

CLOSED

U.S. District Court
Northern District of New York – Main Office (Syracuse) [LIVE – Version 6.1]
(Binghamton)
CIVIL DOCKET FOR CASE #: 3:93-cv-00349-TJM-DRH

Brown, et al v. Oneonta, NY, et al
Assigned to: Senior Judge Thomas J. McAvoy
Referred to: Magistrate Judge David R. Homer
Demand: \$0
Case in other court: 94-07191

94-07191

94-07191,94-07233,94-07287

98-09375

Cause: 42:1981 Civil Rights

Plaintiff

Ricky Brown

*on behalf of himself and all other persons
similarly situated*

Date Filed: 03/16/1993
Date Terminated: 02/14/2003
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

represented by **D. Scott Bassinson**
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Plaintiff

represented by

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Plaintiff

Sheryl Champen

*on behalf of herself and all other persons
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Plaintiff

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Plaintiff

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Plaintiff

Raishawn Morris

*on behalf of himself and all other persons
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Plaintiff

Major Barnett

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Plaintiff

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Kevin Allen
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Darryl Taylor
*on behalf of themselves and all other
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Robert Walker
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Ronald Sanchez
on behalf of themselves and all other
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John Butler
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Michael Christian
on behalf of themselves and all other
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on behalf of themselves and all other
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Jermaine Adams
*on behalf of themselves and all other
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*on behalf of themselves and all other
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Plaintiff

Daniel Sontag

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Defendant

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Defendant

**Police Department of the City of
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Defendant

John J. Donadio
*Chief of Police of the City of Oneonta, in
his individual and official capacities*

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Defendant

Joseph Redmond
*Oneonta Police Officer, in his individual
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TERMINATED: 02/08/2001

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TERMINATED: 02/08/2001
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Defendant

William M. Davis
*Oneonta Police Officer, in his individual
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Defendant

X. Olsen
*Oneonta Police Officer, in his individual
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Defendant

**Anonymous Officers and Investigators
of the Police Department of the City of
Oneonta**
in their individual and official capacities

represented by **Daniel J. Stewart**
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Defendant

State of New York

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Defendant

State University of New York

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Defendant

**State University of New York, College
at Oneonta ("SUCO")**

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Defendant

New York State Division of State Police

represented by **Robert A. Siegfried**
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Defendant

H. Karl Chandler

*New York State Police Investigator, in his
individual and official capacities*

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Defendant

Robert Farrand

*New York State Police Troop C
Commander, in his individual and official
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(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

George Clum

*New York State Police Investigator, in his
individual and official capacities*

represented by **Robert A. Siegfried**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Kevin More

*New York State Police Investigator, in his
individual and official capacities*

represented by **Robert A. Siegfried**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

John Way

*New York State Police Investigator, in his
official capacities*

represented by **Robert A. Siegfried**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Mark Kimball

*New York State Trooper, in his individual
and official capacities*

represented by **Robert A. Siegfried**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Kenneth Grant

*New York State Trooper, in his individual
and official capacities*

represented by **Robert A. Siegfried**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

New York State Trooper Farrago

in his individual and official capacities

represented by **Robert A. Siegfried**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Anonymous State Police Officials and Investigators
in their individual and official capacities

represented by **Robert A. Siegfried**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

SUCO Department of Public Safety

represented by **Robert A. Siegfried**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Merritt Hunt
SUCO Department of Public Safety
Officer, in his individual and official capacities

represented by **Robert A. Siegfried**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Tim Jackson
SUCO Department of Public Safety
Officer, in his individual and official capacities

represented by **Robert A. Siegfried**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

John Edmondson
SUCO Department of Public Safety
Officer, in his individual and official capacities

represented by **Richard W. McVinney**
VanWoert, McVinney Law Firm
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Oneonta, NY 13820
607-432-1922
Fax: 607-432-7517
Email: dick@stny.rr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert A. Siegfried
(See above for address)
TERMINATED: 11/23/1993
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Leif Hartmark
in his individual and official capacities
TERMINATED: 03/17/1997

represented by **Brian J. O'Donnell**
New York State Attorney General –
Albany Office
The Capitol
Albany, NY 12224
518-486-6612
Fax: 518-473-1572
Email: brian.o'donnell@ag.ny.gov
TERMINATED: 03/17/1997
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert A. Siegfried
(See above for address)
TERMINATED: 10/27/1993
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Eric Wilson
in his individual and official capacities

represented by **Robert A. Siegfried**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Carl Shedlock
*Oneonta Police Officer, in his individual
and official capacities*

represented by **Daniel J. Stewart**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James B. Tuttle
(See above for address)
TERMINATED: 02/28/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jill A. Dunn
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Anonymous Public Safety Officers
in their individual and official capacities

represented by **Robert A. Siegfried**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Anonymous SUCO Computer
Employees**
in their individual and official capacities

represented by **Robert A. Siegfried**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Sean Ralph
Otsego County Sheriff's Deputy

represented by **James E. Konstanty**
Konstanty Law Office
252 Main Street
Oneonta, NY 13820
607-432-2245
Fax: 607-432-4337
Email: jek@konstantylaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Chris Lehenbauer
Otsego County Sheriff's Deputy

represented by **James E. Konstanty**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Anonymous Otsego Cty
*Anonymous Otsego County Sheriff's
Deputies, Investigators and/or Officers*

Date Filed	#	Docket Text
03/16/1993	1	COMPLAINT filed; FILING FEE \$120 RECEIPT #13680 ; Service deadline 5/17/93 for SUCO Computer Empl., for Brian Wilson, for Leif Hartmark, for

		Anon. Public Safety, for John Edmondson, for Tim Jackson, for Merritt Hunt, for SUCO Public Safety, for Anonymous NYS Police, for Farrago, for Kenneth Grant, for Mark Kimball, for John Way, for Kevin More, for George Clum, for Robert Farrand, for H. Karl Chandler, for NYS Police, for SUNY at Oneonta, for State University, for State of New York, for Anonymous Officers, for X. Olsen, for William David, for Joseph Redmond, for Carl Shedlock, for John J. Donadio, for Oneonta Police Dept., for Oneonta, NY (fce) (Entered: 03/16/1993)
03/16/1993		SUMMONS(ES) issued for Oneonta, NY, Oneonta Police Dept., John J. Donadio, Carl Shedlock, Joseph Redmond, William David, X. Olsen, Anonymous Officers, State of New York, State University, SUNY at Oneonta, NYS Police, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, Farrago, Anonymous NYS Police, SUCO Public Safety, Merritt Hunt, Tim Jackson, John Edmondson, Anon. Public Safety, Leif Hartmark, Brian Wilson, SUCO Computer Empl. (fce) (Entered: 03/16/1993)
03/16/1993		CASE REFERRED to Magistrate Judge David N. Hurd (fce) (Entered: 03/16/1993)
03/16/1993		Filing Order Issued; Conference set before Magistrate Judge David N. Hurd in Albany, Status Conference at 11:45 9/1/93, Deadline for filing Case Management Plan, 8/18/93 (fce) (Entered: 03/16/1993)
03/31/1993	2	SUMMONS Returned Executed as to Oneonta, NY, Oneonta Police Dept., John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, State of New York, SUNY, SUNY at Oneonta, NYS Police, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, Farrago, Anon. State Police, SUCO Public Safety, Merritt Hunt, Tim Jackson, John Edmondson, Leif Hartmark, Carl Shedlock on 3/30/93 : Answer due on 4/19/93 for Carl Shedlock, for Brian Wilson, for Leif Hartmark, for John Edmondson, for Tim Jackson, for Merritt Hunt, for SUCO Public Safety, for Anon. State Police, for Farrago, for Kenneth Grant, for Mark Kimball, for John Way, for Kevin More, for George Clum, for Robert Farrand, for H. Karl Chandler, for NYS Police, for SUNY at Oneonta, for SUNY, for State of New York, for Anonymous Officers, for X. Olsen, for William M. Davis, for Joseph Redmond, for John Donadio, for Oneonta Police Dept., for Oneonta, NY (pta) Modified on 06/09/1993 (Entered: 03/31/1993)
04/09/1993	3	REQUEST and ORDER, to Extend Time , reset Answer deadline to 4/30/93 for Anonymous Officers, for X. Olsen, for William M. Davis, for Joseph Redmond, for John J. Donadio, for Oneonta Police Dept., for Oneonta, NY (signed by Magistrate Judge David N. Hurd) (fce) (Entered: 04/09/1993)
04/21/1993	4	Stipulation, SO ORDERED, to Amend [1-1] complaint to change the name of deft Brian Wilson to Eric Wilson, etc. (signed by Magistrate Judge David N. Hurd) (fce) (Entered: 04/22/1993)
04/30/1993	5	AMENDED COMPLAINT by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis , Answer due 5/10/93 for Carl Shedlock, for Eric Wilson, for Leif Hartmark, for John Edmondson, for Tim Jackson, for Merritt Hunt, for SUCO Public Safety, for Anon. State Police, for Farrago, for Kenneth Grant, for Mark Kimball, for John Way, for Kevin More, for George Clum, for Robert Farrand, for H. Karl Chandler, for NYS Police, for SUNY at Oneonta, for SUNY, for State of New York, for Anonymous Officers, for X. Olsen, for William M. Davis, for Joseph Redmond, for John J. Donadio, for Oneonta Police Dept., for Oneonta, NY , Service deadline 6/29/93 for Carl Shedlock, for Eric Wilson, for Leif Hartmark, for John Edmondson, for Tim Jackson, for Merritt Hunt, for SUCO Public Safety, for Anon. State Police, for Farrago, for Kenneth Grant, for Mark Kimball, for John Way, for Kevin More, for George Clum, for Robert Farrand, for H. Karl Chandler, for NYS Police, for SUNY at Oneonta, for SUNY, for State of New York, for Anonymous Officers, for X. Olsen, for William M. Davis, for Joseph Redmond, for John J. Donadio, for Oneonta Police Dept., for Oneonta, NY , amends [1-1] complaint (fce) (Entered: 04/30/1993)

04/30/1993		SUMMONS(ES) issued for Eric Wilson (fce) (Entered: 04/30/1993)
05/03/1993	6	ANSWER to Complaint by Oneonta, NY, Oneonta Police Dept., John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, Carl Shedlock (Attorney James B. Tuttle) (pta) (Entered: 05/03/1993)
05/06/1993	7	ACKNOWLEDGEMENT OF SERVICE as to Oneonta, NY, Oneonta Police Dept., John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, State of New York, SUNY, SUNY at Oneonta, NYS Police, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, Farrago, Anon. State Police, SUCO Public Safety, Merritt Hunt, Tim Jackson, John Edmondson, Leif Hartmark, Eric Wilson, Carl Shedlock on 5/4/93 : Answer due on 5/24/93 for Carl Shedlock, for Eric Wilson, for Leif Hartmark, for John Edmondson, for Tim Jackson, for Merritt Hunt, for SUCO Public Safety, for Anon. State Police, for Farrago, for Kenneth Grant, for Mark Kimball, for John Way, for Kevin More, for George Clum, for Robert Farrand, for H. Karl Chandler, for NYS Police, for SUNY at Oneonta, for SUNY, for State of New York, for Anonymous Officers, for X. Olsen, for William M. Davis, for Joseph Redmond, for John J. Donadio, for Oneonta Police Dept., for Oneonta, NY (fce) (Entered: 05/07/1993)
05/13/1993	8	SUMMONS Returned Executed as to Eric Wilson on 5/5/93 : Answer due on 5/25/93 for Eric Wilson (fce) (Entered: 05/14/1993)
05/14/1993	9	AMENDED ANSWER by Oneonta, NY, Oneonta Police Dept., John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, Carl Shedlock (Attorney James B. Tuttle) to amended complaint (pta) (Entered: 05/14/1993)
06/09/1993	10	COURT NOTICE to Pltf to request Entry of Default as to all Defts; except as to answering Defts of City of Oneonta, Police Dept. of Oneonta, Donadio, Redmond, Davis, Olsen, Anonymous Officers of Police Dept. Oneonta & Shedlock. (pta) Modified on 06/14/1993 (Entered: 06/09/1993)
06/17/1993	11	NOTICE of Extension of time to Answer the Amended Complaint given by Pltfs Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis as to Defts State of NY; SUNY at Oneonta; NYS Police; Chandler; Farrand; Clum; More; Way; Kimball, Grant, Farrago, Anonymous State Police Officer; SUCO Dept Public Safety; SUCO Dept Public Safety Officers Hunt; Jackson; Edmondson; Anonymous Public Safety Officers, Hartmark; Wilson and Anonymous SUCO Computer Employees until 7-05-93 (pta) (Entered: 06/17/1993)
06/17/1993		Deadline updated; reset Answer deadline to 7/5/93 for Anonymous SUCO, for Anonymous Public, for Eric Wilson, for Leif Hartmark, for John Edmondson, for Tim Jackson, for Merritt Hunt, for SUCO Public Safety, for Anon. State Police, for Farrago, for Kenneth Grant, for Mark Kimball, for John Way, for Kevin More, for George Clum, for Robert Farrand, for H. Karl Chandler, for NYS Police, for SUNY at Oneonta (pta) (Entered: 06/17/1993)
06/18/1993	12	NOTICE of attorney appearance for Leif Hartmark by Brian J. O'Donnell, Esq. (fce) (Entered: 06/21/1993)
07/02/1993	13	ANSWER to Complaint by State of New York, SUNY the Division of State Police, SUNY at Oneonta, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimbal, Kenneth Grant, Stephen Farago (Attorney Robert A. Siegfried, AAG) (pta) (Entered: 07/02/1993)
07/02/1993	13	ANSWER to Complaint by Merritt Hunt, Tim Jackson, Eric Wilson (Attorney Robert A. Siegfried) (pta) (Entered: 07/02/1993)
07/19/1993	15	AFFIDAVIT of Service by mail – served an answer on State of New York, SUNY, SUNY at Oneonta, NYS Police, H. Karl Chandler, Robert Farrand, George Clum, More, John Way, Mark Kimball, Kenneth Grant, Farrago, Anon. State Police, SUCO Public Safety, Merritt Hunt, Tim Leif Hartmark, Eric Wilson, Anonymous Public, Anonymous Re: (fce) (Entered: 07/21/1993)

07/19/1993	16	AFFIDAVIT of Service by mail of an answer on Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis, Oneonta, NY, Oneonta Police Dept., John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, Carl Shedlock Re: (fce) (Entered: 07/21/1993)
07/20/1993	14	ANSWER to Complaint by John Edmondson (Attorney Richard W. McVinney), (fce) (Entered: 07/20/1993)
07/30/1993	17	MOTION by Leif Hartmark to Dismiss , Hearing set for 10:00 a.m. 9/13/93 , Response Deadline 8/30/93 , Reply to Response Deadline 9/7/93 Motion returnable before Judge/Mag. Judge: McAvoy (fce) (Entered: 08/02/1993)
07/30/1993	17	Rule 10J Statement in Support of [17-1] motion to Dismiss filed by Leif Hartmark (fce) Modified on 08/02/1993 (Entered: 08/02/1993)
07/30/1993	17	AFFIDAVIT by Brian J. O'Donnell for Leif Hartmark Re: [17-1] motion to Dismiss (fce) Modified on 08/02/1993 (Entered: 08/02/1993)
07/30/1993	17	AFFIDAVIT by Leif Hartmark Re: [17-1] motion to Dismiss (fce) (Entered: 08/02/1993)
07/30/1993	18	MEMORANDUM by Leif Hartmark in support of [17-1] motion to Dismiss (fce) (Entered: 08/02/1993)
08/04/1993	19	STIPULATION (ORDER), to Extend Time for Leif S. Hartmark to answer or file Motion by 7-30-93 (by Pltf Atty Bassinson & Deft Hartmark Atty O'Donnell dd 6-16-93) (pta) (Entered: 08/04/1993)
08/23/1993	20	Proposed Joint Civil Case Management Plan Submitted. (fce) (Entered: 08/24/1993)
08/30/1993	21	ATTY BASSINSON Letter dd 8-26-93 confirming waiver of GO #37 page limitation to 35 pages (pta) (Entered: 08/30/1993)
08/30/1993	22	CROSS MOTION and Proposed Order by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis for Summary Judgment , Hearing set for 10:00 9/13/93 , Response Deadline <date not set> (fce) (Entered: 08/31/1993)
08/30/1993	23	Rule 10J Statement in Support of [22-1] cross motion for Summary Judgment filed by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis (fce) (Entered: 08/31/1993)
08/30/1993	24	AFFIDAVIT by D. Scott Bassinson for Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis Re: [22-1] cross motion for Summary Judgment (fce) (Entered: 08/31/1993)
08/30/1993	25	MEMORANDUM by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in support of [22-1] cross motion for Summary Judgment (fce) (Entered: 08/31/1993)
09/01/1993	27	Scheduling Notice: [22-1] cross motion for Summary Judgment, [17-1] motion to Dismiss adjourned from 9/13/93 to 10/12/93, 10:00 a.m. in Albany [served 9/1/93] (plp) (Entered: 09/07/1993)
09/03/1993	26	Pltf Atty Bassinson ltr to court dd 9/1/93 stating no opposition to portion of Deft Hartmark 9/13/93 motion re: Pltf 22nd cause of action (plp) (Entered: 09/03/1993)
09/14/1993	28	Minute entry: MOTION CALENDAR HELD 9-13-93 ALBANY NY Appearances: Court Reporter/ECRO: H. Santspre; No Counsel. Deft Hartmark Motion for Dismissal and/or S.J. [17-1] - ADJ UNTIL 10-12-93 ALBANY NY (pta) (Entered: 09/17/1993)
09/17/1993		Deadline updated; Response to Motion reset to 9/27/93 for [22-1] cross motion for Summary Judgment, [17-1] motion to Dismiss , Reply to Response to Motion reset to 10/4/93 (pta) (Entered: 09/17/1993)

