

**U.S. District Court
District of New Hampshire (Concord)
CIVIL DOCKET FOR CASE #: 1:18-cv-01070-LM**

Rapuano et al v. Trustees of Dartmouth College
Assigned to: Chief Judge Landya B. McCafferty
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 11/15/2018
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Kristina Rapuano

represented by **Austin Webbert**
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Plaintiff

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Plaintiff

Sasha Brietzke

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

Jane Doe 2

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Plaintiff

Jane Doe 3

represented by **Nicole Wiitala**
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Deborah K. Marcuse
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V.

Defendant

Trustees of Dartmouth College

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Date Filed	#	Docket Text
11/15/2018	<u>1</u>	NEW CASE/ COMPLAINT with Jury Demand Filing fee \$ 400, receipt number 0102-1733216 filed by Marissa Evans, Sasha Brietzke, Jane Doe, Vassiki Chauhan, Annemarie Brown, Kristina Rapuano, Andrea Courtney. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Notice ECF Notice of Lawsuit, # <u>3</u> Summons – Waiver Waiver of Service)(Douglas, Charles) (Entered: 11/15/2018)
11/15/2018	<u>2</u>	Motion for Leave to Proceed Under Pseudonym filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Marissa Evans, Kristina Rapuano. Follow up on Objection on 11/29/2018. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Proposed Order)(Douglas, Charles) (Entered: 11/15/2018)
11/15/2018	<u>3</u>	Motion Seeking a Protective Order Sealing Portions of the Court Record filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Marissa Evans, Kristina Rapuano. Follow up on Objection on 11/29/2018. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Proposed Order)(Douglas, Charles) (Entered: 11/15/2018)
11/15/2018		Case assigned to Judge Joseph A. DiClerico, Jr. The case designation is: 1:18-cv-1070-JD. Please show this number with the judge designation on all future pleadings. (mc) (Entered: 11/16/2018)
11/15/2018	<u>4</u>	SEALED DECLARATION OF CHARLES G. DOUGLAS, III, ESQUIRE re: <u>3</u> Motion for Seeking a Protective Order Sealing Portions of the Court Record, <u>2</u> Motion for Leave to Proceed Under Pseudonym, at Level I filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Marissa Evans, Kristina Rapuano. (mc) (Entered: 11/16/2018)
11/15/2018	<u>5</u>	MOTION to Seal Exhibit A: SEALED DECLARATION OF CHARLES G. DOUGLAS, III, ESQUIRE filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Marissa Evans, Kristina Rapuano.(mc) (Entered: 11/16/2018)
11/16/2018		NOTICE. This case has been designated for Electronic Case Filing. All further submissions shall be filed in compliance with the Administrative Procedures for Electronic Case Filing. Pro se litigants are not required to file electronically and may continue to file documents in paper format. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click <u>HERE</u>. (mc) (Entered: 11/16/2018)

