

APPEAL,CLOSED

**U.S. District Court
Eastern District of Virginia – (Alexandria)
CIVIL DOCKET FOR CASE #: 1:14-cv-01588-LMB-IDD**

Porter et al v. Clarke et al
Assigned to: District Judge Leonie M. Brinkema
Referred to: Magistrate Judge Ivan D. Davis
Case in other court: 4th circuit, 16-07044
4th Circuit, 18-06257
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 11/20/2014
Date Terminated: 02/21/2018
Jury Demand: None
Nature of Suit: 555 Prison Condition
Jurisdiction: Federal Question

Plaintiff

Thomas Porter

represented by **Victor Michael Glasberg**
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Plaintiff

Anthony Bernard Juniper

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Plaintiff

Ivan Teleguz
TERMINATED: 03/24/2016

represented by **Victor Michael Glasberg**
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Plaintiff

Mark Lawlor

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Plaintiff

Ricky Gray

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Defendant

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Defendant

Keith W. Davis
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Defendant

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Interested Party

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Interested Party

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TERMINATED: 04/30/2018

Date Filed	#	Docket Text
11/20/2014	<u>1</u>	COMPLAINT against Harold C. Clarke, Keith W. Davis (Filing fee \$ 400, receipt number 14683047796) filed by Thomas Porter, Anthony Bernard Juniper, Mark Lawlor, Ricky Gray, Ivan Teleguz. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Receipt)(jlan) (Entered: 11/21/2014)

11/20/2014	<u>2</u>	Summons Issued to be served by SPS as to Harold C. Clarke, Keith W. Davis. (jlan) (Entered: 11/21/2014)
11/24/2014	<u>3</u>	NOTICE of Appearance by Jeffrey E. Fogel on behalf of Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz (Fogel, Jeffrey) (Main Document 3 replaced on 11/26/2014) (jlan,). (Entered: 11/24/2014)
11/24/2014	<u>4</u>	NOTICE of Appearance by Steven David Rosenfield on behalf of Thomas Porter (Rosenfield, Steven) (Entered: 11/24/2014)
12/03/2014	<u>5</u>	NOTICE of Appearance by Kate Elizabeth Dwyre on behalf of Harold C. Clarke, Keith W. Davis (Dwyre, Kate) (Entered: 12/03/2014)
12/03/2014	<u>6</u>	NOTICE of Appearance by Margaret Hoehl O'Shea on behalf of Harold C. Clarke, Keith W. Davis (O'Shea, Margaret) (Entered: 12/03/2014)
12/03/2014	<u>7</u>	MOTION to Change Venue by Harold C. Clarke, Keith W. Davis. (Dwyre, Kate) (Entered: 12/03/2014)
12/03/2014	<u>8</u>	Memorandum in Support re <u>7</u> MOTION to Change Venue filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Exhibit Exhibit 1 – map displaying the physical locations of state correctional facilities within the Commonwealth of Virginia)(Dwyre, Kate) (Entered: 12/03/2014)
12/04/2014		Notice of Correction: The filing user has been notified to file a Notice of Hearing Date or a Notice of Waiver of Oral Argument re <u>7</u> MOTION to Change Venue (jlan) (Entered: 12/04/2014)
12/04/2014	<u>9</u>	Notice of Hearing Date re <u>7</u> MOTION to Change Venue (Dwyre, Kate) (Entered: 12/04/2014)
12/05/2014		Set Deadlines as to <u>7</u> MOTION to Change Venue . Motion Hearing set for 1/30/2015 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (clar,) (Entered: 12/05/2014)
12/05/2014	<u>10</u>	NOTICE by Harold C. Clarke, Keith W. Davis <i>of joint Waiver of Oral Argument</i> (Dwyre, Kate) (Entered: 12/05/2014)
12/05/2014	<u>11</u>	Joint MOTION <i>for Entry of Consent Briefing Order</i> by Harold C. Clarke, Keith W. Davis. (Dwyre, Kate) (Entered: 12/05/2014)
12/05/2014	<u>12</u>	Memorandum in Support re <u>11</u> Joint MOTION <i>for Entry of Consent Briefing Order</i> filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Exhibit Exhibit 1 – Consent Briefing Order)(Dwyre, Kate) (Entered: 12/05/2014)
12/05/2014	<u>13</u>	CONSENT BRIEFING ORDER. Signed by District Judge Leonie M. Brinkema on 12/5/14.(See Order for details). (gwalk,) (Entered: 12/05/2014)
12/05/2014		Motion Hearing set for 1/30/2015 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema as to <u>7</u> MOTION to Change Venue. (gwalk,) (Entered: 12/05/2014)
12/30/2014	<u>14</u>	Memorandum in Opposition re <u>7</u> MOTION to Change Venue filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor) (Entered: 12/30/2014)
01/05/2015	<u>15</u>	Reply to <u>14</u> Memorandum in Opposition <i>to Motion to Transfer Venue</i> filed by Harold C. Clarke, Keith W. Davis. (Dwyre, Kate) (Entered: 01/05/2015)
01/13/2015	<u>16</u>	MOTION Surreply in opposition to motion to transfer venue re <u>14</u> Memorandum in Opposition, <u>15</u> Reply, Set Motion and R&R Deadlines/Hearings by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Attachments: # <u>1</u> Exhibit Proposed Surreply)(Glasberg, Victor) (Entered: 01/13/2015)
01/13/2015	<u>17</u>	ORDER granting <u>16</u> Motion for leave to file surreply in opposition to motion to transfer venue <u>6</u> . Signed by District Judge Leonie M. Brinkema on 1/13/15. (see order for further details). (gwalk,) (Entered: 01/13/2015)
01/13/2015	<u>18</u>	Reply to <u>15</u> Reply <i>Surreply Opposing Transfer of Venue</i> filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor)

		(Entered: 01/13/2015)
01/28/2015	<u>19</u>	ORDER denying <u>7</u> Motion to Change Venue. Signed by District Judge Leonie M. Brinkema on 01/28/2015. (jlan) (Entered: 01/28/2015)
02/04/2015	<u>20</u>	MOTION to Dismiss by Harold C. Clarke, Keith W. Davis. (Dwyre, Kate) (Entered: 02/04/2015)
02/04/2015	<u>21</u>	Memorandum in Support re <u>20</u> MOTION to Dismiss filed by Harold C. Clarke, Keith W. Davis. (Dwyre, Kate) (Entered: 02/04/2015)
02/05/2015	<u>22</u>	Notice of Hearing Date re <u>20</u> MOTION to Dismiss (Dwyre, Kate) (Entered: 02/05/2015)
02/06/2015		Set Deadlines as to <u>20</u> MOTION to Dismiss . Motion Hearing set for 4/3/2015 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (clar,) (Entered: 02/06/2015)
02/24/2015	<u>23</u>	NOTICE by Harold C. Clarke, Keith W. Davis (<i>Joint</i>) of Waiver of Oral Argument on Motion for Entry of Consent Briefing Order (Dwyre, Kate) (Entered: 02/24/2015)
02/24/2015	<u>24</u>	Joint MOTION for Entry of Consent Briefing Order by Harold C. Clarke, Keith W. Davis. (Dwyre, Kate) (Entered: 02/24/2015)
02/24/2015	<u>25</u>	Memorandum in Support re <u>24</u> Joint MOTION for Entry of Consent Briefing Order filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Exhibit 1 – Consent Briefing Order)(Dwyre, Kate) (Entered: 02/24/2015)
02/24/2015	<u>26</u>	Notice of Hearing Date Amended re <u>20</u> MOTION to Dismiss (Dwyre, Kate) (Entered: 02/24/2015)
02/24/2015	<u>27</u>	Consent Briefing Order <u>24</u> Joint MOTION for Entry of Consent Briefing Order (See order for details). Signed by District Judge Leonie M. Brinkema on 02/24/2015. (jlan) (Entered: 02/25/2015)
02/25/2015		Reset Deadlines as to <u>20</u> MOTION to Dismiss . Motion Hearing set for 4/17/2015 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (clar,) (Entered: 02/25/2015)
03/02/2015	<u>28</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>20</u> MOTION to Dismiss by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Attachments: # <u>1</u> Proposed Order)(Glasberg, Victor) (Entered: 03/02/2015)
03/02/2015	<u>29</u>	ORDER granting <u>28</u> Motion for Extension of Time to File Response/Reply re <u>20</u> MOTION to Dismiss . Responses due by 3/20/2015; Replies due by 4/3/2015.Signed by District Judge Leonie M. Brinkema on 3/2/2015. (rban,) (Entered: 03/03/2015)
03/19/2015	<u>30</u>	STIPULATION of Dismissal Pursuant to F.R.C.P. 41(a)(1)(A)(ii) by Harold C. Clarke, Keith W. Davis. (Dwyre, Kate) (Entered: 03/19/2015)
03/19/2015	<u>31</u>	So Ordered in re <u>30</u> Stipulation of Dismissal filed by Harold C. Clarke, Keith W. Davis. Signed by District Judge Leonie M. Brinkema on 03/19/2015. (jlan) (Entered: 03/20/2015)
03/20/2015	<u>32</u>	Opposition PLAINTIFFS OPPOSITION TO DEFENDANTS MOTION TO DISMISS filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6, # <u>7</u> Exhibit Exhibit 7)(Glasberg, Victor) (Entered: 03/20/2015)
03/20/2015	<u>33</u>	NOTICE by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz re <u>32</u> Opposition, <i>Praeipice (Declaration of Victor M. Glasberg Submitted)</i> (Attachments: # <u>1</u> Exhibit Declaration of Victor M. Glasberg)(Glasberg, Victor) (Entered: 03/20/2015)
03/31/2015		Set Deadline as to <u>20</u> MOTION to Dismiss. Motion Hearing set for 4/17/2015 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (jlan) (Entered: 03/31/2015)

