

**United States Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007**

DEBRA ANN LIVINGSTON
CHIEF JUDGE

Date: August 04, 2022
Docket #: 22-1687
Short Title: Springs v. City of New York

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

DC Docket #: 17-cv-451
DC Court: SDNY (NEW YORK
CITY)
DC Judge: McMahon
DC Judge: Wang

DOCKETING NOTICE

A notice of appeal filed by Gordon Springs in the above referenced case was docketed today as 22-1687. This number must appear on all documents related to this case that are filed in this Court. For pro se parties the docket sheet with the caption page, and an Acknowledgment and Notice of Appearance Form are enclosed. In counseled cases the docket sheet is available on PACER. Counsel must access the Acknowledgment and Notice of Appearance Form from this Court's website <http://www.ca2.uscourts.gov>.

The form must be completed and returned within 14 days of the date of this notice. The form requires the following information:

YOUR CORRECT CONTACT INFORMATION: Review the party information on the docket sheet and note any incorrect information in writing on the Acknowledgment and Notice of Appearance Form.

The Court will contact one counsel per party or group of collectively represented parties when serving notice or issuing our order. Counsel must designate on the Acknowledgment and Notice of Appearance a lead attorney to accept all notices from this Court who, in turn will, be responsible for notifying any associated counsel.

CHANGE IN CONTACT INFORMATION: An attorney or pro se party who does not immediately notify the Court when contact information changes will not receive notices, documents and orders filed in the case.

An attorney and any pro se party who is permitted to file documents electronically in CM/ECF must notify the Court of a change to the user's mailing address, business address, telephone

number, or e-mail. To update contact information, a Filing User must access PACER's Manage My Appellate Filer Account, <https://www.pacer.gov/psco/cgi-bin/cmecf/ea-login.pl>. The Court's records will be updated within 1 business day of a user entering the change in PACER.

A pro se party who is not permitted to file documents electronically must notify the Court of a change in mailing address or telephone number by filing a letter with the Clerk of Court.

CAPTION: In an appeal, the Court uses the district court caption pursuant to FRAP 12(a), 32(a). For a petition for review or original proceeding the Court uses a caption pursuant to FRAP 15(a) or 21(a), respectively. Please review the caption carefully and promptly advise this Court of any improper or inaccurate designations in writing on the Acknowledgment and Notice of Appearance form. If a party has been terminated from the case the caption may reflect that change only if the district court judge ordered that the caption be amended.

APPELLATE DESIGNATIONS: Please review whether appellant is listed correctly on the party listing page of the docket sheet and in the caption. If there is an error, please note on the Acknowledgment and Notice of Appearance Form. Timely submission of the Acknowledgment and Notice of Appearance Form will constitute compliance with the requirement to file a Representation Statement required by FRAP 12(b).

For additional information consult the Court's instructions posted on the website.

Inquiries regarding this case may be directed to 212-857-8503.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
GORDON SPRINGS,

Plaintiff,

Civ. No. 17-451 (CM)

-against-

NOTICE OF APPEAL

THE CITY OF NEW YORK et al.,

Defendants.

-----X

NOTICE is hereby given that the above-captioned Plaintiff hereby appeals to the United States Court of Appeals for the Second Circuit from the Judgment dated and entered on July 28, 2022, dismissing Plaintiff’s Complaint following a jury verdict in favor of the defendants. (Doc. 192), a copy of which is attached hereto as **Exhibit A**.

Dated: New York, New York
August 1, 2022

McCALLION & ASSOCIATES LLP

/s/ Kenneth F. McCallion

By: Kenneth F. McCallion (KFM 1591)
100 Park Avenue – 16th floor
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(646) 366-0884
Attorneys for Plaintiff

CLOSED,APPEAL,CASREF,ECF,MEDTFR4

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:17-cv-00451-CM**

Springs v. City of New York et al
Assigned to: Judge Colleen McMahon
Referred to: Magistrate Judge Ona T. Wang (Settlement)
Cause: 28:1331ed Fed. Question: Employment Discrimination

Date Filed: 01/20/2017
Date Terminated: 07/28/2022
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Gordon Springs

represented by **Alexander Gabriel Cabeceiras**
Derek Smith Law Group, PLLC
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212-587-0760
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TERMINATED: 04/08/2021
LEAD ATTORNEY

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Paul Liggieri
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ATTORNEY TO BE NOTICED

V.

Defendant

City of New York

represented by **Kimberly Kirsten Brown**
The City of New York Law Department
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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Joseph Anci
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212-356-1106
Fax: 212-356-2439
Email: janci@law.nyc.gov
ATTORNEY TO BE NOTICED

Defendant

Fire Commissioner Daniel A. Nigro
Individually
TERMINATED: 03/29/2019

represented by **Joseph Anci**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Lieutenant Edward Vreeland
Individually
TERMINATED: 03/29/2019

represented by **Joseph Anci**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Pedro Aristy
individually
TERMINATED: 11/15/2019

represented by **Kevin James Murtagh**
Ahmuty, Demers & McManus
200 I.U. Willets Road
Albertson, NY 11507
(516)-536-9738
Fax: (516)-294-5387
Email: kevin.murtagh@admlaw.com
ATTORNEY TO BE NOTICED

Defendant

Charles Swift
individually

represented by **Brian Frederick Mark**
Hurwitz Fine P.C.
535 Broad Hollow Road, Suite A-7
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Melville, NY 11747
631-465-0700
Fax: 631-465-0313
Email: bfm@hurwitzfine.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Peter Grillo
Individually

represented by **Brian Frederick Mark**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Pedro Aristy
in their respective capacities as members
of the Fire Department of the City of New
York
TERMINATED: 11/15/2019

represented by **Kevin James Murtagh**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Fire Commissioner Daniel A. Nigro
in their respective capacities as members
of the Fire Department of the City of New
York
TERMINATED: 03/29/2019

represented by **Joseph Anci**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Lieutenant Edward Vreeland
in their respective capacities as members
of the Fire Department of the City of New
York
TERMINATED: 03/29/2019

represented by **Joseph Anci**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Charles Swift
in their respective capacities as members
of the Fire Department of the City of New
York

represented by **Brian Frederick Mark**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Peter Grillo
in their respective capacities as members
of the Fire Department of the City of New
York

represented by **Brian Frederick Mark**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/20/2017	<u>1</u>	COMPLAINT against PEDRO ARISTY, CITY OF NEW YORK, PETER GRILLO, Daniel A. Nigro, CHARLES SWIFT, EDWARD VREELAND. (Filing Fee \$ 400.00, Receipt Number 0208-13224016) Document filed by Gordon Springs.(Liggieri, Paul) (Entered: 01/20/2017)
01/23/2017	<u>2</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – COMPLAINT against PEDRO ARISTY, CITY OF NEW YORK, PETER GRILLO, Daniel A. Nigro, CHARLES SWIFT, EDWARD VREELAND. Document filed by Gordon Springs.(Liggieri, Paul) Modified on 1/23/2017 (kl). (Entered: 01/23/2017)
01/23/2017	<u>3</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – COMPLAINT against PEDRO ARISTY, CITY OF NEW YORK, PETER GRILLO, Daniel A. Nigro, CHARLES SWIFT, EDWARD VREELAND. Document filed by Gordon Springs.(Liggieri, Paul) Modified on 1/23/2017 (kl). (Entered: 01/23/2017)
01/23/2017		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Paul Liggieri. The party information for the following party/parties has been modified: CITY OF NEW YORK, Daniel A. Nigro, Edward Vreeland, Pedro Aristy, Charles Swift, Peter Grillo. The information for the party/parties has been modified for the following reason/reasons: party name was entered in all

		caps; party text was omitted. (kl) (Entered: 01/23/2017)
01/23/2017		***NOTICE TO ATTORNEY REGARDING DEFICIENT PLEADING. Notice to Attorney Paul Liggieri re: Document No. <u>1</u> Complaint. The filing is deficient for the following reason(s): all of the parties listed on the pleading were not entered on CM ECF; PARTIES DANIEL A. NIGRO, EDWARD VREELAND AND PETER GRILLO WERE ENTERED AS INDIVIDUALLY. PLEASE ENTER THOSE PARTIES IN THEIR RESPECTIVE CAPACITY. Docket the event type Add Party to Pleading found under the event list Complaints and Other Initiating Documents. (kl) (Entered: 01/23/2017)
01/23/2017		***NOTICE TO ATTORNEY REGARDING DEFICIENT CIVIL COVER SHEET. Notice to attorney Paul Liggieri to RE-FILE Document No. <u>2</u> Complaint, <u>3</u> Complaint. The filing is deficient for the following reason(s): the event wrong event type was used to file the civil cover sheet. Re-file the document using the event type Civil Cover Sheet found under the event list Other Documents and attach the correct PDF. (kl) (Entered: 01/23/2017)
01/23/2017		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Alison J. Nathan. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (kl) (Entered: 01/23/2017)
01/23/2017		Magistrate Judge Andrew J. Peck is so designated. (kl) (Entered: 01/23/2017)
01/23/2017		Case Designated ECF. (kl) (Entered: 01/23/2017)
01/23/2017	<u>4</u>	COMPLAINT against Pedro Aristy, City of New York, Peter Grillo, Daniel A. Nigro, Charles Swift, Edward Vreeland. Document filed by Gordon Springs. (Attachments: # <u>1</u> Civil Cover Sheet Civil Cover Sheet)(Liggieri, Paul) (Entered: 01/23/2017)
02/03/2017	<u>5</u>	NOTICE OF INITIAL PRETRIAL CONFERENCE: Initial Conference set for 5/12/2017 at 03:15 PM in Courtroom 906, 40 Centre Street, New York, NY 10007 before Judge Alison J. Nathan. Parties ordered to submit via ECF proposed case management plan and joint letter seven days before conference. (Signed by Judge Alison J. Nathan on 2/2/2017) (anc) (Entered: 02/03/2017)
03/20/2017	<u>6</u>	REQUEST FOR ISSUANCE OF SUMMONS as to The City of New York, Daniel A. Nigro, Edward Vreeland, Pedro Aristy, Charles Swift, Peter Grillo, re: <u>4</u> Complaint, <u>1</u> Complaint. Document filed by Gordon Springs. (Liggieri, Paul) (Entered: 03/20/2017)
03/21/2017	<u>7</u>	ELECTRONIC SUMMONS ISSUED as to Pedro Aristy, City of New York, Peter Grillo, Daniel A. Nigro, Charles Swift, Edward Vreeland. (pc) (Entered: 03/21/2017)
03/21/2017		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Paul Liggieri. The party information for the following party/parties has been modified: Pedro Aristy and Charles Swift. The information for the party/parties has been modified for the following reason/reasons: party text was omitted. (pc) (Entered: 03/21/2017)
03/21/2017		***NOTICE TO ATTORNEY REGARDING DEFICIENT CIVIL COVER SHEET. Notice to attorney Paul Liggieri to RE-FILE Document No. <u>4</u> Complaint. The filing is deficient for the following reason(s): the event wrong event type was used to file the civil cover sheet; File the civil cover sheet as its own event type, not as an attachment to the complaint. Re-file the document using the event type Civil Cover Sheet found under the event list Other Documents and attach the correct PDF. (pc) (Entered: 03/21/2017)
03/22/2017		ADD PARTY FOR PLEADING. Defendants/Respondents Pedro Aristy, City of New York, Peter Grillo, Daniel A. Nigro, Charles Swift, Edward Vreeland, Pedro Aristy, Daniel A. Nigro, Edward Vreeland, Charles Swift, PETER GRILLO added. Party added pursuant to <u>1</u> Complaint. Document filed by Gordon Springs. Related document: <u>1</u> Complaint filed by Gordon Springs.(Liggieri, Paul) (Entered: 03/22/2017)

