

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:13-cv-05670-AB**

GLEASON v. DEPARTMENT OF PUBLIC WELFARE OF
THE COMMONWEALTH OF PENNSYLVANIA et al
Assigned to: HONORABLE ANITA B. BRODY
Cause: 42:12101 The Americans with Disabilities Act of 1990

Date Filed: 09/27/2013
Date Terminated: 06/11/2015
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: Federal Question

Plaintiff

JOSEPH GLEASON
*INDIVIDUALLY AND ON BEHALF OF
SIMILARLY SITUATED PERSONS
TERMINATED: 10/28/2013*

represented by **DYNAH HAUBERT**
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Plaintiff

PAULA GLEASON
TERMINATED: 10/28/2013

represented by **ROBIN RESNICK**
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*TERMINATED: 10/28/2013
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Plaintiff

PAULA SMITH
*INDIVIDUALLY AND ON BEHALF OF
SIMILARLY SITUATED PERSONS*

represented by **DYNAH HAUBERT**
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V.

Defendant

**DEPARTMENT OF PUBLIC
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COMMONWEALTH OF
PENNSYLVANIA**

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Defendant

BEVERLY MACKERETH
*IN HER OFFICIAL CAPACITY AS
SECRETARY OF THE DEPARTMENT
OF PUBLIC WELFARE OF THE
COMMONWEALTH OF
PENNSYLVANIA*

represented by **GREGORY F. CIRILLO**
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ATTORNEY TO BE NOTICED

JOHN J. HIGSON
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JOSHUA D. WOLSON
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Date Filed	#	Docket Text
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09/27/2013	<u>1</u>	COMPLAINT against DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH (Filing fee \$ 400 receipt number 089036.), filed by JOSEPH GLEASON. (Attachments: # <u>1</u> Civil Cover Sheet)(ks,) (Entered: 09/27/2013)
09/27/2013		2 Summonses Issued as to DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH. Forwarded To: COUNSEL on 9/27/13 (ks,) (Entered: 09/27/2013)
10/03/2013	<u>2</u>	MOTION for Preliminary Injunction filed by JOSEPH GLEASON.Memorandum of Law and Certificate of Service. (Attachments: # <u>1</u> Request for Hearing and Argument, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibits A through H, # <u>4</u> Exhibits I through L, # <u>5</u> Exhibits M & N)(RESNICK, ROBIN) (Entered: 10/03/2013)
10/04/2013	<u>3</u>	ORDER that A CONFERENCE REGARDING PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION (DOC. #2) WILL BE HELD ON TUESDAY, OCTOBER 8, 2013 AT 2:00 P.M.. THE CONFERENCE WILL BE HELD IN CHAMBERS, ROOM 7613 ON THE 7TH FLOOR OF THE U.S. COURTHOUSE, 601 MARKET ST., PHILADELPHIA, PA.. SIGNED BY HONORABLE ANITA B. BRODY ON 10/4/2013. 10/4/2013 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 10/04/2013)
10/08/2013	<u>4</u>	NOTICE of Appearance by JOHN J. HIGSON on behalf of DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH with Certificate of Service(HIGSON, JOHN) (Entered: 10/08/2013)
10/08/2013	<u>5</u>	NOTICE of Appearance by JOSHUA D. WOLSON on behalf of DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH with Certificate of Service(WOLSON, JOSHUA) (Entered: 10/08/2013)
10/08/2013	<u>6</u>	NOTICE of Appearance by GREGORY F. CIRILLO on behalf of DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH with Certificate of Service(CIRILLO, GREGORY) (Entered: 10/08/2013)
10/08/2013	<u>7</u>	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY: Chambers Conference held on 10/8/13. (fdc) (Entered: 10/08/2013)
10/09/2013	<u>8</u>	ORDER – IN RESPONSE TO THE PLAINTIFF JOSEPH GLEASON'S COMPLAINT (ECF NO. 1) AND MOTION FOR PRELIMINARY INJUNCTION (ECF NO. 2), IT IS ORDERED AS FOLLOWS: DEFENDANTS DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA AND BEVERLY MACKERETH MAY FILE AN ANSWER TO THE COMPLAINT AND AN OPPOSITION TO THE MOTION FOR PRELIMINARY INJUNCTION ON OR BEFORE OCTOBER 25, 2013.. PLAINTIFF JOSEPH GLEASON MAY FILE A REPLY TO THE OPPOSITION TO THE MOTION FOR PRELIMINARY INJUNCTION ON OR BEFORE NOVEMBER 1, 2013.. SIGNED BY HONORABLE ANITA B. BRODY ON 10/9/2013. 10/9/2013 ENTERED AND COPIES VIA ECF.(mo,) Modified on 10/9/2013 (mo,). (Entered: 10/09/2013)
10/09/2013	<u>9</u>	AMENDED COMPLAINT against DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH, filed by JOSEPH GLEASON, PAULA GLEASON, Certificate of Service.(fdc) (Entered: 10/09/2013)
10/10/2013		Set/Reset Deadlines as to <u>2</u> MOTION for Preliminary Injunction . RESPONSES DUE BY 10/25/2013. REPLIES DUE BY 11/1/2013. (afm,) (Entered: 10/10/2013)
10/24/2013	<u>10</u>	STIPULATION re <u>8</u> Order, Set Motion and R&R Deadlines/Hearings,,,, <i>for Leave to File Second Amended Complaint and for Defendants' Response</i> by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, JOSEPH GLEASON, PAULA GLEASON, BEVERLY MACKERETH. (GOLD, STEPHEN) (FILED IN ERROR BY ATTORNEY; COPY FORWARDED TO JUDGE FOR APPROVAL) Modified on 10/24/2013 (nd,). (Entered: 10/24/2013)