09/20/1993	29	DEFTS RESPONSE to Request for Production of Documents; Exhibits A to C; by NYS Police, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, Farrago to Discovery (pta) (Entered: 09/20/1993)
09/20/1993	30	DEFT AFFIDAVIT by H. Karl Chandler Re: opposition to Pltf request for documents (pta) (Entered: 09/20/1993)
09/21/1993	35	MOTION by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis , for an Order declaring this proceeding as a class action Hearing set for 10:00 10/12/93 , Response Deadline 9/28/93 , Reply to Response Deadline 10/5/93 Motion returnable before Judge/Mag. Judge: McAvoy (fce) (Entered: 09/24/1993)
09/21/1993	35	AFFIDAVIT by Paul C. Rapp for Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis Re: [35-1] motion (fce) (Entered: 09/24/1993)
09/21/1993	36	MEMORANDUM by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in support of [35-1] motion (fce) (Entered: 09/24/1993)
09/24/1993	31	AFFIDAVIT by Brian J. O'Donnell for Leif Hartmark Re: [22-1] cross motion for Summary Judgment (fce) (Entered: 09/24/1993)
09/24/1993	32	AFFIDAVIT by Leif Hartmark Re: [22-1] cross motion for Summary Judgment (fce) (Entered: 09/24/1993)
09/24/1993	33	Rule 10J Statement in Support of [22-1] cross motion for Summary Judgment filed by Leif Hartmark (fce) (Entered: 09/24/1993)
09/24/1993	34	MEMORANDUM and Proposed Order by Leif Hartmark in opposition to [22-1] cross motion for Summary Judgment (fce) (Entered: 09/24/1993)
09/28/1993	37	COURT Scheduling Notice: at Court convenience, Motion Hearing re-set for 10:00 a.m. in Albany NY before Judge McAvoy on 11/8/93 re: [35-1] motion declaring this a class action re: [22-1] cross motion for Summary Judgment, re: [17-1] motion to Dismiss , Response to Motion reset to 10/18/93 , Reply to Response to Motion reset to 11/1/93 (pta) (Entered: 09/28/1993)
09/28/1993	41	AFFIDAVIT by Brian J. O'Donnell for Leif Hartmark Re: [35-1] motion (fce) (Entered: 10/04/1993)
09/28/1993	42	MEMORANDUM and Proposed Order by Leif Hartmark in opposition to [35-1] motion (fce) (Entered: 10/04/1993)
09/30/1993	38	MEMORANDUM and Proposed Order by Oneonta, NY, Oneonta Police Dept., John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, Carl Shedlock in opposition to [35-1] Pltf motion for class certification (pta) (Entered: 09/30/1993)
09/30/1993	39	AFFIDAVIT by James B. Tuttle on behalf of Oneonta, NY, Oneonta Police Dept., John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, Carl Shedlock Re: [35-1] Pltf motion for Class Certification (pta) (Entered: 09/30/1993)
10/01/1993	40	Minute entry: 9/29/93 Conf. held w/MJ Hurd in Albany, NY. Counsel consent to MJ Hurd to preside over this action despite DNH's role as President of SUNY at Utica-Rome. Discovery stayed pending decision by Judge McAvoy on pending motions ret. 11/8/93. AAG Roberts to submit ltr in response to pltf's ltr regarding discovery disputes by 10/4/93. Oral argument to be held on 10/8/93 at 9:30 a.m. in Utica, NY. Deft City of Oneonta P.D. to submit personnel files to DNH for in camera review to determine if same should be disclosed to pltf's. Parties to advise DNH after decision by Judge McAvoy of their respective positions regarding desired discovery. Detailed discovery order to be issued thereafter by DNH. App. Scott Fein &D. Scott Bassinson for pltf, Brian O'Donnell for deft Hartmark, James Tuttle for deft Oneonta P.D., Robert Jones &David Roberts for deft NYS Police, Ricvhard McViney for deft Edmonson Court Reporter/ECRO: None (cmr)

		(Entered: 10/03/1993)
10/08/1993	43	Minute entry: 10/8/93 Motion Cal. Utica, NY. NYS Defts' Motion for Protective Order—DECISION RESERVED. DNH to issue ruling after Judge McAvoy decides pending dispositive motions. NYS Defts to file cross-motion for judgment on the pleading returnable before Judge McAvoy. Parties to advise DNH upon receipt of Judge McAvoy's order. App. David S. Bassinson & Neal LeVine for pltf's, Robert Siegfried for NYS depts Court Reporter/ECRO: Tape (cmr) (Entered: 10/12/1993)
10/14/1993	44	Minute entry: MOTION CALENDAR HELD 10-12-93 ALBANY NY Appearances: Court Reporter/ECRO: V. Theleman; No Counsel. 1) Deft Hartmark Motion for Dismissal FRCP 12b and/or for S.J. FRCP 56 in favor of deft Hartmark [17-1] 2) Pltf Cross Motion for S.J. [22-1] 3) Pltf Motion for Certifying Class Action [35-1] ADJOURNED UNTIL 11-08-93 IN ALBANY NY (pta) (Entered: 10/18/1993)
10/18/1993		Deadline updated; Response to Motion reset to 10/25/93 for [35-1] motion, [22-1] cross motion for Summary Judgment, [17-1] motion to Dismiss (pta) (Entered: 10/18/1993)
10/25/1993	45	STATE Defts CROSS MOTION (and Proposed Order) by State Defts for Summary Judgment , Hearing set for 11/8/93, 10:00 a.m. in Albany before Judge McAvoy; Response 11/1/93; Rule 10j Statement; AFFIDAVIT of Merrit Hunt; AFFIDAVIT of Eric Wilson (plp) Modified on 11/23/1993 (Entered: 10/25/1993)
10/25/1993	46	Defts MEMORANDUM in Opposition to Pltf Motion for Class Certification & in Support of [45-1] Defts Cross-Motions for Judgment on Pleadings and Summary Judgment (plp) (Entered: 10/25/1993)
10/25/1993	47	Pltf's REPLY to response to Pltf [22-1] cross motion for Summary Judgment (plp) (Entered: 10/25/1993)
10/25/1993	48	Pltf's AFFIDAVIT of D. Scott Bassinson re: Pltf reply to their Cross-motion for summary judgment (plp) (Entered: 10/25/1993)
10/29/1993	49	PLTF NOTICE of attorney appearance for Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis by Paul C. Rapp (pta) (Entered: 10/29/1993)
10/29/1993	50	PLTF Atty Rapp Letter dd 10-27-93 requesting adjournment of 11-08-93 Pending Motions to 12-13-93 Motion Day (pta) (Entered: 10/29/1993)
10/29/1993	51	HARTMARK'S Atty O'Donnell Letter dd 10-27-93 in response to Atty Rapp conversation of 10-27-93 re: adjournment of 11-08-93 Pending Motions (pta) (Entered: 10/29/1993)
10/29/1993	52	COURT Scheduling Notice:, Motion Hearing set for 10:00 a.m. in Albany NY before Judge McAvoy on 12/13/93 re: [45-1] cross motion for Summary Judgment re: [35-1] motion for certifying class action re: [22-1] cross motion for Summary Judgment re: [17-1] motion to Dismiss , Response to Motion reset to 11/29/93 , Reply to Response to Motion reset to 12/6/93 (pta) (Entered: 10/29/1993)
11/01/1993	53	DEFTS CORRECTED MEMORANDUM by Oneonta, NY, Oneonta Police Dept., John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, State of New York, SUNY, SUNY at Oneonta, NYS Police, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, Farrago, Anon. State Police, SUCO Public Safety, Merritt Hunt, Tim Jackson, John Edmondson, Leif Hartmark, Eric Wilson, Carl Shedlock, Anonymous Public, Anonymous SUCO in opposition to Pltf Motion for Class Certification and in support of Defts Cross Motion for Judgment on Pleadings and S.J. (pta) (Entered: 11/01/1993)
11/04/1993	54	RESPONSE of Atty O'Donnell on behalf of Leif Hartmark re: do not intend to oppose or respond to [45-1] cross motion for Summary Judgment, [35-1] motion class certification, [22-1] cross motion for Summary Judgment (pta) (Entered: 11/05/1993)

11/08/1993	55	DEFTS LETTER RESPONSE dd 11-05-93 by Atty Tuttle on behalf of Oneonta, NY, Oneonta Police Dept., John J. Donadio, Joseph Redmond, William M. Davis, Carl Shedlock re: has filed opposition to Pltf Motion for Class Certification and take no position to discovery motions pending, and neither oppose nor respond to [17-1] Deft Hartmark motion to Dismiss and will bring on own Motion to Dismiss/S.J. w/respect to City of Oneonta Defts (pta) (Entered: 11/08/1993)
11/09/1993	56	Minute entry: MOTION CALENDAR HELD 11-08-93 ALBANY NY Appearances: Court Reporter/ECRO: S. Ragone; No Counsel. 1) Deft Hartmark Motion for Dismissal [17-1] 2) Pltf Cross Motion for S.J. [22-1] 3) Pltf Motion for C ertifyingClass Action [35-1] 4) Defts Cross Motion for S.J. [45-1] ADJOURNED UNTIL 12-13-93 (pta) (Entered: 11/09/1993)
11/22/1993	57	PLTF Atty Bassinson Letter dd 11-17-93 confirming waiver of page limit for Pltf Memorandum in response to State Defts Motion, may not exceed 40 pages (pta) (Entered: 11/22/1993)
11/22/1993	58	PLTFS MEMORANDUM and Proposed Order by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in opposition to Motion for Judgment on Pleadings and/or for S.J. made by "State Defts" of Abrams, State of NY, SUNY, State University of NY, College at Oneonta "SUCO", SUCO's Dept. of Public Safety, NYS Police, Chandler, Farrand, Clum, More, Way, Farrago, Kimball, Grant, Hunt, Jackson and Wilson (pta) (Entered: 11/23/1993)
11/22/1993	59	PLTF AFFIDAVIT by Jean Cantave in support of Pltfs Re: [58-1] opposition memorandum to State Defts Motion for Judgment on Pleadings and S.J. (pta) (Entered: 11/23/1993)
11/22/1993	60	PLTF AFFIDAVIT by Ricky Brown in support of Pltf Re: [58-1] opposition memorandum to State Defts Motion for Judgment on Pleadings and or S.J. (pta) (Entered: 11/23/1993)
11/22/1993	61	PLTF AFFIDAVIT by Jamel Champen in support of Pltf Re: [58-1] opposition memorandum to State Defts Motion for Judgment on Pleadings and or S.J. (pta) (Entered: 11/23/1993)
11/22/1993	62	PLTF AFFIDAVIT by Raishawn Morris in support of Pltf Re: [58-1] opposition memorandum to State Defts Motion for Judgment on Pleadings and/or S.J. (pta) (Entered: 11/23/1993)
11/22/1993	63	PLTF AFFIDAVIT by Sheryl Champen in support of Pltf Re: [58-1] opposition memorandum to State Defts Motion for Judgment on Pleadings and/or S.J. (pta) (Entered: 11/23/1993)
11/22/1993	64	PLTFS Rule 10J Statement in Support of filed by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis (pta) (Entered: 11/23/1993)
11/22/1993	65	PLTFS AFFIDAVIT by D. Scott Bassinson, Esq. on behalf of Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in support of Pltfs Re: [58-1] opposition memorandum to State Defts Motion for Judgment on Pleadings and/or S.J.; Exhibits A to F (pta) (Entered: 11/23/1993)
11/22/1993	66	CITY OF ONEONTA DEFTS NOTICE of 12(b) &56(a) Motions by Oneonta, NY, Oneonta Police Dept., John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, Carl Shedlock (pta) (Entered: 11/23/1993)
11/22/1993	67	CITY OF ONEONTA DEFTS MOTION by Oneonta, NY, Oneonta Police Dept., John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, Carl Shedlock by City of Oneonta Defts to Dismiss FRCP 12(b) , and/or by City of Oneonta Defts for Summary Judgment FRCP 56(a) , Hearing set for 10:00 a.m. in Albany NY on 12/13/93 , Response Deadline 11/29/93 , Reply to Response Deadline 12/6/93 Motion returnable before Judge/Mag. Judge: McAvoy (pta) (Entered: 11/23/1993)

11/22/1993	68	DEFT AFFIDAVIT by Carl Shedlock in support Re: [67-1] motion by City of Oneonta Defts to Dismiss FRCP 12(b), [67-2] motion by City of Oneonta Defts for Summary Judgment FRCP 56(a) (pta) (Entered: 11/23/1993)
11/22/1993	69	DEFT AFFIDAVIT by John J. Donadio in support Re: [67-1] motion by City of Oneonta Defts to Dismiss FRCP 12(b), [67-2] motion by City of Oneonta Defts for Summary Judgment FRCP 56(a) (pta) (Entered: 11/23/1993)
11/22/1993	70	DEFT AFFIDAVIT by Kenneth Olsen (X. Olsen) in support of Re: [67-1] motion by City of Oneonta Defts to Dismiss FRCP 12(b), [67-2] motion by City of Oneonta Defts for Summary Judgment FRCP 56(a) (pta) (Entered: 11/23/1993)
11/22/1993	71	DEFT AFFIDAVIT by Joseph Redmond in support Re: [67-1] motion by City of Oneonta Defts to Dismiss FRCP 12(b), [67-2] motion by City of Oneonta Defts for Summary Judgment FRCP 56(a) (pta) (Entered: 11/23/1993)
11/22/1993	72	CITY OF ONEONTA DEFTS Rule 10J Statement in Support of [67-1] motion by City of Oneonta Defts to Dismiss FRCP 12(b), [67-2] motion by City of Oneonta Defts for Summary Judgment FRCP 56(a) filed by Oneonta, NY, Oneonta Police Dept., John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, Carl Shedlock (pta) (Entered: 11/23/1993)
11/22/1993	73	DEFTS MEMORANDUM by Oneonta, NY, Oneonta Police Dept., John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, Carl Shedlock in support of [67-1] motion by City of Oneonta Defts to Dismiss FRCP 12(b), [67-2] motion by City of Oneonta Defts for Summary Judgment FRCP 56(a) ; Exhibits A & B w/PROPOSED ORDER (pta) (Entered: 11/23/1993)
11/29/1993	74	MEMORANDUM and Proposed Order by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in opposition to [67-1] motion by City of Oneonta Defts to Dismiss FRCP 12(b), [67-2] motion by City of Oneonta Defts for Summary Judgment FRCP 56(a) (pta) (Entered: 11/29/1993)
11/29/1993	75	PLTFS AFFIDAVIT by D. Scott Bassinson, Esq. on behalf of Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis Re: [67-1] motion by City of Oneonta Defts to Dismiss FRCP 12(b), [67-2] motion by City of Oneonta Defts for Summary Judgment FRCP 56(a); Exhibits A-B (pta) (Entered: 11/29/1993)
11/29/1993	76	PLTFS Rule 10J Statement in Support of [67-1] motion by City of Oneonta Defts to Dismiss FRCP 12(b), [67-2] motion by City of Oneonta Defts for Summary Judgment FRCP 56(a) filed by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis (pta) (Entered: 11/29/1993)
12/01/1993	77	AFFIDAVIT of Service by mail on 11-29-93 on behalf of Pltfs Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis Re: [76-1], [75-1] affidavit, [74-1] opposition memorandum (pta) (Entered: 12/01/1993)
12/02/1993	78	AFFIDAVIT of Service by mail on 11-23-93 on behalf of Oneonta, NY, Oneonta Police Dept., John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, Carl Shedlock, Anonymous SUCO with documents Re: [67-1] motion by City of Oneonta Defts to Dismiss FRCP 12(b), [67-2] motion by City of Oneonta Defts for Summary Judgment FRCP 56(a) (pta) (Entered: 12/02/1993)
12/03/1993	79	REPLY MEMORANDUM OF LAW by State of New York, SUNY, SUNY at Oneonta, NYS Police, H. Karl Chandler, Robert Farrand, George Clum, More, John Way, Mark Kimball, Kenneth Grant, Farrago, Anon. State Police, SUCO Public Safety, Merritt Hunt, Tim John Edmondson, Leif Hartmark, Eric Wilson, Anonymous Public, Anonymous SUCO to response to (pta) (Entered: 12/03/1993)
12/13/1993		Motion hearing re: [67-1] motion by City of Oneonta Defts to Dismiss FRCP 12(b), [67-2] motion by City of Oneonta Defts for Summary Judgment FRCP 56(a) Motion hearing held, [45-1] cross motion by State Defts for Summary

		Judgment Motion hearing held, [35-1] motion Motion hearing held, [22-1] cross motion for Summary Judgment Motion hearing held, [17-1] motion to Dismiss Motion hearing held (pta) (Entered: 12/16/1993)
12/14/1993	80	MOTION CALENDAR Held 12-13-93 Albany NY Minute entry: granting in part, denying in part [67-1] motion by City of Oneonta Defts to Dismiss FRCP 12(b) - on the 7, 10-14, 20-23 causes of action under Sec. 1985(3) stands only insofar as it relates to an alleged conspiracy involving the creation, approval and release of the list of black SUCO students; same as to the 16th cause of action under Sec. 1986; and granting in part, denying in part [67-2] motion by City of Oneonta Defts for Summary Judgment FRCP 56(a); and granting in part, denying in part [45-1] cross motion by State Defts Summary Judgment; and granting in part as to Class 1, denying in part as to Class 2 [35-1] motion; and granting [22-1] cross motion for Summary Judgment; and granting in part, denying in part [17-1] motion to Dismiss Appearances: Court Reporter/ECRO: T. Berical; K. Kelly/LC; David Scott Bassinson, Jonathan Nye & Paul Rapp for Pltfs; James B. Tuttle for Defts Oneonta, Oneonta Police, Conadio, Redmond, Davis, Olsen, Anon Ofcrs, Shedlock; Robert A. Siegfried AAG for Defts State of NY, SUNY, SUNY Oneonta, NYS Police, Chandler, Farrand, Clum, More, Way, Kimball, Grant, Farrago, SUCO Public Safety, Hunt, Jackson, Wilson; Brian J. O'Donnell for Deft Hartmark. (pta) (Entered: 12/16/1993)
12/15/1993	81	TRANSCRIPT filed of proceedings before Judge McAvoy for dates of 12/13/93 (fce) (Entered: 12/16/1993)
01/24/1994	82	MOTION by D. Scott Bassinson on behalf of Pltfs Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis by Pltfs for Leave to File Amend Complaint, Hearing set for 10:00 a.m. in Utica NY on 3/10/94, Response Deadline 2/24/94, Reply to Response Deadline 3/7/94 Motion returnable before Mag. Judge: Hurd [changed from Judge McAvoy on 2-14-94 to Mag Hurd due to non dispositive motion] (pta) (Entered: 01/25/1994)
01/24/1994	83	AFFIDAVIT by D. Scott Bassinson on behalf of Pltfs Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis; Exhibits A to C (2nd Amended Complaint); Re: [82-1] motion by Pltfs for Leave to File Amend Complaint (pta) (Entered: 01/25/1994)
01/24/1994	84	MEMORANDUM by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in support of [82-1] motion by Pltfs for Leave to File Amend Complaint w/PROPOSED ORDER (pta) (Entered: 01/25/1994)
01/24/1994	85	COURT NOTICE of placing Pltfs Motion for Leave to Amend Complaint scheduled before Judge McAvoy on 2-14-94 to Mag Judge Hurd on 3-10-94 at 10:00 a.m. in Utica NY, due to non dispositive motion (pta) (Entered: 01/25/1994)
01/26/1994	86	ATTY BASSINSON Letter dd 1-25-94 w/PROPOSED ORDER for 12-13-93 Motion Decision (pta) (Entered: 01/26/1994)
01/27/1994	87	CERTIFICATE OF SERVICE (plp) (Entered: 01/27/1994)
01/31/1994	88	ORDER, that Pltf Motion for Class Certification as to Class I is granted and denied as to Class II; Deft Hartmark Motion is denied w/respect to his claim of 11th Amendment immunity; Defts Hartmark, Wilson and Hunt Motions for qualified immunity are denied; as-yet-to-be-identified SUCO computer employee Defts are not entitled to qualified immunity, but granted leave to revisit the immunity issue; Deft Hartmark Motion to dismiss Pltfs claims under FERPA is denied; Deft Hartmark Motion for S.J. w/respect to FERPA claims is denied; Pltf Cross Motion for partial S.J. against Deft Hartmark on 8th cause FERPA claim is denied; Oneonta and State Police Defts Motion for S.J. w/respect to 8th cause FERPA claim is granted; Defts Motion to dismiss 9th cause conspiracy to violate FERPA 12USC 1983 are denied; Motions for S.J. by Defts Redmond and Olsen are granted in their entirety, and Amended Complaint is dismissed against them; portions of 7th, 10th & 11th causes claiming violations of 4th Amendment are dismissed w/respect to all Pltfs not submitting affidavits; S.J. is granted to Defts on 7th, 10th

