

**United States District Court  
District of Massachusetts (Springfield)  
CIVIL DOCKET FOR CASE #: 3:14-cv-30023-MAP**

Wilhite v. Pioggia et al  
Assigned to: Judge Michael A. Ponsor  
Case in other court: USCA - First Circuit, 16-01905  
Cause: 42:1983 Civil Rights Act

Date Filed: 01/29/2014  
Date Terminated: 02/28/2017  
Jury Demand: Both  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Charles Wilhite**

represented by **Howard Friedman**  
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V.

**Defendant**

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**Defendant**

**Steven Tatro**

*In their Individual Capacities*

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### **Defendant**

**City of Springfield**  
**TERMINATED: 01/04/2016**

represented by **Anthony I. Wilson**  
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**TERMINATED: 01/04/2016**  
**ATTORNEY TO BE NOTICED**

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### **ADR Provider**

**Kenneth P. Neiman**  
**TERMINATED: 06/30/2016**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/29/2014	<a href="#"><u>1</u></a>	COMPLAINT against All Defendants Filing fee: \$ 400, receipt number 0101-4836845 (Fee Status: Filing Fee paid), filed by Charles Wilhite. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet, # <a href="#"><u>2</u></a> Local Category Form)(Friedman, Howard) (Entered: 01/29/2014)
01/29/2014	<a href="#"><u>2</u></a>	NOTICE of Appearance by Drew H. Glassroth on behalf of Charles Wilhite (Glassroth, Drew) (Entered: 01/29/2014)
01/29/2014	<a href="#"><u>3</u></a>	NOTICE of Case Assignment. Magistrate Judge Kenneth P. Neiman assigned to case. <b>Plaintiff's counsel, or defendant's counsel if this case was initiated by the filing of a Notice of Removal, are directed to the Notice and Procedures regarding Consent to Proceed before the Magistrate Judge which can be downloaded <a href="#">here</a>. These documents will be mailed to counsel not receiving notice electronically.</b> (Attachments: # <a href="#"><u>1</u></a> Standing Order)(Abaid, Kimberly) (Entered: 01/29/2014)
01/29/2014	<a href="#"><u>4</u></a>	NOTICE of Appearance by David Milton on behalf of Charles Wilhite (Milton, David) (Entered: 01/29/2014)
01/29/2014	<a href="#"><u>5</u></a>	Summons Issued as to City of Springfield, Anthony Pioggia, Steven Tatro. <b>Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service.</b> (Finn, Mary) (Entered: 01/29/2014)
01/30/2014	<a href="#"><u>6</u></a>	CERTIFICATION pursuant to Local Rule 16.1 <i>of Plaintiff</i> . (Friedman, Howard) (Entered: 01/30/2014)
02/03/2014	<a href="#"><u>7</u></a>	NOTICE of Appearance by John T. Liebel on behalf of City of Springfield (Liebel, John) (Entered: 02/03/2014)
02/03/2014	<a href="#"><u>8</u></a>	NOTICE of Appearance by Anthony I. Wilson on behalf of City of Springfield (Wilson,

