

**United States District Court  
District of Massachusetts (Worcester)  
CIVIL DOCKET FOR CASE #: 4:06-cv-40190-FDS**

Equal Employment Opportunity Commission v. Preferred Labor LLC  
Assigned to: Judge F. Dennis Saylor, IV  
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 08/31/2006  
Date Terminated: 07/10/2009  
Jury Demand: Both  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Arnold J. Lizana , III**  
U.S. Equal Employment Opportunity  
Commission  
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V.

**Defendant**

**Preferred Labor LLC**  
*doing business as*  
Preferred People Staffing

represented by **Rebecca J. Wilson**  
Peabody & Arnold LLP  
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**Defendant**

**PreferAble People, LLC**  
*as successor in interest*

represented by **J. Michael Riordan**  
McElroy Deutsch, Mulvaney & Carpenter,  
LLP  
1300 Mt. Kemble Avenue  
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**ADR Provider**

**Judge Timothy S. Hillman**  
*TERMINATED: 06/16/2009*

**Mediator**

**Mag. Judge Robert B. Collings**  
*TERMINATED: 08/14/2007*

**Mediator**

**Judge Morris E. Lasker**  
*TERMINATED: 04/17/2009*

**Mediator**

**Judge Timothy S. Hillman**  
*TERMINATED: 06/16/2009*

**Cross Claimant**

**PreferAble People, LLC**  
*as successor in interest*

represented by **J. Michael Riordan**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Jeffrey M. Burns**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

V.

**Cross Defendant**

**Preferred Labor LLC**

represented by **Rebecca J. Wilson**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Richard J. Poliferno**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Elizabeth A. Houlding**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
08/31/2006	<u>1</u>	COMPLAINT against Preferred Labor LLC Filing fee: No fee required; \$ 0.0, receipt number NA, filed by Equal Employment Opportunity Commission. (Attachments: # 1 Civil Cover Sheets)(Hassett, Kathy) Additional attachment(s) added on 9/20/2006 (Jones, Sherry). Additional attachment(s) added on 9/20/2006 (Jones, Sherry). (Entered: 08/31/2006)
08/31/2006		Summons Issued as to Preferred Labor LLC. (Hassett, Kathy) (Entered: 08/31/2006)
11/15/2006	<u>2</u>	ANSWER to Complaint by Preferred Labor LLC.(Houlding, Elizabeth A.) (Entered: 11/15/2006)
12/28/2006	<u>3</u>	NOTICE of Scheduling Conference: Scheduling Conference set for Monday 1/29/2007 at 10:15AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 12/28/2006)
01/03/2007	<u>4</u>	NOTICE of Appearance by Rebecca J. Wilson on behalf of Preferred Labor LLC (Wilson, Rebecca) (Entered: 01/03/2007)
01/12/2007	<u>5</u>	Joint MOTION to Amend <u>3</u> Notice of Scheduling Conference by Equal Employment Opportunity Commission.(Lizana, Arnold) (Entered: 01/12/2007)
01/12/2007		Judge F. Dennis Saylor IV: Electronic ORDER entered granting <u>5</u> Motion to continue scheduling conference. (Castles, Martin) (Entered: 01/12/2007)
01/12/2007		Reset Hearing: Scheduling Conference reset for Monday 3/5/2007 at 2:30PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) Modified on 1/16/2007 (Hassett, Kathy). (Entered: 01/12/2007)
02/28/2007	<u>6</u>	JOINT STATEMENT re scheduling conference <i>Pursuant to Rule 16.1</i> . (Houlding, Elizabeth A.) (Entered: 02/28/2007)
03/05/2007	<u>7</u>	CERTIFICATION PURSUANT TO RULE 16.1. (Houlding, Elizabeth A.) Modified on 3/6/2007 (Hassett, Kathy). (Entered: 03/05/2007)
03/05/2007	<u>8</u>	CORPORATE DISCLOSURE STATEMENT by Preferred Labor LLC. (Houlding, Elizabeth A.) (Entered: 03/05/2007)
03/05/2007		ElectronicClerk's Notes for proceedings held before Judge F. Dennis Saylor IV: Scheduling Conference held on 3/5/2007. Case called, Counsel appear for scheduling conference, Scheduling order to issue. (Court Reporter M. Kusa-Ryll.) (Castles, Martin) (Entered: 03/05/2007)
03/06/2007		Notice of correction to docket made by Court staff. Correction: Document #7 corrected because: Filed as Certificate of Consultation, Court corrected title (Hassett, Kathy) (Entered: 03/06/2007)
03/06/2007	<u>9</u>	Judge F. Dennis Saylor IV: ORDER entered. SCHEDULING ORDER: Status Conference set for 9/6/2007 02:30 PM in Courtroom 2 before Judge F. Dennis Saylor IV. Amended Pleadings due by 3/30/2007. Discovery to be completed by 10/31/2007.(Castles, Martin) (Entered: 03/06/2007)
03/07/2007	<u>10</u>	CERTIFICATION pursuant to Local Rule 16.1 by Equal Employment Opportunity Commission.(Lizana, Arnold) (Entered: 03/07/2007)
03/30/2007	<u>11</u>	AMENDED ANSWER to <i>Complaint</i> by Preferred Labor LLC. (Houlding, Elizabeth A.) (Entered: 03/30/2007)
03/30/2007	<u>12</u>	Disclosure pursuant to Rule 26 by Preferred Labor LLC.(Houlding, Elizabeth A.) (Entered: 03/30/2007)
04/13/2007	<u>13</u>	Joint MOTION for Order to Of Reference for Mediation by Federal Magistrate by Preferred Labor LLC.(Houlding, Elizabeth A.) (Entered: 04/13/2007)
04/13/2007		Judge F. Dennis Saylor IV: Electronic ORDER entered granting <u>13</u> Motion for Order of reference to Boston Magistrate Judge for mediation. (Castles, Martin) (Entered: 04/13/2007)

