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MEDIATION

U.S. DISTRICT COURT
U.S. District Court, Western District of New York (Rochester)
CIVIL DOCKET FOR CASE #: 6:21-cv-06296-FPG

Hall et al v. Warren et al
Assigned to: Hon. Frank P. Geraci, Jr.
Cause: 42:1983 Civil Rights Act

Date Filed: 04/05/2021
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

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Plaintiff

**National Lawyers Guild
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*on behalf of themselves and other
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Defendant

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Defendant

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TERMINATED: 08/31/2021

Defendant

. John Doe

*Rochester Police Department
Officers 1-200 (the names and numbers of which are currently unknown)*

Defendant

Stephen Boily

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Date Filed	#	Docket Text
04/05/2021	<u>1</u>	COMPLAINT against All Defendants \$ 402 receipt number 0209-4207180, filed by Free the People ROC, Winona Miller, Stanley Martin, Anthony Hall, Emily Good, Nicholas Robertson, Lore McSpadden-Walker, National Lawyers Guild Rochester, Dynasty Buggs, Devorah Chatman, Emily McIntyre, Reynaldo Deguzman. (Attachments: # <u>1</u> Civil Cover Sheet)(McCarthy, Mary) (Entered: 04/05/2021)
04/05/2021	<u>2</u>	NOTICE of Appearance by Joshua S. Moskovitz on behalf of Dynasty Buggs, Devorah Chatman, Reynaldo Deguzman, Free the People ROC, Emily Good, Anthony Hall, Stanley Martin, Emily McIntyre, Lore McSpadden-Walker, Winona Miller, National Lawyers Guild Rochester, Nicholas Robertson (Moskovitz, Joshua) (Entered: 04/05/2021)
04/05/2021	<u>3</u>	NOTICE of Appearance by Elliot Dolby Shields on behalf of All Plaintiffs (Shields, Elliot) (Entered: 04/05/2021)
04/05/2021	<u>4</u>	CONTINUATION OF EXHIBITS to <u>1</u> Complaint, <i>Summonses - request to be issued.</i> (Shields, Elliot) (Entered: 04/05/2021)
04/06/2021		Case assigned to Hon. Frank P. Geraci, Jr., Notification to Chambers of on-line civil case opening. (SG) (Entered: 04/06/2021)
04/06/2021		AUTOMATIC REFERRAL to Mediation The ADR Plan is available for download at http://www.nywd.uscourts.gov/alternative-dispute-resolution .(SG) (Entered: 04/06/2021)
04/06/2021		Notice of Availability of Magistrate Judge: A United States Magistrate of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form (AO-85) is available for download at http://www.uscourts.gov/services-forms/forms . (SG) (Entered: 04/06/2021)
04/06/2021	<u>5</u>	Summons Issued as to William Baker, Todd Baxter, Adam Bello, Domenic Borrelli, John Clinkhammer, County of Monroe,

		Raymond W. Dearcop, Stephen A. Dellasala, Matthew Drake, Alexander Elmore, Henry C. Favor, Cynthia Herriott-Sullivan, Samuel Lucyshyn, Ralph Montinarelli, Ethan Paszko, Randy Potuck, La'Ron Singletary, The City of Rochester, Dakota Vanbrederode, Lovely Ann Warren. (Attachments: # 1 Summons, # 2 Summons, # 3 Summons)(SG) (Entered: 04/06/2021)
04/12/2021		ATTENTION CORPORATION PLAINTIFFS/DEFENDANTS: All Corporate Disclosure Statements pursuant to Fed. R. Civ. P.7.1(b) are to be filed within seven (7) days of this notice. (KM) (Entered: 04/12/2021)
04/12/2021	6	First MOTION to appear pro hac vice of <i>Jeffrey D. Martino</i> (Filing fee \$ 200 receipt number 0209-4215113.) by Anthony Hall. (Attachments: # 1 Exhibit Pro Hac Vice forms)(Shields, Elliot) (Entered: 04/12/2021)
04/12/2021	7	Corporate Disclosure Statement by Free the People ROC. (Shields, Elliot) (Entered: 04/12/2021)
04/13/2021	8	Corporate Disclosure Statement by National Lawyers Guild Rochester, Inc.. (Shields, Elliot) (Entered: 04/13/2021)
04/13/2021		E-Filing Notification regarding 6 First MOTION to appear pro hac vice. Filer is directed to refile both pages of the Attorney Database & Electronic Case Filing Registration form using the (continuation of exhibits) event. (KM) (Entered: 04/13/2021)
04/15/2021	9	MOTION to appear pro hac vice of <i>Ivory L. Bishop, Jr.</i> (Filing fee \$ 200 receipt number 0209-4218822.) by Anthony Hall. (Attachments: # 1 Affidavit in support of motion, # 2 Affidavit sponsoring admission, # 3 Declaration attorney's oath, # 4 Declaration civility principals oath, # 5 Exhibit attorney database and ECF registration form)(Thompson, Donald) (Entered: 04/15/2021)
04/15/2021	10	CONTINUATION OF EXHIBITS by Anthony Hall. to 6 First MOTION to appear pro hac vice of <i>Jeffrey D. Martino</i> (Filing fee \$ 200 receipt number 0209-4215113.) filed by Anthony Hall. (Shields, Elliot) (Entered: 04/15/2021)
04/20/2021	11	ORDER granting 6 Motion for Pro Hac Vice as to Jeffrey D. Martino. Signed by Hon. Frank P. Geraci, Jr. on 4/19/21. (JHF) (Entered: 04/20/2021)

