

**U.S. District Court
Western District of Pennsylvania (Pittsburgh)
CIVIL DOCKET FOR CASE #: 2:16-cv-01879-CRE**

SEITZ et al v. ALLEGHENY COUNTY et al
Assigned to: Magistrate Judge Cynthia Reed Eddy
Cause: 42:1983pr Prisoner Civil Rights

Date Filed: 12/19/2016
Date Terminated: 11/15/2017
Jury Demand: None
Nature of Suit: 555 Prisoner Civil Rights
(Prison Condition)
Jurisdiction: Federal Question

Plaintiff

ELIZABETH SEITZ

represented by **Aleksandra V. Williams**

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Plaintiff

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Plaintiff

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Defendant

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Defendant

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Defendant

SIMON WAINWRIGHT

Deputy Warden

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Defendant

MONICA LONG

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Defendant

SGT. JESSE ANDRASCIK

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Date Filed	#	Docket Text
12/19/2016	<u>1</u>	CLASS ACTION COMPLAINT against ALLEGHENY COUNTY, JESSE ANDRASCIK, ORLANDO HARPER, MONICA LONG, SIMON WAINWRIGHT (Filing fee, including Administrative fee, \$400, receipt number 0315-4184763), filed by MERSIHA TUZLIC, JILL HENDRICKS, KIARI DAY, ELIZABETH SEITZ, RIVA DEPASSE. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit A, # <u>3</u> Summons Allegheny County, # <u>4</u> Summons Orlando Harper, # <u>5</u> Summons Simon Wainwright, # <u>6</u> Summons Monica Long, # <u>7</u> Summons Jesse Andrasckik) (jsp) (Entered: 12/19/2016)
12/19/2016		Summons Issued as to *ALLEGHENY COUNTY, JESSE ANDRASCIK, ORLANDO HARPER, MONICA LONG, SIMON WAINWRIGHT* (jsp) (Entered: 12/19/2016)
12/28/2016	<u>2</u>	WAIVER OF SERVICE Returned Executed by JILL HENDRICKS, MERSIHA TUZLIC, KIARI DAY, ELIZABETH SEITZ, RIVA DEPASSE. ALLEGHENY COUNTY waiver sent on 12/19/2016, answer due 2/17/2017. (Fawcett, David) (Entered: 12/28/2016)
12/28/2016	<u>3</u>	WAIVER OF SERVICE Returned Executed by JILL HENDRICKS, MERSIHA TUZLIC, KIARI DAY, ELIZABETH SEITZ, RIVA DEPASSE. ORLANDO

