

CLOSED

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:17-cv-12255-RGS**

Doe v. Massachusetts Department of Correction et al
Assigned to: Judge Richard G. Stearns
related Case: 1:20-cv-10017-ADB
Cause: 42:1218(2) Americans with Disabilities Act

Date Filed: 11/15/2017
Date Terminated: 03/15/2019
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Jane Doe

represented by **Tiffiney F. Carney**
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V.

Defendant

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Defendant

Sean Medeiros

represented by **Jennifer M. Staples**
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Richard C. McFarland

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Defendant

James M. O'Gara , Jr.

represented by **Jennifer M. Staples**
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Richard C. McFarland

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ATTORNEY TO BE NOTICED

Defendant

Thomas A. Turco, III

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Richard C. McFarland
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Defendant

Stephanie Collins

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Amicus

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represented by **Kevin M Barry**
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**Massachusetts Transgender Political
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V.

Intervenor**UNITED STATES OF AMERICA**

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Intervenor**Candace S. Africa****TERMINATED: 05/14/2018**

represented by **Candace S. Africa**
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PRO SE

Date Filed	#	Docket Text
11/15/2017	<u>1</u>	COMPLAINT against Stephanie Collins, James M. O'Gara, Jr, Sean Medeiros, Massachusetts Department of Correction, Thomas A. Turco, III Filing fee: \$ 400, receipt number 0101-6887170 (Fee Status: Filing Fee paid), filed by Jane Doe. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Civil Category Form)(Downs, J.) (Additional attachment(s) added on 11/20/2017: # <u>3</u> Sealed Version of Complaint) (Caruso, Stephanie). (Entered: 11/15/2017)
11/15/2017	<u>2</u>	MOTION to Proceed Under Pseudonym and for Protective Order by Jane Doe.(Downs, J.) (Entered: 11/15/2017)
11/15/2017	<u>3</u>	MEMORANDUM in Support re <u>2</u> MOTION to Proceed Under Pseudonym and for Protective Order filed by Jane Doe. (Downs, J.) (Entered: 11/15/2017)
11/15/2017	<u>4</u>	NOTICE of Appearance by Louis L. Lobel on behalf of Jane Doe (Lobel, Louis) (Entered: 11/15/2017)
11/15/2017	<u>5</u>	NOTICE of Appearance by Ashley Moore on behalf of Jane Doe (Moore, Ashley) (Entered: 11/15/2017)

11/15/2017	<u>6</u>	NOTICE of Appearance by Jennifer L. Levi on behalf of Jane Doe (Levi, Jennifer) (Entered: 11/15/2017)
11/15/2017	<u>7</u>	NOTICE of Appearance by Bennett H. Klein on behalf of Jane Doe (Klein, Bennett) (Entered: 11/15/2017)
11/15/2017	<u>8</u>	ELECTRONIC NOTICE of Case Assignment. Judge Richard G. Stearns assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Jennifer C. Boal. (McDonagh, Christina) (Entered: 11/15/2017)
11/15/2017	<u>9</u>	Summons Issued as to Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III. Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service. (Jones, Sherry) (Entered: 11/15/2017)
11/15/2017	<u>10</u>	NOTICE of Appearance by Elizabeth D. Matos on behalf of Jane Doe (Matos, Elizabeth) (Entered: 11/15/2017)
11/15/2017	<u>11</u>	NOTICE of Appearance by Joel H. Thompson on behalf of Jane Doe (Thompson, Joel) (Entered: 11/15/2017)
11/15/2017	<u>12</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Tiffiney F. Carney Filing fee: \$ 100, receipt number 0101-6887999 by Jane Doe. (Attachments: # <u>1</u> Exhibit A)(Downs, J.) (Entered: 11/15/2017)
11/15/2017	<u>13</u>	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>2</u> MOTION to Proceed Under Pseudonym and for Protective Order Plaintiff's Counsel is instructed to file proposed protective order. (Caruso, Stephanie) (Entered: 11/15/2017)
11/15/2017	<u>14</u>	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>12</u> Motion for Leave to Appear Pro Hac Vice Added Tiffiney F. Carney. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Caruso, Stephanie) (Entered: 11/15/2017)
11/15/2017	<u>15</u>	Proposed Document(s) submitted by Jane Doe. Document received: [Proposed] Order Re: Plaintiff's Motion to Proceed Under Pseudonym and for Protective Order. (Downs, J.) (Entered: 11/15/2017)
11/15/2017	<u>16</u>	Judge Richard G. Stearns: ORDER entered. PROTECTIVE ORDER(Caruso, Stephanie) (Entered: 11/15/2017)
11/17/2017	<u>17</u>	MOTION for Leave to File <i>Under Seal</i> by Jane Doe. (Attachments: # <u>1</u> Text of Proposed Order)(Downs, J.) (Entered: 11/17/2017)
11/20/2017	<u>18</u>	Judge Richard G. Stearns: ENDORSED ORDER entered granting <u>17</u> MOTION for Leave to File Under Seal (Caruso, Stephanie) (Entered: 11/20/2017)
11/22/2017	<u>19</u>	NOTICE of Appearance by Richard C. McFarland on behalf of Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III (McFarland, Richard) (Entered: 11/22/2017)
12/01/2017	<u>20</u>	SUMMONS Returned Executed Massachusetts Department of Correction served on 11/21/2017, answer due 12/12/2017. (Downs, J.) (Entered: 12/01/2017)
12/01/2017	<u>21</u>	SUMMONS Returned Executed Stephanie Collins served on 11/20/2017, answer due 12/11/2017. (Downs, J.) (Entered: 12/01/2017)
12/01/2017	<u>22</u>	SUMMONS Returned Executed Sean Medeiros served on 11/20/2017, answer due 12/11/2017. (Downs, J.) (Entered: 12/01/2017)

