

**U.S. District Court
Southern District of New York (White Plains)
CIVIL DOCKET FOR CASE #: 7:19-cv-00639-CS-AEK**

M. G. et al v. Cuomo et al
Assigned to: Judge Cathy Seibel
Referred to: Magistrate Judge Andrew E. Krause
Cause: 42:12132 Americans with Disabilities Act -
Discrimination

Date Filed: 01/23/2019
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities - Other
Jurisdiction: Federal Question

Plaintiff

M. G.
*individually and on behalf of all
similarly situated*

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V.

Defendant

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TERMINATED: 09/25/2020*

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Date Filed	#	Docket Text
01/23/2019	<u>1</u>	COMPLAINT against Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan. (Filing Fee \$ 400.00, Receipt Number ANYSDC-16226915) Document filed by D. R., C. J., P. C., M. G., M. J., J. R..(Short, Stefen) (Entered: 01/23/2019)

01/23/2019	<u>2</u>	FILING ERROR - PDF ERROR - CIVIL COVER SHEET filed. (Attachments: # <u>1</u> Exhibit Addendum to Civil Cover Sheet)(Short, Stefen) Modified on 1/24/2019 (jgo). (Entered: 01/23/2019)
01/23/2019	<u>3</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Andrew Cuomo, in his official capacity as the Governor of the State of New York, re: <u>1</u> Complaint,. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Short, Stefen) (Entered: 01/23/2019)
01/23/2019	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to The New York State Office of Mental Health, re: <u>1</u> Complaint,. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Short, Stefen) (Entered: 01/23/2019)
01/23/2019	<u>5</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Ann Marie T. Sullivan, in her official capacity as the Commissioner of the New York State Office of Mental Health, re: <u>1</u> Complaint,. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Short, Stefen) (Entered: 01/23/2019)
01/23/2019	<u>6</u>	REQUEST FOR ISSUANCE OF SUMMONS as to The New York State Department of Corrections and Community Supervision, re: <u>1</u> Complaint,. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Short, Stefen) (Entered: 01/23/2019)
01/23/2019	<u>7</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Anthony J. Annucci, in his official capacity as the Acting Commissioner of the New York State Department of Corrections and Community Supervision, re: <u>1</u> Complaint,. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Short, Stefen) (Entered: 01/23/2019)
01/23/2019	<u>8</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Anne Marie McGrath, in her official capacity as Associate Commissioner of the New York State Department of Corrections and Community Supervision, re: <u>1</u> Complaint,. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Short, Stefen) (Entered: 01/23/2019)
01/24/2019		***NOTICE TO ATTORNEY REGARDING DEFICIENT CIVIL COVER SHEET. Notice to attorney Stefen Russell Short to RE-FILE Document No. <u>2</u> Civil Cover Sheet. The filing is deficient for the following reason(s): Jury Demand code - no selection;. Re-file the document using the event type Civil Cover Sheet found under the event list Other Documents and attach the correct PDF. Use civil cover sheet issued by S.D.N.Y. dated June 2017. The S.D.N.Y. Civil Cover Sheet dated June 2017 is located at http://nysd.uscourts.gov/file/forms/civil-cover-sheet.. (jgo) (Entered: 01/24/2019)

01/24/2019		***NOTICE TO ATTORNEY REGARDING CIVIL CASE OPENING STATISTICAL ERROR CORRECTION: Notice to attorney Stefen Russell Short. The following case opening statistical information was erroneously selected/entered: Office code Foley Square;. The following correction(s) have been made to your case entry: the Office code has been modified to White Plains;. (jgo) (Entered: 01/24/2019)
01/24/2019		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Cathy Seibel. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District. Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php. (jgo) (Entered: 01/24/2019)
01/24/2019		Magistrate Judge Lisa M. Smith is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php. (jgo) (Entered: 01/24/2019)
01/24/2019		Case Designated ECF. (jgo) (Entered: 01/24/2019)
01/24/2019	<u>9</u>	CIVIL COVER SHEET filed. (Attachments: # <u>1</u> Addendum to Civil Cover Sheet)(Short, Stefen) (Entered: 01/24/2019)
01/24/2019	<u>10</u>	ELECTRONIC SUMMONS ISSUED as to Andrew Cuomo. (jgo) (Entered: 01/24/2019)
01/24/2019	<u>11</u>	ELECTRONIC SUMMONS ISSUED as to Ann Marie T. Sullivan. (jgo) (Entered: 01/24/2019)
01/24/2019	<u>12</u>	ELECTRONIC SUMMONS ISSUED as to Anthony J. Annucci. (jgo) (Entered: 01/24/2019)
01/24/2019	<u>13</u>	ELECTRONIC SUMMONS ISSUED as to New York State Department of Corrections and Community Supervision. (jgo) (Entered: 01/24/2019)
01/24/2019	<u>14</u>	ELECTRONIC SUMMONS ISSUED as to New York State Office of Mental Health. (jgo) (Entered: 01/24/2019)
01/24/2019	<u>15</u>	ELECTRONIC SUMMONS ISSUED as to Anne Marie McGrath. (jgo) (Entered: 01/24/2019)

01/24/2019	<u>16</u>	NOTICE OF APPEARANCE by Robert Matthew Quackenbush on behalf of P. C., M. G., C. J., M. J., D. R., J. R.. (Quackenbush, Robert) (Entered: 01/24/2019)
01/25/2019	<u>17</u>	NOTICE OF APPEARANCE by Elena Maria Landriscina on behalf of P. C., M. G., C. J., M. J., D. R., J. R.. (Landriscina, Elena) (Entered: 01/25/2019)
01/25/2019	<u>18</u>	NOTICE OF APPEARANCE by Joshua Morris Rosenthal on behalf of P. C., M. G., C. J., M. J., D. R., J. R.. (Rosenthal, Joshua) (Entered: 01/25/2019)
01/25/2019	<u>19</u>	NOTICE OF APPEARANCE by Betsy C. Sterling on behalf of P. C., M. G., C. J., M. J., D. R., J. R.. (Sterling, Betsy) (Entered: 01/25/2019)
01/28/2019	<u>20</u>	LETTER MOTION for Conference <i>regarding Plaintiffs' anticipated ex parte motion to proceed anonymously in public filings, and for related relief</i> , addressed to Judge Cathy Seibel from Robert M. Quackenbush of The Legal Aid Society dated January 28, 2019. Document filed by P. C., M. G., C. J., M. J., D. R., J. R..(Quackenbush, Robert) (Entered: 01/28/2019)
01/28/2019	21	ORDER denying as moot <u>20</u> Letter Motion for Conference: Pre-motion conference requirement waived. Plaintiffs may go ahead and make the motion. (HEREBY ORDERED by Judge Cathy Seibel)(Text Only Order) (Seibel, Cathy) (Entered: 01/28/2019)
01/28/2019	<u>22</u>	Gregory Michael O'Neil EX PARTE MOTION to Proceed Anonymously . Document filed by P.C., M.G., C.J., M.J., D.R., J.R. (Attachments: # <u>1</u> Memorandum of Law in Support of Plaintiffs' Ex Parte Motion to Proceed Anonymously, # <u>2</u> Declaration in Support of Plaintiffs' Ex Parte Motion to Proceed Anonymously, # <u>3</u> Proposed Order on Plaintiffs' Ex Parte Motion to Proceed Anonymously)(Short, Stefen) Modified on 2/8/2019 (db). (Entered: 01/28/2019)
01/29/2019	<u>23</u>	AFFIDAVIT OF SERVICE. Andrew Cuomo served on 1/28/2019, answer due 2/19/2019. Service was accepted by Denice Gagnon. Document filed by D. R.; C. J.; P. C.; M. G.; M. J.; J. R.. (Rosenthal, Joshua) (Entered: 01/29/2019)
01/29/2019	<u>24</u>	AFFIDAVIT OF SERVICE. Anthony J. Annucci served on 1/28/2019, answer due 2/19/2019. Service was accepted by Mark Richter. Document filed by D. R.; C. J.; P. C.; M. G.; M. J.; J. R.. (Rosenthal, Joshua) (Entered: 01/29/2019)
01/29/2019	<u>25</u>	AFFIDAVIT OF SERVICE. New York State Department of Corrections and Community Supervision served on 1/28/2019, answer

		due 2/19/2019. Service was accepted by Mark Richter. Document filed by D. R.; C. J.; P. C.; M. G.; M. J.; J. R.. (Rosenthal, Joshua) (Entered: 01/29/2019)
01/29/2019	26	AFFIDAVIT OF SERVICE. Anne Marie McGrath served on 1/28/2019, answer due 2/19/2019. Service was accepted by Mark Richter. Document filed by D. R.; C. J.; P. C.; M. G.; M. J.; J. R.. (Rosenthal, Joshua) (Entered: 01/29/2019)
01/29/2019	27	AFFIDAVIT OF SERVICE. New York State Office of Mental Health served on 1/28/2019, answer due 2/19/2019. Service was accepted by Jesse Snyder. Document filed by D. R.; C. J.; P. C.; M. G.; M. J.; J. R.. (Rosenthal, Joshua) (Entered: 01/29/2019)
01/29/2019	28	AFFIDAVIT OF SERVICE. Ann Marie T. Sullivan served on 1/28/2019, answer due 2/19/2019. Service was accepted by Jesse Snyder. Document filed by D. R.; C. J.; P. C.; M. G.; M. J.; J. R.. (Rosenthal, Joshua) (Entered: 01/29/2019)
02/01/2019	29	NOTICE OF APPEARANCE by Jane R. Goldberg on behalf of Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan. (Goldberg, Jane) (Entered: 02/01/2019)
02/01/2019	30	LETTER MOTION for Extension of Time <i>to respond to Complaint</i> addressed to Judge Cathy Seibel from Jane R. Goldberg dated February 1, 2019. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.(Goldberg, Jane) (Entered: 02/01/2019)
02/01/2019	31	ORDER granting 30 Letter Motion for Extension of Time. Application granted: Defendants time to respond is extended until April 19, 2019. Defendants are also directed to advise the Court no later than February 8, 2019, whether they oppose Plaintiffs' motion to proceed anonymously, (Doc. 22). SO ORDERED. (Signed by Judge Cathy Seibel on 2/1/2019) (ks) (Entered: 02/01/2019)
02/01/2019		Set/Reset Deadlines: Anthony J. Annucci answer due 4/19/2019; Andrew Cuomo answer due 4/19/2019; Anne Marie McGrath answer due 4/19/2019; New York State Department of Corrections and Community Supervision answer due 4/19/2019; New York State Office of Mental Health answer due 4/19/2019; Ann Marie T. Sullivan answer due 4/19/2019. Responses due by 2/8/2019. (ks) (Entered: 02/01/2019)

02/06/2019	32	NOTICE OF APPEARANCE by Veronica Vela on behalf of M. G., C. J., M. J.. (Vela, Veronica) (Entered: 02/06/2019)
02/06/2019	33	NOTICE OF APPEARANCE by Veronica Vela on behalf of P. C., M. G., C. J., M. J., D. R., J. R.. (Vela, Veronica) (Entered: 02/06/2019)
02/07/2019	34	LETTER addressed to Judge Cathy Seibel from Jane R. Goldberg dated February 7, 2019 re: Plaintiffs' ex parte motion to proceed anonymously. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan. (Attachments: # 1 Text of Proposed Order)(Goldberg, Jane) (Entered: 02/07/2019)
02/07/2019	35	ORDER ON PLAINTIFFS' EX PARTE MOTION TO PROCEED ANONYMOUSLY granting 22 Motion. ORDERED that Plaintiffs' motion to proceed anonymously be means of the pseudonyms reflected in the caption of this Order is GRANTED; and it is further ORDERED that all public filings will proceed anonymously by means of he pseudonyms reflected in the caption of this Order, and that all other filings will be under seal to the extent they reveal the identities of the Plaintiffs, as further set forth in this Order. The Clerk shall terminate Doc. 22. (Signed by Judge Cathy Seibel on 2/7/2019) (mml) Modified on 2/7/2019 (mml). (Entered: 02/07/2019)
03/19/2019	36	NOTICE OF APPEARANCE by Walter G. Ricciardi on behalf of P. C., M. G., C. J., M. J., D. R., J. R.. (Ricciardi, Walter) (Entered: 03/19/2019)
04/19/2019	37	LETTER MOTION for Conference re: 1 Complaint, addressed to Judge Cathy Seibel from Jane R. Goldberg dated April 19, 2019. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.(Goldberg, Jane) (Entered: 04/19/2019)
04/19/2019	38	ORDER granting 37 Letter Motion for Conference: Pre-Motion Conference set for 5/13/19 at 11:30 am. Plaintiffs shall state their position, by letter of no more than 3 pages, no later than 5/6/19. (HEREBY ORDERED by Judge Cathy Seibel)(Text Only Order) (Seibel, Cathy) (Entered: 04/19/2019)
05/06/2019	39	LETTER RESPONSE to Motion addressed to Judge Cathy Seibel from Joshua Rosenthal dated 05/06/2019 re: 37 LETTER MOTION for Conference re: 1 Complaint, addressed to Judge Cathy Seibel from Jane R. Goldberg dated April 19, 2019. . Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Rosenthal, Joshua) (Entered: 05/06/2019)

