

CLOSED,ECF,MAGCONSENT

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:10-cv-03105-FM**

Gonzalez et al v. Pritzker
Assigned to: Magistrate Judge Frank Maas
Cause: 42:2000e-2e Job Discrimination (Unlawful Employment Practices)

Date Filed: 04/13/2010
Date Terminated: 09/20/2016
Jury Demand: None
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Defendant

Plaintiff

Eugene Johnson
*on behalf of themselves and all others
similarly situated*
TERMINATED: 05/11/2012

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Date Filed	#	Docket Text
04/13/2010	<u>1</u>	COMPLAINT against Gary Locke. (Filing Fee \$ 350.00, Receipt Number 899943) Document filed by Eugene Johnson, Evelyn Houser.(mro) (ama). (Entered: 04/13/2010)
04/13/2010		Magistrate Judge Frank Maas is so designated. (mro) (Entered: 04/13/2010)
04/13/2010		Case Designated ECF. (mro) (Entered: 04/13/2010)
04/13/2010		SUMMONS ISSUED as to Gary Locke, U.S. Attorney and U.S. Attorney General. (mro) (Entered: 04/13/2010)
04/16/2010	<u>2</u>	NOTICE OF APPEARANCE by Rachel Megan Bien on behalf of Eugene Johnson, Evelyn Houser (Bien, Rachel) (Entered: 04/16/2010)
04/22/2010	<u>3</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT – MOTION for Conference <i>regarding preliminary injunction and expedited discovery</i> . Document filed by Eugene Johnson, Evelyn Houser.(Miller, Samuel) Modified on 4/23/2010 (db). (Entered: 04/22/2010)
04/22/2010	<u>4</u>	ENDORSED LETTER addressed to Judge Richard M. Berman from Samuel R. Miller dated 4/22/10 re: counsel to plaintiffs request a pre–motion conference to discuss and set an expedited briefing schedule for a motion seeking a preliminary injunction and limited discovery. ENDORSEMENT: We can discuss on 4/26. Parties to negotiate in good faith towards settlement prior to 4/26 conference. (Signed by Judge Richard M. Berman on 4/22/10) (djc) (Entered: 04/23/2010)
04/26/2010	<u>5</u>	CASE MANAGEMENT PLAN: Plaintiff will not join any additional parties. Defendant reserves the right to join additional parties within one month of the execution of this Plan. Plaintiffs will amend the pleadings within four months from the date of filing the initial Complaint on April 13, 2010. Defendant reserves the right to oppose any motion to amend the Complaint after it has filed its answer. The parties agree to complete fact discovery (not including experts) within six months of the execution of this Plan. Plaintiffs do not consent to proceed before a Magistrate Judge for all purposes. Defendant does consent to proceed before a Magistrate Judge for all purposes. Motions due by 5/6/2010; 5/17/2010; 5/21/2010, Page limits. Oral argument: TBD. ENDORSEMENT: Refer Pre–trial issues to Magistrate Judge Maas. Parties to work on settlement ASAP. SO ORDERED. (Signed by Judge Richard M. Berman on 4/26/2010) (tve) Modified on 4/26/2010

		(tve). (Entered: 04/26/2010)
04/26/2010	<u>6</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement). Referred to Magistrate Judge Frank Maas. (Signed by Judge Richard M. Berman on 4/26/2010) (tve) (Entered: 04/26/2010)
04/26/2010	<u>7</u>	NOTICE OF APPEARANCE by Allison D Penn on behalf of Gary Locke (Penn, Allison) (Entered: 04/26/2010)
04/26/2010		Minute Entry for proceedings held before Judge Richard M. Berman: Status Conference held on 4/26/2010, Motions due by 5/6/2010. Responses due by 5/17/2010, Replies due by 5/21/2010. Oral argument requested by plaintiff. Referral to Magistrate Judge Maas. (tro) (Entered: 04/30/2010)
04/29/2010	<u>8</u>	MOTION for Mike Kirkpatrick to Appear Pro Hac Vice. Document filed by Eugene Johnson, Evelyn Houser.(mro) (Entered: 04/30/2010)
04/30/2010		CASHIERS OFFICE REMARK on <u>8</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 04/29/2010, Receipt Number 902236. (jd) (Entered: 04/30/2010)
04/30/2010	<u>10</u>	ORDER. It is hereby ORDERED that: 1. By Monday, May 3, 2010, the Defendant is directed to produce, for attorneys' eyes only, the Census Bureau's adjudicative criteria for hiring and its criteria for determining which applicants receive the 30-day letters. 2. By Tuesday May 4, 2010, the Plaintiffs may take a deposition pursuant to Federal Rule of Civil Procedure 30(b)(6), for a maximum of four hours, concerning the adjudicative criteria, the criteria for sending 30-day letters, and the current status of hiring for the 2010 census. 3. By May 11, 2010, the Defendant may depose the named plaintiffs and any experts upon whom the Plaintiffs rely in their motion for a preliminary injunction. 4. The parties shall submit courtesy copies to my Chambers of the memoranda of law submitted in connection with the motion for a preliminary injunction. (Deposition due by 5/11/2010.) (Signed by Magistrate Judge Frank Maas on 4/30/10) Copies Mailed By Chambers.(rjm) (Entered: 05/03/2010)
04/30/2010		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Discovery Hearing held on 4/30/2010. (mro) (Entered: 05/04/2010)
05/03/2010	<u>9</u>	TRANSCRIPT of proceedings held on 4/26/2010 before Judge Richard M. Berman. (mbe) (Entered: 05/03/2010)
05/03/2010	<u>11</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION. ORDER granting <u>8</u> Motion for Mike Kirkpatrick to Appear Pro Hac Vice for plaintiffs. (Signed by Judge Richard M. Berman on 5/3/10) (db) (Entered: 05/03/2010)
05/03/2010	<u>12</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Allison D. Penn dated 5/3/2010 re: The parties respectfully submit this letter to request brief adjournments to the dates set forth in your Honor's Order dated 4/30/2010 as further set forth in this letter. ENDORSEMENT: The revised schedule set forth above is adopted. Additionally, counsel are directed to send copies of any future letters impacting the schedule for the PI motion to Judge Berman. (Expert Depositions due by 5/18/2010. Motions due by 5/12/2010. Responses due by 5/24/2010. Replies due by 5/28/2010.) (Signed by Magistrate Judge Frank Maas on 5/3/2010) (tro) Modified on 5/6/2010 (tro). (Entered: 05/04/2010)
05/07/2010	<u>13</u>	MOTION for Robert T. Coulter to Appear Pro Hac Vice. Document filed by Eugene Johnson, Evelyn Houser.(mro) (Entered: 05/11/2010)
05/11/2010	<u>16</u>	MOTION for Sharon Dietrich to Appear Pro Hac Vice. Document filed by Eugene Johnson, Evelyn Houser.(mro) (Entered: 05/13/2010)
05/13/2010	<u>14</u>	ORDER granting <u>13</u> Motion for Robert T. Coutler to Appear Pro Hac Vice. (Signed by Judge Richard M. Berman on 5/12/2010) (js) (Entered: 05/13/2010)
05/13/2010	<u>15</u>	ENDORSED LETTER: addressed to Judge Richrd M. Berman from Samuel R. Miller dated 5/12/2010 re: Plaintiffs have concluded that a successful preliminary

		injunction motion likely would not result in the hiring of an appreciable number of putative class members, and that the motion should not be brought. This decision is based entirely on factors of timing and practicability in the context of emergency relief, and is not based on any considerations regarding the merits of this case. In fact, other expedited discovery has revealed startling evidence of discriminatory policies and practices of nature and extent that Plaintiffs had not previously contemplated. Thus, we believe the most efficient course at this time is for plaintiffs to proceed post-haste with preparation of the case in-chief. ENDORSEMENT: Deadlines to file motion for preliminary are terminated, discovery to be completed (fact and expert) by 10/26/2010. Status conference on 10/26/10 @ 9:00 a.m. with principals. Work on settlement. So Ordered. (Signed by Judge Richard M. Berman on 5/12/2010) (js) (Entered: 05/13/2010)
05/17/2010	<u>17</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>16</u> Motion for Sharon Dietrich to Appear Pro Hac Vice for Plaintiffs. (Signed by Judge Richard M. Berman on 5/17/2010) (tro) (Entered: 05/18/2010)
05/18/2010	<u>18</u>	NOTICE of Notice, Consent, and Reference of a Civil Action to a Magistrate Judge. Document filed by Gary Locke. (Penn, Allison) (Entered: 05/18/2010)
05/18/2010	<u>19</u>	NOTICE OF APPEARANCE by Allison D Penn on behalf of Gary Locke (Penn, Allison) (Entered: 05/18/2010)
05/18/2010		CASHIERS OFFICE REMARK on <u>13</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 05/07/2010, Receipt Number 902708. (jd) (Entered: 05/18/2010)
05/18/2010		CASHIERS OFFICE REMARK on <u>16</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 05/11/2010, Receipt Number 903918. (jd) (Entered: 05/18/2010)
05/19/2010	<u>20</u>	CONSENT TO JURISDICTION BY A US MAGISTRATE JUDGE by Gary Locke, Eugene Johnson, Evelyn Houser. (Case No Longer Referred to Magistrate Judge) CASE ASSIGNED to Magistrate Judge Frank Maas. (Signed by Judge Richard M. Berman on 5/19/10) (cd) (Entered: 05/20/2010)
05/19/2010	<u>22</u>	MOTION for Sarah Crawford to Appear Pro Hac Vice. Document filed by Eugene Johnson, Evelyn Houser.(mro) (Entered: 05/21/2010)
05/19/2010	<u>23</u>	MOTION for Audrey Wiggins to Appear Pro Hac Vice. Document filed by Eugene Johnson, Evelyn Houser.(mro) (Entered: 05/21/2010)
05/20/2010	<u>21</u>	NOTICE OF APPEARANCE by Daniel Post Filor on behalf of Gary Locke (Filor, Daniel) (Entered: 05/20/2010)
05/27/2010	<u>24</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>23</u> Motion for Audrey Wiggins to Appear Pro Hac Vice on behalf of Plaintiffs. (Signed by Magistrate Judge Frank Maas on 5/27/10) (djc) (Entered: 05/28/2010)
05/27/2010	<u>25</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>22</u> Motion for Sarah Crawford to Appear Pro Hac Vice on behalf of Plaintiffs.(Signed by Magistrate Judge Frank Maas on 5/24/10) (djc) (Entered: 05/28/2010)
06/03/2010		CASHIERS OFFICE REMARK on <u>23</u> Motion to Appear Pro Hac Vice, <u>22</u> Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 05/19/2010, Receipt Number 904407. (jd) (Entered: 06/03/2010)
06/09/2010	<u>26</u>	ENDORSED LETTER addressed to Magistrate Judge Andrew J. Peck from Samuel Miller dated 6/9/2010 re: Plaintiffs respectfully request that the Court schedule an informal conference to address Plaintiffs' request that the AEO and confidentiality designations on the 30-day letter and adjudication criteria documents, as well as the Patterson deposition, be removed. ENDORSEMENT: The Government is requested to respond to this letter by 6/16/10. (Signed by Magistrate Judge Frank Maas on 6/9/2010) (tve) (Entered: 06/10/2010)
06/11/2010	<u>27</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Allison D. Penn dated 6/10/2010 re: Defendants respectfully request that the Court schedule a

		pre-motion conference in this matter. Counsel request that the Court briefly extend the defendant's time to file its motion to dismiss until a date following the conference. ENDORSEMENT: The Court will hold a pre-motion conf. on 6/28/10 at 3 p.m. in Courtroom 20A. So Ordered. (Signed by Magistrate Judge Frank Maas on 6/11/2010) (jfe) (Entered: 06/14/2010)
06/28/2010		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Discovery Hearing held on 6/28/2010. (mro) (Entered: 06/29/2010)
06/29/2010	<u>28</u>	ORDER: It is hereby ordered that Defendants shall serve and file their motion to dismiss by July 16, 2010. Plaintiffs shall serve and file their response by August 13, 2010. Defendants may serve and file a reply by August 27, 2010. (Signed by Magistrate Judge Frank Maas on 6/28/2010) Copies Mailed By Chambers (jpo) (Entered: 06/30/2010)
07/16/2010	<u>29</u>	MOTION to Dismiss. Document filed by Gary Locke.(Filor, Daniel) (Entered: 07/16/2010)
07/16/2010	<u>30</u>	MEMORANDUM OF LAW in Support re: <u>29</u> MOTION to Dismiss.. Document filed by Gary Locke. (Filor, Daniel) (Entered: 07/16/2010)
07/16/2010	<u>31</u>	DECLARATION of Kathryn H. Anderson in Support re: <u>29</u> MOTION to Dismiss.. Document filed by Gary Locke. (Attachments: # <u>1</u> Exhibit Exh A (part 1 of 5), # <u>2</u> Exhibit Exh A (part 2 of 5), # <u>3</u> Exhibit Exh A (part 3 of 5), # <u>4</u> Exhibit Exh A (part 4 of 5), # <u>5</u> Exhibit Exh A (part 5 of 5))(Filor, Daniel) (Entered: 07/16/2010)
08/05/2010	<u>32</u>	FIRST AMENDED COMPLAINT amending <u>1</u> Complaint against Gary Locke.Document filed by Evelyn Houser, Eugene Johnson, Precious Daniels, Sandra Anderson, Ignacio Riesco, Felicia Rickett-Samuels, Anthony Gonzalez. Related document: <u>1</u> Complaint filed by Evelyn Houser, Eugene Johnson.(mro) (Additional attachment(s) added on 8/6/2010: # <u>1</u> Exhibit A) (ama). (Entered: 08/05/2010)
08/16/2010	<u>33</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Daniel P. Filor dated 8/13/2010 re: We write on behalf of all the parties to respectfully request that the Court So Order the below schedule relating to the briefing of a motion to dismiss to be filed by defendant in response to plaintiffs' amended complaint. The parties have agreed upon the following briefing schedule, which we respectfully request Your Honor to So Order: Defendant to file his motion to dismiss on or before September 10, 2010; Plaintiffs' memorandum in opposition to be filed on or before October 1, 2010; and Defendant's reply memorandum to be filed 11 days after plaintiffs' opposition. ENDORSEMENT: SO ORDERED. (Motions due by 9/10/2010, Responses due by 10/1/2010) (Signed by Magistrate Judge Frank Maas on 8/16/2010) (jmi) (Entered: 08/17/2010)
08/27/2010	<u>34</u>	NOTICE OF CHANGE OF ADDRESS by Samuel Rand Miller on behalf of Sandra Anderson, Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Felicia Rickett-Samuels, Ignacio Riesco. New Address: Outten & Golden LLP, 3 Park Avenue, Floor 29, New York, New York, USA 10016, (212) 245-1000. (Miller, Samuel) (Entered: 08/27/2010)
09/10/2010	<u>35</u>	MOTION to Dismiss <i>Amended Complaint</i> . Document filed by Gary Locke.(Filor, Daniel) (Entered: 09/10/2010)
09/10/2010	<u>36</u>	DECLARATION of Kathryn H. Anderson in Support re: <u>35</u> MOTION to Dismiss <i>Amended Complaint</i> .. Document filed by Gary Locke. (Attachments: # <u>1</u> Exhibit Part 1 (of 2) of Exh. A to Supplemental Anderson Declaration, # <u>2</u> Exhibit Part 2 (of 2) of Exhibit A to Supplemental Anderson Declaration)(Filor, Daniel) (Entered: 09/10/2010)
09/10/2010	<u>37</u>	MEMORANDUM OF LAW in Support re: <u>35</u> MOTION to Dismiss <i>Amended Complaint</i> .. Document filed by Gary Locke. (Filor, Daniel) (Entered: 09/10/2010)
09/30/2010	<u>38</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Daniel P. Filor dated 9/29/10 re: Plaintiffs seek a one-week extension of their time to file an opposition brief, such that it would be due on October 8, 2010. Plaintiffs also request an extension of the 25-page limitation such that they can file a 32-page opposition. Defendant seeks an extension of its time to file a reply brief so that the

		deadline would be October 22, 2010. ENDORSEMENT: APPLICATION GRANTED. SO ORDERED. (Responses due by 10/8/2010, Replies due by 10/22/2010.) (Signed by Magistrate Judge Frank Maas on 9/30/10) (djc) (Entered: 09/30/2010)
10/08/2010		***DELETED DOCUMENT. Deleted document number 39 Memorandum of Law in Opposition to Motion. The document was incorrectly filed in this case.(See doc.#43) (KA) (Entered: 11/01/2010)
10/08/2010		***DELETED DOCUMENT. Deleted document number 40 Declaration of Samuel R. Miller in Opposition to Motion. The document was incorrectly filed in this case.(See doc,#43) (KA) (Entered: 11/01/2010)
10/22/2010	<u>41</u>	REPLY MEMORANDUM OF LAW in Support re: <u>35</u> MOTION to Dismiss <i>Amended Complaint</i> .. Document filed by Gary Locke. (Filor, Daniel) (Entered: 10/22/2010)
10/22/2010	<u>42</u>	DECLARATION of Kathryn H. Anderson in Support re: <u>35</u> MOTION to Dismiss <i>Amended Complaint</i> .. Document filed by Gary Locke. (Attachments: # <u>1</u> Exhibit)(Filor, Daniel) (Entered: 10/22/2010)
10/25/2010	<u>43</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Samuel Miller dated 10/25/10 re: Request to refile certain redacted exhibits in connection with the Opposition to Defendant's Motion to Dismiss. ENDORSEMENT: Application granted. (Signed by Magistrate Judge Frank Maas on 10/25/10) (cd) (Entered: 10/25/2010)
10/26/2010	<u>44</u>	DECLARATION of Samuel R. Miller in Opposition re: <u>35</u> MOTION to Dismiss <i>Amended Complaint</i> .. Document filed by Sandra Anderson, Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Felicia Rickett-Samuels, Ignacio Riesco. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28)(Miller, Samuel) (Entered: 10/26/2010)
11/02/2010	<u>45</u>	REPLY MEMORANDUM OF LAW in Opposition re: <u>35</u> MOTION to Dismiss <i>Amended Complaint</i> .. Document filed by Sandra Anderson, Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Felicia Rickett-Samuels, Ignacio Riesco. (Miller, Samuel) (Entered: 11/02/2010)
12/10/2010	<u>46</u>	NOTICE OF CHANGE OF ADDRESS by Samuel Rand Miller on behalf of Sandra Anderson, Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Felicia Rickett-Samuels, Ignacio Riesco. New Address: Outten & Golden LLP, 3 Park Avenue, Floor 29, New York, New York, U.S.A. 10016, 212-245-1000. (Miller, Samuel) (Entered: 12/10/2010)
03/15/2011	<u>47</u>	DECISION AND ORDER, that for the reasons set forth in this Order, the Census Bureau's motion to dismiss the FAC pursuant to Rule 12(b)(6), (ECF No. 35), is granted with respect to the individual claims of plaintiffs Rickett-Samuels and Anderson as well as the Plaintiffs' class claims, but denied with respect to the individual claims of the remaining Plaintiffs. (Signed by Magistrate Judge Frank Maas on 3/14/11) Copies Sent By Chambers. (pl) (Entered: 03/15/2011)
03/29/2011	<u>48</u>	ANSWER to Amended Complaint. Document filed by Gary Locke. Related document: <u>32</u> Amended Complaint, filed by Evelyn Houser, Ignacio Riesco, Eugene Johnson, Felicia Rickett-Samuels, Anthony Gonzalez, Sandra Anderson, Precious Daniels.(La Morte, Tara) (Entered: 03/29/2011)
03/30/2011	<u>49</u>	ORDER OF AUTOMATIC REFERRAL TO MEDIATION (See M-10-468 Order filed July 15, 2010) Mediator to be Assigned by 4/11/2011. Mediator Expertise Request due by 4/4/2011. (Signed by Judge Loretta A. Preska on 01/03/11) (sc) (Entered: 03/30/2011)
04/04/2011		MEDIATOR EXPERTISE REQUEST Mediator to be Assigned by 4/14/2011.(O'Malley, George) (Entered: 04/04/2011)

