

**U.S. District Court
District of Maryland (Greenbelt)
CIVIL DOCKET FOR CASE #: 8:20-cv-01028-PX**

Seth et al v. McDonough
Assigned to: Judge Paula Xinis
Referred to: Magistrate Judge Timothy J. Sullivan
Case in other court: USCA, 20-06776
Cause: 42:1983 Civil Rights Act - Civil Action for
Deprivation of Rights

Date Filed: 04/21/2020
Date Terminated: 06/29/2021
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil
Rights
Jurisdiction: Federal Question

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Date Filed	#	Docket Text
04/21/2020	<u>1</u>	(FILED IN ERROR) SEE <u>2</u> FOR CORRECTED FILING COMPLAINT against All Plaintiffs, filed by John Does 1-5, Keith Seth, Mario Burch, David Smith(Attachments: # <u>1</u> Appendix Exhibits)(Rossi, Elizabeth) Modified on 4/21/2020 (ybs, Deputy Clerk). Modified on 4/21/2020 (ybs, Deputy Clerk). (Entered: 04/21/2020)
04/21/2020	<u>2</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0416-8619803.), filed by John Does 1-5, Keith Seth, , Mario Burch, David Smith. (Attachments: # <u>1</u> Appendix)(Rossi, Elizabeth) Modified on 4/21/2020 (ybs, Deputy Clerk). (Entered: 04/21/2020)
04/21/2020	<u>3</u>	Emergency MOTION for Temporary Restraining Order by Mario Burch, John Does 1-5, Keith Seth, David Smith. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Appendix Exhibits)(Rossi, Elizabeth) Modified on 4/21/2020 (ybs, Deputy Clerk). (Entered: 04/21/2020)
04/21/2020	<u>4</u>	MOTION to Certify Class by Mario Burch, John Does 1-5, Keith Seth, David Smith (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit)(Rossi, Elizabeth) Modified on 4/21/2020 (ybs, Deputy Clerk). (Entered: 04/21/2020)
04/21/2020	<u>5</u>	MOTION to Appear Pro Hac Vice for Ryan Downer (Filing fee \$100, receipt number 0416-8619903.) by Mario Burch, David Smith, Keith Seth, John Does 1-5(Rossi, Elizabeth) Modified on 4/21/2020 (ybs, Deputy Clerk). (Entered: 04/21/2020)
04/21/2020	<u>6</u>	MOTION to Appear Pro Hac Vice for Olevia Boykin (Filing fee \$100, receipt number 0416-8619921.) by Mario Burch, John Does 1-5, Keith Seth, David Smith(Rossi, Elizabeth) Modified on 4/21/2020 (ybs, Deputy Clerk). (Entered: 04/21/2020)
04/21/2020	<u>7</u>	MOTION to Appear Pro Hac Vice for Katherine Chamblee-Ryan (Filing fee \$100, receipt number 0416-8619928.) by Mario Burch, John Does 1-5, Keith Seth, David Smith(Rossi, Elizabeth) Modified on 4/21/2020 (ybs, Deputy Clerk). (Entered: 04/21/2020)

04/21/2020	<u>8</u>	NOTICE by Mario Burch, John Does 1-5, Keith Seth, David Smith re <u>3</u> Emergency MOTION for Temporary Restraining Order <i>Request for Hearing</i> (Rossi, Elizabeth) Modified on 4/21/2020 (ybs, Deputy Clerk). (Entered: 04/21/2020)
04/21/2020	<u>9</u>	NOTICE by Mario Burch, John Does 1-5, Keith Seth, David Smith re <u>2</u> Complaint, <i>Civil Cover Sheet</i> (Rossi, Elizabeth) Modified on 4/21/2020 (ybs, Deputy Clerk). (Entered: 04/21/2020)
04/21/2020	<u>10</u>	(FILED IN ERROR) Summons Returned Unexecuted by Keith Seth, John Does 1-5, Mario Burch, David Smith as to All Defendants.(Rossi, Elizabeth) Modified on 4/21/2020 (ybs, Deputy Clerk). (Entered: 04/21/2020)
04/21/2020	11	QC NOTICE: <u>10</u> Summons Returned Unexecuted filed by John Does 1-5, Mario Burch, David Smith, Keith Seth was filed incorrectly. <i>**Incorrect event used. It has been noted as FILED IN ERROR, and the document link has been disabled. To correct this problem, file Summons using the event Notice (Other) and link Summons to <u>1</u></i> <i>Complaint.</i> (ybs, Deputy Clerk) (Entered: 04/21/2020)
04/21/2020	<u>12</u>	NOTICE by Mario Burch, John Does 1-5, Keith Seth, David Smith re <u>2</u> Complaint, <i>Summons</i> (Rossi, Elizabeth) (Entered: 04/21/2020)
04/22/2020	<u>13</u>	Summons Issued 21 days as to Mary Lou McDonough. (tds, Deputy Clerk) (Entered: 04/22/2020)
04/22/2020	<u>14</u>	QC NOTICE: <u>5</u> Motion to Appear Pro Hac Vice filed by John Does 1-5, Mario Burch, David Smith, Keith Seth needs to be modified. See attachment for details and corrective actions needed regarding the signature(s) on the motion. (srds, Deputy Clerk) (Entered: 04/22/2020)
04/22/2020	<u>15</u>	QC NOTICE: <u>6</u> Motion to Appear Pro Hac Vice filed by John Does 1-5, Mario Burch, David Smith, Keith Seth needs to be modified. See attachment for details and corrective actions needed regarding the signature(s) on the motion. (srds, Deputy Clerk) (Entered: 04/22/2020)
04/22/2020	<u>16</u>	QC NOTICE: <u>7</u> Motion to Appear Pro Hac Vice filed by John Does 1-5, Mario Burch, David Smith, Keith Seth needs to be modified. See attachment for details and corrective actions needed regarding the signature(s) on the motion. (srds, Deputy Clerk) (Entered: 04/22/2020)

04/22/2020	<u>17</u>	CORRECTED MOTION to Appear Pro Hac Vice for Ryan Downer by Mario Burch, John Does 1-5, Keith Seth, David Smith. The fee has already been paid.(Rossi, Elizabeth) (Entered: 04/22/2020)
04/22/2020	<u>18</u>	CORRECTED MOTION to Appear Pro Hac Vice for Olevia Boykin by Mario Burch, John Does 1-5, Keith Seth, David Smith. The fee has already been paid.(Rossi, Elizabeth) (Entered: 04/22/2020)
04/22/2020	<u>19</u>	CORRECTED MOTION to Appear Pro Hac Vice for Katherine Chamblee-Ryan by Mario Burch, John Does 1-5, Keith Seth, David Smith. The fee has already been paid.(Rossi, Elizabeth) (Entered: 04/22/2020)
04/22/2020	<u>20</u>	[FILED IN ERROR] NOTICE of Appearance by Shelley Lynn Johnson on behalf of Mary Lou McDonough (Johnson, Shelley) Modified on 4/23/2020 (tds, Deputy Clerk). (Entered: 04/22/2020)
04/23/2020	21	QC NOTICE: <u>20</u> Notice of Appearance filed by Shelley Johnson on behalf of Andrew Murray for Defendant Mary Lou McDonough was filed incorrectly. <i>***Each attorney must file their Notice of Appearance using their CM/ECF login in order to be added as counsel to a case. The Notice of Appearance has been noted as FILED IN ERROR, and the document link has been disabled. Thank you.</i> (tds, Deputy Clerk) Modified on 4/23/2020 (tds, Deputy Clerk). (Entered: 04/23/2020)
04/23/2020	<u>22</u>	NOTICE of Appearance by Ann Elizabeth Koshy on behalf of Mary Lou McDonough (Koshy, Ann) (Entered: 04/23/2020)
04/23/2020	<u>23</u>	NOTICE of Appearance by Andrew J Murray on behalf of Mary Lou McDonough (Murray, Andrew) (Entered: 04/23/2020)
04/23/2020	<u>24</u>	ORDER directing Defendant to file a Response to Plaintiffs' <u>3</u> Emergency MOTION for Temporary Restraining Order by April 25, 2020 as instructed herein, and specifically regarding Attachment A to this Order; stating that Plaintiffs' Reply is due by April 27, 2020; directing Parties to submit a joint recommendation for an Independent Inspector by April 27, 2020; stating that if the Parties are unable to agree on an inspector, each party is to propose two recommendations and file related documents as instructed herein; and holding in abeyance Plaintiffs' <u>4</u> Motion to Certify Class until resolution of Plaintiffs' Motion for Temporary Restraining Order. Signed by Judge Paula Xinis on 4/23/2020.

