

SEALDC,CLOSED,SPECIAL

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:00-cv-00764-PBT**

ROSEN, et al v. CITY OF PHILADELPHIA, et al
Assigned to: JUDGE PETRESE B. TUCKER
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 02/11/2000
Date Terminated: 07/03/2008
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

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Defendant

PO JOHN DOE 1-20

Badge Nos. Unknown Individually and in their official capacities as Philadelphia Police Officers

Defendant

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PR No. 175807

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Plaintiff

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Date Filed	#	Docket Text
02/11/2000	1	Complaint. filing fee \$150 receipt #724208 (tj) (Entered: 02/14/2000)
02/11/2000		Summons(es) issued Forwarded: 1 original to counsel 2/14/00. (tj) (Entered: 02/14/2000)
02/11/2000		Demand for jury trial by PLAINTIFF STEVEN ROSEN. (tj) (Entered: 02/14/2000)
02/11/2000		Special Case Management Track. (tj) (Entered: 02/14/2000)
02/16/2000	2	Return of service executed as to DEFENDANT CITY OF PHILADELPHIA 2/15/00 – personal (ph) (Entered: 02/16/2000)
02/17/2000	3	Appearance of SHELLEY R. SMITH for DEFENDANT CITY OF PHILADELPHIA. (md) (Entered: 02/17/2000)
02/17/2000	4	Demand for 8 person jury trial by DEFENDANT CITY OF PHILADELPHIA. (md) (Entered: 02/17/2000)
03/07/2000	5	STIPULATION AND ORDER THAT DEFT SHALL HAVE AN ADDITIONAL (20) DAYS TO RESPOND TO PLFF'S COMPLAINT. (SIGNED BY JUDGE BRUCE W. KAUFFMAN) 3/7/00 ENTERED AND COPIES MAILED. (gn) (Entered: 03/07/2000)
03/21/2000	6	Amended complaint by PLAINTIFF STEVEN ROSEN , Certificate of Service. (ph) (Entered: 03/22/2000)
03/30/2000	7	STIPULATION AND ORDER THAT THE AMENDED COMPLAINT FILED 3/21/00 IS AMENDED AS FOLLOWS: PARAGRAPH 50 IS AMENDED TO READ "JUNE 4, 1998". PARAGRAPH 57 IS AMENDED TO READ "JUNE 5, 1998". (SIGNED BY JUDGE BRUCE W. KAUFFMAN) 3/30/00 ENTERED AND COPIES MAILED. (kw) (Entered: 03/30/2000)
04/19/2000	8	STIPULATION AND ORDER THAT ANSWER IS DUE FOR 4/25/00 for CITY OF PHILADELPHIA (Attorney: SHELLEY R. SMITH) (SIGNED BY JUDGE BRUCE W. KAUFFMAN) 4/19/00 ENTERED AND COPIES MAILED . (ldb) Modified on 04/19/2000 (Entered: 04/19/2000)
04/20/2000	9	STIPULATION AND ORDER THAT THE DEFENDANT CITY OF PHILADELPHIA IS GRANTED AN EXTENSION OF TIME UNTIL MAY 14, 2000 TO RESPOND TO PLAINTIFF'S REQUEST FOR ADMISSIONS AND INTERROGATORIES. (SIGNED BY JUDGE BRUCE W. KAUFFMAN) 4/20/00 ENTERED AND COPIES MAILED. (ldb) (Entered: 04/20/2000)
05/16/2000	10	STIPULATION AND ORDER THAT PLFFS ARE GRANTED AN EXTENSION OF TIME UNTIL 6/15/00 TO FILE A SECOND AMENDED COMPLAINT. (SIGNED BY JUDGE BRUCE W. KAUFFMAN) 5/17/00 ENTERED AND COPIES MAILED. (fb) (Entered: 05/17/2000)
06/02/2000	11	STIPULATION AND ORDER THAT PLAINTIFFS ARE GRANTED AN EXTENSION OF TIME UNTIL 6/23/00 TO FILE A SECOND AMENDED COMPLAINT (SIGNED BY JUDGE BRUCE W. KAUFFMAN) 6/2/00 ENTERED AND COPIES MAILED . (ldb) (Entered: 06/02/2000)
06/23/2000	12	Second Amended complaint by PLAINTIFF STEVEN ROSEN, PLAINTIFF SCOTT BARCLIFF, PLAINTIFF TOM CONCANNON, PLAINTIFF WILLIAM DESILVIS, PLAINTIFF KENNETH SONSINI , PLAINTIFF EDWARD MALIN, PLAINTIFF RUSSELL JEFFERSON, PLAINTIFF AMERICAN DIABETES ASSOCIATION , Certificate of Service. (ldb) Modified on 06/23/2000 (Entered: 06/23/2000)
07/13/2000	13	Answer by CITY OF PHILADELPHIA (Attorney) to second amended complaint , Affirmative Defenses, Certificate of Service. (ldb) (Entered: 07/14/2000)