		&11th causes w/respect to 4th Amendment based on claims of Pltfs Cantave, Brown, J. Champen, Morris and S. Champen and are dismissed w/leave to replead; S.J. is granted to City of Oneonta w/respect to 4th Amendment claims underlying the 13th &14th causes; Defts Motion for S.J. w/respect to 18th &19th causes are denied; Defts Motions for S.J. w/respect to 12th cause are granted; Deft Hartmark Motion to dismiss 15th cause is denied; Pltf 15th cause is dismissed only to the extent that it relies upon violations of 4th &14th Amendments and the NYS Constitution; Defts Motion to dismiss the 16th cause are granted only to extent that cause relies upon violations of 4th &14th Amendments and NYS Constitution; Defts Motion to dismiss the 17th cause are denied; Defts Motions to dismiss the 1st, 2nd, 3rd, 4th, 5th &6th causes are denied; Defts Motion for S.J. w/respect to 1st, 2nd, 3rd, 4th, 5th &6th causes are denied; Defts Motions for S.J. w/respect to 20th are granted; Defts Motion to dismiss 21st cause are denied; Defts Motions for S.J. w/respect to 21st cause are granted; Defts Motions for S.J. w/respect to 22nd cause are granted; and that Defts Motion w/respect to 23rd cause are granted. (dd 1-29-94 signed by Chief Judge Thomas J. McAvoy) (pta) (Entered: 01/31/1994)
01/31/1994	89	AAG SIEGFRIED Letter dd 1-28-94 on behalf of Certain Defts in opposition to Pltfs Proposed Order and Request a week to submit alternative order [Order issued 1-21-94 - forward to Chambers] (pta) (Entered: 01/31/1994)
02/03/1994	90	ATTY O'CONNELL Letter dd 2-01-94 to request until 2-07-94 for him to respond to Pltfs proposed order submitted [Judge has issued Order 1-31-94 - forward to Chambers] (pta) (Entered: 02/03/1994)
02/04/1994	91	AAG SIEGFRIED Letter Request for Conference re: clarification of Court's Order of 1-29-94 and remaining issues (pta) (Entered: 02/04/1994)
02/07/1994	92	PLTF RESPONSE Letter dd 2-04-94 on behalf of Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis re: in response to correspondence of Atty Siegfried, Tuttle and O'Donnell and in opposition to any Conference [91-1] remark (pta) (Entered: 02/07/1994)
02/10/1994	93	Stipulation and ORDER, extending defendant Hartman's time until 10 days after plaintiff's service of second amended complaint to file an answer. (signed by Magistrate Judge David N. Hurd) (fce) (Entered: 02/10/1994)
02/14/1994	94	MOTION by State of New York, SUNY, SUNY at Oneonta, NYS Police, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, Farrago, Anon. State Police, SUCO Public Safety, Merritt Hunt, Tim Jackson, Eric Wilson by Defts for Reconsideration of 12-13-93 Motion Ruling [88-1] order Pltf Motion for Class Certification as to Class I is granted and denied as to Class II , Affidavit Robert A. Siegfried, AAG; Hearing set for 10:00 a.m. in Albany NY on 3/14/94 , Response Deadline 2/28/94 , Reply to Response Deadline 3/7/94 returnable before Judge/Mag. Judge: McAvoy (pta) (Entered: 02/14/1994)
02/14/1994	95	MEMORANDUM by State of New York, SUNY, SUNY at Oneonta, NYS Police, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, Farrago, Anon. State Police, SUCO Public Safety, Merritt Hunt, Tim Jackson, Eric Wilson in support of [94-1] motion by Defts for Reconsideration of 12-13-93 Motion Ruling [88-1] order Pltf Motion for Class Certification as to Class I is granted and denied as to Class II ; w/PROPOSED ORDER (pta) (Entered: 02/14/1994)
02/14/1994	96	Letter to Judge Hurd from pltfs' atty Bassinson, dd 12/23/93, advising that Judge McAvoy ruled on dispositive motions, case remains viable, and discovery issues can now be decided. (cbm) (Entered: 02/15/1994)
02/14/1994	97	Letter to Judge Hurd from AAG Siegfried on behalf of state defts, dd 1/3/94, requesting stay of decision on discovery until after motions for reconsideration and appeal to 2nd Circuit. (cbm) (Entered: 02/15/1994)
02/14/1994	98	Letter to Judge Hurd from pltfs' atty Bassinson, dd 1/7/94, responding to AAG Siegfried's request for stay, and further requesting Court to order immediate disclosure, etc. (cbm) (Entered: 02/15/1994)

02/14/1994	99	Letter to Judge Hurd from AAG Siegfried, dd 1/28/94, in further support of request to stay discovery. (cbm) (Entered: 02/15/1994)
02/14/1994	100	Copy of AAG Siegfried's 2/3/94 letter to Judge McAvoy requesting clarification of Court order signed 1/29/94. (cbm) (Entered: 02/15/1994)
02/14/1994	101	Letter to Judge Hurd from AAG Siegfried, dd 2/3/94, in further support of request for stay of discovery pending reconsideration and appeal, w/request for court to sign proposed discovery order submitted as alternative to pltf's proposed discovery order. (cbm) (Entered: 02/15/1994)
02/14/1994	102	Letter to Judge Hurd from atty Bassinson, dd 2/7/94, re: proposed discovery orders. (cbm) (Entered: 02/15/1994)
02/14/1994	103	ORDER granting pltf's motion to Compel production of documents and denying defts' motion for a Protective Order directing State Police defts to make available for inspection all documents, etc., responsive to pltf's request within 15 days from entry of this order: set Notice of Compliance deadline to 3/2/94 , w/defts' personnel files to be provided to this court w/in 7 days from entry of this order for in camera inspection, etc. (signed by Magistrate Judge David N. Hurd 2/11/94) [served] [acts on Doc #162 to 164] (cbm) Modified on 09/09/1994 (Entered: 02/15/1994)
02/14/1994	104	Deft Hartmark MOTION for Reconsideration of [88-1] order which denied Summary Judgment to Deft Hartmark , Hearing set for 3/14/94, 10:00 a.m. in Albany before Judge McAvoy, Response 2/28/94, Reply 3/7/94; AFFIDAVIT of Brian J. O'Donnell, Esq.; attached affidavits and exhibits (plp) (Entered: 02/15/1994)
02/14/1994	105	Deft Hartmark MEMORANDUM in support of his [104-1] motion for Reconsideration of [88-1] order which denied Summary Judgment to Deft Hartmark (plp) (Entered: 02/15/1994)
02/14/1994	106	NOTICE OF APPEAL by Leif Hartmark . FILING FEE \$ 105 RECEIPT # 24867 Appeal record due on 3/16/94 (plp) (Entered: 02/15/1994)
02/14/1994	107	MOTION by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis for Reconsideration of [88-1] order Pltf Motion for Class Certification as to Class I is granted and denied as to Class II and of portions of the Court's bench ruling of 12/31/93 , Hearing set for 9:30 a.m. 3/14/94 , Response Deadline 2/28/94 , Reply to Response Deadline 3/7/94 Motion returnable before Judge/Mag. Judge: McAvoy (fce) (Entered: 02/16/1994)
02/14/1994	108	AFFIDAVIT by D. Scott Bassinson for Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis Re: [104-1] motion for Reconsideration of [88-1] order which denied Summary Judgment to Deft Hartmark (fce) (Entered: 02/16/1994)
02/14/1994	109	MEMORANDUM by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in support of [104-1] motion for Reconsideration of [88-1] order which denied Summary Judgment to Deft Hartmark (fce) (Entered: 02/16/1994)
02/14/1994	112	MOTION by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis for Leave to File Second Amended Complaint , Hearing set for 10:00 3/14/94 , Response Deadline 2/28/94 , Reply to Response Deadline 3/7/94 Motion returnable before Judge/Mag. Judge: McAvoy (fce) (Entered: 02/18/1994)
02/14/1994	114	AFFIDAVIT by D. Scott Bassinson for Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis Re: [113-1] amended motion for Leave to File Second Amended Complaint (fce) (Entered: 02/18/1994)
02/14/1994	115	MEMORANDUM by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin

		Allen, Wayne Lewis in support of [113-1] amended motion for Leave to File Second Amended Complaint (fce) (Entered: 02/18/1994)
02/16/1994		Notice of appeal and certified copy of docket to USCA re: [106-1] appeal by Leif Hartmark (parties noticed). (plp) (Entered: 02/16/1994)
02/16/1994	113	AMENDED MOTION and Proposed Order by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis for Leave to File Second Amended Complaint , Hearing set for 10:00 3/10/94 , Response Deadline 2/24/94 , Reply to Response Deadline 3/3/94 referring to [112-1] motion for Leave to File Second Amended Complaint (fce) (Entered: 02/18/1994)
02/17/1994	110	PLTFS AFFIDAVIT of Service on 2-14-94 by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis Re: Pltf Notice of Motion, Affidavit D. Scott Bassinson, Memorandum of Law and 2 Proposed Orders (pta) (Entered: 02/17/1994)
02/17/1994	111	PLTF AFFIDAVIT of Service on 2-14-94 by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis Re: Pltf Notice of Motion, Affidavit D. Scott Bassinson, Memorandum of Law and Proposed Order (pta) (Entered: 02/17/1994)
02/17/1994	116	NOTICE OF APPEAL by H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, Farrago, Merritt Hunt, Tim Jackson, Eric Wilson of 1/31/94 Order. FILING FEE \$ 105 RECEIPT # 17167 Appeal record due on 3/19/94 (fce) (Entered: 02/22/1994)
02/18/1994	117	CERTIFICATE OF SERVICE (plp) (Entered: 02/22/1994)
02/22/1994	118	ORDER, to Show Cause , set Show Cause Hearing for 2:00 2/24/94 (signed by Magistrate Judge David N. Hurd) (fce) (Entered: 02/22/1994)
02/22/1994	119	MEMORANDUM in support by Oneonta, NY, Oneonta Police Dept., John J. Donadio, William M. Davis, Anonymous Officers, State of New York, SUNY, SUNY at Oneonta, NYS Police, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, Farrago, Anon. State Police, SUCO Public Safety, Merritt Hunt, Tim Jackson, John Edmondson, Leif Hartmark, Eric Wilson, Carl Shedlock, Anonymous Public, Anonymous SUCO in support of [118-1] order to Show Cause, [118-2] relief set Show Cause Hearing for 2:00 2/24/94, [118-3] relief (fce) (Entered: 02/22/1994)
02/23/1994	125	NOTICE OF APPEAL by Oneonta, NY, Oneonta Police Dept., John J. Donadio, Carl Shedlock, William M. Davis, Anonymous Officers of 1/31/94 Order. FILING FEE \$ 105 RECEIPT # 17182 Appeal record due on 3/25/94 (fce) (Entered: 02/25/1994)
02/24/1994	120	RESPONSE and Proposed Order by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis to Order to show cause document #118 (fce) (Entered: 02/24/1994)
02/24/1994	121	AFFIDAVIT by Atty Jill A. Dunn on behalf of Oneonta defts in opposition to pltfs' [113-1] motion for Leave to File Second Amended Complaint, w/attached exhibits A-C. (cbm) (Entered: 02/24/1994)
02/24/1994	122	MEMORANDUM and Proposed Order by Oneonta defts in opposition to [113-1] motion for Leave to File Second Amended Complaint (cbm) (Entered: 02/24/1994)
02/24/1994	123	Pltf Atty Bassinson ltr to Mag/Judge Hurd dd 2/7/94 advising that Pltf w/d motion for leave to amend complaint presently scheduled for 3/10/94 before the Magistrate (plp) (Entered: 02/24/1994)
02/24/1994	124	ORDER granting defts' motion to Stay discovery ; discovery shall be stayed against defts pending outcome of their appeals. (signed by Magistrate Judge David N. Hurd 2/24/94) [served] (cbm) (Entered: 02/24/1994)

02/28/1994	126	DEFTS MEMORANDUM and Proposed Order by Oneonta, NY, Oneonta Police Dept., John J. Donadio, William M. Davis, Anonymous Officers, State of New York, SUNY, SUNY at Oneonta, NYS Police, H. Karl Chandler, Robert Farrand, George Clum, More, John Way, Mark Kimball, Kenneth Grant, Farrago, Anon. State Police, SUCO Public Safety, Merritt Hunt, Tim John Edmondson, Leif Hartmark, Eric Wilson, Carl Shedlock, Anonymous Public, Anonymous SUCO in opposition to [107-1] motion for Reconsideration of [88-1] order (pta) (Entered: 02/28/1994)
02/28/1994	127	DEFTS AFFIRMATION by Robert A. Siegfried AAG on behalf of Oneonta, NY, Oneonta Police Dept., John J. Donadio, William M. Davis, Anonymous Officers, State of New York, SUNY, SUNY at Oneonta, NYS Police, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, Farrago, Anon. State Police, SUCO Public Safety, Merritt Hunt, Tim Jackson, John Edmondson, Leif Hartmark, Eric Wilson, Carl Shedlock, Anonymous Anonymous SUCO Re: [107-1] motion for Reconsideration of [88-1] order (pta) (Entered: 02/28/1994)
02/28/1994	128	Defts Hartmark RESPONSE (and Proposed Order) to Pltf [107-1] motion for Reconsideration of [88-1] order Pltf Motion for Class Certification as to Class I is granted and denied as to Class II and of portions of the Court's bench ruling of 12/31/93 (plp) (Entered: 02/28/1994)
02/28/1994	129	AFFIDAVIT of Deft Hartmark Atty Richard W. Bader, Esq. in opposition to Pltf [107-1] motion for Reconsideration of [88-1] order Pltf Motion for Class Certification as to Class I is granted and denied as to Class II and of portions of the Court's bench ruling of 12/31/93 (plp) (Entered: 02/28/1994)
02/28/1994		Notice of appeal and certified copy of docket to USCA re: [116-1] appeal by Eric Wilson, Tim Jackson, Merritt Hunt, Farrago, Kenneth Grant, Mark Kimball, John Way, Kevin More, George Clum, Robert Farrand, H. Karl Chandler (parties noticed). (plp) (Entered: 02/28/1994)
02/28/1994	130	AFFIDAVIT of D. Scott Bassinson by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in Opposition to Re: [94-1] motion by Defts for Reconsideration of 12-13-93 Motion Ruling [88-1] order Pltf Motion for Class Certification as to Class I is granted and denied as to Class II (wbl) (Entered: 02/28/1994)
02/28/1994	131	MEMORANDUM and Proposed Order by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in opposition to [94-1] motion by Defts for Reconsideration of 12-13-93 Motion Ruling [88-1] order Pltf Motion for Class Certification as to Class I is granted and denied as to Class II (wbl) (Entered: 02/28/1994)
02/28/1994	132	AFFIDAVIT of D. Scott Bassinson by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in Opposition to Re: [104-1] motion for Reconsideration of [88-1] order which denied Summary Judgment to Deft Hartmark (wbl) (Entered: 02/28/1994)
02/28/1994	133	MEMORANDUM and Proposed Order by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in opposition to [104-1] motion for Reconsideration of [88-1] order which denied Summary Judgment to Deft Hartmark (wbl) (Entered: 02/28/1994)
02/28/1994	134	AFFIDAVIT by Jill A. Dunn on behalf of Oneonta, NY, Oneonta Police Dept., John J. Donadio, William M. Davis, Anonymous Officers, Carl in opposition to Pltf Motion for reconsideration, in response to Deft Hartmark and State Defts Motions for reconsideration and in support of Oneonta Defts Cross Motion for reconsideration; Exhibits A to E (pta) (Entered: 03/01/1994)
02/28/1994	135	MEMORANDUM and Proposed Order(s) by Oneonta, NY, Oneonta Police Dept., John J. Donadio, William M. Davis, Anonymous Officers, Carl Shedlock in opposition to Pltf Motion for reconsideration and in response to Deft Hartmark and

		State Defts Motions for reconsideration and in support of Oneonta Defts Cross Motion for reconsideration of bench decision of 12-13-93 and Order of 1-31-94 re:[104-1] [107-1] [94-1] (pta) (Entered: 03/01/1994)
03/02/1994	136	State defendants' RESPONSE to Plaintiff's [113-1] amended motion for Leave to File Second Amended Complaint (fce) (Entered: 03/02/1994)
03/02/1994	137	AFFIDAVIT of Service on 2-25-94 by Leif Hartmark Re: Appendix A to Memorandum of Law in support of Deft Hartmark motion for reconsideration (pta) (Entered: 03/02/1994)
03/02/1994	138	COURT NOTICE of 3-14-94 Pending Motions [94-1] [104-1] will be taken on SUBMIT (pta) (Entered: 03/02/1994)
03/04/1994	139	Court of Appeals Scheduling Order, re: [106-1] appeal by Leif Hartmark ; Appeal record due on 3/21/94 (cbm) (Entered: 03/04/1994)
03/04/1994		USCA Case Number Re: [106-1] appeal by Leif Hartmark USCA NUMBER: 94-7191 (cbm) (Entered: 03/04/1994)
03/04/1994	140	Minute entry: 2/22/94 Discovery Conf. w/MJ Hurd. Defs' proposed OTSC signed and made returnable 2/24/94 at 2 p.m. via telephone. AAG Siegfried to submit proposed order and Copy of Notice of Appeal. App. David Scott Bassinson for pltf's via telephone, Aniela Carl for defts—present in chambers. Court Reporter/ECRO: None (cmr) (Entered: 03/06/1994)
03/04/1994	141	Minute entry: 2/24/94 Discovery Conf. w/MJ Hurd. Order signed staying discovery pending appeal by DNH. App. David S. Bassinson for pltf's, Robert A. Siegfried for NYS defts Court Reporter/ECRO: None (cmr) (Entered: 03/06/1994)
03/04/1994	142	PLTF AFFIDAVIT of Service on behalf of Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis by mail on 2-28-94 Re: [133-1] Pltf opposition memorandum, [132-1] Pltf affidavit of D. Scott Bassinson (pta) (Entered: 03/07/1994)
03/08/1994	143	PLTFS REPLY MEMORANDUM and Proposed Order by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis AND MEMORANDUM OF LAW in opposition to Cross Motion by Oneonta Defts (pta) Modified on 03/15/1994 (Entered: 03/08/1994)
03/08/1994	144	PLTFS AFFIDAVIT by D. Scott Bassinson on behalf of Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in further support of Pltf's Motion for Reconsideration and in opposition to Oneonta Defts Cross Motion for Reconsideration Re: [143-1] opposition memorandum of Pltf's; Exhibits A to F (pta) Modified on 03/15/1994 (Entered: 03/08/1994)
03/10/1994	145	RESPONSE by Leif Hartmark to [113-1] amended motion for Leave to File Second Amended Complaint (fce) (Entered: 03/10/1994)
03/10/1994	146	REQUEST and ORDER, to Extend Time , Motion Hearing set for 6/9/94 re: [113-1] amended motion for Leave to File Second Amended Complaint (signed by Magistrate Judge David N. Hurd) (fce) (Entered: 03/10/1994)
03/11/1994		Notice of appeal and certified copy of docket to USCA re: [125-1] appeal by Anonymous Officers, William M. Davis, Carl Shedlock, John J. Donadio, Oneonta Police Dept., Oneonta, NY (parties noticed). (plp) (Entered: 03/11/1994)
03/14/1994	147	PLTFS AFFIDAVIT of Service by Mail on 3-07-94 and 2-24-94 by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis Re: [144-1] affidavit D. Scott Bassinson, [143-1] opposition memorandum (pta) (Entered: 03/14/1994)
03/14/1994		Motion hearing re: [94-1] motion by Defts for Reconsideration of 12-13-93 Motion Ruling [88-1] order re: class certification; and, [113-1] amended motion for Leave to File Second Amended Complaint held before Chief Judge McAvoy

