

U.S. District Court
Northern District of New York – Main Office (Syracuse) [LIVE – Version 6.1]
(Prisoner)
CIVIL DOCKET FOR CASE #: 9:90–cv–00252–GLS–DEP

Inmates of New York v. Cuomo, et al
Assigned to: Senior Judge Gary L. Sharpe
Referred to: Magistrate Judge David E. Peebles
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 03/06/1990
Date Terminated: 08/28/2007
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

**Inmates of New York State with
Human Immune Deficiency Virus, for
themselves and all others similarly
situated**

represented by **Daniel L. Greenberg**
Legal Aid Society – NY Office
Prisoners Rights Project
199 Water Street
6th Floor
New York, NY 10038
212–577–3530
Fax: 212–732–6003
TERMINATED: 07/21/2004
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen Lynn Murtagh
Prisoners' Legal Services – Albany Office
41 State Street
M112
Albany, NY 12207
518–445–6050
Fax: 518–445–6053
Email: kmmonks@plsny.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Milton Zelermyer
Legal Aid Society – NY Office
Prisoners Rights Project
199 Water Street
6th Floor
New York, NY 10038
212–577–3530
Fax: 212–509–8433
Email: mzelermyer@legal-aid.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Philip L. Weinstein
Legal Aid Society – NY Office
Prisoners Rights Project
199 Water Street
6th Floor
New York, NY 10038
212–577–3530
TERMINATED: 04/13/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John A. Beck
Correctional Association of New York
135 East 15th Street
New York, NY 10003–3596

212-254-5700
Email: jbeck@correctionalassociation.org
TERMINATED: 12/20/2006

John D. Charles
New York State Department of Labor –
Albany Office
State Office Building Campus
Building 12
Albany, NY 12240
518-457-0208
Fax: 518-485-1819
Email: john.charles@labor.state.ny.us
TERMINATED: 06/13/1994

V.

Consol Plaintiff

Duane Selby
TERMINATED: 05/04/2000

represented by **Duane Selby**
94-A-7174
Upstate Correctional Facility
309 Bare Hill Road
PO Box 2000
Malone, NY 12953
PRO SE

V.

Defendant

Mario Cuomo
TERMINATED: 12/20/2006

represented by **Darren O'Connor**
Allen, Desnoyers Law Firm
90 State Street, Suite 602
Albany, NY 12207
518-426-2288
Fax: 518-426-2299
Email: Darrensvn@gmail.com
TERMINATED: 03/04/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen Marcoux Mankes
Office of Karen M. Mankes
141 Mohawk Drive
Schenectady, NY 12303
518-355-1330
Email: Karen.Mankes@yahoo.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Thomas A. Coughlin
Commissioner of the New York State
Department of Correctional Services
TERMINATED: 12/20/2006

represented by **Darren O'Connor**
(See above for address)
TERMINATED: 03/04/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen Marcoux Mankes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Robert Greifinger
*Deputy Commissioner and Chief Medical
Officer of the New York State Department
of Correctional Services*
TERMINATED: 12/20/2006

represented by **Darren O'Connor**
(See above for address)
TERMINATED: 03/04/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen Marcoux Mankes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Glenn S. Goord
*Deputy Commissioner for Facility
Operations of the New York State
Department of Correctional Services*
TERMINATED: 12/20/2006

represented by **Darren O'Connor**
(See above for address)
TERMINATED: 03/04/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen Marcoux Mankes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Marion Borum
*Deputy Commissioner for Program
Services of the New York State
Department of Correctional Services*
TERMINATED: 12/20/2006

represented by **Darren O'Connor**
(See above for address)
TERMINATED: 03/04/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen Marcoux Mankes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Raymond Broaddus
*Assistant Commissioner of the New York
State Department of Correctional
Services*
TERMINATED: 12/20/2006

represented by **Darren O'Connor**
(See above for address)
TERMINATED: 03/04/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen Marcoux Mankes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Richard C. Surles
*Commissioner of the New York State
Office of Mental Health*
TERMINATED: 12/20/2006

represented by **Darren O'Connor**
(See above for address)
TERMINATED: 03/04/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen Marcoux Mankes
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Joel A. Dvoskin
Assistant Commissioner for the Bureau of

represented by **Darren O'Connor**
(See above for address)

*Forensic Services of the New York State
Office of Mental Health
TERMINATED: 12/20/2006*

*TERMINATED: 03/04/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Karen Marcoux Mankes
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Department of Correctional Services
TERMINATED: 12/20/2006

Defendant

George Pataki
Governor of the State of New York

Defendant

Lucien LeClaire, Jr.
*Acting Commissioner of the New York
State Department of Correctional
Services (DOCS) and Deputy
Commissioner for Facility Operations
(NYSDOCS)*

Defendant

Lester Wright
*M.D., M.P.H., Deputy Commissioner &
Chief Medical Officer (DOCS)*

Defendant

John Nuttall
*Deputy Commissioner for Program
Services (NYSDOCS)*

Defendant

John C. Sheridan
Assistant Commissioner (NYSDOCS)

Defendant

Sharon Carpinello
*Commissioner, New York State Office of
Mental Health (OMH)*

Defendant

Richard Miraglia
Associate Commissioner (OMH)

V.

Consol Defendant

Philip Coombe
*Commissioner of New York State
Department of Correctional Services
TERMINATED: 05/04/2000*

represented by **Darren O'Connor**
(See above for address)
*TERMINATED: 05/04/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Karen Marcoux Mankes
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Ralph F. Ambrosio
New York State Police
Office of Division Counsel
Building 22, State Campus
1220 Washington Avenue
Albany, NY 12226
518-457-6137
Fax: 518-485-1164
Email: Ralph@allendesnoyers.com
*TERMINATED: 05/04/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Consol Defendant

Doctor Weit
*Medical Doctor at Mohawk Correctional
Facility
TERMINATED: 05/04/2000*

represented by **Darren O'Connor**
(See above for address)
*TERMINATED: 05/04/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Ralph F. Ambrosio
(See above for address)
*TERMINATED: 05/04/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Consol Defendant

Robert Griefinger
*Chief Medical Officer, New York State
Department of Correctional Services
TERMINATED: 05/04/2000*

represented by **Darren O'Connor**
(See above for address)
*TERMINATED: 05/04/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Karen Marcoux Mankes
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Ralph F. Ambrosio
(See above for address)
*TERMINATED: 05/04/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Consol Defendant

Lowell Rapping
*Medical Doctor at Westchester County
Jail
TERMINATED: 05/04/2000*

Intervenor Plaintiff

Robert Reitano
TERMINATED: 06/03/1994

represented by **Robert Reitano**
Westchester County Jail
P.O. Box 10
Valhalla, NY 10595
PRO SE

Date Filed	#	Docket Text
------------	---	-------------

03/06/1990	<u>3</u>	EX PARTE Application to Proceed in Forma Pauperis and Anonymously – SEALED by ORDER dd 3/6/90, re: Sealing (signed by Judge Con G. Cholakakis) (pta) (jel,). (Entered: 08/02/1991)
03/06/1990	<u>2</u>	EX PARTE ORDER TO PROCEED In Forma Pauperis Affidavit and Anonymously filed by Inmates of New York (pta) (jel,). (Entered: 08/02/1991)
03/06/1990	<u>1</u>	COMPLAINT filed; ; Service deadline 5/7/90 for Joel A. Dvoskin, for Richard C. Surles, for Raymond Broaddus, for Marion Borum, for Glenn S. Goord, for Robert Greifinger, for Thomas A. Coughlin, for Mario Cuomo (pta) (jel,). (Entered: 08/02/1991)
03/06/1990	<u>4</u>	MEMORANDUM OF LAW by William J. Rold, Esq. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
03/06/1990	<u>5</u>	Letter dated March 5, 2015 from William J. Rold, Esq. to the Clerk of the Court. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
03/21/1990	<u>7</u>	ORDER. Signed by Magistrate Judge Ralph W. Smith, Jr. on 3/21/1990. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
03/26/1990	<u>6</u>	ACKNOWLEDGEMENT OF SERVICE as to Mario Cuomo, Thomas A. Coughlin, Robert Greifinger, Glenn S. Goord, Marion Borum, Raymond Broaddus, Richard C. Surles, Joel A. Dvoskin on 3/19/90 : Proposed Rule 16 Stipulation due by 4/18/90: Answer due on 4/9/90: (pta) (jel,). Modified on 10/14/2015 (jel,). (Main Document 6 replaced on 10/14/2015) (jel,). (Entered: 08/02/1991)
03/26/1990	<u>8</u>	STIPULATION AND ORDER. Signed by Magistrate Judge Ralph W. Smith, Jr. on 3/26/1990. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
04/13/1990	<u>9</u>	NOTICE OF MOTIONS FOR CLASS CERTIFICATION FOR NOTICE TO THE CLASS by William J. Rold, Esq., for the plaintiffs. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
04/13/1990	<u>10</u>	AFFIDAVIT IN SUPPORT OF MOTIONS FOR CLASS CERTIFICATION AND FOR NOTICE TO THE CLASS by William J. Rold, Esq., for the plaintiffs. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
04/13/1990	<u>11</u>	MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS' MOTIONS FOR CLASS CERTIFICATION AND FOR NOTICE TO THE CLASS by William J. Rold, Esq., for the plaintiffs.. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
04/27/1990	<u>13</u>	AFFIDAVIT IN OPPOSITION TO A MOTION FOR NOTICE TO THE CLASS By Glenn S. Goord. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
04/27/1990	<u>14</u>	MEMORANDUM OF LAW IN RESPONSE TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION AND FOR NOTICE TO THE CLASS by Darren O'Connor, AAG, for the defendants.. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
04/30/1990	<u>12</u>	ANSWER to Complaint by Mario Cuomo, Thomas A. Coughlin, Robert Greifinger, Glenn S. Goord, Marion Borum, Raymond Broaddus, Richard C. Surles, Joel A. Dvoskin (Attorney Darren O'Connor, AAG) (pta) (jel,). (Entered: 08/02/1991)
05/03/1990	<u>15</u>	PLAINTIFFS' REPLY AFFIDAVIT IN SUPPORT OF MOTION FOR NOTICE TO THE CLASS by William J. Rold, Esq., for the plaintiffs. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
05/07/1990	<u>18</u>	Letter dated May 4, 1990 from Michael Wiseman, Esq., for the plaintiffs to U.S. Magistrate Judge Ralph W. Smith, Jr. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
05/14/1990	<u>17</u>	ORDER and REPORT AND RECOMMENDATIONS of Magistrate Judge Ralph W. Smith ; that Pltfs unopposed motion for class certification be GRANTED; Ordered that if this recommendation is accepted, that Pltfs motion for ind. notice is DENIED and notice shall be given to potential class members by posting in all medical clinics, law libraries & housing areas in prisons operated by DOCS as well as in all mental health clinics operated by NYS OMH w/in those prisons. Case no longer referred to Magistrate Judge Ralph W. Smith (pta) (cbm,). (Entered: 08/02/1991)

05/14/1990	<u>16</u>	NOTICE by Magistrate Judge Ralph W. Smith, Jr. signed on May 14, 1990. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
05/21/1990	<u>19</u>	LETTER dated May 18, 1990 by Darren O'Connor, AGG, and ORDER granting request for an extension until May 25, 1990 to file response to plaintiffs' Interrogatories and Request for Production of Documents. Signed by Pro Se Law Clerk as per direction of Magistrate Judge Ralph W. Smith on 5/21/1990. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
05/24/1990	<u>20</u>	RESPONSE TO PLAINTIFFS' INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS by Darren O'Connor, AAG, for the defendants. (Attachments: # <u>1</u> Letter)(jel,) Modified on 10/16/2015 (jel,). (Entered: 10/16/2015)
05/24/1990	<u>21</u>	Letter dated May 23, 1990 from Darren O'Connor, AAG, for the defendants to the court. (jel,) Modified on 10/16/2015 (jel,). (Entered: 10/16/2015)
05/29/1990	<u>25</u>	Return Receipt For Report and Recommendation by Darren O'Connor on 5/24/1990. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
05/30/1990	<u>23</u>	TRANSCRIPT of proceedings held before Mag. Smith filed for dates of 5/08/90 (pta) (jel,). (Entered: 08/02/1991)
05/30/1990	<u>22</u>	PLTFS NOTICE OF APPEAL by Inmates of New York from portions of RR, Affidavit Atty Wiseman w/Exhibits 1-5 . Appeal record due on 6/29/90 (pta) (jel,). (Entered: 08/02/1991)
05/30/1990	<u>26</u>	Return Receipt for Report and Recommendation by William J. Rold, Esq., on 5/24/1990 (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
05/31/1990	<u>24</u>	ORDER, adopting Report and Recommendations and denying ind. notice (signed by Judge Thomas J. McAvoy) (pta) (cbm,). (Entered: 08/02/1991)
06/05/1990	<u>27</u>	STIPULATION ORDER re: PSR (signed by Magistrate Judge Ralph W. Smith dd 6-01-90) (pta) (jel,). (Entered: 08/02/1991)
06/05/1990	<u>28</u>	Letter dated June 1, 1990 from Darren O'Connor, AAG, for the defendants to the court. (jel,) Modified on 10/16/2015 (jel,). (Entered: 10/16/2015)
06/11/1990	<u>29</u>	Letter dated June 8, 1990 from Michael Wiseman, Esq., for the plaintiffs to the court. (jel,) Modified on 10/16/2015 (jel,). (Entered: 10/16/2015)
06/13/1990	<u>30</u>	Letter dated June 13, 1990 from Michael Rhodes-Devey, AAG, for the defendants to the court. (jel,) Modified on 10/16/2015 (jel,). (Entered: 10/16/2015)
06/18/1990	<u>31</u>	Letter dated June 15, 1990 from William J. Rold, Esq., for the plaintiffs to the court. (jel,) Modified on 10/16/2015 (jel,). (Entered: 10/16/2015)
07/23/1990	<u>32</u>	Letter dated July 12, 1990 from Michael Wiseman, Staff Attorney Magistrate Judge Ralph W. Smith, Jr. (jel,) Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
08/15/1990	<u>33</u>	***SEALED DOCUMENT. (jel,) Modified on 10/16/2015 (jel,). (jel,). (Entered: 10/16/2015)
08/16/1990	<u>34</u>	***SEALED DOCUMENT. (jel,) Modified on 10/16/2015 (jel,). (jel,). (Entered: 10/16/2015)
08/23/1990	<u>35</u>	***SEALED DOCUMENT. (jel,) Modified on 10/16/2015 (jel,). (jel,). (Entered: 10/16/2015)
08/27/1990	<u>36</u>	PLAINTIFFS' NOTICE OF MOTION TO COMPEL DISCOVERY AND FOR A PROTECTIVE ORDER by Michael Wiseman, Esq., for the plaintiffs. (jel,) Modified on 10/16/2015 (jel,). (Entered: 10/16/2015)
08/27/1990	<u>37</u>	MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS' MOTIOSN FOR ORDERS COMPELLING DISCOVERY AND PROTECTING THE CONFIDENTIALITY OF THE PLAINTIFF CLASS by William J. Rold, Esq., for the plaintiffs.. (jel,) Modified on 10/16/2015 (jel,). (Entered: 10/16/2015)
09/04/1990	<u>38</u>	Letter dated September 4, 1990 from Magistrate Judge Ralph W. Smith, Jr. to counsel regarding motion hearing scheduled for November 1, 1990 at 11:00 a.m. (jel,)

