U.S. District Court
District of Connecticut (New Haven)
CIVIL DOCKET FOR CASE #: 3:20-cv-00569-MPS

Martinez-Brooks et al v. Easter et al
Assigned to: Judge Michael P. Shea
Referred to: Judge Thomas O. Farrish (Settlement)
Cause: 28:2241 Petition for Writ of Habeas Corpus (federal)

Date Filed: 04/27/2020
Date Terminated: 10/20/2020
Jury Demand: None
Nature of Suit: 530 Habeas Corpus (General)
Jurisdiction: U.S. Government Defendant

Petitioner

Dianthe Martinez-Brooks
individually, and on behalf of all others similarly situated
TERMINATED: 06/15/2020

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Petitioner

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TERMINATED: 06/15/2020

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Petitioner

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Petitioner

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TERMINATED: 06/15/2020

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Petitioner

Amanda Eliza Cooper
TERMINATED: 06/16/2020

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Petitioner

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Petitioner

Amanda Cooper
individually, and on behalf of all others similarly situated

V.

Respondent

D. Easter
Warden of Federal Correctional Institution at Danbury, in their individual capacities

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Respondent

Michael Carvajal
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TERMINATED: 05/20/2020

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Movant

Andrew S. Mackey

Movant

Bernice Mackey

Movant

Rhonda Fleming
TERMINATED: 08/26/2020

Movant

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Movant

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Date Filed	#	Docket Text
04/27/2020	1	PETITION for Writ of Habeas Corpus (Filing fee $ 5 receipt number ACTDC-5825186.), filed by Dianthe Martinez-Brooks, Kenneth Cassidy, Jackie madore, Rejeanne collier. (Attachments: # 1 Exhibit Declaration of Jaimie Meyer, M.D., # 2 Exhibit Declaration of Professor Judith Resnik, # 3 Exhibit Declaration of Dianthe Martinez-Brooks, # 4 Exhibit Declaration of Kenneth Cassidy, # 5 Exhibit Declaration of Christina Korbe, # 6 Exhibit Declaration of Marius (Marie) Mason, # 7 Exhibit Declaration of Kimberly Hoisington, # 8 Exhibit Declaration of Rafael Almonte, # 9 Exhibit Declaration of Tamika Sommerville, # 10 Exhibit Declaration of Theresa Forman, # 11 Exhibit Declaration of Antrum Coston, # 12 Exhibit Declaration of Shannon Benson, # 13 Exhibit Declaration of Richard Johnson, # 14 Exhibit Declaration of Ronald Harper)(Levine, Jonathan) (Entered: 04/27/2020)
04/27/2020	2	NOTICE of Related Case by Kenneth Cassidy, Dianthe Martinez-Brooks, Rejeanne collier, Jackie madore (Levine, Jonathan) (Entered: 04/27/2020)
04/27/2020	3	MOTION for Order to Show Cause by Kenneth Cassidy, Dianthe Martinez-Brooks, Rejeanne collier, Jackie madore. (Levine, Jonathan) (Entered: 04/27/2020)
04/27/2020	4	NOTICE of Appearance by David S. Golub on behalf of Kenneth Cassidy, Dianthe Martinez-Brooks, Rejeanne collier, Jackie madore (Golub, David) (Entered: 04/27/2020)

04/27/2020	5	NOTICE of Appearance by Marisol Orihuela on behalf of Kenneth Cassidy, Dianthe Martinez-Brooks, Rejeanne collier, Jackie madore (Orihuela, Marisol) (Entered: 04/27/2020)
04/27/2020	6	NOTICE of Appearance by Sarah French Russell on behalf of Kenneth Cassidy, Dianthe Martinez-Brooks, Rejeanne collier, Jackie madore (Russell, Sarah) (Entered: 04/27/2020)
04/27/2020		Judge Michael P. Shea added. (Nuzzi, Tiffany) (Entered: 04/28/2020)
04/27/2020	9	STANDING PROTECTIVE ORDER Signed by Judge Michael P. Shea on 04/27/2020. (Peterson, M) (Entered: 04/28/2020)
04/27/2020	10	ELECTRONIC FILING ORDER FOR COUNSEL - PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER Signed by Judge Michael P. Shea on 04/27/2020. (Peterson, M) (Entered: 04/28/2020)
04/28/2020	7	NOTICE of Appearance by Jonathan M. Levine on behalf of Kenneth Cassidy, Rejeanne Collier, Jackie Madore, Dianthe Martinez-Brooks (Levine, Jonathan) (Entered: 04/28/2020)
04/28/2020	8	NOTICE of Appearance by Tessa Baxter Bialek on behalf of Kenneth Cassidy, Rejeanne Collier, Jackie Madore, Dianthe Martinez-Brooks (Bialek, Tessa) (Entered: 04/28/2020)
04/29/2020	11	ORDER: The Court GRANTS in part the Motion for Order to Show Cause (ECF No. 3) as follows: The Clerk shall serve the Petition and a copy of this order on the Respondents, Rules Governing Section 2254 Cases, Rules 1(b) and 4; and the Plaintiffs shall serve a copy of this order and a copy of all of their filings in this action on the United States Attorney's Office for the District of Connecticut by email and shall file proof of confirmation of receipt of such email service on the docket. Within **6 days** of the Plaintiffs' filing of proof of such service, the Respondents shall file a response to this order showing cause why the writ should not be granted, the Court finding good cause to allow time beyond the three days specified in 28 U.S.C. Sec. 2243, due to the size and complexity of the plaintiffs' filings. The Court will promptly schedule an initial telephonic status conference with the parties once the Respondents have filed their response; the purpose of the conference, which the Court will endeavor to hold within 36 hours of the filing of the response, will be to discuss the nature and timing of the hearing the Court should hold to adjudicate the petition and any other issues raised in the parties' papers, including but not limited to whether the Court should require Respondents promptly to identify members of the

		Subclass defined in the Petition, as requested in the Motion for Order to Show Cause. To the extent the Notice of Related Case should be construed as a request to transfer this case to Judge Bolden, it is DENIED. The undersigned, too, has been assigned habeas petitions arising under Section 2241 and brought by inmates at FCI Danbury (see, e.g., Serfass v. Warden, 20cv513), and other judges in this district apart from the undersigned and Judge Bolden likely have been as well. Further, the Foreman case raises several issues not raised in this case, and this case, a putative class action, raises many issues not raised in that case. Signed by Judge Michael P. Shea on 4/29/2020. (Karpman, Michael) (Entered: 04/29/2020)
04/29/2020	12	CERTIFICATE OF SERVICE by Michael Carvajal, Kenneth Cassidy, Rejeanne Collier, D. Easter, Jackie Madore, Dianthe Martinez-Brooks re 11 Order on Motion for Order to Show Cause,,,,,,,, (Golub, David) (Entered: 04/29/2020)
04/30/2020	13	ORDER: In light of the Certification of Service filed by Plaintiffs (ECF No. 12), the response by Respondents to the Court's order to show cause is due on May 5, 2020. Signed by Judge Michael P. Shea on 4/30/2020. (Karpman, Michael) (Entered: 04/30/2020)
04/30/2020		Set Deadlines: Show Cause Response due by 5/5/2020 (Johnson, D.) (Entered: 04/30/2020)
04/30/2020	14	Emergency MOTION for Temporary Restraining Order , MOTION for Preliminary Injunction (Responses due by 5/21/2020,) by Kenneth Cassidy, Rejeanne Collier, Jackie Madore, Dianthe Martinez-Brooks. (Golub, David) (Entered: 04/30/2020)
04/30/2020	15	Memorandum in Support re 14 Emergency MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by Kenneth Cassidy, Rejeanne Collier, Jackie Madore, Dianthe Martinez-Brooks. (Attachments: # 1 Exhibit O -- Declaration of Miranda McLaurin, # 2 Exhibit P -- Second Declaration of Kimberly Hoisington, # 3 Exhibit Q -- Declaration of Shannon Battle, # 4 Exhibit R -- Declaration of Kimberly Kitts, # 5 Exhibit S -- Second Declaration of Christina Korbe, # 6 Exhibit T -- Second Declaration of Dianthe Martinez-Brooks, # 7 Exhibit U -- Danbury Inmate Bulletin (4/16/20), # 8 Exhibit V -- Danbury Inmate Bulletin (4/21/20))(Golub, David) (Entered: 04/30/2020)

05/01/2020	16	NOTICE of Appearance by Jillian R. Orticelli on behalf of Michael Carvajal, D. Easter (Orticelli, Jillian) (Entered: 05/01/2020)
05/01/2020	17	NOTICE of Appearance by John B. Hughes on behalf of Michael Carvajal, D. Easter (Hughes, John) (Entered: 05/01/2020)
05/01/2020	18	ORDER. The Government shall respond to the 14 motion for temporary restraining order by **May 5, 2020**. If it wishes to do so, the Government may combine this response with its response to the order to show cause. The Court will hold a telephonic status conference on **May 6, 2020 at 1:00 p.m.** Signed by Judge Michael P. Shea on 5/1/2020. (Karpman, Michael) (Entered: 05/01/2020)
05/01/2020	19	NOTICE of Appearance by Nathaniel Putnam on behalf of Michael Carvajal, D. Easter (Putnam, Nathaniel) (Entered: 05/01/2020)
05/01/2020		Set Deadlines/Hearings:(Show Cause Response due by 5/5/2020, Telephonic Status Conference set for 5/6/2020 01:00 PM before Judge Michael P. Shea), Set Deadlines as to 14 Emergency MOTION for Temporary Restraining Order MOTION for Preliminary Injunction .(Responses due by 5/5/2020,) (Johnson, D.) (Entered: 05/04/2020)
05/03/2020	20	ORDER: Nothing in this order should be taken as any indication about how the Court will rule on the petition or motion for temporary restraining order/preliminary injunction. The Government must file its responses to the order to show cause and the motion for temporary restraining order/preliminary injunction **by 6pm** on May 5, 2020. (The time was inadvertently omitted from the Court's previous order.) The parties shall be prepared to argue the motion for temporary restraining order/preliminary injunction at the telephonic hearing scheduled for 1pm on May 6. To facilitate preparation for that argument, and to facilitate any relief the Court might order after the argument and/or after further proceedings, the parties shall be prepared to discuss the following legal and factual issues. To the extent these questions can only be answered by the Government, Government counsel shall make diligent efforts before the call to obtain answers: 1. Do the provisions of 18 U.S.C. Sec. 3626 apply to this case, i.e., is this a "civil action with respect to prison conditions"? Relatedly, is the relief petitioners are seeking a "prisoner release order"? *See* 18 U.S.C. Sec. 3626(g)(2),(4). 2. Although the Second Circuit has "conclude[d] that the class action

		device should not be imported into collateral actions, as least in its full vigor as contemplated by Rule 23," it has recognized "the power of the judiciary... to fashion for habeas actions appropriate modes of procedure, by analogy to existing rules or otherwise in conformity with judicial usage." *U.S. ex rel. Sero v. Preiser*, 506 F.2d 1115, 1125 (2d Cir. 1974). In *Preiser*, the court allowed "a multi-party proceeding similar to the class action" on behalf of young adults serving misdemeanor sentences, because "many of those serving reformatory sentences are likely to be illiterate or poorly educated," "most would not have the benefit of counsel to prepare habeas corpus petitions," and "considerable expenditure of judicial time and energy in hearing and deciding numerous individual petitions presenting the identical issue is thereby avoided." *Id.* at 1126; *see also id.* at 1127 ("And although we believe that more stringent standards may be appropriate in deciding whether a habeas action presents substantial and common questions of law or fact, it is apparent that the complaint of the representative parties in this suit states a clear and unitary allegation on behalf of all young adult misdemeanants."). To what extent does this habeas petition satisfy these criteria for "a multi-party proceeding similar to the class action," given that the requested relief includes "bail," "enlargement," or "release" and that such relief ordinarily requires the assessment of the individual circumstances of the applicant, *cf.* 18 U.S.C. Sec. 3142(g)(3) (directing the court to consider, among other things, "the history and characteristics of the person" when making release determinations)? 3. What is the current population and capacity of each of the three facilities at FCI Danbury? 4. What is the availability of extra space that might be outfitted for living or quarantine space at each of the three facilities? 5. For each of the three facilities at Danbury FCI, how many written requests based on the circumstances presented by COVID-19 have been made for temporary release, home confinement, or compassionate release (under 18 U.S.C. Secs. 3622, 3624, 3582(c)(1)(A), the CARES Act, or any other authority)? And for each facility, (1) how many such requests have been granted either by the BOP or by the Court, and (2) how many inmates have actually been released - whether it be to home confinement, a half-way house, or otherwise? 6. Which of the named petitioners have sought the relief in paragraph 5, what types of relief have been sought, and what is the status of any requests/motions? (The Court will ask this question first of Petitioners' counsel.) 7. How long would it take the Warden to respond to a court order

		requiring the production of a list of all inmates at each of the three facilities falling within the subclass defined by the petitioners or an alternative subclass based on the CDC's guidance as to vulnerable persons, *see* https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html? This is not a comprehensive list of the questions the Court will ask. Counsel should be prepared on all issues raised in their papers. Signed by Judge Michael P. Shea on 5/3/2020. (Karpman, Michael) (Entered: 05/03/2020)
05/04/2020	21	NOTICE of Appearance by Michelle Lynn McConaghy on behalf of Michael Carvajal, D. Easter (McConaghy, Michelle) (Entered: 05/04/2020)
05/04/2020	22	Notice of Additional Authority re 14 Emergency MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by Michael Carvajal, Kenneth Cassidy, Rejeanne Collier, D. Easter, Jackie Madore, Dianthe Martinez-Brooks. (Golub, David) (Entered: 05/04/2020)
05/05/2020	23	NOTICE of Appearance by David Christopher Nelson on behalf of Michael Carvajal, D. Easter (Nelson, David) (Entered: 05/05/2020)
05/05/2020	24	MOTION to Dismiss for Lack of Jurisdiction by Michael Carvajal, D. Easter.Responses due by 5/26/2020 (Attachments: # 1 Memorandum in Support, # 2 Exhibits A through F)(McConaghy, Michelle) (Entered: 05/05/2020)
05/06/2020	25	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 5/6/2020. Total Time: 1 hours and 39 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 05/07/2020)
05/07/2020	26	Supplemental Memorandum in Support re 14 Emergency MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by Kenneth Cassidy, Rejeanne Collier, Jackie Madore, Dianthe Martinez-Brooks. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit B -- CDC Guidance, # 3 Exhibit C -- ICD Codes, # 4 Exhibit D -- Status report in Wilson v. Williams, # 5 Exhibit E -- Motion to Enforce in Wilson v. Williams)(Golub, David) (Entered: 05/07/2020)
05/11/2020	27	Memorandum in Support re 14 Emergency MOTION for Temporary Restraining Order MOTION for Preliminary Injunction *Second Supplemental Memorandum in Support of Motion* filed by Kenneth Cassidy, Rejeanne Collier, Jackie Madore, Dianthe Martinez-Brooks.

