

**U.S. District Court  
Northern District of New York – Main Office (Syracuse) [NextGen CM/ECF  
Release 1.2 (Revision 1.2)] (Prisoner)  
CIVIL DOCKET FOR CASE #: 9:16-cv-01150-DNH-DEP**

V.W. et al v. Conway et al  
Assigned to: Judge David N. Hurd  
Referred to: Magistrate Judge David E. Peebles  
related Case: 9:17-cv-00817-DNH-DEP  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 09/21/2016  
Date Terminated: 12/13/2017  
Jury Demand: Defendant  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**V. W.**

*a minor, by and through his parent and  
natural guardian DERECK WILLIAMS*

represented by **Christopher T. Dunn**  
New York Civil Liberties Union  
125 Broad Street  
19th Floor  
New York, NY 10004  
212-344-3005 ext. 226  
Fax: 212-344-3329  
Email: [cdunn@nyclu.org](mailto:cdunn@nyclu.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Joshua T. Cotter**  
Legal Services of Central New York –  
Syracuse  
221 South Warren Street  
Suite 300  
Syracuse, NY 13202  
315-703-6579  
Fax: 315-475-2706  
Email: [jcotter@lscny.org](mailto:jcotter@lscny.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Philip L. Desgranges**  
New York Civil Liberties Union  
125 Broad Street  
19th Floor  
New York, NY 10004  
212-607-3360  
Fax: 212-607-3318  
Email: [pdesgranges@nyclu.org](mailto:pdesgranges@nyclu.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Samuel C. Young**  
Legal Services of Central New York –  
Syracuse  
221 South Warren Street  
Suite 300  
Syracuse, NY 13202  
315-703-6591  
Fax: 315-703-6520  
Email: [samyoung@lscny.org](mailto:samyoung@lscny.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Susan M. Young**  
Legal Services of Central New York –  
Syracuse  
221 South Warren Street

Suite 300  
Syracuse, NY 13202  
315-475-3127  
Fax: 315-475-2706  
Email: [syoung@lscny.org](mailto:syoung@lscny.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Aadhithi Padmanabhan**  
The Legal Aid Society  
199 Water Street, 3rd Floor  
New York, NY 10038  
212-298-3144  
Fax: 646-365-2717  
Email: [apadmanabhan@legal-aid.org](mailto:apadmanabhan@legal-aid.org)  
**ATTORNEY TO BE NOTICED**

**Aimee Krause Stewart**  
Sanford Heisler, LLP – DC Office  
1666 Connecticut Avenue NW, Suite 300  
Washington, DC 20009  
202-499-5200  
Fax: 202-499-5199  
Email: [astewart@sanfordheisler.com](mailto:astewart@sanfordheisler.com)  
**ATTORNEY TO BE NOTICED**

**Mariana L. Kovel**  
American Civil Liberties Union  
125 Broad St.  
Ste 17th Floor  
New York, NY 10004  
646-905-8870  
Fax: 212-549-2654  
Email: [mkovel@aclu.org](mailto:mkovel@aclu.org)  
**TERMINATED: 04/05/2018**

**Mariko Hirose**  
International Refugee Assistance Project  
One Battery Park Plaza – 4th Floor  
New York, NY 10004  
516-701-4620  
Email: [mhirose@refugeerights.org](mailto:mhirose@refugeerights.org)  
**TERMINATED: 05/31/2017**

**Plaintiff**

**R. C.**  
*a minor, by and through his parent and  
natural guardian SANDRA CHAMBERS*

represented by **Aimee Krause Stewart**  
(See above for address)  
**LEAD ATTORNEY**  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Christopher T. Dunn**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Joshua T. Cotter**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Philip L. Desgranges**  
(See above for address)  
**LEAD ATTORNEY**

*ATTORNEY TO BE NOTICED*

**Samuel C. Young**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Susan M. Young**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Aadhithi Padmanabhan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Mariana L. Kovel**  
(See above for address)  
*TERMINATED: 04/05/2018*

**Mariko Hirose**  
(See above for address)  
*TERMINATED: 05/31/2017*

**Plaintiff**

**C. I.**  
*a minor, by and through his parent and  
natural guardian VERTELL PENDARVIS*

represented by **Aimee Krause Stewart**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Christopher T. Dunn**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joshua T. Cotter**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Philip L. Desgranges**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Samuel C. Young**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Susan M. Young**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Aadhithi Padmanabhan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Mariana L. Kovel**  
(See above for address)  
*TERMINATED: 04/05/2018*

**Mariko Hirose**  
(See above for address)  
*TERMINATED: 05/31/2017*

**Plaintiff**

**M. R.**  
*a minor, by and through his parent and  
natural guardian KAREN RAYMOND*

represented by **Aimee Krause Stewart**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Christopher T. Dunn**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Joshua T. Cotter**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Philip L. Desgranges**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Samuel C. Young**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Susan M. Young**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Aadhithi Padmanabhan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Mariana L. Kovel**  
(See above for address)  
*TERMINATED: 04/05/2018*

**Mariko Hirose**  
(See above for address)  
*TERMINATED: 05/31/2017*

**Plaintiff**

**F. K.**  
*a minor, by and through his parent and  
natural guardian KASHINDE  
KABAGWIRA*

represented by **Aimee Krause Stewart**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Christopher T. Dunn**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Joshua T. Cotter**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Philip L. Desgranges**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Samuel C. Young**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Susan M. Young**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Aadhithi Padmanabhan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Mariana L. Kovel**  
(See above for address)  
*TERMINATED: 04/05/2018*

**Mariko Hirose**  
(See above for address)  
*TERMINATED: 05/31/2017*

**Plaintiff**

**J. P.**

*a minor, by and through his parent and  
natural guardian ALISSA QUIONES*

represented by **Aimee Krause Stewart**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Christopher T. Dunn**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joshua T. Cotter**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Philip L. Desgranges**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Samuel C. Young**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Susan M. Young**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Aadhithi Padmanabhan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Mariana L. Kovel**  
(See above for address)  
*TERMINATED: 04/05/2018*

**Mariko Hirose**  
(See above for address)  
*TERMINATED: 05/31/2017*

V.

**Defendant**

**Eugene Conway**  
*Onondaga County Sheriff in his official capacity*

represented by **Carol L. Rhinehart**  
Onondaga County Department of Law  
John H. Mulroy Civic Center  
421 Montgomery Street, 10th Floor  
Syracuse, NY 13202  
315-435-2170  
Fax: 315-435-5729  
Email: [crhinehart@ongov.net](mailto:crhinehart@ongov.net)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Kathleen M. Dougherty**  
Onondaga County Department of Law  
John H. Mulroy Civic Center  
421 Montgomery Street, 10th Floor  
Syracuse, NY 13202  
315-435-2170  
Fax: 315-435-5729  
Email: [kdougherty@ongov.net](mailto:kdougherty@ongov.net)  
*TERMINATED: 01/03/2017*

**Defendant**

**Esteban Gonzalez**  
*Chief Custody Deputy of the Onondaga County Justice Center, in his official capacity*

represented by **Carol L. Rhinehart**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Kathleen M. Dougherty**  
(See above for address)  
*TERMINATED: 01/03/2017*

**Defendant**

**Kevin M. Brisson**  
*Assistant Chief Custody Deputy, in his official capacity*

represented by **Carol L. Rhinehart**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Kathleen M. Dougherty**  
(See above for address)  
*TERMINATED: 01/03/2017*

**Defendant**

**Syracuse City School District**

represented by **Jonathan B. Fellows**  
Bond, Schoeneck Law Firm – Syracuse  
One Lincoln Center  
Syracuse, NY 13202  
315-218-8000  
Fax: 315-218-8100  
Email: [FellowJ@bsk.com](mailto:FellowJ@bsk.com)  
**ATTORNEY TO BE NOTICED**