10/28/2013	<u>11</u>	SECOND AMENDED COMPLAINT against DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH, filed by PAULA SMITH, Certificate of Service.(fdc) (Entered: 10/29/2013)
10/30/2013	<u>12</u>	MOTION to Certify Class filed by PAULA SMITH.Memorandum of Law, Certificate of Service. RESPONSES DUE BY 11/18/2013. (Attachments: # <u>1</u> Exhibits A through F, # <u>2</u> Exhibits G through I, # <u>3</u> Text of Proposed Order)(GOLD, STEPHEN) (Entered: 10/30/2013)
11/12/2013	<u>13</u>	<i>Defendants</i> ANSWER to <u>11</u> Amended Complaint (<i>Defendants' Answer and Affirmative Defenses to Plaintiff's Second Amended Complaint with Certificate of Service</i>) by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH.(HIGSON, JOHN) (Entered: 11/12/2013)
11/13/2013	<u>14</u>	NOTICE OF RULE 16 SCHEDULING CONFERENCE SET FOR 12/3/2013 04:00 PM IN COURTROOM BEFORE HONORABLE ANITA B. BRODY.(ldb,) (Entered: 11/13/2013)
11/18/2013	<u>15</u>	STIPULATION <i>And Proposed Order</i> by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWALTH OF PENNSYLVANIA. (HIGSON, JOHN) (FILED IN ERROR BY ATTORNEY; COPY FORWARDED TO JUDGE FOR APPROVAL) Modified on 11/18/2013 (nd,). (Entered: 11/18/2013)
11/21/2013	<u>16</u>	STIPULATION AND ORDER...WHEREAS, THE PARTIES HAVE AGREED, PURSUANT TO RULE 26(f) TO CONDUCT A MEET AND CONFER ON NOVEMBER 21, 2013 TO DISCUSS AMONG OTHER THINGS, A SCHEDULE FOR DISCOVERY AND BRIEFING ON THE CLASS CERTIFICATION ISSUES. WHEREAS, THE PARTIES HAVE STIPULATED AND AGREED THAT THE TIME FOR DEFFENDANT TO RESPOND TO PLAINTIFFS' MOTION TO CERTIFY THE CLASS SHOULD BE DEFERRED AND SUBJECT TO THE SCHEDULE THE COURT ORDERS AFTER THE PARTIES CONDUCT THEIR MEET AND CONFER AND PARTICIPATE IN THE DECEMBER 3, 2013 RULE 16 CONFERENCE. APPROVED BY THE COURT:. SIGNED BY HONORABLE ANITA B. BRODY ON 11/20/2013. 11/21/2013 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 11/21/2013)
11/26/2013	<u>17</u>	Discovery Plan by All Parties.(GOLD, STEPHEN) (Entered: 11/26/2013)
11/27/2013	<u>18</u>	ORDER that THE TIME OF THE RULE 16 CONFERENCE SCHEDULED FOR TUESDAY, DECEMBER 3, 2013 AT 4:00 P.M. WILL NOW BE HELD AT 11:00 A.M.. THE CONFERENCE WILL BE HELD IN CHAMBERS, ROOM 7613 ON THE 7TH FLOOR OF THE U.S. COURTHOUSE, 601 MARKET ST., PHILADELPHIA, PA. SIGNED BY HONORABLE ANITA B. BRODY ON 11/27/2013. 11/27/2013 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 11/27/2013)
12/05/2013	<u>19</u>	ORDER that THE PARTIES WILL SUBMIT A PROPOSED BRIEFING SCHEDULE TO THE COURT ON PLAINTIFF'S MOTION FOR CLASS CERTIFICATION ON OR BEFORE JANUARY 20, 2014; ALL DISCOVERY DUE BY FEBRUARY 19, 2014; PLAINTIFF'S EXPERT REPORTS DUE FEBRUARY 5, 2014; DEFENDANT'S REPORTS DUE JANUARY 22, 2014; DEPOSITIONS OF ALL EXPERTS TO BE COMPLETED BY FEBRUARY 19, 2014 AND DISPOSITIVE MOTIONS DUE BY MARCH 5, 2014.. SIGNED BY HONORABLE ANITA B. BRODY ON 12/3/2013. 12/5/2013 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 12/05/2013)
12/10/2013	<u>20</u>	NOTICE of Hearing: TELEPHONE CONFERENCE RE: SETTLEMENT MATTERS AND POSSIBLY SCHEDULING A SETTLEMENT CONFERENCE HAS BEEN SET FOR 1/9/2014 09:15 AM BEFORE MAGISTRATE JUDGE DAVID R. STRAWBRIDGE. COUNSEL FOR PLAINTIFF IS DIRECTED TO INITIATE THIS CALL AND ONCE ALL COUNSEL ARE ON THE LINE, TO THEN JOIN CHAMBERS INTO THE CALL (PH: 267-299-7790).(lds,) (Entered: 12/10/2013)
01/10/2014	21	Minute Entry for proceedings held before MAGISTRATE JUDGE DAVID R. STRAWBRIDGE: Telephone Settlement Conference held on 1/9/2014. (kp,) (Entered: 01/10/2014)