		Anthony) (Entered: 02/03/2014)
02/13/2014	<a href="#">9</a>	WAIVER OF SERVICE Returned Executed by Charles Wilhite. City of Springfield waiver sent on 2/5/2014, answer due 4/7/2014. (Friedman, Howard) (Entered: 02/13/2014)
03/03/2014	<a href="#">10</a>	NOTICE of Appearance by Kevin B. Coyle on behalf of Anthony Pioggia, Steven Tatro (Coyle, Kevin) (Entered: 03/03/2014)
03/03/2014	<a href="#">11</a>	ANSWER to <a href="#">1</a> Complaint with Jury Demand by Anthony Pioggia, Steven Tatro.(Coyle, Kevin) (Entered: 03/03/2014)
03/30/2014	<a href="#">12</a>	NOTICE of Scheduling Conference ISSUED, cc:cl. Scheduling Conference set for 5/12/2014 at 10:00 AM in Hampshire Courtroom before Magistrate Judge Kenneth P. Neiman. Joint statement and LR 16.1 certs by 4/30/14.(Healy, Bethaney) (Entered: 03/30/2014)
04/04/2014	<a href="#">13</a>	ANSWER to <a href="#">1</a> Complaint with Jury Demand by City of Springfield.(Wilson, Anthony) (Entered: 04/04/2014)
04/09/2014	<a href="#">14</a>	CERTIFICATION pursuant to Local Rule 16.1 . (Liebel, John) (Entered: 04/09/2014)
05/07/2014	15	ELECTRONIC NOTICE OF RESCHEDULING ISSUED, cc:cl. Scheduling Conference moved to 5/12/2014 at 2:30 PM in Hampshire Courtroom before Magistrate Judge Kenneth P. Neiman. Please note change in time only. (Healy, Bethaney) (Entered: 05/07/2014)
05/07/2014	<a href="#">16</a>	JOINT STATEMENT re scheduling conference <i>and proposed discovery schedule</i> . (Friedman, Howard) (Entered: 05/07/2014)
05/07/2014	<a href="#">17</a>	Joint MOTION for Protective Order by Charles Wilhite. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Friedman, Howard) (Entered: 05/07/2014)
05/08/2014	18	Magistrate Judge Kenneth P. Neiman: ELECTRONIC ORDER entered granting <a href="#">17</a> Joint Motion for Protective Order. Order to issue. (Neiman, Kenneth) (Entered: 05/08/2014)
05/08/2014	<a href="#">19</a>	First MOTION to Continue the 5/12/2014 scheduling conf. to May 13, 2014 to Hold Scheduling Conference by City of Springfield.(Wilson, Anthony) Modified on 5/8/2014 to change the relief type of the motion to MOTION to continue. (Finn, Mary). (Entered: 05/08/2014)
05/08/2014	<a href="#">20</a>	Magistrate Judge Kenneth P. Neiman: ORDER entered. PROTECTIVE ORDER (Attachments: # <a href="#">1</a> Acknowledgment and Agreement to be Bound) (Lindsay, Maurice) (Entered: 05/08/2014)
05/09/2014	21	Magistrate Judge Kenneth P. Neiman: ELECTRONIC ORDER entered granting <a href="#">19</a> Motion to Continue Conference, cc:cl. Allowed. The Scheduling Conference is continued to 5/13/2014 at 10:00 AM in Hampshire Courtroom before Magistrate Judge Kenneth P. Neiman. (Healy, Bethaney) (Entered: 05/09/2014)
05/13/2014	<a href="#">22</a>	Magistrate Judge Kenneth P. Neiman: ORDER entered. SCHEDULING ORDER: Parties shall compl. their automatic discl. by 5/19/2014. All non-expert disc. shall be compl. by 5/15/2014. Case Management Conference set for 5/21/2015 02:00 PM in Hampden Courtroom before Judge Michael A. Ponsor. Pltf's to designate and discl. info. re: trial experts by 6/17/2015, Defts' due 7/17/2015. All expert depositions to be compl. by 8/28/2015. Defts' motion for S/J, if any, by 9/30/2015. Pltf's opp. by 10/21/2015. Hearing set for 11/12/2015 at 2:00 PM before Judge Michael A. Ponsor in the Hampden Courtroom. Final Pretrial Conference set for 12/9/2015 02:00 PM in Hampden Courtroom before Judge Michael A. Ponsor. Jury Trial set for 1/4/2016 09:00 AM in Hampden Courtroom

		before Judge Michael A. Ponsor.(Finn, Mary) (Main Document 22 replaced on 5/13/2014 with correct main document) (Finn, Mary). Modified on 5/13/2014 (Finn, Mary). (Entered: 05/13/2014)
05/13/2014	<a href="#">23</a>	Judge Michael A. Ponsor: ORDER entered. PROCEDURAL ORDER re pretrial/trial. Final Pretrial Conference set for 12/9/2015 02:00 PM in Hampden Courtroom before Judge Michael A. Ponsor. Jury Trial set for 1/4/2016 09:00 AM in Hampden Courtroom before Judge Michael A. Ponsor.(Finn, Mary) (Entered: 05/13/2014)
05/13/2014	27	ELECTRONIC Clerk's Notes for proceedings held before Magistrate Judge Kenneth P. Neiman: Counsel appear for Scheduling Conference held on 5/13/2014. Colloquy re: status of case. Scheduling Order to issue. (Court Reporter: Digital Recording - For transcripts or CDs contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov.)(Attorneys present: Friedman, Coyle, Liebel) (Healy, Bethaney) (Entered: 05/30/2014)
05/22/2014	<a href="#">24</a>	Refusal to Consent to Proceed Before a US Magistrate Judge. (Healy, Bethaney) (Entered: 05/22/2014)
05/23/2014	25	ELECTRONIC NOTICE of Reassignment. Judge Michael A. Ponsor added. (Abaid, Kimberly) (Entered: 05/23/2014)
05/23/2014	26	CASE REFERRED to Magistrate Judge Kenneth P. Neiman. (Finn, Mary) (Entered: 05/23/2014)
06/17/2014	28	ELECTRONIC NOTICE of Reassignment. Judge Mark G. Mastroianni added. Judge Michael A. Ponsor no longer assigned to case. (Abaid, Kimberly) (Entered: 06/17/2014)
06/18/2014	<a href="#">29</a>	Assented to MOTION for Recusal by Charles Wilhite.(Friedman, Howard) (Entered: 06/18/2014)
06/24/2014	30	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting <a href="#">29</a> Motion for Recusal. (Pelegano, Theresa) (Entered: 06/24/2014)
06/24/2014	<a href="#">31</a>	Judge Mark G. Mastroianni: ORDER entered. ORDER OF RECUSAL.(Pelegano, Theresa) (Entered: 06/24/2014)
06/24/2014	32	ELECTRONIC NOTICE of Reassignment. Judge Michael A. Ponsor added. Judge Mark G. Mastroianni no longer assigned to case. (Abaid, Kimberly) (Entered: 06/24/2014)
12/30/2014	33	Case no longer referred to Magistrate Judge Kenneth P. Neiman. (Calderon, Melissa) (Entered: 12/30/2014)
01/08/2015	34	Judge Michael A. Ponsor: ELECTRONIC ORDER entered REFERRING CASE to Magistrate Judge Katherine A. Robertson. Referred for: Full Pretrial, No Dispositive Motions (ptn). (Healy, Bethaney) (Entered: 01/08/2015)
01/21/2015	<a href="#">35</a>	Magistrate Judge Katherine A. Robertson: ORDER entered. ORDER OF RECUSAL. (Calderon, Melissa) (Entered: 01/21/2015)
01/21/2015	36	Case no longer referred to Magistrate Judge Katherine A. Robertson. (Calderon, Melissa) (Entered: 01/21/2015)
03/05/2015	<a href="#">37</a>	MOTION to Bifurcate and MOTION to Stay Discovery by City of Springfield, Anthony Pioggia, Steven Tatro.(Wilson, Anthony). Added an additional relief - MOTION to Stay on 3/13/2015 (Finn, Mary). (Entered: 03/05/2015)
03/05/2015	<a href="#">38</a>	MEMORANDUM in Support re <a href="#">37</a> MOTION to Bifurcate filed by City of Springfield, Anthony Pioggia, Steven Tatro. (Wilson, Anthony) (Entered: 03/05/2015)
03/12/2015	<a href="#">39</a>	Opposition re <a href="#">37</a> MOTION to Bifurcate filed by Charles Wilhite. (Glassroth, Drew)