		(Attachments: # 1 Exhibit A -- Second Declaration of Kenneth Cassidy, # 2 Exhibit B -- Government Filing in Compassionate Release Case, # 3 Exhibit C -- Declaration of Edward Clinton Jones, # 4 Exhibit D -- Declaration of Ivan Joseph Soto, # 5 Exhibit E -- Declaration of Mark A. Youngs, # 6 Exhibit F -- Declaration of Rogers Perkins)(Russell, Sarah) (Entered: 05/11/2020)
05/11/2020	28	TRANSCRIPT of Proceedings: Type of Hearing: Telephonic Status Conference on Motions held on 5-6-2020 before Judge Michael P. Shea. Court Reporter: Julie Monette. **IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS:** To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 6/1/2020. Redacted Transcript Deadline set for 6/11/2020. Release of Transcript Restriction set for 8/9/2020. (Monette, Julie) (Entered: 05/11/2020)
05/11/2020	29	Notice of Additional Authority re 24 MOTION to Dismiss for Lack of Jurisdiction filed by Michael Carvajal, D. Easter. (Attachments: # 1 Grinis Decision, # 2 Alvarez Decision)(Nelson, David) (Entered: 05/11/2020)
05/12/2020	30	ORDER: For the reasons set forth in the attached ruling and order, the Court grants in part and denies in part the 14 motion for temporary restraining order, denies the 24 motion to dismiss, and sets the motion for preliminary injunction down for a hearing on **June 11, 2020 at 9am**. The parties should pay close attention to the temporary restraining order, and the deadlines therein, set forth at the end of the attached ruling and order. In addition, as indicated in the attached order regarding preliminary injunction hearing (also appearing at the end of the attached ruling), the Court schedules a telephonic status conference for **May 14, 2020 at 3:00 p.m**. Signed by Judge Michael P. Shea on 5/12/2020. (Karpman, Michael) (Entered: 05/12/2020)

05/12/2020		Set Deadlines/Hearings: Telephonic Status Conference set for 5/14/2020 03:00 PM before Judge Michael P. Shea (Johnson, D.) (Entered: 05/13/2020)
05/12/2020		Set Deadlines as to 14 Emergency MOTION for Temporary Restraining Order MOTION for Preliminary Injunction . Motion Hearing set for 6/11/2020 09:00 AM in Courtroom Two, 450 Main St., Hartford, CT before Judge Michael P. Shea (Johnson, D.) (Entered: 05/13/2020)
05/14/2020	31	ORDER: The Court notes that it is has not yet decided the format of the June 11 preliminary injunction hearing and, in particular, whether it will be in-person, partially remote, or entirely remote. The Court will issue a notice regarding the format of the hearing after receiving input from the parties and in due course. Signed by Judge Michael P. Shea on 5/14/20.(Johnson, D.) (Entered: 05/14/2020)
05/14/2020	32	ORDER: During the 3:00 p.m. call today, counsel shall be prepared to discuss the issue of security under Fed. R. Civ. P. 65(c). Signed by Judge Michael P. Shea on 5/14/2020. (Karpman, Michael) (Entered: 05/14/2020)
05/14/2020	33	NOTICE OF COMPLIANCE WITH PRETRIAL ORDER by Michael Carvajal, Kenneth Cassidy, Rejeanne Collier, D. Easter, Jackie Madore, Dianthe Martinez-Brooks re 30 Order on Motion to Dismiss/Lack of Jurisdiction,,,, Order on Motion for TRO,,, *Discovery Plan* (Attachments: # 1 Exhibit A)(Golub, David) (Entered: 05/14/2020)
05/14/2020	34	ORDER. For the reasons discussed during today's call, the Court hereby amends the Temporary Restraining Order entered on May 12, 2020, *see* ECF No. 30 at 68-73, as follows: (1) Paragraph 1f is amended to read as follows: "Respondent shall provide the list to Petitioners' counsel, and the list shall be marked 'Confidential Attorneys' Eyes Only' and be treated accordingly under the Protective Order entered in this case, ECF No. 9, except that Petitioners' counsel may also disclose information on the list pertaining to a particular inmate to (a) that inmate and/or (b) that inmate's representative (either the inmate's family member or his/her attorney). To be clear, Petitioners counsel may not disclose information pertaining to one inmate to another inmate or another inmate's representative." (2) The Court nunc pro tunc amends the Temporary Restraining Order and Ruling (ECF No. 30) to indicate that it has considered whether to require the Petitioners to give security under Rule 65(c) and has concluded that, because they are indigent and because of the nature of

		the case, the amount of security is set at $0. With regard to the discussion on the call concerning the Connecticut Supreme Court's decision in *Byrne v. Avery Center for Obstetrics and Gynecology, P.C.*, 327 Conn. 540 (2018), the Court does not find that that decision, or the Connecticut statute or HIPAA regulations cited therein, is an obstacle to amending the Temporary Restraining Order further to require that the list of inmates in the Medically Vulnerable Subclass include ICD codes. The Byrne decision suggests, and the statute and HIPAA regulations make clear, that a disclosure made in response to a court order, as opposed to a subpoena issued by a litigant, would not expose the person subject to the court order to liability. Nonetheless, as Respondents asked to file a proposed order on this point, the Court will await making further amendments to the temporary restraining order until the Respondents file the proposed language, provided they do so promptly. As discussed, by close of business on **Tuesday, May 19, 2020**, the parties are directed to submit a joint proposal regarding the format and logistics of the preliminary injunction hearing, including whether any part of the proceeding should be conducted in the courtroom. The Court will issue a further order regarding the hearing after it receives this input from the parties. Signed by Judge Michael P. Shea on 5/14/2020. (Karpman, Michael) (Entered: 05/14/2020)
05/14/2020	35	NOTICE by Michael Carvajal, D. Easter *of Proposed Protective Order* (Attachments: # 1 Proposed Protective Order)(McConaghy, Michelle) (Entered: 05/14/2020)
05/14/2020	36	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 5/14/2020. 53 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 05/15/2020)
05/15/2020	37	ORDER. The Court hereby amends the Temporary Restraining Order entered on May 12, 2020, ECF No. 30 at 69-73, as follows: Paragraph 1b is amended to read: "The list referred to in paragraph 1 shall include the identify of the inmate, the inmate's sentencing court, the case number of the inmate's underlying criminal conviction, and the ICD code(s) that caused the inmate to be included on the list." The Court enters the attached protective order. Signed by Judge Michael P. Shea on 5/15/2020. (Karpman, Michael) (Entered: 05/15/2020)

05/15/2020	38	ORDER. Any discovery disputes that arise between the parties are hereby REFERRED to United States Magistrate Judge Thomas O. Farrish. Signed by Judge Michael P. Shea on 5/15/2020. (Karpman, Michael) (Entered: 05/15/2020)
05/15/2020	39	ORDER RE: Discovery Disputes. Any discovery disputes that cannot be resolved through good-faith negotiation between counsel shall be raised with Judge Farrish in accordance with Judge Shea's "Instructions for Discovery Disputes," except that (i) the initial phone call referenced in Paragraph 1 of the instructions shall be to Judge Farrish's chambers at 860-240-3606, rather than to Judge Shea's chambers; and (ii) unless otherwise ordered by Judge Farrish during the initial phone call, the letter referenced in Paragraph 2 of the instructions shall be submitted within 24 hours of the call, in light of the compressed schedule applicable to this case. A copy of Judge Shea's "Instructions for Discovery Disputes" may be found on his web page under the "Judges" header on the District of Connecticut website, www.ctd.uscourts.gov. It is so ordered. Signed by Judge Thomas O. Farrish on 05/15/2020. (Farrish, Thomas) (Entered: 05/15/2020)
05/15/2020	40	NOTICE by Michael Carvajal, D. Easter *of filing the inmate list* (Nelson, David) (Entered: 05/15/2020)
05/15/2020	41	Sealed Document: Inmate List by Michael Carvajal, D. Easter re 40 Notice (Other) . (Nelson, David) (Entered: 05/15/2020)
05/15/2020	42	NOTICE by Michael Carvajal, D. Easter re 40 Notice (Other) *Declarations Regarding the Inmate List* (Attachments: # 1 Declaration 1, # 2 Declaration 2)(Nelson, David) (Entered: 05/15/2020)
05/15/2020	43	NOTICE by Michael Carvajal, D. Easter *of List of Factors* (Attachments: # 1 Declaration, # 2 List of Factors)(Nelson, David) (Entered: 05/15/2020)
05/15/2020	44	NOTICE by Michael Carvajal, D. Easter *Written Statement regarding PATTERN and Mental Health* (Attachments: # 1 Written Statement)(Nelson, David) (Entered: 05/15/2020)
05/15/2020	45	ORDER REFERRING CASE to Magistrate Judge Thomas O. Farrish for discovery disputes. Signed by Judge Michael P. Shea on 5/15/20.(Johnson, D.) (Entered: 05/18/2020)

05/19/2020	46	Joint NOTICE by Michael Carvajal, Kenneth Cassidy, Rejeanne Collier, D. Easter, Jackie Madore, Dianthe Martinez-Brooks re 34 Order,,,,,,,,,, *re Format of Preliminary Inj Hearing* (Golub, David) (Entered: 05/19/2020)
05/19/2020	47	NOTICE by Michael Carvajal, D. Easter *of Compliance with Sections 3(b) and 3(c) of the TRO* (Attachments: # 1 Declaration, # 2 Program Statement)(McConaghy, Michelle) (Entered: 05/19/2020)
05/19/2020	48	NOTICE by Michael Carvajal, D. Easter *of Declaration regarding Compassionate Release / Reduction in Sentence* (Attachments: # 1 Declaration, # 2 Exhibit B)(Nelson, David) (Entered: 05/19/2020)
05/19/2020	49	Sealed Document: Exhibit A by Michael Carvajal, D. Easter re 48 Notice (Other) . (Nelson, David) (Entered: 05/19/2020)
05/19/2020	50	NOTICE of Voluntary Dismissal of Carvajal by All Plaintiffs (Golub, David) (Entered: 05/19/2020)
05/19/2020	51	NOTICE by D. Easter *of Compliance with Section 1(d)(b) of the TRO* (Attachments: # 1 Declaration)(Putnam, Nathaniel) (Entered: 05/19/2020)
05/20/2020	52	ORDER. Plaintiffs have filed a notice of voluntary dismissal of all claims against Respondent Michael Carvajal. Accordingly, all claims against Respondent Michael Carvajal are hereby DISMISSED. Signed by Judge Michael P. Shea on 5/20/20. (Karpman, Michael) (Entered: 05/20/2020)
05/20/2020	53	ORDER: The Court has reviewed the parties' joint report regarding the format and logistics for the preliminary injunction hearing. (ECF No. 46.) In accordance with the parties' proposal, the hearing will be held over Zoom and the Court will issue a Zoom link on the docket shortly before the hearing. The parties note that it may be necessary to have inmates testify via telephone. While this is acceptable to the Court if there really are no other alternatives, the Court strongly prefers that all witnesses testify via Zoom and notes that it has conducted Zoom hearings with inmates at other facilities. The Court is prepared to issue any orders reasonably necessary to facilitate Zoom participation by inmates. The parties shall file a further status report with regard to these issues on **May 29, 2020**. Signed by Judge Michael P. Shea on 5/20/2020. (Karpman, Michael) (Entered: 05/20/2020)

05/20/2020		Set Deadlines: Joint Status Report due by 5/29/2020 (Johnson, D.) (Entered: 05/20/2020)
05/21/2020	54	NOTICE: Petitioners' counsel have inquired of the Court, copying Respondents' counsel, as to the scope of the permission under amended Paragraph 1f to "disclose information on the list pertaining to a particular inmate to (a) that inmate and/or (b) that inmates representative (either the inmates family member or his/her attorney)." ECF No. 34. For clarity, the Court notes that this directive does not limit the ability of an inmate or the inmate's lawyer to disclose that inmate's inclusion on the list, or any information on the list pertaining to that inmate, in order to advocate in the inmate's interests, including, without limitation, by disclosing the information to judges who may be presiding over requests made by the inmate under Section 3582(c)(1)(A). Signed by Judge Michael P. Shea on 5/21/2020. (Karpman, Michael) (Entered: 05/21/2020)
05/22/2020	55	NOTICE by Kenneth Cassidy, Rejeanne Collier, Jackie Madore, Dianthe Martinez-Brooks *Petitioners' Notice in Advance of Court's May 26, 2020 Status Conference* (Attachments: # 1 Exhibit Petitioners' Record Search Request, # 2 Exhibit Petitioners' Requested Codes and Medications for Search)(Russell, Sarah) (Entered: 05/22/2020)
05/22/2020	56	ORDER. The Court has reviewed the Petitioners 55 notice and wishes to make clear that the document(s) referred to in Paragraph 5 of the TRO containing individualized explanations of any denials of home confinement must also be provided to Petitioners' counsel. In stating that the document had to be provided "to the Court (under seal)," the Court did not mean to suggest that the document did not have to be provided to Petitioner's counsel. Any such suggestion was inadvertent, because if the document is not provided to the Petitioners, the parties will be unable to have a meaningful conversation during the May 26 conference regarding whether Respondents have complied with the Temporary Restraining Order. Signed by Judge Michael P. Shea on 5/22/2020. (Karpman, Michael) (Entered: 05/22/2020)
05/25/2020	57	NOTICE by D. Easter *regarding Completion of Home Confinement Review Process for "Medically Vulnerable" List* (Attachments: # 1 Declaration)(Nelson, David) (Entered: 05/25/2020)
05/25/2020	58	Sealed Document: Exhibit A by D. Easter re 57 Notice (Other) . (Nelson, David) (Entered: 05/25/2020)

05/25/2020	59	Sealed Document: Review Worksheets by D. Easter re 57 Notice (Other) . (Nelson, David) (Entered: 05/25/2020)
05/26/2020	60	NOTICE by Kenneth Cassidy, Rejeanne Collier, Jackie Madore, Dianthe Martinez-Brooks *OF RULE 34 INSPECTION OF FCI DANBURY* (Orihuela, Marisol) (Entered: 05/26/2020)
05/26/2020	61	ORDER. The Court held a telephonic status conference today to discuss issues related to the Respondent's compliance with the Court's TRO, ECF No. 30. During the call, the Petitioners indicated that they knew of multiple individuals who qualified as medically vulnerable under Paragraph 1 of the TRO (which references CDC criteria), but who were not included on the list of medically vulnerable inmates that Respondent used to select inmates for prioritized review for home confinement, as required by the TRO. Petitioners indicate that they believe that additional searches are necessary to identify additional medically vulnerable inmates they believe to be present at FCI Danbury who are not on the current list. The Respondent indicated a willingness to conduct a further search to identify additional medically vulnerable inmates, although the Respondent took the position that the Petitioners' proposed search parameters were overbroad. Given that additional searches are likely necessary to identify all of the medically vulnerable inmates at FCI Danbury for prioritized home confinement review (as required by Paragraphs 1, 2, 4, and 5 of the TRO), that further additional time will be necessary to review those inmates for home confinement, and that further inquiry is necessary to determine whether the Respondent has otherwise fully complied with the TRO, the Court finds that there is good cause under Rule 65(b)(2) to extend the temporary restraining order by 14 days, through June 9, 2020. As discussed during today's call, the parties shall meet and confer regarding the most effective and efficient process for identifying as many of the remaining medically vulnerable inmates at FCI Danbury as possible. The parties should also discuss whether and how a person with medical expertise should be involved in the home confinement review process, in light of the requirement under the TRO that the Respondent assign substantial weight to an inmate's COVID-19 risk factors in the review process. The parties shall file a status report regarding their discussions by **close of business on May 27**. The Court will hold a telephonic status conference on **May 28, 2020 at 11:00 a.m.** to discuss these issues. As further discussed, the Respondent shall also file a notice by **close of business on May 27**, under seal, indicating the release status of each of the 26 inmates that have been approved for home confinement.

