

**U.S. District Court
District of New Jersey [LIVE] (Newark)
CIVIL DOCKET FOR CASE #: 2:92-cv-00340-MTB**

USA v. TWNSP. OF PISCATAWAY
Assigned to: Judge Maryanne Trump Barry
Demand: \$0
Case in other court: 94-05090
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 01/28/1992
Date Terminated: 02/15/1994
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights:
Jobs
Jurisdiction: U.S. Government
Plaintiff

Plaintiff

USA

represented by **MAUREEN T. DULEN**
U.S. DEPARTMENT OF
JUSTICE
CIVIL RIGHTS DIVISION
EMPLOYMENT LITIGATION
SECTION
P.O. 65968
WASHINGTON, DC 20035-5968
202-514-5705
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

STEVEN H. SCHLESINGER
U.S. DEPARTMENT OF
JUSTICE
CIVIL RIGHTS DIVISION
EMPLOYMENT LITIGATION
SECTION
PO BOX 65968
WASHINGTON, DC 20035-5968
(202) 514-3706
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

SUSAN C. CASSELL
OFFICE OF THE US
ATTORNEY
970 BROAD STREET
SUITE 700

NEWARK, NJ 07102
(973) 645-2844
Email: susan.cassell@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

SHARON TAXMAN

represented by **STEPHEN E. KLAUSNER**
KLAUSNER & HUNTER, ESQS.
63 EAST HIGH STREET
PO BOX 1012
SOMERVILLE, NJ 08876
(908) 685-1552
Email: seklausner@yahoo.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**BOARD OF EDUCATION OF
THE TOWNSHIP OF
PISCATAWAY**

represented by **DAVID B. RUBIN**
44 BRIDGE STREET
P.O. BOX 4579
METUCHEN, NJ 08840
(732) 767-0440
Email: rubinlaw@att.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Defendant

**MARRIOTT
INCORPORATED**

Date Filed	#	Docket Text
01/28/1992	1	COMPLAINT filed; (femp) (Entered: 01/29/1992)
01/28/1992	2	NOTICE of Allocation and Assignment filed. Magistrate Stanley R. Chesler (femp) (Entered: 01/29/1992)
01/29/1992		SUMMONS(ES) issued for BD. OF ED. TWNSP. OF

		PISCATAWAY (20 Days) (Mailed to Counsel) (femp) (Entered: 01/29/1992)
02/25/1992	3	Return of service unexecuted as to deflt TWNSP. OF PISCATAWAY (served through certified mail.) (ac) (Entered: 02/28/1992)
02/28/1992	4	ANSWER to Complaint by deflt TWNSP. OF PISCATAWAY (ac) (Entered: 03/02/1992)
03/06/1992	5	Notice of MOTION to intervene as party pltf by Sharon Taxman , Motion hearing set for 4/13/92 on [5-1] motion w/certification of Stephen E. Klausner, Esq & cert of svc (B-S). (ac) (Entered: 03/11/1992)
03/12/1992	6	ACKNOWLEDGEMENT OF SERVICE as to dft., TWNSP. OF PISCATAWAY 2/13/92 Answer due on 3/4/92 for TWNSP. OF PISCATAWAY (cs) (Entered: 03/16/1992)
03/12/1992	7	NOTICE by pltf., USA re service of first request for production of documents (cs) (Entered: 03/16/1992)
03/17/1992	8	ORDER, setting scheduling conference for 4/29/92 (signed by Magistrate Stanley R. Chesler) n/m (ac) (Entered: 03/19/1992)
03/20/1992	9	LETTER by Kenneth Olsen advising Court that he is not atty of record for any party in this action. (ac) (Entered: 03/24/1992)
04/13/1992	11	Minute entry: Proceedings recorded by Ct-Reporter: None; Minutes of: 4/13/92; The following actions were taken, granting [5-1] motion to intervene as party pltf by Sharon Taxman By Magistrate Stanley R. Chesler (ac) (Entered: 04/21/1992)
04/15/1992	10	ORDER granting [5-1] motion of Sharon Taxman to intervene as party pltf w/o prejudice by Sharon Taxman (signed by Magistrate Stanley R. Chesler) n/m (ac) (Entered: 04/20/1992)
04/29/1992	12	TRACK ONE ORDER OF DESIGNATION signed by Magistrate Stanley R. Chesler FILED n/m (jd) (Entered: 05/04/1992)
04/29/1992	13	SCHEDULING ORDER setting Discovery cutoff 1/31/93; Pretrial conference 2/25/93; directing deflt to respond to outstanding disc requests by 5-19-92 (signed by Magistrate Stanley R. Chesler) n/m (ac) (Entered: 05/05/1992)
04/29/1992	14	COMPLAINT of Intervention filed; jury demand (ac) (Entered: 05/05/1992)
05/13/1992	15	Notice of MOTION to dismiss intervenor Sharon Taxman's