		(cml) (Entered: 03/15/1994)
03/15/1994	148	Minute entry: MOTION CALENDAR HELD ON 3/14/94 IN ALBANY: [94-1] motion by Defts for Reconsideration of 12-13-93 Motion Ruling [88-1] order re: Class Certification and [104-1] motion for Reconsideration of [88-1] order which denied Summary Judgment to Deft Hartmark – TAKEN ON SUBMIT. Appearances: CR: Stephanie Ragone; None (cml) (Entered: 03/15/1994)
03/29/1994	149	REQUEST and ORDER, to Stay Discovery Deadline , (signed by Magistrate Judge David N. Hurd) (fce) (Entered: 03/29/1994)
03/30/1994	150	JUDGMENT OF USCA (certified copy) Re: [106-1] appeal (USCA #94-7191) by Leif Hartmark due to Parties have withdrawn appeal (plp) (Entered: 03/30/1994)
04/14/1994	151	NOTICE of Daniel P. Cantanil to be excluded from action on behalf of African American male students of the State Univ. of NY College at Oneonta (pta) (Entered: 04/14/1994)
04/15/1994	152	Stipulation and ORDER to Stay discovery w/respect to claims against Dr. Hartmark until disposition of his appeal on the issue of qualified immunity (signed by Magistrate Judge David N. Hurd 4/11/94) [served] (cbm) (Entered: 04/15/1994)
05/05/1994	153	NOTICE of of Filmore Copeland, Jr., that he wishes to be excluded from action because he did not attend the college after December of 1991. (plp) (Entered: 05/06/1994)
05/20/1994	154	MANDATE OF USCA (certified copy) Re: [125-1] appeal by Oneonta defts and [116-1] appeal by State defts: stipulation and order of USCA withdrawing appeals w/o prejudice. (cbm) (Entered: 05/23/1994)
05/23/1994	155	REQUEST and ORDER, to adjourn pending motions for leave to amend complaint until Judge McAvoy decides pending motion to reconsider and until appeals are resolved (signed by Magistrate Judge David N. Hurd) (fce) (Entered: 05/27/1994)
07/18/1994	156	ORDER: DENYING Oneonta Defts Reconsideration motions as untimely; DENYING Deft Hartmark's motion for Reconsideration of FERPA claim; Original Court decision not to grant qualified immunity to defts Wilson & Hunt re: FERPA claim is upheld; GRANTING Defts motion for reconsideration of claims re: 42 USC 1981 & DISMISSES these claims w/ leave to replead; Court will not consider original decision re: viability of Title VI claims; GRANTING Pltf motion for reconsideration of availability of compensatory damages under Title VI; DENYING Deft Law Enforcement Officers' motion for reconsideration of qualified immunity; DENYING consideration of defts argument re: pltf has no vehicle under stay law to recover for violations of state law involving investigatory stops by law enforcement officials; DENYING reconsideration of decision to dismiss Pltf equal protection claims, but recognizes that in some instances such claims can be supported by violations of state law; DENYING Reconsideration re: finding of summary judgment in favor of defts on 4th Amendment claims & NY Civil Rights Law claims; Reconsideration of denial of certification for proposed Class II is postponed until 2nd Amended Complaint w/ valid equal protection claims is filed w/ court; DENYING Pltf motions for final judgment & interlocutory appeal (signed 7/17/94 by Chief Judge Thomas J. McAvoy) [served 7/18/94] (plp) (Entered: 07/27/1994)
07/29/1994	157	REINSTATEMENT OF APPEAL by Leif Hartmark . Appeal record due on 8/28/94 (pta) (Entered: 07/29/1994)
08/05/1994		USCA Case Number Re: [157-1] appeal by Leif Hartmark USCA NUMBER: 94-7191 (plp) (Entered: 08/08/1994)
08/15/1994	158	AMENDED NOTICE OF APPEAL by H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, Farrago, Merritt Hunt, Tim Jackson, Eric Wilson . Appeal record due on 9/14/94. mended notice of appeal filed pursuant to stip dated 5/17/94 – no additional filing fee submitted (wjg) (Entered: 08/16/1994)
08/18/1994		Notice of appeal and certified copy of docket to USCA re: [158-1] Amended Notice of Appeal (by Eric Wilson, Tim Jackson, Merritt Hunt, Farrago, Kenneth

		Grant, Mark Kimball, John Way, Kevin More, George Clum, Robert Farrand, H. Karl Chandler) (parties noticed). (plp) (Entered: 08/18/1994)
08/18/1994		Certified and transmitted record on appeal to U.S. Court of Appeals: [158-1] appeal by Eric Wilson, Tim Jackson, Merritt Hunt, Farrago, Kenneth Grant, Mark Kimball, John Way, Kevin More, George Clum, Robert Farrand, H. Karl Chandler, [157-1] appeal by Leif Hartmark, [125-1] appeal by Anonymous Officers, William M. Davis, Carl Shedlock, John J. Donadio, Oneonta Police Dept., Oneonta, NY, [116-1] appeal by Eric Wilson, Tim Jackson, Merritt Hunt, Farrago, Kenneth Grant, Mark Kimball, John Way, Kevin More, George Clum, Robert Farrand, H. Karl Chandler (plp) (Entered: 08/18/1994)
08/24/1994	159	Amended NOTICE OF APPEAL by Leif Hartmark. Appeal record due on 9/23/94 (plp) (Entered: 08/26/1994)
08/25/1994	160	AMENDED NOTICE OF APPEAL by Oneonta, NY, Oneonta Police Dept., John J. Donadio, William M. Davis, Anonymous Officers, Carl Shedlock . Appeal record due on 9/24/94 (tjm) (Entered: 08/26/1994)
08/26/1994		Notice of appeal and certified copy of docket to USCA re: [159-1] appeal by Leif Hartmark (parties noticed). (plp) (Entered: 08/26/1994)
08/26/1994		Notice of appeal and certified copy of docket to USCA re: [160-1] appeal by Carl Shedlock, Anonymous Officers, William M. Davis, John J. Donadio, Oneonta Police Dept., Oneonta, NY (parties noticed). (tjm) (Entered: 08/26/1994)
08/29/1994	161	2CCA Receipt for Index to Record on Appeal (plp) (Entered: 09/01/1994)
09/09/1994	162	DEFTS LETTER BRIEF (MEMORANDUM) dd 9-17-93 on behalf of State of New York, SUNY, SUNY at Oneonta, NYS Police, H. Karl Chandler, Robert Farrand, George Clum, More, John Way, Mark Kimball, Kenneth Grant, Farrago, Anon. State Police, SUCO Public Safety, Merritt Hunt, Tim Eric Wilson, Anonymous Public, Anonymous SUCO in support of Request for Protective Order against production of documents [issue decided by Mag/Judge Hurd's Order Doc. #103] (pta) (Entered: 09/09/1994)
09/09/1994	163	PLTFS LETTER RESPONSE dd 9-24-93 on behalf of Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in opposition to State Defts Letter Brief dd 9-17-93 - [162-1] support memorandum [issues decided by Mag/Judge Hurd's Doc. #103] (pta) Modified on 09/09/1994 (Entered: 09/09/1994)
09/09/1994	164	DEFTS REPLY LETTER dd 10-04-93 on behalf of State of New York, SUNY, SUNY at Oneonta, NYS Police, H. Karl Chandler, Robert Farrand, George Clum, More, John Way, Mark Kimball, Kenneth Grant, Farrago, Anon. State Police, SUCO Public Safety, Merritt Hunt, Tim Eric Wilson, Anonymous Public, Anonymous SUCO to response to Pltfs Letter objections dd 9-24-93 re: discovery issues [issues decided by Mag/Judge Hurd's Order Doc. #103] (pta) (Entered: 09/09/1994)
09/22/1994	165	Court of Appeals Scheduling Order, re: [160-1] appeal by Carl Shedlock, Anonymous Officers, William M. Davis, John J. Donadio, Oneonta Police Dept., Oneonta, NY, [159-1] appeal by Leif Hartmark, [158-1] appeal by Eric Wilson, Tim Jackson, Merritt Hunt, Farrago, Kenneth Grant, Mark Kimball, John Way, Kevin More, George Clum, Robert Farrand, H. Karl Chandler ; Appeal record due on 10/10/94 (tjm) (Entered: 09/22/1994)
12/09/1994	166	JUDGMENT OF USCA (certified copy) Re: dismissal of consolidated appeals for lack of appellate jurisdiction. Mandate of CCA Ordering motion be granted without prejudice to an appeal after re-pleading. (fce) (Entered: 12/09/1994)
12/14/1994	170	Minute entry: 12/13/94 Discovery Teleconf. w/MJ Hurd. Pltf's motion to amend the complaint to be filed and made ret. 1/12/95 before DNH. Pltf to request name, address & telephone # of victim in order to conduct interview. Defts to file motion to dismiss the amended complaint and appeal to the 2nd Circuit upon receipt of Judge McAvoy's Order. Issue of qualified immunity needs to be resolved. Stay of discovery still in effect. Order to be submitted. App. D. Scott Bassinson for pltf, James Tuttle for City of Oneonta defts, Robert Siegfried for NYS defts, Richard

		McVinney for deft Edmondson Court Reporter/ECRO: None (cmr) (Entered: 12/21/1994)
12/15/1994	167	MOTION by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis for Leave to File a Second Amended Complaint , and for Discovery—to compel the disclosure of the name of the complaining witness regarding the 9/4/92 assault , Hearing set for 10:00 1/12/95 , Response Deadline 12/29/94 , Reply to Response Deadline 1/5/95 Motion returnable before Judge/Mag. Judge: Hurd (wjg) (Entered: 12/20/1994)
12/15/1994	168	AFFIDAVIT by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis Re: [167-1] motion for Leave to File a Second Amended Complaint, [167-2] motion for Discovery—to compel the disclosure of the name of the complaining witness regarding the 9/4/92 assault (wjg) (Entered: 12/20/1994)
12/15/1994	169	MEMORANDUM of Law by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in support of [167-1] motion for Leave to File a Second Amended Complaint, [167-2] motion for Discovery—to compel the disclosure of the name of the complaining witness regarding the 9/4/92 assault (wjg) (Entered: 12/20/1994)
12/28/1994	171	AFFIDAVIT by Oneonta, NY Re: [167-1] motion for Leave to File a Second Amended Complaint; while deft does not oppose the plaintiffs' application to file an amended complaint, deft does object to the plaintiffs being permitted to serve an amended complaint in the form annexed to the moving papers as Exhibit B. (wjg) (Entered: 12/28/1994)
12/28/1994	172	AFFIRMATION of Robert A. Siegfried in opposition to Pltf [167-1] motion for Leave to File a Second Amended Complaint (plp) (Entered: 12/30/1994)
01/03/1995	173	Letter from Brian J. O'Connell, 12/28/94, on behalf of Dr. Hartmark, stating he has no objection to plaintiff's motion for permission to file a second amended complaint. (fce) (Entered: 01/03/1995)
01/05/1995	174	Letter, 1/3/95 on behalf of John Edmonson, having no objection to plaintiffs' motion to file second amended complaint. (fce) (Entered: 01/06/1995)
01/10/1995	175	Reply Memorandum of Law by plaintiffs in support of [167-1] motion for Leave to File a Second Complaint, [167-2] motion for Discovery—to compel the disclosure of the name of the complaining witness regarding the 9/4/92 assault (fce) (Entered: 01/10/1995)
01/19/1995	176	ORDER granting pltf's [167-2] to compel the disclosure of the name of the complaining witness regarding the 9/4/92 assault, w/State Police defts to produce requested information by 1/24/95 , subject to certain specified conditions. (signed by Magistrate Judge David N. Hurd 1/17/95) [served] (cbm) (Entered: 01/19/1995)
01/19/1995	177	ORDER granting pltf's [167-1] motion for Leave to File a Second Amended Complaint, to be filed on or before 2/3/95 (signed by Magistrate Judge David N. Hurd 1/17/95) [served] (cbm) (Entered: 01/19/1995)
01/23/1995	178	AFFIDAVIT by Robert Soegfried, AAG on behalf of State of New York w/proposed order to show cause Re: [177-1] order to be filed on or before 2/3/95; forwarded to Chambers for consideration. (tjm) (Entered: 01/23/1995)
01/23/1995	179	ORDER remanding 177 order of Mag/Judge Hurd for clarification and to Stay the 177 order until the court has reviewed the order. (signed by Chief Judge Thomas J. McAvoy 1/23/95) (tjm) (Entered: 01/23/1995)
01/30/1995	180	SECOND AMENDED COMPLAINT by Original Pltfs Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis and Adding 27 New Pltfs and Re-Adding Defts Redmond and Olsen and adding New Defts Service deadline 3/31/95 for Chris Lehenbauer, for Sean Ralph and Anonymous Otsego County Sheriff's Deputies, Investigators and/or Officers , amends [5-1] amended

		complaint, [1-1] complaint (wjg) Modified on 03/12/1996 (Entered: 01/31/1995)
01/30/1995	180	DEMAND for jury trial by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis (wjg) (Entered: 01/31/1995)
02/03/1995	182	AFFIDAVIT/CERTIFICATE OF SERVICE of second amended complaint as to Robert A. Siegfried, James Tuttle, Brian O'Donnell and Richard McVinney (wjg) (Entered: 02/07/1995)
02/06/1995	181	SUPPLEMENTAL ORDER granting pltf's [167-2] motion to compel , directing that NYS Police defts produce requested information immediately upon lifting of the present stay, subject to certain specified conditions. (signed by Magistrate Judge David N. Hurd 2/3/95) [served] (cbm) (Entered: 02/06/1995)
02/08/1995	183	NOTICE OF APPEAL by State of New York, SUNY, Anonymous Officers, SUCO Public Safety, SUNY at Oneonta, John Edmondson, John J. Donadio, Carl Shedlock, William M. Davis, NYS Police, Tim Jackson, Kenneth Grant, Merritt Hunt, H. Karl Chandler, Oneonta Police Dept., Robert Farrand, Mark Kimball, Farrago, Leif Hartmark, Kevin More, George Clum, Anon. State Police, Eric Wilson, John Way, Oneonta, NY, Anonymous Public, Anonymous SUCO, Sean Ralph, Chris Lehenbauer . Appeal record due on 3/10/95 (tjm) (Entered: 02/09/1995)
02/09/1995	186	AMENDED NOTICE OF APPEAL by Leif Hartmark . Appeal record due on 3/11/95 (tjm) Modified on 02/22/1995 (Entered: 02/22/1995)
02/10/1995		Notice of appeal and certified copy of docket to USCA re: [183-1] appeal by Chris Lehenbauer, Sean Ralph, Anonymous SUCO, Anonymous Public, Oneonta, NY, John Way, Eric Wilson, Anon. State Police, George Clum, Kevin More, Leif Hartmark, Farrago, Mark Kimball, Robert Farrand, Oneonta Police Dept., H. Karl Chandler, Merritt Hunt, Kenneth Grant, Tim Jackson, NYS Police, William M. Davis, Carl Shedlock, John J. Donadio, John Edmondson, SUNY at Oneonta, SUCO Public Safety, Anonymous Officers, SUNY, State of New York (parties noticed). (tjm) (Entered: 02/10/1995)
02/15/1995	187	AMENDED NOTICE OF APPEAL by Joseph Redmond, Anonymous Officers, John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept., Officer Olsen, City of Oneonta . Appeal record due on 3/17/95 (tjm) (Entered: 02/22/1995)
02/16/1995	184	AFFIDAVIT/CERTIFICATE OF SERVICE of amended notice of appeal as to Richard McVinney, Brian O'Donnell, Robert Siegfried and D. Scott Bassinson (wjg) (Entered: 02/16/1995)
02/21/1995	185	MEMORANDUM by State of New York in opposition to [181-1] order granting pltf's [167-2] motion to compel (tjm) (Entered: 02/21/1995)
02/23/1995	188	SUMMONS Returned Executed as to Sean Ralph on 2/17/95 : Answer due on 3/9/95 for Sean Ralph (wjg) (Entered: 02/23/1995)
02/23/1995	189	SUMMONS Returned Executed as to Chris Lehenbauer on 2/17/95 : Answer due on 3/9/95 for Chris Lehenbauer (wjg) (Entered: 02/23/1995)
02/27/1995	190	MEMORANDUM by Ricky Brown, et al in opposition to [185-1] opposition memorandum by NY State objecting to Order of Magistrate Judge Hurd compelling discovery. (tjm) (Entered: 03/03/1995)
02/27/1995	191	AFFIDAVIT by D. Scott Bassinson, Esq. on behalf of Ricky Brown in support Re: [190-1] opposition memorandum (tjm) (Entered: 03/03/1995)
03/14/1995	192	LETTER NOTICE of D. Scott Bassinson, Esq. dtd 3/9/95 on behalf of counsel advising that they have agreed to have oral argument of the appeal of Magistrate Judge Hurd's [181-1] Order be held in Binghamton on 3/24/95. (tjm) (Entered: 03/14/1995)
03/14/1995	193	NOTICE OF MOTION HEARING by Court re: State of New York for Reconsideration of [181-1] order granting pltf's [167-2] motion to compel , Hearing set for 10:00 a.m. on 3/24/95 Motion returnable before Judge/Mag. Judge: McAvoy (tjm) (Entered: 03/14/1995)

