

CLOSED,LEAD

U.S. District Court
Northern District of New York – Main Office (Syracuse) [LIVE – Version 5.0.3]
(Prisoner)
CIVIL DOCKET FOR CASE #: 9:01-cv-01535-DNH-GHL

Donhauser v. Goord, et al
Assigned to: Judge David N. Hurd
Referred to: Magistrate Judge George H. Lowe
Demand: \$1,500,000

Case in other court: 2nd Circuit, 04-02222
2nd Circuit, 04-02222-pr (LEAD)
NDNY, 9:05-CV-0096

Date Filed: 10/10/2001
Date Terminated: 10/17/2008
Jury Demand: Both
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Cause: 42:1983 Prisoner Civil Rights

Plaintiff

David Donhauser

represented by **David Donhauser**
05-B-3138
Franklin Correctional Facility
PO Box 10
Malone, NY 12953
PRO SE

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ATTORNEY TO BE NOTICED

V.

Consol Plaintiff

Joseph Garcia

represented by **Joseph Garcia**
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Mohawk Correctional Facility
P.O. Box 8451
Rome, NY 13440
PRO SE

V.

Petitioner

Ricardo Lamberty

represented by **Ricardo Lamberty**
86-A-7921
Cape Vincent Correctional Facility
Route 12E PO Box 739
Cape Vincent, NY 13618
PRO SE

V.

Defendant

Glenn S. Goord
Commissioner, NY DOCS

represented by **Douglas J. Goglia**
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Defendant

Martha E. Yourth
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Defendant

Dominic Martinelli
Sex Offender Program Counselor

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Defendant

S. Carter
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V.

Consol Defendant

Michael Maher
Acting Superintendent

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V.

Respondent

Sunny Schriver
Supt. of Wallkill Corr. Fac.

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 TERMINATED: 04/25/2008
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Date Filed	#	Docket Text
10/10/2001	<u>1</u>	COMPLAINT filed; (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 10/10/2001)
10/10/2001	<u>2</u>	In Forma Pauperis Application filed by David Donhauser (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 10/10/2001)
10/10/2001	<u>3</u>	Executed Inmate Authorization Form for In Forma Pauperis (Incremental filing fee payments) for – David Donhauser (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 10/10/2001)
10/10/2001	<u>4</u>	MOTION by David Donhauser for Temporary Restraining Order Motion returnable before Judge/Mag. Judge: Sharpe (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 10/10/2001)
10/10/2001		Motion(s) referred: [4–1] motion for Temporary Restraining Order referred to Magistrate Judge Gary L. Sharpe (fce) (Entered: 10/10/2001)
10/23/2001	<u>5</u>	DOCUMENT REJECTION ORDER as to Mauern Ashford El; request to be added as a plaintiff to the action must be in a form of a motion. (signed by Magistrate Judge Gustave J. DiBianco) Date Entered: 10/23/01 (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 10/23/2001)
10/24/2001	<u>6</u>	DOCUMENT REJECTION ORDER as to Richard Schwartz and Roy C. Holmes; a motion must be filed before additional parties can be added as plaintiffs in this action. (signed by Magistrate Judge Gustave J. DiBianco) Date Entered: 10/24/01 (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 10/24/2001)
10/26/2001	<u>7</u>	DOCUMENT REJECTION ORDER as to Joseph Hutzler; request to be added as a plaintiff in this action must be done by motin. (signed by Magistrate Judge Gustave J. DiBianco) Date Entered: 10/26/01 (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 10/26/2001)
10/30/2001	<u>8</u>	ORDER rejecting the request of Leon Gant, Sr. to be added as a plaintiff in this action, for not being in the form of a motion. (signed by Magistrate Judge Gustave J. DiBianco) Date Entered: 10/31/01 (rjb) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 10/31/2001)
11/01/2001	<u>9</u>	Order Directing Compliance as to David Donhauser. Plaintiff ordered to file an amended complaint within 30 days of the date of this order or the action shall be dismissed without further order of the court. Plaintiff's IFP application is granted and clerk directed to provide supt. of the facility with copy of the Inmate Authorization form. If plaintiff complies with this order, the file shall be forwarded to the undersigned for further review. Date Served: 11/1/01 Date Entered: 11/02/01 Notice of compliance due by 12/1/01 Clerk's action due by 12/31/01 (Signed by Judge David N. Hurd) (fce) (Entered: 11/02/2001)
11/02/2001	<u>9</u>	ORDER denying [4–1] motion for Temporary Restraining Order, granting [2–1] application (signed by Judge David N. Hurd) (fce) (Entered: 11/02/2001)
11/02/2001		Forwarded Inmate Authorization form to Supt. (fce) (Entered: 11/02/2001)
11/28/2001		PRO SE HANDBOOK issued to David Donhauser by mail. (tjm) (Entered: 11/28/2001)
12/04/2001	<u>10</u>	***STRICKEN FROM THE RECORD BY ORDER OF JUDGE HURD FILED 3/22/02*** AMENDED COMPLAINT by David Donhauser, amends [1–1] complaint (fce) Modified on 03/22/2002 (Entered: 12/04/2001)
01/18/2002	<u>11</u>	DOCUMENT REJECTION ORDER as to Ashford–El; request by Ashford–El to be added as a party to this action must be in the form of a motion. (signed by Magistrate Judge Gustave J. DiBianco) Date Entered: 1/18/02 (fce) Additional

		attachment(s) added on 7/21/2005 (see,). (Entered: 01/18/2002)
03/22/2002	<u>12</u>	Order Directing Compliance as to David Donhauser. Donhauser is directed to file an amended complaint w/in 30 days or this action is dismissed. Plaintiff is directed not to file any other motions until his amended complaint has been submitted and approved for filing. Date Served: 3/22/02 Date Entered: 3/22/02 Notice of compliance due by 4/21/02 Clerk's action due by 5/21/02 (Signed by Judge David N. Hurd) (rjb) (Entered: 03/22/2002)
03/22/2002	12	ORDER, Striking [10-1] amended complaint (signed by Judge David N. Hurd) Date Entered: 3/22/02 (rjb) (Entered: 03/22/2002)
04/23/2002	<u>13</u>	AMENDED COMPLAINT by David Donhauser, amends [1-1] complaint (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 04/23/2002)
05/06/2002	<u>14</u>	ORDER directing the Clerk to issue summons and forward w/copies of the amended complaint to the U.S. Marshals for service. (signed by Magistrate Judge Gary L. Sharpe) Date Entered: 5/6/02 (fce) (Entered: 05/06/2002)
05/06/2002	<u>15</u>	NOTICE of the Clerk to Donhauser dd. 5/6/02 advising plaintiff to submit 5 copies of his amended complaint to the Clerk's Office for service upon the defts. (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 05/06/2002)
05/15/2002		SUMMONS(ES) issued for Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter (fce) (Entered: 05/15/2002)
05/22/2002	<u>16</u>	DOCUMENT REJECTION ORDER as to Donhauser; motion to "certify action as class action" did not have an affidavit or memorandum of law. (signed by Magistrate Judge Gustave J. DiBianco) Date Entered: 5/22/02 (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 05/22/2002)
05/31/2002	<u>17</u>	ACKNOWLEDGEMENT OF SERVICE as to Glenn S. Goord on 5/29/02 : Answer due on 6/18/02 for Glenn S. Goord (nas) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 05/31/2002)
06/10/2002	<u>18</u>	Marshal's Bill of costs as to Donhauser for \$24.00. (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 06/10/2002)
06/10/2002	<u>19</u>	ACKNOWLEDGEMENT OF SERVICE as to Martha E. Yourth on 6/4/02 : Answer due on 6/24/02 for Martha E. Yourth (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 06/10/2002)
06/10/2002	<u>20</u>	ACKNOWLEDGEMENT OF SERVICE as to Dominic Martinelli on 5/29/02 : Answer due on 6/18/02 for Dominic Martinelli (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 06/10/2002)
06/12/2002	<u>21</u>	REQUEST by AAG Sheingold and ORDER, extending Answer deadline to 7/29/02 for Dominic Martinelli, for Martha E. Yourth, for Glenn S. Goord (signed by Magistrate Judge Gary L. Sharpe) (rjb) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 06/12/2002)
07/01/2002	<u>22</u>	MOTION, w/attached exhibits, by David Donhauser for Appointment of Counsel Motion returnable before Judge/Mag. Judge: Sharpe (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 07/01/2002)
07/01/2002	<u>23</u>	MOTION w/attached affidavit and memorandum of law by David Donhauser to certify action as class action , Hearing set for 7/29/02, Response Deadline 7/15/02 Motion returnable before Judge/Mag. Judge: Sharpe **Motion STAYED as per [27-1] request and order, pending resolution of dft's motion to dismiss.*** (fce) Modified on 03/12/2003 Additional attachment(s) added on 2/14/2005 (nas,). (Entered: 07/01/2002)
07/03/2002	<u>24</u>	DOCUMENT REJECTION ORDER as to Donhauser; motion for preliminary injunction did not have an affidavit or memorandum of law. (signed by Magistrate Judge Gary L. Sharpe) Date Entered: 7/3/02 (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 07/03/2002)
07/18/2002	<u>25</u>	MOTION by Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter to Dismiss the complaint , Hearing set for 8/15/02 , Response Deadline 8/1/02 Motion

