

**U.S. District Court
District of Vermont (Burlington)
CIVIL DOCKET FOR CASE #: 2:19-cv-00081-wks**

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West et al v. Gobeille et al
Assigned to: Judge William K. Sessions III
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 05/21/2019
Jury Demand: None
Nature of Suit: 555 Prisoner
Petitions (Prison Condition)
Jurisdiction: Federal Question

In Re

Tyler Branon

Plaintiff

Richard West
*individually and on behalf of a class
of similarly situated persons*

represented by **James M. Diaz , Esq.**
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Plaintiff

Joseph Bruyette
*individually and on behalf of a class
of similarly situated persons*

represented by **James M. Diaz , Esq.**
(See above for address)
ATTORNEY TO BE NOTICED

James A. Valente , Esq.
(See above for address)
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Kevin Costello , Esq.
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Lia N. Ernst , Esq.
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ATTORNEY TO BE NOTICED

V.

Defendant

Al Gobeille
*Vermont Secretary of Human
Services, in his official capacity*
TERMINATED: 06/22/2020

represented by **Jared C. Bianchi , Esq.**
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TERMINATED: 04/20/2021

Defendant

Martha Maksym

*Vermont Deputy Secretary of
Human Services, in her official
capacity*

represented by **Jared C. Bianchi , Esq.**
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ATTORNEY TO BE NOTICED

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TERMINATED: 04/20/2021

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Defendant

Michael Touchette

*Vermont Department of Corrections
Commissioner, in his official
capacity*
TERMINATED: 06/22/2020

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Robert M. LaRose , Esq.
(See above for address)
TERMINATED: 04/20/2021

Defendant

Benjamin Watts

*Vermont Department of Corrections
Health Services Director, in his
official capacity*
TERMINATED: 03/31/2020

represented by **Jared C. Bianchi , Esq.**
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ATTORNEY TO BE NOTICED

Robert M. LaRose , Esq.
(See above for address)
TERMINATED: 04/20/2021

Defendant

Centurion of Vermont, LLC
TERMINATED: 08/24/2020

represented by **Michael J. Bentley , Esq.**
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Defendant

Michael Smith
*Vermont Secretary of Human
Services, in his official capacity*

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Defendant

James Baker
*Vermont Department of Corrections
Commissioner, in his official
capacity*

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Pamela L.P. Eaton , Esq.
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TERMINATED: 04/20/2021

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Stephen J. Soule , Esq.
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ATTORNEY TO BE NOTICED

Defendant

VitalCore Health Strategies, LLC represented by **Pamela L.P. Eaton , Esq.**
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ATTORNEY TO BE NOTICED

Stephen J. Soule , Esq.
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Jane Doe
*Vermont Deputy Secretary of
Human Services, in her official
capacity*

Defendant

John Doe
*Vermont Department of Corrections
Health Services Director, in his
official capacity*

Date Filed	#	Docket Text
05/21/2019	<u>1</u>	CLASS ACTION COMPLAINT against Centurion of Vermont, LLC, Al Gobeille, Martha Maksym, Michael Touchette, Benjamin Watts filed by Richard West, Joseph Bruyette.Summons issued. (Attachments: # <u>1</u> Declaration of James Diaz, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16, # <u>18</u> Exhibit 17, # <u>19</u> Exhibit 18, # <u>20</u> Exhibit 19, # <u>21</u> Exhibit 20, # <u>22</u> Exhibit 21, # <u>23</u> Exhibit 22, # <u>24</u> Exhibit 23, # <u>25</u> Exhibit 24,

		# 26 Exhibit 25, # 27 Exhibit 26, # 28 Civil Cover Sheet)(law) (Entered: 05/22/2019)
05/21/2019	2	MOTION to Certify Class filed by Joseph Bruyette, Richard West. (Attachments: # 1 Declaration of James Valente, # 2 Declaration of Richard West, # 3 Declaration of Joseph Bruyette, # 4 Declaration of Kevin Costello, # 5 Declaration of James Diaz, # 6 Declaration of Lia Ernst, # 7 Declaration of Dr. Stacey Trooskin, MD, PhD, MPH, # 8 Exhibit 1, # 9 Exhibit 2, # 10 Exhibit 3, # 11 Exhibit 4, # 12 Exhibit 5, # 13 Exhibit 6, # 14 Exhibit 7, # 15 Exhibit 8, # 16 Exhibit 9, # 17 Exhibit 10)(law) (Entered: 05/22/2019)
05/24/2019	3	NOTICE OF APPEARANCE by Jared C. Bianchi, Esq on behalf of Al Gobeille, Martha Maksym, Michael Touchette, Benjamin Watts.(Bianchi, Jared) (Entered: 05/24/2019)
05/24/2019	4	NOTICE OF APPEARANCE by Robert M. LaRose, Esq on behalf of Al Gobeille, Martha Maksym, Michael Touchette, Benjamin Watts.(LaRose, Robert) (Entered: 05/24/2019)
05/31/2019	5	SUMMONS RETURNED Executed. Al Gobeille served on 5/28/2019, answer due 6/18/2019. (Diaz, James) Text clarified on 5/31/2019 (law). (Entered: 05/31/2019)
05/31/2019	6	SUMMONS RETURNED Executed. Martha Maksym served on 5/28/2019, answer due 6/18/2019. (Diaz, James) Text clarified on 5/31/2019 (law). (Entered: 05/31/2019)
05/31/2019	7	SUMMONS RETURNED Executed. Michael Touchette served on 5/28/2019, answer due 6/18/2019. (Diaz, James) Text clarified on 5/31/2019 (law). (Entered: 05/31/2019)
05/31/2019	8	SUMMONS RETURNED Executed. Benjamin Watts served on 5/28/2019, answer due 6/18/2019. (Diaz, James) Text clarified on 5/31/2019 (law). (Entered: 05/31/2019)
05/31/2019	9	CERTIFICATE OF SERVICE by Joseph Bruyette, Richard West re: <i>Declaration of James Diaz and attached exhibits to</i> 1 Complaint upon Office of the Vermont Attorney General.(Diaz, James) (Entered: 05/31/2019)
05/31/2019	10	CERTIFICATE OF SERVICE by Joseph Bruyette, Richard West re: <i>Declaration of James Diaz and attached exhibits to</i> 1