		(Attachment: # 1 Attachment A) (tds, Deputy Clerk) (Entered: 04/23/2020)
04/23/2020	25	NOTICE of Appearance by Shelley Lynn Johnson on behalf of Mary Lou McDonough (Johnson, Shelley) (Entered: 04/23/2020)
04/24/2020	26	PAPERLESS ORDER granting 17 Corrected Motion to Appear Pro Hac Vice on behalf of Ryan Downer. Directing attorney Ryan Downer to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 4/24/2020. (srds, Deputy Clerk) (Entered: 04/24/2020)
04/24/2020	27	PAPERLESS ORDER granting 18 Corrected Motion to Appear Pro Hac Vice on behalf of Olevia Boykin. Directing attorney Olevia Boykin to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 4/24/2020. (srds, Deputy Clerk) (Entered: 04/24/2020)
04/24/2020	28	PAPERLESS ORDER granting 19 Corrected Motion to Appear Pro Hac Vice on behalf of Katherine Chamblee Ryan. Directing attorney Katherine Chamblee Ryan to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 4/24/2020. (srds, Deputy Clerk) (Entered: 04/24/2020)
04/25/2020	29	-SEALED-RESPONSE in Opposition re 3 Emergency MOTION for Temporary Restraining Order filed by Mary Lou McDonough. (Attachments: # 1 Affidavit, # 2 Affidavit, # 3 Affidavit, # 4 Exhibit CDC Guidelines, # 5 Exhibit Policy, # 6 Exhibit newsletter, # 7 Exhibit newsletter)(Johnson, Shelley) (Entered: 04/25/2020)
04/26/2020	30	[STRICKEN PER PAPERLESS ORDER AT ECF NO. 32] AMENDED RESPONSE in Opposition re 3 Emergency MOTION for Temporary Restraining Order filed by Mary Lou McDonough. (Attachments: # 1 Exhibit, # 2 Affidavit, # 3 Affidavit, # 4 Affidavit) (Johnson, Shelley) Modified on 4/27/2020 to add AMENDED (tds, Deputy Clerk). (Entered: 04/26/2020)
04/26/2020	31	[STRICKEN PER PAPERLESS ORDER AT ECF NO. 32] - SEALED - NOTICE of Filing Under Seal Exhibit 4 to Response to

		Temporary Restraining Oder and Peliminary Injunction by Mary Lou McDonough re 30 Response in Opposition to Motion (Attachments: # 1 Affidavit) (Johnson, Shelley) Modified on 4/27/2020 (tds, Deputy Clerk). (Entered: 04/26/2020)
04/26/2020	32	PAPERLESS ORDER STRIKING 30 Response in Opposition 3 Emergency Motion for Temporary Restraining Order, and STRIKING 31 Notice of Filing Exhibit or Attachment Under Seal. Signed by Judge Paula Xinis on 4/26/2020. (tb2s, Chambers) (Entered: 04/26/2020)
04/26/2020	33	PAPERLESS ORDER: By noon Monday April 27, 2020, Defendant shall file electronically the exhibits corresponding with the Declarations at ECF No. 29. The Defendant shall further file any additional exhibits responsive to Attachment A at ECF No. 24-1 as a separate filing and such additional exhibits shall include a table of contents and indicate clearly on each exhibit the section or subsection at Attachment A to which it corresponds. Failure to comply with this Order may result in striking the Declarations and/or Exhibits from the record. Signed by Judge Paula Xinis on 4/26/2020. (tb2s, Chambers) (Entered: 04/26/2020)
04/26/2020	34	MOTION for Extension of Time to File Response/Reply as to 29 Response in Opposition to Motion, by Mario Burch, John Does 1-5, Keith Seth, David Smith(Rossi, Elizabeth) (Entered: 04/26/2020)
04/27/2020	35	PAPERLESS ORDER GRANTING 34 Motion for Extension of Time. Plaintiff's Reply to 3 Emergency MOTION for Temporary Restraining Order is extended to April 29, 2020 at 12:00 p.m. Signed by Judge Paula Xinis on 4/27/2020. (tb2s, Chambers) (Entered: 04/27/2020)
04/27/2020	36	Supplemental to 29 Response in Opposition to Motion, filed by Mary Lou McDonough (Attachments: # 1 Exhibit 1A - Powell Memo, # 2 Exhibit 1B - Coronavirus update, # 3 Exhibit 1C - Feb. 5 email, # 4 Exhibit 1D - Intake Form, # 5 Exhibit 1E - MAC meeting, # 6 Exhibit 1F - Memo by Director McDonough, # 7 Exhibit 1G - Photo of Poster, # 8 Exhibit 1H - Posters in Medical Unit, # 9 Exhibit 1I - Training provided to Medical Staff, # 10 Exhibit 1J - March 20 Memo, # 11 Exhibit 1K - CDG Guidance, # 12 Exhibit 1L - March 24 Memo, # 13 Exhibit 1M- March 27 Memo, # 14 Exhibit 1N - March 31 Memo, # 15 Exhibit

		1O - CDC Patient Information Fact Sheet, # 16 Exhibit 1P - Acknowledgement of Receipt, # 17 Exhibit 1Q - Daily Temperature Check Logs, # 18 Exhibit 2A - CDC Guidelines, # 19 Exhibit 2B - Jan 28 Memo, # 20 Exhibit 2C - Feb. 4 Memo, # 21 Exhibit 2D - Email re Training, # 22 Exhibit 2E - 2019 COVID Tabletop Exercise, # 23 Exhibit 2F - Mar 2 memo, # 24 Exhibit 2G - Mar 11 memo, # 25 Exhibit 2H - Mar 13 memo, # 26 Exhibit 2I - March 17 memo, # 27 Exhibit 2J - Mar 20 memo, # 28 Exhibit 2K - Mar 24 memo, # 29 Exhibit 2L - Mar 27 memo, # 30 Exhibit 2M - Mar 31 memo, # 31 Exhibit 2N - Combined April memo with attachment, # 32 Exhibit 3A - pandemic policy - SEE ECF No. 43 for correct document) (Johnson, Shelley) Modified on 4/30/2020 re: Exhibit 3A (tds, Deputy Clerk). (Entered: 04/27/2020)
04/27/2020	37	RESPONSE re 24 Order,,, <i>Attachment A</i> filed by Mary Lou McDonough. (Attachments: # 1 Exhibit 1- Photos of Medical Unit, # 2 Exhibit 2-Photos of Housing Unit, # 3 Exhibit 3- Emails from Chief of Security, # 4 Exhibit 4- Grievances and Complaints, # 5 Exhibit 5-Home Detention, # 6 Exhibit 6 - Bed Roster, # 7 Exhibit 7 - Housing Unit Custody Levels, # 8 Exhibit 8 - Housing Unit Detail Reports, # 9 Exhibit 9 - Housing Unit Roster, # 10 Exhibit 10 - Inter-Department Requisition for Supplies, # 11 Exhibit 11- Invoices for Supplies, # 12 Exhibit 12 - Meal Prep, # 13 Exhibit 13 - Milestone video photos, # 14 Exhibit 14 - Plaintiff Commitment summary, # 15 Exhibit 15 - Posted flyers, # 16 Exhibit 16 - Related policies, # 17 Exhibit 17A - Shift I Commander Reports, # 18 Exhibit 17B - Shift II Commander Reports, # 19 Exhibit 17C - Shift III Commander Reports, # 20 Exhibit 18 - Staff PPE and Inmate Kit Photos, # 21 Exhibit 19 - Supply Delivery to Units, # 22 Exhibit 20 - Weekly Roundup Newsletters, # 23 Exhibit 21 - COVID Leave and Incidents)(Johnson, Shelley) (Entered: 04/27/2020)
04/27/2020	38	Supplemental to 29 Response in Opposition to Motion, filed by Mary Lou McDonough (Johnson, Shelley) (Entered: 04/27/2020)
04/27/2020	39	Supplemental to 29 Response in Opposition to Motion, filed by Mary Lou McDonough (Johnson, Shelley) (Entered: 04/27/2020)
04/27/2020	40	Joint MOTION for Extension of Time <i>to Submit Independent Inspector Recommendations</i> by Mario Burch, John Does 1-5, Keith Seth, David Smith (Attachments: # 1 Exhibit Ex. 1, # 2 Exhibit Ex.

