

**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:98-cv-03386-NGG-RML**

Monaco, et al v. Stone, et al
Assigned to: Judge Nicholas G. Garaufis
Referred to: Magistrate Judge Robert M. Levy
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 05/05/1998
Date Terminated: 09/27/2016
Jury Demand: Defendant
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

Gregory R. Monaco
*on behalf of himself and other
similarly situated individuals*

represented by **Michelle Marie Buescher**
The City of New York Law
Department
Office of Corporation Counsel
100 Church Street
New York, NY 10007
(212) 232-2492
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William M. Brooks
Touro College Jacob D. Fuchsberg Law
Center
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle K. Caldera
Civil Rights Clinic
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TERMINATED: 08/18/2015
ATTORNEY TO BE NOTICED

Plaintiff

Touro Law Center

*on behalf of itself and individuals
facing civil commitment and
mentally ill individuals charged
with minor felonies and
misdemeanors*

represented by **William M. Brooks**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Mental Disability Law Clinic

represented by **Michelle Marie Buescher**
(See above for address)
ATTORNEY TO BE NOTICED

Michelle K. Caldera
(See above for address)
TERMINATED: 08/18/2015
ATTORNEY TO BE NOTICED

William M. Brooks
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

James L. Stone

*in his official capacity of
Commissioner of the New York
State Office of Mental Health
TERMINATED: 03/10/2011*

represented by **Christine E. Morrison**
Attorney General of the State of New
York
120 Broadway
New York, NY 10271
(212) 416-8000
TERMINATED: 03/12/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Edward Joseph Curtis , Jr.
New York State Attorney General
120 Broadway, 24th floor
New York, NY 10271
212-416-8641
Fax: 212-416-6075
Email: Ecurtis@oag.state.ny.us
TERMINATED: 10/23/2013

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Catherine Cahill
*in her official capacity of Justice
of the East Hampton
TERMINATED: 03/10/2011*

represented by **Christine E. Morrison**
(See above for address)
*TERMINATED: 12/16/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

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Huntington, NY 11743
631-421-2500
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*TERMINATED: 08/18/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

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Litigation Bureau
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New York, NY 10271
Fax: (212)416-6075
Email:
Michael.Peeples@oag.state.ny.us
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Patric A. Mahoney
*in his official capacity of himself
and all other sheriffs and other
individuals who transport
incompetent defendants from jails
to psychiatric hospitals in New
York State
TERMINATED: 03/10/2011*

represented by **Brian P Callahan**
Suffolk County Attorneys Office
100 Veterans Memorial Hwy
POB 6100
Hauppauge, NY 11788-4311
631-853-5665
Fax: 631-853-5306
*TERMINATED: 06/13/2012
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Christine E. Morrison

(See above for address)
TERMINATED: 12/16/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Derrick Jeffrey Robinson
Suffolk County Attorneys Office
100 Veterans Memorial Hwy
Hauppauge, NY 11788
631-853-5665
Fax: 631-853-5306
TERMINATED: 03/25/2008
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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TERMINATED: 04/28/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Honorable Jonathan Lippman
in his official capacity of Chief
Administrative Judge of the State
of New York
TERMINATED: 07/08/1999

represented by **Christine E. Morrison**
(See above for address)
TERMINATED: 12/16/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kenneth A. Falk
Office of Court Administration
25 Beaver Street
11th Floor
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(212) 428-2150
TERMINATED: 07/08/1999
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

M.D. S. Sarwal
personally
also known as
Sarwal, M.D.

represented by **Edward Joseph Curtis , Jr.**
(See above for address)
TERMINATED: 10/23/2013
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Robert J. Cimino
Suffolk County Attorney
TERMINATED: 03/10/2011

represented by **Derrick Jeffrey Robinson**
(See above for address)
TERMINATED: 03/25/2008
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Martin Horn
in his official capacity as
Commissioner of the New York
City Department of Corrections.

represented by **Lisa Fleming Grumet**
Corporation Counsel of the City of NY
100 Church Street
New York, NY 10007
212-788-1165
Email: lgrumet@law.nyc.gov
TERMINATED: 03/12/2009

Defendant

Alfred Tisch
in his official capacity as Sheriff of
Suffolk County

represented by **Brian P Callahan**
(See above for address)
TERMINATED: 06/13/2012
ATTORNEY TO BE NOTICED

Christopher M. Gatto
Suffolk County Attorney's Office
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christopher.gatto@suffolkcountyny.gov
ATTORNEY TO BE NOTICED

Defendant

M.D. Kenneth Skodnek
in his official capacity as
chairman of Psychiatry at Nassau

represented by **Gary P. Schulz**
Nixon Peabody, LLP
50 Jericho Quadrangle
Suite 300

*University Medical Center.
TERMINATED: 03/10/2011*

Jericho, NY 11753
516-832-7500
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*TERMINATED: 06/28/2013
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Email: sberman@nixonpeabody.com
ATTORNEY TO BE NOTICED

Defendant

M.D. Marc Sedler
*in his official capacity as
Chairman of the Department of
Psychiatry at University Hospital
of the State University of New
York at Stony Brook.*

represented by **Edward Joseph Curtis , Jr.**
(See above for address)
*TERMINATED: 10/23/2013
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

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212-416-8695
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Email: jaime.roth@ag.ny.gov
*TERMINATED: 09/20/2013
ATTORNEY TO BE NOTICED*

Michael E. Peeples
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Benjamin Chu
*in his official capacity as the
Director of the New York City*

represented by **Emily Sweet**
Corporation Counsel for the City of
New York

Health and Hospitals Corporation
TERMINATED: 03/10/2011

Law Department
100 Church Street
Room 2-110
New York, NY 10007
212-788-1171
Fax: 212-788-8877
Email: esweet@law.nyc.gov
TERMINATED: 03/12/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lisa Fleming Grumet
(See above for address)
TERMINATED: 03/12/2009

Defendant

R.N., Ph.D. Sharon Carpinello
*in her official capacity as Acting
Commissioner of the New York
State Office of Mental Health.*
TERMINATED: 03/10/2011

represented by **Michael E. Peeples**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Ph.D Michael Hogan
*in his official capacity as
Commissioner of the New York
State Office of Mental Health*

represented by **Michael E. Peeples**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jaime Irene Roth
(See above for address)
TERMINATED: 09/20/2013
ATTORNEY TO BE NOTICED

Defendant

Alan Aviles
*in his official capacity as the
Director of the New York City
Health and Hospitals Corporation*

Defendant

M.D. Nyapati Rao
*in his official capacity as
Chairman of Psychiatry at Nassau
University Medical Center*

represented by **Seth Lawrence Berman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Dominick Stanzione

*in his official capacity as Acting
Director of the Psychiatric Unit of
Long Island College Hospital*

Defendant

M.D. S. Tuzel

personally

Defendant

William Packard, M.D.

personally

represented by **Brian P Callahan**

(See above for address)

TERMINATED: 06/13/2012

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Derrick Jeffrey Robinson

(See above for address)

TERMINATED: 03/25/2008

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Christopher M. Gatto

(See above for address)

ATTORNEY TO BE NOTICED

Defendant

B. Palma-Acquino, M.D.

personally

represented by **Edward Joseph Curtis , Jr.**

(See above for address)

TERMINATED: 10/23/2013

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

J. Tuzel, M.D.

TERMINATED: 03/10/2011

represented by **Edward Joseph Curtis , Jr.**

(See above for address)

TERMINATED: 10/23/2013

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

R. Dave, M.D.
personally

represented by **Edward Joseph Curtis , Jr.**
(See above for address)
TERMINATED: 10/23/2013
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

V. Goryalis, M.D.
TERMINATED: 03/10/2011

represented by **Edward Joseph Curtis , Jr.**
(See above for address)
TERMINATED: 10/23/2013
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Kathleen Kelly
TERMINATED: 03/10/2011

Defendant

Alan Weinstock
TERMINATED: 03/10/2011

represented by **Edward Joseph Curtis , Jr.**
(See above for address)
TERMINATED: 10/23/2013
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Bernard Kerik
TERMINATED: 03/10/2011

represented by **Michelle Marie Buescher**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Louis Marcos
in his official capacity as the
Director of the New York City
Health and Hospitals Corp.
TERMINATED: 03/10/2011

represented by **Lisa Fleming Grumet**
(See above for address)
TERMINATED: 03/12/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Martin Kesselman
on behalf and director or chief
operating officers of state licensed
and government operated in-patient
psychiatric units in the Eastern

represented by **Lisa Fleming Grumet**
(See above for address)
TERMINATED: 03/12/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

District of New York
TERMINATED: 03/10/2011

Defendant

M.D. Arnold Licht
on behalf of himself and directors
or chief operating officers of
privately operated in-patient
psychiatric units located in the
Eastern District of New York.
TERMINATED: 03/10/2011

represented by **Erika B. Stein**
Wilson Elser Moskowitz Edelman &
Dicker
150 East 42nd Street
New York, NY 10017
212-490-3000
Fax: 212-490-3038
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

William Fraser
in his official capacity of
Commissioner of the New York
City Dept. of Corrections
TERMINATED: 03/10/2011

represented by **Lisa Fleming Grumet**
(See above for address)
TERMINATED: 03/12/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/05/1998	1	COMPLAINT filed and summons(es) issued for James L. Stone, Catherine Cahill, Town Justice Court, Patric A. Mahoney, Jonathan Lippman FILING FEE \$ 150.00 RECEIPT # 47568 (Chow, Alice) (Entered: 05/08/1998)
05/11/1998	2	MOTION by Gregory R. Monaco for Class Certification . Motion hearing set for 5/26/98 [2-1] . (Johnson, Tanya) (Entered: 05/15/1998)
05/11/1998	3	MEMORANDUM by Gregory R. Monaco in support of the [2-1] motion for Class Certification. (Johnson, Tanya) (Entered: 05/15/1998)
05/11/1998	4	AFFIDAVIT by William M. Brooks, Esq. on behalf of plaintiff Gregory R. Monaco in further support of the [2-1] motion for Class Certification. (Johnson, Tanya) (Entered: 05/15/1998)
05/22/1998	5	ORDER, setting an initial conference for 9/14/98 at 1:30 before Magistrate Robert M. Levy . (Signed by Magistrate Robert M. Levy on 5/21/98) c/m (Johnson, Tanya) (Entered: 05/22/1998)
06/10/1998	6	LETTER dated 5/22/98 from Janice Shea, Esq., to William Brooks, Esq. confirming that defendant Patrick Mahoney's answer deadline is extended until 6/30/98. (Johnson, Tanya) (Entered: 06/10/1998)

06/10/1998		Endorsed order on document #6, extending the answer deadline for defendant Patrick A. Mahoney until 6/30/98 . (Signed by Chief Judge Charles P. Sifton, undated) c/m (Johnson, Tanya) (Entered: 06/10/1998)
06/10/1998	7	LETTER dated 5/22/98 from Christine E. Morrison, Asst. Attorney General, to Judge Sifton requesting an extension of time until 6/12/98, for the defendant to file opposition papers and to answer the complaint. (Johnson, Tanya) (Entered: 06/10/1998)
06/10/1998		Endorsed order on document #7, granting the defendant Stone's request to extend the answer deadline until 6/12/98 and extending the time to file papers in opposition to plaintiff's motion for class certification. (Signed by Chief Judge Charles P. Sifton on 5/27/98) c/m (Johnson, Tanya) (Entered: 06/10/1998)
06/18/1998	8	LETTER dated 6/4/98 from William M. Brooks, Esq., to Judge Sifton requesting to adjourn plaintiff's class certification motion until 6/29/98. (Johnson, Tanya) (Entered: 06/18/1998)
06/18/1998		Endorsed order on document #8, granting the request to adjourn plaintiff's [2-1] motion for Class Certification until 6/29/98 . (Signed by Chief Judge Charles P. Sifton on 6/12/98) c/m (Johnson, Tanya) (Entered: 06/18/1998)
07/01/1998	9	RETURN OF SERVICE executed as to James L. Stone, Catherine Cahill, Patric A. Mahoney and Jonathan Lippman on 6/22/98. (Johnson, Tanya) (Entered: 07/02/1998)
07/01/1998	10	AMENDED COMPLAINT by Gregory R. Monaco (Answer due 7/11/98 for Jonathan Lippman, Patric A. Mahoney, Town Justice Court, Catherine Cahill and James L. Stone) amending [1-1] complaint. (Johnson, Tanya) (Entered: 07/02/1998)
07/02/1998	11	LETTER dated 6/24/98 from Janice Shea, Asst. County Attorney, to Judge Sifton requesting to reschedule oral argument set for 6/29/98. (Johnson, Tanya) (Entered: 07/02/1998)
07/02/1998		Endorsed order on document #11, adjourning the 6/29/98 Motion hearing and resetting the hearing for 7/20/98 [2-1] . (Signed by Chief Judge Charles P. Sifton on 6/25/98) (Johnson, Tanya) (Entered: 07/02/1998)
07/23/1998	12	ORDER granting that Ms. Shea and Ms. Morrison, Asst. Atty. General will serve their papers in opposition to plaintiff's motion for class certification and answer or other response to the amended complaint on 07.29.98 and Mr. Brooks will serve his reply, if any, on 08.19.98. The motion will be returnable on 08.26.98 at 4:30. (signed by Chief Judge

		Charles P. Sifton, dated 07.22.98) See letter dated 07.13.98 from Christine E. Morrison, Asst. Atty. General to Judge Sifton. Galeano, Sonia (Entered: 07/23/1998)
07/23/1998	13	ORDER granting an extension of time for the defendant Patrick A. Mahoney, Sheriff of Suffolk County, to answer or otherwise move with re: to the complaint to and including 07.29.98. (signed by Chief Judge Charles P. Sifton, dated 07.22.98) See letter dated 06.24.98 from Janice Shea, Asst. County Atty. to William M. Brooks, Esq. Galeano, Sonia (Entered: 07/23/1998)
07/31/1998	14	LETTER dated 7/28/98 from William M. Brooks, Esq., to Judge Sifton requesting permission for plaintiff to file a second amended complaint. (Johnson, Tanya) (Entered: 07/31/1998)
07/31/1998		Endorsed order on document #14, granting the request for plaintiffs for file a second amended complaint . (Signed by Chief Judge Charles P. Sifton on 7/29/98) (Johnson, Tanya) Modified on 07/31/1998 (Entered: 07/31/1998)
07/31/1998	15	DECLARATION by Janice Shea, Asst. County Attorney, on behalf of defendants in opposition to plaintiff's [2-1] motion for class certification. (Johnson, Tanya) (Entered: 08/03/1998)
07/31/1998	16	MEMORANDUM by Patrick A. Mahoney in opposition to plaintiff's [2-1] motion for class certification. (Johnson, Tanya) (Entered: 08/03/1998)
08/05/1998	17	MEMORANDUM by defendants' in opposition to the plaintiff's [2-1] motion for Class Certification. (Johnson, Tanya) (Entered: 08/06/1998)
08/06/1998	18	DECLARATION by Christine E. Morrison, Asst. Attorney General, on behalf of defendants in opposition plaintiff's motion [2-1] for Class Certification. (Johnson, Tanya) (Entered: 08/06/1998)
08/10/1998	19	LETTER dated 7/29/98 from Janice Shea, Asst. County Attorney, to William Brooks, Esq., stating that the Suffolk County Sheriff's time to anser the Second Amended Complaint has been extended to 9/11/98. (Johnson, Tanya) (Entered: 08/10/1998)
08/10/1998		Endorsed order on document #19, extending the Suffolk County Sheriff's answer deadline until 9/11/98 . (Signed by Chief Judge Charles P. Sifton on 8/6/98) c/m (Johnson, Tanya) (Entered: 08/11/1998)

08/21/1998	20	REPLY MEMORANDUM OF LAW by Gregory R. Monaco in further support of its [2-1] motion for Class Certification (Dobkin, David) (Entered: 08/24/1998)
08/21/1998	21	REPLY AFFIDAVIT of William Brooks in further support of plaintiff's Re: [2-1] motion for Class Certification. Attached exhibit A. (Dobkin, David) (Entered: 08/24/1998)
09/14/1998	22	LETTER dated 9/3/98 from Janice Shea, Asst. County Attorney, to Judge Sifton requesting to extend defendant Suffolk County Sheriff's time to answer the second amended complaint beyond until 9/11/98. (Johnson, Tanya) (Entered: 09/14/1998)
09/14/1998		Endorsed order on document #22, granting defendant Suffolk County Sheriff's request for an extension of time beyond 9/11/98 to answer the second amended complaint. (Signed by Chief Judge Charles P. Sifton on 9/10/98) c/m (Johnson, Tanya) (Entered: 09/14/1998)
09/21/1998	23	LETTER dated 8/28/98 from William M. Brooks, Esq., to Magistrate Levy requesting to adjourn the 9/14/98 status conference until 10/9/98. (Johnson, Tanya) (Entered: 09/21/1998)
09/21/1998		Endorsed order on document #23, granting the request to adjourn the 9/14/98 telephone status conference until 10/9/98 at 2:30 before Magistrate Robert M. Levy . (Signed by Magistrate Robert M. Levy on 9/8/98) c/m (Johnson, Tanya) (Entered: 09/21/1998)
10/27/1998	24	LETTER dated 10/16/98 from William M. Brooks, Esq., to Judge Sifton confirming that oral argument on the plaintiff's class certification motion will be adjourned until 10/30/98 at 4:30. (Johnson, Tanya) (Entered: 10/27/1998)
10/27/1998		Endorsed order on document #24, that plaintiff's motion for class certification will be held on 10/30/98 at 4:30. (Signed by Chief Judge Charles P. Sifton on 10/23/98) (Johnson, Tanya) (Entered: 10/27/1998)
11/09/1998	25	LETTER dated 10/29/98 from William Brooks, Esq., to Judge Sifton confirming that oral argument on plaintiff's class certification motion has been adjourned to 11/30/98. (Johnson, Tanya) (Entered: 11/09/1998)
11/09/1998		Endorsed order on document #4, that the motion hearing for plaintiff's [2-1] motion for Class Certification is adjourned until 11/30/98 . (Signed by Chief Judge Charles P. Sifton on 11/4/98) c/m (Johnson, Tanya) (Entered: 11/09/1998)

11/24/1998	26	STIPULATION and ORDER, that plaintiff may file a second amended complaint. It is further stipulated that the plaintiff agrees not to assert any additional claims for relief against defendants Mahoney, Cahill and Lippman. (Signed by Magistrate Robert M. Levy on 11/10/98) c/m (Johnson, Tanya) (Entered: 11/24/1998)
12/04/1998	27	LETTER dated 11/3/98 to Magistrate Levy, from William M. Brooks requesting that the Court so order a stipulation to amend the complaint. (Johnson, Tanya) (Entered: 12/04/1998)
12/07/1998	28	(CERTIFIED COPY) ORDER, that the Riverhead Correctional Facility, shall permit William Brooks of Touro Law Center, or any other individual whom Gregory Monaco has authorized to review his medical records. (Signed by Magistrate Robert M. Levy on 11/30/98) (Johnson, Tanya) (Entered: 12/07/1998)
12/08/1998	29	LETTER dated 11/30/98 from William M. Brooks, Esq., to Judge Sifton confirming that oral argument on plaintiff's class certification motion has been adjourned to 12/14/98. (Johnson, Tanya) (Entered: 12/08/1998)
12/14/1998	30	Calendar entry: Motion hearing held before Judge Sifton on 12/14/98. Counsel for both sides present. Court Reporter: Henry Shapiro. The plaintiff's motion for class certification is argued. A decision is reserved. (Johnson, Tanya) (Entered: 12/16/1998)
12/24/1998	31	LETTER dated 12/3/98 from Janice Shea, Esq., to Magistrate Levy regarding the request for the release of medical records. (Johnson, Tanya) (Entered: 12/30/1998)
01/05/1999	32	Calendar entry: Initial conference held before Magistrate Levy on 1/5/99. Counsel for both sides present. Pending decision of motion on class certification discovery will proceed on a named party basis. Second amended complaint shall be filed by 1/29/99. Discovery to be completed by 6/10/99 . Set the next status conference for 6/10/99 at 10:00 before Magistrate Robert M. Levy . (Johnson, Tanya) (Entered: 01/06/1999)
02/03/1999	33	LETTER dated 1/28/99 from William M. Brooks, Esq., to Magistrate Levy requesting an extension of time to file the amended complaint. (Johnson, Tanya) (Entered: 02/03/1999)
02/03/1999		Endorsed order on document #33, granting plaintiff's request for an extension of time to file the amended complaint. (Signed by Magistrate Robert M. Levy on 1/28/99) c/m (Johnson, Tanya) (Entered: 02/03/1999)

02/03/1999	34	LETTER dated 1/29/99 from Janice Shea, Asst. County Attorney, to Magistrate Levy in response to plaintiff's counsel's letter concerning his client's mental health records maintained at the Riverhead Jail. (Johnson, Tanya) (Entered: 02/03/1999)
03/05/1999	35	LETTER dated 03.08.99 from William M. Brooks to Judge Sifton, enclosing a courtesy copy of the plttf's motion for class certification. (w/o enc.) Galeano, Sonia (Entered: 03/08/1999)
03/12/1999	36	MEMORANDUM and ORDER, that plaintiff's motion to [2-1] certify a plaintiff class and a defendant class of all local criminal court judges is granted, and plaintiff's motion to certify a defendant class of all sheriffs and other and other individuals who transport defendants remanded pursuant to CPL section 730.40 is denied. (Signed by Chief Judge Charles P. Sifton on 3/10/99) c/m (Johnson, Tanya) (Entered: 03/12/1999)
03/19/1999	37	SECOND AMENDED COMPLAINT by Gregory R. Monaco amending [10-1] amended complaint against William Packard, M.D., Sarwal, M.D., B. Palma-Acquino, M.D., J. Tuzel, M.D., R. Dave, M.D., V. Goryalis, M.D. and Kathleen Kelly. (Johnson, Tanya) (Entered: 03/25/1999)
03/25/1999	38	ANSWER by Catherine Cahill to amended complaint (Johnson, Tanya) (Entered: 04/01/1999)
04/12/1999	39	STIPULATION and ORDER, that the answer deadline for defendant Jonathan Lippman is extended until 5/5/99. (Signed by Chief Judge Charles Sifton on 4/7/99) c/m (Johnson, Tanya) (Entered: 04/12/1999)
05/06/1999	40	MOTION by defendant Jonathan Lippman to dismiss the second amended complaint . Motion hearing . (Guzzi, Roseann) (Entered: 05/07/1999)
05/06/1999	41	MEMORANDUM by Jonathan Lippman in support of defendant Lippman's [40-1] motion to dismiss the second amended complaint. (Guzzi, Roseann) (Entered: 05/07/1999)
05/25/1999	42	LETTER dated 5/11/99 from William M. Brooks, Esq., to Judge Sifton requesting that the Court so order the proposed motion schedule: plaintiff's brief in opposition to defendant's motion to dismiss the second amended complaint to be served on 6/3/99; defendant Lippman's reply brief to be served on 7/1/99 and the return date of the motion by 7/8/99. (Johnson, Tanya) (Entered: 05/25/1999)

05/25/1999		Endorsed order on document #42, granting the proposed motion schedule. (Signed by Chief Judge Charles P. Sifton on 5/19/99) c/m (Johnson, Tanya) Modified on 05/25/1999 (Entered: 05/25/1999)
05/26/1999	43	RETURN OF SERVICE executed as to William Packard, M.D., B. Palma-Acquino, M.D., J. Tuzel, M.D., R. Dave, M.D., V. Goryalis, M.D. (Johnson, Tanya) (Entered: 06/01/1999)
06/03/1999	44	MEMORANDUM by Gregory R. Monaco in opposition to [40-1] motion to dismiss the second amended complaint (Greves, Liz) (Entered: 06/07/1999)
06/10/1999	45	Calendar entry: Status conference held before Magistrate Levy on 6/10/99. Counsel for all sides present. Parties stipulate that J. Cahill need not appear at the conferences, provided that she complies with discovery requests. Defendant Stone's answer to the 2nd amended complaint by 7/30/99, provided discovery is not delayed. Following settlement discussions, plaintiff agrees to a stipulation resolving J. Lippman's motion to dismiss. Preliminary discovery to be completed by 12/31/99 . Set the next status conference for 1/13/2000 at 10:00 before Magistrate-Judge Robert M. Levy . (Johnson, Tanya) (Entered: 06/22/1999)
07/08/1999	46	STIPULATION and ORDER, that plaintiff voluntarily discontinues this action as against defendant Jonathan Lippman, with prejudice and that defendants name shall be removed from the caption of this case. (Signed by Chief Judge Charles P. Sifton on 7/6/99) c/m (Johnson, Tanya) (Entered: 07/08/1999)
08/10/1999	47	LETTER dated 7/30/99 from Christine E. Morrison to Mag. Levy, requesting an extension of time to 8/13/99 to serve and file an answer. (Piper, Francine) (Entered: 08/10/1999)
08/10/1999		Endorsed order, Application Granted. Time to serve/file answer extended to 8/13/99. (Signed by Magistrate Robert M. Levy) (endorsed on letter, document #47) (Piper, Francine) (Entered: 08/10/1999)
08/25/1999	48	LETTER dated 8/13/99 from Christine Morrison, Asst. Attorney General, to Magistrate Levy requesting an extension of time until 8/27/99 for defendants to file an answer. (Johnson, Tanya) (Entered: 08/25/1999)
08/25/1999		Endorsed order on document #48, extending defendant's answer deadline until 8/27/99 . (Signed by Magistrate Robert M. Levy on 8/16/99) (Johnson, Tanya) (Entered: 08/25/1999)

09/28/1999	49	DEMAND for jury trial by Gregory R. Monaco. (Johnson, Tanya) (Entered: 10/01/1999)
01/13/2000	50	Calendar entry: Adjourning the 1/13/00 conference until 1/28/00 at 12:15. (Johnson, Tanya) (Entered: 01/26/2000)
01/28/2000	51	Calendar entry: Status conference held before Magistrate Levy on 1/28/00. Counsel for all sides present. State defendns consen to filing 3rd amended complaint. Suffolk defendants will review proposed amendments and advise plaintiff. Plaintiff's draft to defendant shall be submitted by 2/11/00; Suffolk defendants to advise both the plaintiff and defendant by 2/18/00. Many issues in this case may be resolved by settlement, if any, in Charles W. (Johnson, Tanya) (Entered: 02/07/2000)
03/27/2000	52	STIPULATION and ORDER dated 3/18/2000 that plttf may file a 3rd amended complaint. (signed by Magistrate Robert M. Levy). (Greves, Liz) (Entered: 03/27/2000)
03/31/2000	53	THIRD AMENDED COMPLAINT by Gregory R. Monaco amending against Alan Weinstock and Bernard Kerik. (Johnson, Tanya) Modified on 04/04/2000 (Entered: 04/04/2000)
06/02/2000	54	RETURN OF SERVICE executed as to Alan Weinstock, Bernard Kerik 5/30/00, answer due on 6/19/00. (Lee, Tiffeny) (Entered: 06/07/2000)
06/20/2000	55	ANSWER by Bernard Kerik to third amended complaint. (Johnson, Tanya) (Entered: 06/30/2000)
08/18/2000	56	LETTER dated 8/8/00 from Gary Weintraub to Magistrate Levy advising that Mr. Weintraub was relieved as counsel, and requesting that he be removed from the mailing list in regards to this case. (Rodriguez,Angela) (Entered: 08/18/2000)
08/22/2000	57	SCHEDULING ORDER setting Status conference by 12:15 9/20/00 ; copies mailed. (signed by Magistrate Robert M. Levy , on 8/3/00) (Glenn, Marilyn) (Entered: 08/22/2000)
09/25/2000	58	ORDER, adjourn scheduling conference for 4:00 11/20/00 before Magistrate Robert M. Levy , terminated past due deadlines (signed by Magistrate Robert M. Levy , on 9/20/2000) (Jackson, Ramona) (Entered: 09/25/2000)
10/27/2000	59	LETTER dated 10/10/00 from William M. Brooks, Esq., to Magistrate Levy informing the Court of the status of this action. (Johnson, Tanya) (Entered: 10/27/2000)

11/20/2000	60	Calendar entry: Before Mag. Judge Levy on 11/20/00 at 4:00PM case called for status conference. Proposed revised schedule to be submitted by 12/15/00. Next conference scheduled for 2/28/01 at 2:30PM. Discovery regarding the Honorable Catherine Cahill complete, without prejudice to re-open if claims are altered in further amendments to complaint. Parties in Charles W. are close to a settlement, which would eliminate many claims in this action, including claims against City debts. Parties to advise whether they stipulate to 4th amended complaints. Parties shall submit proposed revised discovery schedule by 12/15/00. Parties to advise whether they seek to sever damages claims. (Barrett, Charryse) (Entered: 12/04/2000)
01/24/2001	61	LETTER dated 12/15/01 from William M. Brooks, Esq., to Magistrate Levy regarding discovery. (Johnson, Tanya) (Entered: 01/24/2001)
02/28/2001	62	Calendar entry: Before Mag Levy Status Conf. Next conf. 4/26/01 @ 12:00 by tel. Discovery proceedings: this case will be streamlined if and when Charles W litigation is settled. State will expedite production of remand information. (Jackson, Ramona) (Entered: 03/23/2001)
04/26/2001	63	Calendar entry: Telephone status conference held before Magistrate Levy on 4/26/01. Counsel for all sides present. Parties report that this case depends on settlement in Charles W. Parties to advise the Court within 2 weeks whether they seek to bifurcate damages claims. A settlement conference will be held in early May. Set the next telephone status conference for 6/6/01 at 11:00 before Magistrate Robert M. Levy. (Johnson, Tanya) (Entered: 05/09/2001)
05/21/2001	64	LETTER dated 5/10/01 from Derrick J. Robinson to Magistrate Judge Levy, rejecting pltf's invitation to bifurcate the instant action. (DiLorenzo, Krista) (Entered: 05/21/2001)
05/21/2001	65	LETTER dated 5/11/01 from Janine M. Spinnato to Magistrate Judge Levy, advising the Court that dfts. do not wish to sever the claims in this case at this time. (DiLorenzo, Krista) (Entered: 05/21/2001)
05/21/2001	66	ANSWER to Complaint by William Packard, M.D. and Patrick A. Mahoney. (Johnson, Tanya) (Entered: 05/25/2001)
06/12/2001	67	Calendar entry: Telephone status conference held before Magistrate Levy on 6/12/01. Counsel for both sides present. Discovery is continuing. Charles W. settlement to be presented to Governor's office on 6/13/01; if approved, plaintiff will seek to amend this complaint, dropping numerous claims and adding a defendant class. Parties will attempt to schedule, by 8/3/01, up to 5 depositions of physicians who complete certificates at various hospitals. Set the next telephone status

		conference for 8/2/01 at 11:00 before Magistrate Robert M. Levy . (Johnson, Tanya) (Entered: 06/14/2001)
08/07/2001	68	MOTION by Gregory R. Monaco to compel the designation and production of deposition witnesses. , Motion hearing set for 9:30 8/23/01 [68-1] motion Motion file stamped: 8/6/01 and mailed/served: 8/2/01 (Jackson, Ramona) (Entered: 08/07/2001)
08/07/2001	69	AFFIDAVIT of WILLIAM M. BROOKS Gregory R. Monaco Re: in support [68-1] motion to compel the designation and production of deposition witnesses. (Jackson, Ramona) (Entered: 08/07/2001)
08/07/2001	70	MEMORANDUM by Gregory R. Monaco in support of [68-1] motion to compel the designation and production of deposition witnesses. (Jackson, Ramona) (Entered: 08/07/2001)
08/07/2001	71	AFFIDAVIT by Gregory R. Monaco Re: [68-1] motion to compel the designation and production of deposition witnesses., [69-1] affidavit, [70-1] support memorandum (Jackson, Ramona) (Entered: 08/07/2001)
08/08/2001	72	Calendar entry:.,Before Mag Levy Telephone Conf. 1) Briefing schedule for motion to compel; 9/14/01 Opposition 10/5/01 Reply; Oral argument 10/12/01 @ 10:00. 2) On consent, state def't's will continue to provide names, but not records, of newly remanded patients at 5 facilities for 6 months, and plttf's shall have access to 2 physicians certificates for these individuals. The parties will revisit this issue in 6 months. 3) Plttf's motion to amend shall be served by 9/14/: Opposition by 10/12/; Reply 10/26. Depositions of doctors discussed at conf. to be completed by 10/31/01. Parties to submit proposed revised discovery schedule by 9/28/01. set scheduling conference for 10:00 10/12/01 before Magistrate Robert M. Levy , terminated past due deadlines (Jackson, Ramona) (Entered: 08/24/2001)
09/19/2001	73	ORDER Two week extension to serve motion. Motion to serve 9/28/01; Opposition 10/26/01; Reply 11/9/01. On ltr. dtd. 9/6/01 from William M.Brooks (signed by Magistrate Robert M. Levy , on 9/13/01) (Jackson, Ramona) (Entered: 09/19/2001)
09/20/2001	77	Calendar entry:.,Before Mag Levy Civil Conf. Asst. Atty. General's application for extension of time to serve opposition to 9/28/01 granted, due to WTC destruction, as he is still unable to gain access to his office. Oral argument adjn. to 10/18/01 @ 2:00. set scheduling conference for 2:00 10/18/01 before Magistrate Robert M. Levy , terminated past due deadlines (Jackson, Ramona) (Entered: 09/26/2001)
09/23/2001	74	MOTION by Gregory R. Monaco to amend [53-1] amended complaint , Motion hearing set for 9:30 11/12/01 [74-1] motion Motion file

		stamped: 9/23/01 and mailed/served: 9/24/01 (Jackson, Ramona) (Entered: 09/26/2001)
09/23/2001	75	MEMORANDUM by Gregory R. Monaco in support of [74-1] motion to amend [53-1] amended complaint (Jackson, Ramona) (Entered: 09/26/2001)
09/26/2001	76	AFFIDAVIT of WILLIAM M. BROOKS Gregory R. Monaco Re: in support [74-1] motion to amend [53-1] amended complaint (Jackson, Ramona) (Entered: 09/26/2001)
10/02/2001	78	MEMORANDUM by James L. Stone, Alan Weinstock, Sarwal, M.D., B. Palma-Acquino, M.D., J. Tuzel, M.D., R. Dave, M.D., V. Goryalis, M.D. in opposition to [68-1] motion to compel the designation and production of deposition witnesses. (Jackson, Ramona) (Entered: 10/02/2001)
10/17/2001	79	REPLY MEMORANDUM OF LAW by Gregory R. Monaco in further support [68-1] motion to compel the designation and production of deposition witnesses. (Jackson, Ramona) (Entered: 10/17/2001)
10/17/2001	80	ORDER, set scheduling conference for 2:00 10/25/01 before Magistrate Robert M. Levy , terminated past due deadlines (signed by Magistrate Robert M. Levy , on 10/12/01) (Jackson, Ramona) (Entered: 10/17/2001)
10/25/2001	84	Calendar entry: Before Mag Levy Civil Conf. For the reasons set forth on the record, plttf's motion is granted, as the discovery is reasonably calculated to lead to the discovery of admissible evidence. Plttf's shall take the steps oulined during argument to minimize the burdens on deft's. (See document) The court takes no position on the merits of plttf's state action claims. Deadline for completion of 5 doctors extended to 12/14/01 because of disruptions relating to events of 9/11/01. Revised scheduling order to be entered after decision on motion t o amend. Tape # 01/109: 4181-end; 110:0-2023 (Jackson, Ramona) (Entered: 11/02/2001)
10/30/2001	81	MEMORANDUM by James L. Stone, Alan Weinstock, Sarwal, M.D., B. Palma-Acquino, M.D., J. Tuzel, M.D., V. Goryalis, M.D. in opposition to [74-1] motion to amend [53-1] amended complaint (Jackson, Ramona) (Entered: 10/30/2001)
10/30/2001	82	AFFIDAVIT of WILLIAM M. BROOKS Gregory R. Monaco Re:in support [68-1] motion to compel the designation and production of deposition witnesses. (Jackson, Ramona) (Entered: 10/30/2001)

