

**U.S. District Court  
Eastern District of New York (Hauppauge)  
CIVIL DOCKET FOR CASE #: 0:99-cv-03126-DRH**

Augustin v. Jablonsky, et al  
Assigned to: Judge Denis R. Hurley  
Demand: \$0  
Cause: 42:1983 Civil Rights Act

Date Filed: 06/03/1999  
Date Terminated: 07/19/2013  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights:  
Other  
Jurisdiction: Federal Question

**Plaintiff**

**Gardy Augustin**

represented by **Robert L. Herbst**  
Herbst Law PLLC  
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**Plaintiff**

**Heidi Kane**

represented by **Robert L. Herbst**  
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**Jonathan C. Moore**

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**Vera M. Scanlon**

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**Plaintiff**

**Mary Katherine Pugliese**

represented by **Robert L. Herbst**

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**Plaintiff**

**Gregg Wills**

represented by **Robert L. Herbst**

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**Plaintiff**

**Steven Roth**

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**Plaintiff**

**Oscar Avelar**

represented by **Robert L. Herbst**  
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**Plaintiff**

**Ralph Deliello**

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**Jonathan C. Moore**  
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**Vera M. Scanlon**  
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V.

**Defendant**

**Joseph Jablonsky**

represented by **Paul F. Millus**  
Meyer Suozzi English & Klein, P.C.  
990 Stewart Avenue  
Suite 300  
Garden City, NY 11530  
516-741-6565

Fax: 516-741-6706  
Email: pmillus@msek.com  
*TERMINATED: 12/04/2003*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**County of Nassau,**

represented by **Paul F. Millus**  
(See above for address)  
*TERMINATED: 12/04/2003*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**John and Jane Does 1 through 100**

| <b>Date Filed</b> | <b>#</b> | <b>Docket Text</b>                                                                                                                                                                                                                                                                           |
|-------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 06/03/1999        | 1        | COMPLAINT filed and summons(es) issued for Joseph Jablonsky, County of Nassau FILING FEE \$ 150.00 RECEIPT # 219666 (Bollbach, Jean) (Entered: 06/07/1999)                                                                                                                                   |
| 07/20/1999        | 2        | AMENDED CLASS ACTION COMPLAINT for declaratory and injunctive relief and damages and demand for trial by jury by Gardy Augustin , (Answer due 7/30/99 for County of Nassau, for Joseph Jablonsky ) amending [1-1] complaint against John & Jane Does OSI (Warner, Pam) (Entered: 07/20/1999) |
| 08/03/1999        | 3        | ORDER, set status conference for 2:00 11/4/99 ( signed by Magistrate-Judge Arlene R. Lindsay , on 8/3/99) cm (Warner, Pam) (Entered: 08/05/1999)                                                                                                                                             |
| 08/10/1999        | 4        | NOTICE of attorney appearance for County of Nassau, Joseph Jablonsky by Paul F. Millus (Warner, Pam) (Entered: 08/18/1999)                                                                                                                                                                   |
| 09/28/1999        | 5        | ANSWER by County of Nassau, Joseph Jablonsky to amended complaint (Branciforte, Ralph) (Entered: 10/05/1999)                                                                                                                                                                                 |
| 09/29/1999        | 6        | Letter MOTION by Gardy Augustin to schedule a joint initial conference in 99 CV 3126, 99 CV 2844, and 99 CV 4238 , Motion hearing (Branciforte, Ralph) Modified on 11/04/1999 (Entered: 10/05/1999)                                                                                          |
| 09/29/1999        |          | Endorsed order granting [6-1] motion to schedule a joint initial conference in 99 CV 3126, 99 CV 2844, and 99 CV 4238. Mr. Herbst is to so advise all parties prior to the 10/1/99 conference and to provide                                                                                 |

