

**U.S. District Court  
Eastern District of New York (Hauppauge)  
CIVIL DOCKET FOR CASE #: 0:99-cv-02844-DRH-GRB**

O'Day, et al v. Nassau County, et al  
Assigned to: Judge Denis R. Hurley  
Referred to: Magistrate Judge Gary R. Brown  
Demand: \$0  
Cause: 42:1983 Civil Rights Act

Date Filed: 05/20/1999  
Date Terminated: 04/10/2014  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Francis O'Day**

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**Plaintiff**

**John Iaffaldano**

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V.

**Consol Plaintiff**

**Gardy Augustin**

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V.

**Intervenor Plaintiff**

**Marilyn Bloch**

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V.

**Defendant**

**Nassau County Sheriff's Department**  
*Division of Correction*

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**Defendant**

**Thomas S. Gulotta**  
*Nassau County Executive*  
*TERMINATED: 11/22/1999*

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*TERMINATED: 11/01/2003*  
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**Joseph Nocella**  
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**Defendant**

**Joseph Jablonsky**  
*Nassau County Sheriff*

represented by **Liora M. Ben-Sorek**  
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*LEAD ATTORNEY*  
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**Paul F. Millus**  
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**Robert F. Van Der Waag**  
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**Defendant**

**Jane/John Does 1-200**

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**Defendant**

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**Joseph Nocella**  
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V.

**Intervenor Defendant**

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**Intervenor Defendant**

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**Intervenor Defendant**

**New York State Department of Health**

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**Interested Party**

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V.

**Amicus**

**New York State Office of the Attorney  
General**

V.

**Intervenor**

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**Intervenor**

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**Plaintiff**

**Stuart Moskowitz**

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**Matthew D. Brinckerhoff**  
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Date Filed	#	Docket Text
05/20/1999	1	COMPLAINT filed and summons(es) issued for Nassau County, Nassau Cty. Sheriff, Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200 FILING FEE \$ 150.00 RECEIPT # 219268 (Mierzewski, Liz) (Entered: 05/24/1999)
05/28/1999	2	RETURN OF SERVICE executed as to Nassau Cty. Sheriff 5/21/99 Answer due on 6/10/99 for Nassau Cty. Sheriff (Bollbach, Jean) (Entered: 05/28/1999)
05/28/1999	3	RETURN OF SERVICE executed as to Joseph Jablonsky 5/21/99 Answer due on 6/10/99 for Joseph Jablonsky (Bollbach, Jean) (Entered: 05/28/1999)
05/28/1999	4	RETURN OF SERVICE executed as to Thomas S. Gulotta 5/21/99 Answer due on 6/10/99 for Thomas S. Gulotta (Bollbach, Jean) (Entered: 05/28/1999)
05/28/1999	5	RETURN OF SERVICE executed as to Nassau County 5/21/99 Answer due on 6/10/99 for Nassau County (Bollbach, Jean) (Entered: 05/28/1999)
06/16/1999	6	NOTICE of attorney appearance for Nassau Cty. Sheriff, Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County by Paul F. Millus (Mierzewski, Liz) (Entered: 06/17/1999)
06/17/1999	7	ORDER, extending time , and resetting answer due for 7/12/99 for Nassau County, for Jane/John Does 1-200, for Joseph Jablonsky, for Thomas S. Gulotta, for Nassau Cty. Sheriff ( signed by Judge Denis R. Hurley , on 6/21/99) (Bollbach, Jean) (Entered: 06/22/1999)
07/15/1999	8	ANSWER to Complaint by Nassau Cty. Sheriff, Thomas S. Gulotta, Joseph Jablonsky, Nassau County by atty Paul Millus (Warner, Pam) (Entered: 07/15/1999)
08/03/1999	10	ORDER, set status conference for 2:00 10/1/99 before Magistrate-Judge Arlene R. Lindsay ( signed by Magistrate-Judge Arlene R. Lindsay , on 8/3/99) c (Mierzewski, Liz) (Entered: 08/11/1999)
08/09/1999	9	STIPULATION and ORDER, extending time to the filing of an amended complaint on or before 8/20/99 ( signed by Judge Denis R. Hurley , on 8/6/99) (Warner, Pam) (Entered: 08/09/1999)
08/16/1999	11	ORDER set status conference for 2:00 10/1/99 ( signed by Magistrate-Judge Arlene R. Lindsay , on 8/13/99) cm (Warner, Pam) (Entered: 08/23/1999)
08/24/1999	12	AMENDED CLASS ACTION COMPLAINT by Francis O'Day , (Answer due 9/3/99 for Nassau County, for Nassau Cty. Sheriff, for Thomas S. Gulotta, for Joseph Jablonsky, for Jane/John Does 1-200 ) amending [1-1] complaint against Stuart Moskowitz (Bollbach, Jean) (Entered: 08/30/1999)
09/20/1999	13	ORDER, extending time , and setting answer due for 9/24/99 for Nassau County, for Nassau Cty. Sheriff, for Thomas S. Gulotta, for Joseph Jablonsky, for Jane/John Does 1-200 ( signed by Judge Denis Hurley , on 9/21/99) c/m (Bollbach, Jean) (Entered: 09/22/1999)
09/27/1999	15	LETTER dated 9/24/99 from Paul Millus to USDJ Hurley RE: Requesting a pre-motion conference to dismiss the amended complaint. (Branciforte, Ralph) (Entered: 10/05/1999)
09/27/1999		Endorsment of [15-1] letter. Under the court's individual practices, pre-motion conferences are required only when a party seeks to move for summary judgment. parties seeking to make a different motion should confer with their adversary with respect to a briefing schedule; the movant should file all papers with the court once the motion is fully briefed. ( Signed by Judge Denis Hurley , on 9/26/99) (Branciforte, Ralph) (Entered: 10/05/1999)
09/28/1999	16	ANSWER by Joseph Jablonsky, Nassau County, Nassau Cty. Sheriff to amended complaint (Branciforte, Ralph) (Entered: 10/21/1999)

09/29/1999	14	Letter MOTION by Francis O'Day, Stuart Moskowitz to schedule a joint initial conference in 99 CV 3126, 99 CV 2844, and 99 CV 4238 , Motion hearing (Branciforte, Ralph) Modified on 11/04/1999 (Entered: 10/05/1999)
09/29/1999		Endorsed order granting [14-1] motion to schedule a joint initial conference in 99 CV 3126, 99 CV 2844, and 99 CV 4238. mr. Herbst is to so advise all parties prior to the 10/1/99 conference, and provide them with a copy of this order. ( Signed by Magistrate-Judge Arlene R. Lindsay , on 9/29/99) EOD# 14 CF (Branciforte, Ralph) Modified on 11/04/1999 (Entered: 10/05/1999)
11/16/1999	17	Calendar entry: Before USMJ Lindsay on 11/16/99. Counsel on civil action numbers: 99 CV 2844; 99 CV 3126; and 99 CV 4238 are to appear before the undersigned for an initial conference on 1/6/00 at 2:00 PM. CM (Branciforte, Ralph) (Entered: 11/23/1999)
11/22/1999	18	STIPULATION and ORDER Plaintiff withdraws any and all claims in this action against County Executive Thomas S. Gulotta, without prejudice. In the event that plaintiff allegedly determines that County executive Thomas S. Gulotta should be reinstated as a proper party defendant, plaintiff must seek leave of the Court to do so, unless otherwise stipulated between the parties. In the event that plaintiff seeks to reinstate the claims in this action against County executive Thomas S. Gulotta, while preserving any and all other defenses to such claims, defendants shall not raise the Statute of Limitations as a bar to such claims. ( signed by Judge Denis Hurley , on 11/22/99) (Branciforte, Ralph) (Entered: 11/30/1999)
01/06/2000		Status conference held (Branciforte, Ralph) (Entered: 01/12/2000)
01/06/2000	19	Calendar entry: Before USMJ Lindsay on 1/6/00 @ 2:00 PM. Civil Cause For Initial Confernece. Case called. Counsel for parties present. Pre-trial Scheduling order adopted. (Branciforte, Ralph) (Entered: 01/12/2000)
01/06/2000	20	SCHEDULING ORDER setting Settlement Conference by 10:30 7/20/00 ; Discovery cutoff 6/23/00 ; Pretrial order to be submitted on or before 7/14/00 ; Request for Pre-Motion 6/30/00. ( signed by Magistrate Arlene R. Lindsay , on 1/6/00) CG (Branciforte, Ralph) (Entered: 01/12/2000)
03/10/2000	21	Letter MOTION by Joseph Jablonsky, Nassau Cty. Sheriff, Nassau County To modify the briefing schedule regarding the motion for injunction relief, class certification and consolidation of 99 CV 2844, 99 CV 4238, and 99 CV 3126 , Motion hearing (Branciforte, Ralph) (Entered: 03/10/2000)
03/10/2000		Endorsed order granting [21-1] motion To modify the briefing schedule regarding the motion for injunction relief, class certification and consolidation of 99 CV 2844, 99 CV 4238, and 99 CV 3126, Defendants' opposition papers on plaintiff's counsel on 4/3/00; Reply papers due by 4/17/00 ( Signed by Judge Denis Hurley , on 3/10/00) EOD# 21 (Branciforte, Ralph) (Entered: 03/10/2000)
06/26/2000	22	ORDER Plaintiffs' application to extend the Scheduling Order issued by USMJ Lindsay is referred to USMJ Lindsay. In addition, the motion to dismiss filed by the Port Washington Defendants in 99 CV 4238 is administratively terminated as such defendants were dismissed from that case by order dtd. 6/16/00. (Judge Denis R. Hurley, dtd. 6/26/00) (Branciforte, Ralph) (Entered: 06/27/2000)
07/13/2000	23	ORDER, resetting settlement conference for 2:00 11/2/00 before Magistrate Arlene R. Lindsay ( signed by Magistrate Arlene R. Lindsay , on 7/12/00) CM (Branciforte, Ralph) (Entered: 07/14/2000)
09/22/2000	24	ORDER, that request for extension of time is denied however, a 60 day extension of disocvery is granted. all discovery is to conclude by 11/27/00. The parties are advised that, due to the age of this case, no further extensions of discovery will be granted. Request for a premotion conference by 12/7/00. Joint pretrial order by 12/14/00. Settlement conference scheduled for 12/21/00 @2:00 ( signed by Magistrate Arlene R. Lindsay , on 9/22/00) (Mierzewski, Liz) (Entered: 10/04/2000)
12/07/2000		LETTER dated 12/7/00 from Counsel for plttf to Judge Hurley re: Request for a pre-motion conference. (Mierzewski, Liz) (Entered: 12/12/2000)



12/12/2000	25	LETTER dated 12/1/00 from Robert L Herbst to Judge Lindsay re: Request for additional time to complete discovery in this matter. (Mierzewski, Liz) (Entered: 01/02/2001)
12/12/2000	26	Letter MOTION to extend time for the settlement conference scheduled for 12/21/00 , Motion hearing [26-1] motion (Mierzewski, Liz) (Entered: 01/02/2001)
12/12/2000	26	ORDER granting [26-1] motion to extend time for the settlement conference scheduled for 12/21/00 ( signed by Magistrate Arlene R. Lindsay , on 12/12/00) cm (Mierzewski, Liz) (Entered: 01/02/2001)
02/01/2001	27	LETTER dtd. 2/1/01 from Keith Tashima, Law Clerk to USMJ Lindsay, to Counsel RE: All discovery was to be concluded by 9/25/00; Proposed Joint Pre-Trial Order was to be submitted by 10/19/00 and is now overdue. A proposed is to be submitted to Chamber immediatley. Please be advised that no requests to extend the above deadlines will be granted. (Branciforte, Ralph) (Entered: 02/02/2001)
02/09/2001	28	Calendar entry:, Before Magistrate Judge Lindsay dtd 2/9/01 Civil Cause for conference. All parties present. set status conference for 10:00 3/14/01 before Magistrate Arlene R. Lindsay (Mierzewski, Liz) (Entered: 02/12/2001)
03/07/2001	29	ORDER, reset status conference for 3:00 4/2/01 before Magistrate Arlene R. Lindsay ( signed by Magistrate Arlene R. Lindsay , on 3/7/01) cm (Mierzewski, Liz) (Entered: 03/08/2001)
03/08/2001	30	MEMORANDUM and ORDER, granting motion to consolidate cases, Denying motion for certification of a unified class action and appointment of class counsel, and denying without prejudice to renew to the extent it seeks appointment of Herbst & Greenwald as lead counsel. The parties in the erstwhile unconsolidated cases shall endeavor to file a stip and order of consolidation within 30 days after the date of this memorandum and order setting forth the details of consolidation, but that if the parties are unable or unwilling to so stipulate, then plttfs' counsel shall serve and file in it stead a proposed order of consolidation, and the remaining parties may serve and file withing 10 days after service thereof letter submissions proposing appropriate changes thereto ( signed by Judge Denis Hurley , on 3/8/01) cm (Mierzewski, Liz) (Entered: 03/12/2001)
03/12/2001		Consolidated Lead Case (Mierzewski, Liz) (Entered: 03/12/2001)
04/02/2001	31	Calendar entry:, Before Magistrate Judge Lindsay dtd 4/2/01 Civil Cause for conference. All parties present. At an initial conference held on 10/1/99, a discovery schedule was set with respect to the individual plttfs. All discovery was to conclude by 6/23/00. By order dtd 6/23/00 this Court granted plttfs' request to extend the discovery schedule and directed the parties to complete discovery by 9/5/00. The parties were advised that in the event the class certification motion changed the landscape of discovery, the discovery schedule could be revised. On 3/8/01, Judge Hurley rendered a decision denying class certification. Inasmuch as the discovery cut-off date was 9/25/00 and there has been no class certification, this case will be marked ready for trial. A settlement conference will be held on 5/30/01 @10:00. If the case does not settle, this case will be marked ready for trial. In the event Judge Hurley reverses his prior decision dtd 3/8/01, the above settlement conference will include a discussion of a newly revised discovery schedule. set pretrial order due for 5/1/01 So Ordered. (Mierzewski, Liz) (Entered: 04/05/2001)
04/02/2001		Endorsed order, (in doc. 31) set settlement conference for 5/30/01 before Magistrate Arlene R. Lindsay ( Signed by Magistrate Arlene R. Lindsay , on 4/2/01) (Mierzewski, Liz) (Entered: 04/05/2001)
04/17/2001	34	MOTION by Plttfs., Gardy Augustin, et al for reconsideration of [30-1] order granting motion to consolidate cases, Denying motion for certification of a unified class action and appointment of class counsel, and denying without prejudice to renew to the extent it seeks appointment of Herbst & Greenwald as lead counsel. The parties in the erstwhile unconsolidated cases shall endeavor to file a stip and order of consolidation within 30 days after the date of this memorandum and order setting forth the details of consolidation, but that if the parties are unable or unwilling to so stipulate, then plttfs' counsel shall serve and file in it stead a proposed order of consolidation, and the remaining parties may serve and file withing 10 days after service thereof letter submissions proposing appropriate changes thereto , Motion hearing [34-1] motion

		Motion file stamped: 4/17/01 and mailed/served: 4/17/01 (Mierzewski, Liz) (Entered: 05/01/2001)
04/17/2001	35	MEMORANDUM by plttfs in support of [34-1] motion for reconsideration of [30-1] order granting motion to consolidate cases, Denying motion for certification of a unified class action and appointment of class counsel, and denying without prejudice to renew to the extent it seeks appointment of Herbst & Greenwald as lead counsel. The parties in the erstwhile unconsolidated cases shall endeavor to file a stip and order of consolidation within 30 days after the date of this memorandum and order setting forth the details of consolidation, but that if the parties are unable or unwilling to so stipulate, then plttfs' counsel shall serve and file in it stead a proposed order of consolidation, and the remaining parties may serve and file withing 10 days after service thereof letter submissions proposing appropriate changes thereto (Mierzewski, Liz) (Entered: 05/01/2001)
04/17/2001	36	MEMORANDUM by defts. in opposition to [34-1] motion for reconsideration of [30-1] order granting motion to consolidate cases, Denying motion for certification of a unified class action and appointment of class counsel, and denying without prejudice to renew to the extent it seeks appointment of Herbst & Greenwald as lead counsel. The parties in the erstwhile unconsolidated cases shall endeavor to file a stip and order of consolidation within 30 days after the date of this memorandum and order setting forth the details of consolidation, but that if the parties are unable or unwilling to so stipulate, then plttfs' counsel shall serve and file in it stead a proposed order of consolidation, and the remaining parties may serve and file withing 10 days after service thereof letter submissions proposing appropriate changes thereto (Mierzewski, Liz) (Entered: 05/01/2001)
04/17/2001	37	REPLY MEMORANDUM OF LAW by Plttfs in further [34-1] motion for reconsideration of [30-1] order granting motion to consolidate cases, Denying motion for certification of a unified class action and appointment of class counsel, and denying without prejudice to renew to the extent it seeks appointment of Herbst & Greenwald as lead counsel. The parties in the erstwhile unconsolidated cases shall endeavor to file a stip and order of consolidation within 30 days after the date of this memorandum and order setting forth the details of consolidation, but that if the parties are unable or unwilling to so stipulate, then plttfs' counsel shall serve and file in it stead a proposed order of consolidation, and the remaining parties may serve and file withing 10 days after service thereof letter submissions proposing appropriate changes thereto (Mierzewski, Liz) (Entered: 05/01/2001)
04/18/2001	43	LETTER dated 4/17/01 from Jeffrey Smith to USDJ Hurley RE: Enclosing courtesy copies of Plaintiffs' motion for reconsideration. (Branciforte, Ralph) (Entered: 05/22/2001)
04/19/2001	32	ORDER, that the internal cross-reference to footnote 5 appearing on page 26 of the Court's Memorandum opinion and Order dtd 3/8/01, is hereby corrected on the court's own initiative pursuant to Federal Rule of Civil Procedure 60 (a) to read "see discussion supra note 6" to cure a clerical error, it appearing that no appeal in this action has been docketed within the meaing of Federal Rule of Appellate Procedure 7(d)(3) or otherwise. ( signed by Judge Denis Hurley , on 4/16/01) cm (Mierzewski, Liz) (Entered: 04/23/2001)
04/24/2001	33	LETTER dated 4/23/01 from counsel for defts. to Judge Hurley re: Request that the court consider this reponse to plttfs' reply memorandum of law date 4/17/01. Request that the court deny plttf's motion for reconsideration and to affirm the order denying class certification. (Mierzewski, Liz) (Entered: 05/01/2001)
04/30/2001	38	ORDER, that the court will consider both reply and sur-reply of defts. and denies plttfs' letter application to disregard the latter. ( signed by Judge Denis Hurley , on 4/26/01) cm (Mierzewski, Liz) (Entered: 05/01/2001)
04/30/2001	39	LETTER dated 4/25/01 from Jeffrey Smith to Judge Hurley re: The Court's order of March 28 01 does not permit the filing of a surreply, nor do defts. attempt to offer any justification, legal or otherwise for the submission of the letter dtd 4/23/01...(See order in doc. 38) (Mierzewski, Liz) (Entered: 05/01/2001)
04/30/2001	41	LETTER dated 4/10/01 from Paul Millus to Judge Hurley re: Acknowledgment of receipt of the letter dtd 4/5/01 from Jeffrey Smith. Def't's will not submit any requested

		modifications to the proposed order.. (Mierzewski, Liz) (Entered: 05/01/2001)
05/01/2001	40	ORDER, that the court having ordered this case and the member cases, (99cv3126 and 99cv4238), consolidated for all pruposes by Memo and Order dtd 3/8/01, it is ORDERED that the said cases be collectively referred to as In re Nassau County Strip Search Cases and that a master file shall be and hereby is established for the consolidated proceedings in the consolidated actions, bearing the docket number Master File No. 99cv2844 (DRH)(ARL). When a paper is intended to be applicable to all actions to which this order is applicable, the words, "ALL Actions" shall appear immediately below the words "This Document relates to". (See order for more details ( signed by Judge Denis Hurley , on 4/26/01) cm (Mierzewski, Liz) (Entered: 05/01/2001)
05/02/2001	42	JOINT PRETRIAL ORDER filed (Mierzewski, Liz) (Entered: 05/04/2001)
05/23/2001	44	MEMORANDUM and ORDER denying [34-1] motion for reconsideration of [30-1] order granting motion to consolidate cases, Denying motion for certification of a unified class action and appointment of class counsel, and denying without prejudice to renew to the extent it seeks appointment of Herbst & Greenwald as lead counsel. The parties in the erstwhile unconsolidated cases shall endeavor to file a stip and order of consolidation within 30 days after the date of this memorandum and order setting forth the details of consolidation, but that if the parties are unable or unwilling to so stipulate, then plttfs' counsel shall serve and file in it stead a proposed order of consolidation, and the remaining parties may serve and file withing 10 days after service thereof letter submissions proposing appropriate changes thereto ( signed by Judge Denis Hurley , on 5/23/01) cm (Mierzewski, Liz) (Entered: 05/24/2001)
05/29/2001	45	LETTER dated 5/29/01 from Jeffrey Smith to USMJ Lindsay RE: Requesting an adjournment of the 5/30/01 settlement conference. (Branciforte, Ralph) (Entered: 05/31/2001)
05/30/2001		CASE NO LONGER REFERRED TO Magistrate Arlene R. Lindsay (Garcia, Maria) (Entered: 05/30/2001)
05/30/2001		Tele-conference held (Branciforte, Ralph) (Entered: 05/31/2001)
05/30/2001	46	Calendar entry: Before USMJ Lindsay on 5/30/01 @ 10:00 a.m. Civil Cause For Telephone Status Conference. Case called. Counsel for parties present. Rulings: All discovery is complete. Parties have advised that there is no chance of settlement at this time. This case is marked ready for trial and is returned to the District Court. CF (Branciforte, Ralph) (Entered: 05/31/2001)
05/30/2001	47	PRETRIAL ORDER filed ( signed by Magistrate Arlene R. Lindsay , on 5/30/01) (Branciforte, Ralph) (Entered: 06/05/2001)
05/20/2002	48	LETTER dated 5/16/02 from Paul Millus to Judge Hurley re: So the Court is aware as it determines the future proceedings before the Court, Nassau County intends to file a petition for a Writ of Certiorari with the United States Supreme Court to further the issue of the constitutionality of Nassau County's then strip search policy. (Mierzewski, Liz) (Entered: 05/22/2002)
05/20/2002		Endorsement [48-1] letter. Defendants are directed to the Court's Individual Practice Rule 2(A), and to serve and file a letter responsive to the letter of the Iaffaldano and Augustin plaintiffs dtd 12/7/00, seeking a pre-motion conference regarding their proposed motion for summary judgment. This order is related to: Augustin, No. CV99-3126; Iaffaldano, No CV99-4238 ( Signed by Judge Denis Hurley , on 5/20/02) cm (Mierzewski, Liz) (Entered: 05/22/2002)
08/27/2002	49	LETTER dated 8/26/02 from Paul Millus to USDJ Hurley RE: Defendant's position regarding plaintiff's intended motion for summary judgment. When I last spoke to one of your law clerks on this subject, I mentioned that I had no objection to plaintiffs' making such a motion and that I intended to file papers simply to preserve my rights on the issue of the unconstitutionality of Nassau County Correctional Center's strip search policy. As the Second Circuit has spoken on this issue, I simply need to make my record, I not that by 10/12/02, the Nassau County defendants intend to file their petition for a writ of certiorari. (Branciforte, Ralph) (Entered: 09/11/2002)

09/09/2002	50	ORDER: The requirement of a pre-motion conference is waived. The Augustin and Iaffaldano plaintiffs may serve the motions for summary judgment before 10/1/02; the briefing schedule on any such motions shall thereafter be governed by Local Civil Rules 6.1(b) and 6.4. In the event the Augustin and Iaffaldano plaintiffs decide to move in consolidated fashion with one motions, then the page limitations on the parties memoranda shall be 150% of that ordinarily provided for in this Court's individual rule 2.C. Upon pain of admission of material facts, any Rule 56.1 Statement by a non-movant shall comply with the standards set forth in New York ex rel. Spitzer v. St. Francis Hospital and Rodriguez v. Schneider. The parties may seek relief from the briefing schedule set forth herein by filing, by 9/24/02, a stipulation and proposed order setting forth a consented-to schedule. ( signed by Judge Denis Hurley , on 9/9/02) CM (Branciforte, Ralph) (Entered: 09/11/2002)
09/25/2002	51	LETTER dated 9/24/02 from Robert L. Herbst to Hon. J. Hurley requesting additional time to attempt to complete a resolution with the defense counsel that would make unnecessary the briefing schedule that the court had set. (Barhome, Sydelle) (Entered: 10/02/2002)
10/01/2002	52	ORDER, that defendant's motion for judgment on the pleadings shall be served on or before 11/6/02. ( signed by Judge Denis Hurley , on 10/1/02) cm (Mierzewski, Liz) (Entered: 10/08/2002)
10/03/2002	55	LETTER dated 10/3/02 from Counsel for plaintiff to Judge Hurley re: Request for a pre-motion conference prior to making a new motion for partial class certification on the issues of liability and punitive damages. (Mierzewski, Liz) (Entered: 01/09/2003)
10/07/2002	53	LETTER dated 10/4/02 from Paul Millus to USDJ Hurley RE: Defendants have determined that it is incumbent upon Mr. Herbst and his fellow proposed putative class counsel to prepare the proposed stipulation for my review which should incorporate all requisite material and undisputed facts which they contend would entitle plaintiffs to summary judgment and appropriate language reserving defendants' rights to further challenge a liability finding if the U.S. Supreme Court rules in defendants' favor. (Branciforte, Ralph) (Entered: 10/09/2002)
10/08/2002	54	LETTER dated 10/7/02 from Counsel for plaintiff to Judge Hurley re: Response to defense counsel's October 4, 2002 letter to the Court. (Mierzewski, Liz) (Entered: 10/17/2002)
10/10/2002	56	LETTER dated 10/9/02 from Counsel for Defendants to Judge Hurley re: Defendants intend to oppose any new motion made by the plaintiffs for partial class certification. (Mierzewski, Liz) (Entered: 01/09/2003)
12/02/2002	57	Calendar entry: Before Judge Hurley on 12/12/02 @3:30 p.m. Case called for Pre-Motion conference for Proposed Motion for Partial class certification. For Plaintiff: Robert Herbst, Alan McDowell, Jeffrey Smith and Matthew Briarkerhoff. Plaintiff's proposed motion for partial class certification shall be served on or before 1/16/03, Defendant's opposition 2/6/03, Plaintiffs' reply 2/20/03 and Plaintiffs shall file all originals and courtesy copies for the Court on 2/25/03. (Mierzewski, Liz) (Entered: 01/09/2003)
01/16/2003	59	MOTION by Francis O'Day, Stuart Moskowitz to certify class action , No Motion hearing Motion file stamped: 2/25/03 and mailed/served: 1/16/03 (Mierzewski, Liz) (Entered: 02/28/2003)
01/16/2003	60	MEMORANDUM by Joseph Jablonsky, Nassau County in opposition to [59-1] motion to certify class action (Mierzewski, Liz) (Entered: 02/28/2003)
01/16/2003	61	REPLY MEMORANDUM OF LAW by Francis O'Day, Stuart Moskowitz in further [59-1] motion to certify class action (Mierzewski, Liz) (Entered: 02/28/2003)
02/05/2003	58	Letter MOTION by Nassau County to extend time for defendant's to serve responsive papers , No Motion hearing (Mierzewski, Liz) (Entered: 02/12/2003)
02/07/2003		Endorsed order granting [58-1] motion to extend time for defendant's to serve responsive papers; Briefing schedule is adjusted as follows: Defendants shall serve their opposition papers on or before 2/14/03; (2) Plaintiff shall serve their reply papers on or before 2/28/03; (3) Plaintiffs shall file all originals and courtesy copies for the Court on 3/7/03; (4) in all other respects, the Court's original scheduling order shall

		control ( Signed by Judge Denis Hurley , on 2/7/03) cm (Mierzewski, Liz) (Entered: 02/12/2003)
02/13/2003	63	Letter MOTION by County of Nassau to extend time to respond to plaintiffs' application to renew the argument in support of class certification, No Motion hearing (Mierzewski, Liz) Modified on 03/04/2003 (Entered: 03/04/2003)
02/19/2003	62	Letter MOTION by Francis O'Day, Stuart Moskowitz to extend time to serve reply papers to the motion for class certification to 2/25/03 , No Motion hearing (Mierzewski, Liz) (Entered: 03/04/2003)
02/24/2003		Endorsed order granting [62-1] motion to extend time to serve reply papers to the motion for class certification to 2/25/03 ( Signed by Judge Denis Hurley , on 2/24/03) cm (Mierzewski, Liz) (Entered: 03/04/2003)
02/24/2003		Endorsement [63-1] letter. Plaintiff's response shall be served on or before 2/18/03; Defendants reply shall be served by 3/4/03; Defendants shall file all originals and courtesy copies on 3/6/03; the Court's original scheduling order controls in all other respects. ( Signed by Judge Denis Hurley , on 2/24/03) cm (Mierzewski, Liz) (Entered: 03/04/2003)
09/23/2003	64	ORDER denying 59 Motion to Certify Class. Signed by JudgeDenis R. Hurley on 9/23/03.cm (Mierzejewski, Elizabeth) (Entered: 09/24/2003)
10/02/2003	65	ORDER that the Court has received Plaintiffs' two page request for reconsideration. Defendants are ordered to file their response to this request on or before 10/10/03. Plaintiffs shall file their reply letter, if any, on or before 10/14/03. . Signed by Judge Denis R. Hurley on 10/2/03. cm(Mierzejewski, Elizabeth) (Entered: 10/17/2003)
10/02/2003	66	LETTER dtd 9/30/03 from Plaintiffs' counsel to Judge Hurley Regarding Request for the Court's assistance in expediting either settlement or trial of these actions, which were file four years ago.. (Mierzejewski, Elizabeth) (Entered: 10/17/2003)
10/10/2003	69	Letter dtd.10/9/03 from Orrit Hershkovitz, Paul F. Millus to Hon. J. Hurley on behalf of dfts to oppose another request by plfs for reconsideration of the Court's ruling with respect to class certification, which should be denied for reasons outlined in this letter. (Barhome, Sydelle) (Entered: 11/17/2003)
10/14/2003	70	Letter dtd. 10/14/03 from Robert L. Herbst to Hon. J. Hurley writing on behalf of plf and putative class members in response to dfts' letter of 1/9/03 : plfs' punitive damages claim presents an issue of fact and law common to all plfs' and putative class members, further justifying class certification. Unlike the cases cited by dfts, the punitive damages claim presented here lends itself to class-wide adjudication. For these reasons, the Court should reconsider its most recent ruling and grant plfs' motion for class certification or partial class certification. (Barhome, Sydelle) (Entered: 11/17/2003)
10/15/2003	67	LETTER MOTION dtd 10/15/03 from Counsel for Defendants to Judge Hurley re: Request for an extension of time to file a response, if any, to the Court's invitation to address the issue of whether liability has been conceded for all purposes in this action against all defendants.. (Mierzejewski, Elizabeth) Modified on 10/30/2003 (Mierzejewski, Elizabeth). (Entered: 10/30/2003)
10/16/2003		ORDER granting the 67 Letter motion by defendants for an extension of time to file a response, if any, to the Court's invitation to address the issue of whether liability has been conceded for all purposes in this action. Defendants shall file their contemplated papers on or before 10/17/03 @12:00 noon on 10/21/03.. Signed by Judge Denis R. Hurley on 10/16/03. cm(Mierzejewski, Elizabeth) (Entered: 10/30/2003)
10/20/2003	73	Letter REQUEST dtd. 10/17/03 from Paul F. Millus to Hon. J. Hurley requesting permission to file a summary judgment motion on the issue of whether liability has been conceded for all purposes in this action against all dfts as requested in the decision of 9/23/03. (Barhome, Sydelle) (Entered: 11/18/2003)
10/21/2003	71	Letter dtd. 10/20/03 from Robert L. Herbst to Hon. J. Hurley replying to dfts' letter of 10/17/03: Court should reconsider its prior decision and grant plfs' motion for class certification on liability, for reasons outlined in this letter. (Barhome, Sydelle) (Entered: 11/17/2003)