		Signed by Judge Michael P. Shea on 5/26/2020. (Karpman, Michael) (Entered: 05/26/2020)
05/26/2020	62	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 5/26/2020. Total Time: 1 hours and 47 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 05/27/2020)
05/26/2020		Set Deadlines/Hearings: Joint Status Report due by 5/27/2020; Telephonic Status Conference set for 5/28/2020 11:00 AM before Judge Michael P. Shea (Johnson, D.) (Entered: 05/27/2020)
05/27/2020	63	ORDER. The Respondent has filed ECF No. 58 under seal, but the Court did not order this document to be filed under seal, nor has the Warden filed a motion to seal. Unless the Warden files a motion to seal within **7 days** setting forth the justification for sealing the document, the Court will order ECF No. 58 unsealed. Signed by Judge Michael P. Shea on 5/27/2020. (Karpman, Michael) (Entered: 05/27/2020)
05/27/2020	64	Joint STATUS REPORT by Kenneth Cassidy, Rejeanne Collier, D. Easter, Jackie Madore, Dianthe Martinez-Brooks. (Levine, Jonathan) (Entered: 05/27/2020)
05/27/2020	65	NOTICE by D. Easter (Orticelli, Jillian) (Entered: 05/27/2020)
05/27/2020	66	Sealed Document: Release status of inmates deemed eligible for home confinement by D. Easter re 65 Notice (Other) . (Orticelli, Jillian) (Entered: 05/27/2020)
05/27/2020	67	NOTICE by Kenneth Cassidy, Rejeanne Collier, Jackie Madore, Dianthe Martinez-Brooks *Petitioners' Position in Advance of May 28, 2020 Status Conference Regarding Home Confinement Review Process* (Attachments: # 1 Exhibit A)(Russell, Sarah) (Entered: 05/27/2020)
05/28/2020	68	ORDER: The Court enters the attached order. Signed by Judge Michael P. Shea on 5/28/2020. (Karpman, Michael) (Entered: 05/28/2020)
05/28/2020	69	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 5/28/2020. Total Time: 1 hours and 36 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 05/29/2020)

05/29/2020	70	ORDER: The court enters the attached order with respect to certain inmates designated by the Warden for Residential Reentry Centers. Signed by Judge Michael P. Shea on 5/29/2020. (Karpman, Michael) (Entered: 05/29/2020)
06/01/2020	71	NOTICE of Appearance by Alexandra Harrington on behalf of Kenneth Cassidy, Rejeanne Collier, Jackie Madore, Dianthe Martinez-Brooks (Harrington, Alexandra) (Entered: 06/01/2020)
06/01/2020	72	NOTICE by D. Easter *Regarding Notice of Action and Release of Medical Records* (McConaghy, Michelle) (Entered: 06/01/2020)
06/02/2020	73	ORDER. The parties shall file a list of exhibits and witnesses by **close of business on June 9, 2020**. The parties shall submit, via email to Judge Shea's law clerk, electronic copies of all exhibits by **close of business on June 9, 2020**. The Court will hold a telephonic status conference to discuss the preliminary injunction hearing on **June 10 at 1:00 p.m.** Signed by Judge Michael P. Shea on 6/2/2020. (Karpman, Michael) (Entered: 06/02/2020)
06/02/2020	74	Joint STATUS REPORT by Kenneth Cassidy, Rejeanne Collier, Jackie Madore, Dianthe Martinez-Brooks. (Orihuela, Marisol) (Entered: 06/02/2020)
06/02/2020		Set Deadlines/Hearings: Telephonic Status Conference set for 6/10/2020 01:00 PM before Judge Michael P. Shea (Johnson, D.) (Entered: 06/03/2020)
06/04/2020	75	ORDER. The parties shall submit a list of inmates they intend to call as witnesses, if any, by close of business on **June 8, 2020**. The Government is directed to facilitate making the necessary arrangements to allow the inmates to testify. Signed by Judge Michael P. Shea on 6/4/2020. (Karpman, Michael) (Entered: 06/04/2020)
06/04/2020	76	NOTICE of Voluntary Dismissal of Kenneth Cassidy by Kenneth Cassidy (Levine, Jonathan) (Entered: 06/04/2020)
06/04/2020	77	NOTICE by D. Easter *re: release status of inmates deemed eligible for home confinement* (Orticelli, Jillian) (Entered: 06/04/2020)
06/04/2020	78	Sealed Document: Declaration Exhibit A - List of Releasees by D. Easter re 77 Notice (Other) . (Orticelli, Jillian) (Entered: 06/04/2020)

06/04/2020	79	Joint STATUS REPORT by Kenneth Cassidy, Rejeanne Collier, Jackie Madore, Dianthe Martinez-Brooks. (Orihuela, Marisol) (Entered: 06/04/2020)
06/05/2020	80	ORDER: The parties' joint status report (ECF No. 79) indicates that they disagree about whether the Respondent may disclose inmates' Presentence Reports and Statements of Reasons to petitioners' counsel. **The Court will hold a telephonic conference with counsel, today, at 5pm, to discuss this issue with the parties.** The Court will circulate dial-in information shortly. Before the call, counsel should review the following authorities, and any others that may be pertinent: *U.S. v. Charmer Indus., Inc.*, 711 F.2d 1164, 1176 (2d Cir. 1983); D. Conn. L. Crim. Rule 32(i),(k); *U.S. Dept of Justice v. Julian*, 486 U.S. 1 (1988) and its progeny, *see, e.g.*, *US v. Pugh*, 69 Fed. Appx. 628 (4th Cir. 2003). Signed by Judge Michael P. Shea on 6/5/2020. (Karpman, Michael) (Entered: 06/05/2020)
06/05/2020	81	ORDER. For the reasons discussed on the call (and the Court may issue a short, further explanatory ruling in the future), the parties are ordered to meet and confer to develop a form of release that would allow inmates identified in the sample group to choose whether or not to disclose their presentence reports to Petitioners' counsel in this action. Under the Supreme Court's decision in *U.S. Dept. of Justice v. Julian*, 486 U.S. 1 (1988), it is clear that an inmate has the right under the FOIA to obtain his or her own presentence report, and thus also to authorize its disclosure to Petitioners' counsel--who seek to represent a class of inmates including the inmates in the sample--so that Petitioners' counsel can pursue the inmate's interests in this case. In light of the important private and public interests at issue in this case, and the apparent role of these presentence reports in the Respondent's decisionmaking process, Petitioners' have made a compelling demonstration that disclosure, in the manner described above, is necessary to meet the ends of justice. The release form should indicate that any presentence reports disclosed to Petitioners' counsel under these authorizations will be treated with strict confidentiality, and, more specifically, will be disclosed only to Petitioners' counsel, Petitioners' counsel's expert witness, Respondent's counsel, Respondent's counsel's expert witness, and the Court. Should inmates in the sample authorize such disclosure, the Respondents shall produce the presentence reports of such inmates to Petitioners' counsel. Petitioners' request to obtain inmates' Statements of Reasons is denied for the reasons discussed on the call. In addition, for the reasons discussed on the call, the Respondent shall

		produce to Petitioners' counsel the names of the inmates who were in the group of an estimated 159 inmates (referred to in the Warden's declaration, ECF No. 24-2 at 23) who were reviewed for home confinement between March 26 and May 5, 2020. Further, as discussed, Petitioners shall file a Rule 21 motion to add parties by June 9, 2020. Signed by Judge Michael P. Shea on 6/5/2020. (Karpman, Michael) (Entered: 06/05/2020)
06/05/2020	82	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 6/5/2020. Total Time: 1 hours and 8 minutes(Court Reporter Julie Monette.) (Johnson, D.) (Entered: 06/08/2020)
06/08/2020	83	MOTION for Sanctions *AND MEMORANDUM IN SUPPORT* by Rejeanne Collier, Jackie Madore, Dianthe Martinez-Brooks.Responses due by 6/29/2020 (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(Orihuela, Marisol) (Entered: 06/08/2020)
06/08/2020	84	OBJECTION re 83 MOTION for Sanctions *AND MEMORANDUM IN SUPPORT* filed by D. Easter. (Nelson, David) (Entered: 06/08/2020)
06/08/2020	85	ORDER. The Court will hold a telephonic status conference on June 9, 2020 at 9:30 a.m. Signed by Judge Michael P. Shea on 6/8/2020. (Karpman, Michael) (Entered: 06/08/2020)
06/09/2020	86	ORDER. This case is referred to United States Magistrate Judge Thomas O. Farrish for a settlement conference. Signed by Judge Michael P. Shea on 6/9/2020. (Karpman, Michael) (Entered: 06/09/2020)
06/09/2020	87	ORDER. The preliminary injunction hearing scheduled for June 11 and 12 is RESCHEDULED for June 23 and 24. The pretrial deadlines are adjusted as follows: The parties shall file a list of exhibits and witnesses by close of business on **June 18, 2020**. The parties shall submit, via email to Judge Shea's law clerk, electronic copies of all exhibits by close of business on **June 18, 2020**. The Court will hold a telephonic status conference to discuss the preliminary injunction hearing on **June 19 at 3:00 p.m.** Signed by Judge Michael P. Shea on 6/9/2020. (Karpman, Michael) (Entered: 06/09/2020)

06/09/2020	88	SCHEDULING ORDER: Judge Farrish will conduct a settlement conference on Wednesday, June 10, 2020 at 10:00 a.m. The conference will be conducted through the Zoom videoconferencing application. Connection details will follow in an e-mailed Outlook calendar invitation to all appearing counsel. (Farrish, Thomas) (Entered: 06/09/2020)
06/09/2020	89	ORDER. Petitioners may file the Rule 21 motion to add parties referred to in the Court's 81 order by June 12, 2020. Signed by Judge Michael P. Shea on 6/9/2020. (Karpman, Michael) (Entered: 06/09/2020)
06/09/2020	90	NOTICE by D. Easter *Completed Re-Review Process by Home Confinement Committee* (Attachments: # 1 Declaration)(McConaghy, Michelle) (Entered: 06/09/2020)
06/09/2020	91	NOTICE by D. Easter *of Review by Medical Clinician* (Orticelli, Jillian) (Entered: 06/09/2020)
06/09/2020	92	Sealed Document: Medical Record Review of FCI Danbury Inmates by D. Easter re 91 Notice (Other) . (Orticelli, Jillian) (Entered: 06/09/2020)
06/09/2020	93	Sealed Document: Declaration re: Medical Record Review of FCI Danbury Inmates by D. Easter re 92 Sealed Document, 91 Notice (Other) . (Orticelli, Jillian) (Entered: 06/09/2020)
06/09/2020	94	NOTICE by D. Easter re 92 Sealed Document, 91 Notice (Other) *Declaration re: Medical Record Review of FCI Danbury Inmates* (Orticelli, Jillian) (Entered: 06/09/2020)
06/09/2020	95	NOTICE by D. Easter *Update on inmates deemed eligible for residential reentry placement* (Attachments: # 1 Declaration)(Nelson, David) (Entered: 06/09/2020)
06/09/2020	96	Sealed Document: Inmate List by D. Easter re 95 Notice (Other) . (Nelson, David) (Entered: 06/09/2020)
06/09/2020	97	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 6/9/2020. 8 minutes(Court Reporter Julie Monette.) (Johnson, D.) (Entered: 06/10/2020)
06/09/2020		Set Deadlines/Hearings: Settlement Conference set for 6/10/2020 at 10:00 AM before Judge Thomas O. Farrish. (Wood, R.) (Entered: 06/10/2020)
06/09/2020	98	ORDER REFERRING CASE to Magistrate Judge Thomas O. Farrish for Settlement Conference

		Signed by Judge Michael P. Shea on 6/9/20.(Johnson, D.) (Entered: 06/10/2020)
06/09/2020		Set Deadlines/Hearings: Teleponic Status Conference set for 6/19/2020 03:00 PM before Judge Michael P. Shea (Johnson, D.) (Entered: 06/10/2020)
06/10/2020	99	Minute Entry for proceedings held before Judge Thomas O. Farrish: Settlement Conference held on 6/10/2020. Total Time: 8 hours and 0 minutes. The conference will continue on Thursday, June 11, 2020 at 10:00 a.m. (Farrish, Thomas) (Entered: 06/10/2020)
06/10/2020	100	SCHEDULING ORDER: A continued settlement conference will be held on Thursday, June 11, 2020 at 10:00 a.m. The conference will be conducted through the Zoom videoconferencing application. Connection information has been sent to all appearing counsel through a Microsoft Outlook calendar invitation. Signed by Judge Thomas O. Farrish on 06/10/2020. (Farrish, Thomas) (Entered: 06/10/2020)
06/11/2020	101	ORDER. As no motion to seal has been filed in response to the Court's 63 order, the Clerk is directed to unseal ECF No. 58 . Signed by Judge Michael P. Shea on 6/11/2020. (Karpman, Michael) (Entered: 06/11/2020)
06/11/2020	102	Minute Entry for proceedings held before Judge Thomas O. Farrish: Continued settlement conference held on 6/11/2020. Total Time: 6 hours and 0 minutes. (Farrish, Thomas) (Entered: 06/11/2020)
06/11/2020	103	SCHEDULING ORDER: Judge Farrish will conduct a continued settlement conference on Tuesday, June 16, 2020 at 9:00 a.m. The conference will be conducted through the Zoom videoconferencing application. Instructions for connecting to the conference will follow in a Microsoft Outlook calendar invitation sent to all appearing counsel. Signed by Judge Thomas O. Farrish on 06/11/2020. (Farrish, Thomas) (Entered: 06/11/2020)
06/11/2020		Set Deadlines/Hearings: Settlement Conference set for 6/16/2020 at 9:00 AM before Judge Thomas O. Farrish. (Wood, R.) (Entered: 06/12/2020)
06/12/2020	104	ORDER. The telephonic status conference to discuss the preliminary injunction hearing, currently scheduled for June 19, 2020, is RESCHEDULED for **Monday, June 22 at 10:00 a.m.** Signed by Judge Michael P. Shea on 6/12/2020. (Karpman, Michael) (Entered: 06/12/2020)

06/12/2020	105	NOTICE of Voluntary Dismissal of Dianthe Martinez-Brooks by Dianthe Martinez-Brooks (Levine, Jonathan) (Entered: 06/12/2020)
06/12/2020	106	NOTICE of Voluntary Dismissal of Rejeanne Collier by Rejeanne Collier (Levine, Jonathan) (Entered: 06/12/2020)
06/12/2020	107	MOTION for Leave to File *to Add Parties pursuant to Fed.R.Civ.P. 21* by Kenneth Cassidy, Rejeanne Collier, Jackie Madore, Dianthe Martinez-Brooks. (Attachments: # 1 Exhibit Proposed Amendment to Complaint)(Levine, Jonathan) (Entered: 06/12/2020)
06/12/2020		Set Deadlines/Hearings: Telephonic Status Conference set for 6/22/2020 10:00 AM before Judge Michael P. Shea (Johnson, D.) (Entered: 06/15/2020)
06/15/2020	108	ORDER. The 107 motion for leave to add parties pursuant to Fed. R. Civ. P. 21 is GRANTED. Petitioners shall file an amended habeas petition incorporating the proposed amendment (ECF No. 107-1) by Tuesday, June 16, 2020. In light of the 76 , 105 , and 106 notices of voluntary dismissal, the claims of Petitioners Rejeanne Collier, Dianthe Martinez-Brooks, and Kenneth Cassidy are hereby DISMISSED. Signed by Judge Michael P. Shea on 6/15/2020. (Karpman, Michael) (Entered: 06/15/2020)
06/15/2020		Set Deadlines: Amended Habeas Petition due by 6/16/2020 (Johnson, D.) (Entered: 06/15/2020)
06/16/2020	109	Minute Entry for proceedings held before Judge Thomas O. Farrish: Continued settlement conference held on 6/16/2020. Total Time: 8 hours and 15 minutes. (Farrish, Thomas) (Entered: 06/16/2020)
06/16/2020	110	SCHEDULING ORDER: Judge Farrish will conduct a continued settlement conference on Wednesday, June 17, 2020 at 1:00 p.m. Zoom videoconferencing invitations have been sent to appearing counsel. Signed by Judge Thomas O. Farrish on 06/16/2020.(Farrish, Thomas) (Entered: 06/16/2020)
06/16/2020	111	AMENDED COMPLAINT *Petition for Writ of Habeas Corpus* against D. Easter, filed by Jackie Madore, Amanda Eliza Cooper, James Whitted. (Attachments: # 1 Affidavit Jaimie Meyer, M.D., # 2 Affidavit Professor Judith Resnik, # 3 Affidavit Dianthe Martinez-Brooks, # 4 Affidavit Kenneth Cassidy, # 5 Affidavit Christina Korbe, # 6 Affidavit Marius (Marie) Mason, # 7 Affidavit Kimberly Hoisington, # 8 Affidavit Rafael Almonte, # 9 Affidavit Tamika Somerville, # 10 Affidavit Theresa Foreman, # 11 Affidavit Antrum Coston,

		# 12 Affidavit Shannon Benson, # 13 Affidavit Richard Johnson, # 14 Affidavit Ronald Harper)(Levine, Jonathan) (Entered: 06/16/2020)
06/16/2020		Set Deadlines/Hearings: Settlement Conference set for 6/17/2020 at 1:00 PM before Judge Thomas O. Farrish. (Wood, R.) (Entered: 06/17/2020)
06/16/2020	114	EMERGENCY MOTION to Intervene by Andrew S. Mackey.Responses due by 7/7/2020 (Payton, R.) (Entered: 06/18/2020)
06/18/2020	112	Minute Entry for proceedings held before Judge Thomas O. Farrish: Continued settlement conference held on 6/18/2020. Total Time: 6 hours and 30 minutes. (Farrish, Thomas) (Entered: 06/18/2020)
06/18/2020	113	SCHEDULING ORDER: A continued settlement conference will be held via Zoom on Friday, June 19, 2020 at 9:00 a.m. Zoom connection information will be sent to all appearing counsel via Outlook calendar invitation. Signed by Judge Thomas O. Farrish on 06/18/2020. (Farrish, Thomas) (Entered: 06/18/2020)
06/19/2020	115	Minute Entry for proceedings held before Judge Thomas O. Farrish: Continued settlement conference held on 6/19/2020. Total Time: 5 hours and 0 minutes. (Farrish, Thomas) (Entered: 06/19/2020)
06/19/2020	116	ORDER. In light of the ongoing efforts to resolve this case via settlement, the preliminary injunction hearing scheduled for June 23 & 24 is RESCHEDULED for **July 22 & 24**. The pre-hearing deadlines are adjusted as follows: The parties shall file a list of exhibits and witnesses by **July 17, 2020**. The parties shall submit, via email to Judge Shea's law clerk, electronic copies of all exhibits by **July 17, 2020**. The Court will hold a telephonic status conference to discuss the preliminary injunction hearing on **July 21 at 10:00 a.m.** The telephonic status conference scheduled for June 22, 2020 is CANCELED. Signed by Judge Michael P. Shea on 6/19/2020. (Karpman, Michael) (Entered: 06/19/2020)
06/19/2020	117	ORDER. The Court will hold a telephonic status conference Monday, June 22, 2020 at 10:00 a.m. Signed by Judge Michael P. Shea on 6/19/2020. (Karpman, Michael) (Entered: 06/19/2020)
06/19/2020	118	NOTICE of Hearing on Motion re: 14 Emergency MOTION for Temporary Restraining Order MOTION for Preliminary Injunction . ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION.

