

**U.S. District Court
District of Connecticut (New Haven)
CIVIL DOCKET FOR CASE #: 3:11-cv-01703-MPS**

Bagnall et al v. Sebelius
Assigned to: Judge Michael P. Shea
Cause: 42:0405 Public Health and Welfare HHS

Date Filed: 11/03/2011
Date Terminated: 03/26/2020
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: U.S. Government
Defendant

Plaintiff

Richard Bagnall

*on behalf of himself and all others
similarly situated*

TERMINATED: 04/29/2013

represented by **Alice Bers**

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(See above for address)
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Dorothy Goodman
on behalf of herself and all others
similarly situated
TERMINATED: 06/06/2017

represented by **Dylan G. Savage**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jason B. Mollick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Luke A. Liss
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Regan Bailey
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Alice Bers
(See above for address)
ATTORNEY TO BE NOTICED

Anna Rich
(See above for address)
TERMINATED: 03/02/2018
ATTORNEY TO BE NOTICED

Gill W. Deford
(See above for address)
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Mary Smith
Representative of the Estate of
Martha Leyanna

represented by **David J. Berger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Regan Bailey
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Alexander Kenneth Brehnan
(See above for address)
ATTORNEY TO BE NOTICED

Alice Bers
(See above for address)
ATTORNEY TO BE NOTICED

Anna Rich
(See above for address)
TERMINATED: 03/02/2018
ATTORNEY TO BE NOTICED

Carol Wong
(See above for address)
ATTORNEY TO BE NOTICED

Gill W. Deford
(See above for address)
ATTORNEY TO BE NOTICED

Lindsey Edwards
(See above for address)
ATTORNEY TO BE NOTICED

Steven D. Guggenheim
(See above for address)
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Peggy Leider
for Irma Becker

represented by **David J. Berger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Regan Bailey
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Alexander Kenneth Brehnan
(See above for address)
ATTORNEY TO BE NOTICED

Alice Bers
(See above for address)
ATTORNEY TO BE NOTICED

Anna Rich

(See above for address)
TERMINATED: 03/02/2018
ATTORNEY TO BE NOTICED

Carol Wong
(See above for address)
ATTORNEY TO BE NOTICED

Gill W. Deford
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ATTORNEY TO BE NOTICED

Lindsey Edwards
(See above for address)
ATTORNEY TO BE NOTICED

Steven D. Guggenheim
(See above for address)
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Peter Zavidniak
for Louis Dziadzia

represented by **David J. Berger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Regan Bailey
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Alexander Kenneth Brehnan
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ATTORNEY TO BE NOTICED

Alice Bers
(See above for address)
ATTORNEY TO BE NOTICED

Anna Rich
(See above for address)
TERMINATED: 03/02/2018
ATTORNEY TO BE NOTICED

Carol Wong

(See above for address)
ATTORNEY TO BE NOTICED

Gill W. Deford
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ATTORNEY TO BE NOTICED

Lindsey Edwards
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ATTORNEY TO BE NOTICED

Steven D. Guggenheim
(See above for address)
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Gary Goodman
Estate of Dorothy Goodman

represented by **David J. Berger**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Alexander Kenneth Brehnan
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ATTORNEY TO BE NOTICED

Alice Bers
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ATTORNEY TO BE NOTICED

Anna Rich
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TERMINATED: 03/02/2018
ATTORNEY TO BE NOTICED

Carol Wong
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Lindsey Edwards
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ATTORNEY TO BE NOTICED

Steven D. Guggenheim
(See above for address)
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Michael Holt
*Executor of the Estate of Charles
Holt*

represented by **Alexander Kenneth Brehnan**
(See above for address)
ATTORNEY TO BE NOTICED

Alice Bers
(See above for address)
ATTORNEY TO BE NOTICED

Anna Rich
(See above for address)
TERMINATED: 03/02/2018
ATTORNEY TO BE NOTICED

Carol Wong
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ATTORNEY TO BE NOTICED

Lindsey Edwards
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ATTORNEY TO BE NOTICED

Steven D. Guggenheim
(See above for address)
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Brenda Hardy
*Executrix of the Estate of Loretta
Jackson*

represented by **Alice Bers**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Kathleen Sebelius
*Secretary of Health and Human
Services*

represented by **Carolyn Aiko Ikari**
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TERMINATED: 08/21/2017
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TERMINATED: 09/07/2018
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ATTORNEY TO BE NOTICED

Movant

Holy Name Medical Center

represented by **Rodman E. Honecker**
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ATTORNEY TO BE NOTICED

Interested Party

**Keystone Peer Review
Organization, Inc.**

represented by **Andrew M. Zeitlin**
Shipman & Goodwin
300 Atlantic St.
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Email: azeitlin@goodwin.com
ATTORNEY TO BE NOTICED

V.

Amicus

**The American Hospital
Association**

represented by **Eric J. Lobenfeld**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/03/2011	<u>1</u>	COMPLAINT against Kathleen Sebelius (Filing fee \$350 receipt number 0205-2292934.), filed by Shirley Burton, Lee Barrows, Denise Rugman, Michael Savage, Richard Bagnall, George Renshaw, Sarah Mulcahy. (Attachments: # <u>1</u> Civil Cover Sheet)(Deford, Gill) (Entered: 11/03/2011)
11/03/2011		Request for Clerk to issue summons as to Kathleen Sebelius. (Deford, Gill) (Entered: 11/03/2011)
11/03/2011	<u>2</u>	MOTION to Certify Class <i>and to Appoint Class Counsel</i> by Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage.Responses due by 11/24/2011 (Attachments: # <u>1</u> Memorandum in Support)(Deford, Gill). Added MOTION to Appoint Counsel on 11/3/2011 (Torres, K.). (Entered: 11/03/2011)
11/03/2011		Judge Holly B. Fitzsimmons added. (Oliver, T.) (Entered: 11/03/2011)
11/03/2011	<u>3</u>	ENTERED IN ERROR - ELECTRONIC FILING ORDER - PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER. Signed by Judge Holly B. Fitzsimmons on 11/3/2011. (Fazekas, J.) Modified on 11/3/2011 (Oliver, T.). (Entered: 11/03/2011)

11/03/2011	4	ENTERED IN ERROR - NOTICE TO COUNSEL: Counsel initiating or removing this action is responsible for serving all parties with attached documents and copies of 3 Electronic Filing Order, 1 Complaint, filed by Shirley Burton, Michael Savage, Richard Bagnall, Denise Rugman, Lee Barrows, Sarah Mulcahy, George Renshaw, 2 MOTION to Certify Class <i>and to Appoint Class Counsel</i> MOTION to Appoint Counsel filed by Shirley Burton, Michael Savage, Richard Bagnall, Denise Rugman, Lee Barrows, Sarah Mulcahy, George Renshaw. Signed by Clerk on 11/3/2011. (Fazekas, J.) Modified on 11/3/2011 (Oliver, T.). (Entered: 11/03/2011)
11/03/2011	5	ENTERED IN ERROR - ELECTRONIC SUMMONS ISSUED in accordance with Fed. R. Civ. P. 4 and LR 4 as to *Kathleen Sebelius* with answer to complaint due within *60* days. Attorney *Gill W. Deford* *Center For Medicare Advocacy, Inc.* *PO Box 350* *Willimantic, CT 06226*. (Fazekas, J.) Modified on 11/3/2011 (Oliver, T.). (Entered: 11/03/2011)
11/03/2011		Docket Entry Correction re 3 Electronic Filing Order, 4 Electronic Service Documents,, 5 Electronic Summons Issued MODIFIED TO NOTE ENTRIES HAVE BEEN ENTERED IN ERROR (Oliver, T.) (Entered: 11/03/2011)
11/03/2011		Case Reassigned to Judge Alvin W. Thompson. (Case assigned to the Magistrate in error) (Oliver, T.) (Entered: 11/03/2011)
11/03/2011	6	Order on Pretrial Deadlines: Motions to Dismiss due on 2/3/2012. Amended Pleadings due by 1/2/2012 Discovery due by 5/4/2012 Dispositive Motions due by 6/3/2012. Signed by Clerk on 11/3/2011. (Oliver, T.) (Entered: 11/03/2011)
11/03/2011	7	ELECTRONIC FILING ORDER - PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER. Signed by Judge Alvin W. Thompson on 11/3/2011. (Oliver, T.) (Entered: 11/03/2011)
11/03/2011	8	NOTICE TO COUNSEL: Counsel initiating or removing this action is responsible for serving all parties with attached documents and copies of 6 Order on Pretrial Deadlines, 1 Complaint, filed by Shirley Burton, Michael Savage, Richard Bagnall, Denise Rugman, Lee Barrows, Sarah Mulcahy, George Renshaw, 2 MOTION to Certify Class <i>and to Appoint Class Counsel</i> MOTION to Appoint Counsel filed by Shirley Burton, Michael Savage, Richard Bagnall, Denise Rugman, Lee Barrows, Sarah Mulcahy, George Renshaw, 7 Electronic Filing Order. Signed by Clerk on 11/3/2011. (Oliver, T.) (Entered: 11/03/2011)
11/03/2011	9	ELECTRONIC SUMMONS ISSUED in accordance with Fed. R. Civ. P. 4 and LR 4 as to *Kathleen Sebelius* with answer to complaint due within *60* days. Attorney *Gill W. Deford* *Center For Medicare Advocacy,

		Inc.* *PO Box 350* *Willimantic, CT 06226*. (Oliver, T.) (Entered: 11/03/2011)
11/15/2011	10	SUMMONS Returned Executed by Shirley Burton, Lee Barrows, Denise Rugman, Michael Savage, Richard Bagnall, George Renshaw, Sarah Mulcahy. Kathleen Sebelius served on 11/8/2011, answer due 1/7/2012. (Attachments: # 1 US Attorney mail receipt, # 2 Attorney General mail receipt, # 3 Health and Human Services mail receipt)(Deford, Gill) (Entered: 11/15/2011)
11/21/2011	11	NOTICE of Appearance by Carolyn Aiko Ikari on behalf of Kathleen Sebelius <i>as local counsel</i> (Ikari, Carolyn) (Entered: 11/21/2011)
11/21/2011	12	MOTION for Extension of Time to File Response/Reply as to 2 MOTION to Certify Class <i>and to Appoint Class Counsel</i> MOTION to Appoint Counsel until 21 days after ruling on m/dismiss by Kathleen Sebelius. (Ikari, Carolyn) (Entered: 11/21/2011)
11/22/2011	13	Memorandum in Opposition re 12 MOTION for Extension of Time to File Response/Reply as to 2 MOTION to Certify Class <i>and to Appoint Class Counsel</i> MOTION to Appoint Counsel until 21 days after ruling on m/dismiss filed by Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage. (Deford, Gill) (Entered: 11/22/2011)
11/29/2011	14	NOTICE of Appearance by Alice Bers on behalf of Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage (Bers, Alice) (Entered: 11/29/2011)
11/29/2011	15	NOTICE of Appearance by Mary T. Berthelot on behalf of Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage (Berthelot, Mary) (Entered: 11/29/2011)
11/29/2011	16	NOTICE of Appearance by Judith A. Stein on behalf of Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage (Stein, Judith) (Entered: 11/29/2011)
12/07/2011	17	NOTICE of Appearance by Justin M. Sandberg on behalf of Kathleen Sebelius (Sandberg, Justin) (Entered: 12/07/2011)
12/20/2011	18	MOTION for Attorney(s) Toby S. Edelman, Eric Carlson, Kevin Prindiville, Anna Rich to be Admitted Pro Hac Vice (paid \$100 PHV fee; receipt number 0205-2342819) by Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage. (Attachments: # 1 Affidavit, # 2 Certificate of Good Standing, # 3 Affidavit, # 4 Certificate of Good Standing, # 5 Affidavit, # 6 Certificate of Good Standing, # 7 Affidavit, # 8 Certificate of Good Standing)(Deford, Gill) (Entered: 12/20/2011)

12/30/2011	19	ORDER granting 18 Motion to Appear Pro Hac Vice for Attorneys Toby S. Edelman, Eric Carlson, Kevin Prindiville and Anna Rich for Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman and Michael Savage. Signed by Clerk on 12/30/11. (Ferguson, L.) (Entered: 12/30/2011)
01/03/2012	20	Joint MOTION for Extension of Time until January 10, 2012 Report of Rule 26(f) Planning Meeting by Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage, Kathleen Sebelius. (Bers, Alice) (Entered: 01/03/2012)
01/05/2012	21	ORDER: Joint Motion for Extension of Time to File Report of Rule 26(f) Planning Meeting 20 is hereby GRANTED to January 10, 2012. It is so ordered. Signed by Judge Alvin W. Thompson on 01/05/12. (Atmeh, S) Modified on 1/6/2012 to add docket entry number (Smith, S.). (Entered: 01/05/2012)
01/05/2012		Set Deadline: Rule 26 Meeting Report due by 1/10/2012 (Smith, S.) (Entered: 01/05/2012)
01/06/2012	22	NOTICE by Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage of <i>Administrative Decisions</i> (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit)(Bers, Alice) (Entered: 01/06/2012)
01/09/2012	23	MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> by Kathleen Sebelius.Responses due by 1/30/2012 (Sandberg, Justin) (Entered: 01/09/2012)
01/09/2012	24	Memorandum in Support re 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> filed by Kathleen Sebelius. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit)(Sandberg, Justin) (Entered: 01/09/2012)
01/10/2012	25	REPORT of Rule 26(f) Planning Meeting. (Bers, Alice) (Entered: 01/10/2012)
01/11/2012	26	NOTICE by Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage of <i>Defendant's Failure to File a Response to Plaintiffs' Motion for Class Certification and to Appoint Class Counsel</i> (Deford, Gill) (Entered: 01/11/2012)
01/11/2012	27	ORDER: The Rule 26(f) Report of the Parties' Planning Meeting (Doc. No. 25) is hereby APPROVED. Discovery shall be completed by September 21, 2012. Dispositive motions shall be filed by January 23, 2013. All other dates requested in this report are also approved. A trial memorandum order will be issued once the dispositive motions deadline has been passed. REMINDER: please refer to the electronic filing order in

		civil cases re: the requirements for submission of chambers copies. It is so ordered. Signed by Judge Alvin W. Thompson on 01/11/12. (Atmeh, S) Modified on 1/13/2012 to correct dispositive motions due date (Smith, S.). (Entered: 01/11/2012)
01/11/2012		Set Deadlines: Discovery due by 9/21/2012. Dispositive Motions due by 1/23/2013. (Smith, S.) (Entered: 01/13/2012)
01/18/2012	28	Consent MOTION for Extension of Time to File Response/Reply as to 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> until 02/21/2012 by Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage. (Bers, Alice) (Entered: 01/18/2012)
01/20/2012	29	ORDER: Motion for Extension of Time to File Response/Reply (Doc. No. 28) is hereby GRANTED to February 21, 2012. It is so ordered. Signed by Judge Alvin W. Thompson on 01/20/12. (Atmeh, S) (Entered: 01/20/2012)
01/20/2012		Reset Deadline as to 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> . Response due by 2/21/2012. (Smith, S.) (Entered: 01/25/2012)
01/23/2012	30	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. TELEPHONIC Status Conference set for 1/31/2012 11:00 AM in South Courtroom, 450 Main St., Hartford, CT before Judge Alvin W. Thompson. Plaintiff's counsel shall initiate the call to chambers at 860-240-3224 with all parties on the line. (Atmeh, S) (Entered: 01/23/2012)
01/24/2012	31	NOTICE by Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage of <i>Administrative Decision</i> (Attachments: # 1 Exhibit)(Bers, Alice) (Entered: 01/24/2012)
01/31/2012	32	Minute Entry for proceedings held before Judge Alvin W. Thompson: Status Conference held on 1/31/2012. Duration: 15 minutes. The Motion for Extension of Time (Doc. No. 12) is granted to March 15, 2012. The parties shall have a status conference with Parajudicial Officer Jim Hawkins. (Court Reporter C. Thompson.) (Atmeh, S) (Entered: 01/31/2012)
01/31/2012	33	ORDER: Motion for Extension of Time to File Response/Reply (Doc. No. 12) is hereby GRANTED to March 15, 2012. It is so ordered. Signed by Judge Alvin W. Thompson on 01/31/12. (Atmeh, S) (Entered: 01/31/2012)

01/31/2012		Reset Deadlines as to 2 MOTION to Certify Class <i>and to Appoint Class Counsel</i> MOTION to Appoint Counsel. Responses due by 3/15/2012. (Smith, S.) (Entered: 02/01/2012)
02/03/2012	34	Consent MOTION for Leave to File Excess Pages by Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage. (Bers, Alice) (Entered: 02/03/2012)
02/06/2012	35	MOTION to Stay <i>Discovery Pending Resolution of Motion to Dismiss</i> by Kathleen Sebelius. Responses due by 2/27/2012 (Sandberg, Justin) (Entered: 02/06/2012)
02/06/2012	36	Memorandum in Support re 35 MOTION to Stay <i>Discovery Pending Resolution of Motion to Dismiss</i> filed by Kathleen Sebelius. (Attachments: # 1 Exhibit)(Sandberg, Justin) (Entered: 02/06/2012)
02/07/2012	37	ORDER: The Consent Motion for Leave to File Memorandum in Excess of Page Limit 34 is hereby GRANTED, absent objection. It is so ordered. Signed by Judge Alvin W. Thompson on 02/07/12. (Atmeh, S) (Entered: 02/07/2012)
02/08/2012	38	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Status Conference set for 2/14/2012 at 10:00 AM, 450 Main Street, Hartford, CT before James R. Hawkins II, ParaJudicial Officer. Counsel should report to the South Chambers, Suite 240, for room assignment. (Smith, S.) (Entered: 02/08/2012)
02/21/2012	39	Memorandum in Opposition to <i>Defendant's Motion to Dismiss</i> re 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> filed by Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage. (Deford, Gill) (Entered: 02/21/2012)
02/22/2012	40	Memorandum in Opposition to <i>Defendant's Motion to Stay Discovery Pending Resolution of Motion to Dismiss</i> re 35 MOTION to Stay <i>Discovery Pending Resolution of Motion to Dismiss</i> filed by Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage. (Deford, Gill) (Entered: 02/22/2012)
02/25/2012	41	Consent MOTION for Extension of Time to File Response/Reply as to 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> , 35 MOTION to Stay <i>Discovery Pending Resolution of Motion to Dismiss</i> until March 13 and March 14, 2012 by Kathleen Sebelius. (Ikari, Carolyn) (Entered: 02/25/2012)
02/28/2012	42	ORDER: The Consent Motion for Extension of Time to File Reply Memoranda in Support of Motions to Dismiss and to Stay Discovery (Doc.

		No. 41) is hereby GRANTED, absent objection. Defendant shall file reply memorandum in support of Motion to Dismiss by March 13, 2012, and reply memorandum in support of of her Motion to Stay Discovery by March 14, 2012. It is so ordered. Signed by Judge Alvin W. Thompson on 02/28/12. (Atmeh, S) (Entered: 02/28/2012)
02/28/2012		Reset Deadline as to 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> . Reply Memoranda in support of motion to dismiss due by 3/13/2012. (Smith, S.) (Entered: 02/28/2012)
02/28/2012		Reset Deadline as to 35 MOTION to Stay <i>Discovery Pending Resolution of Motion to Dismiss</i> . Reply Memoranda in support of motion to stay discovery due by 3/14/2012. (Smith, S.) (Entered: 02/28/2012)
03/06/2012	43	Consent MOTION for Extension of Time to File Response/Reply as to 2 MOTION to Certify Class <i>and to Appoint Class Counsel</i> MOTION to Appoint Counsel until March 22, 2012 by Kathleen Sebelius. (Sandberg, Justin) (Entered: 03/06/2012)
03/08/2012	44	ORDER: Motion for Extension of Time (Doc. No. 43) is hereby GRANTED, to March 22, 2012. It is so ordered. Signed by Judge Alvin W. Thompson on 03/08/12. (Atmeh, S) (Entered: 03/08/2012)
03/08/2012		Reset Deadline as to 2 MOTION to Certify Class <i>and to Appoint Class Counsel</i> MOTION to Appoint Counsel. Response due by 3/22/2012. (Smith, S.) (Entered: 03/09/2012)
03/09/2012	45	MOTION for Leave to File Excess Pages <i>with respect to Reply in Support of Motion to Dismiss</i> by Kathleen Sebelius. (Sandberg, Justin) (Entered: 03/09/2012)
03/12/2012	46	REPLY to Response to 45 MOTION for Leave to File Excess Pages <i>with respect to Reply in Support of Motion to Dismiss to Motion for Leave to File Excess Pages</i> filed by Richard Bagnall, Lee Barrows, Shirley Burton, Sarah Mulcahy, George Renshaw, Denise Rugman, Michael Savage. (Deford, Gill) (Entered: 03/12/2012)
03/13/2012	47	ORDER: The Motion for Leave to File Excess Pages (Doc. No. 45) is hereby GRANTED. It is so ordered. Signed by Judge Alvin W. Thompson on 03/13/12. (Atmeh, S) (Entered: 03/13/2012)
03/13/2012	48	REPLY to Response to 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> filed by Kathleen Sebelius. (Attachments: # 1 Exhibit, # 2 Exhibit)(Sandberg, Justin) (Entered: 03/13/2012)
03/14/2012	49	REPLY to Response to 35 MOTION to Stay <i>Discovery Pending Resolution of Motion to Dismiss</i> filed by Kathleen Sebelius. (Sandberg, Justin) (Entered: 03/14/2012)

03/21/2012	50	Consent MOTION to Intervene, Consent MOTION to Amend/Correct 33 Order on Motion for Extension of Time to File Response/Reply to Motion to <i>Certify Class and to Appoint Class Counsel</i> by Louis Dziadzia, Bernice Morse, Loretta Jackson, Frederick Ruschmann, Martha LeYanna, Irma Becker, Charles Holt. Responses due by 4/11/2012 (Attachments: # 1 Exhibit Proposed Complaint in Intervention, # 2 Text of Proposed Order)(Bers, Alice) (Entered: 03/21/2012)
03/30/2012	51	MOTION to Certify Class (Responses due by 4/20/2012,), MOTION to Appoint Counsel <i>for the class</i> by Irma Becker, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Frederick Ruschmann. (Attachments: # 1 Memorandum in Support)(Bers, Alice) (Entered: 03/30/2012)
04/05/2012	52	ORDER: The applicants Motion to Intervene and Amend (Doc. No. 50) is hereby GRANTED nunc pro tunc to March 30, 2012. Signed by Judge Alvin W. Thompson on 03/05/12. (Atmeh, S) (Entered: 04/05/2012)
04/09/2012	53	Intervenor COMPLAINT, filed by Louis Dziadzia, Frederick Ruschmann, Bernice Morse, Loretta Jackson, Martha LeYanna, Irma Becker, Charles Holt.(Deford, Gill) (Entered: 04/09/2012)
04/20/2012	54	Memorandum in Opposition re 51 MOTION to Certify Class MOTION to Appoint Counsel <i>for the class</i> , 2 MOTION to Certify Class <i>and to Appoint Class Counsel</i> MOTION to Appoint Counsel filed by Kathleen Sebelius. (Sandberg, Justin) (Entered: 04/20/2012)
04/26/2012	55	Consent MOTION for Leave to File Excess Pages <i>for Reply Brief</i> by Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage. (Bers, Alice) (Entered: 04/26/2012)
04/27/2012	56	NOTICE of Appearance by Eric J. Lobenfeld on behalf of The American Hospital Association (Lobenfeld, Eric) (Entered: 04/27/2012)
04/27/2012	57	MOTION for Leave to File <i>Brief Amicus Curiae in Support of Neither Party</i> by The American Hospital Association. (Attachments: # 1 Exhibit American Hospital Association's Amicus Curiae Brief in Support of Neither Party, # 2 Exhibit A - Exhibit to Amicus Brief)(Lobenfeld, Eric) (Entered: 04/27/2012)
04/27/2012	58	ORDER: Motion for Leave to File Twenty-Five (25) Excess Pages (Doc. No. 55) is hereby GRANTED. It is so ordered. Signed by Judge Alvin W. Thompson on 04/27/12. (Atmeh, S) (Entered: 04/27/2012)
05/04/2012	59	REPLY to Response to 51 MOTION to Certify Class MOTION to Appoint Counsel <i>for the class</i> , 2 MOTION to Certify Class <i>and to Appoint Class Counsel</i> MOTION to Appoint Counsel filed by Richard Bagnall, Lee

		Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage. (Bers, Alice) (Entered: 05/04/2012)
05/14/2012	60	Supplemental Memorandum in Support re 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> filed by Kathleen Sebelius. (Sandberg, Justin) (Entered: 05/14/2012)
05/16/2012	61	RESPONSE re 60 Memorandum in Support of 23 Motion to Dismiss filed by Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage. (Bers, Alice) Modified on 5/17/2012 to create link to Doc. No. 23 (Ferguson, L.). (Entered: 05/16/2012)
06/20/2012	62	NOTICE by Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage of <i>Administrative Decision</i> (Attachments: # 1 Exhibit Administrative Decision)(Bers, Alice) (Entered: 06/20/2012)
07/19/2012	63	NOTICE of Appearance by Joel L. McElvain on behalf of Kathleen Sebelius (McElvain, Joel) (Entered: 07/19/2012)
07/19/2012	64	MOTION Request for Judicial Notice re 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> , 2 MOTION to Certify Class and to Appoint Class Counsel MOTION to Appoint Counsel by Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage.Responses due by 8/9/2012 (Attachments: # 1 Exhibit Letter)(Bers, Alice) (Entered: 07/19/2012)
08/15/2012	65	NOTICE by Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage of <i>Administrative Decisions</i> (Attachments: # 1 Exhibit Administrative decision - Dziadzia, # 2 Exhibit Administrative decision - Renshaw, # 3 Exhibit Administrative decision - Morse)(Bers, Alice) (Entered: 08/15/2012)
09/21/2012	66	NOTICE by Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage of <i>Administrative Decision</i> (Attachments: # 1 Exhibit)(Bers, Alice) (Entered: 09/21/2012)

09/27/2012	67	The plaintiffs' Motion for Class Certification and Appointment of Class Counsel (Doc. No. 2) is hereby DENIED as moot in light of the Motion of Intervenor-Plaintiffs for Class Certification and Appointment of Class Counsel (Doc. No. 51). It is so ordered. Signed by Judge Alvin W. Thompson on 09/27/2012. (Trachtenberg, L) (Entered: 09/27/2012)
09/27/2012	68	NOTICE by Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage of <i>Administrative Decisions</i> (Attachments: # 1 Exhibit Savage, # 2 Exhibit Bagnall)(Bers, Alice) (Entered: 09/27/2012)
10/01/2012	69	MOTION for Leave to File <i>Supplemental Opposition to Defendant's Motion to Dismiss (Doc. #23)</i> by Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage. (Attachments: # 1 Exhibit Proposed Supplemental Opposition, # 2 Exhibit Exhibit 1 to Proposed Supplemental Opposition)(Bers, Alice) (Entered: 10/01/2012)
10/03/2012	70	NOTICE: The plaintiffs and intervenor-plaintiffs have filed a Motion for Leave to File Supplemental Opposition to Defendant's Motion to Dismiss (Doc. No. 69). The plaintiffs and intervenor-plaintiffs indicated that the defendant opposes the court granting leave. If the defendant has any arguments she wants considered with respect to the Motion for Leave to File Supplemental Opposition to Defendant's Motion to Dismiss, she should file her opposition by October 9, 2012. Signed by Judge Alvin W. Thompson on 10/03/2012. (Trachtenberg, L) (Entered: 10/03/2012)
10/03/2012		Reset Deadline as to 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> . Response due by 10/9/2012. (Smith, S.) (Entered: 10/15/2012)
10/04/2012	71	Consent MOTION for Extension of Time until October 12, 2012 Response to Motion for Leave to File Supplemental Opposition to Motion to Dismiss 70 Notice,,, MOTION for Extension of Time to File Response/Reply as to 69 MOTION for Leave to File <i>Supplemental Opposition to Defendant's Motion to Dismiss (Doc. #23)</i> MOTION for Leave to File <i>Supplemental Opposition to Defendant's Motion to Dismiss (Doc. #23)</i> until October 12, 2012 by Kathleen Sebelius. (McElvain, Joel) (Entered: 10/04/2012)
10/12/2012	72	ORDER: The defendant's Unopposed Motion for an Extension of Time (Doc. No. 71) is hereby GRANTED, absent objection, to October 12, 2012. It is so ordered. Signed by Judge Alvin W. Thompson on 10/12/2012. (Trachtenberg, L) (Entered: 10/12/2012)

10/12/2012	73	Memorandum in Opposition re 69 MOTION for Leave to File <i>Supplemental Opposition to Defendant's Motion to Dismiss (Doc. #23)</i> MOTION for Leave to File <i>Supplemental Opposition to Defendant's Motion to Dismiss (Doc. #23)</i> filed by Kathleen Sebelius. (McElvain, Joel) (Entered: 10/12/2012)
10/12/2012		Reset Deadline as to 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> . Response due by 10/12/2012. (Smith, S.) (Entered: 10/15/2012)
11/09/2012	74	ORDER: American Hospital Association's Motion for Leave to File Brief Amicus Curiae in Support of Neither Party (Doc. No. 57) is hereby GRANTED, absent objection. The American Hospital Association may file its proposed Brief of the American Hospital Association as Amicus Curiae in Support of Neither Party (Doc. No. 57 -1). It is so ordered. Signed by Judge Alvin W. Thompson on 11/09/2012. (Trachtenberg, L) (Entered: 11/09/2012)
11/09/2012	75	ORDER: The Motion for Leave to File Supplemental Opposition to Defendant's Motion to Dismiss (Doc. No. 69) is hereby GRANTED over objection. The plaintiffs may file their Proposed Supplemental Memorandum in Opposition to Defendant's Motion to Dismiss (Doc. No. 69 -1). If the Defendant wishes to file a response to the supplemental memorandum, she may do so within 21 days of the date the plaintiffs file their supplemental opposition. It is so ordered. Signed by Judge Alvin W. Thompson on 11/09/2012. (Trachtenberg, L) (Entered: 11/09/2012)
11/13/2012	76	Supplemental Memorandum in Opposition re 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> filed by Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage. (Attachments: # 1 Exhibit)(Bers, Alice) (Entered: 11/13/2012)
11/13/2012		Reset Deadline as to 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> . Plaintiff's Responses due by 12/4/2012. (Smith, S.) (Entered: 11/19/2012)
11/19/2012	77	RESPONSE re 74 Order on Motion for Leave to File, <i>Brief Of The American Hospital Association As Amicus Curiae In Support Of Neither Party</i> filed by The American Hospital Association. (Attachments: # 1 Exhibit A)(Lobenfeld, Eric) (Entered: 11/19/2012)
12/04/2012	78	RESPONSE re 76 Memorandum in Opposition to Motion, <i>Defendant's Memorandum in Response to Plaintiffs' Supplemental Brief and in Further Support of Motion to Dismiss</i> filed by Kathleen Sebelius. (McElvain, Joel) (Entered: 12/04/2012)

01/02/2013	79	ORDER OF TRANSFER. Case reassigned to Judge Michael P. Shea for all further proceedings. Signed by Clerk on 1/2/13. (Bauer, J.) (Entered: 01/02/2013)
01/10/2013	80	SUGGESTION OF DEATH Upon the Record as to Plaintiff Dr. Richard Bagnall by Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage. (Bers, Alice) (Entered: 01/10/2013)
01/10/2013	81	MOTION to Substitute Party <i>for Plaintiff Richard Bagnall</i> by Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage. (Bers, Alice) (Entered: 01/10/2013)
01/30/2013	82	NOTICE of Hearing on Motion re: 35 MOTION to Stay <i>Discovery Pending Resolution of Motion to Dismiss</i>, 64 MOTION Request for Judicial Notice re 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i>, 2 MOTION to Certify Class <i>and to Appoint Class Counsel</i> MOTION to Appoint Counsel MOTION Request for Judicial Notice re 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i>, 2 MOTION to Certify Class <i>and to Appoint Class Counsel</i> MOTION to Appoint Counsel MOTION Request for Judicial Notice re 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i>, 2 MOTION to Certify Class <i>and to Appoint Class Counsel</i> MOTION to Appoint Counsel, 51 MOTION to Certify Class MOTION to Appoint Counsel <i>for the class</i>, 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i>, 81 MOTION to Substitute Party <i>for Plaintiff Richard Bagnall</i>. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Motion Hearing set for 4/19/2013 10:00 AM in North Courtroom, 450 Main St., Hartford, CT before Judge Michael P. Shea. Signed by Judge Michael P. Shea on 1/30/13.(Johnson, D.) (Entered: 01/30/2013)
03/15/2013	83	NOTICE by Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage <i>of Administrative Decisions</i> (Attachments: # 1 Exhibit Bagnall admin decision, # 2 Exhibit Renshaw admin decision)(Bers, Alice) (Entered: 03/15/2013)
04/11/2013	84	SUGGESTION OF DEATH Upon the Record <i>of plaintiffs Frederick Ruschmann and Bernice Morse</i> by Richard Bagnall, Lee Barrows, Irma

		Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage. (Bers, Alice) (Entered: 04/11/2013)
04/11/2013	85	RESCHEDULED NOTICE of Hearing on Motions re: 35 MOTION to Stay <i>Discovery Pending Resolution of Motion to Dismiss</i>, 64 MOTION Request for Judicial Notice re 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i>, 2 MOTION to Certify Class and to Appoint Class Counsel MOTION to Appoint Counsel, 51 MOTION to Certify Class MOTION to Appoint Counsel <i>for the class</i>, 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i>, 81 MOTION to Substitute Party <i>for Plaintiff Richard Bagnall</i>. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Motion Hearing set for 5/3/2013 10:00 AM in North Courtroom, 450 Main St., Hartford, CT before Judge Michael P. Shea. Signed by Judge Michael P. Shea on 4/11/13.(Johnson, D.) (Entered: 04/11/2013)
04/29/2013	86	ORDER. The Court GRANTS Plaintiffs' unopposed 81 Motion to Substitute for Plaintiff Richard Bagnall. Signed by Judge Michael P. Shea on 4/29/2013. (Lake, G.) (Entered: 04/29/2013)
04/29/2013	87	NOTICE. The Court will not hear argument on the pending Motion for Class Certification and Appointment of Class Counsel during Friday's motion hearing. Signed by Judge Michael P. Shea on 4/29/2013.(Lake, G.) (Entered: 04/29/2013)
04/29/2013	88	ORDER. The Court GRANTS Plaintiffs' 64 Motion for Judicial Notice. Signed by Judge Michael P. Shea on 4/29/2013. (Lake, G.) (Entered: 04/29/2013)
04/30/2013	89	NOTICE by Kathleen Sebelius re 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim Notice of Supplemental Authority</i> (Attachments: # 1 Exhibit CMS proposed rule filed April 26, 2013)(McElvain, Joel) (Entered: 04/30/2013)
05/03/2013	90	Minute Entry. Proceedings held before Judge Michael P. Shea: taking under advisement 23 Motion to Dismiss; Motion Hearing held on 5/3/2013 re 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> filed by Kathleen Sebelius. Total Time: 1 hours and 20 minutes(Court Reporter M. Marshall.) (Johnson, D.) (Entered: 05/03/2013)
05/07/2013	91	MOTION for Leave to File <i>Supplemental Memorandum in Opposition to Motion to Dismiss</i> by Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse,

		Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage. (Attachments: # 1 Exhibit 1)(Bers, Alice) (Entered: 05/07/2013)
05/08/2013	92	ORDER. The Court GRANTS Plaintiffs' 91 Motion for Leave to File Supplemental Memorandum. The Government may file a response of similar length. Signed by Judge Michael P. Shea on 5/8/2013. (Lake, G.) (Entered: 05/08/2013)
05/08/2013	93	Supplemental Memorandum in Opposition re 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> filed by Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage. (Bers, Alice) (Entered: 05/08/2013)
05/13/2013	94	RESPONSE re 93 Memorandum in Opposition to 23 Motion, <i>Defendant's Memorandum in Response to Supplemental Brief and in Further Support of Motion to Dismiss</i> filed by Kathleen Sebelius. (McElvain, Joel) Modified on 5/14/2013 TO LINK TO DOC #23 (Oliver, T.). (Entered: 05/13/2013)
05/30/2013	95	ORDER: Should Plaintiffs wish to submit a reply brief of no more than 5 pages in response to the state action argument raised in Defendant's 94 Memorandum in Response to Plaintiffs' Supplemental Brief and in Further Support of Motion to Dismiss, discussing <i>Blum v. Yaretsky</i> , 457 U.S. 991 (1982) and <i>Kraemer v. Heckler</i> , 737 F.2d 214 (2d Cir. 1984), they shall do so by June 7, 2013. Signed by Judge Michael P. Shea on 5/30/2013.(Lake, G.) (Entered: 05/30/2013)
05/30/2013		Set Deadlines as to 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> . Responses due by 6/7/2013 (Johnson, D.) (Entered: 06/03/2013)
06/07/2013	96	RESPONSE re 94 Response re 93 Memorandum in Opposition to 23 Motion, filed by Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage. (Bers, Alice) Modified on 6/10/2013 TO LINK TO DOC #23 (Oliver, T.). (Entered: 06/07/2013)
07/02/2013	97	MOTION to Substitute Party <i>for Plaintiff Frederick Ruschmann</i> by Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage. (Bers, Alice) (Entered: 07/02/2013)
07/05/2013	98	Consent MOTION for Extension of Time until August 7, 2013 to File Motion for Substitution of Party for Plaintiff Bernice Morse 84 Suggestion

		of Death, by Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Frederick Ruschmann, Michael Savage. (Bers, Alice) (Entered: 07/05/2013)
07/08/2013	99	ORDER. Plaintiffs' 98 Motion for Extension of Time is GRANTED. Plaintiffs shall file the motion to substitute for plaintiff Bernice Morse on or before August 7, 2013. Signed by Judge Michael P. Shea on 7/8/2013. (Best, Z) (Entered: 07/08/2013)
07/18/2013	100	TRANSCRIPT of Proceedings: Type of Hearing: Oral Argument. Held on May 3, 2013 before Judge Michael P. Shea. Court Reporter: Martha Marshall. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 8/8/2013. Redacted Transcript Deadline set for 8/18/2013. Release of Transcript Restriction set for 10/16/2013. (Marshall, M.) (Entered: 07/18/2013)
07/29/2013	101	ORDER. Plaintiffs' unopposed 97 Motion to Substitute for Plaintiff Frederick Ruschmann is GRANTED. Signed by Judge Michael P. Shea on 7/29/2013. (Best, Z) (Entered: 07/29/2013)
07/31/2013	102	NOTICE by Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage of <i>Administrative Decision</i> (Attachments: # 1 Exhibit 1)(Bers, Alice) (Entered: 07/31/2013)
08/07/2013	103	MOTION to Substitute Party <i>for Intervenor-plaintiff Bernice Morse</i> by Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Bernice Morse, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Jessie Ruschmann, Michael Savage. (Bers, Alice) (Entered: 08/07/2013)
08/23/2013	104	NOTICE by Kathleen Sebelius re 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i> (McElvain, Joel) (Entered: 08/23/2013)

09/20/2013	105	ORDER. Plaintiffs' unopposed 103 Motion to Substitute Plaintiff Bernice Morse with Christina Alexander as representative of her estate is GRANTED. Bernice Morse terminated. Signed by Judge Michael P. Shea on 9/20/2013. (Best, Z) (Entered: 09/20/2013)
09/23/2013	106	ORDER. For the reasons stated herein, Defendant's 23 Motion to Dismiss is GRANTED. Plaintiffs' 2 51 Motions for Class Certification and Appointment of Class Counsel and Defendant's 35 Motion to Stay Discovery are DENIED AS MOOT. Signed by Judge Michael P. Shea on 9/23/2013. (Best, Z) (Entered: 09/23/2013)
10/10/2013	107	JUDGMENT entered in favor of Kathleen Sebelius against Ann Pelow, Charles Holt, Christina Alexander, Denise Rugman, George Renshaw, Irma Becker, Jessie Ruschmann, Lee Barrows, Loretta Jackson, Louis Dziadzia, Martha LeYanna, Michael Savage, Sarah Mulcahy, Shirley Burton. For Appeal Forms please go to the following website: http://www.ctd.uscourts.gov/forms/all-forms/appeals_forms Signed by Clerk on 10/10/13.(Johnson, D.) (Entered: 10/10/2013)
10/10/2013		JUDICIAL PROCEEDINGS SURVEY: The following link to the confidential survey requires you to log into CM/ECF for SECURITY purposes. Once in CM/ECF you will be prompted for the case number. Although you are receiving this survey through CM/ECF, it is hosted on an independent website called SurveyMonkey. Once in SurveyMonkey, the survey is located in a secure account. The survey is not docketed and it is not sent directly to the judge. To ensure anonymity, completed surveys are held up to 90 days before they are sent to the judge for review. We hope you will take this opportunity to participate, please click on this link: https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey (Johnson, D.) (Entered: 10/10/2013)
10/31/2013	108	NOTICE OF APPEAL as to 107 Judgment, 106 Order on Motion to Dismiss, Order on Motion to Stay, Order on Motion to Certify Class, Order on Motion to Appoint Counsel,,,, by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Jessie Ruschmann, Michael Savage. Filing fee \$ 455, receipt number 0205-3051053. (Bers, Alice) (Entered: 10/31/2013)
11/13/2013	109	Index to Record on Appeal by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Jessie Ruschmann, Michael Savage re 108 Notice of Appeal, 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to</i>

		<i>State a Claim</i>, 22 Notice (Other), 107 Judgment, 50 Consent MOTION to Intervene Consent MOTION to Amend/Correct 33 Order on Motion for Extension of Time to File Response/Reply to Motion <i>to Certify Class and to Appoint Class Counsel</i>, 54 Memorandum in Opposition to Motion, 88 Order on Motion for Miscellaneous Relief, 66 Notice (Other), 60 Memorandum in Support of Motion, 65 Notice (Other), 51 MOTION to Certify Class MOTION to Appoint Counsel <i>for the class</i>, 48 Reply to Response to Motion, 64 MOTION Request for Judicial Notice re 23 MOTION to Dismiss <i>For Lack of Jurisdiction and Failure to State a Claim</i>, 2 MOTION to Certify Class <i>and to Appoint Class Counsel</i> MOTION to Appoint Counsel, 59 Reply to Response to Motion, 62 Notice (Other), 39 Memorandum in Opposition to Motion, 76 Memorandum in Opposition to Motion, 78 Response, 53 Intervenor Complaint, 24 Memorandum in Support of Motion, 61 Response, 96 Response, 1 Complaint, 94 Response, 68 Notice (Other), 89 Notice (Other), 83 Notice (Other), 2 MOTION to Certify Class <i>and to Appoint Class Counsel</i> MOTION to Appoint Counsel, 77 Response, 106 Order on Motion to Dismiss, Order on Motion to Stay, Order on Motion to Certify Class, Order on Motion to Appoint Counsel,,,, 31 Notice (Other), 102 Notice (Other), 104 Notice (Other), 93 Memorandum in Opposition to Motion,. For docket entries without a hyperlink, contact the court to arrange for the document(s) to be made available to you. (Bers, Alice) (Entered: 11/13/2013)
01/22/2015	110	ENTERED IN ERROR . . . ORDER of USCA affirming in part, vacating in part and remanding the cause to the District Court for further proceedings as to 108 Notice of Appeal. USCA Case Number 13-4179-cv. (Grady, B.) Modified on 1/23/2015 (Grady, B.). (Entered: 01/22/2015)
02/13/2015	111	MANDATE of USCA dated 02/13/2015 affirming in part, vacating in part and remanding to the District Court for further proceedings, re: 108 Notice of Appeal (Grady, B.) (Entered: 02/13/2015)
02/17/2015	112	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE Telephonic Status Conference set for 2/27/2015 04:00 PM before Judge Michael P. Shea. Counsel for Plaintiffs should initiate the call. Once all parties are on the line, call chambers at 860-240-3136. (Bradley, K.) (Entered: 02/17/2015)
02/23/2015	113	Consent MOTION Reschedule Status Conference by Kathleen Sebelius.Responses due by 3/16/2015 (McElvain, Joel) (Entered: 02/23/2015)
02/24/2015	114	ORDER. The Court GRANTS Defendant's motion 113 to reschedule the status conference. The telephonic status conference is rescheduled

		for April 6, 2015 at 2:00 PM . Signed by Judge Michael P. Shea on 2/24/15. (Bradley, K.) (Entered: 02/24/2015)
02/24/2015	115	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. Telephonic Status Conference set for 4/6/2015 02:00 PM before Judge Michael P. Shea. Plaintiff's attorney will initiate the conference call. After all of the parties are on the conference call, they should then call Chambers at (860) 240-3136 on the above date and time. (Johnson, D.) (Entered: 02/25/2015)
03/31/2015	116	NOTICE of Appearance by Kieran Gavin Gostin on behalf of Kathleen Sebelius (Gostin, Kieran) (Entered: 03/31/2015)
04/06/2015	117	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 4/6/2015. 20 minutes(Court Reporter Marshall.) (Johnson, D.) (Entered: 04/06/2015)
04/06/2015	118	ORDER. As discussed on the telephonic status conference today, the parties shall confer and file, by April 13, 2015 , a proposed scheduling order governing discovery and briefing on the issue of whether Plaintiffs possessed a property interest in being admitted to their hospitals as "inpatients." Signed by Judge Michael P. Shea on 4/6/15.(Bradley, K.) (Entered: 04/06/2015)
04/13/2015	119	Joint RESPONSE re 118 Order, <i>Proposed Case Management Plan</i> filed by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage. (Bers, Alice) (Entered: 04/13/2015)
04/14/2015	120	SCHEDULING ORDER: Discovery due by 10/16/2015; Dispositive Motions due by 12/11/2015. Signed by Judge Michael P. Shea on 4/14/15.(Johnson, D.) (Entered: 04/15/2015)
04/23/2015	121	Consent MOTION to Intervene by Dorothy Goodman.Responses due by 5/14/2015 (Attachments: # 1 Exhibit Proposed Complaint in Intervention)(Bers, Alice) (Entered: 04/23/2015)
05/08/2015	122	ORDER. Absent objection, the Court GRANTS the 121 Motion to Intervene. Signed by Judge Michael P. Shea on 5/8/15. (Bradley, K.) (Entered: 05/08/2015)
05/11/2015	123	Intervenor COMPLAINT , filed by Louis Dziadzia, Denise Rugman, Ann Pelow, Loretta Jackson, Michael Savage, Martha LeYanna, Irma Becker, Shirley Burton, Lee Barrows, Dorothy Goodman, Christina Alexander, George Renshaw, Charles Holt, Sarah Mulcahy.(Deford, Gill) (Entered: 05/11/2015)