		Complaint upon Centurion of Vermont, LLC.(Diaz, James) (Entered: 05/31/2019)
05/31/2019	<u>11</u>	CERTIFICATE OF SERVICE by Joseph Bruyette, Richard West re <u>2</u> MOTION to Certify Class upon Office of the Vermont Attorney General.(Diaz, James) (Entered: 05/31/2019)
05/31/2019	<u>12</u>	CERTIFICATE OF SERVICE by Joseph Bruyette, Richard West re <u>2</u> MOTION to Certify Class upon Centurion of Vermont, LLC.(Diaz, James) (Entered: 05/31/2019)
06/04/2019	<u>13</u>	SUMMONS RETURNED Executed. Centurion of Vermont, LLC served on 5/30/2019, answer due 6/20/2019. (Diaz, James) (Entered: 06/04/2019)
06/10/2019	<u>14</u>	MOTION for Extension of Time to File Answer filed by Al Gobeille, Martha Maksym, Michael Touchette, Benjamin Watts.(Bianchi, Jared) (Entered: 06/10/2019)
06/11/2019	<u>15</u>	RESPONSE in Opposition re <u>14</u> MOTION for Extension of Time to File Answer filed by Joseph Bruyette, Richard West. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Certificate of Service)(Valente, James) (Entered: 06/11/2019)
06/13/2019	<u>16</u>	REPLY to Response to <u>14</u> MOTION for Extension of Time to File Answer filed by Al Gobeille, Martha Maksym, Michael Touchette, Benjamin Watts. (Attachments: # <u>1</u> Certificate of Service)(Bianchi, Jared) (Entered: 06/13/2019)
06/13/2019	<u>17</u>	MOTION for Appearance Pro Hac Vice of Kevin Costello filed by Joseph Bruyette, Richard West. (Attachments: # <u>1</u> Affidavit of Kevin Costello, # <u>2</u> Certificate of Good Standing), # <u>3</u> Certificates of Service) (law). (Entered: 06/13/2019)
06/17/2019	<u>18</u>	ORDER granting <u>17</u> Motion for Admission Pro Hac Vice of Kevin Costello. Signed by Judge William K. Sessions III on 6/17/2019. (This is a text-only Order.) (eae) (Entered: 06/17/2019)
06/17/2019	<u>19</u>	NOTICE OF APPEARANCE by Stephen J. Soule, Esq on behalf of Centurion of Vermont, LLC.(Soule, Stephen) (Entered: 06/17/2019)
06/17/2019	<u>20</u>	NOTICE OF APPEARANCE by Pamela L.P. Eaton, Esq on behalf of Centurion of Vermont, LLC.(Eaton, Pamela) (Entered: 06/17/2019)