12/01/2017	<u>23</u>	SUMMONS Returned Executed James M. O'Gara, Jr served on 11/20/2017, answer due 12/11/2017. (Downs, J.) (Entered: 12/01/2017)
12/01/2017	<u>24</u>	SUMMONS Returned Executed Thomas A. Turco, III served on 11/20/2017, answer due 12/11/2017. (Downs, J.) (Entered: 12/01/2017)
12/05/2017	<u>25</u>	MOTION for Extension of Time to January 5, 2018 to File Answer by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(McFarland, Richard) (Entered: 12/05/2017)
12/06/2017	26	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>25</u> Motion for Extension of Time to Answer for all defendants. Defendants must file their Answer, or otherwise respond to the Complaint, no later than 1/5/2018. (Zierk, Marsha) (Entered: 12/06/2017)
01/05/2018	<u>27</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(McFarland, Richard) (Entered: 01/05/2018)
01/05/2018	<u>28</u>	MEMORANDUM in Support re <u>27</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III. (McFarland, Richard) (Entered: 01/05/2018)
01/08/2018	<u>29</u>	Assented to MOTION for Extension of Time <i>to Respond to the Defendants' Motion to Dismiss</i> by Jane Doe.(Downs, J.) (Entered: 01/08/2018)
01/09/2018	30	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>29</u> Motion for Extension of Time until 2/2/2018, to file an Opposition to the Motion to Dismiss. (Zierk, Marsha) (Entered: 01/09/2018)
02/01/2018	<u>31</u>	MOTION for Leave to File Excess Pages (<i>Unopposed</i>) by Jane Doe.(Downs, J.) (Entered: 02/01/2018)
02/02/2018	32	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>31</u> Motion for Leave to File Excess Pages – Opposition to Motion to Dismiss not to exceed 23 pages, Motion in Support of Preliminary Injunction not to exceed 33 pages ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (RGS, int2) (Entered: 02/02/2018)
02/02/2018	<u>33</u>	Opposition re <u>27</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Jane Doe. (Downs, J.) (Entered: 02/02/2018)
02/02/2018	<u>34</u>	MOTION for Preliminary Injunction by Jane Doe.(Downs, J.) (Entered: 02/02/2018)
02/02/2018	<u>35</u>	MEMORANDUM in Support re <u>34</u> MOTION for Preliminary Injunction filed by Jane Doe. (Attachments: # <u>1</u> Affidavit of James Aiken, # <u>2</u> Affidavit of Randi Ettner, Ph.D., # <u>3</u> Affidavit of Jane Doe)(Downs, J.) (Entered: 02/02/2018)
02/02/2018	<u>36</u>	NOTICE by Jane Doe re <u>33</u> Opposition to Motion, <u>35</u> Memorandum in Support of Motion (<i>Notice of Constitutional Question</i>) (Downs, J.) (Entered: 02/02/2018)
02/05/2018	37	Judge Richard G. Stearns: ELECTRONIC ORDER entered. ORDER Setting Hearing on Motion <u>27</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM , <u>34</u> MOTION for Preliminary Injunction : Motion Hearing set for 2/28/2018 02:30 PM in Courtroom 21 before Judge Richard G. Stearns.(RGS, law2) (Entered: 02/05/2018)
02/13/2018	<u>38</u>	MOTION for Extension of Time to File Response/Reply as to <u>34</u> MOTION for Preliminary Injunction by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(McFarland, Richard) (Entered: 02/13/2018)
02/13/2018	39	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>38</u> Motion for Extension of Time to File Response/Reply (RGS, law2) (Entered: 02/13/2018)
02/16/2018	<u>40</u>	Assented to MOTION for Writ of Habeas Corpus ad testificandum by Jane Doe. (Attachments: # <u>1</u> Text of Proposed Order)(Downs, J.) (Entered: 02/16/2018)