05/26/2015	<u>124</u>	MOTION for Attorney(s) Luke A. Liss, Jason B. Mollick, Dylan G. Savage to be Admitted Pro Hac Vice (paid \$225 PHV fee; receipt number 0205-3614093) by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage. (Attachments: # <u>1</u> Affidavit Liss, # <u>2</u> Affidavit Mollick, # <u>3</u> Affidavit Savage)(Deford, Gill) (Entered: 05/26/2015)
05/27/2015	125	ORDER granting <u>124</u> MOTION for Attorneys Luke A. Liss, Jason B. Mollick, Dylan G. Savage to be admitted pro hac vice. Signed by Clerk on 05/27/2015. (Grady, B.) (Entered: 05/27/2015)
05/29/2015	<u>126</u>	NOTICE of Appearance by Jason B. Mollick on behalf of Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Jessie Ruschmann, Michael Savage (Mollick, Jason) (Entered: 05/29/2015)
05/29/2015	<u>127</u>	NOTICE of Appearance by Luke A. Liss on behalf of Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Jessie Ruschmann, Michael Savage (Liss, Luke) (Entered: 05/29/2015)
05/29/2015	<u>128</u>	NOTICE of Appearance by Dylan G. Savage on behalf of Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Jessie Ruschmann, Michael Savage (Savage, Dylan) (Entered: 05/29/2015)
08/06/2015	<u>129</u>	Joint MOTION for Joinder <i>Entry of Protective Orders</i> by Lee Barrows. (Attachments: # <u>1</u> Exhibit Protective Order for Proprietary Business Information and Trade Secrets, # <u>2</u> Exhibit Protective Order for Information Protected by HIPPA, the Privacy Act, Otherwise Implicating Privacy Interests)(Deford, Gill) (Entered: 08/06/2015)
08/17/2015	<u>130</u>	ORDER. The Court GRANTS the parties' joint motion <u>129</u> for Entry of Protective Orders, as attached. Signed by Judge Michael P. Shea on 8/17/15. (Bradley, K.) (Entered: 08/17/2015)
08/17/2015	<u>131</u>	ORDER. The Court VACATES Order <u>130</u> and replaces it with the attached document granting the parties' joint motion <u>129</u> for Entry of Protective Orders. Signed by Judge Michael P. Shea on 8/17/15. (Bradley, K.) (Entered: 08/17/2015)
08/25/2015	<u>132</u>	MOTION for Mary T. Berthelot to Withdraw as Attorney <i>for plaintiffs</i> by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis

		Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Jessie Ruschmann, Michael Savage. (Bers, Alice) (Entered: 08/25/2015)
08/26/2015	133	ORDER granting 132 Motion to Withdraw as Attorney. Attorney Mary T. Berthelot terminated. Signed by Judge Michael P. Shea on 8/26/15. (Bradley, K.) (Entered: 08/26/2015)
09/04/2015	134	NOTICE by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage of <i>Administrative Decision</i> (Attachments: # 1 Exhibit 1)(Bers, Alice) (Entered: 09/04/2015)
09/29/2015	135	NOTICE of Appearance by James J. Schwartz on behalf of Kathleen Sebelius (Schwartz, James) (Entered: 09/29/2015)
10/08/2015	136	Joint MOTION to Amend/Correct 120 Scheduling Order by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Jessie Ruschmann, Michael Savage.Responses due by 10/29/2015 (Bers, Alice) (Entered: 10/08/2015)
10/13/2015	137	ORDER. The Court DENIES the parties' joint motion 136 to modify the scheduling order without prejudice. If the parties wish to modify the scheduling order, they should refile a motion that contains proposed deadlines for the close of discovery and briefing of dispositive motions. The proposed schedule should also take account of the Second Circuit's apparent expectation that the case be handled expeditiously. Signed by Judge Michael P. Shea on 10/13/15. (Bradley, K.) (Entered: 10/13/2015)
10/14/2015	138	Joint MOTION to Amend/Correct 120 Scheduling Order (<i>Re-filed</i>) by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Jessie Ruschmann, Michael Savage.Responses due by 11/4/2015 (Bers, Alice) (Entered: 10/14/2015)
10/15/2015	139	ORDER. The Court ACCEPTS and ADOPTS the deadlines proposed in the parties' joint motion 138 to modify the scheduling order, including that discovery shall be complete by February 5, 2016, and Defendant shall file dispositive motions by March 14, 2016. Absent compelling circumstances, the court is unlikely to make revisions to this schedule that would delay the case further. Signed by Judge Michael P. Shea on 10/15/15. (Bradley, K.) (Entered: 10/15/2015)

10/16/2015		Set Deadlines: Discovery due by 2/5/2016 Dispositive Motions due by 3/14/2016 (Gould, K.) (Entered: 10/16/2015)
12/22/2015	140	SUGGESTION OF DEATH Upon the Record as to Martha Leyanna by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage. (Bers, Alice) (Entered: 12/22/2015)
12/22/2015	141	MOTION to Substitute Party <i>for intervenor-plaintiff Martha Leyanna</i> by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage. (Bers, Alice) (Entered: 12/22/2015)
01/12/2016	142	MOTION for Attorney(s) Whitney Costin to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number 0205-3857965) by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Jessie Ruschmann, Michael Savage. (Attachments: # 1 Affidavit of Costin with Certificate of Good Standing)(Deford, Gill) (Entered: 01/12/2016)
01/13/2016	143	ORDER granting 142 Motion to Appear Pro Hac Vice. Signed by Clerk on 01/13/16. (Gould, K.) (Entered: 01/13/2016)
01/14/2016	144	MOTION for Extension of Time until March 7, 2016 Close of Discovery by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage. (Bers, Alice) (Entered: 01/14/2016)
01/15/2016	145	ORDER. The Court will hold a Telephonic Status Conference on 1/21/2016 at 10:30 AM to discuss scheduling. Signed by Judge Michael P. Shea on 1/15/16. (Bradley, K.) (Entered: 01/15/2016)
01/15/2016	146	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. Telephonic Status Conference set for 1/21/2016 at 10:30 AM before Judge Michael P. Shea. The Court will e-mail the parties the dial-in information. (Bradley, K.) (Entered: 01/15/2016)
01/15/2016	147	NOTICE of Appearance by Whitney Costin on behalf of Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage (Costin, Whitney) (Entered: 01/15/2016)

01/21/2016	148	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 1/21/2016. 15 minutes(Court Reporter Marshall.) (Johnson, D.) (Entered: 01/21/2016)
01/21/2016	149	ORDER. Following a status conference with the parties, the Court finds that compelling circumstances, including complications arising from the need for extensive discovery from third parties, warrant the granting of Plaintiffs' motion 144 to extend the scheduling order 139 for discovery, and the Court ACCEPTS and ADOPTS Plaintiffs' proposed deadlines. Discovery shall be closed by March 7, 2016. Defendant shall file its motion for summary judgment and additional motion to dismiss by April 14, 2016. Plaintiffs shall file their cross motion for summary judgment/opposition to Defendants motion for summary judgment, and opposition to motion to dismiss by May 20, 2016. Defendant shall file its reply on motion for summary judgment/opposition to Plaintiffs motion for summary judgment, and reply on motion to dismiss by June 20, 2016. Plaintiffs shall file their reply to Defendants motion for summary judgment by July 7, 2016. Signed by Judge Michael P. Shea on 1/21/16. (Bradley, K.) (Entered: 01/21/2016)
01/21/2016		Set Deadlines/Hearings: Discovery due by 3/7/2016; Dispositive Motions due by 4/14/2016 (Johnson, D.) (Entered: 01/22/2016)
04/06/2016	150	NOTICE by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage <i>of Pending Related Matter and Discovery Schedule</i> (Bers, Alice) (Entered: 04/06/2016)
04/08/2016	151	Consent MOTION for Extension of Time until April 21, 2016 To File Dispositive Motions by Kathleen Sebelius. (Gostin, Kieran) (Entered: 04/08/2016)
04/18/2016	152	ORDER. Absent objection, the Court GRANTS the Plaintiff's motion 141 to substitute party for intervenor-plaintiff Martha Leyanna. Martha LeYanna terminated. The Court also GRANTS the consent motion 151 for extension of time until April 21, 2016, to file dispositive motions. Signed by Judge Michael P. Shea on 4/18/16. (Bradley, K.) (Entered: 04/18/2016)
04/18/2016		Set Deadlines/Hearings: Dispositive Motions due by 4/21/2016 (Johnson, D.) (Entered: 04/19/2016)
04/19/2016	153	Joint MOTION to Stay <i>Briefing Schedule</i> by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith.Responses due by 5/10/2016 (Bers, Alice) (Entered: 04/19/2016)

04/20/2016	154	ORDER. The Court GRANTS the parties' joint motion 153 to stay the briefing schedule for two weeks, until May 5, 2016, to allow for the deposition of NGS. The parties shall file a revised proposed schedule on May 5, 2016. Signed by Judge Michael P. Shea on 4/20/16. (Bradley, K.) (Entered: 04/20/2016)
05/04/2016	155	Joint MOTION to Amend/Correct <i>Briefing Schedule</i> by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith.Responses due by 5/25/2016 (Bers, Alice) (Entered: 05/04/2016)
05/05/2016	156	ORDER. The Court GRANTS the parties' Joint Motion 155 to Amend/Correct Briefing Schedule and ACCEPTS and ADOPTS the parties' proposed briefing schedule. Defendant shall file its motion for summary judgment and additional motion to dismiss by June 16, 2016 . Plaintiffs shall file their cross motion for summary judgment, opposition to Defendant's motion for summary judgment, and opposition to Defendant's motion to dismiss by June 29, 2016 . Defendant shall file its reply on motion for summary judgment, opposition to Plaintiffs' motion for summary judgment, and reply on additional motion to dismiss by September 6, 2016 . Plaintiffs shall file their reply to Defendant's motion for summary judgment by September 23, 2016 . Signed by Judge Michael P. Shea on 5/5/16. (Bradley, K.) (Entered: 05/05/2016)
05/05/2016	157	ORDER. The Court's Order 156 is amended as follows: Plaintiffs shall file their cross motion for summary judgment, opposition to Defendant's motion for summary judgment, and opposition to Defendant's motion to dismiss by July 29, 2016 . Signed by Judge Michael P. Shea on 5/5/16. (Bradley, K.) (Entered: 05/05/2016)
06/07/2016	158	MOTION to Amend/Correct 131 Order (<i>Protective Orders</i>) by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith.Responses due by 6/28/2016 (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit)(Bers, Alice) (Entered: 06/07/2016)
06/08/2016	159	ORDER. The Court GRANTS Plaintiffs' motion 158 to Amend/Correct the Protective Order. The revised protective order is attached. Signed by Judge Michael P. Shea on 6/8/16. (Bradley, K.) (Entered: 06/08/2016)
06/16/2016	160	MOTION for Summary Judgment , MOTION to Dismiss by Kathleen Sebelius.Responses due by 7/7/2016 (Attachments: # 1 Memorandum in Support, # 2 Statement of Material Facts, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F, # 9 Exhibit G, # 10 Exhibit H, # 11 Exhibit I, # 12 Exhibit J, # 13 Exhibit K, # 14 Exhibit

		L, # 15 Exhibit M, # 16 Exhibit N, # 17 Exhibit O, # 18 Exhibit P, # 19 Exhibit Q)(Gostin, Kieran) (Entered: 06/16/2016)
06/17/2016	161	NOTICE. The deadlines in the Court's Order 156 remain in effect. Signed by Judge Michael P. Shea on 6/17/16. (Bradley, K.) (Entered: 06/17/2016)
06/17/2016	162	ORDER. As stated in Order 157, Plaintiffs shall file their cross motion for summary judgment, opposition to Defendant's motion for summary judgment, and opposition to Defendant's motion to dismiss by July 29, 2016. Signed by Judge Michael P. Shea on 6/17/16. (Bradley, K.) (Entered: 06/17/2016)
06/17/2016		Set Deadlines/Hearings:(Dispositive Motions due by 7/29/2016), Set/Reset Deadlines as to 160 MOTION for Summary Judgment MOTION to Dismiss .(Responses due by 7/29/2016,) (Johnson, D.) (Entered: 06/21/2016)
07/29/2016	163	SEALED Memorandum of Points and Authorities in Opposition to Defendant's Rule 56(a) Motion for Summary Judgment and Renewed Rule 12(b)(6) Motion to Dismiss by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith. (Attachments: # 1 Statement of Material Facts, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Exhibit 12, # 14 Exhibit 13, # 15 Exhibit 14, # 16 Exhibit 15, # 17 Exhibit 16, # 18 Exhibit 17, # 19 Exhibit 18, # 20 Exhibit 19, # 21 Exhibit 20, # 22 Exhibit 21, # 23 Exhibit 22, # 24 Exhibit 23, # 25 Exhibit 24, # 26 Exhibit 25, # 27 Exhibit 26, # 28 Exhibit 27, # 29 Exhibit 28, # 30 Exhibit 29, # 31 Exhibit 30, # 32 Exhibit 31, # 33 Exhibit 32, # 34 Exhibit 33, # 35 Exhibit 34, # 36 Exhibit 35, # 37 Exhibit 36, # 38 Exhibit 37, # 39 Exhibit 38, # 40 Exhibit 39, # 41 Exhibit 40, # 42 Exhibit 41, # 43 Exhibit 42, # 44 Exhibit 43, # 45 Exhibit 44, # 46 Exhibit 45, # 47 Exhibit 46, # 48 Exhibit 47, # 49 Exhibit 48, # 50 Exhibit 49, # 51 Exhibit 50, # 52 Exhibit 51, # 53 Exhibit 52, # 54 Exhibit 53, # 55 Exhibit 54, # 56 Exhibit 55, # 57 Exhibit 56, # 58 Exhibit 57, # 59 Exhibit 58, # 60 Exhibit 59, # 61 Exhibit 60, # 62 Exhibit 61, # 63 Exhibit 62, # 64 Exhibit 63, # 65 Exhibit 64, # 66 Exhibit 65, # 67 Exhibit 66, # 68 Exhibit 67, # 69 Exhibit 68, # 70 Exhibit 69, # 71 Exhibit 70, # 72 Exhibit 71, # 73 Exhibit 72, # 74 Exhibit 73, # 75 Exhibit 74, # 76 Exhibit 75)(Bers, Alice) Modified to show correct event on 8/1/2016 (Shafer, J.). (Entered: 07/29/2016)

07/29/2016	164	SEALED Memorandum of Points and Authorities in Support of Plaintiffs' Cross Motion for Summary Judgment by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith. (Attachments: # 1 Statement of Material Facts, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Exhibit 12, # 14 Exhibit 13, # 15 Exhibit 14, # 16 Exhibit 15, # 17 Exhibit 16, # 18 Exhibit 17, # 19 Exhibit 18, # 20 Exhibit 19, # 21 Exhibit 20, # 22 Exhibit 21, # 23 Exhibit 22, # 24 Exhibit 23, # 25 Exhibit 24, # 26 Exhibit 25, # 27 Exhibit 26, # 28 Exhibit 27, # 29 Exhibit 28, # 30 Exhibit 29, # 31 Exhibit 30, # 32 Exhibit 31, # 33 Exhibit 32, # 34 Exhibit 33, # 35 Exhibit 34, # 36 Exhibit 35, # 37 Exhibit 36, # 38 Exhibit 37, # 39 Exhibit 38, # 40 Exhibit 39, # 41 Exhibit 40, # 42 Exhibit 41, # 43 Exhibit 42, # 44 Exhibit 43, # 45 Exhibit 44, # 46 Exhibit 45, # 47 Exhibit 46, # 48 Exhibit 47, # 49 Exhibit 48, # 50 Exhibit 49, # 51 Exhibit 50, # 52 Exhibit 51, # 53 Exhibit 52, # 54 Exhibit 53, # 55 Exhibit 54, # 56 Exhibit 55, # 57 Exhibit 56, # 58 Exhibit 57, # 59 Exhibit 58, # 60 Exhibit 59, # 61 Exhibit 60, # 62 Exhibit 61, # 63 Exhibit 62, # 64 Exhibit 63, # 65 Exhibit 64, # 66 Exhibit 65, # 67 Exhibit 66, # 68 Exhibit 67, # 69 Exhibit 68, # 70 Exhibit 69, # 71 Exhibit 70, # 72 Exhibit 71, # 73 Exhibit 72, # 74 Exhibit 73, # 75 Exhibit 74, # 76 Exhibit 75)(Bers, Alice) Modified to correct event on 8/1/2016 (Shafer, J.). (Entered: 07/29/2016)
07/29/2016	165	Memorandum in Opposition (<i>REDACTED</i>) re 160 MOTION for Summary Judgment MOTION to Dismiss filed by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith. (Attachments: # 1 Statement of Material Facts)(Bers, Alice) (Entered: 07/29/2016)
07/29/2016	166	MOTION for Summary Judgment by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith.Responses due by 8/19/2016 (Attachments: # 1 Memorandum in Support of Plaintiffs' Cross Motion for Summary Judgment (<i>REDACTED</i>), # 2 Statement of Material Facts (<i>REDACTED</i>), # 3 Exhibit 1, # 4 Exhibit 2, # 5 Exhibit 3, # 6 Exhibit 4, # 7 Exhibit 5, # 8 Exhibit 6, # 9 Exhibit 7, # 10 Exhibit 8, # 11 Exhibit 9, # 12 Exhibit 10, # 13 Exhibit 11, # 14 Exhibit 12, # 15 Exhibit 13 <i>REDACTED</i> , # 16 Exhibit 14, # 17 Exhibit 15, # 18 Exhibit 16 <i>REDACTED</i> , # 19 Exhibit 17, # 20 Exhibit 18, # 21 Exhibit 19, # 22 Exhibit 20, # 23 Exhibit 21, # 24 Exhibit 22 <i>REDACTED</i> , # 25 Exhibit 23 <i>REDACTED</i> , # 26 Exhibit 24 <i>REDACTED</i> ,

		# 27 Exhibit 25, # 28 Exhibit 26, # 29 Exhibit 27, # 30 Exhibit 28, # 31 Exhibit 29, # 32 Exhibit 30, # 33 Exhibit 31 REDACTED, # 34 Exhibit 32, # 35 Exhibit 33, # 36 Exhibit 34 REDACTED, # 37 Exhibit 35 REDACTED, # 38 Exhibit 36, # 39 Exhibit 37, # 40 Exhibit 38, # 41 Exhibit 39, # 42 Exhibit 40, # 43 Exhibit 41, # 44 Exhibit 42, # 45 Exhibit 43, # 46 Exhibit 44 REDACTED, # 47 Exhibit 45, # 48 Exhibit 46, # 49 Exhibit 47, # 50 Exhibit 48, # 51 Exhibit 49, # 52 Exhibit 50, # 53 Exhibit 51, # 54 Exhibit 52, # 55 Exhibit 53, # 56 Exhibit 54, # 57 Exhibit 55, # 58 Exhibit 56, # 59 Exhibit 57, # 60 Exhibit 58, # 61 Exhibit 59, # 62 Exhibit 60, # 63 Exhibit 61, # 64 Exhibit 62, # 65 Exhibit 63, # 66 Exhibit 64, # 67 Exhibit 65, # 68 Exhibit 66, # 69 Exhibit 67, # 70 Exhibit 68, # 71 Exhibit 69, # 72 Exhibit 70, # 73 Exhibit 71, # 74 Exhibit 72, # 75 Exhibit 73, # 76 Exhibit 74, # 77 Exhibit 75)(Bers, Alice) (Entered: 07/29/2016)
07/29/2016	167	MOTION to seal re 164 SEALED MOTION SEALED Memorandum of Points and Authorities in Support of Plaintiffs' Cross Motion for Summary Judgment, 163 SEALED MOTION SEALED Memorandum of Points and Authorities in Opposition to Defendant's Rule 56(a) Motion for Summary Judgment and Renewed Rule 12(b)(6) Motion to Dismiss by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith.Responses due by 8/19/2016 (Bers, Alice) (Entered: 07/29/2016)
07/29/2016	168	CERTIFICATE OF SERVICE by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith re 164 SEALED MOTION SEALED Memorandum of Points and Authorities in Support of Plaintiffs' Cross Motion for Summary Judgment, 163 SEALED MOTION SEALED Memorandum of Points and Authorities in Opposition to Defendant's Rule 56(a) Motion for Summary Judgment and Renewed Rule 12(b)(6) Motion to Dismiss (Bers, Alice) (Entered: 07/29/2016)
08/10/2016	169	NOTICE by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith re 167 MOTION to seal re 164 SEALED MOTION SEALED Memorandum of Points and Authorities in Support of Plaintiffs' Cross Motion for Summary Judgment, 163 SEALED MOTION SEALED Memorandum of Points and Authorities in Opposition t of Amendment to Plaintiffs' Provisional Motion to Seal on Behalf of Third Parties (Bers, Alice) (Entered: 08/10/2016)

08/11/2016	170	Consent MOTION for Extension of Time to File Response/Reply as to 166 MOTION for Summary Judgment , 160 MOTION for Summary Judgment MOTION to Dismiss until 10/04/2016 by Kathleen Sebelius. (Attachments: # 1 Text of Proposed Order)(Schwartz, James) (Entered: 08/11/2016)
08/15/2016	171	ORDER. The Court GRANTS Defendant's motion 170 for an extension of time until October 4, 2016, to file its reply on its motion for summary judgment, opposition to Plaintiff's motion for summary judgment, and reply on the motion to dismiss. Plaintiffs shall have until October 25, 2016 to file their reply on their motion for summary judgment. Signed by Judge Michael P. Shea on 8/15/2016. (Tegeler, D.) (Entered: 08/15/2016)
08/15/2016		Set/Reset Deadlines as to 160 MOTION for Summary Judgment MOTION to Dismiss , 166 MOTION for Summary Judgment . Responses due by 10/4/2016 Responses due by 10/25/2016 (Johnson, D.) (Entered: 08/16/2016)
08/24/2016	172	NOTICE of Appearance by Jennie Leah Kneedler on behalf of Kathleen Sebelius (Kneedler, Jennie) (Entered: 08/24/2016)
09/22/2016	173	Consent MOTION for Extension of Time to File Response/Reply as to 166 MOTION for Summary Judgment , 160 MOTION for Summary Judgment MOTION to Dismiss until 10/07/2016 by Kathleen Sebelius. (Attachments: # 1 Text of Proposed Order)(Schwartz, James) (Entered: 09/22/2016)
09/23/2016	174	ORDER: The Consent Motion 173 for an Extension of Time is GRANTED. Defendant's reply on motion for summary judgment and additional motion to dismiss, and opposition to Plaintiffs' motion for summary judgment are due October 7, 2016. Plaintiffs' reply on their motion for summary judgment is due November 2, 2016. Signed by Judge Michael P. Shea on 9/23/16. (Tegeler, D.) (Entered: 09/23/2016)
09/23/2016		Set/Reset Deadlines as to 160 MOTION for Summary Judgment MOTION to Dismiss , 166 MOTION for Summary Judgment . Responses due by 10/7/2016; Responses due by 11/2/2016 (Johnson, D.) (Entered: 09/27/2016)
10/07/2016	175	MOTION to Seal Memorandum in Opposition to Cross Motion for Summary Judgment and Reply in Support of Summary Judgment, Rule 26(a)(2) Statement by Kathleen Sebelius. (Kneedler, Jennie) (Entered: 10/07/2016)
10/07/2016	176	Sealed Document: Memorandum of Law in Opposition to Plaintiffs' Cross Motion for Summary Judgment by Kathleen Sebelius re 164 SEALED Memorandum of Points and Authorities n Support of Plaintiffs' Cross