11/16/2018	<u>6</u>	Notice of Lawsuit/Waiver issued electronically as to Trustees of Dartmouth College. NOTICE: Counsel shall print and serve the notice/waiver and all attachments in accordance with Fed. R. Civ. P. 4. (Attachments: # <u>1</u> Notice ECF)(mc) (Entered: 11/16/2018)
11/16/2018	<u>7</u>	WAIVER OF SERVICE Returned Executed as to Trustees of Dartmouth College by All Plaintiffs. Served/Mailed on 11/16/2018. Answer Follow Up on 1/18/2019. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Douglas, Charles) (Entered: 11/16/2018)
11/21/2018	<u>8</u>	NOTICE of Attorney Appearance by Joan A. Lukey on behalf of Trustees of Dartmouth College Attorney Joan A. Lukey added to party Trustees of Dartmouth College(pty:dft).(Lukey, Joan) (Entered: 11/21/2018)
11/21/2018	<u>9</u>	RESPONSE to Motion re <u>2</u> MOTION Motion for Leave to Proceed Under Pseudonym filed by Trustees of Dartmouth College. (Lukey, Joan) (Entered: 11/21/2018)
11/21/2018	<u>10</u>	RESPONSE to Motion re <u>3</u> MOTION Motion Seeking a Protective Order Sealing Portions of the Court Record filed by Trustees of Dartmouth College. (Lukey, Joan) (Entered: 11/21/2018)
11/27/2018	<u>11</u>	ORDER OF RECUSAL. Judge Joseph A. DiClerico, Jr. recused. So Ordered by Judge Joseph A. DiClerico, Jr.(ko) (Entered: 11/29/2018)
11/27/2018		Case reassigned to Chief Judge Landya B. McCafferty. The new case designation is: 1:18-cv-1070-LM. Please show this number with the correct judge designation on all further pleadings.(ko) (Entered: 11/29/2018)
11/30/2018	<u>12</u>	Assented to MOTION for Steven J. Kelly to Appear Pro Hac Vice (Filing fee \$ 100, Receipt # 0102-1739717.) filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Marissa Evans, Kristina Rapuano. (Attachments: # <u>1</u> Exhibit (Affidavit) Affidavit of Steven Kelly)(Douglas, Charles) (Entered: 11/30/2018)
11/30/2018	<u>13</u>	Assented to MOTION for Deborah K. Marcuse to Appear Pro Hac Vice (Filing fee \$ 100, Receipt # 0102-1739725.) filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Marissa Evans, Kristina Rapuano. (Attachments: # <u>1</u> Exhibit (Affidavit) Affidavit of Deborah Marcuse)(Douglas, Charles) (Entered: 11/30/2018)
11/30/2018	<u>14</u>	Assented to MOTION for Nicole Wiitala to Appear Pro Hac Vice (Filing fee \$ 100, Receipt # 0102-1739733.) filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Marissa Evans, Kristina Rapuano. (Attachments: # <u>1</u> Exhibit (Affidavit) Affidavit of Nicole Wiitala)(Douglas, Charles) (Entered: 11/30/2018)
11/30/2018		ENDORSED ORDER granting in part <u>2</u> Motion for Leave to Proceed Under Pseudonym. Text of Order: Document number 2 is granted in part. The court finds exceptional circumstances warrant the use of a pseudonym for this plaintiff. The court has weighed the multi-factor balancing test, see <u>Doe v. Megless</u>, 654 F.3d 404, 408-09 (3d Cir. 2011), and finds that the balance of factors weighs heavily in favor of a pseudonym. However, as in <u>Doe v. Trustees of Dartmouth Coll., No. 18-CV-040-LM</u>, 2018 WL 2048385, at *7 (D.N.H. May 2, 2018), the court's order is limited to pretrial proceedings. Also, if, at any point during pretrial proceedings, Jane Doe's use of a pseudonym impacts whether she can act as a class representative, the court will reconsider this order. See <u>In re Ashley Madison Customer Data Security Breach Litigation</u>, MDL No. 2669, 2016 WL 1366616, at *4 (E.D. Mo. Apr. 6, 2016) (allowing anonymity for plaintiff as class member but not class representative). Accordingly, the parties shall use the pseudonym Jane Doe for this plaintiff and shall redact her true name from all documents in this case and refrain from revealing her true identity. The seal is at Level I. This protective order shall remain in effect until such time as a further order is issued. So Ordered by Chief Judge Landya B. McCafferty.(js) (Entered: 11/30/2018)
11/30/2018		ENDORSED ORDER granting <u>3</u> Motion Seeking a Protective Order Sealing Portions of the Court Record. Text of Order: The court grants this motion only to the extent it is consistent with the court's orders on document nos. 2 & 5. So Ordered by Chief Judge Landya B. McCafferty.(js) (Entered: 11/30/2018)