10/22/2003	72	Letter REQUEST dtd. 10/22/03 from Paul F. Millus to Hon. J. Hurley responding to Mr. Herbst's letter to Court dtd. 10/20/03 in which he again seeks this court's reconsideration of the class certification issue. Nassau County requests permission to submit a response to Mr. Herbst's letter by 11/3/03. (Barhome, Sydelle) (Entered: 11/18/2003)
11/07/2003	68	MEMORANDUM AND OPINION: (Case also relates to 99CV3126; 99-CV4238) Court concludes that Plfs' motion for reconsideration is GRANTED. Court DECLINES to alter or amend its 9/23/03 order. With regard to Plfs' request to expedite resolution of this case (9/30/03 letter), the parties shall report to Judge Hurley's chambers at 2:00pm on 12/5/03. Case set for trial on 2/2/03. Jury selection shall be conducted @9:30, same date.. Signed by Judge Denis R. Hurley on 11/7/03. (Barhome, Sydelle) (Entered: 11/13/2003)
12/05/2003	74	Minute Entry Case called for proceedings held before Denis R. Hurley : Final Pretrial Conference held on 12/5/2003. For Plaintiff: Robert Herbst, For Defendant: Paul Millus. Status Conference set for 1/16/2004 03:00 PM before Senior-Judge Sterling Johnson Jr. Paul Millus withdraws as counsel for the County. County Attorney to file appearance. February 2, 2004 jury selection adjourned. Parties to discuss settlement. (Mierzejewski, Elizabeth) (Entered: 12/11/2003)
12/05/2003	75	ORDER that the Final Pretrial Conference is set for 1/16/2004 03:00 PM before Judge Denis R. Hurley. All parties are instructed to attend this conference with the authority to discuss settlement. The trial date is adjourned until a date to be decided at the 1/16/04, conference.. Signed by Judge Denis R. Hurley on 12/5/03. cm(Mierzejewski, Elizabeth) (Entered: 12/11/2003)
01/16/2004	76	Calendar Entry for proceedings held before Denis R. Hurley on 1/16/04 at 3:15 p.m. for Civil Cause for Final Pretrial Conference; Appearances: For plttf.: Robert Herbst, Matthew Brinckerhoff; For deft.: Michael Langer. Case called. Counsel for all sides present. Court recommends settlement amount. Counsel to confer and contact the Court on 1/30/04 at 1:30 p.m. by phone. Jury selection & trial scheduled for 4/19/04 at 9:30 a.m. Jury selection set for 4/19/04 at 9:30 a.m. before Judge Denis R. Hurley; Jury trial set for 4/19/04 at 9:30 a.m. before Judge Denis R. Hurley. Trial anticipated to last three (3) weeks. (Fagan, Linda) (Entered: 01/27/2004)
01/26/2004	77	Letter from Michael J. Langer to Honorable Denis R. Hurley, dated 1/20/04 re: To request that the defts have until Wednesday, 1/28/04, by which time they will inform the Court as to how the defts wish to proceed with respect to whether or not the defts intend to reopen the issue of the defts' concession of liability for the strip searches conducted on plttfs in this matter. (Fagan, Linda) Modified on 2/4/2004 (Fagan, Linda). (Entered: 02/04/2004)
01/26/2004		Endorsed ORDER on 77 Letter. Application Granted. ( Signed by Judge Denis R. Hurley on 1/26/04. ) eod #77(Fagan, Linda) (Entered: 02/04/2004)
01/28/2004	78	LETTER MOTION dtd 1/28/04 from Counsel for Defendants to Judge Hurley Regarding: Defendanta wish to clarify their concession of liability with respect to the strip searches conducted on plaintiffs in this matter. (Mierzejewski, Elizabeth) (Entered: 02/05/2004)
01/29/2004	79	ORDER re 78 Letter motion. In accordance with the Court's directions at the 1/16/04, conference, Defendants have submitted a letter regarding their concession of liability. In this letter, Defendants have indicated that they wish to modify their previous concession of liability. Pursuant to that request, Defendants request leave to file a formal clarification of their concessions. The Court will entertain, as a cross motion, a renewed motion to certify a class. With that said, the parties shall adhere to the following schedule: Defendants shall submit their proposed motion on or before 2/17/04. Plaintiffs shall submit their opposition, if any, as well as any cross-motion, on or before 3/5/04, as well as their opposition to any cross motion, on or before 3/22/04; Plaintiffs shall serve their reply with regard to any cross motion on or before 3/22/04; If no cross motion is filed, Defendants shall file all originals, as well as courtesy copies fo the Court on 3/22/04; if a cross motion is filed Plaintiffs shall file all originals, as well as courtesy copies for the Court, on or before 3/29/04.. Signed by Judge Denis R. Hurley on 1/29/04. cm(Mierzejewski, Elizabeth) (Entered: 02/05/2004)

03/19/2004	82	MOTION to Certify Class by Stuart Moskowitz, Francis O'Day. (Mierzejewski, Elizabeth) (Entered: 04/05/2004)
03/19/2004	83	MEMORANDUM in Opposition re 82 MOTION to Certify Class by Stuart Moskowitz, Francis O'Day. (Mierzejewski, Elizabeth) (Entered: 04/07/2004)
03/19/2004	84	REPLY in Support re 82 MOTION to Certify Class by Stuart Moskowitz, Francis O'Day. (Mierzejewski, Elizabeth) (Entered: 04/07/2004)
03/19/2004	85	MEMORANDUM in Support re 82 MOTION to Certify Class by Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department. (Mierzejewski, Elizabeth) (Entered: 04/07/2004)
03/19/2004	87	MEMORANDUM in Support re 82 MOTION to Certify Class by Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department. (Mierzejewski, Elizabeth) (Entered: 04/07/2004)
03/22/2004	80	LETTER MOTION dtd 3/22/04 from Counsel for Defendants to Judge Hurley Regarding Request that this Court allow the plaintiffs to file all submissions with the Court on the motion and cross motion on 3/29/04.. (Mierzejewski, Elizabeth) (Entered: 03/29/2004)
03/22/2004		ORDER Granting the 80 Letter Motion that the Court allow the plaintiffs to file all submissions with the Court on the motion and cross–motion on 3/29/04.. Signed by Judge Denis R. Hurley on 3/23/04. cm (Mierzejewski, Elizabeth) (Entered: 03/29/2004)
03/29/2004	86	MOTION for an order allowing the defendants; concession of liability to exist only as to the searches that are governed by the decision in Sham v. Ellison,52F.Supp. 2d. 564(EDNY1999), aff'd, 273 F.#d 56 (2d Cir.2001) Nassau County V. Shain 503 U.S. 1083 (2002). by Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department (Mierzejewski, Elizabeth) (Entered: 04/07/2004)
03/29/2004	88	AFFIDAVIT of Paul Millus in Support of the 86 Notice (Other), Notice (Other) by Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department. (Mierzejewski, Elizabeth) (Entered: 04/07/2004)
03/30/2004	81	LETTER dtd 3/30/04 from Counsel for plaintiff to Judge Hurley Regarding: Enclosed Exhibit 1 to the reply memorandum of law filed and served yesterday in support of plaintiffs' cross motion for class certification.. (Mierzejewski, Elizabeth) (Entered: 04/05/2004)
08/18/2004	<u>90</u>	Letter dated 8/17/04 from Spencer Freedman to Hon. Denis R. Hurley re: Writing to bring a decision the Second Circuit has recently vacated regarding a preliminary injunction agst. the County of Orange in a class action on behalf of individuals subjected to a routine strip search policy at a county jail. (Dachille, Patti) (Entered: 09/03/2004)
08/20/2004	<u>89</u>	ORDER denying 82 Motion to Certify Class and granting 86 Defendants' Motion to Clarify Concession of Liability.. Signed by JudgeDenis R. Hurley on 08/20/04. (Ott, Christopher) Additional attachment(s) added on 10/4/2004 (Fagan, Linda). (Entered: 08/20/2004)
10/01/2004	<u>91</u>	Minute Entry for proceedings held before Denis R. Hurley : Interim Pretrial Conference held on 10/1/2004. (Court Reporter OWEN WICKER.) (Best, Patricia) (Entered: 10/01/2004)
10/07/2004	<u>92</u>	Letter from Spencer Freedman to Matthew D. Brinckerhoff, Esq.; Jeffrey G. Smith, Esq.; Esther Miller, Esq., dated 10/4/04 re: To inform counsel' about what transpired at the 10/1/04 status conference in the above–referenced matter. (Fagan, Linda) (Entered: 10/18/2004)
11/03/2004	<u>93</u>	Letter from Deputy County Attorney Liora M. Ben–Sorek to Judge Hurley Regarding defendant's request to adjourn trial for purpose of conducting discovery and because of conflicting schedule. (Ben–Sorek, Liora) (Entered: 11/03/2004)
11/19/2004	<u>94</u>	Letter from Robert L. Herbst to Hon. Denis R. Hurley Regarding County's requests for discovery period and adjournment of trial date. (Herbst, Robert) (Entered: 11/19/2004)

11/24/2004		ORDER re <u>93</u> Letter, <u>94</u> Letter: After careful consideration of Defendant's request for, and Plaintiff's objection to, a trial postponement, this Court hereby SETS the following schedule: Jury selection and trial are POSTPONED, and will commence Tuesday, January 18, 2005 at 9:30 AM, barring any complications or delays caused by certain criminal matter before this Court. Signed by Judge Denis R. Hurley on 11/24/04. (Entered: 11/24/2004)
11/24/2004		Email Test – DO NOT REPLY (Mahon, Cinthia) (Entered: 11/24/2004)
12/01/2004		Email Test – DO NOT REPLY (Mahon, Cinthia) (Entered: 12/01/2004)
12/30/2004	<u>95</u>	Letter from Deputy County Attorney Liora M. Ben-Sorek to Robert L. Herbst, Esq., Matthew D. Brinckerhoff, Esq. and Jeffrey G. Smith, Esq., counsel for the respective plaintiffs, Regarding confirmation of conference before Hon. Denis R. Hurley on January 5, 2005 conference at 11:00 a.m.. (Ben-Sorek, Liora) (Entered: 12/30/2004)
01/03/2005	<u>96</u>	Letter from Nassau County Attorney Lorna B. Goodman to Hon. Denis R. Hurley Regarding background information for conference to be held on Wednesday, January 5, 2005. (Ben-Sorek, Liora) (Entered: 01/03/2005)
01/04/2005	<u>98</u>	Letter from Robert L. Herbst to The Honorable Denis R. Hurley, dated 1/3/05 re: To advise the Court with regard to settlement negotiations, that it appears the primary obstacle to settlement at this juncture is the County's reticence to stipulate to the individual named plttfs' right to appeal the Court's denial of class certification after judgment is entered purs. to a settlement agreement. (Fagan, Linda) (Entered: 01/06/2005)
01/05/2005	<u>97</u>	Minute Entry for proceedings held before Denis R. Hurley : Settlement Conference held on 1/5/2005. (Court Reporter Harry Rapaprt.) (Best, Patricia) (Entered: 01/05/2005)
01/11/2005	<u>99</u>	ORDER DISMISSING CASE without prejudice.. Signed by Judge Denis R. Hurley on 1/11/2005. (Best, Patricia) (Entered: 01/11/2005)
01/18/2005	100	TRANSCRIPT OF SETTLEMENT held on 1/4/05 before The Honorable Denis R. Hurley. Court Reporter: Harry Rapaport, C.S.R., United States District Court 100 Federal Plaza Central Islip, New York 11722 (631) 712-6105. (Fagan, Linda) (Entered: 01/18/2005)
03/22/2005	<u>101</u>	USCA MANDATE on motion before USCA by Francis O'Day, Gardy Augustin, Stuart Moskowitz denying leave to pursue interlocutory appeal. (Romano, Daniel) (Entered: 04/19/2005)
04/07/2005	111	MEMORANDUM OF LAW in response to Defendant's motion to clarify their concession of liability and in support of cross-motion for class certification. (Mierzejewski, Elizabeth) (Entered: 11/28/2005)
06/24/2005	<u>102</u>	Letter from Bernadette K. Ford to Judge Hurley Regarding Stipulation of Settlement and Proposed Final Judgment. (Attachments: # <u>1</u> Text of Proposed Order Proposed Final Judgment)(Ford, Bernadette) Modified on 6/27/2005 (Fagan, Linda). (Entered: 06/24/2005)
06/24/2005	<u>103</u>	SETTLEMENT AGREEMENT by Nassau County Sheriff's Department, Joseph Jablonsky, Nassau County. (Ford, Bernadette) (Entered: 06/24/2005)
07/05/2005	<u>104</u>	STIPULATION AND ORDER Of Settlement; That final judgment will be entered in favor of the ten individual plttfs in the three consolidated cases against defts County of Nassau and Joseph Jablonsky, jointly and severally, in the aggregate amount of \$350,000 in compensatory damages for personal injury; and as further set forth herein.( Ordered by Judge Denis R. Hurley on 7/5/05. )(Fagan, Linda) (Entered: 07/11/2005)
07/05/2005	<u>105</u>	FINAL JUDGMENT;That in accordance with the terms of the Stipulation of Settlement entered in open court between all parties on 1/5/05 and subsequently reduced to writing and executed by the Parties on or about 5/17/05 and "So Ordered" by the Court on 7/5/05, final judgment will be entered in favor of the ten individual plttfs in the three consolidated cases against defts County of Nassau and Joseph Jablonsky, jointly and severally, in the aggregate amount of \$350,000 in compensatory damages for personal injury; That the Clerk is hereby directed to enter final judgment



		for each of the individual plttfs against defts County of Nassau and Joseph Jablonsky, jointly and severally, as follows: Francis O'Day – \$35,000; Stuart Moskowitz – \$35,000; Gardy Augustin – \$35,000; Heidi Kane – \$35,000; Mary Pugliese – \$35,000; Gregg Wills – \$35,000; Steven Roth – \$35,000; Oscar Avelar – \$35,000; Ralph DiLiello – \$35,000;p and John Iaffaldano – \$35,000.; That in accordance with the terms of the Stipulation of Settlement, plttfs' claims for attorneys' fees and costs are expressly reserved and preserved until after the resolution of plttfs' appeal as of right to the Second Circuit of the denial of class certification. ( Ordered by Judge Denis R. Hurley on 7/5/05. )(Fagan, Linda) (Entered: 07/12/2005)
08/04/2005	<u>106</u>	NOTICE OF APPEAL by Francis O'Day. Filing fee \$ 255, receipt number 313503. (Attachments: # <u>1</u> Exhibit O'Day Notice of Appeal – Pages 58–93)(Wang, Mariann) (Entered: 08/04/2005)
08/04/2005	<u>107</u>	CERTIFICATE OF SERVICE by Francis O'Day (Wang, Mariann) (Entered: 08/04/2005)
08/04/2005	<u>108</u>	NOTICE of Appearance by Mariann Meier Wang on behalf of Francis O'Day (Wang, Mariann) (Entered: 08/04/2005)
08/05/2005		Electronic Index to Record on Appeal sent to US Court of Appeals re <u>106</u> Notice of Appeal, <u>104</u> Stipulation and Order,, <u>101</u> Notice (Other), <u>90</u> Letter,, <u>107</u> Certificate of Service, <u>95</u> Letter,, <u>108</u> Notice of Appearance, <u>98</u> Letter,, <u>102</u> Letter, <u>93</u> Letter, <u>105</u> Judgment,,,,, <u>99</u> Order Dismissing Case, <u>92</u> Letter,, <u>94</u> Letter, <u>91</u> Pretrial Conference – Interim, <u>97</u> Settlement Conference, <u>89</u> Order on Motion to Certify Class, <u>103</u> Settlement Agreement, <u>96</u> Letter For docket entries without a hyperlink, contact the court and we'll arrange for the document(s) to be made available to you. (McGee, Mary Ann) (Entered: 08/05/2005)
09/26/2005	<u>109</u>	USCA Scheduling Order as to <u>106</u> Notice of Appeal filed by Francis O'Day,. Appeal Record due by 10/17/2005. Appellant's brief due by 10/24/05, appellee's brief due by 11/3/05, argued not before 1/2/06. (Romano, Daniel) (Entered: 09/30/2005)
11/18/2005	<u>110</u>	SUPPLEMENTAL DESIGNATION of Record on Appeal (counsel's index) by Francis O'Day re <u>106</u> Notice of Appeal (Romano, Daniel) (Entered: 11/18/2005)
11/18/2005		Electronic Index to Supplemental Record on Appeal sent to US Court of Appeals re <u>110</u> Designation of Record on Appeal For docket entries without a hyperlink, contact the court and we'll arrange for the document(s) to be made available to you. (Romano, Daniel) (Entered: 11/18/2005)
09/01/2006	<u>112</u>	Letter <i>to Court requesting conference after remand</i> by Nassau County Sheriff's Department, Joseph Jablonsky, Jane/John Does 1–200, Nassau County. (Saffran, Dennis) (Entered: 09/01/2006)
09/08/2006	<u>113</u>	Letter <i>joining in the request for a conference and with a differing analysis of the 2d Cir. Decision</i> by Francis O'Day, Gardy Augustin, Stuart Moskowitz. (Herbst, Robert) (Entered: 09/08/2006)
09/08/2006	<u>114</u>	Letter <i>joining in request for court conference but with a differing analysis of the 2d Cir. Decision</i> by Francis O'Day, Gardy Augustin, Stuart Moskowitz. (Freedman, Spencer) (Entered: 09/08/2006)
10/10/2006	<u>119</u>	MANDATE of USCA as to <u>106</u> Notice of Appeal filed by Francis O'Day, reversing, in part, and remanding in part. USCA nos.05–4206,05–4211, 05–4242. (Romano, Daniel) Additional attachment(s) added on 12/21/2006 (Romano, Daniel). (Entered: 12/18/2006)
10/18/2006	<u>115</u>	Letter <i>with proposed order and request for conference</i> by Francis O'Day, Gardy Augustin, Stuart Moskowitz. (Freedman, Spencer) (Entered: 10/18/2006)
11/16/2006	<u>116</u>	Letter <i>on behalf of all parties requesting conference prior to additional briefing</i> by Francis O'Day, Nassau County Sheriff's Department, Gardy Augustin, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Stuart Moskowitz. (Saffran, Dennis) (Entered: 11/16/2006)
11/17/2006		ORDER re <u>116</u> : At the request of all the parties, a conference to discuss how to proceed in light of the Second Circuit's decision shall be held on Tuesday, November

		28, 2006 at 3:00 p.m. The briefing schedule set in this Court's November 6, 2006 Order is hereby vacated. A new briefing schedule shall be set at the conference. Ordered by Judge Denis R. Hurley on 11/17/06. (Gapinski, Michele) (Entered: 11/17/2006)
11/28/2006	<u>117</u>	Minute Entry for proceedings held before Denis R. Hurley : Status Conference held on 11/28/2006. (Court Reporter Owen Wicker.) (Best, Patricia) (Entered: 11/28/2006)
12/15/2006	<u>118</u>	Minute Entry for proceedings held before Denis R. Hurley : Status Conference held on 12/15/2006. Telephone conference set for 12/20 2006 at 2:30 pm. Plaintiffs to initiate the call. (Court Reporter Harry Rapaport.) (Best, Patricia) (Entered: 12/15/2006)
12/20/2006	<u>120</u>	Letter <i>regarding class notice</i> by Francis O'Day, Gardy Augustin, Stuart Moskowitz. (Herbst, Robert) (Entered: 12/20/2006)
12/20/2006	<u>121</u>	Minute Entry for proceedings held before Denis R. Hurley : Telephone Conference held on 12/20/2006. (Court Reporter Dom Tursi.) (Best, Patricia) (Entered: 12/20/2006)
01/16/2007	<u>122</u>	ORDER; That class certification is granted, as further set forth herein; that Beldock Levine & Hoffman LLP is appointed as lead class counsel and Emery Celli Brinckerhoff & Abady LLP and Wolf Haldenstein Adler Freeman & Hertz LLP as co-class counsel; that summary judgment, is granted against defts Joseph Jablonsky and the County of Nassau and in favor of the certified class and each and every member thereof, as further set forth herein; that defts are directed to disclose to plttfs' counsel by 1/15/06 the categories of information for each and every member of the class from 5/20/96 until and including 6/1/99, as further set forth herein; and that this production is without prejudice to production of further information maintained by defts upon consent of the parties or by Order of the Court upon application. ( Ordered by Judge Denis R. Hurley on 1/16/07. ) (Fagan, Linda) Modified on 1/16/2007 (Fagan, Linda). (Entered: 01/16/2007) (Fagan, Linda) (Entered: 01/23/2007)
02/05/2007	<u>123</u>	Letter MOTION for Extension of Time to File <i>papers on remanded issue of damages class certification</i> by all defendants. (Saffran, Dennis) (Entered: 02/05/2007)
02/06/2007		ORDER re <u>123</u> Letter MOTION for Extension of Time to File: Defendants' application for extension of time to February 13, 2007 to file brief is GRANTED. Ordered by Judge Denis R. Hurley on 2/6/07. (Gapinski, Michele) (Entered: 02/06/2007)
02/06/2007		ORDER granting <u>123</u> Motion for Extension of Time to File. (See 2/6/07 Order.)( Ordered by JudgeDenis R. Hurley on 2/6/07.) (Fagan, Linda) (Entered: 02/06/2007)
02/20/2007	<u>124</u>	First MOTION for Extension of Time to File Response/Reply by all plaintiffs. (Scanlon, Vera) (Entered: 02/20/2007)
02/21/2007		ORDER granting <u>124</u> Motion for Extension of Time to File Response/Reply: The Plaintiffs' motion for extension of time until March 2, 2007 to serve their reply and file all papers with the Court is hereby GRANTED. Ordered by JudgeDenis R. Hurley on 2/21/07. (Gapinski, Michele) (Entered: 02/21/2007)
05/30/2007	<u>125</u>	ORDER directing further briefing. See attached. Ordered by Judge Denis R. Hurley on 5/30/07. (Gapinski, Michele) (Entered: 05/30/2007)
07/18/2007	<u>126</u>	MOTION to Certify Class <i>Supplemental Memo of Law In Opposition to Damages Class</i> by all defendants.Responses due by 7/31/2007 (Saffran, Dennis) (Entered: 07/18/2007)
07/18/2007	<u>127</u>	MOTION to Certify Class <i>Supplemental Memo of Law in Opposition to Damages Class – CORRECTED COPY</i> by all defendants.Responses due by 7/31/2007 (Saffran, Dennis) (Entered: 07/18/2007)
07/19/2007		Motions terminated, docketed incorrectly: <u>126</u> MOTION to Certify Class <i>Supplemental Memo of Law In Opposition to Damages Class</i> filed by all dfts. Corrected Copy filed under document #127. (Duong, Susan) (Entered: 07/19/2007)
03/27/2008	<u>128</u>	ORDER granting <u>127</u> Motion to Certify Class. A pre-trial conference will be held on May 9, 2008 at 2:00 pm.. Ordered by Senior Judge Denis R. Hurley on 3/27/2008. (Best, Patricia) (Entered: 03/27/2008)

04/30/2008	<u>129</u>	Certified and Transmitted Original Record on Appeal to US Court of Appeals, sent directly to Vincenza Mathias, requested on 4/30/08 including: original and 3 copies of the index, clerk's certificate and certified copy of the docket sheet, re <u>106</u> Notice of Appeal. USCA# 08-1879. (Duong, Susan) (Entered: 04/30/2008)
05/01/2008	<u>130</u>	ORDER re <u>128</u> Order on Motion to Certify Class; That class certification is granted for damages purposes, and a damages class is hereby certified of all persons arrested for misdemeanors or non-criminal offenses in Nassau County who thereafter were strip searched at the Nassau County Correctional Center pursuant to depts' blanket policy, practice and custom which required that all arrestees be strip-searched upon admission to the facility, from May 20, 1996 until and including June 1, 1999; and that the earlier appointments of Beldock Levine & Hoffman LLP as lead class counsel and Emery Celli Brinckerhoff & Abady LLP and Wolf Haldenstein Adler Freeman & Herz LLP as class co-counsel are hereby confirmed. ( Ordered by Senior Judge Denis R. Hurley on 5/1/08.) (Fagan, Linda) (Entered: 05/05/2008)
05/06/2008	<u>131</u>	Letter re: Request to Adjourn Conference <i>pending determination of defendants petition for permission to appeal</i> by Nassau County Sheriff's Department, Joseph Jablonsky, Jane/John Does 1-200, Nassau County. (Saffran, Dennis) Modified on 5/7/2008 (Fagan, Linda). (Entered: 05/06/2008)
05/06/2008		Motions terminated, docketed incorrectly: <u>131</u> Letter MOTION to Adjourn Conference <i>pending determination of defendants petition for permission to appeal</i> filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County. (The document should have been filed as a Letter request, and the Court will address the document as such. All corrections have been made.) (Fagan, Linda) (Entered: 05/07/2008)
05/07/2008	<u>132</u>	Letter <i>regarding May 9th conference</i> by Francis O'Day, Gardy Augustin, Stuart Moskowitz (Herbst, Robert) (Entered: 05/07/2008)
05/08/2008		ORDER re <u>132</u> Letter filed by Gardy Augustin, Stuart Moskowitz, Francis O'Day, <u>131</u> Letter MOTION to Adjourn Conference <i>pending determination of defendants petition for permission to appeal</i> filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County : The conference scheduled for May 9, 2008 is hereby adjourned to August 1, 2008 at 2:00 p.m. Counsel for Defendants shall advise this Court of any decision on the motion for an interlocutory appeal within three (3) days of receipt thereof. Ordered by Senior Judge Denis R. Hurley on 5/8/08. (Gapinski, Michele) (Entered: 05/08/2008)
08/01/2008	<u>133</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley: Settlement Conference held on 8/1/2008. Further settlement conference set for August 7, 2008 at 1:00 pm (Court Reporter Marie Foley.) (Best, Patricia) (Entered: 08/01/2008)
08/07/2008	<u>134</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley: Settlement Conference held on 8/7/2008. Next settlement conference to be held on September 3, 2008 at 1:00 pm. (Best, Patricia) (Entered: 08/07/2008)
08/08/2008	<u>135</u>	EXHIBIT <i>Per discussion yesterday, Settlement Agreement in Dodge v. County of Orange, 02 Civ. 769 (CM) (SDNY Dec. 2005)</i> by Nassau County Sheriff's Department, Joseph Jablonsky, Nassau County. (Saffran, Dennis) (Entered: 08/08/2008)
08/12/2008		ORDER. Due to the unavailability of the County Attorney, the September 3, 2008 conference is canceled. The settlement conference is rescheduled to September 18, 2008 at 12:00. Counsel's settlement submissions shall be served and filed by September 11, 2008.. Ordered by Senior Judge Denis R. Hurley on 8/12/2008. (Best, Patricia) (Entered: 08/12/2008)
08/13/2008		ORDER to clarify the court's 8/12/2008 scheduling order. The parties are directed to file their respective settlement positions by September 11, 2008 with the Court by fax (631-712-5651) or mail (do not file on ECF). The settlement positions are not to be served.. Ordered by Senior Judge Denis R. Hurley on 8/13/2008. (Best, Patricia) (Entered: 08/13/2008)
08/18/2008	<u>136</u>	MANDATE of USCA: Defendants Nassau County, et al., move pursuant to Federal Rule of Civil Procedure 23(f), for leave to appeal the district court's order granting the plaintiffs' motion to extend the class certification to the issue of damages. Upon due consideration, it is hereby ORDERED that the petition is DENIED because an

		immediate appeal is unwarranted. Copy of mandate sent to Chambers. USCA# 08-1879-mv. (Duong, Susan) (Entered: 09/02/2008)
09/18/2008	<u>137</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley: Settlement Conference held on 9/18/2008 (Best, Patricia) (Entered: 09/18/2008)
09/19/2008	<u>138</u>	NOTICE of Appearance by Jeffrey G. Smith on behalf of John Iaffaldano (aty to be noticed) (Smith, Jeffrey) (Entered: 09/19/2008)
12/10/2008		Original Record Returned: this form emailed to Fred Nunnery c/o Court of Appeals. Appeal Case number 08-1879-mv. (Duong, Susan) (Entered: 12/11/2008)
02/03/2009	<u>139</u>	Letter <i>joining in plaintiffs' request for a conference</i> by Nassau County Sheriff's Department, Joseph Jablonsky, Jane/John Does 1-200, Nassau County (Saffran, Dennis) (Entered: 02/03/2009)
02/03/2009	<u>140</u>	Letter <i>to Judge Hurley requesting court conference to set trial date and resolve class notice issues</i> by Francis O'Day, Gardy Augustin, John Iaffaldano, Stuart Moskowitz (Scanlon, Vera) (Entered: 02/03/2009)
02/04/2009		ORDER re <u>139</u> <u>140</u> : A conference shall be held in this matter on Thursday, February 26, 2009 at 2:00 p.m. The parties shall submit on or before February 13, 2009, letter briefs addressing (1) pre-trial class notification and (2) suggested trial procedures. The parties may file letter briefs responding to their adversaries' arguments on or before February 24, 2009. The Court's usual page limitations shall not apply. Ordered by Senior Judge Denis R. Hurley on 2/4/2009. (Hurley, Denis) (Entered: 02/04/2009)
02/04/2009		AMENDED ORDER re <u>139</u> <u>140</u> : The conference will be held on Wednesday, March 11, 2009 at 11:00 AM. The parties shall submit on or before March 2, 2009 letter briefs addressing 1) pre-trial class notification and 2) suggested trial procedures The parties may file letter briefs responding to their adversaries' arguments on or before March 9, 2009. The Court's usual page limitations shall not apply. Ordered by Senior Judge Denis R. Hurley on 2/4/2009. (Best, Patricia) (Entered: 02/04/2009)
03/02/2009	<u>141</u>	Letter <i>per Court's order addressing pre-trial class notice and suggested trial procedures</i> by Francis O'Day, Gardy Augustin, John Iaffaldano, Stuart Moskowitz (Attachments: # <u>1</u> Appendix Letter regarding class notice with attachments, # <u>2</u> Exhibit A--proposed abbreviated notice) (Scanlon, Vera) (Entered: 03/02/2009)
03/02/2009	<u>142</u>	Letter <i>Brief addressing 1) pre-trial class notification and 2) suggested trial procedures</i> by Nassau County Sheriff's Department, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Stuart Moskowitz (Saffran, Dennis) (Entered: 03/02/2009)
03/09/2009	<u>143</u>	Letter <i>in reply regarding class notice and trial procedures per Court's 02/04/09 order</i> by Francis O'Day, Gardy Augustin, John Iaffaldano, Stuart Moskowitz (Scanlon, Vera) (Entered: 03/09/2009)
03/09/2009	<u>144</u>	Letter <i>Reply Brief in response to plaintiffs Letter Brief of March 2, 2009</i> by Nassau County Sheriff's Department, Joseph Jablonsky, Jane/John Does 1-200, Nassau County (Saffran, Dennis) (Entered: 03/09/2009)
03/12/2009	<u>145</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley: Final Pretrial Conference held on 3/11/2009 (Court Reporter Paul Lombardi.) (Best, Patricia) (Entered: 03/12/2009)
03/16/2009	<u>146</u>	ORDER re <u>141</u> Letter, <u>144</u> Letter, <u>143</u> Letter, <u>142</u> Letter: As set forth in the accompanying Order, Defendants shall pay the notification costs subject to certain preconditions; each party will be permitted to call up to ten class factual witnesses at trial with testimony confined to the details surrounding the search; witness lists shall be exchanged on or before May 15, 2009; proposed voir dire, jury instructions and verdict sheets shall be filed by July 31, 2009; and in limine motions shall be fully briefed and filed no later than August 10, 2009. Ordered by Senior Judge Denis R. Hurley on 3/16/2009. (Gapinski, Michele) (Entered: 03/16/2009)
03/18/2009	<u>147</u>	Letter <i>regarding proposed publication of abbreviated class notice in newspapers</i> by Francis O'Day, Gardy Augustin, John Iaffaldano, Stuart Moskowitz (Scanlon, Vera) (Entered: 03/18/2009)

