

**U.S. District Court**  
**Northern District of New York – Main Office (Syracuse) [NextGen CM/ECF**  
**Release 1.2 (Revision 1.2)] (Syracuse)**  
**CIVIL DOCKET FOR CASE #: 5:98-cv-01772-FJS-TWD**

Equal Employment v. Carrols Corporation  
Assigned to: Senior Judge Frederick J. Scullin, Jr  
Referred to: Magistrate Judge Therese Wiley Dancks  
Demand: \$0  
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 11/17/1998  
Date Terminated: 01/10/2013  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Special Master**

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V.

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*TERMINATED: 10/11/2002*

Date Filed	#	Docket Text
11/17/1998	<u>1</u>	COMPLAINT filed; ; Service deadline 1/16/99 for Carrols Corporation (tad) (mc, ). (Entered: 11/17/1998)
11/17/1998		SUMMONS(ES) issued for Carrols Corporation (tad) (Entered: 11/17/1998)
11/17/1998		Filing Order Issued; Conference set before Magistrate Judge Gary L. Sharpe in Syracuse, (tad) (Entered: 11/17/1998)
01/19/1999	<u>2</u>	ANSWER & AFFIRMATIVE DEFENSES: to Complaint by Carrols Corporation (Attorney Jack D. Eisenberg) (jmb) (mc, ). (Entered: 01/27/1999)
03/08/1999	<u>3</u>	Joint request by parties to adjourn the Rule 16 conference currently scheduled for 3/17/99 before Mag. Judge Sharpe; Proposed order attached. (drm) (mc, ). (Entered: 03/09/1999)

03/09/1999	<u>4</u>	Scheduling Notice:, reset Filing Order Deadlines: Telephone Conference set before Magistrate Judge Gary L. Sharpe in Syracuse, Status Conference at 11:00 4/21/99 , Deadline for filing Case Management Plan, 4/12/99 (drm) (mc, ). (Entered: 03/09/1999)
04/12/1999	<u>5</u>	Proposed Joint Civil Case Management Plan Submitted. (jmb) (mc, ). (Entered: 04/12/1999)
04/16/1999	<u>6</u>	Letter from attorney William Kandel on behalf of defendant dated 4/9/99 requesting that the rule 16 conference be conducted in person on 4/21/99; Forwarded to GLS for review (drm) (mc, ). (Entered: 04/16/1999)
04/16/1999		Attorney Kandel will appear in person for rule 16 conference on 4/21/99 at 11:00 A.M.; Attorney Barkey will appear by telephone for the conference. (drm) (Entered: 04/16/1999)
04/21/1999	<u>7</u>	Minute entry: Telephone/In Person Rule 16 conference held before Mag. Judge Sharpe; App: David Barkey, Esq. and Elizabeth Grossman, Esq. for plaintiffs by telephone; William Kandell, Esq., William Sardella, Esq., and Joseph Zirkman, Esq. for defendant in person; Parties discuss phased discovery with parties; Mag. Judge Sharpe deems this a complex case and orders ALL WRITTEN DISCOVERY completed by 9/21/99; Mag. Judge Sharpe refuses to limit the scope of written discovery to one single issue; Parties are advised of discovery dispute resolution policies; Defendants directed to file a substitution of attorney; Written order to be issued; 11:00 – 11:45 A.M. (drm) (mc, ). (Entered: 04/25/1999)
04/26/1999	<u>8</u>	DISCOVERY ORDER: all written discovery in this matter is to be completed on or before reset Discovery deadline to 9/21/99 ; Service of discovery requests must be made a sufficient number of days before this deadline to allow responses to be served before the cut off. (Signed by Magistrate Judge Gary L. Sharpe) (jmb) (mc, ). (Entered: 04/27/1999)
08/06/1999	<u>9</u>	NOTICE of attorney appearance as co-counsel for Carrols Corporation by William L. Kandel and Aimee B. Meltzer; with Affidavit of Service by Federal Express attached. (smo) (mc, ). (Entered: 08/09/1999)
08/13/1999	<u>10</u>	Letter from attorney William Kandel dated 8/10/99 requesting an extension of the UPSO in this case; EEOC does not consent to such request; Correspondence attached. (drm) (mc, ). (Entered: 08/17/1999)
08/19/1999	<u>11</u>	Discovery ORDER: that all WRITTEN Discovery in this matter is to be completed by Reset Discovery deadline to 2/21/00 ; Service of discovery requests must be made a sufficient number of days before this deadline to allow responses to be served before the cut-off; Please refer to Local Rule 16.2 (Discovery Cut-Off) (Signed by Magistrate Judge Gary L. Sharpe) (smo) (mc, ). (Entered: 08/23/1999)
01/21/2000	<u>12</u>	Letter dated 1/20/00 by David Barkey, Esq. requesting a three month extension for written discovery (smo) (mc, ). (Entered: 01/25/2000)
01/26/2000	<u>13</u>	REQUEST and ORDER dated 1/26/00 to extend deadline for written discovery; ORDERED that ALL WRITTEN discovery in this matter is to be completed on or before 5/22; Reset Discovery deadline to 5/22/00 ; Service of Discovery requests must be made a sufficient number of days before this deadline to allow responses to be served before the cutt-off; please refer to Local Rule 16.2 (Signed by Magistrate Judge Gary L. Sharpe) (smo) (mc, ). (Entered: 01/31/2000)
06/12/2000	<u>14</u>	Letter of attorney David Barkey dated 6/9/00 on behalf of plaintiff regarding outstanding discovery disputes between parties; Plaintiff is requesting the court's assistance in resolving these disputes. (drm) (mc, ). (Entered: 06/13/2000)
06/13/2000		CRD Dan McAllister spoke with defendants' attorney William Kandel regarding [14-1] letter of plaintiff's attorney; Parties will attempt to resolve any part of the discovery dispute they can and then come back to the court with any remaining issues. (drm) (Entered: 06/13/2000)
06/13/2000	<u>15</u>	Letter of attorney William Kandel on behalf of defendants dated 6/12/00 in response to [14-1] letter of plaintiff's counsel regarding discovery problems. (drm) (mc, ). (Entered: 07/07/2000)

07/11/2000	<u>16</u>	STIPULATED PROTECTIVE ORDER on behalf of Equal Employment, Carrols Corporation (signed by Magistrate Judge Gary L. Sharpe on 7/11/00). (cdl) (mc, ). (Entered: 07/20/2000)
07/26/2000	<u>17</u>	Letter from attorney David Barkey dated 7/25/00 on behalf of plaintiff asking the court's assistance in resolving an outstanding discovery problem; Letters between parties attached (drm) (mc, ). (Entered: 07/31/2000)
07/31/2000	<u>18</u>	Scheduling Notice: set Telephone Pretrial Conference for 10:00 8/9/00 before Mag. Judge Sharpe (drm) (mc, ). (Entered: 07/31/2000)
08/09/2000	<u>19</u>	Minute entry of telephone conference before Mag. Judge Sharpe: App: David Barkey, Esq. and Elizabeth Grossman, Esq. for plaintiff; William Kandel, Esq. for defendant; Telephone conference regarding outstanding document requests made by plaintiff; Attorney Kandel advises the court that defendant will turn over the documents in question by 8/18/00; Parties to supply proposed order regarding this agreement; Attorney Kandel advises that defendant also has document requests that have gone unanswered by plaintiff; Parties will try to resolve this problem and if they are unable, they will come back to the court; 10:00 – 10:05 A.M. (drm) (mc, ). (Entered: 08/09/2000)
08/10/2000	<u>20</u>	DISCOVERY ORDER: defendant, Carrols Corporation, shall produce to plaintiff, Equal Employment Opportunity Commission, the information and documents requested by the EEOC in its Sixth Set of Interrogatories and Sixth Request for Production of Documents, no later than August 18, 2000. (Signed by Magistrate Judge Gary L. Sharpe) (jmb) (mc, ). (Entered: 08/15/2000)
03/05/2001	<u>21</u>	Letter application received from Carrols Corporation dated 3/2/01 by John D. Giansello, Esq., requesting: a discovery conference to resolve certain disputes over document requests, interrogatories and request for admissions propounded by Carrols that the parties have not been able to resolve completely through repeated conferences and negotiations; w/attachment and exhibits A through H. (jmb) (jmb, ). (Entered: 03/05/2001)
03/14/2001	<u>22</u>	NOTICE/REQUEST: dated 3/9/01 by Suna P. Chandy, Esq., on behalf of Equal Employment, to Magistrate Judge Sharpe, stating that the parties have agreed to specific deadlines related to the discovery issues that remain, and jointly propose setting a discovery conference during the week of April 17–20, 2001. (jmb) (mc, ). (Entered: 03/15/2001)
03/26/2001	<u>23</u>	Scheduling Notice: set Telephone Conference for 1:00 4/17/01 before MJ Sharpe (drm) (mc, ). (Entered: 03/26/2001)
03/30/2001	<u>24</u>	Scheduling Notice: reset Pretrial Conference for 1:00 4/17/01 before MJ Sharpe Conference will be In Person pursuant to the request of the parties to personally appear terminated deadline for the telephone conference for 4/17/01 as it will now be in person (drm) (mc, ). (Entered: 03/30/2001)
04/09/2001	<u>25</u>	LETTER RESPONSE: dated 4/6/01 by Michelle A. Caiola, Esq., on behalf of Equal Employment in opposition to [21–1] Letter Application by Carrols Corporation; and addressing the discovery disputes between the parties, w/attachment A. (jmb) (mc, ). (Entered: 04/10/2001)
04/16/2001	<u>26</u>	LETTER RESPONSE of attorney John Giansello on behalf of Carrols Corporation dated 4/13/01 in opposition to [25–1] opposition response (drm) (mc, ). (Entered: 04/16/2001)
04/17/2001	<u>27</u>	Minute entry of In Person conference before MJ Sharpe: App: Michelle Caiola, Esq., Sunu Chandy, Esq., & Elizabeth Grossman, Esq. for plaintiffs; John Giansello, Esq., Michael Delikat, Esq., & Joseph Zirkman, Esq. for defendants Mag. Judge Sharpe hears parties regarding discovery dispute that is currently pending between parties; Defendant will file its motion to compel discovery by 5/1/01 Plaintiff to respond by 5/22/01; Defendant to reply by 6/5/01; Motion will be taken on submit unless parties are otherwise notified. 1:00 – 2:25 p.m.; CD: 2001–061 (drm) Modified on 05/23/2001 (mc, ). (Entered: 04/19/2001)
04/17/2001		Deadline updated; set Motion To Compel Filing deadline to 5/1/01 , Response to Motion to compel by 5/22/01 Defendants may reply by 6/5/01 (drm) (Entered: 04/17/2001)