04/05/2011		NOTICE OF MEDIATOR ASSIGNMENT – Notice of assignment of mediator. Mediator Schedule due by 5/5/2011.(ms) (Entered: 04/05/2011)
04/05/2011		***DELETED DOCUMENT. Deleted document number <u>56</u> Transcript. The document was incorrectly filed in this case. (tro) (Entered: 05/13/2011)
04/12/2011		MEDIATOR SESSION SCHEDULED First Mediation Session scheduled for 5/4/11 10:30 AM 233 Broadway.(O'Malley, George) (Entered: 04/12/2011)
04/13/2011		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Discovery Hearing held on 4/13/2011. (mbe) (Entered: 04/19/2011)
04/27/2011	<u>50</u>	ORDER OF WITHDRAWAL FROM MEDIATION. For the reasons previously discussed with counsel, I conclude that a mediation at this time would not be productive. Accordingly, I direct that this case be withdrawn from mediation until further notice. (Signed by Magistrate Judge Frank Maas on 4/27/11); Copies sent by Chambers (djc) (Entered: 04/28/2011)
04/29/2011	<u>51</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Daniel P. Filor dated 4/28/11 re: counsel for defendant respectfully requests that the Court enter the parties' agreed-upon schedule as follows: Plaintiffs move for leave to amend, attaching second amended complaint; parties exchange declarations by May 5, 2011: Parties serve notices of deposition, if any by May 12, 2011: Deadline to conduct depositions, if any by June 2, 2011: Defendant files opposition papers by June 7, 2011: Plaintiffs file reply papers by June 21, 2011. ENDORSEMENT: So Ordered.(Deposition due by 6/2/2011., Motions due by 5/5/2011., Responses due by 6/7/2011, Replies due by 6/21/2011.) (Signed by Magistrate Judge Frank Maas on 4/28/11) (pl) Modified on 4/29/2011 (pl). (Entered: 04/29/2011)
04/29/2011		MEDIATOR SESSION NOT HELD Mediator Session scheduled for 05/04/2011 at 233 Broadway was NOT held.(O'Malley, George) (Entered: 04/29/2011)
05/05/2011	<u>52</u>	MOTION for Leave to File Second Amended Complaint. Document filed by Sandra Anderson, Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Felicia Rickett-Samuels, Ignacio Riesco.(Miller, Samuel) (Entered: 05/05/2011)
05/05/2011	<u>53</u>	MEMORANDUM OF LAW in Support re: <u>52</u> MOTION for Leave to File Second Amended Complaint.. Document filed by Sandra Anderson, Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Felicia Rickett-Samuels, Ignacio Riesco. (Attachments: # <u>1</u> Exhibit A)(Miller, Samuel) (Entered: 05/05/2011)
05/09/2011	<u>54</u>	TRANSCRIPT of Proceedings held on 4/13/2011 before Magistrate Judge Frank Maas. Court Reporter/Transcriber: Carole Ludwig, (212) 420-0771. 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 6/3/2011. Redacted Transcript Deadline set for 6/13/2011. Release of Transcript Restriction set for 8/11/2011.(laq) (Entered: 05/09/2011)
05/09/2011	<u>55</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a proceeding held on 4/13/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(laq) (Entered: 05/09/2011)
06/02/2011	<u>56</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Daniel P. Filor dated 6/2/2011 re: The Government seeks an extension of its time to file its opposition brief to address issues raised by the proposed new Plaintiffs, such that it's brief would be due on June 28, 2011, rather than June 7. The date for the Government to provide Plaintiffs with any additional declarations in support of it's opposition brief would be June 23, 2011, and Plaintiffs reserve their rights to conduct discovery in response to such declarations. Plaintiffs seek an extension of their time to file a reply so that deadline would be July 15, 2011. ENDORSEMENT: Government's brief due 6/28/2011. Plaintiff's reply brief due

		7/15/2011 (Signed by Magistrate Judge Frank Maas on 6/2/2011) (js) (Entered: 06/03/2011)
06/13/2011	<u>57</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated 6/10/11 re: Census respectfully requests that the Court permit it to file a motion to dismiss Plaintiffs' claims for injunctive and declaratory relief pursuant to Federal Rule of Civil Procedure 12(b)(1), or schedule a pre-motion conference to discuss the matter. ENDORSEMENT: The Court will hold a pre-motion telephone conference on 6/21 at 2:00 p.m. The government should initiate the call. (Pre-Motion Conference set for 6/21/2011 at 02:00 PM before Magistrate Judge Frank Maas. Telephone Conference set for 6/21/2011 at 02:00 PM before Magistrate Judge Frank Maas.) (Signed by Magistrate Judge Frank Maas on 6/13/11) (rjm) (Entered: 06/14/2011)
06/16/2011	<u>58</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Samuel Miller dated 6/14/11 re: Plaintiffs respectfully request an extension of time in which to submit a response to Defendant's letter brief until Friday, June 17th. ENDORSEMENT: Application granted. So ordered. (Signed by Magistrate Judge Frank Maas on 6/14/11) (rjm) (Entered: 06/17/2011)
06/21/2011		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Telephone Conference held on 6/21/2011. (mbe) (Entered: 06/23/2011)
06/24/2011	<u>72</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION. Attorney Ray P. McClain for Precious Daniels,Ray P. McClain for Anthony Gonzalez,Ray P. McClain for Evelyn Houser,Ray P. McClain for Eugene Johnson,Ray P. McClain for Ignacio Riesco admitted Pro Hac Vice. (Signed by Magistrate Judge Frank Maas on 6/23/11) (cd) (Entered: 07/14/2011)
06/24/2011	<u>73</u>	ORDER. It is hereby ORDERED that by June 28, 2011, the Government shall serve and file (a) its papers in opposition to Plaintiffs' motion to amend the complaint, and (b) its motion to dismiss Plaintiffs' claims for declaratory and injunctive relief pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure. By July 29, 2011, Plaintiffs shall serve and file (a) their reply papers with respect to their motion to amend the complaint, and (b) their papers in opposition to the Government's motion to dismiss. By August 12, 2011, the Government shall serve and file its reply papers with respect to its motion to dismiss. (Deft.'s Motions to amend due by 6/28/2011. Responses due by 7/29/2011. Replies due by 8/12/2011.) (Signed by Magistrate Judge Frank Maas on 6/21/11) Copies Sent By Chambers. (rjm) (Entered: 07/14/2011)
06/27/2011	<u>59</u>	ENDORSED LETTER: addressed to Magistrate Judge Frank Maas from Daniel P. Filor dated 6/24/2011 re: Counsel for defendant Gary Locke, Secretary of the U.S. Department of Commerce write to request permission to file memorandum of law up to 40 pages in opposition to Plaintiffs' motion for leave to amend. ENDORSEMENT: Application Granted. So Ordered. (Signed by Magistrate Judge Frank Maas on 6/27/11) (js) (Entered: 06/28/2011)
06/28/2011	<u>60</u>	NOTICE OF APPEARANCE by Natalie Nancy Kuehler on behalf of Gary Locke (Kuehler, Natalie) (Entered: 06/28/2011)
06/28/2011	<u>61</u>	MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Claims for Injunctive and Declaratory Relief</i> . Document filed by Gary Locke. Responses due by 7/29/2011(La Morte, Tara) (Entered: 06/28/2011)
06/28/2011	<u>62</u>	MEMORANDUM OF LAW in Support re: <u>61</u> MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Claims for Injunctive and Declaratory Relief</i> .. Document filed by Gary Locke. (La Morte, Tara) (Entered: 06/28/2011)
06/28/2011	<u>63</u>	AFFIDAVIT of Sandra Patterson in Support re: <u>61</u> MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Claims for Injunctive and Declaratory Relief</i> .. Document filed by Gary Locke. (La Morte, Tara) (Entered: 06/28/2011)
06/28/2011	<u>64</u>	AFFIDAVIT of Frank Vitrano in Support re: <u>61</u> MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Claims for Injunctive and Declaratory Relief</i> .. Document filed by Gary Locke. (La Morte, Tara) (Entered: 06/28/2011)

06/28/2011	<u>65</u>	AFFIDAVIT of Viola Lewis Willis in Support re: <u>61</u> MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Claims for Injunctive and Declaratory Relief.</i> . Document filed by Gary Locke. (La Morte, Tara) (Entered: 06/28/2011)
06/28/2011	<u>66</u>	AFFIDAVIT of Tara M. La Morte in Support re: <u>61</u> MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Claims for Injunctive and Declaratory Relief.</i> . Document filed by Gary Locke. (Attachments: # <u>1</u> Exhibit 1)(La Morte, Tara) (Entered: 06/28/2011)
06/28/2011	<u>67</u>	MEMORANDUM OF LAW in Opposition re: <u>52</u> MOTION for Leave to File Second Amended Complaint.. Document filed by Gary Locke. (Kuehler, Natalie) (Entered: 06/28/2011)
06/28/2011	<u>68</u>	DECLARATION of Viola Lewis Willis in Opposition re: <u>52</u> MOTION for Leave to File Second Amended Complaint.. Document filed by Gary Locke. (Kuehler, Natalie) (Entered: 06/28/2011)
06/28/2011	<u>69</u>	DECLARATION of Daniel Pennacchia in Opposition re: <u>52</u> MOTION for Leave to File Second Amended Complaint.. Document filed by Gary Locke. (Kuehler, Natalie) (Entered: 06/28/2011)
06/28/2011	<u>70</u>	DECLARATION of Kathryn H. Anderson in Opposition re: <u>52</u> MOTION for Leave to File Second Amended Complaint.. Document filed by Gary Locke. (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)(Kuehler, Natalie) (Entered: 06/28/2011)
06/28/2011	<u>71</u>	DECLARATION of Viola Lewis Willis in Opposition re: <u>52</u> MOTION for Leave to File Second Amended Complaint.. Document filed by Gary Locke. (Attachments: # <u>1</u> Exhibit A)(Kuehler, Natalie) (Entered: 06/28/2011)
07/22/2011	<u>74</u>	TRANSCRIPT of Proceedings re: conference held on 6/21/2011 before Magistrate Judge Frank Maas. Court Reporter/Transcriber: Carole Ludwig, (212) 420-0771. 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 8/15/2011. Redacted Transcript Deadline set for 8/25/2011. Release of Transcript Restriction set for 10/24/2011.(laq) (Entered: 07/22/2011)
07/22/2011	<u>75</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a conference proceeding held on 6/21/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(laq) (Entered: 07/22/2011)
07/26/2011	<u>76</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 7/26/11 re: Plaintiffs respectfully request permission to file a reply brief of no more than 25 pages. ENDORSEMENT: Application granted. So ordered. (Signed by Magistrate Judge Frank Maas on 7/26/11) (rjm) (Entered: 07/27/2011)
07/28/2011	<u>77</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 7/28/11 re: Counsel for the plaintiffs requests a 3 day extension of the deadline to file plaintiffs' memorandum of law in reply to defendant's opposition to plaintiff's motion for leave to amend until 8/3/11. ENDORSEMENT: Application granted. So ordered. Set Deadlines/Hearing as to <u>52</u> MOTION for Leave to File Second Amended Complaint:(Replies due by 8/3/2011.) (Signed by Magistrate Judge Frank Maas on 7/28/2011) (mro) (Entered: 07/29/2011)
07/29/2011	<u>78</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MEMORANDUM OF LAW in Opposition re: <u>61</u> MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Claims for Injunctive and Declaratory Relief.</i> Document filed by Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Ignacio Riesco. (Miller, Samuel) Modified on 8/5/2011 (db). (Entered: 07/29/2011)
07/29/2011	<u>79</u>	DECLARATION of Samuel R. Miller in Opposition re: <u>61</u> MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Claims for Injunctive and Declaratory Relief.</i>

		Document filed by Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Ignacio Riesco. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10)(Miller, Samuel) (Entered: 07/29/2011)
07/29/2011	<u>80</u>	DECLARATION of Precious Daniels in Opposition re: <u>61</u> MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Claims for Injunctive and Declaratory Relief.</i> . Document filed by Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Ignacio Riesco. (Miller, Samuel) (Entered: 07/29/2011)
07/29/2011	<u>81</u>	DECLARATION of Vincent Daniels in Opposition re: <u>61</u> MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Claims for Injunctive and Declaratory Relief.</i> . Document filed by Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Ignacio Riesco. (Miller, Samuel) (Entered: 07/29/2011)
07/29/2011	<u>82</u>	DECLARATION of Anthony Gonzalez in Opposition re: <u>61</u> MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Claims for Injunctive and Declaratory Relief.</i> . Document filed by Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Ignacio Riesco. (Miller, Samuel) (Entered: 07/29/2011)
08/01/2011	<u>83</u>	MEMORANDUM OF LAW in Opposition re: <u>61</u> MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Claims for Injunctive and Declaratory Relief.</i> . Document filed by Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Ignacio Riesco. (Miller, Samuel) (Entered: 08/01/2011)
08/03/2011	<u>84</u>	REPLY MEMORANDUM OF LAW in Support re: <u>52</u> MOTION for Leave to File Second Amended Complaint.. Document filed by Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Ignacio Riesco. (Attachments: # <u>1</u> Exhibit A)(Miller, Samuel) (Entered: 08/03/2011)
08/03/2011	<u>85</u>	DECLARATION of Samuel R. Miller in Support re: <u>52</u> MOTION for Leave to File Second Amended Complaint.. Document filed by Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Ignacio Riesco. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8)(Miller, Samuel) (Entered: 08/04/2011)
08/10/2011	<u>86</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Daniel P. Filor, Tara M. La Morte and Natalie N. Kuehler dated 8/10/11 re: On behalf of defendant Gary Locke, Secretary of the U.S. Department of Commerce ("Census"), we write to respectfully request permission to file memorandum of law of up to 15 pages in reply to Plaintiffs' opposition to Census's motion to dismiss Plaintiffs' claims for prospective injunctive and declaratory relief Plaintiffs consent to this request. ENDORSEMENT: APPLICATION GRANTED. SO ORDERED. (Signed by Magistrate Judge Frank Maas on 8/10/11) (djc) (Entered: 08/11/2011)
08/12/2011	<u>87</u>	REPLY MEMORANDUM OF LAW in Support re: <u>61</u> MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Claims for Injunctive and Declaratory Relief.</i> . Document filed by Gary Locke. (La Morte, Tara) (Entered: 08/12/2011)
08/12/2011	<u>88</u>	REPLY AFFIDAVIT of Tara M. La Morte in Opposition re: <u>61</u> MOTION to Dismiss for Lack of Jurisdiction <i>Plaintiffs' Claims for Injunctive and Declaratory Relief.</i> . Document filed by Gary Locke. (Attachments: # <u>1</u> Exhibit 1)(La Morte, Tara) (Entered: 08/12/2011)
08/17/2011	<u>89</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated 8/11/11 re: We write respectfully to respond to two letters submitted by Plaintiffs on August 10 and August 11, 2011, and to request that the Court conduct a prompt conference and direct the parties to limit or discontinue such piecemeal letter submissions. ENDORSEMENT: The Court will hold a telephone conference on August 19, 2011, at 2:00 p.m. Counsel should agree on who will initiate the call. (Telephone Conference set for 8/19/2011 at 02:00 PM before Magistrate Judge Frank Maas.) (Signed by Magistrate Judge Frank Maas on 8/17/11) (rjm) (Entered: 08/18/2011)
08/19/2011		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Telephone Conference held on 8/19/2011. (mro) (Entered: 08/25/2011)

09/19/2011	<u>90</u>	REPLY MEMORANDUM OF LAW in Opposition re: <u>52</u> MOTION for Leave to File Second Amended Complaint.. Document filed by Gary Locke. (Kuehler, Natalie) (Entered: 09/19/2011)
12/02/2011	<u>91</u>	PROTECTIVE ORDER... regarding procedures to be followed that shall govern the handling of confidential material... (Signed by Magistrate Judge Frank Maas on 12/2/2011) (rjm) (Entered: 12/05/2011)
12/02/2011	<u>92</u>	PRIVACY ACT ORDER. IT IS HEREBY ORDERED THAT: 1. To the extent that the Government objects to providing certain information and documents or any other information or material sought by Plaintiffs during the course of this action on the ground that such production is prohibited by the Privacy Act of 1974, 5 U.S.C. § 552a, the Government's objection is overruled and the Government shall produce the requested documents and other information or material. 5 U.S.C. § 552a(b)(11). 2. This Order is without prejudice to any other objections the parties may have to producing such documents and information. (Signed by Magistrate Judge Frank Maas on 12/2/2011) (rjm) (Entered: 12/05/2011)
12/22/2011	<u>93</u>	DECLARATION of Viola Lewis Willis in Opposition re: <u>52</u> MOTION for Leave to File Second Amended Complaint.. Document filed by Gary Locke. (Filor, Daniel) (Entered: 12/22/2011)
01/04/2012	<u>94</u>	NOTICE of of Record of Party's Death. Document filed by Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Ignacio Riesco. (Miazad, Ossai) (Entered: 01/04/2012)
01/04/2012	<u>95</u>	NOTICE of Supplemental Authority re: <u>84</u> Reply Memorandum of Law in Support of Motion. Document filed by Sandra Anderson, Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Felicia Rickett-Samuels, Ignacio Riesco. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Miazad, Ossai) (Entered: 01/04/2012)
01/13/2012	97	MOTION for Jane Dolkart to Appear Pro Hac Vice. Document filed by Sandra Anderson, Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Felicia Rickett-Samuels, Ignacio Riesco.(pgu) (Entered: 01/23/2012)
01/20/2012	<u>96</u>	MOTION for Anjana Samant to Withdraw as Attorney of Record by Anjana Samant. Document filed by Sandra Anderson, Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Felicia Rickett-Samuels, Ignacio Riesco. (Attachments: # <u>1</u> Text of Proposed Order)(Samant, Anjana) (Entered: 01/20/2012)
01/23/2012	<u>98</u>	NOTICE of Supplemental Authority re: <u>84</u> Reply Memorandum of Law in Support of Motion. Document filed by Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Ignacio Riesco. (Attachments: # <u>1</u> Exhibit A)(Miazad, Ossai) (Entered: 01/23/2012)
01/24/2012		CASHIERS OFFICE REMARK on 97 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 01/13/2012, Receipt Number 1027015. (jd) (Entered: 01/24/2012)
01/25/2012	<u>99</u>	MEMO ENDORSED granting 97 Motion for Jane Dolkart to Appear Pro Hac Vice for plaintiffs. (Signed by Magistrate Judge Frank Maas on 1/23/2012) (cd) (Entered: 01/25/2012)
02/08/2012	<u>100</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Natalie N. Kuehler dated 2/8/2012 re: The Government respectfully requests that the Court disregard Plaintiffs' January 23, 2012 letter and direct Plaintiffs to comply with the Court's prior order prohibiting any further submissions on that Motion. ENDORSEMENT: While I appreciate efforts to clarify the record, I have received quite enough written material. Counsel, therefore are directed to make no further submissions about anything other than scheduling before I rule on the outstanding motions. (Signed by Magistrate Judge Frank Maas on 2/8/2012) (jfe) (Entered: 02/14/2012)
03/22/2012	<u>101</u>	DECISION AND ORDER granting in part and denying in part <u>52</u> Motion for Leave to File Document; denying <u>61</u> Motion to Dismiss for Lack of Jurisdiction. For the reasons set forth above, the Census Bureau's motion to dismiss the

