

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:81-cv-00107-RJS**

Reynolds, et al v. Ward, et al
Assigned to: Judge Richard J. Sullivan
Demand: \$0

Date Filed: 01/09/1981
Date Terminated: 10/02/1990
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Plaintiff

Plaintiff

Daniel Reynolds

represented by **Andrew Jay Frackman**
O'Melveny & Myers LLP
7 Times Square
New York, NY 10036
212-326-2000
Fax: 212-326-2061
Email: afrackman@omm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dori A. Lewis
The Legal Aid Society, Civil Division
199 Water Street
New York, NY 10038
(212) 57-7-3530
Fax: (212) 509-8433
Email: dlewis@legal-aid.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shiva Eftekhari
Shiva Eftekhari LLC
103 w. 32nd Street, Suite 130
New York, NY 10001
917-576-6387
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan S. Chasan
Legal Aid Society
199 Water Street, 3rd Floor
New York, NY 10038
(212)-577-7980
Fax: (212)-509-8433
Email: jchasan@legal-aid.org
ATTORNEY TO BE NOTICED

Peter Clemens Herrick
O'Melveny & Myers LLP
7 Times Square
New York, NY 10036
(212)-326-2262
Fax: (212)-326-2061
Email: pherrick@omm.com
TERMINATED: 04/16/2010
ATTORNEY TO BE NOTICED

Plaintiff

Carlos Cruz

represented by **Andrew Jay Frackman**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

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

Shiva Eftekhari
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan S. Chasan
(See above for address)
ATTORNEY TO BE NOTICED

Peter Clemens Herrick
(See above for address)
TERMINATED: 04/16/2010
ATTORNEY TO BE NOTICED

Plaintiff

Tyrone McGraw

represented by **Andrew Jay Frackman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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

Shiva Eftekhari
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan S. Chasan
(See above for address)
ATTORNEY TO BE NOTICED

Peter Clemens Herrick
(See above for address)
TERMINATED: 04/16/2010
ATTORNEY TO BE NOTICED

Plaintiff

Madrick Wallace

represented by **Andrew Jay Frackman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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

Shiva Eftekhari
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan S. Chasan
(See above for address)

ATTORNEY TO BE NOTICED

Peter Clemens Herrick
(See above for address)
TERMINATED: 04/16/2010
ATTORNEY TO BE NOTICED

Plaintiff

Linda Grier

represented by **Andrew Jay Frackman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shiva Eftekhari
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jonathan S. Chasan
(See above for address)
ATTORNEY TO BE NOTICED

Peter Clemens Herrick
(See above for address)
TERMINATED: 04/16/2010
ATTORNEY TO BE NOTICED

V.

Defendant

Benjamin Ward

represented by **Chlarens Orsland**
NYC Law Department, Office of the
Corporation Counsel (NYC)
100 Church Street
New York, NY 10007
212-788-0904
Fax: 212-788-0877
Email: corsland@law.nyc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
Corporation Counsel NYC
100 Church Street Room 6C14
New York, NY 10007
(212)566-2309
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
New York City Law Department
100 Church Street
New York, NY 10007
(212) 788-0908
Fax: (212) 788-0940
Email: tgantz@law.nyc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Michael Buhta
NYC Law Department
100 Church Street Room 3-212

New York, NY 10007
(212)-356-0892
Fax: (212) 788-0874
Email: jbuhta@law.nyc.gov
ATTORNEY TO BE NOTICED

Defendant

Abraham J Kauver

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Michael Buhta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Esta Armstrong

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Michael Buhta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Reinaldo Ferrer

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

John Michael Buhta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Allen Goldberg

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Michael Buhta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Sara L Kellerman

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Michael Buhta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Dante Alberti

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

John Michael Buhta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

James Monroe

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Michael Buhta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

John Prendville

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Michael Buhta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Daniel Schwartz

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

John Michael Buhta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Henry Weinstein

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Michael Buhta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Stanley Brodsky

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Michael Buhta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Madeline Bohman

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

John Michael Buhta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Ira Clark

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Michael Buhta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Marylin Durrell

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Michael Buhta
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Edward Koch

represented by **Chlarens Orsland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Trachtenberg
(See above for address)
TERMINATED: 03/10/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Toni Lynn Gantz
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

