/10/2008)
12/12/2008	<u>213</u>	MOTION for Christopher Kennedy to Appear Pro Hac Vice. Document filed by M. Evans, Jeffrey Shawver, Michael Evans.(dle) (Entered: 12/17/2008)
12/30/2008	<u>214</u>	ORDER; the Court is in receipt of a letter dated December 22, 2008 from counsel for Delroy Thorpe regarding certain discovery disputes and a responsive letter from counsel for plaintiffs dated December 23, 2008. Thorpe's letter does not comply with paragraph 2. A of its Individual Practices. Additionally, it is clear from plaintiffs' letter that an effort to confer regarding the disputes may well bear fruit. Accordingly, the application is denied without prejudice. Finally, the Court notes that with respect to requests made to extend deadlines, parties must comply with paragraph I. E of this Court's Individual Practices and thus it is insufficient to consult only with plaintiffs with respect to such a request. Counsel for Thorpe is directed to distribute a copy of this Order to all other parties. (Signed by Magistrate Judge Gabriel W. Gorenstein on 12/29/08) (pl) (Entered: 12/30/2008)
12/31/2008	<u>215</u>	ORDER A conference to discuss the discovery disputes raised in the letters from defendants Pinque, Meyers, LaRue, Brenyah and Gilbert is scheduled for January 12,2009 at 9:15 a.m. in Courtroom 17-A, 500 Pearl Street, New York, New York. ( Status Conference set for 1/12/2009 at 09:15 AM in Courtroom 17A, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Gabriel W. Gorenstein.) (Signed by Magistrate Judge Gabriel W. Gorenstein on 12/31/2008) (jmi) (Entered: 01/05/2009)
01/07/2009	<u>216</u>	ORDER FOR ADMISSION OF CHRISTOPHER T. KENNEDY PRO HAC VICE ON WRITTEN MOTION: granting <u>213</u> Motion for Christopher Kennedy to Appear Pro Hac Vice. (Signed by Magistrate Judge Gabriel W. Gorenstein on 1/7/2008) (jfe) (Entered: 01/07/2009)
01/07/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>216</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jfe) (Entered: 01/07/2009)
01/08/2009	<u>217</u>	MEMO ENDORSEMENT DEFENDANTS'MOTION TO ADMIT CHRISTOPHER T. KENNEDY AS COUNSEL PRO HAC VICE, Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, David W. Novak, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of: Christopher T. Kennedy, of Hinman Straub P.C., 121 State Street, Albany, New York 12207, (518) 436-0751. ENDORSEMENT: application granted. So Ordered. (Signed by Judge Kevin Thomas Duffy on 1/8/09) (pl) (Entered: 01/08/2009)
01/08/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>216</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (pl) (Entered: 01/08/2009)
01/12/2009		CASHIERS OFFICE REMARK on <u>213</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 12/15/2008, Receipt Number 672338. (jd) (Entered: 01/12/2009)

01/12/2009		Minute Entry for proceedings held before Magistrate Judge Gabriel W. Gorenstein: Discovery Hearing held on 1/12/2009. Orders issued. See transcript. (mro) (Entered: 01/13/2009)
01/21/2009	<u>218</u>	STIPULATION AND ORDER; 1. Mr. Galbreath can be shown or provided with documents marked "Highly Confidential" that relate either to either Lucy Amador or the investigation of Mr. Galbreath reflected in IG File SCU 21/02.2. Mr. Galbreath shall use these documents only in connection with this litigation, and treat them as "Highly Confidential" under the November 3, 2003 Confidentiality Order. 3. Mr. Galbreath shall obtain permission from the New York Attorney General's Office before showing any document marked "Highly Confidential" to any person other than an attorney advising him in connection with this litigation who has agreed in writing to be bound by the terms of the November 3, 2003 Confidentiality Order. SO ORDERED. (Signed by Magistrate Judge Gabriel W. Gorenstein on 1/20/2009) (tve) (Entered: 01/21/2009)
02/17/2009	<u>219</u>	ORDER The Supervisory Defendants shall provide to plaintiffs' counsel in this case the last known addresses in the possession of the New York State Department of Correctional Services for the third-party former inmates whom plaintiffs' counsel states in their December 23, 2008 disclosure were sexually abused by one or more of the named defendants in this action; Any counsel in this action may receive this same information from the Supervisory Defendants upon request; and, All counsel who receive this information pursuant to this Order shall use the information only for purposes of this case, and treat the information as "Highly Confidential" under the Protective Orders governing this case. (Signed by Magistrate Judge Gabriel W. Gorenstein on 2/17/09) (mme) Modified on 3/2/2009 (mme). (Entered: 02/17/2009)
02/19/2009	<u>220</u>	ORDER the Court is in receipt of a letter--apparently sent ex parte to the Court--that purports to be from plaintiff Jeanette Perez and that states she seeks to withdraw as plaintiff in this matter. The Court is providing a copy to plaintiffs' counsel. Plaintiffs' counsel should inform the Court within 14 days as to what action it has taken and/or seeks to take with respect to this letter. Plaintiff's counsel is directed to transmit a copy of this Order to all parties. (Signed by Magistrate Judge Gabriel W. Gorenstein on 2/19/09) (cd) (cd). (Entered: 02/19/2009)
02/19/2009	221	TRANSCRIPT of Civil Cause for Status Conference held on January 12, 2009 before Magistrate Judge Gabriel W. Gorenstein. (mro) (Entered: 02/24/2009)
02/19/2009	222	TRANSCRIPT of Civil Cause for Status Conference held on November 21, 2008 before Magistrate Judge Gabriel W. Gorenstein. (mro) (Entered: 02/24/2009)
02/27/2009	<u>223</u>	ORDER: In light of the letter from plaintiffs' counsel dated February 27, 2009, it is the Court's intention to enter an order (1) dismissing Jeanette Perez as a plaintiff and (2) dismissing any claims she has made in this action with prejudice pursuant to Fed. R. Civ. P. 41(a)(2). Any party who wishes to object to this disposition should send a letter to (or file an affidavit with) the Court on or before March 20, 2009 giving the reasons therefor. Plaintiffs' counsel is directed to transmit a copy of this Order to all parties and to Ms.Perez. (Signed by Magistrate Judge Gabriel W. Gorenstein on 2/27/09) (js) (Entered: 02/27/2009)
03/10/2009	224	LETTER: addressed to Judge Gabriel W. Gorenstein from Jeanette Perez dated 2/27/09 re: Plaintiff Jeanette Perez has decided to withdraw as plaintiff in the case Amador v. Andrews which means she will not be pursuing a lawsuit of money damages against defendants Peter Zawislak and Christopher Sterling. She made her decision freely and understands that once the lawsuit is ended that she will not be able to change her mind. Her attorneys have been informed of her decision. Document filed by Jeanette Perez.(js) (Entered: 03/10/2009)
04/23/2009	<u>225</u>	ORDER: At the request of Jeanette Perez, and without objection from any party, all claims by Jeanette Perez in this action against any defendant are hereby dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(2). Plaintiffs' counsel is directed to transmit a copy of this Order to all parties and to Ms.Perez. So Ordered (Signed by Magistrate Judge Gabriel W. Gorenstein on 4/23/09) (js) (Entered: 04/23/2009)
06/09/2009	<u>226</u>	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal for 207 Notice of Appeal,, filed by Shantelle Smith, Stephanie Dawson, Latasha Dockery, Denise Saffioti, Nakia Thompson, Tanya Jones, Hope Susoh, Kristina Muehleisen, Laura Pullen, Tonie Coggins, Shenyell Smith, Corilynn Rock, Stacie



		Calloway USCA Case Number 08–2079, 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (nd) (nd). (Entered: 06/09/2009)
06/09/2009		Appeal Record Sent to USCA (File). Indexed record on Appeal Files for 207 Notice of Appeal., filed by Shantelle Smith, Stephanie Dawson, Latasha Dockery, Denise Saffioti, Nakia Thompson, Tanya Jones, Hope Susoh, Kristina Muehleisen, Laura Pullen, Tonie Coggins, Shenyell Smith, Corilynn Rock, Stacie Calloway USCA Case Number 08–2079, were transmitted to the U.S. Court of Appeals. [9 volumes of record sent to USCA to the attention of V. Mathias]. (nd) (Entered: 06/09/2009)
06/22/2009	<u>227</u>	SCHEDULING ORDER: Any dispositive pre–trial motions due by 1/12/2010. Any deposition due by 11/12/2009. All applications to the Court must comply with this Court's Individual Practices, which are available through the Clerk's Office or at: <a href="http://www1.nysd.uscourts.gov/judge_info.php?id=67">http://www1.nysd.uscourts.gov/judge_info.php?id=67</a> . Discovery applications – that is, any application or motion pursuant to Rules 26 through 37 or 45 – not only must comply with paragraph 2.A of the Court's Individual Practices, but also must be made promptly after the cause for such an application arises. In addition, absent extraordinary circumstances, no such application will be considered if made later than 30 days prior to the close of discovery. Untimely application will be denied. To the extent there are any disputes with respect to discovery related to nonparty victims any other matter, these disputes may be brought to the Court's attention in accordance with paragraph 2.A of this Court's Individual Practices and the terms of this order. Plaintiff's counsel is directed to provide a copy of this Scheduling Order to all parties forthwith. (Signed by Magistrate Judge Gabriel W. Gorenstein on 6/22/09) (ae) (Entered: 06/22/2009)
07/15/2009	<u>228</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Claudio Salas dated 7/14/2009 re: Counsel for plaintiff writes to request a pre–motion conference in connection with Defendant Delroy Thorpe's ongoing unavailability for the continuation of his deposition. Plaintiffs intend to file a motion for default judgment under Rule 37(d) of the F.R.C.P. ENDORSEMENT: The pre–motion requirement is waived. The motion may be filed at any time up until the date motions for summary judgment are due. SO ORDERED. (Signed by Magistrate Judge Gabriel W. Gorenstein on 7/14/2009) (tve) (Entered: 07/15/2009)
07/22/2009	<u>229</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Claudio Salas and Alison Mikkor dated 7/14/09 re: counsel for plaintiffs request the following amendment to the Scheduling Order: In accordance with the court's ruling of 1/12/09, all open non–expert discovery concerning the pending damage claims shall be commenced in time to be completed by 9/15/09. This shall not include discovery concerning the assets of defendants relevant to an assessment of punitive damages, as such discovery shall be deferred until the filing and disposition of dispositive motions, if any. The scope and nature of punitive damages discovery has not yet been determined. ENDORSEMENT: The scheduling order is deemed to be So Amended. Punitive damages discovery may proceed as to Mr. Thorpe. (Signed by Magistrate Judge Gabriel W. Gorenstein on 7/22/09) (dle) Modified on 7/27/2009 (dle). (Entered: 07/22/2009)
08/05/2009	<u>230</u>	ORDER: The Court is in receipt of a letter dated August 3,2009 from plaintiffs objecting to the designation by defendants of certain confidential material pursuant to the Confidentiality Order entered in this matter. The pre–motion conference requirement is waived. Inasmuch as the burden is on the party seeking a protective order pursuant to FRCP 26(c) to justify its claim for protection, defendants are directed to file a motion for a protective order with respect to all documents identified by plaintiffs as improperly designated. The Court notes that claims that documents should be subject to a protective order typically rely on factual contentions not contained in the documents themselves, and that any such factual contentions must in the form of sworn testimony. The Court assumes that the parties can agree on a briefing schedule, in accordance with paragraph 2.B of this Court's individual practices; but application may be made to the Court by letter if this is not the case. If the motion papers, or responses thereto, contain confidential information, such papers may be filed under seal. The Court will docket under seal the attachments to plaintiffs August 3, 2009 letter. Accordingly, the parties need not refile these materials. Plaintiffs' counsel is directed to transmit a copy of this Order to all parties. (Signed by Magistrate Judge Gabriel W. Gorenstein on 8/5/09) (db) (Entered: 08/05/2009)