03/23/2009	<u>148</u>	Letter <i>regarding proposed class administrator and costs</i> by Francis O'Day, Gardy Augustin, John Iaffaldano, Stuart Moskowitz (Attachments: # <u>1</u> Exhibit A—Rosenthal resume, # <u>2</u> Exhibit Estimate 1 for class notice administration, # <u>3</u> Exhibit Exhibit b-2 Alternate estimate for class notice administration, # <u>4</u> Exhibit b-2 Second alternate estimate for class notice administration) (Scanlon, Vera) (Entered: 03/23/2009)
03/25/2009	<u>149</u>	Letter <i>in response to plaintiffs' proposed media schedule for class notice publication</i> by Nassau County Sheriff's Department, Joseph Jablonsky, Jane/John Does 1-200, Nassau County (Attachments: # <u>1</u> NY Times Readership Demographic Profile) (Saffran, Dennis) (Entered: 03/25/2009)
03/30/2009	<u>150</u>	LETTER Application for Reconsideration re <u>146</u> Order., <i>regarding scope of witnesses' testimony at trial</i> by Francis O'Day, Gardy Augustin, John Iaffaldano, Stuart Moskowitz. (Herbst, Robert) Modified on 3/31/2009 (Fagan, Linda). (Entered: 03/30/2009)
03/30/2009	<u>151</u>	Letter <i>in response to plaintiffs March 23, 2009 letter proposing a class administrator and a notification mailing budget</i> by Nassau County Sheriff's Department, Joseph Jablonsky, Jane/John Does 1-200, Nassau County (Saffran, Dennis) (Entered: 03/30/2009)
03/30/2009		Motions terminated, docketed incorrectly: <u>150</u> First MOTION for Reconsideration re <u>146</u> Order., <i>regarding scope of witnesses' testimony at trial</i> filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day. (The document should have been filed as a LETTER application, and the Court will address the document as such. All corrections have been made.) (Fagan, Linda) (Entered: 03/31/2009)
04/06/2009	<u>152</u>	Letter <i>regarding administrator's costs and County's proposal for additional bids</i> by Francis O'Day, Gardy Augustin, John Iaffaldano, Stuart Moskowitz (Scanlon, Vera) (Entered: 04/06/2009)
04/07/2009	<u>153</u>	ORDER re <u>147</u> Letter, <u>151</u> Letter, <u>148</u> Letter, <u>149</u> Letter, <u>152</u> Letter: Order regarding publication issues and issues regarding administrator, see attached Order for details. Ordered by Senior Judge Denis R. Hurley on 4/7/2009. (Gapinski, Michele) (Entered: 04/07/2009)
04/10/2009	<u>154</u>	Letter <i>concerning response to plaintiffs March 30, 2009 letter application for reconsideration</i> by Nassau County Sheriff's Department, Joseph Jablonsky, Jane/John Does 1-200, Nassau County (Saffran, Dennis) (Entered: 04/10/2009)
04/13/2009		ORDER re <u>154</u> Letter filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County : Defendants shall respond to Plaintiffs' application for reconsideration on or before April 27, 2009. Ordered by Senior Judge Denis R. Hurley on 4/13/2009. (Gapinski, Michele) (Entered: 04/13/2009)
04/27/2009	<u>155</u>	Letter <i>requesting order approving completed notice to class per March 11th conference</i> by Francis O'Day, Gardy Augustin, John Iaffaldano, Stuart Moskowitz (Attachments: # <u>1</u> Exhibit Draft class notice) (Scanlon, Vera) (Entered: 04/27/2009)
04/27/2009	<u>156</u>	Letter <i>in response to plaintiffs letter application for reconsideration of the scope of class member witnesses testimony</i> by Nassau County Sheriff's Department, Joseph Jablonsky, Jane/John Does 1-200, Nassau County (Attachments: # <u>1</u> Exhibit Transcript Excerpts, Pre-Trial Conference, Mar. 11, 2009) (Saffran, Dennis) (Entered: 04/27/2009)
04/29/2009		ORDER re <u>155</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day: A telephone conference to discuss the proposed class notice shall be held on Friday, May 1, 2009 at 3:00 p.m. Plaintiffs' counsel shall initiate the call and all parties shall be on the line before calling Chambers at 631-712-5650. Ordered by Senior Judge Denis R. Hurley on 4/29/2009. (Hurley, Denis) (Entered: 04/29/2009)
04/30/2009	<u>157</u>	Letter <i>application requesting 1) clarification of ability to contact class members in order to select class witnesses per the Courts March 16, 2009 Order; 2) extensions of pre-trial deadlines and adjournment of trial date</i> by Nassau County Sheriff's Department, Joseph Jablonsky, Jane/John Does 1-200, Nassau County (Saffran, Dennis) (Entered: 04/30/2009)

05/01/2009	<u>158</u>	ORDER re <u>155</u> Letter, <u>157</u> Letter : Plaintiffs to submit revised notice to class; request to adjourn trial date and pre-trial deadlines denied except that date for exchange of witness lists and expert reports is extended to July 6, 2009; briefing schedules established as to other issues. See attached. Ordered by Senior Judge Denis R. Hurley on 5/1/2009. (Gapinski, Michele) (Entered: 05/01/2009)
05/08/2009	<u>159</u>	Letter regarding defendants' proposed contact with class members, per Court's May 1, 2009 order by Francis O'Day, Gardy Augustin, John Iaffaldano, Stuart Moskowitz (Scanlon, Vera) (Entered: 05/08/2009)
05/11/2009	<u>160</u>	ORDER re <u>150</u> First MOTION for Reconsideration re <u>146</u> Order: The motion for reconsideration is denied. See attached Memorandum & Order. Ordered by Senior Judge Denis R. Hurley on 5/11/2009. (Gapinski, Michele) (Entered: 05/11/2009)
05/11/2009		ORDER re <u>158</u> : Defendants' telephone application to modify the briefing schedule with respect to the issue of contact with class members is granted on consent. Defendants shall serve and file their reply on or before the close of business on May 15, 2009. Ordered by Senior Judge Denis R. Hurley on 5/11/2009. (Gapinski, Michele) (Entered: 05/11/2009)
05/15/2009	<u>161</u>	Letter reply to plaintiffs response to application for clarification re: contacting class members by Nassau County Sheriff's Department, Joseph Jablonsky, Jane/John Does 1-200, Nassau County (Saffran, Dennis) (Entered: 05/15/2009)
05/18/2009		ORDER : Plaintiffs are directed to file a letter, no later than the close of business on May 19, 2009, advising the Court of the status of the revisions to the proposed class notice. Ordered by Senior Judge Denis R. Hurley on 5/18/2009. (Gapinski, Michele) Modified on 5/19/2009 (Fagan, Linda). (Entered: 05/18/2009)
05/18/2009		Incorrect Case/Document/Entry Information. Document Order, dated 5/18/09 has been edited as follows: Plaintiffs are directed to file a letter, no later than the close of business on May 19, 2009, advising the Court of the status of the revisions to the proposed class notice. (All corrections have been made.) (Fagan, Linda) Modified on 5/20/2009 (Fagan, Linda). (Entered: 05/19/2009)
05/19/2009	<u>162</u>	Letter regarding class notice per the Court's orders by Francis O'Day, Gardy Augustin, John Iaffaldano, Stuart Moskowitz (Attachments: # <u>1</u> Exhibit Proposed class notice, # <u>2</u> Exhibit Draft class notice (abbreviated)) (Scanlon, Vera) (Entered: 05/19/2009)
05/20/2009	<u>163</u>	ORDER re <u>157</u> Letter, filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County, <u>161</u> Letter filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County, <u>159</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : Defendants' application to be allowed to communicate with class members is denied. See attached Memorandum and Order. Ordered by Senior Judge Denis R. Hurley on 5/20/2009. (Gapinski, Michele) (Entered: 05/20/2009)
05/20/2009	<u>164</u>	Letter with corrected proposed class notices by Francis O'Day, Gardy Augustin, John Iaffaldano, Stuart Moskowitz (Attachments: # <u>1</u> Exhibit proposed class notice, # <u>2</u> Exhibit Proposed abbreviated class notice) (Scanlon, Vera) (Entered: 05/20/2009)
05/20/2009		ORDER re <u>164</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : The Court hereby approves the class notice and abbreviated class notice attached to counsel's letter dated May 20, 2009. Ordered by Senior Judge Denis R. Hurley on 5/20/2009. (Gapinski, Michele) (Entered: 05/20/2009)
06/02/2009	<u>165</u>	NOTICE of Change of Address by Robert L. Herbst (Herbst, Robert) (Entered: 06/02/2009)
06/05/2009	<u>166</u>	Letter by Francis O'Day, Gardy Augustin, John Iaffaldano, Stuart Moskowitz (Attachments: # <u>1</u> Class Notice (abbreviated), # <u>2</u> Class Notice (long form)) (Herbst, Robert) (Entered: 06/05/2009)
06/09/2009		ORDER re <u>166</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : Plaintiffs' application is granted on consent. The Court hereby modifies its Orders of January 16, 2007 (Dkt. No. 122) and May 1, 2008 (Dkt. No. 130) to the extent that Giskan Solotaroff Anderson & Stewart LLP is hereby

		designated as lead class counsel and Beldock Levine & Hoffman LLP is designated as co-class counsel. Further, the Court hereby approves the two changes to the class notice set forth in Plaintiffs' letter of June 5, 2009 and reflected in the proposed revised notices attached thereto. Ordered by Senior Judge Denis R. Hurley on 6/9/2009. (Gapinski, Michele) (Entered: 06/09/2009)
06/24/2009	<u>167</u>	Letter Application for Discovery <i>Conference</i> by Nassau County Sheriff's Department, Joseph Jablonsky, Nassau County. (Ben-Sorek, Liora) Modified on 6/25/2009 (Fagan, Linda). (Entered: 06/24/2009)
06/24/2009		Motions terminated, docketed incorrectly: <u>167</u> Letter MOTION for Discovery <i>Conference</i> filed by Nassau County Sheriff's Department, Joseph Jablonsky, Nassau County. (The document should have been filed as a Letter application, and the Court will address the document as such. All corrections have been made.) (Fagan, Linda) (Entered: 06/25/2009)
06/26/2009	<u>168</u>	Letter by Francis O'Day, Gardy Augustin, John Iaffaldano, Stuart Moskowitz (Herbst, Robert) (Entered: 06/26/2009)
06/26/2009		ORDER re <u>168</u> Letter; <u>167</u> Letter: A telephone conference to address the issues raised in the referenced letters shall be held on Monday, June 29, 2009, at 3:30 p.m. Plaintiffs' counsel shall initiate the call and all parties shall be on the line before calling Chambers at (631) 712-5650. Ordered by Senior Judge Denis R. Hurley on 6/26/2009. (Gapinski, Michele) (Entered: 06/26/2009)
06/29/2009	<u>169</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley: Telephone Conference held on 6/29/2009. See calendar for modified schedule (Court Reporter Perry Auerbach.) (Best, Patricia) (Entered: 06/30/2009)
06/30/2009		ORDER: In addition to the fact witness lists to be filed on July 31, 2009, counsel shall separately identify those witnesses who are presently incarcerated. In order to prepare Writs of Habeas Corpus Ad Testificandum, the Court will need: The full names of the incarcerated witness; Department ID (DIN) number; name and address of the Correctional Facility; and the estimated date that the witness would be called to testify.. Ordered by Senior Judge Denis R. Hurley on 6/30/2009. (Best, Patricia) (Entered: 06/30/2009)
06/30/2009	<u>170</u>	Letter <i>re: problem with scheduling witness-identification depositions, requesting expedited conference or ruling</i> by Nassau County Sheriff's Department, Joseph Jablonsky, Jane/John Does 1-200, Nassau County (Attachments: # <u>1</u> Exhibit Police Department Release Form) (Saffran, Dennis) (Entered: 06/30/2009)
07/01/2009		ORDER re <u>170</u> Letter, filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County : Plaintiffs shall serve and file a response to Defendants' June 30, 2009 letter no later than 1:00 p.m. today, July 1, 2009. Ordered by Senior Judge Denis R. Hurley on 7/1/2009. (Gapinski, Michele) (Entered: 07/01/2009)
07/01/2009		ORDER : To the extent the parties have disputes and/or issues regarding discovery, the deadlines imposed by the Court, or any other matter, they should file a letter via ECF setting forth the nature of the dispute/issue. Do not call Chambers. The Court has arranged to be notified immediately of all filings in this matter. Ordered by Senior Judge Denis R. Hurley on 7/1/2009. (Hurley, Denis) (Entered: 07/01/2009)
07/01/2009	<u>171</u>	Letter <i>in Response to County's Letter of 6.30.09</i> by Francis O'Day, Gardy Augustin, John Iaffaldano, Stuart Moskowitz (Herbst, Robert) (Entered: 07/01/2009)
07/02/2009	<u>172</u>	ORDER re <u>170</u> Letter,: <u>171</u> : See attached. Ordered by Senior Judge Denis R. Hurley on 7/2/2009. (Entered: 07/02/2009)
07/08/2009	<u>173</u>	Letter MOTION for Discovery <i>requesting that Court issue annexed Proposed Orders to have inmate plaintiffs produced for their respective depositions via video conference from the State Correctional Centers where they are housed</i> by Nassau County Sheriff's Department, Joseph Jablonsky, Nassau County. (Attachments: # <u>1</u> Proposed Order Proposed Orders to Produce Incarcerated Plaintiffs for Deposition via Video) (Ben-Sorek, Liora) (Entered: 07/08/2009)

07/09/2009		ORDER re <u>173</u> Letter MOTION for Discovery <i>requesting that Court issue annexed Proposed Orders to have inmate plaintiffs produced for their respective depositions via video conference from the State Correctional Centers where they are housed</i> filed by Nassau County Sheriff's Department, Joseph Jablonsky, Nassau County : Plaintiffs are directed to advise the Court by letter filed no later than the close of business today, July 9, 2009, whether they object to the proposed orders annexed to Defendants' July 8, 2009 letter. Ordered by Senior Judge Denis R. Hurley on 7/9/2009. (Gapinski, Michele) (Entered: 07/09/2009)
07/09/2009	<u>174</u>	RESPONSE to Motion re <u>173</u> Letter MOTION for Discovery <i>requesting that Court issue annexed Proposed Orders to have inmate plaintiffs produced for their respective depositions via video conference from the State Correctional Centers where they are housed</i> filed by Gardy Augustin. (Wang, Mariann) (Entered: 07/09/2009)
07/09/2009		ORDER granting <u>173</u> Motion for Discovery: The application for orders requiring the production of certain inmate plaintiffs for deposition is granted on consent. Counsel for Defendants should contact Ms. Best at 631-712-5652 to arrange for the pick-up of originals of the orders. Ordered by Senior Judge Denis R. Hurley on 7/9/2009. (Gapinski, Michele) (Entered: 07/09/2009)
07/13/2009	<u>175</u>	RESPONSE to Discovery Request from Nassau County, et al by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department. (Attachments: # <u>1</u> Appendix Signature Page, # <u>2</u> Exhibit Curriculum Vitae) (Saffran, Dennis) (Entered: 07/13/2009)
07/13/2009	<u>176</u>	RESPONSE to Discovery Request from Nassau County, et al. by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department. (Attachments: # <u>1</u> Exhibit Curriculum Vitae) (Saffran, Dennis) (Entered: 07/13/2009)
07/23/2009	<u>177</u>	Letter <i>re: motion to preclude</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 07/23/2009)
07/23/2009	<u>178</u>	Letter <i>in response to Plaintiffs' "Letter re: motion to preclude"</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 07/23/2009)
07/24/2009	<u>179</u>	Letter <i>re: Defendants' Response to Letter Motion to Preclude Experts</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 07/24/2009)
07/27/2009		ORDER re <u>177</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day, <u>179</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day, <u>178</u> Letter filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County, Thomas S. Gulotta : Plaintiffs' application for expedited consideration of their motion to preclude Defendants' experts' testimony and to modify the trial preparation schedule is denied. The current schedule established by the Court shall remain in effect. The Court notes parenthetically that information elicited during the deposition of an expert can be helpful to a court in determining Daubert issues. Ordered by Senior Judge Denis R. Hurley on 7/27/2009. (Gapinski, Michele) (Entered: 07/27/2009)
07/28/2009	<u>180</u>	Letter Application for Extension of Time to Complete Discovery <i>upon consent of plaintiffs' counsel until August 7, 2009</i> , Letter MOTION for Extension of Time to File <i>and exchange lists of fact witnesses (upon consent of plaintiffs' counsel) from July 31, 2009 to August 7, 2009</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Attachments: # <u>1</u> Proposed Order Proposed Orders to Produce 5 Inmate Plaintiffs for Deposition by Video Conference) (Ben-Sorek, Liora) Modified on 7/29/2009 (Fagan, Linda). (Entered: 07/28/2009)
07/28/2009		Motions terminated, docketed incorrectly: <u>180</u> Motion for Discovery. (The document should have been filed as a LETTER application, and the Court has addressed the document as such. All corrections have been made.) (Fagan, Linda) (Entered: 07/29/2009)
07/29/2009	181	ORDER granting <u>180</u> LETTER Application: The application to extend the time to exchange witness lists to August 7, 2009 and for the so ordering of additional orders to the New York State Department of Corrections is hereby granted. Ordered by Senior



		Judge Denis R. Hurley on 7/29/09. (Gapinski, Michele) Modified on 7/29/2009 (Fagan, Linda). (Entered: 07/29/2009)
08/04/2009	<u>182</u>	NOTICE by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day of <i>Expert Report with Curriculum Vitae of Dr. James Gilligan</i> (Herbst, Robert) (Entered: 08/04/2009)
08/04/2009	<u>183</u>	NOTICE by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day of <i>Expert Report with Curriculum Vitae and List of Previous Testimony of Dr. Stuart Grassian</i> (Herbst, Robert) (Entered: 08/04/2009)
08/07/2009	<u>184</u>	Witness List by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 08/07/2009)
08/07/2009	<u>185</u>	Witness List by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 08/07/2009)
08/10/2009	<u>186</u>	Proposed Jury Instructions by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben–Sorek, Liora) (Entered: 08/10/2009)
08/10/2009	<u>187</u>	Proposed Voir Dire by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben–Sorek, Liora) (Entered: 08/10/2009)
08/10/2009	<u>188</u>	EXHIBIT <i>Defendants' Proposed Verdict Sheet</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. Related document: <u>186</u> Proposed Jury Instructions filed by Nassau County Sheriff's Department, Joseph Jablonsky, Nassau County. (Ben–Sorek, Liora) (Entered: 08/10/2009)
08/10/2009	<u>189</u>	Proposed Voir Dire by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 08/10/2009)
08/10/2009	<u>190</u>	Proposed Jury Instructions by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 08/10/2009)
08/11/2009	<u>191</u>	Letter <i>requesting modification of in limine motion schedule</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 08/11/2009)
08/12/2009		ORDER re <u>191</u> Letter filed by Nassau County Sheriff's Department, Jane/John Does 1–200, Joseph Jablonsky, Nassau County, Thomas S. Gulotta : Defendants' application to modify the briefing schedule for in limine motions is granted to the following extent (the Court dispensing with its usual bundle rule): With respect to all in limine motions, other than a motion by defendants addressed to plaintiffs' experts,: moving papers shall be served AND FILED on or before August 21, 2009; opposing papers shall be served AND FILED on or before August 26, 2009; and reply papers, if any, shall be served and filed on or before August 28, 2009. With respect to a motion by defendants addressed to plaintiffs' experts: moving papers shall be served AND FILED on or before August 24, 2009; opposing papers shall be served AND FILED on or before August 28, 2009; reply papers, if any, shall be served and filed on or before August 31, 2009. Ordered by Senior Judge Denis R. Hurley on 8/12/2009. (Gapinski, Michele) (Entered: 08/12/2009)
08/12/2009	<u>192</u>	Letter by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 08/12/2009)
08/12/2009		ORDER re <u>192</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : A pre–trial conference to fully discuss the issues raised in Plaintiffs' letter of August 12, 2009 shall be held on Tuesday, August 18, 2009 at 3:00 p.m. Ordered by Senior Judge Denis R. Hurley on 8/12/2009. (Gapinski, Michele) (Entered: 08/12/2009)
08/12/2009		AMENDED ORDER re <u>192</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : A pre–trial conference to fully discuss the issues raised in Plaintiffs' letter of August 12, 2009 shall be held on Tuesday, August 18, 2009 at 3:00 p.m. Pending said conference, the parties shall proceed in accordance with the current schedule. Ordered by Senior Judge Denis R. Hurley on 8/12/2009. (Gapinski, Michele) (Entered: 08/12/2009)

08/12/2009	<u>193</u>	NOTICE of Appearance by Gerald C. Waters on behalf of Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (aty to be noticed) (Waters, Gerald) (Entered: 08/12/2009)
08/14/2009	<u>194</u>	Proposed Pretrial Order by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 08/14/2009)
08/14/2009	<u>195</u>	Letter <i>in Response to Plaintiffs' Letter of August 12, 2009</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Exhibit Excerpts from Transcript of Mar. 11, 2009 Pre-Trial Conference, # <u>2</u> Exhibit Joint Pre-Trial Order filed May 2, 2001, # <u>3</u> Exhibit Excerpts from Transcript of June 29, 2009 Telephone Conference, # <u>4</u> Exhibit Excerpts from Deposition of Adam Schulman, # <u>5</u> Exhibit Excerpts from Deposition of Paolo G. Carozza) (Saffran, Dennis) (Entered: 08/14/2009)
08/19/2009	<u>196</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Status Conference held on 8/18/2009 (Court Reporter Owen Wicker.) (Best, Patricia) (Entered: 08/19/2009)
08/19/2009	<u>198</u>	Letter from Marilyn Block to the Clerk of Court, dated 8/12/09 re: To request to be added as a party to this class action. (Fagan, Linda) (Entered: 08/20/2009)
08/20/2009	<u>197</u>	ORDER establishing new schedule in accordance with August 18, 2009 conference: See attached. Ordered by Senior Judge Denis R. Hurley on 8/20/2009. (Gapinski, Michele) (Entered: 08/20/2009)
08/20/2009		ORDER REFERRING CASE to Magistrate Judge Arlene R. Lindsay: It is hereby Ordered that this matter is respectfully referred to Magistrate Judge Lindsay for purposes of overseeing the additional discovery permitted by the Court in connection with the upcoming general damages trial. It is further Ordered that the scope of the foregoing reference shall be deemed to encompass such additional authority as reasonable or necessary to perform the foregoing duties and as is not inconsistent with the Constitution and laws of the United States. Ordered by Senior Judge Denis R. Hurley on 8/20/2009. (Gapinski, Michele) (Entered: 08/20/2009)
08/22/2009	<u>199</u>	Letter <i>re Need for Rebuttal Expert, w/ attached Expert Depositions</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Appendix Carozza Deposition, # <u>2</u> Appendix Schulman Deposition) (Saffran, Dennis) (Entered: 08/22/2009)
08/25/2009		ORDER: Due to the Court's schedule, oral argument set for September 17, 2009 is adjourned to September 24, 2009 at 11:00 am. The briefing schedule as outlined in item 3 of the Court's order dated August 20, 2009 remains the same. Ordered by Senior Judge Denis R. Hurley on 8/25/2009. (Best, Patricia) (Entered: 08/25/2009)
08/25/2009	<u>200</u>	Letter <i>per letter of Aug. 21 regarding need for a rebuttal expert, attaching deposition of James Gilligan</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Appendix Gilligan Deposition) (Saffran, Dennis) (Entered: 08/25/2009)
08/26/2009	<u>201</u>	Letter by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 08/26/2009)
08/27/2009	<u>202</u>	Letter <i>in Opposition to Defendants' Request to Designate a Third Expert</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 08/27/2009)
08/28/2009	<u>203</u>	Letter <i>in reply to plaintiffs' August 27 response to defendants' August 21 letter regarding the need for a rebuttal expert</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 08/28/2009)
08/28/2009	<u>204</u>	Letter <i>in reply to plaintiffs' August 27 response to defendants' August 21 letter regarding the need for a rebuttal expert CORRECTED COPY (correcting typo on p.2)</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 08/28/2009)

09/03/2009	<u>205</u>	Letter <i>requesting brief extension on submissions due on September 4, 2009</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 09/03/2009)
09/03/2009		ORDER re <u>205</u> Letter filed by Nassau County Sheriff's Department, Jane/John Does 1–200, Joseph Jablonsky, Nassau County, Thomas S. Gulotta : Defendants' application to modify the briefing schedule is granted. Initial submissions shall be filed on or before September 9, 2009 and responses filed on or before September 17, 2009. NO FURTHER ADJOURNMENTS SHALL BE GRANTED. Ordered by Senior Judge Denis R. Hurley on 9/3/2009. (Gapinski, Michele) (Entered: 09/03/2009)
09/04/2009	<u>206</u>	Letter <i>informing Court of opt out forms filed</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Attachments: # <u>1</u> Exhibit Opt out list, # <u>2</u> Exhibit Opt out forms 1–25 (forms), # <u>3</u> Exhibit Opt out forms 26–50 (forms), # <u>4</u> Exhibit Opt out forms 51–87 (forms)) (Scanlon, Vera) (Entered: 09/04/2009)
09/08/2009	<u>207</u>	Letter <i>regarding Jose Silva as a class member and clarification of notice regarding remaining in class</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Scanlon, Vera) (Entered: 09/08/2009)
09/09/2009	<u>208</u>	Letter <i>responding to plaintiffs' opt-out letter (D.E. 206)</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben–Sorek, Liora) (Entered: 09/09/2009)
09/09/2009	<u>209</u>	MEMORANDUM in Support of <i>Motion in Limine</i> filed by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Herbst, Robert) (Entered: 09/09/2009)
09/10/2009	<u>210</u>	MEMORANDUM in Opposition <i>TO PLAINTIFFS MOTION IN LIMINE TO CONCEAL FROM THE JURY THAT THIS IS A CLASS ACTION</i> filed by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 09/10/2009)
09/10/2009	<u>211</u>	MEMORANDUM in Opposition <i>TO PLAINTIFFS MOTIONS IN LIMINE TO PROHIBIT CORRECTION OFFICER TESTIMONY ABOUT THEIR MOTIVATION IN CONDUCTING THE SEARCHES, AND TO EXCLUDE EVIDENCE THAT CLASS MEMBERS EXPERIENCED OTHER STRIP SEARCHES</i> filed by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 09/10/2009)
09/11/2009	<u>212</u>	ORDER re <u>207</u> Letter filed by John Iaffaldano et al., <u>206</u> Letter, filed by John Iaffaldano et al, <u>208</u> Letter filed by Nassau County Sheriff's Department, et al: Order regarding opt–out issues. See attached. Ordered by Senior Judge Denis R. Hurley on 9/11/2009. (Gapinski, Michele) (Entered: 09/11/2009)
09/11/2009	<u>213</u>	Letter with <i>CORRECTED MEMORANDUM in Opposition TO PLAINTIFFS MOTIONS IN LIMINE TO PROHIBIT CORRECTION OFFICER TESTIMONY ABOUT THEIR MOTIVATION IN CONDUCTING THE SEARCHES, AND TO EXCLUDE EVIDENCE THAT CLASS MEMBERS EXPERIENCED OTHER STRIP SEARCHES</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Memorandum in Opposition Corrected Memo) (Saffran, Dennis) (Entered: 09/11/2009)
09/14/2009	<u>214</u>	First MOTION in Limine <i>to exclude defendants' proposed experts' report and testimony at trial</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Scanlon, Vera) (Entered: 09/14/2009)
09/14/2009	<u>215</u>	MOTION in Limine <i>TO PRECLUDE TESTIMONY BY PLAINTIFFS EXPERTS</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department. (Attachments: # <u>1</u> Appendix Grassian Deposition) (Saffran, Dennis) (Entered: 09/14/2009)
09/16/2009	<u>216</u>	Letter <i>apprising Court as to status of discovery dispute</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben–Sorek, Liora) (Entered: 09/16/2009)
09/17/2009	<u>217</u>	Letter <i>requesting a brief extension of motion dates</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Scanlon, Vera) (Entered: 09/17/2009)

