

CLOSED

**U.S. District Court
District of Rhode Island (Providence)
CIVIL DOCKET FOR CASE #: 1:13-cv-00442-JJM-PAS**

United States of America v. State of Rhode Island et al
Assigned to: Judge John J. McConnell, Jr.
Referred to: Magistrate Judge Patricia A. Sullivan
Related cases: ([View Related Cases](#))
Cause: 42:12101 Americans With Disabilities Act

Date Filed: 06/13/2013
Date Terminated: 07/11/2013
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: U.S. Government Plaintiff

Plaintiff

United States of America

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V.

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Defendant

City of Providence

TERMINATED: 09/26/2019

represented by **Kathleen A. Hilton**
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Interested Party

Dr. Charles Moseley

TERMINATED: 09/26/2019

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Date Filed	#	Docket Text
06/13/2013	<u>1</u>	COMPLAINT, filed by United States of America. (Attachments: # <u>1</u> Civil Cover Sheet)(Smith, Rana) (Entered: 06/13/2013)
06/13/2013	<u>2</u>	NOTICE of Appearance by Mary Ann F. Carroll on behalf of City of Providence (Carroll, Mary Ann) (Entered: 06/13/2013)

06/13/2013	<u>3</u>	NOTICE of Appearance by William J. Conley, Jr on behalf of State of Rhode Island (Conley, William) (Entered: 06/13/2013)
06/13/2013	<u>4</u>	Joint MOTION to Dismiss <i>Without Prejudice and Retain Jurisdiction</i> , With Supporting Memorandum by All Parties. Responses due by 7/1/2013 (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Supporting Memorandum, # <u>3</u> Exhibit A to Supporting Memorandum)(Kline, Regina) (Entered: 06/13/2013)
07/11/2013	<u>5</u>	ORDER granting <u>4</u> Motion to Dismiss. So Ordered by Senior Judge Ronald R. Lagueux on 7/11/13. (Farrell Pletcher, Paula) (Entered: 07/11/2013)
07/14/2014	<u>6</u>	Joint MOTION to Amend/Correct <i>interim settlement agreement</i> with supporting memo filed by City of Providence, State of Rhode Island. Responses due by 7/31/2014 (Attachments: # <u>1</u> Exhibit A)(DeSisto, Marc) (Entered: 07/14/2014)
07/15/2014		TEXT ORDER granting <u>6</u> Joint Motion to Amend/Correct Interim Settlement Agreement. So Ordered by Senior Judge Ronald R. Lagueux on 7/15/14. (Cavaco, Janice) (Entered: 07/15/2014)
09/22/2015		Case reassigned to Judge John J. McConnell, Jr. Case is related to CA14-175M-PAS. Senior Judge Ronald R. Lagueux no longer assigned to the case. (Farrell Pletcher, Paula) (Entered: 09/22/2015)