03/15/1995	194	Court NOTICE to all counsel dd 3/15/95 advising that 3/24/95 motions WILL BE ON SUBMIT; NO ORAL ARGUMENT OR APPEARANCES [served 3/15/95] (plp) (Entered: 03/15/1995)
03/17/1995	195	REINSTATEMENT OF APPEAL . Appeal record due on 4/16/95 (plp) (Entered: 03/20/1995)
03/17/1995	196	First ANSWER to Second Amended Complaint by Defts Sean Ralph, Chris Lehenbauer (Attorney James E. Konstanty) (plp) (Entered: 03/20/1995)
03/24/1995	197	ORDER denying [193-1] motion for Reconsideration of [181-1] order granting pltf's [167-2] motion to compel, lifting stay imposed 1/23/95 , and directing defendants to comply with [181-1] order within 3 days of entry of this order (signed by Chief Judge Thomas J. McAvoy 3/24/95) (tjm) (Entered: 03/24/1995)
03/24/1995	198	Letter by James Tuttle, Esq. dtd 3/22/95 to Court advising that since client City of Oneonta has no stake in the motion for reconsideration, he will not appear at the 3/24/95 motion calendar. (tjm) (Entered: 03/24/1995)
03/24/1995	199	Minute entry: Motion Calendar on 3/24/95 in Binghamton – Appeal of Magistrate Judge Hurd's Order of 2/6/95 – On Submit; Appearances: None; LC: K. Kelly; Court Reporter/ECRO: V. Theleman (tjm) (Entered: 03/27/1995)
03/24/1995		Motion hearing re: [193-1] motion for Reconsideration of [181-1] order granting pltf's [167-2] motion to compel (tjm) (Entered: 03/27/1995)
03/27/1995	200	Letter of Brian O'Donnell, Esq. dtd 3/22/95 on behalf of Dr. Hartmark advising he will not appear for argument on appeal of Magistrate Judge's order, since it does not involve his client. (tjm) (Entered: 03/27/1995)
03/27/1995	201	Letter of Richard McVinney, Esq. dtd 3/24/95 to court advising he will not appear on behalf of Deft Edmondson since it does not involve his client. (tjm) (Entered: 03/27/1995)
03/30/1995	202	ANSWER by Joseph Redmond, John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept. (Attorney James B. Tuttle) to second amended complaint (wjg) (Entered: 03/31/1995)
03/30/1995	202	ANSWER by X. Olsen, Anon. State Police, Oneonta, NY (Attorney James B. Tuttle) to second amended complaint (wjg) (Entered: 03/31/1995)
04/03/1995	203	Court of Appeals Scheduling Order, re: [195-1] appeal ; Appeal record due on 4/17/95 (wjg) (Entered: 04/04/1995)
04/03/1995		USCA Case Numbers Re: [195-1] appeal USCA NUMBER: 94-7191, 94-7233, 94-7287 (wjg) (Entered: 04/04/1995)
04/28/1995	204	Copy of Motion and ORDER of the 2nd Circuit Court of Appeals, Granting defendants' motion to clarify Second Circuit Order dismissing the consolidated appeals (Signed by James Oakes, per DGJ at the Second Circuit) (tjm) (Entered: 05/01/1995)
05/08/1995	205	Letter MOTION by Brian O'Donnell, Esq. dtd 5/5/95 on behalf of Oneonta, NY, et al to Extend Time of all defendants to answer or move with respect to Second Amended Complaint until 5/31/95 ; referred to Judge McAvoy for consideration. (tjm) (Entered: 05/08/1995)
05/09/1995	206	RESPONSE by State of New York defendants in support of [205-1] motion to Extend Time of all defendants to answer or move with respect to Second Amended Complaint until 5/31/95 (tjm) (Entered: 05/09/1995)
05/10/1995	207	RESPONSE by Atty Bassinson on behalf of Pltfs dd 5-10-95 of Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis in opposition to Defts request for extension until 5-31-95 to serve their responses to the 2nd Amended Complaint – [206-1] support response, [205-1] motion to Extend Time of all defendants to answer or move with to Second Amended Complaint until 5/31/95 [forward to Chambers/CML] (pta) (Entered: 05/10/1995)

05/15/1995	208	LETTER ORDER; granting [205-1] motion to Extend Time of all defendants to answer or move with respect to Second Amended Complaint until the close of the business day on 5/26/95 (dd 5-15-95 signed by Chief Judge Thomas J. McAvoy) [parties advised by phone and served] (pta) (Entered: 05/15/1995)
05/15/1995	209	Letter of D. Scott Bassinson, Esq. dtd 5/10/95 on behalf of Plaintiffs, objecting to defendants requests for extension of time to answer Second Amended Complaint. (tjm) (Entered: 05/18/1995)
05/16/1995	210	AMENDED ANSWER to Complaint by John Edmondson (Attorney McVinney), (tjm) (Entered: 05/18/1995)
05/30/1995	211	NOTICE of Document Rejection (Deft Hartmark's motion to dismiss) – not in compliance with GO #41. (tjm) (Entered: 05/31/1995)
05/30/1995	212	LETTER of Robert Siegfried, AAG on behalf of State of New York defendants pursuant to General Order #41 regarding Motion: Dismiss and Summary Judgment served. (tjm) (Entered: 05/31/1995)
06/15/1995	213	LETTER on behalf of Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis pursuant to General Order #41 regarding Motion: Response/Opposition served. (plp) (Entered: 06/15/1995)
06/15/1995	214	LETTER of Atty Bassinson on behalf of Plaintiff's pursuant to General Order #41 regarding: notice of cross-motion and all supporting papers served. (amt) (Entered: 06/19/1995)
06/20/1995	215	LETTER of Daniel Stewart on behalf of Anonymous Officers, John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept., Oneonta, NY pursuant to General Order #41 regarding Motion: for summary judgment served. (wjg) (Entered: 06/20/1995)
07/03/1995	216	REPLY LETTER of AAG Siegfried dd 6-29-95 on behalf of STATE DEFTS pursuant to General Order #41 regarding Pltf Cross Motion: Summary Judgment served. (pta) (Entered: 07/03/1995)
07/05/1995	217	LETTER of Atty Bader dd 6-30-95 confirming conversation with Chambers re: multiple defts upcoming separate motions (pta) (Entered: 07/05/1995)
07/05/1995	218	LETTER of Atty Bader dd 6-30-95 on behalf of Leif Hartmark pursuant to General Order #41 regarding Motion: to Dismiss and/or Summary Judgment – served. (pta) (Entered: 07/05/1995)
07/17/1995	219	LETTER of D. Scott Bassinson for behalf of Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis pursuant to General Order #41 regarding opposition to Motion: for summary judgment served. (wjg) (Entered: 07/18/1995)
07/19/1995	220	LETTER on behalf of Pltfs pursuant to General Order #41 regarding Motion: Summary Judgment served. (plp) (Entered: 07/19/1995)
07/25/1995	221	LETTER of behalf of State of New York defendants pursuant to General Order #41 regarding Motion: Summary Judgment filed w/opposing papers. (tjm) (Entered: 07/25/1995)
07/25/1995	222	MOTION by State of New York for Summary Judgment w/Rule 7.1f Statement, Hearing set for 10:00 8/14/95 Motion returnable before Judge/Mag. Judge: McAvoy (tjm) (Entered: 07/25/1995)
07/25/1995	223	AFFIDAVIT by Kenneth Grant Re: [222-1] motion for Summary Judgment (tjm) (Entered: 07/25/1995)
07/25/1995	224	AFFIDAVIT by Mark Kimball Re: [222-1] motion for Summary Judgment (tjm) (Entered: 07/25/1995)
07/25/1995	225	AFFIDAVIT by John Way Re: [222-1] motion for Summary Judgment (tjm) (Entered: 07/25/1995)

07/25/1995	226	AFFIDAVIT by Farrago Re: [222-1] motion for Summary Judgment (tjm) (Entered: 07/25/1995)
07/25/1995	227	AFFIDAVIT by Kevin More Re: [222-1] motion for Summary Judgment (tjm) (Entered: 07/25/1995)
07/25/1995	228	AFFIDAVIT by H. Karl Chandler Re: [222-1] motion for Summary Judgment (tjm) (Entered: 07/25/1995)
07/25/1995	229	AFFIDAVIT by Robert Farrand Re: [222-1] motion for Summary Judgment (tjm) (Entered: 07/25/1995)
07/25/1995	230	MEMORANDUM by State of New York in support of [222-1] motion for Summary Judgment (tjm) (Entered: 07/25/1995)
07/25/1995	231	MOTION by Leif Hartmark for Summary Judgment w/Rule 7.1f Statement and exhibits; Hearing set for 10:00 8/14/95 in Albany; Motion returnable before Judge/Mag. Judge: McAvoy (tjm) (Entered: 07/25/1995)
07/25/1995	232	MEMORANDUM by Leif Hartmark in support of [231-1] motion for Summary Judgment (tjm) (Entered: 07/25/1995)
07/25/1995	233	Rule 7.1(f) Statement in Support of [231-1] motion for Summary Judgment filed by Leif Hartmark (tjm) (Entered: 07/25/1995)
07/25/1995	234	AFFIDAVIT by Brian O'Donnell, Esq. on behalf of Leif Hartmark Re: [231-1] motion for Summary Judgment (tjm) (Entered: 07/25/1995)
07/25/1995	235	CROSS MOTION and Proposed Order by Ricky Brown to Compel Production of certain documents, Hearing set for 10:00 8/14/95 in Albany before Judge McAvoy. (tjm) (Entered: 07/25/1995)
07/25/1995	236	Rule 7.1(f) Statement in opposition to [231-1] motion by Hartmark for Summary Judgment, filed by Ricky Brown (tjm) (Entered: 07/25/1995)
07/25/1995	237	Rule 7.1(f) Statement in opposition to [222-1] motion by State defendants for Summary Judgment, filed by Ricky Brown (tjm) (Entered: 07/25/1995)
07/25/1995	238	AFFIDAVIT by Jean Cantave Re: [235-1] cross motion to Compel (tjm) (Entered: 07/25/1995)
07/25/1995	239	AFFIDAVIT by Jason Childs Re: [235-1] cross motion to Compel (tjm) (Entered: 07/25/1995)
07/25/1995	240	MEMORANDUM and Proposed Order by Leif Hartmark in opposition to [235-1] cross motion to Compel (tjm) (Entered: 07/25/1995)
07/25/1995	241	AFFIDAVIT by Scott Bassinson, Esq. on behalf of Ricky Brown, et al in opposition Re: [231-1] motion for Summary Judgment, [222-1] motion for Summary Judgment (tjm) (Entered: 07/25/1995)
07/25/1995	242	MEMORANDUM and Proposed Order by Ricky Brown, et al in opposition to [231-1] motion for Summary Judgment, [222-1] motion for Summary Judgment (tjm) (Entered: 07/25/1995)
07/25/1995	243	REPLY by State of New York to response to [231-1] motion for Summary Judgment, [222-1] motion for Summary Judgment (tjm) (Entered: 07/25/1995)
07/25/1995	244	REPLY by Leif Hartmark to response to [231-1] motion for Summary Judgment, [222-1] motion for Summary Judgment and in further support of motion for summary judgment. (tjm) (Entered: 07/25/1995)
07/31/1995	245	MOTION by Joseph Redmond, John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept., X. Olsen, Oneonta, NY to Dismiss , Hearing set for 10:00 8/14/95 Motion returnable before Judge/Mag. Judge: McAvoy (tjm) (Entered: 08/01/1995)
07/31/1995	246	Rule 7.1(f) Statement in Support of [245-1] motion to Dismiss filed by Joseph Redmond, et al (tjm) (Entered: 08/01/1995)

07/31/1995	247	AFFIDAVIT by Daniel Stewart, Esq. in support Re: [245-1] motion to Dismiss, w/exhibits A-G. (tjm) (Entered: 08/01/1995)
07/31/1995	248	MEMORANDUM by Oneonta, NY defendants in support of [245-1] motion to Dismiss (tjm) (Entered: 08/01/1995)
07/31/1995	249	CERTIFICATE OF SERVICE by Oneonta, NY defendants of motion papers, served by mail on 6/19/95 on all counsel. (tjm) (Entered: 08/01/1995)
07/31/1995	250	MEMORANDUM and Proposed Order by Ricky Brown, et al in opposition to [245-1] motion to Dismiss (tjm) (Entered: 08/01/1995)
07/31/1995	251	Rule 7.1(f) Statement in opposition to [245-1] motion to Dismiss, filed by Ricky Brown (tjm) (Entered: 08/01/1995)
07/31/1995	252	AFFIDAVIT by D. Scott Bassinson, Esq. on behalf of plaintiffs in opposition Re: [245-1] motion to Dismiss (tjm) (Entered: 08/01/1995)
07/31/1995	253	CERTIFICATE OF SERVICE by Ricky Brown, et al of opposition to motion to dismiss, served by mail on 7/17/95 on defendants' counsel. (tjm) (Entered: 08/01/1995)
07/31/1995	254	REPLY by Oneonta, NY defendants to response to [245-1] motion to Dismiss (tjm) (Entered: 08/01/1995)
08/04/1995	255	Scheduling Notice: Pending Motions ADJOURNED from 8/14/95 to 9/11/95, 10:00 a.m. in Albany before Judge McAvoy; (re: court convenience [245-1] [235-1] [231-1] [222-1]) [served 8/4/95] (plp) (Entered: 08/04/1995)
08/17/1995	256	MINUTES OF 8/14/95 MOTION HEARING: Pending motions ADJOURNED from 8/14/95 to 9/11/95 (re: [222-1], [231-1], [235-1], 245-1) (plp) (Entered: 08/18/1995)
09/05/1995	257	Court NOTICE to counsel dd 9/5/95 advising that 9/11/95 motions WILL BE ON SUBMIT; NO ORAL ARGUMENT OR APPEARANCES [served 9/5/95] (plp) (Entered: 09/05/1995)
09/05/1995		Advised counsel by phone this date that 9/11/95 motions will be on submit (plp) (Entered: 09/05/1995)
09/11/1995		Motion hearing re: [245-1] motion to Dismiss Motion hearing held, [235-1] cross motion to Compel Motion hearing held, [231-1] motion for Summary Judgment Motion hearing held, [222-1] motion for Summary Judgment Motion hearing held (tjm) (Entered: 12/29/1995)
12/21/1995	258	Minute entry: Motion calendar before Judge McAvoy on 9/11/95 in Albany – Appearances: None; Defts. motions for summary judgment and dismissal and Pltf. motion to compel – on submit. LC: R. Bennison; Court Reporter: Mary Louise Stasolla (tjm) (Entered: 12/29/1995)
01/03/1996	259	ORDER granting in part, denying in part [245-1] motion to Dismiss, [235-1] cross motion to Compel referred to Magistrate Judge David N. Hurd, granting in part, denying in part [231-1] motion for Summary Judgment, granting in part, denying in part [222-1] motion for Summary Judgment (signed by Chief Judge Thomas J. McAvoy 1/3/96) (tjm) (Entered: 01/08/1996)
01/17/1996	266	LETTER on behalf of Leif Hartmark pursuant to General Order #41 regarding Motion: Reconsideration served. (plp) (Entered: 01/23/1996)
01/17/1996	267	Deft Hartmark motion for Reconsideration of [259-1] Court order , Hearing set for 2/12/96, 10:00 a.m. in Albany before Judge McAvoy; AFFIDAVIT of Richard W. Bader, Esq.; exhibits A &B (plp) (Entered: 01/23/1996)
01/17/1996	268	MEMORANDUM by Leif Hartmark in support of his [267-1] motion for Reconsideration of [259-1] Court order (plp) (Entered: 01/23/1996)
01/18/1996	260	MOTION by Defendants Eric Wilson, George Clum, Merritt Hunt, Tim Jackson for Reconsideration of [259-1] order , Hearing set for 10:00 2/12/96 , Response Deadline 1/29/96 Motion returnable before Judge: McAvoy (fce) (Entered: 01/19/1996)

01/18/1996	261	MEMORANDUM OF LAW on behalf of Defendants Eric Wilson, George Clum, Merritt Hunt, Tim Jackson in support of [260-1] motion for Reconsideration of [259-1] order (fce) (Entered: 01/19/1996)
01/18/1996	262	AFFIDAVIT by Eric Wilson Re: [260-1] motion for Reconsideration of [259-1] order (fce) (Entered: 01/19/1996)
01/18/1996	263	AFFIDAVIT by George Clum Re: [260-1] motion for Reconsideration of [259-1] order (fce) (Entered: 01/19/1996)
01/18/1996	264	AFFIDAVIT by Merritt Hunt Re: [260-1] motion for Reconsideration of [259-1] order (fce) (Entered: 01/19/1996)
01/18/1996	265	AFFIDAVIT by Tim Jackson Re: [260-1] motion for Reconsideration of [259-1] order (fce) (Entered: 01/19/1996)
01/18/1996	269	Letter of J. Dunn, Esq. (on behalf of Oneonta defts) to court dd 1/17/96 re: motion (plp) (Entered: 01/23/1996)
01/18/1996	270	Oneonta Defts motion for Reconsideration of [259-1] Court order ; Hearing set for 2/23/96, 10:00 a.m. in Binghamton before Judge McAvoy; AFFIDAVIT of Jill A. Dunn, Esq.; exhibits A-C (plp) (Entered: 01/23/1996)
01/18/1996	271	MEMORANDUM by Oneonta Defts (Oneonta, NY, Oneonta Police Dept., William M. Davis, Carl Shedlock, John J. Donadio, Anonymous Officers) in support of their [270-1] motion for Reconsideration of [259-1] Court order (plp) (Entered: 01/23/1996)
01/18/1996	272	MOTION by Wayne Lewis, Kevin Allen, Charles Battiste, Major Barnett, Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown for Reconsideration of [259-1] order , or for certification, pursuant to Fed.R.Civ.P. 54(b) and/or 28 U.S.C. 1292 (b), of the Court's judgment with respect to Plaintiff's equal protection and 1981 claims. , Hearing set for 10:00 2/23/96 , Response Deadline 2/9/96 , Reply to Response Deadline 2/16/96 Motion returnable before Judge/Mag. Judge: McAvoy in Binghamton (wjg) (Entered: 01/23/1996)
01/18/1996	273	AFFIDAVIT by Scott Bassinson for Wayne Lewis, Kevin Allen, Charles Battiste, Major Barnett, Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown Re: [272-1] motion for Reconsideration of [259-1] order, [272-2] motion for certification, pursuant to Fed.R.Civ.P. 54(b) and/or 28 U.S.C. 1292 (b), of the Court's judgment with respect to Plaintiff's equal protection and 1981 claims. (wjg) (Entered: 01/23/1996)
01/18/1996	274	MEMORANDUM OF LAW and Proposed Order by Wayne Lewis, Kevin Allen, Charles Battiste, Major Barnett, Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown in support of [272-1] motion for Reconsideration of [259-1] order, [272-2] motion for certification, pursuant to Fed.R.Civ.P. 54(b) and/or 28 U.S.C. 1292 (b), of the Court's judgment with respect to Plaintiff's equal protection and 1981 claims. (wjg) (Entered: 01/23/1996)
01/19/1996	275	Court Scheduling NOTICE of [272-1] motion hearing set to 2/23/96 at 10:00am in Binghamton before Hon. Thomas J. McAvoy (wjg) (Entered: 01/23/1996)
01/26/1996	276	NOTICE OF APPEAL by John Way, Eric Wilson, George Clum, Kevin More, Farrago, Mark Kimball, Robert Farrand from the Order entered in this action on 1/3/96, reaffirming the District Court's orders of 1/29/94 and 7/17/94. FILING FEE \$ 105.00 RECEIPT # 25318 Appeal record due on 2/25/96 (wjg) (Entered: 01/26/1996)
01/26/1996	276	NOTICE OF APPEAL by H. Karl Chandler, Merritt Hunt, Kenneth Grant, Tim Jackson, NYS Police, SUNY at Oneonta, SUCO Public Safety, SUNY from the order entered on 1/3/96 reaffirming the District Court's Orders of 1/29/94 and 7/17/94. FILING FEE \$ 105.00 RECEIPT # 25318 Appeal record due on 2/25/96 (wjg) (Entered: 01/26/1996)
01/26/1996	277	NOTICE OF APPEAL by Anonymous SUCO, Anonymous Public, Oneonta, NY, Oneonta Police Dept., William M. Davis, Carl Shedlock, John J. Donadio from the Order entered 1/3/96, reaffirming the Orders of the DC from 1/31/94 and 7/18/94.

