

**U.S. District Court
District of New Jersey [LIVE] (Camden)
CIVIL DOCKET FOR CASE #: 1:20-cv-05496-RMB**

WRAGG et al v. ORTIZ et al
Assigned to: Judge Renee Marie Bumb
Cause: 28:2241 Petition for Writ of Habeas Corpus
(federa

Date Filed: 05/04/2020
Date Terminated: 05/27/2020
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: U.S. Government
Defendant

Petitioner

TROY WRAGG

represented by **JEANNE LOCICERO**
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Petitioner

LEONARD BOGDAN

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Petitioner

ELIEZER SOTO-CONCEPCION
*individually and on behalf of all
others similarly situated*

represented by **JEANNE LOCICERO**
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V.

Respondent

DAVID E. ORTIZ

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Respondent

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MARK E. COYNE

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/04/2020	1	PETITION for Writ of Habeas Corpus COVID-19 <i>and Class Action Complaint for Declaratory and Injunctive Relief</i> (Filing fee \$ 5 receipt number ANJDC-10767184.), filed by Troy Wragg, Eliezer Soto-Concepcion, Leonard Bogdan, Michael Scronic. (Attachments: # 1 Declaration of Joe Goldenson, M.D., # 2 Declaration of Nina Fefferman, Ph.D., # 3 Declaration of Judith Resnik, J.D., # 4 Declaration of Troy Wragg, # 5 Declaration of Michael Scronic, # 6 Declaration of Leonard Bogdan, # 7 Declaration of Eliezer Soto-Concepcion, # 8 Civil Cover Sheet)(BORDEN, TESS) (Entered: 05/04/2020)
05/04/2020	2	NOTICE of Appearance by JEANNE LOCICERO on behalf of Leonard Bogdan, Michael Scronic, Eliezer Soto-Concepcion, Troy Wragg (LOCICERO, JEANNE) (Entered: 05/04/2020)
05/04/2020		Judge Renee Marie Bumb added. (dd,) (Entered: 05/04/2020)
05/04/2020		CLERK'S QUALITY CONTROL MESSAGE - The case you electronically filed has been processed, however, the following deficiencies were found: Caption,Party Information is to be entered in CAPITAL LETTERS. . The Clerk's Office has made the appropriate changes. Please refer to the Attorney Case Opening Guide for processing electronically filed cases. (cry,) (Entered: 05/04/2020)
05/04/2020	3	DECLARATION of Tess Borden re 1 Petition for Writ of Habeas Corpus,, by LEONARD BOGDAN, MICHAEL SCRONIC, ELIEZER SOTO-CONCEPCION, TROY WRAGG. (Attachments:

		# 1 Exhibit 1 through Exhibit 30, # 2 Exhibit 31 through Exhibit 58)(BORDEN, TESS) (Entered: 05/04/2020)
05/06/2020	4	ORDER that within 15 days of the date of entry of this order, Respondent shall file and serve an answer which responds to the allegations and grounds in the petition, etc. Signed by Judge Renee Marie Bumb on 5/5/2020. (rtm,)(nm) (Entered: 05/06/2020)
05/06/2020	5	NOTICE of Appearance by John T. Stinson, Jr on behalf of MICHAEL CARVAJAL, DAVID E. ORTIZ (Stinson, John) (Entered: 05/06/2020)
05/06/2020	6	NOTICE of Appearance by ELIZABETH ANN PASCAL on behalf of MICHAEL CARVAJAL, DAVID E. ORTIZ (PASCAL, ELIZABETH) (Entered: 05/06/2020)
05/06/2020	7	NOTICE of Appearance by JOHN FRANCIS BASIAK on behalf of MICHAEL CARVAJAL, DAVID E. ORTIZ (BASIAK, JOHN) (Entered: 05/06/2020)
05/06/2020	8	MOTION for Leave to Appear Pro Hac Vice by LEONARD BOGDAN, MICHAEL SCRONIC, ELIEZER SOTO-CONCEPCION, TROY WRAGG. (Attachments: # 1 Certification of Tess Borden, # 2 Certification of James P. Davy, # 3 Certification of Matthew Stiegler, # 4 Certification of Caitlin J. Halligan, # 5 Certification of Faith E. Gay, # 6 Certification of Joshua S. Margolin, # 7 Certification of Oscar Shine, # 8 Certification of Kevin C. Hu, # 9 Certification of Shomik Ghosh, # 10 Text of Proposed Order)(BORDEN, TESS) (Entered: 05/06/2020)
05/06/2020	9	Emergency MOTION for Preliminary Injunction by LEONARD BOGDAN, MICHAEL SCRONIC, ELIEZER SOTO-CONCEPCION, TROY WRAGG. (Attachments: # 1 Brief in Support of Motion for Preliminary Injunction, # 2 Declaration of Tess Borden, # 3 Text of Proposed Order)(BORDEN, TESS) (Entered: 05/06/2020)
05/06/2020		Set Deadlines as to 9 Emergency MOTION for Preliminary Injunction . Motion set for 6/1/2020 before Judge Renee Marie Bumb. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (rtm,) (Entered: 05/12/2020)

