

CLOSED

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:02-cv-11729-REK**

Souza, et al v. Hodgson
Assigned to: Senior Judge Robert E. Keeton
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 08/28/2002
Date Terminated: 07/25/2003
Jury Demand: Defendant
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Richard Souza

represented by **James R. Pingeon**
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LEAD ATTORNEY
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Plaintiff

Wayne Soares

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Peter J. Costanza
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Plaintiff

Barry Booker

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Peter J. Costanza
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Plaintiff

Richard Centeno

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Peter J. Costanza
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Plaintiff

Antone Cruz

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Peter J. Costanza
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Plaintiff

William Perry

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Peter J. Costanza
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Plaintiff

William Statkiewitz

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Plaintiff

Jerome Wieczorek, Jr.

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Peter J. Costanza
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V.

Defendant

Thomas M. Hodgson

Individually and as Bristol County Sheriff

represented by **Bruce A. Assad**
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 508-673-2004
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Date Filed	#	Docket Text
08/28/2002	<u>1</u>	Notice of Removal filed. Received from: Bristol Superior Court; State Court Docket #: BRCV2002-00870. Assigned to: Judge Keeton Receipt #: 41516 Amount: \$ 150.00. Fee status: paid. (kf) (Entered: 08/29/2002)
09/05/2002	<u>2</u>	Answer by Thomas M. Hodgson to amended complaint, filed.; jury demand. (kf) (Entered: 09/06/2002)
09/12/2002	3	State Court Record (certified copy), filed. Service in state court on 8/12/02. (kf) (Entered: 09/12/2002)

09/12/2002	4	SEALED DOCUMENT placed in vault. (kf) (Entered: 09/12/2002)
09/27/2002	5	Motion by Richard Souza, Wayne Soares, Barry Booker, Richard Centeno, Antone Cruz, William Perry, William Statkiewitz, Jerome Wieczorek Jr. to remand to state court , filed. c/s (kf) (Entered: 09/30/2002)
10/02/2002	6	Judge Robert E. Keeton . Notice of Hearing/conference: Motion hearing set for 2:00 10/18/02 for [5-1] motion to remand to state court . cc/cl (kf) (Entered: 10/03/2002)
10/21/2002	7	Response by Thomas M. Hodgson in opposition to [5-1] motion to remand to state court , filed. c/s (kf) (Entered: 10/23/2002)
10/31/2002	9	Motion by Plaintiffs for leave to file reply memorandum , filed. c/s (kf) (Entered: 11/08/2002)
10/31/2002	10	Reply by Plaintiffs to [7-1] opposition of defendant Bristol County Sheriff Thomas M. Hodgson to plaintiffs' motion to remand to state court, filed. c/s (kf) (Entered: 11/08/2002)
11/01/2002		Motion Hearing held . (kf) (Entered: 11/05/2002)
11/01/2002	8	Judge Robert E. Keeton . Clerk's Notes: re: motion hearing. Arguments re: motion to remand. Court will give plaintiff opportunity to clarify in what capacity he is suing the sheriff. set case management conference for 3:00 1/24/03 Court Reporter: Lee Marzilli (kf) (Entered: 11/05/2002)
01/15/2003	11	Letter by Gary W. Smith dated: January 14, 2003 to: Attorney Pingeon re: conference rescheduled filed. (kf) (Entered: 01/23/2003)
01/31/2003	12	Letter from David Kerrigan, Chief, Trial Division, dated: 1/23/2003 to: Gentlemen re: "cost of care" program filed in open court. (cjn) (Entered: 02/03/2003)
01/31/2003	13	Letter by James R. Pingeon dated: 11/6/2002 to: David re: cost of care, filed in open court. (cjn) (Entered: 02/03/2003)
01/31/2003		Case management conference held . (kf) (Entered: 02/04/2003)
01/31/2003	14	Judge Robert E. Keeton . Clerk's Notes: re: case management conf. denying [5-1] motion to remand to state court. Colloquy re: scheduling. Discovery must be complete by April 30, 2003. Dispositive motions by June 13, 2003. Probably will issue re: whether REK should decide only fed. claims and then remand whatever state law claims remain. Briefs should also address those issues (in addition to the federal law issues re: federal claims). Will wait to do further scheduling until briefing is finished and court makes decisions on issues presented in the briefs. set case management conference for 2:00 8/6/03 Court Reporter: Cloonan (kf) (Entered: 02/04/2003)
06/11/2003		Judge Robert E. Keeton : electronic ORDER entered granting [9] Motion for Leave to File, allowed in court 11/1/02. (Nicewicz, Craig) (Entered: 06/11/2003)
06/11/2003	<u>15</u>	MOTION for Leave to Amend Complaint by Barry Booker, Richard Centeno, Antone Cruz, William Perry, Wayne Soares, Richard Souza, William Statkiewitz, Jerome Wieczorek Jr.c/s(Patch, Christine) (Entered: 06/12/2003)