10/30/2001	83	MEMORANDUM by Gregory R. Monaco in support of [68-1] motion to compel the designation and production of deposition witnesses. (Jackson, Ramona) (Entered: 10/30/2001)
11/09/2001	85	TRANSCRIPT filed for oral argument before Mag Levy for dates of 10/25/01 (Jackson, Ramona) (Entered: 11/09/2001)
11/13/2001	86	TRANSCRIPT of oral argument before Magistrate Levy filed for dates of 10/25/01. Court Transcriber: Elizabeth Barron. (Rodriguez,Angela) (Entered: 11/13/2001)
11/14/2001	87	REPLY AFFIDAVIT by Gregory R. Monaco Re: in support [74-1] motion to amend [53-1] amended complaint (Jackson, Ramona) (Entered: 11/14/2001)
11/14/2001	88	MEMORANDUM by Gregory R. Monaco in support of [74-1] motion to amend [53-1] amended complaint (Jackson, Ramona) (Entered: 11/14/2001)
11/28/2001	89	ORDER, Motion hearing adjourned to 11/28/01. On ltr. dtd. 11/9/01 from William M.Brooks (signed by Senior Judge Charles P. Sifton , on 11/11/01) (Jackson, Ramona) (Entered: 11/28/2001)
11/28/2001	90	ORDER, adjn. to scheduling conference for 11/28/01 before Senior Judge Charles P. Sifton , On ltr. dtd. 11/9/01 from William M Brooks terminated past due deadlines (signed by Senior Judge Charles P. Sifton , on 11/12/01) (Jackson, Ramona) (Entered: 11/28/2001)
12/13/2001	92	Calendar entry: Before Judge Sifton CVivil Cause for motion conf. ESR Loan Hong Case called. Counsel for all parties pres. Pltff's motion for leave to amend the complaint is argued & granted. The amended complaint must be filed within 15 days. (Jackson, Ramona) (Entered: 12/21/2001)
12/21/2001	91	FOURTH AMENDED COMPLAINT by Gregory R. Monaco, Mental Disability , (Answer due <date not set>) amending [53-1] amended complaint against Louis Marcos, Martin Kesselman, Arnold Licht, William Fraser, Touro Law Center (Jackson, Ramona) (Entered: 12/21/2001)
01/07/2002	93	MOTION by Gregory R. Monaco to compel deft. Stone to answer an interrogatory , Motion hearing set for 9:30 1/25/02 [93-1] motion Motion file stamped: 1/7/02 and mailed/served: 1/4/02 (Jackson, Ramona) (Entered: 01/09/2002)

01/07/2002	94	AFFIDAVIT of WILLIAM M. BROOKS Gregory R. Monaco Re: in support [93-1] motion to compel deft. Stone to answer an interrogatory (Jackson, Ramona) (Entered: 01/09/2002)
01/07/2002	95	MEMORANDUM by Gregory R. Monaco in support of [93-1] motion to compel deft. Stone to answer an interrogatory (Jackson, Ramona) (Entered: 01/09/2002)
01/10/2002	98	Calendar entry:Before Mag Levy Telephone Conf. Dispute at deposition: resolved by agreement. (Jackson, Ramona) (Entered: 01/16/2002)
01/15/2002	96	ORDER The parties shall submit a status report forthwith,identifying the status of the 30(b)(b) depositions of the Hudson River & Kingsboro Psychiatric Center physicians On ltr. dtd. 12/20/01 from William M.Brooks (signed by Magistrate Robert M. Levy , on 1/7/02) (Jackson, Ramona) (Entered: 01/15/2002)
01/15/2002	97	LETTER dated 12/20/01 from Edward J.Curtis to Mag Levy regarding discovery. (Jackson, Ramona) (Entered: 01/15/2002)
01/24/2002	99	ORDER, set scheduling conference for 4:00 2/28/02 before Magistrate Robert M. Levy , On ltr. dtd. 1/15/02 from Edward J.Curtis terminated past due deadlines (signed by Magistrate Robert M. Levy , on 1/16/02) (Jackson, Ramona) (Entered: 01/24/2002)
01/29/2002	100	Commissioner's James L. Stone et al in opposition to [93-1] motion to compel deft. Stone to answer an interrogatory (Jackson, Ramona) (Entered: 01/29/2002)
01/31/2002	101	STIPULATION and ORDER Time of deft. William Fraser to answer to fourth amended complaint extended to a date 30 days after Louis Marcos & Martin Kesselman have been served. (signed by Magistrate Robert M. Levy , on 1/24/02) (Jackson, Ramona) (Entered: 01/31/2002)
02/01/2002	102	ORDER d. 1/28/02 respond to interrogatories Jan 28,2002 ; Reply 2/11/02 On ltr. dtd. 1/24/02 from Edward J Curtis (Magistrate Robert M. Levy , on 1/28/02) (Jackson, Ramona) (Entered: 02/01/2002)
02/05/2002	103	ORDER enlarge time to answer for a period of 30 days in order to determine if we will undertake legal representation. On ltr. dtd. 1/28/02 from Steven C Mandell (signed by Senior Judge Charles P. Sifton , on 1/30/02) (Jackson, Ramona) (Entered: 02/05/2002)
02/12/2002	104	STIPULATION and ORDER, reset answer due for 2/13/02 for Alan Weinstock, for Sarwal, M.D., for B. Palma-Acquino, M.D., for J. Tuzel, M.D., for R. Dave, M.D. , terminated past due deadlines (signed

		by Senior Judge Charles P. Sifton , on 2/11/02) (Jackson, Ramona) (Entered: 02/12/2002)
02/12/2002	105	REPLY MEMORANDUM OF LAW by Gregory R. Monaco in further support [93-1] motion to compel deft. Stone to answer an interrogatory (Jackson, Ramona) (Entered: 02/12/2002)
02/14/2002	106	MOTION by R. Dave, M.D., J. Tuzel, M.D., B. Palma-Acquino, M.D., Sarwal, M.D., Catherine Cahill, James L. Stone, Alan Weinstock to dismiss , Motion hearing set for 4:30 3/13/02 [106-1] motion Motion file stamped: 2/13/02 and mailed/served: 2/13/02 (Jackson, Ramona) (Entered: 02/14/2002)
02/14/2002	107	MEMORANDUM by R. Dave, M.D., J. Tuzel, M.D., B. Palma-Acquino, M.D., Sarwal, M.D., James L. Stone, Catherine Cahill, Alan Weinstock in support of [106-1] motion to dismiss (Jackson, Ramona) (Entered: 02/14/2002)
02/20/2002	108	ORDER, reset answer due for 3/14/02 for Arnold Licht On ltr. dtd. 2/12/02 from Erika Stein (signed by Senior Judge Charles P. Sifton , on 2/14/02) (Jackson, Ramona) (Entered: 02/20/2002)
03/01/2002	110	Calendar entry: Before M.J. Levy on 3/1/02 @ 10:00 a.m. Case called for other/status conference. Counsel for all parties present. Next conference to be scheduled after motions decided. Damages discovery shall be completed by 4/30/02; briefing schedule for qualified immunity motions: 6/7/02 motions; 7/8/02 opposition; 7/23/02 reply; 4/2/02 motions to dismiss & class certification motion; 4/30/02 opposition; 5/28/02 all reply briefs; 6/11/02 return date. (fe) (Entered: 03/08/2002)
03/07/2002	109	RETURN OF SERVICE executed as to Louis Marcos, Martin Kesselman, Arnold Licht 1/25/02 (Jackson, Ramona) (Entered: 03/07/2002)
03/08/2002	111	LETTER dated 1/14/02 from William M.Brooks to Mag.Levy status report on the scheduled depositions. (Jackson, Ramona) (Entered: 03/08/2002)
03/08/2002	112	LETTER dated 1/28/02 from William M.Brooks to Mag.Levy addresses two discovery issues. (Jackson, Ramona) (Entered: 03/08/2002)
03/08/2002	113	ORDER granting [93-1] motion to compel deft. Stone to answer an interrogatory 1) deft. Stone shall respond to thet part of the interrogatories which requests past interpretations & present interpretation of 9:27 and state case law as communicated through policies, forms and other means. 2) deft. may defer response to the

		extent in interrog. calls for a legal position he has yet formulated. On ltr. dtd. 2/7/02 from William M.Brooks (signed by Magistrate Robert M. Levy , on 3/1/02) (Jackson, Ramona) (Entered: 03/08/2002)
03/14/2002	114	ORDER dated 3/11/02 GRANTING extension on letter dated 3/11/02 from William Brooks to Judge Sifton requesting an adjournment of motion to dismiss filed by defendant Stone. (Signed by Senior Judge Charles P. Sifton, on 3/11/02) c/m (Guzzi, Roseann) (Entered: 03/14/2002)
03/19/2002	115	ORDER dated 2/26/02 setting discovery conference on 3/1/02 at 10:30 before Magistrate Levy. (Signed by Magistrate Robert M. Levy, on 2/26/02) (Guzzi, Roseann) (Entered: 03/19/2002)
04/04/2002	116	MOTION by Louis Marcos, Martin Kesselman, William Fraser to dismiss , Motion hearing set for 5/28/02 motion Motion file stamped: 4/3/02 and mailed/served: 4/2/02 (Jackson, Ramona) Modified on 04/04/2002 (Entered: 04/04/2002)
04/04/2002	117	Declaration of LISA GRUMET by Louis Marcos, Martin Kesselman, William Fraser Re:in support [116-1] motion to dismiss (Jackson, Ramona) Modified on 04/04/2002 (Entered: 04/04/2002)
04/04/2002	118	MEMORANDUM by Louis Marcos, Martin Kesselman, William Fraser in support of [116-1] motion to dismiss (Jackson, Ramona) Modified on 04/04/2002 (Entered: 04/04/2002)
04/04/2002	119	MOTION by Arnold Licht to dismiss fourth amended complaint and nine causes of action against deft. , Motion hearing set for 4:30 6/11/02 [119-1] motion Motion file stamped: 4/4/02 and mailed/served: 4/3/02 (Jackson, Ramona) (Entered: 04/04/2002)
04/04/2002	120	MEMORANDUM by Arnold Licht in support of [119-1] motion to dismiss fourth amended complaint and nine causes of action against deft. (Jackson, Ramona) (Entered: 04/04/2002)
04/04/2002	122	ANSWER by Patric A. Mahoney, William Packard, M.D. to amended complaint. (Guzzi, Roseann) (Entered: 04/10/2002)
04/08/2002	121	ANSWER by Patric A. Mahoney, William Packard, M.D., Robert J. Cimino to amended complaint (Jackson, Ramona) (Entered: 04/08/2002)
04/12/2002	123	MOTION by Mental Disability modifying the previously certified plttf. class and certifying an "opt out" deft. class. , Motion hearing set for 4:30 6/11/02 [123-1] motion Motion file stamped: 4/10/02 and mailed/served: 4/2/02 (Jackson, Ramona) (Entered: 04/12/2002)

04/12/2002	124	MEMORANDUM by Mental Disability in support of [123-1] motion modifying the previously certified plttf. class and certifying an "opt out" deft. class. (Jackson, Ramona) (Entered: 04/12/2002)
04/12/2002	125	AFFIDAVIT of WILLIAM M. BROOKS Mental Disability Re:in support [123-1] motion modifying the previously certified plttf. class and certifying an "opt out" deft. class. (Jackson, Ramona) (Entered: 04/12/2002)
05/09/2002	126	LETTER dated 4/22/02 from William M.Brooks to Judge Sifton request modify briefing schedule on deft's motion to dismiss. (Jackson, Ramona) (Entered: 05/09/2002)
05/09/2002	127	LETTER dated 4/25/02 from Edward J.Curtis to Mag Levy request court endorse briefing schedule of motion for judgment on named plttf's claim for damages. (Jackson, Ramona) (Entered: 05/09/2002)
05/09/2002	128	ORDER [106-1] motion to dismiss On ltr. dtd. 5/2/02 from Edward J.Curtis deft. be permitted to withdraw their motion with leave to refile at a later date. (signed by Senior Judge Charles P. Sifton , on 5/7/02) (Jackson, Ramona) (Entered: 05/09/2002)
05/09/2002	129	LETTER dated 4/25/02 from Edward J.Curtis to Mag Levy request the court endorse modification of briefing schedule of motion for summary judgment. (Jackson, Ramona) (Entered: 05/09/2002)
05/15/2002	130	ORDER Deft's plan to move for summary judgment returnable 9/9/02 @ 4:30. Motion to be served 7/25/02; Opposition July 25,2002. On ltr. dtd. 5/7/02 from Edward J Curtis (signed by Senior Judge Charles P. Sifton , on 5/10/02) (Jackson, Ramona) (Entered: 05/15/2002)
06/07/2002	131	LETTER dated 5/9/02 from William M.Brooks to Mag Levy for the reasons set forth below, I request that expert disclosure take place after the damages deft's motion for summary judgment on qualified immunity grounds. (Jackson, Ramona) (Entered: 06/07/2002)
06/07/2002	132	ORDER Granted. On ltr. dtd. 5/23/02 from Edward J.Curtis expert discovery on plttf's claim for damages be postponed until after the decision is reached on the summary judgment motion in NY State & Suffolk County deft's plan to make with respect to the named plttf's claim for damages. (signed by Magistrate Robert M. Levy , on 5/24/02) (Jackson, Ramona) (Entered: 06/07/2002)
07/16/2002	133	MEMORANDUM by Arnold Licht in opposition to [123-1] plttf's Rule 23 motion for Class Certification. (Jackson, Ramona) (Entered: 07/16/2002)

07/17/2002	134	MEMORANDUM by James L. Stone et al in opposition to [123-1] plttf's motion for Class Certification (Jackson, Ramona) (Entered: 07/17/2002)
08/06/2002	135	AFFIDAVIT of MARCEL CHAINE Gregory R. Monaco Re: (Jackson, Ramona) (Entered: 08/06/2002)
08/06/2002	136	AFFIDAVIT of GREGORY MONACO Gregory R. Monaco (Jackson, Ramona) (Entered: 08/06/2002)
08/06/2002	137	AFFIDAVIT of HOWARD A. GLICKSTEIN Gregory R. Monaco (Jackson, Ramona) (Entered: 08/06/2002)
08/06/2002	138	AFFIDAVIT of THOMAS BERHRENDT Gregory R. Monaco (Jackson, Ramona) (Entered: 08/06/2002)
08/06/2002	139	AFFIDAVIT of GERRI SIERP Gregory R. Monaco (Jackson, Ramona) (Entered: 08/06/2002)
08/06/2002	140	MEMORANDUM by Gregory R. Monaco in opposition to the State Deft's Motion to dismiss and for summary judgment, the motion to dismiss by deft's Marcos, Kesselman,Fraser and motion to dismiss by deft. Licht. (Jackson, Ramona) (Entered: 08/06/2002)
08/06/2002	141	Rule 56.1 Statement(formerly Rule 3(g) by Gregory R. Monaco re: [116-1] motion to dismiss (Jackson, Ramona) (Entered: 08/06/2002)
08/06/2002	142	AFFIDAVIT of WILLIAM M. BROOKS Gregory R. Monaco Re:in opposition to [119-1] motion to dismiss fourth amended complaint and nine causes of action against deft. (Jackson, Ramona) (Entered: 08/06/2002)
08/14/2002	143	ORDER Time to file reply papers to 8/26/02 for all motions. On ltr. dt. 7/29/02 from William M Brooks. (signed by Senior Judge Charles P. Sifton , on 8/6/02) (Jackson, Ramona) (Entered: 08/14/2002)
08/21/2002	144	ORDER Request reply papers to 9/23/02. Oral Argument 10/21/02 @ 4:30. On ltr. dtd. 8/12/02 from Erika Stein adjournment of briefing schedule. (signed by Senior Judge Charles P. Sifton , on 8/13/02) (Jackson, Ramona) (Entered: 08/21/2002)
08/22/2002	145	LETTER dated 8/13/02 from William M.Brooks to Mag Levy response to letter dtd. 7/22/02 from Lisa Grumet. (Jackson, Ramona) (Entered: 08/22/2002)
08/22/2002	146	LETTER dated 8/14/02 from William M.Brooks to Mag Levy inform L.Grumet will address the discovery issue in letter early next week. (Jackson, Ramona) (Entered: 08/22/2002)

08/26/2002	147	ORDER endorsed on letter dated 08/22/2002 from Erika Stein, Esq. to MJ Levy: The defenses request that the Court permit the defendants to respond to plaintiffs' counsel's letters by Monday, August 26, 2002 has been granted. (signed by Magistrate Robert M. Levy , on 08/23/2002) (Delions, Aaron) (Entered: 08/26/2002)
09/25/2002	148	Reply Declaration of LISA GRUMET by Louis Marcos, Martin Kesselman, William Fraser Re: in support [119-1] motion to dismiss fourth amended complaint and nine causes of action against deft. (Jackson, Ramona) (Entered: 09/25/2002)
09/25/2002	149	REPLY MEMORANDUM OF LAW by Louis Marcos, Martin Kesselman, William Fraser in further [116-1] motion to dismiss (Jackson, Ramona) (Entered: 09/25/2002)
09/25/2002	148	Reply Declaration of LISA GRUMET Louis Marcos, Martin Kesselman, William Fraser Re:in support [119-1] motion to dismiss fourth amended complaint and nine causes of action against deft. (Jackson, Ramona) (Entered: 09/25/2002)
09/26/2002	150	REPLY MEMORANDUM OF LAW by Arnold Licht in further support [119-1] motion to dismiss fourth amended complaint and nine causes of action against deft. (Jackson, Ramona) (Entered: 09/26/2002)
10/01/2002	151	REPLY AFFIDAVIT of RICHARD J. WEIDENBACHER JR. by Gregory R. Monaco (Jackson, Ramona) (Entered: 10/01/2002)
10/01/2002	152	REPLY AFFIDAVIT by Gregory R. Monaco (Jackson, Ramona) (Entered: 10/01/2002)
10/01/2002	153	REPLY MEMORANDUM OF LAW by Gregory R. Monaco in further [2-1] motion for Class Certification (Jackson, Ramona) (Entered: 10/01/2002)
10/01/2002	154	REPLY AFFIDAVIT by Gregory R. Monaco in further support of plttf's class certification motion. (Jackson, Ramona) (Entered: 10/01/2002)
10/08/2002	155	LETTER dated 8/26/02 from Lisa Grumet to Judge Sifton deft's request that the class certification motion and any discovery concerning the motion be adjourned until the motion to dismiss is decided. (Jackson, Ramona) (Entered: 10/08/2002)
10/08/2002	156	LETTER dated 8/26/02 from Ricki E.Roer to Judge Sifton request plttf's application for discovery against Dr Licht be denied in its entirety and for whatever relief this court deems proper. (Jackson, Ramona) (Entered: 10/08/2002)

10/10/2002	157	Calendar entry: Telephone conf held 10/10/02 before MJ Levy. Counsel for both sides present. The parties advise that the motion to quash the subpoena is not ripe. As the NYC Dfts' motion for a stay of discovery is integrally related to the pending motion to dismiss, oral argument of which is scheduled for next week, the stay issues should be addressed to Judge Sifton. (Fahey, Lauren) (Entered: 10/15/2002)
10/16/2002	158	LETTER dated 8/26/02 from Lisa Grumet to Mag Levy City def't's request the court stay discovery against City def't's until the court has decided their motion to dismiss. (Jackson, Ramona) (Entered: 10/16/2002)
10/16/2002	159	LETTER dated 9/19/02 from Lisa Grumet to Mag Levy request the court quash pl'tff's subpoena to MHLS. (Jackson, Ramona) (Entered: 10/16/2002)
10/16/2002	160	LETTER dated 9/20/02 from William M.Brooks to Mag Levy response to letter dtd. 9/19/02. (Jackson, Ramona) (Entered: 10/16/2002)
10/16/2002	161	LETTER dated 9/20/02 from William M.Brooks to Mag Levy copy of pl'tff's memo. in opposition to def't's motion to dismiss. (Jackson, Ramona) (Entered: 10/16/2002)
10/16/2002	162	LETTER dated 9/24/02 from Lisa Grumet to Judge Sifton documents submitted in support of City def't's motion to dismiss. (Jackson, Ramona) (Entered: 10/16/2002)
10/16/2002	163	LETTER dated 9/27/02 from Lisa Grumet to Mag Levy City def't's request the court quash pl'tff's subpoena to MHLS. (Jackson, Ramona) (Entered: 10/16/2002)
10/16/2002	164	ORDER Respectfully referred To Mag. Judge. On ltr. dtd. 8/26/02 from Lisa Grumet Request that the class certification motion and any discovery concerning the motion to adjourn until the motion to dismiss is decided. (signed by Senior Judge Charles P. Sifton , on 8/29/02) (Jackson, Ramona) (Entered: 10/16/2002)
10/21/2002	165	MOTION by R. Dave, M.D., J. Tuzel, M.D., B. Palma-Acquino, M.D., Sarwal, M.D. to dismiss fourth amended complaint as seeks damages against them , Motion hearing set for 4:30 9/9/02 [165-1] motion Motion file stamped: 10/18/02 and mailed/served: 6/24/02 (Jackson, Ramona) (Entered: 10/21/2002)
10/21/2002	166	MEMORANDUM by R. Dave, M.D., J. Tuzel, M.D., B. Palma-Acquino, M.D., Sarwal, M.D. in support of [165-1] motion to dismiss fourth amended complaint as seeks damages against them (Jackson, Ramona) (Entered: 10/21/2002)

10/21/2002	167	REPLY MEMORANDUM OF LAW by R. Dave, M.D., J. Tuzel, M.D., B. Palma-Acquino, M.D. in further [165-1] motion to dismiss fourth amended complaint as seeks damages against them (Jackson, Ramona) (Entered: 10/21/2002)
10/21/2002	168	Amended [165-1] motion to dismiss fourth amended complaint as seeks damages against them to dismiss by R. Dave, M.D., J. Tuzel, M.D., B. Palma-Acquino, M.D., Sarwal, M.D., Motion hearing set for 4:30 10/21/02 [168-1] amended motion (Jackson, Ramona) (Entered: 10/21/2002)
10/21/2002	169	MEMORANDUM by R. Dave, M.D., J. Tuzel, M.D., B. Palma-Acquino, M.D., Sarwal, M.D. in opposition to [123-1] motion modifying the previously certified plttf. class and certifying an "opt out" deft. class. (Jackson, Ramona) (Entered: 10/21/2002)
11/15/2002	170	MOTION by Mental Disability access to psychiatric facilities , Motion hearing set for 4:30 11/20/02 [170-1] motion Motion file stamped: and mailed/served: 11/5/02 (Jackson, Ramona) (Entered: 11/15/2002)
11/15/2002	171	MEMORANDUM by Mental Disability in support of [170-1] motion access to psychiatric facilities (Jackson, Ramona) (Entered: 11/15/2002)
11/15/2002	172	AFFIDAVIT of MARCEL CHAINE Mental Disability Re:in support [170-1] motion access to psychiatric facilities (Jackson, Ramona) (Entered: 11/15/2002)
11/15/2002	173	AFFIDAVIT of WILLIAM M. BROOKS Mental Disability Re: in support [170-1] motion access to psychiatric facilities (Jackson, Ramona) (Entered: 11/15/2002)
11/26/2002	174	MEMORANDUM by Arnold Licht in opposition to [170-1] motion access to psychiatric facilities (Jackson, Ramona) (Entered: 11/26/2002)
12/02/2002	175	MEMORANDUM by Louis Marcos, Martin Kesselman, William Fraser in opposition to [170-1] motion access to psychiatric facilities (Jackson, Ramona) (Entered: 12/02/2002)
12/02/2002	176	Declaration of LISA GRUMET by Louis Marcos, Martin Kesselman, William Fraser Re:in opposition to [170-1] motion access to psychiatric facilities (Jackson, Ramona) (Entered: 12/02/2002)
12/02/2002	177	Declaration of JOYCE WALE by Louis Marcos, Martin Kesselman, William Fraser Re:n opposition to [170-1] motion access to psychiatric facilities. (Jackson, Ramona) (Entered: 12/02/2002)

12/03/2002	178	ORDER Briefing schedule: motion 11/5/02; Argument 12/4/02 Response 11/25/02; Reply 12/3/02. On ltr. dtd. 11/19/02 from Lisa Grumet. (signed by Senior Judge Charles P. Sifton , on 11/25/02) (Jackson, Ramona) (Entered: 12/03/2002)
12/04/2002	179	REPLY AFFIDAVIT OF WILLIAM M. BROOKS by Mental Disability Re:in further support [170-1] motion access to psychiatric facilities (Jackson, Ramona) (Entered: 12/04/2002)
12/04/2002	180	REPLY AFFIDAVIT of THOMAS BEHRENDT by Mental Disability Re:in support [170-1] motion access to psychiatric facilities. (Jackson, Ramona) (Entered: 12/04/2002)
12/04/2002	181	AFFIDAVIT of MARCEL CHAINE by Mental Disability Re:in support [170-1] motion access to psychiatric facilities (Jackson, Ramona) (Entered: 12/04/2002)
12/04/2002	182	REPLY MEMORANDUM OF LAW by Mental Disability in further support [170-1] motion access to psychiatric facilities (Jackson, Ramona) (Entered: 12/04/2002)
12/04/2002	183	LETTER dated 12/3/02 from William M.Brooks to Clerk enclosed for filing reply papers in surther support of their motion. (Jackson, Ramona) (Entered: 12/04/2002)
12/04/2002	185	Calendar entry: before Judge Sifton on 12/4/02 motion held. ESR Loan HONG. The motion for the "City defendants" and Arnold Light for a stay of discovery is granted. The motion by the City defendant to quash a subpoena is withdrawn. Plaintiffs' motion for access to facilities operated by the City defendants and defendant Arnold Licht argued- decision reserved. The motion for dismissal- reserved; Motion damages-reserved. Plaintiffs' motion to modify the plaintiff class- reserved. Plaintiffs' motion to certify- reserved. (Guzzi, Roseann) (Entered: 12/27/2002)
12/20/2002	184	MEMORANDUM and ORDER [170-1] motion access to psychiatric facilities, [168-1] amended motion to dismiss, [165-1] motion to dismiss fourth amended complaint as seeks damages against them, [123-1] motion modifying the previously certified plttf. class and certifying an "opt out" deflt. class., [119-1] motion to dismiss fourth amended complaint and nine causes of action against deflt., [116-1] motion to dismiss (signed by Senior Judge Charles P. Sifton , on 12/18/02) Copies mailed to all parties & Mag. Levy (Jackson, Ramona) (Entered: 12/20/2002)
01/03/2003	186	LETTER MOTION by Edward Curtis o/b/o state dfts for for reconsideration of [184-1] order , Motion hearing [186-1] motion not

		set. Motion file stamped: 1/3/03 and mailed/served: 12/27/02. (Fahey, Lauren) Modified on 01/03/2003 (Entered: 01/03/2003)
01/03/2003	187	ORDER: The State Dfts' letter dated 12/27/02, is hereby treated as a motion for reconsideration of this Court's Memorandum and Order dated 12/18/02. The parties are directed to file any papers in opposition to the motion on or before 1/21/03. Reply papers, if any, are directed to be served and filed on or before 1/27, when the matter will be taken on submission. (signed by Senior Judge Charles P. Sifton, undated). C/M. (Fahey, Lauren) (Entered: 01/03/2003)
01/22/2003	188	MEMORANDUM by Touro Law Center in opposition to [186-1] motion for reconsideration of [184-1] order (Jackson, Ramona) (Entered: 01/22/2003)
01/27/2003	189	Calendar entry: [186-1] motion for reconsideration of [184-1] order Court Reporter/ESR unknown No appearances. Decision RESERVED. on the State Def't's motion for reconsideration of the Memo. & Order dtd. 12/18/02. (Jackson, Ramona) (Entered: 01/29/2003)
02/05/2003	190	ORDER The MMC def't's request for a limited stay is granted. Except as stayed pretrial discovery and preparation are directed to proceed. On ltr. dtd. 1/14/03 from Lisa Grumet (signed by Senior Judge Charles P. Sifton , on 1/16/03) (Jackson, Ramona) (Entered: 02/05/2003)
02/05/2003	191	ORDER The application is Denied as Moot. The united stay was granted Jan 16,2003. The Clerk is directed to immediately advise the parties of the entry of this and the orders hereto for entered herein on Jan 16 and 23. On ltr. dtd. 1/22/03 from Lisa Grumet. (signed by Senior Judge Charles P. Sifton , on 1/27/03) (Jackson, Ramona) (Entered: 02/05/2003)
02/05/2003	192	ORDER Request permission to file response by Feb. 7,2003 On ltr. dtd. 1/21/03 from William M. Brooks. (signed by Senior Judge Charles P. Sifton , on 1/23/03) (Jackson, Ramona) (Entered: 02/05/2003)
02/06/2003	193	MEMORANDUM by Mental Disability in support of [186-1] motion for reconsideration of [184-1] order (Jackson, Ramona) (Entered: 02/06/2003)
02/28/2003	194	ORDER The application is Denied. On ltr. dtd. 2/24/03 from William M. Brooks reply in support of plttf's letter application to vacate the temporary stay of discovery previously ordered by this court. (signed by Senior Judge Charles P. Sifton , on 2/27/03) (Jackson, Ramona) (Entered: 02/28/2003)

03/10/2003	195	ORDER So Ordered. On ltr. dtd. 3/4/03 from Edward J. Curtis request, if response is necessary, State Deft's be given to April 7,2003 to respond to Mr Brook's 2/24/03 letter. (signed by Magistrate Robert M. Levy , on 3/5/03) (Jackson, Ramona) (Entered: 03/10/2003)
03/12/2003	196	ORDER The application for the entry of partial judgment is DENIED. On ltr. dtd. 3/4/03 from Edward J. Curtis (signed by Senior Judge Charles P. Sifton , on 3/10/03) (Jackson, Ramona) (Entered: 03/12/2003)
03/18/2003	197	LETTER dated 3/13/03 from William M. Brooks to Judge Sifton pltffs. oppose entry of judgment on behalf of deft. (Jackson, Ramona) (Entered: 03/18/2003)
03/20/2003	198	LETTER dated 3/14/03 from Edward J. Curtis to Judge Sifton request Clerk of the Court enter judgment, or make formal motion. (Jackson, Ramona) (Entered: 03/20/2003)
03/27/2003	199	ORDER, to show cause why the relief requested in deft. Licht's letter dtd. 3/19/03, copy of which is annexed, should not be granted. Reply April 15,2003 when the matter will be taken on submission. (signed by Senior Judge Charles P. Sifton , on 3/26/03) (Jackson, Ramona) (Entered: 03/27/2003)
04/15/2003	200	Calendar entry:Before Judge Sifton Civil Cause for motion conf. No appearances. Decision RESERVED on deft. Arnold Licht's M.D.'s motion for the entry of a judgment dismissing the claims against him. (Jackson, Ramona) (Entered: 04/22/2003)
04/23/2003	201	MEMORANDUM and ORDER denying [186-1] motion for reconsideration of [184-1] order (signed by Senior Judge Charles P. Sifton , on 4/21/03) (Jackson, Ramona) (Entered: 04/23/2003)
05/13/2003	202	ORDER Time of State Deft's to answer the fourth amended complaint to June 20,2003. On ltr. dtd. 5/7/03 from Michael E Peeples.. Signed by Judge Charles P. Sifton on 5/13/03. (Jackson, Ramona) (Entered: 05/13/2003)
05/22/2003	209	Minute Entry for proceedings held before Robert M. Levy : Status Conference held on 5/22/2003. Next conf. 6/23/03 @ 9:30. Deft's shall foward proposed confidentiality stip. to plttf. by noon 5/30/03. 2) plttf. shall provide dates of admission for patients with multiple admissions or where more than on patient has the same name as that identified by plaintiff. 3) with regard to plttf's fifth interrogatories to deft. Stone: pltsff. shall, by 5/30/03, designate 20 individuals from 5 facilities as a staged sample to determine the burden and probative value of the discovery sought. 4) Pre Settlement conf. materials will be exchanged

		by all parties prior to settlement conf., to be scheduled in June. Parties to contact chambers. (Jackson, Ramona) (Entered: 06/16/2003)
06/04/2003	203	SCHEDULING ORDER: Status Conference set for 5/22/2003 12:00 PM On ltr. dtd. 5/13/03 from Michael E.Peeples before Mag-Judge Robert M. Levy.. Signed by Judge Robert M. Levy on 5/20/03. (Jackson, Ramona) (Entered: 06/04/2003)
06/05/2003	204	ORDER dtd. 5/14/03 Status Conf. for May 22,2003 @ 12:00. Signed by Judge Robert M. Levy on 5/14/03. (Jackson, Ramona) (Entered: 06/05/2003)
06/05/2003	205	Letter from Rachel B. Gilbert to Edward J.Curtis Regarding letter addresses the State def't's previous contentions regarding pltff's first set of interrogatories. (Jackson, Ramona) (Entered: 06/05/2003)
06/05/2003	206	Letter from William M.Brooks to Mag Levy Regarding pltff. request a status conf.. (Jackson, Ramona) (Entered: 06/05/2003)
06/06/2003	207	MOTION to Amend/Correct <i>the complaint and for an order redefining the plaintiff civil commitment subclass</i> by Mental Disability Law Clinic, Touro Law Center. (Rodriguez, Angela) (Entered: 06/09/2003)
06/06/2003	208	AFFIDAVIT of William Brooks in Support of 207 MOTION to Amend/Correct <i>the complaint and for an order redefining the plaintiff civil commitment subclass</i> by Mental Disability Law Clinic, Touro Law Center. (Rodriguez, Angela) (Entered: 06/09/2003)
06/23/2003	211	Minute Entry for proceedings held before Robert M. Levy : Discovery Hearing held on 6/23/2003. Parties agree that pltff. may proceed with depositions, if necessary, OMH explaining certain court decisions identified by pltff. 2) parties have agreed to all provisions of Confidentiality stip. re: patient records, except paragraph 11, which requires client approval. Stip. to be submitted to chambers by 7/7/03. 3) Parties to advise at July 11,2003 conference whether they agree to case management order stip. trial of subclass with certification for appeal. (Jackson, Ramona) (Entered: 06/30/2003)
06/24/2003	210	ORDER Return date for motion to redefine pltff's civil commitment and amend the complaint to July 30,2003. On ltr. dtd. 6/17/03 from Michael E. Peeples. Signed by Judge Charles P. Sifton on 6/19/03. (Jackson, Ramona) (Entered: 06/24/2003)
07/03/2003	212	ORDER Settlement Conf. adjourned to July 11,2003 @ 3:00. On ltr. dtd. 6/18/03 from Lisa Grunet. Signed by Judge Robert M. Levy on 6/20/03. (Jackson, Ramona) (Entered: 07/03/2003)

