

3:23cv2092, Curtis V. La

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3:23cv2092, Curtis V. Lackawanna County Et Al



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US District Court Docket**United States District Court, Pennsylvania Middle
(Scranton)****This case was retrieved on 01/25/2024****▼Header**

Case Number: 3:23cv2092**Date Filed:** 12/18/2023**Assigned To:** Magistrate Judge Joseph F. Saporito, Jr**Nature of Suit:** Prisoner - Other (550)**Cause:** Prisoner Civil Rights**Lead Docket:** None**Other Docket:** None**Jurisdiction:** Federal Question**Class Code:** Open**Statute:** 42:1983**Jury Demand:** Plaintiff**Demand Amount:** \$0**NOS Description:** Prisoner - Other**▼Participants****Litigants****Ryan Curtis****Plaintiff****Attorneys**

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Sean P. McDonough

ATTORNEY TO BE NOTICED

Lackawanna County

Municipality in Pennsylvania and owns and

Litigants

controls the **Lackawanna County** Prison |
Defendant

Wellpath, LLC
"health care provider" |
Defendant

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Litigants

Nelson Anthony Iannuzzi
Nurse Practitioner employed by Wellpath |
Defendant

Haseebuddin Ahmed, M.D.
Medical Doctor employed by Wellpath |
Defendant

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County Correctional Officer at LCP |
Defendant

C.O. Houman

County Correctional Officer employed at LCP |
Defendant

C.O. Wharton

County Correctional Officer employed at LCP |
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County Correctional Officer employed at LCP |
Defendant

C.O. Kelly

County Correctional Officer employed at LCP |
Defendant

C.O. Kopa

County Correctional Officer employed at LCP |
Defendant

C.O. Bloom

County Correctional Office employed at LCP |
Defendant

C.O. Loven

County Correctional Officer employed at LCP |
Defendant

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County Sergeant employed at LCP |
Defendant

Sergeant Mills

County Sergeant employed at LCP |
Defendant

C.O. Burrier

County Correctional Officer employed at LCP |
Defendant

Sergeant Trichilo

County Sergeant employed by LCP |
Defendant

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Defendant

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County Correctional Officer employed by LCP |
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Defendant

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▼Proceedings

#	Date	Proceeding Text
1	12/18/2023	COMPLAINT against All Defendants (Filing fee \$405, Receipt Number APAMDC-6493355), filed by Ryan Curtis . (Attachments: # 1 Civil Cover Sheet)(lp) (Entered: 12/18/2023)
2	01/04/2024	NOTICE of Appearance by Stuart T. O'Neal, III on behalf of Wellpath, LLC (Attachments: # 1 Certificate of Service)(O'Neal, Stuart) (Entered: 01/04/2024)
3	01/04/2024	NOTICE of Appearance by Daniel J. Margonari on behalf of Wellpath, LLC (Attachments: # 1 Certificate of Service)(Margonari, Daniel) (Entered: 01/04/2024)
4	01/04/2024	NOTICE of Appearance by Mark Derner on behalf of Wellpath, LLC (Attachments: # 1 Certificate of Service)(Derner, Mark) (Entered: 01/04/2024)

