

LEAD

**U.S. District Court  
District of Maryland (Baltimore)  
CIVIL DOCKET FOR CASE #: 1:19-cv-03090-JKB**

Rogers et al v. Department of Public Safety and Correctional  
Services et al

Assigned to: Chief Judge James K. Bredar

Demand: \$400,000

Case in other court: Circuit Court for Baltimore City,  
24-C-19-004580

Cause: 28:1441 Removal-Americans with Disabilities Act

**Plaintiff**

**Karl Rogers**

represented by **Allen Eisner Honick**  
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**Plaintiff**

**James Jardina**

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**David Daneman**

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**Thomas Johns Whiteford**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Vincent Berry**

represented by **Allen Eisner Honick**  
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**Thomas Johns Whiteford**  
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**Plaintiff**

**Larry Coleman**

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**Thomas Johns Whiteford**  
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**Plaintiff**

**John Fishback**

represented by **Allen Eisner Honick**  
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**David Daneman**

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**Thomas Johns Whiteford**  
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**Plaintiff**

**Eric Andre Young**

represented by **Allen Eisner Honick**  
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**David Daneman**  
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V.

**Consol Plaintiff**

**James J. Jardina**

represented by **James J. Jardina**  
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V.

**Defendant**

**Department of Public Safety and  
Correctional Services**

represented by **Lisa O Mara Arnquist**  
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**Michael O Connor Doyle**

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**Defendant**

**Robert L. Green**

represented by **Lisa O Mara Arnquist**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Michael O Connor Doyle**  
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**LEAD ATTORNEY**  
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**Defendant**

**Mr. Wayne Hill**

represented by **Lisa O Mara Arnquist**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Michael O Connor Doyle**  
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**LEAD ATTORNEY**  
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**Defendant**

**Jama Accuff**

represented by **Lisa O Mara Arnquist**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Michael O Connor Doyle**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Richard J. Graham, Jr.**

represented by **Lisa O Mara Arnquist**  
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**LEAD ATTORNEY**  
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**Michael O Connor Doyle**  
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**LEAD ATTORNEY**  
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**Defendant**

**Carolyn J. Scruggs**

represented by **Lisa O Mara Arnquist**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Michael O Connor Doyle**  
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*LEAD ATTORNEY*  
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**Defendant**

**Casey Campbell**

represented by **Lisa O Mara Arnquist**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael O Connor Doyle**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Stephen T Moyer**

represented by **Lisa O Mara Arnquist**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael O Connor Doyle**  
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*LEAD ATTORNEY*  
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**Defendant**

**Dayena Corcoran**

represented by **Lisa O Mara Arnquist**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michael O Connor Doyle**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Consol Defendant**