		claims under NJ law agst. discrimination as having been fld. beyond applicable period of limitations by TWNSP. OF PISCATAWAY, and cert. of svc. (brief sub.) Motion hearing set for 6/8/92 on [15-1] motion . (cc) (Entered: 05/15/1992)
05/26/1992	16	AMENDED COMPLAINT by SHARON TAXMAN , amending [14-1] complaint (ac) (Entered: 05/28/1992)
05/28/1992		SUMMONS(ES) issued on an amended complt. for TWNSP. OF PISCATAWAY (10 Days) (Mailed to Counsel) (ac) (Entered: 05/28/1992)
06/08/1992	17	ORDER, for discovery (signed by Magistrate Stanley R. Chesler) (bl) (Entered: 06/09/1992)
06/08/1992	18	Minute entry: Proceedings recorded by Ct-Reporter: none; Minutes of: 06/08/92; The following actions were taken, adjourning motion hearing on [15-1] motion to dismiss intervenor Sharon Taxman's claims under NJ law agst. discrimination as having been fld. beyond applicable period of limitations by TWNSP. OF PISCATAWAY for 6/22/92 By Judge Maryanne T. Barry (sr) (Entered: 06/10/1992)
06/10/1992	19	Notice of MOTION for an order determining that the applicable legal standards for determining dft's liability are based on United Steelworkers of America v. Weber and to barr relitigation of Sharon Taxman's seniority rights under New Jersey law by dft., TWNSP. OF PISCATAWAY, Motion hearing set for 7/13/92 on [19-1] motion cert of svc (B-S) (cs) (Entered: 06/10/1992)
06/22/1992	20	Minute entry: Proceedings recorded by Ct-Reporter: None; Minutes of: 6/22/92; The following actions were taken, setting motion hearing on [15-1] motion to dismiss intervenor Sharon Taxman's claims under NJ law agst. discrimination as having been fld. beyond applicable period of limitations by TWNSP. OF PISCATAWAY for 7/13/92 By Judge Maryanne T. Barry (ac) (Entered: 06/24/1992)
07/13/1992	21	Minute entry: Proceedings recorded by Ct-Reporter: None; Minutes of: 7.13.92; The following actions were taken, [15-1] motion to dismiss intervenor Sharon Taxman's claims under NJ law agst. discrimination as having been fld. beyond applicable period of limitations taken under advisement - Rule 78. By Judge Maryanne T. Barry (cc) (Entered: 07/15/1992)
07/13/1992	22	Minute entry: Proceedings recorded by Ct-Reporter: None; Minutes of: 7.13.92; The following actions were taken, [19-1]

		motion for an order determining that the applicable legal standards for determining dft's liability are based on United Steelworkers of America v. Weber and to barr relitigation of Sharon Taxman's seniority rights under New Jersey law taken under advisement - Rule 78. By Judge Maryanne T. Barry (cc) (Entered: 07/15/1992)
08/04/1992	23	OPINION (signed by Judge Maryanne T. Barry) (cc) (Entered: 08/07/1992)
08/04/1992	24	ORDER denying [19-1] motion for an order determining that the applicable legal standards for determining dft's liability are based on United Steelworkers of America v. Weber and to barr relitigation of Sharon Taxman's seniority rights under New Jersey law denying [15-1] motion to dismiss intervenor Sharon Taxman's claims under NJ law agst. discrimination as having been fld. beyond applicable period of limitations (signed by Judge Maryanne T. Barry) (cc) (Entered: 08/07/1992)
09/17/1992	25	Notice of MOTION for reconsideration of [24-1] order , for leave to file Interlocutory appeal by TWNSP. OF PISCATAWAY,, Motion hearing set for 10/13/92 on [25-1] motion, set for 10/13/92 on [25-2] motion & cert of svc (SILB) . (ac) (Entered: 09/22/1992)
10/06/1992	26	CERTIFICATE OF SERVICE of Intervenor's letter-brief. (ac) (Entered: 10/08/1992)
10/13/1992	27	Minute entry: Proceedings recorded by Ct-Reporter: none; Minutes of: 10/13/92; The following actions were taken, [25-1] motion for reconsideration of [24-1] order taken under advisement, Rule 78 [25-2] motion for leave to file Interlocutory appeal taken under advisement, Rule 78 By Judge Maryanne T. Barry (cs) (Entered: 10/14/1992)
11/13/1992	28	ORDER granting [25-1] motion for reconsideration of [24-1] order; dismissing [25-2] motion for leave to file Interlocutory appeal re: Taxman's claims for damages, denying defts motion to strike Taxman's jury demand. (signed by Judge Maryanne T. Barry) n/m (ac) (Entered: 11/18/1992)
12/04/1992	29	Notice of MOTION to strike punitive damage claims of Sharon Taxman , declaring Civil Rights Act of 1991 inapplicable , to compel disclosure of EEOC files. by TWNSP. OF PISCATAWAY, Motion hearing set for 12/28/92 on [29-1] motion, set for 12/28/92 on [29-2] motion, set for 12/28/92 on [29-3] motion & cert of svc (B-S) . (ac) (Entered: 12/08/1992)

