

U.S. District Court
Middle District of Louisiana (Baton Rouge)
CIVIL DOCKET FOR CASE #: 3:16-cv-00542-JWD-EWD

Levy et al v. Louisiana Department of Public Safety and
Corrections

Assigned to: Judge John W. deGravelles

Referred to: Magistrate Judge Erin Wilder-Doomes

Cause: 28:1331 Fed. Question: Civil Rights Violation

Date Filed: 08/16/2016

Date Terminated: 04/01/2019

Jury Demand: None

Nature of Suit: 446 Civil Rights:

Americans with Disabilities – Other

Jurisdiction: Federal Question

Plaintiff

Lawrence Levy

*individually and on behalf of all others
similarly situated,*

represented by **Madeline Chimento Rea**

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TERMINATED: 08/17/2018

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TERMINATED: 12/22/2016

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TERMINATED: 03/25/2019

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Plaintiff

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*individually and on behalf of all others
similarly situated,*

represented by **Madeline Chimento Rea**
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TERMINATED: 08/17/2018
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TERMINATED: 03/19/2019
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Plaintiff

Bradley Casto
individually and on behalf of all others
similarly situated,

represented by **Madeline Chimento Rea**
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TERMINATED: 08/17/2018
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TERMINATED: 03/19/2019
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V.

Defendant

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and Corrections**

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Defendant**James LeBlanc**represented by **Patricia Hill Wilton**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Susan Wall Griffin**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/16/2016	<u>1</u>	COMPLAINT against James LeBlanc, Louisiana Department of Public Safety and Corrections (Filing fee \$ 400 receipt number 053N-1453333.), filed by Lawrence Levy, Bradley Casto, Cedric Hammond. (Attachments: # <u>1</u> Civil Cover Sheet)(Rea, Madeline) (Entered: 08/16/2016)
08/23/2016	<u>2</u>	Summons Submitted (Rea, Madeline) (Entered: 08/23/2016)
08/23/2016	<u>3</u>	Summons Submitted (Rea, Madeline) (Entered: 08/23/2016)
08/24/2016	<u>4</u>	Summons Issued as to James LeBlanc, Louisiana Department of Public Safety and Corrections. (NOTICE: Counsel shall print and serve both the summons and all attachments in accordance with Federal Rule of Civil Procedure 4.) (Attachments: # <u>1</u> summons)(EDC) (Entered: 08/24/2016)
08/24/2016	<u>5</u>	SCHEDULING CONFERENCE ORDER: Scheduling Conference set for 10/20/2016 at 02:00 PM in chambers before Magistrate Judge Erin Wilder-Doomes. Status Report due by 10/6/2016.. Signed by Magistrate Judge Erin Wilder-Doomes on 08/24/2016. (NLT) (Entered: 08/24/2016)
08/29/2016	<u>6</u>	MOTION for Russell Hirschhorn to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1458223) by All Plaintiffs. (Attachments: # <u>1</u> Ex. A - Hirschhorn Aff., # <u>2</u> Proposed Order)(Rea, Madeline) (Entered: 08/29/2016)
08/30/2016		MOTION(S) REFERRED: <u>6</u> MOTION for Russell Hirschhorn to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N-1458223). This motion is now pending before the USMJ. (ELW) (Entered: 08/30/2016)
08/31/2016	7	ORDER granting <u>6</u> Motion for Russell Hirschhorn to Appear Pro Hac Vice. Signed by Magistrate Judge Erin Wilder-Doomes on 8/31/2016. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 08/31/2016)
09/20/2016	<u>8</u>	MOTION and Order for Extension of Time by James LeBlanc, Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Proposed Pleading;)(Griffin, Susan) Modified on 9/20/2016 to edit the text (TNB). (Entered: 09/20/2016)
09/20/2016		MOTION(S) REFERRED: <u>8</u> MOTION for Extension of Time to File Answer to <u>1</u> Complaint, . This motion is now pending before the USMJ. (TNB) (Entered: 09/20/2016)
09/20/2016	<u>9</u>	SUMMONS Returned Executed by Lawrence Levy, Bradley Casto, Cedric Hammond. Louisiana Department of Public Safety and Corrections served on 8/25/2016, answer due 9/15/2016. (Rea, Madeline) (Entered: 09/20/2016)
09/20/2016	<u>10</u>	SUMMONS Returned Executed by Lawrence Levy, Bradley Casto, Cedric Hammond. James LeBlanc served on 8/25/2016, answer due 9/15/2016. (Rea, Madeline) (Entered: 09/20/2016)
09/21/2016	11	ORDER granting <u>8</u> Motion and Order for Extension of Time to Answer. James LeBlanc and Louisiana Department of Public Safety and Corrections shall have twenty (20) days from the date of this Order within which to file responsive pleadings in this matter. Signed by Magistrate Judge Erin Wilder-Doomes on 9/21/2016. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 09/21/2016)