		04/19/2001)
04/27/2001	<u>28</u>	LETTER/REQUEST and ORDER dated 4/26/01; Letter addressed to Daniel R. Mcallister, Court Clerk for Magistrate Judge Sharpe, requesting that the Court reset the Discovery Motion Filing deadline to 5/3/01 , Response to Motion to 5/24/01 , and the Reply to Response deadline to 6/7/01; Request granted ( signed by Magistrate Judge Gary L. Sharpe on 4/27/01) (kcl) (mc, ). (Entered: 04/30/2001)
05/03/2001	<u>29</u>	MOTION by John D. Giansello, Esq., on behalf of Carrols Corporation to Compel pltf to respond further to discovery requests with attached facts & certification of John D. Giansello; also attached letter of USEEOC and questionnaire; Motion taken on submit before MJ Sharpe per [27-1] minute entry (fce) Modified on 05/04/2001 (rep, ). (Entered: 05/04/2001)
05/23/2001	<u>30</u>	TRANSCRIPT filed of Status Conference before MJ Sharpe for dates of 4/17/01 (drm) (mc, ). (Entered: 05/23/2001)
05/24/2001	<u>31</u>	RESPONSE MEMORANDUM and CROSS-MOTION by Michelle Caiola, Esq. for Plaintiff Equal Employment; Plaintiffs Cross-Motion requesting the Court to Compel Defendant to produce outstanding discovery , Attached Supporting Exhibits 1-5; Response in re: opposition to defendants [29-1] motion to Compel pltf to respond to discovery requests (kcl) (rep, ). (Entered: 05/24/2001)
06/07/2001	<u>32</u>	REPLY LETTER: dated 6/6/01 by John D. Giansello, Esq., on behalf of Carrols Corporation to response to and in further support of [29-1] motion to Compel the plaintiff to respond further to discovery requests (Leave to file granted by chambers, GLS) (jmb) (rep, ). (Entered: 06/12/2001)
06/26/2001	<u>33</u>	REPLY LETTER: dated 6/20/01 by Michelle A. Caiola, Esq., on behalf of Equal Employment to response to and in further support of [31-2] Cross Motion to Compel outstanding discovery; w/attached exhibits 6, 7, and 8. (Leave to file granted by Chambers, GLS) (jmb) (mc, ). (Entered: 06/26/2001)
05/16/2002	<u>34</u>	LETTER REQUEST & ORDER: dated 5/14/02 by John D. Giansello, Esq., on behalf of defendant Carrols Corporation, requesting leave to file a memorandum of law of 40 pages in length due to the complex legal issues, request is modified by the Court and granted, the deft. may file a 30 page memorandum of law. (Signed by Chief Judge F. J. Scullin Jr.) (jmb) (Entered: 05/20/2002)
06/18/2002	<u>38</u>	MOTION by John D. Giansello, Esq., on behalf of Carrols Corporation for Summary Judgment dismissing the Complaint , w/attached material facts statement, supporting declarations, and exhibits A through V, Hearing set for 10/11/02 at 10:00 AM, Motion returnable before Chief Judge: Scullin {This motion was received on 9/5/02, however is considered filed as of 6/18/02, the original date of service, pursuant to the CJRA reporting requirements instituted on 3/1/00} (jmb) Modified on 09/05/2002 (jmb, ). (Entered: 09/05/2002)
06/19/2002	<u>35</u>	LETTER by John D. Giansello, Esq., on behalf of Carrols Corporation pursuant to Local Rule 7.1(b) regarding service of Motion: for Summary Judgment, Date Served upon counsel: 6/18/02 (jmb) (mc, ). (Entered: 06/25/2002)
07/24/2002	<u>36</u>	LETTER by Adela Santos, Esq., on behalf of Equal Employment pursuant to Local Rule 7.1(b) regarding response to deft's Motion for Summary Judgment and EEOC's Motion for Summary Judgment pursuant to Rule 56(f) granting a Continuance; Date Served upon counsel: 7/23/02 (jmb) (mc, ). (Entered: 08/05/2002)
07/24/2002	<u>44</u>	MOTION by Equal Employment for a Continuance pursuant to Rule 56(f) of the FRCvP , Hearing set for 10/11/02 at 10:00 AM, w/attached memorandum of law and declaration, and exhibits A through D, Motion returnable before Chief Judge Scullin {This motion was received on 9/5/02, however is considered filed as of 7/24/02, the original date of service, pursuant to the CJRA reporting requirements instituted on 3/1/00} (jmb) (jmb, ). (Entered: 09/05/2002)
08/21/2002	<u>37</u>	LETTER by John D. Giansello, Esq., on behalf of Carrols Corporation pursuant to Local Rule 7.1(b) regarding service its' reply papers to Carrols Corp's Motion for Summary Judgment and opposition to EEOC's Cross Motion, Served upon counsel: 8/20/02 (jmb) (mc, ). (Entered: 08/27/2002)

09/05/2002	<u>39</u>	DECLARATION: by Gerald DiGenova, Vice President of Carrols Corporation in support of [38-1] Motion for Summary Judgment dismissing the Complaint, w/attached exhibits A through Z and AA through OO. (jmb) (jmb, ) (Entered: 09/05/2002)
09/05/2002	<u>40</u>	DECLARATION: by Andrew Baron Esq., on behalf of Carrols Corporation in support of [38-1] Motion for Summary Judgment dismissing the Complaint, w/attached exhibits A through J. (jmb) (jmb, ). (Entered: 09/05/2002)
09/05/2002	<u>41</u>	EXHIBIT K (PART 1): by Carrols Corporation, in further support of Andrew Baron's Declaration. (jmb) (Additional attachment(s) added on 8/2/2017: # <u>1</u> Part 2 of 2) (jmb, ). (Entered: 09/05/2002)
09/05/2002	<u>42</u>	EXHIBIT K (PART 2): by Carrols Corporation, in further support of Andrew Baron's Declaration. (jmb) (Attachments added on 8/4/2017: # <u>1</u> Exhibit 143 (continued - Part 2) through Exhibit 161) (jmb, ) (Entered: 09/05/2002)
09/05/2002	<u>43</u>	MEMORANDUM OF LAW: by John D. Giansello, Esq., on behalf of Carrols Corporation in support of [38-1] Motion for Summary Judgment dismissing the Complaint (30 pages, Approved) (jmb) (mc, ). (Entered: 09/05/2002)
09/05/2002	<u>45</u>	RESPONSE & REPLY MEMORANDUM: by John D. Giansello, Esq., on behalf of Carrols Corporation in opposition to [44-1] Motion for a Continuance pursuant to Rule 56(f) of the FRCvP and reply to response to and in further support of [38-1] Motion for Summary Judgment dismissing the Complaint, w/attached Reply Declaration. (jmb) (jmb, ). (Entered: 09/05/2002)
09/06/2002	<u>46</u>	MOTION/REQUEST & ORDER: plaintiff's move for leave of the Court to reply to the defts' reply, request granted the plaintiff is granted leave to sur-reply. (Signed by Chief Judge Frederick J. Scullin Jr.) (jmb) Modified on 09/20/2002 (Entered: 09/20/2002)
09/30/2002	<u>47</u>	LETTER REQUEST & ORDER: dated 9/27/02 by Adela P. Santos, Esq., on behalf of the plaintiff, requesting an adjournment of the motion hearing, Motion Hearing set for 10/16/02 at 2:00 PM, Re: [38-1] Motion for Summary Judgment dismissing the Complaint and [44-1] Motion for a Continuance pursuant to Rule 56(f) of the FRCvP (Signed by Chief Judge Frederick J. Scullin Jr.) (jmb) (Entered: 10/07/2002)
10/11/2002	<u>48</u>	Scheduling Notice: Motion Hearing reset for 11/13/02 at 4:00 PM, Re: [38-1] Motion for Summary Judgment dismissing the Complaint, and [44-1] Motion for a Continuance pursuant to Rule 56(f) of the FRCvP (Sent by Courtroom Clerk: Barbara J. Woodford) (jmb) (mc, ). (Entered: 10/17/2002)
11/13/2002	<u>49</u>	Minute entry: Motion Argument held. Claims: Title VII sex-based job discrimination, retaliation and hostile work environment. Discovery Motion to continue discovery is argued. Pltf requests discovery be reopened for depositions of parties listed in their moving papers to determine a pattern and practice by the deft. Deft objects and cites case law to support argument. Court advises that Pltf must show evidence of intentional discrimination in order for the Court to allow further discovery to establish a pattern and practice by Deft re: handling sex-based Job discrimination claims. Pltf has not responded to Defts motion for Summary Judgment due to motion pending for further discovery. Pltf believes more discovery is necessary before they are able to respond to this motion. [44-1] motion for a Continuance pursuant to Rule 56(f) of the FRCvP Reserved, [38-1] motion for Summary Judgment dismissing the Complaint Reserved. APP: Adela Santos, Esq. for Pltf; John Giansello III, Esq.; Michael Delikat, Esq.; Joseph Zuckman, Esq. and Jeff Mayer, Esq. for Deft.; Court Reporter/ECRO: Jodi Hibbard; LC: AAD (bjw) (Entered: 11/14/2002)
11/20/2002	<u>50</u>	ORDER: denying [38-1] defendant's Motion for Summary Judgment dismissing the Complaint, and denying plaintiff's [44-1] Motion for a Continuance pursuant to Rule 56(f) of the FRCvP, as moot, further ordered that this case is recommitted to the Magistrate Judge with instructions to set new discovery deadlines and to allow additional limited discovery on the issue of whether defendant engaged in a pattern or practice of intentional discrimination, the parties are directed to initiate contact with the Magistrate Judge within 10 days of this order, finally the parties are shall renew or file dispositive motions within 60 days of the close of discovery. (Signed by Chief Judge Frederick J. Scullin Jr.) (jmb) (Entered: 11/21/2002)

11/27/2002		Atty's contacted court pursuant to Judge Scullin's order to schedule a conference. Court will send out notice for a telephone conference on 12/3/02 at 10:00 (jlm) (Entered: 11/27/2002)
12/06/2002	<u>51</u>	Minute entry of Telephone Conference before Mag/Judge Sharpe: the parties discuss outstanding summaries and questionnaires, Judge directs the EEOC to supply the summaries to the depts, pltf requests to take additional depositions, deft. opposes the request, Judge will issue an order within 2 weeks, if a further conference needs to be scheduled the Court will notice the parties; App: Asuna Chaney, Esq., Adela Santos, Esq., John Giansello, Esq., Joseph Zurkman, Esq., Court Clerk: Judy L. Baugh; Tape #183 (jmb) (Entered: 12/13/2002)
12/09/2002	<u>52</u>	TRANSCRIPT OF MOTION ARGUMENT: filed for the date of November 13, 2002 before Chief Judge Scullin. (Court Reporter: Jodi L. Hibbard) (jmb) (mc, ). (Entered: 12/13/2002)
12/16/2002	<u>53</u>	NOTICE/LETTER BRIEF: dated 12/13/02 by John D. Giansello, Esq., on behalf of Carrols Corporation, advising the Court that he has received the Court Transcript of the 11/13/02 Motion Hearing and attaches it for the Court's reference, and he gives a summary of his client's position on the outstanding discovery issues. (jmb) (mc, ). (Entered: 12/30/2002)
01/22/2003	<u>54</u>	LETTER RESPONSE by Adela P. Santon, Esq for Equal Employment in response the the [53-1] Letter (jlm) (jmb, ). (Entered: 01/22/2003)
02/18/2003	<u>55</u>	DECISION & ORDER: granting in part, denying in part deft's [29-1] Motion to Compel pltf to respond further to discovery requests, and granting in part, denying in part pltf's [31-2] Motion to Compel, deadline for compliance with production as stated in this Order is 4/14/03 and various disclosure and deposition shall be concluded by 5/14/03, the parties shall consult and confer and thereafter notify the Court in writing by 3/14/03 concerning any other outstanding case management or non-dispositive issues and a proposed dispositive motion filing deadline. (Signed by Magistrate Judge Gary L. Sharpe) (jmb) (Entered: 02/18/2003)
03/14/2003		Received call from depts' atty John Giansello for a request to file the status letter due 3/14/03 on 3/18/03. Letter will be Fed Ex to be received in Syracuse no later than 3/18/03. (jlm) (Entered: 03/14/2003)
03/14/2003	<u>56</u>	LETTER/NOTICE dated 3/13/03; Letter addressed to Mj Sharpe from Judy Keenan, Esq. for pltf. Equal Employment; Letter is in compliance with teh Court's 2/18/03 Order, directing parties to file letters re: outstanding matters; Attached Exhibit A (kcl) (mc, ). (Entered: 03/17/2003)
03/18/2003	<u>57</u>	LETTER/NOTICE dated 3/17/03; Letter addressed to MJ Sharpe from John Giansello, Esq. for deft. Carrols Corporation; Counsel complies with the Court's 2/18/03 order, advising the Court of unresloved issues (kcl) (mc, ). (Entered: 03/18/2003)
07/14/2003	<u>58</u>	Letter application received from Judy Keenean, Esq. for pltf. Equal Employment requesting: that a conference be held to Resolve Discovery Disputes; Attached Exhibits A-G (kcl) (jmb, ). (Entered: 07/14/2003)
07/15/2003	<u>59</u>	LETTER/RESPONSE dated 7/14/03; Letter addressed to Judge Sharpe from John Giansello, Esq., counsel for deft. Carrols Corporation in opposition to pltf's. [58-1] Letter application (kcl) Modified on 07/15/2003 (mc, ). (Entered: 07/15/2003)
07/17/2003	<u>60</u>	LETTER/NOTICE dated 7/16/03; Letter addressed to MJ Sharpe from Judy Keenan, Esq., counsel for pltf. Equal Employment; counsel responds to depts. letter dated 7/14/03; EEOC reaffirms their request for an opportunity to discuss the Discovery matters in a conference with the Court; Attached Exhibit H (kcl) (jmb, ). (Entered: 07/17/2003)
07/21/2003	<u>61</u>	LETTER by John Giansello, Esq. for deft. Carrols Corporation pursuant to Local Rule 7.1(b) regarding Renewed Motion for Summary Judgment; Date Served upon counsel: 7/18/03 (kcl) (mc, ). (Entered: 07/21/2003)
07/23/2003	<u>62</u>	LETTER/NOTICE dated 7/22/03; Letter addressed to MJ Sharpe from John Giansello, Esq. for Carrols Corporation; Letter responding to the 3rd letter of the EEOC regarding their Discovery requests (kcl) (mc, ). (Entered: 07/24/2003)