12/23/1992	30	Notice of CROSS MOTION to intervene for the purpose of opposing disc matters relating to EEOC's deliberative process by EEOC , Motion hearing set for 1/11/93 on [30-1] cross motion & cert of svc (B-S) (ac) (Entered: 12/29/1992)
12/28/1992	31	Minute entry: Proceedings recorded by Ct-Reporter: None; Minutes of: 12/28/92; The following actions were taken, setting motion hearing on [29-1] motion to strike punitive damage claims of Sharon Taxman by TWNSP. OF PISCATAWAY for 1/11/93, setting motion hearing on [29-2] motion declaring Civil Rights Act of 1991 inapplicable by TWNSP. OF PISCATAWAY for 1/11/93 By Judge Maryanne T. Barry (ac) (Entered: 01/04/1993)
12/28/1992	32	Minute entry: Proceedings recorded by Ct-Reporter: None; Minutes of: 12/28/92; The following actions were taken, setting motion hearing on [29-1] motion to strike punitive damage claims of Sharon Taxman by TWNSP. OF PISCATAWAY for 1/25/93, setting motion hearing on [29-2] motion declaring Civil Rights Act of 1991 inapplicable by TWNSP. OF PISCATAWAY for 1/25/93, setting motion hearing on [29-3] motion to compel disclosure of EEOC files. by TWNSP. OF PISCATAWAY for 1/25/93 By Judge Maryanne T. Barry (ac) (Entered: 01/11/1993)
01/21/1993	33	SCHEDULING ORDER setting Discovery cutoff 2/28/93 ; Pretrial conference 11:30 3/26/93 ; Dispositive motions ret'ble 4.12.93 (signed by Magistrate Stanley R. Chesler) (NM) (jb) (Entered: 01/22/1993)
01/22/1993	34	NOTICE of attorney appearance for USA by MAUREEN T. DULEN (jb) (Entered: 01/25/1993)
01/25/1993	35	ORDER denying [29-1] motion to strike punitive damage claims of Sharon Taxman denying [29-2] motion declaring Civil Rights Act of 1991 inapplicable (signed by Judge Maryanne T. Barry) (NM) (jb) (Entered: 01/26/1993)
01/25/1993	36	Minute entry: Proceedings recorded by Ct-Reporter: M. Ellis; Minutes of: 1.25.93; The following actions were taken, granting in part [29-1] motion to strike punitive damage claims of Sharon Taxman, granting in part [29-2] motion declaring Civil Rights Act of 1991 inapplicable, granting in part [29-3] motion to compel disclosure of EEOC files. By Judge Maryanne T. Barry (jb) (Entered: 02/03/1993)
02/08/1993	37	ORDER granting [30-1] cross motion to intervene for the purpose of opposing disc matters relating to EEOC's deliberative

