

This docket is current through 06/04/2009

Today's Date: 1/30/2024

Source: US Court Of Appeals For The Second Circuit

Court: US Court Of Appeals For The Second Circuit

Case Title: Brown, Et Al v. City Of Oneonta, New, Et Al

Appeal From: U.S. District Court Ndry

Panel Assignment: Jlo Jmw Rwg

Date of Decision: 10/26/1999

Date Filed: 10/19/1998

CASE INFORMATION

Case Number: 98-9375

Fee Status: Paid

Case Type: Appeals

Case Subtype: Civil

Nature of Suit: 3440 Civil Rights-Other

Key Nature of Suit: Civil Rights; Other Federal Civil Rights (110.45)

Description: Private

LOWER COURT INFORMATION

District: 0206-03

Lower Court Docket Number: 93-CV-349

Trial Judge(s): Thomas J. McAvoy, Chief Judge

Court Reporter(s): David N. Hurd

Date Filed: 03/16/1993

Date Order/Judgment: 09/09/1998

Date NOA Filed: 10/02/1998

NAMES

Charles Battiste

Brown, Et Al v. City Of Oneonta, New, Et Al, 98-9375 (1998)

Type: Plaintiff

AKA Name: Himself And All Other Person Similarly Situated

Attorney: Scott N. Fein Esq.

Attorney Phone: 518-487-7600

Firm Name: Whiteman, Osterman & Hanna

Firm Address: 1 Commerce Plaza
Albany, NY 12260

Wayne Lewis

Type: Plaintiff

AKA Name: Himself And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Michael Christian

Type: Plaintiff

AKA Name: Themselves And All Other Persons Similarly Situated

Ricky Brown

Type: Plaintiff - Appellant

AKA Name: Himself And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Jamel Champen

Type: Plaintiff - Appellant

AKA Name: Himself And All Others Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Sheryl Champen

Type: Plaintiff - Appellant

AKA Name: Herself And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Hopeton Gordon

Type: Plaintiff - Appellant

AKA Name: Himself And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Jean Cantave

Type: Plaintiff - Appellant

AKA Name: Himself And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Raishawn Morris

Type: Plaintiff - Appellant

AKA Name: Himself And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Major Barnett

Type: Plaintiff - Appellant

AKA Name: Himself And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Kevin Allen

AKA Name: Himself And All Other Persons

Attorney: Scott N. Fein Esq.

Attorney:

Attorney Address: Fs S08 7

Similarly Situated

Type: Plaintiff

Tim Richardson

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Person Similarly Situated

Attorney: Scott N. Fein Esq.

Darryl Taylor

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Robert Walker

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Clement Mallory

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Ronald Sanchez

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Darnell Lemons

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

John Butler

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Jason Childs

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Paul Heyward Jr.

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Ronald Jennings

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Person Similarly Situated

On Behalf Of Paul Howe

Attorney:

Attorney Address: Fs S08 7

Themselves And All Other Persons Similarly Situated

Type: Plaintiff - Appellant

Bubu Demasio

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Wilson Acosta

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Chris Holland

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Jermaine Adams

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Felix Francis

Brown, Et Al v. City Of Oneonta, New, Et Al, 98-9375 (1998)

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Daniel Sontag

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Ronald Lynch

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Kenneth McClain

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Hervey Pierre

Type: Plaintiff - Appellant

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Attorney: Scott N. Fein Esq.

Vincent Quinones

AKA Name: Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Attorney:

Attorney Address:

Fs S08 7

Plaintiff - Appellant

Laurence Plaskett

Type:

Plaintiff - Appellant

AKA Name:

Themselves And All Other Persons Similarly Situated

Attorney:

Scott N. Fein Esq.

Lamont Wyche

Type:

Plaintiff - Appellant

AKA Name:

Themselves And All Other Persons Similarly Situated

Attorney:

Scott N. Fein Esq.

Steven York

Type:

Plaintiff - Appellant

AKA Name:

Themselves And All Other Persons Similarly Situated

Attorney:

Scott N. Fein Esq.

Tyrone Lohr

Type:

Plaintiff - Appellant

AKA Name:

Themselves And All Other Persons Similarly Situated

Attorney:

Scott N. Fein Esq.

King Gonzalez

Type:

Plaintiff - Appellant

AKA Name:

Themselves And All Other Persons Similarly Situated

Attorney: Scott N. Fein Esq.

Raishawn Morris

Type: Appellant

New York City Of Oneonta

Type: Defendant - Appellee

Attorney: Daniel J. Stewart Esq.

Attorney Phone: 518-463-7784

Firm Name: Dreyer Boyajian

Firm Address: 75 Columbia St.
Albany, NY 12210

Police Department Of The City Of Oneonta, New York

Type: Defendant - Appellee

Attorney: Daniel J. Stewart Esq.

Chief Of Police Of The City Of Oneonta In His Individual And Official Capacities John J. Donadio

Type: Defendant - Appellee

Attorney: Daniel J. Stewart Esq.

Oneonta Police Joseph Redmond

Attorney:

Attorney Address: Fs S08 7

In His Individual And Official Capacities Officer

Type: Defendant - Appellee

William M. Davis, Oneonta Police Officer, In His Individual And Official Capacities

Type: Defendant - Appellee
Attorney: Daniel J. Stewart Esq.

X. Olsen, Oneonta Police Officer, In His Individual And Official Capacities

Type: Defendant - Appellee
Attorney: Daniel J. Stewart Esq.

Anonymous Officers And Investigators Of The Police Department Of The City Of Oneonta, In Their Individual And Official Capacities, In Their Individual And Official Capacities

Type: Defendant - Appellee
Attorney: Denise A. Hartman Esq.
Attorney Phone: 518-473-6085
Firm Name: Attorney General's Office State Of New York The Capitol
Firm Address: Albany, NY 12224

The State Of New York

Type: Defendant - Appellee
Attorney: Denise A. Hartman Esq.

State University Of New York

Type: Defendant - Appellee
Attorney: Denise A. Hartman Esq.

State University Of New York, College At Oneonta ("Suco")

Type: Defendant - Appellee
Attorney: Denise A. Hartman Esq.

New York State Division Of State Police

Type: Defendant - Appellee

Attorney: Denise A. Hartman Esq.

H. Karl Chandler, New York State Police Investigator, In His Individual And Official Capacities

Type: Defendant - Appellee

Attorney: Denise A. Hartman Esq.

Robert Farrand, New York State Police Troop C Commander, In His Individual And Official Capacities

Type: Defendant - Appellee

Attorney: Denise A. Hartman Esq.

George Clum, New York State Police Investigator, In His

Attorney: Denise Hartman Esq.

Attorney:

Attorney Address: Fs S08 7

Individual And Official Capacities

Type: Defendant - Appellee

Attorney: Attorney General's Office

Firm Name: State Of New York The Capitol

Firm Address: Albany, NY 12224

Kevin More, New York State Police Investigator, In His Individual And Official Capacities

Type: Defendant - Appellee

Attorney: Denise A. Hartman Esq.