01/10/2014	<u>22</u>	ORDER THAT A SETTLEMENT CONFERENCE WILL BE HELD IN CHAMBERS BEFORE THE HONORABLE DAVID R. STRAWBRIDGE IN ROOM 3030, 3RD FLOOR, UNITED STATES COURTHOUSE, 601 MARKET STREET, PHILADELPHIA, PENNSYLVANIA 19106 ON TUESDAY, 2/25/2014 AT 10:00 AM. ADDITIONAL INFORMATION CONTAINED HEREIN. SIGNED BY MAGISTRATE JUDGE DAVID R. STRAWBRIDGE ON 1/9/14. 1/10/14 ENTERED AND COPIES E-MAILED.(va,) (Entered: 01/10/2014)
01/14/2014	23	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY: Pretrial Conference held on 12/3/13. (fdc) (Entered: 01/14/2014)
01/16/2014	<u>24</u>	STIPULATION <i>and Proposed Order</i> by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA. (HIGSON, JOHN) (FILED IN ERROR BY ATTORNEY; COPY FORWARDED TO JUDGE FOR APPROVAL) Modified on 1/16/2014 (nd,). (Entered: 01/16/2014)
01/21/2014	<u>25</u>	STIPULATION AND ORDER... the PARTIES HAVE STIPULATED AND AGREED TO THE FOLLOWING BRIEFING SCHEDULE WITH RESPECT TO PLAINTIFFS' MOTION TO CERTIFY THE CLASS: DEFENDANTS BRIEF IN OPPOSITION DUE: FEBRUARY 21, 2014 AND PLAINTIFFS' REPLY BRIEF DUE MARCH 7, 2014. APPROVED BY THE COURT:. SIGNED BY HONORABLE ANITA B. BRODY ON 1/21/2014. 1/21/2014 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 01/21/2014)
01/21/2014		Set/Reset Deadlines as to <u>12</u> MOTION to Certify Class . RESPONSE BRIEF IN OPPOSITION DUE BY 2/21/2014. REPLIES DUE BY 3/7/2014. (afm,) (Entered: 01/23/2014)
01/30/2014	<u>26</u>	Amended MOTION to Certify Class filed by PAULA SMITH.Memorandum of Law and Certificate of Service. RESPONSES DUE BY 2/21/2014. (Attachments: # <u>1</u> Exhibits A, B, C, D, E, and F, # <u>2</u> Exhibits G, H, and I, # <u>3</u> Text of Proposed Order)(RESNICK, ROBIN) (Entered: 01/30/2014)
02/20/2014	<u>27</u>	JOINT SCHEDULING ORDER that THE PARTIES TO THIS ACTION HEREBY STIPULATE AND AGREE ON THE FOLLOWING AMENDED PRE-TRIAL SCHEDULE: 1. DISCOVERY: ALL FACT AND EXPERT DISCOVERY SHALL BE COMPLETED ON OR BEFORE MARCH 21, 2014; 2. DISPOSITIVE MOTIONS: ALL DISPOSITIVE MOTIONS SHALL BE FILED ON OR BEFORE APRIL 4, 2014. 3. CLASS CERTIFICATION BRIEFS:.... SIGNED BY HONORABLE ANITA B. BRODY ON 2/19/2014. 2/20/2014 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 02/20/2014)
02/20/2014		Set/Reset Deadlines as to <u>26</u> Amended MOTION to Certify Class , <u>12</u> MOTION to Certify Class . RESPONSES DUE BY 3/24/2014. (ahf,) (Entered: 02/25/2014)
02/21/2014	<u>28</u>	MOTION to Compel filed by PAULA SMITH.Memorandum of Law and Certificate of Service. (Attachments: # <u>1</u> Exhibits A, B, C, C, E, and F, # <u>2</u> Exhibits G, H, I, J, K, L, M, and N, # <u>3</u> Text of Proposed Order)(GOLD, STEPHEN) (Entered: 02/21/2014)
02/25/2014	29	Minute Entry for proceedings held before MAGISTRATE JUDGE DAVID R. STRAWBRIDGE: Settlement Conference held on 2/25/14. (fdc,) (Entered: 02/25/2014)
02/25/2014	<u>30</u>	NOTICE of Hearing: STATUS/FOLLOWUP TELEPHONE CONFERENCE RE: SETTLEMENT MATTERS SET FOR 3/5/2014 04:30 PM BEFORE MAGISTRATE JUDGE DAVID R. STRAWBRIDGE. COUNSEL FOR PLAINTIFF IS DIRECTED TO INITIATE THIS CALL AND ONCE ALL COUNSEL ARE ON THE LINE, IS THEN TO JOIN CHAMBERS INTO THE CALL (PH: 267-299-7790).(lds,) (Entered: 02/25/2014)
02/28/2014	<u>31</u>	MOTION to Compel <i>Production of Documents and Answers to Interrogatories</i> filed by PAULA SMITH.Memorandum of Law and Certificate of Service. (Attachments: # <u>1</u> Exhibits A through F, # <u>2</u> Text of Proposed Order)(GOLD, STEPHEN) (Entered: 02/28/2014)
03/06/2014	32	Minute Entry for proceedings held before MAGISTRATE JUDGE DAVID R. STRAWBRIDGE: TELEPHONE Settlement Conference held on 3/5/14. (jl,) (Entered: 03/06/2014)

