

**U.S. District Court
District of New Jersey [LIVE] (Trenton)
CIVIL DOCKET FOR CASE #: 3:15-cv-07920-PGS-TJB**

C-POD INMATES OF MIDDLESEX COUNTY ADULT
CORRECTION CENTER et al v. MIDDLESEX COUNTY
Assigned to: Judge Peter G. Sheridan
Referred to: Magistrate Judge Tonianne J. Bongiovanni
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 11/05/2015
Date Terminated: 10/24/2018
Jury Demand: Defendant
Nature of Suit: 555 Prison Condition
Jurisdiction: Federal Question

Plaintiff

**C-POD INMATES OF MIDDLESEX
COUNTY ADULT CORRECTION
CENTER**

*on behalf of themselves and all others
similarly situated*

represented by **ALEXANDER R. SHALOM**
AMERICAN CIVIL LIBERTIES UNION
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Plaintiff

AZARIAH LAZAR
on behalf of themselves and all others
similarly situated

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*LEAD ATTORNEY
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Plaintiff

LUIS BORRERO

*on behalf of themselves and all others
similarly situated*

represented by **ALEXANDER R. SHALOM**
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Plaintiff

HECTOR AMENGUAL

*on behalf of themselves and all others
similarly situated*

represented by **ALEXANDER R. SHALOM**
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Plaintiff

SEAN PERSHING
on behalf of themselves and all others
similarly situated

represented by **ALEXANDER R. SHALOM**
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FLETCHER C. DUDDY
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Plaintiff

TYSON RATLIFF
on behalf of themselves and all others
similarly situated
TERMINATED: 08/22/2018

represented by **ALEXANDER R. SHALOM**
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Plaintiff

JONATHAN RODRIGUEZ
on behalf of themselves and all others
similarly situated

represented by **ALEXANDER R. SHALOM**
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Plaintiff

TERRENCE EDWARDS
on behalf of themselves and all others
similarly situated

represented by **ALEXANDER R. SHALOM**
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Plaintiff

DAMANI HARRIS

*on behalf of themselves and all others
similarly situated*

represented by **ALEXANDER R. SHALOM**

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ATTORNEY TO BE NOTICED

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Plaintiff

PATRICK O'DWYER

*on behalf of themselves and all others
similarly situated*

represented by **ALEXANDER R. SHALOM**
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V.