09/17/2009		ORDER re <u>217</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : The application to modify upcoming briefing is granted ONLY to the following extent: (1) opposition papers regarding the issues identified by the Court on August 18th shall be served and filed no later than 10:00 a.m. on Monday, September 21, 2009; (2) opposition to expert exclusion motion(s) shall be served and filed no later than 5:00 p.m. on September 28, 2009; (3) reply papers on expert exclusion motion(s) shall be served and filed no later than 5:00 p.m. on October 5, 2009. Oral argument on the issues identified by the Court on August 18 remains scheduled for September 24, 2009. Ordered by Senior Judge Denis R. Hurley on 9/17/2009. (Gapinski, Michele) (Entered: 09/17/2009)
09/21/2009	<u>218</u>	MEMORANDUM in Opposition to <i>defendants' motion in limine to seeking to advise the jury that this case is a class action</i> filed by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Scanlon, Vera) (Entered: 09/21/2009)
09/21/2009	<u>219</u>	MEMORANDUM in Opposition to <i>Plaintiffs Motion in Limine to Preclude Evidence of Class Witnesses Criminal Histories</i> filed by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 09/21/2009)
09/21/2009	<u>220</u>	MEMORANDUM in Opposition to <i>Defendants' Motion To Offer Certain Evidence at Trial</i> filed by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Scanlon, Vera) (Entered: 09/21/2009)
09/22/2009		ORDER : The parties are directed to provide the Court with a courtesy copy of the deposition of any expert whose testimony is sought to be excluded. Ordered by Senior Judge Denis R. Hurley on 9/22/2009. (Gapinski, Michele) (Entered: 09/22/2009)
09/22/2009		ORDER : The oral argument scheduled for Thursday, September 24, 2009 is hereby adjourned to October 20, 2009 at 11:00 a.m., at which time oral argument on the in limine motions regarding experts shall also be heard. Ordered by Senior Judge Denis R. Hurley on 9/22/2009. (Gapinski, Michele) (Entered: 09/22/2009)
09/25/2009	<u>221</u>	Letter <i>enclosing Schulman Deposition Errata Sheet</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Errata Schulman Deposition Errata Sheet) (Saffran, Dennis) (Entered: 09/25/2009)
09/28/2009	<u>222</u>	MEMORANDUM in Opposition re <u>215</u> MOTION in Limine <i>TO PRECLUDE TESTIMONY BY PLAINTIFFS EXPERTS</i> filed by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Scanlon, Vera) (Entered: 09/28/2009)
09/28/2009	<u>223</u>	RESPONSE to Motion re <u>214</u> First MOTION in Limine <i>to exclude defendants' proposed experts' report and testimony at trial</i> filed by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 09/28/2009)
09/29/2009	<u>224</u>	Letter <i>in Response to County's Letter of 9.16.09 and Requesting Additional Rulings</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Attachments: # <u>1</u> Exhibit Transcript of deposition of Oscar Avelar) (Herbst, Robert) (Entered: 09/29/2009)
09/30/2009	<u>225</u>	ORDER re <u>216</u> <u>224</u> : See attached order for details. Ordered by Magistrate Judge Arlene R. Lindsay on 9/30/2009. c/ecf (Miller, Dina) (Entered: 09/30/2009)
09/30/2009	<u>226</u>	Letter <i>requesting extension of briefing schedule for remaining motions in limine</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 09/30/2009)
10/05/2009	<u>227</u>	REPLY in Support re <u>214</u> First MOTION in Limine <i>to exclude defendants' proposed experts' report and testimony at trial</i> filed by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Scanlon, Vera) (Entered: 10/05/2009)
10/05/2009	<u>228</u>	REPLY in Support re <u>215</u> MOTION in Limine <i>TO PRECLUDE TESTIMONY BY PLAINTIFFS EXPERTS</i> filed by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 10/05/2009)

10/06/2009	<u>229</u>	Letter <i>Identifying Significant Discovery Issues to Be Discussed in Today's Telephone Conference</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 10/06/2009)
10/07/2009	<u>230</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Telephone Conference held on 10/1/2009 (Court Reporter Owen Wicker.) (Best, Patricia) (Entered: 10/07/2009)
10/07/2009	<u>231</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Telephone Conference held on 10/6/2009 (Court Reporter Perry Auerbach.) (Best, Patricia) (Entered: 10/07/2009)
10/07/2009	<u>232</u>	Letter <i>regarding Jose Silva does not wish to opt out</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Scanlon, Vera) (Entered: 10/07/2009)
10/08/2009	<u>233</u>	Letter by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Errata Carozza Deposition Errata Sheet) (Saffran, Dennis) (Entered: 10/08/2009)
10/09/2009	<u>234</u>	STATUS REPORT <i>in furtherance of issues raised during 10/6/09 Court Conference</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben–Sorek, Liora) (Entered: 10/09/2009)
10/12/2009	<u>235</u>	Letter <i>Responding to Nassau County's Letter of 10.9.09</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Attachments: # <u>1</u> Exhibit Pertinent Excerpts from the Transcript of the Deposition of Sergeant Patricia Harrs, # <u>2</u> Exhibit Pertinent Excerpts from the Transcript of the Deposition of Corrections Officer Thomas Pound) (Herbst, Robert) (Entered: 10/12/2009)
10/13/2009		ORDER re <u>234</u> Status Report filed by Nassau County Sheriff's Department, Joseph Jablonsky, Nassau County : The parties shall order a copy of the transcript of the October 6, 2009, telephone conference and file same on ECF. Ordered by Senior Judge Denis R. Hurley on 10/13/2009. (Gapinski, Michele) (Entered: 10/13/2009)
10/14/2009	<u>236</u>	MOTION in Limine <i>to Exclude Certain Evidence at Trial</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Herbst, Robert) (Entered: 10/14/2009)
10/14/2009		ORDER re <u>235</u> Letter, filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : Reserving questions of admissibility at trial, Defendants are directed to produce the videotape and the NYS Corrections lesson plan. Ordered by Senior Judge Denis R. Hurley on 10/14/2009. (Entered: 10/14/2009)
10/14/2009		ORDER : Mr. Herbst is directed to review his files and, to the extent he is in possession of same, provide the Court with a copy of Judge Knapp's jury charge in Gardner v. Federated Department Stores, Inc., Civil Action No. 85–2816 (S.D.N.Y.) (reported decision at 717 F. Supp. 136 (S.D.N.Y. 1989), aff'd in part and rev'd in part, 907 F.2d 1348 (2d Cir. 1990)). Ordered by Senior Judge Denis R. Hurley on 10/14/2009. (Entered: 10/14/2009)
10/14/2009	<u>237</u>	MOTION in Limine <i>to: Exclude Testimony Substantially at Odds with the Findings in Shain v. Ellison, Allow the Jury to Award Nominal or Minimal Damages, and Inform the Jury That There Are Two Phases to the Trial</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department. (Attachments: # <u>1</u> Appendix Deposition Excerpts) (Saffran, Dennis) (Entered: 10/14/2009)
10/14/2009	<u>238</u>	MOTION in Limine <i>To Exclude Certain Evidence And Allow Of Use Leading Questions</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department. (Attachments: # <u>1</u> Appendix Lesson Plans) (Saffran, Dennis) (Entered: 10/14/2009)
10/16/2009	<u>239</u>	NOTICE of Appearance by Christine Ann Lobasso on behalf of Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (aty to be noticed) (Lobasso, Christine) (Entered: 10/16/2009)
10/16/2009	<u>240</u>	Letter <i>submitting draft joint proposed pretrial order with request to file final joint proposed pretrial order</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Attachments: # <u>1</u> Errata DRAFT revised joint JPTO) (Scanlon, Vera) (Entered: 10/16/2009)

10/19/2009		ORDER : Counsel are hereby reminded of their obligation to comply with this Court's Individual Practice Rules, including, without limitation, Rule 3E (requiring that all memoranda exceeding ten pages in length include a table of contents and a table of authorities) and Rule 3G (requiring that courtesy copies of all motion papers be provided to Chambers). Ordered by Senior Judge Denis R. Hurley on 10/19/2009. (Entered: 10/19/2009)
10/19/2009	<u>241</u>	Letter application for pre motion conference <i>for permission to bring a Fed. R. Civ. P. 56 and/or 23(c)(5) Motion and an adjournment of the trial</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department. (Waters, Gerald) Modified on 10/20/2009 (Fagan, Linda). (Entered: 10/19/2009)
10/19/2009		Motions terminated, docketed incorrectly: <u>241</u> Letter MOTION for pre motion conference <i>for permission to bring a Fed. R. Civ. P. 56 and/or 23(c)(5) Motion and an adjournment of the trial</i> Letter MOTION for pre motion conference <i>for permission to bring a Fed. R. Civ. P. 56 and/or 23(c)(5) Motion and an adjournment of the trial</i> filed by Nassau County Sheriff's Department, Jane/John Does 1–200, Joseph Jablonsky, Nassau County, Thomas S. Gulotta. (The document should have been filed as a LETTER application, and the Court will address the document as such. All corrections have been made.) (Fagan, Linda) (Entered: 10/20/2009)
10/20/2009	<u>242</u>	Letter <i>responding to defendants' letter concerning PLRA and adjournment</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Scanlon, Vera) (Entered: 10/20/2009)
10/21/2009	<u>243</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Status Conference held on 10/21/2009 (Court Reporter Harry Rapaport.) (Best, Patricia) (Entered: 10/21/2009)
10/22/2009	<u>244</u>	Letter <i>regarding briefing schedule by all parties</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Scanlon, Vera) (Entered: 10/22/2009)
10/22/2009	<u>245</u>	Letter <i>(amended) regarding briefing schedule for all parties</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Scanlon, Vera) (Entered: 10/22/2009)
10/22/2009	<u>246</u>	Letter <i>regarding defendants' witness list</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben–Sorek, Liora) (Entered: 10/22/2009)
10/23/2009	<u>247</u>	Proposed Pretrial Order ( <i>Revised Joint Pre–Trial Order</i> ) by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben–Sorek, Liora) (Entered: 10/23/2009)
10/26/2009		ORDER re <u>245</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : The briefing schedule agreed to by the parties and set forth in counsel's letter is hereby So Ordered. Ordered by Senior Judge Denis R. Hurley on 10/26/2009. (Gapinski, Michele) (Entered: 10/26/2009)
10/27/2009	<u>248</u>	Letter <i>requesting two–day modification of the PLRA briefing schedule</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 10/27/2009)
10/27/2009		ORDER re <u>248</u> Letter filed by Nassau County Sheriff's Department, Jane/John Does 1–200, Joseph Jablonsky, Nassau County, Thomas S. Gulotta : Defendants' application for an extension of time to file their brief on the applicability of the PLRA is granted to the extent that said brief shall be filed no later than 5:00 p.m. on Thursday, October 29, 2009. Ordered by Senior Judge Denis R. Hurley on 10/27/2009. (Entered: 10/27/2009)
10/27/2009	<u>249</u>	RESPONSE to Motion re <u>236</u> MOTION in Limine <i>to Exclude Certain Evidence at Trial</i> filed by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department. (Attachments: # <u>1</u> Exhibit Appendix plus exhibits: excerpts from deposition transcripts) (Lobasso, Christine) (Entered: 10/27/2009)
10/27/2009	<u>251</u>	MEMORANDUM in Opposition <i>to Exclude Certain Evidence at Trial and to Allow Use of Leading Questions</i> filed by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Attachments: # <u>1</u> Exhibit Relevant Excerpts From the Transcripts of the Depositions of Patricia Hars and Thomas Pound) (Herbst, Robert)

		(Entered: 10/27/2009)
10/27/2009	<u>252</u>	MEMORANDUM in Opposition to <i>Defendants Motion in Limine Regarding a Nominal Damages Charge, Informing the Jury About Two Phases of Trial, and Defendants Concession of Liability</i> filed by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Herbst, Robert) (Entered: 10/27/2009)
10/27/2009		Incorrect Case/Document/Entry Information: Document 250 has been deleted pursuant to the request of Shira Burton of Gifkin, Solotaroff, Anderson and Stuart firm. It was filed incorrectly as a motion and the correct document is filed as <u>252</u> . (Brienza, Lauren) (Entered: 10/28/2009)
10/28/2009		Email Notification Test – DO NOT REPLY (Mahon, Cinthia) (Entered: 10/28/2009)
10/29/2009	<u>253</u>	TRIAL BRIEF DEFENDANTS BRIEF ON THE APPLICABILITY OF THE PRISON LITIGATION REFORM ACT by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 10/29/2009)
10/29/2009	<u>254</u>	Letter regarding schedule for PLRA motion briefing by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Scanlon, Vera) (Entered: 10/29/2009)
10/29/2009	<u>255</u>	Letter with Exhibits to PLRA Brief by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit) (Saffran, Dennis) (Entered: 10/29/2009)
10/30/2009	<u>256</u>	Letter Responding to Defendants' 10.22.09 Letter by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 10/30/2009)
10/30/2009		ORDER re <u>254</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : Plaintiffs' application to amend the briefing schedule with respect to the PLRA is granted to the extent that Plaintiffs shall file their brief on or before 5:00 P.M. on November 4, 2009. Ordered by Senior Judge Denis R. Hurley on 10/30/2009. (Gapinski, Michele) (Entered: 10/30/2009)
10/30/2009		ORDER : To the extent that any party seeks to use a juror questionnaire said party shall file said proposed questionnaire no later than Friday, November 6, 2009. After receipt of the proposed questionnaire(s), the Court shall determine whether a questionnaire is appropriate and if so, its scope. Ordered by Senior Judge Denis R. Hurley on 10/30/2009. (Gapinski, Michele) (Entered: 10/30/2009)
10/30/2009	<u>257</u>	Letter requesting a two–day extension, to Wednesday November 4, in the time for both sides to submit reply papers on the motions in limine filed on October 14. by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 10/30/2009)
11/01/2009	<u>258</u>	NOTICE of Application for Writ by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Proposed Order Writ of Habeas Corpus Ad Testificandum, # <u>2</u> Proposed Order Writ of Habeas Corpus Ad Testificandum, # <u>3</u> Proposed Order Writ of Habeas Corpus Ad Testificandum, # <u>4</u> Proposed Order Writ of Habeas Corpus Ad Testificandum) (Ben–Sorek, Liora) (Entered: 11/01/2009)
11/02/2009		ORDER re <u>257</u> Letter, filed by Nassau County Sheriff's Department, Jane/John Does 1–200, Joseph Jablonsky, Nassau County, Thomas S. Gulotta : Defendants' application for a two–day extension is granted. Reply papers shall be served and filed on or before November 4, 2009. Ordered by Senior Judge Denis R. Hurley on 11/2/2009. (Gapinski, Michele) (Entered: 11/02/2009)
11/02/2009	<u>259</u>	Letter responding to plaintiffs' letter motion (D.E. 256) by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben–Sorek, Liora) (Entered: 11/02/2009)
11/02/2009		Incorrect Case/Document/Entry Information. Document <u>260</u> LETTER filed on 11/2/09 has been deleted at counsel's request and their notification to the court of a problem with the attachment. ( Counsel advised that they will re–file the document.) (Fagan, Linda) (Entered: 11/02/2009)

11/02/2009	<u>260</u>	Letter <i>notifying Court of two issues</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Lobasso, Christine) (Entered: 11/02/2009)
11/04/2009	<u>262</u>	Letter <i>requesting extension to Monday, November 9, 2009 for plaintiffs' PLRA opposition brief</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Scanlon, Vera) (Entered: 11/04/2009)
11/04/2009	<u>263</u>	REPLY in Support of <i>Plaintiffs' Motions In Limine to Exclude Certain Evidence at Trial</i> filed by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Attachments: # <u>1</u> Exhibit Relevant Excerpts of Witness Depositions Transcripts and Court Conference) (Herbst, Robert) (Entered: 11/04/2009)
11/04/2009	<u>264</u>	REPLY in Support re <u>237</u> MOTION in Limine <i>to: Exclude Testimony Substantially at Odds with the Findings in Shain v. Ellison, Allow the Jury to Award Nominal or Minimal Damages, and Inform the Jury That There Are Two Phases to the Trial</i> filed by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 11/04/2009)
11/04/2009	<u>265</u>	REPLY in Support re <u>238</u> MOTION in Limine <i>To Exclude Certain Evidence And Allow Of Use Leading Questions</i> filed by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department. (Attachments: # <u>1</u> Appendix Deposition Excerpts) (Saffran, Dennis) (Entered: 11/04/2009)
11/05/2009		ORDER re <u>262</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : Plaintiffs' application for an extension until Monday, November 9, 2009, to file opposition to the motion relating to the PLRA is granted. The Court notes, however, that it is unable at this time to concur in Plaintiffs' conclusion that the extension of time will not delay the trial as such a determination cannot be made until the issues have been fully framed. Ordered by Senior Judge Denis R. Hurley on 11/5/2009. (Entered: 11/05/2009)
11/05/2009	<u>266</u>	Letter <i>attaching deposition transcript excerpts</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Appendix Excerpts from the transcript of the deposition of Kevin Murray) (Saffran, Dennis) (Entered: 11/05/2009)
11/05/2009	<u>267</u>	NOTICE of Appearance by Martin E. Restituyo on behalf of John Iaffaldano (aty to be noticed) (Restituyo, Martin) (Entered: 11/05/2009)
11/06/2009		ORDER re <u>236</u> MOTION in Limine, <u>238</u> MOTION in Limine, <u>237</u> MOTION in Limine: A hearing on the pending motions in limine shall be held on Thursday, November 12, 2009 at 2:00 p.m. Ordered by Senior Judge Denis R. Hurley on 11/6/2009. (Entered: 11/06/2009)
11/06/2009	<u>268</u>	Letter <i>with Enclosure of Plaintiffs' Proposed Jury Questionnaire</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 11/06/2009)
11/09/2009	<u>269</u>	Letter <i>regarding Plaintiffs' proposed juror questionnaire</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 11/09/2009)
11/09/2009	<u>270</u>	MEMORANDUM in Opposition to <i>Defendants' Motion Under the PLRA</i> filed by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Attachments: # <u>1</u> Exhibit Relevant Excerpt of the Deposition of Heidi Kane) (Herbst, Robert) (Entered: 11/09/2009)
11/10/2009		ORDER : In order to allow for the Court's consideration of the recently briefed motion concerning the Prison Litigation Reform Act, the trial of this action, currently scheduled for November 16, 2009, is hereby adjourned to November 30, 2009. Ordered by Senior Judge Denis R. Hurley on 11/10/2009. (Entered: 11/10/2009)
11/11/2009	<u>271</u>	Letter <i>Replying to County's 11.9.09 Letter Re: Jury Questionnaire</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 11/11/2009)



11/13/2009		ORAL ORDERS granting in part and denying in part <u>236</u> Motion in Limine; granting in part and denying in part <u>237</u> Motion in Limine; granting in part and denying in part <u>238</u> Motion in Limine. See calendar for appearances.. Ordered by Senior Judge Denis R. Hurley on 11/12/2009. (Best, Patricia) (Entered: 11/13/2009)
11/13/2009	<u>272</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Motion Hearing held on 11/13/2009 re <u>236</u> MOTION in Limine to Exclude Certain Evidence at Trial, <u>238</u> MOTION in Limine To Exclude Certain Evidence And Allow Of Use Leading Questions filed by Nassau County, <u>237</u> MOTION in Limine to: Exclude Testimony Substantially at Odds with the Findings in Shain v. Ellison, Allow the Jury to Award Nominal or Minimal Damages, and Inform the Jury That There Are Two Phases to the Trial filed by Nassau County. Rulings placed on the record. (Court Reporter Owen Wicker.) (Best, Patricia) (Entered: 11/13/2009)
11/13/2009	<u>273</u>	Letter proposing Plaintiff's alternative Writs of Habeas Corpus Ad Testificandum by John Iaffaldano (Attachments: # <u>1</u> Proposed Writ of Habeas Corpus Ad Testificandum, # <u>2</u> Proposed Writ of Habeas Corpus Ad Testificandum, # <u>3</u> Proposed Writ of Habeas Corpus Ad Testificandum, # <u>4</u> Proposed Writ of Habeas Corpus Ad Testificandum, # <u>5</u> Proposed Writ of Habeas Corpus Ad Testificandum) (Restituyo, Martin) (Entered: 11/13/2009)
11/17/2009	<u>274</u>	Letter regarding Proposed Jury Instruction and Other Matters by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Attachments: # <u>1</u> Exhibit Plaintiffs' Proposed Revision to Court's Proposed Preliminary Instruction with track changes, # <u>2</u> Exhibit Plaintiffs' Proposed Revision to Court's Proposed Preliminary Instruction, # <u>3</u> Exhibit William Sas's Computerized Jail Records, # <u>4</u> Exhibit 08.19.1997 NCCC Male Clothing Room Log, # <u>5</u> Exhibit Relevant Excerpts from Deposition of Lt. Donlon, # <u>6</u> Exhibit Relevant Excerpts from Deposition of Oscar Avelar, # <u>7</u> Exhibit Kevin Murray's Computerized Jail Record and 03.29.1997 Male Clothing Room Log Book, # <u>8</u> Exhibit Relevant Excerpts From Deposition Transcripts, # <u>9</u> Exhibit Relevant Excerpt from 1997 Lesson Plan) (Herbst, Robert) (Entered: 11/17/2009)
11/18/2009		ORDER re <u>273</u> Letter, filed by John Iaffaldano, <u>258</u> Notice of Application for Writ, filed by Nassau County Sheriff's Department, Joseph Jablonsky, Nassau County : The parties are advised that the Court has issued writs of habeas corpus ad testificatum for the witnesses who are incarcerated. The signed writs are available in the Clerk's Office for pick by Defendants, whose obligation it is to serve the writs. Ordered by Senior Judge Denis R. Hurley on 11/18/2009. (Entered: 11/18/2009)
11/19/2009	<u>275</u>	ORDER re <u>253</u> Trial Brief filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County, Thomas S. Gulotta, <u>270</u> Memorandum in Opposition filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : Defendants have waived the defense of exhaustion under the PLRA. With respect to the PLRA's limitation on recovery, the Court orders additional briefing as it is not necessary for the Court to determine the exact number of members of plaintiff class at this juncture. See attached Memorandum & Order. Ordered by Senior Judge Denis R. Hurley on 11/19/2009. (Entered: 11/19/2009)
11/19/2009	<u>276</u>	Letter responding to plaintiffs letter on the book and bail issue and the Lesson Plan by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Exhibit Transcript Excerpts, 11-12-09 Conference, # <u>2</u> Exhibit HARRS Dep. pp. 13-15, # <u>3</u> Exhibit HARRS Dep. pp. 81-82, # <u>4</u> Exhibit HARRS Dep. pp. 111-12, # <u>5</u> Exhibit HARRS Dep. p. 12, # <u>6</u> Exhibit Pound Dep. p. 88, # <u>7</u> Exhibit HARRS Dep. pp. 185-86, # <u>8</u> Exhibit Pound Dep. p. 143-44, # <u>9</u> Exhibit Fanning Dep. pp. 131, 157-58, 168-69, # <u>10</u> Exhibit Donahue Dep. p. 160, # <u>11</u> Exhibit Tallon Dep. pp. 121-22, # <u>12</u> Exhibit Terry-Clark Dep. pp. 203-05, 213-14) (Saffran, Dennis) (Entered: 11/19/2009)
11/23/2009	<u>277</u>	APPLICATION for Writ of Habeas Corpus Ad Testificandum for Jamar Walton, Marlon Fann, Scott Irwin and Christopher Willard by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Proposed Order Writs) (Ben-Sorek, Liora) (Entered: 11/23/2009)
11/23/2009	<u>278</u>	APPLICATION for Writ of Habeas Corpus Ad Testificandum Letter in Response to Defendants' Application for New Writs of Habeas Corpus Ad Testificandum by John Iaffaldano (Restituyo, Martin) (Entered: 11/23/2009)

11/23/2009		ORDER re <u>277</u> Application for Writ, filed by Nassau County Sheriff's Department, Joseph Jablonsky, Nassau County : The Court has issued amended writs of habeas corpus ad testificandum. They are available for pick-up by Defendants in the Clerk's Office. Ordered by Senior Judge Denis R. Hurley on 11/23/2009. (Gapinski, Michele) (Entered: 11/23/2009)
11/23/2009		ORDER re <u>278</u> Application for Writ filed by John Iaffaldano; According to the information received by the Court, the U.S. Marshalls will not transport the individuals in state custody. Accordingly, the witnesses will be housed at Sing Sing and transported to the Courthouse for their testimony by the New York State Department of Correctional Services. Ordered by Senior Judge Denis R. Hurley on 11/23/2009. (Gapinski, Michele) (Entered: 11/23/2009)
11/23/2009	<u>279</u>	Letter regarding book & bail issue, lesson plan and inmate worker records by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Attachments: # <u>1</u> Exhibit A--selection pages from deposition of Patricia Harris) (Scanlon, Vera) (Entered: 11/23/2009)
11/23/2009	<u>280</u>	Letter with Suggested Revisions to Preliminary Jury Instructions by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Exhibit Proposed Revisions to Preliminary Jury Instructions, Track Changes Version, # <u>2</u> Exhibit Proposed Revisions to Preliminary Jury Instructions, Final Form Version) (Saffran, Dennis) (Entered: 11/23/2009)
11/25/2009	<u>281</u>	Letter to Court Consenting to Trial Before Judge Hurley by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 11/25/2009)
11/29/2009	<u>282</u>	Letter regarding plaintiffs' last-minute notice of intent to read deposition transcripts and service of subpoenas by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 11/29/2009)
11/29/2009	<u>283</u>	Letter responding to Defendants' objections to designations and subpoenas by Gardy Augustin (Wang, Mariann) (Entered: 11/29/2009)
12/01/2009	<u>284</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Bench Trial begun on 11/30/2009 (Court Reporter Dom Tursi.) (Best, Patricia) (Entered: 12/01/2009)
12/01/2009	<u>285</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Bench Trial held on 12/1/2009 (Court Reporter Dom Tursi.) (Best, Patricia) (Entered: 12/01/2009)
12/02/2009	<u>286</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Bench Trial held on 12/2/2009 (Court Reporter Dom Tursi.) (Best, Patricia) (Entered: 12/02/2009)
12/03/2009	<u>287</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Bench Trial held on 12/3/2009 (Court Reporter Dom Tursi.) (Best, Patricia) (Entered: 12/03/2009)
12/08/2009	<u>288</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Bench Trial held on 12/7/2009 (Court Reporter Dom Tursi / Ellen Combs.) (Best, Patricia) (Entered: 12/08/2009)
12/08/2009	<u>289</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Bench Trial held on 12/8/2009 (Court Reporter Dom Tursi / Ellen Combs.) (Best, Patricia) (Entered: 12/08/2009)
12/09/2009	<u>290</u>	NOTICE of Appearance by David A Schulz on behalf of Newsday LLC (aty to be noticed) (Schulz, David) (Entered: 12/09/2009)
12/09/2009	<u>291</u>	Letter to Hon. Denis R. Hurley regarding press access to off-site court proceeding at Nassau County jail by Newsday LLC (Schulz, David) (Entered: 12/09/2009)
12/10/2009	<u>292</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Bench Trial held on 12/09/2009 (Court Reporter Dom Tursi / Ellen Combs.) (Best, Patricia) (Entered: 12/10/2009)
12/10/2009	<u>293</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Bench Trial held on 12/10/2009 (Court Reporter Dom Tursi.) (Best, Patricia) (Entered: 12/10/2009)

		12/10/2009)
12/15/2009	<u>294</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Bench Trial held on 12/14/2009 (Court Reporter Harry Rapaport/ Owen Wicker.) (Best, Patricia) (Entered: 12/15/2009)
12/15/2009	<u>295</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Bench Trial held on 12/15/2009 (Court Reporter Harry Rapaport/ Owen Wicker.) (Best, Patricia) (Entered: 12/15/2009)
12/16/2009	<u>296</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Bench Trial completed on 12/16/2009 (Court Reporter Harry Rapaport / Stephanie Picozzi.) (Best, Patricia) (Entered: 12/16/2009)
12/30/2009		Incorrect Case/Document/Entry Information. Document <u>97</u> LETTER has been deleted.(A class member may not file documents in this case. All documents must be filed by counsel.) (Fagan, Linda) (Entered: 12/30/2009)
12/30/2009		Incorrect Case/Document/Entry Information. Document <u>298</u> Letter, has been deleted. (A class member may not file documents in this case. All documents must be filed by counsel.) (Fagan, Linda) (Entered: 12/30/2009)
01/05/2010	<u>297</u>	AFFIDAVIT/AFFIRMATION of <i>Martin E. Restituyo</i> by John Iaffaldano (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (Restituyo, Martin) (Entered: 01/05/2010)
01/08/2010	<u>298</u>	Letter from <i>Martin E. Restituyo</i> to <i>The Honorable Denis R. Hurley</i> by John Iaffaldano (Restituyo, Martin) (Entered: 01/08/2010)
01/22/2010	<u>299</u>	Letter requesting extension in time for filing of post-trial submissions by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 01/22/2010)
01/22/2010	<u>300</u>	Letter Opposing County's Requested Extension of Time by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 01/22/2010)
01/22/2010		ORDER re <u>300</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day, <u>299</u> Letter filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County, Thomas S. Gulotta : Defendants' application is granted to the extent that proposed findings of fact and conclusions of law shall be served and filed on or before February 19, 2010, and responses thereto shall be served and filed on or before March 19, 2010. Ordered by Senior Judge Denis R. Hurley on 1/22/2010. (Gapinski, Michele) (Entered: 01/22/2010)
01/22/2010	<u>301</u>	Letter requesting clarification of extension order by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 01/22/2010)
01/22/2010		ORDER re <u>301</u> Letter filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County, Thomas S. Gulotta : The time for Defendants to submit their briefs on the PLRA and "book and bail" issues is hereby extended to and including February 19, 2010. Ordered by Senior Judge Denis R. Hurley on 1/22/2010. (Gapinski, Michele) (Entered: 01/22/2010)
02/05/2010	<u>307</u>	Letter from Wayne Ruiz to Honorable Judge Denis R. Hurley, dated 2/1/2010 re: To request that the Court intervene in this action with respect to the denial of information and lack of communication of lead counsel Mr. Robert L. Herbst. (Fagan, Linda) Modified on 2/24/2010 (Fagan, Linda). (Entered: 02/23/2010)
02/17/2010	<u>302</u>	Letter requesting one-week extension of time to file proposed Findings of Fact and Conclusions of Law by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 02/17/2010)
02/18/2010	<u>303</u>	Letter Responding to County's Requested Extension of Time by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 02/18/2010)
02/18/2010		ORDER : A telephone conference shall be held in this matter today, Thursday, February 28, 2010 at 4:00 p.m. Defendants shall initiate the telephone call and all parties shall be on the line before calling Chambers at 631-712-5650. Ordered by

