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**U.S. District Court
District of Connecticut (New Haven)
CIVIL DOCKET FOR CASE #: 3:18-cv-00372-CSH**

Manker et al v. Spencer
Assigned to: Judge Charles S. Haight, Jr
Referred to: Judge Robert M. Spector (Settlement)
Cause: 05:702 Administrative Procedure Act

Date Filed: 03/02/2018
Jury Demand: None
Nature of Suit: 899 Other Statutes:
Administrative Procedures
Act/Review or Appeal of Agency
Decision
Jurisdiction: U.S. Government
Defendant

Plaintiff

Tyson Manker
*on behalf of himself and all others
similarly situated*

represented by **Dana Montalto**
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Plaintiff

**National Veterans Council for
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*on behalf of itself, its members, and
all others similarly situated*

represented by **Dana Montalto**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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Susan J. Kohlmann
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V.

Defendant

Richard V Spencer
Secretary of the Navy
TERMINATED: 12/11/2019

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Defendant

Carlos Del Toro
Secretary of the Navy

represented by **Natalie Nicole Elicker**
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/02/2018	<u>1</u>	COMPLAINT against Richard V Spencer (Filing fee \$400 receipt number ACTDC-4739751.), filed by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Wishnie, Michael) (Entered: 03/02/2018)
03/02/2018		Request for Clerk to issue summons as to Richard V Spencer. (Wishnie, Michael) (Entered: 03/02/2018)

03/02/2018		Judge Charles S. Haight, Jr added. (Anastasio, F.) (Entered: 03/02/2018)
03/02/2018	<u>2</u>	Order on Pretrial Deadlines: Discovery due by 9/1/2018 Signed by Clerk on 03/02/2018. (Peterson, M) (Entered: 03/05/2018)
03/02/2018	<u>3</u>	ELECTRONIC FILING ORDER - PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER Signed by Judge Charles S. Haight, Jr on 03/02/2018. (Peterson, M) (Entered: 03/05/2018)
03/05/2018	<u>4</u>	NOTICE TO COUNSEL/SELF-REPRESENTED PARTIES : Counsel or self-representing parties initiating or removing this action are responsible for serving all parties with attached documents and copies of <u>1</u> Complaint, filed by Tyson Manker, National Veterans Council for Legal Redress, <u>2</u> Order on Pretrial Deadlines, <u>3</u> Electronic Filing Order Signed by Clerk on 03/05/2018. (Peterson, M) (Entered: 03/05/2018)
03/05/2018	<u>5</u>	ELECTRONIC SUMMONS ISSUED in accordance with Fed. R. Civ. P. 4 and LR 4 as to *Richard V Spencer* with answer to complaint due within *21* days. Attorney *Michael J. Wishnie* *Jerome N. Frank Legal Services - Wall St / Yale Law School* *127 Wall Street* *New Haven, CT 06511*. (Peterson, M) (Entered: 03/05/2018)
04/30/2018	<u>6</u>	NOTICE of Appearance by David Christopher Nelson on behalf of Richard V Spencer (Nelson, David) (Entered: 04/30/2018)
04/30/2018	<u>7</u>	MOTION for Extension of Time until June 21, 2018 to file a responsive pleading <u>1</u> Complaint, by Richard V Spencer. (Nelson, David) (Entered: 04/30/2018)
05/01/2018	<u>8</u>	ELECTRONIC ORDER granting, for good cause shown and pursuant to Local Rule 7(b), Defendant's unopposed <u>7</u> <i>First Motion for Extension of Time to File a Responsive Pleading</i> . Accordingly, Defendant must file a pleading responsive to the <u>1</u> <i>Complaint</i> not later than Thursday, June 21, 2018 . Signed by Judge Charles S. Haight, Jr. on May 1, 2018. (Pskowski, R.) (Entered: 05/01/2018)
05/01/2018	<u>9</u>	NOTICE of Appearance by Aaron Paul Wenzloff on behalf of Tyson Manker, National Veterans Council for Legal Redress (Wenzloff, Aaron) (Entered: 05/01/2018)
05/01/2018	<u>10</u>	Joint MOTION for Proposed Scheduling Order by Tyson Manker, National Veterans Council for Legal Redress. (Wishnie, Michael) (Entered: 05/01/2018)

05/01/2018	11	ELECTRONIC SCHEDULING ORDER granting and adopting the Parties' 10 <i>Joint Motion for Scheduling Order</i> . Accordingly, Plaintiffs motion for class certification is due no later than May 15, 2018 . Defendants opposition to that motion is due on or before June 26, 2018 . Plaintiffs may file a brief in reply on or before July 17, 2018 . Defendants responsive pleading will not be due until after class certification has been decided, and the present deadline for that filing is hereby STAYED. Signed by Judge Charles S. Haight, Jr. on May 1, 2018. (Pskowski, R.) (Entered: 05/01/2018)
05/01/2018		Answer deadline updated for Richard V Spencer to 6/21/2018. (Freberg, B) (Entered: 05/08/2018)
05/15/2018	12	MOTION to Certify Class by Tyson Manker, National Veterans Council for Legal Redress.Responses due by 6/5/2018 (Attachments: # 1 Memorandum in Support, # 2 Declaration of Michael J. Wishnie, # 3 Declaration of Susan J. Kohlmann)(Wishnie, Michael) (Entered: 05/15/2018)
06/05/2018	13	Joint STIPULATION <i>and Proposed Order Regarding Discovery Plan</i> by Tyson Manker, National Veterans Council for Legal Redress. (Wishnie, Michael) (Entered: 06/05/2018)
06/05/2018	14	ELECTRONIC SCHEDULING ORDER adopting the proposals of the Parties' 13 <i>Joint Stipulation and Proposed Order Regarding Discovery Plan</i> , filed pursuant to Fed. R. Civ. P. 26(f). Accordingly, Defendant will file a responsive pleading within 30 days of the Court's decision on Plaintiffs' pending 12 <i>Motion for Class Certification</i> . Within 45 days of the Court's decision on class certification, the Parties will exchange initial disclosures, as contemplated by Fed. R. Civ. P. 26(a)(1), and file with the Court a proposed schedule for remaining deadlines, in compliance with the provisions of Local Rule 26(f). If either Party appeals the class certification decision, the Parties shall confer and submit a new proposed interim schedule within 30 days of the class certification decision. While setting of a full schedule is deferred, pending a decision on class certification, the Parties represent that they do not anticipate fact discovery to take more than 9 months. Signed by Judge Charles S. Haight, Jr. on June 5, 2018. (Pskowski, R.) (Entered: 06/05/2018)
06/22/2018	15	MOTION for Attorney(s) Jeremy M. Creelan to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4878030) by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Exhibit A)(Wishnie, Michael) (Entered: 06/22/2018)
06/22/2018	16	MOTION for Attorney(s) Susan J. Kohlmann to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4878045) by Tyson

		Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Exhibit A)(Wishnie, Michael) (Entered: 06/22/2018)
06/22/2018	17	MOTION for Attorney(s) Jessica A. Martinez to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4878047) by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Exhibit A)(Wishnie, Michael) (Entered: 06/22/2018)
06/22/2018	18	MOTION for Attorney(s) Jeremy H. Ershow to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4878054) by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Exhibit A)(Wishnie, Michael) (Entered: 06/22/2018)
06/25/2018	19	RESPONSE re 12 MOTION to Certify Class filed by Richard V Spencer. (Attachments: # 1 Exhibits 1 - 4)(Nelson, David) (Entered: 06/25/2018)
06/27/2018	20	ORDER granting 15 Motion to Appear Pro Hac Vice. Signed by Clerk on 06/27/2018. (Peterson, M) (Entered: 06/27/2018)
06/27/2018	21	ORDER granting 16 Motion to Appear Pro Hac Vice; granting 17 Motion to Appear Pro Hac Vice; granting 18 Motion to Appear Pro Hac Vice. Signed by Clerk on 06/27/2018. (Peterson, M) (Entered: 06/27/2018)
06/28/2018	22	NOTICE of Appearance by Jeremy H. Ershow on behalf of Tyson Manker, National Veterans Council for Legal Redress (Ershow, Jeremy) (Entered: 06/28/2018)
06/29/2018	23	NOTICE of Appearance by Susan J. Kohlmann on behalf of Tyson Manker, National Veterans Council for Legal Redress (Kohlmann, Susan) (Entered: 06/29/2018)
07/16/2018	24	NOTICE of Appearance by Jeremy M. Creelan on behalf of Tyson Manker, National Veterans Council for Legal Redress (Creelan, Jeremy) (Entered: 07/16/2018)
07/16/2018	25	REPLY to Response to 12 MOTION to Certify Class filed by Tyson Manker, National Veterans Council for Legal Redress. (Kohlmann, Susan) (Entered: 07/16/2018)
07/17/2018	26	MOTION for Aaron Wenzloff to Withdraw as Attorney by Tyson Manker, National Veterans Council for Legal Redress. (Wenzloff, Aaron) (Entered: 07/17/2018)
07/17/2018	27	ORDER granting Attorney Aaron P. Wentzloff's 26 Motion to Withdraw. Attorney Wentzloff is terminated from the case, and

		Plaintiffs will continue to be represented in this Court by the remaining attorneys of record. Signed by Judge Charles S. Haight, Jr. on July 17, 2018. (Pskowski, R.) (Entered: 07/17/2018)
09/17/2018	28	MOTION for Leave to Appear Law Student Intern Attorney Samantha Peltz. by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Exhibit)(Wishnie, Michael) (Entered: 09/17/2018)
09/17/2018	29	MOTION for Leave to Appear Law Student Intern Attorney Jonathan Petkun. by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Exhibit)(Wishnie, Michael) (Entered: 09/17/2018)
09/17/2018	30	MOTION for Leave to Appear Law Student Intern Attorney Westley Resendes. by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Exhibit)(Wishnie, Michael) (Entered: 09/17/2018)
09/18/2018	31	ELECTRONIC ORDER, granting Plaintiffs' 28 29 30 <i>Motions for Leave for Law Student Intern to Appear</i> . "Any eligible law student intern may, with the Court's approval, under supervision by a member of the bar, appear on behalf of any person who has consented in writing to the intern's appearance." D. Conn. L. Civ. R. 83.9(a). The interns have the consent of clients and a supervising attorney, and they also certify they are enrolled in good standing in law school, have completed at least two semesters of credit in legal studies, and are neither employed nor receiving compensation from clients in this case. Docs. 28 -1, 29 -1, 30 -1; <i>see also</i> D. Conn. L. Civ. R. 83.9(c). Accordingly, law student interns Samathan G. Peltz, Jonathan B. Petkun, and Wesley A. Resendes may appear in this matter on behalf of Plaintiffs, subject to the provisions of Rule 83.9 of the District of Connecticut Local Rules of Civil Procedure and under the supervision of attorney Michael J. Wishnie. Signed by Judge Charles S. Haight, Jr. on 09/18/2018. (Chen, C.) (Entered: 09/18/2018)
09/18/2018	32	NOTICE of Appearance by Jessica A. Martinez on behalf of Tyson Manker, National Veterans Council for Legal Redress (Martinez, Jessica) (Entered: 09/18/2018)
11/15/2018	33	RULING (see attached) granting 12 <i>Plaintiffs' Motion for Class Certification</i> . Accordingly, the Court certifies the following class of veterans who served during the Iraq and Afghanistan Era - defined as the period between October 7, 2001, and the present - who: (a) were discharged from the Navy, Navy Reserve, Marine Corps, or Marine Corps Reserve with less-than-Honorable statuses, including General and Other-than-Honorable discharges but excluding Bad Conduct or Dishonorable discharges; (b) have not received upgrades of their