04/01/2015	<u>34</u>	NOTICE by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz <i>Notice of Dismissal of Plaintiff Ivan Teleguez</i> (Glasberg, Victor) (Entered: 04/01/2015)
04/03/2015	<u>35</u>	Reply to <u>32</u> Opposition, filed by Harold C. Clarke, Keith W. Davis. (Dwyre, Kate) (Entered: 04/03/2015)
04/17/2015	<u>36</u>	Motion to appear Pro Hac Vice by Yuri Fuchs and Certification of Local Counsel Victor M. Glasberg Filing fee \$ 75, receipt number 0422-4413891. by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor) (Entered: 04/17/2015)
04/17/2015	<u>37</u>	Motion to appear Pro Hac Vice by Elizabeth Catherine Lockwood and Certification of Local Counsel Victor M. Glasberg Filing fee \$ 75, receipt number 0422-4413904. by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor) (Entered: 04/17/2015)
04/17/2015	<u>38</u>	Motion to appear Pro Hac Vice by Kathryn Linde Marshall and Certification of Local Counsel Victor M. Glasberg Filing fee \$ 75, receipt number 0422-4413914. by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor) (Entered: 04/17/2015)
04/17/2015	<u>39</u>	Motion to appear Pro Hac Vice by Ryan Joseph Stephenson and Certification of Local Counsel Victor M. Glasberg Filing fee \$ 75, receipt number 0422-4413923. by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor) (Entered: 04/17/2015)
04/17/2015	<u>40</u>	Minute Entry for proceedings held before District Judge Leonie M. Brinkema: Motion Hearing held on 4/17/2015. Appearances of counsel. Defts' <u>20</u> MOTION to Dismiss is argued and DENIED. (order to follow) (Court Reporter A. Thomson.) (yguy) (Entered: 04/17/2015)
04/17/2015	<u>41</u>	ORDER: For the reasons stated in open court, it is hereby ORDERED that defendants' Motion to Dismiss [Dkt. No. 20] be and is DENIED. Signed by District Judge Leonie M. Brinkema on 4/17/15. (yguy) (Entered: 04/17/2015)
04/17/2015	<u>42</u>	SCHEDULING ORDER: Initial Pretrial Conference set for 5/6/2015 at 11:00 AM in Alexandria Courtroom 301 before Magistrate Judge Ivan D. Davis. Final Pretrial Conference set for 9/17/2015 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. Discovery due by 9/11/2015. Signed by District Judge Leonie M. Brinkema on 4/17/15. (Attachments: # <u>1</u> Mag. Consent, # <u>2</u> Pretrial Notice) (yguy) (Entered: 04/20/2015)
04/21/2015	<u>43</u>	ORDER granting <u>36</u> Motion to appear Pro Hac Vice by Yuri Fuchs and Certification of Local Counsel Victor M. Glasberg. Signed by District Judge Leonie M. Brinkema on 04/21/2014. (jlan) (Entered: 04/21/2015)
04/21/2015	<u>44</u>	ORDER granting <u>37</u> Motion to appear Pro Hac Vice by Elizabeth Catherine Lockwood and Certification of Local Counsel Victor M. Glasberg. Signed by District Judge Leonie M. Brinkema on 04/21/2014. (jlan) (Entered: 04/21/2015)
04/21/2015	<u>45</u>	ORDER granting <u>38</u> Motion to appear Pro Hac Vice by Kathryn Linde Marshall and Certification of Local Counsel Victor M. Glasberg. Signed by District Judge Leonie M. Brinkema on 04/21/2014. (jlan) (Entered: 04/21/2015)
04/21/2015	<u>46</u>	ORDER granting <u>39</u> Motion to appear Pro Hac Vice by Ryan Joseph Stephenson and Certification of Local Counsel Victor M. Glasberg. Signed by District Judge Leonie M. Brinkema on 04/21/2014. (jlan) (Entered: 04/21/2015)
04/21/2015	<u>47</u>	TRANSCRIPT of proceedings held on 4/17/2015, before Judge Leonie M. Brinkema, Court Reporter Anneliese Thomson, Telephone number 703-299-8595. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have thirty(30) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.vaed.uscourts.gov Transcript may be viewed at the court public terminal or purchased through the court reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through

		PACER Redaction Request due 5/21/2015. Redacted Transcript Deadline set for 6/22/2015. Release of Transcript Restriction set for 7/20/2015.(thomson, anneliese) (Entered: 04/21/2015)
04/29/2015	<u>48</u>	<i>Proposed Consent</i> Discovery Plan by Harold C. Clarke, Keith W. Davis.(Dwyre, Kate) (Entered: 04/29/2015)
05/05/2015	<u>49</u>	ANSWER to Complaint by Harold C. Clarke, Keith W. Davis.(Dwyre, Kate) (Entered: 05/05/2015)
05/06/2015	<u>50</u>	Minute Entry for proceedings held before Magistrate Judge Ivan D. Davis:Initial Pretrial Conference held on 5/6/2015. Appearance of counsel. Joint Discovery Plan approved as amended. Joint plan to be filed by close of business on 5/8/15. Order to follow. (jwil,) (Entered: 05/06/2015)
05/06/2015	<u>51</u>	<i>Amended Proposed</i> Discovery Plan by Harold C. Clarke, Keith W. Davis.(Dwyre, Kate) (Entered: 05/06/2015)
05/07/2015	<u>52</u>	Order Rule 16(b) Scheduling Order – Pursuant to the Rule 16(b) Conference it is ordered that 1. All discovery shall be concluded by September 11, 2015.2. Disclosures under Fed. R. Civ. P. 26(a)(1) and (2), notices of depositions,interrogatories, requests for documents and admissions, and answers thereto shall not be filed except on order of the court, or for use in a motion or at trial. 3. The Amended Proposed Consent Discovery Plan filed by the parties is approved and shall control discovery to the extent of its application unless further modified by the Court. See Order for details. Signed by Magistrate Judge Ivan D. Davis on 05/07/2015. (jwil,) (Entered: 05/07/2015)
05/20/2015	<u>53</u>	CERTIFICATE of Service <i>Plaintiffs' Rule 26(A)(1) Initial Disclosures</i> by Victor Michael Glasberg on behalf of Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz (Glasberg, Victor) (Entered: 05/20/2015)
06/05/2015	<u>54</u>	MOTION <i>Motion For Entry of Consent Order and Waiver of Hearing</i> by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Attachments: # <u>1</u> Proposed Order Proposed Consent Order)(Glasberg, Victor) (Entered: 06/05/2015)
06/05/2015	<u>55</u>	Waiver of <i>Waiver of Hearing of Motion for Entry of Consent Order</i> by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz (Glasberg, Victor) (Entered: 06/05/2015)
06/08/2015		Notice of Correction: the original consent order needs to be filed with the clerks office in re <u>54</u> Motion For Entry of Consent Order and Waiver of Hearing. (jlan) (Entered: 06/08/2015)
06/08/2015	<u>56</u>	ORDER granting <u>54</u> Motion For Entry of Consent Order. Signed by Magistrate Judge Ivan D. Davis on 06/08/2015. (jlan) (Entered: 06/09/2015)
06/12/2015	<u>57</u>	CERTIFICATE of Service <i>Objections to Defendants' Initial Request For Discovery</i> by Victor Michael Glasberg on behalf of Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz (Glasberg, Victor) (Entered: 06/12/2015)
06/29/2015	<u>58</u>	Certificate Regarding Discovery by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter.(Glasberg, Victor) (Entered: 06/29/2015)
07/02/2015	<u>59</u>	MOTION for Judicial Viewing by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Glasberg, Victor) (Entered: 07/02/2015)
07/02/2015	<u>60</u>	Memorandum in Support re <u>59</u> MOTION for Judicial Viewing filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Attachments: # <u>1</u> Exhibit Raemiscxh article)(Glasberg, Victor) (Entered: 07/02/2015)
07/02/2015	<u>61</u>	Notice of Hearing Date <i>July 10, 2015</i> re <u>59</u> MOTION for Judicial Viewing (Glasberg, Victor) (Entered: 07/02/2015)
07/06/2015		Set Deadlines as to <u>59</u> MOTION for Judicial Viewing . Motion Hearing set for 7/10/2015 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (clar,) (Entered: 07/06/2015)

07/06/2015	<u>62</u>	Response to <u>59</u> MOTION for Judicial Viewing filed by Harold C. Clarke. (O'Shea, Margaret) (Entered: 07/06/2015)
07/06/2015	<u>63</u>	ORDERED that <u>59</u> the Motion for Judicial Viewing will be resolved through a telephone conference on the record at 9:30 a.m. on Wednesday, July 8, 2015. Signed by District Judge Leonie M. Brinkema on 07/06/2015. (dvanm,) (Entered: 07/06/2015)
07/07/2015	<u>64</u>	Motion to appear Pro Hac Vice by Parker Davidson Thomson and Certification of Local Counsel Victor M. Glasberg Filing fee \$ 75, receipt number 0422-4531616. by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor) (Entered: 07/07/2015)
07/07/2015	<u>65</u>	CERTIFICATE of Service <i>Plaintiffs' Supplemental Disclosures</i> by Victor Michael Glasberg on behalf of Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz (Glasberg, Victor) (Entered: 07/07/2015)
07/08/2015	<u>66</u>	ORDERED that the <u>59</u> Motion for Judicial Viewing be and is TAKEN UNDER ADVISEMENT. Signed by District Judge Leonie M. Brinkema on 07/08/2015. (jlan) (Entered: 07/08/2015)
07/08/2015	<u>67</u>	ORDER granting <u>64</u> Motion for Pro hac vice. Signed by District Judge Leonie M. Brinkema on 7/8/15. (gwalk,) (Entered: 07/08/2015)
07/09/2015	<u>68</u>	MOTION Entry of Consent Order by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Attachments: # <u>1</u> Proposed Order)(Glasberg, Victor) (Entered: 07/09/2015)
07/10/2015	<u>69</u>	CONSENT ORDER. Signed by District Judge Leonie M. Brinkema on 7/10/15. (See Order for details). (gwalk,) (Entered: 07/10/2015)
07/17/2015	<u>70</u>	TRANSCRIPT of proceedings held on 7/8/2015, before Judge Leonie M. Brinkema, Court Reporter Anneliese Thomson, Telephone number 703-299-8595. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have thirty(30) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.vaed.uscourts.gov Transcript may be viewed at the court public terminal or purchased through the court reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER Redaction Request due 8/17/2015. Redacted Transcript Deadline set for 9/16/2015. Release of Transcript Restriction set for 10/15/2015. (thomson, anneliese) (Entered: 07/17/2015)
07/24/2015	<u>71</u>	MOTION for Discovery <i>Rule 35 Independent Mental Examination of Plaintiffs</i> by Harold C. Clarke, Keith W. Davis. (O'Shea, Margaret) (Entered: 07/24/2015)
07/24/2015	<u>72</u>	Memorandum in Support re <u>71</u> MOTION for Discovery <i>Rule 35 Independent Mental Examination of Plaintiffs</i> filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Exhibit Declaration of Dr. Saathoff)(O'Shea, Margaret) (Entered: 07/24/2015)
07/24/2015	<u>73</u>	Notice of Hearing Date re <u>71</u> MOTION for Discovery <i>Rule 35 Independent Mental Examination of Plaintiffs</i> (O'Shea, Margaret) (Entered: 07/24/2015)
07/28/2015		Set Deadlines as to <u>71</u> MOTION for Discovery <i>Rule 35 Independent Mental Examination of Plaintiffs</i> . Motion Hearing set for 7/31/2015 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (clar,) (Entered: 07/28/2015)
07/28/2015	<u>74</u>	Joint MOTION for Entry of Consent Order by Harold C. Clarke, Keith W. Davis. (Dwyre, Kate) (Entered: 07/28/2015)
07/28/2015	<u>75</u>	Memorandum in Support re <u>74</u> Joint MOTION for Entry of Consent Order filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Exhibit 1 -Consent Order)(Dwyre, Kate) (Entered: 07/28/2015)
07/28/2015	<u>76</u>	Waiver of Oral Argument <u>74</u> Joint MOTION for Entry of Consent Order by Harold C. Clarke, Keith W. Davis (Dwyre, Kate) Text Modified on 7/29/2015 To Reflect Correct Event Choice & Linkage(nhall). (Entered: 07/28/2015)