		HARPER waiver sent on 12/19/2016, answer due 2/17/2017. (Fawcett, David) (Entered: 12/28/2016)
12/28/2016	<u>4</u>	WAIVER OF SERVICE Returned Executed by JILL HENDRICKS, MERSIHA TUZLIC, KIARI DAY, ELIZABETH SEITZ, RIVA DEPASSE. SIMON WAINWRIGHT waiver sent on 12/19/2016, answer due 2/17/2017. (Fawcett, David) (Entered: 12/28/2016)
12/28/2016	<u>5</u>	WAIVER OF SERVICE Returned Executed by JILL HENDRICKS, MERSIHA TUZLIC, KIARI DAY, ELIZABETH SEITZ, RIVA DEPASSE. MONICA LONG waiver sent on 12/19/2016, answer due 2/17/2017. (Fawcett, David) (Entered: 12/28/2016)
12/28/2016	<u>6</u>	WAIVER OF SERVICE Returned Executed by JILL HENDRICKS, MERSIHA TUZLIC, KIARI DAY, ELIZABETH SEITZ, RIVA DEPASSE. JESSE ANDRASCIK waiver sent on 12/19/2016, answer due 2/17/2017. (Fawcett, David) (Entered: 12/28/2016)
01/11/2017	<u>7</u>	NOTICE of Appearance by John A. Bacharach on behalf of ALLEGHENY COUNTY, JESSE ANDRASCIK, ORLANDO HARPER, MONICA LONG, SIMON WAINWRIGHT. (Bacharach, John) (Entered: 01/11/2017)
02/14/2017	<u>8</u>	MOTION to Certify Class by KIARI DAY, RIVA DEPASSE, JILL HENDRICKS, ELIZABETH SEITZ, MERSIHA TUZLIC. (Attachments: # <u>1</u> Proposed Order) (Morgan-Kurtz, Alexandra) (Entered: 02/14/2017)
02/14/2017	<u>9</u>	BRIEF in Support re <u>8</u> Motion to Certify Class filed by KIARI DAY, RIVA DEPASSE, JILL HENDRICKS, ELIZABETH SEITZ, MERSIHA TUZLIC. (Morgan-Kurtz, Alexandra) (Entered: 02/14/2017)
02/15/2017	<u>10</u>	ORDER: A Telephone Status Conference is hereby scheduled for 2/23/2017 at 03:00 PM before Magistrate Judge Cynthia Reed Eddy re <u>8</u> Motion to Certify Class filed by KIARI DAY, ELIZABETH SEITZ, JILL HENDRICKS, RIVA DEPASSE, MERSIHA TUZLIC. No briefing schedule will issue until after the Telephone Status Conference. Signed by Magistrate Judge Cynthia Reed Eddy on 2/15/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (sms) (Entered: 02/15/2017)
02/15/2017	<u>11</u>	TEXT ORDER: In accordance with the case management system in place in this district, this case has been assigned to the undersigned for all pretrial matters. Therefore, it is ORDERED that on or before 2/22/2017, the parties shall complete an election form either consenting to jurisdiction by the Magistrate Judge or electing to have a District Judge assigned to the case, and shall file the form with the Clerk's Office. A copy of the form can be found on this Court's website at: http://www.pawd.uscourts.gov/sites/pawd/files/Consent-to-Mag.pdf . Signed by Magistrate Judge Cynthia Reed Eddy on 2/15/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (sms) (Entered: 02/15/2017)
02/15/2017	<u>12</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint, filed by KIARI DAY, ELIZABETH SEITZ, JILL HENDRICKS, RIVA DEPASSE, MERSIHA TUZLIC by ALLEGHENY COUNTY, JESSE ANDRASCIK, ORLANDO HARPER, MONICA LONG, SIMON WAINWRIGHT. (Attachments: # <u>1</u> Proposed Order) (Bacharach, John) (Entered: 02/15/2017)
02/16/2017	<u>13</u>	ORDER granting <u>12</u> Motion for Extension of Time to Answer. ALLEGHENY COUNTY answer due 3/20/2017; JESSE ANDRASCIK answer due 3/20/2017; ORLANDO HARPER answer due 3/20/2017; MONICA LONG answer due 3/20/2017; SIMON WAINWRIGHT answer due 3/20/2017. Signed by Magistrate Judge Cynthia Reed Eddy on 2/16/2017. (sms) (Entered: 02/16/2017)
02/22/2017	<u>14</u>	CONSENT to Trial/Jurisdiction by US Magistrate Judge by ALLEGHENY COUNTY, JESSE ANDRASCIK, ORLANDO HARPER, MONICA LONG, SIMON WAINWRIGHT. (Bacharach, John) (Entered: 02/22/2017)
02/22/2017	<u>15</u>	CONSENT to Trial/Jurisdiction by US Magistrate Judge by KIARI DAY, RIVA DEPASSE, JILL HENDRICKS, ELIZABETH SEITZ, MERSIHA TUZLIC. (Rose, Sara) (Entered: 02/22/2017)