		discharge statuses to Honorable from the NDRB; and (c) have diagnoses of PTSD, TBI, or other related mental health conditions, or records documenting one or more symptoms of PTSD, TBI, or other related mental health conditions at the time of discharge, attributable to their military service under the Hagel Memo standards of liberal or special consideration. The Court also reminds parties of its 14 previous order, directing Defendant to file a responsive pleading within thirty (30) days of this decision and parties to exchange initial disclosures and file a proposed schedule for remaining deadlines within forty-five (45) days of this decision. A proposed interim schedule is due within thirty (30) days if either party appeals this decision. Signed by Judge Charles S. Haight, Jr. on 11/15/2018. (Chen, C.) (Entered: 11/15/2018)
12/04/2018	34	MOTION for Extension of Time until January 15, 2019 to file a responsive pleading 33 Order on Motion to Certify Class,,,,, by Richard V Spencer. (Nelson, David) (Entered: 12/04/2018)
12/05/2018	35	ELECTRONIC ORDER granting 34 <i>Defendant's Motion for Extension of Time to File a Responsive Pleading Following Class Certification</i> , absent objection and for good cause shown. Accordingly, Defendant's responsive pleading following the Court's 33 <i>Ruling on Plaintiff's Motion for Class Certification</i> is due on or before January 15, 2019 . Signed by Judge Charles S. Haight, Jr. on 12/05/2018. (Chen, C.) (Entered: 12/05/2018)
12/21/2018	36	Joint REPORT of Rule 26(f) Planning Meeting. (Attachments: # 1 Exhibit Plaintiffs' proposed production specifications)(Wishnie, Michael) (Entered: 12/21/2018)
12/27/2018	37	ELECTRONIC ORDER. Having reviewed 36 <i>Report of the Parties' Planning Meeting</i> , a scheduling conference is warranted as parties disagree as to whether the federal and local rules of civil procedure exempt this case from the usual discovery procedures, the scope of discovery, and discovery deadlines. Because the Report outlines the parties' positions, parties are not required to exchange and submit briefs addressing these issues. The Court will hold a scheduling conference on January 22, 2019, at 10:30am . A separate calendar notice will issue. All case deadlines, including the filing of Defendant's intended Motion to Dismiss and/or for Remand, are STAYED. In addition, the Court finds there is good cause to delay issue of the scheduling order until discovery issues are resolved. <i>See</i> Fed. R. Civ. P. 16(b)(2) ([U]nless the judge finds good cause for delay, the judge must issue [the scheduling order] within the earlier of 90 days....). Signed by Judge Charles S. Haight, Jr. on 12/27/2018. (Chen, C.) (Entered: 12/27/2018)

12/27/2018	38	NOTICE OF SCHEDULING CONFERENCE. A scheduling conference will be held on January 22, 2019 , at 10:30am in the Courtroom on the 17th Floor of the Connecticut Financial Building, 157 Church Street, New Haven, Connecticut, to resolve discovery issues raised in the 36 <i>Report of the Parties' Planning Meeting</i> . Out-of-state counsel need not appear in person and may participate by phone. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Signed by Judge Charles S. Haight, Jr. on 12/27/2018. (Chen, C.) (Entered: 12/27/2018)
01/14/2019	39	MOTION for Attorney(s) Nicole Taykhman to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-5120436) by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Affidavit of Nicole Taykhman)(Wishnie, Michael) (Entered: 01/14/2019)
01/15/2019	40	ORDER granting 39 MOTION for Attorney Nicole Taykhman to be Admitted Pro Hac Vice. Signed by Clerk on 1/15/2019. (Reis, Julia) (Entered: 01/15/2019)
01/15/2019	41	MOTION to Continue <i>January 22, 2019 hearing because of lapse in Government Appropriations</i> by Richard V Spencer. (Nelson, David) (Entered: 01/15/2019)
01/16/2019	42	NOTICE of Appearance by Nicole Taykhman on behalf of Tyson Manker, National Veterans Council for Legal Redress (Taykhman, Nicole) (Entered: 01/16/2019)
01/16/2019	43	Memorandum in Opposition re 41 MOTION to Continue <i>January 22, 2019 hearing because of lapse in Government Appropriations</i> filed by Tyson Manker, National Veterans Council for Legal Redress. (Wishnie, Michael) (Entered: 01/16/2019)
01/18/2019	44	ORDER (see attached) granting AS MODIFIED Defendant's 41 <i>Motion to Continue Hearing Based on the Lapse of Government Appropriations</i> , to which Plaintiffs object. Accordingly, the scheduling conference that was to be held on January 22, 2019 , see Doc. 38, is continued to February 5, 2019 at 10:30 a.m. in Courtroom 2 in the Richard C. Lee U.S. Courthouse, 141 Church Street, New Haven, CT, <i>if</i> the U.S. Attorney's office is funded and AUSA Nelson recalled from furlough. If this contingency does not come to pass and AUSA Nelson remains furloughed on February 5, 2019, the occupants of AUSA Nelson's chain of command are directed to file by February 5, 2019 , a brief responding to 43 <i>Plaintiffs' Opposition to Motion to Continue Hearing</i> . If so advised, Plaintiffs may file a reply brief by February 12, 2019 . The Court will then decide if any further stay or

		continue should be granted in this case. Signed by Judge Charles S. Haight, Jr. on 01/18/2019. (Chen, C.) (Entered: 01/18/2019)
01/18/2019	45	MOTION to allow use of ASL Interpreting Team by Tyson Manker, National Veterans Council for Legal Redress.Responses due by 2/8/2019 (Wishnie, Michael) (Entered: 01/18/2019)
01/22/2019	46	ELECTRONIC ORDER granting Plaintiffs' 45 <i>Motion to Allow Use of American Sign Language Interpreting Team</i> . One of the law student interns representing Plaintiffs, Mr. Resendes, is deaf and asks for a reasonable accommodation. Accordingly, Mr. Resendes may use his American Sign Language interpreting team from Yale Law School for the scheduling conference to be held on February 5, 2019 , see Doc. 44, and at any future proceedings. Signed by Judge Charles S. Haight, Jr. on 01/22/2019. (Chen, C.) (Entered: 01/22/2019)
01/24/2019	47	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE.ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. In-Person Scheduling Conference set for 2/5/2019 at 10:30 AM in Courtroom Two, 141 Church St., New Haven, CT before Judge Charles S. Haight Jr. (Freberg, B) (Entered: 01/24/2019)
02/05/2019	48	ELECTRONIC ORDER. Parties are directed to exchange and submit a brief on the discovery issues raised in the 36 <i>Report of the Parties' Planning Meeting</i> and discussed in today's scheduling conference no more than fifteen (15) days after the parties and this Court have been furnished a transcript of today's proceedings. If so advised, the parties may exchange and submit reply briefs seven (7) days after submission of the main briefs. Signed by Judge Charles S. Haight, Jr. on 02/05/2019. (Chen, C.) (Entered: 02/05/2019)
02/05/2019	49	Minute Entry for proceedings held before Judge Charles S. Haight, Jr: In-Person Scheduling Conference held on 2/5/2019. Total Time: 1 hours and 13 minutes(Court Reporter Tracy Gow.) (Freberg, B) (Entered: 02/05/2019)
02/15/2019	50	TRANSCRIPT of Proceedings: Type of Hearing: Scheduling Conference. Held on February 5, 2019 before Judge Charles S. Haight, Jr.. Court Reporter: Tracy Gow. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public

		terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov . Redaction Request due 3/8/2019. Redacted Transcript Deadline set for 3/18/2019. Release of Transcript Restriction set for 5/16/2019. (Gow, T.) (Entered: 02/15/2019)
03/04/2019	51	RESPONSE re 36 Report of Rule 26(f) Planning Meeting <i>re Request for Discovery</i> filed by Tyson Manker, National Veterans Council for Legal Redress. (Wishnie, Michael) (Entered: 03/04/2019)
03/04/2019	52	RESPONSE re 36 Report of Rule 26(f) Planning Meeting filed by Richard V Spencer. (Nelson, David) (Entered: 03/04/2019)
03/11/2019	53	RESPONSE re 36 Report of Rule 26(f) Planning Meeting, 51 Response filed by Richard V Spencer. (Nelson, David) (Entered: 03/11/2019)
03/11/2019	54	RESPONSE re 36 Report of Rule 26(f) Planning Meeting, 52 Response filed by Tyson Manker, National Veterans Council for Legal Redress. (Creelan, Jeremy) (Entered: 03/11/2019)
04/05/2019	55	MEMORANDUM AND ORDER (attached), concerning a dispute about pretrial discovery. The Court can only determine if extra-record discovery, and how much discovery, is permitted under the Administrative Procedure Act once Defendant has produced the administrative record. Accordingly: 1. Defendant is directed to produce to counsel for Plaintiffs, on or before May 20, 2019, the full administrative records of the two lead Plaintiffs in this action relating to the application of those Plaintiffs for discharge upgrades. 2. In addition to the records referred to in Paragraph 1 of this Order, Defendant is directed to produce to counsel for Plaintiffs, on or before May 20, 2019, the documents referred to in Defendant's brief, [Doc. 52], at page 5 n.1. 3. If any party wishes any document referred to in this Order to be filed under seal or otherwise held in confidence, the parties are directed to agree upon an appropriate order and submit it to the Court, or failing agreement, apply to the Court for resolution of the issue. Signed by Judge Charles S. Haight, Jr. on 04/05/2019. (Chen, C.) (Entered: 04/05/2019)