08/07/2009	<u>231</u>	ORDER. This Order addresses two issues. Correction to August 6 Order. References in the Order dated August 5, 2009 (Docket #230) to a letter dated "August 3, 2009" are corrected to read "August 4, 2009." Mr. Hudson shall appear in Court on August 31, 2009 at 9:45 a.m. in courtroom 17-A, 500 Pearl Street, NY, NY to explain his failure to respond to his attorney's efforts to reach him. He is warned that if he fails to appear on this date or any adjourned, date, a default judgment may be entered against him pursuant to FRCP 16(f)(1)(A). Plaintiffs' counsel is directed to transmit a copy of this Order to all parties. Mr. Colon is directed to make every effort, including making investigation of any possible telephone number for Mr. Hudson, to inform Mr. Hudson of the contents of this order and of the date of the hearing. Mr. Colon shall file an affidavit on or before August 26, 2009 describing all efforts he has made to comply with this Order. (Signed by Magistrate Judge Gabriel W. Gorenstein on 8/7/09) (djc) (Entered: 08/07/2009)
08/07/2009		Set Deadlines/Hearings: Status Conference set for 8/31/2009 at 09:45 AM in Courtroom 17A, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Gabriel W. Gorenstein. (djc) (Entered: 08/14/2009)
08/24/2009		Minute Entry for proceedings held before Magistrate Judge Gabriel W. Gorenstein: Telephone Conference held on 8/24/2009. (mro) (Entered: 08/25/2009)
08/31/2009		Minute Entry for proceedings held before Magistrate Judge Gabriel W. Gorenstein: Pretrial Conference held on 8/31/2009. (mro) (Entered: 09/01/2009)
09/15/2009	232	SEALED DOCUMENT placed in vault.(jri) (Entered: 09/15/2009)
09/15/2009	233	MOTION for Default Judgment as to Defendant Delroy Thorpe. Document filed by Lucy Amador.(djc) (Entered: 09/15/2009)
09/15/2009	234	MEMORANDUM OF LAW in Support re: 233 MOTION for Default Judgment as to. Document filed by Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Stephanie Dawson, Tanya Jones, Shantelle Smith, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen. (djc) (Entered: 09/16/2009)
10/02/2009	235	SEALED DOCUMENT placed in vault.(jri) (Entered: 10/05/2009)
10/02/2009	236	MOTION for an order requiring the documents submitted in camera as Exhibit E. to Plaintiffs' letter of August 3, 2009 to be treated as "Highly confidential" pursuant to the terms of the November 3, 2003 Confidentiality Order in this action; (2)requiring the transcripts of the depositions of IG Investigators Leon, Watson, Carrington, Ceballos and Annarino to be treated as "Highly Confidential" pursuant to the terms of the November 3, 2003 Confidentiality order in this action, or, in the alternative, requiring the portions of the transcripts of the depositions of IG Investigators Leon, Watson, Carrington, Ceballos and Annarino specified in ten appended Exhibit A. to be so treated; (3) requiring the portions of the transcripts of the depositions of former Superintendent Lord and former Deputy Superintendent Wolff specified in the appended Exhibit B to be treated as "Highly Confidential" pursuant to the terms of the November 3, 2009 Confidentiality Order in this action. Document filed by Melvin Williams, Donald Wolfe, Richard Roy, Barbara D. Leone, Peter Brown.(djc) (Entered: 10/06/2009)
10/02/2009	237	SUPERVISORY DEFENDANTS' MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR A PROTECTIVE ORDER. (djc) (Entered: 10/06/2009)
10/05/2009	238	MOTION for Protective Order. Document filed by Mario Pique, Rick LaRue, Rico Meyers.(mbe) (Entered: 10/06/2009)
10/05/2009	239	MEMORANDUM OF LAW in Support re: 238 MOTION for Protective Order. Document filed by Mario Pique, Rick Laure, Rico Meyers. (mbe) (Entered: 10/06/2009)
10/05/2009	240	DECLARATION of Linda M. Cronin in Support re: 238 MOTION for Protective Order. Document filed by Mario Pique, Rick Laure, Rico Meyers. (mbe) (Entered: 10/06/2009)
10/06/2009	241	MOTION for Protective Order. Document filed by M. Evans, Jeffrey Shawver.(mbe) (Entered: 10/06/2009)
10/06/2009	242	MEMORANDUM OF LAW in Support re: 241 MOTION for Protective Order. Document filed by M. Evans, Jeffrey Shawver. (mbe) (Entered: 10/06/2009)

10/06/2009	243	CERTIFICATE OF SERVICE of Notice of Motion for a Protective Order, Affidavit of James T. Potter, and Memorandum of Law on behalf of defendants Michael Evans and Jeffrey Shawver served on Alison Mikor, Svetlana Eisenberg, Dori A. Lewis, Daniel Schulze, Barbara Maddox, Diane R. Tiveron, Amanda Gresens, John J. Walsh, Cynthia Dolan, George V.C. Muscato, Joseph M. Latona, Linda Cronin, Walter Rich, Raymond L. Colon, Mr. Michael R. Galbreath and Peter Zawislak on 10/2/2009. Service was made by via Facsimile and First Class Mail. Document filed by M. Evans, Jeffrey Shawver. (mbe) (Entered: 10/06/2009)
10/23/2009	244	REPLY MEMORANDUM OF LAW in Opposition re: 233 MOTION for Default Judgment as to Defendant Thorpe. Document filed by Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Stephanie Dawson, Tanya Jones, Shantelle Smith, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen. (mbe) (Entered: 10/26/2009)
10/28/2009	245	SEALED DOCUMENT placed in vault.(nm) (Entered: 10/29/2009)
11/09/2009	246	SEALED DOCUMENT placed in vault.(nm) (Entered: 11/10/2009)
11/09/2009	<u>249</u>	STIPULATION AND ORDER; that on October 31, 2007, at his deposition in this action (the "Deposition"), defendant James Hudson testified that he had a stroke in 2003 and that he suffered from memory loss as a result of the stroke. At the Deposition, Mr. Hudson had certain documents in his hands and testified that they were medical documents pertaining to his stroke, but failed to produce the documents or otherwise disclose them to Plaintiffs' counsel. NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned attorneys for the Plaintiffs and Mr. Hudson that: 1. To the extent there are documents that are responsive to the Request and that Mr. Hudson has not produced, Mr. Hudson will not: (a) use such responsive unproduced documents as exhibits at trial; (b) rely on such documents in connection with motions for summary judgment; (c) testify about such documents at trial; or (d) use or rely on such documents in this litigation in any other manner. 2. To the extent there are medical providers who are likely to have information responsive to the Request or who have provided evaluation or treatment to Mr. Hudson in any capacity since January 1, 2003 but whose names Mr. Hudson has not identified to the Plaintiffs, Mr. Hudson will not: (a) call such unidentified medical providers as witnesses at trial; (b) submit affidavits from such medical providers in connection with motions for summary judgment; or (c) use or rely on such medical providers in this litigation in any other manner. (Signed by Magistrate Judge Gabriel W. Gorenstein on 11/12/09) (pl) (Entered: 11/12/2009)
11/12/2009	247	TRANSCRIPT of Status Conference proceedings held on August 31, 2009 before Magistrate Judge Gabriel W. Gorenstein. (mro) (Entered: 11/12/2009)
11/12/2009	248	TRANSCRIPT of Status Conference proceedings held on August 24, 2009 before Magistrate Judge Gabriel W. Gorenstein. (mro) (Entered: 11/12/2009)
11/12/2009	<u>250</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Walter L. Rich dated 11/10/090 re: counsel Frederick Brenyah writes that Counsel have met and conferred this afternoon and on consent propose the following: Plaintiffs' counsel have agreed to produce Ms. McDonald and Ms. Dawson at the offices of Debevoise & Plimpton for a ninety minute examination by defendants' expert, Dr. James Lynch. To accommodate both plaintiffs and Dr. Lynch, the parties have agreed that the examination of Ms. McDonald will occur on November 11, 2009 and of Ms. Dawson on November 18, 2009. Dr. Lynch has agreed to render his expert reports in a timely fashion such that they can be forwarded to plaintiffs' counsel by December 2, 2009. Defendants' counsel have also agreed that two of plaintiffs' counsel will be permitted to attend the examination of Bette Jean McDonald, conducted by Dr. Lynch for the purpose of protecting her Fifth Amendment interests. Dr. Lynch's deposition will take place on either December 9 or December 16, 2009, and, in any event, will be completed by December 18, 2009. Counsel do not anticipate that the extension to accommodate completion of this discovery will impact any other dates in the Scheduling Order, including without limitation the November 12, 2009 deadline for the parties informing each other of an intent to file dispositive motions. Accordingly, Defendants request that the Scheduling Order be amended to encompass the extensions set forth above. ENDORSEMENT: Granted. (Signed by Magistrate Judge Gabriel W. Gorenstein on 11/10/09) (pl) (Entered: 11/12/2009)

11/18/2009	<u>251</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Cynthia Dolan dated 11/10/2009 re: Counsel requests a pre-motion conference for permission to submit a motion to withdraw as counsel for the defendant Thorpe. Counsel also respectfully request that their application to withdraw as counsel be granted. ENDORSEMENT: In order to have a complete record, counsel is directed to submit an affidavit (or declaration) detailing all efforts to locate Mr. Thorpe, including all addresses and telephone numbers previously existing for Mr. Thorpe. Counsel may redact such personal information from the publicly filed version of this affidavit, as long as the original affidavit containing such information is filed under seal with the Court. Courtesy copies of both documents shall be sent the Chambers of the undersigned. The Court will then rule on the motion to withdraw. So Ordered. (Signed by Magistrate Judge Gabriel W. Gorenstein on 11/12/2009) (jfe) (Entered: 11/18/2009)
11/19/2009	<u>252</u>	ENDORSED LETTER addressed to Judge Gabriel W. Gorenstein from Jennifer L. Smith dated 11/18/2009 re: Requesting that the Court permit the limited disclosure of the deposition transcripts of Smith and other individuals who gave testimony in the class action lawsuit on matters relevant to the Court of Claims case. ENDORSEMENT: Construing this letter as a request for a pre-motion conference with respect to the motion for modification of the confidentiality order, the pre-motion conference requirement is waived. Any motion shall comply with paragraphs 2.B through 2.F of this Court's Individual practices and all applicable local rules. Motion papers shall be served on all parties or their counsel – not merely the individuals copied on this letter. (A list of all counsel and unrepresented parties may be obtained from plaintiff's counsel.) Ms. Smith is directed to serve a copy of this memorandum endorsement on all parties or their counsel. (Signed by Magistrate Judge Gabriel W. Gorenstein on 11/18/2009) (jpo) (Entered: 11/19/2009)
11/19/2009	<u>253</u>	OPINION & ORDER # 98268. Defendant is ORDERED to appear for deposition within thirty (30) days of the date of this order. If he again fails to appear for deposition within that period of time, I will enter default against him. (Signed by Judge Kevin Thomas Duffy on 11/18/09) (rjm) Modified on 11/24/2009 (eef). (Entered: 11/19/2009)
11/20/2009	<u>254</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Daniel Schulze dated 11/19/09 re: counsel requests that paragraph 6 of the June 22, 2009 Scheduling Order be modified to stated: 6. Any dispositive pretrial motions concerning the Pending Damages Claims shall be served by February 8, 2010. The motion shall be returnable before Judge Duffy and comply with his individual practices. The parties may apply to Judge Duffy with respect to any proposed briefing schedule on this motion. ENDORSEMENT: Granted. (Signed by Magistrate Judge Gabriel W. Gorenstein on 11/19/09) (djc) Modified on 12/1/2009 (djc). (Entered: 11/20/2009)
12/11/2009	<u>255</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from John B. Licata dated 12/11/2009 re: Requesting an amendment of the scheduling order to set January 29, 2010 as the date by which expert discovery is to be completed. ENDORSEMENT: Granted. Mr. Licata to provide a copy of this order to all parties. (Signed by Magistrate Judge Gabriel W. Gorenstein on 12/11/2009) (jpo) (Entered: 12/11/2009)
12/18/2009	<u>256</u>	FILING ERROR – ELECTRONIC FILING IN NON-ECF CASE – NOTICE of Motion. Document filed by Shantelle Smith. (Smith, Jennifer) Modified on 12/21/2009 (KA). (Entered: 12/18/2009)
12/18/2009	<u>257</u>	FILING ERROR – ELECTRONIC FILING IN NON-ECF CASE – MOTION Modification of Protective Order. Document filed by Shantelle Smith.(Smith, Jennifer) Modified on 12/21/2009 (KA). Modified on 12/21/2009 (KA). (Entered: 12/18/2009)
12/18/2009	<u>258</u>	FILING ERROR – ELECTRONIC FILING IN NON-ECF CASE – MEMORANDUM OF LAW in Support re: <u>257</u> MOTION Modification of Protective Order.. Document filed by Shantelle Smith. (Attachments: # <u>1</u> Exhibit Exhibit A)(Smith, Jennifer) Modified on 12/21/2009 (KA). (Entered: 12/18/2009)
12/21/2009		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF CASE ERROR. Note to Attorney Jennifer Lea Smith to MANUALLY RE-FILE Document Notice of Motion, Document No. 256. This case is not ECF. (KA) (Entered: 12/21/2009)
12/21/2009		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF CASE ERROR. Note to Attorney Jennifer Lea Smith to MANUALLY RE-FILE Document Motion for