06/17/2019	21	MOTION for Extension of Time to File Answer re 1 Complaint filed by Centurion of Vermont, LLC.(Eaton, Pamela) (Entered: 06/17/2019)
06/17/2019	22	ORDER granting 14 Motion for Extension of Time; 21 Motion for Extension of Time. Signed by Judge William K. Sessions III on 6/17/2019. (This is a text-only Order.) (eae) (Entered: 06/17/2019)
06/20/2019	23	CERTIFICATE OF SERVICE re: 24 & 25 Motions for Appearance Pro Hac Vice of Molly M. Walker by Centurion of Vermont, LLC.(Eaton, Pamela) Text clarified on 6/20/2019 (law). (Entered: 06/20/2019)
06/20/2019	24	MOTION for Appearance Pro Hac Vice of Michael J. Bentley filed by Centurion of Vermont, LLC. (Attachments: # 1 Affidavit of Michael J. Bentley, # 2 Certificate of Good Standing, # 3 Exhibit A)(jlh) (Entered: 06/27/2019)
06/20/2019	25	MOTION for Appearance Pro Hac Vice of Molly M. Walker filed by Centurion of Vermont, LLC. (Attachments: # 1 Affidavit of Molly M. Walker, # 2 Certificate of Good Standing, # 3 Exhibit A)(jlh) (Entered: 06/27/2019)
06/27/2019	26	ORDER granting 24 Motion for Admission of Michael J. Bentley Pro Hac Vice; granting 25 Motion for Admission of Molly M. Walker Pro Hac Vice. Signed by Judge William K. Sessions III on 6/27/2019. (This is a text-only Order.) (eae) (Entered: 06/27/2019)
07/09/2019	27	UNOPPOSED MOTION to Stay Deadline for Submission of Discovery Schedule filed by Joseph Bruyette, Richard West.(Diaz, James) (Entered: 07/09/2019)
07/10/2019	28	ORDER granting 27 Unopposed Motion to Stay Deadline for Submission of Discovery Schedule. Signed by Judge William K. Sessions III on 7/10/2019. (This is a text-only Order.) (eae) (Entered: 07/10/2019)
07/17/2019	29	UNOPPOSED MOTION for Extension of Time to File <i>Discovery Schedule</i> filed by Joseph Bruyette, Richard West.(Costello, Kevin) (Entered: 07/17/2019)
07/18/2019	30	ORDER granting 29 Unopposed Motion to Extend Deadline for Submission of a Discovery Schedule. Signed by Judge William K. Sessions III on 7/18/2019. (This is a text-only Order.) (eae) (Entered: 07/18/2019)

07/22/2019	<u>31</u>	RESPONSE in Opposition re <u>2</u> MOTION to Certify Class filed by Centurion of Vermont, LLC. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D (<i>filed under seal</i>), # <u>6</u> Declaration of E (<i>filed under seal</i>))(Eaton, Pamela) (Attachment 4 replaced on 7/22/2019) (law). (Additional attachment(s) added on 7/22/2019: # <u>7</u> Exhibit 1, # <u>8</u> Exhibit 2) (law). (Attachment 6 replaced on 7/26/2019) (jlh). (Attachment 5 replaced on 7/26/2019) (jlh). (Entered: 07/22/2019)
07/22/2019	<u>32</u>	STIPULATED MOTION for Leave to Exceed Page Limit re <u>31</u> Response in Opposition to <u>2</u> MOTION to Certify Class filed by Centurion of Vermont, LLC.(Eaton, Pamela) Link added on 7/22/2019 (law). (Entered: 07/22/2019)
07/22/2019	<u>33</u>	MOTION to File Under Seal Exhibits D and E to <u>31</u> Response in Opposition to Motion filed by Centurion of Vermont, LLC.(Eaton, Pamela) (Entered: 07/22/2019)
07/22/2019	<u>34</u>	MOTION to Dismiss Case for Lack of Jurisdiction filed by Al Gobeille, Martha Maksym, Michael Touchette, Benjamin Watts, Centurion of Vermont, LLC. (Attachments: # <u>1</u> Affidavit of Cullen Bullard, # <u>2</u> Affidavit of Al Gobeille, # <u>3</u> Declaration of Steven Fisher, # <u>4</u> Exhibit A, # <u>5</u> Certificate of Service)(Bianchi, Jared) (Attachment 3 replaced, Additional attachment(s) added on 7/22/2019: # <u>6</u> Exhibit 1, # <u>7</u> Exhibit 2) (law). Filer added on 7/31/2019 (law). (Entered: 07/22/2019)
07/22/2019	<u>35</u>	MOTION to Stay Discovery filed by Al Gobeille, Martha Maksym, Michael Touchette, Benjamin Watts. (Attachments: # <u>1</u> Certificate of Service)(Bianchi, Jared) (Entered: 07/22/2019)
07/22/2019	<u>36</u>	MOTION to Strike Certain Material from <u>1</u> Class Action Complaint filed by Al Gobeille, Martha Maksym, Michael Touchette, Benjamin Watts. (Attachments: # <u>1</u> Certificate of Service)(Bianchi, Jared) Link added on 7/22/2019 (law). (Entered: 07/22/2019)
07/22/2019	<u>37</u>	NOTICE OF DOCKET ENTRY CORRECTION re: <u>31</u> Response in Opposition to Motion filed by Centurion of Vermont, LLC. Exhibit C was combined with its exhibits into one document. They have been broken apart and are now separately attached to Document <u>31</u> and this entry. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (law) (Entered: 07/22/2019)
07/22/2019	<u>38</u>	NOTICE OF DOCKET ENTRY CORRECTION re: <u>34</u> MOTION to Dismiss Case for Lack of Jurisdiction filed by Al Gobeille,

