

CONSENT,STAYED

**United States District Court  
District of Massachusetts (Springfield)  
CIVIL DOCKET FOR CASE #: 3:15-cv-30024-KAR**

National Association of the Deaf et al v. Massachusetts Institute  
of Technology  
Assigned to: Magistrate Judge Katherine A. Robertson  
Cause: 42:1218(2) Americans with Disabilities Act

Date Filed: 02/12/2015  
Jury Demand: None  
Nature of Suit: 446 Civil Rights:  
Americans with Disabilities – Other  
Jurisdiction: Federal Question

**Plaintiff**

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**Interested Party****Edward W Orr****Mediator****Judith G. Dein**

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| Date Filed | #        | Docket Text                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 02/12/2015 | <u>1</u> | COMPLAINT <i>Class Action for Declaratory and Injunctive Relief</i> against All Defendants Filing fee: \$ 400, receipt number 0101-5404088 (Fee Status: Filing Fee paid), filed by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Category Form, # <u>3</u> Proposed Summons)(Murphy, Thomas) (Attachment 1 and Attachment 2 replaced on 2/12/2015 with cover and category sheets in the correct PDF format) (Finn, Mary). Modified on 2/12/2015 (Finn, Mary). (Entered: 02/12/2015) |
| 02/12/2015 | 2        | ELECTRONIC NOTICE of Case Assignment. Judge Mark G. Mastroianni assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Katherine A. Robertson. (Abaid, Kimberly) (Entered: 02/12/2015)                                                                                                                                                                                                                                                                                   |
| 02/12/2015 | <u>3</u> | Summons Issued as to Massachusetts Institute of Technology. <b>Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service.</b> (Finn, Mary) (Entered: 02/12/2015)                                                                                                                                                                                                        |
| 02/12/2015 | 4        | MOTION for Leave to Appear Pro Hac Vice for admission of Bill Lann Lee, Julie Wilensky Filing fee: \$ 200, receipt number 0101-5404618 by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit Certificate of Bill Lann Lee, # <u>2</u> Exhibit Signature of Julie                                                                                                                                                                                                                                               |

|            |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |           | Wilensky)(Murphy, Thomas) (Entered: 02/12/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 02/12/2015 | <u>5</u>  | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>4</u> Motion for Leave to Appear Pro Hac Vice Added Bill Lann Lee and Julie Wilensky. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Finn, Mary) (Entered: 02/12/2015)          |
| 02/12/2015 | <u>6</u>  | MOTION for Leave to Appear Pro Hac Vice for admission of Arlene Mayerson, Namita Gupta Filing fee: \$ 200, receipt number 0101-5404815 by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit Signature of Arlene Mayerson, # <u>2</u> Exhibit Signature of Namita Gupta)(Murphy, Thomas) (Entered: 02/12/2015)                                                                                                                                                                    |
| 02/12/2015 | <u>7</u>  | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>6</u> Motion for Leave to Appear Pro Hac Vice Added Arlene B. Mayerson and Namita Gupta. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Finn, Mary) (Entered: 02/12/2015)       |
| 02/17/2015 | <u>8</u>  | CORPORATE DISCLOSURE STATEMENT by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Murphy, Thomas) (Entered: 02/17/2015)                                                                                                                                                                                                                                                                                                                                                                                        |
| 02/17/2015 | <u>9</u>  | MOTION for Leave to Appear Pro Hac Vice for admission of Timothy Fox, Sarah Morris Filing fee: \$ 200, receipt number 0101-5410910 by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit Signature of Timothy Fox, # <u>2</u> Exhibit Signature of Sarah Morris)(Murphy, Thomas) (Entered: 02/17/2015)                                                                                                                                                                            |
| 02/17/2015 | <u>10</u> | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>9</u> Motion for Leave to Appear Pro Hac Vice Added Timothy Fox and Sarah Morris. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Finn, Mary) (Entered: 02/17/2015)              |
| 02/19/2015 | <u>11</u> | AFFIDAVIT OF SERVICE Executed by Lee Nettles, National Association of the Deaf, Christy Smith, C. Wayne Dore, Diane Nettles. All Defendants. Acknowledgement filed by Lee Nettles, National Association of the Deaf, Christy Smith, C. Wayne Dore, Diane Nettles. (Murphy, Thomas) (Entered: 02/19/2015)                                                                                                                                                                                                                                                    |
| 02/23/2015 | <u>12</u> | MOTION for Leave to Appear Pro Hac Vice for admission of Caroline Jackson, Marc Charmatz Filing fee: \$ 200, receipt number 0101-5419524 by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit M. Charmatz signature, # <u>2</u> Exhibit C. Jackson signature)(Murphy, Thomas) (Entered: 02/23/2015)                                                                                                                                                                              |
| 02/24/2015 | <u>13</u> | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>12</u> Motion for Leave to Appear Pro Hac Vice Added Caroline E. Jackson and Marc P. Charmatz. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Finn, Mary) (Entered: 02/24/2015) |
| 03/05/2015 | <u>14</u> | Assented to MOTION for Extension of Time to May 11, 2015 to File Answer re <u>1</u> Complaint,, by Massachusetts Institute of Technology.(Morrison, Christopher) (Entered: 03/05/2015)                                                                                                                                                                                                                                                                                                                                                                      |
| 03/05/2015 | <u>15</u> | CORPORATE DISCLOSURE STATEMENT by Massachusetts Institute of Technology. (Morrison, Christopher) (Entered: 03/05/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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| 03/05/2015 | <u>16</u> | Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Robert A. Naeve Filing fee: \$ 100, receipt number 0101-5440654 by Massachusetts Institute of Technology. (Attachments: # <u>1</u> Exhibit A)(Morrison, Christopher) (Entered: 03/05/2015)                                                                                                                                                                                                                                                                       |
| 03/06/2015 | 17        | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>16</u> Motion for Leave to Appear Pro Hac Vice Added Robert A. Naeve. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Finn, Mary) (Entered: 03/06/2015)    |
| 03/06/2015 | <u>18</u> | NOTICE of Appearance by Christopher M. Morrison on behalf of Massachusetts Institute of Technology (Morrison, Christopher) (Entered: 03/06/2015)                                                                                                                                                                                                                                                                                                                                                                                      |
| 03/06/2015 | 19        | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>14</u> Motion for Extension of Time to Answer re <u>1</u> Complaint,, Massachusetts Institute of Technology answer due 5/11/2015. (Finn, Mary) (Entered: 03/06/2015)                                                                                                                                                                                                                                                                                                  |
| 03/26/2015 | <u>20</u> | NOTICE of Change of Address or Firm Name by Julie Wilensky (Wilensky, Julie) (Entered: 03/26/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 05/08/2015 | <u>21</u> | Assented to MOTION for Leave to File <i>Memorandum of Law in Support of Defendant's Motion to Stay or Dismiss the Complaint</i> by Massachusetts Institute of Technology.(Morrison, Christopher) (Entered: 05/08/2015)                                                                                                                                                                                                                                                                                                                |
| 05/08/2015 | 22        | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>21</u> Motion for Leave to File Document In Excess of Twenty Pages. Allowed, up to thirty-five pages. Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Healy, Bethaney) (Entered: 05/08/2015)                                         |
| 05/11/2015 | <u>23</u> | Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Jeffrey R. Johnson Filing fee: \$ 100, receipt number 0101-5552467 by Massachusetts Institute of Technology. (Attachments: # <u>1</u> Declaration of Jeffrey R. Johnson, Esq.)(Morrison, Christopher) (Entered: 05/11/2015)                                                                                                                                                                                                                                      |
| 05/11/2015 | <u>24</u> | MOTION to Stay re <u>1</u> Complaint,, or <i>MOTION to Dismiss</i> by Massachusetts Institute of Technology.(Naeve, Robert). Added an additional relief – MOTION to Dismiss on 5/12/2015. (Finn, Mary). (Entered: 05/11/2015)                                                                                                                                                                                                                                                                                                         |
| 05/11/2015 | <u>25</u> | MEMORANDUM in Support re <u>24</u> MOTION to Stay re <u>1</u> Complaint,, or to Dismiss filed by Massachusetts Institute of Technology. (Naeve, Robert) (Entered: 05/11/2015)                                                                                                                                                                                                                                                                                                                                                         |
| 05/12/2015 | 26        | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>23</u> Motion for Leave to Appear Pro Hac Vice Added Jeffrey R. Johnson. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Finn, Mary) (Entered: 05/12/2015) |
| 05/21/2015 | <u>27</u> | Assented to MOTION for Extension of Time to 06/25/2015 to File Response/Reply as to <u>24</u> MOTION to Stay re <u>1</u> Complaint,, or to Dismiss MOTION to Dismiss by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith.(Wilensky, Julie) (Entered: 05/21/2015)                                                                                                                                                                                                                            |
| 05/22/2015 | 28        | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>27</u> Motion for Extension of Time to File Response/Reply re <u>24</u> MOTION to Stay re <u>1</u> Complaint,, or to Dismiss MOTION to Dismiss Responses due by 6/25/2015. (Finn, Mary) (Entered: 05/22/2015)                                                                                                                                                                                                                                                         |
| 06/11/2015 | <u>29</u> | MOTION for Leave to File Excess Pages by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith.(Fox, Timothy) (Entered: 06/11/2015)                                                                                                                                                                                                                                                                                                                                                              |