07/03/2003	213	ORDER The conf. will proceed as a status and discovery conf. on 6/23/03. Any party wishing to appear by telephone may do so with the consent of its adversaries. On ltr. dt. 6/21/03 from William M.Brooks.. Signed by Judge Robert M. Levy on 6/20/03. (Jackson, Ramona) (Entered: 07/03/2003)
07/11/2003	216	Minute Entry for proceedings held before Robert M. Levy : Settlement Conference held on 7/11/2003. Next conf. 7/23/03 @ 2:30. (Jackson, Ramona) (Entered: 08/06/2003)
07/23/2003		Minute Entry for proceedings held before Robert M. Levy : William Brooks, plaintiffs; Edward Curtis, OMH defendants; Lisa Grumet, NYC defendants; Derrick Robinson, Suffolk defendants. Settlement discussions continued. City defendants and plaintiffs are close to agreement in principle and will begin drafting a stipulation. Suffolk County will advise court by 7/28/03 whether there is agreement in principle with plaintiffs. Settlement status report 8/29/03. Settlement conference 9/12/03 at 12:15 by telephone (state defendants need not appear); discovery status conference 10/16/03 at 12:00, in person, all parties.Settlement Conference held on 7/23/2003. (Levy, Robert) (Entered: 07/23/2003)
07/28/2003		Minute Entry for proceedings held before Robert M. Levy : ex parte settlement status report on consent, with Derrick Robinson, Esq., counsel for Suffolk County defendants. Mr. Robinson will pursue settlement on terms discussed with the City defendants and attempt to agree upon a stipulation to settle some, but not all of the issues involving the Suffolk County defendants. Full status report to be provided in September.Settlement Conference held on 7/28/2003. (Levy, Robert) (Entered: 07/28/2003)
07/30/2003	214	E-Mail Notice received from Kelly Ann Reape re: please be advised that as of April, 2000 I no longer represent Patrick Mahoney in this matter. I now work for the LIRR and all Suffolk Co. defts are currently being represented by Derrick Robinson. (Mahon, Cinthia) (Entered: 07/30/2003)
08/01/2003	215	ORDER Stip. of Confidentiality. Signed by Judge Robert M. Levy on 7/11/03. (Jackson, Ramona) (Entered: 08/01/2003)
08/12/2003	217	Minute Entry for proceedings held before Charles P. Sifton : Status Conference held on 8/12/2003. (Court Reporter Gene Rudolph.) Only counsel for plttff. Plttff's motion to redefine a plttff's subclass and for leave to amend the complaint is adjourned to 9/3/03 @ 4:30. Plttff. is directed to notify by mail all parties, including Mr Licht, that they should put any opposition to motions in writing before 9/3/03. (Jackson, Ramona) (Entered: 08/13/2003)

09/03/2003	<u>218</u>	MEMORANDUM AND OPINION For the reasons set forth above, deft Licht's motion for entry of a final judgment in his favor is DENIED.. Signed by Judge Charles P. Sifton on 9/2/03. (Jackson, Ramona) Copies mailed. (Entered: 09/03/2003)
09/03/2003	<u>219</u>	ORDER Extension to 9/17/03 to allow for proper review of motion. On ltr. dtd. 8/28/03 from Nancy Castor-Thenor.. Signed by Judge Charles P. Sifton on 9/1/03. (Jackson, Ramona) (Entered: 09/03/2003)
09/12/2003	220	Minute Entry: Settlement Conference held before Robert M. Levy on 9/12/2003. Next conference scheduled for 9/19/03 at 11:00 a.m. by telephone. Settlement conference to be combined with City and County Plaintiffs. (Black, Amanda) (Entered: 09/12/2003)
09/17/2003	<u>221</u>	ORDER re 207 MOTION to Amend/Correct <i>the complaint and for an order redefining the plaintiff civil commitment subclass</i> filed by Mental Disability Law Clinic, Touro Law Center Adjourned to Sept. 24,2003. Signed by Judge Charles P. Sifton on 9/16/03. (Jackson, Ramona) On ltr. dtd. 9/12/03 from William M Brooks. (Entered: 09/17/2003)
09/19/2003	222	Letter from Lisa Grumet to Mag Levy Regarding status report re: settlement. (Jackson, Ramona) (Entered: 09/19/2003)
09/19/2003		Minute Entry for proceedings held before Robert M. Levy : William Brooks, plaintiffs; Lisa Grumet, NYC; Derrick Robinson, Suffolk County. Parties making progress on settlements and will attempt to resolve 2 remaining issues. Next conference 9/30/03 at 11:00 (tel)Settlement Conference held on 9/19/2003. (Levy, Robert) (Entered: 09/19/2003)
09/26/2003	223	Letter from William M.Brooks to Judge Sifton Regarding court should reject the application of deft. Licht and not issue a final judgment as to him. (Jackson, Ramona) Modified on 10/1/2003 to change the document number from 224 to 223. (Vaughn, Terry). (Entered: 09/26/2003)
09/26/2003	224	Letter from Ricki E.Roer to Judge Sifton Regarding oppose entry of final judgment. (Jackson, Ramona) Modified on 10/1/2003 to change the document number from 225 to 224. (Vaughn, Terry). (Entered: 09/26/2003)
09/30/2003		Minute Entry for proceedings held before Robert M. Levy :Bill Brooks, plaintiffs; Derrick Robinson, Suffolk County defendants; Lisa Grumet, NYC defendants. Settlement discussions continued. Next conference: 10/16/03 at 11:15 (telephone).Settlement Conference held on 9/30/2003. (Levy, Robert) (Entered: 09/30/2003)

10/16/2003		Minute Entry for proceedings held before Robert M. Levy : William Brooks, plaintiffs; Lisa Grumet, City. The parties have narrowed their differences to two issues, which are likely to be resolved imminently. Parties to report the status by 10/30 by fax and shall request another conference if the disputes have not been resolved.Settlement Conference held on 10/16/2003. (Levy, Robert) (Entered: 10/16/2003)
10/16/2003	<u>225</u>	ORDER Return date for motion to redefine plttf's class to Oct. 8,2003. On ltr. dtd. 9/23/03 from William M Brooks.. Signed by Judge Charles P. Sifton on 9/25/03. (Jackson, Ramona) (Entered: 10/16/2003)
11/18/2003	<u>226</u>	MEMORANDUM AND ORDER For the reasons set forth above, plttf's motions to amend the complaint and to modify the prior Civil Commitment Subclass is GRANTED. Plttf's are directed to serve & file their fifth Amended Complaint within 30 days of the date of this decision. . Signed by Judge Charles P. Sifton on 11/17/03. (Jackson, Ramona) Copies mailed (Entered: 11/18/2003)
11/19/2003	227	Letter from Lisa Grumet to Mag Levy Regarding status concerning settlement.. (Jackson, Ramona) (Entered: 11/19/2003)
11/20/2003	228	Letter from Edward J. Curtis to Mag. Levy Regarding plttf's request an order "eliminating any limits on the amount of discovery a party can make". (Jackson, Ramona) (Entered: 11/20/2003)
12/17/2003	229	ORDER Extend time to file & serve amended complaint for seven days. On ltr. dtd. 12/15/03 from William M. Brooks. Signed by Judge Charles P. Sifton on 12/16/03. (Jackson, Ramona) (Entered: 12/17/2003)
12/17/2003	<u>230</u>	AMENDED COMPLAINT Fifth against Martin Horn, Alfred Tisch, Kenneth Skodnek, Marc Sedler, Benjamin Chu, Sharon Carpinello, R. Dave, M.D., William Packard, M.D., B. Palma-Acquino, M.D., Sarwal, M.D., J. Tuzel, M.D., filed by Gregory R. Monaco, Touro Law Center.(Nieves, Adrian) (Entered: 12/22/2003)
01/30/2004	<u>231</u>	STIPULATION AND ORDER Time of Nassau University Medical Center to answer to March 11,2004. Signed by Judge Charles P. Sifton on 1/28/04. (Jackson, Ramona) (Entered: 01/30/2004)
01/30/2004	<u>232</u>	STIPULATION AND ORDER Time of State Deft's to answer to March 10,2004. Signed by Judge Charles P. Sifton on 1/27/04. (Jackson, Ramona) (Entered: 01/30/2004)
02/03/2004	233	Letter from Edward J.Curtis to Judge Sifton dtd. 5/26/02 Regarding copy of motion submitted.. (Jackson, Ramona) (Entered: 02/03/2004)

02/03/2004	234	Letter from Lisa Grumet to Judge Sifton dtd. 2/13/03 response to plttff's 2/10/03 request to limited stay of discovery. (Jackson, Ramona) (Entered: 02/03/2004)
02/03/2004	235	Letter from William M. Brooks to Judge Sifton dtd. 8/13/02 Regarding reply papers for all motions due 9/23/02. (Jackson, Ramona) (Entered: 02/03/2004)
02/03/2004	236	Letter from William M. Brooks to Judge Sifton dtd. 2/10/03 Regarding This court should reject HHC def't's attempt to further delay the prosecution of Civil Commitment claims.. (Jackson, Ramona) (Entered: 02/03/2004)
02/03/2004	237	Letter from William M. Brooks to Judge Sifton dtd. 8/13/02 Regarding address two competing concerns (see document). (Jackson, Ramona) (Entered: 02/03/2004)
02/03/2004	238	Letter from William M. Brooks to Judge Sifton dtd. 9/19/03 Regarding response to letter dtd. 9/19/03. (Jackson, Ramona) (Entered: 02/03/2004)
02/03/2004	239	ORDER The application is DENIED. On ltr. dtd. 10/9/02 permission to file sur-reply on 10/10/02 from William M. Brooks.. Signed by Judge Charles P. Sifton on 11/2/02. (Jackson, Ramona) (Entered: 02/03/2004)
03/16/2004	240	ANSWER to FIFTH Amended Complaint by Catherine Cahill.(Jackson, Ramona) (Entered: 03/16/2004)
03/16/2004	241	ANSWER to FIFTH Amended Complaint by Sharon Carpinello.(Jackson, Ramona) (Entered: 03/16/2004)
03/16/2004	242	ANSWER to Amended Complaint by Kenneth Skodnek.Jury Demand(Jackson, Ramona) (Entered: 03/16/2004)
03/16/2004	243	DEMAND for Trial by Jury by Kenneth Skodnek. (Jackson, Ramona) (Entered: 03/16/2004)
03/25/2004	244	MOTION to Dismiss by Marc Sedler. (Jackson, Ramona) (Entered: 03/25/2004)
03/25/2004	245	MEMORANDUM in Support re 244 MOTION to Dismiss by Marc Sedler. (Jackson, Ramona) (Entered: 03/25/2004)
03/25/2004	<u>246</u>	SCHEDULING ORDER:A conference has been scheduled for April 30, 2004 at 11:00 a.m. The parties are directed to submit to the Court a proposed joint scheduling order and case management plan at the April 30th conference. Plaintiffs' counsel is requested to confirm with defendants' counsel that all necessary participants are aware of this

		conference. SEE ORDER Signed by Judge Robert M. Levy on 3/25/04. (Marino, Janine) (Entered: 03/25/2004)
03/30/2004	247	AMENDED ANSWER to FIFTH Amended Complaint by Catherine Cahill.(Jackson, Ramona) (Entered: 03/30/2004)
04/02/2004	248	Letter from William M.Brooks to Mag. Levy Regarding request for status conf.. (Jackson, Ramona) (Entered: 04/02/2004)
04/06/2004	249	Letter from Ricki E. Roer to Judge Sifton dtd. 3/29/04 Regarding order dismissing Dr. Licht. (Jackson, Ramona) (Entered: 04/06/2004)
04/08/2004	250	AFFIDAVIT of Service for Summons Complaint served on Marc Sedler & Kenneth Skodnek on 3/31/04, filed by Mental Disability Law Clinic, Touro Law Center. (Jackson, Ramona) (Entered: 04/08/2004)
04/22/2004	251	ORDER Briefing Schedule Modification: Pltff's Brief April 26,2004; Deft's Reply Brief May 12,2004 Motion Return date May 13,2004. On ltr. dtd. 4/14/04 from William M.Brooks.. Signed by Judge Charles P. Sifton on 4/19/04. (Jackson, Ramona) (Entered: 04/22/2004)
05/01/2004		Minute Entry for proceedings held before Robert M. Levy : William Brooks, Rachel Gilbert for plaintiffs; Michael Peeples, Ed Curtis for defendants Carpinello and Cahill; Gary Schulz for defendant Dr. Skodnek; Lisa Grumet, Nancy botta for defendants Chu and Horn; Derrick Robinson for Suffolk County defendants (by telephone). Ms. Grumet states that approval is near for settlement between plaintiffs and NYC Dept. of Corrections. Targeted discovery schedule set for claims against judges involving allegations of excessive waiting time in jail for defendants after they have been found incompetent to stand trial: plaintiff shall submit an unsealing order for criminal records of Monaco and other class members from Suffolk by 5/7/04. Plaintiffs and the state defendants shall subpoena these 26 records by 5/17/04. State defendants shall provide updated LOFTS reecords by 5/21/04. Plaintiffs shall designate 4 additional counties to sample by 6/11/04. The plaintiffs and state defendants shall submit a status report by 7/2/04 regarding their efforts to contact criminal defense lawyers representing the defendants in the sample, who were found incompetent to stand trial. Settlement discussions held regarding the OMH "pre-designation" dispute. The court urges the parties to consider the settlement proposals discussed at the conference. The parties shall call chambers forthwith to schedule a date for the next conference. Scheduling Conference held on 4/30/2004. (Levy, Robert) (Entered: 05/01/2004)
05/05/2004	252	Letter from William M Brooks to Mag. Levy dtd. 4/9/04 Regarding discovery.. (Jackson, Ramona) (Entered: 05/05/2004)

05/06/2004	253	Memo. of Law in opposition by Mental Disability Law Clinic, Touro Law to Deft's Sedler's Motion to Dismiss.(Jackson, Ramona) (Entered: 05/06/2004)
05/13/2004	<u>254</u>	STIPULATION AND ORDER Claims against DR LICHT in this Fifth Amended Complaint is DISMISSED with prejudice.. Signed by Judge Charles P. Sifton on 5/6/04. (Jackson, Ramona) (Entered: 05/13/2004)
05/17/2004	<u>255</u>	ORDER Time adjourned motion to dismiss to June 1 st 2004 @ 4:30 On ltr., dtd. 5/7/04 from Edward J. Curtis. . Signed by Judge Charles P. Sifton on 5/15/04. (Jackson, Ramona) (Entered: 05/17/2004)
05/17/2004	256	REPLY filed by Marc Sedler. (Jackson, Ramona) (Entered: 05/17/2004)
05/19/2004	<u>257</u>	ORDER Motion to dismiss adjourned to June 10,2004 4:30 On ltr. dtd. 3/17/04 from Rocki Roer. Signed by Judge Charles P. Sifton on 5/10/04. (Jackson, Ramona) (Entered: 05/19/2004)
05/27/2004	258	Letter from Edward J.Curtis to Judge Sifton dtd. 3/17/04 Regarding enclosing copy of Sedler's reply. (Jackson, Ramona) (Entered: 05/27/2004)
06/02/2004	259	ANSWER to Fifth Amended Complaint by Benjamin Chu, Martin Horn.(Jackson, Ramona) (Entered: 06/02/2004)
06/18/2004	260	NOTICE / UNSIGNED by Martin Horn Stip & Order as against HORN (Jackson, Ramona) (Entered: 06/18/2004)
06/23/2004	<u>261</u>	Letter from Michael E. Peebles to Mag. Levy dtd. 6/14/04 Regarding Unsigned Proposed order to unseal.. (Jackson, Ramona) (Entered: 06/23/2004)
06/23/2004	262	Letter from William M. Brooks to Mag. Levy dtd. 6/14/04 Regarding plttf's consent to proposed modifications to plttf's proposed order. (Jackson, Ramona) (Entered: 06/23/2004)
07/12/2004	263	Letter from William M Brooks to Mag. Levy dtd. 5/28/04 Regarding enclosed order authorizing unsealing of criminal court record of 26 individuals.. (Jackson, Ramona) (Entered: 07/12/2004)
07/15/2004	<u>265</u>	Minute Entry for proceedings held before Charles P. Sifton : Motion Hearing held on 7/15/2004 (Court Reporter Winnie Valentine.) Motion of deft. Selbes for dismissal argued. Decision RESERVED. (Jackson, Ramona) (Entered: 07/29/2004)
07/22/2004	<u>264</u>	MEMORANDUM AND OPINION For the reasons stated, Sedler's motion to dismiss is Granted with respect to claim for relief number

		eleven. The motion is DENIED with respect to the remaining claims. Sedler's motion pursuant to Rule 9 and Rule 12 are DENIED. Signed by Judge Charles P. Sifton on 7/19/04. (Jackson, Ramona) Copies mailed (Entered: 07/22/2004)
08/04/2004	<u>266</u>	ORDER The parties shall submit an updated status report re: the utility of a settlement conf. by 8/31/04. On ltr. dtd. 7/29/04 from Michael E. Peeples.. Signed by Judge Robert M. Levy on 7/30/04. (Jackson, Ramona) (Entered: 08/04/2004)
08/04/2004	<u>267</u>	Letter from William M.Brooks to Mag. Levy dtd. 7/23/04 Regarding scheduling settlement conf.. (Jackson, Ramona) (Entered: 08/04/2004)
08/04/2004	<u>268</u>	<i>Defendant Mark Sedler's</i> ANSWER to Amended Complaint -- <i>Class Action</i> by Marc Sedler.(Peeples, Michael) (Entered: 08/04/2004)
08/18/2004	<u>270</u>	Letter dated 8/18/04 from Nancy Jane Botta to Magistrate Levy on behalf of defendant Health and Hospitals Corporation to request settlement conference. (Guzzi, Roseann) (Entered: 08/30/2004)
08/19/2004	<u>269</u>	SCHEDULING ORDER:The parties are directed to appear for a settlement conference on October 29, 2004 at 2:00 p.m., in Room 619 at 225 Cadman Plaza East, Brooklyn, New York. All parties must have settlement authority on this date, or have someone with settlement authority available by telephone. Plaintiff's counsel is requested to confirm with defendants' counsel that all necessary participants are aware of this conference. SEE ORDER Signed by Judge Robert M. Levy on 8/19/04. (Marino, Janine) (Entered: 08/19/2004)
09/14/2004	<u>271</u>	Letter from Gary P. Schulz to Mag. Levy dtd. 8/30/04 Regarding status report (Jackson, Ramona) (Entered: 09/14/2004)
09/20/2004	<u>272</u>	ORDER Because of the complexity of this litigation, the parties may serve up to 50 interrogatories each, including subparts. On ltr. dtd. 8/12/04 from William M Brooks.. Signed by Judge Robert M. Levy on 9/10/04. (Jackson, Ramona) (Entered: 09/20/2004)
09/29/2004	<u>273</u>	Minute Entry for proceedings held before Charles P. Sifton : Status Conference held on 9/29/2004 concerning the forms of the NOtice to the Class of the proposed class settlement. (Jackson, Ramona) (Entered: 10/08/2004)
10/29/2004	<u>274</u>	Minute Entry for proceedings held before Robert M. Levy : Settlement Conf. held on 10/29/2004. (Jackson, Ramona) (Entered: 11/02/2004)
11/08/2004	<u>275</u>	ORDER, pursuant to Federal Rule of civil procedure 23 (e)(1)(B) the court directs publication of the notice of proposed settlement of

		plaintiffs' sixth claim for relief. (C/M) . Signed by Judge Charles P. Sifton on 11/4/04. (Sica, Michele) (Entered: 11/08/2004)
12/23/2004	<u>276</u>	ORDER of USCA as to the interlocutory appeal of the District Court's order granting the appellees' motion for class certification. It is ordered the petitions are denied (see document for further details). Judge notified. Ackn mailed. USCA # 03-8001 (L), 03-8002(c).(Gonzalez, Mary) (Entered: 12/23/2004)
01/03/2005	<u>277</u>	Letter from William Brooks to Honorable Robert M. Levy Regarding Settlement Conference. (Attachments: # <u>1</u>)(Brooks, William) (Entered: 01/03/2005)
01/04/2005	<u>278</u>	First MOTION for Discovery <i>to Overrule Objections by Defendant Carpinello to Plaintiffs' Second Request for Admissions</i> by all plaintiffs. (Attachments: # <u>1</u> Exhibit Plaintiffs' Second Request for Admissions# <u>2</u> Exhibit Defendant Carpinello's Response to Plaintiffs' Second Request for Admissions)(Brooks, William) (Entered: 01/04/2005)
01/14/2005	<u>279</u>	First MOTION to Amend/Correct <i>Order Previously Issued by this Court</i> by all plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order Settlement that would justify modifying order previously issued by this Court)(Brooks, William) (Entered: 01/14/2005)
01/18/2005	<u>280</u>	Letter from Michael E. Peeples to Magistrate Judge Robert M. Levy Regarding Settlement Conference. (Peeples, Michael) (Entered: 01/18/2005)
01/19/2005	<u>281</u>	Letter from Michael E. Peeples to Magistrate Judge Levy Regarding Response to letter re second req for admissions. (Peeples, Michael) (Entered: 01/19/2005)
01/26/2005	<u>282</u>	Letter from William Brooks to Honorable Charles P. Sifton Regarding Publication of Notice to Class Members. (Brooks, William) (Entered: 01/26/2005)
02/08/2005	<u>283</u>	CORRECTED ORDER Filed. Objection to be filed by Feb. 21,2005 Feb. 21,2005. Hearing March 5,2005 @ 4:30. Signed by Judge Charles P. Sifton on 2/3/05. (Jackson, Ramona) (Entered: 02/08/2005)
02/11/2005	<u>284</u>	REPLY to Response to Motion re <u>278</u> First MOTION for Discovery <i>to Overrule Objections by Defendant Carpinello to Plaintiffs' Second Request for Admissions</i> filed by all plaintiffs. (Brooks, William) (Entered: 02/11/2005)

02/23/2005	<u>285</u>	SCHEDULING ORDER:A discovery conference has been scheduled for March 14, 2005 at 3:00 p.m., before the Honorable Robert Levy, United States Magistrate Judge in Courtroom 619 at 225 Cadman Plaza East, Brooklyn, New York. All counsel must be present.Plaintiffs' counsel is requested to confirm with defendants' counsel that all necessary participants are aware of this conference. SEE ORDER Signed by Judge Robert M. Levy on 2/23/05. (Marino, Janine) (Entered: 02/23/2005)
02/28/2005	<u>286</u>	Letter from WILLIAM BROOKS to HONORABLE ROBERT M. LEVY Regarding STATUS CONFERENCE. (Brooks, William) (Entered: 02/28/2005)
03/03/2005	<u>287</u>	Letter from Michael E. Peeples to Magistrate Judge Robert M. Levy Regarding Discovery Conference. (Peeples, Michael) (Entered: 03/03/2005)
03/03/2005	<u>291</u>	Minute Entry for proceedings held before Charles P. Sifton :Motion Hearing held on 3/3/2005. (Court Reporter Ogoro Francis.) Fairness Hearing for the proposed settlement held. (Jackson, Ramona) (Entered: 03/15/2005)
03/04/2005	<u>288</u>	NOTICE of Appearance by Brian P Callahan on behalf of Patric A. Mahoney, William Packard, M.D. (Callahan, Brian) (Entered: 03/04/2005)
03/07/2005	<u>289</u>	Letter from Michael E. Peeples to Magistrate Judge Robert M. Levy Regarding Protective Order Precluding Plaintiffs from Taking Depos. (Peeples, Michael) (Entered: 03/07/2005)
03/07/2005	<u>290</u>	Letter from WILLIAM BROOKS to HONORABLE CHARLES P.SIFTON Regarding SETTLEMENT. (Brooks, William) (Entered: 03/07/2005)
03/23/2005	<u>292</u>	Minute Entry for proceedings held before Charles P. Sifton : Motion Hearing held on 3/23/2005 re 123 2 Fairness Hearing Concluded. Decision RESERVED on the proposed class settlement.(Court Reporter Alan Sherman.) (Jackson, Ramona) (Entered: 03/24/2005)
03/24/2005	<u>293</u>	Letter from William Brooks to Honorable Robert M. Levy Regarding Defendant Carpinello's application for a protective order. (Brooks, William) (Entered: 03/24/2005)
03/29/2005		Minute Entry for proceedings held before Robert M. Levy: All counsel present, either in person or by telephone. All outstanding discovery disputes resolved. (1) State defendants shall respond to all requests for admissions as reformulated at the conference. (2) Plaintiff's request for

		a 30(b)(6) deposition relating to the Gowanda facility is denied as not reasonably calculated to lead to the discovery of admissible evidence. (3) The NYC and Nassau County defendants shall contact chambers to schedule a settlement conference, to be held within 45 days. (4) By 4/15/05 plaintiff and the State defendants shall advise the court, preferably by a joint proposal, how they would like this large and complex case to be tried. They shall also submit a proposed discovery deadline and limits on the numbers of interrogatories. (5) By the same date the NYC and Nassau County defendants shall submit a similar proposal with respect to the trial of this case and discovery. (6) Defendants shall promptly provide a date by which they will respond to the Stony Brook discovery requests. The next conference for all parties in this case is scheduled for June 24, 2005 at 12:00. Discovery Hearing held on 3/29/2005. (Levy, Robert) (Entered: 03/29/2005)
03/29/2005		Minute Entry for proceedings held before Robert M. Levy: The previous minute entry is AMENDED to reflect that the discovery conference was held on March 25, 2005. (Levy, Robert) (Entered: 03/29/2005)
03/31/2005	<u>294</u>	MEMORANDUM AND OPINIONThe court APPROVES the settlement as fair and reasonable, and the motion is GRANTED. . Signed by Judge Charles P. Sifton on 3/30/05. (Jackson, Ramona)Copies mailed. (Entered: 03/31/2005)
04/15/2005	<u>295</u>	Letter from Michael E. Peeples to Magistrate Judge Robert M. Levy Regarding Request for Extension. (Peeples, Michael) (Entered: 04/15/2005)
04/18/2005	<u>296</u>	ORDER Application GRANTED. Conf. adjourned. On ltr. dtd. 4/12/05 from Nancy Jane Botta request May 10 settlement conf. be adjourned to May 26,2005 @ 10:00. . Ordered by Judge Robert M. Levy on 4/15/05. (Jackson, Ramona) (Entered: 04/18/2005)
04/25/2005	<u>297</u>	CORRECTED MEMORANDUM AND OPINIONApproved class action settlement. Ordered by Judge Charles P. Sifton on 4/25/05. (Sifton, Charles) (Entered: 04/25/2005)
04/29/2005	<u>298</u>	Letter from Michael E. Peeples to Magistrate Judge Robert M. Levy Regarding Trial Proposal. (Peeples, Michael) (Entered: 04/29/2005)
04/29/2005	<u>299</u>	Letter from Eric Broutman to Honorable Robert M. Levy Regarding Monaco v. Stone. (Broutman, Eric) (Entered: 04/29/2005)
05/02/2005	<u>300</u>	ORDER Application GRANTED. On ltr. dtd. 4/14/05 from Bryan F. Lewis request your honor postpone the submission of any discovery/trial proposal until after the settlement conf. in May..

		Ordered by Judge Robert M. Levy on 4/21/05. (Jackson, Ramona) (Entered: 05/02/2005)
05/06/2005	<u>301</u>	ORDER Application GRANTED. On ltr. dtd. 4/15/05 from Michael E PeeplesTwo week extension of time to submit joint or separate letters to April 29,2005. . Ordered by Judge Robert M. Levy on 4/15/05. (Jackson, Ramona) (Entered: 05/06/2005)
05/27/2005		Minute Entry for proceedings held before Robert M. Levy: William Brooks, Eric Broutman for plaintiff; Nancy Svirida, Lisa Grumet, Nancy Miller, Aaron Elliott for NYC; Bryan Lewis, Gary Schulz, Dr. K. Skodnek, Brian Baker for NUMC; Mike Peeples, state defendants. Detailed settlement discussions held between plaintiffs and City and Nassau County defendants. On or before 7/15/05, (1) Plaintiff's counsel shall submit proposed settlement agreement to City defendants and City shall produce the revised assessment form and its report re: the pilot program. (2) City and Nassau will respond to plaintiff's settlement proposal. Next conference: 9/9/05 at 11:00.Settlement Conference held on 5/26/2005. (Levy, Robert) (Entered: 05/27/2005)
05/27/2005	<u>302</u>	First MOTION for Discovery <i>in particular, to compel disclosure</i> . by all plaintiffs. (Attachments: # <u>1</u> Exhibit Plaintiffs' Interrogatory# <u>2</u> Exhibit Interogatory Response# <u>3</u> Exhibit Subpoena)(Brooks, William) (Entered: 05/27/2005)
06/22/2005	<u>303</u>	Letter from Michael E. Peeples to Magistrate Judge Robert M. Levy Regarding request to adjourn June 24 conference. (Peeples, Michael) (Entered: 06/22/2005)
06/24/2005	<u>304</u>	ORDER Application GRANTED. The conf. is adjourned to July 26,2005 @ 3:00. On ltr. dtd. 6/22/05 from Michael E. Peeples. Ordered by Judge Robert M. Levy on 6/23/05. (Jackson, Ramona) (Entered: 06/24/2005)
06/30/2005	<u>305</u>	Letter from WILLIAM BROOKS to HONORABLE ROBERT M. LEVY Regarding SCHEDULING CONFERENCE ONE-HALF HOUR LATER. (Brooks, William) (Entered: 06/30/2005)
07/12/2005	<u>306</u>	ORDER Application GRANTED. On ltr. dtd. 6/30/05 from William M. Brooks conference for July 26,2005 @ 3:30.. Ordered by Judge Robert M. Levy on 7/7/05. (Jackson, Ramona) (Entered: 07/12/2005)
07/28/2005		Minute Entry for proceedings held before Robert M. Levy: All counsel present. The following case management plan for preparing the issues in this case for resolution has been adopted:(1) Discovery relating to Pilgrim Psych. Ctr. will cease, as that facility is no longer at issue in this case. (2) Each party may propound 10 additional interrogatories.