10/06/2016	<u>12</u>	Joint STATUS REPORT by All Plaintiffs. (Rea, Madeline) (Entered: 10/06/2016)
10/11/2016	<u>13</u>	MOTION to Enroll Patricia H. Wilton as Additional Attorney by All Defendants. (Attachments: # <u>1</u> Proposed Pleading;)(Griffin, Susan) (Entered: 10/11/2016)
10/11/2016	<u>14</u>	ANSWER and Defenses to <u>1</u> Complaint, by James LeBlanc, Louisiana Department of Public Safety and Corrections.(Wilton, Patricia) Modified on 10/11/2016 to edit text. (EDC). (Entered: 10/11/2016)
10/11/2016		MOTION(S) REFERRED: <u>13</u> MOTION to Enroll Patricia H. Wilton as Additional Attorney . This motion is now pending before the USMJ. (EDC) (Entered: 10/11/2016)
10/12/2016	<u>15</u>	ORDER granting <u>13</u> Motion to Enroll as Co-Counsel of Record. Added attorney Patricia Hill Wilton for James LeBlanc,Patricia Hill Wilton for Louisiana Department of Public Safety and Corrections. Signed by Magistrate Judge Erin Wilder-Doomes on 10/12/2016. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 10/12/2016)
10/19/2016	<u>16</u>	Notice to Counsel: The Scheduling Conference set for 10/20/2016 at 02:00 PM is CONVERTED to a Telephone Conference set for 10/20/2016 at 02:00 PM before Magistrate Judge Erin Wilder-Doomes. Plaintiffs' counsel is to initiate the call and contact the court at (225) 389-3584 once all counsel are on the phone. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(BLR) (Entered: 10/19/2016)
10/20/2016	<u>17</u>	Minute Entry for proceedings held before Magistrate Judge Erin Wilder-Doomes. Telephone Conference held on 10/20/2016. The court and counsel discussed and agreed on such deadlines. The court will issue a separate limited scheduling order. (ELW) (Entered: 10/21/2016)
10/25/2016	<u>18</u>	LIMITED SCHEDULING ORDER: In accordance with FRCP 16(b), the following discovery deadlines are established. Amended Pleadings due by 1/31/2017. Discovery due by 5/31/2017. Plaintiff's Expert Reports due by 12/21/2016. Defendant's Expert Reports due by 1/27/2017. Discovery from Experts due by 2/28/2017. Motion for Class Certification shall be filed by 3/24/2017. Opposition due by 4/21/2017. Reply due by 5/12/2017. Certification Hearing set for 5/19/2017 at 10:00 AM in Courtroom 5 before Magistrate Judge Erin Wilder-Doomes. Signed by Magistrate Judge Erin Wilder-Doomes on 10/25/2016. (BLR) (Entered: 10/25/2016)
11/04/2016	<u>19</u>	ORDER Vacating <u>18</u> Limited Scheduling Order. A revised limited scheduling order will be issued. Signed by Magistrate Judge Erin Wilder-Doomes on 11/4/2016. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(BLR) (Entered: 11/04/2016)
11/08/2016	<u>20</u>	LIMITED SCHEDULING ORDER: In accordance with FRCP 16(b), the following discovery deadlines are established. Amended Pleadings due by 1/31/2017. Plaintiff's Expert Reports due by 12/21/2016. Defendant's Expert Reports due by 1/27/2017. Discovery from Experts due by 2/28/2017. Motion for Class Certification shall be filed by 3/24/2017. Opposition due by 4/21/2017. Reply due by 5/12/2017. Signed by Magistrate Judge Erin Wilder-Doomes on 11/8/2016. (BLR) (Entered: 11/08/2016)
11/28/2016	<u>21</u>	SETTLEMENT CONFERENCE ORDER: Settlement Conference set for 12/9/2016 at 09:00 AM in chambers before Magistrate Judge Erin Wilder-Doomes. Signed by Magistrate Judge Erin Wilder-Doomes on 11/28/2016. (EDC) (Entered: 11/28/2016)
12/01/2016	<u>22</u>	Notice to Counsel: Due to an unforeseen scheduling conflict, the Settlement Conference set for 12/9/2016 is CANCELLED. Counsel is to contact the chambers at 225-389-3588 as soon as possible to reset settlement conference. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 12/01/2016)
12/01/2016	<u>23</u>	Notice to Counsel: Settlement Conference has been RESET to 12/12/2016 at 09:00 AM in chambers before Magistrate Judge Erin Wilder-Doomes. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 12/01/2016)
12/12/2016	<u>24</u>	Minute Entry for proceedings held before Magistrate Judge Erin Wilder-Doomes: Settlement Conference held on 12/12/2016. The parties reached an agreement in