05/07/2020	10	TEXT ORDER. The Court will conduct a Zoom video conference in this matter on May 12, 2020 at 10:00 a.m. Two attorneys for the Plaintiffs and two attorneys for the Defendants may appear by video, all others by audio only without appearances. Kindly mark your calendars. So Ordered by Judge Renee Marie Bumb on 05/07/2020. (Bumb, Renee) (Entered: 05/07/2020)
05/07/2020	11	TEXT ORDER: It is hereby ORDERED this Court schedules an off the record conference call with counsel in the case on May 8, 2020 at 3:00 p.m. The call in and access numbers to use for the call are as follows: 1-888-684-8852, access code 3436790#. So Ordered by Magistrate Judge Joel Schneider on 5/7/20. (Shaw, A) (Entered: 05/07/2020)
05/08/2020	12	TEXT ORDER. The time of the conference call is rescheduled to 11:00 a.m., same day. Kindly mark your calendars. So Ordered by Judge Renee Marie Bumb on 05/08/20. (Bumb, Renee) (Entered: 05/08/2020)
05/08/2020		Minute Entry for proceedings held before Magistrate Judge Joel Schneider: Telephone Status Conference held on 5/8/2020. (se,) (Entered: 05/11/2020)
05/10/2020	13	Letter from Jeanne LoCicero requesting expedited briefing re 9 Emergency MOTION for Preliminary Injunction . (LOCICERO, JEANNE) (Entered: 05/10/2020)
05/11/2020	14	Letter from respondents' counsel proposing a schedule. (RUYMANN, JOHN) (Entered: 05/11/2020)
05/11/2020	15	ORDER admitting James P. Davy, Esq., Matthew Stiegler, Esq., Caitlin J. Halligan, Esq.; Faith E. Gay, Esq.; Joshua S. Margolin, Esq; Oscar Shine, Esq.; Kevin C. Hu, Esq.; and Shomik Ghosh, Esq, as pro hac vice counsel. Signed by Judge Renee Marie Bumb on 5/11/2020. (rtm,) (Entered: 05/11/2020)
05/11/2020	16	NOTICE of Appearance by MARK E. COYNE on behalf of All Defendants (COYNE, MARK) (Entered: 05/11/2020)
05/12/2020		Set Deadlines as to 8 MOTION for Leave to Appear Pro Hac Vice . Motion set for 6/1/2020 before Judge Renee Marie Bumb. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (rtm,) (Entered: 05/12/2020)