05/20/2019	56	NOTICE by Richard V Spencer - <i>Filing of the Administrative Record</i> (Attachments: # 1 Certification of the Record, # 2 Table of Contents, # 3 Volume 3 - references)(Nelson, David) (Entered: 05/20/2019)
05/20/2019	57	MOTION to Seal - Portions of the Administrative Record by Richard V Spencer. (Nelson, David) (Entered: 05/20/2019)
05/20/2019	58	Sealed Document: Volume 1 - Part 1 by Richard V Spencer re 57 MOTION to Seal - Portions of the Administrative Record . (Attachments: # 1 Part 2, # 2 Part 3)(Nelson, David) (Entered: 05/20/2019)
05/20/2019	59	Sealed Document: Volume 2 - Part 1 by Richard V Spencer re 57 MOTION to Seal - Portions of the Administrative Record . (Attachments: # 1 Part 2, # 2 Part 3, # 3 Part 4, # 4 Part 5, # 5 Part 6, # 6 Part 7)(Nelson, David) (Entered: 05/20/2019)
05/24/2019	60	ELECTRONIC ORDER granting 57 <i>Defendant's Motion to Seal</i> . Defendant Richard V. Spencer, Secretary of the Navy, moves the Court to seal the Administrative Record with respect to military veterans Manker and Doe. Defendant represents that these records contain protected information, such as medical information. He further states that the parties are conferring to determine mutually agreeable redactions to later file without seal. Under these circumstances, the Court GRANTS the 57 motion to seal the Administrative Record <i>temporarily</i> to allow the parties sufficient time to propose appropriate redactions. In light of the contents of medical records, Defendant's request for sealing is warranted -- properly supported by "clear and compelling reasons" and "narrowly tailored to serve those reasons," D. Conn. L. Civ. R. 5(e)(3). <i>See, e.g., Lugosch v. Pyramid Co. of Onondaga</i> , 435 F.3d 110, 123 (2d Cir. 2006)); <i>New York Times Co. v. Biaggi</i> , 828 F.2d 110, 116 (2d Cir.1987); <i>Hartford Courant Co. v. Pellegrino</i> , 380 F.3d 83, 96 (2d Cir. 2004). Upon proper request, this District has sealed individuals' medical records, noting that "[f]ederal law generally treats such records as confidential." <i>Tavares v. Lawrence & Mem'l Hosp.</i> , No. 3:11-CV-770 (CSH), 2012 WL 5929949, at *5 (D. Conn. Nov. 27, 2012) (quoting <i>Barnwell v. FCI Danbury</i> , No. 3:10-CV-01301 (DJS), 2011 WL 5330215, at *5 (D. Conn. Nov. 3, 2011) and citing the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), Pub. L. No. 104191 (1996)). <i>See also Northrop v. Carucci</i> , No. 3:04-CV-103 (RNC), 2007 WL 685173, at *3 n.6 (D. Conn. Mar. 5, 2007) ("[P]laintiff's medical records will be sealed by the Clerk because federal law [HIPAA] treats medical records as confidential"). Because "blanket sealing" of entire documents or sets of document is generally disfavored, the parties must cooperate and use

		due diligence to propose the necessary redactions in a timely manner. <i>See, e.g., Travelers Indem. Co. v. Excalibur Reinsurance Corp.</i>, No. 3:11-CV-1209 (CSH), 2013 WL 4012772, at *3 (D. Conn. Aug. 5, 2013) ("[B]lanket sealing of an entire case is disfavored both under rule and case precedent.") (collecting cases). In this case, the parties are proceeding in the proper fashion. This Order for sealing is accordingly temporary and subject to the Court's further Order. Signed by Judge Charles S. Haight, Jr. on May 24, 2019. (Dorais, L.) (Entered: 05/24/2019)
05/31/2019	61	RESPONSE re 56 Notice (Other) by Tyson Manker, National Veterans Council for Legal Redress/ <i>Letter Regarding Administrative Record and Discovery</i>. (Kohlmann, Susan) (Entered: 05/31/2019)
06/18/2019	62	RESPONSE re 61 Response filed by Richard V Spencer. (Nelson, David) (Entered: 06/18/2019)
06/24/2019	63	MOTION for Leave to Appear Law Student Interns <i>Jazmine Buckley and Jared Quigley</i> by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Law Student Intern Appearance, # 2 Law Student Intern Appearance)(Wishnie, Michael) (Entered: 06/24/2019)
06/25/2019	64	ELECTRONIC ORDER, granting Plaintiffs' 63 <i>Motion for Leave for Law Student Interns to Appear</i>. "Any eligible law student intern may, with the Court's approval, under supervision by a member of the bar, appear on behalf of any person who has consented in writing to the intern's appearance." D. Conn. L. Civ. R. 83.9(a). The interns have the consent of clients and a supervising attorney, and they also certify they are enrolled in good standing in law school, have completed at least two semesters of credit in legal studies, and are neither employed nor receiving compensation from clients in this case. Docs. 63 -1, 63 -2; <i>see also</i> D. Conn. L. Civ. R. 83.9(c). Accordingly, law student interns Jazmine G. Buckley and Jared M. Quigley may appear in this matter on behalf of Plaintiffs, subject to the provisions of Rule 83.9 of the District of Connecticut Local Rules of Civil Procedure and under the supervision of attorney Michael J. Wishnie. Signed by Judge Charles S. Haight, Jr. on 06/25/2019. (Chen, C.) (Entered: 06/25/2019)
07/12/2019	65	ELECTRONIC ORDER AND NOTICE. Plaintiffs suggest that the Court reinstate a timeline for Defendant's intended Motion to Dismiss. Doc. 61 at 5 n.1. Defendant also appears to imply that no further delay is warranted for such a motion. Doc. 62 at 1 ("Defendant respectfully requests the Court either deny Plaintiffs' request for extra-record discovery or to stay Plaintiffs' demand for extra-record discovery until after the Court rules on Defendant's anticipated Motion to Dismiss

		and/or for Remand for <i>de novo</i> adjudication as authorized by the Kurta Memo."). The parties continue to dispute, with vigor, whether pre-trial discovery should exceed the administrative records generated by the two named class representatives. But counsel for Defendant has also said he intends to make a motion to dismiss the Complaint, although he has not yet done so. The Court's governance of the case will be enhanced by considering the motion to dismiss before adjudicating the panoply of issues presented by the plaintiff class's challenged demands for extra-record discovery. Accordingly, Defendant must file a Motion to Dismiss and/or for Remand on or before July 26, 2019 . Plaintiffs must file a response by August 6, 2019 , and Defendant may file a reply by August 12, 2019 . Parties should be prepared to argue the motion on August 14, 2019 , at 10:00 a.m. in the Courtroom on the 17th Floor of the Connecticut Financial Building, 157 Church Street, New Haven, Connecticut. All other case deadlines remain stayed. Signed by Judge Charles S. Haight, Jr. on 07/12/2019. (Chen, C.) (Entered: 07/12/2019)
07/12/2019		Set Deadlines/Hearings: Motion to Dismiss due by 7/26/2019. (Barry, Donna) (Entered: 07/18/2019)
07/12/2019	66	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE.ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Oral Argument set for 8/14/2019 at 10:00 AM in Connecticut Financial Center, 17th Flr., 157 Church Street, New Haven, CT before Judge Charles S. Haight Jr. (Barry, Donna) (Entered: 07/18/2019)
07/26/2019	67	MOTION to Dismiss by Richard V Spencer.Responses due by 8/16/2019 (Attachments: # 1 Memorandum in Support, # 2 Exhibit A)(Nelson, David) (Entered: 07/26/2019)
08/06/2019	68	Memorandum in Opposition re 67 MOTION to Dismiss filed by Tyson Manker, National Veterans Council for Legal Redress. (Kohlmann, Susan) (Entered: 08/06/2019)
08/12/2019	69	REPLY to Response to 67 MOTION to Dismiss filed by Richard V Spencer. (Nelson, David) (Entered: 08/12/2019)
08/14/2019	70	Minute Entry. Proceedings held before Judge Charles S. Haight, Jr: Oral Argument held on 8/14/2019 taking under advisement 67 MOTION to Dismiss filed by Richard V Spencer. Total Time: 1 hours and 29 minutes. (Court Reporter Falzarano Court Reporters.) (Freberg, B) (Entered: 08/14/2019)
08/27/2019	71	TRANSCRIPT of Proceedings: Type of Hearing: Oral Argument. Held on 8-14-19 before Judge Charles S. Haight. Court Reporter:

		Falzarano. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov . Redaction Request due 9/17/2019. Redacted Transcript Deadline set for 9/27/2019. Release of Transcript Restriction set for 11/25/2019. (Falzarano, D.) (Entered: 08/27/2019)
08/28/2019	72	NOTICE by Richard V Spencer of <i>filing of the redacted administrative record</i> (Attachments: # 1 Volume 1, part 1, # 2 Volume 1, part 2, # 3 Volume 1, part 3, # 4 Volume 2, part 1, # 5 Volume 2, part 2, # 6 Volume 2, part 3, # 7 Volume 2, part 4, # 8 Volume 2, part 5, # 9 Volume 2, part 6, # 10 Volume 2, part 7, # 11 Volume 2, part 8, # 12 Volume 2, part 9)(Nelson, David) (Entered: 08/28/2019)
09/13/2019	73	NOTICE of Supplemental Authority by All Plaintiffs (Attachments: # 1 Exhibit Exhibit A)(Wishnie, Michael) Modified on 9/13/2019 to correct document title (Nuzzi, Tiffany). (Entered: 09/13/2019)
10/09/2019	74	MOTION for Leave to Appear Law Student Intern Appearance Attorney Michael J. Wishnie. by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Law Student Intern Appearance)(Wishnie, Michael) (Entered: 10/09/2019)
10/09/2019	75	MOTION for Leave to Appear Law Student Intern Appearance Attorney Michael J. Wishnie. by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Law Student Intern Appearance)(Wishnie, Michael) (Entered: 10/09/2019)
10/10/2019	76	ELECTRONIC ORDER granting Plaintiffs' 74 and 75 <i>Motions for Leave for Law Student Interns to Appear</i> . "Any eligible law student intern may, with the Court's approval, under supervision by a member of the bar, appear on behalf of any person who has consented in writing to the intern's appearance." D. Conn. L. Civ. R. 83.9(a). The interns have the consent of clients and a supervising attorney, and they also certify they are enrolled in good standing in law school, have completed at least two semesters of credit in legal studies, and are neither employed nor receiving compensation from clients in this

		case. See Docs. 74 -1, 75 -1; see also D. Conn. L. Civ. R. 83.9(c). Accordingly, law student interns Mollie L. Berkowitz and Kayla N. Morin may appear in this matter on behalf of Plaintiffs, subject to the provisions of Rule 83.9 of the District of Connecticut Local Rules of Civil Procedure and under the supervision of attorney Michael J. Wishnie. Signed by Judge Charles S. Haight, Jr. on October 10, 2019. (Gitlin, A.) (Entered: 10/10/2019)
10/21/2019	77	Supplemental NOTICE by Tyson Manker, National Veterans Council for Legal Redress re 68 Memorandum in Opposition to Motion, 69 Reply to Response to Motion, 67 MOTION to Dismiss (Wishnie, Michael) (Entered: 10/21/2019)
10/22/2019	78	RESPONSE re 77 Notice (Other) filed by Richard V Spencer. (Nelson, David) (Entered: 10/22/2019)
11/07/2019	79	RULING (see attached). Defendant's 67 <i>Motion to Dismiss</i> is DENIED. Defendant's alternative 67 <i>Motion for a Remand</i> is GRANTED IN PART, in that the applications of Plaintiffs Manker and Doe for discharge upgrades are remanded to the Naval Discharge Review Board ("NDRB") for further administrative consideration. The NDRB must issue its decisions following the consideration on remand not later than March 7, 2020 . Otherwise, Defendant's <i>Motion for a Remand</i> is DENIED. Additionally, proceedings with respect to the claims of Plaintiffs Manker and Doe are STAYED pending decisions on the remands directed in the attached Order. No other proceedings are stayed. Discovery in this case is not limited to the administrative records generated by the applications of Plaintiffs Manker and Doe; and, discovery will be supervised by Magistrate Judge Spector pursuant to a separate Order of Reference. Signed by Judge Charles S. Haight, Jr. on November 7, 2019. (Gitlin, A.) (Entered: 11/07/2019)
11/07/2019	80	ORDER OF REFERRAL TO MAGISTRATE JUDGE (see attached). In accordance with the Court's 79 <i>Ruling on Defendant's Motion to Dismiss or Remand and On Cross-Motions for Discovery</i> , this case is respectfully referred to United States Magistrate Judge Robert M. Spector to supervise discovery and resolve discovery disputes. Signed by Judge Charles S. Haight, Jr. on November 7, 2019. (Gitlin, A.) Modified text on 11/7/2019 (Barry, Donna). (Entered: 11/07/2019)
11/12/2019	81	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A telephonic status conference is set for 11/19/2019 at 9:30 AM before Judge Robert M. Spector. Please use the

		following conference call in number: (877) 873-8017; access code: 7040261. (Mallon, Kathleen) (Entered: 11/12/2019)
11/15/2019	82	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. <i>RESET FROM 11/19/2019 at 9:30 a.m.</i> Upon the defendant's request, and with the consent of the plaintiffs, the telephonic status conference currently scheduled for 11/19/2019 at 9:30 a.m. is adjourned to 11/22/2019 at 3:30 p.m. before Judge Robert M. Spector. Please use the following conference call in number: (877) 873-8017; access code: 7040261. (Mallon, Kathleen) (Entered: 11/15/2019)
11/22/2019	83	Minute Entry for proceedings held before Judge Robert M. Spector: A telephonic status conference was held on 11/22/2019. 20 minutes (Mallon, Kathleen) (Entered: 11/22/2019)
11/22/2019	84	MEMORANDUM OF CONFERENCE AND ORDER: As discussed during today's telephonic conference, the parties are directed to meet and confer and file a Joint Status Report by December 6, 2019. The Joint Status Report shall 1) update the Court on the status of discovery, indicating the categories of discovery on which the parties agree and informing the Court as to the status of their production; 2) outline the categories of discovery on which the parties disagree, if any; and 3) provide a proposed schedule, including a deadline for close of discovery. The parties shall also indicate in the Joint Status Report whether they intend to proceed with the February 19, 2020 settlement conference jointly with the parties in <i>Kennedy v. Fanning</i> , 16-CV-2010 (CHS). Signed by Judge Robert M. Spector on 11/22/2019.(Mallon, Kathleen) (Entered: 11/22/2019)
11/22/2019	85	ORDER: A settlement conference is set on February 19, 2020. Please see the attached Settlement Conference Order for detailed instructions and deadlines. Signed by Judge Robert M. Spector on 11/22/2019. (Mallon, Kathleen) (Entered: 11/22/2019)
11/22/2019	86	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A Settlement Conference is set for 2/19/2020 at 10:00 AM in Chambers Room 303, 141 Church St., New Haven, CT before Judge Robert M. Spector. (Mallon, Kathleen) (Entered: 11/22/2019)

12/06/2019	<u>87</u>	Joint STATUS REPORT by Tyson Manker, National Veterans Council for Legal Redress. (Wishnie, Michael) (Entered: 12/06/2019)
12/09/2019	88	ORDER: On December 6, 2019, the parties filed a joint status report with a list of the discovery issues on which there is agreement and a list of things that the parties are in the process of discussing or on which they disagree. The parties are not requesting Court intervention at this juncture and instead ask that the Court enter a proposed discovery order. Based on the representations contained in the Joint Status Report, the Court orders that discovery close on July 31, 2020 and that a settlement conference be scheduled in this case and in the related case of Kennedy v. McCarthy, 3:16-CV-2010 (CSH) on February 19, 2020. In addition, the Court directs the parties to submit, by December 13, 2019, a proposed, stipulated discovery order for the Courts review which tracks those areas set out in the Joint Status Report where there is agreement, as there is no such order attached to the Report, and there appear to be areas in Section 1 of the Report which remain unresolved. Signed by Judge Robert M. Spector on 12/9/2019. (Mallon, Kathleen) (Entered: 12/09/2019)
12/11/2019	<u>89</u>	NOTICE of Appearance by Natalie Nicole Elicker on behalf of Thomas B. Modley , <i>Acting Secretary of the Navy</i> (Elicker, Natalie) (Entered: 12/11/2019)
12/13/2019	<u>90</u>	Joint MOTION for Protective Order by Tyson Manker, National Veterans Council for Legal Redress.Responses due by 1/3/2020 (Attachments: # <u>1</u> Exhibit A - Proposed Protective Order)(Kohlmann, Susan) (Entered: 12/13/2019)
12/13/2019	<u>91</u>	PROPOSED ORDER re 88 Order,,,, - <i>Proposed Discovery Order</i> by Tyson Manker, National Veterans Council for Legal Redress. (Kohlmann, Susan) (Entered: 12/13/2019)
12/16/2019	<u>92</u>	PROTECTIVE ORDER: The parties' Joint Motion for Protective Order (Doc. No. 90) is GRANTED. Please see the attached Protective Order. Signed by Judge Robert M. Spector on 12/16/2019. (Mallon, Kathleen) (Entered: 12/16/2019)
12/18/2019	<u>93</u>	DISCOVERY ORDER: Please see attached. Signed by Judge Robert M. Spector on 12/18/2019. (Mallon, Kathleen) (Entered: 12/18/2019)
01/07/2020	<u>94</u>	ORDER OF REFERRAL (see attached) referring the case to Magistrate Judge Robert M. Spector for the purpose of considering settlement by the parties. Signed by Judge Charles S. Haight, Jr. on January 7, 2020. (Dorais, L.) (Entered: 01/07/2020)

01/14/2020	95	MOTION for Nicole Taykhman to Withdraw as Attorney by Tyson Manker, National Veterans Council for Legal Redress. (Taykhman, Nicole) (Entered: 01/14/2020)
01/15/2020	96	ELECTRONIC ORDER. Attorney Nicole Taykhman's 95 <i>Motion to Withdraw Appearance</i> on behalf of Plaintiffs is GRANTED. "Withdrawals of appearances may be accomplished only upon motion, which normally will not be granted except upon a showing that other counsel has appeared." D. Conn. L. Civ. R. 7(e). Attorney Taykhman represents, and the docket reflects, that "[o]ther attorneys from Jenner & Block LLP, as well as from the Veterans Legal Services Clinic of the Jerome N. Frank Legal Services Organization at Yale Law School, will continue to represent Plaintiffs in this action." Doc. 95, at 1. The Court is satisfied that Plaintiffs will not be harmed by withdrawal. Accordingly, Attorney Taykhman's appearance in this matter is hereby TERMINATED. Signed by Judge Charles S. Haight, Jr. on January 15, 2020. (Gitlin, A.) (Entered: 01/15/2020)
01/15/2020	97	RESPONSE by Tyson Manker, National Veterans Council for Legal Redress/ <i>Letter to Magistrate Judge Robert M. Spector Regarding Discovery</i> . (Attachments: # 1 Exhibit A)(Kohlmann, Susan) (Entered: 01/15/2020)
01/16/2020	98	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A telephonic discovery conference is set for 1/17/2020 at 4:00 PM before Judge Robert M. Spector. Please use the following conference call in number: (877) 873-8017; access code: 7040261. (Mallon, Kathleen) (Entered: 01/16/2020)
01/17/2020	99	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. <i>RESET FROM 1/17/2020 at 4:00 p.m.</i> Upon the request of counsel, the telephonic discovery conference set for January 17, 2020 at 4:00 p.m. is adjourned to January 21, 2020 at 4:00 PM before Judge Robert M. Spector. Please use the following conference call in number: (877) 873-8017; access code: 7040261. (Mallon, Kathleen) (Entered: 01/17/2020)
01/21/2020	100	Minute Entry for proceedings held before Judge Robert M. Spector: A telephonic discovery conference was held on 1/21/2020. 20 minutes (Mallon, Kathleen) (Entered: 01/21/2020)
01/21/2020	101	ORDER: Upon the consent of the parties, and as discussed during today's telephonic discovery conference, it is HEREBY ORDERED

		that the plaintiffs may serve the subpoena attached as Exhibit A to the plaintiffs' January 15, 2020 letter motion (Doc. No. 97-1) on the Department of Defense ("DOD") to allow for a deposition of a DOD representative on January 30, 2020 pursuant to Federal Rule of Civil Procedure 30(b)(6). Signed by Judge Robert M. Spector on 1/21/2020. (Mallon, Kathleen) (Entered: 01/21/2020)
01/22/2020	102	NOTICE of Appearance by Renee A. Burbank on behalf of Tyson Manker, National Veterans Council for Legal Redress (Burbank, Renee) (Entered: 01/22/2020)
01/24/2020	103	RESPONSE <i>Letter to Magistrate Judge Robert M. Spector Regarding Discovery</i> filed by Tyson Manker, National Veterans Council for Legal Redress. (Wishnie, Michael) (Entered: 01/24/2020)
01/27/2020	104	ORDER: The Court is in receipt of the plaintiffs' letter motion. (Doc. No. 103). The plaintiffs' applications are GRANTED. The plaintiffs may serve the subpoena attached as Exhibit A to the plaintiffs' January 15, 2020 letter motion (Doc. No. 97-1) on the Department of Defense ("DOD") to allow for a deposition of a DOD representative on February 5, 2020. The plaintiffs shall serve their settlement demand on defendant by February 7, 2020. Signed by Judge Robert M. Spector on 1/27/2020.(Mallon, Kathleen) (Entered: 01/27/2020)
02/03/2020	105	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A telephonic status conference is set for 2/3/2020 at 3:30 PM before Judge Robert M. Spector. Please use the following conference call in number: (877) 873-8017; access code: 7040261. (Mallon, Kathleen) (Entered: 02/03/2020)
02/03/2020	106	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A telephonic status conference is set for 2/4/2020 at 1:30 PM before Judge Robert M. Spector. Please use the following conference call in number: (877) 873-8017; access code: 7040261. (Mallon, Kathleen) (Entered: 02/03/2020)
02/04/2020	107	Minute Entry for proceedings held before Judge Robert M. Spector: A telephonic status conference was held on 2/3/2020. 20 minutes (Mallon, Kathleen) (Entered: 02/04/2020)

02/04/2020	108	Minute Entry for proceedings held before Judge Robert M. Spector: A telephonic status conference was held on 2/4/2020. 15 minutes (Mallon, Kathleen) (Entered: 02/04/2020)
02/04/2020	109	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A telephonic status conference is set for 2/7/2020 at 10:30 AM before Judge Robert M. Spector. Please use the following conference call in number: (877) 873-8017; access code: 7040261. (Mallon, Kathleen) (Entered: 02/04/2020)
02/05/2020	110	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. <i>RESET FROM 2/19/2020</i> . Because of a discovery dispute that arose on February 3, 2020, the settlement conference currently set for 2/19/2020 is adjourned to 3/17/2020 at 10:00 AM. The settlement conference will be held in Chambers Room 303, 141 Church St., New Haven, CT before Judge Robert M. Spector. The settlement conference in <i>Kennedy v. Fanning</i> , 16CV2010 (CSH) will go forward on February 19, 2020. (Mallon, Kathleen) (Entered: 02/05/2020)
02/05/2020	111	ORDER: In light of the adjournment of the settlement conference to 3/17/20 (Doc. No. 110), the telephonic conference set for 2/7/20 at 10:30 a.m. is canceled. Signed by Judge Robert M. Spector on 2/5/2020. (Mallon, Kathleen) (Entered: 02/05/2020)
02/24/2020	112	RESPONSE <i>Letter to Magistrate Judge Robert M. Spector Regarding Discovery</i> filed by Tyson Manker, National Veterans Council for Legal Redress. (Wishnie, Michael) (Entered: 02/24/2020)
02/25/2020	113	ORDER re 112 Response filed by Tyson Manker, National Veterans Council for Legal Redress: Defendant shall file a response, of no more than five pages, to the plaintiff's brief by 9:00 a.m. on February 28, 2020 . A telephonic discovery conference call to address this discovery issue will be held on February 28, 2020 at 4:30 p.m. Signed by Judge Robert M. Spector on 2/25/2020.(Watson, M.) (Entered: 02/25/2020)
02/25/2020	114	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE.ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A TELEPHONIC Discovery Conference is set for 2/28/2020 at 04:30 PM before Judge Robert M. Spector. <i>Please use the</i>

		<i>following dial in for this call: (877) 873-8017, access code: 7040261. (Watson, M.) (Entered: 02/25/2020)</i>
02/25/2020	<u>115</u>	RESPONSE re <u>112</u> Response filed by Thomas B Modly. (Elicker, Natalie) (Entered: 02/25/2020)
02/26/2020	<u>116</u>	MOTION for Leave to Appear Law Student Intern <i>Bardia Faghihvaseghi</i> Attorney Michael J. Wishnie. by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # <u>1</u> Affidavit Law Student Intern Appearance)(Wishnie, Michael) (Entered: 02/26/2020)
02/27/2020	117	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE.ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. <i>*PLEASE NOTE CHANGE IN TIME: RESET on Febraury 28, 2020 FROM 4:30 p.m. to 4:00 p.m.</i> The Telephonic Discovery Status Conference set for 2/28/2020 will be held at 04:00 PM before Judge Robert M. Spector. <i>Please use the following dial in for this call: (877) 873-8017, access code: 7040261. (Watson, M.) (Entered: 02/27/2020)</i>
02/28/2020	118	Minute Entry for proceedings held before Judge Robert M. Spector: A telephonic status conference was held on 2/28/2020. 25 minutes (Mallon, Kathleen) (Entered: 02/28/2020)
02/28/2020	119	ORDER: The plaintiff's Motion for Leave to Appear Law Student Intern (Doc. No. 116) is GRANTED. Signed by Judge Robert M. Spector on 2/28/2020. (Mallon, Kathleen) (Entered: 02/28/2020)
02/28/2020	120	MEMORANDUM OF CONFERENCE AND ORDER: As discussed at today's discovery conference, and as agreed upon by the parties, the defendant shall produce to the plaintiffs the requested sample of 100 underlying applications by March 9, 2020. The parties shall submit their settlement memorandum by email, copying opposing counsel, to RMS_Settlement@ctd.uscourts.gov, by March 13, 2020. Signed by Judge Robert M. Spector on 2/28/2020. (Mallon, Kathleen) (Entered: 02/28/2020)
03/06/2020	<u>121</u>	RESPONSE - <i>Letter to Magistrate Judge Robert M. Spector Regarding Discovery</i> filed by Thomas B Modly. (Attachments: # <u>1</u> Production agreement letter (unsigned))(Elicker, Natalie) (Entered: 03/06/2020)

03/09/2020	<u>122</u>	RESPONSE <i>Letter to Magistrate Judge Robert M. Spector Regarding Discovery</i> filed by Tyson Manker, National Veterans Council for Legal Redress. (Wishnie, Michael) (Entered: 03/09/2020)
03/09/2020	123	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A telephonic discovery conference is set for 3/9/2020 at 3:00 PM before Judge Robert M. Spector. Please use the following conference call in number: (877) 873-8017; access code: 7040261. (Mallon, Kathleen) (Entered: 03/09/2020)
03/09/2020	124	Minute Entry for proceedings held before Judge Robert M. Spector: A telephonic discovery conference was held on 3/9/2020. 25 minutes (Mallon, Kathleen) (Entered: 03/09/2020)
03/12/2020	125	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A TELEPHONIC Conference regarding the March 17, 2020 Settlement Conference is set for 3/13/2020 at 11:00 AM before Judge Robert M. Spector. Please use the following dial in for this call: (877) 873-8017, access code: 7040261. (Watson, M.) (Entered: 03/12/2020)
03/13/2020	126	Minute Entry for proceedings held before Judge Robert M. Spector: A telephonic settlement conference was held on 3/13/2020. 20 minutes (Mallon, Kathleen) (Entered: 03/13/2020)
03/13/2020	127	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. <i>RESET FROM 3/17/20</i> . As discussed during today's telephonic conference, with the parties' consent, in response to the risks posed by COVID-19 and the need to avoid travel, the settlement conference currently scheduled for 3/17/20 is adjourned to 4/14/2020 at 10:00 AM. The settlement conference will be held in Chambers Room 303, 141 Church St., New Haven, CT before Judge Robert M. Spector. (Mallon, Kathleen) (Entered: 03/13/2020)
03/13/2020	<u>128</u>	ORDER: A settlement conference is set for 4/14/2020. Please see the attached Settlement Conference Order for detailed instructions and deadlines. Signed by Judge Robert M. Spector on 3/13/2020. (Mallon, Kathleen) (Entered: 03/13/2020)

03/13/2020	129	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A telephonic settlement conference is set for 4/1/2020 at 9:30 AM before Judge Robert M. Spector. Please use the following conference call in number: (877) 873-8017; access code: 7040261. (Mallon, Kathleen) (Entered: 03/13/2020)
03/19/2020	<u>130</u>	NOTICE by Thomas B Modly of <i>decisions on remand, and Defendant travel restriction</i> (Attachments: # <u>1</u> Exhibit A - Manker decision, # <u>2</u> Exhibit B - Doe decision)(Elicker, Natalie) (Entered: 03/19/2020)
03/23/2020	<u>131</u>	MOTION to Expedite <i>Motion for Expedited Supplementation of Administrative Record and to Set a Schedule for Summary Judgment</i> by Tyson Manker, National Veterans Council for Legal Redress. (Wishnie, Michael) (Entered: 03/23/2020)
04/01/2020	132	Minute Entry for proceedings held before Judge Robert M. Spector: A telephonic settlement conference was held on 4/1/2020. 15 minutes (Mallon, Kathleen) (Entered: 04/01/2020)
04/01/2020	133	ORDER: In light of the risks posed by COVID-19, and the actions taken by the District of Connecticut continuing all in-court civil proceedings scheduled to take place on or before May 15, 2020, the in-person settlement conference set for April 14, 2020 is canceled. As discussed during today's telephonic conference, and agreed to by the parties, the Court will instead conduct the settlement conference through a series of <i>ex parte</i> telephonic conferences. A telephonic conference with the plaintiffs only will be held on April 6, 2020 at 2:00 p.m. The plaintiffs shall submit their <i>ex parte</i> settlement memorandum to RMS_Settlement@ctd.uscourts.gov by April 5, 2020. This Order supersedes the previously-issued Settlement Conference Order (Doc. No. 128). Signed by Judge Robert M. Spector on 4/1/2020.(Mallon, Kathleen) (Entered: 04/01/2020)
04/01/2020	134	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A telephonic settlement conference with the plaintiffs only is set for 4/6/2020 at 2:00 PM before Judge Robert M. Spector. Please use the following conference call in number: (877) 873-8017; access code: 7040261. (Mallon, Kathleen) (Entered: 04/01/2020)
04/06/2020	135	Minute Entry for proceedings held before Judge Robert M. Spector: A telephonic settlement conference with plaintiffs was held on 4/6/2020. 10 minutes (Mallon, Kathleen) (Entered: 04/06/2020)

04/06/2020	136	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A telephonic settlement conference with defendant only is set for 4/7/2020 at 1:00 PM before Judge Robert M. Spector. Please use the following conference call in number: (877) 873-8017; access code: 7040261. (Mallon, Kathleen) (Entered: 04/06/2020)
04/07/2020	137	Minute Entry for proceedings held before Judge Robert M. Spector: A telephonic settlement conference with the defendant was held on 4/7/2020. 30 minutes (Mallon, Kathleen) (Entered: 04/07/2020)
04/14/2020	138	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A telephonic settlement conference with defendant only is set for 4/15/2020 at 3:00 PM before Judge Robert M. Spector. Please use the following conference call in number: (877) 873-8017; access code: 7040261. (Mallon, Kathleen) (Entered: 04/14/2020)
04/15/2020	139	Minute Entry for proceedings held before Judge Robert M. Spector: A telephonic settlement conference with defendant was held on 4/15/2020. Total Time: 1 hours and 15 minutes (Mallon, Kathleen) (Entered: 04/15/2020)
05/05/2020	140	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A telephonic settlement conference with plaintiffs only is set for 5/6/2020 at 4:00 PM before Judge Robert M. Spector. Please use the following conference call in number: (877) 873-8017; access code: 7040261. (Mallon, Kathleen) (Entered: 05/05/2020)
05/07/2020	141	Minute Entry for proceedings held before Judge Robert M. Spector: A telephonic settlement conference with plaintiffs was held on 5/6/2020. 25 minutes (Mallon, Kathleen) (Entered: 05/07/2020)
07/09/2020	142	NOTICE of Appearance by Dana Montalto on behalf of Tyson Manker, National Veterans Council for Legal Redress (Montalto, Dana) (Entered: 07/09/2020)
07/27/2020	143	Consent MOTION to Continue <i>Discovery</i> by Tyson Manker, National Veterans Council for Legal Redress. (Wishnie, Michael) (Entered: 07/27/2020)
07/29/2020	144	ELECTRONIC ORDER. Plaintiffs' 143 <i>Consent Motion for Continuance of Discovery</i> is GRANTED, absent objection and for good

		cause shown. Accordingly, discovery in this case is hereby CONTINUED, as stipulated, "until such time that either of the parties make a motion indicating that settlement discussions have reached an impasse and requesting that discovery resume." Doc. 143, at 2. At that time, the Court will set a revised discovery schedule. Signed by Judge Charles S. Haight, Jr. on July 29, 2020. (Gitlin, A.) (Entered: 07/29/2020)
10/21/2020	145	MOTION for Leave to Appear Law Student Appearance <i>for Hilary J. Higgins</i> by Attorney Renee Burbank. by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Law Student Appearance)(Burbank, Renee) (Entered: 10/21/2020)
10/21/2020	146	MOTION for Leave to Appear Law Student Appearance <i>for Alexander M. Fischer</i> by Attorney Renee Burbank. by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Law Student Appearance)(Burbank, Renee) (Entered: 10/21/2020)
10/21/2020	147	MOTION for Leave to Appear Law Student Appearance <i>for David A. Bassali</i> by Attorney Renee Burbank. by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Law Student Appearance)(Burbank, Renee) (Entered: 10/21/2020)
11/02/2020	149	ORDER granting Plaintiffs' 145 146 147 <i>Motions for Leave for Law Student Intern to Appear.</i> "Any eligible law student intern may, with the Court's approval, under supervision by a member of the bar, appear on behalf of any person who has consented in writing to the intern's appearance." D. Conn. L. Civ. R. 83.9(a). The interns have the consent of clients and a supervising attorney, and they also certify they are enrolled in good standing in law school, have completed at least two semesters of credit in legal studies, and are neither employed nor receiving compensation from clients in this case. See Docs. 145, 146, 147; see also D. Conn. L. Civ. R. 83.9(c). Accordingly, law student interns Hilary J. Higgins, Alexander M. Fischer, and David A. Bassali may appear in this matter on behalf of Plaintiffs, subject to the provisions of Rule 83.9 of the District of Connecticut Local Rules of Civil Procedure and under the supervision of attorney Renee A. Burbank.Signed by Judge Robert M. Spector on 11/2/2020. (Parrilla, Geraldo) (Entered: 11/02/2020)
01/04/2021	151	MOTION for Dana Montalto to Withdraw as Attorney by Tyson Manker, National Veterans Council for Legal Redress. (Montalto, Dana) (Entered: 01/04/2021)