|            |    |                                                                                                                                                                                                                                                                                                                                                                                                |
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|            |    | them with a copy of this order. The 11/4/99 conference is cancelled. terminated past due deadlines ( Signed by Magistrate-Judge Arlene R. Lindsay , on 9/29/99) EOD# 6 CF (Branciforte, Ralph) Modified on 11/04/1999 (Entered: 10/05/1999)                                                                                                                                                    |
| 10/15/1999 | 8  | LETTER dated 10/14/99 from Robert Herbst to USMJ Lindsay RE: Requesting a conference be scheduled for the week of 11/8 and 11/15/99. (Branciforte, Ralph) (Entered: 11/23/1999)                                                                                                                                                                                                                |
| 10/15/1999 | 9  | LETTER dated 10/14/99 from Robert Herbst to USDJ Hurley RE: Request a joint conference between 99 CV 3126, 99 CV 2844, and 99 CV 4238. (Branciforte, Ralph) (Entered: 01/05/2000)                                                                                                                                                                                                              |
| 11/16/1999 | 7  | Calendar entry: Before USMJ Lindsay on 11/16/99. Counsel on civil action numbers: 99 CV 2844; 99 CV 3126; and 99 CV 4238 are to appear before the undersigned for an initial conference on 1/6/00 at 2:00 PM. CM (Branciforte, Ralph) (Entered: 11/23/1999)                                                                                                                                    |
| 01/06/2000 |    | Status conference held (Branciforte, Ralph) (Entered: 01/12/2000)                                                                                                                                                                                                                                                                                                                              |
| 01/06/2000 | 10 | Calendar entry: Before USMJ Lindsay on 1/6/00 @ 2:00 PM. Civil Cause For Initial Confernece. Case called. Counsel for parties present. Pre-trial Scheduling order adopted. (Branciforte, Ralph) (Entered: 01/12/2000)                                                                                                                                                                          |
| 01/06/2000 | 11 | SCHEDULING ORDER setting Settlement Conference by 10:30 7/20/00 ; Discovery cutoff 6/23/00 ; Pretrial order to be submitted on or before 7/14/00 ; Request for Pre-Motion 6/30/00. ( signed by Magistrate Arlene R. Lindsay , on 1/6/00) (Branciforte, Ralph) (Entered: 01/12/2000)                                                                                                            |
| 03/10/2000 | 12 | Letter MOTION by County of Nassau, Joseph Jablonsky To modify the briefing schedule regarding the motion for injunction relief, class certification and consolidation of 99 CV 2844, 99 CV 4238, and 99 CV 3126 , Motion hearing (Branciforte, Ralph) (Entered: 03/10/2000)                                                                                                                    |
| 03/10/2000 |    | Endorsed order granting [12-1] motion To modify the briefing schedule regarding the motion for injunction relief, class certification and consolidation of 99 CV 2844, 99 CV 4238, and 99 CV 3126, Defendants' opposition papers on plaintiff's counsel on 4/3/00; Reply papers due by 4/17/00 ( Signed by Judge Denis Hurley , on 3/10/00) EOD# 12 (Branciforte, Ralph) (Entered: 03/10/2000) |
| 05/15/2000 | 14 | LETTER dated 5/10/00 from Gayle Pollack to USDJ Hurley RE: Please note Herbst & Greenwald's new address. (address updated) (Branciforte, Ralph) (Entered: 05/19/2000)                                                                                                                                                                                                                          |

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| 05/16/2000 | 13 | LETTER dated 5/10/00 from Gayle Pollack to USMJ Lindsay RE: Please note our new address. (docket sheet updated) (Branciforte, Ralph) (Entered: 05/16/2000)                                                                                                                                                                                                                                                                                                    |
| 06/02/2000 | 34 | LETTER dated 6/5/00 from Robert Herbst to USDJ Hurley RE: Enclosing plaintiff's fully briefed motion to consolidate. (Branciforte, Ralph) (Entered: 03/09/2001)                                                                                                                                                                                                                                                                                               |
| 06/06/2000 | 15 | LETTER dated 6/5/00 from Gayle Pollack to Clerk of the Court RE: Please find enclosed Plaintiff's motion for consolidation and class certification. (Branciforte, Ralph) (Entered: 06/08/2000)                                                                                                                                                                                                                                                                |
| 06/06/2000 | 16 | MOTION by Gardy Augustin to consolidate 99 CV 2844 and 99 CV 4238 pursuant to Rule 42(a); certifying this case as a class action pursuant to Rule 23; appointing Herbst & Greenwald LLP as class and lead counsel; appointing Wolf Haldenstein Adler Freeman & Herz LLP and their local counsel in the Iaffaldano case, Cromwell & Yerman, as class counsel , Motion hearing (Branciforte, Ralph) (Entered: 06/08/2000)                                       |
| 06/06/2000 | 17 | AFFIDAVIT by Robert Herbst for Gardy Augustin in support of [16-1] motion to consolidate 99 CV 2844 and 99 CV 4238 pursuant to Rule 42(a); certifying this case as a class action pursuant to Rule 23; appointing Herbst & Greenwald LLP as class and counsel; appointing Wolf Haldenstein Adler Freeman & Herz LLP and their local counsel in the Iaffaldano case, & Yerman, as class counsel (Branciforte, Ralph) (Entered: 06/08/2000)                     |
| 06/06/2000 | 18 | MEMORANDUM by Gardy Augustin in support of [16-1] motion to consolidate 99 CV 2844 and 99 CV 4238 pursuant to Rule 42(a); certifying this case as a class action pursuant to Rule 23; appointing Herbst & Greenwald LLP as class and lead counsel; appointing Wolf Haldenstein Adler Freeman & Herz LLP and their local counsel in the Iaffaldano case, Cromwell & Yerman, as class counsel (Branciforte, Ralph) (Entered: 06/08/2000)                        |
| 06/06/2000 | 19 | MEMORANDUM by County of Nassau, Joseph Jablonsky in opposition to [16-1] motion to consolidate 99 CV 2844 and 99 CV 4238 pursuant to Rule 42(a); certifying this case as a class action pursuant to Rule 23; appointing Herbst & Greenwald LLP as class and lead counsel; appointing Wolf Haldenstein Adler Freeman & Herz LLP and their local counsel in the Iaffaldano case, Cromwell & Yerman, as class counsel (Branciforte, Ralph) (Entered: 06/08/2000) |
| 06/06/2000 | 20 | AFFIDAVIT by Paul F. Millus for County of Nassau, Joseph Jablonsky in opposition to the [16-1] motion to consolidate 99 CV 2844 and 99 CV 4238 pursuant to Rule 42(a); certifying this case as a class action                                                                                                                                                                                                                                                 |