		Motion for Summary Judgment . (Attachments: # 1 Statement of Material Facts Sealed)(Kneedler, Jennie) (Entered: 10/07/2016)
10/07/2016	177	Sealed Document: Reply Brief in Support of Defendant's Motion for Summary Judgment and Motion to Dismiss by Kathleen Sebelius re 160 MOTION for Summary Judgment MOTION to Dismiss . (Kneedler, Jennie) (Entered: 10/07/2016)
10/07/2016	178	Memorandum in Opposition (<i>REDACTED</i>) re 166 MOTION for Summary Judgment filed by Kathleen Sebelius. (Attachments: # 1 Statement of Material Facts (<i>REDACTED</i>))(Kneedler, Jennie) (Entered: 10/07/2016)
10/07/2016	179	REPLY to Response to 160 MOTION for Summary Judgment MOTION to Dismiss (<i>REDACTED</i>) filed by Kathleen Sebelius. (Kneedler, Jennie) (Entered: 10/07/2016)
10/07/2016	180	CERTIFICATE OF SERVICE by Kathleen Sebelius re 177 Sealed Document, 176 Sealed Document, (Kneedler, Jennie) (Entered: 10/07/2016)
11/02/2016	181	MOTION to Seal Reply Memorandum in Support of Plaintiffs' Cross Motion for Summary Judgment by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Jessie Ruschmann, Michael Savage, Mary Smith. (Bers, Alice) (Entered: 11/02/2016)
11/02/2016	182	Sealed Document: Reply Memorandum in Support of Plaintiffs' Cross Motion for Summary Judgment by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith re 166 MOTION for Summary Judgment . (Bers, Alice) (Entered: 11/02/2016)
11/02/2016	183	REPLY to Response to 166 MOTION for Summary Judgment (<i>REDACTED</i>) filed by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith. (Bers, Alice) (Entered: 11/02/2016)
11/18/2016	184	ORDER. Oral argument on the pending motions 160 , 166 for summary judgment and to dismiss is scheduled for December 15, 2016 at 1:00 PM in Courtroom Two, 450 Main St., Hartford, CT before Judge Michael P. Shea. Signed by Judge Michael P. Shea on 11/18/16. (Tegeler, D.) (Entered: 11/18/2016)
11/18/2016		Set/Reset Deadlines as to 160 MOTION for Summary Judgment MOTION to Dismiss , 166 MOTION for Summary Judgment . Motion Hearing set

		for 12/15/2016 01:00 PM in Courtroom Two, 450 Main St., Hartford, CT before Judge Michael P. Shea (Johnson, D.) (Entered: 11/21/2016)
11/23/2016	185	ORDER. Within 7 days, plaintiffs shall send this Order to all third parties referenced in the motions to seal (Dkt. #s 167 , 175 , and 181) along with copies of the motions to seal, and also file an affidavit on the docket certifying that they have done so. By December 7, 2016 , any third party that wishes a document to remain under seal in this case shall make a particularized showing why sealing is supported by clear and compelling reasons and is narrowly tailored to serve those reasons, in accordance with Local Rule 5(e) and Judge Shea's Instructions re: Confidentiality and Sealing Documents (found on this Court's website). Third parties may submit materials to chambers by mail or email (dorothy_tegeler@ctd.uscourts.gov). Signed by Judge Michael P. Shea on 11/23/16. (Tegeler, D.) (Entered: 11/23/2016)
11/28/2016	186	RESPONSE re 185 Order,,, <i>re Motions to Seal</i> filed by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith. (Bers, Alice) (Entered: 11/28/2016)
12/12/2016	187	NOTICE: At the oral argument on Thursday, counsel should be prepared, for purposes of the summary judgment motions, to address the specific evidence in the record pertaining to each of the plaintiffs and intervenor-plaintiffs, including, for example, (1) whether there is any evidence in the record showing how the inpatient/observation status decision was made at some of the hospitals visited by some of the plaintiffs (e.g., Dziadzia- St. Rafael, Jackson - Santa Rosa, Ruschmann - Baystate, Becker - Mercy, Morse - Middlesex, Mulcahy - Manchester, Sapp - Scott and White, Coffey - South Shore, Holt - Milford); (2) whether there is any evidence in the record showing whether a commercial screening tool was used at all in cases where the plaintiff was never placed on anything but observation care status (e.g., Bagnall); (3) whether any of the plaintiffs' claims are moot (or whether any plaintiffs lack standing as to part or all of their claims), for example, because they received a refund or because their claims were heard on the merits in the Medicare appeal process after they responded to a notice of denial or other adverse ruling; (4) whether any of the plaintiffs are in a position to seek the prospective relief sought in the complaints. The Court will address other issues at the argument, too, but wanted to give counsel specific notice of these. Signed by Judge Michael P. Shea on 12/12/16. (Tegeler, D.) (Entered: 12/12/2016)
12/12/2016	188	NOTICE by Kathleen Sebelius (<i>Regarding Finalization of Medicare Outpatient Observation Notice</i>) (Kneedler, Jennie) (Entered: 12/12/2016)

12/15/2016	189	ORDER. As discussed at oral argument, the motions to seal 167 , 175 , and 181 , are DENIED, given that no submissions were received in support of sealing, and that neither party objects to unsealing. As further discussed at oral argument, within 30 days, the parties shall submit supplemental briefing addressing (1) standing and mootness issues related to notice, any beneficiaries who have died, and any plaintiffs who have now received full refunds; and (2) evidence that a person placed on observation status throughout the duration of their hospital stay was or would be reviewed using a commercial screening tool. Such briefing shall not exceed 15 pages on point one and 5 pages on point two. No responsive or reply briefs will be allowed. Also, based on plaintiffs' counsel's representation that Jessie Ruschmann, administrator of Frederick Ruschmann's estate, has died without substitution, Ms. Ruschmann is TERMINATED as a party. Signed by Judge Michael P. Shea on 12/15/16. (Tegeler, D.) (Entered: 12/15/2016)
12/15/2016	190	ORDER. In addition to addressing the issues described in Order 189 , the parties should also address the question raised regarding whether Medicare beneficiaries switched from inpatient to observation status have expedited notice and appeal rights under 42 C.F.R. §§ 405.1205 and 405.1206, as mentioned in the Second Circuit's opinion, <i>Barrows v. Burwell</i> , 777 F.3d 106, 112, n.36. Discussion of this question should be included in the briefing to be submitted within 30 days, and should not exceed 5 pages. Signed by Judge Michael P. Shea on 12/15/16. (Tegeler, D.) (Entered: 12/15/2016)
12/15/2016	191	Minute Entry. Proceedings held before Judge Michael P. Shea: taking under advisement 160 Motion for Summary Judgment; taking under advisement 160 Motion to Dismiss; taking under advisement 166 Motion for Summary Judgment; Motion Hearing held on 12/15/2016 re 167 Denying - MOTION to seal re 164 SEALED MOTION SEALED Memorandum of Points and Authorities in Support of Plaintiffs' Cross Motion for Summary Judgment, 163 SEALED MOTION SEALED Memorandum of Points and Authorities in Opposition t filed by Michael Savage, Denise Rugman, Louis Dziadzia, Lee Barrows, Mary Smith, Sarah Mulcahy, Irma Becker, Charles Holt, Shirley Burton, Dorothy Goodman, Christina Alexander, Ann Pelow, Loretta Jackson, George Renshaw, 166 MOTION for Summary Judgment filed by Michael Savage, Denise Rugman, Louis Dziadzia, Lee Barrows, Mary Smith, Sarah Mulcahy, Irma Becker, Charles Holt, Shirley Burton, Dorothy Goodman, Christina Alexander, Ann Pelow, Loretta Jackson, George Renshaw, 160 MOTION for Summary Judgment MOTION to Dismiss filed by Kathleen Sebelius, 175 Denying - MOTION to Seal Memorandum in Opposition to Cross Motion for Summary Judgment and Reply in Support of Summary Judgment, Rule 26(a)(2) Statement filed by Kathleen Sebelius, 181 Denying - MOTION to Seal Reply Memorandum in Support of Plaintiffs' Cross Motion for Summary

		Judgment filed by Michael Savage, Jessie Ruschmann, Denise Rugman, Louis Dziadzia, Lee Barrows, Mary Smith, Sarah Mulcahy, Irma Becker, Charles Holt, Shirley Burton, Dorothy Goodman, Christina Alexander, Ann Pelow, Loretta Jackson, George Renshaw. Total Time: 3 hours and 25 minutes(Court Reporter Marshall.) (Johnson, D.) (Entered: 12/19/2016)
12/22/2016	192	SUGGESTION OF DEATH Upon the Record as to Irma Becker and Louis Dziadzia <i>and Statement Regarding Status of Other Plaintiffs</i> by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith. (Bers, Alice) (Entered: 12/22/2016)
01/17/2017	193	RESPONSE re 189 Order on Motion for Miscellaneous Relief,,,,, Order on Motion to Seal,,,,,,, 190 Order,, <i>Plaintiffs' Supplemental Memorandum</i> filed by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith. (Bers, Alice) (Entered: 01/17/2017)
01/17/2017	194	RESPONSE re 189 Order on Motion for Miscellaneous Relief,,,,, Order on Motion to Seal,,,,,,, 190 Order,, filed by Kathleen Sebelius. (Kneedler, Jennie) (Entered: 01/17/2017)
01/30/2017	195	SUGGESTION OF DEATH Upon the Record as to Dorothy Goodman <i>and Statement Regarding Status of Other Plaintiffs</i> by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith. (Bers, Alice) (Entered: 01/30/2017)
02/08/2017	196	ORDER. As set forth herein, the Court DENIES the Secretary's Motion 160 for Summary Judgment, DENIES Plaintiffs' Motion 166 for Summary Judgment, and GRANTS in part and DENIES in part the Secretary's Motion 160 to Dismiss. The parties shall confer and submit a revised Rule 26(f) report within 14 days, including a timeline for completing any further discovery and for any further proceedings. Signed by Judge Michael P. Shea on 2/8/17. (Tegeler, D.) (Entered: 02/08/2017)
02/21/2017	197	Consent MOTION for Extension of Time until 03/15/2017 to File Answer to Complaint by Kathleen Sebelius. (Attachments: # 1 Text of Proposed Order)(Kneedler, Jennie) (Entered: 02/21/2017)
02/22/2017	198	ORDER. The Motion 197 for Extension of Time is GRANTED. Signed by Judge Michael P. Shea on 2/22/17. (Tegeler, D.) (Entered: 02/22/2017)
02/22/2017	199	Amended REPORT of Rule 26(f) Planning Meeting. (Bers, Alice) (Entered: 02/22/2017)

02/22/2017		Answer deadline updated for Kathleen Sebelius to 3/15/2017. (Johnson, D.) (Entered: 02/23/2017)
02/23/2017	200	ORDER. A telephonic status conference to discuss the parties' amended Form 26(f) Report will be held on February 28, 2017 at 2:00 PM. Chambers will provide counsel with the dial-in information. Signed by Judge Michael P. Shea on 2/23/17. (Tegeler, D.) (Entered: 02/23/2017)
02/23/2017		Set Deadlines/Hearings: Telephonic Status Conference set for 2/28/2017 02:00 PM before Judge Michael P. Shea (Johnson, D.) (Entered: 02/24/2017)
02/28/2017	201	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 2/28/2017. 32 minutes(Court Reporter Marshall.) (Johnson, D.) (Entered: 02/28/2017)
02/28/2017	202	SCHEDULING ORDER. In light of the parties' amended 26(f) Report 199 and the discussion during today's telephonic status conference, all of the dates set forth in the parties amended Rule 26(f) Report are hereby adopted, with the following exceptions: (1) Plaintiffs' motion for class certification is due by March 3, 2017. Defendant will have 30 days to respond to the class certification motion, and Plaintiffs will then have 21 days to reply. (2) Discovery will be completed, not propounded, within 8 months of the Court's decision on the motion for class certification. (3) Dispositive motions are due 45 days after the close of discovery. (4) The joint trial memorandum will be due 45 days after the close of discovery, or 45 days after the Court's decision on any dispositive motion filed, whichever is later. (5) The case will be ready for trial no later than 15 days after the joint trial memorandum is filed. (6) Telephonic status conferences are scheduled for May 17, 2017 at 2:00 PM and December 4, 2017 at 2:00 PM. Chambers will provide counsel with the dial-in information. Signed by Judge Michael P. Shea on 2/28/17. (Tegeler, D.) (Entered: 02/28/2017)
02/28/2017		Set Deadlines/Hearings: Telephonic Status Conference set for 5/17/2017 02:00 PM before Judge Michael P. Shea. Telephonic Status Conference set for 12/4/2017 02:00 PM before Judge Michael P. Shea (Johnson, D.) (Entered: 03/01/2017)
03/03/2017	203	MOTION to Certify Class (Responses due by 3/24/2017,), MOTION to Appoint Counsel <i>for the Class</i> by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith. (Attachments: # 1 Memorandum in Support)(Bers, Alice) (Entered: 03/03/2017)

03/13/2017	204	MOTION for Whitney Costin to Withdraw as Attorney <i>for plaintiffs</i> by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith. (Bers, Alice) (Entered: 03/13/2017)
03/13/2017	205	Consent MOTION for Extension of Time to File Response/Reply as to 203 MOTION to Certify Class MOTION to Appoint Counsel <i>for the Class</i> until May 1, 2017 by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith. (Bers, Alice) (Entered: 03/13/2017)
03/15/2017	206	ORDER. The Motion 204 to Withdraw is GRANTED. Signed by Judge Michael P. Shea on 3/15/17. (Tegeler, D.) (Entered: 03/15/2017)
03/15/2017	207	ORDER. The Motion 205 for Extension of Time is GRANTED. Signed by Judge Michael P. Shea on 3/15/17. (Tegeler, D.) (Entered: 03/15/2017)
03/15/2017	208	ANSWER to 1 Complaint, with Affirmative Defenses by Kathleen Sebelius.(Kneedler, Jennie) (Entered: 03/15/2017)
03/15/2017	209	ANSWER to 53 Intervenor Complaint by Kathleen Sebelius.(Kneedler, Jennie) (Entered: 03/15/2017)
03/15/2017	210	ANSWER to 123 Intervenor Complaint, by Kathleen Sebelius.(Kneedler, Jennie) (Entered: 03/15/2017)
03/15/2017		Set/Reset Deadlines as to 203 MOTION to Certify Class MOTION to Appoint Counsel <i>for the Class</i> . Responses due by 5/1/2017 (Johnson, D.) (Entered: 03/16/2017)
03/17/2017	211	MOTION to Substitute Party <i>for intervenor-plaintiff Irma Becker</i> by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith. (Bers, Alice) (Entered: 03/17/2017)
03/17/2017	212	MOTION to Substitute Party <i>for intervenor-plaintiff Louis Dziadzia</i> by Christina Alexander, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Charles Holt, Loretta Jackson, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith. (Bers, Alice) (Entered: 03/17/2017)
04/03/2017	213	Memorandum in Opposition re 203 MOTION to Certify Class MOTION to Appoint Counsel <i>for the Class</i> filed by Kathleen Sebelius. (Kneedler, Jennie) (Entered: 04/03/2017)

04/06/2017	214	MOTION for James J. Schwartz to Withdraw as Attorney by Kathleen Sebelius. (Schwartz, James) (Entered: 04/06/2017)
04/07/2017	215	ORDER. The Motion 214 to Withdraw is GRANTED. Attorney James J. Schwartz terminated. Signed by Judge Michael P. Shea on 4/17/17. (Tegeler, D.) (Entered: 04/07/2017)
04/10/2017	216	ORDER. Absent objection, the Court GRANTS the plaintiffs' motions 211 , 212 to substitute for intervenor-plaintiff Irma Becker and intervenor-plaintiff Louis Dziadzia. Irma Becker and Louis Dziadzia terminated. Signed by Judge Michael P. Shea on 4/10/17. (Tegeler, D.) (Entered: 04/10/2017)
04/27/2017	217	MOTION to Substitute Party <i>for intervenor-plaintiff Dorothy Goodman</i> by Christina Alexander, Lee Barrows, Shirley Burton, Dorothy Goodman, Charles Holt, Loretta Jackson, Peggy Leider, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 04/27/2017)
05/01/2017	218	MOTION for Attorney(s) Regan Bailey to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number 0205-4386857) by Lee Barrows, Shirley Burton, Dorothy Goodman, Charles Holt, Loretta Jackson, Peggy Leider, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Attachments: # 1 Affidavit)(Bers, Alice) (Entered: 05/01/2017)
05/01/2017	219	REPLY to Response to 203 MOTION to Certify Class MOTION to Appoint Counsel <i>for the Class</i> filed by Christina Alexander, Lee Barrows, Shirley Burton, Dorothy Goodman, Charles Holt, Loretta Jackson, Peggy Leider, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 05/01/2017)
05/02/2017	220	ORDER granting 218 Motion for Attorney Regan Bailey to be Admitted Pro Hac Vice. Certificate of Good Standing due by 7/1/2017. Signed by Clerk on 05/02/2017. (Bozek, M.) (Entered: 05/02/2017)
05/03/2017	221	ORDER. Oral argument on the pending motion 203 for class certification is scheduled for June 13, 2017 at 2:00 PM in Courtroom Two, 450 Main St., Hartford, CT before Judge Michael P. Shea. The telephonic status conference set for May 17, 2017 is CANCELED. Signed by Judge Michael P. Shea on 5/3/17. (Tegeler, D.) (Entered: 05/03/2017)
05/03/2017	222	NOTICE of Hearing on Motion re: 203 MOTION to Certify Class MOTION to Appoint Counsel <i>for the Class</i> . ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION.

		Motion Hearing set for 6/13/2017 02:00 PM in Courtroom Two, 450 Main St., Hartford, CT before Judge Michael P. Shea Signed by Judge Michael P. Shea on 5/3/17.(Johnson, D.) (Entered: 05/04/2017)
05/22/2017	223	CERTIFICATE OF GOOD STANDING re 218 MOTION for Attorney(s) Regan Bailey to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number 0205-4386857) by Christina Alexander, Lee Barrows, Shirley Burton, Dorothy Goodman, Charles Holt, Loretta Jackson, Peggy Leider, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, The American Hospital Association, Peter Zavidniak. (Bailey, Regan) (Entered: 05/22/2017)
05/26/2017	224	SUGGESTION OF DEATH Upon the Record as to Charles Holt by Christina Alexander, Lee Barrows, Shirley Burton, Dorothy Goodman, Charles Holt, Loretta Jackson, Peggy Leider, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 05/26/2017)
06/05/2017	225	NOTICE of Appearance by Eva L. Bitran on behalf of Kathleen Sebelius (Bitran, Eva) (Entered: 06/05/2017)
06/06/2017	226	ORDER. Absent objection, the Court GRANTS the plaintiffs' motion 217 to substitute for intervenor-plaintiff Dorothy Goodman. Signed by Judge Michael P. Shea on 6/6/17. (Tegeler, D.) (Entered: 06/06/2017)
06/09/2017	227	SUGGESTION OF DEATH Upon the Record as to Sarah Mulcahy by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Charles Holt, Loretta Jackson, Peggy Leider, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 06/09/2017)
06/09/2017	228	MOTION to Substitute Party <i>for Charles Holt</i> by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Charles Holt, Loretta Jackson, Peggy Leider, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 06/09/2017)
06/13/2017	229	Minute Entry. Proceedings held before Judge Michael P. Shea: taking under advisement 203 Motion to Certify Class; taking under advisement 203 Motion to Appoint Counsel ; Motion Hearing held on 6/13/2017 re 203 MOTION to Certify Class MOTION to Appoint Counsel <i>for the Class</i> filed by Michael Savage, Denise Rugman, Louis Dziadzia, Lee Barrows, Mary Smith, Sarah Mulcahy, Irma Becker, Charles Holt, Shirley Burton, Dorothy Goodman, Christina Alexander, Ann Pelow, Loretta Jackson, George Renshaw. Total Time: 1 hours and 10 minutes(Court Reporter Marshall.) (Johnson, D.) (Entered: 06/15/2017)

06/19/2017	<u>230</u>	NOTICE by Kathleen Sebelius re <u>213</u> Memorandum in Opposition to Motion (<i>Response to Question at June 13, 2017 hearing</i>) (Kneedler, Jennie) (Entered: 06/19/2017)
06/20/2017	<u>231</u>	MOTION for Attorney(s) David J. Berger to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number 0205-4442598) by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Charles Holt, Loretta Jackson, Peggy Leider, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Certificate of Good Standing)(Bers, Alice) (Entered: 06/20/2017)
06/21/2017	232	ORDER granting <u>231</u> Motion for Attorney David J. Berger to be Admitted Pro Hac Vice for Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Charles Holt, Loretta Jackson, Peggy Leider, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak added. Signed by Clerk on 06/21/2017. (Hernandez, T.) (Entered: 06/21/2017)
06/22/2017	<u>233</u>	NOTICE of Appearance by David J. Berger on behalf of Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Charles Holt, Loretta Jackson, Peggy Leider, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak (Berger, David) (Entered: 06/22/2017)
06/22/2017	<u>234</u>	AFFIDAVIT re <u>203</u> MOTION to Certify Class MOTION to Appoint Counsel <i>for the Class Declaration of David J. Berger in Support of Plaintiffs' Motion for Class Certification and Motion to Appoint Class Counsel</i> Signed By David J. Berger filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Charles Holt, Loretta Jackson, Peggy Leider, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Berger, David) (Entered: 06/22/2017)
06/26/2017	<u>235</u>	AFFIDAVIT re <u>203</u> MOTION to Certify Class MOTION to Appoint Counsel <i>for the Class</i> Signed By Regan Bailey filed by Christina Alexander, Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Gary Goodman, Charles Holt, Loretta Jackson, Martha LeYanna, Peggy Leider, Bernice Morse, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Frederick Ruschmann, Jessie Ruschmann, Michael Savage, Mary Smith, The American Hospital Association, Peter Zavidniak. (Attachments: # <u>1</u> Affidavit)(Bailey, Regan) (Entered: 06/26/2017)
06/27/2017	236	ORDER. A telephonic status conference is set in this case for tomorrow, June 28, 2017 at 11:30 AM . Chambers will provide the parties with the dial-in information. Should any counsel have an unavoidable conflict with the time, that counsel shall arrange a call into Chambers with all parties on

		the line in order to select a new date and/or time. Signed by Judge Michael P. Shea on 6/27/17.(Tegeler, D.) (Entered: 06/27/2017)
06/27/2017		Set Deadlines/Hearings: Telephonic Status Conference set for 6/28/2017 11:30 AM before Judge Michael P. Shea (Johnson, D.) (Entered: 06/28/2017)
06/28/2017	237	ORDER. As discussed during today's telephonic status conference, the Court is inclined to certify a class that would include individuals who had demonstrated a need for skilled nursing facility care and would be eligible for Medicare coverage of such care had their hospitalization been covered under Part A. Within 14 days, the parties may, if they wish, submit proposals not to exceed 5 pages regarding how best to identify such individuals in the class definition. Signed by Judge Michael P. Shea on 6/28/17. (Tegeler, D.) (Entered: 06/28/2017)
06/28/2017	238	Minute Entry for proceedings held before Judge Michael P. Shea: Status Conference held on 6/28/2017. Total Time: 1 hours(Court Reporter Marshall.) (Johnson, D.) (Entered: 06/28/2017)
07/12/2017	239	RESPONSE re 237 Order,, <i>from plaintiffs regarding class certification</i> filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Charles Holt, Loretta Jackson, Peggy Leider, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 07/12/2017)
07/12/2017	240	NOTICE by Kathleen Sebelius re 237 Order,, (Bitran, Eva) (Entered: 07/12/2017)
07/21/2017	241	ORDER. Absent objection, the Court GRANTS the plaintiffs' motion 228 to substitute for Charles Holt. Signed by Judge Michael P. Shea on 7/21/17. (Tegeler, D.) (Entered: 07/21/2017)
07/31/2017	242	ORDER. For the reasons explained herein, plaintiffs' motion 203 for class certification is GRANTED in part and DENIED in part. The Court hereby appoints plaintiffs' counsel as class counsel and orders that the following Rule 23(b)(2) class be certified: "All Medicare beneficiaries who, on or after January 1, 2009: (1) have received or will have received 'observation services' as an outpatient during a hospitalization; and (2) have received or will have received an initial determination that the observation services are covered (or subject to coverage) under Medicare Part B. Medicare beneficiaries who meet the requirements of the foregoing sentence but who pursued an administrative appeal and received a final decision of the Secretary before September 4, 2011 are excluded from this definition."