01/13/2021	152	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. An EX PARTE Settlement Conference call with Defense counsel is set for 1/21/2021 at 04:00 PM before Judge Robert M. Spector. <i>Please use the following conference dial-in for this call: 877-873-8017, access code: 7040261.</i> (Parrilla, Geraldo) (Entered: 01/13/2021)
01/13/2021	153	ELECTRONIC ORDER granting 151 <i>Motion to Withdraw As Counsel</i>. Attorney Dana Montalto has requested leave to withdraw her appearance as counsel for Plaintiffs. In so moving, she represents that she is no longer affiliated with the Jerome N. Frank Legal Services Organization at Yale Law School (as of January 1, 2021). Moreover, Plaintiffs will continue to be represented in this action by Michael J. Wishnie, Renee A. Burbank, and counsel from the law firm of Jenner & Block. Therefore, pursuant to D. Conn. L. Civ. R. 7(e), the Court hereby GRANTS Montalto's motion to withdraw and terminates her appearance. Signed by Judge Charles S. Haight, Jr. on January 13, 2021. (Mattison, N.) (Entered: 01/13/2021)
01/21/2021	154	Minute Entry for proceedings held before Judge Robert M. Spector: An Ex Parte Settlement Conference call with Defense counsel held on 1/21/2021. Total time: 10 minutes (Parrilla, Geraldo) (Entered: 01/21/2021)
01/21/2021	155	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A Settlement Conference is set for 2/22/2021 at 10:00 AM before Judge Robert M. Spector. In light of the COVID-19 pandemic, the Court will hold the Settlement Conference via videoconference. (Parrilla, Geraldo) (Entered: 01/21/2021)
01/21/2021	156	ORDER: A Settlement Conference is set for 2/22/21. Please see the attached Settlement Conference Order for detailed instructions and deadlines. Signed by Judge Robert M. Spector on 1/21/21.(Parrilla, Geraldo) (Entered: 01/21/2021)
02/16/2021	157	MOTION for Leave to Appear Law Student Appearance <i>for Brandon M. Baum</i> Attorney Michael J. Wishnie. by Tyson Manker, National

		Veterans Council for Legal Redress. (Attachments: # 1 Signature page)(Wishnie, Michael) (Entered: 02/16/2021)
02/17/2021	158	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. An Ex Parte Settlement Conference call with counsel for the defendant is set for 2/17/2021 at 12:00 PM before Judge Robert M. Spector. <i>Please use the following conference dial-in for this call: 877-873-8017, access code: 7040261.</i> (Parrilla, Geraldo) (Entered: 02/17/2021)
02/17/2021	159	Minute Entry for proceedings held before Judge Robert M. Spector: An Ex Parte Settlement Conference call with counsel for the defendant held on 2/17/2021. Total time: 15 minutes (Parrilla, Geraldo) (Entered: 02/17/2021)
02/17/2021	160	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. An Ex Parte Settlement Conference call with counsel for the plaintiffs is set for 2/17/2021 at 04:00 PM before Judge Robert M. Spector. <i>Please use the following conference dial-in for this call: 877-873-8017, access code: 7040261.</i> (Parrilla, Geraldo) (Entered: 02/17/2021)
02/17/2021	161	Minute Entry for proceedings held before Judge Robert M. Spector: An Ex Parte Settlement Conference call with counsel for the plaintiffs held on 2/17/2021. Total time: 11 minutes (Parrilla, Geraldo) (Entered: 02/17/2021)
02/17/2021	162	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. The Settlement Conference set for 2/22/2021 at 10:00 AM before Judge Robert M. Spector (Doc. No. 155) is now an EX PARTE Settlement Conference with counsel for the defendant. (Parrilla, Geraldo) (Entered: 02/17/2021)
02/22/2021	163	Minute Entry for proceedings held before Judge Robert M. Spector: A Settlement Conference held on 2/22/2021. Total Time: 2 hours and 33 minutes (Parrilla, Geraldo) (Entered: 02/22/2021)

02/23/2021	164	ELECTRONIC ORDER. Plaintiffs' 157 <i>Motion for Leave to Appear</i> on behalf of Law Student Intern Brandon M. Baum ("Baum") is GRANTED. Baum currently is enrolled in his second semester at Yale Law School, and Plaintiffs represent that Baum otherwise satisfies all other requirements of Local Rule 83.9. Doc. 157 at 1. Baum would appear under the supervision of attorneys Michael J. Wishnie and Renee A. Burbank of the Jerome N. Frank Legal Services Organization. <i>Id.</i> Plaintiffs have filed certificates reflecting their consent to Baum's appearance - see Doc. [157-1] - and Plaintiffs request that this Court waive the Local Rule's stated requirement that law student interns have completed two semesters of credit before appearing. Doc. 157 at 1. In view of the absence of objection by Defendant, this Court's granting such a waiver previously in this case - see Doc. 119 - and the weight of authority cited by Plaintiffs in their motion, the Court accordingly waives Local Rule 83.9(c)(2)'s two semester requirement and permits Baum to appear in this matter. Signed by Judge Charles S. Haight, Jr. on February 23, 2021. (Mattison, N.) (Entered: 02/23/2021)
02/25/2021	165	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. An EX PARTE Settlement Conference call with plaintiff's counsel is set for 2/26/2021 at 04:00 PM before Judge Robert M. Spector. <i>Please use the following conference dial-in for this call: 877-873-8017, access code: 7040261.</i> (Parrilla, Geraldo) (Entered: 02/25/2021)
02/26/2021	166	Minute Entry for proceedings held before Judge Robert M. Spector: An Ex Parte Settlement Conference call with plaintiff's counsel held on 2/26/2021. Total time: 35 minutes (Parrilla, Geraldo) (Entered: 02/26/2021)
03/29/2021	167	ELECTRONIC ORDER. Plaintiffs' 131 <i>Motion for Expedited Supplementation of Administrative Record & to Set Schedule for Summary Judgment</i> is DENIED WITHOUT PREJUDICE. The Court previously has continued the time allowed for discovery in this matter - see Doc. 144 - and the Parties remain engaged in settlement discussions before Magistrate Judge Spector. Because of the Parties' focus on settlement, the Court believes that it is not yet necessary to lift the stay and set a schedule for summary judgment as to Claims IV and V of the Complaint, as Plaintiffs have requested. See Doc. 131 at 3-4. If the Parties' settlement discussions do not bear fruit, Plaintiffs are free to renew their request for the Court's further consideration. SO

		ORDERED. Signed by Judge Charles S. Haight, Jr. on March 29, 2021. (Mattison, N.) (Entered: 03/29/2021)
04/07/2021	168	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. An Ex Parte Settlement Conference call with counsel for the Defendant is set for 4/8/2021 at 09:30 AM before Judge Robert M. Spector. Please use the following conference dial-in for this call: 877-873-8017, access code: 7040261. (Parrilla, Geraldo) (Entered: 04/07/2021)
04/08/2021	169	Minute Entry for proceedings held before Judge Robert M. Spector: An Ex Parte Settlement Conference call with counsel for the Defendant held on 4/8/2021. Total time: 18 minutes (Parrilla, Geraldo) (Entered: 04/08/2021)
04/08/2021	170	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. An Ex Parte Settlement Conference call with plaintiff's counsel is set for 4/9/2021 at 10:30 AM before Judge Robert M. Spector. <i>Please use the following conference dial-in for this call: 877-873-8017, access code: 7040261.</i> (Parrilla, Geraldo) (Entered: 04/08/2021)
04/09/2021	171	Minute Entry for proceedings held before Judge Robert M. Spector: An Ex Parte Settlement Conference call with plaintiff's counsel held on 4/9/2021. Total time: 11 minutes (Parrilla, Geraldo) (Entered: 04/09/2021)
04/29/2021	172	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. An Ex Parte Settlement Conference with the plaintiff's counsel is set for 5/5/2021 at 11:00 AM before Judge Robert M. Spector. In light of the COVID-19 pandemic, the Court will hold the Settlement Conference via videoconference. (Parrilla, Geraldo) (Entered: 04/29/2021)
05/05/2021	173	Minute Entry for proceedings held before Judge Robert M. Spector: An Ex Parte Settlement Conference with the plaintiff's counsel held on 5/5/2021. Total time: 55 minutes (Parrilla, Geraldo) (Entered: 05/05/2021)

05/05/2021	174	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. An Ex Parte Settlement Conference with the defendant's counsel is set for 5/11/2021 at 11:00 AM before Judge Robert M. Spector. The Court will hold the Conference via videoconference. (Parrilla, Geraldo) Modified on 5/6/2021 (Murphy, Tatihana). (Entered: 05/05/2021)
05/06/2021	175	MOTION for Attorney(s) Thomas J. Bullock to be Admitted Pro Hac Vice (paid \$200 PHV fee; receipt number ACTDC-6499744) by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Affidavit)(Wishnie, Michael) (Entered: 05/06/2021)
05/07/2021	176	ORDER granting 175 Motion to Appear Pro Hac Vice for Thomas J. Bullock. Signed by Clerk on 5/7/2021. (Nuzzi, Tiffany) (Entered: 05/07/2021)
05/11/2021	177	Minute Entry for proceedings held before Judge Robert M. Spector: An Ex Parte Settlement Conference with the defendant's counsel held on 5/11/2021. Total Time: 1 hours and 23 minutes (Parrilla, Geraldo) (Entered: 05/11/2021)
05/11/2021	178	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. An Ex Parte Settlement Conference with the defendant's counsel is set for 5/19/2021 at 11:00 AM before Judge Robert M. Spector. In light of the COVID-19 pandemic, the Court will hold the Settlement Conference via videoconference. (Parrilla, Geraldo) (Entered: 05/11/2021)
05/19/2021	179	Minute Entry for proceedings held before Judge Robert M. Spector: An Ex Parte Settlement Conference with the defendant's counsel held on 5/19/2021. Total time: 53 minutes (Parrilla, Geraldo) (Entered: 05/19/2021)
05/19/2021	180	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. An Ex Parte Settlement Conference with the plaintiffs' counsel is set for 5/21/2021 at 12:00 PM before Judge Robert M. Spector. In light of the

