

**U.S. District Court
District of Connecticut (New Haven)
CIVIL DOCKET FOR CASE #: 3:20-cv-00594-JCH**

Wilkes et al v. Lamont et al
Assigned to: Judge Janet C. Hall
Referred to: Judge Robert A. Richardson
Cause: 42:1983 Civil Rights Act

Date Filed: 04/30/2020
Date Terminated: 01/14/2021
Jury Demand: None
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

Thomas Wilkes

*On behalf of themselves and all
other persons similarly situated*

represented by **Karyl Lee Hall**
Connecticut Legal Rights Project,
Inc.
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Middletown, CT 06457
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ATTORNEY TO BE NOTICED

Plaintiff

Barbara Flood

*On behalf of themselves and all
other persons similarly situated*

represented by **Karyl Lee Hall**
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Kirk W. Lowry
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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Mark J. Murphy
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*LEAD ATTORNEY
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Steven J. Schwartz
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Ira Burnim
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Jennifer Mathis
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ATTORNEY TO BE NOTICED

Virginia Martins Teixeira
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Vincent Ardizzone
*On behalf of themselves and all
other persons similarly situated*

represented by **Karyl Lee Hall**
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Virginia Martins Teixeira
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Plaintiff

Gail Litsky
*On behalf of themselves and all
other persons similarly situated*

represented by **Karyl Lee Hall**
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Jennifer Mathis
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Virginia Martins Teixeira
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ATTORNEY TO BE NOTICED

Plaintiff

Carson Mueller

*On behalf of themselves and all
other persons similarly situated*

represented by **Karyl Lee Hall**
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Kirk W. Lowry

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Steven J. Schwartz

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Ira Burnim

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Jennifer Mathis

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ATTORNEY TO BE NOTICED

Virginia Martins Teixeira

(See above for address)

ATTORNEY TO BE NOTICED

V.

Defendant

Ned Lamont

Governor, in their official capacities

represented by **Emily V. Melendez**

State of Connecticut Office of the
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TERMINATED: 09/23/2020

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TERMINATED: 07/31/2020

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LEAD ATTORNEY

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Defendant

Miriam E. Delphin-Rittmon
*Commissioner of DMHAS, in their
official capacities*

represented by **Emily V. Melendez**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Henry A. Salton
(See above for address)
TERMINATED: 09/23/2020
LEAD ATTORNEY
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Laura D. Thurston
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ralph E. Urban
(See above for address)
TERMINATED: 07/31/2020
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shawn L. Rutchick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Hal Smith
*CEO of Whiting Forensic Hospital,
in their official capacities*

represented by **Emily V. Melendez**
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LEAD ATTORNEY
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Henry A. Salton
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TERMINATED: 09/23/2020
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Laura D. Thurston
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Ralph E. Urban
(See above for address)

TERMINATED: 07/31/2020
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shawn L Rutchick
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

State of Connecticut
TERMINATED: 05/07/2020

represented by **Emily V. Melendez**
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ATTORNEY TO BE NOTICED

Henry A. Salton
(See above for address)
TERMINATED: 09/23/2020
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Laura D. Thurston
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ralph E. Urban
(See above for address)
TERMINATED: 07/31/2020
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Department of Mental Health and
Addiction Services**
TERMINATED: 05/07/2020

represented by **Emily V. Melendez**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Henry A. Salton
(See above for address)
TERMINATED: 09/23/2020
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Laura D. Thurston

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Ralph E. Urban
(See above for address)
TERMINATED: 07/31/2020
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Whiting Forensic Hospital
TERMINATED: 05/07/2020

represented by **Emily V. Melendez**
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LEAD ATTORNEY
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Henry A. Salton
(See above for address)
TERMINATED: 09/23/2020
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Ralph E. Urban
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TERMINATED: 07/31/2020
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Connecticut Valley Hospital
TERMINATED: 05/07/2020

represented by **Emily V. Melendez**
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Henry A. Salton
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TERMINATED: 09/23/2020
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Laura D. Thurston
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LEAD ATTORNEY
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Ralph E. Urban
(See above for address)
TERMINATED: 07/31/2020
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Lakisha Hyatt
CEO of Connecticut Valley
Hospital, in their official capacities

represented by **Emily V. Melendez**
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Henry A. Salton
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TERMINATED: 09/23/2020
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Laura D. Thurston
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Ralph E. Urban
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Shawn L Rutchick
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/30/2020	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$400 receipt number ACTDC-5832340.), filed by Vincent Ardizzone, Barbara Flood, Gail Litsky, Thomas Wilkes, Carson Mueller.(Lowry, Kirk)