		process by EEOC & denying [29-3] motion to compel disclosure of EEOC files. (signed by Magistrate Stanley R. Chesler) (mn) Modified on 02/10/1993 (Entered: 02/10/1993)
05/07/1993	38	FINAL PRETRIAL ORDER filed (signed by Magistrate Stanley R. Chesler) (ej) (Entered: 05/07/1993)
06/01/1993	39	Notice of MOTION for summary judgment by TWNSP. OF PISCATAWAY, Motion hearing set for 6/28/93 on [39-1] motion . (jb) (Entered: 06/03/1993)
06/04/1993	40	Notice of MOTION for partial summary judgment by USA, Motion hearing set for 6/28/93 on [40-1] motion . (jb) (Entered: 06/07/1993)
06/08/1993	41	Notice of MOTION for partial summary judgment as to liability by SHARON TAXMAN, Motion hearing set for 7/12/93 on [41-1] motion . (jb) (Entered: 06/09/1993)
06/15/1993	42	RESPONSE by TWNSP. OF PISCATAWAY in opposition to pltf's Rule 12(G) Statement of Material Facts (jb) (Entered: 06/18/1993)
06/28/1993	43	Minute entry: Proceedings recorded by Ct-Reporter: none; Minutes of: 6.28.93; The following actions were taken, adjourning to 7/12/93 for [40-1] motion for partial summary judgment By Judge Maryanne T. Barry (jb) (Entered: 06/30/1993)
07/06/1993	44	CERTIFICATION of Theodore H. Kruse Re: in oppostion to [41-1] motion for partial summary judgment as to liability, [40-1] motion for partial summary judgment (jb) (Entered: 07/06/1993)
07/06/1993	45	CERTIFICATION of David B. Rubin, Esq. Re: in oppostion to [41-1] motion for partial summary judgment as to liability, [40-1] motion for partial summary judgment (jb) (Entered: 07/06/1993)
07/12/1993	46	Minute entry: Proceedings recorded by Ct-Reporter: none; Minutes of: 7.12.93; The following actions were taken, [39-1] motion for summary judgment taken under advisement By Judge Maryanne T. Barry (jb) (Entered: 07/14/1993)
07/12/1993	47	Minute entry: Proceedings recorded by Ct-Reporter: none; Minutes of: 7.12.93; The following actions were taken, [41-1] motion for partial summary judgment as to liability taken under advisement By Judge Maryanne T. Barry (jb) (Entered: 07/14/1993)

07/12/1993	48	Minute entry: Proceedings recorded by Ct-Reporter: none; Minutes of: 7.12.93; The following actions were taken, [40-1] motion for partial summary judgment taken under advisement By Judge Maryanne T. Barry (jb) (Entered: 07/14/1993)
09/10/1993	49	OPINION (signed by Judge Maryanne T. Barry) (jb) (Entered: 09/13/1993)
09/10/1993	50	ORDER granting [41-1] motion for partial summary judgment as to liability; granting [40-1] motion for partial summary judgment; denying [39-1] motion for summary judgment and reinstating certain portions of intervenor's NJLAD claims (signed by Judge Maryanne T. Barry) (NM) (jb) (Entered: 09/13/1993)
09/30/1993	51	Notice of MOTION to certify the 9-9-93 Order for purposes of interlocutory appeal by TWNSP. OF PISCATAWAY, Motion hearing set for 10/25/93 on [51-1] motion . (jb) (Entered: 10/01/1993)
10/25/1993	52	Minute entry: Proceedings recorded by Ct-Reporter: none; Minutes of: 10.25.93; The following actions were taken, [51-1] motion to certify the 9-9-93 Order for purposes of interlocutory appeal taken under advisement By Judge Maryanne T. Barry (jb) (Entered: 10/27/1993)
10/27/1993	53	ORDER denying [51-1] motion to certify the 9-9-93 Order for purposes of interlocutory appeal (signed by Judge Maryanne T. Barry) (jb) (Entered: 10/28/1993)
01/05/1994	54	Minute entry: Proceedings recorded by Ct-Reporter: John Stone; Minutes of: 1.5.94; The following actions were taken, Trial with jury moved. Ordered jury drawn. All Parties rest. Trial w/jury adjourned to 1-7 By Judge Maryanne T. Barry (jb) (Entered: 01/07/1994)
01/05/1994		Trial with jury begun 1/5/94. (jb) (Entered: 01/07/1994)
01/07/1994	55	Minute entry: Proceedings recorded by Ct-Reporter: Ira Rubenstein/John Stone; Minutes of: 1.7.94; The following actions were taken, Trial w/jury con't - Charges by Court. Ordered pltf's Title 7 claim for backpay granted. VERDICT rendered in favor of laintiff in the amount of \$10,000 By Judge Maryanne T. Barry (jb) (Entered: 01/11/1994)
01/07/1994		Trial with jury concluded 1-7-94. (jb) (Entered: 01/11/1994)
01/07/1994	56	JURY VERDICT SHEET filed. (jb) (Entered: 01/11/1994)
02/14/1994	57	JUDGMENT for SHARON TAXMAN against TWNSP. OF