		Modification of Protective Order, Document No. 257. This case is not ECF. (KA) (Entered: 12/21/2009)
12/21/2009		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF CASE ERROR. Note to Attorney Jennifer Lea Smith to MANUALLY RE-FILE Document Memorandum of Law, Document No. 258. This case is not ECF. (KA) (Entered: 12/21/2009)
01/04/2010	<u>259</u>	ENDORSED LETTER addressed to Judge Kevin T. Duffy from Cynthia Dolan dated 12/18/2009 re: Defendant respectfully request a 30 day extension of time to produce Mr. Thrope for his further deposition. ENDORSEMENT: Granted. Mr. Dolan shall transmit this Order to all parties. So Ordered. (Signed by Magistrate Judge Gabriel W. Gorenstein on 1/4/2010) (jfe) (Entered: 01/04/2010)
02/01/2010	<u>260</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from John S. Craig dated 1/26/2010 re: The parties agreed that Dr. Capstick would be deposed for two hours concerning the CAPS Test and her communications about the test with plaintiffs mental health expert, Dr. Denise Hien. The parties also agreed that this depositions and defendants request for yet another extension of the expert discovery deadline will not delay the summary judgment briefing schedule. Assuming that the terms agreed to by counsel are acceptable to the Court, we join in Ms. Cronins application for an extension of the deadline for expert discovery until February 19, 2010. ENDORSEMENT: Granted. Plaintiff to transmit this order to all parties. SO ORDERED. ( Discovery due by 2/19/2010.) (Signed by Magistrate Judge Gabriel W. Gorenstein on 1/29/2010) (jmi) (Entered: 02/01/2010)
02/04/2010	<u>261</u>	ENDORSED LETTER addressed to Judge Gabriel W. Gorenstein from Linda K. Cronin dated 2/4/2010 re: Counsel for Defendant Pinque request that paragraph 6 of the 6/22/2009 Scheduling Order be modified again to state: "Any dispositive pretrial motions concerning the Pending Damages Claims shall be served by 3/1/2010...." ENDORSEMENT: Granted. Ms Cronin to transmit this order to all parties. (Signed by Magistrate Judge Gabriel W. Gorenstein on 2/4/2010) (tro) (Entered: 02/04/2010)
02/24/2010	<u>262</u>	ORDER: Any dispositive pretrial motion relating to any or the Pending Damages Claims shall be timely if it and any supporting memorandum of law reserved on opposing counsel by March 1, 2010. Any opposition to a timely dispositive pretrial motion relating to a Pending Damages Claim shall be served by April 26, 2010. Any reply in further support of a timely dispositive pretrial motion relating to a Pending Damages Claim shall be served by May 17, 2010. Consistent with my Individual Practices, all memorandum of law in support of or in opposition to a timely dispositive pretrial motion relating to a Pending Damages Claim shall be filed on May 17, 2010. (Signed by Judge Kevin Thomas Duffy on 2/24/2010) (jpo) (Entered: 02/24/2010)
04/28/2010	<u>263</u>	ORDER: The Court will hold oral argument on the pending motion for a protective order on Thursday, May 20, 2010 at 2:30 p.m. in Courtroom 17A, 500 Pearl Street, New York, New York. So Ordered (Signed by Magistrate Judge Gabriel W. Gorenstein on 4/28/2010) (js) (Entered: 04/28/2010)
05/06/2010	<u>264</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Lisa Freeman dated 5/6/2010 re: Counsel writes in reference to this Court's Order of April 28, 2010, indicating that the Court will hold Oral argument on the pending motion for a protective Order on Thursday, May 20, 2010. ENDORSEMENT: Conference adjourned to June 17, 2010 at 2:30 p.m. So Ordered. (Signed by Magistrate Judge Gabriel W. Gorenstein on 5/5/2010) (jfe) Modified on 5/17/2010 (jfe). (Entered: 05/06/2010)
05/17/2010	<u>265</u>	SEALING ORDER: It is hereby ordered that the following documents, which include and attach information designated as either Confidential or Highly Confidential, shall be filed under seal pursuant to Paragraph 15 of the Confidentiality Order issued by the Court on November 3, 2003, as set forth in this Sealing Order. (Signed by Magistrate Judge Gabriel W. Gorenstein on 5/17/2010) (jpo) (Entered: 05/17/2010)
05/17/2010	266	SEALED DOCUMENT placed in vault.(cb) (Entered: 05/18/2010)
05/17/2010	267	MOTION for Summary Judgment pursuant to Rule 56 of the FRCP. Document filed by Donald Wolfe. (Received in the night deposit box on 5/17/10 at 10:24pm)(mro) (Entered: 05/18/2010)

05/17/2010	268	MEMORANDUM OF LAW in Support re: 267 MOTION for Summary Judgment. Document filed by Donald Wolfe. (Received in the night deposit box on 5/17/10 at 10:24pm) (mro) (Entered: 05/18/2010)
05/17/2010	269	DECLARATION of Daniel Schulze in Support re: 267 MOTION for Summary Judgment. Document filed by Donald Wolfe. (Received in the night deposit box on 5/17/10 at 10:24pm) (mro) (Entered: 05/18/2010)
05/17/2010	270	RULE 56.1 STATEMENT. Document filed by Donald Wolfe. (Received in the night deposit box on 5/17/10 at 10:24pm) (mro) (Entered: 05/18/2010)
05/17/2010	271	REPLY MEMORANDUM OF LAW in Further Support re: 267 MOTION for Summary Judgment. Document filed by Donald Wolfe. (Received in the night deposit box on 5/17/10 at 10:24pm) (mro) (Entered: 05/18/2010)
05/17/2010	272	REPLY DECLARATION of Daniel Schulze in Further Support re: 267 MOTION for Summary Judgment. Document filed by Donald Wolfe. (Received in the night deposit box on 5/17/10 at 10:24pm) (mro) (Entered: 05/18/2010)
05/17/2010	273	MOTION for Summary Judgment against defendant James Hudson pursuant to Rule 56.1(a) of the FRCP. Document filed by Shantelle Smith. (Received in the night deposit box on 5/17/10 at 5:41pm)(mro) (Entered: 05/18/2010)
05/17/2010	274	DECLARATION of Stephanie Brannen in Support re: 273 MOTION for Summary Judgment. Document filed by Shantelle Smith. (Received in the night deposit box on 5/17/10 at 5:41pm) (mro) (Entered: 05/18/2010)
05/17/2010	275	DECLARATION of Jennae R. Swiergula in Opposition re: 267 Defendant Donald Wolff's MOTION for Summary Judgment. Document filed by plaintiffs. (Received in the night deposit box on 5/17/10 at 5:42pm) (mro) Modified on 5/18/2010 (mro). (Entered: 05/18/2010)
05/17/2010	276	DECLARATION of Katherine W. Kern in Opposition to defendant Mario Pinque's Motion for Summary Judgment. (Received in the night deposit box on 5/17/10 at 5:42pm) (mro) (Entered: 05/18/2010)
05/17/2010	277	DECLARATION of Sarah H. Wolf in Support of plaintiff Lucy Tasama's opposition to defendant Robert Smith's Motion for Summary Judgment. (Received in the night deposit box on 5/17/10 at 5:42pm) (mro) (Entered: 05/18/2010)
05/17/2010	278	SEALED DOCUMENT placed in vault.(cb) (Entered: 05/18/2010)
05/19/2010	<u>279</u>	SEALING ORDER: It is hereby ordered that the following documents, which include and attach information designated as either Confidential or Highly Confidential, shall be filed under seal pursuant to Paragraph 15 of the Confidentiality Order issued by the Court on November 3, 2003, as set forth in this Sealing Order. (Signed by Magistrate Judge Gabriel W. Gorenstein on 5/18/2010) (jpo) (Entered: 05/19/2010)
05/19/2010		Transmission to Sealed Records Clerk. Transmitted re: <u>279</u> Order, <u>265</u> Order., to the Sealed Records Clerk for the sealing or unsealing of document or case. (jpo) (Entered: 05/19/2010)
05/19/2010	280	SEALED DOCUMENT placed in vault.(cb) (Entered: 05/19/2010)
06/04/2010	292	FOIL EXHIBITS IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTIONS FOR A PROTECTIVE ORDER (VOLUME ONE). Document filed by Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Stephanie Dawson, Tanya Jones, Shantelle Smith, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen. ***Accepted for filing by the Honorable Gabriel W. Gorenstein on 7/14/10.(mro) (Entered: 07/19/2010)
06/04/2010	293	FOIL EXHIBITS IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTIONS FOR A PROTECTIVE ORDER (VOLUME TWO). Document filed by Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Stephanie Dawson, Tanya Jones, Shantelle Smith, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen. ***Accepted for filing by the Honorable Gabriel W. Gorenstein on 7/14/10.(mro) (Entered: 07/19/2010)

06/04/2010	294	FOIL EXHIBITS IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTIONS FOR A PROTECTIVE ORDER (VOLUME THREE). Document filed by Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson, Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Stephanie Dawson, Tanya Jones, Shantelle Smith, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen. ***Accepted for filing by the Honorable Gabriel W. Gorenstein on 7/14/10. (mro) (Entered: 07/19/2010)
06/10/2010	<u>281</u>	OPINION & ORDER granting re: #99037 273 MOTION for Summary Judgment, filed by Shantelle Smith. I order discovery on the limited issue of punitive damages for a 60-day period from the date of this order and an inquest on damages thereafter. (Signed by Judge Kevin Thomas Duffy on 6/10/10) (cd) Modified on 6/11/2010 (jab). (Entered: 06/10/2010)
06/17/2010		Minute Entry for proceedings held before Magistrate Judge Gabriel W. Gorenstein: Telephone Conference held on 6/17/2010. (tro) (Entered: 06/18/2010)
06/23/2010	282	TRANSCRIPT of proceedings held on 6/17/10 before Magistrate Judge Gabriel W. Gorenstein. (pl) Modified on 6/24/2010 (pl). (Entered: 06/24/2010)
06/23/2010	283	TRANSCRIPT of proceedings held on June 17, 2010 before Magistrate Judge Gabriel W. Gorenstein. (mro) (Entered: 06/24/2010)
06/23/2010	286	TRANSCRIPT of proceedings held on June 14, 2010 at 2:45 pm before Magistrate Judge Gabriel W. Gorenstein. (eef) (Entered: 07/01/2010)
06/25/2010	284	TRANSCRIPT of proceedings held on 6/14/2010 before Magistrate Judge Gabriel W. Gorenstein. (tro) (Entered: 06/25/2010)
06/25/2010	285	TRANSCRIPT of proceedings held on 6/17/2010 before Magistrate Judge Gabriel W. Gorenstein. (tro) (Entered: 06/25/2010)
07/02/2010	287	SUPPLEMENTAL MEMORANDUM OF LAW in further Support of Supervisory Defendants' Motion for a Protective Order. Document filed by Anginell Andrews, Roberta Coward, Dennis Crowley, Alexandreena Dixon, Eliane Lord, Ronald Moscicki, Melvin Williams, Donald Wolfe, Terry Baxter, Richard Roy, Barbara D. Leone, Peter Brown, Glenn Goord, James Stone, Clarence Davis, M. Evans, Michael Galbreath, John E. Gilbert, III, Mario Pique, Jeffrey Shawver, Robert Smith, Delroy Thorpe, Pete Zawislak, Rick Laure, Rico Meyers, Frederick Brenyah, Chris Sterling. (mbe) (Entered: 07/06/2010)
07/09/2010	288	PLAINTIFFS' REPLY MEMORANDUM OF LAW in Opposition to Supervisory Defendants' Supplemental Memorandum of Law in Support of a Protective Order. Document filed by plaintiffs. (mro) (Entered: 07/12/2010)
07/14/2010	<u>289</u>	ORDER: Defendant Robert Smith's Motion for Summary Judgment against Plaintiff Lucy Tasama on the issue of damages was never filed with this court. Therefore, Smith's Motion for Summary Judgment in all respects is DENIED as abandoned. (Signed by Judge Kevin Thomas Duffy on 7/13/2010) (tro) (Entered: 07/14/2010)
07/15/2010	<u>290</u>	ORDER granting in part and denying in part 236 Motion; granting in part and denying in part 238 Motion for Protective Order; granting in part and denying in part 241 Motion for Protective Order. Plaintiffs' counsel is directed to provide a copy of this Order to all counsel and/or parties. (Signed by Magistrate Judge Gabriel W. Gorenstein on 7/14/10) (cd) (Entered: 07/15/2010)
07/16/2010	291	LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Lisa Freeman and Dori Lewis dated 6/4/10 re: Pursuant to your order of April 28, 2010, enclosed please find the documents we received pursuant to the Freedom of Information Law that are referenced in paragraph 9 of the declaration of Lisa Freeman dated October 23, 2009. Document filed by the plaintiffs.(mro) (Entered: 07/19/2010)
07/21/2010	295	SEALED DOCUMENT placed in vault.(nm) (Entered: 07/21/2010)
07/21/2010	296	SEALED DOCUMENT placed in vault.(nm) (Entered: 07/21/2010)
07/21/2010	297	SEALED DOCUMENT placed in vault.(nm) (Entered: 07/21/2010)

07/23/2010	<u>298</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Alison Mikkor dated July 22, 2010 re: As Mr. Colon will be away for the month of August and the current discovery deadline is August 9, we respectfully request that the pre-motion hearing be scheduled for next week, the week of July 26. ENDORSEMENT: In light of Mr. Colon's letter of July 22, 2010, the discovery period on damages with respect to Mr. Hudson is extended through September 30, 2010. Mr. Colon is directed to confer with plaintiffs' counsel on August 10, 2010. In the future, apart from the period when he will be in Puerto Rico, Mr. Colon is to return any telephone call of opposing counsel within one business day absent an emergency. Plaintiffs may write to the Court, in accordance with paragraph 2.A of this Court's Individual Practices, in the event this discovery dispute is not resolved. Plaintiffs shall provide a copy of this Memorandum Endorsement to all parties. SO ORDERED. ( Discovery due by 9/30/2010.) (Signed by Magistrate Judge Gabriel W. Gorenstein on 7/22/2010) (jmi) (Entered: 07/23/2010)
07/27/2010	300	TRANSCRIPT of proceedings held on July 14, 2010 before Magistrate Judge Gabriel W. Gorenstein. (mro) (Entered: 07/29/2010)
07/28/2010	299	SEALED DOCUMENT placed in vault.(cb) (Entered: 07/29/2010)
07/30/2010	301	TRANSCRIPT of proceedings held on July 14, 2010 2:40 p.m. before Magistrate Judge Gabriel W. Gorenstein. (ajc) (Entered: 07/30/2010)
08/03/2010	<u>302</u>	ORDER; Plaintiffs move for reconsideration of the Court's July 14, 2010 ruling on defendants' motion for a protective order. Accordingly, the motion for reconsideration is denied. Plaintiffs' counsel is directed to provide a copy of this Order to all counsel and/or parties. (Signed by Magistrate Judge Gabriel W. Gorenstein on 8/3/10) (pl) (Entered: 08/03/2010)
08/04/2010	303	SEALED DOCUMENT placed in vault.(cb) (Entered: 08/04/2010)
08/18/2010	<u>304</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Alison Mikkor dated 8/17/2010 re: Requesting that the Court amend the Scheduling Order as follows: Plaintiffs will supply pretrial order materials to defendants in accordance with Judge Duffy's individual practices on or before October 19, 2010. Thereafter, defendants will supply pretrial order materials to plaintiffs in accordance with Judge Duffy's individual practices on or before November 11, 2010. The pretrial order shall be filed by November 23, 2010. ENDORSEMENT: Granted. (Signed by Magistrate Judge Gabriel W. Gorenstein on 8/18/2010) (jpo) (Entered: 08/18/2010)
09/24/2010	<u>305</u>	ORDER: The request to withdraw will be adjudicated first. The pre-motion conference requirement is waived. The motion to withdraw shall be filed on or before October 5, 2010. The motion shall include an affidavit that states all efforts Mr. Colon has made to make contact with his client. It shall be accompanied by an affidavit of service that reflects that the motion papers and a copy of this Order were served on the last known address or addresses of Mr. Hudson by both certified mail and regular mail. Mr. Colon shall thereafter attempt to confirm by telephone that the motion papers and the copy of this Order were received by his client and shall send a letter to the Court by October 19, 2010 informing the Court of the results of his efforts. Mr. Hudson is warned that if he fails to telephone or write the Court as required by this Order, a default judgment may be entered against him. Plaintiffs' counsel is directed to send a copy of this Order to all parties. (Signed by Magistrate Judge Gabriel W. Gorenstein on 9/23/2010) (jpo) (Entered: 09/24/2010)
10/15/2010	<u>306</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Alison Mikkor dated 10/14/2010 re: Plaintiffs request that the Court amend the Scheduling Order in this action to provide the information as set forth in this letter. ENDORSEMENT: Granted. Plaintiff's counsel to supply copies of this Order to all parties. (Signed by Magistrate Judge Gabriel W. Gorenstein on 10/15/2010) (ae) (Entered: 10/15/2010)
10/20/2010	<u>307</u>	ORDER A hearing on the motion to withdraw will be held in Courtroom 17-A, 500 Pearl Street, New York, New York on November 1, 2010 at 9:45 a.m. Mr. Hudson has requested of the Clerk that he be permitted to appear at this hearing by telephone because of medical issues. Mr. Hudson's request is granted. Mr. Hudson is warned, however, that if on the date of the conference he fails to respond to a telephone call at the number he has provided to the Court, a default judgment may be entered against him. SO ORDERED. ( Motion Hearing set for 11/1/2010 at 09:45 AM in Courtroom 17A, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Gabriel W. Gorenstein.)



