

CLOSED,CASREF,ECF,MOTREF

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:05-cv-05442-SAS**

Wise et al v. Kelly et al
Assigned to: Judge Shira A. Scheindlin
Referred to: Magistrate Judge James L. Cott (Settlement)
Related Cases: 1:08-cv-02173-SAS
1:11-cv-05125-SAS

Cause: 28:1331cv Fed. Question: Other Civil Rights

Plaintiff

Eddie Wise
on behalf of himself
TERMINATED: 12/05/2006

represented by **J. McGregor Smyth , Jr**
The Bronx Defenders
360 East 161st Street
Bronx, NY 10451
718-838-7885
Fax: 718-665-0100
Email: msmyth@nylpi.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Katherine R. Rosenfeld
Emery Celli Brinckerhoff & Abady, LLP
600 Fifth Avenue 10th Floor
New York, NY 10020
212-763-5010
Fax: 212-763-5001
Email: krosenfeld@ecbalaw.com
TERMINATED: 08/28/2014
LEAD ATTORNEY

Matthew D. Brinckerhoff
Emery Celli Brinckerhoff & Abady, LLP
600 Fifth Avenue 10th Floor
New York, NY 10020
212-763-5000
Fax: 212-763-5001
Email: mbrinckerhoff@ecbalaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mariana Louise Kovel
The Bronx Defenders
860 Courtlandt Ave
Bronx, NY 10451
(718)-508-3421
Fax: (718)-508-3542
Email: mollyk@bronxdefenders.org
ATTORNEY TO BE NOTICED

Plaintiff

Eddie Wise
on behalf of all others similarly situated
TERMINATED: 12/05/2006

represented by **J. McGregor Smyth , Jr**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Katherine R. Rosenfeld
(See above for address)
TERMINATED: 08/28/2014
LEAD ATTORNEY

Matthew D. Brinckerhoff
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mariana Louise Kovel
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Michael Brown
*On behalf of himself and others similarly
situated*

represented by **J. McGregor Smyth , Jr**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Katherine R. Rosenfeld
(See above for address)
TERMINATED: 08/28/2014
LEAD ATTORNEY

Matthew D. Brinckerhoff
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mariana Louise Kovel
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Michael Brown

represented by **Katherine R. Rosenfeld**
(See above for address)
TERMINATED: 08/28/2014
LEAD ATTORNEY

Matthew D. Brinckerhoff
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mariana Louise Kovel
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Raymond W. Kelly
*as commissioner of the New York City
Police Department (NYPD)*

represented by **Rachel Amy Seligman**
New York City Law Department
100 Church Street, Room 4-114
New York, NY 10007
(212) 788-0784
Fax: (212) 788-9776
Email: rseligma@law.nyc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Barry M. Buzzetti
*Captain and Commanding Officer of
NYPD 48th Precinct*

represented by **Rachel Amy Seligman**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Barry M. Buzzetti
*commanding officer of NYPD 48th
Precinct
TERMINATED: 11/27/2006*

Defendant

1-50 John Does
*NYPD Supervisory, Training and Policy
Personnel*

Defendant

51-100 John/Jane Doe
police officers

Defendant

City of New York

represented by **Rachel Amy Seligman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Police Officer Michael Curley

represented by **Rachel Amy Seligman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Police Officer Curley Harris
TERMINATED: 11/27/2006

Defendant

Police Officer Miguel Musse

represented by **Rachel Amy Seligman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Police Officers Kevin Lynch

represented by **Rachel Amy Seligman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Police Officers John Brennan

represented by **Rachel Amy Seligman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

1-50 John/Jane Doe
Police Officers

Defendant

Robert Johnson
District Attorney of Bronx County

represented by **Rachel Amy Seligman**
(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

101-125 Jane/John Doe
police officers

Defendant

Judith Kaye
*in her capacity as Chief Judicial Officer
of the Unified Court System*
TERMINATED: 01/17/2006

represented by **Monica Anne Connell**
New York State Office of the Attorney
General (24th Floor)
120 Broadway, 24th Floor
New York, NY 10271
212-416-8965
Fax: 212-416-6009
Email: Monica.Connell@ag.ny.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Judith Kaye
*in her official capacity as Chief Judge of
the State of New York*
TERMINATED: 01/17/2006

represented by **Monica Anne Connell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Jonathan Lippman
*in his capacity as Chief Administrative
Judge of the Unified Court System*
TERMINATED: 01/17/2006

represented by **Monica Anne Connell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Chauncey G. Parker
*in his capacity as Director of Criminal
Justice*
TERMINATED: 01/17/2006

represented by **Monica Anne Connell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Chauncey G. Parker
*Commissioner of the New York State
Division of Criminal Justice Services
(DCJS)*
TERMINATED: 01/17/2006

represented by **Monica Anne Connell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Corey Harris

represented by **Rachel Amy Seligman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

John/Jane Doe
126-130

Defendant

Shawn Ricker

All Defendants

Shawn Ricker

Date Filed	#	Docket Text
06/09/2005	<u>1</u>	COMPLAINT against Jane Does, City of New York, Michael Curley, Curley Harris, Miguel Musse, Kevin Lynch, John Brennan, John Does, Jane Does, Robert Johnson, Jane Does, John Does, Judith Kaye, Judith Kaye, Jonathan Lippman, Chauncey G. Parker(in his capacity as Director of Criminal Justice), Chauncey G. Parker(Commissioner of the New York State Division of Criminal Justice Services (DCJS)), Raymond W. Kelly, Barry M. Buzzetti(Captain of NYPD 48th Precinct), Barry M. Buzzetti(commanding officer of NYPD 48th Precinct), John Does. (Filing Fee \$ 250.00, Receipt Number 546087)Document filed by Eddie Wise(on behalf of himself), Eddie Wise(on behalf of all others similarly situated).(laq,) Additional attachment(s) added on 6/23/2005 (laq,). (Entered: 06/09/2005)
06/09/2005		SUMMONS ISSUED as to Jane Does, City of New York, Michael Curley, Curley Harris, Miguel Musse, Kevin Lynch, John Brennan, John Does, Jane Does, Robert Johnson, Jane Does, John Does, Judith Kaye, Judith Kaye, Jonathan Lippman, Chauncey G. Parker(in his capacity as Director of Criminal Justice), Chauncey G. Parker(Commissioner of the New York State Division of Criminal Justice Services (DCJS)), Raymond W. Kelly, Barry M. Buzzetti(Captain of NYPD 48th Precinct), Barry M. Buzzetti(commanding officer of NYPD 48th Precinct), John Does. (laq,) (Entered: 06/09/2005)
06/09/2005		CASE REFERRED TO Judge Robert W. Sweet as possibly similar to 1:90-cv-7546. (laq,) (Entered: 06/09/2005)
06/09/2005		CASE DECLINED AS NOT RELATED. Case referred as related to 1:90-cv-7546 and declined by Judge Robert W. Sweet and returned to wheel for assignment. (laq,) (Entered: 06/28/2005)
06/09/2005		Magistrate Judge Theodore H. Katz is so designated. (laq,) (Entered: 06/28/2005)
06/09/2005	<u>6</u>	NOTICE OF CASE ASSIGNMENT to Judge Shira A. Scheindlin. Judge Unassigned no longer assigned to the case. (laq,) (Entered: 06/28/2005)
06/09/2005		Case Designated ECF. (gf,) (Entered: 08/01/2005)
06/20/2005	<u>2</u>	TRANSCRIPT of proceedings held on 6/10/05 @ 11:15 a.m. before Judge Shira A. Scheindlin. (kco,) (Entered: 06/20/2005)
06/21/2005	<u>8</u>	ORDER. Plaintiffs are hereby ordered to show cause why defendants Chief Judge Judith Kaye, Justice Lippman and Chauncey B. Parker should not immediately be dismissed from this case for the reasons further set forth in this Order. Plaintiffs should submit a response of no more than 15 pages, no later than Friday, 6/24/05 at 12:00 p.m. Plaintiff may also submit a reply to the State of New York's opposition to plaintiffs' request for entry of a restraining order, of no more than 10 pages, no later than Friday, 6/24/05 at 12:00 p.m. (Signed by Judge Shira A. Scheindlin on 6/21/05) (yv,) (Entered: 06/30/2005)
06/22/2005	<u>3</u>	AFFIDAVIT OF SERVICE of Summons and Complaint,, Chauncey G. Parker(in his capacity as Director of Criminal Justice) served on 6/21/2005, answer due 7/11/2005. Service was accepted by Monica Connell, Assistant Attorney General. Document filed by Eddie Wise(on behalf of himself). (Rosenfeld, Katherine) (Entered: 06/22/2005)
06/22/2005	<u>4</u>	NOTICE of Appearance by Katherine R. Rosenfeld on behalf of all plaintiffs (Rosenfeld, Katherine) (Entered: 06/22/2005)
06/24/2005	<u>5</u>	STIPULATION AND ORDER; Robert Johnson shall seek to dismiss any and all charges and summonses pending solely under Penal Law 240.35(1) including conditional discharges and violations thereof related to prior charges and/or convictions solely under Penal Law 240.35(1); City Defendants shall immediately release from custody anyone held solely on the charge of violating Penal Law 240.35(a) or, on a charge of violating the terms of a conditional discharge relating solely to 240.35(1); and the City Defendants shall immediately seek to vacate all warrants relating to charges or summonses solely for Penal Law 240.35(1). (Signed by Judge Shira A. Scheindlin on 6/23/05) (sac,) (Entered: 06/27/2005)

06/25/2005	<u>7</u>	ENDORSED LETTER addressed to Judge Scheindlin from Monica Connell dated 6/27/05 re: request for leave to submit a 5 page reply to plaintiff's 6/24/05 letters submitted pursuant to the Court's 6/21/05 Order. Defendant's request is granted. Defendant may submit a reply, not to exceed 5 pages, by 6/29/05 (Signed by Judge Shira A. Scheindlin on 6/27/05) (yv,) (Entered: 06/29/2005)
06/28/2005		Mailed notice to the attorney(s) of record. (laq,) (Entered: 06/28/2005)
07/01/2005	<u>9</u>	ORDER that the court reserves decision regarding its 6/21/05 order to show cause pending the State dfts' submission of and the plaintiffs' opposition to motion to dismiss (Signed by Judge Shira A. Scheindlin on 7/1/05) (dle,) (Entered: 07/05/2005)
07/06/2005	<u>10</u>	NOTICE of Appearance by Monica Anne Connell on behalf of Judith Kaye, Judith Kaye (Connell, Monica) (Entered: 07/06/2005)
07/06/2005	<u>11</u>	NOTICE of Appearance by Monica Anne Connell on behalf of Judith Kaye, Judith Kaye, Jonathan Lippman, Chauncey G. Parker(in his capacity as Director of Criminal Justice), Chauncey G. Parker(Commissioner of the New York State Division of Criminal Justice Services (DCJS)) (Connell, Monica) (Entered: 07/06/2005)
07/07/2005	<u>12</u>	NOTICE of Appearance by Matthew C. Brinckerhoff on behalf of all plaintiffs (Brinckerhoff, Matthew) (Entered: 07/07/2005)
07/07/2005	<u>13</u>	AFFIDAVIT OF SERVICE. Raymond W. Kelly served on 6/30/2005, answer due 7/20/2005. Service was accepted by D. Cruz, Officer. Document filed by Eddie Wise(on behalf of himself). (Brinckerhoff, Matthew) (Entered: 07/07/2005)
07/07/2005	<u>14</u>	AFFIDAVIT OF SERVICE. Barry M. Buzzetti(Captain of NYPD 48th Precinct) served on 7/5/2005, answer due 7/25/2005. Service was accepted by Mundo, Officer. Document filed by Eddie Wise(on behalf of himself). (Brinckerhoff, Matthew) (Entered: 07/07/2005)
07/07/2005	<u>15</u>	AFFIDAVIT OF SERVICE. Kevin Lynch served on 7/5/2005, answer due 7/25/2005. Service was accepted by Mundo, Officer. Document filed by Eddie Wise(on behalf of himself). (Brinckerhoff, Matthew) (Entered: 07/07/2005)
07/07/2005	<u>16</u>	AFFIDAVIT OF SERVICE. Miguel Musse served on 7/5/2005, answer due 7/25/2005. Service was accepted by Mundo, Officer. Document filed by Eddie Wise(on behalf of himself). (Brinckerhoff, Matthew) (Entered: 07/07/2005)
07/07/2005	<u>17</u>	AFFIDAVIT OF SERVICE. Robert Johnson served on 7/5/2005, answer due 7/25/2005. Service was accepted by Yolanda Oliveri. Document filed by Eddie Wise(on behalf of himself). (Brinckerhoff, Matthew) (Entered: 07/07/2005)
07/07/2005	<u>18</u>	AFFIDAVIT OF SERVICE. Judith Kaye served on 7/6/2005, answer due 7/26/2005. Service was accepted by Jonathan Lippman, OCA. Document filed by Eddie Wise(on behalf of himself). (Brinckerhoff, Matthew) (Entered: 07/07/2005)
07/07/2005	<u>19</u>	AFFIDAVIT OF SERVICE. Jonathan Lippman served on 7/6/2005, answer due 7/26/2005. Service was accepted by Jonathan Lippman, OCA. Document filed by Eddie Wise(on behalf of himself). (Brinckerhoff, Matthew) (Entered: 07/07/2005)
07/20/2005		Set/Reset Deadlines: Motion to dismiss due by 7/29/2005. (jp,) (Entered: 07/22/2005)
07/21/2005	<u>20</u>	ORDER; State defts time to serve and file a motion to dismiss is extended by one week from 7/22/2005 to 7/29/2005. (Signed by Judge Shira A. Scheindlin on 7/19/2005) (jp,) (Entered: 07/22/2005)
07/27/2005	<u>21</u>	AFFIDAVIT OF SERVICE. City of New York served on 7/25/2005, answer due 8/15/2005. Service was accepted by Linda Lawyer/Process Clerk. Document filed by Eddie Wise(on behalf of himself). (Rosenfeld, Katherine) (Entered: 07/27/2005)
07/27/2005	<u>22</u>	AFFIDAVIT OF SERVICE. Curley Harris served on 7/25/2005, answer due 8/15/2005. Service was accepted by Lieutenant Green. Document filed by Eddie Wise(on behalf of himself). (Rosenfeld, Katherine) (Entered: 07/27/2005)