11/30/2018		ENDORSED ORDER RE <u>5</u> Motion to Seal Exhibit A: SEALED DECLARATION OF CHARLES G. DOUGLAS, III, ESQUIRE. Text of Order: Document number 4 (also referred to as "Exhibit A to the Motion for Leave to Proceed under a Pseudonym") is sealed at Level I for the same reasons, and under the same terms, outlined in the court's order granting, in part, document number 2. So Ordered by Chief Judge Landya B. McCafferty.(js) (Entered: 11/30/2018)
11/30/2018		ENDORSED ORDER granting <u>12</u> Assented to Motion for Steven J. Kelly to Appear Pro Hac Vice. Text of Order: Granted. Local counsel shall comply with all obligations required by L.R. 83.2(b) absent order of the court. So Ordered by Chief Judge Landya B. McCafferty. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click HERE.(js) (Entered: 11/30/2018)
11/30/2018		ENDORSED ORDER granting <u>13</u> Assented to Motion for Deborah K. Marcuse to Appear Pro Hac Vice. Text of Order: Granted. Local counsel shall comply with all obligations required by L.R. 83.2(b) absent order of the court. So Ordered by Chief Judge Landya B. McCafferty. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click HERE.(js) (Entered: 11/30/2018)
11/30/2018		ENDORSED ORDER granting <u>14</u> Assented to Motion for Nicole Wiitala to Appear Pro Hac Vice. Text of Order: Granted on the condition that Nicole Wiitala, Esq. submits an ECF registration form within 10 days. Local counsel shall comply with all obligations required by L.R. 83.2(b) absent order of the court. So Ordered by Chief Judge Landya B. McCafferty. ECF Registration Deadline set for 12/10/2018. To access the online registration form, click HERE. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click HERE.(js) (Entered: 11/30/2018)
12/19/2018	<u>15</u>	NOTICE of Change of Address by Charles G. Douglas, III on behalf of Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Marissa Evans, Kristina Rapuano(Douglas, Charles) (Entered: 12/19/2018)
12/19/2018	<u>16</u>	NOTICE of Change of Address by Charles G. Douglas, III on behalf of Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Marissa Evans, Kristina Rapuano(Douglas, Charles) (Entered: 12/19/2018)
12/20/2018	<u>17</u>	Assented to MOTION for David Sanford to Appear Pro Hac Vice (Filing fee \$ 100, Receipt # 0102-1748512.) filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Marissa Evans, Kristina Rapuano. (Attachments: # <u>1</u> Exhibit (Affidavit) Affidavit of David Sanford)(Douglas, Charles) (Entered: 12/20/2018)
12/20/2018	<u>18</u>	Assented to MOTION for Austin Webbert to Appear Pro Hac Vice (Filing fee \$ 100, Receipt # 0102-1748527.) filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Marissa Evans, Kristina Rapuano. (Attachments: # <u>1</u> Exhibit (Affidavit) Affidavit of Austin Webbert)(Douglas, Charles) (Entered: 12/20/2018)
12/26/2018		NOTICE of ECF Filing Error re: <u>15</u> Notice of Change of Address, <u>16</u> Notice of Change of Address filed by Marissa Evans, Kristina Rapuano, Andrea Courtney, Vassiki Chauhan, Jane Doe, Annemarie Brown, Sasha Brietzke. The login and password used must equal the /s/ name on the pleading. NO ACTION REQUIRED – FOR INFORMATIONAL PURPOSES ONLY AND MERELY INTENDED TO EDUCATE ALL PARTIES IN THE CASE. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603-225-1475.(js) (Entered: 12/26/2018)
12/27/2018		ENDORSED ORDER granting <u>18</u> Assented to Motion for Austin Webbert to Appear Pro Hac Vice. Text of Order: Granted on the condition that Austin Webbert, Esq. submits an ECF registration form within 10 days. Local counsel shall comply with all obligations required by L.R. 83.2(b) absent order of the court. So Ordered by Chief Judge Landya B. McCafferty. ECF Registration Deadline set for 1/7/2019. To access the online registration form, click HERE. Persons filing electronically are strongly encouraged to complete the interactive training modules

		available on the courts website. To access these modules, click HERE .(js) (Entered: 12/27/2018)
12/27/2018		ENDORSED ORDER granting <u>17</u> Motion for David Sanford to Appear Pro Hac Vice. Text of Order: Granted on the condition that David Sanford, Esq. submits an ECF registration form within 10 days. Local counsel shall comply with all obligations required by L.R. 83.2(b) absent order of the court. So Ordered by Chief Judge Landya B. McCafferty. ECF Registration Deadline set for 1/7/2019. To access the online registration form, click HERE. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click HERE.(js) (Entered: 12/27/2018)
01/11/2019	<u>19</u>	Assented to MOTION for Justin J. Wolosz to Appear Pro Hac Vice (Filing fee \$ 100, Receipt # 0102-1757033.) filed by Trustees of Dartmouth College. (Attachments: # <u>1</u> Exhibit A – Affidavit of Justin J. Wolosz)(Lukey, Joan) (Entered: 01/11/2019)
01/11/2019	<u>20</u>	Assented to MOTION for Lyndsey M. Kruzer to Appear Pro Hac Vice (Filing fee \$ 100, Receipt # 0102-1757100.) filed by Trustees of Dartmouth College. (Attachments: # <u>1</u> Exhibit A – Affidavit of Lyndsey M. Kruzer)(Lukey, Joan) (Entered: 01/11/2019)
01/14/2019		NOTICE of ECF Filing Error re: <u>19</u> Assented to MOTION for Justin J. Wolosz to Appear Pro Hac Vice, <u>20</u> Assented to MOTION for Lyndsey M. Kruzer to Appear Pro Hac Vice, filed by Trustees of Dartmouth College. Consistent with Supplemental Rules of Electronic Case Filing, affidavits prepared in the context of the litigation shall be filed in electronically converted PDF format and shall contain a /s/ signature for both the signator and the notary/jurat. NO ACTION REQUIRED – FOR INFORMATIONAL PURPOSES ONLY AND MERELY INTENDED TO EDUCATE ALL PARTIES IN THE CASE. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603-225-1475.(js) (Entered: 01/14/2019)
01/14/2019		ENDORSED ORDER granting <u>19</u> Motion for Justin J. Wolosz to Appear Pro Hac Vice. Text of Order: Granted. Local counsel shall comply with all obligations required by L.R. 83.2(b) absent order of the court. So Ordered by Chief Judge Landya B. McCafferty. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click HERE.(gla) (Entered: 01/14/2019)
01/14/2019		ENDORSED ORDER granting <u>20</u> Motion for Lyndsey M. Kruzer to Appear Pro Hac Vice. Text of Order: Granted on the condition that Lyndsey M. Kruzer, Esq. submits an ECF registration form within 10 days. Local counsel shall comply with all obligations required by L.R. 83.2(b) absent order of the court. So Ordered by Chief Judge Landya B. McCafferty. ECF Registration Deadline set for 1/24/2019. To access the online registration form, click HERE. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click HERE.(gla) (Entered: 01/14/2019)
01/15/2019	<u>21</u>	NOTICE of Attorney Appearance by Justin J. Wolosz on behalf of Trustees of Dartmouth College (Attachments: # <u>1</u> Exhibit A – Certificate of Service)(Wolosz, Justin) (Entered: 01/15/2019)
01/15/2019	<u>22</u>	NOTICE of Attorney Appearance by Lyndsey M. Kruzer on behalf of Trustees of Dartmouth College (Attachments: # <u>1</u> Exhibit A – Certificate of Service)(Kruzer, Lyndsey) (Entered: 01/15/2019)
01/15/2019	<u>23</u>	Disclosure Statement by Trustees of Dartmouth College disclosing no parent company, no publicly traded company, and no merger agreement. (Lukey, Joan) (Entered: 01/15/2019)
01/15/2019	<u>24</u>	ANSWER to <u>1</u> Complaint – New Case, with jury demand filed by Trustees of Dartmouth College.(Lukey, Joan) (Entered: 01/15/2019)
01/16/2019		NOTICE OF PRETRIAL CONFERENCE. Pretrial Conference set for 2/19/2019 10:00 AM before Chief Judge Landya B. McCafferty. Follow up on Discovery Plan 2/11/2019. (js) (Entered: 01/16/2019)