04/13/2007		Judge F. Dennis Saylor IV: Electronic ORDER entered. REFERRING CASE to Alternative Dispute Resolution. Case is referred to a Boston Magistrate Judge for mediation.(Castles, Martin) (Entered: 04/13/2007)
04/13/2007		Electronic Notice of assignment to ADR Provider. Magistrate Judge Robert B. Collings appointed. The Court will contact counsel with regard to scheduling.(Tyler, Rebecca) (Entered: 04/13/2007)
04/17/2007	<u>14</u>	NOTICE OF AND ORDER REGARDING MEDIATION scheduled for for 8/22/2007 at 10:30 AM in Courtroom 23 before Magistrate Judge Robert B. Collings. (Dolan, Kathleen) (Entered: 04/19/2007)
05/10/2007		ELECTRONIC NOTICE RE-SCHEDULING MEDIATION FROM 8/22/07 TO 8/29/2007 at 11:00 AM in Courtroom 23 before Magistrate Judge Robert B. Collings. (Dolan, Kathleen) (Entered: 05/10/2007)
07/13/2007	<u>15</u>	Joint MOTION to Continue Mediation to 9/7/2007 <i>Submitted</i> by Equal Employment Opportunity Commission.(Lizana, Arnold) (Entered: 07/13/2007)
07/25/2007	<u>16</u>	Amended MOTION to Continue Mediation to September 18, 2007, September 24, 2007 or September 29, 2007 by Equal Employment Opportunity Commission.(Lizana, Arnold) (Entered: 07/25/2007)
07/26/2007		Judge Robert B. Collings : Electronic ORDER entered Denying as Moot <u>15</u> Motion to Continue; Granting <u>16</u> Motion to Continue Mediation. Mediation re-scheduled for 9/18/2007 at 10:30 AM in Courtroom 23 before Magistrate Judge Robert B. Collings. (Dolan, Kathleen) (Entered: 07/26/2007)
08/14/2007		Judge Robert B. Collings: Electronic NOTICE entered. Judge Morris E. Lasker has been designated as the ADR Provider in this case in place of Judge Collings. The mediation previously scheduled before Judge Collings will take place on the same date and at the same time, i.e., September 18, 2007 at 10:30 A.M., before Judge Lasker in Courtroom, #8 (3rd floor). (Entered: 08/14/2007)
08/14/2007		ELECTRONIC NOTICE of assignment to ADR Provider. U.S. District Judge Morris E. Lasker appointed.(Franklin, Yvonne) (Entered: 08/14/2007)
08/14/2007		ELECTRONIC NOTICE of ADR Conference.Alternative Dispute Resolution Hearing set for Tuesday, September 18, 2007 at 10:30 AM in Courtroom 8 before U.S. District Judge Morris E. Lasker. As stated previously, Counsel and principals are directed to be present and have full settlement authority. In addition, the parties should submit no later than five (5) business days a brief memorandum addressing the party's position on the merits of the case and on settlement. The memorandum should be marked "Confidential – Not for Docketing". In the event that you believe the case is not ripe for mediation at this time, please notify opposing counsel and the court as soon as possible. (Franklin, Yvonne) (Entered: 08/14/2007)
09/05/2007	<u>17</u>	Joint MOTION to Continue Status Conference to October 1, October 2 or October 5, 2007 by Equal Employment Opportunity Commission, Preferred Labor LLC.(Houlding, Elizabeth A.) (Entered: 09/05/2007)
09/05/2007		Judge F. Dennis Saylor IV: Electronic ORDER entered granting <u>17</u> Motion to Continue: Status Conference reset for Monday 10/1/2007 at 3:30PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 09/05/2007)
09/13/2007		ELECTRONIC NOTICE OF RESCHEDULING The Mediation set for September 18, 2007; The Mediation Hearing is now set for 9/25/2007 10:30 AM in Courtroom 8 before Judge F. Morris E. Lasker. (Howarth, George) (Entered: 09/13/2007)
09/26/2007	<u>18</u>	REPORT of Alternative Dispute Resolution Provider (Howarth, George) (Entered: 09/26/2007)
10/01/2007		Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor IV: Status Conference held on 10/1/2007. Case called, Counsel appear by telephone for status conference, Court orders 30B6 deposition to be completed by 11/7/07, Motion to amend complaint due by 11/21/07, Oppositions due by 12/10/07, Court sets further status conference:Status Conference set for 12/17/2007 at 2:30PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter M. Kusa-Ryll.) (Castles, Martin) (Entered: 10/01/2007)