John Michael Buhta

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/09/1981	<u>1</u>	SCANNED PAPER DOCKET REPORT containing docket entries entered on the Paper Docket for period of 1/9/1981 to 7/23/1992. The Last Document No. used on the Paper Docket is 106. (lb) (Entered: 10/06/2008)
01/09/1981	2	COMPLAINT against Reinaldo Ferrer, Allen Goldberg, Sara L Kellerman, Dante Alberti, James Monroe, John Prendville, Daniel Schwartz, Henry Weinstein, Stanley Brodsky, Madeline Bohman, Ira Clark, Marilyn Durrell, Edward Koch, Benjamin Ward, Abraham J Kauver, Esta Armstrong. Document filed by Daniel Reynolds, Carlos Cruz, Tyrone McGraw, Madrick Wallace.(lb) (Entered: 10/06/2008)
01/09/1981		SUMMONS ISSUED as to Reinaldo Ferrer, Allen Goldberg, Sara L Kellerman, Dante Alberti, James Monroe, John Prendville, Daniel Schwartz, Henry Weinstein, Stanley Brodsky, Madeline Bohman, Ira Clark, Marilyn Durrell, Edward Koch, Benjamin Ward, Abraham J Kauver, Esta Armstrong. (lb) (Entered: 10/06/2008)
06/10/1981	6	ANSWER to Complaint. Document filed by Reinaldo Ferrer, Allen Goldberg, Sara L Kellerman, Dante Alberti, James Monroe, John Prendville, Daniel Schwartz, Henry Weinstein, Stanley Brodsky, Madeline Bohman, Ira Clark, Marilyn Durrell, Edward Koch, Benjamin Ward, Abraham J Kauver, Esta Armstrong.(lb) (Entered: 10/06/2008)
09/07/1983	12	FIRST AMENDED COMPLAINT (Class Action) amending 2 Complaint. (lb) (Entered: 10/07/2008)
05/23/1984		Minute Entry for proceedings held before Magistrate Judge Michael H. Dolinger: Pretrial Conference held on 5/23/1984. (lb) (Entered: 10/07/2008)
06/26/1986	45	SECOND AMENDED COMPLAINT amending 12 Amended Complaint. (lb) (Entered: 10/07/2008)
06/26/1986		AMENDED SUMMONS ISSUED (lb) (Entered: 10/07/2008)
10/02/1990		Case closed (ln) (Entered: 10/30/1990)
07/23/1992	106	STIPULATION AND ORDER TO MODIFY THE CONSENT DECREE: that paragraph 49 of the stipulation and order of settlement is modified to read as follows (as indicated); and that defendants shall promulgate appropriate institutional orders at the three hospital wards to implement this policy within 30 days from the date of this stipulation etc. So Ordered. Signed by Judge Pierre N. Leval (lb) (Entered: 10/07/2008)
10/02/2008	107	MOTION for an order terminating the Stipulation and Order of Settlement entered on August 1, 1990, pursuant to the Prison Litigation Reform Act, 18 U.S.C. section 3626(b). Document filed by Reinaldo Ferrer, Allen Goldberg, Sara L Kellerman, Dante Alberti, James Monroe, John Prendville, Daniel Schwartz, Henry Weinstein, Stanley Brodsky, Madeline Bohman, Ira Clark, Marilyn Durrell, Edward Koch, Benjamin Ward, Abraham J Kauver, Esta Armstrong.(djc) (Entered: 10/07/2008)
10/02/2008	108	MEMORANDUM OF LAW in Support re: 107 MOTION to terminate the August 1, 1990 consent decree. Document filed by Reinaldo Ferrer, Allen Goldberg, Sara L Kellerman, Dante Alberti, James Monroe, John Prendville, Daniel Schwartz, Henry Weinstein, Stanley Brodsky, Madeline Bohman, Ira Clark, Marilyn Durrell, Edward Koch, Benjamin Ward, Abraham J Kauver, Esta Armstrong. (djc) (Entered: 10/07/2008)
10/02/2008	109	DECLARATION of Edmund Perry in Support re: 107 MOTION to terminate the August 1, 1990 consent decree. Document filed by Reinaldo Ferrer, Allen Goldberg, Sara L Kellerman, Dante Alberti, James Monroe, John Prendville, Daniel Schwartz, Henry Weinstein, Stanley Brodsky, Madeline Bohman, Ira Clark, Marilyn Durrell, Edward Koch, Benjamin Ward, Abraham J Kauver, Esta Armstrong. (djc) (Entered: 10/07/2008)