		Plaintiffs' claims for injunctive and declaratory relief (ECF No. 61) is denied, and the Plaintiffs' motion for leave to amend (ECF No. 52) is denied with respect to Anderson's claims, and granted in all other respects. Consequently, Plaintiffs Johnson, Houser, Gonzalez, Riesco, and Daniels may assert individual claims, and Plaintiffs Rickett– Samuels, Scott, Desphy, and Kargbo may assert both individual and class claims. (Signed by Magistrate Judge Frank Maas on 3/21/2012) Copies Sent By Chambers. (lmb) (Entered: 03/22/2012)
03/30/2012	<u>102</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 3/30/2012 re: counsel for plaintiff respectfully request that you "so order" this letter to change the docket to correctly reflect that John Bryson is the named defendant in this lawsuit. ENDORSEMENT: Application Granted. So Ordered.., John Bryson added. Gary Locke terminated. (Signed by Magistrate Judge Frank Maas on 3/30/2012) (pl) (Entered: 04/02/2012)
04/03/2012	<u>103</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Outten & Golden, LLP dated 3/30/2012 re: Counsel request a pre–motion conference to seek clarification and/or reconsideration of the Court's March 22, 2012 Order to dismiss the claims of Sandra Anderson for failure to exhaust the administrative filing requirement. ENDORSEMENT: Given the circumstances herein set forth, it seems to me that Ms. Anderson can sue in her own right, which I would suggest be accomplished through a further amendment, to the proposed second amended complaint. *If counsel cannot reach an agreement on this, they should call Chambers to schedule a conference. (Signed by Magistrate Judge Frank Maas on 4/3/2012) (jfe) (Entered: 04/09/2012)
04/09/2012	<u>104</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 3/30/2012 re: counsel for plaintiffs respectfully request that you "so order" this letter to change the docket to correctly reflect that John Bryson is the named defendant in this lawsuit. ENDORSEMENT: Application Granted. (Signed by Magistrate Judge Frank Maas on 3/30/2012) (pl) (Entered: 04/10/2012)
04/17/2012	<u>105</u>	ORDER: By April 24, 2012, the parties shall submit to Chambers a proposed joint discovery scheduling order. Motions due by 4/27/2012. Responses due by 5/11/2012. Replies due by 5/18/2012. Status Conference set for 6/13/2012 at 02:00 PM before Magistrate Judge Frank Maas. (Signed by Magistrate Judge Frank Maas on 4/17/2012) Copies Faxed By Chambers. (ft) (Entered: 04/17/2012)
04/17/2012		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Telephone Conference held on 4/17/2012. (js) (Entered: 04/18/2012)
04/26/2012	<u>106</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 4/25/2012 re: Request for the following briefing schedule for plaintiff motion for reconsideration. ENDORSEMENT: Application granted. (Motion due by 5/4/2012. Response due by 5/18/2012 Reply due by 5/25/2012.) (Signed by Magistrate Judge Frank Maas on 4/26/2012) (cd) (Entered: 04/27/2012)
04/30/2012	<u>107</u>	SCHEDULING ORDER: A telephonic status conference with counsel to the parties and the Court will be held on June 13, 2012 at 2 p.m. Depositions as to liability (Stage 1) shall be completed by December 31, 2012. A settlement conference with counsel to the parties and the Court will be held on January 7, 2013, at 10 am. Liability and expert discovery as to Stage 1 issues shall be completed by May 10, 2013. Plaintiffs shall make expert disclosures required by Fed. R. Civ. P. 26(a)(2) by February 1, 2013. All depositions of Plaintiffs' experts shall be completed by February 28, 2013. Defendant shall make expert disclosures required by Fed. R. Civ. P. 26(a)(2) by March 29, 2013. All depositions of Defendant's experts shall be completed by April 22, 2013. Motions due by 2/1/2013. Responses due by 3/29/2013 Replies due by 5/10/2013. Deposition due by 2/28/2013. Expert Discovery due by 5/10/2013. Settlement Conference set for 1/7/2013 at 10:00 AM before Magistrate Judge Frank Maas. Telephone Conference set for 6/13/2012 at 03:00 PM before Magistrate Judge Frank Maas. (Signed by Magistrate Judge Frank Maas on 4/30/2012) (rdz) (Entered: 05/01/2012)
05/04/2012	<u>108</u>	MOTION to Amend/Correct <i>Complaint or In the Alternative for Reconsideration</i> . Document filed by Sandra Anderson, Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Felicia Rickett–Samuels, Ignacio Riesco.(Klein, Adam) (Entered: 05/04/2012)

05/04/2012	<u>109</u>	MEMORANDUM OF LAW in Support re: <u>108</u> MOTION to Amend/Correct <i>Complaint or In the Alternative for Reconsideration..</i> Document filed by Sandra Anderson, Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Felicia Rickett-Samuels, Ignacio Riesco. (Klein, Adam) (Entered: 05/04/2012)
05/04/2012	<u>110</u>	DECLARATION of Ossai Miazad in Support re: <u>108</u> MOTION to Amend/Correct <i>Complaint or In the Alternative for Reconsideration..</i> Document filed by Sandra Anderson, Precious Daniels, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Felicia Rickett-Samuels, Ignacio Riesco. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Miazad, Ossai) (Entered: 05/04/2012)
05/11/2012	<u>111</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 5/10/2012 re: counsel for Plaintiffs respectfully submits this response to Defendant's letter of May 3, 2012, requesting that Plaintiff Eugene Johnson be dismissed from this action. ENDORSEMENT: In light of this letter, the claims of plaintiff Eugene Johnson are dismissed pursuant to Fed.R. Civ. P. 25(a)(1)..., Eugene Johnson terminated. (Signed by Magistrate Judge Frank Maas on 5/11/2012) (pl) (Entered: 05/14/2012)
05/18/2012	<u>112</u>	MEMORANDUM OF LAW in Opposition re: <u>108</u> MOTION to Amend/Correct <i>Complaint or In the Alternative for Reconsideration..</i> Document filed by John Bryson. (Filor, Daniel) (Entered: 05/18/2012)
05/18/2012	<u>113</u>	DECLARATION of Beverly Stewart in Opposition re: <u>108</u> MOTION to Amend/Correct <i>Complaint or In the Alternative for Reconsideration..</i> Document filed by John Bryson. (Attachments: # <u>1</u> Exhibit A (EEO Poster), # <u>2</u> Exhibit B (Anderson I9))(Filor, Daniel) (Entered: 05/18/2012)
05/18/2012	<u>114</u>	DECLARATION of Daniel P. Filor in Opposition re: <u>108</u> MOTION to Amend/Correct <i>Complaint or In the Alternative for Reconsideration..</i> Document filed by John Bryson. (Attachments: # <u>1</u> Exhibit A (2012-3-30 letter), # <u>2</u> Exhibit B (2012-5-8 email), # <u>3</u> Exhibit C (Houser EEO decision), # <u>4</u> Exhibit D (Heaton EEO decision), # <u>5</u> Exhibit E (2010-6-10 letter))(Filor, Daniel) (Entered: 05/18/2012)
05/25/2012	<u>115</u>	REPLY MEMORANDUM OF LAW in Support re: <u>108</u> MOTION to Amend/Correct <i>Complaint or In the Alternative for Reconsideration..</i> Document filed by Sandra Anderson, Precious Daniels, Anthony Gonzalez, Evelyn Houser, Felicia Rickett-Samuels, Ignacio Riesco. (Klein, Adam) (Entered: 05/25/2012)
05/25/2012	<u>116</u>	REPLY AFFIDAVIT of Ossai Miazad in Support re: <u>108</u> MOTION to Amend/Correct <i>Complaint or In the Alternative for Reconsideration..</i> Document filed by Sandra Anderson, Precious Daniels, Anthony Gonzalez, Evelyn Houser, Felicia Rickett-Samuels, Ignacio Riesco. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Miazad, Ossai) (Entered: 05/25/2012)
06/25/2012	<u>117</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Natalie N. Kuehler dated 6/21/2012 re: I therefore respectfully request that your Honor "so order" this letter to change the docket to reflect that the defendant in this lawsuit is now "Rebecca M. Blank, Acting Secretary, United States Department of Commerce", and that the defendant continues to be represented by Assistant U.S. Attorneys Daniel P. Filor, Tara M. LaMorte and Natalie N. Kuehler as lead attorneys and attorneys to be noticed. ENDORSEMENT: So ordered. (Signed by Magistrate Judge Frank Maas on 6/22/2012) (djc) (Entered: 06/25/2012)
07/13/2012	<u>118</u>	MEMO ENDORSED ON MOTION TO WITHDRAW AS ATTORNEY OF RECORD: THE COURT HEREBY GRANTS the Motion to Withdraw as Attorney of Record, permitting Anjana Samant, counsel for Plaintiffs Eugene Johnson, Evelyn Houser, Sandra Anderson, Anthony Gonzalez, Ignacio Riesco, Precious Daniels, and Felicia Rickett-Samuels, on behalf of themselves and all others similarly situated, to withdraw from representation for the reasons set forth therein. (Signed by Magistrate Judge Frank Maas on 7/13/2012) (ama) Modified on 7/19/2012 (ama). (Entered: 07/16/2012)
07/17/2012	119	Letter addressed to Magistrate Judge Frank Maas from Daniel P. Filor dated 5/3/2012 re: We write on behalf of defendant John E. Bryson, Secretary of the United States Department of Commerce (the "Government"), and respectfully

		submit that plaintiff Eugene Johnson should be dismissed from this action and his named should be removed from the caption as a named plaintiff. Document filed by Rebecca M. Blank.(lmb) (Entered: 07/23/2012)
07/30/2012		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Telephone Conference held on 7/30/2012. (dj) (Entered: 08/06/2012)
08/03/2012	<u>120</u>	DECISION AND ORDER denying <u>108</u> Motion to Amend/Correct. For the reasons set forth above, the Plaintiffs' motion to amend the complaint, or, in the alternative, for reconsideration (ECF No.108) is denied.SO ORDERED.(Signed by Magistrate Judge Frank Maas on 8/03/2012) Copies Sent By Chambers. (ama) (Entered: 08/03/2012)
09/07/2012	<u>121</u>	ORDER. It is hereby ORDERED that: The Defendant shall submit forthwith for my in camera review the nine documents which the Defendant believes are subject to the deliberative process privilege. By October 5, 2012, the Defendant shall serve and file a declaration explaining why these materials are protected by the deliberative process privilege. By October 15, 2012, the Plaintiffs shall serve and file their response. A further telephone conference shall be held on November 7, 2012, at 11:00 a.m. Counsel for the Plaintiff should initiate that conference by calling Chambers at (212) 805-6727. (Telephone Conference set for 11/7/2012 at 11:00 AM before Magistrate Judge Frank Maas.) (Signed by Magistrate Judge Frank Maas on 9/7/2012) Copies Sent By Chambers via ECF. (rjm) (Entered: 09/10/2012)
09/07/2012		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Telephone Conference held on 9/7/2012. (lmb) (Entered: 09/18/2012)
09/10/2012	<u>122</u>	NOTICE OF APPEARANCE by Amber Christine Trzinski on behalf of Precious Daniels, Anthony Gonzalez, Evelyn Houser, Felicia Rickett-Samuels, Ignacio Riesco (Trzinski, Amber) (Entered: 09/10/2012)
09/19/2012	<u>123</u>	MOTION for Sally J. Abrahamson to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-7829816. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Precious Daniels, Anthony Gonzalez, Evelyn Houser, Ignacio Riesco. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Good Standing - District of Columbia, # <u>3</u> Certificate of Good Standing - State of Texas)(Abrahamson, Sally) (Entered: 09/19/2012)
09/19/2012		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>123</u> MOTION for Sally J. Abrahamson to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-7829816. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (pgu) (Entered: 09/19/2012)
09/21/2012	124	ORDER granting <u>123</u> Motion for Sally Jasmine Abrahamson to Appear Pro Hac Vice (HEREBY ORDERED by Magistrate Judge Frank Maas)(Text Only Order) (Maas, Frank) (Entered: 09/21/2012)
09/21/2012	<u>125</u>	SECOND AMENDED COMPLAINT amending <u>32</u> Amended Complaint, against Rebecca M. Blank.Document filed by Felicia Rickett-Samuels, Evelyn Houser, Ignacio Riesco, Precious Daniels, Anthony Gonzalez, Scotty Desphy, Chynell Scott, Vivian Kargbo. Related document: <u>32</u> Amended Complaint, filed by Evelyn Houser, Ignacio Riesco, Eugene Johnson, Felicia Rickett-Samuels, Anthony Gonzalez, Sandra Anderson, Precious Daniels.***Accepted for filing by the Honorable Frank Maas on 9/25/2012. (mro) (tro). (Entered: 09/27/2012)
09/27/2012		***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney Adam T Klein for noncompliance with Section 14.3 of the S.D.N.Y. Electronic Case Filing Rules & Instructions. E-MAIL the PDF for Document <u>125</u> Amended Complaint, to: caseopenings@nysd.uscourts.gov. (mro) (Entered: 09/27/2012)
10/05/2012	<u>126</u>	DECLARATION of Michael Toland., DECLARATION of Michael Toland in Opposition. Document filed by Rebecca M. Blank. (Filor, Daniel) (Entered: 10/05/2012)
10/15/2012	<u>127</u>	TRANSCRIPT of Proceedings re: proceedings held on 9/7/2012 before Magistrate Judge Frank Maas. Court Reporter/Transcriber: Carole Ludwig, (212) 420-0771.

		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 11/8/2012. Redacted Transcript Deadline set for 11/19/2012. Release of Transcript Restriction set for 1/17/2013.(tro) (Entered: 10/15/2012)
10/15/2012	<u>128</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a proceedings proceeding held on 9/7/2012 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(tro) (Entered: 10/15/2012)
10/19/2012	<u>129</u>	ANSWER to <u>125</u> Amended Complaint,. Document filed by Rebecca M. Blank.(Kuehler, Natalie) (Entered: 10/19/2012)
10/22/2012	<u>130</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas, from Daniel P. Filor, dated 10/17/2012, re: request leave to submit a letter in reply to plaintiffs' letter dated October 15, 2012 – to submit a reply letter on or before October 22, 2012. ENDORSEMENT: Approved. (Signed by Magistrate Judge Frank Maas on 10/21/2012) (ja) (Entered: 10/22/2012)
11/07/2012	<u>131</u>	ORDER: It is hereby ORDERED that the Defendant shall submit forthwith the additional draft adjudication criteria document discussed during the telephone conference (for in camera review); and the final version of that document. By February 3, 2013, all depositions shall be completed. A further telephone conference shall be held on December 3, 2012, at 11:00 a.m. Counsel for the Plaintiffs should initiate that conference by calling Chambers at (212) 805-6727. A settlement conference shall be held on February 13, 2013, at 2 p.m. in Courtroom 20A. My settlement procedures are attached. (Deposition due by 2/3/2013.) (Settlement Conference set for 2/13/2013 at 02:00 PM in Courtroom 20A, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Frank Maas. Telephone Conference set for 12/3/2012 at 11:00 AM before Magistrate Judge Frank Maas.) (Signed by Magistrate Judge Frank Maas on 11/7/2012) Copies Sent By Chambers. (ja) (Entered: 11/07/2012)
11/07/2012		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Telephone Conference held on 11/7/2012. (djc) (Entered: 11/13/2012)
12/03/2012	<u>132</u>	ORDER: Pursuant to the telephone conference held earlier today, it is hereby ORDERED that a further telephone conference shall be held on January 16, 2013, at 10:00 a.m. Counsel for the Plaintiffs should initiate that conference by calling Chambers at (212) 805-6727., (Telephone Conference set for 1/16/2013 at 10:00 AM before Magistrate Judge Frank Maas.) (Signed by Magistrate Judge Frank Maas on 12/3/2012) (lmb) (Entered: 12/03/2012)
12/03/2012		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Telephone Conference held on 12/3/2012. (djc) (Entered: 12/11/2012)
01/16/2013		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Telephone Conference held on 1/16/2013. (rjm) (Entered: 01/17/2013)
01/18/2013	<u>133</u>	ORDER. It is hereby ORDERED that: 1. By May 3, 2013: (a) all depositions shall be completed; and (b) the Plaintiffs shall file their motion for class certification. 2. By June 28, 2013, the Defendant shall file her papers in opposition to the Plaintiffs' motion. 3. By August 9, 2013, the Plaintiffs may file a reply. 4. A further telephone conference shall be held on March 5, 2013, at 10:00 a.m. Counsel for the plaintiffs should initiate that conference by calling Chambers at (212) 805-6727. (All Depositions due by 5/3/2013. Motions due by 5/3/2013. Responses due by 6/28/2013. Replies due by 8/9/2013. (Telephone Conference set for 3/5/2013 at 10:00 AM before Magistrate Judge Frank Maas.) (Signed by Magistrate Judge Frank Maas on 1/16/2013) Copies Sent By Chambers. (rjm) Modified on 1/18/2013 (rjm). (Entered: 01/18/2013)
02/08/2013	<u>134</u>	NOTICE OF APPEARANCE by Louis Anthony Pellegrino on behalf of Rebecca M. Blank (Pellegrino, Louis) (Entered: 02/08/2013)