10/23/2007	<u>20</u>	NOTICE of Change of Address or Firm Name by Elizabeth A. Houilding (Houilding, Elizabeth A.) (Entered: 10/23/2007)
11/06/2007	<u>21</u>	STIPULATION AND ORDER REGARDING CONFIDENTIALITY by Equal Employment Opportunity Commission, Preferred Labor LLC. (Attachments: # <u>1</u> Exhibit A (Consent Protective Order))(Houilding, Elizabeth A.) (Entered: 11/06/2007)
11/16/2007	<u>22</u>	Joint MOTION to Amend <i>Scheduling Order</i> by Equal Employment Opportunity Commission.(Lizana, Arnold) (Entered: 11/16/2007)
11/21/2007		Judge F. Dennis Saylor IV: Electronic ORDER entered granting <u>22</u> Motion to Amend scheduling order. (Castles, Martin) (Entered: 11/21/2007)
11/21/2007		Reset Hearing: Status Conference reset for Wednesday 1/30/2008 at 3:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 11/21/2007)
11/27/2007	<u>23</u>	NOTICE of Change of Address or Firm Name by Rebecca J. Wilson (Wilson, Rebecca) (Entered: 11/27/2007)
11/29/2007		Judge F. Dennis Saylor IV: ELECTRONIC ORDER entered: APPROVED AND SO ORDERED <u>21</u> Stipulation filed by Equal Employment Opportunity Commission and Preferred Labor LLC. (Castles, Martin) (Entered: 11/30/2007)
12/07/2007	<u>24</u>	MOTION to Compel <i>PRODUCTION OF DOCUMENTS PURSUANT TO FED. R. CIV. P. 45(c)(2)(B)</i> by Equal Employment Opportunity Commission.(Lizana, Arnold) (Entered: 12/07/2007)
12/07/2007	<u>25</u>	MEMORANDUM in Support re <u>24</u> MOTION to Compel <i>PRODUCTION OF DOCUMENTS PURSUANT TO FED. R. CIV. P. 45(c)(2)(B)</i> filed by Equal Employment Opportunity Commission. (Lizana, Arnold) (Entered: 12/07/2007)
12/07/2007	<u>26</u>	DECLARATION re <u>24</u> MOTION to Compel <i>PRODUCTION OF DOCUMENTS PURSUANT TO FED. R. CIV. P. 45(c)(2)(B)</i> , <u>25</u> Memorandum in Support of Motion by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3)(Lizana, Arnold) (Entered: 12/07/2007)
12/12/2007	<u>27</u>	NOTICE of Appearance by Jeffrey M. Burns on behalf of PreferAble People, LLC d/b/a PreferAble Staffing (Burns, Jeffrey) (Entered: 12/12/2007)
12/12/2007	<u>28</u>	MOTION for Leave to Appear Pro Hac Vice for admission of J. Michael Riordan by PreferAble People, LLC d/b/a PreferAble Staffing. (Attachments: # <u>1</u> Text of Proposed Order)(Burns, Jeffrey) (Entered: 12/12/2007)
12/12/2007	<u>29</u>	AFFIDAVIT of J. Michael Riordan re <u>28</u> MOTION for Leave to Appear Pro Hac Vice for admission of J. Michael Riordan by PreferAble People, LLC d/b/a PreferAble Staffing. (Burns, Jeffrey) (Entered: 12/12/2007)
12/20/2007	<u>30</u>	Opposition re <u>24</u> MOTION to Compel <i>PRODUCTION OF DOCUMENTS PURSUANT TO FED. R. CIV. P. 45(c)(2)(B)</i> filed by Preferred Labor LLC. (Houilding, Elizabeth A.) (Entered: 12/20/2007)
12/21/2007		Filing fee: \$ 50.00, receipt number bst000517 for <u>28</u> MOTION for Leave to Appear Pro Hac Vice for admission of J. Michael Riordan. (Jones, Sherry) (Entered: 12/21/2007)
12/21/2007	<u>31</u>	Joint MOTION for Extension of Time to December 28, 2007 to File Response/Reply as to <u>24</u> MOTION to Compel <i>PRODUCTION OF DOCUMENTS PURSUANT TO FED. R. CIV. P. 45(c)(2)(B)</i> , <u>25</u> Memorandum in Support of Motion, <u>26</u> Declaration, by PreferAble People, LLC d/b/a PreferAble Staffing, Equal Employment Opportunity Commission, Preferred Labor LLC.(Lizana, Arnold) (Entered: 12/21/2007)
12/27/2007		Judge F. Dennis Saylor, IV: Electronic ORDER entered granting <u>31</u> Motion for Extension of Time to File Response/Reply re <u>24</u> MOTION to Compel <i>PRODUCTION OF DOCUMENTS PURSUANT TO FED. R. CIV. P. 45(c)(2)(B)</i> . Response due by 12/28/2007. (Castles, Martin) (Entered: 12/27/2007)
12/27/2007		Judge F. Dennis Saylor, IV: Electronic ORDER entered granting <u>28</u> Motion for Leave to Appear Pro Hac Vice; Added J. Michael Riordan for PreferAble People, LLC d/b/a PreferAble Staffing. <b>Attorneys admitted Pro Hac Vice must register for electronic</b>