05/13/2019	40	NOTICE OF APPEARANCE by Jeb Harben on behalf of Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan. (Harben, Jeb) (Entered: 05/13/2019)
05/13/2019		Minute Entry for proceedings held before Judge Cathy Seibel: Pre-Motion Conference held on 5/13/2019. The Court grants Plaintiff(s) leave to amend Complaint. Amended Complaint (if Plaintiff chooses to do so) to be submitted by June 3, 2019. Defendants' Motion to Dismiss (or Answer) to be submitted by July 26, 2019; Plaintiffs' opposition (if Motion filed) due August 16, 2019; reply due August 30, 2019. The Court directs Plaintiff(s) to make a demand. Rule 26 disclosures to be submitted by June 24, 2019. Requests for production and interrogatories to be submitted by July 8, 2019. See transcript. (Court Reporter Angela O'Donnell) (wc) (Entered: 05/14/2019)
05/15/2019	41	PROPOSED STIPULATION AND ORDER. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Rosenthal, Joshua) (Entered: 05/15/2019)
05/15/2019	42	STIPULATION AND PROTECTIVE ORDER: Regarding procedures to be followed that shall govern the handling of confidential material. (Signed by Judge Cathy Seibel on 5/15/2019) (ks) (Entered: 05/15/2019)
05/28/2019	43	NOTICE OF APPEARANCE by Emily A. Vance on behalf of P. C., M. G., C. J., M. J., D. R., J. R.. (Vance, Emily) (Entered: 05/28/2019)
05/29/2019	44	LETTER addressed to Judge Cathy Seibel from Jane R. Goldberg dated May 29, 2019 re: Plaintiffs' counsel's request for telephone access. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.(Goldberg, Jane) (Entered: 05/29/2019)
05/29/2019	45	LETTER addressed to Judge Cathy Seibel from Joshua Rosenthal dated 05/29/2019 re: ECF No. 44. Document filed by P. C., M. G., C. J., M. J., D. R., J. R..(Rosenthal, Joshua) (Entered: 05/29/2019)
05/29/2019	46	MEMO ENDORSEMENT on re: 44 Letter, filed by Anthony J. Annucci, Andrew Cuomo, New York State Department of Corrections and Community Supervision, Anne Marie McGrath, Ann Marie T. Sullivan, New York State Office of Mental Health. ENDORSEMENT: The Court appreciates the reasons for the general rule, but in order to avoid undue delay in these proceedings and the unnecessary expenditure of counsel's time and resources, an exception just this once

		is warranted. Essentially for the reasons stated by Plaintiff's counsel, DOCCS is directed to allow Plaintiff's counsel one 30-minute legal call with M.G. and one with P.C. on May 30 or May 31. SO ORDERED. (Signed by Judge Cathy Seibel on 5/29/2019) (mml) (Entered: 05/29/2019)
06/03/2019	47	FIRST AMENDED COMPLAINT amending 1 Complaint, against Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan. Document filed by D. R., C. J., P. C., M. G., M. J., J. R.. Related document: 1 Complaint.,(Landriscina, Elena) (Entered: 06/03/2019)
07/09/2019	48	NOTICE OF APPEARANCE by Jamie Marie Noonan Witte on behalf of P. C., M. G., C. J., M. J., D. R., J. R.. (Witte, Jamie) (Entered: 07/09/2019)
07/09/2019	49	NOTICE OF APPEARANCE by Lane B. Zuraw on behalf of P. C., M. G., C. J., M. J., D. R., J. R.. (Zuraw, Lane) (Entered: 07/09/2019)
07/26/2019	50	LETTER addressed to Judge Cathy Seibel from Jane R. Goldberg dated July 26, 2019 re: Defendants' Motion to Dismiss. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.(Goldberg, Jane) (Entered: 07/26/2019)
08/02/2019	51	LETTER MOTION for Local Rule 37.2 Conference addressed to Judge Cathy Seibel from Elena Landriscina dated 08/02/2019. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Attachments: # 1 Exhibit Discovery Requests and Correspondence)(Landriscina, Elena) (Entered: 08/02/2019)
08/02/2019	52	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement). Referred to Magistrate Judge Lisa Margaret Smith. Motions referred to Lisa Margaret Smith. (Signed by Judge Cathy Seibel on 8/2/2019) (mml) (Entered: 08/02/2019)
08/05/2019	53	ORDER: In order to facilitate the progress of pre-trial discovery of this litigation in a just, speedy and inexpensive manner, to insure compliance with the case management plan, and to prevent the accumulation of unresolved discovery issues, the following procedures will be followed for the resolution of discovery disputes. (As further set

		forth herein.) (Signed by Magistrate Judge Lisa Margaret Smith on 8/5/2019) (jca) (Entered: 08/05/2019)
08/05/2019	54	SCHEDULING NOTICE granting 51 Letter Motion for Local Rule 37.2 Conference. The matter of M.G., et al. v. Cuomo, et al., 19-cv-639 (CS) (LMS), has been scheduled for an in-person status conference before the Hon. Lisa Margaret Smith, United States Magistrate Judge, on Friday, August 9, 2019, at 2:30 p.m., in Courtroom 520. Please note: counsel seeking to reschedule an appearance must have all parties on the line prior to contacting chambers. SO ORDERED. (Status Conference set for 8/9/2019 at 02:30 PM in Courtroom 520, 300 Quarropas Street, White Plains, NY 10601 before Magistrate Judge Lisa Margaret Smith.) (Signed by Magistrate Judge Lisa Margaret Smith on 8/5/2019) (jca) (Entered: 08/05/2019)
08/06/2019	55	LETTER addressed to Magistrate Judge Lisa M. Smith from Jane R. Goldberg dated Aug. 6, 2019 re: response to Plaintiffs' letter motion. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.(Goldberg, Jane) (Entered: 08/06/2019)
08/09/2019		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 8/9/2019. Elena M. Landriscina, Emily A. Vance, Robert M. Quackenbush, and Joshua M. Rosenthal appearing in person on behalf of Plaintiffs. Jane R. Goldberg appearing in person on behalf of Defendants. Opposition and reply to the motion to dismiss is stayed pending the next conference. Adjourned to August 20, 2019, at 3:00 PM for a telephonic status conference. (Status Conference set for 8/20/2019 at 03:00 PM before Magistrate Judge Lisa Margaret Smith.). (Court Reporter Courtflow) (mde) (Entered: 08/09/2019)
08/19/2019	56	FILING ERROR - WRONG EVENT TYPE SELECTED FROM MENU - LETTER MOTION for Conference addressed to Magistrate Judge Lisa M. Smith from Jane R. Goldberg dated Aug. 19, 2019. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.(Goldberg, Jane) Modified on 10/31/2019 (db). (Entered: 08/19/2019)
08/20/2019		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 8/20/2019. Joshua Vogel, Betsy Sterling, Veronica Vela, Lane Zuraw, Jamie Witte, and Emily Vance appearing by telephone on behalf of Plaintiffs. Jane Goldberg

		and Joshua Applebaum appearing by telephone on behalf of Defendants. Discovery issues addressed on the record; see transcript. Opposition to Defendants' motion to dismiss is stayed pending the next conference. Adjourned to September 10, 2019, at 3:00 PM for a telephonic status conference. (Status Conference set for 9/10/2019 at 03:00 PM before Magistrate Judge Lisa Margaret Smith.). (Court Reporter Courtflow) (mde) (Entered: 08/20/2019)
09/02/2019	57	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a telephone conference proceeding held on 08/20/2019 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(O'Donnell, Angela) (Entered: 09/02/2019)
09/02/2019	58	TRANSCRIPT of Proceedings re: telephone conference held on 8/20/2019 before Magistrate Judge Lisa M. Smith. Court Reporter/Transcriber: Angela O'Donnell, (914) 390-4025. 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. Redaction Request due 9/23/2019. Redacted Transcript Deadline set for 10/3/2019. Release of Transcript Restriction set for 12/2/2019.(O'Donnell, Angela) (Entered: 09/02/2019)
09/09/2019	59	LETTER addressed to Magistrate Judge Lisa M. Smith from Elena Landriscina dated September 9, 2019 re: September 10, 2019 Court Conference. Document filed by P. C., M. G., C. J., M. J., D. R., J. R..(Landriscina, Elena) (Entered: 09/09/2019)
09/10/2019	60	LETTER addressed to Magistrate Judge Lisa M. Smith from Jane R. Goldberg dated Sept. 10, 2019 re: Response to Plaintiffs' Status Report. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.(Goldberg, Jane) (Entered: 09/10/2019)
09/10/2019		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 9/10/2019. Betsy C. Sterling, Veronica Vela, Lane B. Zuraw, Emily A. Vance, Stefen R. Short, Robert M. Quackenbush, Elena M. Landriscina, and Joshua M. Rosenthal appearing by telephone on behalf of Plaintiffs. Jane R. Goldberg and Jeb Harben appearing by telephone on behalf of Defendants. Discovery issues resolved on the record; see transcript.

		Defendants must complete discovery responsive to Requests for Production ## 7 and 12 as identified by Plaintiffs as having been generated on or before July 26, 2019, by 9/30/2019. Defendants must complete discovery responsive to Annucci Interrogatories ## 3 and 4, and Sullivan Interrogatory # 4, by 10/2/2019. Defendants must complete discovery responsive to Requests for Production ## 14, and 21-23, by October 15, 2019. Plaintiffs must serve its opposition to Defendants' motion to dismiss by 11/8/2019. Defendants must serve its reply by 11/22/2019. Adjourned to October 11, 2019, at 2:15 PM, for a telephonic status conference. (Status Conference set for 10/11/2019 at 02:15 PM before Magistrate Judge Lisa Margaret Smith.). (ESL) (Entered: 09/10/2019)
09/17/2019	61	LETTER MOTION for Extension of Time <i>to produce privilege log</i> addressed to Magistrate Judge Lisa M. Smith from Jane R. Goldberg dated Sept. 17, 2019. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.(Goldberg, Jane) (Entered: 09/17/2019)
09/24/2019	62	ORDER granting 61 Letter Motion for Extension of Time to finalize production of privilege log, to October 18, 2019. (HEREBY ORDERED by Magistrate Judge Lisa Margaret Smith)(Text Only Order) (Smith, Lisa) (Entered: 09/24/2019)
09/30/2019	63	LETTER MOTION for Extension of Time to Complete Discovery addressed to Magistrate Judge Lisa M. Smith from Jeb Harben dated 9/30/19. Document filed by Anthony J. Annucci.(Harben, Jeb) (Entered: 09/30/2019)
09/30/2019	64	ORDER granting 63 Letter Motion for Extension of Time to Complete Discovery, document production as previously ordered to be completed no later than October 7, 2019. (HEREBY ORDERED by Magistrate Judge Lisa Margaret Smith)(Text Only Order) (Smith, Lisa) (Entered: 09/30/2019)
10/10/2019	65	LETTER MOTION for Extension of Time to Complete Discovery <i>of priority document requests</i> addressed to Magistrate Judge Lisa M. Smith from Jane R. Goldberg dated Oct. 10, 2019. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.(Goldberg, Jane) (Entered: 10/10/2019)
10/10/2019	66	ORDER granting 65 Letter Motion for Extension of Time to Complete Discovery; date for D to complete production of documents is extended