John Way, New York State Police Investigator, In His Official Capacities

Type: Defendant - Appellee

Attorney: Denise A. Hartman Esq.

Mark Kimball, New York State Trooper, In His Individual And Official Capacities

Type: Defendant - Appellee

Attorney: Denise A. Hartman Esq.

Kenneth Grant, New York State Trooper, In His Individual And Official Capacities

Type: Defendant - Appellee

Attorney: Denise A. Hartman Esq.

New York State Trooper Farrago, , In His Individual And Official Capacities

Type: Defendant - Appellee

Attorney: Denise A. Hartman Esq.

Anonymous State Police Officials And Investigators,, In Their Individual And Official Capacities

Type: Defendant - Appellee

Attorney: Denise A. Hartman Esq.

Suco Department Of Public Safety

Type: Defendant - Appellee

Attorney: Denise A. Hartman Esq.

Merritt Hunt, Suco Department Of Public Safety Officer, In His Individual And Official Capacities

Type: Defendant - Appellee

Attorney: Denise A. Hartman Esq.

Tim Jackson, Suco Department Of Public Safety Officer, In His Individual And Official Capacities

Type: Defendant - Appellee
Attorney: Denise A. Hartman Esq.

Suco John Edmondson

Attorney:
Attorney Address: Fs S08 7

Department Of Public Safety Officer, In His Individual And Official Capacities

Type: Defendant - Appellee

In His Individual And Official Capacities Hartmark Leif

Type: Defendant - Appellee
Attorney: Denise A. Hartman Esq.

In His Individual And Official Capacities Eric Wilson

Type: Defendant - Appellee
Attorney: Denise A. Hartman Esq.

Carl Shedlock, Oneonta Police Officer, In His Individual And Official Capacities

Type: Defendant - Appellee
Attorney: Denise A. Hartman Esq.

Anonymous Public Safety Officers,, In Their Individual And Official Capacities

Type: Defendant - Appellee

Attorney: Denise A. Hartman Esq.

In Their Individual And Official Capacities Anonymous Suco Computer Employees

Type: Defendant - Appellee

Attorney: Denise A. Hartman Esq.

Sean Ralph, Otsego County Sheriff's Deputy

Type: Defendant - Appellee

Attorney: Denise A. Hartman Esq.

Chris Lehenbauer, Otsego County Sheriff's Deputy

Type: Defendant - Appellee

Attorney: James E. Konstanty Esq.

Attorney Address: Suite A
252 Main St.
Oneonta, NY 13820

Attorney Phone: 607-432-2245

Anonymous Otsego City,, Anonymous Otsego County Sheriff's Deputies, Investigators And/Or Officers

Type: Defendant - Appellee

Attorney: James E. Konstanty Esq.

Naacp Legal Defense And Educational Fund Amicus Curiae

Attorney: Charles Stephen Ralston Esq.

Attorney Address: Suite 1600
Naacp Legal Defense

Attorney Phone: 212-219-1900

Attorney:

Attorney Address: Fs S08 7

Attorney: Educational Fund, Inc.

Attorney Address: 99 Hudson St.
New York, NY 10013

New York Civil Liberties Union Center For Constitutional Rights Amicus Curiae

Attorney: Charles Stephen Ralston Esq.

Police Conference Of New York, Inc. Amicus Curiae

Attorney: James B. Tuttle Esq.

Attorney Phone: 518-434-6111

Firm Name: Bohl, Della, Rocca & Dorfman

Firm Address: 634 Madison Ave.
Albany, NY 12208

Attorney:

Attorney Address: Fs S08 7

Official Caption 1/ Docket No. [S] 98-9375

Charles Battiste

AKA Name: Him Person Similarly Situated Wayne L All Other Persons Similarly Situat Behalf Of Themselves And All Other Situated

Attorney: Self And All Other

Firm Name: Ewis, On Behalf Of Himself And Ed; Michael Christian, On

Firm Address: Persons, Similarly

Plaintiff

Ricky Brown

AKA Name: All Others Rsons Similarly Situa Behalf Of Herself And All Other Hoton Gordon Himself Similarly Situated Jamel Cham Pen Pe

AKA Name: All Other Rsons Similarly Situat Behalf Of Himself And All Other Major Barnett Himse Similarly

Situated Jean Cantave Pe

AKA Name: Himsel Similarly Situated

Attorney: And All Other Persons

Firm Name: On Behalf Of Himself And Ted; Sheryl Champen, On Rsons Similarly Situated; Lf And All Other Persons On Behalf Of Himself And Ed; Raishawn Morris, On Rsons Similarly Situated;

Firm Address: F And All Other, Persons

Plaintiff - Appella

Kevin Allen

AKA Name: Himself Similarly Situated

Plaintiff

Tim Richardson

AKA Name: ThemS Similarly Situated Darryl Taylor, And All Other Persons Similarly Si Behalf Of Themselves And All Other Situated Clement Mallory, On Beha Other Persons Similarly Situated Of Themselves And All Other Person Darnell Lemons

AKA Name: ThemS Persons Similarly Situated John B Themselves And All Other Persons S Childs

AKA Name: Themselves And All Other Persons S Jennings Themselves An Similarly Situated Paul Heyward

AKA Name: Themselves Similarly Situated Paul Howe, On All Other Persons Similarly Situat Behalf Of Themselves And All Other Situated Wilson Acosta, On Behalf Other Persons Similarly Situated Of Themselves And All Other Person Jermaine Adams

AKA Name: ThemS Persons Similarly Situated Felix Themselves And All Other Persons S Sontag

AKA Name: Themselves An

Attorney: Elves And All Other Person

Firm Name: On Behalf Of Themselves Tuated; Robert Walker, On Persons Similarly Lf Of Themselves And All Ronald Sanchez, On Behalf S Similarly Situated; Elves And All Other Utler, On Behalf Of Imilarly Situated; Jason D All Other Persons Jr., On Behalf Of Imilarly Situated; Ronald And All Other Person Behalf Of Themselves And Ed; Bubus Demasio, On Persons Similarly Of Themselves And All Chris Holland, On Behalf S Similarly Situated; Elves And All Other Francis, On Behalf Of Imilarly Situated; Daniel

Firm Address: D All Other, Persons

Attorney:

Attorney Address: Fs S08 7

And All Other Persons Similarly Si Similarly Situated Ronald Lynch

AKA Name: Themselves And All Ot Situated Hervey Pierre, On Behalf Other Persons Similarly Situated Behalf Of Themselves And All Other Situated Laurence Plaskett, On Be Other Persons Similarly Situated Themselves And All Other Persons S York

AKA Name: O All Other Persons Similarly Situat Behalf Of Themselves And All Other Situated Themselves And Similarly Situated Tyrone Lohr

Attorney: On Behalf Of Themselves

Firm Name: Tuated; Kenneth McClain Her Persons Similarly Of Themselves And All Vincent Quinones, On Persons Similarly Half Of Themselves And All Lamont Wyche, On Behalf Of Imilarly Situated; Steven All Other Persons N Behalf Of Themselves And Ed; King Gonzalez, On