		Modified on 4/30/2020 to correct filed by/against parties (Hushin, Z.). (Entered: 04/30/2020)
04/30/2020		Judge Janet C. Hall added. (Oliver, T.) (Entered: 04/30/2020)
04/30/2020	2	Order on Pretrial Deadlines: Amended Pleadings due by 6/29/2020. Discovery due by 10/30/2020. Dispositive Motions due by 12/4/2020. Signed by Clerk on 4/30/2020. (Reis, Julia) (Entered: 05/01/2020)
04/30/2020	3	ELECTRONIC FILING ORDER FOR COUNSEL - PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER Signed by Judge Janet C. Hall on 4/30/2020. (Reis, Julia) (Entered: 05/01/2020)
04/30/2020	4	STANDING PROTECTIVE ORDER Signed by Judge Janet C. Hall on 4/30/2020. (Reis, Julia) (Entered: 05/01/2020)
04/30/2020	5	Standing Order re: Discovery Signed by Judge Janet C. Hall on 4/30/2020. (Reis, Julia) (Entered: 05/01/2020)
05/01/2020	6	NOTICE TO COUNSEL/SELF-REPRESENTED PARTIES : Counsel or self-represented parties initiating or removing this action are responsible for serving all parties with attached documents and copies of 1 Complaint, filed by Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes, Vincent Ardizzone, 2 Order on Pretrial Deadlines, 3 Electronic Filing Order, 4 Standing Protective Order, 5 Standing Order re: Discovery Signed by Clerk on 5/1/2020. (Reis, Julia) (Entered: 05/01/2020)
05/04/2020		Request for Clerk to issue summons as to Ned Lamont. (Lowry, Kirk) (Entered: 05/04/2020)
05/04/2020		Request for Clerk to issue summons as to Miriam E. Delphin-Rittmon. (Lowry, Kirk) (Entered: 05/04/2020)
05/04/2020		Request for Clerk to issue summons as to Hal Smith. (Lowry, Kirk) (Entered: 05/04/2020)
05/04/2020		Request for Clerk to issue summons as to Lakisha Hyatt. (Lowry, Kirk) (Entered: 05/04/2020)

05/04/2020		Request for Clerk to issue summons as to State of Connecticut. (Lowry, Kirk) (Entered: 05/04/2020)
05/04/2020		Request for Clerk to issue summons as to Department of Mental Health and Addiction Services. (Lowry, Kirk) (Entered: 05/04/2020)
05/04/2020		Request for Clerk to issue summons as to Whiting Forensic Hospital. (Lowry, Kirk) (Entered: 05/04/2020)
05/04/2020		Request for Clerk to issue summons as to Connecticut Valley Hospital. (Lowry, Kirk) (Entered: 05/04/2020)
05/04/2020	7	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE.ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Telephonic Status Conference set for 5/7/2020 11:30 AM in Chambers Room 107, 141 Church St., New Haven, CT before Judge Janet C. Hall. Counsel are requested to participate in this conference, via telephone. Please use the following dial-in for this call: 1-877-873-8017; Access Code: 6415663#. (DeRubeis, B.) (Entered: 05/04/2020)
05/05/2020	8	ELECTRONIC SUMMONS ISSUED in accordance with Fed. R. Civ. P. 4 and LR 4 as to *State of Connecticut, Connecticut Valley Hospital, Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Department of Mental Health and Addiction Services, Hal Smith, Whiting Forensic Hospital* with answer to complaint due within *21* days. Attorney *Kirk W. Lowry* *Connecticut Legal Rights Project, Inc.-Mdltn* *Silver St., PO Box 351* *Middletown, CT 06457*. (Reis, Julia) (Entered: 05/05/2020)
05/06/2020	9	NOTICE of Appearance by Karyl Lee Hall on behalf of Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes (Hall, Karyl Lee) (Entered: 05/06/2020)
05/07/2020	10	AMENDED COMPLAINT against Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith, filed by Vincent Ardizzone, Barbara Flood, Gail Litsky, Thomas Wilkes, Carson Mueller.(Lowry, Kirk) (Entered: 05/07/2020)
05/07/2020	11	NOTICE of Appearance by Virginia Martins Teixeira on behalf of Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes (Teixeira, Virginia) (Entered: 05/07/2020)
05/07/2020	12	Minute Entry for proceedings held before Judge Janet C. Hall: Telephonic Status Conference held on 5/7/2020. As stated on the record, the court will await plaintiffs' Motion and supporting