		<b>filing. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Forms and then scroll down to CM/ECF Forms.</b> (Castles, Martin) (Entered: 12/27/2007)
12/28/2007	<u>32</u>	Cross MOTION for Protective Order by PreferAble People, LLC d/b/a PreferAble Staffing.(Burns, Jeffrey) (Entered: 12/28/2007)
12/28/2007	<u>33</u>	MEMORANDUM in Support re <u>32</u> Cross MOTION for Protective Order <i>and in Opposition to <u>24</u> Plaintiff's Motion to Enforce Subpoena</i> filed by PreferAble People, LLC d/b/a PreferAble Staffing. (Burns, Jeffrey) Modified on 1/2/2008 (Jones, Sherry). (Entered: 12/28/2007)
12/28/2007	<u>34</u>	DECLARATION of Michael Riordan re <u>32</u> Cross MOTION for Protective Order by PreferAble People, LLC d/b/a PreferAble Staffing. (Attachments: # <u>1</u> Exhibit Exhibits A–C to Certification, # <u>2</u> Exhibit Exhibits D–F to Certification, # <u>3</u> Exhibit Exhibits G–H to Certification, # <u>4</u> Exhibit Exhibits I–M to Certification)(Burns, Jeffrey) Modified on 1/2/2008 (Jones, Sherry). (Entered: 12/28/2007)
12/28/2007	<u>35</u>	AFFIDAVIT of Yohama Guarino, Esq. in Support re <u>32</u> Cross MOTION for Protective Order. (Attachments: # <u>1</u> Exhibit)(Burns, Jeffrey) Modified on 1/2/2008 (Jones, Sherry). (Entered: 12/28/2007)
12/28/2007	<u>36</u>	Proposed Document(s) submitted by PreferAble People, LLC d/b/a PreferAble Staffing. Document received: Proposed Order on Cross Motion. (Attachments: # <u>1</u> Exhibit)(Burns, Jeffrey) (Entered: 12/28/2007)
01/10/2008	<u>37</u>	MEMORANDUM in Opposition re <u>32</u> Cross MOTION for Protective Order <i>and in Opposition to Plaintiff's Motion to Enforce Subpoena For Production of Documents</i> filed by Equal Employment Opportunity Commission. (Lizana, Arnold) (Entered: 01/10/2008)
01/10/2008	<u>38</u>	DECLARATION of Arnold J. Lizana re <u>37</u> Memorandum in Opposition to Motion by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Lizana, Arnold) Modified on 1/11/2008 (Jones, Sherry). (Entered: 01/10/2008)
01/25/2008		Judge F. Dennis Saylor, IV: Electronic ORDER entered. REFERRING MOTION <u>24</u> MOTION to Compel <i>PRODUCTION OF DOCUMENTS PURSUANT TO FED. R. CIV. P. 45(c)(2)(B)</i> filed by Equal Employment Opportunity Commission, and <u>32</u> Cross MOTION for Protective Order filed by PreferAble People, LLC d/b/a PreferAble Staffing to Magistrate Judge Magistrate Judge Timothy S. Hillman.(Castles, Martin) Motions referred to Timothy S. Hillman. (Entered: 01/25/2008)
01/25/2008		ELECTRONIC NOTICE of Hearing on Motion <u>32</u> Cross MOTION for Protective Order, <u>24</u> MOTION to Compel <i>PRODUCTION OF DOCUMENTS PURSUANT TO FED. R. CIV. P. 45(c)(2)(B)</i> : Motion Hearing set for 2/6/2008 10:00 AM in Courtroom 1 before Magistrate Judge Timothy S. Hillman. (Roland, Lisa) (Entered: 01/25/2008)
01/30/2008		Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor, IV: Status Conference held on 1/30/2008, Case called, Counsel appear for status conference, Parties inform court of the status of discovery, Scheduling order will need to be extend after Magistrate Judge Hillman rules on the pending motions to compel and for protective order, Court sets further status conference after the hearing on the motion: ( Status Conference set for 2/6/2008 at 2:15PM in Courtroom 2 before Judge F. Dennis Saylor IV.). (Court Reporter: M. Kusa–Ryll.)(Attorneys present: Lizana,Rose/Houlding) (Castles, Martin) (Entered: 01/30/2008)
02/06/2008		Electronic Clerk's Notes for proceedings held before Magistrate Judge Timothy S. Hillman: Motion Hearing held on 2/6/2008 re <u>24</u> MOTION to Compel <i>PRODUCTION OF DOCUMENTS PURSUANT TO FED. R. CIV. P. 45(c)(2)(B)</i> filed by Equal Employment Opportunity Commission, <u>32</u> Cross MOTION for Protective Order filed by PreferAble People, LLC d/b/a PreferAble Staffing. Case called, Counsel appear, Counsel argue motion, Matter taken under advisement, Order to issue. (Digital Recording 10:04.)(Attorneys present: Lizana, Rose, Riordan, Houlding) (Roland, Lisa) (Entered: 02/06/2008)