07/27/2005	<u>23</u>	AFFIDAVIT OF SERVICE. John Brennan served on 7/25/2005, answer due 8/15/2005. Service was accepted by Officer Richards. Document filed by Eddie Wise(on behalf of himself). (Rosenfeld, Katherine) (Entered: 07/27/2005)
07/29/2005	24	ORDER: State defendants' time to serve and file a motion to dismiss is extended by three weeks from July 29, 2005 to August 19, 2005. No further extensions will be granted. (Signed by Judge Shira A. Scheindlin on 7/28/05) Copies Faxed By Chambers.(kw,) (Entered: 08/01/2005)
08/18/2005	<u>25</u>	ENDORSED LETTER addressed to Judge Scheindlin from Rachel A. Seligman dated 8/15/05 re: Theh City defendants' request is hereby granted. The City defendants shall file an answer or otherwise respond to the complaint no later than 09/15/05. In addition, provided that the defendant police officers have been properly served, these defendants shall also file an answer or otherwise respo to the complaint by 09/15/05. No further extensions shall be granted. (Signed by Judge Shira A. Scheindlin on 8/17/05) (dj,) (Entered: 08/19/2005)
08/19/2005	<u>26</u>	MOTION to Dismiss <i>Complaint</i> . Document filed by Judith Kaye, Judith Kaye, Jonathan Lippman, Chauncey G. Parker(in his capacity as Director of Criminal Justice), Chauncey G. Parker(Commissioner of the New York State Division of Criminal Justice Services (DCJS)). Return Date set for 9/30/2005 09:30 AM. (Attachments: # <u>1</u> Supporting Declaration of Monica Connell# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C# <u>5</u> Exhibit D# <u>6</u> Exhibit E# <u>7</u> Exhibit F# <u>8</u> Exhibit G# <u>9</u> Exhibit H)(Connell, Monica) (Entered: 08/19/2005)
08/19/2005	<u>27</u>	MEMORANDUM OF LAW in Support re: <u>26</u> MOTION to Dismiss <i>Complaint</i> .. Document filed by Judith Kaye, Judith Kaye, Jonathan Lippman, Chauncey G. Parker(in his capacity as Director of Criminal Justice), Chauncey G. Parker(Commissioner of the New York State Division of Criminal Justice Services (DCJS)). (Connell, Monica) (Entered: 08/19/2005)
09/09/2005	<u>28</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Matthew D. Brinckerhoff dated 9/9/05 re: the plaintiffs request is hereby granted. The plaintiff opposition is due no later than 10/3/05. The State dfts respond is due no later than 10/17/05. (Signed by Judge Shira A. Scheindlin on 9/9/05) (pl,) (Entered: 09/12/2005)
09/15/2005	<u>29</u>	ANSWER to Complaint with JURY DEMAND. Document filed by City of New York, Robert Johnson, Raymond W. Kelly.(Seligman, Rachel) (Entered: 09/15/2005)
09/19/2005	<u>30</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld dated 9/15/05 re: the plaintiffs request is hereby granted. The City is directed to either (1) provide plaintiff with defendant Carley's consent for service through the NYPD legal division no later than 9/23/05; or (2) provide plaintiff with defendant Carley's last known home address by no later than 9/23/05. (Signed by Judge Shira A. Scheindlin on 9/15/05) (db,) (Entered: 09/20/2005)
09/19/2005	<u>31</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Rachel A. Seligman dated 9/15/05 re: It is unprofessional to request an extension of time on the day a filing is due. Nevertheless, understanding the situation regarding the individual police officer defendants, the COurt hereby grants a fourteen-day (14) day enlargement of time, and no more. Thus, Officers Buzzetti, Lynch, Masse, Brennan and Harris shall answer or otherwise respond to the complaint no later than 9/29/05. (Signed by Judge Shira A. Scheindlin on 9/15/05) (db,) (Entered: 09/20/2005)
09/19/2005		Set Answer Due Date purs. to <u>31</u> Endorsed Letter,, as to Curley Harris answer due on 9/29/2005; Miguel Musse answer due on 9/29/2005; Kevin Lynch answer due on 9/29/2005; John Brennan answer due on 9/29/2005; Barry M. Buzzetti(Captain of NYPD 48th Precinct) answer due on 9/29/2005; Barry M. Buzzetti(commanding officer of NYPD 48th Precinct) answer due on 9/29/2005. (db,) (Entered: 09/20/2005)
09/28/2005	<u>32</u>	AFFIDAVIT OF SERVICE. Michael Curley served on 9/26/2005, answer due 10/17/2005. Service was accepted by Michael Curley. Document filed by Eddie Wise(on behalf of himself). (Rosenfeld, Katherine) (Entered: 09/28/2005)

09/29/2005	<u>33</u>	ANSWER to Complaint with JURY DEMAND. Document filed by Michael Curley, Curley Harris, Miguel Musse, Kevin Lynch, John Brennan, Barry M. Buzzetti(Captain of NYPD 48th Precinct), Barry M. Buzzetti(commanding officer of NYPD 48th Precinct).(Seligman, Rachel) (Entered: 09/29/2005)
10/06/2005	<u>34</u>	STIPULATION AND ORDER OF DISMISSAL that the State Defendants withdraw their pending motion to dismiss, without prejudice and with leave to re-file. So Ordered. (Signed by Judge Shira A. Scheindlin on 9/28/05) (jco,) (Entered: 10/07/2005)
01/17/2006	<u>35</u>	STIPULATED PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material.... (Signed by Judge Shira A. Scheindlin on 1/17/06) (js,) (Entered: 01/18/2006)
01/17/2006	<u>36</u>	STIPULATION AND ORDER OF VOLUNTARY DISMISSAL, IT IS HEREBY STIPULATED AND AGREED by and between the parties, through their counsel, that plaintiff Eddie Wise hereby voluntarily withdraws and consents to the dismissal of this action as against Judge Judith Kaye, Chief Judge of the New York State Court of Appeals, Justice Jonathan Lippman, Chief Administrative Judge of the New York State Unified Court System and Chauncey Parker, Commissioner of the New York State Division of Criminal Justice Services. (Signed by Judge Shira A. Scheindlin on 1/13/05) (dt,) (Entered: 01/20/2006)
03/06/2006	37	TRANSCRIPT of proceedings held on 02/17/06 before Judge Shira A. Scheindlin. (es,) (Entered: 03/06/2006)
03/09/2006	<u>38</u>	STIPULATED PROTECTIVE ORDER: regarding procedures to be followed that shall govern the handling of confidential material. (Signed by Judge Shira A. Scheindlin on 3/9/06) (db,) (Entered: 03/09/2006)
03/09/2006	<u>39</u>	UNSEALING ORDER that the Bronx County District Attorney's Office and the NYC Police Department provide Corporation Counsel of the City of NY, re records of any criminal actions pertaining to individuals who were arrested, summonsed, and/or charged with Penal Law 240.35(1) from 6/9/02 and 6/9/05, as further set forth in this document. (Signed by Judge Shira A. Scheindlin on 3/9/06) (cd,) (Entered: 03/10/2006)
03/28/2006	40	TRANSCRIPT of proceedings held on 3/23/06 @ 10:15 a.m. before Judge Shira A. Scheindlin. (kco,) (Entered: 03/28/2006)
04/11/2006	<u>41</u>	ORDER: It is hereby ordered that the Bronx County District Attorney's Office, the Kings County District Attorney's Office, the Queens County District Attorney's Office, and the New York City Police Department provide Michael A. Cardozo, Corporation Counsel of the City of New York, or his authorized representative, records of any criminal actions pertaining to individuals who were arrested, summonsed, and/or charged with Penal Law 240.35(1) from 10/7/92 until 4/11/2006. (Signed by Judge Shira A. Scheindlin on 4/11/2006) (lb,) (Entered: 04/12/2006)
04/12/2006	<u>42</u>	ORDER: By April 14, 2006, the Bronx County District Attorney's Office shall produce to the Office of Corporation counsel of City of New York a complete list of the electronic data fields used by the Bronx County District attorney's office, including but not limited to the fields contained in the case Tracking System, Folder Tracking System and the Complaint Typing System. (Signed by Judge Shira A. Scheindlin on 4/12/06) (js,) (Entered: 04/13/2006)
04/27/2006	43	TRANSCRIPT of proceedings held on 4/10/2006 before Judge Shira A. Scheindlin. (jar,) (Entered: 04/27/2006)
06/21/2006	<u>44</u>	ORDER; that by 7/24/06, dfts. shall produce to plaintiff, in electronic "Excel" format as agreed to by the parties, all electronic data, using all data fields contained in BADS regarding enforcement of N.Y. Penal Law section 240.35(1) from the N.Y.C.P.D. for the time period 6/9/02 to 6/9/05 (Signed by Judge Shira A. Scheindlin on 6/20/06) (pl,) (Entered: 06/22/2006)
06/23/2006	45	TRANSCRIPT of proceedings held on 6/19/06 before Judge Shira A. Scheindlin. (tro,) (Entered: 06/23/2006)

09/22/2006	<u>46</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from J. McGregor Smyth, Jr. dated 9/21/06 re: Counsel writes to request an adjournment of the status conference be—calendared any time between 11/1 and 11/3/06. The parties' request is hereby granted. The status conference scheduled for September 25 will be postponed until 11/1/06, at 11 a.m. So Ordered. (Signed by Judge Shira A. Scheindlin on 9/22/06) (jco,) (Entered: 09/22/2006)
10/26/2006	<u>47</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin f from Katherine Rosenfeld dated 10/26/2006 re: requesting a brief adjournment of the parties' status conference with the Court, currently scheduled for 11/1/2006 at 1:00 p.m. ENDORSEMENT: 11/1 Conference is adjourned to 11/22 at 4:30. Plaintiffs may submit two three—page premotion letters. So Ordered. (Signed by Judge Shira A. Scheindlin on 10/26/2006) (lb,) (Entered: 10/27/2006)
10/26/2006		Set/Reset Hearings: Status Conference set for 11/22/2006 04:30 PM before Judge Shira A. Scheindlin. (lb,) (Entered: 10/27/2006)
11/07/2006	<u>48</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Rachel A. Seligman dated 11/6/06 re: a request by the City defendants for an adjournment of the status conference presently scheduled for 11/22/2006. ENDORSEMENT: Request granted. The conference previously scheduled for 11/22/2006 is adjourned to 11/29/2006 at 2:30 p.m. SO ORDERED. (Signed by Judge Shira A. Scheindlin on 11/7/06) (kco,) (Entered: 11/08/2006)
11/22/2006	<u>49</u>	STIPULATION AND ORDER AMENDING COMPLAINT: It is hereby stipulated and agreed that defendants consent to the filing of the first amended complaint and that plaintiffs be granted leave to file and serve the first amended complaint. (Signed by Judge Shira A. Scheindlin on 11/22/2006) (lb,) (Entered: 11/27/2006)
11/27/2006	<u>50</u>	AMENDED CLASS ACTION COMPLAINT amending <u>1</u> Complaint, against Corey Harris, John/Jane Doe, Jane Does, City of New York, Miguel Musse, Kevin Lynch, John Brennan, John Does, Robert Johnson, Raymond W. Kelly, Barry M. Buzzetti(Captain and Commanding Officer of NYPD 48th Precinct), John Does.Document filed by Michael Brown(On behalf of himself and others similarly situated), Michael Brown, Eddie Wise(on behalf of himself), Eddie Wise(on behalf of all others similarly situated). Related document: <u>1</u> Complaint, filed by Eddie Wise.(jco,) (Entered: 11/30/2006)
12/05/2006	<u>51</u>	JUDGMENT #06,2604 in favor of Eddie Wise against City of New York in the amount of \$ 100,001.00. (Signed by Judge Shira A. Scheindlin on 12/5/06) (Attachments: # <u>1</u> notice of right to appeal)(ml,) (Entered: 12/07/2006)
12/13/2006	52	TRANSCRIPT of proceedings held on 11/29/06 before Judge Shira A. Scheindlin. (jbe,) (Entered: 12/13/2006)
12/13/2006	53	TRANSCRIPT of proceedings held on 11/20/2006 before Judge Shira A. Scheindlin. (aba,) (Entered: 12/13/2006)
12/14/2006	<u>54</u>	ORDER: It is hereby ordered that: within the next 30 days, defendants shall send letters to all police officers in the New York City Police Department who have issued summonses or made arrests under New York Penal Law 240.35(1) (the Statute) since 6/23/2005, informing said officers the Statue is unconstitutional and cannot be charged, and warning these officers that future enforcement of the Statue may lead to disciplinary action being taken against them by the NYPD. All other rulings are set forth in this order. (Signed by Judge Shira A. Scheindlin on 12/14/2006) (lb,) (Entered: 12/15/2006)
12/19/2006	<u>55</u>	STIPULATION AND ORDER: plaintiff Eddie Wise's time to move for reasonable attorneys' fees, expenses and costs, pursuant to FRCP 54(d)(2)(B) is extended to 2/15/07. (Signed by Judge Shira A. Scheindlin on 12/18/06) (db,) (Entered: 12/20/2006)
12/19/2006		Set/Reset Deadlines: Motions due by 2/15/2007. (db,) (Entered: 12/20/2006)
12/28/2006	<u>56</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Matthew D. Brinckernoff dated 12/27/06 re: parties write to the court regarding proposed schedule for plaintiffs motion for class certification as follows: Plaintiffs' motion due by 2/1/2007. Responses due by 3/15/2007 Replies due by 3/20/2007. (Signed