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| 06/11/2015 | 30        | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>29</u> Motion for Leave to File to file memorandum in Excess of 20 Pages ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Finn, Mary) (Entered: 06/11/2015)                             |
| 06/22/2015 | <u>31</u> | NOTICE of Appearance by Charlotte L. Lanvers on behalf of The United States (Lanvers, Charlotte) (Entered: 06/22/2015)                                                                                                                                                                                                                                                                                                                                                                    |
| 06/22/2015 | <u>32</u> | MOTION for Leave to File <i>a Statement of Interest in Excess of 20 Pages</i> by The United States.(Lanvers, Charlotte) (Entered: 06/22/2015)                                                                                                                                                                                                                                                                                                                                             |
| 06/23/2015 | 33        | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>32</u> Motion for Leave to File Document ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Finn, Mary) (Entered: 06/23/2015)                                                             |
| 06/25/2015 | <u>34</u> | AMICUS BRIEF filed by The United States . (Lanvers, Charlotte) (Entered: 06/25/2015)                                                                                                                                                                                                                                                                                                                                                                                                      |
| 06/25/2015 | <u>35</u> | Opposition re <u>24</u> MOTION to Stay re <u>1</u> Complaint,, <i>or to Dismiss</i> MOTION to Dismiss filed by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Appendix Appendix of Filings from Other Cases, # <u>2</u> Appendix Appendix A, # <u>3</u> Appendix Appendix B, # <u>4</u> Appendix Appendix C, # <u>5</u> Appendix Appendix D, # <u>6</u> Appendix Appendix E)(Murphy, Thomas) (Entered: 06/25/2015)  |
| 06/26/2015 | 36        | ELECTRONIC NOTICE issued requesting courtesy copy for <u>35</u> Opposition to Motion and supporting exhibits. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office by 7/3/2015. <b>These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF.</b> (Finn, Mary) (Entered: 06/26/2015)                                                                          |
| 06/29/2015 | 37        | Remark – Courtesy copy of document <u>35</u> received and placed in the file. (Finn, Mary) (Entered: 06/29/2015)                                                                                                                                                                                                                                                                                                                                                                          |
| 06/29/2015 | 38        | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered. REFERRING CASE to Magistrate Judge Katherine A. Robertson Referred for: Full Pretrial, No Dispositive Motions (ptn). Motions referred: <u>24</u> MOTION to Stay re <u>1</u> Complaint,, <i>or to Dismiss</i> MOTION to Dismiss. Further information: for Report and Recommendation..(Pelegano, Theresa) (Entered: 06/29/2015)                                                                                                        |
| 06/30/2015 | <u>39</u> | MOTION for Leave to File <i>Reply Memorandum by July 24, 2015</i> by Massachusetts Institute of Technology.(Morrison, Christopher) Modified on 6/30/2015 to correct date. (Calderon, Melissa) (Entered: 06/30/2015)                                                                                                                                                                                                                                                                       |
| 07/20/2015 | 40        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>39</u> defendant's Motion for Leave to File Reply Memorandum by July 24, 2015. Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Robertson, Katherine) (Entered: 07/20/2015) |
| 07/24/2015 | <u>41</u> | REPLY to Response to <u>24</u> MOTION to Stay re <u>1</u> Complaint,, <i>or to Dismiss</i> MOTION to Dismiss filed by Massachusetts Institute of Technology. (Naeve, Robert) (Entered: 07/24/2015)                                                                                                                                                                                                                                                                                        |
| 08/14/2015 | 42        | ELECTRONIC NOTICE Setting Hearing on MOTION to Stay or Dismiss (Dkt. No. 23 in 3:15-cv-30023-MGM) and MOTION to Stay or Dismiss (Dkt. No. 24 in 3:15-cv-30024-MGM) ISSUED: A Motion Hearing is set for 9/10/2015 at 2:30 PM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM (Calderon, Melissa) (Entered: 08/14/2015)                                                                                       |
| 09/10/2015 | 43        | ELECTRONIC Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Motion Hearing re MOTION to Stay or Dismiss (Dkt. No. 23 in                                                                                                                                                                                                                                                                                                                                 |



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|            |           | 3:15-cv-30023-MGM) and MOTION to Stay or Dismiss (Dkt. No. 24 in 3:15-cv-30024-MGM) was held on 9/10/2015. Attorneys Present: Arlene B. Mayerson, Timothy P. Fox, Robert A. Naeve, Christopher M. Morrison and Charlotte L. Lanvers. Arguments were heard on the pending motions. This matter is taken under advisement. R&R to issue. (Court Reporter: Digital Recording – For transcripts or CDs contact Deborah Scalfani by email at <a href="mailto:deborah_scalfani@mad.uscourts.gov">deborah_scalfani@mad.uscourts.gov</a> .) Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM (Calderon, Melissa) (Entered: 09/11/2015)                  |
| 09/29/2015 | <u>44</u> | Transcript of Motion Hearing held on September 10, 2015, before Magistrate Judge Katherine A. Robertson. The Transcript may be purchased through Janice Russell at <a href="mailto:trussell31@tdsmail.com">trussell31@tdsmail.com</a> , viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name: No Reporter Used. Digital Recording transcribed by Janice Russell. Redaction Request due 10/20/2015. Redacted Transcript Deadline set for 10/30/2015. Release of Transcript Restriction set for 12/28/2015. Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM(Scalfani, Deborah) (Entered: 09/29/2015) |
| 09/29/2015 | 45        | NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at <a href="http://www.mad.uscourts.gov/attorneys/general-info.htm">http://www.mad.uscourts.gov/attorneys/general-info.htm</a> Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM(Scalfani, Deborah) (Entered: 09/29/2015)                                                                                                                                                                                 |
| 11/20/2015 | <u>46</u> | NOTICE of Change of Address or Firm Name by Thomas P. Murphy <i>for Julie Wilensky and Bill Lann Lee</i> (Murphy, Thomas) (Entered: 11/20/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 11/20/2015 | <u>47</u> | NOTICE by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith re <u>35</u> Opposition to Motion, <i>Notice of Supplemental Authority in Support of Opposition to Motion to Dismiss</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Murphy, Thomas) (Entered: 11/20/2015)                                                                                                                                                                                                                                                                                                                         |
| 11/24/2015 | <u>48</u> | NOTICE by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith re <u>35</u> Opposition to Motion, <i>Second Notice of Supplemental Authority in Support of Opposition to Motion to Dismiss</i> (Attachments: # <u>1</u> Exhibit 1)(Murphy, Thomas) (Entered: 11/24/2015)                                                                                                                                                                                                                                                                                                                                        |
| 12/04/2015 | <u>49</u> | Notice of Supplemental Authorities re <u>24</u> MOTION to Stay re <u>1</u> Complaint,, <i>or to Dismiss</i> MOTION to Dismiss (Attachments: # <u>1</u> Exhibit DOJ, Statement of Regulatory Priorities (November 24, 2015))(Naeve, Robert) (Entered: 12/04/2015)                                                                                                                                                                                                                                                                                                                                                                                      |
| 02/03/2016 | <u>50</u> | NOTICE of Withdrawal of Appearance by Thomas P. Murphy <i>of Sarah Morris</i> (Murphy, Thomas) (Entered: 02/03/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 02/09/2016 | <u>51</u> | Magistrate Judge Katherine A. Robertson: ORDER entered. REPORT AND RECOMMENDATIONS re Defendant's <u>24</u> MOTION to Stay or Dismiss. For the reasons stated, it is this Court's recommendation that the Defendant's Motion to Stay or Dismiss be denied in its entirety. See attached R&R for complete details. Objections to R&R due by <b>2/23/2016</b> .(Calderon, Melissa) (Entered: 02/09/2016)                                                                                                                                                                                                                                                |
| 02/10/2016 | <u>52</u> | NOTICE of Appearance by Roberto M. Bracerias on behalf of Massachusetts Institute of Technology (Bracerias, Roberto) (Entered: 02/10/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 02/10/2016 | <u>53</u> | NOTICE of Appearance by Stephen M. Hoeplinger on behalf of Massachusetts Institute of Technology (Hoeplinger, Stephen) (Entered: 02/10/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 02/16/2016 | <u>54</u> | Assented to MOTION for Extension of Time to March 18, 2016 to File <i>Objections to Magistrate Judge's Report and Recommendation</i> by Massachusetts Institute of Technology.(Bracerias, Roberto) Modified on 2/17/2016 to change the relief type of the motion to Motion to ext. time to filed resp./reply. (Finn, Mary). (Entered: 02/16/2016)                                                                                                                                                                                                                                                                                                     |
| 02/19/2016 | 55        | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting (53) Motion for Extension of Time to File Response/Reply re (51 in 3:15-cv-30024-MGM) RESPONSES/OBJECTIONS due by 3/18/2016. Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM(Finn, Mary) Modified on 2/19/2016 to clean up the text. (Finn, Mary). (Entered: 02/19/2016)                                                                                                                                                                                                                                                                                                          |