02/06/2008		Judge F. Dennis Saylor, IV: Electronic ORDER entered. ORDER Cancelling Deadline. The status conference set for 2/6/08 is hereby cancelled. The court will reschedule after Magistrate Judge Hillman rules on the pending motions. (Castles, Martin) (Entered: 02/06/2008)
02/12/2008	<u>39</u>	Magistrate Judge Timothy S. Hillman: ORDER entered granting <u>24</u> Motion to Compel; granting <u>32</u> Motion for Protective Order. (Attachments: # <u>1</u> Protective Order with Attached Acknowledgment) (Roland, Lisa) (Entered: 02/12/2008)
04/02/2008	<u>40</u>	Joint MOTION to Amend <u>9</u> Scheduling Order, Set Hearings,, <i>on EEOC Motion to Amend</i> by PreferAble People, LLC d/b/a PreferAble Staffing, Equal Employment Opportunity Commission, Preferred Labor LLC.(Lizana, Arnold) Modified on 4/2/2008 (Jones, Sherry). (Entered: 04/02/2008)
04/04/2008		Judge F. Dennis Saylor, IV: Electronic ORDER entered granting <u>40</u> Motion to Amend scheduling order. (Castles, Martin) (Entered: 04/04/2008)
04/04/2008		ELECTRONIC NOTICE of Hearing: Status Conference reset for 6/12/2008 at 2:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 04/04/2008)
04/10/2008		Case no longer referred to Magistrate Judge Timothy S. Hillman. (Roland, Lisa) (Entered: 04/10/2008)
04/14/2008	<u>41</u>	Joint MOTION to Continue Status Conference to July 14, 2008 by PreferAble People, LLC d/b/a PreferAble Staffing.(Burns, Jeffrey) (Entered: 04/14/2008)
04/15/2008		Judge F. Dennis Saylor, IV: Electronic ORDER entered granting <u>41</u> Motion to Continue. Status Conference reset for 7/14/2008 at 3:15PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 04/15/2008)
05/06/2008	<u>42</u>	Joint MOTION for Extension of Time to May 16, 2008 to File Motion to Amend Complaint by Equal Employment Opportunity Commission.(Lizana, Arnold) (Entered: 05/06/2008)
05/06/2008		Judge F. Dennis Saylor, IV: Electronic ORDER entered granting <u>42</u> Motion for Extension of Time to file motion to amend the complaint. Motion due by 5/16/2008. (Castles, Martin) (Entered: 05/06/2008)
05/16/2008	<u>43</u>	MOTION to Amend <i>Complaint</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration, # <u>2</u> Memorandum of Law, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Exhibit F, # <u>9</u> Exhibit G, # <u>10</u> Exhibit H, # <u>11</u> Exhibit I, # <u>12</u> Exhibit J, # <u>13</u> Exhibit K, # <u>14</u> Exhibit L, # <u>15</u> Exhibit M, # <u>16</u> Errata N, # <u>17</u> Errata O, # <u>18</u> Exhibit P, # <u>19</u> Exhibit E-1)(Lizana, Arnold) (Entered: 05/16/2008)
06/02/2008	<u>44</u>	MOTION for Leave to File <i>Memorandum of Law in Excess of Twenty Pages</i> by PreferAble People, LLC d/b/a PreferAble Staffing.(Burns, Jeffrey) (Entered: 06/02/2008)
06/02/2008	<u>45</u>	Opposition re <u>43</u> MOTION to Amend <i>Complaint</i> filed by Preferred Labor LLC. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Houlding, Elizabeth A.) (Entered: 06/02/2008)
06/02/2008	<u>46</u>	MEMORANDUM in Opposition re <u>43</u> MOTION to Amend <i>Complaint</i> filed by PreferAble People, LLC d/b/a PreferAble Staffing. (Burns, Jeffrey) (Entered: 06/02/2008)
06/02/2008	<u>47</u>	AFFIDAVIT in Opposition re <u>43</u> MOTION to Amend <i>Complaint</i> filed by PreferAble People, LLC d/b/a PreferAble Staffing. (Attachments: # <u>1</u> Errata Exhibit A, # <u>2</u> Exhibit Exhibit B Part 1, # <u>3</u> Exhibit Exhibit B Part 2)(Burns, Jeffrey) (Additional attachment(s) added on 6/3/2008: Corrected # <u>3</u> Exhibit B part 2(original had last page missing) (Hassett, Kathy). (Entered: 06/02/2008)
06/02/2008	<u>48</u>	DECLARATION re <u>46</u> Memorandum in Opposition to Motion to Amend <i>Complaint</i> by PreferAble People, LLC d/b/a PreferAble Staffing. (Attachments: # <u>1</u> Exhibit Exhibits A through C, # <u>2</u> Exhibit Exhibits D through G, # <u>3</u> Exhibit Exhibits H through L, # <u>4</u> Exhibit Exhibits M through R)(Burns, Jeffrey) (Entered: 06/02/2008)



