

U.S. DISTRICT COURT
U.S. District Court, Western District of New York (Buffalo)
CIVIL DOCKET FOR CASE #: 1:75-cv-00132-MAT-JWF

Al-Jundi, et al v. Oswald, et al
Assigned to: Hon. Michael A. Telesca
Referred to: Hon. Jonathan W. Feldman
Demand: \$9,999,000
Case in other court: 93-07267
97-02912
97-02912
98-02098

Cause: 42:1983 Prisoner Civil Rights

Plaintiff

Akil Al-Jundi
on behalf of himself and all others
similarly situated,
also known as
Herbert Scott Deane

Date Filed: 04/09/1975
Date Terminated: 08/28/2000
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

represented by **Elizabeth Fink**
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Plaintiff

Big Black
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also known as
Frank Smith*

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Plaintiff

Jomo Joka Omowale
*on behalf of himself and all others
similarly situated,
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Plaintiff

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Plaintiff

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John V. Elmore
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*TERMINATED: 10/05/1993
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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

Calvin Hudson
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Plaintiff

Kimanthi Mpingo
*on behalf of himself and all others
similarly situated,
also known as
Edward Dingle*

represented by **Elizabeth Fink**
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Michael Deutsch
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Plaintiff

Kendu Haiku
*on behalf of himself and all others
similarly situated,*

represented by **Elizabeth Fink**
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LEAD ATTORNEY

*also known as
Willie Stokes*

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Michael Deutsch
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ATTORNEY TO BE NOTICED

Plaintiff

Ooji Kwesi Sekou
*on behalf of himself and all others
similarly situated,
also known as
Chris Reed*

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Joseph J. Heath
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Michael Deutsch
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Plaintiff

Jerome Rosenberg
*on behalf of himself and all others
similarly situated,*

represented by **Jerome Rosenberg**
PRO SE

Jerome Rosenberg
Sharon M. H. Fisher
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*TERMINATED: 08/04/1995
LEAD ATTORNEY
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Plaintiff

Johnnie Barnes
as the Administrator of the goods, chattels

represented by **Elizabeth Fink**
(See above for address)

*and credits which were of John Barnes,
deceased, on behalf of himself and all
others similarly situated,*

*LEAD ATTORNEY
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Daniel L. Meyers
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Dennis Cunningham
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ATTORNEY TO BE NOTICED

Joseph J. Heath
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ATTORNEY TO BE NOTICED

Michael Deutsch
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ATTORNEY TO BE NOTICED

Plaintiff

Elizabeth Durham
*Mother and Legal Representative of Allen
Durham, deceased, on behalf of
him/herself and all others similarly
situated,*

represented by **Daniel L. Meyers**
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*LEAD ATTORNEY
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Elizabeth Fink
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*LEAD ATTORNEY
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Dennis Cunningham
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Joseph J. Heath
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ATTORNEY TO BE NOTICED

Michael Deutsch
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ATTORNEY TO BE NOTICED

Plaintiff

Litho Lundy
*Mother and Legal Representative of
Charles Lundy, deceased, on behalf of
him/herself and all others similarly
situated,*

represented by **Daniel L. Meyers**
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*LEAD ATTORNEY
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Elizabeth Fink
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*LEAD ATTORNEY
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Joseph J. Heath
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ATTORNEY TO BE NOTICED

Michael Deutsch
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ATTORNEY TO BE NOTICED

Plaintiff

Theresa Hicks

*Widow and Legal Representative of
Thomas Hicks, deceased, on behalf of
him/herself and all others similarly
situated,*

represented by **Daniel L. Meyers**
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LEAD ATTORNEY
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Joseph J. Heath
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ATTORNEY TO BE NOTICED

Michael Deutsch
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ATTORNEY TO BE NOTICED

Plaintiff

Alice McNeil

*Mother and Legal Representative of
Lorenzo McNeil, deceased, on behalf of
him/herself and all others similarly
situated,*

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Plaintiff

Maria Santos

*Mother and Legal Representative of
Santiago Santos, deceased, on behalf of
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Plaintiff

Laverne Barkley
*Mother and Legal Representative of L.D.
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Plaintiff

Vernon Lafranque
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Michael Deutsch
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Plaintiff

James B. Murphy
*on behalf of himself and all others
similarly situated,
also known as
Red Murphy*

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Plaintiff

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Plaintiff

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on behalf of himself and all others
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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

represented by

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Plaintiff

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Plaintiff

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Plaintiff

Dacajeweiah
on behalf of himself and all others
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V.

Defendant

Nelson A Rockefeller
The Estate of
TERMINATED: 12/20/1991

Defendant

John S. Keller
as the Administrator of the Estate of John
Monahan,

represented by **Joshua J. Effron**
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Richard Rifkin
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TERMINATED: 10/18/1996
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Defendant

A. C. O'Hara
TERMINATED: 12/20/1991

Defendant

Vincent Mancusi

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Defendant

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Defendant

John Does 1-100
TERMINATED: 12/20/1991

Defendant

Russell G. Oswald
TERMINATED: 12/20/1991

Defendant

Kurt G. Oswald
*as Administrator of the Estate of Russell
G. Oswald,*

represented by **John H. Stenger**
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Defendant

T. Norman Hurd
TERMINATED: 12/20/1991

Defendant

Walter Dunbar
TERMINATED: 12/20/1991

Defendant

John C. Baker
TERMINATED: 12/20/1991

Defendant

Leon Vincent
TERMINATED: 12/20/1991

Defendant

Robert F. Fischer
TERMINATED: 12/20/1991

Defendant

Dalton Carney
TERMINATED: 12/20/1991

Defendant

Henry . Williams
TERMINATED: 12/20/1991

Defendant

J. C. Moochler
TERMINATED: 12/20/1991

Defendant

A. T. Malovich

TERMINATED: 12/20/1991

Defendant

Robert P. Quick

TERMINATED: 12/20/1991

Defendant

W. L. Shurter

TERMINATED: 12/20/1991

Defendant

K. E. Gellert

TERMINATED: 12/20/1991

Defendant

G. K. Elbet

TERMINATED: 12/20/1991

Defendant

T. N. Kruk

TERMINATED: 12/20/1991

Defendant

W. K. Dillon

TERMINATED: 12/20/1991

Defendant

M. K. Halloran

TERMINATED: 12/20/1991

Defendant

K. S. Crouse

TERMINATED: 12/20/1991

Defendant

R. J. Dwyer

TERMINATED: 12/20/1991

Defendant

P. P. Zelinski

TERMINATED: 12/20/1991

Defendant

G. R. Toray

TERMINATED: 12/20/1991

Defendant

J. B. Connell

TERMINATED: 12/20/1991

Defendant

B. Muthig

TERMINATED: 12/20/1991

Defendant**D. O. Parr**

TERMINATED: 12/20/1991

Defendant**J. J. Patterson**

TERMINATED: 12/20/1991

Defendant**J. W. McCarthy**

TERMINATED: 12/20/1991

Defendant**D. O. Ellis**

TERMINATED: 12/20/1991

Defendant**E. M. Byre**

TERMINATED: 12/20/1991

Claimant**Melvin Spimoza**represented by **Melvin Spimoza**
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Spring Hill, FL 34607-2035
PRO SE**Claimant****Harvey Marcelin**represented by **Harvey Marcelin**
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Auburn Correctional Facility
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PRO SE**Claimant****Otis McGaughy**represented by **Otis McGaughy**
509 Monroe St.
Jamestown, NY 14701
PRO SE**Claimant****Wanda Braithwaite-Baril**
*on behalf Donald Brown*represented by **Wanda Braithwaite-Baril**
962 Main St. #19
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PRO SE

Date Filed	#	Docket Text
12/06/1991		Minute entry: jury trial continues w/ examination of witnesses; Mtn. by atty Stenger to strike testimony of witness Tepper; oral argumt re: same; mtn. denied; Colloquy w/ parties re: scheduling, etc. Adj. to 12/9/91 @ 9 a.m. (note: minutes received out of order) (former empl) Modified on 04/24/1992 (Entered: 12/23/1991)
12/13/1991		Minute entry: trial continues w/ examination of witnesses; adj. to 12/16/91 @ 9 a.m. (former empl) (Entered: 12/23/1991)

12/16/1991		Minute entry: trial continues w/ examination of witnesses; colloquy w/ parties outside jury presence re: various matters; Adj. to 12/17/91 @ 9 a.m. (former empl) Modified on 12/23/1991 (Entered: 12/23/1991)
12/17/1991		Minute entry: trial continues w/ examination of witnesses; colloquy w/ parties re: dft. Mancusi's testimony; Adj. to 12/18/91 @ 9 a.m. (former empl) (Entered: 12/23/1991)
12/18/1991	432	ORDER, changing the case caption from AKIL AL-JUNDI, a/k/a Herbert Scott Deane; BIG BLACK, a/k/a Frank Smith; ELIZABETH DURHAM, Mother and Legal Representative of Allen Durham, deceased; LITHO LUNDY, Mother and Legal Representative of Charles Lundy, deceased; THERESA HICKS, Widow and Legal Representative of Thomas Hicks, deceased; ALICE McNEIL, Mother and Legal Representative of Lorenzo McNeil, deceased; MARIA SANTOS, Mother and Legal Representative of Santiago Santos, deceased; LAVERNE BARKLEY, Mother and Legal Representative of L.D. Barkley, deceased; JOMO JOKA OMOWALE, a/k/a Eric Thompson; VERNON LAFRANQUE; ALFRED PLUMMER; HERBERT X. BLYDEN; JOSEPH LITTLE; ROBIN PALMER; GEORGE "CHE" NIEVES; JAMES B. "RED" MURPHY; THOMAS LOUK; PETER BUTLER; CHARLES "FLIP" CROWLEY; WILLIAM MAYNARD, JR.; CALVIN HUDSON; KIMANTHI MPINGO, a/k/a Edward Dingle; KENDU HAIKU, a/k/a Willie Stokes; OOJI KWESI SEKOU, a/k/a Chris Reed; PHILLIP "WALD" SHEILDS; JEROME ROSENBERG; ALPHONSO ROSS; FRANK LOTT; GARY RICHARD HAYNES; RAYMOND SUMPTER; OMAR SEKOU TOURE, a/k/a Otis McGaughey; DCAJEWIEAH, a/k/a John Hill; and JOHNNIE BARNES, as the Administrator of the goods, chattels and credits which were of John Barnes, deceased, on behalf of themselves and all others similarly situated, Plaintiffs, vs THE ESTATE OF NELSON A ROCKEFELLER; KURT G. OSWALD, as Administrator of the Estate of Russell G. Oswald; T. NORMAN HURD; WALTER DUNBAR; JOHN S. KELLER, Commissioner of Finance of Orange County, as the Administrator of the Estate of John Monahan; JOHN C. BAKER; A.C. O'HARA; VINCENT MANCUSI; LEON VINCENT; KARL PFEIL; ROBERT F. FISCHER; DALTON CARNEY; HENRY WILLIAMS; J.C. MOOCHLER; A.T. MALOVICH; ROBERT P. QUICK; W.L. SHURTER; K.E. GELLERT; G.K. ELBET; T.N. KRUK; W.K. DILLON; M.K. HALLORAN; K.S. CROUSE; R.J. DWYER; P.P. ZELINSKI; G.R. TORAY; J.B. CONNELL; B. MUTHIG; D.O. PARR; J.J. PATTERSON; J.W. MCCARTHY; D.O. ELLIS; E.M. BYRE; and JOHN DOES NOS. 1-100, Defendants to AKIL AL-JUNDI, a/k/a Herbert Scott Deane; BIG BLACK, a/k/a Frank Smith; ELIZABETH DURHAM, Mother and Legal Representative of Allen Durham, deceased; LITHO LUNDY, Mother and Legal Representative of Charles Lundy, deceased; THERESA HICKS, Widow and Legal Representative of Thomas Hicks, deceased; ALICE McNEIL, Mother and Legal Representative of Lorenzo McNeil, deceased; MARIA SANTOS, Mother and Legal Representative of Santiago Santos, deceased; LAVERNE BARKLEY, Mother and Legal Representative of L.D. Barkley, deceased; JOMO JOKA OMOWALE, a/k/a Eric Thompson; VERNON LAFRANQUE; ALFRED PLUMMER; HERBERT X. BLYDEN; JOSEPH LITTLE; ROBIN PALMER; GEORGE "CHE" NIEVES; JAMES B. "RED" MURPHY; THOMAS LOUK; PETER BUTLER; CHARLES "FLIP" CROWLEY; WILLIAM MAYNARD, JR.; CALVIN HUDSON; KIMANTHI MPINGO, a/k/a Edward Dingle; KENDU HAIKU, a/k/a Willie Stokes; OOJI KWESI SEKOU, a/k/a Chris Reed; PHILLIP "WALD" SHIELDS; JEROME ROSENBERG; ALPHONSO ROSS; FRANK LOTT; GARY RICHARD HAYNES; RAYMOND SUMPTER; OMAR SEKOU TOURE, a/k/a Otis McGaughey; DCAJEWIEAH, a/k/a John Hill; and JOHNNIE BARNES, as the Administrator of the goods, chattels and credits which were of John Barnes, deceased, on behalf of themselves and all others similarly situated, Plaintiffs, vs KURT G. OSWALD, as Administrator of the Estate of Russell G. Oswald; JOHN S. KELLER, as the Administrator of the Estate of John Monahan; VINCENT MANCUSI and KARL PFEIL, Defendants. (signed by Judge John T. Elfvin) Notice and copy of order sent to Elizabeth Fink, Esq., Michael Deutsch, Esq., Joseph Heath, Esq., Dennis Cunningham, Esq., Big Black, John V. Elmore, Richard E. Moot, Esq., Donald Berens, Esq., Joshua J. Effron, Esq., Irving C. Maghran, Jr., Esq., Jerome Rosenberg, John H. Stenger, Esq. (former empl) Modified on 04/24/1992 (Entered: 12/20/1991)

12/18/1991		Minute entry: trial continues w/ further examination of witnesses; Adj. to 12/19/91 @ 9 a.m. (former empl) (Entered: 12/23/1991)
12/19/1991		Minute entry: trial continues w/ examination of witnesses; Ct. continues w/ parties outside jury presence re: various matters; reset Jury Trial for 9:00 12/20/91 (former empl) (Entered: 12/31/1991)
12/20/1991	433	TRANSCRIPT of excerpt from jury trial, testimony of 12/13/91. (former empl) (Entered: 12/20/1991)
12/20/1991	434	TRANSCRIPT of excerpt from jury trial, testimony of 12/12/91. (former empl) (Entered: 12/20/1991)
12/20/1991	435	TRANSCRIPT of excerpt from jury trial, testimony of 11-26-91. (former empl) (Entered: 12/20/1991)
12/20/1991	436	NOTICE re: Dft. The Estate of Russell G. Oswald's Objections to prior testimony offered by pltf's. (former empl) (Entered: 12/20/1991)
12/20/1991		Minute entry: trial continues w/ examination of witnesses; Ct. continues w/ parties outside jury presence re: proposed testimony of Catholic Chaplin reset Jury Trial for 9:00 12/23/91 (former empl) (Entered: 12/31/1991)
12/20/1991		Minute entry: trial continues w/ examination of witnesses; Ct. Continues outside jury presence re: witness Machina's testimony and various other matters; Ct. remarks to jury re: witness Machina's testimony & further examination of same; reset Jury Trial for 9:00 12/31/91 (former empl) (Entered: 12/31/1991)
12/23/1991	437	TRANSCRIPT of excerpt from jury trial, testimony of 11/12/91. (former empl) (Entered: 12/24/1991)
12/23/1991	438	TRANSCRIPT of excerpt from jury trial, testimony of 11/13/91. (former empl) (Entered: 12/24/1991)
12/23/1991	439	TRANSCRIPT of excerpt from jury trial, testimony of 11/27/91. (former empl) (Entered: 12/24/1991)
12/23/1991	440	TRANSCRIPT of excerpt from jury trial, testimony of 12/16/91. (former empl) (Entered: 12/24/1991)
12/23/1991	441	TRANSCRIPT of excerpt from trial, testimony of 12/17/91. (former empl) (Entered: 12/24/1991)
12/23/1991		Minute entry: trial continues w/ examination of witnesses; Ct. continues w/ parties outside jury presence re: various matters, etc.; reset Jury Trial for 9:00 12/24/91 (former empl) (Entered: 12/31/1991)
12/24/1991		Minute entry: trial continues w/ examination of witnesses; Ct. continues w/ parties outside jury presence re: dft's lack of witnesses, etc.; reset Jury Trial for 9:00 12/30/91 (former empl) (Entered: 12/31/1991)
12/30/1991	442	Filed DFT. THE ESTATE OF RUSSELL G. OSWALD'S OFFER OF PRIOR SWORN TESTIMONY (former empl) (Entered: 12/30/1991)
12/30/1991	443	TRANSCRIPT of excerpt from trial, testimony of 12/3/91. (former empl) (Entered: 12/30/1991)
12/30/1991	444	ORDER TO SHOW CAUSE why jurors seated to take part in deliberations provided for under amendmts to FRCP Rule 47 & 48, etc. Show Cause Hearing set for 4:30 1/2/92 signed by Judge John T. Elfvin) Notice and copy sent to Donald Berens, John H. Stenger, Dennis Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black . (NOTE: Judge Elfvin hand delivered copies of this order to attys. in Court on 12/30/91) (former empl) Modified on 12/31/1991 (Entered: 12/31/1991)
12/30/1991	445	ORDER TO SHOW CAUSE why present certification of class should not be modified pur. to FRCP Rule 23 into various sub-classes, etc. Show Cause Hearing set for 1/2/92 @ 4:30 p.m. (signed by Judge John T. Elfvin) Notice and copy sent to Donald Berens, John H. Stenger, Dennis Cunningham, Joseph Heath, Michael

		Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black . (NOTE: Judge Elfvin hand delivered copies of order to attys in Court on 12/30/91) (former empl) Modified on 04/24/1992 (Entered: 12/31/1991)
12/31/1991	446	TRANSCRIPT of excerpt from trial, testimony of 12/18/91. (former empl) (Entered: 12/31/1991)
12/31/1991		Minute entry: Ct. continues w/o jury w/ exam. of witness Dr. Sullivan; Offer of proof; trial continues w/ jury w/ examination of witnesses; colloquy w/ parties outside jury presence re: various matters; reset Jury Trial for 9:00 1/2/92 (former empl) (Entered: 01/03/1992)
01/02/1992	447	TRANSCRIPT of excerpt from trial, testimony of 11/15/91. (former empl) (Entered: 01/02/1992)
01/02/1992	448	TRANSCRIPT of excerpt from trial, testimony of 12/2/91. (former empl) (Entered: 01/02/1992)
01/02/1992	449	TRANSCRIPT of excerpt from trial, testimony of 12/19/91. (former empl) (Entered: 01/02/1992)
01/02/1992		Minute entry: Ct. continues w/o jury re: various matters; trial continues w/ jury - examination of witnesses; reset Jury Trial for 9:00 1/3/92 (former empl) (Entered: 01/03/1992)
01/03/1992	450	TRANSCRIPT of excerpt from trial, testimony of 12/9/91. (former empl) (Entered: 01/03/1992)
01/03/1992	451	TRANSCRIPT of excerpt from trial, testimony of 11/14/91. (former empl) (Entered: 01/03/1992)
01/03/1992	452	TRANSCRIPT of excerpt from trial, testimony of 11/19/91. (former empl) (Entered: 01/03/1992)
01/03/1992	453	TRANSCRIPT of excerpt from trial, testimony of 12/4/91. (former empl) (Entered: 01/03/1992)
01/03/1992	454	TRANSCRIPT of excerpt from trial, testimony of 12/9/91. (former empl) (Entered: 01/06/1992)
01/03/1992		Minute entry: trial continues w/ reading of dft Monahan's grand jury testimony and examination of witnesses; Ct. advises re: change of jurors status; Ct. colloquy w/ parties outside jury presence re: various matters; Adj. to 1/6/92 @ 9:00 a.m. (former empl) (Entered: 01/16/1992)
01/06/1992	455	TRANSCRIPT of excerpt from trial, testimony of 11/18/91. (former empl) (Entered: 01/06/1992)
01/06/1992		Minute entry: Ct. resumes w/o jury: colloquy w/ parties re: various matters; jury trial continues w/ examination of witnesses; Ct. advises jury that evidence is closed, jury excused til 1/8/92 @ 9:00. reset Jury Trial for 10:00 1/7/92 (former empl) (Entered: 01/07/1992)
01/07/1992	456	Supplemental & Superseding requests to Charge/Proposed Jury instructions by dft Est. of Russell G. Oswald/Kurt G. Oswald (former empl) (Entered: 01/07/1992)
01/07/1992		Minute entry: Ct. resumes w/o jury: dft. atty. Stenger, et. al. move for directed verdict, etc.; Pltf. atty. Deutsch moves to conform pleadings to proof; Ct. reserves decision, continues w/ parties re: requests to charge, Ct. advice re: proximate cause; Ct. directs time for closing argumts. reset Jury Trial for 9:00 1/8/92 (former empl) (Entered: 01/08/1992)
01/08/1992	457	TRANSCRIPT of excerpt from trial; testimony of 12/20/91. (former empl) (Entered: 01/08/1992)
01/08/1992		Minute entry: Ct. resumes w/o jury: Rule 15 mtn. of 1/7/92 denied; Trial continues w/ Ct's remarks to jury & closing argumts of atty. Stenger, et. al.; Outside jury presence, Ct. denies dft. mtn for mistrial due to Atty. Fink's reference to certain

		witness; Ct. advises parties re: trial notes on use of Pltf. #573 exh.; Ct. remarks to jury after closing argumts; reset Jury Trial for 9:00 1/9/92 (former empl) (Entered: 01/10/1992)
01/09/1992		Minute entry: Ct/ resumes w/o jury: colloquy w/ parties re: revised jury charge; Ct. hears oral argumt re: same; trial continues w/ charge to jury; colloquy w/ parties outside jury presence re: add'l requests exceptions to charge; jury commences deliberations and makes various general requests to the court. reset Jury Trial for 9:00 1/10/92 (former empl) (Entered: 01/10/1992)
01/10/1992		Minute entry: Jury continues deliberations; Ct. continues w/o jury, w/ parties: advice re: jury note content &review, etc. Ct. plays tape of testimony of certain dfts. for jury; Adj. to 1/13/92 @ 9 a.m. (former empl) (Entered: 01/16/1992)
01/14/1992		Minute entry: Jury continues deliberations; Ct. remarks to jury re: various matters; jury listens to tapes of certain witnesses testimony; Ct. addresses parties outside jury presence re: various matters; reset Jury Trial for 9:00 1/15/92 (former empl) (Entered: 01/15/1992)
01/15/1992	458	Proposed Jury instructions/Supplemental requests to charge by dft. John S. Keller/Monahan (former empl) (Entered: 01/15/1992)
01/15/1992		Minute entry: jury continues deliberations; Ct. colloquy w/ parties outside jury presence re: review of notes from jury jury in – trial continues w/ playing of tapes of testimony of certain witnesses; Ct. resumes in afternoon under supervision/direction of Magis. Judge Maxwell, who will preside for portion of Judge Elfvin's vacation; Colloquy w/ parties outside jury presence re: shortening time spent playing back testimony; ct. advises jury of same; reset Jury Trial for 9:00 1/16/92 (former empl) Modified on 04/24/1992 (Entered: 01/16/1992)
01/16/1992		Minute entry: jury continues deliberations; Magis. Judge Maxwell summarizes status of playback mat'l requested by jury to parties &advises attys of jy notes, colloquy re: Judge Elfvin's directions for listening to all/part of playback testimony (outside jy presence); def. attys confer among themselves; jy listens to playback of testimony; Attys listen to clarification of Judge Elfvin re: portions of playback to be made available to jy, etc. reset Jury Trial deliberations for 9:00 1/17/92 (former empl) (Entered: 01/27/1992)
01/17/1992	459	Filed Dft. Mancusi's Objections to the Court's Proposed Questions for Special Verdict. (former empl) (Entered: 01/17/1992)
01/17/1992		Minute entry: jy deliberations continue; M/J Maxwell advises attys of jy note re: playback requests (outside jy presence) colloquy re: same; M/J Maxwell has conf. call w/ attys &Judge Elfvin; Judge Elfvin speaks to jy via telephone, is disconnected; jy continues listening to playback of testimony, etc. Reset Jury Trial deliberations for 9:00 1/21/92 (former empl) Modified on 04/24/1992 (Entered: 01/27/1992)
01/21/1992	460	TRANSCRIPT of jury charge of 1/9/92. (former empl) (Entered: 01/21/1992)
01/21/1992		Minute entry: Judge Elfvin confers w/ attys Banas &Roshia via phone, informs Magis/Judge Maxwell he will return call upon arrival of other attys; Magis. Maxwell has colloquy w/ attys re: note from jy (outside jy presence); colloquy w/ Judge Elfvin re: atty Effron; Judge responds to jy re: various requests; jy listens to playback of testimony; Magis. Judge Maxwell colloquy w/ jy re: note, etc. reset Jury Trial deliberations for 9:00 1/22/92 (former empl) (Entered: 01/27/1992)
01/22/1992		Minute entry: Colloquy w/ parties outside jy presence re: various matters; jy listens to playback of testimony; Magis/ Judge receives note from jy; jy &attys informed of schedule changes by Judge Elfvin; Magis/Judge colloquy w/ jy; etc. reset Jury Trial deliberations for 9:00 1/23/92 (former empl) (Entered: 01/27/1992)
01/23/1992		Minute entry: jy deliberations continue – Judge orders continued replay of testimony for jy; Ct. has colloquy w/ jy re: note signing, deliberating schedule, clarification of fulfillmt of playback requests; jy continues deliberations in jy room; Ct. colloquy w/ attys outside jy presence re: note from jy; reset Jury Trial deliberations for 9:00 1/24/92 (former empl) (Entered: 02/05/1992)

01/24/1992	461	TRANSCRIPT of excerpt from trial, testimony of 11/18/91. (former empl) (Entered: 01/24/1992)
01/24/1992	462	TRANSCRIPT of excerpt from trial, testimony of 12/30/91. (former empl) (Entered: 01/24/1992)
01/24/1992		Minute entry: jy continues deliberations; Ct. colloquy w/ parties re: various matters; attys draft clarifications of jy charge; Ct answers jy questions, explains playback status, &reads from transcript concerning testimony of witness Elbel; jy listens to replay of certain testimony reset Jury Trial for 9:00 1/27/92 (former empl) (Entered: 02/05/1992)
01/27/1992	463	TRANSCRIPT of excerpt of trial, testimony of 12/4/91. (former empl) (Entered: 01/27/1992)
01/27/1992		Minute entry: jy continues w/ deliberations; reset Jury Trial deliberations for 9:00 1/28/92 (former empl) (Entered: 02/05/1992)
01/28/1992	464	TRANSCRIPT of excerpt from jury trial, testimony of 11/20/91 (former empl) (Entered: 01/28/1992)
01/28/1992		Minute entry: jy continues deliberations; Ct. colloquy w/ attys re: note from jy re: playback request of dft Pfeil and certain evidence; jy listens to replay of certain testimony &Judge re-reads testimony of dft Pfeil as requested by jy; Atty Maghran produces photo evidence for Ct., colloquy w/ parties re: photos; dfns cnsl confer among themselves; reset Jury Trial deliberations for 9:00 1/29/92 (former empl) (Entered: 02/05/1992)
01/29/1992	465	TRANSCRIPT of excerpt from jury trial, testimony of 12/31/91 (former empl) (Entered: 01/30/1992)
01/29/1992		Minute entry: jy continues deliberations; ct. colloquy w/ parties re: photos in evidence not sent to jy, etc.; Ct. answers jy questions; jy listens to replay of certain testimony; jy admonished by Ct to keep selves insulated from media. reset Jury Trial deliberations for 9:00 1/30/92 (former empl) (Entered: 02/05/1992)
01/30/1992		Minute entry: jy continues w/ deliberations; colloquy w/ parties re: exhibit #296 &photos in evidence and other matters; dfns cnsl confer among selves; Atty Maghran moves for mistrial as to dft. Pfeil; Judge responds to jy questions; Ct. colloquy w/ parties re: pltf's cnsl's conduct &photo explanation to jy.; reset Jury Trial deliberations for 9:00 1/31/92 (former empl) (Entered: 02/05/1992)
01/31/1992	466	TRANSCRIPT of excerpt from trial, testimony of 12/6/91 (former empl) (Entered: 01/31/1992)
01/31/1992	467	TRANSCRIPT of excerpt from trial, testimony of 1/2/92 (former empl) (Entered: 01/31/1992)
01/31/1992		Minute entry: jy continues deliberations; Ct. colloquy w/ parties outside jy presence re: atty Stenger's request for Allen Charge &sequestration of jy; Ct. informs pties of discovered portions of testimony as per jy requests; colloquy w/parties re: jy request of definition--to wait until 2/3/92; jy admonished to insulate themselves from media; reset Jury Trial deliberations for 9:00 2/3/92 (former empl) (Entered: 02/05/1992)
02/03/1992	468	TRANSCRIPT of excerpt from trial, colloquy of 1/29/92 (former empl) (Entered: 02/04/1992)
02/03/1992		Minute entry: jy deliberations continue; Judge informs attys of replay schedule &specifics, colloquy w/ parties re: various matters; dfns cnsl confer among selves; Ct. receives note from jy; Ct. answers jy request for clarification of definition; Ct. reads back certain testimony; reset Jury Trial deliberations for 9:00 2/4/92 (former empl) (Entered: 02/05/1992)
02/04/1992	469	ORDER, denying dft. Pfeil's mtn. for mistrial b/c of controversy over pltf's exhibit #296 photograph. (signed by Judge John T. Elfvin) Notice and copy of order sent to Donald Berens, John H. Stenger, Daniel Meyers, Dennis Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (note: copies hand

		delivered to above parties by Judge Elfvin in Court 2/4/92) (former empl) (Entered: 02/04/1992)
02/04/1992		Minute entry: jy deliberations continue; Ct receives note from jy & reads into the record "reprisals" definition as per atty drafts; colloquy w/ parties re: exhibits, definition of "reprisals", etc., Ct. receives note from jy re: verdict – Judge questions jy re: deadlocked points; jy delivers verdict to Ct.; Ct. colloquy w/ parties re: possible Allen Charge or jy discharge. Jury to be discharged by jy clerk. (former empl) Modified on 02/05/1992 (Entered: 02/05/1992)
02/05/1992	470	TRANSCRIPT of excerpt from trial, testimony of 12/23/91 (former empl) (Entered: 02/05/1992)
02/05/1992	471	TRANSCRIPT of excerpt from trial, testimony of 12/24/91 (former empl) (Entered: 02/05/1992)
02/06/1992	472	JURY VERDICT for Kurt G. Oswald concerning Russell G. Oswald's liability for lack of medical care. (former empl) (Entered: 02/06/1992)
02/06/1992	473	JURY VERDICT concerning Pfeil's, Mancusi's & Oswald's liability for reprisals – verdict for the plaintiffs and against dft. Pfeil. No verdict as to dfts. Mancusi & Oswald. (former empl) (Entered: 02/06/1992)
02/10/1992	474	TRANSCRIPT of excerpt from trial, testimony of 11/21/91. (former empl) (Entered: 02/10/1992)
02/10/1992	475	TRANSCRIPT of excerpt from trial, testimony of 1/30/92. (former empl) (Entered: 02/10/1992)
02/10/1992	476	TRANSCRIPT of proceedings held 1/3/92 (former empl) (Entered: 02/10/1992)
02/11/1992	477	TRANSCRIPT of excerpt from trial, colloquy w/ parties of 1/7/92 re: request to charge, etc. (former empl) (Entered: 02/11/1992)
02/11/1992	478	TRANSCRIPT of excerpt from trial, proceedings of 1/6/92. (former empl) (Entered: 02/11/1992)
02/14/1992	479	MOTION by Vincent Mancusi for Judgment as a matter of law , or for New Trial on the special verdict findings or for jury & adverse party misconduct, or for res judicata jgm. to Dismiss , or for a denial of due process jgm. of dismissal. (former empl) (Entered: 02/14/1992)
02/14/1992	480	AFFIDAVIT of Marylou K. Roshia in support of [479–2] motion for New Trial for jury and adverse party misconduct. (former empl) (Entered: 02/14/1992)
02/14/1992	481	MOTION by John S. Keller to Dismiss the action against the late John Monahan (former empl) (Entered: 02/14/1992)
02/14/1992	482	MOTION by Karl Pfeil for Judgment Not Withstanding the Verdict /as a matter of law; or for New Trial on the special verdict findings or for jury and adverse party misconduct; or denial of due process jgm. to Dismiss (former empl) (Entered: 02/14/1992)
02/14/1992	483	MOTION by Kurt G. Oswald for Judgment Not Withstanding the Verdict /as a matter of law and to enlarge time w/i which to file & serve further affidavits, etc., or for New Trial , etc. (former empl) (Entered: 02/18/1992)
02/20/1992	484	TRANSCRIPT of excerpt from trial, proceedings of 11/22/91 (former empl) (Entered: 02/20/1992)
02/20/1992	485	Pltf's MOTION for New Trial w/ att'd aff. of Michael E. Deutsch. (former empl) (Entered: 02/20/1992)
02/20/1992	486	CERTIFICATE OF SERVICE of #485 Pltf's mtn. for new trial, by Daniel Meyers (former empl) (Entered: 02/20/1992)
02/20/1992	487	TRANSCRIPT of excerpt from trial, proceedings of 11/25/91. (former empl) (Entered: 02/20/1992)