02/11/2019	<u>25</u>	Proposed Discovery Plan <i>of the Parties, Jointly Filed</i> filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Marissa Evans, Kristina Rapuano. (Marcuse, Deborah) (Entered: 02/11/2019)
02/12/2019		ENDORSED ORDER RE <u>25</u> Discovery Plan. Case Track: Complex. PRETRIAL CONFERENCE CANCELLED. Text of Order: Approved and adopted as a pretrial scheduling order with the following modifications: A discovery status conference with the court shall occur on March 2, 2020. Summary judgment motions shall be due on September 18, 2020. Trial shall occur during the 2-week period beginning on March 16, 2021. As the court has adopted the parties joint discovery schedule, there is no need for the February 19, 2019, pretrial conference, and it is cancelled. Trial: Two-week period beginning March 16, 2021. So Ordered by Chief Judge Landya B. McCafferty. Summary Judgment Motions due by 9/18/2020. Discovery deadline 3/1/2020. Discovery Status Conference set for 3/2/2020 02:00 PM before Chief Judge Landya B. McCafferty. At least 7 days prior to the date of the conference, the parties shall submit a joint statement regarding the status of discovery. Joint Statement regarding the status of discovery due by 2/24/2020. Mediation Follow Up on 12/15/2019.(js) (Entered: 02/12/2019)
02/12/2019		TRIAL NOTICE: Jury Selection/Trial set for two week period beginning 3/16/2021 09:30 AM before Chief Judge Landya B. McCafferty. Final Pretrial Conference set for 3/1/2021 03:00 PM before Chief Judge Landya B. McCafferty. Pretrial Statements due 2/16/2021. JERS Statement due 2/16/2021. LR 16.2(d) Objections due 3/2/2021. (js) (Entered: 02/12/2019)
03/01/2019	<u>26</u>	STIPULATION re: Electronic Discovery Protocol <i>Joint Stipulation</i> by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Marissa Evans, Kristina Rapuano(Marcuse, Deborah) (Entered: 03/01/2019)
03/04/2019	<u>27</u>	ORDER RE: ELECTRONIC DISCOVERY PROTOCOL. So Ordered by Chief Judge Landya B. McCafferty.(js) (Entered: 03/04/2019)
05/01/2019	<u>28</u>	AMENDED COMPLAINT against Trustees of Dartmouth College with jury demand filed by Marissa Evans, Sasha Brietzke, Jane Doe, Vassiki Chauhan, Annemarie Brown, Kristina Rapuano, Andrea Courtney, Jane Doe 2, Jane Doe 3.(Marcuse, Deborah) (Entered: 05/01/2019)
05/01/2019	<u>29</u>	MOTION To Proceed Under Pseudonym filed by Jane Doe 2. Follow up on Objection on 5/15/2019. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). Certain exhibit(s) maintained conventionally in Clerks Office. (Attorney filers must submit conventional materials to the court within 72 hours.) (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Notice ECF Notice of Conventional Filing, # <u>3</u> Proposed Order)(Marcuse, Deborah) (Entered: 05/01/2019)
05/01/2019	<u>30</u>	MOTION To Proceed Under Pseudonym filed by Jane Doe 3. Follow up on Objection on 5/15/2019. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). Certain exhibit(s) maintained conventionally in Clerks Office. (Attorney filers must submit conventional materials to the court within 72 hours.) (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Notice ECF Notice of Conventional Filing, # <u>3</u> Proposed Order)(Marcuse, Deborah) (Entered: 05/01/2019)
05/03/2019	<u>32</u>	MOTION to Seal re 31 SEALED DECLARATION OF CHARLES G. DOUGLAS, III, ESQUIRE re: <u>29</u> MOTION To Proceed Under Pseudonym filed by Jane Doe 2, Jane Doe 3. Follow up on Objection on 5/17/2019. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Proposed Order)(js) (Entered: 05/03/2019)
05/06/2019	<u>33</u>	Assented to MOTION to Extend Time to Answer or Otherwise Respond to Plaintiffs' First Amended Complaint filed by Trustees of Dartmouth College.(Lukey, Joan) (Entered: 05/06/2019)
05/06/2019		ENDORSED ORDER granting <u>33</u> Assented to Motion to Extend Time to Answer. Text of Order: Granted. So Ordered by Chief Judge Landya B. McCafferty.(js) (Entered: 05/07/2019)