		(3) With respect to Causes of Action 7-11, the parties agree that discovery and motion practice/trial will initially center on the following facilities: Creedmoor (selected by defendants) a facility to be selected by plaintiffs no later than August 18, 2005, from among Hudson River, Kingsboro and Bronx Psych Ctrs. The answers to the 2nd Set of Interrogatories and Document Requests with respect to Creedmoor and the second facility shall be served by 8/31/05. Discovery for Causes of Action 7 -11 shall be completed by January 31, 2006. Discovery and trial of this severed portion of the case will proceed first.(4) With respect to the First Cause of Action, the initial phase will be limited to Suffolk and Dutchess Counties; discovery will last 6 months. (5) Discovery of Causes of Action 2 and 4 shall begin on February 1, 2006 and be completed by August 1, 2006. (6) A STATUS CONFERENCE will be held February 8, 2006 at 2:00 pm Settlement Conference held on 7/28/2005. (Levy, Robert) (Entered: 07/28/2005)
07/29/2005	307	Letter from Ricki E. Roer to Judge Sifton dtd. 4/14/05 Regarding deft. Licht signed stip. of settlement. (Jackson, Ramona) (Entered: 07/29/2005)
07/29/2005		Letter from Edward J. Curtis to Judge Sifton dtd. 8/20/05 Regarding sixth Cause of action. (Jackson, Ramona) (Entered: 07/29/2005)
07/29/2005	308	Letter from William M. Brooks to Judge Sifton dtd. 8/13/05 Regarding stip. submitted settling. (Jackson, Ramona) (Entered: 07/29/2005)
07/29/2005	309	Letter from William M. Brooks to Judge Sifton dtd. 10/15/04 Regarding notice of class members who may have an interest in settlement. (Jackson, Ramona) (Entered: 07/29/2005)
07/29/2005	310	Letter from William Brooks to Judge Sifton dtd. 3/22/04 Regarding stip. submitted. (Jackson, Ramona) (Entered: 07/29/2005)
08/02/2005	<u>311</u>	STIPULATION AND ORDER of CONFIDENTIALITY. Ordered by Judge Robert M. Levy on 7/26/05. (Jackson, Ramona) (Entered: 08/02/2005)
08/12/2005	<u>312</u>	Letter from WILLIAM BROOKS to HONORABLE ROBERT M. LEVY Regarding DESIGNATION OF FACILITIES FOR TRIAL ON CIVIL COMMITMENT CLAIMS. (Brooks, William) (Entered: 08/12/2005)
08/15/2005	<u>313</u>	Letter from Lisa Grumet to Magistrate Judge Levy Regarding extension of time to respond to plaintiffs' settlement proposal. (Grumet, Lisa) (Entered: 08/15/2005)

08/19/2005	<u>314</u>	ORDER Application GRANTED. On ltr. dtd. 8/15/05 from Lisa Grumet request to August 31,2005 to provide a response to plttf's settlement proposal.. Ordered by Judge Robert M. Levy on 8/18/05. (Jackson, Ramona) (Entered: 08/19/2005)
08/19/2005	<u>315</u>	ORDER Application GRANTED. On ltr. dtd. 8/11/05 from Manlio DiPreta request extension of time to submit stip. to Sept. 11,2005. . Ordered by Judge Robert M. Levy on 8/16/05. (Jackson, Ramona) (Entered: 08/19/2005)
08/31/2005	<u>316</u>	Letter from William Brooks to Honorable Charles P. Sifton Regarding Stipulation to attempt to negotiate attorneys' fees. (Attachments: # 1)(Brooks, William) (Entered: 08/31/2005)
09/09/2005		Minute Entry for proceedings held before Robert M. Levy: Confidential settlement discussions between plaintiffs and City/HHC and Nassau County defendants; state defendants observed. Significant progress made. Plaintiffs' counsel shall provide written response to City's assessment instrument by 9/16/05. Next conference 10/7/05 at 12:45.Settlement Conference held on 9/9/2005. (Levy, Robert) (Entered: 09/09/2005)
09/22/2005	<u>317</u>	ORDER The parties shall have 60 days from the date of this orderto resolve the issue. In the absence of agreement with 60 days plttf. shall have 30 days to serve and file their motion. . Ordered by Judge Charles P. Sifton on 9/20/05. (Jackson, Ramona)Copies mailed. (Entered: 09/22/2005)
10/07/2005		Minute Entry for proceedings held before Robert M. Levy: William Brooks, plaintiffs; Lisa Grumet, ACC; Salvatore Russo, Roshni Persaud, HHC Legal Affairs; Bryan Lewis, NUMC/Skodnek. Extended settlement conference. Plaintiffs and HHC reach agreement in principle on settlement document, subject to client approval and minor revision of language. Tight internal deadlines set for completion of agreement and approval of certain items discussed at conference. Parties to submit agreement to court for approval 10/28/05. Settlement Conference held on 10/7/2005. (Levy, Robert) (Entered: 10/07/2005)
11/03/2005	<u>318</u>	ORDER Application GRANTED. On ltr. dtd. 10/28/05 from Lisa Grumet adjournment of time to submit settlement stip. to 11/14/05.. Ordered by Judge Robert M. Levy on 10/31/05. (Jackson, Ramona) (Entered: 11/03/2005)
11/21/2005	<u>319</u>	ORDER Application GRANTED. On ltr. dtd. 11/14/05 from Lisa Grumet Settlement stip. to 11/28/05.. Ordered by Judge Robert M. Levy on 11/15/05. (Jackson, Ramona) (Entered: 11/21/2005)

11/22/2005	<u>320</u>	First MOTION for Extension of Time to File <i>if necessary, an attorney fees application</i> by all plaintiffs. (Brooks, William) (Entered: 11/22/2005)
11/28/2005	<u>321</u>	Letter from William Brooks to Honorable Charles P. Sifton Regarding November 22nd letter application pertaining to attorney fees' applications. (Brooks, William) (Entered: 11/28/2005)
11/29/2005	<u>322</u>	Letter from William Brooks to Honorable Charles P. Sifton Regarding November 22nd attorney fees application. (Brooks, William) (Entered: 11/29/2005)
11/30/2005	<u>323</u>	First MOTION for Extension of Time to Complete Discovery <i>on the seventh through eleventh causes of action</i> by all plaintiffs. (Brooks, William) (Entered: 11/30/2005)
12/01/2005	<u>324</u>	ORDER: Plaintiffs request a two-week adjournment of time to submit the parties' settlement stipulation in this case from 11/28/05 until 12/12/05; Application granted. Ordered by Judge Robert M. Levy on 11/29/05. (Endorsed on letter dated 11/28/05 from Lisa Grumet, Esq.)(Fernandez, Erica) (Entered: 12/01/2005)
12/05/2005	<u>325</u>	Letter from William Brooks to Honorable Robert Levy Regarding conference with the state defendants. (Brooks, William) (Entered: 12/05/2005)
12/12/2005	<u>326</u>	Letter MOTION for Hearing <i>to approve class action settlement</i> by Benjamin Chu. (Attachments: # <u>1</u> Proposed Settlement Stipulation)(Grumet, Lisa) (Entered: 12/12/2005)
12/13/2005		ORDER re <u>323</u> First MOTION for Extension of Time to Complete Discovery <i>on the seventh through eleventh causes of action</i> filed by Mental Disability Law Clinic, Touro Law Center,, Touro Law Center,, Gregory R. Monaco. The application is GRANTED without objection . Ordered by Judge Robert M. Levy on 12/13/05. (Levy, Robert) (Entered: 12/13/2005)
12/15/2005	<u>327</u>	ORDER Status conf. for 1/31/06 @ 4:30.. Ordered by Judge Charles P. Sifton on 12/14/05. (Jackson, Ramona)Copies mailed. (Entered: 12/15/2005)
12/15/2005		ORDER re <u>325</u> Letter. A telephone conference has been scheduled for December 28, 2005 at 11:30 a.m., before the Honorable Robert Levy, United States Magistrate Judge, at (718) 260-2340. All counsel must be available. Plaintiffs' counsel is requested to initiate conference call and confirm with defendants' counsel that all necessary participants are

		aware of this conference. Ordered by Judge Robert M. Levy on 12/15/05. (Marino, Janine) (Entered: 12/15/2005)
12/30/2005		Minute Entry for proceedings held before Robert M. Levy: Bill Brooks, Mike Peeples. Parties to attempt to agree on procedure for disclosure and depositions of defendants' witnesses in targeted trials.Discovery Hearing held on 12/28/2005. (Levy, Robert) (Entered: 12/30/2005)
01/03/2006	<u>328</u>	Letter <i>to the Honorable Charles Sifton requesting a re-scheduling of the status conference presently scheduled for January 31, 2006</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 01/03/2006)
01/10/2006	<u>329</u>	Letter <i>requesting adjournment of status conference scheduled for January 31, 2006</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 01/10/2006)
01/17/2006	<u>330</u>	ORDER Conf. adjourned to 2/15/06 @ 4:30. On ltr. dt. 1/10/06 from William M Brooks.. Ordered by Judge Charles P. Sifton on 1/12/06. (Jackson, Ramona) (Entered: 01/17/2006)
01/26/2006	<u>331</u>	Letter <i>evaluating the settlement between the plaintiffs and defendant Chu</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 01/26/2006)
02/02/2006	<u>332</u>	Letter <i>requesting publication of memorandum and order dated 12/18/02</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 02/02/2006)
02/09/2006		Minute Entry for proceedings held before Robert M. Levy: William Brooks,Eric Brutman, plaintiffs; Michael Peeples, Edward Curtis, defendants. Revised discovery schedule for causes of action 7-11 (dangerousness finding) due to volume of records: 6/30/06: conclusion of fact discovery; 8/31/06: plaintiffs serve expert disclosure, including reports of all experts; 10/31/06: defendants' expert disclosure and expert reports; 12/31/06: completion of expert depositions. This schedule is final except for good cause. The discovery period for causes of action 2 and 4 remains unchanged (2/1/06-8/31/06). Next conference May 3, 2006 at 3:00. The parties shall advise the court by May 2, 2006 whether they believe that Judge Sifton's prior decisins have resolved their dispute concerning the standard of review of decisions of dangerousness.Discovery Hearing held on 2/8/2006. (Levy, Robert) (Entered: 02/09/2006)
03/07/2006	<u>333</u>	Letter <i>providing Court with proposed class notice</i> by Mental Disability Law Clinic, Touro Law Center. (Attachments: # <u>1</u> Proposed Class Notice)(Brooks, William) (Entered: 03/07/2006)

03/08/2006	<u>338</u>	Minute Entry for proceedings held before Charles P. Sifton : Status Conference held on 3/8/2006. Status Conf. held. (Court Reporter nthony Mancuso.) (Jackson, Ramona) (Entered: 03/31/2006)
03/14/2006	<u>334</u>	Letter <i>detailed the re-filing of the fifth amended complaint</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 03/14/2006)
03/14/2006	<u>335</u>	AMENDED COMPLAINT (<i>FIFTH</i>) against all defendants, filed by all plaintiffs.(Brooks, William) (Entered: 03/14/2006)
03/23/2006	<u>336</u>	Letter <i>detailed the re-filing of the previously, incorrectly filed, letter in support of the settlement between the plaintiffs and defendant Chu</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 03/23/2006)
03/23/2006	<u>337</u>	Letter <i>in support of the settlement between the plaintiffs and defendant Chu</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 03/23/2006)
04/24/2006	<u>339</u>	Letter <i>seeking adjournment of the status conference with the state defendants</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 04/24/2006)
04/25/2006		ORDER re <u>339</u> Letter filed by Mental Disability Law Clinic, Touro Law Center. Application Granted. The conference scheduled for May 3, 2006 has been adjourned to May 16, 2006 at 2:30 p.m. Ordered by Judge Robert M. Levy on 4/25/06. (Marino, Janine) (Entered: 04/25/2006)
05/03/2006	<u>340</u>	Letter <i>regarding dangerousness standard</i> by Mental Disability Law Clinic, Touro Law Center, Gregory R. Monaco, Touro Law Center. (Broutman, Eric) (Entered: 05/03/2006)
05/16/2006		Minute Entry for proceedings held before Robert M. Levy: William Brooks, Eric Brutman; Edward Curtis, Michael Peeples. (1) Discovery on schedule for trial of causes of action 7-11. Contention interrogatories shall be served by 7/14/06. (2) Contention interrogatories shall be served by 9/7/06 for causes of action 2 and 4. (3) Discovery for cause of action No. 1 shall begin 1/1/07 and end 6/30/07. (4) Discovery for causes of action 3 and 5 shall begin 11/1/06 and end 6/30/07. Next conference 8/2/06 at 2:15 (tel).Status Conference held on 5/16/2006. (Levy, Robert) (Entered: 05/16/2006)
06/01/2006	<u>341</u>	MEMORANDUM AND OPINION The settlement is preliminarily approved. The parties are directed to publish and mail notice of the settlement pursuant to the terms set forth in the accompanying order.

		Objections, requests for exclusion, and a fairness hearing will also be conducted in accordance with the accompanying order. Ordered by Judge Charles P. Sifton on 6/1/2006. (Sifton, Charles) (Entered: 06/01/2006)
06/01/2006		Motions terminated: <u>326</u> Letter MOTION for Hearing <i>to approve class action settlement</i> filed by Benjamin Chu,, <u>323</u> First MOTION for Extension of Time to Complete Discovery <i>on the seventh through eleventh causes of action</i> filed by Mental Disability Law Clinic, Touro Law Center,, Touro Law Center,, Gregory R. Monaco, (.See mem. & order dtd. 6/1/06). Ordered by Judge Charles P. Sifton on 6/1/06. (Jackson, Ramona) (Entered: 06/06/2006)
06/21/2006	<u>342</u>	First MOTION for Extension of Time to Complete Discovery <i>and re-open the deposition of two physicians at Hudson River Psychiatric Center</i> by all plaintiffs. (Brooks, William) (Entered: 06/21/2006)
06/23/2006		ORDER Granting in part and deferring ruling on <u>342</u> Motion for Extension of Time to Complete Discovery. (1) Because of health issues involving counsel the deadline for completion of discovery related to the 7th and 11th causes of action is extended to July 21, 2006. (2) The court defers ruling on plaintiffs' request to reopen the depositions of 2 physicians pending defendants' response. Ordered by JudgeRobert M. Levy on 6/23/06. (Levy, Robert) (Entered: 06/23/2006)
06/26/2006		ORDER granting in part and denying in part <u>342</u> Motion for Extension of Time to Complete Discovery. Ordered by JudgeRobert M. Levy on 6/23/06. (Jackson, Ramona) (Entered: 06/26/2006)
06/27/2006	<u>343</u>	RESPONSE to Motion re <u>342</u> First MOTION for Extension of Time to Complete Discovery <i>and re-open the deposition of two physicians at Hudson River Psychiatric Center</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 06/27/2006)
06/27/2006	<u>344</u>	REPLY to Response to Motion re <u>342</u> First MOTION for Extension of Time to Complete Discovery <i>and re-open the deposition of two physicians at Hudson River Psychiatric Center</i> filed by all plaintiffs. (Brooks, William) (Entered: 06/27/2006)
06/30/2006		ORDER. Plaintiffs seek leave to reopen the depositions of Dr. Patel and Dr. LaGuerre, limited to certificates they completed since their prior depositions, which were conducted in December 2001 and February 2002. Plaintiffs contend that the more recent certificates will likely be used at trial and that plaintiffs will be prejudiced if they cannot take discovery on them. Defendants oppose on the grounds that the request is belated and impossible to complete before the July 21, 2006 discovery deadline. The Court finds that, if defendants intend to use

		these documents in connection with motions or at trial, plaintiffs are entitled to depositions of the doctors who executed them, limited to certificates executed subsequent to the 2001 and 2002 depositions. The parties are directed to discuss whether a stipulation can be reached that would obviate the need for these doctors' depositions. In the event no agreement can be reached, and defendants intend to use these documents at trial, the court will, upon further application, extend the discovery deadline solely for the purpose of re-opening these depositions. The depositions shall together last no more than one day.. Ordered by Judge Robert M. Levy on 6/30/06. (Levy, Robert) (Entered: 06/30/2006)
07/10/2006	<u>345</u>	Second MOTION for Extension of Time to Complete Discovery <i>specifically to delay the deposition of non-party witness named Kim Darrow</i> by all plaintiffs. (Brooks, William) (Entered: 07/10/2006)
07/10/2006		ORDER granting <u>345</u> the parties' joint Motion for Extension of Time to Complete Discovery. The parties may take the deposition of Kim Darrow, Esq. after the close of discovery, but no later than 30 days after Judge Matsumoto's anticipated decision in Sparks v. Seltzer regarding the degree to which MHL Article 47 and 22 NYCRR Section 694.7 permit the testimony of a Mental Hygiene Legal Services attorney regarding his/her observations of certain NYS Office of Mental Health practices and procedures. Ordered by Judge Robert M. Levy on 7/10/06. (Levy, Robert) (Entered: 07/10/2006)
07/18/2006	<u>346</u>	Letter <i>seeking to suspend the deposition of plaintiff's counsel</i> by Touro Law Center. (Broutman, Eric) (Entered: 07/18/2006)
07/27/2006	<u>347</u>	ORDER Application GRANTED. Nunc Pro Tunc Request to suspend the Notice of Deposition until Mr Brooks has the opportunity to address this matter. On ltr. dtd. 7/18/06 from Eric Broutman. . Ordered by Judge Robert M. Levy on 7/23/06. (Jackson, Ramona) (Entered: 07/27/2006)
07/31/2006	<u>348</u>	First MOTION for Protective Order <i>filed by letter application pertaining to Rule 30(b)(6) deposition notice served on plaintiff Mental Disability Law Clinic</i> by all plaintiffs. (Attachments: # <u>1</u>)(Brooks, William) (Entered: 07/31/2006)
08/03/2006		Minute Entry for proceedings held before Robert M. Levy: William Brooks, Mike Peebles. Discovery proceeding according to schedule. The dispute over the deposition of Mr. Brooks is resolved. Defendants will not depose Mr. Brooks at this time, as the information defendants seek will be available through plaintiffs' expert. Prior to the 9/1/06 expert disclosure, Mr. Brooks will identify on a rolling basis those

		patients whom plaintiffs believe did not pose a danger to self or others but were certified as dangerous. The parties shall exchange witness lists on or before 9/15/06 and will be permitted to depose any individual on their adversary's list who has not been deposed during the fact discovery period. Any such additional deposition shall be completed before the deadline for the completion of expert discovery. Defendants' expert will be afforded a reasonable period to complete his or her expert disclosure after disclosure of the names of allegedly nondangerous patients who were certified as dangerous. Next conference 11/8/06 at 12:00 (tel).Discovery Hearing held on 8/3/2006. (Levy, Robert) (Entered: 08/03/2006)
08/23/2006	<u>349</u>	NOTICE of Change of Firm Address by Patrick Brian Fife <i>with Affidavit of Service</i> (Fife, Patrick) (Entered: 08/23/2006)
08/31/2006	<u>350</u>	First MOTION for Extension of Time to Complete Discovery <i>on seventh through eleventh and second and fourth causes of action</i> by all plaintiffs. (Brooks, William) (Entered: 08/31/2006)
09/11/2006		ORDER granting <u>350</u> on consent Motion for Extension of Time to Complete Discovery. (1) The discovery deadline as to the second and fourth causes of action is extended 60 days. (2) Expert discovery is extended 6 weeks, as certain deposition transcripts took longer than expected. (3) Fact discovery relating to causes of action seven through eleven is extended 30 days. Ordered by JudgeRobert M. Levy on 9/11/06. (Levy, Robert) (Entered: 09/11/2006)
09/25/2006	<u>351</u>	NOTICE of Appearance by Emily Sweet on behalf of Benjamin Chu (Sweet, Emily) (Entered: 09/25/2006)
09/25/2006	<u>352</u>	Letter , <i>dated September 25, 2006, enclosing declaration of Joyce Wale, dated September 21, 2006, submitted pursuant to the Court's direction in its June 1, 2006 memorandum and order preliminarily approving settlement</i> by Benjamin Chu. (Sweet, Emily) (Entered: 09/25/2006)
11/03/2006	<u>353</u>	Letter <i>requesting that: (1) HHC be relieved of any obligation to provide individual notice of the proposed settlement to class members; and (2) the Court approve HHC's alternative plan for providing notice</i> by Benjamin Chu. (Sweet, Emily) (Entered: 11/03/2006)
11/08/2006	<u>354</u>	Letter <i>enclosing revised proposed notice of settlement and requesting, jointly with plaintiff, that the Court approve such revised proposed notice</i> by Benjamin Chu. (Sweet, Emily) (Entered: 11/08/2006)
11/08/2006		Minute Entry for proceedings held before Robert M. Levy : William Brooks, Eric Broutman; Mike Peeples. (A) With respect to Causes of

		Action 7-11 (1) Fact discovery shall be completed by 12/31/06; Expert discovery by 2/15/07. (2) By 11/15/06 plaintiffs shall identify all witnesses they intend to present at trial of Claims 7-11. (3) Plaintiffs shall make their expert disclosure by 11/13/06. The parties will attempt to schedule the depositions of defendants' experts in December. The 7 hour limit is waived as to depositions of defendants' experts. Plaintiff's experts will be deposed the 2nd and 3rd weeks in December. (4) On or before 11/15/06 Mr. Peeples will advise the court of the dates of the depositions of the remaining fact and expert witnesses. (B) Discovery as to Causes of Action 2 and 4 shall be completed by 1/15/07. (C) Discovery as to Cause of Action 1 will begin after the completion of the discovery listed above. Next conference 2/16/06 at 11:00 (tel).Status Conference held on 11/8/2006. (Levy, Robert) (Entered: 11/08/2006)
11/15/2006	<u>355</u>	Letter <i>requesting that the Court rule on various issues prior to scheduling the fairness hearing</i> by Benjamin Chu. (Sweet, Emily) (Entered: 11/15/2006)
11/15/2006	<u>356</u>	Letter <i>to Judge Levy concerning deposition schedule</i> by Sharon Carpinello. (Peeples, Michael) (Entered: 11/15/2006)
11/27/2006	<u>357</u>	MEMORANDUM AND OPINIONFor the reasons set forth in this Memorandum Opinion, notice by publication is approved. The parties are directed to publish notice of the settlement pursuant to the terms set forth in the accompanying order. Ordered by Judge Charles P. Sifton on 11/27/06. (Sifton, Charles) (Entered: 11/27/2006)
11/27/2006	<u>358</u>	ORDER For the reasons set forth in the accompanying Memorandum and Order of November 22, 2006, notice by publication of the proposed form of notice is approved, subject to the terms of this Order. Ordered by Judge Charles P. Sifton on 11/27/06. (Sifton, Charles) (Entered: 11/27/2006)
12/04/2006	<u>359</u>	Letter <i>requesting that order dated November 27, 2006 be modified - new proposed order enclosed</i> by Benjamin Chu. (Sweet, Emily) (Entered: 12/04/2006)
12/12/2006	<u>360</u>	ORDER re <u>359</u> Letter filed by Benjamin Chu: The Court's 11/27/06 order is modified as set forth in this document. Ordered by Judge Charles P. Sifton on 12/6/06. (Permaul, Jenny) (Entered: 12/12/2006)
12/19/2006	<u>361</u>	NOTICE of Change of address by Eric Broutman (Broutman, Eric) (Entered: 12/19/2006)
01/05/2007	<u>362</u>	MOTION for Extension of Time to Complete Discovery <i>Letter to Judge Levy Requesting Extension of Time for State Defendants to Serve</i>

		<i>Expert Reports</i> by Sharon Carpinello. (Peeples, Michael) (Entered: 01/05/2007)
01/08/2007	<u>363</u>	Letter to Magistrate Judge Levy requesting conference to settle discovery dispute by Mental Disability Law Clinic, Touro Law Center (Attachments: # <u>1</u> Letter to Michael Peeples setting forth plaintiffs' position) (Brooks, William) (Entered: 01/08/2007)
01/08/2007	<u>364</u>	Letter to Judge Levy Responding to Request for Conference by Sharon Carpinello (Attachments: # <u>1</u> Exhibit Letter dated December 1, 2006 to William Brooks) (Peeples, Michael) (Entered: 01/08/2007)
01/16/2007	<u>365</u>	Letter attaching privilege log by Mental Disability Law Clinic, Touro Law Center, Gregory R. Monaco, Touro Law Center (Attachments: # <u>1</u> Exhibit privilege log) (Broutman, Eric) (Entered: 01/16/2007)
01/16/2007	<u>366</u>	Letter to Judge Levy Concerning Plaintiffs' Privilege Log Covering Correspondence Between Attorneys and Experts by Sharon Carpinello (Peeples, Michael) (Entered: 01/16/2007)
01/18/2007		Minute Entry for proceedings held before Robert M. Levy: Eric Broutman & William Brooks (for plaintiffs); Michael Peeples (for defendants). Plaintiffs will submit privilege log and expert witness correspondence for in-camera review by 1/12/07. Telephone Conference held on 1/12/2007. (Marino, Janine) (Entered: 01/18/2007)
01/30/2007	<u>367</u>	Letter to Judge Levy enclosing memorandum and order in <i>Sparks v. Seltzer</i> by Sharon Carpinello (Attachments: # <u>1</u> Exhibit Memorandum and Order) (Peeples, Michael) (Entered: 01/30/2007)
02/02/2007	368	MEMORANDUM AND ORDER FOLLOWING IN CAMERA REVIEW. Ordered by Judge Robert M. Levy on 2/2/07. (Levy, Robert) (Entered: 02/02/2007)
02/02/2007	<u>369</u>	TEXT OF MEMORANDUM AND ORDER FOLLOWING IN CAMERA REVIEW. Ordered by Judge Robert M. Levy on 2/2/07. (Attachments: # <u>1</u>) (Levy, Robert) (Entered: 02/02/2007)
02/09/2007		Motions terminated: <u>348</u> First MOTION for Protective Order filed by letter application pertaining to Rule 30(b)(6) deposition notice served on plaintiff Mental Disability Law Clinic filed by Touro Law Center, Mental Disability Law Clinic, Touro Law Center, Gregory R. Monaco. Terminated as minute entry of MJ Levy dated 8/3/06. (Chee, Alvin) (Entered: 02/09/2007)
02/16/2007		Minute Entry for proceedings held before Robert M. Levy: Eric Broutman, Mike Peeples. (A.) Discovery is nearly complete on causes

		of action 7-11 except as provided below. The deadline for completion of causes of action 7-11 discovery is extended to 4/30/07. (1) Defendants are granted an extension until 3/14/07 to serve Dr. Eshkenazy's expert report. (2) Because Middletown PC has closed and defendants have been unable to locate a person with knowledge of the risk assessment forms, defendants shall identify a person with knowledge at Creedmoor by 3/2/07 and the deposition shall be completed by 3/9/07. (3) Depositions of all experts to be completed by 4/30/07. (B.) Plaintiffs are re-evaluating causes of action 2 and 4 and shall advise at the next conference whether they will proceed with these claims. Next conference 3/16/07 at 10:30. Status Conference held on 2/16/2007 (Levy, Robert) (Entered: 02/16/2007)
02/21/2007		ORDER terminating <u>362</u> Motion for Extension of Time to Complete Discovery. Ordered by Judge Robert M. Levy on 2/21/07. (Levy, Robert) (Entered: 02/21/2007)
02/26/2007	<u>370</u>	AFFIDAVIT/AFFIRMATION of <i>Emily Sweet</i>, submitted in connection with HHC's publication of notice and in support of the proposed Stipulation and Settlement between plaintiffs and HHC by Benjamin Chu (Sweet, Emily) (Entered: 02/26/2007)
02/26/2007	<u>371</u>	Minute Entry for proceedings held before Hon. Charles P. Sifton: Status Conference held on 2/26/2007. Counsel for parties present. Case called. Fairness hearing held on the proposed class settlement. Decision reserved. (Court Reporter Lisa Schmid) (Abdallah, Fida) (Entered: 03/21/2007)
03/16/2007		Minute Entry for proceedings held before Robert M. Levy: Eric Broutman, Mike Peeples. Status of discovery re: causes of action 7-11: (1) Expert depositions have been scheduled for April. The parties shall set aside an additional day in April to be used if necessary to complete the expert depositions, and shall designate that day by 3/23/07. (2) Because of the Creedmoor risk assessment witness' personal issues and counsel's schedule, scheduling has been; the deposition will be completed by 4/19/07. (3) Plaintiffs shall advise by 3/23/07 whether they object to requests for admission re: Dr. Lubin. Regarding cause of action 4, plaintiffs shall, on or before 3/23/07, provide names of patients, as discussed at this conference, and settlement proposal. The deadline for completion of discovery as to causes of action 2 and 4 is extended to 6/30/07, including depositions of clerks for cause of action 2. Plaintiffs will designate clerks from Suffolk County and Dutchess County by 3/30/07. Discovery for cause of action 1 shall begin after 6/30/07. Next conference April 20, 2007 at 2:00 (status of depositions). Status Conference held on 3/16/2007 (Levy, Robert) (Entered: 03/16/2007)

03/21/2007		NOTICE: The status conference scheduled for Friday, April 20, 2007 at 2:00 p.m. has been adjourned to 3:00 p.m. on the same date. (Marino, Janine) (Entered: 03/21/2007)
04/19/2007	<u>372</u>	MEMORANDUM AND OPINION. For the reasons set forth in the attached Memorandum Opinion and Order, the settlement is approved. Ordered by Judge Charles P. Sifton on 4/19/2007. (Entered: 04/19/2007)
04/20/2007		Minute Entry for proceedings held before Robert M. Levy : Bill Brooks, Mike Peeples. (1) Expert depositions continuing on claims 7-11 and shall be completed by 5/31/07. (2) The Creedmoor risk assessment witness has been difficult to schedule. She shall appear for deposition no later than 5/24/07. If she fails to do so, she must appear at the next conference, scheduled for 5/25/07 at 2:00, and provide good cause for her non-appearance. Failure to appear at the conference may result in sanctions. (3) Settlement discussions held on claim 4; the parties will continue to negotiate and report at the next conference. Settlement discussions will continue on claim 2. (4) Defendants will answer 2d Contention Interrogatories by 5/10/07. Next conference 5/25/07 at 2:00 (counsel may appear by telephone; Creedmoor witness must appear in person, if she fails to appear for deposition).Status Conference held on 4/20/2007 (Levy, Robert) (Entered: 04/20/2007)
04/26/2007	<u>373</u>	First MOTION for Extension of Time to File <i>Application for Attorney's Fees if Parties Cannot Negotiate Settlement of Fees</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 04/26/2007)
05/09/2007	<u>374</u>	ORDER granting <u>373</u> Motion for Extension of Time to File: Pltff has until July 19, 2007, to negotiate a settlement of attorney's fees w/Dft Chu. If parties cannot reach an agreement on the issues of attorney's fees, Pltff may file an attorney's fees application on or before August 20, 2007. Ordered by JudgeCharles P. Sifton on 5/1/2007. (Abdallah, Fida) (Entered: 05/09/2007)
05/25/2007		Minute Entry for proceedings held before Robert M. Levy: Bill Brooks, Eric Broutman; Mike Peeples. (1) Discovery virtually complete on Claims 7-11. Creedmoor deposition completed. Continuations of 2 expert depositions scheduled to be completed by 6/11/07; parties to advise of possible third continued deposition date for Dr. Siegel if his deposition is not finished on 5/31/07. (2) Discovery deadline remains 6/30/07 for causes of action 2 and 4; parties have depositions of 4 clerks to complete. (3)Discovery will begin on cause of action 1, after 6/30/07. (4) Next conference 7/12/07 at 12:00. (status) (tel Hearing held on 5/25/2007 (Levy, Robert) (Entered: 05/25/2007)

07/10/2007		Minute Entry for proceedings held before Robert M. Levy: William Brooks, Eric Broutman; Mike Peeples. (1) Discovery on causes of action 7-11 complete. Defendants are evaluating whether to move for summary judgment on these claims and will advise within 10 days. Parties to contact Judge Sifton's chambers regarding possible trial dates and/or summary judgment motion. (2) The discovery deadline for the 2nd and 4th causes of action is extended to 7/31/07, as the parties have had difficulty scheduling the depositions of 4 clerk's office witnesses from Dutchess County. (3) Discovery as to the 1st cause of action overlaps in part with causes of action 2 and 4; deadline 11/30/07. Next conference 8/2/07 at 12:00 (tel). Status Conference held on 7/10/2007 (Levy, Robert) (Entered: 07/10/2007)
08/02/2007		Minute Entry for proceedings held before Robert M. Levy: William Brooks, Eric Broutman; Mike Peeples. (1) Discovery re: 2d and 4th causes of action complete except for deposition of one clerk, which will be completed 8/10/07. Discovery deadline extended to 8/10/07. (2) Defendants will move for summary judgment on causes of action 7-11. (3) Discovery proceeding on 1st cause of action. (4) Settlement discussions begun. The parties must do considerable groundwork before a settlement conference would be useful and will report at next conference, to be held 9/18/07 at 11:00 (tel). Status Conference held on 8/2/2007 (Levy, Robert) (Entered: 08/02/2007)
08/07/2007	<u>375</u>	Joint MOTION for Extension of Time to File <i>Attorney's Fees Application, if Necessary</i> , by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 08/07/2007)
08/20/2007	<u>376</u>	ORDER granting <u>375</u> Joint Motion for Extension of Time until September 21, 2007, to File Attorney's Fees Application, if necessary. Ordered by Judge Charles P. Sifton on 8/16/2007. (Abdallah, Fida) (Entered: 08/20/2007)
08/24/2007	<u>377</u>	Letter MOTION to Sever <i>the sixteenth and nineteenth causes of action</i> by Gregory R. Monaco. (Brooks, William) (Entered: 08/24/2007)
08/31/2007	<u>378</u>	Letter <i>informing Court that seventh through eleventh causes are action against defendant Carpinello are ready for trial</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 08/31/2007)
09/05/2007	<u>379</u>	Letter to Judge Sifton concerning summary judgment in response to August 31, 2007 letter from plaintiffs' counsel by Sharon Carpinello (Peeples, Michael) (Entered: 09/05/2007)

09/18/2007		Minute Entry for proceedings held before Robert M. Levy: (1) Defendants shall respond to discovery requests re: first cause of action by 10/5/07. Mr. Brooks shall decide whether he will proceed with Dutchess County on this claim within 7 days after receiving these materials. (2) Subject to Judge Sifton's rules and approval, if necessary, defendants will move for summary judgment within 60 days. Next conference 11/28/07 at 11:00 (tel).Status Conference held on 9/18/2007 (Levy, Robert) (Entered: 09/18/2007)
09/27/2007	<u>380</u>	Second MOTION for Extension of Time to File <i>Attorneys' Fees Application</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 09/27/2007)
10/02/2007	<u>381</u>	ENDORSED ORDER granting <u>380</u> Motion for Extension of Time to File Attorneys' Fees Application by Mental Disability Law Clinic, Touro Law Center. Ordered by Judge Charles P. Sifton on 10/1/2007. (Abdallah, Fida) (Entered: 10/02/2007)
10/17/2007		Motions terminated: <u>377</u> Letter MOTION to Sever <i>the sixteenth and nineteenth causes of action</i> filed by Gregory R. Monaco: See minute entry dated September 18, 2007. (Abdallah, Fida) Modified on 11/8/2007: This motion has been re-opened. (Abdallah, Fida) (Entered: 10/17/2007)
10/23/2007		Minute Entry for proceedings held before Robert M. Levy : Bill Brooks, Brian Callahan. Scheduling order for completion of discovery on 16th and 19th causes of action: plaintiff's expert report 11/21/07; defendant's expert report 1/10/08; completion of expert depositions 2/15/08. Plaintiff serves his draft pretrial order 2/29/08; defendant's draft 3/7/08; plaintiff serves and files joint pretrial order 3/14/08. The parties estimate the trial of these causes of action, which would be before a jury, would take 2 days. Next Conference: March 19, 2008 at 3:00 (tel)(these parties only). Status Conference held on 10/23/2007 (Levy, Robert) (Entered: 10/23/2007)
11/08/2007	<u>382</u>	ORDER referring <u>377</u> Letter MOTION to Sever <i>the sixteenth and nineteenth causes of action</i> filed by Gregory R. Monaco: The motion is respectfully referred to the assigned Magistrate Judge. Ordered by Judge Charles P. Sifton on 10/31/2007. Motion referred to Judge Robert M. Levy. (Abdallah, Fida) (Entered: 11/08/2007)
11/09/2007		ORDER granting <u>377</u> Motion to Sever. The motion granted on consent, as these causes of action constitute discrete claims that can be tried before a jury expeditiously. Ordered by JudgeRobert M. Levy on 11/9/07. (Levy, Robert) (Entered: 11/09/2007)