		Martha Maksym, Benjamin Watts, Michael Touchette. The Declaration of Steven Fisher was combined with its exhibits into one document. They have been broken apart and are now separately attached to Document 34 and this entry. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2) (law) (Entered: 07/22/2019)
07/26/2019	39	RESPONSE in Opposition re 35 MOTION to Stay Discovery filed by Joseph Bruyette, Richard West. (Attachments: # 1 Declaration of James Diaz, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Exhibit 12, # 14 Exhibit 13, # 15 Exhibit 14 # 16 Exhibit 15)(Diaz, James) (Entered: 07/26/2019)
07/26/2019	40	CONSENTED-TO MOTION for Extension of Time to File Response/Reply re: 2 MOTION to Certify Class, 36 MOTION to Strike Certain Material from 1 Class Action Complaint filed by Joseph Bruyette, Richard West.(Diaz, James) Event/text clarified, links added on 7/26/2019 (law). (Entered: 07/26/2019)
07/26/2019	41	NOTICE OF DOCKET ENTRY UPDATE re: 31 Response in Opposition to 2 MOTION to Certify Class filed by Richard West, Joseph Bruyette. Exhibits D and E having been received are now attached to 31 under seal. (jlh) (Entered: 07/26/2019)
07/30/2019	42	ORDER granting 40 CONSENTED-TO MOTION for Extension of Time to File Response/Reply re: 2 MOTION to Certify Class, 36 MOTION to Strike Certain Material from 1 Class Action Complaint. Signed by Judge William K. Sessions III on 7/30/2019. (This is a text-only Order.) (eae) (Entered: 07/30/2019)
08/01/2019	43	REPLY to Response to 35 MOTION to Stay Discovery filed by Al Gobeille, Martha Maksym, Michael Touchette, Benjamin Watts. (Attachments: # 1 Certificate of Service)(Bianchi, Jared) (Entered: 08/01/2019)
08/12/2019	44	ORDER granting as unopposed 32 Stipulated Motion to Exceed Page Limit re 31 Response in Opposition to 2 Motion to Certify Class ; granting 33 Motion to Seal Exhibits D and E to 31 Response in Opposition to Motion. Signed by Judge William K. Sessions III on 8/12/2019. (This is a text-only Order.) (eae) (Entered: 08/12/2019)

08/21/2019	45	RESPONSE in Opposition re 34 MOTION to Dismiss Case for Lack of Jurisdiction filed by Joseph Bruyette, Richard West. (Costello, Kevin) (Entered: 08/21/2019)
08/21/2019	46	AFFIDAVIT in Opposition of <i>Richard West</i> re 34 MOTION to Dismiss Case for Lack of Jurisdiction filed by Joseph Bruyette, Richard West. (Costello, Kevin) (Entered: 08/21/2019)
08/21/2019	47	DECLARATION of Kevin Costello re 2 MOTION to Certify Class filed by Joseph Bruyette, Richard West. (Attachments: # 1 Exhibit 1 (<i>filed under seal</i>), # 2 Exhibit 2 (<i>filed under seal</i>), # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8)(Costello, Kevin) (Attachments 1 and 2 replaced on 8/23/2019) (jlh). (Entered: 08/21/2019)
08/21/2019	48	REPLY to Response to 2 MOTION to Certify Class filed by Joseph Bruyette, Richard West. (Costello, Kevin) (Entered: 08/21/2019)
08/21/2019	49	RESPONSE in Opposition re 36 MOTION to Strike Certain Material from 1 Class Action Complaint filed by Joseph Bruyette, Richard West. (Costello, Kevin) (Entered: 08/21/2019)
08/21/2019	50	MOTION to File Under Seal 47 Affidavit in Support of Motion, <i>Exhibits 1 & 2</i> filed by Joseph Bruyette, Richard West.(Costello, Kevin) (Entered: 08/21/2019)
08/23/2019	51	NOTICE OF DOCKET ENTRY CORRECTION re: 47 Declaration of Kevin Costello in Support of 2 MOTION to Certify Class filed by Richard West, Joseph Bruyette. Exhibits 1 and 2 having been received have been attached to the docket under seal. (jlh) (Entered: 08/23/2019)
09/04/2019	52	REPLY to Response to 34 MOTION to Dismiss Case for Lack of Jurisdiction filed by Al Gobeille, Martha Maksym, Michael Touchette, Benjamin Watts. (Attachments: # 1 Exhibit F, # 2 Exhibit G, # 3 Certificate of Service)(Bianchi, Jared) (Entered: 09/04/2019)
09/04/2019	53	REPLY to Response to 36 MOTION to Strike Certain Material from 1 Class Action Complaint filed by Al Gobeille, Martha Maksym, Michael Touchette, Benjamin Watts. (Attachments: # 1 Certificate of Service)(Bianchi, Jared) (Entered: 09/04/2019)

