

CLOSED

**U.S. District Court
District of Vermont (Burlington)
CIVIL DOCKET FOR CASE #: 2:93-cv-00383-JJN**

Goldsmith, et al v. Dean, et al
Assigned to: Magistrate Judge Jerome J. Niedermeier
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 12/13/1993
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

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Date Filed	#	Docket Text
12/13/1993	1	COMPLAINT ; filing fee \$ 120.00 receipt # 5510 (Summon(es)/waiver (s) Issued) (amn) (Entered: 12/14/1993)
12/13/1993	2	MOTION for Edward I.Koren, Marjorie Rifkin and Margaret Winter to Appear Pro Hac Vice by Pltfs. (amn) (Entered: 12/14/1993)
12/29/1993	3	RETURN OF SERVICE executed as to defendant John Ajamie on 12/20/93 (jam) (Entered: 12/29/1993)
12/29/1993	4	RETURN OF SERVICE executed as to defendant Immediate Care on 12/21/93 (jam) (Entered: 12/29/1993)
12/29/1993	5	RETURN OF SERVICE executed as to defendant Jeffrey Rothfeld on 12/22/93 (jam) (Entered: 12/29/1993)
12/29/1993	6	RETURN OF SERVICE executed as to defendant Ottauquechee Health on 12/18/93 (jam) (Entered: 12/29/1993)
12/29/1993	7	RETURN OF SERVICE executed as to defendant Judith Hill on 12/22/93 (jam) (Entered: 12/29/1993)
12/29/1993	8	RETURN OF SERVICE executed as to defendant Carleton Stickney on 12/17/93 (jam) (Entered: 12/29/1993)
01/05/1994	9	ACKNOWLEDGEMENT OF SERVICE as to defendant Howard B. Dean III, defendant John Gorczyk, defendant Steven Maranville, defendant Keith Tallon, defendant Lawrence McLiverty, defendant Stewart K. Robinson, defendant Celeste M. Girrell, defendant T. Michael Coxon, defendant William D. Pithers, defendant Jack Bush, defendant Alice Hafner, defendant Ernest Torpey, defendant Arthur Silvester, defendant Lorraine Graham, defendant Elaine Charboneau in their official capacities only and defendant Vt. Dept. of Corr. 1/3/94 by J. Wallace Malley, Jr., Esq. (jam) (Entered: 01/05/1994)

01/13/1994	10	AFFIDAVIT of Edward I. Koren re: [2-1] motion for Edward I.Koren, Marjorie Rifkin and Margaret Winter to Appear Pro Hac Vice (jam) (Entered: 01/13/1994)
01/13/1994	11	AFFIDAVIT of Margaret Winter re: [2-1] motion for Edward I.Koren, Marjorie Rifkin and Margaret Winter to Appear Pro Hac Vice (jam) (Entered: 01/13/1994)
01/13/1994	12	AFFIDAVIT of Marjorie Rifkin re: [2-1] motion for Edward I.Koren, Marjorie Rifkin and Margaret Winter to Appear Pro Hac Vice (jam) (Entered: 01/13/1994)
01/18/1994	13	ORDER granting [2-1] motion for Edward I.Koren, Marjorie Rifkin and Margaret Winter to Appear Pro Hac Vice (Judge Fred I. Parker) Cy to parties (jam) (Entered: 01/18/1994)
01/26/1994	14	ANSWER to [1-1] complaint by defendant Howard B. Dean III, defendant John Gorczyk, defendant Steven Maranville, defendant Keith Tallon, defendant Lawrence McLiverty, defendant Stewart K. Robinson, defendant Celeste M. Girrell, defendant T. Michael Coxon, defendant William D. Pithers, defendant Judith Hill, defendant Jack Bush, defendant Immediate Care, defendant Ottauquechee Health, defendant Carleton Stickney, defendant John Ajamie, defendant Jeffrey Rothfeld, defendant Alice Hafner, defendant Ernest Torpey, defendant Arthur Silvester, defendant Lorraine Graham, defendant Elaine Charboneau, defendant Vt. Dept. of Corr. (Attorney Thomas John Rushford) ; stipulated discovery schedule due 2/25/94 (jam) (Entered: 01/27/1994)
01/27/1994	15	MOTION by plaintiffs to Certify Class (gei) (Entered: 01/28/1994)
01/27/1994	16	MEMORANDUM by plaintiffs in support of [15-1] motion to Certify Class (gei) (Entered: 01/28/1994)
03/09/1994	17	ORDER granting [15-1] motion to Certify Class; a class is hereby certified in this case to consist of all persons who are now or who will in the future be confined in Vermont prisons and all persons who are now or will in the future be subject to the policies and practices of the Vermont Department of Corrections and the Vermont Parole Board with respect to the Vermont Treatment Program for Sexual Aggressors and the Violent Offender Program. (Judge Fred I. Parker) Cy to parties (jam) (Entered: 03/09/1994)
03/09/1994	18	STIPULATED DISCOVERY ORDER setting Discovery cutoff 12/29/94 ; (Judge Fred I. Parker) Cy to parties (jam) (Entered: 03/09/1994)
05/02/1994	19	MOTION by all pltf's to Compel Discovery (kac) (Entered: 05/03/1994)
05/02/1994	20	AFFIDAVIT of Marjorie Rifkin re: [19-1] motion to Compel Discovery (kac) (Entered: 05/03/1994)
05/02/1994	21	MEMORANDUM by all pltf's in support of [19-1] motion to Compel Discovery with proposed order (kac) (Entered: 05/03/1994)