		Senior Judge Denis R. Hurley on 2/18/2010. (Gapinski, Michele) (Entered: 02/18/2010)
02/18/2010		ORDER : The schedule for submission of proposed findings of facts and conclusions of law is hereby revised as follows: The parties' initial submissions shall be served and filed on or before February 26, 2010; responses thereto shall be served and filed on or before March 26, 2010. Ordered by Senior Judge Denis R. Hurley on 2/18/2010. (Gapinski, Michele) (Entered: 02/18/2010)
02/19/2010	<u>304</u>	REPLY in Support re <u>274</u> Letter,, <i>regarding the "book &amp; bail" issue</i> filed by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Affidavit) (Saffran, Dennis) (Entered: 02/19/2010)
02/20/2010	<u>305</u>	REPLY in Support re <u>270</u> Memorandum in Opposition <i>in Opposition to Defendants' Motion Under the PLRA</i> filed by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 02/20/2010)
02/20/2010	<u>306</u>	REPLY in Support re <u>270</u> Memorandum in Opposition <i>to Defendants' PLRA Motion [PAGINATION CORRECTED]</i> filed by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 02/20/2010)
02/25/2010	<u>308</u>	ORDER re <u>276</u> Letter, <u>304</u> Reply in Support, <u>260</u> Letter, <u>274</u> Letter,: Order regarding "book and bail" issue. See attached. Ordered by Senior Judge Denis R. Hurley on 2/25/2010. (Gapinski, Michele) (Entered: 02/25/2010)
02/26/2010	<u>309</u>	Proposed Findings of Fact by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 02/26/2010)
02/27/2010	<u>310</u>	Proposed Findings of Fact by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 02/27/2010)
03/01/2010	<u>311</u>	Proposed Findings of Fact by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 03/01/2010)
03/02/2010	<u>312</u>	Letter <i>regarding two additional opt outs with redacted forms</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Attachments: # <u>1</u> Exhibit Bonner opt out form redacted, # <u>2</u> Exhibit Zaporta opt out form redacted) (Scanlon, Vera) (Entered: 03/02/2010)
03/16/2010	<u>313</u>	NOTICE OF MOTION; to be added as one of the lead plttfs in this case. (Attachments: # <u>1</u> Affidavit in Support, # <u>2</u> Certificate of Service, # <u>3</u> Pro Se Envelope) (Fagan, Linda) (Entered: 03/16/2010)
03/16/2010		ORDER re <u>313</u> Notice (Other) : The parties are directed to file, on or before April 16, 2010, letter briefs addressing the application of Marilyn Bloch to be added as one of the lead plaintiffs (Dkt. No. 313). Copies of said letter briefs are also to be served on Ms. Bloch at the address set forth on her application. Ordered by Senior Judge Denis R. Hurley on 3/16/2010. (Gapinski, Michele) (Entered: 03/16/2010)
03/22/2010	<u>314</u>	Letter <i>requesting permission for parties to exceed page limit for responses to the proposed Findings of Fact and Conclusions of Law</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 03/22/2010)
03/23/2010		ORDER re <u>314</u> Letter, filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County, Thomas S. Gulotta : The application to allow the parties to exceed the Court's usual page limitation is granted. Ordered by Senior Judge Denis R. Hurley on 3/23/2010. (Gapinski, Michele) (Entered: 03/23/2010)
03/23/2010	<u>315</u>	Letter <i>with plaintiffs' first request to extend time to file responses</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Scanlon, Vera) (Entered: 03/23/2010)

03/24/2010		ORDER re <u>315</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day ; The application to modify the briefing schedule is granted on consent. Ordered by Senior Judge Denis R. Hurley on 3/24/2010. (Gapinski, Michele) (Entered: 03/24/2010)
04/05/2010	<u>316</u>	Letter <i>to Court seeking extension of time and conference</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 04/05/2010)
04/05/2010		ORDER re <u>316</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : Plaintiffs' application is granted as follows: The submissions currently due on April 6, 2010 shall be served and filed on or before April 13, 2010. A conference shall be held in this matter on Wednesday April 14, 2010 at 2:00 p.m. Ordered by Senior Judge Denis R. Hurley on 4/5/2010. (Gapinski, Michele) (Entered: 04/05/2010)
04/12/2010	<u>317</u>	Letter <i>Responding to Defendants' 2.20.10 Filing on the PLRA Issue</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 04/12/2010)
04/14/2010	<u>318</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley:Status Conference held on 4/13/2010. A further status conference will be held on May 7, 2010 at 3:30 pm if the issues are not resolved by the parties (Court Reporter Dom Tursi.) (Best, Patricia) (Entered: 04/14/2010)
04/14/2010	<u>319</u>	REPLY in Opposition re <u>309</u> Proposed Findings of Fact <i>filed by Plaintiffs</i> , filed by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department. (Attachments: # <u>1</u> Exhibit) (Saffran, Dennis) (Entered: 04/14/2010)
04/14/2010	<u>320</u>	Proposed Findings of Fact by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 04/14/2010)
04/16/2010		ORDER : As the first portion of the trial is now fully framed and ripe for determination, the parties are hereby directed to file, on or before May 17, 2010, their respective proposals on how to proceed with the remainder of these proceedings. The submissions should include how to address the remaining damages issues, the procedure for filing claims, and any other appropriate items. To the extent the parties wish to reply to each others proposals, they may do so on or before June 2, 2010. Ordered by Senior Judge Denis R. Hurley on 4/16/2010. (Gapinski, Michele) (Entered: 04/16/2010)
04/16/2010	<u>321</u>	Letter <i>with Exhibit Designation Conversion Chart</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Exhibit Exhibit Conversion Chart) (Saffran, Dennis) (Entered: 04/16/2010)
04/19/2010		ORDER re <u>321</u> Letter filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County, Thomas S. Gulotta : Defendants are directed to refile their reply with the corrected exhibits numbers on or before April 26, 2010. A courtesy copy of the corrected brief should also be provided to Chambers. Ordered by Senior Judge Denis R. Hurley on 4/19/2010. (Entered: 04/19/2010)
04/21/2010	<u>322</u>	MEMORANDUM in Opposition re <u>313</u> Notice (Other) filed by John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Attachments: # <u>1</u> Certificate of Service) (Herbst, Robert) (Entered: 04/21/2010)
04/21/2010	<u>323</u>	MEMORANDUM in Opposition re Order, <i>directing parties to file letter briefs on the application of Marilyn Bloch to be added as one of the lead plaintiffs (Dkt. No. 313)</i> filed by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 04/21/2010)
04/22/2010	<u>325</u>	Letter from Marilyn Bloch to Judge Hurley, dated April 16, 2010 re: To request to be designated as a "lead plaintiff" in this action. (Fagan, Linda) (Entered: 04/23/2010)
04/23/2010	<u>324</u>	REPLY in Opposition ( <i>Amended as per 4/19/10 Order of the Court</i> ) filed by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Attachments: # <u>1</u> Exhibit Chart) (Ben-Sorek, Liora) (Entered: 04/23/2010)

04/23/2010	<u>326</u>	ORDER re <u>313</u> : The application of Marilyn Bloch to be a named plaintiff is denied. See attached Order. Ordered by Senior Judge Denis R. Hurley on 4/23/2010.(Copy of Order mailed by Chambers to movant). (Entered: 04/23/2010)
05/04/2010	<u>329</u>	Letter from Marilyn Bloch to Judge Hurley, dated April 30, 2010 re: To request to name "Block" a lead plttf in this action, purs. to Title 28, Part IV, Chapter 85, and as further set forth herein. Attachments: # <u>1</u> Pro Se Envelope) (Fagan, Linda) (Entered: 05/05/2010)
05/05/2010	<u>327</u>	NOTICE of "Motion to be added as lead plaintiff and affidavit", by Marilyn Bloch (Attachments: # <u>1</u> Attachment 1 (Letter from U.S. Dept of Commerce to Marilyn Block, dated 10/2/09), # <u>2</u> Attachment 2 (Pro Se Envelope)) (Fagan, Linda) (Entered: 05/05/2010)
05/05/2010	<u>328</u>	NOTICE of "Motion for being first class plaintiff" by Marilyn Block (Attachments: # <u>1</u> Affidavit in Support, # <u>2</u> Pro Se Envelope) (Fagan, Linda) (Entered: 05/05/2010)
05/07/2010	<u>330</u>	Letter <i>requesting adjournment of book &amp; bail follow-up conference</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 05/07/2010)
05/10/2010		ORDER re <u>330</u> Letter filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County, Thomas S. Gulotta : Over the objection of Plaintiffs, the conference scheduled for today at 2:00 p.m. is adjourned to Monday May 17, 2010 at 2:00p.m. No further adjournments will be granted. Ordered by Senior Judge Denis R. Hurley on 5/10/2010. (Gapinski, Michele) (Entered: 05/10/2010)
05/10/2010		ORDER: By Order dated April 16, 2010, the Court directed the parties to file, on or before May 17, 2010, their respective proposals on how to proceed with the remainder of this matter. Said submissions are to be filed no later than 9:30 a.m. on May 17, 2010 and the parties should be prepared to discuss their proposals at the conference now scheduled for May 17, 2010 at 2:00 p.m. Ordered by Senior Judge Denis R. Hurley on 5/10/2010. (Gapinski, Michele) (Entered: 05/10/2010)
05/11/2010	<u>333</u>	NOTICE OF APPEAL as to <u>326</u> Order by Marilyn Bloch. (Romano, Daniel) (Entered: 05/18/2010)
05/17/2010	<u>331</u>	Letter <i>per the Courts Orders of April 16 and May 10, 2010 regarding proposals for how to proceed with the remainder of these proceedings</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Exhibit Claim Form, McBean v. City of New York, 02 Civ. 5426 (S.D.N.Y.)) (Saffran, Dennis) (Entered: 05/17/2010)
05/17/2010	<u>332</u>	Letter <i>Regarding Next Steps</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 05/17/2010)
05/18/2010		Electronic Index to Record on Appeal sent to US Court of Appeals. For docket entries without a hyperlink, contact the court and we'll arrange for the document(s) to be made available to you. <u>233</u> Letter, <u>273</u> Letter, <u>236</u> Motion in Limine, <u>92</u> Letter, <u>113</u> Letter, <u>106</u> Notice of Appeal, <u>153</u> Order, <u>219</u> Memorandum in Opposition, <u>308</u> Order, <u>127</u> Motion to Certify Class, <u>326</u> Order, <u>182</u> Notice(Other), <u>141</u> Letter, <u>90</u> Letter, <u>318</u> Status Conference, <u>195</u> Letter,, <u>329</u> Letter, <u>176</u> Response to Discovery, <u>140</u> Letter, <u>229</u> Letter, <u>117</u> Status Conference, <u>244</u> Letter, <u>151</u> Letter, <u>91</u> Pretrial Conference – Interim, <u>212</u> Order, <u>108</u> Notice of Appearance, <u>305</u> Reply in Support, <u>143</u> Letter, <u>207</u> Letter, <u>119</u> USCA Mandate, <u>201</u> Letter, <u>131</u> Motion to Adjourn Conference, <u>253</u> Trial Brief, <u>148</u> Letter, <u>325</u> Letter, <u>133</u> Settlement Conference, <u>282</u> Letter, <u>196</u> Status Conference, <u>168</u> Letter, <u>262</u> Letter, <u>116</u> Letter, <u>331</u> Letter, <u>287</u> Bench Trial – Held, <u>166</u> Letter, <u>272</u> Motion Hearing,, <u>163</u> Order,, <u>274</u> Letter,, <u>134</u> Settlement Conference, <u>330</u> Letter, <u>232</u> Letter, <u>142</u> Letter, <u>271</u> Letter, <u>152</u> Letter, <u>172</u> Order, <u>235</u> Letter, <u>211</u> Memorandum in Opposition, <u>89</u> Order on Motion to Certify Class, <u>293</u> Bench Trial – Held, <u>247</u> Proposed Pretrial Order, <u>173</u> Motion for Discovery, <u>137</u> Settlement Conference, <u>224</u> Letter, <u>276</u> Letter,, <u>154</u> Letter, <u>138</u> Notice of Appearance, <u>289</u> Bench Trial – Held, <u>158</u> Order, <u>234</u> Status Report, <u>298</u> Letter, <u>230</u> Telephone Conference, <u>109</u> USCA Scheduling Order, <u>275</u> Order,, <u>251</u> Memorandum in Opposition, <u>258</u> Notice of Application for Writ, <u>179</u> Letter, <u>123</u> Motion for Extension of Time to File, <u>257</u> Letter, <u>304</u> Reply in Support, <u>327</u> Notice (Other), <u>302</u> Letter, <u>265</u> Reply in Support, <u>267</u> Notice of Appearance, <u>115</u> Letter, <u>303</u> Letter, <u>121</u> Telephone Conference, <u>240</u> Letter, <u>238</u> Motion in Limine, <u>227</u> Reply in Support, <u>216</u> Letter, <u>321</u>

		Letter, <a href="#">291</a> Letter, <a href="#">296</a> Bench Trial – Completed, <a href="#">126</a> Motion to Certify Class, <a href="#">333</a> Notice of Appeal, <a href="#">128</a> Order on Motion to Certify Class, <a href="#">174</a> Response to Motion, <a href="#">190</a> Proposed Jury Instructions, <a href="#">120</a> Letter, <a href="#">255</a> Letter, <a href="#">203</a> Letter, <a href="#">150</a> Motion for Reconsideration, <a href="#">214</a> Motion in Limine, <a href="#">149</a> Letter, <a href="#">162</a> Letter, <a href="#">259</a> Letter, <a href="#">254</a> Letter, <a href="#">222</a> Memorandum in Opposition, <a href="#">239</a> Notice of Appearance, <a href="#">295</a> Bench Trial – Held, <a href="#">285</a> Bench Trial – Held, <a href="#">169</a> Telephone Conference, <a href="#">145</a> Pretrial Conference – Final, <a href="#">299</a> Letter, <a href="#">178</a> Letter, <a href="#">185</a> Witness List, <a href="#">193</a> Notice of Appearance, <a href="#">97</a> Settlement Conference, <a href="#">159</a> Letter, <a href="#">317</a> Letter, <a href="#">96</a> Letter, <a href="#">328</a> Notice (Other), <a href="#">284</a> Bench Trial – Begun, <a href="#">205</a> Letter, <a href="#">256</a> Letter, <a href="#">155</a> Letter, <a href="#">320</a> Proposed Findings of Fact, <a href="#">104</a> Stipulation and Order, <a href="#">220</a> Memorandum in Opposition, <a href="#">315</a> Letter, <a href="#">94</a> Letter, <a href="#">95</a> Letter, <a href="#">112</a> Letter, <a href="#">324</a> Reply in Opposition, <a href="#">130</a> Order,, <a href="#">175</a> Response to Discovery, <a href="#">316</a> Letter, <a href="#">192</a> Letter, <a href="#">139</a> Letter, <a href="#">107</a> Certificate of Service, <a href="#">241</a> Motion for Pre Motion Conference, <a href="#">281</a> Letter, <a href="#">186</a> Proposed Jury Instructions, <a href="#">194</a> Proposed Pretrial Order, <a href="#">269</a> Letter, <a href="#">147</a> Letter, <a href="#">164</a> Letter, <a href="#">197</a> Order, <a href="#">184</a> Witness List, <a href="#">204</a> Letter, <a href="#">279</a> Letter, <a href="#">266</a> Letter, <a href="#">294</a> Bench Trial – Held, <a href="#">144</a> Letter, <a href="#">311</a> Proposed Findings of Fact, <a href="#">136</a> Docket Annotation, <a href="#">277</a> Application for Writ, <a href="#">263</a> Reply in Support, <a href="#">202</a> Letter, <a href="#">290</a> Notice of Appearance, <a href="#">301</a> Letter, <a href="#">93</a> Letter, <a href="#">226</a> Letter, <a href="#">283</a> Letter, <a href="#">297</a> Affidavit, <a href="#">187</a> Proposed Voir Dire, <a href="#">199</a> Letter, <a href="#">314</a> Letter, <a href="#">105</a> Judgment,,,,, <a href="#">213</a> Letter, <a href="#">237</a> Motion in Limine, <a href="#">312</a> Letter, <a href="#">215</a> Motion in Limine, <a href="#">161</a> Letter, <a href="#">252</a> Memorandum in Opposition, <a href="#">310</a> Proposed Findings of Fact, <a href="#">124</a> Motion for Extension of Time to File Response/Reply, <a href="#">306</a> Reply in Support, <a href="#">180</a> Motion for Extension of Time to Complete Discovery, Motion for Extension of Time to File,,,, <a href="#">246</a> Letter, <a href="#">146</a> Order,, <a href="#">245</a> Letter, <a href="#">225</a> Order, <a href="#">103</a> Settlement Agreement, <a href="#">200</a> Letter, <a href="#">165</a> NOTICE of Change of Address/Firm/Email, <a href="#">323</a> Memorandum in Opposition, <a href="#">322</a> Memorandum in Opposition, <a href="#">99</a> Order Dismissing Case, <a href="#">125</a> Order, <a href="#">177</a> Letter, <a href="#">223</a> Response to Motion, <a href="#">160</a> Order, <a href="#">307</a> Letter, <a href="#">209</a> Memorandum in Support, <a href="#">243</a> Status Conference, <a href="#">231</a> Telephone Conference, <a href="#">268</a> Letter, <a href="#">288</a> Bench Trial – Held, <a href="#">129</a> Appeal Record Sent to USCA, <a href="#">183</a> Notice(Other), <a href="#">217</a> Letter, <a href="#">132</a> Letter, <a href="#">278</a> Application for Writ, <a href="#">157</a> Letter, <a href="#">228</a> Reply in Support, <a href="#">292</a> Bench Trial – Held, <a href="#">260</a> Letter, <a href="#">248</a> Letter, <a href="#">332</a> Letter, <a href="#">300</a> Letter, <a href="#">191</a> Letter, <a href="#">122</a> Order,, <a href="#">286</a> Bench Trial – Held, <a href="#">313</a> Notice (Other), <a href="#">114</a> Letter, <a href="#">170</a> Letter, <a href="#">118</a> Status Conference, <a href="#">221</a> Letter, <a href="#">249</a> Response to Motion, <a href="#">264</a> Reply in Support, <a href="#">171</a> Letter, <a href="#">101</a> Notice (Other), <a href="#">98</a> Letter, <a href="#">135</a> Exhibit, <a href="#">309</a> Proposed Findings of Fact, <a href="#">218</a> Memorandum in Opposition, <a href="#">188</a> Exhibit, <a href="#">206</a> Letter, <a href="#">319</a> Reply in Opposition, <a href="#">242</a> Letter, <a href="#">198</a> Letter, <a href="#">208</a> Letter, <a href="#">189</a> Proposed Voir Dire, <a href="#">210</a> Memorandum in Opposition, <a href="#">110</a> Designation of Record on Appeal, <a href="#">270</a> Memorandum in Opposition, <a href="#">280</a> Letter, <a href="#">167</a> Motion for Discovery, <a href="#">102</a> Letter (Romano, Daniel) (Entered: 05/18/2010)
05/26/2010	<a href="#">334</a>	Letter <i>with Defendants Proposed Language for Claims Notice to Book &amp; Bails on Class Database</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 05/26/2010)
05/26/2010	<a href="#">335</a>	Letter <i>Regarding Suggested Language for the Book &amp; Bail Claim Form</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 05/26/2010)
05/28/2010	<a href="#">336</a>	Letter <i>Amplifying Plaintiffs' Views on Class Garden Variety Emotional Damages and General Damages</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 05/28/2010)
06/02/2010	<a href="#">337</a>	Letter from Marilyn Block to Judge Hurley, dated May 26, 2010 in further support of her request to be designated as a "lead plaintiff" in this action. (Attachments: # <a href="#">1</a> Pro Se Envelope) (Fagan, Linda) (Entered: 06/02/2010)
06/02/2010	<a href="#">338</a>	Letter <i>in Reply to Plaintiffs' Letter Regarding Special Damages Phase Procedures</i> by Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department (Attachments: # <a href="#">1</a> Exhibit Defendants' May 17, 2010 Letter – Corrected Copy) (Saffran, Dennis) (Entered: 06/03/2010)
06/07/2010	<a href="#">339</a>	ORDER re <a href="#">329</a> Letter, <a href="#">327</a> Notice (Other), <a href="#">337</a> Letter, <a href="#">328</a> Notice (Other) : Construing the additional materials received from Bloch as a request for reconsideration of the Court's April 23, 2010 Order denying her application to become a named plaintiff, reconsideration is denied. See attached Order.Ordered by Senior Judge Denis R. Hurley on 6/7/2010. (Copy of Order mailed by Chambers to Bloch.) (Entered: 06/07/2010)

06/07/2010	<a href="#">340</a>	Letter to Judge Hurley from Marily Bloch, dated May 27, 2010 re: To advise the Court of her change of address. (Attachments: # <a href="#">1</a> Pro Se Envelope) (Fagan, Linda) (Entered: 06/07/2010)
06/18/2010	<a href="#">341</a>	Mail Returned as Undeliverable; Envelope originally sent to Ms. Marilyn Bloch 6031 Polk St., Apt. 8 Hollywood, Fla. 33224, from Denis R. Hurley, containing a copy of the <a href="#">339</a> Order, returned on 6/18/2010, marked: "Return To Sender/No such Number/Unable To Forward". (Fagan, Linda) (Entered: 06/21/2010)
06/22/2010	<a href="#">342</a>	NOTICE OF APPEAL as to <a href="#">339</a> Order, by Marilyn Bloch. No fee paid. (Romano, Daniel) (Entered: 07/02/2010)
07/02/2010		Electronic Index to Record on Appeal sent to US Court of Appeals. For docket entries without a hyperlink, contact the court and we'll arrange for the document(s) to be made available to you. <a href="#">233</a> Letter, <a href="#">273</a> Letter, <a href="#">236</a> Motion in Limine, <a href="#">92</a> Letter, <a href="#">113</a> Letter, <a href="#">106</a> Notice of Appeal, <a href="#">153</a> Order, <a href="#">219</a> Memorandum in Opposition, <a href="#">308</a> Order, <a href="#">127</a> Motion to Certify Class, <a href="#">326</a> Order, <a href="#">182</a> Notice(Other), <a href="#">141</a> Letter, <a href="#">90</a> Letter, <a href="#">318</a> Status Conference, <a href="#">195</a> Letter,, <a href="#">329</a> Letter, <a href="#">176</a> Response to Discovery, <a href="#">140</a> Letter, <a href="#">229</a> Letter, <a href="#">117</a> Status Conference, <a href="#">244</a> Letter, <a href="#">151</a> Letter, <a href="#">91</a> Pretrial Conference – Interim, <a href="#">212</a> Order, <a href="#">108</a> Notice of Appearance, <a href="#">305</a> Reply in Support, <a href="#">143</a> Letter, <a href="#">207</a> Letter, <a href="#">119</a> USCA Mandate, <a href="#">201</a> Letter, <a href="#">131</a> Motion to Adjourn Conference, <a href="#">253</a> Trial Brief, <a href="#">148</a> Letter, <a href="#">325</a> Letter, <a href="#">133</a> Settlement Conference, <a href="#">282</a> Letter, <a href="#">196</a> Status Conference, <a href="#">168</a> Letter, <a href="#">262</a> Letter, <a href="#">116</a> Letter, <a href="#">331</a> Letter, <a href="#">287</a> Bench Trial – Held, <a href="#">166</a> Letter, <a href="#">272</a> Motion Hearing,, <a href="#">163</a> Order,, <a href="#">274</a> Letter,, <a href="#">134</a> Settlement Conference, <a href="#">330</a> Letter, <a href="#">232</a> Letter, <a href="#">142</a> Letter, <a href="#">271</a> Letter, <a href="#">152</a> Letter, <a href="#">172</a> Order, <a href="#">339</a> Order, <a href="#">235</a> Letter, <a href="#">211</a> Memorandum in Opposition, <a href="#">89</a> Order on Motion to Certify Class, <a href="#">293</a> Bench Trial – Held, <a href="#">247</a> Proposed Pretrial Order, <a href="#">173</a> Motion for Discovery, <a href="#">137</a> Settlement Conference, <a href="#">224</a> Letter, <a href="#">276</a> Letter,, <a href="#">154</a> Letter, <a href="#">138</a> Notice of Appearance, <a href="#">289</a> Bench Trial – Held, <a href="#">158</a> Order, <a href="#">234</a> Status Report, <a href="#">298</a> Letter, <a href="#">230</a> Telephone Conference, <a href="#">109</a> USCA Scheduling Order, <a href="#">275</a> Order,, <a href="#">251</a> Memorandum in Opposition, <a href="#">258</a> Notice of Application for Writ, <a href="#">179</a> Letter, <a href="#">334</a> Letter, <a href="#">123</a> Motion for Extension of Time to File, <a href="#">257</a> Letter, <a href="#">304</a> Reply in Support, <a href="#">327</a> Notice (Other), <a href="#">302</a> Letter, <a href="#">265</a> Reply in Support, <a href="#">338</a> Letter, <a href="#">267</a> Notice of Appearance, <a href="#">115</a> Letter, <a href="#">303</a> Letter, <a href="#">121</a> Telephone Conference, <a href="#">240</a> Letter, <a href="#">238</a> Motion in Limine, <a href="#">337</a> Letter, <a href="#">227</a> Reply in Support, <a href="#">216</a> Letter, <a href="#">321</a> Letter, <a href="#">291</a> Letter, <a href="#">296</a> Bench Trial – Completed, <a href="#">126</a> Motion to Certify Class, <a href="#">333</a> Notice of Appeal, <a href="#">128</a> Order on Motion to Certify Class, <a href="#">174</a> Response to Motion, <a href="#">190</a> Proposed Jury Instructions, <a href="#">120</a> Letter, <a href="#">255</a> Letter, <a href="#">203</a> Letter, <a href="#">150</a> Motion for Reconsideration, <a href="#">214</a> Motion in Limine, <a href="#">149</a> Letter, <a href="#">162</a> Letter, <a href="#">259</a> Letter, <a href="#">254</a> Letter, <a href="#">222</a> Memorandum in Opposition, <a href="#">239</a> Notice of Appearance, <a href="#">295</a> Bench Trial – Held, <a href="#">285</a> Bench Trial – Held, <a href="#">169</a> Telephone Conference, <a href="#">145</a> Pretrial Conference – Final, <a href="#">299</a> Letter, <a href="#">178</a> Letter, <a href="#">185</a> Witness List, <a href="#">193</a> Notice of Appearance, <a href="#">97</a> Settlement Conference, <a href="#">159</a> Letter, <a href="#">317</a> Letter, <a href="#">96</a> Letter, <a href="#">328</a> Notice (Other), <a href="#">284</a> Bench Trial – Begun, <a href="#">205</a> Letter, <a href="#">256</a> Letter, <a href="#">155</a> Letter, <a href="#">320</a> Proposed Findings of Fact, <a href="#">104</a> Stipulation and Order, <a href="#">220</a> Memorandum in Opposition, <a href="#">315</a> Letter, <a href="#">94</a> Letter, <a href="#">95</a> Letter, <a href="#">112</a> Letter, <a href="#">324</a> Reply in Opposition, <a href="#">130</a> Order,, <a href="#">175</a> Response to Discovery, <a href="#">341</a> Mail Returned, <a href="#">336</a> Letter, <a href="#">316</a> Letter, <a href="#">192</a> Letter, <a href="#">139</a> Letter, <a href="#">107</a> Certificate of Service, <a href="#">156</a> Letter, <a href="#">241</a> Motion for Pre Motion Conference, <a href="#">281</a> Letter, <a href="#">186</a> Proposed Jury Instructions, <a href="#">194</a> Proposed Pretrial Order, <a href="#">269</a> Letter, <a href="#">147</a> Letter, <a href="#">164</a> Letter, <a href="#">197</a> Order, <a href="#">184</a> Witness List, <a href="#">204</a> Letter, <a href="#">279</a> Letter, <a href="#">266</a> Letter, <a href="#">294</a> Bench Trial – Held, <a href="#">144</a> Letter, <a href="#">311</a> Proposed Findings of Fact, <a href="#">136</a> Docket Annotation, <a href="#">277</a> Application for Writ, <a href="#">263</a> Reply in Support, <a href="#">202</a> Letter, <a href="#">290</a> Notice of Appearance, <a href="#">301</a> Letter, <a href="#">93</a> Letter, <a href="#">226</a> Letter, <a href="#">283</a> Letter, <a href="#">297</a> Affidavit, <a href="#">187</a> Proposed Voir Dire, <a href="#">199</a> Letter, <a href="#">314</a> Letter, <a href="#">105</a> Judgment,,,,, <a href="#">213</a> Letter, <a href="#">237</a> Motion in Limine, <a href="#">312</a> Letter, <a href="#">215</a> Motion in Limine, <a href="#">161</a> Letter, <a href="#">252</a> Memorandum in Opposition, <a href="#">310</a> Proposed Findings of Fact, <a href="#">124</a> Motion for Extension of Time to File Response/Reply, <a href="#">342</a> Notice of Appeal, <a href="#">306</a> Reply in Support, <a href="#">180</a> Motion for Extension of Time to Complete Discovery, Motion for Extension of Time to File,,,, <a href="#">246</a> Letter, <a href="#">146</a> Order,, <a href="#">245</a> Letter, <a href="#">225</a> Order, <a href="#">103</a> Settlement Agreement, <a href="#">200</a> Letter, <a href="#">165</a> NOTICE of Change of Address/Firm/Email, <a href="#">323</a> Memorandum in Opposition, <a href="#">322</a> Memorandum in Opposition, <a href="#">99</a> Order Dismissing Case, <a href="#">125</a> Order, <a href="#">177</a> Letter, <a href="#">223</a> Response to Motion, <a href="#">160</a> Order, <a href="#">307</a> Letter, <a href="#">209</a> Memorandum in Support, <a href="#">243</a> Status Conference, <a href="#">231</a> Telephone Conference, <a href="#">268</a> Letter, <a href="#">288</a> Bench Trial – Held, <a href="#">129</a> Appeal Record Sent to USCA, <a href="#">183</a> Notice(Other), <a href="#">217</a> Letter, <a href="#">340</a> Letter, <a href="#">132</a> Letter, <a href="#">278</a> Application for Writ, <a href="#">157</a> Letter, <a href="#">228</a> Reply in Support, <a href="#">292</a> Bench Trial – Held, <a href="#">260</a> Letter, <a href="#">248</a> Letter, <a href="#">332</a> Letter, <a href="#">300</a> Letter, <a href="#">191</a> Letter, <a href="#">122</a> Order,, <a href="#">286</a>