		Motion Hearing set for 7/22/2020 and 7/24/20 @ 09:00 AM in Courtroom Two, 450 Main St., Hartford, CT before Judge Michael P. Shea. Signed by Judge Michael P. Shea on 6/19/20.(Johnson, D.) (Entered: 06/22/2020)
06/19/2020		Set Deadlines/Hearings: Telephonic Status Conference set for 7/21/2020 10:00 AM Hartford, CT before Judge Michael P. Shea (Johnson, D.) (Entered: 06/22/2020)
06/30/2020	119	Minute Entry for proceedings held before Judge Thomas O. Farrish: Continued settlement conference held via Zoom on 6/30/2020. Total Time: 2 hours and 0 minutes. (Farrish, Thomas) (Entered: 06/30/2020)
07/02/2020	120	Minute Entry for proceedings held before Judge Thomas O. Farrish: Continued settlement conference held on 7/2/2020. Total Time: 2 hours and 15 minutes. (Farrish, Thomas) (Entered: 07/02/2020)
07/06/2020	121	Minute Entry for proceedings held before Judge Thomas O. Farrish: Continued settlement conference held via Zoom on 7/6/2020. Total Time: 0 hours and 10 minutes. The conference identified issues for further discussion, and the parties are respectfully directed to report back to Judge Farrish on the status of those issues via videoconference at 4:00 p.m. EDT on Wednesday, July 8, 2020. (Farrish, Thomas) (Entered: 07/06/2020)
07/06/2020	122	SCHEDULING ORDER: A follow-up settlement conference is scheduled for 4:00 p.m. EDT on Wednesday, July 8, 2020 before Judge Farrish. The conference will be conducted via Zoom; a Zoom invitation has been sent to all appearing counsel. Signed by Judge Thomas O. Farrish on 07/06/2020. (Farrish, Thomas) (Entered: 07/06/2020)
07/06/2020		Set Deadlines/Hearings: Settlement Conference set for 7/8/2020 at 4:00 PM before Judge Thomas O. Farrish. (Wood, R.) (Entered: 07/07/2020)
07/08/2020	123	Minute Entry for proceedings held before Judge Thomas O. Farrish: Continued settlement conference held via Zoom videoconference on 7/8/2020. Total Time: 0 hours and 15 minutes. (Farrish, Thomas) (Entered: 07/08/2020)
07/15/2020	124	ORDER. In light of the parties request, the preliminary injunction hearing scheduled for July 22 and 24, 2020 is CANCELED. The Court will proceed with the July 21, 2020 telephonic status conference. Signed by Judge Michael P. Shea on 7/15/2020. (Super, John) (Entered: 07/15/2020)

07/21/2020	125	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 7/21/2020. 7 minutes(Court Reporter Julie Monette.) (Johnson, D.) (Entered: 07/21/2020)
07/21/2020	126	ORDER. As discussed in today's telephonic status conference, Respondent shall file a joint status report by **July 27, 2020** describing the status of settlement negotiations and any next steps required in this Court. Signed by Judge Michael P. Shea on 7/21/2020. (Super, John) (Entered: 07/21/2020)
07/21/2020		Set Deadlines: Joint Status Report due by 7/27/2020 (Johnson, D.) (Entered: 07/22/2020)
07/23/2020	127	Reply to Non-Response re 114 EMERGENCY MOTION to Intervene filed by Andrew S. Mackey. (Payton, R.) (Entered: 07/24/2020)
07/27/2020	128	Joint STATUS REPORT by D. Easter. (McConaghy, Michelle) (Entered: 07/27/2020)
07/28/2020	129	ORDER. In light of the 128 joint status report, the Court will hold a telephonic status conference on **July 29, 2020 at 1:00 p.m.** to discuss the next steps in this case. The Court will distribute dial-in information prior to the call. Signed by Judge Michael P. Shea on 7/28/2020. (Super, John) (Entered: 07/28/2020)
07/29/2020	130	NOTICE of Voluntary Dismissal of Jackie Madore by Jackie Madore (Levine, Jonathan) (Entered: 07/29/2020)
07/29/2020	131	NOTICE of Voluntary Dismissal of Amanda Cooper by Amanda Cooper (Levine, Jonathan) (Entered: 07/29/2020)
07/29/2020	132	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 7/29/2020. 10 minutes(Court Reporter Julie Monette.) (Johnson, D.) (Entered: 07/30/2020)
08/03/2020	133	MOTION to Certify Class *for Settlement Purposes* by James Whitted.Responses due by 8/24/2020 (Levine, Jonathan) (Entered: 08/03/2020)
08/03/2020	134	Memorandum in Support re 133 MOTION to Certify Class *for Settlement Purposes* filed by James Whitted. (Attachments: # 1 Exhibit Settlement Agreement, # 2 Exhibit Declaration of Sarah F. Russell, # 3 Exhibit Declaration of Marisol Orihuela, # 4 Exhibit Declaration of

		David Golub, # 5 Exhibit Declaration of Alexandra Harrington)(Levine, Jonathan) (Entered: 08/03/2020)
08/03/2020	135	MOTION for of Notice to Class Order by James Whitted. (Attachments: # 1 Exhibit Proposed Notice to Class)(Levine, Jonathan) (Entered: 08/03/2020)
08/04/2020	136	ORDER. The Court will hold a telephonic status conference on **August 5, 2020 at 5:30 p.m.** to discuss the 133 , 134 , and 135 motions. The Court will distribute dial-in information prior to the call. Signed by Judge Michael P. Shea on 8/4/2020. (Super, John) (Entered: 08/04/2020)
08/05/2020	137	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 8/5/2020. 37 minutes(Court Reporter Julie Monette.) (Johnson, D.) (Entered: 08/06/2020)
08/06/2020	138	NOTICE by D. Easter *of July 24, 2020 Side Letter* (Attachments: # 1 July 24, 2020 Side Letter)(Putnam, Nathaniel) (Entered: 08/06/2020)
08/10/2020	139	NOTICE by James Whitted re 135 MOTION for of Notice to Class Order *of Filing Revised Class Notice* (Attachments: # 1 Exhibit A: proposed Notice (English), # 2 Exhibit B: proposed Notice (Spanish))(Levine, Jonathan) (Entered: 08/10/2020)
08/10/2020	140	OPPOSITION to Settlement filed by Andrew S. Mackey. (Peterson, M) (Entered: 08/11/2020)
08/11/2020	141	ORDER. Petitioner's 133 Motion to Certify Class and 135 Motion for Order of Notice are hereby GRANTED, as set forth in the attached order. Signed by Judge Michael P. Shea on 8/11/2020. (Attachments: # 1 Exhibit, # 2 Exhibit) (Super, John) (Entered: 08/11/2020)
08/14/2020	142	NOTICE by D. Easter *of Distribution of the Settlement Notice* (Attachments: # 1 Declaration)(Putnam, Nathaniel) (Entered: 08/14/2020)
08/18/2020	143	OBJECTION to Settlement by Arturo Villareal (Peterson, M) (Entered: 08/19/2020)
08/20/2020	144	Letter from David Rancourt; Dated 08/16/2020 Re: Danbury Settlement (Peterson, M) (Entered: 08/21/2020)
08/20/2020	145	Letter from Melissa Reynolds; Dated 08/14/2020 Re: Danbury Settlement (Peterson, M) (Entered: 08/21/2020)

08/24/2020	146	EMERGENCY MOTION to Intervene by Bernice Mackey.Responses due by 9/14/2020 (Payton, R.) (Entered: 08/24/2020)
08/24/2020	147	OBJECTION to Settlement Agreement filed by Andrew Mackey. (Payton, R.) Modified on 8/26/2020 (Lewis, D). (Entered: 08/24/2020)
08/25/2020	148	MOTION to Intervene by Rhonda Fleming. Responses due by 9/15/2020 (Peterson, M) (Entered: 08/26/2020)
08/25/2020	149	MOTION for Relief Pursuant to Rule 71 by Rhonda Fleming. (Attachments: # 1 Exhibits, # 2 Envelope) (Peterson, M) (Entered: 08/26/2020)
08/25/2020	150	Amended Settlement Agreement Opposition filed by James Whitted. (Payton, R.) (Entered: 08/26/2020)
08/26/2020	151	OBJECTION to Settlement by Richard Emerich (Attachments: # 1 Envelope) (Peterson, M) (Entered: 08/26/2020)
08/26/2020	152	OBJECTION to Settlement by Thomas Wallace. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 08/26/2020)
08/26/2020	153	ORDER. The 148 motion to intervene and the 149 motion requesting relief under Fed. R. Civ. P. 71 are hereby DENIED. The movant-intervenor is not incarcerated at Danbury FCI, is not a member of the provisionally certified class, and has no interest in a settlement between the Warden at FCI Danbury and a class of inmates at that facility. Further, as the Court has previously informed the movant-intervenor, it would not have jurisdiction over a 2241 petition filed by her or other inmates housed at BOP facilities not located within the District of Connecticut. For the same reasons, Rule 71 cannot apply to the movant-intervenor, because the Court cannot enter an "order grant[ing] relief for a nonparty..." over whom it does not have jurisdiction. Fed. R. Civ. P. 71. Signed by Judge Michael P. Shea on 8/25/2020. (Super, John) (Entered: 08/26/2020)
08/26/2020	154	ORDER. The Court has received letters, sent directly to chambers, from a number of inmates at FCI Danbury regarding their individual case for home confinement or other individual circumstances. These letters do not appear to be objections to the proposed settlement, and so the Court will not consider, respond to, or docket them. The Court will also not serve as a conduit between inmates at FCI Danbury and Petitioner's counsel, and will therefore not forward any such letters received to Petitioner's counsel. Potential or actual class members are advised to follow the instructions provided in the approved notice (ECF Nos. 141-1,

		141-2), and **shall not** send letters directly to chambers. The Court will not respond to or take action on such correspondence. *See* ECF No. 141 at para. 12 ("Objectors should *not* send materials to the undersigned's chambers.") (emphasis in original). Signed by Judge Michael P. Shea on 8/26/2020. (Super, John) (Entered: 08/26/2020)
08/27/2020	155	OBJECTION to Settlement by Jasonn Gonzales. (Peterson, M) (Entered: 08/28/2020)
08/27/2020	157	Second Admendment Settlement Agreement Opposition filed by Andrew S. Mackey. (Attachments: # 1 Envelopement)(Payton, R.) (Entered: 08/31/2020)
08/28/2020	156	OBJECTION to Settlement by David Roberts. (Peterson, M) (Entered: 08/28/2020)
08/31/2020	158	Supplement to Opposition to Settlement Agreement. filed by Andrew S. Mackey. (Payton, R.) (Entered: 09/01/2020)
08/31/2020	159	MOTION to Amend 146 EMERGENCY MOTION to Intervene by Bernice Mackey.Responses due by 9/21/2020 (Payton, R.) (Entered: 09/01/2020)
08/31/2020	160	Supplement to the reply of the non response to 146 EMERGENCY MOTION to Intervene filed by Andrew S. Mackey. (Payton, R.) (Entered: 09/01/2020)
09/01/2020	161	OBJECTION to Settlement by Justin May. (Peterson, M) (Entered: 09/02/2020)
09/01/2020	162	OBJECTION to Settlement by Manuel Lamont Mendes. (Peterson, M) (Entered: 09/02/2020)
09/01/2020	163	OBJECTION to Settlement by Rodorrio Kittrell. (Peterson, M) (Entered: 09/02/2020)
09/01/2020	164	Letter from Kyme Ashby; Dated August 20, 2020; Re: Danbury Settlement (Peterson, M) (Additional attachment(s) added on 9/3/2020: # 1 Envelope) (Peterson, M). (Entered: 09/03/2020)
09/01/2020	165	Letter from Amanda Hickman; Dated July 4, 2020; Re: Danbury Settlement (Peterson, M) (Entered: 09/03/2020)
09/01/2020	166	Letter from Judy Harmon; Dated August 20, 2020; Re: Danbury Settlement (Peterson, M) (Entered: 09/03/2020)

09/01/2020	167	Letter from Tiara Felix; Dated July 9, 2020; Re: Danbury Settlement (Peterson, M) (Entered: 09/03/2020)
09/01/2020	168	Letter from Louise Edwards; Dated July 7, 2020; Re: Danbury Settlement (Peterson, M) (Entered: 09/03/2020)
09/01/2020	169	Letter from Virginia Blanco; Dated July 7, 2020; Re: Danbury Settlement (Peterson, M) (Entered: 09/03/2020)
09/01/2020	170	Letter from Renee Tartaglione; Dated August 21, 2020; Re: Danbury Settlement (Peterson, M) (Entered: 09/03/2020)
09/01/2020	171	Letter from Wendy Hechtman; Dated August 23, 2020; Re: Danbury Settlement (Peterson, M) (Entered: 09/03/2020)
09/01/2020	172	Letter from Billie Johnson; Re: Danbury Settlement (Peterson, M) (Entered: 09/03/2020)
09/01/2020	203	MOTION to Intervene by Deric Twitty. Responses due by 9/22/2020 (Peterson, M) (Entered: 09/08/2020)
09/01/2020	204	OBJECTION to Settlement by Deric Twitty. (Peterson, M) (Entered: 09/08/2020)
09/03/2020	177	OBJECTION to Settlement by Jonathan Butler. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/04/2020)
09/03/2020	178	MOTION for Extension of Time for 15 Day Extension for Danbury's Inmate Objection Letters by Andrew S. Mackey. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/04/2020)
09/03/2020	179	OBJECTION to Settlement by Ruben Briones. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/04/2020)
09/03/2020	180	OBJECTION to Settlement by Michael DePine. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/04/2020)
09/03/2020	181	Letter from Edward DeSear; Dated August 30, 2020; Re: Danbury Settlement (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/04/2020)
09/03/2020	182	OBJECTION to Settlement by Anthony Donato. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/04/2020)
09/03/2020	183	Letter from Andreea Dumitru; Dated August 20, 2020; Re: Danbury Settlement (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/04/2020)