		principle, which was recited into the record under seal. Counsel will continue efforts to memorialize a written settlement agreement. A Telephone Status Conference set for 1/24/2017 at 10:00 AM in chambers before Magistrate Judge Erin Wilder–Doomes. Counsel for plaintiffs shall initiate the call and contact the court at (225) 389–3584 when all participants are on the line. (SGO) (Entered: 12/13/2016)
12/13/2016	<u>25</u>	AMENDED LIMITED SCHEDULING ORDER: In accordance with FRCP 16(b), the following discovery deadlines are established. Amended Pleadings due by 5/31/2017. Plaintiff's Expert Reports due by 4/21/2017. Defendant's Expert Reports due by 5/26/2017. Discovery from Experts due by 6/28/2017. Motions for Class Certification shall be filed by 7/24/2017. Opposition to Motion for Class Certification shall be filed by 8/21/2017. Reply to Opposition to Motion for Class Certification shall be filed by 9/11/2017. Signed by Magistrate Judge Erin Wilder–Doomes on 12/13/2016. (SGO) (Entered: 12/13/2016)
12/13/2016	<u>26</u>	TRANSCRIPT REQUEST by Bradley Casto, Cedric Hammond, Lawrence Levy for proceedings held on December 12, 2016 before Judge Erin Wilder–Doomes.. (Rea, Madeline) Modified on 12/14/2016 "form forwarded to the Magistrate Judge's CRD via email."(EDC). (Entered: 12/13/2016)
12/19/2016	<u>27</u>	SEALED TRANSCRIPT of Proceedings: Settlement Conference held on 12/12/2016 before Magistrate Judge Erin Wilder–Doomes NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. The policy is located on our website at www.lamd.uscourts.gov. (NLT) (Entered: 12/19/2016)
12/19/2016	<u>28</u>	MOTION to Substitute Laura Thornton in place of Nell Hahn as Attorney by All Plaintiffs. (Attachments: # <u>1</u> Proposed Order)(Hahn, Ellen) Modified to substitute per rec. doc. 30 on 12/22/2016 (SGO). (Entered: 12/19/2016)
12/21/2016		MOTION(S) REFERRED: <u>28</u> MOTION to Substitute Laura Thornton in place of Nell Hahn as Attorney . This motion is now pending before the USMJ. (EDC) (Entered: 12/21/2016)
12/21/2016	<u>29</u>	MOTION to Substitute Pleading by All Plaintiffs. (Attachments: # <u>1</u> Proposed Pleading;, # <u>2</u> Proposed Order)(Hahn, Ellen) Modified on 12/22/2016 to edit text.(EDC). (Entered: 12/21/2016)
12/22/2016		MOTION(S) REFERRED: <u>29</u> MOTION for Leave to File Corrected Motion to Substitute Counsel . This motion is now pending before the USMJ. (EDC) (Entered: 12/22/2016)
12/22/2016	30	ORDER granting <u>29</u> MOTION for Leave to File Corrected Motion to Substitute Counsel. Signed by Magistrate Judge Erin Wilder–Doomes on 12/22/2016. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (SGO) (Entered: 12/22/2016)
12/22/2016	31	ORDER granting <u>28</u> Motion to Substitute Counsel. Laura Lee Thornton added for Bradley Casto, Cedric Hammond and Lawrence Levy replacing Nell Hahn. Signed by Magistrate Judge Erin Wilder–Doomes on 12/22/2016. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (SGO) (Entered: 12/22/2016)
01/24/2017	<u>32</u>	AMENDED LIMITED SCHEDULING ORDER: In accordance with FRCP 16(b), the following discovery deadlines are established. Amended Pleadings due by 5/31/2017. Discovery due by 6/28/2017. Motions shall be filed by 7/24/2017. Opposition to Motion for Class Certification due by 8/21/2017. Replies due by 9/11/2017. Signed by Magistrate Judge Erin Wilder–Doomes on 01/24/2017. (SGO) (Entered: 01/24/2017)
01/24/2017	<u>33</u>	Minute Entry for proceedings held before Magistrate Judge Erin Wilder–Doomes: Telephone Status Conference held on 1/24/2017. Counsel first discussed the status of efforts to memorialize the agreement in principle they reached at the settlement conference held with the court on December 12, 2016. Counsel advised the court that they have reached an impasse and will not be able to execute a written settlement

		agreement. Counsel agreed that they anticipated being able to meet the deadlines contained in the Amended Limited Scheduling Order. The court discussed with counsel whether it would be beneficial to scheduled monthly telephone status conferences in this matter. At this time, counsel agree they will continue to confer in an effort to resolve issues without court intervention. (SGO) (Entered: 01/24/2017)
03/17/2017	<u>34</u>	TRANSCRIPT REQUEST by Bradley Casto, Cedric Hammond, Lawrence Levy for proceedings held on January 24, 2017 before Judge Erin Wilder–Doomes.. (Rea, Madeline) Modified on 3/20/2017 form forwarded to the Magistrate Judge's CRD via email (KAH). (Entered: 03/17/2017)
03/24/2017	35	Notice: In reference to the <u>34</u> Transcript Request, counsel was advised via telephone that telephone conferences in chambers are not recorded. Accordingly, there is no transcript from 1/24/2017 Telephone Conference. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 03/24/2017)
03/30/2017	36	Notice: In response the correspondence from plaintiff's counsel date 3/27/2017, the <u>17</u> Telephone Conference Report and Order specifically references the fact that the limited Scheduling Order deadlines are limited to information required for a class certification hearing. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 03/30/2017)
07/21/2017	<u>37</u>	Joint MOTION for Entry of Stipulation and Agreement by All Plaintiffs. (Attachments: # <u>1</u> Ex. A)(Rea, Madeline) (Entered: 07/21/2017)
07/24/2017	38	Considering the Joint Motion for Entry of Stipulation and Agreement by All Plaintiffs, it is ORDERED that the stipulation attached as Exhibit A is hereby entered into the record. Signed by Judge John W. deGravelles on 07/24/2017. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KDC) (Entered: 07/24/2017)
07/24/2017	<u>39</u>	STIPULATION & AGREEMENT filed by All Parties. (LLH) (Entered: 07/25/2017)
08/11/2017	<u>40</u>	Letter dated 8/11/2017 from Madeline Rea to Magistrate Judge Wilder–Doomes Re: Request to enter scheduling order on the merits. (BLR) (Entered: 08/15/2017)
08/15/2017	41	ORAL ORDER: Grating <u>40</u> Request to enter scheduling order on the merits. The court will issue a separate limited Scheduling. Signed by Magistrate Judge Erin Wilder–Doomes on 8/15/2017. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(BLR) (Entered: 08/15/2017)
08/22/2017	<u>42</u>	AMENDED LIMITED SCHEDULING ORDER: In accordance with FRCP 16(b), the following discovery deadlines are established. Plaintiff's Expert Reports due by 9/22/2017. Defendant's Expert Reports due by 10/13/2017. Expert Depositions due by 11/13/2017. Rebuttal Expert Reports due by 12/4/2017. Opening Summary Judgment Motions shall be filed by all parties by 1/26/2018. Briefs in Opposition to Summary Judgment due by 2/26/2018. Reply Briefs in Support of Summary Judgment due by 3/26/2018. The parties shall file Joint Status Report in form of R. Doc. 5 pp. 3–10 no later than 10 days after a ruling is issued on Summary Judgment Motion(s). Signed by Magistrate Judge Erin Wilder–Doomes on 8/18/2017. (EDC) (Entered: 08/22/2017)
09/20/2017	<u>43</u>	MOTION to Amend <i>the Amended Limited Scheduling Order</i> by All Plaintiffs. (Attachments: # <u>1</u> Proposed Order)(Rea, Madeline) Modified to edit event on 9/21/2017 (SGO). (Entered: 09/20/2017)
09/20/2017		MOTION(S) REFERRED: <u>43</u> MOTION to Amend <i>the Amended Limited Scheduling Order</i> . This motion is now pending before the USMJ. (KAH) (Entered: 09/20/2017)
09/21/2017	<u>44</u>	AMENDED LIMITED SCHEDULING ORDER granting <u>43</u> MOTION to Amend the Amended Limited Scheduling Order. Plaintiff's Expert Reports due by 10/6/2017. Defendant's Expert Reports due by 10/27/2017. Last day for Expert Depositions is 11/29/2017. Rebuttal Expert Reports due by 12/18/2017. Opening Summary Judgment Motions due by 2/9/2018. Oppositions due by 3/12/2018. Replies due by 4/9/2018. Parties shall file joint status report in the form of R. Doc. <u>5</u> pp. 3–10 no later than 10 days after ruling on Summary Judgement Motion(s). Signed by Magistrate Judge Erin Wilder–Doomes on 9/21/2017. (SGO) (Entered: 09/21/2017)

