

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:14-cv-12813-DPW**

Doe v. Patrick, et al.
Assigned to: Judge Douglas P. Woodlock
Cause: 42:1983 Civil Rights Act

Date Filed: 06/30/2014
Date Terminated: 03/31/2018
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Jane Does 1-8
*Individually and on behalf of all others
similarly situated*

represented by **James R. Pingeon**
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V.

Defendant

Deval Patrick
*Governor of the Commonwealth of
Massachusetts*
TERMINATED: 01/28/2015

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ATTORNEY TO BE NOTICED

Defendant

Luis S. Spencer
*Commissioner of the Massachusetts
Department of Correction
TERMINATED: 01/28/2015*

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TERMINATED: 08/12/2014
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Defendant

**Massachusetts Department of
Correction**
DOC Central Headquarters

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William D. Saltzman
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TERMINATED: 08/12/2014
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Defendant

Lynn Bissonnette
Superintendent of the Massachusetts
Correctional Institution at Framingham

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Michael H. Cohen
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Defendant

Charles D. Baker
Governor of the Commonwealth of

represented by **John Michael Stephan**
(See above for address)

Massachusetts

TERMINATED: 04/03/2015
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Kenneth Y. Lee
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Defendant

Carol Higgins O'Brien
 Commissioner of the Massachusetts
 Department of Correction

represented by **John Michael Stephan**
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Kenneth Y. Lee
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Date Filed	#	Docket Text
06/30/2014	<u>1</u>	COMPLAINT against Jane Doe Filing fee: \$ 400, receipt number 0101-5081041 (Fee Status: Filing Fee paid), filed by Jane Doe. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Category Form)(Lee, William) (Entered: 06/30/2014)
06/30/2014	<u>2</u>	MOTION to Certify Class (<i>Plaintiff's Motion for Class Certification</i>) by Jane Doe.(Lee, William) (Entered: 06/30/2014)
06/30/2014	<u>3</u>	MEMORANDUM in Support re <u>2</u> MOTION to Certify Class (<i>Plaintiff's Motion for Class Certification</i>) filed by Jane Doe. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Lee, William) (Entered: 06/30/2014)
06/30/2014	<u>4</u>	MOTION to Seal <i>Exhibit A of Plaintiff's Memorandum of Law in Support of Motion for Class Certification</i> , by Jane Doe. (Attachments: # <u>1</u> Text of Proposed Order)(Lee, William) (Entered: 06/30/2014)
07/01/2014	<u>5</u>	MOTION For Leave To Proceed Pseudonymously by Jane Doe. (Attachments: # <u>1</u> Text of Proposed Order)(Lee, William) (Entered: 07/01/2014)
07/01/2014	<u>6</u>	MEMORANDUM in Support re <u>5</u> MOTION For Leave To Proceed Pseudonymously filed by Jane Doe. (Lee, William) (Entered: 07/01/2014)
07/01/2014	7	NOTICE of Case Assignment. Magistrate Judge Jennifer C. Boal assigned to case. Plaintiff's counsel, or defendant's counsel if this case was initiated by the filing of a Notice of Removal, are directed to the Notice and Procedures regarding Consent to Proceed before the Magistrate Judge which can be downloaded here. These documents will be mailed to counsel not receiving notice electronically. (Abaid, Kimberly) (Entered: 07/01/2014)
07/01/2014	<u>8</u>	Summons Issued as to All Defendants. Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service. (Geraldino-Karasek, Clarilde) (Entered: 07/01/2014)