02/16/2018	<u>41</u>	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>40</u> Motion for Writ of Habeas Corpus ad testificandum (Maynard, Timothy) (Entered: 02/16/2018)
02/16/2018	<u>42</u>	Writ of Habeas Corpus ad Testificandum Issued as to Jane Doe for February 28, 2018. (Maynard, Timothy) (Entered: 02/16/2018)
02/20/2018	<u>43</u>	Assented to MOTION for Leave to File Excess Pages by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(McFarland, Richard) (Entered: 02/20/2018)
02/20/2018	44	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>43</u> Motion for Leave to File Excess Pages. (RGS, law2) (Entered: 02/20/2018)
02/21/2018	<u>45</u>	Opposition re <u>34</u> MOTION for Preliminary Injunction filed by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit, # <u>3</u> Affidavit, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(McFarland, Richard) (Entered: 02/21/2018)
02/26/2018	<u>46</u>	Assented to MOTION for Leave to File <i>Reply in Support of her Motion for Preliminary Injunction and Assented-to Motion for Leave to File Affidavit (Ex. A) Under Seal</i> by Jane Doe. (Attachments: # <u>1</u> Proposed Reply)(Downs, J.) (Entered: 02/26/2018)
02/26/2018	47	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>46</u> Motion for Leave to File Document ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (RGS, law2) (Entered: 02/26/2018)
02/26/2018	<u>48</u>	REPLY to Response to <u>34</u> MOTION for Preliminary Injunction filed by Jane Doe. (Attachments: # <u>1</u> Exhibit A (Filed Under Seal))(Downs, J.) (Entered: 02/26/2018)
02/27/2018	<u>50</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Kevin M. Barry Filing fee: \$ 100, receipt number 0101-7026320 by National Center for Transgender Equality, Massachusetts Transgender Political Coalition, Disability Rights Education and Defense Fund, Bazelon Center for Mental Health Law. (Attachments: # <u>1</u> Exhibit A – Certification of Kevin M. Barry)(Daniels, Joshua) (Entered: 02/27/2018)
02/27/2018	<u>51</u>	NOTICE of Appearance by Joshua M. Daniels on behalf of Bazelon Center for Mental Health Law, Disability Rights Education and Defense Fund, Massachusetts Transgender Political Coalition, National Center for Transgender Equality (Daniels, Joshua) (Entered: 02/27/2018)
02/27/2018	52	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>50</u> Motion for Leave to Appear Pro Hac Vice. Added Kevin M. Barry. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Pacho, Arnold) (Entered: 02/27/2018)
02/27/2018	<u>53</u>	NOTICE of Appearance by Joshua M. Daniels on behalf of Bazelon Center for Mental Health Law, Disability Rights Education and Defense Fund, Massachusetts Transgender Political Coalition, National Center for Transgender Equality, Health Law Advocates, Inc. (Daniels, Joshua) (Entered: 02/27/2018)
02/27/2018	<u>54</u>	MOTION for Leave to File <i>Brief of Amici Curiae in Support of Plaintiff's Motion for Preliminary Injunction and in Opposition to Defendants' Motion to Dismiss</i> by Bazelon Center for Mental Health Law, Disability Rights Education and Defense Fund, Health Law Advocates, Inc., Massachusetts Transgender Political Coalition, National Center for Transgender Equality. (Attachments: # <u>1</u> Exhibit Brief and Appendices of Amici Curiae in Support of Plaintiff's Motion for Preliminary Injunction and in Opposition to Defendants' Motion to Dismiss)(Daniels, Joshua) (Entered: 02/27/2018)
02/27/2018	55	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>54</u> Motion for Leave to File Document ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the

		CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (RGS, law2) (Entered: 02/27/2018)
02/27/2018	<u>56</u>	AMICUS BRIEF filed by Bazelon Center for Mental Health Law, Disability Rights Education and Defense Fund, Health Law Advocates, Inc., Massachusetts Transgender Political Coalition, National Center for Transgender Equality <i>in Support of Plaintiff's Motion for Preliminary Injunction and in Opposition to Defendants' Motion to Dismiss (Leave Granted 2/27/2018)</i> . (Daniels, Joshua) (Entered: 02/27/2018)
02/28/2018	<u>57</u>	Judge Richard G. Stearns: ORDER Entered Certifying Constitutional Question to the Attorney General of the United States Pursuant to Fed. R. Civ. P. 5.1(b) and 28 U.S.C. § 2403.(RGS, law2) (Entered: 02/28/2018)
03/01/2018	58	Electronic Clerk's Notes for proceedings held before Judge Richard G. Stearns: Motion Hearing held on 3/1/2018 re <u>27</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Sean Medeiros, James M. O'Gara, Jr., Stephanie Collins, Thomas A. Turco, III, Massachusetts Department of Correction, <u>34</u> MOTION for Preliminary Injunction filed by Jane Doe. Case called. The Court hears argument from the parties. After hearing the matter was taken UNDER ADVISEMENT. (Court Reporter: James Gibbons at jmsgibbons@yahoo.com.)(Attorneys present: Matos, Downs, Klein, Levi for the plaintiff; McFarland for the defendant) (Maynard, Timothy) (Entered: 03/01/2018)
03/05/2018	<u>59</u>	Judge Richard G. Stearns: ORDER entered reserving ruling on <u>27</u> Motion to Dismiss for Failure to State a Claim; granting in part and denying in part <u>34</u> Motion for Preliminary Injunction (RGS, law2) (Entered: 03/05/2018)
03/08/2018	<u>60</u>	Notice of Supplemental Authorities re <u>27</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM , <u>34</u> MOTION for Preliminary Injunction [<i>in Support of Jane Doe's Opposition to Defendants' Motion to Dismiss (ECF No. 33) and Memorandum of Law in Support of Doe's Motion for Preliminary Injunction (ECF No. 35)</i>] (Attachments: # <u>1</u> Exhibit A)(Downs, J.) (Entered: 03/08/2018)
03/15/2018	<u>61</u>	Return receipt received for mail sent to US Attorneys Office (Boston) & Attorney General, DOJ (Washington, DC). (D. 57 mailed) (Maynard, Timothy) (Entered: 03/15/2018)
03/15/2018	<u>62</u>	MOTION for Clarification re <u>59</u> Order on Motion to Dismiss for Failure to State a Claim, Order on Motion for Preliminary Injunction by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III. (Attachments: # <u>1</u> Exhibit)(McFarland, Richard) (Entered: 03/15/2018)
03/16/2018	63	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>62</u> Motion for Clarification. The court accepts the DOC's procedure regarding strip searching as a good faith interpretation and application of the court's order. The court also finds that the DOC's proposal that Doe's shower time be scheduled at a time that other inmates are in lock down is an acceptable alternative to paragraph 3 of the order. (RGS, int2) (Entered: 03/16/2018)
03/20/2018	<u>64</u>	MOTION for Reconsideration of Order on Defendants' Motion for Clarification by Jane Doe.(Downs, J.) (Entered: 03/20/2018)
03/20/2018	<u>65</u>	Second AFFIDAVIT in Support re <u>66</u> MOTION for Reconsideration of Order on Defendants' Motion for Clarification of Randi Ettner, PH.D. filed by Jane Doe. (Downs, J.) Modified on 3/21/2018 to change docket entry relationship to corrected motion, dkt. 66 (Pacho, Arnold). (Entered: 03/20/2018)
03/21/2018	<u>66</u>	MOTION for Reconsideration (<i>Plaintiff Jane Doe's CORRECTED Motion for Reconsideration of Order on Defendants' Motion for Clarification</i>) by Jane Doe.(Downs, J.) (Entered: 03/21/2018)
03/22/2018	67	Judge Richard G. Stearns: ELECTRONIC ORDER entered denying <u>66</u> Motion for Reconsideration. The Motion for Reconsideration is DENIED without prejudice. The court remains of the preference, as it indicated in its Order of March 5, 2018, Dkt # 59, that Doe be strip-searched by all female guards whenever feasible. However, as it noted in that same order, the court is cognizant of the fact that the staffing situation at the DOC facility in question and the relevant collective bargaining agreements in place

		may not allow for this in all situations. The plaintiff's present arguments on the subject of strip searches are best made when the court moves to an adjudication on the merits, following the closing of the window of the Attorney General's right to intervene, per the court's Order of February 28, 2018, Dkt # 57. (RGS, law2) (Entered: 03/22/2018)
03/28/2018	<u>68</u>	NOTICE of Change of Address or Firm Name by J. Anthony Downs <i>as to GLBTQ Legal Advocates & Defenders</i> (Downs, J.) (Entered: 03/28/2018)
04/11/2018	<u>69</u>	MOTION for Extension of Time to June 29, 2018 to Intervene by UNITED STATES OF AMERICA.(Motgi, Anjali) (Entered: 04/11/2018)
04/13/2018	<u>70</u>	Opposition re <u>69</u> MOTION for Extension of Time to June 29, 2018 to Intervene filed by Jane Doe. (Downs, J.) (Entered: 04/13/2018)
04/13/2018	71	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting in part and denying in part <u>69</u> Motion for Extension of Time. Recognizing that the United States has been confronted with similar issues as those presented by this case, including in the two cases cited by Doe on page 3 of her Opposition, <i>see</i> Dkt # 70, the court, in its discretion pursuant to Fed. R. Civ. P. 5.1(c), hereby grants the United States an additional thirty (30) days, up to and including May 30, 2018. No further extensions will be granted. (RGS, law2) (Entered: 04/13/2018)
04/20/2018	<u>72</u>	Transcript of Hearing on Motions held on February 28, 2018, before Judge Richard G. Stearns. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: James Gibbons at jmsgibbons@yahoo.com Redaction Request due 5/11/2018. Redacted Transcript Deadline set for 5/21/2018. Release of Transcript Restriction set for 7/19/2018. (Scalfani, Deborah) (Entered: 04/20/2018)
04/20/2018	73	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 04/20/2018)
05/14/2018	<u>74</u>	MOTION to Intervene and MOTION for Leave to Proceed in forma pauperis filed by Candace S. Africa. (Attachments: # <u>1</u> Motion to Proceed in Forma Pauperis, # <u>2</u> Exhibits) (Pacho, Arnold) (Entered: 05/14/2018)
05/14/2018	75	Judge Richard G. Stearns: ELECTRONIC ORDER entered denying <u>74</u> Motion to Intervene; finding as moot <u>74</u> Motion for Leave to Proceed in forma pauperis. Intervenor Candace S. Africas Motion to Intervene is DENIED and the Motion to Proceed In Forma Pauperis (IFP) is dismissed as MOOT. The court, having reviewed Africa's motion, is of the view that her claims do not meet the requirements for permissive joinder under Federal Rule of Civil Procedure 24(b)(1)(B). As counsel for Jane Doe apparently informed Africa, her claims are dissimilar in some key respects from those of Doe -- including allegations of different statutory violations not at issue in Doe's case -- and can only be pursued as a separate court action. (RGS, law2) (Entered: 05/14/2018)
05/25/2018	<u>76</u>	MOTION for Reconsideration of D. 75 Electronic Order denying <u>74</u> Motion to Intervene by Candace S. Africa. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Pacho, Arnold) Modified docket text on 5/25/2018 (Pacho, Arnold). (Entered: 05/25/2018)
05/30/2018	<u>77</u>	NOTICE by UNITED STATES OF AMERICA of <i>Non-Intervention</i> (Motgi, Anjali) (Entered: 05/30/2018)
05/30/2018	78	Judge Richard G. Stearns: ELECTRONIC ORDER entered denying <u>76</u> Motion for Reconsideration. Intervenor Candace S. Africa does not meet the requirements for intervention as of right under Federal Rule of Civil Procedure 24 because no statute confers an unconditional right to intervene in this lawsuit and the outcome of Doe's suit will not "impair or impede," Fed. R. Civ. P. 24(a), Africa's ability to protect her own interests. She also does not meet the requirements for permissive joinder, for the reasons the court spelled out in its previous order, Dkt #75. Any claims that Africa has must be pursued in the form of a separate lawsuit. (RGS, law2) (Entered: 05/30/2018)
06/14/2018	<u>79</u>	Judge Richard G. Stearns: ORDER entered denying <u>77</u> Motion to Dismiss for Failure to State a Claim (RGS, law2) (Entered: 06/14/2018)

07/13/2018	<u>80</u>	Assented to MOTION for Leave to File <i>Exhibits Attached to Plaintiff's Renewed Motion for Preliminary Injunction Under Seal</i> by Jane Doe.(Downs, J.) (Entered: 07/13/2018)
07/13/2018	<u>81</u>	MOTION for Preliminary Injunction <i>and Report of Parties' June 28, 2018 Meet & Confer (Renewed)</i> by Jane Doe. (Attachments: # <u>1</u> Exhibit 1 – Filed Under Seal, # <u>2</u> Exhibit 2 – Filed Under Seal, # <u>3</u> Exhibit 3 – Filed Under Seal, # <u>4</u> Exhibit 4 – Filed Under Seal, # <u>5</u> Exhibit 5 – Filed Under Seal, # <u>6</u> Exhibit 6 – Filed Under Seal)(Downs, J.) Modified on 7/16/2018 to seal attachments per Order, dkt. 82. (Pacho, Arnold). (Entered: 07/13/2018)
07/16/2018	82	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>80</u> Assented to Motion for Leave to File Exhibits Attached to Plaintiff's Renewed Motion for Preliminary Injunction Under Seal. (Pacho, Arnold) (Entered: 07/16/2018)
07/16/2018	<u>83</u>	NOTICE of Appearance by Jennifer M. Staples on behalf of Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III (Staples, Jennifer) (Entered: 07/16/2018)
07/24/2018	<u>84</u>	Joint MOTION for Extension of Time to 08/08/2018 to File Response/Reply as to <u>81</u> MOTION for Preliminary Injunction <i>and Report of Parties' June 28, 2018 Meet & Confer (Renewed)</i> by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(Staples, Jennifer) (Entered: 07/24/2018)
07/24/2018	85	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>84</u> Motion for Extension of Time to File Response/Reply (RGS, law2) (Entered: 07/24/2018)
08/08/2018	<u>86</u>	Joint MOTION for Extension of Time to August 24, 2018 to File Response/Reply as to <u>81</u> MOTION for Preliminary Injunction <i>and Report of Parties' June 28, 2018 Meet & Confer (Renewed)</i> by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(Staples, Jennifer) (Entered: 08/08/2018)
08/08/2018	87	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>86</u> Motion for Extension of Time to File Response/Reply up to and including August 24, 2018. (RGS, law2) (Entered: 08/08/2018)
08/14/2018	<u>88</u>	MOTION to Withdraw as Attorney by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(Staples, Jennifer) (Entered: 08/14/2018)
08/24/2018	<u>89</u>	Joint MOTION for Extension of Time to File Response/Reply as to <u>81</u> MOTION for Preliminary Injunction <i>and Report of Parties' June 28, 2018 Meet & Confer (Renewed)</i> by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(Staples, Jennifer) (Entered: 08/24/2018)
08/24/2018	90	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>89</u> Joint Motion for Extension of Time for defendants to file Response/Reply to Jane Doe's renewed motion for preliminary injunction. Responses due by 9/7/2018. (Zierk, Marsha) (Entered: 08/24/2018)
08/27/2018	91	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>88</u> Motion to Withdraw as Attorney. Attorney Richard C. McFarland terminated. (Pacho, Arnold) (Entered: 08/27/2018)
09/07/2018	<u>92</u>	Joint MOTION for Extension of Time to September 28, 2018 to File Response/Reply as to <u>81</u> MOTION for Preliminary Injunction <i>and Report of Parties' June 28, 2018 Meet & Confer (Renewed)</i> by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(Staples, Jennifer) (Entered: 09/07/2018)
09/07/2018	93	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>92</u> Motion for Extension of Time to File Response to Dkt. #81 Motion for Preliminary Injunction. (Zierk, Marsha) (Entered: 09/07/2018)
09/27/2018	<u>94</u>	Joint MOTION for Extension of Time to October 23, 2018 to File Response/Reply by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(Staples, Jennifer) (Entered: 09/27/2018)

09/28/2018	95	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>94</u> Motion for Extension of Time to File Response/Reply re <u>81</u> MOTION for Preliminary Injunction <i>and Report of Parties' June 28, 2018 Meet & Confer (Renewed)</i> Responses due by 10/23/2018 (Tang, Danni) (Entered: 09/28/2018)
10/26/2018	<u>96</u>	Joint MOTION for Extension of Time to November 27, 2018 to File Response/Reply as to <u>81</u> MOTION for Preliminary Injunction <i>and Report of Parties' June 28, 2018 Meet & Confer (Renewed)</i> by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(Staples, Jennifer) (Entered: 10/26/2018)
10/26/2018	97	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>96</u> Motion for Extension of Time until November 27, 2018 to file a response to plaintiff's Renewed Motion for Preliminary Injunction (RGS, law1) (Entered: 10/26/2018)
11/02/2018	<u>98</u>	NOTICE of Withdrawal of Appearance by Joel H. Thompson (Thompson, Joel) (Entered: 11/02/2018)
11/27/2018	<u>99</u>	MOTION for Extension of Time to January 4, 2019 to File Response/Reply as to <u>81</u> MOTION for Preliminary Injunction <i>and Report of Parties' June 28, 2018 Meet & Confer (Renewed)</i> by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(Staples, Jennifer) (Entered: 11/27/2018)
11/27/2018	100	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>99</u> Motion for Extension until January 4, 2019 to File a Response to Plaintiff's Renewed Motion for Preliminary Injunction. (RGS, law1) (Entered: 11/27/2018)
01/03/2019	<u>101</u>	Joint MOTION for Extension of Time to 2/12/2019 to File Response/Reply as to <u>81</u> MOTION for Preliminary Injunction <i>and Report of Parties' June 28, 2018 Meet & Confer (Renewed)</i> by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(Staples, Jennifer) (Entered: 01/03/2019)
01/03/2019	102	Judge Richard G. Stearns: ELECTRONIC ORDER entered finding as moot <u>81</u> Renewed Motion for Preliminary Injunction; denying <u>101</u> Motion for Extension of Time to File Response/Reply. Because the circumstances have changed since Doe's filing of the Renewed Motion for Preliminary Injunction, a Response to that Motion would no longer be useful. The court, therefore, moots the Renewed Motion for Preliminary Injunction and denies Defendants' Motion for Extension Time. Instead, the court requests that the parties file a status report regarding what issues are outstanding no later than January 14, 2019. Thereafter, the court will reinstate a briefing schedule. (RGS, law1) (Entered: 01/03/2019)
01/14/2019	<u>103</u>	STATUS REPORT <i>in Response to the Court's Order of January 3, 2019</i> by Jane Doe. (Downs, J.) (Entered: 01/14/2019)
01/14/2019	104	Judge Richard G. Stearns: ELECTRONIC ORDER entered. Per the parties' joint status report (Dkt # 103), the court requests that they file an updated status report by March 11, 2019. (RGS, law1) (Entered: 01/14/2019)
03/11/2019	<u>105</u>	Assented to MOTION to Seal <i>the Status Report</i> by Jane Doe.(Downs, J.) (Entered: 03/11/2019)
03/11/2019	106	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>105</u> Motion for Leave to File the Status Report under Seal. (RGS, law1) (Entered: 03/11/2019)
03/14/2019	108	Judge Richard G. Stearns: ELECTRONIC ORDER entered. The sole remaining request in the Renewed Motion for Preliminary Injunction was for Doe to be "transfer[ed] to an appropriate women's correctional facility." Dkt # 81 at 1. In September of 2018, the Department of Correction did just that, transferring Doe to MCI-Framingham. In the first Joint Status Report, the parties acknowledged that Doe's request "is now moot." Dkt # 103 at 2. However, Doe now seeks to inject new claims that were never previously raised in this lengthy litigation. See Dkt # 107. Accordingly, the court denies Doe's request to proceed with discovery. The clerk will close the case. (RGS, law1) (Entered: 03/14/2019)