09/03/2020	184	OBJECTION to Settlement by Juan Flores. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/04/2020)
09/03/2020	185	OBJECTION to Settlement by Charles Fowle. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/04/2020)
09/03/2020	186	Letter from Jasonn Gonzales; Dated August 24, 2020; Re: Danbury Settlement (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/04/2020)
09/03/2020	187	Letter from Kimberly Hoisington; Dated August 27, 2020; Re: Danbury Settlement (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/04/2020)
09/03/2020	188	OBJECTION to Settlement by Josh Lenchiek. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/04/2020)
09/03/2020	189	EXHIBIT A by Bernice Mackey re 159 MOTION to Amend/Correct 146 MOTION to Intervene. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/05/2020)
09/03/2020	190	OBJECTION to Settlement by Ramon Munroig. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/05/2020)
09/03/2020	191	Letter from Karen E. Norful; Dated August 31, 2020; Re: Danbury Settlement (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/05/2020)
09/03/2020	192	OBJECTION to Settlement by Anthony Parent. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/05/2020)
09/03/2020	193	Letter from Lisa Renze; Re: Danbury Settlement (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/05/2020)
09/03/2020	194	OBJECTION to Settlement by Juan Rodriguez. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/05/2020)
09/03/2020	195	OBJECTION to Settlement by Michael Smith. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/05/2020)
09/03/2020	196	Letter from Antonio Tillmon; Dated August 29, 2020; Re: Danbury Settlement (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/05/2020)
09/03/2020	197	OBJECTION to Settlement by Leonard Wood. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/05/2020)

09/03/2020	198	OBJECTION to Settlement by Mark Wolfe. (Peterson, M) (Entered: 09/08/2020)
09/03/2020	206	Letter from Jose Amaya Dated August 27, 2020 Re: Danbury Settlement (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/08/2020)
09/03/2020	207	Letter from Christopher Falls Dated September 1, 2020 Re: Danbury Settlement (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/08/2020)
09/03/2020	208	MOTION to Amend the Complaint (Responses due by 9/24/2020), MOTION for Class Certification (Responses due by 9/24/2020), MOTION to Appoint Counsel on the Amended Complaint by Thomas Wallace. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/08/2020)
09/03/2020	209	MOTION to Intervene by Jai-Fanon Jackson. Responses due by 9/24/2020 (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/08/2020)
09/03/2020	210	MOTION to Intervene by Jai-Fanon Jackson. Responses due by 9/24/2020 (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/08/2020)
09/03/2020	211	Letter from Frank Annette Dated September 2, 2020 Re: Danbury Settlement (Peterson, M) (Entered: 09/08/2020)
09/04/2020	173	NOTICE by James Whitted *Regarding Objections to Settlement Agreement* (Attachments: # 1 Exhibit Objections)(Russell, Sarah) (Entered: 09/04/2020)
09/04/2020	174	OBJECTION *to Settlement Agreement* filed by Josh Lenchick. (Near, Allison) (Entered: 09/04/2020)
09/04/2020	175	MOTION to Seal Exhibits to Objection to Settlement Agreement by Josh Lenchick. (Near, Allison) (Entered: 09/04/2020)
09/04/2020	176	Sealed Document: Exhibits to Objection to Settlement Agreement by Josh Lenchick re 175 MOTION to Seal Exhibits to Objection to Settlement Agreement . (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Near, Allison) (Entered: 09/04/2020)
09/04/2020	199	OBJECTION to Settlement by Brian Isaacson. (Peterson, M) (Entered: 09/08/2020)
09/04/2020	200	OBJECTION to Settlement by Rolando J. Montoya. (Peterson, M) (Entered: 09/08/2020)

09/04/2020	201	OBJECTION to Settlement by Edward Clinton Jones, III. (Peterson, M) (Entered: 09/08/2020)
09/04/2020	202	OBJECTION to Settlement by Virginia Blanco. (Peterson, M) (Entered: 09/08/2020)
09/04/2020	212	OBJECTION to Settlement by Thomas S. Gioeli. (Peterson, M) (Entered: 09/08/2020)
09/04/2020	213	MOTION for a Copy of the Actual Settlement Agreement and All Exhibits, MOTION to Amend the Instant Objection (Responses due by 9/25/2020) by Thomas S. Gioeli. (Peterson, M) (Entered: 09/08/2020)
09/04/2020	214	OBJECTION to Settlement by John Matera. (Peterson, M) (Entered: 09/08/2020)
09/04/2020	215	MOTION for a Copy of the Actual Settlement Agreement and All Exhibits, MOTION to Amend the Instant Objection (Responses due by 9/25/2020) by John Matera. (Peterson, M) (Entered: 09/08/2020)
09/04/2020	216	OBJECTION to Settlement by Seferino Maltos. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 09/08/2020)
09/08/2020	205	ORDER. Mr. Mackey's 178 motion for extension is hereby DENIED because all such filings on behalf of the class must be made by class counsel. *See* Fed. R. Civ. P. 11(a) ("Every pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney's name--or by a party personally if the party is unrepresented."). In any case, the Court notes that Mr. Mackey's concern that class members have been unable to submit objections to the proposed settlement agreement appears unfounded, given the numerous objections docketed -- including both individual letters and motions as well as petitions purportedly signed by dozens of inmates. The 175 motion to seal is hereby GRANTED. Signed by Judge Michael P. Shea on 9/8/2020. (Super, John) (Entered: 09/08/2020)
09/11/2020	217	MOTION for Approval of Class Action Settlement Order by James Whitted. (Golub, David) (Entered: 09/11/2020)
09/11/2020	218	Memorandum in Support re 217 MOTION for Approval of Class Action Settlement Order filed by James Whitted. (Attachments: # 1 Affidavit Declaration of Professor Sarah Russell)(Golub, David) (Entered: 09/11/2020)

09/15/2020		NOTICE regarding hearing via Zoom: The Fairness hearing scheduled for September 18, 2020 at 10:00am will be conducted via Zoom. The video link is https://www.zoomgov.com/j/1601324755?pwd=TXU5RTViM2JhbUt5UWJIenFPOEFzdz09 and call in number is 1 646 828 7666. Meeting ID: 160 132-4755 Meeting Password: 133103 Please note: Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, screenshots, streaming, and rebroadcasting in any form, of court proceedings. The Judicial Conference of the United States, which governs the practices of the federal courts, has prohibited it. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. (Johnson, D.) (Entered: 09/15/2020)
09/16/2020	219	NOTICE: In anticipation of the hearing scheduled for September 18, 2020, the Court wishes to alert the parties that it has reviewed the motion for approval (ECF No. 217) and accompanying papers, and has also reviewed the objections filed by inmates. While counsel for both sides should be prepared to discuss all aspects of the settlement agreement and all issues raised in the objections, the Court asks that the parties be prepared, in particular, to address the following: (1) The manner in which the home confinement review process has been functioning since the settlement agreement was signed; (2) the extent to which the Respondent is currently following each of the practices mentioned in the Side Letter; (3) how age, and especially inmates who are over 65 (or turn 65) but are not on List One or List Two (e.g., because they are recent arrivals or turned 65 after the lists were created), will be handled as a risk factor in the home confinement review contemplated by the settlement; (4) what the parties have in mind by "compel specific performance of this Agreement" (Settlement Agreement, parag. 23f.), given that, under the Agreement, the Court will prohibited from relying on its powers of contempt; (5) whether the Agreement would allow for reevaluation of an inmate previously denied home confinement should there be a change in the CDC's guidance concerning risk factors suggesting that the inmate's vulnerability is greater than previously understood; and (6) the objection filed by counsel for Joshua Lenchick -- see ECF No. 174 and see in particular paras. 3 & 4. The Court will allow Mr. Lenchick's counsel to participate in the hearing as to topic #6. The parties should not interpret these topics as the Court's expression of a view about the fairness, reasonableness, or adequacy of the settlement.

		Signed by Judge Michael P. Shea on 9/16/2020. (Super, John) (Entered: 09/16/2020)
09/17/2020	220	NOTICE: In addition to the topics identified in the previous notice (ECF No. 219), counsel should be prepared to discuss: (1) the manner in which the Petitioners and the Respondent ensured that the notice of settlement approved by the Court was disseminated to inmates, including whether and to what extent the full settlement agreement was made available for review by inmates; and (2) the current inmate census at each of the facilities within FCI Danbury and the percentages of full capacity these figures represent. Signed by Judge Michael P. Shea on 9/17/2020. (Super, John) (Entered: 09/17/2020)
09/18/2020	221	ORDER. For the reasons stated during today's fairness hearing, petitioner's 217 motion for approval of the class action settlement is hereby GRANTED. Signed by Judge Michael P. Shea on 9/18/2020. (Super, John) (Entered: 09/18/2020)
09/18/2020	223	Minute Entry for proceedings held before Judge Michael P. Shea: Motion Hearing held on 9/18/2020 re 217 MOTION for Approval of Class Action Settlement Order filed by James Whitted. Total Time: 1 hours and 39 minutes(Court Reporter Julie Monette.) (Attachments: # 1 appearances) (Johnson, D.) Modified on 10/2/2020 (Johnson, D.). (Entered: 09/21/2020)
09/21/2020	222	TRANSCRIPT of Proceedings: Type of Hearing: Fairness Hearing held on 9-18-2020 before Judge Michael P. Shea. Court Reporter: Julie Monette. **IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS:** To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 10/12/2020. Redacted Transcript Deadline set for

		10/22/2020. Release of Transcript Restriction set for 12/20/2020. (Monette, Julie) (Entered: 09/21/2020)
09/24/2020	224	MOTION for Attorney(s) Zal K. Shroff to be Admitted Pro Hac Vice (paid $200 PHV fee; receipt number ACTDC-6117396) by James Whitted. (Attachments: # 1 Affidavit)(Orihuela, Marisol) (Entered: 09/24/2020)
09/24/2020	225	EMERGENCY MOTION for Bail Pending Habeas Corpus Relief by Andrew S. Mackey.Responses due by 10/15/2020 (Payton, R.) (Entered: 09/25/2020)
09/28/2020	226	TRANSCRIPT of Proceedings: Type of Hearing: Telephonic Status Conference held on 5-26-2020 before Judge Michael P. Shea. Court Reporter: Julie Monette. **IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS:** To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 10/19/2020. Redacted Transcript Deadline set for 10/29/2020. Release of Transcript Restriction set for 12/27/2020. (Monette, Julie) (Entered: 09/28/2020)
09/28/2020	227	TRANSCRIPT of Proceedings: Type of Hearing: Telephonic Status Conference held on 5-28-2020 before Judge Michael P. Shea. Court Reporter: Julie Monette. **IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS:** To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 10/19/2020. Redacted Transcript Deadline set for

		10/29/2020. Release of Transcript Restriction set for 12/27/2020. (Monette, Julie) (Entered: 09/28/2020)
09/28/2020	228	TRANSCRIPT of Proceedings: Type of Hearing: Telephonic Status Conference held on 6-5-2020 before Judge Michael P. Shea. Court Reporter: Julie Monette. **IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS:** To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 10/19/2020. Redacted Transcript Deadline set for 10/29/2020. Release of Transcript Restriction set for 12/27/2020. (Monette, Julie) (Entered: 09/28/2020)
09/28/2020	229	ORDER granting 224 Motion to Appear Pro Hac Vice Certificate of Good Standing due by 11/27/2020. Signed by Clerk on 09/28/2020. (Peterson, M) (Entered: 09/28/2020)
09/29/2020	232	SUPPLEMENT to 225 EMERGENCY MOTION for bail pending Habeas Corpus Relief filed by Andrew S. Mackey. (Attachments: # 1 Envelope)(Payton, R.) (Entered: 10/01/2020)
09/30/2020	230	ORDER: On September 18, 2020, the Court approved the class settlement following a fairness hearing. (ECF No. 221.) In light of the Court's approval of the settlement and its findings at the hearing, it disposes of the remaining pending motions in this case as follows: The motion for preliminary injunction (ECF No. 14) and motion for sanctions (ECF No. 83) are DENIED in light of the settlement and releases and the Court's findings at the fairness hearing. The emergency motion to intervene (and for other relief) by Andrew Mackey (ECF No. 114) is DENIED, because, to the extent Mr. Mackey is or will in the future become a member of the class, the Court already considered his interests at the fairness hearing, and to the extent he is not, he is not so situated that disposing of the action in his absence will impair or impede his ability to protect his interests; he also does not sufficiently share a common question of law or fact with the class members given that the Court made no determination in this case (even a preliminary determination by way of temporary restraining order) regarding the claims of non-class members. See Fed. R. Civ. P. 24, to the extent it

		applies in a habeas proceeding. The interest of judicial economy would not be furthered by adjudicating his claims as part of this case. Mr. Mackey is free, of course, to bring his own independent action seeking whatever relief he deems appropriate. (Forms for self-represented parties are available on the Court's website.) The emergency motion to intervene and motion to amend emergency motion to intervene by Bernice Mackey (ECF Nos. 146 & 159) is DENIED for the same reasons, and because she likely lacks standing to join this habeas proceeding. The motion to intervene by Deric Twitty (ECF No. 203) is DENIED for the same reasons as those recited in the denial of Mr. Mackey's motion; as for Mr. Twitty's objection to the settlement, the Court considered it and similar objections before approving the settlement at the fairness hearing. The motion to amend the complaint (ECF No. 208) is DENIED because it was not filed by class counsel, who are the only authorized representatives of the class, the only recognized plaintiffs in this action. Further, to the extent Mr. Wallace is making objections to the settlement, the Court considered those and similar objections before approving the settlement at the fairness hearing; and to the extent he is not a member of the class, he remains free to bring his own action. The motions to intervene by Mr. Jackson (ECF Nos. 209 & 210) are DENIED for similar reasons, i.e., to the extent he is a member of the class, the Court considered his interests at the fairness hearing; to the extent he is not, he is free to bring his own action and he does not satisfy Rule 24 for the reasons set forth above with respect to Mr. Mackey; and to the extent he is stating objections to the settlement, the Court considered those and other similar objections before approving the settlement at the fairness hearing. The motions for a copy of the settlement agreement (ECF Nos. 213 & 215) are DENIED, as the Court was advised at the fairness hearing by both the defendant and class counsel that the settlement agreement had been made available to all inmates in accordance with this Court's previous orders. To the extent the motions also stated objections to the settlement, the Court considered them and others like them before approving the settlement at the fairness hearing. Finally, Mr. Mackey's emergency motion for bail (ECF No. 225) is DENIED for the reasons set forth above with respect to Mr. Mackey; again, Mr. Mackey is free to bring his own action at any time. Signed by Judge Michael P. Shea on 9/30/2020. (Super, John) (Entered: 09/30/2020)
10/01/2020	231	NOTICE by D. Easter *of Distribution of the Fairness Hearing Transcript* (Putnam, Nathaniel) (Entered: 10/01/2020)
10/05/2020	233	NOTICE of Appearance by Zal Kotval Shroff on behalf of James Whitted (Shroff, Zal) (Entered: 10/05/2020)

10/05/2020	234	CERTIFICATE OF GOOD STANDING re 224 MOTION for Attorney(s) Zal K. Shroff to be Admitted Pro Hac Vice (paid $200 PHV fee; receipt number ACTDC-6117396) by James Whitted. (Shroff, Zal) (Entered: 10/05/2020)
10/05/2020	235	ORDER. In paragraph 21 of the Settlement Agreement, the parties agreed to "jointly move pursuant to Fed. R. Civ. P. 41(a)(2) to... dismiss the Petition...." (ECF No. 134-1 at 15). The Court directs the parties to confer and jointly file such a joint motion within **7 days** of this order. Signed by Judge Michael P. Shea on 10/5/2020. (Super, John) (Entered: 10/05/2020)
10/06/2020	236	MOTION for Leave to Appear as Law Student Interns Ariadne Ellsworth, Alexandra Gonzalez, Alexander Knocks, Phoenix Rice-Johnson by James Whitted. (Orihuela, Marisol) (Entered: 10/06/2020)
10/07/2020	237	ORDER. The 236 motion for law student appearance is hereby GRANTED. Signed by Judge Michael P. Shea on 10/7/2020. (Super, John) (Entered: 10/07/2020)
10/12/2020	238	Joint MOTION for of Dismissal Order by James Whitted. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Russell, Sarah) (Entered: 10/12/2020)
10/16/2020	239	MOTION for Reconsideration and Clarification re 230 Order on Motion to Intervene by Andrew S. Mackey. (Attachments: # 1 Envelope)(Payton, R.) (Entered: 10/16/2020)
10/19/2020	240	ORDER: The motion for reconsideration (ECF No. 239) is DENIED, as it is untimely and does not otherwise meet the strict requirements of Local Rule 7(c). In any event, the failure of a party to respond to a motion does not require the court to grant the motion, and it is not a sufficient basis to do so when the motion itself is not supported by the relevant legal principles. The motion otherwise fails for reasons previously set forth by the Court in Order No. 230. Again, nothing prevents Mr. Mackey from bringing his own lawsuit to the extent he is not a member of the class. Signed by Judge Michael P. Shea on 10/19/2020. (Super, John) (Entered: 10/19/2020)
10/19/2020	241	ORDER. On September 18, 2020, this Court approved the terms of a multi-party habeas class action settlement agreement (the "Settlement," ECF No. 238-1) reached by the parties. (ECF No. 221.) The terms of the