Firm Address: Persons, Similarly

Plaintiff - Appella

Raishawn Morris

Appellant

City Of Oneonta, New York; Police Oneota, New York; John J. Donadio, City Of Oneonta In His Individual Joseph Redmond, Oneonta Police Off And Official Capacities; William M Officer, In His Individual And Off Olsen, Oneonta Police Officer, In Official Capacities; Anonymous Off The Police Department Of The City Individual And Official Capacities Official Capacities; The State Of Of New York; State University Of N Oneonta ("Suco"); New York State D H. Karl Chandler, New York State P Individual And Official Capacities State Police Troop C Commander, In Official Capacities; George Clum, Investigator, In His Individual An Kevin More, New York State Police Individual And Official Capacities Police Investigator, In His Offici Kimball, New York State Trooper, I Official Capacities; Kenneth Grant In His Individual And Official Cap Trooper Farrago,, In His Individua Anonymous State Police Officials A Their Individual And Official Capa Public Safety; Merritt Hunt, Suco Safety Officer, In His Individual Tim Jackson, Suco Department Of Pu

Attorney: Department Of The City Of

Firm Name: Chief Of Police Of The And Official Capacities; Icer, In His Individual . Davis, Oneonta Police Icial Capacities; X. His Individual And Icers And Investigators Of Of Oneonta, In Their , In Their Individual And New York; State University Ew York, College At Ivision Of State Police; Olice Investigator, In His ; Robert Farrand, New York His Individual And New York State Police D Official Capacities; Investigator, In His ; John Way, New York State Al Capacities; Mark N His Individual And , New York State Trooper, Acities; New York State L And Official Capacities; Nd Investigators,, In Cities; Suco Department Of Department Of Public And Official Capacities;

Firm Address: Blic Safety Officer, IN

Attorney:

Attorney Address:

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DOCKET PROCEEDINGS (130)

Entry #:	Date:	Description:
	10/05/2001	Copy of noticed by Supreme Court dated 10/1/01 denying the petition for writ of certiorari RECEIVED. (cv72)
	02/23/2001	Letter dated 2/12/01, from Loretta S. Ruffin, Asst. Clerk of The Supreme Court of the United States, regarding the extension of time in which to file a writ of certiorari, received. (cv74) 98-9375 Brown, et al v. City of Oneonta, New, et al
	02/23/2001	Notice from Supreme Court granting extension of time in which to file a writ of certiorari. "The appliaction for an extension of time within which to file a petition for a writ of certiorari in the above-entitled case has been presented to Justice Ginsburg, who on February 12, 2001, extended the time to and including May 17, 2001" (cv72)
	01/16/2001	Record on appeal RETURNED to lower court. No. of volumes: 6 (ref)
	01/03/2001	Errata sheet re: filed. (cv72)
	12/28/2000	Judgment MANDATE ISSUED. (cv72)
	12/28/2000	Notice to counsel re: judgment mandate issued 12/28/00 (cv72)
	12/27/2000	Note: The OPINION PRICE is \$ 9.00 (rek)
	12/18/2000	John M. Walker, Jr., Chief Judge concurring in a separate opinion in the denial of reharing in banc FILED. (cv72)
	12/18/2000	Judge Calabresi, with whom Judge Straub joins and

	with whom Judges Parker and Sotomayor join (with the exception of part VI), DISSENTING from the denial of a rehearing in banc FILED. (cv72)
12/18/2000	Judge Jacobs concurring in a separate opinion filed. (cv72)
12/18/2000	Judge Kearse DISSENTING in a separate opinion from the denial of rehearing en banc FILED. (cv72)
12/18/2000	Judge Sack and Katzmann concurring in a separate opinion in the denial of rehearing in banc filed. (cv72)
12/18/2000	Judge Straub, with whom Judge Calabresi joins, DISSENTING from the denial of rehearing in banc FILED. (cv72)
12/18/2000	Notice to counsel re: Opinion regarding the petition for rehearing and the rehearing en banc dated 12/18/00. (cv72)
12/18/2000	Petition Opinion FILED DENYING petition for REHEARING [1713559-1] by Appellant Ricky Brown, endorsed on motion dated 9/22/00. , DENYING petition petition for rehearing in banc [1713559-2] by Appellant Ricky Brown, endorsed on motion dated 9/21/00. (All active circuit Judges) (cv72)
10/27/2000	Letter received from Scott N. Fein re: certiorari and attached copies of amicus motionand memorandum which were previously filed. (hh)
10/10/2000	Notice to counsel re: Motion order granting leave to submit an Amici Curiae memorandum in support of a petition for rehearing. (1135) 98-9375 Brown, et al v. City of Oneonta, New, et al
10/10/2000	Notice to counsel: Order filed 9/22/00. (cv71)
09/28/2000	Notice to counsel of order filed 9/28/00. (cv70)
09/28/2000	Order FILED DENYING petition for rehearing and

petition for rehearing in banc [1528131-1] by Appellant Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis, Appellant Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Michael Christian, Appellant Jason Childs, Paul Heyward Jr., Ronald Jennings, Paul Howe, Bubu Demasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez, endorsed on motion dated 12/17/99. (BJM) (cv70)

09/22/2000 Appellant Ricky Brown et al., Petition for rehearing, petition for rehearing en banc [1713559-2] with proof of service filed. (cv71)

09/22/2000 Order FILED GRANTING motion for extended time to file petition for rehearing [1705962-1] by Appellant Ricky Brown, endorsed on motion form dated 9/21/00. (Before: JMW, JLO, C.JJ., RWG, USCIT, By : BJM) (cv71)

09/22/2000 Order FILED GRANTING motion to participate as amicus [1706060-1] and GRANTING motion to file supporting papers [1706060-2] by Amicus Curiae NAACP Legal Defense, endorsed on motion form dated 9/21/00. Before: JMW, CH.J, JLO, CJJ and RWG, USCITJ Endorsed by BJM, ADM. ATTY. (1135)

09/21/2000 Amicus Curiae NAACP Legal Defense et al., motion to participate as amicus curiae and to file memorandum in support of petition for rehearing FILED (w/pfs). [1706060-2] (cv71)

09/21/2000 Appellant Ricky Brown motion to extend time to file petition for rehearing FILED (w/pfs). [1705962-1] (cv71)