05/25/1994	22	MOTION by plaintiffs for expedited discovery conference , and to Compel (jam) (Entered: 05/25/1994)
06/01/1994	23	NOTICE OF ADDRESS CHANGE by plaintiff Richard Stempel (jam) (Entered: 06/01/1994)
06/02/1994	24	MEMORANDUM by plaintiffs in support of [22-1] motion for expedited discovery conference, [22-2] motion to Compel (gei) (Entered: 06/02/1994)
06/02/1994	25	AFFIRMATION of Marjorie Rifkin re: [24-1] support memorandum (gei) (Entered: 06/02/1994)
06/09/1994	26	ORDER case referred to Magistrate Judge Jerome J. Niedermeier ; pursuant to 28 USC 636(b)(1)(A) & (B) (Judge Fred I. Parker) Cy to parties (kac) (Entered: 06/09/1994)
06/10/1994	27	ORDER granting [19-1] motion to Compel Discovery, and granting [22-2] motion to Compel (Magistrate Judge Jerome J. Niedermeier) Cy to parties (epr) (Entered: 06/10/1994)
06/14/1994	28	ATTORNEY APPEARANCE for defendants by Joseph Leon Winn (gei) (Entered: 06/14/1994)
06/17/1994	29	DISCOVERY CERTIFICATE: answer to interrogatories filed by defendant Vt. Dept. of Corr. (epr) (Entered: 06/17/1994)
06/24/1994	30	MOTION by defendants for Relief from the Court's Order granting pltf's Motions to Compel and for Expedited Discovery (gei) (Entered: 06/24/1994)
06/24/1994	31	AFFIDAVIT of Tom Rushford for defendants re: [30-1] motion for Relief from the Court's Order granting pltf's Motions to Compel and for Expedited Discovery (gei) (Entered: 06/24/1994)
06/27/1994	32	MOTION by plaintiff Robert B Goldsmith, plaintiff Earl Lawrence Squires, plaintiff Richard Stempel, plaintiff Roger Blackburn, plaintiff Stormy Wright, plaintiff Jeff Stratton, plaintiff Edward Bennett, plaintiff Robert Gokey, plaintiff Don Paydon, plaintiff David McKeen, plaintiff Robert Lawton, plaintiff William Verrinder III, plaintiff Charles Conway, plaintiff Randy Blodgett, plaintiff Fred Ashworth for Contempt ,and for Sanctions (jjj) (Entered: 06/27/1994)
06/27/1994	33	MEMORANDUM by plaintiff Robert B Goldsmith, plaintiff Earl Lawrence Squires, plaintiff Richard Stempel, plaintiff Roger Blackburn, plaintiff Stormy Wright, plaintiff Jeff Stratton, plaintiff Edward Bennett, plaintiff Robert Gokey, plaintiff Don Paydon, plaintiff David McKeen, plaintiff Robert Lawton, plaintiff William Verrinder III, plaintiff Charles Conway, plaintiff Randy Blodgett, plaintiff Fred Ashworth in support of [32-1] motion for Contempt, [32-2] motion for Sanctions (jjj) (Entered: 06/27/1994)
06/28/1994	34	DISCOVERY CERTIFICATE: first supplemental response to interrogatories and first set of requests for production filed by defendant

		Vt. Dept. of Corr. (epr) (Entered: 06/28/1994)
07/06/1994	35	RESPONSE by plaintiffs to [30-1] motion for Relief from the Court's Order granting pltf's Motions Compel and for Expedited Discovery (gei) (Entered: 07/06/1994)
07/06/1994	36	AFFIDAVITS of Marjorie Rifkin and Margaret Winter re: [35-1] motion response (gei) (Entered: 07/06/1994)
07/07/1994	37	MEMORANDUM by defendants in opposition to [32-1] motion for Contempt (gei) (Entered: 07/07/1994)
07/18/1994	38	REPLY by plaintiffs to response to [32-1] motion for Contempt, [32-2] motion for Sanctions (jjj) (Entered: 07/18/1994)
07/20/1994	39	ATTORNEY APPEARANCE for defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottauquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau and the Vt. Dept. of Corr. by David M. Rocchio (epr) (Entered: 07/20/1994)
07/25/1994	40	REPLY by defendants to [32-2] motion for Sanctions (jjj) Modified on 07/27/1994 (Entered: 07/26/1994)
07/25/1994	41	AFFIDAVIT of Mary E. Dunster re: [40-1] reply (jjj) Modified on 07/27/1994 (Entered: 07/26/1994)
07/28/1994	44	ORDER denying [30-1] motion for Relief from the Court's Order granting pltf's Motions to Compel and for Expedited Discovery; withdrawing [32-1] motion for Contempt and granting [32-2] motion for Sanctions (Magistrate Judge Jerome J. Niedermeier) Cy to parties (epr) (Entered: 07/29/1994)
08/04/1994	45	MOTION (assented to) by defendants to Amend [18-1] Scheduling order (gei) (Entered: 08/05/1994)
08/04/1994	46	MOTION by plaintiff Robert B Goldsmith to Extend Time to 9/30/94 to submit documentation re: monetary sanctions (jjj) (Entered: 08/08/1994)
08/10/1994	47	RESPONSE by defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottauquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau, and Vt. Dept. of Corr. to [46-1] motion to Extend Time to 9/30/94 to submit documentation re: monetary sanctions (epr) (Entered: 08/10/1994)
08/15/1994	48	DISCOVERY CERTIFICATE: First set interrogatories and requests to produce propounded by defendants to plaintiffs (pjd) (Entered: 08/15/1994)

