

**U.S. District Court**  
**Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:14-cv-07519-JSR**

Adkins v. The City Of New York , et al  
Assigned to: Judge Jed S. Rakoff  
Related Cases: [1:11-cv-06957-JSR](#)  
[1:14-cv-07955-JSR](#)  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 09/17/2014  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Justin Adkins**

represented by **Andrea Juanita Ritchie**  
Andrea J. Ritchie, Esq.  
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Brooklyn, NY 11238  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**The City Of New York ,**  
*a municipal entity*

represented by **Dara Lynn Weiss**  
City of New York Law Department  
100 Church Street  
New York, NY 10007  
212-356-3517  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Cheryl Leah Shammass**  
New York City Law Department  
100 Church St  
New York, NY 10007  
212-356-2406  
Fax: 212-356-3509  
Email: cshammass@law.nyc.gov  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Michael Bloomberg**

represented by **Cheryl Leah Shammass**

*former Mayor of the City of New York*

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

**Defendant**

**Raymond Kelly**  
*former New York City Police  
Commissioner*

represented by **Cheryl Leah Shammass**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Joseph Esposito**  
*former New York City Police Chief of  
Department*

represented by **Cheryl Leah Shammass**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**James Hall**  
*Chief of Patrol, New York City Police  
Department*

represented by **Cheryl Leah Shammass**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Patrick Devlin**  
*Former Assistant Chief, Criminal Justice  
Bureau, New York City Police  
Department*

represented by **Cheryl Leah Shammass**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jack Jaskaran**  
*New York City Police Department  
Captain*

represented by **Cheryl Leah Shammass**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Kendal Creer**  
*New York City Police Officer, Shield No.  
24657*

represented by **Cheryl Leah Shammass**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Verga**  
*New York City Police Officer*

represented by **Cheryl Leah Shammass**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jane Doe 1**  
*New York City Police Officer*

**Defendant**

**Richard and Rachel Roes 1-50**  
*New York City Police Supervisors and  
Commanders*

**Defendant**

**James and Julie Does 1-50**

*New York City Police Officers, individually, jointly and severally (the names John and Jane Doe, Richard and Rachel Roe and James and Julie Doe, being fictitious, as the true names of these defendants are presently unknown*

**Defendant****James and Julie Does 1-50**

*In their official capacities, jointly and severally (the names John and Jane Doe, Richard and Rachel Roe and James and Julie Doe, being fictitious, as the true names of these defendants are presently unknown*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/17/2014	<a href="#">1</a>	COMPLAINT against Michael Bloomberg, Kendal Creer, Patrick Devlin, Joseph Esposito, James Hall, James and Julie Does 1-50(In their official capacities, jointly and severally (the names John and Jane Doe, Richard and Rachel Roe and James and Julie Doe, being fictitious, as the true names of these defendants are presently unknown), James and Julie Does 1-50(New York City Police Officers, individually, jointly and severally (the names John and Jane Doe, Richard and Rachel Roe and James and Julie Doe, being fictitious, as the true names of these defendants are presently unknown), Jane Doe 1, Jack Jaskaran, Raymond Kelly, Richard and Rachel Roes 1-50, The City Of New York,, Verga. (Filing Fee \$ 350.00, Receipt Number 465401105280)Document filed by Justin Adkins.(moh) (moh). (Entered: 09/18/2014)
09/17/2014		SUMMONS ISSUED as to Michael Bloomberg, Kendal Creer, Patrick Devlin, Joseph Esposito, James Hall, James and Julie Does 1-50(In their official capacities, jointly and severally (the names John and Jane Doe, Richard and Rachel Roe and James and Julie Doe, being fictitious, as the true names of these defendants are presently unknown), James and Julie Does 1-50(New York City Police Officers, individually, jointly and severally (the names John and Jane Doe, Richard and Rachel Roe and James and Julie Doe, being fictitious, as the true names of these defendants are presently unknown), Jane Doe 1, Jack Jaskaran, Raymond Kelly, Richard and Rachel Roes 1-50, The City Of New York,, Verga. (moh) (Entered: 09/18/2014)
09/17/2014		CASE REFERRED TO Judge Jed S. Rakoff as possibly related to 11cv6957. (moh) (Entered: 09/18/2014)
09/17/2014		Case Designated ECF. (moh) (Entered: 09/18/2014)
09/17/2014	2	STATEMENT OF RELATEDNESS re: that this action be filed as related to 11cv6957. Document filed by Justin Adkins.(moh) (Entered: 09/18/2014)
09/17/2014	3	CIVIL COVER SHEET filed. (moh) (Entered: 09/18/2014)