Defendant

MIDDLESEX COUNTY

represented by **LORI A. DVORAK**
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/05/2015	1	COMPLAINT against MIDDLESEX COUNTY (Filing and Admin fee \$ 400 receipt number 6742981), filed by JONATHAN RODRIGUEZ, DAMANI HARRIS, TYSON RATLIFF, LUIS BORRERO, SEAN PERSHING, C-POD INMATES OF MIDDLESEX COUNTY ADULT CORRECTION CENTER, PATRICK O'DWYER, HECTOR AMENGUAL, TERRENCE EDWARDS, AZARIAH LAZAR. (Attachments: # 1 Civil Cover Sheet)(mps) (Entered: 11/06/2015)
11/06/2015	2	SUMMONS ISSUED as to MIDDLESEX COUNTY Attached is the official court Summons, please fill out Defendant and Plaintiffs attorney information and serve. Issued By *PATRICK SEILER* (mps) (Entered: 11/06/2015)
11/12/2015	3	MOTION to Certify Class by C-POD INMATES OF MIDDLESEX COUNTY ADULT CORRECTION CENTER. Responses due by 11/23/2015 (Attachments: # 1 Text of Proposed Order, # 2 Brief, # 3 Exhibit)(DUDDY, FLETCHER) (Entered: 11/12/2015)
11/13/2015		Set Deadlines as to 3 MOTION to Certify Class . Motion set for 12/7/2015 before Magistrate Judge Tonianne J. Bongiovanni. The motion will be decided on the papers. No appearances required unless notified by the court. (kas,) (Entered: 11/13/2015)
11/13/2015	4	ACKNOWLEDGMENT OF SERVICE Executed by C-POD INMATES OF MIDDLESEX COUNTY ADULT CORRECTION CENTER. MIDDLESEX COUNTY served on 11/12/2015, answer due 12/3/2015. (DUDDY, FLETCHER) (Entered: 11/13/2015)
11/19/2015		ORAL ARGUMENT REQUIRED for the 3 MOTION to Certify Class . Motion RESET for 12/7/2015 at 01:30 PM in Trenton - Courtroom 4E before Judge Peter G. Sheridan. (kas,) (Entered: 11/19/2015)
11/30/2015	5	Letter from Plaintiffs re 3 MOTION to Certify Class . (DUDDY, FLETCHER) (Entered: 11/30/2015)
12/02/2015	6	NOTICE of Appearance by DANIELLE ABOUZEID on behalf of Defendant MIDDLESEX COUNTY (ABOUZEID, DANIELLE) Modified on 12/3/2015 (dm). (Entered: 12/02/2015)
12/02/2015	7	Letter from Danielle Abouzeid. (ABOUZEID, DANIELLE) (Entered: 12/02/2015)
12/02/2015	8	NOTICE of Appearance by LORI A. DVORAK on behalf of MIDDLESEX COUNTY (DVORAK, LORI) (Entered: 12/02/2015)
12/02/2015	9	Letter from Danielle Abouzeid. (Attachments: # 1 Exhibit)(ABOUZEID, DANIELLE) (Entered: 12/02/2015)
12/03/2015	10	LETTER ORDER Granting Defense Counsel's request for a fourteen (14) day extension of the deadline to file Answer by 12/17/2015 and the motion is made returnable on 1/4/2016. Signed by Judge Peter G. Sheridan on 12/3/2015. (km) (Entered: 12/04/2015)
12/03/2015		ORAL ARGUMENT REQUIRED for the 3 MOTION to Certify Class . Motion RESET for 1/4/2016 01:30 PM in Trenton - Courtroom 4E before Judge Peter G. Sheridan. (km) (Entered: 12/10/2015)
12/17/2015	11	ANSWER to Complaint with JURY DEMAND by MIDDLESEX COUNTY.(DVORAK,