		by Judge Shira A. Scheindlin on 12/28/06) (pl,) (Entered: 12/29/2006)
12/28/2006	<u>57</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Matthew D. Brinckernoff dated 12/28/06 re: Parties propose: (1) a schedule for resolving the discovery dispute raised in defendants' letter dated 12/22/06 and (ii) a revised schedule for plaintiff's motion for class certification; Plaintiff's motion for class certification shall be modified so that plaintiff's time to move is extended from 1/15/07 to 2/1/07, and defendants' time to oppose the motion is extended and expanded from 2/15/07 to 3/15/07, followed by plaintiff's reply papers on 3/30/07; The proposed schedule is hereby So Ordered. (Signed by Judge Shira A. Scheindlin on 12/28/06) (ae,) (Entered: 12/29/2006)
12/28/2006		Set Deadlines/Hearings: Plaintiff's motion for class certification due by 2/1/2007. Defendants' Reply due by 3/30/2007. Plaintiff's Response due by 3/15/2007 (ae,) (Entered: 12/29/2006)
01/17/2007	58	TRANSCRIPT of proceedings held on 12/6/06 before Judge Shira A. Scheindlin. (tro) (Entered: 01/17/2007)
01/19/2007	<u>59</u>	ANSWER to Amended Complaint. Document filed by City of New York, Michael Curley, Miguel Musse, Kevin Lynch, John Brennan, Corey Harris, Robert Johnson, Raymond W. Kelly, Barry M. Buzzetti(Captain and Commanding Officer of NYPD 48th Precinct).(Seligman, Rachel) (Entered: 01/19/2007)
01/25/2007	<u>60</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld dated 1/24/07 re: Application GRANTED. The page limitations for plaintiff's Memorandum of Law in Support of the Motion for Class Certification is expanded to fifty (50) pages and defendants reply expanded to twenty-five (25) pages. (Signed by Judge Shira A. Scheindlin on 1/25/07) (db) (Entered: 01/26/2007)
01/26/2007	61	ENDORSED LETTER addressed to Judge Shire A. Scheindlin from Katherine Rosenfeld dated 1/24/2007 re: to grant an extension of the page limits for plaintiffs' memorandum of law in support of our motion for class certification.ENDORSEMENT: Request denied. Counsel would be surprised to learn that almost every case thinks that it is the "unique" case that requires briefing beyond the court's page limits. If the Court granted every such request, there would be no page limits, and exceptions would swallow the rule. That said, plaintiffs may have a 10-page increase (to 35) pages; undoubtedly defendants will ask for said, plaintiffs may have the same; and plaintiffs may have a 5- page increase (to 15) pages. SO ORDERED. (Signed by Judge Shira A. Scheindlin on 1/25/2007) (jmi) (Entered: 01/29/2007)
02/01/2007	<u>62</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION to Certify Class and Amend Complaint. Document filed by Michael Brown(On behalf of himself and others similarly situated).Responses due by 3/15/2007 (Attachments: # <u>1</u> Memorandum of Law In Support of Motion to Amend and Certify Class)(Rosenfeld, Katherine) Modified on 2/2/2007 (Allen, Kathleen). (Entered: 02/01/2007)
02/02/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Katherine R. Rosenfeld to RE-FILE Document <u>62</u> MOTION to Certify Class and Amend Complaint. ERROR(S): Filing Error of Attachment#1 and Supporting Declartion. Supporting Documents must be filed individually. Event codes located under Replies, Opposition and Supporting Documents. (kg) (Entered: 02/02/2007)
02/02/2007	<u>63</u>	FIRST MOTION to Certify Class and Amend Complaint. Document filed by Michael Brown(On behalf of himself and others similarly situated).Responses due by 3/16/2007 (Attachments: # <u>1</u> Affidavit Declaration of McGregor Smyth# <u>2</u> Exhibit Ex A: Second Amended Complaint# <u>3</u> Exhibit Ex. B: Stipulation and Order# <u>4</u> Supplement Memorandum of Law)(Rosenfeld, Katherine) (Entered: 02/02/2007)
02/05/2007	<u>64</u>	ACKNOWLEDGMENT OF SERVICE. Shawn Ricker served on 1/25/2007, answer due 2/14/2007. Service was accepted by John Payne. Document filed by Michael Brown. (Rosenfeld, Katherine) (Entered: 02/05/2007)

02/13/2007	<u>65</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Specific Non-Dispositive Motion/Dispute. Plaintiff's motion for attorney's fees.. Referred to Magistrate Judge Theodore H. Katz. Plaintiff Eddie Wise's time to file his motion for attorney's fees was extended to March 15, 2007 Defendants opposition is due April 15, any reply is due May 1. (Signed by Judge Shira A. Scheindlin on 2/13/07) (js) (Entered: 02/14/2007)
02/13/2007	<u>66</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld dated 2/12/07 re: Request that the Court extend plaintiff Eddie Wise's time allotted under Fed. R. Civ. P. 54 (d)(2)(b) for bringing any motion for attorneys' fees until March 15, 2007 with defendants opposition due by April 15, 2007, and any reply be submitted May 1, 2007. This schedule would permit briefing of the fees motion without impining on the time allotted for either side's submissions to this Court on the pending class certification motion. ENDORSEMENT: So Ordered. (Signed by Judge Shira A. Scheindlin on 2/13/07) (js) (Entered: 02/14/2007)
02/13/2007		Set Deadlines/Hearings: Responses due by 4/15/2007 (js) (Entered: 02/14/2007)
02/13/2007	67	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Specific Non-Dispositive Motion/Dispute: Attorneys' Fees. Referred to Magistrate Judge Theodore H. Katz. (Signed by Judge Shira A. Scheindlin on 2/8/07) (ae) (Entered: 02/14/2007)
02/28/2007	68	TRANSCRIPT of proceedings held on 1/9/2007 before Judge Shira A. Scheindlin. (jsa) (Entered: 02/28/2007)
03/12/2007	<u>69</u>	ENDORSED LETTER addressed to Magistrate Judge Theodore H. Katz from Katherine Rosenfeld dated 3/1/2007 re: to we hope to avoid burdening this Court with any motion practice on this issue. However, the parties have reached a stalemate with respect to this fee dispute. We believe that a conference with Your Honor would be extremely useful to assist the parties in negotiation a resolution. For these reasons, we respectfully request that the Court:(1)schedule a conference with the parties in an attempt to resolve the parties' fee dispute without formal motion practice; and (2) in light of the requested conference, extend plaintiff's time to file motion for attorneys' fees until May 15,2007. The conference is to take place on March 21st. Any response to be filed by June 11,2007 Any reply by June 20,2007.Responses due by 6/11/2007.,Replies due by 6/20/2007. SO ORDERED. (Signed by Judge Theodore H. Katz on 3/12/2007) (jmi) (Entered: 03/13/2007)
03/13/2007	70	TRANSCRIPT of proceedings held on 2/8/07 before Judge Shira A. Scheindlin. (jbe) (Entered: 03/13/2007)
03/13/2007	<u>71</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Rachel A. Seligman dated 3/12/07 re: Accordingly, defendants request an enlargement of time from March 15, 2007 until May 1, 2007 to serve their opposition to plaintiff's motion for class certification and motion to amend. ENDORSEMENT: Defendants' request for an extension to May 1, 2007 is DENIED. Defendants are granted a four week extension to serve their opposition to plaintiff's motion for class certification. Accordingly, defendants shall file their opposition by April 16, 2007 and plaintiff shall file its reply by April 27, 2007. No further adjournments will be granted. So Ordered. (Signed by Judge Shira A. Scheindlin on 3/13/07) (js) (Entered: 03/14/2007)
03/13/2007		Set Deadlines/Hearings: Replies due by 4/27/2007.,Responses due by 4/16/2007 (js) (Entered: 03/14/2007)
03/14/2007	<u>72</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld dated 3/14/07 re: Request for an extension of time for plaintiff's to file reply papers until May 7, 2007. ENDORSEMENT: request GRANTED. Plaintiff's time to reply is extended to and including May 7, 2007. So Ordered (Signed by Judge Shira A. Scheindlin on 3/14/07) (js) (Entered: 03/15/2007)
03/14/2007		Set Deadlines/Hearings: Replies due by 5/7/2007. (js) (Entered: 03/15/2007)

03/15/2007	<u>73</u>	TRANSCRIPT of proceedings held on 3/2/2007 at 4:40 p.m. before Judge Shira A. Scheindlin. (mbe) (Entered: 03/15/2007)
03/15/2007	<u>74</u>	STIPULATED PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material.... (Signed by Judge Shira A. Scheindlin on 3/15/07) (cd) (Entered: 03/16/2007)
03/16/2007	<u>75</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Rachel A. Selgman dated 3/15/07 re: We request that the April 16, 2007, due date for defendants opposition for class certification be extended to April 27, 2007, and plaintiff's time for reply be extended from May 7, 2007, to May 11, 2007. ENDORSEMENT: This Court previously informed Defendants that no further extensions of their time to oppose plaintiffs' class certification motion would be granted. Defendants request is DENIED. (Signed by Judge Shira A. Scheindlin on 3/16/07) (js) (Entered: 03/19/2007)
03/21/2007		Minute Entry for proceedings held before Judge Theodore H. Katz : Settlement Conference held on 3/21/2007. (cd) (Entered: 03/26/2007)
03/23/2007	<u>76</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – FIRST MOTION to Comply <i>Plaintiff's Motion for Contempt</i> . Document filed by Michael Brown(On behalf of himself and others similarly situated).Motions referred to Theodore H. Katz. (Attachments: # <u>1</u> Exhibit # <u>2</u> Affidavit Smyth Declaration ISO Motion# <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit # <u>6</u> Memo of Law Part 1# <u>7</u> Memo of Law Part 2# <u>8</u> Exhibit # <u>9</u> Exhibit # <u>10</u> Exhibit # <u>11</u> Exhibit # <u>12</u> Exhibit # <u>13</u> Exhibit # <u>14</u> Exhibit # <u>15</u> Exhibit # <u>16</u> Exhibit # <u>17</u> Exhibit # <u>18</u> Exhibit # <u>19</u> Exhibit # <u>20</u> Exhibit # <u>21</u> Exhibit)(Rosenfeld, Katherine) Modified on 3/26/2007 (KA). (Entered: 03/23/2007)
03/26/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Katherine R. Rosenfeld to RE-FILE Document <u>76</u> FIRST MOTION to Comply <i>Plaintiff's Motion for Contempt</i> .. ERROR(S): Filing Error of Supporting Documents. Supporting Documents must be filed individually. Event codes located under Replies, Opposition and Supporting Documents. (KA) (Entered: 03/26/2007)
03/27/2007	<u>77</u>	ORDER; that Plaintiffs Edgar Turner, Llewellyn Rudy, Bobby Wells, Xavier Grant, Keith Anderson, and Michael L. Brown, shall be compelled to appear for their depositions at the Office of the Corporation Counsel, 100 Church Street, New York, NY 10007, in accordance w/ the schedule as set forth in this Order. (Signed by Judge Shira A. Scheindlin on 3/26/07) (ae) (Entered: 03/28/2007)
03/27/2007	<u>82</u>	ORDER plaintiffs Edgard Turner, Llewellyn Rudy, Bobby Wells, Xavier Grant, Keith Anderson, and Michael L. Brown be compelled to appear for their depositions at the Offices of the Corporation Counsel, 100 Church Street, in accordance with the following schedule, agreed upon by the parties and confirmed by plaintiffs' counsel: Llewallyn Rudy: 3/27/07, Michael L. Brown: 3/28/07, Bobby Wells 3/29/07, Xavier Grant: 3/29/07, Keith Anderson: 3/30/07, Edgar Turner: 4/4/07. (Signed by Judge Shira A. Scheindlin on 3/26/07) (jco) (Entered: 03/30/2007)
03/29/2007	<u>78</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – FIRST MOTION to Comply <i>Plaintiff's Motion for Contempt</i> . Document filed by Michael Brown(On behalf of himself and others similarly situated).Motions referred to Theodore H. Katz. (Attachments: # <u>1</u> Affidavit Affirmation of McGregor Smythe# <u>2</u> Exhibit Exhibit A# <u>3</u> Exhibit Exhibit B# <u>4</u> Exhibit Exhibit C# <u>5</u> Exhibit Exhibit D# <u>6</u> Exhibit Exhibit E# <u>7</u> Exhibit # <u>8</u> Exhibit Exhibit G# <u>9</u> Exhibit Exhibit H# <u>10</u> Exhibit Exhibit I# <u>11</u> Exhibit Exhibit J# <u>12</u> Exhibit Exhibit K# <u>13</u> Exhibit Exhibit K# <u>14</u> Exhibit Exhibit M# <u>15</u> Exhibit Exhibit N# <u>16</u> Exhibit Exhibit O# <u>17</u> Exhibit Exhibit P# <u>18</u> Exhibit Exhibit Q)(Rosenfeld, Katherine) Modified on 3/30/2007 (KA). (Entered: 03/29/2007)
03/29/2007	<u>79</u>	FILING ERROR – WRONG DOCUMENT TYPE SELECTED FROM MENU – FIRST BRIEF re: <u>78</u> FIRST MOTION to Comply Plaintiff's Motion for Contempt. (Memorandum of Law in Support of Motion for Contempt). Document filed by Michael Brown(On behalf of himself and others similarly situated).(Rosenfeld, Katherine) Modified on 3/30/2007 (KA). (Entered: 03/29/2007)