		(Signed by Magistrate Judge Gabriel W. Gorenstein on 10/19/2010) (jmi) (Entered: 10/20/2010)
10/20/2010	308	MOTION for Raymond L. Colon to Withdraw as Attorney. Document filed by James Hudson.(mbe) (Entered: 10/20/2010)
10/25/2010	<u>309</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Raymond Colon dated 10/24/10 re: Request to reschedule the 11/11/10 hearing on motion to withdraw to 11/16/10 at 2:15 pm. ENDORSEMENT: Granted. Set Deadlines/Hearing as to 308 MOTION for Raymond L. Colon to Withdraw as Attorney. (Motion Hearing set for 11/16/2010 at 02:15 PM before Magistrate Judge Gabriel W. Gorenstein.) (Signed by Magistrate Judge Gabriel W. Gorenstein on 10/22/10) (cd) (Entered: 10/25/2010)
11/05/2010	<u>310</u>	ORDER: The Court will hold a conference on November 16, 2010 at 2:00 p.m. in Courtroom 17A, 500 Pearl Street, New York, New York, to discuss whether the Court should hold settlement conferences in this matter and, if so, what procedures should be used for such conferences. No client need attend this conference. Counsel for all parties (including the Attorney General's Office) shall attend, however, regardless of whether their client wishes to participate in such a conference. Plaintiffs' counsel is directed to send a copy of this Order to all parties. (Signed by Magistrate Judge Gabriel W. Gorenstein on 11/5/2010) (jpo) (Entered: 11/05/2010)
11/08/2010	<u>311</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Walter L. Rich dated 11/8/10 re: Counsel requests that the conference be re-scheduled to an afternoon after November 21. ENDORSEMENT: Please follow paragraph 1.F for any application to adjourn the conference. If no agreement on adjournment can be reached, the Court will schedule a separate conference with plaintiffs and Mr. Rich only. In the meantime, the conference remains scheduled for November 16, 2010 at 2:00 p.m. Mr. Rich is directed to fax or email this order immediately to all parties. (Signed by Magistrate Judge Gabriel W. Gorenstein on 11/8/10) (djc) (Entered: 11/08/2010)
11/12/2010	<u>312</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Alison Mikkor dated 11/11/2010, re: We write concerning the rescheduling of the conference to discuss whether the Court should hold settlement conferences in an effort to resolve the pending damages claims in this action. For the reasons set forth, we respectfully suggest that the conference be rescheduled for November 23, 2010 at 2:30 p.m., which is the only time at which all of the defendants against whom there are pending damages claims, plaintiffs' counsel, and the Attorney General's Office are all available. ENDORSEMENT: Granted. Ms. Mikkor to inform all parties of the change and to transmit a copy of this order. SO ORDERED. (Status Conference set for 11/23/2010 at 02:30 AM before Magistrate Judge Gabriel W. Gorenstein) (Signed by Magistrate Judge Gabriel W. Gorenstein on 11/12/2010) (lnl) Modified on 11/22/2010 (lnl). (Entered: 11/12/2010)
11/16/2010	<u>313</u>	ORDER: For the reasons stated today on the record, the application of Raymond L. Colon to withdraw as counsel (Docket # 308) is denied without prejudice. (Signed by Magistrate Judge Gabriel W. Gorenstein on 11/16/2010) (jfe) (Entered: 11/16/2010)
11/16/2010		Minute Entry for proceedings held before Magistrate Judge Gabriel W. Gorenstein: Initial Pretrial Conference held on 11/16/2010. (mbe) (Entered: 11/18/2010)
11/17/2010	<u>314</u>	ORDER: At the conference regarding settlement scheduled for November 23, 2010, at 2:30 p.m., the Attorney General shall arrange for the presence of an individual from the Department of Correctional Services with personal knowledge regarding the procedures that have been followed by the Department of Correctional Services with respect to requests to indemnify pursuant to Public Officers Law § 17(3) in the context of settlement. To the extent the procedures differ with respect to individuals represented by private counsel (as opposed to those represented by the Attorney General's Office), such person should be familiar with such procedures specifically. If such individual wishes to attend by telephone, he or should inform plaintiff's counsel, in accordance with footnote 1 of the November 5, 2010 Order. (Signed by Magistrate Judge Gabriel W. Gorenstein on 11/17/2010) (jpo) (Entered: 11/17/2010)
11/19/2010	<u>315</u>	MEMO ENDORSEMENT on 308 NOTICE OF MOTION TO BE RELIEVED AS COUNSEL FOR DEFENDANT JAMES HUDSON. ENDORSEMENT: Motion granted. So ordered. (Signed by Judge Kevin Thomas Duffy on 11/15/2010) (lnl) (Entered: 11/19/2010)

11/22/2010	<u>316</u>	ORDER; that my decision dated November 15, 2010 permitting Raymond L. Colon to withdraw as counsel for defendant James Hudson is withdrawn. I did not know that Magistrate Judge Gorenstein had denied the motion or that the motion was opposed. Having considered Judge Gorenstein's decision and the opposition to the motion, my decision is withdrawn. (Signed by Judge Kevin Thomas Duffy on 11/22/10) (pl) (Entered: 11/22/2010)
11/24/2010		Minute Entry for proceedings held before Magistrate Judge Gabriel W. Gorenstein: Initial Pretrial Conference held on 11/24/2010. (mbe) (Entered: 11/30/2010)
12/06/2010	<u>317</u>	ORDER Defendant Thorpe's motion for severance is granted. Defendants Smith and Gilbert's motion for severance to transfer the case to the Western District of New York is granted. SO ORDERED. (Signed by Judge Kevin Thomas Duffy on 12/2/2010) (jmi) (Entered: 12/06/2010)
12/06/2010		Transmission to Docket Assistant Clerk. Transmitted re: <u>317</u> Order, to the Docket Assistant Clerk for case processing. (jmi) (Entered: 12/07/2010)
12/06/2010		CASE (PARTIALLY)TRANSFERRED OUT ELECTRONICALLY from the U.S.D.C. Southern District of New York to the United States District Court – Western District of New York on 12/14/10. FEDEX# 870510726686. (laq) Modified on 1/20/2011 (ad). (Entered: 12/14/2010)
12/06/2010		Transmission to Sealed Records Clerk. Transmitted re: <u>317</u> Order, to the Sealed Records Clerk for the transmission of any sealed documents filed by the three parties transferred in this action. (ad) (Entered: 01/07/2011)
12/09/2010	318	TRANSCRIPT of proceedings held on 11/16/2010 before Magistrate Judge Gabriel W. Gorenstein. (mbe) (Entered: 12/09/2010)
01/11/2011		Received a letter from the United States District Court – Western District of New York acknowledging receipt of the entire file and assigned Case Number: 10cv6702. (jab) (Entered: 01/11/2011)
01/20/2011	<u>319</u>	Received a letter from the United States District Court – Western District of New York acknowledging receipt of sealed document nos. 91,92,116,126,174,175,176,177,178,179,180,181,182,195,232,235,245,246,266,280,295, 296,297,299 and 303, assigned Case Number: 10–cv–6702. (cb) Modified on 1/21/2011 (cb). (Entered: 01/21/2011)
02/03/2011	<u>320</u>	ORDER: A telephone conference to discuss settlement procedures in this matter will be held on Monday, February 14, 2010 at 4:00 p.m. All counsel (other than counsel for cases transferred out of this district), including the Attorney General's Office, must participate. (Signed by Magistrate Judge Gabriel W. Gorenstein on 2/3/2011) (jpo) (Entered: 02/03/2011)
02/22/2011	<u>321</u>	ORDER: Plaintiff Lucy Tasama's (formerly Lucy Amador), claims against Defendant Michael Galbreath are transferred to the Western District of New York. (Signed by Judge P. Kevin Castel, for Judge Kevin Thomas Duffy on 2/16/11) (db) (Entered: 02/22/2011)
02/22/2011		PARTY TRANSFERRED OUT pertaining to Michael Galbreath only, from the U.S.D.C. Southern District of New York to the United States District Court – Western District of New York. Sent Document #'s 4–5, 21, 31, 38, 72, 100, 119, 155, 183–186 and 321, certified copy of docket entries and transfer order. Mailed via Federal Express AIRBILL # 8705 1072 7432 on 2/24/11. (db) Modified on 2/24/2011 (db). (Entered: 02/22/2011)
04/08/2011	<u>322</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Walter L. Rich dated 4/6/11 re: I represent line officer defendant Frederick Brenyah in the above–referenced matter. Reference is made to the letter to you from plaintiffs' counsel dated April 5, 2011 concerning the scheduling of settlement conferences. Although I was once again terribly late in submitting a request for indemnification of Mr. Brenyah to the Attorney General and the Department of Correctional Services, such submission has been made and both the General and DOCS received my submission yesterday. Notwithstanding the delay in my submission, I would request that the Attorney General and DOCS be given time to evaluate the request before Your Honor schedules a conference with respect to Mr. Brenyah. ENDORSEMENT: The Attorney General shall report to the Court when it has completed its review of this request. (Signed by Magistrate Judge Gabriel W. Gorenstein on 4/7/11) (djc) (Entered: 04/08/2011)

04/08/2011	<u>323</u>	ORDER SCHEDULING SETTLEMENT CONFERENCE. A settlement conference in this matter with respect to the defendant Delroy Thorpe is scheduled for April 26, 2011, at 10:00 a.m. in Courtroom 17-A, United States Courthouse, 500 Pearl Street, New York, New York. The parties should be sure to arrive a few minutes early so that the conference may begin promptly. The parties should also note that paragraph 3 of the Standing Order requires certain written submissions which must be received by the Court and all other parties no later than 12:00 noon three business days before the conference: that is, April 21, 2011. (Settlement Conference set for 4/26/2011 at 10:00 AM in Courtroom 17A, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Gabriel W. Gorenstein.) (Signed by Magistrate Judge Gabriel W. Gorenstein on 4/7/11) (djc) Modified on 4/8/2011 (djc). (Entered: 04/08/2011)
04/19/2011	<u>324</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Daniel Schulze dated 4/18/11 re: counsel for defendant respectfully request that, if the Court still wishes DOCS to be available, at least by phone, to participate in this settlement conference, that the conference be reset for a date after April 27, 2011 (the date the referenced public hearing will be completed) that is convenient for the Court. ENDORSEMENT: Settlement conference with Delroy Thorpe is adjourned to May 10, 2011 at 2:30 pm. Please follow paragraph 8 of the Standing Order if any additional adjournment is required. (Signed by Magistrate Judge Gabriel W. Gorenstein on 4/18/11) (pl) (Entered: 04/19/2011)
04/25/2011	325	NOTICE OF APPEARANCE by Barbara P. Demchuk on behalf of Anginell Andrews, Terry Baxter, Frederick Brenyah, Peter Brown, Roberta Coward, Dennis Crowley, Clarence Davis, Alexandreena Dixon, M. Evans, Michael Galbreath, John E. Gilbert, III, Rick Laure, Barbara D. Leone, Eliane Lord, Rico Meyers, Ronald Moscicki, Richard Roy, Jeffrey Shawver, Robert Smith, Chris Sterling, James Stone, Delroy Thorpe, Melvin Williams (mbe) (Entered: 04/26/2011)
05/10/2011		Minute Entry for proceedings held before Magistrate Judge Gabriel W. Gorenstein: Settlement Conference held on 5/10/2011. (ab) (Entered: 05/11/2011)
09/26/2011	<u>326</u>	MANDATE of USCA (Certified Copy) as to 207 Notice of Appeal,, filed by Shantelle Smith, Stephanie Dawson, Latasha Dockery, Denise Saffioti, Nakia Thompson, Tanya Jones, Hope Susoh, Kristina Muehleisen, Laura Pullen, Tonie Coggins, Shenyell Smith, Corilynn Rock, Stacie Calloway USCA Case Number 08-2079. IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the judgment of the District Court is DISMISSED in part and VACATED in part and the case is REMANDED for further proceeding consistent with the opinion of this Court. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 09/23/2011. (nd) (Entered: 09/26/2011)
09/26/2011		Transmission of USCA Mandate/Order to the District Judge re: <u>326</u> USCA Mandate,, (nd) (Entered: 09/26/2011)
11/04/2011	<u>327</u>	ORDER: The parties are directed to consult with each other with a view to making a joint proposal to the Court, by November 30, 2011, as to the disposition of this case. The proposal should include reference to the need for--and any schedule for--any further pre-trial or pre-summary judgment proceedings. The letter should also indicate the parties' views on whether the Court should hold any further settlement conferences. Parties should attempt to agree wherever possible. In the absence of agreement, the parties may send their respective proposals by letter on or before November 30, 2011. (Signed by Magistrate Judge Gabriel W. Gorenstein on 11/4/2011) (rdz) (Entered: 11/04/2011)
12/07/2011	<u>328</u>	ORDER: A conference to discuss the status of this matter-- including but not limited to any issues relating to discovery or requests to re-open discovery will be held on Tuesday, December 20, 2011 at 4:30 p.m. in Courtroom 17-A, 500 Pearl Street, New York, New York. Counsel for plaintiffs is directed to ensure that all parties are aware of this Order. ( Status Conference set for 12/20/2011 at 04:30 PM in Courtroom 17A, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Gabriel W. Gorenstein.) (Signed by Magistrate Judge Gabriel W. Gorenstein on 12/7/2011) (js) Modified on 12/7/2011 (js). (Entered: 12/07/2011)
12/21/2011	<u>329</u>	ORDER: The deadline for the parties to submit the pre-trial order materials to Judge Duffy with respect to plaintiff Stephanie Dawson's claims against defendant Frederick Brenyah is May 18, 2012. The deadline for plaintiff Shantelle Smith to make submissions