		returnable before Judge/Mag. Judge: Sharpe (fce) Additional attachment(s) added on 9/1/2004 (cbm,). (Entered: 07/18/2002)
07/18/2002	<u>26</u>	MEMORANDUM w/attached exhibits by Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter in support of [25-1] motion to Dismiss the complaint (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 07/18/2002)
07/22/2002	<u>27</u>	REQUEST by Atty. Sheingold for a stay on plt'f motion for class certification and ORDER plaintiff's motion for class certification is STAYED pending resolution of dft's motion to dismiss. (signed by CDB as directed by Magistrate Judge Gustave J. DiBianco) (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 07/22/2002)
07/25/2002	<u>28</u>	REQUEST by Donhauser and ORDER DENYING said request because the Court cannot determine what deadline is being sought to extend or what papers Donhauser wishes to reply to. Request is denied as being unclear. (signed by C. Brown as directed by Magistrate Judge Gary L. Sharpe) (nas) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 07/25/2002)
07/26/2002	<u>29</u>	MOTION w/attached affidavit and memorandum of law by David Donhauser for Preliminary Injunction , Hearing set for <date not set> , Response Deadline <date not set> Motion returnable before Judge/Mag. Judge: Sharpe (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 07/26/2002)
07/26/2002	<u>30</u>	Scheduling Notice:, Motion Hearing set for 8/26/02 re: [29-1] motion for Preliminary Injunction , Response to Motion reset to 8/12/02 for [29-1] motion for Preliminary Injunction (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 07/26/2002)
07/31/2002	<u>31</u>	REQUEST by Donhauser and ORDER, Response to Motion reset to 8/29/02 for [25-1] motion to Dismiss the complaint (signed by A. Maloney as directed by Magistrate Judge Gary L. Sharpe) (nas) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 07/31/2002)
07/31/2002	<u>32</u>	ORDER rejecting Donhauser's "Request for Production of Documents Under Discovery" as discovery is not filed with the Court. (signed by Magistrate Judge Gustave J. DiBianco) Date Entered: 7/31/02 (rjb) (Entered: 07/31/2002)
08/12/2002	<u>33</u>	AFFIRMATION/RESPONSE by Defendants to plaintiff's [29-1] motion for Preliminary Injunction (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 08/13/2002)
08/12/2002	<u>34</u>	MEMORANDUM by defendants in support of [33-1] motion response (fce) Additional attachment(s) added on 7/21/2005 (see,). (Entered: 08/13/2002)
08/14/2002	<u>35</u>	ORDER denying [22-1] motion for Appointment of Counsel w/out prejudice. (signed by Magistrate Judge Gustave J. DiBianco) Date Entered: 8/14/02 (fce) (Entered: 08/14/2002)
08/15/2002	<u>36</u>	MOTION w/attached affirmation by defendants For a protective Order and to Stay discovery Hearing set for <date not set> , Response Deadline <date not set> Motion returnable before Judge/Mag. Judge: Sharpe (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 08/16/2002)
08/15/2002	<u>37</u>	MEMORANDUM by defendants in support of [36-1] motion For a protective Order and to Stay discovery (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 08/16/2002)
08/16/2002	<u>38</u>	Scheduling Notice:, Motion Hearing set for 9/13/02 re: [36-1] motion For a protective Order and to Stay discovery , Response to Motion reset to 8/30/02 for [29-1] motion for Preliminary Injunction (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 08/16/2002)
08/19/2002	<u>39</u>	ACKNOWLEDGEMENT OF SERVICE as to S. Carter on 8/7/02 : Answer due on 8/27/02 for S. Carter (rjb) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 08/19/2002)

08/19/2002	<u>40</u>	Bill of costs submitted by the U.S. Marshals Service, to recover costs of service in the amount of \$32.00 (should the pltf prevail). (rjb) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 08/19/2002)
08/22/2002		Sent Donhauser a copy of docket sheet as per his 8/18/02 request. Plaintiff submitted a check for \$2.00 for the cost of the docket sheet. Receipt no. 65574. (fce) (Entered: 08/22/2002)
08/26/2002	<u>41</u>	REQUEST by Donhauser and ORDER GRANTING, Response to Motion reset to 9/30/02 for [25-1] motion to Dismiss the complaint (signed by C. Brown as directed by Magistrate Judge Gary L. Sharpe) (nas) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 08/26/2002)
08/26/2002	<u>42</u>	REQUEST by Nelson Sheingold, AAG, and ORDER denying request for stay of the motion for injunctive relief (signed by C. Brown as directed by Magistrate Judge Gary L. Sharpe) (nas) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 08/26/2002)
10/01/2002	<u>43</u>	RESPONSE by David Donhauser to [25-1] motion to Dismiss the complaint (rjb) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 10/02/2002)
10/01/2002	<u>44</u>	MEMORANDUM by David Donhauser in opposition to [25-1] motion to Dismiss the complaint (rjb) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 10/02/2002)
10/03/2002	<u>45</u>	ORDER granting [36-1] motion For a protective Order and to Stay discovery, denying [29-1] motion for Preliminary Injunction and Ordered, ikf motion to dismiss is denied, clerk shall forward file to the Court for setting of pretrial deadlines (signed by Judge David N. Hurd) Date Entered: 10/3/02 (fce) (Entered: 10/03/2002)
10/06/2002		Motion(s) referred: [25-1] motion to Dismiss the complaint referred to Magistrate Judge Gary L. Sharpe (rjb) (Entered: 10/06/2002)
01/08/2003	<u>46</u>	DOCUMENT REJECTION ORDER as to Donhauser; ntc. of address change not served upon opposition. **address updated in system** (signed by Magistrate Judge Gustave J. DiBianco) Date Entered: 1/8/03 (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 01/08/2003)
01/14/2003	<u>47</u>	Change of Address received. Effective date: 1/12/03 from/for plaintiff David Donhauser New Address: Mid-State Corr. Facility (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 01/14/2003)
01/22/2003	<u>48</u>	REPORT AND RECOMMENDATIONS of Magistrate Judge Gary L. Sharpe; it is RECOMMENDED that dft's motion to dismiss be GRANTED. Service Date: 1/22/03 Re: (Objection to R and R due by 2/11/03 for S. Carter, for Dominic Martinelli, for parties (signed by Magistrate Judge Sharpe 1/22/03) Motion(s) no longer referred (fce) (Entered: 01/22/2003)
01/22/2003		Motion(s) no longer referred: [25-1] motion to Dismiss the complaint (fce) (Entered: 01/22/2003)
01/31/2003	<u>49</u>	REQUEST by Donhauser for an extension of time to file objections to the R/R and ORDER, Objections reset to 2/28/03 for [48-1] report and recommendations (signed by cdb as directed by Judge David N. Hurd) (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 01/31/2003)
03/03/2003	<u>50</u>	OBJECTION by David Donhauser to [48-1] report and recommendations (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 03/03/2003)
03/04/2003	<u>51</u>	REQUEST by Donhauser for an extension of time to file his objections to the R/R and ORDER, Objections reset to 3/10/03 for [48-1] report and recommendations ***Objections were filed by Donhauser on 3/3/03*** (signed by Judge David N. Hurd) (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 03/04/2003)
05/29/2003	<u>52</u>	ORDER rejecting Donhauser's motion for preliminary injunction for not having an affidavit in support. (signed by Magistrate Judge Gary L. Sharpe) Date Entered: 5/30/03 (rjb) (Entered: 05/30/2003)