04/20/2021	12	ORDER granting 9 Motion for Pro Hac Vice as to Ivory L. Bishop, Jr. Signed by Hon. Frank P. Geraci, Jr. on 4/19/21. (JHF) (Entered: 04/20/2021)
04/21/2021	13	AFFIDAVIT of Service for Summons and Complaint served on all RPD defendants on 4/12/2021, filed by Anthony Hall. (Shields, Elliot) (Entered: 04/21/2021)
04/21/2021	14	AFFIDAVIT of Service for Summons and Complaint served on La'Ron Singletary on 4/14/2021, filed by Anthony Hall. (Attachments: # 1 Affidavit add'l aos)(Shields, Elliot) (Entered: 04/21/2021)
04/21/2021	15	AFFIDAVIT of Service for Summons and Complaint served on City, County, Lovely Warren, Adam Bello, Todd Baxter on April 8, 2021, filed by Anthony Hall. (Shields, Elliot) (Entered: 04/21/2021)
04/22/2021	16	AFFIDAVIT of Service for Summons and Complaint served on Stephen A. Dellasala on April 14, 2021, filed by Anthony Hall. (Shields, Elliot) (Entered: 04/22/2021)
04/23/2021	17	AFFIDAVIT of Service for Summons and Complaint <i>Corrected Affidavit of Service</i> served on Stephen A. Dellasala on April 14, 2021, filed by Anthony Hall. (Shields, Elliot) (Entered: 04/23/2021)
05/03/2021	18	MOTION for Extension of Time to File Answer <i>Letter Motion on Consent for Extension of Time to Respond to the Complaint by Answer or by Rule 12 Motion</i> by William Baker, Domenic Borrelli, John Clinkhammer, Raymond W. Dearcop, Matthew Drake, Alexander Elmore, Henry C. Favor, Cynthia Herriott-Sullivan, Samuel Lucyshyn, Ralph Montinarelli, Ethan Paszko, Randy Potuck, La'Ron Singletary, The City of Rochester, Dakota Vanbrederode, Lovely Ann Warren.(Beath, Patrick) (Entered: 05/03/2021)
05/04/2021	19	ORDER granting 18 City Defendants' Motion for Extension of Time to Answer. City Defendants' answers now due 6/7/2021. SO ORDERED. Signed by Hon. Frank P. Geraci, Jr. on 5/4/21. (BJJ) (Entered: 05/04/2021)
05/12/2021	20	NOTICE of Appearance by Maria Elizabeth Rodi on behalf of Todd Baxter, Adam Bello, County of Monroe, Richard Roe (Rodi, Maria) (Entered: 05/12/2021)
05/12/2021	21	Consent MOTION for Extension of Time to File Answer <i>or Otherwise Respond to Complaint</i> by Todd Baxter, Adam Bello,

