

Post-Dukes cases certifying classes of persons in prisons, jails, and other institutional settings

First Circuit

Gordon v. Johnson, 300 F.R.D. 28 (D. Mass. 2014)

Reid v. Donelan, 297 F.R.D. 185 (D. Mass. 2014)

Kenneth R. ex rel. Tri-County CAP, Inc./GS v. Hassan, 293 F.R.D. 254 (D.N.H. 2013)

Connor B. ex rel. Vigurs v. Patrick, 278 F.R.D. 30 (D. Mass. 2011) (denying motion to decertify)

Second Circuit

R.A-G. v. Buffalo City Sch. Dist. Bd. Of Educ., No. 12-CV-960S, 2013 WL 3354424 (W.D.N.Y July 3, 2013), *aff'd*, 569 Fed. Appx. 41 (2d Cir. 2014) (public school students)

McGee v. Pallito, 2015 WL 5177770 (D. Vt. Sept. 4, 2015) (denying motion to decertify)

Butler v. Suffolk Cnty., 289 F.R.D. 80 (E.D.N.Y. 2013)

Third Circuit

P.V. v. Sch. Dist. of Phila., 289 F.R.D. 227, 233-36 (E.D. Pa. 2013) (public school students)

Logory v. Cnty. of Susquehanna, 277 F.R.D. 135 (M.D. Pa. 2011)

Fourth Circuit

Scott v. Clarke, 61 F.Supp.3d 569 (W.D. Va. 2014)

Fifth Circuit

Cole v. Livingston, No. 4:14-CV-1698, 2016 WL 3258345 (S.D. Tex. June 14, 2016).

Dockery v. Fischer, --- F.Supp.3d ----, 2015 WL 5737608 (S.D. Miss. Sept. 29, 2015).

M.D. v. Perry, 294 F.R.D. 7 (S.D. Tex. 2013)

Jones v. Gusman, 296 F.R.D. 416 (E.D. La. 2013)

Seventh Circuit

Holmes v. Godinez, 311 F.R.D. 177 (N.D. Ill. Oct. 8, 2015).

Lacy v. Butts, 2015 WL 5775497 (S.D. Ind. Sept. 30, 2015).

Ind. Protection & Advocacy Servs. Comm'n v. Comm'r, No. 1:08-cv-01317-TWP-MJD, 2012 WL 6738517 (S.D. Ind. Dec. 31, 2012) (denying motion to decertify)

Olson v. Brown, 284 F.R.D. 398 (N.D. Ind. 2012)

But see Phillips v. Sheriff of Cook County, ___ F.3d ___, 2016 WL 3615761 (7th Cir. July 6, 2016) (affirming decertification of class of jail detainees)

Eighth Circuit

Karsjens v. Jesson, 283 F.R.D. 514 (D. Minn. 2012)

Ninth Circuit

Parsons v. Ryan, 289 F.R.D. 513 (D. Ariz. 2013), *aff'd*, 754 F.3d 657 (9th Cir. 2014), *reh'g en banc denied*, 784 F.3d 571 (9th Cir. 2015)

Doe v. Johnson, No. CV 15-00250-TUC-DCB, 2016 WL 267009 (D. Ariz. Jan. 11, 2016)

Dunakin v. Quigley, 99 F.Supp.3d 1297 (W.D. Wash. April 10, 2015) (residents of nursing facilities)

Hernandez v. County of Monterey, 305 F.R.D. 132 (N.D. Cal. Jan. 29, 2015)

Davis v. Abercrombie, 2014 WL 4956454 (D. Hawaii Sept. 30, 2014)

Gray v. County of Riverside, 2014 WL 5304915 (C.D. Cal. Sept. 2, 2014)

Mitchell v. Cate, 2014 WL 3689287, No. 2:08-CV-01196 (E.D. Cal. July 23, 2014)

Ashker v. Governor of State of Cal., No. C 09-5796 CW, 2014 WL 2465191 (N.D. Cal. June 2, 2014)

Lyon v. U.S. Immigration & Customs Enforcement, 300 F.R.D. 628 (N.D. Cal. 2014), *modified*, 2015 WL 4538047 (N.D. Cal. July 27, 2015) (expanding class)

Amador v. Baca, 299 F.R.D. 618 (C.D. Cal. 2014)

Khoury v. Asher, 3 F.Supp.3d 877 (W.D. Wash. 2014)

Chief Goes Out v. Missoula Cnty., No. CV 12-155-M-DWM, 2013 WL 139938 (D. Mont. Jan. 10, 2013) (denying motion to decertify)

Rosas v. Baca, No. CV 12-00428 DDP (SHx), 2012 WL 2061694 (C.D. Cal. June 7, 2012)

Tenth Circuit

Decoteau v. Raemisch, 304 F.R.D. 683 (D. Colo. 2014)

Redmond v. Bigelow, No. 2:13CV393DAK, 2014 WL 2765469 (D. Utah June 18, 2014)

Jackson v. Ash, 2014 WL 1230225 (D. Kan. Mar. 25, 2014)

D.G. ex rel. Strickland v. Yarbrough, 278 F.R.D. 635 (N.D. Okla. 2011) (denying motion to decertify)

Eleventh Circuit

Hughes v. Judd, No. 8:12-cv-568-T-23MAP, 2013 WL 1821077 (M.D. Fla. Mar. 27, 2013), *report and recommendation adopted as modified*, 2013 WL 1810806 (M.D. Fla. Apr. 30, 2013)

Henderson v. Thomas, 289 F.R.D. 506 (M.D. Ala. 2012)

D.C. Circuit

In re District of Columbia, 792 F.3d 96 (D.C. Cir. 2015) (rejecting Rule 23(f) challenge to certification of class of nursing home residents)

DL v. District of Columbia, 302 F.R.D. 1 (D.D.C. 2013) (public school students)

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