06/02/2008	<u>49</u>	AFFIDAVIT in Opposition re <u>43</u> MOTION to Amend <i>Complaint</i> filed by PreferAble People, LLC d/b/a PreferAble Staffing. (Burns, Jeffrey) (Entered: 06/02/2008)
06/03/2008		Judge F. Dennis Saylor, IV: Electronic ORDER entered granting <u>44</u> Motion for Leave to File; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Hassett, Kathy) (Entered: 06/03/2008)
06/12/2008	<u>50</u>	Consent MOTION for Extension of Time to June 20 to File Response/Reply by Equal Employment Opportunity Commission.(Lizana, Arnold) (Entered: 06/12/2008)
06/13/2008		Judge F. Dennis Saylor, IV: Electronic ORDER entered granting <u>50</u> Motion for Extension of Time to File Reply re <u>43</u> MOTION to Amend <i>Complaint</i> . Replies due by 6/20/2008. (Castles, Martin) (Entered: 06/13/2008)
06/20/2008	<u>51</u>	REPLY to Response to <u>43</u> MOTION to Amend <i>Complaint</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Lizana Reply Declaration, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C)(Lizana, Arnold) (Entered: 06/21/2008)
07/08/2008	<u>52</u>	NOTICE of Appearance by Robert D. Rose on behalf of Equal Employment Opportunity Commission (Rose, Robert) (Entered: 07/08/2008)
07/14/2008		Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor, IV: Motion Hearing held on 7/14/2008 re <u>43</u> MOTION to Amend <i>Complaint</i> filed by Equal Employment Opportunity Commission. Case called, Counsel appear, Counsel argue Motion, The Court grants <u>43</u> Motion to Amend Complaint and Amended Pleading due by 7/21/2008. Further Status Conference set for 10/17/2008 02:00 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter: Kusa–Ryll.)(Attorneys present: Lizana, Grossman, Riordan, Houlding) (Roland, Lisa) (Entered: 07/15/2008)
07/21/2008	<u>53</u>	AMENDED COMPLAINT against PreferAble People, LLC d/b/a PreferAble Staffing, Preferred Labor LLC, filed by Equal Employment Opportunity Commission.(Lizana, Arnold) (Entered: 07/21/2008)
08/07/2008	<u>54</u>	ANSWER to <u>53</u> Amended Complaint by Preferred Labor LLC.(Houlding, Elizabeth A.) (Entered: 08/07/2008)
08/08/2008	<u>55</u>	Transcript of Rule 15 Motion Hearing held on July 14, 2008, before Judge Saylor. Court Reporter: Marianne Kusa–Ryll at 508/929–3399. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 8/26/2008. Redacted Transcript Deadline set for 9/5/2008. Release of Transcript Restriction set for 11/3/2008. (Scalfani, Deborah) (Entered: 08/08/2008)
08/08/2008	<u>56</u>	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above–captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is attached to this entry.. (Scalfani, Deborah) (Entered: 08/08/2008)
08/11/2008	<u>57</u>	ANSWER to <u>53</u> Amended Complaint , <i>Affirmative Defenses</i> , CROSSCLAIM against Preferred Labor LLC by PreferAble People, LLC d/b/a PreferAble Staffing.(Burns, Jeffrey) (Entered: 08/11/2008)
08/11/2008	<u>58</u>	CORPORATE DISCLOSURE STATEMENT by PreferAble People, LLC d/b/a PreferAble Staffing. (Burns, Jeffrey) (Entered: 08/11/2008)
08/11/2008	<u>59</u>	MOTION for Summary Judgment by PreferAble People, LLC d/b/a PreferAble Staffing.(Burns, Jeffrey) (Entered: 08/11/2008)
08/11/2008	<u>60</u>	MEMORANDUM in Support re <u>59</u> MOTION for Summary Judgment filed by PreferAble People, LLC d/b/a PreferAble Staffing. (Attachments: # <u>1</u> Exhibit Exhibits 1 through 4)(Burns, Jeffrey) (Entered: 08/11/2008)
08/11/2008	<u>61</u>	DECLARATION re <u>59</u> MOTION for Summary Judgment by <i>J. Michael Riordan</i> by PreferAble People, LLC d/b/a PreferAble Staffing. (Attachments: # <u>1</u> Exhibit Exhibits A and B to Riordan Certification, # <u>2</u> Exhibit Exhibits C and D to Riordan Certification, # <u>3</u> Exhibit Exhibits E through I to Riordan Certification, # <u>4</u> Exhibit