#	Date	Proceeding Text
5	01/04/2024	WAIVER OF SERVICE Returned by Wellpath, LLC. Wellpath, LLC waiver sent on 12/20/2023, answer due 2/20/2024. (Margonari, Daniel) (Entered: 01/04/2024)
6	01/04/2024	DISCLOSURE STATEMENT PURSUANT TO FRCP 7.1 by Wellpath, LLC identifying Corporate Parent Wellpath Group Holdings, LLC, a Delaware Limited Liability Company, Corporate Parent Jessamine Healthcare, Inc., a Delaware Corporation for Wellpath, LLC. (Attachments: # 1 Certificate of Service)(O'Neal, Stuart) (Entered: 01/04/2024)
7	01/22/2024	NOTICE of Appearance by Stuart T. O'Neal, III on behalf of Angela Furman, LPN/LVN, Alexandria Geisler, LPN/LVN, Nelson Anthony Iannuzzi, June Mahoney, LPN/LVN, Rae Oleavia, LPN/LVN, Kimberly Peterson, LPN/LVN, India Smith, RN, Stephanie Wayman, LPN/LVN (O'Neal, Stuart) (Entered: 01/22/2024)
8	01/22/2024	NOTICE of Appearance by Daniel J. Margonari on behalf of Angela Furman, LPN/LVN, Alexandria Geisler, LPN/LVN, Nelson Anthony Iannuzzi, June Mahoney, LPN/LVN, Rae Oleavia, LPN/LVN, Kimberly Peterson, LPN/LVN, India Smith, RN, Stephanie Wayman, LPN/LVN (Margonari, Daniel) (Entered: 01/22/2024)
9	01/22/2024	NOTICE of Appearance by Mark Derner on behalf of Angela Furman, LPN/LVN, Alexandria Geisler, LPN/LVN, Nelson Anthony Iannuzzi, June Mahoney, LPN/LVN, Rae Oleavia, LPN/LVN, Kimberly Peterson, LPN/LVN, India Smith, RN, Stephanie Wayman, LPN/LVN (Derner, Mark) (Entered: 01/22/2024)
10	01/24/2024	MOTION to Dismiss for Failure to State a Claim [Partial Motion to Dismiss by Defendants, Wellpath, Nelson Iannuzzi, Rae Oleavia (Incorrectly Identified as Rae Olivia), June Mahoney, Stephanie Wayman, India Smith, Kimberly Peterson, Alexandria Geisler and Angela Furman] by Angela Furman, LPN/LVN, Alexandria Geisler, LPN/LVN, Nelson Anthony Iannuzzi, June Mahoney, LPN/LVN, Rae Oleavia, LPN/LVN, Kimberly Peterson, LPN/LVN, India Smith, RN, Stephanie Wayman, LPN/LVN, Wellpath, LLC. (Attachments: # 1 Certificate of Service to Partial Motion to Dismiss , # 2 Proposed Order to Partial Motion to Dismiss)(Margonari, Daniel) (Entered: 01/24/2024)
11	01/24/2024	BRIEF IN SUPPORT [OF PARTIAL MOTION TO DISMISS BY DEFENDANTS, WELLPATH, NELSON IANNUZZI, RAE OLEAVIA (INCORRECTLY IDENTIFIED AS RAE OLIVIA), JUNE MAHONEY, STEPHANIE WAYMAN, INDIA SMITH, KIMBERLY PETERSON, ALEXANDRIA GEISLER AND ANGELA FURMAN] re 10 MOTION to Dismiss for Failure to State a Claim [Partial Motion to Dismiss by Defendants, Wellpath, Nelson Iannuzzi, Rae Oleavia (Incorrectly Identified as Rae Olivia), June Mahoney, Stephanie Wayman, India Smith, Kimberly Peterson, Alexandria Geisler filed by Angela Furman, LPN/LVN, Alexandria Geisler, LPN/LVN, Nelson Anthony Iannuzzi, June Mahoney, LPN/LVN, Rae Oleavia, LPN/LVN, Kimberly Peterson, LPN/LVN, India Smith, RN, Stephanie Wayman, LPN/LVN, Wellpath, LLC. (Attachments: # 1 Exhibit(s) A - Plaintiff's Complaint, # 2 Certificate of Service to Brief in Support of Partial Motion to Dismiss)(Margonari, Daniel) (Entered: 01/24/2024)
12	01/31/2024	WAIVER OF SERVICE Returned by Alexandria Geisler, LPN/LVN. Alexandria Geisler, LPN/LVN waiver sent on 1/23/2024, answer due 3/25/2024. (O'Neal, Stuart) (Entered: 01/31/2024)