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|            |    | pursuant to Rule 23; appointing Herbst & Greenwald LLP as class and lead counsel; appointing Wolf Haldenstein Adler Freeman & Herz LLP and their local counsel in the Iaffaldano case, Cromwell & Yerman, as class counsel (Branciforte, Ralph) (Entered: 06/08/2000)                                                                                                                                                                                                                                                                                                              |
| 06/06/2000 | 21 | REPLY MEMORANDUM OF LAW by Gardy Augustin in further support of [16-1] motion to consolidate 99 CV 2844 and 99 CV 4238 pursuant to Rule 42(a); certifying this case as a class action pursuant to Rule 23; appointing Herbst & Greenwald LLP as class and lead counsel; appointing Wolf Haldenstein Adler Freeman & Herz LLP and their local counsel in the Iaffaldano case, Cromwell & Yerman, as class counsel (Branciforte, Ralph) (Entered: 06/08/2000)                                                                                                                        |
| 06/23/2000 | 23 | LETTER dated 6/22/00 from Jeffrey Smith to USMJ Lindsay RE: Enclosed please find copies of plaintiff's Application to Extend Deadlines in the Pre-Trial Scheduling Orders. (Branciforte, Ralph) (Entered: 07/06/2000)                                                                                                                                                                                                                                                                                                                                                              |
| 06/23/2000 |    | Endorsment on [23-1] letter. The Court declines to enter the pretrial scheduling order requested. However, a 90-day extension of discovery is granted. All discovery is to conclude by 9/25/00. Request for a pre-motion conference by 10/10/00. Joint pretrial order by 10/19/00. Settlement conference on 10/24/00 at 3:00 p.m. In the event the certification motion changes the landscape of the discovery in this matter, parties are to so advise the undersigned. ( Signed by Magistrate Arlene R. Lindsay , on 6/23/00) EOD# 23 (Branciforte, Ralph) (Entered: 07/06/2000) |
| 06/23/2000 |    | Deadline updated; resetting discovery due for 9/25/00 , resetting pretrial order due for 10/19/00 , resetting settlement conference for 3:00 10/24/00 before Magistrate Arlene R. Lindsay (Branciforte, Ralph) (Entered: 07/06/2000)                                                                                                                                                                                                                                                                                                                                               |
| 06/26/2000 | 22 | ORDER Plaintiffs' application to extend the Scheduling Order issued by USMJ Lindsay is referred to USMJ Lindsay. In addition, the motion to dismiss filed by the Port Washington Defendants in 99 CV 4238 is administratively terminated as such defendants were dismissed from that case by order dtd. 6/16/00. (Judge Denis R. Hurley, dtd. 6/26/00) (Branciforte, Ralph) (Entered: 06/27/2000)                                                                                                                                                                                  |
| 07/13/2000 | 24 | ORDER, resetting settlement conference for 2:00 11/2/00 before Magistrate Arlene R. Lindsay ( signed by Magistrate Arlene R. Lindsay , on 7/12/00) CM (Branciforte, Ralph) (Entered: 07/14/2000)                                                                                                                                                                                                                                                                                                                                                                                   |
| 09/22/2000 | 25 | ORDER, that request by counsel for defts for extension of time is denied however, a 60 day extension of discovery is granted. All discovery is to conclude by 11/27/00. The parties are advised that, due to the age of this                                                                                                                                                                                                                                                                                                                                                       |