07/30/2015	<u>77</u>	Joint MOTION <i>For Entry of Consent Order</i> by Harold C. Clarke, Keith W. Davis. (Dwyre, Kate) (Entered: 07/30/2015)
07/30/2015	<u>78</u>	Memorandum in Support re <u>77</u> Joint MOTION <i>For Entry of Consent Order</i> filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Exhibit 1 – Consent Order)(Dwyre, Kate) (Entered: 07/30/2015)
07/30/2015	<u>79</u>	Waiver of re <u>77</u> Joint MOTION <i>For Entry of Consent Order</i> by Harold C. Clarke, Keith W. Davis (Dwyre, Kate) (Entered: 07/30/2015)
07/30/2015	<u>80</u>	Withdrawal of Motion by Harold C. Clarke, Keith W. Davis re <u>71</u> MOTION for Discovery <i>Rule 35 Independent Mental Examination of Plaintiffs</i> (Dwyre, Kate) (Entered: 07/30/2015)
07/30/2015	<u>81</u>	ORDER granting <u>77</u> Joint Motion For Entry of Consent Order (See order for details). Signed by District Judge Leonie M. Brinkema on 07/30/2015. (jlan) (Entered: 07/30/2015)
07/30/2015	<u>83</u>	ORDER in re <u>59</u> Motion for Judicial Viewing (see order for details). Signed by District Judge Leonie M. Brinkema on 07/30/2015. (jlan) (Entered: 07/31/2015)
07/31/2015	<u>82</u>	CERTIFICATE of Service <i>Notice of 30(b)(6) Deposition</i> by Victor Michael Glasberg on behalf of Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz (Glasberg, Victor) (Entered: 07/31/2015)
08/10/2015	<u>84</u>	MOTION to Stay <i>and to Refer Remaining Issues to Mediation</i> by Harold C. Clarke, Keith W. Davis. (O'Shea, Margaret) (Entered: 08/10/2015)
08/10/2015	<u>85</u>	Memorandum in Support re <u>84</u> MOTION to Stay <i>and to Refer Remaining Issues to Mediation</i> filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Exhibit 1 – Affidavit of Harold Clarke)(O'Shea, Margaret) (Entered: 08/10/2015)
08/10/2015	<u>86</u>	Notice of Hearing Date set for August 21, 2015 @ 10:00 a.m. re <u>84</u> MOTION to Stay <i>and to Refer Remaining Issues to Mediation</i> (O'Shea, Margaret) (Entered: 08/10/2015)
08/10/2015		Set Deadlines as to <u>84</u> MOTION to Stay <i>and to Refer Remaining Issues to Mediation</i> . Motion Hearing set for 8/21/2015 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (clar,) (Entered: 08/10/2015)
08/10/2015	<u>87</u>	RESPONSE to Motion re <u>84</u> MOTION to Stay <i>and to Refer Remaining Issues to Mediation</i> filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Glasberg, Victor) (Entered: 08/10/2015)
08/12/2015	<u>88</u>	ORDER granting <u>84</u> Motion to Stay. it is hereby ORDERED that, with the exception of expert disclosures which must remain asscheduled, all activity and deadlines in this litigation be and are STAYED for 90 days during which the parties are directed to evaluate whether defendants' changes to plaintiffs' conditions of confinement are sufficient to resolve this litigation. If the parties do not agree, they must immediately schedule a mediation session with Judge Buchanan to try to resolve their differences. Signed by District Judge Leonie M. Brinkema on 8/12/2015. (see Order for details) (dvanm,) (Entered: 08/12/2015)
08/14/2015	<u>89</u>	MOTION to <i>Extend Deadline for Serving Expert Witness Reports (Unopposed)</i> by Harold C. Clarke, Keith W. Davis. (Dwyre, Kate) (Entered: 08/14/2015)
08/14/2015	<u>90</u>	Memorandum in Support re <u>89</u> MOTION to <i>Extend Deadline for Serving Expert Witness Reports (Unopposed)</i> filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Order)(Dwyre, Kate) (Entered: 08/14/2015)
08/14/2015	<u>91</u>	Waiver of re <u>89</u> MOTION to <i>Extend Deadline for Serving Expert Witness Reports (Unopposed)</i> by Harold C. Clarke, Keith W. Davis (Dwyre, Kate) (Entered: 08/14/2015)
08/14/2015	<u>92</u>	ORDER, on consideration of defendants' unopposed motion for extension of time of up to one week, to 8/24/2015, within which to serve their expert witness reports, and it appearing that plaintiffs do not oppose this requested relief, it is hereby ORDERED that defendants' expert witness reports shall be served by 8/24/2015. Signed by District Judge Leonie M. Brinkema on 8/14/2015. (rban,) (Entered: 08/14/2015)

08/31/2015	<u>93</u>	MOTION Emergency Motion for Clarification by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor) (Entered: 08/31/2015)
08/31/2015	<u>94</u>	Memorandum in Support re <u>93</u> MOTION Emergency Motion for Clarification filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor) (Entered: 08/31/2015)
08/31/2015	<u>95</u>	MOTION to Expedite <i>Motion to Expedite Consideration of Plaintiffs' Motion for Clarification</i> by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor) (Entered: 08/31/2015)
08/31/2015	<u>96</u>	Memorandum in Support re <u>95</u> MOTION to Expedite <i>Motion to Expedite Consideration of Plaintiffs' Motion for Clarification</i> filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Attachments: # <u>1</u> Exhibit Exhibit A)(Glasberg, Victor) (Entered: 08/31/2015)
08/31/2015	<u>97</u>	Notice of Hearing Date set for September 4, 2015 re <u>94</u> Memorandum in Support, <u>93</u> MOTION Emergency Motion for Clarification (Glasberg, Victor) (Entered: 08/31/2015)
08/31/2015	<u>98</u>	Waiver of re <u>94</u> Memorandum in Support, <u>93</u> MOTION Emergency Motion for Clarification <i>Waiver of Hearing</i> by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz (Glasberg, Victor) (Entered: 08/31/2015)
09/01/2015		Set Deadlines as to <u>93</u> MOTION Emergency Motion for Clarification . Motion Hearing set for 9/4/2015 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (clar,) (Entered: 09/01/2015)
09/01/2015	<u>99</u>	Response to <u>94</u> Memorandum in Support, <u>93</u> MOTION Emergency Motion for Clarification filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> 1 – Stipulation, # <u>2</u> 2– Consent Order)(O'Shea, Margaret) (Entered: 09/01/2015)
09/01/2015	<u>100</u>	ORDER granting <u>93</u> Emergency Motion for Clarification. ORDERED that the Stay Order <u>88</u> previously entered in this matter does not impair any plaintiff's ability to file a request to intervene in Prieto v. Clarke, No. 15–31, and any attempted intervention would not impact any intervening plaintiff's continued pursuit of the Eight Amendment issues presented in this pending litigation, irrespective of the outcome of Prieto v. Clarke. Signed by District Judge Leonie M. Brinkema on 9/1/2015. (rban,) (Entered: 09/01/2015)
09/01/2015	<u>101</u>	ORDER denying <u>95</u> Motion to Expedite. Signed by District Judge Leonie M. Brinkema on 9/1/2015. (rban,) (Entered: 09/01/2015)
10/27/2015		Set/Reset Hearings: Settlement Conference set for 11/6/2015 at 11:00 AM in Alexandria Courtroom 500 before Magistrate Judge Theresa Carroll Buchanan. (per TCB chambers) (tfitz,) (Entered: 10/27/2015)
11/06/2015		Minute Entry for proceedings held before Magistrate Judge Theresa Carroll Buchanan: Settlement Conference held on 11/6/2015. Appearances of counsel. Case did NOT settle. (per TCB chambers) (tfitz,) (Entered: 11/06/2015)
11/13/2015	<u>102</u>	STATUS REPORT (<i>Joint</i>) by Harold C. Clarke, Keith W. Davis. (O'Shea, Margaret) (Entered: 11/13/2015)
11/13/2015	<u>103</u>	ORDER: The parties having filed a Joint Status Report [Dkt No. 102] to advise the Court that they contemplate filing dispositive motions in this action and having provided a proposed briefing and argument schedule for such dispositive motions, it is hereby ORDERED that any dispositive motions be filed no later than December 21, 2015, that opposition briefs be filed no later than January 11, 2016, that reply briefs be filed no later than January 22, 2016, and that oral argument on any dispositive motions be scheduled for 10:00 a.m. on Friday, January 29, 2016. Signed by District Judge Leonie M. Brinkema on 11/13/15. (yguy) (Entered: 11/13/2015)
12/16/2015	<u>104</u>	Motion to appear Pro Hac Vice by William David Maxwell and Certification of Local Counsel Victor M. Glasberg Filing fee \$ 75, receipt number 0422–4774987. by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor) (Entered: 12/16/2015)

