

**United States District Court
Northern District of Illinois – CM/ECF LIVE, Ver 6,1 (Chicago)
CIVIL DOCKET FOR CASE #: 1:12-cv-06757**

Sorrentino et al v. Godinez
Assigned to: Honorable Thomas M. Durkin
Demand: \$1,000
Case in other court: 13-03421
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 08/22/2012
Date Terminated: 10/03/2013
Jury Demand: None
Nature of Suit: 555 Civil Rights (Prison Condition)
Jurisdiction: Federal Question

Plaintiff

Joseph Sorrentino
*on their own behalf and on behalf of all
similarly situated people*

represented by **Michael C Kasdin**
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Plaintiff

Labron C. Neal-Bey
*on their own behalf and on behalf of all
similarly situated people*

represented by **Alan S. Mills**
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Kenneth N Flaxman
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V.

Defendant

Salvador A. Godinez
Director of the Illinois Department of

represented by **James Patrick Doran**
Office of the Illinois Attorney General

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TERMINATED: 09/12/2012

Date Filed	#	Docket Text
08/22/2012	<u>1</u>	COMPLAINT filed by Joseph Sorrentino, Labron C. Neal-Bey; Filing fee \$ 350, receipt number 0752-7477790. (Attachments: # <u>1</u> Exhibit)(Mills, Alan) (Entered: 08/22/2012)
08/23/2012	<u>2</u>	CIVIL Cover Sheet (Mills, Alan) (Entered: 08/23/2012)
08/23/2012		CASE ASSIGNED to the Honorable Robert M. Dow, Jr. Designated as Magistrate Judge the Honorable Maria Valdez. (daj,) (Entered: 08/23/2012)
08/24/2012	<u>3</u>	ATTORNEY Appearance for Plaintiffs Labron C. Neal-Bey, Joseph Sorrentino by Alan S. Mills (Mills, Alan) (Entered: 08/24/2012)
09/12/2012	<u>4</u>	MINUTE entry before Honorable Robert M. Dow, Jr. Plaintiffs have paid the statutory filing fee and are represented by counsel. Plaintiffs' complaint has been screened pursuant to 28 § 1915A. Plaintiffs' complaint is accepted. Mailed notice (lw,). (Entered: 09/13/2012)
09/13/2012	<u>5</u>	EXECUTIVE COMMITTEE ORDER: Case reassigned to the Honorable Matthew F. Kennelly for all further proceedings. Signed by Executive Committee on 9/13/2012. (jmp,) (Entered: 09/17/2012)
10/03/2012	<u>6</u>	MINUTE entry before Honorable Matthew F. Kennelly: Initial status hearing is set to 9:00 a.m. on 11/5/12 before Judge Kennelly, in Chambers, Room 2188. Parties are to review and comply with Judge Kennelly's standing initial order, which may be found on his web page, located at http://www.ilnd.uscourts.gov/home/Judges.aspx . Counsel for plaintiff(s) are ordered to cause a copy of this order to be delivered forthwith to each defendant in the same manner that summons has been or is being served on each defendant. (mk) (Entered: 10/03/2012)
10/04/2012	<u>7</u>	WAIVER OF SERVICE returned executed by Joseph Sorrentino, Labron C. Neal-Bey. Salvador A. Godinez waiver sent on 8/22/2012, answer due 10/22/2012. (Mills, Alan) (Entered: 10/04/2012)
10/22/2012	<u>8</u>	ATTORNEY Appearance for Defendant Salvador A. Godinez by James Patrick Doran (Doran, James) (Entered: 10/22/2012)
10/22/2012	<u>9</u>	MOTION by Defendant Salvador A. Godinez for extension of time <i>within which to answer</i> (Doran, James) (Entered: 10/22/2012)
10/22/2012	<u>10</u>	NOTICE of Motion by James Patrick Doran for presentment of extension of time <u>9</u> before Honorable Matthew F. Kennelly on 10/30/2012 at 09:30 AM. (Doran, James) (Entered: 10/22/2012)
10/29/2012	<u>11</u>	MINUTE entry before Honorable Matthew F. Kennelly: Defendant's motion for extension of time is granted. Response to complaint is to be filed by 11/30/12. The