		(Entered: 03/12/2015)
03/18/2015	40	Judge Michael A. Ponsor: ELECTRONIC ORDER entered denying <a href="#">37</a> Motion to Bifurcate, cc:cl. DENIED as to bifurcation of discovery. DENIED, without prejudice, as to bifurcation of the trial. The latter issue may be re-examined as trial approaches. So ordered. (Healy, Bethaney) (Entered: 03/18/2015)
04/01/2015	<a href="#">41</a>	Joint MOTION for Extension of Time to September 30, 2015 to Complete Discovery by Charles Wilhite.(Glassroth, Drew) (Entered: 04/01/2015)
04/02/2015	<a href="#">42</a>	Judge Michael A. Ponsor: ENDORSED ORDER entered granting <a href="#">41</a> Joint Motion to Extend Discovery. ALLOWED. The proposed modified schedule is hereby adapted and so ordered. (Lindsay, Maurice) (Entered: 04/02/2015)
04/06/2015	<a href="#">43</a>	MOTION to Take Deposition from Nathan Perez by City of Springfield, Anthony Pioggia, Steven Tatro.(Wilson, Anthony) (Entered: 04/06/2015)
04/22/2015	44	Judge Michael A. Ponsor: ELECTRONIC ORDER entered. REFERRING MOTION <a href="#">43</a> MOTION to Take Deposition from Nathan Perez filed by Steven Tatro, Anthony Pioggia, City of Springfield to Magistrate Judge Robertson(Lindsay, Maurice) Motions referred to Katherine A. Robertson. (Entered: 04/22/2015)
04/23/2015	45	Judge Michael A. Ponsor: ENDORSED ORDER entered granting <a href="#">43</a> Motion to Take Deposition from Nathan Perez. ALLOWED. (Lindsay, Maurice) (Entered: 04/23/2015)
05/21/2015	46	ELECTRONIC NOTICE OF RESCHEDULING ISSUED, cc:cl. The Case Management Conference originally set for May 21, 2015 is continued to October 7, 2015 at 2:00 PM in Hampden Courtroom before Judge Michael A. Ponsor. (Healy, Bethaney) (Entered: 05/21/2015)
05/21/2015	<a href="#">47</a>	MOTION to Compel by Charles Wilhite.(Glassroth, Drew) (Entered: 05/21/2015)
05/21/2015	<a href="#">48</a>	MEMORANDUM in Support re <a href="#">47</a> MOTION to Compel filed by Charles Wilhite. (Glassroth, Drew) (Entered: 05/21/2015)
05/21/2015	<a href="#">49</a>	DECLARATION re <a href="#">47</a> MOTION to Compel by Charles Wilhite. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5, # <a href="#">6</a> Exhibit 6, # <a href="#">7</a> Exhibit 7, # <a href="#">8</a> Exhibit 8)(Glassroth, Drew) (Entered: 05/21/2015)
06/04/2015	<a href="#">50</a>	MOTION for Extension of Time to June 11, 2015 to File Response/Reply as to <a href="#">48</a> Memorandum in Support of Motion, <a href="#">49</a> Declaration, <a href="#">47</a> MOTION to Compel by City of Springfield.(Wilson, Anthony) (Entered: 06/04/2015)
06/05/2015	51	Judge Michael A. Ponsor: ELECTRONIC ORDER entered granting <a href="#">50</a> Motion for Extension of Time to File Response/Reply re <a href="#">47</a> MOTION to Compel . Def't. City of Springfield's resp. due by 6/11/2015. (Finn, Mary) (Entered: 06/05/2015)
06/11/2015	<a href="#">52</a>	Opposition re <a href="#">47</a> MOTION to Compel filed by City of Springfield. (Wilson, Anthony) (Entered: 06/11/2015)
06/12/2015	<a href="#">53</a>	Assented to MOTION for Leave to File <i>Reply</i> by Charles Wilhite. (Attachments: # <a href="#">1</a> Proposed Reply)(Glassroth, Drew) (Entered: 06/12/2015)
06/15/2015	54	Judge Michael A. Ponsor: ELECTRONIC ORDER entered granting <a href="#">53</a> Motion for Leave to File Reply Brief. Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (Healy, Bethaney) (Entered: 06/15/2015)
06/15/2015	<a href="#">55</a>	REPLY to Response to <a href="#">47</a> MOTION to Compel filed by Charles Wilhite. (Glassroth,