#	Date	Proceeding Text
13	01/31/2024	WAIVER OF SERVICE Returned by Nelson Anthony Iannuzzi. Nelson Anthony Iannuzzi waiver sent on 1/23/2024, answer due 3/25/2024. (O'Neal, Stuart) (Entered: 01/31/2024)
14	01/31/2024	WAIVER OF SERVICE Returned by India Smith, RN. India Smith, RN waiver sent on 1/23/2024, answer due 3/25/2024. (O'Neal, Stuart) (Entered: 01/31/2024)
15	02/07/2024	BRIEF IN OPPOSITION re 10 MOTION to Dismiss for Failure to State a Claim [Partial Motion to Dismiss by Defendants, Wellpath, Nelson Iannuzzi, Rae Oleavia (Incorrectly Identified as Rae Olivia), June Mahoney, Stephanie Wayman, India Smith, Kimberly Peterson, Alexandria Geisle filed by Ryan Curtis . (Sweigart, Caelie) (Entered: 02/07/2024)
16	02/14/2024	REPLY BRIEF re 10 MOTION to Dismiss for Failure to State a Claim [Partial Motion to Dismiss by Defendants, Wellpath, Nelson Iannuzzi, Rae Oleavia (Incorrectly Identified as Rae Olivia), June Mahoney, Stephanie Wayman, India Smith, Kimberly Peterson, Alexandria Geisle filed by Angela Furman, LPN/LVN, Alexandria Geisler, LPN/LVN, Nelson Anthony Iannuzzi, June Mahoney, LPN/LVN, Rae Oleavia, LPN/LVN, Kimberly Peterson, LPN/LVN, India Smith, RN, Stephanie Wayman, LPN/LVN, Wellpath, LLC. (Attachments: # 1 Certificate of Service)(Margonari, Daniel) (Entered: 02/14/2024)
17	02/15/2024	WAIVER OF SERVICE Returned by June Mahoney, LPN/LVN. June Mahoney, LPN/LVN waiver sent on 1/23/2024, answer due 3/25/2024. (O'Neal, Stuart) (Entered: 02/15/2024)
18	02/15/2024	WAIVER OF SERVICE Returned by Angela Furman, LPN/LVN. Angela Furman, LPN/LVN waiver sent on 1/23/2024, answer due 3/25/2024. (O'Neal, Stuart) (Entered: 02/15/2024)
19	02/15/2024	WAIVER OF SERVICE Returned by Rae Oleavia, LPN/LVN. Rae Oleavia, LPN/LVN waiver sent on 1/23/2024, answer due 3/25/2024. (O'Neal, Stuart) (Entered: 02/15/2024)
20	02/15/2024	WAIVER OF SERVICE Returned by Stephanie Wayman, LPN/LVN. Stephanie Wayman, LPN/LVN waiver sent on 1/23/2024, answer due 3/25/2024. (O'Neal, Stuart) (Entered: 02/15/2024)
21	02/21/2024	NOTICE of Appearance by Stuart T. O'Neal, III on behalf of Haseebuddin Ahmed, M.D. (Attachments: # 1 Certificate of Service)(O'Neal, Stuart) (Entered: 02/21/2024)
22	02/21/2024	NOTICE of Appearance by Daniel J. Margonari on behalf of Haseebuddin Ahmed, M.D. (Attachments: # 1 Certificate of Service)(Margonari, Daniel) (Entered: 02/21/2024)
23	02/21/2024	NOTICE of Appearance by Mark Derner on behalf of Haseebuddin Ahmed, M.D. (Attachments: # 1 Certificate of Service)(Derner, Mark) (Entered: 02/21/2024)
24	02/21/2024	WAIVER OF SERVICE Returned by Haseebuddin Ahmed, M.D.. Haseebuddin Ahmed, M.D. waiver sent on 1/23/2024, answer due 3/25/2024. (O'Neal, Stuart) (Entered: 02/21/2024)
25	02/23/2024	NOTICE of Appearance by Sean P. McDonough on behalf of C.O. Bloom, C.O. Burda, C.O. Burrier, C.O. Dixon, Sergeant Dranchak, C.O. Houman, C.O. Jackson, C.O. Kelly, C.O. Kopa, Lackawanna County , C.O. Loven, Sergeant Mills, C.O. Moskwa, C.O. Posluszny, C.O. Tavares, Sergeant Trichilo, C.O. Wesley, C.O. Wharton. (McDonough, Sean) (Entered: 02/23/2024)