10/16/2015	<u>7</u>	STATUS REPORT of the Court Monitor for the period 7/1/14 through 12/31/14 (Barletta, Barbara) (Entered: 10/16/2015)
11/05/2015	<u>8</u>	NOTICE of Appearance by Lindsey M. Weinstock on behalf of United States of America (Weinstock, Lindsey) (Entered: 11/05/2015)
11/05/2015	<u>9</u>	NOTICE of Appearance by Victoria Thomas on behalf of United States of America (Weinstock, Lindsey) Modified on 11/5/2015 to correct name (Barletta, Barbara). (Entered: 11/05/2015)
11/05/2015		NOTICE of Hearing: Status Conference set for Tuesday, 12/8/2015 at 02:00 PM in Judge McConnell Chambers – Room 211 (Barletta, Barbara) (Entered: 11/05/2015)
12/04/2015		REVISED NOTICE of Hearing: Status Conference set for Tuesday, 12/8/2015 at 02:00 PM in Courtroom 3 before Judge John J. McConnell, Jr.; PLEASE NOTE THAT THIS CONFERENCE WILL NOW BE HELD IN COURTROOM 3 (Barletta, Barbara) (Entered: 12/04/2015)
12/07/2015		HEARING CANCELLED: The Status Conference scheduled for Tuesday, 12/8/15 at 2:00 p.m. before Judge John J. McConnell, Jr. is cancelled and will be rescheduled (Barletta, Barbara) (Entered: 12/07/2015)
12/09/2015		REVISED NOTICE of Hearing: Status Hearing is RESET to Tuesday, 1/26/2016 at 11:00 AM in Courtroom 3 before Judge John J. McConnell, Jr.(Barletta, Barbara) (Entered: 12/09/2015)
01/20/2016	<u>10</u>	Report of Court Monitor for 1/1/15 through 9/30/15 (Attachments: # <u>1</u> Consultant Report) (Barletta, Barbara) (Entered: 01/20/2016)
01/26/2016		Minute Entry for proceedings held before Judge John J. McConnell, Jr.: Status Conference held on 1/26/2016. Victoria Thomas, Lindsey Weinstock for Plaintiff. Charles Mosley Interested Party.(via Telephone Conference Call) Marc Desisto, Mary Ann Carroll and Jennifer Woods for Defendants. Court hears from all parties. Conferences to be set up for issues and action plans every 3 months. Counsel to contact Clerk re hearing date. Court adjourned. (Court Reporter Karen Wischnowsky in Courtroom 3 at 11:06 am.) (McGuire, Vickie) (Entered: 01/26/2016)
01/27/2016	<u>11</u>	TRANSCRIPT ORDER for proceedings held on 1/26/2016 before Judge McConnell.. (DeSisto, Marc) (Entered: 01/27/2016)
01/29/2016		NOTICE of Hearing: Status Conference set for Monday, 5/2/2016 at 01:30 PM in Courtroom 3 before Judge John J. McConnell, Jr.(Barletta, Barbara) (Entered: 01/29/2016)
01/29/2016	<u>12</u>	TRANSCRIPT ORDER for proceedings held on 1/26/2016 before Judge McConnell.. (Weinstock, Lindsey) (Entered: 01/29/2016)