03/30/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Katherine R. Rosenfeld to RE-FILE Document <u>78</u> FIRST MOTION to Comply Plaintiff's Motion for Contempt. ERROR(S): Filing Error of Supporting Declaration. Supporting Declaration must be filed individually. Event code located under Replies, Opposition and Supporting Documents. (KA) Modified on 3/30/2007 (KA). (Entered: 03/30/2007)
03/30/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DOCUMENT TYPE ERROR. Note to Attorney Katherine R. Rosenfeld to RE-FILE Document <u>79</u> Brief. Use the document type Memorandum of Law in support of motion found under the document list Replies, Opposition and Supporting Documents. (KA) (Entered: 03/30/2007)
03/30/2007	<u>80</u>	AFFIDAVIT of McGregor Smythe in Support re: <u>78</u> FIRST MOTION to Comply <i>Plaintiff's Motion for Contempt</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Rosenfeld, Katherine) (Entered: 03/30/2007)
03/30/2007	<u>81</u>	FIRST MEMORANDUM OF LAW in Support re: <u>78</u> FIRST MOTION to Comply <i>Plaintiff's Motion for Contempt</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Rosenfeld, Katherine) (Entered: 03/30/2007)
04/13/2007	<u>83</u>	DECLARATION of Steven M. Anger in Opposition re: <u>78</u> FIRST MOTION to Comply <i>Plaintiff's Motion for Contempt</i> .. Document filed by City of New York, Raymond W. Kelly. (Attachments: # <u>1</u> Exhibit A through K)(Seligman, Rachel) (Entered: 04/13/2007)
04/13/2007	<u>84</u>	DECLARATION of Rosemary DeBellis in Opposition re: <u>78</u> FIRST MOTION to Comply <i>Plaintiff's Motion for Contempt</i> .. Document filed by City of New York, Raymond W. Kelly. (Attachments: # <u>1</u> Exhibit A through G)(Seligman, Rachel) (Entered: 04/13/2007)
04/13/2007	<u>85</u>	DECLARATION of Anthony D'Amico in Opposition re: <u>78</u> FIRST MOTION to Comply <i>Plaintiff's Motion for Contempt</i> .. Document filed by City of New York, Raymond W. Kelly. (Attachments: # <u>1</u> Exhibit A (Part 1)# <u>2</u> Exhibit A (Part 2)# <u>3</u> Exhibit A (Part 3)# <u>4</u> Exhibit B through D)(Seligman, Rachel) (Entered: 04/13/2007)
04/13/2007	<u>86</u>	DECLARATION of Rachel A. Seligman in Opposition re: <u>78</u> FIRST MOTION to Comply <i>Plaintiff's Motion for Contempt</i> .. Document filed by City of New York, Raymond W. Kelly. (Attachments: # <u>1</u> Exhibit A through I)(Seligman, Rachel) (Entered: 04/13/2007)
04/14/2007	<u>87</u>	MEMORANDUM OF LAW in Opposition re: <u>78</u> FIRST MOTION to Comply <i>Plaintiff's Motion for Contempt</i> .. Document filed by City of New York, Raymond W. Kelly. (Seligman, Rachel) (Entered: 04/14/2007)
04/16/2007	<u>88</u>	MEMORANDUM OPINION AND ORDER # 94563: for reasons further set forth in said Order, plaintiff's 4/6/07 letter motion for a Protective Order is GRANTED. (Signed by Judge Shira A. Scheindlin on 4/16/07) (db) Modified on 4/18/2007 (rw). (Entered: 04/17/2007)
04/23/2007	<u>89</u>	REPLY AFFIDAVIT of J. McGregor Smyth, Jr. in Support re: <u>76</u> FIRST MOTION to Comply <i>Plaintiff's Motion for Contempt</i> ., <u>78</u> FIRST MOTION to Comply <i>Plaintiff's Motion for Contempt</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated), Michael Brown. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Brinckerhoff, Matthew) (Entered: 04/23/2007)
04/23/2007	<u>90</u>	REPLY MEMORANDUM OF LAW in Support re: <u>76</u> FIRST MOTION to Comply <i>Plaintiff's Motion for Contempt</i> ., <u>78</u> FIRST MOTION to Comply <i>Plaintiff's Motion for Contempt</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated), Michael Brown. (Brinckerhoff, Matthew) (Entered: 04/23/2007)
04/24/2007	<u>91</u>	DECLARATION of Rachel A. Seligman in Opposition re: <u>63</u> FIRST MOTION to Certify Class and Amend Complaint.. Document filed by City of New York.

		(Attachments: # <u>1</u> Exhibit A through F# <u>2</u> Exhibit G through N)(Seligman, Rachel) (Entered: 04/24/2007)
04/24/2007	<u>92</u>	MEMORANDUM OF LAW in Opposition re: <u>63</u> FIRST MOTION to Certify Class and Amend Complaint.. Document filed by City of New York. (Seligman, Rachel) (Entered: 04/24/2007)
04/26/2007	<u>93</u>	MEMORANDUM OF LAW in Opposition re: <u>63</u> FIRST MOTION to Certify Class and Amend Complaint. revised with TOA and TOC. Document filed by City of New York. (Seligman, Rachel) (Entered: 04/26/2007)
05/07/2007	<u>94</u>	REPLY AFFIDAVIT of J. McGregor Smyth, Jr. in Support re: <u>62</u> MOTION to Certify Class and Amend Complaint., <u>63</u> FIRST MOTION to Certify Class and Amend Complaint.. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Attachments: # <u>1</u> Exhibit Exhibits A-D# <u>2</u> Exhibit Ex. E-I)(Rosenfeld, Katherine) (Entered: 05/07/2007)
05/07/2007	<u>95</u>	REPLY MEMORANDUM OF LAW in Support re: <u>62</u> MOTION to Certify Class and Amend Complaint., <u>63</u> FIRST MOTION to Certify Class and Amend Complaint.. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Rosenfeld, Katherine) (Entered: 05/07/2007)
05/17/2007	<u>96</u>	AFFIDAVIT of NYPD in Support re: <u>76</u> FIRST MOTION to Comply Plaintiff's Motion for Contempt.. Document filed by City of New York. (Seligman, Rachel) (Entered: 05/17/2007)
05/31/2007	<u>97</u>	OPINION AND ORDER # 94737: for the reasons stated, plaintiff's motion for an order adjudging defendants in contempt is denied. Plaintiff is directed to submit a fee application by 6/20/2007. The Clerk of the Court is directed to close this motion [docket no. 78]. (Signed by Judge Shira A. Scheindlin on 5/31/07) (kco) Modified on 6/4/2007 (rw). (Entered: 05/31/2007)
06/21/2007	<u>98</u>	MOTION for Attorney Fees. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Attachments: # <u>1</u> Affidavit of Matthew D. Brinckerhoff In Support of Motion For Attorneys' Fees# <u>2</u> Exhibit A-B# <u>3</u> Exhibit C)(Brinckerhoff, Matthew) (Entered: 06/21/2007)
06/21/2007	<u>99</u>	DECLARATION of J. McGregor Smyth, Jr. in Support re: <u>98</u> MOTION for Attorney Fees.. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Attachments: # <u>1</u> Exhibit A-B)(Brinckerhoff, Matthew) (Entered: 06/21/2007)
06/21/2007	<u>100</u>	MEMORANDUM OF LAW in Support re: <u>98</u> MOTION for Attorney Fees.. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Brinckerhoff, Matthew) (Entered: 06/21/2007)
06/26/2007	101	TRANSCRIPT of proceedings held on 05/17/07 before Judge Shira A. Scheindlin. (es) (Entered: 06/26/2007)
06/27/2007	<u>102</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Rachel A. Seligman dated 6/27/07 re: a request that the Court refer the plaintiff's application for attorneys' fees sought for their attempt to hold defendant in contempt to Magistrate Judge Katz. ENDORSEMENT: Request granted. The application for fees in connection with the motion for contempt is hereby referred to Magistrate Judge Katz. SO ORDERED. (Signed by Judge Shira A. Scheindlin on 6/27/07) (kco) (Entered: 06/28/2007)
06/27/2007		MOTIONS REFERRED: <u>98</u> MOTION for Attorney Fees. Motions referred to Theodore H. Katz. (kco) (Entered: 06/28/2007)
06/27/2007	<u>103</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for attorneys' fees in connection with contempt motion. Referred to Magistrate Judge Theodore H. Katz. (Signed by Judge Shira A. Scheindlin on 6/27/07) (kco) (Entered: 06/28/2007)
07/05/2007	<u>104</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld dated 6/27/07 re: counsel for plaintiffs request resolution by Your Honor

		of the contempt fees' application that plaintiff filed last week. ENDORSEMENT: Plaintiff's request is denied. The matter is referred to Magistrate Judge Katz. So Ordered. (Signed by Judge Shira A. Scheindlin on 7/3/07) (dle) Modified on 7/17/2007 (Lewis, Diahan). (Entered: 07/06/2007)
07/12/2007	<u>105</u>	ENDORSED LETTER addressed to Magistrate Judge Theodore H. Katz from Katherine Rosenfeld dated 7/11/07 re: a request that the Court grant plaintiff an additional two weeks to file moving papers until 7/30/07. ENDORSEMENT: Plaintiffs' Rule 68 for application shall be filed by 7/23/2007. Defendants' response shall be filed by 8/23/2007. Any reply shall be filed by 9/5/2007. SO ORDERED. (Signed by Judge Theodore H. Katz on 7/12/07) Copies Faxed By Chambers.(kco) (Entered: 07/13/2007)
07/13/2007	<u>106</u>	MEMORANDUM OF LAW in Opposition re: <u>98</u> MOTION for Attorney Fees.. Document filed by City of New York. (Seligman, Rachel) (Entered: 07/13/2007)
07/13/2007	<u>107</u>	DECLARATION of Rachel Seligman in Opposition re: <u>98</u> MOTION for Attorney Fees.. Document filed by City of New York. (Attachments: # <u>1</u> Exhibit A through H)(Seligman, Rachel) (Entered: 07/13/2007)
07/19/2007	<u>108</u>	STIPULATED PROTECTIVE ORDER: regarding procedures to be followed that shall govern the handling of confidential material. (Signed by Judge Shira A. Scheindlin on 7/19/07) (dle) (Entered: 07/20/2007)
07/23/2007	<u>109</u>	MOTION for Attorney Fees. Document filed by Eddie Wise(on behalf of himself). (Attachments: # <u>1</u> Affidavit Matthew D. Brinckerhoff# <u>2</u> Exhibit A-G# <u>3</u> Exhibit H-L# <u>4</u> Exhibit M-P# <u>5</u> Exhibit Q-W)(Rosenfeld, Katherine) (Entered: 07/23/2007)
07/23/2007	<u>110</u>	MEMORANDUM OF LAW in Support re: <u>109</u> MOTION for Attorney Fees.. Document filed by Eddie Wise(on behalf of himself). (Rosenfeld, Katherine) (Entered: 07/23/2007)
07/23/2007	<u>111</u>	DECLARATION of J. McGregor Smyth in Support re: <u>109</u> MOTION for Attorney Fees.. Document filed by Eddie Wise(on behalf of himself). (Attachments: # <u>1</u> Exhibit A-C)(Rosenfeld, Katherine) (Entered: 07/23/2007)
07/24/2007	<u>112</u>	OPINION AND ORDER # 94962: Plaintiff's request to amend the complaint is granted. Plaintiff's motion for certification of bilateral state-wide classes under Rule 23(b)(2) and for certification of a City-wide plaintiff subclass under Rule 23(b)(3) is also granted. The Clerk of Court is directed to close this motion [Docket No. 63]. Status Conference set for 7/30/2007 at 04:30 PM before Judge Shira A. Scheindlin. (Signed by Judge Shira A. Scheindlin on 7/24/2007) (jpo) Modified on 7/26/2007 (rw). (Entered: 07/25/2007)
08/02/2007	<u>113</u>	ENDORSED LETTER addressed to Magistrate Judge Theodore H. Katz from J. McGregor Smyth, Jr. dated 8/1/07 re: plaintiffs requests a 1-week adjournment to 8/13/07 to reply to dfts' opposition to the motion for attorney's fees in connection with plaintiffs contempt motion. ENDORSEMENT: the request is granted. (Signed by Judge Theodore H. Katz on 8/1/07) (pl) (Entered: 08/03/2007)
08/08/2007	114	TRANSCRIPT of proceedings held on 7/30/07 before Judge Shira A. Scheindlin. (jbe) (Entered: 08/08/2007)
08/14/2007	<u>115</u>	REPLY MEMORANDUM OF LAW in Support re: <u>98</u> MOTION for Attorney Fees.. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Smyth, J.) (Entered: 08/14/2007)
08/14/2007	<u>116</u>	REPLY AFFIRMATION of MATTHEW D. BRINCKERHOFF in Support re: <u>98</u> MOTION for Attorney Fees.. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Attachments: # <u>1</u> Exhibit A-B, Brinck. Reply Decl.)(Smyth, J.) (Entered: 08/14/2007)
08/22/2007	<u>117</u>	ENDORSED LETTER addressed to Magistrate Judge Theodore H. Katz from Rachel A. Seligman dated 8/21/07 re: Counsel for defendants request an additional two weeks to file defendants opposition to plaintiff's attorneys fee application in connection with defendants Rule 68 offer. ENDORSEMENT: Defendants' opposition to the fee request shall be filed by September 7, 2007. Plaintiff's reply