		to 10/22/19; date for D to produce privilege log extended to 10/25; Defendants shall continue to provide discovery on a rolling basis until 10/22. P's opposition to D's motion to dismiss is now due 11/18/19, D's reply due 12/2/19. (HEREBY ORDERED by Magistrate Judge Lisa Margaret Smith)(Text Only Order) (Smith, Lisa) (Entered: 10/10/2019)
10/11/2019		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 10/11/2019. Veronica Vela, Emily A. Vance, Stefen R. Short, Elena M. Landriscina, and Joshua M. Rosenthal appearing by telephone on behalf of Plaintiffs. Jane R. Goldberg and Jeb Harben appearing by telephone on behalf of Defendants. Adjourned to November 6, 2019, at 3:30 PM for a telephonic status conference. (Status Conference set for 11/6/2019 at 03:30 PM before Magistrate Judge Lisa Margaret Smith) (Court Reporter: Courtflow) (ESL) (Entered: 10/11/2019)
11/06/2019		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 11/6/2019. Veronica Vela, Betsy C. Sterling, Elena M. Landriscina, Devon Schwartz, and Joshua M. Rosenthal appearing by telephone on behalf of Plaintiffs. Jane R. Goldberg, Jeb Harben, and Aaron Sansolo appearing by telephone on behalf of Defendants. Discovery continued, pending a deadline on the motion. Depositions stayed, pending the next status conference. Adjourned to December 23, 2019, at 3:30 PM for a telephonic status conference. (Status Conference set for 12/23/2019 at 03:30 PM before Magistrate Judge Lisa Margaret Smith) (Court Reporter: Courtflow) (ESL) (Entered: 11/08/2019)
11/07/2019	67	LETTER MOTION for Leave to File Excess Pages addressed to Judge Cathy Seibel from Elena Landriscina dated 11/07/2019. Document filed by P. C., M. G., C. J., M. J., D. R., J. R..(Landriscina, Elena) (Entered: 11/07/2019)
11/07/2019	68	ORDER granting 67 Letter Motion for Leave to File Excess Pages: Plaintiffs may have 5 extra pages for their opposition brief, and Defendants may have 5 extra pages for their reply brief. (HEREBY ORDERED by Judge Cathy Seibel)(Text Only Order) (Seibel, Cathy) (Entered: 11/07/2019)
11/08/2019	69	LETTER MOTION for Extension of Time <i>to meet and confer</i> addressed to Magistrate Judge Lisa M. Smith from Jane R Goldberg dated November 8, 2019. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.(Goldberg, Jane) (Entered: 11/08/2019)

11/12/2019	70	ORDER granting 69 Letter Motion for Extension of Time: SO ORDERED. (Signed by Magistrate Judge Lisa Margaret Smith on 11/12/2019) (jwh) (Entered: 11/12/2019)
11/20/2019	71	LETTER MOTION for Extension of Time to File Response/Reply addressed to Judge Cathy Seibel from Jane R. Goldberg and Jeb Harben dated November 20, 2019. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.(Goldberg, Jane) (Entered: 11/20/2019)
11/20/2019	72	LETTER RESPONSE to Motion addressed to Judge Cathy Seibel from Joshua Rosenthal dated 11/20/2019 re: 71 LETTER MOTION for Extension of Time to File Response/Reply addressed to Judge Cathy Seibel from Jane R. Goldberg and Jeb Harben dated November 20, 2019. . Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Rosenthal, Joshua) (Entered: 11/20/2019)
11/20/2019	73	ORDER granting in part and denying in part 71 Letter Motion for Extension of Time to File Response/Reply: Reply due 12/16/19. No further extensions. (HEREBY ORDERED by Judge Cathy Seibel)(Text Only Order) (Seibel, Cathy) (Entered: 11/20/2019)
11/21/2019	74	PROPOSED ORDER FOR WITHDRAWAL OF ATTORNEY. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Zuraw, Lane) (Entered: 11/21/2019)
11/21/2019	75	NOTICE AND ORDER FOR WITHDRAWAL OF COUNSEL: PLEASE TAKE NOTICE that, upon my annexed declaration, and subject to the approval of the Court, I hereby withdraw as counsel for Plaintiffs and shall be removed from the Case Management/Electronic Case Files (CM/ECF) notification list in the above-captioned matter. My colleagues Walter Ricciardi and Emily Vance - both from Paul, Weiss, Rifkind, Wharton & Garrison LLP - will continue to represent Plaintiffs in this proceeding. Attorney Lane B. Zuraw terminated. (Signed by Judge Cathy Seibel on 11/21/2019) (mml) (Entered: 11/21/2019)
11/22/2019	76	NOTICE AND ORDER FOR WITHDRAWAL OF COUNSEL: PLEASE TAKE NOTICE that, upon my annexed declaration, and subject to the approval of the Court, I hereby withdraw as counsel for Plaintiffs and shall be removed from the Case Management/Electronic Case Files (CM/ECF) notification list in the above-captioned matter. My colleagues Walter Ricciardi and Emily Vance - both from Paul, Weiss, Rifkind, Wharton & Garrison LLP - will continue to represent

		Plaintiffs in this proceeding. SO ORDERED. (Signed by Magistrate Judge Lisa Margaret Smith on 11/21/2019) (rj) (Entered: 11/22/2019)
12/10/2019	77	CONSENT LETTER MOTION to Seal Document addressed to Judge Cathy Seibel from Walter Ricciardi dated December 10, 2019. Document filed by P. C., M. G., C. J., M. J., D. R., J. R..(Ricciardi, Walter) (Entered: 12/10/2019)
12/10/2019	78	ORDER granting 77 Motion to Seal Document: The specified exhibits may be filed under seal, and the specified declaration may be filed in redacted form, essentially for the reasons articulated by counsel. (HEREBY ORDERED by Judge Cathy Seibel)(Text Only Order) (Seibel, Cathy) (Entered: 12/10/2019)
12/16/2019	79	MOTION to Dismiss <i>the First Amended Class Action Complaint</i> . Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.(Goldberg, Jane) (Entered: 12/16/2019)
12/16/2019	80	MEMORANDUM OF LAW in Support re: 79 MOTION to Dismiss <i>the First Amended Class Action Complaint</i> . . Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan. (Goldberg, Jane) (Entered: 12/16/2019)
12/16/2019	81	DECLARATION of Rachael Seguin in Support re: 79 MOTION to Dismiss <i>the First Amended Class Action Complaint</i> .. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan. (Attachments: # 1 Exhibit)(Goldberg, Jane) (Entered: 12/16/2019)
12/16/2019	82	MEMORANDUM OF LAW in Opposition re: 79 MOTION to Dismiss <i>the First Amended Class Action Complaint</i> . . Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Vance, Emily) (Entered: 12/16/2019)
12/16/2019	83	DECLARATION of Joshua M. Rosenthal in Opposition re: 79 MOTION to Dismiss <i>the First Amended Class Action Complaint</i> .. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Attachments: # 1 Exhibit 1 - Filed Under Seal, # 2 Exhibit 2 - Filed Under Seal, # 3 Exhibit 3 - Filed Under Seal, # 4 Exhibit 4 - Filed Under Seal, # 5 Exhibit 5 - Filed Under Seal, # 6 Exhibit 6 - Filed Under Seal, # 7 Exhibit 7 - Filed Under Seal, # 8 Exhibit 8 - Filed Under Seal, # 9 Exhibit 9 - Email, # 10 Exhibit 10 - Filed Under Seal, # 11 Exhibit 11 - Filed Under Seal, # 12 Exhibit 12 - Email, # 13 Exhibit 13 - Filed

Under Seal, # [14](#) Exhibit 14 - Filed Under Seal, # [15](#) Exhibit 15 - Filed Under Seal, # [16](#) Exhibit 16 - Filed Under Seal, # [17](#) Exhibit 17 - Filed Under Seal, # [18](#) Exhibit 18 - Email, # [19](#) Exhibit 19 - Filed Under Seal, # [20](#) Exhibit 20 - Filed Under Seal, # [21](#) Exhibit 21 - Filed Under Seal, # [22](#) Exhibit 22 - Filed Under Seal, # [23](#) Exhibit 23 - Filed Under Seal, # [24](#) Exhibit 24 - Filed Under Seal, # [25](#) Exhibit 25 - Filed Under Seal, # [26](#) Exhibit 26 - Filed Under Seal, # [27](#) Exhibit 27 - Filed Under Seal, # [28](#) Exhibit 28 - Filed Under Seal, # [29](#) Exhibit 29 - Filed Under Seal, # [30](#) Exhibit 30 - Filed Under Seal, # [31](#) Exhibit 31 - Filed Under Seal, # [32](#) Exhibit 32 - Filed Under Seal, # [33](#) Exhibit 33 - Filed Under Seal, # [34](#) Exhibit 34 - Web Page, # [35](#) Exhibit 35 - Filed Under Seal, # [36](#) Exhibit 36 - Filed Under Seal, # [37](#) Exhibit 37 - Filed Under Seal, # [38](#) Exhibit 38 - Filed Under Seal, # [39](#) Exhibit 39 - Filed Under Seal, # [40](#) Exhibit 40 - Filed Under Seal, # [41](#) Exhibit 41 - Filed Under Seal, # [42](#) Exhibit 42 - Filed Under Seal, # [43](#) Exhibit 43 - Web Page, # [44](#) Exhibit 44 - Filed Under Seal, # [45](#) Exhibit 45 - Filed Under Seal, # [46](#) Exhibit 46 - Filed Under Seal, # [47](#) Exhibit 47 - Filed Under Seal, # [48](#) Exhibit 48 - Filed Under Seal, # [49](#) Exhibit 49 - Filed Under Seal, # [50](#) Exhibit 50 - Filed Under Seal, # [51](#) Exhibit 51 - Filed Under Seal, # [52](#) Exhibit 52 - Filed Under Seal, # [53](#) Exhibit 53 - Filed Under Seal, # [54](#) Exhibit 54 - Filed Under Seal, # [55](#) Exhibit 55 - Filed Under Seal, # [56](#) Exhibit 56 - Audit Report, # [57](#) Exhibit 57 - Filed Under Seal, # [58](#) Exhibit 58 - Filed Under Seal, # [59](#) Exhibit 59 - Filed Under Seal, # [60](#) Exhibit 60 - Filed Under Seal, # [61](#) Exhibit 61 - Filed Under Seal, # [62](#) Exhibit 62 - Filed Under Seal, # [63](#) Exhibit 63 - Filed Under Seal, # [64](#) Exhibit 64 - Filed Under Seal, # [65](#) Exhibit 65 - Filed Under Seal, # [66](#) Exhibit 66 - Filed Under Seal, # [67](#) Exhibit 67 - Filed Under Seal, # [68](#) Exhibit 68 - Filed Under Seal, # [69](#) Exhibit 69 - Filed Under Seal, # [70](#) Exhibit 70 - Filed Under Seal, # [71](#) Exhibit 71 - Annucci's Supplemental Response to Plaintiffs' Interrogatories Nos. 3 and 4, # [72](#) Exhibit 72 - Filed Under Seal, # [73](#) Exhibit 73 - Discharge Planning Policy, # [74](#) Exhibit 74 - Housing Referrals Policy, # [75](#) Exhibit 75 - Pre-Release Planning Policy, # [76](#) Exhibit 76 - Community Supervision Handbook, # [77](#) Exhibit 77 - Filed Under Seal, # [78](#) Exhibit 78 - Filed Under Seal, # [79](#) Exhibit 79 - Filed Under Seal, # [80](#) Exhibit 80 - Filed Under Seal, # [81](#) Exhibit 81 - Filed Under Seal, # [82](#) Exhibit 82 - Filed Under Seal, # [83](#) Exhibit 83 - Filed Under Seal, # [84](#) Exhibit 84 - Filed Under Seal, # [85](#) Exhibit 85 - Filed Under Seal, # [86](#) Exhibit 86 - Filed Under Seal, # [87](#) Exhibit 87 - Transcript, # [88](#) Exhibit 88 - Email, # [89](#) Exhibit 89 - Filed Under Seal, # [90](#) Exhibit 90 - Filed Under Seal, # [91](#) Exhibit 91 - Sullivan's Supplemental Response to Plaintiffs' Interrogatory No. 4, # [92](#) Exhibit 92 - Filed Under Seal, # [93](#) Exhibit 93 - Email, # [94](#) Exhibit 94 - DOCCS Directive No. 8306, # [95](#) Exhibit 95 - DOCCS Request for Application)(Vance, Emily) (Entered: 12/16/2019)