02/23/2016		NOTICE of Hearing: Telephone Conference set for Wednesday, 2/24/2016 at 02:30 PM before Judge John J. McConnell, Jr.; Court to initiate call (Barletta, Barbara) (Entered: 02/23/2016)
02/23/2016		HEARING CANCELLED: The telephone conference scheduled for Wednesday, 2/24/16 at 2:30 p.m. before Judge John J. McConnell, Jr. is cancelled (Barletta, Barbara) (Entered: 02/23/2016)
02/24/2016	<u>13</u>	TRANSCRIPT of Status Conference held on January 26, 2016, before Judge John J. McConnell, Jr. Court Reporter Karen Wischnowsky, Telephone number 401-529-7406. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. NOTICE TO COUNSEL: Redaction Requests must be filed for personal identifiers only. All other redactions must be requested by motion. For local policy and sample redaction request visit our website at www.rid.uscourts.gov and select Transcripts under the Case Information menu option. Redaction Request due 3/16/2016. Redacted Transcript Deadline set for 3/28/2016. Release of Transcript Restriction set for 5/24/2016. (Wischnowsky, Karen) (Entered: 02/24/2016)
03/03/2016	<u>14</u>	NOTICE of Appearance by Nicole K. Zeitler on behalf of United States of America (Zeitler, Nicole) (Entered: 03/03/2016)
01/19/2017	<u>15</u>	NOTICE by United States of America of <i>Withdrawal of Regina Kline</i> (Zeitler, Nicole) (Entered: 01/19/2017)
03/24/2017		NOTICE of Hearing: Status Conference set for Tuesday, 5/23/2017 at 10:00 AM in Courtroom 3 before District Judge John J. McConnell, Jr. (Barletta, Barbara) (Entered: 03/24/2017)
05/19/2017	<u>16</u>	STATUS REPORT <i>Outlining a Summary of Topics for Discussion at the May 23, 2017 Status Conference</i> by United States of America. (Zeitler, Nicole) (Entered: 05/19/2017)
05/19/2017	<u>17</u>	Court Monitor's Report dated 5/19/17 (Barletta, Barbara) (Entered: 05/22/2017)
05/22/2017	<u>18</u>	STATUS REPORT by State of Rhode Island. (Attachments: # <u>1</u> Exhibit A)(DeSisto, Marc) (Entered: 05/22/2017)
05/23/2017		Minute Entry for proceedings held before District Judge John J. McConnell, Jr.: Status Conference held on 5/23/2017. Counsel of record present. Status updates presented to the Court. Defendant to produce a compliance report within 30 days. Court adjourned. (Court Reporter Lisa Schwam in Courtroom 3 at 10:20 am.) (McGuire, Vickie) (Entered: 05/23/2017)
06/08/2017	<u>19</u>	TRANSCRIPT ORDER for proceedings held on 5/23/2017 before Judge McConnell. Ordinary Transcript delivery selected. Transcript to be delivered in 30 days.. (Zeitler, Nicole) (Entered: 06/08/2017)
06/23/2017	<u>20</u>	ORDER for compliance with the outstanding interim settlement agreement requirements – So Ordered by District Judge John J. McConnell, Jr. on 6/23/2017. (Barletta, Barbara) (Entered: 06/23/2017)
06/26/2017	<u>21</u>	TRANSCRIPT of Civil Cause for Status Conference held on 05/23/2017 before Judge McConnell. Court Reporter/Transcriber Lisa Schwam, Telephone number 401-752-7128. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE TO COUNSEL: Redaction Requests must be filed for personal identifiers only. All other redactions must be requested by motion. For local policy and sample redaction request visit our website at www.rid.uscourts.gov and select Transcripts under the Case Information menu option. Redaction Request due 7/17/2017. Redacted Transcript Deadline set for 7/27/2017. Release of Transcript Restriction set for 9/25/2017. (Schwam, Lisa) (Entered: 06/26/2017)
09/07/2017	<u>22</u>	COURT MONITOR'S REVIEW (Attachments: # <u>1</u> Interim and Long Term Quality Improvement Plan)(Barletta, Barbara) (Attachment 1 replaced on 9/8/2017) (Barletta, Barbara). (Entered: 09/07/2017)