		shall be filed by September 21, 2007. (Signed by Judge Theodore H. Katz on 8/22/07) (js) (Entered: 08/23/2007)
09/07/2007	<u>118</u>	ENDORSED LETTER addressed to Magistrate Judge Theodore H. Katz from Rachel A. Seligman dated 9/6/07 re: a request for a brief two day enlargement of time until 9/11/07 to file defendants' opposition to plaintiff's attorneys' fees application in connection with defendants' Rule 68 offer. ENDORSEMENT: Granted. SO ORDERED. (Signed by Judge Theodore H. Katz on 9/7/07) (kco) (Entered: 09/07/2007)
09/17/2007	<u>119</u>	ENDORSED LETTER addressed to Judge Theodore H. Katz from Rachel A. Seligman dated 9/11/07 re: Counsel writes to request an enlargement of time from the present date until 9/18/07 to file defendants' opposition to plaintiff's attorneys' fee application in connection with defendants' Rule 68 offer. ENDORSEMENT: Granted. The reply shall be filed by 10/5/07. So Ordered., Set Deadlines/Hearing as to <u>98</u> MOTION for Attorney Fees., <u>109</u> MOTION for Attorney Fees. : Responses due by 9/18/2007 Replies due by 10/5/2007. (Signed by Judge Theodore H. Katz on 9/17/07) (jco) (Entered: 09/17/2007)
09/18/2007	<u>120</u>	DECLARATION of Rachel A. Seligman in Opposition re: <u>109</u> MOTION for Attorney Fees.. Document filed by City of New York. (Attachments: # <u>1</u> Exhibit C and D)(Seligman, Rachel) (Entered: 09/18/2007)
09/18/2007	<u>121</u>	MEMORANDUM OF LAW in Opposition re: <u>109</u> MOTION for Attorney Fees. (Rule 68). Document filed by City of New York. (Seligman, Rachel) (Entered: 09/18/2007)
10/11/2007	<u>122</u>	ENDORSED LETTER addressed to Magistrate Judge Theodore H. Katz from Matthew D. Brinckerhoff dated 9/28/07 re: Counsel writes to request that reply papers in support of plaintiffs' motion for attorneys' fees motion be extended to 10/19/07. ENDORSEMENT: So Ordered., Set Deadlines/Hearing as to <u>98</u> MOTION for Attorney Fees. <u>109</u> MOTION for Attorney Fees. Replies due by 10/19/2007. (Signed by Judge Theodore H. Katz on 10/11/07) (jco) (Entered: 10/11/2007)
10/19/2007	<u>123</u>	REPLY MEMORANDUM OF LAW in Support re: <u>109</u> MOTION for Attorney Fees. <i>Plaintiff Eddie Wise's Reply Memorandum of Law In Further Support of Motion for Attorneys' Fees in Connection with Defendant's Rule 68 Offer and Judgment.</i> Document filed by Michael Brown(On behalf of himself and others similarly situated). (Rosenfeld, Katherine) (Entered: 10/19/2007)
10/19/2007	<u>124</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – REPLY AFFIRMATION of Matthew D. Brinckerhoff in Support re: <u>109</u> MOTION for Attorney Fees.. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Rosenfeld, Katherine) Modified on 10/22/2007 (sn). (Entered: 10/19/2007)
10/19/2007	<u>125</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – REPLY AFFIRMATION of Matthew D. Brinckerhoff in Support re: <u>109</u> MOTION for Attorney Fees.. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Attachments: # <u>1</u> Exhibit AA# <u>2</u> Exhibit CC# <u>3</u> Exhibit DD# <u>4</u> Exhibit EE# <u>5</u> Exhibit FF)(Rosenfeld, Katherine) Modified on 10/22/2007 (sn). (Entered: 10/19/2007)
10/22/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Katherine Rosenfeld to RE-FILE Documents <u>124</u> Reply Affirmation in Support of Motion, <u>125</u> Reply Affirmation in Support of Motion., ERROR(S): Duplicate docket entry / Missing exhibits. (sn) (Entered: 10/22/2007)
10/22/2007	<u>126</u>	REPLY AFFIRMATION of Matthew D. Brinckerhoff in Support re: <u>109</u> MOTION for Attorney Fees.. Document filed by Michael Brown. (Attachments: # <u>1</u> Exhibit AA# <u>2</u> Exhibit BB Part 1# <u>3</u> Exhibit BB Part 2# <u>4</u> Exhibit BB Part 3# <u>5</u> Exhibit CC# <u>6</u> Exhibit DD# <u>7</u> Exhibit EE# <u>8</u> Exhibit FF)(Rosenfeld, Katherine) (Entered: 10/22/2007)

11/28/2007		USCA Appeal Fees received \$ 455.00, receipt number E 634553 on 11/28/2007 re: <u>127</u> USCA Order Non-Dismissal,. Fee paid by John/Jane Doe(police officers), City of New York, Michael Curley, Miguel Musse, Kevin Lynch, Michael Brown, Corey Harris, John/Jane Doe, John/Jane Doe(Police Officers), Robert Johnson, Jane/John Doe, Shawn Ricker, Raymond W. Kelly, Barry M. Buzzetti(Captain and Commanding Officer of NYPD 48th Precinct), John Does. (nd) (Entered: 11/29/2007)
11/29/2007	<u>127</u>	ORDER of USCA (Certified Copy) USCA Case Number 07-3356-mv. Petitioners, through counsel, move, pursuant to Federal Rule of Civil Procedure 23(f), for leave to appeal the district court`s order granting Respondent`s motion for class certification. Upon due consideration, it is hereby ORDERED that the petition is GRANTED and the Clerk shall issue a briefing schedule. Catherine O'Hagan Wolfe, Clerk USCA. Certified: 11/7/2007. (nd) (Entered: 11/29/2007)
01/31/2008	<u>128</u>	REPORT AND RECOMMENDATIONS re: <u>98</u> MOTION for Attorney Fees, filed by Michael Brown, <u>109</u> MOTION for Attorney Fees filed by Eddie Wise. For the reasons set forth above, this Court recommends that (1) Plaintiff Brown be awarded \$48,741.00 in attorneys fees on the Contempt Motion, to be paid by the Municipal Defendants, and (2) Plaintiff Wise be awarded \$275,604.56 in attorneys fees, and \$4,733.72 in costs, on the Rule 68 Motion, to be paid by the Municipal Defendants. Pursuant to 28 U.S.C. 636 (b)(1)(C) and Rule 72 of the Federal Rules of Civil Procedure, the parties shall have 10 days from service of this report to file written objections. Such objections shall be filed with Clerk of the Court, with extra copies delivered to the chambers of the Honorable Shira A. Scheindlin, united States District Judge, and the chambers of the undersigned, Room 1660. Any requests for an extension of time for filing objections will result in a waiver of those objections for purposes of appeal. Objections to RRdue by 2/13/2008 (Signed by Magistrate Judge Theodore H. Katz on 1/31/2008) (jmi) (Entered: 01/31/2008)
01/31/2008		***DELETED DOCUMENT. Deleted document number <u>129</u> Report &Recommendation. The document was incorrectly filed in this case. (pl) (Entered: 02/07/2008)
01/31/2008		Motion No Longer Referred: re: <u>98</u> MOTION for Attorney Fees filed by Michael Brown, <u>109</u> MOTION for Attorney Fees filed by Eddie Wise. (dw) (Entered: 02/19/2008)
02/21/2008	<u>129</u>	ORDER re: <u>128</u> Report and Recommendations <u>98</u> Motion for Attorney Fees, filed by Michael Brown, <u>109</u> Motion for Attorney Fees filed by Eddie Wise. I find the amounts awarded to be reasonable and therefore adopt the RRin full. The Clerk of the Court is directed to prepare a Judgment in accordance with the RThe Clerk of the Court is further directed to close plaintiffs' motions [Documents #98 and 109]. (Signed by Judge Shira A. Scheindlin on 2/21/08) (tro) Modified on 2/21/2008 (tro). (Entered: 02/21/2008)
02/21/2008		Transmission to Judgments and Orders Clerk. Transmitted re: <u>129</u> Order Adopting Report and Recommendations, to the Judgments and Orders Clerk. (tro) (Entered: 02/21/2008)
02/21/2008	<u>130</u>	ORDER; that based on my independent review, I find the amounts awarded to be reasonable and therefore adopt the RRin full. The Clerk of the Court is directed to prepare a Judgment in accordance with the RThe Clerk of the court is further directed to close plaintiffs motions [Documents #98 and 109] (Signed by Judge Shira A. Scheindlin on 2/21/08) (pl) (Entered: 02/21/2008)
02/21/2008		Transmission to Judgments and Orders Clerk. Transmitted re: <u>130</u> Order,, to the Judgments and Orders Clerk. (pl) (Entered: 02/21/2008)
02/22/2008	<u>131</u>	CLERK'S JUDGMENT # 08,0285 That for the reasons stated in the Court's Order dated February 21, 2008, the report is adopted and plaintiff Michael Brown is awarded \$48,741.00 in attorneys fees to be paid by the Municipal Defendants; and plaintiff Eddie Wise is awarded \$275,604.56 in attorneys fees and \$4,733.72 in costs to be paid by the Municipal Defendants. (Signed by J. Michael McMahon, clerk on 2/22/08) (Attachments: # <u>1</u> notice of right to appeal)(ml) (Entered: 02/22/2008)

06/09/2009	<u>132</u>	UNSEALING ORDER: IT IS HEREBY ORDERED THAT THE NEW YORK CITY POLICE DEPARTMENT provide the Office of the Corporation Counsel of the City of New York, or its authorized representative, records of any criminal actions pertaining to individuals who were arrested, summonsed, and/or charged with Penal Law 240.35(1) from May 1, 2007 until today, June 4, 2009, and ongoing throughout the pendency of this action. IT IS FURTHER ORDERED that the person designated above as a person to whom the records may be made available is not bound by the statutory sealing requirements of CPL 160.50 and/or C.P.L. 160.55. IT IS FURTHER ORDERED that the records made available to the person designated above comprise all records and papers pertaining to the arrests, summonses, and prosecutions in the criminal actions identified herein on file with any court, police agency, prosecutor's office or state or local agency that were ordered to be sealed under the provisions of CPL 160.50. IT IS FURTHER ORDERED that the custodians of the records named above shall provide the records to the Office of the Corporation Counsel of the City of New York within thirty (30) days of receipt of this Order; that the Office of the Corporation Counsel of the City of New York shall notify plaintiffs counsel in the event that said records are not received within thirty (30) days of receipt of this Order; and that the Office of the Corporation Counsel of the City of New York shall produce the records to plaintiff's counsel pursuant to the Federal Rules of Civil Procedure within thirty (30) days of receipt of the records. IT IS FURTHER ORDERED that the use of the above-referenced records is restricted to use in the above-entitled civil rights action and in accordance with the terms of the Stipulation and Protective Order dated March 9, 2006 and all addendums thereto. (Signed by Judge Shira A. Scheindlin on 6/8/2009) (jfe) (Entered: 06/09/2009)
06/09/2009	<u>133</u>	ADDENDUM TO MARCH 9, 2006 STIPULATION AND PROTECTIVE ORDER: "Confidential Materials" within the meaning of paragraph 1 of the March 9, 2006 Order shall include any records pertaining to individuals who were issued summonses for New York Penal Law § 240.35(1) that are provided at any time by defendants in response to document requests by plaintiffs for such material. (Signed by Judge Shira A. Scheindlin on 6/8/2009) (jpo) (Entered: 06/10/2009)
12/22/2009	<u>138</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld dated 12/22/09 re: Request by plaintiff to file a brief of not more than 40 pages in length. ENDORSEMENT: Parties to every case think that the issues presented in their case are unique. If that were true, rules would be irrelevant. There is no basis to grant plaintiffs' substantial page-limit extension request. Each side may file briefs of no more than 33 pages. So ordered. (Signed by Judge Shira A. Scheindlin on 12/22/09) (cd) (Entered: 12/28/2009)
12/23/2009	<u>134</u>	MOTION for Preliminary Injunction <i>Contempt, and Discovery Sanctions</i> . Document filed by Michael Brown(On behalf of himself and others similarly situated).(Rosenfeld, Katherine) (Entered: 12/23/2009)
12/23/2009	<u>135</u>	MEMORANDUM OF LAW in Support re: <u>134</u> MOTION for Preliminary Injunction <i>Contempt, and Discovery Sanctions</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Rosenfeld, Katherine) (Entered: 12/23/2009)
12/23/2009	<u>136</u>	DECLARATION of J. McGregor Smyth in Support re: <u>134</u> MOTION for Preliminary Injunction <i>Contempt, and Discovery Sanctions</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Rosenfeld, Katherine) (Entered: 12/23/2009)
12/23/2009	<u>137</u>	DECLARATION of Katherine Rosenfeld in Support re: <u>134</u> MOTION for Preliminary Injunction <i>Contempt, and Discovery Sanctions</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, Part 1, # <u>9</u> Exhibit 8, Part2, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15)(Rosenfeld, Katherine) (Entered: 12/23/2009)