03/22/2017	<u>8</u>	CIVIL COVER SHEET filed. (Liggieri, Paul) (Entered: 03/22/2017)
03/23/2017		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Paul Liggieri. The party information for the following party/parties has been modified: Pedro Aristy, Peter Grillo, Daniel A. Nigro, Charles Swift, Edward Vreeland. The information for the party/parties has been modified for the following reason/reasons: party name was entered in all caps; party text was omitted. (pc) (Entered: 03/23/2017)
04/20/2017	<u>9</u>	CONSENT LETTER MOTION for Extension of Time to File <i>an answer or to otherwise respond to the complaint</i> addressed to Judge Alison J. Nathan from Joseph Anci dated April 20, 2017. Document filed by City of New York.(Anci, Joseph) (Entered: 04/20/2017)
04/21/2017	<u>10</u>	ORDER granting <u>9</u> Letter Motion for Extension of Time to File an answer or to otherwise respond to the complaint. SO ORDERED. (Signed by Judge Alison J. Nathan on 4/21/2017) (ras) (Entered: 04/21/2017)
04/21/2017		Set/Reset Deadlines: City of New York answer due 5/31/2017. (ras) (Entered: 04/21/2017)
05/05/2017	<u>11</u>	JOINT LETTER MOTION to Adjourn Conference <i>Scheduled for May 12, 2017</i> addressed to Judge Alison J. Nathan from Joseph Anci dated May 5, 2017. Document filed by City of New York.(Anci, Joseph) (Entered: 05/05/2017)
05/05/2017	<u>12</u>	ORDER granting <u>11</u> Letter Motion to Adjourn Conference. The initial pre-trial conference is hereby adjourned to June 16, 2017, at 2:00 p.m. Initial Conference set for 6/16/2017 at 02:00 PM before Judge Alison J. Nathan. (Signed by Judge Alison J. Nathan on 5/5/2017) (mro) (Entered: 05/08/2017)
05/25/2017	<u>13</u>	CONSENT LETTER MOTION for Extension of Time to File <i>an answer or to otherwise respond to the complaint</i> addressed to Judge Alison J. Nathan from Joseph Anci dated May 25, 2017. Document filed by City of New York.(Anci, Joseph) (Entered: 05/25/2017)
05/26/2017	<u>14</u>	ORDER: granting <u>13</u> Letter Motion for Extension of Time to file Answer to Complaint. So Ordered. Answer due by 6/14/2017. (Signed by Judge Alison J. Nathan on 5/26/2017) (ap) (Entered: 05/26/2017)
05/26/2017		Set/Reset Deadlines: Pedro Aristy answer due 6/14/2017; Pedro Aristy answer due 6/14/2017; City of New York answer due 6/14/2017; Peter Grillo (Individually) answer due 6/14/2017; Peter Grillo (in their respective capacities as members of the Fire Department of the City of New York) answer due 6/14/2017; Daniel A. Nigro answer due 6/14/2017; Daniel A. Nigro answer due 6/14/2017; Charles Swift answer due 6/14/2017; Charles Swift answer due 6/14/2017; Edward Vreeland answer due 6/14/2017; Edward Vreeland answer due 6/14/2017. (ap) (Entered: 05/26/2017)
06/13/2017	<u>15</u>	JOINT LETTER MOTION to Adjourn Conference <i>Scheduled for June 16, 2017</i> addressed to Judge Alison J. Nathan from Joseph Anci dated June 13, 2017. Document filed by City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland.(Anci, Joseph) (Entered: 06/13/2017)
06/13/2017	<u>16</u>	CONSENT LETTER MOTION for Extension of Time <i>an answer or to otherwise respond to the complaint</i> addressed to Judge Alison J. Nathan from Joseph Anci dated J. Document filed by City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland.(Anci, Joseph) (Entered: 06/13/2017)
06/14/2017	<u>17</u>	ORDER granting <u>16</u> Letter Motion for Extension of Time. SO ORDERED. (Signed by Judge Alison J. Nathan on 6/14/2017) (ras) (Entered: 06/14/2017)
06/14/2017		Set/Reset Deadlines: City of New York answer due 6/21/2017; Daniel A. Nigro answer due 6/21/2017; Daniel A. Nigro answer due 6/21/2017; Edward Vreeland answer due 6/21/2017; Edward Vreeland answer due 6/21/2017. (ras) (Entered: 06/14/2017)
06/14/2017	<u>18</u>	ORDER: granting <u>15</u> Letter Motion to Adjourn Conference. The initial pre-trial conference is hereby adjourned to July 14, 2017, at 3:00 p.m. SO ORDERED. Initial Conference set for 7/14/2017 at 03:00 PM before Judge Alison J. Nathan. (Signed by Judge Alison J. Nathan on 6/14/2017) (ap) (Entered: 06/14/2017)

06/21/2017	<u>19</u>	ANSWER to <u>4</u> Complaint. Document filed by City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland.(Anci, Joseph) (Entered: 06/21/2017)
06/22/2017	<u>20</u>	ORDER OF AUTOMATIC REFERRAL TO MEDIATION (See M-10-468 Second Amended Standing Order). Please reference the Pilot Discovery Protocols, attached, and the Mediation Program Procedures (http://nysd.uscourts.gov/mediation). E-mail MediationOffice@nysd.uscourts.gov, telephone 212-805-0643. Mediator to be Assigned by 7/3/2017. (Signed by Judge Loretta A. Preska on 10/1/15) (mf) (Entered: 06/22/2017)
06/23/2017		NOTICE OF MEDIATOR ASSIGNMENT – Notice of assignment of mediator. Mediator Schedule due by 7/24/2017.(cda) (Entered: 06/23/2017)
07/06/2017	<u>21</u>	CONSENT LETTER MOTION for Extension of Time to File <i>an answer or to otherwise respond to the complaint</i> addressed to Judge Alison J. Nathan from Kevin J. Murtagh dated July 6, 2017. Document filed by Pedro Aristy, Pedro Aristy.(Murtagh, Kevin) (Entered: 07/06/2017)
07/07/2017	<u>22</u>	NOTICE OF APPEARANCE by Brian Frederick Mark on behalf of Peter Grillo(Individually), Charles Swift. (Mark, Brian) (Entered: 07/07/2017)
07/07/2017	<u>23</u>	LETTER addressed to Judge Alison J. Nathan from Brian F. Mark, Esq. dated July 7, 2017 re: Request extension of time to answer or otherwise respond to complaint. Document filed by Peter Grillo(Individually), Charles Swift.(Mark, Brian) (Entered: 07/07/2017)
07/07/2017	<u>24</u>	NOTICE OF CHANGE OF ADDRESS by Brian Frederick Mark on behalf of Peter Grillo(Individually), Charles Swift. New Address: Hurwitz & Fine, P.C., 535 Broad Hollow Rd A-7, Melville, New York, United States 11747, 631 465-0700. (Mark, Brian) (Entered: 07/07/2017)
07/07/2017	<u>25</u>	JOINT LETTER addressed to Judge Alison J. Nathan from Joseph Anci dated July 7, 2017 re: Joint Submission Pursuant to the February 3, 2017 Notice of Initial Pre-Trial Conference with Proposed Civil Case Management Plan and Scheduling Order. Document filed by City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland. (Attachments: # <u>1</u> Appendix Proposed Civil Case Management Plan and Scheduling Order)(Anci, Joseph) (Entered: 07/07/2017)
07/07/2017	<u>26</u>	MEMO ENDORSEMENT on re: <u>23</u> Letter filed by Charles Swift, Peter Grillo. ENDORSEMENT: The requested extension is granted. Peter Grillo(Individually) answer due 7/21/2017; Peter Grillo(in their respective capacities as members of the Fire Department of the City of New York) answer due 7/21/2017; Charles Swift answer due 7/21/2017; Charles Swift answer due 7/21/2017. (Signed by Judge Alison J. Nathan on 7/7/2017) (mro) (Entered: 07/10/2017)
07/10/2017	<u>27</u>	ORDER granting <u>21</u> Letter Motion for Extension of Time to File an answer or to otherwise respond to the complaint. SO ORDERED. SO ORDERED. (Signed by Judge Alison J. Nathan on 7/10/2017) (ras) (Entered: 07/10/2017)
07/10/2017		Set/Reset Deadlines: Pedro Aristy answer due 7/12/2017. (ras) (Entered: 07/10/2017)
07/10/2017	<u>28</u>	NOTICE OF APPEARANCE by Kevin James Murtagh on behalf of Pedro Aristy. (Murtagh, Kevin) (Entered: 07/10/2017)
07/11/2017	<u>29</u>	ANSWER to Complaint with JURY DEMAND. Document filed by Pedro Aristy.(Murtagh, Kevin) (Entered: 07/11/2017)
07/14/2017		Minute Entry for proceedings held before Judge Alison J. Nathan. Initial Pretrial Conference held on 7/14/2017. See transcript for details. (Court Reporter Andrew Walker) (qs) (Entered: 07/14/2017)
07/14/2017	<u>30</u>	NOTICE OF APPEARANCE by Joseph Anci on behalf of City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland. (Anci, Joseph) (Entered: 07/14/2017)
07/14/2017	<u>31</u>	CIVIL CASE MANAGEMENT PLAN AND SCHEDULING ORDER: All parties do not consent to conducting all further proceedings before a United States Magistrate Judge before a United States Magistrate Judge, including motions and trial pursuant to

		28 U.S.C. § 636(c). All fact discovery is to be completed no later than November 14, 2017. Depositions shall be completed by November 14, 2017. All expert discovery, including disclosure of expert reports, production of underlying documents, and depositions shall be completed by December 29, 2017. Counsel for the parties propose the following alternative dispute resolution mechanism(s) for this case: Referral to a Magistrate Judge for a settlement conference, Referral to the Southern District's Mediation Program. Counsel for the parties will submit a letter by November 14, 2017 seeking the referral. This case is to be tried to a jury. The next Case Management Conference is scheduled for Nov. 17, 2017 at 2:00 p.m. Deposition due by 12/29/2017. Fact Discovery due by 11/14/2017. Expert Discovery due by 12/29/2017. Case Management Conference set for 11/17/2017 at 02:00 PM before Judge Alison J. Nathan. (Signed by Judge Alison J. Nathan on 7/14/2017) (ras) (Entered: 07/14/2017)
07/20/2017	<u>32</u>	ANSWER to Complaint with JURY DEMAND. Document filed by Peter Grillo(Individually), Charles Swift.(Mark, Brian) (Entered: 07/20/2017)
07/27/2017		MEDIATOR SESSION SCHEDULED First Mediation Session scheduled for 9/13/2017, 10:00 AM at the Offices of Defendant's Counsel at Ahmuty, Demers & McManus located at 199 Water Street New York, NY.(cda) (Entered: 07/27/2017)
09/14/2017		MEDIATOR SESSION NOT HELD Mediator Session scheduled for 9/13/2017 at Offices of Defendant's Counsel was NOT held.(mf) (Entered: 09/14/2017)
09/14/2017		MEDIATOR SESSION SCHEDULED First Mediation Session scheduled for 10/3/2017, 10:00AM at the Offices of Defendant's Counsel.(mf) (Entered: 09/14/2017)
09/26/2017	<u>33</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION for Mediation <i>to be waived</i> . Document filed by Gordon Springs.(Liggieri, Paul) Modified on 11/29/2017 (ldi). (Entered: 09/26/2017)
09/29/2017	<u>34</u>	ORDER denying <u>33</u> Motion for Mediation. The Court hereby denies the request to waive mediation. SO ORDERED. (Signed by Judge Alison J. Nathan on 9/28/2017) (anc) (Entered: 09/29/2017)
10/02/2017	<u>35</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – JOINT LETTER MOTION for Discovery <i>to So Order the Attached Proposed Stipulation and Confidentiality Order</i> addressed to Judge Alison J. Nathan from Joseph Anci dated October 2, 2017. Document filed by City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland. (Attachments: # <u>1</u> Text of Proposed Order Proposed Stipulation and Confidentiality Order)(Anci, Joseph) Modified on 12/7/2017 (ldi). (Entered: 10/02/2017)
10/04/2017	<u>36</u>	SO-ORDERED STIPULATION AND CONFIDENTIALITY ORDER...regarding procedures to be followed that shall govern the handling of confidential material... Nothing in this Order affects the parties' obligation to comply with Rule 4.A of the Court's Individual Practices in Civil Cases governing redactions and filing under seal. Motions terminated: <u>35</u> JOINT LETTER MOTION for Discovery <i>to So Order the Attached Proposed Stipulation and Confidentiality Order</i> addressed to Judge Alison J. Nathan from Joseph Anci dated October 2, 2017 filed by Daniel A. Nigro, Edward Vreeland, City of New York. (Signed by Judge Alison J. Nathan on 10/4/2017) (mml) (Entered: 10/04/2017)
10/06/2017		MEDIATOR SESSION NOT HELD Mediator Session scheduled for 10/3/2017 at Offices of Defendant's Counsel was NOT held. Parties to Reschedule.(mf) (Entered: 10/06/2017)
10/19/2017		MEDIATOR SESSION SCHEDULED First Mediation Session scheduled for 10/24/2017, 10:00 AM at the NYC Offices of Defendant's Counsel Ahmuty, Demers & McManus located at 199 Water Street New York, NY.(cda) (Entered: 10/19/2017)
10/26/2017		Mediator Session Held on 10/24/2017 at NYC Offices of Defendant's Counsel.(mf) (Entered: 10/26/2017)
11/03/2017	<u>37</u>	JOINT LETTER MOTION for Extension of Time to Complete Discovery addressed to Judge Alison J. Nathan from Joseph Anci dated November 3, 2017. Document filed by City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland.(Anci, Joseph) (Entered: 11/03/2017)