**Kate I. Reid**

Bond Schoeneck & King, PLLC –  
 Syracuse  
 One Lincoln Center  
 Syracuse, NY 13202  
 315-218-8625  
 Email: [kreid@bsk.com](mailto:kreid@bsk.com)

Date Filed	#	Docket Text
09/21/2016	<u>1</u>	COMPLAINT against Kevin M. Brisson, Eugene Conway, Esteban Gonzalez, Syracuse City School District (Filing fee \$400 receipt number 0206-3795452) filed by J. P., C. I., R. C., M. R., V. W., F. K.. (Attachments: # <u>1</u> Civil Cover Sheet)(alh, ) (Entered: 09/21/2016)
09/21/2016	<u>2</u>	G.O. 25 FILING ORDER ISSUED: Initial Conference set for 12/1/2016 11:00 AM in Syracuse before Magistrate Judge David E. Peebles. Civil Case Management Plan must be filed and Mandatory Disclosures are to be exchanged by the parties on or before 11/25/2016. (Pursuant to Local Rule 26.2, mandatory disclosures are to be exchanged among the parties but are NOT to be filed with the Court.) (alh, ) (Entered: 09/21/2016)
09/21/2016	<u>3</u>	Summons Issued as to Kevin M. Brisson, Eugene Conway, Esteban Gonzalez, Syracuse City School District. (Attachments: # <u>1</u> Brisson, # <u>2</u> Gonzalez, # <u>3</u> Syracuse City School District)(alh, ) (Entered: 09/21/2016)
09/23/2016	<u>4</u>	CERTIFICATE OF SERVICE by V. W. re <u>1</u> Complaint (Attachments: # <u>1</u> Affidavit service on defendants)(Young, Susan) (Entered: 09/23/2016)
09/23/2016	<u>5</u>	MOTION to Certify Class <i>and Subclass by Plaintiffs</i> . Motion Hearing set for 10/28/2016 10:00 AM in Utica before Judge David N. Hurd Response to Motion due by 10/11/2016 Reply to Response to Motion due by 10/17/2016. filed by R. C., C. I., F. K., J. P., M. R., V. W.. (Attachments: # <u>1</u> Memorandum of Law in support of Class Certification, # <u>2</u> Declaration of Dr. Louis Kraus in support of Plaintiffs' Mtn for Class Certification, with Exhibits A–G attached, # <u>3</u> Declaration of Joshua Cotter, Esq. in support of Pltfs' Motion for class certification, # <u>4</u> Exhibit(s) Exs. 1–13 for Cotter Decl., # <u>5</u> Exhibit(s) Exs. 14–18 of Cotter Declaration, # <u>6</u> Exhibit(s) Exs. 19–28 of Cotter Declaration, # <u>7</u> Exhibit(s) Ex. 29 of Cotter Declaration, # <u>8</u> Exhibit(s) Exs. 30–37 of Cotter Declaration, # <u>9</u> Exhibit(s) Exs. 38–39 of Cotter Declaration, # <u>10</u> Declaration of Michelle Shames in support of Pltfs' Mtn for Class Certification, # <u>11</u> Declaration of Emily NaPier in support of Pltfs Mtn for Class Certification) (Hirose, Mariko) (Entered: 09/23/2016)
09/23/2016	<u>6</u>	CERTIFICATE OF SERVICE by R. C., C. I., F. K., J. P., M. R., V. W. re <u>5</u> MOTION to Certify Class <i>and Subclass by Plaintiffs</i> . <i>Certification of Service by Maria Rafael</i> (Hirose, Mariko) (Entered: 09/23/2016)
09/28/2016	<u>7</u>	NOTICE of Appearance by Kathleen M. Dougherty on behalf of Kevin M. Brisson, Eugene Conway, Esteban Gonzalez (Dougherty, Kathleen) (Entered: 09/28/2016)
09/28/2016	<u>8</u>	AFFIDAVIT of Service for motion to certify class action, memo of law and exhibits served on Eileen Steinhardt, District Clerk on 9/27/2016, filed by V. W.. (Young, Susan) (Entered: 09/28/2016)
09/29/2016	<u>9</u>	NOTICE of Appearance by Kate I. Reid on behalf of Syracuse City School District (Reid, Kate) (Entered: 09/29/2016)
09/29/2016	<u>10</u>	NOTICE of Appearance by Jonathan B. Fellows on behalf of Syracuse City School District (Fellows, Jonathan) (Entered: 09/29/2016)
09/30/2016	<u>11</u>	Letter Motion from Samuel Young for V. W. requesting Conference with the Court to Discuss Filing Preliminary Injunction Motion submitted to Judge Hurd . (Young, Samuel) (Entered: 09/30/2016)
10/11/2016	<u>12</u>	NOTICE of Appearance by Mariana L. Kovel on behalf of All Plaintiffs (Kovel, Mariana) (Main Document 12 replaced on 10/11/2016) (alh, ). (Entered: 10/11/2016)

10/11/2016		CLERK'S CORRECTION OF DOCKET ENTRY re <u>12</u> Notice of Appearance: Clerk has replaced the image with the correct notice. (alh, ) (Entered: 10/11/2016)
10/11/2016	<u>13</u>	Letter Motion from Kate I. Reid for Syracuse City School District requesting Adjournment of Motion Hearing submitted to Judge Hon. David N. Hurd . (Reid, Kate) (Entered: 10/11/2016)
10/11/2016	<u>14</u>	Letter Motion from Kathleen M. Dougherty, Esq. for Kevin M. Brisson, Eugene Conway, Esteban Gonzalez requesting an adjournment of Plaintiff's motion for class certification submitted to Judge Hurd . (Dougherty, Kathleen) (Entered: 10/11/2016)
10/11/2016	15	TEXT ORDER ON CLASS CERTIFICATION MOTION – TO BE TAKEN ON SUBMIT AS OF November 25, 2016 : Pursuant to the verbal Order of the Hon. David N. Hurd, USDJ: <u>13</u> Letter Motion from Kate I. Reid, Esq. for Syracuse City School District requesting an adjournment and <u>14</u> Letter Motion from Kathleen M. Dougherty, Esq. for Kevin M. Brisson, Eugene Conway, Esteban Gonzalez requesting an adjournment of Plaintiff's motion for class certification are GRANTED and <u>5</u> MOTION to Certify Class and Subclass by Plaintiffs shall now to be taken ON SUBMITTED PAPERS ONLY before Judge David N. Hurd with no appearances by either party required or allowed. Written opinion shall follow. Responses to the motion is due by 12:00pm on November 10, 2016. A reply, if any, to the response to the motion is due by, at 12:00pm on November 17, 2016 and the motion shall be returnable and deemed submitted as of November 25, 2016. So Ordered by Judge David N. Hurd on 10/11/2016. (Entered: 10/11/2016)
10/13/2016	<u>16</u>	ANSWER to Complaint by Syracuse City School District.(Reid, Kate) (Entered: 10/13/2016)
10/14/2016	<u>17</u>	Letter Motion from Kathleen M. Dougherty, Esq. for Kevin M. Brisson, Eugene Conway, Esteban Gonzalez requesting an extension of time to file an answer to Complaint submitted to Judge Peebles . (Dougherty, Kathleen) (Entered: 10/14/2016)
10/17/2016	18	TEXT ORDER granting <u>17</u> Letter Request for an extension of time for defendants Kevin M. Brisson, Eugene Conway, and Esteban Gonzalez to answer plaintiff's complaint on or before 11/10/2016. Authorized by Magistrate Judge David E. Peebles on 10/17/16. (sal) (Entered: 10/17/2016)
10/24/2016	<u>19</u>	Letter Motion from Desgranges for R. C., C. I., F. K., J. P., M. R., V. W. requesting Conference with the Court to Discuss an Expedited Discovery Schedule for Plaintiffs' Preliminary Injunction Motion submitted to Judge Peebles . (Attachments: # <u>1</u> Exhibit(s) Ex. A., list of requested discovery)(Desgranges, Philip) (Entered: 10/24/2016)
10/25/2016	<u>20</u>	RESPONSE in Opposition re <u>19</u> Letter Motion from Desgranges for R. C., C. I., F. K., J. P., M. R., V. W. requesting Conference with the Court to Discuss an Expedited Discovery Schedule for Plaintiffs' Preliminary Injunction Motion submitted to Judge Peebles filed by Kevin M. Brisson, Eugene Conway, Esteban Gonzalez. (Attachments: # <u>1</u> Errata A)(Dougherty, Kathleen) (Entered: 10/25/2016)
10/25/2016	21	TEXT ORDER granting <u>19</u> Letter Request for a Telephone Conference, which is set for 10/28/2016 at 3:30 PM before Magistrate Judge David E. Peebles. Plaintiffs' counsel is directed to initiate the call to Chambers, which can be reached at (315) 234-8620 or provide the court and all counsel with a call-in number and passcode for this conference call. Authorized by Magistrate Judge David E. Peebles on 10/25/16. (sal ) (Entered: 10/25/2016)
10/25/2016	<u>22</u>	NOTICE of Appearance by Aadhithi Padmanabhan on behalf of All Plaintiffs (Padmanabhan, Aadhithi) (Entered: 10/25/2016)
10/28/2016	<u>23</u>	Letter Motion from Desgranges for R. C., C. I., F. K., J. P., M. R., V. W. requesting that the Court cancel this afternoon's conference submitted to Judge Peebles . (Attachments: # <u>1</u> Exhibit(s) Ex. A, discovery the Sheriff's Office has agreed to provide plaintiffs, # <u>2</u> Exhibit(s) Ex. B, discovery the SCSD has agreed to provide plaintiffs)(Desgranges, Philip) (Entered: 10/28/2016)
10/28/2016	24	TEXT ORDER granting <u>23</u> Letter Request. Since the parties have resolved their discovery dispute, the telephone conference set for today, 10/28/2016, at 3:30 PM is cancelled. Authorized by Magistrate Judge David E. Peebles on 10/28/16. (sal )