07/01/2014	<u>9</u>	NOTICE of Appearance by Robert D. Fleischner on behalf of Jane Doe (Fleischner, Robert) (Entered: 07/01/2014)
07/01/2014	<u>10</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Samuel Miller Filing fee: \$ 100, receipt number 0101-5083320 by Jane Doe. (Attachments: # <u>1</u> Certification)(Fleischner, Robert) (Entered: 07/01/2014)
07/01/2014	<u>11</u>	Magistrate Judge Jennifer C. Boal: ELECTRONIC ORDER entered granting <u>10</u> Motion for Leave to Appear Pro Hac Vice Added Samuel Miller. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (York, Steve) (Entered: 07/01/2014)
07/02/2014	<u>12</u>	SUMMONS Returned Executed Massachusetts Department of Correction served on 7/1/2014, answer due 7/22/2014. (Lee, William) (Entered: 07/02/2014)
07/02/2014	<u>13</u>	SUMMONS Returned Executed Luis S. Spencer served on 7/1/2014, answer due 7/22/2014. (Lee, William) (Entered: 07/02/2014)
07/02/2014	<u>14</u>	NOTICE of Appearance by Lisa J. Pirozzolo on behalf of Jane Doe (Pirozzolo, Lisa) (Entered: 07/02/2014)
07/02/2014	<u>15</u>	NOTICE of Appearance by Sean K. Thompson on behalf of Jane Doe (Thompson, Sean) (Entered: 07/02/2014)
07/02/2014	<u>16</u>	NOTICE of Appearance by Matthew Segal on behalf of Jane Doe (Segal, Matthew) (Entered: 07/02/2014)
07/02/2014	<u>17</u>	NOTICE of Appearance by Jessie J. Rossman on behalf of Jane Doe (Rossman, Jessie) (Entered: 07/02/2014)
07/03/2014	<u>18</u>	NOTICE of Appearance by Samuel Miller on behalf of Jane Doe (Miller, Samuel) (Entered: 07/03/2014)
07/08/2014	<u>19</u>	NOTICE of Appearance by William D. Saltzman on behalf of Lynn Bissonnette, Massachusetts Department of Correction, Luis S. Spencer (Saltzman, William) (Main Document 19 replaced on 7/8/2014) (York, Steve). (Entered: 07/08/2014)
07/08/2014	<u>20</u>	NOTICE of Appearance by Michael H. Cohen on behalf of Lynn Bissonnette, Massachusetts Department of Correction, Luis S. Spencer (Cohen, Michael) (Entered: 07/08/2014)
07/08/2014	<u>21</u>	NOTICE of Appearance by Bonita P. Tenneriello on behalf of Jane Doe (Tenneriello, Bonita) (Entered: 07/08/2014)
07/08/2014	<u>22</u>	NOTICE of Appearance by James R. Pigeon on behalf of Jane Doe (Pigeon, James) (Entered: 07/08/2014)
07/08/2014	<u>23</u>	SUMMONS Returned Executed Deval Patrick served on 7/2/2014, answer due 7/23/2014. (Lee, William) (Entered: 07/08/2014)
07/08/2014	<u>24</u>	SUMMONS Returned Executed Lynn Bissonnette served on 7/2/2014, answer due 7/23/2014. (Lee, William) (Entered: 07/08/2014)
07/09/2014	<u>25</u>	NOTICE of Appearance by John Michael Stephan on behalf of Deval Patrick (Stephan, John) (Entered: 07/09/2014)
07/10/2014	<u>26</u>	Assented to MOTION for Extension of Time to 08/04/ <u>20</u> 14 to File Answer by Lynn Bissonnette, Massachusetts Department of Correction, Luis S. Spencer.(Saltzman, William) (Entered: 07/10/2014)
07/11/2014	<u>27</u>	Magistrate Judge Jennifer C. Boal: ELECTRONIC ORDER entered granting <u>26</u> Assented to Motion for Extension of Time to 08/04/ 2014 to File Answer. Lynn Bissonnette answer due 8/4/2014; Massachusetts Department of Correction answer due 8/4/2014; Luis S. Spencer answer due 8/4/2014. (York, Steve) (Entered: 07/11/2014)
07/17/2014	<u>28</u>	MOTION for Leave to File <i>Supplement to Complaint</i> by Jane Doe. (Attachments: # <u>1</u> Text of Proposed Order Granting Plaintiffs' Motion for Leave to Supplement the