02/22/2017	<u>16</u>	ORDER: The Telephone Status Conference set for 2/23/2017 at 3:00 PM is hereby RESCHEDULED as an in-person Status Conference on 2/23/2017 at 02:30 PM in Room 10160 before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 2/22/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (sms) (Entered: 02/22/2017)
02/23/2017	<u>17</u>	Minute Entry for Status Conference held before Magistrate Judge Cynthia Reed Eddy on 2/23/2017. A Status Conference is set for 4/7/2017 at 09:30 AM in Room 10160 before Magistrate Judge Cynthia Reed Eddy. (Court Reporter: none) (sms) (Entered: 02/23/2017)
03/14/2017	<u>18</u>	Second MOTION for Extension of Time to File Response/Reply by ALLEGHENY COUNTY, JESSE ANDRASCIK, ORLANDO HARPER, MONICA LONG, SIMON WAINWRIGHT. (Bacharach, John) (Entered: 03/14/2017)
03/14/2017	<u>19</u>	Proposed Order re <u>18</u> Motion for Extension of Time to File Response/Reply by ALLEGHENY COUNTY, JESSE ANDRASCIK, ORLANDO HARPER, MONICA LONG, SIMON WAINWRIGHT. (Bacharach, John) (Entered: 03/14/2017)
03/15/2017	<u>20</u>	ORDER granting <u>18</u> Motion for Extension of Time to File Response/Reply to the Complaint. The new deadline for the Response/Reply will be addressed at the conference scheduled for 4/7/17. Signed by Magistrate Judge Cynthia Reed Eddy on 3/15/17. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (Eddy, J.) (Entered: 03/15/2017)
03/30/2017	<u>21</u>	ORDER: The Status Conference set for 4/7/2017 is hereby RESCHEDULED for 4/10/2017 at 02:00 PM in Room 10160 before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 3/30/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (sms) (Entered: 03/30/2017)
04/10/2017	<u>22</u>	Minute Entry for Status Conference held before Magistrate Judge Cynthia Reed Eddy on 4/10/2017. Status Conference set for 5/12/2017 at 10:00 AM in Room 10160 before Magistrate Judge Cynthia Reed Eddy. (Court Reporter: none) (sms) (Entered: 04/10/2017)
05/09/2017	<u>23</u>	REPORT of Rule 26(f) Planning Meeting. (Morgan-Kurtz, Alexandra) (Entered: 05/09/2017)
05/12/2017	<u>24</u>	Minute Entry for Status Conference held before Magistrate Judge Cynthia Reed Eddy on 5/12/2017. (Court Reporter: none) (sms) (Entered: 05/12/2017)
05/12/2017	<u>25</u>	ORDER holding in abeyance <u>8</u> Motion to Certify Class until further notice. Signed by Magistrate Judge Cynthia Reed Eddy on 5/12/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (sms) (Entered: 05/12/2017)
05/12/2017	<u>26</u>	CASE MANAGEMENT ORDER: The parties shall move to amend the pleadings or add new parties by 6/7/2017. Class and Fact Discovery due by 9/5/2017. Plaintiffs' Expert Reports due by 10/5/2017. Defendants' Expert Reports due by 11/6/2017. Expert Depositions to be completed by 12/6/2017. The parties are scheduled to attend a mediation session with Judge Lenihan on 7/13/2017. Mid-Discovery Status Conference set for 7/26/2017 at 10:00 AM in Room 10160 before Magistrate Judge Cynthia Reed Eddy. Plaintiffs' Motion for Class Certification due by 9/6/2017. Defendants' Brief in Opposition due by 10/6/2017. Plaintiffs' Reply brief, if any, due by 10/20/2017. Hearing on Class Certification set for 11/1/2017 at 10:00 AM in Courtroom 10A before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 5/12/2017. (sms) (Entered: 05/12/2017)
05/15/2017	<u>27</u>	ORDER REFERRING CASE to Magistrate Judge Lisa Pupo Lenihan for the purpose of conducting Mediation. Signed by Magistrate Judge Cynthia Reed Eddy on 5/15/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (sms) (Entered: 05/15/2017)
06/09/2017	<u>28</u>	ORDER that a mediation in the above captioned case is scheduled before Magistrate Judge Lisa Pupo Lenihan on July 7, 2017, starting 10:00 AM and ending at 1:00 PM.