12/18/2015	<u>105</u>	ORDER granting <u>104</u> Motion to appear Pro Hac Vice by William David Maxwell and Certification of Local Counsel Victor M. Glasberg. Signed by District Judge Leonie M. Brinkema on 12/18/2015. (jlan) (Entered: 12/18/2015)
12/21/2015	<u>106</u>	MOTION for Summary Judgment by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor) (Entered: 12/21/2015)
12/21/2015	<u>107</u>	MOTION to Seal <i>Exhibits to Memorandum in Support of Defendants' Motion for Summary Judgment</i> by Harold C. Clarke, Keith W. Davis. (O'Shea, Margaret) (Entered: 12/21/2015)
12/21/2015	<u>108</u>	Memorandum in Support re <u>107</u> MOTION to Seal <i>Exhibits to Memorandum in Support of Defendants' Motion for Summary Judgment</i> filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Proposed Order)(O'Shea, Margaret) (Entered: 12/21/2015)
12/21/2015	<u>109</u>	MOTION for Summary Judgment by Harold C. Clarke, Keith W. Davis. (O'Shea, Margaret) (Entered: 12/21/2015)
12/21/2015	<u>110</u>	Memorandum in Support re <u>109</u> MOTION for Summary Judgment filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Exhibit 1 – Affidavit of Harold W. Clarke, # <u>2</u> Exhibit 2 – Affidavit of A. David Robinson, # <u>3</u> Exhibit 3 – Affidavit of David Zook, # <u>4</u> Exhibit 4 – Affidavit of Tawanda Lyons, # <u>5</u> Exhibit 5 – Affidavit of Tama S. Celi, Ph.D, # <u>6</u> Exhibit 6 – Affidavit of Robert Grant, # <u>7</u> Exhibit 7 – Affidavit of Joycetine Boone, # <u>8</u> Exhibit 8 – Affidavit of Eleanor Witt (part 1 of 2), # <u>9</u> Exhibit 8 – Affidavit of Eleanor Witt (part 2 of 2), # <u>10</u> Exhibit 9 – Expert Report of Gregory B. Saathoff, M.D. (part 1 of 2), # <u>11</u> Exhibit 9 – Expert Report of Gregory B. Saathoff, M.D. (part 2 of 2), # <u>12</u> Exhibit 10 – Expert Report of D. Scott Dodrill, # <u>13</u> Exhibit 11 – Operating Procedure, 851.1, Visiting Privileges, # <u>14</u> Exhibit 12 – Operating Procedure 720.0, Access to Health Services, # <u>15</u> Exhibit 13 – Operating Procedure 720.2, Medical Screening, Classification, and Levels of Care, # <u>16</u> Exhibit 14 – Operating Procedure 802.1, Personal Property, # <u>17</u> Exhibit 15 – VDOC Institutional Property Matrix, # <u>18</u> Exhibit 16 – Operating Procedure 841.3, Offender Religious Programs, # <u>19</u> Exhibit 17 – Operating Procedure 861.3, Special Housing, # <u>20</u> Exhibit 18 – Marriage documents for T. Porter, # <u>21</u> Exhibit 19 – Offender Tracking pages for the week of 11/3/15, # <u>22</u> Exhibit 20 – Institutional job information for A. Juniper, # <u>23</u> Exhibit 21(a-i) – Photographs of death row, taken (July 2015) Filed Under Seal, # <u>24</u> Exhibit 22(a-e) – Photos of Death Row Housing Unit (December 2015) Filed Under Seal, # <u>25</u> Exhibit 23 – Operating Procedure 460A, Security of Offenders under the Sentence of Death –Filed Under Seal, # <u>26</u> Exhibit 24 – Mental Health Records for A. Juniper – Filed Under Seal, # <u>27</u> Exhibit 25 – Mental Health Records for M. Lawlor – Filed Under Seal, # <u>28</u> Exhibit 26 – Mental Health Records for R. Gray – Filed Under Seal, # <u>29</u> Exhibit 27 – Mental Health Records for T. Porter – Filed Under Seal)(O'Shea, Margaret) (Entered: 12/21/2015)
12/21/2015	<u>111</u>	MOTION to Seal <i>Exhibits to Memorandum in Support of Plaintiffs' Motion for Summary Judgment</i> by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Glasberg, Victor) (Entered: 12/21/2015)
12/21/2015	<u>112</u>	Memorandum in Support re <u>111</u> MOTION to Seal <i>Exhibits to Memorandum in Support of Plaintiffs' Motion for Summary Judgment</i> filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Attachments: # <u>1</u> Proposed Order)(Glasberg, Victor) (Entered: 12/21/2015)
12/21/2015	<u>113</u>	Amended MOTION to Seal <i>Exhibits to Memorandum in Support of Plaintiffs' Motion for Summary Judgment</i> by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Glasberg, Victor) (Entered: 12/21/2015)
12/21/2015	<u>114</u>	Memorandum in Support re <u>113</u> Amended MOTION to Seal <i>Exhibits to Memorandum in Support of Plaintiffs' Motion for Summary Judgment</i> filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Attachments: # <u>1</u> Proposed Order)(Glasberg, Victor) (Entered: 12/21/2015)
12/21/2015	<u>115</u>	Memorandum in Support re <u>106</u> MOTION for Summary Judgment filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4 (Part 1 of 3), # <u>5</u> Exhibit 4 (Part 2 of 3), # <u>6</u> Exhibit 4 (Part 3 of 3), # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12, # <u>15</u>

		Exhibit 13, # <u>16</u> Exhibit 14, # <u>17</u> Exhibit 15, # <u>18</u> Exhibit 16, # <u>19</u> Exhibit 17, # <u>20</u> Exhibit 18)(Glasberg, Victor) (Entered: 12/21/2015)
12/21/2015	<u>116</u>	ORDER granting <u>111</u> Motion to Seal (see order for details). Signed by District Judge Leonie M. Brinkema on 12/21/2015. (jlan) (Entered: 12/22/2015)
12/22/2015	<u>117</u>	ORDER granting <u>113</u> Motion to Seal (see order for details). Signed by District Judge Leonie M. Brinkema on 12/21/2015. (jlan) (jlan) (Entered: 12/22/2015)
12/22/2015	<u>121</u>	Sealed Documents in re <u>106</u> MOTION for Summary Judgment. (Attachments: # <u>1</u> Exhibit 11)(jlan) (Entered: 12/24/2015)
12/23/2015		Notice of Correction re <u>106</u> MOTION for Summary Judgment The filing user has been notified to file a Notice of Hearing Date or a Notice of Waiver of Oral Argument. (kgra,) (Entered: 12/23/2015)
12/23/2015		Notice of Correction re <u>107</u> MOTION to Seal <i>Exhibits to Memorandum in Support of Defendants' Motion for Summary Judgment</i> The filing user has been notified to file a Notice of Hearing Date or a Notice of Waiver of Oral Argument. (kgra,) (Entered: 12/23/2015)
12/23/2015		Notice of Correction re <u>109</u> MOTION for Summary Judgment The filing user has been notified to file a Notice of Hearing Date or a Notice of Waiver of Oral Argument. (kgra,) (Entered: 12/23/2015)
12/23/2015	<u>118</u>	Waiver of re <u>107</u> MOTION to Seal <i>Exhibits to Memorandum in Support of Defendants' Motion for Summary Judgment</i> by Harold C. Clarke, Keith W. Davis (O'Shea, Margaret) (Entered: 12/23/2015)
12/23/2015	<u>119</u>	Notice of Hearing Date re <u>109</u> MOTION for Summary Judgment (O'Shea, Margaret) (Entered: 12/23/2015)
12/23/2015	<u>120</u>	Notice of Hearing Date set for 01/29/2016 re <u>106</u> MOTION for Summary Judgment (Glasberg, Victor) (Entered: 12/23/2015)
12/23/2015	<u>122</u>	Sealed Document in re <u>110</u> Memorandum in Support. (Attachments: # <u>1</u> Exhibit 22, # <u>2</u> Exhibit 23, # <u>3</u> Exhibit 24 part 1 or 2, # <u>4</u> Exhibit 24 part 2 of 2, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit)(jlan) (Entered: 12/24/2015)
12/28/2015		Set Deadlines as to <u>109</u> MOTION for Summary Judgment . Motion Hearing set for 1/29/2016 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (clar,) (Entered: 12/28/2015)
12/28/2015		Set Deadlines as to <u>106</u> MOTION for Summary Judgment . Motion Hearing set for 1/29/2016 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (clar,) (Entered: 12/28/2015)
12/28/2015	<u>123</u>	ORDER granting <u>107</u> MOTION to Seal Exhibits to Memorandum in Support of Defendants' Motion for Summary Judgment (see order for details). Signed by District Judge Leonie M. Brinkema on 12/28/2015. (jlan) (Entered: 12/28/2015)
01/11/2016	<u>124</u>	Memorandum in Opposition re <u>109</u> MOTION for Summary Judgment of <i>Defendants Clark et al.</i> filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Attachments: # <u>1</u> Exhibit Hendricks declaration, # <u>2</u> Exhibit Alexander declaration, # <u>3</u> Exhibit Clark interrog. responses, # <u>4</u> Exhibit Juniper declaration, # <u>5</u> Exhibit Gray declaration, # <u>6</u> Exhibit Porter declaration, # <u>7</u> Exhibit Offender orientation manual)(Glasberg, Victor) (Entered: 01/11/2016)
01/11/2016	<u>125</u>	RESPONSE in Opposition re <u>106</u> MOTION for Summary Judgment filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Exhibit Comparison of Offender Populations, # <u>2</u> Exhibit Clarke Supplemental Interrogatory Repsonse)(O'Shea, Margaret) (Entered: 01/11/2016)
01/22/2016	<u>126</u>	Memorandum in Support re <u>106</u> MOTION for Summary Judgment <i>Plaintiff's Reply Memorandum In Support Of Motion for Summary Judgment</i> filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor) (Entered: 01/22/2016)