11/28/2017	<u>23</u>	STATUS REPORT <i>Outlining a Summary of Topics for Discussion at the November 30, 2017 Status Conference</i> by United States of America. (Zeitler, Nicole) (Entered: 11/28/2017)
11/29/2017	<u>24</u>	COURT MONITOR'S SECOND REVIEW by Charles Moseley. (Barletta, Barbara) (Entered: 11/29/2017)
11/30/2017		Minute Entry for proceedings held before District Judge John J. McConnell, Jr.: Status Conference held on 11/30/2017. Counsel of record present. Status updates presented to the Court. Next Status hearing to be scheduled for April 2018. Court adjourned. (Court Reporter Karen Wischnowsky in Courtroom 1 at 11:00 am.) (McGuire, Vickie) (Entered: 11/30/2017)
11/30/2017	<u>25</u>	COURT MONITOR'S ISA 11/30/17 TESTIMONY (Barletta, Barbara) (Entered: 11/30/2017)
12/05/2017		NOTICE of Hearing: Status Conference set for Monday, 4/9/2018 at 02:00 PM in Courtroom 1 before District Judge John J. McConnell, Jr. (Barletta, Barbara) (Entered: 12/05/2017)
12/27/2017	<u>26</u>	TRANSCRIPT ORDER for proceedings held on 11/30/2017 before Judge McConnell. Ordinary Transcript delivery selected. Transcript to be delivered in 30 days.. (Potter, Carrie) (Entered: 12/27/2017)
12/27/2017	<u>27</u>	TRANSCRIPT ORDER ACKNOWLEDGMENT Entered re: <u>26</u> Transcript Order. Court Reporter/Transcriber: Karen Wischnowsky. Transcript due by 1/26/2018. (Dias, Jennifer) (Entered: 12/27/2017)
01/02/2018		Reset Hearings: Status Conference is RESET to Tuesday, 4/11/2018 at 02:00 PM in Courtroom 1 before District Judge John J. McConnell, Jr.. (Barletta, Barbara) (Entered: 01/02/2018)
01/02/2018		Reset Hearings: Status Conference is RESET to Tuesday, 4/11/2018 at 02:00 PM in Courtroom 1 before District Judge John J. McConnell, Jr. (Barletta, Barbara) (Entered: 01/02/2018)
01/08/2018	<u>28</u>	TRANSCRIPT of Status Conference held on November 30, 2017, before Judge John J. McConnell, Jr. Court Reporter Karen Wischnowsky, Telephone number (401) 529-7406. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter or PACER. NOTICE TO COUNSEL: Redaction Requests must be filed for personal identifiers only. All other redactions must be requested by motion. For local policy and sample redaction request visit our website at www.rid.uscourts.gov and select Transcripts under the Case Information menu option. Redaction Request due 1/29/2018. Redacted Transcript Deadline set for 2/8/2018. Release of Transcript Restriction set for 4/9/2018. (Wischnowsky, Karen) (Entered: 01/08/2018)
01/11/2018		CORRECTED Hearings: Status Conference set for Tuesday, 4/10/2018 at 02:00 PM in Courtroom 1 before District Judge John J. McConnell, Jr. (Barletta, Barbara) (Entered: 01/11/2018)
04/05/2018	<u>29</u>	NOTICE by United States of America <i>Outlining a Summary of Topics for Discussion at the April 10, 2018 Case Nos. CA 14-175 and 13-442 Status Conference</i> (Thomas, Victoria) (Entered: 04/05/2018)
04/09/2018	<u>30</u>	COURT MONITOR'S THIRD REVIEW (Barletta, Barbara) (Entered: 04/09/2018)
04/10/2018		Minute Entry for proceedings held before District Judge John J. McConnell, Jr.: Status Conference held on 4/10/2018. Counsel of record present. All parties present status reports of progress & concerns regarding consent decree. Court adjourned. (Court Reporter Karen Wischnowsky in Courtroom 1 at 2:00 pm.) (McGuire, Vickie) (Entered: 04/10/2018)
04/23/2018	<u>31</u>	TRANSCRIPT ORDER for proceedings held on 4/10/18 before Judge John J. McConnell, Jr.. Ordinary Transcript delivery selected. Transcript to be delivered in 30 days.. (Zeitler, Nicole) (Entered: 04/23/2018)