07/28/2003	<u>64</u>	LETTER titled "EEOC's Request for Expedited Ruling on Outstanding Discovery Matters and Dispositive Motion Briefing Schedule Due to the Service of Deft's Renewed SJ Motion" dd 7/21/03 by Judy Keenan, Esq for Equal Employment with a Proposed Order attached. (jlm) (mc, ). (Entered: 08/01/2003)
07/31/2003	<u>63</u>	LETTER/NOTICE dated 7/30/03; Letter addressed to MJ Sharpe from Lisa Sirkin, Esq., counsel for Equal Employment; Counsel requests that the Court allow an extension for pltfs. to respond to the defts. motion for Summary Judgment (kcl) (mc, ). (Entered: 07/31/2003)
08/01/2003	<u>65</u>	Scheduling Notice: Letter advising counsel for parties that the Court has set a Telephone Conference for 10:00 8/7/03 with MJ Sharpe; Pltfs atty. is to initiate the call; Notice sent by JLM (kcl) (mc, ). (Entered: 08/04/2003)
08/04/2003	<u>66</u>	LETTER/NOTICE dated 7/31/03; Letter addressed to MJ Sharpe from John Giansello, Esq. for deft. Carrols Corporation; Counsel confirms receipt of the EEOC's latest submission to the court and further opposes the extension of time requested by the EEOC (kcl) (mc, ). (Entered: 08/05/2003)
08/07/2003		Tele-conference held with Mag. Judge Sharpe. (jlm) (Entered: 08/26/2003)
08/07/2003	<u>68</u>	Minute entry of telephone conference with Mag. Judge Sharpe; APPR: Judy Kenna, Esq, Lisa Serkin, Esq and Asuna Chaney, Esq all for pltf; John Giansello, Esq for deft Carrol's; Joseph Zurkman, Esq for deft; Mike Delikat, Esq for deft; Judge Sharpe holds a telephone conference on the recent correspondence received by the parties; EEOC wants to take 14 more depositions; Judge Sharpe will not allow any more extensions to do depositions; Judge Sharpe makes his ruling and orders the following: 75 days from today EEOC is to identify their experts; Depositions to be completed by 10/7/03; Pltf's to identify their experts on or before 10/22/03; Carrol's to Disclose rebuttal experts, if any, on or before 11/21/03; Depositions of experts to be completed no later than 12/22/03; Carrol's to file their summary judgment on or before 1/22/04 with responses to be filed in accordance with new rules; Judge Sharpe explains to the parties, any extensions regarding the summary judgment motion shall be directed to the District Judge. Court Reporter: Kristine Sellin; Court Clerk: Judi McNicholas. (jlm) (mc, ). (Entered: 08/26/2003)
08/07/2003		Deadline updated; SJ Motion Filing deadline to 1/22/04 as Ordered by Judge Sharpe on 8/7/03 (jlm) (Entered: 08/26/2003)
08/22/2003	<u>67</u>	TRANSCRIPT filed for dates of 8/7/03 for Tel. Conf. w/MJ Sharpe. (lmp) (mc, ). (Entered: 08/25/2003)
10/01/2003	<u>69</u>	LETTER/NOTICE dated 9/30/03; Letter addressed to MJ Sharpe from John Giansello, Esq., counsel for Carrols Corporation; Ietter seeks the Court's clarification of certain points in the discovery and scheduling order issued by the court on 8/7/03; Attachments (kcl) (jmb, ). (Entered: 10/02/2003)
10/14/2003	<u>70</u>	LETTER/NOTICE dated 10/10/03; Letter addressed to MJ Sharpe from Sunu Chandy, Esq. in opposition to defts. letter dated 9/30/03 wherein they seek Clarification of certain points in the discovery and scheduling order issued by the Court (kcl) (mc, ). (Entered: 10/14/2003)
10/15/2003	<u>71</u>	LETTER/NOTICE dated 10/14/03; Letter addressed to MJ Sharpe from John Giansello, Esq., counsel for Carrols Corporation; Counsel replies to EECO's response to pltfs. 9/30/03 request for clarification (kcl) (mc, ). (Entered: 10/15/2003)
01/16/2004	<u>72</u>	Amended MOTION for Summary Judgment /Amended Notice Of Renewed Motion For Summary Judgment by Carrols Corporation. (Attachments: # <u>1</u> Defendant's Amended Revised And Augmented Local Rule 7.1(a)(3) Statement In Support Of Renewed Motion For Summary Judgment (Part I)# <u>2</u> Defendant's Amended Revised And Augmented Local Rule 7.1(a)(3) Statement In Support Of Renewed Motion For Summary Judgment (Part II)# <u>3</u> Amended Supplemental Declaration Of John D. Giansello In Support Of Defendant's Renewed Motion For Summary Judgment ( <b>Exhibits filed conventionally</b> )# <u>4</u> Declaration Of Allison R. Fried In Support Of Defendant's Renewed Motion For Summary Judgment ( <b>Exhibits filed conventionally</b> )# <u>5</u> Amended Declaration Of Michael J. Peters In Support Of Defendant's Renewed Motion For Summary Judgment ( <b>Exhibits filed conventionally</b> )# <u>6</u> Declaration Of Jessica Golden In Support Of Defendant's Renewed Motion For Summary Judgment (

		<b>Exhibit filed conventionally )# 7</b> Defendant's Revised Memorandum In Support Of Its Renewed Motion For Summary Judgment ( <b>Appendices filed conventionally )# 8</b> Certificate Of Service)(Giansello, John) (Entered: 01/16/2004)
02/02/2004		Set Deadlines as to <u>72</u> Amended/Renewed MOTION for Summary Judgment. Motion Hearing set for 3/12/2004 at 10:00 AM in Syracuse before Chief Judge Frederick J. Scullin Jr. Response to Motion due by 2/25/2004. Reply to Response to Motion due by 3/1/2004. (Deadlines were inadvertently not added to motion entry) (jmb) (Entered: 02/02/2004)
02/11/2004	<u>73</u>	ORDER REASSIGNING CASE. Case reassigned to Magistrate Judge George H. Lowe. Judge Gary Sharpe no longer assigned to case. Signed by Judge Frederick J. Scullin Jr. on 2/11/04. (kcl, ) (Entered: 02/11/2004)
02/20/2004		Confirmation of Deadlines as to <u>72</u> Amended/Renewed MOTION for Summary Judgment, due to an clerical error the deadlines related to this motion were set in ECF incorrectly, Debbie Moore of Judge Scullin's chambers has authorized the deadlines to remain as set allowing the parties one additional day to submit the response and reply papers herein, this confirms that the deadlines are: Response to Motion deadline is 2/25/2004 and Reply to Response to Motion deadline is 3/1/2004. The Motion Hearing remains set for 3/12/2004 at 10:00 AM in Syracuse before Chief Judge Frederick J. Scullin Jr. (jmb) (Entered: 02/20/2004)
02/20/2004		Reset Reply to Response to Motion Deadline as to <u>72</u> Amended/Renewed MOTION for Summary Judgment, upon authorization of Debbie Moore of Judge Scullin's chambers, the Clerk is directed to update the Reply to Response to Motion deadline to 3/2/2004 to allow the reply to be due 6 days after the filing of the response per the local rules. (jmb) (Entered: 02/20/2004)
02/23/2004		Set/Reset Deadlines as to <u>72</u> Amended MOTION for Summary Judgment / <i>Amended Notice Of Renewed Motion For Summary Judgment</i> . Motion Hearing set for 3/12/2004 10:00 AM in Syracuse before Chief Judge Frederick J. Scullin Jr.. (kcl, ) (Entered: 02/23/2004)
02/26/2004	<u>74</u>	MOTION to Seal Document/motion by Sunu Chandy, Esq. for Equal Employment Opportunity Commission.(kcl, ) (Entered: 02/26/2004)
02/26/2004	<u>75</u>	NOTICE by Sunu Chandy, Esq., counsel for Equal Employment Opportunity Commission; counsel requests that the Court grant permission to file a motion to exclude (kcl, ) (Entered: 02/26/2004)
02/26/2004	<u>76</u>	LETTER/NOTICE dated 2/26/04 by John Giansello, Esq., counsel for Carrols Corporation; counsel requests that the Court allow pltfs.to file a motion to exclude and that the motion be returnable on a seperate return date than the current pending motions (kcl, ) (Entered: 02/26/2004)
02/26/2004	<u>77</u>	ORDER denying <u>74</u> Motion to Seal Document; Court grants pltfs. <u>75</u> Letter request to file expert motions; Court grants defts. <u>76</u> request to file motion to exclude. Pltfs motion to exclude shall be made returnable 4/9/04 on submit; It is order that all further documents are to be filed electronically in accordance w/ General Order 25 unless otherwise ordered by the Court; Signed by chief Judge Frederick J. Scullin on 2/26/04. (kcl, ) (Entered: 02/26/2004)
03/01/2004	<u>78</u>	STATEMENT OF MATERIAL FACTS re <u>72</u> Amended MOTION for Summary Judgment / <i>Amended Notice Of Renewed Motion For Summary Judgment EEOC's Redacted Statement of Material Disputed Facts in Opposition to 72 Defendant's Renewed Motion for Summary Judgment</i> , filed by Equal Employment Opportunity Commission. (Chandy, Sunu) (Entered: 03/01/2004)
03/01/2004	<u>79</u>	MEMORANDUM OF LAW re <u>72</u> Motion for Summary Judgment,,,, <i>EEOC's Redacted Memorandum of Law in Opposition to Defendant's Renewed Motion for Summary Judgment</i> filed by Equal Employment Opportunity Commission. (Chandy, Sunu) (Entered: 03/01/2004)
03/01/2004	<u>80</u>	AFFIDAVIT in Opposition re <u>72</u> Amended MOTION for Summary Judgment / <i>Amended Notice Of Renewed Motion For Summary Judgment Redacted Declaration of Sunu P. Chandy in Support of EEOC's Response to Defendant's Renewed Motion for Summary Judgment</i> filed by Equal Employment Opportunity Commission.