01/22/2016	<u>127</u>	Rebuttal Brief re <u>109</u> MOTION for Summary Judgment filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Exhibit Report of J. Bryan, # <u>2</u> Exhibit 1983 Settlement Agreement, # <u>3</u> Exhibit 1983 Court Orders, # <u>4</u> Exhibit 1984 Contempt Motion, # <u>5</u> Exhibit 1985 Court Order, # <u>6</u> Exhibit Special Grand Jury Report, # <u>7</u> Exhibit 9/7/88 Major Offense Report, # <u>8</u> Exhibit 9/7/88 Serious Incident Report, # <u>9</u> Exhibit 12/17/80 Adjustment Report, # <u>10</u> Exhibit 6/3/81 Adjustment Report, # <u>11</u> Exhibit 11/27/85 Major Offense Report, # <u>12</u> Exhibit 11/27/85 Major Offense REport, # <u>13</u> Exhibit 6/13/93 Serious Incident Report, # <u>14</u> Exhibit 1/30/94 Serious Incident Report, # <u>15</u> Exhibit Newspaper articles, # <u>16</u> Exhibit 11/7/7 Disciplinary Report, # <u>17</u> Exhibit 11/25/08 Disciplinary Report, # <u>18</u> Exhibit 3/18/09 Disciplinary Report, # <u>19</u> Exhibit 1/23/09 Disciplinary Report)(O'Shea, Margaret) (Entered: 01/22/2016)
01/26/2016	<u>128</u>	NOTICE by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter re <u>115</u> Memorandum in Support,, of <i>Plaintiff's Motion for Summary Judgment</i> (Attachments: # <u>1</u> Exhibit Dep't of Justice Report, # <u>2</u> Exhibit President Obama editorial, # <u>3</u> Exhibit Wash. Post News Article, # <u>4</u> Exhibit George Will column)(Glasberg, Victor) (Entered: 01/26/2016)
01/29/2016	<u>129</u>	Minute Entry for proceedings held before District Judge Leonie M. Brinkema:Motion Hearing held on 1/29/2016. Appearances of counsel. Pltfs' <u>106</u> MOTION for Summary Judgment and defts' <u>109</u> MOTION for Summary Judgment are argued in open court and TAKEN UNDER ADVISEMENT. (Court Reporter A. Thomson.)(yguy) (Entered: 01/29/2016)
02/02/2016	<u>130</u>	NOTICE by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter <i>Plaintiff's Second Notice Of Supplemental Authority In Support Of Plaintiffs' Motion For Summary Judgment</i> (Attachments: # <u>1</u> Exhibit New York Times Editorial)(Glasberg, Victor) (Entered: 02/02/2016)
02/08/2016	<u>131</u>	TRANSCRIPT of proceedings held on 1/29/2016, before Judge Leonie M. Brinkema, Court Reporter Anneliese Thomson, Telephone number 703-299-8595. NOTICE RE REDACTION OF TRANSCRIPTS:The parties have thirty(30) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.vaed.uscourts.gov Transcript may be viewed at the court public terminal or purchased through the court reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER Redaction Request due 3/9/2016. Redacted Transcript Deadline set for 4/11/2016. Release of Transcript Restriction set for 5/9/2016.(thomson, anneliese) (Entered: 02/08/2016)
02/10/2016	<u>132</u>	NOTICE by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter <i>Notice of Filing of Supplementary Authority</i> (Attachments: # <u>1</u> Exhibit Declaration of Victor Glasber, Plus Attachments)(Glasberg, Victor) (Entered: 02/10/2016)
02/10/2016	<u>133</u>	MOTION to Seal <i>Exhibit</i> by Harold C. Clarke, Keith W. Davis. (O'Shea, Margaret) (Entered: 02/10/2016)
02/10/2016	<u>134</u>	Memorandum in Support re <u>133</u> MOTION to Seal <i>Exhibit</i> filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Exhibit A - Affidavit of A. David Robinson, # <u>2</u> Exhibit Proposed Order)(O'Shea, Margaret) (Entered: 02/10/2016)
02/10/2016	<u>135</u>	Waiver of re <u>133</u> MOTION to Seal <i>Exhibit</i> by Harold C. Clarke, Keith W. Davis (O'Shea, Margaret) (Entered: 02/10/2016)
02/10/2016	<u>136</u>	Notice of Filing Sealing Motion LCvR5(C) by Harold C. Clarke, Keith W. Davis re <u>133</u> MOTION to Seal <i>Exhibit</i> (O'Shea, Margaret) (Entered: 02/10/2016)
02/10/2016	<u>137</u>	Sealed Attachment/Exhibit(s) re <u>133</u> MOTION to Seal <i>Exhibit</i> . (O'Shea, Margaret) (Entered: 02/10/2016)
02/10/2016	<u>138</u>	ORDER granting <u>133</u> Motion to Seal. Signed by District Judge Leonie M. Brinkema on 02/10/2016. (jlan) (Entered: 02/10/2016)
02/10/2016	<u>139</u>	MOTION re <u>109</u> MOTION for Summary Judgment by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Exhibit 1 - 6 photographs of death-row outdoor recreation unit (Filed Under Seal), # <u>2</u> Exhibit 2 - Affidavit of David Zook, # <u>3</u> Exhibit 3 - U.S.

		Dept. of Justice, FBOP, Operation and Security of the Special Confinement Unit)(O'Shea, Margaret) (Entered: 02/10/2016)
02/10/2016	<u>140</u>	Memorandum in Support re <u>139</u> MOTION re <u>109</u> MOTION for Summary Judgment filed by Harold C. Clarke, Keith W. Davis. (O'Shea, Margaret) (Entered: 02/10/2016)
02/10/2016	<u>141</u>	Waiver of re <u>139</u> MOTION re <u>109</u> MOTION for Summary Judgment by Harold C. Clarke, Keith W. Davis (O'Shea, Margaret) (Entered: 02/10/2016)
02/11/2016	<u>142</u>	RESPONSE to Motion re <u>133</u> MOTION to Seal <i>Exhibit Plaintiffs' Response to Defendants' Motion to Supplement the Record</i> filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Glasberg, Victor) (Entered: 02/11/2016)
02/12/2016	<u>143</u>	MOTION to Strike <u>132</u> NOTICE, <u>128</u> NOTICE, <u>130</u> NOTICE, by Harold C. Clarke, Keith W. Davis. (O'Shea, Margaret) (Entered: 02/12/2016)
02/12/2016	<u>144</u>	Memorandum in Support re <u>143</u> MOTION to Strike <u>132</u> NOTICE, <u>128</u> NOTICE, <u>130</u> NOTICE, filed by Harold C. Clarke, Keith W. Davis. (O'Shea, Margaret) (Entered: 02/12/2016)
02/12/2016	<u>145</u>	Waiver of re <u>143</u> MOTION to Strike <u>132</u> NOTICE, <u>128</u> NOTICE, <u>130</u> NOTICE, <i>Oral Argument</i> by Harold C. Clarke, Keith W. Davis (O'Shea, Margaret) (Entered: 02/12/2016)
02/12/2016	<u>146</u>	RESPONSE to Motion re <u>143</u> MOTION to Strike <u>132</u> NOTICE, <u>128</u> NOTICE, <u>130</u> NOTICE, filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Glasberg, Victor) (Entered: 02/12/2016)
02/16/2016	<u>147</u>	ORDER denying <u>143</u> Motion to Strike; ORDERED that the record be considered complete with respect to the parties' motions for summary judgment. The Court will not accept or consider any additional filings by either party pertaining to those motions. Signed by District Judge Leonie M. Brinkema on 02/16/2016. (jlan) (Entered: 02/16/2016)
03/15/2016	<u>148</u>	ORDER granting <u>139</u> Motion to Supplement the Record. Signed by District Judge Leonie M. Brinkema on 3/15/16. (see order for further details). (gwalk,) (Entered: 03/15/2016)
03/24/2016	<u>149</u>	ORDER: It appears to the Court that defendant Harold W. Clarke has been incorrectly identified in the caption of this civil action as Harold C. Clarke. Additionally, it appears that defendant Keith W. Davis, whose name as stated by the caption may also be incorrect, is no longer a party to this action because he is no longer the Warden at Sussex I State Prison and has been replaced in that role by David Zook. To ensure the accuracy of the caption for this action, it is hereby ORDERED that by close of business on Wednesday, March 30, 2016, the defendants file a proposed Order correcting the caption to reflect the correct names and statuses of the defendants in this action. Signed by District Judge Leonie M. Brinkema on 3/24/16. (yguy) (Entered: 03/24/2016)
03/24/2016	<u>150</u>	Response to <u>149</u> Order., filed by Harold C. Clarke, Keith W. Davis. (Attachments: # <u>1</u> Proposed Order)(O'Shea, Margaret) (Entered: 03/24/2016)
03/24/2016	<u>151</u>	So Ordered: The Court finds that the proper name of the defendant identified as "Harold C. Clarke" is Harold W. Clarke, the Director of the Virginia Department of Corrections. The Court also finds that the defendant identified in the Complaint as "Keith W. Davis," the warden of Sussex I State Prison, has been replaced by the current warden, David Zook. The Court therefore orders the following: 1. The party-defendant named in the caption of this proceeding as "Harold C. Clarke" shall be corrected to "Harold W. Clarke." 2. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, David Zook, the current warden of Sussex I State Prison, is hereby substituted, in his official capacity, as a party defendant to this action, replacing Keith W. Davis, who no longer holds that official position. 3. As corrected, the defendants to this action shall be "Harold W. Clarke" and "David Zook.". Signed by District Judge Leonie M. Brinkema on 3/24/16. (yguy) (Entered: 03/24/2016)
05/20/2016	<u>152</u>	ORDERED that within fourteen (14) days, defendants (1) provide an update as to the status of the regulations on death row, specifically explaining whether the interim regulations have been finalized, (2) submit additional photographs of the outdoor