02/22/2013	<u>135</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Natalie N. Kuehler dated 2/21/2013 re: We write on behalf of defendant Rebecca Blank, Acting Secretary of the United States Department of Commerce (the "Government), in response to the Plaintiffs' letter dated February 19, 2013, which requests "an informal in-person conference with the Court" regarding alleged discovery deficiencies. Accordingly, the Government requests that the Court direct Plaintiffs to resubmit a letter that complies with the three-page limit set forth in Your Honor's Individual Practices, or, in the alternative, grant the Government until March 4, 2013-the day prior to the next telephonic status conference in this case-to submit its response. ENDORSEMENT: The Government may have until 3/4 to respond. The 3/5 conference is adjourned to 3/11 at 2 pm in Courtroom 9A. (Telephone Conference set for 3/11/2013 at 02:00 PM in Courtroom 9A, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Frank Maas.) (Signed by Magistrate Judge Frank Maas on 2/21/2013) (djc) Modified on 2/22/2013 (djc). Modified on 2/27/2013 (djc). (Entered: 02/22/2013)
02/26/2013	<u>136</u>	ORDER: I have reviewed Plaintiffs' letter dated February 19, 2013, to which I have received no response. The Defendant is directed to respond to that letter by March 4, 2013. Thereafter, I will address the issues raised by the Plaintiffs' letter at a conference on March 12, 2013, at 2 p.m., in Courtroom 9A. I do not wish to receive any reply letter prior to that conference. (Signed by Magistrate Judge Frank Maas on 2/26/2013) (djc) (Entered: 02/27/2013)
02/26/2013		Set/Reset Hearings: Status Conference set for 3/12/2013 at 02:00 PM in Courtroom 9A, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Frank Maas. (djc) (Entered: 02/27/2013)
03/07/2013	<u>137</u>	TRANSCRIPT of Proceedings re: proceedings held on 11/7/2012 before Magistrate Judge Frank Maas. Court Reporter/Transcriber: Carole Ludwig, (212) 420-0771. 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 4/1/2013. Redacted Transcript Deadline set for 4/11/2013. Release of Transcript Restriction set for 6/10/2013.(tro) (Entered: 03/07/2013)
03/07/2013	<u>138</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a proceedings proceeding held on 11/7/2012 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(tro) (Entered: 03/07/2013)
03/07/2013	<u>139</u>	TRANSCRIPT of Proceedings re: proceedings held on 12/3/2012 before Magistrate Judge Frank Maas. Court Reporter/Transcriber: Carole Ludwig, (212) 420-0771. 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 4/1/2013. Redacted Transcript Deadline set for 4/11/2013. Release of Transcript Restriction set for 6/10/2013.(tro) (Entered: 03/07/2013)
03/07/2013	<u>140</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a proceedings proceeding held on 12/3/2012 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(tro) (Entered: 03/07/2013)
03/07/2013	<u>141</u>	TRANSCRIPT of Proceedings re: proceedings held on 1/16/2013 before Magistrate Judge Frank Maas. Court Reporter/Transcriber: Carole Ludwig, (212) 420-0771. 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 4/1/2013. Redacted Transcript Deadline set for 4/11/2013. Release of Transcript Restriction set for 6/10/2013.(tro) (Entered: 03/07/2013)

03/07/2013	<u>142</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a proceedings proceeding held on 1/16/2013 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(tro) (Entered: 03/07/2013)
03/11/2013	<u>143</u>	DECISION AND ORDER: By letter dated 8/31/2012, the plaintiffs have sought to compel the production of certain documents withheld by the defendant on the basis of the deliberative process privilege. Having reviewed in camera the documents as to which I have sustained the defendant's claim of privilege, I find that they are not highly relevant to the claims and defenses of the parties. Indeed, their utility would at best be marginal. The plaintiffs therefore have failed to make a showing adequate for this Court to compel the production of those documents. (Signed by Magistrate Judge Frank Maas on 3/11/2013) Copies Sent By Chambers. (tro) (Entered: 03/11/2013)
03/12/2013		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Discovery Hearing held on 3/12/2013. (djc) (Entered: 03/14/2013)
03/19/2013	<u>144</u>	REVISED SCHEDULING ORDER: Plaintiffs' Motion for Class Certification due by 6/4/2013. Defendant's Responses due by 7/30/2013. Plaintiffs' Replies due by 9/10/2013. All depositions of Plaintiff's experts shall be completed by 7/1/2013. All depositions of Defendant's experts shall be completed by 8/23/2013. Liability and Expert Discovery as to Stage 1 issues due by 9/10/2013. Settlement Conference set for 6/7/2013 at 10:00 AM before Magistrate Judge Frank Maas. Telephone Conference set for 4/17/2013 at 10:00 AM before Magistrate Judge Frank Maas. (Signed by Magistrate Judge Frank Maas on 3/18/2013) (djc) Modified on 3/19/2013 (djc). (Entered: 03/19/2013)
04/17/2013		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Telephone Conference held on 4/17/2013. (Chambers, Richalyn) (Entered: 04/17/2013)
04/17/2013	<u>145</u>	ORDER: Pursuant to the telephone conference held on April 17, 2013, it is hereby ORDERED that: 1. Briefing on the Plaintiffs' class certification motion shall proceed in accordance with the existing schedule. 2. The Plaintiffs may depose Ms. Higgs for up to five hours concerning the topics discussed during the conference. 3. The Plaintiffs may depose Ms. Cummings for up to three hours concerning the topics discussed during the conference. 4. The Defendant shall submit for in camera review the final adjudication criteria and criminal background check policies discussed during the conference. 5. The June 7, 2013 settlement conference in this matter shall proceed as scheduled. (Signed by Magistrate Judge Frank Maas on 4/17/2013) (djc) (Entered: 04/17/2013)
04/17/2013	<u>146</u>	Letter addressed to Magistrate Judge Frank Maas from Lewis Steel dated 8/31/2012 re: Plaintiffs write to request a conference pursuant to Local Civil Rule 37.2 to seek an order compelling production of a subset of documents withheld by Defendant solely on the basis of the deliberative process privilege ("Challenged Documents"), or in the alternative permission to file amotion to compel. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(djc) (Entered: 04/18/2013)
04/17/2013	<u>147</u>	Letter addressed to Magistrate Judge Frank Maas from Daniel P. Filor dated 9/6/2012 re: We write on behalf of defendant Rebecca Blank, Acting Secretary of the United States Department of Commerce (the "Government"), in response to plaintiffs' August 31, 2012 letter seeking a pre-motion conference to challenge certain documents withheld from production by the Government pursuant to the deliberative process privilege (the "Letter"). Document filed by Rebecca M. Blank.(djc) (Entered: 04/18/2013)
04/17/2013	<u>148</u>	Letter addressed to Magistrate Judge Frank Maas from Daniel P. Filor dated 9/12/2012 re: We write on behalf of defendant Rebecca Blank, Acting Secretary of the United States Department of Commerce (the "Government"), in response to the Court's September 7, 2012 Order (the "Order") to provide the enclosed documents in camera to Your Honor for review. Document filed by Rebecca M. Blank.(djc)

		(Entered: 04/18/2013)
04/17/2013	<u>149</u>	Letter addressed to Magistrate Judge Frank Maas from Daniel P. Filor dated 10/5/2012 re: We write on behalf of defendant Rebecca Blank, Acting Secretary of the United States Department of Commerce, to provide the enclosed Declaration of Michael Toland, in accordance with the Court's September 7, 2012 Order. Document filed by Rebecca M. Blank.(djc) (Entered: 04/18/2013)
04/17/2013	<u>150</u>	Letter addressed to Magistrate Judge Frank Maas from Lewis M. Steel dated 10/15/2012 re: Plaintiffs write in further support of their letter motion to compel the production of certain documents ("Challenged Documents") withheld by the Government based on the deliberative process privilege. (djc) Modified on 4/19/2013 (djc). (Entered: 04/18/2013)
04/17/2013	<u>151</u>	Letter addressed to Magistrate Judge Frank Maas from Daniel P. Filor dated 10/22/2012 re: We write on behalf of defendant Rebecca Blank, Acting Secretary of the United States Department of Commerce (the "Government"), with the Court's permission, to respond to plaintiffs' letter, dated October 15, 2012 (the "Oct. 15 Letter"), submitted in connection with plaintiffs' August 31, 2012, letter seeking a pre-motion conference to challenge certain documents withheld from production by the Government pursuant to the deliberative process privilege. Document filed by Rebecca M. Blank. (djc) Modified on 4/19/2013 (djc). (Entered: 04/18/2013)
04/17/2013	<u>152</u>	Letter addressed to Magistrate Judge Frank Maas from Daniel P. Filor dated 11/7/2012 re: We write on behalf of defendant Rebecca Blank, Acting Secretary of the United States Department of Commerce (the "Government"), in response to the Court's November 7, 2012 direction to provide the enclosed document in camera to Your Honor for review. Document filed by Rebecca M. Blank.(djc) Modified on 4/19/2013 (djc). (Entered: 04/18/2013)
04/17/2013	<u>153</u>	Letter addressed to Magistrate Judge Frank Maas from Daniel P. Filor dated 11/8/2012 re: We write on behalf of defendant Rebecca Blank, Acting Secretary of the United States Department of Commerce (the "Government"), in response to the Court's November 7, 2012 direction to provide the final version of the adjudication policy that was in effect at the time the additional document submitted in camera to Your Honor yesterday for review (the "Draft") was created. Document filed by Rebecca M. Blank. (djc) (Entered: 04/18/2013)
04/25/2013	<u>154</u>	TRANSCRIPT of Proceedings re: Proceedings held on 4/17/2013 before Magistrate Judge Frank Maas. Court Reporter/Transcriber: Carole Ludwig, (212) 420-0771. 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 5/20/2013. Redacted Transcript Deadline set for 5/31/2013. Release of Transcript Restriction set for 7/29/2013.(sdi) (Entered: 04/25/2013)
04/25/2013	<u>155</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Proceedings proceeding held on 4/17/2013 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(sdi) (Entered: 04/25/2013)
05/06/2013	<u>156</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 5/6/2013 re: We represent Plaintiffs in the above-referenced Title VII putative class action. Plaintiffs write to request an order compelling production of an email chain clawed back by Defendant based on an assertion of deliberative process privilege and re-produced this afternoon with nearly all of the text redacted. (Ex. A.) ENDORSEMENT: Counsel should call at 10 a.m. on 5/8. In the interim, the USAO should fax a copy of the unredacted email chain to my Chambers (212-805-6724). (Telephone Conference set for 5/8/2013 at 10:00 AM before Magistrate Judge Frank Maas.) (Signed by Magistrate Judge Frank Maas on 5/6/2013) (djc) (Entered: 05/07/2013)

05/08/2013		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Telephone Conference held on 5/8/2013. (Chambers, Richalyn) (Entered: 05/09/2013)
05/20/2013	<u>157</u>	TRANSCRIPT of Proceedings re: Proceedings held on 5/8/2013 before Magistrate Judge Frank Maas. Court Reporter/Transcriber: Carole Ludwig, (212) 420-0771. 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 6/13/2013. Redacted Transcript Deadline set for 6/24/2013. Release of Transcript Restriction set for 8/22/2013.(sdi) (Entered: 05/20/2013)
05/20/2013	<u>158</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Proceedings proceeding held on 5/8/2013 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(sdi) (Entered: 05/20/2013)
05/20/2013	<u>159</u>	REVISED SCHEDULING ORDER: Depositions as to liability shall be completed by May 30, 2013. A settlement conference with counsel to the parties and the Court will be held on July 15, 2013, at 10 a.m. If this date and time are not feasible, counsel should place a conference call to chambers to reschedule. Depositions of experts identified in part 2.a.i. of this Order shall be completed by August 23, 2013. Depositions of experts identified in part 2.a.iii. of this Order shall be completed by October 4, 2013. Class Certification Motions due by 6/28/2013. Responses due by 8/23/2013 Replies due by 10/4/2013. Discovery due by 9/16/2013. Settlement Conference set for 7/15/2013 at 10:00 AM before Magistrate Judge Frank Maas. (Signed by Magistrate Judge Frank Maas on 5/20/2013) (djc) Modified on 5/20/2013 (djc). (Entered: 05/20/2013)
06/12/2013	<u>160</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Louis A. Pellegrino dated 6/11/2013 re: We represent the Department of Commerce and U.S. Census Bureau (collectively, "Census") in this matter) which is assigned to Your Honor for all purpose., The Court's recent Revised Scheduling Order (Dkt. Item No, 159) sets a settlement conference with counsel for the parties for 10 a.m. on July 15, 2013 (the "settlement conference"). The Government is prepared to participate in the settlement conference, but requests that the Court assign a separate Magistrate Judge to preside over the conference, in order to encourage a full discussion of possible resolutions of the case. ENDORSEMENT: Judge Dolinger has kindly agreed to assist. Counsel should contact his Chambers regarding scheduling. (Signed by Magistrate Judge Frank Maas on 6/11/2013) (djc) (Entered: 06/12/2013)
06/12/2013	<u>161</u>	ORDER. It is hereby ORDERED that a settlement conference has been scheduled in the above-captioned action on MONDAY, JULY 17, 2013, at 10:00 A.M., at which time you are directed to appear in Courtroom 17D, 500 Pearl Street, New York, New York 10007-1312, and as further set forth. (Settlement Conference set for 7/17/2013 at 10:00 AM in Courtroom 17D, U.S. Courthouse, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger.) (Signed by Magistrate Judge Michael H. Dolinger on 6/12/2013). Copies Faxed By Chambers. (rjm) Modified on 6/13/2013 (rjm). (Entered: 06/13/2013)
06/13/2013	<u>162</u>	NOTICE of Withdrawal of Counsel. Document filed by Sandra Anderson, Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Chin, Jackson) (Entered: 06/13/2013)
06/13/2013	<u>163</u>	ORDER. It is hereby ORDERED that the settlement conference previously scheduled in the above-captioned action for July 17, 2013 has been rescheduled for MONDAY, JULY 15, 2013, at 10:00 A.M., at which time you are directed to appear in Courtroom 17D, 500 Pearl Street, New York, New York 10007-1312, and as further set forth. (Settlement Conference set for 7/15/2013 at 10:00 AM in Courtroom 17D, U.S. Courthouse, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger.) (Signed by Magistrate Judge Michael H. Dolinger on 6/13/2013). Copies Sent By Chambers via Fax and Mail. (rjm) (Entered: 06/14/2013)

06/21/2013	<u>164</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 6/21/2013 re: We write on behalf of Plaintiffs and Defendants to jointly request a 20–page extension of the page limit for both Plaintiffs' motion for class certification due on June 28, 2013, and Defendant's opposition to Plaintiffs' motion for class certification due on August 23, 2013. The parties jointly request an extension from 25 pages to 45 pages for Plaintiffs' motion and Defendant's opposition. ENDORSEMENT: Approved.(Motions due by 6/28/2013., Responses due by 8/23/2013) (Signed by Magistrate Judge Frank Maas on 6/21/2013) (rsh) (Entered: 06/21/2013)
06/28/2013	<u>165</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 6/27/2013 re: We represent Plaintiffs in the above–referenced Title VII putative class action. We write in advance of our motion for class certification, which is due on June 28, 2013, to respectfully request that the Court approve certain documents subject to the parties' Protective Order be filed under seal. Plaintiffs have enclosed a detailed list of the documents at issue. Plaintiffs request to file the following documents under seal as set forth herein. ENDORSEMENT: Approved. (Signed by Magistrate Judge Frank Maas on 6/27/2013) (dj) (Entered: 06/28/2013)
06/28/2013	<u>166</u>	MOTION to Certify Class. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit B–1, # <u>4</u> Exhibit B–2, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D)(Miazad, Ossai) (Entered: 06/28/2013)
06/28/2013	<u>167</u>	MEMORANDUM OF LAW in Support re: <u>166</u> MOTION to Certify Class.. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott. (Miazad, Ossai) (Entered: 06/28/2013)
06/29/2013	<u>168</u>	DECLARATION of Ossai Miazad in Support re: <u>166</u> MOTION to Certify Class.. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott. (Miazad, Ossai) (Entered: 06/29/2013)
06/29/2013	<u>169</u>	DECLARATION of Ossai Miazad in Support re: <u>166</u> MOTION to Certify Class.. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30, # <u>31</u> Exhibit 31, # <u>32</u> Exhibit 32, # <u>33</u> Exhibit 33, # <u>34</u> Exhibit 34, # <u>35</u> Exhibit 35, # <u>36</u> Exhibit 36, # <u>37</u> Exhibit 37, # <u>38</u> Exhibit 38, # <u>39</u> Exhibit 39, # <u>40</u> Exhibit 40, # <u>41</u> Exhibit 41, # <u>42</u> Exhibit 42, # <u>43</u> Exhibit 43, # <u>44</u> Exhibit 44, # <u>45</u> Exhibit 45, # <u>46</u> Exhibit 46, # <u>47</u> Exhibit 47, # <u>48</u> Exhibit 48, # <u>49</u> Exhibit 49, # <u>50</u> Exhibit 50, # <u>51</u> Exhibit 51, # <u>52</u> Exhibit 52, # <u>53</u> Exhibit 53)(Miazad, Ossai) (Entered: 06/29/2013)
06/29/2013	<u>170</u>	DECLARATION of Ossai Miazad in Support re: <u>166</u> MOTION to Certify Class.. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott. (Attachments: # <u>1</u> Exhibit 54, # <u>2</u> Exhibit 55, # <u>3</u> Exhibit 56, # <u>4</u> Exhibit 57, # <u>5</u> Exhibit 58, # <u>6</u> Exhibit 59, # <u>7</u> Exhibit 60–1, # <u>8</u> Exhibit 60–2, # <u>9</u> Exhibit 61–1, # <u>10</u> Exhibit 61–2, # <u>11</u> Exhibit 62, # <u>12</u> Exhibit 63, # <u>13</u> Exhibit 64, # <u>14</u> Exhibit 65–1, # <u>15</u> Exhibit 65–2, # <u>16</u> Exhibit 66, # <u>17</u> Exhibit 67, # <u>18</u> Exhibit 68, # <u>19</u> Exhibit 69, # <u>20</u> Exhibit 70, # <u>21</u> Exhibit 71, # <u>22</u> Exhibit 72, # <u>23</u> Exhibit 73, # <u>24</u> Exhibit 74, # <u>25</u> Exhibit 75–1, # <u>26</u> Exhibit 75–2, # <u>27</u> Exhibit 75–3, # <u>28</u> Exhibit 75–4, # <u>29</u> Exhibit 75–5, # <u>30</u> Exhibit 76–1, # <u>31</u> Exhibit 76–2, # <u>32</u> Exhibit 76–3, # <u>33</u> Exhibit 76–4, # <u>34</u> Exhibit 77, # <u>35</u> Exhibit 78, # <u>36</u> Exhibit 79, # <u>37</u> Exhibit 80, # <u>38</u> Exhibit 81, # <u>39</u> Exhibit 82, # <u>40</u> Exhibit 83, # <u>41</u> Exhibit 84, # <u>42</u> Exhibit 85, # <u>43</u> Exhibit 86, # <u>44</u> Exhibit 87, # <u>45</u> Exhibit 88, # <u>46</u> Exhibit 89, # <u>47</u> Exhibit 90, # <u>48</u> Exhibit 91, # <u>49</u> Exhibit 92, # <u>50</u> Exhibit 93, # <u>51</u> Exhibit 94, # <u>52</u> Exhibit 95, # <u>53</u> Exhibit 96, # <u>54</u> Exhibit 97, # <u>55</u> Exhibit 98, # <u>56</u> Exhibit 99, # <u>57</u> Exhibit