		(Chandy, Sunu) (Entered: 03/01/2004)
03/01/2004	<u>81</u>	REDACTED PART 1 of Exhibit 1 rto Declaration of Sunu Chandy re: opposition to defts. <u>72</u> Amended MOTION for Summary Judgment; Filed by Equal Employment Opportunity Commission. (kcl, ) (Additional attachment(s) added on 8/2/2017: # <u>1</u> Part 2 of 2) (jmb, ). (Entered: 03/01/2004)
03/01/2004	<u>82</u>	REDACTED Part 2 of Exhibit 1 to Declaration of Sunu Chandy re: opposition to the <u>72</u> Amended MOTION for Summary Judgment; Filed by Equal Employment Opportunity Commission. (kcl, ) (Additional attachment(s) added on 8/2/2017: # <u>1</u> Part 2 of 2) (jmb, ). (Entered: 03/01/2004)
03/01/2004	<u>83</u>	REDACTED Exhibit 2 to Declaration of Sunu Chandy re opposition to the <u>72</u> Amended MOTION for Summary Judgment; Filed by Equal Employment Opportunity Commission. (kcl, ) (jmb, ). (Entered: 03/01/2004)
03/01/2004	<u>84</u>	REDACTED Exhibit 3–6 to the Declaration of Sunu Chandy re: opposition to the <u>72</u> Amended MOTION for Summary Judgment; Filed by Equal Employment Opportunity Commission. (kcl, ) (Additional attachment(s) added on 8/2/2017: # <u>1</u> Exhibits 3–6) (jmb, ). (Entered: 03/01/2004)
03/01/2004	<u>85</u>	REDACTED Exhibits 7–9 to the Declaration of Sunu Chandy, Esq. re: opposition to the <u>72</u> Amended MOTION for Summary Judgment ; Filed by Equal Employment Opportunity Commission. (kcl, ) (Additional attachment(s) added on 8/2/2017: # <u>1</u> Part 2 of 2) (jmb, ). (Entered: 03/01/2004)
03/01/2004	<u>86</u>	REDACTED Exhibits 10–12 to the Declaration of Sunu Chandy re: opposition to the <u>72</u> Amended MOTION for Summary Judgment; Filed by Equal Employment Opportunity Commission. (kcl, ) (Additional attachment(s) added on 8/2/2017: # <u>1</u> Part 2 of 2) (jmb, ). (Entered: 03/01/2004)
03/01/2004	<u>87</u>	REDACTED Exhibits 13–15 of the Declaration of Sunu Chandy re: opposition to the <u>72</u> Amended MOTION for Summary Judgment; Filed by Equal Employment Opportunity Commission. (kcl, ) (Additional attachment(s) added on 8/3/2017: # <u>1</u> Exhibits 14 & 15) (jmb, ). (Entered: 03/02/2004)
03/01/2004	<u>88</u>	REDACTED EXHIBITS 16 and 17 to the Declaration of Sunu Chandy re: opposition to the <u>72</u> Amended MOTION for Summary Judgment ; Filed by Equal Employment Opportunity Commission. (kcl, ) (Additional attachment(s) added on 8/3/2017: # <u>1</u> Exhibit 17) (jmb, ). (Entered: 03/02/2004)
03/01/2004	<u>89</u>	REDACTED EXHIBITS 18 and 19 of the Declaration of Sunu Chandy re: opposition to the <u>72</u> Amended MOTION for Summary Judgment; Filed by Equal Employment Opportunity Commission. (kcl, ) (jmb, ) (Entered: 03/02/2004)
03/01/2004	<u>90</u>	REDACTED EXHIBITS 20–22 of the Declaration of Sunu Chandy re: opposition to the <u>72</u> Amended MOTION for Summary Judgment ; Filed by Equal Employment Opportunity Commission. (kcl, ) (Additional attachment(s) added on 8/4/2017: # <u>1</u> Exhibit 21 (Part 2 of 2) and 22) (jmb, ). (Entered: 03/02/2004)
03/01/2004	<u>91</u>	REDACTED EXHIBITS 23 and 24 to the Declaration of Sunu Chandy re: opposition to the <u>72</u> Amended MOTION for Summary Judgment; Filed by Equal Employment Opportunity Commission. (kcl, ) (Additional attachment(s) added on 8/14/2017: # <u>1</u> Part 2 of 2) (jmb, ). (Entered: 03/02/2004)
03/01/2004	<u>92</u>	REDACTED EXHIBITS 25–93 of the Declaration of Sunu Chandy re: opposition to the <u>72</u> Amended MOTION for Summary Judgment ; Filed by Equal Employment Opportunity Commission. (kcl, ) (Additional attachment(s) added on 8/3/2017: # <u>1</u> Exhibits 53 – 93) (jmb, ). (Entered: 03/02/2004)
03/01/2004	<u>93</u>	REDACTED EXHIBITS 94–99 to the Declaration of Sunu Chandy re: opposition to the <u>72</u> Amended MOTION for Summary Judgment ; Filed by Equal Employment Opportunity Commission. (kcl, ) (Attachments added on 8/3/2017: # <u>1</u> Exhibit 99) (jmb, ) (Entered: 03/02/2004)
03/02/2004	<u>94</u>	RESPONSE in Support re <u>72</u> Amended MOTION for Summary Judgment /Amended Notice Of Renewed Motion For Summary Judgment filed by Carrols Corporation. (Attachments: # <u>1</u> Appendix # <u>2</u> Certificate of Service)(Giansello, John) (Entered: 03/02/2004)

		03/02/2004)
03/02/2004	<u>95</u>	AFFIDAVIT in Support re <u>72</u> Amended MOTION for Summary Judgment /Amended Notice Of Renewed Motion For Summary Judgment /Further Declaration Of John D. Giansello In Support Of Defendant's Renewed Motion For Summary Judgment filed by Carrols Corporation. (Attachments: # <u>1</u> Certificate of Service)(Giansello, John) (Additional attachment(s) added on 3/17/2016: # <u>2</u> Exhibits A – I) (nmk, ). (Entered: 03/02/2004)
03/04/2004	<u>96</u>	First MOTION Exclude Expert Opinion of Dr. Ericksen Motion Hearing set for 4/9/2004 10:00 AM in Syracuse before Chief Judge Frederick J. Scullin Jr.. Response to Motion due by 3/23/2004 Reply to Response to Motion due by 3/29/2004. by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum of Law # <u>2</u> Declaration Attorney Chandy Declaration – Ericksen# <u>3</u> Exhibit Exh.1–Ericksen Declaration# <u>4</u> Exhibit Exh1–PartA1 of Ericksen Declaration# <u>5</u> Exhibit Exh.1– Part A2 of Ericksen Declaration# <u>6</u> Exhibit Exh.2 – Ericksen Deposition# <u>7</u> Exhibit Exhibit 3 – unpublished cited decision)(Chandy, Sunu) (Entered: 03/04/2004)
03/04/2004	<u>97</u>	MOTION /Defendant's Notice Of Motion And Motion To Exclude Plaintiff's Expert's Opinions/ Motion Hearing set for 4/9/2004 10:00 AM in Syracuse before Chief Judge Frederick J. Scullin Jr.. Response to Motion due by 3/23/2004 Reply to Response to Motion due by 3/29/2004. by Carrols Corporation. (Attachments: # <u>1</u> Defendant's Memorandum In Support Of Its Motion To Exclude Plaintiff's Expert's Opinions# <u>2</u> Declaration Of John D. Giansello In Support Of Defendant's Motion To Exclude Plaintiff's Expert's Opinions, (Exhibits A–K filed conventionally), # <u>3</u> Certificates of Service)(Giansello, John) (Additional Attachments added: Conventionally filed Exhibits added on 8/3/2017: # <u>4</u> Declaration of John Giansello (Redacted Version) with Exhibits A – K) (jmb) (Entered: 03/04/2004)
03/04/2004	<u>98</u>	First MOTION Exclude Evans' Opinions Motion Hearing set for 4/9/2004 10:00 AM in Syracuse before Chief Judge Frederick J. Scullin Jr.. Response to Motion due by 3/23/2004 Reply to Response to Motion due by 3/29/2004. by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum of Law # <u>2</u> Declaration Attorney Chandy – Evans)(Chandy, Sunu) (Entered: 03/04/2004)
03/04/2004	<u>99</u>	Letter from Plaintiff for Equal Employment Opportunity Commission requesting Replace Notice of Motion Due to Error in the Heading. (Attachments: # <u>1</u> Supplement Corrected Notice of Motion)(Chandy, Sunu) (Entered: 03/04/2004)
03/12/2004	<u>100</u>	Minute Entry for proceedings held before Judge Frederick J. Scullin Jr.: Motion Hearing held on 3/12/2004 re <u>72</u> Amended MOTION for Summary Judgment: Amended Notice Of Renewed Motion For Summary Judgment filed by Carrols Corporation, Motion Taken Under Advisement: <u>72</u> Amended MOTION for Summary Judgment: Amended Notice Of Renewed Motion For Summary Judgment. APP: Judy Keenan, Esq. (argued motion), Sunu Chandy, Esq. and Lisa Sirkan, Esq. for Pltf; John Giansello, Esq. (argued motion), Jeffrey Maier, Esq. for Deft. (Court Reporter Khris Sellin.) LC: DEM (bjw, ) (Entered: 03/12/2004)
03/12/2004		Motions No Longer Referred to Magistrate Judge: <u>96</u> First MOTION Exclude Expert Opinion of Dr. Ericksen, <u>97</u> MOTION /Defendant's Notice Of Motion And Motion To Exclude Plaintiff's Expert's Opinions/, <u>98</u> First MOTION Exclude Evans' Opinions (Motions are before Judge Scullin for decision) (tjm) Modified on 3/30/2005 (tjm). (Entered: 03/30/2005)
03/23/2004	<u>101</u>	RESPONSE in Opposition re <u>97</u> MOTION /Defendant's Notice Of Motion And Motion To Exclude Plaintiff's Expert's Opinions/ EEOC's Memorandum of Law in Support of EEOC's Response filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration Chandy Declaration# <u>2</u> Exhibit Exh.1–Guttek Transcript# <u>3</u> Exhibit Exh.2 – Unpub. case –Valentine# <u>4</u> Certificate of Service)(Chandy, Sunu) (Entered: 03/23/2004)
03/23/2004	<u>102</u>	RESPONSE in Opposition re <u>96</u> First MOTION Exclude Expert Opinion of Dr. Ericksen /Defendant's Memorandum In Opposition To Plaintiff's Motion To Exclude The Opinions Of Defendant's Expert Eugene P. Ericksen, Ph.D. filed by Carrols Corporation. (Attachments: # <u>1</u> Attachment A# <u>2</u> Certificate of Service)(Giansello, John) (Entered: 03/23/2004)

03/23/2004	<u>103</u>	RESPONSE in Opposition re <u>98</u> First MOTION Exclude Evans' Opinions / <i>Defendant's Memorandum In Opposition To Plaintiff's Motion To Exclude The Opinions Of Defendant's Expert David S. Evans, Ph.D.</i> filed by Carrols Corporation. (Attachments: # <u>1</u> Attachment A# <u>2</u> Certificate of Service)(Giansello, John) (Entered: 03/23/2004)
03/29/2004	<u>104</u>	REPLY to Response to Motion re <u>98</u> First MOTION Exclude Evans' Opinions filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Chandy, Sunu) (Entered: 03/29/2004)
03/29/2004	<u>105</u>	REPLY to Response to Motion re <u>96</u> First MOTION Exclude Expert Opinion of Dr. Ericksen filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Chandy, Sunu) (Entered: 03/29/2004)
03/29/2004	<u>106</u>	REPLY to Response to Motion re <u>97</u> MOTION / <i>Defendant's Notice Of Motion And Motion To Exclude Plaintiff's Expert's Opinions/ Defendant's Reply Memorandum In Support Of Its Motion To Exclude The Opinions Of Plaintiff's Expert Louise F. Fitzgerald, Ph.D.</i> filed by Carrols Corporation. (Attachments: # <u>1</u> Attachment A# <u>2</u> Certificate of Service)(Giansello, John) (Entered: 03/29/2004)
04/05/2004	<u>107</u>	TRANSCRIPT of Oral Argument Proceedings held on March 12, 2004 before Judge Frederick J. Scullin, Jr. Court Reporter: Khristine D. Sellin. { Document on file with the Clerk, not available for electronic view } (jmb) Modified on 1/13/2005 to correct error contained within docket text. (jmb) (mc, ). (Entered: 04/06/2004)
04/20/2005	<u>108</u>	MEMORANDUM, DECISION AND ORDER; The defendant's <u>72</u> Motion for Summary Judgment with respect to pltf's pattern or practice claims of sexual harassment, failure to remedy, retaliation, and constructive discharge is granted; The Court denies as moot, Pltfs <u>96</u> and <u>98</u> motions to exclude opinions of experts Ericksen and Evans; Defendant's <u>97</u> motion to exclude opinons of Expert Fitzgerald is denied as moot; Parties shall contact MJ Lowe's chambers to establish a Discovery and motion schedule w/ respect to the claims that pltf has asserted o/b/o deft's individual employees w/in 10 days of this order; Signed by Chief Judge Frederick J. Scullin, Jr. on 4/20/05. (kcl, ) (Entered: 04/20/2005)
04/28/2005		NOTICE of Hearing: Pretrial Telephone Conference set for Monday, June 20, 2005 at 09:00 AM before Magistrate Judge George H. Lowe. Plaintiffs counsel will be responsible for initiating the conference call using AT&T or any teleconference service and should call the chambers of Magistrate Judge George H. Lowe at (315) 234-8618, a dedicated conference line which may not be used for other purposes. (tjm) (Entered: 04/28/2005)
06/10/2005	<u>109</u>	MEMORANDUM OF LAW / <i>Defendant's Memorandum Of Law In Anticipation Of June 20, 2005 Hearing/</i> filed by Carrols Corporation. (Attachments: # <u>1</u> Exhibit(s) 1# <u>2</u> Exhibit(s) 2# <u>3</u> Exhibit(s) 3# <u>4</u> Exhibit(s) 4# <u>5</u> Affidavit of Service)(Giansello, John) (Entered: 06/10/2005)
06/16/2005		NOTICE of Hearing Adjournment:Pretrial Telephone Conference set for 6/20/2005 at 09:00 AM before Magistrate Judge George H. Lowe is CANCELLED. Counsel are to contact the Court with an agreed upon date for an in-court hearing. (tjm) (Entered: 06/16/2005)
06/17/2005		NOTICE of Hearing: Discovery Hearing is set for Friday, July 8, 2005 at 02:00 PM in Syracuse before Magistrate Judge George H. Lowe. Hearing will be held in Courtroom #2, 3rd floor annex, U.S. Courthouse, 100 S. Clinton Street, Syracuse, NY. (tjm) (Entered: 06/17/2005)
07/08/2005		Minute Entry for proceedings held before Judge George H. Lowe : Appearances – Lisa Sirkin, Esq., for Plaintiff; John Giansello, Esq., Michael Delikat, Esq., and Joseph Zirkman, Esq., for Defendant. Discovery Hearing held on 7/8/2005 on class action issue and individual claims. Judge Lowe directs that defendant may file a motion on the issue of additional claimants and the 706 issue by August 19. Opposition papers are due September 19, and reply papers are permitted by October 3. Clerk will contact parties to set a motion hearing date in Syracuse. (Unofficial Court Reporter Jil Hammer, privately contracted) (tjm) (Entered: 07/08/2005)
07/27/2005	<u>110</u>	Letter from John D. Giansello for Carrols Corporation requesting clarification submitted to Judge George H. Lowe. (Attachments: # <u>1</u> Exhibit(s) 1)(Giansello, John)