		Signed by Judge Michael P. Shea on 7/31/17. (Tegeler, D.) (Entered: 07/31/2017)
08/07/2017	243	MOTION for Reconsideration re 242 Order on Motion to Certify Class,,, Order on Motion to Appoint Counsel,,, by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak.Responses due by 8/28/2017 (Bers, Alice) (Entered: 08/07/2017)
08/15/2017	244	ORDER. Defendant must file any response to the motion 243 for reconsideration by August 22, 2017. Signed by Judge Michael P. Shea on 8/15/17. (Tegeler, D.) (Entered: 08/15/2017)
08/15/2017		Reset Deadlines as to 243 MOTION for Reconsideration re 242 Order on Motion to Certify Class,,, Order on Motion to Appoint Counsel,,, . Responses due by 8/22/2017 (Johnson, D.) (Entered: 08/16/2017)
08/18/2017	245	MOTION for Eva L. Bitran to Withdraw as Attorney by Kathleen Sebelius. (Bitran, Eva) (Entered: 08/18/2017)
08/21/2017	246	ORDER. Defendant's 245 motion withdrawing the appearance of Eva L. Bitran is GRANTED. Signed by Judge Michael P. Shea on 8/21/17. (Taykhman, N.) (Entered: 08/21/2017)
08/22/2017	247	Memorandum in Opposition re 243 MOTION for Reconsideration re 242 Order on Motion to Certify Class,,, Order on Motion to Appoint Counsel,,, filed by Kathleen Sebelius. (Kneedler, Jennie) (Entered: 08/22/2017)
09/06/2017	248	MOTION to Substitute Party <i>for Sarah Mulcahy</i> by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 09/06/2017)
10/16/2017	249	ORDER. The motion to substitute 248 is GRANTED, absent objection. The Clerk is instructed to substitute James Mulcahy for the recently deceased plaintiff Sarah Mulcahy. Signed by Judge Michael P. Shea on 10/16/17. (Taykhman, N.) (Entered: 10/16/2017)
10/16/2017	250	ORDER. The motion for reconsideration 243 is GRANTED in part and DENIED in part. The class definition is amended to make reference to the Medicare Outpatient Observation Notice, as this is consistent with what the Court contemplated in its class certification ruling and satisfies the requirements of ascertainability and presentment (under the pragmatic approach courts take to presentment as explained in the class certification ruling). Because of concerns about both ascertainability and presentment, and because the Court does not yet have enough information about this

		issue to make a confident determination, the Court declines to amend the class definition to include the language proposed by plaintiffs in their motion 23 regarding those who "have received no Medicare coverage of the observation services because they lacked Part B." Therefore, the class definition is amended to read as follows: All Medicare beneficiaries who, on or after January 1, 2009: (1) have received or will have received "observation services" as an outpatient during a hospitalization; and (2) have received or will have received an initial determination or Medicare Outpatient Observation Notice (MOON) indicating that the observation services are covered (or subject to coverage) under Medicare Part B. Medicare beneficiaries who meet the requirements of the foregoing sentence but who pursued an administrative appeal and received a final decision of the Secretary before September 4, 2011, are excluded from this definition. The Court notes that, under Second Circuit case law, it may revisit this class definition as it receives more information and as the case develops. See <i>Cordes & Co. Financial Services, Inc. v. A.G. Edwards & Sons, Inc.</i>, 502 F.3d 91, 104 n.9 (2d Cir. 2007). The parties shall file a status report within 14 days setting forth the status of discovery and whether any party expects, at this point, that it will file a dispositive motion. The Court is eager to set a trial date in this aged case. Signed by Judge Michael P. Shea on 10/16/17. (Taykhman, N.) (Entered: 10/16/2017)
10/23/2017	251	TRANSCRIPT of Proceedings: Type of Hearing: Telephone Status Conference. Held on February 28, 2017 before Judge Michael P. Shea. Court Reporter: Martha Marshall. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 11/13/2017. Redacted Transcript Deadline set for 11/23/2017. Release of Transcript Restriction set for 1/21/2018. (Marshall, M.) (Entered: 10/23/2017)

10/30/2017	252	Joint STATUS REPORT <i>and Request for Modification of Scheduling Order</i> by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 10/30/2017)
10/31/2017	253	SCHEDULING ORDER: All of the dates set forth in the parties' 252 Joint Status Report are hereby adopted. Discovery will be completed, not propounded, by June 15, 2018. All other dates in the Court's 202 Scheduling Order remain the same: Dispositive motions shall be due July 30, 2018. The Joint Trial Memorandum shall be due July 30, 2018 or 45 days after the Court's decision on any dispositive motion filed, whichever is later. The case will be ready for trial no later than 15 days after the Joint Trial Memorandum is filed. Signed by Judge Michael P. Shea on 10/31/2017.(Taykhman, N.) (Entered: 10/31/2017)
10/31/2017		Set Deadlines/Hearings: Discovery due by 6/15/2018; Dispositive Motions due by 7/30/2018; Joint Trial Brief due by 7/30/2018 (Johnson, D.) (Entered: 11/01/2017)
12/04/2017	254	NOTICE of Appearance by Elizabeth Tulis on behalf of Kathleen Sebelius (Tulis, Elizabeth) (Entered: 12/04/2017)
12/04/2017	255	ORDER. As discussed on the record during today's telephonic status conference, by December 28, 2017, the parties shall confer and file a joint statement providing their respective estimates for the expected duration of trial in this case. The parties should provide some basis for their estimates, including the approximate number of witnesses, the expected duration of each witness' testimony, and whether the witnesses are expected to be cross-designated by the parties. These estimates will be without prejudice to those the parties must include in their joint trial memorandum and may be revised based on new information and more detailed consideration. The parties shall also provide possible dates for trial based on their estimates. If the parties are unable to file a joint statement by December 28, 2017, the parties shall file separate statements. Signed by Judge Michael P. Shea on 12/4/2017. (Taykhman, N.) (Entered: 12/04/2017)
12/04/2017	256	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 12/4/2017. 20 minutes(Court Reporter Marshall.) (Johnson, D.) (Entered: 12/04/2017)
12/11/2017	257	Joint MOTION for Extension of Time until January 5, 2018 to File Joint Statement Regarding Expected Duration of Trial by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 12/11/2017)

12/12/2017	258	ORDER. The 257 Joint Motion for an Extension of Time to File Statement Regarding Expected Duration of Trial is GRANTED. Signed by Judge Michael P. Shea on 12/12/2017. (Taykhman, N.) (Entered: 12/12/2017)
12/20/2017	259	Joint MOTION to Amend/Correct <i>Protective Order</i> by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. Responses due by 1/10/2018 (Attachments: # 1 Exhibit, # 2 Exhibit)(Bers, Alice) (Entered: 12/20/2017)
12/21/2017	260	ORDER. The 259 Joint Motion to Amend/Correct the Protective Order is GRANTED. Signed by Judge Michael P. Shea on 12/21/2017. (Taykhman, N.) (Entered: 12/21/2017)
01/05/2018	261	Joint RESPONSE re 255 Order,,, <i>regarding trial duration</i> filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 01/05/2018)
01/08/2018	262	ORDER. The Court is in receipt of the parties' 261 Joint Statement regarding the expected duration of trial. In the event no dispositive motions are filed, trial shall be set for October 15, 2018 through November 7, 2018, and the joint trial memorandum, in accordance with the instructions set forth on the undersigned's portion of the Court's website, shall be filed by September 15, 2018. In the event a party files a dispositive motion, trial shall be set for February 18, 2019 through March 12, 2019, and the joint trial memorandum shall be filed by January 18, 2019. Any party who seeks to file a dispositive motion must file by June 15, 2018 a pre-filing memorandum of no more than six pages (a) describing the grounds for the dispositive motion, (b) briefly summarizing the evidence in support of the motion, and (c) explaining why the arguments set forth in the motion cannot be addressed just as efficiently in a trial motion, such as a motion under Fed. R. Civ. P. 52(c). No response to such a filing is permitted. If a party files a pre-filing memorandum, the Court will hold a telephonic status conference on June 20, 2018 at 10:00 AM. Any dispositive motion shall be due July 30, 2018, in accordance with the Court's 253 and 202 Scheduling Orders. If the parties are unable to resolve the discovery dispute described in footnote 2 of the Joint Statement (ECF No. 261 at 2 n.2) within 14 days of this order, the parties shall initiate the Court's procedure for resolving discovery disputes as described on the Court's website (http://ctd.uscourts.gov/sites/default/files/Discovery%20Dispute%20Instructions%20%28for%20website%29%20-%20Revised%202.3.17.pdf), by

		submitting letters to chambers within 17 days. The Court will not grant an extension of the existing scheduling order based on the dispute described in the footnote - or any other discovery dispute or failure - unless the parties have promptly brought the issue to the Court's attention and, in any event, will not extend the schedule absent a showing of good cause and a showing of diligence in meeting the existing schedule. Signed by Judge Michael P. Shea on 1/8/2018. (Taykhman, N.) (Entered: 01/08/2018)
01/25/2018	263	ORDER. The court will hold a telephonic status conference to discuss the discovery dispute reflected in the correspondence sent to chambers on January 30, 2018 at 11:30 AM. Chambers will provide counsel with dial-in information via email. Signed by Judge Michael P. Shea on 1/25/2018.(Taykhman, N.) (Entered: 01/25/2018)
01/25/2018		Set Deadlines/Hearings: Telephonic Status Conference set for 1/30/2018 11:30 AM before Judge Michael P. Shea (Johnson, D.) (Entered: 01/26/2018)
01/30/2018	264	ORDER. As discussed on the record during today's telephonic status conference, by February 13, 2018, the parties shall confer and file a joint statement providing a proposal for producing the complete medical records relating to the hospital visits at issue in this case for each named plaintiff. If the parties are unable to develop a joint proposal with respect to any named plaintiff, each party shall, in the jointly submitted statement, set forth its proposal for that plaintiff. The joint statement shall also include an update as to the status of the production of the relevant medical records as of the date of the joint statement, including whether HIPAA releases have been provided for each named plaintiff. Signed by Judge Michael P. Shea on 1/30/2018. (Taykhman, N.) (Entered: 01/30/2018)
01/30/2018	265	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 1/30/2018. 45 minutes(Court Reporter Marshall.) (Johnson, D.) (Entered: 01/31/2018)
02/12/2018	266	Joint STATUS REPORT <i>Pursuant to January 30, 2018 Order</i> by Kathleen Sebelius. (Kneedler, Jennie) (Entered: 02/12/2018)
02/15/2018	267	PROTECTIVE ORDER. Signed by Judge Michael P. Shea on 2/15/2018.(Taykhman, N.) (Entered: 02/15/2018)
03/01/2018	268	MOTION for Anna Rich to Withdraw as Attorney by Christina Alexander, Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Gary Goodman, Charles Holt, Michael Holt, Loretta Jackson, Martha LeYanna, Peggy Leider, Bernice Morse, James

		Mulcahy, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Frederick Ruschmann, Jessie Ruschmann, Michael Savage, Mary Smith, The American Hospital Association, Peter Zavidniak. (Rich, Anna) (Entered: 03/01/2018)
03/01/2018	269	Consent MOTION for Extension of Time until March 6, 2018 To Submit Letters Regarding Discovery Disputes by Kathleen Sebelius. (Attachments: # 1 Text of Proposed Order)(Tulis, Elizabeth) (Entered: 03/01/2018)
03/02/2018	270	ORDER. Plaintiff's 268 motion for Anna Rich to withdraw as counsel is GRANTED. Signed by Judge Michael P. Shea on 3/2/2018. (Taykhman, N.) (Entered: 03/02/2018)
03/02/2018	271	ORDER. Defendant's 269 motion for extension of time is GRANTED. The parties shall submit their respective letters to chambers regarding the discovery dispute by March 6, 2018. Signed by Judge Michael P. Shea on 3/2/2018. (Taykhman, N.) (Entered: 03/02/2018)
03/05/2018	272	MOTION for Attorney(s) Lindsey Edwards to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4742750) by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Attachments: # 1 Affidavit)(Deford, Gill) (Entered: 03/05/2018)
03/05/2018	273	MOTION for Attorney(s) Carol A. Wong to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4742802) by Christina Alexander, Lee Barrows, Shirley Burton, Charles Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Attachments: # 1 Affidavit)(Deford, Gill) (Entered: 03/05/2018)
03/05/2018	274	MOTION for Attorney(s) Steven Guggenheim to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4742887) by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Attachments: # 1 Affidavit, # 2 Supplement Certificate of Good Standing)(Deford, Gill) (Entered: 03/05/2018)
03/06/2018	275	ORDER granting 272 Motion to Appear Pro Hac for Attorney Lindsey Edwards Certificate of Good Standing due by 5/5/2018. Signed by Clerk on 3/6/2018. (Fanelle, Nicholas) (Entered: 03/06/2018)
03/06/2018	276	ORDER granting 273 Motion to Appear Pro Hac for Attorney Carol A. Wong Certificate of Good Standing due by 5/5/2018. Signed by Clerk on 3/6/2018. (Fanelle, Nicholas) (Entered: 03/06/2018)

03/06/2018	277	ORDER granting 274 Motion to Appear Pro Hac for Attorney Steven Guggenheim. Signed by Clerk on 3/6/2018. (Fanelle, Nicholas) (Entered: 03/06/2018)
03/06/2018	278	MOTION for Toby Edelman and Kevin Prindiville to Withdraw as Attorney by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 03/06/2018)
03/07/2018	279	ORDER. The 278 motion for attorneys Toby Edelman and Kevin Prindiville to withdraw as counsel is GRANTED. Signed by Judge Michael P. Shea on 3/7/2018. (Taykhman, N.) (Entered: 03/07/2018)
03/08/2018	280	ORDER. The Court will hold a telephonic status conference on March 13, 2018 at 11:30 AM to discuss the discovery dispute identified in the attached correspondence. Chambers will circulate dial-in information via email. Signed by Judge Michael P. Shea on 3/8/2018. (Taykhman, N.) (Entered: 03/08/2018)
03/08/2018		Set Deadlines/Hearings: Telephonic Status Conference set for 3/13/2018 11:30 AM before Judge Michael P. Shea (Johnson, D.) (Entered: 03/09/2018)
03/12/2018	281	NOTICE of Appearance by Carol Wong on behalf of Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak (Attachments: # 1 Supplement)(Wong, Carol) (Entered: 03/12/2018)
03/12/2018	282	NOTICE of Appearance by Lindsey Edwards on behalf of Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak (Attachments: # 1 Supplement)(Edwards, Lindsey) (Entered: 03/12/2018)
03/12/2018	283	CERTIFICATE OF GOOD STANDING re 272 MOTION for Attorney(s) Lindsey Edwards to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4742750) by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Edwards, Lindsey) (Entered: 03/12/2018)

03/12/2018	284	CERTIFICATE OF GOOD STANDING re 273 MOTION for Attorney(s) Carol A. Wong to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4742802) by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Wong, Carol) (Entered: 03/12/2018)
03/12/2018	285	NOTICE of Appearance by Steven D. Guggenheim on behalf of Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak (Guggenheim, Steven) (Entered: 03/12/2018)
03/13/2018	286	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 3/13/2018. Total Time: 1 hours(Court Reporter Marshall.) (Johnson, D.) (Entered: 03/14/2018)
03/14/2018	287	ORDER. As discussed during yesterday's telephonic status conference, the Court issues the following orders regarding the discovery dispute identified in the 280 correspondence: 1. The Government need not respond to Interrogatory 13. The Court sustains the Government's objection and finds that Interrogatory 13 seeks legal conclusions through its request for descriptions of "rights and methods that providers have under CMS policy, regulations, and law...." The Court also finds that information responsive to Interrogatory 13 appears to be available to Plaintiffs in the public domain. 2. The Government shall respond to Interrogatories 17 and 18 as to specific facts and evidence that it intends to rely on with regard to the second <i>Mathews</i> factor, as described in those interrogatories. The parties may confer and come to an agreement about the timing of the Government's response. The parties shall report any agreement to the Court within 7 days of this order or, if no agreement is reached, shall identify their respective positions. 3. With respect to Request for Production 23, the Government shall produce to Plaintiffs the limited sample of documents it has in its possession (but not patient-identifying information), which defense counsel described as a brief case summary and determination regarding a short stay review prepared by a BFCC-QIO. The Government's production shall be subject to the disclosure provisions set forth in 42 U.S.C. § 1320c-9. The parties shall confer on whether redactions of specific provider information are appropriate and the extent of those redactions. If the parties are unable to come to an agreement regarding redactions of this category of documents, they may submit a letter to chambers via email, copying all

		counsel, seeking the Court's intervention. 4. As to the category of documents Plaintiffs have requested by subpoena from two BFCC-QIOs under Request for Production 23, because Plaintiffs' counsel represented that they have received some documents from the BFCC-QIOs but are continuing negotiating with those non-parties as to supplemental productions, the Court will wait for the outcome of the negotiations before potentially revisiting the issue of whether the documents requested are in the "control" of the government. Plaintiffs' counsel shall promptly update the Court, via letter sent by email to chambers, copying all counsel, of the status of these negotiations if they anticipate seeking the Court's further assistance. Signed by Judge Michael P. Shea on 3/14/2018. (Taykhman, N.) (Entered: 03/14/2018)
03/16/2018	288	NOTICE. The Court received the attached correspondence. Signed by Judge Michael P. Shea on 3/16/2018.(Taykhman, N.) (Entered: 03/16/2018)
03/20/2018	289	Joint STATUS REPORT <i>in response to Order of March 14, 2018</i> by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 03/20/2018)
04/16/2018	290	ORDER. The Court will hold a telephonic status conference on April 17, 2018 at 10:00 AM to discuss the schedule in this matter. The government should be prepared to discuss preliminarily whether it intends to move for summary judgment. Chambers will circulate dial-in information via email. Signed by Judge Michael P. Shea on 4/16/2018. (Taykhman, N.) (Entered: 04/16/2018)
04/17/2018	291	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 4/17/2018. 7 minutes(Court Reporter Marshall.) (Johnson, D.) (Entered: 04/17/2018)
04/30/2018	292	NOTICE of Appearance by Garrett Coyle on behalf of Kathleen Sebelius (Coyle, Garrett) (Entered: 04/30/2018)
04/30/2018	293	NOTICE of Appearance by Jason Lee on behalf of Kathleen Sebelius (Lee, Jason) (Entered: 04/30/2018)
05/02/2018	294	ORDER. Due to a change in the Court's calendar, the telephonic status conference currently scheduled for June 20, 2018 at 10:00 AM, to be held in the event a party files a pre-filing memorandum regarding a possible dispositive motion, is RESCHEDULED for June 21, 2018 at 1:00 PM.

		Signed by Judge Michael P. Shea on 5/2/2018. (Taykhman, N.) (Entered: 05/02/2018)
05/02/2018		Set Deadlines/Hearings: Telephonic Status Conference set for 6/21/2018 01:00 PM before Judge Michael P. Shea (Johnson, D.) (Entered: 05/03/2018)
05/03/2018	295	MOTION for Attorney(s) Wey-Wey Kwok to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4818537) by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Attachments: # 1 Affidavit)(Bers, Alice) (Entered: 05/03/2018)
05/04/2018	296	ORDER granting 295 Motion to Appear Pro Hac for attorney Wey-Wey Kwok Certificate of Good Standing due by 7/3/2018. Signed by Clerk on 5/4/2018. (Fanelle, Nicholas) (Entered: 05/04/2018)
05/04/2018	297	NOTICE of Appearance by Wey-Wey Kwok on behalf of Christina Alexander (Kwok, Wey-Wey) (Entered: 05/04/2018)
05/25/2018	298	SUGGESTION OF DEATH Upon the Record as to Loretta Jackson by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 05/25/2018)
06/06/2018	299	MOTION for Attorney(s) Alexander K. Brehnan to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4857655) by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Attachments: # 1 Affidavit)(Bers, Alice) (Entered: 06/06/2018)
06/07/2018	300	ORDER granting 299 Motion to Appear Pro Hac for Attorney Alexander K. Brehnan Certificate of Good Standing due by 8/6/2018. Signed by Clerk on 6/7/2018. (Fanelle, Nicholas) (Entered: 06/07/2018)
06/07/2018	301	NOTICE of Appearance by Alexander Kenneth Brehnan on behalf of Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak (Brehnan, Alexander) (Entered: 06/07/2018)
06/12/2018	302	CERTIFICATE OF GOOD STANDING re 299 MOTION for Attorney(s) Alexander K. Brehnan to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4857655) by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman,

		Michael Savage, Mary Smith, Peter Zavidniak. (Brehnan, Alexander) (Entered: 06/12/2018)
06/14/2018	303	Consent MOTION for Leave to Conduct Deposition of Holy Name Medical Center After Deadline to Complete Discovery by Kathleen Sebelius.Responses due by 7/5/2018 (Coyle, Garrett) (Entered: 06/14/2018)
06/15/2018	304	ORDER. The government's 303 motion for leave to conduct a deposition of Holy Name Medical Center after the June 15, 2018 deadline to complete discovery, on a date mutually agreed on with plaintiffs' counsel, is GRANTED. Signed by Judge Michael P. Shea on 6/15/2018. (Taykhman, N.) (Entered: 06/15/2018)
06/15/2018	305	RESPONSE re 262 Order,,,,,,,,, by Kathleen Sebelius (<i>Pre-Filing Memorandum</i>). (Tulis, Elizabeth) (Entered: 06/15/2018)
06/18/2018	306	Consent MOTION for Leave to Conduct Deposition of Dr. Marjory Cannon after Deadline to Complete Discovery by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak.Responses due by 7/9/2018 (Bers, Alice) (Entered: 06/18/2018)
06/19/2018	307	ORDER. In light of the complexity of the issues raised in the government's 305 pre-filing letter, the telephonic status conference currently scheduled for June 21, 2018 is RESCHEDULED for June 28, 2018 at 1:00 PM. Plaintiffs shall file a response to the government's letter by June 25, 2018. Signed by Judge Michael P. Shea on 6/19/2018. (Taykhman, N.) (Entered: 06/19/2018)
06/19/2018	308	ORDER. Plaintiffs' 306 motion for leave to conduct a deposition of Dr. Marjory Cannon after the June 15, 2018 deadline to complete discovery, on a date mutually agreed on with government counsel, is GRANTED. Signed by Judge Michael P. Shea on 6/19/2018. (Taykhman, N.) (Entered: 06/19/2018)
06/19/2018		Set Deadlines/Hearings: Telephonic Status Conference set for 6/28/2018 01:00 PM before Judge Michael P. Shea (Johnson, D.) (Entered: 06/20/2018)
06/25/2018	309	RESPONSE re 307 Order, filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Attachments: # 1 Exhibit)(Bers, Alice) (Entered: 06/25/2018)