		Drew) (Entered: 06/15/2015)
07/07/2015	56	Judge Michael A. Ponsor: ELECTRONIC ORDER entered granting <a href="#">47</a> Motion to Compel. ALLOWED. The two items fall well within the permitted scope of discovery. Defendants will disclose the requested material on or before July 31, 2015. So ordered. (Healy, Bethaney) (Entered: 07/07/2015)
07/28/2015	<a href="#">57</a>	MOTION to Take Deposition from Anthony Martinez by Charles Wilhite.(Glassroth, Drew) (Entered: 07/28/2015)
07/29/2015	58	Judge Michael A. Ponsor: ELECTRONIC ORDER entered granting without opposition <a href="#">57</a> Motion to Take Deposition from Anthony Martinez. (Healy, Bethaney) (Entered: 07/29/2015)
09/30/2015	<a href="#">59</a>	Joint MOTION for Extension of Time to December 30, 2015 to Complete Discovery by Charles Wilhite.(Glassroth, Drew) (Entered: 09/30/2015)
10/01/2015	<a href="#">60</a>	Judge Michael A. Ponsor: ENDORSED ORDER entered granting <a href="#">59</a> Motion for Extension of Time to Complete Discovery. ALLOWED. The schedule set out at paragraph 7 is adopted and so ordered. (Lindsay, Maurice) (Entered: 10/01/2015)
10/07/2015	<a href="#">61</a>	Judge Michael A. Ponsor: ORDER entered. SCHEDULING ORDER: Motions for summary judgment will be filed on or before 5/6/16 and opposed on or before 5/27/16.Any reply will be filed by 6/3/16. Counsel will appear again before this court on June 9, 2016 at 11:00 a.m. for argument on the motions for summary judgment in Hampden Courtroom before Judge Michael A. Ponsor. See the attached scheduling order for complete details. (Lindsay, Maurice) (Entered: 10/07/2015)
10/07/2015	62	Set/Reset Deadlines: Motions due by 5/6/2016. Responses due by 5/27/2016. Replies due by 6/3/2016. Motion Hearing set for 6/9/2016 11:00 AM in Hampden Courtroom before Judge Michael A. Ponsor. (Finn, Mary) (Entered: 10/07/2015)
10/07/2015	63	ELECTRONIC Clerk's Notes for proceedings held before Judge Michael A. Ponsor: Counsel appear for Status Conference held on 10/7/2015. Colloquy re: status of case. Schedule established with order to issue. (Court Reporter: Alice Moran atalice.moran@verizon.net.)(Attorneys present: Friedman, Coyle, Liebel) (Healy, Bethaney) (Entered: 10/09/2015)
11/05/2015	<a href="#">64</a>	MOTION to Take Deposition from Gerald Eddington by Charles Wilhite.(Glassroth, Drew) (Entered: 11/05/2015)
11/10/2015	65	Judge Michael A. Ponsor: ENDORSED ORDER entered granting <a href="#">64</a> Motion to Take Deposition from Gerald Eddington. ALLOWED. (Lindsay, Maurice) (Entered: 11/10/2015)
01/04/2016	<a href="#">66</a>	STIPULATION of Dismissal <i>Of Claims Against Defendant City Of Springfield</i> by Charles Wilhite. (Glassroth, Drew) (Entered: 01/04/2016)
01/29/2016	<a href="#">67</a>	MOTION for Extension of Time to February 2, 2016 and March 1, 2016 to Complete Expert Disclosures by Charles Wilhite.(Glassroth, Drew) (Entered: 01/29/2016)
02/01/2016	68	Judge Michael A. Ponsor: ENDORSED ORDER entered granting <a href="#">67</a> Motion for A 2-Day Extension of Time of Expert Deadline. ALLOWED. (Lindsay, Maurice) (Entered: 02/01/2016)
03/24/2016	<a href="#">69</a>	NOTICE of Appearance by Edward M. Pikula on behalf of Steven Tatro (Pikula, Edward) (Entered: 03/24/2016)
03/24/2016	<a href="#">70</a>	MOTION for Extension of Time to April 28, 2016 to Complete Discovery <i>on experts</i> by Anthony Pioggia, Steven Tatro.(Pikula, Edward) (Entered: 03/24/2016)