**Denise Gelsinger**  
*Asst. Warden (WCI)*

**Consol Defendant**

**B. Ziler**  
*CO II*

**Consol Defendant**

**Wexford Health Sources, Inc.**

**Consol Defendant**

**Robustiano Barrera**  
*Doctor (WCI)*

**Consol Defendant**

**Beverly McLaughlin**  
*C.R.N.P.*

Date Filed	#	Docket Text
10/23/2019	<u>1</u>	NOTICE OF REMOVAL from Circuit Court Baltimore City, case number 24-C-19-004580., filed by James Jardina, Jama Accuff, Stephen T Moyer, Robert L. Green, Carolyn J. Scruggs, Casey Campbell, Wayne Hill, Richard J. Graham, Jr, Department of Public Safety and Correctional Services, Dayena Corcoran. (Attachments: # <u>1</u> Exhibit 1, Copy of Complaint filed in State Court, # <u>2</u> Exhibit 2 Summons, # <u>3</u> Exhibit 3 Summons, # <u>4</u> Exhibit 4 Notice of Filing of Notice of Removal, # <u>5</u> Civil Cover Sheet)(Arnquist, Lisa) (Entered: 10/23/2019)
10/23/2019	<u>2</u>	COMPLAINT against Jama Accuff, Casey Campbell, Dayena Corcoran, Department of Public Safety and Correctional Services, Richard J. Graham, Jr, Robert L. Green, Wayne Hill, James Jardina, Stephen T Moyer, Carolyn J. Scruggs, filed by Vincent Berry, John Fishback, Eric Andre Young, Karl Rogers, Larry Coleman. (Attachments: # <u>1</u> Case Information)(bas, Deputy Clerk) (Entered: 10/24/2019)
10/23/2019		Jury Trial Demand by Vincent Berry, Larry Coleman, John Fishback, Karl Rogers, Eric Andre Young(bas, Deputy Clerk) (Entered: 10/24/2019)
10/23/2019	<u>3</u>	Summons Issued 21 days as to Jama Accuff, Casey Campbell, Department of Public Safety and Correctional Services, Richard J. Graham, Jr, Robert L. Green, Wayne Hill, Stephen T Moyer, Carolyn J. Scruggs.(bas, Deputy Clerk) (Entered: 10/24/2019)
10/23/2019	<u>4</u>	NOTICE of Filing of Notice of Removal by Jama Accuff, Casey Campbell, Dayena Corcoran, Department of Public Safety and Correctional Services, Richard J. Graham, Jr, Robert L. Green, Wayne Hill, Stephen T Moyer, Carolyn J. Scruggs (bas, Deputy Clerk) (Entered: 10/24/2019)
10/23/2019		THE ABOVE DOCUMENTS (2-4) ARE COPIES OF ORIGINAL PAPERS FILED IN THE CIRCUIT COURT FOR BALTIMORE CITY. (bas, Deputy Clerk) (Entered: 10/24/2019)
10/23/2019	<u>5</u>	Standing Order Concerning Removal. Signed by Judge Ellen L. Hollander on 10/23/2019. (bas, Deputy Clerk) (Entered: 10/24/2019)
10/23/2019		The case of <b>Rogers et al v. Jardina et al</b> , has been opened in the District of Maryland. The case number is <b>ELH 19-CV-3090</b> . PLEASE NOTE: You must pay the case filing fee <b>within 48 hours</b> . To pay online, select the event <i>Civil Case Filing Fee</i> which is found under <i>Civil Events --&gt; Other Filings --&gt; Other Documents</i> . Otherwise, forward a check made payable to <i>Clerk, U.S. District Court</i> and note the assigned case number on the check or cover letter. (bas, Deputy Clerk) (Entered: 10/24/2019)
10/25/2019	<u>6</u>	NOTICE by Vincent Berry, Larry Coleman, John Fishback, James Jardina, Karl Rogers, Eric Andre Young re <u>2</u> Complaint, <i>Requesting Reissuance of Summonses</i> (Attachments: # <u>1</u> Summons MD DPSCS, # <u>2</u> Summons Robert L. Green, # <u>3</u> Summons O. Wayne Hill, # <u>4</u> Summons Jama Acuff, # <u>5</u> Summons Richard J. Graham, Jr., # <u>6</u> Summons Carolyn J. Scruggs, # <u>7</u> Summons Casey Campbell)(Honick, Allen) (Entered: 10/25/2019)
10/25/2019		Filing fee: \$ 400.00, receipt number 1463711882 (bas, Deputy Clerk) (Entered: 10/28/2019)
10/28/2019	<u>7</u>	Summons Issued 21 days as to Jama Accuff, Casey Campbell, Department of Public Safety and Correctional Services, Richard J. Graham, Jr, Robert L. Green, Wayne Hill, Carolyn J. Scruggs.(bas, Deputy Clerk) (Entered: 10/28/2019)
10/30/2019	<u>8</u>	Consent MOTION for Extension of Time <i>to Respond to Complaint</i> by Jama Accuff, Casey Campbell, Dayena Corcoran, Department of Public Safety and Correctional Services, Richard J. Graham, Jr, Robert L. Green, Wayne Hill, Stephen T Moyer, Carolyn J. Scruggs (Attachments: # <u>1</u> Text of Proposed Order)(Doyle, Michael) (Entered: 10/30/2019)
10/30/2019	<u>9</u>	ORDER Granting <u>8</u> Consent Motion for Extension of Time. Signed by Judge Ellen L. Hollander on 10/30/2019. (c/m 10/31/2019 bas, Deputy Clerk) (Entered: 10/31/2019)