05/14/2019	<u>34</u>	OBJECTION to <u>29</u> MOTION To Proceed Under Pseudonym , <u>30</u> MOTION To Proceed Under Pseudonym filed by Trustees of Dartmouth College. Follow up on Reply on 5/21/2019. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Lukey, Joan) (Entered: 05/14/2019)
05/20/2019	<u>35</u>	MOTION to Exceed Page Limitation filed by Jane Doe 2, Jane Doe 3. Follow up on Objection on 6/3/2019. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Certificate of Service)(Marcuse, Deborah) (Entered: 05/20/2019)
05/21/2019	<u>36</u>	FILED IN ERROR. MOTION FOR LEAVE FILED. REPLY to Objection to Motion re <u>29</u> MOTION To Proceed Under Pseudonym , <u>30</u> MOTION To Proceed Under Pseudonym filed by Jane Doe 2, Jane Doe 3. Surreply due by 5/28/2019. (Attachments: # <u>1</u> Exhibit Jane Doe 2 Declaration, # <u>2</u> Exhibit Jane Doe 3 Declaration)(Marcuse, Deborah) Modified on 5/23/2019 to add: Filed in error text(js). (Entered: 05/21/2019)
05/22/2019		NOTICE of ECF Filing Error re: <u>36</u> Reply to Objection to Motion, filed by Jane Doe 2, Jane Doe 3. Per Local Rule 7.1(e)(2)– A memorandum in reply to an objection or opposition to a nondispositive motion shall not be permitted without prior leave of court. Any motion for leave to file such a reply shall be filed within seven (7) days of the service of the objection or opposition to which the reply would respond and shall attach the proposed reply, which will be limited to five (5) pages, as an exhibit. Filer shall file the appropriate motion using the Motion for Leave to File event and enter in docket text: Replaces document no. 36. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603–225–1475.Compliance Deadline set for 5/30/2019.(js) (Entered: 05/22/2019)
05/22/2019	<u>37</u>	Assented to MOTION for Leave to File a Reply to Defendants' Consolidated Opposition to Plaintiffs' Motions to Proceed Under Pseudonym <i>Replaces Document no. 36</i> filed by Jane Doe 2, Jane Doe 3. (Attachments: # <u>1</u> Exhibit Reply to Opposition to Motion)(Marcuse, Deborah) (Entered: 05/22/2019)
05/24/2019	<u>38</u>	NOTICE of Conditional Intent to File Surreply Memorandum by Trustees of Dartmouth College.(Lukey, Joan) (Entered: 05/24/2019)
05/24/2019	<u>39</u>	Joint MOTION to Stay <i>Pending Mediation</i> filed by Trustees of Dartmouth College. Follow up on Objection on 6/7/2019. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Lukey, Joan) (Entered: 05/24/2019)
05/28/2019		ENDORSED ORDER granting <u>35</u> Motion to Exceed Page Limitation. Text of Order: Granted. So Ordered by Chief Judge Landya B. McCafferty.(js) (Entered: 05/28/2019)
05/28/2019		ENDORSED ORDER granting <u>37</u> Motion for Leave to File a Reply to Defendants' Consolidated Opposition to Plaintiffs' Motions to Proceed Under Pseudonym. Text of Order: Granted. Within 48 hours counsel shall electronically refile the pleading attached to the Motion for Leave to File using the appropriate event in CMECF. So Ordered by Chief Judge Landya B. McCafferty. Miscellaneous Deadline set for 5/30/2019.(js) (Entered: 05/28/2019)
05/28/2019		ENDORSED ORDER granting <u>39</u> Joint Motion to Stay Pending Mediation. Text of Order: Granted. The stay shall be lifted three days following the mediation (which is, as yet, unscheduled), or on July 31, 2019, whichever comes first. So Ordered by Chief Judge Landya B. McCafferty.(js) (Entered: 05/28/2019)
07/26/2019	<u>40</u>	Joint MOTION to Extend Time to Stay Pending Mediation [Expedited Treatment Requested] filed by Trustees of Dartmouth College. Follow up on Objection on 8/9/2019. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Lukey, Joan) (Entered: 07/26/2019)