		motion hearing date of 10/30/12 is vacated. The initial status hearing of 11/5/12 is also vacated and is reset to 12/4/12 at 9:00 a.m. Rule 26(a)(1) disclosures are to be made by 11/30/12. Judicial staff mailed notice (gl,) (Entered: 10/29/2012)
11/30/2012	<u>12</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>AND FOR LACK OF SUBJECT MATTER JURISDICTION</i> (Doran, James) (Entered: 11/30/2012)
11/30/2012	<u>13</u>	NOTICE of Motion by James Patrick Doran for presentment of Motion to Dismiss for Failure to State a Claim <u>12</u> before Honorable Matthew F. Kennelly on 12/5/2012 at 09:30 AM. (Doran, James) (Entered: 11/30/2012)
12/04/2012	<u>14</u>	MINUTE entry before Honorable Matthew F. Kennelly: Status hearing pursuant to Rule 16(b) held. Rule 26(a)(1) disclosures are to be made by 1/15/2013. : Response to motion to Dismiss for Failure to State a Claim <u>12</u> due by 1/15/2013; Reply is due by 2/5/2013. Status hearing continued to 2/26/2013 at 09:30 AM. Kenneth Flaxman has leave to file his appearance on behalf of plaintiff. (or,) (Entered: 12/04/2012)
12/06/2012	<u>15</u>	ATTORNEY Appearance for Plaintiffs Labron C. Neal-Bey, Joseph Sorrentino by Kenneth N Flaxman (Flaxman, Kenneth) (Entered: 12/06/2012)
01/14/2013	<u>16</u>	MOTION by Plaintiffs Labron C. Neal-Bey, Joseph Sorrentino for extension of time to file response/reply as to terminate deadlines and hearings,, status hearing,, set motion and RR deadlines/hearings, <u>14</u> (Mills, Alan) (Entered: 01/14/2013)
01/14/2013	<u>17</u>	NOTICE of Motion by Alan S. Mills for presentment of motion for extension of time to file response/reply, motion for relief,, <u>16</u> before Honorable Matthew F. Kennelly on 1/22/2013 at 09:30 AM. (Mills, Alan) (Entered: 01/14/2013)
01/14/2013	<u>19</u>	EXECUTIVE COMMITTEE ORDER: It appearing that, pursuant to the Executive Committee Order entered on January 3, 2013, the civil cases on the attached list have been selected for reassignment to form the initial calendar of the Honorable Thomas M. Durkin, therefore IT IS HEREBY ORDERED That the attached list of 330 cases be reassigned to the Honorable Thomas M. Durkin IT IS FURTHER ORDERED that this order shall become effective on Tuesday, January 15, 2013. Case reassigned to the Honorable Thomas M. Durkin for all further proceedings. Signed by Executive Committee on 1/14/13. (ef,) (Entered: 01/16/2013)
01/16/2013	<u>18</u>	MINUTE entry before Honorable Matthew F. Kennelly: Case having been reassigned to the initial calendar for Judge Thomas Durkin, status hearing set for 2/26/2013 and noticed motion hearing set for 1/22/2013 before Judge Kennelly, are vacated. Parties are to contact Judge Durkin's courtroom deputy, Sandy Newland to find out when Judge Durkin will hear the motion for extension of time. (or,) (Entered: 01/16/2013)
01/17/2013	<u>20</u>	MINUTE entry before Honorable Thomas M. Durkin: Motion for extension of time to 2/6/13 to file a response to defendant's MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>AND FOR LACK OF SUBJECT MATTER JURISDICTION</i> <u>12 16</u> is granted. Responses due by 2/6/2013. Mailed notice (srn,) (Entered: 01/17/2013)
02/05/2013	<u>21</u>	MOTION by Plaintiffs Labron C. Neal-Bey, Joseph Sorrentino for extension of time to file <i>Response to Motion to Dismiss</i> (Mills, Alan) (Entered: 02/05/2013)
02/05/2013	<u>22</u>	NOTICE of Motion by Alan S. Mills for presentment of motion for extension of time to file <u>21</u> before Honorable Thomas M. Durkin on 2/13/2013 at 09:15 AM. (Mills, Alan) (Entered: 02/05/2013)
02/06/2013	<u>23</u>	MINUTE entry before Honorable Thomas M. Durkin: Plaintiff's Motion for extension of time to 3/6/13 to file a response to defendant's motion to dismiss and to make their initial Rule 26 disclosures <u>21</u> is granted. No appearance required on 2/13/13. Mailed notice (srn,) (Entered: 02/06/2013)
03/05/2013	<u>24</u>	MOTION by Plaintiffs Labron C. Neal-Bey, Joseph Sorrentino for extension of time to file response/reply as to Motion to Dismiss for Failure to State a Claim <u>12</u> (Mills, Alan) (Entered: 03/05/2013)