02/22/2010	<u>139</u>	REPLY AFFIRMATION of Katherine Rosenfeld, Esq. in Support re: <u>134</u> MOTION for Preliminary Injunction <i>Contempt, and Discovery Sanctions</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Attachments: # <u>1</u> Exhibit Exhibit I, # <u>2</u> Exhibit Exhibit J, # <u>3</u> Exhibit Exhibit K)(Rosenfeld, Katherine) (Entered: 02/22/2010)
02/22/2010	<u>140</u>	REPLY MEMORANDUM OF LAW in Support re: <u>134</u> MOTION for Preliminary Injunction <i>Contempt, and Discovery Sanctions</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Rosenfeld, Katherine) (Entered: 02/22/2010)
02/22/2010	<u>141</u>	REPLY AFFIRMATION of J. McGregor Smyth, Esq. in Support re: <u>134</u> MOTION for Preliminary Injunction <i>Contempt, and Discovery Sanctions</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Attachments: # <u>1</u> Exhibit A)(Rosenfeld, Katherine) (Entered: 02/22/2010)
04/13/2010	<u>142</u>	DECLARATION of Katherine Rosenfeld in Support re: <u>134</u> MOTION for Preliminary Injunction <i>Contempt, and Discovery Sanctions</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated), Michael Brown, Eddie Wise(on behalf of himself), Eddie Wise(on behalf of all others similarly situated). (Rosenfeld, Katherine) (Entered: 04/13/2010)
04/13/2010	<u>143</u>	DECLARATION of Rosemary Debellis in Opposition re: <u>134</u> MOTION for Preliminary Injunction <i>Contempt, and Discovery Sanctions</i> .. Document filed by City of New York, Raymond W. Kelly. (Seligman, Rachel) (Entered: 04/13/2010)
04/23/2010	<u>144</u>	DECLARATION of J. McGregor Smyth Jr. in Support re: <u>134</u> MOTION for Preliminary Injunction <i>Contempt, and Discovery Sanctions</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Smyth, J.) (Entered: 04/23/2010)
04/23/2010	<u>145</u>	FILING ERROR – ELECTRONIC FILING FOR NON-ECF DOCUMENT (LETTER) – RESPONSE to Motion re: <u>134</u> MOTION for Preliminary Injunction <i>Contempt, and Discovery Sanctions. Requested by Court</i> . Document filed by City of New York. (Donahue, Linda) Modified on 4/26/2010 (jar). (Entered: 04/23/2010)
04/23/2010		***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. <u>145</u> HAS BEEN REJECTED. Note to Attorney Linda Donahue : THE CLERK'S OFFICE DOES NOT ACCEPT LETTERS FOR FILING, either through ECF or otherwise, except where the judge has ordered that a particular letter be docketed. Letters may be sent directly to a judge. (jar) (Entered: 04/26/2010)
04/26/2010	<u>146</u>	RESPONSE in Opposition re: <u>134</u> MOTION for Preliminary Injunction <i>Contempt, and Discovery Sanctions. Requested by Court</i> . Document filed by City of New York. (Donahue, Linda) (Entered: 04/26/2010)
04/26/2010	<u>147</u>	OPINION AND ORDER: For the reasons set forth above, plaintiff's motion for contempt and discovery sanctions is granted. Plaintiffs' motion for a preliminary injunction is denied without prejudice. Plaintiffs are directed to submit a fee application by May 14, 2010. The Clerk of the Court is directed to close this motion (document number 36). A conference is scheduled for May 12, 2010 at 2:30 p.m. (Signed by Judge Shira A. Scheindlin on 4/26/2010) (jfe) Modified on 4/26/2010 (jfe). Modified on 5/3/2010 (jfe). (Entered: 04/26/2010)
04/26/2010		Set/Reset Hearings: Status Conference set for 5/12/2010 at 02:30 PM before Judge Shira A. Scheindlin. (jfe) (Entered: 04/26/2010)
04/27/2010	<u>148</u>	ENDORSED LETTER: addressed to Judge Shira A. Scheindlin from Linda Donahue dated 4/26/2010. re: Pursuant to permission from the Court, defendants submit the below revision to defendants' April 23, 2010 responses to Your Honor's questions of April 22, 2010, which questions are reproduced below. These revisions include calculations for the last six months measured from September 2009–February 2010, per the Court's request of April 23, 2010, as well as additional summonses. ENDORSEMENT: The Clerk of Court is directed to docket this letter. So Ordered. (Signed by Judge Shira A. Scheindlin on 4/26/2010) (js) Modified on 4/27/2010 (js). (Entered: 04/27/2010)

05/10/2010	<u>149</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU (Memorandum of Law) – MOTION for Reconsideration / <i>Reargument of the Court's April 26, 2010 Contempt Order</i> . Document filed by City of New York, Raymond W. Kelly.(Seligman, Rachel) Modified on 5/11/2010 (jar). (Entered: 05/10/2010)
05/10/2010	<u>150</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Rachel Seligman Weiss in Support re: <u>149</u> MOTION for Reconsideration / <i>Reargument of the Court's April 26, 2010 Contempt Order</i> .. Document filed by City of New York, Raymond W. Kelly. (Seligman, Rachel) Modified on 5/11/2010 (jar). (Entered: 05/10/2010)
05/11/2010		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Rachel Seligman to RE-FILE Document <u>149</u> MOTION for Reconsideration / <i>Reargument of the Court's April 26, 2010 Contempt Order</i> . Use the event type Memorandum of Law in Support found under the event list Replies, Oppositions, Supporting Documents. NOTE: A Motion for Reconsideration/Reargument has not been entered on the docket. (jar) (Entered: 05/11/2010)
05/11/2010		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Rachel Seligman to RE-FILE Document <u>150</u> Declaration in Support of Motion. ERROR(S): A document cannot be linked to a filing error. (jar) (Entered: 05/11/2010)
05/11/2010	<u>151</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU (Motion for Reconsideration) – NOTICE of Motion for Reconsideration. Document filed by City of New York, Raymond W. Kelly. (Seligman, Rachel) Modified on 5/11/2010 (jar). (Entered: 05/11/2010)
05/11/2010	<u>152</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MEMORANDUM OF LAW in Support re: <u>149</u> MOTION for Reconsideration / <i>Reargument of the Court's April 26, 2010 Contempt Order</i> .. Document filed by City of New York, Raymond W. Kelly. (Seligman, Rachel) Modified on 5/11/2010 (jar). (Entered: 05/11/2010)
05/11/2010	<u>153</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Rachel Seligman Weiss in Support re: <u>149</u> MOTION for Reconsideration / <i>Reargument of the Court's April 26, 2010 Contempt Order</i> . Document filed by City of New York, Raymond W. Kelly. (Seligman, Rachel) Modified on 5/11/2010 (jar). (Entered: 05/11/2010)
05/11/2010	<u>154</u>	MOTION for Reconsideration / <i>Reargument of the Court's April 26, 2010 Order</i> . Document filed by City of New York, Raymond W. Kelly.(Seligman, Rachel) (Entered: 05/11/2010)
05/11/2010	<u>155</u>	MEMORANDUM OF LAW in Support re: <u>154</u> MOTION for Reconsideration / <i>Reargument of the Court's April 26, 2010 Order</i> .. Document filed by City of New York, Raymond W. Kelly. (Seligman, Rachel) (Entered: 05/11/2010)
05/11/2010	<u>156</u>	DECLARATION of Rachel Seligman Weiss in Support re: <u>154</u> MOTION for Reconsideration / <i>Reargument of the Court's April 26, 2010 Order</i> .. Document filed by City of New York, Raymond W. Kelly. (Seligman, Rachel) (Entered: 05/11/2010)
05/22/2010	<u>157</u>	MOTION for Attorney Fees <i>pursuant to Court's Order dated 4/26/10</i> . Document filed by Michael Brown(On behalf of himself and others similarly situated).(Smyth, J.) (Entered: 05/22/2010)
05/22/2010	<u>158</u>	DECLARATION of J. McGregor Smyth Jr. in Support re: <u>157</u> MOTION for Attorney Fees <i>pursuant to Court's Order dated 4/26/10</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Attachments: # <u>1</u> Exhibit A–C)(Smyth, J.) (Entered: 05/22/2010)
05/22/2010	<u>159</u>	DECLARATION of Katherine Rosenfeld in Support re: <u>157</u> MOTION for Attorney Fees <i>pursuant to Court's Order dated 4/26/10</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated). (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Smyth, J.) (Entered: 05/22/2010)

05/22/2010	<u>160</u>	DECLARATION of Matthew Brinckerhoff in Support re: <u>157</u> MOTION for Attorney Fees <i>pursuant to Court's Order dated 4/26/10.</i> Document filed by Michael Brown(On behalf of himself and others similarly situated). (Smyth, J.) (Entered: 05/22/2010)
05/22/2010	<u>161</u>	MEMORANDUM OF LAW in Support re: <u>157</u> MOTION for Attorney Fees <i>pursuant to Court's Order dated 4/26/10.</i> Document filed by Michael Brown(On behalf of himself and others similarly situated). (Smyth, J.) (Entered: 05/22/2010)
07/01/2010	<u>162</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Settlement. Referred to Magistrate Judge Theodore H. Katz. ENDORSEMENT: September would be best. SO ORDERED. (Signed by Judge Shira A. Scheindlin on 6/29/2010) (tve) (Entered: 07/01/2010)
07/06/2010	<u>163</u>	STIPULATION AND SETTLEMENT OF ATTORNEYS' FEES. Defendant City of New York shall pay to plaintiffs' counsel Emery Celli Brinckerhoff & Abady LLP the sum total of One Hundred and Seventy-Five Thousand Dollars (\$175,000.00) for work conducted by ECBA and The Bronx Defenders in this action in connection with plaintiffs' motion for contempt, a preliminary injunction and discovery sanctions dated December 23, 2009. This payment shall be in full satisfaction of all claims by ECBA, The Bronx Defenders, and/or plaintiffs for attorneys' fees, costs and/or expenses accrued in connection with plaintiffs' motion for contempt, a preliminary injunction and discovery sanctions dated December 23, 2009, as reflected in plaintiffs' attorneys' timesheets submitted as exhibits to plaintiffs' motion for attorneys' fees dated May 21, 2010. In the event of any future award of attorneys' fees and costs in this action, plaintiffs' counsel and/or plaintiffs will not seek any additional compensation for attorneys' fees, costs and/or expenses accrued in connection with plaintiffs' motion for contempt, a preliminary injunction and discovery sanctions dated December 23, 2009. Relates to 08-2173, 05-5442. (Signed by Judge Shira A. Scheindlin on 7/6/10) (rjm) (Entered: 07/06/2010)
08/04/2010	<u>164</u>	MANDATE of USCA (Certified Copy) USCA Case Number 07-3356-cv. IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the certification of Rule 23(b)(3) City plaintiff class is AFFIRMED, the certification of Rule 23(b)(2) State plaintiff and defendant classes is VACATED and case is REMANDED to the district court for further proceedings in accordance with the opinion of this Court. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 08/03/2010. (nd) (Entered: 08/04/2010)
08/04/2010		Transmission of USCA Mandate/Order to the District Judge re: <u>164</u> USCA Mandate,. (nd) (Entered: 08/04/2010)
08/12/2010	165	TRANSCRIPT of proceedings held on 6/29/2010 before Judge Shira A. Scheindlin. (ab) (Entered: 08/12/2010)
10/12/2010	<u>166</u>	ORDER denying <u>154</u> Motion for Reconsideration ; denying <u>157</u> Motion for Attorney Fees. For all of the reasons stated on the record at the May 12, 2010 conference, defendants' motion for reconsideration of the April 26, 2010 Opinion and Order is denied, except that the orders stated in footnote 59 of that opinion are vacated due to an agreement between parties. Plaintiffs' motion for attorney fees is denied as moot. The parties settled this issue. The Clerk of Court is directed to close these motions (Docket Entries ## 62 and 65). SO ORDERED. (Signed by Judge Shira A. Scheindlin on 10/8/2010) (jmi) (Entered: 10/12/2010)
10/27/2010	<u>167</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Rachel Seligman Weiss dated 10/19/2010 re: Defendants respectfully request that the Court schedule a pre-motion conference to address vacating the contempt order of 4/26/2010 or in the alternative, extending the 6 month grace period for an additional 6 months or until the cases are closed. Defendants respectfully urge the Court to lift a sanction that would, at this point have only a punitive rather than a corrective effect. ENDORSEMENT: Request granted in part. The six - month grace period of the Court's contempt order is hereby extended for an additional six months through April 26, 2011. So Ordered. (Signed by Judge Shira A. Scheindlin on 10/27/2010) (jfe) (Entered: 11/05/2010)