		memorandum of law, as required by Local Rule of Civil Procedure 7(a). Within one day after plaintiffs' Motion is filed, defendants shall submit a proposed briefing schedule for their response. Defendants shall confer with plaintiffs' counsel to ascertain their position on the proposed schedule. Total Time: 1 hours and 15 minutes (Court Reporter Terri Fianza.) (DeRubeis, B.) (Entered: 05/07/2020)
05/08/2020	13	MOTION for Attorney(s) Ira Burnim to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-5848451) by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Attachments: # 1 Affidavit Ira Burnim, # 2 Exhibit A)(Lowry, Kirk) (Entered: 05/08/2020)
05/08/2020	14	MOTION for Attorney(s) Jennifer Mathis to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-5848506) by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Attachments: # 1 Affidavit and Attachment A)(Lowry, Kirk) (Entered: 05/08/2020)
05/11/2020	15	ORDER granting 13 MOTION for Attorney Ira Burnim to be Admitted Pro Hac Vice. Certificate of Good Standing due by 7/10/2020. Signed by Clerk on 5/11/2020. (Reis, Julia) (Entered: 05/11/2020)
05/11/2020	16	NOTICE of Appearance by Henry A. Salton on behalf of State of Connecticut, Connecticut Valley Hospital, Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Department of Mental Health and Addiction Services, Hal Smith, Whiting Forensic Hospital (Salton, Henry) (Entered: 05/11/2020)
05/11/2020	17	NOTICE of Appearance by Ralph E. Urban on behalf of State of Connecticut, Connecticut Valley Hospital, Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Department of Mental Health and Addiction Services, Hal Smith, Whiting Forensic Hospital (Urban, Ralph) (Entered: 05/11/2020)
05/11/2020	18	NOTICE of Appearance by Emily V. Melendez on behalf of State of Connecticut, Connecticut Valley Hospital, Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Department of Mental Health and Addiction Services, Hal Smith, Whiting Forensic Hospital (Melendez, Emily) (Entered: 05/11/2020)
05/11/2020	19	NOTICE of Appearance by Laura D. Thurston on behalf of State of Connecticut, Connecticut Valley Hospital, Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Department of Mental Health and Addiction Services, Hal Smith, Whiting Forensic Hospital (Thurston, Laura) (Entered: 05/11/2020)

05/12/2020	20	SUMMONS Returned Executed by Vincent Ardizzone, Barbara Flood, Gail Litsky, Thomas Wilkes, Carson Mueller. State of Connecticut served on 5/6/2020, answer due 5/27/2020; Connecticut Valley Hospital served on 5/6/2020, answer due 5/27/2020; Miriam E. Delphin-Rittmon served on 5/6/2020, answer due 5/27/2020; Lakisha Hyatt served on 5/6/2020, answer due 5/27/2020; Ned Lamont served on 5/6/2020, answer due 5/27/2020; Department of Mental Health and Addiction Services served on 5/6/2020, answer due 5/27/2020; Hal Smith served on 5/6/2020, answer due 5/27/2020; Whiting Forensic Hospital served on 5/6/2020, answer due 5/27/2020. (Lowry, Kirk) (Entered: 05/12/2020)
05/15/2020	21	MOTION for Attorney(s) Mark J. Murphy to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-5861055) by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Attachments: # 1 Affidavit and Attachment A)(Lowry, Kirk) (Entered: 05/15/2020)
05/21/2020	22	First MOTION for Extension of Time until June 26, 2020 to File Answer or Response to First Amended Complaint 10 Amended Complaint by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. (Melendez, Emily) (Entered: 05/21/2020)
05/22/2020	23	ORDER granting 22 First MOTION for Extension of Time until June 26, 2020 to File Answer or Response to First Amended Complaint 10 Amended Complaint. SO ORDERED by Judge Janet C. Hall on 5/22/2020. (Lewis, D) (Entered: 05/22/2020)
06/08/2020	24	MOTION for Preliminary Injunction by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes.Responses due by 6/29/2020 (Lowry, Kirk) (Entered: 06/08/2020)
06/08/2020	25	Memorandum in Support of 24 Motion for Preliminary Injunction by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes.Responses due by 6/29/2020 (Attachments: # 1 Exhibit Exhibit List to Memo In Support, # 2 Exhibit 1 Dr. Manian Declaration, # 3 Exhibit 2 Canavan-Jones Declaration, # 4 Affidavit 3 Mueller Affidavit, # 5 Affidavit 4 Ardizzone Affidavit, # 6 Affidavit 5 Litsky Affidavit, # 7 Affidavit 6 Clarke Affidavit, # 8 Affidavit 7 King Affidavit, # 9 Affidavit 8 Gudis Affidavit, # 10 Exhibit 9 CT DPH LTCF Guidance, # 11 Exhibit 10 CMS NH Reopening, # 12 Exhibit 11 CDC How to Protect Yourself, # 13 Exhibit 12 CDC Key Strategies to Prepare LTCFs, # 14 Exhibit 13 CDC Preparing for COVID-19 in NFs, # 15 Exhibit 14 CDC Responding to Coronavirus in NFs, # 16 Exhibit 15 CDC Testing Guidance for NHs, # 17 Exhibit 16 CDC Performing Facility-wide