03/05/2013	<u>25</u>	NOTICE of Motion by Alan S. Mills for presentment of motion for extension of time to file response/reply, motion for relief <u>24</u> before Honorable Thomas M. Durkin on 3/12/2013 at 09:15 AM. (Mills, Alan) (Entered: 03/05/2013)
03/06/2013	<u>26</u>	MINUTE entry before Honorable Thomas M. Durkin:Motion for extension of time to file response is reset to 3/18/13 at 9:00 a.m.24] Status hearing set for 3/18/2013 at 09:00 AM. Status Report due by 3/14/2013.Mailed notice (srn,) (Entered: 03/06/2013)
03/06/2013	<u>27</u>	MINUTE entry before Honorable Thomas M. Durkin:At the request of counsel the Status hearing and hearing on motion for extension of time <u>24</u> is reset for 3/20/2013 at 09:15 AM.Mailed notice (srn,) (Entered: 03/06/2013)
03/20/2013	<u>28</u>	MINUTE entry before Honorable Thomas M. Durkin:Motion for extension of time to file response to motion to dismiss for failure to state a claim <u>12</u> is granted. <u>24</u> Motion hearing held on 3/20/2013. Responses due by 4/17/2013 Replies due by 5/8/2013. Status hearing set for 6/19/2013 at 09:00 AM.Mailed notice (srn,) (Entered: 03/20/2013)
04/17/2013	<u>29</u>	MINUTE entry before Honorable Thomas M. Durkin:By agreement of the parties the time in which to file a response to Defendant's Motion to Dismiss for Failure to State a Claim <u>12</u> is due by 4/22/2013. Replies due by 5/13/2013.Mailed notice (srn,) (Entered: 04/17/2013)
04/22/2013	<u>30</u>	MEMORANDUM by Labron C. Neal-Bey, Joseph Sorrentino in Opposition to Motion to Dismiss for Failure to State a Claim <u>12</u> (Flaxman, Kenneth) (Entered: 04/22/2013)
05/10/2013	<u>31</u>	MOTION by Defendant Salvador A. Godinez for extension of time to file response/reply (Doran, James) (Entered: 05/10/2013)
05/10/2013	<u>32</u>	NOTICE of Motion by James Patrick Doran for presentment of motion for extension of time to file response/reply <u>31</u> before Honorable Thomas M. Durkin on 5/16/2013 at 09:15 AM. (Doran, James) (Entered: 05/10/2013)
05/13/2013	<u>33</u>	MINUTE entry before Honorable Thomas M. Durkin:Motion for extension of time to file reply to Defendant's motion to dismiss for failure to state a claim <u>12</u> <u>31</u> is granted. Replies due by 5/31/2013. Status hearing reset for 7/8/2013 at 09:00 AM. The 6/19/13 status date is vacated. No appearance required on 5/16/13. Mailed notice (srn,) (Entered: 05/13/2013)
05/30/2013	<u>34</u>	MOTION by Defendant Salvador A. Godinez for extension of time to file response/reply as to memorandum in opposition to motion <u>30</u> (Doran, James) (Entered: 05/30/2013)
05/30/2013	<u>35</u>	NOTICE of Motion by James Patrick Doran for presentment of motion for extension of time to file response/reply, motion for relief <u>34</u> before Honorable Thomas M. Durkin on 6/4/2013 at 09:00 PM. (Doran, James) (Entered: 05/30/2013)
05/31/2013	<u>36</u>	MINUTE entry before Honorable Thomas M. Durkin:Defendant's motion for extension of time to 6/17/13 to file a reply to defendant's motion to dismiss <u>12</u> is granted. <u>34</u> Replies due by 6/17/2013. No appearance required on 6/4/13. Mailed notice (srn,) (Entered: 05/31/2013)
05/31/2013	<u>37</u>	MINUTE entry before Honorable Thomas M. Durkin:The 7/8/13 status date is vacated. Status hearing reset for 7/25/2013 at 09:00 AM.Mailed notice (srn,) (Entered: 05/31/2013)
06/14/2013	<u>38</u>	REPLY by Salvador A. Godinez to memorandum in opposition to motion <u>30</u> to dismiss (Doran, James) (Entered: 06/14/2013)
07/22/2013	<u>39</u>	MINUTE entry before Honorable Thomas M. Durkin: The 7/25/13 status date is vacated. The Court will rule by mail on the pending motion to dismiss. Mailed notice (ma,) (Entered: 07/22/2013)
10/03/2013	<u>40</u>	Memorandum Opinion and Order. For the foregoing reasons, Director Godinez's motion to dismiss the complaint is granted, and Counts I, II, and III are dismissed with prejudice. <u>12</u> Signed by the Honorable Thomas M. Durkin on