12/16/2019	<u>84</u>	DECLARATION of Robert M. Quackenbush in Opposition re: <u>79</u> MOTION to Dismiss <i>the First Amended Class Action Complaint</i> .. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Attachments: # <u>1</u> Exhibit 96 - DOCCS Memorandum, # <u>2</u> Exhibit 97 - Filed Under Seal, # <u>3</u> Exhibit 98 - Email, # <u>4</u> Exhibit 99 - DOCCS Memorandum, # <u>5</u> Exhibit 100 - Letter, # <u>6</u> Exhibit 101 - Filed Under Seal, # <u>7</u> Exhibit 102 - Filed Under Seal)(Vance, Emily) (Entered: 12/16/2019)
12/16/2019	<u>85</u>	DECLARATION of D.R. in Opposition re: <u>79</u> MOTION to Dismiss <i>the First Amended Class Action Complaint</i> .. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Attachments: # <u>1</u> Exhibit 1- Filed Under Seal, # <u>2</u> Exhibit 2 - Filed Under Seal)(Vance, Emily) (Entered: 12/16/2019)
12/16/2019	<u>86</u>	DECLARATION of P.C. in Opposition re: <u>79</u> MOTION to Dismiss <i>the First Amended Class Action Complaint</i> .. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Attachments: # <u>1</u> Exhibit 1 - Filed Under Seal, # <u>2</u> Exhibit 2 - Filed Under Seal, # <u>3</u> Exhibit 3 - Filed Under Seal)(Vance, Emily) (Entered: 12/16/2019)
12/16/2019	<u>87</u>	DECLARATION of C.J. in Opposition re: <u>79</u> MOTION to Dismiss <i>the First Amended Class Action Complaint</i> .. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Attachments: # <u>1</u> Exhibit 1 - Filed Under Seal, # <u>2</u> Exhibit 2 - Filed Under Seal, # <u>3</u> Exhibit 3 - Filed Under Seal, # <u>4</u> Exhibit 4 - Filed Under Seal, # <u>5</u> Exhibit 5 - Filed Under Seal, # <u>6</u> Exhibit 6 - Filed Under Seal)(Vance, Emily) (Entered: 12/16/2019)
12/16/2019	<u>88</u>	DECLARATION of M.J. in Opposition re: <u>79</u> MOTION to Dismiss <i>the First Amended Class Action Complaint</i> .. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Attachments: # <u>1</u> Exhibit 1 - Filed Under Seal)(Vance, Emily) (Entered: 12/16/2019)
12/16/2019	<u>89</u>	DECLARATION of M.G. in Opposition re: <u>79</u> MOTION to Dismiss <i>the First Amended Class Action Complaint</i> .. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Vance, Emily) (Entered: 12/16/2019)
12/16/2019	<u>90</u>	REPLY MEMORANDUM OF LAW in Support re: <u>79</u> MOTION to Dismiss <i>the First Amended Class Action Complaint</i> . . Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan. (Goldberg, Jane) (Entered: 12/16/2019)
12/16/2019	<u>91</u>	DECLARATION of Wendy Vogel in Support re: <u>79</u> MOTION to Dismiss <i>the First Amended Class Action Complaint</i> .. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision,

		New York State Office of Mental Health, Ann Marie T. Sullivan. (Goldberg, Jane) (Entered: 12/16/2019)
12/16/2019	92	DECLARATION of Ana Enright in Support re: 79 MOTION to Dismiss <i>the First Amended Class Action Complaint</i> .. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan. (Attachments: # 1 Exhibit)(Goldberg, Jane) (Entered: 12/16/2019)
12/16/2019	93	LETTER addressed to Judge Cathy Seibel from Jane R. Goldberg dated December 16, 2019 re: Courtesy copies of Defendants' Motion to Dismiss. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.(Goldberg, Jane) (Entered: 12/16/2019)
12/18/2019	94	SEALED DOCUMENT placed in vault.(alo) (Entered: 12/18/2019)
12/20/2019	95	MOTION for Betsy C. Sterling to Withdraw as Attorney . Document filed by P. C., M. G., C. J., M. J., D. R., J. R..(Sterling, Betsy) (Entered: 12/20/2019)
12/20/2019	96	LETTER addressed to Magistrate Judge Lisa M. Smith from Elena Landriscina dated 12/20/2019 re: December 23, 2019 Conference. Document filed by P. C., M. G., C. J., M. J., D. R., J. R..(Landriscina, Elena) (Entered: 12/20/2019)
12/23/2019	97	MEMO ENDORSEMENT on 95 granting NOTICE AND ORDER FOR WITHDRAWAL OF COUNSEL. ENDORSEMENT: SO ORDERED. Attorney Betsy C. Sterling terminated. (Signed by Judge Cathy Seibel on 12/23/2019) (ama) (Entered: 12/23/2019)
12/23/2019	98	LETTER addressed to Magistrate Judge Lisa M. Smith from Jane R. Goldberg dated December 23, 2019 re: Plaintiffs' request for additional discovery. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.(Goldberg, Jane) (Entered: 12/23/2019)
12/23/2019		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 12/23/2019. Elena M. Landriscina, Devon Schwartz, Joshua M. Rosenthal, and Walter Ricciardi appearing by telephone on behalf of Plaintiffs. Jane R. Goldberg and Jeb Harben appearing by telephone on behalf of Defendants. Parties are instructed to continue in the discovery process. Plaintiffs may serve up to 50 interrogatories, including subparts, by

		1/17/2020 that are directed to the issue of the new directive to see if it can be clarified without further discovery. Defendants must respond by 2/17/2020. Adjourned to February 21, 2020, at 3:00 PM, for a telephonic status conference. (Status Conference set for 2/21/2020 at 03:00 PM before Magistrate Judge Lisa Margaret Smith) (Court Reporter: Courtflow) (ESL) (Entered: 12/26/2019)
01/21/2020	99	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a conference proceeding held on 5/13/2019 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(O'Donnell, Angela) (Entered: 01/21/2020)
01/21/2020	100	TRANSCRIPT of Proceedings re: conference held on 5/13/2019 before Judge Cathy Seibel. Court Reporter/Transcriber: Angela O'Donnell, (914) 390-4025. 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. Redaction Request due 2/11/2020. Redacted Transcript Deadline set for 2/21/2020. Release of Transcript Restriction set for 4/20/2020.(O'Donnell, Angela) (Entered: 01/21/2020)
01/29/2020	101	LETTER MOTION for Leave to File Sur-Reply addressed to Judge Cathy Seibel from Joshua Rosenthal dated 01/29/2020. Document filed by P. C., M. G., C. J., M. J., D. R., J. R..(Rosenthal, Joshua) (Entered: 01/29/2020)
01/29/2020	102	ORDER deferring ruling on 101 Letter Motion for Leave to File Document; Defendants shall explain by letter, no later than 2/3/20, their reasons for opposing Plaintiffs' request to file a sur-reply. (HEREBY ORDERED by Judge Cathy Seibel)(Text Only Order) (Seibel, Cathy) (Entered: 01/29/2020)
02/03/2020	103	LETTER RESPONSE to Motion addressed to Judge Cathy Seibel from Jane R. Goldberg and Jeb Harben dated February 3, 2020 re: 101 LETTER MOTION for Leave to File Sur-Reply addressed to Judge Cathy Seibel from Joshua Rosenthal dated 01/29/2020. <i>Defendants also request an opportunity to respond to a sur-reply should the Court grant Plaintiffs' request.</i> Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan..(Goldberg, Jane) (Entered: 02/03/2020)

02/03/2020	104	ORDER granting 101 Letter Motion for Leave to File Document: Both sides seem to have made their points in their letters, but if Plaintiffs wish to file a sur-reply, they may do so no later than 3/2/20 (two weeks after they get their interrogatory responses). The sur-reply may not exceed ten (10) double-spaced pages. Defendants can thereafter respond, in eight (8) or fewer double-spaced pages, no later than 3/16/20. (HEREBY ORDERED by Judge Cathy Seibel)(Text Only Order) (Seibel, Cathy) (Entered: 02/03/2020)
02/04/2020	105	LETTER MOTION for Extension of Time <i>to Meet and Confer</i> addressed to Magistrate Judge Lisa M. Smith from Joshua Rosenthal dated 02/04/2020. Document filed by P. C., M. G., C. J., M. J., D. R., J. R...(Rosenthal, Joshua) (Entered: 02/04/2020)
02/05/2020	106	ORDER granting 105 Letter Motion for Extension of Time, but the meet and confer must occur no later than February 17, 2020. (HEREBY ORDERED by Magistrate Judge Lisa Margaret Smith)(Text Only Order) (Smith, Lisa) (Entered: 02/05/2020)
02/19/2020	107	RE-SCHEDULING NOTICE: The matter of M.G., et al. v. Cuomo, et al., 19-cv-639 (CS) (LMS), has been rescheduled from a telephonic status conference on Friday, February 21, 2020, at 3:00 PM, before the Hon. Lisa Margaret Smith, United States Magistrate Judge, to a telephonic status conference on Thursday, February 27, 2020, at 11:30 AM. Plaintiff's counsel is to have defense counsel on the line when contacting Chambers. Please Note: Counsel seeking to reschedule an appearance must have all parties on the line prior to contacting Chambers. Telephonic Status Conference set for 2/27/2020 at 11:30 AM before Magistrate Judge Lisa Margaret Smith. (Signed by Magistrate Judge Lisa Margaret Smith on 2/19/2020) (rj) (Entered: 02/19/2020)
02/26/2020	108	LETTER MOTION for Extension of Time to File Response/Reply as to 90 Reply Memorandum of Law in Support of Motion, addressed to Judge Cathy Seibel from Elena Landriscina dated February 26, 2020. Document filed by P. C., M. G., C. J., M. J., D. R., J. R...(Landriscina, Elena) (Entered: 02/26/2020)
02/26/2020	109	ORDER granting 108 Letter Motion for Extension of Time to File Response/Reply: Plaintiffs' sur-reply due 3/13/20. Defendants' responses due 3/27/20. (HEREBY ORDERED by Judge Cathy Seibel)(Text Only Order) (Seibel, Cathy) (Entered: 02/26/2020)
02/26/2020	110	LETTER addressed to Magistrate Judge Lisa M. Smith from Joshua Rosenthal dated 2/26/2020 re: February 27, 2020 Conference. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Attachments: # 1 Exhibit A - Plaintiffs' Interrogatory Definitions and Instructions, # 2