02/21/1992	488	TRANSCRIPT of excerpt from trial, proceedings of 12/5/91. (former empl) (Entered: 02/21/1992)
02/27/1992		All parties to file &serve supporting papers to mtns. by 3/13/92; Answering papers to be filed &served by 4/3/92; Replies to be filed &served n/l/t 4/17/92; Motion hearing re: [485-1] motion for New Trial , [482-1] motion for Judgment Not Withstanding the Verdict, [482-2] motion for New Trial , [482-3] motion to Dismiss, [481-1] motion to Dismiss, [479-1] motion for Judgment as a matter of law, [479-2] motion for New Trial, [479-3] motion to Dismiss, [483-1] motion for Judgment Not Withstanding the Verdict, [483-2] motion for New Trial at 4:00 4/20/92 (former empl) (Entered: 02/27/1992)
02/28/1992		Minute entry: conf. call held – Magis. Maxwell. (former empl) (Entered: 03/06/1992)
03/13/1992	489	MEMORANDUM OF LAW by Kurt G. Oswald/Est. of Russell G. Oswald in support of Post Trial Motions (former empl) (Entered: 03/13/1992)
03/13/1992	490	MEMORANDUM by atty for Karl Pfeil in support of Post Trial Motions w/ cert. of svc. (former empl) (Entered: 03/13/1992)
03/16/1992	491	SUPPLEMENTAL AFFIDAVIT/AFFIRMATION Re: supplement to aff of 2/12/92 in supt of dft John S. Keller as Admin'r of the Est of John W. Monahan's mtn to dismiss the action agnst him w/ att'd cert of svc. of this aff &Memo of Law. (former empl) (Entered: 03/16/1992)
03/16/1992	492	MEMORANDUM OF LAW by atty for John S. Keller in support of [481-1] motion to Dismiss (former empl) (Entered: 03/16/1992)
03/16/1992	493	CERTIFICATE OF SERVICE of dft. Est. of Russell G. Oswald's Memo of Law in Supt of Post-Trial Mtns by Atty Mitchell J. Banas, Jr. (former empl) (Entered: 03/16/1992)
03/18/1992	494	MOTION by pltf's atty Michael E. Deutsch to Extend Time /adjourn litigation for 90 days pending settlement negotiations, etc. w/ att'd affirmation of Michael E. Deutsch. (former empl) (Entered: 03/18/1992)
03/18/1992	495	CERTIFICATE OF SERVICE by Michael E. Deutsch re: #494 Mtn to Ext. Time/Adjourn litigation. (former empl) (Entered: 03/18/1992)
03/18/1992		Motion hearing re: [494-1] motion to Extend Time at 4:00 3/27/92 (former empl) (Entered: 03/19/1992)
03/23/1992	496	AFFIDAVIT/AFFIRMATION by atty for Kurt G. Oswald in opposition to [494-1] motion to Extend Time/Request for Adjournment w/ aff of svc. (former empl) (Entered: 03/24/1992)
03/27/1992		Minute entry: colloquy w/ dft's attys re: pltf's mtn to adj'n litigation for 90 days – Ct. grants mtn as to pltf's post-verdict mtn for order granting new trial agnst Est. of Oswald on claim of failure to provide med'l care, mtn denied as dft's post-verdict mtns; oral argumt will be heard as scheduled @4:00 4/20/92; new briefing schedule to issue. (former empl) (Entered: 04/08/1992)
03/30/1992		NOTICE of Motion hearing re: [485-1] motion for New Trial at 4:00 7/20/92; pltf's have to 6/11/92 to file &serve any supporting papers; parties have to 7/2/92 to file &serve answering papers; replies to be filed &served n/l/t 7/16/92. (former empl) (Entered: 04/01/1992)
03/31/1992	497	ORDER granting [494-1] motion to Extend Time w/ respect to mtns made on behalf of pltfs for relief from jy verdict re: Est. of Oswald not liable to pltfs, etc., and denying same in all other respects. (signed by Judge John T. Elfvin) Notice and copy of order sent to Richard Rifkin, Donald Berens, John H. Stenger, Daniel Meyers, Dennis Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (former empl) (Entered: 03/31/1992)
04/08/1992	498	ORDER REFERRING CASE to Magistrate Judge Edmund F. Maxwell for all settlement matters; etc. (signed by Judge Michael A. Telesca) Notice and copy sent to Richard Rifkin, Donald Berens, John H. Stenger, Daniel Meyers, Dennis

		Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black . (former empl) (Entered: 04/08/1992)
04/09/1992	499	Pltf's MEMORANDUM in opposition/Response to Dft's Post-Trial Mtns w/ Certificate of Svc. (former empl) (Entered: 04/09/1992)
04/10/1992	500	AFFIDAVIT/AFFIRMATION of Elizabeth M. Fink Re: in response to [480-1] support affidavit of Mary Lou Roshia, and affirmation of Irving Maghran, both dtd 2/13/92 re: alleged jy misconduct, w/ cert of svc. (former empl) (Entered: 04/10/1992)
04/16/1992	501	REPLY MEMORANDUM on behalf of dft. Vincent R. Mancusi Re: Rule 50 Post Trial Mtns and the Pending Res Judicata Sum Jmt Mtn. w/ Cert of Svc. (former empl) (Entered: 04/16/1992)
04/17/1992	502	Dft Est. of Russell G. Oswald's REPLY MEMORANDUM OF LAW, w/ Cert. of svc. (former empl) (Entered: 04/20/1992)
04/20/1992		Minute entry: hrg re: oral argumt of dfts post-verdict mtns - decision reserved; colloquy w/ pltf attys re: denial of mtn to adj all litigation for 90 days; Ct grants 90 day ext'n for pltf's to respond to #481 mtn to dismiss as to dft Monahan; (former empl) (Entered: 04/21/1992)
04/21/1992		Motion hearing re: [481-1] motion to Dismiss at 4:00 7/20/92; pltf to file &serve answering papers to said mtn by 7/2/92; movants to file &serve any reply by 7/16/92. (former empl) (Entered: 04/21/1992)
06/30/1992	503	ORDER, ntc to class in form annexed to order shall be sent to all class members w/ questionnaires , Ct. will retain cpies of unedited completed questionnaires, after privileged info removed from questionnaires by the Ct, copies will be delivered to the NYS Atty. Gen'l; any info contained in the questionnaires is to be used for settlement purposes only, etc. (signed by Magistrate Judge Edmund F. Maxwell) Notice and copy of order sent to Richard Rifkin, Donald Berens, John H. Stenger, Daniel Meyers, Dennis Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (former empl) (Entered: 06/30/1992)
06/30/1992	504	AFFIRMATION of Mitchell J. Banas, Jr., Esq. Re: in partial opposition to pltf's mtn for adj'mt of pltf's mtn for new trial agnst dft Oswald &dft Est. of Monahan's mtn to dismiss. (former empl) (Entered: 07/01/1992)
07/01/1992	505	AFFIRMATION by atty for dft John S. Keller (as the administrator of the Estate of John Monahan) in opposition to pltf's application for adj'mt of Keller's post-trial mtns. (former empl) (Entered: 07/02/1992)
07/01/1992		Minute entry: hrg re: pltf's appl'n for OSC; Ct. hears counsel's argumts; Ct. will give attn to dft Monahan's mtns for directed verdict &qualified immunity, &pltf's mtn re: Oswald/medical care; dft Monahan's mtn is effectively disposed of for time being; Response to Motion reset to 7/2/92 for dft's mtns: [#482] for Judgment Not Withstanding the Verdict, New Trial, &to Dismiss, [#481] to Dismiss, [#479] for Judgment as a matter of law, New Trial, &to Dismiss, [#483] for Judgment Not Withstanding the Verdict, &New Trial (former empl) (Entered: 07/02/1992)
07/02/1992	506	RESPONSE by dft Kurt G. Oswald as Administrator of the Estate of Russell G. Oswald, in opposition to pltf's [485-1] motion for New Trial (pur FRCP 59) (former empl) (Entered: 07/02/1992)
09/24/1992		Status conference held - M/J Maxwell (former empl) (Entered: 09/29/1992)
11/02/1992		Minute entry: Conference held.-Maxwell (mj) (Entered: 11/19/1992)
11/13/1992		Minute entry: Conference call held.-Maxwell (mj) (Entered: 12/08/1992)
12/17/1992	507	MOTION by pltf's to transfer case to cheif judge, etc. (mj) (Entered: 12/18/1992)
12/18/1992		Minute entry: Court hears oral argument on pltf's motion regarding verdict and dft Oswald's motion and the matters are submitted; colloquy w/parties regarding pltf's recusal motion filed on 12/17/92 and court advises briefing schedule and date for

		oral argument will be scheduled by court and parties to be advised accordingly, etc. (mj) (Entered: 12/22/1992)
12/23/1992	509	ORDER denying [507-1] motion by pltfs to transfer case to chief judge, etc. (signed by Judge Michael A. Telesca) Notice and copy of order sent to Richard Rifkin, Donald Berens, John H. Stenger, Daniel Meyers, Dennis Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (by Roch. Clk's ofc.) (former empl) (Entered: 01/07/1993)
12/31/1992	508	AFFIDAVIT of juror Lagayette Smith (mj) (Entered: 12/31/1992)
01/07/1993	510	AFFIDAVIT/DECLARATION by atty for Kurt G. Oswald/Estate of Russel G. Oswald in opposition to pltf's [507-1] recusal motion. (former empl) (Entered: 01/08/1993)
01/07/1993	511	MEMORANDUM by Kurt G. Oswald/Estate of Russell G. Oswald in opposition to pltf's [507-1] recusal motion (former empl) (Entered: 01/08/1993)
01/08/1993	512	AFFIRMATION by atty for Vincent Mancusi in opposition to pltf's mtn for recusal &in further support of pending [479-3] motion to Dismiss (former empl) (Entered: 01/08/1993)
01/08/1993	513	MEMORANDUM by Vincent Mancusi in opposition to pltf's [507-1] motion for recusal. (former empl) (Entered: 01/08/1993)
01/11/1993	514	AFFIDAVIT of Joshua J. Effron, atty for Est. of John W. Monahan, in opposition to [507-1] motion by pltfs to transfer case to chief judge/recuse Judge Elfvin. (former empl) (Entered: 01/11/1993)
01/19/1993	515	AFFIDAVIT/AFFIRMATION of Elizabeth M. Fink in reply to dfts' opposition to pltf's recusal mtn. (former empl) (Entered: 01/19/1993)
01/19/1993	516	ORDER denying dft Pfeil's [482-1] motion for Judgment Not Withstanding the Verdict, [482-2] motion for New Trial &[482-3] motion to Dismiss (signed by Judge John T. Elfvin) Notice and copy of order sent to Richard Rifkin, Donald Berens, &Joshua J. Effron; copies hand delivered in court to: John H. Stenger, Daniel Meyers, Dennis Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Richard E. Moot, John V. Elmore, Big Black (former empl) (Entered: 01/19/1993)
01/19/1993		Oral argumt re: pltf's mtn to recuse Judge Elfvin – matter submitted; Status conference set for 4:30 2/11/93 – pltf's atty to submit agenda to dfts counsel n/l/t 2/5/93, etc. Ct announced adverse decision re: dft Pfeil's post-verdict mtns. (former empl) (Entered: 01/22/1993)
01/20/1993	517	ORDER denying Mancusi's [#479] motion for Judgment as a matter of law, for New Trial &to Dismiss &denying Oswald's [#483] motion for Judgment Not Withstanding the Verdict &for New Trial. (signed by Judge John T. Elfvin) Notice and copy of order sent to Richard Rifkin, Donald Berens, John H. Stenger, Daniel Meyers, Dennis Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (former empl) (Entered: 01/20/1993)
02/11/1993		Status conference held – colloquy w/ counsel; Atty Fink directed to file &serve mtn for interim fees, etc. Deputy to set briefing schedule. Atty Fink directed to submit proposal re: modus operandi for proving reprisal damages. Ct to decide recusal mtn, dft Monahan's mtn for directed verdict, &pltf's mtn to set aside verdict. (former empl) (Entered: 02/17/1993)
02/22/1993	518	ORDER denying [485-1] motion for New Trial as agnst dft Oswald on claim hs failed to provide adequate med'l care. (signed by Judge John T. Elfvin) Notice and copy of order sent to Richard Rifkin, Donald Berens, John H. Stenger, Daniel Meyers, Dennis Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (former empl) (Entered: 02/23/1993)

02/22/1993	519	ORDER denying [507-1] motion by pltfs to transfer case to chief judge/for Judge Elfvin's recusal. (signed by Judge John T. Elfvin) Notice and copy of order sent to Richard Rifkin, Donald Berens, John H. Stenger, Daniel Meyers, Dennis Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (former empl) (Entered: 02/23/1993)
02/24/1993	520	ORDER denying dft Keller's [481-1] motion to Dismiss (signed by Judge John T. Elfvin) Notice and copy of order sent to Richard Rifkin, Donald Berens, John H. Stenger, Daniel Meyers, Dennis Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (former empl) (Entered: 02/24/1993)
03/25/1993	521	NOTICE OF APPEAL by John S. Keller . Fee Status: Paid \$105.00 Receipt #44629 (copy mailed to Messrs. Rifkin, Berens, Stenger, Meyers, Cunningham, Heath, Deutsch, Rosenberg, Maghran Jr., Moot, Elmore, Big Black, Ms. Fink, and to Clerk, USCA, with copy of docekt entries) (USCA Forms C and D to J. Effron) (DR) (Entered: 03/26/1993)
04/01/1993	522	FILED USCA Form D. (DR) (Entered: 04/02/1993)
04/14/1993		Received USCA Scheduling Order Re: [521-1] appeal by John S. Keller USCA NUMBER: 93-7267 Appeal record due on 4/29/93 (DR) (Entered: 04/14/1993)
04/29/1993	523	MOTION by John S. Keller to Amend [520-1] order , and affirmation (JBG) (Entered: 05/03/1993)
05/10/1993	524	STIPULATION AND ORDER OF USCA (certified copy) Re: [521-1] appeal by John S. Keller withdrawing the appeal pursuant to Rule 42(b) of Fed Rules of App Procedure; this stipulation shall not preclude any appeal from a final judgment, etc. (DR) (Entered: 05/12/1993)
06/10/1993	525	ORDER, pltfs &their atty shall specifically propose to this court a number of particular subclasses among the pltf class for the ascertainment of damages against deft Pfeil; deft Pfeil shall respond thereto by 7/19/93; representative pltfs may reply by 8/2/93; set Conference for 3:00 8/6/93 to resolve all issues relating to such proposal re subclasses &to fix a date for trial of such subclasses' damages due to reprisals (signed by Judge John T. Elfvin) Notice and copy of order sent to Richard Rifkin, Donald Berens, John H. Stenger, Daniel Meyers, Dennis Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JBG) (Entered: 06/14/1993)
06/10/1993	526	SUPPLEMENTAL AFFIRMATION by Joshua Effron for John S. Keller (JBG) (Entered: 06/14/1993)
06/11/1993		Motion hearing held re: [523-1] motion to Amend [520-1] order by John S. Keller Court hears oral argument and motion is denied (SMO) (Entered: 07/07/1993)
06/21/1993	527	ORDER, certified copy, of the USCA granting plaintiffs motion seeking Rule 11 sanctions for costs and fees against appellant's counsel for instituting a frivolous appeal to the extent that costs and reasonable attorneys' fees against appellant's attorney be awarded for unreasonably multiplying the proceedings; amt of the award to be determined by District Court (DR) (Entered: 06/23/1993)
06/23/1993	528	MOTION by pltfs for interim Attorney Fees , and affirmation (ret 7/26/93) (JBG) (Entered: 06/24/1993)
06/25/1993		Deadline updated; Motion Hearing set for 3:00 7/23/93 for [528-1] motion for interim Attorney Fees and answering papers to be filed and served by 7/15/93 and movants to file and serve replies by 7/22/93 pursuant to notice (SMO) (Entered: 07/07/1993)
07/01/1993	529	ORDER directing pltfs' atty to serve upon Irving Maghran, atty for deft Pfeil, by 8/31/93, a list of all those members of the pltf class who claim to have suffered injury damage by reason of reprisals, etc.; absent any reasonable basis for not comply w/said direction, each claim for injury damage by virtue of such reprisals not so listed shall be deemed dismissed, etc. (signed by Judge John T. Elfvin)

		Notice and copy of order sent to Richard Rifkin, Donald Berens, John H. Stenger, Daniel Meyers, Dennis Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JBG) (Entered: 07/06/1993)
07/15/1993	530	AFFIDAVIT by Karl Pfeil in opposition to [528-1] motion for interim Attorney Fees by Akil Al-Jundi (JBG) (Entered: 07/15/1993)
07/16/1993	531	AFFIDAVIT by John S. Keller in opposition to [528-1] motion for interim Attorney Fees by Akil Al-Jundi (JBG) (Entered: 07/19/1993)
07/16/1993	532	AFFIDAVIT by Vincent Mancusi in opposition to [528-1] motion for interim Attorney Fees by Akil Al-Jundi (JBG) (Entered: 07/19/1993)
07/16/1993	533	MEMORANDUM by Vincent Mancusi in opposition to [528-1] motion for interim Attorney Fees by Akil Al-Jundi (JBG) (Entered: 07/19/1993)
07/19/1993	534	CERTIFICATE OF SERVICE by Kurt G. Oswald (JBG) (Entered: 07/20/1993)
07/20/1993	535	AFFIDAVIT by Kurt G. Oswald in opposition to [528-1] motion for interim Attorney Fees by Akil Al-Jundi (JBG) (Entered: 07/20/1993)
07/21/1993	536	STIPULATION and ORDER, to Substitute Attorney John H. Stenger for Kurt G. Oswald in place of Jaeckle, Fleischmann &Mugel (signed by Judge John T. Elfvin). Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Jaeckle, Fleischmann &Mugel. (JBG) (Entered: 07/22/1993)
07/30/1993	537	MOTION by plaintiffs attorney, Elizabeth Fink for Attorney Fees and costs for her defense against a frivolous certification motion &appeal with supporting affirmation. (former empl) (Entered: 07/30/1993)
07/30/1993	538	AFFIRMATION of Michael E. Deutsch Re: [537-1] motion for Attorney Fees and costs; and in response toaffirmation in opposition of our request for interim attorneys' fees. (former empl) (Entered: 07/30/1993)
07/30/1993	539	MOTION by Plaintiff, Jerome Rosenberg for an order requiring his presence at any/all times this matter is scheduled, so that he may be present to participate in proceedings on his own behalf, pro se, etc. (former empl) (Entered: 07/30/1993)
08/03/1993		Minute entry: Court commences hearing re pltfs' [528-1] motion for interim Attorney Fees. Motion withdrawn. Court continues w/parties to settle all issues &to set dates for trials of subclasses. Court directs pltfs to show proximate cause &to list individuals &claimed damages. Court will entertain any specific proposal by pltfs for subclasses or seriatim verdicts (one jury hearing &decising one case after another for each of 15-20 individual pltfs (JBG) (Entered: 08/09/1993)
08/04/1993	540	ORDER denying [539-1] motion by pltf Rosenberg to be allowed to represent himself in proving his damages in this class action, etc. (signed by Judge John T. Elfvin) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JBG) (Entered: 08/05/1993)
08/27/1993		Minute entry: Court previously adjourned the matter of plaintiff's motion per R. 11, FRCP, granting fees and costs etc., "sine die" (SMO) (Entered: 08/31/1993)
09/10/1993	541	STIPULATION and ORDER, pltfs' motion for Attorney Fees is withdrawn w/o prejudice to its renewal at a future date; deft Pfeil &the State of New York agree and pltfs' attorneys agree to conditions of interim attorneys fees for pltfs' attorneys, etc. (signed by Senior USDJ John T. Elfvin). Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black . (JBG) (Entered: 09/14/1993)