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| 02/19/2016 | <u>56</u> | Set/Reset Deadlines as to <u>51</u> REPORT AND RECOMMENDATIONS. Defts' Objections due by 3/18/2016. (Finn, Mary) (Entered: 02/19/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 03/16/2016 | <u>57</u> | SUGGESTION OF DEATH Upon the Record as to Diane Nettles by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Murphy, Thomas) (Entered: 03/16/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 03/16/2016 | <u>58</u> | NOTICE of Withdrawal of Appearance by Christopher M. Morrison of <i>Christopher M. Morrison</i> (Morrison, Christopher) (Entered: 03/16/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 03/16/2016 | <u>59</u> | NOTICE of Withdrawal of Appearance by Christopher M. Morrison of <i>Robert A. Naeve</i> (Morrison, Christopher) (Entered: 03/16/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 03/16/2016 | <u>60</u> | NOTICE of Withdrawal of Appearance by Christopher M. Morrison of <i>Jeffrey R. Johnson</i> (Morrison, Christopher) (Entered: 03/16/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 03/17/2016 | <u>61</u> | Assented to MOTION for Leave to Appear Pro Hac Vice for admission of William M. Jay Filing fee: \$ 100, receipt number 0101-6025781 by Massachusetts Institute of Technology. (Attachments: # <u>1</u> Exhibit A)(Braceras, Roberto) (Entered: 03/17/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 03/17/2016 | <u>62</u> | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>61</u> Motion for Leave to Appear Pro Hac Vice Added William M. Jay. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Finn, Mary) (Entered: 03/17/2016)                                                                                                                                                                                                                                                                                                             |
| 03/18/2016 | <u>63</u> | OBJECTION to <u>51</u> Report and Recommendations filed by Massachusetts Institute of Technology. (Braceras, Roberto) (Entered: 03/18/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 03/22/2016 | <u>64</u> | Assented to MOTION for Extension of Time to 4/8/16 to File Response/Reply as to <u>63</u> Objection to Report and Recommendations by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 03/22/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 03/22/2016 | <u>65</u> | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>64</u> Motion for Extension of Time to File Response/Reply re <u>51</u> REPORT AND RECOMMENDATIONS re <u>24</u> MOTION to Stay re <u>1</u> Complaint,, or to Dismiss MOTION to Dismiss filed by Massachusetts Institute of Technology Recommendation: DENY. Pltfs' Reply due by 4/8/2016. (Finn, Mary) (Entered: 03/22/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 04/08/2016 | <u>66</u> | REPLY TO OBJECTION to <u>51</u> Report and Recommendations filed by The United States. (Lanvers, Charlotte) (Entered: 04/08/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 04/08/2016 | <u>67</u> | REPLY TO OBJECTION to <u>51</u> Report and Recommendations filed by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Murphy, Thomas) (Entered: 04/08/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 04/25/2016 | <u>68</u> | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered regarding <u>63</u> Defendant's Objection to Report and Recommendations, <u>67</u> Plaintiffs' Reply to Objection, and <u>66</u> United States of America's Reply to Objection. The Court wishes to clarify that it will not hold a hearing on the parties responses to the <u>51</u> Report and Recommendations. While the Court is mindful of Defendant's request in its Objection to hold a hearing, the Court notes that a hearing was already held before Judge Robertson issued her Report and Recommendations. The issues before the Court are largely questions of law and, given the thorough briefing and the hearing that has already occurred in this case, an additional hearing would not assist the Court in resolving the issues. (Montes, Mariliz) (Entered: 04/25/2016) |
| 04/27/2016 | <u>69</u> | MOTION for Leave to File <i>Reply in Support of Its Objections to the Magistrate Judge's Report and Recommendation</i> by Massachusetts Institute of Technology. (Attachments: # <u>1</u> Proposed Reply)(Braceras, Roberto) (Entered: 04/27/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 04/29/2016 | <u>70</u> | Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <u>69</u> Motion for Leave to File Reply in Support to its Objections ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Montes,                                                                                                                                                                                                                                                                                                                                                                                                                 |



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|            |           | Mariliz) (Entered: 04/29/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 04/29/2016 | <u>71</u> | REPLY by Massachusetts Institute of Technology in support of <u>63</u> Objection to Report and Recommendations <i>Reply In Support</i> (Braceras, Roberto) Modified on 5/2/2016 to correct the text to reflect the document that is being filed. (Finn, Mary). (Entered: 04/29/2016)                                                                                                                                                                                                                                                                 |
| 05/02/2016 | <u>72</u> | NOTICE of Appearance by Jennifer B. Luz on behalf of Massachusetts Institute of Technology (Luz, Jennifer) (Entered: 05/02/2016)                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 05/09/2016 | <u>73</u> | NOTICE of Withdrawal of Appearance by Stephen M. Hoeplinger (Hoeplinger, Stephen) (Entered: 05/09/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 05/23/2016 | <u>74</u> | Motions Taken Under Advisement: <u>51</u> REPORT AND RECOMMENDATIONS re <u>24</u> MOTION to Stay re <u>1</u> Complaint,, <i>or to Dismiss</i> MOTION to Dismiss filed by Massachusetts Institute of Technology Recommendation: DENY (Montes, Mariliz) (Entered: 05/23/2016)                                                                                                                                                                                                                                                                          |
| 08/05/2016 | <u>75</u> | NOTICE of Withdrawal of Appearance by Julie Wilensky (Wilensky, Julie) (Entered: 08/05/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 09/23/2016 | <u>76</u> | Notice of Supplemental Authorities re <u>51</u> REPORT AND RECOMMENDATIONS re <u>24</u> MOTION to Stay re <u>1</u> Complaint,, <i>or to Dismiss</i> MOTION to Dismiss filed by Massachusetts Institute of Technology Recommendation: DENY filed by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Appendix)(Murphy, Thomas) (Entered: 09/23/2016)                                                                                                                                             |
| 09/26/2016 | <u>77</u> | Response by Massachusetts Institute of Technology to <u>76</u> Notice of Supplemental Authorities, . (Braceras, Roberto) (Entered: 09/26/2016)                                                                                                                                                                                                                                                                                                                                                                                                       |
| 11/04/2016 | <u>78</u> | Judge Mark G. Mastroianni: MEMORANDUM AND ORDER entered. As follows: For the reasons stated, the court adopts Judge Robertson's <u>51</u> Report and Recommendations in full and the Defendants <u>24</u> Motion to Stay or Dismiss is hereby DENIED. It is So Ordered. See the attached memo and order for complete details. (Lindsay, Maurice) (Entered: 11/04/2016)                                                                                                                                                                               |
| 11/14/2016 | <u>79</u> | Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Andrew Kim Filing fee: \$ 100, receipt number 0101-6372621 by Massachusetts Institute of Technology. (Attachments: # <u>1</u> Exhibit A)(Braceras, Roberto) (Entered: 11/14/2016)                                                                                                                                                                                                                                                                                               |
| 11/14/2016 | <u>80</u> | Assented to MOTION for Extension of Time to December 9, 2016 to File Answer re <u>1</u> Complaint,, by Massachusetts Institute of Technology.(Braceras, Roberto) (Entered: 11/14/2016)                                                                                                                                                                                                                                                                                                                                                               |
| 11/15/2016 | <u>81</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>79</u> Motion for Leave to Appear Pro Hac Vice. Added: Andrew Kim. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Calderon, Melissa) (Entered: 11/15/2016) |
| 11/15/2016 | <u>82</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting Assented-to <u>80</u> MOTION to Extend Time to Answer the Complaint. Answer due by no later than <b>December 9, 2016</b> . (Calderon, Melissa) (Entered: 11/15/2016)                                                                                                                                                                                                                                                                                                      |
| 12/09/2016 | <u>83</u> | ANSWER to <u>1</u> Complaint,, by Massachusetts Institute of Technology.(Braceras, Roberto) (Entered: 12/09/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 12/13/2016 | <u>84</u> | NOTICE of Scheduling Conference. Scheduling Conference set for 1/17/2017 11:30 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. Joint Statement due by 1/10/2017.(Finn, Mary) (Entered: 12/13/2016)                                                                                                                                                                                                                                                                                                                         |
| 12/22/2016 | <u>85</u> | Assented to MOTION to Continue Scheduling Conference to February 14, 15, 16 or 17, 2017 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 12/22/2016)                                                                                                                                                                                                                                                                                                                                        |
| 12/22/2016 | <u>86</u> | Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Janet Grumer Filing fee: \$ 100, receipt number 0101-6427961 by Massachusetts Institute of                                                                                                                                                                                                                                                                                                                                                                                      |