		Testing in NHs, # 18 Exhibit 17 CDC Infection Prevention and Control - IPC, # 19 Exhibit 18 SAMHSA Care and Tx of MH in COVID-19 Epidemic)(Lowry, Kirk) Modified on 6/26/2020 to change event type (Reis, Julia). (Entered: 06/08/2020)
06/09/2020	26	NOTICE by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes re 24 MOTION for Preliminary Injunction <i>Notice of Objection of Request for Additional Time to Respond</i> (Lowry, Kirk) (Entered: 06/09/2020)
06/09/2020	27	PROPOSED ORDER <i>Defendants Proposed Briefing Schedule</i> by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. (Salton, Henry) (Entered: 06/09/2020)
06/10/2020	28	NOTICE of Appearance by Ira Burnim on behalf of Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes (Burnim, Ira) (Entered: 06/10/2020)
06/10/2020	29	MOTION for Attorney(s) Steven J. Schwartz to be Admitted Pro Hac Vice (paid \$200 PHV fee; receipt number ACTDC-5908612) by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Attachments: # 1 Affidavit Declaration of Steven J. Schwartz and Attachment A)(Lowry, Kirk) (Entered: 06/10/2020)
06/10/2020	30	ORDER re 27 Proposed Order filed by Hal Smith, Lakisha Hyatt, Ned Lamont, Miriam E. Delphin-Rittmon. The defendants' briefing schedule is approved, in light of the time plaintiffs needed to develop their motion and supporting materials, and the challenges that Covid 19 present in the defendants' preparing a response to the plaintiffs, including likely expert filings. The plaintiff is given 14 days to reply, but of course can seek more time. The court expects to schedule this for matter for oral argument the week of July 27, unless plaintiffs indicate they will only need a week to reply, in which case the court would likely advance the hearing. SO ORDERED by Judge Janet C. Hall on 6/10/2020.(DeRubeis, B.) (Entered: 06/10/2020)
06/11/2020	31	NOTICE of Appearance by Shawn L Rutchick on behalf of Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith (Rutchick, Shawn) (Entered: 06/11/2020)
06/11/2020	32	MOTION to Dismiss by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith.Responses due by 7/2/2020 (Urban, Ralph) (Entered: 06/11/2020)
06/11/2020	33	Memorandum in Support re 32 MOTION to Dismiss filed by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. (Attachments: # 1 Exhibit 1 Declaration of Kathryn Stackpole,

		# 2 Exhibit 2 Declaration of Charles Dike, # 3 Exhibit 3 Gloria Drummer v. State of Connecticut, et al. Amended Motion for Class Certification with attached complaint)(Urban, Ralph) (Entered: 06/11/2020)
06/12/2020	34	Memorandum in Support re 32 MOTION to Dismiss <i>Supplemental Memorandum in Support of Motion to Dismiss</i> filed by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. (Urban, Ralph) (Entered: 06/12/2020)
06/13/2020	35	NOTICE by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes <i>Corrected Memorandum in Support of Motion for PI</i> (Lowry, Kirk) (Entered: 06/13/2020)
06/16/2020	36	CERTIFICATE OF GOOD STANDING re 13 MOTION for Attorney(s) Ira Burnim to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-5848451) by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Lowry, Kirk) (Entered: 06/16/2020)
06/16/2020	37	ORDER granting 21 Motion to Appear ; granting 29 Motion to Appear ; granting 14 Motion to Appear Certificate of Good Standing due by 8/15/2020. Signed by Clerk on 6/16/2020. (Lewis, D) (Entered: 06/16/2020)
06/17/2020	38	NOTICE of Appearance by Steven J. Schwartz on behalf of Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes (Schwartz, Steven) (Entered: 06/17/2020)
06/18/2020	39	NOTICE of Appearance by Jennifer Mathis on behalf of Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes (Mathis, Jennifer) (Entered: 06/18/2020)
06/18/2020	40	NOTICE of Appearance by Mark J. Murphy on behalf of Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes (Murphy, Mark) (Entered: 06/18/2020)
06/19/2020	41	CERTIFICATE OF GOOD STANDING re 29 MOTION for Attorney(s) Steven J. Schwartz to be Admitted Pro Hac Vice (paid \$200 PHV fee; receipt number ACTDC-5908612) by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Schwartz, Steven) (Entered: 06/19/2020)
06/19/2020	42	CERTIFICATE OF GOOD STANDING re 14 MOTION for Attorney(s) Jennifer Mathis to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-5848506) by Vincent Ardizzone,

		Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Mathis, Jennifer) (Entered: 06/19/2020)
06/25/2020	43	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Oral argument re: 24 Motion for Preliminary Injunction set for 7/29/2020 09:30 AM before Judge Janet C. Hall. This matter will be held via video conferencing. Technical details for connecting to the conference will be docketed separately. (DeRubeis, B.) (Entered: 06/25/2020)
06/30/2020	44	MOTION for Leave to File Excess Pages <i>In Response to Plaintiffs' Motion for Preliminary Injunction</i> by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. (Melendez, Emily) (Entered: 06/30/2020)
06/30/2020	45	RESPONSE re 44 MOTION for Leave to File Excess Pages <i>In Response to Plaintiffs' Motion for Preliminary Injunction</i> filed by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Lowry, Kirk) (Entered: 06/30/2020)
07/01/2020	46	ORDER granting 44 Motion for Leave to File Excess Pages. SO ORDERED by Judge Janet C. Hall on 7/1/2020. (Lewis, D) (Entered: 07/01/2020)
07/02/2020	47	Memorandum in Opposition re 32 MOTION to Dismiss filed by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Attachments: # 1 Exhibit A Drummer Complaint, # 2 Exhibit B Drummer Judge Frechette MOD)(Lowry, Kirk) (Entered: 07/02/2020)
07/09/2020	48	MOTION in Limine by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith.Responses due by 7/30/2020 (Attachments: # 1 Memorandum in Support, # 2 Exhibit A)(Salton, Henry) (Entered: 07/09/2020)
07/09/2020	49	OBJECTION re 24 MOTION for Preliminary Injunction filed by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. (Attachments: # 1 Exhibit List, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K, # 13 Exhibit L, # 14 Exhibit M, # 15 Exhibit N, # 16 Exhibit O, # 17 Exhibit P, # 18 Exhibit Q, # 19 Exhibit R, # 20 Exhibit S, # 21 Exhibit T, # 22 Exhibit U, # 23 Exhibit V, # 24 Exhibit W, # 25 Exhibit X, # 26 Exhibit Y, # 27 Exhibit Z, # 28 Exhibit AA, # 29 Exhibit BB)(Salton, Henry) (Entered: 07/09/2020)

07/13/2020	50	CERTIFICATE OF GOOD STANDING re 21 MOTION for Attorney(s) Mark J. Murphy to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC-5861055) by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Murphy, Mark) (Entered: 07/13/2020)
07/14/2020	51	Emergency MOTION for Status Conference by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. (Salton, Henry) (Entered: 07/14/2020)
07/14/2020	52	Emergency MOTION for Status Conference by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. (Attachments: # 1 Supplement Email)(Salton, Henry) (Entered: 07/14/2020)
07/15/2020	53	ORDER granting 52 Motion for Status Conference; ORDER terminating as duplicative 51 Motion for Conference. SO ORDERED by Judge Janet C. Hall on 7/15/2020. (DeRubeis, B.) (Entered: 07/15/2020)
07/15/2020	54	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE.ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Telephonic Status Conference set for 7/16/2020 02:30 PM in Chambers Room 107, 141 Church St., New Haven, CT before Judge Janet C. Hall. Counsel are requested to participate in this conference, via telephone. Please use the following dial-in for this call: 1-877-873-8017; Access Code: 6415663#. (DeRubeis, B.) (Entered: 07/15/2020)
07/15/2020	55	MOTION to Continue <i>Hearing on Plaintiffs' Motion for Preliminary Injunction</i> by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Lowry, Kirk) (Entered: 07/15/2020)
07/16/2020	56	Minute Entry. Proceedings held before Judge Janet C. Hall: Telephonic Motion Hearing held on 7/16/2020 taking under advisement 55 Motion to Continue Hearing on Plaintiffs' Motion for Preliminary Injunction filed by Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes, Vincent Ardizzone. Ruling to issue. 50 minutes(Court Reporter Terri Fidanza.) (Lewis, D) (Entered: 07/16/2020)
07/16/2020	57	Oral MOTION to Withdraw 24 MOTION for Preliminary Injunction by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Lewis, D) Modified on 7/17/2020 (Lewis, D). (Entered: 07/17/2020)

07/17/2020	58	<p>ORDER withdrawing 24 Motion for Preliminary Injunction; denying 55 Motion to Continue; granting 57 Motion to Withdraw 55 MOTION to Continue <i>Hearing on Plaintiffs' Motion for Preliminary Injunction</i>. The plaintiffs Motion (Doc. No. 55) for Continuance is denied, but the plaintiffs oral Motion to withdraw their Motion for Preliminary Injunction (Doc. No. 57)is granted. The Clerk is directed to terminate the Motion for Preliminary Injunction as withdrawn. The parties are ordered to confer and submit a Rule 26(f) report, addressing all aspects, as well as deadlines, for discovery and case management, including the issues raised in the remainder of the Motion (Doc. No. 55). Those aspects of that motion are terminated with leave to raise in connection with the 26f conference and subsequent scheduling conference to to be held with the magistrate judge. The case is referred to the magistrate judge for pre-trial case management, including discovery and scheduling matters. SO ORDERED by Judge Janet C. Hall on 7/17/2020. (Lewis, D) Modified on 10/27/2020 (Lewis, D). (Entered: 07/17/2020)</p>
07/20/2020	59	<p>MOTION for Leave to File <i>Supplemental Brief to Objection to MTD</i> by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Attachments: # 1 Exhibit Proposed Supplement Brief)(Lowry, Kirk) (Entered: 07/20/2020)</p>
07/21/2020	60	<p>OBJECTION re 59 MOTION for Leave to File <i>Supplemental Brief to Objection to MTD</i> filed by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. (Urban, Ralph) (Entered: 07/21/2020)</p>
07/21/2020	61	<p>ORDER granting 59 Motion for Leave to File. Motion granted. The court advises counsel that the opportunity to have a do over will not exist in the future. Defense counsel is given until August 4th to file their reply.. SO ORDERED by Judge Janet C. Hall on 7/21/2020. (Lewis, D) (Entered: 07/21/2020)</p>
07/22/2020	62	<p>Memorandum in Opposition <i>Plaintiffs' Supplemental Brief in Opposition</i> re 32 MOTION to Dismiss filed by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Lowry, Kirk) (Entered: 07/22/2020)</p>
07/22/2020	63	<p>ORDER re 60 Objection filed by Hal Smith, Lakisha Hyatt, Ned Lamont, Miriam E. Delphin-Rittmon. Having granted the motion at issue, the court treats this opposition as a Motion for Reconsideration</p>