07/29/2019		ENDORSED ORDER granting <u>40</u> Motion to Extend Time to Stay Pending Mediation. Text of Order: Granted. So Ordered by Chief Judge Landya B. McCafferty.(gla) (Entered: 07/29/2019)
08/06/2019	<u>41</u>	Parties' Joint Report Following Mediation, and Joint Motion to Extend Stay to Allow Submission of Settlement Documents [Expedited Treatment Requested] by Trustees of Dartmouth College(Lukey, Joan) (Entered: 08/06/2019)
08/06/2019		ENDORSED ORDER RE <u>41</u> Parties' Joint Report Following Mediation, and Joint Motion to Extend Stay to Allow Submission of Settlement Documents. Text of Order: Granted. So Ordered by Chief Judge Landya B. McCafferty.(js) (Entered: 08/06/2019)
08/20/2019	<u>42</u>	Assented to MOTION to Extend Time to Stay and Extend Deadline for Submission of Settlement Documents filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano. (Attachments: # <u>1</u> Proposed Order)(Marcuse, Deborah) (Entered: 08/20/2019)
08/20/2019	<u>43</u>	ORDER granting <u>42</u> Assented to Motion to Extend Time to Stay and Extend Deadline for Submission of Settlement Documents. So Ordered by Chief Judge Landya B. McCafferty.(js) (Entered: 08/20/2019)
09/04/2019	<u>44</u>	Joint Assented to MOTION to Extend Time to Stay and Extend Deadline for Submission of Settlement Documents filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano. (Attachments: # <u>1</u> Proposed Order)(Marcuse, Deborah) (Entered: 09/04/2019)
09/04/2019		ENDORSED ORDER granting <u>44</u> Motion to Extend Time to Stay and Extend Deadline for Submission of Settlement Documents. Text of Order: Granted. So Ordered by Chief Judge Landya B. McCafferty. Case Settlement Deadline 9/10/2019. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(gla) (Entered: 09/05/2019)
09/10/2019	<u>45</u>	Parties' Joint Submission of Proposed Class Action Settlement and Proposed Schedule for Briefing in Support Thereof by Trustees of Dartmouth College (Attachments: # <u>1</u> Exhibit 1 – Proposed Class Action Settlement)(Lukey, Joan) (Entered: 09/10/2019)
09/16/2019		ENDORSED ORDER re <u>45</u> Parties' Joint Submission of Proposed Class Action Settlement and Proposed Schedule for Briefing in Support Thereof. Text of Order: Approved. Hearing shall occur on October 17, 2019, at 10 am. So Ordered by Chief Judge Landya B. McCafferty. Preliminary Settlement Hearing set for 10/17/2019 10:00 AM before Chief Judge Landya B. McCafferty.(js) (Entered: 09/16/2019)
09/18/2019	<u>46</u>	Assented to MOTION to Exceed Page Limitation filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano. (Attachments: # <u>1</u> Proposed Order)(Marcuse, Deborah) (Entered: 09/18/2019)
09/19/2019		ENDORSED ORDER granting <u>46</u> Motion to Exceed Page Limitation. Text of Order: Granted. So Ordered by Chief Judge Landya B. McCafferty. (gla) (Entered: 09/19/2019)
09/25/2019	<u>47</u>	Assented to MOTION Preliminary Approval of Proposed Class Action Settlement filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Exhibit (Affidavit) Declaration of Deborah K. Marcuse, # <u>3</u> Attachment to Exhibit Exhibit 1, # <u>4</u> Attachment to Exhibit Exhibit 2, # <u>5</u> Attachment to Exhibit Exhibit 3, # <u>6</u> Attachment to Exhibit Exhibit 4, # <u>7</u> Attachment to Exhibit Exhibit 5, # <u>8</u> Exhibit (Affidavit) Declaration of David W. Sanford, # <u>9</u> Attachment to Exhibit Exhibit A)(Marcuse, Deborah) (Entered: 09/25/2019)
10/17/2019		Minute Entry for proceedings held before Chief Judge Landya B. McCafferty. IN CHAMBERS CONFERENCE held on 10/17/2019. (Pltfs Atty: David Sanford, Nicole Wiitala, Steven J. Kelly, Kevin Leonard) (Defts Atty: Joan A. Lukey, Justin J. Wolosz)(Total Hearing Time: 5 minutes) (js) (Entered: 10/17/2019)