07/27/2000	14	MOTION by PLAINTIFF AMERICAN DIABETES AS, PLAINTIFF RUSSELL JEFFERSON, PLAINTIFF EDWARD MALIN, PLAINTIFF KENNETH SONSINI, PLAINTIFF WILLIAM DESILVIS, PLAINTIFF TOM CONCANNON, PLAINTIFF SCOTT BARCLIFF, PLAINTIFF STEVEN ROSEN FOR CLASS CERTIFICATION , MEMORANDUM, , CERTIFICATE OF SERVICE. (ldb) (Entered: 07/27/2000)
08/03/2000	15	ORDER, REASSIGNING FROM THE CALENDAR OF JUDGE BRUCE W. KAUFFMAN TO THE CALENDAR OF JUDGE PETRESE B. TUCKER . (SIGNED BY CLERK OF COURT MICHAEL E. KUNZ) 8/3/00 ENTERED AND COPIES MAILED . (ldb) (Entered: 08/03/2000)
08/16/2000	16	MOTION by DEFENDANT CITY OF PHILADELPHIA TO ENLARGE TIME TO RESPOND TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION , MEMORANDUM, CERTIFICATE OF SERVICE. (ldb) (Entered: 08/16/2000)
08/29/2000	17	STIPULATION AND ORDER, RESPONSE TO MOTION reset to 9/8/00 for MOTION FOR CLASS CERTIFICATION (SIGNED BY JUDGE PETRESE B. TUCKER) 8/29/00 ENTERED AND COPIES MAILED . (ldb) (Entered: 08/29/2000)
09/13/2000	18	STIPULATION AND ORDER, RESPONSE TO MOTION reset to 9/29/00 for MOTION FOR CLASS CERTIFICATION (SIGNED BY JUDGE PETRESE B. TUCKER) 9/13/00 ENTERED AND COPIES MAILED . (ldb) (Entered: 09/13/2000)
09/29/2000	19	Response by DEFENDANT CITY OF PHILADELPHIA in opposition to plffs' MOTION FOR CLASS CERTIFICATION, Certificate of Service. (kw) (Entered: 09/29/2000)
10/12/2000	20	STIPULATION AND ORDER, RESPONSE TO MOTION reset to 10/16/00 for MOTION FOR CLASS CERTIFICATION (SIGNED BY JUDGE PETRESE B. TUCKER) 10/13/00 ENTERED AND COPIES MAILED (ldb) (Entered: 10/13/2000)
10/16/2000	21	Reply Memorandum by PLAINTIFF AMERICAN DIABETES AS, PLAINTIFF RUSSELL JEFFERSON, PLAINTIFF EDWARD MALIN, PLAINTIFF SONSINI, PLAINTIFF WILLIAM DESILVIS, PLAINTIFF TOM CONCANNON, PLAINTIFF SCOTT BARCLIFF, DEFENDANT CITY OF PHILADELPHIA in Support of MOTION FOR CLASS CERTIFICATION, Certificate of Service. (fh) (Entered: 10/16/2000)
03/06/2001	22	MEMORANDUM AND ORDER THAT THE MOTION FOR CLASS CERTIFICATION IS GRANTED AND THE FOLLOWING TWO CLASSES ARE CERTIFIED: AN INJUNCTIVE CLASS IS CERTIFIED PURSUANT TO F.R.CIV.P. 23(b)(2) CONSISTING OF ALL PERSONS WITH DIABETES WHO ARE OR WILL BE IN POLICE CUSTODY; A DAMAGE CLASS IS CERTIFIED PURSUANT TO F.R.CIV.P. 23(b)(3) CONSISTING OF ALL PERSONS WITH DIABETES WHO HAVE BEEN DENIED TIMELY AND APPROPRIATE MEDICAL CARE AND DIET WHILE IN THE CUSTODY OF THE PHILA. POLICE DEPT. SINCE 2/11/98, AS A RESULT OF DEFT.'S CUSTOMS AND POLICIES DENYING TIMELY AND APPROPRIATE MEDICAL CARE AND DIET TO PERSONS WITH DIABETES IN POLICE CUSTODY. (SIGNED BY JUDGE PETRESE B. TUCKER), 3/6/01 ENTERED AND COPIES MAILED. (rp) (Entered: 03/06/2001)
03/09/2001	23	Withdrawal of LEON A. KING, II and Appearance of JEFFREY M. SCOTT for DEFENDANT CITY OF PHILADELPHIA. (fh) (Entered: 03/12/2001)
03/23/2001	24	Notice of change of address by ALAN L. YATVIN, Certificate of Service. (rp) (Entered: 03/23/2001)
04/24/2001	25	Certified copy of order from USCA that the petition for permission to appeal is denied. (gm) (Entered: 04/24/2001)
05/14/2001	26	STIPULATION AND PROTECTIVE ORDER, ETC. (SIGNED BY JUDGE PETRESE B. TUCKER), 5/14/01 ENTERED AND COPIES MAILED. (rp) (Entered: 05/14/2001)