05/12/2020	17	Minute Entry for proceedings held before Judge Renee Marie Bumb: Status Conference held via video conference on 5/12/2020. Ordered briefing schedule as follows; Respondents brief due by 5/18/20 at 5:00p.m., any reply by Petitioners due by on 5/20/20 at 5:00p.m. and any reply by respondents due on 5/21/20 at 5:00 p.m. Ordered hearing on Motion for Preliminary Injunction set for 5/22/20 at 10:00 a.m. (Court Reporter Ted Formaroli) (ar1,) (Entered: 05/12/2020)
05/13/2020	18	Transcript of Proceedings held on 5/12/2020, before Judge RENEE MARIE BUMB & Judge JOEL SCHNEIDER. Court Reporter/Transcriber Ted Formaroli (609-575-3864). NOTICE REGARDING (1) REDACTION OF PERSONAL IDENTIFIERS IN TRANSCRIPTS AND (2) MOTION TO REDACT AND SEAL: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this Transcript to comply with Fed.R.Civ.P.5.2(a) (personal identifiers). Parties seeking to redact and seal this Transcript, or portions thereof, pursuant to L.Civ.R. 5.3(g) must e-file a Motion to Redact and Seal utilizing the event `Redact and Seal Transcript/Digital Recording`. Redaction Request to Court Reporter/Transcription Agency due, but not filed, by 6/3/2020. Redacted Transcript Deadline set for 6/15/2020. Release of Transcript Restriction set for 8/11/2020. (tf,) (Entered: 05/13/2020)
05/13/2020	19	TEXT ORDER The time of the hearing set for Friday 5/22/20 is rescheduled to 1:00 p.m., same day. Kindly mark your calendars. So Ordered by Judge Renee Marie Bumb on 05/13/2020. (Costigan, Roberta) (Entered: 05/13/2020)
05/14/2020	20	Notice of Request by Pro Hac Vice Faith E. Gay to receive Notices of Electronic Filings. (Pro Hac Vice fee \$ 150 receipt number ANJDC-10812691.) (BORDEN, TESS) (Entered: 05/14/2020)
05/14/2020	21	Notice of Request by Pro Hac Vice Shomik Ghosh to receive Notices of Electronic Filings. (Pro Hac Vice fee \$ 150 receipt number ANJDC-10812742.) (BORDEN, TESS) (Entered: 05/14/2020)
05/14/2020	22	Notice of Request by Pro Hac Vice Caitlin J. Halligan to receive Notices of Electronic Filings. (Pro Hac Vice fee \$ 150 receipt number ANJDC-10812776.) (BORDEN, TESS) (Entered: 05/14/2020)
05/14/2020	23	Notice of Request by Pro Hac Vice Kevin C. Hu to receive Notices of Electronic Filings. (Pro Hac Vice fee \$ 150 receipt number ANJDC-10812796.) (BORDEN, TESS) (Entered: 05/14/2020)

05/14/2020	24	Notice of Request by Pro Hac Vice Joshua S. Margolin to receive Notices of Electronic Filings. (Pro Hac Vice fee \$ 150 receipt number ANJDC-10812824.) (BORDEN, TESS) (Entered: 05/14/2020)
05/14/2020	25	Notice of Request by Pro Hac Vice Oscar Shine to receive Notices of Electronic Filings. (Pro Hac Vice fee \$ 150 receipt number ANJDC-10812843.) (BORDEN, TESS) (Entered: 05/14/2020)
05/15/2020	26	Notice of Request by Pro Hac Vice James P. Davy to receive Notices of Electronic Filings. (Pro Hac Vice fee \$ 150 receipt number ANJDC-10817300.) (BORDEN, TESS) (Entered: 05/15/2020)
05/15/2020	27	Notice of Request by Pro Hac Vice Matthew Stiegler to receive Notices of Electronic Filings. (Pro Hac Vice fee \$ 150 receipt number ANJDC-10817333.) (BORDEN, TESS) (Entered: 05/15/2020)
05/18/2020	28	MOTION to Dismiss for Lack of Jurisdiction <i>and for Failure to State a Claim and Opposition to Petitioners' Motion for a Preliminary Injunction</i> by MICHAEL CARVAJAL, DAVID E. ORTIZ. Responses due by 5/20/2020 (Attachments: # 1 Brief in Support of Motion to Dismiss and in Opposition to Petitioners' Motion for a Preliminary Injunction, # 2 Declaration of James Reiser, # 3 Declaration of Christina Clark, # 4 Declaration of Adam Sassaman, # 5 Declaration of Mark Coyne, # 6 Declaration Nicoletta Turner-Foster, # 7 Text of Proposed Order, # 8 Letter re: Brief Length, # 9 Certificate of Service)(BASIAK, JOHN) (Entered: 05/18/2020)
05/18/2020	29	Letter from the government's counsel requesting that the Court accept the government's late filing. (RUYMANN, JOHN) (Entered: 05/18/2020)
05/20/2020		Set Deadlines as to 28 MOTION to Dismiss for Lack of Jurisdiction <i>and for Failure to State a Claim and Opposition to Petitioners' Motion for a Preliminary Injunction</i> . Motion set for 6/15/2020 before Judge Renee Marie Bumb. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (rtm,) (Entered: 05/20/2020)
05/20/2020		Pro Hac Vice counsel, FAITH E. GRAY, SHOMIK GHOSH, CAITLIN J. HALLIGAN, KEVIN C HU, JOSHUA S