03/10/2014	<u>33</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>28</u> MOTION to Compel filed by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH.Certificate of Service.(HIGSON, JOHN) (Entered: 03/10/2014)
03/11/2014	<u>34</u>	ORDER – UPON CONSIDERATION OF THE CONSENT MOTION FOR EXTENSION OF TIME FILED ON BEHALF OF DEFENDANTS, AND ANY RESPONSES THERETO, IT IS HEREBY ORDERED that THE MOTION IS GRANTED, AND DEFENDANTS SHALL HAVE UP TO AND INCLUDING MARCH 14, 2014 TO RESPOND TO PLAINTIFF'S MOTION TO COMPEL [D.I. 28]. ALL OTHER CASE MANAGEMENT DEADLINES REMAIN IN EFFECT. SIGNED BY HONORABLE ANITA B. BRODY ON 3/10/2014.3/11/2014 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 03/11/2014)
03/13/2014	<u>35</u>	STIPULATION AND ORDER... that 1. DEFENDANTS' BRIEF IN RESPONSE TO PLAINTIFF'S MOTION TO COMPEL (D.I. 28) SHALL BE FILED ON OR BEFORE MARCH 19, 2014. 2. DEFENDANTS' BRIEF IN RESPONSE TO PLAINTIFF'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND ANSWERS TO INTERROGATORIES (D.I. 31) SHALL BE FILED ON OR BEFORE MARCH 24, 2014. APPROVED BY THE COURT:. SIGNED BY HONORABLE ANITA B. BRODY ON 3/13/2014. 3/13/2014 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 03/13/2014)
03/13/2014		Set/Reset Deadlines as to RESPONSES DUE BY 3/19/2014 TO PLAINTIFF'S MOTION TO COMPEL (D.I. 28). (mo,) (Entered: 03/13/2014)
03/13/2014		Set/Reset Deadlines as to RESPONSES DUE BY 3/24/2014 TO PLAINTIFF'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND ANSWERS TO INTERROGATORIES (D.I. 31). (mo,) (Entered: 03/13/2014)
03/13/2014	<u>36</u>	JOINT SCHEDULING ORDER –... that 1. ALL FACT AND EXPERT DISCOVERY DUE BYON OR BEFORE 4/4/2014 AND 2. DISPOSITIVE MOTIONS DUE SHALL BE FILED ON OR BEFORE 4/18/2014. APPROVED BY THE COURT:. SIGNED BY HONORABLE ANITA B. BRODY ON 3/13/2014. 3/13/2014 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 03/13/2014)
03/14/2014		Set/Reset Deadlines as to <u>31</u> MOTION to Compel <i>Production of Documents and Answers to Interrogatories</i> . RESPONSES DUE BY 3/24/2014. (afm,) (Entered: 03/14/2014)
03/14/2014		Set/Reset Deadlines as to <u>12</u> MOTION to Certify Class . RESPONSES DUE BY 4/7/2014. REPLIES DUE BY 4/21/2014. (afm,) (Entered: 03/14/2014)
03/19/2014	<u>37</u>	MOTION for Partial Summary Judgment filed by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH.Memorandum, Certificate of Service. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Text of Proposed Order)(WOLSON, JOSHUA) (Entered: 03/19/2014)
03/19/2014	<u>38</u>	RESPONSE in Opposition re <u>28</u> MOTION to Compel, filed by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH. (HIGSON, JOHN) Modified on 5/12/2014 (md). (Entered: 03/19/2014)
03/21/2014	<u>39</u>	REPLY to Response to Motion re <u>28</u> MOTION to Compel filed by PAULA SMITH. (Attachments: # <u>1</u> Exhibits 1 & 2)(GOLD, STEPHEN) (Entered: 03/21/2014)
03/24/2014	<u>40</u>	RESPONSE in Opposition re <u>31</u> MOTION to Compel <i>Production of Documents and Answers to Interrogatories</i> filed by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH. (HIGSON, JOHN) (Entered: 03/24/2014)
03/27/2014	<u>41</u>	REPLY to Response to Motion re <u>31</u> MOTION to Compel <i>Production of Documents and Answers to Interrogatories</i> filed by PAULA SMITH. (Attachments: # <u>1</u> Exhibit)(GOLD, STEPHEN) (Entered: 03/27/2014)
03/28/2014	<u>42</u>	NOTICE of Hearing:FOLLOWUP/STATUS TELEPHONE CONFERENCE RE: SETTLEMENT MATTERS SET FOR 4/9/2014 04:30 PM BEFORE MAGISTRATE