		Appeal record due on 2/25/96 (wjg) (Entered: 01/26/1996)
01/26/1996	278	MEMORANDUM by defts. Oneonta, NY, et al in opposition to [272-1] motion for Reconsideration of [259-1] order (tjm) (Entered: 01/29/1996)
01/29/1996	279	REPLY AFFIDAVIT by Jill Dunn for Oneonta, NY, Oneonta Police Dept., William M. Davis, Carl Shedlock, John J. Donadio, Anonymous Officers to response to [270-1] motion Oneonta Defts motion for Reconsideration of [259-1] Court order (fce) (Entered: 01/30/1996)
01/29/1996	280	MEMORANDUM OF LAW and Proposed Order by Wayne Lewis, Kevin Allen, Charles Battiste, Major Barnett, Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown in opposition to [270-1] motion Oneonta Defts motion for Reconsideration of [259-1] Court order (fce) (Entered: 01/30/1996)
01/29/1996	281	AFFIDAVIT by Vincent Quinones for Plaintiffs Re: [280-1] opposition memorandum (fce) (Entered: 01/30/1996)
01/30/1996	282	NOTICE OF APPEAL by Leif Hartmark . Appeal record due on 2/29/96 (pta) (Entered: 01/30/1996)
01/30/1996		Notice of appeal and certified copy of docket to USCA re: [282-1] appeal by Leif Hartmark (parties noticed). (pta) (Entered: 01/30/1996)
01/31/1996	284	AFFIDAVIT(original) of Vincent Quinones by Wayne Lewis, Kevin Allen, Charles Battiste, Major Barnett, Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown in Opposition to Re: [270-1] motion Oneonta Defts motion for Reconsideration of [259-1] Court order (wbl) (Entered: 02/01/1996)
02/01/1996	283	Court NOTICE to all counsel dd 2/1/96 advising that 2/12/96 motions WILL BE ON SUBMIT; NO ORAL ARGUMENT OR APPEARANCES [served 2/1/96] (plp) (Entered: 02/01/1996)
02/02/1996		USCA appeal fees received \$ 105.00 re: 282 Appeal by deft. Leif Hartmark, Receipt #23245. (tjm) (Entered: 02/02/1996)
02/02/1996		Notice of appeal and certified copy of docket to USCA re: [277-1] appeal by John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept., Oneonta, NY, Anonymous Public, Anonymous SUCO, [276-1] appeal by SUNY, SUCO Public Safety, SUNY at Oneonta, NYS Police, Tim Jackson, Kenneth Grant, Merritt Hunt, H. Karl Chandler, [276-1] appeal by Robert Farrand, Mark Kimball, Farrago, Kevin More, George Clum, Eric Wilson, John Way (parties noticed). (tjm) (Entered: 02/02/1996)
02/02/1996	286	REPLY by State of New York to response to [193-1] motion for Reconsideration of [181-1] order granting pltf's [167-2] motion to compel (tjm) (Entered: 02/06/1996)
02/02/1996	287	Acknowledgment of receipt for Index to Record on Appeal by 2CCA, received 1/24/96. (tjm) (Entered: 02/06/1996)
02/05/1996	285	REPLY MEMORANDUM OF LAW by Wayne Lewis, Kevin Allen, Charles Battiste, Major Barnett, Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown to response to [272-1] motion for Reconsideration of [259-1] order (wjg) (Entered: 02/05/1996)
02/09/1996	289	Letter of Atty Dunn to Court dd 2/8/96 advising Reply Brief is being filed pursuant to permission of chambers. (amt) (Entered: 02/13/1996)
02/09/1996	290	DEFTS REPLY by Oneonta, NY, Oneonta Police Dept., Davis, Shedlock, Donadio, Anonymous Officers to Pltf's response to [272-1] motion for Reconsideration of [259-1] order, [272-2] motion for certification, pursuant to Fed.R.Civ.P. 54(b) and/or 28 U.S.C. 1292 (b), of the judgment with respect to Plaintiff's equal protection and 1981 claims. (amt) (Entered: 02/13/1996)
02/12/1996	288	Minute entry: MOTION CALENDAR HELD 2-12-96 ALBANY NY: Appearances: R. Bennison/LC; No Counsel. Defts Wilson, Clum, Hunt, Jackson

		Motion for Reconsideration of Court [259-1] Order [260-1]; Deft Hartmark Motion for Reconsideration of Court [259-1] Order [267-1] – TAKEN ON SUBMIT (pta) (Entered: 02/13/1996)
02/14/1996	291	COURT NOTICE of Pending Motions for 2-23-96 MC will be taken on SUBMIT (pta) (Entered: 02/20/1996)
02/20/1996	292	Copy of Atty Bader 2/14/96 ltr to 2CCA re: submission of Form C (plp) (Entered: 02/20/1996)
02/20/1996	293	Copy of Atty Dunn 2/14/96 ltr to 2CCA re: submission of Form C (plp) (Entered: 02/20/1996)
02/20/1996	296	ORDER denying [272-1] motion for Reconsideration of [259-1] order, denying [272-2] motion for certification, pursuant to Fed.R.Civ.P. 54(b) and/or 28 U.S.C. 1292 (b), of the Court's judgment with respect to Plaintiff's equal protection and 1981 claims., denying [270-1] motion Oneonta Defts motion for Reconsideration of [259-1] Court order, granting [260-1] motion for Reconsideration of [259-1] order, denying [267-1] motion Deft Hartmark motion for Reconsideration of [259-1] Court order (signed by Chief Judge Thomas J. McAvoy 2/19/96) (tjm) (Entered: 02/29/1996)
02/20/1996	297	Received payment by Atty Jill Dunn, Esq., for Deft City of Oneonta Notice of Appeal, previously filed 1/26/96 (receipt #23264) (amt) (Entered: 03/01/1996)
02/23/1996		Motion hearing re: [272-1] motion for Reconsideration of [259-1] order, [272-2] motion for certification, pursuant to Fed.R.Civ.P. 54(b) and/or 28 U.S.C. 1292 (b), of the Court's judgment with respect to Plaintiff's equal protection and 1981 claims. Motion hearing held, [270-1] motion Oneonta Defts motion for Reconsideration of [259-1] Court order Motion hearing held, [260-1] motion for Reconsideration of [259-1] order Motion hearing held, [267-1] motion Deft Hartmark motion for Reconsideration of [259-1] Court order Motion hearing held (tjm) (Entered: 02/29/1996)
02/26/1996	295	Minute entry: Motion hearing 2/23/96 in Binghamton; Appearances: None. Deft. motion for reconsideration and pltf's motions for reconisderation and for certification of claims – On Submit. LC: RB; Court Reporter/ECRO: Michelle Van Atta (tjm) (Entered: 02/29/1996)
02/28/1996	294	NOTICE of attorney appearance for Oneonta, NY, X. Olsen, Oneonta Police Dept., William M. Davis, Carl Shedlock, John J. Donadio, Anonymous Officers, Joseph Redmond by Daniel J. Stewart, Jill Anne Dunn:Attorneys Stewart &Dunn replace Atty Tuttle within the same firm (Dreyer, Boyajian Law Firm)(wjg) Modified on 02/28/1996 (Entered: 02/28/1996)
03/04/1996	300	Court of Appeals Scheduling Order re: #94-7191, re: [282-1] appeal by Leif Hartmark, [277-1] appeal by John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept., Oneonta, NY, Anonymous Public, Anonymous SUCO, [276-1] appeal by SUNY, SUCO Public Safety, SUNY at Oneonta, NYS Police, Tim Jackson, Kenneth Grant, Merritt Hunt, H. Karl Chandler, [276-1] appeal by Robert Farrand, Mark Kimball, Farrago, Kevin More, George Clum, Eric Wilson, John Way ; Appeal record due on 3/25/96 (pta) (Entered: 03/06/1996)
03/04/1996		USCA Case Number Re: [282-1] appeal by Leif Hartmark, [277-1] appeal by John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept., Oneonta, NY, Anonymous Public, Anonymous SUCO, [276-1] appeal by SUNY, SUCO Public Safety, SUNY at Oneonta, NYS Police, Tim Jackson, Kenneth Grant, Merritt Hunt, H. Karl Chandler, [276-1] appeal by Robert Farrand, Mark Kimball, Farrago, Kevin More, George Clum, Eric Wilson, John Way USCA NUMBER: 94-7191 (pta) (Entered: 03/06/1996)
03/04/1996	298	PLTFS NOTICE OF APPEAL from Orders of Chief Judge McAvoy entered on 1-03-96 and 2-20-96 by Wayne Lewis, Kevin Allen, Charles Battiste, Major Barnett, Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown, Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Michael Christian, Jason Childs, Paul Heyward Jr., Ronald Jennings, Paul Howe, Bubu DeMasio, Wilson

		Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez . FILING FEE \$ 105.00 RECEIPT # 25435 Appeal record due on 4/3/96 (pta) Modified on 03/12/1996 (Entered: 03/12/1996)
03/06/1996	299	NOTICE OF APPEAL from Order entered 2-20-96 by Oneonta, NY, Oneonta Police Dept., William M. Davis, Carl Shedlock, John J. Donadio, Anonymous Officers from the 2/20/96 Order of Judge Thomas J. McAvoy, denying motion for reconsideration of Court's prior decision denying summary judgment of plaintiff Vincent Quinones' claim. FILING FEE \$ 105.00 RECEIPT # 25445 Appeal record due on 4/5/96 (wjg) Modified on 03/12/1996 (Entered: 03/06/1996)
03/12/1996		PLTFS Notice of appeal and certified copy of docket to USCA re: [298-1] appeal by Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis (parties noticed). (pta) Modified on 03/12/1996 (Entered: 03/11/1996)
03/12/1996		Notice of appeal and certified copy of docket to USCA re: [299-1] appeal by Anonymous Officers, John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept., Oneonta, NY (parties noticed). (pta) (Entered: 03/12/1996)
04/22/1996	301	Court of Appeals Scheduling Order, Index to the Record due by 4-22-96 on CCA #94-7191, 94-7287, 94-7233, 96-7140, 96-7141, 96-7145 & 96-7300 re: [299-1] appeal [298-1] appeal [282-1] appeal [277-1] appeal [276-1] appeal [276-1] appeal [195-1] appeal, [187-1] appeal [186-1] appeal [183-1] appeal [160-1] appeal [159-1] appeal [158-1] appeal [157-1] appeal [125-1] appeal [116-1] appeal [298-1] appeal ; Appeal record due on 4/22/96 (pta) (Entered: 04/23/1996)
04/30/1996		Certified and transmitted record on appeal to U.S. Court of Appeals: [299-1] appeal by Anonymous Officers, John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept., Oneonta, NY, [298-1] appeal by King Gonzalez, Tyrone Lohr, Steven York, Lamont Wyche, Laurence Plaskett, Vincent Quinones, Hervey Pierre, Kenneth McClain, Ronald Lynch, Daniel Sontag, Felix Francis, Jermaine Adams, Chris . Holland, Wilson Acosta, Bubu DeMasio, Paul Howe, Ronald Jennings, Paul Heyward Jr., Jason Childs, Michael Christian, John Butler, Darnell Lemons, Ronald Sanchez, Clement Mallory, Robert . Walker, Darryl Taylor, Tim Richardson, Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis, [282-1] appeal by Leif Hartmark, [277-1] appeal by John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept., Oneonta, NY, Anonymous Public, Anonymous SUCO, [276-1] appeal by SUNY, SUCO Public Safety, SUNY at Oneonta, NYS Police, Tim Jackson, Kenneth Grant, Merritt Hunt, H. Karl Chandler, [276-1] appeal by Robert Farrand, Mark Kimball, Farrago, Kevin More, George Clum, Eric Wilson, John Way (tjm) (Entered: 04/30/1996)
05/13/1996	302	Receipt for Certified copy of the Index to the record on appeal (amt) (Entered: 05/20/1996)
07/01/1996	303	JUDGMENT OF USCA (certified copy) Re: dismissal of platiniffs cross-appeal (tjm) (Entered: 07/02/1996)
02/18/1997	304	JUDGMENT OF USCA (certified copy) Re: [299-1] appeal - Reversing in part to the extent orders denied qualified immunity , dismissing in part as to appeals by Donadio, Davis, and Shedlock, and remanding in part for ruling on qualified immunity from Vincent Quinones's Fourth Amendment Claims. by Anonymous Officers, John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept., Oneonta, NY, [298-1] appeal by King Gonzalez, Tyrone Lohr, Steven York, Lamont Wyche, Laurence Plaskett, Vincent Quinones, Hervey Pierre, Kenneth McClain, Ronald Lynch, Daniel Sontag, Felix Francis, Jermaine Adams, Chris . Holland, Wilson Acosta, Bubu DeMasio, Paul Howe, Ronald Jennings, Paul Heyward Jr., Jason Childs, Michael Christian, John Butler, Darnell Lemons, Ronald Sanchez, Clement Mallory, Robert . Walker, Darryl Taylor, Tim Richardson, Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen,

		Wayne Lewis, [282-1] appeal by Leif Hartmark, [277-1] appeal by John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept., Oneonta, NY, Anonymous Public, Anonymous SUCO, [276-1] appeal by SUNY, SUCO Public Safety, SUNY at Oneonta, NYS Police, Tim Jackson, Kenneth Grant, Merritt Hunt, H. Karl Chandler, [276-1] appeal by Robert Farrand, Mark Kimball, Farrago, Kevin More, George Clum, Eric Wilson, John Way (tjm) (Entered: 02/18/1997)
03/17/1997	305	JUDGMENT OF USCA (certified copy) that the District Court is REVERSED in part, Appeal dismissed in part, and REMANDED in part to the District Court for further proceedings Re: [299-1] appeal [298-1] appeal [282-1] appeal [277-1] appeal [276-1] appeal [195-1] appeal, [187-1] appeal [186-1] appeal [183-1] appeal [160-1] appeal [159-1] appeal [158-1] appeal [157-1] appeal [125-1] appeal [116-1] appeal [298-1] appeal [issued 3-12-97 CCA #94-7191, 94-7233, 94-7287, 96-7140, 96-7141, 96-7145, 96-7305] (pta) (Entered: 03/17/1997)
03/17/1997	306	Letter to Judge Hurd from Scott N. Fein, Esq., on behalf of pltf's, dd 2/21/97, requesting that the Court lift the stay of discovery, as appeals have been decided; w/attached exhibits A and B. (cbm) (Entered: 03/20/1997)
03/17/1997	307	Letter to Judge Hurd from AAG Robert Siegfried, dd 2/26/97, in response to pltf's' 2/21/97 letter, and objecting to production of requested documents. (cbm) (Entered: 03/20/1997)
03/17/1997	308	Letter to Judge Hurd from Daniel J. Stewart, Esq., on behalf of deft City of Oneonta, dd 2/27/97, objecting to any discovery being conducted until qualified immunity defense has been conclusively resolved. (cbm) (Entered: 03/20/1997)
03/17/1997	309	Letter to Judge Hurd from Brian O'Donnell, Esq., on behalf of deft Hartmark, dd 3/3/97, objecting to any discovery of the personnel records of Dr. Leif Hartmark. (cbm) (Entered: 03/20/1997)
03/17/1997	310	ORDER Vacating stay of discovery to the extent that the State Police defts make available for inspection, all documents and things responsive to pltf's' requests w/regard to the investigative file surrounding the assault of 9/4/91, compliance to be made on or before 3/31/97; remaining terms and conditions in the 2/14/94 order remain in full force and effect; otherwise the stay remains in place. (signed by Magistrate Judge David N. Hurd 3/17/97) [served] (cbm) (Entered: 03/20/1997)
04/27/1997	311	ORDER, that counsel for each party to the Motion for Summary Judgment file with the Court a Memorandum of law on the issue of whether the Oneonta police officers have qualified immunity from the claims asserted against them by Pltf Quinones, not to exceed 10 Pages within 20 days of the filing of this order; set Brief deadline to 5/19/97 (dd 4-24-97 signed by Chief Judge Thomas J. McAvoy) (pta) (Entered: 04/27/1997)
05/14/1997	312	LETTER of D.Scott Bassinson, Esq. dd 5-12-97 on behalf of Pltf's re: parties have agreed that Mr. Quinones 4th Amendment claim against Defts Donadio, Shedlock and Davis will be discontinued, and stipulation will be forthcoming and the parties will not need to file the Memorandum per Order dd 4-24-97 [forward to Chambers/RB] (pta) (Entered: 05/14/1997)
06/24/1997	313	Minute entry: 6/19/97 Discovery Teleconf. w/MJ Hurd. Production of documents by state defts discussed. Stipulation to be submitted to DNH for review & signature. App. Counsel of record. Court Reporter/ECRO: None (cmr) (Entered: 06/24/1997)
06/27/1997	314	Stipulation and Confidentiality Agreement and ORDER re: disclosure of confidential information (signed by Magistrate Judge David N. Hurd 6/23/97) [served] (cbm) (Entered: 06/27/1997)
07/16/1997		COURT CRD Ligas contacted pltf Atty Bassinson re: parties to submit proposed R16 ddls to Court w/in next (2) weeks (cml) (Entered: 07/16/1997)
07/28/1997	315	LETTER REQUEST of D. Scott Bassinson, Esq. dd 7-25-97 for a Conference before issuing a final scheduling order; Exhibits A-B (pta) (Entered: 07/28/1997)
09/08/1997	316	CONSENT TO AMEND PLEADINGS pursuant Rule 15(a); that the 2nd Amended Complaint be amended to discontinue all claims by Vincent Quinones against Defts Donadio, Davis and Shedlock w/prejudice, by Oneonta Defts and Pltf's. (pta)