05/14/2001		Certain documents governed by Protective Order. (rp) (Entered: 05/14/2001)
12/12/2001	27	Third Amended complaint by PLAINTIFF AMERICAN DIABETES AS, PLAINTIFF RUSSELL JEFFERSON, PLAINTIFF EDWARD MALIN, PLAINTIFF KENNETH SONSINI, PLAINTIFF WILLIAM DESILVIS, PLAINTIFF TOM CONCANNON, PLAINTIFF SCOTT BARCLIFF, STEVEN ROSEN , amending second amended complaint , Certificate of Service. (jpd) (Entered: 12/13/2001)
12/17/2001	28	STIPULATION & ORDER THAT PLAINTIFF'S MAY FILE A THIRD AMENDED COMPLAINT. IT IS FURTHER STIPULATED AND AGREED THAT DEFENDANT'S AGREEMENT TO THE FILING OF SUCH AMENDED PLEADING SHALL BE WITHOUT PREJUDICE TO THE RIGHT TO RAISE ANY OBJECTIONS OR DEFENSES TO THE AMENDMENTS. (SIGNED BY JUDGE PETRESE B. TUCKER) 12/17/01 ENTERED AND COPIES MAILED. (rv) (Entered: 12/17/2001)
12/17/2001		14 Original Summons(es) issued Forwarded to: Counsel 1/8/02 (jpd) (Entered: 01/08/2002)
01/07/2002	29	STIPULATION & ORDER THAT DEFENDANTS ROBERT KANE, THOMAS HIGGINS, O'MALLEY, MC GARRY, THOMAS, O'NEILL, BAEZ, ANDERSON, OBUCHOWICZ, COCO, IVERY, KING, KELLY, CITY OF PHILADELPHIA SHALL ANSWER OR OTHERWISE PLEAD TO PLAINTIFF'S THIRD AMENDED COMPLAINT ON OR BEFORE 1/26/02. (SIGNED BY JUDGE PETRESE B. TUCKER) 1/8/02 ENTERED AND COPIES MAILED. (rv) (Entered: 01/08/2002)
01/18/2002	30	Affidavit of: JOHN-PAUL ZITO re: served summons and complaint upon Lee Holiday for DEFENDANT KELLY, DEFENDANT GURAL, DEFENDANT KING, DEFENDANT IVERY, DEFENDANT COCO, DEFENDANT DEFENDANT ANDERSON . Served by: PERSONAL SERVICE on 1/16/02. (rv) (Entered: 01/18/2002)
01/18/2002	31	Affidavit of: JOHN-PAUL ZITO re: served summons and complaint upon Lee Holiday for DEFENDANT BAEZ, DEFENDANT O'NEILL, DEFENDANT THOMAS, DEFENDANT MC GARRY, DEFENDANT O'MALLEY, DEFENDANT THOMAS HIGGINS, DEFENDANT ROBERT KANE . Served by: PERSONAL SERVICE on 1/16/02 . (rv) (Entered: 01/18/2002)
01/23/2002	32	STIPULATION & ORDER THAT ALL NAMED DEFENDANTS ARE GRANTED AN EXTENSION OF TIME TO FILE A RESPONSIVE PLEADING TO PLAINTIFF'S THIRD AMENDED COMPLAINT NO LATER THAN 2/22/02. (SIGNED BY JUDGE PETRESE B. TUCKER) 1/23/02 ENTERED AND COPIES MAILED. (rv) (Entered: 01/23/2002)
02/26/2002	33	Answer and Affirmative Defenses by CITY OF PHILADELPHIA, ANDERSON, BAEZ, O'NEILL, THOMAS, MC GARRY, O'MALLEY, THOMAS HIGGINS, ROBERT KANE to amended complaint, Certificate of Service. (rv) (Entered: 02/27/2002)
02/26/2002		ISSUE JOINED. (rv) (Entered: 02/27/2002)
03/15/2002		Status conference SET at 9:00 4/11/02 (rv) (Entered: 03/15/2002)
04/08/2002		Status conference SET at 9:00 4/23/02 (rv) (Entered: 04/08/2002)
07/03/2002	34	SCHEDULING ORDER SETTING DEADLINE FOR FILING OF ALL MOTIONS 11/29/02 ; DISCOVERY COMPLETED BY 10/25/02 ; TRIAL POOL DEADLINE SET FOR 3/3/03 ; ETC. (SIGNED BY JUDGE PETRESE B. TUCKER) 7/3/02 ENTERED AND COPIES MAILED. (rv) (Entered: 07/03/2002)
07/24/2002	35	Appearance of JOSEPH B. G. FAY for PLAINTIFF AMERICAN DIABETES AS , Certificate of Service. (rv) (Entered: 07/24/2002)
07/24/2002	36	Appearance of JOSEPH P. DEVER JR. for PLAINTIFF AMERICAN DIABETES AS, Certificate of Service. (rv) (Entered: 07/24/2002)