		JUDGE DAVID R. STRAWBRIDGE. COUNSEL FOR PLAINTIFF IS DIRECTED TO INITIATE THIS CALL AND ONCE ALL COUNSEL ARE ON THE LINE, TO THEN JOIN CHAMBERS INTO THE CALL (Ph: 267-299-7790).(lds,) (Entered: 03/28/2014)
04/07/2014	<u>43</u>	RESPONSE in Opposition re <u>26</u> Amended MOTION to Certify Class filed by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Text of Proposed Order)(WOLSON, JOSHUA) (Entered: 04/07/2014)
04/10/2014	<u>44</u>	Minute Entry for proceedings held before MAGISTRATE JUDGE DAVID R. STRAWBRIDGE: Telephone Conference (re: settlement) held on 4/9/14. (fdc) (Entered: 04/10/2014)
04/11/2014	<u>45</u>	MOTION for Summary Judgment <i>and Opposition to Defendants' Motion for Partial Summary Judgment</i> filed by PAULA SMITH.Memorandum of Law, Certificate of Service. (Attachments: # <u>1</u> Plaintiff's Statement of Undisputed Facts, # <u>2</u> Exhibits 1 and 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, Pt. 1, # <u>6</u> Exhibit 5, Pt. 2, # <u>7</u> Exhibit 5, Pt. 3, # <u>8</u> Exhibits 6, 7, 8, 9, and 10, # <u>9</u> Exhibit 11, # <u>10</u> Exhibit 12, # <u>11</u> Exhibits 13 and 14, # <u>12</u> Exhibit 15, # <u>13</u> Exhibit 16, # <u>14</u> Exhibits 17, 18, 19, and 20, # <u>15</u> Exhibits 21, 22, 23, and 24, # <u>16</u> Exhibit 25, # <u>17</u> Exhibits 26 and 27, # <u>18</u> Exhibits 28, 29, and 30, # <u>19</u> Exhibits 31 and 32, # <u>20</u> Text of Proposed Order)(RESNICK, ROBIN) (Entered: 04/11/2014)
04/14/2014	<u>46</u>	ORDER that PLAINTIFF'S MOTION TO CERTIFY THE CLASS (ECF NO. 12) IS DENIED AS MOOT IN LIGHT OF PLAINTIFF'S AMENDED MOTION TO CERTIFY THE CLASS (ECF NO. 26).. SIGNED BY HONORABLE ANITA B. BRODY ON 4/14/2014.4/14/2014 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 04/14/2014)
04/18/2014	<u>47</u>	STIPULATION AND ORDER THAT THE FOLLOWING SHALL BE CONSOLIDATED INTO A SINGLE FILING AND SHALL BE FILED ON OR BEFORE 5/6/2014; DEFENDANTS' REPLY IN FURTHER SUPPORT OF THEIR MOTION FOR PARTIAL SUMMARY JUDGMENT; DEFENDANTS' RESPONSE IN OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT; AND DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT; ETC. SIGNED BY HONORABLE ANITA B. BRODY ON 4/18/14. 4/18/14 ENTERED AND COPIES E-MAILED.(ti,) (Entered: 04/18/2014)
04/21/2014	<u>48</u>	REPLY to Response to Motion re <u>26</u> Amended MOTION to Certify Class filed by PAULA SMITH. (Attachments: # <u>1</u> Exhibit Class Reply Exh. A-E, # <u>2</u> Exhibit Class Reply Exh. F-L)(HAUBERT, DYNAH) (Entered: 04/21/2014)
04/29/2014	<u>49</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>45</u> MOTION for Summary Judgment <i>and Opposition to Defendants' Motion for Partial Summary Judgment</i> , <u>37</u> MOTION for Partial Summary Judgment filed by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH.Proposed Order and Certificate of Service.(HIGSON, JOHN) (Entered: 04/29/2014)
05/01/2014	<u>50</u>	ORDER – UPON CONSIDERATION OF THE CONSENT MOTION FOR EXTENSION OF TIME FILED ON BEHALF OF DEFENDANTS AND ANY RESPONSES THERETO, IT IS HEREBY ORDERED that THE MOTION IS GRANTED, AND DEFENDANTS SHALL HAVE UP TO AND INCLUDING MAY 9, 2014, TO FILE THEIR CONSOLIDATED REPLY IN FURTHER SUPPORT... ALL OTHER CASE MANAGEMENT DEADLINES REMAIN IN EFFECT.. SIGNED BY HONORABLE ANITA B. BRODY ON 5/1/2014.5/1/2014 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 05/01/2014)
05/01/2014		Set/Reset Deadlines as to <u>37</u> MOTION for Partial Summary Judgment . REPLIES DUE BY 5/9/2014. (ahf,) (Entered: 05/02/2014)
05/09/2014	<u>51</u>	MOTION for Summary Judgment filed by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH.Certificate of Service. (Attachments: # <u>1</u> Defendants' (1) Memorandum of Law in Support of Their Motion for Summary Judgment, (2)