		Exhibits J through M to Riordan Certification)(Burns, Jeffrey) (Entered: 08/11/2008)
08/12/2008	<u>62</u>	AMENDED DOCUMENT by PreferAble People, LLC d/b/a PreferAble Staffing. Amendment to <u>58</u> Corporate Disclosure Statement. (Burns, Jeffrey) (Entered: 08/12/2008)
08/12/2008	<u>63</u>	Amended MOTION for Summary Judgment by PreferAble People, LLC d/b/a PreferAble Staffing.(Burns, Jeffrey) (Entered: 08/12/2008)
08/12/2008	<u>64</u>	Amended MEMORANDUM in Support re <u>63</u> Amended MOTION for Summary Judgment filed by PreferAble People, LLC d/b/a PreferAble Staffing. (Attachments: # <u>1</u> Exhibit 1 through 4 to Motion for Summary Judgment)(Burns, Jeffrey) (Entered: 08/12/2008)
08/12/2008	<u>65</u>	DECLARATION re <u>63</u> Amended MOTION for Summary Judgment by PreferAble People, LLC d/b/a PreferAble Staffing. (Attachments: # <u>1</u> Exhibit A and B to Riordan Certification, # <u>2</u> Exhibit C and D to Riordan Certification, # <u>3</u> Exhibit E through I to Riordan Certification, # <u>4</u> Exhibit J through M to Riordan Certification)(Burns, Jeffrey) (Entered: 08/12/2008)
08/13/2008		Judge F. Dennis Saylor, IV: Electronic ORDER entered finding as moot <u>59</u> Motion for Summary Judgment. Amended motion for summary judgment filed. (Castles, Martin) (Entered: 08/13/2008)
09/02/2008	<u>66</u>	STIPULATION REGARDING TIME FOR DEFENDANT PREFERRED LABOR TO RESPOND TO CROSSCLAIMS by PreferAble People, LLC, Preferred Labor LLC. (Houlding, Elizabeth A.) (Entered: 09/02/2008)
09/03/2008	<u>67</u>	Consent MOTION for Extension of Time to September 15, 2008 to File Response/Reply to <u>63</u> Amended Motion for Summary Judgment filed by Preferable People by Equal Employment Opportunity Commission.(Lizana, Arnold) Modified on 9/4/2008 (Jones, Sherry). (Entered: 09/03/2008)
09/04/2008		Judge F. Dennis Saylor, IV: Electronic ORDER entered granting <u>67</u> Motion for Extension of Time to File Response re <u>63</u> Amended MOTION for Summary Judgment. Response due by 9/15/2008. (Castles, Martin) (Entered: 09/04/2008)
09/05/2008	<u>68</u>	DEFENDANT PREFERRED LABOR LLC D/B/A PREFERRED PEOPLE STAFFING ANSWER to <u>57</u> Answer to Amended Complaint, Crossclaim of PreferAble People LLC by Preferred Labor LLC.(Houlding, Elizabeth A.) (Entered: 09/05/2008)
09/15/2008	<u>69</u>	Statement of Material Facts L.R. 56.1 re <u>63</u> Amended MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Declaration of Arnold Lizana, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit E-1, # <u>8</u> Exhibit F, # <u>9</u> Exhibit G, # <u>10</u> Exhibit H, # <u>11</u> Exhibit I, # <u>12</u> Exhibit J, # <u>13</u> Exhibit K, # <u>14</u> Exhibit L, # <u>15</u> Exhibit M, # <u>16</u> Exhibit N, # <u>17</u> Exhibit P, # <u>18</u> Exhibit Q 1, # <u>19</u> Exhibit Q 2)(Lizana, Arnold) (Entered: 09/15/2008)
09/15/2008	<u>70</u>	MEMORANDUM in Opposition re <u>63</u> Amended MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Lizana, Arnold) (Entered: 09/15/2008)
10/02/2008	<u>71</u>	NOTICE of Change of Address or Firm Name by Jeffrey M. Burns (Burns, Jeffrey) (Entered: 10/02/2008)
10/03/2008	<u>72</u>	REPLY to Response to <u>63</u> Amended MOTION for Summary Judgment , <i>With Appendix</i> filed by PreferAble People, LLC. (Burns, Jeffrey) (Entered: 10/03/2008)
10/03/2008	<u>73</u>	AFFIDAVIT of Yohama Guarino, Esq. re <u>63</u> Amended MOTION for Summary Judgment , <i>With Exhibits</i> by PreferAble People, LLC. (Burns, Jeffrey) (Entered: 10/03/2008)
10/03/2008	<u>74</u>	Response by PreferAble People, LLC to <u>69</u> Statement of Material Facts L.R. 56.1,, (Burns, Jeffrey) (Entered: 10/03/2008)
10/03/2008	<u>75</u>	MEMORANDUM in Support re <u>63</u> Amended MOTION for Summary Judgment of <i>PreferAble People LLC</i> filed by Preferred Labor LLC. (Houlding, Elizabeth A.) (Entered: 10/03/2008)

10/08/2008		Judge F. Dennis Saylor, IV: Electronic ORDER entered. ORDER Cancelling Deadline. The status conference set for 10/17/08 is hereby cancelled. The Court will rule on the pending motion for summary judgment on the papers. The status conference will be reset after the ruling. (Castles, Martin) (Entered: 10/08/2008)
02/13/2009	<u>76</u>	Judge F. Dennis Saylor, IV: MEMORANDUM AND ORDER entered granting <u>63</u> Motion for Summary Judgment. (Castles, Martin) (Entered: 02/13/2009)
02/17/2009		ELECTRONIC NOTICE of Hearing : Status Conference set for 3/17/2009 at 2:30PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 02/17/2009)
02/23/2009	<u>77</u>	MOTION for Reconsideration re <u>76</u> Order on Motion for Summary Judgment by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Affidavit Declaration of Robert D. Rose in Support of EEOC's Motion for Reconsideration of Court' February 13, 2009 Order Granting Summary Judgment to Defendant Preferable People, LLC)(Rose, Robert) (Entered: 02/23/2009)
02/23/2009	<u>78</u>	MEMORANDUM in Support re <u>77</u> MOTION for Reconsideration re <u>76</u> Order on Motion for Summary Judgment MOTION for Reconsideration re <u>76</u> Order on Motion for Summary Judgment filed by Equal Employment Opportunity Commission. (Rose, Robert) (Entered: 02/23/2009)
02/23/2009	<u>79</u>	Letter regarding their attendance for the March 17th conference from J. Michael Riordan. (Jones, Sherry) (Entered: 02/23/2009)
03/09/2009	<u>80</u>	MEMORANDUM in Opposition re <u>77</u> MOTION for Reconsideration re <u>76</u> Order on Motion for Summary Judgment MOTION for Reconsideration re <u>76</u> Order on Motion for Summary Judgment filed by PreferAble People, LLC. (Burns, Jeffrey) (Entered: 03/09/2009)
03/09/2009	<u>81</u>	AFFIDAVIT of J. Michael Riordan in Opposition re <u>77</u> MOTION for Reconsideration re <u>76</u> Order on Motion for Summary Judgment MOTION for Reconsideration re <u>76</u> Order on Motion for Summary Judgment filed by PreferAble People, LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B and C)(Burns, Jeffrey) (Entered: 03/09/2009)
03/09/2009	<u>82</u>	AFFIDAVIT of Yohama C Guarino, Esq. in Opposition re <u>77</u> MOTION for Reconsideration re <u>76</u> Order on Motion for Summary Judgment MOTION for Reconsideration re <u>76</u> Order on Motion for Summary Judgment filed by PreferAble People, LLC. (Burns, Jeffrey) Modified on 3/10/2009 (Jones, Sherry).Changed the text. (Entered: 03/09/2009)
03/09/2009	<u>83</u>	Opposition re <u>77</u> MOTION for Reconsideration re <u>76</u> Order on Motion for Summary Judgment MOTION for Reconsideration re <u>76</u> Order on Motion for Summary Judgment filed by Preferred Labor LLC. (Houlding, Elizabeth A.) (Entered: 03/09/2009)
03/13/2009	<u>84</u>	Judge F. Dennis Saylor, IV: MEMORANDUM AND ORDER entered denying <u>77</u> Motion for Reconsideration. (Castles, Martin) (Entered: 03/13/2009)
03/17/2009		Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor, IV: Status Conference held on 3/17/2009, Case called, Counsel appear for status conference by telephone, Parties inform Court they would like to attempt to resolve case either privately or through mediation, Court sets further status conference in order to give parties additional time, ( Status Conference set for 4/17/2009 at 3:30PM in Courtroom 2 before Judge F. Dennis Saylor IV.). (Court Reporter: M. Kusa-Ryll.)(Attorneys present: Lizana,Rose/Houlding) (Castles, Martin) (Entered: 03/17/2009)
04/17/2009	<u>86</u>	NOTICE of ADR Conference; Alternative Dispute Resolution Hearing set for 5/19/2009 09:00 AM in Courtroom 1 – Worcester before Magistrate Judge Timothy S. Hillman. Please see notice for additional details.(Roland, Lisa) (Entered: 04/17/2009)
04/17/2009		Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor, IV: Status Conference held on 4/17/2009, Case called, Counsel appear for status conference, Parties request case be referred to Judge Hillman for mediation, Parties agree to mediation date of 5/19/09 at 9:00AM, Court sets further status for that same