07/24/2002	37	Appearance of KENNETH M. KULAK for PLAINTIFF AMERICAN DIABETES AS , Certificate of Service. (rv) (Entered: 07/25/2002)
08/02/2002	38	SCHEDULING ORDER SETTING DEADLINE FOR FILING OF ALL MOTIONS 1/31/03 ; DISCOVERY COMPLETED BY 12/27/02 ; TRIAL POOL DEADLINE SET FOR 5/5/03 ; ETC. (SIGNED BY JUDGE PETRESE B. TUCKER) 8/2/02 ENTERED AND COPIES MAILED. (rv) (Entered: 08/02/2002)
03/13/2003	39	JOINT MOTION by PLAINTIFF AMERICAN DIABETES AS, PLAINTIFF RUSSELL JEFFERSON, PLAINTIFF EDWARD MALIN, PLAINTIFF KENNETH SONSINI, PLAINTIFF WILLIAM DESILVIS, PLAINTIFF TOM CONCANNON, PLAINTIFF SCOTT BARCLIFF, DEFENDANT CITY OF PHILADELPHIA, PLAINTIFF STEVEN ROSEN, PLAINTIFF AMERICAN DIABETES SEEKING PRELIMINARY APPROVAL OF THE SETTLEMENT AGREEMENT FOR INJUNCTIVE RELIEF , MEMORANDUM, CERTIFICATE OF SERVICE. (rv) (Entered: 03/13/2003)
03/13/2003	40	JOINT MOTION by PLAINTIFF AMERICAN DIABETES AS, PLAINTIFF RUSSELL JEFFERSON, PLAINTIFF EDWARD MALIN, PLAINTIFF KENNETH SONSINI, PLAINTIFF WILLIAM DESILVIS, PLAINTIFF TOM CONCANNON, PLAINTIFF SCOTT BARCLIFF, DEFENDANT CITY OF PHILADELPHIA, PLAINTIFF STEVEN ROSEN, PLAINTIFF AMERICAN DIABETES SEEKING PRELIMINARY APPROVAL OF THE STIPULATION AND AGREEMENT OF SETTLEMENT FOR THE DAMAGES CLASS , MEMORANDUM, CERTIFICATE OF SERVICE. (rv) (Entered: 03/13/2003)
04/30/2003	41	Praecipe by PLAINTIFF AMERICAN DIABETES AS, PLAINTIFF RUSSELL JEFFERSON, PLAINTIFF EDWARD MALIN, PLAINTIFF KENNETH SONSINI, PLAINTIFF WILLIAM DESILVIS, PLAINTIFF TOM CONCANNON, PLAINTIFF SCOTT BARCLIFF, PLAINTIFF STEVEN ROSEN, PLAINTIFF AMERICAN DIABETES to Substitute Notices and Forms, Certificate of Service . (rv) (Entered: 04/30/2003)
05/08/2003	42	ORDER OF NOTICE AND HEARING THAT PRELIMINARY APPROVAL OF THE STIPULATION AND AGREEMENT OF SETTLEMENT FOR THE DAMAGES CLASS IS GRANTED; NOTICE TO THE CLASS SHALL BE GIVEN IN THE MANNER SET FORTH IN THE STIPULATION WITHIN 20 DAYS OF THE DATE OF THIS ORDER. A HEARING IS SET FOR 9/26/03 AT 10:00, ETC. (SIGNED BY JUDGE PETRESE B. TUCKER) 5/8/03 ENTERED AND COPIES MAILED AND FAXED BY CHAMBERS ON 5/2/03. (rv) Modified on 05/08/2003 (Entered: 05/08/2003)
05/13/2003	43	ORDER THAT THE SETTLEMENT AGREEMENT IS GRANTED PRELIMINARY APPROVAL, WITH PLAINTIFFS AND DEFENDANT TO PROVIDE NOTICE AS SET FORTH IN THE MEMORANDUM OF LAW AND ATTACHED EXHIBITS, AND MODIFIED BY THE "SUBSTITUTE NOTICES AND FORMS" PREVIOUSLY FILED BY THE PARTIES WITH THE COURT. (SIGNED BY JUDGE PETRESE B. TUCKER) 5/13/03 ENTERED AND COPIES MAILED AND FAXED BY CHAMBERS ON 5/13/03. (rv) (Entered: 05/13/2003)
09/02/2003	<u>44</u>	NOTICE by STEVEN ROSEN of <i>Damages Claims Allocation</i> , Certificate of Service. (Attachments: # <u>1</u> Exhibit Administrator's Allocation) (YATVIN, ALAN) Modified on 9/3/2003 (np). (Entered: 09/02/2003)
09/23/2003	<u>45</u>	PLAINTIFF STEVEN ROSEN'S MOTION FOR ATTORNEYS' FEES AND COSTS PURSUANT TO F.R.CIV.P. 54(D)(2) AND U.S.C. SECTION 1988, MEMORANDUM, CERTIFICATE OF SERVICE. (Attachments: # <u>1</u> Exhibit A)(YATVIN, ALAN) Modified on 9/24/2003 (fh) (Entered: 09/23/2003)
09/25/2003	<u>46</u>	UNOPPOSED MOTION FOR FOR ENTRY OF ORDER AND FINAL JUDGMENT BY PLAINTIFF STEVEN ROSEN. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B)(YATVIN, ALAN) Modified on 9/26/2003 (fh) (Entered: 09/25/2003)
09/25/2003	47	JOINT MOTION BY AMERICAN DIABETES ASSOCIATION, CITY OF PHILADELPHIA, STEVEN ROSEN SEEKING THE FINAL APPROVAL OF THE SETTLEMENT AGREEMENT FOR INJUNCTIVE RELIEF, CERTIFICATE OF SERVICE.(rv,) (Entered: 09/25/2003)