03/25/2016	<a href="#">71</a>	Opposition re <a href="#">70</a> MOTION for Extension of Time to April 28, 2016 to Complete Discovery <i>on experts</i> filed by Charles Wilhite. (Glassroth, Drew) (Entered: 03/25/2016)
03/29/2016	<a href="#">72</a>	Judge Michael A. Ponsor: ENDORSED ORDER entered granting <a href="#">70</a> Motion for Extension of Time to Complete Discovery. ALLOWED. The extension is not substantial and the transition of counsel justifies some flexibility. So ordered. (Lindsay, Maurice) (Entered: 03/29/2016)
04/21/2016	<a href="#">73</a>	MOTION for Extension of Time to April 28, 2016 to provide expert report by Anthony Pioggia, Steven Tatro. (Attachments: # <a href="#">1</a> Exhibit P's Answ to Ints)(Pikula, Edward) (Entered: 04/21/2016)
04/22/2016	<a href="#">74</a>	RESPONSE to Motion re <a href="#">73</a> MOTION for Extension of Time to April 28, 2016 to provide expert report filed by Charles Wilhite. (Glassroth, Drew) (Entered: 04/22/2016)
04/25/2016	75	Judge Michael A. Ponsor: ENDORSED ORDER entered granting <a href="#">73</a> Motion for Extension of Time to April 28, 2016 to provide expert report. ALLOWED. (Lindsay, Maurice) (Entered: 04/25/2016)
04/26/2016	<a href="#">76</a>	NOTICE of Appearance by Lisa C. deSousa on behalf of Steven Tatro (deSousa, Lisa) (Entered: 04/26/2016)
05/13/2016	<a href="#">77</a>	MOTION for Summary Judgment and MOTION for a Hearing by Anthony Pioggia, Steven Tatro.(Pikula, Edward). Added an additional relief - MOTION for Hearing on 5/13/2016 (Finn, Mary). (Entered: 05/13/2016)
05/13/2016	<a href="#">78</a>	MOTION for Leave to File Excess Pages by Anthony Pioggia, Steven Tatro. (Attachments: # <a href="#">1</a> Exhibit Proposed memo)(Pikula, Edward) (Entered: 05/13/2016)
05/13/2016	79	Set/Reset Deadlines as to <a href="#">77</a> MOTION for Summary Judgment . Responses due by 5/27/2016. Replies due by 6/3/2016. Motion Hearing set for 6/9/2016 11:00 AM in Hampden Courtroom before Judge Michael A. Ponsor. (Finn, Mary) (Entered: 05/13/2016)
05/13/2016	<a href="#">80</a>	Statement of Material Facts L.R. 56.1 re <a href="#">77</a> MOTION for Summary Judgment MOTION for Hearing filed by Anthony Pioggia, Steven Tatro. (Attachments: # <a href="#">1</a> Exhibit 1a Defense Expert CV, # <a href="#">2</a> Exhibit 1b Defense Expert Report, # <a href="#">3</a> Exhibit 2b Witness State. Maria Torres, # <a href="#">4</a> Exhibit 2d Witness State. Tler Campbell, # <a href="#">5</a> Exhibit 2e Witness State. Thomas Rodriguez, # <a href="#">6</a> Exhibit 2f Witness State. Madelyn Dones, # <a href="#">7</a> Exhibit 2g Witness State. Juan Otero Patrice Palmer, # <a href="#">8</a> Exhibit 2h Witness State. Patricia Palmer, # <a href="#">9</a> Exhibit 2i Witness State. Patrice Archie 10/16/08, # <a href="#">10</a> Exhibit 2j Witness State. Anibal Rodriguez, # <a href="#">11</a> Exhibit 2k Witness State. Giselle Albelo, # <a href="#">12</a> Exhibit 2l Witness State. Patrice Archie 11/6/08, # <a href="#">13</a> Exhibit 2m Witness State. Roberto Sosa, # <a href="#">14</a> Exhibit 2n Witness State. Jose Lopez, # <a href="#">15</a> Exhibit 2o Witness State. Hector Rivera, # <a href="#">16</a> Exhibit 2p Witness State. Anibel Zayas, # <a href="#">17</a> Exhibit 2q Witness State. Anthony Martinez, # <a href="#">18</a> Exhibit 2r Witness State. Anthony Martinez, # <a href="#">19</a> Exhibit 3 SPD report re M Torres 6/5/09, # <a href="#">20</a> Exhibit 4 Aff Nathan Perez, # <a href="#">21</a> Exhibit 5 Aff Giselle Ablelo, # <a href="#">22</a> Exhibit 6 Pioggia Depo, # <a href="#">23</a> Exhibit 7 Tatro Depo, # <a href="#">24</a> Exhibit 8 Arrest Warrant, # <a href="#">25</a> Exhibit 9 Indictment, # <a href="#">26</a> Exhibit 10 Albelo Testimony 11/30/10, # <a href="#">27</a> Exhibit 11 Nathan Perez Depo, # <a href="#">28</a> Exhibit 12 Devine Depo)(Pikula, Edward) (Main Document 80 replaced on 5/13/2016 with correct captioned statement of facts) (Finn, Mary). (Additional attachment(s) added on 5/13/2016: # <a href="#">29</a> Exhibit List, # <a href="#">30</a> Affidavit Edward M. Pilula) (Finn, Mary). Modified on 5/13/2016 (Finn, Mary). (Additional attachment(s) added on 5/16/2016: # <a href="#">31</a> Exhibit - exhibit added) (Finn, Mary). Modified on 5/16/2016 (Finn, Mary). (Entered: 05/13/2016)
05/13/2016	81	ELECTRONIC NOTICE issued requesting courtesy copy for <a href="#">80</a> Statement of Material