		MARGOLIN, OSCAR SHINE, JAMES P. DAVY and MATTHEW STIEGLER, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (rtm,) (Entered: 05/20/2020)
05/20/2020	30	MEMORANDUM in Opposition filed by LEONARD BOGDAN, MICHAEL SCRONIC, ELIEZER SOTO-CONCEPCION, TROY WRAGG re 28 MOTION to Dismiss for Lack of Jurisdiction <i>and for Failure to State a Claim and Opposition to Petitioners' Motion for a Preliminary Injunction</i> (Attachments: # 1 Declaration of Joe Goldenson, M.D., # 2 Declaration of Rodolfo Quiambao, # 3 Declaration of Ezra McCombs, # 4 Declaration of Tommie Telfair, # 5 Declaration of Raymond Valas, # 6 Declaration of Michael Scronic, # 7 Letter re: Brief Length)(BORDEN, TESS) (Entered: 05/20/2020)
05/20/2020	31	Letter from Petitioners' counsel requesting that the Court accept Petitioners' late filing. (BORDEN, TESS) (Entered: 05/20/2020)
05/21/2020	32	TEXT ORDER The Court having received the parties' briefs on Respondent's motion to dismiss and Petitioner's motion for preliminary injunctive relief and awaiting Respondent's reply, finds that oral argument is unnecessary and hereby Orders that the hearing scheduled for May 22 at 1:00 p.m. is cancelled. The Court will decide the motions on the briefs without oral argument pursuant to Federal Rule of Civil Procedure 78(b). Respondent, in its reply brief, shall address whether Phase Six of the of the BOP's Action Plan has been extended beyond May 18, 2020, and if so, until when.. So Ordered by Judge Renee Marie Bumb on 05/21/2020. (Costigan, Roberta) (Entered: 05/21/2020)
05/21/2020	33	REPLY BRIEF to Opposition to Motion filed by MICHAEL CARVAJAL, DAVID E. ORTIZ re 28 MOTION to Dismiss for Lack of Jurisdiction <i>and for Failure to State a Claim and Opposition to Petitioners' Motion for a Preliminary Injunction</i> (Attachments: # 1 Declaration (Redacted) May 21, 2020 Nicoletta Turner-Foster, M.D., # 2 Certificate of Service)(BASIAK, JOHN) (Entered: 05/21/2020)
05/21/2020	34	Exhibit to 33 Reply Brief to Opposition to Motion, <i>Un-redacted May 21, 2020 Declaration of Nicoletta Turner-Foster, M.D.</i> by MICHAEL CARVAJAL, DAVID E. ORTIZ. (BASIAK, JOHN)
		NOTICE TO COUNSEL : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days

		following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 05/21/2020)
05/21/2020	35	Letter from governments' counsel requesting that the Court accept the government's late-filed brief. (RUYMANN, JOHN) (Entered: 05/21/2020)
05/21/2020	36	MOTION to Seal <i>the Declaration of Nicoletta Turner Foster, M.D.</i> by MICHAEL CARVAJAL, DAVID E. ORTIZ. (Attachments: # 1 Declaration of Elizabeth Pascal, # 2 Text of Proposed Order, # 3 Certificate of Service)(PASCAL, ELIZABETH) (Entered: 05/21/2020)
05/22/2020		Set Deadlines as to 36 MOTION to Seal <i>the Declaration of Nicoletta Turner Foster, M.D.</i> . Motion set for 6/15/2020 before Judge Renee Marie Bumb. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (rtm,) (Entered: 05/22/2020)
05/22/2020	37	Letter from Elizabeth Pascal re: Protective Consent Order. (Attachments: # 1 Text of Proposed Order - Protective Consent Order)(PASCAL, ELIZABETH) (Entered: 05/22/2020)
05/26/2020	38	PROTECTIVE CONSENT ORDER. Signed by Magistrate Judge Joel Schneider on 5/22/2020. (rtm,) (Entered: 05/26/2020)
05/26/2020	39	Letter from Robert Hastings requesting to join case. (rtm,)(nm) (Entered: 05/26/2020)
05/27/2020	40	OPINION. Signed by Judge Renee Marie Bumb on 5/27/20. (dd,) (Main Document 40 replaced on 5/27/2020) (dd). (Entered: 05/27/2020)
05/27/2020	41	ORDER denying 9 Motion for Preliminary Injunction; granting 28 Motion to Dismiss for Lack of Jurisdiction; Directing Writ of HabeasCorpus COVID-19 and Class Action Complaint for Declaratory andInjunctive Relief be DISMISSED WITHOUT PREJUDICE.***CIVIL CASE TERMINATED. Signed by Judge Renee Marie Bumb on 5/27/20. (dd,) (Entered: 05/27/2020)
05/27/2020	42	Letter from Sonny Desposito 5/26/2020 requesting to be added by name to the class action lawsuit. (rtm,)(nm) (Entered: 05/27/2020)

05/29/2020	43	ORDER Directing the Clerk to mail Mr. Hastings a copy of the docket sheet in this case. Signed by Judge Renee Marie Bumb on 5/28/2020. (rtm,)(nm) (Entered: 05/29/2020)
05/29/2020	44	ORDER Directing the Clerk to mail a copy of the docket sheet for this case to Mr. Desposito. Signed by Judge Renee Marie Bumb on 5/28/2020. (rtm,)(nm) (Entered: 05/29/2020)
05/31/2020	45	TEXT ORDER The parties shall advise the Court whether the Order denying preliminary relief and dismissing the Complaint should be amended as the Court denied preliminary relief only. The parties may wish to submit a proposed order. So Ordered by Judge Renee Marie Bumb on 05/31/2020. (Costigan, Roberta) (Entered: 05/31/2020)
06/01/2020	46	SUPPLEMENTAL TEXT ORDER: In reference to this Court's Text Order of May 31, 2020 (Dkt. No. 45), the parties shall address footnote 26 in this Court's Opinion (Dkt. No. 40) dated May 29, 2020.. So Ordered by Judge Renee Marie Bumb on 06/01/2020. (Costigan, Roberta) (Entered: 06/01/2020)
06/01/2020	47	AMENDED SUPPLEMENTAL TEXT ORDER: In reference to this Court's Text Order of May 31, 2020, (Dkt. No. 45), the parties shall address footnote 26 in this Court's Opinion (Dkt. No. 40) dated May 27, 2020. So Ordered by Judge Renee Marie Bumb on 06/01/2020. (Costigan, Roberta) (Entered: 06/01/2020)
06/01/2020	48	Letter from government's counsel responding to Court's text orders. (RUYMANN, JOHN) (Entered: 06/01/2020)
06/02/2020	49	Letter from Petitioners' Counsel Pursuant to Text Orders 45-47 and Letter Motion for Reconsideration. (Attachments: # 1 Exhibit A: Wilson Stay Application, # 2 Exhibit B: Wilson Stay Denial, # 3 Exhibit C: Text of Proposed Order)(BORDEN, TESS) (Entered: 06/02/2020)
06/03/2020	50	Letter from Elizabeth Pascal re: Response to Petitioners' Motion re 49 Letter,. (PASCAL, ELIZABETH) (Entered: 06/03/2020)
06/05/2020	51	Letter from Petitioners' Counsel re. Supplemental Authority. (Attachments: # 1 Exhibit A: Wilson Stay Order)(BORDEN, TESS) (Entered: 06/05/2020)
06/05/2020	52	RESPONSE re 49 Letter,. (Attachments: # 1 Certificate of Service)(BASIAK, JOHN) (Entered: 06/05/2020)

06/08/2020	53	REPLY to Response re 52 Response (NOT Motion). (BORDEN, TESS) (Entered: 06/08/2020)
06/09/2020	54	Letter from Petitioners' Counsel re. Supplemental Authority. (Attachments: # 1 Wilson Opinion)(BORDEN, TESS) (Entered: 06/09/2020)
06/10/2020	55	OPINION. Signed by Judge Renee Marie Bumb on 6/9/2020. (rtm,) (Entered: 06/10/2020)
06/10/2020	56	ORDER Denying Petitioner's request to vacate this Court's order of 5/27/2020. Signed by Judge Renee Marie Bumb on 6/9/2020. (rtm,) (Entered: 06/10/2020)
12/03/2020	57	ORDER granting 36 Motion to Seal. Signed by Judge Renee Marie Bumb on 12/3/2020. (rtm,) (Entered: 12/03/2020)

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