		recreation yard that are labeled so that the Court can identify which part of the yard is shown in the photograph and what is in the yard, and (3) inform the Court of the amount of money the Virginia Department of Corrections has spent so far on the planning, construction, and implementation of the new regulations and facilities. (see order for details). Signed by District Judge Leonie M. Brinkema on 5/20/16. (yguy) (Entered: 05/20/2016)
05/25/2016	<u>153</u>	MOTION Motion For Leave To Respond To Forthcoming Evidentiary Update By Defendants by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor) (Entered: 05/25/2016)
05/25/2016	<u>154</u>	Waiver of <i>Hearing On Motion For Leave To Respond To Forthcoming Evidentiary Update By Defendants</i> by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz (Glasberg, Victor) (Entered: 05/25/2016)
05/26/2016	<u>155</u>	ORDER: The Court having received plaintiffs' Motion for Leave to Respond to Forthcoming Evidentiary Update by Defendants, and Waiver of Hearing [Dkt. No. 153] and having found good cause for the relief sought therein, plaintiffs' Motion is GRANTED, and it is hereby ORDERED that plaintiffs shall have fourteen (14) days from the receipt of defendants' forthcoming submission in which to respond to that submission. Signed by District Judge Leonie M. Brinkema on 5/26/16. (yguy) (Entered: 05/26/2016)
06/03/2016	<u>156</u>	MOTION to Seal <i>Exhibits</i> by Harold W. Clarke, David Zook. (Attachments: # <u>1</u> Proposed Order)(O'Shea, Margaret) (Entered: 06/03/2016)
06/03/2016	<u>157</u>	Notice of Filing Sealing Motion LCvR5(C) by Harold W. Clarke, David Zook re <u>156</u> MOTION to Seal <i>Exhibits</i> (O'Shea, Margaret) (Entered: 06/03/2016)
06/03/2016	<u>158</u>	Sealed Attachment/Exhibit(s) re <u>156</u> MOTION to Seal <i>Exhibits</i> . (O'Shea, Margaret) (Entered: 06/03/2016)
06/03/2016	<u>159</u>	Memorandum in Support re <u>156</u> MOTION to Seal <i>Exhibits</i> filed by Harold W. Clarke, David Zook. (O'Shea, Margaret) (Entered: 06/03/2016)
06/03/2016	<u>160</u>	Waiver of re <u>156</u> MOTION to Seal <i>Exhibits</i> by Harold W. Clarke, David Zook (O'Shea, Margaret) (Entered: 06/03/2016)
06/03/2016	<u>161</u>	Response to <u>152</u> Order., filed by Harold W. Clarke, David Zook. (Attachments: # <u>1</u> Exhibit A – Affidavit of David Zook)(O'Shea, Margaret) (Entered: 06/03/2016)
06/07/2016	<u>162</u>	ORDER granting <u>156</u> Motion to Seal. Signed by Magistrate Judge Ivan D. Davis on 06/07/2016. (jlan) (Entered: 06/07/2016)
06/15/2016	<u>163</u>	Reply <i>Plaintiffs' Reply To Defendants' Response To Court's Order Of May 20, 2016</i> filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Attachments: # <u>1</u> Exhibit Exhibit 1)(Glasberg, Victor) (Entered: 06/15/2016)
06/23/2016	<u>164</u>	MOTION Motion For Leave To Supplement Plaintiffs' Response to Defendants' Evidentiary Submission by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Attachments: # <u>1</u> Exhibit Exhibit A)(Glasberg, Victor) (Entered: 06/23/2016)
06/23/2016	<u>165</u>	ORDER granting <u>164</u> Motion for Leave to Supplement Plaintiffs' Response to Defendants' Evidentiary Submission; ORDERED that the Plaintiffs' Supplementary Evidentiary Submission [Dkt. No. 164–1] be and is made part of the record. Signed by District Judge Leonie M. Brinkema on 06/23/2016. (jlan) (Entered: 06/23/2016)
07/08/2016	<u>166</u>	MEMORANDUM OPINION in re Motions for Summary Judgment. Signed by District Judge Leonie M. Brinkema on 07/08/2016. (jlan) (Entered: 07/08/2016)
07/08/2016	<u>167</u>	ORDERED that Plaintiff's <u>106</u> Motion for Summary Judgment is DENIED AS MOOT, defendants' <u>108</u> Motion for Summary Judgment is GRANTED, and it is hereby ORDERED that final judgment be entered in favor of defendants Harold W. Clarke and David Zook pursuant to Fed. R. Civ. P. 58. Signed by District Judge Leonie M. Brinkema on 07/08/2016. (jlan) (Entered: 07/08/2016)
07/08/2016	<u>168</u>	JUDGMENT. Entered by Clerk on 07/08/2016. (jlan) (Entered: 07/08/2016)

07/08/2016	<u>169</u>	NOTICE by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter of <i>Filing Documents</i> (Attachments: # <u>1</u> Exhibit Ex Parte Murphy, # <u>2</u> Exhibit Peoples v. Annucci, # <u>3</u> Exhibit Nagourney article, # <u>4</u> Exhibit Rodriguez article, # <u>5</u> Exhibit Post editorial Feb. 21, 2016)(Glasberg, Victor) (Entered: 07/08/2016)
07/12/2016	<u>170</u>	ORDERED that the Clerk STRIKE the exhibits accompanying plaintiffs' Praecipe [Dkt. Nos. 169-1-6] from the docket. Signed by District Judge Leonie M. Brinkema on 07/12/2016. (jlan) (Entered: 07/12/2016)
08/02/2016	<u>171</u>	NOTICE OF APPEAL by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. Filing fee \$ 505, receipt number 0422-5103684. (Glasberg, Victor) (Entered: 08/02/2016)
08/03/2016	<u>172</u>	Transmission of Notice of Appeal to US Court of Appeals re <u>171</u> Notice of Appeal (All case opening forms, plus the transcript guidelines, may be obtained from the Fourth Circuit's website at www.ca4.uscourts.gov) (jlan) (Entered: 08/03/2016)
08/04/2016	<u>173</u>	USCA Case Number 16-7044 4th circuit, Case Manager RJ Warren for <u>171</u> Notice of Appeal filed by Anthony Bernard Juniper, Ricky Gray, Mark Lawlor, Thomas Porter. (kgra,) (Entered: 08/05/2016)
03/24/2017	<u>174</u>	Published Opinion of USCA re <u>171</u> Notice of Appeal-Reversed and Remanded.(lcre,) (Entered: 03/24/2017)
03/24/2017	<u>175</u>	USCA JUDGMENT as to <u>171</u> Notice of Appeal filed by Anthony Bernard Juniper, Ricky Gray, Mark Lawlor, Thomas Porter. In accordance with the decision of this court, the judgment of the district court is reversed. This case is remanded to the district court for further proceedings consistent with the court's decision. (lcre,) (Entered: 03/24/2017)
04/17/2017	<u>176</u>	MOTION for Leave to File <i>Discovery on Timing and Motivation of Changes on Death Row, and for Status Conference</i> by Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Attachments: # <u>1</u> Exhibit Proposed discovery)(Glasberg, Victor) (Entered: 04/17/2017)
04/17/2017		Notice of Correction: The filing user has been notified to file a Notice of Hearing Date or a Notice of Waiver of Oral Argument re <u>176</u> MOTION for Leave to File Discovery on Timing and Motivation of Changes on Death Row, and for Status Conference. (jlan) (Entered: 04/17/2017)
04/17/2017	<u>177</u>	USCA Mandate re <u>171</u> Notice of Appeal. The judgment of this court, entered March 24, 2017, takes effect today. (lcre,) (Entered: 04/17/2017)
04/17/2017	<u>178</u>	ORDERED that the parties appear for a status conference on 5/5/2017 at 10:00 a.m. Signed by District Judge Leonie M. Brinkema on 4/17/2017. (rban,) (Entered: 04/17/2017)
04/17/2017		Set Hearing: Status Conference set for 5/5/2017 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (rban,) (Entered: 04/17/2017)
04/17/2017	<u>179</u>	Notice of Hearing Date set for 05/05/2017 re <u>176</u> MOTION for Leave to File <i>Discovery on Timing and Motivation of Changes on Death Row, and for Status Conference</i> (Glasberg, Victor) (Entered: 04/17/2017)
04/18/2017		Set Deadlines as to <u>176</u> MOTION for Leave to File <i>Discovery on Timing and Motivation of Changes on Death Row, and for Status Conference</i> . Motion Hearing set for 5/5/2017 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (clar,) (Entered: 04/18/2017)
05/01/2017	<u>180</u>	RESPONSE in Opposition re <u>176</u> MOTION for Leave to File <i>Discovery on Timing and Motivation of Changes on Death Row, and for Status Conference</i> filed by Harold W. Clarke, David Zook. (O'Shea, Margaret) (Entered: 05/01/2017)
05/03/2017	<u>181</u>	Reply <i>Plaintiffs' Reply Memorandum In Support Of Motion For Leave To Take Discovery</i> filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Glasberg, Victor) (Entered: 05/03/2017)