		100, # <u>58</u> Exhibit 101, # <u>59</u> Exhibit 102, # <u>60</u> Exhibit 103, # <u>61</u> Exhibit 104, # <u>62</u> Exhibit 105-1, # <u>63</u> Exhibit 105-2, # <u>64</u> Exhibit 105-3, # <u>65</u> Exhibit 106)(Miazad, Ossai) (Entered: 06/29/2013)
07/01/2013	171	SEALED DOCUMENT placed in vault.(mps) (Entered: 07/01/2013)
07/02/2013	<u>172</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 7/1/2013 re: We write to respectfully request that the Court grant Plaintiffs permission to file an additional seven documents subject to the parties' Protective Order under seal. Plaintiffs have enclosed a list of the documents at issue. Plaintiffs filed their motion for class certification on June 28, 2013, and have designated these documents with placeholders in anticipation of an order from the Court. Additionally, Plaintiffs seek permission to re-file their memorandum of law in support of class certification, which was filed via ECF on June 28, 2103, in order to correct formatting issues with several of the headings in the fact section and to amend the table of contents accordingly. ENDORSEMENT: Application granted. So ordered. (Signed by Magistrate Judge Frank Maas on 7/2/2013) (rjm) (Entered: 07/03/2013)
07/02/2013		Transmission to Sealed Records Clerk. Transmitted re: <u>172</u> Endorsed Letter to the Sealed Records Clerk for the sealing or unsealing of document or case. (rjm) (Entered: 07/03/2013)
07/03/2013	<u>173</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Amber C. Trzinski dated 7/3/2013 re: We represent Plaintiffs in the above-referenced Title VII putative class action. We write to inform your Honor that Census consents to Plaintiffs' previous request for permission to submit a response to Census's July 2, 2013 letter by July 9, 2013. ENDORSEMENT: APPLICATION GRANTED.(Signed by Magistrate Judge Frank Maas on 7/3/2013) (djc) (Entered: 07/08/2013)
07/03/2013	<u>174</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Amber C. Trzinski dated 7/2/2013 re: We represent Plaintiffs in the above-referenced Title VII putative class action. We are in receipt of Census's letter dated July 2, 2013, and write to respectfully request permission to submit a response to the letter no later than July 9, 2013. ENDORSEMENT: APPLICATION GRANTED. (Signed by Magistrate Judge Frank Maas on 7/3/2013) (djc) (Entered: 07/08/2013)
07/08/2013	175	SEALED DOCUMENT placed in vault.(nm) (Entered: 07/08/2013)
07/08/2013	<u>176</u>	MEMORANDUM OF LAW in Support re: <u>166</u> MOTION to Certify Class. <i>CORRECTED</i> . Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Miazad, Ossai) (Entered: 07/08/2013)
07/10/2013	<u>177</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 7/9/2013 re: We represent Plaintiffs in the above-referenced Title VII putative class action. On July 2, 2013, your Honor granted Plaintiffs permission to file certain documents to be submitted with their motion for class certification under seal. (ECF No. 172). When the documents were placed under seal with the Court, Exhibit 33 was inadvertently missing one page. We write to respectfully request that the Court grant Plaintiffs permission to file a correct copy of Exhibit 33, which contains all pages. The corrected document is enclosed for the Court's review. ENDORSEMENT: Approved. (Signed by Magistrate Judge Frank Maas on 7/10/2013) (djc) (Entered: 07/11/2013)
07/12/2013	178	SEALED DOCUMENT placed in vault.(nm) (Entered: 07/12/2013)
07/12/2013	<u>179</u>	ORDER. It is hereby ORDERED that the settlement conference scheduled in the above-captioned action for July 15, 2013, at 10:00 A.M. has been converted to a phone conference. The parties are directed to jointly call chambers at (212) 805-0204 at the stipulated time, with all parties on the line. Any requests for adjournment of this scheduled conference must be in writing, with copies to all other parties, and must be preceded by reasonable efforts by the requesting party to obtain the consent of those parties. (Telephone Conference set for 7/15/2013 at 10:00 AM before Magistrate Judge Michael H. Dolinger.) (Signed by Magistrate Judge Michael H. Dolinger on 7/11/2013) Copies Sent By Chambers via Fax and

		Mail. (rjm) (Entered: 07/12/2013)
07/31/2013	<u>180</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 7/31/2013 re: Defendant completed the production of FBI rap sheets and provided the necessary codes to match applicants with rap sheets on June 24, 2013. Dr. Bendick expeditiously analyzed the data and on July 19, 2013 Plaintiffs provided Defendant with a supplemental declaration. Plaintiffs request permission to file this supplemental expert declaration in support of their motion for class certification. ENDORSEMENT: APPLICATION GRANTED.(Signed by Magistrate Judge Frank Maas on 7/31/2013) (djc) (Entered: 08/01/2013)
07/31/2013	<u>181</u>	REVISED SCHEDULING ORDER: Plaintiffs' Class Certification Motion due by 6/28/2013. Defendant's Responses due by 9/13/2013. Plaintiffs' Replies due by 10/25/2013. Deposition of Plaintiffs' expert economist will occur on August 28, 2013. Deposition of Defendant's expert statistician due by 10/15/2013. Deposition of Plaintiffs' expert industrial/organizational psychologist will occur on August 30, 2013. Deposition of Defendant's expert Criminologist will occur on October 11, 2013. Deposition of Defendant's expert industrial/organizational psychologist will occur on September 30, 2013. Discovery as to liability due by 10/25/2013. (Signed by Magistrate Judge Frank Maas on 7/30/2013) (djc) Modified on 8/1/2013 (djc). (Entered: 08/01/2013)
08/07/2013	<u>182</u>	DECLARATION of Marc Bendick, JR., Ph.D. in Support re: <u>166</u> MOTION to Certify Class.. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Miazad, Ossai) (Entered: 08/07/2013)
08/09/2013	<u>183</u>	ORDER: I have reviewed, albeit belatedly, the case law cited by both sides in their letters regarding Census's request to move for summary judgment, or, in the alternative, to dismiss the Plaintiffs' claims pursuant to Rule 12(b)(1), for lack of standing. Accordingly, because it does not appear that Census would be able to show that no named plaintiff could prosecute this case on behalf of the putative class, for the Court to entertain a dispositive motion at this juncture –while the class certification motion is being briefed would be pointless. The request to file such a motion therefore is denied, as is the request for a pre-motion conference. (Signed by Magistrate Judge Frank Maas on 8/9/2013) (rsh) (Entered: 08/09/2013)
08/14/2013	<u>184</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 8/14/2013 re: We represent Plaintiffs in the above-referenced Title VII putative class action. We filed the Supplemental Declaration of Marc Bendick, Jr., Ph.D. in support of Plaintiffs' motion for class certification on August 7, 2013. We write to respectfully request that the Court approve certain documents subject to the parties' Protective Order be filed under seal. These documents contain the names of job applicants who were flagged by the Government with a criminal history. Currently, the documents that your Honor has not yet approved to be filed under seal have been filed with placeholders. Plaintiffs have enclosed descriptions of the documents at issue. ENDORSEMENT: APPLICATION GRANTED. (Signed by Magistrate Judge Frank Maas on 8/14/2013) (djc) (Entered: 08/15/2013)
08/15/2013	<u>185</u>	SEALED DOCUMENT placed in vault.(nm) (Entered: 08/15/2013)
08/29/2013	<u>186</u>	ORDER. It is hereby ORDERED that a settlement conference has been scheduled in the above-captioned action on WEDNESDAY, NOVEMBER 13, 2013 at 10:00 A.M., at which time you are directed to appear in Courtroom 17D, 500 Pearl Street, New York, New York 10007-1312, and as further set forth. (Settlement Conference set for 11/13/2013 at 10:00 AM in Courtroom 17D, U.S. Courthouse, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger.) (Signed by Magistrate Judge Michael H. Dolinger on 8/29/2013) Copies Sent By Chambers via Fax and Mail. (rjm) (Main Document 186 replaced on 8/29/2013) (rjm). (Entered: 08/29/2013)
09/11/2013	<u>187</u>	LETTER addressed to Magistrate Judge Frank Maas from Louis Pellegrino dated 9/11/2013 re: scheduling order. Document filed by Rebecca M. Blank.(Pellegrino, Louis) (Entered: 09/11/2013)

09/11/2013	<u>188</u>	ORDER: Accordingly, the parties should confer regarding a schedule to complete the class certification motion briefing in a timely fashion, as well as a schedule for the proposed summary judgment motion. If counsel are able to agree on dates, they should submit a proposed scheduling order to me. If counsel are unable to agree, they should submit a single letter containing their dueling scheduling recommendations. To ensure that this case continues to move forward, counsel are directed to make their scheduling submission to me by September 24, 2013. (Signed by Magistrate Judge Frank Maas on 9/11/2013) (lmb) (Entered: 09/11/2013)
09/12/2013	<u>189</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Louis A. Pellegrino dated 9/11/2013 re: In light of these issues, the parties respectfully request a brief delay in the schedule to allow the parties' experts to complete their analyses, which would in turn effectuate an orderly presentation of the evidence to the Court on class certification issues. If the Court accepts this proposal, the Government's class certification opposition and expert reports would be due on September 27, 2013 and Plaintiffs' Reply would be due on November 22, 2013, and the remaining schedule would be adjusted accordingly, as reflected in the attached proposed order. ENDORSEMENT: I assume that this agreed modification can be addressed as part of the submission I yesterday asked counsel to make by 9/24/13. (Signed by Magistrate Judge Frank Maas on 9/12/2013) (djc) Modified on 9/12/2013 (djc). (Entered: 09/12/2013)
09/24/2013	<u>190</u>	LETTER addressed to Magistrate Judge Frank Maas from L. Pellegrino dated 9/24/2013 re: revised schedule. Document filed by Rebecca M. Blank.(Pellegrino, Louis) (Entered: 09/24/2013)
09/25/2013	<u>191</u>	SCHEDULING ORDER: Good cause having been shown, the Court adopts the following revised scheduling order: Motions due by 11/29/2013. Responses due by 1/21/2014 Replies due by 2/21/2014. Expert Discovery due by 10/11/2013. Discovery due by 1/21/2014. SO ORDERED. (Signed by Magistrate Judge Frank Maas on 9/25/2013) (ama) (Entered: 09/26/2013)
10/01/2013	<u>192</u>	STANDING ORDER M10-468: Stay of Certain Civil Cases Pending the Restoration of Department of Justice Funding. (Signed by Judge Loretta A. Preska on 10/1/2013) ***Original Standing Order docketed in case no. 1:13-mc-00334-LAP, document no. 2 on 10/1/2013.***(tro) (Entered: 10/01/2013)
10/21/2013	<u>193</u>	LETTER addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated October 21, 2013 re: Revised Scheduling Order in Light of Shutdown. Document filed by Gary Locke. (Attachments: # <u>1</u> Text of Proposed Order Revised Scheduling Order)(La Morte, Tara) (Entered: 10/21/2013)
10/22/2013	<u>194</u>	SCHEDULING ORDER: Discovery as to liability shall be completed by November 8, 2013. The parties shall meet and confer and submit to the Court an updated proposed scheduling order within 10 days of a ruling on Plaintiffs' motion for class certification. Motion for Class Certification: Defendant's Opposition to Plaintiffs' Motion for Class Certification shall be filed by October 28, 2013. Plaintiffs' Reply Memorandum of Law in Support of Plaintiffs' Motion for Class Certification shall be filed by December 23, 2013. Defendant's Motion for Summary Judgment on Standing: Discovery as to Defendant's Motion for Summary Judgment on Standing shall be completed by February 6, 2014. Defendant shall file its Motion for Summary Judgment on Standing by December 16, 2013. Plaintiffs shall file their Opposition to Defendant's Motion for Summary Judgment on Standing by February 6, 2014. Defendant shall file its Reply in Support of Defendant's Motion for Government Summary Judgment on Standing by March 10, 2014. (Motions due by 12/16/2013. Responses due by 2/6/2014 Replies due by 3/10/2014. Discovery due by 2/6/2014). (Signed by Magistrate Judge Frank Maas on 10/22/2013) (djc) (Entered: 10/23/2013)
10/23/2013	<u>195</u>	LETTER addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated October 23, 2013 re: Request to Extend Page Limit. Document filed by Rebecca M. Blank.(La Morte, Tara) (Entered: 10/23/2013)
10/23/2013	<u>196</u>	MEMO ENDORSEMENT on re: <u>195</u> Letter filed by Rebecca M. Blank. ENDORSEMENT: Application granted. So ordered. (Signed by Magistrate Judge

		Frank Maas on 10/23/2013) (mro) (Entered: 10/24/2013)
10/25/2013	<u>197</u>	LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated October 25, 2013 re: Permission to File a Second Supplemental Expert Declaration by Dr. Marc Bendick, Jr.. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Miazad, Ossai) (Entered: 10/25/2013)
10/28/2013	<u>198</u>	MEMO ENDORSEMENT on re: <u>197</u> Letter, filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett-Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. ENDORSEMENT: APPLICATION GRANTED. SO ORDERED. (Signed by Magistrate Judge Frank Maas on 10/25/2013) (dj) (Entered: 10/28/2013)
10/28/2013	<u>199</u>	LETTER addressed to Magistrate Judge Frank Maas from L. Pellegrino dated 10/28/2013 re: re sealing exhibits. Document filed by Rebecca M. Blank.(Pellegrino, Louis) (Entered: 10/28/2013)
10/28/2013	<u>200</u>	DECLARATION of S. Bushway in Opposition re: <u>166</u> MOTION to Certify Class.. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Exhibit A)(Pellegrino, Louis) (Entered: 10/28/2013)
10/28/2013	<u>201</u>	DECLARATION of B. Siskin in Opposition re: <u>166</u> MOTION to Certify Class.. Document filed by Rebecca M. Blank. (Pellegrino, Louis) (Entered: 10/28/2013)
10/28/2013	<u>202</u>	DECLARATION of J. Outtz in Opposition re: <u>166</u> MOTION to Certify Class.. Document filed by Rebecca M. Blank. (Pellegrino, Louis) (Entered: 10/28/2013)
10/28/2013	<u>203</u>	MEMORANDUM OF LAW in Opposition re: <u>166</u> MOTION to Certify Class.. Document filed by Rebecca M. Blank. (La Morte, Tara) (Entered: 10/28/2013)
10/28/2013	<u>204</u>	DECLARATION of Tara M. La Morte in Opposition re: <u>166</u> MOTION to Certify Class.. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30, # <u>31</u> Exhibit 31, # <u>32</u> Exhibit 32, # <u>33</u> Exhibit 33, # <u>34</u> Exhibit 34, # <u>35</u> Exhibit 35, # <u>36</u> Exhibit 36, # <u>37</u> Exhibit 37, # <u>38</u> Exhibit 38, # <u>39</u> Exhibit 39, # <u>40</u> Exhibit 40, # <u>41</u> Exhibit 41)(La Morte, Tara) (Entered: 10/28/2013)
10/28/2013	<u>205</u>	DECLARATION of Viola Lewis Willis in Opposition re: <u>166</u> MOTION to Certify Class.. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Exhibit A-H (placeholder), # <u>2</u> Exhibit I)(La Morte, Tara) (Entered: 10/28/2013)
10/28/2013	<u>206</u>	DECLARATION of Sandra J. Patterson in Opposition re: <u>166</u> MOTION to Certify Class.. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Exhibit A-P (placeholder))(La Morte, Tara) (Entered: 10/28/2013)
10/28/2013	<u>207</u>	MOTION in Limine. Document filed by Rebecca M. Blank.(Onozawa, Tomoko) (Entered: 10/28/2013)
10/28/2013	<u>208</u>	MEMORANDUM OF LAW in Support re: <u>207</u> MOTION in Limine.. Document filed by Rebecca M. Blank. (Onozawa, Tomoko) (Entered: 10/28/2013)
10/28/2013	<u>209</u>	DECLARATION of Tomoko Onozawa in Support re: <u>207</u> MOTION in Limine.. Document filed by Rebecca M. Blank. (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)(Onozawa, Tomoko) (Entered: 10/28/2013)
10/31/2013	<u>210</u>	LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated October 31, 2013 re: Opposition to Defendant's Request to File Document Under Seal. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Miazad, Ossai) (Entered: 10/31/2013)

11/04/2013	<u>211</u>	LETTER addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated November 4, 2013 re: Filing Adjudication Criteria Under Seal. Document filed by Rebecca M. Blank.(La Morte, Tara) (Entered: 11/04/2013)
11/04/2013	<u>212</u>	LETTER addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated November 4, 2013 re: Filing Adjudication Criteria Under Seal (with attachment). Document filed by Rebecca M. Blank.(La Morte, Tara) (Entered: 11/04/2013)
11/04/2013	<u>213</u>	LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated November 4, 2013 re: Request for an Extension for Plaintiffs to Respond to Defendant's Motion in Limine to Exclude Certain Evidence. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Miazad, Ossai) (Entered: 11/04/2013)
11/04/2013	<u>214</u>	MEMO ENDORSEMENT on re: <u>213</u> Letter, filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett-Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. ENDORSEMENT: APPLICATION GRANTED. (Signed by Magistrate Judge Frank Maas on 11/4/2013) (djc) (Entered: 11/05/2013)
11/04/2013		Set/Reset Deadlines: Responses due by 12/23/2013. Replies due by 1/14/2014. (djc) (Entered: 11/05/2013)
11/12/2013	<u>215</u>	ORDER. It is hereby ORDERED that the settlement conference previously scheduled in the above-captioned action for November 13, 2013 has been rescheduled for TUESDAY, FEBRUARY 25, 2014 at 10:00 A.M., at which time you are directed to appear in Courtroom 17D, 500 Pearl Street, New York, New York 10007-1312, and as further set forth. (Settlement Conference set for 2/25/2014 at 10:00 AM in Courtroom 17D, U.S. Courthouse, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger.) (Signed by Magistrate Judge Michael H. Dolinger on 11/8/2013) Copies Sent By Chambers. (rjm) (Entered: 11/12/2013)
11/15/2013	<u>216</u>	DECLARATION of Marc Bendick, JR., Ph.D. in Support re: <u>166</u> MOTION to Certify Class.. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Miazad, Ossai) (Entered: 11/15/2013)
11/15/2013	<u>217</u>	LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated November 15, 2013 re: Request to File Exhibit Under Seal. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Miazad, Ossai) (Entered: 11/15/2013)
11/18/2013	<u>218</u>	MEMO ENDORSEMENT on re: <u>217</u> Letter, filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett-Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. ENDORSEMENT: APPLICATION GRANTED. (Signed by Magistrate Judge Frank Maas on 11/18/2013) (djc) (Entered: 11/18/2013)
11/18/2013		Transmission to Sealed Records Clerk. Transmitted re: <u>218</u> Memo Endorsement, to the Sealed Records Clerk for the sealing or unsealing of document or case. (djc) (Entered: 11/18/2013)
11/18/2013	<u>219</u>	SEALED DOCUMENT placed in vault.(nm) (Entered: 11/19/2013)
12/03/2013	<u>220</u>	LETTER addressed to Magistrate Judge Frank Maas from N. Kuehler dated July 2, 2013 re: motion for summary judgment. Document filed by Rebecca M. Blank.(Pellegrino, Louis) (Entered: 12/03/2013)
12/03/2013	<u>221</u>	LETTER addressed to Magistrate Judge Frank Maas from L. Pellegrino dated July 10, 2013 re: motion for summary judgment. Document filed by Rebecca M. Blank.(Pellegrino, Louis) (Entered: 12/03/2013)
12/03/2013	<u>222</u>	LETTER addressed to Magistrate Judge Frank Maas from L. Pellegrino dated 8/20/2013 re: motion for summary judgment. Document filed by Rebecca M.