		Complaint)(Lee, William) (Entered: 07/17/2014)
07/17/2014	<u>29</u>	MEMORANDUM in Support re <u>28</u> MOTION for Leave to File <i>Supplement to Complaint</i> filed by Jane Doe. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Lee, William) (Entered: 07/17/2014)
07/17/2014	<u>30</u>	Supplemental MOTION for Leave to Proceed Pseudonymously by Jane Doe. (Attachments: # <u>1</u> Text of Proposed Order Granting Plaintiffs' Supplemental Motion for Leave to Proceed Pseudonymously)(Lee, William) (Entered: 07/17/2014)
07/18/2014	<u>31</u>	Assented to MOTION for Extension of Time to August 11, 2014 to File Response/Reply as to <u>2</u> MOTION to Certify Class (<i>Plaintiff's Motion for Class Certification</i>), <u>1</u> Complaint by Lynn Bissonnette, Massachusetts Department of Correction, Luis S. Spencer.(Cohen, Michael) (Entered: 07/18/2014)
07/18/2014	<u>32</u>	Magistrate Judge Jennifer C. Boal: ELECTRONIC ORDER entered granting <u>31</u> Assented to Motion for Extension of Time to August 11, 2014 to File Response/Reply. (York, Steve) (Entered: 07/18/2014)
07/22/2014	<u>33</u>	NOTICE of Appearance by John Michael Stephan on behalf of Lynn Bissonnette, Massachusetts Department of Correction, Deval Patrick, Luis S. Spencer (Stephan, John) (Entered: 07/22/2014)
07/22/2014	<u>34</u>	Assented to MOTION for Extension of Time to August 11, 2014 to File Answer , Assented to MOTION for Extension of Time to August 11, 2014 to File Response/Reply to <i>Motion for Class Certification</i> (Responses due by 8/5/2014) by Deval Patrick.(Stephan, John) (Entered: 07/22/2014)
07/22/2014	<u>35</u>	STIPULATION and (<i>Proposed</i>) Order by Jane Doe. (Lee, William) (Entered: 07/22/2014)
07/28/2014	<u>36</u>	Magistrate Judge Jennifer C. Boal: ELECTRONIC ORDER entered granting <u>34</u> Assented to MOTION for Extension of Time to August 11, 2014 to File Answer, Assented to MOTION for Extension of Time to August 11, 2014 to File Response/Reply to Motion for Class Certification. (York, Steve) (Entered: 07/28/2014)
07/30/2014	<u>37</u>	MOTION to Withdraw as Attorney by Lynn Bissonnette, Massachusetts Department of Correction, Luis S. Spencer. (Attachments: # <u>1</u> Notice of Withdrawal, # <u>2</u> Notice of Withdrawal)(Saltzman, William) (Entered: 07/30/2014)
07/31/2014	<u>38</u>	Refusal to Consent to Proceed Before a US Magistrate Judge. . (Lee, William) (Entered: 07/31/2014)
08/04/2014	<u>39</u>	ELECTRONIC NOTICE of Reassignment. Judge Douglas P. Woodlock added. (Abaid, Kimberly) (Entered: 08/04/2014)
08/11/2014	<u>40</u>	ANSWER to <u>1</u> Complaint by Lynn Bissonnette, Massachusetts Department of Correction, Deval Patrick, Luis S. Spencer.(Stephan, John) (Entered: 08/11/2014)
08/11/2014	<u>41</u>	Assented to MOTION for Extension of Time to August 12, 2014 to File Response/Reply as to <u>2</u> MOTION to Certify Class (<i>Plaintiff's Motion for Class Certification</i>) by Lynn Bissonnette, Massachusetts Department of Correction, Deval Patrick, Luis S. Spencer.(Stephan, John) (Entered: 08/11/2014)
08/12/2014	<u>42</u>	Judge Douglas P. Woodlock: ELECTRONIC ORDER entered granting <u>37</u> Motion to Withdraw Appearances; Attorneys Michael H. Cohen and William D. Saltzman terminated; granting <u>41</u> Assented to Motion for Extension of Time Until 8/12/14 to File Response/Reply re <u>2</u> MOTION to Certify Class ; granting <u>4</u> Motion to Seal Exhibit A to Memorandum in Support of Motion to Certify Class; granting <u>5</u> Motion for Leave to Proceed Pseudonymously; granting <u>30</u> Supplemental Motion for Leave to Proceed Pseudonymously. (Lovett, Jarrett) (Entered: 08/12/2014)
08/12/2014	<u>43</u>	Assented to MOTION to Amend Motion for Class Certification by Jane Doe.(Lee, William) (Entered: 08/12/2014)
11/04/2014	<u>44</u>	NOTICE OF SCHEDULING INITIAL SCHEDULING CONFERENCE, ORDER FOR JOINT STATEMENT AND CERTIFICATIONS, AND ORDER FOR ELECTRONIC FILING: Initial Scheduling Conference set for 1/13/2015 03:30 PM in Courtroom 1 before Judge Douglas P. Woodlock. (Lovett, Jarrett) (Entered: 11/04/2014)