05/05/2017	<u>182</u>	Minute Entry for proceedings held before District Judge Leonie M. Brinkema: Motion Hearing/Status Conference held on 5/5/2017. Appearances of counsel. Court is advised of case status. Pltf <u>176</u> MOTION for Leave to File <i>Discovery on Timing and Motivation of Changes on Death Row, and for Status Conference</i> is argued in open court and HELD IN ABEYANCE. (Court Reporter A. Thomson.)(yguy) (Entered: 05/05/2017)
05/05/2017	<u>183</u>	ORDER: For the reasons stated in open court, it is hereby ordered that plaintiffs Motion and Supporting Memorandum for Leave to Take Discovery on Timing and Motivation of Changes on Death Row, and for Status Conference [Dkt No. 176] is HELD IN ABEYANCE and it is hereby ORDERED that the parties contact chambers to report the status of this civil action by May 19, 2017. Signed by District Judge Leonie M. Brinkema on 5/5/17. (yguy) (Entered: 05/05/2017)
05/09/2017	<u>184</u>	TRANSCRIPT of proceedings held on 5/5/2017, before Judge Leonie M. Brinkema, Court Reporter Anneliese Thomson, Telephone number 703-299-8595. NOTICE REDACTION OF TRANSCRIPTS: The parties have thirty(30) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.vaed.uscourts.gov Transcript may be viewed at the court public terminal or purchased through the court reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER Redaction Request due 6/8/2017. Redacted Transcript Deadline set for 7/10/2017. Release of Transcript Restriction set for 8/7/2017. (thomson, anneliese) (Entered: 05/09/2017)
05/17/2017	<u>185</u>	ORDER – Plaintiff's Motion and Supporting Memorandum for Leave to Take Discovery on Timing and Motivation of Changes on Death Row, and for Status Conference [Dkt. No. 176] is GRANTED and it is hereby ORDERED that within fifteen (15) days defendants respond to plaintiffs' pending written discovery requests or file any objections and that all discovery be completed within sixty (60) days. Signed by District Judge Leonie M. Brinkema on 5/17/17. (gwalk,) (Entered: 05/17/2017)
07/11/2017	<u>186</u>	STIPULATION <i>Re Various Supplemental Documents Produced by Defendants (Exhibits ##1–21)</i> by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Glasberg, Victor) (Entered: 07/11/2017)
07/11/2017	<u>187</u>	CERTIFICATE of Service <i>Stipulation (re various supplemental documents produced by defendants (exhibits ##1–21))</i> by Victor Michael Glasberg on behalf of Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter (Glasberg, Victor) (Entered: 07/11/2017)
07/18/2017	<u>188</u>	ORDER – The time for additional discovery having concluded <u>185</u> , it appears this civil action is ripe for resolution. Accordingly, it is hereby ORDERED that the parties meet and confer regarding a mutually agreeable briefingschedule and file that schedule for the Court's review within the next seven (7) days. Signed by District Judge Leonie M. Brinkema on 07/18/2017. (c/s as directed in Order)(dvanm,) (Entered: 07/18/2017)
07/25/2017	<u>189</u>	Response to <u>188</u> Order, <i>Joint Proposed Briefing Schedule</i> filed by Harold W. Clarke, David Zook. (Attachments: # <u>1</u> Proposed Order)(O'Shea, Margaret) (Entered: 07/25/2017)
07/28/2017	<u>190</u>	Consent Briefing ORDER. See Order for details. Signed by District Judge Leonie M. Brinkema on 7/28/2017. (rban,) (Entered: 07/28/2017)
08/04/2017	<u>191</u>	STIPULATION (<i>SISP Juvenile Unit vacated as of March 11, 2015</i>) by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Glasberg, Victor) (Entered: 08/04/2017)
08/25/2017	<u>192</u>	MOTION for Summary Judgment <i>Plaintiffs' Supplement To And Renewed Motion For Summary Judgment</i> by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Attachments: # <u>1</u> Appendix Appendix A, # <u>2</u> Exhibit Exhibit 1, # <u>3</u> Exhibit Exhibit 2, # <u>4</u> Exhibit Exhibit 3, # <u>5</u> Exhibit Exhibit 4, # <u>6</u> Exhibit Exhibit 5, # <u>7</u> Exhibit Exhibit 6, # <u>8</u> Exhibit Exhibit 7, # <u>9</u> Exhibit Exhibit 8, # <u>10</u> Exhibit Exhibit 9, # <u>11</u> Exhibit Exhibit 10, # <u>12</u> Exhibit Exhibit 11, # <u>13</u> Exhibit Exhibit 12, # <u>14</u> Exhibit Exhibit 13, # <u>15</u> Exhibit Exhibit 14, # <u>16</u> Exhibit Exhibit 15, # <u>17</u> Exhibit Exhibit 16, #

		<u>18</u> Exhibit Exhibit 17, # <u>19</u> Exhibit Exhibit 18)(Glasberg, Victor) (Entered: 08/25/2017)
08/25/2017	<u>193</u>	MOTION for Summary Judgment (<i>Renewed</i>) by Harold W. Clarke, David Zook. (O'Shea, Margaret) (Entered: 08/25/2017)
08/25/2017	<u>194</u>	Memorandum in Support re <u>193</u> MOTION for Summary Judgment (<i>Renewed</i>) filed by Harold W. Clarke, David Zook. (Attachments: # <u>1</u> Exhibit 1 H. Clarke Deposition, # <u>2</u> Exhibit 2 Robinson Deposition, # <u>3</u> Exhibit 3 H. Rep. 104-21, # <u>4</u> Exhibit 4 Senate Hearing Testimony, # <u>5</u> Exhibit 5 OP 720.1, # <u>6</u> Exhibit 6 OP 720.2, # <u>7</u> Exhibit 7 OP 802.1, # <u>8</u> Exhibit 8 OP 730.2, # <u>9</u> Exhibit 9 OP 730.7, # <u>10</u> Exhibit 10 Responses to Discovery, # <u>11</u> Exhibit 11 Memo in Support MSJ, # <u>12</u> Exhibit 12 Response in Opposition, # <u>13</u> Exhibit 13 Reply Brief in Support MSJ)(O'Shea, Margaret) (Entered: 08/25/2017)
08/25/2017	<u>195</u>	Notice of Hearing Date 9/29/17 at 10:00 a.m. re <u>193</u> MOTION for Summary Judgment (<i>Renewed</i>) (O'Shea, Margaret) (Entered: 08/25/2017)
08/28/2017		Set Deadlines as to <u>193</u> MOTION for Summary Judgment (<i>Renewed</i>). Motion Hearing set for 9/29/2017 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (clar,) (Entered: 08/28/2017)
08/29/2017	<u>196</u>	Notice of Hearing Date set for September 29, 2017 re <u>194</u> Memorandum in Support,, <u>193</u> MOTION for Summary Judgment (<i>Renewed</i>) (Glasberg, Victor) (Entered: 08/29/2017)
08/30/2017		SetDeadlines as to <u>193</u> MOTION for Summary Judgment (<i>Renewed</i>). Motion Hearing set for 9/29/2017 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (clar,) (Entered: 08/30/2017)
08/30/2017	<u>197</u>	Notice of Hearing Date set for September 29, 2017 re <u>192</u> MOTION for Summary Judgment <i>Plaintiffs' Supplement To And Renewed Motion For Summary Judgment</i> (Glasberg, Victor) (Entered: 08/30/2017)
08/31/2017		Set Deadlines as to <u>192</u> MOTION for Summary Judgment <i>Plaintiffs' Supplement To And Renewed Motion For Summary Judgment</i> . Motion Hearing set for 9/29/2017 at 10:00 AM in Alexandria Courtroom 600 before District Judge Leonie M. Brinkema. (clar,) (Entered: 08/31/2017)
09/05/2017		Reset Deadlines as to <u>193</u> MOTION for Summary Judgment (<i>Renewed</i>), <u>192</u> MOTION for Summary Judgment <i>Plaintiffs' Supplement To And Renewed Motion For Summary Judgment</i> . Motion Hearing set for 9/29/2017 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (clar,) (Entered: 09/05/2017)
09/14/2017	<u>198</u>	Memorandum in Opposition re <u>193</u> MOTION for Summary Judgment (<i>Renewed</i>) filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Glasberg, Victor) (Entered: 09/14/2017)
09/15/2017	<u>199</u>	Memorandum in Opposition re <u>192</u> MOTION for Summary Judgment <i>Plaintiffs' Supplement To And Renewed Motion For Summary Judgment</i> filed by Harold W. Clarke, David Zook. (Attachments: # <u>1</u> Exhibit 1 – Documents produced during discovery, # <u>2</u> Exhibit 2 – Deposition transcript of H.W. Clarke, 7.7.17, # <u>3</u> Exhibit 3 – Objs and Responses to Plaintiff's Supp. Discovery Requests, # <u>4</u> Exhibit 4 – Deposition transcript of A.D. Robinson, 7.12.17, # <u>5</u> Exhibit 5 – Director's Executive Team meeting, 9.1.15)(O'Shea, Margaret) (Entered: 09/15/2017)
09/22/2017	<u>200</u>	RESPONSE in Support re <u>192</u> MOTION for Summary Judgment <i>Plaintiffs' Supplement To And Renewed Motion For Summary Judgment</i> filed by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Glasberg, Victor) (Entered: 09/22/2017)
09/22/2017	<u>201</u>	First MOTION for Leave to File <i>STATEMENT OF POSITION AS AMICI CURIAE IN SUPPORT OF PLAINTIFFS RENEWED MOTION FOR SUMMARY JUDGMENT</i> by Thomas Porter. (Amezquita, Hope) (Entered: 09/22/2017)
09/22/2017	<u>202</u>	NOTICE of Appearance by Hope Renee Amezquita on behalf of Thomas Porter (Amezquita, Hope) (Main Document 202 replaced on 9/25/2017) (jlan,). (Entered: 09/22/2017)

