

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION



MINUTE SHEET  
OF COURT PROCEEDINGS

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Date: 3/23/2022 Type of Hearing: Status Conference  
Judge: Marc T. Treadwell Court Reporter: Tammy DiRocco  
Courtroom Deputy: Kim Tavalero Law Clerk: Ben Roth  
Courtroom: A

**Case Number: 5:20-cv-453 (MTT)**

Ashley Diamond Counsel: A. Chinyere Ezie  
Beth Littrell  
Maya Gyan Rajaratnam

v.

Timothy Ward, et al. Counsel: Roger Chalmers

*Disclaimer: Contents of this Minute Sheet are for administrative purposes ONLY and are NOT meant as a substitution for the official court record. Attorneys should contact the court reporter and order a transcript if there are any questions as to the contents herein.*

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**Court time for JS10/MJSTAR: 1 hour / 34 minutes**

2:31 pm Called to order. Identification of parties. Preliminary remarks by the Court.  
2:42 pm Ms. Ezie provided a more specific explanation as to plaintiff's request for injunctive relief.  
2:46 pm Response by Mr. Chalmers.  
2:47 pm The Court addressed the parties regarding its proposal for proceeding with this case. The Court will address this in more detail later in the hearing.  
2:50 pm Response by Ms. Ezie.  
2:55 pm Response by Mr. Chalmers regarding concerns as to credibility issues and preservation of evidence for trial. Mr. Chalmers addressed the Court regarding a notebook of information that's been compiled regarding plaintiff's activities at Coastal—a copy of the notebook was also provided to plaintiff's counsel and the Court. Mr. Chalmers went over the

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information in the notebook, which primarily consisted of a Cellebrite Extraction Report on Diamond's purported contraband cell phone seized by the GDC. Mr. Chalmers addressed his concerns about preservation of evidence.

- 3:20 pm Response by Ms. Ezie regarding information in notebook and plaintiff's 5th Amendment rights.
- 3:23 pm Response by Ms. Littrell regarding dorm camera and credibility issues.
- 3:25 pm Response by Mr. Chalmers regarding contraband communications.
- 3:26 pm Response by Ms. Ezie regarding 5th Amendment.
- 3:27 pm The Court addressed the parties regarding the 5th Amendment.
- 3:28 pm The Court addressed the parties regarding the obligation for both parties to preserve evidence. The Court stated now more than ever consolidation of plaintiff's motion for preliminary injunctive relief with a trial on the merits of the case is appropriate.
- 3:33 pm The Court addressed Mr. Chalmers and Warden Benton regarding video availability.
- 3:33 pm Response by Mr. Chalmers regarding Warden Benton having moved to a new position and a new warden was hired at Coastal State Prison—Aaron Pineiro. Mr. Chalmers provided an explanation regarding when video surveillance footage is retained.
- 3:38 pm The Court addressed the parties regarding how the case shall proceed moving forward:
- Warden Pineiro shall submit a report every 2 weeks regarding any alleged incidents involving plaintiff. If there is an allegation during the 2-week period, the report shall include what steps have been taken. If camera malfunctions are an issue, that should be included in the report. Warden Pineiro shall sign the report and submit it to Mr. Chalmers for review prior to forwarding a copy to plaintiff's counsel. The first report is due April 8.
  - After discussion regarding plaintiff's right to privately report PREA complaints and preservation of video, the Court instructed defendants that if a PREA report is made, any video at the location of the alleged incident, whether it shows anything or not, shall be saved.
  - Defendants shall disclose within 30 days, subject to objection, the cell phone data. Plaintiff's counsel needs to preserve the information at issue.
  - The motion for preliminary injunction shall be consolidated with a trial on its merits.
- 4:04 pm Discussion regarding exhibits and proper procedure to address discovery disputes.
- 4:05 pm Adjourned.