06/12/2003	<u>53</u>	DOCUMENT REJECTION ORDER as to Donhauser; papers not served upon opposition. (signed by Magistrate Judge Gary L. Sharpe) Date Entered: 6/12/03 (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 06/12/2003)
06/19/2003		Motion(s) no longer referred: [25-1] motion to Dismiss the complaint (fce) (Entered: 06/19/2003)
06/19/2003	<u>55</u>	Scheduling Notice:, Motion Hearing set for 7/21/03 re: [54-1] motion for Permanent Injunction , Response to Motion reset to 7/7/03 for [54-1] motion for Permanent Injunction (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 06/19/2003)
06/19/2003	<u>54</u>	MOTION w/attached affidavit and memorandum of law by David Donhauser for Permanent Injunction , Hearing set for 6/30/03 , Response Deadline 6/16/03 Motion returnable before Judge/Mag. Judge: Hurd (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 06/20/2003)
06/20/2003	<u>56</u>	AMENDED Scheduling Notice: Motion Hearing set for 6/30/03 re: [54-1] motion for Permanent Injunction , Response to reset to 6/16/03 for [54-1] motion for Permanent Injunction before Judge Hurd in Utica, NY; This motion will be on submit; no oral argument or appearances are necessary. (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 06/20/2003)
06/25/2003	<u>57</u>	REQUEST by Donhauser for permission to file the attached letter as an exhibit to plaintiff's motion for injunctive relief and ORDER; the letter to be filed as an exhibit to plaintiff's motion for injunctive relief. (signed by Magistrate Judge Gary L. Sharpe) (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 06/25/2003)
06/25/2003	<u>58</u>	Letter dd. June 13, 2003 filed as exhibit (E) by plaintiff Donhauser in support of his motion for injunctive relief. filed as per [57-1] request and order. (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 06/25/2003)
06/30/2003	<u>59</u>	RESPONSE by Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter to [54-1] motion for Permanent Injunction (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 06/30/2003)
06/30/2003	<u>60</u>	AFFIDAVIT by Nelson R. Sheingold, AAG in support of Re: [59-1] motion response (fce) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 06/30/2003)
07/08/2003	<u>61</u>	ORDER rejecting Mr. Donhauser's recent submission because if he is attempting to amend his complaint, he must file a motion to do so that complies with the Local Rules. (signed by Magistrate Judge Gary L. Sharpe) Date Entered: 7/8/03 (nas) (Entered: 07/08/2003)
07/10/2003	<u>62</u>	REQUEST by Donhauser and ORDER granting, for Leave to File reply to defenddants' opposition to plaintiff's motion for injunctive relief. (signed by C.D.B. as directed by Judge David N. Hurd) (nas) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 07/10/2003)
07/10/2003	<u>63</u>	REPLY by David Donhauser to response to [54-1] motion for Permanent Injunction (nas) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 07/10/2003)
07/28/2003	<u>64</u>	MOTION w/ supporting affidavit and proposed amended complaint by David Donhauser to Amend [13-1] amended complaint , Hearing set for 8/26/03 , Response Deadline 8/12/03 Motion returnable before Judge/Mag. Judge: Sharpe (tlp) Additional attachment(s) added on 7/22/2005 (see,). (Entered: 07/28/2003)
07/28/2003	<u>65</u>	Scheduling Notice:, Motion Hearing set for 8/26/03 re: [64-1] motion to Amend [13-1] amended complaint , Response to Motion reset to 8/12/03 for [64-1] motion to Amend [13-1] amended complaint (tlp) Additional attachment(s) added on 7/29/2005 (see,). (Entered: 07/28/2003)
08/01/2003	<u>66</u>	RESPONSE by defendants to [64-1] motion to Amend [13-1] amended complaint (fce) Additional attachment(s) added on 7/29/2005 (see,). (Entered: 08/01/2003)

08/14/2003	<u>67</u>	REQUEST by Donhauser and ORDER since plaintiff has now served a copy of his motion to amend on dft's, dft. have until 9/16/03 to file a response. Response to Motion reset to 9/19/03 for [64-1] motion to Amend [13-1] amended complaint (signed by Magistrate Judge Gary L. Sharpe) (fce) Additional attachment(s) added on 7/29/2005 (see,). (Entered: 08/14/2003)
09/10/2003	<u>68</u>	RESPONSE by Dominic Martinelli, Martha E. Yourth, Glenn S. Goord to [64-1] motion to Amend [13-1] amended complaint (rjb) Additional attachment(s) added on 7/29/2005 (see,). (Entered: 09/10/2003)
09/10/2003	<u>69</u>	MEMORANDUM by Dominic Martinelli, Martha E. Yourth, Glenn S. Goord in opposition to [64-1] motion to Amend [13-1] amended complaint (rjb) Additional attachment(s) added on 7/29/2005 (see,). (Entered: 09/10/2003)
10/14/2003	<u>70</u>	ORDER denying pltf's [64-1] motion to Amend [13-1] amended complaint. (signed by Judge David N. Hurd) (see) (Entered: 10/16/2003)
10/22/2003	<u>71</u>	REQUEST by Donhauser and ORDER; plaintiff's motion to amend was denied as futile, therefore his request to attach exhibits to the proposed amended complaint must also be denied. (signed by Magistrate Judge Gary L. Sharpe) (fce) Additional attachment(s) added on 7/29/2005 (see,). (Entered: 10/22/2003)
02/12/2004	<u>72</u>	ORDER REASSIGNING CASE. Case reassigned to Judge George H. Lowe for all further proceedings. Judge Gary Sharpe no longer assigned to case. Signed by Judge Frederick J. Scullin Jr. on 2/12/04. (ljr,) (Entered: 02/13/2004)
04/08/2004	<u>73</u>	Pltf's MOTION to Vacate Judge Hurd's <u>70</u> order.(tlp) Modified on 4/15/2004 to correctly indicate the order pltf's wants to vacate (cbm,). (Entered: 04/12/2004)
04/08/2004	<u>74</u>	Pltf's AFFIDAVIT in support of <u>73</u> MOTION to Vacate . (tlp) Modified on 4/15/2004 to delete reference to <u>71</u> order (cbm,). (Entered: 04/12/2004)
04/08/2004	<u>75</u>	MEMORANDUM OF LAW re <u>73</u> Motion to Vacate filed by David Donhauser. (tlp) (Entered: 04/12/2004)
04/08/2004	<u>76</u>	NOTICE of Hearing on Motion <u>73</u> MOTION to Vacate <u>71</u> Set Deadlines/Hearings: Response to Motion due by 4/26/2004 Reply to Response to Motion due by 5/3/2004. Motion Hearing set for 5/13/2004 on submit before Magistrate Judge George H. Lowe. (tlp) (Entered: 04/12/2004)
04/12/2004	<u>77</u>	AFFIDAVIT in Opposition re <u>73</u> MOTION to Vacate <u>71</u> Set Deadlines/Hearings filed by S. Carter, Glenn S. Goord, Dominic Martinelli, Martha E. Yourth. (Attachments: # <u>1</u> Memorandum of Law in Opposition to Plaintiff's Motion to Vacate)(Sheingold, Nelson) (Entered: 04/12/2004)
04/13/2004	<u>78</u>	AFFIDAVIT of Service for declaration and memorandum of law in opposition to plaintiff's motion to vacate <i>the Court's Order denying his motion to amend</i> served on plaintiff, pro se on April 13, 2004, filed by S. Carter, Glenn S. Goord, Dominic Martinelli, Martha E. Yourth. (Sheingold, Nelson) (Entered: 04/13/2004)
04/15/2004	<u>79</u>	MEMORANDUM-DECISION AND ORDER adopting in part <u>48</u> Report and Recommendations; defts' <u>25</u> Motion to Dismiss the 2nd amended complaint is GRANTED as to pltf's privacy claim, equal protection claim, due process claim and 5th Amendment claim insofar as it relates to the denial of parole. Defts' motion to dismiss the 2nd amended complaint is DENIED as to pltf's 5th Amendment claim insofar as it relates to the loss of good time credits, etc. Defts are directed to serve and file answer to the surviving portions of the 2nd amended complaint by 5/7/04. Signed by Judge David N. Hurd on 4/15/04. (cbm,) (Entered: 04/15/2004)
04/15/2004	<u>80</u>	MEMORANDUM-DECISION AND ORDER granting in part PLTF'S <u>54</u> Motion for Preliminary Injunction: defts and persons acting under their discretion and/or control are enjoined from requiring a prisoner to divulge his/her history of sexual conduct in order to be eligible to participate in the Sexual Offender Counseling Program . Signed by Judge David N. Hurd on 4/15/04. (cbm,) (Entered: 04/15/2004)
04/15/2004		Docket entries <u>73</u> motion to vacate and <u>74</u> supporting affidavit have been edited to reflect that pltf's motion related to Judge Hurd's <u>70</u> order. Per Judge Hurd's chambers, that motion is moot in light of <u>79</u> and <u>80</u> Memorandum-Decision and

