UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

PABLO BERIQUETE, et al.

Plaintiffs,

-vs.-

ECF

79-cv-5077 (LAP)

ORDER TO PRODUCE

DANIEL F. MARTUCELLO, III, et al.

Defendants.

TO: Mark Miller, Superintendent Green Haven Correctional Facility 594 NY-216 Stormville, New York 12582

WHEREAS the following prisoners are class members in the instant litigation and wish to address the Court via video conference during the Fairness Hearing scheduled for January 31, 2024 at 2:30pm:

Alty Adamson DIN #11A5221; Edward Dawkins DIN # 17A1944; Donald Glass DIN # 15A0494; Milan Heggs DIN # 18A4126; Melvin Herring DIN # 18A1772; Anthony Horton DIN # 06A5568 Alonzo Jacobs DIN # 09A3974; Paul Kairis DIN #01B2421; Lawrence Lewis DIN # 98A3556; Teddy Lewis DIN # 04A2494; Thomas Murphy DIN # 20A1538; John Perez DIN # 99A1131; David Rhodes DIN # 07A3657; Felipe Rivera-Cruz DIN # 13A0542; James Ross DIN # 04A6825; Charles Russo DIN # 94A3294: Luis Torres DIN # 13A0386; Cyril Winebrenner DIN # 05B1092 (hereinafter "Class Members"); and

WHEREAS the Class Members are currently in custody at Green Haven Correctional Facility in Stormville, New York; and

NOW THEREFORE, IT IS ORDERED that the SUPERINTENDENT OF GREEN HAVEN CORRECTIONAL FACILITY produce the Class Members on January 31, 2024, at 2:30pm until the testimony of each is complete and/or the day's proceedings have ended; and

IT IS FURTHER ORDERED that Co-Class Counsel Joshua Morrison shall be allowed to meet with any of the Class Members as necessary commencing at 1:00pm on January 31, 2024, and shall be allowed to be present in the video room when each Class Member testifies; and

IT IS FURTHER ORDERED that if any Class Member has a pre-scheduled medical appointment that he wishes to attend he can refuse attendance at the Fairness Hearing or refuse attendance at the medical appointment according to his wishes; and

IT IS FURTHER ORDERED that the Class Members must be allowed to participate in the video proceeding in a privileged and confidential manner; DOCCS personnel must allow each Class Member to bring any legal papers he feels necessary; and each shall be allowed to testify without the presence of any DOCCS' personnel in the room, unless bona fide safety and security issues necessitate the presence of a member of DOCCS' staff.

Dated: January 24, 2024

So ordered: _____

LORETTA A. PRESKA, U.S.D.J.