08/17/1994	49	REPLY by plaintiffs to [40-1] opposition by defts to pltfs' request for leave to document fees (gei) (Entered: 08/17/1994)
08/22/1994	50	DISCOVERY CERTIFICATE: 1st set of expert interrogatories and requests to produce propounded by defendants to plaintiffs (pjd) (Entered: 08/22/1994)
09/02/1994	51	STIPULATED DISCOVERY ORDER setting Discovery cutoff 12/22/94 ; Deadline for filing of all motions 3/15/95 ; (Magistrate Judge Jerome J. Niedermeier) Cy to parties (epr) (Entered: 09/02/1994)
09/02/1994	52	DISCOVERY CERTIFICATE: notice of deposition by defendants to Mitchell L. Pearl; ACLU, National Prison Project (gei) (Entered: 09/06/1994)
09/09/1994	53	ORDER granting [46-1] motion to Extend Time to 9/30/94 to submit documentation re: monetary sanctions (Magistrate Judge Jerome J. Niedermeier) Cy to parties (jam) (Entered: 09/12/1994)
09/28/1994	54	MEMORANDUM AND DOCUMENTATION REGARDING THE AMOUNT OF MONETARY SANCTIONS TO BE AWARDED by plaintiffs in support of [44-1] order (pjd) (Entered: 09/28/1994)
09/30/1994	55	DISCOVERY CERTIFICATE: second set of interrogatories and requests to produce propounded by defendants to plaintiffs (pjd) (Entered: 10/03/1994)
10/07/1994	56	MEMORANDUM by defts in opposition to pltfs' [32-2] motion for Sanctions (kac) (Entered: 10/11/1994)
10/07/1994	57	AFFIDAVIT of David M. Rocchio re: [56-1] opposition memorandum (kac) (Entered: 10/11/1994)
10/07/1994	58	AFFIDAVIT of Mark J. Di Stefano re: [56-1] opposition memorandum (kac) (Entered: 10/11/1994)
11/01/1994	59	DISCOVERY CERTIFICATE response to second set of interrogatories and requests for production of documents by plts Robert B Goldsmith, Earl Lawrence Squires, Richard Stempel, Roger Blackburn, Stormy Wright, Jeff Stratton, Edward Bennett, Robert Gokey, Don Paydon, David McKeen, Robert Lawton, William Verrinder III, Charles Conway, Randy Blodgett, Fred Ashworth, Jerome Clement, George Negron (law) (Entered: 11/01/1994)
11/02/1994	60	STIPULATION AND ORDER re: [32-2] motion for Sanctions (Magistrate Judge Jerome J. Niedermeier) Cy to parties (law) (Entered: 11/03/1994)
11/23/1994	61	DISCOVERY CERTIFICATE supplemental response to first set of interrogatories and request to produce by defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottauquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest

		Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau, Vt. Dept. of Corr. (law) (Entered: 11/23/1994)
11/29/1994	62	MOTION by dfts Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottawaquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau, Vt. Dept. of Corr. for leave to amend the discovery schedule (law) (Entered: 11/29/1994)
11/30/1994	63	MOTION by dfts Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottawaquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau, and Vt. Dept. of Corr. to Compel Answers to certain Interrogatories , and to Compel The Production of Certain Documents From the Plaintiffs (law) (Entered: 11/30/1994)
11/30/1994	64	MEMORANDUM by defendant Howard B. Dean III, defendant John Gorczyk, defendant Steven Maranville, defendant Keith Tallon, defendant Lawrence McLiverty, defendant Stewart K. Robinson, defendant Celeste M. Girrell, defendant T. Michael Coxon, defendant William D. Pithers, defendant Judith Hill, defendant Jack Bush, defendant Immediate Care, defendant Ottawaquechee Health, defendant Carleton Stickney, defendant John Ajamie, defendant Jeffrey Rothfeld, defendant Alice Hafner, defendant Ernest Torpey, defendant Arthur Silvester, defendant Lorraine Graham, defendant Elaine Charboneau, defendant Vt. Dept. of Corr. in support of [63-1] motion to Compel Answers to certain Interrogatories, [63-2] motion to Compel The Production of Certain Documents From the Plaintiffs (law) (Entered: 11/30/1994)
11/30/1994	65	AFFIDAVIT of David M. Rocchio, Esq. by defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William Pithers, Judith Hill, Jack Bush, Immediate Care, Ottawaquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau, Vt. Dept. of Corr. re: [64-1] support memorandum (law) (Entered: 11/30/1994)
11/30/1994	66	AFFIDAVIT of Joseph L. Winn, Asst Atty Gen'l by Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William Pithers, Judith Hill, Jack Bush, Immediate Care, Ottawaquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau, and Vt. Dept. of Corr. re: [64-1] support memorandum (law) (Entered: 11/30/1994)