10/16/2003	48	ORDER THAT THE MOTION FOR SUBSTITUTION OF THE CLASS REPRESENTATIVE IS GRANTED. MS. MARY ELLEN JONES IS SUBSTITUTED AS NAMED CLASS REPRESENTATIVE. THE CLERK OF THE COURT SHALL AMEND THE CAPTION TO REFLECT THE SUBSTITUTION. SIGNED BY JUDGE PETRESE B. TUCKER ON 10/16/03. 10/16/03 ENTERED AND COPIES MAILED AND FAXED.(rv,) (Entered: 10/16/2003)
10/16/2003	49	ORDER THAT PLAINTIFF'S MOTION FOR ATTORNEY'S FEES AND COSTS IS GRANTED. JUDGMENT FOR COMPROMISED REASNALE ATTORNEY'S FEES AND COSTS IS ENTERED IN THE TOTAL AMOUNT OF \$85,000.00, UNDER THE TERMS AND CONDITIONS SET FORTH IN THE STIPULATION AND AGREEMENT OF SETTLEMENT OF CLASS DAMAGE CLAIMS AND THE SETTLEMENT FOR INJUNCTIVE RELIEF. SIGNED BY JUDGE PETRESE B. TUCKER ON 10/16/03.10/16/03 ENTERED AND COPIES MAILED AND FAXED. (rv,) (Entered: 10/16/2003)
10/16/2003	50	ORDER THAT THE SETTLEMENT IS APPROVED, ETC. IT IS FURTHER ORDERED THAT PLAINTIFF'S COUNSEL ALAN L. YATVIN AND DAVID RUDOVSKY SHALL BE AWARDED THE SUM OF \$45,000.00 IN COMPROMISE OF THEIR FAIR AND REASONABLE FEES AND EXPENSES INCURRED IN CONNECTION WITH THE INJUNCTIVE ACTION, WHICH AMOUNTS SHALL BE PAID TO PLAINTIFF'S LEAD COUNSEL BY DEFENDANT CITY OF PHILADELPHIA. IT IS FURTHER ORDER THAT THE COURT SHALL RETAIN JURISDICTION OVER THOSE PORTIONS OF THE SETTLEMENT AGREEMENT SPECIFIED IN PARAGRAPH 10 OF THE SETTLEMENT AGREEMENT. SIGNED BY JUDGE PETRESE B. TUCKER ON 10/16/03. 10/16/03 ENTERED AND COPIES MAILED AND FAXED.(rv,) (Entered: 10/16/2003)
10/16/2003	51	ORDER & FINAL JUDGMENT THAT THIS COURT HEREBY FINALLY CERTIFIES A DAMAGE CLASS PURSUANT TO THE F.R.C.P. 23(b)(3) CONSISTING OF ALL PERSONS WITH DIABETES WHO HAVE BEEN DENIED TIMELY AND APPROPRIATE MEDICAL CARE AND DIET WHILE IN THE CUSTODY OF THE PHILADELPHIA POLICE DEPARTMENT BETWEEN 2/11/98 AND 3/31/01, AS A RESULT OF DEFENDANT'S CUSTOMS AND POLICIES DENYING TIMELY AND APPROPRIATE MEDICAL CARE AND DIET TO PERSONS WITH DIABETES IN POLICE CUSTODY. THE CLASS DAMAGES SETTLEMENT IS APPROVED AS FAIR, REASONABLE AND ADEQUATE, AND THE CLASS MEMBERS AND THE PARTIES ARE DIRECTED TO CONSUMMATE THE SETTLEMENT IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THE STIPULATION. THE COMPLAINT IS HEREBY DISMISSED WITH PREJUDICE, EXCEPT AS TO THE INDIVIDUAL PLAINTIFFS WHO FILED FOR EXCLUSION, AND WITHOUT COSTS, EXCEPT AS PROVIDED IN THE STIPULATION, AS AGAINST THE DEFENDANT, ETC. SIGNED BY JUDGE PETRESE B. TUCKER ON 10/16/03. 10/16/03 ENTERED AND COPIES MAILED AND FAXED.(rv,) (Entered: 10/16/2003)
06/15/2004	<u>52</u>	Petition for Approval of <i>Settlement and Distribution</i> filed by RUSSELL JEFFERSON, Certificate of Service. (YATVIN, ALAN) Modified on 6/15/2004 (np). (Entered: 06/15/2004)
07/20/2004	53	ORDER APPROVING SETTLEMENT AND ORDER FOR DISTRIBUTION THAT PETITIONER IS AUTHORIZED TO ENTER INTO A SETTLEMENT WITH DEFENDANT CITY OF PHILADELPHIA, IN THE AMOUNT OF \$25,000 AS SETTLEMENT OF ALL CLAIMS BY RUSSELL JEFFERSON, DECEASED, AND THE ESTATE FO RUSSELL JEFFERSON, ONLY, ETC. COUNSEL FOR PETITIONER SHALL FILE WITH THE CLERK OF DISTRICT COURT WITHIN SIXTY DAYS FROM RECEIPT OF SETTLEMENT FUNDS AND AFFIDAVIT FORM COUNSEL CERTIFYING COMPLIANCE WITH THIS ORDER. SIGNED BY JUDGE PETRESE B. TUCKER ON 07/20/04. 07/21/04 ENTERED AND COPIES MAILED AND FAXED.(ac,) (Entered: 07/21/2004)