		(Entered: 07/27/2005)
07/28/2005	<u>111</u>	LETTER/ORDER addressed to atty. Sirkin from MJ Lowe requesting his feedback re: Mr. Giansello's letter dated . Signed by Judge George H. Lowe on 7/28/05. (kcl, ) (Entered: 07/28/2005)
07/29/2005	<u>112</u>	LETTER BRIEF <i>In response to Court</i> by Equal Employment Opportunity Commission. (Chandy, Sunu) (Entered: 07/29/2005)
08/01/2005	<u>113</u>	LETTER/ORDER; Letter addressed to Mr. Giansello; The Court feels that parties should adhere to the motion schedule agreed upon at the 7/8/05 conference . Signed by Judge George H. Lowe on 8/1/05. (kcl, ) (Entered: 08/01/2005)
08/19/2005	<u>114</u>	MOTION To Preclude <i>The EEOC's Purported "Class" Claims Under Title VII, Section 706 And To Close The Period For Joinder Of Additional Claimants To This Action</i> by Carrols Corporation. (Attachments: # <u>1</u> Memorandum of Law)(Giansello, John) (Entered: 08/19/2005)
08/22/2005		CLERK'S TEXT ONLY NOTICE re <u>114</u> MOTION To Preclude The EEOC's Purported "Class" Claims Under Title VII, Section 706 And To Close The Period For Joinder Of Additional Claimants To This Action; Clerk advises atty Giansello that pursuant to Local Rule 7.1(a)2, and Affidavit is required to be filed in support of this type of motion; Clerk advises the event for Affidavit can be located under the topic of "other documents." (kcl, ) (Entered: 08/22/2005)
08/22/2005		TEXT ONLY NOTICE BY CLERK re: <u>114</u> MOTION To Preclude Motion Hearing set for 10/26/2005 02:00 PM in Syracuse before Magistrate Judge George H. Lowe. Response to Motion due by 9/19/2005, Reply to Response to Motion due by 10/3/2005. (kcl, ) (Entered: 08/22/2005)
08/22/2005	<u>115</u>	AFFIDAVIT re <u>114</u> MOTION To Preclude <i>The EEOC's Purported "Class" Claims Under Title VII, Section 706 And To Close The Period For Joinder Of Additional Claimants To This Action /DECLARATION OF JOHN D. GIANSELLO IN SUPPORT OF DEFENDANT'S MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION</i> by Carrols Corporation. (Attachments: # <u>1</u> Exhibit(s) 1# <u>2</u> Exhibit(s) 2# <u>3</u> Exhibit(s) 3# <u>4</u> Exhibit(s) 4)(Giansello, John) (Entered: 08/22/2005)
09/19/2005	<u>116</u>	MEMORANDUM OF LAW re <u>114</u> Motion for Miscellaneous/Other Relief, <i>EEOC's Memorandum of Law in Opposition to Defendant's Motion to Preclude EEOC's Class Claims Under Title VII Section 706 and for Other Relief</i> filed by Equal Employment Opportunity Commission. (Santos, Adela) (Entered: 09/19/2005)
09/19/2005	<u>117</u>	AFFIDAVIT in Opposition re <u>114</u> MOTION To Preclude <i>The EEOC's Purported "Class" Claims Under Title VII, Section 706 And To Close The Period For Joinder Of Additional Claimants To This Action Declaration of Judy Keenan in Opposition to Defendant's Motion to Preclude EEOC's Class Claims Under Title VII Section 706 and for Other Relief</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit(s) EEOC Exhibit A to Declaration# <u>2</u> Exhibit(s) EEOC Exhibit B to Declaration# <u>3</u> Exhibit(s) EEOC Exhibit C to Declaration# <u>4</u> Exhibit(s) EEOC Exhibit D to Declaration# <u>5</u> Exhibit(s) EEOC Exhibit E to Declaration)(Santos, Adela) (Entered: 09/19/2005)
10/03/2005	<u>118</u>	REPLY to Response to Motion re <u>114</u> MOTION To Preclude <i>The EEOC's Purported "Class" Claims Under Title VII, Section 706 And To Close The Period For Joinder Of Additional Claimants To This Action</i> filed by Carrols Corporation. (Giansello, John) (Entered: 10/03/2005)
10/26/2005		Minute Entry for proceedings held before Judge George H. Lowe : Appearances – Judy A. Keenan, Esq., for Plaintiff; John Giansello III, Esq., Jeff Mayer, Eq., and Joseph Zirkman, Esq., for Defendant.Motion Hearing held on 10/26/2005 re <u>114</u> MOTION To Preclude <i>The EEOC's Purported "Class" Claims Under Title VII, Section 706 And To Close The Period For Joinder Of Additional Claimants To This Action</i> filed by Carrols Corporation. Judge Lowe rules that joinder of additional claimants is closed and grants Defendant 120 days to file a summary judgment motion. An order will be issued. (tjm) (Entered: 10/26/2005)
10/27/2005	<u>119</u>	ORDER; Defendant shall file their motion for partial summary judgment by 2/27/06; Parties shall make a good faith effort to agree upon Discovery and whether it should be

		conducted pursuant to Rule 56(f); By 5/11/06 counsel shall file a status report advising the Court as to status of Discovery; Plaintiff's opposition papers to defendant's motion for partial Summary Judgment shall be filed by 6/27/06; Defendant's reply shall be filed on or before 8/11/06; The Claimant group in this case is limited to the 511 individual claimants who have been identified by the pltf. and no additional claimants shall be added to the group. Signed by Judge George H. Lowe on 10/27/05. (kcl, ) Modified on 10/28/2005 (kcl, ). (Entered: 10/27/2005)
10/28/2005		Set/Reset Deadlines: Status Report due by 5/11/2006. (kcl, ) (Entered: 10/28/2005)
10/31/2005	<u>120</u>	NOTICE of Appearance by Judy A. Keenan on behalf of Equal Employment Opportunity Commission (Keenan, Judy) (Entered: 10/31/2005)
02/13/2006	<u>121</u>	NOTICE of Appearance by Jeffrey J. Mayer on behalf of Carrols Corporation (Mayer, Jeffrey) (Entered: 02/13/2006)
02/27/2006	<u>122</u>	MOTION for Summary Judgment / <i>Notice Of Motion And Motion For Summary Judgment Against The Individual Claims</i> by Carrols Corporation. (Attachments: # <u>1</u> Defendant's Local Rule 7.1(a)(3) Statement In Support Of Motion For Summary Judgment Against The Individual Claims# <u>2</u> Declaration Of John D. Giansello In Support Of Defendant Carrols Corporation's Motion For Summary Judgment Against The Individual Claims ( <b>Exhibits A–HH filed traditionally</b> )# <u>3</u> Declaration Of Renee B. Phillips In Support Of Defendant Carrols Corporation's Motion For Summary Judgment Against The Individual Claims ( <b>Exhibits A and 1–511 filed traditionally</b> )# <u>4</u> Declaration Of Kelly Dickter In Support Of Defendant Carrols Corporation's Motion For Summary Judgment Against The Individual Claims In This Action# <u>5</u> Exhibit(s) A to Declaration of Kelly Dickter# <u>6</u> Declaration Of Peter Schneider In Support Of Defendant Carrols Corporation's Motion For Summary Judgment Against The Individual Claims# <u>7</u> Memorandum of Law In Support Of Defendant's Motion For Summary Judgment Against The Individual Claims# <u>8</u> Appendix A to Memorandum of Law# <u>9</u> Appendix B to Memorandum of Law)(Giansello, John) Additional attachment(s) added on 2/28/2006 (kcl, ). Modified on 2/28/2006 (kcl, ). (Entered: 02/27/2006)
02/27/2006	<u>123</u>	CERTIFICATE OF SERVICE by Carrols Corporation re <u>122</u> MOTION for Summary Judgment / <i>Notice Of Motion And Motion For Summary Judgment Against The Individual Claims</i> (Giansello, John) (Entered: 02/27/2006)
02/28/2006		CLERK'S CORRECTION OF DOCKET ENTRY re <u>122</u> Motion for Summary Judgment; Atty. Giansello accidentally attached two identical versions of the statement of Material facts and left out the notice of motion; A copy of the notice of motion was submitted traditionally however. Clerk scanned copy of notice of motion and attached it to the <u>122</u> entry and removed one of the versions of the statement of material facts. (kcl, ) (Entered: 02/28/2006)
04/11/2006		SCHEDULING NOTICE: to set date for oral argument re: <u>122</u> MOTION for Summary Judgment. Motion Hearing set for 10/12/2006 02:00 PM in Syracuse before Senior Judge Frederick J. Scullin Jr. (Barbara J. Woodford, Courtroom Clerk) (bjw, ) (Entered: 04/11/2006)
05/10/2006	<u>124</u>	STATUS REPORT <i>Re: Schedule for filing Plaintiff's Opposition Papers</i> by Equal Employment Opportunity Commission. (Chandy, Sunu) (Entered: 05/10/2006)
06/13/2006	<u>125</u>	STATUS REPORT / <i>Letter Respectfully Requesting the Court Grant A Two Week Extension To File SJ Opposition Papers</i> by Equal Employment Opportunity Commission. (Chandy, Sunu) (Entered: 06/13/2006)
06/14/2006	<u>126</u>	STATUS REPORT / <i>Letter In Response To The EEOC's Letter Dated 6/13/06</i> by Carrols Corporation. (Giansello, John) (Entered: 06/14/2006)
06/20/2006	<u>127</u>	LETTER/REQUEST AND ORDER; Response and reply deadlines are reset re: the <u>122</u> MOTION for Summary Judgment Response to Motion due by 7/11/2006 Reply to Response to Motion due by 9/1/2006; Signed by Judge George H. Lowe on 6/19/06. (kcl, ) (Entered: 06/20/2006)
07/10/2006	<u>128</u>	RESPONSE in Opposition re <u>122</u> MOTION for Summary Judgment / <i>Notice Of Motion And Motion For Summary Judgment Against The Individual Claims</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum of Law

		# <u>2</u> Declaration # <u>3</u> Statement of Material Facts Volume 1# <u>4</u> Statement of Material Facts Volume II# <u>5</u> Statement of Material Facts Volume III# <u>6</u> Certificate of Service)(Chandy, Sunu) (Entered: 07/10/2006)
07/11/2006	<u>129</u>	SUPPORTING APPENDIX/EXHIBITS: Caselaw filed by Equal Employment Opportunity Commission in support of the memorandum of law filed on 7/10/06. {Document on file with the Clerk due to its voluminous nature, not available for electronic view} (Entered: 07/11/2006)
07/11/2006	<u>130</u>	EXHIBITS 1 through 55 in support of the Declaration of Sunu P. Chandy filed on behalf of the Equal Employment Opportunity Commission. (jmb) (jmb, ) (Attachments added on 8/14/2017: # <u>1</u> Part 2 of 2) (jmb, ) (Entered: 07/11/2006)
07/11/2006	<u>131</u>	EXHIBITS 56 through 85 in support of the Declaration of Sunu P. Chandy filed on behalf of the Equal Employment Opportunity Commission. (jmb) (jmb, ) (Entered: 07/11/2006)
07/11/2006	<u>132</u>	EXHIBITS 86 through 142 in support of the Declaration of Sunu P. Chandy filed on behalf of the Equal Employment Opportunity Commission. (jmb) (jmb, ). (Entered: 07/11/2006)
07/28/2006		SCHEDULING NOTICE: Reset Hearing as to <u>122</u> MOTION for Summary Judgment. Due to a conflict in the Court's calendar, oral argument has been reset to an earlier date. Motion argument is rescheduled for 10/4/2006 at 02:00 PM in Syracuse before Senior Judge Frederick J. Scullin Jr. Please adjust your calendar accordingly. (Barbara J. Woodford, Courtroom Clerk) (bjw, ) (Entered: 07/28/2006)
09/01/2006	<u>133</u>	REPLY to Response to Motion re <u>122</u> MOTION for Summary Judgment / <i>Notice Of Motion And Motion For Summary Judgment Against The Individual Claims</i> filed by Carrols Corporation. (Attachments: # <u>1</u> Further Declaration of John D. Giansello in Support of Motion; Exhibits A–D# <u>2</u> Further Declaration of Gerald DiGenova in Support of Motion# <u>3</u> Further Declaration of Peter Schneider in Support of Motion; Exhibits A–D# <u>4</u> Defendant Carrols Corporation's Reply Appendix (Part 1 of 3)# <u>5</u> Defendant Carrols Corporation's Reply Appendix (Part 2 of 3)# <u>6</u> Defendant Carrols Corporation's Reply Appendix (Part 3 of 3))(Giansello, John) (Entered: 09/01/2006)
09/01/2006	<u>134</u>	CERTIFICATE OF SERVICE by Carrols Corporation re <u>133</u> Reply to Response to Motion,, (Giansello, John) (Entered: 09/01/2006)
09/19/2006		SCHEDULING NOTICE: Reset <u>122</u> MOTION for Summary Judgment Against The Individual Claims. Due to a change in the Court's calendar, motion argument RESCHEDULED TO AN EARLIER DATE. Motion Hearing reset for 10/3/2006 11:00 AM in Syracuse before Senior Judge Frederick J. Scullin Jr. (Barbara J. Woodford, Courtroom Clerk) (bjw, ) (Entered: 09/19/2006)
10/03/2006		Minute Entry for proceedings held before Judge Frederick J. Scullin Jr.: Motion Hearing held on 10/3/2006 re <u>122</u> MOTION for Summary Judgment Against The Individual Claims filed by Carrols Corporation. Defts position is that the remaining claims should be litigated separately, examined on their own merits, as they are unrelated to each other. Pltf argues that all claims were discovered during the course of their investigation and are related to each other and should be viewed as a class. Pltf further argues that incidents ocured in different stores as certain managers in question where transferred to different stores and asks the Court to take that into consideration in support of their related claims argument. Deft opposes. Pltf advises that this lawsuit was brought in the public interest and not as individual interests. The Court must review all individual claims for validity, determine how many will remain viable and will then decide the issue of class. Therefore, <u>122</u> Motion for Summary Judgment on individual claims is Reserved. APP: Sunu Chandy, Esq and Judy Keenan, Esq. for EEOC; John Giansello, III, Esq.; Michael Delikat, Esq. and Renee Phillips, Esq. for Carrols Corp. LC: DEM. (Court Reporter Eileen McDonough) (bjw, ) (Entered: 10/03/2006)
10/31/2006		TRANSCRIPT REQUEST for proceedings held on 10/3/06 before Judge Scullin.. (etm) (Entered: 10/31/2006)
11/03/2006	<u>135</u>	RECORD of Proceedings: Motion Argument held on 10/3/06 before Judge Scullin, Court Reporter: Eileen McDonough. IMPORTANT NOTICE – REDACTION OF



		TRANSCRIPTS: In order to remove personal identifier data from the transcript, a party must electronically file a Notice of Intent to Redact with the Clerk's Office within 5 business days of this date. The policy governing the redaction of personal information is located on the court website at <a href="http://www.nynd.uscourts.gov">www.nynd.uscourts.gov</a> . <u>Read this policy carefully.</u> If no Notice of Intent to Redact is filed within 5 business days of this date, the court will assume redaction of personal data identifiers is not necessary and the transcript will be made available on the web. Notice of Intent to Redact due by 11/13/2006 (etm, ) (Entered: 11/03/2006)
02/26/2007	<u>136</u>	TRANSCRIPT of Proceedings (Unredacted): Motion held on 10/3/06 before Judge Scullin, Court Reporter: Eileen McDonough. (etm) (Entered: 02/26/2007)
01/26/2011	<u>137</u>	Letter from Plaintiff US EEOC for Equal Employment Opportunity Commission requesting, respectfully, a status update on the pending summary judgment motion submitted to Judge Scullin. (Chandy, Sunu) Modified on 1/27/2011 (bjw, ). (Entered: 01/26/2011)
01/27/2011		NOTICE TO COUNSEL re: <u>137</u> Letter request. A decision on the pending motion will be issued shortly. (bjw, ) (Entered: 01/27/2011)
03/02/2011	<u>138</u>	MEMORANDUM–DECISION AND ORDER granting in part and denying in part Defendant's <u>122</u> Motion for Summary Judgment and referring the matter to Magistrate Judge Lowe for the purpose of holding a pretrial conference as stated. Signed by Senior Judge Frederick J. Scullin, Jr on 3/2/2011. (amt) (Main Document 138 replaced on 3/15/2011) (bjw, ). (Entered: 03/02/2011)
03/04/2011		TEXT NOTICE of Hearing: Status Conference set for 3/23/2011 at 10:30 AM before Magistrate Judge George H. Lowe. Plaintiff's attorney is responsible for initiating the call, USING A THIRD–PARTY TELECONFERENCING SERVICE, which is necessary to assure audibility. FAILURE TO USE A THIRD–PARTY TELECONFERENCING SERVICE WILL RESULT IN CANCELLATION OF THE CONFERENCE CALL AND THE SCHEDULING OF AN IN–PERSON CONFERENCE. When all required parties are present, the service should call the Court at (315) 234–8618, which is a dedicated conference line which may be called ONLY at the time of the conference. (rjb, ) (Entered: 03/04/2011)
03/15/2011		CLERK'S CORRECTION OF DOCKET ENTRY The first page of document <u>138</u> Memorandum–Decision and Order has been replaced to reflect the correct spelling of the defendant. (bjw, ) (Entered: 03/15/2011)
03/15/2011	<u>139</u>	MOTION for Reconsideration re <u>138</u> Order on Motion for Summary Judgment, ( <i>and clarification</i> ) on two legal rulings in the Court's March 2, 2011 Order filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Declaration, # <u>3</u> Exhibit(s) A – EEOC Charge, # <u>4</u> Exhibit(s) B – List of claimants from 9/30/95 – 5/28/97, # <u>5</u> Exhibit(s) C – List of claimants who are also charging parties, # <u>6</u> Exhibit(s) D – Personnel Form for Brenda Reece (now Baldwin), # <u>7</u> Exhibit(s) E – Unpublished decisions, # <u>8</u> Certificate of Service) (Chandy, Sunu) (Entered: 03/15/2011)
03/16/2011		COURT TEXT NOTICE scheduling Plaintiff's <u>139</u> MOTION for Reconsideration for Senior Judge Scullin's 4/22/2011 motion calendar. This motion will be ON SUBMIT – no appearances are necessary. Response to Motion due by 4/5/2011. (amt) (Entered: 03/16/2011)
03/16/2011	<u>140</u>	MOTION for Reconsideration re <u>138</u> Order on Motion for Summary Judgment, Motion Hearing set for 4/22/2011 10:00 AM in Syracuse before Senior Judge Frederick J. Scullin Jr. Response to Motion due by 4/5/2011 filed by Carrols Corporation. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Declaration of John D. Giansello, # <u>3</u> Exhibit(s) A and B, # <u>4</u> Exhibit(s) C, # <u>5</u> Exhibit(s) D and E, # <u>6</u> Exhibit(s) F, # <u>7</u> Certificate of Service) (Giansello, John) (Entered: 03/16/2011)
03/23/2011		TEXT Minute Entry for proceedings held before Magistrate Judge George H. Lowe: Status Conference held on 3/23/2011. Appearances: Sunu Chandy, Esq. and Judy Keenan, Esq. for Plaintiff; John Giansello, Esq. and Michael Delikat, Esq. for Defendant. Plaintiff proposes dividing the case into 6 trials based on Carrols' regional divisions and anticipates that the trials will take 2–3 weeks. Defendant anticipates opposing separating the trials based on regional division. Defendant would like to

		depose the claimants, Plaintiff opposes deposing the claimants at this stage. (FTR Recorded) (rjb, ) (Entered: 03/24/2011)
04/04/2011	<u>141</u>	RESPONSE in Opposition re <u>140</u> MOTION for Reconsideration re <u>138</u> Order on Motion for Summary Judgment, MOTION for Reconsideration re <u>138</u> Order on Motion for Summary Judgment, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit(s) A– Letter of Determination, # <u>3</u> Exhibit(s) B – Conciliation Failure Letter, # <u>4</u> Exhibit(s) C – Unpublished Opinions, # <u>5</u> Certificate of Service)(Chandy, Sunu) (Entered: 04/04/2011)
04/05/2011	<u>142</u>	RESPONSE in Opposition re <u>139</u> MOTION for Reconsideration re <u>138</u> Order on Motion for Summary Judgment, ( <i>and clarification</i> ) on two legal rulings in the Court's March 2, 2011 Order MOTION for Reconsideration re <u>138</u> Order on Motion for Summary Judgment, ( <i>and clarification</i> ) on two legal rulings in the Court's March 2, 2011 Order MOTION for Reconsideration re <u>138</u> Order on Motion for Summary Judgment, ( <i>and clarification</i> ) on two legal rulings in the Court's March 2, 2011 Order filed by Carrols Corporation. (Attachments: # <u>1</u> Declaration of John D. Giansello, # <u>2</u> Exhibit(s) A, # <u>3</u> Exhibit(s) B through G, # <u>4</u> Exhibit(s) H through R, # <u>5</u> Exhibit(s) S through W, # <u>6</u> Exhibit(s) X, # <u>7</u> Certificate of Service)(Giansello, John) (Entered: 04/05/2011)
02/10/2012	<u>143</u>	ORDER denying the <u>139</u> and <u>140</u> Motions for Reconsideration. Parties are directed to file letter briefs re: dividing case for trial. Letter Briefs are not to exceed 5 pages in length, and to be filed w/in 20 days of the date of this order. Signed by Senior Judge Frederick J. Scullin, Jr on 2/10/2012. (amt) (Entered: 02/10/2012)
02/10/2012		Set Deadlines: Letter Briefs in accordance with the Court's <u>143</u> Order are due by 3/1/2012. (amt) (Entered: 02/10/2012)
02/10/2012	<u>144</u>	ORDER REASSIGNING CASE. Case reassigned to Magistrate Judge Therese Wiley Dancks for all further proceedings. Magistrate Judge George H. Lowe no longer assigned to case. Signed by Chief Judge Gary L. Sharpe on 2/10/2012. (amt) (Entered: 02/10/2012)
03/01/2012	<u>145</u>	NOTICE of Appearance by Robert D. Rose on behalf of Equal Employment Opportunity Commission (Rose, Robert) (Entered: 03/01/2012)
03/01/2012	<u>146</u>	LETTER BRIEF pursuant to Judge Scullin's Order of February 10, 2012 by Carrols Corporation. (Giansello, John) (Entered: 03/01/2012)
03/01/2012	<u>147</u>	LETTER BRIEF Regarding Trial Structure by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Attachment)(Rose, Robert) (Entered: 03/01/2012)
03/02/2012	<u>148</u>	Letter Motion by Carrols Corporation requesting leave to file motion for reconsideration of the Court's <u>143</u> order denying reconsideration of the Court's <u>138</u> Order. (bjw, ) (Entered: 03/02/2012)
03/02/2012	<u>149</u>	Letter Response by EEOC to Defendant Carrols Corp. <u>148</u> Letter Motion for leave to file motion for reconsideration. (bjw, ) (Entered: 03/02/2012)
03/02/2012		TEXT ORDER denying <u>148</u> Letter Motion for leave to file a motion for reconsideration. IT IS SO ORDERED by Senior Judge Frederick J. Scullin, Jr on 3/2/2012. (bjw, ) (Entered: 03/02/2012)
03/05/2012	<u>150</u>	RESPONSE TO LETTER BRIEF filed by Carrols Corporation as to <u>149</u> Letter from EEOC. (amt) (Entered: 03/05/2012)
03/14/2012	<u>151</u>	MOTION for Reconsideration of the Dismissal of Claimant Jessica Hummel ( <i>based on new evidence and to prevent manifest injustice</i> ) filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Declaration of Ami T. Sanghvi) (Chandy, Sunu) (Entered: 03/14/2012)
03/19/2012		MOTION SCHEDULING NOTICE: <u>151</u> MOTION for Reconsideration of the Dismissal of Claimant Jessica Hummel ( <i>based on new evidence and to prevent manifest injustice</i> ). Response to Motion due by 3/30/2012 Motion on submit for 4/16/2012 before Senior Judge Frederick J. Scullin Jr. (bjw, ) (Entered: 03/19/2012)

03/29/2012	<u>152</u>	ORDER directing Pltf to file and serve a list of claimants whose claims Pltf will litigate at trial w/in 60 days of the date of this Order; directing Deft to file and serve a list of witnesses to be called at trial w/in 60 days of the date of this Order; directing parties to complete all depositions of identified claimants and witnesses w/in 180 days of the date of this Order; reserving decision on all other issues raised until after completion of all depositions. Signed by Senior Judge Frederick J. Scullin, Jr on 3/28/2012. (amt) (Main Document 152 replaced on 3/29/2012) (jmb, ). (Entered: 03/29/2012)
03/29/2012		CLERK'S CORRECTION OF DOCKET ENTRY: The clerk has replaced the image attached to the # <u>152</u> Order as it contained a typographical error in the spelling of Attorney John D. Giansello's name in the appearance section of the order. The NEF for this event was re-generated and served upon counsel of record. (jmb) (Entered: 03/29/2012)
03/30/2012	<u>153</u>	RESPONSE in Opposition re <u>151</u> MOTION for Reconsideration of the Dismissal of Claimant Jessica Hummel (based on new evidence and to prevent manifest injustice) filed by Carrols Corporation. (Attachments: # <u>1</u> Declaration Of John D. Giansello In Opposition To EEOC's Second Motion For Reconsideration Of March 2, 2011 Order, # <u>2</u> Exhibit(s) A, # <u>3</u> Exhibit(s) B, # <u>4</u> Certificate of Service)(Giansello, John) (Entered: 03/30/2012)
04/03/2012	<u>154</u>	APPLICATION and ORDER TO SEAL this Application and Exhibit A to <u>153</u> Response in Opposition to Motion, filed by Carrols Corporation. Signed by Senior Judge Frederick J. Scullin, Jr on 4/3/2012. (bjw, ) (mc, ). (Entered: 04/03/2012)
04/03/2012	<u>155</u>	***SEALED DOCUMENT*** Exhibit A to <u>153</u> Response in Opposition to <u>151</u> Motion for Reconsideration by Carrols Corporation. (bjw, ) (mc, ). (Entered: 04/03/2012)
04/16/2012	<u>156</u>	NOTICE of Appearance by Gillian L. Thomas on behalf of Equal Employment Opportunity Commission (Thomas, Gillian) (Entered: 04/16/2012)
04/17/2012	<u>157</u>	NOTICE of Appearance by Catherine A. Miller on behalf of All Defendants (Miller, Catherine) (Entered: 04/17/2012)
05/29/2012	<u>158</u>	Witness List by Carrols Corporation. (Giansello, John) (Entered: 05/29/2012)
05/29/2012	<u>159</u>	Witness List by Equal Employment Opportunity Commission. (Thomas, Gillian) (Entered: 05/29/2012)
06/19/2012	<u>160</u>	Letter Motion from John D. Giansello for Carrols Corporation requesting a conference at the Court's earliest convenience for the purpose of facilitating settlement, pursuant to Rule 16(a)(5) of the Federal Rules of Civil Procedure submitted to Judge Frederick J. Scullin, Jr. . (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C)(Giansello, John) (Entered: 06/19/2012)
06/25/2012		TEXT ORDER The Court has reviewed <u>160</u> Letter Motion by Carrols Corporation requesting a settlement conference pursuant to Rule 16(a)(5) of the Federal Rules of Civil Procedure. The Plaintiff, EEOC, may have until 6/29/2012 to file a response.. IT IS SO ORDERED by Senior Judge Frederick J. Scullin, Jr on 6/25/2012. (bjw, ) (Entered: 06/25/2012)
06/26/2012	<u>161</u>	RESPONSE TO LETTER BRIEF filed by Equal Employment Opportunity Commission as to <u>160</u> Letter Request/Motion, filed by Carrols Corporation . (Thomas, Gillian) (Entered: 06/26/2012)
06/27/2012		TEXT ORDER: Upon review of <u>160</u> and <u>161</u> Letters submitted by counsel, an in-chambers status conference is set for August 1, 2012 at 11:00am in Syracuse. The parties should be prepared to address the issues raised in each letter. Further, discovery WILL NOT be stayed during the time period prior to the conference date. The parties are directed to continue with the discovery process. IT IS SO ORDERED by Senior Judge Frederick J. Scullin, Jr on 6/27/2012. (bjw, ) (Entered: 06/27/2012)
06/28/2012		TEXT RESCHEDULING NOTICE: Reset Hearing at the request of counsel: In Chambers Status Conference reset for 8/21/2012 11:00 AM in Syracuse before Senior Judge Frederick J. Scullin Jr.. (bjw, ) Modified on 6/28/2012 (bjw, ). (Entered: 06/28/2012)

07/06/2012	<u>162</u>	MOTION Enforce Court Orders, For Protective Order, and For Further Relief Motion Hearing set for 8/21/2012 09:00 AM in Syracuse before Senior Judge Frederick J. Scullin Jr. Response to Motion due by 8/6/2012 filed by Carrols Corporation. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Exhibit(s) 1, # <u>3</u> Declaration) Motions referred to Therese Wiley Dancks. (Mayer, Jeffrey) Modified on 7/10/2012 (amt). (Additional attachment(s) added on 7/10/2012: # <u>4</u> Exhibit(s) A–J, # <u>5</u> Exhibit(s) K–L, # <u>6</u> Exhibit(s) M–N, # <u>7</u> Exhibit(s) O–P, # <u>8</u> Exhibit(s) Q–T) (amt, ). (Entered: 07/06/2012)
07/10/2012		MOTION SCHEDULING NOTICE as to <u>162</u> MOTION to Enforce Court Orders, For Protective Order.... Response to Motion due by 7/25/2012. Motion will be addressed at the 8/21/2012 conference. (bjw, ) (Entered: 07/10/2012)
07/10/2012		CLERK'S CORRECTION OF DOCKET ENTRY: Exhibits A–T in support of the <u>162</u> Motion have been deleted and replaced with redacted versions of the Exhibits. (amt) (Entered: 07/10/2012)
07/11/2012	<u>163</u>	CERTIFICATE OF SERVICE by Carrols Corporation re <u>162</u> MOTION Enforce Court Orders, For Protective Order, and For Further Relief (Mayer, Jeffrey) (Entered: 07/11/2012)
07/16/2012	<u>164</u>	MOTION to Compel <i>Deposition Testimony</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Declaration, # <u>3</u> Exhibit(s) to Declaration) Motions referred to Therese Wiley Dancks. (Thomas, Gillian) (Entered: 07/16/2012)
07/17/2012		COURT TEXT NOTICE re: Plaintiff's <u>164</u> MOTION to Compel <i>Deposition Testimony</i> . This motion will be addressed at the 8/21/2012 conference before Senior Judge Scullin. Response to Motion due by 7/30/2012. (amt) (Entered: 07/17/2012)
07/17/2012	<u>165</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>164</u> MOTION to Compel <i>Deposition Testimony</i> (Thomas, Gillian) (Entered: 07/17/2012)
07/25/2012	<u>166</u>	MOTION To Enforce Prior Orders, For A Protective Order, To Strike Dismissed Claimants From Witness List and To Bar Them From Discovery and Trial Motion Hearing set for 8/21/2012 09:00 AM in Syracuse before Senior Judge Frederick J. Scullin Jr. Response to Motion due by 8/6/2012 filed by Carrols Corporation. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Declaration of Catherine Miller, # <u>3</u> Exhibit(s) A–L, # <u>4</u> Exhibit(s) M–W, # <u>5</u> Exhibit(s) 2 – Unpublished Case Law, # <u>6</u> Certificate of Service) Motions referred to Therese Wiley Dancks. (Miller, Catherine) (Entered: 07/25/2012)
07/25/2012	<u>167</u>	MEMORANDUM OF LAW re <u>162</u> Motion for Miscellaneous/Other Relief., <i>in Opposition</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit(s) to Declaration, # <u>3</u> Exhibit(s) to Declaration)(Thomas, Gillian) (Entered: 07/25/2012)
07/26/2012	<u>168</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>167</u> Memorandum of Law, <i>in Opposition</i> (Thomas, Gillian) (Entered: 07/26/2012)
07/30/2012	<u>169</u>	RESPONSE in Opposition re <u>164</u> MOTION to Compel <i>Deposition Testimony</i> filed by Carrols Corporation. (Attachments: # <u>1</u> Declaration of Catherine Miller, # <u>2</u> Exhibit(s) A–K (to Declaration of Catherine Miller), # <u>3</u> Exhibit(s) 2 (Unpublished Case Law), # <u>4</u> Certificate of Service)(Miller, Catherine) (Entered: 07/30/2012)
08/02/2012	<u>170</u>	Letter Motion from Gillian L. Thomas for Equal Employment Opportunity Commission requesting Extension of Time to File Response to Defendant's Motion to Enforce Court Orders, for Protective Order, to Strike Dismissed Claimants from Witness List and to Bar Them from Discovery submitted to Judge Frederick J. Scullin, Jr. . (Thomas, Gillian) (Entered: 08/02/2012)
08/02/2012		TEXT ORDER granting <u>170</u> Letter Request for an extension of time to file a response to <u>166</u> MOTION To Enforce Prior Orders, For A Protective Order, To Strike Dismissed Claimants From Witness List and To Bar Them From Discovery and Trial. Response to Motion now due by 8/15/2012. The Court will allow a reply. Reply to Response to Motion due by 8/20/2012 no later than 12:00noon. In Chambers Conference remains set for 8/21/2012 at 11:00am in Syracuse.. IT IS SO ORDERED by Senior Judge Frederick J. Scullin, Jr on 8/2/2012. (bjw, ) (Entered: 08/02/2012)