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|            |    | case, no further extensions of discovery will be granted. Request for a pre-motion conference by 12/7/00. Joint pretrial order by 12/14/00. Settlement conference scheduled for 11/2/00 is hereby adjourned and rescheduled for 12/21/00 @2:00 time ( signed by Magistrate Arlene R. Lindsay , on 9/22/00) cm (Mierzewski, Liz) (Entered: 10/04/2000)           |
| 12/04/2000 | 27 | ORDER, that Counsel advised that in accordance with the schedule previously set by the Court that discovery is closed w/respect to the claims in this case. In the event a class is certified by the District Court then counsel may review this application ( signed by Magistrate Arlene R. Lindsay , on 12/4/00) icf (Mierzewski, Liz) (Entered: 01/02/2001) |
| 12/07/2000 | 26 | LETTER dated 12/7/00 from Counsel for plttf to Judge Hurley re: Request for a pre-motion conference. (Mierzewski, Liz) (Entered: 12/12/2000)                                                                                                                                                                                                                    |
| 12/12/2000 | 28 | LETTER dated 12/1/00 from Counsel for plttf to Judge Lindsay re: Request for additional time to complete discovery in this matter. (Mierzewski, Liz) (Entered: 01/02/2001)                                                                                                                                                                                      |
| 12/12/2000 | 29 | Letter MOTION by Gardy Augustin to extend time for the Settlement conference scheduled for 12/21/00 , Motion hearing [29-1] motion (Mierzewski, Liz) (Entered: 01/02/2001)                                                                                                                                                                                      |
| 12/12/2000 | 29 | ORDER granting [29-1] motion to extend time for the Settlement conference scheduled for 12/21/00 ( signed by Magistrate Arlene R. Lindsay , on 12/12/00) cf (Mierzewski, Liz) (Entered: 01/02/2001)                                                                                                                                                             |
| 02/01/2001 | 31 | LETTER dated 2/1/01 from Keith Tashima to Counsel re: All discovery was to be concluded by 9/25/00. Proposed joint pre-trial order was to be submitted on 10/19/00 and is overdue. A proposed order is to be submitted to chambers immediately. (Mierzewski, Liz) (Entered: 02/06/2001)                                                                         |
| 02/05/2001 | 30 | LETTER dated 2/1/01 from Keith Tashine to Counsel re: all discovery was completed on 9/25/00. Proposed Joint pre-trial order was to be submitted to Judge Lindsay on 10/19/00 and is now overdue. A proposed order is to be submitted to chambers immediately. (Mierzewski, Liz) (Entered: 02/05/2001)                                                          |
| 02/09/2001 | 32 | Calendar entry:, Before Magistrate Judge Lindsay dtd 2/9/01 civil Cause for conference. All parties present. set status conference for 10:00 3/14/01 before Magistrate Arlene R. Lindsay (Mierzewski, Liz) (Entered: 02/12/2001)                                                                                                                                |