11/14/2007	<u>383</u>	Letter <i>requesting until December 17, 2007 to file attorneys' fees stipulation</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 11/14/2007)
11/16/2007	<u>384</u>	Letter MOTION for Extension of Time to File <i>Motion for Summary Judgment and to Complete Discovery on Claim One</i> by Sharon Carpinello. (Peeples, Michael) (Entered: 11/16/2007)
11/16/2007		ORDER granting <u>384</u> Motion for Extension of Time to File Summary Judgment Motion as to Claims 7-11 to 1/11/08 and to Extend Time for Discovery on Claim 1 to 2/8/08. Ordered by Judge Robert M. Levy on 11/16/07. (Levy, Robert) (Entered: 11/16/2007)
11/28/2007		Minute Entry for proceedings held before Judge Robert M. Levy: Bill Brooks, Mike Peeples. (1) Plaintiffs' opposition to the summary judgment motion on causes of action 7-11 due 2/29/08; defendants' reply 3/21/08. (2) Parties agree to defer dispute over deposing judges as to 1st cause of action until after doctors, and perhaps clerk, have been deposed. Next conference 1/31/08 at 10:30 (tel).Status Conference held on 11/28/2007 (Levy, Robert) (Entered: 11/28/2007)
12/17/2007	<u>385</u>	SETTLEMENT AGREEMENT - <i>stipulation and proposed order of settlement concerning counsel fees, costs, expenses and disbursements with respect to claims against City Defendants (i.e. HHC and DOC defendants)</i> by Martin Horn (Sweet, Emily) (Entered: 12/17/2007)
12/26/2007	<u>386</u>	STIPULATION AND ORDER of Settlement Concerning Counsel Fees, Costs, Expenses, and Disbursements with Respect to Claims Against City Defendants: It is hereby Agreed, by and between the parties through their attorneys that The City of New York ("City") shall pay Pltffs' counsel the sum of \$104,000 (One Hundred and Four Thousand Dollars), by check made payable to "Touro College - Jacob D. Fuchsberg Law Center," for all counsel fees, costs, expenses, and disbursements accrued or incurred in connection with the claims against City Defendants in this action and that Marcos Action, up to and including the date of execution of this Stipulation and order of Settlement Concerning Counsel Fees, Costs, Expenses, and Disbursements. Ordered by Senior Judge Charles P. Sifton on 12/19/2007. (Abdallah, Fida) (Entered: 12/26/2007)
01/11/2008	<u>387</u>	Notice of MOTION for Summary Judgment by Sharon Carpinello. Responses due by 2/29/2008 (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>388</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Declaration of Michael E. Peeples</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)

01/11/2008	<u>389</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Notice Regarding the Filing of Exhibits in Paper Form</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>390</u>	RULE 56.1 STATEMENT re <u>387</u> Notice of MOTION for Summary Judgment filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>391</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Affidavit of Kren Shriver, M.D.</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>392</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Affidavit of Kathleen Iverson</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>393</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Affidavit of Kim Denu</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>394</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Affidavit of Mitchell S. Barden, M.D.</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>395</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Affidavit of Franck Paul, M.D.</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>396</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Affidavit of Julius LaGuerre, M.D.</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>397</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Affidavit of Pushpa S. Patil, M.D.</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>398</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Affidavit of Syamala Das, M.D.</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>399</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Affidavit of Aneta Predanic, M.D.</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)

01/11/2008	<u>400</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Affidavit of Baljit K. Singh, M.D.</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>401</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Affidavit of Cynthia De Los Santos, M.D.</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>402</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Affidavit of Barbara Forrester</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>403</u>	AFFIDAVIT/DECLARATION in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Affidavit of Patricia Woellmer</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
01/11/2008	<u>404</u>	MEMORANDUM in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Memorandum of Law In Support of The Commissioner's Motion For Summary Judgment</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/11/2008)
02/01/2008		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: William Brooks, Michael Peeples. (1) Plaintiffs will provide answers to interrogatories and document requests re: causes of action 1 and 2 today; (2) Re: 1st cause of action, clerk depositions have been completed; (3) Discovery deadlines will be extended, as plaintiffs will devote their efforts to responding to defendants' lengthy summary judgment motion; (4) Next conference April 10 at 4:00 (tel). Scheduling / Status Conference held on 2/1/2008 (Levy, Robert) (Entered: 02/01/2008)
02/21/2008	<u>405</u>	First MOTION for Extension of Time to File Response/Reply as to <u>400</u> Affidavit in Support of Motion, <u>398</u> Affidavit in Support of Motion, <u>396</u> Affidavit in Support of Motion, <u>397</u> Affidavit in Support of Motion, <u>399</u> Affidavit in Support of Motion, <u>391</u> Affidavit in Support of Motion, <u>392</u> Affidavit in Support of Motion, <u>394</u> Affidavit in Support of Motion, <u>395</u> Affidavit in Support of Motion, <u>389</u> Affidavit in Support of Motion, <u>387</u> Notice of MOTION for Summary Judgment, <u>404</u> Memorandum in Support, <u>402</u> Affidavit in Support of Motion, <u>401</u> Affidavit in Support of Motion, <u>388</u> Affidavit in Support of Motion, <u>403</u> Affidavit in Support of Motion, <u>393</u> Affidavit in Support of Motion, <u>390</u> Rule 56.1 Statement <i>filed as a letter application</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 02/21/2008)
02/26/2008	<u>406</u>	First MOTION for Extension of Time to File Response/Reply <i>defendant Carpinello's motion for summary judgment</i>

		<i>on the seventh through eleventh causes of action</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 02/26/2008)
02/27/2008		Motions terminated: <u>405</u> First MOTION for Extension of Time to File Response/Reply and <u>406</u> First MOTION for Extension of Time to File Response/Reply <i>defendant Carpinello's motion for summary judgment on the seventh through eleventh causes of action</i> . Terminated as per Chambers. (Abdallah, Fida) (Entered: 02/27/2008)
02/29/2008	<u>407</u>	ORDER endorsed on <u>406</u> First MOTION for Extension of Time to File Response/Reply: So Ordered. Ordered by Senior Judge Charles P. Sifton on 2/28/2008. (Abdallah, Fida) (Entered: 02/29/2008)
03/07/2008	<u>408</u>	Notice of MOTION for Judgment on the Pleadings <i>For An Order of Abstention and Dismissal, Or In The Alternative, An Order Decertifying The Defendant Class of Local Criminal Court Judges</i> by Catherine Cahill. Responses due by 3/26/2008 (Peeples, Michael) (Entered: 03/07/2008)
03/07/2008	<u>409</u>	AFFIDAVIT/DECLARATION in Support re <u>408</u> Notice of MOTION for Judgment on the Pleadings <i>For An Order of Abstention and Dismissal, Or In The Alternative, An Order Decertifying The Defendant Class of Local Criminal Court Judges Declaration of Michael E. Peeples with Exhibits A-E</i> filed by Catherine Cahill. (Peeples, Michael) (Entered: 03/07/2008)
03/07/2008	<u>410</u>	MEMORANDUM in Support re <u>408</u> Notice of MOTION for Judgment on the Pleadings <i>For An Order of Abstention and Dismissal, Or In The Alternative, An Order Decertifying The Defendant Class of Local Criminal Court Judges Memorandum of Law</i> filed by Catherine Cahill. (Peeples, Michael) (Entered: 03/07/2008)
03/07/2008	<u>411</u>	CERTIFICATE OF SERVICE by Catherine Cahill re <u>410</u> Memorandum in Support, <u>409</u> Affidavit in Support of Motion, <u>408</u> Notice of MOTION for Judgment on the Pleadings <i>For An Order of Abstention and Dismissal, Or In The Alternative, An Order Decertifying The Defendant Class of Local Criminal Court Judges Certificate of Service by Michael E. Peeples</i> (Peeples, Michael) (Entered: 03/07/2008)
03/12/2008	<u>412</u>	Letter MOTION for Extension of Time to File Response/Reply as to <u>408</u> Notice of MOTION for Judgment on the Pleadings <i>For An Order of Abstention and Dismissal, Or In The Alternative, An Order Decertifying The Defendant Class of Local Criminal Court Judges</i> by Catherine Cahill. (Peeples, Michael) (Entered: 03/12/2008)

03/20/2008	<u>413</u>	ORDER granting <u>412</u> Motion for Extension of Time to File Response/Reply. Ordered by Senior Judge Charles P. Sifton on 3/19/2008. (Abdallah, Fida) (Entered: 03/20/2008)
04/04/2008	<u>414</u>	Proposed Scheduling Order <i>in form of request to modify the briefing schedule for the defendants' summary judgment motions</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 04/04/2008)
04/14/2008	<u>415</u>	ORDER endorsed on <u>414</u> Proposed Scheduling Order: SO ORDERED. Pltffs' opposition papers due 5/12/08; Dfts' reply 6/13/08; and return date on 6/30/08. Ordered by Senior Judge Charles P. Sifton on 4/10/2008. (Abdallah, Fida) (Entered: 04/14/2008)
04/16/2008		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. (1) Plaintiffs working on opposition to summary judgment motion on causes of action 7-11. (2) Causes of action 1 and 2: plaintiffs have provided relevant names; defendants are attempting to obtain corresponding criminal court files and will submit subpoenas to chambers to be so ordered; defendants also intend to identify and depose county mental health commissioners and doctors who have knowledge of independent psychiatrist evaluation process. Settlement of these causes of action was briefly explored; the parties will continue their discussions separately and contact the court if they believe a settlement conference would be useful. Next conference 6/16/08 at 11:00 (tel). Status Conference held on 4/16/2008 (Levy, Robert) (Entered: 04/16/2008)
05/06/2008	<u>416</u>	Proposed Scheduling Order <i>seeking extension of time to file opposition papers</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 05/06/2008)
05/13/2008	<u>417</u>	RULE 56.1 STATEMENT re <u>387</u> Notice of MOTION for Summary Judgment <i>in opposition to defendant Carpinello's motion for summary judgment</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Additional attachment(s) added on 3/15/2011: # <u>1</u> REDACTED RULE 56.1 STATEMENT) (Marziliano, August). (Entered: 05/13/2008)
05/13/2008	<u>418</u>	AFFIDAVIT/DECLARATION in Opposition re <u>387</u> Notice of MOTION for Summary Judgment filed by Mental Disability Law Clinic, Touro Law Center. (Attachments: # <u>1</u> Exhibit Plaintiffs' Fifth Amended Complaint - Exhibit A, # <u>2</u> Exhibit Defendant Carpinello's Answer to Fifth Amended Complaint - Exhibit B, # <u>3</u> Exhibit Letter to Judge Levy - Exhibit C, # <u>4</u> Exhibit Plaintiff's Discovery Requests - Exhibit D, # <u>5</u> Exhibit Letters from Michael Peeples - Exhibit E, # <u>6</u> Exhibit Deposition Testimony of Richard Miraglia - Exhibit F,

		# <u>7</u> Exhibit Deposition of Deborah Scott - Exhibit G, # <u>8</u> Exhibit Office of Mental Health section 9.27 certificate, # <u>9</u> Exhibit Deposition of Baljit Singh - Exhibit I, # <u>10</u> Exhibit Defendant's Response to Plaintiff's Document Request - Exhibit J, # <u>11</u> Exhibit Office of Mental Health Designation Rosters - Exhibit K, # <u>12</u> Exhibit Deposition of Kantilal Shah - Exhibit L, # <u>13</u> Exhibit Deposition of Syamala Das - Exhibit M, # <u>14</u> Exhibit Depositin of Julius LaGuerre - Exhibit N, # <u>15</u> Exhibit Deposition of Franck Paul - Exhibit O, # <u>16</u> Exhibit Deposition of Mitchell Barden - Exhibit P, # <u>17</u> Exhibit Deposition of Mark Sorenson - Exhibit Q, # <u>18</u> Exhibit Depositin of Kren Shriver - Exhibit R, # <u>19</u> Exhibit Deposition of Cynthia De Los Santos - Exhibit S, # <u>20</u> Exhibit Second deposition of Julius Laguerre - Exhibit T, # <u>21</u> Exhibit Certification for Miriam Burstein - Exhibit U, # <u>22</u> Exhibit Certification for Ervin Smith - Exhibit V, # <u>23</u> Exhibit Miscellaneous certificates of Creedmoor patients - Exhibit W, # <u>24</u> Exhibit Miscellaneous certificates of Hudson River patients) (Brooks, William) (Additional attachment(s) added on 3/15/2011: # <u>25</u> Attachment #4 Redacted Exhibit Plaintiff's Discovery Requests - Exhibit D, # <u>26</u> Attachment # 5 Redacted Exhibit Letters from Michael Peeples - Exhbit E, # <u>27</u> Attachment # 9 Redacted Exhibit Deposition of Baljit Singh - Exhibit I, # <u>28</u> Attachment # 11 Redacted Exhibit Office of Mental Health Designation Rosters - Exhibit K, # <u>29</u> Attachment # 12 Redacted Deposition of Kantilal Shah - Exhibit 12, # <u>30</u> Attachment # 14 Redacted Deposition of Julius LaGuerre - Exhibit N, # <u>31</u> Attachment # 15 Redacted Deposition of Franck Paul - Exhibit O, # <u>32</u> Attachment # 16 Redacted Exhibit Deposition of Mitchell Barden - Exhibit P, # <u>33</u> Attachment # 20 RedactedExhibit Second deposition of Julius LaGuere - Exhibit T, # <u>34</u> Attachment # 21 Redacted Exhibit Certification for Miriam B - Exhibit U, # <u>35</u> Attachment # 22 Redacted Exhibit Certificaion of Ervin S - Exhibit V, # <u>36</u> Attachment # 23 Redacted Exhibit Miscellaneous certificates of Creedmoor patients - Exhibit W, # <u>37</u> Attachment # 24 Redacted Exhibit Miscellaneous certificates of Hudson River patients -) (Marziliano, August). (Entered: 05/13/2008)
05/13/2008	<u>419</u>	AFFIDAVIT/DECLARATION in Opposition re <u>387</u> Notice of MOTION for Summary Judgment of <i>Roy Lubit, M.D.</i> filed by Mental Disability Law Clinic, Touro Law Center. (Attachments: # <u>1</u> Exhibit Curriculum Vitae - Exhibit A) (Brooks, William) (Additional attachment(s) added on 3/15/2011: # <u>2</u> Docket Entry 419 - REDACTED AFFIDAVIT_DECLARATION) (Marziliano, August). (Entered: 05/13/2008)
05/13/2008	<u>420</u>	AFFIDAVIT/DECLARATION in Opposition re <u>387</u> Notice of MOTION for Summary Judgment of <i>Barry Rosenfeld</i> filed by Mental Disability Law Clinic, Touro Law Center. (Attachments: # <u>1</u> Exhibit

		Curriculum vitae - Exhibit A, # <u>2</u> Exhibit Exhibit B) (Brooks, William) (Additional attachment(s) added on 3/15/2011: # <u>3</u> Docket Entry 420 - REDACTED AFFIDAVIT_DECLARATION, # <u>4</u> Docket Entry 420 - Attachment # 2 Redacted Exhibit Exhibit B) (Marziliano, August). (Entered: 05/13/2008)
05/13/2008	<u>421</u>	MEMORANDUM in Opposition re <u>387</u> Notice of MOTION for Summary Judgment filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Additional attachment(s) added on 3/15/2011: # <u>1</u> Docket Entry 421 - REDACTED MEMORANDUM in Opposition) (Marziliano, August). (Entered: 05/13/2008)
05/14/2008	<u>422</u>	ORDER endorsed on <u>416</u> Proposed Scheduling Order seeking extension of time to file opposition papers by Mental Disability Law Clinic, Touro Law Center: So ORDERED. Ordered by Senior Judge Charles P. Sifton on 5/12/2008. (Abdallah, Fida) (Entered: 05/14/2008)
05/16/2008	<u>423</u>	Proposed Scheduling Order <i>permitting the plaintiffs to file their opposition papers to defendant Cahill's summary judgment motion by May 21, 2008</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 05/16/2008)
05/20/2008	<u>424</u>	ORDER endorsed on <u>423</u> Proposed Scheduling Order permitting the plaintiffs to file their opposition papers to defendant Cahill's summary judgment motion by May 21, 2008: So ORDERED. Ordered by Senior Judge Charles P. Sifton on 5/19/2008. (Abdallah, Fida) (Entered: 05/20/2008)
05/21/2008	<u>425</u>	AFFIDAVIT/DECLARATION in Opposition re <u>408</u> Notice of MOTION for Judgment on the Pleadings <i>For An Order of Abstention and Dismissal, Or In The Alternative, An Order Decertifying The Defendant Class of Local Criminal Court Judges</i> filed by Mental Disability Law Clinic, Touro Law Center. (Attachments: # <u>1</u> Exhibit Exhibit A to Brooks Declaration, # <u>2</u> Exhibit Exhibit B to Brooks Declaration, # <u>3</u> Exhibit Exhibit C to Brooks Declaration, # <u>4</u> Exhibit Exhibit D to Brooks Declaration, # <u>5</u> Exhibit Exhibit E to Brooks Declaration, # <u>6</u> Exhibit Exhibit F to Brooks Declaration, # <u>7</u> Exhibit Exhibit G to Brooks Declaration, # <u>8</u> Exhibit Exhibit H to Brooks Declaration, # <u>9</u> Exhibit Exhibit I to Brooks Declaration, # <u>10</u> Exhibit Exhibit J to Brooks Declaration) (Brooks, William) (Entered: 05/21/2008)
05/21/2008	<u>426</u>	MEMORANDUM in Opposition re <u>408</u> Notice of MOTION for Judgment on the Pleadings <i>For An Order of Abstention and Dismissal, Or In The Alternative, An Order Decertifying The Defendant Class of Local Criminal Court Judges</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 05/21/2008)

06/13/2008	<u>427</u>	REPLY in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Reply Declaration of Michael E. Peeples In Further Support of Motion for Summary Judgment</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 06/13/2008)
06/13/2008	<u>428</u>	REPLY in Support re <u>387</u> Notice of MOTION for Summary Judgment <i>Reply Memorandum of Law In Further Support of Motion For Summary Judgment</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 06/13/2008)
06/13/2008	<u>429</u>	REPLY in Support re <u>408</u> Notice of MOTION for Judgment on the Pleadings <i>For An Order of Abstention and Dismissal, Or In The Alternative, An Order Decertifying The Defendant Class of Local Criminal Court Judges Reply Declaration of Michael E. Peeples</i> filed by Catherine Cahill. (Peeples, Michael) (Entered: 06/13/2008)
06/13/2008	<u>430</u>	REPLY in Support re <u>408</u> Notice of MOTION for Judgment on the Pleadings <i>For An Order of Abstention and Dismissal, Or In The Alternative, An Order Decertifying The Defendant Class of Local Criminal Court Judges Reply Memorandum of Law</i> filed by Catherine Cahill. (Peeples, Michael) (Entered: 06/13/2008)
06/13/2008	<u>431</u>	CERTIFICATE OF SERVICE by Sharon Carpinello re <u>428</u> Reply in Support, <u>427</u> Reply in Support (Peeples, Michael) (Entered: 06/13/2008)
06/13/2008	<u>432</u>	CERTIFICATE OF SERVICE by Catherine Cahill re <u>429</u> Reply in Support, <u>430</u> Reply in Support, (Peeples, Michael) (Entered: 06/13/2008)
06/16/2008		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. (1) By August 31, 2008, plaintiffs will depose 3-4 clerks (approximately 1-2 hours each), from Dutchess and Suffolk Counties for the 2nd cause of action. (2) Plaintiffs are contemplating a motion to disqualify because of possible conflict between OCA and OMH and will advise by the next conference. Next conference 7/23/08 at 3:30 (tel).Status Conference held on 6/16/2008 (Levy, Robert) (Entered: 06/16/2008)
06/19/2008		Email Notification Test - DO NOT REPLY (Vaughn, Terry) (Entered: 06/19/2008)
06/20/2008	<u>433</u>	Letter <i>detailing citation errors in memorandum of law</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 06/20/2008)

06/20/2008	<u>434</u>	Letter MOTION for Leave to File <i>Supplemental Pages to Previously Filed Exhibit</i> by Mental Disability Law Clinic, Touro Law Center. (Attachments: # <u>1</u> Exhibit) (Brooks, William) (Entered: 06/20/2008)
06/20/2008	<u>435</u>	Letter <i>Letter detailing citation errors in memorandum of law</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 06/20/2008)
06/20/2008	<u>436</u>	Letter <i>detailed error in ECF filing</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 06/20/2008)
07/11/2008		ORDER: The telephone conference scheduled for Wednesday, July 23, 2008 at 3:30 p.m. has been changed to 10:30 a.m. on the same date. Ordered by Magistrate Judge Robert M. Levy on 7/11/08. (Marino, Janine) (Entered: 07/11/2008)
07/15/2008	<u>439</u>	Minute Entry for proceedings held before Senior Judge Charles P. Sifton: Motion Hearing held on 7/15/2008. Case called. Only counsel for Pltffs, and Dfts Sharon Carpinello and Catherine Cahill present. The motion of Dft Carpinello for partial summary judgment and the motion of Dft Cahill for dismissal of the 1st and 2nd causes of action are argued. Decision reserved. (Court Reporter Mickey Brymer) (Abdallah, Fida) (Entered: 07/21/2008)
07/18/2008	<u>437</u>	Letter <i>detailed plaintiffs' position on the entry of a Rule 54(b) judgment</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 07/18/2008)
07/21/2008	<u>438</u>	Letter <i>to Judge Sifton Concerning Rule 54(b)</i> by Sharon Carpinello (Peeples, Michael) (Entered: 07/21/2008)
07/23/2008		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. The parties are evaluating whether, in light of Judge Siftons anticipated summary judgment decision, the case management plan should be revised. The parties will also re-examine their discovery plans. Next conference September 11, 2008 at 10:00 (tel).Status Conference held on 7/23/2008 (Levy, Robert) (Entered: 07/23/2008)
08/29/2008	<u>440</u>	MEMORANDUM AND OPINION granting defendant Commissioners motion for summary judgment on plaintiffs seventh, eighth, ninth, and eleventh causes of action as to Creedmoor and Hudson River, and granting defendant Cahills motion to dismiss the first and second causes of action. Ordered by Senior Judge Charles P. Sifton on 8/26/2008. (Sifton, Charles) (Entered: 08/29/2008)

09/12/2008		Minute Entry for proceedings held before Judge Robert M. Levy: Bill Brooks, Mike Peeples. The parties are re-evaluating their positions in light of Judge Sifton's recent decision. Mr. Peeples will consult with his clients. The parties will also explore the areas where settlement may be appropriate and attempt to narrow the issues relating to causes of action 7-1. The court will set a schedule at the next conference, to be held 10/3/08 at 2:30 (tel).Status Conference held on 9/12/2008 (Levy, Robert) (Entered: 09/12/2008)
09/12/2008		AMENDED Minute Entry (correcting typographical errors) for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. The parties are re-evaluating their positions in light of Judge Sifton's recent decision. Mr. Peeples will consult with his clients. The parties will also explore the areas where settlement may be appropriate and attempt to narrow the issues relating to causes of action 7-11. The court will set a schedule at the next conference, to be held 10/3/08 at 2:30 (tel).Status Conference held on 9/12/2008 (Levy, Robert) (Entered: 09/12/2008)
10/03/2008		Minute Entry for proceedings held before Judge Robert M. Levy: Bill Brooks, Mike Peeples. Plaintiffs will file discovery requests to move this case forward. Next conference after discovery issues have been briefed: November 25, 2008 at 2:30 (by telephone unless the parties request otherwise).Status Conference held on 10/3/2008 (Levy, Robert) (Entered: 10/03/2008)
11/12/2008	<u>441</u>	MOTION to Adjourn Conference <i>By Letter Application</i> by Sharon Carpinello. (Peeples, Michael) (Entered: 11/12/2008)
11/12/2008		ORDER granting <u>441</u> Motion to Adjourn Conference from 11/25/08 to 12/9/08 at 4:00 (tel). Ordered by Judge Robert M. Levy on 11/12/08. (Levy, Robert) (Entered: 11/12/2008)
11/21/2008	<u>442</u>	MOTION for Protective Order <i>Notice of Motion</i> by Sharon Carpinello. (Peeples, Michael) (Entered: 11/21/2008)
11/21/2008	<u>443</u>	AFFIDAVIT/DECLARATION in Support re <u>442</u> MOTION for Protective Order <i>Notice of Motion Declaration of Michael E. Peeples</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 11/21/2008)
11/21/2008	<u>444</u>	MEMORANDUM in Support re <u>442</u> MOTION for Protective Order <i>Notice of Motion Memorandum of Law</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 11/21/2008)
11/21/2008	<u>445</u>	AFFIDAVIT of Service for Motion for Protective Order and supporting papers served on William M. Brooks, Suffolk County Attorney, Nixon

		Peabody on 11/21/08, filed by Sharon Carpinello. (Peeples, Michael) (Entered: 11/21/2008)
12/09/2008		Minute Entry for proceedings held before Judge Robert M. Levy: Bill Brooks, Mike Peeples. On consent, the schedule for briefing of the motion for a protective order: opposition 1/2/09; reply 1/23/09. Oral argument 2/9/09 at 12:00. Because discovery depends on the resolution of this motion, discovery is stayed at the parties' request until the motion is decided. Status Conference held on 12/9/2008 (Levy, Robert) (Entered: 12/09/2008)
12/30/2008	<u>446</u>	AFFIDAVIT/DECLARATION in Opposition re <u>442</u> MOTION for Protective Order <i>Notice of Motion</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit) (Brooks, William) (Entered: 12/30/2008)
12/30/2008	<u>447</u>	MEMORANDUM in Opposition re <u>442</u> MOTION for Protective Order <i>Notice of Motion</i> filed by all plaintiffs. (Brooks, William) (Entered: 12/30/2008)
01/22/2009	<u>448</u>	REPLY in Support re <u>442</u> MOTION for Protective Order <i>Notice of Motion Reply Declaration</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/22/2009)
01/22/2009	<u>449</u>	REPLY in Support re <u>442</u> MOTION for Protective Order <i>Notice of Motion Reply Memorandum of Law</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 01/22/2009)
01/22/2009	<u>450</u>	CERTIFICATE of Counsel re <u>449</u> Reply in Support, <u>448</u> Reply in Support <i>Certificate of Service</i> by Michael E. Peeples on behalf of Sharon Carpinello (Peeples, Michael) (Entered: 01/22/2009)
02/12/2009		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Motion Hearing held on 2/9/2009 re <u>442</u> MOTION for Protective Order <i>Notice of Motion</i> filed by Sharon Carpinello. Bill Brooks, Mike Peeples. For the reasons explained on the record, defendants' motion is granted in part and denied in part. (1) Plaintiffs shall amend the complaint consistent with the court's rulings with respect to the scope of the class affected by causes of action 7-11. (2) By 2/11/09 plaintiffs shall designate a facility to substitute for Pilgrim Psychiatric Center. (3) By 2/25/09 defendants shall provide designation rosters for the 5 designated facilities with respect to causes of action 7-11. (4) From those 5 facilities, plaintiffs shall, by 3/4/09, designate 3 facilities from which they will seek discovery. (5) By 3/11/09, the parties shall submit a revised case management order for the expeditious completion of discovery in this case. (6) Next conference 3/12/09 at 11:00 (tel). (Tape #1:05-end.) (Levy, Robert) (Entered: 02/12/2009)

02/12/2009		ORDER granting in part and denying in part <u>442</u> Motion for Protective Order. Ordered by Judge Robert M. Levy on 2/9/2009. (Levy, Robert) (Entered: 02/12/2009)
03/11/2009	<u>451</u>	Proposed Scheduling Order <i>and cover letter</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 03/11/2009)
03/11/2009	<u>452</u>	Letter MOTION for Extension of Time to File <i>Proposed Discovery Plan</i> by Sharon Carpinello. (Peeples, Michael) (Entered: 03/11/2009)
03/12/2009		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. (1) Plaintiffs will withdraw the 5th cause of action by 3/26/09. (2) The parties will advise the court on 3/17/09 whether the court should hold a settlement conference to help resolve the 3rd cause of action. (3) Defendants are reviewing their response to plaintiffs' proposed schedule for the completion of all discovery in light of the staffing constraints imposed by the current fiscal crisis and will submit their proposal on 3/17/09. (4) Next conference 3/17/09 at 2:30 (tel).Status Conference held on 3/12/2009 (Levy, Robert) (Entered: 03/12/2009)
03/12/2009		ORDER granting <u>452</u> Motion for Extension of Time to 3/17/09 to File Plan to Complete Discovery. Ordered by Judge Robert M. Levy on 3/12/2009. (Levy, Robert) (Entered: 03/12/2009)
03/16/2009	<u>453</u>	TRANSCRIPT of Proceedings held on 2/9/09, before Judge Levy. Court Transcriber ARIA TRANSCRIPTIONS, Telephone number 215-767-7700. Transcript may be viewed at the court public terminal or purchased through the Court Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/6/2009. Redacted Transcript Deadline set for 4/16/2009. Release of Transcript Restriction set for 6/15/2009. (Hong, Loan) (Entered: 03/16/2009)
03/17/2009	<u>454</u>	Letter to Judge Robert M. Levy providing proposed plan for completion of discovery by Sharon Carpinello (Peeples, Michael) (Entered: 03/17/2009)
03/17/2009		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Discovery schedule entered to expedite and, where possible, streamline completion of this case. (1) Plaintiff will advise by 4/6/09 whether he will withdraw the 4th cause of action without prejudice, pending the outcome of a state court action on the former 1st and 2nd causes of action. (2) A settlement conference will be held on 4/6/09 at 1:00 on the 3rd cause of action. OMH's ("defendants") principals will appear by telephone from Albany. Plaintiff will fax his settlement proposal to chambers. Defendants need

		not make any settlement submissions. (3) A scheduling order is adopted that takes into consideration the need to expedite the completion of discovery with the defendants' shortage of resources due to the fiscal crisis: (a) Defendants will produce certificates of admission, etc. whenever received, but no later than 4/30/09 (Capital District) and 5/31/09 (Buffalo and Rockland) The parties will resolve Dr. Sedler's objections re: the Stony Brook evaluations by 5/31/09. (b) Plaintiff shall designate up to 20 charts from Capital District by 5/15/09. Defendants shall produce those 20 charts as they are received, but no later than 7/15/09. (c) Plaintiff shall designate charts from Buffalo and Rockland by 6/23/09; production whenever received from the facilities, but no later than 9/15/09. (d) Completion of all depositions of doctors, social workers, and other fact witnesses from OMH facilities: 12/31/09. (e) On or before 2/15/10, plaintiff's expert shall complete review of charts from OMH facilities and plaintiff shall designate patients who were allegedly committed improperly. (f) Plaintiff's expert reports due 3/15/10. (g) OMH expert reports due 4/30/10. (g) Completion of expert depositions by 6/15/10 (h) Summary judgment motions to be scheduled in accordance with Judge Sifton's rules. (i) Next conference 4/6/09 at 1:00. Status/Settlement Conference held on 3/17/2009 (Levy, Robert) (Entered: 03/17/2009)
04/29/2009		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks; Mike Peeples, Ed Curtis, with OMH counsel and principals appearing by telephone from Albany. Discussions held to settle third cause of action. Considerable progress made. Mr. Brooks will submit information concerning attorney's fees to defendants' counsel by 5/30/09. Mr. Peeples will submit proposed settlement agreement to Mr. Brooks by 5/22/09. Settlement Conference held on 4/29/2009 (Levy, Robert) (Entered: 04/29/2009)
09/04/2009	<u>455</u>	Letter <i>detailing status of claims against defendant Hogan</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 09/04/2009)
11/24/2009		Judge Nicholas G. Garaufis added. Senior-Judge Charles P. Sifton no longer assigned to case. (Davis, Kimberly) (Entered: 11/24/2009)
12/09/2009		ORDER: A telephone conference has been scheduled for Friday, December 18, 2009 at 10:00 a.m., before the Hon. Robert M. Levy, USMJ at (718) 613-2340. Plaintiffs' counsel is requested to initiate conference call and confirm with defendants' counsel that all necessary participants are aware of scheduled conference. Ordered by Magistrate Judge Robert M. Levy on 12/9/2009(Marino, Janine) (Entered: 12/09/2009)

12/18/2009		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. (1) The parties have reached a settlement of the 3rd cause of action and will advise by 1/8/10 whether they believe notice and a hearing are necessary prior to court approval. (2) 7th and 11th Causes of action: plaintiffs will begin designating charts on a rolling basis next week and complete designations by 2/15/10, consistent with the 3/17/09 minute order. Similarly, the schedule for defendants' expert reports remains unchanged. However, as these causes of action may turn in part on the decision of an appeal pending before the Second Circuit in <i>Bulmer v. Olivera</i> , depositions will not be scheduled until after the April status conference. (3) Plaintiffs have agreed to withdraw the 5th cause of action and will formally do so by 12/31/09; the parties will separately discuss possible withdrawal of the 4th cause of action. (4) Next conference 4/21/10 at 2:15 (tel)(status), at which time the court will consider the status of the <i>Bulmer</i> appeal and its effect on the 7th and 11th causes of action. Status Conference held on 12/18/2009 (Levy, Robert) (Entered: 12/18/2009)
01/28/2010	<u>456</u>	Letter <i>detailing requirements for notice of settlement for third cause of action</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 01/28/2010)
02/08/2010		ORDER re <u>456</u> Letter filed by Mental Disability Law Clinic, Touro Law Center. With respect to the settlement of the Third Cause of Action, counsel are requested to submit a proposal for class notification by February 26, 2010. Ordered by Magistrate Judge Robert M. Levy on 2/8/2010. (Levy, Robert) (Entered: 02/08/2010)
02/12/2010	<u>457</u>	Letter <i>requesting telephone status conference to address discovery issues</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 02/12/2010)
02/17/2010		ORDER re <u>457</u> Letter filed by Mental Disability Law Clinic, Touro Law Center. A telephone conference has been scheduled for 3/1/10 at 3:30 to discuss the impact of the decision in <i>Bolmer v. Oliveira</i> . Ordered by Magistrate Judge Robert M. Levy on 2/17/2010. (Levy, Robert) (Entered: 02/17/2010)
02/18/2010		NOTICE: The telephone conference scheduled for Monday, March 1, 2010 at 3:30 p.m. has been moved to 2:00 p.m. on the same date. (Marino, Janine) (Entered: 02/18/2010)
03/01/2010		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. (1) End of fact discovery 7/31/10. (2) Plaintiffs' expert report will be produced by 8/31/10. Prior to 8/31/10, plaintiffs' expert will disclose, on a rolling basis, patients he definitively will not identify as dangerous, so that defendants' expert can begin a

		review of applicable charts. (3) Next conference: 4/21/10 at 2:15, as previously scheduled. Status Conference held on 3/1/2010 (Levy, Robert) (Entered: 03/01/2010)
03/15/2010	<u>458</u>	Letter <i>requesting pre-motion conference in connection with anticipated motion to amend the complaint</i> by Mental Disability Law Clinic, Touro Law Center (Attachments: # <u>1</u> Proposed sixth amended complaint) (Brooks, William) (Entered: 03/15/2010)
03/19/2010	<u>459</u>	Letter <i>notifying court of settlement of third cause of action and submitting proposed notice to class</i> by Mental Disability Law Clinic, Touro Law Center (Attachments: # <u>1</u> Proposed Notice to Class) (Brooks, William) (Entered: 03/19/2010)
03/19/2010	<u>460</u>	STIPULATION re <u>459</u> Letter <i>Stipulation and Settlement Agreement relating to the third cause of action</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 03/19/2010)
04/07/2010	<u>461</u>	Letter <i>Confirming Adjournment of Telephone Conference</i> by Sharon Carpinello (Peeples, Michael) (Entered: 04/07/2010)
04/27/2010		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Counsel report that discovery is progressing well. Depositions have been scheduled sequentially at Rockland, Capital District and Buffalo Psychiatric Centers. Mr. Brooks will contact his expert to speed up production of experts where possible, as they are being produced on a rolling basis. Status Conference held on 4/27/2010 (Levy, Robert) (Entered: 04/27/2010)
04/27/2010		ORDER. The next status conference will be held on July 13, 2010 at 2:30 (tel). Ordered by Magistrate Judge Robert M. Levy on 4/27/2010. (Levy, Robert) (Entered: 04/27/2010)
06/24/2010	<u>462</u>	Motion for Hearing <i>requesting conference to address discovery matters</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) Modified on 6/25/2010 (Lee, Tiffeny). (Entered: 06/24/2010)
06/25/2010		ORDER granting <u>462</u> Motion for Status Conference. A telephone status conference has been scheduled for July 23, 2010 at 11:00 a.m., before the Hon. Robert M. Levy, USMJ at (718) 613-2340. Plaintiffs' counsel is directed to initiate conference call and confirm with defendants' counsel that all necessary participants are aware of date and time of scheduled conference. Ordered by Magistrate Judge Robert M. Levy on 6/25/2010. (Marino, Janine) (Entered: 06/25/2010)