09/26/2014		CASE ACCEPTED AS RELATED. Create association to 1:11-cv-06957-JSR. Notice of Assignment to follow. (pgu) (Entered: 09/26/2014)
09/26/2014		NOTICE OF CASE ASSIGNMENT to Judge Jed S. Rakoff. Judge Unassigned is no longer assigned to the case. (pgu) (Entered: 09/26/2014)
09/26/2014		Magistrate Judge Frank Maas is so designated. (pgu) (Entered: 09/26/2014)
10/02/2014	<a href="#">4</a>	NOTICE OF COURT CONFERENCE: Initial Conference set for 10/22/2014 at 11:00 AM in Courtroom 14B, U.S. Courthouse, 500 Pearl Street, New York, NY 10007 before Judge Jed S. Rakoff, and as further set forth. (Signed by Judge Jed S. Rakoff on 10/2/2014) (rjm) (Entered: 10/02/2014)
10/21/2014	<a href="#">5</a>	NOTICE OF APPEARANCE by Dara Lynn Weiss on behalf of The City Of New York,. (Weiss, Dara) (Entered: 10/21/2014)
10/22/2014		Minute Entry for proceedings held before Judge Jed S. Rakoff: Initial Pretrial Conference held on 10/22/2014. (Kotowski, Linda) (Entered: 10/22/2014)
10/22/2014		<b>***DELETED DOCUMENT. Deleted document number <a href="#">6</a> Civil Case Management Plan. The document was incorrectly filed in this case. (mro)</b> (Entered: 10/23/2014)
10/22/2014	<a href="#">6</a>	CIVIL CASE MANAGEMENT PLAN: This Court requires that this case shall be ready for trial on 03-23-2015. After consultation with counsel for the parties, the following Case Management Plan is adopted. This plan is also a scheduling order pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure. The case is to be tried to a jury. All Deposition due by 2/1/2015. All Discovery due by 2/9/2015. Final Pretrial Conference set for 3/23/2015 at 04:00 PM before Judge Jed S. Rakoff. Oral Argument set for 3/23/2015 at 04:00 PM before Judge Jed S. Rakoff. Ready for Trial by 3/23/2015. SO ORDERED. (Signed by Judge Jed S. Rakoff on 10/22/2014) (ama) (Entered: 10/23/2014)
12/01/2014	<a href="#">7</a>	NOTICE OF APPEARANCE by Cheryl Leah Shammass on behalf of Michael Bloomberg, Kendal Creer, Patrick Devlin, Joseph Esposito, James Hall, Jack Jaskaran, Raymond Kelly, The City Of New York,, Verga. (Shammass, Cheryl) (Entered: 12/01/2014)
12/01/2014	<a href="#">8</a>	MOTION to Dismiss . Document filed by Michael Bloomberg, Kendal Creer, Patrick Devlin, Joseph Esposito, James Hall, Jack Jaskaran, Raymond Kelly, The City Of New York,, Verga. Responses due by 12/15/2014 Return Date set for 12/22/2014 at 11:59 PM.(Shammass, Cheryl) (Entered: 12/01/2014)
12/01/2014	<a href="#">9</a>	MEMORANDUM OF LAW in Support re: <a href="#">8</a> MOTION to Dismiss . <i>Pursuant to Fed.R.Civ. 12(b)(6)</i> . Document filed by Michael Bloomberg, Kendal Creer, Patrick Devlin, Joseph Esposito, James Hall, Jack Jaskaran, Raymond Kelly, The City Of New York,, Verga. (Shammass, Cheryl) (Entered: 12/01/2014)
12/15/2014	<a href="#">10</a>	MEMORANDUM OF LAW in Opposition re: <a href="#">8</a> MOTION to Dismiss . . Document filed by Justin Adkins. (Ritchie, Andrea) (Entered: 12/15/2014)
12/18/2014	<a href="#">11</a>	REPLY MEMORANDUM OF LAW in Support re: <a href="#">8</a> MOTION to Dismiss . <i>the Complaint with Prejudice</i> . Document filed by Michael Bloomberg, Kendal Creer, Patrick Devlin, Joseph Esposito, James Hall, Jack Jaskaran, Raymond Kelly, The