		11/04/2014)
01/06/2015	<u>45</u>	NOTICE of Appearance by Dennis N. D'Angelo on behalf of Lynn Bissonnette, Massachusetts Department of Correction, Deval Patrick, Luis S. Spencer (D'Angelo, Dennis) (Entered: 01/06/2015)
01/06/2015	<u>46</u>	REPORT of Rule 26(f) Planning Meeting. (Lee, William) (Entered: 01/06/2015)
01/06/2015	<u>47</u>	CERTIFICATION pursuant to Local Rule 16.1 (D)(3), by Jane Doe.(Lee, William) (Entered: 01/06/2015)
01/12/2015	<u>48</u>	CERTIFICATION pursuant to Local Rule 16.1 (D)(3) of <i>Thomas Dickhaut as authorized representative for the Massachusetts Department of Correction, the Commissioner of the Massachusetts Department of Correction, and the Superintendent of the Massachusetts Correctional Institution at Framingham.</i> (Stephan, John) (Entered: 01/12/2015)
01/13/2015	49	ELECTRONIC Clerk's Notes for proceedings held before Judge Douglas P. Woodlock: Initial Scheduling Conference held on 1/13/2015; <u>2</u> Plaintiff's Motion to Certify Class– GRANTED; <u>43</u> Plaintiff's Assented to Motion to Amend Motion to Certify Class – GRANTED; <u>28</u> Plaintiff's Motion for Leave to Supplement the Complaint – GRANTED; proposed scheduled adopted by the Court; Submission of Protective Order by 1/30/15; Deadline to Join Additional Parties and AmendPleadings 5/1/15; Fact Discovery completed by 8/15/15; Service of Expert Witness Report(s) for Those Subject(s) for Which Parties Have Burden of Proof by 9/30/15; Service of Rebuttal Expert Witness Report(s) by 11/6/15; Expert Discovery completed by 12/18/15; Summary Judgment Motions due by 1/15/16; Oppositions to Summary Judgment Motions due by 2/12/16; Replies to Summary Judgment Motions due by 3/4/16. (Court Reporter: Brenda Hancock at 617-439-3214.)(Attorneys present: Lee, Miller, Pingeon, Pirozzolo, Rossman, Segal, Stephan, and Thompson) (Lovett, Jarrett) (Entered: 01/14/2015)
01/14/2015	50	ELECTRONIC NOTICE of Hearing. Further Status/Scheduling Conference set for 5/19/2016 02:00 PM in Courtroom 1 before Judge Douglas P. Woodlock. By 5/12/2016, the parties shall file a JOINT STATUS REPORT indicating the current status of the case, including discovery proceedings, settlement discussions, pending or contemplated motions, proposed dates for pretrial conferences and for trial, and any other matters which should be addressed at the further conference. (Lovett, Jarrett) (Entered: 01/14/2015)
01/14/2015	51	Set/Reset Deadlines: Joint Status Report due by 5/12/2016. (Lovett, Jarrett) (Entered: 01/14/2015)
01/22/2015	<u>52</u>	Transcript of Scheduling Conference held on January 13, 2015, before Judge Douglas P. Woodlock. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Brenda Hancock at 617-439-3214 Redaction Request due 2/12/2015. Redacted Transcript Deadline set for 2/23/2015. Release of Transcript Restriction set for 4/22/2015. (Scalfani, Deborah) (Entered: 01/22/2015)
01/22/2015	53	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 01/22/2015)
01/27/2015	<u>54</u>	AMENDED COMPLAINT against All Defendants, filed by Jane Doe.(Lee, William) (Entered: 01/27/2015)
01/30/2015	<u>55</u>	STIPULATION <i>as to Date for Submission of Protective Order</i> by Charles D. Baker, Lynn Bissonnette, Carol Higgins O'Brien, Massachusetts Department of Correction. (Stephan, John) (Entered: 01/30/2015)
01/30/2015	56	Judge Douglas P. Woodlock: ELECTRONIC ORDER entered approving <u>55</u> Stipulation by the parties to file protective order by 2/6/15.(Lovett, Jarrett) (Entered: 01/30/2015)