		Blank.(Pellegrino, Louis) (Entered: 12/03/2013)
12/09/2013	<u>223</u>	LETTER MOTION for Leave to File Excess Pages <i>on Consent</i> addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated December 9, 2013. Document filed by Rebecca M. Blank.(La Morte, Tara) (Entered: 12/09/2013)
12/09/2013	<u>224</u>	ORDER: granting <u>223</u> Letter Motion for Leave to File Excess Pages. APPLICATION GRANTED. (Signed by Magistrate Judge Frank Maas on 12/9/2013) (djc) (Entered: 12/09/2013)
12/16/2013	<u>225</u>	MOTION to Dismiss for Lack of Jurisdiction. Document filed by Rebecca M. Blank. Responses due by 2/6/2014(Onozawa, Tomoko) (Entered: 12/16/2013)
12/16/2013	<u>226</u>	MEMORANDUM OF LAW in Support re: <u>225</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Rebecca M. Blank. (Onozawa, Tomoko) (Entered: 12/16/2013)
12/16/2013	<u>227</u>	DECLARATION of Viola Lewis Willis in Support re: <u>225</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Exhibit A–Part 1, # <u>2</u> Exhibit A–Part 2)(Onozawa, Tomoko) (Entered: 12/16/2013)
12/16/2013	<u>228</u>	DECLARATION of Tomoko Onozawa in Support re: <u>225</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Rebecca M. Blank. (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)(Onozawa, Tomoko) (Entered: 12/16/2013)
12/17/2013	<u>229</u>	LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated December 17, 2013 re: Request for a Page Limit Extension for Plaintiffs' Reply in Support of Motion for Class Certification. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott. (Attachments: # <u>1</u> Exhibit A)(Miazad, Ossai) (Entered: 12/17/2013)
12/17/2013	<u>230</u>	COUNTER LETTER addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated December 17, 2013 re: Census's Objection to Plaintiffs' Request for Page Limit Extension for Plaintiffs' Reply in Support of Plaintiffs' Motion for Class Certification. Document filed by Rebecca M. Blank.(La Morte, Tara) (Entered: 12/17/2013)
12/18/2013	<u>231</u>	LETTER REPLY to Response to Motion addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 12/18/2013 re: <u>223</u> LETTER MOTION for Leave to File Excess Pages <i>on Consent</i> addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated December 9, 2013.. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott. (Miazad, Ossai) (Entered: 12/18/2013)
12/18/2013	<u>232</u>	MEMO ENDORSEMENT on re: <u>229</u> Letter, filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett–Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. ENDORSEMENT: The page limit for the reply is expanded, despite The Defendants objection, to thirty – pages. The deadline for its submission is extended to 12/24. (Signed by Magistrate Judge Frank Maas on 12/18/2013) (djc) Modified on 12/18/2013 (djc). (Entered: 12/18/2013)
12/18/2013		Set/Reset Deadlines: Replies due by 12/24/2013. (djc) (Entered: 12/18/2013)
12/23/2013	<u>233</u>	MEMORANDUM OF LAW in Opposition re: <u>207</u> MOTION in Limine.. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott. (Miazad, Ossai) (Entered: 12/23/2013)
12/23/2013	<u>234</u>	DECLARATION of Ossai Miazad in Opposition re: <u>207</u> MOTION in Limine.. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott. (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)(Miazad, Ossai) (Entered: 12/23/2013)

12/24/2013	<u>235</u>	REPLY MEMORANDUM OF LAW in Support re: <u>166</u> MOTION to Certify Class.. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Miazad, Ossai) (Entered: 12/24/2013)
12/24/2013	<u>236</u>	DECLARATION of Ossai Miazad in Support re: <u>166</u> MOTION to Certify Class.. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Attachments: # <u>1</u> Exhibit 107, # <u>2</u> Exhibit 108, # <u>3</u> Exhibit 109, # <u>4</u> Exhibit 110, # <u>5</u> Exhibit 111, # <u>6</u> Exhibit 112, # <u>7</u> Exhibit 113, # <u>8</u> Exhibit 114, # <u>9</u> Exhibit 115, # <u>10</u> Exhibit 116, # <u>11</u> Exhibit 117, # <u>12</u> Exhibit 118, # <u>13</u> Exhibit 119, # <u>14</u> Exhibit 120, # <u>15</u> Exhibit 121)(Miazad, Ossai) (Entered: 12/24/2013)
01/08/2014	<u>237</u>	LETTER addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated January 8, 2014 re: Request Pursuant to Federal Rules 26, 37, and Local Civil Rule 37.2. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Affidavit Declaration of Tara M. La Morte & Exhibit)(La Morte, Tara) (Entered: 01/08/2014)
01/09/2014	<u>238</u>	LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 1/9/2014 re: Response to Defendant's January 8, 2014 letter. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Miazad, Ossai) (Entered: 01/09/2014)
01/10/2014	<u>239</u>	LETTER addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated January 10, 2014 re: Defendant's Reply Letter Pursuant to Federal Rules 26, 37, and Local Civil Rule 37.2. Document filed by Rebecca M. Blank.(La Morte, Tara) (Entered: 01/10/2014)
01/14/2014	<u>240</u>	REPLY MEMORANDUM OF LAW in Support re: <u>207</u> MOTION in Limine.. Document filed by Gary Locke. (Onozawa, Tomoko) (Entered: 01/14/2014)
01/15/2014	<u>241</u>	LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated January 15, 2014 re: Seeking the Court's Guidance re: Meet and Confer. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Miazad, Ossai) (Entered: 01/15/2014)
01/15/2014	<u>242</u>	MEMO ENDORSEMENT on re: <u>241</u> Letter, filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett-Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. ENDORSEMENT: The request for a conference is DENIED. (Signed by Magistrate Judge Frank Maas on 1/15/2014) (djc) (Entered: 01/15/2014)
02/04/2014	<u>243</u>	LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated February 4, 2014 re: Request for Brief Extension for Plaintiffs' Opposition to Defendant's Motion to Dismiss (ECF No. 225). Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Miazad, Ossai) (Entered: 02/04/2014)
02/05/2014	<u>244</u>	MEMO ENDORSEMENT on re: <u>243</u> Letter, filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett-Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. ENDORSEMENT: Approved. (Signed by Magistrate Judge Frank Maas on 2/5/2014) (djc) (Entered: 02/05/2014)
02/05/2014		Set/Reset Deadlines: Replies due by 3/14/2014. (djc) (Entered: 02/05/2014)
02/05/2014		Set/Reset Deadlines: Responses due by 2/10/2014 (djc) (Entered: 02/06/2014)
02/10/2014	<u>245</u>	LETTER addressed to Magistrate Judge Frank Maas from Adam T. Klein dated February 10, 2014 re: Request to File Under Seal Certain Documents. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) (Entered: 02/10/2014)
02/10/2014	<u>246</u>	MEMORANDUM OF LAW in Opposition re: <u>225</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Precious Daniels, Scotty Desphy, Anthony

		Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Miazad, Ossai) (Entered: 02/10/2014)
02/10/2014	<u>247</u>	DECLARATION of Ossai Miazad in Opposition re: <u>225</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Attachments: # <u>1</u> Exhibit 122, # <u>2</u> Exhibit 123, # <u>3</u> Exhibit 124, # <u>4</u> Exhibit 125, # <u>5</u> Exhibit 126, # <u>6</u> Exhibit 127, # <u>7</u> Exhibit 128, # <u>8</u> Exhibit 129, # <u>9</u> Exhibit 130, # <u>10</u> Exhibit 131, # <u>11</u> Exhibit 132, # <u>12</u> Exhibit 133, # <u>13</u> Exhibit 134, # <u>14</u> Exhibit 135, # <u>15</u> Exhibit 136, # <u>16</u> Exhibit 137, # <u>17</u> Exhibit 138, # <u>18</u> Exhibit 139, # <u>19</u> Exhibit 140, # <u>20</u> Exhibit 141, # <u>21</u> Exhibit 142, # <u>22</u> Exhibit 143, # <u>23</u> Exhibit 144, # <u>24</u> Exhibit 145, # <u>25</u> Exhibit 146, # <u>26</u> Exhibit 147, # <u>27</u> Exhibit 148, # <u>28</u> Exhibit 149, # <u>29</u> Exhibit 150, # <u>30</u> Exhibit 151, # <u>31</u> Exhibit 152, # <u>32</u> Exhibit 153, # <u>33</u> Exhibit 154, # <u>34</u> Exhibit 155, # <u>35</u> Exhibit 156, # <u>36</u> Exhibit 157, # <u>37</u> Exhibit 158, # <u>38</u> Exhibit 159, # <u>39</u> Exhibit 160)(Miazad, Ossai) (Entered: 02/10/2014)
02/11/2014	<u>248</u>	MEMO ENDORSEMENT on re: <u>245</u> Letter, filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett-Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. ENDORSEMENT: Approved. (Signed by Magistrate Judge Frank Maas on 2/11/2014) (lmb) (Entered: 02/11/2014)
02/11/2014		Transmission to Sealed Records Clerk. Transmitted re: <u>248</u> Memo Endorsement, to the Sealed Records Clerk for the sealing or unsealing of document or case. (lmb) (Entered: 02/11/2014)
02/12/2014	<u>249</u>	LETTER addressed to Magistrate Judge Frank Maas from Adam T. Klein dated February 12, 2014 re: Request to File Additional Document under Seal. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) (Entered: 02/12/2014)
02/13/2014	<u>250</u>	MEMO ENDORSEMENT on re: <u>249</u> Letter, filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett-Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. ENDORSEMENT: Application granted. (Signed by Magistrate Judge Frank Maas on 2/13/2014) (lmb) (Entered: 02/13/2014)
02/14/2014	251	SEALED DOCUMENT placed in vault.(mps) (Entered: 02/14/2014)
02/20/2014	<u>252</u>	LETTER addressed to Magistrate Judge Michael H. Dolinger from L. Pellegrino dated 2/20/2014 re: settlement conference. Document filed by Rebecca M. Blank.(Pellegrino, Louis) (Entered: 02/20/2014)
02/21/2014	<u>253</u>	MEMO ENDORSEMENT on re: <u>252</u> Letter filed by Rebecca M. Blank. ENDORSEMENT: The settlement conference is adjourned to May 23, 2014 at 10:00 a.m. (Signed by Magistrate Judge Michael H. Dolinger on 2/20/2014) Copies Faxed By Chambers. (jar) (Entered: 02/21/2014)
02/21/2014		Set/Reset Hearings: Settlement Conference set for 5/23/2014 at 10:00 AM before Magistrate Judge Michael H. Dolinger. (jar) Modified on 2/21/2014 (jar). (Entered: 02/21/2014)
03/11/2014	<u>254</u>	LETTER MOTION for Leave to File Excess Pages <i>for the Defendant's reply brief in further support of its 12(b)(1) motion</i> addressed to Magistrate Judge Frank Maas from AUSA Tomoko Onozawa dated March 11, 2014. Document filed by Rebecca M. Blank.(Onozawa, Tomoko) (Entered: 03/11/2014)
03/12/2014	<u>255</u>	ORDER granting <u>254</u> Letter Motion for Leave to File Excess Pages. Application granted. (Signed by Magistrate Judge Frank Maas on 3/12/2014) (lmb) (Entered: 03/12/2014)
03/14/2014	<u>256</u>	REPLY MEMORANDUM OF LAW in Support re: <u>225</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Rebecca M. Blank. (Onozawa, Tomoko) (Entered: 03/14/2014)
03/14/2014	<u>257</u>	DECLARATION of Viola Lewis Willis in Support re: <u>225</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u>

		Exhibit A–B, # <u>2</u> Exhibit C)(Onozawa, Tomoko) (Entered: 03/14/2014)
03/17/2014	<u>258</u>	MEMO ENDORSEMENT on re: <u>199</u> Letter filed by Rebecca M. Blank. ENDORSEMENT: Application granted. So ordered. (Signed by Magistrate Judge Frank Maas on 3/17/2014) (lmb) (Entered: 03/17/2014)
03/19/2014	<u>259</u>	SEALED DOCUMENT placed in vault.(mps) (Entered: 03/20/2014)
05/14/2014	<u>260</u>	LETTER addressed to Magistrate Judge Michael H. Dolinger from L. Pellegrino dated 5/14/2014 re: settlement conference. Document filed by Rebecca M. Blank.(Pellegrino, Louis) (Entered: 05/14/2014)
05/15/2014	<u>261</u>	ORDER: In view of defense counsel's May 14, 2014 letter to the court, it is hereby ORDERED that the settlement conference is adjourned sine die. SO ORDERED. (Signed by Magistrate Judge Michael H. Dolinger on 5/15/2014) Copies Faxed By Chambers. (kgo) (Entered: 05/15/2014)
05/15/2014	<u>262</u>	NOTICE of Supplemental Authority re: <u>166</u> MOTION to Certify Class.. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott. (Miazad, Ossai) (Entered: 05/15/2014)
05/29/2014	<u>263</u>	RESPONSE re: <u>262</u> Notice (Other) <i>Response to Plaintiffs' Notice of Supplemental Authority</i> . Document filed by Rebecca M. Blank. (La Morte, Tara) (Entered: 05/29/2014)
06/09/2014	<u>264</u>	LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated June 9, 2014 re: Defendant's Letter Dated May 29, 2014. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott.(Miazad, Ossai) (Entered: 06/09/2014)
07/01/2014	<u>265</u>	MEMORANDUM DECISION AND ORDER granting in part and denying in part <u>166</u> Motion to Certify Class; denying <u>207</u> Motion in Limine; granting in part and denying in part <u>225</u> Motion to Dismiss for Lack of Jurisdiction. For the reasons set forth above, the Census Bureau's motion to dismiss for lack of subject matter jurisdiction, (ECF No. 225), and the Plaintiffs' motion for class certification, (ECF No. 166), are both GRANTED in part and DENIED in part. In addition, because Dr. Lundquist's expert report was not necessary to resolve the motion for class certification, the Census Bureau's motion to exclude her report for that purpose is denied as moot. (ECF No. 207). To summarize, my rulings on the Census Bureau's motion to dismiss and the Plaintiffs' motion for class certification are as follows: 1. Plaintiffs Gonzalez, Riesco, and Kargbo lack standing and are dismissed from this case. 2. The Plaintiffs' class shall be limited to African–American applicants who sought temporary employment during the 2010 Decennial Census and claim to have been harmed by the Census Bureau's 30–day Letter, its Adjudication Criteria, or both. The class shall not include Latino applicants. If the Plaintiffs are able to identify a suitable Latino class representative, they may move to amend the Second Amended Complaint and the class certification order. 3. The Plaintiffs' class shall be certified under Rule 23 (b)(2) for purposes of determining liability and affording injunctive relief, but shall not be certified for purposes of resolving damages. 4. Plaintiffs Houser, Daniels, Rickett–Samuels, Scott, and Desphy shall be designated as class representatives. The Plaintiffs' current counsel shall be appointed as class counsel. (Signed by Magistrate Judge Frank Maas on 7/1/2014) (lmb) (Entered: 07/01/2014)
07/01/2014	<u>339</u>	INTERNET CITATION NOTE: Material from decision with Internet citation re: <u>265</u> Order on Motion to Certify Class, Order on Motion in Limine, Order on Motion to Dismiss/Lack of Jurisdiction. (Attachments: # <u>1</u> Citation 1, # <u>2</u> Citation 2) (vf) (Entered: 12/22/2015)
07/08/2014	<u>266</u>	LETTER addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated July 8, 2014 re: Request for One–Week Extension to Submit Proposed Scheduling Order. Document filed by Rebecca M. Blank.(La Morte, Tara) (Entered: 07/08/2014)

07/08/2014	<u>267</u>	MEMO ENDORSEMENT on re: <u>266</u> Letter filed by Rebecca M. Blank. ENDORSEMENT: No problem! (Signed by Magistrate Judge Frank Maas on 7/8/2014) (rjm) (Entered: 07/09/2014)
07/15/2014	<u>268</u>	LETTER addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated July 15, 2014 re: Motion for Reconsideration of the Court's July 1, 2014 Memorandum Decision and Order. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Notice of Motion, # <u>2</u> Memorandum of Law)(La Morte, Tara) (Entered: 07/15/2014)
07/15/2014	<u>269</u>	MOTION for Reconsideration of the Court's July 1, 2014, Memorandum Decision and Order. Document filed by Rebecca M. Blank. Return Date set for 7/29/2014 at 11:59 PM.(La Morte, Tara) (Entered: 07/15/2014)
07/15/2014	<u>270</u>	MEMORANDUM OF LAW in Support re: <u>269</u> MOTION for Reconsideration of the Court's July 1, 2014, Memorandum Decision and Order. . Document filed by Rebecca M. Blank. (La Morte, Tara) (Entered: 07/15/2014)
07/17/2014	<u>271</u>	MEMO ENDORSEMENT on re: <u>268</u> Letter, filed by Rebecca M. Blank. ENDORSEMENT: I look forward to receiving the opposition and reply papers so that I may rule on the application. (Signed by Magistrate Judge Frank Maas on 7/17/2014) (lmb) (Entered: 07/18/2014)
07/18/2014	<u>272</u>	LETTER addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated July 18, 2014 re: the government's Proposed Scheduling Order. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Text of Proposed Order Proposed Scheduling Order)(La Morte, Tara) (Entered: 07/18/2014)
07/18/2014	<u>273</u>	LETTER addressed to Magistrate Judge Frank Maas from Adam T. Klein dated 7/18/2014 re: Plaintiffs' Proposed Schedule. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Attachments: # <u>1</u> Exhibit A)(Klein, Adam) (Entered: 07/18/2014)
07/21/2014	<u>274</u>	LETTER MOTION for Extension of Time to File <i>Plaintiffs' Opposition to Census' Motion for Reconsideration and Clarification of the July 1, 2014 Court Order and Defendant's Reply</i> addressed to Magistrate Judge Frank Maas from Ossai Miazad dated July 21, 2014. Document filed by Precious Daniels, Scotty Desphy, Evelyn Houser, Felicia Rickett-Samuels, Chynell Scott.(Miazad, Ossai) (Entered: 07/21/2014)
07/21/2014	<u>275</u>	ORDER granting <u>274</u> Letter Motion for Extension of Time to File. Application granted. So ordered. (Signed by Magistrate Judge Frank Maas on 7/21/2014) (rjm) (Entered: 07/22/2014)
07/21/2014		Set/Reset Deadlines: Responses due by 8/12/2014. Replies due by 8/26/2014. (rjm) (Entered: 07/22/2014)
07/21/2014	<u>276</u>	MEMO ENDORSEMENT on re: <u>273</u> Letter, filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett-Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. ENDORSEMENT: Counsel are directed to place a conference call to my Chambers to schedule a telephone conference at the earliest feasible date. (Signed by Magistrate Judge Frank Maas on 7/21/2014) (rjm) (Entered: 07/22/2014)
07/23/2014	<u>277</u>	ORDER: It is hereby ORDERED that a telephone conference shall be held on July 30, 2014, at 4 p.m. Plaintiffs' counsel shall initiate the call. (Telephone Conference set for 7/30/2014 at 04:00 PM before Magistrate Judge Frank Maas.) (Signed by Magistrate Judge Frank Maas on 7/23/2014) (ja) (Entered: 07/23/2014)
07/29/2014	<u>278</u>	LETTER addressed to Magistrate Judge Frank Maas from L. Pellegrino dated 7/29/2014 re: scheduling conference. Document filed by Rebecca M. Blank.(Pellegrino, Louis) (Entered: 07/29/2014)
07/29/2014	<u>279</u>	MEMO ENDORSEMENT on re: <u>278</u> Letter filed by Rebecca M. Blank. ENDORSEMENT: The conference is adjourned to August 26, 2014, at 10 a.m. If this date and time are not workable, counsel should place a conference call to my Chambers 7/29 to reschedule. In the meantime, decision is reserved as to the