		Orders filed 4/15/04. (cbm,) (Entered: 04/15/2004)
04/20/2004	<u>81</u>	ORDERED that the stay on plaintiff's motion for class certification (Dkt. No. 23) is lifted. ORDERED that defendants have 30 days from the filing of this Order to file and serve papers opposing plaintiff's motion for class certification; ORDERED that plaintiff shall have 60 days from the filing date of this Order to file and serve papers replying to defendants opposition papers. Signed by Judge George H. Lowe on 4/20/04. (tlp) (Entered: 04/21/2004)
04/21/2004	<u>82</u>	NOTICE OF APPEAL as to <u>80</u> Order on Motion for Permanent Injunction,, <u>79</u> Order on Motion to Dismiss,,, Order on Report and Recommendations,, by S. Carter, Glenn S. Goord, Dominic Martinelli, Martha E. Yourth. (Attachments: # <u>1</u> Affidavit of Service of the Notice of Appeal and Forms C and D upon plaintiff)(Sheingold, Nelson) (Entered: 04/21/2004)
04/21/2004		Appeal Filing fee: \$ 255.00, receipt number 72930 (wbl,) (Entered: 04/21/2004)
04/21/2004		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>82</u> Notice of Appeal, (dmf) (Entered: 04/27/2004)
04/22/2004	<u>83</u>	LETTER BRIEF <i>in support of Defendant's Motion for a Stay of the injunction and the District Court proceedings pending appeal to the Second Circuit Court of Appeals</i> by S. Carter, Glenn S. Goord, Dominic Martinelli, Martha E. Yourth. (Attachments: # <u>1</u> Affidavit of James Granger in support of Defendants' Motion for a Stay)(Sheingold, Nelson) (Entered: 04/22/2004)
04/22/2004	<u>84</u>	AFFIDAVIT of Service for letter brief and Declaration of James Granger <i>in support of defendants' motion for a stay pending appeal</i> served on plaintiff, pro se on April 22, 2004, filed by S. Carter, Glenn S. Goord, Dominic Martinelli, Martha E. Yourth. (Sheingold, Nelson) (Entered: 04/22/2004)
04/23/2004	<u>85</u>	ORDER that defts' motion for a stay is DENIED; that the <u>80</u> Preliminary Injunction is VACATED and AMENDED to read as follows: defts and persons acting under their direction and/or control are enjoined from depriving a prisoner of good time credits because of the prisoner's refusal to divulge a history of sexual conduct, including illegal acts for wich no criminal charges have been filed, in order to be eligible for the Sexual Offender Counseling Program. Signed by Judge David N. Hurd on 4/23/2004. (see,) (Entered: 04/27/2004)
04/27/2004		Certified and Transmitted Record on Appeal to US Court of Appeals re <u>82</u> Notice of Appeal (dmf) (Entered: 04/27/2004)
04/29/2004	<u>86</u>	NOTICE OF APPEAL as to <u>80</u> Order on Motion for Permanent Injunction,, <u>85</u> Order,,, <u>79</u> Order on Motion to Dismiss,,, Order on Report and Recommendations,, by S. Carter, Glenn S. Goord, Dominic Martinelli, Martha E. Yourth. (Sheingold, Nelson) (Entered: 04/29/2004)
04/29/2004	<u>87</u>	AFFIDAVIT of Service for Notice of Appeal served on plaintiff, pro se on April 29, 2004, filed by S. Carter, Glenn S. Goord, Dominic Martinelli, Martha E. Yourth. (Sheingold, Nelson) (Entered: 04/29/2004)
04/29/2004		Filing fee: \$ 255.00, receipt number 72859 (wbl,) (Entered: 04/29/2004)
05/04/2004	<u>88</u>	MOTION to Appoint Counsel by David Donhauser. DATES TO BE SET.(nas) (Entered: 05/06/2004)
05/05/2004		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>86</u> Notice of Appeal (dmf) (Entered: 05/05/2004)
05/07/2004	<u>89</u>	ANSWER to Amended Complaint by Glenn S. Goord, Dominic Martinelli, Martha E. Yourth.(Sheingold, Nelson) (Entered: 05/07/2004)
05/07/2004	<u>90</u>	NOTICE of Hearing on Motion <u>88</u> MOTION to Appoint Counsel: MOTION ON SUBMISSION ONLY scheduled for 6/15/04. Response papers, if any, are due by 6/4/04.(nas) (Entered: 05/10/2004)
05/10/2004	<u>91</u>	AFFIDAVIT of Service for Answer to Amended Complaint served on Plaintiff, pro se on May 7, 2004, filed by Glenn S. Goord, Dominic Martinelli, Martha E. Yourth. (Sheingold, Nelson) (Entered: 05/10/2004)

05/11/2004	92	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (cbm,) (Entered: 05/11/2004)
05/14/2004	93	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing (forwarded to Judge Lowe for review) (cbm,) (Entered: 05/14/2004)
05/17/2004	<u>94</u>	Letter from Nelson R. Sheingold for Glenn S. Goord, Dominic Martinelli, Martha E. Yourth requesting an extension of time in which to respond to plaintiff's motion for class certification. (Sheingold, Nelson) (Entered: 05/17/2004)
05/17/2004	<u>95</u>	DOCUMENT REJECTION ORDER as to returning plaintiff's submission. Pltf. is referred to Local Rule 7.1, as he must comply with this rule when filing a motion. If pltf. is trying to file a motion for an injunction, he must also comply with Federal Rule 65. Signed by Judge George H. Lowe on 5/17/04. (tlp) (Entered: 05/18/2004)
05/18/2004	<u>96</u>	AFFIDAVIT of Service for letter request for an extension of time to respond to plaintiff's motion for class certification served on plaintiff, pro se on May 18, 2004, filed by Glenn S. Goord, Dominic Martinelli, Martha E. Yourth. (Sheingold, Nelson) (Entered: 05/18/2004)
05/18/2004	<u>97</u>	ORDER granting Nelson Sheingold AAG's request for an extension of time to file a response to <u>23</u> Motion for Miscellaneous/Other Relief: Response to Motion due by 6/30/2004. Signed by S. Sutter as directed by Judge George H. Lowe on 5/18/04. (nas) (Entered: 05/19/2004)
05/19/2004	98	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate Memo, re: 4/15/2004 Order) (see) (Entered: 05/21/2004)
05/19/2004	99	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate Letter, re: 4/15/2004 Order) (see) (Entered: 05/21/2004)
05/20/2004	100	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. Inmate letter, re: 4/15/2004 Order. (see) (Entered: 05/24/2004)
05/24/2004	101	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. Inmate letter, re: 4/15/2004 Order. (see) (Entered: 05/24/2004)
05/24/2004	102	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. Inmate letter, re: 4/15/2004 Order. (see) (Entered: 05/24/2004)
05/25/2004	103	SEALED DOCUMENT – letters to Judge Hurd from inmates re: 4/15/04 MDO; sealed by oral order of Judge Hurd; not available for electronic viewing. (cbm,) (Entered: 05/25/2004)
05/26/2004	104	SEALED DOCUMENT – letters to Judge Hurd from inmates re: 4/15/04 MDO; not available for electronic viewing (forwarded to Judge Lowe for review). (cbm,) (Entered: 05/26/2004)
05/27/2004	<u>105</u>	DOCUMENT REJECTION ORDER as to returning plaintiff's recent submission because a reply to an answer is not authorized. Furthermore, pursuant to Rule 11(a) of the Federal Rules of Civil Procedure, all pleadings must be signed. Any unsigned papers will be rejected without processing. Signed by Judge George H. Lowe on 5/26/04. (nas) (Entered: 05/31/2004)
06/01/2004	106	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate letter, re: 4/15/2004 Order) (see) (Entered: 06/03/2004)
06/03/2004		CLERK'S CORRECTION OF DOCKET ENTRY as to 106 Sealed Document: document was previously entered, but entered w/no document number. Deleted entry w/no document #, and re-docketed to produce document #106. (see) (Entered: 06/03/2004)
06/08/2004	107	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (see) (Entered: 06/09/2004)

06/08/2004	108	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. Inmate letter, re: 4/15/2004 Order. (see) (Entered: 06/09/2004)
06/08/2004	<u>109</u>	ORDER stating that the Clerk shall enter the appearance of counsel of Robert Isseks for plaintiff and terminate the pending motion for appointment of counsel. <u>88</u> MOTION to Appoint Counsel filed by David Donhauser, Motions terminated. Signed by S. Sutter as directed by Judge George H. Lowe on 6/8/04. (nas) (Entered: 06/11/2004)
06/16/2004	110	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. Inmate letter, re: 4/15/2004 Order. (see) (Entered: 06/17/2004)
06/24/2004	111	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. Letter on behalf of an Inmate, re: 4/15/2004 Order. (see) Modified on 6/24/2004, texted in that letter is on behalf of an inmate. (see,). (Entered: 06/24/2004)
06/24/2004	112	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. Inmate Letter, re: 4/15/2004 Order. (see) (Entered: 06/24/2004)
06/29/2004	<u>113</u>	Letter from Nelson R. Sheingold for Glenn S. Goord, Dominic Martinelli, Martha E. Yourth requesting on behalf of both parties that plaintiff's motion for class certification be held in abeyance pending appeal. (Attachments: # <u>1</u> Exhibit A, Order of the Second Circuit Granting Stay)(Sheingold, Nelson) (Entered: 06/29/2004)
06/30/2004	<u>114</u>	ORDER granting defendants' request. Plaintiff's motion for class certification (dkt no. 23) is held in abeyance pending a determination on the appeal presently before the Second Circuit Court of Appeals. Signed by S. Sutter as directed by Judge George H. Lowe on 6/30/04. (nas) (Entered: 07/05/2004)
07/13/2004	115	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing; letter from inmate re: Judge Hurd's 4/15/04 order (forwarded to Judge Lowe for review). (cbm,) (Entered: 07/16/2004)
07/16/2004		NOTICE of Hearing: Scheduling Conference set for 7/20/2004 08:45 AM before Magistrate Judge George H. Lowe. Plaintiff's counsel will be responsible for initiating the conference call using ATTor any teleconference service and should call Magistrate Judge Lowe's chambers at (315) 234–8618, a dedicated conference line, which may not be used for other purposes. (tjm) (Entered: 07/16/2004)
07/20/2004		Minute Entry for proceedings held before Judge George H. Lowe : Pretrial Telephone Conference held. Appearances: Robert Issek, Esq., for Plaintiff; AAG Nelson Sheingold, Esq., for Defendants. Further proceedings stayed pending outcome of appeal. (Tape #11) (tjm,) (Entered: 07/23/2004)
07/30/2004		USCA Case Number is 04–2222–pr (LEAD) for defts' <u>82</u> Notice of Appeal.(cbm,) (Entered: 07/30/2004)
07/30/2004		USCA Case Number is 04–2490–pr (CON) for defts' <u>86</u> appeal. (cbm,) (Entered: 07/30/2004)
08/13/2004	116	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. Two Letters from inmates, re: DNH's 4/15/2004 MDO. (see) (Entered: 08/16/2004)
09/09/2004	117	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing: 3 letters from inmates in regard to Judge Hurd's 4/15/04 MDO (forwarded to Judge Lowe for review). (cbm,) (Entered: 09/09/2004)
09/28/2004	118	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate letter, re: 4/15/2004 Order) (see) (Entered: 09/28/2004)
10/20/2004	119	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. Letter from inmate, re: DNH's 4/15/2004 MDO. (see) (Entered: 10/20/2004)
11/15/2004	120	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate letter, re: 4/15/2004 Order) (see) (Entered: 11/15/2004)