11/27/2017	<u>45</u>	Joint MOTION To Extend Deadlines <i>in Amended Limited Scheduling Order</i> by All Plaintiffs. (Attachments: # <u>1</u> Proposed Order)(Rea, Madeline) (Entered: 11/27/2017)
11/28/2017		MOTION(S) REFERRED: <u>45</u> Joint MOTION To Extend Deadlines <i>in Amended Limited Scheduling Order</i> . This motion is now pending before the USMJ. (ELW) (Entered: 11/28/2017)
11/29/2017	<u>46</u>	ORDER granting <u>45</u> Motion To Extend Deadlines in Amended Limited Scheduling Order. Signed by Magistrate Judge Erin Wilder–Doomes on 11/29/2017. (ELW) (Entered: 11/29/2017)
11/29/2017		Reset Deadlines: Last Day for Expert Depositions due by 12/15/2017. Rebuttal Expert Report due by 12/28/2017. (ELW) (Entered: 11/29/2017)
12/15/2017	<u>47</u>	MOTION to Amend Scheduling Order by Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> proposed order)(Wilton, Patricia) Modified on 12/15/2017 to edit text. (EDC). (Entered: 12/15/2017)
12/15/2017		MOTION(S) REFERRED: <u>47</u> MOTION for Extension of Discovery Deadlines . This motion is now pending before the USMJ. (EDC) (Entered: 12/15/2017)
12/15/2017	<u>48</u>	AMENDED SCHEDULING ORDER granting <u>47</u> Unopposed Motion to Amend Scheduling Order.Last Day for Expert Depositions: January 5, 2018. Rebuttal Expert Reports: January 19, 2018. Signed by Magistrate Judge Erin Wilder–Doomes on 12/15/2017. (SGO) (Entered: 12/15/2017)
01/10/2018	<u>49</u>	Joint STIPULATION <i>to Adjourn Scheduling Deadlines to Engage in Mediation</i> by Bradley Casto, Cedric Hammond, Lawrence Levy. (Attachments: # <u>1</u> Proposed Pleading;)(Hirschhorn, Russell) Modified on 1/11/2018 to edit even(LLH). (Entered: 01/10/2018)
01/11/2018		MOTION(S) REFERRED: <u>49</u> MOTION to Dismiss Deadlines. This motion is now pending before the USMJ. (LLH) (Entered: 01/11/2018)
01/17/2018	<u>50</u>	AMENDED SCHEDULING ORDER: Motion for Entry of Stipulation to Adjourn Scheduling Deadlines (Dkt. 49) is GRANTED for good cause shown. Parties will promptly focus their attention on trying to mediate a resolution of this action with goal of signing a term sheet no later than March 15, 2018. Signed by Magistrate Judge Erin Wilder–Doomes on 01/17/2018. (ELW) Modified on 1/25/2018 to correct entry (ELW). (Entered: 01/19/2018)
01/25/2018		Set Deadlines: Opening Brief due by 4/4/2018. Opposition Brief due by 5/9/2018. Reply Briefs due by 5/30/2018. (ELW) (Entered: 01/25/2018)
03/28/2018	<u>51</u>	MOTION for Russell T. Gorkin to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N–1744873) by All Plaintiffs. (Attachments: # <u>1</u> Exhibit A – Affidavit of Russell T. Gorkin, # <u>2</u> Proposed Order)(Rea, Madeline) (Entered: 03/28/2018)
03/28/2018	<u>52</u>	MOTION for Om V. Alladi to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N–1744901) by All Plaintiffs. (Attachments: # <u>1</u> Exhibit A – Affidavit of Om V. Alladi, # <u>2</u> Proposed Order)(Rea, Madeline) (Entered: 03/28/2018)
03/28/2018		MOTION(S) REFERRED: <u>52</u> MOTION for Om V. Alladi to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N–1744901), <u>51</u> MOTION for Russell T. Gorkin to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N–1744873). This motion is now pending before the USMJ. (EDC) (Entered: 03/28/2018)
03/29/2018	<u>53</u>	ORDER granting <u>51</u> and <u>52</u> Motions for Russell Todd Gorkin and Om Vasudevan Alladi to appear Pro Hac Vice for Plaintiffs Lawrence Levy, Cedric Hammond, andBradley Casto. Signed by Magistrate Judge Erin Wilder–Doomes on 3/29/2018. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 03/29/2018)
04/03/2018	<u>54</u>	MOTION for Philip J. Fornaci to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N–1747991) by All Plaintiffs. (Attachments: # <u>1</u> Exhibit A – Affidavit of Philip Fornaci, # <u>2</u> Proposed Order)(Rea, Madeline) (Entered: 04/03/2018)
04/04/2018		MOTION(S) REFERRED: <u>54</u> MOTION for Philip J. Fornaci to Appear Pro Hac Vice (Filing fee \$100.00, Receipt Number 053N–1747991). This motion is now pending