09/21/2000	Appellant Ricky Brown petition for rehearing en banc received. Problem: motion pending requesting an extension if time. (cv71)
08/30/2000	Notice to counsel regarding motion order filed. (cv77)
08/30/2000	Order FILED GRANTING motion to allow [1542894-1] by Appellant Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis, Appellant Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Michael Christian, Appellant Jason Childs, Paul Heyward Jr., Ronald Jennings, Paul Howe, Bubu Demasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez, endorsed on motion form dated 1/14/00. (Additional 30 days requested granted, before JLO, JMW, RWG by BJM) (cv77) 98-9375 Brown, et al v. City of Oneonta, New, et al
08/11/2000	Appellant Ricky Brown, Appellant Jamel Champen, Appellant Sheryl Champen, Appellant Hopeton Gordon, Appellant Jean Cantave, Appellant Raishawn Morris, Appellant Major Barnett motion to extend time to file a petition for rehearing to amended opinion, FILED (w/pfs). [1680518-1] (cv77)
08/11/2000	Letter received from Scott Fein stating "it would be appreciated if you would date-stamp the en copies of the motion and affidavit of Scott N. Fein and return them to this office in the en envelope." (cv77)
08/08/2000	Amended published signed opinion filed. (JMW). (cv77)
06/14/2000	Record on appeal filed. (Original papers of district court.) Number of volumes: 6 (rev)
06/13/2000	Record on appeal index in lieu of record filed. (cv77)
02/18/2000	Errata sheet re: pps. 652, line 2, 653, line 22, 653-54, line

27-1. (cv77)

01/21/2000

Letter received Scott Fein stating "As you are aware, plaintiffs-appellants provided an affidavit setting forth the relief requested in support of the Petition for rehearing. The affidavit was attached to the petition. The content of the affidavit reiterates what is contained in the petition. Rather than seek to introduce the affidavit into the Record, we believe it appropriate to withdraw the affidavit and rely solely upon the petition." (cv77) 98-9375 Brown, et al v. City of Oneonta, New, et al

01/21/2000

Notice to counsel regarding motion order filed 1/21/00. (cv77)

01/21/2000

Order FILED MOOTING motion to allow affidavit[1542894-1] by Appellant Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis, Appellant Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Michael Christian, Appellant Jason Childs, Paul Heyward Jr., Ronald Jennings, Paul Howe, Bubu Demasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez, on motion dated 1/14/00 "in light of the letter of 1/21/00 withdrawing the motion." (BJM) (cv77)

01/14/2000

Appellant Ricky Brown, Appellant Jamel Champen, Appellant Sheryl Champen, Appellant Hopeton Gordon, Appellant Jean Cantave, Appellant Raishawn Morris, Appellant Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis, Appellant Tim Richardson, Appellant Darryl Taylor, Appellant Robert Walker, Appellant Clement Mallory, Appellant Ronald Sanchez, Appellant Darnell Lemons, Appellant John Butler, Michael Christian, Appellant Jason Childs, Appellant Paul Heyward, Appellant Ronald Jennings, Appellant Paul Howe, Appellant Bubu Demasio, Appellant Wilson Acosta, Appellant Chris Holland, Appellant Jermaine Adams, Appellant Felix Francis, Appellant Daniel Sontag, Appellant Ronald Lynch, Appellant Kenneth McClain, Appellant Hervey Pierre,

Appellant Vincent Quinones, Appellant Laurence Plaskett, Appellant Lamont Wyche, Appellant Steven York, Appellant Tyrone Lohr, Appellant King Gonzalez motion to allow affidavit of Scott Fein to be circulated en banc, FILED (w/pfs). [1542894-1] (cv77)

01/14/2000

Letter received from Scott Fein, Esq. stating "We inadvertently checked yes to the question of whether we had the consent of opposing counsel. Because this is a petition for rehearing en banc, we have neither sought nor obtained such authorization." (cv77)

01/05/2000

Note: The OPINION PRICE is \$ 1.40 (rek)

12/27/1999

Non-dispositive opinion filed, DENYING motion to allow oral argument [1494668-1] by Appellant Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Jason Childs, Paul Heyward Jr., Ronald Jennings, Paul Howe, Bubu Demasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez, Raishawn Morris, endorsed on motion dated 10/26/99. Before: Hon. Oakes, Hon. Walker, C.JJ., Hon. Goldberg, USCIT. (cv76)

12/27/1999

Notice to counsel regarding Non-dispositive Opinion filed 12/27/99. (cv76)

12/17/1999

Appellant Ricky Brown, Appellant Jamel Champen, Appellant Sheryl Champen, Appellant Hopeton Gordon, Appellant Jean Cantave, Appellant Raishawn Morris, Appellant Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis, Appellant Tim Richardson, Appellant Darryl Taylor, Appellant Robert Walker, Appellant Clement Mallory, Appellant Ronald Sanchez, Appellant Darnell Lemons, Appellant John Butler, Michael Christian, Appellant Jason Childs, Appellant Paul Heyward, Appellant Ronald Jennings, Appellant Paul Howe, Appellant Bubu Demasio, Appellant Wilson Acosta, Appellant Chris Holland, Appellant Jermaine Adams, Appellant Felix Francis, Appellant Daniel Sontag, Appellant Ronald Lynch,

Appellant Kenneth McClain, Appellant Hervey Pierre, Appellant Vincent Quinones, Appellant Laurence Plaskett, Appellant Lamont Wyche, Appellant Steven York, Appellant Tyrone Lohr, Appellant King Gonzalez petition for rehearing en banc [1528131-1] with proof of service filed. (cv77)
98-9375 Brown, et al v. City of Oneonta, New, et al

12/15/1999 Notice to counsel regarding motion order filed 12/15/99. (cv77)

12/15/1999 Order FILED GRANTING motion for extended time [1500735-1] by Appellant Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis, Appellant Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Michael Christian, Appellant Jason Childs, Paul Heyward Jr., Ronald Jennings, Paul Howe, Bubu Demasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez, Raishawn Morris, to submit petition for rehearing, endorsed on motion form dated 11/4/99. (Before JLO, JMW, RWG by BJM) (cv77)

12/02/1999 Amicus Curiae NAACP Legal Defense, Amicus Curiae N.Y. Civil Liberties, Amicus Curiae Police Conference papers in support of petition for rehearing/rehearing en banc filed with proof of service. (cv77)

12/02/1999 Notice to counsel regarding motion order filed 12/1/99. (cv77)

12/01/1999 Order FILED GRANTING motion to allow amici to file memorandum in support of rehearing 1516103-1] by Amicus Curiae NAACP Legal Defense, N.Y. Civil Liberties, Police Conference, endorsed on motion form dated 11/16/99. (cv77)

11/17/1999 Appellant Ricky Brown, Appellant Jamel Champen, Appellant Sheryl Champen, Appellant Hopeton Gordon, Appellant Jean Cantave, Appellant Raishawn Morris, Appellant Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis, Appellant Tim Richardson, Appellant Darryl Taylor, Appellant Robert

Walker, Appellant Clement Mallory, Appellant Ronald Sanchez, Appellant Darnell Lemons, Appellant John Butler, Michael Christian, Appellant Jason Childs, Appellant Paul Heyward, Appellant Ronald Jennings, Appellant Paul Howe, Appellant Bubu Demasio, Appellant Wilson Acosta, Appellant Chris Holland, Appellant Jermaine Adams, Appellant Felix Francis, Appellant Daniel Sontag, Appellant Ronald Lynch, Appellant Kenneth McClain, Appellant Hervey Pierre, Appellant Vincent Quinones, Appellant Laurence Plaskett, Appellant Lamont Wyche, Appellant Steven York, Appellant Tyrone Lohr petition for rehearing received. Problem: pending motion and only 5 copies received. (cv77)