06/11/2003	16	MEMORANDUM in Support re 15 MOTION for Leave to Amend Complaint filed by Barry Booker, Richard Centeno, Antone Cruz, William Perry, Wayne Soares, Richard Souza, William Statkiewitz, Jerome Wieczorek Jr. c/s (Patch, Christine) (Entered: 06/12/2003)
06/11/2003	17	Renewed MOTION to Remand to State Court Pursuant to 28 U.S.C. 14479(c) and 1441(c)2 by Barry Booker, Richard Centeno, Antone Cruz, William Perry, Wayne Soares, Richard Souza, William Statkiewitz, Jerome Wieczorek Jr. c/s(Patch, Christine) (Entered: 06/12/2003)
06/11/2003	18	MEMORANDUM in Support re 17 Renewed MOTION to Remand to State COURT filed by Barry Booker, Richard Centeno, Antone Cruz, William Perry, Wayne Soares, Richard Souza, William Statkiewitz, Jerome Wieczorek Jr. c/s (Patch, Christine) (Entered: 06/12/2003)
06/11/2003	19	Assented to MOTION for Extension of Time to July 11, 2003 to File Motion for Summary Judgement by Barry Booker, Richard Centeno, Antone Cruz, William Perry, Wayne Soares, Richard Souza, William Statkiewitz, Jerome Wieczorek Jr. c/s(Patch, Christine) (Entered: 06/12/2003)
06/18/2003		Judge Robert E. Keeton : Electronic ORDER entered granting 19 Assented to Motion for Extention of Time to File Motion for Summary Judgment. cc/cl (Patch, Christine) Modified on 6/19/2003 (Patch, Christine). (Entered: 06/19/2003)
07/14/2003	20	Assented-to MOTION for Extension of Time to July 18, 2003 to File Motion for Summary Judgment by Barry Booker, Richard Centeno, Antone Cruz, William Perry, Wayne Soares, Richard Souza, William Statkiewitz, Jerome Wieczorek Jr. c/s(Patch, Christine) (Entered: 07/15/2003)
07/17/2003		Judge Robert E. Keeton : Electronic ORDER entered granting 20 Motion for Extension of Time to File Motion for Summary Judgment. cc/cl (Patch, Christine) (Entered: 07/17/2003)
07/17/2003	21	Judge Robert E. Keeton : ORDER entered JUDGMENT in favor of Defendant against Plaintiffs, granting 17 MOTION to Remand to State Court filed by William Perry, Richard Souza, Wayne Soares, Barry Booker, Richard Centeno, Antone Cruz, William Statkiewitz, Jerome Wieczorek, and granting 15 MOTION for Leave to Amend Complaint filed by William Perry, Richard Souza, Wayne Soares, Barry Booker, Richard Centeno, Antone Cruz, William Statkiewitz, Jerome Wieczorek. The court hereby orders that the federal claims asserted by plaintiff in the original complaint are dismissed with prejudice. The Clerk is directed to remand this case to the state court from which it was removed. cc/cl(Patch, Christine) (Entered: 07/21/2003)
07/18/2003	22	MOTION for Summary Judgment by Barry Booker, Richard Centeno, Antone Cruz, William Perry, Wayne Soares, Richard Souza, William Statkiewitz, Jerome Wieczorek Jr. c/s(Patch, Christine) (Entered: 07/21/2003)
07/18/2003	23	MOTION for Leave to Exceed Twenty Pages to submit a 37 page Memorandum of Reasons in Support of 22 Motion for Summary Judgment by Barry Booker, Richard Centeno, Antone Cruz, William Perry, Wayne Soares, Richard Souza, William Statkiewitz, Jerome Wieczorek Jr. cc/cl(Patch, Christine) (Entered: 07/21/2003)

07/25/2003		Civil Case Terminated. (Nicewicz, Craig) (Entered: 07/25/2003)
07/31/2003	24	NOTICE of Hearing: Case Management Conference set for 9/18/2003 11:00 AM in Courtroom 3 before Robert E. Keeton. Counsel should be prepared to argue all pending motions.(Nicewicz, Craig) (Entered: 07/31/2003)
08/04/2003		Return receipt received for mail sent to Bristol County Superior Court. Delivered on 8/1/03. (Patch, Christine) (Entered: 08/05/2003)
08/08/2003		Return receipt received for mail sent to Bristol County Superior Court Delivered on 8/5/03. (Patch, Christine) (Entered: 08/14/2003)

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