		and grants it. However, the court adheres to its original ruling. The court has already given defendants time to reply. The court advises the plaintiffs that they are required to consult with opposing counsel on these types of motions before filing them. If they fail to do so in the future, the court will deny any such motion on that ground. SO ORDERED by Judge Janet C. Hall on 7/22/2020.(Lewis, D) (Entered: 07/22/2020)
07/28/2020	64	MOTION for Ralph E. Urban to Withdraw as Attorney by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. (Urban, Ralph) (Entered: 07/28/2020)
07/30/2020	65	RESPONSE re 62 Memorandum in Opposition to Motion filed by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. (Attachments: # 1 Exhibit Declaration of Debora Kaszuba-Neary)(Salton, Henry) (Entered: 07/30/2020)
07/30/2020	66	Memorandum in Opposition re 48 MOTION in Limine filed by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Lowry, Kirk) (Entered: 07/30/2020)
07/31/2020	67	ORDER granting 64 Motion to Withdraw as Attorney. Attorney Ralph E. Urban terminated. SO ORDERED by Judge Janet C. Hall on 7/31/2020. (Lewis, D) (Entered: 07/31/2020)
08/11/2020	68	REPLY to Response to 48 MOTION in Limine filed by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. (Attachments: # 1 Supplement Case Law)(Salton, Henry) (Entered: 08/11/2020)
08/19/2020	69	ORDER REFERRING CASE to Magistrate Judge Robert A. Richardson for pretrial case management SO ORDERED by Judge Janet C. Hall on 8/19/2020.(Lewis, D) (Entered: 08/19/2020)
08/27/2020	70	ORDER: A telephonic status conference is scheduled for 8/31/2020 at 11:00 AM with Judge Richardson to discuss the parties proposed 26(f) reports. Counsel have been provided with conference call instructions via email. Signed by Judge Robert A. Richardson on 8/27/2020. (Fries, J.) (Entered: 08/27/2020)
08/27/2020	71	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A telephonic status conference is set for 8/31/2020 at 11:00 AM before Judge Robert A. Richardson. Call

		instructions have been sent to counsel via email. (Fries, J.) (Entered: 08/27/2020)
08/31/2020	72	Minute Entry for proceedings held before Judge Robert A. Richardson: Telephonic status conference held on 8/31/2020. Total Time: 1 hours and 45 minutes.(Court Reporter: FTR.)(Fries, J.) (Entered: 08/31/2020)
08/31/2020	73	SCHEDULING ORDER: Following a telephonic conference the Court has set the following deadlines in this case. Initial disclosures will be exchanged by 9/15/2020. Plaintiff's fact discovery will close on 11/30/2020 and for the defendant on 12/31/2020. Plaintiff will designate experts and provide reports by 12/31/2020 but will provide name and topic information to defendant by 10/15/2020. Defendant will designate experts and provide reports by experts by 2/15/2021. Plaintiffs expert depositions will be completed by 2/15/2021 and defendants expert depositions will be completed by 3/15/2021. Any motion for class certification will be filed by 3/1/2021. Any motion for summary judgment will be filed by 4/22/2021. The Joint trial memo will be filed 30 days after a ruling on summary judgment and the case will be ready 30 days thereafter. The parties agreed that reasonable access to both facilities will be provided. In addition, there is no waiver of privileged information resulting from inadvertent disclosure. However, if a party is alerted by opposing counsel to potentially privileged information inadvertently disclosed and fails to respond in a reasonable time then the privilege is waived. Signed by Judge Robert A. Richardson on 8/31/2020. (Fries, J.) (Entered: 08/31/2020)
09/01/2020	74	ORDER denying as moot 48 Motion in Limine. On account of the court's 58 Order granting plaintiff's' 57 Motion to Withdraw, defendants' 48 Motion in Limine was rendered moot. If plaintiffs seek to rely on the same expert evidence in connection with a future motion or other proceeding, defendants may reclaim their 48 Motion In Limine by filing a one-sentence Motion to Reclaim.SO ORDERED by Judge Janet C. Hall on 9/1/2020. (Lewis, D) (Entered: 09/01/2020)
09/15/2020	75	REPORT of Rule 26(f) Planning Meeting. (Lowry, Kirk) (Entered: 09/15/2020)
09/15/2020	76	NOTICE OF COMPLIANCE WITH PRETRIAL ORDER by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes re 73 Scheduling Order,,,,, <i>Initial Disclosures served</i> (Lowry, Kirk) (Entered: 09/15/2020)