		10/07/2008)
10/02/2008	110	DECLARATION of Evelyn A.Mirabal in Support re: 107 MOTION to terminate the August 1, 1990 consent decree. Document filed by Reinaldo Ferrer, Allen Goldberg, Sara L Kellerman, Dante Alberti, James Monroe, John Prendville, Daniel Schwartz, Henry Weinstein, Stanley Brodsky, Madeline Bohman, Ira Clark, Marylin Durrell, Edward Koch, Benjamin Ward, Abraham J Kauver, Esta Armstrong. (djc) (Entered: 10/07/2008)
10/02/2008	111	DECLARATION of Lynda D.Curtis in Support re: 107 MOTION to terminate the August 1, 1990 consent decree. Document filed by Reinaldo Ferrer, Allen Goldberg, Sara L Kellerman, Dante Alberti, James Monroe, John Prendville, Daniel Schwartz, Henry Weinstein, Stanley Brodsky, Madeline Bohman, Ira Clark, Marylin Durrell, Edward Koch, Benjamin Ward, Abraham J Kauver, Esta Armstrong. (djc) (Entered: 10/07/2008)
10/02/2008	112	DECLARATION of Toni Gantz in Support re: 107 MOTION to terminate the August 1, 1990 consent decree. Document filed by Reinaldo Ferrer, Allen Goldberg, Sara L Kellerman, Dante Alberti, James Monroe, John Prendville, Daniel Schwartz, Henry Weinstein, Stanley Brodsky, Madeline Bohman, Ira Clark, Marylin Durrell, Edward Koch, Benjamin Ward, Abraham J Kauver, Esta Armstrong. (djc) (Entered: 10/07/2008)
10/02/2008	113	DECLARATION of Chris D. Constantino in Support re: 107 MOTION to terminate the August 1, 1990 consent decree. Document filed by Reinaldo Ferrer, Allen Goldberg, Sara L Kellerman, Dante Alberti, James Monroe, John Prendville, Daniel Schwartz, Henry Weinstein, Stanley Brodsky, Madeline Bohman, Ira Clark, Marylin Durrell, Edward Koch, Benjamin Ward, Abraham J Kauver, Esta Armstrong. (djc) (Entered: 10/07/2008)
10/08/2008	116	NOTICE OF CASE REASSIGNMENT to Judge Richard J. Sullivan. Judge Pierre N. Leval is no longer assigned to the case. (laq) (Entered: 10/15/2008)
10/10/2008	114	NOTICE OF APPEARANCE by Andrew Jay Frackman on behalf of Daniel Reynolds, Carlos Cruz, Tyrone McGraw, Madrick Wallace, Linda Grier. (tro) (Entered: 10/14/2008)
10/10/2008	115	NOTICE OF APPEARANCE by Shiva Eftekhari on behalf of Daniel Reynolds, Carlos Cruz, Tyrone McGraw, Madrick Wallace, Linda Grier. (tro) (Entered: 10/14/2008)
10/20/2008	<u>117</u>	ORDER: Plaintiffs shall respond to Defendants' motion by November 20, 2008. Defendants' reply is due by December 11, 2008. (Signed by Judge Richard J. Sullivan on 10/20/2008) (jpo) (Entered: 10/20/2008)
12/01/2008	<u>118</u>	ORDER: Defendants are hereby ORDERED to respond to Plaintiffs' letter by December 4, 2008. Plaintiffs' deadline to respond to Defendants' motion to terminate the consent judgment is hereby adjourned through that date. SO ORDERED. (Responses due by 12/4/2008) (Signed by Judge Richard J. Sullivan on 11/26/2008) (jmi) (Entered: 12/02/2008)
12/08/2008	<u>119</u>	ORDER: The Court is in receipt of Plaintiffs' 11/18/08 letter, and Defendants' 12/4/08 response. The parties are HEREBY ORDERED to appear for a conference on 12/17/08 at 10:00 a.m. Plaintiffs' deadline to respond to Defendants' motion to terminate the consent judgment is hereby adjourned through that date. (Signed by Judge Richard J. Sullivan on 12/5/08) (tro) (Entered: 12/09/2008)
12/15/2008	<u>120</u>	ENDORSED LETTER addressed to Judge Richard J. Sullivan from Andrew J. Frackman dated 12/11/08 re: The parties request an adjournment of the conference scheduled for 10:00 a.m. on 12/17/08, to 9:15 a.m. on 12/18/08. ENDORSEMENT: So Ordered. (Status Conference set for 12/18/2008 at 09:15 AM before Judge Richard J. Sullivan.) (Signed by Judge Richard J. Sullivan on 12/13/08) (ae) (Entered: 12/16/2008)
12/19/2008	<u>121</u>	ORDER: For the reasons stated on the record at the conference held on 12/18/08, the parties are HEREBY ORDERED to submit a joint discovery schedule by 1/7/09 relating to Defendants' motion to terminate the consent decree in this matter. (Signed by Judge Richard J. Sullivan on 12/18/08) (tro) (Entered: 12/19/2008)