		Facts L.R. 56.1 and supporting exhibits. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office by Thursday, May 19, 2016. <b>These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF.</b> (Finn, Mary) (Entered: 05/13/2016)
05/17/2016	82	Judge Michael A. Ponsor: ENDORSED ORDER entered granting <a href="#">78</a> Motion for Leave to File Brief in Excess of 20 Pages; ALLOWED. Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (Lindsay, Maurice) (Entered: 05/17/2016)
05/17/2016	<a href="#">83</a>	MEMORANDUM in Support re <a href="#">77</a> MOTION for Summary Judgment MOTION for Hearing ( <i>Leave to file granted by order dated 5/17/2016</i> filed by Anthony Pioggia, Steven Tatro. (Pikula, Edward) (Entered: 05/17/2016)
05/25/2016	<a href="#">84</a>	Assented to MOTION for Extension of Time to File Response/Reply as to <a href="#">77</a> MOTION for Summary Judgment MOTION for Hearing by Charles Wilhite.(Glassroth, Drew) (Entered: 05/25/2016)
05/26/2016	85	Judge Michael A. Ponsor: ENDORSED ORDER entered granting <a href="#">84</a> Motion for Extension of Time to 6/1/16 to File Response. ALLOWED. Responses due by 6/1/2016 (Lindsay, Maurice) (Entered: 05/26/2016)
06/01/2016	<a href="#">86</a>	MEMORANDUM in Opposition re <a href="#">77</a> MOTION for Summary Judgment MOTION for Hearing filed by Charles Wilhite. (Glassroth, Drew) (Entered: 06/01/2016)
06/01/2016	<a href="#">87</a>	Counter Statement of Material Facts L.R. 56.1 re <a href="#">77</a> MOTION for Summary Judgment MOTION for Hearing filed by Charles Wilhite. (Glassroth, Drew) (Entered: 06/01/2016)
06/01/2016	<a href="#">88</a>	DECLARATION re <a href="#">86</a> Memorandum in Opposition to Motion by Charles Wilhite. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5, # <a href="#">6</a> Exhibit 6, # <a href="#">7</a> Exhibit 7, # <a href="#">8</a> Exhibit 8, # <a href="#">9</a> Exhibit 9, # <a href="#">10</a> Exhibit 10, # <a href="#">11</a> Exhibit 11, # <a href="#">12</a> Exhibit 12, # <a href="#">13</a> Exhibit 13, # <a href="#">14</a> Exhibit 14, # <a href="#">15</a> Exhibit 15, # <a href="#">16</a> Exhibit 16, # <a href="#">17</a> Exhibit 17, # <a href="#">18</a> Exhibit 18, # <a href="#">19</a> Exhibit 19, # <a href="#">20</a> Exhibit 20, # <a href="#">21</a> Exhibit 21, # <a href="#">22</a> Exhibit 22, # <a href="#">23</a> Exhibit 23, # <a href="#">24</a> Exhibit 24, # <a href="#">25</a> Exhibit 25, # <a href="#">26</a> Exhibit 26, # <a href="#">27</a> Exhibit 27, # <a href="#">28</a> Exhibit 28, # <a href="#">29</a> Exhibit 29, # <a href="#">30</a> Exhibit 30, # <a href="#">31</a> Exhibit 31, # <a href="#">32</a> Exhibit 32, # <a href="#">33</a> Exhibit 33, # <a href="#">34</a> Exhibit 34, # <a href="#">35</a> Exhibit 35, # <a href="#">36</a> Exhibit 36, # <a href="#">37</a> Exhibit 37, # <a href="#">38</a> Exhibit 38, # <a href="#">39</a> Exhibit 39, # <a href="#">40</a> Exhibit 40, # <a href="#">41</a> Exhibit 41, # <a href="#">42</a> Exhibit 42, # <a href="#">43</a> Exhibit 43, # <a href="#">44</a> Exhibit 44, # <a href="#">45</a> Exhibit 45, # <a href="#">46</a> Exhibit 46, # <a href="#">47</a> Exhibit 47, # <a href="#">48</a> Exhibit 48, # <a href="#">49</a> Exhibit 49, # <a href="#">50</a> Exhibit 50, # <a href="#">51</a> Exhibit 51, # <a href="#">52</a> Exhibit 52, # <a href="#">53</a> Exhibit 53, # <a href="#">54</a> Exhibit 54, # <a href="#">55</a> Exhibit 55, # <a href="#">56</a> Exhibit 56, # <a href="#">57</a> Exhibit 57, # <a href="#">58</a> Exhibit 58, # <a href="#">59</a> Exhibit 59)(Glassroth, Drew) (Entered: 06/01/2016)
06/01/2016	<a href="#">89</a>	Pltf's Response to the Defpts' <a href="#">80</a> Statement of Material Facts L.R. 56.1 re <a href="#">77</a> MOTION for Summary Judgment MOTION for Hearing ( <i>Response to Defendants' Facts</i> ) filed by Charles Wilhite. (Glassroth, Drew) Modified on 6/1/2016 to link to document <a href="#">80</a> , not <a href="#">77</a> . (Finn, Mary). (Entered: 06/01/2016)
06/01/2016	90	ELECTRONIC NOTICE issued requesting courtesy copy for <a href="#">88</a> Declaration and supporting exhibits. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office by Monday, June 6, 2016. <b>These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF.</b> (Finn, Mary) (Entered: 06/01/2016)
06/06/2016	<a href="#">91</a>	Assented to MOTION for Extension of Time to 7/31/16 to Extend Time to Depose Expert by Anthony Pioggia, Steven Tatro.(deSousa, Lisa) (Entered: 06/06/2016)