		County of Monroe, Richard Roe.(Rodi, Maria) (Entered: 05/12/2021)
05/13/2021	22	ORDER granting 21 Motion for Extension of Time to Answer. Todd Baxter answer due 6/7/2021; Adam Bello answer due 6/7/2021; County of Monroe answer due 6/7/2021; Richard Roe answer due 6/7/2021. Signed by Hon. Frank P. Geraci, Jr. on 5/13/21. (BJJ) (Entered: 05/13/2021)
05/14/2021	23	NOTICE of Appearance by Alissa M. Fortuna-Valentine on behalf of Todd Baxter, Adam Bello, County of Monroe, Richard Roe (Fortuna-Valentine, Alissa) (Entered: 05/14/2021)
05/24/2021	24	MOTION for Leave to File Excess Pages <i>on Consent of Plaintiffs</i> by Todd Baxter, Adam Bello, County of Monroe, Richard Roe.(Rodi, Maria) (Entered: 05/24/2021)
05/26/2021	25	ORDER granting 24 Motion for Leave to File Excess Pages. Signed by Hon. Frank P. Geraci, Jr. on 5/25/21. (JHF) (Entered: 05/26/2021)
05/27/2021	26	MOTION for Leave to File Excess Pages by William Baker, Domenic Borrelli, John Clinkhammer, Raymond W. Dearcop, Matthew Drake, Alexander Elmore, Henry C. Favor, Cynthia Herriott-Sullivan, Samuel Lucyshyn, Ralph Montinarelli, Ethan Paszko, Randy Potuck, La'Ron Singletary, The City of Rochester, Dakota Vanbrederode, Lovely Ann Warren.(Beath, Patrick) (Entered: 05/27/2021)
05/28/2021	27	TEXT ORDER granting 26 Motion for Leave to File Excess Pages. Defendant may file a brief of up to 35 pages. SO ORDERED. Signed by Hon. Frank P. Geraci, Jr. on 5/28/21. (BJJ) (Entered: 05/28/2021)
06/03/2021	28	NOTICE of Appearance by Spencer L. Ash on behalf of John Clinkhammer, Raymond W. Dearcop, Matthew Drake, Henry C. Favor, Cynthia Herriott-Sullivan, Samuel Lucyshyn, Randy Potuck, La'Ron Singletary, The City of Rochester, Lovely Ann Warren (Ash, Spencer) (Entered: 06/03/2021)
06/03/2021	29	Letter filed by Ethan Paszko, John Clinkhammer, Samuel Lucyshyn, La'Ron Singletary, Lovely Ann Warren, Dakota Vanbrederode, The City of Rochester, Cynthia Herriott-Sullivan, Henry C. Favor, Matthew Drake, Randy Potuck as to Alexander Elmore, Sally Sue, Ethan Paszko, Domenic Borrelli, Ralph Montinarelli, Richard Roe, John Clinkhammer, Samuel Lucyshyn, County of Monroe, La'Ron Singletary, Lovely Ann Warren,

		Raymond W. Dearcop, Todd Baxter, Dakota Vanbrederode, The City of Rochester, Adam Bello, Cynthia Herriott-Sullivan, Henry C. Favor, William Baker, John Doe, Matthew Drake, Randy Potuck, Stephen A. Dellasala <i>Extend Answer Deadline</i> . (Ash, Spencer) (Entered: 06/03/2021)
06/04/2021		E-Filing Notification regarding 29 LETTER: this document contains a request for relief and should be filed as a motion. ACTION REQUIRED: Re-file document using the motion event. (SG) (Entered: 06/04/2021)
06/04/2021	30	First MOTION for Extension of Time to File Answer by John Clinkhammer, Raymond W. Dearcop, Matthew Drake, Alexander Elmore, Henry C. Favor, Cynthia Herriott-Sullivan, Samuel Lucyshyn, Ralph Montinarelli, Ethan Paszko, Randy Potuck, The City of Rochester, Dakota Vanbrederode, Lovely Ann Warren. (Attachments: # 1 Affidavit)(Ash, Spencer) (Entered: 06/04/2021)
06/07/2021	31	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>and other relief</i> by Todd Baxter, Adam Bello, County of Monroe, Richard Roe. (Attachments: # 1 Declaration, # 2 Exhibit, # 3 Memorandum in Support)(Rodi, Maria) (Entered: 06/07/2021)
06/08/2021	32	TEXT ORDER ORDER granting 30 Motion for Extension of Time to Answer. City Defendants' answer now due 6/14/2021. SO ORDERED. Signed by Hon. Frank P. Geraci, Jr. on 6/4/21. (BJJ) (Entered: 06/08/2021)
06/08/2021	33	TEXT ORDER: The County Defendants have filed a motion to dismiss, ECF No. 31 . Responses to the motion are due on or before 6/29/2021. Replies, if any, are due on or before 7/12/2021. The Court will review the submissions and decide if oral argument is necessary and, if so, notify the parties of the date and time. SO ORDERED. Signed by Hon. Frank P. Geraci, Jr. on 6/8/21. (BJJ) (Entered: 06/08/2021)
06/14/2021	34	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>AND TO STRIKE PURSUANT TO RULE 12(f)</i> by William Baker, Domenic Borrelli, John Clinkhammer, Raymond W. Dearcop, Matthew Drake, Alexander Elmore, Henry C. Favor, Cynthia Herriott-Sullivan, Samuel Lucyshyn, Ralph Montinarelli, Ethan Paszko, Randy Potuck, La'Ron Singletary, The City of Rochester, Dakota Vanbrederode, Lovely Ann Warren. (Attachments: # 1 Declaration Declaration of Patrick Beath in Support of City Defendants' Rule 12 Motion, # 2 Exhibit A (Complaint), # 3 Exhibit B (Dr. Charles LoFaso Dissertation),