03/15/2019	<u>109</u>	Judge Richard G. Stearns: ORDER entered. ORDER DISMISSING CASE. (Pacho, Arnold) (Entered: 03/15/2019)
03/25/2019	<u>110</u>	MOTION for Reconsideration re <u>109</u> Order Dismissing Case, 108 Order,, by Jane Doe.(Downs, J.) (Entered: 03/25/2019)
04/01/2019	<u>111</u>	Opposition re <u>110</u> MOTION for Reconsideration re <u>109</u> Order Dismissing Case, 108 Order,, filed by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III. (Staples, Jennifer) (Entered: 04/01/2019)
04/03/2019	<u>112</u>	Assented to MOTION for Leave to File <i>Reply in Support of Motion for Reconsideration</i> by Jane Doe. (Attachments: # <u>1</u> Exhibit A – Proposed Reply)(Downs, J.) (Entered: 04/03/2019)
04/03/2019	113	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>112</u> Motion for Leave to File Reply. Counsel should include – Leave to file granted on April 3, 2019 – in the caption of the document. (RGS, law1) (Entered: 04/03/2019)
04/03/2019	<u>114</u>	REPLY to Response to <u>110</u> MOTION for Reconsideration re <u>109</u> Order Dismissing Case, 108 Order,, filed by Jane Doe. (Downs, J.) (Entered: 04/03/2019)
04/08/2019	115	Judge Richard G. Stearns: ELECTRONIC ORDER entered denying <u>110</u> Motion for Reconsideration. Doe moves for the court to reconsider and reverse its March 14, 2019 dismissal of the case primarily because several issues purportedly remain that "fall within the scope of the originally pleaded claims." Dkt # 110. The court, however, is satisfied with its order of dismissal. As the court previously noted, all of the relief Doe sought in her Renewed Motion for Preliminary Injunction has been provided, including the principal request to be transferred to a women's prison. (RGS, law1) (Entered: 04/08/2019)
04/19/2019	<u>116</u>	Assented to MOTION for Extension of Time to May 6, 2019 to File a Motion for Costs and Attorney's Fees by Jane Doe.(Downs, J.) (Entered: 04/19/2019)
04/22/2019	117	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>116</u> Assented to Motion for Extension of Time to May 6, 2019 to File a Motion for Costs and Attorney's Fees. (Pacho, Arnold) (Entered: 04/22/2019)
05/03/2019	<u>118</u>	Assented to MOTION for Extension of Time to May 10, 2019 to to File A Motion For Costs and Attorney's Fees by Jane Doe.(Downs, J.) (Entered: 05/03/2019)
05/03/2019	119	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>118</u> Motion for Extension of Time until May 10, 2019 to File a Motion for Costs and Attorney's Fees. (RGS, law1) (Entered: 05/03/2019)
05/10/2019	<u>120</u>	MOTION for Attorney Fees <i>and Expenses</i> by Jane Doe. (Attachments: # <u>1</u> Supplement Memorandum of Law in Support of Plaintiff's Motion Attorneys' Fees and Expenses, # <u>2</u> Affidavit of J. Anthony Downs in Support of Plaintiff's Motion for Attorneys' Fees, # <u>3</u> Exhibit A to Affidavit of J. Anthony Downs in Support of Plaintiff's Motion for Attorneys' Fees, # <u>4</u> Exhibit B to Affidavit of J. Anthony Downs in Support of Plaintiff's Motion for Attorneys' Fees, # <u>5</u> Affidavit of Jennifer Levi, # <u>6</u> Exhibit A to Affidavit of Jennifer Levi, # <u>7</u> Exhibit B to Affidavit of Jennifer Levi, # <u>8</u> Affidavit of Elizabeth Matos, # <u>9</u> Exhibit A of Affidavit of Elizabeth Matos, # <u>10</u> Exhibit B of Affidavit of Elizabeth Matos, # <u>11</u> Exhibit C to Affidavit of Elizabeth Matos)(Downs, J.) (Attachment 4 replaced on 5/14/2019) (Pacho, Arnold). (Attachment 9 replaced on 5/14/2019) (Pacho, Arnold). (Attachment 10 replaced on 5/14/2019) (Pacho, Arnold). (Attachment 11 replaced on 5/14/2019) (Pacho, Arnold). Modified on 5/14/2019 to attach redacted versions of exhibits (Pacho, Arnold). (Entered: 05/10/2019)
05/22/2019	<u>121</u>	MOTION for Extension of Time to 6/18/2019 to File Response/Reply as to <u>120</u> MOTION for Attorney Fees <i>and Expenses</i> by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(Staples, Jennifer) (Entered: 05/22/2019)
05/22/2019	122	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>121</u> Motion for Extension of Time until June 18, 2019 to Respond to Motion for Attorneys' Fees and Expenses. (RGS, law1) (Entered: 05/22/2019)

06/18/2019	<u>123</u>	MOTION for Leave to File Excess Pages by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III.(Staples, Jennifer) (Entered: 06/18/2019)
06/18/2019	<u>124</u>	Opposition re <u>120</u> MOTION for Attorney Fees <i>and Expenses</i> filed by Stephanie Collins, Massachusetts Department of Correction, Sean Medeiros, James M. O'Gara, Jr, Thomas A. Turco, III. (Attachments: # <u>1</u> Exhibit Spreadsheet of Objections)(Staples, Jennifer) (Attachment 1 replaced on 7/9/2019) (Pacho, Arnold). Modified on 7/9/2019 to replace exhibit with redacted version (Pacho, Arnold). (Entered: 06/18/2019)
06/18/2019	125	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>123</u> Motion for Leave to File Excess Pages. (RGS, law1) (Entered: 06/18/2019)
06/21/2019	<u>126</u>	Assented to MOTION for Leave to File <i>Reply in Support of Motion for Attorneys' Fees and Expenses</i> by Jane Doe.(Downs, J.) (Entered: 06/21/2019)
06/21/2019	127	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>126</u> Motion for Leave to File Reply by July 1, 2019. Counsel should include – Leave to file granted on (date of order) – in the caption of the document. (RGS, law1) (Entered: 06/21/2019)
07/01/2019	<u>128</u>	REPLY to Response to <u>120</u> MOTION for Attorney Fees <i>and Expenses</i> filed by Jane Doe. (Downs, J.) (Entered: 07/01/2019)
07/08/2019	<u>129</u>	Judge Richard G. Stearns: ORDER entered granting in part <u>120</u> Motion for Attorney Fees. The court awards Doe \$46,297.50 in attorneys fees and \$11,740.94 in litigation expenses. (RGS, law1) (Entered: 07/08/2019)