		certification issue. (Telephone Conference set for 8/26/2014 at 10:00 AM before Magistrate Judge Frank Maas.) (Signed by Magistrate Judge Frank Maas on 7/29/2014) (tro) (Entered: 07/30/2014)
08/06/2014	<u>280</u>	LETTER addressed to Magistrate Judge Frank Maas from Louis A. Pellegrino dated August 6, 2014 re: Newly Discovered Selection Certificates. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Declaration of Richard Liquorie)(La Morte, Tara) (Entered: 08/06/2014)
08/06/2014	<u>281</u>	DECLARATION of Richard Liquorie in Opposition re: <u>166</u> MOTION to Certify Class.. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Exhibit Exhibits Placeholder)(La Morte, Tara) (Entered: 08/06/2014)
08/06/2014	<u>282</u>	DECLARATION of Richard Liquorie in Support re: <u>225</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Exhibit Exhibits Placeholder)(La Morte, Tara) (Entered: 08/06/2014)
08/07/2014	<u>283</u>	NOTICE of Withdrawal of Appearance. Document filed by Precious Daniels, Scotty Desphy, Evelyn Houser, Felicia Rickett-Samuels, Chynell Scott. (Kirkpatrick, Michael) (Entered: 08/07/2014)
08/12/2014	<u>284</u>	MEMORANDUM OF LAW in Opposition re: <u>269</u> MOTION for Reconsideration of the Court's July 1, 2014, Memorandum Decision and Order. . Document filed by Precious Daniels, Scotty Desphy, Evelyn Houser, Felicia Rickett-Samuels, Chynell Scott. (Miazad, Ossai) (Entered: 08/12/2014)
08/22/2014	<u>285</u>	NOTICE OF APPEARANCE by Elizabeth Tulis on behalf of Rebecca M. Blank. (Tulis, Elizabeth) (Entered: 08/22/2014)
08/25/2014	<u>286</u>	LETTER addressed to Magistrate Judge Frank Maas from L. Pellegrino dated 8/25/2014 re: selection certificate review. Document filed by Rebecca M. Blank.(Pellegrino, Louis) (Entered: 08/25/2014)
08/25/2014	<u>287</u>	ENDORSED LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 8/22/2014 re: Plaintiffs request that Ms. Trzinski be withdrawn as attorney of record in the above-captioned matter and that all further electronic notices in the matter to Ms. Trzinski be terminated. ENDORSEMENT: Application granted., Attorney Amber Christine Trzinski terminated. (Signed by Magistrate Judge Frank Maas on 8/25/2014) (lmb) (Entered: 08/25/2014)
08/25/2014	<u>288</u>	LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated 8/25/2014 re: Update on Status of Proposed Scheduling Order. Document filed by Precious Daniels, Scotty Desphy, Evelyn Houser, Felicia Rickett-Samuels, Chynell Scott.(Miazad, Ossai) (Entered: 08/25/2014)
08/26/2014		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Telephone Conference held on 8/26/2014. (Chambers, Richalyn) (Entered: 08/26/2014)
08/26/2014	<u>289</u>	REPLY MEMORANDUM OF LAW in Support re: <u>269</u> MOTION for Reconsideration of the Court's July 1, 2014, Memorandum Decision and Order. . Document filed by Rebecca M. Blank. (Pellegrino, Louis) (Entered: 08/26/2014)
08/27/2014	<u>290</u>	ORDER: Pursuant to the telephone conference held on August 26, 2014, it is hereby ORDERED that by September 16, 2014, the parties shall report back to the court on the various issues discussed during the telephone conference. (Signed by Magistrate Judge Frank Maas on 8/26/2014) (lmb) (Entered: 08/27/2014)
09/09/2014	<u>291</u>	MOTION for Julie Alyssa Murray to Appear Pro Hac Vice on behalf of Plaintiffs. Filing fee \$ 200.00, receipt number 0208-10082354. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Precious Daniels, Scotty Desphy, Evelyn Houser, Felicia Rickett-Samuels, Chynell Scott. (Attachments: # <u>1</u> Exhibit Certificates of Good Standing, # <u>2</u> Text of Proposed Order Proposed Order Granting Motion to Appear Pro Hac Vice)(Murray, Julie) (Entered: 09/09/2014)
09/10/2014		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>291</u> MOTION for Julie Alyssa Murray to Appear Pro Hac Vice on behalf of Plaintiffs. Filing fee \$ 200.00, receipt number 0208-10082354.

		Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (sdi) (Entered: 09/10/2014)
09/15/2014	<u>292</u>	NOTICE of Supplemental Authority re: <u>269</u> MOTION for Reconsideration of the Court's July 1, 2014, Memorandum Decision and Order.. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Exhibit Lopez v. City of Lawrence)(La Morte, Tara) (Entered: 09/15/2014)
09/16/2014	293	ORDER granting <u>291</u> Motion for Julie A. Murray to Appear Pro Hac Vice (Maas, Frank) (Entered: 09/16/2014)
09/16/2014	<u>294</u>	NOTICE OF APPEARANCE by Deirdre Anne Aaron on behalf of Precious Daniels, Scotty Desphy, Evelyn Houser, Felicia Rickett-Samuels, Chynell Scott. (Aaron, Deirdre) (Entered: 09/16/2014)
09/16/2014	<u>295</u>	LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad dated September 16, 2014 re: Issues Discussed During August 26, 2014 Telephonic Court Conference. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (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)(Miazad, Ossai) (Entered: 09/16/2014)
09/16/2014	<u>296</u>	LETTER addressed to Magistrate Judge Frank Maas from Elizabeth Tulis, Louis Pellegrino, Tara LaMorte dated September 16, 2014 Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Text of Proposed Order Proposed Scheduling Order)(Tulis, Elizabeth) (Entered: 09/17/2014)
09/17/2014	<u>297</u>	MEMO ENDORSEMENT on re: <u>295</u> Letter, filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett-Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. ENDORSEMENT: On the assumption that the Government will respond to this letter promptly, I would like to hold a telephone conference on 9/22/14 at 5 p.m. If this date and time are not convenient, counsel should place a conference call to Chambers to select a more suitable slot. (Telephone Conference set for 9/22/2014 at 05:00 PM before Magistrate Judge Frank Maas.) (Signed by Magistrate Judge Frank Maas on 9/16/2014) (ajs) (Entered: 09/17/2014)
09/19/2014	<u>298</u>	LETTER addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated September 19, 2014 re: Discovery Relating to Selection Certificates. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Text of Proposed Order)(La Morte, Tara) (Entered: 09/19/2014)
09/19/2014	<u>299</u>	NOTICE OF CONFERENCE: Please be advised that the telephone conference in the this matter previously scheduled for September 22, 2014, at 5 p.m. has been rescheduled to October 2, 2014, at 10 a.m. Plaintiffs' counsel shall initiate the call by placing a conference call to Judge Maas' chambers at (212) 805-6727. Requests for adjournment must be made to the Court, in writing, at least 48 hours prior to the conference. Telephone Conference set for 10/2/2014 at 10:00 AM before Magistrate Judge Frank Maas. (lmb) (Entered: 09/19/2014)
09/25/2014	<u>300</u>	LETTER addressed to Magistrate Judge Frank Maas from Ossai Miazad re: Defendant's September 19, 2014 Letter. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Miazad, Ossai) (Entered: 09/25/2014)
09/30/2014	<u>301</u>	LETTER addressed to Magistrate Judge Frank Maas from Tara M. La Morte dated September 30, 2014 re: Selection Records. Document filed by Rebecca M. Blank. (Attachments: # <u>1</u> Exhibit A)(La Morte, Tara) (Entered: 09/30/2014)
10/02/2014		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Telephone Conference held on 10/2/2014. (Chambers, Richalyn) (Entered: 10/02/2014)
10/02/2014	<u>302</u>	ORDER: Pursuant to the telephone conference held on October 2, 2014, it is hereby ORDERED that the third amended class action complaint is accepted for filing. SO ORDERED. (Signed by Magistrate Judge Frank Maas on 10/2/2014) (ja) (Entered: 10/03/2014)

10/02/2014	<u>303</u>	ORDER AMENDING THE COURT'S JULY 1, 2014 MEMORANDUM DECISION AND ORDER: Reinstating Mr. Gonzalez as a class representative. (Signed by Magistrate Judge Frank Maas on 10/2/2014) (ja) (Entered: 10/03/2014)
10/03/2014	<u>304</u>	ORDER: Pursuant to the telephone conference held on October 2, 2014, it is hereby ORDERED that: Any motion challenging the adequacy or typicality of the newly-named plaintiffs shall be filed by January 18, 2015. Opposition papers shall be filed by March 4, 2015, and any reply shall be filed by April 3, 2015. Expert discovery, including depositions, related to initial expert reports shall be completed by January 16, 2015. All motions for summary judgment shall be filed by June 19, 2015. Opposition papers shall be filed by July 24, 2015, and any replies shall be filed by August 21, 2015, and as further set forth herein. (Deposition due by 3/6/2015. Expert Discovery due by 3/6/2015. Motions due by 6/19/2015, Responses due by 7/24/2015, Replies due by 8/21/2015.) (Signed by Magistrate Judge Frank Maas on 10/3/2014) (ja) (Entered: 10/03/2014)
10/14/2014	<u>305</u>	SCHEDULING ORDER: It is hereby ORDERED that a settlement conference has been scheduled in the above-captioned action on TUESDAY, NOVEMBER 18, 2014 at 9:30 A.M., at which time you are directed to appear in Courtroom 17D, 500 Pearl Street, New York, New York 10007-1312. And as set forth herein. SO ORDERED. Settlement Conference set for 11/18/2014 at 09:30 AM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger. (Signed by Magistrate Judge Michael H. Dolinger on 10/14/2014) Copies to all counsel via ECF. (ama) (Entered: 10/14/2014)
10/22/2014	<u>306</u>	TRANSCRIPT of Proceedings re: Telephone Conference held on 8/26/2014 before Magistrate Judge Frank Maas. Court Reporter/Transcriber: Carole Ludwig, (212) 420-0771. 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 11/17/2014. Redacted Transcript Deadline set for 12/1/2014. Release of Transcript Restriction set for 1/23/2015.(ca) (Entered: 10/22/2014)
10/22/2014	<u>307</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Telephone Conference proceeding held on 08/26/2014 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(ca) (Entered: 10/22/2014)
10/24/2014	<u>308</u>	LETTER addressed to Magistrate Judge Frank Maas from L. Pellegrino dated 10/24/2014 re: re seal filing. Document filed by Rebecca M. Blank.(Pellegrino, Louis) (Entered: 10/24/2014)
10/24/2014	<u>309</u>	MEMO ENDORSEMENT on re: <u>308</u> Letter filed by Rebecca M. Blank. ENDORSEMENT: Application granted. So ordered. (Signed by Magistrate Judge Frank Maas on 10/24/2014) (rjm) (Entered: 10/27/2014)
10/24/2014		Transmission to Sealed Records Clerk. Transmitted re: <u>309</u> Memo Endorsement to the Sealed Records Clerk for the sealing or unsealing of document or case. (rjm) (Entered: 10/27/2014)
11/07/2014	<u>310</u>	TRANSCRIPT of Proceedings re: Telephone Conference held on 10/2/2014 before Magistrate Judge Frank Maas. Court Reporter/Transcriber: Shari Riemer/Mary Greco, (518) 581-8973. 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 12/4/2014. Redacted Transcript Deadline set for 12/11/2014. Release of Transcript Restriction set for 2/9/2015.(ca) (Entered: 11/07/2014)
11/07/2014	<u>311</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Telephone Conference proceeding held on 10/02/2014 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to

		Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(ca) (Entered: 11/07/2014)
11/18/2014		Minute Entry for proceedings held before Magistrate Judge Michael H. Dolinger: Settlement Conference held on 11/18/2014. (Snell, Kevin) (Entered: 11/18/2014)
11/18/2014	<u>312</u>	SCHEDULING ORDER: A settlement conference having been held in the above-captioned action today, it is hereby ORDERED that a follow-up telephone conference has been scheduled for THURSDAY, DECEMBER 11, 2014 at 10:00 A.M at which time the parties are directed to jointly call chambers at (212) 805-0204 when all parties are on the line. SO ORDERED. Telephone Conference set for 12/11/2014 at 10:00 AM before Magistrate Judge Michael H. Dolinger. (Signed by Magistrate Judge Michael H. Dolinger on 11/18/2014) (ama) (Entered: 11/18/2014)
11/18/2014	<u>313</u>	ORDER: I understand from Magistrate Judge Dolinger that the parties are continuing to engage in settlement discussions. To ensure that those discussions can continue without prejudice to either side, I will stay further discovery until such time as Judge Dolinger or the parties indicate to me that it should resume, at which time (unless there is a settlement), I will enter a revised scheduling order. (Signed by Magistrate Judge Frank Maas on 11/18/2014) (kgo) (Entered: 11/18/2014)
12/11/2014	<u>314</u>	TRANSCRIPT of Proceedings re: Telephone Conference held on 8/26/2014 before Magistrate Judge Frank Maas. Court Reporter/Transcriber: Carole Ludwig, (212) 420-0771. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/5/2015. Redacted Transcript Deadline set for 1/15/2015. Release of Transcript Restriction set for 3/16/2015.(soh) (Entered: 12/11/2014)
12/11/2014		Minute Entry for proceedings held before Magistrate Judge Michael H. Dolinger: Telephone Conference held on 12/11/2014. (Snell, Kevin) (Entered: 12/11/2014)
12/22/2014	<u>315</u>	JOINT LETTER addressed to Magistrate Judge Michael H. Dolinger from Adam T. Klein dated December 22, 2014 re: Status Update re Mediation. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) (Entered: 12/22/2014)
01/08/2015	<u>316</u>	JOINT LETTER addressed to Magistrate Judge Michael H. Dolinger from Adam T. Klein dated January 8, 2015 re: Status Update re Mediation. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) (Entered: 01/08/2015)
01/08/2015	<u>317</u>	LETTER addressed to Magistrate Judge Frank Maas from L. Pellegrino dated 01/08/2015 re: re motion for reconsideration. Document filed by Rebecca M. Blank.(Pellegrino, Louis) (Entered: 01/08/2015)
01/08/2015	<u>318</u>	MEMO ENDORSEMENT on re: <u>316</u> JOINT LETTER addressed to Magistrate Judge Michael H. Dolinger from Adam T. Klein dated January 8, 2015 re: Status Update re Mediation. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. ENDORSEMENT: Application granted. (Signed by Magistrate Judge Michael H. Dolinger on 1/8/2015) (rjm) (Entered: 01/09/2015)
01/12/2015	<u>319</u>	LETTER addressed to Magistrate Judge Frank Maas from Adam T. Klein dated January 12, 2015 re: Response to Defendant's January 8, 2015 Letter. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) (Entered: 01/12/2015)
02/27/2015	<u>320</u>	JOINT LETTER addressed to Magistrate Judge Michael H. Dolinger from Adam T. Klein dated February 27, 2015 re: Status Update re Mediation. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian

		Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) (Entered: 02/27/2015)
02/27/2015	<u>321</u>	MEMO ENDORSEMENT on re: <u>320</u> Letter filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett–Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. We respectfully request that the Court permit the parties to provide a status update to the Court no later than April 3, 2015. ENDORSEMENT: Application Granted. (Signed by Magistrate Judge Michael H. Dolinger on 2/27/2015) (ama) (Entered: 02/27/2015)
04/03/2015	<u>322</u>	JOINT LETTER addressed to Magistrate Judge Michael H. Dolinger from Adam T. Klein dated April 3, 2015 re: Status Update re Mediation. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) (Entered: 04/03/2015)
04/06/2015	<u>323</u>	MEMO ENDORSEMENT on re: <u>322</u> Letter filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett–Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. We respectfully request that the Court permit the parties to provide a status update to the Court no later than April 30, 2015. ENDORSEMENT: Application Granted. (Signed by Magistrate Judge Michael H. Dolinger on 4/06/2015) (ama) (Entered: 04/06/2015)
04/30/2015	<u>324</u>	JOINT LETTER addressed to Magistrate Judge Michael H. Dolinger from Adam T. Klein dated April 30, 2015 re: Status Update re Mediation. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) (Entered: 04/30/2015)
04/30/2015	<u>325</u>	MEMO ENDORSEMENT on re: <u>324</u> JOINT LETTER addressed to Magistrate Judge Michael H. Dolinger from Adam T. Klein dated April 30, 2015 re: Status Update re Mediation. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott. ENDORSEMENT: Application granted. (Signed by Magistrate Judge Michael H. Dolinger on 4/30/2015) (rjm) (Entered: 05/01/2015)
06/09/2015	<u>326</u>	LETTER addressed to Magistrate Judge Michael H. Dolinger from Adam T. Klein dated 6/9/2015 re: Status Update of Parties' Mediation Efforts. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) (Entered: 06/09/2015)
06/10/2015	<u>327</u>	MEMO ENDORSEMENT on re: <u>326</u> Letter filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett–Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. With the Court's approval, the parties propose to update the Court on August 20, 2015. ENDORSEMENT: Application Granted. (Signed by Magistrate Judge Michael H. Dolinger on 6/10/2015) (ama) (Entered: 06/10/2015)
08/20/2015	<u>328</u>	JOINT LETTER addressed to Magistrate Judge Michael H. Dolinger from Ossai Miazad dated 8/20/2015 re: Status Update of Parties' Mediation Efforts. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett–Samuels, Ignacio Riesco, Chynell Scott.(Miazad, Ossai) (Entered: 08/20/2015)
08/20/2015	<u>329</u>	MEMO ENDORSEMENT on re: <u>328</u> Letter filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett–Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. With the Court's approval, the parties propose to update the Court on October 19, 2015. ENDORSEMENT: Counsel are to submit a status report by October 9, 2015. (Signed by Magistrate Judge Michael H. Dolinger on 8/20/2015) (ama) (Entered: 08/20/2015)
08/28/2015	<u>330</u>	SCHEDULING ORDER: It is hereby ORDERED that a telephone conference has been scheduled for TUESDAY, SEPTEMBER 8, 2015 at 11:30 A.M. at which time the parties are directed to jointly call chambers at (212) 805–0204 when all parties are on the line. Any requests for adjournment of this scheduled conference must be in writing, with copies to all other parties, and must be preceded by

		reasonable efforts by the requesting party to obtain the consent of those parties. SO ORDERED. Telephone Conference set for 9/8/2015 at 11:30 AM before Magistrate Judge Michael H. Dolinger. (Signed by Magistrate Judge Michael H. Dolinger on 8/27/2015) (ama) (Entered: 08/28/2015)
10/09/2015	<u>331</u>	JOINT LETTER addressed to Magistrate Judge Michael H. Dolinger from Ossai Miazad dated 10/9/2015 re: Status Update of Parties' Mediation Efforts. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Miazad, Ossai) (Entered: 10/09/2015)
10/21/2015	<u>332</u>	MEMO ENDORSEMENT on re: <u>331</u> Letter, filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett-Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. ENDORSEMENT: Inasmuch as Judge Dolinger is leaving the bench, I will withdraw my informal reference to him (and his successor). Future status updates should be submitted to me, and December 9, 2015, is approved as the date of the next such update. (Signed by Magistrate Judge Frank Maas on 10/21/2015) (lmb) (Entered: 10/21/2015)
12/07/2015	<u>333</u>	LETTER addressed to Magistrate Judge Frank Maas from Julie A. Murray dated 12/7/2015 re: Withdrawal of Public Citizen Litigation Group as Co-Counsel. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Miazad, Ossai) (Entered: 12/07/2015)
12/07/2015	<u>334</u>	NOTICE of Record of Party's Death. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Miazad, Ossai) (Entered: 12/07/2015)
12/08/2015	<u>335</u>	MEMO ENDORSEMENT on re: <u>333</u> Letter, filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett-Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. ENDORSEMENT: Application granted., Attorney Julie Alyssa Murray terminated. (Signed by Magistrate Judge Frank Maas on 12/7/2015) (lmb) (Entered: 12/08/2015)
12/09/2015	<u>336</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – (See #337) JOINT LETTER addressed to Magistrate Judge Michael H. Dolinger from Adam T. Klein dated 12/9/2015 re: Status Update of Parties' Mediation Efforts. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) Modified on 12/9/2015 (kj). (Entered: 12/09/2015)
12/09/2015	<u>337</u>	JOINT LETTER addressed to Magistrate Judge Frank Maas from Adam T. Klein dated 12/9/2015 re: Status Update of Parties' Mediation Efforts. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) (Entered: 12/09/2015)
12/10/2015	<u>338</u>	MEMO ENDORSEMENT on re: <u>337</u> Letter, filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett-Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. ENDORSEMENT: Approved. (Signed by Magistrate Judge Frank Maas on 12/10/2015) (mro) (Entered: 12/10/2015)
01/25/2016	<u>340</u>	MOTION to Substitute Party. Old Party: Evelyn Houser, New Party: Cephus O. Houser . Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Miazad, Ossai) (Entered: 01/25/2016)
01/26/2016	341	ORDER granting on consent ECF No. 340, plaintiffs' motion to substitute Cephus O. Houser, personal representative and trustee of the revocable living trust agreement of plaintiff Evelyn Houser, as the representative of the interests of plaintiff Evelyn Houser, individually, in this action. (Maas, Frank) (Entered: 01/26/2016)

