

CLOSED, MEMBER

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:81-cv-05886-LMM**

Kozlowski, et al v. Coughlin, et al  
Assigned to: Judge Lawrence M. McKenna  
Demand: \$0  
Lead case: [1:81-cv-02355-LMM \(View Member Cases\)](#)  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 09/22/1981  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil  
Rights  
Jurisdiction: Federal Question

**Plaintiff****Anatol Kozlowski**

represented by **David C. Leven**  
Prisoners Legal Services of New York  
2 Catherine Street  
Poughkeepsie, NY 12601  
(914) 452-2800  
*LEAD ATTORNEY*

**Joan Posner**  
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**Marilyn D. Berson**  
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**Robert Gombiner**  
Prisoners Legal Services of New York  
2 Catherine Street  
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(914) 452-2800  
*LEAD ATTORNEY*

**Plaintiff****Donna Kozlowski**

represented by **David C. Leven**  
(See above for address)  
*LEAD ATTORNEY*

**Joan Posner**  
(See above for address)

*LEAD ATTORNEY*

**Marilyn D. Berson**  
(See above for address)  
*LEAD ATTORNEY*

**Robert Gombiner**  
(See above for address)  
*LEAD ATTORNEY*

V.

**Defendant**

**Thomas Coughlin, III**  
*Commissioner of New York State  
Department of Correctional Services*

represented by **Robert Abrams**  
Attorney General for the State of New  
York  
2 World Trade Center  
New York, NY 10047  
Email: abrams@whafh.com  
*LEAD ATTORNEY*

**Defendant**

**Theodore C. Reid**  
*Superintendent of Fishkill Correctional  
Facility*

represented by **Robert Abrams**  
(See above for address)  
*LEAD ATTORNEY*

**Intervenor Plaintiff**

**James Purchell**

**Intervenor Plaintiff**

**Lisabeth Purchell**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/22/1981	1	COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 120.00 RECEIPT # 50881. (dcap) (Entered: 09/29/2000)
10/07/1981	2	Notice of assignment to Judge Charles E. Stewart . Copy of notice and judge's rules mailed to Attorney(s) of record: David C. Leven, Joan Posner, Robert Gombiner, Marilyn D. Berson . (dcap) (Entered: 09/29/2000)
10/07/1981	3	NOTICE of Related Case Statement by Anatol Kozlowski, Donna Kozlowski. (dcap) (Entered: 09/29/2000)
12/23/1981	17	Intervenor's COMPLAINT by Anatol Kozlowski, Donna Kozlowski. (dcap) (Entered: 09/29/2000)
01/13/1982	19	ORDER,...permitting James and Lisabeth Purchell leave to intervene as

		party plaintiffs to this action... adding party(ies) James Purchell and Lisabeth added party(ies): intervenor-plaintiff James Purchell, Lisabeth Purchell . ( signed by Judge Charles E. Stewart ); Copies mailed. (dcap) (Entered: 09/29/2000)
01/20/1982	21	ANSWER to Complaint by Thomas Coughlin III, Theodore C. Reid (Attorney Robert Abrams from the Firm: Atty. Gen. NYS) . (dcap) (Entered: 09/29/2000)
04/04/1983		JUDGMENT, for Anatol Kozlowski, Donna Kozlowski, James Purchell, Lisabeth Purchell against Thomas Coughlin III, Theodore C. Reid... Pltffs motion for consolidation of the two above cases 1:81cv2355 and 1:81cv5886 is granted. Defts their successors, agents, employees and person acting under their direction are enjoined from enforcing directive 4403 dated June 18, 1979 and from terminating, revoking or suspending the rights of inmates and their visitors are afforded due process protection. This action is maintained as a class action. ( signed by Judge Charles E. Stewart ); Mailed copies and notice of right to appeal. Entered On Docket: 04/04/83. [Original filed in 1:81cv2355 as Doc. No. 13] (dcap) Modified on 09/29/2000 (Entered: 09/29/2000)
04/04/1983		Consolidated Member Case. Lead Case Number: 1:81cv2355 . (dcap) (Entered: 09/29/2000)
06/10/1983		STIPULATION and ORDER SETTLEMENT... The court having signed a judgment declaring Directive 4403 date June 18, 1979 to be unconstitutional and enjoining its further enforcement, as indicated.. ( signed by Judge Charles E. Stewart ) [Original filed in 1:81cv2355 as Doc. No.15] (dcap) (Entered: 09/29/2000)
06/10/1983		Case closed. (dcap) (Entered: 09/29/2000)
06/09/1995	22	STIPULATION and ORDER, The parties to the above action hereby settle plaintiffs' pending request for attorneys' fees and costs without any admission or acknowledgment of liability by either party. The State of New York shall pay the principal sum of thirty-two thousand two hundred ninety-six dollars and eighty cents..in attorneys' fees and costs.. ... ( signed by Judge Louis L. Stanton ) (dcap) (Entered: 09/29/2000)
10/11/2000	23	Notice of reassignment to Judge Lawrence M. McKenna . Copy of notice and judge's rules mailed to Attorney(s) of record: David C. Leven, Joan Posner, Robert Gombiner, Marilyn D. Berson . (bm) (Entered: 10/12/2000)
10/23/2000		Notice of reassignment mailed to Marilyn D. Berson returned. Undeliverable as addressed, unable to forward. (bm) (Entered: 10/24/2000)
10/23/2000		Notice of reassignment mailed to Joan Posner returned. Undeliverable as addressed, unable to forward. (bm) (Entered: 10/24/2000)
10/23/2000		Notice of reassignment mailed to David C. Leven returned. Undeliverable as addressed, unable to forward. (bm) (Entered: 10/24/2000)