04/23/2018	<u>32</u>	TRANSCRIPT ORDER ACKNOWLEDGMENT Entered re: <u>31</u> Transcript Order. Court Reporter/Transcriber: Karen Wischnowsky. Transcript due by 5/23/2018. (Dias, Jennifer) (Entered: 04/23/2018)
05/09/2018	<u>33</u>	Letter to Judge McConnell requesting stops in budget cuts (Barletta, Barbara) (Entered: 05/09/2018)
05/09/2018	<u>34</u>	TRANSCRIPT of Status Conference held on April 10, 2018, before Judge John J. McConnell, Jr. Court Reporter Karen Wischnowsky, Telephone number (401) 529-7406. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter or PACER. NOTICE TO COUNSEL: Redaction Requests must be filed for personal identifiers only. All other redactions must be requested by motion. For local policy and sample redaction request visit our website at www.rid.uscourts.gov and select Transcripts under the Case Information menu option. Redaction Request due 5/30/2018. Redacted Transcript Deadline set for 6/11/2018. Release of Transcript Restriction set for 8/7/2018. (Wischnowsky, Karen) (Entered: 05/09/2018)
05/16/2018	<u>35</u>	Letter from Governor Raimondo to Court Monitor (Barletta, Barbara) (Entered: 05/16/2018)
05/17/2018	<u>36</u>	Letter from Court Monitor to Secretary of Health and Human Services (Barletta, Barbara) (Entered: 05/17/2018)
06/01/2018	<u>37</u>	COURT MONITOR'S UPDATE dated 6/1/18 (Barletta, Barbara) (Entered: 06/04/2018)
10/23/2018	<u>38</u>	NOTICE by United States of America <i>Joint Filing Summary of Topics for October 30, 2018 Status Conference for Case Nos. CA 14-175 and 13-442</i> (Thomas, Victoria) (Entered: 10/23/2018)
12/12/2018	<u>39</u>	NOTICE of Appearance by Amy Retsinas Romero on behalf of All Plaintiffs (Romero, Amy) (Entered: 12/12/2018)
12/12/2018	<u>40</u>	NOTICE by United States of America <i>of Withdrawal of Richard Myrus</i> (Romero, Amy) (Entered: 12/12/2018)
02/04/2019	<u>41</u>	NOTICE IN ADVANCE OF INTERIM SETTLEMENT AGREEMENT TERMINATION (Barletta, Barbara) (Entered: 02/04/2019)
02/27/2019	<u>42</u>	Court Monitor's letter to Judge McConnell regarding budget summary (Attachments: # <u>1</u> 2020 budget summary) (Barletta, Barbara) (Entered: 02/27/2019)
03/20/2019	<u>43</u>	COURT MONITOR'S REPORT for the period ending 9/30/18 (Barletta, Barbara) (Entered: 03/20/2019)
08/21/2019	<u>44</u>	COURT MONITOR'S FINAL REPORT on the City of Providence Public School District's Compliance with Interim Settlement Agreement by Charles Moseley. (Barletta, Barbara) (Entered: 08/21/2019)
09/09/2019	<u>45</u>	Joint MOTION to Dismiss filed by United States of America. Responses due by 9/23/2019. (Attachments: # <u>1</u> Supporting Memorandum In Support of Parties' Joint Motion To Dismiss)(Zeitler, Nicole) (Entered: 09/09/2019)
09/09/2019	<u>46</u>	NOTICE of Appearance by Kathleen A. Hilton on behalf of All Defendants (Hilton, Kathleen) (Entered: 09/09/2019)
09/10/2019		NOTICE of Hearing on Motion <u>45</u> Joint MOTION to Dismiss : Motion Hearing set for Thursday, 9/26/2019 at 10:00 AM in Courtroom 2 before District Judge John J. McConnell, Jr.(Barletta, Barbara) (Entered: 09/10/2019)
09/20/2019		NOTICE of Hearing: Telephone Conference set for Tuesday, 9/24/2019 at 02:30 PM before District Judge John J. McConnell, Jr.; Court to initiate call (Barletta, Barbara) (Entered: 09/20/2019)
09/24/2019		Minute Entry for proceedings held before District Judge John J. McConnell, Jr.: Telephone Conference held on 9/24/2019; Victoria L. Thomas, Mary Ann F. Carroll and Kathleen A. Hilton participated (Barletta, Barbara) (Entered: 09/24/2019)