02/06/2015	<u>57</u>	STIPULATION <i>as to Date for Submission of Protective Order</i> by Charles D. Baker, Lynn Bissonnette, Carol Higgins O'Brien, Massachusetts Department of Correction. (Stephan, John) (Entered: 02/06/2015)
02/11/2015	<u>58</u>	Assented to MOTION for Extension of Time to February 13, 2015 to File Answer re <u>54</u> Amended Complaint by Charles D. Baker, Lynn Bissonnette, Carol Higgins O'Brien, Massachusetts Department of Correction.(Stephan, John) (Entered: 02/11/2015)
02/13/2015	<u>59</u>	ANSWER to <u>54</u> Amended Complaint by Charles D. Baker, Lynn Bissonnette, Carol Higgins O'Brien, Massachusetts Department of Correction.(Stephan, John) (Entered: 02/13/2015)
02/13/2015	60	Judge Douglas P. Woodlock: ELECTRONIC ORDER entered granting <u>58</u> Motion for Extension of Time Until 2/13/15 to Answer Amended Complaint. (Lovett, Jarrett) (Entered: 02/13/2015)
02/13/2015	<u>61</u>	STIPULATION <i>as to Date for Submission of Protective Order</i> by Jane Doe. (Lee, William) (Entered: 02/13/2015)
02/17/2015	62	Judge Douglas P. Woodlock: ELECTRONIC ORDER entered approving <u>61</u> Stipulation to File Protective Order by 2/27/15. (Lovett, Jarrett) (Entered: 02/17/2015)
02/27/2015	<u>63</u>	STIPULATION <i>as to Date for Submission of Protective Order</i> by Charles D. Baker, Lynn Bissonnette, Carol Higgins O'Brien, Massachusetts Department of Correction. (Stephan, John) (Entered: 02/27/2015)
02/27/2015	<u>64</u>	STIPULATION <i>as to Date for Submission of Protective Order [CORRECTED]</i> by Charles D. Baker, Lynn Bissonnette, Carol Higgins O'Brien, Massachusetts Department of Correction. (Stephan, John) (Entered: 02/27/2015)
03/03/2015	65	Judge Douglas P. Woodlock: ELECTRONIC ORDER entered approving <u>64</u> Stipulation to File Protective Order by 3/13/15. (Lovett, Jarrett) (Entered: 03/03/2015)
03/13/2015	<u>66</u>	STIPULATION <i>as to Date for Submission of Protective Order</i> by Charles D. Baker, Lynn Bissonnette, Carol Higgins O'Brien, Massachusetts Department of Correction. (Stephan, John) (Entered: 03/13/2015)
03/17/2015	67	Judge Douglas P. Woodlock: ELECTRONIC ORDER entered approving <u>66</u> Stipulation to File Protective Order by 3/20/15.(Lovett, Jarrett) (Entered: 03/17/2015)
03/20/2015	<u>68</u>	Joint MOTION for Protective Order (<i>Joint Motion for Entry of Agreed Protective Order</i>) by Jane Does 1-8. (Attachments: # <u>1</u> Exhibit A)(Lee, William) (Entered: 03/20/2015)
03/24/2015	69	Judge Douglas P. Woodlock: ELECTRONIC ORDER entered granting <u>68</u> Joint Motion for entry of Agreed Protective Order. (Lovett, Jarrett) (Entered: 03/24/2015)
03/24/2015	<u>70</u>	Judge Douglas P. Woodlock: ORDER entered. AGREED PROTECTIVE ORDER REGARDING THE DISCLOSURE AND USE OF DISCOVERY MATERIALS.(Lovett, Jarrett) (Entered: 03/24/2015)
04/03/2015	<u>71</u>	NOTICE of Withdrawal of Appearance by John Michael Stephan (Stephan, John) (Entered: 04/03/2015)
04/24/2015	<u>72</u>	NOTICE of Appearance by Bryan F. Bertram on behalf of Charles D. Baker, Lynn Bissonnette, Carol Higgins O'Brien, Massachusetts Department of Correction (Bertram, Bryan) (Entered: 04/24/2015)
05/06/2015	<u>73</u>	Joint MOTION to Stay <i>and Modify Schedule</i> by Jane Does 1-8. (Attachments: # <u>1</u> Exhibit A - Proposed Order)(Lee, William). (Entered: 05/06/2015)
05/11/2015	<u>74</u>	NOTICE of Withdrawal of Appearance by Samuel R. Miller (Miller, Samuel) (Entered: 05/11/2015)
05/12/2015	<u>75</u>	NOTICE of Appearance by Sandra J. Staub on behalf of Jane Does 1-8 (Staub, Sandra) (Entered: 05/12/2015)
06/05/2015	<u>76</u>	NOTICE of Withdrawal of Appearance by Dennis N. D'Angelo (D'Angelo, Dennis) (Entered: 06/05/2015)