06/07/2016	92	Judge Michael A. Ponsor: ELECTRONIC ORDER entered granting <a href="#">91</a> Assented to MOTION for Extension of Time to 7/31/16 to Extend Time to Depose Expert. ALLOWED. (Lindsay, Maurice) (Entered: 06/07/2016)
06/09/2016	<a href="#">93</a>	Judge Michael A. Ponsor: ORDER entered. As follows: For the reasons stated. Defendants' Motion for Summary Judgment (Dkt. No. <a href="#">77</a> ) is denied. The case will be referred to Magistrate Kenneth P. Neiman for mediation to take place assoon as Judge Neiman's schedule permits. Counsel should notify the court promptly if mediation is successful. If it is unsuccessful, the case will be setfor a final pretrial conference in the early fall. See the attached order for complete details. (Lindsay, Maurice) (Entered: 06/09/2016)
06/09/2016	94	Electronic Clerk's Notes for proceedings held before Judge Michael A. Ponsor: Counsel appear for Motion Hearing held on 6/9/2016 re <a href="#">77</a> MOTION for Summary Judgment filed by Steven Tatro, Anthony Pioggia. Arguments heard with order to issue. Parties indicate that they would like to pursue mediation before Magistrate Judge Kenneth Neiman as soon as he has availability. Case will be referred to Judge Neiman for mediation. (Court Reporter: Sarah Mubarek, Philbin & Associates, 413-733-4078.) (Attorneys present: Friedman, Glassroth, Pikula, Coyle) (Healy, Bethaney) (Entered: 06/09/2016)
06/09/2016	<a href="#">95</a>	ORDER REFERRING CASE to Alternative Dispute Resolution. Case referred to Magistrate Judge Kenneth Neiman for mediation. (Healy, Bethaney) (Entered: 06/09/2016)
06/21/2016	96	ELECTRONIC NOTICE of ADR Conference: Alternative Dispute Resolution Hearing is set for 6/30/2016 at 10:00 AM in Hampden Courtroom before Magistrate Judge Kenneth P. Neiman. (Figueroa, Tamara) (Entered: 06/21/2016)
06/21/2016	<a href="#">97</a>	Magistrate Judge Kenneth P. Neiman: ORDER entered. Order with Respect to Mediation. (Figueroa, Tamara) (Entered: 06/21/2016)
06/29/2016	98	Remark: Mediation scheduled for June 30, 2016 will be held in the Franklin Courtroom. LOCATION CHANGE ONLY. (Figueroa, Tamara) (Entered: 06/29/2016)
06/30/2016	<a href="#">100</a>	REPORT of Alternative Dispute Resolution Provider (Figueroa, Tamara) (Entered: 06/30/2016)
07/05/2016	<a href="#">101</a>	NOTICE OF APPEAL as to <a href="#">93</a> Order on Motion for Summary Judgment,, Order on Motion for Hearing,, by Anthony Pioggia, Steven Tatro Fee Status: State or Local Government. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at <a href="http://www.ca1.uscourts.gov">http://www.ca1.uscourts.gov</a> MUST be completed and submitted to the Court of Appeals. <b>Counsel shall register for a First Circuit CM/ECF Appellate Filer Account at <a href="http://pacer.psc.uscourts.gov/cmecf">http://pacer.psc.uscourts.gov/cmecf</a>. Counsel shall also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at <a href="http://www.ca1.uscourts.gov/cmecf">http://www.ca1.uscourts.gov/cmecf</a>. US District Court Clerk to deliver official record to Court of Appeals by 7/25/2016. (Pikula, Edward) (Entered: 07/05/2016)</b>
07/05/2016	<a href="#">102</a>	TRANSCRIPT ORDER FORM by Anthony Pioggia, Steven Tatro before Judge Michael A. Ponsor, (Attachments: # <a href="#">1</a> Exhibit certificate of service)(Pikula, Edward) (Main Document 102 replaced on 7/5/2016 with form in the correct PDF format) (Finn, Mary). Modified on 7/5/2016 (Finn, Mary). (Entered: 07/05/2016)
07/05/2016	<a href="#">103</a>	Certified and Transmitted Abbreviated Electronic Record on Appeal to US Court of Appeals re <a href="#">101</a> Notice of Appeal. (Paine, Matthew) (Entered: 07/05/2016)
07/07/2016	104	USCA Case Number 16-1905 for <a href="#">101</a> Notice of Appeal filed by Steven Tatro, Anthony