11/22/2004	<u>121</u>	NOTICE of Docketing Record on Appeal from USCA re <u>86</u> Notice of Appeal filed by Glenn S. Goord, S. Carter, Martha E. Yourth, Dominic Martinelli. USCA Case Number 04-2222 (dmf) (Entered: 11/22/2004)
02/01/2005	<u>122</u>	ORDER, that the stay is lifted; pltf's supplemental argument is accepted; defts may submit opposition papers on or before 2/14/2005; and that the motion shall be on submit w/o oral argument. Signed by Judge David N. Hurd on 1/31/2005. (see) (Entered: 02/01/2005)
02/01/2005		Set/Reset Deadlines as to <u>23</u> Motion for Miscellaneous/Other Relief. Response to Motion due by 2/14/2005. Motion Hearing set for 2/25/2005 on SUBMIT, no appearances required, before Judge David N. Hurd. (see) (Entered: 02/01/2005)
02/01/2005	<u>123</u>	JOINT AFFIRMATION by Robert Isseks, Esq & Alex Smith, Esq for David Donhauser, requesting that the Court lift the stay for the motion for class certification and in the event the stay is lifted to briefly supplement pltf's pro se argument in support of the motion. (Request listed in Affirmation is Granted pursuant to the <u>122</u> Order) (see) (Entered: 02/01/2005)
02/14/2005	<u>124</u>	AFFIDAVIT in Opposition re <u>23</u> Motion for Miscellaneous/Other Relief filed by Glenn S. Goord, Martha E. Yourth, Dominic Martinelli. (Attachments: # <u>1</u> Memorandum of Law in Opposition to Plaintiff's Motion for Class Certification# <u>2</u> Exhibit(s) Odom Unpublished Decision)(Sheingold, Nelson) (Entered: 02/14/2005)
02/14/2005	<u>125</u>	CERTIFICATE OF SERVICE by Glenn S. Goord, Martha E. Yourth, Dominic Martinelli re <u>124</u> Affidavit in Opposition to Motion, via <i>CM/ECF</i> (Sheingold, Nelson) (Entered: 02/14/2005)
02/15/2005	126	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. Inmate Letter, re: 4/15/2005 Order. (see) (Entered: 02/15/2005)
02/15/2005	<u>127</u>	ORDER granting <u>23</u> Motion for class certification . Signed by Judge David N. Hurd on 2/15/05. (tlp) (Entered: 02/15/2005)
02/16/2005		Certified and Transmitted 1st supplemental Record on Appeal to US Court of Appeals re <u>82</u> and <u>86</u> Notice of Appeal consisting of the following original SEALED documents, Docket No(s): 92-93, 98-104, 106-108, 110-112, 115-119 and 126. (cbm,) (Entered: 02/16/2005)
02/22/2005	<u>128</u>	NOTICE from Mid-State Correctional Facility that Donhauser is temporarily absent from the facility. (dd 2/18/05) (nas) (Entered: 02/22/2005)
03/11/2005	<u>129</u>	NOTICE of Change of Address by Robert N. Isseks for David Donhauser Effective Date 3/10/05 New Address: Springville, NY (nas) Modified on 3/16/2005 (nas,). (Entered: 03/14/2005)
03/11/2005		Partial Filing fee: \$ 135.93, receipt number SYR002096 (nas) (Entered: 03/16/2005)
03/22/2005	<u>130</u>	RETURN RECEIPT received from the USCA for the 2nd Circuit, re: service of the 1st Supplemental Appeal Record Sent to USCA. (see) (Entered: 03/23/2005)
03/29/2005	<u>131</u>	Copy of the 9:05-CV-0096 Gams v. Goord, et al. Order to be consolidated with 9:01-CV-1535. (tlp) (Entered: 03/31/2005)
04/05/2005	132	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (see) (Entered: 04/06/2005)
04/22/2005	133	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate letter) (see) (Entered: 04/25/2005)
06/07/2005	134	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Letter on behalf of Inmate, re: 4/15/2004 Order) (see) (Entered: 06/13/2005)
07/06/2005	<u>135</u>	MANDATE of USCA: petition by defendants-appellants for leave to file an interlocutory appeal of district court's order granting class certification is DENIED. The appeal docketed under USCA No. 05-8004-op is therefore dismissed. (cbm,) (Entered: 07/21/2005)

07/19/2005		Appeal Record Returned. (see) (Entered: 07/19/2005)
07/25/2005	<u>136</u>	ORDER that this action is consolidated with 9:05-CV-543. 9:01-cv-1535 is the lead case. Signed by Judge David N. Hurd on 7/22/05. (nas) (Entered: 07/25/2005)
09/30/2005		Sealed documents 92, 93, 98-104, 106-108, 110-112, 115-119, 126, 132-134 were returned to U.S. Court of Appeals, to the attention of Connie Mazariego. (cbm,) (Entered: 09/30/2005)
09/30/2005	<u>137</u>	NOTICE from USCA clerk's office recalling the <u>135</u> Mandate, as it was issued in error. (cbm,) (Entered: 09/30/2005)
11/23/2005	138	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate Letter) (see) (Entered: 11/23/2005)
12/09/2005	<u>139</u>	DECISION AND ORDER, that the Clerk of the Court consolidate civil actions Donhauser v. Goord, 9:01-cv-1535 and Garcia v. Goord, 9:04-cv-1117. The clerk shall reassign Garcia v. Goord, 9:04-cv-1117 to the Hon. David N. Hurd, as presiding District Judge, and refer such case to George H. Lowe, as Magistrate Judge. Civil action number 9:01-cv-1535 shall be referred to and treated as the "lead" case, and all subsequent Orders of the Court, and papers that are submitted by the parties hereto that pertain to any of the foregoing actions shall be filed in civil action number 9:01-cv-1535; that the Clerk file and docket a copy of this Order in case number 9:01-cv-1535; that the motion for a stay of defendants' deadline to respond to the complaint pending a decision on the appeal in Donhauser (Docket No. 12) is granted; that the defendants shall file a response to the complaint in accordance with the Orders of Judge Hurd or Magistrate Judge Lowe, following the Second Circuit's decision on the appeal in Donhauser v. Goord. Signed by Judge Gary L. Sharpe on 12/9/2005. (jel,) (Entered: 12/09/2005)
04/07/2006	140	SEALED DOCUMENT (Inmate Letter, re: 4/15/2006 MDO) – maintained in Clerk's Office and not available for electronic viewing. (see) (Entered: 04/10/2006)
04/07/2006	141	SEALED DOCUMENT (Inmate Letter, re: 4/15/2004 MDO)– maintained in Clerk's Office and not available for electronic viewing. (see) (Entered: 04/10/2006)
04/07/2006	142	SEALED DOCUMENT (Inmate Letter, re: 4/15/2004 MDO)– maintained in Clerk's Office and not available for electronic viewing. (see) (Entered: 04/10/2006)
04/24/2006	<u>143</u>	MANDATE of USCA as to <u>82</u> Notice of Appeal, filed by Glenn S. Goord, S. Carter,, Martha E. Yourth, Dominic Martinelli, <u>86</u> Notice of Appeal filed by Glenn S. Goord, S. Carter, Martha E. Yourth, Dominic Martinelli, the April 23, 2004 Order is VACATED and this case is REMANDED. (tlp) (Entered: 04/25/2006)
05/01/2006	144	SEALED DOCUMENT (letter to Judge Hurd from inmate re: sex offender program at his facility) – maintained in Clerk's Office and not available for electronic viewing (cbm,) (Entered: 05/02/2006)
05/02/2006	<u>145</u>	Letter Motion from Nelson R. Sheingold for Glenn S. Goord, Martha E. Yourth, Dominic Martinelli requesting that the time for defendants to answer the complaint be set for on or before June 6, 2006 submitted to Judge Lowe. (Sheingold, Nelson) (Entered: 05/02/2006)
05/03/2006	<u>146</u>	ORDER granting <u>145</u> Letter Request, Glenn S. Goord answer due 6/6/2006; Martha E. Yourth answer due 6/6/2006; Dominic Martinelli answer due 6/6/2006 . Signed by Judge George H. Lowe on 5/3/06. (nas) (Entered: 05/03/2006)
05/09/2006		NOTICE of Hearing: Status Conference set for 5/18/2006 10:30 AM in Utica before Judge David N. Hurd. Appearance required. Please file a concise letter outlining the status of this action as it relates to the recent 2nd Circuit Order and any hearing that should be held pursuant thereto by 12:00 Noon on May 16, 2006.(cmr,) (Entered: 05/09/2006)
05/15/2006	<u>147</u>	LETTER BRIEF <i>on behalf of all parties informing the Court of the status of this matter pursuant to the Court's direction preceding the May 18, 2006 status conference</i> by Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter. (Sheingold, Nelson) (Entered: 05/15/2006)