#	Date	Proceeding Text
26	02/23/2024	Letter from Plaintiff re Service Issue. (Sweigart, Caelie) (Entered: 02/23/2024)
27	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Bloom waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
28	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Burda waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
29	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Burrier waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
30	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Dixon waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
31	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Houman waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
32	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Jackson waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
33	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Kelly waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
34	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Kopa waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
35	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Loven waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
36	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Moskwa waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
37	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Posluszny waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
38	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Tavares waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
39	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Wesley waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
40	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Wharton waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
41	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . Lackawanna County waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
42	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . Sergeant Dranchak waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
43	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . Sergeant Mills waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)
44	02/26/2024	WAIVER OF SERVICE Returned by Ryan Curtis . Sergeant Trichilo waiver sent on 2/19/2024, answer due 4/19/2024. (Sweigart, Caelie) (Entered: 02/26/2024)

#	Date	Proceeding Text
45	02/26/2024	SCHEDULING ORDER: Telephone Status Conference set for 3/5/2024 02:00 PM before Magistrate Judge Joseph F. Saporito Jr.. Signed by Magistrate Judge Joseph F. Saporito, Jr on 2/26/24. (ms) (Entered: 02/26/2024)
46	02/26/2024	SCHEDULING ORDER: Telephone Status Conference set for 3/5/2024 at 2:00 p.m. RESCHEDULED AS TO TIME ONLY TO 3/5/24 at 10:00 AM before Magistrate Judge Joseph F. Saporito Jr.. Signed by Magistrate Judge Joseph F. Saporito, Jr on 2/26/24. (ms) (Entered: 02/26/2024)
47	02/27/2024	MOTION to Dismiss for Failure to State a Claim by Haseebuddin Ahmed, M.D.. (Attachments: # 1 Exhibit(s) A - COMPLAINT, # 2 Proposed Order Proposed Order) (Margonari, Daniel) (Entered: 02/27/2024)
48	02/27/2024	BRIEF IN SUPPORT re 47 MOTION to Dismiss for Failure to State a Claim filed by Haseebuddin Ahmed, M.D..(Margonari, Daniel) (Entered: 02/27/2024)
49	02/29/2024	BRIEF IN OPPOSITION re 47 MOTION to Dismiss for Failure to State a Claim Plaintiff's Brief in Opposition to Defendant Haseebuddin Ahmed, M.D.'s Partial Motion to Dismiss filed by Ryan Curtis .(Sweigart, Caelie) (Entered: 02/29/2024)
50	03/04/2024	REPLY BRIEF re 47 MOTION to Dismiss for Failure to State a Claim filed by Haseebuddin Ahmed, M.D.. (Attachments: # 1 Exhibit(s) A - Complaint, # 2 Certificate of Service) (Margonari, Daniel) (Entered: 03/04/2024)
52	03/05/2024	ORDER - following a status conference with counsel and upon consideration of the oral motion of plaintiff's counsel to extend the time to serve the complaint upon defendant, Kimberly Peterson, LPN/LVN, IT IS ORDERED that the motion is granted. Plaintiff shall have 60 days within which to serve the complaint upon defendant, Kimberly Peterson, LPN/LVN. Signed by Chief MJ Joseph F. Saporito, Jr on 3/5/24. (dw) (Entered: 03/05/2024)
53	03/12/2024	Unopposed MOTION for Extension of Time to Motion for Extension of Time to Serve Defendant C.O. Jonas by Ryan Curtis . (Attachments: # 1 Proposed Order)(Sweigart, Caelie) (Entered: 03/12/2024)
54	03/13/2024	ORDER granting 53 Motion to Extend Time to serve defendant C.O. Jonas. Service shall be effectuated by 5/16/24 Signed by Chief MJ Joseph F. Saporito, Jr on 3/13/24 (ms) (Entered: 03/13/2024)
55	04/05/2024	Unopposed MOTION to Amend/Correct Complaint to Change Name by Ryan Curtis . (Attachments: # 1 Proposed Order)(Sweigart, Caelie) (Entered: 04/05/2024)
56	04/08/2024	ORDER granting 55 Motion to Amend/Correct Complaint to change name. Complaint is amended to replace "C.O. Jonas" with "C.O. Michael Jones" Signed by Chief MJ Joseph F. Saporito, Jr on 4/8/24 (ms) (Entered: 04/08/2024)
57	04/12/2024	WAIVER OF SERVICE Returned by Ryan Curtis . C.O. Michael Jones waiver sent on 4/10/2024, answer due 6/10/2024. (Sweigart, Caelie) (Entered: 04/12/2024)
58	04/18/2024	MOTION to Dismiss for Failure to State a Claim by C.O. Bloom, C.O. Burda, C.O. Burrier, C.O. Dixon, Sergeant Dranchak, C.O. Houman, C.O. Jackson, C.O. Michael Jones, C.O.