11/30/1994	67	APPENDIX by defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottauquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Lorraine Graham, Elaine Charboneau, and Vt. Dept. of Corr. in support of [63-1] motion to Compel Answers to certain Interrogatories, [63-2] motion to Compel The Production of Certain Documents From the Plaintiffs (see expandable folder for papers) (law) Modified on 11/30/1994 (Entered: 11/30/1994)
12/19/1994	68	MOTION by plaintiff Robert B Goldsmith to Extend Time to resp. to defts' m.to compel (jjj) (Entered: 12/19/1994)
12/19/1994		ENDORSED ORDER: granting [68-1] motion to Extend Time to resp. to defts' [63-1] motion to Compel Answers to certain Interrogatories, [63-2] motion to Compel The Production of Certain Documents From the Plaintiffs. New deadline set for 1/4/95 (pjd) (Entered: 12/21/1994)
12/21/1994	69	MOTION by defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottauquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau, and Vt. Dept. of Corr. to Dismiss for Lack of Jurisdiction (law) (Entered: 12/21/1994)
12/21/1994	70	MEMORANDUM by defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottauquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau, and Vt. Dept. of Corr. in support of [69-1] motion to Dismiss for Lack of Jurisdiction (law) (Entered: 12/21/1994)
12/22/1994	71	MOTION by plaintiffs to Extend Time to respond to defts' motion to dismiss (pjd) (Entered: 12/22/1994)
12/23/1994	72	MOTION by all defts for Protective Order (kac) (Entered: 12/27/1994)
12/23/1994	73	AFFIDAVIT of Joseph L. Winn by all dfts re: [72-1] motion for Protective Order (kac) (Entered: 12/27/1994)
12/28/1994	74	RESPONSE with memo in support by all pltf's to defts' [63-1] motion Compel Answers to certain Interrogatories & [63-2] motion to Compel The Production of Certain Documents From the Pltfs (kac) (Entered: 12/28/1994)
01/04/1995	75	MOTION by plaintiff Robert B Goldsmith to Extend Time to resp. to defts' m.to dismiss (jjj) (Entered: 01/04/1995)
01/04/1995	76	ORDER granting [75-1] motion to Extend Time to resp. to defts' [72-1] motion for Protective Order, response due 1/20/95 (Magistrate Judge

		Jerome J. Niedermeier) Cy to parties (pjd) Modified on 01/06/1995 (Entered: 01/04/1995)
01/10/1995	77	STIPULATED DISCOVERY ORDER setting Discovery cutoff 4/17/95 ; Deadline for filing of all motions reset to 6/15/95 ; (Magistrate Judge Jerome J. Niedermeier) Cy to parties (law) (Entered: 01/10/1995)
01/12/1995	78	REPLY by all defendants to memorandum in support of response to [63- 1] motion to Compel Answers to certain Interrogatories, [63-2] motion to Compel The Production of Certain Documents From the Plaintiffs (pjd) (Entered: 01/12/1995)
01/16/1995		MINUTE ENTRY:TELEPHONE CONFERENCE conducted before Magistrate Judge Niedermeier. Margaret Winter, Esq. for pltf's; Joseph Winn, Esq. for defts. Stmts by counsel re: deposition of Ms. Fairfield. ORDERED: Depo to be conducted 1/23/96; preliminary injunction hrg to resume 1/24/96 at 9:30 a.m.. (jjj) (Entered: 01/18/1996)
01/17/1995	79	MEMORANDUM IN RESPONSE by plaintiffs to [69-1] motion to Dismiss for Lack of Jurisdiction (pjd) (Entered: 01/17/1995)
01/20/1995	80	RESPONSE by plaintiffs to [72-1] motion for Protective Order (pjd) (Entered: 01/20/1995)
02/01/1995	81	REPLY by all defendants to response to [69-1] motion to Dismiss for Lack of Jurisdiction (pjd) (Entered: 02/01/1995)
02/03/1995	82	REPLY by defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottauquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Lorraine Graham, Elaine Charboneau and Vt. Dept. of Corr. to response to [72-1] motion for Protective Order (law) (Entered: 02/06/1995)
02/03/1995	84	AFFIDAVIT of David M. Rocchio, Esq. by defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottauquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau, and Vt. Dept. of Corr. re: [82-1] motion reply (law) (Entered: 02/06/1995)
02/03/1995	87	AFFIDAVIT of Thomas A. Powell, Phd. by defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottauquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau and Vt. Dept. of Corr. re: [82-1] motion reply (law) (Entered: 02/06/1995)