		Exhibit B - Defendant Annucci's Responses, # 3 Exhibit C - Defendant Sullivan's Responses).(Rosenthal, Joshua) (Entered: 02/26/2020)
02/27/2020		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 2/27/2020. Discovery issues resolved on the record; see transcript. Elena M. Landriscina, Stefen R. Short, Emily A. Vance, and Joshua M. Rosenthal appearing by telephone on behalf of Plaintiffs. Jane R. Goldberg, Jeb Harben, and Aaron Sansolo appearing by telephone on behalf of Defendants. Discovery issues resolved on the record; see transcript. Objection overruled with regards to Annucci Interrogatory No. 39; Defendants need to provide census for initial sentence date, maximum expiration date, and reason for continuing to be held. Objections sustained with regards to Annucci Interrogatory No. 40, and Sullivan Interrogatories Nos. 9 and 22. Adjourned to March 23, 2020, at 11:00 AM, for a telephonic status conference. (Status Conference set for 3/23/2020 at 11:00 AM before Magistrate Judge Lisa Margaret Smith) (Court Reporter: Courtflow) (ESL) (Entered: 02/27/2020)
03/06/2020	111	LETTER addressed to Judge Cathy Seibel from Robert M. Quackenbush of The Legal Aid Society dated March 6, 2020 re: Corrected URLs for DOCCS Annual Reports in the Declaration of Robert M. Quackenbush in Opposition to Defendants' Motion to Dismiss (ECF No. 84). Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Attachments: # 1 Exhibit A - DOCCS IGP 2009 Annual Report, # 2 Exhibit B - DOCCS IGP 2010 Annual Report, # 3 Exhibit C - DOCCS IGP 2011 Annual Report, # 4 Exhibit D - DOCCS IGP 2013 Annual Report).(Quackenbush, Robert) (Entered: 03/06/2020)
03/13/2020	112	LETTER MOTION to Seal addressed to Judge Cathy Seibel from Walter Ricciardi dated March 13, 2020. Document filed by P. C., M. G., C. J., M. J., D. R., J. R...(Ricciardi, Walter) (Entered: 03/13/2020)
03/13/2020	113	REPLY MEMORANDUM OF LAW in Opposition re: 79 MOTION to Dismiss <i>the First Amended Class Action Complaint</i> . (<i>Sur-Reply Memorandum of Law</i>). Document filed by P. C., M. G., C. J., M. J., D. R., J. R...(Ricciardi, Walter) (Entered: 03/13/2020)
03/13/2020	114	DECLARATION of Joshua M. Rosenthal in Opposition re: 79 MOTION to Dismiss <i>the First Amended Class Action Complaint</i> .. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Attachments: # 1 Exhibit 103-Annucci's Responses to Plaintiffs' Second Interrogatories, # 2 Exhibit 104-Sullivan's Responses to Plaintiffs' Second Interrogatories, # 3 Exhibit 105-Exhibit to Annucci Responses (Redacted), # 4 Exhibit 106-P.C. Records, # 5 Exhibit 107-Email (Redacted), # 6 Exhibit 108-Email, # 7 Exhibit 109-Email, # 8 Exhibit

		110-DOCCS Directive, # 9 Exhibit 111-Policy re: Housing Referrals - SMI, # 10 Exhibit 112-Email, # 11 Exhibit 113-Email (Redacted), # 12 Exhibit 114-Sullivan's Supplemental Responses to Plaintiffs' Second Interrogatories, # 13 Exhibit 115-Spreadsheet, # 14 Exhibit 116-Annucci's Supplemental Responses to Plaintiffs' Second Interrogatories, # 15 Exhibit 117-Email and Attachments (Redacted)).(Ricciardi, Walter) (Entered: 03/13/2020)
03/13/2020	115	***SELECTED PARTIES***DECLARATION of Joshua M. Rosenthal in Opposition re: 79 MOTION to Dismiss <i>the First Amended Class Action Complaint</i> .. Document filed by D. R., C. J., P. C., M. G., M. J., J. R., Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan. (Attachments: # 1 Exhibit 105-Exhibit to Annucci Responses, # 2 Exhibit 106-P.C. Records, # 3 Exhibit 107-Email, # 4 Exhibit 108-Email, # 5 Exhibit 109-Email, # 6 Exhibit 112-Email, # 7 Exhibit 113-Email, # 8 Exhibit 117-Email and Attachments)Motion or Order to File Under Seal: 112 .(Ricciardi, Walter) (Entered: 03/13/2020)
03/16/2020	116	ORDER granting 112 Letter Motion to Seal: The agreed-upon documents may be filed in redacted form or under seal. As for 108, 109 and 112, I agree with Plaintiffs, essentially for the reasons they state. I recognize the risk Corrections officials take on a daily basis in dealing with a population that includes potentially volatile individuals, and I don't fault defense counsel for taking the position they took, but a generalized fear that some plaintiff or person aligned with plaintiffs might react badly to a document does not suffice to overcome the presumption that judicial documents should be public. Absent some specific reason to fear retribution or other injury, the documents should be public except for the agreed-upon redactions. (HEREBY ORDERED by Judge Cathy Seibel)(Text Only Order) (Seibel, Cathy): (Entered: 03/16/2020)
03/17/2020	117	DECLARATION of Joshua M. Rosenthal in Opposition re: 79 MOTION to Dismiss <i>the First Amended Class Action Complaint</i> .. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Attachments: # 1 Exhibit 108-Email (Redacted), # 2 Exhibit 109-Email (Redacted), # 3 Exhibit 112-Email (Redacted)).(Ricciardi, Walter) (Entered: 03/17/2020)
03/18/2020	118	LETTER addressed to Magistrate Judge Lisa M. Smith from Elena Landriscina dated March 18, 2020 re: March 23, 2020 Conference. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Attachments: # 1 Exhibit Plaintiffs' Requests for Production Definitions and Instructions; Request For Production 30; and Defendants' Initial

		Response to Request for Production 30).(Landriscina, Elena) (Entered: 03/18/2020)
03/20/2020	119	LETTER addressed to Magistrate Judge Lisa M. Smith from Jane R. Goldberg dated March 20, 2020 re: Plaintiffs' letter regarding RFP 30. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan..(Goldberg, Jane) (Entered: 03/20/2020)
03/21/2020		NOTICE of TeleConference Information. The upcoming teleconference in this matter is now organized by Chambers of the Hon. Lisa Margaret Smith. To access the teleconference, please follow these directions: (1) Dial the Meeting Number: (877) 336-1831; (2) Enter the Access Code: 2751700#; (3) Press pound (#) to enter the teleconference as a guest; (4) Enter the Security Code: 0639#. Please note that if you arrive to the teleconference before Chambers, you must wait on hold between Steps 3 and 4. Once Chambers enters the teleconference, you will then be prompted to enter the Security Code. (ESL) (Entered: 03/21/2020)
03/23/2020		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 3/23/2020. Elena M. Landriscina, Joshua M. Rosenthal, Walter G. Ricciardi, Emily A. Vance, Robert Quackenbush, Veronica Vela, Stefen R. Short, Chantel Hannah, and Sam Margolis appearing by telephone on behalf of Plaintiffs. Jane R. Goldberg, Jeb Harben, and Aaron Sansolo appearing by telephone on behalf of Defendants. Defendants' objections to RFP No. 30 sustained. All outstanding discovery deadlines extended for 30 days. Adjourned to May 1, 2020, at 10:30 AM, for a telephonic status conference. (Status Conference set for 5/1/2020 at 10:30 AM before Magistrate Judge Lisa Margaret Smith) (Court Reporter: AT&T TeleConference System) (ESL) (Entered: 03/23/2020)
03/27/2020	120	MEMORANDUM OF LAW in Support re: 79 MOTION to Dismiss <i>the First Amended Class Action Complaint. Defendants' Memorandum of law in Response to Plaintiffs' Sur-Reply</i> . Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan..(Goldberg, Jane) (Entered: 03/27/2020)
03/27/2020	121	DECLARATION of Jeb Harben in Support re: 79 MOTION to Dismiss <i>the First Amended Class Action Complaint</i> .. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan.

		(Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit).(Goldberg, Jane) (Entered: 03/27/2020)
04/09/2020	122	PROPOSED ORDER FOR WITHDRAWAL OF ATTORNEY. Document filed by P. C., M. G., C. J., M. J., D. R., J. R...(Witte, Jamie) (Entered: 04/09/2020)
04/09/2020	123	ORDER: The Clerk shall terminate Ms. Witte as counsel for Plaintiffs. (HEREBY ORDERED by Judge Cathy Seibel) (Text Only Order) (Seibel, Cathy) Transmission to Office of the Clerk of Court for processing. (Entered: 04/09/2020)
04/23/2020		NOTICE of AT&T Teleconference Information. The upcoming teleconference in this matter is now hosted by Chambers. To access the teleconference, please follow these directions: (1) Dial the Meeting Number: (877) 336-1831; (2) Enter the Access Code: 2751700#; (3) Press pound (#) to enter the teleconference as a guest; (4) Enter the Security Code: 0639#. Please note that if you arrive to the teleconference before Chambers, you must wait on hold between Steps 3 and 4. Once Chambers enters the teleconference, you will then be prompted to enter the Security Code. Should legal counsel experience any technical issues with the teleconferencing system, please contact Chambers at (914) 390-4130. Members of the press and public may call the same number, but will not be permitted to speak during the conference. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. 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. Please note: counsel seeking to reschedule an appearance must have all parties on the line prior to contacting Chambers. (ESL) (Entered: 04/24/2020)
05/01/2020		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 5/1/2020. Elena M. Landriscina, Joshua M. Rosenthal, Emily A. Vance, Stefen R. Short, Chantel Hannah, Sam Margolis, and Crystal Parker appearing by telephone on behalf of Plaintiffs. Jeb Harben and Aaron Sansolo appearing by telephone on behalf of Defendants. Adjourned to June 5, 2020, at 10:15 AM, for a telephonic status conference. (Status Conference set for 6/5/2020 at 10:15 AM before Magistrate Judge Lisa Margaret Smith) (Court Reporter AT&T Teleconference System) (ESL) (Entered: 05/01/2020)
05/01/2020		NOTICE of AT&T Teleconference Information. The next conference in this matter will be hosted by Chambers of the Hon. Lisa Margaret

		Smith. All persons participating in the upcoming telephonic conference may do so by using the AT&T Teleconference Information previously published to the docket sheet. (ESL) (Entered: 05/01/2020)
05/08/2020	124	LETTER addressed to Judge Cathy Seibel from Jane R. Goldberg dated May 8, 2020 re: status of a named plaintiff. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan..(Goldberg, Jane) (Entered: 05/08/2020)
06/05/2020		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 6/5/2020. Elena M. Landriscina, Joshua M. Rosenthal, Emily A. Vance, Chantel Hannah, Sam Margolis, Veronica Vela, and Robert M. Quackenbush appearing by telephone on behalf of Plaintiffs. Jeb Harben, Jane R. Goldberg, and Aaron Sansolo appearing by telephone on behalf of Defendants. Adjourned to July 17, 2020, at 10:15 AM, for a telephonic status conference. (Status Conference set for 7/17/2020 at 10:15 AM before Magistrate Judge Lisa Margaret Smith) (Court Reporter: AT&T Teleconference System) (ESL) (Entered: 06/05/2020)
07/17/2020		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 7/17/2020. Elena M. Landriscina, Joshua M. Rosenthal, Emily A. Vance, Veronica Vela, and Stefan R. Short appearing by telephone on behalf of Plaintiffs. Jeb Harben, Jane R. Goldberg, and Aaron Sansolo appearing by telephone on behalf of Defendants. Adjourned to August 14, 2020, at 10:30 AM, for a telephonic status conference. All persons participating in the next conference may do so by using the AT&T Teleconference Information previously posted to the docket sheet. (Status Conference set for 8/14/2020 at 10:30 AM before Magistrate Judge Lisa Margaret Smith) (Court Reporter: AT&T Teleconference System) (ESL) (Entered: 07/17/2020)
08/10/2020	125	LETTER addressed to Magistrate Judge Lisa M. Smith from Walter G. Ricciardi dated August 10, 2020 re: Pre-Motion Letter for Plaintiffs' Anticipated Motion to Amend the First Amended Complaint. Document filed by P. C., M. G., C. J., M. J., D. R., J. R.. (Attachments: # 1 Exhibit A-Second Amended Class Action Complaint, # 2 Exhibit B-Redline).(Ricciardi, Walter) (Entered: 08/10/2020)
08/12/2020	126	LETTER addressed to Magistrate Judge Lisa M. Smith from Jeb Harben dated 8/12/2020 re: Plaintiffs' 8/11/2020 Pre-Motion Letter. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community