		(Entered: 10/28/2016)
11/02/2016	<u>25</u>	MOTION for Limited Admission Pro Hac Vice of Aimee Krause Stewart Filing fee \$100, receipt number 0206-3839086. filed by R. C., C. I., F. K., J. P., M. R., V. W.. (Attachments: # <u>1</u> Exhibit(s) Petition for Admission, # <u>2</u> Exhibit(s) Certificate of Good Standing, # <u>3</u> Affidavit Affidavit of Philip Desgranges, # <u>4</u> Exhibit(s) Oath on Admission, # <u>5</u> Exhibit(s) E-Filing Registration, # <u>6</u> Proposed Order/Judgment Proposed Order) Motions referred to David E. Peebles. (Desgranges, Philip) (Entered: 11/02/2016)
11/04/2016	26	TEXT ORDER granting <u>25</u> Motion for Limited Admission Pro Hac Vice of Aimee Krause Stewart, Esq. for plaintiffs R. C., C. I., F. K., J. P., M. R., V. W.. Authorized by Magistrate Judge David E. Peebles on 11/4/2016. (sal ) (Entered: 11/04/2016)
11/07/2016	<u>27</u>	NOTICE of Appearance by Aimee Krause Stewart on behalf of All Plaintiffs (Stewart, Aimee) (Entered: 11/07/2016)
11/10/2016	<u>28</u>	MOTION for Summary Judgment of <i>Defendant Syracuse City School District</i> Motion Hearing set for 12/23/2016 10:00 AM in Utica before Judge David N. Hurd Response to Motion due by 12/6/2016 Reply to Response to Motion due by 12/12/2016. filed by Syracuse City School District. (Attachments: # <u>1</u> Statement of Material Facts, # <u>2</u> Declaration, # <u>3</u> Declaration, # <u>4</u> Exhibit(s) Exhibit 1 to Declaration of John A. Dittmann, Jr., # <u>5</u> Declaration) (Reid, Kate) (Entered: 11/10/2016)
11/10/2016	<u>29</u>	ANSWER to <u>1</u> Complaint by Kevin M. Brisson, Eugene Conway, Esteban Gonzalez.(Dougherty, Kathleen) (Entered: 11/10/2016)
11/10/2016	<u>30</u>	MEMORANDUM OF LAW re <u>28</u> Motion for Summary Judgment, <u>5</u> Motion to Certify Class,,, filed by Syracuse City School District. (Reid, Kate) (Entered: 11/10/2016)
11/10/2016	<u>31</u>	CERTIFICATE OF SERVICE by Syracuse City School District re <u>28</u> MOTION for Summary Judgment of <i>Defendant Syracuse City School District</i> , <u>30</u> Memorandum of Law (Reid, Kate) (Entered: 11/10/2016)
11/10/2016	<u>32</u>	CERTIFICATE OF SERVICE by Kevin M. Brisson, Eugene Conway, Esteban Gonzalez re <u>29</u> Answer to Complaint (Dougherty, Kathleen) (Entered: 11/10/2016)
11/15/2016	33	TEXT ORDER : Due to the pending motions to <u>5</u> certify class and for <u>28</u> summary judgment, the in person Initial Conference set for 12/1/2016 at 11:00 AM in Syracuse is adjourned without date. The deadline for exchanging mandatory disclosures and filing a Civil Case Management Plan is stayed at this time. Authorized by Magistrate Judge David E. Peebles on 11/15/2016. (sal) (Entered: 11/15/2016)
11/15/2016	<u>34</u>	Letter Motion from Desgranges for R. C., C. I., F. K., J. P., M. R., V. W. requesting Conference with the Court to Seek Relief for the Sheriff's Office Defendants' Failure to Produce All Expedited Discovery submitted to Judge Peebles . (Attachments: # <u>1</u> Exhibit(s) Ex. A, 10-24-16 Letter to Magistrate Judge Peebles, # <u>2</u> Exhibit(s) Ex. B, 10-28-16 Letter to Magistrate Judge Peebles, # <u>3</u> Exhibit(s) Ex. C. Outstanding Expedited Discovery List)(Desgranges, Philip) (Entered: 11/15/2016)
11/16/2016	35	TEXT ORDER granting <u>34</u> Letter Request. A Telephone Conference is set for 11/18/2016 at 3:30 PM before Magistrate Judge David E. Peebles. Plaintiffs' counsel is directed to initiate the call to Chambers, which can be reached at (315) 234-8620 or provide the court and all counsel with a call-in number and passcode. Authorized by Magistrate Judge David E. Peebles on 11/16/2016. (sal) (Entered: 11/16/2016)
11/16/2016	<u>36</u>	RESPONSE to Motion re <u>34</u> Letter Motion from Desgranges for R. C., C. I., F. K., J. P., M. R., V. W. requesting Conference with the Court to Seek Relief for the Sheriff's Office Defendants' Failure to Produce All Expedited Discovery submitted to Judge Peeb filed by Kevin M. Brisson, Eugene Conway, Esteban Gonzalez. (Dougherty, Kathleen) (Entered: 11/16/2016)
11/17/2016	<u>37</u>	REPLY to Response to Motion re <u>5</u> MOTION to Certify Class and Subclass by Plaintiffs. Request for permission to file Reply filed by R. C., C. I., F. K., J. P., M. R., V. W.. (Kovel, Mariana) (Entered: 11/17/2016)