10/01/1993		Minute entry: Court commences conference re: scheduling of any hearing needed re: pltf's Rule 11 sanction. Atty Fink advises the court that the parties have previously argued the matter of the amount of sanctions and the matter was submitted. Atty Fink raised question re: damages trials. Court directs Atty Fink to file & serve pltf's proposals for damages trial by 10/29/93. (JBG) (Entered: 10/19/1993)
12/29/1993	542	REPLY AFFIRMATION for Joshua Effron, Esq. & Richard Bolton, Esq. in response to request for Rule 11 Sanctions (JBG) (Entered: 12/30/1993)
01/14/1994	543	AFFIRMATION Re: (former empl) (Entered: 01/19/1994)
01/14/1994		Minute entry: [537-1] motion for Attorney Fees and costs submitted. Attorney Fink to prepare handwritten affidavit re: fees and costs for today's hearing (SMO) (Entered: 01/26/1994)
02/14/1994	544	MOTION by Akil Al-Jundi et al., for an order setting a procedure & schedule for first damage trial agnst deft Karl Pfeil with Affirmation of Elizabeth M. Fink (ret 3/4/94, 2:00) (former empl) (Entered: 02/16/1994)
03/07/1994	545	REPLY AFFIDAVIT Re: Supplemental Affirmation (SMO) (Entered: 03/09/1994)
03/29/1994	546	AFFIRMATION by defendant Karl Pfeil Re: [544-1] motion for an order setting a procedure & schedule for first damage trial agnst deft Karl Pfeil by Akil Al-Jundi (JMD) (Entered: 04/01/1994)
04/15/1994		Minute entry: Court hears oral argument of counsel re: [544-1] motion for an order setting a procedure & schedule for first damage trial agnst deft Karl Pfeil, and the matter is submitted. - (JMD) Modified on 04/20/1994 (Entered: 04/20/1994)
06/21/1994		Minute entry: General discussion off the record regarding proceedings of depositions. (JMD) (Entered: 06/29/1994)
08/19/1994		Minute entry: Court schedules Jury Trial for 10/31/94, second trial to follow. (JMD) (Entered: 08/24/1994)
08/23/1994	547	ORDER set Jury Trial for 10/31/94 as to plaintiffs Daniel Sheppard, George Shorts, Joe King, Al-Jundi, Ezell Vance and Davis Breosig, Referring Case to USMJ Edmund F. Maxwell to meet with trial attorneys regarding trial exhibits and issues of fact, etc. and report to the District Judge not later than 1 week prior to said trial date. (signed by Senior USDJ John T. Elfvin) Notice and of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) Modified on 08/24/1994 (Entered: 08/24/1994)
08/23/1994	548	ORDER set Jury Trial for 11/14/94 as to plaintiffs B.B. Smith, Gary Haynes, Allan Makowski, George Mitchell, Robert Marvin and Clyde Pope, Referring Case to USMJ Edmund F. Maxwell to meet with trial attorneys regarding exhibits and issues of fact etc., and to report to the District Judge not later than 1 week prior to said trial date. (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 08/24/1994)
09/08/1994		Settlement conference held.-EFM (JMD) (Entered: 09/13/1994)
09/22/1994		Status conference-call held.EFM (JMD) Modified on 09/27/1994 (Entered: 09/27/1994)
09/26/1994	549	ORDER directing attorney Effron to forthwith pay attorney Elizabeth Fink the sum of \$11,790. (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 09/27/1994)

10/12/1994		Status conference set at 3:00 1/6/95 (JMD) (Entered: 10/12/1994)
10/14/1994	550	MOTION by defendant Karl Pfeil for an order in limine limiting proof to be admitted at trial. (JMD) (Entered: 10/17/1994)
10/21/1994		Minute entry: Oral Argument on pretrial motions. JTE (JMD) (Entered: 10/27/1994)
10/26/1994	551	TRANSCRIPT of proceedings held before Judge Elfvin dated 1/9/92. (JMD) (Entered: 10/27/1994)
10/28/1994	552	MOTION by plaintiffs for an order granting the use of jury questionnaire, permitting class counsel to conduct voir dire, and granting 18 peremptory challenges. Motion Hearing set for 4:00 11/4/94 (JMD) (Entered: 10/28/1994)
10/28/1994	553	AFFIRMATION by attorney Elizabeth Fink for plaintiffs in support of [552-1] motion for an order granting the use of jury questionnaire, permitting class counsel to conduct voir dire, and granting 18 peremptory challenges. (JMD) (Entered: 10/28/1994)
10/28/1994	554	CERTIFICATE OF SERVICE of Motion for various procedures nad Affirmation in Support by plaintiffs. (JMD) (Entered: 10/28/1994)
11/01/1994	555	TRANSCRIPT of pretrial proceedings held before Judge Elfvin dated 10/21/94 (JMD) (Entered: 11/01/1994)
11/01/1994		Minute entry: status conference held. JTE (JMD) (Entered: 11/07/1994)
11/14/1994	556	TRANSCRIPT of Jury Instruction Discussions dated 1/10/92 before Judge Elfvin. (JMD) (Entered: 11/15/1994)
11/14/1994	557	TRANSCRIPT of Trial dated 1/13/92 before Judge Elfvin. (JMD) (Entered: 11/15/1994)
11/14/1994	558	TRANSCRIPT of Trial dated 1/14/92 before Judge Elfvin. (JMD) (Entered: 11/15/1994)
11/14/1994	559	TRANSCRIPT of Oral Argument dated 1/19/93 before Judge Elfvin. (JMD) (Entered: 11/15/1994)
11/14/1994	560	TRANSCRIPT of Status Conference dated 2/11/93 before Judge Elfvin. (JMD) (Entered: 11/15/1994)
11/14/1994	561	TRANSCRIPT of Hearing Regarding Plaintiffs Motion for Interim Attorneys' Fee dated 8/3/93 before Judge Elfvin. (JMD) (Entered: 11/15/1994)
11/14/1994	562	TRANSCRIPT of Phone Conference dated 10/1/93 before Judge Elfvin. (JMD) (Entered: 11/15/1994)
11/14/1994	563	TRANSCRIPT of Oral Argument dated 4/15/94 before Judge Elfvin. (JMD) (Entered: 11/15/1994)
11/14/1994	564	TRANSCRIPT of Phone Conference, Pretrial Motions dated 11/1/94 beofre Judge Elfvin. (JMD) (Entered: 11/15/1994)
11/21/1994	565	TRANSCRIPT of Trial before Judge Elfvin dated 1/15/92. (JMD) (Entered: 11/21/1994)
12/27/1994		Minute entry: set Show Cause Hearing for 3:00 1/6/95, answering papers to be filed by 1/3/95, replys thereto to be filed by 1/5/95. (JMD) (Entered: 01/05/1995)
01/04/1995	566	Answering AFFIDAVIT to Order to Show Cause by attorney Michael G. O'Rourke for defendant John S. Keller. (JMD) (Entered: 01/05/1995)
01/06/1995		Minute entry:, set Jury Selection for 9:00 6/5/95. JTE (JMD) (Entered: 01/26/1995)
01/06/1995		Minute entry: Order to show cause directed at attorney Effron withdrawn.JTE (JMD) (Entered: 01/26/1995)
01/24/1995	567	TRANSCRIPT of Status Conference held before Judge Elfvin dated 4/15/94. (JMD) (Entered: 01/25/1995)

01/30/1995	568	MOTION by plaintiffs for an order setting a date for immediate damage trials; an order excluding all issues of liability as to defendant Pfeil, etc., with affirmation in support. Motion Hearing set for 2:00 2/18/95 (JMD) (Entered: 01/30/1995)
02/03/1995		NOTICE of Status conference set for 2:30 2/10/95 (JMD) (Entered: 02/03/1995)
02/06/1995		NOTICE of Motion hearing re: [568-1] motion for an order setting a date for immediate damage trial etc., by plaintiffs set for 3:00 2/24/95 (JMD) (Entered: 02/06/1995)
02/06/1995	569	Consent of defendant Mancusi to plaintiffs' motion for an order setting a date for an immediate damage trial. (JMD) (Entered: 02/06/1995)
02/07/1995	570	ORDER inviting all parties to submit written comments concerning a proposed recertification by 3/6/95. (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big (JMD) (Entered: 02/08/1995)
02/09/1995	571	ANSWERING AFFIDAVIT by Michael G. O'Rourke, Esq. on behalf of defendant John S. Keller for the estate of John Monahan in response to Order to Show Cause. (JMD) (Entered: 02/10/1995)
02/10/1995		Minute entry:, Colloquy with attorneys regarding why defendant should not be held in contempt, actual funds to be in Elizabeth Fink's hands not later than 2/14/95 or defendant will be held in contempt. JTE (JMD) (Entered: 02/17/1995)
02/17/1995	572	AFFIRMATION by Irving Maghran, Esq. for defendant Karl Pfeil in partial opposition to [568-1] motion for an order setting a date for immediate damage trials; an order excluding all issues of liability as to defendant Pfeil. (JMD) (Entered: 02/17/1995)
02/17/1995	573	AFFIRMATION by John Stenger, Esq. for the estate of Kurt G. Oswald in response to plaintiffs [568-1] motion for an order setting a date for immediate damage trials; an order excluding all issues of liability as to defendant Pfeil, (JMD) (Entered: 02/17/1995)
02/24/1995		Minute entry: plaintiffs [568-1] motion for an order setting a date for immediate damage trial submitted. JTE (JMD) (Entered: 03/06/1995)
03/06/1995	574	MOTION by plaintiffs to Amend the complaint so as to conform the pleadings to the proof and add causes of action with affirmation in support. Motion Hearing set for 2:00 4/14/95 (JMD) (Entered: 03/06/1995)
03/07/1995	575	TRANSCRIPT of Motion Hearing before Judge Elfvin dated 2/24/95. (JMD) (Entered: 03/07/1995)
03/14/1995		Motion hearing re: plaintiffs [574-1] motion to Amend the complaint set for 2:00 4/13/95 (JMD) (Entered: 03/14/1995)
03/24/1995		Motion hearing re: [574-1] motion to Amend the complaint by plaintiffs set for 2:00 4/13/95. (JMD) (Entered: 03/28/1995)
04/03/1995	576	CROSS MOTION by defendant Vincent Mancusi to Dismiss for Want of Prosecution and in the alternative to decertify the class with affirmation in support. (JMD) (Entered: 04/03/1995)
04/05/1995	577	AFFIRMATION by attorney Joshua Effron for defendant John S. Keller on behalf of the estate of J.Monahan in opposition to plaintiffs [574-1] motion to Amend the complaint (JMD) (Entered: 04/05/1995)
04/06/1995	578	MEMORANDUM OF LAW by defendant Vincent Mancusi in opposition to [574-1] motion to Amend the complaint. (JMD) (Entered: 04/06/1995)
04/06/1995	579	AFFIDAVIT by defendant Vincent Mancusi in opposition to [574-1] motion to Amend the complaint. (JMD) (Entered: 04/06/1995)
04/11/1995	580	NOTICE of attorney appearance for plaintiffs Milton Lee Jones and Jerome Rosenberg by Salvatore P. Abbate (JMD) (Entered: 04/11/1995)

04/11/1995	581	MOTION by attorney Salvatore Abbate for plaintiff Jerome Rosenberg for an Order pursuant to Rule 23(c)(2)(C) permitting plaintiff Jerome Rosenberg to proceed pro se with counsel and plaintiff Milton Jones to proceed with independent counsel with supporting papers. Motion Hearing set for 2:00 4/13/95 (JMD) (Entered: 04/11/1995)
04/12/1995		Motion hearing re: plaintiffs [581-1] motion permitting Jerome Rosenberg to proceed pro se with counsel and Milton Jones to proceed with independent counsel set for 3:00 5/5/95, opposition papers to be filed by 4/28/95, replys thereto by 5/3/95. (JMD) (Entered: 04/12/1995)
04/13/1995		Minute entry: plaintiffs [574-1] motion to Amend the complaint submitted. JTE (JMD) (Entered: 04/20/1995)
04/21/1995	582	TRANSCRIPT of proceedings held before Judge Elfvin dated 4/13/95. (JMD) (Entered: 04/21/1995)
05/05/1995		Minute entry: plaintiffs [581-1] motion for an Order pursuant to Rule 23(c)(2)(C) permitting plaintiff Jerome Rosenberg to pro se with counsel and plaintiff Milton Jones to proceed with independent counsel submitted. JTE (JMD) (Entered: 05/09/1995)
05/10/1995	583	ORDER denying plaintiffs [581-1] motion permitting plaintiff Jerome Rosenberg to proceed pro se with counsel and plaintiff Milton Jones to proceed with independent counsel (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Salvatore P. Abbate, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 05/10/1995)
05/16/1995	584	MOTION by plaintiffs for jury trial to begin 9/95 where the evidence would be bifurcated; for an Order finding that the 2/4/92 verdict established liability against defendant Pfeil; for an Order finding the 2/4/92 verdict that plaintiffs suffered 8Th Amendment violations has been established for the 9/95 re-trial; for an Order granting certification of all questions concerning the 2/4/92 verdict to the US Court of Appeals with affirmation in support. Motion Hearing set for 2:30 5/19/95. (JMD) (Entered: 05/16/1995)
05/19/1995		Status conference held. Status conference set for 9/11/95 at 9:00. JTE (JMD) (Entered: 06/05/1995)
05/19/1995		Status conference set at 9:00 9/11/95 (JMD) (Entered: 06/05/1995)
06/02/1995	585	ORDER the claims against John Keller to be Tried on 9/11/95 at 9:00; the claims against Kurt Oswald and against Vincent Mancusi to be tried beginning at 9:00 on the second Monday following the completion of the trial against Keller; a separte panel of venirepersons shall be employed as the source of jurors for each of said trials; not later than 30 days after completion of the above trials, counsel to appear before the Court to fix a date for the first series of trials to determine damages. (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Salvatore P. Abbate, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 06/05/1995)
06/02/1995	586	TRANSCRIPT of status conference before Judge Elfvin dated 5/19/95. (JMD) (Entered: 06/05/1995)
06/06/1995	587	ORDER denying plaintiffs [574-1] motion to Amend the complaint. (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Salvatore P. Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 06/07/1995)
07/05/1995	588	ORDER OF USCA (certified copy) denying Petition for Writ of Mandamus without prejudice to reconsideration after 30 days have passed if District Court fails to act on plaintiff's Second 1292(b) motion, or in the alternative, issue an

		order setting a date for immediate scheduling of the damages trial (DR) (Entered: 07/05/1995)
07/31/1995	589	ORDER, set Telephone Conference for 3:00 8/4/95 (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Salvatore P. Abbate, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 07/31/1995)
08/02/1995	590	ORDER Referring Case to USMJ Edmund F. Maxwell for reprisals damage trial to meet with trial attorneys to formalize stipulations of fact and concerning the admissability of exhibits. (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Salvatore P. Abbate, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 08/03/1995)
08/02/1995		Minute entry: Court sets date for jury selection and submission of evidence on 10/23/95 at 9:00. JTE (JMD) (Entered: 08/07/1995)
08/03/1995	591	TRANSCRIPT of proceedings held before Judge Elfvin dated 1/8/92. (JMD) (Entered: 08/03/1995)
08/03/1995	592	MOTION by plaintiffs for an Order granting a continuance of the liability trial against defendant Monahan, for an Order excluding from the damage trial all issues of liability as to defendant Pfeil; or in the alternative granting certification of this question pursuant to 28 U.S.C. 1292; Motion Hearing set for 2:00 8/14/95 (JMD) (Entered: 08/07/1995)
08/04/1995		NOTICE of Motion hearing re: plaintiffs [592-1] motion for an Order granting a continuance of the liability trial against defendant Monahan, etc. set for 3:00 8/18/95 (JMD) (Entered: 08/07/1995)
08/08/1995	593	TRANSCRIPT of trial date status conference before Judge Elfvin dated 8/2/95. (JMD) (Entered: 08/08/1995)
08/14/1995	594	AFFIRMATION by Irving C. Maghran, Esq. for defendant Karl Pfeil in opposition to [592-1] motion for an Order granting a continuance of the liability trial against defendant Monahan, for an Order excluding from the damage trial all issues of liability as to defendant Pfeil and [592-2] motion granting certification of this question pursuant to 28 U.S.C. 1292. (JMD) (Entered: 08/14/1995)
08/18/1995		Minute entry:, plaintiffs motion to set aside the 9/11/95 trial date and the matter is submitted. JTE (JMD) (Entered: 08/22/1995)
08/23/1995	595	ORDER denying plaintiffs [592-2] motion for certification of this question pursuant to 28 U.S.C. 1292; the 9/11/95 retrial of the Estate of Monahan for liabilities arising out of said retaking is adjourned; this court and counsel for Pfeil shall have received not later than 9/25/95 from those plaintiff class whose claim for reprisal damages are to be heard in the 10/23/95 trial the names and addresses of any persons who will offer expert testimony; the alternatively stated motion to transfer this case to Judge Telesca is denied. (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 08/23/1995)
08/23/1995	596	TRANSCRIPT of proceedings held before Judge Elfvin dated 8/18/95. (JMD) (Entered: 08/23/1995)
09/19/1995		Status conference held. EFM (JMD) (Entered: 09/29/1995)
09/22/1995	597	ORDER to Amend the second paragraph of this Court's Order dated 8/23/95 to read: "with like obligations imposed upon defendant Pfeil if expert testimony is to be sought to be adduced in his affirmative defense." (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael

		Deutsch, Elizabeth Fink, Jerome Rosenberg, Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 09/22/1995)
10/02/1995		Status conference held. EFM (JMD) (Entered: 11/16/1995)
10/31/1995	598	ORDER OF USCA (certified copy) denying petitioners motion for stay of all proceedings in District Court pending determination of petition for Writ of Mandamus which is presently under briefing schedule (DR) (Entered: 11/01/1995)
11/07/1995		Minute entry: Court sets Jury Selection for 9:00 4/22/96. JTE (JMD) (Entered: 11/09/1995)
11/27/1995	599	ORDER OF USCA (certified copy) denying petitioner's petition for a writ of mandamus (DR) (Entered: 11/27/1995)
03/14/1996	600	MOTION by plaintiffs for an Order granting the use of a jury questionnaire and the exercise of a preemptory challenges. Motion Hearing set for 2:00 3/29/96 (JMD) (Entered: 03/14/1996)
03/14/1996	601	AFFIRMATION by Elizabeth Fink counsel for plaintiffs [600-1] motion for an Order granting the use of a jury questionnaire and exercise of a preemptory challenges. (JMD) (Entered: 03/14/1996)
03/14/1996	602	CERTIFICATE OF SERVICE of motion by plaintiffs. (JMD) (Entered: 03/14/1996)
03/27/1996		Minute entry: request for adjournment of trial granted, no new date set, plaintiffs to submit motions. JTE (JMD) (Entered: 03/29/1996)
04/01/1996	603	AFFIRMATION by Joshua Effron Counsel for defendant John S. Keller in opposition to [600-1] motion for preemptory challenges. (JMD) (Entered: 04/01/1996)
04/26/1996	604	MOTION by plaintiffs for interim Attorney Fees for an order permitting plaintiff to present evidence to conform pleadings to proof , for an order admitting into evidence photograph and documents Motion Hearing set for 2:00 5/17/96 (JMD) (Entered: 04/29/1996)
04/26/1996	605	MEMORANDUM OF LAW by plaintiffs in support of [604-1] motion for interim Attorney Fees [604-2] motion for an order permitting plaintiff to present evidence to conform pleadings to proof [604-3] motion for an order admitting into evidence photograph and documents. (JMD) (Entered: 04/29/1996)
05/06/1996		NOTICE of Motion hearing re: plaintiffs [604-1] motion for Attorney Fees [604-2] motion for evidence [604-3] motion for evidence at 9:00 6/21/96, and plaintiffs [600-1] motion for jury questionnaire and preemptory challenges set for 9:00 6/21/96, opposition papers to be filed by 6/7/96, replies thereto by 6/14/96. (JMD) (Entered: 05/06/1996)
06/06/1996	606	AFFIDAVIT by Irving Maghran counsel for defendant Karl Pfeil in opposition to [604-1] motion for interim Attorney Fees by plaintiffs (JMD) (Entered: 06/06/1996)
06/06/1996	607	MEMORANDUM OF LAW by defendant Karl Pfeil in opposition to [604-1] motion for interim Attorney Fees by plaintiffs (JMD) (Entered: 06/06/1996)
06/07/1996	608	AFFIRMATION by Joshua Effron counsel for defendant John S. Keller as representative of the estate of Major Monahan in opposition to [604-2] motion for an order permitting plaintiff to present evidence to conform pleadings to proof. (JMD) (Entered: 06/07/1996)
06/07/1996	609	MEMORANDUM of LAW by defendant John S. Keller as representative of the estate of Major Monahan in opposition to [604-2] motion for an order permitting plaintiff to present to conform pleadings to proof. (JMD) (Entered: 06/07/1996)
06/07/1996	610	MEMORANDUM OF LAW by counsel for the State defendants in opposition to [604-1] motion for interim Attorney Fees. (JMD) (Entered: 06/07/1996)

06/07/1996	611	AFFIDAVIT by Lisa Renee Harris counsel for the State defendants in opposition to [604-1] motion for interim Attorney Fees. (JMD) (Entered: 06/07/1996)
06/18/1996	612	AFFIRMATION by Elizabeth Fink, counsel for plaintiffs in support of motion to try the reprisal claims against the Estate of Monahan at the upcoming trial. (JMD) (Entered: 06/18/1996)
06/18/1996	613	REPLY MEMORANDUM OF LAW by plaintiffs in opposition to [611-1] affidavit in opposition to motion for attorney fees (JMD) (Entered: 06/18/1996)
06/18/1996	614	AFFIRMATION by Elizabeth Fink counsel for plaintiffs in support of [604-1] motion for interim Attorney Fees. (JMD) (Entered: 06/18/1996)
06/21/1996		Minute entry: plaintiffs [604-1] motion for interim Attorney Fees submitted, set Jury Selection for 9:00 3/31/97. JTE (JMD) (Entered: 07/02/1996)
07/03/1996	615	TRANSCRIPT of proceedings held before Judge Elfvin dated 10/15/91. (JMD) (Entered: 07/03/1996)
07/03/1996	616	TRANSCRIPT of proceedings held before Judge Elfvin dated 10/16/91. (JMD) (Entered: 07/03/1996)
07/03/1996	617	TRANSCRIPT of proceedings held before Judge Elfvin dated 10/17/91. (JMD) (Entered: 07/03/1996)
08/01/1996	618	ORDER directing any party wishing to submit a legal memorandum regarding the applicability of or the effect of Section 803 of the Prison Litigation Reform Act to file such by 8/16/96, any party wishing to submit a reply thereto to file such by 8/23/96. (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Mitchell J Banas Jr., Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 08/01/1996)
08/15/1996	619	MEMORANDUM by Lisa Renee Harris counsel for defendants in response to [618-1] order. (JMD) (Entered: 08/15/1996)
08/15/1996	620	MEMORANDUM OF LAW by defendant Karl Pfeil in response to [618-1] order. (JMD) (Entered: 08/15/1996)
08/16/1996	621	RESPONSE by plaintiffs to [618-1] order. (JMD) (Entered: 08/16/1996)
08/23/1996	622	PLAINTIFFS REJOINDER to SECTION 803 INQUIRY (JMD) (Entered: 08/23/1996)
08/23/1996	623	MEMORANDUM OF LAW by defendant Karl Pfeil in response to [618-1] order regarding the effect of Section 803 of the Prison Litigation Reform Act. (JMD) (Entered: 08/23/1996)
08/29/1996	624	ORDER denying plaintiffs [604-2] motion for an order permitting plaintiff to present evidence to conform pleadings to proof. (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Mitchell J Banas Jr., Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 08/29/1996)
10/09/1996	625	ORDER, to Substitute Attorney terminated attorney Irving C. Maghran Jr. for Karl Pfeil Added Mitchell J. Banas. (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big (JMD) (Entered: 10/10/1996)
11/07/1996	626	ORDER denying plaintiffs [604-1] motion for interim Attorney Fees. (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big (JMD) (Entered: 11/07/1996)

11/26/1996	627	ORDER denying plaintiffs [604-3] motion for an order admitting into evidence photograph and documents, denying plaintiffs [600-1] motion for an Order granting the use of a jury questionnaire and exercise of a preemptory challenges. (signed by Senior USDJ John T. Elfvín) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 11/26/1996)
02/05/1997		Status conference held.JTE (JMD) (Entered: 02/19/1997)
04/07/1997		Minute entry:, set Jury Trial for 9:00 5/27/97, two trials will be conducted individually after juries are selected. JTE (JMD) (Entered: 05/12/1997)
05/05/1997	628	PARTIAL PRETRIAL STATEMENT by defendant Karl Pfeil (JMD) (Entered: 05/06/1997)
05/15/1997	629	MOTION by defendant Karl Pfeil for an Order precluding plaintiffs from introducing expert reports and/or testimony of Dr. Richard G. Dudley and Dr. David J. Barry , precluding plaintiffs from informing the jury of the possibility of state indemnification of defendant Pfeil , excluding witnesses from the Courtroom during the trial until they have been called to testify with affirmation in support. (JMD) (Entered: 05/16/1997)
05/15/1997	630	MEMORANDUM OF LAW by defendant Karl Pfeil in support of [629-1] motion for an Order precluding plaintiffs from introducing expert reports and/or testimony of Dr. Richard G. Dudley and Dr. David J. Barry [629-2] motion precluding plaintiffs from informing the jury of the possibility of state indemnification of defendant Pfeil [629-3] motion excluding witnesses from the Courtroom the trial until they have been called to testify. (JMD) (Entered: 05/16/1997)
05/16/1997	631	Requested Voir dire questions by defendant Karl Pfeil (JMD) (Entered: 05/16/1997)
05/19/1997	632	DEFENDANT KARL PFEIL'S Revised Preliminary Charge. (JMD) (Entered: 05/19/1997)
05/19/1997		Status conference held. JTE (JMD) (Entered: 06/03/1997)
05/20/1997		Status conference held. JTE (JMD) (Entered: 06/03/1997)
05/23/1997		Status conference held. EFM (JMD) (Entered: 06/03/1997)
05/23/1997		Status conference held. JTE (JMD) (Entered: 06/03/1997)
05/27/1997		Jury Selection/ trial begins in Smith -v- Pfeil, jurors to call in re: date and time trial will resume, Court ajourns to 5/29/97 at 9:00. JTE (JMD) (Entered: 06/03/1997)
05/27/1997		Jury Selection/ trial commences in Brosig -v- Pfeil, jurors are to call in re: date and time trial will resume, Colloquy with Court and attorneys, Court adjourns. JTE (JMD) (Entered: 06/03/1997)
05/27/1997		Jury trial in Smith -v- Pfeil adjourns to 9:00 5/29/97. JTE (JMD) (Entered: 06/03/1997)
05/29/1997		Jury trial in Smith -v- Pfeil continues, opening statements, witnesses, adjourned to 5/30/97 at 9:00. JTE (JMD) (Entered: 06/03/1997)
05/29/1997		Jury trial in Smith -v- Pfeil adjourned to 9:00 5/30/97 (JMD) (Entered: 06/03/1997)
05/30/1997		Jury trial in Smith -v- Pfeil continues, witnesses, adjourned to 6/2/97 at 9 :00. JTE (JMD) (Entered: 06/03/1997)
05/30/1997		Jury trial in Smith -v- Pfeil adjourned to 9:00 6/2/97 (JMD) (Entered: 06/03/1997)
06/02/1997	633	Defendant Karl Pfeil's Superceding Requests to Charge. (JMD) (Entered: 06/02/1997)

06/02/1997		Jury trial resumes, witnesses, plaintiff rests, Colloquy with Court and Counsel, defendants motion to dismiss denied without prejudice, defendants motion to dismiss plaintiffs claims re: physical hurt denied without prejudice, adjourned to 6/3/97 at 1:00. JTE (JMD) (Entered: 06/04/1997)
06/02/1997		Jury trial adjourned to 1:00 6/3/97 (JMD) (Entered: 06/04/1997)
06/03/1997		Jury trial resumes, Court resumes without jury, Colloquy with Court and Counsel regarding jury charges, Court adjourns to 6/4/97 at 9:00. JTE (JMD) (Entered: 06/04/1997)
06/03/1997		Jury trial adjourned to 9:00 6/4/97 (JMD) (Entered: 06/04/1997)
06/04/1997		Jury trial continues, closing statements by plaintiff and defendant, Colloquy with counsel, Court charges the jury, adjourned to 6/5/97 at 9:00. JTE (JMD) (Entered: 06/09/1997)
06/04/1997		Jury trial adjourned to 9:00 6/5/97 (JMD) (Entered: 06/09/1997)
06/05/1997		Jury trial resumes, jury resumes deliberation, verdict is stated by the Court: the Verdict in unanimous in favor of the plaintiff for \$4,000,000. Court dismisses the jury, defendant to file motion against the verdict 30 days after transcript filed, 2 weeks thereafter for answering papers, 1 week for reply, then oral argument. JTE (JMD) (Entered: 06/09/1997)
06/19/1997	634	MOTION by defendant Karl Pfeil for Judgment as a Matter of Law pursuant to F.R.C.P. 50 and 59 (JMD) (Entered: 06/20/1997)
06/19/1997	635	MEMORANDUM OF LAW by defendant Karl Pfeil in support of [634-1] motion for Judgment as a Matter of Law pursuant to F.R.C.P. 50 and 59. (JMD) (Entered: 06/20/1997)
06/20/1997	636	ORDER, granting defendant Karl Pfeil's request for Leave to File overlength memorandum (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 06/20/1997)
06/23/1997	637	SUBPOENA in a civil case EXECUTED 6/20/97 as to John W. Cudmore. (JMD) (Entered: 06/23/1997)
06/23/1997		Jury trial in Brosig -v- Pfeil commences, colloquy with counsel, opening statements, adjourned to 6/24/97 at 9:00. JTE (JMD) (Entered: 06/25/1997)
06/23/1997		Jury trial adjourned to 9:00 6/24/97 (JMD) (Entered: 06/25/1997)
06/24/1997	638	TRANSCRIPT of trial proceedings held before Judge Elfvin dated 6/23/97, pages 1-107. (JMD) (Entered: 06/25/1997)
06/24/1997		Jury trial continues, Colloquy with Couret and counsel, witnesses, plaintiff rests, motion to dismiss deemed made and denied, witnesses, adjourned to 6/25/97 at 9:00. JTE (JMD) (Entered: 07/03/1997)
06/24/1997		Jury trial adjourned to 9:00 6/25/97. (JMD) (Entered: 07/03/1997)
06/25/1997		Jury trial continues, witnesses, adjourned to 6/26/97 at 9:00, motion for judgment as a matter of law, Colloquy with Court and counsel. JTE (JMD) (Entered: 07/03/1997)
06/25/1997		Jury trial adjourned to 9:00 6/26/97 (JMD) (Entered: 07/03/1997)
06/26/1997		Jury trial continues, Colloquy with Court and counsel re: verdict and charge, plaintiff and defendant closing statements, verdict in favor of plaintiff for \$65,000. defense to file motion against the verdict 2 weeks after transcript filed, 2 weeks thereafter for answering papers, 1 week for reply, then oral argument. JTE (JMD) (Entered: 07/03/1997)
06/26/1997		NOTICE/Motion hearing (JTE) re: defendants [634-1] motion for Judgment as a Matter of Law pursuant to F.R.C.P. 50 and 59 3:00 8/22/97 opposition papers to be

		filed by 8/7/97, replies thereto by 8/14/97. (JMD) (Entered: 07/03/1997)
06/26/1997		Deadline updated; Response to Motion reset to 8/7/97 for [634-1] motion for Judgment as a Matter of Law pursuant to F.R.C.P. 50 and 59 , Reply to Response to Motion reset to 8/14/97 for [634-1] motion for Judgment as a Matter of Law pursuant to F.R.C.P. 50 and 59 (JMD) (Entered: 07/03/1997)
07/07/1997	639	TRANSCRIPT of Jury Trial held before Judge Elfvin dated 5/29/97 pages 1-192. (JMD) (Entered: 07/07/1997)
07/07/1997	640	TRANSCRIPT of Jury Trial held before Judge Elfvin dated 5/30/97 pages 195-345. (JMD) (Entered: 07/07/1997)
07/07/1997	641	TRANSCRIPT of Jury Trial held before Judge Elfvin dated 6/2/97 pages 348-621. (JMD) (Entered: 07/07/1997)
07/07/1997	642	TRANSCRIPT of Trial held before Judge Elfvin dated 6/3/97 pages 1-52. (JMD) (Entered: 07/07/1997)
07/07/1997	643	TRANSCRIPT of Trial held before Judge Elfvin dated 6/4/97 pages 1-74. (JMD) (Entered: 07/07/1997)
07/07/1997	644	TRANSCRIPT of Jury trial held before Judge Elfvin dated 6/5/97 pages 1-9. (JMD) (Entered: 07/07/1997)
07/08/1997	645	JURY VERDICT in the amount of \$4,000,000. for plaintiff Big Black (JMD) (Entered: 07/08/1997)
07/11/1997	646	MOTION by defendant Karl Pfeil for Judgment as a Matter of Law or for New Trial with affirmation in support. (JMD) (Entered: 07/11/1997)
07/11/1997	647	MEMORANDUM OF LAW by defendant Karl Pfeil in support of [646-1] motion for Judgment as a Matter of Law by Karl Pfeil, [646-2] motion for New Trial by Karl Pfeil (JMD) (Entered: 07/11/1997)
07/16/1997	648	JURY VERDICT in the amount of \$75,000. for plaintiff Brosig, (a member of the class) (JMD) (Entered: 07/16/1997)
07/16/1997		NOTICE (JTE) Motion hearing re: defendants [646-1] motion for Judgment as a Matter of Law and [646-2] motion for New Trial set for 3:00 8/22/97, opposition papers to be filed by 8/7/97, reply papers due 8/14/97. (JMD) Modified on 08/05/1997 (Entered: 07/25/1997)
07/16/1997		Deadline updated; Response to Motion reset to 8/7/97 for [646-1] motion for Judgment as a Matter of Law, reset to 8/7/97 for [646-2] motion for New Trial , Reply to Response to Motion reset to 8/14/97 for [646-1] motion for Judgment as a Matter of Law, reset to 8/14/97 for [646-2] motion for New Trial (JMD) (Entered: 07/25/1997)
07/24/1997	649	AFFIRMATION by Mitchell Banas counsel for defendant Karl Pfeil in further support of [646-1] motion for Judgment as a Matter of Law [646-2] motion for New Trial (JMD) (Entered: 07/24/1997)
07/24/1997	650	SUPPLEMENTAL MEMORANDUM OF LAW by defendant Karl Pfeil of in support of [646-1] motion for Judgment as a Matter of Law [646-2] motion for New Trial. (JMD) Modified on 07/24/1997 (Entered: 07/24/1997)
07/24/1997	651	TRANSCRIPT of trial proceedings held before Judge Elfvin dated 6/23/97, pages 1-176. (JMD) (Entered: 07/30/1997)
07/24/1997	652	TRANSCRIPT of trial proceedings held before Judge Elfvin dated 6/24/97, pages 179-358. (JMD) (Entered: 07/30/1997)
07/24/1997	653	TRANSCRIPT of trial proceedings held before Judge Elfvin dated 6/25/97, pages 361-470. (JMD) (Entered: 07/30/1997)
07/24/1997	654	TRANSCRIPT of trial proceedings held before Judge Elfvin dated 6/26/97, pages 472-562. (JMD) (Entered: 07/30/1997)