11/15/2019	54	MOTION to Dismiss <i>Ben Watts as Defendant</i> filed by Al Gobeille, Martha Maksym, Michael Touchette, Benjamin Watts. (Attachments: # 1 Affidavit of Valerie Nickel, # 2 Certificate of Service)(Bianchi, Jared) (Entered: 11/15/2019)
12/13/2019	55	RESPONSE to 54 MOTION to Dismiss <i>Ben Watts as Defendant</i> filed by Joseph Bruyette, Richard West. (Attachments: # 1 Declaration of Kevin Costello, # 2 Exhibit 1, # 3 Exhibit 2)(Costello, Kevin) (Entered: 12/13/2019)
03/30/2020	56	OPINION AND ORDER denying 34 Motion to Dismiss for Lack of Jurisdiction; granting 2 Motion to Certify Class. Count II of the Complaint is dismissed without prejudice. Signed by Judge William K. Sessions III on 3/30/2020. (jam) Text clarified on 3/30/2020 (jam). (Entered: 03/30/2020)
03/31/2020	57	ORDER denying 36 Motion to Strike Certain Material from 1 Class Action Complaint without prejudice to re-filing after discovery. Signed by Judge William K. Sessions III on 3/31/2020. (jam) (Entered: 03/31/2020)
03/31/2020	58	ORDER denying as moot 35 Motion to Stay. Signed by Judge William K. Sessions III on 3/31/2020. (This is a text-only Order.) (eae) (Entered: 03/31/2020)
03/31/2020	59	ORDER granting as unopposed 50 Motion to Seal; granting 54 Motion to Dismiss. Signed by Judge William K. Sessions III on 3/31/2020. (This is a text-only Order.) (eae) (Entered: 03/31/2020)
04/10/2020	60	PROPOSED Discovery Schedule Order filed by Richard West, Joseph Bruyette. (Costello, Kevin) Text clarified on 4/10/2020 (law). (Entered: 04/10/2020)
04/10/2020	61	JOINT MOTION to Stay all proceedings <i>pending appeal of class action certification</i> filed by Centurion of Vermont, LLC. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6)(Soule, Stephen) (Entered: 04/10/2020)
04/13/2020	62	SUPPLEMENTAL DOCUMENT(S) re: 61 JOINT MOTION to Stay all proceedings by Centurion of Vermont, LLC. (Attachments: # 1 Exhibit 1)(Soule, Stephen) (Entered: 04/13/2020)

04/23/2020	63	RESPONSE in Opposition re 61 JOINT MOTION to Stay all proceedings filed by Joseph Bruyette, Richard West. (Attachments: # 1 Declaration of Kevin Costello)(Ernst, Lia) (Additional attachment(s) added on 4/23/2020: # 2 Declaration of J.A. (<i>document is sealed</i>)) (law). (Entered: 04/23/2020)
04/23/2020	64	MOTION to File Under Seal <i>Declaration of J.A.</i> re: 63 Response in Opposition to Motion filed by Joseph Bruyette, Richard West.(Ernst, Lia) (Entered: 04/23/2020)
04/23/2020	65	NOTICE OF DOCKET ENTRY UPDATE re: 63 Response in Opposition to Motion filed by Richard West, Joseph Bruyette. The Declaration of J.A. having been received, is now attached to 63 under seal. (law) (Entered: 04/23/2020)
04/23/2020	66	SUPPLEMENTAL DOCUMENT(S) re: 63 Response in Opposition to 61 JOINT MOTION to Stay all proceedings by Joseph Bruyette, Richard West. (Attachments: # 1 Exhibit 1)(Diaz, James) (Attachment 1 replaced on 4/23/2020) (law). (Entered: 04/23/2020)
04/23/2020	67	NOTICE OF DOCKET ENTRY CORRECTION re: 66 Supplemental Document filed by Richard West, Joseph Bruyette. Exhibit 1 has been replaced to remove the illegible duplicate pdf header. The corrected document are now attached to 66 and this entry. (law) (Entered: 04/23/2020)
05/07/2020	68	JOINT REPLY to Response to 61 JOINT MOTION to Stay all proceedings filed by Centurion of Vermont, LLC, Al Gobeille, Martha Maksym, Michael Touchette. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Declaration of Steven Fisher, M.D.) (<i>filed under seal</i>) (law) (Entered: 05/08/2020)
05/07/2020	69	MOTION to File Under Seal 68 Joint Reply to Response to Motion filed by Centurion of Vermont, LLC, Al Gobeille, Martha Maksym, Michael Touchette. (<i>Document is sealed</i>)(law) (Entered: 05/08/2020)
05/22/2020	70	OPINION AND ORDER denying 61 Motion to Stay all proceedings <i>pending appeal of class action certification</i> ; granting 64 Motion to File Under Seal <i>Declaration of J.A.</i> re: 63