		Supervision, New York State Office of Mental Health..(Harben, Jeb) (Entered: 08/12/2020)
08/12/2020	127	NOTICE OF APPEARANCE by Crystal Lohmann Parker on behalf of P. C., M. G., C. J., M. J., D. R., J. R...(Parker, Crystal) (Entered: 08/12/2020)
08/12/2020	128	NOTICE OF APPEARANCE by Samuel Margolis on behalf of P. C., M. G., C. J., M. J., D. R., J. R...(Margolis, Samuel) (Entered: 08/12/2020)
08/12/2020	129	MEMO ENDORSEMENT on re: 126 Letter, filed by Anthony J. Annucci, Andrew Cuomo, New York State Department of Corrections and Community Supervision, Anne Marie McGrath, New York State Office of Mental Health. ENDORSEMENT: Plaintiffs' letter DE 125 is deemed to be a motion to amend the Complaint.Defendants may submit opposition to the motion, limited to five single spaced pages, no later than 5 pm on August 21, 2020. Plaintiffs may submit a reply, limited to two single spaced pages, no later than 9 am on August 24, 2020. The telephone conference currently scheduled for August 14, 2020, at 10:30, is hereby adjourned to August 25, 2020, at 12:15 pm. (Responses due by 8/21/2020, Replies due by 8/24/2020., Telephone Conference set for 8/25/2020 at 12:15 PM before Magistrate Judge Lisa Margaret Smith.) (Signed by Magistrate Judge Lisa Margaret Smith on 8/12/2020) (cf) Modified on 8/12/2020 (cf). (Entered: 08/12/2020)
08/21/2020	130	LETTER addressed to Magistrate Judge Lisa M. Smith from Jeb Harben & Jane R. Goldberg dated August 21, 2020 re: Plaintiffs' request to file a second amended complaint. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan..(Goldberg, Jane) (Entered: 08/21/2020)
08/24/2020	131	LETTER addressed to Magistrate Judge Lisa M. Smith from Walter G. Ricciardi dated August 24, 2020 re: Reply in Further Support of Plaintiffs' Motion for Leave to Amend 125 . Document filed by P. C., M. G., C. J., M. J., D. R., J. R...(Ricciardi, Walter) (Entered: 08/24/2020)
08/25/2020		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 8/25/2020. Elena M. Landriscina, Joshua M. Rosenthal, Emily A. Vance, and Stefan R. Short appearing by telephone on behalf of Plaintiffs. Jeb Harben, Jane R. Goldberg, and Aaron Sansolo appearing by telephone on behalf of Defendants. Adjourned without date. (Court Reporter: AT&T Teleconference System) (ESL) (Entered: 08/25/2020)

08/26/2020	132	ORDER re: 125 Letter, filed by P. C., M. J., J. R., C. J., D. R., M. G. Plaintiffs' motion to amend their complaint (ECF No. 125) is GRANTED. Plaintiffs are directed to serve and file their Second Amended Complaint within seven (7) days of the date hereof. The Clerk of the Court is respectfully directed to terminate the motion at ECF No. 125. SO ORDERED. (Signed by Magistrate Judge Lisa Margaret Smith on 8/26/2020) (kv) (Entered: 08/26/2020)
08/27/2020	133	SCHEDULING NOTICE: The matter of M. G., et al. v. Cuomo, et al., 19-cv-639 (CS) (LMS), has been scheduled from a telephonic status conference before the Hon. Lisa Margaret Smith, United States Magistrate Judge, on Thursday, September 3, 2020, at 12:15 PM. All persons participating in the next status conference may do so by accessing the AT&T Teleconference Information previously published to the docket sheet. Please Note: Counsel seeking to reschedule an appearance must have all parties on the line prior to contacting Chambers. Telephone Conference set for 9/3/2020 at 12:15 PM before Magistrate Judge Lisa Margaret Smith. (Signed by Magistrate Judge Lisa Margaret Smith on 8/27/2020) (nb) (Entered: 08/27/2020)
08/27/2020	134	SECOND AMENDED COMPLAINT amending 47 Amended Complaint, against Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan. Document filed by D. R., C. J., P. C., M. G., M. J., J. R., D. H., S. D., W. P.. Related document: 47 Amended Complaint,. (Attachments: # 1 Exhibit Order Granting Leave to Amend).(Landriscina, Elena) (Entered: 08/27/2020)
08/27/2020	135	NOTICE OF APPEARANCE by Stefen Russell Short on behalf of S. D., D. H., W. P...(Short, Stefen) (Entered: 08/27/2020)
09/03/2020		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 9/3/2020. Elena M. Landriscina, Joshua M. Rosenthal, Stefan R. Short, and Walter G. Ricciardi appearing by telephone on behalf of Plaintiffs. Jeb Harben appearing by telephone on behalf of Defendants. The parties are directed to continue with paper discovery. The parties are to submit a proposed order and submit to the Court for review. Adjourned without date. (Court Reporter: AT&T Teleconference System) (ESL) (Entered: 09/04/2020)
09/04/2020	136	LETTER MOTION for Extension of Time <i>to respond to Second Amended Complaint</i> addressed to Judge Cathy Seibel from Jeb Harben and Jane Goldberg dated Sept. 4, 2020. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State

		Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan..(Goldberg, Jane) (Entered: 09/04/2020)
09/04/2020	137	CONSENT MOTION for Confidentiality (<i>Permitting New Plaintiffs to Proceed Under Pseudonyms</i>). Document filed by P. C., S. D., M. G., D. H., C. J., M. J., W. P., D. R., J. R.. (Attachments: # 1 Text of Proposed Order).(Quackenbush, Robert) (Entered: 09/04/2020)
09/08/2020	138	ORDER granting 136 Letter Motion for Extension of Time; Defendants may have until 10/2/20 to respond to the Second Amended Complaint ("SAC"). The Court will rule on the motion to dismiss to the First Amended Complaint ("FAC"), to the extent appropriate, on 9/25/20 at 2 pm. So new briefing on the on the claims in the First Amended Complaint is not necessary at this time. We will discuss after the ruling the extent to which, if at all, discovery on the claims in the SAC is appropriate. In the meantime, discovery on the claims in the FAC may proceed. (HEREBY ORDERED by Judge Cathy Seibel)(Text Only Order) (Seibel, Cathy) (Entered: 09/08/2020)
09/08/2020	139	ORDER ON PLAINTIFFS' MOTION TO PROCEED ANONYMOUSLY granting 137 Motion for Confidentiality. IT IS HEREBY ORDERED that Plaintiffs' motion to proceed anonymously by means of the pseudonyms reflected in the caption of this Order is GRANTED; and it is further ORDERED that all public filings will proceed anonymously by means of the pseudonyms reflected in this Order, and that all other filings will be under seal to the extent they reveal the identities of the Plaintiffs; and it is further ORDERED that Defendants and their legal counsel and staff, and Plaintiffs' legal counsel and staff are prohibited from publicly disclosing the names of the Plaintiffs unless and until further ordered by this Court; and it is further ORDERED that within one business day of the date of this Order, Plaintiffs' shall disclose to Defendants' legal counsel the identity of each of the named Plaintiffs. The Clerk shall terminate Doc. 137. SO ORDERED. (Signed by Judge Cathy Seibel on 9/8/2020) (mml) (Entered: 09/08/2020)
09/09/2020	140	NOTICE OF COURT CONFERENCE: A Bench Ruling on the pending motion(s) is scheduled for September 25, 2020 at 2:00 p.m. (via telephone) before the Honorable Cathy Seibel at the Charles L. Brieant United States District Courthouse, 300 Quarropas Street, White Plains, New York 10601 in Courtroom 621. Person(s) appearing via telephone are reminded of the general prohibition against any forms of recording and rebroadcasting of Court proceedings. 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. Pursuant to Judge Seibel's Emergency Individual Rules and Practices in light of COVID-19, last revised on March 19, 2020, the parties are directed to attend by phone using the following information: Toll-Free Tele-conference number: (877) 336-1839 to call in and enter access code: 1047966#. Telephone Conference set for 9/25/2020 at 02:00 PM in Courtroom 621, 300 Quarropas Street, White Plains, NY 10601 before Judge Cathy Seibel. (mml) (Entered: 09/09/2020)
09/25/2020		Minute Entry for proceedings held before Judge Cathy Seibel: Bench Ruling held on 9/25/2020 re: 79 MOTION to Dismiss the First Amended Class Action Complaint filed by Anthony J. Annucci, Andrew Cuomo, New York State Department of Corrections and Community Supervision, Anne Marie McGrath, Ann Marie T. Sullivan, New York State Office of Mental Health. Plaintiffs' counsel(s) Elena Landriscina, Esq., Joshua Rosenthal, Esq., Walter Ricciardi, Esq., Emily Vance, Esq., and Stefen Short, Esq. appear telephonically. Defendants' counsel(s) Jane Goldberg, Esq., Jeb Harben, Esq., and Adam Sansolo, Esq. appear telephonically. Law Clerk Ryan Partelow appears telephonically. For the reasons stated on the record, Defendant's Motion to Dismiss on mootness grounds is DENIED without prejudice to renewal to the extent Plaintiff(s) claim the conditions into which they were released are not sufficiently integrated. Defendant's Motion to Dismiss is GRANTED as to the Substantive Due Process claim, and otherwise DENIED. Defendant Andrew Cuomo (as Governor for the State of New York) is DISMISSED as a Defendant. The Clerk is directed to terminate Cuomo as a Defendant and terminate Motion (Doc # 79). Defendants' Pre-Motion Letter or Answer as to Plaintiffs' Second Amended Complaint to be submitted by October 16, 2020. See transcript. Motion(s) terminated: 79 MOTION to Dismiss the First Amended Class Action Complaint filed by Anthony J. Annucci, Andrew Cuomo, New York State Department of Corrections and Community Supervision, Anne Marie McGrath, Ann Marie T. Sullivan, New York State Office of Mental Health. (Court Reporter Angie Shaw-Crockett) (wc) (Entered: 09/25/2020)
10/16/2020		NOTICE OF REDESIGNATION TO ANOTHER MAGISTRATE JUDGE. The above entitled action has been redesignated to Magistrate Judge Andrew E. Krause. Please note that this is a reassignment of the designation only..(wb) (Entered: 10/16/2020)
10/16/2020		NOTICE OF REASSIGNMENT OF A REFERRAL TO ANOTHER MAGISTRATE JUDGE. The referral in the above entitled action has been reassigned to Magistrate Judge Andrew E. Krause, for General Pretrial (includes scheduling, discovery, non-dispositive pretrial

		motions, and settlement). Magistrate Judge Lisa Margaret Smith no longer referred to the case..(wb) (Entered: 10/16/2020)
10/16/2020	141	LETTER MOTION for Conference re: 134 Amended Complaint, addressed to Judge Cathy Seibel from Jane R. Goldberg and Jeb Harben dated October 16, 2020. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan..(Goldberg, Jane) (Entered: 10/16/2020)
10/19/2020	142	ORDER granting 141 Letter Motion for Conference: Pre-Motion Conference set for 11/12/20 at 4:15 pm. Plaintiffs shall state their position, by letter of no more than 3 pages, by 11/5/20. (HEREBY ORDERED by Judge Cathy Seibel)(Text Only Order) (Seibel, Cathy) (Entered: 10/19/2020)
10/27/2020	143	SCHEDULING ORDER: This matter has been reassigned to Magistrate Judge Andrew E. Krause for general pretrial supervision. A telephonic status conference before Magistrate Judge Krause is hereby scheduled for Wednesday, November 4, 2020, at 4:00 p.m. To access the teleconference, please follow these directions: (1) dial the meeting number: (877) 336-1831; (2) enter the access code: 2751700; and (3) press pound (#) to enter the teleconference as a guest. Should counsel experience any technical issues with the teleconferencing system, please contact Chambers at (914) 390-4070. Telephone Conference set for 11/4/2020 at 04:00 PM before Magistrate Judge Andrew E. Krause. (Signed by Magistrate Judge Andrew E. Krause on 10/27/2020) (nb) (Entered: 10/27/2020)
11/04/2020		Minute Entry for proceedings held before Magistrate Judge Andrew E. Krause: Status Conference held on 11/4/2020. Betsy Sterling, Elena Landriscina, Walter Ricciardi, Joshua Rosenthal, Emily Vance, Stephen Short appeared via telephone on behalf of the plaintiffs. Jane Goldberg, Jeb Harben, Adam Sansoll appeared via telephone on behalf of the defendants. Status conference adjourned to 12/16/2020 at 10:00am. (Court Reporter AT&T Teleconference) (sbr) (Entered: 11/04/2020)
11/05/2020	144	LETTER RESPONSE to Motion addressed to Judge Cathy Seibel from Joshua Rosenthal dated 11/5/2020 re: 141 LETTER MOTION for Conference re: 134 Amended Complaint, addressed to Judge Cathy Seibel from Jane R. Goldberg and Jeb Harben dated October 16, 2020. . Document filed by P. C., S. D., M. G., D. H., C. J., M. J., W. P., D. R., J. R...(Rosenthal, Joshua) (Entered: 11/05/2020)
11/12/2020		Minute Entry for proceedings held before Judge Cathy Seibel: Pre-Motion Conference held on 11/12/2020. Plaintiffs' counsel(s) Emily