08/12/1997	655	MEMORANDUM OF LAW by plaintiffs Akil Al-Jundi, Big Black in opposition to [646-1] motion for Judgment as a Matter of Law by Karl Pfeil, [646-2] motion for New Trial by Karl Pfeil (JMD) (Entered: 08/13/1997)
08/15/1997	656	REPLY MEMORANDUM OF LAW by defendant Karl Pfeil in further support of [646-1] motion for Judgment as a Matter of Law and [646-2] motion for New Trial. (JMD) (Entered: 08/15/1997)
08/15/1997	657	REPLY AFFIRMATION by Mitchell Banas counsel for defendant Karl Pfeil in support of [646-1] motion for Judgment as a Matter of Law and [646-2] motion for New Trial (JMD) (Entered: 08/15/1997)
08/22/1997		Minute entry in re: Smith v. Pfeil; defendant Pfeil's [634-1] motion for Judgment as a Matter of Law is argued and the matter is submitted. JTE (JMD) (Entered: 08/27/1997)
08/22/1997		Minute entry in re: Brosig v. Pfeil; defendant Pfeil's [646-1] motion for Judgment as a Matter of Law and [646-2] motion for New Trial is argued and the matter is submitted. JTE (JMD) (Entered: 08/27/1997)
10/03/1997	658	ORDER denying defendant Pfeil's [646-1] motion for Judgment as a Matter of Law, [646-2] motion for New Trial AND [634-1] motion for Judgment as a Matter of Law pursuant to F.R.C.P. 50 and 59. (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 10/03/1997)
10/20/1997	659	MOTION by plaintiffs for an Order entering partial final judgments against Karl Pfeil in the amount of \$4,000,000. and \$75,000. with costs fees and interest nunc pro tunc to the date of the jury verdict with affirmation in support. (JMD) (Entered: 10/20/1997)
10/23/1997	660	TRANSCRIPT of status conference proceedings held before Judge Elfvin dated 5/20/97, pages 1-39. (JMD) (Entered: 10/23/1997)
10/23/1997	661	TRANSCRIPT of status conference proceedings held before Judge Elfvin dated 5/19/97, pages 1-46. (JMD) (Entered: 10/23/1997)
10/24/1997	662	MOTION by plaintiffs for an Order entering partial final judgments against Karl Pfeil in the amount of \$4,000,000. and \$75,000. with costs fees and interest nunc pro tunc to the date of the jury verdict with affirmation in support. (JMD) (Entered: 10/24/1997)
11/03/1997	663	MOTION by plaintiffs for Interim Attorney Fees with affirmation in support. (JMD) (Entered: 11/03/1997)
11/04/1997	664	ORDER granting plaintiffs' [659-1] and [662-1] motions for an Order entering partial final judgments against Karl Pfeil, plus costs fees and interest in each damages case nunc pro tunc to the date of the respective jury verdicts and for an order extending class plaintiffs time to file a motion/motions for interim attorney fees, such motions shall be filed within 60 days after judgments have been entered; defendant Pfeil shall have 30 days from the entry of each such partial final judgment in which to file a notice of appeal. Judgments shall be entered as follows: "It is Ordered and Adjudged that the motion of plaintiff Big Black a/k/a Frank Smith pursuant to Rule 54(b) of the FRCvP for entry of final judgment of the jury verdict rendered in his favor against defendant Karl Pfeil on 6/5/97 in the amount of \$4,000,000. is GRANTED nunc pro tunc to 6/5/97." and further "It is Ordered and Adjudged that the motion of plaintiff David Brosig pursuant to Rule 54(b) of the FRCvP for entry of final judgment of the jury verdict rendered in his favor against defendant Karl Pfeil on 6/26/97 in the amount of \$75,000. is granted nunc pro tunc to 6/26/97." (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 11/05/1997)

11/04/1997		NOTICE (JTE) Motion hearing re: plaintiffs [663-1] motion for Interim Attorney Fees set for 3:00 12/12/97. (JMD) (Entered: 11/05/1997)
11/04/1997		Deadline updated; Response to Motion reset to 12/5/97 for [663-1] motion for Interim Attorney Fees , Reply to Response to Motion reset to 12/10/97 for [663-1] motion for Interim Attorney Fees (JMD) (Entered: 11/05/1997)
11/05/1997	665	JUDGMENT ON JURY VERDICT for plaintiff Big Black a/k/a Frank Smith against defendant Karl Pfeil in the amount of \$4,000,000. and JUDGMENT ON JURY VERDICT for plaintiff David Brosig against defendant Karl Pfeil in the amount of \$75,000. (signed by Clerk of Court Rodney C. Early). Notice and copy of judgment sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Elizabeth Fink, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black**JUDGMENT AMENDED PURSUANT TO ORDER FILED 12/19/97, SEE DOCUMENTS 673, 674 and 675.** (JMD) Modified on 12/24/1997 (Entered: 11/05/1997)
11/12/1997	666	NOTICE of attorney appearance for plaintiff Omar Sekou Toure by Nathaniel L. Barone II (JMD) (Entered: 11/12/1997)
11/12/1997		NOTICE (JTE) Motion hearing re: plaintiffs [663-1] motion for Interim Attorney Fees set for 3:00 12/5/97. (JMD) (Entered: 11/13/1997)
11/12/1997		Deadline updated; Response to Motion reset to 11/26/97 for [663-1] motion for Interim Attorney Fees , Reply to Response to Motion reset to 12/3/97 for [663-1] motion for Interim Attorney Fees (JMD) (Entered: 11/13/1997)
11/26/1997	667	CROSS MOTION by defendant Karl Pfeil to Stay enforcememnt of the judgment with affirmation in support. Motion Hearing set for 3:00 12/5/97 (JMD) (Entered: 11/26/1997)
11/26/1997	668	MEMORANDUM OF LAW by defendant Karl Pfeil in support of [667-1] cross motion to Stay enforcememnt of the judgment (JMD) (Entered: 11/26/1997)
12/01/1997	669	MEMORANDUM OF LAW by defendants in opposition to [663-1] motion for Interim Attorney Fees. (JMD) (Entered: 12/01/1997)
12/01/1997	670	AFFIRMATION by Lisa Renee Harris counsel for defendants in opposition to [663-1] motion for Interim Attorney Fees (JMD) (Entered: 12/01/1997)
12/03/1997	671	TRANSCRIPT of proceedings held before Judge Elfvin dated 5/23/97, pages 1-27. (JMD) (Entered: 12/03/1997)
12/04/1997	672	NOTICE OF APPEAL by Karl Pfeil . Fee Status: Paid \$105.00 (copy mailed to all parties and to Clerk, USCA, with copy of docket entries) (USCA Forms C, C-A, and D to Mitchell J. Banas, Jr.) (DR) Modified on 12/05/1997 (Entered: 12/05/1997)
12/05/1997		Minute entry: defendants [667-1] cross motion to Stay enforcememnt of the judgment and plaintiffs [663-1] motion for Interim Attorney Fees submitted. JTE (JMD) (Entered: 12/11/1997)
12/19/1997	673	ORDER, to Amend the [665-1] judgment order entered 11/5/97 to read as follows, "It is Ordered and Adjudged that the motion of plaintiff Big Black a/k/a Frank Smith pursuant to Rule 54(b) of the FRCvP for entry of final judgment pursuant to the jury verdict rendered in his favor against defendant Karl Pfeil on June 5, 1997 in the amount of \$4,000,000. is granted nunc pro tunc June 5, 1997" and the Clerk shall enter a separate judgment to read as follows, "It is Ordered and Adjudged that the motion of plaintiff David Brosig pursuant to Rule 54(b) of the FRCvP for entry of final judgment pursuant to the jury verdict rendered in his favor against defendant Karl Pfeil on June 26, 1997 in the amount of \$75,000. is granted nunc pro tunc June 26, 1997"; further defendant Pfeil's [667-1] cross motion to Stay enforcememnt of the judgment is granted , further plaintiffs [663-1] motion for Interim Attorney Fees is granted insofar as it seeks attorney's fees in the amount of \$90,000. (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J

		Banas Jr., J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 12/22/1997)
12/23/1997	674	AMENDED JUDGMENT ON JURY VERDICT for plaintiff Big Black a/k/a Frank Smith against defendant Karl Pfeil in the amount of \$4,000,000. (Clerk). Notice and copy of judgment sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 12/24/1997)
12/23/1997	675	AMENDED JUDGMENT ON JURY VERDICT for plaintiff David Brosig against defendant Karl Pfeil in the amount of \$75,000. (Clerk). Notice and copy of judgment sent to John H. Stenger, Donald Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 12/24/1997)
12/29/1997		Received USCA Scheduling Order Re: [672-1] appeal by Karl Pfeil USCA NUMBER: 97-2912 Appeal record due on 1/2/98 (DR) (Entered: 12/30/1997)
01/08/1998	676	ORDER, the matter of defendant Keller's liability vel non shall proceed to the Selection of a trial jury at 9:00 a.m. on 5/19/98 with the swearing of said jury opening statements and the taking of evidence to follow forthwith. (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 01/08/1998)
01/15/1998		Received USCA Scheduling Order Re: [672-1] appeal by Karl Pfeil USCA NUMBER: 97-2912 Appeal record due on 1/23/98 (DR) (Entered: 01/16/1998)
01/20/1998	677	NOTICE OF APPEAL by Karl Pfeil . Fee Status: Paid \$105.00 (copy of the Notice of Appeal mailed to all parties and to Clerk, USCA, with copy of docket entries) (USCA Forms C, C-A, and D to Mitchell Banas) (DR) (Entered: 01/22/1998)
01/21/1998	678	AMENDED NOTICE OF APPEAL by Karl Pfeil . Fee Status: Fee Not Paid Amended Appeal (copy of the Notice of Appeal mailed to all parties and to Clerk, USCA, with copy of docket entries) (USCA Forms C, C-A, and D to Mitchell Banas) (DR) Modified on 01/22/1998 (Entered: 01/22/1998)
01/21/1998	679	AMENDED NOTICE OF APPEAL by Karl Pfeil . Fee Status: Fee Not Paid Amended Appeal (copy of the Notice of Appeal mailed to all parties and to Clerk, USCA, with copy of docket entries) (USCA Forms C, C-A, and D to Mitchell Banas) (DR) (Entered: 01/22/1998)
02/04/1998	680	TRANSCRIPT of proceedings held before Judge Elfvin on January 8, 1992 (1 - 186 pages) (DR) (Entered: 02/05/1998)
02/04/1998	681	TRANSCRIPT of proceedings held before Judge Elfvin on January 9, 1992 (1 - 15 pages) (DR) (Entered: 02/05/1998)
02/04/1998	682	TRANSCRIPT of proceedings held before Judge Elfvin on January 22, 1992 (1 - 18 pages) (DR) (Entered: 02/05/1998)
02/04/1998	683	TRANSCRIPT of proceedings held before Judge Elfvin on January 24, 1992 (1 - 47 pages) (DR) (Entered: 02/05/1998)
02/04/1998	684	TRANSCRIPT of proceedings held before Judge Elfvin on January 28, 1992 (1 - 95 pages) (DR) Modified on 02/05/1998 (Entered: 02/05/1998)
02/04/1998	685	TRANSCRIPT of proceedings held before Judge Elfvin on January 31, 1992 (1 - 19 pages) (DR) (Entered: 02/05/1998)
02/04/1998	686	TRANSCRIPT of proceedings held before Judge Elfvin on February 3, 1992 (1 - 118 pages) (DR) (Entered: 02/05/1998)
02/04/1998	687	TRANSCRIPT of proceedings held before Judge Elfvin on February 4, 1992 (1 - 106 pages) (DR) (Entered: 02/05/1998)

02/04/1998	688	TRANSCRIPT of proceedings held before Judge Elfvin on December 5, 1997 (1 – 28 pages) (DR) (Entered: 02/05/1998)
02/17/1998		Received USCA Scheduling Order Re: [679–1] appeal by Karl Pfeil USCA NUMBER: 98–2098 Appeal record due on 3/4/98 (DR) (Entered: 02/17/1998)
03/16/1998		Certified and transmitted index to record on appeal to U.S. Court of Appeals: [679–1] appeal by Karl Pfeil (DR) (Entered: 03/16/1998)
04/03/1998		Certified and transmitted record on appeal to U.S. Court of Appeals: [679–1] appeal by Karl Pfeil (DR) (Entered: 04/03/1998)
04/27/1998	689	ORDER OF USCA (certified copy) Re: [679–1] appeal by Karl Pfeil granting appellees move to dismiss the instant appeal (DR) (Entered: 04/27/1998)
05/08/1998	690	MOTION by plaintiffs to adjourn the trial with affirmation in support. (JMD) (Entered: 05/08/1998)
05/12/1998	691	CROSS MOTION by defendant Karl Pfeil for an Order Staying enforcement of the interim attorneys' fees with affirmation in support. (JMD) (Entered: 05/12/1998)
05/14/1998		Minute entry: defendant Pfeil's [691–1] cross motion for an Order Staying enforcement of the interim attorneys' fees is argued and the matter is submitted, plaintiffs [690–1] motion to adjourn the scheduled assault trial is granted. JTE (JMD) (Entered: 05/15/1998)
05/19/1998	692	ORDER denying defendant Pfeil's [691–1] cross motion for an Order Staying enforcement of the interim attorneys' fees (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 05/19/1998)
05/29/1998	693	MOTION/NOTICE by Daniel Meyers counsel for plaintiffs and the Executor of the Estate of Herbert Scott Deane a/k/a Akil Al–Jundi to substitute the estate as a party plaintiff with affirmation in support. (JMD) (Entered: 05/29/1998)
06/03/1998	694	ORDER: Daniel L. Meyers, as Administrator of the Estate of Akil Al–Jundi, a/k/a Herbert Scott Deane is substituted for Akil Al–Jundi pursuant to Rule 25 (a) of the Federal Rules of Civil Procedure and the caption of the action shall read "Daniel L. Meyers, as the Administrator of the Estate of Akil Al–Jundi, a/k/a Herbert Scott Deane et al., Plaintiffs, –vs– Kurt G. Oswald, as the Administrator of the Estate of Russell G. Oswald, et al., Defendants." (signed by Senior USDJ John T. Elfvin) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 06/03/1998)
08/06/1999	695	RECUSAL AND ORDER (signed by Senior USDJ John T. Elfvin) Judge Elfvin recused himself and Ordered the Clerk of this Court to assign this case to another member of this Court. Notice and copy of order sent to John H. Stenger, Donald Berens, Meyers, Dennis Cunningham, Joseph J. Heath, Michael Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (JMD) (Entered: 08/06/1999)
08/09/1999	696	ORDER, Transferring Case to chief Judge Larimer (signed by Chief USDJ David G. Larimer) Notice and copy of order sent to Richard Rifkin, Donald Berens, John H. Stenger, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, (TO) (Entered: 08/09/1999)
08/09/1999	697	ORDER, set Status Conference for 10:00 8/12/99 counsel of record are to appear (signed by USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Richard Rifkin, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore (TO) (Entered: 08/09/1999)