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07/07/2010	<a href="#">343</a>	Letter <i>Regarding Administrator Invoice</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Attachments: # <a href="#">1</a> Exhibit Email Correspondence, # <a href="#">2</a> Exhibit Comparison of Estimate to Actual Costs, # <a href="#">3</a> Exhibit Statement, # <a href="#">4</a> Exhibit Invoice) (Herbst, Robert) (Entered: 07/07/2010)
07/08/2010		ORDER re <a href="#">343</a> Letter, filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : Defendants shall respond to Plaintiffs' letter of July 7, 2010 on or before July 16, 2010. Plaintiffs may then file a reply on or before July 21, 2010. After receipt of the foregoing, the Court shall determine whether a conference, in-person or otherwise, is necessary. Ordered by Senior Judge Denis R. Hurley on 7/8/2010. (Gapinski, Michele) (Entered: 07/08/2010)
07/14/2010	<a href="#">344</a>	NOTICE of Change of Address by Marilyn Bloch. (Fagan, Linda) (Entered: 07/15/2010)
07/14/2010	<a href="#">345</a>	MOTION for Leave to Appeal in forma pauperis by Marilyn Bloch. (Fagan, Linda) (Entered: 07/15/2010)
07/16/2010	<a href="#">346</a>	Letter <i>re: Plaintiffs' Letter Regarding Administrator Invoice</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department (Attachments: # <a href="#">1</a> Exhibit Email: "Proposed Resolution of Administrator Cost Overage Issue") (Saffran, Dennis) (Entered: 07/16/2010)
07/20/2010		Supplemental Record on Appeal transmitted to US Court of Appeals re <a href="#">333</a> Notice of Appeal, <a href="#">342</a> Notice of Appeal including original and three copies of the index, clerk's certificate, certified copy of the docket and original documents not filed electronically. USCA no.10–1984 (Romano, Daniel) (Entered: 07/20/2010)
07/20/2010	<a href="#">347</a>	Letter <i>re: status of dispute concerning Administrator fees</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1–200, Nassau County, Nassau County Sheriff's Department (Attachments: # <a href="#">1</a> Exhibit Email Correspondence re: Administrator Cost Issue) (Saffran, Dennis) (Entered: 07/20/2010)
07/22/2010	<a href="#">349</a>	USCA Acknowledgment for <a href="#">333</a> Notice of Appeal filed by Marilyn Bloch, <a href="#">342</a> Notice of Appeal filed by Marilyn Bloch. USCA 10–1984 (Romano, Daniel) (Entered: 07/30/2010)
07/27/2010	<a href="#">348</a>	Letter <i>re settlement of fee dispute with Administrator</i> by Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 07/27/2010)
07/27/2010		ORDER re <a href="#">348</a> Letter filed by Nassau County Sheriff's Department, <a href="#">343</a> Letter, filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : In accordance with the agreement of the parties resolving a dispute concerning fees billed by the Class Administrator pursuant to the Court's Order of April 7, 2009, defendants are directed to pay the Administrator, Rosenthal & Company LLC, \$8,101.50. Ordered by Senior Judge Denis R. Hurley on 7/27/2010. (Entered: 07/27/2010)
08/17/2010	<a href="#">350</a>	NOTICE Of Attorney Appearance by Frank X. Kilgannon on behalf of Angel Ortiz. (Attachments: # <a href="#">1</a> Affidavit of Service, # <a href="#">2</a> Cover Letter) (Fagan, Linda) (Entered: 08/18/2010)
08/19/2010	<a href="#">351</a>	ORDER TO SHOW CAUSE: Angel Ortiz and Frank X. Kilgannon shall show cause in writing filed on or before September 1, 2010 why the notice of appearance filed on August 18, 2010 should not be stricken given that there are currently four law firms appointed as counsel for members of the Plaintiff class. Class counsel and Defendants counsel may file a response on or before September 8, 2010. See attached Order. Ordered by Senior Judge Denis R. Hurley on 8/19/2010. (Gapinski, Michele) (Entered: 08/19/2010)

09/22/2010	<u>352</u>	ORDER re <u>253</u> Trial Brief filed by Nassau County, <u>306</u> Reply in Support, filed by Nassau County, <u>270</u> Memorandum in Opposition filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : For the reasons set forth in the accompanying Memorandum and Order, the Court holds that the recovery limitation of the Prison Litigation Reform Act of 1997 ("PLRA"), 42 U.S.C. § 1997e(e), is inapplicable to the present case. Ordered by Senior Judge Denis R. Hurley on 9/22/2010. (Gapinski, Michele) (Entered: 09/22/2010)
09/22/2010	<u>353</u>	FINDINGS OF FACT AND CONCLUSIONS OF LAW: The Court's Findings of Fact and Conclusions of Law pursuant to Fed. R. Civ. P. 52 on the issue of general damages sustained by class members are set forth in the attached Memorandum and Order. The parties are directed to appear on Friday, October 1, 2010 at 3:00 p.m. to discuss the next phase of the proceeding. Ordered by Senior Judge Denis R. Hurley on 9/22/2010. (Gapinski, Michele) (Entered: 09/22/2010)
09/29/2010	<u>354</u>	ORDER denying <u>345</u> Motion for Leave to Appeal in forma pauperis: Bloch's request to proceed in forma pauperis on her interlocutory appeal is denied. See attached. Ordered by Senior Judge Denis R. Hurley on 9/29/2010. (Chambers mailed copy of Order to movant.) (Entered: 09/29/2010)
10/01/2010	<u>355</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley: Status Conference held on 10/1/2010 (Court Reporter Harry Rapaport.) (Best, Patricia) (Entered: 10/05/2010)
10/06/2010	<u>356</u>	Letter <i>seeking clarification of two items in the Minute Entry for the October 1 Status Conference issued by the Court and proposing a briefing schedule</i> by Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Appendix Transcript of October 1, 2010 Conference) (Saffran, Dennis) (Entered: 10/06/2010)
10/06/2010	<u>357</u>	Letter <i>Opposing Defendants' Letter Seeking Extension of Time</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 10/06/2010)
10/06/2010		ORDER re <u>357</u> Letter filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day, <u>356</u> Letter, filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County : Defendants' application for additional time to file the submission currently due today is granted to the extent that the submission need not be filed today. The Court shall enter a separate order addressing the new filing date. Ordered by Senior Judge Denis R. Hurley on 10/6/2010. (Entered: 10/06/2010)
10/08/2010	<u>358</u>	ORDER re <u>355</u> Status Conference : Order (1) amending the minute entry for the status conference held on October 1, 2010 (Dkt. No. 355), and (2) modifying or setting briefing schedules. See attached Order for details. Ordered by Senior Judge Denis R. Hurley on 10/8/2010. (Gapinski, Michele) (Entered: 10/08/2010)
10/12/2010		ORDER: At the Court's direction, a settlement conference will be held on Wednesday, October 27, 2010 at 2:00 pm. The county is directed to have Nassau County Attorney John Ciampoli present at the conference. Ordered by Senior Judge Denis R. Hurley on 10/12/2010. (Best, Patricia) (Entered: 10/12/2010)
10/21/2010	<u>359</u>	Letter <i>requesting unsealing order for certain "book &amp; bail" documentation</i> by Thomas S. Gulotta, Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 10/21/2010)
10/22/2010		ORDER re <u>359</u> Letter filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County, Thomas S. Gulotta : Defendants are directed to provide further information, including the name of the class members, the court which sealed the file, and, to the extent known, the reason for sealing. In addition, Defendants should submit a proposed order. Ordered by Senior Judge Denis R. Hurley on 10/22/2010. (Gapinski, Michele) (Entered: 10/22/2010)
10/22/2010		ORDER : Defendants are directed to file the additional information set forth in this Court's Order of October 22, 2010 under seal. Ordered by Senior Judge Denis R. Hurley on 10/22/2010. (Gapinski, Michele) (Entered: 10/22/2010)

10/25/2010	<u>360</u>	Letter <i>with proposed unsealing order pursuant to the Court's Order of October 22, 2010</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Proposed Order) (Saffran, Dennis) (Entered: 10/25/2010)
10/25/2010	<u>362</u>	ORDER re <u>359</u> Letter filed by Nassau County Sheriff's Department, Jane/John Does 1–200, Joseph Jablonsky, Nassau County, Thomas S. Gulotta : Order allowing for disclosure of certain information. See attached. Ordered by Senior Judge Denis R. Hurley on 10/25/2010. (Gapinski, Michele) (Entered: 10/25/2010)
10/27/2010		ORDER : The parties should report to Courtroom 710 for today's conference. Ordered by Senior Judge Denis R. Hurley on 10/27/2010. (Gapinski, Michele) (Entered: 10/27/2010)
10/27/2010	<u>363</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley: Settlement Conference held on 10/27/2010 (Best, Patricia) (Entered: 10/28/2010)
11/01/2010	<u>364</u>	Letter <i>Reporting on the Parties' Progress on the Book &amp; Bail Issue</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 11/01/2010)
11/01/2010	<u>365</u>	MEMORANDUM OF LAW purs. to paragraphs (3) and(4) of the Court's October 8, 2010 Order, and related pre–motion conference request by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Attachments: # <u>1</u> Memorandum of Law in Opposition to Certification of a Damages Class, Feb. 13, 2007, # <u>2</u> Letter Regarding Proposals for Remainder of These Proceedings, May 17, 2010, # <u>3</u> Reply Letter Regarding Proposals for Remainder of These Proceedings, Jun. 2, 2010) (Saffran, Dennis) Modified on 11/2/2010 (Fagan, Linda). (Entered: 11/01/2010)
11/01/2010	<u>366</u>	Letter <i>Regarding Garden Variety Emotional Damages</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 11/01/2010)
11/01/2010		Motions terminated, docketed incorrectly: <u>365</u> MOTION for pre motion conference <i>on Decertification Motion and Brief Pursuant to Paragraphs (3) and (4) of the Courts October 8, 2010 Order, filed by Nassau County Sheriff's Department, Joseph Jablonsky, Nassau County. (The document should have been filed as a Memorandum of Law, and the Court will address the document as such. All corrections have been made.)</i> (Fagan, Linda) (Entered: 11/02/2010)
11/15/2010	<u>367</u>	Letter <i>re PLRA's Application to Special Damages</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 11/15/2010)
11/19/2010	<u>368</u>	Letter <i>requesting one–week extension to November 29, 2010 in time for submission of briefs on the cy pres issue pursuant to paragraph 5 of the Court's October 8, 2010 Order</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 11/19/2010)
11/19/2010		ORDER re <u>368</u> Letter, filed by Nassau County Sheriff's Department, Joseph Jablonsky, Nassau County : The application to modify the briefing schedule on the cy pres issue is hereby granted. Ordered by Senior Judge Denis R. Hurley on 11/19/2010. (Gapinski, Michele) (Entered: 11/19/2010)
11/19/2010	<u>369</u>	MEMORANDUM in Opposition re <u>358</u> Order, <i>DEFENDANTS MEMORANDUM OF LAW ON PRE–JUDGMENT AND POST–JUDGMENT INTEREST</i> filed by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 11/19/2010)
11/19/2010	<u>370</u>	Letter <i>Brief Regarding Judgment Interest</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 11/19/2010)
11/19/2010	<u>371</u>	Letter <i>Further Reporting on the Parties' Progress on the Book &amp; Bail Issue</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 11/19/2010)
11/22/2010	<u>372</u>	Letter <i>regarding response to plaintiffs letter on the status of the book and bail issue</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 11/22/2010)
11/29/2010	<u>373</u>	Letter <i>Brief in Support of a Class–wide Aggregate General Damages Judgment</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert)

		(Entered: 11/29/2010)
11/30/2010	<u>374</u>	MEMORANDUM in Opposition <i>TO THE CY PRES DISTRIBUTION OF UNCLAIMED GENERAL DAMAGES</i> filed by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 11/30/2010)
11/30/2010	<u>375</u>	Letter on <i>Pre-Judgment and Post-Judgment Interest</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 11/30/2010)
11/30/2010	<u>376</u>	Letter <i>Reply Brief on Pre-Judgment and Post-Judgment Interest</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 11/30/2010)
12/06/2010	<u>377</u>	Letter from Marilyn Block to Pro Se Clerk, dated November 29, 2010 re: To request that the Clerk "correct plttf's address". (Fagan, Linda) (Entered: 12/06/2010)
12/08/2010	<u>378</u>	Letter <i>requesting a one-week extension from December 10 to December 17, 2010 in time for submission of reply briefs on the cy pres issue</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 12/08/2010)
12/08/2010		ORDER re <u>378</u> Letter filed by Nassau County Sheriff's Department, Joseph Jablonsky, Nassau County : Defendants' application for a one week extension of time to file reply briefs on the cy pres issue is granted over the objection of Plaintiffs. Ordered by Senior Judge Denis R. Hurley on 12/8/2010. (Gapinski, Michele) (Entered: 12/08/2010)
12/16/2010		ORDER re <u>312</u> Letter, filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : Defendants are directed to advise the Court by letter filed no later than December 22, 2010 whether it objects to the exclusion of the two individuals referred to in Plaintiffs' letter of March 2, 2010. Ordered by Senior Judge Denis R. Hurley on 12/16/2010. (Gapinski, Michele) (Entered: 12/16/2010)
12/16/2010	<u>379</u>	Letter of <i>no objection to late opt-outs, in response to Court's Order this morning and Plaintiffs letter of March 2, 2010 (Doc. No. 312)</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 12/16/2010)
12/16/2010		ORDER re <u>312</u> Letter, filed by John Iaffaldano, Gardy Augustin, Stuart Moskowitz, Francis O'Day : Plaintiffs' application to exclude Rodney L. Bonner and Gustave J. Zaporta from the class is hereby granted on consent. Ordered by Senior Judge Denis R. Hurley on 12/16/2010. (Gapinski, Michele) (Entered: 12/16/2010)
12/17/2010	<u>380</u>	REPLY in Opposition <i>TO THE CY PRES DISTRIBUTION OF UNCLAIMED GENERAL DAMAGES</i> filed by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 12/17/2010)
12/17/2010	<u>381</u>	MEMORANDUM in Opposition to <i>Defendants' Memorandum on Cy Pres Distribution of Unclaimed Funds</i> filed by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Herbst, Robert) (Entered: 12/17/2010)
12/23/2010	<u>382</u>	MANDATE of USCA as to <u>342</u> Notice of Appeal filed by Marilyn Bloch: This Court has determined sua sponte that it lacks jurisdiction over this appeal because a final order has not been issued by the district court as contemplated by 28 U.S.C. § 1291. It is hereby ORDERED that the appeal is DISMISSED. It is further ORDERED that Appellants motion is DENIED as moot. (Russo, Eric) (Entered: 12/23/2010)
12/30/2010	<u>383</u>	Letter <i>Bringing to the Court's Attention Defendant's Recent Public Statement About Its Balanced Budget and Surplus</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 12/30/2010)
01/25/2011		ORDER. Defendants have asked for leave to move to decertify now that the issue of general damages has been resolved. Given that resolution of a motion to decertify may impact the applicability of the PLRA and the issue of an award of common special damages, the Court sets the following briefing schedule on the proposed motion to decertify: Defendants shall serve (but not file) moving papers on or before February 15, 2011; Plaintiffs shall serve (but not file) opposition papers on or before March 8, 2011; Defendants shall serve reply papers, if any, and file all papers with the Court, including a courtesy copy for Chambers, on or before March 18, 2011. Ordered by Senior Judge Denis R. Hurley on 1/25/2011. (Monaco, Laura) (Entered: 01/25/2011)

03/03/2011	<u>384</u>	Letter <i>requesting one-week extension for plaintiffs' opposition regarding class decertification</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Scanlon, Vera) (Entered: 03/03/2011)
03/03/2011		ORDER re <u>384</u> : Plaintiffs' request, on consent, for a one-week extension of the briefing schedule is GRANTED. Ordered by Senior Judge Denis R. Hurley on 3/3/2011. (Monaco, Laura) (Entered: 03/03/2011)
03/04/2011	<u>385</u>	Letter <i>requesting minor clarification of Order granting Plaintiffs request for extension of briefing schedule on decertification motion</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 03/03/2011)
03/04/2011		ORDER re <u>384</u> , <u>385</u> : Plaintiffs' March 3, 2011 request, on consent, for a one-week extension of the briefing schedule is GRANTED. Plaintiffs' opposition papers are to be served on or before March 15, 2011. Defendants shall serve reply papers, if any, and file all papers with the Court, including a courtesy copy for Chambers, on or before March 28, 2011. Ordered by Senior Judge Denis R. Hurley on 3/4/2011. (Monaco, Laura) (Entered: 03/04/2011)
03/28/2011	<u>386</u>	MEMORANDUM in Support of <i>DECERTIFICATION MOTION, February 15, 2011</i> , filed by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 03/28/2011)
03/28/2011	<u>387</u>	MEMORANDUM in Opposition re <u>386</u> Memorandum in Support of <i>DECERTIFICATION MOTION, March 15, 2011</i> , filed by John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Saffran, Dennis) (Entered: 03/28/2011)
03/28/2011	<u>388</u>	REPLY in Support re <u>386</u> Memorandum in Support of <i>DECERTIFICATION MOTION</i> filed by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 03/28/2011)
06/28/2011	<u>389</u>	Letter <i>to Court</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 06/28/2011)
10/19/2011	<u>390</u>	ORDER re <u>386</u> : For the reasons set forth in the attached Memorandum & Order, defendants' application is granted. Ordered by Senior Judge Denis R. Hurley on 10/19/2011. (Monaco, Laura) (Entered: 10/19/2011)
11/18/2011		Magistrate Judge Gary R. Brown added. Magistrate Judge Arlene R. Lindsay no longer assigned to case. (Bowens, Priscilla) (Entered: 11/18/2011)
11/21/2011	<u>391</u>	Letter <i>to Judge Hurley</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Attachments: # <u>1</u> Exhibit 1 (Letter 11/19/10), # <u>2</u> Exhibit 2 (Notice), # <u>3</u> Exhibit 3 (Claim)) (Herbst, Robert) (Entered: 11/21/2011)
11/22/2011		ORDER re <u>391</u> : Defendants are directed to file a written response to plaintiffs' November 21, 2011 letter on or before December 12, 2011. Plaintiffs will have the opportunity to submit a written reply on or before December 22, 2011. A hearing will be held on January 13, 2012 at 2:00 p.m. in Courtroom 930. Ordered by Senior Judge Denis R. Hurley on 11/22/2011. (Monaco, Laura) (Entered: 11/22/2011)
12/12/2011	<u>392</u>	Letter <i>per Memorandum &amp; Order of October 19, 2011 and Order of November 22, 2011 to address loose ends and reply to plaintiffs letter of November 21, 2011</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 12/12/2011)
12/13/2011	<u>393</u>	Letter <i>with Docket citation</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Exhibit McBean Claim Form) (Saffran, Dennis) (Entered: 12/13/2011)
12/21/2011	<u>394</u>	Letter <i>in response to Defendants December 12, 2011 letter on loose ends.</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 12/21/2011)
01/19/2012	<u>395</u>	Minute Entry for proceedings held before Senior Judge Denis R. Hurley: Status Conference held on 1/13/2012 (Court Reporter Harry Rapaport.) (Best, Patricia) (Entered: 01/19/2012)

01/20/2012	<u>396</u>	Letter <i>regarding service awards for unnamed plaintiffs</i> by Thomas S. Gulotta, Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 01/20/2012)
01/25/2012	<u>397</u>	ORDER re <u>395</u> Status Conference; re: To set forth proposals with respect to the Class Notice, the Class Action Claim Form, and other issues as set forth herein; that any written response by plttfs shall be submitted on or before February 3, 2012, and any reply shall be filed on or before February 10, 2012. ( Ordered by Senior Judge Denis R. Hurley on 1/25/2012.) (Fagan, Linda) (Entered: 01/26/2012)
01/26/2012	<u>398</u>	Letter <i>responding to defendant's letter on service awards</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 01/26/2012)
01/26/2012	<u>399</u>	Letter <i>requesting clarification of schedule for objections to or comments on the Courts proposed notices</i> by Thomas S. Gulotta, Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 01/26/2012)
01/27/2012		ORDER re <u>399</u> : The language in the Court's January 25, 2012 Memorandum & Order (as opposed to the docket text of the electronic entry) controls. The Memorandum & Order sets forth that submissions from both sides are to be filed on or before February 3, 2012, with responses due February 10, 2012. Ordered by Senior Judge Denis R. Hurley on 1/27/2012. (Monaco, Laura) (Entered: 01/27/2012)
01/31/2012	<u>400</u>	Letter <i>Regarding Plaintiffs' Motion for Approval of Attorneys' Fees</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 01/31/2012)
01/31/2012	<u>401</u>	Notice of MOTION for Attorney Fees by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Herbst, Robert) (Entered: 01/31/2012)
01/31/2012	<u>402</u>	MEMORANDUM in Support re <u>401</u> Notice of MOTION for Attorney Fees filed by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Herbst, Robert) (Entered: 01/31/2012)
01/31/2012	<u>403</u>	AFFIDAVIT/DECLARATION in Support re <u>401</u> Notice of MOTION for Attorney Fees of <i>Robert L. Herbst</i> filed by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (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) (Herbst, Robert) (Entered: 01/31/2012)
01/31/2012	<u>404</u>	AFFIDAVIT/DECLARATION in Support re <u>401</u> Notice of MOTION for Attorney Fees of <i>Wayne N. Outten</i> filed by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Herbst, Robert) (Entered: 01/31/2012)
01/31/2012	<u>405</u>	AFFIDAVIT/DECLARATION in Support re <u>401</u> Notice of MOTION for Attorney Fees of <i>Jeffrey G. Smith</i> filed by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day. (Herbst, Robert) (Entered: 01/31/2012)
02/03/2012	<u>406</u>	Letter <i>Providing Information and Comments Requested in January 25, 2012 Order</i> by Gardy Augustin (Herbst, Robert) (Entered: 02/03/2012)
02/03/2012	<u>407</u>	DECLARATION of <i>Jeff Gyomber Re:Case Website and Telephone Support</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 02/03/2012)
02/03/2012	<u>408</u>	Letter <i>regarding proposed Notice &amp; Claim forms, stay pending appeal, and briefing schedule for fee motion</i> by Thomas S. Gulotta, Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 02/03/2012)
02/06/2012	<u>409</u>	Letter <i>Regarding Briefing Schedule on Motion for Fees and Expenses</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Herbst, Robert) (Entered: 02/06/2012)
02/07/2012		ORDER re <u>401</u> : The Court has reviewed the parties' proposals regarding briefing the issue of plaintiffs' attorneys' fees. To the extent defendants intend to make "preliminary motions," such motions must be made by March 1, 2012. The Court will set a date for opposition to any such "preliminary motions" thereafter. If defendants do not intend to make "preliminary motions," their opposition to plaintiffs' motion for attorneys' fees shall be filed on or before March 23, 2012. Plaintiffs' reply shall be filed on or before April 13, 2012. Plaintiffs' pending motion, which was not filed in

		accordance with this Court's "bundle rule," is hereby administratively terminated and will be reinstated when all briefing has been completed. Ordered by Senior Judge Denis R. Hurley on 2/7/2012. (Monaco, Laura) (Entered: 02/07/2012)
02/10/2012	<u>410</u>	Letter <i>in reply to Plaintiffs' letter regarding proposed Notice &amp; Claim forms</i> by Thomas S. Gulotta, Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 02/10/2012)
02/10/2012	<u>411</u>	Letter <i>Replying to Defendants' February 3, 2012 Letter</i> by Gardy Augustin (Herbst, Robert) (Entered: 02/10/2012)
03/01/2012	<u>412</u>	Letter <i>Motion for an Order directing Plaintiffs to disclose time records supporting fee application</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 03/01/2012)
03/02/2012		ORDER re <u>412</u> : Plaintiffs' opposition to defendants' March 1, 2012 letter application shall be filed on or before March 19, 2012. Defendants' reply shall be filed on or before March 29, 2012. Ordered by Senior Judge Denis R. Hurley on 3/2/2012. (Monaco, Laura) (Entered: 03/02/2012)
03/18/2012	<u>413</u>	Letter <i>Opposing Disclosure of Time Records to Defendants</i> by Gardy Augustin (Herbst, Robert) (Entered: 03/18/2012)
03/19/2012	<u>414</u>	AFFIDAVIT/DECLARATION in Support re <u>401</u> Notice of MOTION for Attorney Fees filed by Stuart Moskowitz, Francis O'Day. (Brinckerhoff, Matthew) (Entered: 03/19/2012)
03/29/2012	<u>415</u>	Letter <i>Reply in Further Support of Disclosure of Time Records</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 03/29/2012)
04/10/2012	<u>416</u>	Letter <i>requesting pre-motion conference or briefing schedule on a motion to vacate summary judgment and dismiss in light of Florence v. Board of Chosen Freeholders</i> by Thomas S. Gulotta, Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 04/10/2012)
04/11/2012		ORDER re <u>416</u> : Plaintiffs' response shall be filed on or before April 20, 2012. Ordered by Senior Judge Denis R. Hurley on 4/11/2012. (Monaco, Laura) (Entered: 04/11/2012)
04/19/2012	<u>417</u>	Letter <i>requesting extension for response to defendants' letter concerning Florence (U.S. Sct.)</i> by Gardy Augustin (Scanlon, Vera) (Entered: 04/19/2012)
04/20/2012		ORDER re <u>417</u> : Plaintiffs' request, on consent, for an extension of time to submit a reply to defendants' pre-motion conference letter is granted. Plaintiffs' response shall be filed on or before April 25, 2012. Ordered by Senior Judge Denis R. Hurley on 4/20/2012. (Monaco, Laura) (Entered: 04/20/2012)
04/25/2012	<u>418</u>	Letter <i>Opposing Defendants' Pre-Motion Letter</i> by Gardy Augustin (Herbst, Robert) (Entered: 04/25/2012)
05/14/2012		ORDER re <u>416</u> , <u>418</u> : The Court has received and reviewed defendants' April 10, 2012 pre motion conference letter and plaintiffs' April 25, 2012 response. The Court hereby waives its pre-motion conference requirement and grants defendants' leave to file its motion. The parties are directed to confer and submit a proposed briefing schedule forthwith. Ordered by Senior Judge Denis R. Hurley on 5/14/2012. (Monaco, Laura) (Entered: 05/14/2012)
05/25/2012	<u>419</u>	Letter <i>Noting New Firm Appearance and Proposing Briefing Schedule</i> by Gardy Augustin (Herbst, Robert) (Entered: 05/25/2012)
05/30/2012	<u>420</u>	ORDER re <u>419</u> : The proposed briefing schedule set forth in the plaintiffs' May 25, 2012 letter is "So Ordered." See attached Order for additional rulings. Ordered by Senior Judge Denis R. Hurley on 5/30/2012. (Monaco, Laura) (Entered: 05/30/2012)
06/18/2012	<u>421</u>	Letter <i>requesting 6-day extension of all dates in the So-Ordered briefing schedule on motion to vacate and dismiss</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 06/18/2012)

06/19/2012		ORDER re <u>421</u> : Application granted. The proposed amended briefing schedule set forth in defendants' June 18, 2012 letter is "So Ordered." The motion shall be filed in accordance with the Court's "bundle rule." Ordered by Judge Denis R. Hurley on 6/19/2012. (Monaco, Laura) (Entered: 06/19/2012)
07/11/2012	<u>422</u>	NOTICE of Appearance by Jonathan C. Moore on behalf of Gardy Augustin (aty to be noticed) (Moore, Jonathan) (Entered: 07/11/2012)
07/12/2012	<u>423</u>	Letter <i>regarding withdrawal of Vera Scanlon as counsel of record</i> by Gardy Augustin, John Iaffaldano, Stuart Moskowitz, Francis O'Day (Scanlon, Vera) (Entered: 07/12/2012)
07/13/2012		ELECTRONIC ORDER re <u>423</u> . Plaintiffs' counsel's motion to withdraw as counsel of record is GRANTED. Attorney Vera M. Scanlon terminated. Ordered by Magistrate Judge Gary R. Brown on 7/13/2012. (Demosthenous, Constantina) (Entered: 07/13/2012)
07/27/2012	<u>424</u>	Letter <i>Seeking Revised Briefing Schedule</i> by Gardy Augustin (Herbst, Robert) (Entered: 07/27/2012)
07/30/2012		ORDER re <u>424</u> : The parties' proposed revised briefing schedule, set forth in their July 27, 2012 letter, is "So Ordered." Ordered by Judge Denis R. Hurley on 7/30/2012. (Monaco, Laura) (Entered: 07/30/2012)
08/01/2012	<u>425</u>	Letter dated 7/19/2012 from Vera M. Scanlon to August Marziliano requesting that she be terminated from case. (Marziliano, August) (Entered: 08/01/2012)
09/11/2012	<u>426</u>	Letter <i>requesting extension of time to file reply papers on motion</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 09/11/2012)
09/12/2012		ORDER re <u>426</u> : Defendants' request, on consent, for an extension of time through September 20, 2012 to serve reply papers and to file all papers with the Court is granted. Ordered by Judge Denis R. Hurley on 9/12/2012. (Monaco, Laura) (Entered: 09/12/2012)
09/20/2012	<u>427</u>	Letter <i>requesting extension of time to file reply papers on motion</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Saffran, Dennis) (Entered: 09/20/2012)
09/21/2012		ORDER re <u>427</u> Letter. Defendants' request, on consent, for an extension of time through September 29, 2012 to serve reply papers and to file all papers with the Court is granted. Ordered by Judge Denis R. Hurley on 9/21/2012. (Spatola, Richard) (Entered: 09/21/2012)
09/28/2012	<u>428</u>	MOTION to Dismiss <i>BASED ON INTERVENING CHANGE IN CONTROLLING LAW</i> , MOTION for Reconsideration of <i>PARTIAL SUMMARY JUDGMENT</i> , MOTION to Vacate <i>PARTIAL SUMMARY JUDGMENT</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Saffran, Dennis) (Entered: 09/28/2012)
09/28/2012	<u>429</u>	DECLARATION re <u>428</u> MOTION to Dismiss <i>BASED ON INTERVENING CHANGE IN CONTROLLING LAW</i> MOTION for Reconsideration of <i>PARTIAL SUMMARY JUDGMENT</i> MOTION to Vacate <i>PARTIAL SUMMARY JUDGMENT</i> Declaration of <i>Michael R. Golio in Support</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Exhibit Considine Shain Deposition excerpts 3-31-98, # <u>2</u> Exhibit Jablonsky Shain Deposition excerpts 10-27-98) (Saffran, Dennis) (Entered: 09/28/2012)
09/28/2012	<u>430</u>	MEMORANDUM in Opposition re <u>428</u> MOTION to Dismiss <i>BASED ON INTERVENING CHANGE IN CONTROLLING LAW</i> MOTION for Reconsideration of <i>PARTIAL SUMMARY JUDGMENT</i> MOTION to Vacate <i>PARTIAL SUMMARY JUDGMENT</i> filed by All Plaintiffs. (Saffran, Dennis) (Entered: 09/28/2012)
09/28/2012	<u>431</u>	AFFIDAVIT/DECLARATION in Opposition re <u>428</u> MOTION to Dismiss <i>BASED ON INTERVENING CHANGE IN CONTROLLING LAW</i> MOTION for Reconsideration of <i>PARTIAL SUMMARY JUDGMENT</i> MOTION to Vacate <i>PARTIAL SUMMARY JUDGMENT</i> Declaration of <i>Michael Fanning</i> filed by All Plaintiffs. (Saffran, Dennis) (Entered: 09/29/2012)