		LORI) (Entered: 12/17/2015)
12/17/2015	12	Corporate Disclosure Statement by MIDDLESEX COUNTY. (DVORAK, LORI) (Entered: 12/17/2015)
12/18/2015	13	Letter re 3 MOTION to Certify Class . (DUDDY, FLETCHER) (Entered: 12/18/2015)
01/04/2016	14	Letter ORDER granting Plaintiff's request to withdraw their pending motion for class certification. Signed by Judge Peter G. Sheridan on 12/21/2015. (kas,) (Entered: 01/04/2016)
01/05/2016	15	INITIAL SCHEDULING ORDER: Scheduling Conference set for 2/22/2016 03:00 PM in Trenton - Courtroom 6E before Magistrate Judge Tonianne J. Bongiovanni. Signed by Magistrate Judge Tonianne J. Bongiovanni on 1/5/2016. (km) (Entered: 01/05/2016)
01/06/2016	16	NOTICE of Appearance by JEANNE LOCICERO on behalf of All Plaintiffs (LOCICERO, JEANNE) (Entered: 01/06/2016)
01/06/2016	17	AMENDED DOCUMENT by HECTOR AMENGUAL, LUIS BORRERO, C-POD INMATES OF MIDDLESEX COUNTY ADULT CORRECTION CENTER, TERRENCE EDWARDS, DAMANI HARRIS, AZARIAH LAZAR, PATRICK O'DWYER, SEAN PERSHING, TYSON RATLIFF, JONATHAN RODRIGUEZ, neflk. Amendment to 16 Notice of Appearance . (LOCICERO, JEANNE) (Entered: 01/06/2016)
01/06/2016	18	NOTICE of Appearance by ALEXANDER R. SHALOM on behalf of All Plaintiffs (SHALOM, ALEXANDER) (Entered: 01/06/2016)
02/18/2016	19	Letter from Plaintiffs. (DUDDY, FLETCHER) (Entered: 02/18/2016)
02/22/2016	20	TEXT ORDER: Initial Pretrial Conference set for 2/29/2016 at 11:00 AM in Trenton - Courtroom 6E before Magistrate Judge Tonianne J. Bongiovanni. So Ordered by Magistrate Judge Tonianne J. Bongiovanni on 2/22/2016. (eaj) (Entered: 02/22/2016)
02/29/2016		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Initial Pretrial Conference held on 2/29/2016. (mm) (Entered: 02/29/2016)
03/01/2016	21	SCHEDULING ORDER: Telephone Conference set for 4/29/2016 10:00 AM and 8/16/2016 at 10:00 AM before Magistrate Judge Tonianne J. Bongiovanni. Plaintiffs shall initiate the call; Amended Pleadings and Joinder of Parties due by 8/26/2016; Fact Discovery due by 2/28/2017. Signed by Magistrate Judge Tonianne J. Bongiovanni on 3/1/2016. (kas,) (Entered: 03/01/2016)
04/28/2016	22	LETTER ORDER Rescheduling the Telephone Conference to 5/20/2016 at 10:30AM. Plaintiff to initiate the call. Signed by Magistrate Judge Tonianne J. Bongiovanni on 4/28/2016. (km) (Entered: 04/28/2016)
05/20/2016		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 5/20/2016. Plaintiff is to produce its preliminary expert report no later than 8/1/2016. (mm) (Entered: 05/20/2016)
06/03/2016	23	Discovery Confidentiality Order. Signed by Magistrate Judge Tonianne J. Bongiovanni on 6/2/2016. (eaj) (Main Document 23 replaced on 6/3/2016) (eaj,). (Entered: 06/03/2016)
08/12/2016	24	LETTER ORDER Adjourning the 8/16/2016 Telephone Conference to 8/22/2016 at 11:30AM. Signed by Magistrate Judge Tonianne J. Bongiovanni on 8/11/2016. (km) (Entered: 08/12/2016)
08/22/2016		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 8/22/2016. (NR) (Entered: 08/22/2016)
08/22/2016	25	TEXT ORDER: No later than October 5, 2016, the parties shall provide the Court with a