		10/3/2013:Mailed notice(srn,) (Entered: 10/03/2013)
10/03/2013	<u>41</u>	ENTERED JUDGMENT Signed on 10/3/2013:Mailed notice(srn,) (Entered: 10/03/2013)
10/29/2013	<u>42</u>	NOTICE of appeal by Labron C. Neal-Bey, Joseph Sorrentino regarding orders <u>41</u> Filing fee \$ 455, receipt number 0752-8878068. (Mills, Alan) (Entered: 10/29/2013)
10/30/2013	<u>43</u>	NOTICE of Appeal Due letter sent to counsel of record. (smm) (Entered: 10/30/2013)
10/30/2013	<u>44</u>	TRANSMITTED to the 7th Circuit the short record on notice of appeal <u>42</u> . Notified counsel (smm) (Entered: 10/30/2013)
10/31/2013	<u>45</u>	ACKNOWLEDGMENT of receipt of short record on appeal regarding notice of appeal <u>42</u> ; USCA Case No. 13-3421. (kj,) (Entered: 10/31/2013)
11/12/2013	<u>46</u>	SEVENTH CIRCUIT transcript information sheet by Labron C. Neal-Bey, Joseph Sorrentino (Kasdin, Michael) (Entered: 11/12/2013)
11/12/2013	<u>47</u>	ATTORNEY Appearance for Plaintiffs Labron C. Neal-Bey, Joseph Sorrentino by Michael C Kasdin (Kasdin, Michael) (Entered: 11/12/2013)
07/10/2014	<u>48</u>	LETTER from Albert Lee dated 7/7/14. (mr,) (Entered: 07/17/2014)
02/17/2015	<u>49</u>	LETTER from the Seventh Circuit USCA no. 13-3421 no record to be returned. (rb,) (Entered: 02/18/2015)
02/17/2015	<u>50</u>	MANDATE of USCA dated 1/23/2015 regarding notice of appeal <u>42</u> ; USCA No. 13-3421 (rb,) (Entered: 02/18/2015)
02/17/2015	<u>51</u>	OPINION from the USCA for the 7th; Argued 9/10/2014; Decided 1/23/2015 in USCA case no. 13-3421 (rb,) (Entered: 02/18/2015)