		Vance, Esq., Chantalle Hanna, Esq., Samuel Margolis, Esq., Joshua Rosenthal, Esq., Elena Landriscina, Esq., and Stefen Short, Esq. appear telephonically. Defendants' counsel(s) Jane Goldberg, Esq., Jeb Harben, Esq., and Adam Sansolo, Esq. appear telephonically. Law Clerk Ryan Partelow appears telephonically. Defendants' Motion to Dismiss to be submitted by January 8, 2021 (No Extensions); Plaintiffs' opposition due February 5, 2021; Defendants' reply due February 26, 2021. See transcript. (Court Reporter Christina Arends-Dieck) (wc) (Entered: 11/16/2020)
11/20/2020	145	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a teleconference proceeding held on 11/4/2020 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(Ginsberg, Darby) (Entered: 11/20/2020)
11/20/2020	146	TRANSCRIPT of Proceedings re: teleconference held on 11/4/2020 before Magistrate Judge Andrew E. Krause. Court Reporter/Transcriber: Darby Ginsberg, (914) 390-4102. 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. Redaction Request due 12/11/2020. Redacted Transcript Deadline set for 12/21/2020. Release of Transcript Restriction set for 2/18/2021..(Ginsberg, Darby) (Entered: 11/20/2020)
11/24/2020	147	NOTICE OF APPEARANCE by Elizabeth Suzanne Woods on behalf of P. C., S. D., M. G., D. H., C. J., M. J., W. P., D. R., J. R...(Woods, Elizabeth) (Entered: 11/24/2020)
12/07/2020	148	NOTICE OF VOLUNTARY DISMISSAL pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the plaintiff(s) and or their counsel(s), hereby give notice that the above-captioned action is voluntarily dismissed, without prejudice and without costs against the defendant(s) Andrew Cuomo. Document filed by W. P., S. D., D. H.. Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers) ...(Woods, Elizabeth) (Entered: 12/07/2020)
12/07/2020		***NOTICE TO COURT REGARDING NOTICE OF VOLUNTARY DISMISSAL Document No. 148 Notice of Voluntary Dismissal, was reviewed and referred to Judge Cathy Seibel for approval for the following reason(s): the plaintiff(s) filed

		their voluntary dismissal and it did not dismiss all of the parties or the action in its entirety. (dt) (Entered: 12/07/2020)
12/07/2020	149	NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i) (PARTIAL): Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiffs S.D., W.P., and D.H. individually and on behalf of all similarly situated and their counsel hereby give notice that the Fifth and Sixth causes of action in the above captioned action are voluntarily dismissed, without prejudice, against Governor Andrew Cuomo in his official capacity as the Governor of the State of New York. SO ORDERED. (Signed by Judge Cathy Seibel on 12/7/2020) (kv) (Entered: 12/07/2020)
12/16/2020	150	NOTICE OF APPEARANCE by Chantalle Hanna on behalf of P. C., M. G., D. H., C. J., M. J., W. P., D. R., J. R...(Hanna, Chantalle) (Entered: 12/16/2020)
12/16/2020		Minute Entry for proceedings held before Magistrate Judge Andrew E. Krause: Status Conference held on 12/16/2020. Elena Landriscina, Walter Ricciardi, Joshua Rosenthal, Emily Vance, Stephen Short appeared by telephone on behalf of the plaintiffs. Jane Goldberg and Jeb Harben appeared by telephone on behalf of the defendants. Status conference adjourned to 1/14/21 at 3:00pm. Parties are instructed to call the same AT&T teleconference number as the 12/16/20 conference. (Court Reporter AT&T) (sbr) (Entered: 12/16/2020)
12/17/2020	151	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a conference proceeding held on 12/16/2020 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(O'Donnell, Angela) (Entered: 12/17/2020)
12/17/2020	152	TRANSCRIPT of Proceedings re: conference held on 12/16/2020 before Magistrate Judge Andrew E. Krause. Court Reporter/Transcriber: Angela O'Donnell, (914) 390-4025. 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. Redaction Request due 1/7/2021. Redacted Transcript Deadline set for 1/19/2021. Release of Transcript Restriction set for 3/17/2021..(O'Donnell, Angela) (Entered: 12/17/2020)
12/30/2020	153	LETTER addressed to Magistrate Judge Andrew E. Krause from Walter Ricciardi dated December 30, 2020 re: Proposed Deadlines for

		Defendants' Responses to Plaintiffs' Priority Discovery Requests. Document filed by P. C., S. D., M. G., D. H., C. J., M. J., W. P., D. R., J. R...(Ricciardi, Walter) (Entered: 12/30/2020)
12/30/2020	154	MEMO ENDORSEMENT re: 153 Letter, filed by J. R., W. P., D. R., M. G., S. D., M. J., P. C., D. H., C. J. ENDORSEMENT: The Court accepts the parties' proposed schedule for the completion of priority discovery, as set forth in the December 30, 2020 joint letter. The telephonic status conference currently scheduled for January 14, 2021 at 3:00 p.m. is hereby ADJOURNED to Thursday, February 18, 2021 at 11:30 a.m. To access the status conference, the parties should use the teleconference information set forth in ECF No. 143 and at https://nysd.uscourts.gov/hon-andrew-e-krause ., (Telephone Conference set for 2/18/2021 at 11:30 AM before Magistrate Judge Andrew E. Krause.) (Signed by Magistrate Judge Andrew E. Krause on 12/30/2020) (nb) (Entered: 12/30/2020)
01/08/2021	155	MOTION to Dismiss <i>Second Amended Complaint</i> . Document filed by Anthony J. Annucci, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan. Responses due by 2/5/2021.(Goldberg, Jane) (Entered: 01/08/2021)
01/08/2021	156	MOTION to Dismiss <i>Second Amended Complaint</i> . Document filed by Anthony J. Annucci, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan. Responses due by 2/5/2021.(Goldberg, Jane) (Entered: 01/08/2021)
01/08/2021	157	DECLARATION of Jeb Harben in Support re: 155 MOTION to Dismiss <i>Second Amended Complaint</i> .. Document filed by Anthony J. Annucci, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit).(Goldberg, Jane) (Entered: 01/08/2021)
01/08/2021	158	MEMORANDUM OF LAW in Support re: 155 MOTION to Dismiss <i>Second Amended Complaint</i> . . Document filed by Anthony J. Annucci, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan..(Goldberg, Jane) (Entered: 01/08/2021)
02/05/2021	159	MEMORANDUM OF LAW in Opposition re: 155 MOTION to Dismiss <i>Second Amended Complaint</i> . . Document filed by P. C., S. D., M. G., D. H., C. J., M. J., W. P., D. R., J. R...(Ricciardi, Walter) (Entered: 02/05/2021)

02/12/2021	160	NOTICE OF APPEARANCE by Anthony Jan-Huan Sun on behalf of United States of America..(Sun, Anthony) (Entered: 02/12/2021)
02/12/2021	161	RESPONSE to Motion re: 155 MOTION to Dismiss <i>Second Amended Complaint. Statement of Interest of the United States of America pursuant to 28 U.S.C. § 517</i> . Document filed by United States of America..(Sun, Anthony) (Entered: 02/12/2021)
02/12/2021	162	LETTER MOTION for Extension of Time to File Response/Reply as to 159 Memorandum of Law in Opposition to Motion <i>for Partial Dismissal of Second Amended Complaint</i> addressed to Judge Cathy Seibel from Jane R. Goldberg dated Febraury 12, 2021. Document filed by Anthony J. Annucci, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan..(Goldberg, Jane) (Entered: 02/12/2021)
02/12/2021	163	ORDER granting 162 Letter Motion for Extension of Time to File: Defendants may have until 3/5/21 for their reply. Condolences to Mr. Harben. (HEREBY ORDERED by Judge Cathy Seibel)(Text Only Order) (Seibel, Cathy) (Entered: 02/12/2021)
02/17/2021	164	NOTICE OF APPEARANCE by Adam Joseph Sansolo on behalf of Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan..(Sansolo, Adam) (Entered: 02/17/2021)
02/18/2021		Minute Entry for proceedings held before Magistrate Judge Andrew E. Krause: Status Conference held on 2/18/2021. Joshua Rosenthal, Elizabeth Woods, Chantalle Hanna, Sam Margolis, Walter Ricciardi,Elena Landriscina and Stefen Short appeared by telephone on behalf of the plaintiffs. Jane Goldberg and Adam Sansolo appeared by telephone on behalf of the defendants. Adjourned to Wednesday, March 24, 2021 at 11:00 a.m. Parties are directed to use the same teleconference number as the 2/18/21 conference. (Court Reporter AT&T) (sbr) (Entered: 02/19/2021)
03/05/2021	165	REPLY MEMORANDUM OF LAW in Support re: 156 MOTION to Dismiss <i>Second Amended Complaint</i> . . Document filed by Anthony J. Annucci, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan..(Goldberg, Jane) (Entered: 03/05/2021)
03/17/2021	166	LETTER addressed to Magistrate Judge Andrew E. Krause from Joshua Rosenthal dated March 17, 2021 re: Proposed Stay of

		Discovery. Document filed by P. C., S. D., M. G., D. H., C. J., M. J., W. P., D. R., J. R...(Rosenthal, Joshua) (Entered: 03/17/2021)
03/23/2021	167	MEMO ENDORSEMENT re: 166 Letter filed by J. R., W. P., D. R., M. G., S. D., M. J., P. C., D. H., C. J. ENDORSEMENT: The parties' application for a time-limited stay of discovery is GRANTED, as set forth in this joint proposal. At the status conference tomorrow, the parties should be prepared to discuss the scheduling of settlement conference dates as well as what types of pre-conference submissions would be most useful to allow the Court to meaningfully assist in facilitating settlement negotiations. (Signed by Magistrate Judge Andrew E. Krause on 3/23/2021) (nb) (Entered: 03/23/2021)
03/24/2021		Minute Entry for proceedings held before Magistrate Judge Andrew E. Krause: Status Conference held on 3/24/2021. Joshua Rosenthal, Emily Vance, Sam Margolis and Stefen Short appeared by telephone on behalf of the plaintiffs. Adam Sansolo, Jane Goldberg and Jeb Harben appeared by telephone on behalf of the defendants. Plaintiffs will submit settlement demand to defendants by Wednesday, May 12, 2021, with defendants' response due by Wednesday, May 19, 2021. Parties will email ex parte letters to KrauseNYSDChambers@nysd.uscourts.gov by Wednesday, May 26, 2021, and should include their preference for conducting settlement conferences by teleconference or video conference via Microsoft Teams. The first settlement conference is scheduled for Wednesday, June 2, 2021 at 10:00 a.m., and the second is scheduled for Monday, June 21, 2021 at 10:00 a.m. Adjourned to Wednesday, June 2, 2021 at 10:00 a.m. (Court Reporter AT&T) (sbr) (Entered: 03/24/2021)
04/19/2021	168	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a conference proceeding held on 3/24/2021 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(O'Donnell, Angela) (Entered: 04/19/2021)
04/19/2021	169	TRANSCRIPT of Proceedings re: conference held on 3/24/2021 before Magistrate Judge Andrew E. Krause. Court Reporter/Transcriber: Angela O'Donnell, (914) 390-4025. 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. Redaction Request due 5/10/2021. Redacted Transcript Deadline set for