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| 03/07/2001 | 33 | ORDER, reset status conference for 3:00 4/2/01 before Magistrate Arlene R. Lindsay ( signed by Magistrate Arlene R. Lindsay , on 3/7/01) cm (Mierzewski, Liz) (Entered: 03/08/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 03/08/2001 | 35 | MEMORANDUM and ORDER granting in part, denying in part [16-1] motion to consolidate 99 CV 2844, 99cv3126 and 99 CV 4238 pursuant to Rule 42(a); certifying this case as a class action pursuant to Rule 23; appointing Herbst & Greenwald LLP as class and lead counsel; appointing Wolf Haldenstein Adler Freeman & Herz LLP and their local counsel in the Iaffaldano case, Cromwell & Yerman, as class counsel. Pltff's motion is granted in part to the extent that it seeks consolidation of this action 99cv3126 with Case nos. 99CV2844 and 99CV4238 for all purposes, denied in part to the extent it seeks certification of a unified class action and appointment of class counsel, and Denied in part without prejudice to renew to the extent it seeks appointment of Herbst & Greenwald as lead counsel;and the parties in the erstwhile unconsolidated cases shall endeavor to file a stip and order of consolidation within 30 days after the date of this memorandum opinion and order setting forth the details of consolidation, but that if the parties are unable or unwilling to so stipulate, then pltffs' counsel shall serve and file in its stead a proposed order of consolidation, and the remaining parties may serve and file within 10 days after service thereof letter submissions proposing appropriate changes thereto. ( signed by Judge Denis Hurley , on 3/8/01) cm (Mierzewski, Liz) Modified on 11/19/2004 (Mahon, Cinthia). (Entered: 03/12/2001) |
| 03/08/2001 |    | Cases associated. (Mahon, Cinthia) (Entered: 11/19/2004)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 03/12/2001 |    | Consolidated Member Case . Lead Case Number: 0cv99 2844 (Mierzewski, Liz) (Entered: 03/12/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 03/26/2001 | 36 | LETTER dated 3/23/01 from Counsel for pltffs to Judge Hurley re: Request for a pre-motion conference. (Mierzewski, Liz) (Entered: 03/27/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 03/26/2001 | 37 | LETTER dated 3/26/01 from Counsel for defts. to Judge Hurley re: Request that the court deny pltffs' request for a conference and permission to file a motion to renew and reargue . (Mierzewski, Liz) (Entered: 03/30/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 04/02/2001 | 38 | ORDER, that the Court waives the requirement of a pre-motion conference and sets the following presumptive briefing schedule and page limitations: Pltffs shall serve their motion and 15 page limited memorandum in support on or before 4/6/01; Defts shall serve their 15 page limited memo in opposition on or before 4/13/01, and pltffs shall serve their 10 page limited reply memorandum, if any, and file all papers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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|            |    | with the Court on or before 4/17/01 ( signed by Judge Denis Hurley , on 3/28/01) cm (Mierzewski, Liz) (Entered: 04/02/2001)                                                                                                                                                                                                                                                                                                                                                                                                  |
| 05/30/2001 |    | CASE NO LONGER REFERRED TO Magistrate Arlene R. Lindsay (Garcia, Maria) (Entered: 05/30/2001)                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 06/20/2001 | 39 | MANDATE OF USCA (certified copy) Re: petition for leave to appeal is denied. Copy forwarded to chambers for review. (Lopez, Luz) (Entered: 06/21/2001)                                                                                                                                                                                                                                                                                                                                                                       |
| 02/13/2003 | 40 | Letter MOTION by County of Nassau to extend time to respond to plaintiffs' application to renew the argument in support of class certification , No Motion hearing (Mierzewski, Liz) (Entered: 03/04/2003)                                                                                                                                                                                                                                                                                                                   |
| 02/24/2003 |    | Endorsed order granting [40-1] motion to extend time to respond to plaintiffs' application to renew the argument in support of class certification. ( Signed by Judge Denis Hurley , on 2/24/03) (See document 99cv2844 for details) cm (Mierzewski, Liz) (Entered: 03/04/2003)                                                                                                                                                                                                                                              |
| 10/20/2003 | 41 | Letter APPLICATION dtd. 10/17/03 from Paul F. Millus to Hon. J. Hurley requesting to file a summary judgment motion on the issue of whether liability has been conceded for all purposes in this action as against all dfts as requested in Judge's decision of 9/23/03. (Barhome, Sydelle) (Entered: 11/18/2003)                                                                                                                                                                                                            |
| 10/22/2003 | 42 | Letter dtd. 10/22/03 from Paul F. Millus to Hon. J. Hurley responding to Mr. Herbst's letter to Court dtd. 10/20/03 in which he again seeks this Court's reconsideration of the class certification issue. Nassau County requests permission to submit a response to Mr. Herbst's letter by 11/3/03. (Barhome, Sydelle) (Entered: 11/18/2003)                                                                                                                                                                                |
| 11/04/2003 | 43 | Letter dtd. 11/3/03 from Paul F. Millus to Hon. J. Hurley confirming that Joseph Jablonsky has been indemnified by the Nassau County Indemnification Board. Confirming Judge Wexler's decision declaring unconstitutional the then strip search policy at the NCCC, and the Second Circuit's decisions affirming the lower court's ruling make it clear that liability must be conceded for all purposes in this action against all remaining dfts based on the facts in this case. (Barhome, Sydelle) (Entered: 11/18/2003) |
| 11/26/2003 | 44 | LETTER dtd 11/25/03 from Counsel for Defendants to Judge Hurley Regarding Request for permission to make a motion to withdraw as attorneys of record.. (Mierzejewski, Elizabeth) (Entered: 12/08/2003)                                                                                                                                                                                                                                                                                                                       |