		2, # 3 Exhibit Ex. 3, # 4 Exhibit Ex. 4)(Rossi, Elizabeth) (Entered: 04/27/2020)
04/27/2020	41	PAPERLESS ORDER GRANTING 40 Motion for Extension of Time to Submit Independent Inspector Recommendations. Signed by Judge Paula Xinis on 4/27/2020. (tb2s, Chambers) (Entered: 04/27/2020)
04/28/2020	42	QC NOTICE regarding: 36 Supplemental to 29 Response in Opposition filed by Mary Lou McDonough. <i>***The following attachments or exhibits are missing - Exhibit 36-32 (Exhibit 3A) is listed as a Pandemic Policy, but the incorrect document was attached. To correct this problem, file the correct document using the event Supplemental, note Corrected Exhibit 3A, the name of the attachment (Pandemic Policy) and link the attachment to 29 Response in Opposition to Motion. Thank you.</i> (tds, Deputy Clerk) (Entered: 04/28/2020)
04/28/2020	43	Supplemental to 29 Response in Opposition to Motion, filed by Mary Lou McDonough (Attachments: # 1 Exhibit 3A - Pandemic policy)(Johnson, Shelley) (Entered: 04/28/2020)
04/29/2020	44	REPLY to Response to Motion re 3 Emergency MOTION for Temporary Restraining Order filed by Mario Burch, John Does 1-5, Keith Seth, David Smith. (Attachments: # 1 Unredacted Appendix)(Rossi, Elizabeth) Modified on 4/29/2020 (kns, Deputy Clerk). (Entered: 04/29/2020)
04/29/2020	45	MOTION for Leave to File Excess Pages by Mario Burch, John Does 1-5, Keith Seth, David Smith(Rossi, Elizabeth) (Entered: 04/29/2020)
04/29/2020	46	PAPERLESS ORDER GRANTING 45 Motion for Leave to File Excess Pages. Signed by Judge Paula Xinis on 4/29/2020. (tb2s, Chambers) (Entered: 04/29/2020)
04/29/2020	47	Supplemental to 44 Reply to Response to Motion, filed by Mario Burch, John Does 1-5, Keith Seth, David Smith <i>Redacted Appendix</i> (Boykin, Olevia) (Entered: 04/29/2020)
04/30/2020	48	NOTICE by Mario Burch, John Does 1-5, Keith Seth, David Smith re 24 Order,,, <i>Plaintiffs Letter of Recommendation re Independent Jail Inspector</i> (Attachments: # 1 Exhibit Curriculum Vitae of Dr. Homer Venters, # 2 Exhibit Curriculum Vitae of Dr. Carlos Franco-Paredes)(Boykin, Olevia) (Entered: 04/30/2020)

04/30/2020	49	NOTICE by Mary Lou McDonough <i>recommended court experts</i> (Attachments: # 1 Attachment cv Dr. Brent Gibson, # 2 Attachment Dr. Gibson inspection proposal, # 3 Attachment cv Dr. Carl Keldie)(Murray, Andrew) (Entered: 04/30/2020)
04/30/2020	50	Correspondence re: Explanation for recommendation of experts (Murray, Andrew) (Entered: 04/30/2020)
04/30/2020	51	PAPERLESS ORDER: A recorded call has been scheduled for May 1, 2020 at 9:00 a.m. Instructions will be emailed to the parties. Signed by Judge Paula Xinis on 4/30/2020. (tb2s, Chambers) (Entered: 04/30/2020)
05/01/2020		Recorded Telephone Conference held on 5/1/2020 before Judge Paula Xinis. (45 min) (tb2s, Chambers) (Entered: 05/01/2020)
05/01/2020	52	PAPERLESS ORDER: A recorded call has been scheduled for May 1, 2020 at 3:00 p.m. Instructions will be emailed to the Parties. Signed by Judge Paula Xinis on 5/1/2020. (tb2s, Chambers) (Entered: 05/01/2020)
05/01/2020	53	ORDER Appointing Carlos Franco-Paredes, MD, MPH as Inspector. Signed by Judge Paula Xinis on 5/1/2020. (ybs, Deputy Clerk) (Entered: 05/01/2020)
05/01/2020		Recorded Telephone Conference held on 5/1/2020 before Judge Paula Xinis. (1 hour) (tb2s, Chambers) (Entered: 05/01/2020)
05/01/2020	54	NOTICE of Appearance by Edward Henderson Williams, II on behalf of Mario Burch, John Does 1-5, Keith Seth, David Smith (Williams, Edward) (Entered: 05/01/2020)
05/01/2020	55	MOTION to Appear Pro Hac Vice for Cadene Russell Brooks (Filing fee \$100, receipt number 0416-8636245.) by Mario Burch, John Does 1-5, Keith Seth, David Smith(Williams, Edward) (Entered: 05/01/2020)
05/04/2020	56	NOTICE by Mario Burch, John Does 1-5, Keith Seth, David Smith <i>Joint in Support of Dr. Robert Greifinger as Court Appointed Monitor</i> (Attachments: # 1 Exhibit Curriculum Vitae and Litigation Testimony)(Boykin, Olevia) (Entered: 05/04/2020)
05/04/2020	57	Joint MOTION for Protective Order by Mario Burch, John Does 1-5, Keith Seth, David Smith (Attachments: # 1 Text of Proposed Order)(Rossi, Elizabeth) (Entered: 05/04/2020)