05/18/2006	148	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate letter) (see) (Entered: 05/18/2006)
05/19/2006	<u>149</u>	Minute Entry for proceedings held before Judge David N. Hurd : Status Conference held on 5/18/2006 in Utica, New York. (Court Reporter None) (cmr,) (Entered: 05/19/2006)
05/19/2006	150	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Letter on behalf of Inmate, re: 4/15/2004 Order) (see) (Entered: 05/22/2006)
05/22/2006	<u>151</u>	ORDER consolidating this action with 9:01–CV–0411. This action is to be the lead action. Signed by Judge David N. Hurd on 5/22/06. (rjb,) (Entered: 05/22/2006)
05/30/2006	152	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate letter) (see) (Entered: 05/30/2006)
05/30/2006	153	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate Letter to Judge Hurd) (see) (Entered: 05/30/2006)
06/01/2006	<u>154</u>	Letter Motion from Nelson R. Sheingold on behalf of all parties for Glenn S. Goord, Martha E. Yourth, Dominic Martinelli requesting that the discovery deadline be set for October 6, 2006, and to clarify the status of the merged Complaints submitted to Judge Hurd. (Sheingold, Nelson) (Entered: 06/01/2006)
06/05/2006	155	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate letter) (see) (Entered: 06/05/2006)
06/05/2006	<u>156</u>	Endorsement ORDER granting the <u>154</u> Letter Request. Discovery due by 10/6/2006.Signed by Judge David N. Hurd on 6/5/2006. (see) (Entered: 06/06/2006)
06/09/2006	157	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate letter) (see) (Entered: 06/09/2006)
06/26/2006	158	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate letter, re: 4/15/04 MDO) (see) (Entered: 06/26/2006)
06/29/2006	159	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate Letter) (see) (Entered: 06/30/2006)
07/10/2006	160	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate letter) (see) (Entered: 07/10/2006)
07/26/2006	161	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (Inmate Letter) (see) (Entered: 07/26/2006)
10/03/2006	<u>162</u>	Letter Motion from Nelson R. Sheingold on behalf of all parties for Glenn S. Goord, Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter requesting an extension of the discovery deadline until December 29, 2006 submitted to Judge Hurd. (Sheingold, Nelson) (Entered: 10/03/2006)
10/04/2006	<u>163</u>	ORDER granting <u>162</u> Letter Request, Discovery due by 12/29/2006. Signed by S. Sutter as directed by Judge David N. Hurd on 10/4/06. (nas) (Entered: 10/04/2006)
10/13/2006	<u>164</u>	Mail Returned as Undeliverable (discharged), re: <u>163</u> Order. Sent to Ricardo Lamberty, Address sent to Cape Vincent Correctional Facility (rjb,) (Entered: 10/16/2006)
11/02/2006	165	SEALED DOCUMENT (letter to Judge Hurd from Inmate, re: sex offender program at facility) – maintained in Clerk's Office and not available for electronic viewing. (see) (Entered: 11/02/2006)
11/06/2006	166	SEALED DOCUMENT – maintained in Clerk's Office and not available for electronic viewing. (letter to Judge Hurd from Inmate, re: sex offender program at facility) (see) (Entered: 11/06/2006)
12/22/2006	<u>167</u>	Letter Motion from Nelson R. Sheingold for Glenn S. Goord, Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter requesting an extension of the discovery deadline until January 31, 2007 on behalf of both parties

		submitted to Judge Hurd. (Sheingold, Nelson) (Entered: 12/22/2006)
01/03/2007	<u>168</u>	ORDER granting <u>167</u> Letter Requesting an extension of the discovery ddl until 1/31/2007. Signed by Judge David N. Hurd on 1/3/2007. (see) (Entered: 01/03/2007)
01/04/2007		Mailed a copy of the <u>168</u> Order on Letter Request to all non-CM/ECF participants on 1/4/2007. (see) (Entered: 01/04/2007)
01/12/2007	<u>169</u>	Mail Returned as Undeliverable. Re: service of the <u>168</u> Order on Letter Request sent to Ricardo Lamberty, 86-A-7921 Address sent to Cape Vincent Correctional Facility; Route 12E; P.O. Box 739; Cape Vincent, NY 13618 (see) (Entered: 01/16/2007)
01/25/2007		According to DOCS website, Ricardo Lamberty was released from Midstate CF on 5/22/06; no current address is known. (cbm,) (Entered: 01/25/2007)
03/13/2007	170	SEALED Inmate letter – maintained in Clerk's Office and not available for electronic viewing. (see) (Entered: 03/13/2007)
03/13/2007		Oral ORDER to seal document number 170 . Entered by Judge David N. Hurd on 3/13/2007. (see) (Entered: 03/13/2007)
08/31/2007	<u>171</u>	STATUS REPORT by Glenn S. Goord, Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter. (Brown, Megan) (Entered: 08/31/2007)
12/17/2007		NOTICE of Hearing:Final pretrial conference, jury selection and Trial set for 3/17/2008 09:30 AM in Utica before Judge David N. Hurd. Appearance required. Pretrial papers due by 12:00 Noon on 2/20/08.(cmr,) (Entered: 12/17/2007)
01/16/2008		NOTICE of Hearing:Status Conference set for 1/22/2008 10:30 AM, 1st Floor Video Conference Room in Albany before Judge David N. Hurd. Appearance required. The parties are directed to fax a letter to Judge Hurd at 315-793-8034 by 12:00 Noon on 1/18/08 outlining any outstanding issues that need to be resolved prior to trial scheduled for 3/17/08.(cmr,) (Entered: 01/16/2008)
01/16/2008		NOTICE of Hearing:Status Conference reset for 1/22/2008 11:00 AM in UTICA before Judge David N. Hurd. Appearance required. Please adjust your records to reflect this change. The request for letters remains the same. (cmr,) (Entered: 01/16/2008)
01/16/2008		Mailed both Notice of Hearings filed on 1/16/2008 to the 3 pltf's listed on the docket sheet on 1/16/2008 by regular mail. (see) (Entered: 01/16/2008)
01/18/2008		Set/Reset Hearings: Status Conference reset for 2/6/2008 11:00 AM in Utica per verbal request of counsel and verbal order of Judge David N. Hurd. Appearance required. Please adjust your calendars to reflect this change. (cmr,) (Entered: 01/18/2008)
01/18/2008	<u>172</u>	LETTER BRIEF <i>confirming adjournment of conference</i> by Sunny Schriver, Michael Maher, Glenn S. Goord, Dominic Martinelli, S. Carter. (Brown, Megan) (Entered: 01/18/2008)
01/18/2008		Copy of notice of status conference (NEF) was sent to non-filers by regular mail. (cbm,) (Entered: 01/18/2008)
01/23/2008	173	SEALED Inmate Letter – maintained in Clerk's Office and not available for electronic viewing. (see) (Entered: 01/24/2008)
01/23/2008	<u>174</u>	Mail Returned as Undeliverable. Sent to Ricardo Lamberty, 86-A-7921 Address sent to Cape Vincent Correctional Facility; Route 12E, PO Box 739; Cape Vincent, NY 13618 (see) (Entered: 01/24/2008)
01/28/2008	<u>175</u>	Mail Returned as Undeliverable. Re: Service of the Notice of Hearing dtd 1/18/2008 sent to Joseph Garcia Address sent to 20 Palladina Ave., Apt. 4 B; New York, NY 10035. (see) (Entered: 01/28/2008)
01/28/2008	<u>176</u>	Mail Returned as Undeliverable. Re: Service of the Notice of Hearings filed on 1/16/2008 sent to Joseph Garcia Address sent to 20 Palladina Ave.; Apt. 4 B; New