		Pioggia. (Paine, Matthew) (Entered: 07/07/2016)
07/08/2016	105	Filing fee/payment: \$505.00, receipt number SPR002948 for <a href="#">101</a> Notice of Appeal, (Lindsay, Maurice) (Entered: 07/08/2016)
07/14/2016	<a href="#">106</a>	Transcript of Motion Hearing held on June 9, 2016, before Judge Michael A. Ponsor. COA Case No. 16-1905. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Sarah Mubarek at sarahmubarek@comcast.net Redaction Request due 8/4/2016. Redacted Transcript Deadline set for 8/15/2016. Release of Transcript Restriction set for 10/12/2016. (Scalfani, Deborah) Modified on 7/14/2016 (Scalfani, Deborah). (Entered: 07/14/2016)
07/14/2016	107	Notice of correction to docket made by Court staff. Correction: Docket #106 Correction made to indicate that proceeding was a Motion Hearing. (Scalfani, Deborah) (Entered: 07/14/2016)
07/14/2016	108	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at <a href="http://www.mad.uscourts.gov/attorneys/general-info.htm">http://www.mad.uscourts.gov/attorneys/general-info.htm</a> (Scalfani, Deborah) (Entered: 07/14/2016)
02/27/2017	<a href="#">109</a>	STATUS REPORT <i>filed with the 1st Cir. re settlement</i> by Anthony Pioggia, Steven Tatro. (Pikula, Edward) (Entered: 02/27/2017)
02/28/2017	<a href="#">110</a>	Judge Michael A. Ponsor: SIXTY DAY SETTLEMENT ORDER OF DISMISSAL ENTERED. (Healy, Bethaney) (Entered: 02/28/2017)
03/16/2017	<a href="#">111</a>	USCA Judgment as to <a href="#">101</a> Notice of Appeal,,, filed by Steven Tatro, Anthony Pioggia (Danieli, Chris) (Entered: 03/17/2017)
03/16/2017	<a href="#">112</a>	MANDATE of USCA as to <a href="#">101</a> Notice of Appeal,,, filed by Steven Tatro, Anthony Pioggia. Appeal <a href="#">101</a> Terminated (Danieli, Chris) (Entered: 03/17/2017)

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