11/06/2017	<u>38</u>	ORDER granting <u>37</u> Letter Motion for Extension of Time to Complete Discovery. The request to extend the discovery deadlines is granted. The conference presently scheduled for November 17, 2017, is hereby adjourned to January 26, 2018, at 3 p.m. (Signed by Judge Alison J. Nathan on 11/3/2017) (cf) (Entered: 11/06/2017)
11/06/2017		Set/Reset Deadlines: (Expert Discovery due by 2/26/2018., Fact Discovery due by 1/12/2018.), Set/Reset Hearings: (Case Management Conference set for 1/26/2018 at 03:00 PM before Judge Alison J. Nathan.) (cf) (Entered: 11/06/2017)
01/04/2018	<u>40</u>	JOINT LETTER MOTION for Extension of Time to Complete Discovery addressed to Judge Alison J. Nathan from Joseph Anci dated January 4, 2018. Document filed by City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland.(Anci, Joseph) (Entered: 01/04/2018)
01/08/2018	<u>41</u>	ORDER: granting <u>40</u> Letter Motion for Extension of Time to Complete Discovery. The Court extends the deadline to complete fact discovery to February 12, 2018, and the deadline to complete expert discovery to March 12, 2018. The conference presently scheduled for January 26, 2018, is hereby adjourned to March 2, 2018, at 3:45pm. No further extensions or adjournments will be granted. Fact discovery due by 2/12/2018. Expert discovery due by 3/12/2018. Case management conference set for 3/2/2018, at 3:45 P.M. (Signed by Judge Alison J. Nathan on 1/5/2018) (ap) (Entered: 01/08/2018)
01/08/2018		Set/Reset Deadlines: (Expert Discovery due by 3/12/2018. Fact Discovery due by 2/12/2018.) Set/Reset Hearings: (Case Management Conference set for 3/2/2018 at 3:45 PM before Judge Alison J. Nathan.) (ap) (Entered: 01/08/2018)
02/20/2018	<u>42</u>	ORDER: According to the July 14, 2017 Civil Case Management Plan and Scheduling Order ("CMP") in the above-captioned matter, fact discovery was scheduled to close on November 14, 2017. The Court then granted requests to extend the fact discovery deadline to January 12, 2018, and then to February 12, 2018. A post-discovery status conference is presently scheduled for March 2, 2018. In light of those deadlines, it is hereby ORDERED that by February 26, 2018, the parties shall meet and confer and submit a joint letter to the Court. The joint letter shall: 1) Include a statement confirming that all fact discovery has been completed (the parties should not assume that the Court will grant any extensions); 2) Include a statement regarding the status of any settlement discussions; 3) Include a statement regarding whether any party intends to move for summary judgment on or before the deadline specified in the CMP; and 4) If no party intends to move for summary judgment, propose (a) a deadline for the submission of a joint final pre-trial order pursuant to Rule 5.A of the undersigned's Individual Practices in Civil Cases, and (b) potential trial dates. (Signed by Judge Alison J. Nathan on 2/20/2018) (mro) (Entered: 02/20/2018)
02/26/2018	<u>43</u>	JOINT LETTER MOTION for Extension of Time to Complete Discovery addressed to Judge Alison J. Nathan from Kevin J. Murtagh dated February 26, 2018., JOINT LETTER MOTION to Adjourn Conference addressed to Judge Alison J. Nathan from Kevin J. Murtagh dated February 26, 2018.(Return Date set for 3/2/2018 at 03:45 PM.) Document filed by Pedro Aristy, Pedro Aristy.(Murtagh, Kevin) (Entered: 02/26/2018)
02/27/2018	<u>44</u>	ORDER denying <u>43</u> Letter Motion for Extension of Time to Complete Discovery; denying <u>43</u> Letter Motion to Adjourn Conference. Denied. SO ORDERED. (Signed by Judge Alison J. Nathan on 2/27/2018) (mml) (Entered: 02/27/2018)
03/02/2018		Minute Entry for proceedings held before Judge Alison J. Nathan. Post Discovery Hearing held on 3/2/2018. See transcript for complete details. (Court Reporter Alena Lynch) (qs) (Entered: 03/02/2018)
03/19/2018	<u>45</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Settlement. Referred to Magistrate Judge Ona T. Wang. (Signed by Judge Alison J. Nathan on 3/19/2018) (mml) (Entered: 03/19/2018)
03/19/2018		Magistrate Judge Ona T. Wang is so redesignated. (tro) (Entered: 03/20/2018)
03/27/2018	<u>46</u>	SCHEDULING ORDER: This matter has been referred to the undersigned for settlement purposes. The Court will hold a Pre-Conference Telephone Call on April 24, 2018 at 11:00 a.m. Please call chambers at 212-805-0260 when all counsel are on

		the line. SO ORDERED. (Telephone Conference set for 4/24/2018 at 11:00 AM before Magistrate Judge Ona T. Wang.) (Signed by Magistrate Judge Ona T. Wang on 3/27/18) (yv) (Entered: 03/27/2018)
04/13/2018	<u>47</u>	LETTER MOTION for Extension of Time <i>to complete only expert discovery</i> addressed to Judge Alison J. Nathan from Plaintiff's counsel writing with the consent of defendants dated 4/13/2018. Document filed by Gordon Springs.(Liggieri, Paul) (Entered: 04/13/2018)
04/16/2018	<u>48</u>	ORDER denying <u>47</u> Letter Motion for Extension of Time. According to the July 14, 2017 Civil Case Management Plan, fact discovery was to be completed by November 14, 2017, and expert discovery was to be completed by December 29, 2017. Dkt. No. 31. On November 6, 2017, the Court granted the parties' request to extend the fact discovery deadline to January 12, 2018 and the expert discovery deadline to February 26, 2018. Dkt. No. 38. On January 8, 2018, the Court partially granted the parties' second request to extend discovery, and it extended the deadline to complete expert discovery to March 12, 2018. Dkt. No. 41. The Court stated that no further extensions would be granted. Dkt. No. 41. The parties requested another extension of time to complete discovery on February 26, 2018, Dkt. No. 43, which the Court denied, Dkt. No. 44. Nevertheless, at the post-discovery status conference on March 2, 2018, the Court extended the deadline for the completion of expert discovery to April 15, 2018. In light of this history, the Court denies the request to extend the time to complete discovery. Accordingly, expert discovery closed on April 15, 2018. Summary judgment motions, if any, shall be due within 45 days of April 15, 2018. SO ORDERED. (Signed by Judge Alison J. Nathan on 4/16/2018) (mml) (Entered: 04/16/2018)
04/24/2018		Minute Entry for proceedings held before Magistrate Judge Ona T. Wang: Telephone Conference held on 4/24/2018. Pre Settle Conf. held.Settlement conference scheduled for may 21, 2018 at 10am. (Quinn, Diane) (Entered: 04/24/2018)
05/14/2018	<u>49</u>	JOINT LETTER MOTION for Extension of Time to File <i>Motion(s) for Summary Judgment</i> addressed to Judge Alison J. Nathan from Joseph Anci dated May 14, 2018. Document filed by City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland.(Anci, Joseph) (Entered: 05/14/2018)
05/15/2018	<u>50</u>	ORDER granting <u>49</u> Letter Motion for Extension of Time to File Motion(s) for Summary Judgment. SO ORDERED. (Signed by Judge Alison J. Nathan on 5/15/2018) (cf) (Entered: 05/15/2018)
05/15/2018		Set/Reset Deadlines: Motions due by 6/29/2018. Responses due by 7/30/2018 Replies due by 8/16/2018. (cf) (Entered: 05/15/2018)
05/21/2018		Minute Entry for proceedings held before Magistrate Judge Ona T. Wang: Settlement Conference held on 5/21/2018. Settlement Conference held. No settlement. (Quinn, Diane) (Entered: 05/21/2018)
06/21/2018	<u>51</u>	SECOND LETTER MOTION for Extension of Time addressed to Judge Alison J. Nathan from Brian F. Mark, Esq. dated June 21, 2018. Document filed by Peter Grillo(Individually), Charles Swift.(Mark, Brian) (Entered: 06/21/2018)
06/22/2018	<u>52</u>	ORDER granting <u>51</u> Letter Motion for Extension of Time. SO ORDERED. Motions due by 7/20/2018. (Signed by Judge Alison J. Nathan on 6/22/2018) (cf) (Entered: 06/22/2018)
06/22/2018		Set/Reset Deadlines: Responses due by 8/20/2018 Replies due by 9/4/2018. (cf) (Entered: 06/22/2018)
07/18/2018	<u>53</u>	JOINT LETTER MOTION for Extension of Time to File <i>Motions for Summary Judgment from July 20, 2018 to July 27, 2018 and Request to Extend the Page Limit from 25 to 30 Pages</i> addressed to Judge Alison J. Nathan from Joseph Anci dated July 18, 2018. Document filed by City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland.(Anci, Joseph) (Entered: 07/18/2018)
07/18/2018	<u>54</u>	ORDER granting <u>53</u> Letter Motion for Extension of Time to File Motions for Summary Judgment from July 20, 2018 to July 27, 2018 and Request to Extend the Page Limit from 25 to 30 Pages. SO ORDERED. (Signed by Judge Alison J. Nathan on 7/18/2018) (cf) (Entered: 07/18/2018)