		York, NY 10035. (see) (Entered: 01/28/2008)
01/28/2008		Re-mailed the 1/16/2008 & 1/18/2008 Scheduling Notices to pltf Joseph Garcia on 1/28/2008. (see) (Entered: 01/28/2008)
01/31/2008		Set/Reset Hearings: Status Telephone Conference set for 2/1/2008 12:30 PM before Judge David N. Hurd. The parties are hereby directed to contact Judge Hurd's chambers at 315-793-9571. (cmr,) (Entered: 01/31/2008)
02/04/2008	<u>177</u>	Minute Entry for proceedings held before Judge David N. Hurd: Telephone Conference held on 2/1/2008. Action settled in principle. Proposed settlement agreement to be submitted to Ct. by 2/15/08. (Court Reporter None) (cmr,) (Entered: 02/04/2008)
02/04/2008	<u>178</u>	Mail Returned as Undeliverable. Re: service of the 1/18/2008 Notice of Hearing sent to Ricardo Lamberty, 86-A-7921 Address sent to Cape Vincent Correctional Facility; Route 12E, P.O. Box 739; Cape Vincent, NY 13618. (see) (Entered: 02/04/2008)
02/14/2008	<u>179</u>	Letter Motion from Megan M. Brown, AAG for Sunny Schriver, Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter requesting an extension to submit proposed settlement papers submitted to Judge Hurd. (Brown, Megan) (Entered: 02/14/2008)
02/19/2008	<u>180</u>	NOTICE of Change of Address by Robert N. Isseks as to Donald Donhauser Old Address: 12200 Transit Line Rd., PO Box 2500, Springville, NY 14141 New Address: Greene Correctional Facility, PO Box 975, Coxsackie, NY 12051. (ban) (Entered: 02/21/2008)
02/28/2008	<u>181</u>	Letter Motion from Megan M. Brown for Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter requesting an extension of time within which to submit the proposed private settlement agreement submitted to Judge Hurd. (Brown, Megan) (Entered: 02/28/2008)
03/03/2008	<u>182</u>	ORDER granting <u>181</u> Letter Request. Signed by Judge David N. Hurd on 2/29/08. (nas) (Entered: 03/03/2008)
03/11/2008	<u>183</u>	Mail Returned as Undeliverable. re: <u>182</u> Order on Letter Request sent to Ricardo Lamberty Address sent to Cape Vincent Correctional Facility (nas) (Entered: 03/12/2008)
03/13/2008	<u>184</u>	SETTLEMENT AGREEMENT by Joseph Garcia, Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter. (Attachments: # <u>1</u> Exhibit(s) private settlement agreement)(Brown, Megan) (Entered: 03/13/2008)
03/20/2008	<u>185</u>	Minute Entry for proceedings held before Judge David N. Hurd: Telephone Conference held on 3/18/2008 (Court Reporter None) (cmr,) (Entered: 03/20/2008)
03/26/2008	<u>186</u>	OBJECTION to the <u>184</u> Settlement Agreement by David Donhauser. (Isseks, Robert) (Entered: 03/26/2008)
04/03/2008	<u>187</u>	NOTICE of Change of Address by Robert N. Isseks Effective Date 4/1/08 Old Address: Green Correctional Facility, PO Box 975, Coxsackie, NY 12051. New Address: Great Meadow Correctional Facility, PO Box 51, Comstock, NY 12821-0051 (ban) (Entered: 04/04/2008)
04/24/2008	<u>188</u>	NOTICE of Appearance by Douglas J. Goglia on behalf of Sunny Schriver, Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli (Attachments: # <u>1</u> Declaration of Service via CM/ECF)(Goglia, Douglas) (Entered: 04/24/2008)
04/30/2008	<u>189</u>	Minute Entry for proceedings held before Judge David N. Hurd: Telephone Conference held on 4/28/2008 (Court Reporter None) (cmr,) (Entered: 04/30/2008)
05/01/2008	<u>190</u>	LETTER BRIEF by David Donhauser. (Isseks, Robert) (Entered: 05/01/2008)

05/01/2008	<u>191</u>	LETTER BRIEF <i>on Response to David Donhauser's Objections to Private Settlement Agreement</i> by Sunny Schriver, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter. (Attachments: # <u>1</u> Appendix Davis v. Dennison (2d Cir Affirmance), # <u>2</u> Appendix Davis v. Dennison (Order adopting Rep-Rec), # <u>3</u> Appendix Davis v. Dennison (Rep-Rec), # <u>4</u> Declaration of Service)(Goglia, Douglas) (Entered: 05/01/2008)
05/01/2008	<u>192</u>	LETTER BRIEF <i>re: Notice to Class</i> by Sunny Schriver, Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter. (Attachments: # <u>1</u> Appendix Proposed Notice to Class re: Settlement, # <u>2</u> Declaration of Service via CM/ECF)(Goglia, Douglas) (Entered: 05/01/2008)
05/02/2008	<u>193</u>	AFFIDAVIT re <u>191</u> LETTER BRIEF, <i>re: Service upon Plaintiff Donhauser at Great Meadow CF</i> by Sunny Schriver, Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter. (Goglia, Douglas) (Entered: 05/02/2008)
05/13/2008	<u>194</u>	ORDER that the attached Notice with the proposed Settlement Agreement is approved. DOCS will post the Notice in all facility law libraries, general libraries, inmate housing areas and all Sex Offender Counseling and Treatment Program areas. Signed by Judge David N. Hurd on 5/13/08. (Attachments: # <u>1</u> Notice)(nas) (Entered: 05/13/2008)
05/19/2008	<u>195</u>	Mail Returned as Undeliverable. re: <u>194</u> Order, sent to Lamberty Address sent to Cape Vincent Correctional Facility (nas) (Entered: 05/21/2008)
06/05/2008	<u>202</u>	***SEALED DOCUMENT/Inmate letter, re: settlement. (see) (see,). (Entered: 06/06/2008)
06/06/2008	<u>203</u>	***SEALED DOCUMENT/Letter to Court from inmate objecting to settlement agreement. (see) (see,). (Entered: 06/06/2008)
06/09/2008	<u>204</u>	***SEALED DOCUMENT/Letter to Court from Inmate Objecting to Settlement. (see) (see,). (Entered: 06/09/2008)
06/10/2008	<u>206</u>	***SEALED DOCUMENT/Letter from Inmate objecting to settlement. (see) (see,). (Entered: 06/10/2008)
06/11/2008	<u>207</u>	***SEALED DOCUMENT/Inmate letter, re: settlement. (see) (see,). (Entered: 06/12/2008)
06/16/2008	<u>208</u>	***SEALED DOCUMENT/Inmate letter objecting to settlement . (see) (Additional attachment(s) added on 7/15/2008: # <u>1</u> Document #208, part 2) (see,). (Entered: 06/16/2008)
06/18/2008	<u>209</u>	***SEALED DOCUMENT/Letters to Court form 3 inmates objecting to settlement. (see) (Additional attachment(s) added on 7/9/2008: # <u>1</u> Inmate Letter #2, # <u>2</u> Inmate Letter #3) (see,). (Entered: 06/18/2008)
06/19/2008	<u>210</u>	***SEALED DOCUMENT/letters to Court from 3 inmates, re: settlement. (see) (Additional attachment(s) added on 7/14/2008: # <u>1</u> Document #210, part 2, # <u>2</u> Document #210, part 3) (see,). (Entered: 06/20/2008)
06/20/2008	<u>211</u>	***SEALED DOCUMENT/Letter from inmate objecting to settlment. (see) (see,). (Entered: 06/20/2008)
06/23/2008	<u>212</u>	***SEALED DOCUMENT/Letters from 3 inmates, re: settlement. (see) (Additional attachment(s) added on 7/14/2008: # <u>1</u> Document #212, part 2, # <u>2</u> Document #212, part 3) (see,). (Entered: 06/24/2008)
06/27/2008	<u>213</u>	***SEALED DOCUMENT/Inmate letter dtd 6/20/2008. (see) (Additional attachment(s) added on 7/9/2008: # <u>1</u> Inmate letter #2) (see,). (Entered: 06/27/2008)
07/02/2008	<u>214</u>	***SEALED DOCUMENT/Inmate letters Objecting to Settlement. (see) (Additional attachment(s) added on 7/9/2008: # <u>1</u> Inmate letter #2, # <u>2</u> Inmate letter #3) (see,). (Entered: 07/07/2008)
07/07/2008	<u>215</u>	***SEALED DOCUMENT/Letters from 2 inmates objecting to settlement. (see) (Additional attachment(s) added on 7/9/2008: # <u>1</u> Inmate letter #2) (see,). (Entered: 07/07/2008)

07/08/2008	<u>216</u>	***SEALED DOCUMENT/Inmate letter w/enclosures objecting to settlement. (see) (Additional attachment(s) added on 7/9/2008: # <u>1</u> Attachment #2, # <u>2</u> Attachment #3) (see,). (Entered: 07/08/2008)
07/09/2008	<u>217</u>	***SEALED DOCUMENT/Inmate letter objecting to settlement. (see) (see,). (Entered: 07/10/2008)
07/10/2008	<u>218</u>	***SEALED DOCUMENT/Inmate letters objecting to settlement. (see) (Additional attachment(s) added on 7/15/2008: # <u>1</u> Document #218, part 2) (see,). (Entered: 07/10/2008)
07/11/2008	<u>219</u>	***SEALED DOCUMENT/Inmate Objections to Settlement. (see) (Additional attachment(s) added on 7/15/2008: # <u>1</u> Document #219, part 2) (see,). (Entered: 07/14/2008)
07/14/2008	<u>220</u>	***SEALED DOCUMENT/Inmate Objections to Settlement. (see) (Additional attachment(s) added on 7/15/2008: # <u>1</u> Document #220, part 2, # <u>2</u> Document #220, part 3, # <u>3</u> Document #220, part 4, # <u>4</u> Document #220, part 5) (see,). (Entered: 07/14/2008)
07/16/2008	<u>222</u>	***SEALED DOCUMENT/Copy of inmate letter to DOCS &an inmate letter objecting to settlement. (see) (Additional attachment(s) added on 7/22/2008: # <u>1</u> Document #222, part 2) (see,). (Entered: 07/17/2008)
07/30/2008	<u>223</u>	Minute Entry for proceedings held before Judge David N. Hurd: Video Evidentiary Hearing held on 7/29/2008. Adjourned to 9/5/08 @ 10:30 a.m. via video from Albany, NY. Proposed orders and comments due by 8/29/08. (Court Reporter Nancy Freddoso) (cmr,) (Entered: 07/30/2008)
07/30/2008		Letters filed at docs. 196–222 were emailed to Attorneys Isseks and Goglia. (cbm) (Entered: 07/30/2008)
07/31/2008		NOTICE of Hearing:Video Settlement Conference set for 9/5/2008 10:30 AM in Albany, 1st Floor Video Conference Room before Judge David N. Hurd. Appearance required.(cmr,) (Entered: 07/31/2008)
08/11/2008	<u>224</u>	***SEALED DOCUMENT/Inmate letters. (see) (Additional attachment(s) added on 8/11/2008: # <u>1</u> Letter from inmate Groins) (see,). (Entered: 08/11/2008)
08/15/2008	<u>225</u>	***SEALED DOCUMENT/Inmate letter. (see) (see,). (Entered: 08/18/2008)
08/20/2008	<u>226</u>	***SEALED DOCUMENT/Two Inmate Letters. (see) (Additional attachment(s) added on 8/21/2008: # <u>1</u> Inmate letter #2) (see,). (Entered: 08/21/2008)
08/25/2008	<u>227</u>	***SEALED DOCUMENT/Inmate letter. (see) (see,). (Entered: 08/25/2008)
08/28/2008	<u>228</u>	Letter Motion from Douglas J. Goglia, AAG for Sunny Schriver, Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli requesting Enlargement of Time in which to respond to inmate objections submitted to Judge Hurd. (Attachments: # <u>1</u> Declaration of Service)(Goglia, Douglas) (Entered: 08/28/2008)
09/02/2008	<u>229</u>	ORDER granting <u>228</u> Letter Request. Signed by Judge David N. Hurd on 9/2/08. (nas) (Entered: 09/02/2008)
09/05/2008	<u>230</u>	Mail Returned as Undeliverable. re: <u>229</u> Order on Letter Request sent to Lamberty Address sent to Cape Vincent Correctional Facility (nas) (Entered: 09/05/2008)
09/11/2008	<u>231</u>	LETTER BRIEF <i>in Response to Inmate Objections to Proposed Settlement Agreement</i> by Sunny Schriver, Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter. (Attachments: # <u>1</u> Supplement Edwards v. Ladlair (Unpublished Decision), # <u>2</u> Declaration of Service)(Goglia, Douglas) (Entered: 09/11/2008)
09/11/2008	<u>232</u>	LETTER BRIEF by David Donhauser. (Isseks, Robert) (Entered: 09/11/2008)
09/19/2008	<u>233</u>	Letter from Douglas J. Goglia, AAG for Sunny Schriver, Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter requesting that video–conference be canceled as unnecessary submitted to Judge Hurd. (Attachments: # <u>1</u> Declaration of Service)(Goglia, Douglas) (Entered: 09/19/2008)