10/17/2019		Minute Entry for proceedings held before Chief Judge Landya B. McCafferty. Preliminary Approval Settlement Conference held on 10/17/2019. Further briefing due in 14 days. (Court Reporter: Liza Dubois) (Pltfs Atty: David Sanford, Nicole Wiitala, Steven J. Kelly, Kevin Leonard) (Defts Atty: Joan A. Lukey, Justin J. Wolosz)(Total Hearing Time: 50 minutes) (js) (Entered: 10/17/2019)
10/23/2019	<u>48</u>	TRANSCRIPT of Proceedings for Settlement Conference (Preliminary Approval of Settlement) held on October 17, 2019. Court Reporter: Liza W. Dubois, Telephone # 603 225-1442. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number. NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request. Redaction Request Follow Up 11/13/2019. Redacted Transcript Follow Up 11/25/2019. Release of Transcript Restriction set for 1/21/2020.(js) (Entered: 10/23/2019)
10/31/2019	<u>49</u>	MEMORANDUM in Support re <u>47</u> Assented to MOTION Preliminary Approval of Proposed Class Action Settlement filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano. Attorney Nicole Wiitala added to party Jane Doe 2(pty:pla), Attorney Nicole Wiitala added to party Jane Doe 3(pty:pla). (Attachments: # <u>1</u> Exhibit A)(Wiitala, Nicole) (Entered: 10/31/2019)
01/29/2020	<u>50</u>	ORDER granting <u>29</u> Motion to proceed under a pseudonym; granting <u>30</u> Motion to proceed under a pseudonym; granting <u>32</u> Motion to seal; and granting <u>47</u> Motion for preliminary approval of the proposed class action settlement. So Ordered by Chief Judge Landya B. McCafferty.(de) (Entered: 01/29/2020)
01/29/2020		NOTICE of Hearing. Fairness Hearing set for 6/25/2020 at 10:00 AM before Chief Judge Landya B. McCafferty.(de) (Entered: 01/29/2020)
02/03/2020	<u>51</u>	Assented-to Motion to Reschedule the Fairness Hearing by Trustees of Dartmouth College (Attachments: # <u>1</u> Proposed Order Granting Motion to Reschedule the Fairness Hearing)(Wolosz, Justin) (Entered: 02/03/2020)
02/04/2020		NOTICE of ECF Filing Error re: <u>51</u> Miscellaneous Filing filed by Trustees of Dartmouth College. THIS IS A MOTION. Filer used wrong event. Filer shall refile using a/the <i>MOTION EVENT</i> event and enter in docket text: <i>Replaces document no. 51</i> . If the filing party has any questions concerning this notice, please contact the judge's case manager at 603-225-1423.Compliance Deadline set for 2/5/2020.(de) (Entered: 02/04/2020)
02/04/2020	<u>52</u>	Assented to MOTION Replaces Document No. 51 – <i>Motion to Reschedule the Fairness Hearing</i> filed by Trustees of Dartmouth College. (Attachments: # <u>1</u> Proposed Order)(Wolosz, Justin) (Entered: 02/04/2020)
02/05/2020		ENDORSED ORDER granting <u>52</u> Assented to Motion for Reschedule the Fairness Hearing. Text of Order: Granted. So Ordered by Chief Judge Landya B. McCafferty.(js) (Entered: 02/05/2020)
02/05/2020		RESCHEDULING NOTICE of Hearing. Fairness Hearing set for 7/9/2020 10:00 AM before Chief Judge Landya B. McCafferty.(js) (Entered: 02/05/2020)
02/05/2020		NOTICE OF CANCELLATION OF JURY SELECTION/TRIAL DEADLINES. March 2021 trial deadlines are cancelled. (js) (Entered: 02/05/2020)
05/06/2020	<u>53</u>	Assented to MOTION to Exceed Page Limitation filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano. (Attachments: # <u>1</u> Proposed Order)(Marcuse, Deborah) (Entered: 05/06/2020)