07/18/2018		Set/Reset Deadlines: Motions due by 7/27/2018. Responses due by 9/10/2018 Replies due by 9/24/2018. (cf) (Entered: 07/18/2018)
07/27/2018	<u>55</u>	MOTION for Summary Judgment <i>by the City Defendants</i> . Document filed by City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland.(Anci, Joseph) (Entered: 07/27/2018)
07/27/2018	<u>56</u>	MEMORANDUM OF LAW in Support re: <u>55</u> MOTION for Summary Judgment <i>by the City Defendants</i> . . Document filed by Pedro Aristy, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland. (Anci, Joseph) (Entered: 07/27/2018)
07/27/2018	<u>57</u>	RULE 56.1 STATEMENT. Document filed by City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland. (Anci, Joseph) (Entered: 07/27/2018)
07/27/2018	<u>58</u>	FIRST MOTION for Summary Judgment . Document filed by Peter Grillo(in their respective capacities as members of the Fire Department of the City of New York), Charles Swift.(Mark, Brian) (Entered: 07/27/2018)
07/27/2018	<u>59</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU (SEE DOCUMENT #60) – FIRST MOTION for Summary Judgment . Document filed by Peter Grillo(in their respective capacities as members of the Fire Department of the City of New York), Charles Swift. (Attachments: # <u>1</u> Exhibit S&C, # <u>2</u> Exhibit City Answer, # <u>3</u> Exhibit Aristy Answer, # <u>4</u> Exhibit Swift and Grillo Answer, # <u>5</u> Exhibit EEO Complaint, # <u>6</u> Exhibit EEO Complaint, # <u>7</u> Exhibit Stack BITS, # <u>8</u> Exhibit Manetta BITS, # <u>9</u> Exhibit Aristy BITS, # <u>10</u> Exhibit Swift BITS, # <u>11</u> Exhibit Grillo BITS, # <u>12</u> Exhibit Ebratt BITS, # <u>13</u> Exhibit Morgan BITS, # <u>14</u> Exhibit Wilson BITS, # <u>15</u> Exhibit Springs BITS, # <u>16</u> Exhibit Rix BITS, # <u>17</u> Exhibit Sanchez BITS, # <u>18</u> Exhibit Springs EBT, # <u>19</u> Exhibit Swift EBT, # <u>20</u> Exhibit Grillo EBT, # <u>21</u> Exhibit Aristy EBT)(Mark, Brian) Modified on 8/8/2018 (Idi). (Entered: 07/27/2018)
07/27/2018	<u>60</u>	DECLARATION of Brian F. Mark in Support re: <u>58</u> FIRST MOTION for Summary Judgment .. Document filed by Peter Grillo(Individually), Charles Swift. (Attachments: # <u>1</u> Exhibit S&C, # <u>2</u> Exhibit City Answer, # <u>3</u> Exhibit Aristy Answer, # <u>4</u> Exhibit Swift and Grillo Answer, # <u>5</u> Exhibit EEO Complaint, # <u>6</u> Exhibit EEO Complaint, # <u>7</u> Exhibit Stack BITS, # <u>8</u> Exhibit Manetta BITS, # <u>9</u> Exhibit Aristy BITS, # <u>10</u> Exhibit Swift BITS, # <u>11</u> Exhibit Grillo BITS, # <u>12</u> Exhibit Ebratt BITS, # <u>13</u> Exhibit Morgan BITS, # <u>14</u> Exhibit Wilson BITS, # <u>15</u> Exhibit Springs BITS, # <u>16</u> Exhibit Rix BITS, # <u>17</u> Exhibit Sanchez BITS, # <u>18</u> Exhibit Springs EBT, # <u>19</u> Exhibit Swift EBT, # <u>20</u> Exhibit Grillo EBT, # <u>21</u> Exhibit Aristy EBT)(Mark, Brian) (Entered: 07/27/2018)
07/27/2018	<u>61</u>	FIRST MEMORANDUM OF LAW in Support re: <u>58</u> FIRST MOTION for Summary Judgment . . Document filed by Peter Grillo(Individually), Charles Swift. (Mark, Brian) (Entered: 07/27/2018)
07/27/2018	<u>62</u>	RULE 56.1 STATEMENT. Document filed by Peter Grillo(Individually), Charles Swift. (Mark, Brian) (Entered: 07/27/2018)
07/27/2018	<u>63</u>	DECLARATION of Joseph Anci in Support re: <u>55</u> MOTION for Summary Judgment <i>by the City Defendants</i> .. Document filed by City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C1, # <u>4</u> Exhibit C2, # <u>5</u> Exhibit C3, # <u>6</u> Exhibit C4, # <u>7</u> Exhibit C5, # <u>8</u> Exhibit C6, # <u>9</u> Exhibit C7, # <u>10</u> Exhibit C8, # <u>11</u> Exhibit D1, # <u>12</u> Exhibit D2, # <u>13</u> Exhibit D3, # <u>14</u> Exhibit D4, # <u>15</u> Exhibit D5, # <u>16</u> Exhibit D6, # <u>17</u> Exhibit E1, # <u>18</u> Exhibit E2, # <u>19</u> Exhibit F1, # <u>20</u> Exhibit F2, # <u>21</u> Exhibit G1, # <u>22</u> Exhibit G2, # <u>23</u> Exhibit H, # <u>24</u> Exhibit I, # <u>25</u> Exhibit J, # <u>26</u> Exhibit K, # <u>27</u> Exhibit L, # <u>28</u> Exhibit M, # <u>29</u> Exhibit N, # <u>30</u> Exhibit O, # <u>31</u> Exhibit P, # <u>32</u> Exhibit Q, # <u>33</u> Exhibit R, # <u>34</u> Exhibit S, # <u>35</u> Exhibit T, # <u>36</u> Exhibit U, # <u>37</u> Exhibit V, # <u>38</u> Exhibit W, # <u>39</u> Exhibit X, # <u>40</u> Exhibit Y, # <u>41</u> Exhibit Z, # <u>42</u> Exhibit AA, # <u>43</u> Exhibit BB, # <u>44</u> Exhibit CC, # <u>45</u> Exhibit DD, # <u>46</u> Exhibit EE, # <u>47</u> Exhibit FF)(Anci, Joseph) (Entered: 07/27/2018)
08/13/2018	<u>64</u>	FIRST LETTER MOTION for Extension of Time to File Response/Reply <i>to Defendants' Motions to Dismiss</i> addressed to Judge Alison J. Nathan from Plaintiff's counsel writing with the consent of defendants dated 8/13/2018. Document filed by Gordon Springs.(Liggieri, Paul) (Entered: 08/13/2018)

08/13/2018	<u>65</u>	ORDER granting <u>64</u> Letter Motion for Extension of Time to File Response/Reply. SO ORDERED. Responses due by 9/24/2018 Replies due by 10/8/2018. (Signed by Judge Alison J. Nathan on 8/13/2018) (mro) (Entered: 08/14/2018)
09/18/2018	<u>66</u>	LETTER MOTION for Extension of Time to File Response/Reply <i>on consent of Defendants' Swift and Grillo</i> addressed to Judge Alison J. Nathan from Plaintiff's counsel on consent of Defendants dated 9/18/2018. Document filed by Gordon Springs.(Liggieri, Paul) (Entered: 09/18/2018)
09/19/2018	<u>67</u>	ORDER granting <u>66</u> Letter Motion for Extension of Time to File Response/Reply re <u>58</u> FIRST MOTION for Summary Judgment ., <u>55</u> MOTION for Summary Judgment <i>by the City Defendants.</i> , <u>66</u> LETTER MOTION for Extension of Time to File Response/Reply <i>on consent of Defendants' Swift and Grillo</i> addressed to Judge Alison J. Nathan from Plaintiff's counsel on consent of Defendants dated 9/18/2018. SO ORDERED. Responses due by 10/1/2018. (Signed by Judge Alison J. Nathan on 9/19/2018) (rj) (Entered: 09/19/2018)
09/24/2018	<u>68</u>	MEMORANDUM OF LAW in Opposition re: <u>55</u> MOTION for Summary Judgment <i>by the City Defendants. with Declarations (Opposition to 56.1 and supporting exhibits filed separately)</i> . Document filed by Gordon Springs. (Attachments: # <u>1</u> Declaration of Paul Liggieri)(Liggieri, Paul) (Entered: 09/24/2018)
09/24/2018	<u>69</u>	RESPONSE in Opposition to Motion re: <u>55</u> MOTION for Summary Judgment <i>by the City Defendants. Plaintiff's Opposition to City Defendants 56.1</i> . Document filed by Gordon Springs. (Liggieri, Paul) (Entered: 09/24/2018)
09/24/2018	<u>70</u>	REPLY AFFIRMATION of Plaintiff Gordon Springs in Opposition re: <u>55</u> MOTION for Summary Judgment <i>by the City Defendants.</i> . Document filed by Gordon Springs. (Liggieri, Paul) (Entered: 09/24/2018)
09/25/2018	<u>71</u>	RESPONSE in Opposition to Motion re: <u>55</u> MOTION for Summary Judgment <i>by the City Defendants. Exhibit B–N</i> . Document filed by Gordon Springs. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit)(Liggieri, Paul) (Entered: 09/25/2018)
09/25/2018	<u>72</u>	RESPONSE in Opposition to Motion re: <u>55</u> MOTION for Summary Judgment <i>by the City Defendants. Exhibit A (2parts: A, AA)</i> . Document filed by Gordon Springs. (Attachments: # <u>1</u> Exhibit Second part of Exhibit A (uploaded separately due to size of file))(Liggieri, Paul) (Entered: 09/25/2018)
09/26/2018	<u>73</u>	LETTER MOTION for Leave to File Exhibit for Plaintiff's Opposition to City Defendants' Motion for Summary Judgment addressed to Judge Alison J. Nathan from Plaintiff's Counsel dated 9/26/2018. Document filed by Gordon Springs.(Liggieri, Paul) (Entered: 09/26/2018)
09/27/2018	<u>74</u>	ORDER granting <u>73</u> Letter Motion for Leave to File Document. The Court's Individual Rules require communications with the Court to be by letter, not telephone. Much to the Court's chagrin, counsel did not follow that rule originally. Having now done so, Plaintiff is advised that audio recordings included in exhibits may be delivered to the Court on a thumb drive. (Signed by Judge Alison J. Nathan on 9/27/2018) (cf) (Entered: 09/27/2018)
10/01/2018	<u>75</u>	CONSENT LETTER MOTION for Extension of Time to File Response/Reply <i>in Further Support of the City Defendants' Motion for Summary Judgment</i> addressed to Judge Alison J. Nathan from Joseph Anci dated October 1, 2018. Document filed by City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland.(Anci, Joseph) (Entered: 10/01/2018)
10/01/2018	<u>76</u>	RESPONSE in Opposition to Motion re: <u>58</u> FIRST MOTION for Summary Judgment . <i>Memorandum of Law and Opposition to 56.1 Statement</i> . Document filed by Gordon Springs. (Attachments: # <u>1</u> Opposition to Individual Defendants 56.1 Statement)(Liggieri, Paul) (Entered: 10/01/2018)
10/01/2018	<u>77</u>	DECLARATION of Paul Liggieri in Opposition re: <u>58</u> FIRST MOTION for Summary Judgment .. Document filed by Gordon Springs. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit)(Liggieri, Paul) (Entered: 10/01/2018)