06/28/2018	310	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 6/28/2018. Total Time: 1 hours and 16 minutes(Court Reporter Marshall.) (Johnson, D.) (Entered: 06/28/2018)
06/28/2018	311	ORDER. As discussed on the record during today's telephonic status conference, by July 12, 2018, the parties shall confer and file a joint status report regarding their availability for trial in late November 2018 and December 2018. If the parties are unavailable at that time, the Court will try the case during the previously set dates in February 2019. During the call today, the Court prohibited the defendant from filing a second motion for summary judgment as to issues previously addressed by the Court, specifically, the issues related to a property interest. As discussed on the call, it is simply too late to file what would likely amount to a motion for reconsideration of the Court's summary judgment decision. See D. Conn. L.R. 7. The Court also strongly discouraged the Defendant from filing motions with respect to fewer than all plaintiffs, as that would not further judicial economy. The Court also discussed with the parties the defendant's proposal to file a motion for summary judgment with respect to the factors set forth in <i>Mathews v. Eldridge</i>, 424 U.S. 319, 335 (1976). Although the Court expressed skepticism on the call about whether filing such a motion would be consistent with judicial economy, upon reflection, it is not clear to the Court what type of evidentiary showing Plaintiffs would make at the hearing they are seeking in this case. It thus appears that it may assist the Court -- and thus create economies -- for the defendant to file a motion for summary judgment confined to the second <i>Mathews</i> factor, "the risk of an erroneous deprivation of [the private interest] through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards." <i>Mathews v. Eldridge</i>, 424 U.S. 319, 335 (1976). Such a motion may help the Court better understand the criteria the plaintiffs contend will govern the issues to be decided at the hearing that the plaintiffs seek. It is difficult to decide what the "probable value" of such a hearing would be in the absence of clearer information about the criteria to be satisfied at such a hearing. The Court remains skeptical, however, that the first and third <i>Mathews</i> factors are susceptible to decision on a motion for summary judgment. Nonetheless, because the defendant has a right to move for summary judgment once with respect to the <i>Mathews</i> factors the Court will not prohibit the defendant from filing a motion encompassing all three factors. The Court cannot guarantee that it will be in a position to render a decision on such a motion before the trial, but it will more likely be in a position to do so if the motion is targeted at discrete legal issues, such as the second <i>Mathews</i> factor. As noted on the call, however, the Court's view is that it would not further

		the interest of judicial economy for the Defendant to file a motion for decertification of the class at this time. Any motion for summary judgment shall be filed by the dispositive motion deadline, July 30, 2018. Signed by Judge Michael P. Shea on 6/28/2018. (Taykhman, N.) (Entered: 06/28/2018)
06/28/2018		Set Deadlines: Dispositive Motions due by 7/30/2018; Joint Status Report due by 7/12/2018 (Johnson, D.) (Entered: 06/29/2018)
06/30/2018	312	CERTIFICATE OF GOOD STANDING re 295 MOTION for Attorney(s) Wey-Wey Kwok to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-4818537) by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Kwok, Wey-Wey) (Entered: 06/30/2018)
07/02/2018	313	MOTION for Joel McElvain to Withdraw as Attorney by Kathleen Sebelius. (McElvain, Joel) (Entered: 07/02/2018)
07/03/2018	314	ORDER. Defendant's 313 motion for attorney Joel McElvain to withdraw as counsel is GRANTED. Signed by Judge Michael P. Shea on 7/3/2018. (Taykhman, N.) (Entered: 07/03/2018)
07/12/2018	315	Joint STATUS REPORT <i>Regarding Availability for Trial</i> by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 07/12/2018)
07/13/2018	316	NOTICE: The Court has reviewed the parties' joint status report and confirms that trial in this matter will begin on February 18, 2019. The Joint Trial Memorandum, which shall be in accordance with the Court's instructions as shown on the undersigned's portion of the Court's website, is due January 18, 2019. The pretrial conference, at which the parties shall be prepared to address all evidentiary and trial-management issues identified in the Joint Trial Memorandum and any motions in limine, is scheduled for February 5, 2019 at 10:00 am. Signed by Judge Michael P. Shea on 7/13/2018. (Taykhman, N.) (Entered: 07/13/2018)
07/13/2018		Set Deadlines/Hearings: Joint Trial Brief due by 1/18/2019; Jury Trial set for 2/18/2019 09:00 AM in Courtroom Two, 450 Main St., Hartford, CT before Judge Michael P. Shea. Pretrial Conference set for 2/5/2019 10:00

		AM in Courtroom Two, 450 Main St., Hartford, CT before Judge Michael P. Shea (Johnson, D.) (Entered: 07/16/2018)
07/13/2018		CORRECTED Set Deadlines/Hearings: Joint Trial Brief due by 1/18/2019; Bench Trial set for 2/18/2019 09:00 AM in Courtroom Two, 450 Main St., Hartford, CT before Judge Michael P. Shea; Pretrial Conference set for 2/5/2019 10:00 AM in Courtroom Two, 450 Main St., Hartford, CT before Judge Michael P. Shea (Johnson, D.) (Entered: 07/23/2018)
07/16/2018	317	NOTICE of Appearance by Rodman E. Honecker on behalf of Holy Name Medical Center (Honecker, Rodman) (Entered: 07/16/2018)
07/20/2018	318	MOTION to Substitute Party <i>for Loretta Jackson</i> by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 07/20/2018)
07/30/2018	319	Second MOTION for Summary Judgment by Kathleen Sebelius. Responses due by 8/20/2018 (Attachments: # 1 Memorandum in Support of Defendant's Second Motion for Summary Judgment, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Statement of Material Facts, # 7 Exhibit 1, # 8 Exhibit 2, # 9 Exhibit 3, # 10 Exhibit 4, # 11 Exhibit 5, # 12 Exhibit 6, # 13 Exhibit 7, # 14 Exhibit 8, # 15 Exhibit 9, # 16 Exhibit 10, # 17 Exhibit 11, # 18 Exhibit 12, # 19 Exhibit 13, # 20 Exhibit 14, # 21 Exhibit 15, # 22 Exhibit 16, # 23 Exhibit 17, # 24 Exhibit 18)(Tulis, Elizabeth) (Entered: 07/30/2018)
08/03/2018	320	Joint MOTION for Extension of Time for Remaining Briefing of Defendant's Second Motion for Summary Judgment by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Michael Holt, Loretta Jackson, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 08/03/2018)
08/06/2018	321	ORDER. The 320 joint motion for modification of the briefing schedule for Defendant's Second Motion for Summary Judgment is GRANTED. Plaintiffs' opposition is due September 13, 2018. Defendant's reply is due October 12, 2018. Signed by Judge Michael P. Shea on 8/6/2018. (Taykhman, N.) (Entered: 08/06/2018)
08/06/2018		Set Deadlines as to 319 Second MOTION for Summary Judgment . Responses due by 9/13/2018 (Johnson, D.) (Entered: 08/06/2018)
08/16/2018	322	ORDER. Absent objection, the 318 motion to substitute is GRANTED. The Clerk is instructed to substitute Brenda Hardy for the recently deceased plaintiff Loretta Jackson. Signed by Judge Michael P. Shea on 8/16/2018. (Taykhman, N.) (Entered: 08/16/2018)

08/24/2018	323	MOTION for Class Decertification Order by Kathleen Sebelius. (Attachments: # 1 Memorandum in Support, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9)(Tulis, Elizabeth) (Entered: 08/24/2018)
08/31/2018	324	Consent MOTION for Extension of Time to File Response/Reply as to 323 MOTION for Class Decertification Order until September 28, 2018 by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 08/31/2018)
09/05/2018	325	MOTION for Jennie L. Kneedler to Withdraw as Attorney by Kathleen Sebelius. (Kneedler, Jennie) (Entered: 09/05/2018)
09/05/2018	326	MOTION for Leave to File Excess Pages <i>for Plaintiffs' Local Rule 56(a)2 Statement of Facts in Opposition to Summary Judgment</i> by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 09/05/2018)
09/07/2018	327	ORDER. The 325 Motion to Withdraw as Attorney is GRANTED. Signed by Judge Michael P. Shea on 9/7/2018. (Guevremont, Nathan) (Entered: 09/07/2018)
09/07/2018	328	ORDER. The Plaintiffs' 326 Motion for Leave to File Excess Pages for their Local Rule 56(a)2 Statement is GRANTED in part and DENIED in part. Plaintiffs Rule 56(a)2 statements shall be limited to 30 pages for the responsive portion and 12 pages for their Statement of Additional Facts. Signed by Judge Michael P. Shea on 9/7/2018. (Guevremont, Nathan) (Entered: 09/07/2018)
09/07/2018	329	ORDER. Plaintiffs' 324 motion for extension of time to respond to the 323 Motion for Class Decertification is GRANTED. Plaintiffs shall respond to the motion by September 28, 2018. Signed by Judge Michael P. Shea on 9/7/2018. (Guevremont, Nathan) (Entered: 09/07/2018)
09/07/2018		Set Deadlines as to 323 MOTION for Class Decertification Order. Responses due by 9/28/2018 (Johnson, D.) (Entered: 09/10/2018)
09/13/2018	330	MOTION to Seal Plaintiffs' Memorandum in Opposition to Defendants Second Motion for Summary Judgment and Plaintiffs Local Rule 56(a)2 Statement in Opposition to Defendants Second Motion for Summary Judgment and supporting exhibits by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman,

		Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 09/13/2018)
09/13/2018	331	SEALED MOTION TO SEAL Plaintiffs' Memorandum in Opposition to Defendants Second Motion for Summary Judgment by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Attachments: # 1 Statement of Material Facts, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 5, # 5 Exhibit 6, # 6 Exhibit 7, # 7 Exhibit 8, # 8 Exhibit 9, # 9 Exhibit 15, # 10 Exhibit 20, # 11 Exhibit 21, # 12 Exhibit 22, # 13 Exhibit 23, # 14 Exhibit 24, # 15 Exhibit 25, # 16 Exhibit 26, # 17 Exhibit 27, # 18 Exhibit 28, # 19 Exhibit 29, # 20 Exhibit 30, # 21 Exhibit 31, # 22 Exhibit 32, # 23 Exhibit 33, # 24 Exhibit 34, # 25 Exhibit 35, # 26 Exhibit 36, # 27 Exhibit 37, # 28 Exhibit 45, # 29 Exhibit 46, # 30 Exhibit 48)(Bers, Alice) (Entered: 09/13/2018)
09/13/2018	332	Memorandum in Opposition re 319 Second MOTION for Summary Judgment filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 09/13/2018)
09/13/2018	333	Statement of Material Facts re 331 SEALED MOTION TO SEAL Plaintiffs' Memorandum in Opposition to Defendants Second Motion for Summary Judgment filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 09/13/2018)
09/13/2018	334	AFFIDAVIT re 332 Memorandum in Opposition to Motion, 333 Statement of Material Facts, Signed By Alice Bers filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Exhibit 28, # 29 Exhibit 29, # 30 Exhibit 30, # 31 Exhibit 31, # 32 Exhibit 32, # 33 Exhibit 33, # 34 Exhibit 34, # 35 Exhibit 35, # 36 Exhibit 36, # 37 Exhibit 37, # 38 Exhibit 38, # 39 Exhibit 39, # 40 Exhibit 40, # 41 Exhibit 41, # 42 Exhibit 42, # 43 Exhibit 43, # 44 Exhibit 44, # 45 Exhibit 45, # 46 Exhibit 46, # 47 Exhibit 47, # 48 Exhibit 48 (REDACTED), # 49 Exhibit 49,

		# 50 Exhibit 50, # 51 Exhibit 51, # 52 Exhibit 52, # 53 Exhibit 53, # 54 Exhibit 54, # 55 Exhibit 55, # 56 Exhibit 56, # 57 Exhibit 57, # 58 Exhibit 58, # 59 Exhibit 59, # 60 Exhibit 60, # 61 Exhibit 61, # 62 Exhibit 62, # 63 Exhibit 63, # 64 Exhibit 64, # 65 Exhibit 65, # 66 Exhibit 66, # 67 Exhibit 67, # 68 Exhibit 68, # 69 Exhibit 69, # 70 Exhibit 70, # 71 Exhibit 71, # 72 Exhibit 72, # 73 Exhibit 73, # 74 Exhibit 74, # 75 Exhibit 75, # 76 Exhibit 76, # 77 Exhibit 77, # 78 Exhibit 78, # 79 Exhibit 79, # 80 Exhibit 80, # 81 Exhibit 81, # 82 Exhibit 82)(Bers, Alice) (Entered: 09/13/2018)
09/13/2018	335	CERTIFICATE OF SERVICE by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak re 331 SEALED MOTION TO SEAL Plaintiffs' Memorandum in Opposition to Defendants Second Motion for Summary Judgment (Bers, Alice) (Entered: 09/13/2018)
09/18/2018	336	ORDER. Plaintiffs' 330 motion to seal does not state with particularity the need to seal the documents described in the motion, but requests that third-party producers and Defendant be given the opportunity to make a particularized showing. The documents at issue will remain provisionally sealed pending the Court's decision on the motion. No later than September 19, 2018, Plaintiff shall provide notice of the pending motion to seal to third-party producers. Third-party producers and Defendant shall then have 14 days to enter an appearance and make a particularized showing as to the need to keep the documents sealed pursuant to Local Rule of Civil Procedure 5(e). Third-party producers not represented by local counsel may file motions to be admitted pro hac vice under Local Rule 83.1. Signed by Judge Michael P. Shea on 9/18/2018. (Guevremont, Nathan) (Entered: 09/18/2018)
09/24/2018	337	SEALED MOTION to Seal Non-Party Livanta's Motion and Supporting Exhibits in support of Plaintiffs' Motion to Seal on Behalf of Third Parties, Filed at the Request of Counsel for Livanta by Christina Alexander. (Attachments: # 1 Affidavit of T. Roland, # 2 Exhibit A to Roland Decl., # 3 Exhibit B to Roland Decl., # 4 Exhibit C to Roland Decl., # 5 Exhibit D to Roland Decl., # 6 Exhibit E to Roland Decl., # 7 Exhibit F to Roland Decl., # 8 Exhibit G to Roland Decl., # 9 Exhibit H to Roland Decl.)(Bers, Alice) (Entered: 09/24/2018)
09/28/2018	338	Memorandum in Opposition re 323 MOTION for Class Decertification Order filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 09/28/2018)

10/03/2018	339	NOTICE of Appearance by Andrew M. Zeitlin on behalf of Keystone Peer Review Organization, Inc. , <i>Interested Party</i> , (Zeitlin, Andrew) (Entered: 10/03/2018)
10/03/2018	340	MOTION to Continue to Maintain Documents Under Seal re 336 Order,,, by Keystone Peer Review Organization, Inc..Responses due by 10/24/2018 (Attachments: # 1 Memorandum in Support, # 2 Exhibit A, # 3 Exhibit B)(Zeitlin, Andrew) (Entered: 10/03/2018)
10/03/2018	341	NOTICE by Kathleen Sebelius (Lee, Jason) (Entered: 10/03/2018)
10/04/2018	342	Consent MOTION for Extension of Time until 10/19/2018 and 10/26/2018 To File Replies in Support of Pending Motions 323 MOTION for Class Decertification Order, 319 Second MOTION for Summary Judgment by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 10/04/2018)
10/05/2018	343	NOTICE by Kathleen Sebelius <i>of Filing at Request of Non-Party Livanta</i> (Attachments: # 1 Exhibit Non-Party Livanta's Second Motion to Seal, # 2 Exhibit Second Declaration of Thomas Roland, # 3 Exhibit Exhibit A - Redacted, # 4 Exhibit Exhibit B - Redacted, # 5 Exhibit Exhibit C - Redacted)(Tulis, Elizabeth) (Entered: 10/05/2018)
10/05/2018	344	ORDER. Defendant's 342 motion for extension of time is GRANTED. Defendant shall file his reply in support of the motion for summary judgment on or before October 26, 2018. He shall file his reply in support of the motion for class decertification on or before October 19, 2018. Signed by Judge Michael P. Shea on 10/5/2018. (Guevremont, Nathan) (Entered: 10/05/2018)
10/05/2018		Set/Reset Deadlines as to 319 Second MOTION for Summary Judgment , Responses due by 10/26/2018 323 MOTION for Class Decertification Order. Responses due by 10/19/2018 (Johnson, D.) (Entered: 10/09/2018)
10/17/2018	345	MOTION for Leave to File Excess Pages <i>in Reply Memorandum in Further Support of Defendant's Second Motion for Summary Judgment</i> by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 10/17/2018)
10/18/2018	346	RESPONSE re 345 MOTION for Leave to File Excess Pages <i>in Reply Memorandum in Further Support of Defendant's Second Motion for Summary Judgment</i> filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 10/18/2018)
10/18/2018	347	ORDER. Defendant's 345 motion for leave to file excess pages is GRANTED IN PART and DENIED IN PART. Defendant's reply brief in support of his second motion for summary judgment may not exceed 15 pages.

		Signed by Judge Michael P. Shea on 10/18/2018. (Guevremont, Nathan) (Entered: 10/18/2018)
10/19/2018	348	REPLY to Response to 323 MOTION for Class Decertification Order filed by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 10/19/2018)
10/23/2018	349	Consent MOTION for Extension of Time to File Response/Reply as to 319 Second MOTION for Summary Judgment until November 2, 2018 by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 10/23/2018)
10/24/2018	350	ORDER. The 349 motion for extension of time to file a reply brief in support of summary judgment is GRANTED. The Defendant shall file his reply by November 2, 2018. No further extensions of this deadline will be granted. Signed by Judge Michael P. Shea on 10/24/2018. (Guevremont, Nathan) (Entered: 10/24/2018)
10/24/2018		Set/Reset Deadlines as to 319 Second MOTION for Summary Judgment . Responses due by 11/2/2018 (Johnson, D.) (Entered: 10/25/2018)
10/30/2018	351	ORDER. Oral argument on the pending motions 319 for summary judgment and 323 for class decertification will be held on Monday, November 26, 2018 at 2:00 PM in Courtroom Two, 450 Main St., Hartford, CT before Judge Michael P. Shea. Signed by Judge Michael P. Shea on 10/30/2018. (Guevremont, Nathan) (Entered: 10/30/2018)
10/30/2018		Set Deadlines as to 319 Second MOTION for Summary Judgment , 323 MOTION for Class Decertification Order. Motion Hearing set for 11/26/2018 02:00 PM in Courtroom Two, 450 Main St., Hartford, CT before Judge Michael P. Shea (Johnson, D.) (Entered: 10/31/2018)
11/02/2018	352	NOTICE of Appearance by Kelley Hauser on behalf of Kathleen Sebelius (Hauser, Kelley) (Entered: 11/02/2018)
11/02/2018	353	REPLY to Response to 319 Second MOTION for Summary Judgment filed by Kathleen Sebelius. (Attachments: # 1 Exhibit 19, # 2 Exhibit 20)(Tulis, Elizabeth) (Entered: 11/02/2018)
11/02/2018	354	MOTION in Limine to <i>Exclude the Expert Opinions of Professor Theodore R. Marmor</i> by Kathleen Sebelius.Responses due by 11/23/2018 (Attachments: # 1 Memorandum in Support, # 2 Exhibit, # 3 Exhibit)(Hauser, Kelley) (Entered: 11/02/2018)
11/08/2018	355	NOTICE. At oral argument on November 26, the parties should be prepared to address, in addition to the pending motions, the possibility of bifurcating the trial, such that the first phase of the trial would be limited to

		determining whether the plaintiffs have proven the existence of a property interest; if the court determined they had, it would schedule a second phase of the trial to focus on the remaining elements of the due process claim. Specifically, the parties should be prepared to discuss whether bifurcating the trial in this manner would promote judicial economy, including the extent to which the proof would overlap in the two phases. Signed by Judge Michael P. Shea on 11/8/2018. (Guevremont, Nathan) (Entered: 11/08/2018)
11/14/2018	356	Joint NOTICE by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak <i>of Stipulation and Request to Modify Briefing Schedule for Defendant's Motion in Limine</i> (Bers, Alice) (Entered: 11/14/2018)
11/16/2018	357	NOTICE by Kathleen Sebelius re 323 MOTION for Class Decertification Order (<i>Enclosing Errata Page for Memorandum of Law</i>) (Attachments: # 1 Errata Page)(Tulis, Elizabeth) (Entered: 11/16/2018)
11/26/2018	358	ORDER. In light of the discussions at today's oral argument, the order setting the trial date and joint trial memorandum deadline in this case (ECF No. 316) is VACATED. Within 7 days, the plaintiffs shall file notice on the docket stating whether they will seek to amend the complaint in light of the discussions at the hearing today, i.e., to pursue a claim that one or more plaintiffs has a property interest based on the two-midnight rule, or whether they instead intend to rely on the 123 Second Intervenor Complaint for such a theory. Any motion to amend must be filed within 14 days (i.e., no later than December 10, 2018), must comply with the Court's local rules, and must include a showing of good cause for permitting amendment after the deadlines set forth in various scheduling orders and other filings. (See, e.g., ECF No. 202 (scheduling order adopting amended Rule 26(f) report; ECF No.199, Amended Rule 26(f) Report, February 22, 2017, in which Plaintiffs stated that they did not anticipate filing motions to amend.) The Government shall file any response within 21 days as required by the Local Rules. The Court will not consider any reply brief on this issue. The Court will endeavor to rule on any motion to amend as soon as is practicable, and will determine the appropriate scope of any further summary judgment briefing at that time. Given the age of this case, the Court forewarns the parties that it is unlikely to have flexibility to consider motions for enlargements of time. If necessary, the Court will set a new trial date in consultation with the parties following any amendment and summary judgment briefing, likely in the

