

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

M.C. and T.G., on behalf of themselves and
all similarly situated individuals,

Plaintiffs,

-v-

6:22-CV-00190

JEFFERSON COUNTY, NEW YORK;
COLLEEN M. O'NEILL, as the Sheriff of
Jefferson County, New York; BRIAN R.
McDERMOTT, as the Undersheriff of
Jefferson County; and MARK WILSON, as
the Facility Administrator of Jefferson County
Correctional Facility,

Defendants.

DAVID N. HURD
United States District Judge

ORDER

Upon the Memorandum of Law in Support of Plaintiff M.C.'s Order to Show Cause for a Temporary Restraining Order and a Preliminary Injunction; the Declaration of Antony P.F. Gemmell in Support of a Temporary Restraining Order; the Declarations of Richard N. Rosenthal, M.D. and Daniel Pisaniello, M.D.; the Declarations of M.C., M.S.C., T.G., R.G., S.G., and Edmond Hayes; and the Class Action Complaint attached hereto; it is hereby ORDERED that

1. Sufficient reason having been shown therefor, and consistent with the requirements of 18.U.S.C. § 3626(a)(1)(a), pending the hearing of Plaintiff M.C.'s motion for a preliminary injunction, pursuant to Rule 65 of the Federal Rules of Civil Procedure, defendants are TEMPORARILY RESTRAINED AND ENJOINED to provide Plaintiff M.C. with his daily prescribed methadone treatment during his period of incarceration in defendants' custody in a way deemed appropriate in light of security needs, such as:

- a. Providing medication to Plaintiff M.C. in the Correctional Facility;
- b. Taking Plaintiff M.C. into the community on a daily basis to receive his medication; or
- c. Releasing Plaintiff M.C. on medical furlough if the Correctional Facility is unable to accommodate his daily medical needs;

2. Plaintiffs shall serve defendants with this Order, together with the papers upon which it is granted, on or before March 4, 2022;

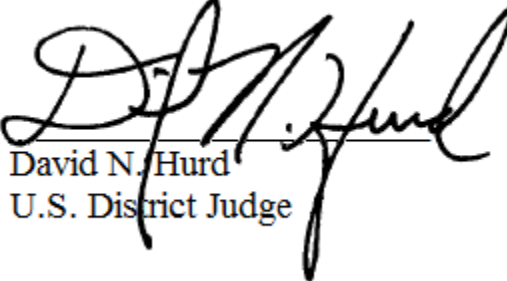
3. Defendants are to advise the Court if they oppose plaintiffs' request for a preliminary injunction;

4. If yes, defendants shall file and serve all submissions in opposition to plaintiffs' motion for a preliminary injunction on or before March 10, 2022;

5. No reply is permitted;

6. If defendants oppose plaintiffs' request for a preliminary injunction, they shall SHOW CAUSE at an in-person oral argument before this Court, in the United States Courthouse located in Utica, New York, on Tuesday, March 15th at 1:00 p.m., why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining defendants, during the pendency of this action, to provide Plaintiff M.C. with his daily prescribed methadone during his period of incarceration at the Jefferson County Correctional Facility.

IT IS SO ORDERED.



David N. Hurd
U.S. District Judge

Dated: March 2, 2022
Utica, New York.