11/17/1999 Attorney affidavit of Scott Fein received. (cv77) 98-9375 Brown, et al v. City of Oneonta, New, et al

11/17/1999 Letter received from Scott N. Fein stating “on 10/25/99, plaintiffs-appellants submitted a motion for leave to reargue. The request was based upon the fact that the attorney who argued the case on behalf of the plaintiffs-appellants was, unbeknownst to the plaintiffs-appellants, negotiating for a position with the State Attorney General’s office, counsel to the defendants-respondents. The day following submission of the motion for leave to reargue, the Second Circuit decided the matter. The purpose of this letter is to reaffirm that, notwithstanding issuance of the decision by the Court, plaintiffs-appellants continue to request that the motion for leave to reargue to be considered. The motion was not intended to turn upon whether the decision issued, but rather to address the fact that there was an appearance of a conflict of interest at the time of oral argument.” (cv77)

11/16/1999 Amicus Curiae NAACP Legal Defense, Amicus Curiae N.Y. Civil Liberties, Amicus Curiae Police Conference motion to allow memorandum of amicus FILED (w/pfs). [1516103-1] (cv77)

11/09/1999 Note: The OPINION PRICE is \$ 4.40 (rek)

11/09/1999 Note: The OPINION PRICE is \$ 4.40 (rek)

11/05/1999 Appellee City of Oneonta, New corrected motion opposition papers filed. (cv77)

11/04/1999 Appellant Ricky Brown, Appellant Jamel Champen, Appellant Sheryl Champen, Appellant Hopeton Gordon, Appellant Jean Cantave, Appellant Raishawn Morris, Appellant Major Barnett, Charles Battiste, Kevin Allen, Wayne Lewis, Appellant Tim Richardson, Appellant Darryl Taylor, Appellant Robert Walker, Appellant Clement Mallory, Appellant Ronald Sanchez, Appellant Darnell Lemons, Appellant John Butler, Michael Christian, Appellant Jason Childs, Appellant Paul Heyward, Appellant Ronald Jennings, Appellant Paul Howe, Appellant Bubu Demasio, Appellant Wilson Acosta, Appellant Chris Holland, Appellant Jermaine Adams, Appellant Felix Francis, Appellant Daniel Sontag, Appellant Ronald Lynch, Appellant Kenneth McClain, Appellant Hervey Pierre, Appellant Vincent Quinones, Appellant Laurence Plaskett, Appellant Lamont Wyche, Appellant Steven York, Appellant Tyrone Lohr, Appellant King Gonzalez, Appellant Raishawn Morris motion to extend time to file petition for rehearing FILED (w/pfs). [1500735-1] (cv77)

11/04/1999 Appellee City of Oneonta, New affidavit in opposition to motion to allow oral argument [1494668-1] filed (w/pfs). 98-9375 Brown, et al v. City of Oneonta, New, et al (cv77)

10/28/1999 Letter received from Scott Fein stating "on Monday 10/25/99, this office submitted a Motion in the above-referenced action. The motion information form that was included with the motion was incorrect. Specifically, the box indicating "Yes" to the question. "Has the consent of opposing counsel been obtained?" was checked. This was an error. In fact, as set forth in the papers accompanying the Motion, opposing counsel, the Office of the Attorney General, takes no position on this Motion. Accordingly, it would be appreciated if you would substitute the en corrected motion information form in place of the form submitted on 10/25. By copy of this letter, we are serving all counsel via telefacsimile and regular mail." (cv77)

10/26/1999 Appellant Ricky Brown, Appellant Jamel Champen, Appellant Sheryl Champen, Appellant Hopeton Gordon, Appellant Jean Cantave, Appellant Raishawn Morris, Appellant Major Barnett, Appellant Tim Richardson, Appellant Darryl Taylor, Appellant Robert Walker, Appellant Clement Mallory, Appellant Ronald Sanchez, Appellant Darnell Lemons,

Appellant John Butler, Appellant Jason Childs, Appellant Paul Heyward, Appellant Ronald Jennings, Appellant Paul Howe, Appellant Bubu Demasio, Appellant Wilson Acosta, Appellant Chris Holland, Appellant Jermaine Adams, Appellant Felix Francis, Appellant Daniel Sontag, Appellant Ronald Lynch, Appellant Kenneth McClain, Appellant Hervey Pierre, Appellant Vincent Quinones, Appellant Laurence Plaskett, Appellant Lamont Wyche, Appellant Steven York, Appellant Tyrone Lohr, Appellant King Gonzalez, Appellant Raishawn Morris motion to allow second oral argument FILED (w/pfs). [1494668-1] (cv77)

10/26/1999 Judgment filed. [Entry Date: 10/27/99] (cv77) 98-9375 Brown, et al v. City of Oneonta, New, et al

10/26/1999 Judgment of the district court is AFFIRMED in part, VACATED in part & REMANDED by published signed opinion filed.(JMW) [98-9375] (cv77)

08/24/1999 Faxed letter received from Scott Fein stating "On 7/20/99 counsel for appellants, together with counsel for the respondenets, wrote to you with regard to the above matter and asked that this office be allowed to report to the Court at the conclusion of its then ongoing review as described in the letter. Initially, the parties hoped to be in a position to report to the Court within 30 days. At this time, however, the parties request until 9/30/99 to advise the Court as to their findings. If the Court requests a report prior to 9/30/99, the parties will promptly comply." (cv77)

07/20/1999 Letter received from the State Attorney's Office and the law firm of Whiteman Hanna and Osterman addressed to the panel. (cv77)

06/28/1999 Appellant Ricky Brown, Appellant Jamel Champen, Appellant Sheryl Champen, Appellant Hopeton Gordon, Appellant Jean Cantave, Appellant Raishawn Morris, Appellant Major Barnett, Appellant Tim Richardson, Appellant Darryl Taylor, Appellant Robert Walker, Appellant Clement Mallory, Appellant Ronald Sanchez, Appellant Darnell Lemons, Appellant John Butler, Appellant Jason Childs, Appellant Paul Heyward, Appellant Ronald Jennings, Appellant Paul Howe, Appellant Bubu Demasio, Appellant Wilson Acosta, Appellant

Chris Holland, Appellant Jermaine Adams, Appellant Felix Francis, Appellant Daniel Sontag, Appellant Ronald Lynch, Appellant Kenneth McClain, Appellant Hervey Pierre, Appellant Vincent Quinones, Appellant Laurence Plaskett, Appellant Lamont Wyche, Appellant Steven York, Appellant Tyrone Lohr, Appellant King Gonzalez, Appellant Raishawn Morris 28(J) letter received. (cv77)

06/21/1999 Oral argument tape mailed to Jeanne F. Kroll, senior litigation assistant, at Whiteman, Osterman & Hanna. (ca95)

06/04/1999 Case heard before OAKES, WALKER C.JJ., GOLDBERG USCIT (TAPE: # 292) (ca95)

04/27/1999 Set for argument on 6/4/99 . [98-9375] (ca91)