10/31/2019	<u>10</u>	Local Rule 103.3 Disclosure Statement by Jama Accuff, Casey Campbell, Dayena Corcoran, Department of Public Safety and Correctional Services, Richard J. Graham, Jr, Robert L. Green, Wayne Hill, Stephen T Moyer, Carolyn J. Scruggs (Arnquist, Lisa) (Entered: 10/31/2019)
11/01/2019	<u>11</u>	RESPONSE re <u>5</u> Standing Order Concerning Removal filed by Jama Accuff, Casey Campbell, Dayena Corcoran, Department of Public Safety and Correctional Services, Richard J. Graham, Jr, Robert L. Green, Wayne Hill, Stephen T Moyer, Carolyn J. Scruggs.(Arnquist, Lisa) (Entered: 11/01/2019)
11/13/2019	<u>12</u>	–[FILED IN ERROR]– AFFIDAVIT re <u>2</u> Complaint, <u>7</u> Summons Issued <i>of Service Via Certified Mail</i> by Vincent Berry, Larry Coleman, John Fishback, James Jardina, Karl Rogers, Eric Andre Young (Attachments: # <u>1</u> Exhibit Stephen T. Moyer, # <u>2</u> Exhibit Dayena Corcoran, # <u>3</u> Exhibit DPSCS & State Employees)(Honick, Allen) Modified on 11/19/2019 (bas, Deputy Clerk). (Entered: 11/13/2019)
11/19/2019	<u>13</u>	QC NOTICE: <u>12</u> Affidavit, filed by James Jardina, Karl Rogers, Eric Andre Young, Larry Coleman, Vincent Berry, John Fishback was filed incorrectly. <i>**Please re–file documents by selecting Service of Process &gt; Summons Returned Executed. It has been noted as FILED IN ERROR, and the document link has been disabled.</i> (bas, Deputy Clerk) (Entered: 11/19/2019)
11/19/2019	<u>14</u>	SUMMONS Returned Executed by James Jardina, Vincent Berry, John Fishback, Eric Andre Young, Karl Rogers, Larry Coleman. All Defendants. (Attachments: # <u>1</u> Exhibit Stephen T. Moyer, # <u>2</u> Exhibit Dayena Corcoran, # <u>3</u> Exhibit DPSCS & State Employees)(Honick, Allen) (Entered: 11/19/2019)
12/02/2019	<u>15</u>	Consent MOTION for Extension of Time <i>to Respond to Complaint</i> by Jama Accuff, Casey Campbell, Dayena Corcoran, Department of Public Safety and Correctional Services, Richard J. Graham, Jr, Robert L. Green, Wayne Hill, Stephen T Moyer, Carolyn J. Scruggs (Attachments: # <u>1</u> Text of Proposed Order)(Doyle, Michael) (Entered: 12/02/2019)
12/02/2019	<u>16</u>	ORDER Granting <u>15</u> Second Consent Motion for Extension of Time to Respond. Signed by Judge Ellen L. Hollander on 12/2/2019. (bas, Deputy Clerk) (Entered: 12/02/2019)
12/23/2019	<u>17</u>	Consent MOTION for Extension of Time to File Response/Reply <i>to Complaint</i> by Jama Accuff, Casey Campbell, Dayena Corcoran, Department of Public Safety and Correctional Services, Richard J. Graham, Jr, Robert L. Green, Wayne Hill, Stephen T Moyer, Carolyn J. Scruggs. (Attachments: # <u>1</u> Text of Proposed Order)(Arnquist, Lisa) (Entered: 12/23/2019)
12/23/2019	<u>18</u>	ORDER Granting <u>17</u> Motion for Extension of Time to File Response/Reply to Complaint. Signed by Judge Ellen L. Hollander on 12/23/2019. (bas, Deputy Clerk) (Entered: 12/26/2019)
12/30/2019	<u>19</u>	MOTION to Dismiss for Failure to State a Claim by Jama Accuff, Casey Campbell, Dayena Corcoran, Department of Public Safety and Correctional Services, Richard J. Graham, Jr, Robert L. Green, Wayne Hill, Stephen T Moyer, Carolyn J. Scruggs (Attachments: # <u>1</u> Memorandum in Support)(Doyle, Michael) (Entered: 12/30/2019)
01/08/2020	<u>20</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>19</u> MOTION to Dismiss for Failure to State a Claim by Vincent Berry, Larry Coleman, John Fishback, James Jardina, Karl Rogers, Eric Andre Young (Attachments: # <u>1</u> Text of Proposed Order Order)(Honick, Allen) (Entered: 01/08/2020)
01/08/2020	<u>21</u>	ORDER Granting <u>20</u> Motion for Extension of Time to File Response/Reply. Signed by Judge Ellen L. Hollander on 1/8/2020. (bas, Deputy Clerk) (Entered: 01/09/2020)
01/14/2020	<u>22</u>	ORDER Transferring Case. Signed by Judge Ellen L. Hollander on 1/14/2020. (bas, Deputy Clerk) (Entered: 01/14/2020)
01/15/2020	<u>23</u>	ORDER granting Motion to Consolidate Cases JKB–16–1255 and ELH–19–3090; directing all filings be made under the case of Rogers, et al. v. Maryland Department of Public Safety and Correctional Services et al (JKB–19–3090) which is the Lead Case. Signed by Chief Judge James K. Bredar on 1/15/2020. (dass, Deputy Clerk) (Entered: 01/16/2020)