10/02/2018	<u>78</u>	DECLARATION of Gordon Springs in Opposition re: <u>58</u> FIRST MOTION for Summary Judgment .. Document filed by Gordon Springs. (Liggieri, Paul) (Entered: 10/02/2018)
10/02/2018	<u>79</u>	ORDER granting <u>75</u> Letter Motion for Extension of Time to File Response/Reply. SO ORDERED. Replies due by 10/30/2018. (Signed by Judge Alison J. Nathan on 10/2/2018) (mro) (Entered: 10/02/2018)
10/18/2018	<u>80</u>	CONSENT LETTER MOTION for Extension of Time to File Response/Reply addressed to Judge Alison J. Nathan from Brian F. Mark dated October 18, 2018. Document filed by Peter Grillo(in their respective capacities as members of the Fire Department of the City of New York), Charles Swift.(Mark, Brian) (Entered: 10/18/2018)
10/22/2018	<u>81</u>	ORDER granting <u>80</u> Letter Motion for Extension of Time to File Response/Reply re <u>58</u> FIRST MOTION for Summary Judgment; <u>55</u> MOTION for Summary Judgment by <i>the City Defendants</i> : SO ORDERED. (Replies due by 11/7/2018.) (Signed by Judge Alison J. Nathan on 10/22/2018) (jwh) (Entered: 10/22/2018)
11/07/2018	<u>82</u>	FIRST REPLY MEMORANDUM OF LAW in Support re: <u>58</u> FIRST MOTION for Summary Judgment . . Document filed by Peter Grillo(Individually), Charles Swift. (Attachments: # <u>1</u> Exhibit Page 76 of plt EBT)(Mark, Brian) (Entered: 11/07/2018)
11/07/2018	<u>83</u>	REPLY MEMORANDUM OF LAW in Support re: <u>55</u> MOTION for Summary Judgment by <i>the City Defendants</i> . . Document filed by City of New York, Daniel A. Nigro, Daniel A. Nigro, Edward Vreeland, Edward Vreeland. (Anci, Joseph) (Entered: 11/07/2018)
01/05/2019	<u>84</u>	NOTICE OF APPEARANCE by Alexander Gabriel Cabeceiras on behalf of Gordon Springs. (Cabeceiras, Alexander) (Entered: 01/05/2019)
03/29/2019	<u>85</u>	OPINION AND ORDER re: <u>58</u> FIRST MOTION for Summary Judgment . filed by Charles Swift, Peter Grillo, <u>55</u> MOTION for Summary Judgment by <i>the City Defendants</i> . filed by Daniel A. Nigro, Edward Vreeland, City of New York. For the foregoing reasons, the City Defendants' motion for summary judgment is DENIED in part and GRANTED in part. Likewise, the Individual Defendants' motion for summary judgment is DENIED in part and GRANTED in part. Specifically, the Court grants judgment in favor of the City of New York on Counts 1, 3, 8, 12, 16, 17, 18 and 19, and in favor of the Individual Defendants Counts 5, 9, 10, 12, 14, 15, 17, 18, and 19. The Clerk of the Court is directed to terminate Defendants Nigro and Vreeland. Within two weeks of the date of this Order, the parties shall meet and confer regarding settlement, file a letter with the Court providing a status update, and propose dates for a scheduling conference. This resolves Dkt. Nos. 55 and 58. SO ORDERED. Edward Vreeland (in their respective capacities as members of the Fire Department of the City of New York), Edward Vreeland (Individually), Daniel A. Nigro (Individually) and Daniel A. Nigro (in their respective capacities as members of the Fire Department of the City of New York) terminated. (Signed by Judge Alison J. Nathan on 3/29/2019) (kv) (Entered: 03/29/2019)
04/10/2019	<u>86</u>	MOTION for Reconsideration . Document filed by Gordon Springs.(Cabeceiras, Alexander) (Entered: 04/10/2019)
04/10/2019	<u>87</u>	MEMORANDUM OF LAW in Support re: <u>86</u> MOTION for Reconsideration . . Document filed by Gordon Springs. (Cabeceiras, Alexander) (Entered: 04/10/2019)
04/12/2019	<u>88</u>	NOTICE OF APPEARANCE by Paul Liggieri on behalf of Gordon Springs. (Liggieri, Paul) (Entered: 04/12/2019)
04/12/2019	<u>89</u>	STATUS REPORT. <i>On Behalf of All Parties</i> Document filed by City of New York.(Anci, Joseph) (Entered: 04/12/2019)
04/16/2019	<u>90</u>	MEMO ENDORSEMENT on re: <u>89</u> Status Report filed by City of New York. ENDORSEMENT: A status conference in this matter is hereby scheduled for May 16, 2019, at 11 :00 a.m. SO ORDERED. SO ORDERED. (Status Conference set for 5/16/2019 at 11:00 AM before Judge Alison J. Nathan.) (Signed by Judge Alison J. Nathan on 4/16/2019) (kv) (Entered: 04/16/2019)

04/17/2019	<u>91</u>	CONSENT LETTER MOTION for Extension of Time to File <i>Opposition to Plaintiff's Motion for Reconsideration</i> addressed to Judge Alison J. Nathan from Joseph Anci dated April 17, 2019. Document filed by City of New York.(Anci, Joseph) (Entered: 04/17/2019)
04/22/2019	<u>92</u>	ORDER granting <u>91</u> Letter Motion for Extension of Time to File. SO ORDERED. (Signed by Judge Alison J. Nathan on 4/19/2019) (ne) (Entered: 04/22/2019)
04/22/2019		Set/Reset Deadlines: Responses due by 5/6/2019. Replies due by 5/13/2019. (ne) (Entered: 04/22/2019)
05/06/2019	<u>93</u>	MEMORANDUM OF LAW in Opposition re: <u>86</u> MOTION for Reconsideration . . Document filed by City of New York. (Anci, Joseph) (Entered: 05/06/2019)
05/10/2019	<u>94</u>	CONSENT LETTER MOTION to Adjourn Conference <i>Scheduled for May 16, 2019 at 11 a.m.</i> addressed to Judge Alison J. Nathan from Joseph Anci dated May 10, 2019. Document filed by City of New York.(Anci, Joseph) (Entered: 05/10/2019)
05/15/2019	<u>95</u>	ORDER granting <u>94</u> Letter Motion to Adjourn Conference. The conference currently scheduled for May 16, 2019, is hereby adjourned to May 20, 2019, at 11 :00 a.m. SO ORDERED. (Status Conference set for 5/20/2019 at 11:00 AM before Judge Alison J. Nathan.) (Signed by Judge Alison J. Nathan on 5/15/19) (yv) (Entered: 05/15/2019)
05/20/2019		Minute Entry for proceedings held before Judge Alison J. Nathan. Scheduling conference held. See scheduling order. Final pre-trial conference set for Friday, October 11, 2019 at 11 am. Jury trial set to commence Monday, October 21, 2019. Oral decision announced from the Bench. Plaintiff's motion for reconsideration is denied. See transcript for complete details. (Court Reporter Eve Giniger) (qs) (Entered: 05/20/2019)
05/20/2019	<u>96</u>	NOTICE OF APPEARANCE by Kimberly Kirsten Brown on behalf of City of New York. (Brown, Kimberly) (Entered: 05/20/2019)
05/21/2019	<u>97</u>	ORDER denying <u>86</u> Motion for Reconsideration. As stated on the record in the May 20, 2019, conference, trial in this matter is scheduled to commence on October 21, 2019. The final pretrial conference is hereby scheduled for October 11, 2019, at 11 :00 a.m. On or before September 6, 2019, the parties shall file pretrial submissions in accordance with this Court's Individual Practices in Civil Cases. If Defendant City of New York intends to file a motion for severance, such motion shall be filed by no later than June 3, 2019. The deadline for filing an opposition is June 17, 2019, and the deadline for filing a reply is June 24, 2019. The parties shall file a letter on or before June 3, 2019, informing the Court whether they have scheduled a settlement conference and advising whether they seek any additional assistance from the Court with respect to settlement. In addition, for the reasons stated on the record, Plaintiff's partial motion for reconsideration is denied. This resolves Dkt. No. 86. SO ORDERED. (Signed by Judge Alison J. Nathan on 5/21/2019) (kv) . (Entered: 05/21/2019)
05/21/2019		Set/Reset Hearings: (Final Pretrial Conference set for 10/11/2019 at 11:00 AM before Judge Alison J. Nathan.), Set/Reset Deadlines: (Motions due by 6/3/2019., Responses due by 6/17/2019, Replies due by 6/24/2019.) (kv) (Entered: 05/21/2019)
06/03/2019	<u>98</u>	MOTION to Sever <i>and for Separate trials Pursuant to Federal Rules 21 and 42.</i> Document filed by City of New York.(Anci, Joseph) (Entered: 06/03/2019)
06/03/2019	<u>99</u>	MEMORANDUM OF LAW in Support re: <u>98</u> MOTION to Sever <i>and for Separate trials Pursuant to Federal Rules 21 and 42.</i> . Document filed by City of New York. (Anci, Joseph) (Entered: 06/03/2019)
06/03/2019	<u>100</u>	DECLARATION of Joseph Anci in Support re: <u>98</u> MOTION to Sever <i>and for Separate trials Pursuant to Federal Rules 21 and 42.</i> .. Document filed by City of New York. (Attachments: # <u>1</u> Exhibit A)(Anci, Joseph) (Entered: 06/03/2019)
06/14/2019	<u>101</u>	FIRST LETTER MOTION for Extension of Time to File Response/Reply addressed to Judge Alison J. Nathan from Plaintiff writing with the consent of all Defendants dated June 14, 2019. Document filed by Gordon Springs.(Liggieri, Paul) (Entered: 06/14/2019)

06/14/2019	<u>102</u>	ORDER granting <u>101</u> Letter Motion for Extension of Time to File Response/Reply. SO ORDERED. Responses due by 6/24/2019 Replies due by 7/2/2019. (Signed by Judge Alison J. Nathan on 6/14/2019) (kv) (Entered: 06/14/2019)
06/24/2019	<u>103</u>	REPLY MEMORANDUM OF LAW in Opposition re: <u>98</u> MOTION to Sever <i>and for Separate trials Pursuant to Federal Rules 21 and 42.</i> . Document filed by Gordon Springs. (Liggieri, Paul) (Entered: 06/24/2019)
07/01/2019	<u>104</u>	LETTER MOTION for Extension of Time to File Response/Reply as to <u>103</u> Reply Memorandum of Law in Oppisition to Motion addressed to Judge Alison J. Nathan from Joseph Anci dated July 1, 2019. Document filed by City of New York.(Anci, Joseph) (Entered: 07/01/2019)
07/02/2019	<u>105</u>	CONSENT LETTER MOTION for Extension of Time to File Response/Reply as to <u>104</u> LETTER MOTION for Extension of Time to File Response/Reply as to <u>103</u> Reply Memorandum of Law in Oppisition to Motion addressed to Judge Alison J. Nathan from Joseph Anci dated July 1, 2019. <i>to Supplement The City's July 1, 2019 Letter Motion to Include Plaintiff's Consent</i> addressed to Judge Alison J. Nathan from Joseph Anci dated July 2, 2019. Document filed by City of New York.(Anci, Joseph) (Entered: 07/02/2019)
07/02/2019	<u>106</u>	ORDER granting <u>104</u> LETTER MOTION for Extension of Time to File Response/Reply as to <u>103</u> Reply Memorandum of Law in Oppisition to Motion. SO ORDERED. Replies due by 7/10/2019. (Signed by Judge Alison J. Nathan on 7/2/2019) (jca) (Entered: 07/02/2019)
07/10/2019	<u>107</u>	REPLY MEMORANDUM OF LAW in Support re: <u>98</u> MOTION to Sever <i>and for Separate trials Pursuant to Federal Rules 21 and 42.</i> . Document filed by City of New York. (Anci, Joseph) (Entered: 07/10/2019)
08/13/2019	<u>108</u>	JOINT LETTER MOTION for Extension of Time to File <i>The Parties' Joint Pre-Trial Submissions and Motions in Limine</i> addressed to Judge Alison J. Nathan from Joseph Anci dated August 13, 2019. Document filed by City of New York.(Anci, Joseph) (Entered: 08/13/2019)
08/16/2019	<u>109</u>	ORDER granting in part <u>108</u> JOINT LETTER MOTION for Extension of Time to File <i>The Parties' Joint Pre-Trial Submissions and Motions in Limine.</i> The deadline to file all joint pretrial materials and motions in limine is hereby adjourned to September 16, 2019. SO ORDERED. (Signed by Judge Alison J. Nathan on 8/15/2019) (jca) Modified on 8/16/2019 (jca). (Entered: 08/16/2019)
08/16/2019		Set/Reset Deadlines: Motions due by 9/16/2019. (jca) (Entered: 08/16/2019)
08/21/2019	<u>110</u>	ORDER denying <u>98</u> Motion to Sever. Accordingly, Defendant's motion for severance and separate trials is hereby denied. SO ORDERED. (Signed by Judge Alison J. Nathan on 8/20/2019) (kv) (Entered: 08/21/2019)
09/05/2019	<u>111</u>	LETTER MOTION to Adjourn Conference <i>and trial date</i> addressed to Judge Alison J. Nathan from Plaintiff on consent of all parties dated 9/5/2019. Document filed by Gordon Springs.(Liggieri, Paul) (Entered: 09/05/2019)
09/11/2019	<u>112</u>	SECOND LETTER MOTION for Extension of Time <i>to file all joint pre-trial submissions</i> addressed to Judge Alison J. Nathan from Brian F. Mark dated September 11, 2019. Document filed by Peter Grillo(Individually), Charles Swift.(Mark, Brian) (Entered: 09/11/2019)
09/13/2019	<u>113</u>	ORDER granting <u>111</u> Motion to Adjourn Conference; granting <u>112</u> Motion for Extension of Time. The Court is in receipt of Plaintiff's September 5, 2019 request to adjourn the dates for pretrial submissions, the final pretrial conference, and trial in this matter, Dkt. No. 111, as well as Defendants' September 11, 2019 request to adjourn the date for pretrial submissions, Dkt. No. 112. The Court hereby grants these requests. Pretrial submissions shall be filed no later than September 30, 2019. The Court also informs the parties that Judge Walter of the Western District of Louisiana will be sitting by designation in the Southern District of New York this fall and will preside over the trial in this matter. Accordingly, Judge Walter will contact the parties to schedule new dates for the final pretrial conference and trial in this matter. SO ORDERED. (Signed by Judge Alison J. Nathan on 9/13/2019) (kv) (Entered: 09/13/2019)