		date, ( Status Conference set for 5/19/2009 at 4:00PM in Courtroom 2 – Worcester before Judge F. Dennis Saylor IV.). (Court Reporter: M. Kusa–Ryll.)(Attorneys present: Lizana,Rose/Houlding,Wilson/Riordan) (Castles, Martin) (Entered: 04/17/2009)
04/17/2009		Judge F. Dennis Saylor, IV: Electronic ORDER entered. REFERRING CASE to Alternative Dispute Resolution. Case referred to Magistrate Judge Hillman for mediation.(Castles, Martin) (Entered: 04/17/2009)
04/17/2009		ELECTRONIC NOTICE of assignment to ADR Provider. Magistrate Judge Timothy S. Hillman appointed.(Franklin, Yvonne) (Entered: 04/17/2009)
05/18/2009		ELECTRONIC NOTICE. The status conference set for 5/19/09 before judge Saylor will be held in the Worcester Courthouse. (Castles, Martin) (Entered: 05/18/2009)
05/18/2009		ELECTRONIC NOTICE to Counsel re: Scheduling Conference. Counsel may appear by telephone and shall notify clerk with contact info. (Roland, Lisa) (Entered: 05/18/2009)
05/19/2009		Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor, IV: Status Conference held on 5/19/2009. Case called, Counsel for dft's Preferred Labor and PreferAble People appear for status conference, Mediation between parties is ongoing with Magistrate Judge Hillman this date, Court will set further status conference promptly depending upon the report from the Magistrate Judge as to the outcome of the mediation, Plaintiff EEOC was excused from the status conference after reporting to the court that case has settled with dft after mediation. (Court Reporter: M. Kusa–Ryll.)(Attorneys present: Houlding,Wilson/Riordan) (Castles, Martin) (Entered: 05/19/2009)
06/16/2009	<u>88</u>	REPORT of Alternative Dispute Resolution Provider. (Belpedio, Lisa) (Entered: 06/16/2009)
07/06/2009	<u>89</u>	Judge F. Dennis Saylor, IV: ORDER entered. CONSENT DECREE.(Castles, Martin) (Entered: 07/07/2009)
07/10/2009	<u>90</u>	Judge F. Dennis Saylor, IV: Electronic ORDER entered. SETTLEMENT ORDER OF DISMISSAL. (Castles, Martin) (Entered: 07/10/2009)
07/10/2009	<u>91</u>	Judge F. Dennis Saylor, IV: ORDER entered. JUDGMENT in favor of Plaintiff EEOC and defendant PreferAble People.(Castles, Martin) (Entered: 07/10/2009)
07/23/2009	<u>92</u>	Judge F. Dennis Saylor, IV: ORDER entered. AMENDED JUDGMENT in favor of Plaintiff EEOC and defendant PreferAble People. (Castles, Martin) (Entered: 07/23/2009)
08/21/2009	<u>93</u>	STIPULATION of Dismissal <i>With Prejudice as To Crossclaims Against Defendant Preferred Labor LLC</i> by PreferAble People, LLC, Preferred Labor LLC, Equal Employment Opportunity Commission. (Houlding, Elizabeth A.) (Entered: 08/21/2009)
08/21/2009	<u>94</u>	STIPULATION of Dismissal <i>With Prejudice as to Defendant PreferAble People, LLC</i> by PreferAble People, LLC, Preferred Labor LLC, Equal Employment Opportunity Commission. (Houlding, Elizabeth A.) (Entered: 08/21/2009)