01/12/2009	<u>122</u>	ORDER re joint letter request of 1/7/09 for an extension of the time to file a proposed discovery plan in connection with Defendants' motion to terminate the consent judgment in this matter: the request is GRANTED. The proposed discovery plan discussed at the 12/18/08 conference in this matter and directed by the Court's order on the same date shall be submitted by 1/9/09. (Signed by Judge Richard J. Sullivan on 1/7/09) (cd) (Entered: 01/12/2009)
01/13/2009	<u>123</u>	ORDER: Accordingly, the Court hereby adopts the following schedule for discovery and resolving Defendants' motion: Defendants shall complete their production of documents to Plaintiffs By February 9,2009. Fact discovery shall be completed by April 30, 2009. Expert discovery shall be completed by May 31, 2009. Plaintiffs' opposition to Defendants' motion shall be served and filed by July 14, 2009. Defendants' reply, if any, shall be filed and served by July 31, 2009. (Signed by Judge Richard J. Sullivan on 1/12/2009) (jpo) (Entered: 01/13/2009)
01/26/2009	124	TRANSCRIPT of proceedings held on 12/18/08 before Judge Richard J. Sullivan. (tro) (Entered: 01/30/2009)
02/11/2009	<u>125</u>	ORDER For the reasons set forth in this order, it is hereby ordered that, by February 17, 2009 the parties shall submit a joint letter describing the status of discovery in greater detail, and proposing a revised discovery schedule. The joint status letter shall also indicate whether any party objects to having this matter referred to a Magistrate Judge solely for the purpose of the discovery that is to be conducted in connection with Defendants pending motion to terminate the consent judgment. (Signed by Judge Richard J. Sullivan on 2/11/09) (mme) (Entered: 02/11/2009)
02/17/2009	126	NOTICE OF APPEARANCE by Peter Clemens Herrick on behalf of Daniel Reynolds, Carlos Cruz, Tyrone McGraw, Madrick Wallace, Linda Grier (dj) (Entered: 02/18/2009)
02/19/2009	<u>127</u>	STIPULATED PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material. SO ORDERED. (Signed by Judge Richard J. Sullivan on 2/19/2009) (tve) (Entered: 02/19/2009)
02/19/2009	<u>128</u>	ORDER: The Court is in receipt of the parties 2/17/09 status letter,r which contains proposed revisions to the discovery schedule that was previously set in connection with Defendants' pending motion to terminated the consent decree in this matter. The Court will conduct a Telephone Conference to discuss the proposed revisions on 2/24/2009 at 11:00 AM before Judge Richard J. Sullivan. All the parties are HEREBY ORDERED to participate. The parties are further directed to gather on a single telephone line prior to the conference and to call chambers at (212) 805-0264 when all are present. (Signed by Judge Richard J. Sullivan on 2/19/09) (tro) (Entered: 02/20/2009)
02/23/2009	<u>129</u>	STIPULATED ORDER TO ASSIGN THE CASE TO THE ELECTRONIC CASE FILING ("ECF") SYSTEM The case captioned above shall be an ECF case and all future public filings shall be made through the ECF system in accordance with the Federal Rules of Civil Procedure, the Local Rules of the United States District Court for the Southern District of New York, the Southern District of New York ECF Rules & Instructions, and this Court's Individual Practices.. (Signed by Judge Richard J. Sullivan on 2/20/09) (mme) (Entered: 02/23/2009)
02/23/2009		Case Designated ECF. (mme) (Entered: 02/23/2009)
02/26/2009	<u>130</u>	ORDER: The Court conducted a telephone conference in this matter on February 24, 2009. For the reasons stated on the record, the parties are HEREBY ORDERED to confer regarding the issues that were discussed at the conference, and to submit a joint status letter by March 9, 2009 proposing revisions to the discovery plan for Defendants' pending motion to terminate the consent decree. (Signed by Judge Richard J. Sullivan on 2/24/2009) (jfe) (Entered: 02/26/2009)
02/27/2009	<u>131</u>	NOTICE OF APPEARANCE by Toni Lynn Gantz on behalf of Reinaldo Ferrer, Allen Goldberg, Sara L Kellerman, Dante Alberti, James Monroe, John Prendville, Daniel Schwartz, Henry Weinstein, Stanley Brodsky, Madeline Bohman, Ira Clark, Marylin Durrell, Edward Koch, Benjamin Ward, Abraham J Kauver, Esta Armstrong (Gantz, Toni) (Entered: 02/27/2009)