09/29/2012	<u>432</u>	AFFIDAVIT/DECLARATION in Opposition re <u>428</u> MOTION to Dismiss <i>BASED ON INTERVENING CHANGE IN CONTROLLING LAW</i> MOTION for Reconsideration of <i>PARTIAL SUMMARY JUDGMENT</i> MOTION to Vacate <i>PARTIAL SUMMARY JUDGMENT</i> Declaration of Heidi Kane filed by All Plaintiffs. (Saffran, Dennis) (Entered: 09/29/2012)
09/29/2012	<u>433</u>	AFFIDAVIT/DECLARATION in Opposition re <u>428</u> MOTION to Dismiss <i>BASED ON INTERVENING CHANGE IN CONTROLLING LAW</i> MOTION for Reconsideration of <i>PARTIAL SUMMARY JUDGMENT</i> MOTION to Vacate <i>PARTIAL SUMMARY JUDGMENT</i> Declaration of Mary Beth Paden [executed non-pdf copy dated 8-8-12 available] filed by All Plaintiffs. (Saffran, Dennis) (Entered: 09/29/2012)
09/29/2012	<u>434</u>	AFFIDAVIT/DECLARATION in Opposition re <u>428</u> MOTION to Dismiss <i>BASED ON INTERVENING CHANGE IN CONTROLLING LAW</i> MOTION for Reconsideration of <i>PARTIAL SUMMARY JUDGMENT</i> MOTION to Vacate <i>PARTIAL SUMMARY JUDGMENT</i> Declaration of Gregg Wills filed by All Plaintiffs. (Saffran, Dennis) (Entered: 09/29/2012)
09/29/2012	<u>435</u>	MEMORANDUM in Opposition re <u>428</u> MOTION to Dismiss <i>BASED ON INTERVENING CHANGE IN CONTROLLING LAW</i> MOTION for Reconsideration of <i>PARTIAL SUMMARY JUDGMENT</i> MOTION to Vacate <i>PARTIAL SUMMARY JUDGMENT</i> <i>REFILING WITH ATTACHMENTS</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Pre-Motion Opposition Letter dated 4-25-12, # <u>2</u> Declaration Donohue Declaration 12-31-98) (Saffran, Dennis) (Entered: 09/29/2012)
09/29/2012	<u>436</u>	REPLY in Support re <u>428</u> MOTION to Dismiss <i>BASED ON INTERVENING CHANGE IN CONTROLLING LAW</i> MOTION for Reconsideration of <i>PARTIAL SUMMARY JUDGMENT</i> MOTION to Vacate <i>PARTIAL SUMMARY JUDGMENT</i> Reply Memorandum dated Sept. 12, 2012 filed by All Defendants. (Saffran, Dennis) (Entered: 09/29/2012)
09/29/2012	<u>437</u>	REPLY in Support re <u>428</u> MOTION to Dismiss <i>BASED ON INTERVENING CHANGE IN CONTROLLING LAW</i> MOTION for Reconsideration of <i>PARTIAL SUMMARY JUDGMENT</i> MOTION to Vacate <i>PARTIAL SUMMARY JUDGMENT</i> ; <i>REPLY DECLARATION OF MICHAEL R. GOLIO</i> filed by All Defendants. (Attachments: # <u>1</u> Exhibit Nassau County Sheriff's Department Policies & Procedures No. CD-08-01-02, eff. June 14, 1994) (Saffran, Dennis) (Entered: 09/29/2012)
02/14/2013	<u>438</u>	Letter to Judge Denis R. Hurley from Tyrone O. Terrell, dated February 11, 2013 re: To request the Court's assistance as to the "form for damages" regarding the "strip search lawsuit against the Nassau County Jail." (Attachments: # <u>1</u> Letter to Robert Herbst, dated 2/11/2013, # <u>2</u> Pro Se Envelope) (Fagan, Linda) (Entered: 02/27/2013)
03/15/2013	<u>439</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on April 13, 2010, before Judge Denis Hurley. Court Reporter/Transcriber E Combs. Email address: ellencombs@hotmail.com. 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 4/5/2013. Redacted Transcript Deadline set for 4/15/2013. Release of Transcript Restriction set for 6/13/2013. (Combs, Ellen) (Entered: 03/15/2013)
07/18/2013	<u>440</u>	ORDER granting in part and denying in part <u>428</u> Motion to Dismiss; granting in part and denying in part <u>428</u> Motion for Reconsideration ; granting in part and denying in part <u>428</u> Motion to Vacate. Defendants' motion to vacate the portion of the January 16, 2007 Order granting summary judgment to plaintiffs as to liability is granted as to the federally-based constitutional claim, and plaintiffs' FIRST CLAIM FOR RELIEF, brought pursuant to 42 U.S.C. §1983, is dismissed with prejudice. However, plaintiffs' state-based constitutional claim, i.e. their SECOND CLAIM FOR RELIEF, brought pursuant to New York State Constitution Art. 1, § 12, is unaffected by Florence; accordingly, defendants' application to vacate the portion of previously identified summary judgment order with respect thereto and to dismiss the underlying cause of action, is denied. Ordered by Judge Denis R. Hurley on 7/18/2013. (Kaley, Regina) (Entered: 07/18/2013)
07/19/2013	<u>441</u>	ORDER ADMINISTRATIVELY CLOSING THE ASSOCIATED CASES. The Court on May 1, 2001 designated CV-99-2844 as the lead case, and consolidated associate

		cases CV-99-3126 and CV-99-4238 for all purposes. IT IS HEREBY ORDERED that the Clerk of the Court close associated cases CV-99-3126 and CV-99-4238. Ordered by Judge Denis R. Hurley on 7/19/2013. (Spatola, Richard) (Entered: 07/19/2013)
07/22/2013	<u>442</u>	Letter by Gardy Augustin (Herbst, Robert) (Entered: 07/22/2013)
07/23/2013		ORDER re <u>442</u> Letter filed by Gardy Augustin. Defendants are directed to respond by 12:00 p.m. on Friday, July 26, 2013. Ordered by Judge Denis R. Hurley on 7/23/2013. (Kaley, Regina) (Entered: 07/23/2013)
07/26/2013	<u>443</u>	Letter MOTION for Extension of Time to File Response/Reply as to <u>442</u> Letter by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Ben-Sorek, Liora) (Entered: 07/26/2013)
07/26/2013	<u>444</u>	Letter <i>Opposing Defendants' Application for Adjournment</i> by Gardy Augustin (Herbst, Robert) (Entered: 07/26/2013)
07/26/2013		ORDER granting <u>443</u> Motion for Extension of Time to File Response/Reply. Defendants' response to Plaintiffs' July 22, 2013 letter shall be filed on or before August 2, 2013. Ordered by Judge Denis R. Hurley on 7/26/2013. (Kaley, Regina) (Entered: 07/26/2013)
07/30/2013	<u>445</u>	NOTICE of Appearance by Joseph Nocella on behalf of All Defendants (aty to be noticed) (Nocella, Joseph) (Entered: 07/30/2013)
08/02/2013	<u>446</u>	MOTION to Dismiss , MOTION to Dismiss for Lack of Jurisdiction , MOTION to Dismiss for Lack of Prosecution ( Responses due by 8/23/2013), MOTION for Leave to Appeal , MOTION for pre motion conference by Nassau County. (Nocella, Joseph) (Entered: 08/02/2013)
08/03/2013	<u>447</u>	Letter <i>Opposing Defendants' New Letter Motion of August 2, 2013</i> by Gardy Augustin (Herbst, Robert) (Entered: 08/03/2013)
08/20/2013		SCHEDULING ORDER: Status Conference set for 9/20/2013 02:30 PM in Courtroom 930 before Judge Denis R. Hurley.. Ordered by Judge Denis R. Hurley on 8/20/2013. (Lundy, Lisa) (Entered: 08/20/2013)
09/20/2013		Minute Entry for proceedings held before Judge Denis R. Hurley:Status Conference held on 09/20/2013,Plaintiffs Robert L. Herbst, Jeffrey G. Smith Defendant Joseph Norcella; All pending and open items; Decision placed on the record. ( Status Conference set for 10/18/2013 02:30 PM in Courtroom 930 before Judge Denis R. Hurley.) (Court Reporter Stephanie Piccozzi.) (Lundy, Lisa) Modified on 10/24/2013 (Lundy, Lisa). Modified on 11/6/2013 to correct filed date to 9/20/13. (Mahon, Cinthia). (Entered: 10/24/2013)
10/18/2013		Minute Entry for proceedings held before Judge Denis R. Hurley: continuedStatus Conference held on 10/18/2013, Plaintiff's Robert Herbst; Defendants Liora Ben-Sorek, Joseph Norcella; Rulings placed on the record ( Continued Status Conference set for 10/25/2013 01:30 PM in Courtroom 930 before Judge Denis R. Hurley.) The parties shall order the transcript. (Court Reporter Mary Ann Steiger.) (Lundy, Lisa) (Entered: 10/24/2013)
10/22/2013	<u>448</u>	Letter by Gardy Augustin (Herbst, Robert) (Entered: 10/22/2013)
10/25/2013	<u>449</u>	AGREED UPON ON OCTOBER 25, 2013 NOTICE TO CLASS MEMBERS OF PENDING APPLICATION FOR ATTORNEYS FEES (Lundy, Lisa) (Entered: 10/25/2013)
10/25/2013		Minute Entry for proceedings held before Judge Denis R. Hurley:Status Conference held on 10/25/2013,Plaintiffs Robert Herbst, Jeffrey Smith; Defendants Liora Ben-Sorek, Joseph Norcella; Motion schedule as to Attorney Fees Defendant on or before 11/15/13; Plaintiffs' Reply by 12/6/13; Papers to be filed with the court on or before 12/6/13. ( Status Conference set for 1/10/2014 01:30 PM in Courtroom 930 before Judge Denis R. Hurley as to claim forms., Status Conference set for 1/24/2014 10:30 PM in Courtroom 930 before Judge Denis R. Hurley as to fee application. ) (Court Reporter Paul Lombardi.) (Lundy, Lisa) (Entered: 11/14/2013)

11/14/2013	<u>450</u>	Letter MOTION for Extension of Time to File <i>Defendants' Opposition to Plaintiff's Fee Application</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Ben-Sorek, Liora) (Entered: 11/14/2013)
11/15/2013	<u>451</u>	Letter <i>Opposing Defendants' Second Request for Extension of Time</i> by Gardy Augustin (Herbst, Robert) (Entered: 11/15/2013)
11/15/2013		ORDER denying <u>450</u> Motion for Extension of Time to File. The County Defendants' application is denied. The County Defendants' papers, if any, shall be filed with the Court, including courtesy copies for Chambers, by 5 p.m. on November 18, 2013. Ordered by Judge Denis R. Hurley on 11/15/2013. (O'Connor, Madeline) (Entered: 11/15/2013)
11/18/2013	<u>452</u>	NOTICE by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department of <i>County Defendants' Opposition to Plaintiffs' Application for Attorney Fees and Costs</i> (Ben-Sorek, Liora) (Entered: 11/18/2013)
12/05/2013	<u>453</u>	REPLY in Support of <i>Motion for Fees and Expenses</i> filed by Gardy Augustin. (Herbst, Robert) (Entered: 12/05/2013)
12/16/2013		ORDER, Due to the Court's schedule the conference scheduled for 1/24/2014 is adjourned to 1/29/2014 at 10:30 a.m.. Ordered by Judge Denis R. Hurley on 12/16/2013. (Lundy, Lisa) (Entered: 12/16/2013)
12/16/2013		AMENDED ORDER the conference scheduled for 1/29/2014 will be held at 10:00 a.m. instead of 10:30 a.m.. Ordered by Judge Denis R. Hurley on 12/16/2013. (Lundy, Lisa) (Entered: 12/16/2013)
01/08/2014	<u>454</u>	NOTICE of Appearance by Robert F. Van Der Waag on behalf of Nassau County, Nassau County Sheriff's Department (aty to be noticed) (Van Der Waag, Robert) (Entered: 01/08/2014)
01/10/2014		Minute Entry for proceedings held before Judge Denis R. Hurley:Status Conference held on 1/10/2014, Plaintiff Robert Herbst; Sandra Dawes; Defendant Liora Ben-Sorek, Robert Vanderwag ;Claim notices reviewed; briefing schedule for application for attorney's fees; Plaintiff & Defendant 1/17/2014 close of business; Reply if necessary 1/22/2014 12:00 P.m.( Status Conference set for 1/29/2014 10:00 AM before Judge Denis R. Hurley.) (Court Reporter Paul Lombardi.) (Lundy, Lisa) Modified on 1/21/2014 (Lundy, Lisa). (Entered: 01/21/2014)
01/17/2014	<u>455</u>	Letter <i>Submissions re Attorneys Fee Issues</i> by Gardy Augustin (Attachments: # <u>1</u> Exhibit) (Herbst, Robert) (Entered: 01/17/2014)
01/17/2014	<u>456</u>	Letter <i>providing information requested by Court during 1/10/14 conference</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben-Sorek, Liora) (Entered: 01/17/2014)
01/22/2014	<u>457</u>	Letter <i>Reply Letter re Additional Submissions on Attorneys' Fee and Service Award Issues</i> by Gardy Augustin (Herbst, Robert) (Entered: 01/22/2014)
01/29/2014		Minute Entry for proceedings held before Judge Denis R. Hurley:Plaintiff Robert Herbst, Sandra Dawes, Jeffrey Smith; Defendant Liora Ben-Sorek, Robert Vanderwag;Status Conference held on 1/29/2014,Claim notices reviewed next ( Status Conference set for 3/7/2014 11:00 AM in Courtroom 930 before Judge Denis R. Hurley.) (Court Reporter Perry Auerbach.) (Lundy, Lisa) (Entered: 02/04/2014)
02/23/2014	<u>458</u>	Letter <i>transmitting Proposed Final Judgment with Proposed Notices and Claim Forms as Exhibits</i> by Gardy Augustin (Attachments: # <u>1</u> Proposed Final Judgment on Class Claims, # <u>2</u> Proposed Non-Book and Bail Notice, # <u>3</u> Proposed Book and Bail Notice, # <u>4</u> Proposed Non-Book and Bail Claim Form, # <u>5</u> Proposed Book and Bail Claim Form) (Herbst, Robert) (Entered: 02/23/2014)
03/03/2014		ORDER, The defendant shall respond to plaintiff's 2/23/2014 submission by Wednesday March 5, 2014. The status conference scheduled for 3/7/2014 is adjourned to ( Status Conference set for 3/21/2014 11:00 AM in Courtroom 930 before Judge Denis R. Hurley.). Ordered by Judge Denis R. Hurley on 3/3/2014. (Lundy, Lisa) Modified on 3/3/2014 (Lundy, Lisa). (Entered: 03/03/2014)

03/05/2014	<u>459</u>	NOTICE by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department re <u>458</u> Letter, <i>Notice of County Defendants' Response to Plaintiffs' Proposed Judgment, Notices and Claims Forms</i> (Ben-Sorek, Liora) (Entered: 03/05/2014)
03/07/2014	<u>460</u>	<i>Letter Replying to Defendants' Responses to Proposed Final Judgment, Notices and Claim Forms</i> by Gardy Augustin (Herbst, Robert) (Entered: 03/07/2014)
03/20/2014		ORDER The status conference scheduled for 3/21/2014 is adjourned to 4/10/14 at 11:00 a.m.. Ordered by Judge Denis R. Hurley on 3/20/2014. (Lundy, Lisa) (Entered: 03/20/2014)
03/20/2014		Set/Reset Hearings: Status Conference set for 4/10/2014 11:00 AM in Courtroom 930 before Judge Denis R. Hurley. (Lundy, Lisa) (Entered: 03/20/2014)
04/02/2014	<u>461</u>	MEMORANDUM AND OPINION For the reason indicated : (1) the attorneys for the plaintiff class are awarded \$3,836,000 in counsel fees, plus reimbursement for litigation expenses in the amount of \$182,030.25, for a total of \$4,018,030.25 and (2) their application for service awards is denied. Defendants' application to redefine the class is denied.. Ordered by Judge Denis R. Hurley on 4/2/2014. (Lundy, Lisa) (Entered: 04/02/2014)
04/06/2014	<u>462</u>	<i>Letter Seeking Correction of Fact in Memorandum and Order of April 2, 2014 Granting Fees and Expenses</i> by Gardy Augustin (Herbst, Robert) (Entered: 04/06/2014)
04/07/2014	<u>463</u>	AMENDED MEMORANDUM AND OPINION. The Memorandum and Order dated April 2, 2014 has been amended solely to replace the words in footnote 10, "is presently Senior Counsel to the law firm of Giskan Solotaroff Anderson & Stewart LLP," with "was Senior Counsel to the law firm of Giskan Solotaroff Anderson & Stewart LLP at the time of the filing of the motion." Ordered by Judge Denis R. Hurley on 4/7/2014. (O'Connor, Madeline) (Entered: 04/07/2014)
04/08/2014		ORDER The Court anticipates that the final judgment will be entered on or before Friday, April 11, 2014. Accordingly the status conference scheduled for Thursday, April 10, 2014 is canceled. Ordered by Judge Denis R. Hurley on 4/8/2014. (Lundy, Lisa). (Entered: 04/08/2014)
04/10/2014	<u>465</u>	FINAL JUDGMENT; That the Clerk of Court is directed to enter final judgment as follows: FINAL JUDGMENT IS HEREBY ENTERED for defendants and against plaintiffs and the class on the federal constitutional claims. FINAL JUDGMENT IS HEREBY ENTERED for plaintiffs and the class and against defendants County of Nassau and Joseph Jablonsky, jointly and severally, on the state constitutional claim in the aggregate sum of \$11,508,000, with post judgment interest from the entry of judgment at the rate prescribed in 28 U.S.C. § 1961 (a). To effectuate this recovery, defendants are ORDERED to deposit into Court the sum of \$11,508,000 within 30 days of entry of final judgment. Members of the certified liability and damages class shall recover from that Common Fund in the amount of \$500 per strip search upon admission during the class period, pursuant to the Notice and Claims Process described below. Within 60 days of entry of final judgment, the Administrator shall mail the Notice annexed hereto as Exhibit 1 to the 1,963 class members whom the County contends may have been booked at the NCCC and released on bail before being strip searched on admission, together with the Claim Form that is annexed hereto as Exhibit 2. At the same time, the Administrator shall mail the Notice annexed hereto as Exhibit 3 to the rest of the class members, together with the Claim Form that is annexed hereto as Exhibit 4. Claim forms mailed in by class members shall be postmarked no later than December 15, 2015. As set forth in both Notices, the statute of limitations for class members' filing of individual lawsuits for special damages is ORDERED tolled for an additional period of 180 days after entry of final judgment. If an appeal is taken from final judgment, the 180-day additional tolling period will not begin to run until the issuance of the mandate from the Court of Appeals. All costs of administration having previously been imposed upon defendants as a result of their concession and resulting judgment of liability, those costs shall continue to be paid by defendants. Invoices rendered by the Administrator to defendants shall be paid within 30 days of receipt thereof. IT IS FURTHER ORDERED that the County will furnish to plaintiffs' counsel the required "Booking #[s]" and "Date[s] of Arrest" for insertion into the "Claim Form[s]" (Exhibits 2 & 4) within 30 days of entry of final judgment. IT IS FURTHER ORDERED that, in accordance with the Memorandum and Order dated

		April 7, 2014, class counsel are awarded attorneys' fees of \$3,836,000, and expenses of \$182,030.25, to be paid first from the Common Fund and then by defendants if, after the claims period ends, there is insufficient money in the common fund to pay all class claims and attorneys fees and expenses. Any money remaining in the Common Fund after all class claims and attorneys fees and expenses have been paid shall revert to defendants. This document constitutes a judgment and separate document for purposes of Fed. R. Civ. P. 58(a). CLERK TO ENTER JUDGMENT. (Ordered by Judge Denis R. Hurley on 4/10/2014.) (Attachments: # <u>1</u> Attachment 1) (Fagan, Linda) (Entered: 04/11/2014)
04/11/2014	<u>464</u>	MEMORANDUM AND OPINION This Memorandum and Order has been written solely to explain to counsel the reasons behind the major modifications to the proposed forms presented by plaintiffs pursuant to my direction.. Ordered by Judge Denis R. Hurley on 4/11/2014. (Lundy, Lisa) (Entered: 04/11/2014)
04/23/2014	<u>466</u>	NOTICE OF APPEAL as to <u>465</u> Judgment by Joseph Jablonsky, Jane/John Does 1-200, Nassau County, Nassau County Sheriff's Department. Filing fee \$ 505. (Cox, Dwayne) (Entered: 04/23/2014)
04/23/2014		USCA Appeal Fees received \$ 505 receipt number 15047 re <u>466</u> Notice of Appeal filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County (Cox, Dwayne) (Entered: 04/23/2014)
04/24/2014		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>466</u> Notice of Appeal Documents are available via Pacer. For docket entries without a hyperlink or for documents under seal, contact the court and we'll arrange for the document(s) to be made available to you. (Russo, Eric) (Entered: 04/24/2014)
04/25/2014	<u>467</u>	NOTICE OF CROSS APPEAL as to <u>465</u> Judgment,,,,,,,,,,,,, by Gardy Augustin. Filing fee \$ 505, receipt number 0207-6883287. Appeal Record due by 5/8/2014. (Herbst, Robert) (Entered: 04/25/2014)
04/25/2014		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>467</u> Notice of Cross Appeal Documents are available via Pacer. For docket entries without a hyperlink or for documents under seal, contact the court and we'll arrange for the document(s) to be made available to you. (Russo, Eric) (Entered: 04/25/2014)
04/25/2014	<u>468</u>	Letter MOTION to Alter Judgment ( <i>with exhibits</i> ) by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Ben-Sorek, Liora) (Entered: 04/25/2014)
04/25/2014	<u>469</u>	Letter <i>Motion to Strike Defendants' Letter Motion to Alter Judgment</i> by Gardy Augustin (Herbst, Robert) (Entered: 04/25/2014)
04/30/2014	<u>470</u>	NOTICE by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department re <u>469</u> Letter <i>Notice of Nassau County Defendant's Opposition to Plaintiff's Letter Motion to Strike DE 469</i> (Van Der Waag, Robert) (Entered: 04/30/2014)
04/30/2014	<u>471</u>	MEMORANDUM AND ORDER, defendants' application for an extension of the time in which to make the necessary deposit under the April 10, 2014 judgment is denied as premature. As to the claim that the amount of the deposit is excessive as far exceeding the dollar amount of anticipated claims to be made against the common fund, that application is denied because (1) it was not advanced previously, and (2) it is unaccompanied by statutory or decisional authority indicating that the requested adjustment should be made. Lastly, the defendants correctly not that the judgment as written requires that deposit of the money absent any provision about interest being earned on those monies during a period they are held by the Court Clerk. Accordingly, as part of the anticipated stay application, I will entertain an application that I direct the Clerk to place the deposited common fund in an interest bearing account and I will welcome input from counsel as to the nature of the account into which the sums should be deposited. terminating <u>468</u> Motion to Alter Judgment. Ordered by Judge Denis R. Hurley on 4/30/2014. (Lundy, Lisa) (Entered: 04/30/2014)
05/08/2014	<u>472</u>	MOTION for Order to Show Cause <i>For a Stay of Execution of Final Judgment Entered on April 11, 2014</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Attachments: # <u>1</u> Declaration of Robert F. Van der Waag, # <u>2</u> Affidavit of Lisa LoCurto, # <u>3</u> Affidavit of Beaumont Jefferson, # <u>4</u> Memorandum in Support of

		Motion for Stay, # <u>5</u> Exhibit Notice of Appeal, # <u>6</u> Exhibit Final Judgment, # <u>7</u> Exhibit Memorandum of Order Dated April 11, 2014, # <u>8</u> Exhibit Memorandum and Order Dated April 30, 2014) (Van Der Waag, Robert) (Entered: 05/08/2014)
05/08/2014	<u>473</u>	Letter <i>Opposing Issuance of Order to Show Cause</i> by Gardy Augustin (Herbst, Robert) (Entered: 05/08/2014)
05/09/2014	<u>474</u>	ORDER TO SHOW CAUSE re <u>472</u> MOTION for Order to Show Cause <i>For a Stay of Execution of Final Judgment Entered on April 11, 2014; That the above named Plaintiffs Show Cause before this Court, at the Courtroom of Honorable Denis R. Hurley, United States District Court, Eastern District of New York, Federal Plaza, Central Islip, New York, on May 22, 2014 at 9:30 o'clock in the forenoon of that day, or as soon thereafter as counsel may be heard. Plaintiffs shall file oppositoin papers on or before May 16, 2014. Defendants reply papers, if any are due on or before May 21, 2014 at noon.; WHY AN ORDER SHOULD NOT BE ISSUED PURSUANT to Rule 62 of the Federal Rules of Civil Procedure staying the execution and enforcement of the Final Judgment of this Court entered April 11,2014 including its direction for the deposit into Court of \$11.5 million without the posting of any bond or any other conditions thereto, pending the appeal of that Judgment, and PENDING THE HEARING AND DETERMINATION OF THE MOTION,the Execution of the Final Judgment entered April 1, 2014 including its direction to deposit monies into Court BE AND HEREBY IS STAYED. That a copy of this order, together with the papers upon which it is granted, be served electronically simultaneous herewith upon all appearing and that suchservice be deemed good and sufficient. (Ordered by Judge Denis R. Hurley on 5/9/2014.) (Fagan, Linda) (Entered: 05/09/2014)</i>
05/16/2014	<u>475</u>	RESPONSE in Opposition re <u>472</u> MOTION for Order to Show Cause <i>For a Stay of Execution of Final Judgment Entered on April 11, 2014 Plaintiffs' Letter Brief in Opposition to Motion for Stay Pending Appeal</i> filed by Gardy Augustin. (Herbst, Robert) (Entered: 05/16/2014)
05/20/2014		ORDER, The hearing set for 5/22/2014 is adjourned to ( Show Cause Hearing set for 5/27/2014 10:00 AM in Courtroom 930 before Judge Denis R. Hurley.). Ordered by Judge Denis R. Hurley on 5/20/2014. (Lundy, Lisa) (Entered: 05/20/2014)
05/21/2014	<u>476</u>	REPLY in Support re <u>472</u> MOTION for Order to Show Cause <i>For a Stay of Execution of Final Judgment Entered on April 11, 2014</i> filed by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Van Der Waag, Robert) (Entered: 05/21/2014)
05/28/2014	<u>477</u>	ORDER; that defendants are hereby ORDERED to pay all outstanding invoices from KCC Class Action Services LLC within 10 days of the entry of this Order. (Ordered by Judge Denis R. Hurley on 5/28/2014.) (Fagan, Linda) (Entered: 05/30/2014)
06/04/2014		Minute Entry for proceedings held before Judge Denis R. Hurley:Bench decision as to Order To Show Cause held on 5/27/2014; Plaintiff Robert Herbst; Defendant Robert Van Der Wang; Liora Ben-Sorek; Defense counsel shall provide Plaintiff's counsel with booking numbers and dates within 60 days. The requirement to deposit the money with the Clerk will be stayed for 180 days measured from today. Alternatively the requirement that the money be placed into the Clerk of Court's account is stayed indefinitely if the defendant posts a bond for the 11,508.000.00. That option will exist for a period of 180 days. The Claim Notices will be sent out in accordance with the provision in the final judgment. Bench decision placed on the record. (Court Reporter Owen Wicker.) (Lundy, Lisa) (Entered: 06/04/2014)
12/16/2014	<u>478</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re <u>466</u> Notice of Appeal (Cox, Dwayne) (Entered: 12/16/2014)
08/31/2015	<u>479</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 01/10/14, Court Reporter/Transcriber Paul Lombardi. 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.File redaction request using event "Redaction Request – Transcript" located under "Other Filings – Other Documents". Redaction Request due 9/21/2015. Redacted Transcript Deadline set for 10/1/2015. Release of Transcript Restriction set for 11/30/2015. (Lombardi, Paul) (Entered: 08/31/2015)

06/16/2016	<u>480</u>	MANDATE of USCA Case No. 14-1388 as to <u>466</u> Notice of Appeal filed by Nassau County Sheriff's Department, Jane/John Does 1-200, Joseph Jablonsky, Nassau County. UPON DUE CONSIDERATION WHEREOF, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the judgment of the District Court is AFFIRMED. (Cox, Dwayne) (Entered: 06/16/2016)
07/08/2016	<u>481</u>	Letter <i>re status and proposed revised claim forms and notices</i> by Gardy Augustin (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Final Judgment) (Herbst, Robert) (Entered: 07/08/2016)
07/10/2016	<u>482</u>	Letter <i>Submitting Corrected Exhibit 2</i> by Gardy Augustin (Attachments: # <u>1</u> Exhibit Corrected Ex. 2 with proper date in footer) (Herbst, Robert) (Entered: 07/10/2016)
07/11/2016		ORDER re <u>481</u> Letter, filed by Gardy Augustin: The County is directed to reply to Plaintiffs' letter of July 8, 2016 by the close of business on Wednesday, July 13, 2016. Ordered by Judge Denis R. Hurley on 7/11/2016. (Gapinski, Michele) (Entered: 07/11/2016)
07/13/2016	<u>483</u>	Letter <i>pursuant to the Court's Directive, responding to Plaintiff's Counsel's July 8, 2016 Letter docketed as DE 481</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Exhibit) (Ben-Sorek, Liora) (Entered: 07/13/2016)
07/13/2016	<u>484</u>	Letter <i>Replying to Defendants' Letter Today</i> by Gardy Augustin (Herbst, Robert) (Entered: 07/13/2016)
07/14/2016	<u>485</u>	Letter <i>in response to, and clarifying a point in, plaintiff's letter dated July 13, 2016 (DE 484)</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben-Sorek, Liora) (Entered: 07/14/2016)
07/27/2016	<u>486</u>	Letter <i>Advising of Need for Hybrid Notice and Claim Form and Seeking Assistance in Light of County's Failure to Deposit Money into Court per Final Judgment</i> by Gardy Augustin (Herbst, Robert) (Entered: 07/27/2016)
07/28/2016	<u>487</u>	ORDER re [481, 482, 483, 484, 485]: It is hereby ORDERED that defendants deposit the full amount of the final judgment (\$11,508,000.00) with the Clerk of Court on or before August 15, 2016; and it is further ORDERED that the monies deposited with the Clerk of Court shall be held in an interest bearing account until such time as the Court enters any Orders respecting same; and it is further ORDERED that defendants shall (1) advise the Court when a petition for certiorari has been filed or when the time to file said petition has expired without a petition having been filed; and (2) in the event a petition is filed advise the Court of any ruling on the petition within ten (10) days of said ruling; and it is further ORDERED that the deadline for any fee application by plaintiffs is extended to on or before October 30, 2016 with defendants' papers in opposition to be filed on or before 15 business days of the actual date of plaintiffs' filing and the reply, if any, being due on or before 10 business days thereafter; and it is further ORDERED that the agreed upon changes to the claim form set forth in plaintiff's letter of July 8, 2016 are approved and that the claim form shall state, with respect to the time limits for filing a lawsuit for damages beyond the \$500 per strip search, as follows: The time limits for filing a lawsuit for additional damages are based on the three-year statute of limitations applicable to these claims. The Court placed a hold (i.e. stoppage on the running of the three year statute of limitations) on May 20, 1999. That hold continues to be in effect until 180 days after June 16, 2016, so that you will have until at least December 13, 2016 to file an individual lawsuit for additional damages. This means the amount of time you have to file a separate lawsuit depends upon the date you were stripped search. For example, if you were strip searched anytime from May 20, 1996 until November 16, 1996, you have until December 13, 2016 to file a separate individual lawsuit for additional damages. For example, if you were strip searched on June 1, 1997, you would have one year after December 13, 2016 to file your individual lawsuit for additional damages. If you were strip searched on June 1, 1998, you would have two years after December 13, 2016 to file your individual lawsuit for additional damages. If you were strip searched on June 1, 1999, you have the entire three-year statute of limitations period to file a separate lawsuit. If you have a question about additional damages or the amount of time you have to file a separate you should contact an attorney. See attached Memorandum & Order. Ordered by Judge Denis R. Hurley on 7/28/2016. (Gapinski, Michele) (Entered: 07/28/2016)