11/18/2016		TEXT Minute Entry for proceedings held before Magistrate Judge David E. Peebles: Telephone Conference held on 11/18/2016. After discussing with counsel the issues raised in plaintiffs' <u>34</u> letter motion and defendants' <u>36</u> response, counsel for the County defendants will provide discovery documents to the plaintiffs, at the latest, by November 30th. Plaintiffs anticipate filing a motion for a preliminary injunction within the next couple of weeks once they receive all of the discovery documents. Magistrate Judge Peebles directs the parties to confer and hold a Rule 26(f) meeting within twenty-one days of today's date. The County defendants intend to file a motion for summary judgment. APP: Phillip Desgranges, Esq., Samuel Young, Esq., Susan Young, Esq., Kathleen Dougherty, Esq., and Jonathan Fellows, Esq.. (sal ) (Entered: 11/21/2016)
11/18/2016	38	TEXT ORDER : The parties are directed to confer and hold a Rule 26(f) meeting within twenty-one days of today's date. Once accomplished, a discovery plan must be filed with the court. Authorized by Magistrate Judge David E. Peebles on 11/18/2016. (sal) (Entered: 11/21/2016)
12/05/2016	<u>39</u>	Letter Motion from Plaintiffs' counsel for V. W. requesting extension to file response to motion for summary judgment submitted to Judge Hurd . (Young, Susan) (Entered: 12/05/2016)
12/06/2016	40	TEXT ORDER granting <u>39</u> Letter Motion from Plaintiffs' counsel for V. W. requesting extension to file response to <u>28</u> MOTION for Summary Judgment of <i>Defendant Syracuse City School District</i> . Plaintiffs' Response to Motion due by 12/13/2016 and Defendants' Reply to Response to Motion due by 12/19/2016. So Ordered by Judge David N. Hurd on 12/6/2016. (ptm) (Entered: 12/06/2016)
12/13/2016	<u>41</u>	Letter Motion from Desgranges for R. C., C. I., F. K., J. P., M. R., V. W. requesting Page Enlargement for Plaintiffs' Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Injunction submitted to Judge Hurd . (Desgranges, Philip) (Entered: 12/13/2016)
12/13/2016	<u>42</u>	RESPONSE to Motion re <u>28</u> MOTION for Summary Judgment of <i>Defendant Syracuse City School District</i> filed by R. C., C. I., F. K., J. P., M. R., V. W.. (Attachments: # <u>1</u> Declaration of Plaintiffs' Counsel Joshua Cotter Pursuant to Fed. R. Civ. Proc. 56(d), # <u>2</u> Declaration of Plaintiffs' Counsel Susan Young in Opposition to Summary Judgment, # <u>3</u> Exhibit(s) Exs. 1-6 of Young Decl., # <u>4</u> Exhibit(s) Exs. 7-8 of Young Decl., # <u>5</u> Exhibit(s) Exs. 9-10 of Young Decl., # <u>6</u> Declaration of Dr. Louis Kraus in Opposition to Summary Judgment, # <u>7</u> Declaration of Michlle Shames in Opposition to Summary Judgment, # <u>8</u> Statement of Material Facts)(Cotter, Joshua) (Entered: 12/13/2016)
12/13/2016	<u>43</u>	CERTIFICATE OF SERVICE by R. C., C. I., F. K., J. P., M. R. re <u>42</u> Response to Motion,, (Cotter, Joshua) (Entered: 12/13/2016)
12/16/2016	<u>44</u>	TEXT ORDER: Denying <u>41</u> Letter Motion from Desgranges for R. C., C. I., F. K., J. P., M. R., V. W. requesting Page Enlargement for Plaintiffs' Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Injunction. Signed by Judge David N. Hurd on 12/16/2016. (ptm) (Entered: 12/16/2016)
12/19/2016	<u>45</u>	RESPONSE in Support re <u>28</u> MOTION for Summary Judgment of <i>Defendant Syracuse City School District</i> filed by Syracuse City School District. (Attachments: # <u>1</u> DECLARATION OF KATE I. REID IN SUPPORT OF SYRACUSE CITY SCHOOL DISTRICT'S MOTION FOR SUMMARY JUDGMENT)(Reid, Kate) (Entered: 12/19/2016)
12/20/2016		TEXT NOTICE ON MOTION TAKEN ON SUBMIT : Pursuant to the verbal Order of the Hon. David N. Hurd, USDJ: Re: <u>28</u> MOTION for Summary Judgment of <i>Defendant Syracuse City School District</i> . All necessary papers having been received by the Court this motion, returnable on December 23, 2016, is hereby taken ON SUBMITTED PAPERS ONLY, With no appearances by either party required or allowed. Written opinion to follow. (ptm) (Entered: 12/20/2016)
12/21/2016	<u>46</u>	MOTION for Preliminary Injunction Motion Hearing set for 1/27/2017 10:00 AM in Utica before Judge David N. Hurd Response to Motion due by 1/10/2017 Reply to Response to Motion due by 1/17/2017. filed by R. C., C. I., F. K., J. P., M. R., V. W.. (Attachments: # <u>1</u> Declaration of Attorney Philip Desgranges in Support of Plaintiffs' Motion for Preliminary Injunction, # <u>2</u> Exhibit(s) A-G for Desgranges Declaration, #