06/30/2010	<u>463</u>	NOTICE of Appearance by Seth Lawrence Berman on behalf of Kenneth Skodnek (aty to be noticed) (Berman, Seth) (Entered: 06/30/2010)
07/13/2010		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. For the remaining depositions of physicians from Rockland, Capitol District and Buffalo Psychiatric Centers, counsel agree as follows: by the date of the deposition of each physician, the state will provide plaintiffs' counsel the records of the CPL 730.40 patients each deponent most recently certified pursuant to MHL 9.27. Deadline for completion of these depositions: 9/30/10. Next conference 10/7/10 at 2:15 (tel).Status Conference held on 7/13/2010 (Levy, Robert) (Entered: 07/13/2010)
07/30/2010	<u>464</u>	First MOTION for Leave to File <i>Amend Complaint</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 07/30/2010)
07/30/2010	<u>465</u>	DECLARATION re <u>464</u> First MOTION for Leave to File <i>Amend Complaint Declaration of William Brooks</i> by Mental Disability Law Clinic, Touro Law Center (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit) (Brooks, William) (Entered: 07/30/2010)
07/30/2010	<u>466</u>	PRETRIAL MEMORANDUM by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 07/30/2010)
07/30/2010	<u>467</u>	AFFIDAVIT/DECLARATION in Opposition re <u>464</u> First MOTION for Leave to File <i>Amend Complaint Declaration of Michael Peeples</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 07/30/2010)
07/30/2010	<u>468</u>	MEMORANDUM in Opposition re <u>464</u> First MOTION for Leave to File <i>Amend Complaint State Defendants' Memorandum</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 07/30/2010)
07/30/2010	<u>469</u>	AFFIDAVIT/DECLARATION in Opposition re <u>464</u> First MOTION for Leave to File <i>Amend Complaint Declaration of Seth Berman</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 07/30/2010)
07/30/2010	<u>470</u>	MEMORANDUM in Opposition re <u>464</u> First MOTION for Leave to File <i>Amend Complaint Memorandum of Defendant Rao</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 07/30/2010)

07/30/2010	<u>472</u>	MEMORANDUM in Support re <u>464</u> First MOTION for Leave to File <i>Amend Complaint Reply Memorandum of Law</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 07/30/2010)
07/30/2010	<u>473</u>	MEMORANDUM in Support re <u>464</u> First MOTION for Leave to File <i>Amend Complaint Corrected Copy of Plaintiffs' Memorandum of Law</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 07/30/2010)
07/30/2010	<u>474</u>	REPLY to Response to Motion re <u>464</u> First MOTION for Leave to File <i>Amend Complaint Corrected Copy of Plaintiffs' Reply Memorandum of Law</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 07/30/2010)
08/03/2010	<u>475</u>	Letter <i>detailing status of settlement negotiations between the plaintiffs and defendant Rao</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 08/03/2010)
08/06/2010	<u>476</u>	Letter <i>requesting an oral argument date on anticipated motion for the granting of access to Stony Brook Medical Center emergency room and admission units</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 08/06/2010)
08/06/2010		ORDER: Oral argument on the motion for access to the ER and admission units of Stony Brook University Medical Center will be held on 9/22/10 at 4:00. Ordered by Magistrate Judge Robert M. Levy on 8/6/2010. (Levy, Robert) (Entered: 08/06/2010)
08/17/2010	<u>477</u>	First MOTION for Discovery <i>specifically, access to the psychiatric emergency room and admission unit of Stony Brook University Medical Center</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 08/17/2010)
08/17/2010	<u>478</u>	MEMORANDUM in Support re <u>477</u> First MOTION for Discovery <i>specifically, access to the psychiatric emergency room and admission unit of Stony Brook University Medical Center</i> , AFFIDAVIT/DECLARATION in Support re <u>477</u> First MOTION for Discovery <i>specifically, access to the psychiatric emergency room and admission unit of Stony Brook University Medical Center</i> filed by Mental Disability Law Clinic, Touro Law Center. (Attachments: # <u>1</u> Exhibit A to Brooks Declaration, # <u>2</u> Exhibit B to Brooks Declaration, # <u>3</u> Exhibit C to Brooks Declaration) (Brooks, William) (Entered: 08/17/2010)
08/17/2010	<u>479</u>	AFFIDAVIT/DECLARATION in Support re <u>477</u> First MOTION for Discovery <i>specifically, access to the psychiatric emergency room and</i>

		<i>admission unit of Stony Brook University Medical Center Affidavit of Roy Lubit, M.D.</i> filed by Mental Disability Law Clinic, Touro Law Center. (Attachments: # <u>1</u> Exhibit A to Lubit Affidavit) (Brooks, William) (Entered: 08/17/2010)
08/17/2010	<u>480</u>	AFFIDAVIT/DECLARATION in Support re <u>477</u> First MOTION for Discovery <i>specifically, access to the psychiatric emergency room and admission unit of Stony Brook University Medical Center Affidavit of Thomas Behrendt</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 08/17/2010)
08/17/2010	<u>481</u>	MEMORANDUM in Support re <u>477</u> First MOTION for Discovery <i>specifically, access to the psychiatric emergency room and admission unit of Stony Brook University Medical Center</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 08/17/2010)
08/26/2010	<u>482</u>	ORDER: Plaintiffs' motion for leave to amend the complaint (Docket Entry #464) is hereby referred to Magistrate Judge Robert M. Levy for decision. Ordered by Judge Nicholas G. Garaufis on 8/25/2010. (Lee, Tiffeny) (Entered: 08/27/2010)
09/07/2010	<u>483</u>	Letter <i>requesting oral argument on pending motion to dismiss referred by Judge Garaufis for decision</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 09/07/2010)
09/07/2010	<u>484</u>	AFFIDAVIT/DECLARATION in Opposition re <u>477</u> First MOTION for Discovery <i>specifically, access to the psychiatric emergency room and admission unit of Stony Brook University Medical Center Declaration of Dr. Mark Sedler</i> filed by Marc Sedler. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C) (Peeples, Michael) (Entered: 09/07/2010)
09/07/2010	<u>485</u>	AFFIDAVIT/DECLARATION in Opposition re <u>477</u> First MOTION for Discovery <i>specifically, access to the psychiatric emergency room and admission unit of Stony Brook University Medical Center Declaration of Michael E. Peeples</i> filed by Marc Sedler. (Peeples, Michael) (Entered: 09/07/2010)
09/07/2010	<u>486</u>	MEMORANDUM in Opposition re <u>477</u> First MOTION for Discovery <i>specifically, access to the psychiatric emergency room and admission unit of Stony Brook University Medical Center</i> filed by Marc Sedler. (Peeples, Michael) (Entered: 09/07/2010)
09/08/2010	<u>487</u>	Letter MOTION for Extension of Time to Complete Discovery by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 09/08/2010)

09/15/2010	<u>489</u>	AFFIDAVIT/DECLARATION in Opposition re 488 Letter MOTION to Compel <i>Office of Mental Health</i> witnesses to directly answer questions Letter By Michael E. Peeples In Opposition filed by Sharon Carpinello. (Peeples, Michael) (Entered: 09/15/2010)
09/16/2010	<u>490</u>	REPLY in Support re <u>477</u> First MOTION for Discovery <i>specifically, access to the psychiatric emergency room and admission unit of Stony Brook University Medical Center</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 09/16/2010)
09/23/2010	<u>491</u>	AFFIDAVIT/DECLARATION in Support re <u>464</u> First MOTION for Leave to File <i>Amend Complaint containing redacted exhibits</i> filed by Mental Disability Law Clinic, Touro Law Center. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Supplement, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit) (Brooks, William) (Entered: 09/23/2010)
09/23/2010	<u>492</u>	AFFIDAVIT/DECLARATION in Support re 488 Letter MOTION to Compel <i>Office of Mental Health</i> witnesses to directly answer questions <i>redacted copy of motion previously</i> filed by Mental Disability Law Clinic, Touro Law Center. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit) (Brooks, William) (Entered: 09/23/2010)
09/23/2010		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Motion Hearing held on 9/22/2010 re 488 Letter MOTION to Compel <i>Office of Mental Health</i> witnesses to directly answer questions filed by Mental Disability Law Clinic, Touro Law Center, <u>477</u> First MOTION for Discovery <i>specifically, access to the psychiatric emergency room and admission unit of Stony Brook University Medical Center</i> filed by Mental Disability Law Clinic, Touro Law Center, <u>487</u> Letter MOTION for Extension of Time to Complete Discovery filed by Mental Disability Law Clinic, Touro Law Center, <u>464</u> First MOTION for Leave to File <i>Amend Complaint</i> filed by Mental Disability Law Clinic, Touro Law Center. William Brooks, Michael Peeples. (1) By 9/29/10, Mr. Brooks will respond to Dr. Sedler's proposal to conduct interviews of patients in the inpatient units. (2) Judge Orenstein and I will schedule a hearing shortly to resolve issues involving patient records covered by a protective order in MDLC v. Hogan, 06 CV 6320. (3) The discovery deadline is extended to 11/5/10 for the purpose of completing depositions and propounding a limited number of requests for admissions on the claims and defenses currently before the Court. No additional document requests may be filed unless the motion to amend is granted. (4) Decision is reserved on plaintiffs' motion to amend the complaint. (Tape #4:10-6:15.) (Levy, Robert) (Entered: 09/23/2010)

09/24/2010	<u>493</u>	RESPONSE to Motion re <u>477</u> First MOTION for Discovery <i>specifically, access to the psychiatric emergency room and admission unit of Stony Brook University Medical Center setting forth plaintiffs' position to the proposal of defendant Sedler</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 09/24/2010)
09/24/2010	<u>494</u>	MEMORANDUM in Support re <u>464</u> First MOTION for Leave to File <i>Amend Complaint Post-Argument letter submission</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 09/24/2010)
09/27/2010	<u>495</u>	RESPONSE in Opposition re <u>477</u> First MOTION for Discovery <i>specifically, access to the psychiatric emergency room and admission unit of Stony Brook University Medical Center Letter by Michael E. Peeples</i> filed by Marc Sedler. (Peeples, Michael) (Entered: 09/27/2010)
09/29/2010	<u>496</u>	RESPONSE in Opposition re <u>464</u> First MOTION for Leave to File <i>Amend Complaint Response to Plaintiffs' Post-Argument Letter Submission</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 09/29/2010)
09/29/2010		NOTICE: A hearing has been scheduled for October 7, 2010 at 2:30 p.m. before the Hon. Robert M. Levy and Hon. James Orenstein in Courtroom 11-B (South).(Marino, Janine) (Entered: 09/29/2010)
10/01/2010	<u>497</u>	TRANSCRIPT of Proceedings held on 9/22/10, before Judge Levy. Court Transcriber FIORE REPORTING AND TRANSCRIPTION SERVICE, Telephone number 203-929-9992. Transcript may be viewed at the court public terminal or purchased through the Court Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/22/2010. Redacted Transcript Deadline set for 11/1/2010. Release of Transcript Restriction set for 12/30/2010. (Hong, Loan) (Entered: 10/01/2010)
10/01/2010		ORDER terminating 488 Motion to Compel, consistent with rulings at 9/23/10 oral argument. Ordered by Magistrate Judge Robert M. Levy on 9/23/2010. (Levy, Robert) (Entered: 10/01/2010)
10/01/2010	<u>498</u>	REPLY in Support re <u>464</u> First MOTION for Leave to File <i>Amend Complaint</i> filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 10/01/2010)
10/04/2010	<u>499</u>	RESPONSE in Opposition re <u>464</u> First MOTION for Leave to File <i>Amend Complaint Letter Responding to Plaintiffs' Second Post-</i>

		<i>Argument Letter</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 10/04/2010)
10/06/2010	<u>500</u>	Letter <i>setting forth circumstances leading up to joint confrence with Mental Disability Law Clinic v. Hogan</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 10/06/2010)
10/12/2010	<u>501</u>	REPLY in Support re <u>477</u> First MOTION for Discovery <i>specifically, access to the psychiatric emergency room and admission unit of Stony Brook University Medical Center</i> responding to defendant Sedler's position requiring affirmative consent to access by plaintiff Clinic filed by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) (Entered: 10/12/2010)
10/15/2010		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: At a conference held jointly with Judge Orenstein and counsel for the parties in Mental Disability Law Clinic v. Hogan, 06-CV-6320 (ILG)(JO)("MDLC"),the parties discussed the extent to which documents produced in MDLC subject to the Stipulation and Order of Confidentiality dated May 11, 2009 (DE 119) (the "Order") may be used in the Monaco litigation. The parties reached an agreement on the matter; no later than October 15, 2010, they were to submit a jointly proposed amendment to Paragraph 11 of the Order that reflects that agreement. A transcript was made of this hearing and is docketed in the MDLC action.Discovery Hearing held on 10/7/2010 (Levy, Robert) (Entered: 10/15/2010)
10/20/2010		ORDER terminating <u>487</u> Motion for Extension of Time to Complete Discovery, as motion was decided at 9/23/10 conference. Ordered by Magistrate Judge Robert M. Levy on 10/20/2010. (Levy, Robert) (Entered: 10/20/2010)
10/22/2010	<u>502</u>	ORDER regarding <u>477</u> Motion for Discovery. Ordered by Magistrate Judge Robert M. Levy on 10/22/2010. (Levy, Robert) (Entered: 10/22/2010)
10/22/2010	<u>503</u>	CORRECTED ORDER re <u>502</u> Order on Motion for Discovery. Ordered by Magistrate Judge Robert M. Levy on 10/22/2010. (Levy, Robert) (Entered: 10/22/2010)
10/22/2010	<u>504</u>	REPLY in Support re <u>464</u> First MOTION for Leave to File <i>Amend Complaint deposition excerpt</i> filed by Mental Disability Law Clinic, Touro Law Center. (Attachments: # <u>1</u> Deposition Excerpt) (Brooks, William) (Entered: 10/22/2010)
10/25/2010	<u>505</u>	RESPONSE in Opposition re <u>464</u> First MOTION for Leave to File <i>Amend Complaint Letter Responding to Plaintiffs' Third Post-</i>

		<i>Argument Letter</i> filed by Sharon Carpinello. (Peeples, Michael) (Entered: 10/25/2010)
10/26/2010	<u>506</u>	REPORT AND RECOMMENDATION: Plaintiff Gregory Monaco filed the initial complaint in this federal question action on May 5, 1998. Plaintiffs, who now include the Mental Disability Law Clinic of Touro Law School and a state-wide class of individuals found to be incompetent to stand trial, moved for leave to file an amended complaint. Defendants Michael Hogan, Commissioner of the NY State Office of Mental Health, and Dr. Mark Sedler, Chairman of the Department of Psychiatry in the School of Medicine at the State University at Stony Brook oppose plaintiffs' motion. I respectfully recommend that plaintiffs' motion for leave to file an amended complaint be granted in part and denied in part. I recommend that plaintiffs be permitted to add the three additional ADA claims, but not the proposed pendent state law claims. I further recommend that plaintiffs be precluded from further amending the complaint for the duration of the case. Any objections to this Report and Recommendation must be filed with the Clerk of Court, with courtesy copies to Judge Garaufis and to my chambers, within fourteen days. Failure to file objections within the specified time waives the right to appeal the District Courts order. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 72. Ordered by Magistrate Judge Robert M. Levy on 10/26/2010. See attached Report and Recommendation for details. (Marino, Janine) (Entered: 10/26/2010)
11/01/2010	<u>507</u>	Letter Motion <i>requesting telephone conference</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) Modified on 11/2/2010 to correct event (Lee, Tiffeny). (Entered: 11/01/2010)
11/03/2010		ORDER: A telephone conference has been scheduled for Friday, November 5, 2010 at 2:30 p.m., before the Hon. Robert M. Levy, USMJ at (718) 613-2340. Ordered by Magistrate Judge Robert M. Levy on 11/3/2010. (Marino, Janine) (Entered: 11/03/2010)
11/05/2010		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. (1) The deadline for the completion of fact discovery is extended to 1/31/11, barring an appeal of the R&R recommending partial amendment of the complaint. (2) Counsel will continue to confer about the discovery issues discussed at this conference and advise the court if they cannot be resolved. Counsel will also discuss whether discovery should be bifurcated as to liability and remedy. (3) Counsel are urged to continue exploring settlement of the 10th cause of action. (4) Next conference 2/7/11 at 12:00 (tel). Discovery Hearing held on 11/5/2010 (Levy, Robert) (Entered: 11/05/2010)

11/10/2010	<u>508</u>	Letter dated 10/28/2010 to William M. Brooks, Esq. from Seth L. Berman, Esq. (Lee, Tiffeny) (Entered: 11/10/2010)
12/13/2010	<u>509</u>	ORDER ADOPTING <u>506</u> REPORT AND RECOMMENDATIONS for <u>464</u> Motion for Leave to File Amended Complaint filed by Mental Disability Law Clinic, Touro Law Center. Plaintiffs may amend the complaint to include the ADA claims but not the additional state law claims. No further amendments to the pleadings will be granted absent good cause. Ordered by Judge Nicholas G. Garaufis on 12/10/2010. (Lee, Tiffeny) (Entered: 12/13/2010)
01/10/2011	<u>510</u>	Letter <i>seeking clarification of ruling on plaintiffs' motion for leave to file an amended pleading</i> by Mental Disability Law Clinic, Touro Law Center (Brooks, William) (Entered: 01/10/2011)
01/11/2011	<u>511</u>	Letter <i>Responding to Mr. Brooks's Jan. 10 letter seeking clarification (Docket No.. 510)</i> by Sharon Carpinello (Peeples, Michael) (Entered: 01/11/2011)
02/07/2011		ORDER terminating <u>507</u> as moot Motion for Hearing. Ordered by Magistrate Judge Robert M. Levy on 2/7/2011. (Levy, Robert) (Entered: 02/07/2011)
02/07/2011		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Michelle Cordero; Mike Peeples. (1)Completion of fact discovery 4/29/11. (2)Counsel will attempt to work out discovery dispute, but will brief the issue if it cannot be resolved. (3) Plaintiffs will provide copy of the proposed 6th amended complaint before filing. As discussed at this conference, plaintiffs will not expand the scope of the amended complaint beyond that approved in the decision authorizing a 6th amended complaint. (4) Next conference 5/16/11 at 11:00 (tel). Status Conference held on 2/7/2011 (Levy, Robert) (Entered: 02/07/2011)
03/07/2011	<u>512</u>	Letter MOTION for Leave to File <i>redacted copies of previously filed motion</i> by Mental Disability Law Clinic, Touro Law Center. (Brooks, William) Modified on 3/14/2011 (Levy, Robert). (Entered: 03/07/2011)
03/10/2011		ORDER granting <u>512</u> Motion for Leave to File. Ordered by Magistrate Judge Robert M. Levy on 3/10/2011. (Levy, Robert) (Entered: 03/10/2011)
03/14/2011		ORDER terminating 513 Motion to Seal as erroneously associated with this entry. Ordered by Magistrate Judge Robert M. Levy on 3/14/2011. (Levy, Robert) (Entered: 03/14/2011)

03/14/2011		ORDER re <u>512</u> MOTION to Seal. The Clerk is hereby authorized to file the attachments under seal and attach redacted copies of the attachments to the public filing. SO ORDERED. Ordered by Magistrate Judge Robert M. Levy on 3/14/2011. (Levy, Robert) (Entered: 03/14/2011)
03/29/2011	<u>514</u>	First MOTION for Extension of Time to File Answer <i>to the Sixth Amended Complaint</i> by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 03/29/2011)
03/30/2011	<u>515</u>	First MOTION for Extension of Time to File Answer <i>to the Sixth Amended Complaint.</i> by Alfred Tisch. (Callahan, Brian) (Entered: 03/30/2011)
03/30/2011		ORDER granting <u>514</u> Motion for Extension of Time to Answer. Ordered by Magistrate Judge Robert M. Levy on 3/30/2011. (Levy, Robert) (Entered: 03/30/2011)
03/30/2011		ORDER granting <u>515</u> Motion for Extension of Time to Answer. Ordered by Magistrate Judge Robert M. Levy on 3/30/2011. (Levy, Robert) (Entered: 03/30/2011)
04/07/2011	<u>516</u>	ANSWER to Complaint <i>Commissioner Hogan's Answer to the Sixth Amended Complaint</i> by Michael Hogan. (Peeples, Michael) (Entered: 04/07/2011)
04/07/2011	<u>517</u>	ANSWER to Complaint <i>Dr. Sedler's Answer to the Sixth Amended Complaint</i> by Marc Sedler. (Peeples, Michael) (Entered: 04/07/2011)
04/08/2011	<u>518</u>	MOTION for Extension of Time to File Answer <i>to the Sixth Amended Complaint.</i> by William Packard, M.D.. (Callahan, Brian) (Entered: 04/08/2011)
04/15/2011		ORDER granting <u>518</u> Motion for Extension of Time to Answer William Packard, M.D. answer due 4/22/2011. Ordered by Magistrate Judge Robert M. Levy on 4/15/2011. (Levy, Robert) (Entered: 04/15/2011)
04/21/2011	<u>519</u>	ANSWER to Complaint - <i>Dr. Packard's Answer to the Sixth Amended Complaint.</i> by William Packard, M.D.. (Callahan, Brian) (Entered: 04/21/2011)
04/29/2011	<u>520</u>	Letter MOTION for Extension of Time to Complete Discovery <i>specifically fact discovery</i> by Mental Disability Law Clinic. (Brooks, William) (Entered: 04/29/2011)

04/29/2011		ORDER granting <u>520</u> Motion for Extension of Time to Complete Discovery from 4/30/11 to 6/30/11. Ordered by Magistrate Judge Robert M. Levy on 4/29/2011. (Levy, Robert) (Entered: 04/29/2011)
05/13/2011		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Counsel are attempting to resolve discovery issues, which, if unsuccessful, they will raise at a conference on 6/7/11 at 11:00 (tel). The conference scheduled for 5/16/11 is adjourned. Status Conference held on 5/13/2011 (Levy, Robert) (Entered: 05/13/2011)
05/27/2011	<u>521</u>	Letter MOTION for Extension of Time to Complete Discovery by Mental Disability Law Clinic. (Caldera, Michelle) (Entered: 05/27/2011)
05/31/2011		ORDER granting <u>521</u> Motion for Extension of Time to Complete Discovery. Ordered by Magistrate Judge Robert M. Levy on 5/31/2011. (Levy, Robert) (Entered: 05/31/2011)
06/07/2011		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Michelle Caldera; Mike Peeples. Discovery proceeding. Counsel are meeting and conferring to resolve discovery disputes. Discovery deadline extended to 7/15/11 for depositions only. Counsel will attempt to resolve dispute re: one written expert discovery request mentioned at end of conference. Next conference 7/14/11 at 2:00 (tel). Discovery Hearing held on 6/7/2011 (Levy, Robert) (Entered: 06/07/2011)
07/14/2011		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Depositions proceeding. Because of scheduling issues, the deadline for the completion of these depositions is extended to 8/31/11. Requests for admissions and contention interrogatories to be served by 9/30/11. On consent, discovery on remedies is deferred until after a decision on liability. Next conference 9/28/11 at 12:00 (tel). Status Conference held on 7/14/2011 (Levy, Robert) (Entered: 07/14/2011)
08/31/2011	<u>522</u>	Letter MOTION for Extension of Time to Complete Discovery by Mental Disability Law Clinic. (Brooks, William) (Entered: 08/31/2011)
09/07/2011		ORDER granting <u>522</u> Motion for Extension of Time to Complete Discovery. Ordered by Magistrate Judge Robert M. Levy on 9/7/2011. (Levy, Robert) (Entered: 09/07/2011)
09/22/2011	<u>523</u>	NOTICE of Appearance by Jaime Irene Roth on behalf of Michael Hogan, Marc Sedler (aty to be noticed) (Roth, Jaime) (Entered: 09/22/2011)

09/28/2011		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. (1) Counsel will schedule the deposition of a subpoenaed (reluctant) non-party psychiatrist. (2) Briefing schedule for Stony Brook consent/interview dispute: 10/14/11 submissions; 10/31/11 replies. (3) Counsel will meet and confer to resolve their remaining disputes. Next conference 10/14/11 at 10:30 (tel)(discovery).Discovery Hearing held on 9/28/2011 (Levy, Robert) (Entered: 09/28/2011)
10/07/2011	<u>524</u>	Letter Motion for Hearing <i>requesting conference in connection with claims against Nassau University Medical Center</i> by Mental Disability Law Clinic (Brooks, William) Modified on 10/11/2011 to correct event (Lee, Tiffeny). (Entered: 10/07/2011)
10/11/2011		<i>Reminder to Counsel</i> Letters seeking relief of the court, even if it is merely procedural relief, are to be filed as motions. (Lee, Tiffeny) (Entered: 10/11/2011)
10/14/2011		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. (1) As PACER is down, plaintiffs will serve their Stony Brook submissions by email and file Monday. (2) The 11/15/11 discovery deadline remains unchanged at this time. (3) Counsel will attempt to agree on the parameters of a deposition of Dr. Schwartz, an expert for the State in a case involving Kendra's Law. If they cannot, they will file an agreed upon briefing schedule and submit the issue to the court for resolution. Discovery Hearing held on 10/14/2011 (Levy, Robert) (Entered: 10/14/2011)
10/17/2011	<u>525</u>	Letter MOTION for Discovery <i>Letter Motion for Order Denying Plaintiffs' Request For Renewed Access to Stony Brook Patients</i> by Marc Sedler. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit) (Peeples, Michael) (Entered: 10/17/2011)
10/17/2011	<u>526</u>	Letter MOTION for Discovery <i>specifically, continued provision of patient information by Stony Brook University Medical Center</i> by Mental Disability Law Clinic. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit) (Brooks, William) (Entered: 10/17/2011)
10/24/2011		ORDER RE: <u>524</u> <u>525</u> and <u>526</u> - A telephone conference has been scheduled for December 6, 2011 at 4:00 p.m., before the Hon. Robert M. Levy, USMJ at (718) 613-2340. Plaintiffs' counsel is directed to initiate the conference call and confirm with defendants' counsel that all necessary participants are aware of date and time of scheduled conference. Ordered by Magistrate Judge Robert M. Levy on 10/24/2011. (Marino, Janine) (Entered: 10/24/2011)

10/31/2011	<u>527</u>	RESPONSE in Opposition re <u>526</u> Letter MOTION for Discovery <i>specifically, continued provision of patient information by Stony Brook University Medical Center</i> filed by Marc Sedler. (Peeples, Michael) (Entered: 10/31/2011)
11/18/2011	<u>528</u>	Letter MOTION to Compel <i>Production of Expert Report by Defendant Packard</i> by Mental Disability Law Clinic. (Brooks, William) (Entered: 11/18/2011)
11/21/2011	<u>529</u>	Letter to Hon. Robert M. Levy Pursuant to Local Rule 37.3 Concerning Subpoena to Dr. Marvin Swartz, a Nonparty Expert, by Michael Hogan, Marc Sedler (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit) (Peeples, Michael) (Entered: 11/21/2011)
11/22/2011	<u>530</u>	NOTICE of Appearance by Christopher M. Gatto on behalf of William Packard, M.D., Alfred Tisch (aty to be noticed) (Gatto, Christopher) (Entered: 11/22/2011)
11/22/2011	<u>531</u>	RESPONSE in Opposition re <u>528</u> Letter MOTION to Compel <i>Production of Expert Report by Defendant Packard and to Preclude Plaintiff's Expert Report</i> filed by William Packard, M.D., Alfred Tisch. (Gatto, Christopher) (Entered: 11/22/2011)
12/02/2011	<u>532</u>	Letter <i>in response to letter of Michael Peeples dated November 21, 2011</i> by Mental Disability Law Clinic (Brooks, William) (Entered: 12/02/2011)
12/06/2011	<u>533</u>	Letter <i>adressing contents of telephone conference</i> by Mental Disability Law Clinic (Brooks, William) (Entered: 12/06/2011)
12/09/2011		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Michelle Caldera, plaintiffs; Mike Peeples, NYS defendants; Seth Berman, Nassau University Medical Center; Chris Gaddo, Suffolk defendants. (1) Plaintiffs and Nassau University Medical Center are close to settlement and will advise the court once an agreement has been reached. (2) Plaintiffs' request to file a late expert report is granted. Although, as plaintiffs' counsel concedes, the delay was unjustified and the failure to seek an extension from the court was a serious oversight, the remedy of preclusion is unwarranted, as the Suffolk defendants have suffered no prejudice. Because of the complexity of this litigation, fact discovery took significantly longer than expected. Additionally, the Suffolk County defendants are contemplating a possible summary judgment motion. As a result, decisions about the use and scope of experts can reasonably be deferred until after the completion of discovery and possible motion practice. Accordingly, the Suffolk defendants' expert disclosure, if any, is deferred until after any motion practice on the claims and defenses

		involving the Suffolk defendants. A separate conference will be held with Mr. Brooks and Mr. Gatto on 1/24/12 at 12:00 (tel) to discuss (a) settlement, and (b) a roadmap for the completion of the Suffolk County litigation. (3) Fact discovery is otherwise complete except for the deposition of the non-party Joint Commission, which plaintiffs are in the process of scheduling, the completion of the deposition of the clinical director of BPC, and the deposition of an OMH witness on admissions data. The fact discovery deadline is extended for this limited purpose to 1/17/12. (4) Plaintiffs will voluntarily withdraw their 8th cause of action (length of time doctors interview patients). A stipulation of voluntary discontinuance of this cause of action will be filed before 12/31/11. (5) Next conference between plaintiffs and the state defendants 1/24/12 at 12:30 (tel).Discovery Hearing held on 12/9/2011 (Levy, Robert) (Entered: 12/09/2011)
12/09/2011		ORDER terminating <u>524</u> Motion for Hearing. Ordered by Magistrate Judge Robert M. Levy on 12/9/2011. (Levy, Robert) (Entered: 12/09/2011)
12/09/2011		ORDER terminating <u>525</u> Motion for Discovery. Ordered by Magistrate Judge Robert M. Levy on 12/9/2011. (Levy, Robert) (Entered: 12/09/2011)
12/09/2011		ORDER terminating <u>526</u> Motion for Discovery. Ordered by Magistrate Judge Robert M. Levy on 12/9/2011. (Levy, Robert) (Entered: 12/09/2011)
12/09/2011		ORDER terminating <u>528</u> Motion to Compel, which was resolved at 12/9/11 conference. Ordered by Magistrate Judge Robert M. Levy on 12/9/2011. (Levy, Robert) (Entered: 12/09/2011)
01/24/2012		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Chris Gatto. (1) Discovery on the Suffolk County claims is virtually complete. Subject to confirmation with Dr. Lubit, the deposition of plaintiffs' expert will be completed the week of 2/27/12. (2) Suffolk defendants' pre-motion conference letter to Judge Garaufis shall be filed by 3/9/12. (3) Defendants will respond to plaintiffs' settlement demand shortly.Settlement/Status Conference held on 1/24/2012 (Levy, Robert) (Entered: 01/24/2012)
01/24/2012		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. (1) Subject to agreement on a confidentiality order, the 30(b)(6) deposition of the Joint Commission will be completed in mid- to late- February. Plaintiffs and JCAH will submit a proposed confidentiality order shortly. (2) Plaintiffs and the state defendants will submit their respective proposed schedules for expert disclosure as follows: 2/3/12 (plaintiffs); 2/17/12 (defendants).