		before the USMJ. (ELW) (Entered: 04/04/2018)
04/04/2018	<u>55</u>	MOTION for Summary Judgment by All Plaintiffs. (Attachments: # <u>1</u> Declaration of Lawrence Levy, # <u>2</u> Declaration of Cedric Hammond, # <u>3</u> Declaration of Bradley Casto, # <u>4</u> Declaration of Russell Gorkin, # <u>5</u> Ex. A to Gorkin Declaration, # <u>6</u> Ex. B to Gorkin Declaration, # <u>7</u> Ex. C to Gorkin Declaration, # <u>8</u> Ex. D to Gorkin Declaration, # <u>9</u> Ex. E to Gorkin Declaration, # <u>10</u> Ex. F to Gorkin Declaration, # <u>11</u> Ex. G to Gorkin Declaration, # <u>12</u> Ex. H to Gorkin Declaration, # <u>13</u> Ex. I to Gorkin Declaration, # <u>14</u> Ex. J to Gorkin Declaration, # <u>15</u> Ex. K to Gorkin Declaration, # <u>16</u> Ex. L to Gorkin Declaration, # <u>17</u> Ex. M to Gorkin Declaration, # <u>18</u> Ex. N to Gorkin Declaration, # <u>19</u> Ex. O to Gorkin Declaration, # <u>20</u> Ex. P to Gorkin Declaration, # <u>21</u> Ex. Q to Gorkin Declaration, # <u>22</u> Ex. R to Gorkin Declaration, # <u>23</u> Ex. S to Gorkin Declaration, # <u>24</u> Ex. T to Gorkin Declaration, # <u>25</u> Ex. U to Gorkin Declaration, # <u>26</u> Ex. V to Gorkin Declaration, # <u>27</u> Ex. W to Gorkin Declaration, # <u>28</u> Ex. X to Gorkin Declaration, # <u>29</u> Ex. Y to Gorkin Declaration, # <u>30</u> Statement of Undisputed Facts, # <u>31</u> Memorandum in Support, # <u>32</u> Certificate of Service)(Hirschhorn, Russell) (Entered: 04/04/2018)
04/04/2018	<u>56</u>	MOTION for Oral Argument on <u>55</u> MOTION for Summary Judgment by All Plaintiffs. (Attachments: # <u>1</u> Proposed Order)(Hirschhorn, Russell) (Entered: 04/04/2018)
04/05/2018	57	NOTICE of Briefing Schedule on <u>55</u> MOTION for Summary Judgment : Opposition to the motion shall be filed within 21 days from the filing of the motion and shall not exceed 10 pages excluding attachments. The mover may file a reply brief within 14 days of the filing of the opposition and shall be limited to a total of 5 pages. No motion for leave will be required. Sur-Reply briefs will be permitted only with leave of Court for extraordinary reasons supported by sufficient facts. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(KDC) (Entered: 04/05/2018)
04/05/2018	58	ORDER granting <u>56</u> Motion for Oral Argument on <u>55</u> MOTION for Summary Judgment . Motion Hearing set for 8/23/2018 at 9:00 AM in Courtroom 1 before Judge John W. deGravelles. Signed by Judge John W. deGravelles on 04/05/2018. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KDC) (Entered: 04/05/2018)
04/05/2018	59	NOTICE of Hearing on Motion <u>55</u> MOTION for Summary Judgment :Motion Hearing reset for 11/15/2018 at 2:30 PM in Courtroom 1 before Judge John W. deGravelles. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KDC) (Entered: 04/05/2018)
04/05/2018	<u>60</u>	ORDER granting <u>54</u> Motion for Philip J. Fornaci to Appear Pro Hac Vice. Signed by Magistrate Judge Erin Wilder-Doomes on 04/05/2018. (ELW) (Entered: 04/05/2018)
04/25/2018	<u>61</u>	MEMORANDUM in Opposition to <u>55</u> MOTION for Summary Judgment filed by All Defendants. (Attachments: # <u>1</u> Statement of Contested Facts, # <u>2</u> Wilton Declaration, # <u>3</u> Bordelon Declaration, # <u>4</u> Oertel Declaration, # <u>5</u> Exhibit A, # <u>6</u> Exhibit B, # <u>7</u> Exhibit C, # <u>8</u> Exhibit D, # <u>9</u> Anderson Declaration)(Wilton, Patricia) (Attachment 4 replaced on 4/26/2018) (ELW). Modified on 4/26/2018 to correct page orientation (ELW). (Additional attachment(s) added on 5/29/2018: # <u>13</u> Attachment Declaration of Maria Pollage-Toups, # <u>14</u> Exhibit, # <u>15</u> Exhibit) (ELW). (Entered: 04/26/2018)
04/26/2018	<u>62</u>	MOTION to Accept Late Filed Memorandum and Attachments by All Defendants. (Attachments: # <u>1</u> Proposed Order)(Wilton, Patricia) Modified on 4/26/2018 to edit text (ELW). (Entered: 04/26/2018)
04/30/2018	<u>63</u>	ORDER granting <u>62</u> Motion to Accept Late Filed Memorandum and Attachments. Signed by Judge John W. deGravelles on 04/29/2018. (ELW) (Entered: 04/30/2018)
05/09/2018	<u>64</u>	REPLY to <u>55</u> MOTION for Summary Judgment , <u>61</u> Memorandum in Opposition to Motion, filed by All Plaintiffs. (Attachments: # <u>1</u> Reply Declaration of Russell Gorkin, # <u>2</u> Ex. A to Gorkin Reply Declaration, # <u>3</u> Ex. B to Gorkin Reply Declaration, # <u>4</u> Ex. C to Gorkin Reply Declaration, # <u>5</u> Ex. D to Gorkin Reply Declaration)(Hirschhorn, Russell) (Entered: 05/09/2018)