		Modified on 10/14/2015 (jel,). (Entered: 10/14/2015)
09/07/1990	<u>39</u>	***SEALED DOCUMENT. (jel,) Modified on 10/16/2015 (jel,). (jel,). (Entered: 10/16/2015)
09/27/1990	<u>40</u>	***SEALED DOCUMENT. (jel,) Modified on 10/16/2015 (jel,). (jel,). (Entered: 10/16/2015)
09/28/1990	<u>41</u>	NOTICE OF DEPOSITION(jel,) Modified on 10/16/2015 (jel,). (Entered: 10/16/2015)
10/16/1990	<u>42</u>	NOTICE OF CROSS-MOTION FOR AN ORDER PURSUANT TO RULE 37 OF THE FEDERAL RULES OF CIVIL PROCEDURE, COMPELLING DISCOVERY AND AWARING ATTORNEYS' FEES (Attachments: # <u>1</u> Notice of Cross Motion, # <u>2</u> Notice of Cross Motion)(jel,) Modified on 10/16/2015 (jel,). (Entered: 10/16/2015)
10/18/1990	<u>43</u>	MEMORANDUM OF LAW IN OPPOSITION TO PLAINTIFF'S MOTION FOR AN ORDER COMPELLING DISCOVERY AND IN SUPPORT OF DEFENDANTS' CROSS-MOTION FOR AN ORDER COMPELLING DISCOVERY filed by Marion Borum, Raymond Broaddus, Sharon Carpinello, Philip Coombe, Thomas A. Coughlin, Mario Cuomo, Department of Correctional Services, Joel A. Dvoskin, Glenn S. Goord, Robert Greifinger, Robert Griefinger, Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated, Lucien LeClaire, Jr, Richard Miraglia, John Nuttall, George Pataki, Lowell Rapping, John C. Sheridan, Richard C. Surles, Doctor Weilt, Lester Wright. (jel,) Modified on 9/18/2013 (jel,). (Entered: 09/18/2013)
10/19/1990	<u>44</u>	AFFIDAVIT by Thomas A. Coughlin, III in opposition to plaintiffs' motion to compel the production of certain documents. (jel,) Modified on 10/16/2015 (jel,). (Entered: 10/16/2015)
11/13/1990	<u>46</u>	MEMORANDUM OF LAW in reply to defendants' answer to plaintiffs' motion to compel discovery and for a protective order, and in opposition to defendants' cross-motion for an order compelling discovery by Michael Wiseman, Esq., for the plaintiffs.. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
11/13/1990	<u>45</u>	PLAINTIFFS' AFFIDAVIT IN OPPOSITION TO DEFENDANTS' CROSS-MOTION FOR AN ORDER COMPELLING DISCOVERY by John A. Beck, Esq., for the plaintiffs. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
01/08/1991	<u>47</u>	INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS DATED DECEMBER 7, 1990 by Darren O'Connor, AAG, for the defendants. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
01/09/1991	<u>48</u>	Objection to portion of the deposition subpoena from Cory E. Friedman, Esq., for Deponent St. Clare's Hospital and Health Center (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
01/22/1991	<u>49</u>	Letter dated January 15, 1991 from Anthony Liccione to the court. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
02/04/1991	<u>51</u>	Letter dated January 15, 1991 from Anthony Liccione to the court. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
02/04/1991	<u>50</u>	Letter dated January 25, 1991 from Michael Wiseman, Esq, for the plaintiffs to the court regarding the defendants January 18, 1991 letter to the court. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
02/07/1991	<u>52</u>	ORDER dd 2-01-91 GRANTING limited disclosure, redacted to delete any references to names/ID numbers of HIV-infected inmates, said information to be governed by Protective Order to be submitted jointly by parties w/in 20 days, etc. (signed by Judge Thomas J. McAvoy) (pta) (cbm,). (Entered: 08/02/1991)
02/22/1991	<u>54</u>	MEMORANDUM OF LAW by Michael Wiseman, Esq., for the plaintiffs in support o plaintiffs' mtoion for reconsideration and/or reargument of the court's February 7, 1991 Order. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)

02/22/1991	<u>53</u>	NOTICE OF MOTION FOR RECONSIDERATION AND/OR REARGUMENT OF THE COURT'S FEBRUARY 7, 1991 AND AFFIDAVIT OF MICHAEL WISEMAN with exhibits in support of motion. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
02/25/1991	<u>60</u>	Letter dated February 22, 1991 from Michael Rhodes–Devey, AAG, to the court requesting that the plaintiffs' motion for reargument and reconsideration of this Court's order of February 7, 1991 order be deemed untimely and should be rejected and returned. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
02/25/1991	<u>59</u>	Letter dated February 21, 1991 from Michael Wiseman requesting oral argument on the filing of plaintiffs' motion for reconsideration and/or reargument of the Court's February 7, 1991 Decision and Order denying plaintiffs' motion to compel class discovery and for a protective order. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
02/27/1991	<u>55</u>	Letter dated February 25, 1991 from Darren O'Connor, AAG, requesting withdraw of defendants' request to reject the plaintiffs' motion for reconsideration. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
03/04/1991	<u>56</u>	Letter dated February 28, 1991 from William J. Rold, Staff Attorney, advising the court that he will be leaving Legal Aid Society on March 1, 1991 to pursue private practice of law. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
03/08/1991	<u>57</u>	PLTF NOTICE OF APPEAL from Judge McAvoy Order dd 2–07–91 by Inmates of New York . Appeal record due on 4/8/91 (pta) (jel,). (Entered: 08/02/1991)
03/08/1991	<u>62</u>	MEMORANDUM OF LAW by Darren O'Connor, AAG, for the defendants in opposition to plaintiffs' motion for reargument and reconsideration.. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
03/08/1991	<u>61</u>	AFFIDAVIT by Nancy L. Heywood in opposition to the plaintiffs' motion for reconsideration or reargument of the Court's February 7, 1991 order. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
03/08/1991	<u>58</u>	Letter dated March 6, 1991 from Michael Wiseman, Esq., for the plaintiffs enclosing for filing an original of plaintiffs' notice of appeal. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
03/11/1991		Certified and transmitted record on appeal to U.S. Court of Appeals: [57–1] appeal by Inmates of New York, [22–1] appeal by Inmates of New York (pta) (Entered: 08/02/1991)
03/13/1991	<u>63</u>	NOTICE that the motion hearing scheduled for Friday, March 22, 1991 will be taken on submit. No appearances by either party are necessary. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
04/19/1991	<u>64</u>	Letter dated April 17, 1991 from Darren O'Connor, AAG, in connection to plaintiffs' latest request for the production of documents. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
04/22/1991	<u>65</u>	CERTIFIED COPY MANDATE OF C.C.A. ORDER (so ordering stipulation to withdraw appeal) (pta) (jel,). (Entered: 08/02/1991)
04/26/1991	<u>67</u>	ORDER dd 4–26–91 DENYING motion for reconsideration (signed by Judge Thomas J. McAvoy) (pta) (jel,). (Entered: 08/02/1991)
04/26/1991	<u>66</u>	Letter dated April 19, 1991 from Michael Wiseman, Esq., for the plaintiffs to the court regarding the defendants' letter dated April 17, 1991. (jel,) Modified on 10/7/2015 (jel,). (Entered: 10/07/2015)
05/16/1991	<u>69</u>	ATTY Wiseman Letter dd 5–15–91 re: Status of Action (pta) (jel,). (Entered: 08/02/1991)
05/16/1991	<u>68</u>	AAG Rhodes–Devey Letter dd 5–15–91 re: confidentiality order on consent (pta) (jel,). (Entered: 08/02/1991)
06/06/1991	<u>70</u>	Plaintiffs' grievance complaint. (cbm) (jel,). (Entered: 08/23/1991)

06/28/1991	<u>71</u>	ORDER, to Compel discovery and confidential material. (signed by Judge Thomas J. McAvoy) (cbm) (jel,). (Entered: 08/23/1991)
09/03/1991	<u>72</u>	STIPULATION/ORDER ; w/respect to 4-18-90 discovery demand only, Defts may produce the documents responsive to Interrogatories 2 and 32 of Pltf discovery demand dd 4-18-90 in redacted form (dd 8-31-91 signed by Judge Thomas J. McAvoy) (pta) (jel,). (Entered: 09/03/1991)
11/25/1991	<u>75</u>	FERNANDEZ, H. - LETTER to Court dd 11-21-91 re: Medical Treatment (pta) (jel,). (Entered: 11/26/1991)
11/25/1991	<u>74</u>	PLTF NOTICE by Inmates of New York to take deposition of Dr. George DiFerdinando on 12-02-91 (pta) (jel,). (Entered: 11/26/1991)
11/25/1991	<u>73</u>	NOTICE by Inmates of New York to take deposition of Dr. Robert Greifinger on 12-02-91 (pta) (jel,). (Entered: 11/26/1991)
11/27/1991	<u>76</u>	RESPONSE by Mario Cuomo, Thomas A. Coughlin, Robert Greifinger, Glenn S. Goord, Marion Borum, Raymond Broaddus, Richard C. Surles, Joel A. Dvoskin to Discovery Re: pltf's request for production of documents dd 10/28/91. (cbm) (jel,). (Entered: 12/04/1991)
12/20/1991		CASE REFERRED to Magistrate Judge Ralph W. Smith (rzh) (Entered: 01/09/1992)
12/20/1991	<u>78</u>	Scheduling Notice: set Telephone Conference for 11:00 1/13/92 ; Michael Wiseman, Esq. to initiate. (rzh) (jel,). (Entered: 01/09/1992)
12/26/1991	<u>77</u>	INMATES Avilez, Canales & Guzman Letter dd 12-12-91 to Court re: medical treatment and request for Order directing the State to continue medications (pta) (jel,). (Entered: 12/27/1991)
01/15/1992		Tele-conference held 1/13/92; Discovery in progress. (rzh) (Entered: 01/21/1992)
02/19/1992	<u>79</u>	Defts' 2nd set of INTERROGATORIES and request for production of documents . (cbm) (jel,). (Entered: 02/21/1992)
05/22/1992	<u>84</u>	COURT Scheduling Notice:, Motion Hearing set for 10:00 a.m. in Binghamton NY on 8/28/92 [rescheduled by Court from 6-26 MC] re: [81-1] motion to Compel Discovery re: [81-2] motion for Protective Order (pta) (jel,). (Entered: 05/27/1992)
05/22/1992	<u>83</u>	PLTFS MEMORANDUM by Inmates of New York in support of [81-1] motion to Compel Discovery, [81-2] motion for Protective Order [proposed order not submitted] (pta) (jel,). (Entered: 05/27/1992)
05/22/1992	<u>82</u>	PLTF Exhibits list Nos. 1 to 15 by Inmates of New York accompanying Affidavit Beatrice Dohrn in support of Pltf Motion to Compel Discovery and for Protective Order (see #81) (pta) (jel,). (Entered: 05/27/1992)
05/22/1992	<u>81</u>	PLTF MOTION by Inmates of New York to Compel Discovery , and for Protective Order , Affidavit Beatrice Dohrn, Esq.; Hearing set for 10:00 a.m. on 6/26/92 , Deadline 6/12/92 , Reply to Response Deadline 6/19/92 (pta) (jel,). (Entered: 05/27/1992)
05/22/1992	<u>80</u>	PLTF Atty Wiseman Letter dd 5-19-92 re: portion of motion argued in 11-90 remains sub judice and filing motion before Judge McAvoy for Order compelling discovery , Protective Order and such other relief returnable 6-26-92 (pta) (jel,). (Entered: 05/27/1992)
05/26/1992	<u>85</u>	PLTF REVISED MEMORANDUM by Inmates of New York in support of [81-1] motion to Compel Discovery, [81-2] motion for Protective Order [corrected copy of #83 filed 5-22-92] (pta) (jel,). (Entered: 05/27/1992)
05/28/1992	<u>86</u>	Response to Interrogatories, request for production of documents and date entries by all defts. (cbm) (jel,). (Entered: 06/01/1992)
07/02/1992	<u>87</u>	LETTER of Frank L. Gennuso dd 6-29-92 re: he cannot intervene in action w/Letter to Court dd 6-29-92 (pta) (jel,). (Entered: 07/06/1992)
07/22/1992	<u>88</u>	STAFF ATTORNEY Michael Wiseman Letter Request dd 7-20-92 for Court to join (Motion to Compel Discovery) two motions for argument on 8-28-92 (pta) (jel,).