04/13/1999 Proposed for argument the week of 5/31/99. (ca90) 98-9375 Brown, et al v. City of Oneonta, New, et al

03/12/1999 Letter received from D. Bassinson regarding availability for oral argument. (cv77)

03/03/1999 Amicus Curiae Police Conference defective brief cured. Satisfy defective document response due. (cv77)

02/25/1999 Amicus Curiae Police Conference brief filed with proof of service. (cv77)

02/25/1999 Amicus Curiae Police Conference brief received. Problem: defective brief. (cv77)

02/25/1999 Amicus Curiae Police Conference defective brief filed. Notice sent to party to correct by 3/4/99. Needs motion to file amicus brief late, left out an appellant on the caption, needs to have green covers, needs to be in 14 point font. (cv77)

02/01/1999 Appellants Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Jason Childs, Paul Heyward, Ronald Jennings, Paul Howe, Bubu Demasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth

McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez, Raishawn Morris reply brief filed with proof of service. (cv75)

01/28/1999 Notice to counsel regarding Motion Order Granting Leave to File Brief as Amicus Curiae and Leave to Appear as Amicus Curiae, filed 1/29/99. (cv76)

01/28/1999 Order FILED GRANTING motion to participate as amicus [1328374-1] by Movant Police Conference, endorsed on motion form dated 1/22/99., GRANTING motion to file brief as amicus curiae [1328374-2] by Amicus Curiae Police Conference, endorsed on motion form dated 1/22/99. [Before: Hon. Guido Calabresi, C.J.] (1/28/99 BJM) (cv76)

01/27/1999 Appellees City of Oneonta, New, Police Department of, John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, The State of New Yor, State University of, State Univ. of, NY State Division of, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, New York State Troop, Anonymous State Poli, SUCO Department of, Merritt Hunt, Tim Jackson, John Edmondson, Hartmark Leif, Eric Wilson, Carl Shedlock, Anonymous Public Saf, Anonymous SUCO Comp, Sean Ralph, Chris Lehenbauer, Anonymous Otsego Cit, defective cured. (cv75)

01/25/1999 New party added: Police Conference of New York, Inc. (cv77)
98-9375 Brown, et al v. City of Oneonta, New, et al

01/22/1999 Affidavit of Edward W. Guzdek in support of motion to file amicus brief and participate as amicus filed with proof of service. (cv77)

01/22/1999 Appellees City of Oneonta, New, Police Department of, John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, The State of New Yor, State University of, State Univ. of, NY State Division of, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, New York State Troop, Anonymous State Poli, SUCO Department of, Merritt Hunt, Tim Jackson, John Edmondson, Hartmark Leif, Eric Wilson, Carl Shedlock, Anonymous Public Saf, Anonymous SUCO Comp, Sean Ralph,

	Chris Lehenbauer, Anonymous Otsego Cit defective Brief cured. Satisfy defective document response due. (cv75)
01/22/1999	Movant Police Conference motion to participate as amicus curiae, to file brief as amicus curiae FILED (w/pfs). [1328374-2] (cv77)
01/22/1999	Notice of appearance form on behalf of Denise A. Hartman, Esq., filed. (Orig in acco, copy to Calendar) (cv75)
01/21/1999	Letter received from Daniel Stewart dated 1/18/99 regarding the motion for leave to appear as amicus curiae. (cv75)
01/20/1999	Appellee City of Oneonta, New defective Brief filed. Notice sent to party to correct by 1/25/99. The brief is missing the Lower Court Designation on the cover of the brief. The footnotes are printed too small. The brief doesn't state who the brief is written for. (cv75)
01/20/1999	Appellees Police Department of, John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, The State of New Yor, State University of, State Univ. of, NY State Division of, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, New York State Troop, Anonymous State Poli, SUCO Department of, Merritt Hunt, Tim Jackson, John Edmondson, Hartmark Leif, Eric Wilson, Carl Shedlock, Anonymous Public Saf, Anonymous SUCO Comp, Sean Ralph, Chris Lehenbauer, Anonymous Otsego Cit, defective filed. Notice sent to party to correct by 1/25/99. The brief is missing the lower court designation on the cover of the brief. The brief doesn't state who the brief is written for. A certificate of compliance is needed. (cv75)
01/20/1999	Notice (Defective Document Issued) to counsel (cv75)
01/20/1999	Notice (Defective Document Issued) to counsel (cv75) 98-9375 Brown, et al v. City of Oneonta, New, et al
01/19/1999	Appellee City of Oneonta, New, Appellee Police Department of, Appellee John J. Donadio, Appellee Joseph Redmond, Appellee William M. Davis, Appellee X. Olsen, Appellee Anonymous Officers, Appellee The State of New Yor, Appellee

State University of, Appellee State Univ. of, Appellee NY State Division of, Appellee H. Karl Chandler, Appellee Robert Farrand, Appellee George Clum, Appellee Kevin More, Appellee John Way, Appellee Mark Kimball, Appellee Kenneth Grant, Appellee New York State Troop, Appellee Anonymous State Poli, Appellee SUCO Department of, Appellee Merritt Hunt, Appellee Tim Jackson, Appellee John Edmondson, Appellee Hartmark Leif, Appellee Eric Wilson, Appellee Carl Shedlock, Appellee Anonymous Public Saf, Appellee Anonymous SUCO Comp, Appellee Sean Ralph, Appellee Chris Lehenbauer, Appellee Anonymous Otsego Cit brief filed with proof of service. (cv75)

01/19/1999

Appellees City of Oneonta, New, Police Department of, John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, The State of New Yor, State University of, State Univ. of, NY State Division of, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, New York State Troop, Anonymous State Poli, SUCO Department of, Merritt Hunt, Tim Jackson, John Edmondson, Hartmark Leif, Eric Wilson, Carl Shedlock, Anonymous Public Saf, Anonymous SUCO Comp, Sean Ralph, Chris Lehenbauer, Anonymous Otsego Cit brief RECEIVED. Problem: Brief. A certificate of compliance is needed. The brief is missing the Lower Court Designation on the cover of the brief. Also the brief doesn't state the behalf the brief is written on. (cv75)

01/19/1999

Appellees City of Oneonta, New, Police Department of, John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, The State of New Yor, State University of, State Univ. of, NY State Division of, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, New York State Troop, Anonymous State Poli, SUCO Department of, Merritt Hunt, Tim Jackson, John Edmondson, Hartmark Leif, Eric Wilson, Carl Shedlock, Anonymous Public Saf, Anonymous SUCO Comp, Sean Ralph, Chris Lehenbauer, Anonymous Otsego Cit brief RECEIVED. Problem: Brief. The brief is missing the Lower Court Designation on the cover of the brief. Also the brief doesn't state the on. (cv75) 98-9375 Brown, et al v. City of Oneonta, New, et al