		joint status update regarding settlement. In the interim, the parties shall proceed with discovery necessary to facilitate settlement. If the matter does not resolve, the schedule, including the deadline to amend the pleadings, shall be reset. So Ordered by Magistrate Judge Tonianne J. Bongiovanni on 8/22/16. (NR) (Entered: 08/22/2016)
10/06/2016	26	TEXT ORDER- The parties are to report back to the Court no later than 12/6/2016, with a written status update regarding settlement discussions. Ordered by Magistrate Judge Tonianne J. Bongiovanni. (mm) (Entered: 10/06/2016)
12/06/2016	27	TEXT ORDER - This shall confirm that an In-Person Status Conference is set for January 30, 2017 at 11:00 AM before Magistrate Judge Tonianne J. Bongiovanni. Kindly mark your calendars accordingly. So Ordered by Magistrate Judge Tonianne J. Bongiovanni. (mm) (Entered: 12/06/2016)
01/19/2017	28	LETTER ORDER confirming that the In-Person Status Conference that was scheduled for 1/30/2017 is rescheduled to 2/16/2017 at 1:00 PM. Signed by Magistrate Judge Tonianne J. Bongiovanni on 1/19/2017. (km) (Entered: 01/19/2017)
02/16/2017		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: In-Person Status Conference held on 2/16/2017. Status Telephone Conference set for 5/24/2017 10:00 AM before Magistrate Judge Tonianne J. Bongiovanni. Plaintiff is to initiate the call. (mm) (Entered: 02/16/2017)
05/24/2017		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 5/24/2017. (mm) (Entered: 05/25/2017)
05/25/2017	29	LETTER ORDER Staying Discovery. Defendant to provide Plaintiff and the Court with its preliminary response to Plaintiff's settlement proposal by 6/9/2017. A more detailed response and/or counterproposal due 7/21/2017. Telephone Conference set for 8/3/2017 at 3:00PM. Plaintiff, ACLU, to initiate the call. Signed by Magistrate Judge Tonianne J. Bongiovanni on 5/24/2017. (km) Modified on 5/30/2017 (eaj,). (Entered: 05/25/2017)
06/16/2017	30	TEXT ORDER Please be advised that due to a court conflict, the telephone conference currently scheduled to take place on August 3, 2017 at 3:00 p.m. shall now take place on the same day, but at 1:00 p.m. It shall be plaintiffs' responsibility to contact all counsel to set up the conference as, well as, to initiate the call. Kindly mark your calendars accordingly. So Ordered by Magistrate Judge Tonianne J. Bongiovanni.(mm) (Entered: 06/16/2017)
07/21/2017	31	LETTER ORDER rescheduling the 8/3/2017 Telephone Conference to 8/8/2017 at 3:30PM. Signed by Magistrate Judge Tonianne J. Bongiovanni on 7/21/2017. (km) (Entered: 07/24/2017)
08/08/2017		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 8/8/2017. The exchange of settlement proposals shall continue; Status Telephone Conference to discuss the status of settlement shall be conducted on 10/10/2017 10:30 AM before Magistrate Judge Tonianne J. Bongiovanni. Plaintiff is to initiate the call. (mm) (Entered: 08/09/2017)
09/13/2017	32	TEXT ORDER - Telephone Conference set for October 10, 2017, is hereby RESCHEDULED to October 11, 2017 at 11:00 AM before Magistrate Judge Tonianne J. Bongiovanni. It shall be plaintiffs' responsibility to contact all counsel to set up the conference, as well as, to initiate the call. Kindly mark your calendars accordingly. So Ordered by Magistrate Judge Tonianne J. Bongiovanni. (mm) (Entered: 09/13/2017)
10/11/2017		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 10/11/2017. The parties are to report back to the Court