07/30/2015	<u>77</u>	Judge Douglas P. Woodlock: ELECTRONIC ORDER entered granting in part <u>73</u> Joint Motion for Stay and Modification of Schedule; matter stayed until 8/3/15; fact discovery to be completed by 11/13/15; service of expert witness report(s) for those subject(s) for which parties have the burden of proof by 12/18/15; service of rebuttal expert witness report by 2/4/16; expert discovery completed by 3/17/16; motions for summary judgment due by 4/14/16; oppositions due by 5/12/16; replies due by 6/2/16; Joint Status Report due by 6/14/16; Further Status/Scheduling Conference continued to 6/16/16 02:00 PM in Courtroom 1 before Judge Douglas P. Woodlock. (Lovett, Jarrett) (Entered: 07/30/2015)
07/31/2015	<u>78</u>	NOTICE of Appearance by Kenneth Y. Lee on behalf of Charles D. Baker, Lynn Bissonnette, Carol Higgins O'Brien, Massachusetts Department of Correction (Lee, Kenneth) (Entered: 07/31/2015)
08/27/2015	<u>79</u>	Joint MOTION to Stay and Modification of Schedule, and Joint Progress Report by Jane Does 1-8.(Lee, William). (Entered: 08/27/2015)
09/01/2015	<u>80</u>	Judge Douglas P. Woodlock: ELECTRONIC ORDER entered noting <u>79</u> Joint Progress Report, and granting in pary said Joint Motion for Stay and Modification of Schedule; matter stayed until 10/6/15; fact discovery to be completed by 1/15/16; opening expert reports by 2/19/16; rebuttal expert reports by 4/22/16; expert discovery completed by 5/20/16; motions for summary judgment due by 6/24/16; oppositions due by 7/8/16; replies due by 7/22/16; Joint Status Report due by 7/26/16; Further Status/Scheduling Conference continued to 7/28/16 at 02:00 PM in Courtroom 1 before Judge Douglas P. Woodlock. (Lovett, Jarrett) (Entered: 09/01/2015)
02/19/2016	<u>81</u>	NOTICE of Withdrawal of Appearance by Sean K. Thompson (Thompson, Sean) (Entered: 02/19/2016)
04/15/2016	<u>82</u>	MOTION for Status Conference (<i>Plaintiffs' Request for Status Conference</i>) by Jane Does 1-8.(Lee, William) (Entered: 04/15/2016)
04/15/2016	<u>83</u>	EXHIBIT re <u>82</u> MOTION for Status Conference (<i>Plaintiffs' Request for Status Conference</i>) (<i>Exhibit A to Plaintiffs' Request for Status Conference</i>) by Jane Does 1-8. (Lee, William) (Entered: 04/15/2016)