03/05/2009	<u>132</u>	NOTICE OF APPEARANCE by Chlarens Orsland on behalf of Reinaldo Ferrer, Allen Goldberg, Sara L Kellerman, Dante Alberti, James Monroe, John Prendville, Daniel Schwartz, Henry Weinstein, Stanley Brodsky, Madeline Bohman, Ira Clark, Marylin Durrell, Edward Koch, Benjamin Ward, Abraham J Kauver, Esta Armstrong (Orsland, Chlarens) (Entered: 03/05/2009)
03/23/2009	<u>133</u>	ORDER: Accordingly, on the basis of the parties' representations, IT IS HEREBY ORDERED THAT notwithstanding federal laws or regulations concerning the confidentiality of medical and psychiatric records, including the Health Information Portability and Accountability Act of 1996, 42 U.S.C. §§ 1320d et seq., and 45 C.F.R. § 164.502, and, to the extent that State law applies, New York Public Health Law § 2782 (relating to HIV-related information), New York Public Health Law § 2306 (relating to sexually transmissible disease information), New York Mental Hygiene Law § 33.13 (relating to maintenance of clinical records), and New York Civil Rights Law § 79-1(3)(a) (relating to the predisposition genetic testing information), Defendants may disclose in this litigation the medical and psychiatric records of any Plaintiff or class member, excluding substance abuse information that is confidential under 42 C.F.R. § 2.12 insofar as it is contained in these medical and psychiatric records. Documents produced pursuant to this Order shall be designated as "Confidential Materials" pursuant to the terms of the Court's February 19, 2009 Stipulated Protective Order (Doc. No. 127). Neither Defendants, nor any of their employees or agents shall be held civilly, criminally, or professionally liable in this action or any other action for disclosing any information concerning the physical or mental health of the class members pursuant to the terms of this Order. SO ORDERED. (Signed by Judge Richard J. Sullivan on 3/23/2009) (tve) (Entered: 03/23/2009)
03/31/2009	135	TRANSCRIPT of proceedings held on 2/24/2009 before Judge Richard J. Sullivan. (jfe) (Entered: 04/23/2009)
04/01/2009	<u>134</u>	REVISED DISCOVERY SCHEDULE: By April 1, 2010, all fact depositions shall be completed. By June 1, 2010, discovery relating to Plaintiffs' experts shall be completed. At the close of this expert discovery period, Plaintiffs shall provide to Defendants any expert reports that are prepared, along with, for each expert, a curriculum vitae and list of all other cases at which the expert testified at a deposition or trial in the past five years. Defendants reserve the right to seek rebuttal expert discovery as necessary. By July 13, 2010, Plaintiffs' opposition papers shall be filed and served. By August 3, 2010, Defendants' reply papers shall be filed and served. SO ORDERED. (Signed by Judge Richard J. Sullivan on 4/1/2009) (tve) (Entered: 04/01/2009)
07/22/2009	<u>136</u>	ORDER: Status Conference set for 7/31/2009 at 02:30 PM before Judge Richard J. Sullivan. (Signed by Judge Richard J. Sullivan on 7/22/2009) (jpo) (Entered: 07/22/2009)
07/27/2009	<u>137</u>	ENDORSED LETTER addressed to Judge Richard J. Sullivan from Andrew J. Frackman dated 7/24/09 re: Counsel for Plaintiff write concerning the status conference currently scheduled for 7/31/09 at 2:30 p.m. Counsel will be traveling to San Francisco on that date and therefore will not be able to attend. Attorneys from the Legal Aid Society, co-counsel of record in this matter, will appear and represent Plaintiffs. Mr. Frackman's colleague, Ms. Shiva Eftekhari, who is completely familiar with the status of the discovery, will also be present. ENDORSEMENT: Request granted. (Signed by Judge Richard J. Sullivan on 7/27/09) (tro) (Entered: 07/27/2009)
07/30/2009	<u>138</u>	NOTICE OF APPEARANCE by Jonathan S. Chasan on behalf of Daniel Reynolds, Carlos Cruz, Tyrone McGraw, Madrick Wallace, Linda Grier (Chasan, Jonathan) (Entered: 07/30/2009)
08/03/2009	<u>139</u>	ORDER: Additionally, for the reasons stated on the record, IT IS HEREBY ORDERED THAT the parties shall submit a proposed revised discovery schedule by September 8, 2009, which shall include (1) a date for Defendants to re-file their motion and submit additional briefing, and (2) a briefing schedule for Plaintiffs' opposition submission and Defendants' reply. The Clerk of the Court is respectfully directed to terminate the motion docketed as document number 107. (Signed by Judge Richard J. Sullivan on 8/3/2009) (jfe) (Entered: 08/03/2009)