09/26/2019		NOTICE OF CASE REASSIGNMENT to Judge Donald E. Walter. Judge Alison J. Nathan is no longer assigned to the case. (wb) (Entered: 09/26/2019)
09/27/2019	<u>114</u>	LETTER addressed to Judge Donald E. Walter from Kevin J. Murtagh dated September 27, 2019 re: Request for extension of pre-trial submission deadline. Document filed by Pedro Aristy, Pedro Aristy.(Murtagh, Kevin) (Entered: 09/27/2019)
09/27/2019	<u>115</u>	SCHEDULING ORDER: Trial in the above-captioned matter is set for Tuesday, November 12, 2019, at 9:00 a.m. in Manhattan. This matter is currently the second setting on the Court's docket. Counsel should be prepared to begin trial on 24 hours' notice. A final pretrial videoconference is set for October 22, 2019, at 12:30 p.m. EDT. Counsel should report to 500 Pearl Street, Manhattan, Courtroom 15A. A joint pretrial order and motions in limine, if any, are due October 10, 2019. Oppositions to motions in limine are due October 17, 2019. Reply briefs are due October 21, 2019. To assist the Court in understanding the current posture of this case, the parties are ordered to submit a joint agreed upon chart listing which claims remain against each defendant on or before October 15, 2019. Counsel shall submit a joint set of proposed jury instructions based on New York Pattern Jury Instructions, Federal Jury Practice & Instructions (Westlaw), or Modern Federal Jury Instructions (Lexis) on or before October 29, 2019. If a non-pattern instruction is requested, it must be accompanied with a pinpoint citation. (Motions due by 10/10/2019. Responses due by 10/17/2019. Replies due by 10/21/2019. Final Pretrial Conference set for 10/22/2019 at 12:30 PM in Courtroom 15A, 500 Pearl Street, New York, NY 10007 before Judge Donald E. Walter. Pretrial Order due by 10/10/2019. Jury Trial set for 11/12/2019 at 09:00 AM before Judge Donald E. Walter.) (Signed by Judge Donald E. Walter on 9/27/2019) (ne) (Entered: 09/27/2019)
10/10/2019	<u>116</u>	MOTION in Limine . Document filed by Gordon Springs. (Attachments: # <u>1</u> Memorandum of Law)(Liggieri, Paul) (Entered: 10/10/2019)
10/10/2019	<u>117</u>	FIRST MOTION in Limine <i>to preclude evidence</i> . Document filed by Peter Grillo(Individually), Charles Swift. (Attachments: # <u>1</u> Exhibit Judge Nathan's Opinion & Order)(Mark, Brian) (Entered: 10/10/2019)
10/10/2019	<u>118</u>	JOINT PRELIMINARY TRIAL REPORT. Document filed by City of New York.(Anci, Joseph) (Entered: 10/10/2019)
10/10/2019	<u>119</u>	MOTION in Limine . Document filed by City of New York.(Anci, Joseph) (Entered: 10/10/2019)
10/10/2019	<u>120</u>	DECLARATION of Joseph Anci in Support re: <u>119</u> MOTION in Limine .. Document filed by City of New York. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Anci, Joseph) (Entered: 10/10/2019)
10/10/2019	<u>121</u>	MEMORANDUM OF LAW in Support re: <u>119</u> MOTION in Limine . . Document filed by City of New York. (Anci, Joseph) (Entered: 10/10/2019)
10/17/2019	<u>122</u>	FIRST MEMORANDUM OF LAW in Opposition re: <u>116</u> MOTION in Limine . . Document filed by Peter Grillo(Individually), Charles Swift. (Attachments: # <u>1</u> Exhibit Swift deposition transcript)(Mark, Brian) (Entered: 10/17/2019)
10/17/2019	<u>123</u>	MEMORANDUM OF LAW in Opposition re: <u>116</u> MOTION in Limine . . Document filed by City of New York. (Attachments: # <u>1</u> Exhibit A)(Brown, Kimberly) (Entered: 10/17/2019)
10/17/2019	<u>124</u>	FIRST LETTER MOTION for Extension of Time to File Response/Reply addressed to Judge Donald E. Walter from Plaintiff's counsel dated 10/17/2019. Document filed by Gordon Springs.(Liggieri, Paul) (Entered: 10/17/2019)
10/18/2019	<u>125</u>	ORDER granting <u>124</u> Letter Motion for Extension of Time to File Response/Reply re <u>119</u> MOTION in Limine ., <u>117</u> FIRST MOTION in Limine <i>to preclude evidence</i> Responses due by 10/21/2019. IT IS ORDERED that the request for extension of time is GRANTED. The plaintiff has until Monday, October 21, 2019, to file his Oppositions to Defendants Motion in Limine. (Signed by Judge Donald E. Walter on 10/18/2019) (rro) (Entered: 10/18/2019)
10/21/2019	<u>126</u>	RESPONSE in Opposition to Motion re: <u>119</u> MOTION in Limine . . Document filed by Gordon Springs. (Liggieri, Paul) (Entered: 10/21/2019)

10/22/2019	<u>127</u>	Minute Entry for proceedings held before Judge Donald E. Walter: A pretrial video conference was held on 10/22/2019. See attached minute entry for details of conference. (Interrogatories due by 11/5/2019.). (Landers, Rigoberto) (Entered: 10/23/2019)
11/07/2019	<u>128</u>	PROPOSED JURY INSTRUCTIONS. Document filed by City of New York.(Anci, Joseph) (Entered: 11/07/2019)
11/08/2019	<u>129</u>	PROPOSED JURY INSTRUCTIONS. Document filed by Peter Grillo(Individually), Charles Swift.(Mark, Brian) (Entered: 11/08/2019)
11/11/2019	<u>130</u>	NOTICE OF APPEARANCE by Paul Liggieri on behalf of Gordon Springs. (Liggieri, Paul) (Entered: 11/11/2019)
11/11/2019		Minute Entry for proceedings held before Judge Donald E. Walter: Pretrial Conference held on 11/11/2019. Counsel for plaintiff and defendants present along with Court Reporter Pam Utter. Pursuant to Federal Rule of Civil Procedure 42(b), the Court ordered a separate trial for plaintiff's claims against the City of New York from the trial scheduled for November 12. The Court will issue an Order in due course with its ruling on the separation. A trial date for defendant City of New York will be scheduled at a later date. The Court adjourned the trial for one day from November 12 to November 13, 2019 at 9:00 a.m.(Jury Trial set for 11/13/2019 at 09:00 AM before Judge Donald E. Walter.). (Landers, Rigoberto) (Entered: 11/11/2019)
11/12/2019	<u>131</u>	LETTER MOTION for Conference addressed to Judge Donald E. Walter from Plaintiff's counsel on consent of all individual defendants dated November 12, 2019. Document filed by Gordon Springs.(Liggieri, Paul) (Entered: 11/12/2019)
11/13/2019		Minute Entry for proceedings held before Judge Donald E. Walter: Pretrial Conference held on 11/13/2019. Paul Liggieri appeared for the Plaintiff. Brian Mark appeared for Defendant, Charles Swift and Peter Grillo. Kevin James Murtagh appeared for Defendant, Pedro Aristy. The Court granted Plaintiffs letter motion (doc no. 131). Order to issue separately. Trial continued to February 3, 2020.(Court Reporter Carol Ganley) (Landers, Rigoberto) (Entered: 11/14/2019)
11/14/2019	<u>132</u>	MEDIATION REFERRAL ORDER: It is hereby ORDERED that this case is referred for mediation to the Court--annexed Mediation Program. The parties are notified that Local Rule 83.9 shall govern the mediation and are directed to participate in the mediation in good faith. The mediation will have no effect upon any scheduling Order issued by this Court without leave of this Court. Please reference the following when corresponding with the Mediation Office. E--mail MediationOffice@nysd.uscourts.gov, telephone (212) 805--0643, and facsimile (212) 805--0647. Mediator to be Assigned by 11/25/2019. (Signed by Judge Donald E. Walter on 11/13/2019) (rro) (Entered: 11/14/2019)
11/15/2019	<u>133</u>	ORDER: Before the Court is a Letter Motion by the Plaintiff, Gordon Springs, for the dismissal of all remaining federal claims against Defendant Pedro Aristy. The motion is GRANTED, and Plaintiff's claims against Pedro Aristy pursuant to 42 U.S.C. §§ 1981, 1983, 1985, and 1986 are DISMISSED WITH PREJUDICE. Plaintiff further requests that the Court decline to exercise its supplemental jurisdiction over his remaining state law claims against Pedro Aristy, Charles Swift, and Peter Grillo. Without objection from the Defendants, the motion is GRANTED. Pursuant to 28 U.S.C. § 1367(c)(3), the remaining state law claims against the individual Defendants are DISMISSED WITHOUT PREJUDICE. Due to the late hour of Plaintiff's motion on the eve of trial, and in accordance with Local Civil Rule 47.1, Plaintiff's counsel has agreed to pay the costs associated with summoning the prospective jurors. The Clerks Office calculates the amount to be \$2,349.33. Payment must be made within ninety days of this order. THUS DONE AND SIGNED, this 13th day of November in New York, New York. Pedro Aristy (individually) and Pedro Aristy (in their respective capacities as members of the Fire Department of the City of New York) terminated. (Signed by Judge Donald E. Walter on 11/13/2019) (jca) Transmission to Finance Unit (Cashiers) for processing. (Entered: 11/15/2019)
11/19/2019	<u>134</u>	AMENDED MEDIATION REFERRAL ORDER: It is hereby ORDERED that this case is referred for mediation to the Court--annexed Mediation Program. The parties are notified that Local Rule 83.9 shall govern the mediation and are directed to participate in the mediation in good faith. The mediation shall have no effect upon any