|            |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|            |           | Technology. (Attachments: # <u>1</u> Exhibit A)(Braceras, Roberto) (Entered: 12/22/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 12/23/2016 | <u>87</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>85</u> Motion to Continue the Scheduling Conference. The Scheduling Conference is reset to 2/14/2017 02:00 PM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson; granting <u>86</u> Motion for Leave to Appear Pro Hac Vice. Added Janet Grumer. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> . (Finn, Mary) (Entered: 12/23/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 02/07/2017 | <u>88</u> | Joint MOTION for Hearing <i>by Telephone</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 02/07/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 02/07/2017 | <u>89</u> | Joint MOTION for Extension of Time <i>to Comply with Federal Rule of Civil Procedure 26(f) and Local Rule 16.1</i> by Massachusetts Institute of Technology.(Braceras, Roberto) (Entered: 02/07/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 02/08/2017 | <u>90</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>88</u> Motion to appear at the scheduling conference set to 2/14/2017 by telephone; granting <u>89</u> Joint MOTION for Extension of Time to Comply with Federal Rule of Civil Procedure 26(f) and Local Rule 16.1. Telephone Conference Information e-mailed to counsel who will participate by telephone, the other counsel will appear in person. (Finn, Mary) (Entered: 02/08/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 02/14/2017 | <u>91</u> | Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Scheduling Conference held on 2/14/2017. Attorneys Present: Thomas P. Murphy, Timothy P. Fox (by telephone), Arlene B. Mayerson (by telephone), Stanley Eichner (by telephone), Caitlin Parton (by telephone), Roberto M. Braceras, Jennifer Luz, William M. Jay (by telephone), and Janet Grumer (by telephone). Colloquy re: status of the case. The parties are working closely towards trying to narrow the issues and/or possible resolution. A further Scheduling Conference is set for <b>4/4/2017 at 2:30 PM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. A joint status report shall be filed by no later than <b>3/31/2017</b> . (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to <a href="http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm">http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm</a> . For a transcript of this proceeding, contact Deborah Scalfani by email at <a href="mailto:deborah_scalfani@mad.uscourts.gov">deborah_scalfani@mad.uscourts.gov</a> .) Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM (Calderon, Melissa) (Entered: 02/15/2017) |
| 03/31/2017 | <u>92</u> | STATUS REPORT ( <i>JOINT</i> ) and <i>Motion to Continue Scheduling Conference</i> by Massachusetts Institute of Technology. (Braceras, Roberto) (Entered: 03/31/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 04/03/2017 | <u>93</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered re Joint Status Report (Dkt. <u>92</u> ). A further status report shall be filed by no later than <b>5/3/2017</b> . The parties' request to continue has been allowed inasmuch as the Scheduling Conference shall be rescheduled. The proposed date, however, is not available. The Scheduling Conference is reset for <b>5/10/2017 at 11:00 AM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. No further extensions should be anticipated. Associated Cases: 3:15-cv-30023-MGM & 3:15-cv-30024-MGM. (Calderon, Melissa) (Entered: 04/03/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 05/03/2017 | <u>94</u> | STATUS REPORT ( <i>JOINT</i> ) by Massachusetts Institute of Technology. (Braceras, Roberto) (Entered: 05/03/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 05/04/2017 | <u>95</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered. The parties are directed to appear on May 10, 2017 at 11:00 a.m. for a status conference to report in further detail concerning the status of potential mediation. Counsel who desire to appear by telephone at the status conference may file a motion requesting leave to do so. (Robertson, Katherine) (Entered: 05/04/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 05/05/2017 | <u>96</u> | Joint MOTION for Hearing <i>by Telephone (Status Conference 05/10/2017)</i> by Massachusetts Institute of Technology.(Braceras, Roberto) (Entered: 05/05/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 05/08/2017 | <u>97</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting ( <u>96</u> ) Motion for Certain Counsel to appear at the 5/10/2017 Status Conference by                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

|            |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|            |            | telephone in case 3:15-cv-30023-MGM; granting (96) Motion for Certain Counsel to Appear at the 5/10/2017 Status Conference by telephone in case 3:15-cv-30024-MGM. Telephone call in information e-mailed to counsel this date. Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM(Finn, Mary) (Entered: 05/08/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 05/10/2017 | <u>98</u>  | Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Scheduling Conference held on 5/10/2017. Attorneys Present: Thomas P. Murphy, Caroline Jackson (by telephone), Stanley Eichner (by telephone), Caitlin Parton (by telephone), Roberto M. Braceras, Jennifer Luz, William M. Jay (by telephone), Andrew Kim (by telephone), Janet Grumer (by telephone) and Namita Gupta (by telephone). Colloquy re: status of the case. Further deadlines were established. A status report, informing the selection of the private mediator, shall be filed by no later than <b>5/19/2017</b> ; a status report, notifying the timetable of the mediation schedule, shall be filed by no later than <b>6/2/2017</b> ; and a Status Conference is set for <b>8/2/2017 at 11:00 AM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. No further deadlines were set. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to <a href="http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm">http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm</a> . For a transcript of this proceeding, contact Deborah Scalfani by email at <a href="mailto:deborah_scalfani@mad.uscourts.gov">deborah_scalfani@mad.uscourts.gov</a> .) Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM (Calderon, Melissa) (Entered: 05/15/2017) |
| 05/19/2017 | <u>99</u>  | STATUS REPORT ( <i>JOINT</i> ) by Massachusetts Institute of Technology. (Braceras, Roberto) (Entered: 05/19/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 06/02/2017 | <u>100</u> | STATUS REPORT ( <i>Joint</i> ) by Massachusetts Institute of Technology. (Braceras, Roberto) (Entered: 06/02/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 07/26/2017 | <u>101</u> | Joint MOTION for Hearing by Telephone ( <i>Status Conference 8/2/17</i> ) by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 07/26/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 07/27/2017 | 102        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>101</u> Motion for Certain Attorneys' to appear at the 8/2/2017 Status Conference by Telephone. Telephone Conference Information e-mailed to counsel this date. (Finn, Mary) (Entered: 07/27/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 08/02/2017 | 103        | Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Status Conference held on 8/2/2017. Attorneys Present: Thomas P. Murphy, Roberto M. Braceras and Jennifer B. Luz. Attorneys on the Telephone: Caroline Jackson, Timothy P. Fox, Caitlin Parton, Stanley Eichner, William M. Jay and Janet Grumer. Colloquy re: status of the cases. Plaintiffs to respond to defendants' proposal (in 15-cv-30023) by the end of August. A brief Joint Status Report (as to both cases) shall be filed by no later than <b>9/22/2017</b> . A Status Conference is set for <b>9/25/2017 at 11:00 AM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to <a href="http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm">http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm</a> . For a transcript of this proceeding, contact Deborah Scalfani by email at <a href="mailto:deborah_scalfani@mad.uscourts.gov">deborah_scalfani@mad.uscourts.gov</a> .) Associated Cases: 3:15-cv-30023-MGM & 3:15-cv-30024-MGM. (Calderon, Melissa) Modified on 8/8/2017 to correct date. (Calderon, Melissa) (Entered: 08/08/2017)                                                                                                                                                    |
| 09/21/2017 | <u>104</u> | Joint MOTION for Hearing by Telephone ( <i>Status Conference 9/25/17</i> ) by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 09/21/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 09/22/2017 | 105        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>104</u> Motion for Certain Counsel to appeal at the 9/25/2017 Status Conference by telephone. Telephone Conference Information e-mailed to counsel this date. (Finn, Mary) (Entered: 09/22/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 09/22/2017 | <u>106</u> | STATUS REPORT ( <i>Joint</i> ) by Massachusetts Institute of Technology. (Braceras, Roberto) (Entered: 09/22/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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| 09/25/2017 | <u>107</u> | Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Status Conference held on 9/25/2017. Attorneys Present: Thomas P. Murphy, Roberto M. Braceras and Jennifer B. Luz. Attorneys by Telephone: Caroline Jackson, Timothy P. Fox and Arlene B. Mayerson. Colloquy re: status of the case. A brief Joint Status Report shall be filed by no later than <b>11/27/2017 at 10:00 AM</b> . A Status Conference is set for <b>11/27/2017 at 2:00 PM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to <a href="http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm">http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm</a> . For a transcript of this proceeding, contact Deborah Scalfani by email at <a href="mailto:deborah_scalfani@mad.uscourts.gov">deborah_scalfani@mad.uscourts.gov</a> .) Associated Cases: 3:15-cv-30023-MGM & 3:15-cv-30024-MGM. (Calderon, Melissa) (Entered: 09/25/2017)                                                                                                                                                                                                                                                                                                 |
| 11/21/2017 | <u>108</u> | Joint MOTION for Hearing <i>by Telephone (Status Conference 11/27/17)</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 11/21/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11/22/2017 | <u>109</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>108</u> Motion for certain attorney's to appear at the 11/27/2017 status conf. by telephone. Telephone conference information e-mailed to counsel this date. (Finn, Mary) (Entered: 11/22/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 11/22/2017 | <u>110</u> | STATUS REPORT ( <i>Joint</i> ) by Massachusetts Institute of Technology. (Braceras, Roberto) (Entered: 11/22/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/27/2017 | <u>111</u> | Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Status Conference held on 11/27/2017. Attorneys Present: Timothy P. Fox and Roberto M. Braceras. Attorneys by Telephone: Caroline Jackson, Arlene B. Mayerson, Stanley Eichner and Janet Grumer. Colloquy re: status of the cases. A brief joint status report shall be filed by no later than <b>1/30/2018</b> . A Status Conference is set for <b>1/31/2018 at 2:00 PM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to <a href="http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm">http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm</a> . For a transcript of this proceeding, contact Deborah Scalfani by email at <a href="mailto:deborah_scalfani@mad.uscourts.gov">deborah_scalfani@mad.uscourts.gov</a> .) Associated Cases: 3:15-cv-30023-MGM & 3:15-cv-30024-MGM. (Calderon, Melissa) (Entered: 11/30/2017)                                                                                                                                                                                                                                                                                                                 |
| 01/29/2018 | <u>112</u> | Joint MOTION for Hearing <i>by Telephone (Status Conference 1/31/18)</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 01/29/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 01/30/2018 | <u>113</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>112</u> the Parties Motion to allow certain attorneys' to appear at the 1/31/2018 Status Conference by telephone. Telephone call in information e-mailed to counsel this date. (Finn, Mary) (Entered: 01/30/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 01/31/2018 | <u>114</u> | STATUS REPORT ( <i>Joint</i> ) by Massachusetts Institute of Technology. (Braceras, Roberto) (Entered: 01/31/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/31/2018 | <u>115</u> | Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Status Conference held on 1/31/2018. Attorneys Present: Thomas P. Murphy, Timothy P. Fox (by telephone), Arlene B. Mayerson (by telephone), Stanley Eichner (by telephone), Caitlin Parton (by telephone), Roberto M. Braceras, William M. Jay (by telephone), and Janet Grumer (by telephone). Colloquy re: status of the cases. A Status Report in 15-cv-30023-MGM shall be filed by <b>2/22/2018</b> . An Initial Scheduling Conference is set for <b>3/7/2018 at 11:00 AM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. A Status Report in 15-cv-30024-MGM shall be filed by <b>3/26/2018</b> . A Status Conference is set for <b>3/28/2018 at 11:00 AM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to <a href="http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm">http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm</a> . For a transcript of this proceeding, contact Deborah Scalfani by email at <a href="mailto:deborah_scalfani@mad.uscourts.gov">deborah_scalfani@mad.uscourts.gov</a> .) Associated Cases: 3:15-cv-30023-MGM & 3:15-cv-30024-MGM. (Calderon, Melissa) (Entered: 02/06/2018) |