		10/24/2000)
10/24/2000		Notice of reassignment mailed to Robert Gombiner returned. Undeliverable as addressed, unable to forward. (bm) (Entered: 10/25/2000)
12/08/2000	24	Memo-Endorsement on letter addressed to Judge McKenna from Joel Landau, dated 11/9/00. Re: plaintiffs request that the stay of the consent decree be further stayed. Plaintiffs' application for a further stay of the stay (already extended by Judge Pauley in Part I to 12/4/00) is denied. The Court does not have power to grant such relief. Miller v. French, 120 S. Ct. 2246 (200). This determination is without prejudice to plaintiffs' arguments that the PLRA does not apply to this call and for an extension of the time to complete discovery, which are under advisement . ( signed by Judge Lawrence M. McKenna ); Copies mailed. (kw) (Entered: 12/11/2000)
04/05/2001	25	DECLARATION of Joel Landau by James Purchell, Lisabeth Purchell in support of Interveners' mottion for contempt and additional relief. (djc) (Entered: 04/12/2001)
04/05/2001	26	NOTICE OF MOTION by Anatol Kozlowski, Donna Kozlowski for an order adjudging and holding defendants in contempt of the consent decree in this matter ; certifying the named complainants and interveners to representatives of a class of similarly situated person ; holding defendants liable for injuries suffered by the class members as a result of their contemptious actions ; ordering defendants to cooperate with further disocvery intended to identify all potential class members amd scheduling a hearing to assess and allocate damages ; Return date 4/27/01. (djc) (Entered: 04/12/2001)
05/10/2001	27	Memo-Endorsement on letter addressed to Judge McKenna from Joel Landau, dated 5/7/01; plaintiffs request an enlargement of time until 5/18/01, w/in which to respond to defendant's Cross-Motion to Dismiss plaintiff's and complainant-intervener's motion for contempt in this action; Granted . ( signed by Judge Lawrence M. McKenna ); Copies mailed. (ae) (Entered: 05/11/2001)
12/26/2001		NOTICE OF APPEAL by Anatol Kozlowski, Donna Kozlowski ; from ; the Order entered in this action on 11/30/01. Copies of notice of appeal mailed to Attorney(s) of Record: Attorney Generals Office for the State of New York. *(\$105.00 APPEAL FILING FEE DUE)* *(Original Doc.# 40 Filed In 81 Civ. 2355)*. (dt) (Entered: 12/27/2001)
12/27/2001		Notice of appeal and certified copy of docket to USCA: [0-1] appeal by Donna Kozlowski, Anatol Kozlowski ; Copy of notice of appeal sent to District Judge. (dt) (Entered: 12/27/2001)
01/07/2002		USCA appeal fees received \$ 105.00 Appeal Filing Fee paid 1/7/02 on receipt # E 426791. (sb) (Entered: 01/08/2002)

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