07/28/2016		ORDER re <u>486</u> Letter filed by Gardy Augustin : This Order address plaintiff's letter of July 27, 2016. With respect to the proposed hybrid notice, the parties shall advise the Court by close of business on July 29, 2016 whether they can submit a set of hybrid forms on consent. In the event they cannot reach agreement, the parties shall submit to the Court their proposed form, together with a letter explaining their position, on or before noon on Tuesday, August 2, 2016. With respect to the request that defendants be ordered to deposit the amount of the final judgment forthwith with interest for each day the Final Judgment remains unpaid (Pls.' July 27, 2016 letter at 2), the Courts Memorandum & Order issued earlier today requires that defendants deposit said amount on or before August 15, 2016. The Court sees no need to modify that Order given there was a pending – albeit last–minute – request by the County to restructure the payment provision of the April 11, 2014 Final Judgment. Ordered by Judge Denis R. Hurley on 7/28/2016. (Gapinski, Michele) (Entered: 07/28/2016)
08/02/2016	<u>488</u>	Letter <i>Submitting Proposed Hybrid Notice and Claim Form and Seeking Clarification of July 28, 2016 Order</i> by Gardy Augustin (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit) (Herbst, Robert) (Entered: 08/02/2016)
08/02/2016		ORDER: The deadline set by the Court's July 28, 2016 Order for the parties to submit their proposed "hybrid" form, together with a letter explaining their position, has passed and the County has not complied. In the event that the County fails to respond to plaintiffs' letter of August 2, 2016 by 4:00 p.m. tomorrow, August 3, 2016, the County will be deemed to have waived any objections to the proposed forms or to the immediate payment of attorneys' fees to class counsel, and accordingly the Court will approve the Notice denoted "Exhibit 5" (DE 488–1) and the single certification claim form (DE 488–2), subject to two proposed modifications set forth below, and authorize the payment of the attorneys' fees and costs set forth in the Final Judgment immediately upon the deposit of the \$11,300,000.00 by the County required by the Final Judgment as modified by the July 28, 2016 Order.  The first modification the Court proposes is to Exhibit 5, page 1, the last sentence of the fourth bullet shall read "Be advised that Nassau County can challenge your claim with respect to the admission in Section 3 (Possible Strip Search Confirmation), but not Section 2, of the enclosed Claim Form." The second modification is to the single certification claim form, section 4, which will read "By signing this form I am (a) confirming the information in Section 2 and (b) confirming under penalty of perjury the information in Section 3." Any objections to these proposed modifications must be filed no later than 4:00 p.m. on Thursday, August 4, 2016.  Ordered by Judge Denis R. Hurley on 8/2/2016. (Gapinski, Michele) (Entered: 08/02/2016)
08/03/2016	<u>489</u>	Letter <i>in response to DE 488, pursuant to directive set forth in Electronic Order issued August 2, 2016</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben–Sorek, Liora) (Entered: 08/03/2016)
08/03/2016	<u>490</u>	Letter MOTION to Continue <i>/Modify this Court's Order of July 28, 2016 Requiring Nassau County to Deposit Monies into Court by August 15, 2016 [DE487]</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Fernandez, Pablo) (Entered: 08/03/2016)
08/03/2016	<u>491</u>	Letter <i>Opposing County Attorney's Letter Today Seeking Modification of July 28, 2016 Order</i> by Gardy Augustin (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit) (Herbst, Robert) (Entered: 08/03/2016)
08/04/2016		ORDER: Having considered the parties' position on the "hybrid" notice and claim form, the Court approves Exhibit 5–A (DE 448–3) with the following modification: page 1, the last sentence of the fourth bullet shall read "Be advised that Nassau County can challenge your claim with respect to the admission in Section 3 (Possible Strip Search Confirmation), but not Section 2, of the enclosed Claim Form." As to the hybrid claim form, the single certification claim form submitted by plaintiffs (DE 488–2) is approved with the following modifications: section 4, will read "By signing this form I am (a) confirming the information in Section 2 and (b) confirming under penalty of perjury the information in Section 3 if YES is circled." Ordered by Judge Denis R. Hurley on 8/4/2016. (Gapinski, Michele) (Entered: 08/04/2016)



08/05/2016	<u>492</u>	ORDER denying <u>490</u> Motion to Modify the Order of July 28, 2016 Requiring Nassau County to Deposit Monies into Court by August 15, 2016 : The County has not advanced sufficient reason for the Court to once again modify the County's judgment obligation to the detriment of plaintiffs. Accordingly, the application is denied. See attached Memorandum & Order. Ordered by Judge Denis R. Hurley on 8/5/2016. (Gapinski, Michele) (Entered: 08/05/2016)
08/15/2016	<u>493</u>	Letter <i>notifying Court that Judgment has been deposited with Clerk of the Court per this Court's Order</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Attachments: # <u>1</u> Copy of Receipt from USDC, EDNY Clerk's Office evidencing deposit of Judgment amount into Court, # <u>2</u> Copy of Check in amount of Judgment) (Ben-Sorek, Liora) (Entered: 08/15/2016)
08/15/2016	<u>494</u>	Letter <i>Requesting Payment of Attorneys Fees and Expenses</i> by Gardy Augustin (Herbst, Robert) (Entered: 08/15/2016)
08/17/2016		ORDER: It is the Court's intention to issue the following Order:  "The Clerk of Court is directed to disburse from the funds deposited by the Defendants on August 15, 2016 the amount of \$4,018,030.25, plus post judgment interest pursuant to 28 U.S.C. 1961 from April 11, 2014 to the date of disbursal, payable to 'Herbst Law PLLC, as attorneys, 420 Lexington Avenue, Suite 300, New York, New York 10170.' Herbst Law shall deposit said funds into its trust account and disburse the funds in accordance with the Court's Amended Memorandum & Order dated April 7, 2014 and the Final Judgment dated April 10, 2014."  To the extent that the firms representing the plaintiff class and entitled to attorney's fees under the Amended Memorandum & Order dated April 7, 2014 have any objection to this proposed order, they shall file said objection no later than August 26, 2016. Ordered by Judge Denis R. Hurley on 8/17/2016. (Gapinski, Michele) (Entered: 08/17/2016)
08/29/2016	<u>495</u>	DISBURSEMENT ORDER: IT IS HEREBY ORDERED that the Clerk of Court disburse from the funds deposited by the Defendants on August 15, 2016 and currently held in the Court's interest bearing account the amount of \$4,018,030.25, plus post judgment interest pursuant to 28 U.S.C. §1961 from April 11, 2014 to the date of disbursal, payable to "Herbst Law PLLC, as attorneys, 420 Lexington Avenue, Suite 300, New York, New York 10170" Tel. No. (656) 543-2354; and it is FURTHER ORDERED that Herbst Law deposit said funds into its trust account and disburse the funds in accordance with the Court's Amended Memorandum & Order dated April 7, 2014 and the Final Judgment dated April 10, 2014. cm to financial department. Ordered by Judge Denis R. Hurley on 8/29/2016. (Florio, Lisa) (Entered: 08/29/2016)
10/11/2016	<u>496</u>	Letter <i>Requesting Extension of Time to File Fee Application and Advising Court of Denial of Cert Petition</i> by Gardy Augustin (Herbst, Robert) (Entered: 10/11/2016)
10/12/2016		ORDER re <u>496</u> Letter filed by Gardy Augustin : The application to extend the deadline for plaintiffs to file a fee application to November 30, 2016 is granted on consent. A telephone conference will be held on Thursday, October 20, 2016 at 11:00 a.m. to discuss the procedure for payment of claims. Defendants shall initiate the call and all parties shall be on the line before calling chambers at (631) 712-5650. Ordered by Judge Denis R. Hurley on 10/12/2016. (Gapinski, Michele) (Entered: 10/12/2016)
10/14/2016	<u>497</u>	Letter MOTION to Adjourn Conference <i>from October 20, 2016 to October 27, 2016 (joint application)</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Ben-Sorek, Liora) (Entered: 10/14/2016)
10/17/2016		ORDER granting <u>497</u> Motion to Adjourn Conference: The application is granted. The telephone conference will be held on Thursday, October 27, 2016 at 11:00 a.m. Ordered by Judge Denis R. Hurley on 10/17/2016. (Gapinski, Michele) (Entered: 10/17/2016)
10/27/2016		Minute Entry for proceedings held on 10/27/2016: The parties are to submit a letter status report advising the Court as any agreement or disagreements as the matters discussed at the conference, together with any proposed orders, on or before Friday, November 4, 2016. (Gapinski, Michele) (Entered: 10/27/2016)

11/04/2016	<u>498</u>	STATUS REPORT <i>pursuant to 10/27/2016 Order</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben-Sorek, Liora) (Entered: 11/04/2016)
11/07/2016	<u>499</u>	Letter <i>re Payment Procedure</i> by Gardy Augustin (Attachments: # <u>1</u> Exhibit) (Herbst, Robert) (Entered: 11/07/2016)
11/17/2016	<u>500</u>	ORDER re [498, 499] : Order determining methodology by which class claimants are to be paid and the procedures for handling book and bail claims. See attached Memorandum & Order. Ordered by Judge Denis R. Hurley on 11/17/2016. (Gapinski, Michele) (Entered: 11/17/2016)
11/22/2016	<u>501</u>	Letter <i>Seeking Extension of Time to File Fee Application</i> by Gardy Augustin (Herbst, Robert) (Entered: 11/22/2016)
11/28/2016		ORDER re <u>501</u> Letter filed by Gardy Augustin : Application granted. Ordered by Judge Denis R. Hurley on 11/28/2016. (Gapinski, Michele) (Entered: 11/28/2016)
12/20/2016	<u>502</u>	Letter <i>Submitting Proposed Order, Seeking Extension of Time, and Requesting Conference</i> by Gardy Augustin (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit, # <u>3</u> Exhibit) (Herbst, Robert) (Entered: 12/20/2016)
12/21/2016	<u>503</u>	ORDER DIRECTING PAYMENT: SO ORDERED that the Clerk of Court is directed to pay the sum of \$1,164,287.60 to KCC, the Claims Administrator in this case, and KCC is directed to deposit that sum into its judgment account, from which the approved claims set forth in KCC's report of December 13, 2016, attached hereto as Exhibit 1, shall be paid forthwith. The Clerk of Court is directed to pay the aforementioned sum forthwith by wire transfer directly into KCC judgment account specified in the wire transfer instructions, attached hereto as Exhibit 2. Ordered by Judge Denis R. Hurley on 12/21/2016. (Florio, Lisa) (Entered: 12/21/2016)
12/21/2016		ORDER re <u>502</u> Letter filed by Gardy Augustin : The Court is entering a separate order directing payment. The application for an extension of time until January 31, 2017 to file a fee application is granted. Finally, a telephone conference will be held in this matter on January 12, 2017 at 2:00 p.m. to discuss the assistance requested by plaintiffs to locate class members. Defendants shall initiate the call and all parties shall be on the line before calling chambers at 631-712-5650. Ordered by Judge Denis R. Hurley on 12/21/2016. (Gapinski, Michele) (Entered: 12/21/2016)
01/12/2017		Minute Entry for proceedings held before Judge Denis R. Hurley:Telephone Conference held on 1/12/2017 : Discussion was held concerning ways to increase response of class members. Court directed defendants to provide plaintiffs with name of contact at NYS DSS to seek any necessary approval for the search of DSS records and to check with local Nassau DSS office, as well as the County Probation and Sheriff Departments, to determine whether database can be used to search for addresses of class members. Parties are to file letters regarding their positions on or before January 24, 2017. A further telephone conference to discuss this issue will be held on January 31, 2017 at 11:00 a.m. Plaintiff to initiate the call. On the matter of the time within which checks issued to claimants would remain valid, the Court set the time as 120 days. So Ordered by Judge Denis R. Hurley on January 12, 2017. (Gapinski, Michele) (Entered: 01/12/2017)
01/24/2017	<u>504</u>	STATUS REPORT <i>pursuant to Court's January 12, 2017 directive</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben-Sorek, Liora) (Entered: 01/24/2017)
01/24/2017	<u>505</u>	Letter <i>on Status and Extension of Time to File Fee Application on Consent</i> by Gardy Augustin (Herbst, Robert) (Entered: 01/24/2017)
01/25/2017		ORDER re <u>505</u> Letter filed by Gardy Augustin : Plaintiffs' request for an extension of time to file their fee application is granted. Ordered by Judge Denis R. Hurley on 1/25/2017. (Gapinski, Michele) (Entered: 01/25/2017)
01/31/2017		Minute Entry for proceedings held before Judge Denis R. Hurley:Telephone Conference held on 1/31/2017. The following briefing schedule was established for plaintiffs' motion for attorneys' fees: Plaintiffs shall serve, but not file, moving papers on or before March 17, 2017; defendants shall serve, but not file opposing papers 21 days after service of the moving papers; and plaintiffs shall serve reply papers, if any,

		and file all papers with the Court, including a courtesy copy for Chambers, 14 days after service of opposing papers. With respect to additional addresses for class members, the parties report that progress is being made with respect to a search of the records of the County's probation and sheriff's departments. The issue of searching the records of DSS remains unresolved. The Court directed that unless the parties agree to a resolution of the DSS records issue, plaintiff is to file a formal motion regarding disclosure of those records with state involvement, if necessary, in accordance with the following schedule: Plaintiffs shall serve, but not file, moving papers on or before February 17, 2017; defendants shall then have 14 days after said service to serve, but not file, opposing papers, and plaintiffs shall serve their reply and file all papers with the Court, including a courtesy copy for Chambers, within seven days of the service of opposing papers. The parties report that they are attempting to resolve the issue of the posting of notices regarding the filing of claims. So Ordered by Judge Denis R. Hurley. (Gapinski, Michele) (Entered: 01/31/2017)
02/16/2017	<u>506</u>	Letter MOTION for Extension of Time to File <i>to serve response to Plaintiffs' Motion</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department. (Ben-Sorek, Liora) (Entered: 02/16/2017)
02/17/2017		ORDER granting <u>506</u> Motion for Extension of Time to File: The application is granted. Ordered by Judge Denis R. Hurley on 2/17/2017. (Gapinski, Michele) (Entered: 02/17/2017)
03/01/2017	<u>507</u>	Letter <i>seeking extensions of time on consent</i> by Gardy Augustin (Herbst, Robert) (Entered: 03/01/2017)
03/02/2017		ORDER granting re <u>507</u> Letter filed by Gardy Augustin: The requested extensions are granted. Ordered by Judge Denis R. Hurley on 3/2/2017. (Killigrew, Patricia) (Entered: 03/02/2017)
03/10/2017	<u>508</u>	NOTICE by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department of <i>Proposed Order to Distribute Payment</i> (Attachments: # <u>1</u> Exhibit Exhibit 1 – KCC Report dated February 27, 2017, # <u>2</u> Exhibit Exhibit 2 – KCC Wiring Instructions) (Ben-Sorek, Liora) (Entered: 03/10/2017)
03/15/2017	<u>509</u>	ORDER DIRECTING PAYMENT: In accordance with the Court's Memorandum and Order dated November 17, 2016 (DE 500), the Clerk of the Court is directed to pay the sum of One Hundred and Two Thousand (\$102,000.00) Dollars to KCC, the Claims Administrator in this case, and KCC is directed to deposit that sum into its judgment account, from which the approved claims set forth in KCC's report dated February 27, 2017, attached hereto as Exhibit 1, shall be paid forthwith. The Clerk of the Court is directed to pay the aforementioned sum forthwith by wire transfer directly into KCC's judgment account specified in the wire transfer instructions, attached hereto as Exhibit 2. Ordered by Judge Denis R. Hurley on 3/15/2017. (Gapinski, Michele) (Entered: 03/15/2017)
03/15/2017	<u>510</u>	NOTICE by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department <i>Proposed AMENDED Order Directing Payment</i> (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2) (Ben-Sorek, Liora) (Entered: 03/15/2017)
03/15/2017	<u>511</u>	AMENDED ORDER DIRECTING PAYMENT: In accordance with the Court's Memorandum and Order dated November 17, 2016 (DE 500), the Clerk of the Court is directed to pay the sum of One Hundred and Two Thousand (\$102,000.00) Dollars to KCC, the Claims Administrator in this case, and KCC is directed to deposit that sum into its judgment account, from which the approved claims set forth in KCC's report dated February 27, 2017, attached hereto as Exhibit 1, shall be paid forthwith. The Clerk of the Court is directed to pay the aforementioned sum forthwith by CHECK. See attached Order for details. Ordered by Judge Denis R. Hurley on 3/15/2017. (Gapinski, Michele) (Entered: 03/15/2017)
03/16/2017	<u>512</u>	First MOTION to Compel <i>ACCESS TO ELECTRONIC DATABASE</i> by Gardy Augustin. (Attachments: # <u>1</u> Declaration Declaration of Robert L. Herbst, # <u>2</u> Exhibit Exhibit 1 to Herbst Declaration, # <u>3</u> Exhibit Exhibit 2 to Herbst Declaration, # <u>4</u> Memorandum in Support Support Memorandum, # <u>5</u> Declaration Declaration of Liora Ben Sorek, # <u>6</u> Exhibit Exhibit A to Ben Sorek Declaration, # <u>7</u> Exhibit Exhibit B to Ben Sorek Declaration, # <u>8</u> Exhibit Exhibit C to Ben Sorek Declaration, # <u>9</u> Memorandum in Opposition Opposition Memorandum, # <u>10</u> Memorandum in Support

		Reply Memorandum) (Herbst, Robert) (Entered: 03/16/2017)
03/23/2017	<u>513</u>	Letter <i>Seeking Extension of Time on Consent to File Reply Papers</i> by Gardy Augustin (Herbst, Robert) (Entered: 03/23/2017)
03/24/2017		ORDER re <u>513</u> Letter filed by Gardy Augustin : The application is granted. Ordered by Judge Denis R. Hurley on 3/24/2017. (Gapinski, Michele) (Entered: 03/24/2017)
03/30/2017	<u>514</u>	NOTICE by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department <i>Notice of Proposed Order Directing Payment of Interest</i> (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit) (Ben-Sorek, Liora) (Entered: 03/30/2017)
03/31/2017	<u>515</u>	ORDER DIRECTING DISBURSEMENT OF FUNDS: See attached. Ordered by Judge Denis R. Hurley on 3/31/2017. (Gapinski, Michele) (Entered: 03/31/2017)
04/10/2017	<u>516</u>	ORDER granting <u>512</u> Motion to Compel: The application is granted to the extent that with respect to class members who have not filed claims the County shall run the names of said class members and their contact information through WMS for updated addresses and provide to the Claims Administrator any updated addresses garnered from WMS and from NCCC records at the same time. See attached Memorandum & Order. Ordered by Judge Denis R. Hurley on 4/10/2017. (Gapinski, Michele) (Entered: 04/10/2017)
04/13/2017	<u>517</u>	Letter <i>on Consent Seeking Extension of Time to File Reply Papers on Fee Application</i> by Gardy Augustin (Herbst, Robert) (Entered: 04/13/2017)
04/14/2017		ORDER re <u>517</u> Letter filed by Gardy Augustin : The application is granted. Ordered by Judge Denis R. Hurley on 4/14/2017. (Gapinski, Michele) (Entered: 04/14/2017)
04/28/2017	<u>518</u>	Letter <i>Advising Court of Resolution of Fee Application and Seeking Extension of Time</i> by Gardy Augustin (Herbst, Robert) (Entered: 04/28/2017)
05/01/2017		ORDER re <u>518</u> Letter filed by Gardy Augustin : Application granted. Ordered by Judge Denis R. Hurley on 5/1/2017. (Gapinski, Michele) (Entered: 05/01/2017)
05/01/2017	<u>519</u>	Letter <i>requesting that the Court schedule a conference in relation to difficulties faced by Defendants in attempting to comply with April 10, 2017 Court Order (DE 516)</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben-Sorek, Liora) (Entered: 05/01/2017)
05/01/2017	<u>520</u>	Letter <i>Responding to Defendants' Request to Schedule Conference re Compliance with Court's Order of April 10, 2017</i> by Gardy Augustin (Herbst, Robert) (Entered: 05/01/2017)
05/02/2017	<u>521</u>	ORDER re <u>519</u> Letter, filed by Nassau County Sheriff's Department, Joseph Jablonsky, Nassau County : The request for a conference is denied. Should either New York State or the USDA wish to be heard on this matter, the appropriate course would be for them to move to intervene in the action, which motion, if made, should include the nature of their interest, as well as their specific objections, and concomitant legal arguments, to the April Order. Should no such motion be made by either entity on or before June 9, 2017, the County shall comply with the April Order by June 15, 2017. See attached Order for details. The County is directed to send a copy of the Order to the Deputy General Counsel for the OTDA by e-mail and regular mail. Ordered by Judge Denis R. Hurley on 5/2/2017. (Gapinski, Michele) (Entered: 05/02/2017)
06/05/2017	<u>522</u>	Letter <i>REQUEST for Extension of Time</i> by New York State Office of the Attorney General (Grieco, Matthew) (Entered: 06/05/2017)
06/05/2017	<u>523</u>	Letter <i>Responding to NYS Attorney General's Letter Requesting Extension of Time to Intervene</i> by Gardy Augustin (Herbst, Robert) (Entered: 06/05/2017)
06/06/2017		ORDER re [522, 523]: Given the potential impact on class members' time to pursue their claims, the request by New York State Office of Attorney General for an additional three weeks is granted ONLY to the extent that the deadlines set forth in the May 2, 2017 Order are extended by ten (10) days, i.e., any motion to intervene must be served and filed on or before June 19, 2017 and should no such motion be made on or before June 19, 2017, the County shall comply with the April Order by June 26, 2017. The County is directed to serve a copy of this Order on the New York State Office of Attorney General. Ordered by Judge Denis R. Hurley on 6/6/2017. (Gapinski,

		Michele) (Entered: 06/06/2017)
06/06/2017	<u>524</u>	Letter <i>replying to NYS Attorney General's Letter which sought an extention of time to intervene (DE 522) and in response to Plaintiffs' Counsel's responsive communication (DE 523)</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben-Sorek, Liora) (Entered: 06/06/2017)
06/09/2017	<u>525</u>	Letter <i>Jointly Submitting Papers and Proposed Order Resolving Second Fee Application</i> by Gardy Augustin (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit, # <u>3</u> Declaration, # <u>4</u> Exhibit) (Herbst, Robert) (Entered: 06/09/2017)
06/12/2017	<u>526</u>	ORDER re DE <u>525</u> DIRECTING DISTRIBUTION OF FUNDS: IT IS HEREBY ORDERED that the Clerk of Court disburse from the funds deposited by defendants on August 15, 2016 and currently held in the Court's interest bearing account the amount of \$700,000 to compensate plaintiffs' attorneys for their time and expenses for the period from January 13, 2012 to January 31, 2017, by check payable to "Herbst Law PLLC, as attorneys, 420 Lexington Avenue, Suite 300, New York, New York 10170" Tel. No. (656) 543-2354. Ordered by Judge Denis R. Hurley on 6/12/2017. (Gapinski, Michele) (Entered: 06/12/2017)
06/13/2017	<u>527</u>	NOTICE by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department <i>Notice of Proposed Order Directing Payment</i> (Attachments: # <u>1</u> Exhibit Exhibit 1 – Claims Administrator Distribution Report dated June 2, 2017, # <u>2</u> Exhibit Exhibit 2 – Instructions for Disbursing Funds by Check to Claims Administrator) (Ben-Sorek, Liora) (Entered: 06/13/2017)
06/14/2017	<u>528</u>	ORDER OF DISTRIBUTION of Funds re <u>527</u> : Order directing Clerk of Court to disburse funds to Claims Administrator. See attached for details. Ordered by Judge Denis R. Hurley on 6/14/2017. (Gapinski, Michele) (Entered: 06/14/2017)
06/19/2017	<u>529</u>	MOTION to Intervene by New York State Office of Temporary and Disability Assistance, New York State Office of Children and Family Services, New York State Department of Health. (Attachments: # <u>1</u> Memorandum in Support) (Grieco, Matthew) (Entered: 06/19/2017)
06/20/2017		SCHEDULING ORDER: re <u>529</u> MOTION to Intervene: The Court sets the following briefing schedule for the motion to intervene: opposing papers shall be served and filed by the close of business (i.e. 5:00 pm) on June 26, 2017; reply papers, if any, shall be served and filed by the close of business on June 30, 2017. Ordered by Judge Denis R. Hurley on 6/20/2017. (Gapinski, Michele) (Entered: 06/20/2017)
06/23/2017	<u>530</u>	NOTICE of Appearance by Mary M. Dickman on behalf of United States Department of Agriculture, United States Department of Health and Human Services (aty to be noticed) (Dickman, Mary) (Entered: 06/23/2017)
06/23/2017	<u>531</u>	Letter MOTION for Extension of Time to File <i>a Motion to Intervene with respect to the Court's Orders entered April 10, 2017 and May 2, 2017</i> by United States Department of Agriculture, United States Department of Health and Human Services. (Dickman, Mary) (Entered: 06/23/2017)
06/23/2017	<u>532</u>	Letter <i>Opposing Government's Motion for Extension of Time to Intervene</i> by Gardy Augustin (Herbst, Robert) (Entered: 06/23/2017)
06/27/2017		ORDER granting <u>531</u> Motion for Extension of Time to File: The application of the United States for an extension of time is granted and the briefing schedule previously set by the Court on the motion to intervene is hereby amended as follows: the United States may serve and file its moving papers on a motion to intervene on or before June 29, 2017; papers in opposition to the motions of the United States and the New York State agencies shall be served and filed on or before July 6, 2016; reply papers in further support of the motions to intervene shall be served and filed on or before July 10, 2017. Ordered by Judge Denis R. Hurley on 6/27/2017. (Gapinski, Michele) (Entered: 06/27/2017)
06/29/2017	<u>533</u>	MOTION to Intervene <i>and to Vacate Order Directing Search of WMS Database for Names and Addresses of Plaintiff Class Members</i> by United States Department of Agriculture, United States Department of Health and Human Services. (Attachments: # <u>1</u> Memorandum in Support) (Dickman, Mary) (Entered: 06/29/2017)

07/06/2017	<u>534</u>	MEMORANDUM in Opposition to <i>Motions of NYS and USA to Intervene and Vacate Court's April 10, 2017 Order</i> filed by Gardy Augustin. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit) (Herbst, Robert) (Entered: 07/06/2017)
07/10/2017	<u>535</u>	REPLY in Support re <u>529</u> MOTION to Intervene filed by New York State Department of Health, New York State Office of Children and Family Services, New York State Office of Temporary and Disability Assistance. (Grieco, Matthew) (Entered: 07/10/2017)
07/10/2017	<u>536</u>	Letter to Marilyn Bloch from C. Zenz, Deputy Clerk, dated 7/10/2017 re: To advise that the enclosed letter is being returned withoutdocketing or consideration for the reasons stated herein. (Attachments: # <u>1</u> Bloch Letter) (Fagan, Linda) (Entered: 07/11/2017)
07/26/2017	<u>537</u>	ORDER granting in part and denying in part [529, 533] : The motions to intervene are granted. The motions for vacatur of the April Order are denied. The County is directed to provide the updated addresses to the claims administrator within ten (10) days of the date of this Order. See attached Memorandum & Order. Ordered by Judge Denis R. Hurley on 7/26/2017. (Gapinski, Michele) (Main Document 537 replaced on 7/26/2017) (Lundy, Lisa). (Entered: 07/26/2017)
08/31/2017	<u>538</u>	Letter <i>Requesting Extension of Equitable Toll</i> by Gardy Augustin (Herbst, Robert) (Entered: 08/31/2017)
09/06/2017	<u>539</u>	NOTICE by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department <i>NOTICE OF PROPOSED ORDER DIRECTING PAYMENT</i> (Attachments: # <u>1</u> Exhibit Exhibit 1 KCC Distribution Report dated August 15, 2017, # <u>2</u> Exhibit Exhibit 2 – Payment Instructions to KCC) (Ben-Sorek, Liora) (Entered: 09/06/2017)
09/07/2017	<u>540</u>	ORDER re <u>539</u> Notice(Other): The proposed order directing payment is So Ordered. See attached. Ordered by Judge Denis R. Hurley on 9/7/2017. (Gapinski, Michele) c/ Forwarded to Financial (Brooklyn). Modified on 9/8/2017 (Fagan, Linda). (Entered: 09/07/2017)
09/29/2017	<u>541</u>	Letter <i>in response and opposition to Plaintiff's letter (DE 538) requesting toll on filing deadline</i> by Joseph Jablonsky, Nassau County, Nassau County Sheriff's Department (Ben-Sorek, Liora) (Entered: 09/29/2017)
09/29/2017	<u>542</u>	Letter <i>Replying to Defendants' Letter Opposing Extension of the Toll</i> by Gardy Augustin (Herbst, Robert) (Entered: 09/29/2017)
10/04/2017	<u>543</u>	ORDER re [538, 541, 542]: Plaintiffs' application for a retroactive extension of the tolling provision is denied. See attached. Ordered by Judge Denis R. Hurley on 10/4/2017. (Gapinski, Michele) (Entered: 10/04/2017)