		COVID-19 pandemic, the Court will hold the Settlement Conference via videoconference. (Parrilla, Geraldo) (Entered: 05/19/2021)
05/21/2021	181	Minute Entry for proceedings held before Judge Robert M. Spector: An Ex Parte Settlement Conference with the plaintiff's counsel held on 5/21/2021. Total time: 45 minutes (Parrilla, Geraldo) (Entered: 05/21/2021)
05/23/2021	182	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. An Ex Parte Settlement Conference with the defendant's counsel is set for 5/24/2021 at 11:00 AM before Judge Robert M. Spector. In light of the COVID-19 pandemic, the Court will hold the Settlement Conference via videoconference. (Parrilla, Geraldo) (Entered: 05/23/2021)
05/24/2021	183	Minute Entry for proceedings held before Judge Robert M. Spector: An Ex Parte Settlement Conference with the defendant's counsel held on 5/24/2021. Total Time: 1 hours and 3 minutes (Parrilla, Geraldo) (Entered: 05/24/2021)
05/24/2021	184	Minute Entry for proceedings held before Judge Robert M. Spector: An Ex Parte Settlement Conference call with the plaintiffs' counsel held on 5/24/2021. Total time: 15 minutes (Parrilla, Geraldo) (Entered: 05/24/2021)
05/24/2021	185	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A Settlement Conference is set for 6/11/2021 at 10:00 AM before Judge Robert M. Spector. In light of the COVID-19 pandemic, the Court will hold the Settlement Conference via videoconference. (Parrilla, Geraldo) (Entered: 05/24/2021)
06/04/2021	186	Joint MOTION to Continue <i>Settlement Conference until June 18, 2021</i> , by Thomas W. Harker. (Elicker, Natalie) (Entered: 06/04/2021)
06/04/2021	187	ORDER granting 186 Motion to Continue. Signed by Judge Robert M. Spector on 6/4/21. (Parrilla, Geraldo) (Entered: 06/04/2021)
06/04/2021	188	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE.ALL PERSONS

		ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. <i>RESET FROM 6/11/21</i> A <i>rescheduled</i> Settlement Conference is set for 6/18/2021 at 09:30 AM before Judge Robert M. Spector. (Parrilla, Geraldo) (Entered: 06/04/2021)
06/14/2021	189	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. <i>RESET FROM 6/18/21 at 9:30 AM</i> A <i>rescheduled</i> Settlement Conference is set for 6/18/2021 at 10:00 AM before Judge Robert M. Spector. (Parrilla, Geraldo) (Entered: 06/14/2021)
06/18/2021	190	Minute Entry for proceedings held before Judge Robert M. Spector: A Settlement Conference held on 6/18/2021. Total Time: 5 hours (Parrilla, Geraldo) (Entered: 06/18/2021)
06/28/2021	191	MEMORANDUM AND ORDER (see attached). In accordance with the attached "Memorandum and Order," counsel for the parties are directed to attend a Zoom-enhanced teleconference with the Court on Monday, July 19, 2021, beginning at 2:00 p.m. On or before 12 noon on Thursday, July 15, 2021, counsel are directed to file and serve: (1) a copy of the proposed settlement; (2) a memorandum in support of findings by the Court that the proposed settlement is fair, reasonable, and adequate; and (3) the text of a proposed notice to members of the Plaintiff Class, which must include a description of the pending action, the terms of the proposed settlement, instructions for class members wishing to object to the settlement, and (when set by the Court) the date of the subsequent fairness hearing before the Court. Signed by Judge Charles S. Haight, Jr. on June 28, 2021. (Dorais, L.) (Entered: 06/28/2021)
06/30/2021	192	MOTION for Renee Burbank to Withdraw as Attorney by Tyson Manker, National Veterans Council for Legal Redress. (Burbank, Renee) (Entered: 06/30/2021)
06/30/2021	193	ELECTRONIC ORDER granting 192 <i>Motion to Withdraw As Counsel</i>. Attorney Renee Burbank has requested leave to withdraw her appearance as counsel for Plaintiffs. Attorney Burbank represents that

		she will no longer be affiliated with the Jerome N. Frank Legal Services Organization at Yale Law School, effective July 1, 2021. Plaintiffs will continue to be represented in this action by Michael J. Wishnie and counsel from the law firm of Jenner & Block. Therefore, pursuant to D. Conn. L. Civ. R. 7(e), the Court hereby GRANTS Attorney Burbank's motion to withdraw and TERMINATES her appearance. Signed by Judge Charles S. Haight, Jr. on June 30, 2021. (Mattison, N.) (Entered: 06/30/2021)
06/30/2021		NOTICE regarding hearing via Zoom: The conference scheduled for July 19, 2021, at 2:00 p.m. will be conducted via Zoom. The video link: https://www.zoomgov.com/j/1613525306?pwd=bjJ2US9pTUxZMnJFVHA1Rm9ZemQ2dz09 Call-in number: 1-(646) 828-7666 Meeting ID: 161 352 5306 Meeting Passcode: 602247 Please note: Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, screenshots, streaming, and rebroadcasting in any form, of court proceedings. The Judicial Conference of the United States, which governs the practices of the federal courts, has prohibited it. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. (Dorais, L.) (Entered: 06/30/2021)
07/06/2021	194	Joint MOTION for Extension of Time until 7/29/2021 <i>for</i> document filing deadline 191 Order,,,, Joint MOTION to Continue <i>conference with the Court until 8/2/2021</i> by Thomas W. Harker. (Elicker, Natalie) (Entered: 07/06/2021)
07/08/2021	195	ELECTRONIC ORDER granting, for good cause shown, the parties' 194 <i>Joint Motion to Continue Filing Deadlines and Hearing Date</i>. Accordingly, the deadline for the parties to file the documents specified in the Court's 191 <i>Memorandum and Order</i> (filed 6/28/2021) is hereby extended to noon on Thursday, July 29, 2021; and the hearing on Zoom previously scheduled for July 19, 2021, is hereby moved to Monday, August 2, 2021, at 2:00 pm. Signed by Judge Charles S. Haight, Jr. on July 8, 2021. (Dorais, L.) (Entered: 07/08/2021)

07/08/2021		NOTICE regarding hearing via Zoom: The conference scheduled for August 2, 2021, at 2:00 p.m. will be conducted via Zoom. The video link: https://www.zoomgov.com/j/1613525306?pwd=bjJ2US9pTUxZMnJFVHA1Rm9ZemQ2dz09 Call-in number: 1-(646) 828-7666 Meeting ID: 161 352 5306 Meeting Passcode: 602247 Please note: Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, screenshots, streaming, and rebroadcasting in any form, of court proceedings. The Judicial Conference of the United States, which governs the practices of the federal courts, has prohibited it. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. (Dorais, L.) (Entered: 07/08/2021)
07/12/2021	196	MOTION for Jessica A. Martinez to Withdraw as Attorney by Tyson Manker, National Veterans Council for Legal Redress. (Martinez, Jessica) (Entered: 07/12/2021)
07/13/2021	197	ELECTRONIC ORDER granting 196 <i>Motion to Withdraw Appearance</i> . Attorney Jessica A. Martinez has requested leave to withdraw her appearance as counsel for Plaintiffs. Attorney Martinez represents that she will no longer be affiliated with the law firm of Jenner & Block LLP, as of July 13, 2021. Plaintiffs will continue to be represented in this action by Michael J. Wishnie of the Jerome N. Frank Legal Services Organization at Yale Law School, as well as other attorneys from Jenner & Block LLP. Therefore, pursuant to D. Conn. L. Civ. R. 7(e), the Court hereby GRANTS Attorney Martinez's motion to withdraw and TERMINATES her appearance. Signed by Judge Charles S. Haight, Jr. on July 13, 2021. (Mattison, N.) (Entered: 07/13/2021)
07/13/2021	198	MOTION for Leave to Appear Law Student Interns <i>Matthew D. Handley and Liliana L. Martinez</i> under the supervision of Attorney Michael J. Wishnie. by Tyson Manker, National Veterans Council for Legal Redress. (Wishnie, Michael) (Entered: 07/13/2021)
07/21/2021	199	ELECTRONIC ORDER. Plaintiffs' 198 <i>Motion for Leave for Law Student Interns to Appear</i> is GRANTED. Law Student Interns Matthew D. Handley and Liliana L. Martinez currently are enrolled in good standing at Seton Hall University School of Law and Benjamin N.

		Cardozo School of Law, respectively. Doc. 198 at 3-4. Each has completed at least two semesters of credit in legal studies, and neither is employed by or receiving compensation from Plaintiffs. <i>Id.</i> Handley and Martinez will appear under the supervision of Michael J. Wishnie of the Jerome N. Frank Legal Services Organization. <i>Id.</i> at 1. Plaintiffs have filed certificates reflecting their consent to Handley's and Martinez's appearances. <i>Id.</i> at 5. Having met the requirements of D. Conn. L. Civ. R. 83.9(c), Handley and Martinez are granted leave to appear on behalf of Plaintiffs, subject to the other provisions of D. Conn. L. Civ. R. 83.9 and under the supervision of Attorney Wishnie. Signed by Judge Charles S. Haight, Jr. on July 21, 2021. (Mattison, N.) (Entered: 07/21/2021)
07/23/2021	200	NOTICE of Appearance by Meghan Brooks on behalf of Tyson Manker, National Veterans Council for Legal Redress (Brooks, Meghan) (Entered: 07/23/2021)
07/26/2021	201	Joint MOTION to Continue <i>Filing Deadlines and Hearing Date</i> by Tyson Manker, National Veterans Council for Legal Redress. (Kohlmann, Susan) (Entered: 07/26/2021)
07/28/2021	202	ELECTRONIC ORDER granting, for good cause shown, the parties' 201 <i>Joint Motion to Continue Filing Deadlines and Hearing Date</i>. Accordingly, the deadline for the parties to file the documents specified in the Court's 191 <i>Memorandum and Order</i> (filed 6/28/2021) is hereby extended to noon on Thursday, August 12, 2021; and the hearing on Zoom is hereby moved to Monday, August 16, 2021, at 2:00 pm. Signed by Judge Charles S. Haight, Jr. on July 28, 2021. (Mattison, N.) (Entered: 07/28/2021)
07/29/2021		NOTICE regarding hearing via Zoom: The conference scheduled for August 16, 2021, at 2:00 p.m. will be conducted via Zoom. The video link: https://www.zoomgov.com/j/1613525306?pwd=bjJ2US9pTUxZMnJFVHA1Rm9ZemQ2dz09 Call-in number: 1-(646) 828-7666 Meeting ID: 161 352 5306 Meeting Passcode: 602247 Please note: Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, screenshots, streaming, and rebroadcasting in any form, of court proceedings. The Judicial Conference of the United States, which governs the practices of the federal courts, has prohibited it. Violation