		# 4 Memorandum in Support)(Beath, Patrick) (Entered: 06/14/2021)
06/15/2021	35	TEXT ORDER: The City Defendants have filed a motion to dismiss, ECF No. 34 . Responses to the motion are due on or before 7/9/2021. Replies, if any, are due on or before 7/16/2021. The Court will review the submissions and decide if oral argument is necessary and, if so, notify the parties of the date and time. SO ORDERED. Signed by Hon. Frank P. Geraci, Jr. on 6/15/21. (BJJ) (Entered: 06/15/2021)
06/15/2021	36	NOTICE of Appearance by Mitchell J. Banas, Jr on behalf of Stephen A. Dellasala (Banas, Mitchell) (Entered: 06/15/2021)
06/15/2021	37	NOTICE of Appearance by Riane F. Lafferty on behalf of Stephen A. Dellasala (Lafferty, Riane) (Entered: 06/15/2021)
06/16/2021	38	NOTICE of Appearance by Curtis Alan Johnson on behalf of Stephen A. Dellasala (Johnson, Curtis) (Entered: 06/16/2021)
06/21/2021	39	STIPULATION re 34 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>AND TO STRIKE PURSUANT TO RULE 12(f)</i> , 31 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>and other relief</i> , 35 Text Order, 33 Text Order, <i>Briefing schedule - request to be so ordered</i> by Anthony Hall. (Shields, Elliot) (Entered: 06/21/2021)
06/22/2021	40	Letter filed by Stephen A. Dellasala as to Alexander Elmore, Sally Sue, Ethan Paszko, Domenic Borrelli, Ralph Montinarelli, Richard Roe, John Clinkhammer, Samuel Lucyshyn, County of Monroe, La'Ron Singletary, Lovely Ann Warren, Raymond W. Dearcop, Todd Baxter, Dakota Vanbrederode, The City of Rochester, Adam Bello, Cynthia Herriott-Sullivan, Henry C. Favor, William Baker,., John Doe, Matthew Drake, Randy Potuck, Stephen A. Dellasala <i>TO EXTEND ANSWER OR MOTION DEADLINE</i> . (Banas, Mitchell) (Entered: 06/22/2021)
06/23/2021	41	TEXT ORDER: The Court approves the stipulations and requests for extension of time in ECF Nos. 39 , 40 . Defendant Dellasala shall file his response to the Complaint on or before 7/9/2021. Any opposition to the pending motions to dismiss shall be filed on or before 8/17/2021. Any replies shall be filed on or before 9/7/2021. Any Amended Complaint shall be filed on or before 8/17/2021, and Defendants shall answer on or before 9/28/2021. SO ORDERED. Signed by Hon. Frank P. Geraci, Jr. on 6/21/21. (BJJ) (Entered: 06/23/2021)