02/06/1995	83	ADDENDUM A by defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottauquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau and Vt. Dept. of Corr. in support of [82-1] motion reply (law) (Entered: 02/06/1995)
02/06/1995	85	AFFIDAVIT of Joseph L. Winn by defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottauquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau and Vt. Dept. of Corr. re: [82-1] motion reply (law) (Entered: 02/06/1995)
02/06/1995	86	AFFIDAVIT of Renee S. Markus by defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottauquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau and Vt. Dept. of Corr. re: [82-1] motion reply (law) (Entered: 02/06/1995)
02/09/1995	88	ORDER granting [71-1] motion to Extend Time to respond to defts' motion to dismiss [69-1] motion to Dismiss for Lack of Jurisdiction. Nunc pro tunc. (Magistrate Judge Jerome J. Niedermeier) Cy to parties (law) Modified on 02/09/1995 (Entered: 02/09/1995)
02/13/1995	89	MOTION by plaintiffs for further Sanctions for failure to comply with the Court's 6/10/94 Order (pjd) (Entered: 02/13/1995)
02/13/1995	90	MEMORANDUM by plaintiffs in support of [89-1] motion for further Sanctions for failure to comply with the Court's 6/10/94 Order (pjd) (Entered: 02/13/1995)
02/23/1995	91	MEMORANDUM by defendant Howard B. Dean III in opposition to [89-1] motion for further Sanctions for failure to comply with the Court's 6/10/94 Order (jjj) (Entered: 02/23/1995)
02/23/1995	92	AFFIDAVIT of Joseph Winn, Esq. by defendant Howard B. Dean III, et al re: [91-1] opposition memorandum (jjj) (Entered: 02/23/1995)
02/23/1995	93	AFFIDAVIT of David Rocchio, Esq. by defendant Howard B. Dean III, et al re: [91-1] opposition memorandum (jjj) (Entered: 02/23/1995)
02/24/1995		MINUTE ENTRY:In court before Magistrate Judge Niedermeier. Margaret Winter, Esq. and Marjorie Rifkin, Esq. for pltf's; Joseph Win, Esq. and david Rocchio, Esq. for defts (taped). Stmts by counsel re: settlement/discovery. ORDERED: denying motion for further Sanctions for failure to comply with the Court's 6/10/94 Order [89-1], denying motion for Protective Order [72-1], denying motion to Compel Answers to certain Interrogatories [63-1], denying motion to Compel The

		Production of Certain Documents From the Plaintiffs [63-2], denying motion for leave to amend the discovery schedule [62-1] w/leave to re-file. All discovery stayed until 5/1/94 w/the exception of document inspection scheduled for 3/6/95. (jjj) (Entered: 02/24/1995)
06/19/1995	94	ORDER OF REASSIGNMENT case reassigned to Judge J. G. Murtha (Judge Fred I. Parker) Cy to parties (law) (Entered: 06/21/1995)
06/19/1995		File sent to Burlington (law) (Entered: 06/21/1995)
07/25/1995	95	LETTER by plaintiff Richard Stempel of change of address (pjd) (Entered: 07/25/1995)
08/25/1995	96	MOTION by plaintiffs for Preliminary Injunction (pjd) (Entered: 08/25/1995)
08/25/1995	97	MEMORANDUM by plaintiffs in support of [96-1] motion for Preliminary Injunction (pjd) (Entered: 08/25/1995)
08/29/1995	98	MOTION by defendants to Extend Time to 9/20/95 to oppose pltfs' motion for preliminary injunction and expedited discovery (pjd) (Entered: 08/29/1995)
08/31/1995		ENDORSED ORDER: granting defts' [98-1] motion to Extend Time to 9/20/95 to oppose pltfs' motion for preliminary injunction and expedited discovery; cy parties (kac) (Entered: 08/31/1995)
09/01/1995	99	LETTER by plaintiffs in response to [98-1] motion to Extend Time to 9/20/95 to oppose pltfs' motion for preliminary injunction and expedited discovery, stating no opposition (pjd) (Entered: 09/05/1995)
09/05/1995	100	RETURN OF SERVICE of subpoena to Anita Schlank served 8/30/95 (pjd) (Entered: 09/05/1995)
09/07/1995	101	MOTION by defts to Quash Subpoena issued by pltfs to Anita Schlank (kac) (Entered: 09/08/1995)
09/08/1995	102	ORDER, case reassigned to Judge William K. Sessions III (Chief Judge J. G. Murtha) Cy to parties (ep) (Entered: 09/11/1995)
09/19/1995		MINUTE ENTRY: In chambers before Magistrate Judge Niedermeier for a TELEPHONE HEARING. Mitchell Pearl, Esq. and Margaret Winter, Esq. for pltfs; David Roccio, Esq. and Joseph Winn, Esq. for defts (taped). ORDERED: Court deems that because discovery has been stayed that motion to dismiss (p#69) is deemed as withdrawn and that it will be reinstated after 10/1/95. Defts to file response to pltfs' motion for preliminary injunction no later than 9/21/95. All discovery is stayed pending resolution by the court on pending motion for preliminary injunction. Motion to quash (p#101) granted per stay of discovery. (kac) (Entered: 09/22/1995)
09/20/1995	103	ATTORNEY APPEARANCE for defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers,