01/16/2020		Case reassigned to Chief Judge James K. Bredar. Judge Ellen L. Hollander no longer assigned to the case. (cags, Deputy Clerk) (Entered: 01/16/2020)
01/16/2020	<u>24</u>	PAPERLESS ORDER. A STATUS/SCHEDULING TELEPHONE CONFERENCE to discuss upcoming deadlines and the schedule going forward in the case is set in for 1/30/20 at 10:00 a.m. Counsel for the Plaintiff is directed to arrange for and initiate the conference call to Chambers. Signed by Chief Judge James K. Bredar on 1/16/2020. (vdcs, Chambers) (Entered: 01/16/2020)
01/16/2020	<u>25</u>	AMENDED PAPERLESS ORDER. A STATUS/SCHEDULING TELEPHONE CONFERENCE to discuss upcoming deadlines and the schedule going forward in the case is set in for 2/4/20 at 10:00 a.m. Counsel for the Plaintiff is directed to arrange for and initiate the conference call to Chambers.. Signed by Chief Judge James K. Bredar on 1/16/2020. (vdcs, Chambers) (Entered: 01/16/2020)
01/21/2020	<u>26</u>	MEMORANDUM. Signed by Chief Judge James K. Bredar on 1/20/2020. (bas, Deputy Clerk) (Entered: 01/21/2020)
01/21/2020	<u>27</u>	Correspondence re: Joint Status Report (Lane Weber, Stephanie) (Entered: 01/21/2020)
01/23/2020	<u>28</u>	MARGINAL ORDER Approving <u>27</u> Correspondence re: Joint Status Report. Signed by Chief Judge James K. Bredar on 1/21/2020. (c/m 1/23/20202 bas, Deputy Clerk) . (Entered: 01/23/2020)