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| 01/31/2018 | 116        | ELECTRONIC NOTICE of Hearing ISSUED: A Status Conference is set for <b>3/28/2018 at 11:00 AM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Calderon, Melissa) (Entered: 02/08/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 03/06/2018 | <u>117</u> | MOTION for Leave to Appear Pro Hac Vice for admission of Amy Farr Robertson Filing fee: \$ 100, receipt number 0101-7038033 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Affidavit signature page)(Murphy, Thomas) (Entered: 03/06/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 03/06/2018 | 118        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting (120) Motion for Leave to Appear Pro Hac Vice. Added Amy Farr Robertson. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> in case 3:15-cv-30023-MGM; granting (117) Motion for Leave to Appear Pro Hac Vice. Added Amy Farr Robertson. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> in case 3:15-cv-30024-MGM Associated Cases: 3:15-cv-30023-MGM, 3:15-cv-30024-MGM(Finn, Mary) (Entered: 03/06/2018) |
| 03/16/2018 | <u>119</u> | Assented to MOTION to Continue : <i>ASSENTED-TO MOTION TO CONTINUE STATUS CONFERENCE</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Mayerson, Arlene) (Entered: 03/16/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 03/19/2018 | 120        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>119</u> Motion to Continue the 3/28/2018 Status Conference. Status Conference reset to 4/2/2018 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Finn, Mary) (Entered: 03/19/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 03/26/2018 | 121        | Remark: In light of continuance of Status Conference, the Status Report is now due on <b>3/30/2018</b> . (Calderon, Melissa) (Entered: 03/26/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 03/29/2018 | <u>122</u> | Joint MOTION for Hearing by Telephone ( <i>Status Conference 4/2/18</i> ) by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 03/29/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 03/30/2018 | 123        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>122</u> Motion for some of the Attorneys' to participate in the 4/2/2018 Status Conference by telephone. Telephone call in information e-mail to those counsel this date. (Finn, Mary) (Entered: 03/30/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 03/30/2018 | <u>124</u> | STATUS REPORT ( <i>Joint</i> ) by Massachusetts Institute of Technology. (Braceras, Roberto) (Entered: 03/30/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 04/02/2018 | 125        | Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Status Conference held on 4/2/2018. Attorneys Present: Thomas P. Murphy and Roberto M. Braceras. Attorneys by Telephone: Arlene B. Mayerson, Caitlin Parton, Janet Grumer, William M. Jay and Andrew Kim. Colloquy re: status of the case. The parties are continuing to work on trying to resolve this matter. At the request of the parties, a Status Conference is set for <b>5/7/2018 at 11:00 AM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. Status Report due by <b>5/4/2018</b> . (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to <a href="http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm">http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm</a> . For a transcript of this proceeding, contact Deborah Scalfani by email at <a href="mailto:deborah_scalfani@mad.uscourts.gov">deborah_scalfani@mad.uscourts.gov</a> .) (Calderon, Melissa) (Entered: 04/07/2018)                                 |
| 05/04/2018 | <u>126</u> | Joint MOTION for Hearing by Telephone ( <i>Status Conference 5/7/18</i> ) by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 05/04/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 05/04/2018 | <u>127</u> | Assented to MOTION to Continue Status Conference to 5/21/2018 : <i>ASSENTED-TO MOTION TO CONTINUE STATUS CONFERENCE</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Mayerson, Arlene) (Entered: 05/04/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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| 05/04/2018 | <u>128</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting Assented-to <u>127</u> MOTION to Continue Status Report and Conference. The Status Conference is reset to <b>5/21/2018 at 11:00 AM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. Joint Status Report due by <b>5/18/2018</b> . (Calderon, Melissa) (Entered: 05/04/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 05/04/2018 | <u>129</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>126</u> JOINT MOTION for Hearing by Telephone. Counsel may appear by telephone at the Status Conference on May 21, 2018. The clerk shall inform counsel of the procedures to follow in order to participate by telephone. (Calderon, Melissa) (Entered: 05/04/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 05/18/2018 | <u>130</u> | STATUS REPORT ( <i>Joint Status Report</i> ) by Massachusetts Institute of Technology. (Braceras, Roberto) (Entered: 05/18/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 05/21/2018 | <u>131</u> | Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Status Conference held on 5/21/2018. Attorneys Present (in courtroom): Thomas P. Murphy and Roberto M. Braceras. Attorneys Present (by telephone): Arlene B. Mayerson, Janet Grumer, William M. Jay and Jennifer B. Luz. Colloquy re: status of the case. At the request of counsel, a further Status Conference is set for <b>6/18/2018 at 11:00 AM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. Joint status report due by <b>6/15/2018</b> . If additional time is requested, alternative Status Conference date set for <b>7/16/2018 at 11:00 AM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. Joint status report due by <b>7/13/2018</b> . (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to <a href="http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm">http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm</a> . For a transcript of this proceeding, contact Deborah Scalfani by email at <a href="mailto:deborah_scalfani@mad.uscourts.gov">deborah_scalfani@mad.uscourts.gov</a> .) (Calderon, Melissa) (Entered: 06/04/2018) |
| 06/15/2018 | <u>132</u> | MOTION JOINT MOTION FOR HEARING BY TELEPHONE (STATUS CONFERENCE 6/18/18) by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Mayerson, Arlene) (Entered: 06/15/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 06/15/2018 | <u>133</u> | Joint MOTION to Continue filing of the Status Report to June 18, 2018 , 9 AM ET by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Mayerson, Arlene) (Entered: 06/15/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 06/18/2018 | <u>134</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>132</u> Parties Motion for Certain Counsel to Appear at the 6/15/2018 Status Conference by telephone.; granting, nunc pro tunc the parties <u>133</u> Joint Motion to Extend Time to 6/18/2018 to file the Parties' Status Report. Telephone conference information e-mailed to counsel this date. (Finn, Mary) (Entered: 06/18/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 06/18/2018 | <u>135</u> | Set/Reset Deadlines: Parties' Joint Status Report due by 6/18/2018. (Finn, Mary) (Entered: 06/18/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 06/18/2018 | <u>136</u> | STATUS REPORT ( <i>JOINT STATUS REPORT</i> ) by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Robertson, Amy) (Entered: 06/18/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 06/18/2018 | <u>137</u> | Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Status Conference held on 6/18/2018. Attorneys Present (in courtroom): Thomas P. Murphy and Roberto M. Braceras. Attorneys Present (by telephone): Arlene B. Mayerson, William M. Jay, Jennifer B. Luz and Janet Grumer. Colloquy re: status of the case. The parties are to jointly file a proposed schedule by no later <b>7/13/2018</b> . The Status Conference set for 7/16/2018 is hereby VACATED. Once the joint proposal is filed, a scheduling order shall issue. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to <a href="http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm">http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm</a> . For a transcript of this proceeding, contact Deborah Scalfani by email at <a href="mailto:deborah_scalfani@mad.uscourts.gov">deborah_scalfani@mad.uscourts.gov</a> .) (Calderon, Melissa) (Entered: 06/18/2018)                                                                                                                                                                                                                                   |
| 07/02/2018 | <u>138</u> | MOTION for Leave to Appear Pro Hac Vice for admission of Joseph M. Sellers Filing fee: \$ 100, receipt number 0101-7213634 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Murphy, Thomas) (Entered: 07/02/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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| 07/02/2018 | <u>139</u> | MOTION for Leave to Appear Pro Hac Vice for admission of Shaylyn C. Cochran Filing fee: \$ 100, receipt number 0101-7213694 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit)(Murphy, Thomas) (Entered: 07/02/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 07/03/2018 | <u>140</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>138</u> Motion for Leave to Appear Pro Hac Vice Added Joseph M. Sellers. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> ; granting <u>139</u> Motion for Leave to Appear Pro Hac Vice Added Shaylyn C. Cochran.. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Finn, Mary) (Entered: 07/03/2018)                                                                                                                                                            |
| 07/13/2018 | <u>141</u> | JOINT SUBMISSION pursuant to Local Rule 16.1 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 07/13/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 07/16/2018 | <u>142</u> | ELECTRONIC NOTICE TO COUNSEL: In light of the parties representation regarding consent to proceed before a U.S. Magistrate Judge in their Joint Statement (Dkt. No. <u>141</u> ), completed forms shall be filed on or before the close of business on <b>July 27, 2018</b> . Additional forms can be obtained on the Court's web page at <a href="http://www.mad.uscourts.gov">http://www.mad.uscourts.gov</a> . (Calderon, Melissa) (Entered: 07/16/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 07/23/2018 | <u>143</u> | Magistrate Judge Katherine A. Robertson: ORDER entered. SCHEDULING ORDER: Rule 26 Initial Disclosure to be completed by 8/19/2018. Motions for Leave to Amend the pleadings to add claims, defenses, or parties, if any, due by 8/3/2018. Motions for Judgment on the Pleadings filed if Plaintiffs choose not to seek leave to file an Amended Complaint due by 8/24/2018. Oppositions to any Motions for Leave to Amend the Pleadings due by 9/4/2018. Oppositions to any Motions for Judgment on the Pleadings due by 9/24/2018. Replies to any Motions for Leave to Amend Pleadings due by 9/24/2018. Replies to any Motions for Judgment on the Pleadings due by 10/12/2018. Non-Expert Discovery to be completed by 5/31/2019. Rebuttal Experts designated and information required by Fed.R.Civ.P. 26(a)(2) disclosed by 7/31/2019. Expert Depositions to be completed by 9/20/2019. Motion for Class Certification due by 9/30/2019. Oppositions due by 10/30/2019. Reply due by 11/13/2019. (Finn, Mary) (Main Document 143 replaced on 7/23/2018) (Calderon, Melissa). Modified on 7/23/2018 to correct date. (Calderon, Melissa) (Entered: 07/23/2018) |
| 07/23/2018 | <u>144</u> | CONSENT by all parties to Jurisdiction by US Magistrate Judge by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.. (Murphy, Thomas) (Entered: 07/23/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 07/25/2018 | <u>145</u> | ELECTRONIC NOTICE of Reassignment. Magistrate Judge Katherine A. Robertson added. Judge Mark G. Mastroianni no longer assigned to case. (Danieli, Chris) (Entered: 07/25/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 08/02/2018 | <u>146</u> | Assented to MOTION for Extension of Time to -October 3, 2018 for initial written discovery requests- to Complete Discovery by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Mayerson, Arlene) (Entered: 08/02/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 08/03/2018 | <u>147</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Plaintiff's Assented to <u>146</u> Motion to Extend to 10/3/2018 the time for the Parties to serve Initial Written Discovery Requests. (Finn, Mary) (Entered: 08/03/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 08/24/2018 | <u>148</u> | MOTION for Judgment on the Pleadings by Massachusetts Institute of Technology.(Braceras, Roberto) (Entered: 08/24/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 08/24/2018 | <u>149</u> | MEMORANDUM in Support re <u>148</u> MOTION for Judgment on the Pleadings filed by Massachusetts Institute of Technology. (Braceras, Roberto) (Entered: 08/24/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 09/10/2018 | <u>150</u> | ELECTRONIC NOTICE Setting Hearing on Defendant's <u>148</u> MOTION for Judgment on the Pleadings ISSUED: After conferring with counsel, a Motion Hearing is set for <b>11/8/2018 at 11:00 AM</b> in Hampshire Courtroom before Magistrate Judge Katherine                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |



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|            |            | A. Robertson. (Calderon, Melissa) (Entered: 09/10/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 09/11/2018 | <u>151</u> | ELECTRONIC NOTICE Resetting Hearing on Defendant's <u>148</u> MOTION for Judgment on the Pleadings ISSUED: After conferring with counsel, the Motion Hearing is reset to <b>10/30/2018 at 11:00 AM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Calderon, Melissa) (Entered: 09/11/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 09/24/2018 | <u>152</u> | Opposition re <u>148</u> MOTION for Judgment on the Pleadings <i>PLAINTIFFS' OPPOSITION TO DEFENDANT'S MOTION FOR JUDGMENT ON THE PLEADINGS</i> filed by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> DECLARATION OF AMY F. ROBERTSON IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANT'S MOTION FOR JUDGMENT ON THE PLEADINGS with Exhibit)(Mayerson, Arlene) (Entered: 09/24/2018)                                                                                                                                                                                                                                                                                                             |
| 10/12/2018 | <u>153</u> | REPLY to Response to <u>148</u> MOTION for Judgment on the Pleadings filed by Massachusetts Institute of Technology. (Braceras, Roberto) (Entered: 10/12/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 10/30/2018 | <u>154</u> | Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Motion Hearing held on 10/30/2018 re Defendants' MOTION for Judgment on the Pleadings (140 in 3:15-cv-30023-KAR) and Defendants' MOTION for Judgment on the Pleadings (148 in 3:15-cv-30024-KAR). Attorneys Present: Joseph M. Sellers, Arlene B. Mayerson, Thomas P. Murphy, Andrew Kim, Roberto M. Braceras and William M. Jay. Arguments heard. This matter is taken under advisement. Order to issue. (Court Reporter: Kathleen Silva at kathysilva@verizon.net.) ( <b>ASL Interpreter:</b> Jane Hecker-Cain & <b>CART Reporter:</b> Jonathan Young. Associated Cases: 3:15-cv-30023-KAR & 3:15-cv-30024-KAR. (Calderon, Melissa) (Entered: 11/03/2018) |
| 10/30/2018 | <u>156</u> | Motions Taken Under Advisement: Defendants' MOTION for Judgment on the Pleadings (140 in 3:15-cv-30023-KAR) and Defendants' MOTION for Judgment on the Pleadings (148 in 3:15-cv-30024-KAR). Associated Cases: 3:15-cv-30023-KAR, 3:15-cv-30024-KAR (Calderon, Melissa) (Entered: 11/07/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 11/05/2018 | <u>155</u> | Magistrate Judge Katherine A. Robertson: ORDER entered. STIPULATED PROTECTIVE ORDER. See attached order for complete details. (Calderon, Melissa) (Entered: 11/05/2018)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 11/15/2018 | <u>157</u> | Transcript of Motion Hearing held on October 30, 2018, before Magistrate Judge Katherine A. Robertson. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Kathleen Silva at kathysilva@verizon.net Redaction Request due 12/6/2018. Redacted Transcript Deadline set for 12/17/2018. Release of Transcript Restriction set for 2/13/2019. Associated Cases: 3:15-cv-30024-KAR, 3:15-cv-30023-KAR(Scalfani, Deborah) (Entered: 11/15/2018)                                                                                                                                                                              |
| 11/15/2018 | <u>158</u> | NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at <a href="http://www.mad.uscourts.gov/attorneys/general-info.htm">http://www.mad.uscourts.gov/attorneys/general-info.htm</a> Associated Cases: 3:15-cv-30024-KAR, 3:15-cv-30023-KAR(Scalfani, Deborah) (Entered: 11/15/2018)                                                                                                                                                                                                                                                                                     |
| 03/28/2019 | <u>159</u> | Magistrate Judge Katherine A. Robertson: ORDER entered. MEMORANDUM AND ORDER Regarding Defendant's MOTION for Judgment on the Pleadings. For the foregoing reasons, the court DENIES in part and GRANTS in part MIT's Motion. See attached Memo & Order for complete details. (Calderon, Melissa) (Entered: 03/28/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 04/15/2019 | <u>160</u> | MOTION to Withdraw as Attorney by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith.(Jackson, Caroline) (Entered: 04/15/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 04/15/2019 | <u>161</u> | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>160</u> Motion to Withdraw as Attorney. Attorney Caroline Jackson terminated as                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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|            |            | counsel for the Plaintiffs'. (Finn, Mary) (Entered: 04/15/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 05/10/2019 | <u>162</u> | Joint MOTION to Stay <i>Proceedings</i> by Massachusetts Institute of Technology.(Braceras, Roberto) (Entered: 05/10/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 05/10/2019 | 163        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Parties' Joint <u>162</u> Motion to Stay Proceedings/Case until 5/31/2019. (Finn, Mary) (Entered: 05/10/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 05/31/2019 | <u>164</u> | Joint MOTION for Extension of Time to July 31, 2019 to Stay the Litigation by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Sellers, Joseph) (Entered: 05/31/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 06/03/2019 | 165        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Parties' Joint <u>164</u> Motion to Extend the Stay through 7/31/2019 Counsel are to file a Joint Status Report to be filed by close of business on 7/29/2019. (Finn, Mary) (Entered: 06/03/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 06/03/2019 | 166        | Set/Reset Deadlines: Parties Status Report due by 7/29/2019. (Finn, Mary) (Entered: 06/03/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 07/29/2019 | <u>167</u> | STATUS REPORT ( <i>Joint</i> ) by Massachusetts Institute of Technology. (Braceras, Roberto) (Entered: 07/29/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 07/30/2019 | 168        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ENDORSEMENT re <u>167</u> Status Report filed by Massachusetts Institute of Technology. The STAY of the Case is extended through 9/30/2019 for purposes of Further Settlement Negotiations. A Status Conference will be held on 9/30/2019 at 11:00 A.M. (Finn, Mary) Modified on 7/30/2019 to correct the STAY date from 9/20/2019 to the correct 9/30/2019. (Finn, Mary). (Entered: 07/30/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 07/30/2019 | 169        | Set/Reset Hearings: Status Conference set for 9/30/2019 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Finn, Mary) (Entered: 07/30/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 08/23/2019 | <u>170</u> | Joint MOTION for Order Referring Case to Mediation by Massachusetts Institute of Technology.(Braceras, Roberto) (Entered: 08/23/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 08/23/2019 | 171        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered. ORDER REFERRING CASE to Alternative Dispute Resolution to Magistrate Judge Judith Dein.Associated Cases: 3:15-cv-30023-KAR, 3:15-cv-30024-KAR(Finn, Mary) (Entered: 08/23/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 08/23/2019 | 172        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Parties' Joint <u>170</u> Motion to Refer the Case for Mediations to Magistrate Judith Dein, to Extend the Stay of the Case and Continue the 9/30/2019 Status Conference. Case is STAYED through 11/29/2019. The 9/30/2019 Status Conference is continued to 12/5/2019 at 11:00 A.M. (Finn, Mary) (Entered: 08/23/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 08/23/2019 | 173        | Set/Reset Hearings: Case STAYED through 11/29/2019. Status Conference reset for 12/5/2019 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Finn, Mary) (Entered: 08/23/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 08/27/2019 | 174        | Notice of assignment to ADR Provider. Judge Judith G. Dein appointed.(Belpedio, Lisa) (Entered: 08/27/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 08/28/2019 | 175        | ELECTRONIC NOTICE OF AND ORDER REGARDING ADR CONFERENCE: By agreement of counsel, mediation before Magistrate Judge Dein set for <i>Monday, October 7, 2019, at 10:30AM in Courtroom #15 on the 5th Floor in BOSTON.</i> Counsel are directed to be present with their clients or representatives thereof with full settlement authority. No later than three business days before the conference, each party shall submit (by mail or hand delivery addressed to Judge Dein, or by email to Jolyne_Dambrosio@mad.uscourts.gov) a brief memorandum marked "Confidential – Not for Docketing" addressing the party's position on the merits of the case and on settlement. If you use a standard form settlement agreement, please bring a copy with you. If you believe the case is not ripe for mediation at this time, please notify opposing counsel and the court as soon as possible. (Dambrosio, Jolyne) (Entered: 08/28/2019) |