		<p><u>3</u> Exhibit(s) H for Desgranges Declaration (Part 1 of 2), # <u>4</u> Exhibit(s) H for Desgranges Declaration (Part 2 of 2), # <u>5</u> Exhibit(s) I for Desgranges Declaration, # <u>6</u> Exhibit(s) J–N for Desgranges Declaration, # <u>7</u> Exhibit(s) O–S for Desgranges Declaration, # <u>8</u> Exhibit(s) T–Z for Desgranges Declaration, # <u>9</u> Exhibit(s) AA–AG for Desgranges Declaration, # <u>10</u> Exhibit(s) AH for Desgranges Declaration, # <u>11</u> Exhibit(s) AI–AO for Desgranges Declaration, # <u>12</u> Exhibit(s) AP–AX for Desgranges Declaration, # <u>13</u> Declaration (Supplemental) of Expert Dr. Louis Kraus in Support of Plaintiffs' Motion for Preliminary Injunction, # <u>14</u> Exhibit(s) 1–3 for Kraus Suppl. Declaration, # <u>15</u> Exhibit(s) 4 for Kraus Suppl. Declaration, # <u>16</u> Exhibit(s) 5 for Kraus Suppl. Declaration, # <u>17</u> Declaration of Expert Dr. Barry Krisberg in Support of Plaintiffs' Motion for Preliminary Injunction, # <u>18</u> Exhibit(s) A–F for Krisberg Declaration, # <u>19</u> Exhibit(s) G for Krisberg Declaration, # <u>20</u> Exhibit(s) H for Krisberg Declaration, # <u>21</u> Exhibit(s) I for Krisberg Declaration, # <u>22</u> Exhibit(s) J for Krisberg Declaration, # <u>23</u> Declaration of Expert Warden Leander Parker in Support of Plaintiffs' Motion for Preliminary Injunction, # <u>24</u> Exhibit(s) A–B for Parker Declaration, # <u>25</u> Declaration of Michelle Shames in Support of Plaintiffs' Motion for Preliminary Injunction, # <u>26</u> Exhibit(s) A for Shames Declaration, # <u>27</u> Exhibit(s) B–D for Shames Declaration, # <u>28</u> Declaration of Emily NaPier in Support of Plaintiffs' Motion for Preliminary Injunction, # <u>29</u> Exhibit(s) A–E for NaPier Declaration, # <u>30</u> Exhibit(s) F–J for NaPier Declaration, # <u>31</u> Declaration of Maria Rafael in Support of Plaintiffs' Motion for Preliminary Injunction, # <u>32</u> Exhibit(s) A for Rafael Declaration, # <u>33</u> Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Injunction) (Desgranges, Philip) (Entered: 12/22/2016)</p>
12/22/2016	<u>47</u>	CERTIFICATE OF SERVICE by R. C., C. I., F. K., J. P., M. R., V. W. re <u>46</u> MOTION for Preliminary Injunction (Desgranges, Philip) (Entered: 12/22/2016)
12/22/2016	<u>48</u>	TEXT ORDER : Pursuant to the Text Order entered on 11/18/2016, the parties were directed to confer and hold a Rule 26(f) meeting within twenty–on days of the date of that order. Once this was accomplished, a discovery plan was to be filed with the court. Since the document has not yet been filed with the court, the parties are directed to file a joint discovery plan in this action on or before 1/6/2017. Authorized by Magistrate Judge David E. Peebles on 12/22/2016. (sal ) (Entered: 12/22/2016)
12/30/2016	<u>49</u>	Letter Motion from Kathleen M. Dougherty, Esq. for Kevin M. Brisson, Eugene Conway, Esteban Gonzalez requesting an extension to respond to Motion under Ct. Doc. 46 submitted to Judge Hurd . (Dougherty, Kathleen) (Entered: 12/30/2016)
01/03/2017	<u>50</u>	NOTICE of Appearance by Carol L. Rhinehart on behalf of Kevin M. Brisson, Eugene Conway, Esteban Gonzalez (Attachments: # <u>1</u> Certificate of Service)(Rhinehart, Carol) (Entered: 01/03/2017)
01/03/2017	<u>51</u>	NOTICE by UNITED STATES OF AMERICA re <u>46</u> MOTION for Preliminary Injunction <i>Statement of Interest of United States of America</i> (Hoggan, John) (Entered: 01/03/2017)
01/05/2017	<u>52</u>	Letter Motion from Desgranges for R. C., C. I., F. K., J. P., M. R., V. W. requesting Responding to the Sheriff's Office defendants' request for an extension to respond to plaintiffs' motion for preliminary injunction submitted to Judge Hurd . (Desgranges, Philip) (Entered: 01/05/2017)
01/06/2017	<u>53</u>	CIVIL CASE MANAGEMENT PLAN by R. C., C. I., F. K., J. P., M. R., V. W.. (Desgranges, Philip) (Entered: 01/06/2017)
01/09/2017	<u>54</u>	UNIFORM PRETRIAL SCHEDULING ORDER: Anticipated length of jury trial: 7 days. Preferred Trial Location: Syracuse. Mandatory disclosures must be exchanged by 1/13/2017. Joinder of Parties due by 10/2/2017. Amended Pleadings due by 10/2/2017. Completion of all Fact Discovery is due by 11/1/2017. Initial expert reports are to be served by 11/9/2017. Responsive expert reports are due to be served by 12/22/2017. Rebuttal expert reports are due to be served by 1/8/2018. Completion of all discovery, including expert depositions, is due by 2/7/2018. Dispositive Motions must be filed by 2/21/2018. When no dispositive motion is filed, the motion filing deadline becomes the trial ready date. The court will issue a notice scheduling a Final Pretrial Conference and Trial Date before U.S. District Judge David N. Hurd at a later time. This action is exempt from the court's Mandatory Mediation Program, however, the issue of settlement will be revisited and discussed further with counsel at a later time. *NOTE: PLEASE THE ATTACHED ADDENDUM FOR PROVISIONS OF

		THE UPSO AND REQUESTS FOR EXTENSIONS OF TIME* Signed by Magistrate Judge David E. Peebles on 1/9/2017. (Attachments: # <u>1</u> Addendum to UPSO)(sal ) (Entered: 01/09/2017)
01/10/2017	<u>55</u>	MEMORANDUM OF LAW re <u>46</u> Motion for Preliminary Injunction,,,,,,,,, <i>Memorandum in Opposition to Motion for a Preliminary Injunction</i> filed by Syracuse City School District. (Attachments: # <u>1</u> Declaration)(Fellows, Jonathan) (Entered: 01/10/2017)
01/10/2017	<u>56</u>	CERTIFICATE OF SERVICE by Syracuse City School District re <u>46</u> MOTION for Preliminary Injunction , <u>55</u> Memorandum of Law (Fellows, Jonathan) (Entered: 01/10/2017)
01/11/2017	<u>57</u>	TEXT ORDER GRANTING ADJOURNMENT OF MOTIONS: Granting in part <u>52</u> Letter Motion from Philip Desgranges, Esq. from plaintiffs regarding extension of time to respond to plaintiffs' motion for preliminary injunction. Pursuant to the verbal Order of the Hon. David N. Hurd, <u>46</u> MOTION for Preliminary Injunction , is adjourned and the motion response and reply dates are reset as follows; Defendants' Response to the Motion is now due by 12:00pm on January 20, 2017 and Plaintiffs' Reply to the Response to the Motion, if any, is now due by 12:00pm on January 30, 2017. Oral argument as to all motions that have been filed in this matter : <u>5</u> MOTION to Certify Class and Subclass by Plaintiffs., <u>28</u> MOTION for Summary Judgment of Defendant Syracuse City School District, and <u>46</u> MOTION for Preliminary Injunction shall be heard and are NOW set for Friday, February 10, 2017 at 10:00AM in USDC / Utica, NY. Appearances required in Court in Utica. Please adjust your calendars accordingly. So Ordered by Judge David N. Hurd on 1/11/2017. (ptm) (Entered: 01/11/2017)
01/18/2017	<u>58</u>	Letter Motion from Desgranges for R. C., C. I., F. K., J. P., M. R., V. W. requesting that the Court Enter the Attached Protective Order submitted to Judge Peebles . (Attachments: # <u>1</u> Proposed Order/Judgment Proposed Protective Order)(Desgranges, Philip) (Entered: 01/18/2017)
01/19/2017	<u>59</u>	PROTECTIVE ORDER regarding materials containing confidential information. Signed by Magistrate Judge David E. Peebles on 1/19/2017. (sal ) (Entered: 01/19/2017)
01/20/2017		TEXT NOTICE: Pursuant to the verbal Order of the Hon. David N. Hurd, USDJ response and reply papers Re: <u>46</u> MOTION for Preliminary Injunction shall be filed no later than 5:00pm on January 20, 2017 and January 30, 2017 respectively. (ptm) (Entered: 01/20/2017)
01/20/2017	<u>60</u>	AFFIDAVIT in Opposition re <u>46</u> MOTION for Preliminary Injunction filed by Kevin M. Brisson, Eugene Conway, Esteban Gonzalez. (Attachments: # <u>1</u> Exhibit(s))(Rhinehart, Carol) (Entered: 01/20/2017)
01/20/2017	<u>61</u>	Medical Records filed by Kevin M. Brisson, Eugene Conway, Esteban Gonzalez. (Attachments: # <u>1</u> Exhibit(s) B, # <u>2</u> Exhibit(s) C, # <u>3</u> Exhibit(s) D, # <u>4</u> Exhibit(s) E, # <u>5</u> Exhibit(s) F, # <u>6</u> Exhibit(s) G, # <u>7</u> Exhibit(s) H, # <u>8</u> Exhibit(s) I, # <u>9</u> Exhibit(s) J, # <u>10</u> Exhibit(s) K, # <u>11</u> Exhibit(s) L, # <u>12</u> Exhibit(s) M)(Rhinehart, Carol) (Attachment 2 replaced on 1/23/2017) (alh, ). (Attachment 3 replaced on 1/23/2017) (alh, ). (Attachment 8 replaced on 1/23/2017) (alh, ). (Attachment 11 replaced on 1/23/2017) (alh, ). (Entered: 01/20/2017)
01/20/2017	<u>62</u>	AFFIDAVIT in Opposition re <u>46</u> MOTION for Preliminary Injunction filed by Kevin M. Brisson, Eugene Conway, Esteban Gonzalez. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D, # <u>5</u> Exhibit(s) E, # <u>6</u> Exhibit(s) F, # <u>7</u> Exhibit(s) G, # <u>8</u> Exhibit(s) H, # <u>9</u> Exhibit(s) I, # <u>10</u> Exhibit(s) J, # <u>11</u> Exhibit(s) K, # <u>12</u> Exhibit(s) L, # <u>13</u> Exhibit(s) M, # <u>14</u> Exhibit(s) N, # <u>15</u> Exhibit(s) O, # <u>16</u> Exhibit(s) P)(Rhinehart, Carol) (Attachment 4 replaced on 1/23/2017) (alh, ). (Attachment 7 replaced on 1/23/2017) (alh, ). (Attachment 8 replaced on 1/23/2017) (alh, ). (Attachment 11 replaced on 1/23/2017) (alh, ). (Attachment 13 replaced on 1/23/2017) (alh, ). (Attachment 15 replaced on 1/23/2017) (alh, ). (Entered: 01/20/2017)
01/20/2017	<u>63</u>	MEMORANDUM OF LAW re <u>60</u> Affidavit in Opposition to Motion, <u>61</u> Medical Records filed, <u>62</u> Affidavit in Opposition to Motion,, filed by Kevin M. Brisson, Eugene Conway, Esteban Gonzalez. (Attachments: # <u>1</u> Certificate of