		Opposition to Plaintiff's Motion for Summary Judgment, and (3) Reply Memorandum in Support of Their Motion for Partial Summary Judgment, # <u>2</u> Proposed Order)(WOLSON, JOSHUA) (Entered: 05/09/2014)
05/09/2014	<u>52</u>	Defendants' Response and Counter-Statement to Plaintiff's Statement of Undisputed Facts by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH. (WOLSON, JOSHUA) Modified on 5/12/2014 (lisad,). (Entered: 05/09/2014)
05/09/2014	<u>53</u>	Appendix to Defendants' Memorandum of Law in Support re <u>51</u> MOTION for Summary Judgment , <u>52</u> Statement by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit 1 to J. Wolson Declaration, # <u>6</u> Exhibit 2 to J. Wolson Declaration, # <u>7</u> Exhibit 3 to J. Wolson Declaration, # <u>8</u> Exhibit 4 to J. Wolson Declaration, # <u>9</u> Exhibit 5 to J. Wolson Declaration, # <u>10</u> Exhibit 6 to J. Wolson Declaration, # <u>11</u> Exhibit 7 to J. Wolson Declaration, # <u>12</u> Exhibit 8 to J. Wolson Declaration, # <u>13</u> Exhibit 9 to J. Wolson Declaration, # <u>14</u> Exhibit 10 to J. Wolson Declaration, # <u>15</u> Exhibit 11 to J. Wolson Declaration, # <u>16</u> Exhibit 12 to J. Wolson Declaration, # <u>17</u> Exhibit 13 to J. Wolson Declaration, # <u>18</u> Exhibit 14 to J. Wolson Declaration, # <u>19</u> Exhibit 15 to J. Wolson Declaration)(WOLSON, JOSHUA) Modified on 5/12/2014 (lisad,). (Entered: 05/09/2014)
05/22/2014	<u>54</u>	MOTION in Limine to Preclude Testimony of David Williams, Esq. filed by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH.Memorandum, Certificate of Service. (Attachments: # <u>1</u> Memorandum of Law in Support of Motion, # <u>2</u> Exhibit A, # <u>3</u> Text of Proposed Order)(WOLSON, JOSHUA) (Entered: 05/22/2014)
05/22/2014	<u>55</u>	MOTION in Limine to Preclude Testimony of Stephen Feldman filed by BEVERLY MACKERETH, DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, Memorandum, Certificate of Service. (Attachments: # <u>1</u> Memorandum of Law in Support of Motion, # <u>2</u> Exhibit A, # <u>3</u> Text of Proposed Order)(WOLSON, JOSHUA) Modified on 5/23/2014 (md). (Entered: 05/22/2014)
05/29/2014	<u>56</u>	RESPONSE in Opposition re <u>51</u> MOTION for Summary Judgment and Reply to Defendants' Opposition to Plaintiff's Motion for Summary Judgment <u>45</u> filed by PAULA SMITH. (Attachments: # <u>1</u> Plaintiff's Responses to Defendants' Counterstatement of Undisputed Facts, # <u>2</u> Exhibits 33, 34, 35, 36, 37, and 38, # <u>3</u> Exhibits 39 and 40, # <u>4</u> Exhibits 41, 42, 43, 44, 45, and 46, # <u>5</u> Text of Proposed Order)(GOLD, STEPHEN) (Entered: 05/29/2014)
05/29/2014	<u>57</u>	RESPONSE in Opposition re <u>54</u> MOTION in Limine to Preclude Testimony of David Williams, Esq. filed by PAULA SMITH. (Attachments: # <u>1</u> Exhibits A, B, and C, # <u>2</u> Text of Proposed Order)(GOLD, STEPHEN) (Entered: 05/29/2014)
05/29/2014	<u>58</u>	RESPONSE in Opposition re <u>55</u> MOTION in Limine MOTION in Limine to Preclude Testimony of Stephen Feldman filed by PAULA SMITH. (Attachments: # <u>1</u> Exhibits A, B, C, D, and E, # <u>2</u> Text of Proposed Order)(GOLD, STEPHEN) (Entered: 05/29/2014)
06/12/2014	<u>59</u>	Statement of Interest by UNITED STATES OF AMERICA. (ROGERS, JOSHUA) (Entered: 06/12/2014)
06/12/2014	<u>60</u>	Consent MOTION for Leave to File Replies to Plaintiff's Oppositions to Defendants' Motions in Limine filed by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH.Certificate of Service. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Proposed Order)(WOLSON, JOSHUA) (Entered: 06/12/2014)
06/12/2014	<u>61</u>	RESPONSE in Support re <u>51</u> MOTION for Summary Judgment (Reply Memorandum of Law In Support of Their Motion for Summary Judgment and (2) Sur-Reply in Opposition to Plaintiff's Motion for Summary Judgment) filed by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH. (Attachments: # <u>1</u> Supplemental Declaration of Joshua D. Wolson, Esquire, # <u>2</u> Exhibit 1 to Supplemental Declaration)(WOLSON, JOSHUA)