01/19/1999	Appellees The State of New Yor, State University of, State Univ. of, NY State Division of, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, New York State Troop, Anonymous State Poli, SUCO Department of brief filed with proof of service. (cv75)
12/21/1998	Notice (Order 12/21/98) to counsel (cv75)
12/21/1998	Notice (Order dated 12/21/98) to counsel (cv75)
12/21/1998	Order FILED GRANTING motion for extended time [1308946-1] by Appellee City of Oneonta, New, Police Department of, John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, The State of New Yor, State University of, State Univ. of, NY State Division of, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, New York State Troop, Anonymous State Poli, SUCO Department of, Merritt Hunt, Tim Jackson, John Edmondson, Hartmark Leif, Eric Wilson, Carl Shedlock, Anonymous Public Saf, Anonymous SUCO Comp, Sean Ralph, Chris Lehenbauer, Anonymous Otsego Cit, endorsed on motion form dated 12/16/98. Extended appellee's brief due date is 1/15/99. Extended argument week as early as 3/1/99. [FS] (cv75)
12/21/1998	Order FILED GRANTING motion for extended time [1309884-1] by Appellee City of Oneonta, New, Police Department of, John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, The State of New Yor, State University of, State Univ. of, NY State Division of, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, New York State Troop, Anonymous State Poli, SUCO Department of, Merritt Hunt, Tim Jackson, John Edmondson, Hartmark Leif, Eric Wilson, Carl Shedlock, Anonymous Public Saf, Anonymous SUCO Comp, Sean Ralph, Chris Lehenbauer, Anonymous Otsego Cit, endorsed on motion form dated 12/17/98. Extended appellee's brief due date is 1/15/99. Extended argument week as early as 3/1/99. [FS] (cv75)
12/17/1998	Appellees City of Oneonta, New, Police Department of, John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, The State of New Yor, State University

of, State Univ. of, NY State Division of, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, New York State Troop, Anonymous State Poli, SUCO Department of, Merritt Hunt, Tim Jackson, John Edmondson, Hartmark Leif, Eric Wilson, Carl Shedlock, Anonymous Public Saf, Anonymous SUCO Comp, Sean Ralph, Chris Lehenbauer, Anonymous Otsego Cit motion to extend time to file brief FILED (w/pfs). [1309884-1] (cv75) 98-9375 Brown, et al v. City of Oneonta, New, et al

12/16/1998

Appellee's City of Oneonta, New, Police Department of, John J. Donadio, Joseph Redmond, William M. Davis, X. Olsen, Anonymous Officers, The State of New York, State University of, State Univ. of, NY State Division of, H. Karl Chandler, Robert Farrand, George Clum, Kevin More, John Way, Mark Kimball, Kenneth Grant, New York State Troop, Anonymous State Poli, SUCO Department of, Merritt Hunt, Tim Jackson, John Edmondson, Hartmark Leif, Eric Wilson, Carl Shedlock, Anonymous Public Saf, Anonymous SUCO Comp, Sean Ralph, Chris Lehenbauer, Anonymous Otsego Cit motion to extend time to File appellee's brief FILED (w/pfs). [1308946-1] (cv79)

12/10/1998

Appellant Ricky Brown, Appellant Jamel Champen, Appellant Sheryl Champen, Appellant Hopeton Gordon, Appellant Jean Cantave, Appellant Raishawn Morris, Appellant Major Barnett, Appellant Tim Richardson, Appellant Darryl Taylor, Appellant Robert Walker, Appellant Clement Mallory, Appellant Ronald Sanchez, Appellant Darnell Lemons, Appellant John Butler, Appellant Jason Childs, Appellant Paul Heyward, Appellant Ronald Jennings, Appellant Paul Howe, Appellant Bubu Demasio, Appellant Wilson Acosta, Appellant Chris Holland, Appellant Jermaine Adams, Appellant Felix Francis, Appellant Daniel Sontag, Appellant Ronald Lynch, Appellant Kenneth McClain, Appellant Hervey Pierre, Appellant Vincent Quinones, Appellant Laurence Plaskett, Appellant Lamont Wyche, Appellant Steven York, Appellant Tyrone Lohr, Appellant King Gonzalez, Appellant Raishawn Morris defective Brief and Appendix cured. Satisfy defective document response due. (cv75)

12/09/1998

Order FILED GRANTING motion to file brief as amicus curiae [1299218-1] by Movant NAACP Legal Defense, N.Y. Civil Liberties, endorsed on motion form dated 11/30/98. { AH}

(cv79)

12/08/1998	Letter received from Daniel J. Stewart informing the Court that he does not object to the N.A.A.C.P. filing the amicus brief. (cv75)
12/02/1998	Appellants Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, Jason Childs, Paul Heyward, Ronald Jennings, Paul Howe, Bubu Demasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez, Raishawn Morris defective Brief filed. Notice sent to party to correct by 12/10/98. The brief is printed in proportional font. (cv75) 98-9375 Brown, et al v. City of Oneonta, New, et al
12/02/1998	Notice (Defective Document Issued) to counsel (cv75)
12/01/1998	Appellant Ricky Brown, Appellant Jamel Champen, Appellant Sheryl Champen, Appellants Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Jason Childs, Paul Heyward, Ronald Jennings, Paul Howe, Bubu Demasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez, Raishawn Morris brief RECEIVED. Problem: The brief is printed in proportional font. (cv75)
12/01/1998	Appellants Ricky Brown, et al. brief FILED with proof of service. [shelf 93 in the lower lobby] (cv75)
12/01/1998	Appellants Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Jason Childs, Paul Heyward, Ronald Jennings, Paul Howe, Bubu Demasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth

McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez, Raishawn Morris joint appendix filed w/pfs. Number of volumes: two. [shelf 93 in the lower lobby] (cv75)

12/01/1998 Joint appendix received. Number of volumes: two. Problem: The brief is defective.. (cv75)

12/01/1998 Notice of appearance form on behalf of D. Scott Bassinson, Esq., filed. (Orig inacco, copy to Calendar) (cv75)

11/30/1998 Amicus Brief received. Problem: Pending Motion requesting permission to file a brief as amici curiae. (cv75) 98-9375 Brown, et al v. City of Oneonta, New, et al

11/30/1998 Amicus Curiae NAACP Legal Defense, Amicus Curiae N.Y. Civil Liberties brief filed with proof of service. (cv75)

11/30/1998 Movants NAACP Legal Defense, and N.Y. Civil Liberties motion to file brief as amicus curiae FILED (w/pfs). [1299218-1] (cv75)

11/16/1998 Notice (ROA index filed) to counsel (cv75)

11/13/1998 Record on appeal index in lieu of record filed. (cv75)

11/05/1998 Notice of appeal acknowledgment letter from D. Scott Bassinson for Appellant Raishawn Morris, Appellant King Gonzalez, Appellant Tyrone Lohr, Appellant Steven York, Appellant Lamont Wyche, Appellant Laurence Plaskett, Appellant Vincent Quinones, Appellant Hervey Pierre, Appellant Kenneth McClain, Appellant Ronald Lynch, Appellant Daniel Sontag, Appellant Felix Francis, Appellant Jermaine Adams, Appellant Chris Holland, Appellant Wilson Acosta, Appellant Bubu Demasio, Appellant Paul Howe, Appellant Ronald Jennings, Appellant Paul Heyward, Appellant Jason Childs, Appellant John Butler, Appellant Darnell Lemons, Appellant Ronald Sanchez, Appellant Clement Mallory, Appellant Robert Walker, Appellant Darryl Taylor, Appellant Tim Richardson, Wayne Lewis, Kevin Allen, Charles Battiste, Appellant Major Barnett, Appellant Raishawn Morris, Appellant Jean Cantave, Appellant Hopeton Gordon, Appellant Sheryl Champen, Appellant Jamel Champen, Appellant Ricky Brown received. (cv75)