		Service)(Rhinehart, Carol) (Entered: 01/20/2017)
01/23/2017		CLERK'S CORRECTION OF DOCKET ENTRY re <u>61</u> Medical Records filed, <u>62</u> Affidavit in Opposition to Motion: Clerk has replaced attachments 2, 3, 8, and 11 of Dkt. No. 61 and attachments 4, 7, 8, 11, 13, and 15 of Dkt. No. 62 due to personal identifiers, submissions have been redacted and replaced on the docket. (alh, ) (Entered: 01/23/2017)
01/30/2017	<u>64</u>	REPLY to Response to Motion re <u>46</u> MOTION for Preliminary Injunction filed by R. C., C. I., F. K., J. P., M. R., V. W.. (Attachments: # <u>1</u> Declaration Supplemental Declaration of Maria Rafael ISO Reply, # <u>2</u> Declaration Second Supplemental Declaration of Dr. Louis Kraus ISO Reply, # <u>3</u> Affirmation Affirmation of Service)(Desgranges, Philip) (Entered: 01/30/2017)
02/02/2017	<u>65</u>	MOTION for Leave to Appear as Amici Curiae re <u>46</u> MOTION for Preliminary Injunction. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Brief in Support of Preliminary Injunction, # <u>3</u> Cover Letter, # <u>4</u> Certificate of Service, # <u>5</u> Envelope)(alh, ) (Entered: 02/02/2017)
02/02/2017		TEXT ORDER GRANTING ADJOURNMENT OF MOTIONS – SCHEDULING ORAL ARGUMENT : Pursuant to the verbal Order of the Hon. David N. Hurd the Oral argument as to all motions that have been filed in this matter : <u>28</u> MOTION for Summary Judgment of <i>Defendant Syracuse City School District</i> , <u>5</u> MOTION to Certify Class and Subclass by Plaintiffs., <u>46</u> MOTION for Preliminary Injunction shall be heard in open Court and are NOW set for Wednesday, February 15, 2017 at 2:00PM in USDC / Utica, NY. Appearances required in Court in Utica. Please adjust your calendars accordingly. (ptm) (Entered: 02/02/2017)
02/15/2017		TEXT Minute Entry for proceedings held before Judge David N. Hurd in Utica, NY. Motion Hearing held on 2/15/2017. Judge Hurd reviews pending motions and grants <u>65</u> MOTION Leave to Appear as Amici Curiae and accepts and considers <u>51</u> NOTICE by UNITED STATES OF AMERICA re <u>46</u> MOTION for Preliminary Injunction Statement of Interest of United States of America. The Court further grants <u>5</u> MOTION to Certify Class and Subclass by Plaintiffs. filed by F. K., C. I., R. C., M. R., J. P., V. W., on the papers submitted, hears argument as to <u>28</u> MOTION for Summary Judgment of <i>Defendant Syracuse City School District</i> filed by Syracuse City School District and <u>65</u> MOTION Leave to Appear as Amici Curiae re <u>46</u> MOTION for Preliminary Injunction , <u>46</u> MOTION for Preliminary Injunction filed by F. K., C. I., R. C., M. R., J. P., V. W. and RESERVES DECISION with written opinion to follow. Phillip L. Desgranges, Esq., Susan M. Young, Esq., Mariko Hirose, Esq. and Mariana L. Kovel, Esq. for plaintiffs R. C., C. I., F. K., J. P., M. R., V. W; Carol L. Rhinehart, Esq., for defendants Kevin M. Brisson, Eugene Conway, Esteban Gonzalez ; Jonathan B. Fellows, Esq. for defendant Syracuse City School District. (Court Reporter Nancy Freddoso) (2:00pm – 3:15pm) (ptm) (Entered: 02/15/2017)
02/16/2017	<u>66</u>	Letter Motion from Kate I. Reid for Syracuse City School District requesting Withdraw from Representation submitted to Judge David N. Hurd . (Reid, Kate) (Entered: 02/16/2017)
02/17/2017	67	TEXT ORDER granting <u>66</u> Letter Request from Kate I. Reid for Syracuse City School District requesting to Withdraw from Representation. Authorized by Magistrate Judge David E. Peebles on 2/17/2017. (sal ) (Entered: 02/17/2017)
02/22/2017	<u>68</u>	MEMORANDUM–DECISION AND ORDER: ORDERED that 1. Plaintiffs' motion for class certification is GRANTED (Dkt. No. <u>5</u> ); 2. Defendant Syracuse City School District's motion for summary judgment is DENIED (Dkt. No. <u>28</u> ; 3. Plaintiffs' motion for a preliminary injunction is GRANTED (Dkt. No. <u>46</u> ; 4. The Onondaga County defendants, their agents, servants, employees, and officers, and all other persons in active concert or participation with them and who receive actual notice of this preliminary injunction, by personal service or otherwise, are hereby IMMEDIATELY ENJOINED AND RESTRAINED, pending the final determination of this action, from imposing 23–hour disciplinary isolation on juveniles at the Justice Center; 5. The Onondaga County defendants and the School District shall IMMEDIATELY afford all eligible juveniles the educational instruction to which they are entitled under New York State's laws and regulations; 6. The Onondaga County defendants and the School District shall IMMEDIATELY afford all juveniles with qualifying disabilities under the IDEA with the special education services and other procedural protections to which they are entitled; and 7. Discipline imposed on