		Spring or Summer of 2019. Signed by Judge Michael P. Shea on 11/26/2018. (Guevremont, Nathan) (Entered: 11/26/2018)
11/26/2018	359	Minute Entry. Proceedings held before Judge Michael P. Shea: taking under advisement 319 Motion for Summary Judgment; taking under advisement 323 Motion for Order; Motion Hearing held on 11/26/2018 re 323 MOTION for Class Decertification Order filed by Kathleen Sebelius, 319 Second MOTION for Summary Judgment filed by Kathleen Sebelius. Total Time: 2 hours and 40 minutes(Court Reporter Marshall.) (Johnson, D.) (Entered: 11/27/2018)
11/26/2018		Set Deadlines: Amended Pleadings due by 12/10/2018 (Johnson, D.) (Entered: 11/28/2018)
12/03/2018	360	RESPONSE re 358 Order,,,,,, by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Berger, David) (Entered: 12/03/2018)
12/04/2018	361	ORDER. The Court has considered the plaintiffs 360 response to its November 26 order. Although the plaintiffs are correct that the Two Midnight Rule has been discussed in this case for several years, neither this Court nor the Second Circuit has held or even suggested that the Two Midnight Rule sets forth the type of fixed and objective criteria that may create a property interest. To the contrary, the property interest theory recognized by the Second Circuit and this Court in its summary judgment ruling relied on the criteria contained in commercial screening tools. It would be wasteful to proceed to trial before deciding whether the plaintiffs present theory of the case is cognizable as a matter of law. The Court thus concludes that the proper course is to allow the Secretary an opportunity to file a supplemental summary judgment brief, supplementing its existing 319 motion for summary judgement and addressing the theory that plaintiffs have now identified as the basis for the property interest they allege. Within 30 days, the Secretary may file a supplemental brief (not to exceed 25 pages) and supplemental Local Rule 56(a)(1) statement, together with any relevant supporting evidence. The supplemental brief should address principally whether there is a genuine issue of fact regarding whether the plaintiffs have established a property interest based on the Two Midnight Rule, and it (along with the plaintiffs response) will be considered together with the parties existing briefs on the <i>Matthews v. Eldridge</i> factors (ECF Nos. 319 & 331). The Secretarys supplemental brief should also address the proper handling of the original complaint and first intervenor complaint, which do not rely on the Two Midnight Rule, and which the Court analyzed in its previous ruling on summary

		judgment. <i>See Alexander v. Cochran</i>, No. 3:11-CV-1703 (MPS), 2017 WL 522944, at *10 (D. Conn. Feb. 8, 2017) (denying summary judgment based on the plaintiffs theory that the use of commercial screening tools created fixed and objective criteria giving rise to a property interest). For example, the Secretary should address whether, if the Court grants summary judgment with respect to the property interest theory based on the Two Midnight Rule, it should certify a narrower class of individuals with claims arising before that rule was implemented and try the case under the original property interest theory. The plaintiffs shall have 21 days to respond to the Secretarys supplemental brief and file a supplemental Local Rule 56(a)(2) statement, together with any relevant supporting evidence. The response brief may not exceed 25 pages. The Secretary will then have 14 days to file any reply brief, which may not exceed 10 pages. Once fully briefed, the Court will decide whether further argument on Defendants motion for summary judgment is necessary and will in any event endeavor to decide the matter promptly, given the age of the case. Thus, as previously indicated, the Court does not expect to extend the briefing deadlines. Signed by Judge Michael P. Shea on 12/4/2018. (Guevremont, Nathan) (Entered: 12/04/2018)
12/06/2018	362	NOTICE by Kathleen Sebelius <i>of Anticipated Filing</i> (Tulis, Elizabeth) (Entered: 12/06/2018)
12/10/2018	363	TRANSCRIPT of Proceedings: Type of Hearing: Motions Hearing. Held on November 26, 2018 before Judge Michael P. Shea. Court Reporter: Martha Marshall. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 12/31/2018. Redacted Transcript Deadline set for 1/10/2019. Release of Transcript Restriction set for 3/10/2019. (Marshall, M.) (Entered: 12/10/2018)
12/26/2018	364	Consent MOTION to Stay re 361 Order,,,,,,,,,,,,, <i>Motion for a Stay of Supplemental Briefing Schedule in Light of Lapse of Appropriations</i> by

		Kathleen Sebelius.Responses due by 1/16/2019 (Tulis, Elizabeth) (Entered: 12/26/2018)
12/27/2018	365	ORDER. The 364 consent motion to stay the supplemental briefing schedule in light of the lapse in appropriations for the Department of Justice is GRANTED. The Government shall file notice on the docket within 24 hours of Congress appropriating funds for the Department. The Court will issue an updated schedule at that time. Signed by Judge Michael P. Shea on 12/27/2018. (Guevremont, Nathan) (Entered: 12/27/2018)
01/15/2019	366	ORDER: In light of the continued uncertainty about the end of the partial government shutdown and considering the nature and age of this case as well as the age of the class members, the Court has concluded that it can no longer delay moving the case forward. Accordingly, the order suspending the supplemental briefing schedule (ECF No. 365) is hereby VACATED. The partial government shutdown began on December 22, 2018 -- 12 days before the Secretary's supplemental brief was due. The Court will therefore extend the deadline for the brief by 12 days from today, plus 3 days to allow time for the Secretary to make arrangements for counsel to return to work. Thus, the Secretary's supplemental brief and L.R. 56(a)1 statement shall be filed by January 30, 2019. The plaintiffs' response will be due 21 days after the Secretary's brief is filed. The Secretary will then have 14 days to file a response. For the same reasons recited above, the Court is not likely to grant extensions of these deadlines, at least absent a clear showing of good cause (and, as indicated above, the Court no longer considers the partial shutdown sufficient to meet that standard). The Court understands that the Secretary's local counsel and counsel in Washington D.C. have been furloughed and may be unable to check their email or monitor the docket for this case. The Court will arrange for a copy of this order to be provided to the United States Attorney for the District of Connecticut and to Attorney John B. Hughes, Chief of the Civil Division for the U.S. Attorney's Office for the District of Connecticut, and requests that Attorney Hughes provide notice to the proper officials within the Departments of Justice and Health and Human Services. Signed by Judge Michael P. Shea on 1/15/2019. (Guevremont, Nathan) (Entered: 01/15/2019)
01/25/2019	367	NOTICE by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak of <i>Administrative Decision</i> (Attachments: # 1 Exhibit)(Bers, Alice) (Entered: 01/25/2019)

01/30/2019	368	Supplemental Memorandum in Support re 319 Second MOTION for Summary Judgment filed by Kathleen Sebelius. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Tulis, Elizabeth) (Entered: 01/30/2019)
01/30/2019	369	Supplemental Statement of Material Facts re 319 Second MOTION for Summary Judgment filed by Kathleen Sebelius. (Attachments: # 1 Exhibit 1 - Medicare Benefit Policy Manual, Chapter 1, Section 10, # 2 Exhibit 2 - Wilson Deposition Excerpts, # 3 Exhibit 3 - Second Declaration of Jeneen Iwugo)(Tulis, Elizabeth) (Entered: 01/30/2019)
01/30/2019	370	MOTION to Dismiss for Lack of Jurisdiction <i>Defendant's Motion to Dismiss the Case for Lack of Subject Matter Jurisdiction</i> by Kathleen Sebelius.Responses due by 2/20/2019 (Attachments: # 1 Memorandum in Support)(Tulis, Elizabeth) (Entered: 01/30/2019)
02/20/2019	371	MOTION to Seal Plaintiffs' Memorandum in Opposition to Defendant's Supplemental Brief in Support of His Second Motion for Summary Judgment, Plaintiffs' Local Rule 56(a)2 Statement in Response to Defendant's Supplemental 56(a)1 Statement in Support of His Second Motion for Summary Judgment and exhibits by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 02/20/2019)
02/20/2019	372	Sealed Document: Plaintiffs' Memorandum in Opposition to Defendant's Supplemental Brief in Support of His Second Motion for Summary Judgment by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak . (Attachments: # 1 Statement of Material Facts, # 2 Exhibit 1 to 56(a)2 Statement, # 3 Exhibit 5 to 56(a)2 Statement)(Bers, Alice) (Entered: 02/20/2019)
02/20/2019	373	Memorandum in Opposition (<i>REDACTED</i>) re 319 Second MOTION for Summary Judgment filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Attachments: # 1 Statement of Material Facts (<i>REDACTED</i>), # 2 Exhibit 1 to 56(a)2 Statement (<i>REDACTED</i>), # 3 Exhibit 2 to 56(a)2 Statement, # 4 Exhibit 3 to 56(a)2 Statement, # 5 Exhibit 4 to 56(a)2 Statement, # 6 Exhibit 5 to 56(a)2 Statement (<i>REDACTED</i>), # 7 Exhibit 6 to 56(a)2 Statement, # 8 Exhibit 7 to 56(a)2 Statement, # 9 Exhibit 8 to 56(a)2 Statement)(Bers, Alice) (Entered: 02/20/2019)
02/20/2019	374	Memorandum in Opposition re 370 MOTION to Dismiss for Lack of Jurisdiction <i>Defendant's Motion to Dismiss the Case for Lack of Subject</i>

		<i>Matter Jurisdiction</i> filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 02/20/2019)
03/06/2019	375	REPLY to Response to 319 Second MOTION for Summary Judgment <i>Reply Supplemental Memorandum of Law in Support of Defendant's Second Motion for Summary Judgment</i> filed by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 03/06/2019)
03/06/2019	376	REPLY to Response to 370 MOTION to Dismiss for Lack of Jurisdiction <i>Defendant's Motion to Dismiss the Case for Lack of Subject Matter Jurisdiction</i> filed by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 03/06/2019)
03/08/2019	377	SEALED MOTION to Seal Non-Party Livanta's Motion and Supporting Exhibits in support of Plaintiffs' Motion to Seal on Behalf of Third Parties [ECF 371], Filed at the Request of Counsel for Livanta by Christina Alexander. (Bers, Alice) (Entered: 03/08/2019)
03/27/2019	378	ORDER. For the reasons set forth in the attached, the Secretary's second motion for summary judgment (ECF No. 319), motion for class decertification (ECF No. 323), and motion to dismiss for lack of subject matter jurisdiction (ECF No. 370) are DENIED. As described in the attached, within 21 days, the Plaintiffs shall file a response on the docket (not to exceed 12 pages) addressing the issue raised in the ruling on the motion for class decertification. The Secretary may respond within 14 days in a brief not to exceed 12 pages. No replies will be allowed. The Court will hold a telephonic status conference on April 3, 2019 at 11:00 AM to discuss scheduling trial in the summer or early fall. Signed by Judge Michael P. Shea on 3/27/2019. (Guevremont, Nathan) (Entered: 03/27/2019)
03/27/2019		Set Deadlines/Hearings: Telephonic Status Conference set for 4/3/2019 11:00 AM before Judge Michael P. Shea (Johnson, D.) (Entered: 03/28/2019)
04/03/2019	379	MOTION for Clarification 378 Order on Motion for Summary Judgment,,,, Order on Motion for Order,,,, Order on Motion in Limine,,,, Order on Motion to Dismiss/Lack of Jurisdiction,,, , MOTION for Reconsideration re 378 Order on Motion for Summary Judgment,,,, Order on Motion for Order,,,, Order on Motion in Limine,,,, Order on Motion to Dismiss/Lack of Jurisdiction,,, <i>Defendant's Limited Motion for Clarification and</i>

		<i>Reconsideration</i> by Kathleen Sebelius. (Attachments: # 1 Memorandum in Support)(Tulis, Elizabeth) (Entered: 04/03/2019)
04/03/2019	380	ORDER. The Secretary has filed a 379 motion for clarification and reconsideration. As noted in the Court's pre-trial preferences, available at http://www.ctd.uscourts.gov/content/michael-p-shea , the Plaintiffs should not file a response to the 379 unless and until the Court issues an order allowing or requiring a response. The Court will review the motion and will afford the Plaintiffs an opportunity to respond if necessary. Signed by Judge Michael P. Shea on 4/3/2019. (Guevremont, Nathan) (Entered: 04/03/2019)
04/03/2019	381	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 4/3/2019. 40 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 04/04/2019)
04/05/2019	382	ORDER. During the telephonic status conference on April 3, the Court discussed with the parties possible dates for trial and instructed them to provide their availability to begin trial on August 12, with trial to last at most three weeks or fifteen trial days. Both parties have confirmed via email to chambers that they are available for trial from August 12, 2019 through August 30, 2019. Accordingly trial is hereby scheduled for those dates. As noted in the 378 memorandum of decision, the Court will not move this date. The parties' Joint Trial Memorandum is due by July 12, 2019, together with any motions <i>in limine</i> . The Court will hold a pre-trial conference on July 29, 2019 at 2:00 PM. Signed by Judge Michael P. Shea on 4/5/2019. (Guevremont, Nathan) (Entered: 04/05/2019)
04/05/2019	383	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE.ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Joint Trial Brief due by 7/12/2019; Bench Trial set for 8/12/2019 - 8/30/2019 at 09:00 AM in Courtroom Two, 450 Main St., Hartford, CT before Judge Michael P. Shea; Pretrial Conference set for 7/29/2019 02:00 PM in Courtroom Two, 450 Main St., Hartford, CT before Judge Michael P. Shea (Johnson, D.) (Entered: 04/08/2019)
04/17/2019	384	RESPONSE re 378 Order on Motion for Summary Judgment,,, Order on Motion for Order,,, Order on Motion in Limine,,, Order on Motion to Dismiss/Lack of Jurisdiction,,, <i>to Issues Raised by Court in Ruling on Motion for Class Decertification</i> filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt,

		Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 04/17/2019)
05/01/2019	385	RESPONSE re 378 Order on Motion for Summary Judgment,,,, Order on Motion for Order,,,, Order on Motion in Limine,,,, Order on Motion to Dismiss/Lack of Jurisdiction,,, filed by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 05/01/2019)
05/02/2019	386	MOTION for Defendant's local counsel to be excused from trial attendance by Kathleen Sebelius.Responses due by 5/23/2019 (Ikari, Carolyn) (Entered: 05/02/2019)
05/03/2019	387	ORDER. The 386 motion for local counsel for the Secretary to be excused from trial is GRANTED. Signed by Judge Michael P. Shea on 5/3/2019. (Guevremont, Nathan) (Entered: 05/03/2019)
06/04/2019	388	ORDER. For the reasons set forth in the attached, the Court enters the following orders: (1) The Secretary's 379 motion for clarification and reconsideration is DENIED. (2) Having reviewed the parties' 384 , 385 supplemental briefs, I find that there is no "fundamental conflict" between the pre-October 2013 and post-October 2013 Plaintiffs, and that neither formal nor informal subdivision of the class is required. (3) The 330 , 337 , 340 , and 371 motions to seal are GRANTED in part and DENIED in part. The following documents may remain under seal: Plaintiffs' Exhibits 20-24, 27, 28, 30-37, and Supplemental Exhibit 5 (ECF Nos. 331-10 through 331-14; 331-17; 331-18; 331-20 through 331-27; and 372-3.) The Clerk is directed to unseal the following documents: Plaintiffs' Motion to Seal (ECF No. 330); Plaintiffs' Unredacted Memorandum of Law in Opposition to Summary Judgment (ECF No. 331); Plaintiffs' Local Rule 56(a)2 Statement (ECF No. 331-1); Plaintiffs' Exhibits 2, 3, 5, 6, 7, 8, 9, 15, 25, 26, 45, 46, 48, and Supplemental Exhibit 1 (ECF Nos. 331-2 through 331-9; 331-15; 331-16; 331-19; 331-28 through 331-30; 372-2); Plaintiffs' Supplemental Memorandum of Law in Opposition to Summary Judgment (ECF No. 372); Plaintiffs' Supplemental Local Rule 56(a)2 Statement (ECF No. 372-1); and Livanta's memoranda in support of continued sealing (ECF Nos. 337, 371). (4) The Plaintiffs shall provide a copy of the attached memorandum of decision to third-party producers KEPRO and Livanta. Within 14 days,

		KEPRO may file a redacted version of Plaintiffs' Exhibit 29 (ECF No. 331-19). If KEPRO does not file a redacted version, the Court will direct the Clerk to unseal the document in its entirety. Signed by Judge Michael P. Shea on 6/4/2019. (Guevremont, Nathan) (Entered: 06/04/2019)
06/10/2019	389	ORDER. The Court is in receipt of the attached letters regarding a discovery dispute and will hold a telephonic status conference to discuss the dispute on Tuesday, June 11, 2019 at 10:00 AM. Signed by Judge Michael P. Shea on 6/10/2019. (Guevremont, Nathan) (Entered: 06/10/2019)
06/11/2019	390	ORDER. As discussed on the record during today's telephonic status conference, the Secretary shall make Dr. Marjory Cannon available for a deposition at a mutually agreeable time before she may testify at trial. The Court will not impose additional formal restrictions on the deposition, either in terms of the topics to be covered or the time allotted. The Court expects, however, that the parties will cooperate to ensure that any deposition is reasonably circumscribed and will not generate unnecessary conflict or complication in trial preparation. If the parties' schedules will not allow them to complete the deposition before filing the joint trial memorandum, they may file a limited supplement to the joint trial memorandum, addressing only Dr. Cannon's testimony, by July 26, 2019. Signed by Judge Michael P. Shea on 6/11/2019. (Guevremont, Nathan) (Entered: 06/11/2019)
06/11/2019	391	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 6/11/2019. 28 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 06/11/2019)
06/17/2019	392	EXHIBIT <i>Redacted Exhibit 29</i> by Keystone Peer Review Organization, Inc. re 388 Order on Motion to Seal,,,,,,,,, Order on Sealed Motion,,,,,,,,,,,,,, Order on Motion for Miscellaneous Relief,,,,,,,,,,,,,, Order on Motion for Clarification,,,,,,,,, Order on Motion for Reconsideration,,,,,,,,. (Attachments: # 1 Exhibit A)(Zeitlin, Andrew) (Entered: 06/17/2019)
07/12/2019	393	MOTION in Limine to <i>Exclude Certain Evidence</i> by Kathleen Sebelius.Responses due by 8/2/2019 (Attachments: # 1 Memorandum in Support)(Tulis, Elizabeth) (Entered: 07/12/2019)
07/12/2019	394	TRIAL MEMO (<i>JOINT</i>) by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak Estimated trial time 10-13 days. (Attachments: # 1 Exhibit Plaintiffs' Exhibit List, # 2 Exhibit Defendant's

		Exhibit List, # 3 Exhibit Sheehy Expert Report & CV (Plaintiff), # 4 Exhibit Baugh Expert Report (Defendant), # 5 Exhibit Baugh CV (Defendant), # 6 Exhibit Plaintiffs' Deposition Designations, # 7 Exhibit Jeffrey Cohen Transcript, # 8 Exhibit Moira Dolan Transcript, # 9 Exhibit Marc Hartstein Transcript, # 10 Exhibit Ervin Kanefsky Transcript, # 11 Exhibit Lorrie Pafford Transcript, # 12 Exhibit Adam Schwartz Transcript, # 13 Exhibit Defendant's Deposition Designations, # 14 Exhibit Mary Ann Laucks Transcript, # 15 Exhibit Swarupa Vedere Transcript, # 16 Exhibit Wanda Wilson Transcript)(Bers, Alice) (Entered: 07/12/2019)
07/12/2019	395	Supplemental EXHIBIT <i>Baugh Expert Report (Defendant)</i> by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak re 394 Trial Memo,,,,, (Bers, Alice) (Entered: 07/12/2019)
07/25/2019	396	NOTICE. The pretrial conference scheduled for July 29 at 2:00 PM will be held in Courtroom 1 . Signed by Judge Michael P. Shea on 7/25/2019.(Karpman, Michael) (Entered: 07/25/2019)
07/26/2019	397	Memorandum in Opposition re 393 MOTION in Limine to <i>Exclude Certain Evidence</i> filed by Christina Alexander, Richard Bagnall, Lee Barrows, Irma Becker, Shirley Burton, Louis Dziadzia, Dorothy Goodman, Gary Goodman, Brenda Hardy, Charles Holt, Michael Holt, Loretta Jackson, Martha LeYanna, Peggy Leider, Bernice Morse, James Mulcahy, Sarah Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Frederick Ruschmann, Jessie Ruschmann, Michael Savage, Mary Smith, Peter Zavidniak. (Attachments: # 1 Exhibit PX 114, # 2 Exhibit PX 165, # 3 Exhibit PX 223, # 4 Exhibit PX 225)(Bers, Alice) (Entered: 07/26/2019)
07/26/2019		Set Hearing: Pretrial Conference set for 7/29/2019 02:00 PM in Courtroom One , 450 Main St., Hartford, CT before Judge Michael P. Shea. (Peterson, M) (Entered: 07/26/2019)
07/29/2019	398	ORDER. For the reasons discussed on the record at today's pretrial conference and for the reasons set forth below, the court makes the following rulings on Defendant's motions in limine, all of which are included in its "Omnibus Motion in Limine to Exclude Certain Evidence" (ECF No. 393 & [393-1]): With respect to Defendant's "Motion in Limine Number One," to the extent that Defendant seeks to exclude KePRO, Livanta, and HHS documents that post-date the second intervenor plaintiff's hospitalization, the motion is DENIED. Because the court has certified a class of individuals up to and

including those currently hospitalized (including "Medicare beneficiaries who, on or after January 1, 2009... have received or will have received 'observation services'...."), evidence about hospital denials of inpatient status, the factors that influence those denials, and other evidence going to the existence of a property interest or relating to the Matthews factors is relevant up to the present day. While the Defendant's argument concerning the specific ingredients of the alleged property interest may, depending on the evidence introduced at trial, ultimately require the court to alter the temporal scope of the class definition following the trial (e.g., if the only evidence supporting the alleged property interest consists of events or policies dated after 2016), it is not a basis to exclude evidence based on the current definition of the class.

Further, once a class has been certified, as in this case, there is no requirement of which this court is aware (and Defendant cites none) that conditions admissibility of a class member's testimony at trial on a finding by the court that his experience is typical of the class as a whole. Therefore, Defendant's motion to exclude "evidence regarding individual class members' experiences that are not demonstrably typical or representative of the class as a whole" is also DENIED. Of course, the Defendant will be free to cross-examine Mr. Roney and any other class members who testify and to offer rebuttal evidence tending to diminish the weight accorded to such evidence, which might include evidence that a particular class member's experience was an outlier or does not reflect the experience of the vast bulk of class members.

With respect to Defendant's contention that there is no foundation to admit certain KePRO and Livanta documents, the court will reserve ruling until the documents are offered at trial. The court will likewise reserve ruling on the admissibility of any other documents that Plaintiffs believes will be introduced without a sponsoring witness, although, as explained during the pretrial conference, a "sponsoring witness" is generally not a precondition to admitting a document into evidence.

With respect to Defendant's "Motion to Exclude the Deposition Testimony of DOJ Attorney Adam Schwartz," the Court agrees with the Plaintiffs that the Defendant's objection ultimately challenges the weight the Court should accord this testimony, rather than its admissibility. The motion is thus DENIED.

With respect to Defendant's "Motion in Limine Number Two," which seeks to exclude Plaintiffs' summary exhibit, the court reserves ruling and directs the parties to submit the exhibit along with a random sample of twenty-five of the letters summarized in the exhibit by **noon on Friday, August 2**.