		(Entered: 06/12/2014)
06/20/2014	<u>62</u>	ORDER – UPON CONSIDERATION OF THE CONSENT MOTION FOR LEAVE TO FILE REPLIES TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTIONS IN LIMINE [ECF NO. 60], IT IS ORDERED that THE MOTION IS GRANTED. DEFENDANTS ARE ORDERED TO FILE THEIR REPLY MEMORANDUMS ON THE DOCKET ON OR BEFORE JUNE 27, 2014.SIGNED BY HONORABLE ANITA B. BRODY ON 6/19/2014. 6/20/2014 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 06/20/2014)
06/20/2014	<u>63</u>	RESPONSE in Support re <u>54</u> MOTION in Limine <i>to Preclude Testimony of David Williams, Esq. (Defendants' Reply Memorandum in Support of Their Motion in Limine to Preclude the Testimony of David Williams, Esq.)</i> filed by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH. (WOLSON, JOSHUA) (Entered: 06/20/2014)
06/20/2014	<u>64</u>	RESPONSE in Support re <u>55</u> MOTION in Limine MOTION in Limine <i>to Preclude Testimony of Stephen Feldman (Defendants' Reply Memorandum in Support of Their Motion in Limine to Preclude the Testimony of Stephen A. Feldman, Esq.)</i> filed by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH. (WOLSON, JOSHUA) (Entered: 06/20/2014)
06/30/2014	<u>65</u>	Response re <u>59</u> Statement (<i>Defendants' Response to the Statement of Interest of the United States of America</i>) by DEPARTMENT OF PUBLIC WELFARE OF THE COMMONWEALTH OF PENNSYLVANIA, BEVERLY MACKERETH. (WOLSON, JOSHUA) (Entered: 06/30/2014)
07/29/2014	<u>66</u>	ORDER that THIS ACTION IS PLACED IN SUSPENSE. IT IS FURTHER ORDERED that A TELEPHONIC STATUS CONFERENCE WILL BE HELD ON AUGUST 19, 2014 AT 2:00 P.M.. PLAINTIFF IS INSTRUCTED TO INITIATE THE CALL.. SIGNED BY HONORABLE ANITA B. BRODY ON 7/28/2014. 7/29/2014 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 07/29/2014)
08/05/2014	<u>67</u>	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY: Telephone Conference held on 7/24/14 (fdc,) (Entered: 08/05/2014)
08/19/2014	<u>68</u>	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY: Telephone Status Conference held on 8/19/14. (fdc) (Entered: 08/19/2014)
08/21/2014	<u>69</u>	ORDER that A STATUS CONFERENCE WILL BE HELD IN CHAMBERS AT 10:00 A.M. ON SEPTEMBER 17, 2014.. SIGNED BY HONORABLE ANITA B. BRODY ON 8/20/2014. 8/21/2014 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 08/21/2014)
09/17/2014	<u>70</u>	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY: Status Conference held on 9/17/14. (fdc,) (Entered: 09/17/2014)
09/17/2014	<u>71</u>	ORDER that A FOLLOW-UP TELEPHONE CONFERENCE REGARDING STATUS OF THIS CASE WILL BE HELD ON NOVEMBER 4, 2014 AT 10:00 A.M.. COUNSEL, JOHN HIGSON WILL INITIATE THE CALL.. SIGNED BY HONORABLE ANITA B. BRODY ON 9/17/2014. 9/17/2014 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 09/17/2014)
11/04/2014	<u>72</u>	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY: Telephone Conference held on 11/4/14 (fdc,) (Entered: 11/04/2014)
11/04/2014	<u>73</u>	ORDER – AS STATED ON THE RECORD AT THE NOVEMBER 4, 2014, TELEPHONE CONFERENCE, IT IS ORDERED that DEFENDANT MUST PROVIDE PLAINTIFF'S COUNSEL WITH THE NAMES AND ADDRESSES OF ALL APPLICANTS TO THE ACT 150 COMMUNITY-BASED ATTENDANT CARE SERVICE PROGRAM ON OR BEFORE NOVEMBER 11, 2014.... A STATUS CONFERENCE WILL BE HELD ON WEDNESDAY, DECEMBER 3, 2014 AT 10:00 A.M. IN CHAMBERS, ROOM 7613 ON THE 7TH FLOOR OF THE U.S. COURTHOUSE, 601 MARKET ST.,PHILADLEHIA,PA.. SIGNED BY HONORABLE ANITA B. BRODY ON 11/4/2014. 11/4/2014 ENTERED AND COPIES VIA ECF.(mo,) (Entered: 11/04/2014)