		with respect to the inquest on damages for defendant James Hudson is May 18, 2012. The schedule for plaintiffs' motion to amend the complaint, returnable before Judge Duffy, is as follows: Plaintiffs' papers due January 31, 2012. Defendant's response due: April 2, 2012. Plaintiffs' reply due: May 20, 2012. Plaintiffs shall make any discovery requests to defendants on the issue of class certification on or before January 31, 2012. The Court will set a schedule for plaintiffs' planned motion for class certification, also returnable before Judge Duffy, following disposition of the motion to amend. Counsel for plaintiffs is directed to provide copies of this Order to all parties. Motions due by 1/31/2012. (Signed by Magistrate Judge Gabriel W. Gorenstein on 12/20/2011) (rdz) Modified on 12/27/2011 (rdz). (Entered: 12/21/2011)
12/21/2011		Set/Reset Deadlines: Motions due by 1/31/2012. Responses due by 4/2/2012 Replies due by May 20, 2012. (rdz) Modified on 12/27/2011 (rdz). (Entered: 12/27/2011)
12/21/2011		Appeal Record Returned. [9 vols.] Indexed record on Appeal Files for Appeal Record Sent to USCA – File, USCA Case Number 08–2079, returned from the U.S. Court of Appeals. (nd) (Entered: 12/29/2011)
12/30/2011	<u>330</u>	TRANSCRIPT of Proceedings re: status conference held on 12/20/2011 before Magistrate Judge Gabriel W. Gorenstein. Court Reporter/Transcriber: Shari Riemer, (518) 581–8973. Transcript 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 1/23/2012. Redacted Transcript Deadline set for 2/2/2012. Release of Transcript Restriction set for 4/2/2012.(tro) (Entered: 12/30/2011)
12/30/2011	<u>331</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a status conference proceeding held on 12/20/2011 has been filed by the court reporter/transcriber in the above–captioned matter. 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 may be made remotely electronically available to the public without redaction after 90 calendar days...(tro) (Entered: 12/30/2011)
04/09/2012		<b>***NOTE TO ATTORNEY TO E–MAIL PDF. Note to Attorney Maeve L. O'Connor TO E–MAIL the PDF for Document 72 AND 1 to: caseopenings@nysd.uscourts.gov. All pdfs must include the case number and the corresponding document number. (laq)</b> (Entered: 04/09/2012)
05/18/2012	<u>332</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Portia Pedro dated 5/17/2012 re: Request for a brief extension of the May 18, 2012 deadline ordered by Your Honor in the Court's December 20, 2011 Scheduling Order. ENDORSEMENT: Granted. So ordered. (Signed by Magistrate Judge Gabriel W. Gorenstein on 5/18/2012) (rjm) (Entered: 05/18/2012)
05/18/2012	333	MEMORANDUM OF LAW in Opposition to: The Motion by Frances Perez to Intervene in the Action ; By Plaintiffs to Join Frances Perez as a Plaintiff in this Action; and by Plaintiffs for Leave to File a Second Amended Complaint. Document filed by Frederick Brenyah. (lmb) (Entered: 05/23/2012)
05/18/2012	334	DECLARATION of Walter L. Rich. Document filed by Frederick Brenyah. (lmb) (Entered: 05/23/2012)
06/01/2012	335	SEALED DOCUMENT placed in vault.(nm) (Entered: 06/01/2012)
06/01/2012	336	FRANCES PEREZ'S F. R. CIV. P. 25(b)(1) MOTION TO INTERVENE AS PLAINTIFF. Document filed by plaintiffs and proposed Intervenor Plaintiff Frances Perez. (mro) (Entered: 06/04/2012)
06/01/2012	337	PLAINTIFFS' F. R. CIV. P. 20 MOTION to Join Ms. Perez in their claims for Declaratory and Injunctive relief; and (II) Plaintiffs' F.R.Civ.P. 15 (a) and 15(d) Motion for Leave to Amend the First Amended Complaint. Document filed by plaintiffs and proposed Intervenor Plaintiff Frances Perez. (mro) (Entered: 06/04/2012)
06/01/2012	338	MEMORANDUM OF LAW in Support re: 337 FRANCES PEREZ'S F. R. CIV. P. 25(b)(1) MOTION TO INTERVENE AS PLAINTIFF. and 337 PLAINTIFFS' F. R. CIV. P. 20 MOTION to Join Ms. Perez in their claims for Declaratory and Injunctive relief; and (II) Plaintiffs' F.R.Civ.P. 15 (a) and 15(d) Motion for Leave to Amend the First

		Amended Complaint. Document filed by plaintiff s and proposed Intervenor Plaintiff Frances Perez. (mro) (Entered: 06/04/2012)
06/01/2012	339	PLAINTIFFS' REPLY in further support of FRANCES PEREZ'S F. R. CIV. P. 25(b)(1) MOTION TO INTERVENE AS PLAINTIFF and 337 PLAINTIFFS' F. R. CIV. P. 20 MOTION to Join Ms. Perez in their claims for Declaratory and Injunctive relief; and (II) Plaintiffs' F.R.Civ.P. 15 (a) and 15(d) Motion for Leave to Amend the First Amended Complaint. Document filed by plaintiffs and proposed Intervenor Plaintiff Frances Perez. (mro) (Entered: 06/04/2012)
06/01/2012	340	DECLARATION of Portia Pedro in Support of PLAINTIFFS' REPLY in further support of FRANCES PEREZ'S F. R. CIV. P. 25(b)(1) MOTION TO INTERVENE AS PLAINTIFF and 337 PLAINTIFFS' F. R. CIV. P. 20 MOTION to Join Ms. Perez in their claims for Declaratory and Injunctive relief; and (II) Plaintiffs' F.R.Civ.P. 15 (a) and 15(d) Motion for Leave to Amend the First Amended Complaint. Document filed by plaintiffs and proposed Intervenor Plaintiff Frances Perez. (mro) (Entered: 06/04/2012)
06/01/2012	341	DECLARATION of Portia Pedro in Support of FRANCES PEREZ'S F. R. CIV. P. 25(b)(1) MOTION TO INTERVENE AS PLAINTIFF and 337 PLAINTIFFS' F. R. CIV. P. 20 MOTION to Join Ms. Perez in their claims for Declaratory and Injunctive relief; and (II) Plaintiffs' F.R.Civ.P. 15 (a) and 15(d) Motion for Leave to Amend the First Amended Complaint. Document filed by plaintiffs and proposed Intervenor Plaintiff Frances Perez. (mro) (Entered: 06/04/2012)
06/01/2012	342	MEMORANDUM OF LAW in Opposition to Supervisory Defendants' Cross–Motion to Dismiss. Document filed by the plaintiffs. (mro) (Entered: 06/04/2012)
06/01/2012	343	CROSS–MOTION to Dismiss the First Amended Complaint or Second Amended, if plaintiffs' motion for leave to file a Second Amended is granted. Document filed by the Supervisory Defendants.(mro) (Entered: 06/04/2012)
06/01/2012	344	REPLY MEMORANDUM OF LAW in Further Support re: 343 CROSS–MOTION to Dismiss the First Amended Complaint or Second Amended, if plaintiffs' motion for leave to file a Second Amended is granted. Document filed by the Supervisory Defendants. (mro) (Entered: 06/04/2012)
06/01/2012	345	MEMORANDUM OF LAW in Opposition to Plaintiffs' Motion for Leave to file a Second Amended Complaint; Plaintiffs' Motion to Join a Party Plaintiff; Proposed Plaintiff Perez's Motion to Intervene and in Support re: 343 CROSS–MOTION to Dismiss the First Amended Complaint or Second Amended, if plaintiffs' motion for leave to file a Second Amended is granted. Document filed by the Supervisory Defendants. (mro) (Entered: 06/04/2012)
06/01/2012	346	REPLY DECLARATION of Daniel Schulze in Support re: 343 CROSS–MOTION to Dismiss the First Amended Complaint or Second Amended, if plaintiffs' motion for leave to file a Second Amended is granted. Document filed by the Supervisory Defendants. (mro) (Entered: 06/04/2012)
06/01/2012	347	DECLARATION of Daniel Schulze in Opposition re: 337 FRANCES PEREZ'S F. R. CIV. P. 25(b)(1) MOTION TO INTERVENE AS PLAINTIFF; 337 PLAINTIFFS' F. R. CIV. P. 20 MOTION to Join Ms. Perez in their claims for Declaratory and Injunctive relief; and (II) Plaintiffs' F.R.Civ.P. 15 (a) and 15(d) Motion for Leave to Amend the First Amended Complaint. Document filed by the Supervisory Defendants. (mro) (Entered: 06/04/2012)
06/01/2012	348	SEALED DOCUMENT placed in vault.(mps) (Entered: 06/04/2012)
06/21/2012	<u>349</u>	ENDORSED LETTER addressed to Judge Kevin T. Duffy from Portia Pedro dated 6/20/2012 re: We write respectfully to request permission to file immediately with the Court a five–page Sur–Reply to Supervisory Defendants' ("Defendants") Cross–Motion to Dismiss filed with this Court on June 1, 2012. ENDORSEMENT: SO ORDERED. (Signed by Judge Kevin Thomas Duffy on 6/21/2012) (ama) (Entered: 06/21/2012)
07/05/2012	<u>351</u>	SURREPLY MEMORANDUM OF LAW IN RESPONSE TO PLAINTIFFS' SURREPLY AND IN FURTHER SUPPORT OF SUPERVISORY DEFENDANTS CROSS–MOTION TO DISMISS. Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Laura Pullen, Corilynn Rock, Denise Saffioti,