05/23/2018	<u>65</u>	MOTION for Leave to File Declaration of Maria Pollage–Toups by All Defendants. (Attachments: # <u>1</u> Proposed Pleading;, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Proposed Order)(Wilton, Patricia) (Entered: 05/23/2018)
05/24/2018	66	ORDER granting <u>65</u> MOTION for Leave to File Declaration of Maria Pollage–Toups filed by James LeBlanc, Louisiana Department of Public Safety and Corrections. Signed by Judge John W. deGravelles on 05/24/2018. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (JHF) (Entered: 05/24/2018)
05/29/2018	<u>67</u>	MOTION for Reconsideration of <u>65</u> MOTION for Leave to File Declaration of Maria Pollage–Toups by All Plaintiffs. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A to Memorandum, # <u>3</u> Exhibit B to Memorandum)(Hirschhorn, Russell) (Entered: 05/29/2018)
05/30/2018	68	NOTICE of ABBREVIATED Briefing Schedule on <u>67</u> MOTION for Reconsideration of <u>65</u> MOTION for Leave to File Declaration of Maria Pollage–Toups : Opposition to the motion shall be filed within 10 days from the filing of the motion and shall not exceed 10 pages excluding attachments. The mover may file a reply brief within 5 days of the filing of the opposition and shall be limited to a total of 5 pages. No motion for leave will be required. Sur–Reply briefs will be permitted only with leave of Court for extraordinary reasons supported by sufficient facts. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (JHF) (Entered: 05/30/2018)
06/04/2018		Set Deadlines as to <u>67</u> MOTION for Reconsideration of <u>65</u> MOTION for Leave to File Declaration of Maria Pollage–Toups . (THIS EVENT WAS ENTERED FOR CALENDARING PURPOSES ONLY.) (Entered: 06/04/2018)
06/08/2018	<u>69</u>	MEMORANDUM in Opposition to <u>67</u> MOTION for Reconsideration of <u>65</u> MOTION for Leave to File Declaration of Maria Pollage–Toups filed by All Defendants. (Attachments: # <u>1</u> Wilton Declaration, # <u>2</u> EX A to Wilton Declaration)(Wilton, Patricia) (Entered: 06/08/2018)
06/13/2018	<u>70</u>	REPLY in Support of <u>67</u> MOTION for Reconsideration of Order Granting <u>65</u> MOTION for Leave to File Declaration of Maria Pollage–Toups filed by All Plaintiffs. (Hirschhorn, Russell) Modified on 6/13/2018 to edit text. (EDC). (Entered: 06/13/2018)
06/14/2018	71	RULING: The Court has carefully reviewed Plaintiffs' Motion for Reconsideration (Doc. 67) of its granting of Defendants' Motion for Leave to File Declaration of Maria Pollage–Toups (Doc. 66), as well as Defendants' Opposition (Doc. 69) and Plaintiffs' Reply (Doc. 70). The Court finds no error in its original ruling. Plaintiffs' Motion for Reconsideration (Doc. 67) is therefore DENIED. Signed by Judge John W. deGravelles on 06/14/2018. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KDC) (Entered: 06/14/2018)
08/15/2018	<u>72</u>	MOTION for Madeline Chimento Rea to Withdraw as Attorney by All Plaintiffs. (Attachments: # <u>1</u> Proposed Order)(Rea, Madeline) (Entered: 08/15/2018)
08/15/2018		MOTION(S) REFERRED: <u>72</u> MOTION for Madeline Chimento Rea to Withdraw as Attorney . This motion is now pending before the USMJ. (EDC) (Entered: 08/15/2018)
08/16/2018	73	ORDER denying <u>72</u> Motion to Withdraw Appearance of Counsel. The motion seeks to withdraw Madeline C. Rea, who is local counsel for Proskauer Rose, LLP, but does not request the appearance of new local counsel for Proskauer Rose, LLP. Signed by Magistrate Judge Erin Wilder–Doomes on 8/16/2018. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 08/16/2018)
08/16/2018	<u>74</u>	MOTION for Madeline Chimento Rea to Withdraw as Attorney , MOTION to Substitute Lindsey H. Chopin in place of Madeline Chimento Rea as Attorney by All Plaintiffs. (Attachments: # <u>1</u> Proposed Order)(Chopin, Lindsey) (Entered: 08/16/2018)
08/17/2018		MOTION(S) REFERRED: <u>74</u> MOTION for Madeline Chimento Rea to Withdraw as Attorney MOTION to Substitute Lindsey H. Chopin in place of Madeline Chimento Rea as Attorney . This motion is now pending before the USMJ. (ELW) (Entered: 08/17/2018)