		scheduling order issued by this Court without leave of this Court. The mediation must be completed by January 7, 2020. SO ORDERED. (Signed by Judge Donald E. Walter on 11/19/2019) (ks) Transmission to Mediation Clerk for processing. (Entered: 11/19/2019)
11/25/2019	<u>135</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 11/11/2019 before Judge Donald E. Walter. Court Reporter/Transcriber: Pamela Utter, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/16/2019. Redacted Transcript Deadline set for 12/26/2019. Release of Transcript Restriction set for 2/24/2020.(McGuirk, Kelly) (Entered: 11/25/2019)
11/25/2019	<u>136</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 11/11/19 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 11/25/2019)
12/06/2019		NOTICE OF MEDIATOR ASSIGNMENT – Notice of assignment of mediator. Mediator Schedule due by 12/23/2019.(mf) (Entered: 12/06/2019)
12/11/2019		MEDIATION CONFERENCE SCHEDULED First Mediation Conference scheduled for 12/23/2019 at 10:00 AM in Thurgood Marshall U.S. Courthouse, 40 Foley Square, New York, NY 10007.(smc) (Entered: 12/11/2019)
12/27/2019	<u>137</u>	JOINT LETTER MOTION for Leave to File Amended Joint Pre-Trial Order and Amended Motions In Limine addressed to Judge Donald E. Walter from Joseph Anci dated December 27, 2019. Document filed by City of New York.(Anci, Joseph) (Entered: 12/27/2019)
12/30/2019	<u>139</u>	ORDER granting <u>137</u> JOINT LETTER MOTION for Leave to File Amended Joint Pre-Trial Order and Amended Motions In Limine. Before the Court is a joint letter motion to file an Amended Joint Pretrial Order on or before January 10, 2020, and Amended Motions in Limine on or before January 24, 2020. See Record Document 137. Upon due consideration, the parties letter motion is hereby GRANTED. THUS DONE AND SIGNED, this 30th day of December, 2019. (Signed by Judge Donald E. Walter on 12/30/2019) (jca) (Entered: 12/30/2019)
12/30/2019		Set/Reset Deadlines: Motions due by 1/24/2020. Pretrial Order due by 1/10/2020. (jca) (Entered: 12/30/2019)
01/15/2020	<u>140</u>	JOINT FINAL TRIAL REPORT. Document filed by City of New York.(Anci, Joseph) (Entered: 01/15/2020)
01/15/2020	<u>141</u>	LETTER MOTION for Extension of Time to (1) File Objections to Plaintiff's Additions to the JPTO; (2) to Extend the Time to File Motions In Limine to Monday, January 27, 2020; and, if necessary, (3) to Adjourn the Trial Scheduled for Monday, February 3, 2020 addressed to Judge Donald E. Walter from Joseph Anci dated January 15, 2020. Document filed by City of New York.(Anci, Joseph) (Entered: 01/15/2020)
01/17/2020	<u>142</u>	ORDER granting <u>141</u> Letter Motion for Extension of Time. IT IS ORDERED that the requests for extension of time are GRANTED. The City may file any objections to plaintiffs new witnesses and/or exhibits via motions in limine in lieu of noting objections to the joint pretrial order. Any such motions in limine related to this issue are due on or before Monday, January 27, 2020. Additionally, the jury trial in this matter is hereby UPSET and RESCHEDULED to occur on Monday, April, 13, 2020, at 9:00 a.m. No additional extensions of time will be granted. (Signed by Judge Donald E. Walter on 1/17/2020) (rro) (Entered: 01/17/2020)
01/17/2020		Set/Reset Deadlines: (Motions due by 1/27/2020.), Set/Reset Hearings: (Jury Trial set for 4/13/2020 at 09:00 AM before Judge Donald E. Walter.) (rro) (Entered: 01/17/2020)

01/27/2020	<u>143</u>	ORDER: The deadline to submit Motions in Limine is hereby extended until February 10, 2020. Any opposition is due on February 17, 2020. (Motions due by 2/10/2020. Responses due by 2/17/2020) (Signed by Judge Donald E. Walter on 1/27/2020) (jwh) (Entered: 01/27/2020)
02/10/2020	<u>144</u>	MEMORANDUM OF LAW in Support re: <u>119</u> MOTION in Limine . . Document filed by City of New York..(Anci, Joseph) (Entered: 02/10/2020)
02/17/2020	<u>145</u>	RESPONSE in Opposition to Motion re: <u>141</u> LETTER MOTION for Extension of Time to (1) File Objections to Plaintiff's Additions to the JPTO; (2) to Extend the Time to File Motions In Limine to Monday, January 27, 2020; and, if necessary, (3) to Adjourn the Trial Scheduled for Monday, F . Document filed by Gordon Springs..(Liggieri, Paul) (Entered: 02/17/2020)
02/25/2020	<u>146</u>	ORDER: The trial in the above-captioned matter is RESCHEDULED to begin on Tuesday, April 14, 2020, at 9:00 a.m. in Manhattan (previously scheduled to begin on Monday, April 13, 2020) due to the holiday schedule. This matter remains the first setting on the Court's docket. (Jury Trial set for 4/14/2020 at 09:00 AM before Judge Donald E. Walter.) (Signed by Judge Donald E. Walter on 2/25/2020) (rro) (Entered: 02/25/2020)
03/05/2020		CASHIERS OFFICE REMARK on <u>133</u> Order, Add and Terminate Parties in the amount of \$2,349.33, paid on 3/5/2020, Receipt Number 465401256250. (jgl) (Entered: 03/05/2020)
03/16/2020	<u>147</u>	ORDER: On March 13, 2020, the Southern District of New York issued a Standing Order continuing all civil and criminal jury trials set to begin before April 27, 2020. Accordingly, the jury trial of this matter is hereby CONTINUED. (Signed by Judge Donald E. Walter on 3/16/2020) (mro) (Entered: 03/16/2020)
04/01/2021		NOTICE OF CASE REASSIGNMENT to Judge Colleen McMahon. Judge Donald E. Walter is no longer assigned to the case. (laq) (Entered: 04/01/2021)
04/07/2021	<u>148</u>	ORDER denying as moot <u>116</u> Motion in Limine; denying as moot <u>117</u> Motion in Limine; denying as moot <u>119</u> Motion in Limine. The motions in limine at Dkt. 116, 117, and 119 have been superseded by new motions and are denied as moot. The clerk of court is directed to remove Dkt. 11 6, 117, and 11 9 from the Court's list of open motions. (Signed by Judge Colleen McMahon on 4/7/2021) (cf) (Entered: 04/07/2021)
04/07/2021	<u>149</u>	LETTER MOTION to Substitute Attorney. Old Attorney: Derek Smith Law Group, PLLC, New Attorney: L & D Law, P.C. addressed to Judge Colleen McMahon from Alexander G. Cabeceiras, Esq. dated April 7, 2021. Document filed by Gordon Springs. (Attachments: # <u>1</u> Text of Proposed Order).(Cabeceiras, Alexander) (Entered: 04/07/2021)
04/08/2021	<u>150</u>	ORDER granting <u>149</u> Letter Motion to Substitute Attorney. Please remove Derek Smith Law Group from ECF. Attorney Alexander Gabriel Cabeceiras terminated (Signed by Judge Colleen McMahon on 4/8/2021) (cf) (Entered: 04/08/2021)
05/05/2021	<u>151</u>	TRIAL NOTICE: Please take notice that the above captioned matter is on the list of cases to be tried during the third quarter of 2021. This matter has been assigned a trial date – it is a backup case that has been scheduled in the event that other cases currently scheduled for trial are resolved. Parties should be prepared to commence trial as early as Monday, September 13, 2021 at 9:30 a.m. and may be called at any time thereafter to appear for jury selection and trial. A final pre-trial conference has been scheduled for Tuesday, July 13, 2021 at 10:00 a.m. Any scheduling difficulties must be brought to the attention of the Court in writing (Final Pretrial Conference set for 7/13/2021 at 10:00 AM before Judge Colleen McMahon., Jury Trial set for 9/13/2021 at 09:30 AM before Judge Colleen McMahon.) (Signed by Judge Colleen McMahon on 5/5/2021) (cf) Modified on 5/6/2021 (cf). (Entered: 05/05/2021)
05/05/2021		Set/Reset Hearings: Final Pretrial Conference set for 7/13/2021 at 10:00 AM before Judge Colleen McMahon. (cf) (Entered: 05/06/2021)
07/13/2021		Minute Entry for proceedings held before Judge Colleen McMahon: Final Pretrial Conference held on 7/13/2021. Decision: Final Pretrial Conference held. Motions in limine decided. Transcript will be available on ECF. Submitted by: Chloe Lewis. (Court Reporter Rose Prater). (mde) (Entered: 07/13/2021)

08/12/2021	<u>152</u>	LETTER MOTION for Leave to File notice of appearance addressed to Judge Colleen McMahon from Plaintiff's counsel dated August 12, 2021. Document filed by Gordon Springs..(Liggieri, Paul) (Entered: 08/12/2021)
08/16/2021	<u>153</u>	ORDER granting <u>152</u> Letter Motion for Leave to File Document. Request granted. (Signed by Judge Colleen McMahon on 8/16/2021) (cf) (Entered: 08/16/2021)
08/30/2021	<u>154</u>	NOTICE OF APPEARANCE by Brian Ross Gustman on behalf of Gordon Springs..(Gustman, Brian) (Entered: 08/30/2021)
09/07/2021	<u>155</u>	NOTICE OF APPEARANCE by Edwar Estrada on behalf of City of New York..(Estrada, Edwar) (Entered: 09/07/2021)
09/07/2021	<u>156</u>	LETTER MOTION for Conference addressed to Judge Colleen McMahon from Plaintiff dated 9/7/2021. Document filed by Gordon Springs..(Liggieri, Paul) (Entered: 09/07/2021)
09/08/2021	<u>157</u>	LETTER RESPONSE in Opposition to Motion addressed to Judge Colleen McMahon from Joseph Anci dated September 8, 2021 re: <u>156</u> LETTER MOTION for Conference addressed to Judge Colleen McMahon from Plaintiff dated 9/7/2021. . Document filed by City of New York..(Anci, Joseph) (Entered: 09/08/2021)
09/14/2021	<u>158</u>	NOTICE OF APPEARANCE by Alban Dunisha on behalf of Gordon Springs..(Dunisha, Alban) (Entered: 09/14/2021)
09/15/2021		Minute Entry for proceedings held before Judge Colleen McMahon: Jury Selection held on 9/15/2021. Jury selected and sworn in. Submitted by: Chloe Lewis. (Court Reporter Rebecca Forman). (mde) (Entered: 09/28/2021)
10/12/2021	<u>159</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 9/27/2021 before Judge Gerard E. Lynch. Court Reporter/Transcriber: Alena Lynch, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/2/2021. Redacted Transcript Deadline set for 11/12/2021. Release of Transcript Restriction set for 1/10/2022..(Moya, Goretti) (Entered: 10/12/2021)
10/12/2021	<u>160</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 9/27/21 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(Moya, Goretti) (Entered: 10/12/2021)
10/17/2021	<u>161</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 7/13/2021 before Judge Colleen McMahon. Court Reporter/Transcriber: Rose Prater, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/8/2021. Redacted Transcript Deadline set for 11/17/2021. Release of Transcript Restriction set for 1/15/2022..(Moya, Goretti) (Entered: 10/17/2021)
10/17/2021	<u>162</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 7/13/21 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(Moya, Goretti) (Entered: 10/17/2021)
02/18/2022	<u>163</u>	MOTION to Dismiss for Lack of Prosecution <i>Pursuant to Rule 41(b)</i> . Document filed by City of New York. Responses due by 3/4/2022.(Anci, Joseph) (Entered: 02/18/2022)
02/18/2022	<u>164</u>	MEMORANDUM OF LAW in Support re: <u>163</u> MOTION to Dismiss for Lack of Prosecution <i>Pursuant to Rule 41(b)</i> . . Document filed by City of New York..(Anci, Joseph) (Entered: 02/18/2022)