		Shantelle Smith, Shenyell Smith, Hope Susoh, Nakia Thompson. (pl) (ft). (Entered: 07/10/2012)
07/06/2012	350	SEALED DOCUMENT placed in vault.(mps) (Entered: 07/06/2012)
07/26/2012	<u>352</u>	STIPULATION OF SETTLEMENT AND ORDER OF DISMISSAL: NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties and counsel as follows: This Agreement will resolve all plaintiff Shenyell Smith's claims in Amador et al. v. Andrews et al., 03 Civ. 0650, pending before the Honorable Kevin T. Duffy in the United States District Court for the Southern District of New York ("Federal Action"), and for monetary damages in Shenyell S. v. The State of New York, Claim No. 107224, pending before the Honorable Thomas H. Scuccimarra in the New York Court of Claims ("Court of Claims Action"). The parties hereby agree that all plaintiffs claims in the Federal Action are dismissed with prejudice, and all plaintiffs claims in the Court of Claims Action shall be dismissed as provided in paragraph 5. Defendants shall pay to plaintiff the sum of \$10,000 in full satisfaction of all plaintiff's claims in the Federal Action and all of plaintiff's claims in the Court of Claims Action; shall pay to plaintiff's attorneys Dori Lewis and Veronica Vela of The Legal Aid Society the sum of \$5,000 in full satisfaction of any claims for attorneys' fees, costs, and disbursements arising out of plaintiff's individual monetary damages claims in the Federal Action; and shall pay to plaintiff's attorney Rebecca Houlding the sum of \$5,000 in full satisfaction of any claims for attorneys' fees, costs, and disbursements arising out of plaintiffs claims in the Court of Claims Action. The amount of fees being paid to plaintiffs counsel, The Legal Aid Society, in the Federal Action may not be referred to as a precedent in any future proceedings in the Federal Action or as a precedent in any future actions. Plaintiff's co-counsel in the Federal Action, Debevoise & Plimpton LLP, hereby waives any claim to an award of attorneys' fees, costs, and disbursements under 42 U.S.C. § 1988 arising out of plaintiffs individual claims for damages in the Federal Action, without waiver of or prejudice to its right to seek an award of attorneys' fees, costs, and disbursements under 42 U.S.C. § 1988 for its work in connection with any other claims in the Federal Action. Debevoise & Plimpton's waiver of attorneys' fees, costs and disbursements may not be referred to as a precedent in the Federal Action or as a precedent in any future actions. As an express condition precedent of the defendants' obligation to make payments as set forth in paragraphs 3 and 4, plaintiff shall file a Stipulation of Discontinuance (with prejudice) in the New York State Court of Claims in the case Smith vs State of New York Claim No. 107224. In the event Defendants fail to make the payments set forth in Paragraphs 3 and 4, except as may be provided in Chapter 62 of the Laws of 2001, and 180 days have passed since counsel for Defendants received the "so ordered" settlement stipulation from the federal court, plaintiff may move on 30 days written notice for reinstatement of the instant federal action. (Signed by Judge Kevin Thomas Duffy on 7/25/2012) (jfe) (Entered: 07/26/2012)
08/01/2012	353	PLAINTIFFS' MEMORANDUM OF LAW IN SUR-REPLY TO SUPERVISORY DEFENDANTS' CROSS-MOTION TO DISMISS. Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Laura Pullen, Corilynn Rock, Denise Saffioti, Shantelle Smith, Hope Susoh, Nakia Thompson. (mro) (Entered: 08/02/2012)
09/13/2012	<u>355</u>	VOLUNTARY DISMISSAL OF CLAIMS WITH PREJUDICE: STIPULATION; PROPOSED ORDER: that plaintiff Shantelle Smith respectfully requests that this Court enter an Order pursuant to FRCP 41(a) dismissing all claims she asserts in this action with prejudice. (Signed by Judge Kevin Thomas Duffy on 9/11/2012) (pl) (Entered: 09/14/2012)
09/14/2012	<u>354</u>	ENDORSED LETTER addressed to Judge Kevin Thomas Duffy from Svetlana M. Eisenberg dated 8/31/2012 re: Counsel for plaintiffs ask that the Court grant our request to convert the matter to ECF because it will greatly increase the efficiency of parties filing documents, especially in light of the upcoming Dawson v. Brenyah trial, which will involve a fair amount of court filings beginning on Friday, September 7. ENDORSEMENT: Application granted. (Signed by Judge Kevin Thomas Duffy on 9/11/2012) (pl) (Entered: 09/14/2012)
09/21/2012	<u>356</u>	PROPOSED VOIR DIRE QUESTIONS. Document filed by Frederick Brenyah.(Rich, Walter) (Entered: 09/21/2012)

09/21/2012	<a href="#"><u>357</u></a>	MOTION in Limine to Admit Evidence Under Rules 415 and 404(b)(2) of the Defendant Frederick Brenyah's Abuse of and Misconduct Toward Two Other Women Prisoners Under His Care, Custody, and Supervision. Document filed by Stephanie Dawson.(Eisenberg, Svetlana) (Entered: 09/21/2012)
09/21/2012	<a href="#"><u>358</u></a>	MEMORANDUM OF LAW in Support re: <a href="#"><u>357</u></a> MOTION in Limine to Admit Evidence Under Rules 415 and 404(b)(2) of the Defendant Frederick Brenyah's Abuse of and Misconduct Toward Two Other Women Prisoners Under His Care, Custody, and Supervision. MOTION in Limine to Admit Evidence Under Rules 415 and 404(b)(2) of the Defendant Frederick Brenyah's Abuse of and Misconduct Toward Two Other Women Prisoners Under His Care, Custody, and Supervision.. Document filed by Stephanie Dawson. (Eisenberg, Svetlana) (Entered: 09/21/2012)
09/21/2012	<a href="#"><u>359</u></a>	DECLARATION of Svetlana M. Eisenberg in Support re: <a href="#"><u>357</u></a> MOTION in Limine to Admit Evidence Under Rules 415 and 404(b)(2) of the Defendant Frederick Brenyah's Abuse of and Misconduct Toward Two Other Women Prisoners Under His Care, Custody, and Supervision. MOTION in Limine to Admit Evidence Under Rules 415 and 404(b)(2) of the Defendant Frederick Brenyah's Abuse of and Misconduct Toward Two Other Women Prisoners Under His Care, Custody, and Supervision.. Document filed by Stephanie Dawson. (Attachments: # <a href="#"><u>1</u></a> Exhibit A, # <a href="#"><u>2</u></a> Exhibit B, # <a href="#"><u>3</u></a> Exhibit C)(Eisenberg, Svetlana) (Entered: 09/21/2012)
09/21/2012	<a href="#"><u>360</u></a>	PROPOSED JURY INSTRUCTIONS. Document filed by Stephanie Dawson.(Eisenberg, Svetlana) (Entered: 09/21/2012)
09/21/2012	<a href="#"><u>361</u></a>	NOTICE OF APPEARANCE by Zheng Wang on behalf of Stephanie Dawson (Wang, Zheng) (Entered: 09/21/2012)
09/21/2012	<a href="#"><u>362</u></a>	MOTION in Limine / Plaintiff Stephanie Dawson's Notice of Motion to Exclude the Testimony of Defendant's Expert Witness Dr. James Lynch. Document filed by Stephanie Dawson.(Wang, Zheng) (Entered: 09/21/2012)
09/21/2012	<a href="#"><u>363</u></a>	MEMORANDUM OF LAW in Support re: <a href="#"><u>362</u></a> MOTION in Limine / Plaintiff Stephanie Dawson's Notice of Motion to Exclude the Testimony of Defendant's Expert Witness Dr. James Lynch. Redacted.. Document filed by Stephanie Dawson. (Wang, Zheng) (Entered: 09/21/2012)
09/21/2012	<a href="#"><u>364</u></a>	DECLARATION of Zheng Wang in Support re: <a href="#"><u>362</u></a> MOTION in Limine / Plaintiff Stephanie Dawson's Notice of Motion to Exclude the Testimony of Defendant's Expert Witness Dr. James Lynch.. Document filed by Stephanie Dawson. (Attachments: # <a href="#"><u>1</u></a> Exhibit A, # <a href="#"><u>2</u></a> Exhibit B, # <a href="#"><u>3</u></a> Exhibit C, # <a href="#"><u>4</u></a> Exhibit D)(Wang, Zheng) (Entered: 09/21/2012)
09/21/2012	<a href="#"><u>365</u></a>	PROPOSED VOIR DIRE QUESTIONS. Document filed by Stephanie Dawson.(Eisenberg, Svetlana) (Entered: 09/21/2012)
10/17/2012	<a href="#"><u>366</u></a>	MOTION in Limine to Exclude the Testimony of Defendant Frederick Brenyah's Expert Witness Dr. James Lynch. Document filed by Stephanie Dawson. (Attachments: # <a href="#"><u>1</u></a> Certificate of Service)(Wang, Zheng) (Entered: 10/17/2012)
10/17/2012	<a href="#"><u>367</u></a>	MEMORANDUM OF LAW in Support re: <a href="#"><u>366</u></a> MOTION in Limine to Exclude the Testimony of Defendant Frederick Brenyah's Expert Witness Dr. James Lynch.. Document filed by Stephanie Dawson. (Attachments: # <a href="#"><u>1</u></a> Certificate of Service)(Wang, Zheng) (Entered: 10/17/2012)
10/17/2012	<a href="#"><u>368</u></a>	DECLARATION of Zheng Wang in Support re: <a href="#"><u>366</u></a> MOTION in Limine to Exclude the Testimony of Defendant Frederick Brenyah's Expert Witness Dr. James Lynch.. Document filed by Stephanie Dawson. (Attachments: # <a href="#"><u>1</u></a> Exhibit A, # <a href="#"><u>2</u></a> Exhibit B, # <a href="#"><u>3</u></a> Exhibit C, # <a href="#"><u>4</u></a> Exhibit D, # <a href="#"><u>5</u></a> Certificate of Service)(Wang, Zheng) (Entered: 10/17/2012)
11/01/2012	<a href="#"><u>369</u></a>	MOTION to Amend/Correct /Plaintiffs' Notice of Motion for Leave to Amend the Complaint., MOTION for Joinder /Plaintiffs' Notice of Motion to Join Ebony Hayes and Danielle Rogers in their Claims for Declaratory and Injunctive Relief. Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Laura Pullen, Corilynn Rock, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson.(Eisenberg, Svetlana) (Entered: 11/01/2012)

11/01/2012	<u>370</u>	MOTION to Intervene / <i>Notice of Ebony Hayes' and Danielle Rogers' Motion to Intervene as Plaintiffs</i> . Document filed by Ebony Hayes, Danielle Rogers.(Eisenberg, Svetlana) (Entered: 11/01/2012)
11/01/2012	<u>371</u>	MEMORANDUM OF LAW in Support re: <u>370</u> MOTION to Intervene / <i>Notice of Ebony Hayes' and Danielle Rogers' Motion to Intervene as Plaintiffs.</i> , <u>369</u> MOTION to Amend/Correct / <i>Plaintiffs' Notice of Motion for Leave to Amend the Complaint</i> . MOTION for Joinder / <i>Plaintiffs' Notice of Motion to Join Ebony Hayes and Danielle Rogers in their Claims for Declaratory and Injunctive Relief.</i> . Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Ebony Hayes, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Laura Pullen, Corilynn Rock, Danielle Rogers, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson. (Eisenberg, Svetlana) (Entered: 11/01/2012)
11/01/2012	<u>372</u>	DECLARATION of Svetlana M. Eisenberg in Support re: <u>370</u> MOTION to Intervene / <i>Notice of Ebony Hayes' and Danielle Rogers' Motion to Intervene as Plaintiffs.</i> , <u>369</u> MOTION to Amend/Correct / <i>Plaintiffs' Notice of Motion for Leave to Amend the Complaint</i> . MOTION for Joinder / <i>Plaintiffs' Notice of Motion to Join Ebony Hayes and Danielle Rogers in their Claims for Declaratory and Injunctive Relief.</i> . Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Ebony Hayes, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Laura Pullen, Corilynn Rock, Danielle Rogers, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson. (Attachments: # <u>1</u> Exhibit 1 (Part I of II), # <u>2</u> Exhibit 1 (Part II of II), # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3)(Eisenberg, Svetlana) (Entered: 11/01/2012)
11/12/2012	<u>373</u>	DECLARATION of Svetlana M. Eisenberg in Support re: <u>370</u> MOTION to Intervene / <i>Notice of Ebony Hayes' and Danielle Rogers' Motion to Intervene as Plaintiffs.</i> . Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Ebony Hayes, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Laura Pullen, Corilynn Rock, Danielle Rogers, Denise Saffioti, Shenyell Smith, Hope Susoh, Nakia Thompson. (Attachments: # <u>1</u> Attachment A: Redacted Exhibit 2 to Docket Item 372, # <u>2</u> Attachment B: Redacted Exhibit 3 to Docket Item 372)(Eisenberg, Svetlana) (Entered: 11/12/2012)
11/13/2012	<u>374</u>	ENDORSED LETTER addressed to Judge Kevin Thomas Duffy from Svetlana M. Eisenberg dated 11/8/12 re: Counsel writes to request that the Court formally seal two documents (Docket Nos. 372-3 and 372-4), which were filed last week on behalf of the plaintiffs and the proposed intervenors. ENDORSEMENT: So ordered. (Signed by Judge Kevin Thomas Duffy on 11/13/2012) (mro) (Entered: 11/13/2012)
11/13/2012		Transmission to Sealed Records Clerk. Transmitted re: <u>374</u> Endorsed Letter to the Sealed Records Clerk for the sealing or unsealing of document or case. (mro) (Entered: 11/13/2012)
01/15/2013	<u>375</u>	MEMORANDUM OF LAW in Opposition re: <u>362</u> MOTION in Limine / <i>Plaintiff Stephanie Dawson's Notice of Motion to Exclude the Testimony of Defendant's Expert Witness Dr. James Lynch.</i> . Document filed by Frederick Brenyah. (Rich, Walter) (Entered: 01/15/2013)
01/15/2013	<u>376</u>	REPLY MEMORANDUM OF LAW in Support re: <u>362</u> MOTION in Limine / <i>Plaintiff Stephanie Dawson's Notice of Motion to Exclude the Testimony of Defendant's Expert Witness Dr. James Lynch.</i> . Document filed by Stephanie Dawson. (Wang, Zheng) (Entered: 01/15/2013)
01/15/2013	<u>377</u>	DECLARATION of Zheng Wang in Support re: <u>362</u> MOTION in Limine / <i>Plaintiff Stephanie Dawson's Notice of Motion to Exclude the Testimony of Defendant's Expert Witness Dr. James Lynch.</i> . Document filed by Stephanie Dawson. (Attachments: # <u>1</u> Exhibit A)(Wang, Zheng) (Entered: 01/15/2013)
01/15/2013	<u>378</u>	CERTIFICATE OF SERVICE of Plaintiff Stephanie Dawson's Reply Memorandum of Law in Further Support of Her Motion to Exclude the Testimony of Defendant's Expert Witness Dr. James Lynch (including a declaration and an exhibit in support of the reply) served on Frederick Brenyah and the Supervisory Defendants on 1/15/13. Document filed by Stephanie Dawson. (Wang, Zheng) (Entered: 01/15/2013)
07/30/2013	<u>379</u>	ENDORSED LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Svetlana M. Eisenberg dated 7/25/2013 re: I write to inform Your Honor that effective July 25, 2013, I will no longer be employed by the firm of Debevoise & Plimpton LLP,



		co-counsel for plaintiffs in Amador v. Andrews. I respectfully request Your Honor's permission to withdraw as counsel-of-record in this matter, to have my former email address (smeisenb@debevoise.com) removed from ECF notifications, and to have this letter memo-endorsed. Plaintiffs and proposed plaintiffs are aware of this change in my employment status and that Mr. De Oliveira, Ms. Lewis, and Ms. Vela will continue to represent them. ENDORSEMENT: Granted. SO ORDERED. Attorney Svetlana Malahova Eisenberg terminated. (Signed by Magistrate Judge Gabriel W. Gorenstein on 7/30/2013) (rsh) (Entered: 07/30/2013)
08/02/2013	<u>380</u>	NOTICE OF APPEARANCE by Veronica Vela on behalf of Lucy Amador. (Vela, Veronica) (Entered: 08/02/2013)
08/02/2013	<u>381</u>	NOTICE OF APPEARANCE by Dori A. Lewis on behalf of Lucy Amador. (Lewis, Dori) (Entered: 08/02/2013)
08/02/2013	<u>382</u>	NOTICE OF APPEARANCE by Dori A. Lewis on behalf of Ebony Hayes. (Lewis, Dori) (Entered: 08/02/2013)
08/02/2013	<u>383</u>	NOTICE OF APPEARANCE by Dori A. Lewis on behalf of Danielle Rogers. (Lewis, Dori) (Entered: 08/02/2013)
08/02/2013	<u>384</u>	NOTICE OF APPEARANCE by Pedro Lourenco De Oliveira on behalf of Ebony Hayes, Danielle Rogers. (De Oliveira, Pedro) (Entered: 08/02/2013)
08/15/2013	<u>385</u>	NOTICE OF APPEARANCE by Veronica Vela on behalf of Ebony Hayes. (Vela, Veronica) (Entered: 08/15/2013)
08/15/2013	<u>386</u>	NOTICE OF APPEARANCE by Veronica Vela on behalf of Danielle Rogers. (Vela, Veronica) (Entered: 08/15/2013)
01/17/2014	<u>387</u>	NOTICE OF APPEARANCE by Terra Linden Gearhart on behalf of Lucy Amador, Stacie Calloway, Stephanie Dawson, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Hope Susoh. (Gearhart, Terra) (Entered: 01/17/2014)
04/16/2014	<u>388</u>	LETTER addressed to Judge Kevin Thomas Duffy from Terra L. Gearhart-Serna dated 4/16/2014 re: supplemental authority. Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Laura Pullen, Corilynn Rock, Danielle Rogers, Denise Saffioti, Hope Susoh, Nakia Thompson.(Gearhart, Terra) (Entered: 04/16/2014)
04/17/2014	<u>389</u>	NOTICE OF APPEARANCE by Terra Linden Gearhart on behalf of Ebony Hayes, Danielle Rogers, Frances Perez. (Gearhart, Terra) (Entered: 04/17/2014)
04/18/2014	<u>390</u>	NOTICE OF CHANGE OF ADDRESS by Dori A. Lewis on behalf of All Plaintiffs. New Address: Legal Aid Society, Prisoners' Rights Project, 199 Water Street, 3rd floor, New York, New York, United States 10038, 2125773530. (Lewis, Dori) (Entered: 04/18/2014)
04/22/2014	<u>391</u>	LETTER addressed to Judge Kevin Thomas Duffy from Daniel Schulze dated April 22, 2014 re: Response to Plaintiffs' April 16, 2014 Surreply Letter. Document filed by Anginell Andrews, Terry Baxter, Peter Brown, Dennis Crowley, Alexandreena Dixon, Glenn Goord, Barbara D. Leone, Eliane Lord, Richard Roy, James Stone.(Schulze, Daniel) (Entered: 04/22/2014)
04/23/2014	<u>392</u>	LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Pedro De Oliveira, Esq. dated April 23, 2014 re: Request withdrawal from case. Document filed by Ebony Hayes, Danielle Rogers.(De Oliveira, Pedro) (Entered: 04/23/2014)
04/24/2014	<u>393</u>	MEMO ENDORSEMENT on re: <u>392</u> Letter filed by Ebony Hayes, Danielle Rogers. ENDORSEMENT: Granted. SO ORDERED. Attorney Pedro Lourenco De Oliveira terminated. (Signed by Magistrate Judge Gabriel W. Gorenstein on 4/24/2014) (ajs) (Entered: 04/24/2014)
06/06/2014	<u>394</u>	NOTICE OF APPEARANCE by Terra Linden Gearhart on behalf of LeeAnn Wimmers. (Gearhart, Terra) (Entered: 06/06/2014)
06/06/2014	<u>395</u>	NOTICE OF APPEARANCE by Maeve L. O'Connor on behalf of LeeAnn Wimmers. (O'Connor, Maeve) (Entered: 06/06/2014)

06/06/2014	<u>396</u>	MOTION to Amend/Correct <i>Notice of (I) Plaintiffs' F.R.Civ.P.20 Motion to Join LeeAnn Wimmers in Their Claims for Declaratory and Injunctive Relief; and (II) Plaintiffs' F.R.Civ.P.15(a), 15(d), and 21 Motion for Leave to Amend the Complaint.</i> Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Latasha Dockery, Ebony Hayes, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Frances Perez, Jeanette Perez, Laura Pullen, Corilynn Rock, Denise Saffioti, Shantelle Smith, Shenyell Smith, Hope Susoh, Nakia Thompson, LeeAnn Wimmers.(Gearhart, Terra) (Entered: 06/06/2014)
06/06/2014	<u>397</u>	MOTION to Intervene <i>as Plaintiff.</i> Document filed by LeeAnn Wimmers.(Gearhart, Terra) (Entered: 06/06/2014)
06/06/2014	<u>398</u>	MEMORANDUM OF LAW in Support re: <u>397</u> MOTION to Intervene <i>as Plaintiff.</i> , <u>396</u> MOTION to Amend/Correct <i>Notice of (I) Plaintiffs' F.R.Civ.P.20 Motion to Join LeeAnn Wimmers in Their Claims for Declaratory and Injunctive Relief; and (II) Plaintiffs' F.R.Civ.P.15(a), 15(d), and 21 Motion for Leave to Amend the Compl //Memorandum of Law in Support of LeeAnn Wimmers' Motion to Intervene and Plaintiffs' Contemporaneous Motions to Join Ms. Wimmers in Their Claims for Declaratory and Injunctive Relief and to Amend the Complaint Accordingly.</i> Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Ebony Hayes, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Frances Perez, Jeanette Perez, Laura Pullen, Corilynn Rock, Danielle Rogers, Denise Saffioti, Shantelle Smith, Shenyell Smith, Hope Susoh, Nakia Thompson, LeeAnn Wimmers. (Gearhart, Terra) (Entered: 06/06/2014)
06/06/2014	<u>399</u>	NOTICE OF APPEARANCE by Dori A. Lewis on behalf of LeeAnn Wimmers. (Lewis, Dori) (Entered: 06/06/2014)
06/06/2014	<u>400</u>	DECLARATION of Terra L. Gearhart–Serna in Support re: <u>397</u> MOTION to Intervene <i>as Plaintiff.</i> , <u>396</u> MOTION to Amend/Correct <i>Notice of (I) Plaintiffs' F.R.Civ.P.20 Motion to Join LeeAnn Wimmers in Their Claims for Declaratory and Injunctive Relief; and (II) Plaintiffs' F.R.Civ.P.15(a), 15(d), and 21 Motion for Leave to Amend the Compl.</i> Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Ebony Hayes, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Frances Perez, Jeanette Perez, Laura Pullen, Corilynn Rock, Danielle Rogers, Denise Saffioti, Shantelle Smith, Shenyell Smith, Hope Susoh, Nakia Thompson, LeeAnn Wimmers. (Attachments: # <u>1</u> Exhibit (1) First Amended Complaint filed October 14, 2003, # <u>2</u> Exhibit (2) Supplemental Second Amended Complaint submitted November 12, 2012, # <u>3</u> Exhibit (3) Proposed Supplemental Amended Complaint submitted June 6, 2014 (Redacted))(Gearhart, Terra) (Entered: 06/06/2014)
06/06/2014	<u>401</u>	LETTER addressed to Judge Kevin Thomas Duffy from Terra L. Gearhart–Serna dated June 6, 2014 re: response to Supervisory Defendants' correspondence dated April 22, 2014. Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Ebony Hayes, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Frances Perez, Laura Pullen, Corilynn Rock, Danielle Rogers, Denise Saffioti, Hope Susoh, Nakia Thompson, LeeAnn Wimmers.(Gearhart, Terra) (Entered: 06/06/2014)
06/06/2014	<u>402</u>	SEALED DOCUMENT placed in vault.(nm) (Entered: 06/09/2014)
06/18/2014	<u>403</u>	LETTER MOTION for Conference re: <u>397</u> MOTION to Intervene <i>as Plaintiff.</i> , <u>396</u> MOTION to Amend/Correct <i>Notice of (I) Plaintiffs' F.R.Civ.P.20 Motion to Join LeeAnn Wimmers in Their Claims for Declaratory and Injunctive Relief; and (II) Plaintiffs' F.R.Civ.P.15(a), 15(d), and 21 Motion for Leave to Amend the Compl</i> addressed to Judge Kevin Thomas Duffy from Daniel Schulze dated June 18, 2014., <i>LETTER MOTION for Extension of Time</i> addressed to Judge Kevin Thomas Duffy from Daniel Schulze dated June 18, 2014. Document filed by Anginell Andrews, Terry Baxter, Peter Brown, Dennis Crowley, Alexandreena Dixon, Glenn Goord, Barbara D. Leone, Eliane Lord, Richard Roy, James Stone. (Attachments: # <u>1</u> Exhibit A)(Schulze, Daniel) (Entered: 06/18/2014)
06/26/2014	<u>404</u>	LETTER addressed to Judge Kevin Thomas Duffy from Terra L. Gearhart–Serna of Debevoise & Plimpton LLP dated 6/26/14 re: response to Supervisory Defendants' letter motion dated June 18, 2014 (Dkt. #403). Document filed by Lucy Amador, Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Ebony Hayes, Tanya Jones, Bobbie Kidd, Bette Jean McDonald, Kristina Muehleisen, Frances Perez, Laura Pullen, Corilynn Rock, Danielle Rogers, Denise Saffioti, Hope Susoh, Nakia Thompson,

		LeeAnn Wimmers.(Gearhart, Terra) (Entered: 06/26/2014)
10/22/2014	<u>405</u>	ORDER: IT IS ORDERED that parties appear for a status conference at 10:30 a.m. on November 20, 2014. ( Status Conference set for 11/20/2014 at 10:30 AM before Judge Kevin Thomas Duffy.) (Signed by Judge Kevin Thomas Duffy on 10/22/2014) (mro) (Entered: 10/22/2014)
11/17/2014	<u>406</u>	NOTICE OF APPEARANCE OF PRO BONO COUNSEL by Maeve L. O'Connor on behalf of Jasmine Valentin (O'Connor, Maeve) (Entered: 11/17/2014)
11/17/2014	<u>407</u>	NOTICE OF APPEARANCE OF PRO BONO COUNSEL by Terra Linden Gearhart on behalf of Jasmine Valentin (Gearhart, Terra) (Entered: 11/17/2014)
11/17/2014	<u>408</u>	MOTION to Intervene . Document filed by Jasmine Valentin.(Gearhart, Terra) (Entered: 11/17/2014)
11/17/2014	<u>409</u>	MOTION for Joinder ., MOTION for Leave to File second amended complaint . Document filed by Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Ebony Hayes, Tanya Jones, Bette Jean McDonald, Kristina Muehleisen, Frances Perez, Laura Pullen, Corilynn Rock, Danielle Rogers, Hope Susoh, Nakia Thompson, LeeAnn Wimmers.(Gearhart, Terra) (Entered: 11/17/2014)
11/17/2014	410	SEALED DOCUMENT placed in vault.(mps) (Entered: 11/17/2014)
11/17/2014	<u>411</u>	MEMORANDUM OF LAW in Support re: <u>409</u> MOTION for Joinder . MOTION for Leave to File second amended complaint ., <u>408</u> MOTION to Intervene . ( <i>REDACTED VERSION</i> ). Document filed by Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Ebony Hayes, Tanya Jones, Bette Jean McDonald, Kristina Muehleisen, Laura Pullen, Corilynn Rock, Danielle Rogers, Hope Susoh, Nakia Thompson, Jasmine Valentin, LeeAnn Wimmers. (Attachments: # <u>1</u> Affidavit /Certificate of Service)(Gearhart, Terra) (Entered: 11/17/2014)
11/17/2014	<u>412</u>	DECLARATION of Terra L. Gearhart-Serna in Support re: <u>409</u> MOTION for Joinder . MOTION for Leave to File second amended complaint ., <u>408</u> MOTION to Intervene .. Document filed by Stacie Calloway, Tonie Coggins, Stephanie Dawson, Latasha Dockery, Ebony Hayes, Tanya Jones, Bette Jean McDonald, Kristina Muehleisen, Frances Perez, Laura Pullen, Corilynn Rock, Danielle Rogers, Hope Susoh, Nakia Thompson, Jasmine Valentin, LeeAnn Wimmers. (Attachments: # <u>1</u> Exhibit second amended complaint, # <u>2</u> Affidavit /Certificate of Service)(Gearhart, Terra) (Entered: 11/17/2014)
11/17/2014	<u>413</u>	NOTICE OF APPEARANCE by Dori A. Lewis on behalf of Jasmine Valentin. (Lewis, Dori) (Entered: 11/17/2014)
11/18/2014	<u>414</u>	NOTICE OF APPEARANCE by Walter L. Rich on behalf of Frederick Brenyah. (Rich, Walter) (Entered: 11/18/2014)
11/18/2014	<u>415</u>	NOTICE OF APPEARANCE by Veronica Vela on behalf of Jasmine Valentin. (Vela, Veronica) (Entered: 11/18/2014)
11/18/2014	<u>416</u>	NOTICE OF APPEARANCE by Veronica Vela on behalf of LeeAnn Wimmers. (Vela, Veronica) (Entered: 11/18/2014)
11/19/2014	<u>417</u>	LETTER MOTION for Extension of Time <i>Requesting To Hold Plaintiffs' Fourth Motion To Amend in Abeyance Pending Resolution of Defendants' Pending Cross-Motion To Dismiss</i> addressed to Judge Kevin Thomas Duffy from Daniel Schulze dated November 19, 2014. Document filed by Anginell Andrews, Terry Baxter, Peter Brown, Dennis Crowley, Alexandreena Dixon, Glenn Goord, Barbara D. Leone, Eliane Lord, Richard Roy, James Stone.(Schulze, Daniel) (Entered: 11/19/2014)
11/20/2014		Minute Entry for proceedings held before Judge Kevin Thomas Duffy: Scheduling Conference was held on 11/20/2014. ( Jury Trial is set for 4/20/2015 at 09:45 AM before Judge Kevin Thomas Duffy.). (sc) (Entered: 11/21/2014)
12/11/2014	<u>418</u>	MEMORANDUM & ORDER denying <u>369</u> Motion to Amend/Correct; denying <u>369</u> Motion for Joinder; denying <u>370</u> Motion to Intervene; denying <u>396</u> Motion to Amend/Correct; denying <u>397</u> Motion to Intervene; terminating <u>403</u> Motion for Conference; terminating <u>403</u> Motion for Extension of Time; denying <u>408</u> Motion to Intervene; denying <u>409</u> Motion for Joinder; denying <u>409</u> Motion for Leave to File

		Document; terminating <u>417</u> Motion for Extension of Time. For the foregoing reasons, I grant-in-part and deny-in-part Supervisory Defendants' cross-motion to dismiss, and deny Intervenor's Rule 24 motions and Plaintiffs' Rules 20, 21, and 15 motions to join new plaintiffs and supplement the FAC. Supervisory Defendants' letter motions at Docket Entry 403 and 417 are moot in light of decisions on the other motions. The Clerk of the Court is respectfully directed to terminate the motions located at Docket Entries 336, 337, 343, 369, 370, 396, 397, 403, 408, 409, 417. (Signed by Judge Kevin Thomas Duffy on 12/11/2014) (mro) (Entered: 12/11/2014)
12/11/2014	<u>441</u>	INTERNET CITATION NOTE: Material from decision with Internet citation re: <u>418</u> MEMORANDUM & ORDER. (Inl) (Entered: 12/29/2015)
12/23/2014	419	SEALED DOCUMENT placed in vault.(rz) (Entered: 12/23/2014)
12/23/2014	<u>420</u>	MOTION for Reconsideration re: <u>418</u> Order on Motion to Amend/Correct, Order on Motion for Joinder, Order on Motion to Intervene,,, Order on Motion for Conference, Order on Motion for Extension of Time,,, Order on Motion for Leave to File Document,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, . Document filed by Stephanie Dawson. (Attachments: # <u>1</u> Certificate of Service)(Gearhart, Terra) (Entered: 12/23/2014)
12/23/2014	<u>421</u>	MEMORANDUM OF LAW in Support re: <u>420</u> MOTION for Reconsideration re: <u>418</u> Order on Motion to Amend/Correct, Order on Motion for Joinder, Order on Motion to Intervene,,, Order on Motion for Conference, Order on Motion for Extension of Time,,, Order on Motion for Leave to File Document . Document filed by Stephanie Dawson. (Attachments: # <u>1</u> Certificate of Service)(Gearhart, Terra) (Entered: 12/23/2014)
12/29/2014	<u>422</u>	LETTER MOTION for Extension of Time to File Response/Reply as to <u>420</u> MOTION for Reconsideration re: <u>418</u> Order on Motion to Amend/Correct, Order on Motion for Joinder, Order on Motion to Intervene,,, Order on Motion for Conference, Order on Motion for Extension of Time,,, Order on Motion for Leave to File Document addressed to Judge Kevin Thomas Duffy from Daniel Schulze dated December 29, 2014. Document filed by Anginell Andrews, Terry Baxter, Peter Brown, Dennis Crowley, Alexandreena Dixon, Glenn Goord, Barbara D. Leone, Eliane Lord, Richard Roy, James Stone.(Schulze, Daniel) (Entered: 12/29/2014)
01/05/2015	<u>423</u>	ORDER granting <u>422</u> Letter Motion for Extension of Time to File Response/Reply. Application granted. Response due January 16, 2015. SO ORDERED. Responses due by 1/16/2015. (Signed by Judge Kevin Thomas Duffy on 1/5/2015) (mro) (Entered: 01/05/2015)
01/15/2015	<u>424</u>	LETTER addressed to Judge Kevin Thomas Duffy from Terra L. Gearhart-Serna dated January 15, 2015 re: Disclosure of Expert Evidence. Document filed by Stephanie Dawson.(Gearhart, Terra) (Entered: 01/15/2015)
01/16/2015	<u>425</u>	MEMORANDUM OF LAW in Opposition re: <u>420</u> MOTION for Reconsideration re: <u>418</u> Order on Motion to Amend/Correct, Order on Motion for Joinder, Order on Motion to Intervene,,, Order on Motion for Conference, Order on Motion for Extension of Time,,, Order on Motion for Leave to File Document . Document filed by Anginell Andrews. (Brewster, Richard) (Entered: 01/16/2015)
01/16/2015	<u>426</u>	DECLARATION of Daniel Schulze in Opposition re: <u>420</u> MOTION for Reconsideration re: <u>418</u> Order on Motion to Amend/Correct, Order on Motion for Joinder, Order on Motion to Intervene,,, Order on Motion for Conference, Order on Motion for Extension of Time,,, Order on Motion for Leave to File Document. Document filed by Anginell Andrews. (Attachments: # <u>1</u> Exhibit Exhibit A to Schulze Declaration, # <u>2</u> Exhibit Exhibit B to Schulze Declaration)(Brewster, Richard) (Entered: 01/16/2015)
01/23/2015	<u>427</u>	REPLY MEMORANDUM OF LAW in Support re: <u>420</u> MOTION for Reconsideration re: <u>418</u> Order on Motion to Amend/Correct, Order on Motion for Joinder, Order on Motion to Intervene,,, Order on Motion for Conference, Order on Motion for Extension of Time,,, Order on Motion for Leave to File Document . Document filed by Stephanie Dawson. (Gearhart, Terra) (Entered: 01/23/2015)
02/20/2015	<u>428</u>	ORDER: IT IS ORDERED that trial date in this matter, set for April 20, 2015, is vacated and that the parties appear for a conference at 10:30 a.m. on Monday, April 13, 2015. ( Status Conference set for 4/13/2015 at 10:30 AM before Judge Kevin Thomas Duffy.) (Signed by Judge Kevin Thomas Duffy on 2/20/2015) (mro) (Entered: 02/20/2015)

03/20/2015	<u>429</u>	LETTER MOTION for Conference <i>regarding discovery</i> addressed to Magistrate Judge Gabriel W. Gorenstein from Terra L. Gearhart–Serna dated March 20, 2015. Document filed by Stephanie Dawson. (Attachments: # <u>1</u> Annex A, # <u>2</u> Annex B)(Gearhart, Terra) (Entered: 03/20/2015)
03/20/2015	<u>430</u>	LETTER RESPONSE in Opposition to Motion addressed to Magistrate Judge Gabriel W. Gorenstein from Daniel Schulze dated March 20, 2015 re: <u>429</u> LETTER MOTION for Conference <i>regarding discovery</i> addressed to Magistrate Judge Gabriel W. Gorenstein from Terra L. Gearhart–Serna dated March 20, 2015. . Document filed by Anginell Andrews, Terry Baxter, Peter Brown, Dennis Crowley, Alexandreena Dixon, Glenn Goord, Barbara D. Leone, Eliane Lord, Richard Roy. (Attachments: # <u>1</u> Exhibit)(Schulze, Daniel) (Entered: 03/20/2015)
03/23/2015	<u>431</u>	LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Terra L. Gearhart–Serna dated March 23, 2015 re: response to Supervisory Defendants' 3/20/15 letter (Dkt. #430). Document filed by Stephanie Dawson.(Gearhart, Terra) (Entered: 03/23/2015)
03/26/2015	<u>432</u>	ORDER. The Court will hold a conference to discuss the status of discovery on March 31, 2015 at 9:45 a.m. in Courtroom 6–B, United States Courthouse, 500 Pearl Street, New York, New York, and as further set forth. (Discovery Hearing set for 3/31/2015 at 09:45 AM in Courtroom 6B, U.S. Courthouse, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Gabriel W. Gorenstein.) (Signed by Magistrate Judge Gabriel W. Gorenstein on 3/26/2015) (rjm) (Entered: 03/26/2015)
03/27/2015	<u>433</u>	ORDER. The conference to discuss the status of discovery is adjourned from March 31 to Thursday, April 2, 2015, at 9:45 a.m. in Courtroom 6–B, United States Courthouse, 500 Pearl Street, New York, New York, and as further set forth. (Discovery Hearing set for 4/2/2015 at 09:45 AM in Courtroom 6B, U.S. Courthouse, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Gabriel W. Gorenstein.) (Signed by Magistrate Judge Gabriel W. Gorenstein on 3/27/2015) (rjm) (Entered: 03/27/2015)
04/02/2015		Minute Order. Proceedings held before Magistrate Judge Gabriel W. Gorenstein: Hearing regarding discovery held on 4/2/2015. The Court gave directives to the parties as recorded in the transcript. (Gorenstein, Hon. Gabriel W.) (Entered: 04/02/2015)
04/07/2015	<u>434</u>	TRANSCRIPT of Proceedings re: Discovery Hearing held on 4/2/2015 before Magistrate Judge Gabriel W. Gorenstein. Court Reporter/Transcriber: Shari Riemer, (518) 581–8973. Transcript 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 5/1/2015. Redacted Transcript Deadline set for 5/11/2015. Release of Transcript Restriction set for 7/9/2015.(ca) (Entered: 04/07/2015)
04/07/2015	<u>435</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Discovery Hearing proceeding held on 04/02/2015 has been filed by the court reporter/transcriber in the above–captioned matter. 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 may be made remotely electronically available to the public without redaction after 90 calendar days...(ca) (Entered: 04/07/2015)
04/09/2015	<u>436</u>	LETTER addressed to Judge Kevin Thomas Duffy from Terra L. Gearhart–Serna dated 4/9/2015 re: settlement agreement. Document filed by Stephanie Dawson.(Gearhart, Terra) (Entered: 04/09/2015)
04/10/2015	<u>437</u>	MEMO ENDORSEMENT on re: <u>436</u> Letter filed by Stephanie Dawson.ENDORSEMENT: Application GRANTED. (Signed by Judge Kevin Thomas Duffy on 4/10/2015) (mro) (Entered: 04/10/2015)
04/13/2015	<u>438</u>	ORDER: The court, having been informed by counsel for Plaintiff Stephanie Dawson that an agreement–in–principle has been reached to settle all remaining claims in this case (Docket Entry 436), ORDERS that the Clerk of the Court close the above–captioned case ninety (90) days from the date of this order. Either party may inform the court by letter (filed by ECF) that the case should not be closed if the parties are unable to agree on settlement terms. (Signed by Judge Kevin Thomas Duffy on 4/13/2015) (kl) (Entered: 04/13/2015)

07/01/2015	<u>439</u>	LETTER addressed to Judge Kevin Thomas Duffy from Daniel Schulze dated July 1, 2015 re: Stipulation of Settlement and Proposed Order of Dismissal. Document filed by Glenn Goord. (Attachments: # <u>1</u> Text of Proposed Order)(Schulze, Daniel) (Entered: 07/01/2015)
07/06/2015	<u>440</u>	STIPULATION OF SETTLEMENT, GENERAL RELEASE, AND ORDER OF DISMISSAL: NOW THEREFORE, in consideration of the mutual promises, covenants, representations, and other consideration contained in this Settlement Stipulation, Plaintiff and Defendants hereby agree as follows: This Settlement Stipulation will resolve all of Plaintiff's claims in the above-captioned Action, which is currently pending before the Honorable Kevin T. Duffy in the United States District Court for the Southern District of New York. The Action and all claims asserted therein by Plaintiff are discontinued with prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and without payments, attorneys' fees, costs, disbursements, or expenses in excess of the amount specified in Paragraph 2 below. In full consideration of Plaintiff's execution of this Settlement Stipulation, her agreement to be bound by its terms, and her undertakings as set forth herein including, but not limited to, the dismissal of the Action with prejudice and other good and valuable consideration, the sufficiency of which is hereby acknowledged, Defendants shall pay the gross amount of Ten Thousand Dollars (\$10,000), in full satisfaction of any and all claims, allegations or actions, direct or indirect, known or unknown, that Plaintiff had, has, or may have against Defendants, whether in their individual or official capacities, arising out of conduct, acts, or omissions prior to, up to and including the date of this Settlement Stipulation, including but not limited to those asserted by Plaintiff in the Action, including any attorneys' fees, costs, disbursements, and expenses incurred by Plaintiff for any and all counsel who have assisted Plaintiff or at any time represented Plaintiff in the Action or in connection with any other proceeding, administrative, judicial, or otherwise, and any other claim or action by Plaintiff alleging any of the acts, transactions, occurrences, or omissions asserted in the Action. The above-referenced action is dismissed. The Clerk is directed to close the case. SO ORDERED. (As further set forth in this Stipulation of Settlement.) (Signed by Judge Kevin Thomas Duffy on 7/6/2015) (mro) (Entered: 07/06/2015)
07/06/2015		Terminate Transcript Deadlines (mro) (Entered: 07/06/2015)