		Judith Hill, Jack Bush, defendant Immediate Care, Ottauquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau, Vt. Dept. of Corr. by Renee Susan Markus (pjd) (Entered: 09/22/1995)
09/20/1995	104	RESPONSE by plaintiffs to [101-1] motion to Quash Subpoena (pjd) (Entered: 09/22/1995)
09/21/1995	105	MEMORANDUM by defendants in opposition to [96-1] motion for Preliminary Injunction and for expedited discovery (mek) (Entered: 09/22/1995)
09/21/1995	106	AFFIDAVIT of John Bergman by defendants re: [105-1] opposition memorandum (mek) (Entered: 09/22/1995)
09/21/1995	107	AFFIDAVIT of Georgia F. Cumming by defendants re: [105-1] opposition memorandum (mek) (Entered: 09/22/1995)
09/21/1995	108	AFFIDAVIT of Joan Eckley by defendants re: [105-1] opposition memorandum (mek) (Entered: 09/22/1995)
09/21/1995	109	AFFIDAVIT of John F. Gorczyk by defendants re: [105-1] opposition memorandum (mek) (Entered: 09/22/1995)
09/21/1995	110	AFFIDAVIT of Stephen A. Maranville, superintendent of Northwest State Correctional Facility by defendants re: [105-1] opposition memorandum (mek) (Entered: 09/22/1995)
09/21/1995	111	AFFIDAVIT of John Robie, Casework Supervisor, by defendants re: [105-1] opposition memorandum (mek) (Entered: 09/22/1995)
09/21/1995	112	AFFIDAVIT of David M. Rocchio, Esq. by defendants re: [105-1] opposition memorandum (mek) (Entered: 09/22/1995)
09/21/1995	113	AFFIDAVIT of Barbara K. Schwartz, Ph.D. by defendants re: [105-1] opposition memorandum (mek) (Entered: 09/22/1995)
09/21/1995	114	AFFIDAVIT of Linda Shambo, Executive Director, VT Parole Board by defendants re: [105-1] opposition memorandum (mek) (Entered: 09/22/1995)
09/21/1995	115	AFFIDAVIT of Richard A. Smith, Asst Director of Program Svcs, by defendants re: [105-1] opposition memorandum (mek) (Entered: 09/22/1995)
09/21/1995	116	AFFIDAVIT of James Spinelli, Director of Program Svcs, by defendants re: [105-1] opposition memorandum (mek) (Entered: 09/22/1995)
09/21/1995	117	AFFIDAVIT of Richard Turner, Director of Correctional Svcs, by defendants re: [105-1] opposition memorandum (mek) (Entered: 09/22/1995)
09/21/1995	118	AFFIDAVIT of William Young by defendants re: [105-1] opposition memorandum (mek) (Entered: 09/22/1995)

09/21/1995	119	TRANSCRIPT OF 2/24/95 MOTIONS HEARING by defendants in support of [105-1] opposition memorandum (mek) (Entered: 09/22/1995)
09/21/1995	120	DEPOSITION of Charles W. Conway re: [105-1] opposition memorandum (mek) (Entered: 09/22/1995)
09/21/1995	121	MOTION by defendants to Strike affidavit of Margaret Winter attached to [97-1] support memorandum re: [96-1] motion for Preliminary Injunction (mek) (Entered: 09/22/1995)
09/21/1995	122	MEMORANDUM by defendants in support of [121-1] motion to Strike affidavit of Margaret Winter attached to [97-1] support memorandum re: [96-1] motion for Preliminary Injunction (mek) (Entered: 09/22/1995)
09/29/1995	123	AFFIDAVIT by plaintiff Robert B Goldsmith re: [79-1] motion response (pjd) (Entered: 09/29/1995)
09/29/1995	124	DECLARATION by plaintiff Robert Lawton re: [79-1] motion response (pjd) (Entered: 09/29/1995)
09/29/1995	125	DECLARATION by plaintiff William Verrinder III re: [79-1] motion response (pjd) (Entered: 09/29/1995)
09/29/1995	126	DECLARATION by plaintiff Charles Conway re: [79-1] motion response (pjd) (Entered: 09/29/1995)
10/02/1995	127	MOTION by defendants to Dismiss (Org. filed 12/21/94 P#69) (jjj) Modified on 10/02/1995 (Entered: 10/02/1995)
10/02/1995	128	MEMORANDUM by defendant Howard B. Dean III in support of [127-1] motion to Dismiss (Org. filed 12/21/94 P#70) (jjj) (Entered: 10/02/1995)
10/02/1995	129	MOTION by pltf Robert B Goldsmith for an Enlargement of Time in which to File a Reply to 10/23/95 (epr) (Entered: 10/03/1995)
10/04/1995	130	ORDER granting [129-1] motion for an Enlargement of Time in which to File a Reply, reply to mtn for preliminary injunction due 10/23/95 (Magistrate Judge Jerome J. Niedermeier) Cy to parties (pjd) Modified on 10/05/1995 (Entered: 10/04/1995)
10/23/1995		MINUTE ENTRY:, In chambers before Magistrate Judge Jerome J. Niedermeier for telephone conference re: hearing of 11/8/95. F. Rendol Barlow, Esq. for pltfs; David Roccio, Esq. for defts. (TAPED). Statements by parties/court. ORDERED: Court would like to hear from the state/ACLU together re: hearing of 11/8/95. (gmg) (Entered: 10/23/1995)
10/23/1995	131	REPLY BRIEF by plaintiffs to response to [96-1] motion for Preliminary Injunction (pjd) (Entered: 10/24/1995)
10/25/1995		MINUTE ENTRY:Telephone status conference before Magistrate Judge Niedermeier. Mitchell Pearl, Esq. and Margaret Winter, Esq. for pltfs; David Rocchio, Esq. for defts (taped). ORDERED:Hrg on pltfs' m.for prel.inj. to commence on 11/8/95. (jjj) (Entered: 10/26/1995)