12/20/2004	<u>54</u>	AMENDED SCHEDULING ORDER THAT DISCOVERY SHALL BE COMPLETED BY JUNE 1, 2005. ALL MOTIONS FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT SHALL BE FILED ON OR BEFORE JULY 15, 2005. THIS CASE IS SCHEDULED FOR A PRE-TRIAL CONFERENCE FOR SEPTEMBER 15, 2005. THE CASE WILL BE PLACED ON THE COURT'S TRIAL LIST ON OCTOBER 3, 2005. SIGNED BY JUDGE PETRESE B. TUCKER ON 12/15/04. 12/20/04 ENTERED AND COPIES MAILED AND E-MAILED.(ac,) (Entered: 12/20/2004)
04/14/2005	<u>55</u>	ORDER THAT A TELEPHONIC STATUS CONFERENCE IS SCHEDULED BEFORE THE UNDERSIGNED ON TUESDAY, APRIL 26, 2005, AT 9:00 A.M. . SIGNED BY JUDGE JACOB P. HART ON 04/14/05. 04/14/05 ENTERED AND COPIES E-MAILED. COPIES FAXED BY CHAMBERS.(ac,) (Entered: 04/14/2005)
04/18/2005	56	ORDER THAT THE DAMAGES CLAIMS OF PLAINTIFFS ROSEN, BARCLIFF, MALIN AND SONSINI ARE REFERRED TO MAGISTRATE JUDGE JACOB P. HART TO CONDUCT ALL PROCEEDINGS AND ORDER THE ENTRY OF JUDGMENT IN ACCORDANCE WITH 28 U.S.C. 636(c) AND F.R.C.P. 73. SIGNED BY JUDGE PETRESE B. TUCKER ON 4/15/2005. 4/18/2005 ENTERED AND COPIES MAILED AND FAXED.(mbh,) (Entered: 04/18/2005)
04/28/2005	57	ORDER THAT A SETTLEMENT CONFERENCE HAS BEEN SCHEDULED BEFORE THE UNDERSIGNED ON JUNE 21, 2005, AT 10:00 A.M. IN ROOM 3006 . SIGNED BY JUDGE JACOB P. HART ON 04/27/05. 04/28/05 ENTERED AND COPIES FAXED. COPIES FAXED AND MAILED BY CHAMBERS.(ac,) (Entered: 04/28/2005)
05/05/2005	58	Minute Entry for proceedings held before Judge JACOB P. HART : Pretrial Conference held on 04/26/05. (ac,) (Entered: 05/05/2005)
05/20/2005	<u>59</u>	AMENDED SCHEDULING ORDER DISCOVERY SHALL BE COMPLETED BY SEPTEMBER 1, 2005. ALL DISPOSITIVE MOTIONS AND/OR DAUBERT MOTIONS SHALL BE FILED ON OR BEFORE OCTOBER 17, 2005. ALL RESPONSES TO DISPOSITIVE MOTIONS AND/OR DAUBERT MOTIONS SHALL BE FILED ON OR BEFORE OCTOBER 17, 2005. ALL MOTIONS IN LIMINE SHALL BE FILED BY NOVEMBER 21, 2005. RESPONSES TO MOTIONS IN LIMINE SHALL BE FILED BY NOVEMBER 28, 2005. A PRETRIAL STIPULATION, SIGNED BY ALL COUNSEL, SHALL BE FILED BY NOVEMBER 21, 2005. A FINAL PRETRIAL CONFERENCE WILL TAKE PLACE ON MONDAY, DECEMBER 5, 2005, AT 9:30 A.M. WITH JURY SELECTION AND TRIAL TO COMMENCE IMMEDIATELY THEREAFTER IN COURTROOM 3D . SIGNED BY JUDGE JACOB P. HART ON 05/20/05. 05/20/05 ENTERED AND COPIES E-MAILED. COPIES FAXED BY CHAMBERS.(ac,) (Entered: 05/20/2005)
06/01/2005	60	ORDER THAT THE SETTLEMENT AGREEMENT IS EXTENDED TO OCTOBER 17, 2005, ETC . SIGNED BY JUDGE PETRESE B. TUCKER ON 05/31/05. 06/01/05 ENTERED AND COPIES MAILED AND FAXED.(ac,) (Entered: 06/01/2005)
06/22/2005	<u>61</u>	ORDER DISMISSING ACTION WITH PREJUDICE PURSUANT TO LOCAL RULE 41.1(b). SIGNED BY JUDGE JACOB P. HART ON 06/21/05. 06/22/05 ENTERED AND COPIES MAILED AND E-MAILED.(ac,) (Entered: 06/22/2005)
06/22/2005	62	Minute Entry for proceedings held before Judge JACOB P. HART : Settlement Conference held on 06/21/05. (ac,) (Entered: 06/22/2005)
06/23/2005	<u>63</u>	ORDER THAT THE ORDER PREVIOUSLY FILED DISMISSING THE ABOVE-CAPTIONED MATTER PURSUANT TO THE PROVISIONS OF RULE 41.1(b) OF THE LOCAL RULES OF CIVIL PROCEDURE OF THIS COURT IS HEREBY VACATED. SIGNED BY JUDGE JACOB P. HART ON 06/21/05. 06/23/05 ENTERED AND COPIES E-MAILED. COPIES FAXED BY CHAMBERS 06/22/05.(ac,) (Entered: 06/23/2005)