09/15/2020	77	NOTICE OF COMPLIANCE WITH PRETRIAL ORDER by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith <i>Defendants' Initial Disclosures</i> (Melendez, Emily) (Entered: 09/15/2020)
09/21/2020	78	MOTION for Henry A. Salton to Withdraw as Attorney by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. Motions referred to Robert A. Richardson(Salton, Henry) (Entered: 09/21/2020)
09/22/2020	79	PRE-TRIAL ORDER. Dispositive Motions due by 4/22/2021. Status Report due by 12/18/2020. Trial Brief due by 4/22/2021. Signed by Judge Janet C. Hall on 9/22/2020. (Reis, Julia) (Entered: 09/22/2020)
09/23/2020	80	ORDER granting 78 Motion to Withdraw as Attorney. Attorney Henry A. Salton terminated. SO ORDERED by Judge Janet C. Hall on 9/23/2020. (DeRubeis, B.) (Entered: 09/23/2020)
10/05/2020	81	TRANSCRIPT of Proceedings: Type of Hearing: Telephonic Rule 26(f) Conference. Held on August 31, 2020 before Judge Robert A. Richardson. Court Reporter: Martha Marshall (Transcriber). IMPORTANT NOTICE - REDACTION OF TRANSCRIPTS: To remove personal identifier information from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within seven (7) calendar days of this date. If no such Notice is filed, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available through PACER without redaction 90 days from today's date. The 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. The policy governing the redaction of personal information is located on the court website at www.ctd.uscourts.gov. Redaction Request due 10/26/2020. Redacted Transcript Deadline set for 11/5/2020. Release of Transcript Restriction set for 1/3/2021. (Marshall, Martha) (Entered: 10/05/2020)
10/15/2020	82	NOTICE OF COMPLIANCE WITH PRETRIAL ORDER by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes re 73 Scheduling Order,,,,, (Lowry, Kirk) (Entered: 10/15/2020)
10/23/2020	83	Proposed Pretrial Order <i>Joint Motion to Modify Scheduling Order and PTO</i> by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Lowry, Kirk) (Entered: 10/23/2020)

10/26/2020	84	ORDER granting 83 Proposed Pretrial Order filed by Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes, Vincent Ardizzone. The court does not expect to extend these deadlines. SO ORDERED by Judge Janet C. Hall on 10/26/2020.(DeRubeis, B.) (Entered: 10/26/2020)
10/26/2020		Set Deadlines/Hearings: Fact Discovery due by 1/8/2021; Motion for Class Certification due by 4/9/2021; Dispositive Motions due by 5/31/2021; Status Report due by 1/26/2021; Trial Brief due by 5/31/2021. (DeRubeis, B.) (Entered: 10/26/2020)
11/25/2020	85	Joint MOTION for Protective Order by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes.Responses due by 12/16/2020 (Attachments: # 1 Text of Proposed Order Protective Order)Motions referred to Robert A. Richardson(Lowry, Kirk) (Entered: 11/25/2020)
11/30/2020	86	ORDER granting 85 Joint MOTION for Protective Order by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. Signed by Judge Janet C. Hall on 11/30/2020. (DeRubeis, B.) (Entered: 11/30/2020)
12/11/2020	87	MOTION to Compel <i>Production of Documents</i> by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes.Responses due by 1/1/2021 (Attachments: # 1 Affidavit Of Kirk W. Lowry, # 2 Exhibit WFH Objections and Responses RFP, # 3 Exhibit CVH Objections and Responses to RFP, # 4 Exhibit OOC Objections and Responses to RFP, # 5 Memorandum in Support Memorandum in Support of Motion to Compel)Motions referred to Robert A. Richardson(Lowry, Kirk) (Entered: 12/11/2020)
12/14/2020	88	ORDER REFERRING CASE to Magistrate Judge Robert A. Richardson for Motions including 87 MOTION to Compel <i>Production of Documents</i> . SO ORDERED by Judge Janet C. Hall on 12/14/2020. Motions referred to Robert A. Richardson. (DeRubeis, B.) (Entered: 12/14/2020)
12/17/2020	89	Emergency MOTION to Compel <i>Dkt. 87</i> by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes.Responses due by 1/7/2021 (Teixeira, Virginia) (Entered: 12/17/2020)
12/17/2020	90	MOTION for Clarification 89 Emergency MOTION to Compel <i>Dkt. 87</i> by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Teixeira, Virginia) (Entered: 12/17/2020)