04/19/2016	<u>84</u>	RESPONSE to Motion re <u>82</u> MOTION for Status Conference (<i>Plaintiffs' Request for Status Conference</i>) filed by Charles D. Baker, Lynn Bissonnette, Carol Higgins O'Brien, Massachusetts Department of Correction. (Bertram, Bryan) (Entered: 04/19/2016)
04/26/2016	<u>85</u>	Judge Douglas P. Woodlock: ELECTRONIC ORDER on Plaintiffs' Request for Status Conference <u>82</u> : Based upon the representations made in the underlying submissions, the Defendants shall file a motion to dismiss no later than May 2, 2016; Plaintiffs to file their opposition no later than May 16, 2016. (Beatty, Barbara) (Entered: 04/26/2016)
05/02/2016	<u>86</u>	MOTION to Dismiss <i>as Moot under Fed. R. Civ. P. 12(b)(1)</i> by Charles D. Baker, Lynn Bissonnette, Carol Higgins O'Brien, Massachusetts Department of Correction, Deval Patrick, Luis S. Spencer.(Bertram, Bryan) (Entered: 05/02/2016)
05/02/2016	<u>87</u>	MEMORANDUM in Support re <u>86</u> MOTION to Dismiss <i>as Moot under Fed. R. Civ. P. 12(b)(1)</i> filed by Charles D. Baker, Lynn Bissonnette, Carol Higgins O'Brien, Massachusetts Department of Correction, Deval Patrick, Luis S. Spencer. (Attachments: # <u>1</u> Affidavit Affidavit of Donna Benedict, # <u>2</u> Affidavit Affidavit of Leslie Darcy, # <u>3</u> Affidavit Affidavit of Bryan Bertram, # <u>4</u> Exhibit Ex. A to Affidavit of Bryan Bertram, # <u>5</u> Exhibit Ex. B to Affidavit of Bryan Bertram, # <u>6</u> Exhibit Ex. C to Affidavit of Bryan Bertram, # <u>7</u> Exhibit Ex. D to Affidavit of Bryan Bertram, # <u>8</u> Exhibit Ex. E to Affidavit of Bryan Bertram)(Bertram, Bryan) (Entered: 05/02/2016)
05/16/2016	<u>88</u>	MEMORANDUM in Opposition re <u>86</u> MOTION to Dismiss <i>as Moot under Fed. R. Civ. P. 12(b)(1)</i> filed by Jane Does 1-8. (Lee, William) (Main Document 88 replaced on 5/17/2016) (Gioia, AnaMaria). (Entered: 05/16/2016)
05/16/2016	<u>89</u>	AFFIDAVIT in Support re <u>88</u> Memorandum in Opposition to Motion . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Lee, William) (Entered: 05/16/2016)