11/16/2010	<u>168</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld, dated 11/12/2010, re: This office represents the plaintiffs in the above-captioned actions. On behalf all parties, we write to jointly request that the Court extend the fact discovery deadline in this case beyond the current deadline of November 30, 2010. The reason for this request is that ongoing settlement discussions could obviate the need for additional fact discovery, and in particular for the depositions of several New York City Police Department ("NYPD") supervisory officials who were noticed for their depositions in August 2010. Therefore, the parties wish to exhaust settlement discussions before completing the final segment of fact discovery relating to municipal liability under Monell v. Department of Soc. Services., 436 U.S. 658 (1978), including the depositions of the witnesses listed herein. The parties respectfully request that we be permitted to update the Court at the next scheduled conference before Your Honor on December 15, 2010 at 4:30 pm regarding (1) the status of settlement; and (2) the proposed final date for the completion of fact discovery. ENDORSEMENT: The parties request for an adjournment of the fact discovery deadline, currently set for 11/13/2010, is hereby granted. A final end date will be determined at the conference, scheduled for 12/15/10 at 4:30 pm. (Status Conference set for 12/15/2010 at 04:30 PM before Judge Shira A. Scheindlin) (Signed by Judge Shira A. Scheindlin on 11/15/2010) (lnl) (Entered: 11/16/2010)
12/13/2010	<u>169</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld, dated 12/13/2010, re: On behalf of all parties, counsel writes to jointly request that the Court adjourn the status conference before Your Honor on Wednesday, December 15th at 4:30pm. ENDORSEMENT: Conference adjourned to January 18 at 4:30. So Ordered. (Status Conference set for 1/18/2011 at 04:30 PM before Judge Shira A. Scheindlin) (Signed by Judge Shira A. Scheindlin on 12/13/2010) (lnl) (Entered: 12/13/2010)
04/06/2011	<u>170</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld, dated 4/6/2011, re: Counsel for the plaintiffs write on behalf of all parties to request a brief adjournment of the conference scheduled before Your Honor on April 13, 2011. ENDORSEMENT: Plaintiffs' request is granted. The conference is adjourned to April 22, 2011 at 4:30 pm. SO ORDERED. (Status Conference set for 4/22/2011 at 04:30 PM before Judge Shira A. Scheindlin) (Signed by Judge Shira A. Scheindlin on 4/6/2011) (lnl) (Entered: 04/07/2011)
04/21/2011	<u>171</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Rachel S. Weiss dated 4/21/2011 re: defendants request that the grace period (see order) be extended for an additional six months while the parties make effort to conclude settlement negotiations. ENDORSEMENT: The "grace period" is extended for three (3) months – until 7/29/2011. (Signed by Judge Shira A. Scheindlin on 4/21/2011) (jar) (Entered: 04/21/2011)
04/22/2011	<u>172</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Rachel Seligman Weiss dated 4/22/2011 re: Requesting an adjournment of the status conference presently scheduled for today at 4:30 pm. ENDORSEMENT: Defendants' request to adjourn the status conference is granted and rescheduled to May 31st, 2011 at 4:30 pm. (Signed by Judge Shira A. Scheindlin on 4/22/2011) (jpo) (Entered: 04/22/2011)
05/31/2011	<u>173</u>	ENDORSED LETTER addressed to Magistrate Judge Theodore H. Katz from Katherine Rosenfeld, dated 5/27/2011, re: Counsel writes to request one additional conference with the Court in mid-June to provide a useful opportunity to address any final outstanding issues. ENDORSEMENT: The next settlement conference will take place on June 14, 2011 at 10:00 AM. SO ORDERED. (Settlement Conference set for 6/14/2011 at 10:00 AM before Magistrate Judge Theodore H. Katz) (Signed by Magistrate Judge Theodore H. Katz on 5/31/2011) (lnl) (Entered: 05/31/2011)
07/26/2011	<u>174</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Rachel Seligman Weiss dated 7/25/11 re: Request that the Court extend the grace period for an additional three months. ENDORSEMENT: Request granted. On plaintiffs' consent, the grace period is hereby extended until 10/28/11. (Signed by Judge Shira A. Scheindlin on 7/25/11) (cd) (Entered: 07/27/2011)

10/31/2011	<u>175</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Rachel Amy Seligman dated 10/28/2011 re: Counsel for the Defendants writes to request an extension of the grace period for an additional 30 days during which time the parties expect to finalize the Stipulation of Settlement and Dismissal in these cases. ENDORSEMENT: Request granted. (Signed by Judge Shira A. Scheindlin on 10/28/2011) (ab) (Entered: 10/31/2011)
11/29/2011	<u>176</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Rachel Seligman dated 11/28/11 re: Counsel for the defendants writes with the consent of plaintiffs' counsel to request that the grace period in respect to the contempt order be extended until 12/23/11. ENDORSEMENT: The grace period with respect to the contempt order is extended to and including December 23, 2011. So ordered. (Signed by Judge Shira A. Scheindlin on 11/29/2011) (mro) Modified on 12/2/2011 (mro). (Entered: 11/29/2011)
12/22/2011	<u>177</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Rachel Seligman Weiss dated 12/22/2011 re: Senior Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for the defendants in the above matter. On April 26, 2010, Your Honor issued a contempt order, against defendant's imposing a monetary penalty for the issuance of any summonses under New York Penal Law §§ 240.35(1), (3), and (7). Since then, Your Honor has granted defendants several extensions of the grace period. Accordingly, and with plaintiffs' consent, defendants respectfully request that Your Honor extend the grace period up to and until January 13, 2012. ENDORSEMENT: Request granted the "grace period" is extended to and including January 13, 2012. So Ordered. (Signed by Judge Shira A. Scheindlin on 12/22/2011) (js) (Entered: 12/23/2011)
02/06/2012	<u>178</u>	STIPULATION AND ORDER OF SETTLEMENT: The parties enter into this Stipulation for the purpose of avoiding the burdens of further litigation, and mutually to support vigorous, lawful, and nondiscriminatory enforcement of the law. Settlement of this action under the terms stated in this Stipulation is in the public interest because the Stipulation avoids diversion of private and City resources to further adversarial action by the parties, as further set forth within. (Signed by Judge Shira A. Scheindlin on 2/6/2012) (ab) (Entered: 02/06/2012)
02/06/2012	<u>179</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld and Matthew D. Brinckerhoff dated 1/27/2012 re: The parties write to request that the grace period be extended until the Court determines whether to grant preliminary approval of the Stipulation, which under its terms would then replace and resolve all prospective obligations. ENDORSEMENT: The "grace period" is extended nunc pro tunc from 1/23/2012 through 2/6/2012. (Signed by Judge Shira A. Scheindlin on 2/6/2012) (ab) (Entered: 02/06/2012)
02/22/2012	<u>180</u>	UNSEALING ORDER: NOW, THEREFORE, WITH THE AGREEMENT OF ALL PARTIES, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS: The records in the possession of the NYPD and NYDOC pertaining to members of the Settlement Class, and that are sealed pursuant to the provisions of N.Y.C.P.L §§ 160.50, 160.55, 160.58, 720.15, and/or 720.35 (hereinafter "the sealed records"), are hereby unsealed for the limited purpose of allowing the NYPD and/or the NYDOC to search for and provide the sealed records to MICHAEL A. CARDOZO, Corporation Counsel of the City of New York, or his authorized representative, so that MICHAEL A. CARDOZO, Corporation Counsel of the City of New York, or his authorized representative, may transmit any identifying information pertaining to members of the Settlement Class contained in the sealed records (such as their most recent addresses and social security numbers) to class counsel and the designated Administrator in the above-captioned case. The use of the sealed records is restricted to use in the above-captioned action for the limited purpose defined above and in accordance with the attached Stipulation and Order of Settlement. (Signed by Judge Shira A. Scheindlin on 2/22/2012) (jfe) Modified on 2/23/2012 (jfe). (Entered: 02/23/2012)
02/22/2012		Transmission to Sealed Records Clerk. Transmitted re: <u>180</u> Order,,,,, to the Sealed Records Clerk for the sealing or unsealing of document or case. (jfe) (Entered: 02/23/2012)

02/24/2012	<u>181</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld dated 2/23/2012 re: Along with The Bronx Defenders, we represent the certified plaintiff classes in the above-captioned actions. With the consent of all parties, and as referenced in plaintiffs' letter to the Court dated January 27, 2012, we write to respectfully request that the Court appoint Rust Consulting Inc. ("Rust") as the Administrator of this class action. ENDORSEMENT: Request granted. Rust Consulting Inc is named as the administrator of this class action. (Signed by Judge Shira A. Scheindlin on 2/23/2012) (dj) Modified on 2/24/2012 (dj). (Entered: 02/24/2012)
03/13/2012	<u>182</u>	ORDER APPROVING NOTICES AND PLAN OF ADMINISTRATION: the Agreement for the purpose of interpretation and compliance with the Agreement and this Agreed Order of Dismissal with Prejudice. The date and time of the Fairness Hearing shall be set forth in the Class Notice and Summary Notice, but the hearing may be subject to adjournment by the Court without further notice to the members of the Settlement Class other than that which may be posted by the Court. The Administrator will advise SCMs of any scheduling issues at www.nycloitering.com. (Signed by Judge Shira A. Scheindlin on 3/8/2012) (ft) (Entered: 03/13/2012)
05/04/2012	<u>183</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld dated 5/3/2012 re: With the consent of all parties, we write to respectfully request that the Court extend by 30 days the Date of Class Notice provided in the Stipulation and Order of Settlement, and schedule a date for the Fairness Hearing in this action. ENDORSEMENT: Request granted. The Administrator shall mail claim packets to class members by June 8, 2012 and the Fairness Hearing is scheduled for November 15, 2012 at 4:30 p.m. (Fairness Hearing set for 11/15/2012 at 04:30 PM before Judge Shira A. Scheindlin.)(Signed by Judge Shira A. Scheindlin on 5/3/2012) (dj) (Entered: 05/07/2012)
06/13/2012	<u>184</u>	NOTICE OF REDESIGNATION TO ANOTHER MAGISTRATE JUDGE. The above entitled action has been redesignated to Magistrate Judge James L. Cott. Please note that this is a reassignment of the designation only. (pgu) (Entered: 06/13/2012)
06/13/2012	<u>185</u>	NOTICE OF REASSIGNMENT OF A REFERRAL TO ANOTHER MAGISTRATE JUDGE. The referral in the above entitled action has been reassigned to Magistrate Judge James L. Cott, for Settlement. Magistrate Judge Theodore H. Katz no longer referred to the case. (pgu) (Entered: 06/13/2012)
06/14/2012	<u>186</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld dated 6/14/2012 re: Counsel respectfully request that the Court approve an additional payment of \$200,000 (Two Hundred Thousand Dollars) from the City of New York to the Administrator in this class action. ENDORSEMENT: Request granted. An additional payment of \$200,000 from the City to the Administrator is authorized. (Signed by Judge Shira A. Scheindlin on 6/14/2012) (jfe) (Entered: 06/15/2012)
10/09/2012	<u>187</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld dated 10/5/2012 re: For the foregoing reasons, we request that the Court extend the Bar Date from October 9, 2012 to November 8, 2012, and that the Fairness Hearing be held thereafter during the week of December 10, 2012. ENDORSEMENT: Plaintiffs' request, made on consent, is hereby granted. (1) The "Bar Date" currently set in this case is hereby extended by 30 days, from Oct. 9, 2012 to Nov. 8, 2012, for the approximately 11,000 settlement class members who apparently received claims packets in the mail but who have not yet returned a claim form. (2) A similar extension is hereby ordered for the fairness hearing, from Nov. 15, 2012 (as currently scheduled) to 4:30pm on Dec. 13, 2012., (Fairness Hearing set for 12/13/2012 at 04:30 PM before Judge Shira A. Scheindlin.) (Signed by Judge Shira A. Scheindlin on 10/9/2012) (lmb) (Entered: 10/09/2012)
10/12/2012	<u>188</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Linda Donahue dated 10/11/2012 re: Request for adjournment of Fairness Hearing. ENDORSEMENT: Defendants' request, made on consent, is hereby granted. The Fairness Hearing is rescheduled for Dec. 14, 2012, at 4:30 p.m. So ordered. (Fairness Hearing set for 12/14/2012 at 04:30 PM before Judge Shira A. Scheindlin.) (Signed by Judge Shira A. Scheindlin on 10/12/2012) (rjm) (Entered: 10/12/2012)