		Settlement were discussed at length by the Court during a fairness hearing that preceded the Settlement's approval. (ECF Nos. 222-223.) On October 12, 2020, the parties jointly moved for an order of dismissal. (ECF No. 238). In accordance with the terms of the Settlement, and pursuant to Fed. R. Civ. P. 41(a)(2), it is hereby ORDERED as follows: 1. The Court hereby reserves and retains jurisdiction over the parties and this case to the full extent necessary to enforce the terms of the Settlement pursuant to the terms set forth therein (ECF No. 238-1). *See Kokkonen v. Guardian Life Insurance Co. of America*, 511 U.S. 375, 381 (1994); *In re American Express Financial Advisors Securities Litigation*, 672 F.3d 113, 134 (2d Cir. 2011). The Settlement Agreement (ECF No. 238-1) is hereby incorporated in this order by reference. 2. All claims in the Amended Petition released under the Settlement are dismissed with prejudice. All other claims in the Amended Petition are dismissed without prejudice, including all claims brought on behalf of individuals who are not part of the Settlement Class certified by this Court. Each party shall bear their own costs. 3. The Clerk is directed to enter Final Judgment dismissing this case subject to the Court's reserving and retaining exclusive jurisdiction to the full extent necessary to enforce the Settlement. 4. The Joint Motion for Dismissal Order (ECF No. 238) is GRANTED as set forth in this order. Signed by Judge Michael P. Shea on 10/19/2020. (Super, John) (Entered: 10/19/2020)
10/20/2020	242	JUDGMENT filed and entered in accordance with the settlement agreement. For Appeal Forms please go to the following website: http://www.ctd.uscourts.gov/forms/all-forms/appeals_forms Signed by Clerk on 10/20/20.(Johnson, D.) (Entered: 10/20/2020)
10/20/2020		JUDICIAL PROCEEDINGS SURVEY - FOR COUNSEL ONLY: The following link to the confidential survey requires you to log into CM/ECF for SECURITY purposes. Once in CM/ECF you will be prompted for the case number. Although you are receiving this survey through CM/ECF, it is hosted on an independent website called SurveyMonkey. Once in SurveyMonkey, the survey is located in a secure account. The survey is not docketed and it is not sent directly to the judge. To ensure anonymity, completed surveys are held up to 90 days before they are sent to the judge for review. We hope you will take

		this opportunity to participate, please click on this link: https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey (Johnson, D.) (Entered: 10/20/2020)
10/28/2020	243	NOTICE OF APPEAL as to 230 Order on Motion for Sanctions, Order on Motion to Intervene, Order on Motion to Amend/Correct, Order on Motion to Certify Clas, Order on Motion to Appoint Counsel, Order on Motion for Copy, Order on Motion for Miscellaneous Relief, Order on Motion for Preliminary Injunction, 242 Judgment by Andrew S. Mackey. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 10/30/2020)
10/30/2020	244	CLERK'S CERTIFICATE RE: INDEX AND RECORD ON APPEAL re: 243 Notice of Appeal,. The attached docket sheet is hereby certified as the entire Index/Record on Appeal in this matter and electronically sent to the Court of Appeals, with the exception of any manually filed documents as noted below. Robin D. Tabora, Clerk. Documents manually filed not included in this transmission: none (Peterson, M) (Entered: 10/30/2020)
11/03/2020	245	MOTION for Leave to Appear as Law Student Interns *Alexis Farkash, Abigail Mason, George Morgan, Krista Notarfrancesco, Samantha Pernal, Grace Ronayne, Hannah Snow, Kathryn Ulicny, Kylee Verrill* by James Whitted.Responses due by 11/24/2020 (Russell, Sarah) (Entered: 11/03/2020)
11/09/2020	246	TRANSCRIPT of Proceedings: Type of Hearing: Telephonic Status Conference held on 5-14-2020 before Judge Michael P. Shea. Court Reporter: Julie Monette. **IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS:** To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 11/30/2020. Redacted Transcript Deadline set for 12/10/2020. Release of Transcript Restriction set for 2/7/2021. (Monette, Julie) (Entered: 11/09/2020)
11/09/2020	247	TRANSCRIPT of Proceedings: Type of Hearing: Telephonic Status Conference held on 6-9-2020 before Judge Michael P. Shea. Court

		Reporter: Julie Monette. **IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS:** To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 11/30/2020. Redacted Transcript Deadline set for 12/10/2020. Release of Transcript Restriction set for 2/7/2021. (Monette, Julie) (Entered: 11/09/2020)
11/09/2020	248	TRANSCRIPT of Proceedings: Type of Hearing: Telephonic Status Conference held on 7-21-2020 before Judge Michael P. Shea. Court Reporter: Julie Monette. **IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS:** To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 11/30/2020. Redacted Transcript Deadline set for 12/10/2020. Release of Transcript Restriction set for 2/7/2021. (Monette, Julie) (Entered: 11/09/2020)
11/09/2020	249	TRANSCRIPT of Proceedings: Type of Hearing: Telephonic Status Conference held on 7-29-2020 before Judge Michael P. Shea. Court Reporter: Julie Monette. **IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS:** To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through

		PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 11/30/2020. Redacted Transcript Deadline set for 12/10/2020. Release of Transcript Restriction set for 2/7/2021. (Monette, Julie) (Entered: 11/09/2020)
11/09/2020	250	TRANSCRIPT of Proceedings: Type of Hearing: Telephonic Status Conference held on 8-5-2020 before Judge Michael P. Shea. Court Reporter: Julie Monette. **IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS:** To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 11/30/2020. Redacted Transcript Deadline set for 12/10/2020. Release of Transcript Restriction set for 2/7/2021. (Monette, Julie) (Entered: 11/09/2020)
11/10/2020	251	ORDER. The 245 motion for law student appearance is DENIED without prejudice. The client consent page authorizes four law students, not listed in the motion for law student appearance, to appear under the supervision of Attorneys Orihuela and Shroff, rather than Attorney Russell as indicated in the motion. Signed by Judge Michael P. Shea on 11/10/2020. (Super, John) (Entered: 11/10/2020)
11/10/2020	252	Minute Entry for proceedings held before Judge Thomas O. Farrish: Post-settlement conference held on 11/10/2020. Total Time: 1 hours and 10 minutes. (Farrish, Thomas) (Entered: 11/10/2020)
11/10/2020	253	MOTION for Leave to Appear as Law Student Interns Alexis Farkash, Abigail Mason, George Morgan, Krista Notarfrancesco, Samantha Pernal, Grace Ronayne, Hannah Snow, Kathryn Ulicny, Kylee Verrill *(Corrected Motion)* by James Whitted.Responses due by 12/1/2020 (Russell, Sarah) (Entered: 11/10/2020)
11/12/2020	254	Minute Entry for proceedings held before Judge Thomas O. Farrish: Post-settlement conference held on 11/12/2020. Total Time: 2 hours and 35 minutes. (Farrish, Thomas) (Entered: 11/12/2020)

11/12/2020	255	ORDER. The 253 motion for law student appearance is hereby GRANTED. Signed by Judge Michael P. Shea on 11/12/2020. (Super, John) (Entered: 11/12/2020)
11/12/2020	256	MOTION Request for Judicial Review re: Breach of Settlement Agreement by Andrew S. Mackey.Responses due by 12/3/2020 (Attachments: # 1 Envelope)(Payton, R.) (Entered: 11/16/2020)
11/17/2020	257	ORDER. The Court received a motion for judicial review of an alleged breach of the settlement agreement from Andrew Mackey. (ECF No. 256). Mr. Mackey's 256 motion is hereby DENIED because all such filings on behalf of petitioner or the class must be made by class counsel. See Fed. R. Civ. P. 11(a) ("Every pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney's name--or by a party personally if the party is unrepresented."). It is not clear whether or not Mr. Mackey is a member of the class -- in which case he would not have standing to file this motion; but even if he is, the motion must be filed by class counsel. In any case, Mr. Mackey's motion does not comply with the settlement agreement's dispute resolution provision, which provides a multi-tiered approach to resolving any dispute prior to seeking judicial review. (See ECF No. 238-1 at 16-17). Signed by Judge Michael P. Shea on 11/17/2020. (Super, John) (Entered: 11/17/2020)
11/17/2020	258	Minute Entry for proceedings held before Judge Thomas O. Farrish: Post-settlement conference held on 11/17/2020. Total Time: 0 hours and 50 minutes. (Farrish, Thomas) (Entered: 11/17/2020)
11/19/2020		USCA Appeal Fees received from Bernice Mackey: $ 505 receipt number CTXH00017491 re 243 Notice of Appeal, filed by Andrew S. Mackey (Peterson, M) (Entered: 11/20/2020)
11/19/2020	259	Acknowledgment and Notice of Appearance forwarded to the Court of Appeals. (Peterson, M) (Entered: 11/20/2020)
11/21/2020	260	Minute Entry for proceedings held before Judge Thomas O. Farrish: Post-settlement discussions with counsel held on 11/20/2020. Total Time: 0 hours and 30 minutes. (Farrish, Thomas) (Entered: 11/21/2020)
11/23/2020	261	Minute Entry for proceedings held before Judge Thomas O. Farrish: Post-settlement discussions held with counsel on 11/23/2020. Total Time: 0 hours and 15 minutes. (Farrish, Thomas) (Entered: 11/23/2020)

11/25/2020	262	Minute Entry for proceedings held before Judge Thomas O. Farrish: Post-settlement communications with counsel on 11/24 - 11/25/2020. Total Time: 0 hours and 15 minutes. (Farrish, Thomas) (Entered: 11/25/2020)
12/06/2020	263	MOTION to Enforce Settlement Agreement and Require the Bureau of Prisons to Immediately Release Medically Vulnerable Class Members Who Have Been Approved for Home Confinement by James Whitted.Responses due by 12/27/2020 (Attachments: # 1 Exhibit A (filed separately under seal), # 2 Exhibit B (filed separately under seal), # 3 Exhibit C (redacted version), # 4 Exhibit D, # 5 Exhibit E)(Russell, Sarah) (Entered: 12/06/2020)
12/06/2020	264	MOTION to Seal Exhibits A, B, and C to ECF 263 by James Whitted. (Russell, Sarah) (Entered: 12/06/2020)
12/06/2020	265	Sealed Document: Exhibit A by James Whitted re 263 MOTION to Enforce Settlement Agreement and Require the Bureau of Prisons to Immediately Release Medically Vulnerable Class Members Who Have Been Approved for Home Confinement . (Russell, Sarah) (Entered: 12/06/2020)
12/06/2020	266	Sealed Document: Exhibit B by James Whitted re 263 MOTION to Enforce Settlement Agreement and Require the Bureau of Prisons to Immediately Release Medically Vulnerable Class Members Who Have Been Approved for Home Confinement . (Russell, Sarah) (Entered: 12/06/2020)
12/06/2020	267	Sealed Document: Exhibit C-1 by James Whitted re 263 MOTION to Enforce Settlement Agreement and Require the Bureau of Prisons to Immediately Release Medically Vulnerable Class Members Who Have Been Approved for Home Confinement . (Russell, Sarah) (Entered: 12/06/2020)
12/07/2020	268	ORDER. Petitioners have filed a 263 motion to enforce the settlement agreement. The Government shall file its response no later than **Thursday, December 10, 2020 at noon.** The Court will hold a telephonic status conference on **Thursday, December 10, 2020 at 5:00 p.m.** to discuss the issues raised in the 263 motion. Chambers will distribute dial-in information prior to the call. In addition, the 264 motion to seal is hereby GRANTED. Signed by Judge Michael P. Shea on 12/7/2020. (Super, John) (Entered: 12/07/2020)

12/07/2020		Set Deadlines/Hearings:(Telephonic Status Conference set for 12/10/2020 at 05:00 PM, CT before Judge Michael P. Shea), Set Deadlines as to 263 MOTION to Enforce Settlement Agreement and Require the Bureau of Prisons to Immediately Release Medically Vulnerable Class Members Who Have Been Approved for Home Confinement .(Responses due by 12/10/2020,) (Johnson, D.) (Entered: 12/08/2020)
12/08/2020	269	ORDER: The Government's response to the plaintiff's motion to enforce settlement agreement shall include, as attachments, (1) the "new BOP guidelines requiring certain language in BEMR regarding the risk of COVID-19 in the community" and (2) any policies or procedures (whether BOP-wide or specific to Danbury) governing the "specific security review" apparently being performed before "CIM" inmates approved for home confinement by the HCC may be released on home confinement. See ECF 263-3 at 4. Signed by Judge Michael P. Shea on 12/8/2020. (Super, John) (Entered: 12/08/2020)
12/09/2020	270	Memorandum in Support re 263 MOTION to Enforce Settlement Agreement and Require the Bureau of Prisons to Immediately Release Medically Vulnerable Class Members Who Have Been Approved for Home Confinement *Supplemental Memorandum* filed by James Whitted. (Attachments: # 1 Exhibit A-1, # 2 Exhibit B-1, # 3 Exhibit C-1)(Russell, Sarah) (Entered: 12/09/2020)
12/09/2020	271	MOTION to Seal Exhibits A-2, B-2, and C-2 to ECF 270 by James Whitted. (Russell, Sarah) (Entered: 12/09/2020)
12/09/2020	272	Sealed Document: Exhibit A-2 by James Whitted re 270 Memorandum in Support of Motion, 263 MOTION to Enforce Settlement Agreement and Require the Bureau of Prisons to Immediately Release Medically Vulnerable Class Members Who Have Been Approved for Home Confinement . (Russell, Sarah) (Entered: 12/09/2020)
12/09/2020	273	Sealed Document: Exhibit B-2 by James Whitted re 270 Memorandum in Support of Motion, 263 MOTION to Enforce Settlement Agreement and Require the Bureau of Prisons to Immediately Release Medically Vulnerable Class Members Who Have Been Approved for Home Confinement . (Russell, Sarah) (Entered: 12/09/2020)
12/09/2020	274	Sealed Document: Exhibit C-2 by James Whitted re 270 Memorandum in Support of Motion, 263 MOTION to Enforce Settlement Agreement and Require the Bureau of Prisons to Immediately Release Medically Vulnerable Class Members Who Have Been Approved for Home Confinement . (Russell, Sarah) (Entered: 12/09/2020)