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| 10/02/2019 | <u>176</u> | NOTICE of Appearance by Tatum A. Pritchard on behalf of C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith (Pritchard, Tatum) (Entered: 10/02/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 10/07/2019 | 178        | REPORT of Alternative Dispute Resolution Provider ELECTRONIC REPORT OF ADR PROVIDER. Magistrate Judge Dein: On October 07, 2019, I conducted a mediation in this case. All parties were represented by counsel, and were present in person, by telephone or by authorized corporate officer. Progress was made, and the parties are to report back to the court at which time a further session will be scheduled if appropriate. (Quinn, Thomas) (Entered: 10/08/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 11/26/2019 | <u>179</u> | Joint MOTION for Hearing <i>by Telephone</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Entered: 11/26/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 11/26/2019 | 180        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Parties' Joint <u>179</u> Motion for Certain Counsel to Appear at the 12/5/2019 Conference by Telephone. Telephone call in information e-mailed to counsel this date. (Finn, Mary) (Entered: 11/26/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 12/05/2019 | 182        | <p>Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Status Conference and Motion Hearing held on 12/5/2019 re Assented to MOTION to Certify Class for Settlement Purposes and for Preliminary Approval of Class Action Settlement (in 3:15-cv-30023-KAR). Attorneys Present: Thomas P. Murphy and Roberto M. Braceras. Attorneys Present (by telephone): Amy F. Robertson, Joseph M. Sellers, Shaylyn Cochran, Tatum A. Pritchard and Janet Grumer. Colloquy re: status of 15-cv-30024-KAR. The parties are very close to finding a resolution and asked for 45 days. The parties were heard on the pending motion in 15-cv-30023-KAR. Memorandum and Order issued. (See Dkt. No. 202 ). The Court set the following deadlines:</p> <p>&amp;nbsp;     a. Plaintiffs will issue the Notice to the Class by December 16, 2019;</p> <p>&amp;nbsp;     b. The deadline to submit Objections to the Settlement in accordance with the Instructions in the Notice is February 10, 2020;</p> <p>&amp;nbsp;     c. Responses to Objections will be submitted by February 17, 2020; and</p> <p>&amp;nbsp;     d. A Fairness Hearing is set for 2/25/2020 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson.</p> <p>(Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to <a href="http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm">http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm</a> . For a transcript of this proceeding, contact Deborah Scalfani by email at <a href="mailto:deborah_scalfani@mad.uscourts.gov">deborah_scalfani@mad.uscourts.gov</a>.) Associated Cases: 3:15-cv-30023-KAR &amp; 3:15-cv-30024-KAR. (Rivera, Melissa) (Entered: 12/12/2019)</p> |
| 12/05/2019 | 183        | Calculation of Forty-Five (45) Day Stay: 1/21/2020. (Rivera, Melissa) (Entered: 01/08/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 12/11/2019 | <u>181</u> | NOTICE of Change of Address or Firm Name by Amy F. Robertson (Robertson, Amy) (Entered: 12/11/2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 01/10/2020 | <u>184</u> | MOTION for Leave to Appear Pro Hac Vice for admission of Carly A. Myers Filing fee: \$ 100, receipt number 0101-8048344 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) Modified on 1/10/2020 to reopen the motion due to the Pltfs. filing their <u>186</u> certificate of consultation stating the Defts. assent to this Motion. (Finn, Mary). (Entered: 01/10/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 01/10/2020 | 185        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered denying without prejudice to refiling, the Plaintiffs' <u>184</u> Motion for Leave to Appear Pro Hac Vice, for failure to certify compliance with Local Rule 7.1(a)(2). (Finn, Mary) (Entered: 01/10/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 01/10/2020 | <u>186</u> | CERTIFICATE OF CONSULTATION pursuant to LR 7.1 re <u>184</u> MOTION for Leave to Appear Pro Hac Vice for admission of Carly A. Myers Filing fee: \$ 100, receipt number 0101-8048344 by Thomas P. Murphy on behalf of C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Murphy, Thomas) (Entered: 01/10/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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|            |            | 01/10/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/10/2020 | 187        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting <u>184</u> Motion for Leave to Appear Pro Hac Vice Added Carly A. Myers. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> . (Finn, Mary) (Entered: 01/10/2020)                                                                                                                                                                    |
| 01/10/2020 | <u>188</u> | NOTICE of Withdrawal of Appearance by Namita Gupta (Gupta, Namita) (Entered: 01/10/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 01/17/2020 | 189        | ELECTRONIC NOTICE OF CONTINUED ADR CONFERENCE. By agreement of the parties, continued mediation before Magistrate Judge Dein set for <i>Tuesday, February 4, 2020, at 10:00AM</i> in Courtroom #15 on the 5th Floor. Counsel are directed to be present with their clients or representatives thereof with full settlement authority. Any updated or supplemental memorandum should be submitted (by mail or hand delivery addressed to Judge Dein, or by email to <a href="mailto:Clarilde_Karasek@mad.uscourts.gov">Clarilde_Karasek@mad.uscourts.gov</a> ) no later than three business days before the mediation and should be marked "Confidential – Not for Docketing (Dambrosio, Jolyne) (Entered: 01/17/2020) |
| 01/21/2020 | <u>190</u> | Joint MOTION for Extension of Time to March 17, 2020 to Stay Proceedings by Massachusetts Institute of Technology.(Braceras, Roberto) (Entered: 01/21/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/22/2020 | 191        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Parties' Joint <u>190</u> Motion to extend the present stay to 3/17/2020. A Status Conference is set for 3/17/2020 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Finn, Mary) (Entered: 01/22/2020)                                                                                                                                                                                                                                                                                                                                                                                                  |
| 02/04/2020 | 193        | INTERIM ELECTRONIC REPORT OF ADR PROVIDER. Magistrate Judge Dein: On February 4, 2020, I conducted a mediation in this case. All parties were represented by counsel, and were present in person, by telephone or by authorized corporate officer. Progress was made, and the parties are to report back to the court at which time a further session will be scheduled if appropriate. (Geraldino-Karasek, Clarilde) (Entered: 02/05/2020)                                                                                                                                                                                                                                                                           |
| 02/18/2020 | <u>194</u> | Assented to MOTION to Certify Class <i>for Settlement Purposes and for Preliminary Approval of Class Action Settlement</i> by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Sellers, Joseph) (Entered: 02/18/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 02/18/2020 | <u>195</u> | MEMORANDUM in Support re <u>194</u> Assented to MOTION to Certify Class <i>for Settlement Purposes and for Preliminary Approval of Class Action Settlement</i> filed by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Sellers, Joseph) (Entered: 02/18/2020)                                                                                                                                                                                                                                                                                                                                                 |
| 02/19/2020 | 196        | Set/Reset Deadlines as to <u>194</u> Assented to MOTION to Certify Class <i>for Settlement Purposes and for Preliminary Approval of Class Action Settlement</i> . NOTE TO COUNSEL: The 3/17/2020 STATUS CONFERENCE HAS BEEN CONVERTED INTO A MOTION HEARING ON THE PLAINTIFFS' ASSENTED TO MOTION TO CERTIFY CLASS – Doc. <u>194</u> . Motion Hearing set for 3/17/2020 11:00 AM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Finn, Mary) (Entered: 02/19/2020)                                                                                                                                                                                                                            |
| 02/19/2020 | 197        | ELECTRONIC NOTICE Canceling Hearing. The 3/17/2020 Status Conference has been CONVERTED into a Motion Hearing on the Plaintiffs' Assented to Motion to Certify Class for Settlement purposed. (Finn, Mary) (Entered: 02/19/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 02/19/2020 | <u>198</u> | MOTION to Withdraw as Attorney by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith.(Parton, Caitlin) (Entered: 02/19/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 02/19/2020 | 199        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Plaintiffs' <u>198</u> Motion for Caitlin H. Parton to Withdraw as Attorney. Attorney Caitlin H. Parton terminated as counsel for the Plaintiffs. (Finn, Mary) (Entered: 02/19/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                   |