08/09/1999		CASE assigned to Chief USDJ David G. Larimer (TO) (Entered: 08/11/1999)
08/12/1999		Status conference held (MAT) (TO) (Entered: 08/13/1999)
08/16/1999		Tele-conference adjourned to 8/18/99; no appearances (MAT) (TO) (Entered: 08/17/1999)
08/18/1999	698	ORDER, reset Status Conference for 10:00 9/21/99 (signed by USDJ Michael A. Telesca) Notice and copy of order sent to Donald Berens, John H. Stenger, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Salvatore P. Abbate, Jerome Rosenberg, Mitchell J Banas Jr., Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, John V. Elmore, Big Black (TO) (Entered: 08/18/1999)
08/18/1999		Minute entry: telephone Conference adjourned; no date set, no appearances (MAT) (TO) (Entered: 08/19/1999)
09/01/1999	699	OPINION and ORDER OF USCA (certified copy) Re: [672-1] appeal by Karl Pfeil reversing and remanding the judgments of District Court in accordance with the opinion of this Court. (DR) (Entered: 09/01/1999)
09/23/1999	700	ORDER OF USCA (certified copy) Re: [678-1] appeal by Karl Pfeil, [677-1] appeal by Karl Pfeil--treating the objection filed by counsel for the appellees Big Black et al, as a motion to disallow appellant's itemized and verified bill of costs, upon consideration thereof, it is ordered that the motion be and it hereby is granted. (DR) (Entered: 09/23/1999)
10/14/1999		Minute entry: Conference Held (MAT) (TO) (Entered: 10/20/1999)
11/02/1999		Tele-conference held (MAT) (TO) (Entered: 11/05/1999)
11/10/1999		Tele-conference held (MAT) (TO) (Entered: 11/18/1999)
12/13/1999	701	ORDER, Transferring Case to Senior District Judge Michael Telesca for all purposes (signed by Chief USDJ David G. Larimer) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (TO) (Entered: 12/13/1999)
12/13/1999		CASE assigned to USDJ Michael A. Telesca (TO) (Entered: 12/13/1999)
01/03/2000		Status conference held (MAT) (TO) (Entered: 01/12/2000)
01/04/2000	702	STIPULATION and ORDER, of Settlement ; State of NY shall pay the clerk of court for the W. District of NY the sum of eight million dollars (\$8,000,000) in settlement of all claims; in addition, it shall pay to the clerk the sum of four million dollars (\$4,000,000) for attorneys' fees and costs; payments shall be made prior to 2/14/00 (signed by USDJ Michael A. Telesca . Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black . (TO) Modified on 02/11/2000 (Entered: 01/04/2000)
01/04/2000	703	ORDER that form of Notice to be published and mailed shall be the form appended as Exhibit A; Notice to plaintiff Class shall be published commencing within ten days of entry of this order, in publications (see order #703) twice in a one month period (signed by USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black (TO) (Entered: 01/04/2000)
01/04/2000		Status conference held; court announces a settlement has been reached; court scheduled fairness hearing for 2/14/00 at 10:00 (MAT) (TO) (Entered: 01/12/2000)
01/07/2000	705	TRANSCRIPT of proceedings before USDJ Michael Telesca pages 1-16, 1/4/00 (TO) (Entered: 01/10/2000)

01/07/2000	704	RESPONSE by James Starkes in support of [702-1] order of Settlement, [702-2] relief (TO) (Entered: 01/19/2000)
01/10/2000	706	RESPONSE by Alfred Mancuso in opposition to [702-1] order of Settlement, [702-2] relief (TO) (Entered: 01/11/2000)
01/11/2000	707	RESPONSE by Gerald Roy in support of [702-1] order of Settlement, [702-2] relief (TO) (Entered: 01/11/2000)
01/13/2000	708	RESPONSE by Malcom Hannah in opposition to [702-1] order of Settlement, [702-2] relief (TO) (Entered: 01/13/2000)
01/14/2000	709	RESPONSE by Mr. Ortiz (Din #24231) in support of [702-1] order of Settlement, [702-2] relief (TO) (Entered: 01/14/2000)
01/18/2000	710	RESPONSE by Joseph Harris in support of [702-1] order of Settlement, [702-2] relief (TO) (Entered: 01/18/2000)
01/19/2000	711	RESPONSE by Gary Richard Haynes in support of [702-1] order of Settlement, [702-2] relief (TO) (Entered: 01/19/2000)
01/19/2000	712	RESPONSE by Steven Garrett in support of [702-1] order of Settlement, [702-2] relief (TO) (Entered: 01/19/2000)
01/20/2000	713	RESPONSE Harvey Marcelin in opposition to [702-1] order of Settlement (TO) (Entered: 01/20/2000)
01/21/2000	714	Statement of intent by Bob Lee, to appear at fairness hearing (TO) (Entered: 01/24/2000)
01/24/2000	715	RESPONSE by Gary Raycroft in support of [702-1] order of Settlement (TO) (Entered: 01/24/2000)
01/25/2000	716	Statement by Delijah Jackson with intent to appear at hearing (TO) (Entered: 01/25/2000)
01/25/2000	717	RESPONSE by Charles Terry, Sr. in support of [702-1] order of Settlement and intent to appear at hearing (TO) (Entered: 01/25/2000)
01/26/2000	718	Statement of intent by George E. Mitchell to appear at fairness hearing (TO) (Entered: 01/26/2000)
01/27/2000	720	RESPONSE by John Sadowy in opposition to [702-1] order of Settlement (TO) (Entered: 01/31/2000)
01/28/2000	719	Statement by Raymond Jordan, Jr. of intent to appear at fairness hearing (TO) (Entered: 01/31/2000)
01/31/2000	721	RESPONSE by John Sadowy in support of [702-1] order of Settlement (TO) (Entered: 01/31/2000)
01/31/2000	722	Statement by Charles Williams of intent to appear at fairness hearing (TO) (Entered: 01/31/2000)
01/31/2000	723	RESPONSE by Harold Hill in support of [702-1] order of Settlement (TO) (Entered: 02/01/2000)
02/02/2000	724	RESPONSE by Dolph Sturgis, Jr., in opposition to [702-1] order of Settlement (TO) (Entered: 02/02/2000)
02/03/2000	726	MOTION by Jerome Rosenberg for Hearing court to set return date (TO) (Entered: 02/07/2000)
02/04/2000	729	MOTION by Salavatore Abbate, Esq. for Harry Brown to Appear Pro Hac Vice for class member Milton Lee Jones (TO) Modified on 02/08/2000 (Entered: 02/08/2000)
02/07/2000	725	RESPONSE by Cecil Robinson in opposition to [702-1] order of Settlement (TO) (Entered: 02/07/2000)

02/07/2000	727	RESPONSE by Margery Spinoza (re: inmate Joseph Hanigan) in opposition to [702-1] order of Settlement (TO) (Entered: 02/07/2000)
02/07/2000	728	Statement by Albert Victory of intent to appear at fairness hearing (TO) (Entered: 02/08/2000)
02/08/2000	730	MOTION by class plaintiff Milton Lee Jones for Harry W. Brown to Appear Pro Hac Vice (JMD) (Entered: 02/08/2000)
02/08/2000	731	NOTICE of attorney appearance for class plaintiff Milton Lee Jones by Harry W. Brown (JMD) (Entered: 02/08/2000)
02/08/2000	732	MOTION by class plaintiff Milton Lee Jones to Extend Time to respond to stipulation of settlement (JMD) (Entered: 02/08/2000)
02/10/2000		Settlement amount paid; \$8,000,000 in settlement claims and \$4,000,000 in attorney fees and costs by State of NY pursuant to court order filed 1/4/00 (TO) (Entered: 02/11/2000)
02/11/2000	733	ORDER denying [732-1] motion to Extend Time to respond to stipulation of settlement, granting [730-1] motion for Harry W. Brown to Appear Pro Hac Vice (signed by USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, John V. Elmore, Big Black, Harry W. Brown (TO) (Entered: 02/11/2000)
02/11/2000	735	RESPONSE by Eugene Crawford in support of [702-1] order of Settlement (TO) (Entered: 02/14/2000)
02/14/2000	734	ORDER denying [726-1] motion for Hearing; Rosenberg is also entitled to appear pro se in this action (signed by USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Irving C. Maghran Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, John V. Elmore, Big Black, Harry W. Brown (TO) (Entered: 02/14/2000)
02/14/2000		Minute entry: Fairness Hearing: people placed statements on the record regarding the fairness of the settlement; court to issue decision;(MAT) (TO) (Entered: 02/25/2000)
02/15/2000	736	ORDER, that the settlement agreement proposed by the parties is hereby preliminarily approved; final judgment shall not be entered until issuance of this courts final decision and order apportioning the proceeds of settlement , and that the notice of these proceedings shall be given to the plaintiff class by publication as provided in a seperate order (signed by USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 02/15/2000)
02/15/2000	737	ORDER, that the form of notice to be published shall be the form appended (see order) and that the notice to plaintiff class shall be published and mailed to the class members comencing within fifteen days of the entry of this order in the following publications twice in one month (see order) (signed by USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 02/15/2000)
02/16/2000	738	ORDER REFERRING CASE to USMJ William G. Bauer to assist in overseeing the taking of claimants' testimony under oath (signed by USDJ Michael A. Telesca) Notice and copy sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L.

		Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown . (TO) (Entered: 02/16/2000)
02/16/2000	739	ORDER REFERRING CASE to USMJ Jonathan W. Feldman to assist the court in overseeing the taking of claimants' testimony under oath (signed by USDJ Michael A. Telesca) Notice and copy sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown . (TO) (Entered: 02/16/2000)
02/16/2000	741	ORDER, the Clerk is directed to pay the sum of \$16,516.10 to the newspapers that published the Notice to the Plaintiffs Class of a Fairness Hearing , and to draw those funds from the Registry of the Court in which funds are on deposit pursuant to a settlement arrived at on January 4, 2000. (signed by USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown FINANCIAL DEPARTMENT (JMD) (Entered: 02/17/2000)
02/16/2000	742	ORDER, the Clerk is authorized and directed to withdraw from the Federal Reserve Bank the sum of \$11,400,000. which shall be used to purchase a six-month certificate of deposit at the Manufacturers and Traders Trust Company Bank, Buffalo, NY where said funds shall remain until further order of this Court. (signed by USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Meyers, Dennis Cunningham, Joseph J. Heath, Michael Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown FINANCIAL DEPARTMENT (JMD) (Entered: 02/17/2000)
02/16/2000	744	ORDER granting class counsel's [743-1] motion for Interim Attorney Fees, the Clerk shall issue a draft to Elizabeth Fink in the amount of \$500,000. and deduct same from funds on deposit in the registry of the Court in accordance with the settlement arrived at on January 4, 2000.(signed by USDJ Michael A. Telesca) Notice and copy of sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown FINANCIAL DEPARTMENT (JMD) (Entered: 02/17/2000)
02/17/2000	740	ORDER, clerk is hereby authorized to disburse from the registry fund related to this case the amount of \$290.00 to cover the expenses of duplication (signed by USDJ Michael A. Telesca) Notice and copy of order sent to (TO) (Entered: 02/17/2000)
02/17/2000	743	MOTION by Elizabeth Fink plaintiffs class counsel for Interim Attorney Fees with affirmation in support, (JMD) (Entered: 02/17/2000)
04/12/2000	745	ORDER, the Clerk is directed to pay the sum of \$12,418.71 to the newspapers that published Notice of Settlement , and draw those funds from the Registry of the Court in which funds are on deposit pursuant to a settlement arrived at on January 4, 2000. (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (JMD) (Entered: 04/17/2000)
04/12/2000		Copy of Court's Order filed 4.12.00 forwarded to Financial Department (JMD) (Entered: 04/17/2000)
05/24/2000		Minute entry: Plaintiffs claim hearing held; two plaintiffs testified (MAT) (TO) (Entered: 05/26/2000)
05/30/2000		Minute entry: Claim hearings continue; claimants testify; (MAT) (TO) (Entered: 05/30/2000)

05/31/2000		Minute entry: plaintiff claim hearings contiune; witness testified; (MAT) (TO) (Entered: 06/05/2000)
06/08/2000		Minute entry: Claim hearing; claimants testified (MAT) (TO) (Entered: 06/28/2000)
06/13/2000		Minute entry: Claim hearings; claimants testified (MAT) (TO) (Entered: 06/28/2000)
06/14/2000		Minute entry: Plaintiff claim hearings; witness/claimants testified (MAT) (TO) (Entered: 06/29/2000)
06/19/2000		Minute entry: Plaintiff Claim Hearings; Claimants testified (MAT) (TO) (Entered: 06/28/2000)
06/20/2000		Minute entry: plaintiff claim hearings; witnesses/ claimants testified (MAT) (TO) (Entered: 06/28/2000)
06/21/2000		Minute entry: claim hearings; claimants testifeid (MAT) (TO) (Entered: 06/28/2000)
06/26/2000		Minute entry: plaintiff claim hearings; claimants/witnesses testified (MAT) (TO) (Entered: 07/10/2000)
06/27/2000		Minute entry: Plaintiff Claim hearings; claimants/witnesses testified (MAT) (TO) (Entered: 07/10/2000)
06/28/2000		Minute entry: Plaintiff calim hearings; claimants/ witnesses testified (MAT) (TO) (Entered: 07/10/2000)
06/29/2000		Minute entry: Plaintiff Claim Hearings; Claimant/witness testified (MAT) (TO) (Entered: 06/30/2000)
07/05/2000		Minute entry: Plaintiff Claim hearings; claimant/witness testified (MAT) (TO) (Entered: 07/06/2000)
07/10/2000		Minute entry: Plaintiff Claim Hearing; witnesses/claimants testified (MAT) (TO) (Entered: 07/11/2000)
07/10/2000		Supplemental Minute entry: Telephone plaintiff claim hearing (MAT) (TO) (Entered: 07/12/2000)
07/11/2000		Minute entry: Plaintiff Claim Hearings; Claimants/witnesses testified (MAT) (TO) (Entered: 07/12/2000)
07/11/2000		Minute entry: Plaintiff Claim Hearings; claimant testified via telephone for deceased father (MAT) (TO) (Entered: 08/04/2000)
07/12/2000		Minute entry: Plaintiff Claim Hearings; claimants testified (MAT) (TO) (Entered: 07/13/2000)
07/14/2000		Minute entry: Plaintiff Claim Hearings; claimants testified via telephone (MAT) (TO) (Entered: 08/04/2000)
07/17/2000		Minute entry: Plaintiff Claim Hearings; claimant testified via videoconference; recess; claimant testified via telephone (MAT) (TO) (Entered: 08/04/2000)
07/18/2000		Minute entry: Plaintiff Claim Hearings; claimant testified via telephone for deceased ; further testimony on 8/8/00 at 10:00; recess; claimant testified for deceased; claimants testified (MAT) (TO) (Entered: 08/04/2000)
07/19/2000		Minute entry: Plaintiff Claim Hearings; claimant testified (MAT) (TO) (Entered: 08/04/2000)
07/21/2000	746	MOTION for Attorney Fees by Robert G. Lamb, Jr. Esq. (TO) (Entered: 07/24/2000)
07/21/2000	747	ORDER granting [746-1] motion for Attorney Fees; clerk of court shall draft to Robert G. Lamb, Esq. in the amount of \$2,678.83 and to deduct same from funds on deposit in the registry of the court in accordance with the settlement arrived at between the plaintiffs' class and the state of NY in a stipulation of settlment filed

		1/4/00 (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 07/24/2000)
07/24/2000		Minute entry: Plaintiff Claim Hearings; claimants testified via telephone (MAT) (TO) (Entered: 08/04/2000)
07/25/2000		Minute entry: Plaintiff Claim Hearings; claimants testified in court and also by telephone (MAT) (TO) (Entered: 08/04/2000)
07/26/2000		Minute entry: Plaintiff Claim Hearings; claimants testified in court and by telephone (MAT) (TO) (Entered: 08/04/2000)
07/31/2000		Minute entry: Plaintiff Claim Hearings; testified by telephone (MAT) (TO) (Entered: 08/04/2000)
08/02/2000		Minute entry: Plaintiff Claim Hearings t Batavia, NY; claimants testified (MAT) (TO) (Entered: 08/04/2000)
08/04/2000	748	ORDER, that the clerk of court is hereby directed upon the date of maturity to instruct MTbank, this court's designated depository, to allow for the principal amount of \$11,400,000.00 iniatially deposited in account to be used for the purchase of a 90 day certificate of deposit; of the remaining funds, MTshall issue a bank draft made payable to clerk, US District Court, equal to the sum of 10% of the interest earned while such funds were held; such fee is to be paid to the treasury of the US ; remaining balance of the accrued interest to date is also to be paid to the Clerk, US District Court, for re-deposit back into the US Treasury for further disbursement upon court order (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 08/07/2000)
08/07/2000		Minute entry: Plaintiff Claim Hearings; Claimants/witnessss testified (MAT) (TO) (Entered: 08/15/2000)
08/10/2000	749	MOTION by Robert Lamb, Jr., (Mr. Lamb was engaged by the court to file administrations for families of eligible claimants in this class action) for Attorney Fees and reimbursement of his expenses and disbursements for the period of 7/1/00 to 7/31/00 court to set return date (TO) (Entered: 08/11/2000)
08/10/2000	750	ORDER granting [749-1] motion for Attorney Fees and reimbursement of his expenses and disbursements for the period of 7/1/00 to 7/31/00; clerk of court shall issue a draft to Robert G. Lamb, Jr.,Esq. in the amount of \$15,425.09 and to deduct from the funds on deposit in the registry of the court in accordance with the settlement arrived with the plaintiffs' class and the State of NY in a stipulation of settlement filed 1/4/00 (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown, Robert G. Lamb, Esq. (TO) Modified on 08/11/2000 (Entered: 08/11/2000)
08/14/2000	751	MOTION by Akil Al-Jundi, Big Black for incentive awards court to set return date (TO) (Entered: 08/14/2000)
08/17/2000	752	MOTION by Melvin Spinoza in objection to distribution of final judgment (TO) (Entered: 08/17/2000)
08/18/2000	753	ORDER denying [752-1] motion in objection to distribution of final judgment by Melvin Spinoza (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (BJB)