		of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. (Dorais, L.) (Entered: 07/29/2021)
08/09/2021	203	Consent MOTION to Continue <i>document filing deadline and hearing date, until Sept. 2 and Sept. 6, respectively</i> , by Thomas W. Harker. (Elicker, Natalie) (Entered: 08/09/2021)
08/11/2021	204	ELECTRONIC ORDER granting, for good cause shown, the parties' 203 <i>Joint Motion to Continue Filing Deadlines and Hearing Date</i> . Taking into account the parties' requested extension and the Court's calendar, the deadline for the parties to file the documents specified in the Court's 191 <i>Memorandum and Order</i> (filed 6/28/2021) is hereby extended to noon on Thursday, September 9, 2021 , and the hearing on Zoom previously scheduled for August 16, 2021, is hereby moved to Monday, September 13, 2021, at 2:00 pm . Signed by Judge Charles S. Haight, Jr. on August 11, 2021. (Dorais, L.) (Entered: 08/11/2021)
08/11/2021		NOTICE regarding hearing via Zoom: The conference scheduled for September 13, 2021, at 2:00 p.m. will be conducted via Zoom. The video link: https://www.zoomgov.com/j/1613525306?pwd=bjJ2US9pTUxZMnJFVHA1Rm9ZemQ2dz09 Call-in number: 1-(646) 828-7666 Meeting ID: 161 352 5306 Meeting Passcode: 602247 Please note: Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, screenshots, streaming, and rebroadcasting in any form, of court proceedings. The Judicial Conference of the United States, which governs the practices of the federal courts, has prohibited it. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. (Dorais, L.) (Entered: 08/11/2021)
09/08/2021	205	Joint MOTION to Continue <i>Filing Deadline and Hearing Date</i> by Carlos Del Toro. (Elicker, Natalie) (Entered: 09/08/2021)
09/09/2021	206	ELECTRONIC ORDER. The parties' 205 <i>Joint Motion to Continue Filing Deadlines and Hearing Date</i> is GRANTED, for good cause

		shown. The deadline for the parties to file the documents specified in the Court's 191 <i>Memorandum and Order</i> (filed 6/28/2021) is hereby extended to Friday, September 17, 2021, and the hearing on Zoom previously scheduled for September 13, 2021, is hereby moved to Wednesday, September 22, 2021, at 2:00 pm. Furthermore, the Clerk is directed to amend the caption of this case to reflect that Carlos Del Toro has been sworn in as Secretary of the Navy, <i>see</i> Doc. 205 at 1 n.1, and to terminate prior acting officeholders as parties. Signed by Judge Charles S. Haight, Jr. on September 9, 2021. (Mattison, N.) (Entered: 09/09/2021)
09/13/2021		NOTICE regarding hearing via Zoom: The conference scheduled for September 22, 2021, at 2:00 p.m. will be conducted via Zoom. The video link: https://www.zoomgov.com/j/1613525306?pwd=bjJ2US9pTUxZMnJFVHA1Rm9ZemQ2dz09 Call-in number: 1-(646) 828-7666 Meeting ID: 161 352 5306 Meeting Passcode: 602247 Please note: Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, screenshots, streaming, and rebroadcasting in any form, of court proceedings. The Judicial Conference of the United States, which governs the practices of the federal courts, has prohibited it. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. (Dorais, L.) (Entered: 09/13/2021)
09/14/2021	207	ORDER. The Court is in receipt of an email inquiry by Plaintiff's counsel regarding the proper procedure in the case for protecting the anonymity of a "John Doe" in the proposed settlement documents. Pursuant to the Court's prior Order [Doc. 206], in order to receive the Court's approval of settlement in this class action, Plaintiff is mandated to identify all settlement agreements to the Court by Friday, September 17, 2021. <i>See</i> Fed. R. Civ. P. 23(e)(3) ("The parties seeking approval must file a statement identifying any agreement made in connection with the proposal.") Plaintiff's counsel proposes to file a separate agreement resolving Doe's individual claims under seal as set forth in Local Civil Rule 5(e)(4). Moreover, Plaintiff's counsel represents that "[c]ounsel for the Defendant has advised that it does not object to filing the Doe agreement under seal, with a redacted version on the public docket." Under these circumstances, the Court endorses Plaintiff's

		counsel's intended approach to seek protection of Doe's identity by filing a motion to seal under Local Civil Rule 5(e)(4)(a). The procedure in Rule 5(e)(4)(a) provides a reasonable manner in which to adjudicate proposed sealing of Doe's identity. Signed by Judge Charles S. Haight, Jr. on September 14, 2021. (Dorais, L.) (Entered: 09/14/2021)
09/15/2021	208	MOTION for Leave to Appear Law Student Appearance Attorney Michael J. Wishnie. by Tyson Manker, National Veterans Council for Legal Redress. (Wishnie, Michael) (Entered: 09/15/2021)
09/16/2021	209	MOTION to Seal Unredacted Settlement Agreement by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Exhibit A - Redacted Settlement Agreement)(Wishnie, Michael) (Entered: 09/16/2021)
09/16/2021	210	Sealed Document: Unredacted Settlement Agreement as to Claim V by Tyson Manker, National Veterans Council for Legal Redress re 209 MOTION to Seal Unredacted Settlement Agreement . (Wishnie, Michael) (Entered: 09/16/2021)
09/17/2021	211	Joint MOTION for Settlement <i>Preliminary Approval and Class Notice</i> by Tyson Manker, National Veterans Council for Legal Redress. (Attachments: # 1 Memorandum in Support of Joint Motion for Preliminary Settlement Approval, # 2 Proposed Class Settlement Agreement, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F, # 9 Exhibit G, # 10 Exhibit H, # 11 Exhibit I, # 12 Exhibit J, # 13 Exhibit K, # 14 Exhibit L Rule 23(e)(3) Statement)(Wishnie, Michael) (Entered: 09/17/2021)
09/17/2021	212	ELECTRONIC ORDER. Plaintiffs' 208 <i>Motion for Leave for Law Student Interns to Appear</i> is GRANTED. Law Student Interns Amelia H. Dunnell and Andrew T. Smith currently are enrolled in good standing at Yale Law School. Doc. 208 at 3-4. Each has completed at least two semesters of credit in legal studies, and neither is employed by or receiving compensation from Plaintiffs. <i>Id.</i> Dunnell and Smith will appear under the supervision of Michael J. Wishnie of the Jerome N. Frank Legal Services Organization. <i>Id.</i> at 1. Plaintiffs have filed a certificate reflecting their consent to Dunnell's and Smith's appearances. <i>Id.</i> at 5. Having met the requirements of D. Conn. L. Civ. R. 83.9(c), Dunnell and Smith are granted leave to appear on behalf of Plaintiffs, subject to the other provisions of D. Conn. L. Civ. R. 83.9 and under the supervision of Attorney Wishnie. Signed by Judge Charles S. Haight, Jr. on September 17, 2021. (Mattison, N.) (Entered: 09/17/2021)
09/22/2021	213	Minute Entry for proceedings held before Judge Charles S. Haight, Jr: Miscellaneous Hearing held on 9/22/2021.

		Total time: 50 minutes (Court Reporter Corinna Thompson) (Reis, Julia) (Entered: 09/23/2021)
09/23/2021	214	ELECTRONIC ORDER granting 209 <i>Plaintiffs' Unopposed Motion to Seal</i> the 210 "Settlement Agreement as to Claim V" of John Doe, a member of Plaintiff National Veterans Council for Legal Redress. Despite the strong presumption that the public has the right to access judicial documents, <i>Lugosch v. Pyramid Co. of Onondaga</i>, 435 F.3d 110, 121 (2d Cir. 2006), pursuant to D. Conn. L. Civ. R. 5(e)(3), the Court finds that there are "clear and compelling reasons" to seal the Settlement Agreement at issue to preserve Doe's anonymity "in light of the sensitive personal and medical information" incorporated in Claim V of the Complaint, Doc. 209 , at 2. <i>See also</i> Doc. 1 at paras.106-37 (describing Doe's horrific experiences while he participated as a marine in "Operation Iraqi Freedom" and his resulting PTSD symptoms, including nightmares, memory loss, anxiety, alcohol consumption, and suicidal ideation leading to an attempt to end his life). Medical information, by its nature, is inherently private and recognized as properly subject to sealing. <i>See, e.g., Barnwell v. FCI Danbury</i>, No. 3:10-CV-01301 (DJS), 2011 WL 5330215, at *5 (D. Conn. Nov. 3, 2011) (sealing individual's records "relating to her personal medical treatment" and noting that "[f]ederal law generally treats such records as confidential")(citing Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), Pub. L. 104-191 (1996)). <i>See also Desmond v. Astrue</i>, 660 F. Supp. 2d 329, 335 n.12 (D. Conn. 2009) (maintaining that plaintiff's brief should "remain under seal, pending further order of the Court," because it "does refer to highly sensitive medical and psychiatric information"); <i>Principal Nat. Life Ins. Co. v. Coassin</i>, No. 3:13-CV-1520 (JBA), 2015 WL 3466111, at *2 (D. Conn. June 1, 2015) ("[S]ealing the original unredacted version [of court-filed document] is warranted as the document is replete with personal medical information."); <i>Northrop v. Carucci</i>, No. 3:04-CV-103 (RNC), 2007 WL 685173, at *3 n.6 (D. Conn. Mar. 5, 2007) (ordering plaintiff's medical records sealed by the Clerk because "federal law treats medical records as confidential"). Moreover, as Plaintiffs' counsel represents, "Defendant does not oppose this motion." Doc. 209 , at 1. Under these circumstances, Doe has individual privacy rights that plainly outweigh the public's right to access his particular identity. Furthermore, by redacting only Doe's name, the proposed sealing in the redacted agreement is "narrowly tailored" to serve its purpose of protecting his identity, D. Conn. L. Civ. R. 5(e)(3). As Plaintiffs assert, "the redacted version [of the Agreement] will obscure no information other than that which might possibly lead to an identification of Mr. Doe. There is no less restrictive means of protecting this information." Doc. 209 , at 3. Pursuant to Local Civil Rule 5(e)(3), the Court hereby GRANTS Plaintiffs' 209 <i>Unopposed Motion to Seal</i>, hereby sealing

		Doe's "Settlement Agreement as to Claim V," Exhibit B [Doc. 210], and approving the filing of the redacted version of that agreement on the public docket, Exhibit A [Doc. 209 -1]. Under Rule 5(e)(3), there are "clear and compelling reasons" to seal the unredacted agreement -- Doe's privacy in his personal and medical records -- and the "narrowly tailored" redacted version will remain open to public inspection on the case docket. Signed by Judge Charles S. Haight, Jr. on September 23, 2021. (Dorais, L.) (Entered: 09/23/2021)
10/12/2021	215	PRELIMINARY RULING on Proposed Settlement and Class Notice (see attached). The 211 <i>Joint Motion</i> of Plaintiffs and Defendant for preliminary approval of the proposed 211 -2 <i>Stipulation and Agreement of Settlement</i> , and approval of the proposed Class Notice, is GRANTED. The governance of this case will be directed by this Ruling and the separate "Supplemental Order," filed concurrently herewith. Signed by Judge Charles S. Haight, Jr. on October 12, 2021. (Dorais, L.) (Entered: 10/12/2021)
10/12/2021	216	SUPPLEMENTAL ORDER granting Preliminary Approval of Class Action Settlement and Class Notice (see attached). Signed by Judge Charles S. Haight, Jr. on October 12, 2021. (Dorais, L.) (Entered: 10/12/2021)
10/13/2021		NOTICE regarding hearing via Zoom: The Fairness Hearing scheduled for December 16, 2021, at 10:00 a.m. will be conducted via Zoom. The video link: https://www.zoomgov.com/j/1616321999?pwd=dW9XcDNjanJxWXVRTmZKNmtPU1lIQT09 Call-in number: 1-(646) 828-7666 Meeting ID: 161 632 1999 Meeting Passcode: 879086 Please note: Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, screenshots, streaming, and rebroadcasting in any form, of court proceedings. The Judicial Conference of the United States, which governs the practices of the federal courts, has prohibited it. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. (Dorais, L.) (Entered: 10/13/2021)

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