02/08/2016	<u>342</u>	JOINT LETTER addressed to Magistrate Judge Frank Maas from Adam T. Klein dated 2/8/2016 re: Joint Status Update. Document filed by Sandra Anderson, Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) (Entered: 02/08/2016)
02/25/2016	<u>343</u>	ORDER denying without prejudice to renewal <u>269</u> Motion for Reconsideration. The defendant's Motion for Reconsideration of this Court's Memorandum Decision and Order of July 1, 2014, (ECF No. 269), remains undecided. By letter dated February 8, 2016, however, the parties have jointly indicated that this action has been resolved, subject to approval of the settlement terms by the United States Department of Justice (See ECF No. 342). In light of this development, the motion is denied without prejudice to its renewal in the event that the settlement is not effectuated. (Signed by Magistrate Judge Frank Maas on 2/24/2016) (cf) (Entered: 02/25/2016)
03/16/2016	<u>344</u>	LETTER addressed to Magistrate Judge Frank Maas from Adam Klein dated March 16, 2016 re: Status. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) (Entered: 03/16/2016)
03/16/2016	<u>345</u>	MEMO ENDORSEMENT on re: <u>344</u> Letter, filed by Evelyn Houser, Ignacio Riesco, Felicia Rickett-Samuels, Vivian Kargbo, Precious Daniels, Scotty Desphy, Chynell Scott, Anthony Gonzalez. ENDORSEMENT: Granted. (Motions due by 4/12/2016.) (Signed by Magistrate Judge Frank Maas on 3/16/2016) (mro) (Entered: 03/17/2016)
04/08/2016	<u>346</u>	LETTER MOTION for Extension of Time addressed to Magistrate Judge Frank Maas from Adam Klein dated April 8, 2016. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Eugene Johnson, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) (Entered: 04/08/2016)
04/11/2016	<u>347</u>	ORDER granting <u>346</u> Letter Motion for Extension of Time. The extension is granted. Motions due by 4/19/2016. (Signed by Magistrate Judge Frank Maas on 4/11/2016) (cf) (Entered: 04/11/2016)
04/19/2016	<u>348</u>	MOTION for Settlement <i>NOTICE OF PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT, APPROVAL OF THE PROPOSED NOTICE OF SETTLEMENT AND CLASS ACTION SETTLEMENT PROCEDURE, AND CONDITIONAL CERTIFICATION FOR DAMAGES OF THE SETTLEMENT CLASS</i> . Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Klein, Adam) (Entered: 04/19/2016)
04/19/2016	<u>349</u>	FILING ERROR – DEFICIENT DOCKET ENTRY (SEE DOCUMENT #351) – MEMORANDUM OF LAW in Support re: <u>348</u> MOTION for Settlement <i>NOTICE OF PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT, APPROVAL OF THE PROPOSED NOTICE OF SETTLEMENT AND CLASS ACTION SETTLEMENT PROCEDURE, AND CONDITIONAL CERTIFICATION FOR DAMAGES OF THE SETTLEM</i> . Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Klein, Adam) Modified on 4/20/2016 (ldi). (Entered: 04/19/2016)
04/19/2016	<u>350</u>	DECLARATION of Adam Klein in Support re: <u>348</u> MOTION for Settlement <i>NOTICE OF PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT, APPROVAL OF THE PROPOSED NOTICE OF SETTLEMENT AND CLASS ACTION SETTLEMENT PROCEDURE, AND CONDITIONAL CERTIFICATION FOR DAMAGES OF THE SETTLEM</i> . Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18)(Klein, Adam) (Entered: 04/19/2016)

04/20/2016	<u>351</u>	MEMORANDUM OF LAW in Support re: <u>348</u> MOTION for Settlement <i>NOTICE OF PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT, APPROVAL OF THE PROPOSED NOTICE OF SETTLEMENT AND CLASS ACTION SETTLEMENT PROCEDURE, AND CONDITIONAL CERTIFICATION FOR DAMAGES OF THE SETTLEM</i> . Document filed by <i>Precious Daniels, Scotty Desphy, Anthony Gonzalez, Cephus Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott. (Klein, Adam)</i> (Entered: 04/20/2016)
04/22/2016	<u>352</u>	ORDER GRANTING PLAINTIFFS' MOTION FOR (1) PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT (2) CONDITIONAL CERTIFICATION FOR DAMAGES OF THE SETTLEMENT CLASS (3) APPROVAL OF THE PROPOSED NOTICE OF SETTLEMENT AND CLASS ACTION SETTLEMENT PROCEDURE (3) AND (4) SETTING OF A SCHEDULE FOR FINAL APPROVAL: granting <u>348</u> Motion for Settlement. NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED: This Court has jurisdiction over the subject matter of the litigation and over all parties to this litigation, including all members of the Settlement Class, as defined below. The Court hereby FINDS and CONCLUDES that, for purposes of this settlement, the Settlement Class set forth above satisfies all of the requirements for certification under Rule 23(a) and Rule 23(b)(3). There are hundreds of thousands of Settlement Class Members, satisfying the numerosity requirement. The Court has reviewed the proposed Settlement Agreement and Release ("Settlement Agreement"), attached as Exhibit 1 to the Klein Declaration (Klein Decl.) and Plaintiffs' unopposed Motion for Preliminary Approval and the Klein Declaration which describes Class Counsel's legal and factual investigation, and the settlement process. It is therefore ORDERED: That the Settlement Agreement is hereby PRELIMINARY APPROVED. Final approval and entry of the Settlement Agreement is subject to a final hearing of any objections of members of the class to the proposed Settlement Agreement. Accordingly, the Court hereby ORDERS as follows: The form of the Notice and Claim Form is approved. Non-material changes may be made as the parties deem appropriate. The manner for distributing the Notice and Claim Form is approved. The proposed Privacy Act Protective Order is So Ordered. Within fourteen (14) business days following entry of this Order, Defendant, to the extent that said information was originally provided by the Settlement ClassMember to the Census Bureau, shall provide the settlement administrator the name, Social Security number, self-reported email addresses, last known address, and last known phone number of each Settlement Class Member. The Court hereby schedules a hearing to determine whether to grant final certification of the Settlement Class, and final approval of the Settlement Agreement (including the proposed plan of programmatic and class member relief: payment of attorneys' fees and costs, and Service Awards to the Named Plaintiffs) (the "Final Approval Hearing") for September 19, 2016, at 10 a.m., in Courtroom 20A. And as set forth herein. IT IS SO ORDERED. (Signed by Magistrate Judge Frank Maas on 4/22/2016) (ama) (Entered: 04/25/2016)
04/22/2016		Set/Reset Hearings: Settlement Conference set for 9/19/2016 at 10:00 AM in Courtroom 20A, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Frank Maas. (ama) (Entered: 04/25/2016)
04/22/2016		Terminate Transcript Deadlines (ama) (Entered: 04/25/2016)
04/26/2016	<u>353</u>	PRIVACY ACT PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material...(As further set forth in this Order.) IT IS HEREBY ORDERED that defendant and her counsel are authorized to release to class counsel, and any other individual or entity contemplated by the parties' Settlement Agreement and Release ("Settlement Agreement"), records or other information necessary for the defendant to satisfy her obligations under the Settlement Agreement filed in this action on April 19, 2016. (Signed by Magistrate Judge Frank Maas on 4/25/2016) (cf) (Entered: 04/26/2016)
06/06/2016	<u>354</u>	LETTER from Theodis Brown, Sr. dated 5/18/2016 re: Pro-se Litigent formal written objections. (cf) (Entered: 06/06/2016)
08/03/2016	<u>355</u>	LETTER addressed to Magistrate Judge Frank Maas from George L. Mathieu dated 7/26/2016 re: Opting out of the Census Settlement. (cf) (Entered: 08/03/2016)

		08/03/2016)
08/10/2016	<u>356</u>	LETTER from Casey Manzanares, non-party, dated 7/25/16 re: IMPORTANT NOTICE OF SETTLEMENT PAY/ NOTICE PIN# 0007673641. (sc) (Entered: 08/11/2016)
08/30/2016	<u>357</u>	LETTER MOTION for Leave to File Excess Pages addressed to Magistrate Judge Frank Maas from Ossai Miazad dated August 30, 2016. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Evelyn Houser, Vivian Kargbo, Felicia Rickett-Samuels, Ignacio Riesco, Chynell Scott.(Miazad, Ossai) (Entered: 08/30/2016)
08/30/2016	<u>358</u>	ORDER granting <u>357</u> Letter Motion for Leave to File Excess Pages. APPLICATION GRANTED. (Signed by Magistrate Judge Frank Maas on 8/30/2016) (cf) (Entered: 08/30/2016)
08/31/2016	<u>359</u>	NOTICE OF CHANGE OF ADDRESS by Adam T Klein on behalf of Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott. New Address: Outten &Golden LLP, 685 Third Avenue, 25th Floor, New York, New York, United States 10017, 2122451000. (Klein, Adam) (Entered: 08/31/2016)
08/31/2016	<u>360</u>	NOTICE OF CHANGE OF ADDRESS by Deirdre Anne Aaron on behalf of Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott. New Address: Outten &Golden LLP, 685 Third Avenue, 25th Floor, New York, New York, United States 10017, 2122451000. (Aaron, Deirdre) (Entered: 08/31/2016)
08/31/2016	<u>361</u>	NOTICE OF CHANGE OF ADDRESS by Justin Mitchell Swartz on behalf of Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott. New Address: Outten &Golden LLP, 685 Third Avenue, 25th Floor, New York, New York, United States 10017, 2122451000. (Swartz, Justin) (Entered: 08/31/2016)
08/31/2016	<u>362</u>	NOTICE OF CHANGE OF ADDRESS by Lewis M. Steel on behalf of Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott. New Address: Outten &Golden LLP, 685 Third Avenue, 25th Floor, New York, New York, United States 10017, 2122451000. (Steel, Lewis) (Entered: 08/31/2016)
09/01/2016	<u>363</u>	NOTICE OF CHANGE OF ADDRESS by Melissa E. Pierre-Louis on behalf of Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott. New Address: Outten &Golden LLP, 685 Third Avenue, 25th Floor, New York, New York, United States 10017, 2122451000. (Pierre-Louis, Melissa) (Entered: 09/01/2016)
09/01/2016	<u>364</u>	NOTICE OF CHANGE OF ADDRESS by Ossai Miazad on behalf of Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott. New Address: Outten &Golden LLP, 685 Third Avenue, 25th Floor, New York, New York, United States 10017, 2122451000. (Miazad, Ossai) (Entered: 09/01/2016)
09/01/2016	<u>365</u>	NOTICE OF CHANGE OF ADDRESS by Rachel Megan Bien on behalf of Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott. New Address: Outten &Golden LLP, 685 Third Avenue, 25th Floor, New York, New York, United States 10017, 2122451000. (Bien, Rachel) (Entered: 09/01/2016)
09/01/2016	<u>366</u>	NOTICE OF CHANGE OF ADDRESS by Sally Jasmine Abrahamson on behalf of Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott. New Address: Outten &Golden LLP, 685 Third Avenue, 25th Floor, New York, New York, United States 10017, 2122451000. (Abrahamson, Sally) (Entered: 09/01/2016)
09/02/2016	<u>367</u>	MOTION for Settlement <i>Notice of Plaintiffs' Unopposed Motion for Final Approval of Settlement and Certification for Damages of the Settlement Class.</i> Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott.(Miazad, Ossai) (Entered: 09/02/2016)

09/02/2016	<u>368</u>	MEMORANDUM OF LAW in Support re: <u>367</u> MOTION for Settlement <i>Notice of Plaintiffs' Unopposed Motion for Final Approval of Settlement and Certification for Damages of the Settlement Class.</i> . Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott. (Miazad, Ossai) (Entered: 09/02/2016)
09/02/2016	<u>369</u>	MOTION for Attorney Fees <i>Notice of Plaintiffs' Unopposed Motion for Attorneys Fees and Costs.</i> Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott.(Miazad, Ossai) (Entered: 09/02/2016)
09/02/2016	<u>370</u>	MEMORANDUM OF LAW in Support re: <u>369</u> MOTION for Attorney Fees <i>Notice of Plaintiffs' Unopposed Motion for Attorneys Fees and Costs.</i> . Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott. (Miazad, Ossai) (Entered: 09/02/2016)
09/02/2016	<u>371</u>	MOTION Notice of Plaintiffs' Unopposed Motion for Class Representative Service Awards . Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott.(Miazad, Ossai) (Entered: 09/02/2016)
09/02/2016	<u>372</u>	MEMORANDUM OF LAW in Support re: <u>371</u> MOTION Notice of Plaintiffs' Unopposed Motion for Class Representative Service Awards . . Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott. (Miazad, Ossai) (Entered: 09/02/2016)
09/02/2016	<u>373</u>	FILING ERROR – DEFICIENT DOCKET ENTRY (SEE DOCUMENT #378) – DECLARATION of Ossai Miazad in Support re: <u>369</u> MOTION for Attorney Fees <i>Notice of Plaintiffs' Unopposed Motion for Attorneys Fees and Costs.</i> , <u>367</u> MOTION for Settlement <i>Notice of Plaintiffs' Unopposed Motion for Final Approval of Settlement and Certification for Damages of the Settlement Class.</i> , <u>371</u> MOTION Notice of Plaintiffs' Unopposed Motion for Class Representative Service Awards .. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott. (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, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P)(Miazad, Ossai) Modified on 9/28/2016 (Idi). (Entered: 09/02/2016)
09/16/2016	<u>374</u>	DECLARATION of Abigail Schwartz in Support re: <u>367</u> MOTION for Settlement <i>Notice of Plaintiffs' Unopposed Motion for Final Approval of Settlement and Certification for Damages of the Settlement Class.</i> . Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Miazad, Ossai) (Entered: 09/16/2016)
09/19/2016		Minute Entry for proceedings held before Magistrate Judge Frank Maas: Fairness Hearing held on 9/19/2016. (mo) (Entered: 09/19/2016)
09/19/2016	<u>375</u>	LETTER addressed to Magistrate Judge Frank Maas from Daniel L Williams dated 9/7/2016 re: Objection to the proposed settlement. (cf) (Entered: 09/19/2016)
09/19/2016	<u>376</u>	ORDER: For the reasons set forth on the record earlier today, Exhibit F to Ms. Miazad's declaration dated September 2, 2016 (ECF No. 373-6), shall be placed under seal since a properly-redacted version has been filed as Exhibit 1 to the declaration of Abigail Schwartz, dated September 16, 2016 (ECF No. 374-1). (Signed by Magistrate Judge Frank Maas on 9/19/2016) (cf) (Entered: 09/19/2016)
09/19/2016		Transmission to Sealed Records Clerk. Transmitted re: <u>376</u> Order to the Sealed Records Clerk for the sealing or unsealing of document or case. (cf) (Entered: 09/19/2016)
09/20/2016	<u>377</u>	ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTIONS FOR FINAL APPROVAL OF SETTLEMENT AND CERTIFICATION FOR DAMAGES OF THE SETTLEMENT CLASS, ATTORNEYS' FESS AND COST, AND SERVICE AWARDS. granting <u>367</u> Motion for Settlement; granting <u>369</u> Motion for Attorney Fees; granting <u>371</u> Motion. This Court hereby dismisses this action with prejudice as to all Settlement Class Members. (As further set forth in this Order.) As of the Effective Date of the Settlement, the action shall automatically be dismissed with

		prejudice, except that the Court will retain continuing jurisdiction as set forth in paragraph 30 above. (Signed by Magistrate Judge Frank Maas on 9/20/2016) (cf) Modified on 10/13/2016 (cf). (Entered: 09/20/2016)
09/27/2016	<u>378</u>	DECLARATION of Ossai Miazad in Support re: <u>369</u> MOTION for Attorney Fees <i>Notice of Plaintiffs' Unopposed Motion for Attorneys Fees and Costs.</i> , <u>367</u> MOTION for Settlement <i>Notice of Plaintiffs' Unopposed Motion for Final Approval of Settlement and Certification for Damages of the Settlement Class.</i> , <u>371</u> MOTION Notice of Plaintiffs' Unopposed Motion for Class Representative Service Awards .. Document filed by Precious Daniels, Scotty Desphy, Anthony Gonzalez, Felicia Rickett-Samuels, Chynell Scott. (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, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P)(Miazad, Ossai) (Entered: 09/27/2016)
09/29/2016	<u>379</u>	STIPULATION AND ORDER REGARDING ADDITIONAL SETTLEMENT EXCLUSIONS: NOW, THEREFORE, IT IS HERBY STIPULATED AND AGREED, by and between the undersigned, that Exhibit A to this Stipulation is hereby incorporated as Exhibit A to the Final Approval Order, and that all individuals listed in Exhibit A to this Stipulation shall be deemed to have timely excluded themselves from the Settlement in this matter, as set forth in Paragraphs 31 and 32 of the Final Approval Order. (As further set forth in this Order.) (Signed by Magistrate Judge Frank Maas on 9/29/2016) (cf) (Entered: 09/29/2016)