		(3) Next conference between plaintiffs and state defendants: 3/2/12 at 3:00 (tel), to finalize expert discovery schedule. Status Conference held on 1/24/2012 (Levy, Robert) (Entered: 01/24/2012)
02/15/2012	<u>534</u>	Joint MOTION for Discovery <i>Order of Confidentiality and Enforcement</i> by Gregory R. Monaco. (Attachments: # <u>1</u> Affidavit in Support joint application for entry of order, # <u>2</u> Proposed Order, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B) (Caldera, Michelle) (Entered: 02/15/2012)
02/16/2012		ORDER granting <u>534</u> Motion for Discovery. SO ORDERED. Ordered by Magistrate Judge Robert M. Levy on 2/16/2012. (Levy, Robert) (Entered: 02/16/2012)
03/02/2012		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. (1) Fact discovery is now complete. (2) Expert disclosure schedule: plaintiffs 5/31/12; defendants 8/31/12. Next conference 9/19/12 at 2:30 (tel) Status Conference held on 3/2/2012 (Levy, Robert) (Entered: 03/02/2012)
03/07/2012	<u>535</u>	Letter MOTION for Extension of Time to File <i>Letter Requesting Pre-Motion Conference</i> by William Packard, M.D.. (Gatto, Christopher) (Entered: 03/07/2012)
03/09/2012		ORDER granting <u>535</u> Motion for 10 Day Extension of Time to File Pre-Motion Conference Letter with Judge Garaufis. Ordered by Magistrate Judge Robert M. Levy on 3/9/2012. (Levy, Robert) (Entered: 03/09/2012)
04/13/2012	<u>536</u>	Letter Motion <i>requesting pre-motion conference to file summary judgment motion</i> by William Packard, M.D. (Gatto, Christopher) Modified to motion event on 4/16/2012 (Lee, Tiffeny). (Entered: 04/13/2012)
04/16/2012		ORDER granting <u>536</u> Motion for Pre Motion Conference: The parties shall contact the court deputy to schedule a pre motion conference. Ordered by Judge Nicholas G. Garaufis on 4/16/2012. (Fox, Peter) (Entered: 04/16/2012)
04/19/2012	<u>537</u>	STIPULATION of Dismissal <i>Voluntary pursuant to Fed.R.Civ.P. 41(a)(2)</i> by Mental Disability Law Clinic (Brooks, William) (Entered: 04/19/2012)
04/19/2012	<u>538</u>	CONSENT to Jurisdiction by US Magistrate Judge by Mental Disability Law Clinic. (Brooks, William) (Entered: 04/19/2012)
04/24/2012	<u>539</u>	STIPULATION AND ORDER, the plaintiff voluntarily withdraws the eighth cause of action in the sixth amended complaint without

		prejudice. Ordered by Judge Nicholas G. Garaufis on 4/23/2012. (Lee, Tiffeny) (Entered: 04/24/2012)
05/11/2012		Minute Entry for proceedings held before Judge Nicholas G. Garaufis: Pre Motion Conference held on 5/11/2012: Defendant Packard will not file his motion for summary judgment until discovery is complete. The parties shall contact Magistrate Judge Levy to schedule a conference in which they will discuss an amended discovery schedule, the goal of which is to ensure that all parties wishing to file dispositive motions are ready to do so by November 1, 2012. The parties are also instructed to review the docket sheet and to contact the docketing clerk to correct any inaccuracies that may be found. The docket sheet should accurately reflect those individuals and organizations that are still parties to this case and those ones that have been terminated. The docket sheet should also accurately identify the counsel representing each party. Ordered by Judge Nicholas G. Garaufis on 5/11/12. (Court Reporter Gene Rudolph.) (Fox, Peter) (Entered: 05/11/2012)
05/15/2012	<u>540</u>	Letter Motion <i>requesting status conference</i> by Mental Disability Law Clinic (Brooks, William) Modified to motion on 5/16/2012 (Lee, Tiffeny). (Entered: 05/15/2012)
05/16/2012		ORDER: A telephone status conference has been scheduled for Thursday, May 17, 2012 at 2:00 p.m., before the Hon. Robert M. Levy, USMJ at (718) 613-2340. Plaintiffs' counsel is directed to initiate the conference call. Ordered by Magistrate Judge Robert M. Levy on 5/16/2012. (Marino, Janine) (Entered: 05/16/2012)
05/17/2012		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Counsel present by telephone. (1) Plaintiffs' request to reopen discovery as to standing is denied, as it could significantly extend the discovery schedule and filing a separate lawsuit would likely be a more focused and efficient way to litigate the issues. (2) Discussion of possible methods of class notification in preparation for a fairness hearing on the settlement of the Third Cause of Action. Counsel will attempt to agree upon a means of effective notice for this class prior to the next conference and, if the notice is by other means than publication, provide a short written statement outlining the authority supporting their suggestion. (3) Next conference 6/1/12 at 10:00 (tel). Status Conference held on 5/17/2012 (Levy, Robert) (Entered: 05/17/2012)
05/17/2012	<u>541</u>	Consent to Magistrate Judge of Severed Claim;Signed by Judges Nicholas G. Garaufis and Robert Levy. (Lee, Tiffeny) (Main Document 541 replaced on 5/22/2012) (Lee, Tiffeny). (Entered: 05/22/2012)

05/25/2012		ORDER: The telephone conference scheduled for June 1, 2012 at 10:00 a.m. has been moved to 1:30 p.m. on the same date. Ordered by Magistrate Judge Robert M. Levy on 5/25/2012. (Marino, Janine) (Entered: 05/25/2012)
06/01/2012		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Discussion of proposed methods of making effective class notification of the settlement of the Third Cause of Action. OMH will advise by 6/8/12 whether it agrees to plaintiffs' proposal, and plaintiffs' counsel will submit a letter by that date summarizing the agreement and setting forth timelines. Counsel shall also submit a copy of the proposed notice for court approval. Settlement Conference held on 6/1/2012 (Levy, Robert) (Entered: 06/01/2012)
06/13/2012	<u>542</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 5/11/12, before Judge Garaufis. Court Reporter/Transcriber G. Rudolph, Telephone number 718-613-2538. 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 7/5/2012. Redacted Transcript Deadline set for 7/16/2012. Release of Transcript Restriction set for 9/11/2012. (Rudolph, Gene) (Entered: 06/13/2012)
07/10/2012	<u>543</u>	Letter MOTION for Extension of Time to Complete Discovery <i>service of expert report</i> by Mental Disability Law Clinic. (Brooks, William) (Entered: 07/10/2012)
07/11/2012	<u>544</u>	RESPONSE in Opposition re <u>543</u> Letter MOTION for Extension of Time to Complete Discovery <i>service of expert report Letter to Hon. Robert M. Levy</i> filed by Michael Hogan. (Peeples, Michael) (Entered: 07/11/2012)
07/13/2012	<u>545</u>	Notice of Related Case is indicated on the civil cover sheet in case 12cv2605 (ADS)(WDW). (McMahon, Carol) (Entered: 07/13/2012)
07/15/2012	<u>546</u>	Letter <i>requesting designation of CV-12-2605 as a related case</i> by Mental Disability Law Clinic (Attachments: # <u>1</u> Supplement) (Brooks, William) (Entered: 07/16/2012)
07/16/2012	<u>547</u>	Letter <i>detailing corrected action taken regarding related case</i> by Mental Disability Law Clinic (Attachments: # <u>1</u> Supplement) (Brooks, William) (Entered: 07/16/2012)
07/20/2012	<u>548</u>	Letter to Hon. Arthur D. Spatt Responding To Letters By William Brooks Requesting Designation of CV-12-2605 As a Related Case by Michael Hogan, Marc Sedler (Peeples, Michael) (Entered: 07/20/2012)

07/20/2012	<u>549</u>	Letter <i>copied to Judge Garaufis in putative related filing</i> by Mental Disability Law Clinic (Brooks, William) (Entered: 07/20/2012)
07/30/2012	<u>550</u>	Letter MOTION for Settlement <i>specifically, approval of notice</i> by Mental Disability Law Clinic. (Brooks, William) (Entered: 07/30/2012)
07/31/2012		ORDER: A telephone conference has been scheduled for August 3, 2012 at 2:15 p.m., before the Hon. Robert M. Levy, USMJ at (718) 613-2340. Plaintiffs' counsel is directed to initiate conference call and confirm with defendants' counsel that all necessary participants are aware of date and time of scheduled conference. Ordered by Magistrate Judge Robert M. Levy on 7/31/2012.(Marino, Janine) (Entered: 07/31/2012)
08/03/2012		ORDER terminating <u>540</u> Motion for Hearing. Ordered by Magistrate Judge Robert M. Levy on 8/3/2012. (Levy, Robert) (Entered: 08/03/2012)
08/03/2012		ORDER granting <u>550</u> Motion for Settlement. Ordered by Magistrate Judge Robert M. Levy on 8/3/2012. (Levy, Robert) (Entered: 08/03/2012)
08/03/2012		ORDER granting <u>543</u> Motion for Extension of Time to Complete Expert Discovery. Defendants shall submit their expert reports by 10/9/12. Counsel will confirm dates shortly for the 6 expert depositions, so as to avoid scheduling conflicts with the experts or counsel. Counsel will make their best efforts to complete these depositions by 11/16/12, but shall do so in no event later than 11/30/12. Ordered by Magistrate Judge Robert M. Levy on 8/3/2012. (Levy, Robert) (Entered: 08/03/2012)
08/03/2012		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Expert discovery deadline extended for the reasons explained in plaintiffs' 7/10/12 application. Discovery deadlines modified accordingly. Expert discovery is now on track. Next conference 11/30/12 at 3:30 (tel)(status). Status Conference held on 8/3/2012 (Levy, Robert) (Entered: 08/03/2012)
08/30/2012	<u>551</u>	Letter MOTION for Settlement <i>approval of class notice for third cause of action</i> by Mental Disability Law Clinic. (Attachments: # <u>1</u> Proposed Notice) (Brooks, William) (Entered: 08/30/2012)
09/20/2012		ORDER granting <u>551</u> Motion for Approval of Notice OF Settlement of a Claim in a Class Action Lawsuit. Ordered by Magistrate Judge Robert M. Levy on 9/20/2012. (Levy, Robert) (Entered: 09/20/2012)

09/20/2012		ORDER re <u>551</u> : A Fairness Hearing is scheduled for March 13, 2013 at 12:00 p.m. Ordered by Magistrate Judge Robert M. Levy on 9/20/2012. (Levy, Robert) Modified on 9/21/2012 (Marino, Janine). (Entered: 09/20/2012)
10/05/2012	<u>552</u>	Letter <i>requesting status conference in conjunction with related case of Mental Disability Law Clinic v. Hogan</i> by Mental Disability Law Clinic (Brooks, William) (Entered: 10/05/2012)
10/10/2012	<u>553</u>	Letter MOTION for Settlement <i>specifically to re-schedule Fairness Hearing</i> by Mental Disability Law Clinic. (Brooks, William) Modified on 6/20/2013 (Levy, Robert). (Entered: 10/10/2012)
10/10/2012		ORDER granting <u>553</u> Motion to Adjourn Fairness Hearing to enable OMH to post notice for 6 consecutive months prior to the hearing. The hearing scheduled for March 13, 2013 is adjourned to May 16, 2013 at 2:00 p.m. in Courtroom 11 B. Ordered by Magistrate Judge Robert M. Levy on 10/10/2012. (Levy, Robert) (Entered: 10/10/2012)
10/16/2012	<u>554</u>	Letter Motion <i>request for settlement conference</i> by Touro Law Center (Caldera, Michelle) Modified to motion on 10/17/2012 (Lee, Tiffeny). (Entered: 10/16/2012)
10/17/2012	<u>555</u>	NOTICE of Appearance by Seth Lawrence Berman on behalf of Nyapati Rao (aty to be noticed) (Berman, Seth) (Entered: 10/17/2012)
10/17/2012	<u>556</u>	Letter <i>to The Honorable Judge Robert M. Levy in response to the letter submitted by plaintiffs counsel, William Brooks, dated October 16, 2012, requesting a settlement conference.</i> by Nyapati Rao (Berman, Seth) (Entered: 10/17/2012)
10/18/2012		ORDER granting <u>554</u> Motion for Settlement Conference. A settlement conference has been scheduled for October 24, 2012 at 11:30 a.m. in Courtroom 11-B. Ordered by Magistrate Judge Robert M. Levy on 10/18/2012. (Marino, Janine) (Entered: 10/18/2012)
10/24/2012		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Seth Berman, NUMC. Settlement discussions held. Plaintiffs and Nassau University Medical Center have reached a settlement in principle and will confirm by 10/31/12. Counsel shall submit a proposed order providing for appropriate class notice and a hearing. Settlement Conference held on 10/24/2012 (Levy, Robert) (Entered: 10/24/2012)
11/26/2012	<u>557</u>	Letter MOTION for Extension of Time to Complete Discovery -- <i>Expert Depositions</i> by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 11/26/2012)

11/27/2012		ORDER RE: <u>557</u> Motion for Extension of Time to Complete Discovery. Application granted due to disruption resulting from Hurricane Sandy. Ordered by Magistrate Judge Robert M. Levy on 11/27/2012. (Marino, Janine) (Entered: 11/27/2012)
11/29/2012	<u>558</u>	Letter <i>setting forth issue that should be discussed at November 30th status conference</i> by Mental Disability Law Clinic (Attachments: # <u>1</u> Letter) (Brooks, William) (Entered: 11/29/2012)
11/29/2012	<u>559</u>	Letter to Hon. Robert M. Levy in response to November 29 letter by William Brooks, Docket No. 558 by Michael Hogan, Marc Sedler (Peeples, Michael) (Entered: 11/29/2012)
11/30/2012		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. (1) The discovery deadline is extended 60 days to allow defendants' expert the opportunity to review additional information inadvertently not produced to defendants in July as part of Dr. Lubit's expert report. (2) Plaintiffs will bear the cost of revision of Dr. Siegel's expert report due to plaintiffs' inadvertent failure to disclose the information described in DKT 558 and 559. Defendants will bear the cost of that part of Dr. Siegel's expert report that would have been done had the information described in DKT 558 and 559 been produced in July. (3) Defendants may elect to complete Dr. Lubit's deposition after receipt of Dr. Siegel's revised expert report. Discovery Hearing held on 11/30/2012 (Levy, Robert) (Entered: 11/30/2012)
02/07/2013	<u>561</u>	Letter dated 2/4/2013 from an unidentified sender to the Honorable Robert M. Levy. (Latka-Mucha, Wieslawa) (Entered: 02/22/2013)
02/21/2013	<u>560</u>	Letter MOTION for Extension of Time to Complete Discovery by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 02/21/2013)
02/21/2013		ORDER granting <u>560</u> Motion for Extension of Time to 4/30/13 Complete Expert Discovery, due to counsel's medical condition. The court wishes counsel a speedy and full recovery. A telephone conference is scheduled for 5/1/13 at 3:00. Ordered by Magistrate Judge Robert M. Levy on 2/21/2013. (Levy, Robert) (Entered: 02/21/2013)
02/26/2013	<u>562</u>	Objection to the Proposed Settlement by Hilary Best, Class member. (Lee, Tiffeny) (Entered: 02/26/2013)
04/23/2013	<u>563</u>	Letter MOTION for Extension of Time to Complete Discovery by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 04/23/2013)

04/23/2013		ORDER granting <u>563</u> Motion for Extension of Time to 5/31/13 Complete Expert Discovery because of counsel's health issues. Ordered by Magistrate Judge Robert M. Levy on 4/23/2013. (Levy, Robert) (Entered: 04/23/2013)
05/02/2013		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Despite counsel's illness, discovery is virtually complete except for the continuation of the depositions of Dr. Siegel and Dr. Lubit, which shall be completed by 5/31/13. A telephone status conference is scheduled for 6/4/13 at 12:30. Status Conference held on 5/1/2013. (Marino, Janine) (Entered: 05/02/2013)
05/10/2013		NOTICE: Fairness Hearing scheduled for May 16, 2013 at 2:00 p.m., before the Hon. Robert M. Levy, USMJ in Courtroom 11-B. (Marino, Janine) (Entered: 05/10/2013)
05/17/2013		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Hilary Best presented objections from the perspective of a class member. Decision reserved on approval of settlement. Mr. Peeples will advise by 5/30/13 whether OMH interprets the notice requirements of CPL 760 to be applicable to "730 final order" patients. Next conference 5/30/13 at 4:00 (tel).Fairness Hearing held on 5/17/2013 re Third Cause of Action <u>553</u> (Tape #2:26-3:58.) (Levy, Robert) (Entered: 05/17/2013)
05/30/2013		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: William Brooks, Mike Peeples; class member Hilary Best attended. (1) Mr. Peeples reports that the 760 notice provision is not applicable to plaintiffs. (2) Mr. Brooks will submit a proposal for a brief modification of the settlement agreement. The fairness hearing is now concluded. (3) Because of, inter alia, the illness of an expert witness, the deadline for the completion of expert discovery is extended to 7/17/13. The next conference is scheduled for 7/18/13 at 2:30 (tel)(status of discovery).Motion Hearing held on 5/30/2013 re <u>553</u> Letter MOTION for Settlement <i>specifically to re-schedule Fairness Hearing</i> filed by Mental Disability Law Clinic (Tape #4:12-.) (Levy, Robert) (Entered: 05/30/2013)
05/30/2013	<u>564</u>	Letter <i>addressing basis for objection raised by class member tio settlement of third cause of action</i> by Mental Disability Law Clinic (Brooks, William) (Entered: 05/30/2013)
05/31/2013	<u>565</u>	Letter <i>Responding to Letter by William M. Brooks Addressing Basis For Objection Raised By Class Member to Settlement of Third Cause of Action</i> by Michael Hogan (Peeples, Michael) (Entered: 05/31/2013)

06/04/2013		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Discovery progressing. Status Conference held on 6/4/2013 (Levy, Robert) (Entered: 06/04/2013)
06/17/2013	<u>566</u>	Notice of Related Case indicated on the civil cover sheet in case 13cv3332(JS)(GRB). (McMahon, Carol) (Entered: 06/17/2013)
06/20/2013		Order of Partial Settlement [See Mtn for Approval of Settlement/Fairness Hearing: Approval of Stipulation and Settlement of Third Cause of Action]. Having carefully examined the parties' submissions; conducted a fairness hearing at which counsel and an objecting class member appeared and aired their views concerning the proposed settlement; reviewed the supplemental submissions of counsel; and conducted a follow-up settlement hearing to address the concerns discussed at the fairness hearing, I find, for the reasons stated on the record and in the submissions, that the proposed settlement of the Third Cause of Action is fair and appropriate. Accordingly, the settlement of the Third Cause of Action is hereby approved. SO ORDERED. by Magistrate Judge Robert M. Levy on 6/20/2013. (Levy, Robert) (Entered: 06/20/2013)
07/16/2013	<u>567</u>	MOTION for Extension of Time to Complete Discovery <i>Letter Motion For Extension to Complete Expert Depositions On Consent</i> by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 07/16/2013)
07/18/2013		ORDER granting <u>567</u> Motion for Extension of Time to Complete Discovery. Ordered by Magistrate Judge Robert M. Levy on 7/18/2013. (Marino, Janine) (Entered: 07/18/2013)
07/18/2013		ORDER: <u>567</u> The conference scheduled for July 18, 2013 is adjourned to September 20, 2013 at 10:00 a.m. Ordered by Magistrate Judge Robert M. Levy on 7/18/2013. (Marino, Janine) Modified, time of conf. changed from 11AM to 10AM on 7/18/2013 (Marino, Janine). (Entered: 07/18/2013)
07/18/2013	<u>568</u>	CONSENT to Jurisdiction by US Magistrate Judge by Mental Disability Law Clinic. (Attachments: # <u>1</u> Cover letter) (Brooks, William) (Entered: 07/18/2013)
08/09/2013	<u>569</u>	Consent to Magistrate Judge of Severed Claims by plaintiffs and defendant Nyapati Rao. Plaintiffs and defendant Rao consent to have claims against Defendant Nassau University Medical Center, NUMC, severed and re-assigned to Magistrate Judge Levy for all purposes. Approved by Magistrate Judge Robert M. Levy and So Ordered by Judge Nicholas G. Garaufis on 7/29/2013. (Lee, Tiffeny) (Entered: 08/09/2013)

09/20/2013		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Discovery is now complete. Settlement discussions have begun in this complex case. Pre-motion conference letters to Judge Garaufis shall be filed by 10/21/13. Next conference 11/5/13 at 10:30 (tel)(settlement).Settlement Conference held on 9/20/2013 (Levy, Robert) (Entered: 09/20/2013)
10/21/2013	<u>570</u>	Letter <i>Pre-Motion letter in anticipation in motion for summary judgment</i> by Mental Disability Law Clinic (Brooks, William) (Entered: 10/21/2013)
10/21/2013	<u>571</u>	Letter <i>Letter to Judge Garaufis Requesting Pre-motion Conference</i> by Michael Hogan, Marc Sedler (Peeples, Michael) (Entered: 10/21/2013)
10/21/2013	<u>572</u>	Letter <i>requesting a pre-motion conference on Dr. Packard's anticipated motion for summary judgment</i> by William Packard, M.D. (Attachments: # <u>1</u> Exhibit A) (Gatto, Christopher) (Entered: 10/21/2013)
10/22/2013		ORDER re <u>572</u> Letter filed by William Packard, M.D., <u>571</u> Letter filed by Michael Hogan, Marc Sedler, <u>570</u> Letter filed by Mental Disability Law Clinic: Parties' requests for a pre-motion conference are GRANTED. The parties are directed to confer as to the date of said conference and to contact the court's deputy at (718) 613-2545. Ordered by Judge Nicholas G. Garaufis on 10/22/2013. (King, Alyssa) (Entered: 10/22/2013)
11/05/2013		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Settlement discussions held. Next conference 12/12/13 at 4:00 (tel).Settlement Conference held on 11/5/2013 (Levy, Robert) (Entered: 11/05/2013)
11/07/2013	<u>573</u>	Letter <i>Requesting Conference concerning Settlement</i> by Nyapati Rao (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Attachment 2) (Berman, Seth) Modified on 11/20/2013 (Levy, Robert). (Entered: 11/07/2013)
11/12/2013		ORDER RE <u>573</u> A telephone conference has been scheduled for November 20, 2013 at 10:00 a.m., before the Hon. Robert M. Levy, USMJ at (718) 613-2340. Ordered by Magistrate Judge Robert M. Levy on 11/12/2013. (Marino, Janine) (Entered: 11/12/2013)
11/20/2013		ORDER granting <u>573</u> Motion for Approval of Notice of Settlement, Method of Notice, and Setting of a Date for the Fairness Hearing with Respect to the Claims against Dr. Nyapati Rau of Nassau University Medical Center ("NUMC"). The claims against NUMC have been severed and are before me on consent. [DKT 569]. The proposed Notice is APPROVED. (Counsel, however, are directed to the typographical error in the paragraph setting a date for a fairness

		hearing: "United Sates" should be "United States.") The Method of Notice shall be by posting, in the same manner as was done for the Third Cause of Action. The notice period shall be 120 days. A Fairness Hearing will be held on April 9, 2014 at 10:00 a.m. in Courtroom 11B at the U.S. Courthouse at 225 Cadman Plaza East, Brooklyn, NY 11201. Counsel shall file an interim status report on January 24, 2018. Ordered by Magistrate Judge Robert M. Levy on 11/20/2013. (Levy, Robert) (Entered: 11/20/2013)
11/20/2013		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Seth Berman. Notice and method of notice approved, as noted separately. Fairness hearing scheduled for 4/9/14 at 10:00. Status report due 1/24/14.Motion Hearing held on 11/20/2013 re <u>573</u> MOTION for Approval Settlement Notice, etc., filed by Nyapati Rao (Levy, Robert) (Entered: 11/20/2013)
11/20/2013		STATUS REPORT ORDER re: severed claims against NUMC. Status Report due by 1/24/2014. Ordered by Magistrate Judge Robert M. Levy on 11/20/2013. (Levy, Robert) (Entered: 11/20/2013)
12/05/2013		Minute Entry for proceedings held before Judge Nicholas G. Garaufis: Pre-Motion Conference held on 12/5/2013: Parties have permission to make their motions for summary judgment. All moving papers shall be served by March 31, 2014. All oppositions shall be served by May 30, 2014. All replies shall be served by June 30, 2014. The Attorney General for the State of New York shall file the fully-briefed motions with the court by June 30, 2014. (Court Reporter Charisse Kitt.) (King, Alyssa) (Entered: 12/05/2013)
12/12/2013		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Settlement discussions held. Next conference 1/7/14 at 3:30 (tel).Settlement Conference held on 12/12/2013 (Levy, Robert) (Entered: 12/12/2013)
01/09/2014		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Next conference 2/3/14 at 11:30 (tel).Settlement Conference held on 1/7/2014. (Levy, Robert) (Entered: 01/09/2014)
01/24/2014	<u>574</u>	STATUS REPORT <i>pursuant to Order of the Court dated November 20, 2013</i> by Nyapati Rao (Berman, Seth) (Entered: 01/24/2014)
02/04/2014		ORDER: The settlement conference scheduled for February 3, 2014 is adjourned to February 7, 2014 at 11:30 a.m. Ordered by Magistrate Judge Robert M. Levy on 2/4/2014. (Marino, Janine) (Entered: 02/04/2014)

02/07/2014		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Discussion of parties' respective settlement proposals. Next conference 3/10/14 at 2:00 (tel)(settlement).Settlement Conference held on 2/7/2014 (Levy, Robert) (Entered: 02/07/2014)
03/03/2014		ORDER: The telephone conference scheduled for March 10, 2014 at 2:00 p.m. has been moved to 2:45 p.m. on the same date . Ordered by Magistrate Judge Robert M. Levy on 3/3/2014. (Marino, Janine) (Entered: 03/03/2014)
03/05/2014	<u>575</u>	Letter MOTION to Adjourn Conference <i>Scheduled for March 10</i> by Michael Hogan. (Peeples, Michael) (Entered: 03/05/2014)
03/06/2014		ORDER granting <u>575</u> Motion to Adjourn Conference Until After Completion of Briefing of Summary Judgment Motion. Settlement Conference Rescheduled for 4/2/14 at 10:00 (tel). Ordered by Magistrate Judge Robert M. Levy on 3/6/2014. (Levy, Robert) (Entered: 03/06/2014)
03/12/2014	<u>576</u>	Letter MOTION for Extension of Time to File <i>Summary Judgment Motions</i> by Mental Disability Law Clinic. (Brooks, William) (Entered: 03/12/2014)
03/19/2014	<u>577</u>	ORDER granting <u>576</u> Motion for Extension of Time to File Summary Judgment Motion. Motion papers to be served by April 21st; Opposition papers to be served by June 20th; and, Reply papers to be served and filed by July 21st. So Ordered by Judge Nicholas G. Garaufis on 3/17/2014. (Lee, Tiffeny) (Entered: 03/19/2014)
04/01/2014		Plaintiffs' Telephone Request to Chambers Re: an Adjournment of the Conference scheduled for April 2, 2014. (Marino, Janine) (Entered: 04/03/2014)
04/03/2014		ORDER: The <i>fairness hearing scheduled for April 9, 2014 is adjourned to April 11, 2014 at 2:00 p.m.</i> , before the Hon. Robert M. Levy, USMJ in Courtroom 11-B. Ordered by Magistrate Judge Robert M. Levy on 4/3/2014. (Marino, Janine) (Entered: 04/03/2014)
04/03/2014		ORDER granting Motion to Adjourn Conference. The conference scheduled for April 2, 2014 is adjourned to May 21, 2014 at 3:00 p.m.. Ordered by Magistrate Judge Robert M. Levy on 4/1/2014. (Marino, Janine) (Entered: 04/03/2014)
04/08/2014		Consent MOTION to Adjourn the fairness hearing scheduled for <i>April 11, 2014 to May 6, 2014 at 12:00 p.m.</i> (Marino, Janine) (Entered: 04/08/2014)

04/08/2014		ORDER RE Consent Motion to Adjourn the Fairness Hearing. Application granted, the <i>fairness hearing is adjourned to May 6, 2014 at 12:00 p.m.</i> in Courtroom 11-B. Ordered by Magistrate Judge Robert M. Levy on 4/8/2014. (Marino, Janine) (Entered: 04/08/2014)
04/14/2014	<u>578</u>	Letter MOTION for Extension of Time to File <i>Summary Judgment Motions</i> by Mental Disability Law Clinic. (Brooks, William) (Entered: 04/14/2014)
04/14/2014	<u>579</u>	RESPONSE to Motion re <u>578</u> Letter MOTION for Extension of Time to File <i>Summary Judgment Motions Letter to Judge Garaufis</i> filed by Michael Hogan. (Peeples, Michael) (Entered: 04/14/2014)
04/14/2014		ORDER granting in part and denying in part <u>578</u> Motion for Extension of Time to File: Plaintiffs' time to serve their summary judgment motion is extended to April 25, 2014, on which day the parties are directed to appear for a status conference. The parties are directed to confer and to contact the court's deputy at (718) 613-2545 to schedule the time of the conference. Ordered by Judge Nicholas G. Garaufis on 4/14/2014. (King, Alyssa) (Entered: 04/14/2014)
04/15/2014	<u>580</u>	First MOTION for Leave to File Excess Pages <i>and for defendants to serve motion papers on April 25</i> by Michael Hogan. (Peeples, Michael) (Entered: 04/15/2014)
04/15/2014		ORDER granting in part and denying in part <u>580</u> Motion for Leave to File Excess Pages: All parties' time to serve their motion papers is extended to April 28, 2014. All opposition papers shall be served by June 27, 2014, and all replies shall be served by July 28, 2014. On that date, the moving parties shall file the fully-briefed motions with the court. The court reserves judgment on State Defendants' request for additional pages, which they should be prepared to discuss at the April 25, 2014, status conference. Ordered by Judge Nicholas G. Garaufis on 4/15/2014. (King, Alyssa) (Entered: 04/15/2014)
04/17/2014	<u>581</u>	Letter <i>apologizing for mistake</i> by Mental Disability Law Clinic (Brooks, William) (Entered: 04/17/2014)
04/18/2014	<u>582</u>	Letter MOTION for Leave to File Excess Pages by Mental Disability Law Clinic. (Brooks, William) (Entered: 04/18/2014)
04/28/2014		Minute Entry for proceedings held before Judge Nicholas G. Garaufis: Status Conference held on April 25, 2014: Counsel for all parties present. Plaintiffs' request for supplemental discovery is GRANTED. Plaintiffs have until May 16, 2014 to supplement the record. To the extent that State Defendants wish to make additional submissions in reply, they must do so by May 30, 2014. All parties shall serve their

		motions for summary judgment by June 9, 2014. Oppositions shall be served by August 13, 2014. All replies shall be served by October 1, 2014. On that date all movants must also electronically file their fully-briefed motions with the court. Plaintiffs' and State Defendants' requests <u>580</u> <u>581</u> to use additional pages for their memoranda in support of their motions for summary judgment are GRANTED. They may file memoranda of up to 85 pages. (Court Reporter Lisa Schmid)(King, Alyssa) (Entered: 04/28/2014)
04/30/2014	<u>583</u>	Letter MOTION for Extension of Time to File <i>Supplemental Expert Reports and Motions</i> by Michael Hogan. (Peeples, Michael) (Entered: 04/30/2014)
05/06/2014		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Michelle Caldera (tel), for plaintiffs; Seth Berman, for the Nassau defendants (Rao and NUMC).No objections to the settlement of plaintiffs' claims against these defendants have been filed and no objector appeared at the fairness hearing to contest the settlement. I have reviewed the terms of the settlement and find them to be fair and appropriate. Accordingly, the settlement against the Nassau defendants is approved. This approval constitutes only a partial settlement of plaintiffs' claims in this action.Fairness Hearing held on 5/6/2014 (Levy, Robert) (Entered: 05/06/2014)
05/07/2014	<u>584</u>	ORDER granting <u>583</u> Motion for Extension of Time to File supplemental expert reports.. Ordered by Judge Nicholas G. Garaufis on 5/2/2014. (Lee, Tiffeny) (Entered: 05/07/2014)
05/21/2014		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Next conference 6/23/14 at 11:00 (tel)(sett).Settlement Conference held on 5/21/2014 (Levy, Robert) (Entered: 05/21/2014)
06/23/2014		ORDER: The telephone settlement conference scheduled for June 23, 2014 is adjourned to July 7, 2014 at 11:00 a.m., before the Hon. Robert M. Levy, USMJ at (718) 613-2340. Ordered by Magistrate Judge Robert M. Levy on 6/23/2014. (Marino, Janine) (Entered: 06/23/2014)
07/07/2014		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Settlement discussions held. Discussions will resume after completion of briefing of instant motions. Next conference 10/24/14 at 2:00 (tel)(sett).Settlement Conference held on 7/7/2014 (Levy, Robert) (Entered: 07/07/2014)
08/04/2014	<u>585</u>	Letter MOTION for Leave to File <i>and Serve Corrected Copy of Memorandum of Law in Support of Summary Judgment Motion and</i>

		<i>nunc pro tunc relief to serve motion 8 hours late</i> by Mental Disability Law Clinic. (Brooks, William) (Entered: 08/04/2014)
08/08/2014	<u>586</u>	Letter MOTION for Leave to File <i>One Memorandum of Law Both in Support of the Plaintiffs' Motion for Parital Summary Judgment and in Opposition to the Defendants' Motions for Summary Judgment</i> by Mental Disability Law Clinic. (Brooks, William) (Entered: 08/08/2014)
08/11/2014	<u>587</u>	ORDER granting <u>585</u> Motion for Leave to File and Serve Corrected Copy of Memorandum of Law in Support of Summary Judgment Motion and nunc pro tunc relief to serve motion 8 hours late. So Ordered by Judge Nicholas G. Garaufis on 8/5/2014. (Lee, Tiffeny) (Entered: 08/11/2014)
08/11/2014	<u>588</u>	REPLY in Opposition re <u>586</u> Letter MOTION for Leave to File <i>One Memorandum of Law Both in Support of the Plaintiffs' Motion for Parital Summary Judgment and in Opposition to the Defendants' Motions for Summary Judgment Letter dated August 11, 2014 in Opposition</i> filed by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 08/11/2014)
08/11/2014	<u>589</u>	RESPONSE in Opposition re <u>586</u> Letter MOTION for Leave to File <i>One Memorandum of Law Both in Support of the Plaintiffs' Motion for Parital Summary Judgment and in Opposition to the Defendants' Motions for Summary Judgment</i> filed by William Packard, M.D.. (Gatto, Christopher) (Entered: 08/11/2014)
08/12/2014		ORDER denying <u>586</u> Motion for Leave to File. Ordered by Judge Nicholas G. Garaufis on 8/12/2014. (King, Alyssa) (Entered: 08/12/2014)
08/14/2014	<u>590</u>	Second MOTION for Leave to File <i>Enlarged Brief in Opposition to Defendants' Summary Jugment Motions</i> by Mental Disability Law Clinic. (Brooks, William) (Entered: 08/14/2014)
08/19/2014	<u>591</u>	ORDER granting <u>590</u> Motion. So Ordered by Judge Nicholas G. Garaufis on 8/18/2014. (Lee, Tiffeny) (Entered: 08/19/2014)
08/29/2014	<u>592</u>	AMENDED COMPLAINT <i>Sixth (and against William Packard)</i> against Michael Hogan, filed by Mental Disability Law Clinic. (Attachments: # <u>1</u> explanatory letter to court) (Brooks, William) (Entered: 08/29/2014)
09/24/2014	<u>593</u>	First MOTION for Leave to File Excess Pages <i>In Replies, On Behalf of State Defendants and Plaintiffs</i> by Michael Hogan. (Peeples, Michael) (Entered: 09/24/2014)