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| 12/04/2003 | 46                 | LETTER MOTION dtd 12/3/03 from Counsel for Defendants to Judge Hurley Regarding: Request that the Court reschedule the conference presently scheduled for 12/5/03. Request to withdraw as counsel for defendants.. (Mierzejewski, Elizabeth) (Entered: 12/11/2003)                                                                                                                                                                                                                                |
| 12/04/2003 |                    | ENDORSED ORDER re 46 Letter Motion. Defendants' request to substitute counsel and Mr. Millus' associated request to withdraw are granted. . Signed by Judge Denis R. Hurley on 12/4/03. cm(Mierzejewski, Elizabeth) (Entered: 12/11/2003)                                                                                                                                                                                                                                                         |
| 12/05/2003 | 45                 | Minute Entry Case called for proceedings held before Denis R. Hurley : Final Pretrial Conference held on 12/5/2003. For Plaintiff: Robert Herbst, For Defendant: Paul Millus. Status Conference set for 1/16/2004 03:00 PM before Senior-Judge Sterling Johnson Jr. Paul Millus withdraws as counsel for the County. County Attorney to file appearance. February 2, 2004 jury selection adjourned. Parties to discuss settlement. (Mierzejewski, (Mierzejewski, Elizabeth) (Entered: 12/11/2003) |
| 01/11/2005 | <a href="#">47</a> | ORDER DISMISSING CASE without prejudice. Signed by Judge Denis R. Hurley on 1/11/2005. (Best, Patricia) (Entered: 01/11/2005)                                                                                                                                                                                                                                                                                                                                                                     |
| 08/04/2005 | <a href="#">48</a> | NOTICE OF APPEAL by Gardy Augustin. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Exhibit C# <a href="#">4</a> Exhibit D# <a href="#">5</a> Exhibit E)(Freedman, Spencer) (Entered: 08/04/2005)                                                                                                                                                                                                                                                     |
| 08/04/2005 |                    | Incorrect Case/Document/Entry Information. Document #49 (notice of appeal) has been deleted from the docket sheet because it was a duplicate of doc. #48. (Mahon, Cinthia) (Entered: 08/04/2005)                                                                                                                                                                                                                                                                                                  |
| 08/04/2005 | <a href="#">49</a> | AFFIDAVIT of Service for NOTICE OF APPEAL served on Lorna Goodman, Esq. on August 3, 2005, filed by Gardy Augustin. (Freedman, Spencer) (Entered: 08/04/2005)                                                                                                                                                                                                                                                                                                                                     |
| 08/09/2005 |                    | Electronic Index to Record on Appeal sent to US Court of Appeals re <a href="#">47</a> Order Dismissing Case, <a href="#">48</a> Notice of Appeal, <a href="#">49</a> Affidavit of Service For docket entries without a hyperlink, contact the court and we'll arrange for the document(s) to be made available to you. (Romano, Daniel) (Entered: 08/09/2005)                                                                                                                                    |
| 09/06/2005 | <a href="#">50</a> | USCA Scheduling Order as to <a href="#">48</a> Notice of Appeal filed by Gardy Augustin,. Appeal Record due by 10/11/2005. appellant's brief due by 10/18/05, appellee's brief due 11/17/05, srgued not before 12/26/05. USCA 05-4206cv(Romano, Daniel) (Entered: 10/19/2005)                                                                                                                                                                                                                     |
| 10/10/2006 | <a href="#">51</a> | USCA JUDGMENT as to <a href="#">48</a> Notice of Appeal filed by Gardy Augustin, reversing in part and remanding in part the judgment of the district court.                                                                                                                                                                                                                                                                                                                                      |