09/24/2008	<u>234</u>	Minute Entry for proceedings held before Judge David N. Hurd: Telephone Conference held on 9/23/2008. (Court Reporter None) (cmr,) (Entered: 09/24/2008)
10/03/2008	<u>235</u>	SETTLEMENT AGREEMENT by Sunny Schriver, Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter. (Attachments: # <u>1</u> Supplement Proposed Order, # <u>2</u> Declaration of Service)(Goglia, Douglas) (Entered: 10/03/2008)
10/16/2008	<u>236</u>	Copies of correspondence between clerk's office and Joseph Garcia, 88-T-1469 (member case 9:04-cv-1117) from February 2008, in which Mr. Garcia advises that he is the wrong Joseph Garcia and knows nothing about this case. (cbm) (Entered: 10/16/2008)
10/17/2008	<u>237</u>	ORDER that the private <u>235</u> Settlement Agreement dtd 10/3/2008, is APPROVED; Jurisdiction is retained over any issues that may arise regarding compliance w/the Private Settlement Agreement; & otherwise this Class Action is DISMISSED. The Clerk is directed to enter judgment accordingly. Signed by Judge David N. Hurd on 10/17/2008. (see) (Entered: 10/17/2008)
10/17/2008	<u>238</u>	JUDGMENT approving the Private Settlement Agreement, pursuant to the <u>237</u> Order of the Honorable David N. Hurd. (see) (Entered: 10/17/2008)
10/17/2008		Clerk mailed copies of the <u>237</u> Order and <u>238</u> Judgment to David Donhauser on 10/17/2008 by regular mail. (see) (Entered: 10/17/2008)
10/17/2008	<u>239</u>	Settlement Agreement & ORDER approving private settlement agreement. Signed by Judge David N. Hurd on 10/17/2008. (see) (Entered: 10/17/2008)
11/03/2008	240	***SEALED DOCUMENT/Inmate letter. (see) (Entered: 11/03/2008)
11/13/2008	241	***SEALED DOCUMENT/Inmate letter. (see) (Entered: 11/14/2008)
11/24/2008	242	***SEALED DOCUMENT/Inmate Letter. (see) (Entered: 11/25/2008)
12/03/2008	243	***SEALED DOCUMENT Inmate letter dtd 11/12/2008. (see) (Entered: 12/04/2008)
01/05/2009	244	***SEALED DOCUMENT/Inmate letter. (see) (Entered: 01/05/2009)
05/11/2009	<u>245</u>	***SEALED Inmate letter dated 5/6/2009. (see) (Entered: 05/12/2009)
05/27/2009	<u>246</u>	***SEALED Inmate letter. (see) (see,). (Entered: 05/27/2009)
06/01/2009	<u>247</u>	***SEALED Response to the <u>245</u> letter from Department of Correctional Services. (see) (see,). (Entered: 06/01/2009)
06/03/2009	<u>248</u>	***SEALED reply to AAG Goglia's <u>247</u> response to <u>246</u> letter from inmate. (cbm) (cbm,). (Entered: 06/04/2009)
09/14/2009	<u>249</u>	***SEALED DOCUMENT/Inmate letter. (see) (see,). (Entered: 09/15/2009)
09/16/2009	<u>250</u>	MOTION to Reopen Case filed by Anibal Ortiz Jr. (Attachments: # <u>1</u> motion, # <u>2</u> Affidavit, # <u>3</u> affidavit of service, # <u>4</u> cover letter and envelope) (nas) (Entered: 09/17/2009)
09/17/2009		TEXT NOTICE of Hearing on <u>250</u> MOTION to Reopen Case : ON SUBMISSION ONLY before Judge David N. Hurd opn 10/23/09. Response to Motion due by 10/6/2009 Reply to Response to Motion due by 10/13/2009. {notice served via regular mail on all non-ecf parties} (Entered: 09/17/2009)
09/18/2009	<u>251</u>	RESPONSE to Motion re <u>250</u> MOTION to Reopen Case filed by Sunny Schriver, Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter. (Attachments: # <u>1</u> Declaration of Service)(Goglia, Douglas) (Entered: 09/18/2009)
09/23/2009	<u>252</u>	Mail Returned as Undeliverable. re: Notice of Hearing on Motion, sent to Lamberty Address sent to Cape Vincent Correctional Facility (nas) (Entered: 09/23/2009)
09/28/2009	<u>253</u>	REPLY to Response to Motion re <u>250</u> MOTION to Reopen Case by Ortiz. (nas,) (Entered: 09/28/2009)

09/30/2009	<u>254</u>	Letter from Steven Lashway. (nas) (Entered: 09/30/2009)
10/02/2009	<u>255</u>	NOTICE by pltf's atty Robert N. Isseks of Change of Address for pltf Donhauser, Effective Date 9/30/09. Old Address: Great Meadow Correctional Facility New Address: Franklin Correctional Facility, P.O. Box 10, Malone, NY 12953 (tab) (Entered: 10/02/2009)
10/27/2009	<u>257</u>	ORDER denying <u>250</u> Motion to Reopen Case without prejudice.Signed by Judge David N. Hurd on 10/26/2009. (see) (Entered: 10/27/2009)
10/27/2009		Copies of the <u>257</u> Order were mailed to Anibal Ortiz, Jr., and David Donhauser at Franklin Correctional Facility on 10/27/2009 by regular mail. According to the DOCS website, Mr. Donhauser is located at Franklin Correctional Facility. (see) (Entered: 10/27/2009)
11/04/2009	<u>258</u>	MOTION for Reconsideration by Ortiz of <u>257</u> Order on Motion to Reopen Case. (nas) (Entered: 11/04/2009)
11/04/2009	<u>259</u>	RESPONSE in Opposition re <u>258</u> MOTION for Reconsideration re <u>257</u> Order on Motion to Reopen Case filed by Sunny Schriver, Michael Maher, Glenn S. Goord, Martha E. Yourth, Dominic Martinelli, S. Carter. (Attachments: # <u>1</u> Declaration of Service)(Goglia, Douglas) (Entered: 11/04/2009)
01/06/2010	<u>260</u>	Letter from Steven Lashway requesting counsel. (Attachments: # <u>1</u> envelope)(nas) (Entered: 01/06/2010)
01/11/2010	<u>261</u>	Letter from Rojas. (Attachments: # <u>1</u> envelope)(nas,) (Entered: 01/12/2010)
01/19/2010	<u>262</u>	***SEALED Inmate Letter. (see) (see,). (Entered: 01/19/2010)
09/27/2010	<u>263</u>	Clerk's response to Steven Lashway's <u>260</u> letter to the court. (cbm) (Entered: 09/27/2010)
09/28/2010	<u>264</u>	ORDER denying Anibal Ortiz's <u>258</u> Motion for Reconsideration. Signed by Judge David N. Hurd on 9/27/10. (cbm) (Entered: 09/28/2010)
10/12/2010	<u>265</u>	Mail Returned as Undeliverable (Inmate Released – No Forwarding Address). Re: Service of the <u>264</u> Order on Motion for Reconsideration sent to Anibal Ortiz Address sent to Mohawk Correctional Facility, 6100 School Road, P.O. Box 8451, Rome, NY 13442. (see) (Entered: 10/20/2010)