09/26/2019		Minute Entry for proceedings held before District Judge John J. McConnell, Jr.: Motion Hearing held on 9/26/2019 re <u>45</u> Joint MOTION to Dismiss filed by United States of America. Victoria Thomas & Nicole Zeitler for Government. Marc DeSisto, Kathleen Hilton and Mary Ann Carrol for Defendants. Charles Mosley Interested Party. Charles Mosley presents final report; Defendant City of Providence is in compliance with the ISA & consent decree; recommendation to dismiss City of Providence. Government and Defendant concur. Court grants ECF#45 to dismiss the City of Providence. Court adjourned. (Court Reporter Karen Wischnowsky in Courtroom 2 at 10:15 am.) (McGuire, Vickie) (Entered: 09/26/2019)
09/26/2019		TEXT ORDER granting <u>45</u> Motion to Dismiss City of Providence. – So Ordered by District Judge John J. McConnell, Jr. on 9/26/2019. (McGuire, Vickie) (Entered: 09/26/2019)
09/27/2019	<u>47</u>	ORDER extending time to replace Court Monitor – So Ordered by District Judge John J. McConnell, Jr. on 9/27/2019 (Attachments: # <u>1</u> 7/23/19 letter)(Barletta, Barbara) (Entered: 09/27/2019)
10/17/2019	<u>48</u>	TRANSCRIPT ORDER for proceedings held on 9/26/19 before Judge McConnell. Ordinary Transcript delivery selected. Transcript to be delivered in 30 days.. (Thomas, Victoria) (Entered: 10/17/2019)
10/17/2019	<u>49</u>	TRANSCRIPT ORDER ACKNOWLEDGMENT Entered re: <u>48</u> Transcript Order. Court Reporter/Transcriber: Karen Wischnowsky. (Dias, Jennifer) (Entered: 10/17/2019)
11/06/2019	<u>50</u>	TRANSCRIPT of Hearing on Motion to Dismiss held on September 26, 2019, before Judge John J. McConnell, Jr. Court Reporter Karen Wischnowsky, Telephone number (401) 752-7045. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter or PACER. NOTICE TO COUNSEL: Redaction Requests must be filed for personal identifiers only. All other redactions must be requested by motion. For local policy and sample redaction request visit our website at www.rid.uscourts.gov and select Transcripts under the Case Information menu option. Redaction Request due 11/27/2019. Redacted Transcript Deadline set for 12/9/2019. Release of Transcript Restriction set for 2/4/2020. (Wischnowsky, Karen) (Entered: 11/06/2019)
11/08/2019		NOTICE of Hearing: Telephone Conference set for Tuesday, 11/12/2019 at 03:00 PM before District Judge John J. McConnell, Jr.. (Barletta, Barbara) (Entered: 11/08/2019)
11/12/2019		Minute Entry for proceedings held before District Judge John J. McConnell, Jr.: Telephone Conference held on 11/12/2019; Victoria L. Thomas, Marc DeSisto and Kathleen A. Hilton participated (Barletta, Barbara) (Entered: 11/12/2019)
11/12/2019		TEXT ORDER: The parties' submission on the role and responsibility of the Special Master shall be filed on or before November 19, 2019 – So Ordered by District Judge John J. McConnell, Jr. on 11/12/2019. (Barletta, Barbara) (Entered: 11/12/2019)
11/21/2019		TEXT ORDER: The parties' submissions on the role and responsibility of the Special Master shall be filed on or before 11/22/19 – So Ordered by District Judge John J. McConnell, Jr. on 11/21/2019. (Barletta, Barbara) (Entered: 11/21/2019)
11/21/2019	<u>51</u>	NOTICE by State of Rhode Island <i>regarding Scope of Services and Role of Monitor</i> (DeSisto, Marc) (Entered: 11/21/2019)
11/22/2019	<u>52</u>	NOTICE by United States of America <i>Regarding the Role and Responsibility of the Court Monitor</i> (Attachments: # <u>1</u> Exhibit Comparison of Parties' Documents)(Thomas, Victoria) (Entered: 11/22/2019)
11/25/2019	<u>53</u>	ORDER appointing Dr. A. Anthony Antosh as interim Court Monitor beginning 12/1/19 until further Order of the Court – So Ordered by District Judge John J. McConnell, Jr. on 11/25/2019. (Barletta, Barbara) (Entered: 11/25/2019)