07/09/2021	42	MOTION to Dismiss by Stephen A. Dellasala. Responses due by 8/17/2021. (Attachments: # 1 Memorandum in Support, # 2 Exhibit A, # 3 Declaration of Mitchell Banas)(Banas, Mitchell) (Entered: 07/09/2021)
08/13/2021	43	Letter filed by Anthony Hall as to Alexander Elmore, Sally Sue, Ethan Paszko, Domenic Borrelli, Ralph Montinarelli, Richard Roe, John Clinkhammer, Samuel Lucyshyn, County of Monroe, La'Ron Singletary, Lovely Ann Warren, Raymond W. Dearcop, Todd Baxter, Dakota Vanbrederode, The City of Rochester, Adam Bello, Cynthia Herriott-Sullivan, Henry C. Favor, William Baker,. John Doe, Matthew Drake, Randy Potuck, Stephen A. Dellasala <i>Request on consent for extension of time to file the Amended Complaint.</i> (Shields, Elliot) (Entered: 08/13/2021)
08/16/2021		E-Filing Notification regarding 43 LETTER: this document contains a request for relief and should be filed as a motion. ACTION REQUIRED: Re-file document using the motion event. (SG) (Entered: 08/16/2021)
08/16/2021	44	First MOTION for Extension of Time to Amend 1 Complaint, <i>on consent of all parties</i> by Anthony Hall.(Shields, Elliot) (Entered: 08/16/2021)
08/16/2021	45	TEXT ORDER: Plaintiffs' motion, on consent of all parties, for an extension of time to amend the complaint is granted. Amended Complaint now due on or before 8/31/2021. SO ORDERED. Signed by Hon. Frank P. Geraci, Jr. on 8/16/21. (BJJ) (Entered: 08/16/2021)
08/31/2021	46	NOTICE of Appearance by Edward John Jacobs on behalf of Dynasty Buggs, Devorah Chatman, Reynaldo Deguzman, Free the People ROC, Emily Good, Anthony Hall, Stanley Martin, Emily McIntyre, Lore McSpadden-Walker, Winona Miller, National Lawyers Guild Rochester, Inc., Nicholas Robertson (Jacobs, Edward) (Entered: 08/31/2021)
08/31/2021	47	AMENDED COMPLAINT <i>First Amended Complaint</i> against All Defendants, filed by Anthony Hall.(Shields, Elliot) (Entered: 08/31/2021)
09/02/2021	48	CONTINUATION OF EXHIBITS to 47 Amended Complaint <i>Summons Request for Stephen Boily.</i> (Shields, Elliot) (Entered: 09/02/2021)
09/03/2021	49	TEXT ORDER: Defendants' filed motions to dismiss the original complaint. ECF Nos. 31 , 34 , 42 . The parties then entered into a

		<p>stipulation extending Plaintiffs' time to file an amended complaint so that they "could attempt to resolve any disputes regarding the sufficiency of the pleading prior to it being filed with the Court." ECF No. 44 . On 8/31/2021, Plaintiffs filed an amended complaint.</p> <p>Accordingly, on or before 9/8/2021, the parties shall file a joint status report indicating whether Defendants are withdrawing their motions to dismiss in light of the amended complaint.</p> <p>SO ORDERED. Signed by Hon. Frank P. Geraci, Jr. on 9/3/2021. (BJJ) (Entered: 09/03/2021)</p>
09/03/2021	50	Summons Issued as to Stephen Boily. (SG) (Entered: 09/03/2021)
09/08/2021	51	STATUS REPORT <i>re 12(b)(6) motions per ECF 49</i> by Anthony Hall. (Shields, Elliot) (Entered: 09/08/2021)
09/14/2021	52	Second MOTION for Extension of Time to File Answer <i>re 50</i> Summons Issued, 47 Amended Complaint, 48 Continuation of Exhibits by Stephen Boily, Domenic Borrelli. (Attachments: # 1 Declaration)(Ash, Spencer) (Entered: 09/14/2021)
09/14/2021	53	Consent MOTION for Extension of Time to File Answer <i>Second Request</i> by Todd Baxter, County of Monroe, Richard Roe.(Rodi, Maria) (Entered: 09/14/2021)
09/15/2021	54	Consent MOTION for Extension of Time to File Answer <i>re 47</i> Amended Complaint <i>First Request</i> by Stephen A. Dellasala.(Banas, Mitchell) (Entered: 09/15/2021)
09/15/2021	55	TEXT ORDER granting motions for extension of time to file answers to the amended complaint. ECF Nos. 52 , 53 , 54 . Answers due 10/30/2021. SO ORDERED. Signed by Hon. Frank P. Geraci, Jr. on 9/15/21. (BJJ) Modified on 9/15/2021 to correct answer deadline - answers due 10/30/2021. (BJJ). (Entered: 09/15/2021)

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