		10/12/2012)
10/25/2012	199	Letter addressed to Ms. Krajick from M. Brown dated 10/22/2012 re: requests that attention be granted to his requests. Document filed by Michael Brown(On behalf of himself and others similarly situated).(djc) (Entered: 12/28/2012)
11/15/2012	<u>189</u>	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld dated 11/13/2012 re: For all the foregoing reasons, the parties request that the Court: (1) approve a briefing schedule for submissions in support of Final Approval of the Settlement of November 19, 2012 (Plaintiffs' Motion for Final Approval of the Settlement and Request for Attorneys' Fees), December 10, 2012 by 4:30pm (Defendants' Response) and December 13, 2012 by 4:30pm (Plaintiffs' Reply); and (2) approve the parties' proposal to initially submit to the Court briefing concerning the threshold legal question of whether the Court should exercise its discretion to use the common fund or the lodestar method in setting the amount of the settlement to be allocated to attorneys' fees, with later briefing to be submitted as necessary to address any detailed arguments necessary for a full lodestar analysis. With defendants' consent, Plaintiffs also request permission to submit a moving brief of no more than fifty (50) pages. ENDORSEMENT: Request granted (in part). Plaintiffs' motion is due November 19, 2012. The moving brief may not exceed thirty-five pages. With respect to fees, I accept plaintiffs' suggestion that they will initially brief the question of the method of deferring the fee award rather than the amount. Defendants' response, if any, is due December 10 (35 pg) and the reply December 13 (15 pg). No further extensions will be granted., (Motions due by 11/19/2012., Responses due by 12/10/2012., Replies due by 12/13/2012.) (Signed by Judge Shira A. Scheindlin on 11/15/2012) (lmb) (Entered: 11/16/2012)
11/19/2012	<u>190</u>	MOTION to Approve Stipulation of Settlement and Plaintiffs' Request for Attorneys' Fees and Costs. Document filed by Michael Brown(On behalf of himself and others similarly situated), Michael Brown, Eddie Wise(on behalf of himself), Eddie Wise(on behalf of all others similarly situated). Return Date set for 12/14/2012 at 04:30 PM.(Rosenfeld, Katherine) (Entered: 11/19/2012)
11/19/2012	<u>191</u>	DECLARATION of April Hyduk in Support re: <u>190</u> MOTION to Approve Stipulation of Settlement and Plaintiffs' Request for Attorneys' Fees and Costs.. Document filed by Michael Brown(On behalf of himself and others similarly situated), Michael Brown, Eddie Wise(on behalf of himself), Eddie Wise(on behalf of all others similarly situated). (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E, # <u>6</u> Exhibit Exhibit F, # <u>7</u> Exhibit Exhibit G, # <u>8</u> Exhibit Exhibit H, # <u>9</u> Exhibit Exhibit I, # <u>10</u> Exhibit Exhibit J)(Rosenfeld, Katherine) (Entered: 11/19/2012)
11/19/2012	<u>192</u>	DECLARATION of J. McGregor Smyth in Support re: <u>190</u> MOTION to Approve Stipulation of Settlement and Plaintiffs' Request for Attorneys' Fees and Costs.. Document filed by Michael Brown(On behalf of himself and others similarly situated), Michael Brown, Eddie Wise(on behalf of himself), Eddie Wise(on behalf of all others similarly situated). (Rosenfeld, Katherine) (Entered: 11/19/2012)
11/19/2012	<u>193</u>	DECLARATION of Katherine Rosenfeld in Support re: <u>190</u> MOTION to Approve Stipulation of Settlement and Plaintiffs' Request for Attorneys' Fees and Costs.. Document filed by Michael Brown(On behalf of himself and others similarly situated), Michael Brown, Eddie Wise(on behalf of himself), Eddie Wise(on behalf of all others similarly situated). (Attachments: # <u>1</u> Exhibit Exhibit 1 Part 1, # <u>2</u> Exhibit Exhibit 1 Part 2, # <u>3</u> Exhibit Exhibit 2)(Rosenfeld, Katherine) (Entered: 11/19/2012)
11/19/2012	<u>194</u>	DECLARATION of Matthew D. Brinckerhoff in Support re: <u>190</u> MOTION to Approve Stipulation of Settlement and Plaintiffs' Request for Attorneys' Fees and Costs.. Document filed by Michael Brown(On behalf of himself and others similarly situated), Michael Brown, Eddie Wise(on behalf of himself), Eddie Wise(on behalf of all others similarly situated). (Attachments: # <u>1</u> Exhibit Exhibit AA, # <u>2</u> Exhibit Exhibit BB, # <u>3</u> Exhibit Exhibit CC)(Rosenfeld, Katherine) (Entered: 11/19/2012)

11/19/2012	<u>195</u>	MEMORANDUM OF LAW in Support re: <u>190</u> MOTION to Approve Stipulation of Settlement and Plaintiffs' Request for Attorneys' Fees and Costs.. Document filed by Michael Brown(On behalf of himself and others similarly situated), Michael Brown, Eddie Wise(on behalf of himself), Eddie Wise(on behalf of all others similarly situated). (Rosenfeld, Katherine) (Entered: 11/19/2012)
12/14/2012		Minute Entry for proceedings held before Judge Shira A. Scheindlin: Status Conference held on 12/14/2012. (cd) (Entered: 12/20/2012)
12/17/2012	<u>197</u>	NOTICE OF APPEARANCE by Mariana Louise Kovel on behalf of Michael Brown(On behalf of himself and others similarly situated), Michael Brown, Eddie Wise(on behalf of himself), Eddie Wise(on behalf of all others similarly situated) (Kovel, Mariana) (Entered: 12/17/2012)
12/21/2012	<u>198</u>	ORDER APPROVING THE JANUARY 26, 2012 STIPULATION OF SETTLEMENT: The Settlement meets the requirements of Fed. R. Civ. P. 23(e) because it is procedurally and substantively fair, reasonable, and adequate. The \$25,000 service awards to the eight Named Plaintiffs, totaling \$200,000, from the Settlement Costs are fair and reasonable given the time and effort they expended assisting in the prosecution of this litigation. An checks mailed to Class Members shall bear the notation, "CASH PROMPTLY, VOID AND WILL NOT BE RE-ISSUED 120 DAYS AFTER DATE OF ISSUANCE". (Signed by Judge Shira A. Scheindlin on 12/21/2012) (ft) (Entered: 12/26/2012)
01/03/2013	<u>200</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 12/14/2012 before Judge Shira A. Scheindlin. Court Reporter/Transcriber: Carol Ganley, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/28/2013. Redacted Transcript Deadline set for 2/7/2013. Release of Transcript Restriction set for 4/8/2013.(Rodriguez, Somari) (Entered: 01/03/2013)
01/03/2013	<u>201</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 12/14/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) 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 may be made remotely electronically available to the public without redaction after 90 calendar days...(Rodriguez, Somari) (Entered: 01/03/2013)
01/03/2013	<u>202</u>	FINAL JUDGMENT that for the reaons set forth in the Order signed by the Court on December 21, 2012 and entered December 26, 2012 (Ex. A), that: The January 26, 2012 Stipulation of Settlement (Ex. B) is hereby approved; The parties shall abide by all the terms of the Stipulation of Settlement and the Court's December 21, 2012 Order: The City of New York shall make all payments set forth in the December 21, 2012 Order in accordance with the terms in that Order;The Court retains jurisdiction over this action to enforce the terms of the December 21, 2012 Order and the Stipulation of Settlement. (Signed by Judge Shira A. Scheindlin on 1/3/13) (Attachments: # <u>1</u> Notice of Right to Appeal)(dt) (Entered: 01/03/2013)
02/07/2013	<u>203</u>	NOTICE OF CHANGE OF ADDRESS by J. McGregor Smyth, Jr on behalf of All Plaintiffs. New Address: New York Lawyers for the Public Interest, 151 West 30th Street, 11th Floor, New York, NY, USA 10001, 212.244.4664. (Smyth, J.) (Entered: 02/07/2013)
02/26/2013	<u>204</u>	ORDER: Plaintiffs' request to continue reviewing and accepting good cause explanations that may be received from the outstanding 14 eligible late claimants beyond the thirty day deadline, if they are postmarked on or before March 6, 2013 is granted. Plaintiffs' request to accept the three class members who have submitted valid claim forms postmarked after the January 8, 2013 deadline as well as any other eligible claims that are submitted by March 6, 2013, provided that the claimants provide good cause for the late filing is granted. Plaintiffs may continue to review and accept good cause explanations submitted within thirty days from the date of such requests. Permission for the six claims that had requested another claim form be mailed to them before the court-ordered late claim deadline be accepted as late claims – without further showing of good cause for late filing is

		granted if the claim forms are returned and postmarked by March 6, 2013. With respect to all valid claims received and accepted prior to March 6, 2013 (including the three categories of claims described above), permission is granted to include those claimants in the group of class members who are paid out of the Remainder funds. Should there be any valid claims that are not ready for payment as for the March 6, 2013 deadline, only those claimants would be paid out of the Reserve Fund of \$100,000. SO ORDERED. (Signed by Judge Shira A. Scheindlin on 2/25/2013) (ja) (Entered: 02/26/2013)
06/14/2013	<u>205</u>	ORDER: Plaintiffs' request to pay three settlement class members (S. Kessoo, Johnny Williams, and J. Ruffin) who submitted late claims and timely good cause for late filing but who were not included in the initial distribution due to administrative error is GRANTED. These three settlement class members are to be paid the full award amount they would have otherwise received from the balance of the Remainder funds. Plaintiffs' request to pay two settlement class members (Jeffrey Williams, J. Zayas) who requested that a claim form be mailed to their new addresses before the deadline to submit claim forms but who were not subsequently mailed claim forms to those addresses due to administrative error is GRANTED, provided that these class members submit valid claim forms to the Administrator or Class Counsel postmarked by no later than one month from the date of this Order. Should these two class members submit valid claim forms by such time, they are to be paid the full award amount they would have otherwise received from the balance of the Remainder funds. The Administrator having determined that no other settlement class members were subject to the same administrative error in the mailing process, the deadline to have submitted a claim form for all other settlement class members remains March 6, 2013, pursuant to this Court's previous Order. (Signed by Judge Shira A. Scheindlin on 6/13/2013) (ja) (Entered: 06/14/2013)
10/07/2013	<u>206</u>	LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld dated 10/7/13 re: Intention to Proceed with a Second Distribution of Settlement Funds. Document filed by Michael Brown(On behalf of himself and others similarly situated), Michael Brown, Eddie Wise(on behalf of himself), Eddie Wise(on behalf of all others similarly situated).(Rosenfeld, Katherine) (Entered: 10/07/2013)
01/21/2014	<u>207</u>	LETTER addressed to Judge Shira A. Scheindlin from Katherine Rosenfeld dated January 21, 2014 re: Status of the Preparation and Filing of the Omnibus Motion to Vacate and Seal Unconstitutional Loitering Charges from Class Members' Criminal Records. Document filed by Michael Brown(On behalf of himself and others similarly situated), Michael Brown, Eddie Wise(on behalf of himself), Eddie Wise(on behalf of all others similarly situated). (Attachments: # <u>1</u> Text of Proposed Order)(Rosenfeld, Katherine) (Entered: 01/21/2014)
01/22/2014	<u>208</u>	ORDER re: (207 in 1:05-cv-05442-SAS) Letter, filed by Eddie Wise, Michael Brown, (119 in 1:08-cv-02173-SAS) Letter, filed by Paul Casale, Anthony Garcia: Plaintiffs' request to pay an Award Amount to twenty-one (21) Settlement Class Members who submitted valid late Claim Forms without providing written good cause for late filing, and who were not included in the initial distribution, is GRANTED. As part of the second distribution of class funds to be made in 2014, these twenty-one Settlement Class Members are to be paid the full Award Amount they would have otherwise received. (Signed by Judge Shira A. Scheindlin on 1/21/2014) (tn) (Entered: 01/22/2014)
08/28/2014	<u>209</u>	MOTION for Katherine R. Rosenfeld to Withdraw as Attorney <i>for Plaintiff and Class</i> . Document filed by Michael Brown(On behalf of himself and others similarly situated), Michael Brown.(Rosenfeld, Katherine) (Entered: 08/28/2014)
08/28/2014	<u>210</u>	AFFIRMATION of Katherine R. Rosenfeld in Support re: <u>209</u> MOTION for Katherine R. Rosenfeld to Withdraw as Attorney <i>for Plaintiff and Class</i> .. Document filed by Michael Brown(On behalf of himself and others similarly situated), Michael Brown. (Rosenfeld, Katherine) (Entered: 08/28/2014)
08/28/2014	<u>211</u>	MEMO ENDORSEMENT granting <u>209</u> Motion to Withdraw as Attorney. ENDORSEMENT: Motion granted. Attorney Katherine R. Rosenfeld terminated. (Signed by Judge Shira A. Scheindlin on 8/28/2014) (lmb) (Entered: 08/28/2014)

01/14/2015	<u>212</u>	ORDER: Plaintiffs' request to appoint the New York Lawyers for the Public Interest ("NYLPI") as co-Class Counsel, pursuant to Fed. R. Civ. P. 23(g)(1)(E), and with the consent of defendants, is GRANTED. (Signed by Judge Shira A. Scheindlin on 1/14/2015) (dj) (Entered: 01/14/2015)
04/23/2015	<u>213</u>	ORDER: NOW, THEREFORE IT IS HEREBY ORDERED, ADJUDGED AND DECREED: Class Counsel's request to conduct a cy pres distribution out of the remaining funds in the Settlement Fund, to Picture the Homeless, Ali Forney Center, Streetwise & Safe, and the Urban Justice Center Sex Workers Project, in the amount of \$40,910.46 per organization, and with the consent of Defendants, is GRANTED. The Class Administrator shall distribute \$40,910.46 to each of the four named non-profit organizations within ten days of this Order. (Signed by Judge Shira A. Scheindlin on 4/23/2015) (mro) (Entered: 04/23/2015)