10/20/2006	<u>64</u>	PLAINTIFFS' MOTION TO FILE PLAINTIFFS' FINAL MONITORING REPORT OF THE COURT AS A PUBLIC DOCUMENT FILED BY AMERICAN DIABETES ASSOCIATION, MEMORANDUM, CERTIFICATE OF SERVICE.(ac,) (Entered: 10/23/2006)
10/20/2006	65	EXHIBIT TO PLAINTIFFS' MOTION TO FILE PLAINTIFFS' FINAL MONITORING REPORT BY AMERICAN DIABETES ASSOCIATION. (FILED UNDER SEAL)(ac,) (Entered: 10/23/2006)
11/22/2006	<u>66</u>	ORDER THAT THE APRIL 18, 2005 ORDER OF REFERENCE TO JUDGE HART IS HEREBY REVOKED. ALL FURTHER PROCEEDING IN CONNECTION WITH THIS MATTER IS TO BE HANDLED BY THE UNDERSIGNED . SIGNED BY JUDGE PETRESE B. TUCKER ON 11/20/06. 11/22/06 ENTERED AND COPIES MAILED AND E-MAILED.(ac,) (Entered: 11/22/2006)
11/22/2006	<u>67</u>	ORDER THAT PLAINTIFFS' MOTION TO FILE PLAINTIFFS' FINAL MONITORING REPORT TO THE COURT AS A PUBLIC DOCUMENT IS GRANTED. IT IS FURTHER ORDERED THAT PLAINTIFFS SHALL FILE A COPY OF EXHIBIT A TO PLAINTIFFS' MEMORANDUM WITH THE CLERK OF THE COURT WITHIN TEN DAYS OF THE DATE OF THIS ORDER. SIGNED BY JUDGE PETRESE B. TUCKER ON 11/20/06.11/22/06 ENTERED AND COPIES MAILED AND E-MAILED. (ac,) (Entered: 11/22/2006)
12/27/2006	<u>68</u>	Consent MOTION for Extension of Time to File <i>Final Monitoring Report</i> filed by AMERICAN DIABETES ASSOCIATION..(YATVIN, ALAN) (Entered: 12/27/2006)
01/16/2007	<u>69</u>	ORDER THAT PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE OUT OF TIME TO EXTEND THE DATE FOR FILING PLAINTIFFS' FINAL MONITORING REPORT TO THE COURT AS A PUBLIC DOCUMENT IS GRANTED, ETC. SIGNED BY JUDGE PETRESE B. TUCKER ON 01/08/07.01/06/07 ENTERED AND COPIES MAILED AND FAXED. (ac,) Additional attachment(s) added on 5/15/2007 (ac,). (Entered: 01/16/2007)
01/29/2007	<u>70</u>	Second MOTION for Extension of Time to File <i>Final Monitoring Report</i> filed by AMERICAN DIABETES ASSOCIATION..(YATVIN, ALAN) (Entered: 01/29/2007)
02/27/2007	<u>71</u>	ORDER THAT PLAINTIFFS' UNOPPOSED SECOND MOTION TO EXTEND THE DATE FOR FILING PLAINTIFFS' FINAL MONITORING REPORT TO THE COURT IS GRANTED. PLAINTIFFS SHALL FILE THE FINAL MONITORING REPORT ON OR BEFORE MONDAY, MARCH 5, 2007. SIGNED BY JUDGE PETRESE B. TUCKER ON 02/27/07.02/28/07 ENTERED AND COPIES MAILED AND E-MAILED.(ac,) (Entered: 02/28/2007)
02/28/2007	<u>72</u>	Third MOTION for Extension of Time to File <i>Final Monitoring Report</i> filed by AMERICAN DIABETES ASSOCIATION, CERTIFICATE OF SERVICE..(YATVIN, ALAN) Modified on 3/1/2007 (afm,). (Entered: 02/28/2007)
03/05/2007	<u>73</u>	ORDER THAT PLAINTIFFS' UNOPPOSED THIRD MOTION TO EXTEND THE DATE FOR FILING PLAINTIFFS' FINAL MONITORING REPORT IS GRANTED. PLAINTIFF SHALL FILE THE FINAL MONITORING REPORT ON OR BEFORE MONDAY, APRIL. 30, 2007. SIGNED BY JUDGE PETRESE B. TUCKER ON 03/05/07.03/06/07 ENTERED AND COPIES MAILED AND E-MAILED.(ac,) (Entered: 03/06/2007)
05/04/2007	<u>74</u>	JOINT NUNC PRO TUNC MOTION FOR LEAVE OUT OF TIME TO EXTEND THE DATE FOR FILING OF PLAINTIFFS' FINAL MONITORING REPORT FILED BY AMERICAN DIABETES ASSOCIATION, STEVEN ROSEN, MARY ELLEN JONES, SCOTT BARCLIFF, TOM CONCANNON, WILLIAM DESILVIS, KENNETH SONSINI, EDWARD MALIN, RUSSELL JEFFERSON, CERTIFICATE OF SERVICE.(ac,) (Entered: 05/07/2007)
05/11/2007	<u>75</u>	ORDER THAT THE PARTIES SHALL PARTICIPATE IN A TELECONFERENCE WITH THE COURT ON FRIDAY, MAY 18, 2007, AT 11:00 A.M., ETC. SIGNED BY JUDGE PETRESE B. TUCKER ON 05/10/07.