		The mediation will be held in Courtroom 7B of the U.S. Post Office and Courthouse, 700 Grant Street, Pittsburgh, PA. No later than June 19, 2017, each party shall submit a confidential mediation statement to the magistrate judge. The mediation statement shall not become part of the file of the case, but shall be for the exclusive use of the magistrate judge in preparing for and conducting the mediation. The mediation statement shall be no longer than five pages. A premediation telephone conference is scheduled for July 5, 2017 at 11:00 AM. Counsel shall call into the conference by dialing 888-363-4749 and enter an access code of 6019141. If asked for a security code, use * to bypass. Signed by Magistrate Judge Lisa Pupo Lenihan on 06/09/2017. (jmb) (Entered: 06/09/2017)
07/05/2017	<u>29</u>	Minute Entry for proceedings held before Magistrate Judge Lisa Pupo Lenihan: Pre-Mediation Telephone Conference was held on 7/5/2017. Mediation is set for 7/7/17 at 10:00 a.m. No plaintiffs will be in attendance. The county solicitor and Warden Harper will be in attendance. (Court Reporter: none) (clh) (Entered: 07/05/2017)
07/10/2017	<u>30</u>	Minute Entry for proceedings held before Magistrate Judge Lisa Pupo Lenihan: A Mediation was held on 7/7/2017. A tentative settlement was reached, pending resolution of the remaining issues relative to the Allegheny County Jails Policy on pregnant inmates. The Defendants will provide proposed Policy language to Plaintiffs no later than July 20, 2017. A final settlement conference is scheduled with Judge Lenihan on July 26, 2017 at 3:00 PM. (Court Reporter: Shrtlely Hall) (jmb) (Entered: 07/10/2017)
07/26/2017	31	ORDER: The Mid-Discovery Status Conference set for 7/26/2017 at 10:00 AM before Magistrate Judge Cynthia Reed Eddy is cancelled. Signed by Magistrate Judge Cynthia Reed Eddy on 7/26/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (sms) (Entered: 07/26/2017)
07/26/2017	<u>32</u>	Minute Entry for proceedings held before Magistrate Judge Lisa Pupo Lenihan: A Status Conference was held on 7/26/2017. The remaining issues within revised policy on "Management of Pregnant Females" were discussed and agreed to. All documents referenced as attached to the policy will be provided to Plaintiffs by August 1, 2017. All revisions are acceptable with the exception of a requirement that either a physician or certified nurse mid-wife clear a pregnant inmate prior to placement in restricted housing. Monitoring language continues to be discussed. Plaintiffs to provide law to allow for the provision of names of pregnant inmates. A telephone conference is set for Thursday, August 3rd at 4:00 PM. Dial in information to be provided. (Court Reporter: none) (jmb) (Entered: 07/27/2017)
07/27/2017	33	ORDER that, for the Telephone Conference scheduled for August 3, 2017 at 4:00 PM, counsel shall dial 888-363-4749 and enter the access code of 6019141 to participate. If asked for a security code, use * to bypass. Signed by Magistrate Judge Lisa Pupo Lenihan on 07/27/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jmb) (Entered: 07/27/2017)
08/04/2017	<u>34</u>	Minute Entry for proceedings held before Magistrate Judge Lisa Pupo Lenihan: A Telephone Conference was held on 8/3/2017. Agreement has been reached on all issues with the exception of the post settlement monitoring terms. Another mediation is set for 8/23/2017 at 10:00 AM in Courtroom 7B before Magistrate Judge Lisa Pupo Lenihan. The parties are encouraged to continue their discussions until that time. (Court Reporter: None) (clh) (Entered: 08/04/2017)
08/23/2017	<u>35</u>	Minute Entry for proceedings held before Magistrate Judge Lisa Pupo Lenihan: A Mediation was held on 8/23/2017. All outstanding issues were resolved. It will take some time to circulate the revised Settlement Agreement and obtain all the signatures. The parties will make best efforts to have the Settlement Agreement finalized by September 29, 2017. (Court Reporter: none) (jmb) (Entered: 08/23/2017)
08/24/2017	36	ORDER: A Telephone Status Conference is set for 8/29/2017 at 09:30 AM before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 8/24/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (sms) (Entered: 08/24/2017)