08/03/2009		Set/Reset Deadlines: Discovery due by 9/8/2009. (jfe) (Entered: 08/03/2009)
08/05/2009	140	TRANSCRIPT of proceedings (conference) held on 7/31/09 before Judge Richard J. Sullivan. (ja) (Entered: 08/05/2009)
09/02/2009	<u>141</u>	ORDER that the parties shall submit their joint discovery schedule by September 14, 2009. SO ORDERED. (Discovery due by 9/14/2009.) (Signed by Judge Richard J. Sullivan on 9/2/2009) (jmi) (Entered: 09/03/2009)
09/21/2009	<u>142</u>	REVISED DISCOVERY SCHEDULE: Motion to terminate the Consent Decree due by 8/25/2010. Response due by 10/20/2010 Reply due by 11/10/2010. Expert Discovery due by 7/14/2010, see document for other deadlines. (Signed by Judge Richard J. Sullivan on 9/15/09) (cd) (Entered: 09/22/2009)
02/01/2010	<u>143</u>	NOTICE OF APPEARANCE by John Michael Buhta on behalf of Reinaldo Ferrer, Allen Goldberg, Sara L Kellerman, Dante Alberti, James Monroe, John Prendville, Daniel Schwartz, Henry Weinstein, Stanley Brodsky, Madeline Bohman, Ira Clark, Marilyn Durrell, Edward Koch, Benjamin Ward, Abraham J Kauver, Esta Armstrong (Buhta, John) (Entered: 02/01/2010)
02/25/2010	<u>144</u>	ORDER: The discovery schedule set forth in this Court's September 21, 2009 order is suspended for three months to allow the parties to engage in settlement discussions. At the end of the three-month period, on or before June 1, 2010, if the action is not settled, the parties shall advise the Court of their progress to date, and the Court shall determine if further negotiations would be fruitful, or whether a revised discovery schedule should be entered. (Signed by Judge Richard J. Sullivan on 2/25/2010) (jfe) (Entered: 02/25/2010)
04/15/2010	<u>145</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Peter C. Herrick to Withdraw as Attorney. Document filed by Daniel Reynolds, Carlos Cruz, Tyrone McGraw, Madrick Wallace, Linda Grier.(Herrick, Peter) Modified on 4/16/2010 (jar). (Entered: 04/15/2010)
04/15/2010		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Peter Herrick to RE-FILE Document <u>145</u> MOTION for Peter C. Herrick to Withdraw as Attorney. ERROR(S): Supporting documents must be filed separately. Use the event type Declaration in Support found under the event list Replies, Oppositions, Supporting Documents. NOTE: The motion must first be correctly re-filed. (jar) (Entered: 04/16/2010)
04/16/2010	<u>146</u>	MOTION for Peter C. Herrick to Withdraw as Attorney. Document filed by Daniel Reynolds, Carlos Cruz, Tyrone McGraw, Madrick Wallace, Linda Grier.(Herrick, Peter) (Entered: 04/16/2010)
04/16/2010	<u>147</u>	DECLARATION of Peter C. Herrick in Support re: <u>146</u> MOTION for Peter C. Herrick to Withdraw as Attorney.. Document filed by Daniel Reynolds, Carlos Cruz, Tyrone McGraw, Madrick Wallace, Linda Grier. (Herrick, Peter) (Entered: 04/16/2010)
04/16/2010	<u>148</u>	MEMO ENDORSEMENT on <u>146</u> Motion to Withdraw as Attorney. ENDORSEMENT: So Ordered. (Signed by Judge Richard J. Sullivan on 4/16/2010) (jpo) (Entered: 04/16/2010)
06/01/2010	<u>149</u>	ORDER: The discovery schedule set forth in this Court's September 21, 2009 order is suspended for an additional 60 days to allow the parties to continue settlement discussions; At the end of the 60-day period, on or before August 2, 2010, if the action is not settled, the parties shall advise the Court of their progress to date, and the Court shall determine if further negotiations would be fruitful, or whether a revised discovery schedule should be entered. (Signed by Judge Richard J. Sullivan on 5/28/2010) (jpo) (Entered: 06/01/2010)
08/03/2010	<u>150</u>	ORDER The discovery schedule set forth in this Court's September 21, 2009 order is suspended for an additional 75 days to allow the parties to finalize settlement; At the end of the 75-day period, on or before October 18, 2010, if the action is not settled, the parties shall advise the Court of their progress to date, and the Court shall determine if further negotiations would be fruitful, or whether a revised discovery schedule should be entered. SO ORDERED. (Signed by Judge Richard J. Sullivan on 8/3/2010) (jmi) (Entered: 08/04/2010)