		juveniles by the Onondaga County defendants must include meaningful social interaction with others, including other juveniles, and no discipline may be imposed that directly harms a juvenile's psychological condition. Signed by Judge David N. Hurd on 2/22/17. (alh, ) (Entered: 02/22/2017)
03/01/2017		Set Hearings: A Status Telephone Conference is set for 6/2/2017 at 3:00 PM before Magistrate Judge David E. Peebles. Plaintiffs' counsel is directed to initiate the call to Chambers, which can be reached at (315) 234-8620. (sal) (Entered: 03/01/2017)
03/28/2017	<u>69</u>	Letter Motion from Desgranges for R. C., C. I., F. K., J. P., M. R., V. W. requesting a conference with the Court to discuss defendants' violations of the Court's order submitted to Judge Hurd . (Attachments: # <u>1</u> Exhibit(s) Ex. A, 3-13-2017 Letter from Desgranges to Counsel for Defendants, # <u>2</u> Exhibit(s) Ex. B, 3-20-2017 Letter from Rhinehart to Desgranges, # <u>3</u> Exhibit(s) Ex. C, 3-21-2017 Email from Fellows to Desgranges)(Desgranges, Philip) (Entered: 03/28/2017)
03/28/2017	70	TEXT ORDER GRANTING AN IN PERSON STATUS CONFERENCE: Pursuant to the verbal Order of the Hon. David N. Hurd, USDJ and GRANTING <u>69</u> Letter Motion from Philip L. Desgranges, Esq. requesting a conference with the Court, an IN PERSON STATUS CONFERENCE is now set for FRIDAY, March 31, 2017 AT 11:00AM in USDC / Utica, NY. Appearances by all counsel are required in Utica, NY. Please adjust your calendars accordingly. (Entered: 03/28/2017)
03/30/2017	<u>71</u>	Letter Motion from Mariko Hirose for R. C., C. I., F. K., J. P., M. R., V. W. requesting an expedited trial schedule submitted to Judge Hurd . (Hirose, Mariko) (Entered: 03/30/2017)
03/30/2017	<u>72</u>	Letter Motion from Jonathan B. Fellows for Syracuse City School District submitted to Judge David N. Hurd . (Attachments: # <u>1</u> Ex A - 3.29.17 Corr. to C. Rhinehart)(Fellows, Jonathan) (Entered: 03/30/2017)
03/31/2017		TEXT Minute Entry for proceedings held before Judge David N. Hurd: IN PERSON STATUS CONFERENCE held on 3/31/2017. Judge Hurd reviews <u>69</u> Letter Motion from Philip L. Desgranges, Esq. requesting a conference with the Court and ongoing concerns regarding this Court's <u>68</u> MEMORANDUM-DECISION AND ORDER. Judge Hurd further directs parties to review and discuss possible resolution and stipulation on ongoing issues and report to the Court in writing no later than Monday, April 3, 2017 at 12:00pm. Appearances: Joshua T. Cotter, Esq., Mariko Hirose, Esq. Phillip L. Desgranges, Esq., Samuel C. Young, Esq., for plaintiffs R. C., C. I., F. K., J. P., M. R., V. W.; Carol L. Rhinehart, Esq., for defendants Kevin M. Brisson, Eugene Conway, Esteban Gonzalez; Brendan M. Sheehan, Esq. for defendant Syracuse City School District.(ptm) (11:00am - 12:00pm) (Entered: 03/31/2017)
04/03/2017	<u>73</u>	Letter Motion from Desgranges for R. C., C. I., F. K., J. P., M. R., V. W. requesting an Extension to File a Stipulation for the Court's Approval submitted to Judge Hurd . (Desgranges, Philip) (Entered: 04/03/2017)
04/03/2017	74	TEXT ORDER; Granting <u>73</u> Letter Motion from Philip L. Desgranges, Esq. for plaintiffs requesting an extension of time to file a Stipulation for the Court's Approval. Pursuant to the verbal Order of the Hon. David N. Hurd, USDJ, the parties shall file a stipulation and proposed order no later than FRIDAY, APRIL 7, 2017 AT 12:00PM which shall include a definitive statement as to the further progress of this matter. THIS IS A FINAL EXTENSION OF TIME TO REPLY TO THE COURT'S REQUEST FOR STATUS REGARDING COMPLIANCE THIS COURT'S FEBRUARY 22, 2017 2017 <u>68</u> MEMORANDUM-DECISION AND ORDER. NO FURTHER REQUESTS FOR EXTENSIONS OF TIME WILL BE ENTERTAINED OR GRANTED. (Status Report due by 12:00PM ON 4/7/2017) So Ordered by Judge David N. Hurd on 4/3/2017. (ptm, ) (Entered: 04/03/2017)
04/07/2017	<u>75</u>	Letter Motion from Desgranges for R. C., C. I., F. K., J. P., M. R., V. W. requesting Requesting a Brief Extension submitted to Judge Hurd . (Desgranges, Philip) (Entered: 04/07/2017)
04/07/2017	<u>76</u>	Letter Motion from Desgranges for R. C., C. I., F. K., J. P., M. R., V. W. requesting that the Court approve the attached interim settlement agreement submitted to Judge Hurd . (Attachments: # <u>1</u> Exhibit(s) Stipulation and Order for an Interim Settlement Agreement)(Desgranges, Philip) (Entered: 04/07/2017)

04/10/2017	<u>77</u>	TEXT ORDER: Pursuant to the verbal Order of the Hon. David N. Hurd on pending letter motions; finding as moot <u>71</u> Letter Request, <u>72</u> Letter Request, and <u>75</u> Letter Request, and granting <u>76</u> Letter Motion from Philip Desgranges, Esq. for R. C., C. I., F. K., J. P., M. R., V. W. requesting that the Court approve the attached interim settlement agreement. (ptm, ) (Entered: 04/10/2017)
04/10/2017	<u>78</u>	STIPULATION AND ORDER FOR AN INTERIM SETTLEMENT AGREEMENT: Signed by Judge David N. Hurd on 4/10/2017. (ptm) (Entered: 04/10/2017)
05/23/2017	<u>79</u>	STATUS REPORT <i>on when the parties expect to file a final settlement agreement for the Court's approval</i> by R. C., C. I., F. K., J. P., M. R., V. W.. (Desgranges, Philip) (Entered: 05/23/2017)
05/24/2017	<u>80</u>	ORDER GRANTING EXTENSION OF TIME TO SUBMIT FINAL SETTLEMENT AGREEMENT : re <u>79</u> Status Report filed by F. K., C. I., R. C., M. R., J. P., V. W., (Status Report due by 6/8/2017.). Signed by Judge David N. Hurd on 5/24/2017. (ptm) (Entered: 05/24/2017)
05/24/2017	81	TEXT ORDER : Based upon the ongoing negotiations regarding the settlement agreement in this action, the status telephone conference set for 6/2/2017 at 3:00 PM is adjourned without date. Authorized by Magistrate Judge David E. Peebles on 5/24/2017. (sal) (sal ) (Entered: 05/24/2017)
05/30/2017	<u>82</u>	Letter Motion from Mariko Hirose for R. C., C. I., F. K., J. P., M. R., V. W. requesting leave to withdraw as counsel submitted to Judge Hurd . (Hirose, Mariko) (Entered: 05/30/2017)
05/31/2017	83	TEXT ORDER granting <u>82</u> Letter Request for Attorney Mariko Hirose to withdraw as counsel for the plaintiffs in this matter. Authorized by Magistrate Judge David E. Peebles on 5/31/2017. (sal ) (Entered: 05/31/2017)
06/08/2017	<u>84</u>	STATUS REPORT <i>Pursuant to the Court's May 24th Order</i> by R. C., C. I., F. K., J. P., M. R., V. W.. (Desgranges, Philip) (Entered: 06/08/2017)
06/09/2017	<u>85</u>	ORDER GRANTING EXTENSION OF TIME TO SUBMIT FINAL SETTLEMENT AGREEMENT : re <u>84</u> Status Report filed by F. K., C. I., R. C., M. R., J. P., V. W. (Status Report due by 6/16/2017.). Signed by Judge David N. Hurd on 6/9/2017.(ptm) (Entered: 06/09/2017)
06/16/2017	<u>86</u>	STATUS REPORT <i>Pursuant to the Court's June 9th Order</i> , by R. C., C. I., F. K., J. P., M. R., V. W.. (Kovel, Mariana) (Entered: 06/16/2017)
06/23/2017	<u>87</u>	STATUS REPORT <i>re. motion to preliminarily approve settlement</i> by R. C., C. I., F. K., J. P., M. R., V. W.. (Kovel, Mariana) (Entered: 06/23/2017)
06/26/2017	<u>88</u>	Joint MOTION Preliminary Approval of Class Action Settlement, Approval of Notice of Settlement filed by R. C., C. I., F. K., J. P., M. R., V. W.. (Attachments: # <u>1</u> Exhibit(s) 1 to Notice of Motion: Signed Stipulation, # <u>2</u> Proposed Order/Judgment Preliminarily approving Settlement, # <u>3</u> Memorandum of Law of Plaintiffs in support of Joint Motion, # <u>4</u> Declaration of Joshua Cotter in support of Joint Motion, # <u>5</u> Exhibit(s) A to Cotter Decl., FOIL request to Justice Center, # <u>6</u> Exhibit(s) B to Cotter Decl., List of Sheriff's Office Discovery, # <u>7</u> Exhibit(s) C to Cotter Decl., List of School District Discovery, # <u>8</u> Exhibit(s) D to Cotter Decl., Proposed Class Notice) Motions referred to David E. Peebles. (Desgranges, Philip) (Entered: 06/26/2017)
06/28/2017	<u>89</u>	ORDER: ORDERED that; 1. The proposed settlement agreement is preliminarily approved subject to further consideration at a Settlement Fairness Hearing; 2. The form of the Notice to the Class of the Settlement Agreement (the "Notice") is approved for distribution; 3. The Notice shall be distributed by the Onondaga County defendants on or before Friday, July 7, 2017 as follows: (a) copies shall be posted, and shall remained posted for forty-five days, in English and Spanish in prominent and visible locations accessible to all juvenile inmates on a daily basis, and (b) copies shall be delivered to every juvenile housed in the Justice Center during the forty-five day Notice period; 4. Defendants shall maintain, for a period of forty-five days, at least two copies of the proposed settlement agreement for review by juveniles in any unit where juveniles are housed; 5. The Onondaga County defendants shall file and serve on plaintiffs' counsel a declaration on or before Monday, July 10, 2017, affirming that these Notice requirements have been met; 6. Any class member shall have the right to