12/03/2014	<u>74</u>	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY Chambers Conference held on 12/3/2014. Court Reporter: ESR. (fdc) Modified on 12/4/2014 (lisad,). (Entered: 12/03/2014)
01/30/2015	<u>75</u>	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY Pretrial Conference held on 12/1/14. (fdc) (Entered: 01/30/2015)
02/05/2015	<u>76</u>	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY Pretrial Conference held on 1/26/15. (fdc) (Entered: 02/05/2015)
03/25/2015	<u>77</u>	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY Telephone Status Conference held on 3/24/15. Court Reporter: ESR. (fdc) (Entered: 03/25/2015)
04/16/2015	<u>78</u>	ORDER that A STATUS CONFERENCE WILL BE HELD ON TUESDAY, MAY 26, 2015 AT 10:00 A.M., IN CHAMBERS, ROOM 7613 ON THE 7TH FLOOR OF THE U.S. DISTRICT COURT, 601 MARKET ST.,PHILADELPHIA, PA.. SIGNED BY HONORABLE ANITA B. BRODY ON 4/15/2015. 4/16/2015 ENTERED AND COPIES VIA ECF.(mo,) Modified on 5/26/2015 (mo,). (Entered: 04/16/2015)
04/16/2015		Set/Reset Hearings: STATUS CONFERENCE SET FOR 5/26/2015 10:00 AM IN JUDGE CHAMBERS BEFORE HONORABLE ANITA B. BRODY. (mo,) (Entered: 04/16/2015)
05/26/2015	<u>79</u>	NOTICE of Appearance by KELLY L. DARR on behalf of PAULA SMITH with Certificate of Service(DARR, KELLY) (Entered: 05/26/2015)
06/11/2015	<u>80</u>	STIPULATION of Dismissal by PAULA SMITH. (DARR, KELLY) (Entered: 06/11/2015)