08/17/2018	<u>75</u>	ORDER granting <u>74</u> Motion to Withdraw as Attorney. Attorney Chimento Rea is withdrawn; granting <u>74</u> Motion to Substitute Attorney. Lindsey Harreld Chopin for Bradley Casto Cedric Hammond and Lawrence Levy replacing Chimento Rea. Signed by Magistrate Judge Erin Wilder–Doomes on 08/17/2018. (ELW) (Entered: 08/17/2018)
08/28/2018	<u>76</u>	NOTICE of Plaintiffs' Expert's Death by Bradley Casto, Cedric Hammond, Lawrence Levy (Hirschhorn, Russell) (Entered: 08/28/2018)
08/29/2018	<u>77</u>	NOTICE of TELEPHONE CONFERENCE: Telephone Conference set for 9/11/2018 at 9:00 AM before Judge John W. deGravelles. Counsel for Plaintiffs is responsible for coordinating the call to the Court (225–389–3568). Counsel shall call the Court from a land–line, if possible, in order to eliminate any extraneous noise. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(KDC) (Entered: 08/29/2018)
09/11/2018	<u>78</u>	Minute Entry for proceedings held before Judge John W. deGravelles.Telephone Status Conference held on 9/11/2018. The letter written to the Court, filed as document 76, advising the Court of the death of Plaintiffs expert, Dr. Dennis Cockley was discussed. This case is referred to Magistrate Judge Erin Wilder–Doomes to schedule a conference to select a trial date and any other necessary deadlines. (ELW) (Entered: 09/11/2018)
09/12/2018	<u>79</u>	SCHEDULING CONFERENCE ORDER: Scheduling Conference set for 10/25/2018 at 02:30 PM in chambers before Magistrate Judge Erin Wilder–Doomes. Status Report due by 10/11/2018.. Signed by Magistrate Judge Erin Wilder–Doomes on 09/12/2018 (ELW) (Entered: 09/12/2018)
09/19/2018	<u>80</u>	Letter dated 9/18/2018 from Russell L. Hirschhorn to Magistrate Judge Wilder–Doomes Re: advising the court that the 10/25/2018 scheduling conference is unnecessary. (BLR) (Entered: 09/19/2018)
09/19/2018	<u>81</u>	Notice to Counsel: In light of the <u>80</u> Letter filed, the Scheduling Conference set for 10/25/2018 is CANCELED. No status report is due at this time. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 09/19/2018)
09/19/2018	<u>82</u>	SCHEDULING ORDER: In accordance with FRCP 16(b), the following discovery deadlines are established. Proposed Pretrial Order due by 5/20/2019. Pretrial Conference set for 6/20/2019 at 02:00 PM before Judge John W. deGravelles. Motions In Limine shall be filed by 7/1/2019. Affidavit of Settlement Efforts due by 7/15/2019. Joint jury instructions, voir dire, verdict forms, and trial briefs due by 8/5/2019. Bench Trial set for 8/19/2019 at 09:00 AM in Courtroom 1 before Judge John W. deGravelles. Signed by Magistrate Judge Erin Wilder–Doomes on 09/19/2018. (ELW) (Entered: 09/19/2018)
09/19/2018		Reset Trial and Related Deadlines: Bench Trial set for 8/19/2019 to 8/23/2019 at 09:00 AM in Courtroom 1 before Judge John W. deGravelles. (NLT) (Entered: 09/20/2018)
09/25/2018	<u>83</u>	NOTICE of Compliance by James LeBlanc, Louisiana Department of Public Safety and Corrections to <u>78</u> Telephone Conference, (Wilton, Patricia) (Entered: 09/25/2018)
10/12/2018	<u>84</u>	NOTICE of Hearing on Motion <u>55</u> MOTION for Summary Judgment :Motion Hearing reset for 1/31/2019 at 9:00 AM in Courtroom 1 before Judge John W. deGravelles. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KDC) Modified on 10/12/2018 to edit date (LLH). (Entered: 10/12/2018)
10/12/2018		Set/Reset Deadlines (Court Use Only) (SGO) (Entered: 10/12/2018)
01/30/2019	<u>85</u>	NOTICE of Hearing on Motion <u>55</u> MOTION for Summary Judgment (TIME CHANGE ONLY): Motion Hearing reset for 1/31/2019 at 9:30 AM in Courtroom 1 before Judge John W. deGravelles. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (KDC) (Entered: 01/30/2019)
01/31/2019	<u>86</u>	Minute Entry for proceedings held before Judge John W. deGravelles. Motion Hearing / Oral Argument held on 1/31/2019 re <u>55</u> MOTION for Summary Judgment. Dfts are granted until 2/7/2019 to file a supplemental brief. Counsel for pla will have 7 days