		electronically to tjb_orders@njd.uscourts.gov no later than 11/17/2017, with a written status update regarding settlement discussions. (mm) (Entered: 10/11/2017)
11/21/2017	33	LETTER ORDER that a Telephone Conference is set for 1/24/2018 at 10:00AM. Plaintiff to initiate the call. Signed by Magistrate Judge Tonianne J. Bongiovanni on 11/21/2017. (km) (Entered: 11/21/2017)
01/18/2018	34	TEXT ORDER: Due to a court conflict, the telephone conference set for January 24, 2018 at 10:00 a.m. is reset for January 24, 2018 at 1:00 p.m. Plaintiff remains responsible for initiating the conference. So Ordered by Magistrate Judge Tonianne J. Bongiovanni.(mm) (Entered: 01/18/2018)
01/24/2018		Text Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 1/24/2018. The parties are to report back to the Court electronically to tjb_orders@njd.uscourts.gov no later than 2/9/2018, with a written status update regarding settlement discussions. (mm) (Entered: 01/24/2018)
02/13/2018	35	TEXT ORDER: The parties are to report back to the Court electronically to tjb_orders@njd.uscourts.gov no later than 3/23/2018 with a written status update regarding settlement discussions. So Ordered by Magistrate Judge Tonianne J. Bongiovanni.(mm) (Entered: 02/13/2018)
05/03/2018	36	TEXT ORDER: The parties are to report back to the Court electronically to tjb_orders@njd.uscourts.gov no later than 6/6/2018 with a written status update regarding settlement discussions. So Ordered by Magistrate Judge Tonianne J. Bongiovanni. (mm) (Entered: 05/03/2018)
06/15/2018	37	LETTER ORDER Scheduling a telephone conference for 6/19/2018 at 3:00PM. Plaintiff to initiate the call. Signed by Magistrate Judge Tonianne J. Bongiovanni on 6/14/2018. (km) (Entered: 06/15/2018)
06/19/2018		Text Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 6/19/2018. Settlement Conference via telephone with only Plaintiff Tyson Ratliff, and his attorney set for 7/10/2018 11:00 AM before Magistrate Judge Tonianne J. Bongiovanni. (mm) (Entered: 06/20/2018)
06/28/2018	38	NOTICE of Appearance by TESS MEILING BORDEN on behalf of All Plaintiffs (BORDEN, TESS) (Entered: 06/28/2018)
07/10/2018		Text Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Telephone Conference held on 7/10/2018. (mm) (Entered: 07/10/2018)
07/12/2018	39	LETTER ORDER TO SHOW CAUSE Show Cause Hearing set for 7/26/2018 10:30 AM in Trenton - Courtroom 6E before Magistrate Judge Tonianne J. Bongiovanni. Show Cause Response due by 7/24/2018. Signed by Magistrate Judge Tonianne J. Bongiovanni on 7/12/2018. (km) (Entered: 07/13/2018)
07/26/2018	40	Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Show Cause Hearing held on 7/26/2018. Tyson Ratliff, plaintiff failed to appear. Report and Recommendation to be entered. (Digitally Recorded) (mm) (Entered: 07/27/2018)
07/30/2018	41	Transcript of HEARING held on 7/26/2018, before Judge Tonianne J. Bongiovanni. Transcriber- Transcripts Plus, Inc. (215-862-1115). NOTICE REGARDING (1) REDACTION OF PERSONAL IDENTIFIERS IN TRANSCRIPTS AND (2) MOTION TO REDACT AND SEAL: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this Transcript to comply with Fed.R.Civ.P.5.2(a) (personal identifiers). Parties seeking to redact and seal this Transcript, or portions thereof, pursuant to L.Civ.R. 5.3(g) must e-file a Motion to Redact and Seal utilizing the event `Redact and Seal Transcript/Digital Recording`. Redaction Request to

		Transcription Agency due, but not filed, by 8/20/2018. Redacted Transcript Deadline set for 8/30/2018. Release of Transcript Restriction set for 10/29/2018. (kas,) (Entered: 07/30/2018)
07/31/2018	42	REPORT AND RECOMMENDATION. It is RECOMMENDED that Ratliff's claims be DISMISSED WITH PREJUDICE; that defense counsel send a copy of this Report & Recommendation to Ratliff via both text message to Ratliff's known cell phone number and via regular mail to Ratliff's last known mailing address immediately upon counsels receipt of same. Objections, if any, to R&R due 14 days after being served with a copy of this Report and Recommendation. Signed by Magistrate Judge Tonianne J. Bongiovanni on 7/31/2018. (mmh) (Entered: 07/31/2018)
08/01/2018	43	LETTER ORDER amending the 42 Report and Recommendation instructing Plaintiffs' counsel to send a copy of the Report and Recommendation to Plaintiff. Signed by Magistrate Judge Tonianne J. Bongiovanni on 8/1/2018. (mmh) (Entered: 08/01/2018)
08/06/2018	44	Letter from Plaintiffs' Counsel re 43 Order. (DUDDY, FLETCHER) (Entered: 08/06/2018)
08/22/2018	45	ORDER ADOPTING REPORT AND RECOMMENDATIONS for 42 Report and Recommendations. Signed by Judge Peter G. Sheridan on 8/22/2018. (km) (Entered: 08/22/2018)
10/24/2018	46	Order Administratively Terminating Action - 60 Day, Pending Consummation of Settlement. Administrative Termination deadline set for 12/24/2018. Signed by Judge Peter G. Sheridan on 10/24/2018. (dh,) (Entered: 10/24/2018)
10/25/2018	47	STIPULATION of Dismissal <i>with Prejudice as to Defendant, Middlesex County</i> by MIDDLESEX COUNTY. (ABOUZEID, DANIELLE) (Entered: 10/25/2018)