11/04/1998	Amended Telephonic Pre-Argument Conference Notice and Order from Frank J. Scardilli filed. For the convenience of out-of-town counsel, a telephonic PRE-ARGUMENT CONFERENCE has been scheduled for Tuesday 11/17/98 at 2:30 P.M. The conference should be initiated by appellant's counsel, who should first get all appellees' counsel on the line, and then call Staff Counsel at this conference line number: 212-857-8767. [FS] (cv75)
11/04/1998	Notice (Amended Telephonic Pre-Argument Conference Notice and Order) to counsel (cv75)
11/02/1998	Notice of appeal acknowledgment letter from Denise A. Hartman for Appellee Sean Ralph, Appellee Anonymous SUCO Comp, Appellee Anonymous Public Saf, Appellee Carl Shedlock, Appellee Eric Wilson, Appellee Hartmark Leif, Appellee John Edmondson, Appellee Tim Jackson, Appellee Merritt Hunt, Appellee SUCO Department of, Appellee Anonymous State Poli, Appellee New York State Troop, Appellee Kenneth Grant, Appellee Mark Kimball, Appellee John Way, Appellee Kevin More, Appellee Robert Farrand, Appellee H. Karl Chandler, Appellee NY State Division of, Appellee State Univ. of, Appellee State University of, Appellee The State of New Yor, Appellee Anonymous Officers received. (cv75)
11/02/1998	Notice of appeal acknowledgment letter from James E. Konstanty for Appellee Anonymous Otsego Cit, Appellee Chris Lehenbauer received. (cv75) 98-9375 Brown, et al v. City of Oneonta, New, et al
10/29/1998	Notice (Scheduling Order # 1 issued by FS's office) to counsel (cv75)
10/29/1998	Scheduling order # 1 filed. Record on appeal due on 11/23/98. Appellant's brief and appendix due on 11/30/98,, . Appellee's brief due on 12/30/98,, . Argument as early as week of 2/15/99. (Pre-Argument Conference scheduled for Friday 11/13/98 at 11:45 A.M.). [FS] (cv75)
10/19/1998	Appellant Ricky Brown, Appellant Jamel Champen, Appellant Sheryl Champen, Appellant Hopeton Gordon, Appellant Jean

Cantave, Appellant Raishawn Morris, Appellant Major Barnett, Appellant Tim Richardson, Appellant Darryl Taylor, Appellant Robert Walker, Appellant Clement Mallory, Appellant Ronald Sanchez, Appellant Darnell Lemons, Appellant John Butler, Appellant Jason Childs, Appellant Paul Heyward, Appellant Ronald Jennings, Appellant Paul Howe, Appellant Bubu Demasio, Appellant Wilson Acosta, Appellant Chris Holland, Appellant Jermaine Adams, Appellant Felix Francis, Appellant Daniel Sontag, Appellant Ronald Lynch, Appellant Kenneth McClain, Appellant Hervey Pierre, Appellant Vincent Quinones, Appellant Laurence Plaskett, Appellant Lamont Wyche, Appellant Steven York, Appellant Tyrone Lohr, Appellant King Gonzalez, Appellant Raishawn Morris Form C filed, with proof of service. [98-9375] Form C deadline satisfied. (cv75)

10/19/1998

Appellant Ricky Brown, Appellant Jamel Champen, Appellant Sheryl Champen, Appellant Hopeton Gordon, Appellant Jean Cantave, Appellant Raishawn Morris, Appellant Major Barnett, Appellant Tim Richardson, Appellant Darryl Taylor, Appellant Robert Walker, Appellant Clement Mallory, Appellant Ronald Sanchez, Appellant Darnell Lemons, Appellant John Butler, Appellant Jason Childs, Appellant Paul Heyward, Appellant Ronald Jennings, Appellant Paul Howe, Appellant Bubu Demasio, Appellant Wilson Acosta, Appellant Chris Holland, Appellant Jermaine Adams, Appellant Felix Francis, Appellant Daniel Sontag, Appellant Ronald Lynch, Appellant Kenneth McClain, Appellant Hervey Pierre, Appellant Vincent Quinones, Appellant Laurence Plaskett, Appellant Lamont Wyche, Appellant Steven York, Appellant Tyrone Lohr, Appellant King Gonzalez, Appellant Raishawn Morris Form D filed, with proof of service. [98-9375] Form D deadline satisfied. (cv75)

10/19/1998

Copy of district court decision and order, endorsed by Hon. Thomas J. McAvoy, USDJ dated 8/10/98. (cv75)

10/19/1998

Copy of district court Judgment, endorsed by P.T. Aton, Deputy Clerk dated 9/9/98 filed. (cv75)

10/19/1998

Copy of district court memorandum, decision & order, endorsed by Hon. Thomas J. McAvoy, USDJ dated 7/94. (cv75)

10/19/1998	Copy of district court memorandum-decision & order, endorsed by Hon. Thomas J. McAvoy USDJ dated 2/19/96. (cv75)
10/19/1998	Copy of district court memorandum-decision & order, endorsed by Hon. Thomas J. McAvoy, USDJ dated 12/95. (cv75)
10/19/1998	Copy of district court order, endorsed by Hon. Thomas J. McAvoy, USDJ dated 1/29/94. (cv75)
10/19/1998	Copy of notice of appeal and district court docket entries on behalf of Appellant Ricky Brown, Jamel Champen, Sheryl Champen, Hopeton Gordon, Jean Cantave, Raishawn Morris, Major Barnett, Tim Richardson, Darryl Taylor, Robert Walker, Clement Mallory, Ronald Sanchez, Darnell Lemons, John Butler, Jason Childs, Paul Heyward, Ronald Jennings, Paul Howe, Bubu Demasio, Wilson Acosta, Chris Holland, Jermaine Adams, Felix Francis, Daniel Sontag, Ronald Lynch, Kenneth McClain, Hervey Pierre, Vincent Quinones, Laurence Plaskett, Lamont Wyche, Steven York, Tyrone Lohr, King Gonzalez, Raishawn Morris filed. [98-9375] Form C due on 10/13/98. Form D due on 10/13/98. (cv75)
10/19/1998	Transcript of Proceedings held in and for the United States District Court, Northern District of New York, at the James T. Foley United States Courthouse, 445 Broadway, Albany, New York 12207, on Monday, December 13, 1993, before the Hon. Thomas J. McAvoy, Chief United States District Court Judge filed. (cv75) 98-9375 Brown, et al v. City of Oneonta, New, et al

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