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| 02/19/2020 | 200        | FINAL ELECTRONIC REPORT OF ADR PROVIDER. Magistrate Judge Dein: I conducted a mediation in this case on 10/7/2019 and 2/4/20. All parties were represented by counsel, and were present in person, by telephone or by authorized representative. The case was settled. (Geraldino-Karasek, Clarilde) (Entered: 02/19/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 03/12/2020 | <u>201</u> | Joint MOTION for Certain Counsel to Appear at 3/17/2020 Settlement Approval Hearing by Telephone ( <i>Preliminary Approval Hearing 3/17/20</i> ) by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) Modified on 3/12/2020 to correct the relief type of the Motion to Motion Miscellaneous Relief. (Finn, Mary). (Entered: 03/12/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 03/12/2020 | 202        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Parties' Joint <u>201</u> Motion for certain counsel to appear at the 3/17/2020 settlement approval hearing by telephone. Telephone call in information e-mailed to counsel this date. (Finn, Mary) (Entered: 03/12/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 03/16/2020 | 203        | ELECTRONIC NOTICE OF RESCHEDULING ISSUED: The Motion Hearing currently set for <b>3/17/2020 at 11:00 AM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson is converted into a TELEPHONE CONFERENCE. The clerk shall inform counsel of the procedures to follow in order to participate by telephone. (Rivera, Melissa) (Entered: 03/16/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 03/16/2020 | 204        | Remark: Telephone conference information sent to counsel by email. (Rivera, Melissa) (Entered: 03/16/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 03/17/2020 | 205        | Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Telephone Conference re Plaintiff's Assented-to <u>194</u> MOTION to Certify the Class for Settlement Purposes and for Preliminary Approval of Class Action Settlement held on 3/17/2020. Attorneys Present: Amy F. Robertson, Carly A. Myers, Joseph M. Sellers, Shaylyn Cochran, Thomas P. Murphy, Janet Grumer, Roberto M. Braceras and William M. Jay. Colloquy re: status of the case and the pending motion. The motion was allowed for the reasons stated. Order to issue. The parties are to confer and come up with a schedule regarding proposed deadlines. A Fairness Hearing is set for <b>7/14/2020 at 11:00 AM</b> in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to <a href="http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm">http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm</a> . For a transcript of this proceeding, contact Deborah Scalfani by email at <a href="mailto:deborah_scalfani@mad.uscourts.gov">deborah_scalfani@mad.uscourts.gov</a> .) (Rivera, Melissa) (Entered: 03/17/2020) |
| 03/18/2020 | <u>206</u> | MOTION for Leave to Appear Pro Hac Vice for admission of Howard A. Rosenblum Filing fee: \$ 100, receipt number 0101-8160639 by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith.(Murphy, Thomas) (Main Document 206 replaced on 3/18/2020) (Finn, Mary). (Additional attachment(s) added on 3/18/2020: # <u>1</u> Exhibit A - Certificate of Howard A. Rosenblum) (Finn, Mary). Modified on 3/18/2020 to separate Exhibit A from the main document and to add it as an attachment. (Finn, Mary). (Entered: 03/18/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 03/18/2020 | 207        | Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Plaintiffs' Assented to <u>206</u> Motion for Leave to Appear Pro Hac Vice. Added Howard A. Rosenblum.. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> . (Finn, Mary) (Entered: 03/18/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 03/19/2020 | <u>208</u> | NOTICE by C. Wayne Dore, National Association of the Deaf, Lee Nettles, Christy Smith re <u>194</u> Assented to MOTION to Certify Class <i>for Settlement Purposes and for Preliminary Approval of Class Action Settlement</i> (Cochran, Shaylyn) (Entered: 03/19/2020)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 03/27/2020 | <u>209</u> | Magistrate Judge Katherine A. Robertson: ORDER entered. MEMORANDUM AND ORDER Regarding Plaintiff's Assented-to MOTION to Certify the Class for Settlement Purposes and for Preliminary Approval of Class Action Settlement. As set forth, the court holds as follows:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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|            |            | <p>1.&amp;nbsp; The following class is certified for settlement purposes:</p> <p>All persons (other than students of the Massachusetts Institute of Technology) who, at any time between February 11, 2012 and the date of preliminary approval of this settlement, have claimed or could have claimed to assert a right under Title III of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and/or other federal, state or local statutes or regulations that set forth standards or obligations coterminous with or equivalent to Title III of the Americans with Disabilities Act or any of the rules or regulations promulgated thereunder, alleging that they are deaf or hard of hearing and that Harvard has failed to make accessible to persons who are deaf or hard of hearing online content posted and available for the general public that is produced, created, hosted, linked to, or embedded by MIT.</p> <p>2.&amp;nbsp; The court appoints named plaintiffs C. Wayne Dore, Christy Smith, and Lee Nettles as class representatives.</p> <p>3.&amp;nbsp; The court appoints the following lawyers as class counsel: Joseph Sellers and Shaylyn Cochran of Cohen Milstein Sellers &amp; Toll PLLC; Thomas P. Murphy and Tatum A. Pritchard of the Disability Law Center, Inc.; Amy Farr Robertson of the Civil Rights Education and Enforcement Center; Arlene Mayerson and Carly A. Myers of the Disability Rights Education and Defense Fund, Inc.; and Howard Rosenblum of the National Association of the Deaf.</p> <p>4.&amp;nbsp; The proposed Consent Decree is preliminarily approved.</p> <p>5.&amp;nbsp; The proposed notice and the jointly proposed plan for dissemination of the proposed notice is approved.</p> <p>6.&amp;nbsp; The court sets the following deadlines, noting that these deadlines are subject to adjustment by agreement of counsel in view of the COVID-19 pandemic and its impact on the parties and their staffs:</p> <p style="padding-left: 40px;">&amp;nbsp; a.&amp;nbsp; Plaintiffs will issue the notice to the class by <b>April 7, 2020</b>;</p> <p style="padding-left: 40px;">&amp;nbsp; b.&amp;nbsp; The deadline to submit objections to the settlement in accordance with the instructions in the notice is <b>May 19, 2020</b>;</p> <p style="padding-left: 40px;">&amp;nbsp; c.&amp;nbsp; Responses to objections will be submitted by <b>May 26, 2020</b>; and</p> <p style="padding-left: 40px;">&amp;nbsp; d.&amp;nbsp; A fairness hearing will be held on <b>July 14, 2020 at 11:00 a.m.</b></p> <p>It is so ordered.</p> <p>See attached Memo &amp; Order for complete details. (Rivera, Melissa) (Entered: 03/27/2020)</p> |
| 05/05/2020 | <u>210</u> | <p>MOTION for Attorney Fees <i>and</i> Costs by C. Wayne Dore, National Association of the Deaf, Diane Nettles, Lee Nettles, Christy Smith. (Attachments: # <u>1</u> Exhibit Dec of T. Fox, # <u>2</u> Exhibit Dec of B. Lee, # <u>3</u> Exhibit Dec of T. Murphy, # <u>4</u> Exhibit Dec of J. Sellers, # <u>5</u> Exhibit Dec A. Mayerson)(Sellers, Joseph) (Entered: 05/05/2020)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 05/22/2020 | <u>211</u> | <p>Objection filed pursuant to <u>209</u> Memorandum &amp; ORDER by Edward W Orr. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M1, # <u>14</u> Exhibit M2, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Exhibit P, # <u>18</u> Exhibit Q, # <u>19</u> Exhibit R, # <u>20</u> Exhibit S, # <u>21</u> Exhibit T, # <u>22</u> Exhibit U, # <u>23</u> Exhibit V, # <u>24</u> Exhibit W)(Zamorski, Michael) (Entered: 05/22/2020)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |