

CLOSED

**U.S. District Court  
Eastern District of New York (Brooklyn)  
CIVIL DOCKET FOR CASE #: 1:02-cv-05081-ILG-VVP**

Equal Employment Opportunity Commission v. Best Clothing  
Manufacturing, Inc  
Assigned to: Senior-Judge I. Leo Glasser  
Referred to: Magistrate-Judge Viktor V. Pohorelsky  
Cause: 42:1983 Civil Rights Act

Date Filed: 09/19/2002  
Date Terminated: 04/16/2003  
Jury Demand: None  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Robert D. Rose**  
Equal Employment Opportunities  
Commission  
New York District Office  
201 Varick Street  
Suite 1009  
New York, NY 10014  
212-741-3181  
Fax: 212-337-1075  
Email: robert.rose@eoc.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Best Clothing Manufacturing, Inc**  
*also known as*  
New Era Knitting Mills, Inc.

represented by **Allen B. Roberts**  
Epstein, Becker & Green, P.C.  
250 Park Avenue  
New York, NY 10177  
212-351-4500  
Fax: 212-661-0989  
Email: aroberts@ebglaw.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Garnishee**

**Chinatrust Bank (U.S.A.)**

**Garnishee**

**J.P. Morgan Chase**

**Garnishee**

**Bank Leumi USA**

Date Filed	#	Docket Text
09/19/2002	<a href="#">1</a>	Complaint filed and summons issued as to defendant(s) Best Clothing Manufacturing, Inc. Filing fee \$150.00. Jury trial demanded.. Filed by Robert D. Rose on behalf of Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Civil Cover Sheet)(Joe, Victor) (Entered: 09/20/2002)
11/01/2002	2	SCHEDULING ORDER: Initial Conference set for 11/21/2002 at 10:30 AM before Magistrate-Judge Viktor V. Pohorelsky. Signed by Judge Viktor V. Pohorelsky on 10/28/02. (Rodriguez, Angela) (Entered: 11/05/2002)
11/06/2002	3	Letter dated 11/4/02 from Robert Rose to Clerk of Court advising that the EEOC is moving to a new office. (Rodriguez, Angela) (Entered: 11/19/2002)
11/18/2002	4	ANSWER to Complaint by Best Clothing Manufacturing, Inc.(Rodriguez, Angela) (Entered: 11/19/2002)
11/18/2002	5	DISCLOSURE of Interested Parties by Best Clothing Manufacturing, Inc.(Rodriguez, Angela) (Entered: 11/19/2002)
11/28/2002	6	ORDER endorsed on letter dated 11/15/02 from Allen Roberts to Magistrate Pohorelsky. The 11/21/02 conference is adjourned to 12/19/02 at 4:00. Signed by Judge Viktor V. Pohorelsky on 11/18/02. (Rodriguez, Angela) (Entered: 12/23/2002)
12/20/2002	7	SCHEDULING ORDER signed by Judge Viktor V. Pohorelsky on 12/19/02. Factual discovery to be completed by 6/16/03; dispositive motions to be made by 7/29/03; final pretrial conference is set for 8/7/03 at 9:30.(Rodriguez, Angela) (Entered: 01/06/2003)
02/10/2003	8	MOTION to Withdraw as Attorney <i>as to Allen B. Roberts filed</i> by Best Clothing Manufacturing, Inc. (Rodriguez, Angela) (Entered: 02/11/2003)
02/10/2003	9	MEMORANDUM in Support of [8] MOTION for Allen B. Roberts to Withdraw as Attorney.(Rodriguez, Angela) (Entered: 02/11/2003)
02/10/2003	10	AFFIDAVIT of Allen B. Roberts in Support of [8] MOTION to Withdraw as Attorney. (Rodriguez, Angela) (Entered: 02/11/2003)
02/19/2003	11	ORDER signed by Judge Viktor V. Pohorelsky on 2/11/03. A hearing on the motion by defendant's counsel to withdraw from representation of the defendant is hereby scheduled for 3/6/03 at 10:30. The 2/13/03 settlement conference is adjourned sine die.(Rodriguez, Angela) (Entered: 02/19/2003)
02/19/2003	12	CERTIFICATE OF SERVICE: Motion by Epstein Becker & Green, P.C.'s to withdraw as attorney was served on Aron Lefkowitz on 2/13/03. A copy of Magistrate Pohorelsky's order of 2/11/03 was served on 2/12/03. (Rodriguez, Angela) (Entered: 02/20/2003)
03/06/2003	13	Minute Entry for proceedings held before Viktor V. Pohorelsky : Docket Call held on 3/6/2003. A hearing on an order to show cause issued today will be held on 3/25/03 at 11:30. The motion to withdraw is granted, provided, however, that outgoing counsel shall serve the order to show cause on the defendant by the

		close of business on 3/11/03 and file proof of such service. (Rodriguez, Angela) (Entered: 03/10/2003)
03/11/2003	<a href="#">14</a>	ORDER TO SHOW CAUSE: Dft is ordered to show cause on 3/25/03 at 11:30am why the answer should not be stricken and why a default judgment should not be entered against it for failing to appear and defend in this action. A corporation may not appear except by counsel. Signed by Judge Viktor V. Pohorelsky on 3/6/03. (Fahey, Lauren) (Entered: 03/11/2003)
03/11/2003	15	AFFIDAVIT of Service for Order to Show Cause, dated 3/6/03, served on Aron Lefkowitz on 3/7/03. (Rodriguez, Angela) (Entered: 03/18/2003)
03/25/2003	16	Minute Entry for proceedings held before Viktor V. Pohorelsky : Show Cause Hearing held on 3/25/2003. Counsel for pltf present; No appearance for dft. Report and recommendation made on the record that dft's answer be stricken and that a default judgment be entered against the dft. (Tape #37: 2203-3081.) (Fahey, Lauren) (Entered: 03/26/2003)
03/25/2003	17	Minute Entry for proceedings held before Viktor V. Pohorelsky: Status Conference held on 3/25/2003. Report and recommendation made on the record that the defendant's answer be stricken and that a default judgment be entered against defendant. (Rodriguez, Angela) (Entered: 03/26/2003)
04/02/2003	18	TRANSCRIPT of Proceedings held on 3/25/03 before Judge Magistrate Pohorelsky. Court Transcriber: Elizabeth Barron. (Rodriguez, Angela) (Entered: 04/03/2003)
04/11/2003	19	ORDER ADOPTING REPORT AND RECOMMENDATIONS of Magistrate Pohorelsky. The answer is stricken and a default judgment is entered. Case is referred to Magistrate for damages inquest. Signed by Judge I. Leo Glasser on 4/10/03. (Rodriguez, Angela) (Entered: 04/11/2003)
04/16/2003	<a href="#">20</a>	JUDGMENT in favor of plaintiff against defendant. Defendant's answer is stricken and a default judgment is entered against defendant. Signed by Judge Clerk of Court on 4/15/03. (Rodriguez, Angela) (Entered: 04/16/2003)
04/16/2003	21	ORDER: Damages inquest before Magistrate Pohorelsky is set for 5/5/2003 at 04:00 PM. Signed by Judge Viktor V. Pohorelsky on 4/16/03. (Rodriguez, Angela) (Entered: 04/17/2003)
05/05/2003	22	Minute Entry for proceedings held before Viktor V. Pohorelsky : Scheduling Conference held on 5/5/2003. Counsel for pltf present; No appearance for dft. The next conf is adjourned sine die. Submissions regarding the inquest referred to this USMJ are to be submitted in accordance with the separate scheduling order to be entered by the court. (Fahey, Lauren) (Entered: 05/06/2003)
05/06/2003	<a href="#">23</a>	ORDER: See document for the schedule for submissions and other proceedings regarding the inquest. Signed by Judge Viktor V. Pohorelsky, on 5/6/03. (Fahey, Lauren) (Entered: 05/06/2003)
05/15/2003	24	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission: A copy of Magistrate Pohorelsky's order dated 5/6/03 was served on defendant on 5/14/03. (Rodriguez, Angela) (Entered: 05/22/2003)

07/21/2003	25	MEMORANDUM in Support of damages filed by Equal Employment Opportunity Commission. (Rodriguez, Angela) (Entered: 07/24/2003)
07/21/2003	26	AFFIDAVIT of Yolanda Simon in Support of damages filed by Equal Employment Opportunity Commission. (Rodriguez, Angela) (Entered: 07/24/2003)
07/21/2003	28	AFFIDAVIT of Robert D. Rose in Support of damages filed by Equal Employment Opportunity Commission. (Rodriguez, Angela) (Entered: 07/24/2003)
07/24/2003	27	AFFIDAVIT of Esther Gutierrez in Support of damages filed by Equal Employment Opportunity Commission. (Rodriguez, Angela) (Entered: 07/24/2003)
07/28/2003	29	ORDER referring case to Magistrate for a report and recommendation on damages. Signed by Judge I. Leo Glasser on 7/24/03. (Rodriguez, Angela) (Entered: 07/28/2003)
03/11/2005	<a href="#">30</a>	REPORT AND RECOMMENDATIONS re Motion for default judgment, filed by Equal Employment Opportunity Commission, Objections to R&R due by 3/25/2005. Signed by Judge Viktor V. Pohorelsky on 3/11/2005. (Pohorelsky, Viktor) (Entered: 03/11/2005)
03/30/2005	<a href="#">31</a>	NOTICE of filing a Report and Recommendation: REPORT AND RECOMMENDATIONS re Motion for default judgment, filed by Equal Employment Opportunity Commission, Objections to R&R due by 3/25/2005. Signed by Judge Viktor V. Pohorelsky on 3/11/2005. (Vaughn, Terry) (Entered: 03/30/2005)
06/30/2005	<a href="#">32</a>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission <i>for Magistrate's Rpt. &amp; Rec.</i> (Rose, Robert) (Entered: 06/30/2005)
07/07/2005	<a href="#">33</a>	Memorandum and Order adopting in part the Report and Recommendation dated March 11, 2005 as to <a href="#">30</a> Report and Recommendations. Accordingly, the Court enters judgment in favor of the EEOC against defendant as follows: awarding Yolanda Simon \$21,176.00, and granting the following injunctive relief as set forth more fully in paragraph 2 of the affidavit of Robert D. Rose: (1) requiring defendant to implement anti-discrimination policies and procedures; (2) training defendant's employees with respect to federal anti-discrimination laws; (3) allowing the EEOC to monitor defendant's compliance with the judgment; and (4) requiring defendant to submit periodic reports to the EEOC to ensure compliance with the judgment. Counsel for plaintiff shall serve a copy of this Memorandum and Order on the defendant by regular mail and electronically file proof of such service in the record. After entering the judgment in this case, the Clerk of Court is respectfully directed to close this case. Ordered by Judge I. Leo Glasser on July 7, 2005. (Kathawala, Rene) (Entered: 07/07/2005)
07/07/2005	<a href="#">34</a>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission <i>for 7/7/05 Memorandum and Order</i> (Rose, Robert) (Entered: 07/07/2005)
07/12/2005	<a href="#">35</a>	CLERK'S JUDGMENT directing that the Report and Recommendation of Mag Pohorelsky dated 3/11/05 is adopted in part; and that judgment is hereby entered in favor of plaintiff, EEOC and against deft Best Clothing Manufacturing, Inc.

		a/k/a New Era Knitting Mills, Inc. as follows: Yolanda Simon is awarded \$21,176.00 and the following injunctive relieve, as set forth more fully in the affidavit of Robert D. Rose, is granted: 1. requiring deft to implement anti-discrimination policies and procedures; 2. training deft's employees with respect to Federal anti-discrimination laws; 3. allowing the EEOC to monitor deft's compliance with the judgment; and 4. requiring deft to submit periodic reports to the EEOC to ensure compliance with the judgment . Ordered by Robert C. Heinemann, Clerk of Court on 7/8/05. c/m with appeal pkg.(Fernandez, Erica) (Entered: 07/12/2005)
07/12/2005	36	Mail Returned as Undeliverable. Mail sent to Robert D. Rose; EEOC Commission; New York District Office; 201 Varick Street; Suite 1009; NY, NY. Document returned: Judgment. (Sica, Michele) (Entered: 07/28/2005)
02/27/2006	<a href="#">37</a>	MOTION for Writ of Garnishment <i>for Garnishee Bank of Leumi</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> # <a href="#">2</a> # <a href="#">3</a> Text of Proposed Order # <a href="#">4</a> )(Rose, Robert) (Entered: 02/27/2006)
02/27/2006	<a href="#">38</a>	MOTION for Writ of Garnishment <i>for Garnishee J.P. Morgan Chase</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> # <a href="#">2</a> # <a href="#">3</a> Text of Proposed Order # <a href="#">4</a> )(Rose, Robert) (Entered: 02/27/2006)
02/27/2006	<a href="#">39</a>	MOTION for Writ of Garnishment <i>for Garnishee ChinaTrust Bank U.S.A.</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> # <a href="#">2</a> # <a href="#">3</a> Text of Proposed Order # <a href="#">4</a> )(Rose, Robert) (Entered: 02/27/2006)
02/28/2006		WRIT OF GARNISHMENT issued as to Best Clothing Manufacturing, Inc. (Sica, Michele) (Entered: 02/28/2006)
02/28/2006		WRIT OF GARNISHMENT issued as to best Clothing Manufacturing, Inc. (Sica, Michele) (Entered: 02/28/2006)
02/28/2006		WRIT OF GARNISHMENT issued as to Best Clothing Manufacturing, Inc. (Sica, Michele) (Entered: 02/28/2006)
04/03/2006	<a href="#">41</a>	ANSWER to Writ of Garnishment by Chinatrust Bank (U.S.A.). (Sica, Michele) (Entered: 04/14/2006)
04/04/2006	<a href="#">40</a>	Response and Reply by J.P. Morgan Chase (Sica, Michele) (Entered: 04/04/2006)
06/06/2006	<a href="#">42</a>	ANSWER to Writ of Garnishment by Bank Leumi USA. (Sica, Michele) (Entered: 06/06/2006)

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