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|            |                    | USCA nos.05-4206, 05-4211, 05-4242 (Attachments: # <a href="#">1</a> Decision)(Romano, Daniel) (Entered: 10/12/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 10/17/2006 | <a href="#">52</a> | Letter <i>with proposed order and request for conference</i> by Gardy Augustin, Heidi Kane, Mary Katherine Pugliese, Gregg Wills, Steven Roth, Oscar Avelar, Ralph Deliello. (Freedman, Spencer) (Entered: 10/17/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 11/06/2006 |                    | ORDER re <a href="#">52</a> : Having received the Mandate of the Second Circuit, the parties are hereby directed to file briefs, not to exceed fifteen (15) pages in length and containing appropriate citations, addressing how this matter should proceed in view of the Second Circuit's decision. Plaintiffs shall serve their brief on or before November 27, 2006, Defendants shall serve their brief on or before December 20, 2006 and Plaintiffs shall serve reply papers, if any, and file all papers with the Court, including a courtesy copy for chambers, on or before January 5, 2007. Ordered by Judge Denis R. Hurley on 11/06/06. (Gapinski, Michele) (Entered: 11/06/2006) |
| 12/20/2006 | <a href="#">53</a> | Letter <i>regarding class notice</i> by Gardy Augustin, Heidi Kane, Mary Katherine Pugliese, Gregg Wills, Steven Roth, Oscar Avelar, Ralph Deliello. (Herbst, Robert) (Entered: 12/20/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 01/12/2007 | <a href="#">54</a> | Letter <i>re: revised order</i> by Gardy Augustin, Heidi Kane, Mary Katherine Pugliese, Gregg Wills, Steven Roth, Oscar Avelar, Ralph Deliello (Attachments: # <a href="#">1</a> # <a href="#">2</a> ) (Freedman, Spencer) (Entered: 01/12/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 01/16/2007 |                    | Incorrect Case/Document/Entry Information. Document <a href="#">55</a> Order has been deleted. (The <a href="#">55</a> Order will be entered on the lead case. ) (Fagan, Linda) (Entered: 01/23/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 02/20/2007 | <a href="#">55</a> | LETTER re: Request for Extension of Time to File Response/Reply by all plaintiffs. (Scanlon, Vera) Modified on 2/21/2007 (Fagan, Linda). (Entered: 02/20/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 02/20/2007 |                    | Motions terminated, docketed incorrectly: <a href="#">55</a> First MOTION for Extension of Time to File Response/Reply filed by Heidi Kane, Ralph Deliello, Gardy Augustin, Oscar Avelar, Mary Katherine Pugliese, Gregg Wills, Steven Roth. ( The document should have been filed as a Letter request, and the Court will address the document as such. All corrections have been made.) (Fagan, Linda) (Entered: 02/21/2007)                                                                                                                                                                                                                                                                |
| 03/01/2007 | <a href="#">56</a> | MOTION to Certify Class <i>for Damages</i> by all plaintiffs.Responses due by 3/2/2007 (Attachments: # <a href="#">1</a> Exhibit # <a href="#">2</a> Exhibit) (Moore, Jonathan) (Entered: 03/01/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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| 03/01/2007 | <a href="#">57</a> | RESPONSE in Opposition re <a href="#">56</a> MOTION to Certify Class <i>for Damages</i> filed by all defendants. (Moore, Jonathan) (Entered: 03/01/2007)                                                                                                                                                                                                                                                                         |
| 03/01/2007 | <a href="#">58</a> | REPLY to Response to Motion re <a href="#">56</a> MOTION to Certify Class <i>for Damages</i> filed by all plaintiffs. (Attachments: # <a href="#">1</a> Certificate of Service) (Moore, Jonathan) (Entered: 03/01/2007)                                                                                                                                                                                                          |
| 05/30/2007 | <a href="#">59</a> | ORDER directing further briefing. See attached. Ordered by Judge Denis R. Hurley on 5/30/07. (Gapinski, Michele) (Entered: 05/30/2007)                                                                                                                                                                                                                                                                                           |
| 06/22/2007 | <a href="#">60</a> | RESPONSE in Support re <a href="#">56</a> MOTION to Certify Class <i>for Damages Pursuant to the Court;s May 30, 2007 order</i> filed by all plaintiffs. (Scanlon, Vera) (Entered: 06/22/2007)                                                                                                                                                                                                                                   |
| 07/18/2007 | <a href="#">61</a> | RESPONSE in Opposition re <a href="#">56</a> MOTION to Certify Class <i>for Damages Supplemental Memo of Law in Opposition to Damages Class - CORRECTED COPY</i> filed by all defendants. (Saffran, Dennis) (Entered: 07/18/2007)                                                                                                                                                                                                |
| 07/31/2007 | <a href="#">62</a> | RESPONSE in Support re <a href="#">56</a> MOTION to Certify Class <i>for Damages Reply Pursuant To The Court's May 2007 Order</i> filed by all plaintiffs. (Scanlon, Vera) (Entered: 07/31/2007)                                                                                                                                                                                                                                 |
| 11/30/2007 | <a href="#">63</a> | Letter <i>To Judge Hurley about Kalish Decision</i> by Gardy Augustin, Heidi Kane, Mary Katherine Pugliese, Gregg Wills, Steven Roth, Oscar Avelar, Ralph Deliello (Attachments: # <a href="#">1</a> Exhibit Kalish Decision) (Herbst, Robert) (Entered: 11/30/2007)                                                                                                                                                             |
| 03/27/2008 | <a href="#">64</a> | ORDER granting <a href="#">56</a> Motion to Certify Class. A pre-trial conference will be held on May 9, 2008 at 2:00 pm. See attached opinion for details. Ordered by Senior Judge Denis R. Hurley on 3/27/2008. (Best, Patricia) (Entered: 03/27/2008)                                                                                                                                                                         |
| 04/04/2008 | <a href="#">65</a> | LETTER re: Enclosed Proposed Order to Certify Class <i>Granted By Court, Proposed Order Submitted Herewith</i> by Gardy Augustin, Heidi Kane, Mary Katherine Pugliese, Gregg Wills, Steven Roth, Oscar Avelar, Ralph Deliello. (Attachments: # <a href="#">1</a> Proposed Order for Class Certification Pursuant to the Court's March 27, 2008 Order) (Scanlon, Vera) Modified on 4/8/2008 (Fagan, Linda). (Entered: 04/04/2008) |
| 04/04/2008 |                    | Motions terminated, docketed incorrectly: <a href="#">65</a> MOTION to Certify Class <i>Granted By Court, Proposed Order Submitted Herewith</i> filed by Heidi Kane, Ralph Deliello, Gardy Augustin, Oscar Avelar, Mary Katherine Pugliese, Gregg Wills, Steven Roth. (The document should have been filed as a Letter, and the Court will address the document as                                                               |