		(Entered: 09/08/1997)
09/15/1997	317	Copy of Attorney Bassinson's 9/11/97 letter to other counsel, advising that conference is scheduled for 10/1/97 and that parties are to prepare and submit a proposed scheduling order, etc. (cbm) (Entered: 09/16/1997)
09/18/1997		Deadline updated; set Comprehensive (Pretrial) Conference for 1:00 p.m. before Mag/Judge Hurd on 10/1/97 (pta) (Entered: 09/18/1997)
10/01/1997		PT/Status conference held before Mag Judge Hurd (cml) (Entered: 10/23/1997)
10/07/1997	318	Minute entry: 10/1/97 Status Conf. w/MJ Hurd in Albany, NY. Stay lifted. Order to be issued. Deposition schedule to be submitted by 10/13/97. Writ & order to be submitted for production of one of the pltf's who is incarcerated. Amended CMO to be issued. App. Counsel of record. Court Reporter/ECRO: None (cmr) (Entered: 10/08/1997)
10/08/1997	319	ORDER Vacating Stay of discovery (see docket no. 124); parties are directed to submit discovery letters on or before 10/31/97. (signed by Magistrate Judge David N. Hurd 10/7/97) [served] (cbm) (Entered: 10/10/1997)
10/21/1997	320	Letter to Judge Hurd from Attorney Bassinson, dd 10/7/97, regarding discovery issues; w/attached exhibits A-J. (cbm) (Entered: 10/21/1997)
10/21/1997	321	ORDER lifting in its entirety the stay of discovery in place since 2/24/94 ; reaffirming order filed 2/14/94; directing defts to produce for in camera inspection w/in 7 days certain specified personnel files; directing production of documents concerning receipt of federal funds, etc.; directing production of original "blacklist"; directing that 2/14/94 order concerning confidentiality and usage of personnel files shall apply to all such files produced pursuant to this order. (signed by Magistrate Judge David N. Hurd 10/20/97) [served] (cbm) (Entered: 10/21/1997)
10/21/1997	322	Uniform Pretrial Order; Trial Ready by: 1/01/99; Length of Trial 21 days; Preferred Trial Location: Albany, N.Y.; Join/Parties & Amend/Pleadings ddls CLOSED; Discovery ddl 7/1/98; Motion Filing ddl 10/1/98; Jury Trial ddl 9:30 A.M. on 1/4/99 in Binghamton, N.Y.; signed by Chief Judge Thomas J. McAvoy dtd 10/21/97 (cml) (Entered: 10/21/1997)
10/24/1997	323	Letter to Judge Hurd from AAG Siegfried, dd 10/21/97, objecting to proposed order submitted by pltf's attorney Bassinson. (cbm) (Entered: 10/24/1997)
12/08/1997	324	ORDER that the personnel files of Shedlock, Davis, Redmond, and Donadio need not be disclosed to the Plaintiff's; the City of Oneonta shall disclose to the Plaintiff's atty. all records within the personnel file of Taylor relating to training and discipline, by serving certified copies; said records are to be seen only by the Plaintiff's atty. and shall not be shown to anyone else without permission to the court; the plaintiff's shall have the right to inspect the entire personnel file of any individual if the City of Oneonta seeks to enter a portion of that individual's personnel file as evidence of that trial; the Clerk is directed to return the personnel file to the City of Oneonta. RE: personnel files (signed by Magistrate Judge David N. Hurd) (cbm) (Entered: 12/08/1997)
02/27/1998	325	LETTER of D. Scott Bassinson, Esq. dd 2-25-98 re: Proposed Stipulation and Order and Notice that Hanna, Osterman Firm no longer represents Pltfs McGlashan, Bobby Jackson and Michael Christian and Request an Order severing Mr. Christian claims from other Pltfs (pta) (Entered: 02/27/1998)
02/27/1998		RECEIVED Proposed Stipulation and Order [atty to submit infancy language] (pta) (Entered: 02/27/1998)
03/12/1998	326	STIPULATION AND ORDER, pursuant FRCP 41(a)(1) to Dismiss w/prejudice all federal claims as to which there is not already a decision ; that the remaining supplemental state law claims of the Second Amended Complaint, without prejudice; parties agree not to reinstate the supplemental state law claims; parties request the court enter final judgment (signed by Chief Judge Thomas J. McAvoy) (pta) (Entered: 03/12/1998)

03/13/1998	327	LETTER of Daniel J. Stewart, Esq. dd 3-10-98 on behalf of the Oneonta Defts opposing the Pltfs request for a severance in re: to Scott Bassinson's 2-25-98 letter (pta) (Entered: 03/13/1998)
04/08/1998	328	LETTER of D. Scott Bassinson, Esq. dd 4-06-98 to Michael Christian, Bobby Jackson and Patrick McGlashan requesting they advise the Court as to continuing this action pro se (pta) (Entered: 04/13/1998)
05/01/1998	329	LETTER of D. Scott Bassinson, Esq. dd 4-29-98 on behalf of all Plaintiffs except for Plaintiffs Christian, McGlashan and Jackson, requesting the Court exercise its discretion pursuant to NDNY Rule 41.2(a) and dismiss w/prej. all claims of Christian, McGlashan and Jackson (pta) (Entered: 05/04/1998)
05/08/1998	330	RESPONSE LETTER of Daniel J. Stewart, Esq. dd 5-05-98 to Mr. Bassinson's 4-29-98 letter and that he does not oppose request to dismiss the claims of Christian, Mcglashan and Jackson (pta) (Entered: 05/08/1998)
05/14/1998		USCA Case Number Re: [299-1] appeal [298-1] appeal [282-1] appeal [277-1] appeal [276-1] appeal [195-1] appeal, [187-1] appeal [186-1] appeal [183-1] appeal [160-1] appeal [159-1] appeal [158-1] appeal [157-1] appeal [125-1] appeal [116-1] appeal USCA NUMBER: 94-7191, 94-7233, 94-7287 and 96-7140, 96-7141, 96-7145, 96-7305 (pta) (Entered: 05/14/1998)
06/29/1998	331	COURT MOTION by Court to Dismiss for failure to prosecute under L.R. 41.2 as to pro se pltf Michael Christian , Hearing set for 10:00 A.M. on 8/10/98 in Albany returnable bef Chief Judge McAvoy; Oppsition Response ddl 8/3/98 (cml) (Entered: 06/29/1998)
07/13/1998	332	NOTICE of Return Mail sent to Deft Michael Christian at 10 Queens Dr. Apt 516, Schnectady NY as "return to sender, attempted not known" w/copy Court Dismissal Notice (pta) (Entered: 07/14/1998)
07/30/1998	333	COURT NOTICE TO ALL COUNSEL advising that motion to be heard 8/10/98 WILL BE HEARD ON SUBMIT. There will be NO oral argument. NO APPEARANCES ARE NECESSARY. (fce) (Entered: 07/31/1998)
08/10/1998		Motion hearing re: [331-1] motion by Court to Dismiss for failure to prosecute under L.R. 41.2 as to pro se pltf Michael Christian Motion hearing held (pta) (Entered: 08/11/1998)
08/11/1998	334	Minute entry MOTION CALENDAR HELD 8-10-98 IN ALBANY NY: Appearances: Court Reporter T. Berical; A. Wells/LC; No Counsel. Court Motion to Dismiss for failure to prosecute under LR 41.2 as to Pro Se Pltf Michael Christian [33-1] - TAKEN ON SUBMIT (pta) (Entered: 08/11/1998)
08/13/1998	335	DECISION AND ORDER; that Pltf Michael Christian's Complaint be DISMISSED for failure to prosecute [331-1] Court Motion under L.R. 41.2 as to pro se pltf Michael Christian (dd 8-10-98 signed by Chief Judge Thomas J. McAvoy (pta) (Entered: 08/13/1998)
09/09/1998	336	JUDGMENT; that Pltf Cristian's Complaint is dismissed for failure to prosecute; that all federal claims and remaining supplemental state law claims are dismissed as in accordance with previous ruling of this Court and the Second Circuit (pta) Modified on 09/09/1998 (Entered: 09/09/1998)
09/09/1998		Case closed (pta) (Entered: 09/09/1998)
10/02/1998	337	NOTICE OF APPEAL by Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown, Tim Richardson, Darryl Taylor, Robert . Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Jason Childs, Paul Heyward Jr., Ronald Jennings, Paul Howe, Bubu DeMasio, Wilson Acosta, Chris . Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez. FILING FEE \$ 105.00 RECEIPT # 38377 Appeal record due on 11/1/98. (fce) (Entered: 10/05/1998)

11/04/1998	338	Court of Appeals Scheduling Order, re: [337-1] appeal by King Gonzalez, Tyrone Lohr, Steven York, Lamont Wyche, Laurence Plaskett, Vincent Quinones, Hervey Pierre, Kenneth McClain, Ronald Lynch, Daniel Sontag, Felix Francis, Jermaine Adams, Chris . Holland, Wilson Acosta, Bubu DeMasio, Paul Howe, Ronald Jennings, Paul Heyward Jr., Jason Childs, John Butler, Darnell Lemons, Ronald Sanchez, Clement Mallory, Robert . Walker, Darryl Taylor, Tim Richardson, Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris ; Appeal record due on 11/23/98 (pta) (Entered: 11/04/1998)
11/04/1998		USCA Case Number Re: [337-1] appeal by King Gonzalez, Tyrone Lohr, Steven York, Lamont Wyche, Laurence Plaskett, Vincent Quinones, Hervey Pierre, Kenneth McClain, Ronald Lynch, Daniel Sontag, Felix Francis, Jermaine Adams, Chris . Holland, Wilson Acosta, Bubu DeMasio, Paul Howe, Ronald Jennings, Paul Heyward Jr., Jason Childs, John Butler, Darnell Lemons, Ronald Sanchez, Clement Mallory, Robert . Walker, Darryl Taylor, Tim Richardson, Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris USCA NUMBER: 98-9375 (pta) (Entered: 11/10/1998)
11/10/1998		Certified and transmitted Index to the record on appeal to U.S. Court of Appeals: [337-1] appeal by King Gonzalez, Tyrone Lohr, Steven York, Lamont Wyche, Laurence Plaskett, Vincent Quinones, Hervey Pierre, Kenneth McClain, Ronald Lynch, Daniel Sontag, Felix Francis, Jermaine Adams, Chris . Holland, Wilson Acosta, Bubu DeMasio, Paul Howe, Ronald Jennings, Paul Heyward Jr., Jason Childs, John Butler, Darnell Lemons, Ronald Sanchez, Clement Mallory, Robert . Walker, Darryl Taylor, Tim Richardson, Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris (pta) (Entered: 11/10/1998)
11/19/1998	339	NOTICE of CCA Receipt of Index to the Record on Appeal – received 11-13-98 (pta) (Entered: 11/19/1998)
06/09/2000		Certified and transmitted record on appeal to U.S. Court of Appeals: [337-1] appeal by King Gonzalez, Tyrone Lohr, Steven York, Lamont Wyche, Laurence Plaskett, Vincent Quinones, Hervey Pierre, Kenneth McClain, Ronald Lynch, Daniel Sontag, Felix Francis, Jermaine Adams, Chris . Holland, Wilson Acosta, Bubu DeMasio, Paul Howe, Ronald Jennings, Paul Heyward Jr., Jason Childs, John Butler, Darnell Lemons, Ronald Sanchez, Clement Mallory, Robert . Walker, Darryl Taylor, Tim Richardson, Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris (fce) (Entered: 06/09/2000)
06/22/2000	340	NOTICE of CCA receipt of Index to record on appeal recv'd 6/9/00 (sfp) (Entered: 06/22/2000)
11/22/2000		CASE NO LONGER REFERRED TO Magistrate Judge David Hurd, as he was elevated to District Judge 10/99. (cbm) (Entered: 11/22/2000)
11/22/2000		CASE REFERRED to Magistrate Judge David R. Homer (cbm) (Entered: 11/22/2000)
11/27/2000	341	MOTION by CBS Broadcasting to Intervene by CBS Broadcasting , Hearing set for 9:30 12/21/00 , Response Deadline 12/7/00 Motion returnable before Judge/Mag. Judge: David R. Homer (tab) (Entered: 11/28/2000)
11/27/2000	342	MOTION by CBS Broadcasting to Vacate [103-1] order to Compel , Hearing set for 9:30 12/21/00 , Response Deadline 12/7/00 Motion returnable before Judge/Mag. Judge: David R. Homer (tab) (Entered: 11/28/2000)
11/27/2000	343	AFFIDAVIT by CBS Broadcasting Re:in support of [342-1] motion to Vacate [103-1] order to Compel (tab) (Entered: 11/28/2000)
11/27/2000	344	MEMORANDUM by CBS Broadcasting in support of [341-1] motion to Intervene by CBS Broadcasting (tab) (Entered: 11/28/2000)
11/27/2000	345	MEMORANDUM by CBS Broadcasting in support of [342-1] motion to Vacate [103-1] order to Compel (tab) (Entered: 11/28/2000)
11/30/2000	346	RESPONSE by John Edmondson to [342-1] motion to Vacate [103-1] order to Compel, [341-1] motion to Intervene by CBS Broadcasting– no objections to

		relief requested. (fce) (Entered: 11/30/2000)
12/11/2000	347	REQUEST and ORDER, to adjourn motion hearing date until January term. Motion Hearing set for 9:30 1/4/01 re: [342-1] motion to Vacate [103-1] order to Compel, set for 9:30 1/4/01 re: [341-1] motion to Intervene by CBS Broadcasting (signed by Magistrate Judge David R. Homer) (tab) (Entered: 12/11/2000)
12/27/2000	348	ORDER withdrawing [342-1] motion to Vacate [103-1] order to Compel, withdrawing [341-1] motion to Intervene by CBS Broadcasting (signed by Magistrate Judge David R. Homer) Date Entered: 12/27/00 (tab) (Entered: 12/27/2000)
01/05/2001	349	JUDGMENT OF USCA (certified copy); that the judgment of said district court be and it hereby is AFFIRMED in part, VACATED in part, and REMANDED in accordance with the opinion of the Second Circuit Court Re: [337-1] appeal by King Gonzalez, Tyrone Lohr, Steven York, Lamont Wyche, Laurence Plaskett, Vincent Quinones, Hervey Pierre, Kenneth McClain, Ronald Lynch, Daniel Sontag, Felix Francis, Jermaine Adams, Chris . Holland, Wilson Acosta, Bubu DeMasio, Paul Howe, Ronald Jennings, Paul Heyward Jr., Jason Childs, John Butler, Darnell Lemons, Ronald Sanchez, Clement Mallory, Robert . Walker, Darryl Taylor, Tim Richardson, Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris – issued 12-28-00 (pta) (Entered: 01/05/2001)
01/22/2001		Record on appeal returned from U.S. Court of Appeals: [337-1] appeal by King Gonzalez, Tyrone Lohr, Steven York, Lamont Wyche, Laurence Plaskett, Vincent Quinones, Hervey Pierre, Kenneth McClain, Ronald Lynch, Daniel Sontag, Felix Francis, Jermaine Adams, Chris . Holland, Wilson Acosta, Bubu DeMasio, Paul Howe, Ronald Jennings, Paul Heyward Jr., Jason Childs, John Butler, Darnell Lemons, Ronald Sanchez, Clement Mallory, Robert . Walker, Darryl Taylor, Tim Richardson, Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, [299-1] appeal by Anonymous Officers, John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept., Oneonta, NY, [298-1] appeal by King Gonzalez, Tyrone Lohr, Steven York, Lamont Wyche, Laurence Plaskett, Vincent Quinones, Hervey Pierre, Kenneth McClain, Ronald Lynch, Daniel Sontag, Felix Francis, Jermaine Adams, Chris . Holland, Wilson Acosta, Bubu DeMasio, Paul Howe, Ronald Jennings, Paul Heyward Jr., Jason Childs, Michael Christian, John Butler, Darnell Lemons, Ronald Sanchez, Clement Mallory, Robert . Walker, Darryl Taylor, Tim Richardson, Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis, [282-1] appeal by Leif Hartmark, [277-1] appeal by John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept., Oneonta, NY, Anonymous Public, Anonymous SUCO, [276-1] appeal by SUNY, SUCO Public Safety, SUNY at Oneonta, NYS Police, Tim Jackson, Kenneth Grant, Merritt Hunt, H. Karl Chandler, [276-1] appeal by Robert Farrand, Mark Kimball, Farrago, Kevin More, George Clum, Eric Wilson, John Way, [195-1] appeal, [187-1] appeal by Joseph Redmond, Anonymous Officers, John J. Donadio, Carl Shedlock, William M. Davis, Oneonta Police Dept., [186-1] appeal by Leif Hartmark, [183-1] appeal by State of New York, SUNY, Anonymous Officers, SUCO Public Safety, SUNY at Oneonta, John Edmondson, John J. Donadio, Carl Shedlock, William M. Davis, NYS Police, Tim Jackson, Kenneth Grant, Merritt Hunt, H. Karl Chandler, Oneonta Police Dept., Robert Farrand, Mark Kimball, Farrago, Leif Hartmark, Kevin More, George Clum, Anon. State Police, Eric Wilson, John Way, Oneonta, NY, Anonymous Public, Anonymous SUCO, Sean Ralph, Chris Lehenbauer, [160-1] appeal by Oneonta, NY, Oneonta Police Dept., John J. Donadio, William M. Davis, Anonymous Officers, Carl Shedlock, [159-1] appeal by Leif Hartmark, [158-1] appeal by H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, Farrago, Merritt Hunt, Tim Jackson, Eric Wilson, [157-1] appeal by Leif Hartmark, [125-1] appeal by Oneonta, NY, Oneonta Police Dept., John J. Donadio, Carl Shedlock, William M. Davis, Anonymous Officers, [116-1] appeal by H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, Farrago, Merritt Hunt, Tim Jackson, Eric Wilson, [106-1] appeal by Leif Hartmark (pta) (Entered: 01/22/2001)