09/26/2014	<u>594</u>	ORDER granting <u>593</u> Motion for Leave to File Excess Pages. So Ordered by Judge Nicholas G. Garaufis on 9/24/2014. (Lee, Tiffeny) (Entered: 09/26/2014)
10/02/2014	<u>595</u>	Letter MOTION for Extension of Time to File Response/Reply by Mental Disability Law Clinic. (Brooks, William) (Entered: 10/02/2014)
10/02/2014		ORDER granting <u>595</u> Motion for Extension of Time to File Response/Reply. Application GRANTED. All parties' reply briefs shall be served no later than October 15, 2014, and the fully-briefed motions shall also be filed with the court that date. Ordered by Judge Nicholas G. Garaufis on 10/2/2014. (Day, Lori) (Entered: 10/02/2014)
10/03/2014	<u>596</u>	First MOTION to Adjourn Conference <i>from October 24 to November 12 at 2:15 p.m.</i> by Michael Hogan. (Peeples, Michael) (Entered: 10/03/2014)
10/03/2014		ORDER granting <u>596</u> Motion to Adjourn Conference from October 24 to November 12 at 2:15 p.m. Ordered by Magistrate Judge Robert M. Levy on 10/3/2014. (Marino, Janine) (Entered: 10/03/2014)
10/07/2014	<u>597</u>	Letter MOTION to Withdraw as Attorney <i>by Michelle Caldera-Kopf</i> by Mental Disability Law Clinic. (Caldera, Michelle) (Entered: 10/07/2014)
10/15/2014	<u>598</u>	Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants</i> by Michael Hogan, Marc Sedler. Responses due by 8/20/2014 (Peeples, Michael) (Entered: 10/15/2014)
10/15/2014	<u>599</u>	MEMORANDUM in Support re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants</i> filed by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 10/15/2014)
10/15/2014	<u>600</u>	RULE 56.1 STATEMENT re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants</i> filed by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 10/15/2014)
10/15/2014	<u>601</u>	AFFIDAVIT/DECLARATION in Support re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Declaration of Jeffery Grace, M.D.</i> filed by Michael Hogan, Marc Sedler. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit) (Peeples, Michael) (Entered: 10/15/2014)
10/15/2014	<u>602</u>	AFFIDAVIT/DECLARATION in Support re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Declaration of Mary Barber, M.D.</i> , filed by Michael

		Hogan, Marc Sedler. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit) (Peeples, Michael) (Entered: 10/15/2014)
10/15/2014	<u>603</u>	AFFIDAVIT/DECLARATION in Support re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Declaration of Pamela Dolacky</i> , filed by Michael Hogan, Marc Sedler. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit) (Peeples, Michael) (Entered: 10/15/2014)
10/15/2014	<u>604</u>	AFFIDAVIT/DECLARATION in Support re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Declaration of Gregory Miller, M.D.</i> , filed by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 10/15/2014)
10/15/2014	<u>605</u>	AFFIDAVIT/DECLARATION in Support re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Declaration of Kren K. Shriver, M.D.</i> , filed by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 10/15/2014)
10/15/2014	<u>606</u>	AFFIDAVIT/DECLARATION in Support re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Declaration of Ramin Parsey, M.D., Ph.D.</i> , filed by Michael Hogan, Marc Sedler. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit) (Peeples, Michael) (Entered: 10/15/2014)
10/15/2014	<u>607</u>	AFFIDAVIT/DECLARATION in Support re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Declaration of Mark Sedler, M.D.</i> , filed by Michael Hogan, Marc Sedler. (Attachments: # <u>1</u> Exhibit) (Peeples, Michael) (Entered: 10/15/2014)
10/15/2014	<u>608</u>	AFFIDAVIT/DECLARATION in Support re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Declaration of Michael A. Norko, M.D.</i> , filed by Michael Hogan, Marc Sedler. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit) (Peeples, Michael) (Entered: 10/15/2014)
10/15/2014	<u>609</u>	AFFIDAVIT/DECLARATION in Support re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Declaration of Lawrence A. Siegel, M.D.</i> , filed by Michael Hogan, Marc Sedler. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit) (Peeples, Michael) (Entered: 10/15/2014)
10/15/2014	<u>610</u>	AFFIDAVIT/DECLARATION in Support re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Declaration of Robert L. Weisman, M.D.</i> , filed by Michael

		Hogan, Marc Sedler. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit) (Peeples, Michael) (Entered: 10/15/2014)
10/15/2014	<u>611</u>	Letter to Judge Garaufis Re: <i>Technical Difficulties with ECF</i> by Michael Hogan, Marc Sedler (Peeples, Michael) (Entered: 10/15/2014)
10/15/2014	<u>612</u>	Letter MOTION for Extension of Time to File <i>Motion in its Entirety While Timely Serving the Defendants</i> by Mental Disability Law Clinic. (Brooks, William) (Entered: 10/15/2014)
10/15/2014	<u>613</u>	Notice of MOTION for Summary Judgment by William Packard, M.D.. (Attachments: # <u>1</u> Rule 56.1 Statement) (Gatto, Christopher) (Entered: 10/15/2014)
10/15/2014	<u>614</u>	AFFIDAVIT/DECLARATION in Support re <u>613</u> Notice of MOTION for Summary Judgment filed by William Packard, M.D.. (Attachments: # <u>1</u> Exhibit) (Gatto, Christopher) (Entered: 10/15/2014)
10/15/2014	<u>615</u>	AFFIDAVIT/DECLARATION in Support re <u>613</u> Notice of MOTION for Summary Judgment filed by William Packard, M.D.. (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) (Gatto, Christopher) (Entered: 10/15/2014)
10/15/2014	<u>616</u>	MEMORANDUM in Support of <i>Motion for Summary Judgment</i> filed by William Packard, M.D.. (Gatto, Christopher) (Entered: 10/15/2014)
10/15/2014	<u>617</u>	RULE 56.1 STATEMENT / <i>Plaintiff's Counter-Statement</i> filed by William Packard, M.D.. (Gatto, Christopher) (Entered: 10/15/2014)
10/15/2014	<u>618</u>	AFFIDAVIT/DECLARATION in Opposition re <u>613</u> Notice of MOTION for Summary Judgment filed by William Packard, M.D.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L Part I, # <u>13</u> Exhibit L Part II, # <u>14</u> Exhibit L Part III, # <u>15</u> Exhibit M, # <u>16</u> Exhibit N, # <u>17</u> Exhibit O, # <u>18</u> Exhibit P, # <u>19</u> Exhibit Q, # <u>20</u> Exhibit R, # <u>21</u> Exhibit S, # <u>22</u> Exhibit T, # <u>23</u> Exhibit U, # <u>24</u> Exhibit V, # <u>25</u> Exhibit W) (Gatto, Christopher) (Entered: 10/15/2014)
10/15/2014	<u>619</u>	AFFIDAVIT/DECLARATION in Opposition re <u>613</u> Notice of MOTION for Summary Judgment filed by William Packard, M.D.. (Gatto, Christopher) (Entered: 10/15/2014)
10/15/2014	<u>620</u>	AFFIDAVIT/DECLARATION in Opposition re <u>613</u> Notice of MOTION for Summary Judgment filed by William Packard, M.D.. (Attachments: # <u>1</u> Exhibit) (Gatto, Christopher) (Entered: 10/15/2014)

10/15/2014	<u>621</u>	MEMORANDUM in Opposition filed by William Packard, M.D.. (Gatto, Christopher) (Entered: 10/15/2014)
10/15/2014	<u>622</u>	MEMORANDUM in Support <i>/Reply and in Further Support of Motion for Summary Judgment</i> filed by William Packard, M.D.. (Gatto, Christopher) (Entered: 10/15/2014)
10/16/2014	<u>623</u>	ORDER granting <u>612</u> Motion for Extension of Time to File. Application GRANTED. So-ordered by Judge Nicholas G. Garaufis on 10/15/2014. (Day, Lori) (Entered: 10/16/2014)
10/17/2014	<u>624</u>	AFFIDAVIT/DECLARATION in Support re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Declaration of Michael Peeples with Exhs A-ZZ</i> filed by Michael Hogan, Marc Sedler. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit) (Peeples, Michael) (Entered: 10/17/2014)
10/17/2014	<u>625</u>	EXHIBIT <i>Exhibits F-N to Declaration of Michael Peeples</i> by Michael Hogan, Marc Sedler. Related document: <u>624</u> Affidavit in Support of Motion, filed by Michael Hogan, Marc Sedler. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit) (Peeples, Michael) (Entered: 10/17/2014)
10/17/2014	<u>626</u>	EXHIBIT <i>Exhibits O-Z to Declaration of Michael Peeples</i> by Michael Hogan, Marc Sedler. Related document: <u>624</u> Affidavit in Support of Motion, filed by Michael Hogan, Marc Sedler. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit) (Peeples, Michael) (Entered: 10/17/2014)
10/17/2014	<u>627</u>	EXHIBIT <i>Exhibits AA-GG to Declaration of Michael Peeples</i> by Michael Hogan, Marc Sedler. Related document: <u>624</u> Affidavit in Support of Motion, filed by Michael Hogan, Marc Sedler. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit) (Peeples, Michael) (Entered: 10/17/2014)
10/17/2014	<u>628</u>	EXHIBIT <i>Exhibits HH-NN to Declaration of Michael Peeples</i> by Michael Hogan, Marc Sedler. Related document: <u>624</u> Affidavit in Support of Motion, filed by Michael Hogan, Marc Sedler. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit) (Peeples, Michael) (Entered: 10/17/2014)
10/17/2014	<u>629</u>	EXHIBIT <i>Exhibits OO-ZZ to Declaration of Michael Peeples</i> by Michael Hogan, Marc Sedler. Related document: <u>624</u> Affidavit in Support of Motion, filed by Michael Hogan, Marc Sedler.

		(Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit) (Peeples, Michael) (Entered: 10/17/2014)
10/17/2014	<u>630</u>	MEMORANDUM in Opposition re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants</i> , <u>613</u> Notice of MOTION for Summary Judgment <i>Plaintiffs' Memorandum of Law in Opposition</i> filed by Michael Hogan. (Peeples, Michael) (Entered: 10/17/2014)
10/17/2014	<u>631</u>	RULE 56.1 STATEMENT re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Plaintiffs' Counterstatement Pursuant to Rule 56.1 as to the State Defendants</i> filed by Michael Hogan. (Peeples, Michael) (Entered: 10/17/2014)
10/17/2014	<u>632</u>	AFFIDAVIT/DECLARATION in Opposition re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants</i> , <u>613</u> Notice of MOTION for Summary Judgment <i>Declaration of Gregory Monaco</i> filed by Michael Hogan. (Peeples, Michael) (Entered: 10/17/2014)
10/17/2014	<u>633</u>	AFFIDAVIT/DECLARATION in Opposition re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Delcaration of Michael E. Recco</i> filed by Michael Hogan. (Peeples, Michael) (Entered: 10/17/2014)
10/17/2014	<u>634</u>	AFFIDAVIT/DECLARATION in Opposition re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Declaration of Ken Selig, M.D.</i> , filed by Michael Hogan. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit) (Peeples, Michael) (Entered: 10/17/2014)
10/17/2014	<u>635</u>	AFFIDAVIT/DECLARATION in Opposition re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants</i> , <u>613</u> Notice of MOTION for Summary Judgment <i>Declaration of Roy Lubit, M.D.</i> , filed by Michael Hogan. (Attachments: # <u>1</u> Exhibit) (Peeples, Michael) (Entered: 10/17/2014)
10/17/2014	<u>636</u>	AFFIDAVIT/DECLARATION in Opposition re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants</i> , <u>613</u> Notice of MOTION for Summary Judgment <i>Declaration of William Brooks with Exhibits A-W</i> filed by Michael Hogan. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit) (Peeples, Michael) (Entered: 10/17/2014)

10/17/2014	<u>637</u>	EXHIBIT <i>Exhibits L-W to Declaration of William Brooks</i> by Michael Hogan. Related document: <u>636</u> Affidavit in Opposition to Motion, filed by Michael Hogan. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit) (Peeples, Michael) (Entered: 10/17/2014)
10/17/2014	<u>638</u>	REPLY in Support re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants State Defendants' Reply Memorandum of Law In Further Support of Motion</i> , filed by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 10/17/2014)
10/17/2014	<u>639</u>	REPLY in Support re <u>598</u> Notice of MOTION for Summary Judgment <i>and Other Relief on behalf of State Defendants Reply Declaration of Michael Peeples with Exhibits A-F</i> filed by Michael Hogan, Marc Sedler. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit) (Peeples, Michael) (Entered: 10/17/2014)
10/20/2014	<u>640</u>	MOTION for Summary Judgment (<i>Partial</i>) by Mental Disability Law Clinic. (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>641</u>	RULE 56.1 STATEMENT re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) filed by All Plaintiffs. (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>642</u>	AFFIDAVIT/DECLARATION in Support re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) <i>Declaration of William Brooks</i> filed by All Plaintiffs. (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 A - Part 4, # <u>5</u> Exhibit A - Part 5, # <u>6</u> Exhibit B, # <u>7</u> Exhibit C, # <u>8</u> Exhibit D, # <u>9</u> Exhibit E, # <u>10</u> Exhibit F, # <u>11</u> Exhibit G, # <u>12</u> Exhibit H, # <u>13</u> Exhibit I, # <u>14</u> Exhibit J) (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>643</u>	AFFIDAVIT/DECLARATION in Support re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) <i>Exhibits K through CC of Declaration of William Brooks</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit L, # <u>2</u> Exhibit M, # <u>3</u> Exhibit N, # <u>4</u> Exhibit O, # <u>5</u> Exhibit P, # <u>6</u> Exhibit Q, # <u>7</u> Exhibit R, # <u>8</u> Exhibit S, # <u>9</u> Exhibit T, # <u>10</u> Exhibit U, # <u>11</u> Exhibit V, # <u>12</u> Exhibit W, # <u>13</u> Exhibit X, # <u>14</u> Exhibit Y, # <u>15</u> Exhibit Z, # <u>16</u> Exhibit AA, # <u>17</u> Exhibit BB, # <u>18</u> Exhibit CC) (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>644</u>	AFFIDAVIT/DECLARATION in Support re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) <i>Declaration of Roy Lubit M.D.</i> filed by

		All Plaintiffs. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>645</u>	AFFIDAVIT/DECLARATION in Support re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) Declaration of Gregory Monaco filed by All Plaintiffs. (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>646</u>	MEMORANDUM in Support re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) filed by All Plaintiffs. (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>647</u>	RULE 56.1 STATEMENT re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) Rule 56.1 Counter-Statement of the State Defendants in Opposition to Motion filed by Mental Disability Law Clinic. (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>648</u>	AFFIDAVIT/DECLARATION in Opposition re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) Declaration of Michael Peeples and Exhibits A thorough M filed by Mental Disability Law Clinic. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M) (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>649</u>	AFFIDAVIT/DECLARATION in Opposition re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) Exhibits N through Z to the Declaration in Opposition of Michael Peeples filed by Mental Disability Law Clinic. (Attachments: # <u>1</u> Exhibit O, # <u>2</u> Exhibit P, # <u>3</u> Exhibit Q, # <u>4</u> Exhibit R, # <u>5</u> Exhibit S, # <u>6</u> Exhibit T, # <u>7</u> Exhibit U, # <u>8</u> Exhibit V, # <u>9</u> Exhibit W, # <u>10</u> Exhibit X, # <u>11</u> Exhibit Y, # <u>12</u> Exhibit Z) (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>650</u>	AFFIDAVIT/DECLARATION in Opposition re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) Exhibits AA through KK to the Declaration in Opposition of Michael Peeples filed by Mental Disability Law Clinic. (Attachments: # <u>1</u> Exhibit BB, # <u>2</u> Exhibit CC, # <u>3</u> Exhibit DD, # <u>4</u> Exhibit EE, # <u>5</u> Exhibit FF, # <u>6</u> Exhibit GG, # <u>7</u> Exhibit II, # <u>8</u> Exhibit JJ, # <u>9</u> Exhibit KK) (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>651</u>	RULE 56.1 STATEMENT re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) Rule 56.1 Counter-Statement on behalf of Defendant Packard filed by Mental Disability Law Clinic. (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>652</u>	AFFIDAVIT/DECLARATION in Opposition re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) Declaration in Opposition of Christopher

		<i>Gatto</i> filed by Mental Disability Law Clinic. (Attachments: # <u>1</u> Exhibit A) (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>653</u>	MEMORANDUM in Opposition re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) on behalf of defendant Packard filed by Mental Disability Law Clinic. (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>654</u>	MEMORANDUM in Opposition re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) Re-filed memorandum of law on behalf of state defendants with Appendix filed by Mental Disability Law Clinic. (Attachments: # <u>1</u> Appendix to Memorandum of Law) (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>655</u>	REPLY in Support re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) Reply Declaration of William Brooks filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>656</u>	REPLY in Support re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) Reply Declaration of Roy Lubit, M.D. filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit A) (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>657</u>	MEMORANDUM in Support re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) Reply Memorandum of Law in Further Support of Plaintiffs' Motion filed by All Plaintiffs. (Brooks, William) (Entered: 10/20/2014)
10/20/2014	<u>658</u>	Letter requesting oral argument on the parties summary judgment motions by Mental Disability Law Clinic (Brooks, William) (Entered: 10/20/2014)
10/22/2014	<u>659</u>	EXHIBIT N, exhibit AA and exhibit HH by Mental Disability Law Clinic. Related document: <u>648</u> Affidavit in Opposition to Motion, filed by Mental Disability Law Clinic. (Attachments: # <u>1</u> Exhibit AA, # <u>2</u> Exhibit HH) (Brooks, William) (Entered: 10/22/2014)
10/22/2014	<u>660</u>	Letter explaining the re-filing of exhibits to the declaration in opposition of Michael Peeples by Mental Disability Law Clinic (Brooks, William) (Entered: 10/22/2014)
10/22/2014	<u>661</u>	Letter MOTION for Leave to File <i>Corrected Copy of Reply Brief</i> by Mental Disability Law Clinic. (Brooks, William) (Entered: 10/22/2014)
10/24/2014	<u>662</u>	ORDER granting <u>661</u> Motion for Leave to File corrected copy of brief. So Ordered by Judge Nicholas G. Garaufis on 10/22/2014. (Lee, Tiffeny) (Entered: 10/24/2014)

10/31/2014	<u>663</u>	REPLY in Support re <u>640</u> MOTION for Summary Judgment (<i>Partial</i>) <i>Reply Memorandum of Law - Corrected Copy</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Reply Memorandum of Law) (Brooks, William) (Entered: 10/31/2014)
11/12/2014		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. A settlement conference is scheduled for 12/30/14 at 11:30 a.m.Settlement Conference held on 11/12/2014 (Levy, Robert) (Entered: 11/12/2014)
12/01/2014		ORDER. The time of the conference scheduled for 12/30/14 is changed to 1:30 p.m. Ordered by Magistrate Judge Robert M. Levy on 12/1/2014. (Levy, Robert) (Entered: 12/01/2014)
12/30/2014		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Mike Peeples, Bill Brooks. Extensive settlement discussions. Settlement at an impasse at this time.Settlement Conference held on 12/30/2014 (Levy, Robert) (Entered: 12/30/2014)
08/18/2015		ORDER granting nunc pro tunc <u>597</u> Motion to Withdraw as Attorney. Attorney Michelle K. Caldera terminated. Ordered by Magistrate Judge Robert M. Levy on 8/18/2015. (Roth, Hannah) (Entered: 08/18/2015)
11/19/2015		SCHEDULING ORDER: A telephone status conference is scheduled for 12/02/2015 at 04:30 PM before Magistrate Judge Robert M. Levy at (718) 613-2340. Ordered by Magistrate Judge Robert M. Levy on 11/19/2015. (Marino, Janine) (Entered: 11/19/2015)
12/04/2015		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples, Chris Gatto. Next conference 12/21/15 at 1:00 (tel).Settlement Conference held on 12/2/2015 (Levy, Robert) (Entered: 12/04/2015)
12/08/2015		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples, Chris Gatto. Next conference 12/21/15 at 1:00 (tel)(settlement).Settlement Conference held on 12/2/2015 (Levy, Robert) (Entered: 12/08/2015)
12/21/2015		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. In letters dated 12/9/15 and 12/10/15, respectively, defendants in MDLC v. Hogan, 12 CV 2605, have moved to compel the deposition of the dean of Touro Law School in connection with their standing defenses. The state defendants' submission further notes similar standing issues in this case. To promote efficiency and minimize any burdens on the dean, the dean's deposition in the MDLC and Monaco cases shall be held on the same day. Any motion to reopen discovery on standing in this action for the

		purpose of taking the dean's deposition shall be made no later than 1/20/16. The dean's deposition shall be completed by 2/10/16. An in person settlement conference in this case is scheduled for 2/24/16 at 12:30. Discovery/Settlement Conference held on 12/21/2015 (Levy, Robert) (Entered: 12/21/2015)
01/08/2016	<u>664</u>	Letter MOTION for Discovery -- <i>To Re-open Discovery Concerning Plaintiff Law Clinic's Standing</i> by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 01/08/2016)
01/08/2016		ORDER re: State Defendants' <u>664</u> Letter-Motion to Reopen Discovery. Plaintiffs are directed to file a response, not to exceed three pages single spaced, by January 13, 2016. Ordered by Judge Nicholas G. Garaufis on 1/8/2016. (Ezray, Evan) (Entered: 01/08/2016)
01/13/2016	<u>665</u>	RESPONSE to Motion re <u>664</u> Letter MOTION for Discovery -- <i>To Re-open Discovery Concerning Plaintiff Law Clinic's Standing</i> filed by Mental Disability Law Clinic. (Brooks, William) (Entered: 01/13/2016)
01/20/2016		ORDER granting State Defendants' <u>664</u> Motion to Reopen Discovery. The motion is GRANTED. Both parties consent to the reopening of discovery. The court finds that good cause exists to reopen discovery on the issue of the Law Clinic's standing in light of potential changes to the Law Clinic's status. Thus, limited discovery on the issue of standing is reopened. Discovery will close on February 29, 2016. Defendants are permitted to use testimony and documents obtained during discovery in <u>Mental Disability Law Clinic v. Hogan</u> , No. 12-CV-2605 (NGG) (RML) (E.D.N.Y.), in this action. State Defendants shall file their supplemental brief on standing by March 14, 2016. Plaintiffs shall file their response by March 28, 2016. Plaintiffs' request for six months to find a proposed intervenor is DENIED WITHOUT PREJUDICE pending determination of the Law Clinic's standing. Ordered by Judge Nicholas G. Garaufis on 1/20/2016. (Ezray, Evan) (Entered: 01/20/2016)
02/25/2016	<u>666</u>	STIPULATION AND ORDER THAT PLAINTIFF MENTAL DISABILITY LAW CLINIC LACKS STANDING by Michael Hogan, Marc Sedler (Peeples, Michael) (Entered: 02/25/2016)
02/25/2016		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Detailed settlement discussions held. Counsel are requested to provide a confidential status update to chambers by fax by 3/29/16. Settlement Conference held on 2/24/2016 (Levy, Robert) Modified on 2/25/2016 (Levy, Robert). (Entered: 02/25/2016)

03/30/2016		ORDER: A settlement conference has been scheduled for April 28, 2016 at 12:00 p.m., before the Hon. Robert M. Levy, USMJ in Courtroom 11-B. Ordered by Magistrate Judge Robert M. Levy on 3/30/2016. (Marino, Janine) (Entered: 03/30/2016)
03/31/2016	<u>667</u>	MEMORANDUM & ORDER re <u>598</u> , <u>613</u> , and <u>640</u> motions: The court DECERTIFIES the Civil Commitment Subclass and the Incompetency Subclass. Within thirty (30) days of the issuance of this Memorandum and Order, the parties are DIRECTED to file a status report with the court outlining whether, and if so what, issues remain active in this case. The court further GRANTS Defendant Packard's motion for summary judgment and DENIES Monaco's motion for partial summary judgment against Packard. So Ordered by Judge Nicholas G. Garaufis on 3/31/16. (Lee, Tiffeny) (Entered: 04/01/2016)
04/01/2016		Plaintiffs' Telephone Request to Adjourn the Settlement Conference scheduled for April 28, 2016 at 12:00 p.m. because of a scheduling conflict. (Marino, Janine) (Entered: 04/01/2016)
04/01/2016		ORDER RE Motion to Adjourn Conference. Application granted, on consent. Ordered by Magistrate Judge Robert M. Levy on 4/1/2016. (Marino, Janine) (Entered: 04/01/2016)
04/01/2016		ORDER: On consent, the settlement conference scheduled for April 28, 2016 has been adjourned to April 29, 2016 at 11:30 AM in Courtroom 11B South before Magistrate Judge Robert M. Levy. Ordered by Magistrate Judge Robert M. Levy on 4/1/2016. (Marino, Janine) (Entered: 04/01/2016)
04/14/2016	<u>668</u>	Letter MOTION for Reconsideration of <i>determination not to permit the plaintiffs to find a proposed intervenor</i> by Gregory R. Monaco. (Brooks, William) (Entered: 04/14/2016)
04/14/2016		ORDER re: Plaintiffs' <u>668</u> Letter-Motion to reconsider the court's decision denying Plaintiffs leave to find a class intervenor. Defendants are DIRECTED to file a response by May 16, 2016. Ordered by Judge Nicholas G. Garaufis on 4/14/2016. (Ezray, Evan) (Entered: 04/14/2016)
04/18/2016	<u>669</u>	RESPONSE in Opposition re <u>668</u> Letter MOTION for Reconsideration of <i>determination not to permit the plaintiffs to find a proposed intervenor</i> filed by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 04/18/2016)
04/18/2016	<u>670</u>	STATUS REPORT Pursuant to Memorandum and Order dated March 31, 2016 by Michael Hogan, Marc Sedler (Peeples, Michael) (Entered: 04/18/2016)

04/19/2016	<u>671</u>	Letter MOTION for Settlement <i>Conference Scheduled for April 29 to be Canceled</i> by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 04/19/2016)
04/22/2016		ORDER granting <u>671</u> Motion to adjourn settlement conference. Ordered by Magistrate Judge Robert M. Levy on 4/22/2016. (Levy, Robert) (Entered: 04/22/2016)
04/28/2016	<u>672</u>	Letter MOTION for Extension of Time to File Response/Reply <i>in conection with deadline for status report</i> by Gregory R. Monaco. (Brooks, William) (Entered: 04/28/2016)
05/02/2016		ORDER granting Plaintiffs' <u>672</u> Motion for Extension of Time to File Status Report. Plaintiffs' motion is GRANTED. Plaintiffs shall file their status report by May 27, 2016. Ordered by Judge Nicholas G. Garaufis on 5/2/2016. (Ezray, Evan) (Entered: 05/02/2016)
05/16/2016	<u>673</u>	Letter <i>Status letter as directed by Magistrate Judge Levy</i> by Gregory R. Monaco (Brooks, William) (Entered: 05/16/2016)
05/27/2016	<u>674</u>	STATUS REPORT <i>and reply to state opposition to leave to locate intervenor</i> by Gregory R. Monaco (Brooks, William) (Entered: 05/27/2016)
06/08/2016	<u>675</u>	ORDER re <u>668</u> Motion for Reconsideration. The court GRANTS Plaintiffs a brief period of time to find an intervenor. Plaintiffs shall serve and file a motion for intervention or substitution of a new named plaintiff by July 31, 2016; and Defendants shall serve and file their opposition by August 31, 2016; and Plaintiffs shall serve and file their reply, if any, by September 15, 2016. Plaintiffs must provide an adequate factual foundation for the court to conclude that the chosen intervenor will adequately represent the class. So Ordered by Judge Nicholas G. Garaufis on 6/7/2016. (Lee, Tiffeny) (Entered: 06/08/2016)
07/11/2016		SCHEDULING ORDER: Telephone Conference set for 7/12/2016 at 11:30 AM before Magistrate Judge Robert M. Levy at 718 613-2340. Ordered by Magistrate Judge Robert M. Levy on 7/11/2016. (Marino, Janine) (Entered: 07/11/2016)
07/12/2016		Minute Entry for proceedings held before Magistrate Judge Robert M. Levy: Bill Brooks, Mike Peeples. Settlement explored but not possible at this time.Settlement Conference held on 7/12/2016 (Levy, Robert) (Entered: 07/12/2016)
07/22/2016	<u>676</u>	Letter MOTION for Extension of Time to File <i>Motion to Intervene</i> by Gregory R. Monaco. (Brooks, William) (Entered: 07/22/2016)

07/26/2016		ORDER granting Plaintiffs' <u>676</u> Motion for Extension of Time to File. The motion is GRANTED. Plaintiffs shall serve their motion by August 17, 2016; Defendants shall serve their opposition by September 19, 2016; and Plaintiffs shall serve their reply, if any, and file the fully briefed motion by October 3, 2016. Ordered by Judge Nicholas G. Garaufis on 7/26/2016. (Ezray, Evan) (Entered: 07/26/2016)
08/17/2016	<u>677</u>	Second MOTION for Extension of Time to File <i>Motion to Intervene</i> by Gregory R. Monaco. (Attachments: # <u>1</u> Declaration in Support) (Brooks, William) (Entered: 08/17/2016)
08/18/2016		ORDER re <u>677</u> Plaintiffs' Second Motion for Extension of Time to File Motion to Intervene. Defendants are DIRECTED to file a letter by August 29, 2016, articulating their opposition, if any, to Plaintiff's second motion to extend time. Ordered by Judge Nicholas G. Garaufis on 8/18/2016. (Polaris, Julian) (Entered: 08/18/2016)
08/19/2016	<u>678</u>	RESPONSE in Opposition re <u>677</u> Second MOTION for Extension of Time to File <i>Motion to Intervene Letter in Opposition</i> filed by Michael Hogan, Marc Sedler. (Peeples, Michael) (Entered: 08/19/2016)
08/23/2016	<u>679</u>	ORDER re <u>677</u> Motion for Extension of Time to File: Plaintiffs' Second Motion for Extension of Time is DENIED. The parties are DIRECTED to file a status report with the court by September 23, 2016, enumerating the issues, if any, that remain active in this case. So Ordered by Judge Nicholas G. Garaufis on 8/22/2016. (Lee, Tiffeny) (Entered: 08/23/2016)
09/02/2016	<u>680</u>	STATUS REPORT <i>In Accordance with Order dated August 22, 2016</i> by Michael Hogan, Marc Sedler (Peeples, Michael) (Entered: 09/02/2016)
09/23/2016	<u>681</u>	Letter <i>Status letter as ordered by this Court</i> by Gregory R. Monaco (Brooks, William) (Entered: 09/23/2016)
09/27/2016		ORDER DISMISSING CASE. The court's <u>679</u> Order of August 22, 2016, directed the parties to enumerate the issues, if any, that remain active in this case. The parties agree that that no issues remain active. (<u>See</u> Defendants' <u>680</u> Status Report; Plaintiffs' <u>681</u> Letter.) This action is therefore DISMISSED. The Clerk of Court is respectfully DIRECTED to close the case. Ordered by Judge Nicholas G. Garaufis on 9/27/2016. (Polaris, Julian) (Entered: 09/27/2016)
09/27/2016	<u>682</u>	CLERK'S JUDGMENT that the action is dismissed; and that the case is closed. Signed Douglas C. Palmer, Clerk of Court by Janet Hamilton, Deputy Clerk on 9/27/2016. (Lee, Tiffeny) (Entered: 09/27/2016)

10/14/2016	<u>683</u>	NOTICE OF APPEAL from <u>682</u> Clerk's Judgment by Attorney for Gregory R. Monaco. No fee paid. Service done electronically. (Attachments: # <u>1</u> Judgment that is being appealed) (Brooks, William) Modified on 10/17/2016 to reflect Judgment, fee status and service.(McGee, Mary Ann). (Entered: 10/14/2016)
10/17/2016		APPEAL FILING FEE DUE re <u>683</u> Notice of Appeal, Please either come to the clerks office or mail the filing fee in the amount of \$505.00. (McGee, Mary Ann) (Entered: 10/17/2016)
10/17/2016		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>683</u> Notice of Appeal, Documents are available via Pacer. For docket entries without a hyperlink or for documents under seal, contact the court and we'll arrange for the document(s) to be made available to you. (McGee, Mary Ann) (Entered: 10/17/2016)
10/18/2016		USCA Appeal Fees received \$ 505 receipt number 21249 re <u>683</u> Notice of Appeal, filed by Gregory R. Monaco (Cox, Dwayne) (Entered: 10/18/2016)
10/18/2016		First Supplemental Electronic Index to Record on Appeal sent to US Court of Appeals. <u>683</u> Notice of Appeal, Documents are available via Pacer. For docket entries without a hyperlink or for documents under seal, contact the court and we'll arrange for the document(s) to be made available to you. (Cox, Dwayne) (Entered: 10/18/2016)
05/01/2017	<u>684</u>	ORDER of USCA as to <u>683</u> Notice of Appeal, filed by Gregory R. Monaco. The parties have filed a stipulation withdrawing this appeal with prejudice as to Appellees Benjamin Chu, Bernard Kerik, Louis Marcos, Martin Kesselman, William Fraser, and Martin Hom, pursuant to FRAP 42(b). The stipulation hereby is So Ordered. The appeal shall proceed with respect to the remaining Appellees. Certified Copy Issued: 5/1/17 USCA #16-3537. (McGee, Mary Ann) (Entered: 05/01/2017)
05/12/2017	<u>685</u>	Letter by Gregory R. Monaco (Brooks, William) (Entered: 05/12/2017)
06/27/2018	<u>686</u>	MANDATE of USCA as to <u>683</u> Notice of Appeal, filed by Gregory R. Monaco. It is Ordered that the judgment of the District Court is affirmed. See document for further details. Issued as Mandate: 6/26/18. USCA #16-3537-cv. (McGee, Mary Ann) (Entered: 06/27/2018)
08/07/2018	<u>687</u>	USCA Statement of Costs as to <u>683</u> Notice of Appeal, filed by Gregory R. Monaco. IT IS HEREBY ORDERED that costs are taxed in the amount of \$148.60 in favor of Appellee William Packard. Certified Copy Issued: 8/03/2018. USCA #16-3537 (McGee, Mary Ann) (Entered: 08/07/2018)