05/04/2020	58	PAPERLESS ORDER granting 55 Motion to Appear Pro Hac Vice on behalf of Cadene Russell Brooks. Directing attorney Cadene Russell Brooks to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 5/4/2020. (srds, Deputy Clerk) (Entered: 05/04/2020)
05/04/2020	59	STIPULATED PROTECTIVE ORDER. Signed by Judge Paula Xinis on 5/2/2020. (ybs, Deputy Clerk) (Entered: 05/04/2020)
05/08/2020	60	PAPERLESS NOTICE of Hearing: Motion Hearing set for May 11, 2020 at 3:00 p.m. before Judge Paula Xinis. The hearing is expected to last 2 hours. Dr. Carlos Franco-Paredes shall be available to answer questions about his report and the Court will hear argument from counsel on the propriety of a TRO. (tb2s, Chambers) (Entered: 05/08/2020)
05/10/2020	61	MOTION for Other Relief <i>to Supplement the Record</i> by Mario Burch, John Does 1-5, Keith Seth, David Smith (Attachments: # 1 Exhibit Second Declaration of Claire Glenn)(Rossi, Elizabeth) (Entered: 05/10/2020)
05/10/2020	62	NOTICE by Mario Burch, John Does 1-5, Keith Seth, David Smith <i>of Supplemental Authority</i> (Williams, Edward) (Entered: 05/10/2020)
05/11/2020	63	MOTION for Leave to Supplement Record for Hearing on Temporary Restraining Order by Mary Lou McDonough (Attachments: # 1 Affidavit, # 2 Supplement, # 3 Affidavit)(Murray, Andrew) Modified on 5/11/2020 (ybs, Deputy Clerk). (Entered: 05/11/2020)
05/11/2020	64	Motion Hearing held on 5/11/2020 re 3 EMERGENCY MOTION for Temporary Restraining Order before Judge Paula Xinis.(Court Reporter: Marlene Kerr - Zoom) (bus, Deputy Clerk) (Entered: 05/11/2020)
05/11/2020	65	COURT'S EXHIBIT LIST. (bus, Deputy Clerk) (Additional attachment(s) added on 5/14/2020: # 1 Exhibit 1) (bus, Deputy Clerk). (Entered: 05/11/2020)
05/12/2020	66	LETTER ORDER regarding 64 Motion Hearing conducted on May 11, 2020. Signed by Judge Paula Xinis on 5/12/2020. (ybs, Deputy Clerk) (Entered: 05/12/2020)

05/12/2020	<u>67</u>	STRICKEN - ORDER REFERRING CASE to Magistrate Judge Charles B. Day for Settlement. Signed by Judge Paula Xinis on 5/12/2020. (cags, Deputy Clerk) Modified on 5/12/2020 (cags, Deputy Clerk). (Entered: 05/12/2020)
05/12/2020	68	PAPERLESS ORDER STRIKING <u>67</u> Order Referring Case to Magistrate Judge. Signed by Judge Paula Xinis on 5/12/2020. (tb2s, Chambers) (Entered: 05/12/2020)
05/13/2020	<u>69</u>	Local Rule 103.3 Disclosure Statement by Mary Lou McDonough (Johnson, Shelley) (Entered: 05/13/2020)
05/13/2020	<u>70</u>	ANSWER to <u>1</u> Complaint, by Mary Lou McDonough.(Johnson, Shelley) (Entered: 05/13/2020)
05/13/2020	<u>71</u>	MOTION to File Under Seal and for Protective Order by Mary Lou McDonough(Johnson, Shelley) Modified on 5/14/2020 (ybs, Deputy Clerk). (Entered: 05/13/2020)
05/18/2020	<u>72</u>	Substantive legal issues - addressing (Johnson, Shelley) (Entered: 05/18/2020)
05/18/2020	<u>73</u>	(FILED IN ERROR)STATUS REPORT <i>Joint</i> by Mario Burch, John Does 1-5, Keith Seth, David Smith(Williams, Edward) Modified on 5/19/2020 (ybs, Deputy Clerk). (Entered: 05/18/2020)
05/18/2020	<u>74</u>	Substantive legal issues - addressing (Chamblee Ryan, Katherine) (Entered: 05/18/2020)
05/19/2020	<u>75</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 05/01/2020, before Judge Paula Xinis. Court Reporter/Transcriber Marlene Kerr, Telephone number 3013443499. Total number of pages filed: 21. 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 from the Court Reporter or through PACER. Redaction Request due 6/9/2020. Redacted Transcript Deadline set for 6/19/2020. Release of Transcript Restriction set for 8/17/2020.(mmk, Court Reporter) (Entered: 05/19/2020)
05/19/2020	<u>76</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 05/11/2020, before Judge Paula Xinis. Court Reporter/Transcriber Marlene Kerr, Telephone number 3013443499. Total number of pages filed: 115. 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 from the Court Reporter or through PACER. Redaction Request due 6/9/2020. Redacted Transcript Deadline set for 6/19/2020. Release of Transcript Restriction set for 8/17/2020.(mmk, Court Reporter) (Entered: 05/19/2020)
05/19/2020	<u>77</u>	(FILED IN ERROR)Second MOTION for Other Relief <i>To Supplement Record</i> by Mary Lou McDonough (Attachments: # <u>1</u> Affidavit Earnest L. Carter, MD., Ph.D, # <u>2</u> Exhibit CDC COVID 19 Hospitalization rates, # <u>3</u> Exhibit Jail Population Profile, # <u>4</u> Affidavit Third affidavit of Mary Lou McDonough, # <u>5</u> Affidavit Second affidavit of Jeff Logan, # <u>6</u> Attachment Attachment A to Logan affidavit - response to list of detainees for overdetention claim, # <u>7</u> Attachment attachment B to Logan Affidavit - Jail Pre-trial release policy, # <u>8</u> Attachment attachment C to Logan Affidavit - email exchange)(Murray, Andrew) Modified on 5/19/2020 (ybs, Deputy Clerk). (Entered: 05/19/2020)
05/19/2020	<u>78</u>	Second MOTION for Other Relief <i>To Supplement Record</i> by Mary Lou McDonough (Attachments: # <u>1</u> Affidavit 77-1 Carter Affidavit, # <u>2</u> Exhibit 77-2 COVID Hospitalization graph, # <u>3</u> Exhibit 77-3 PGDOC Inmate Profile, # <u>4</u> Affidavit 77-4 McDonough Affidavit, # <u>5</u> Affidavit 77-5 Logan Affidavit, # <u>6</u> Exhibit 77-7 Attachment B to Logan Affidavit Pretrial Procedure, # <u>7</u> Exhibit 77-8 - Attachment C of Logan Affidavit Email, # <u>8</u> Exhibit 77-6 Attachment A to Logan Affidavit)(Johnson, Shelley) (Entered: 05/19/2020)
05/19/2020	<u>79</u>	REDACTED DOCUMENT <i>Joint Status Report</i> by Mario Burch, John Does 1-5, Keith Seth, David Smith(Williams, Edward) (Entered: 05/19/2020)
05/20/2020	<u>80</u>	RESPONSE to Motion re <u>78</u> Second MOTION for Other Relief <i>To Supplement Record</i> filed by Mario Burch, John Does 1-5, Keith Seth, David Smith.(Chamblee Ryan, Katherine) (Entered: 05/20/2020)
05/20/2020	<u>81</u>	Status Conference held on 5/20/2020 before Judge Paula Xinis.(Court Reporter: Marlene Kerr - Zoom) (bus, Deputy Clerk) (Entered: 05/20/2020)
05/20/2020	82	ORAL ORDER granting <u>61</u> Motion to Supplement the Record; granting <u>63</u> Motion for Leave to Supplement Record for Hearing on Temporary Restraining Order; granting <u>78</u> Second Motion for Leave to Supplement Record for Hearing on Temporary

		Restraining Order. Signed by Judge Paula Xinis on 5/20/2020. (bus, Deputy Clerk) (Entered: 05/20/2020)
05/20/2020	83	ORAL ORDER directing counsel to file a Joint Proposed Scheduling by 05/27/2020. Signed by Judge Paula Xinis on 5/20/2020. (bus, Deputy Clerk) (Entered: 05/20/2020)
05/21/2020	84	MEMORANDUM OPINION. Signed by Judge Paula Xinis on 5/21/2020. (kns, Deputy Clerk) (Entered: 05/21/2020)
05/21/2020	85	ORDER granting in part and denying in part 3 Emergency MOTION for Temporary Restraining Order. Signed by Judge Paula Xinis on 5/21/2020. (kns, Deputy Clerk) (Entered: 05/21/2020)
05/26/2020	86	NOTICE OF APPEAL by Mary Lou McDonough. Filing fee \$ 505, receipt number 0416-8666951.(Johnson, Shelley) (Entered: 05/26/2020)
05/26/2020	87	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 86 Notice of Appeal. IMPORTANT NOTICE: To access forms which you are required to file with the United States Court of Appeals for the Fourth Circuit please go to http://www.ca4.uscourts.gov and click on Forms & Notices.(nu, Deputy Clerk) (Entered: 05/26/2020)
05/26/2020	88	RESPONSE re 85 Order on Motion for TRO filed by Mary Lou McDonough. (Attachments: # 1 Exhibit Exhibit 1, # 2 Exhibit Exhibit 2, # 3 Exhibit Exhibit 3, # 4 Exhibit Exhibit 4)(Koshy, Ann) (Entered: 05/26/2020)
05/27/2020	89	USCA Case Number 20-6776 for 86 Notice of Appeal filed by Mary Lou McDonough. Case Manager - Ashley Brownlee (nus, Deputy Clerk) (Entered: 05/27/2020)
05/27/2020	90	MOTION to Stay re 84 Memorandum Opinion, 85 Order on Motion for TRO by Mary Lou McDonough (Attachments: # 1 Exhibit ECF 65 - Transcript 5-11-10 Hearing, # 2 Exhibit ECF 29-3 McDonough Affidavit, # 3 Exhibit ECF 78-5 Logan Affidavit, # 4 Exhibit ECF 29-1 Dr. Meskerem Asresahegn Affidavit, # 5 Exhibit ECF 88 Defendant's Five Day Report, # 6 Exhibit ECF 78-4 McDonough 3rd Affidavit, # 7 Exhibit ECF 78-1 Carter Affidavit, # 8 Exhibit ECF 3 Plaintiffs' Emergency Motion for Temporary Restraining Order and Preliminary

		Injunction, # 9 Exhibit ECF 29-5 Defendant's Pandemic Policy)(Johnson, Shelley) (Entered: 05/27/2020)
05/27/2020	91	STATUS REPORT <i>Joint</i> by Mario Burch, John Does 1-5, Keith Seth, David Smith (Attachments: # 1 Text of Proposed Order)(Williams, Edward) (Entered: 05/27/2020)
05/29/2020	92	RESPONSE in Opposition re 90 MOTION to Stay re 84 Memorandum Opinion, 85 Order on Motion for TRO filed by Mario Burch, John Does 1-5, Keith Seth, David Smith.(Williams, Edward) (Entered: 05/29/2020)
06/02/2020	93	SCHEDULING ORDER re ECF No. 91 STATUS REPORT; scheduling telephone conference on June 22, 2020 at 1:00 p.m. Signed by Judge Paula Xinis on 6/2/2020. (ybs, Deputy Clerk) (Entered: 06/02/2020)
06/03/2020	94	LETTER ORDER denying 90 MOTION to Stay re 84 Memorandum Opinion, 85 Order on Motion for TRO by Mary Lou McDonough. Signed by Judge Paula Xinis on 6/3/2020. (ybs, Deputy Clerk) (Entered: 06/03/2020)
06/05/2020	95	RESPONSE re 85 Order on Motion for TRO filed by Mary Lou McDonough. (Attachments: # 1 Exhibit Exhibit 1, # 2 Exhibit Exhibit 2, # 3 Exhibit Exhibit 3, # 4 Exhibit Exhibit 4)(Koshy, Ann) (Entered: 06/05/2020)
06/09/2020	96	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 05/20/20, before Judge Paula Xinis. Court Reporter/Transcriber Marlene Kerr, Telephone number 3013443499. Total number of pages filed: 63. 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 from the Court Reporter or through PACER. Redaction Request due 6/30/2020. Redacted Transcript Deadline set for 7/10/2020. Release of Transcript Restriction set for 9/8/2020.(mmk, Court Reporter) (Entered: 06/09/2020)
06/10/2020	97	ORDER of USCA denying Motion for stay pending appeal as to 86 Notice of Appeal filed by Mary Lou McDonough (nus, Deputy Clerk) (Entered: 06/10/2020)

06/12/2020	<u>98</u>	MOTION to Appear Pro Hac Vice for Kenneth S. Steely (Filing fee \$100, receipt number 0416-8701086.) by Mary Lou McDonough(Koshy, Ann) (Entered: 06/12/2020)
06/12/2020	<u>99</u>	MOTION to Appear Pro Hac Vice for William R. Lunsford (Filing fee \$100, receipt number 0416-8701090.) by Mary Lou McDonough(Koshy, Ann) (Entered: 06/12/2020)
06/12/2020	<u>100</u>	MOTION to Appear Pro Hac Vice for Stephen C. Rogers (Filing fee \$100, receipt number 0416-8701093.) by Mary Lou McDonough(Koshy, Ann) (Entered: 06/12/2020)
06/12/2020	<u>101</u>	Emergency MOTION for Extension of Time to Complete Discovery by Mary Lou McDonough(Johnson, Shelley) (Entered: 06/12/2020)
06/15/2020	102	PAPERLESS ORDER GRANTING <u>101</u> Motion for Extension of Time to Complete Discovery. A recorded status call has been scheduled for June 16, 2020 at 9:00 a.m. for a half hour. Instructions were emailed to the parties. Signed by Judge Paula Xinis on 6/15/2020. (tb2s, Chambers) (Entered: 06/15/2020)
06/15/2020	<u>103</u>	MOTION for Relief Pursuant to Federal Rules of Civil Procedure 30(b)(4) by Mario Burch, Keith Seth, David Smith (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Williams, Edward) (Entered: 06/15/2020)
06/16/2020	104	PAPERLESS ORDER granting <u>98</u> Motion to Appear Pro Hac Vice on behalf of Kenneth Steely. Directing attorney Kenneth Steely to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 6/16/2020. (srds, Deputy Clerk) (Entered: 06/16/2020)
06/16/2020	105	PAPERLESS ORDER granting <u>99</u> Motion to Appear Pro Hac Vice on behalf of William R Lunsford. Directing attorney William R Lunsford to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 6/16/2020. (srds, Deputy Clerk) (Entered: 06/16/2020)
06/16/2020	106	PAPERLESS ORDER granting <u>100</u> Motion to Appear Pro Hac Vice on behalf of Stephen Rogers. Directing attorney Stephen Rogers to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration .

		Signed by Clerk on 6/16/2020. (srd, Deputy Clerk) (Entered: 06/16/2020)
06/18/2020	107	NOTICE by Mario Burch, John Does 1-5, Keith Seth, David Smith <i>Joint Proposed Protective Order</i> (Williams, Edward) (Entered: 06/18/2020)
06/19/2020	108	PROTECTIVE ORDER. Signed by Judge Paula Xinis on 6/19/2020. (ybs, Deputy Clerk) (Entered: 06/19/2020)
06/19/2020	109	Substantive legal issues - addressing (Attachments: # 1 Appendix Exhibits)(Chamblee Ryan, Katherine) (Entered: 06/19/2020)
06/19/2020	110	Substantive legal issues - addressing (Johnson, Shelley) (Entered: 06/19/2020)
06/19/2020	111	Supplemental to 110 Substantive legal issues - addressing filed by Mary Lou McDonough (Attachments: # 1 Affidavit Chubb Declaration and Exhibits, # 2 Affidavit Meski Declaration and Exhibits, # 3 Exhibit Exhibits for Meski Declarataion)(Johnson, Shelley) (Entered: 06/19/2020)
06/19/2020	112	RESPONSE re 85 Order on Motion for TRO filed by Mary Lou McDonough. (Attachments: # 1 Exhibit 1 - COVID19 Positive Detainees REDACTED)(Koshy, Ann) (Entered: 06/19/2020)
06/22/2020	113	MOTION for Leave to File <i>Supplement</i> by Mario Burch, John Does 1-5, Keith Seth, David Smith (Attachments: # 1 Supplement)(Chamblee Ryan, Katherine) (Entered: 06/22/2020)
06/22/2020	114	Status Conference held on 6/22/2020 before Judge Paula Xinis. (Court Reporter: Renee Ewing-Zoom) (ss5s, Deputy Clerk) (Entered: 06/22/2020)
06/22/2020	115	PAPERLESS ORDER: A follow zoom video conference has been scheduled for July 2, 2020 at 12:00 p.m. A joint status report should be submitted by 12:00 p.m. on July 1, 2020 consistent with matters discussed during today's conference. Signed by Judge Paula Xinis on 6/22/2020. (tb2s, Chambers) (Entered: 06/22/2020)
06/25/2020	116	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 6-16-2020, before Judge Xinis. Court Reporter/Transcriber Linda C Marshall, Telephone number 3013443229. Total number of pages filed: 35. 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 from the Court Reporter or through PACER. Redaction Request due 7/16/2020. Redacted Transcript Deadline set for 7/27/2020. Release of Transcript Restriction set for 9/23/2020.(lcm, Court Reporter) (Entered: 06/25/2020)
07/01/2020	117	NOTICE by Mario Burch, John Does 1-5, Keith Seth, David Smith <i>Joint Status Report</i> (Williams, Edward) (Entered: 07/01/2020)
07/02/2020	118	Status Conference held on 7/2/2020 before Judge Paula Xinis.(Court Reporter: Linda Marshall) (ds2s, Deputy Clerk) (Entered: 07/02/2020)
07/02/2020	119	PAPERLESS ORDER: For the reasons stated on the record during the June 22, 2020 hearing (ECF No. 114), the Court denies extension and modification of the TRO issued by the Court on May 21, 2020 (ECF No. 85); the TRO is hereby extinguished. For the same reasons, the Court denies Plaintiffs' Motion for Preliminary Injunction (ECF No. 3). Signed by Judge Paula Xinis on 7/2/2020. (ybs, Deputy Clerk) (Entered: 07/02/2020)
07/03/2020	120	(FILED IN ERROR) AMENDED COMPLAINT against All Defendants, filed by Keith Seth, John Does 1-5, Mario Burch, David Smith.(Chamblee Ryan, Katherine) Modified on 7/7/2020 (ybs, Deputy Clerk). (Entered: 07/03/2020)
07/06/2020	121	SCHEDULING ORDER: Status Report due by 10/23/2020. Signed by Judge Paula Xinis on 7/6/2020. (heps, Deputy Clerk) (Entered: 07/06/2020)
07/06/2020	122	LETTER ORDER Regarding the Filing of Discovery Motions. Signed by Judge Paula Xinis on 7/6/2020. (heps, Deputy Clerk) (Entered: 07/06/2020)
07/07/2020	123	QC NOTICE: 120 Amended Complaint filed by John Does 1-5, Mario Burch, David Smith, Keith Seth needs to be corrected. It has been noted as FILED IN ERROR, and the document link has been disabled. The following corrective actions are needed regarding missing or incomplete information: <i>**Motion for leave to file amended complaint is required. Please file the motion for leave to file as the main document, and the clean version of the amended complaint and redline version as two</i>

		<i>separate attachments to the motion.</i> (ybs, Deputy Clerk) (Entered: 07/07/2020)
07/07/2020	124	AMENDED COMPLAINT against All Defendants, filed by Keith Seth, John Does 1-5, Mario Burch, David Smith. (Attachments: # 1 Attachment Redlined Amended Complaint)(Chamblee Ryan, Katherine) Modified on 7/7/2020 (ybs, Deputy Clerk). Modified on 7/7/2020 (ybs, Deputy Clerk). (Entered: 07/07/2020)
07/07/2020	125	(FILED IN ERROR)QC NOTICE: 124 Amended Complaint filed by John Does 1-5, Mario Burch, David Smith, Keith Seth needs to be corrected. It has been noted as FILED IN ERROR, and the document link has been disabled. The following corrective actions are needed regarding missing or incomplete information: <i>**Motion for leave to file amended complaint is required. Please file the motion for leave to file as the main document, and the clean version of the amended complaint and redline version as two separate attachments to the motion.</i> (ybs, Deputy Clerk) Modified on 7/7/2020 (ybs, Deputy Clerk). (Entered: 07/07/2020)
07/08/2020	126	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 06/22/2020, before Judge Xinis. Court Reporter/Transcriber Renee Ewing, Telephone number 301-344-3227. Total number of pages filed: 109. 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 from the Court Reporter or through PACER. Redaction Request due 7/29/2020. Redacted Transcript Deadline set for 8/10/2020. Release of Transcript Restriction set for 10/6/2020.(re, Court Reporter) (Entered: 07/08/2020)
07/15/2020	127	MOTION to Appear Pro Hac Vice for Katherine Hubbard (Filing fee \$100, receipt number 0416-8755319.) by Mario Burch, John Does 1-5, Keith Seth, David Smith(Rossi, Elizabeth) (Entered: 07/15/2020)
07/17/2020	128	MOTION to Dismiss for Failure to State a Claimor <i>alternatively Summary Judgment</i> by Mary Lou McDonough (Attachments: # 1 Memorandum in Support, # 2 Exhibit, # 3 Exhibit)(Johnson, Shelley) (Entered: 07/17/2020)
07/17/2020	129	-SEALED - NOTICE of Filing Under Seal Exhibit A by Mary Lou McDonough re 128 MOTION to Dismiss for Failure to State a Claimor <i>alternatively Summary Judgment</i> (Attachments:

		# 1 Exhibit A)(Johnson, Shelley) Modified on 7/20/2020 (ybs, Deputy Clerk). (Entered: 07/17/2020)
07/17/2020	130	-SEALED - NOTICE of Filing Under Seal Exhibit B by Mary Lou McDonough (Attachments: # 1 Exhibit B)(Johnson, Shelley) Modified on 7/20/2020 (ybs, Deputy Clerk). (Entered: 07/17/2020)
07/17/2020	131	MOTION to Seal <i>Exhibits A and B of Motion to Dismiss/Summary Judgment</i> by Mary Lou McDonough(Johnson, Shelley) (Entered: 07/17/2020)
07/22/2020	132	PAPERLESS ORDER granting 127 Motion to Appear Pro Hac Vice on behalf of Katherine Hubbard. Directing attorney Katherine Hubbard to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 7/22/2020. (srds, Deputy Clerk) (Entered: 07/22/2020)
07/28/2020	133	MOTION for Extension of Time to File Response/Reply as to 128 MOTION to Dismiss for Failure to State a Claim <i>or alternatively Summary Judgment</i> by Mario Burch, John Does 1-5, Keith Seth, David Smith(Chamblee Ryan, Katherine) (Entered: 07/28/2020)
07/29/2020	134	PAPERLESS ORDER GRANTING 133 Motion for Extension of Time. Plaintiff's Response to 128 MOTION to Dismiss is extended to August 7, 2020. Signed by Judge Paula Xinis on 7/29/2020. (tb2s, Chambers) (Entered: 07/29/2020)
08/07/2020	135	RESPONSE in Opposition re 128 MOTION to Dismiss for Failure to State a Claim <i>or alternatively Summary Judgment</i> filed by Mario Burch, John Does 1-5, Keith Seth, David Smith.(Chamblee Ryan, Katherine) (Entered: 08/07/2020)
08/12/2020	136	ORDER of USCA granting Motion to dismiss appeal as to 86 Notice of Appeal filed by Mary Lou McDonough (nus, Deputy Clerk) (Entered: 08/12/2020)
08/12/2020	137	JUDGMENT of USCA dismissing the appeal as to 86 Notice of Appeal filed by Mary Lou McDonough (Attachments: # 1 Notice of judgment)(nus, Deputy Clerk) (Entered: 08/12/2020)
08/21/2020	138	MOTION to Appear Pro Hac Vice for Susanna M. Buerger (Filing fee \$100, receipt number 0416-8821005.) by Terry A. Kupers, Dallas Augustine, Robert L. Cohen, Pablo Stewart, Cyrus Ahalt, Stuart Grassian(Kumar, Sonia) (Entered: 08/21/2020)

08/21/2020	139	MOTION to Appear Pro Hac Vice for Darren W. Johnson (Filing fee \$100, receipt number 0416-8821016.) by Cyrus Ahalt, Dallas Augustine, Robert L. Cohen, Stuart Grassian, Terry A. Kupers, Pablo Stewart(Kumar, Sonia) (Entered: 08/21/2020)
08/21/2020	140	MOTION to Appear Pro Hac Vice for Golda Lai (Filing fee \$100, receipt number 0416-8821020.) by Cyrus Ahalt, Dallas Augustine, Robert L. Cohen, Stuart Grassian, Terry A. Kupers, Pablo Stewart(Kumar, Sonia) (Entered: 08/21/2020)
08/21/2020	141	MOTION to Appear Pro Hac Vice for David C. Kimball-Stanley (Filing fee \$100, receipt number 0416-8821027.) by Cyrus Ahalt, Dallas Augustine, Robert L. Cohen, Stuart Grassian, Terry A. Kupers, Pablo Stewart(Kumar, Sonia) (Entered: 08/21/2020)
08/21/2020	142	MOTION to Appear Pro Hac Vice for Megan L. Gao (Filing fee \$100, receipt number 0416-8821036.) by Cyrus Ahalt, Dallas Augustine, Robert L. Cohen, Stuart Grassian, Terry A. Kupers, Pablo Stewart(Kumar, Sonia) (Entered: 08/21/2020)
08/21/2020	143	MOTION for Leave to File <i>Brief of Amici Curiae Medical and Public Health Experts in Support of Plaintiffs</i> by Cyrus Ahalt, Dallas Augustine, Robert L. Cohen, Stuart Grassian, Terry A. Kupers, Pablo Stewart (Attachments: # 1 Exhibit A-[Proposed] Brief of Amici Curiae)(Kumar, Sonia) (Entered: 08/21/2020)
08/21/2020	144	REPLY to Response to Motion re 128 MOTION to Dismiss for Failure to State a Claim <i>alternatively Summary Judgment</i> filed by Mary Lou McDonough.(Johnson, Shelley) (Entered: 08/21/2020)
08/22/2020	145	MOTION to Drop Plaintiffs Mario Burch and John Doe No. 3 Pursuant to Federal Rule of Civil Procedure 21 by Mario Burch, John Does 1-5 (Attachments: # 1 Memorandum in Support)(Williams, Edward) (Entered: 08/22/2020)
08/24/2020	146	Correspondence re: Filing of Objection and Response to ECF 143 and 145 (Johnson, Shelley) (Entered: 08/24/2020)
08/27/2020	147	Joint MOTION to Stay <i>and for a telephonic conference</i> by Mario Burch, John Does 1-5, Keith Seth, David Smith(Williams, Edward) (Entered: 08/27/2020)
08/31/2020	148	PAPERLESS ORDER granting 138 Motion to Appear Pro Hac Vice on behalf of Susanna M Buergel. Directing attorney Susanna M Buergel to use the attorney's existing CM/ECF login and password previously issued in this Court. The account password

		can be reset at http://www.mdd.uscourts.gov/electronic-case-filing-password-reset . Signed by Clerk on 8/31/2020. (srds, Deputy Clerk) (Entered: 08/31/2020)
08/31/2020	149	PAPERLESS ORDER granting 139 Motion to Appear Pro Hac Vice on behalf of Darren Johnson. Directing attorney Darren Johnson to use the attorney's existing CM/ECF login and password previously issued in this Court. The account password can be reset at http://www.mdd.uscourts.gov/electronic-case-filing-password-reset . Signed by Clerk on 8/31/2020. (srds, Deputy Clerk) (Entered: 08/31/2020)
08/31/2020	150	PAPERLESS ORDER granting 140 Motion to Appear Pro Hac Vice on behalf of Golda Lai. Directing attorney Golda Lai to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 8/31/2020. (srds, Deputy Clerk) (Entered: 08/31/2020)
08/31/2020	151	PAPERLESS ORDER granting 141 Motion to Appear Pro Hac Vice on behalf of David Kimball Stanley. Directing attorney David Kimball Stanley to use the attorney's existing CM/ECF login and password previously issued in this Court. The account password can be reset at http://www.mdd.uscourts.gov/electronic-case-filing-password-reset . Signed by Clerk on 8/31/2020. (srds, Deputy Clerk) (Entered: 08/31/2020)
08/31/2020	152	PAPERLESS ORDER granting 142 Motion to Appear Pro Hac Vice on behalf of Megan L Gao. Directing attorney Megan L Gao to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 8/31/2020. (srds, Deputy Clerk) (Entered: 08/31/2020)
09/03/2020	153	MANDATE of USCA issued as to 86 Notice of Appeal filed by Mary Lou McDonough (nus, Deputy Clerk) (Entered: 09/03/2020)
09/04/2020	154	MOTION to Withdraw as Attorney by Mario Burch, John Does 1-5, Keith Seth, David Smith(Boykin, Olevia) (Entered: 09/04/2020)
09/04/2020	155	RESPONSE in Opposition re 143 MOTION for Leave to File <i>Brief of Amici Curiae Medical and Public Health Experts in Support of Plaintiffs</i> filed by Mary Lou McDonough.(Steely, Kenneth) (Entered: 09/04/2020)
09/04/2020	156	SUPPLEMENTAL to 155 Memorandum re 143 MOTION for Leave to File <i>Brief of Amici Curiae Medical and Public Health</i>

		<i>Experts in Support of Plaintiffs -Memorandum of Law in Support of Response in Opposition</i> filed by Mary Lou McDonough.(Steely, Kenneth) Modified on 9/8/2020 (ybs, Deputy Clerk). (Entered: 09/04/2020)
09/08/2020	157	RESPONSE in Opposition re 145 MOTION to Drop Plaintiffs Mario Burch and John Doe No. 3 Pursuant to Federal Rule of Civil Procedure 21 filed by Mary Lou McDonough. (Attachments: # 1 Memorandum in Support MOL in Support of Opposition)(Koshy, Ann) (Entered: 09/08/2020)
09/10/2020	158	Joint Request for Conference (Koshy, Ann) (Entered: 09/10/2020)
09/17/2020	159	PAPERLESS ORDER: A recorded call has been scheduled for September 18, 2020 at 9:30 a.m. re 158 Correspondence. Instructions will be emailed to the parties. Signed by Judge Paula Xinis on 9/17/2020. (tb2s, Chambers) (Entered: 09/17/2020)
09/18/2020	160	PAPERLESS ORDER: The Court hereby STAYS all deadlines pending the outcome of settlement discussions. The parties are DIRECTED to provide the Court with a written joint status report within ten (10) days after the conclusion of the settlement conference in the event the case does not settle. Signed by Judge Paula Xinis on 9/18/2020. (tb2s, Chambers) (Entered: 09/18/2020)
09/24/2020	161	ORDER REFERRING CASE to Magistrate Judge Timothy J. Sullivan for Mediation. Signed by Judge Paula Xinis on 9/24/2020. (hmls, Deputy Clerk) (Entered: 09/24/2020)
09/29/2020		Telephone Conference held on 9/29/2020 before Magistrate Judge Timothy J. Sullivan. (jmm, Chambers) (Entered: 09/29/2020)
09/30/2020	162	LETTER ORDER Scheduling Settlement Conference for Friday, October 23, 2020 at 10:00 a.m. Signed by Magistrate Judge Timothy J. Sullivan on 9/29/2020. (jmm, Chambers) (Entered: 09/30/2020)
10/26/2020	163	Settlement Conference held on 10/23/2020 before Magistrate Judge Timothy J. Sullivan. (jmm, Chambers) (Entered: 10/26/2020)
11/04/2020		Telephone Conferences held on 11/3/2020 before Magistrate Judge Timothy J. Sullivan. (jmm, Chambers) (Entered: 11/04/2020)
11/30/2020	164	PAPERLESS ORDER Scheduling a follow-up Telephonic Settlement Conference for Tuesday, December 1, 2020. The conference will begin promptly at 2:00 p.m. and Counsel should be prepared to continue after 5:00 p.m. Call-in instructions are being

		emailed to counsel of record. Signed by Magistrate Judge Timothy J. Sullivan on 11/30/2020. (jmm, Chambers) (Entered: 11/30/2020)
12/02/2020		Follow-up telephonic settlement conference held on 12/1/2020 before Magistrate Judge Timothy J. Sullivan. (jmm, Chambers) (Entered: 12/02/2020)
12/03/2020	165	PAPERLESS ORDER granting 154 Motion to Withdraw as Attorney. Attorney Olevia Boykin terminated. Signed by Judge Paula Xinis on 12/3/2020. (jf3s, Deputy Clerk) Modified on 12/3/2020 (jf3s, Deputy Clerk). (Entered: 12/03/2020)
12/07/2020	166	MOTION to Appear Pro Hac Vice for Ellora Thadaney Israni (Filing fee \$100, receipt number 0416-8999438.) by Mario Burch, John Does 1-5, Keith Seth, David Smith(Williams, Edward) (Entered: 12/07/2020)
12/07/2020	167	Telephone Conference held on 12/7/2020 before Magistrate Judge Timothy J. Sullivan. (jmm, Chambers) (Entered: 12/07/2020)
12/07/2020	168	PAPERLESS ORDER Scheduling a follow-up Telephonic Settlement Conference for Thursday, December 10, 2020. The conference will begin promptly at 1:00 p.m. and Counsel should be prepared to continue after 5:00 p.m. Call-in instructions are being emailed to counsel of record. Signed by Magistrate Judge Timothy J. Sullivan on 12/7/2020. (jmm, Chambers) (Entered: 12/07/2020)
12/09/2020	169	PAPERLESS ORDER granting 166 Motion to Appear Pro Hac Vice on behalf of Ellora Thadaney Israni. Directing attorney Ellora Thadaney Israni to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 12/9/2020. (srd, Deputy Clerk) (Entered: 12/09/2020)
12/11/2020		Continuation of Settlement Conference held on 12/10/2020 before Magistrate Judge Timothy J. Sullivan. (jmm, Chambers) (Entered: 12/11/2020)
12/29/2020		Settlement Conference continuation held on 12/29/2020 before Magistrate Judge Timothy J. Sullivan. (jmm, Chambers) (Entered: 12/29/2020)
02/18/2021	170	MOTION to Withdraw as Attorney by Mary Lou McDonough(Koshy, Ann) (Entered: 02/18/2021)

02/19/2021	171	PAPERLESS ORDER granting 170 Motion to Withdraw as Attorney. Attorney Ann Elizabeth Koshy terminated. Signed by Judge Paula Xinis on 2/19/2021. (heps, Deputy Clerk) Modified on 2/19/2021 (heps, Deputy Clerk). (Entered: 02/19/2021)
02/24/2021	172	Joint MOTION to Stay re 160 Order, by Mary Lou McDonough(Johnson, Shelley) (Entered: 02/24/2021)
03/01/2021	173	PAPERLESS ORDER granting 172 Motion to Stay re 160 Order. Signed by Judge Paula Xinis on 3/1/2021. (ybs, Deputy Clerk) (Entered: 03/01/2021)
03/11/2021		Telephone Conference held on 3/11/2021 before Magistrate Judge Timothy J. Sullivan. (jmm, Chambers) (Entered: 03/11/2021)
04/09/2021	174	Telephone Conferences held on 4/8/2021 before Magistrate Judge Timothy J. Sullivan. (jmm, Chambers) (Entered: 04/09/2021)
04/09/2021	175	PAPERLESS NOTICE of Hearing: A Virtual Motions Hearing has been set for April 16, 2021 at 10:30 a.m. before Judge Paula Xinis. (tb2s, Chambers) (Entered: 04/09/2021)
04/16/2021	176	Status Conference held on 4/16/2021 before Judge Paula Xinis.(Court Reporter: Renee Ewing - Zoom) (bus, Deputy Clerk) (Entered: 04/16/2021)
04/22/2021	177	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 04/16/2021, before Judge Xinis. Court Reporter/Transcriber Renee Ewing, Telephone number 301-344-3227. Total number of pages filed: 49. 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 from the Court Reporter or through PACER. Redaction Request due 5/13/2021. Redacted Transcript Deadline set for 5/24/2021. Release of Transcript Restriction set for 7/21/2021.(re, Court Reporter) (Entered: 04/22/2021)
04/30/2021	178	PAPERLESS ORDER: The plaintiffs will provide a proposed informal discovery request to defendant and the Court by May 5, 2021. The defendants will provide the plaintiffs and the Court with a written submission as discussed in todays conference call by May 10, 2021. Another conference call will then be scheduled.. Signed by Magistrate Judge Timothy J. Sullivan on 4/29/2021. (jmm, Chambers) (Entered: 04/30/2021)

04/30/2021	179	ORDER REFERRING CASE to Magistrate Judge Timothy J. Sullivan for All Discovery and Related Scheduling. Signed by Judge Paula Xinis on 4/30/2021. (kns, Deputy Clerk) (Entered: 05/03/2021)
05/10/2021	180	PAPERLESS ORDER: The Plaintiffs will provide a revised proposed informal discovery request to the Defendant and the Court by May 14, 2021. Signed by Magistrate Judge Timothy J. Sullivan on 5/10/2021. (bc, Chambers) (Entered: 05/10/2021)
05/20/2021	181	Telephone Conference held on 5/20/2021 before Magistrate Judge Timothy J. Sullivan. (jmm, Chambers) (Entered: 05/20/2021)
05/21/2021	182	PAPERLESS ORDER. As discussed during the telephone conference held on 5/19/2021, the Defendant will begin to produce documents to the Plaintiffs on a rolling basis beginning 6/1/2021. Absent further order of Court, all documents shall be provided to the Plaintiffs by 6/22/2021. Signed by Magistrate Judge Timothy J. Sullivan on 5/21/2021. (bc, Chambers) (Entered: 05/21/2021)
06/29/2021	183	Telephonic Settlement Conference held on 6/29/2021 before Magistrate Judge Timothy J. Sullivan. (jmm, Chambers) (Entered: 06/29/2021)
06/29/2021	184	ORDER DISMISSING case with each party to bear its own costs unless otherwise agreed without prejudice to the right of a party to move for good cause to reopen this action if settlement is not consummated. Signed by Judge Paula Xinis on 6/29/2021. (ybs, Deputy Clerk) (Entered: 06/29/2021)

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