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|            |                    | such. All corrections have been made.) (Fagan, Linda) (Entered: 04/08/2008)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 05/05/2008 | <a href="#">66</a> | ORDER re <a href="#">64</a> Order on Motion to Certify Class; That class certification is granted for damages purposes, and a damages class is hereby certified of all persons arrested for misdemeanors or non-criminal offenses in Nassau County who thereafter were strip searched at the Nassau County Correctional Center pursuant to defts' blanket policy, practice and custom which required that all arrestees be strip-searched upon admission to the facility, from May 20, 1996 until and including June 1, 1999; and that the earlier appointments of Beldock Levine & Hoffman LLP as lead class counsel and Emery Celli Brinckerhoff & Abady LLP and Wolf Haldenstein Adler Freeman & Herz LLP as class co-counsel are hereby confirmed. ( Ordered by Senior Judge Denis R. Hurley on 5/1/08.) (Fagan, Linda). Ordered by Senior Judge Denis R. Hurley on 5/1/08. (Fagan, Linda) (Entered: 05/05/2008) |
| 06/02/2009 | <a href="#">67</a> | NOTICE of Change of address by Robert L. Herbst (Herbst, Robert) (Entered: 06/02/2009)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 08/19/2009 | <a href="#">68</a> | Letter from Marilyn Block to the Clerk of Court, dated 8/12/09 re: To request to be added as a party to this class action. (Fagan, Linda) (Entered: 08/20/2009)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 04/22/2010 | <a href="#">69</a> | Letter from Marilyn Bloch to Judge Hurley, dated April 16, 2010 re: To request to be designated as a "lead plaintiff" in this action. (Fagan, Linda) (Entered: 04/23/2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 08/17/2010 | <a href="#">70</a> | NOTICE Of Attorney Appearance by Frank X. Kilgannon on behalf of Angel Ortiz. (Attachments: # <a href="#">1</a> Affidavit of Service, # <a href="#">2</a> Cover Letter) (Fagan, Linda) (Entered: 08/18/2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 01/25/2013 | <a href="#">71</a> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 3/11/09, Court Reporter/Transcriber Paul Lombardi, Telephone number 712-6106. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 2/15/2013. Redacted Transcript Deadline set for 2/25/2013. Release of Transcript Restriction set for 4/25/2013. (Lombardi, Paul) (Entered: 01/25/2013)                                                                                                                                                                                                                                                                                                                                                                     |