08/25/2017	<u>37</u>	MOTION to Continue by ALLEGHENY COUNTY, JESSE ANDRASCIK, ORLANDO HARPER, MONICA LONG, SIMON WAINWRIGHT. (Attachments: # <u>1</u> Proposed Order) (Bacharach, John) (Entered: 08/25/2017)
08/28/2017	38	ORDER granting <u>37</u> Motion to Continue. The Telephone Status Conference set for 8/29/2017 at 09:30 AM is continued to 8/29/2017 at 02:00 PM before Magistrate Judge Cynthia Reed Eddy. Signed by Magistrate Judge Cynthia Reed Eddy on 8/28/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (sms) (Entered: 08/28/2017)
08/29/2017	<u>39</u>	Minute Entry for Telephone Status Conference held before Magistrate Judge Cynthia Reed Eddy on 8/29/2017. Joint Status Report due by 10/3/2017 . (Court Reporter: none) (sms) (Entered: 08/29/2017)
08/29/2017	40	Order to Vacate <u>26</u> Case Management Order. The parties having notified the Court that they are close to reaching final settlement in this matter, IT IS ORDERED that the <u>26</u> Case Management Order entered on May 12, 2017 and all of the deadlines and hearings set therein are hereby vacated. Signed by Magistrate Judge Cynthia Reed Eddy on 8/29/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (sms) (Entered: 08/29/2017)
10/03/2017	<u>41</u>	STATUS REPORT by KIARI DAY, RIVA DEPASSE, JILL HENDRICKS, ELIZABETH SEITZ, MERSIHA TUZLIC. (Grote, Bret) (Entered: 10/03/2017)
10/06/2017		Magistrate Judge Lisa Pupo Lenihan no longer referred for settlement. (sms) (Entered: 10/06/2017)
11/08/2017	<u>42</u>	CONSENT DECREE by ALLEGHENY COUNTY, JESSE ANDRASCIK, ORLANDO HARPER, MONICA LONG, SIMON WAINWRIGHT. (Bacharach, John) Error: Wrong event selected. Document removed from public view and re-filed using correct event. Modified on 11/9/2017. (jsp) (Entered: 11/08/2017)
11/08/2017	<u>44</u>	STIPULATED PROTECTIVE ORDER by ALLEGHENY COUNTY, JESSE ANDRASCIK, ORLANDO HARPER, MONICA LONG, SIMON WAINWRIGHT. (jsp) (Document previously filed electronically) (jsp). (Entered: 11/09/2017)
11/09/2017	<u>43</u>	STIPULATED ORDER of Dismissal by KIARI DAY, RIVA DEPASSE, JILL HENDRICKS, ELIZABETH SEITZ, MERSIHA TUZLIC. (Attachments: # <u>1</u> Exhibit) (Grote, Bret) Modified on 11/14/2017. (jsp) (Entered: 11/09/2017)
11/09/2017		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>42</u> Consent Decree. ERROR: Wrong event selected. CORRECTION: Re-docketed as Stipulated Protective Order. This message is for informational purposes only. (jsp) (Entered: 11/09/2017)
11/15/2017	<u>45</u>	ORDER approving <u>44</u> Stipulated Protective Order filed by ALLEGHENY COUNTY, ORLANDO HARPER, SIMON WAINWRIGHT, JESSE ANDRASCIK, MONICA LONG. Signed by Magistrate Judge Cynthia Reed Eddy on 11/15/2017. (sms) (Entered: 11/15/2017)
11/15/2017	<u>46</u>	ORDER DISMISSING CASE upon <u>43</u> STIPULATED ORDER of Dismissal by KIARI DAY, RIVA DEPASSE, JILL HENDRICKS, ELIZABETH SEITZ, MERSIHA TUZLIC. The claims are DISMISSED with prejudice and without costs as more fully stated in the attached Order. Signed by Magistrate Judge Cynthia Reed Eddy on 11/15/2017. (sms) (Entered: 11/15/2017)