		(Entered: 08/18/2000)
08/18/2000		copy of order (document #753) sent to iMelvin Spinoza 6099 Patricia Place Springhill FL 34607 (BJB) (Entered: 08/18/2000)
08/23/2000	754	ORDER, that this order supercedes the previous order filed 8/4/00; this order is modified to the extent that the clerk of court is hereby directed to instruct MTBank to allow for the principal amount of \$11,400,000.00 to be used for the purchase of a 60 day certificate of deposit rather than a 90 day (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 08/24/2000)
08/28/2000	<u>755</u>	ORDER, that the settlement agreement presented to the court on 1/4/00 is approved and to Dismiss case with prejudice pursuant to Rule 23(e) of the Federal Rules of Civil Procedure (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Additional attachment(s) added on 5/14/2015: # <u>1</u> Continued, # <u>2</u> continued) (TF). (Entered: 08/28/2000)
08/28/2000	756	JUDGMENT for Claimants, Akil Al-Jundi, Big Black, Herbert X Blyden, Peter Butler, Charles 'Flip' Crowley, Kendu Haiku, Calvin Hudson, Johnnie Barnes, Joseph Little, Kimanthi Mpingo, George 'Che' Nieves, Jomo Joka Omowale, Robin Palmer, Plummer, Jerome Rosenberg, Ooji Kwesi Sekou, Elizabeth Durham, Litho Lundy, Theresa Hicks, Alice McNeil, Maria Santos, Laverne Barkley, Vernon Lafranque, James B. Murphy, Thomas Louk, William Maynard Jr., Phillip "Wald" Shields, Alphonso Ross, Frank Lott, Gary Richard Haynes, Raymond Sumpter, Omar Sekou Toure, Dacajeweiah against Vincent Mancusi, John S. Keller, Karl Pfeil, Kurt G. Oswald (signed by Clerk). Notice and copy of judgment sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 08/28/2000)
08/28/2000		Case closed (TO) (Entered: 08/28/2000)
08/28/2000	757	ORDER, Elizabeth Fink applied to this court for an additional interim fee allowance for attorney' fees, having determined that the basis for the application is valid, the clerk of court shall issue a draft to Elizabeth Fink in the amount of \$200,000.00 and to deduct same from funds on deposit in the Registry of the court in accordance with the settlement in a stipulation of settlement filed on 1/4/00 (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 08/28/2000)
08/28/2000	758	ORDER, that the clerk of court shall issue a draft to US Postal Service in the amount of \$2,046.12 and to deduct same from funds on deposit in the Registry of the court in accordance with the stipulation of settlement filed 1/4/00 and that said sum shall be charged against the settlement fund (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 08/28/2000)
08/28/2000	759	ORDER, that the clerk of court shall issue a draft to Kinko's in the amount of \$7,224.71 in payment of the cost of duplication of the court's Order dated 8/28/00 and to deduct the same from the settlement fund and that said sum shall be charged against the settlement fund (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis

		Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 08/29/2000)
09/05/2000	762	NOTICE OF APPEAL by Claimant Otis McGaughy. (MMG) (Entered: 09/20/2000)
09/05/2000	763	NOTICE OF APPEAL by Claimant Melvin Spimoza (appealing order #753) . (MMG) (Entered: 09/20/2000)
09/15/2000	760	MOTION by Robert Lamb for interim compensation and reimbursement of expenses in the amount of \$33,198.88 (TO) (Entered: 09/15/2000)
09/15/2000	761	ORDER granting [760-1] motion by Robert Lamb for interim compensation and reimbursement of expenses in the amount of \$33,198.88; clerk is directed to issue a draft to Robert Lamb in the amount of \$33,198.88 and to deduct the same from funds on deposit in the registry of the court in accordance with the settlement (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 09/15/2000)
09/18/2000		Appellant (Otis McGaughy) sent a request to withdraw his appeal from the USCA, Second Circuit. Request was sent to Second Circuit (MMG) Modified on 09/28/2000 (Entered: 09/21/2000)
09/20/2000		Notice of appeal and certified copy of docket to USCA: [762-1] appeal (MMG) (Entered: 09/20/2000)
09/20/2000		Sent Claimant Melvin Spimoza IFP papers (MMG) (Entered: 09/20/2000)
09/25/2000	764	NOTICE OF APPEAL by Ooji Kwesi Sekou . Fee Status: 105.00 (MMG) (Entered: 09/25/2000)
09/25/2000		Notice of appeal and certified copy of docket to USCA: [764-1] appeal by Ooji Kwesi Sekou (MMG) (Entered: 09/25/2000)
09/27/2000	765	NOTICE OF APPEAL by Wanda Braithwaite-Baril on behalf of Claimant DONALD BROWN. (MMG) Modified on 09/27/2000 (Entered: 09/27/2000)
09/27/2000		Notice of appeal and certified copy of docket to USCA: [765-1] appeal (MMG) (Entered: 09/27/2000)
09/28/2000		Sent Claimant Wanda Braithwaite-Baril on behalf of DONALD BROWN - IFP Papers in regard to her appeal. (MMG) (Entered: 09/28/2000)
10/05/2000		USCA appeal fees received \$ 105.00 (Copy of receipt and certified copy of Docket Sheet sent to USCA, Second Circuit and original receipt sent to Mr. Spinoza) (MMG) (Entered: 10/05/2000)
10/05/2000		Notice of appeal and certified copy of docket to USCA: [762-1] appeal (Sending NOA and Letter requesting to withdraw appeal) (MMG) (Entered: 10/05/2000)
10/10/2000	767	NOTICE OF APPEAL by Claimant Harvey Marcelin . (MMG) (Entered: 10/13/2000)
10/13/2000	766	ORDER, that the clerk of court is directed to instruct MTBank to allow for the principal amount of \$11,400,000.00 initially deposited to be used for the purchase of a 30 day certificate of deposit; Of the reamianing funds, MTwill issue a bank draft payable to Clerk, US District Court equal to the sum of %10 of the interst earned while such funds were held; fee is to be paid to the treasury of the United States; remaining balance of the accured interest to date is also to be paid to the clerk, US District Court, for re-deposit back into the US treasury for further disbursement upon court order (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to Melvin Spimoza, John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J.

		Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 10/13/2000)
10/13/2000		Notice of appeal and certified copy of docket to USCA: [767-1] appeal by Harvey Marcelin (MMG) (Entered: 10/13/2000)
10/24/2000	768	MOTION by Robert G. Lamb for interim compensation and reimbursement of expenses for the period from 9/1/00 to 9/30/00 in the amount of \$28,289.96 (TO) (Entered: 10/24/2000)
10/24/2000	769	ORDER granting [768-1] motion for interim compensation and reimbursement of expenses for the period from 9/1/00 to 9/30/00 in the amount of \$28,289.96; order that the clerk of court shall issue a draft to Robert G. Lamb in the amount of \$28,289.96 and to deduct the same from the funds on deposit in the registry of the court in accordance with the settlement arrived in the stip. of settlement filed 1/4/00 (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to Wanda Braithwaite-Baril, Otis McGaughy, Harvey Marcelin, Melvin Spimoza, John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 10/24/2000)
11/13/2000	770	ORDER, that the clerk of court is directed to instruct MTBank, this court's designated depository, to close account and issue a bank draft payable to the clerk, US District Court equal to the sum of 10% of the interest earned while such funds were held; such fee is to be paid to the treasury of the United States; a separate check for the remaining balance of the \$11,400,000.00 deposit plus accrued interest to date is also to be paid to the Clerk, US District Court for re-deposit back to the US Treasury for further dsbursement upon court order (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to Wanda Braithwaite-Baril, Otis McGaughy, Harvey Marcelin, Melvin Spimoza, John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 11/14/2000)
11/17/2000	771	MOTION by Robert G. Lamb, Jr. for legal fees and reimbursement if his expenses and disbursements for the period from 10/1/00 to 10/31/00 in the amount of \$25,302.87 (TO) (Entered: 11/20/2000)
11/17/2000	772	ORDER granting [771-1] motion for legal fees and reimbursement if his expenses and disbursements for the period from 10/1/00 to 10/31/00 in the amount of \$25,302.87; clerk of the court shall issue a draft to Robert G. Lamb in the above amount and to deduct same from funds on deposit in the registry of the court (signed by Senior USDJ Michael A. Telesca) Notice and of order sent to Robert G. Lamb, Wanda Braithwaite-Baril, Otis McGaughy, Harvey Marcelin, Melvin Spimoza, John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 11/20/2000)
11/30/2000	773	MOTION by Akil Al-Jundi (plaintiff's attorney) for clarification of the Courts 8/28/00 Order RE: distribution of settlement funds (BJB) (Entered: 11/30/2000)
11/30/2000	774	ORDER granting [773-1] motion for clarification of the Courts 8/28/00 Order RE: distribution of settlement funds, and Clarifying said order (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to Wanda Braithwaite-Baril, Otis McGaughy, Harvey Marcelin, Melvin Spimoza, John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (BJB) (Entered: 11/30/2000)
12/04/2000	775	ORDER TO SHOW CAUSE Show Cause Hearing set for 2:00 12/20/00 (signed by Senior USDJ Michael A. Telesca) Notice and copy sent to Jerome Rosenberg, Richard Baumgarten, Timothy Lovallo, David Addelman, John Bataglia, Patrick Granger, Sharon Fisher . (TO) (Entered: 12/04/2000)

12/18/2000	776	ORDER, that the clerk of court shall issue a draft to Robert G. Lamb in the amount of \$28,455.67 and deduct the same from funds on deposit in the registry of the court in accordance with the settlement arrived in the stipo of settlement filed 1/4/00 (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to Wanda Braithwaite-Baril, Otis McGaughy, Harvey Marcelin, Melvin Spimoza, John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Efron, Richard E. Moot, John V. Elmore, Big Black, Harry W. Brown (TO) (Entered: 12/19/2000)
12/19/2000	787	MANDATE OF USCA (certified copy) advising that the State has moved to dismiss appeal for lack of standing and to expedite the appeal. Re: [763-1] appeal (USCA# 00-0272(L)) (MMG) Modified on 06/21/2001 (Entered: 06/21/2001)
12/19/2000	788	MANDATE OF USCA (certified copy) Ordering this appeal is withdrawn w/prejudice by Stipulation of the parties. Re: [764-1] appeal by Ooji Kwesi Sekou (USCA# 00-0274(Con)) (MMG) (Entered: 06/21/2001)
12/19/2000	789	MANDATE OF USCA (certified copy) Ordering that this appeal is withdrawn w/prejudice by stipulation of the parties. Re: [765-1] appeal (USCA# 00-0282 (Con)) (MMG) (Entered: 06/21/2001)
12/19/2000	790	MANDATE OF USCA (certified copy) Ordering that this appeal is withdrwan w/prejudice by stipulation of the parties. Re: [762-1] appeal (USCA# 00-0292(Con)) (MMG) (Entered: 06/21/2001)
12/19/2000	791	MANDATE OF USCA (certified copy) Ordering that this appeal is withdrawn w/prejudice by stipulation of the parties. Re: [767-1] appeal by Harvey Marcelin (USCA# 00-0310(Con)) (MMG) (Entered: 06/21/2001)
12/20/2000	777	ORDER, regarding order to show cause, to determine who is entitled the proceeds of a settlement check issued to J. Rosenberg that the clerk of court issue a draft payable to Richard Baumgarten and David Addelman, Esq. as attorney in the amount of \$70,000 and to mail draft to David Addelman , and that the clerk of court issue a draft payable to John Battaglia and to Patrick E. Granger, Esq. as attorney in the amount of \$57,485.43 and to mail said draft to Patrick E. Granger, Esq. (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Efron, Richard E. Moot, John V. Elmore, Ellen Yacknin, Harry W. Brown (TO) (Entered: 12/21/2000)
12/26/2000	778	ORDER granting [751-1] motion for incentive awards to plaintiff class members Frank Smith in the amount of \$250,000.00, the Estate of Akil Aljundi in the amount of \$25,000.00, Edward Dingle in the amount of \$10,000.00 and David Brosig in the amount of \$10,000.00 for the reasons stated in the decision and orders are appropriate; the amount they are to be paid shall be deducted from the attorneys' portion of the settlement and not out of the common fund (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to Wanda Braithwaite-Baril, Otis McGaughy, Harvey Marcelin, Melvin Spimoza, John H. Stenger, Donald Berens, Jerome Rosenberg, Mitchell J Banas Jr., Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Joshua J. Efron, Richard E. Moot, John V. Elmore, Big Black, Harry W. Brown (TO) (Entered: 12/27/2000)
12/29/2000	779	AMENDED ORDER, regarding 12/26/00 order re: incentive awards that the incentive awards are to be paid to the following in the amounts indicated: Frank Smith-\$250,000, Estate of Akil Al-Jundi-\$25,000, Estate of Herbert Blyden-\$25,000, Edward Dingle-\$10,000, and David Brosig-\$10,000, total incentive awards \$320,000.00; clerk of court is directed to issue separeate checks drawn on the attorneys' fund account in the court registry payable to the individuals indicated; all other respects of the 12/26/00 remain the same (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Efron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown (TO) (Entered: 12/29/2000)

01/02/2001	780	MOTION by class representatives, Estate of Herbert Blyden, Edward Dingle and David Brosig for incentive awards (TO) (Entered: 01/02/2001)
01/02/2001	781	MOTION by Elizabeth Fink for Attorney Fees (TO) (Entered: 01/02/2001)
01/03/2001	782	MOTION by Robert G. Lamb, Jr. for Attorney Fees and reimbursement of expenses and disbursements for the period from 12/1/00 to 12/30/00 in the amount of \$30,599.25 (TO) (Entered: 01/03/2001)
01/03/2001	783	ORDER granting [782-1] motion for Attorney Fees and reimbursement of expenses and disbursements for the period from 12/1/00 to 12/30/00 in the amount of \$30,599.25; clerk of court shall issue a draft to Robert G. Lamb in the above amount and to deduct the same from funds on deposit in the registry of the court (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown, Robert Lamb (TO) (Entered: 01/03/2001)
01/04/2001	784	ORDER granting [781-1] motion for Attorney Fees, clerk of court shall issue a draft to Elizabeth Fink, Esq. in the amount of \$2,908,415.50 to deduct the same from the funds on deposit in the Registry of this court that Elizabeth Fink shall pay therefrom attorneys' fees to remaining class counsel Dennis Cunningham, Michael Deutsch, Joseph Heath and Daniel Meyers in full satisfaction of any claim each may have for attorneys' fees in relation to this case , and that the clerk of court retain \$50,000.00 remaining in the attorneys' fund as a contingency for the payment of future legal expenses for estate members incurred by Robert Lamb, Jr., Esq. (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Meyers, Dennis Cunningham, Joseph J. Heath, Michael Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown, Robert Lamb (TO) (Entered: 01/04/2001)
01/10/2001	785	ORDER, that check payable to Cleveland Jomo Davis in the amount of \$127,485.43 be cancelled , and that said check be reissued pursuant to the assignment executed by Cleveland Jumo Davis aka Eric Jomo Thompson and payable to Elizabeth Gaynes of White Plains, NY in the amount of \$127,485.43 , and that upon reissuance of the draft to said Elizabeth Gaynes the draft shall be mailed to her at 8 Herbert Ave., White Plains, NY 10606 by the clerk of court (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to John H. Stenger, Donald Berens, Daniel Meyers, Dennis Cunningham, Joseph J. Heath, Michael Deutsch, Elizabeth Fink, Nathaniel L. Barone II, Jerome Rosenberg, Mitchell J Banas Jr., Joshua J. Effron, Richard E. Moot, John V. Elmore, Big Black, Ellen Yacknin, Harry W. Brown, Elizabeth Gaynes (TO) (Entered: 01/12/2001)
04/30/2001	786	ORDER, for partial payment of Attorney Fees ; that the clerk of court shall issue a draft to Robert Lamb, Esq. in the amount of \$15,000 and to deduct the same from funds on deposit in the Registry of the court in accordance with the stipulation of settlement filed 1/4/00 and the order dated 8/28/00 (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to Robert G. Lamb (TO) (Entered: 05/01/2001)
09/05/2001	792	MOTION Robert Lamb, Jr., Esq. for permission to deposit funds (TO) (Entered: 09/05/2001)
09/05/2001	793	ORDER granting [792-1] motion for permission to deposit funds; that Robert Lamb is authorized to deposit the proceeds of settlement awards held by him in the form of United States Treasury Checks in the names of (see order) (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to Robert Lamb, Esq. (TO) (Entered: 09/05/2001)
09/24/2001	794	ORDER FOR FINAL PAYMENT OF ATTORNEY'S FEES AND EXPENSES, that the clerk of court shall issue a draft to Robert G. Lamb, Jr., Esq. in the amount of \$30,893.70 and to deduct the same from the attorneys fees account and that said payment of attorneys' fee and disbursements totaling \$30,893.70 is the final payment and in full satisfaction of all attorneys' fees, services and disbursements

		rendered by Robert Lamb, Esq. (signed by Senior USDJ Michael A. Telesca) Notice and copy of order sent to Robert Lamb, Esq.(TO) Modified on 09/24/2001 (Entered: 09/24/2001)
05/20/2005	<u>795</u>	AFFIDAVIT requesting the Court's intervention in enforcement of money judgment involving Attica settlement award money by James Webb. (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)(JDK,) (Entered: 05/20/2005)
05/20/2005		Document No. 795 Affidavit filed without proof of service (JDK,) (Entered: 05/23/2005)
05/14/2015		E-Filing Notification: <u>755</u> ORDER attached on 5/14/2015 (TF). (TF) (Entered: 05/14/2015)