		(Entered: 07/22/1992)
08/13/1992	<u>90</u>	DEFTS MEMORANDUM by Mario Cuomo, Thomas A. Coughlin, Robert Greifinger, Glenn S. Goord, Marion Borum, Raymond Broaddus, Richard C. Surlles, Joel A. Dvoskin in opposition to Pltfs [81-1] motion to Compel Discovery, [81-2] motion for Protective Order AND in Support of Defts Cross Motion for Order in Limine (pta) (jel,). (Entered: 08/14/1992)
08/13/1992	<u>89</u>	DEFTS CROSS MOTION by Mario Cuomo, Thomas A. Coughlin, Robert Greifinger, Glenn S. Goord, Marion Borum, Raymond Broaddus, Richard C. Surlles, Joel A. Dvoskin for an Order in Limine ruling admissible on issue of ind. Defts. deliberate indifference evidence , Affidavit Thomas A. Coughlin III; Attachment A; Affidavit Richard C. Surlles, Ph.D.; Affidavit Robert E. Greifinger, M.D.; Affirmation Darren O' Connor; Hearing set for 10:00 a.m. in Binghamton NY on 8/28/92 , Response Deadline 8/21/92 (pta) (jel,). (Entered: 08/14/1992)
08/17/1992	<u>91</u>	ORDER REFERRING CASE to Magistrate Judge Ralph W. Smith to rule on Pltfs Motion for Discovery and Protective Order and Defts Cross Motion for Order in Limine (dd 8-17-92 signed by Judge Thomas J. McAvoy) (pta) (jel,). (Entered: 08/18/1992)
08/21/1992	<u>92</u>	Court Scheduling Notice: Parties advised to disregard Standard Referral Order dd 8/17/92 which referred pending motions to M/J Smith for decision , [89-1] cross motion for an Order in Limine ruling admissible on issue of ind. Defts. deliberate indifference evidence, [81-1] motion to Compel Discovery, & [81-2] motion for Protective Order currently scheduled for 8/28/92 are all adjourned to 9/14/92, 10:00 a.m. in Albany ; parties advised by phone on Friday 8/21/92 & served w/ written notice same day by Deputy Clerk Price. (plp) (jel,). (Entered: 08/21/1992)
08/31/1992	<u>93</u>	Minute entry – MOTION CALENDAR HELD 8/28/92 IN BINGHAMTON: Appearances: None; Steno – V. Theleman. [89-1] deft cross motion for an Order in Limine ruling on issue of ind. Defts. deliberate indifference evidence; [81-1] pltfs motion to Compel Discovery; and, [81-2] pltfs' motion for Protective Order have all BEEN ADJOURNED UNTIL 9/14/92 IN ALBANY (cml) (jel,). (Entered: 09/01/1992)
09/03/1992	<u>94</u>	PLTF MEMORANDUM by Inmates of New York in opposition to Defts [89-1] cross motion for an Order in Limine ruling admissible on issue of ind. Defts. deliberate indifference evidence (pta) (jel,). (Entered: 09/03/1992)
09/14/1992		Motion hearing re: [89-1] cross motion for an Order in Limine ruling admissible on issue of ind. Defts. deliberate indifference evidence Motion hearing held, [81-1] motion to Compel Discovery Motion hearing held, [81-2] motion for Protective Order Motion hearing held (pta) (Entered: 09/23/1992)
09/22/1992	<u>95</u>	Minute entry: MOTION CALENDAR HELD 9-14-92 ALBANY NY: Appearances: T. Berical, CR; Michael Wiseman, John A. Beck, Jonathan Chasan & Milton Zelsermyer, Lourdes Falco for Pltfs; Darren O'Connor, AAG and Victor Paladino, AAG for Defts Albany NY. Pltfs Motion for discovery and protective order – GRANTED in part/DENIED in part. Deft Cross Motion for Order in limine ruling – admissible evidence – DENIED Prev. filed 1990 Discovery Motions – RESERVED COURT DIRECTS PLTF TO SUBMIT ORDER (pta) (jel,). (Entered: 09/23/1992)
10/01/1992	<u>97</u>	TRANSCRIPT filed Proceeding before Judge McAvoy for dates of 9/14/92 (pta) (jel,). (Entered: 10/05/1992)
10/02/1992	<u>96</u>	STIPULATION/ORDER, for Discovery procedures as stated (dd 9-26-92 signed by Judge Thomas J. McAvoy) (pta) (jel,). (Entered: 10/05/1992)
10/16/1992		RECEIVED PROPOSED ORDER by Pltf re: 9-14-92 Bench Ruling (pta) (Entered: 10/16/1992)
10/22/1992	<u>98</u>	ORDER; denying [89-1] Defts cross motion for an Order in Limine ruling admissible on issue of ind. Defts. deliberate indifference evidence – as stated (dd 10-21-92 signed by Judge Thomas J. McAvoy) (pta) (cbm,). (Additional attachment(s) added on 7/18/2013: # <u>1</u> ORDER) (jel,). (Entered: 10/22/1992)

10/23/1992	<u>99</u>	Pltf Atty O'Connor ltr to court dd 10/21/92 re: confidentiality of documents (plp) (jel,). (Entered: 10/26/1992)
10/26/1992		Proposed Order to accompany AAG O'Connor ltr dd 10/21/92 (plp) (Entered: 10/26/1992)
10/28/1992	<u>102</u>	STIPULATION/Protective Order on behalf of Inmates of New York, Mario Cuomo, Thomas A. Coughlin, Robert Greifinger, Glenn S. Goord, Marion Borum, Raymond Broaddus, Richard C. Surles, Joel A. Dvoskin re: production of documents (dd 10-27-92 signed by Judge Thomas J. McAvoy) (pta) (ban,). (Entered: 10/28/1992)
10/28/1992	<u>101</u>	DEFTS MEMORANDUM by Mario Cuomo, Thomas A. Coughlin, Robert Greifinger, Glenn S. Goord, Marion Borum, Raymond Broaddus, Richard C. Surles, Joel A. Dvoskin in support of [100-1] motion for Reconsideration of Order dd 10-22-92 granting Pltf Motion to compel Defts to produce medical quality assurance documents or alternative for stay of effect of order pending determination of Defts petition for a writ of mandamus in Second Circuit of Appeals, pursuant Rule 10(m) [98-1] order ; w/PROPOSED ORDER (pta) (ban,). (Entered: 10/28/1992)
10/28/1992	<u>100</u>	MOTION by Mario Cuomo, Thomas A. Coughlin, Robert Greifinger, Glenn S. Goord, Marion Borum, Raymond Broaddus, Richard C. Surles, Joel A. Dvoskin for Reconsideration of Order dd 10-22-92 granting Pltf Motion to compel Defts to produce medical quality assurance documents or alternative for stay of effect of order pending determination of Defts petition for a writ of mandamus in Second Circuit of Appeals, pursuant Rule 10(m) [98-1] order , Affidavit Robert B. Greifinder, MD; Affirmation Darren O'Connor; Hearing set for 10:00 a.m. in Binghamton NY on 11/27/92 , Response Deadline 11/13/92 , Reply to Response Deadline 11/20/92 (pta) (jel,). (Entered: 10/28/1992)
10/30/1992	<u>103</u>	Copy of letter from Fank L. Gennuso to atty Michael Wiseman dd 10/23/92, advisng that Notice to Class is not posted on Upper F Block area at Clinton CF. (cbm) (ban,). (Entered: 11/02/1992)
11/05/1992	<u>104</u>	ATTY WISEMAN Letter dd 11-04-92 re: discovery issues w/PROPOSED ORDER (pta) (ban,). (Entered: 11/05/1992)
11/16/1992	<u>108</u>	PLTFS MEMORANDUM by Inmates of New York in opposition to [100-1] Defts motion for Reconsideration of Order 10-22-92 granting Pltf Motion to compel Defts to produce medical quality assurance documents or alternative for stay of effect of order pending determination of Defts petition for a writ of mandamus in Second Circuit of Appeals, pursuant Rule 10(m) [98-1] order (pta) (ban,). (Entered: 11/17/1992)
11/16/1992	<u>107</u>	PLTF AFFIDAVIT Micahel Wiseman by Inmates of New York Re: [100-1] motion for Reconsideration of Order dd 10-22-92 granting Pltf Motion compel Defts to produce medical quality assurance documents or alternative for stay of effect of order pending determination of Defts petition for a writ of mandamus in Second Circuit of Appeals, pursuant Rule 10(m) [98-1] order ; Exhibits A & B (pta) (ban,). (Entered: 11/17/1992)
11/16/1992	<u>106</u>	Pltf NOTICE of Error by Inmates of New York to Memorandum of Law in opposition to Deft Motion for Partial Reconsideration of Judge McAvoy's Order dd 10-22-92 on page 27 (pta) (ban,). (Entered: 11/17/1992)
11/16/1992	<u>105</u>	LETTER RESPONSE dd 11-13-92 by Mario Cuomo, Thomas A. Coughlin, Robert Greifinger, Glenn S. Goord, Marion Borum, Raymond Broaddus, Richard C. Surles, Joel A. Dvoskin in opposition to Pltf Application dd 11-04-92 for Order to require Defts to provide unredacted records [104-1] remark (pta) (ban,). (Entered: 11/17/1992)
11/17/1992	<u>109</u>	DEFTS Atty Roney Letter dd 11-16-92 Request to file reply to Pltf Memorandum of Law in opposition to Defts Motion for Partial Reconsideration (pta) (ban,). (Entered: 11/17/1992)
11/20/1992	<u>110</u>	ORDER/PROTECTIVE ORDER; granting [100-1] Pltf motion for Reconsideration of Order dd 10-22-92 granting Pltf Motion to compel Defts to produce medical quality assurance documents pursuant Rule 10(m) [98-1] order - as stated (dd 11-17-92 signed by Judge Thomas J. McAvoy) (pta) (ban,). (Entered: 11/23/1992)

11/23/1992	<u>112</u>	Court NOTICE to all parties dd 11/23/92 advising that 11/27/92 motions will be on submit [parties served 11/23/92] (plp) (ban,). (Entered: 11/24/1992)
11/23/1992	<u>111</u>	PLTFS REPLY RESPONSE by Inmates of New York in opposition to Defts Letter dd 11-16-92 [109-1] remark (pta) (ban,). (Entered: 11/23/1992)
11/30/1992	<u>114</u>	Minute entry: MOTION CALENDR Held 11-27-92 Binghamton NY: Appearances: V. Theleman, CR; Michael Wiseman, John A. Beck, Jonathan Chasan and Milton Zelermyer; Darren O'Connor AAG for Defts. Defts Motion for Reconsideration of 10-22-92 Order or in alternative for a stay of the effect of order pending determination of Defts petition for writ of mandamus in 2nd Circuit [100-1] - ON SUBMIT (pta) (ban,). (Entered: 12/02/1992)
11/30/1992	<u>113</u>	DECISION AND ORDER, Deft Motion for Reconsideration of [98-1] order is DENIED; AND Request for a Stay pending an appellate ruling on the matter is GRANTED ; Defts have 20 days to file appl. w/Court of Appeals AND Defts represent in their motion papers that they withdraw their objections to disclosure of materials demanded in Pltfs 4-90 Request for Production. Pltf Motion to compel responses to that request, is hereby DISMISSED as MOOT (dd 11-27-92 signed by Judge Thomas J. McAvoy) (pta) (ban,). (Entered: 11/30/1992)
12/02/1992	<u>115</u>	Defts' RESPONSE to pltfs' request for production of documents, dd 10/26/92. (cbm) (ban,). (Entered: 12/02/1992)
12/21/1992	<u>117</u>	COPY PETITIONERS MEMORANDUM by Thomas A. Coughlin, Robert Greifinger in support of [116-1] motion for Writ of Mandamus [pending before C.C.A.] (pta) (ban,). (Entered: 12/21/1992)
12/21/1992	<u>116</u>	COPY PETITIONERS PETITION (MOTION) by Thomas A. Coughlin, Robert Greifinger for Writ of Mandamus ; Exhibits A to G [pending before CCA] (pta) (ban,). (Entered: 12/21/1992)
01/15/1993	<u>118</u>	Copy of USCA ltr to AAG Roney dd 1/13/92 advising that Petition for Writ of Mandamus filed. (plp) (ban,). (Entered: 01/19/1993)
01/25/1993	<u>119</u>	Certified copy of MANDATE of CCA denying petition by Thomas A. Coughlin III and Robert B. Griefinger, M.D. for Writ of Mandamus. (cbm) (ban,). (Entered: 01/25/1993)
03/15/1993	<u>120</u>	Copy of letter from Lawrence Spero (89-A-5393, Clinton CF) to Michael Wiseman, Staff Attorney, Legal Aid Society, dd 2/12/93, w/attachments. (cbm) (ban,). (Entered: 03/15/1993)
06/24/1993	<u>121</u>	COURT Scheduling Notice:, set Telephone Pretrial / Status Conference for 12:45 p.m. in Binghamton NY on 7/30/93 (pta) (ban,). (Entered: 06/25/1993)
07/09/1993	<u>123</u>	COURT Scheduling Notice:, reset Telephone Pretrial Conference for 12:30 p.m. in Syracuse NY before Judge McAvoy on 8/5/93 (pta) (ban,). (Entered: 07/09/1993)
07/09/1993	<u>122</u>	Letter MOTION Atty John A. Beck dd 7-06-93 by Inmates of New York by Pltf for adjournment of 7-30-93 Telephone Conference , until wk of 8-03-93; Hearing set for 8-09-03 [forward to Deputy Clerk Ligas] (pta) (ban,). (Entered: 07/09/1993)
07/29/1993	<u>124</u>	STATUS REPORT by Mario Cuomo, Thomas A. Coughlin, Robert Greifinger, Glenn S. Goord, Marion Borum, Raymond Broaddus, Richard C. Surles, Joel A. Dvoskin (plp) (ban,). (Entered: 07/29/1993)
08/02/1993	<u>125</u>	Pltfs Ltr/STATUS REPORTdd 7/30/93 (plp) (ban,). (Entered: 08/03/1993)
08/10/1993		Pre-trial conference held 8/5/93 (plp) (Entered: 08/10/1993)
08/10/1993	<u>126</u>	MINUTES OF 8/5/93 TELEPHONE PRETRIAL/STATUS CONFERENCE: Appearances: Jack Beck, Esq., & Milton Celermyer, Esq., (PLS) for PLTFS; Darren O'Connor, AAG, & Deirdre Roney, AAG for Defts; CR: None; Parties to consider possible ADR (re: special master or summary trial); Parties to confer w/ clients re: time frames for production of documents; counsel to advise court w/in 2 wks (due 8/20/93); Parties to submit proposed order re: complexity of action (plp) (ban,). (Entered: 08/10/1993)

10/12/1993	<u>128</u>	Defts' RESPONSE to interrogs and request for production of documents, dd 7/12/93. (cbm) (ban,). (Entered: 10/13/1993)
10/13/1993	<u>127</u>	STIPULATION CONCERNING DISCOVERY/ORDER: that case is deemed complex in nature & parties exempt from completing discovery & commencing trial w/in 18 months; parties directed to file Status Report every 4 months (1st Status Report due 2/25/94) (signed 10/9/93 by Chief Judge Thomas J. McAvoy) [served 10/13/93] (plp) (ban,). (Entered: 10/13/1993)
03/10/1994	<u>130</u>	Joint STATUS REPORT on Discovery (w/ Proposed Order/Stipulation & Proposed Supplemental Order) [forwarded to Judge McAvoy for consideration] (plp) (jel,). (Entered: 03/11/1994)
03/10/1994	<u>129</u>	Pltf ltr to Court dd 3/8/94 re: Joint Status Report (plp) (jel,). (Entered: 03/11/1994)
03/22/1994	<u>132</u>	Supplemental ORDER re: discovery (signed 3/22/94 by Chief Judge Thomas J. McAvoy) [served 3/24/94] (plp) (jel,). (Entered: 03/24/1994)
03/22/1994	<u>131</u>	So ORDERed Stipulation re: discovery (signed 3/19/94 by Chief Judge Thomas J. McAvoy) [served 3/24/94] (plp) (jel,). (Entered: 03/24/1994)
05/02/1994	<u>133</u>	MOTION to Intervene by Robert Reitano, pro se with Proposed Complaint of Intervention attached, Motion returnable before Judge/Mag. Judge: Smith (wbl) (jel,). (Entered: 05/02/1994)
05/03/1994	<u>134</u>	Scheduling Notice:, for Motion Hearing set for 9:30 6/2/94 re: [133-1] motion to Intervene by Robert Reitano, pro se , and Response to Motion set to 5/19/94 for [133-1] motion to Intervene by Robert Reitano, pro se , and Reply to Response to Motion set to 5/26/94 for [133-1] motion to Intervene by Robert Reitano, pro se (wbl) (jel,). (Entered: 05/03/1994)
05/04/1994	<u>135</u>	AAG Roney ltr to court dd 4/29/94 in response to ltr from Robt Reitano moving for leave to intervene on ground of common question (plp) (jel,). (Entered: 05/05/1994)
05/12/1994	<u>136</u>	Scheduling Notice: Pro Se Robert Reitano [133-1] motion to Intervene as Pltf is ADJOURNED from 6/2/94 before Mag/Judge to 6/13/94, ON SUBMIT, before Judge McAvoy [served 5/12/94] (plp) (jel,). (Entered: 05/12/1994)
05/16/1994	<u>137</u>	Copy of Robert Reitano ltr to Douglas Gray dd 5/5/94 re: intervention (plp) (jel,). (Entered: 05/17/1994)
06/01/1994	<u>138</u>	Court NOTICE to all counsel dd 6/1/94 advising that 6/13/94 motions WILL BE ON SUBMIT; NO ORAL ARGUMENT [served 6/1/94] (plp) (jel,). (Entered: 06/01/1994)
06/03/1994	<u>139</u>	ORDER: DENYING [133-1] motion to Intervene by Robert Reitano, pro se (signed 6/2/94 by Chief Judge Thomas J. McAvoy) [served 6/3/94] (plp) (jel,). (Entered: 06/06/1994)
06/13/1994	<u>141</u>	MINUTES OF 6/13/94 MOTION HEARING: [133-1] Motion by Robt Reitano to Intervene as Pltf -- TAKEN ON SUBMIT; No App; CR: V. Theleman; LC: J. Domurad (plp) (jel,). (Entered: 06/20/1994)
06/13/1994	<u>140</u>	Pltf Atty Zelermyer ltr to court dd 6/9/94 updating court as to proper attorneys of record [so noted] (plp) (jel,). (Entered: 06/13/1994)
07/11/1994	<u>142</u>	Joint STATUS REPORT on Discovery (plp) (jel,). (Entered: 07/11/1994)
08/02/1994	<u>143</u>	Scheduling Notice: Pretrial Status Conference set for 10/14/94, 12:30 p.m. in Albany before Judge McAvoy [served 8/2/94] (plp) (jel,). (Entered: 08/02/1994)
10/07/1994	<u>144</u>	STATUS REPORT by Mario Cuomo, Thomas A. Coughlin, Robert Greifinger, Glenn S. Goord, Marion Borum, Raymond Broaddus, Richard C. Surles, Joel A. Dvoskin (tjm) (jel,). (Entered: 10/07/1994)
10/11/1994	<u>145</u>	Pltf STATUS REPORT (plp) (jel,). (Entered: 10/12/1994)
10/14/1994		PT/Status conference held before Chief Judge McAvoy in Albany, N.Y. (cml) (Entered: 01/06/1995)

10/17/1994	<u>146</u>	MINUTES OF 10/14/94 PRETRIAL CONFERENCE: Clerk directed to reschedule PT Conf for late May of 1995; Pltf directed to submit est. timeframe to defts re: discovery completion; Settlement discussed, but not likely at this time; Pltf est. 3 weeks (minimum) for trial; parties directed to submit report one week prior to conf re: proposed R16 dates & reasons supporting timeframe request; Court will consider dates & issue order at that time; App: John Beck, Milton Zelermyer, Lisa Freeman & Lourdes Falco, Esqs, of Legal Aid Society all for Pltfs; Darren O'Connor, AAG & Deirdre Roney, AAG for Defts; Also present: Correction Svc Reps Derek J. Jackson, Amy Mahar & Nancy Heywood; (plp) (jel,). (Entered: 10/18/1994)
03/01/1995	<u>147</u>	Letter dd 2/25/95 from Roy Hampton, inmate, requesting to join in class action re: inmates with HIV (plp) (jel,). (Entered: 03/01/1995)
04/04/1995	<u>148</u>	COURT Notice: setting PT Conference for 12:30 P.M. on 5/12/95 before Chief Judge McAvoy in Albany, N.Y. Counsel to submit short, concise status stmts at least (5) days prior to conf date; signed by CRD Ligas (cml) (jel,). (Entered: 04/04/1995)
04/13/1995	<u>149</u>	NOTICE of attorney appearance for Inmates of New York by Daniel L. Greenberg (in place of Philip L. Weinstein, Esq.) (plp) (jel,). (Entered: 04/14/1995)
05/08/1995	<u>151</u>	DEFTS STATUS REPORT by Richard C. Surlles, Mario Cuomo, Thomas A. Coughlin, Robert Greifinger, Glenn S. Goord, Marion Borum, Raymond Broaddus, Joel A. Dvoskin (pta) (jel,). (Entered: 05/09/1995)
05/08/1995	<u>150</u>	PLTFS STATUS REPORT by Inmates of New York (pta) (jel,). (Entered: 05/09/1995)
05/10/1995		COURT CRD Ligas notified counsel via telephone re: moving up PT/Status Conference for 11:30 A.M. on 5/11/95 before Chief Judge McAvoy in Albany, N.Y. (cml) (Entered: 05/10/1995)
05/11/1995		PT Status Conference held before Chief Judge McAvoy in Albany, N.Y. (cml) (Entered: 05/18/1995)
05/18/1995	<u>153</u>	COURT Notice: setting PT Status Conference for 12:30 P.M. on 12/13/95 before Chief Judge McAvoy in Albany, N.Y. ; signed by CRD Ligas (cml) (jel,). (Entered: 05/18/1995)
05/18/1995	<u>152</u>	Minute entry: PT STATUS CONF HELD 5/11/95 IN ALBANY: App: Lourdes Falco, John A. Beck & Milton Zelermyer, Esqs. for Pltfs; Darren O'Connor & Deirdre Roney, AAGs for Defts; CR: None. Settlement discussed but unlikely at this time. Pltf's 2nd set of contention interrogatories to be served by June 1996. Issue of extension of deft's opportunity to prepare a defense in this action beyond the parties agreed-upon (9) months timeframe to be revisited in June 1996 (once 2nd set contention interros are served). Court to conduct status conference in (6) months. Clerk directed to issue notice. (cml) (jel,). (Entered: 05/18/1995)
08/30/1995	<u>154</u>	RESPONSE by defendants' to Discovery Re: dated March 17, 1995 but postmarked March 20, 1995 (fce) (jel,). (Entered: 08/30/1995)
09/25/1995	<u>155</u>	Inmate Rafael Baez ltr to court dd 9/24/95 re: medical condition (plp) (jel,). (Entered: 09/25/1995)
12/06/1995	<u>156</u>	COURT Notice: resetting PT/Status Conference for 12:30 P.M. on 12/13/95 before Chief Judge McAvoy in Binghamton, N.Y. ; signed by CRD Ligas [location change only] (cml) (jel,). (Entered: 12/06/1995)
12/06/1995	<u>157</u>	STATUS REPORT by Defts Richard C. Surlles, Joel A. Dvoskin, Raymond Broaddus, Marion Borum, Glenn S. Goord, Robert Greifinger, Thomas A. Coughlin, Mario Cuomo (plp) (jel,). (Entered: 12/07/1995)
12/07/1995	<u>158</u>	Pltf STATUS REPORT (plp) (jel,). (Entered: 12/07/1995)
12/13/1995		Pre-trial conference held 12/13/95 (plp) (Entered: 12/14/1995)
12/13/1995	<u>159</u>	MINUTES OF 12/13/95 TELEPHONE PRE-TRIAL/STATUS CONFERENCE: Discovery extended to 11/30/97; Disclosure to be completed by 8/15/96; Depositions to be conducted between 8/15/96 & 4/97; Central Office depositions to be conducted between 4/97 thru 11/30/97; Counsel directed to submit status letter w/in 30 days;

		Follow-up Pretrial/Status conference scheduled for 9/9/96, 2:00 p.m. in Albany; Clerk will issue notice; APP: John Beck, Esq., for Pltfs; D. O'Connor & D. Roney, AAGs for Defts (plp) (jel,). (Entered: 12/14/1995)
12/13/1995		Deadlines updated; Discovery extended to 11/30/97 w/ discovery disclosure to be completed by 8/15/96 , Status letter due w/in 30 days (by 1/15/96) (refer to [159-1] minute entry) (plp) (Entered: 12/15/1995)
12/14/1995	<u>160</u>	Scheduling Notice: Pretrial/Status Conference scheduled for 9/9/96, 2:00 p.m. in Albany before Judge McAvoy [served 12/14/95] (plp) (jel,). (Entered: 12/15/1995)
12/20/1995	<u>161</u>	Pltfs Attys ltr to court dd 12/18/95 confirming discovery schedule (plp) (jel,). (Entered: 12/22/1995)
05/15/1996	<u>162</u>	5/12/96 ltr of Kirkland Ellis (on behalf of Pltfs) requesting that court direct that the Class action notice be posted on all facility bulletin boards (plp) (jel,). (Entered: 05/15/1996)
06/26/1996	<u>163</u>	DECISION/ORDER: GRANTING Pltf Kirkland E. Smith request; DIRECTING that notice of class action be posted on all inmate bulletin boards as well as in the housing area & infirmary until the end of class action (signed by Chief Judge Thomas J. McAvoy) [served 6/26/96] (plp) (jel,). (Entered: 06/27/1996)
07/11/1996	<u>164</u>	Letter of Mr. Michael Coveney to court dd 7/4/96 requesting copies of original petition, local rules, motion days; further advising that he may be filing a motion to intervene (plp) (jel,). (Entered: 07/15/1996)
07/15/1996	<u>165</u>	RESPONSE by defendants' to Discovery Re: [162-1] remark (fce) (jel,). (Entered: 07/17/1996)
07/16/1996	<u>166</u>	RESPONSE by defendants' to plaintiff's discovery demand dated 6/11/96. Provide updates to medical charts previously provided for each of the class members listed for the time period after the end date of the chart as noted herein. Response Responsive documents will be provided. (fce) (jel,). (Entered: 07/17/1996)
07/29/1996	<u>167</u>	LETTER dd.7/19/96 from Reynaldo Arroyo at Gouverneur Correctional Facility (fce) (jel,). (Entered: 08/05/1996)
08/27/1996	<u>168</u>	Defendants' Status Statement (fce) (jel,). (Entered: 08/28/1996)
09/03/1996	<u>169</u>	Pltf STATUS REPORT (plp) (jel,). (Entered: 09/11/1996)
09/09/1996		PT/Status conference held before Chief Judge McAvoy in Albany, N.Y. (cml) (Entered: 09/13/1996)
09/13/1996	<u>170</u>	Minute entry: PT/STATUS CONF HELD 9/09/96 BEFORE JUDGE MCAVOY IN ALBANY: App: John Beck & Milton Zelmeyer, Esqs. for Pltfs; Darren O'Connor, AAG for Defts; CR: None; LC: None. Counsel report to Court re: discovery compliance & progress. Court directs next conference to be conducting during May 1997. (cml) (jel,). (Entered: 09/13/1996)
09/13/1996	<u>171</u>	COURT Notice: setting PT/Status Conference for 2:00 P.M. on 5/12/97 before Chief Judge McAvoy in Albany, N.Y. Status statements due (10) days in advance of conference; signed by CRD Ligas dtd 9/13/96 (cml) (jel,). (Entered: 09/13/1996)
09/25/1996	<u>172</u>	Letter Motion of Duane Selby dd 9/24/96 requesting status of this case; further requesting to intervene [forwarded to Chambers/AMB] (plp) (jel,). (Entered: 09/27/1996)
10/29/1996	<u>173</u>	ORDER denying Pltf Selby's [172-1] request to intervene and represent himself (signed by Chief Judge Thomas J. McAvoy on 10/29/96) [served] (amt) (jel,). (Entered: 10/30/1996)
10/29/1996	<u>174</u>	Court letter to Atty Beck dd 10/29/96 directing that he respond to Pltfs' letters regarding status of action and copy Court with his letter (amt) (jel,). (Entered: 10/30/1996)
11/14/1996	<u>175</u>	Letter of Atty Beck to the Court dd 11/8/96 advising that he responded to Pltf's letters in accordance with Chief Judge McAvoy's direction (letter dd 10/29/96) (amt) (jel,).

		(Entered: 11/15/1996)
11/19/1996	<u>176</u>	Letter of Inmate Duane Selby dd 11/18/96 re: medical situation (plp) (jel,). (Entered: 11/26/1996)
11/25/1996	<u>177</u>	Pltfs Attys Legal Aid Society 11/20/96 ltr to court w/ attached Proposed Order re: request for release of medical records from autopsies to Pltfs [forwarded to Chief Judge for consideration] (plp) (jel,). (Entered: 11/26/1996)
11/29/1996	<u>178</u>	AAG O'Connor 11/26/96 ltr to court in response to Pltf application for an order directing hospitals & medical examiners to provide records of deceased inmates to class counsel w/out a release; Stating NO POSITION on the request (plp) (jel,). (Entered: 12/02/1996)
12/02/1996	<u>179</u>	ORDER: GRANTING Pltfs request for disclosure of records relating to deaths; further ordered that when Pltfs obtain a hospital record, that they shall disclose to depts; further ordered that records shall only be revealed to parties' attorneys & staff; parties' expert witnesses & then only to extent necessary to prosecute or defend litigation; depts, employees & agents; court and court staff (signed by Chief Judge Thomas J. McAvoy) [served 12/2/96] (plp) (jel,). (Entered: 12/02/1996)
12/06/1996	<u>181</u>	Plf's letter dd 12/4/96 stating that the parties have agreed that plf's response to dft's contention interrogatories for Correctional Facilities will be provided on Jan. 17, 1997 instead of 12/13/96. (fce) (jel,). (Entered: 12/17/1996)
12/09/1996	<u>180</u>	PLTF. letter dd 12/6/96 requesting to submit an order and asking for an answer to complaint. (fce) (jel,). (Entered: 12/12/1996)
12/27/1996	<u>182</u>	COPY PRO SE Duane Selby Letter to John Beck, Esq. dd 12-23-96 (pta) (jel,). (Entered: 12/27/1996)
12/31/1996	<u>183</u>	RESPONSE by Joel A. Dvoskin, Raymond Broaddus, Marion Borum, Glenn S. Goord, Robert Greifinger, Thomas A. Coughlin, Mario Cuomo, Richard C. Surles to Discovery Re: [177-1] remark (fce) (jel,). (Entered: 01/09/1997)
01/14/1997	<u>184</u>	Court letter to interpreter Espinosa dd 1/14/97 requesting her to translate 2 Spanish letters that were received in this action (amt) (jel,). (Entered: 01/14/1997)
01/17/1997	<u>185</u>	Letter of Atty Beck to Court dd 1/13/97 updating the Court re: his correspondence w/Pltf Selby re: his medical condition (amt) (jel,). (Entered: 01/17/1997)
01/21/1997	<u>186</u>	English translation of Pltf Moralez's letter to Court dd 1/3/97 requesting that the Court send an investigator to the prison to investigate the problems inmates are having obtaining medical help (Spanish letter attached) [forwarded to TJM for consideration] (amt) (jel,). (Entered: 01/22/1997)
01/23/1997	<u>187</u>	Letter of Inmate Selby re: medical condition, prison condition (plp) (jel,). (Entered: 01/24/1997)
02/04/1997	<u>188</u>	LETTER/ORDER denying Pltf Moralez's [186-1] request for an investigator (signed by Chief Judge Thomas J. McAvoy on 2/4/97) [served] (amt) (jel,). (Entered: 02/05/1997)
02/20/1997	<u>189</u>	COPY of Pltf Selby's letter to Legal Aid Society dd 2/17/97 re: his medical release authorization forms (amt) (jel,). (Entered: 02/21/1997)
03/17/1997	<u>190</u>	Letter dd 3/1/97 of Inmate Anthony Morales re: recreation (plp) (jel,). (Entered: 03/19/1997)
04/07/1997		RECEIVED an Inmate Letter [forward to Pltf counsel for review] (pta) (Entered: 04/08/1997)
04/23/1997	<u>191</u>	defendants' Status Statement (fce) (jel,). (Entered: 04/23/1997)
05/05/1997	<u>192</u>	Pltf STATUS REPORT submitted for 5/12/97 conference (plp) (jel,). (Entered: 05/06/1997)
05/08/1997		COURT CRD Ligas contacted counsel via telephone re: resetting PT/Status Conference for 12:30 P.M. on 5/12/97 before Chief Judge McAvoy in Albany , N.Y. [moved up from 2:00 pm] (cml) (Entered: 05/08/1997)

05/12/1997		PT/Status conference held before Chief Judge McAvoy in Albany, N.Y. (cml) (Entered: 05/14/1997)
05/14/1997	<u>193</u>	Minute entry: PT/STATUS CONF HELD 5/12/97 BEFORE CHIEF JUDGE MCAVOY IN ALBANY: App: John Beck, Milton Zelmeyer & Lourdes Falco, Esqs. for Pltfs; AAG Darren O'Connor & Amy Mahar (from Corrections) for Defts; CR: None. Pltf advise Court and opposing counsel re: pltfs may seek bifurcation of trial as to OMH; Court may ultimately have to hear motion(s) on issue. Parties are to decide timing & length of trial; parties prefer Albany trial location. Counsel guesstimate that action may take (3) months to try & trial to be held between mid-spring thru summer of 1999. Court directs next status conference to be scheduled around February 1998. (cml) (jel,). (Entered: 05/14/1997)
05/14/1997	<u>194</u>	COURT Notice: setting PT/Status Conference for 2:00 P.M. on 2/9/98 before Chief Judge McAvoy in Albany , N.Y.; Status stmts due (5) days prior to conference; signed by CRD Ligas dtd 5/14/97 (cml) (jel,). (Entered: 05/14/1997)
05/30/1997	<u>195</u>	RESPONSE by Joel A. Dvoskin, Raymond Broaddus, Marion Borum, Glenn S. Goord, Robert Greifinger, Thomas A. Coughlin, Mario Cuomo, Richard C. Surles to Discovery Re: Discovery demand dated 3/21/97 (fce) (jel,). (Entered: 06/04/1997)
07/18/1997	<u>196</u>	Letter from Pedro Laureano to Sylvia A. Laguna, Director of Inmate Greivance Program dated 7/14/97 (fce) (jel,). (Entered: 08/08/1997)
10/21/1997	<u>197</u>	INMATE LETTER of Frank Ming (aka Paul Johnson) to Court requesting case status and to be provided a copy of motion re: right/confidentiality [forwarded to TJM] (cml) (jel,). (Entered: 10/23/1997)
10/24/1997	<u>198</u>	PLTF LETTER stating complaints by inmates (fce) (jel,). (Entered: 10/29/1997)
11/05/1997	<u>199</u>	COURT LETTER answering inmate Mings request for copy of protective order. sent 11/5/97 (fce) (jel,). (Entered: 11/05/1997)
02/02/1998	<u>200</u>	STATUS REPORT by Defts dd 1/29/98 (amt) (jel,). (Entered: 02/03/1998)
02/04/1998	<u>201</u>	DEFTS' STATUS REPORT dd 2/2/98 (amt) (jel,). (Entered: 02/04/1998)
02/09/1998		PT/Status conference held before Chief Judge McAvoy in Albany, N.Y. (cml) (Entered: 02/24/1998)
02/10/1998	<u>202</u>	Minute entry of 2/9/98 Pretrial/Status conference; App: J. Beck, M. Zelmeyer, L. Falco, and A. Mahar, Esqs., for Pltfs' D. O'Connor, AAG, for Defts; Parties indicated case may be trial ready by the year 2000; anticipated trial length: 4-6 months; Parties to advise the Court w/in 1 week of Summary Judgment proposal; Parties considering appointment of Special Master (amt) (jel,). (Entered: 02/11/1998)
02/20/1998	<u>203</u>	MOTION by Deponent Robert M. Takos to Seal his Deposition Motion returnable before Judge/Mag. Judge: Smith (wbl) (jel,). (Entered: 02/27/1998)
03/02/1998	<u>204</u>	STATUS REPORT dd 2/25/98 filed by Inmates of New York in accordance w/TJM's direction during Court's 2/9/98 conference (amt) (jel,). (Entered: 03/02/1998)
03/02/1998	<u>205</u>	RESPONSE by Joel A. Dvoskin, Raymond Broaddus, Marion Borum, Glenn S. Goord, Robert Greifinger, Thomas A. Coughlin, Mario Cuomo, Richard C. Surles to Discovery Re: Discovery demand dated 12/17/97 (fce) (jel,). (Entered: 03/03/1998)
03/09/1998	<u>206</u>	AAG O'Connor's Letter dd 3/5/98 to the court in response to pltf's 2/25/98 letter re: bifurcation. (fce) (jel,). (Entered: 03/09/1998)
03/11/1998	<u>207</u>	RESPONSE by Joel A. Dvoskin, Raymond Broaddus, Marion Borum, Glenn S. Goord, Robert Greifinger, Thomas A. Coughlin, Mario Cuomo, Richard C. Surles to Discovery Re: dated December 17, 1997 (fce) (jel,). (Entered: 03/11/1998)
03/13/1998	<u>208</u>	RESPONSE and Proposed Order by John A. Beck, Counsel for the Inmates of New York in opposition to the [203-1] motion to Seal his Deposition. Plaintiffs further state there is no basis for a protective order on deposition for it was a criminal action which is now public record but they would be willing to have that portion of deposition placed under seal. They object to whole deposition for it relates mostly to medical procedures. (jel) Modified on 03/13/1998 (jel,). (Entered: 03/13/1998)

03/20/1998	<u>209</u>	LETTER of Dr. Takos dd 3/16/98 requesting court seal all depositions [cc: Marlene] (fce) (jel,). (Entered: 03/23/1998)
03/24/1998	<u>210</u>	ORDER Sealing portion of Robert M. Takos deposition on 1/19/95 and copies of the aforementioned portion of Takos dep. in possession of the parties, & parties' attys & their staff shall only be revealed to Court & its staff or to parties' witnesses & then only to extent necessary to prosecute or defend this litigation (signed by Chief Judge Thomas J. McAvoy 3/21/98) (fce) (jel,). (Entered: 03/26/1998)
04/20/1998	<u>211</u>	Letter of Atty Beck to the Court dd 4/17/98 requesting a conference w/the Court [copy forwarded to chambers/CML for consideration] (amt) (jel,). (Entered: 04/20/1998)
04/27/1998	<u>212</u>	Letter of Atty McGowen to the Court dd 4/23/98 in response to Atty Beck's [211-1] letter and also requesting a conference [copy forwarded to chambers/CML for consideration] (amt) (jel,). (Entered: 04/27/1998)
04/28/1998		Received proposed Stipulation re: discovery – forwarded to chambes/JB for consideration (amt) (Entered: 04/28/1998)
05/04/1998	<u>213</u>	STIPULATION/ORDER directing that any of the documents produced pursuant to the agreement shall not be revealed except to the persons listed in the stipulation (signed by Chief Judge Thomas J. McAvoy on 4/30/98) [served] (amt) (jel,). (Entered: 05/04/1998)
07/01/1998	<u>214</u>	PLAINTIFF'S LETTER advising Court of conditions in the correctional facility/forwarded to chambers (fce) (jel,). (Entered: 07/01/1998)
07/01/1998	<u>215</u>	COURT NOTICE to AAG O'Connor requesting he file a response no later than 7-09-98 to Mr. Morales's letter of 6-21-98 (pta) (jel,). (Entered: 07/01/1998)
07/08/1998	<u>216</u>	Letter of AAG O'Connor to the Court dd 7/6/98 in response to the Pltf Morales' letters re: medical care at the facility (amt) (jel,). (Entered: 07/08/1998)
07/10/1998	<u>217</u>	Letter of Pltf Morales to the Court dd 7/10/98 requesting that the Court enter an order for him to see a dermatologist [copy forwarded to chambers/AMT for consideration] (amt) (jel,). (Entered: 07/13/1998)
08/14/1998	<u>218</u>	Defendants' INTERROGATORIES propounded and request for production of documents to Inmates of New York, Richard C. Surles (fce) (jel,). (Entered: 08/14/1998)
08/18/1998	<u>219</u>	STIPULATION/ORDER approving discovery procedures and ORDERING that none of the information/documents provided to Pltfs' counsel shall be revealed except to parties' attorneys and their staff; expert witnesses; defts and their employees; and the Court and its staff (signed by Chief Judge Thomas J. McAvoy on 8/15/98) [served] (amt) (jel,). (Entered: 08/19/1998)
08/26/1998	<u>220</u>	Mail returned undeliverable. [219-1] order approving discovery procedures and ORDERING that none of the information/documents provided to Pltfs' counsel shall be revealed except to parties' attorneys and their staff; expert witnesses; defts and their employees; and the Court and its staff RE: Doc. #: [219-1] Address sent to: Daniel L. Greenberg, Legal Aid Society, Prisoner Rights Project, 15 Park Row, 7th Floor, NY NY 10038. Resent to: Leagal Aid Society, 90 Church ST. #13-14-15, New York, NY 10007-2919, with note requesting address change. (fce) (jel,). (Entered: 08/27/1998)
08/28/1998	<u>221</u>	NOTICE of Change of Address by Legal Aid Society dd 8/26/98 (amt) (jel,). (Entered: 08/28/1998)
09/17/1998	<u>222</u>	PLTF Letter application of Atty Milton Zelermyer dtd 9/15/98 requesting: PT conf to resolve discovery dispute of depositions [forwarded to TJM] (cml) (jel,). (Entered: 09/17/1998)
10/05/1998		COURT CRD Ligas scheduled w/ counsel via telephone re: setting Telephone PT Conference for 12:30 PM on 10/7/98 bef Chief Judge McAvoy in Albany , N.Y. Deft AAG O'Connor to place conf call. (cml) (Entered: 10/05/1998)
10/07/1998	<u>223</u>	Letter of Atty O'Connor to the Court dd 10/5/98 in response to Pltfs' 9/15/98 letter re: five additional depositions (amt) (jel,). (Entered: 10/07/1998)

10/07/1998		Pre-trial conference held 10/7/98 in Albany [12:30-12:50] (plp) (Entered: 10/16/1998)
10/14/1998	<u>224</u>	MINUTES of 10/7/98 Telephone Pretrial Conference: Participants: J. Beck, D. O'Connor (plp) (jel,). (Entered: 10/16/1998)
10/14/1998	<u>225</u>	AAG O'Connor 10/13/98 ltr to court requesting that action not be consolidated with 95-cv-1244 (plp) (jel,). (Entered: 10/16/1998)
01/12/1999	<u>226</u>	RESPONSE by Joel A. Dvoskin, Raymond Broaddus, Marion Borum, Glenn S. Goord, Robert Greifinger, Thomas A. Coughlin, Mario Cuomo, Richard C. Surles to Discovery demand made 12/1/98 (fce) (jel,). (Entered: 01/12/1999)
01/12/1999	<u>227</u>	RESPONSE by Joel A. Dvoskin, Raymond Broaddus, Marion Borum, Glenn S. Goord, Robert Greifinger, Thomas A. Coughlin, Mario Cuomo, Richard C. Surles to Discovery demand made 10/30/98 (fce) (jel,). (Entered: 01/12/1999)
01/14/1999	<u>228</u>	Letter to the Court from Pltf's counsel dd 1/11/99 request that the Court sign the enclosed Stipulation/Order directing that hospitals,etc. provide records to Pltfs w/out a release [forwarded to chambers/CML for consideration] (amt) (jel,). (Entered: 01/14/1999)
01/20/1999	<u>229</u>	SEALED Stipulation/Order re: discovery (amt) (Additional attachment(s) added on 10/2/2014: # <u>1</u> SEALED Stipulation/Order) (jel,). (Entered: 01/21/1999)
03/11/1999		Consolidated Lead Case; Member case: 6:95-cv-1244 (amt) (Entered: 03/12/1999)
03/11/1999	<u>230</u>	ORDER directing that 95-cv-1244 be Consolidated under 90-cv-252, which will be the lead action (signed by Chief Judge Thomas J. McAvoy) (amt) (jel,). (Entered: 03/16/1999)
03/24/1999	<u>231</u>	NOTICE of attorney appearance for Robert Greifinger, Philip Coombe, Doctor Weilt by Darren O'Connor (fce) (jel,). (Entered: 03/25/1999)
03/25/1999	<u>232</u>	AAG O'Connor 3/23/99 letter to court requesting permission for Pltf Selby to file a summary judgment motion in 6:95-cv-1244 by 4/16/99 (plp) (jel,). (Entered: 03/26/1999)
03/29/1999	<u>237</u>	ORDER, granting AAG O'Connor's request to file a Summary Judgment in 95-cv-1244 by the Motion Filing deadline of 4/16/99 ; to be returnable before Mag/Judge Smith (dd 3-29-99 signed by Chief Judge Thomas J. McAvoy) (pta) Modified on 05/06/1999 (jel,). (Entered: 04/13/1999)
04/06/1999	<u>233</u>	Letter of Milton Zelermyer to the Court dd 4/2/99 requesting a conference to clarify the role of counsel for consolidated Pltf Selby [copy forwarded to chambers/CML for consideration] (amt) (jel,). (Entered: 04/06/1999)
04/08/1999	<u>234</u>	Letter of AAG O'Connor to Pltf Selby dd 4/6/99 in response to Pltf's letter dd 3/22/99 to the Court (amt) (jel,). (Entered: 04/08/1999)
04/09/1999	<u>235</u>	MOTION by Robert Greifinger, Philip Coombe, Doctor Weilt for Summary Judgment , Hearing set for 9:30 5/14/99 , Response Deadline 4/30/99 , Reply to Response Deadline 5/7/99 Motion returnable before Judge/Mag. Judge: Smith (fce) (Additional attachment(s) added on 10/2/2014: # <u>1</u> MOTION, # <u>2</u> MOTION) (jel,). (Entered: 04/09/1999)
04/09/1999	<u>236</u>	MEMORANDUM by Robert Greifinger, Philip Coombe, Doctor Weilt in support of [235-1] motion for Summary Judgment (fce) (jel,). (Entered: 04/09/1999)
04/09/1999		Motion(s) referred: [235-1] motion for Summary Judgment referred to Magistrate Judge Ralph W. Smith (fce) (Entered: 04/09/1999)
05/04/1999	<u>238</u>	Minute entry of 4/30/99 Pretrial Conference; App: M. Zelermyer, Esq., for Pltf; D. O'Connor, AAG, for Defts' W. Selby, Pro Se Pltf' Court allows summary judgment motion; Consolidated Pltf allowed to file cross-motion; Discovery motion will also be allowed; Parties given additional 30 days for motion and cross-motion [11:00-11:30] (amt) (jel,). (Entered: 05/06/1999)
05/05/1999	<u>239</u>	COURT NOTICE to Pltf's attorney and DOCs dd 5/5/99 directing them to respond Pltf William Carrasquillo's letter to Judge McAvoy [served] (amt) (Additional

		attachment(s) added on 10/2/2014: # <u>1</u> COURT NOTICE) (jel,). (Entered: 05/06/1999)
05/12/1999	<u>240</u>	Letter from Pltf Selby to the Court dd 5/10/99 confirming the submissions/deadlines discussed that the 4/30/99 conference (amt) (jel,). (Entered: 05/12/1999)
05/19/1999	<u>241</u>	COPY of Pro Se Selby Letter (6:95-cv-1244) to AAG Darren O'Connor dd 5-17-99 regarding settlement offer (pta) (jel,). (Entered: 05/19/1999)
05/21/1999	<u>242</u>	AFFIRMATION of service of proposed Order to Judge McAvoy by Duane Selby Re: requesting a transfer to Manhattan Correctional Center for 90 days for purpose of reviewing documents. (fce) (jel,). (Entered: 05/21/1999)
05/24/1999	<u>243</u>	Letter of Darren O'Connor, endorsed by SF Broton on behalf of Judge Sharpe making motion for summary judgement returnable before Judge McAvoy directly (signed by Magistrate Judge Gary L. Sharpe) (fce) Modified on 05/24/1999 (jel,). (Entered: 05/24/1999)
05/24/1999		Motion(s) no longer referred: [235-1] motion for Summary Judgment (fce) (Entered: 05/24/1999)
06/17/1999	<u>244</u>	COURT Scheduling Notice to counsel dd 6/17/99 resetting Defts' [235-1] motion for Summary Judgment for 8/9/99 at 10:00am in Albany before Chief Judge McAvoy , Response to Motion reset to 7/26/99 for [235-1] motion for Summary Judgment [served] (amt) (jel,). (Entered: 06/17/1999)
06/21/1999	<u>245</u>	Pltf Selby's Statement of Material Facts in opposition to [235-1] motion for Summary Judgment (amt) (jel,). (Entered: 06/22/1999)
06/21/1999	<u>246</u>	Pltf Selby's RESPONSE in opposition to Deft's [235-1] motion for Summary Judgment (amt) (jel,). (Entered: 06/22/1999)
07/02/1999	<u>247</u>	PRO SE SELBY LETTER dd 6-30-99 concerning Motion to Compel and Motion for Summary Judgment and Request conference resolve issue of access to class action discovery (pta) (jel,). (Entered: 07/02/1999)
08/27/1999	<u>248</u>	REQUEST by Pltf Selby and ORDER denying request to be transferred to review documents (signed by Chief Judge Thomas J. McAvoy) (amt) (jel,). (Entered: 08/30/1999)
09/17/1999	<u>249</u>	COURT Scheduling Notice to parties dd 9/17/99 rescheduling motion hearing re: [235-1] motion for Summary Judgment for 10/12/99 at 10:00am in Albany (amt) (Entered: 09/20/1999)
09/20/1999	<u>250</u>	COURT Scheduling Notice to parties dd 9/20/99 resetting [235-1] motion for Summary Judgment for 10/22/99 at 10:00am in Binghamton , Response to Motion reset to 10/8/99 for [235-1] motion for Summary Judgment [served] (amt) (jel,). (Entered: 09/20/1999)
09/27/1999	<u>251</u>	Letter of Pltf Selby to the Court dd 9/22/99 in opposition to the motion being heard on 10/22/99 (amt) (jel,). (Entered: 09/28/1999)
10/15/1999	<u>252</u>	Change of Address received. Effective date: 10/12/99 from/for consolidated plaintiff Duane Selby New Address: Gouvernuer Correctional Facility, Gouverneur, NY (amt) (jel,). (Entered: 10/15/1999)
10/15/1999	<u>253</u>	COURT NOTICE to counsel dd 10/15/99 advising that the pending motion will be taken on submit; no appearances are necessary [served] (amt) (jel,). (Entered: 10/15/1999)
10/22/1999		Motion hearing re: defts Greifinger, Coombe & Weilt's [235-1] motion for Summary Judgment held (cml) (Entered: 10/25/1999)
10/22/1999	<u>254</u>	Minute entry: MOTION CALENDAR HELD 10/22/99 bef Chief Judge McAvoy in Binghamton, NY: APP: None; CR: V. Theleman; LC/SSSt. Defts Greifinger, Coombe & Weilt's [235-1] motion for Summary Judgment - TAKEN ON SUBMIT. (cml) (jel,). (Entered: 10/25/1999)

12/15/1999	<u>255</u>	DECISION AND ORDER, that Pltf Selby's motion to compel discovery is DENIED; Selby's motion for sanctions is DENIED; Defts are Ordered to respond to discovery requests by 1-17-2000; Selby is Ordered to respond to Defts motion for summary judgment by 3-02-2000; Defts may submit reply within 10 days of receiving opposition papers; Defts motion for summary judgment is STAYED until 3-14-2000 to Stay (signed by Chief Judge Thomas J. McAvoy) Date Entered: 12/15/99 (pta) (jel,). (Entered: 12/15/1999)
12/27/1999	<u>258</u>	MOTION by Pltf Selby for Reconsideration of [255-1] order Motion returnable before Judge Thomas J. McAvoy (amt) (jel,). (Entered: 12/30/1999)
12/30/1999	<u>256</u>	JUDGMENT OF USCA (certified copy) granting the motion for in forma pauperis as to Duane Selby, and denying petition for failure to demonstrate extraordinary circumstances (amt) (jel,). (Entered: 12/30/1999)
12/30/1999	<u>257</u>	AFFIRMATION by Darren O'Connor on behalf of defendants' Re: in opposition to plaintiff's motion for reconsideration of order dated 12/15/99. (fce) (jel,). (Entered: 12/30/1999)
01/03/2000	<u>259</u>	COURT Scheduling Notice to counsel dd 1/3/00 advising that Pltf Selby's [258-1] motion for Reconsideration of Court's [255-1] Order has been placed on Chief Judge McAvoy's motion calendar set for 10:00am on 1/28/00 in Binghamton (amt) (jel,). (Entered: 01/03/2000)
01/05/2000	<u>260</u>	SUPPLEMENTAL AFFIDAVIT by Pro Se Duane Selby in support of Re: [258-1] motion by Pltf Selby for Reconsideration of [255-1] order (pta) (jel,). (Entered: 01/05/2000)
01/06/2000	<u>261</u>	ORDER denying [258-1] motion by Pltf Selby for Reconsideration of [255-1] order (signed by Chief Judge Thomas J. McAvoy) Date Entered: 1/6/00 (amt) (jel,). (Entered: 01/06/2000)
01/18/2000	<u>262</u>	Letter of AAG O'Connor to the court dd 1/13/00 advising that they are complying with the Court's 12/15/99 order and are responding to Pltf's discovery requests (amt) (jel,). (Entered: 01/18/2000)
02/02/2000	<u>263</u>	Copy of Pltf Selby's letter to AAG dd 1/31/00 trying to resolve discovery dispute prior to seeking Court's intervention (amt) (jel,). (Entered: 02/02/2000)
02/14/2000	<u>264</u>	Copy of letter of Pltf Selby to D. O'Connor, AUSA, dd 2/10/00 regarding discovery (sfp) (jel,). (Entered: 02/15/2000)
03/03/2000	<u>265</u>	AFFIDAVIT/RESPONSE by Pro Se Duane Selby in opposition to [235-1] Defts motion for Summary Judgment ; Exhibits A to D (pta) (jel,). (Entered: 03/06/2000)
03/03/2000	<u>266</u>	Statement of Material Facts in opposition to Defts [235-1] motion for Summary Judgment filed by Pro Se Duane Selby (pta) (jel,). (Entered: 03/06/2000)
03/03/2000	<u>267</u>	MEMORANDUM by Pro Se Duane Selby in opposition to [235-1] Defts motion for Summary Judgment (pta) (jel,). (Entered: 03/06/2000)
03/10/2000	<u>268</u>	MEMORANDUM in support of State Defendants' in support of [235-1] motion for Summary Judgment (fce) (jel,). (Entered: 03/10/2000)
04/05/2000	<u>269</u>	Change of Address received. Effective date: 3/31/00 from/for consolidated plaintiff Duane Selby New Address: Upstate Correctional Facility Old Address: Gouverneur Correctional Facility; requesting if court has recv'd his opposition papers[sent docket sheet to him 4/5/00] (sfp) Modified on 04/10/2000 (jel,). (Entered: 04/05/2000)
05/04/2000	<u>270</u>	ORDER granting Defts' [235-1] motion for Summary Judgment dismissing the complaint as to Pltf Selby (signed by Chief Judge Thomas J. McAvoy) (amt) (jel,). (Entered: 05/05/2000)
05/04/2000		Member case 6:95-cv-1244 is terminated pursuant to [270-1] Decision & Order (plp) (Entered: 05/09/2000)
05/17/2000	<u>271</u>	NOTICE OF APPEAL by Duane Selby from Court's Order of 5-04-00 . Appeal record due on 6/16/00 (pta) (jel,). (Entered: 05/17/2000)

05/17/2000	<u>272</u>	COURT APPEAL NOTICE to Duane Selby that appeal in incomplete due to: appeal fee due (pta) (jel,). (Entered: 05/17/2000)
05/22/2000	<u>273</u>	Mail returned undeliverable. Sent to intervenor–plaintiff Robert Reitano [272–1] notice, [271–1] appeal RE: Doc. #: [271–1] Address sent to: Valhalla, NY (sfp) (jel,). (Entered: 05/23/2000)
05/23/2000		Notice of appeal and certified copy of docket to USCA re: [271–1] appeal by pro se: Duane Selby (parties noticed). (fce) (Entered: 05/23/2000)
05/23/2000		Certified and transmitted record on appeal to U.S. Court of Appeals: [271–1] appeal by pro se: Duane Selby (fce) (Entered: 05/23/2000)
05/25/2000	<u>274</u>	LETTER of John D. Charles, Esq. dd 5–22–00 that he does not represent any parties and request his name be removed from this action (pta) (jel,). (Entered: 05/25/2000)
05/25/2000	<u>275</u>	In Forma Pauperis Application/Affirmation filed by Pro Se Consolidated Pltf Duane Selby for Appeal (pta) (jel,). (Entered: 05/25/2000)
06/05/2000	<u>276</u>	NOTICE of Receipt of Index to the Record on Appeal (amt) (jel,). (Entered: 06/05/2000)
06/05/2000		USCA Case Number Re: [271–1] appeal by Duane Selby USCA NUMBER: 00–0172 (amt) (Entered: 06/05/2000)
06/20/2000	<u>277</u>	ORDER granting Pltf Selby's [275–1] In Forma Pauperis application (signed by Judge Thomas J. McAvoy) Date Entered: 6/20/00 (amt) (jel,). (Entered: 06/20/2000)
06/20/2000		Certified copy of Court's [277–1] order granting Pltf's IFP application forwarded to Court of Appeals (amt) (Entered: 06/20/2000)
07/19/2000	<u>278</u>	Copy of Letter of Pltf Selby to the Court of Appeals dd 7/17/00 advising there is another action (95–cv–1244) which relates to the appeal (amt) (jel,). (Entered: 07/19/2000)
08/02/2000	<u>279</u>	Letter of Pltf Laureano to the Corut dd 7/28/00 in further support of the complaint and enclosing copy of report–recommendation by the visiting committee of the Correctional Association of NY (amt) (jel,). (Entered: 08/02/2000)
08/03/2000	<u>280</u>	JUDGMENT OF USCA (certified copy) Re: [271–1] appeal by Duane Selby, ORDERED case is REMANDED to District Court to allow (within 60) days to determine whether the order granting summary judgment in favor of defendants and dismissing only appellants individual action, is a final order for purpose of appealability. (fce) (jel,). (Entered: 08/03/2000)
08/07/2000	<u>281</u>	Letter of Pltf Selby to the Court dd 8/4/00 re: remanding of the appeal and requesting that both the lead and member cases be forwarded to the court of appeals [copy forwarded to chambers/CML] (amt) (jel,). (Entered: 08/07/2000)
08/18/2000	<u>282</u>	Letter of Pltf Selby to the Court dd 8/15/00 enclosing 2 copies of the mandate for the Court's record (amt) (jel,). (Entered: 08/18/2000)
08/21/2000	<u>283</u>	ORDER, in accordance with Court of Appeals [280–1] mandate deeming this Court's summary judgment decision as a final appealable order (signed by Judge Thomas J. McAvoy) Date Entered: 8/21/00 (amt) (jel,). (Entered: 08/21/2000)
08/24/2000		Record on appeal returned from U.S. Court of Appeals: [271–1] appeal by Duane Selby (pta) (Entered: 08/24/2000)
08/25/2000	<u>284</u>	REJECTION NOTICE by the Clerks Office to letter by Pltf. Selby dd 8/23/00, concerning his objections to his appeal in member case 95–CV–1244 being docketed in the lead case, for failure to serve opposing counsel. (fce) (jel,). (Entered: 08/25/2000)
08/28/2000	<u>285</u>	COURT NOTICE to parties dd 8/25/00 advising all future submissions shall be filed in Syracuse [served] (amt) (jel,). (Entered: 08/28/2000)
09/18/2000	<u>286</u>	NOTICE of attorney appearance for Joel A. Dvoskin, Raymond Broaddus, Marion Borum, Glenn S. Goord, Robert Greifinger, Thomas A. Coughlin, Mario Cuomo, Richard C. Surlles by Karen Marcoux Mankes (fce) (jel,). (Entered: 09/18/2000)

11/17/2000	<u>287</u>	JUDGMENT OF USCA (certified copy) Re: ORDERED that the motion for reinstatement of appeal be and it hereby is GRANTED. (fce) (jel,). (Entered: 11/17/2000)
11/17/2000	<u>287</u>	REINSTATEMENT OF APPEAL by Duane Selby . Appeal record due on 12/17/00 (fce) (jel,). (Entered: 11/17/2000)
11/20/2000	<u>288</u>	JOINT STATUS REPORT [copy forwarded to CML][(amt) (jel,). (Entered: 11/20/2000)
07/17/2001		Certified and transmitted record on appeal to U.S. Court of Appeals: [287-1] appeal by Duane Selby [court of appeals requested record] (sfp) (Entered: 07/17/2001)
07/24/2001	<u>289</u>	ORDER, reassigning the action to Mag/Judge Peebles (signed by Chief Judge F. J. Scullin Jr.) (amt) (jel,). (Entered: 07/29/2001)
07/24/2001		CASE REFERRED to Magistrate Judge David E. Peebles (amt) (Entered: 07/29/2001)
07/30/2001	<u>290</u>	Mail returned undeliverable. Sent to intervenor-plaintiff Robert Reitano [289-1] order reassigning the action to Mag/Judge Peebles RE: Doc. #: [289-1] Address sent to: Westchester County Jail (nas) (jel,). (Entered: 07/31/2001)
09/05/2001	<u>291</u>	ORDER rejecting Mr. LaFlower's letter rec'd 8/24/01 for failure to serve opponents and/or their counsel. Also in reference to his question "can a member...get a lawyer private legal aid..." - should be directed thru his attorney for his class action. (signed by Magistrate Judge Gustave J. DiBianco) Date Entered: 9/5/01 (nas) (jel,). (Entered: 09/05/2001)
09/06/2001	<u>292</u>	ORDER rejecting Mr. Laureano's correspondence of 8/31/01 since it is unclear whether he is seeking an appeal or a requesting a preliminary injunction; advised to state relief clearly. (signed by Magistrate Judge Gustave J. DiBianco) Date Entered: 9/6/01 (nas) (jel,). (Entered: 09/06/2001)
10/22/2001	<u>293</u>	MANDATE OF USCA AFFIRMING THE JUDGMENT OF THE DISTRICT COURT. (certified copy) Re: (see) (jel,). (Entered: 10/23/2001)
10/26/2001	<u>294</u>	ORDER REJECTING Mr. Laureano's letter of October 22, 2001 because supplemental papers cannot be filed w/out prior permission of the Court. (signed by Magistrate Judge Gustave J. DiBianco) Date Entered: 10/26/01 (nas) (jel,). (Entered: 10/26/2001)
12/10/2001		Record on appeal returned Doc. 237-258, 260-288 ONLY from U.S. Court of Appeals: [287-1] appeal by Duane Selby #00-172 (pta) (Entered: 12/10/2001)
12/11/2001		Record on appeal returned Doc. 1 thru 236 from U.S. Court of Appeals: [287-1] appeal by Duane Selby, [271-1] appeal by Duane Selby (pta) (Entered: 12/11/2001)
03/28/2002	<u>295</u>	JOINT STATUS REPORT dtd 3/25/02 indicating that discovery process should be completed by 5/01/04 (cml) (jel,). (Entered: 03/29/2002)
03/28/2002	<u>296</u>	Letter of AAG Mankes to the court dd 3/26/02 re: if the court has any questions re: joint status report to please inform them (sfp) (jel,). (Entered: 04/01/2002)
03/29/2002		DDL updated; resetting Discovery ddl to 5/1/04 in accordance w/ parties [295-1] jt status report (cml) (Entered: 03/29/2002)
04/10/2002	<u>297</u>	Letter of Atty Beck, counsel for Pltfs, to the court dd 4/5/02 in response to CML's inquiry of the amt of time needed for trial, advise approx. 6-7 weeks needed for trial (sfp) (jel,). (Entered: 04/10/2002)
11/06/2002	<u>298</u>	ORDER rejecting Mr. Laureano's letter of 10/31/02 addressed to Dr. Wright with attached exhibits because papers cannot be filed without some indication that a copy had been served on opponent(s) or their counsel. Also, supplemental papers cannot be filed without prior permission of the Court. (signed by Magistrate Judge Gustave J. DiBianco) Date Entered: 11/6/02 (nas) (Entered: 11/06/2002)
02/26/2003	<u>299</u>	ORDER rejecting Mr. Seals' letter of 2/21/03 that contained attached copies of grievance reports because discovery materials are not filed with the clerk unless specifically directed by the Court or when submitted in support of a motion and supplemental papers cannot be filed without prior permission of the court. (signed by

		Magistrate Judge Gustave J. DiBianco) Date Entered: 2/26/03 (nas) (Entered: 02/26/2003)
09/04/2003	<u>300</u>	NON PARTY Letter of Eric DeLeon requesting to be a party to this action [copy forward to Pltf Atty] (pta) (jel,). (Entered: 09/04/2003)
02/05/2004	<u>301</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Gary L. Sharpe as district judge. Judge Thomas J. McAvoy no longer assigned to case. Signed by Judge Frederick J. Scullin Jr. on 2/4/04. (nas) (Entered: 02/05/2004)
02/12/2004	<u>302</u>	Mail Returned as Undeliverable. re <u>301</u> Order Reassigning Case Sent to Duane Selby Address sent to Upstate Correctional Facility (nas,) (Entered: 02/12/2004)
02/13/2004	<u>303</u>	Mail Returned as Undeliverable. re <u>301</u> Order Reassigning Case Sent to Robert Reitano Address sent to Westchester County Jail (nas) (Entered: 02/19/2004)
05/04/2004	<u>304</u>	NOTICE of Change of Address by Milton Zelermyer Effective Date 03/29/2004 Old Address: One Battery Park Plaza, New York, NY 10004 New Address: 199 Water Street, 6th Floor, New York, NY 10038 (Zelermyer, Milton) (Entered: 05/04/2004)
07/20/2004	<u>305</u>	NOTICE by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated (Zelermyer, Milton) (Entered: 07/20/2004)
02/17/2005		TEXT ORDER ONLY – On February 5, 2004, the case was reassigned to this court by Chief Judge Frederick J. Scullin, Jr. See dkt. no. 301. On March 28, 2002, a joint status report, dated March 25, 2002, was filed indicating that the discovery process should be completed on or before May 1, 2004. See dkt. no. 295 The discovery deadline has now expired. Therefore, IT IS ORDERED, that the parties submit a joint status report not to EXCEED two (2) pages in length on this case within thirty (30) days of this text order. Signed by Judge Gary L. Sharpe on 2/17/2005. (jel,) (Entered: 02/17/2005)
02/25/2005	<u>306</u>	Mail Returned as Undeliverable. re: Order,, sent to Robert Reitano Address sent to Westchester County Jail (nas) (Entered: 02/25/2005)
03/07/2005	<u>307</u>	Mail Returned as Undeliverable. re: Order,, sent to Duane Selby Address sent to Upstate Correctional Facility (nas) (Entered: 03/07/2005)
03/18/2005	<u>308</u>	STATUS REPORT <i>JOINT STATUS REPORT</i> by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated. (Zelermyer, Milton) (Entered: 03/18/2005)
04/26/2005	<u>309</u>	DOCUMENT REJECTION ORDER returning letter dated April 3, 2005 by Pedro Laureano advising documentation to be filed with the court must be through represented counsel. Signed by Judge Gary L. Sharpe on 4/26/2005. (jel,) (Entered: 04/26/2005)
05/02/2005	<u>310</u>	Mail Returned as Undeliverable. re: <u>309</u> Document Rejection Order sent to Duane Selby Address sent to Upstate Correctional Facility (nas) (Entered: 05/02/2005)
05/05/2005	<u>311</u>	Mail Returned as Undeliverable. re: <u>309</u> Document Rejection Order sent to Robert Reitano Address sent to Westchester County Jail (nas) (Entered: 05/05/2005)
05/13/2005	<u>312</u>	DOCUMENT REJECTION ORDER returning letter from Felix Torres. Plaintiffs are being represented by counsel. All documents to be filed with the court must be submitted by the plaintiffs' counsel. Signed by Judge Gary L. Sharpe on 5/13/2005. (jel,) (Entered: 05/13/2005)
07/01/2005	<u>313</u>	STATUS REPORT <i>JOINT STATUS REPORT</i> by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated. (Zelermyer, Milton) (Entered: 07/01/2005)
09/21/2005	<u>314</u>	STATUS REPORT by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated. (Attachments: # <u>1</u> Proposed Order/Judgment Proposed Order re: second deposition)(Zelermyer, Milton) (Entered: 09/21/2005)
10/05/2005	<u>315</u>	STATUS REPORT <i>with opposition to Plaintiffs' application for leave to take a second deposition</i> by Department of Correctional Services. (Attachments: # <u>1</u> Proposed

		Order/Judgment denying Plaintiffs' application for leave to take a second deposition)(Mankes, Karen) (Entered: 10/05/2005)
10/20/2005	<u>316</u>	STATUS REPORT <i>SUPPLEMENTAL STATUS REPORT</i> by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated. (Zelermeyer, Milton) (Entered: 10/20/2005)
12/09/2005	<u>317</u>	STATUS REPORT <i>JOINT STATUS REPORT</i> by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated. (Zelermeyer, Milton) (Entered: 12/09/2005)
12/12/2005		Set Status Report deadline: Status Report due by 3/1/2006. (jel,) (Entered: 12/12/2005)
02/22/2006	<u>318</u>	STATUS REPORT <i>Joint Status Report</i> by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated. (Zelermeyer, Milton) (Entered: 02/22/2006)
02/22/2006	<u>319</u>	STATUS REPORT <i>CORRECTED (date) Joint Status Report</i> by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated. (Zelermeyer, Milton) (Entered: 02/22/2006)
02/24/2006		Set/Reset Deadlines: Status Report due by 6/1/2006 pursuant to the <u>318</u> and the <u>319</u> Corrected Joint Status Report. (jel,) (Entered: 02/24/2006)
05/31/2006	<u>320</u>	STATUS REPORT <i>Joint Status Report</i> by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated. (Zelermeyer, Milton) (Entered: 05/31/2006)
06/05/2006		Set Deadlines/Hearings: Status Report due by 9/1/2006 pursuant to the <u>320</u> Status Report. (jel,) (Entered: 06/05/2006)
08/14/2006	<u>321</u>	DOCUMENT REJECTION ORDER as to returning R. Baez' letter of 8/6/06 because only a party or an attorney representing a party may submit papers in this action. Advised that this action is still actively pending in this Court. Signed by Judge David E. Peebles on 8/14/06. (nas) (Entered: 08/14/2006)
08/25/2006	<u>322</u>	Mail Returned as Undeliverable. re: <u>321</u> Document Rejection Order, sent to Reitano Address sent to Westchester County Jail (nas) (Entered: 08/27/2006)
09/05/2006	<u>323</u>	STATUS REPORT <i>JOINT STATUS REPORT</i> by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated. (Zelermeyer, Milton) (Entered: 09/05/2006)
09/21/2006		Set Deadlines/Hearings: Status Report due by 12/1/2006 pursuant to the <u>323</u> status report. (jel,) (Entered: 09/21/2006)
12/01/2006	<u>324</u>	STATUS REPORT <i>Joint Status Report</i> by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated. (Zelermeyer, Milton) (Entered: 12/01/2006)
12/04/2006		Set Deadlines/Hearings: Status Report due by 2/1/2007 pursuant to the <u>324</u> Status Report. (jel,) (Entered: 12/04/2006)
12/19/2006	<u>325</u>	Letter Motion from Karen Marcoux Mankes for Philip Coombe, Robert Griefinger, Mario Cuomo, Thomas A. Coughlin, Robert Greifinger, Glenn S. Goord, Marion Borum, Raymond Broaddus, Joel A. Dvoskin requesting Joint request by plaintiffs and defendants asking the Court to substitute the parties listed in the attached letter pursuant to Federal Rule of Civil Procedure 23(1) and that the caption also be modified to correspond with the substituted defendants submitted to Judge Sharpe. (Mankes, Karen) (Entered: 12/19/2006)
12/19/2006	<u>326</u>	NOTICE by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated (Zelermeyer, Milton) (Entered: 12/19/2006)
12/20/2006	<u>327</u>	Letter Request by Counsel, dated December 19, 2006 granting request for the parties to be substituted as defendants pursuant to Fed. R. Civ. Proc. 25(d)(1). Signed by Judge Gary L. Sharpe on 12/20/2006. (jel,) (Entered: 12/20/2006)

02/01/2007	<u>328</u>	STATUS REPORT <i>Joint Status Report</i> by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated. (Zelermeyer, Milton) (Entered: 02/01/2007)
02/05/2007		Set Deadlines/Hearings: Status Report due by 5/1/2007 pursuant to the <u>328</u> Status Report. (jel,) (Entered: 02/05/2007)
02/06/2007	<u>329</u>	Letter Motion for Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated requesting Preliminary approval of settlement and notice to class, and scheduling of Rule 23(e) Fairness Hearing submitted to Judge Sharpe. (Attachments: # <u>1</u> Settlement Agreement# <u>2</u> Proposed Notice to Class# <u>3</u> Proposed Order/Judgment Proposed So Ordered Stipulation re: Notice & Fairness Hearing)(Zelermeyer, Milton) (Entered: 02/06/2007)
02/27/2007		NOTICE of Hearing:Telephone Conference has been set for 3/2/2007 at 10:00 AM in Albany before Judge Gary L. Sharpe. Plaintiff's counsel is directed to conference in defense counsel, then initiate the telephone conference call to chambers at 518-257-1870.(jel,) (Entered: 02/27/2007)
03/02/2007		Minute Entry for proceedings held before Judge Gary L. Sharpe : CRD: John Law; Telephone Status Conference held on 3/2/2007; Appearances Made: Milton Zelemeyr, Esq., for plaintiffs and Karen Marcoux-Mankes, AAG, for the defendants; Court discusses stipulation and adjustment to the dates; Court advises will issue stipulation and order today. (Tape or CD #Tape Recording) Time: 10:00-10:30 a.m. (jel,) (Entered: 03/02/2007)
03/02/2007	<u>330</u>	STIPULATION AND ORDER REGARDING NOTICE TO THE PLAINTIFF CLASS AND SCHEDULING OF THE FAIRNESS HEARINGFairness Hearing has been set for 6/6/2007 at 01:00 PM in Albany before Judge Gary L. Sharpe. Signed by Judge Gary L. Sharpe on 3/2/2007. (jel,) (Entered: 03/02/2007)
03/08/2007	<u>331</u>	AMENDED STIPULATION AND ORDER REGARDING NOTICE TO THE PLAINTIFF CLASS AND SCHEDULING OF THE FAIRNESS HEARINGFairness Hearing has been set for 6/6/2007 at 01:00 PM in Albany before Judge Gary L. Sharpe. Signed by Judge Gary L. Sharpe on 3/8/2007. (jel,) (Entered: 03/08/2007)
03/16/2007	<u>332</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 03/16/2007)
03/16/2007	<u>333</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 03/16/2007)
03/16/2007	<u>334</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 03/16/2007)
03/16/2007	<u>335</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 03/16/2007)
03/16/2007	<u>336</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 03/16/2007)
03/16/2007	<u>337</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 03/16/2007)
03/16/2007	<u>338</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 03/16/2007)
03/16/2007	<u>339</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 03/16/2007)
05/02/2007	<u>340</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (Additional attachment(s) added on 10/3/2014: # <u>1</u> SEALED DOCUMENT, # <u>2</u> SEALED DOCUMENT, # <u>3</u> SEALED DOCUMENT, # <u>4</u> SEALED DOCUMENT, # <u>5</u> SEALED DOCUMENT, # <u>6</u> SEALED DOCUMENT, # <u>7</u> SEALED DOCUMENT, # <u>8</u> SEALED DOCUMENT) (jel,). (Entered: 05/02/2007)
05/09/2007	<u>341</u>	Letter Motion for Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated requesting Order for disclosure of medical records submitted to Judge Sharpe. (Attachments: # <u>1</u> Proposed Notice# <u>2</u>

		Proposed Order/Judgment)(Zelermeyer, Milton) (Entered: 05/09/2007)
05/15/2007	<u>342</u>	PROTECTIVE ORDERFinal Fairness Hearing has been reset for 9/11/2007 at 01:00 PM in Albany before Judge Gary L. Sharpe. Signed by Judge Gary L. Sharpe on 5/15/2007. (jel,) (Entered: 05/15/2007)
05/16/2007		TEXT ONLY ORDER – Upon oral communication to the court from the parties, the Court RESCINDS the <u>342</u> Protective Order filed on May 15, 2007. Issued by Judge Gary L. Sharpe on 5/16/2007. (jel,) (Entered: 05/16/2007)
05/16/2007	<u>343</u>	ORDER, that plaintiffs' counsel shall mail individual Notices to the 30 class members, at their last known address, whose medical records are being obtained by the Attorney General's office and will be reviewed by DOCS, informing the class members: (1) that plaintiffs' counsel is seeking the medical records, (2) that the class members may respond to the motion of plaintiffs' counsel, (3) that any such responses must be mailed within twenty (20) days of receipt of the Notice, and (4) that all responses received by the Court will be filed under seal; that plaintiffs' counsel shall advise the Court at the time the Notices are mailed and at such time as the period for submitting responses has expired; that following the expiration of the response period, counsel for plaintiffs shall submit a Motion, which may be in letter form, requesting reinstatement of the May 9, 2007 letter Motion, and entry of an Order directing disclosure of medical records of the 30 class members whose records will be obtained by the Attorney General's office for review by a DOCS physician and a specialist selected by DOCS; that the fairness hearing, under Rule 23(e), Fed. R. Civ. P., previously calendar for 6/6/2007 at 1:00 P.M. is adjourned to 8/28/2007 at 01:00 PM in Albany before Judge Gary L. Sharpe. Signed by Judge Gary L. Sharpe on 5/16/2007. (jel,) (Entered: 05/16/2007)
05/29/2007	<u>344</u>	STATUS REPORT by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated. (Zelermeyer, Milton) (Entered: 05/29/2007)
06/07/2007	<u>345</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 06/07/2007)
06/15/2007	<u>346</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 06/15/2007)
06/15/2007	<u>347</u>	Letter Motion for Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated requesting Order directing disclosure of medical records submitted to Judge Sharpe. (Attachments: # <u>1</u> Proposed Order/Judgment)(Zelermeyer, Milton) (Entered: 06/15/2007)
06/19/2007	<u>348</u>	PROTECTIVE ORDER. Signed by Judge Gary L. Sharpe on 6/19/2007. (jel,) (Entered: 06/19/2007)
07/03/2007	<u>349</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 07/03/2007)
07/06/2007	<u>350</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 07/06/2007)
07/26/2007	<u>351</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 07/26/2007)
08/02/2007	<u>371</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 08/02/2007)
08/09/2007	<u>352</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 08/09/2007)
08/14/2007	<u>353</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 08/14/2007)
08/15/2007	<u>354</u>	<i>Joint Motion</i> Letter Motion for Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated requesting Extension of time submitted to Judge Sharpe. (Zelermeyer, Milton) (Entered: 08/15/2007)

08/16/2007	<u>355</u>	LETTER/ORDER, that the <u>354</u> Joint Letter Motion for Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated requesting Extension of time is GRANTED. Signed by Judge Gary L. Sharpe on 8/16/2007. (jel,) (Entered: 08/16/2007)
08/20/2007	<u>356</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 08/21/2007)
08/24/2007	<u>357</u>	MOTION to Dismiss <i>Motion for Approval of Settlement Agreement and Stipulation of Voluntary Dismissal</i> Motion Hearing set for 8/28/2007 01:00 PM in Albany before Judge Gary L. Sharpe.,Response to Motion due by 8/13/2007,Reply to Response to Motion due by 8/17/2007. by Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated. (Attachments: # <u>1</u> Proposed Order/Judgment Stipulation of Voluntary Dismissal# <u>2</u> Declaration Declaration of Milton Zelermyer# <u>3</u> Exhibit(s) Settlement Agreement# <u>4</u> Declaration Declaration of Alan Berkman, M.D.# <u>5</u> Exhibit(s) Berkman CV# <u>6</u> Declaration Declaration of Barbara C. Zeller, M.D.# <u>7</u> Exhibit(s) Zeller CV# <u>8</u> Memorandum of Law # <u>9</u> Certificate of Electronic Service) (Zelermyer, Milton) (Entered: 08/24/2007)
08/24/2007	<u>358</u>	AFFIDAVIT in Support re <u>357</u> MOTION to Dismiss <i>Motion for Approval of Settlement Agreement and Stipulation of Voluntary Dismissal</i> filed by George Pataki, Lucien LeClaire, Jr, Lester Wright, John Nuttall, Sharon Carpinello, Richard Miraglia. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u>)(Mankes, Karen) (Entered: 08/24/2007)
08/27/2007	<u>359</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 08/27/2007)
08/27/2007	<u>360</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 08/27/2007)
08/27/2007	<u>361</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 08/27/2007)
08/27/2007	<u>362</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 08/27/2007)
08/27/2007	<u>363</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 08/27/2007)
08/27/2007	<u>364</u>	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (jel,) (jel,). (Entered: 08/27/2007)
08/28/2007	<u>365</u>	Minute Entry for proceedings held before Judge Gary L. Sharpe : Final Pretrial Conference held on 8/28/2007; Attorney Appearances Made: Milton Zelermyer and John Boston, Esqs., for the plaintiffs and Karen Marcoux–Mankes and Nancy Heywood, Esqs., for the defendants; Court inquires of anything additional to submit in regards to the papers submitted and filed with the court. Court states purpose of the hearing and states factors for the fairness of the settlement. Court discusses class and objections. Court makes finding there are not any real objections to the settlement. Court states upon filing of the parties submissions, that settlement is fair, reasonable and accurate. Court states intentions is to enter the proposed order submitted to the court. Court inquires if any alterations to the proposed order. Parties indicate there are no changes to the proposed order. Court will enter the proposed order presented to the court. Atty. Zelermyer discusses the point on the objectors. States number of 32 objectors that were submitted to the experts. 32 medical charts submitted to the experts. Court states difficult to discern. Look at nature of the objections then the fairly and adequacy of the settlement. Court thanks counsel on their professionalism in this matter. (Court Reporter Theresa Casal) Time: 1:00–1:15 p.m. (jel,) (Entered: 08/28/2007)
08/28/2007	<u>366</u>	Rule 41(a)(1)(ii) Stipulation and Order of Voluntary Dismissal of Class Action. Signed by Judge Gary L. Sharpe on 8/28/2007. (jel,) (Entered: 08/28/2007)
09/14/2007	<u>367</u>	DOCUMENT REJECTION ORDER as to Pedro Laureano returning letter dated September 5, 2007 addressed Brian Fischer, Commissioner of NYSDOCS. Signed by Judge Gary L. Sharpe on 9/14/2007. (jel,) (Entered: 09/14/2007)

01/07/2010	<u>368</u>	ORDER TO SHOW CAUSE. ORDERED that the parties show cause, within 30 days of the date of this order why the case or documents cannot be unsealed. Signed by Judge Gary L. Sharpe on 1/6/10. {order served via regular mail on all non-ecf parties}(nas) (Entered: 01/07/2010)
02/02/2010	<u>369</u>	Letter Motion from Milton Zelermyer, Attorney for Plaintiffs for Inmates of New York State with Human Immune Deficiency Virus, for themselves and all others similarly situated requesting continued sealing of records submitted to Judge Sharpe. (Attachments: # <u>1</u> Certificate of Service)(Zelermyer, Milton) (Entered: 02/02/2010)
02/08/2010	<u>370</u>	ORDER that the documents previously filed under seal in this action shall remain filed under seal pending further order of the Court. Signed by Judge Gary L. Sharpe on 2/8/10. {order served via regular mail on all non-ecf parties}(nas) (Entered: 02/08/2010)
10/18/2010		August 3, 2010 Sealed Closed Case Boxes 5-7 of 37 boxes stored in basement in Albany. (ban) Modified on 10/18/2010 (ban). (Entered: 10/18/2010)
10/07/2015		The court will be placing docket entries on the court's docket and uploading the accompanying documents associated with those entries that have been previously filed. There has not been any new filing activity in this case. (jel,) (Entered: 10/07/2015)