		submit a written objection to the Court in accordance with the Notice's terms; 7. Any such objection must be postmarked on or before Monday, August 21, 2017; 8. Any class member who does not timely make his or her objection in writing must do so in person at the Fairness Hearing; 9. Any class member who fails to object in writing or at the Fairness Hearing shall be deemed to have waived any such opportunity and shall forever be foreclosed from objecting to the proposed settlement agreement; and 10. A Fairness Hearing shall be held on Monday, August 28, 2017, at 11:00 a.m. in Utica, New York, at which time the Court will determine whether the Settlement Agreement should be given final approval as fair, reasonable, and adequate. Signed by Judge David N. Hurd on 6/28/17. (alh, ) (Entered: 06/28/2017)
07/10/2017	<u>90</u>	STATUS REPORT <i>Declaration</i> by Kevin M. Brisson, Eugene Conway, Esteban Gonzalez. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Certificate of Service)(Rhinehart, Carol) (Attachment 1 replaced on 7/13/2017) (ptm, ). (Entered: 07/10/2017)
07/13/2017		CLERK'S CORRECTION OF DOCKET ENTRY Per request of counsel corrected exhibit replaced at Attachment 90-1; re <u>90</u> Status Report. (ptm) (Entered: 07/13/2017)
08/04/2017	<u>91</u>	NOTICE of Settlement <i>Proposed Class Action</i> by Kevin M. Brisson, Eugene Conway, Esteban Gonzalez (Attachments: # <u>1</u> Certificate of Service)(Rhinehart, Carol) (Entered: 08/04/2017)
08/04/2017	<u>92</u>	CERTIFICATE OF SERVICE by Kevin M. Brisson, Eugene Conway, Esteban Gonzalez re <u>91</u> Notice of Settlement (Rhinehart, Carol) (Entered: 08/04/2017)
08/07/2017	<u>93</u>	CERTIFICATE OF SERVICE by Kevin M. Brisson, Eugene Conway, Esteban Gonzalez re <u>91</u> Notice of Settlement (Rhinehart, Carol) (Entered: 08/07/2017)
08/23/2017	<u>94</u>	STATUS REPORT <i>Regarding a Change in the Appearance Time of Counsel for the August 28th Fairness Hearing</i> by R. C., C. I., F. K., J. P., M. R., V. W.. (Cotter, Joshua) (Entered: 08/23/2017)
08/24/2017	<u>95</u>	Joint MOTION Final Approval of Class-Action Settlement Motion Hearing set for 8/28/2017 02:00 PM in Utica before Judge David N. Hurd Response to Motion due by 8/11/2017 filed by R. C., C. I., F. K., J. P., M. R., V. W.. (Attachments: # <u>1</u> Memorandum of Law Plaintiffs' Memorandum of Law in Support of Joint Motion, # <u>2</u> Declaration Supplemental Declaration of Joshua Cotter in Support of Joint Motion, # <u>3</u> Proposed Order/Judgment Proposed Order Granting Joint Motion for Final Approval) Motions referred to David E. Peebles. (Desgranges, Philip) (Entered: 08/24/2017)
08/28/2017		TEXT Minute Entry for proceedings held before Judge David N. Hurd in Utica, NY. Fairness Hearing held on 8/28/2017. Judge Hurd hears statements from counsel, notes that no objections have been received and approves and Grants Final Approval of Class-Action Settlement, will sign the Stipulation and Order for a Final Settlement Agreement and further orders that the action remain open until November 2, 2017, pursuant to the Class Action Fairness Act. Plaintiff is directed to file a status report no later than November 2, 2017. Appearances: Joshua T. Cotter, Esq., Phillip L. Desgranges, Esq. Susan M. Young and Samuel C. Young, Esq., for plaintiffs R. C., C. I., F. K., J. P., M. R., V. W. Carol L. Rhinehart, Esq., for defendants Kevin M. Brisson, Eugene Conway, Esteban Gonzalez. Jonathan B. Fellows, Esq. for defendant Syracuse City School District. (Court Reporter Nancy Freddoso) (ptm) (Entered: 08/28/2017)
08/28/2017	<u>96</u>	ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT. Signed by Judge David N. Hurd on 8/28/2017. (ptm) (Entered: 08/28/2017)
08/28/2017	<u>97</u>	STIPULATION AND ORDER FOR A FINAL SETTLEMENT AGREEMENT. Signed by Judge David N. Hurd on 8/28/2017. (ptm) (Entered: 08/28/2017)
11/02/2017	<u>98</u>	STATUS REPORT <i>regarding class member responses to class-action settlement</i> by R. C., C. I., F. K., J. P., M. R., V. W.. (Desgranges, Philip) (Entered: 11/02/2017)
12/13/2017	99	TEXT ORDER CLOSING CASE : Court having issued an order granting final approval of the Stipulation and Order for a Final Settlement Agreement (See Dkt. No. <u>97</u> ) and further ordered that the action remain open pursuant to the Class Action Fairness Act. The 90-day notice period under the Class Action Fairness Act having ended and the parties having not received any class-member objections to the settlement agreement, this matter is hereby closed. So Ordered by Judge David N. Hurd on 12/13/2017. (ptm) (Entered: 12/13/2017)



04/04/2018	<u>100</u>	MOTION to Withdraw as Attorney <i>for Plaintiffs and Plaintiff Class</i> filed by R. C., C. I., F. K., J. P., M. R., V. W.. Motions referred to David E. Peebles. (Kovel, Mariana) (Entered: 04/04/2018)
04/05/2018	101	TEXT ORDER granting <u>100</u> Motion to Withdraw as Attorney by Mariana L. Kovel, Esq. as counsel of record for plaintiffs. Attorney Mariana L. Kovel terminated. Authorized by Magistrate Judge David E. Peebles on 4/5/2018. (sal ) (Entered: 04/05/2018)
10/31/2019	<u>102</u>	Letter Motion from Carol L. Rhinehart, Esq. for Kevin M. Brisson, Eugene Conway, Esteban Gonzalez requesting that the term of the Agreement be deemed expired submitted to Judge Hurd . (Rhinehart, Carol) (Entered: 10/31/2019)
11/08/2019	<u>103</u>	ORDER granting the # <u>102</u> Letter Request. Signed by Judge David N. Hurd on 11/8/2019. (meb) (Entered: 11/08/2019)