		PISCATAWAY for the total sum of \$144,014.62 which includes back wages, prejudgment interest and damages (signed by Judge Maryanne T. Barry) (NM) (jb) (Entered: 02/15/1994)
02/15/1994		Case closed (jb) (Entered: 02/15/1994)
02/22/1994	58	NOTICE OF APPEAL filed at 8:30 by TWNSP. OF PISCATAWAY Re: [57-1] judgment order . Fee Status: paid. Copies of notice of appeal sent to USCA and all Attorney(s) of record. (jb) (Entered: 02/22/1994)
02/28/1994	59	NOTICE OF CROSS-APPEAL filed at 8:30 by SHARON TAXMAN Re: [57-1] judgment order . Fee Status paid. Copies of notice of appeal sent to USCA and all Attorneys of record. (jb) (Entered: 02/28/1994)
03/07/1994	60	NOTICE of Docketing ROA from USCA Re: [58-1] appeal USCA NUMBER: 94-5090 (femp) (Entered: 03/07/1994)
03/14/1994	61	NOTICE of Docketing ROA from USCA Re: [59-1] cross appeal USCA NUMBER: 94-5112 (femp) (Entered: 03/14/1994)
03/14/1994	62	Transcript Purchase Order RE: [58-1] appeal indicating transcripts of 1/5/93 and 1/7/94 (jd) (Entered: 03/15/1994)
03/14/1994	63	NOTICE of motion for taxation of costs by USA (jb) (Entered: 03/16/1994)
03/29/1994	64	CERTIFICATION of David B. Rubin, Esq. Re: in opposition to [63-1] notice of motion by the U.S. for taxation of costs. (jb) (Entered: 03/30/1994)
04/06/1994	65	REPLY by USA to response to pltf's motion for taxation of costs (jb) (Entered: 04/07/1994)
04/11/1994	66	TRANSCRIPT of Proceedings taken on 1-5-93 (jb) (Entered: 04/11/1994)
04/11/1994	67	TRANSCRIPT of Proceedings taken on 1.7.93 (jb) (Entered: 04/11/1994)
04/18/1994	68	Costs \$ 2,636.75 taxed in favor of SHARON TAXMAN against TWNSP. OF PISCATAWAY (jb) (Entered: 04/19/1994)
04/21/1994		Record complete for purposes of appeal. (jb) (Entered: 04/21/1994)
04/26/1994	69	Certified Copy Of Order from the USCA. dismissing appeal #94-5112 for failure to order a transcript (jb) (Entered: 05/06/1994)

05/09/1994	70	Transcript Purchase Order RE: [58-1] appeal (already on file) (jb) (Entered: 05/09/1994)
06/06/1994	71	Certified Copy Of Order from the USCA. Re: granting motion by appellant to reinstate appeal #92-5112 (jb) (Entered: 06/07/1994)
06/14/1994	72	Certified Copy Of Order from the USCA. granting motion by appellant/cross-appellee, Board of Education of the Township of Piscataway, to amend the caption (jb) (Entered: 06/16/1994)
07/15/1994		Record complete for purposes of appeal. (U.S.C.A. #94-5112) (femp) (Entered: 07/15/1994)
07/19/1994	73	TRANSCRIPT of Proceedings taken on 1/7/93 (jd) Modified on 07/20/1994 (Entered: 07/20/1994)
07/19/1994	74	TRANSCRIPT of Proceedings taken on 1-5-93 (bl) (Entered: 07/20/1994)
11/21/1995	75	Certified Copy Of Order from the USCA. Re: USA's motion to file a brief amicus curiae is denied, USA granted motion for withdrawal; caption shall reflect SHARON TAXMAN as plaintiff-intervenor. (femp) Modified on 12/04/1995 (Entered: 11/28/1995)
10/02/1996	76	Certified Copy Of Order from the USCA. Re: AMENDED JUDGMENT, judgment that was entered on 2-15-94 is affirmed, costs taxed againts the appellant in each appeal. (femp) (Entered: 10/02/1996)
10/02/1996	77	Certified Copy Of Order from the USCA. Re: order amending slip opinion of 8.8.96 (femp) (Entered: 10/03/1996)
11/14/1996	78	Copy of information sheet from USCA Re: petition for writ of certiorari that was fld. on 10.31.96 (femp) (Entered: 11/15/1996)
12/17/1997	79	Information sheet on post decision matters indicating the petition ofr writ of certiorari was dismissed purs to R46.1 on 12.2.97 (femp) (Entered: 12/18/1997)