02/08/2001		Case reopened for pending 4th amendment claims as to Pltfs Ricky Brown, Jamel champen, Jean Cantave and Sheryl Champen per CCA (pta) (Entered: 02/08/2001)
02/27/2001	350	Scheduling Notice:, set Status Conference for 11:00 3/28/01 (tab) (Entered: 02/28/2001)
03/09/2001	351	MOTION by State of New York, Wayne Lewis, Kevin Allen, Charles Battiste, Major Barnett, Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown, Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Michael Christian, Jason Childs, Paul Heyward Jr., Ronald Jennings, Paul Howe, Bubu DeMasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, Anonymous Otsego Cty, King Gonzalez for Leave to File Third Amended Complaint , Hearing set for 4/19/01 , Response Deadline 4/5/01 Motion returnable before Judge: David R. Homer (tab) (Entered: 03/12/2001)
03/09/2001	352	MEMORANDUM by Wayne Lewis, Kevin Allen, Charles Battiste, Major Barnett, Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown, Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Michael Christian, Jason Childs, Paul Heyward Jr., Ronald Jennings, Paul Howe, Bubu DeMasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, Anonymous Otsego Cty, King Gonzalez in support of [351-1] motion for Leave to File Third Amended Complaint (tab) (Entered: 03/12/2001)
03/09/2001	353	AFFIDAVIT by SCOTT FEIN, ESQ. as to Wayne Lewis, Kevin Allen, Charles Battiste, Major Barnett, Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown, Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Michael Christian, Jason Childs, Paul Heyward Jr., Ronald Jennings, Paul Howe, Bubu DeMasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, Anonymous Otsego Cty, King Gonzalez Re: in support of [351-1] motion for Leave to File Third Amended Complaint (tab) (Entered: 03/12/2001)
03/28/2001		Status conference held bef MJ Homer (cml) (Entered: 04/10/2001)
03/29/2001	354	ORDER, to Stay all further proceedings pending decision by the U.S. Supreme Court , defendant's shall file opposition to plaintiff's motion to file amended complaint within 21 days of the date of the decision of the supremem court, plaintiffs can reply within 7 days thereafter, motion will be taken on submit (signed by Magistrate Judge David R. Homer) Date Entered: 3/30/01 (tab) (Entered: 03/30/2001)
08/23/2001	355	STATUS REPORT by Atty Fein dd 8/21/01 advising the case is scheduled for conference before the US Supreme Court on 9/24/01 [copy forwarded to chambers/CML] (amt) (Entered: 08/24/2001)
10/09/2001	356	Scheduling Notice:, set Status/Scheduling Conference for 11:00 on 10/25/01 . (fce) (Entered: 10/09/2001)
10/26/2001	357	AMENDED Uniform Pretrial Order; Length of Trial: 5 days; Trial Location: Albany; Joining of Parties Deadline 11/9/01 ; Amending of Pleadings Deadline 11/9/01 ; Discovery Deadline 5/1/02 ; Motion Filing Deadline 8/1/02 ; Trial ready deadline 10/1/02 Jury Trial Deadline 9:30 11/13/02 ; (Signed by: Magistrate Judge David R. Homer) (tab) (Entered: 10/29/2001)
10/31/2001	<u>358</u>	ORDER that plaintiffs' motion for leave to file a 3rd amended complaint is WITHDRAWN without prejudice to renew on or before 11/9/01.(signed by Magistrate Judge David R. Homer) Date Entered: 10/31/01 (tab) (Entered: 10/31/2001)

11/09/2001	359	MOTION by Wayne Lewis, Kevin Allen, Charles Battiste, Major Barnett, Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown, Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Jason Childs, Paul Heyward Jr., Ronald Jennings, Paul Howe, Bubu DeMasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez for Leave to File Third Amended Complaint , Hearing set for 9:30 12/20/01 , Response Deadline 12/6/01 Motion returnable before Judge/Mag. Judge: Homer in Albany (fce) (Entered: 11/15/2001)
11/09/2001	359	AFFIDAVIT by Scott Fein for Ricky Brown et al. Re: in support of [359-1] motion for Leave to File Third Amended Complaint (fce) (Entered: 11/15/2001)
11/09/2001	360	MEMORANDUM OF LAW by Wayne Lewis, Kevin Allen, Charles Battiste, Major Barnett, Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown, Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Jason Childs, Paul Heyward Jr., Ronald Jennings, Paul Howe, Bubu DeMasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez in support of [359-1] motion for Leave to File Third Amended Complaint (fce) (Entered: 11/15/2001)
12/06/2001	361	Scheduling Notice: Upon parties consent, Response to Motion reset to 12/7/01 for [359-1] motion for Leave to File Third Amended Complaint (kcl) (Entered: 12/07/2001)
12/07/2001	<u>362</u>	Memorandum of Law in opposition to Plaintiffs Motion for permission to file a Third Amended Complaint (tab) Modified on 9/16/2004 as unsealed for FRC storage (pta,). Additional attachment(s) added on 9/16/2004 (pta,). (Entered: 12/10/2001)
12/07/2001	<u>363</u>	Affidavit in opposition to Plt's Motion to Amend the Complaint (attachment not electronically filed) (tab) Modified on 9/16/2004 unsealed for FRC storage (pta,). Additional attachment(s) added on 9/16/2004 (pta,). (Entered: 12/10/2001)
12/10/2001	364	Letter dated 12/7/01 by Daniel J. Stewart, Esq., for City of Oneonta stating plaintiff's counsel has granted extension of 12/14/01 for opposition papers to the motion to amend the complaint. (jel) (Entered: 12/12/2001)
12/10/2001		Deadline updated; Response to Motion reset to 12/14/01 for [359-1] motion for Leave to File Third Amended Complaint (jel) (Entered: 12/12/2001)
12/14/2001	365	MEMORANDUM by Oneonta, NY in opposition to [359-1] motion for Leave to File Third Amended Complaint (tab) (Entered: 12/17/2001)
12/14/2001	366	AFFIDAVIT by David Merzig, Esq. as to Oneonta, NY Re: in opposition to [359-1] motion for Leave to File Third Amended Complaint (tab) (Entered: 12/17/2001)
12/14/2001	367	AFFIDAVIT by Oneonta, NY Re: in opposition to [359-1] motion for Leave to File Third Amended Complaint (tab) (Entered: 12/17/2001)
12/17/2001	368	REQUEST and ORDER, Motion Hearing set for 9:30 1/17/02 re: [359-1] motion for Leave to File Third Amended Complaint , Request to file Reply to Response to Motion [359-1] motion for Leave to File Third Amended Complaint is granted (10 pages) (signed by Magistrate Judge David R. Homer) (tab) (Entered: 12/21/2001)
12/17/2001	369	Scheduling Notice:, Motion Hearing set for 2:30 1/17/02 re: [359-1] motion for Leave to File Third Amended Complaint ORAL ARGUMENT WILL BE HEARD. (tab) (Entered: 12/21/2001)
12/19/2001	370	AFFIDAVIT by James E. Konstanty, Esq. as to Chris Lehenbauer, Sean Ralph Re: in opposition to [359-1] motion for Leave to File Third Amended Complaint (tab) (Entered: 12/21/2001)

12/19/2001	371	MEMORANDUM OF LAW by Chris Lehenbauer, Sean Ralph in opposition to [359-1] motion for Leave to File Third Amended Complaint (tab) (Entered: 12/21/2001)
12/20/2001	372	RESPONSE by John Edmondson in support of [359-1] motion for Leave to File Third Amended Complaint Letter dated 12/17/01 to Magistrate Judge Homer from Attorney Richard McVinney, indicating that he has no objection to the relief requested, and will not be filing opposition papers. (tab) (Entered: 12/26/2001)
01/10/2002	373	REPLY MEMORANDUM by Ricky Brown, et al. in support of [359-1] motion for Leave to File Third Amended Complaint (tab) (Entered: 01/11/2002)
01/17/2002	<u>374</u>	Order to Seal Protective Order (tab) Modified on 9/16/2004 unsealed for FRC storage (pta,). Additional attachment(s) added on 9/16/2004 (pta,). (Entered: 01/17/2002)
01/18/2002	<u>375</u>	ORDER granting in part, denying in part [359-1] motion for Leave to File Third Amended Complaint, set Status Conference for 3:30 2/5/02 (signed by Magistrate Judge David R. Homer) Date Entered: 1/22/02 (tab) (Entered: 01/22/2002)
02/05/2002	376	TRANSCRIPT filed for dates of 1/17/02 before Honorable David R. Homer, U.S. Magistrate Judge for hearing on plaintiff's motion for leave to file a third amended complaint. (tab) (Entered: 02/05/2002)
02/07/2002	377	THIRD AMENDED COMPLAINT by Wayne Lewis, Kevin Allen, Charles Battiste, Major Barnett, Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown, Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Michael Christian, Jason Childs, Paul Heyward Jr., Ronald Jennings, Paul Howe, Bubu DeMasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez , Answer due 2/17/02 for Carl Shedlock, for William M. Davis , Service deadline 4/8/02 for Carl Shedlock, for William M. Davis , amends [180-1] amended complaint (tab) (Entered: 02/08/2002)
02/08/2002	<u>378</u>	ORDER granting leave for plaintiff's to file a third amended complaint on or before 2/8/02 and , reset Answer deadline to 4/8/02 for Carl Shedlock, for William M. Davis (signed by Magistrate Judge David R. Homer) Date Entered: 2/7/02 (tab) (Entered: 02/08/2002)
04/09/2002	379	STIPULATION/ORDER, reset Answer deadline to 5/1/02 for Anonymous Otsego Cty, for New York, for SUNY, for Joseph Redmond, for Anonymous Officers, for SUCO Public Safety, for SUNY at Oneonta, for John Edmondson, for John J. Donadio, for Carl Shedlock, for William M. Davis, for NYS Police, for Tim Jackson, for Kenneth Grant, for Merritt Hunt, for H. Karl Chandler, for Oneonta Police Dept., for Robert Farrand, for Mark Kimball, for Farrago, for Leif Hartmark, for X. Olsen, for Kevin More, for George Clum, for Anon. State Police, for Eric Wilson, for John Way, for Oneonta, NY, for Anonymous Public, for Anonymous SUCO, for Sean Ralph, for Chris Lehenbauer (signed by Magistrate Judge David R. Homer) Date Entered: 4/9/02 (tab) (Entered: 04/09/2002)
05/03/2002	380	ANSWER by Oneonta Police Officers William M. Davis, Carl Shedlock (Attorney Daniel J. Stewart, Esq.) to 3rd amended complaint (pta) (Entered: 05/03/2002)
07/26/2002	<u>381</u>	ORDER, to Amend [357-1] order uniform pretrial , reset Motion Filing deadline to 11/30/02 , reset trial ready deadline for 11/30/02 , reset Jury Trial for 2/17/03 (signed by Magistrate Judge David R. Homer, 7/25/02) (fce) (Entered: 07/30/2002)
10/29/2002	384	MOTION by William M. Davis, Carl Shedlock To Dismiss and for for Summary Judgment , Hearing set for 10:00 1/13/03 Motion returnable before Judge: Thomas J. McAvoy ** This motion was received by the Court on 12/2/02, but is considered filed as of 10/29/02 pursuant to the CJRA reporting requirements instituted on March 1, 2000 ** (tab) (Entered: 12/03/2002)
10/31/2002	382	LETTER of Daniel J. Stewart, Esq. dd 10-29-02 on behalf of Oneonta, NY pursuant to Local Rule 7.1(b) regarding their Motion: Summary Judgment Date Served upon counsel: 10/29/02 (pta) (Entered: 10/31/2002)

11/20/2002	383	LETTER on behalf of Wayne Lewis, Kevin Allen, Charles Battiste, Major Barnett, Raishawn Morris, Jean Cantave, Hopeton Gordon, Sheryl Champen, Jamel Champen, Ricky Brown, Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Michael Christian, Jason Childs, Paul Heyward Jr., Ronald Jennings, Paul Howe, Bubu DeMasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez pursuant to Local Rule 7.1(b) regarding Motion: Response in Opposition to Summary Judgment Motion Date Served upon counsel: 11/20/02 (tab) (Entered: 11/21/2002)
12/02/2002	385	Statement of Material Facts in Support of [384-1] motion To Dismiss and for for Summary Judgment filed by William M. Davis, Carl Shedlock (tab) (Entered: 12/03/2002)
12/02/2002	386	AFFIDAVIT by Carl Shedlock Re: in support of [384-1] motion To Dismiss and for for Summary Judgment (tab) (Entered: 12/03/2002)
12/02/2002	387	AFFIDAVIT by William M. Davis Re: in support of [384-1] motion To Dismiss and for for Summary Judgment (tab) (Entered: 12/03/2002)
12/02/2002	388	AFFIDAVIT by Daniel J. Stewart, Esq. as to William M. Davis, Carl Shedlock Re: in support of [384-1] motion To Dismiss and for for Summary Judgment (tab) (Entered: 12/03/2002)
12/02/2002	389	MEMORANDUM by William M. Davis, Carl Shedlock in support of [384-1] motion To Dismiss and for for Summary Judgment (tab) (Entered: 12/03/2002)
12/02/2002	390	PLAINTIFF'S response to defendant's Statement of Material Facts in Support of [384-1] motion To Dismiss and for for Summary Judgment filed (tab) (Entered: 12/03/2002)
12/02/2002	391	AFFIDAVIT by Plaintiff's counsel Joseph D. Stinson, Esq. Re: in OPPOSITION to Defendant's 4-1] motion To Dismiss and for for Summary Judgment (tab) (Entered: 12/03/2002)
12/02/2002	392	MEMORANDUM OF LAW by PLAINTIFF's in opposition to [384-1] motion To Dismiss and for for Summary Judgment (tab) (Entered: 12/03/2002)
12/02/2002	393	REPLY AFFIDAVIT by Carl Shedlock Re: in further support of [384-1] motion To Dismiss and for for Summary Judgment (tab) (Entered: 12/03/2002)
12/02/2002	394	REPLY AFFIDAVIT by William M. Davis Re: in further support of [384-1] motion To Dismiss and for for Summary Judgment (tab) (Entered: 12/03/2002)
12/02/2002	395	REPLY AFFIDAVIT by Daniel J. Stewart, Esq. as to William M. Davis, Carl Shedlock Re: in further support of [384-1] motion To Dismiss and for for Summary Judgment (tab) (Entered: 12/03/2002)
12/02/2002	396	REPLY MEMORANDUM by William M. Davis, Carl Shedlock in support of [384-1] motion To Dismiss and for for Summary Judgment (tab) (Entered: 12/03/2002)
01/07/2003	397	Court NOTICE to counsel dd 1/7/03 advising that the pending motions for 1/13/03 are on submit, no appearances necessary (sfp) (Entered: 01/07/2003)
01/09/2003	<u>398</u>	REQUEST/ORDER granting pltf's leave to file Sur-Reply Response ddl 1/27/03 [10 pg lmt] re: defts Davis &Shedlock's [384-1] motion To Dismiss &for Summary Judgment , and resetting Motion Hearing for 10:00 AM on 2/10/03 bef Judge McAvoy in Albany, NY re: defts Davis &Shedlock's [384-1] motion to dismiss and/or for Summary Judgment . Pltf's request for oral argument HELD IN ABEYANCE until closer to MC; (signed by Judge Thomas J. McAvoy dtd 1/08/03) (cml) (Entered: 01/09/2003)
01/13/2003		Motion hearing re: Defts Davis &Shedlock's [384-1] motion To Dismiss and/or for Summary Judgment held (cml) (Entered: 01/15/2003)
01/15/2003	<u>399</u>	Minute entry: MOTION CALENDAR held 1/13/03 bef Judge McAvoy in Albany, NY: APP: None; CR: B. Buckley; LC/None; CRD/tb. Defts Davis &Shedlock's

		[384-1] motion To Dismiss and/or for Summary Judgment – ADJOURNED until 2/10/03 in Albany. (cml) (Entered: 01/16/2003)
01/27/2003	400	Plaintiff's SURREPLY MEMORANDUM in opposition to [384-1] motion To Dismiss and for for Summary Judgment (tab) (Entered: 01/28/2003)
01/27/2003	401	PLAINTIFF'S SURREPLY AFFIDAVIT Re: in opposition to [384-1] motion To Dismiss and for for Summary Judgment (tab) (Entered: 01/28/2003)
01/28/2003	402	Court NOTICE to counsel dd 1/28/03 advising that the pending 2/10/03 motions are on for ORAL argument at 10:00 in Albany bef. Judge McAvoy (sfp) (Entered: 01/28/2003)
01/30/2003		RECEIVED Copy of State of New York Court of Claims ruling filed 1-27-03 Claim No. 86979 Motion No. M-65261 (pta) (Entered: 01/30/2003)
02/10/2003		COURT CRD Ligas scheduled via telephone re: setting Settlement Conference for 10:30 AM on 2/11/03 bef Judge McAvoy in Albany , N.Y. (cml) (Entered: 02/10/2003)
02/10/2003		Motion hearing re: Defts Davis &Shedlock [384-1] motion to dismiss and/or for summary judgment held (cml) (Entered: 02/13/2003)
02/11/2003		Settlement conference held bef Judge McAvoy (cml) (Entered: 02/14/2003)
02/12/2003	<u>403</u>	Minute entry: MOTION CALENDAR held 2/10/03 bef Judge McAvoy in Albany, NY: APP: Joseph Stinson, Esq. for Pltfs; Daniel Stewart, Esq. for Defts; CR: B. Buckley; LC/JC; CRD/mp. Defts Davis &Shedlock [384-1] motion to dismiss and/or for Summary Judgment – GRANTED IN PART / DENIED IN PART ; all claims in the 3rd amended complaint are dismissed except pltf Brown's 4th amendment claim against deft Davis. Atty Stewart to submit order. [10:00a – 1:20p] (cml) (Entered: 02/13/2003)
02/13/2003	<u>404</u>	Minute entry: SETTLEMENT CONF held 2/11/03 bef Judge McAvoy in Albany, NY: APP: Joseph Stinson &Scott Fein, Esqs. for Pltfs; Daniel Stewart, Esq. for Defts Davis &Shedlock; CR: None; LC/JC; CRD/mp. Demand / offer stated. Matter cannot be settled today, however, counsel agree to continue discussions, contact carrier &report back to the court. Jury trial remains scheduled for 2/17/03. [10:40a – 11:00a] (cml) (Entered: 02/14/2003)
02/14/2003	<u>405</u>	ORDER granting/denying in part defts Shedlock &Davis' [384-1] motion To Dismiss and for Summary Judgment; Clerk directed to enter judgment against all pltfs in favor of defts on all causes of action contained in 3rd amended complaint EXCEPT as to pltf Rick Brown's 4th Amendment Claim against deft William Davis; (signed by Judge Thomas J. McAvoy dtd 2/14/03) Date Entered: 2/14/03 (cml) (Entered: 02/14/2003)
02/14/2003	<u>406</u>	JUDGMENT dismissing action by reason of settlement [30 days stated] Date Entered &Served: 2/14/03 (cml) (Entered: 02/14/2003)
02/14/2003		Case closed (cml) (Entered: 02/14/2003)
09/26/2003	407	TRANSCRIPT filed for dates of 2/10/03 before Honorable Thomas J. McAvoy, Oral Argument and Decision, in Albany, NY. (tab) (Entered: 09/30/2003)
08/06/2004	<u>408</u>	ORDER that the parties show cause, within 30 days, why the case or documents cannot be unsealed for FRC storage.. Signed by Judge Thomas J. McAvoy on 8/6/04. (pta,) (Entered: 08/06/2004)
08/09/2006		FRC Accession 021-04-0235 Box 2 thru 5 of 42 Location C 89-14-06-3 (pta) (Entered: 08/09/2006)