With respect to Defendant's "Motion in Limine Number Three," because

		Plaintiffs' counsel represented at the pretrial conference that he does not intend to offer specific testimony by Dr. Sheehy regarding "health ramifications" resulting from denials of inpatient status, the motion is DENIED WITHOUT PREJUDICE. If Dr. Sheehy's testimony strays beyond the opinions she expressed in her report, Defendant may renew the objection. With respect to Defendant's "Motion in Limine Number Four," which seeks to exclude the deposition testimony of several 30(b)(6) witnesses for lack of a basis in personal knowledge, the court will make specific rulings as to specific questions and answers to which objections were made in the deposition designations when it rules on the objections to deposition testimony, which it will do before the trial begins. With respect to Defendant's "Motion in Limine Number Five," because Plaintiffs' counsel has represented that he does not intend to offer testimony about criteria contained in commercial screening tools, the motion is DENIED AS MOOT. Finally, with respect to Defendant's "Motion in Limine Number Six," as explained at the pretrial conference, the witness will be allowed to testify about her observations about her grandmother's reactions to being denied inpatient status, but will not be allowed to offer medical opinions. The motion is therefore GRANTED to the extent it seeks to bar opinion testimony from a lay witness about medical causation. Signed by Judge Michael P. Shea on 7/29/2019. (Karpman, Michael) (Entered: 07/29/2019)
07/29/2019	399	Minute Entry for proceedings held before Judge Michael P. Shea: Pretrial Conference held on 7/29/2019, Motion Hearing held on 7/29/2019 re 393 MOTION in Limine to <i>Exclude Certain Evidence</i> filed by Kathleen Sebelius. Total Time: 1 hours and 17 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 07/31/2019)
08/01/2019	400	TRANSCRIPT of Proceedings: Type of Hearing: Pretrial Conference held on 7-29-19 before Judge Michael P. Shea. Court Reporter: Julie L. Monette. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of

		Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov . Redaction Request due 8/22/2019. Redacted Transcript Deadline set for 9/1/2019. Release of Transcript Restriction set for 10/30/2019. (Monette, Julie) (Entered: 08/01/2019)
08/05/2019	401	TRIAL MEMO <i>Defendant's Pretrial Memorandum of Law</i> by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 08/05/2019)
08/06/2019	402	ORDER. The Defendant has filed a "Pretrial Memorandum of Law." The Court did not authorize this filing and it serves no useful purpose. To the contrary, the Court has made clear at telephone conferences in this matter that it did not wish to receive proposed findings before trial -- and a "Pretrial Memorandum of Law" is little different from proposed findings of law. The Court has made clear that it would instead require the parties to file post-trial proposed findings of fact and conclusions of law. The Court reiterated this intent at the recent pretrial conference, where it even expressed doubt as to the need for opening statements and said that it would dispense with closing arguments because it anticipated receiving detailed post-hearing briefs from the parties. (At the parties' request following the pretrial conference, the Court agreed to allow opening statements confined to 20 minutes.) It should thus have been obvious that the Court did not need - or want - to receive pretrial memoranda of law, and that the submission of such a memorandum would be pointless. The Defendant did not file a motion or ask the Court's permission to file a pretrial brief addressing legal issues, and were the Court to allow it, it would obviously have to afford the Plaintiff a right to respond - all of which would waste time and resources. The Court therefore orders the Clerk to STRIKE the Defendant's Pretrial Memorandum of Law (ECF No. 401) from the docket. The Court will not consider that document in making any rulings in this case. The Defendant's counsel is warned that future filings made contrary to the Court's repeatedly expressed intent and without its permission may result in the imposition of sanctions. The parties will have ample opportunity to present -- again -- their legal positions in the post-hearing briefs. The Court is continuing to work through the objections to deposition testimony and will endeavor to issue rulings in the coming two or three days. Signed by Judge Michael P. Shea on 8/6/2019. (Karpman, Michael) (Entered: 08/06/2019)
08/07/2019	403	ORDER. Attached hereto are the Court's rulings on the objections to the deposition designations. Signed by Judge Michael P. Shea on 8/7/2019. (Karpman, Michael) (Entered: 08/07/2019)

08/09/2019	404	NOTICE. The Court has reviewed the parties' submission with respect to PX-239 and is not yet prepared to rule on its admissibility. The parties should be prepared to address questions related to the exhibit on Monday morning prior to the start of trial. Signed by Judge Michael P. Shea on 8/9/2019. (Karpman, Michael) (Entered: 08/09/2019)
08/12/2019	405	See Corrected Transcript No. 419 . TRANSCRIPT of Proceedings: Type of Hearing: Bench trial held on 8-12-19 before Judge Michael P. Shea. Court Reporter: Julie L. Monette. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 9/2/2019. Redacted Transcript Deadline set for 9/12/2019. Release of Transcript Restriction set for 11/10/2019. (Monette, Julie) Modified on 8/26/2019 (Ferguson, L.). (Entered: 08/12/2019)
08/12/2019	408	Minute Entry for proceedings held before Judge Michael P. Shea: Bench Trial held on 8/12/2019. Total Time: 6 hours and 15 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 08/14/2019)
08/13/2019	409	Minute Entry for proceedings held before Judge Michael P. Shea: Bench Trial held on 8/13/2019. Bench Trial Continued Until 8/14/19. Total Time: 4 hours and 35 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 08/14/2019)
08/14/2019	406	See Corrected Transcript No. 420 . TRANSCRIPT of Proceedings: Type of Hearing: Bench trial held on 8-13-19 - Morning Session before Judge Michael P. Shea. Court Reporter: Jill Remillard. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained

		through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov . Redaction Request due 9/4/2019. Redacted Transcript Deadline set for 9/14/2019. Release of Transcript Restriction set for 11/12/2019. (Monette, Julie) Modified on 8/26/2019 (Ferguson, L.). (Entered: 08/14/2019)
08/14/2019	407	See Corrected Transcript No. 421 . TRANSCRIPT of Proceedings: Type of Hearing: Bench trial held on 8-13-19 - Afternoon Session before Judge Michael P. Shea. Court Reporter: Julie L. Monette. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov . Redaction Request due 9/4/2019. Redacted Transcript Deadline set for 9/14/2019. Release of Transcript Restriction set for 11/12/2019. (Monette, Julie) Modified on 8/26/2019 (Ferguson, L.). (Entered: 08/14/2019)
08/14/2019	410	Minute Entry for proceedings held before Judge Michael P. Shea: Bench Trial held on 8/14/2019. Bench Trial Continued Until 8/15/19. Total Time: 4 hours(Court Reporter J. Monette.) (Johnson, D.) (Entered: 08/14/2019)
08/14/2019	411	See Corrected Transcript No. 422 . TRANSCRIPT of Proceedings: Type of Hearing: Bench trial held on 8-14-19 before Judge Michael P. Shea. Court Reporter: Julie L. Monette. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov . Redaction Request due 9/4/2019. Redacted Transcript Deadline set for 9/14/2019. Release of Transcript Restriction set for 11/12/2019. (Monette, Julie) Modified on 8/26/2019 (Ferguson, L.). (Entered: 08/14/2019)

08/15/2019	412	Minute Entry for proceedings held before Judge Michael P. Shea: Bench Trial held on 8/15/2019. Bench Trial Continued Until 8/16/19. Total Time: 1 hours and 40 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 08/15/2019)
08/15/2019	413	TRANSCRIPT of Proceedings: Type of Hearing: Bench trial held on 8-15-19 before Judge Michael P. Shea. Court Reporter: Jill Remillard. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 9/5/2019. Redacted Transcript Deadline set for 9/15/2019. Release of Transcript Restriction set for 11/13/2019. (Monette, Julie) (Entered: 08/15/2019)
08/16/2019	414	Minute Entry for proceedings held before Judge Michael P. Shea: Bench Trial held on 8/16/2019. Bench Trial Continued Until 8/19/19. Total Time: 4 hours and 25 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 08/16/2019)
08/19/2019	415	ORAL MOTION for 52c Judgment on Partial Findings by Kathleen Sebelius.Responses due by 9/9/2019 (Johnson, D.) (Entered: 08/20/2019)
08/19/2019	416	Minute Entry for proceedings held before Judge Michael P. Shea: Bench Trial held on 8/19/2019. Bench Trial Continued Until 8/20/19. Total Time: 5 hours and 15 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 08/20/2019)
08/20/2019	417	Minute Entry for proceedings held before Judge Michael P. Shea: Bench Trial completed on 8/20/2019. Total Time: 4 hours and 15 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 08/20/2019)
08/21/2019	418	NOTICE. The Court notes that it has heard both parties regarding the Defendant's 415 motion for judgment on partial findings and has reserved ruling on the motion. Therefore, no response to the motion is due or expected. Signed by Judge Michael P. Shea on 8/21/2019. (Karpman, Michael) (Entered: 08/21/2019)

08/23/2019	419	TRANSCRIPT of Proceedings: Type of Hearing: Bench trial. Held on 8-12-19 before Judge Michael P. Shea. Court Reporter: Julie L. Monette. CORRECTION OF DOCKET # 405 IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov . Redaction Request due 9/13/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/21/2019. (Monette, Julie) (Entered: 08/23/2019)
08/23/2019	420	TRANSCRIPT of Proceedings: Type of Hearing: Bench trial Held on 8-13-19 - Morning Session before Judge Michael P. Shea. Court Reporter: Jill Remillard. CORRECTION OF DOCKET # 406 IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov . Redaction Request due 9/13/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/21/2019. (Monette, Julie) (Entered: 08/23/2019)
08/23/2019	421	TRANSCRIPT of Proceedings: Type of Hearing: Bench trial Held on 8-13-19 - Afternoon Session before Judge Michael P. Shea. Court Reporter: Julie L. Monette. CORRECTION OF DOCKET # 407 IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or

		purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 9/13/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/21/2019. (Monette, Julie) (Entered: 08/23/2019)
08/23/2019	422	TRANSCRIPT of Proceedings: Type of Hearing: Bench trial Held on 8-14-19 before Judge Michael P. Shea. Court Reporter: Julie L. Monette. CORRECTION OF DOCKET # 411 IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 9/13/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/21/2019. (Monette, Julie) (Entered: 08/23/2019)
08/23/2019	423	TRANSCRIPT of Proceedings: Type of Hearing: Bench trial held on 8-16-19 before Judge Michael P. Shea. Court Reporter: Julie L. Monette. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 9/13/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/21/2019. (Monette, Julie) (Entered: 08/23/2019)
08/23/2019	424	TRANSCRIPT of Proceedings: Type of Hearing: Bench trial held on 8-19-19 before Judge Michael P. Shea. Court Reporter: Julie L. Monette. IMPORTANT NOTICE - REDACTION OF

		TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 9/13/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/21/2019. (Monette, Julie) (Entered: 08/23/2019)
08/23/2019	425	TRANSCRIPT of Proceedings: Type of Hearing: Bench trial held on 8-20-19 before Judge Michael P. Shea. Court Reporter: Julie L. Monette. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 9/13/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/21/2019. (Monette, Julie) (Entered: 08/23/2019)
08/23/2019	426	ORDER. The Court enters the attached order concerning the post-trial briefs. Signed by Judge Michael P. Shea on 8/23/2019. (Karpman, Michael) (Entered: 08/23/2019)
09/19/2019	427	Proposed Findings of Fact and Conclusions of Law by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Attachments: # 1 Appendix Jimmo Settlement Agreement, # 2 Appendix Weichardt Settlement Agreement)(Bers, Alice) (Entered: 09/19/2019)

10/17/2019	428	Consent MOTION for Extension of Time until October 31, 2019 To File Proposed Findings of Fact and Conclusions of Law by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 10/17/2019)
10/18/2019	429	ORDER. The 428 motion for extension is GRANTED. The Government's post-trial brief will be due by October 31, 2019. The Plaintiff's reply will be due November 26, 2019. Signed by Judge Michael P. Shea on 10/18/2019. (Karpman, Michael) (Entered: 10/18/2019)
10/31/2019	430	Proposed Findings of Fact and Conclusions of Law by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 10/31/2019)
11/26/2019	431	RESPONSE <i>to Defendant's Post-Trial Submission</i> filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 11/26/2019)
01/28/2020	432	ORDER. The Court enters the attached Order Regarding Questions for Supplemental Briefing. Signed by Judge Michael P. Shea on 1/28/2020. (Karpman, Michael) (Entered: 01/28/2020)
01/30/2020	433	Consent MOTION for Extension of Time until February 28, 2020 <i>to file</i> Replies to Supplemental Briefs by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 01/30/2020)
01/31/2020	434	ORDER. The 433 motion is GRANTED. The parties' reply briefs will be due by February 28, 2020. The Court is unlikely to further extend this deadline. Signed by Judge Michael P. Shea on 1/31/2020. (Karpman, Michael) (Entered: 01/31/2020)
02/14/2020	435	RESPONSE re 432 Order <i>Regarding Questions for Supplemental Briefing</i> filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 02/14/2020)

02/14/2020	436	RESPONSE re 432 Order <i>Defendant's Supplemental Post-Trial Memorandum</i> filed by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 02/14/2020)
02/28/2020	437	RESPONSE to <i>Defendant's Supplemental Post-Trial Memorandum</i> filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 02/28/2020)
02/28/2020	438	RESPONSE re 435 Response, <i>Defendant's Reply Supplemental Post-Trial Memorandum</i> filed by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 02/28/2020)
03/24/2020	439	ORDER. As set forth in the attached, I find that the Secretary is violating the Due Process Clause of the Fifth Amendment by denying the members of a modified class--including only those beneficiaries who were initially admitted as inpatients by their treating physician--the right to challenge the denial of their Part A coverage. Accordingly, the Secretary shall permit all members of the modified class to appeal the denial of their Part A coverage. Signed by Judge Michael P. Shea on 3/24/2020. (Karpman, Michael) (Entered: 03/24/2020)
03/24/2020	440	ORDER. The defendant's Rule 52(c) motion is denied. The Court exercised its option to "decline to render any judgment until the close of the evidence," and instead rendered judgment and decided each issue, as set forth in the ruling issued today, after considering all of the evidence presented at trial, not just the plaintiff's evidence. <i>See, e.g., Bacon v. United States</i> , 2007 WL 4224639, at *5 n.10 (N.D.N.Y. Nov. 27, 2017) ("In light of my preference to decide the case based upon all the evidence at trial, defendant's Rule 52(c) motion will be denied."). Signed by Judge Michael P. Shea on 3/24/2020. (Karpman, Michael) (Entered: 03/24/2020)
03/26/2020	441	JUDGMENT filed and entered in accordance with the Court's ruling dated 3/25/20. For Appeal Forms please go to the following website: http://www.ctd.uscourts.gov/forms/all-forms/appeals_forms Signed by Clerk on 3/26/20.(Johnson, D.) (Entered: 03/26/2020)
03/26/2020		JUDICIAL PROCEEDINGS SURVEY - FOR COUNSEL ONLY: The following link to the confidential survey requires you to log into CM/ECF for SECURITY purposes. Once in CM/ECF you will be prompted for the case number. Although you are receiving this survey through CM/ECF, it

		is hosted on an independent website called SurveyMonkey. Once in SurveyMonkey, the survey is located in a secure account. The survey is not docketed and it is not sent directly to the judge. To ensure anonymity, completed surveys are held up to 90 days before they are sent to the judge for review. We hope you will take this opportunity to participate, please click on this link: https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey (Johnson, D.) (Entered: 03/26/2020)
05/22/2020	442	NOTICE OF APPEAL as to 441 Judgment, by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 05/22/2020)
05/26/2020	443	CLERK'S CERTIFICATE RE: INDEX AND RECORD ON APPEAL re: 442 Notice of Appeal. The attached docket sheet is hereby certified as the entire Index/Record on Appeal in this matter and electronically sent to the Court of Appeals, with the exception of any manually filed documents as noted below. Robin D. Tabora, Clerk. Documents manually filed not included in this transmission: None (Peterson, M) (Entered: 05/26/2020)
06/18/2020	444	NOTICE by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak of <i>Plaintiffs' Designation of Additional Transcript Part Pursuant to Fed. R. App. P. 10(b)(3)(B)</i> (Bers, Alice) (Entered: 06/18/2020)
06/19/2020	445	TRANSCRIPT of Proceedings: Type of Hearing: Telephonic Status Conference. Held on June 28, 2018 before Judge Michael P. Shea. Court Reporter: Martha Marshall. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov . Redaction Request due 7/10/2020. Redacted Transcript Deadline set for 7/20/2020. Release of Transcript Restriction set for 9/17/2020. (Marshall, Martha) (Entered: 06/19/2020)
06/29/2020	446	TRANSCRIPT of Proceedings: Type of Hearing: Motion for Summary Judgment & Motion to Dismiss. Held on December 15, 2016 before Judge

		Michael P. Shea. Court Reporter: Martha Marshall. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 7/20/2020. Redacted Transcript Deadline set for 7/30/2020. Release of Transcript Restriction set for 9/27/2020. (Marshall, Martha) (Entered: 06/29/2020)
06/29/2020	447	TRANSCRIPT of Proceedings: Type of Hearing: Motion for Class Certification. Held on June 13, 2017 before Judge Michael P. Shea. Court Reporter: Martha Marshall. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 7/20/2020. Redacted Transcript Deadline set for 7/30/2020. Release of Transcript Restriction set for 9/27/2020. (Marshall, Martha) (Entered: 06/29/2020)
06/29/2020	448	TRANSCRIPT of Proceedings: Type of Hearing: Telephonic Status Conference. Held on June 28, 2017 before Judge Michael P. Shea. Court Reporter: Martha Marshall. IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.

		The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov . Redaction Request due 7/20/2020. Redacted Transcript Deadline set for 7/30/2020. Release of Transcript Restriction set for 9/27/2020. (Marshall, Martha) (Entered: 06/29/2020)
09/21/2020	449	MOTION for Status Conference by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 09/21/2020)
09/22/2020	450	ORDER. The 449 motion for a status conference is hereby GRANTED. The Court will hold a telephonic status conference on October 8, 2020 at 2:00 p.m. to discuss the issues raised in the 449 motion. The Court will distribute dial-in information prior to the call. Signed by Judge Michael P. Shea on 9/22/2020. (Super, John) (Entered: 09/22/2020)
09/22/2020		Set Deadlines/Hearings: Telephonic Status Conference set for 10/8/2020 02:00 PM before Judge Michael P. Shea (Johnson, D.) (Entered: 09/22/2020)
09/30/2020	451	ORDER. The telephonic status conference scheduled for October 8, 2020 is RESCHEDULED for October 9, 2020 at 2:00 p.m. Signed by Judge Michael P. Shea on 9/30/2020. (Super, John) (Entered: 09/30/2020)
09/30/2020		Set Deadlines/Hearings: Telephonic Status Conference set for 10/9/2020 02:00 PM before Judge Michael P. Shea (Johnson, D.) (Entered: 10/01/2020)
10/05/2020	452	ORDER. The telephonic status conference scheduled for October 9, 2020 is RESCHEDULED for October 16, 2020 at 4:00 p.m. Signed by Judge Michael P. Shea on 10/5/2020. (Super, John) (Entered: 10/05/2020)
10/05/2020		Set Deadlines/Hearings: Telephonic Status Conference set for 10/16/2020 04:00 PM before Judge Michael P. Shea (Johnson, D.) (Entered: 10/06/2020)
10/16/2020	453	ORDER. As discussed during today's call, the plaintiff will file its proposal for interim measures implementing the judgment in this case, with as much specificity as possible, by November 6, 2020 . The defendant will file a response to the plaintiff's proposal, again with as much specificity as

		possible. By October 20, 2020, the defendant shall file a notice on the docket indicating the length of time it needs to respond to the plaintiff's proposal. As noted during the call, the Court expects that the defendant will not need more than 30-45 days to respond, absent exceptional and specific reasons. Signed by Judge Michael P. Shea on 10/16/2020. (Super, John) (Entered: 10/16/2020)
10/16/2020	454	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 10/16/2020. 45 minutes(Court Reporter Julie Monette.) (Johnson, D.) (Entered: 10/19/2020)
10/19/2020	455	NOTICE by Kathleen Sebelius re 453 Order,, <i>Notice of Proposed Due Date for Responsive Filing</i> (Tulis, Elizabeth) (Entered: 10/19/2020)
10/20/2020	456	ORDER. In light of the 455 notice, Defendant's response to plaintiff's proposal (see ECF No. 453) is due December 7, 2020. Signed by Judge Michael P. Shea on 10/20/2020. (Super, John) (Entered: 10/20/2020)
11/05/2020	457	RESPONSE re 453 Order,, <i>Plaintiffs' Proposal for Interim Measures Implementing the Judgment</i> filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(Bers, Alice) (Entered: 11/05/2020)
12/03/2020	458	Consent MOTION for Extension of Time until December 22, 2020 To File Response to Plaintiffs' Proposal Regarding Interim Relief Measures 457 Response, by Kathleen Sebelius. (Tulis, Elizabeth) (Entered: 12/03/2020)
12/04/2020	459	ORDER. The 458 motion for extension is hereby GRANTED. The Government shall file its response to plaintiff's proposed interim measures no later than December 22, 2020. Signed by Judge Michael P. Shea on 12/4/2020. (Super, John) (Entered: 12/04/2020)
12/22/2020	460	RESPONSE re 457 Response, <i>Defendant's Response to Plaintiffs' Proposal Regarding Interim Measures</i> filed by Kathleen Sebelius. (Attachments: # 1 Exhibit - Attachment A, # 2 Exhibit - Declaration of Maria Ramirez)(Tulis, Elizabeth) (Entered: 12/22/2020)

12/28/2020	461	ORDER. The Court will hold a telephonic status conference to discuss the plaintiff's proposed interim measures (ECF No. 457) and the Government's response (ECF No. 460) on January 13, 2021 at 10:00 a.m. In addition to counsel for the plaintiff and Government, Maria Ramirez (the Government's declarant, ECF No. 460-2) should participate in the conference. Chambers will distribute dial-in information prior to the call. Signed by Judge Michael P. Shea on 12/28/2020. (Super, John) (Entered: 12/28/2020)
12/28/2020		Set Deadlines/Hearings: Telephonic Status Conference set for 1/13/2021 10:00 AM before Judge Michael P. Shea (Johnson, D.) (Entered: 12/28/2020)
01/11/2021	462	ORDER. The telephonic status conference scheduled for January 13, 2021 at 10:00 a.m. is RESCHEDULED for January 13, 2021 at 10:30 a.m. Signed by Judge Michael P. Shea on 1/11/2021. (Super, John) (Entered: 01/11/2021)
01/11/2021	463	NOTICE of Appearance by Michael J. Gerardi on behalf of Kathleen Sebelius (Gerardi, Michael) (Entered: 01/11/2021)
01/11/2021	464	MOTION to Stay <i>Judgement Pending Appeal</i> by Kathleen Sebelius.Responses due by 2/1/2021 (Attachments: # 1 Memorandum In Support, # 2 Declaration of Maria Ramirez, # 3 Declaration of Jeneen Iwugo)(Gerardi, Michael) (Entered: 01/11/2021)
01/11/2021		Set Deadlines/Hearings: Telephonic Status Conference set for 1/13/2021 10:30 AM before Judge Michael P. Shea (Johnson, D.) (Entered: 01/12/2021)
01/12/2021	465	NOTICE by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak <i>noting death of class member Ervin Kanefsky</i> (Bers, Alice) (Entered: 01/12/2021)
01/13/2021	466	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 1/13/2021. 13 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 01/13/2021)
02/01/2021	467	Memorandum in Opposition re 464 MOTION to Stay <i>Judgement Pending Appeal</i> filed by Christina Alexander, Lee Barrows, Shirley Burton, Gary Goodman, Brenda Hardy, Michael Holt, Peggy Leider, James Mulcahy, Ann Pelow, George Renshaw, Denise Rugman, Michael Savage, Mary Smith, Peter Zavidniak. (Bers, Alice) (Entered: 02/01/2021)

02/16/2021	468	REPLY to Response to 464 MOTION to Stay <i>Judgement Pending Appeal - Reply Memorandum in Further Support of Defendant's Motion for a Stay Pending Appeal</i> filed by Kathleen Sebelius. (Attachments: # 1 Exhibit - Declaration of Fred Rooke)(Tulis, Elizabeth) (Entered: 02/16/2021)
05/14/2021	469	NOTICE by Kathleen Sebelius (<i>Letter Regarding Pending Stay Motion</i>) (Tulis, Elizabeth) (Entered: 05/14/2021)
07/16/2021	470	ORDER of USCA as to 442 Notice of Appeal filed by Kathleen Sebelius USCA Case Number 20-1642 (Peterson, M) (Entered: 07/20/2021)
08/03/2021	471	ORDER: In light of the Second Circuit's temporary stay of this Court's permanent injunction pending its own consideration of the motion to stay filed in that court (ECF No. 470), the motion for stay pending appeal (ECF No. 464) is DENIED as moot. Signed by Judge Michael P. Shea on 8/3/2021. (Silva, Madeline) (Entered: 08/03/2021)

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