06/01/2016	90	NOTICE OF HEARING: Hearing on Motion <u>86</u> to Dismiss as Moot under Fed. R. Civ. P. 12(b)(1) set for 6/10/2016 at 2:30 pm in Courtroom 1 before Judge Douglas P. Woodlock. (Beatty, Barbara) (Entered: 06/01/2016)
06/10/2016	91	Clerk's Notes for Motion Hearing: Argument heard on motion to dismiss <u>86</u> . Motion DENIED. Court may not be in the right position to determine mootness in this case, as the relief requested is still an injunction. Declaratory judgment may be the better remedy, but that would require amendment of the current complaint. Plaintiffs may amend their complaint by next Friday, 6/17. If amended complaint is filed, all counsel will confer to create a briefing schedule for a new round of briefing for a motion to dismiss the amended complaint. (Court Reporter: Brenda Hancock at brhancock@msn.com.)(Attorneys present: Segal, Pingeon, Lee, Bertram) (Beatty, Barbara) Modified date hearing held on 6/27/2016 (Beatty, Barbara). (Entered: 06/13/2016)
06/16/2016	<u>92</u>	Assented to MOTION for Extension of Time to June 24, 2016 to Amend <i>Complaint</i> by Jane Does 1–8.(Lee, William) (Entered: 06/16/2016)
06/20/2016	93	Judge Douglas P. Woodlock: ORDER granting <u>92</u> Plaintiffs' Assented to Motion for Extension to Time to File an Amended Complaint until 6/24/2016. (Beatty, Barbara) (Entered: 06/20/2016)
06/24/2016	<u>94</u>	RESPONSE TO COURT ORDER by Jane Does 1–8 re 91 Order on Motion to Dismiss,, . Motion Hearing,, . (Lee, William) (Entered: 06/24/2016)
07/08/2016	<u>95</u>	RESPONSE TO COURT ORDER by Charles D. Baker, Lynn Bissonnette, Carol Higgins O'Brien, Massachusetts Department of Correction, Deval Patrick, Luis S. Spencer re <u>94</u> Response to Court Order . (Lee, Kenneth) (Entered: 07/08/2016)
07/15/2016	96	NOTICE CANCELING STATUS CONFERENCE set for 7/28/2016. (Beatty, Barbara) (Entered: 07/15/2016)
07/15/2016	<u>97</u>	Response by Jane Does 1–8 to <u>95</u> Response to Court Order . (Lee, William) (Entered: 07/15/2016)
08/19/2016	<u>98</u>	NOTICE of Withdrawal of Appearance by Kenneth Y. Lee (Lee, Kenneth) (Entered: 08/19/2016)
03/31/2018	99	Judge Douglas P. Woodlock: ELECTRONIC ORDER DISMISSING CASE entered. The landscape of this certified class action was transformed by the amendment of Mass. Gen Laws ch. 123, sec. 35, which the plaintiffs had challenged to the degree it provided a basis for civil commitments to MCI–Framingham. The defendants take the position that in the wake of the amendment all such commitments have ceased and that there are no plans to make such commitments in the future. The parties, however, have continued to circle each other suspiciously. The defendants seek dismissal of the case based upon their statement of present intention; the plaintiffs seek a judgment interpreting sec. 35 as amended to prevent civil commitments to MCI–Framingham as a matter of law irrespective of the stated present intentions of the relevant state actors. There have been no submissions in almost two years to suggest that there is any foreseeable circumstance in which civil commitments to MCI–Framingham may be undertaken. This case lacks the type of foreseeable concrete injury that would support any relief the plaintiffs might successfully seek. It is plainly moot. Nevertheless, given the defendants' studied refusal to concede that sec. 35 categorically bars any civil commitments to MCI–Framingham, prudence – not to mention this court's duty to protect the inchoate interests of class members – requires making explicit that this dismissal is without prejudice to any future litigation challenging civil commitments to MCI–Framingham should they ever resume. Accordingly, the Clerk is directed to enter a judgment dismissing this case without prejudice. (Woodlock, Douglas) (Entered: 03/31/2018)
03/31/2018	<u>100</u>	Judge Douglas P. Woodlock: JUDGMENT OF DISMISSAL...In accordance with this Courts Electronic Order issued on March 31, 2018 (ECF #99), it is hereby ORDERED the above–entitled action be, and hereby is, DISMISSED without prejudice. (Beatty, Barbara) (Entered: 04/02/2018)