		City Of New York,, Verga. (Shammas, Cheryl) (Entered: 12/18/2014)
01/20/2015	<a href="#">12</a>	STIPULATION AND ORDER: Due to the ongoing appeal in the related case, Garcia v. City, 1:11-cv-6957, and the overlap between the issues on appeal and those in the instant case, the parties herein stipulate and agree that oral argument on the motion to dismiss is adjourned sine die and discovery in this action is stayed pending the decision in the Garcia appeal. SO ORDERED. (Signed by Judge Jed S. Rakoff on 1/16/2015) (ama) (Entered: 01/20/2015)
03/04/2015		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 3/4/2015. (Kotowski, Linda) (Entered: 03/05/2015)
06/11/2015		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 6/11/2015. (Kotowski, Linda) (Entered: 06/12/2015)
06/15/2015		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 6/15/2015. (Kotowski, Linda) (Entered: 06/17/2015)
10/07/2015		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 10/7/2015. (Kotowski, Linda) (Entered: 10/07/2015)
10/07/2015		Minute Entry for proceedings held before Judge Jed S. Rakoff: Oral Argument held on 10/7/2015 re: <a href="#">8</a> MOTION to Dismiss . filed by Patrick Devlin, The City Of New York,, James Hall, Jack Jaskaran, Joseph Esposito, Michael Bloomberg, Verga, Kendal Creer, Raymond Kelly. (Kotowski, Linda) (Entered: 10/07/2015)
11/16/2015	<a href="#">13</a>	LETTER addressed to Judge Jed S. Rakoff from Andrea J. Ritchie dated 10/2/2015 re: plaintiff writes in response to defendants' September 25th, 2015 letter concerning the Court's decision in Garcia et al. v. Bloomberg, et. al, 11cv6957. Document filed by Justin Adkins. (spo) (Entered: 11/16/2015)
11/16/2015	<a href="#">14</a>	OPINION AND ORDER #106029 re: <a href="#">8</a> MOTION to Dismiss, filed by Patrick Devlin, The City Of New York, James Hall, Jack Jaskaran, Joseph Esposito, Michael Bloomberg, Verga, Kendal Creer, Raymond Kelly. defendants' motion is hereby granted with respect to all of plaintiff's claims, except for his § 1983 claims against the City of New York for violation of his rights under the Equal Protection Clause of the Fourteenth Amendment. Counsel should jointly call Chambers by no later than November 19, 2015 to schedule further proceedings with regard to the remaining claim. The Clerk of Court is directed to close document number 8 on the docket of this case. (As further set forth in this Order.) (Signed by Judge Jed S. Rakoff on 11/15/2015) (spo) Modified on 11/19/2015 (ca). (Entered: 11/16/2015)
11/19/2015		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 11/19/2015. (Kotowski, Linda) (Entered: 12/04/2015)
11/30/2015	<a href="#">15</a>	CIVIL CASE MANAGEMENT PLAN: The case is to be tried to a jury. Deposition due by 3/25/2016. Discovery due by 3/25/2016. Final Pretrial Conference set for 5/18/2016 at 04:00 PM before Judge Jed S. Rakoff. Ready for Trial by 5/18/2016. (As further set forth in this Order.) (Signed by Judge Jed S. Rakoff on 11/24/2015) (spo) (Entered: 11/30/2015)
11/30/2015		Set/Reset Deadlines: Motions due by 4/8/2016. Responses due by 4/29/2016. Replies due by 5/11/2016. (spo) (Entered: 12/10/2015)

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