		5/20/2021. Release of Transcript Restriction set for 7/19/2021..(O'Donnell, Angela) (Entered: 04/19/2021)
06/02/2021		Minute Entry for proceedings held before Magistrate Judge Andrew E. Krause: Settlement Conference held on 6/2/2021. Joshua Rosenthal, Elizabeth Woods, Emily Vance, Sam Margolis, Chantalle Hanna, Cara Hume, Walter Stefen Short and Elena Landriscina appeared by video on behalf of the plaintiffs. Adam Sansolo, Jane Goldberg and Jeb Harben appeared by video on behalf of the defendants. Second settlement conference is scheduled for Monday, June 21, 2021 at 10:00 a.m. Chambers will send Microsoft Teams link via email prior to the videoconference. (Court Reporter AT&T) (sbr) (Entered: 06/04/2021)
06/21/2021		Minute Entry for proceedings held before Magistrate Judge Andrew E. Krause: Settlement Conference held on 6/21/2021. Joshua Rosenthal, Elizabeth Woods, Emily Vance, Sam Margolis, Chantalle Hanna, Cara Hume, Walter Stefen Short and Elena Landriscina appeared by video on behalf of the plaintiffs. Adam Sansolo, Jane Goldberg and Jeb Harben appeared by video on behalf of the defendants. Parties will submit letter regarding interest in a third mediation session. (Court Reporter AT&T) (sbr) (Entered: 08/03/2021)
06/30/2021	170	SCHEDULING ORDER: In accordance with the parties' joint letter, which was e-mailed to Chambers on June 28, 2021, a third settlement conference is hereby scheduled before Magistrate Judge Andrew E. Krause on Thursday, July 29, 2021, at 10:00 a.m. By Monday, July 26, 2021, the parties are directed to submit via e-mail ex parte letters of no more than five pages setting forth any progress that has been made in settlement negotiations since the June 21, 2021 conference, and describing the topics that each side believes should be the focus of the upcoming conference. The conference will be conducted by video, using Microsoft Teams. A link will be provided to the parties by e-mail prior to the conference. Should anyone experience any technical issues with the videoconferencing system, please contact Chambers at (914) 390-4070. (Telephone Conference set for 7/29/2021 at 10:00 AM before Magistrate Judge Andrew E. Krause.) (Signed by Magistrate Judge Andrew E. Krause on 6/30/2021) (rro) (Entered: 06/30/2021)
07/29/2021		Minute Entry for proceedings held before Magistrate Judge Andrew E. Krause: Settlement Conference held on 7/29/2021. Joshua Rosenthal, Elizabeth Woods, Emily Vance, Sam Margolis, Chantalle Hanna, Walter Ricciardi, Stefen Short and Elena Landriscina appeared by video on behalf of the plaintiffs. Adam Sansolo, Jane Goldberg and Jeb Harben appeared by video on behalf of the defendants. Next settlement conference scheduled for 10/26/21 via Microsoft Teams. Chambers will

		circulate videoconference link prior to conference. Status letters due by 10/19/21. (Court Reporter AT&T) (sbr) (Entered: 08/03/2021)
09/02/2021	171	NOTICE OF COURT CONFERENCE: A Bench Ruling as to the pending motion(s) is scheduled for September 29, 2021 at 3:30 p.m. (via telephone). Person(s) appearing via telephone are reminded of the general prohibition against any forms of recording and rebroadcasting of Court proceedings. 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. Pursuant to Judge Seibel's Emergency Individual Rules and Practices in light of COVID-19, last revised on July 29, 2021, the parties are directed to attend by phone using the following information: Toll-Free Tele-conference number: (877) 336 1839 to call in and enter access code: 1047966#. The parties should call in from a landline phone (if possible), announce their last name(s) before addressing the Court at any time during the call, and mute their lines (pressing *6 on phone) when not speaking. Telephone Conference set for 9/29/2021 at 03:30 PM before Judge Cathy Seibel. (mml) (Entered: 09/02/2021)
09/09/2021	172	LETTER addressed to Magistrate Judge Andrew E. Krause from Joshua Rosenthal dated September 9, 2021 re: Stay of Discovery. Document filed by P. C., S. D., M. G., D. H., C. J., M. J., W. P., D. R., J. R...(Rosenthal, Joshua) (Entered: 09/09/2021)
09/13/2021	173	MEMO ENDORSEMENT: on re: 172 Letter filed by J. R., W. P., D. R., M. G., S. D., M. J., P. C., D. H., C. J. ENDORSEMENT: SO ORDERED. (Signed by Magistrate Judge Andrew E. Krause on 9/13/2021) (ama) (Entered: 09/13/2021)
09/24/2021	174	NOTICE RE: CHANGE OF TIME OF CONFERENCE: The Bench Ruling as to the pending Motion(s) previously scheduled before this Court for September 29, 2021 at 3:30 p.m. will be held at 2:45 p.m. (same date) via telephone. Person(s) appearing via telephone are reminded of the general prohibition against any forms of recording and rebroadcasting of Court proceedings. 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. Pursuant to Judge Seibel's Emergency Individual Rules and Practices in light of COVID-19, last revised on July 29, 2021, the parties are directed to attend by phone using the following information: Toll-Free Tele-conference number: (877) 336 1839 to call in and enter access code: 1047966#. The parties should call in from a landline phone (if possible), announce their last name(s) before addressing the Court at

		any time during the call, and mute their lines (pressing *6 on phone) when not speaking. Telephone Conference set for 9/29/2021 at 02:45 PM before Judge Cathy Seibel. (mml) (Entered: 09/24/2021)
09/29/2021	175	NOTICE OF APPEARANCE by Owen Thomas Conroy on behalf of Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan..(Conroy, Owen) (Entered: 09/29/2021)
09/29/2021		Minute Entry for proceedings held before Judge Cathy Seibel: Bench Ruling held on 9/29/2021 re: 155 MOTION to Dismiss Second Amended Complaint filed by Anthony J. Annucci, New York State Department of Corrections and Community Supervision, Anne Marie McGrath, Ann Marie T. Sullivan, New York State Office of Mental Health, 156 MOTION to Dismiss Second Amended Complaint filed by Anthony J. Annucci, New York State Department of Corrections and Community Supervision, Anne Marie McGrath, Ann Marie T. Sullivan, New York State Office of Mental Health. Plaintiffs' counsel(s) Elena Landriscina, Esq., Joshua Rosenthal, Esq., Chantalle Hanna, Esq., Crystal Parker, Esq., Elizabeth Woods, Esq., Robert Quackenbush, Esq., Samuel Margolis, Esq. and Stefen Short, Esq. appear telephonically. Defendants' counsel(s) Jane Goldberg, Esq., Adam Sansolo, Esq., and Owen Conroy, Esq. appear telephonically. Counsel for Interested Party United States, AUSA Anthony Sun, Esq., appears telephonically. Law Clerk Ryan Partelow appears telephonically. For the reasons stated on the record, the Court hereby DENIES Defendants' Motion(s). The Clerk is directed to terminate the Motions (Doc # 155 and 156). The Court directs Plaintiff to submit a letter by October 5, 2021 with regard to the parties' agreed upon proposal or dueling positions. See transcript. Motion(s) terminated: 155 MOTION to Dismiss Second Amended Complaint filed by Anthony J. Annucci, New York State Department of Corrections and Community Supervision, Anne Marie McGrath, Ann Marie T. Sullivan, New York State Office of Mental Health, 156 MOTION to Dismiss Second Amended Complaint filed by Anthony J. Annucci, New York State Department of Corrections and Community Supervision, Anne Marie McGrath, Ann Marie T. Sullivan, New York State Office of Mental Health. (Court Reporter Angela O'Donnell) (wc) (Entered: 09/29/2021)
10/05/2021	176	LETTER addressed to Judge Cathy Seibel from Joshua Rosenthal dated October 5, 2021 re: Defendants' Responsive Pleading. Document filed by P. C., S. D., M. G., D. H., C. J., M. J., W. P., D. R., J. R...(Rosenthal, Joshua) (Entered: 10/05/2021)

10/05/2021	177	MEMO ENDORSEMENT on re: 176 Letter filed by J. R., W. P., D. R., M. G., S. D., M. J., P. C., D. H., C. J. ENDORSEMENT: Application granted. Defendants' answer due 11/8/21. SO ORDERED. Anthony J. Annucci answer due 11/8/2021; Anne Marie McGrath answer due 11/8/2021; New York State Department of Corrections and Community Supervision answer due 11/8/2021; New York State Office of Mental Health answer due 11/8/2021; Ann Marie T. Sullivan answer due 11/8/2021. (Signed by Judge Cathy Seibel on 10/5/2021) (mml) (Entered: 10/05/2021)
10/21/2021	178	LETTER addressed to Judge Cathy Seibel from AUSA Anthony J. Sun dated 10/21/2021 re: 9/29/2021 bench ruling. Document filed by United States of America..(Sun, Anthony) (Entered: 10/21/2021)
10/21/2021	179	LETTER addressed to Judge Cathy Seibel from Stefen R. Short dated October 21, 2021 re: September 29, 2021 Bench Ruling. Document filed by S. D., D. H., W. P...(Short, Stefen) (Entered: 10/21/2021)
10/25/2021	180	LETTER MOTION for Discovery <i>on the Fifth and Sixth Causes of Action</i> addressed to Magistrate Judge Andrew E. Krause from Walter G. Ricciardi dated October 25, 2021. Document filed by S. D., D. H., W. P...(Ricciardi, Walter) (Entered: 10/25/2021)
10/26/2021		Minute Entry for proceedings held before Magistrate Judge Andrew E. Krause: Settlement Conference held on 10/26/2021. Robert Quackenbush, chantalle Hanna, Sam Margolis, Emily Vance, Stefen Chort, Elizabeth Woods, Joshua Rosenthal and Shirley Lavarco appeared by video on behalf of the plaintiffs. Jane Goldberg, Adam Sansolo, Jeb Harben, Owen Conroy, Jessie Sneider and Marat Skolnick appeared by video on behalf of the defendants. No settlement reached. The discovery issue raised at ECF No. 180 was discussed, and will be addressed further at the December 6, 2021 conference. Defendants will provide the requested census information to Plaintiffs by November 12, 2021. By December 1, 2021, Plaintiffs will provide further proposals/counter-proposals to Defendants. By December 6, 2021, each side must submit a letter of no more than three pages regarding their positions on a discovery schedule for the discharge class claims. If the parties have an agreed-upon proposal, they may submit a single joint letter. A discovery status conference is scheduled for December 9, 2021 at 10:00 a.m., via telephone. The parties are directed to dial in to the conference using the AT&T teleconference line and access code located at https://nysd.uscourts.gov/hon-andrew-e-krause . (sbr). (Entered: 10/26/2021)
10/29/2021	181	LETTER MOTION for Extension of Time to File Answer re: 134 Amended Complaint, addressed to Judge Cathy Seibel from Jane R.

		Goldberg dated October 29, 2021. Document filed by Anthony J. Annucci, Andrew Cuomo, Anne Marie McGrath, New York State Department of Corrections and Community Supervision, New York State Office of Mental Health, Ann Marie T. Sullivan..(Conroy, Owen) (Entered: 10/29/2021)
10/29/2021	182	ORDER granting 181 Letter Motion for Extension of Time to Answer re 181 LETTER MOTION for Extension of Time to File Answer re: 134 Amended Complaint from Jane R. Goldberg dated October 29, 2021: All Defendants may have until 11/19/21 to answer the Second Amended Complaint. (HEREBY ORDERED by Judge Cathy Seibel)(Text Only Order) (Seibel, Cathy) (Entered: 10/29/2021)
11/01/2021	183	JOINT LETTER MOTION for Discovery <i>Stay</i> addressed to Magistrate Judge Andrew E. Krause from Elizabeth S. Woods dated 11/01/2021. Document filed by P. C., S. D., M. G., D. H., C. J., M. J., W. P., D. R., J. R...(Woods, Elizabeth) (Entered: 11/01/2021)
11/03/2021	184	ORDER granting 183 Letter Motion for Discovery. APPLICATION GRANTED. (HEREBY ORDERED by Magistrate Judge Andrew E. Krause)(Text Only Order) (Krause, Andrew) (Entered: 11/03/2021)
11/15/2021	185	OPINION & ORDER: For the foregoing reasons, Defendants' motion is DENIED. SO ORDERED. (Signed by Judge Cathy Seibel on 11/15/2021) (mml) (Entered: 11/15/2021)

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