		09/22/2017)
09/22/2017	<u>203</u>	First MOTION for Leave to File <i>STATEMENT OF POSITION AS AMICI CURIAE IN SUPPORT OF PLAINTIFFS RENEWED MOTION FOR SUMMARY JUDGMENT</i> by Thomas Porter. (Attachments: # <u>1</u> Exhibit)(Amezquita, Hope) (Entered: 09/22/2017)
09/22/2017	<u>204</u>	NOTICE of Appearance by Timothy Lawrence Coffield on behalf of Thomas Porter (Coffield, Timothy) (Entered: 09/22/2017)
09/22/2017	<u>205</u>	REPLY to Response to Motion re <u>193</u> MOTION for Summary Judgment (<i>Renewed</i>) filed by Harold W. Clarke, David Zook. (O'Shea, Margaret) (Entered: 09/22/2017)
09/22/2017	<u>206</u>	ORDERED that the movants' Motion [Dkt. No. 203] be and is GRANTED; and it is further ORDERED that movants promptly file their Statement of Position. Signed by District Judge Leonie M. Brinkema on 09/22/2017. (jlan) (Entered: 09/22/2017)
09/25/2017	<u>207</u>	Brief in Support <i>STATEMENT OF POSITION OF THE AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF VIRGINIA, INC. AND THE RUTHERFORD INSTITUTE AS AMICI CURIAE</i> filed by Thomas Porter. (Amezquita, Hope) (Entered: 09/25/2017)
09/25/2017	<u>208</u>	NOTICE of Appearance by Leslie Chambers Mehta on behalf of Thomas Porter (Mehta, Leslie) (Main Document 208 replaced on 9/26/2017) (jlan,). (Entered: 09/25/2017)
09/29/2017	<u>209</u>	Minute Entry for proceedings held before District Judge Leonie M. Brinkema: Motion Hearing held on 9/29/2017. Appearances of counsel. Defts <u>193</u> MOTION for Summary Judgment (<i>Renewed</i>) and <i>pltfs 192 MOTION for Summary Judgment Plaintiffs' Supplement To And Renewed Motion For Summary Judgment are argued and TAKEN UNDER ADVISEMENT.</i> (Court Reporter A. Thomson.)(yguy) (Entered: 09/29/2017)
11/13/2017	<u>210</u>	MOTION to Withdraw as Attorney by American Civil Liberties Union Foundation of Virginia, Inc.. (Amezquita, Hope) (Entered: 11/13/2017)
11/13/2017	<u>211</u>	ORDER granting <u>210</u> Motion to Withdraw as Attorney. Attorney Hope Renee Amezquita terminated. Signed by District Judge Leonie M. Brinkema on 11/13/17. (gwalk,) (Entered: 11/13/2017)
11/18/2017	<u>212</u>	MOTION to Withdraw as Attorney by Anthony Bernard Juniper, Mark Lawlor, Thomas Porter, Ivan Teleguz. (Glasberg, Victor) (Entered: 11/18/2017)
11/20/2017	<u>213</u>	So Ordered in re <u>212</u> Motion to Withdraw as Attorney. Signed by District Judge Leonie M. Brinkema on 11/20/2017. (jlan) (Entered: 11/20/2017)
12/22/2017	<u>214</u>	MOTION to Supplement the Record re <u>193</u> MOTION for Summary Judgment (<i>Renewed</i>) by Harold W. Clarke, David Zook. (Attachments: # <u>1</u> Exhibit Press Release: Clarke Reappointed)(O'Shea, Margaret) (Entered: 12/22/2017)
12/22/2017	<u>215</u>	Memorandum in Support re <u>214</u> MOTION to Supplement the Record re <u>193</u> MOTION for Summary Judgment (<i>Renewed</i>) filed by Harold W. Clarke, David Zook. (O'Shea, Margaret) (Entered: 12/22/2017)
12/22/2017	<u>216</u>	Waiver of re <u>214</u> MOTION to Supplement the Record re <u>193</u> MOTION for Summary Judgment (<i>Renewed</i>) (<i>Waive Oral Argument</i>) by Harold W. Clarke, David Zook (O'Shea, Margaret) (Entered: 12/22/2017)
12/28/2017	<u>217</u>	ORDER granting <u>214</u> Motion to Supplement the Record. Signed by District Judge Leonie M. Brinkema on 12/28/2017. (rban,) (Entered: 12/28/2017)
01/25/2018	<u>218</u>	MOTION to Withdraw as Attorney <i>Leslie C. Mehta</i> by American Civil Liberties Union Foundation of Virginia, Inc.. (Mehta, Leslie) (Entered: 01/25/2018)
01/25/2018	<u>219</u>	ORDER granting <u>218</u> Motion to Withdraw as Attorney. Attorney Leslie Chambers Mehta terminated. Signed by District Judge Leonie M. Brinkema on 01/25/2018. (jlan) (Entered: 01/26/2018)
02/21/2018	<u>220</u>	MEMORANDUM OPINION: For the reasons stated above, plaintiffs' Motion for Summary Judgment will be GRANTED and defendants' Motion for Summary

		Judgment will be DENIED by an appropriate Order to be issued with this Memorandum Opinion. Signed by District Judge Leonie M. Brinkema on 2/21/18. (yguy) (Entered: 02/21/2018)
02/21/2018	<u>221</u>	ORDER: For the reasons stated in the accompanying Memorandum Opinion, plaintiffs' Renewed Motion for Summary Judgment [Dkt. No. 192] is GRANTED, defendants' Renewed Motion for Summary Judgment [Dkt. No. 193] is DENIED, and it is hereby ORDERED that the conditions of confinement on Virginia's death row at the initiation of this civil action be and are DECLARED unconstitutional cruel and unusual punishment; and it is further ORDERED that defendants and any successors be and are ENJOINED from returning to the pre-2015 conditions of confinement, except on an emergency basis, and specifically that defendants and any successors be and are ENJOINED from imposing on plaintiffs the combination of twenty-three hours per day alone in their cells, no contact visitation, no congregate recreation or programming, and only five hours per week of outdoor recreation in separate cages; and it is further ORDERED that defendants notify plaintiffs' counsel within forty-eight (48) hours of any reimposition of the pre-2015 conditions of confinement. Signed by District Judge Leonie M. Brinkema on 2/21/18. (yguy) (Entered: 02/21/2018)
02/22/2018	<u>222</u>	MOTION for Extension of Time to File Application for Award of Fees and Costs by Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Glasberg, Victor) (Entered: 02/22/2018)
02/22/2018	<u>223</u>	ORDER granting <u>222</u> Motion for Extension of Time to File. ORDERED that the deadline to apply for an award of attorney's fees and costs be and is EXTENDED until May 16, 2018. Signed by District Judge Leonie M. Brinkema on 2/22/18. (klau,) (Entered: 02/22/2018)
03/09/2018	<u>224</u>	NOTICE of Appearance by Gail Marie Deady on behalf of American Civil Liberties Union Foundation of Virginia, Inc. (Deady, Gail) (Main Document 224 replaced on 3/12/2018) (jlan,). (Entered: 03/09/2018)
03/13/2018	<u>225</u>	NOTICE OF APPEAL as to <u>221</u> Order,,,, <u>220</u> Memorandum Opinion, by Harold W. Clarke, David Zook. Filing fee \$ 505, receipt number 0422-5988758. (O'Shea, Margaret) (Entered: 03/13/2018)
03/14/2018	<u>226</u>	Transmission of Notice of Appeal to US Court of Appeals re <u>225</u> Notice of Appeal (All case opening forms, plus the transcript guidelines, may be obtained from the Fourth Circuit's website at www.ca4.uscourts.gov) (jlan) (Entered: 03/14/2018)
03/15/2018	<u>227</u>	USCA Case Number 18-6257 4th Circuit, Case Manager RJ Warren for <u>225</u> Notice of Appeal filed by Harold W. Clarke, David Zook. (acha,) (Entered: 03/15/2018)
03/28/2018	<u>228</u>	MOTION to Stay Consent Motion To Stay Filing of Application for Award of Fees and Costs Pending Appeal by Anthony Bernard Juniper, Mark Lawlor, Thomas Porter. (Glasberg, Victor) (Entered: 03/28/2018)
03/28/2018	<u>229</u>	Waiver of re <u>228</u> MOTION to Stay Consent Motion To Stay Filing of Application for Award of Fees and Costs Pending Appeal Waiver of Hearing by Ricky Gray, Anthony Bernard Juniper, Mark Lawlor, Thomas Porter (Glasberg, Victor) (Entered: 03/28/2018)
03/28/2018	<u>230</u>	ORDER - <u>228</u> Motion to Stay is GRANTED and it is hereby ORDERED that the deadline to apply for an award of attorney's fees and costs be and is EXTENDED until ten weeks from the date of the Fourth Circuit's decision resolving defendants' appeal. Signed by District Judge Leonie M. Brinkema on 3/28/18. (gwalk,) (Entered: 03/28/2018)
03/28/2018	<u>231</u>	Transcript Order Acknowledgment from USCA re <u>227</u> USCA Case Number : Court Reporter/Transcriber Anneliese Thomson. (Attachments: # <u>1</u> Transcript Order Deficiency Notice, # <u>2</u> Transcript Order)(acha,) (Entered: 03/30/2018)
04/29/2018	<u>232</u>	NOTICE of Appearance by Claire Guthrie Gastanaga on behalf of American Civil Liberties Union Foundation of Virginia, Inc. (Gastanaga, Claire) (Entered: 04/29/2018)

04/29/2018	<u>233</u>	MOTION to Withdraw as Attorney by American Civil Liberties Union Foundation of Virginia, Inc.. (Attachments: # <u>1</u> Proposed Order)(Deady, Gail) (Entered: 04/29/2018)
04/30/2018	<u>234</u>	ORDER granting <u>233</u> Motion to Withdraw as Attorney. Attorney Gail Marie Deady terminated. Signed by District Judge Leonie M. Brinkema on 04/30/2018. (jlan) (Entered: 04/30/2018)
05/25/2018	<u>235</u>	TRANSCRIPT of proceedings for date of 9/29/17, before Judge Leonie M. Brinkema, re <u>225</u> Notice of Appeal Court Reporter Anneliese Thomson, Telephone number 703-299-8595. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have thirty(30) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.vaed.uscourts.gov Does this satisfy all appellate orders for this reporter? y Transcript may be viewed at the court public terminal or purchased through the court reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER Redaction Request due 6/25/2018. Redacted Transcript Deadline set for 7/25/2018. Release of Transcript Restriction set for 8/23/2018.(thomson, anneliese) (Entered: 05/25/2018)
11/28/2018	<u>236</u>	ORDER of USCA as to <u>225</u> Notice of Appeal. The court grants the motion to withdraw from further representation on appeal. (jlan) (Entered: 11/28/2018)
05/03/2019	<u>237</u>	Published Opinion of USCA, decided 05/03/2019 in re <u>225</u> Notice of Appeal; AFFIRMED. (jlan) (Entered: 05/03/2019)
05/03/2019	<u>238</u>	USCA JUDGMENT as to <u>225</u> Notice of Appeal filed by Harold W. Clarke, David Zook. In accordance with the decision of this court, the judgment of the district court is affirmed. This judgment shall take effect upon issuance of this court's mandate in accordance with Fed. R. App. P. 41. (jlan) (Entered: 05/03/2019)
05/06/2019	<u>239</u>	ORDER of USCA amending its opinion as to <u>225</u> Notice of Appeal filed by Harold W. Clarke, David Zook. (rban,) (Entered: 05/06/2019)
05/06/2019	<u>240</u>	PUBLISHED AMENED Opinion of USCA, decided 5/3/2019 re <u>225</u> Notice of Appeal, Affirmed(rban,) (Entered: 05/06/2019)
05/17/2019	<u>241</u>	Appeal Remark re <u>225</u> Notice of Appeal: The mandate is stayed pending further order of this court. (rban,) (Entered: 05/17/2019)