12/10/2020	275	ORDER. The 271 motion to seal is hereby GRANTED. Signed by Judge Michael P. Shea on 12/10/2020. (Super, John) (Entered: 12/10/2020)
12/10/2020	276	Entered in Error: RESPONSE re 263 MOTION to Enforce Settlement Agreement and Require the Bureau of Prisons to Immediately Release Medically Vulnerable Class Members Who Have Been Approved for Home Confinement filed by D. Easter. (Attachments: # 1 Exhibit Exhibit A: D. Easter Declaration, with Exh. A D, # 2 Exhibit Exhibit B: E. Anderson Declaration, with Exh. A E, # 3 Exhibit Exhibit C: Updated Table Containing Status of Release)(Orticelli, Jillian) Modified on 12/10/2020 (Peterson, M). (Entered: 12/10/2020)
12/10/2020	277	MOTION to Seal Respondent's Exhibit A, Exhibit A-B, Exhibit C by D. Easter. (Orticelli, Jillian) (Entered: 12/10/2020)
12/10/2020	278	RESPONSE re 263 MOTION to Enforce Settlement Agreement and Require the Bureau of Prisons to Immediately Release Medically Vulnerable Class Members Who Have Been Approved for Home Confinement filed by D. Easter. (Attachments: # 1 Exhibit Exhibit A: D. Easter Declaration, with Exh. A E, # 2 Exhibit Exhibit B: E. Anderson Declaration, with Exh. A E, # 3 Exhibit Exhibit C: Updated Table Containing Status of Release)(Orticelli, Jillian) (Entered: 12/10/2020)
12/10/2020	279	Memorandum in Support re 263 MOTION to Enforce Settlement Agreement and Require the Bureau of Prisons to Immediately Release Medically Vulnerable Class Members Who Have Been Approved for Home Confinement *Second Supplemental Memorandum in Support of Motion* filed by James Whitted. (Attachments: # 1 Exhibit A-1, # 2 Exhibit B-1, # 3 Exhibit C)(Russell, Sarah) (Entered: 12/10/2020)
12/10/2020	280	MOTION to Seal Respondent's Exhibit A, A-B, and C by D. Easter. (Orticelli, Jillian) (Entered: 12/10/2020)
12/10/2020	281	Sealed Document: Exhibit A: D. Easter Declaration, with Exhibits A - E by D. Easter re 280 MOTION to Seal Respondent's Exhibit A, A-B, and C, 279 Memorandum in Support of Motion, . (Orticelli, Jillian) (Entered: 12/10/2020)
12/10/2020	282	Sealed Document: Exhibit C: Updated Table by D. Easter re 278 Response, 280 MOTION to Seal Respondent's Exhibit A, A-B, and C . (Orticelli, Jillian) (Entered: 12/10/2020)
12/10/2020	283	MOTION to Seal Exhibits A-2 and B-2 to ECF 279 & 263 by James Whitted. (Russell, Sarah) (Entered: 12/10/2020)

12/10/2020	284	Sealed Document: Exhibit A-2 by James Whitted re 283 MOTION to Seal Exhibits A-2 and B-2 to ECF 279 & 263, 263 MOTION to Enforce Settlement Agreement and Require the Bureau of Prisons to Immediately Release Medically Vulnerable Class Members Who Have Been Approved for Home Confinement . (Russell, Sarah) (Entered: 12/10/2020)
12/10/2020	285	Sealed Document: Exhibit B-2 by James Whitted re 283 MOTION to Seal Exhibits A-2 and B-2 to ECF 279 & 263, 263 MOTION to Enforce Settlement Agreement and Require the Bureau of Prisons to Immediately Release Medically Vulnerable Class Members Who Have Been Approved for Home Confinement . (Russell, Sarah) (Entered: 12/10/2020)
12/10/2020	286	EXHIBIT *Corrected Exhibit A-1* by James Whitted re 279 Memorandum in Support of Motion,. (Russell, Sarah) (Entered: 12/10/2020)
12/10/2020	287	EXHIBIT *Corrected Exhibit B-1* by James Whitted re 279 Memorandum in Support of Motion,. (Russell, Sarah) (Entered: 12/10/2020)
12/10/2020	288	NOTICE: Following the telephonic hearing today and upon further reflection, the Court expects to issue an order on the docket tomorrow morning requiring that the 17 inmates discussed on the call be released to home confinement, either through home confinement authority or furlough authority, by **5:00 p.m. on Saturday, December 12, 2020**. The Court will issue an opinion providing reasons for the order in the near future. Signed by Judge Michael P. Shea on 12/10/2020. (Super, John) (Entered: 12/10/2020)
12/10/2020	290	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 12/10/2020. Total Time: 1 hours and 29 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 12/11/2020)
12/11/2020	289	ORDER. The 263 motion to enforce is granted to extent set forth in the attached order. The Court will issue an opinion explaining its reasoning in the near future. As set forth in the attached order, Respondent and the BOP shall transfer to home confinement (or furlough) each of the 17 inmates identified in ECF No. 282 by **5:00 p.m. on Saturday, December 12, 2020**. Should any of these 17 inmates require additional time to arrange for safe transportation to the place of home confinement (or furlough), Respondent and the BOP shall be granted such additional time--but not later than Tuesday, December 15, 2020, at 5:00 p.m.--as is necessary to safely move that inmate to home confinement (or furlough). For the avoidance of doubt, a family member's or friend's picking up the

		inmate at FCI Danbury in a vehicle constitutes safe transportation for purposes of this order. Signed by Judge Michael P. Shea on 12/11/2020. (Super, John) (Entered: 12/11/2020)
12/11/2020	291	ORDER. The 280 and 283 motions to seal are hereby GRANTED. Because the 277 motion is identical to the 280 motion, the 277 motion to seal is DENIED as moot. Signed by Judge Michael P. Shea on 12/11/2020. (Super, John) (Entered: 12/11/2020)
12/11/2020	292	ORDER. The Court will hold a telephonic status conference on **December 14, 2020 at 12:30 p.m.** The discussion will be limited to the two individuals identified by counsel as having some issue with release in accordance with the Court's order of specific performance (ECF No. 289) and whether and how that order can safely be effectuated (albeit with a delay) with respect to each of them. Chambers will distribute dial-in information prior to the call. Signed by Judge Michael P. Shea on 12/11/2020. (Super, John) (Entered: 12/11/2020)
12/11/2020		Set Deadlines/Hearings: Telephonic Status Conference set for 12/14/2020 at 12:30 PM before Judge Michael P. Shea (Johnson, D.) (Entered: 12/14/2020)
12/14/2020	293	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 12/14/2020. 22 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 12/14/2020)
12/14/2020	294	ORDER: The Court has been advised that there has been a complication regarding the release of Ms. Hechtman, one of the 17 inmates who was previously approved by the BOP for home confinement and was the subject of the Courts December 11, 2020 order. Specifically, the Court was advised by Respondent's counsel that one of the persons at whose home Ms. Hechtman was proposing to stay has refused to host her. During a conference call with counsel today, Petitioner's counsel represented that, in light of the apparently increasing spread of COVID-19 at FCI Danbury, she would be willing to host Ms. Hechtman in a safe space at her home in the New Haven area on a furlough (see 18 U.S.C. Sec. 3622) while another home confinement or other appropriate release plan is vetted and approved by the BOP. Accordingly, consistent with its December 11, 2020 order, to provide for specific performance of the Settlement Agreement, and for reasons that will be more fully explained

		in a forthcoming opinion, the Court hereby orders the Respondent to release Ms. Hechtman to the care of Attorney Sarah Russell, as a 30-day furlough, beginning as soon as Attorney Russell or Sean McElligott arrives at FCI Danbury to pick up Ms. Hechtman. During the 30-day furlough, the Respondent shall make it a top priority to vet and approve an appropriate home or community confinement plan for Ms. Hechtman. In the event that Respondent is unable to do so, however, Ms. Hechtman shall return to FCI Danbury no later than the 30th day following her release. At all times, Ms. Hechtman's sentence will remain intact and she will remain subject to the authority of the Bureau of Prisons. Signed by Judge Michael P. Shea on 12/14/2020. (Super, John) (Entered: 12/14/2020)
12/16/2020	295	TRANSCRIPT of Proceedings: Type of Hearing: Telephonic Status Conference held on 12-10-2020 before Judge Michael P. Shea. Court Reporter: Julie Monette. **IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS:** To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 1/6/2021. Redacted Transcript Deadline set for 1/16/2021. Release of Transcript Restriction set for 3/16/2021. (Monette, Julie) (Entered: 12/16/2020)
12/17/2020	296	MOTION to Enforce Settlement Agreement by James Whitted.Responses due by 1/7/2021 (Attachments: # 1 Exhibit A, # 2 Exhibit B (filed separately under seal), # 3 Exhibit C, # 4 Exhibit D (filed separately under seal), # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G (filed separately under seal))(Orihuela, Marisol) (Entered: 12/17/2020)
12/17/2020	297	MOTION to Seal Exhibits B, D, and G to ECF 296 by James Whitted. (Orihuela, Marisol) (Entered: 12/18/2020)
12/18/2020	298	Sealed Document: Exhibit B by James Whitted re 296 MOTION to Enforce Settlement Agreement . (Orihuela, Marisol) (Entered: 12/18/2020)

12/18/2020	299	Sealed Document: Exhibit D by James Whitted re 296 MOTION to Enforce Settlement Agreement . (Orihuela, Marisol) (Entered: 12/18/2020)
12/18/2020	300	Sealed Document: Exhibit G by James Whitted re 296 MOTION to Enforce Settlement Agreement . (Orihuela, Marisol) (Entered: 12/18/2020)
12/18/2020	301	MOTION to Seal Ex. E to Motion to Enforce, ECF 296-5 by James Whitted. (Orihuela, Marisol) (Entered: 12/18/2020)
12/18/2020	302	EXHIBIT *E (Redacted)* by James Whitted re 296 MOTION to Enforce Settlement Agreement . (Orihuela, Marisol) (Entered: 12/18/2020)
12/21/2020	303	ORDER. Petitioner has filed a 296 motion to enforce the settlement agreement. The Government shall file its response no later than **January 5, 2021 at noon**. The Court will hold a telephonic oral argument regarding the issues raised in the 296 motion to enforce on **January 7, 2021 at 3:00 p.m.** Chambers will distribute dial-in information prior to the call. Signed by Judge Michael P. Shea on 12/21/2020. (Super, John) (Entered: 12/21/2020)
12/21/2020		Set Deadlines/Hearings:(Telephonic Status Conference set for 1/7/2021 at 03:00 PM before Judge Michael P. Shea), Set Deadlines as to 296 MOTION to Enforce Settlement Agreement .(Responses due by 1/5/2021,) (Johnson, D.) (Entered: 12/22/2020)
12/22/2020	304	NOTICE. For the reasons and to the extent stated in the attached memorandum, I granted Petitioner's motion to enforce the Settlement Agreement (ECF No. 263) and entered the December 11 and 14 orders. (ECF Nos. 289, 294). Signed by Judge Michael P. Shea on 12/22/2020. (Super, John) (Entered: 12/22/2020)
12/28/2020	306	MOTION/LETTER - Transfer to home confinement by Michael Milchin. (Attachments: # 1 Envelope)(LaLone, L.) (Entered: 12/29/2020)
12/29/2020	305	ORDER. The telephonic oral argument scheduled for January 7, 2021 is RESCHEDULED for **January 8, 2021 at noon**. Signed by Judge Michael P. Shea on 12/29/2020. (Super, John) (Entered: 12/29/2020)

12/29/2020		Set Deadlines/Hearings: Telephonic Oral Argument Status Conference set for 1/8/2021 12:00 PM before Judge Michael P. Shea (Johnson, D.) (Entered: 12/29/2020)
01/04/2021	307	Supplemental Memorandum in Support re 296 MOTION to Enforce Settlement Agreement filed by James Whitted. (Attachments: # 1 Exhibit H (filed separately under seal), # 2 Exhibit I (filed separately under seal), # 3 Exhibit J (filed separately under seal), # 4 Exhibit K (filed separately under seal), # 5 Exhibit L, # 6 Exhibit M (filed separately under seal), # 7 Exhibit N - Diaz Declaration, # 8 Exhibit O - Humphrey Declaration, # 9 Exhibit P - Torres Declaration, # 10 Exhibit Q - Junca Declaration, # 11 Exhibit R - Memo re Gas Leak, # 12 Exhibit S - Harrington Declaration)(Orihuela, Marisol) (Entered: 01/04/2021)
01/04/2021	308	MOTION to Seal Exhibits H, I, J, K, and M by James Whitted. (Orihuela, Marisol) (Entered: 01/04/2021)
01/04/2021	309	ORDER. The Court received a motion for transfer to home confinement from Michael Milchin. (ECF No. 306). Mr. Milchin's 306 motion is hereby DENIED because all such filings on behalf of petitioner or the class must be made by class counsel. See Fed. R. Civ. P. 11(a) ("Every pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney's name--or by a party personally if the party is unrepresented."). Thus, if Mr. Milchin is a member of the class, as he asserts, the motion must be filed by class counsel; if he is not a member of the class, then he would not have standing to file this motion. Mr. Milchin's motion also does not comply with the settlement agreement's dispute resolution provision, which provides a multi-tiered approach to resolving any dispute prior to seeking judicial review. (See ECF No. 238-1 at 16-17). Signed by Judge Michael P. Shea on 1/4/2021. (Super, John) (Entered: 01/04/2021)
01/05/2021	310	RESPONSE re 296 MOTION to Enforce Settlement Agreement filed by D. Easter. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C (filed under seal))(Putnam, Nathaniel) (Entered: 01/05/2021)
01/05/2021	311	MOTION to Seal Exhibit C to Respondent's Response to ECF 296 by D. Easter. (Putnam, Nathaniel) (Entered: 01/05/2021)
01/05/2021	312	Sealed Document: Exhibit C to Respondent's Response to ECF 296 by D. Easter re 311 MOTION to Seal Exhibit C to Respondent's Response to ECF 296 . (Putnam, Nathaniel) (Entered: 01/05/2021)
01/05/2021		NOTICE regarding hearing via Zoom: The Oral Argument scheduled for January 8, 2021 at 12:00 noon will be conducted via Zoom. The video

		link is https://www.zoomgov.com/j/1619562831?pwd=b3d0ejZvaFJ6MnFVRUdDQXFaeTRHZz09 and call in number is 16468287666. Meeting ID: 161 956 2831 Meeting Password: 020743 Please note: Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, screenshots, streaming, and rebroadcasting in any form, of court proceedings. The Judicial Conference of the United States, which governs the practices of the federal courts, has prohibited it. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. (Johnson, D.) (Entered: 01/05/2021)
01/06/2021	334	ORDER Returning Submission as Deficient: Declaration returned to Joseph Ramos Signed by Judge Michael P. Shea on 01/06/2021. (Peterson, M) (Entered: 02/02/2021)
01/06/2021	335	ORDER Returning Submission as Deficient: Declaration returned to Joseph Heim Signed by Judge Michael P. Shea on 01/06/2021. (Peterson, M) (Entered: 02/02/2021)
01/06/2021	336	ORDER Returning Submission as Deficient: Declaration returned to Joseph Frederick Signed by Judge Michael P. Shea on 01/06/2021. (Peterson, M) (Entered: 02/02/2021)
01/06/2021	337	ORDER Returning Submission as Deficient: Declaration returned to Edward Jimenez Signed by Judge Michael P. Shea on 01/06/2021. (Peterson, M) (Entered: 02/02/2021)
01/06/2021	338	ORDER Returning Submission as Deficient: Declaration returned to Darryl Sanders Signed by Judge Michael P. Shea on 01/06/2021. (Peterson, M) (Entered: 02/02/2021)
01/06/2021	339	ORDER Returning Submission as Deficient: Declaration returned to Christopher William

		Signed by Judge Michael P. Shea on 01/06/2021. (Peterson, M) (Entered: 02/02/2021)
01/06/2021	340	ORDER Returning Submission as Deficient: Declaration returned to Alex Levin Signed by Judge Michael P. Shea on 01/06/2021. (Peterson, M) (Entered: 02/02/2021)
01/06/2021	344	ORDER Returning Submission as Deficient: Motion returned to Frederick Banks Signed by Judge Michael P. Shea on 01/06/2021. (Peterson, M) (Entered: 02/05/2021)
01/07/2021	313	REPLY to Response to 296 MOTION to Enforce Settlement Agreement filed by James Whitted. (Attachments: # 1 Exhibit T -- Declaration of David Golub, # 2 Exhibit U, # 3 Exhibit V, # 4 Exhibit W)(Russell, Sarah) (Entered: 01/07/2021)
01/08/2021	314	ORDER. As discussed during today's oral argument, the Government shall respond to the 307 supplemental memorandum as follows: (1) as to the issue of listing a date on the HCC worksheets (see ECF No. 307 at 29 para. g), the Government's response is due by **January 15, 2021**; (2) as to the issue of supervision and approval by the U.S Probation Office (see id. paras. h, i), and any other issues raised in the supplemental memorandum 307 to which the Government wishes to respond, the Government's response is due by **January 25, 2021**. In addition, the 297 , 301 , and 311 motions to seal are hereby GRANTED. With respect to the 308 motion to seal, the Court notes that the exhibits intended to be sealed (Exhibits H, I, J, K, and M) do not appear to be on the docket. Class counsel is directed to file the exhibits that the 308 motion seeks to seal no later than **January 11, 2021**. Signed by Judge Michael P. Shea on 1/8/2021. (Super, John) (Entered: 01/08/2021)
01/08/2021	315	ORDER. The Court will hold a telephonic status conference on **January 12, 2021 at 10:00 a.m.** The sole purpose of the call will be to discuss the issue of vaccine distribution among inmates at FCI Danbury and the willingness (or unwillingness) of certain inmates to be vaccinated. The Court will not entertain further discussion of any other issue at that time. Chambers will distribute dial-in information prior to the call. Signed by Judge Michael P. Shea on 1/8/2021. (Super, John) (Entered: 01/08/2021)