10/19/2010	<u>151</u>	ORDER: IT IS HEREBY ORDERED THAT counsel may have until October 19, 2010 to submit the status letter. (Signed by Judge Richard J. Sullivan on 10/18/2010) (jfe) (Entered: 10/19/2010)
10/19/2010	<u>152</u>	ORDER. 1. The discovery schedule set forth in this Court's September 21, 2009 order is suspended for an additional three weeks to allow the parties to finalize a proposed Stipulation and Order of Settlement for submission to the Court; and 2. On or before November 9, 2010, the parties shall submit the proposed Stipulation and Order of Settlement to the Court for its review and approval. (Signed by Judge Richard J. Sullivan on 10/19/10) (djc) (Entered: 10/20/2010)
11/10/2010	<u>153</u>	ENDORSED LETTER addressed to Judge Richard J. Sullivan from Toni Gantz dated November 9, 2010 re: Counsel requests a brief extension, to November 12, 2010, to submit the proposed Stipulation and Order of Settlement to the Court. ENDORSEMENT: Request granted. (Signed by Judge Richard J. Sullivan on 11/9/10) (djc) (Entered: 11/10/2010)
11/23/2010	<u>154</u>	STIPULATION AND ORDER OF SETTLEMENT. The Stipulation and Order of Settlement, dated August 1, 1990, is terminated and is replaced by the instant Stipulation. The duration of this Stipulation shall be thirty months following the date of entry by the Court of this Stipulation. The Court shall retain jurisdiction over the parties and this action solely for the purpose of enforcement of this Stipulation until thirty months following the date of entry of this Stipulation, whereupon the Court's jurisdiction over this action shall terminate, and as further set forth in said order. (Signed by Judge Richard J. Sullivan on 11/19/10) (rjm) (Additional attachment(s) added on 11/30/2010: # <u>1</u> Attachment) (ad). (Entered: 11/23/2010)
05/28/2013	<u>155</u>	PARTIAL EXTENSION OF STIPULATION AND ORDER OF SETTLEMENT: The November 19,2010 Stipulation and Order is terminated and is replaced by the instant Stipulation.The duration of this Stipulation shall be six months following the date of entry by the Court of this Stipulation and the Court shall retain jurisdiction over the parties and this action solely for the purpose of enforcement of this Stipulation until that time, whereupon the Court's jurisdiction over this action shall terminate.And as set forth herein. SO ORDERED. (Signed by Judge Richard J. Sullivan on 5/23/2013) (Attachments: # <u>1</u> Continuation Pages 7-14)(ama) (Entered: 05/28/2013)