		thereafter to file a reply. The pending motion for summary judgment (Doc. 55) is taken under advisement. (Court Reporter G. Delatte–Richard.) (ELW) Modified on 2/4/2019 to edit text (SGO). (Entered: 02/01/2019)
02/04/2019		Set/Reset Deadlines (Court Use Only)(SGO) (Entered: 02/04/2019)
02/04/2019	<u>87</u>	TRANSCRIPT REQUEST by Bradley Casto, Cedric Hammond, Lawrence Levy for proceedings held on 1/31/2019 before Judge John deGravelles.. (Chopin, Lindsey) (Entered: 02/04/2019)
02/07/2019	<u>88</u>	Supplemental MEMORANDUM in Opposition to <u>55</u> MOTION for Summary Judgment filed by James LeBlanc, Louisiana Department of Public Safety and Corrections. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Declaration of Patricia Wilton, # <u>4</u> Exhibit 3)(Wilton, Patricia) (Entered: 02/07/2019)
02/14/2019	<u>89</u>	REPLY to Supplemental Memorandum in further Support of <u>55</u> MOTION for Summary Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> Declaration of Russell T. Gorkin, # <u>2</u> Exhibit 1)(Hirschhorn, Russell) Modified on 2/19/2019 to edit text (SGO). (Entered: 02/14/2019)
02/20/2019	<u>90</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of the Motion for summary judgment before Judge John W. deGravelles held on January 31, 2019. Court Reporter: Gina Delatte–Richard. Phone Number: 225–389–3564. NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.lamd.uscourts.gov. 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 3/13/2019. Redacted Transcript Deadline set for 3/25/2019. Release of Transcript Restriction set for 5/21/2019. (Delatte–Richard, Gina) (Entered: 02/20/2019)
02/25/2019	<u>91</u>	TRANSCRIPT REQUEST <i>Susan Griffin</i> by Louisiana Department of Public Safety and Corrections for proceedings held on 01/31/2019 before Judge Degravelles.. (Griffin, Susan) (Entered: 02/25/2019)
02/26/2019	<u>92</u>	SETTLEMENT CONFERENCE ORDER: Settlement Conference set for 3/27/2019 at 01:30 PM in chambers before Magistrate Judge Erin Wilder–Doomes. Signed by Magistrate Judge Erin Wilder–Doomes on 02/26/2019. (ELW) (Entered: 02/26/2019)
03/04/2019	<u>93</u>	RULING AND ORDER denying <u>55</u> Motion for Summary Judgment. Signed by Judge John W. deGravelles on 3/4/2019. (SWE) (Entered: 03/04/2019)
03/15/2019	<u>94</u>	MOTION for Susan M. Meyers to Withdraw as Attorney by All Plaintiffs. (Attachments: # <u>1</u> Proposed Order)(Meyers, Susan) (Entered: 03/15/2019)
03/15/2019		MOTION(S) REFERRED: <u>94</u> MOTION for Susan M. Meyers to Withdraw as Attorney . This motion is now pending before the USMJ. (ELW) (Entered: 03/15/2019)
03/19/2019	<u>95</u>	ORDER granting <u>94</u> Motion to Withdraw Attorney Susan Meyers as Attorney. Signed by Magistrate Judge Erin Wilder–Doomes on 3/19/2019. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 03/19/2019)
03/19/2019	<u>96</u>	MOTION to Withdraw and Substitute Rachel T. Gulotta and Samantha Shear in place of Lindsey H. Chopin as Attorney by All Plaintiffs. (Chopin, Lindsey) Modified on 3/20/2019 to edit the text (KAH). (Entered: 03/19/2019)
03/20/2019		MOTION(S) REFERRED: <u>96</u> MOTION for Lindsey H. Chopin to Withdraw as Attorney MOTION to Substitute Rachel T. Gulotta and Samantha Shear in place of Lindsey H. Chopin as Attorney . This motion is now pending before the USMJ. (KAH) (Entered: 03/20/2019)

03/20/2019	<u>97</u>	MOTION to Enroll Ronald K. Lospennato as Additional Attorney by All Plaintiffs. (Stratton, Laura) (Entered: 03/20/2019)
03/20/2019		MOTION(S) REFERRED: <u>97</u> MOTION to Enroll Ronald K. Lospennato as Additional Attorney . This motion is now pending before the USMJ. (SWE) (Entered: 03/20/2019)
03/25/2019	98	ORDER granting <u>97</u> Motion to Enroll Additional Attorney. Added attorney Ronald Kenneth Lospennato for Bradley Casto,Ronald Kenneth Lospennato for Cedric Hammond,Ronald Kenneth Lospennato for Lawrence Levy. Signed by Magistrate Judge Erin Wilder–Doomes on 3/25/2019. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.) (BLR) (Entered: 03/25/2019)
03/25/2019	<u>99</u>	ORDER granting <u>96</u> Motion to Withdraw Attorney Lindsey H. Chopin as Attorney; granting <u>96</u> Motion to Substitute Attorney. Rachel Gulotta,Samantha Shear for Bradley Casto, Cedric Hammond,and Lawrence Levy. Signed by Magistrate Judge Erin Wilder–Doomes on 3/25/2019. (SWE) (Entered: 03/25/2019)
03/27/2019	<u>100</u>	Settlement Conference Report and Recommendation for proceedings held before Magistrate Judge Erin Wilder–Doomes: Settlement Conference held on 3/27/2019. The parties reached an agreement. The Court recommends a 60–day conditional order of dismissal be issued. Signed by Magistrate Judge Erin Wilder–Doomes on 3/29/2019. (SWE) (Entered: 03/29/2019)
04/01/2019	101	ORDER OF DISMISSAL: This action is hereby DISMISSED without prejudice to the right, upon good cause shown within sixty (60) days, to reopen the action if the settlement is not consummated. Signed by Judge John W. deGravelles on 04/01/2019. (This is a TEXT ENTRY ONLY. There is no hyperlink or PDF document associated with this entry.)(KDC) (Entered: 04/01/2019)
05/23/2019	<u>102</u>	STIPULATION of Settlement/Dismissal and Proposed Order by Bradley Casto, Cedric Hammond, Lawrence Levy. (Hirschhorn, Russell) Modified on 5/24/2019 to edit event (LLH). (Entered: 05/23/2019)
05/28/2019	<u>103</u>	ORDER granting <u>102</u> Stipulation and Order. The Court retains jurisdiction of this action for the limited purpose of enforcing the Settlement Agreement. The action is otherwise dismissed and the Clerk is directed to close the docket. Signed by Judge John W. deGravelles on 5/28/2019. (SWE) (Entered: 05/28/2019)