11/03/1995	132	LIST OF POTENTIAL WITNESSES by all defendants (law) (Entered: 11/03/1995)
11/03/1995	134	WRIT OF of Habeas Corpus Ad Testificandum and Ad Prosequendum returned executed (law) (Entered: 11/06/1995)
11/03/1995	133	PETITION for Writ of Habeas Corpus Ad Testificandum by plaintiff Robert B Goldsmith (law) (Entered: 11/06/1995)
11/06/1995	135	MOTION by pltfs Robert B Goldsmith, Earl Lawrence Squires, Richard Stempel, Roger Blackburn, Stormy Wright, Jeff Stratton, Edward Bennett, Robert Gokey, Don Paydon, David McKeen, Robert Lawton, William Verrinder III, Charles Conway, Randy Blodgett, Fred Ashworth, Jerome Clement and George Negron for Eric G. Balaban to Appear Pro Hac Vice (epr) (Entered: 11/06/1995)
11/06/1995	136	AFFIDAVIT of Eric Balaban, Esq. re: [135-1] motion for Eric G. Balaban to Appear Pro Hac Vice (epr) (Entered: 11/06/1995)
11/06/1995	137	WITNESS LIST by all plaintiffs (law) (Entered: 11/06/1995)
11/07/1995	138	SURREPLY by defts to pltfs' [96-1] motion for Preliminary Injunction (kac) (Entered: 11/07/1995)
11/08/1995		MINUTE ENTRY:In court before Magistrate Judge Niedermeier. Margaret Winter, Esq., Marjorie Rifkin, Esq.and Eric Balaban, Esq. for pltfs; David Rocchio, Esq., Joseph Winn, Esq., James Arisman, Esq. and Renee Markus, Esq. for defts (taped). Oral m. for pro hac vice admission of James Arisman, Esq. ORDERED: granting [135-1] motion for Eric G. Balaban and oral m. for James Arisman to Appear Pro Hac Vice. Hrg held on pltfs' M.FOR PRELIMINARY INJUNCTION (P#96). The following witness, sworn by the clerk was examined on behalf of the pltfs: Dr. Fred Berlin. Hrg continued until 11/9/95 at 9:30 a.m.. (jjj) (Entered: 11/09/1995)
11/08/1995		Added for defendants Howard B. Dean III, John Gorczyk, Steven Maranville, Keith Tallon, Lawrence McLiverty, Stewart K. Robinson, Celeste M. Girrell, T. Michael Coxon, William D. Pithers, Judith Hill, Jack Bush, Immediate Care, Ottauquechee Health, Carleton Stickney, John Ajamie, Jeffrey Rothfeld, Alice Hafner, Ernest Torpey, Arthur Silvester, Lorraine Graham, Elaine Charboneau, Vt. Dept. of Corr. attorney James Arisman (jjj) Modified on 11/14/1995 (Entered: 11/09/1995)
11/09/1995		MINUTE ENTRY: In court before Magistrate Judge Niedermeier for a continuation of Preliminary Injunction Hrg.. (Martel reporter). Same counsel present as 11/8/95 proceeding. The following witnesses, sworn by the clerk, were examined on behalf of the pltfs: Jerry Merrow, Jeremy Nelson, Louis Ducharme, Wayne Hughes and Larry Smith. Hrg continued until 11/20/95 at 9:30 a.m.. (jjj) (Entered: 11/09/1995)
11/15/1995	139	REPORT AND RECOMMENDATIONS re: [127-1] Recommending that [127-1] motion to Dismiss be DENIED ; Motion(s) referred back to

		Judge William K. Sessions Objections to R and R due by 12/4/95 Cy to parties (law) (Entered: 11/15/1995)
11/16/1995	140	SUPPLEMENTAL WITNESS LIST by all defendants (law) (Entered: 11/16/1995)
11/20/1995	141	MOTION by defendant Howard B. Dean III to Seal Affidavit (SEALED) (jjj) Modified on 11/27/1995 (Entered: 11/20/1995)
11/20/1995	142	AFFIDAVIT (SEALED) (jjj) Modified on 11/27/1995 (Entered: 11/20/1995)
11/20/1995	143	ORDER granting [141-1] motion to Seal Affidavit (Magistrate Judge Jerome J. Niedermeier) Cy to parties (jjj) (Entered: 11/20/1995)
11/20/1995		MINUTE ENTRY:In court before Magistrate Judge Niedermeier for a continuation of Preliminary Injunction Hrg. (taped). Same counsel present as 11/8/95 and 11/9/95 proceeding.ORDERED: granting [121-1] motion to Strike affidavit of Margaret Winter attached to [97-1] support memorandum re: [96-1] motion for Preliminary Injunction . The following witness, sworn by the clerk, was examined on pltfs behalf: Michael Jacques. The following witnesses, sworn by the clerk, were examined on defts behalf: David Marcoux, Mr.A and Dr. Barbara Schwartz. Hrg. continued until 11/21/95 at 9:30 a.m.. (jjj) (Entered: 11/20/1995)
11/21/1995		MINUTE ENTRY:In court before Magistrate Judge Niedermeier (taped). Cont. Hrg on pltfs' MOTION FOR PRELIMINARY INJUNCTION. Same counsel present as 11/20/95 proceeding. Dr. Barbara Schwartz re-takes the stand and cross-examination by Ms. Winters continues. The following witnesses, sworn by the clerk, were examined on behalf of defts: Robert Long-Go and Dr. Anita Schlang . Testimony suspended and direct examination of these witnesses to be be continued at a later date. Counsel to meet in chambers at conclusion of todays proceeding. (jjj) (Entered: 11/21/1995)
11/21/1995		MINUTE ENTRY:In chambers conference conducted before Magistrate Judge Niedermeier w/counsel re: settlement. ORDERED: Parties to exchange present settlement positions and submit to the court by 12/15/95. Parties to exchange settlement responses and file w/the court by 1/8/96. Court to contact parties the wk of 1/8/96 to schedule further proceedings. (jjj) (Entered: 11/22/1995)
12/01/1995	144	OBJECTION by all defendants to [139-1] report & recommendations (THIS DOCUMENT PART OF NEXT ENTRY) (pjd) (Entered: 12/01/1995)
12/01/1995	144	REQUEST by all defendants for oral argument on motion to dismiss (THIS ENTRY PART OF PREVIOUS DOCUMENT) (pjd) (Entered: 12/01/1995)
12/11/1995	145	AFFIDAVIT of Brian Bilodeau by all defendants (law) (Entered: 12/11/1995)