#	Date	Proceeding Text
		Kelly, C.O. Kopa, Lackawanna County , C.O. Loven, Sergeant Mills, C.O. Moskwa, C.O. Posluszny, C.O. Tavares, Sergeant Trichilo, C.O. Wesley, C.O. Wharton. (Attachments: # 1 Proposed Order)(McDonough, Sean) (Entered: 04/18/2024)
59	04/19/2024	CONSENT FORM SENT (For Direct Assignment Cases to Magistrate Judges) to All Parties YOU MUST SAVE THIS FORM TO YOUR DESKTOP. THEN OPEN THE SAVED FORM AND COMPLETE THE REQUIRED SECTIONS. DO NOT FILE THIS FORM IN THE CLERKS OFFICE. THE COMPLETED FORM MUST BE E-MAILED TO consents@pamd.uscourts.gov OR IF YOU DO NOT HAVE AN E-MAIL ACCOUNT YOU MAY MAIL THE FORM TO Clerks Administrative Assistant, Clerks Office, P.O. Box 1148, Scranton, PA 18501-1148. Consent Form due by 5/20/2024 (Attachments: # 1 Consent defendant) (ms) (Entered: 04/19/2024)
60	04/22/2024	SCHEDULING ORDER: Telephonic Case Management Conference set for 5/6/2024 11:00 AM before Chief MJ Joseph F. Saporito Jr.. Signed by Chief MJ Joseph F. Saporito, Jr on 4/22/24. (ms) (Entered: 04/22/2024)
61	04/22/2024	CONSENTS to Proceed Before US Magistrate Judge Saporito in Direct Assignment Cases pursuant to Standing Order 2022-19. (jkc) (Entered: 04/22/2024)
62	04/30/2024	Letter from Caelie M. Sweigart, Esq. Re Service Deadlines. (Sweigart, Caelie) (Entered: 04/30/2024)
63	04/30/2024	MOTION to Exceed Page Limitation by C.O. Bloom, C.O. Burda, C.O. Burrier, C.O. Dixon, Sergeant Dranchak, C.O. Houman, C.O. Jackson, C.O. Michael Jones, C.O. Kelly, C.O. Kopa, Lackawanna County , C.O. Loven, Sergeant Mills, C.O. Moskwa, C.O. Posluszny, C.O. Tavares, Sergeant Trichilo, C.O. Wesley, C.O. Wharton. (Attachments: # 1 Proposed Order) (McDonough, Sean) (Entered: 04/30/2024)
64	05/01/2024	BRIEF IN SUPPORT re 58 MOTION to Dismiss for Failure to State a Claim filed by C.O. Bloom, C.O. Burda, C.O. Burrier, C.O. Dixon, Sergeant Dranchak, C.O. Houman, C.O. Jackson, C.O. Michael Jones, C.O. Kelly, C.O. Kopa, Lackawanna County , C.O. Loven, Sergeant Mills, C.O. Moskwa, C.O. Posluszny, C.O. Tavares, Sergeant Trichilo, C.O. Wesley, C.O. Wharton.(McDonough, Sean) (Entered: 05/01/2024)
65	05/01/2024	ORDER granting 63 Motion for Leave to File Excess Pages Signed by Chief MJ Joseph F. Saporito, Jr on 5/1/24 (ms) (Entered: 05/01/2024)
66	05/02/2024	ORDER re 62 Letter requesting an extension of time to effectuate service on Kimberly Peterson. GRANTING request. Service upon defendant Peterson due 5/31/24. Signed by Chief MJ Joseph F. Saporito, Jr on 5/2/24. (ms) (Entered: 05/02/2024)
67	05/02/2024	SCHEDULING ORDER: Telephonic Case Management Conference set for 5/6/24 RESCHEDULED TO 5/17/2024 10:00 AM before Chief MJ Joseph F. Saporito Jr.. Signed by Chief MJ Joseph F. Saporito, Jr on 5/2/24. (ms) (Entered: 05/02/2024)
68	05/07/2024	WAIVER OF SERVICE Returned by Kimberly Peterson, LPN/LVN. (O'Neal, Stuart) (Entered: 05/07/2024)