02/18/2022	<u>165</u>	DECLARATION of Joseph Anci in Support re: <u>163</u> MOTION to Dismiss for Lack of Prosecution <i>Pursuant to Rule 41(b)</i> .. Document filed by City of New York. (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).(Anci, Joseph) (Entered: 02/18/2022)
03/01/2022	<u>166</u>	FIRST LETTER MOTION for Extension of Time to File Response/Reply to <i>Defendants' motion on consent</i> addressed to Judge Colleen McMahon from Plaintiff's counsel on consent dated 3/1/2022. Document filed by Gordon Springs..(Liggieri, Paul) (Entered: 03/01/2022)
03/02/2022	<u>167</u>	ORDER granting <u>166</u> Letter Motion for Extension of Time to File Response/Reply re <u>166</u> FIRST LETTER MOTION for Extension of Time to File Response/Reply to <i>Defendants' motion on consent</i> addressed to Judge Colleen McMahon from Plaintiff's counsel on consent dated 3/1/2022. OK. Responses due by 3/17/2022 Replies due by 3/31/2022.. (Signed by Judge Colleen McMahon on 3/2/2022) (kv) (Entered: 03/02/2022)
03/17/2022	<u>168</u>	LETTER MOTION for Extension of Time to File Response/Reply as to <u>167</u> Order on Motion for Extension of Time to File Response/Reply, <u>163</u> MOTION to Dismiss for Lack of Prosecution <i>Pursuant to Rule 41(b)</i> . addressed to Judge Colleen McMahon from Plaintiff's counsel dated March 17, 2022. Document filed by Gordon Springs..(Liggieri, Paul) (Entered: 03/17/2022)
03/18/2022	<u>169</u>	ORDER granting <u>168</u> Letter Motion for Extension of Time to File Response/Reply re <u>168</u> LETTER MOTION for Extension of Time to File Response/Reply as to <u>167</u> Order on Motion for Extension of Time to File Response/Reply, <u>163</u> MOTION to Dismiss for Lack of Prosecution <i>Pursuant to Rule 41(b)</i> . addressed to Judge C. OK. Responses due by 3/18/2022. (Signed by Judge Colleen McMahon on 3/18/2022) (kv) (Entered: 03/18/2022)
03/18/2022	<u>170</u>	MEMORANDUM OF LAW in Opposition re: <u>163</u> MOTION to Dismiss for Lack of Prosecution <i>Pursuant to Rule 41(b)</i> . . Document filed by Gordon Springs..(Liggieri, Paul) (Entered: 03/18/2022)
03/18/2022	<u>171</u>	DECLARATION of Paul Liggieri, esq. in Opposition re: <u>163</u> MOTION to Dismiss for Lack of Prosecution <i>Pursuant to Rule 41(b)</i> .. Document filed by Gordon Springs. (Attachments: # <u>1</u> Exhibit Exhibits one through three, # <u>2</u> Exhibit Exhibits four through eleven).(Liggieri, Paul) (Entered: 03/18/2022)
03/30/2022	<u>172</u>	CONSENT LETTER MOTION for Extension of Time to File Response/Reply as to <u>170</u> Memorandum of Law in Opposition to Motion, <u>163</u> MOTION to Dismiss for Lack of Prosecution <i>Pursuant to Rule 41(b)</i> . addressed to Judge Colleen McMahon from Joseph Anci dated January 30, 2022. Document filed by City of New York..(Anci, Joseph) (Entered: 03/30/2022)
03/31/2022	<u>173</u>	ORDER granting <u>172</u> Letter Motion for Extension of Time to File Response/Reply re <u>172</u> CONSENT LETTER MOTION for Extension of Time to File Response/Reply as to <u>170</u> Memorandum of Law in Opposition to Motion, <u>163</u> MOTION to Dismiss for Lack of Prosecution <i>Pursuant to Rule 41(b)</i> . addressed to Judge Colleen McMahon. Extension granted. Replies due by 4/14/2022. (Signed by Judge Colleen McMahon on 3/31/2022) (jca) (Entered: 03/31/2022)
04/08/2022	<u>174</u>	AMENDED TRIAL NOTICE: Please take notice that the above captioned matter has been scheduled to be tried during the third quarter of 2022. The matter has been assigned a trial date of Wednesday, July 6, 2022 at 9:30 a.m., in courtroom 24A, at the U.S. District Courthouse, 500 Pearl Street, New York, New York 10007. Parties are directed to file all trial documents required by Judge McMahon's Individual Practices. Courtesy copies of trial papers should be provided to chambers via mail or they can be hand delivered. This is a firm date. No adjournments will be granted. Jury Trial set for 7/6/2022 at 09:30 AM in Courtroom 24A, 500 Pearl Street, New York, NY 10007 before Judge Colleen McMahon. (Signed by Judge Colleen McMahon on 4/8/2022) (kv) (Entered: 04/08/2022)
04/14/2022	<u>175</u>	FIRST LETTER MOTION for Extension of Time to <i>Adjourn the Trial Date due to Counsel's Unavailability</i> addressed to Judge Colleen McMahon from Edwar Estrada dated 04/14/2022. Document filed by City of New York..(Estrada, Edwar) (Entered: 04/14/2022)

04/14/2022	<u>176</u>	REPLY MEMORANDUM OF LAW in Support re: <u>163</u> MOTION to Dismiss for Lack of Prosecution <i>Pursuant to Rule 41(b)</i> . . Document filed by City of New York..(Anci, Joseph) (Entered: 04/14/2022)
04/14/2022	<u>177</u>	DECLARATION of Joseph Anci in Support re: <u>163</u> MOTION to Dismiss for Lack of Prosecution <i>Pursuant to Rule 41(b)</i> .. Document filed by City of New York. (Attachments: # <u>1</u> Exhibit I, # <u>2</u> Exhibit J).(Anci, Joseph) (Entered: 04/14/2022)
04/18/2022	<u>178</u>	DECISION AND ORDER DENYING THE MOTION TO DISMISS FOR FAILURE TO PROSECUTE denying <u>163</u> Motion to Dismiss for Lack of Prosecution; denying <u>175</u> Letter Motion for Extension of Time. For the reasons set forth below, the City's motion is denied. (as further set forth herein). Jury selection in this case has been set for Wednesday, July 6, 2022. This will be Plaintiffs last opportunity to try his case. If he does not seize that opportunity, his case will be dismissed with prejudice. This time, Plaintiff is warned. The City has moved to adjourn the trial date, due to counsel's travel plans and the possibility of needing to remain out of court upon counsel's return. (Dkt. No. 175). That motion is denied. There will be no adjournment. None. July 6 is the date on which the court is available, and July 6 will be the date on which we pick a jury. Corporation Counsel can assign a new lawyer to try this case if necessary. The Clerk of Court is respectfully directed to close the motions at Docket Numbers 163 and 175. It is so ordered.. (Signed by Judge Colleen McMahan on 4/18/2022) BY ECF TO ALL COUNSEL (kv) (Entered: 04/18/2022)
05/11/2022	<u>179</u>	CALENDAR NOTICE: Please take notice that the above captioned matter has been scheduled for a: Pre-trial Conference to Monday, June 13, 2022 at 11 A.M. before the Honorable Colleen McMahan, United States District Judge in Courtroom 24A, U.S. District Court, 500 Pearl Street, New York, New York 10007. Any scheduling difficulties must be brought to the attention of the Court in writing and faxed to Chambers at (212) 805-6326. SO ORDERED. Pretrial Conference set for 6/13/2022 at 11:00 AM in Courtroom 24A, 500 Pearl Street, New York, NY 10007 before Judge Colleen McMahan. (Signed by Judge Colleen McMahan on 5/11/2022) (kv) (Entered: 05/11/2022)
05/12/2022	<u>180</u>	NOTICE OF APPEARANCE by Dominique F. Saint-Fort on behalf of City of New York..(Saint-Fort, Dominique) (Entered: 05/12/2022)
06/13/2022		Minute Entry for proceedings held before Judge Colleen McMahan: Final Pretrial Conference held on 6/13/2022. Final pretrial conference held. Transcript will be available on ECF. Submitted by: Amanda Barkin. (Court Reporter Andrew Walker). (mde) (Entered: 06/13/2022)
07/06/2022		Minute Entry for proceedings held before Judge Colleen McMahan: Jury Selection and Jury Trial begun on 7/6/2022. (Court Reporter Sonya Moore and Raquel Robles). Submitted by Amanda Barkin. (mde) (Entered: 07/13/2022)
07/07/2022		Minute Entry for proceedings held before Judge Colleen McMahan: Jury Trial held and continued on 7/7/2022. (Court Reporter Sonya Moore and Raquel Robles). (Submitted by Amanda Barkin). (mde) (Entered: 07/13/2022)
07/08/2022	<u>181</u>	LETTER addressed to Judge Colleen McMahan from Joseph Anci dated July 8, 2022 re: Defendant's Proposed Rebuttal Witness. Document filed by City of New York..(Anci, Joseph) (Entered: 07/08/2022)
07/08/2022	<u>182</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 6/13/2022 before Judge Colleen McMahan. Court Reporter/Transcriber: Andrew Walker, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/29/2022. Redacted Transcript Deadline set for 8/8/2022. Release of Transcript Restriction set for 10/6/2022..(McGuirk, Kelly) (Entered: 07/08/2022)
07/08/2022	<u>183</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 6/13/2022 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(McGuirk, Kelly) (Entered: 07/08/2022)

07/11/2022		Minute Entry for proceedings held before Judge Colleen McMahon: Jury Trial held on 7/11/2022. (Court Reporter Raquel Robles). (Submitted by Amanda Barkin). (mde) (Entered: 07/13/2022)
07/12/2022		Minute Entry for proceedings held before Judge Colleen McMahon: Jury Trial completed on 7/12/2022. JURY VERDICT for Defendants on all claims.(Court Reporter Raquel Robles). (Submitted by Amanda Barkin). (Entered: 07/13/2022)
07/14/2022	<u>184</u>	TRANSCRIPT of Proceedings re: trial held on 7/6/2022 before Judge Colleen McMahon. Court Reporter/Transcriber: Sonya Ketter Moore, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/4/2022. Redacted Transcript Deadline set for 8/15/2022. Release of Transcript Restriction set for 10/12/2022..(Moya, Goretti) (Entered: 07/14/2022)
07/14/2022	<u>185</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 7/6/22 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(Moya, Goretti) (Entered: 07/14/2022)
07/14/2022	<u>186</u>	TRANSCRIPT of Proceedings re: trial held on 7/7/2022 before Judge Colleen McMahon. Court Reporter/Transcriber: Sonya Ketter Moore, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/4/2022. Redacted Transcript Deadline set for 8/15/2022. Release of Transcript Restriction set for 10/12/2022..(Moya, Goretti) (Entered: 07/14/2022)
07/14/2022	<u>187</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 7/7/22 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(Moya, Goretti) (Entered: 07/14/2022)
07/14/2022	<u>188</u>	TRANSCRIPT of Proceedings re: trial held on 7/11/2022 before Judge Colleen McMahon. Court Reporter/Transcriber: Sonya Ketter Moore, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/4/2022. Redacted Transcript Deadline set for 8/15/2022. Release of Transcript Restriction set for 10/12/2022..(Moya, Goretti) (Entered: 07/14/2022)
07/14/2022	<u>189</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 7/11/22 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(Moya, Goretti) (Entered: 07/14/2022)
07/14/2022	<u>190</u>	TRANSCRIPT of Proceedings re: trial held on 7/12/2022 before Judge Colleen McMahon. Court Reporter/Transcriber: Sonya Ketter Moore, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/4/2022. Redacted Transcript Deadline set for 8/15/2022. Release of Transcript Restriction set for 10/12/2022..(Moya, Goretti) (Entered: 07/14/2022)
07/14/2022	<u>191</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 7/12/22 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar

		days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(Moya, Goretti) (Entered: 07/14/2022)
07/28/2022	<u>192</u>	JUDGMENT: It is hereby ORDERED, ADJUDGED AND DECREED: That after a Jury Trial before the Honorable Colleen McMahon, United States District Judge, the jury having returned a verdict in favor of Defendants on all claims, and the Complaint is hereby dismissed. (Signed by Judge Colleen McMahon on 7/28/2022) (rro) (Entered: 07/28/2022)
08/01/2022	<u>193</u>	NOTICE OF APPEAL from <u>192</u> Judgment,. Document filed by Gordon Springs. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Attachments: # <u>1</u> Exhibit Copy of Docket, # <u>2</u> Exhibit Judgment).(McCallion, Kenneth) (Entered: 08/01/2022)
08/01/2022		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>193</u> Notice of Appeal. (tp) (Entered: 08/01/2022)
08/01/2022		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>193</u> Notice of Appeal, filed by Gordon Springs were transmitted to the U.S. Court of Appeals. (tp) (Entered: 08/01/2022)