		Response in Opposition; granting 69 Motion to File Under Seal 68 Joint Reply to Response to Motion. Defts' answer or other responsive pleading and stipulated discovery schedule/order is due within 30 days. If the parties are unable to agree on a schedule, they shall submit proposals with supporting memoranda within the same 30-day period. Signed by Judge William K. Sessions III on 5/22/2020. (law) (Entered: 05/22/2020)
06/22/2020	71	ANSWER to Complaint by Martha Maksym, Michael Smith, James Baker. (Attachments: # 1 Certificate of Service)(Bianchi, Jared) Filers clarified on 6/22/2020 (law). (Entered: 06/22/2020)
06/22/2020	72	ANSWER to Complaint by Centurion of Vermont, LLC.(Eaton, Pamela) (Entered: 06/22/2020)
06/22/2020	73	JOINT PROPOSED Scheduling Order and Memorandum in Support by James Baker, Centurion of Vermont, LLC, Michael Smith. (Attachments: # 1 Exhibit 1)(Eaton, Pamela) (Entered: 06/22/2020)
06/22/2020	74	MEMORANDUM in Support of Proposed Discovery Schedule/Order by Joseph Bruyette, Richard West. (Attachments: # 1 Declaration of Kevin Costello, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5)(Costello, Kevin) Text clarified on 6/23/2020 (law). (Entered: 06/22/2020)
06/26/2020	75	SUPPLEMENTAL JOINT MEMORANDUM in Support re: 73 Proposed Stipulated Discovery Schedule/Order filed by James Baker, Centurion of Vermont, LLC, Michael Smith. (Attachments: # 1 Exhibit 1)(Soule, Stephen) (Entered: 06/26/2020)
07/01/2020	76	UNOPPOSED MOTION to Dismiss Case for Lack of Jurisdiction (<i>Claims Against Centurion of Vermont, LLC</i>) filed by Centurion of Vermont, LLC.(Eaton, Pamela) (Entered: 07/01/2020)
07/21/2020	77	MANDATE of USCA Case No 20-1203 as to 70 Opinion and Order. It is hereby ORDERED that the Rule 23(f) petition is DENIED because an immediate appeal is not warranted. Further ORDERED that the motion for stay is DENIED as moot. (gmg) (Entered: 07/21/2020)
08/22/2020	78	DISCOVERY CERTIFICATE - Initial Disclosures by James Baker, Michael Smith.(Bianchi, Jared) (Entered: 08/22/2020)

08/24/2020	79	ORDER granting 76 Unopposed Motion to Dismiss for Lack of Jurisdiction. Signed by Judge William K. Sessions III on 8/24/2020. (This is a text-only Order.) (eae) (Entered: 08/24/2020)
08/25/2020	80	MOTION to Withdraw as Attorney filed by Centurion of Vermont, LLC.(Eaton, Pamela) Event/text clarified on 8/25/2020 (law). (Entered: 08/25/2020)
08/25/2020	81	MOTION to Withdraw as Attorney (<i>Michael Bentley</i>) filed by Centurion of Vermont, LLC.(Eaton, Pamela) (Entered: 08/25/2020)
08/25/2020	82	MOTION to Withdraw as Attorney (<i>Molly M. Walker</i>) filed by Centurion of Vermont, LLC.(Eaton, Pamela) (Entered: 08/25/2020)
08/25/2020	83	MOTION to Withdraw as Attorney filed by Centurion of Vermont, LLC.(Soule, Stephen) (Entered: 08/25/2020)
08/31/2020	84	NOTICE OF APPEARANCE by Pamela L.P. Eaton, Esq on behalf of James Baker, Michael Smith.(Eaton, Pamela) (Entered: 08/31/2020)
08/31/2020	85	NOTICE OF APPEARANCE by Stephen J. Soule, Esq on behalf of James Baker, Michael Smith.(Soule, Stephen) (Entered: 08/31/2020)
08/31/2020	86	DISCOVERY CERTIFICATE - Interrogatories and Request to Produce <i>to West and Bruyette</i> by James Baker, Michael Smith.(Bianchi, Jared) (Entered: 08/31/2020)
08/31/2020	87	MOTION to Substitute Party filed by Joseph Bruyette, Richard West.(Costello, Kevin) (Entered: 08/31/2020)
08/31/2020	88	MOTION for Hearing <i>as to Scheduling Order</i> filed by Joseph Bruyette, Richard West.(Costello, Kevin) (Entered: 08/31/2020)
09/16/2020	89	ORDER granting 80 Motion to Withdraw as Attorney; granting 81 Motion to Withdraw as Attorney (Michael Bentley); granting 82 Motion to Withdraw as Attorney (Molly M. Walker); granting 83 Motion to Withdraw as Attorney. Signed by Judge William K. Sessions III on 9/16/2020. (This is a text-only Order.) (eae) (Entered: 09/16/2020)