01/08/2021	316	Minute Entry for proceedings held before Judge Michael P. Shea: Oral Argument held on 1/8/2021. Total Time: 2 hours and 2 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 01/11/2021)
01/12/2021	317	Minute Entry for proceedings held before Judge Michael P. Shea: Telephonic Status Conference held on 1/12/2021. 20 minutes(Court Reporter J. Monette.) (Johnson, D.) (Entered: 01/12/2021)
01/13/2021	318	Minute Entry for proceedings held before Judge Thomas O. Farrish: Post-settlement Conference held on 1/13/2021. Total Time: 1 hours and 30 minutes (Farrish, Thomas) (Entered: 01/13/2021)
01/13/2021	319	Sealed Document: Exhibit H by James Whitted re 308 MOTION to Seal Exhibits H, I, J, K, and M . (Russell, Sarah) (Entered: 01/13/2021)
01/13/2021	320	Sealed Document: Exhibit I by James Whitted re 308 MOTION to Seal Exhibits H, I, J, K, and M . (Russell, Sarah) (Entered: 01/13/2021)
01/13/2021	321	Sealed Document: Exhibit J by James Whitted re 308 MOTION to Seal Exhibits H, I, J, K, and M . (Russell, Sarah) (Entered: 01/13/2021)
01/13/2021	322	Sealed Document: Exhibit K by James Whitted re 308 MOTION to Seal Exhibits H, I, J, K, and M . (Russell, Sarah) (Entered: 01/13/2021)
01/13/2021	323	Sealed Document: Exhibit M by James Whitted re 308 MOTION to Seal Exhibits H, I, J, K, and M . (Russell, Sarah) (Entered: 01/13/2021)
01/14/2021	324	RESPONSE re 314 Order on Motion to Seal,,,,,,,,,,,,,, filed by D. Easter. (McConaghy, Michelle) (Entered: 01/14/2021)
01/14/2021	325	ORDER. The 308 motion to seal is hereby GRANTED. Signed by Judge Michael P. Shea on 1/14/2021. (Super, John) (Entered: 01/14/2021)
01/14/2021	326	Memorandum in Support re 296 MOTION to Enforce Settlement Agreement *Second Supplemental Memorandum in Support of Motion* filed by James Whitted. (Attachments: # 1 Exhibit X (filed separately under seal), # 2 Exhibit Y -- Declaration of Dr. Jaimie Meyer, # 3 Exhibit Z -- BOP Vaccine Materials)(Russell, Sarah) (Entered: 01/14/2021)
01/14/2021	327	MOTION to Seal Exhibit X by James Whitted. (Russell, Sarah) (Entered: 01/14/2021)
01/14/2021	328	Sealed Document: Exhibit X by James Whitted re 327 MOTION to Seal Exhibit X . (Russell, Sarah) (Entered: 01/14/2021)

01/15/2021	329	ORDER. The 327 motion to seal is hereby GRANTED. Signed by Judge Michael P. Shea on 1/15/2021. (Super, John) (Entered: 01/15/2021)
01/15/2021	330	TRANSCRIPT of Proceedings: Type of Hearing: Telephonic Status Conference held on 1-12-2021 before Judge Michael P. Shea. Court Reporter: Julie Monette. **IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS:** To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 2/5/2021. Redacted Transcript Deadline set for 2/15/2021. Release of Transcript Restriction set for 4/15/2021. (Monette, Julie) (Entered: 01/15/2021)
01/17/2021	331	TRANSCRIPT of Proceedings: Type of Hearing: Video Oral Argument held on 1-8-2021 before Judge Michael P. Shea. Court Reporter: Julie Monette. **IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS:** To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 2/7/2021. Redacted Transcript Deadline set for 2/17/2021. Release of Transcript Restriction set for 4/17/2021. (Monette, Julie) (Entered: 01/17/2021)
01/19/2021	332	ORDER. For the reasons and to the extent stated in the attached ruling, the class's motion to enforce the settlement agreement (ECF No. 296) is GRANTED IN PART and DENIED IN PART, as follows: (1) Within **14 days** of this Order, the parties shall meet and confer to

		identify specific class members whose cases warrant re-review under the terms of this Order and the Settlement Agreement; and (2) Within **14 days** of such identification, the BOP shall conduct a re-review of inmates identified under paragraph (1) for home confinement under the terms of the Settlement Agreement, except that, if for some good reason the BOP cannot meet that deadline, it shall inform class counsel of that good reason before expiration of the 14 days. (3) To the extent the parties are unable to agree on the class members whose cases warrant re-review under paragraph (1), they shall utilize the mechanisms specified in the Settlement Agreement for resolving such disagreements. Signed by Judge Michael P. Shea on 1/19/2021. (Super, John) (Entered: 01/19/2021)
01/19/2021	333	RESPONSE re 326 Memorandum in Support of Motion, filed by D. Easter. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Putnam, Nathaniel) (Entered: 01/19/2021)
01/19/2021	341	MOTION for Reconsideration by Frederick Banks. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 02/03/2021)
01/19/2021	342	NOTICE OF APPEAL re 344 by Frederick Banks. (Attachments: # 1 Envelope) (Peterson, M) Modified on 2/5/2021 (Peterson, M). (Entered: 02/03/2021)
02/03/2021	343	CLERK'S CERTIFICATE RE: INDEX AND RECORD ON APPEAL re: 342 Notice of Appeal. The attached docket sheet is hereby certified as the entire Index/Record on Appeal in this matter and electronically sent to the Court of Appeals, with the exception of any manually filed documents as noted below. Robin D. Tabora, Clerk. Documents manually filed not included in this transmission: none (Peterson, M) (Entered: 02/03/2021)
02/08/2021	346	MOTION to Compel by Robert Armstrong. Responses due by 3/1/2021 (Peterson, M) (Entered: 02/12/2021)
02/11/2021	345	ORDER. The 341 motion for reconsideration is hereby DENIED. Banks is currently an inmate at FCI Oakdale and previously filed a pro se motion to extend certain orders from Whitted v. Easter (3:20-cv-569-MPS) to the inmates at FCI Oakdale, located in Louisiana. I returned Banks' submission to him with an order that provided as follows: "Generally, under § 2241, a prisoner challenging his confinement must file his petition in his district of confinement. Rumsfeld v. Padilla, 542 U.S. 426, 443 (2004). Likewise, under the statute's jurisdiction of

		confinement rule, district courts may only grant habeas relief against custodians 'within their respective jurisdictions.' 28 U.S.C § 2241(a). Because FCI Oakdale is not within the District of Connecticut, I do not have jurisdiction to grant habeas relief to you or other inmates housed at FCI Oakdale under section 2241." Banks' reliance, for jurisdictional purposes, on the transfer of former FCI Danbury inmates to FCI Oakdale is misplaced. Banks does not indicate that he was ever confined at FCI Danbury, and he provides no basis for the Court to exercise jurisdiction over his motion to join Whitted v. Easter, a case that has settled and was closed as of October 20, 2020. Signed by Judge Michael P. Shea on 2/11/2021. (Super, John) (Entered: 02/11/2021)
02/23/2021	347	Minute Entry for proceedings held before Judge Thomas O. Farrish: Post Settlement Conference held on 2/23/2021. Total Time: 2 hours (Wood, R.) (Entered: 02/23/2021)
03/01/2021	348	NOTICE of Appearance by Fiona Doherty on behalf of James Whitted (Doherty, Fiona) (Entered: 03/01/2021)
03/02/2021	349	NOTICE by D. Easter *of Additional COVID-19 Vaccinations* (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Putnam, Nathaniel) (Entered: 03/02/2021)
03/03/2021	350	NOTICE by James Whitted *of Request for Status Conference* (Attachments: # 1 Exhibit A (filed separately under seal), # 2 Exhibit B-1 (redacted version), # 3 Exhibit C-1 (redacted version), # 4 Exhibit D-1 (redacted version), # 5 Exhibit E-1 (redacted version), # 6 Exhibit F (filed separately under seal), # 7 Exhibit G (filed separately under seal))(Russell, Sarah) (Entered: 03/03/2021)
03/03/2021	351	MOTION to Seal *Exhibits in Support of Request for Status Conference* Exhibits A, B-2, C-2, D-2, E-2, F, G by James Whitted. (Russell, Sarah) (Entered: 03/03/2021)
03/03/2021	352	Sealed Document: Exhibit A by James Whitted re 351 MOTION to Seal *Exhibits in Support of Request for Status Conference* Exhibits A, B-2, C-2, D-2, E-2, F, G, 350 Notice (Other), . (Russell, Sarah) (Entered: 03/03/2021)
03/03/2021	353	Sealed Document: Exhibit B-2 by James Whitted re 351 MOTION to Seal *Exhibits in Support of Request for Status Conference* Exhibits A, B-2, C-2, D-2, E-2, F, G, 350 Notice (Other), . (Russell, Sarah) (Entered: 03/03/2021)

03/03/2021	354	Sealed Document: Exhibit C-2 by James Whitted re 351 MOTION to Seal *Exhibits in Support of Request for Status Conference* Exhibits A, B-2, C-2, D-2, E-2, F, G, 350 Notice (Other), . (Russell, Sarah) (Entered: 03/03/2021)
03/03/2021	355	Sealed Document: Exhibit D-2 by James Whitted re 351 MOTION to Seal *Exhibits in Support of Request for Status Conference* Exhibits A, B-2, C-2, D-2, E-2, F, G, 350 Notice (Other), . (Russell, Sarah) (Entered: 03/03/2021)
03/03/2021	356	Sealed Document: Exhibit E-2 by James Whitted re 351 MOTION to Seal *Exhibits in Support of Request for Status Conference* Exhibits A, B-2, C-2, D-2, E-2, F, G, 350 Notice (Other), . (Russell, Sarah) (Entered: 03/03/2021)
03/03/2021	357	Sealed Document: Exhibit F by James Whitted re 351 MOTION to Seal *Exhibits in Support of Request for Status Conference* Exhibits A, B-2, C-2, D-2, E-2, F, G, 350 Notice (Other), . (Russell, Sarah) (Entered: 03/03/2021)
03/03/2021	358	Sealed Document: Exhibit G by James Whitted re 351 MOTION to Seal *Exhibits in Support of Request for Status Conference* Exhibits A, B-2, C-2, D-2, E-2, F, G, 350 Notice (Other), . (Russell, Sarah) (Entered: 03/03/2021)
03/04/2021	359	ORDER. In light of the 350 notice, the Court will hold a telephonic status conference on **April 1, 2021 at 10:00 a.m.** Should the Government wish to respond to any of the issues raised in the 350 notice, they may do so by filing a notice on the docket no later than **March 24, 2021**. Chambers will distribute dial-in information prior to the call. In addition, the 351 motion to seal is hereby GRANTED. Signed by Judge Michael P. Shea on 3/4/2021. (Super, John) (Entered: 03/04/2021)
03/04/2021		Set Deadlines/Hearings: Telephonic Status Conference set for 4/1/2021 at 10:00 AM before Judge Michael P. Shea (Johnson, D.) (Entered: 03/05/2021)
03/12/2021	361	Supplement re: MOTION for Temporary Restraining Order, MOTION for Preliminary Injunction by Savino Braxton. Responses due by 4/2/2021. (Reis, Julia) (Entered: 03/16/2021)
03/15/2021	360	MOTION for Leave to Appear of Law Student Interns: Elizabeth Clarke, Poonam Daryani by James Whitted. (Orihuela, Marisol) (Entered: 03/15/2021)

03/16/2021	362	RESPONSE re 350 Notice (Other), *Response to Class Counsel's Status Conference Request (ECF 350)* filed by D. Easter. (Attachments: # 1 Exhibit A (filed under seal), # 2 Exhibit B)(Putnam, Nathaniel) (Entered: 03/16/2021)
03/16/2021	363	MOTION to Seal Exhibit A to Respondent's Response to ECF 350 by D. Easter. (Putnam, Nathaniel) (Entered: 03/16/2021)
03/16/2021	364	Sealed Document: Exhibit A to Respondent's Response to ECF 350 by D. Easter re 363 MOTION to Seal Exhibit A to Respondent's Response to ECF 350 . (Putnam, Nathaniel) (Entered: 03/16/2021)
03/19/2021	365	Minute Entry for proceedings held before Judge Thomas O. Farrish: Post-Settlement Conference held on 3/19/2021. Total Time: 1 hour and 20 minutes (Wood, R.) (Entered: 03/22/2021)
03/25/2021	366	ORDER. The telephonic status conference scheduled for April 1, 2021 is RESCHEDULED for **April 9, 2021 at 11:00 a.m.** and will be held as a Zoom hearing. The Zoom access information will be posted to the docket prior to the hearing. Signed by Judge Michael P. Shea on 3/25/2021. (Super, John) (Entered: 03/25/2021)
03/25/2021		Set Deadlines/Hearings: Status Conference set for 4/9/2021 11:00 AM via Zoom before Judge Michael P. Shea (Johnson, D.) (Entered: 03/25/2021)
03/26/2021	367	Minute Entry for proceedings held before Judge Thomas O. Farrish: Post-Settlement Conference held on 3/26/2021. Total Time: 1 hour and 55 minutes (Wood, R.) (Entered: 03/26/2021)
03/29/2021	368	Motion to Appeal the Re-review Committee Decision by Savino Braxton. (Attachments: # 1 Envelope) (Peterson, M) (Entered: 03/30/2021)
03/30/2021	369	RESPONSE re 350 Notice (Other), 362 Response *Reply to Response to Notice of Request for Status Conference* filed by James Whitted. (Attachments: # 1 Exhibit G-1)(Russell, Sarah) (Entered: 03/30/2021)
03/30/2021	370	MOTION to Seal Exhibit F-2 by James Whitted. (Russell, Sarah) (Entered: 03/30/2021)
03/30/2021	371	MOTION to Seal *(Corrected Motion)* Exhibit G-2 by James Whitted. (Russell, Sarah) (Entered: 03/30/2021)

03/30/2021	372	Sealed Document: Exhibit G-2 by James Whitted re 371 MOTION to Seal *(Corrected Motion)* Exhibit G-2, 369 Response . (Russell, Sarah) (Entered: 03/30/2021)
03/31/2021	373	ORDER. The Court enters the following orders: The Zoom hearing scheduled for April 9, 2021 at 11:00 a.m. is RESCHEDULED for **April 9, 2021 at noon**. The 363 and 371 motions to seal are hereby GRANTED. The 370 motion to seal, filed in error, is DENIED as moot. The 360 motion for law student appearance is hereby GRANTED. The pro se motions filed by Robert Armstrong (ECF No. 346) and Savino Braxton (ECF Nos. 361, 368) are DENIED because all such filings on behalf of petitioner or the class must be made by class counsel. See Fed. R. Civ. P. 11(a) ("Every pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney's name--or by a party personally if the party is unrepresented."). Thus, if Armstrong and Braxton are members of the class, the motion must be filed by class counsel; if they are not members of the class, then they would not have standing to file this motion. Armstrong and Braxton's motions also do not comply with the settlement agreement's dispute resolution provision, which provides a multi-tiered approach to resolving any dispute prior to seeking judicial review. (See ECF No. 238-1 at 16-17). Signed by Judge Michael P. Shea on 3/31/2021. (Super, John) (Entered: 03/31/2021)
03/31/2021		Set Hearings: Status Conference set via Zoom for 4/9/2021 at 12:00 PM before Judge Michael P. Shea (Johnson, D.) (Entered: 04/01/2021)
04/01/2021	374	Minute Entry for proceedings held before Judge Thomas O. Farrish: Post-Settlement Conference held on 4/1/2021. Total Time: 2 hours (Wood, R.) (Entered: 04/01/2021)

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