#	Date	Proceeding Text
69	05/10/2024	BRIEF IN OPPOSITION re 58 MOTION to Dismiss for Failure to State a Claim Plaintiff's Brief in Opposition to Lackawanna County Defendants' Motion to Dismiss filed by Ryan Curtis .(Sweigart, Caelie) (Entered: 05/10/2024)
71	05/17/2024	SCHEDULING ORDER: Amended Pleadings due by 9/30/2024. Discovery due by 1/31/2025. Plaintiff Expert Report is due by 3/31/2025. Defendant Expert Report is due by 5/31/2025. Joinder of Parties due by 9/30/2024. Motions due by 6/30/2025. Supplemental due by 6/30/2025. Signed by Chief MJ Joseph F. Saporito, Jr on 5/17/24. (ms) (Entered: 05/17/2024)
--	08/16/2024	VERBAL ORDER by Chief Judge Matthew W. Brann - Case Reassigned to Magistrate Judge Martin C Carlson. (cd) (Entered: 08/16/2024)
72	10/31/2024	MEMORANDUM re motions to dismiss 10 , 47 and 58 (Order to follow as separate docket entry) Signed by Magistrate Judge Martin C Carlson on 10/31/24. (ma) (Entered: 10/31/2024)
73	10/31/2024	ORDER - In accord with the accompanying Memorandum Opinion 72 : Dfts mtns to dismiss, (Docs. 10 , 47 and 58), are GRANTED in part and DENIED in part as follows: the medical dfts mtns to dismiss, (Docs. 10, 47), are DENIED. The County dfts motion to dismiss, (Doc. 58), is GRANTED with regard to the corrections officer dfts and DENIED with regard to Lackawanna County . Signed by Magistrate Judge Martin C Carlson on 10/31/24 (ma) (Entered: 10/31/2024)
74	11/04/2024	ORDER - IT IS ORDERED that a Case Management Conference is set for 12/2/2024 at 2:00 PM before Magistrate Judge Martin C Carlson. Counsel and parties are advised to comply with Rule 16.3(a) of the Rules of Court for the Middle District of Pennsylvania. Local Rule 16.3 requires lead counsel for each party to meet prior to the management conference and complete a "Joint Case Management Plan" form. The completed form, which is set forth in Appendix A of the local rules, must be filed on or before November 25, 2024. Signed by Magistrate Judge Martin C Carlson on 11/4/24. (rw) (Entered: 11/04/2024)
75	11/18/2024	SUGGESTION OF BANKRUPTCY Upon the Record as to Defendant, Wellpath, LLC [Suggestion of Bankruptcy and Notice of Stay] by Wellpath, LLC. (Attachments: # 1 Exhibit(s) A - Voluntary Petition, # 2 Exhibit(s) B - Stay Order, # 3 Certificate of Service to Suggestion of Bankruptcy and Notice to Stay)(Derner, Mark) (Entered: 11/18/2024)
76	11/19/2024	Letter from Attorney Caelie M. Sweigart . (Sweigart, Caelie) (Entered: 11/19/2024)