12/18/2020	91	ORDER REFERRING CASE to Magistrate Judge Robert A. Richardson for Motions including 89 Emergency MOTION to Compel <i>Dkt. 87</i> , 90 MOTION for Clarification 89 Emergency MOTION to Compel <i>Dkt. 87</i> . SO ORDERED by Judge Janet C. Hall on 12/18/2020. Motions referred to Robert A. Richardson. (DeRubeis, B.) (Entered: 12/18/2020)
12/18/2020	92	RULING granting in part and denying in part 32 MOTION to Dismiss by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. The Motion to Dismiss is denied in part as to the defendants' arguments concerning primary jurisdiction doctrine and <u>Colorado River</u> abstention and granted in part as to the defendants' arguments concerning habeas corpus. The portion of the Amended Complaint petitioning for a writ of habeas corpus is dismissed. Signed by Judge Janet C. Hall on 12/18/2020. (DeRubeis, B.) (Entered: 12/18/2020)
12/21/2020	93	ORDER: A telephonic status conference is scheduled for 12/22/20 at 12:30 PM with Judge Richardson. Conference call instructions have been sent to counsel via email. Signed by Judge Robert A. Richardson on 12/21/2020. (Fries, J.) (Entered: 12/21/2020)
12/21/2020	94	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. A telephonic status conference is set for 12/22/2020 at 12:30 PM before Judge Robert A. Richardson. (Fries, J.) (Entered: 12/21/2020)
12/22/2020	95	Minute Entry for proceedings held before Judge Robert A. Richardson: Telephonic Status Conference held on 12/22/2020. Total time: 45 minutes. (Court Reporter FTR.) (Fries, J.) (Entered: 12/22/2020)
12/22/2020	96	ORDER Setting telephonic hearing on 87 Plaintiff's motion to compel production of documents: A telephonic motion hearing is set for 1/6/2021 at 1:00 PM before Judge Robert A. Richardson. To connect to the call dial 1-877-848-7030 and when prompted enter the access code 4685046 followed by #. Signed by Judge Robert A. Richardson on 12/22/2020. (Fries, J.) (Entered: 12/22/2020)
12/22/2020	97	ORDER: In light of the Court's proposal discussed during the status conference on 12/22/2020, motions 89 and 90 are denied as moot. Signed by Judge Robert A. Richardson on 12/22/2020. (Fries, J.) (Entered: 12/22/2020)

01/04/2021	98	OBJECTION re 87 MOTION to Compel <i>Production of Documents</i> filed by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5)(Rutchick, Shawn) (Entered: 01/04/2021)
01/05/2021	99	ANSWER to 10 Amended Complaint with Affirmative Defenses. by Miriam E. Delphin-Rittmon, Lakisha Hyatt, Ned Lamont, Hal Smith.(Melendez, Emily) (Entered: 01/05/2021)
01/06/2021	100	Minute Entry for proceedings held before Judge Robert A. Richardson: Motion Hearing held on 1/6/2021 re 87 Plaintiff's Motion to Compel Production of Documents. Total Time: 1 hour and 30 minutes. (Court Reporter: FTR.) (Fries, J.) (Entered: 01/06/2021)
01/08/2021	101	ORDER granting in part 87 Plaintiff's Motion to Compel. During the oral argument held in this matter plaintiff's counsel asserted that they would accept a spreadsheet containing patient names and units, limited to certain specific buildings and wings and only civil patients. Defendant has raised concerns on providing names or other identifying information in light of certain statutory privacy protections and privileges. In light of those concerns, but in an effort to keep this matter moving, the Court orders that defendant produce a spreadsheet for the specified locations without any names. The Court reserves the right to rule on the issue of, and any procedure for, further disclosure of names and other potentially identifying information and will do so as quickly as possible. Signed by Judge Robert A. Richardson on 1/8/2021. (Fries, J.) (Entered: 01/08/2021)
01/08/2021	102	Minute Entry for proceedings held before Judge Robert A. Richardson: Motion Hearing held on 1/8/2021 re 87 Motion to Compel. Total Time: 1 hour. (Court Reporter FTR.) (Fries, J.) (Entered: 01/08/2021)
01/13/2021	103	STIPULATION of Dismissal of Case by Vincent Ardizzone, Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes. (Lowry, Kirk) (Entered: 01/13/2021)
01/14/2021	104	ORDER granting 103 Stipulation of Dismissal without prejudice filed by Barbara Flood, Gail Litsky, Carson Mueller, Thomas Wilkes, Vincent Ardizzone SO ORDERED by Judge Janet C. Hall on 1/14/2021.(Lewis, D) Modified on 1/14/2021 (Lewis, D). (Entered: 01/14/2021)
01/14/2021		JUDICIAL PROCEEDINGS SURVEY - FOR COUNSEL ONLY: The following link to the confidential survey requires you to log into

	<p>CM/ECF for SECURITY purposes. Once in CM/ECF you will be prompted for the case number. Although you are receiving this survey through CM/ECF, it is hosted on an independent website called SurveyMonkey. Once in SurveyMonkey, the survey is located in a secure account. The survey is not docketed and it is not sent directly to the judge. To ensure anonymity, completed surveys are held up to 90 days before they are sent to the judge for review. We hope you will take this opportunity to participate, please click on this link:</p> <p>https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey(Lewis, D) (Entered: 01/14/2021)</p>
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