05/07/2020		ENDORSED ORDER granting <u>53</u> Motion to Exceed Page Limitation. Text of Order: Granted. So Ordered by Chief Judge Landya B. McCafferty.(gla) (Entered: 05/07/2020)
05/26/2020	<u>54</u>	Assented to MOTION Final Approval of the Proposed Class Settlement filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano. (Attachments: # <u>1</u> Memorandum of Law)(Marcuse, Deborah) (Entered: 05/26/2020)
05/26/2020	<u>55</u>	Assented to MOTION Attorneys' Fees, Costs, and Service Awards filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano. (Attachments: # <u>1</u> Memorandum of Law)(Marcuse, Deborah) (Entered: 05/26/2020)
05/26/2020	<u>56</u>	AFFIDAVIT re <u>54</u> Assented to MOTION Final Approval of the Proposed Class Settlement , <u>55</u> Assented to MOTION Attorneys' Fees, Costs, and Service Awards (<i>Declaration of Deborah K. Marcuse</i>) filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit (Affidavit) 4, # <u>5</u> Exhibit (Affidavit) 5, # <u>6</u> Exhibit (Affidavit) 6, # <u>7</u> Exhibit (Affidavit) 7, # <u>8</u> Exhibit (Affidavit) 8, # <u>9</u> Exhibit (Affidavit) 9, # <u>10</u> Exhibit (Affidavit) 10, # <u>11</u> Exhibit (Affidavit) 11, # <u>12</u> Exhibit (Affidavit) 12)(Marcuse, Deborah) (Entered: 05/26/2020)
05/26/2020	<u>57</u>	AFFIDAVIT re <u>54</u> Assented to MOTION Final Approval of the Proposed Class Settlement , <u>55</u> Assented to MOTION Attorneys' Fees, Costs, and Service Awards (<i>Declaration of David W. Sanford</i>) filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit (Affidavit) B)(Marcuse, Deborah) (Entered: 05/26/2020)
05/26/2020	<u>58</u>	AFFIDAVIT re <u>54</u> Assented to MOTION Final Approval of the Proposed Class Settlement , <u>55</u> Assented to MOTION Attorneys' Fees, Costs, and Service Awards (<i>Declaration of Sara Schwermer-Sween</i>) filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Notice ECF Conventional Filing (Exhibit C))(Marcuse, Deborah) (Entered: 05/26/2020)
05/27/2020	<u>59</u>	Joint Statement Clarifying Dartmouth's Position Regarding Plaintiffs' Motions Filed on May 26, 2020 by Trustees of Dartmouth College(Lukey, Joan) (Entered: 05/27/2020)
05/27/2020	<u>60</u>	SEALED EXHIBIT C re: <u>58</u> Affidavit at Level I filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano.(js) (Entered: 05/28/2020)
05/27/2020	<u>61</u>	Assented to MOTION to Seal Document <u>60</u> Sealed Exhibit C at Level I filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Proposed Order)(js) (Entered: 05/28/2020)
05/28/2020		NOTICE of Hearing. Telephone Conference set for 6/4/2020 01:00 PM before Chief Judge Landya B. McCafferty. The court will contact the parties with dial-in instructions. (js) (Entered: 05/28/2020)
06/04/2020		Minute Entry for proceedings held before Chief Judge Landya B. McCafferty. TELEPHONE CONFERENCE held on 6/4/2020. Fairness hearing to be held via video conference. (Court Reporter: Susan Bateman) (Pltfs Atty: Deborah Marcuse; Nicole Wiitala) (Defts Atty: Joan Lukey; Justin Wolosz)(Total Hearing Time: 30 minutes) (js) (Entered: 06/04/2020)
06/05/2020		ENDORSED ORDER granting in part and denying in part <u>61</u> Motion to Seal Document <u>60</u> Sealed Exhibit C. Text of Order: Plaintiffs' assented-to motion to seal Exhibit C to the Declaration of Sara Schwermer-Sween (doc. no. 61) is granted in part and denied in part. Plaintiffs shall redact from Exhibit C (doc. no. 60) the identities and other personally identifiable information of the four individuals who have opted-out of the class action settlement and refile Exhibit C with those redactions on the public docket using the Addendum event in CM/ECF and link the redacted filing to the Affidavit (doc. no. 58). So Ordered by Chief Judge Landya B.

		McCafferty.(js) (Entered: 06/08/2020)
06/09/2020	<u>62</u>	Addendum/ to <u>58</u> Affidavit, <i>Exhibit C</i> by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano. (Marcuse, Deborah) (Entered: 06/09/2020)
06/12/2020	<u>63</u>	Assented to MOTION Approval of the Supplemental Notice to the Class filed by Sasha Brietzke, Annemarie Brown, Vassiki Chauhan, Andrea Courtney, Jane Doe, Jane Doe 2, Jane Doe 3, Marissa Evans, Kristina Rapuano. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Marcuse, Deborah) (Entered: 06/12/2020)
06/12/2020		ENDORSED ORDER granting <u>63</u> Assented to Motion for Approval of the Supplemental Notice to the Class. Text of Order: Plaintiffs' assented-to motion for approval of Supplemental Notice to the Class (doc. no. 63) is granted. Pursuant to Federal Rule of Civil Procedure 23(d)(1)(B), the court orders class counsel to distribute the approved Supplemental Notice to the Class (doc. no. 63-1) by email or by U.S. mail for those class members whose email addresses are unavailable. So Ordered by Chief Judge Landya B. McCafferty.(js) (Entered: 06/12/2020)