12/21/1995	146	RESPONSE by all plaintiffs to [144-1] objection to report and recommendation (SEE EXPANDABLE FOLDER FOR EXHIBITS) (law) (Entered: 12/21/1995)
01/04/1996	147	REPLY MEMORANDUM by all defendants in support [139-1] report & recommendations re: [127-1] (SEE EXPANDABLE FOLDER FOR EXHIBITS) (law) Modified on 01/05/1996 (Entered: 01/05/1996)
01/24/1996		MINUTE ENTRY: In court before Magistrate Judge Niedermeier for CONT. OF PRELIMINARY INJUNCTION HRG.(taped). Margaret Winter, Esq., Marjorie Rifkin, Esq. and Eric Balaban, Esq. for pltfs; James Arisman, Esq., David Rocchio, Esq., Joseph Winn, Esq. and Renee Markus, Esq. for defts. The following witness, sworn by the clerk, was examined on the defts behalf: Joanne Fairfield. Hrg continued until a later date. (jjj) (Entered: 01/25/1996)
01/24/1996		MINUTE ENTRY: In chambers before Magistrate Judge Niedermeier after Pre.Inj.Hrg for status/settlement conf. Counsel in court present in chambers. Plt's w/d motion for preliminary injunction ORDERED: withdrawing motion for Preliminary Injunction [96-1] Settlement conference set for 3/6 - 3/7/96. (jjj) (Entered: 01/25/1996)
02/02/1996	148	NOTICE OF HEARING: settlement conference set for 9:30 3/7/96 Cy to parties (jjj) (Entered: 02/02/1996)
03/07/1996		MINUTE ENTRY: In chambers before Magistrate Judge Niedermeier. A SETTLEMENT CONFERENCE was conducted. Marjorie Rifkin, Esq., Margaret Winter, Esq. and David Ballabaum, Esq. for pltfs; David Roccio, Esq., Joseph Winn, Esq., James Arismann, Esq. and Renee Markus, Esq. for defts. Hrg continued until 3/8/96. (jjj) (Entered: 03/18/1996)
03/08/1996		MINUTE ENTRY: In chambers before Magistrate Judge Niedermeier a further SETTLEMENT CONFERENCE was conducted. Same attys as 3/7/96 present. Conf. cont. until 3/20/96. (jjj) (Entered: 03/18/1996)
03/20/1996		MINUTE ENTRY: In chambers before Magistrate Judge Niedermeier. SETTLEMENT CONF. conducted. Margaret Winter, Esq. and Marjorie Rifkin, Esq. for pltfs; David Roccio, Esq., Joseph Winn, Esq. and Renee Markus, Esq. for defts. Conf. cont. until 3/21/96. (jjj) (Entered: 03/21/1996)
03/21/1996		MINUTE ENTRY: In chambers before Magistrate Judge Niedermeier. Same counsel present as 3/20/96 settlement conference. Cont. until 4/10/96 at 9:30 a.m.. (jjj) (Entered: 03/21/1996)
04/18/1996	149	NOTICE to all members of the plaintiff class of proposed settlement agreement (kac) Modified on 04/23/1996 (Entered: 04/19/1996)
04/18/1996	150	ORDER objections to proposed settlement agreement (located on case file) must be postmarked by 5/21/96; counsel may file briefs responding to objections by 6/3/96; settlement hearing shall be held on 6/10/96 at 1:30 (Magistrate Judge Jerome J. Niedermeier) Cy to parties (kac)

		(Entered: 04/19/1996)
06/03/1996	151	MEMORANDUM by all plaintiffs in support of settlement agreement (pjd) Modified on 06/04/1996 (Entered: 06/03/1996)
06/03/1996	152	MEMORANDUM by all defendants in support of settlement agreement (pjd) (Entered: 06/03/1996)
06/10/1996		MINUTE ENTRY: In court before Magistrate Judge Niedermeier. Margaret Winter, Esq., Marjorie Rifkin, Esq., Eric Balabaum, Esq., Mitchell Pearl, Esq. for pltfs; Renne Markus, Esq. and David Roccio, Esq. for defts (taped). Stmts by counsel. Counsel advises the court that they will execute a consent form to proceed before the Magistrate Judge. Court advises counsel that the Settlement Agreement will be approved and so ordered upon filing of consent. (jjj) (Entered: 06/10/1996)
06/10/1996	153	SETTLEMENT AGREEMENT. (jjj) (Entered: 06/11/1996)
06/10/1996	154	CONSENT TO PROCEED before Magistrate by all parties case reassigned to Magistrate Judge Jerome J. Niedermeier for final disposition (cc: all counsel) (pjd) (Entered: 06/11/1996)
06/11/1996	155	ORDER approving proposed settlement, dismissing case without prejudice except for pltfs' claims re: independent medical care providers, which is dismissed with prejudice, dfts are to provide notice of the provisions of this order to pltf class and other inmates affected by this order by posting such notice in appropriate places in state correctional institutions case closed (Magistrate Judge Jerome J. Niedermeier) Cy to parties (pjd) (Entered: 06/11/1996)

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