10/13/2020	<u>90</u>	DISCOVERY CERTIFICATE - Interrogatories and Request to Produce by Joseph Bruyette, Richard West.(Valente, James) (Entered: 10/13/2020)
10/13/2020	<u>91</u>	NOTICE of Hearing: Telephone Conference (regarding scheduling order) set for 10/19/2020 at 11:00 AM before Judge William K. Sessions III.(law) (Entered: 10/13/2020)
10/19/2020	92	ORDER granting as unopposed <u>87</u> Motion to Substitute Party. ; granting <u>88</u> Motion for Hearing. Signed by Judge William K. Sessions III on 10/19/2020. (This is a text-only Order.) (eae) (Entered: 10/19/2020)
10/19/2020	93	MINUTE ENTRY for proceedings held before Judge William K. Sessions III: Telephone Conference re: Scheduling Order held on 10/19/2020. Attys James Diaz, Kevin Costello & Lia Ernest present for pltfs; Attys Jared Bianchi, Robert LaRose, Pamela Eaton & Stephen Soule present for dfts. Court makes inquiries. Statements by counsel. Court makes findings; discovery shall go back to 2017; extending the number of depositions to more than 10 is premature without a showing that they are needed; the definition of "confidential" is not necessary, both sides have a right to bring any issues re: confidentiality before the Court to address; all fact discovery does not need to be done prior to expert disclosures. Current proposed deadlines reviewed and amended. All Discovery to be complete by 5/30/2021. Motions due by 6/30/2021. Ready for Trial by 8/1/2021. Written scheduling order to follow. (Court Reporter: JoAnn Carson, Capitol Court Reporting, Inc.) (jam) (Entered: 10/19/2020)
10/19/2020	<u>94</u>	DISCOVERY SCHEDULE/ORDER. Discovery due by 5/30/2021. Motions due by 6/30/2021. Ready for Trial by 8/1/2021. Signed by Judge William K. Sessions III on 10/19/2020. (law) (Entered: 10/19/2020)
10/19/2020	<u>95</u>	STIPULATED PROTECTIVE ORDER. Signed by Judge William K. Sessions III on 10/19/2020. (law) (Entered: 10/19/2020)
11/10/2020	<u>96</u>	AMENDED CLASS ACTION COMPLAINT against James Baker, Michael Smith, VitalCore Health Strategies, LLC, Jane Doe, John Doe filed by Richard West, Joseph Bruyette. (Attachments: # <u>1</u> Amended Class Action Complaint (red-lined))(law) (Entered: 11/10/2020)
11/11/2020	<u>97</u>	WAIVER OF SERVICE Returned Executed: VitalCore Health Strategies, LLC waiver sent on 11/11/2020, answer due 1/11/2021.(Costello, Kevin) (Entered: 11/11/2020)

12/03/2020	<u>98</u>	DISCOVERY CERTIFICATE re: Responses to Plaintiffs' First Interrogatories and Requests to Produce by James Baker, Michael Smith. (Attachments: # <u>1</u> Certificate of Service)(Bianchi, Jared) (Entered: 12/03/2020)
12/14/2020	<u>99</u>	NOTICE OF APPEARANCE by Pamela L.P. Eaton, Esq on behalf of VitalCore Health Strategies, LLC.(Eaton, Pamela) (Entered: 12/14/2020)
12/14/2020	<u>100</u>	NOTICE OF APPEARANCE by Stephen J. Soule, Esq on behalf of VitalCore Health Strategies, LLC.(Soule, Stephen) (Entered: 12/14/2020)
12/15/2020	<u>101</u>	DISCOVERY CERTIFICATE - Initial Disclosures by VitalCore Health Strategies, LLC.(Eaton, Pamela) (Entered: 12/15/2020)
12/18/2020	<u>102</u>	DISCOVERY CERTIFICATE - initial Responses and Written Objections to Plaintiff's First Discovery Requests by VitalCore Health Strategies, LLC.(Eaton, Pamela) (Entered: 12/18/2020)
01/11/2021	<u>103</u>	ANSWER to <u>96</u> Amended Complaint by VitalCore Health Strategies, LLC.(Eaton, Pamela) (Entered: 01/11/2021)
01/25/2021	<u>104</u>	DISCOVERY CERTIFICATE - Notice of Deposition of <i>Richard West</i> by VitalCore Health Strategies, LLC.(Eaton, Pamela) (Entered: 01/25/2021)
01/29/2021	<u>105</u>	JOINT MOTION to Stay All Proceedings <i>Pending Settlement Discussions</i> filed by Joseph Bruyette, Richard West. (Attachments: # <u>1</u> Proposed Order)(Costello, Kevin) (Entered: 01/29/2021)
02/01/2021	<u>106</u>	ORDER granting <u>105</u> Motion to Stay Proceedings. This case is stayed for 60 days pending settlement discussions; by 3/29/2021 parties shall file a mtn for preliminary approval of a class settlement or status report. Signed by Judge William K. Sessions III on 2/1/2021. (law) (Entered: 02/01/2021)
03/30/2021	<u>107</u>	JOINT MOTION for Extension of Time <i>to Stay Case Pending Settlement Discussions</i> filed by Joseph Bruyette, Richard West. (Attachments: # <u>1</u> Proposed Order)(Costello, Kevin) Event/text clarified on 3/30/2021 (law). (Entered: 03/30/2021)
03/31/2021	<u>108</u>	ORDER STAYING PROCEEDINGS granting <u>107</u> Joint Motion for Extension of Time <i>to Stay Case Pending Settlement Discussions</i> . A motion for preliminary approval of a class