		05/14/07 ENTERED AND COPIES MAILED AND E-MAILED.(ac,) (Entered: 05/14/2007)
05/24/2007	<u>76</u>	ORDER THAT THE PARTIES JOINT NUNC PRO TUNC MOTION FOR LEAVE OUT OF TIME TO EXTEND THE DATE FOR FILING OF PLAINTIFFS' FINAL MONITORING REPOT IS GRANTED. PLAINTIFFS SHALL FILE THE FINAL MONITORING REPORT ON OR BEFORE FRIDAY, JUNE 15, 2007. SIGNED BY JUDGE PETRESE B. TUCKER ON 05/23/07.05/24/07 ENTERED AND COPIES MAILED AND E-MAILED AND FAXED.(ac,) (Entered: 05/24/2007)
06/15/2007	<u>77</u>	NOTICE by AMERICAN DIABETES ASSOCIATION <i>FINAL MONITORING REPORT</i> , Certificate of Service. (EDWARDS, MARK) Modified on 6/20/2007 (fh) (Entered: 06/15/2007)
07/02/2008	<u>78</u>	ORDER THAT ALL INJUNCTIVE RELIEF CLAIMS ASSERTED AGAINST DEFENDANT BY THE RULE 23 (b)(2) CLASS MEMBERS ARE DISMISSED WITH PREJUDICE. IT IS FURTHER ORDERED THAT THE CLERK OF THE COURT SHALL MARK THIS CASE CLOSED; ETC.. SIGNED BY HONORABLE PETRESE B. TUCKER ON 7/2/08. 7/3/08 ENTERED AND COPIES MAILED, E-MAILED.(jl,) (Entered: 07/03/2008)
03/02/2012	<u>79</u>	NOTICE TO COUNSEL RE: LRCP 5.1.5. 3/2/2012. COPIES MAILED AND E-MAILED.(uh,) (Entered: 03/02/2012)
07/19/2012		Document No. 65 unsealed pursuant to L.R.C.P. 5.1.5.(uh,) (Entered: 07/19/2012)