#	Date	Proceeding Text
77	11/19/2024	ORDER - IT IS HEREBY ORDERED ADJUDGED AND DECREED that all proceedings in the above-captioned matter are STAYED pursuant to 11 U.S.C. 362 as a result of the defendants bankruptcy filing. The case management conference scheduled in this case on December 2, 2024, at 2:00 p.m., is CANCELLED. The parties are directed to notify the Court once the bankruptcy proceedings have concluded, and the stay may be lifted and are instructed to provide the court with a status report on the progress of these bankruptcy proceedings on or before May 19, 2025. Signed by Magistrate Judge Martin C Carlson on 11/19/24. (rw) (Entered: 11/19/2024)
78	12/20/2024	WITHDRAWAL OF ATTORNEY APPEARANCE - Attorney Mark Derner terminated on behalf of Wellpath, LLC, Nelson Iannuzzi, Rae Oleavia (incorrectly named as Rae Olivia), June Mahoney, Stephanie Wayman, India Smith, Kimberly Peterson, Alexandria Geisler, Angela Furman and Haseebuddin Ahmed, M.D. (Attachments: # 1 Certificate of Service to Withdrawal of Appearance of Brian S. Kane)(Derner, Mark) (Entered: 12/20/2024)
79	02/17/2025	Letter from Caelie M. Sweigart, counsel for Plaintiff re: Lifting of the stay as to Lackawanna County . (Attachments: # 1 Exhibit(s) "1" - Stipulated and Agreed Order, # 2 Proposed Order)(Sweigart, Caelie) (Entered: 02/17/2025)
80	03/03/2025	ORDER - IT IS ORDERED that the stay of this action is LIFTED as to Defendants Lackawanna County and Rae Oleavia. IT IS FURTHER ORDERED that the parties shall consult, confer and provide an updated proposed case management plan to the Court on or before March 24, 2025. A telephonic case management conference will then be held on March 28, 2025 at 1:30 p.m. Signed by Magistrate Judge Martin C Carlson on 3/3/25. (rw) (Entered: 03/03/2025)
81	03/24/2025	CASE MANAGEMENT PLAN Joint Case Management Plan by Ryan Curtis . (Sweigart, Caelie) (Entered: 03/24/2025)
83	03/28/2025	CASE MANAGEMENT ORDER - IT IS ORDERED that the following deadlines, have been established for this case: Close of Fact Discovery: September 29, 2025; Notification of Intent to Pursue Settlement Conference September 29, 2025; Dispositive Motions and Supporting Briefs Due: November 28, 2025; Expert Reports: From plaintiff(s) by: November 28, 2025; From defendant(s) by: November 28, 2025; Supplementations due: December 29, 2025; Close of Expert Discovery: February 27, 2026. Signed by Magistrate Judge Martin C Carlson on 3/28/25. (rw) (Entered: 03/28/2025)
84	05/16/2025	Supplement by Stephanie Wayman, LPN/LVN, India Smith, RN, Kimberly Peterson, LPN/LVN, Alexandria Geisler, LPN/LVN, Angela Furman, LPN/LVN, Wellpath, LLC, Nelson Anthony Iannuzzi, Haseebuddin Ahmed, M.D., Rae Oleavia, LPN/LVN, June Mahoney, LPN/LVN. Submission Relative to th Bankruptcy of Wellpath. (Attachments: # 1 Exhibit(s) A, # 2 Exhibit(s) B)(O'Neal, Stuart) (Entered: 05/16/2025)

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