		settlement or a status report due by 4/14/2021. Signed by Judge William K. Sessions III on 3/31/2021. (law) (Entered: 03/31/2021)
04/14/2021	109	JOINT MOTION to Continue Stay Pending Settlement Discussions filed by Joseph Bruyette, Richard West. (Attachments: # 1 Proposed Order)(Ernst, Lia) Event clarified on 4/14/2021 (law). (Entered: 04/14/2021)
04/14/2021	110	ORDER Staying Proceedings granting 109 JOINT MOTION to Continue Stay Pending Settlement Discussions. Parties are to file either a motion for preliminary approval of a class settlement or a status report by 5/14/2021. Signed by Judge William K. Sessions III on 4/14/2021. (law) (Entered: 04/14/2021)
04/19/2021	111	MOTION to Withdraw as Attorney filed by James Baker, John Doe, Martha Maksym, Michael Smith, Michael Touchette, Benjamin Watts.(LaRose, Robert) (Entered: 04/19/2021)
04/20/2021	112	ORDER granting 111 MOTION to Withdraw as Attorney. Signed by Judge William K. Sessions III on 4/20/2021. (This is a text-only Order.) (eae) (Entered: 04/20/2021)
05/14/2021	113	STATUS REPORT (<i>Joint</i>) by VitalCore Health Strategies, LLC. (Attachments: # 1 Proposed Order)(Eaton, Pamela) (Entered: 05/14/2021)
06/11/2021	114	JOINT MOTION for Preliminary Approval of Class Settlement and Approval of Class Notice filed by Joseph Bruyette, Richard West. (Attachments: # 1 Memorandum in Support, # 2 Declaration of Kevin Costello, # 3 Exhibit 1, # 4 Exhibit 2, # 5 Exhibit 3)(Costello, Kevin) (Entered: 06/11/2021)
06/16/2021	115	ORDER re: 114 JOINT MOTION for Preliminary Approval of Class Settlement and Approval of Class Notice. Motion Hearing set for 7/12/2021 at 01:30 PM. Signed by Judge William K. Sessions III on 6/16/2021. (law) (Entered: 06/17/2021)
06/16/2021	116	NOTICE of Hearing re: 114 JOINT MOTION for Preliminary Approval of Class Settlement and Approval of Class Notice . Motion Hearing set for 7/12/2021 at 01:30 PM in Burlington Courtroom 110 before Judge William K. Sessions III.(law) (Entered: 06/17/2021)
07/12/2021	117	MINUTE ENTRY for proceedings held before Judge William K. Sessions III: Motion Hearing held on 7/12/2021 re 114 JOINT MOTION for Preliminary Approval of Class Settlement and Approval of Class Notice filed by Richard West, Joseph Bruyette.

		James Diaz, Esq. and Lia Ernst, Esq. present for plaintiffs. Jared Bianchi, Esq. and Pamela Eaton, Esq. present for defts. Court has reviewed settlement agreement. Statements by counsel. ORDERED: court approves notice, plaintiff to submit a proposed Order to include objections to proposed settlement due within 60 days and Fairness Hearing date of 10/25/2021 at 1:30 pm. (Court Reporter: JoAnn Q. Carson, Capital Court Reporters, Inc.) (law) (Entered: 07/12/2021)
07/14/2021	118	PROPOSED Order re 114 JOINT MOTION for Preliminary Approval of Class Settlement and Approval of Class Notice by Joseph Bruyette, Richard West (Diaz, James) (Entered: 07/14/2021)
07/15/2021	119	ORDER granting 114 Joint Motion for Preliminary Approval of Class Settlement and Approval of Class Notice. A Fairness Hearing is scheduled for 10/25/2021, 1:30 pm; written comments/objections to the court by a class member due by 9/10/2021; written notice of intent to appear by a class member must be submitted to the court by 9/10/2021. Signed by Judge William K. Sessions III on 7/15/2021. (law) (Entered: 07/15/2021)
07/15/2021	120	NOTICE of Hearing: Fairness Hearing set for 10/25/2021 at 01:30 PM in Burlington Courtroom 110 before Judge William K. Sessions III.(law) Time of hearing clarified on 7/15/2021 (law). (Entered: 07/15/2021)
08/13/2021	121	NOTICE OF APPEARANCE by Robert C. Menzel, Jr., Esq on behalf of James Baker, Martha Maksym, Michael Smith.(Menzel, Jr., Robert) (Entered: 08/13/2021)
08/23/2021	122	NOTICE of Inclusion by Brandin Durkee. (law) (Entered: 09/10/2021)
08/23/2021	123	NOTICE of Inclusion by Levi Jacob Davis. (law) (Entered: 09/10/2021)
08/24/2021	124	NOTICE of Inclusion by Tyler Branon. (Attachments: # 1 Attachment 1, # 2 Attachment 2, # 3 Attachment 3)(law) (Entered: 09/10/2021)

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