08/07/2012	<u>171</u>	NOTICE of Appearance by Raechel L. Adams on behalf of Equal Employment Opportunity Commission (Adams, Raechel) (Entered: 08/07/2012)
08/07/2012	<u>172</u>	MOTION to Compel filed by Carrols Corporation. (Attachments: # <u>1</u> Memorandum of Law in Support, # <u>2</u> Declaration of John D. Giansello in Support, # <u>3</u> Exhibit(s) A, # <u>4</u> Exhibit(s) B, # <u>5</u> Exhibit(s) C, # <u>6</u> Exhibit(s) D, # <u>7</u> Exhibit(s) E, # <u>8</u> Exhibit(s) F, # <u>9</u> Exhibit(s) G, # <u>10</u> Exhibit(s) H, # <u>11</u> Exhibit(s) I, # <u>12</u> Exhibit(s) J, # <u>13</u> Exhibit(s) K, # <u>14</u> Exhibit(s) L, # <u>15</u> Exhibit(s) M, # <u>16</u> Exhibit(s) N, # <u>17</u> Exhibit(s) O, # <u>18</u> Certificate of Service) Motions referred to Therese Wiley Dancks. (Giansello, John) (Entered: 08/07/2012)
08/09/2012	<u>173</u>	MOTION for Protective Order filed by Carrols Corporation. (Attachments: # <u>1</u> Memorandum of Law in Support, # <u>2</u> Declaration of John D. Giansello in Support, # <u>3</u> Exhibit(s) A, # <u>4</u> Exhibit(s) B, # <u>5</u> Exhibit(s) C, # <u>6</u> Certificate of Service) Motions referred to Therese Wiley Dancks. (Giansello, John) (Entered: 08/09/2012)
08/10/2012		RESCHEDULING NOTICE: Reset Hearings: Due to a change in the Court's calendar and with consent of the parties: Status Conference reset for 8/23/2012 11:00 AM in Syracuse before Senior Judge Frederick J. Scullin Jr.. (bjw, ) (Entered: 08/10/2012)
08/10/2012		Reset Deadlines as to <u>166</u> MOTION To Enforce Prior Orders, For A Protective Order, To Strike Dismissed Claimants From Witness List and To Bar Them From Discovery and Trial , <u>162</u> MOTION Enforce Court Orders, For Protective Order, and For Further Relief , <u>172</u> MOTION to Compel , <u>164</u> MOTION to Compel <i>Deposition Testimony</i> , <u>173</u> MOTION for Protective Order . Motions reset for 8/23/2012 11:00 AM before Senior Judge Frederick J. Scullin Jr. (bjw, ) (Entered: 08/10/2012)
08/15/2012	<u>174</u>	NOTICE of Appearance by Rachel E.A. Atterberry on behalf of Carrols Corporation (Atterberry, Rachel) (Entered: 08/15/2012)
08/15/2012	<u>175</u>	RESPONSE in Opposition re <u>166</u> MOTION To Enforce Prior Orders, For A Protective Order, To Strike Dismissed Claimants From Witness List and To Bar Them From Discovery and Trial filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration Gillian L. Thomas, # <u>2</u> Exhibit(s) to Declaration, # <u>3</u> Exhibit(s) to Declaration, # <u>4</u> Exhibit(s) to Declaration)(Thomas, Gillian) (Entered: 08/15/2012)
08/20/2012	<u>176</u>	REPLY to Response to Motion re <u>166</u> MOTION To Enforce Prior Orders, For A Protective Order, To Strike Dismissed Claimants From Witness List and To Bar Them From Discovery and Trial filed by Carrols Corporation. (Attachments: # <u>1</u> Declaration of Jeffrey J. Mayer (Exhibit 1 to Reply), # <u>2</u> Exhibit(s) A to Declaration, # <u>3</u> Exhibit(s) B to Declaration, # <u>4</u> Certificate of Service)(Mayer, Jeffrey) (Entered: 08/20/2012)
08/20/2012	<u>177</u>	RESPONSE in Support re <u>172</u> MOTION to Compel filed by Carrols Corporation. (Attachments: # <u>1</u> Supplement to Motion to Compel, # <u>2</u> Declaration of Jeffrey J. Mayer (Exhibit 1 to Supplement), # <u>3</u> Exhibit(s) A – C to Declaration, # <u>4</u> Certificate of Service)(Mayer, Jeffrey) (Entered: 08/20/2012)
08/22/2012	<u>178</u>	RESPONSE in Opposition re <u>173</u> MOTION for Protective Order filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit(s), # <u>3</u> Exhibit(s), # <u>4</u> Exhibit(s), # <u>5</u> Exhibit(s), # <u>6</u> Exhibit(s), # <u>7</u> Exhibit(s))(Adams, Raechel) (Entered: 08/22/2012)
08/22/2012	<u>179</u>	LETTER MOTION to Seal Cross Motion to Quash/Protective Order; Memo in Opposition to Motion to Compel and in Support of Cross Motion; Supporting Declaration and exhibits as the documents contain references to personal information of various claimants filed by Equal Employment Opportunity Commission. (bjw, ) (Entered: 08/22/2012)
08/22/2012	<u>180</u>	ORDER granting <u>179</u> Motion to Seal Cross Motion to Quash/Protective Order; Memo in Opposition to Motion to Compel and in Support of Cross Motion; Declaration and exhibits.. Signed by Senior Judge Frederick J. Scullin, Jr on 8/22/2012. (bjw, ) (Entered: 08/22/2012)
08/22/2012	<u>181</u>	<b>***SEALED DOCUMENT NOTICE OF CROSS MOTION to Quash Subpoena and For a Protective Order</b> by Equal Employment Opportunity Commission. (bjw, ) (bjw, ). (Entered: 08/22/2012)

08/22/2012	<u>182</u>	<b>***SEALED DOCUMENT DECLARATION in Opposition to <u>172</u> Motion to Compel and in Support of <u>181</u> Cross-Motion to Quash....</b> by Equal Employment Opportunity Commission. (bjw, ) (bjw, ). (Entered: 08/22/2012)
08/22/2012	<u>183</u>	<b>***SEALED DOCUMENT MEMORANDUM OF LAW in Opposition to <u>172</u> Motion to Compel and in Support of <u>181</u> Cross-Motion to Quash...</b> by Equal Employment Opportunity Commission. (bjw, ) (Additional attachment(s) added on 8/22/2012: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D, # <u>5</u> Exhibit(s) E, # <u>6</u> Exhibit(s) F, # <u>7</u> Exhibit(s) G, # <u>8</u> Exhibit(s) H, # <u>9</u> Exhibit(s) I, # <u>10</u> Exhibit(s) J, # <u>11</u> Exhibit(s) K) (bjw, ). (Entered: 08/22/2012)
08/23/2012		Minute Entry for proceedings held before Senior Judge Frederick J. Scullin, Jr: Status Conference held on 8/23/2012. Court meets with parties present. Court advises that pending motion for reconsideration is Denied with order to follow. Defts settlement offer is addressed. EEOC argues that because they are a government agency, they do not have to disclose the offer to the claimants. Pursuant to federal rules, the Court directs the Pltf to inform the claimants of the offer. Outstanding discovery issues are addressed. The Court gives the parties notice of its intent to appoint a special master to handle all pretrial discovery matters – those outstanding and others that may arise. The Court proposes retired MJ Lowe (RMJ). The parties have 10 days to advise the Court if they will accept RMJ Lowe or provide the Court with other choices. Deft advises Court that they accept RMJ Lowe and Pltf would like 10 days to advise the Court. Granted. No further dispositive motions can be filed and no further experts will be allowed. Pltf requests that the expert ddl be reopened for the limited purpose of allowing a 2003 expert report to be updated. The Court will allow Pltf to file a motion to reopen expert witness ddl. for good cause shown. The motion is limited to 10 pages. Deft may respond, same limit. APP: Gillian Thomas, Esq. and Rachel Adams, Esq. for EEOC; John Giansello, III, Esq., Michael Delikate, Esq. and Jeffrey Mayer, Esq. for Carrols Corp. (Court Reporter Eileen McDonough) (bjw, ) (Entered: 08/23/2012)
08/23/2012	<u>184</u>	ORDER denying Pltf's <u>151</u> Motion for Reconsideration. Parties SHALL NOT file any additional dispositive motions and SHALL NOT add any new experts. Pltf is permitted to file a letter motion, limited to 10 pages, w/in 15 days of the date of this Order, re: supplementing the report of Louise Fitzgerald. Deft shall have 25 days from the date of this order to respond. Deft's response is limited to 10 pages. Pltf SHALL convey Deft's settlement offer to the individual Claimants. Parties are directed to notify the Court w/in 10 days from the date of this Order whether they accept the Court's suggestion of a Master. Signed by Senior Judge Frederick J. Scullin, Jr on 8/23/2012. (amt) (Entered: 08/23/2012)
08/27/2012	<u>185</u>	TRANSCRIPT REQUEST by Carrols Corporation for proceedings held on 8/23/2012 before Judge Frederick J. Scullin, Jr... (Giansello, John) (Entered: 08/27/2012)
08/31/2012	<u>186</u>	Witness List by Carrols Corporation. (Attachments: # <u>1</u> Certificate of Service)(Miller, Catherine) (Entered: 08/31/2012)
09/04/2012	<u>187</u>	LETTER BRIEF by Equal Employment Opportunity Commission. (Adams, Raechel) (Entered: 09/04/2012)
09/04/2012	<u>188</u>	RESPONSE TO LETTER BRIEF filed by Carrols Corporation as to <u>187</u> LETTER BRIEF filed by Equal Employment Opportunity Commission . (Delikat, Michael) (Entered: 09/04/2012)
09/05/2012	<u>189</u>	TRANSCRIPT REQUEST by Equal Employment Opportunity Commission for proceedings held on 08/23/2012 before Judge Scullin.. (Attachments: # <u>1</u> transcript request form)(Adams, Raechel) (Entered: 09/05/2012)
09/06/2012	<u>190</u>	TRANSCRIPT of Proceedings: Status Conference held on 8/23/2012 before Judge Scullin, Court Reporter/Transcriber: Eileen McDonough, Telephone number: 315-234-8546. <b>IMPORTANT NOTICE – REDACTION OF TRANSCRIPTS:</b> In order to remove personal identifier data from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within 5 business days of this date. The policy governing the redaction of personal information is located on the court website at <a href="http://www.nynd.uscourts.gov">www.nynd.uscourts.gov</a> . <u>Read this policy carefully.</u> If no Notice of Intent to Redact is filed within 5 business days of this date, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available on the web 90 days from today's date. Transcript may be viewed at the

		court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/27/2012. Redacted Transcript Deadline set for 10/9/2012. Release of Transcript Restriction set for 12/5/2012. Notice of Intent to Redact due by 9/11/2012 (etm, ) (Entered: 09/06/2012)
09/06/2012	<u>191</u>	MOTION for Reconsideration of <i>That Portion of the Court's August 23, 2012 Order Requiring EEOC to Convey a Rejected Settlement Offer to the Claimants</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum of Law in Support, # <u>2</u> Exhibit(s) 1) (Thomas, Gillian) (Entered: 09/06/2012)
09/06/2012	<u>192</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>191</u> MOTION for Reconsideration of <i>That Portion of the Court's August 23, 2012 Order Requiring EEOC to Convey a Rejected Settlement Offer to the Claimants</i> (Thomas, Gillian) (Entered: 09/06/2012)
09/06/2012	<u>193</u>	Witness List by Carrols Corporation. (Attachments: # <u>1</u> Certificate of Service)(Miller, Catherine) (Entered: 09/06/2012)
09/07/2012		COURT TEXT NOTICE scheduling the <u>191</u> MOTION for Reconsideration for Senior Judge Scullin's 10/12/2012 motion calendar. This motion will be ON SUBMIT – no appearances are necessary. Response to Motion due by 9/25/2012. (amt) (Entered: 09/07/2012)
09/07/2012	<u>194</u>	LETTER BRIEF <i>Concerning Louise F. Fitzgerald, Ph.D.</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration of Gillian L. Thomas, # <u>2</u> Exhibit(s) A)(Thomas, Gillian) (Entered: 09/07/2012)
09/07/2012	<u>195</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>194</u> LETTER BRIEF <i>Concerning Louise F. Fitzgerald, Ph.D.</i> (Thomas, Gillian) (Entered: 09/07/2012)
09/11/2012	<u>196</u>	Witness List by Carrols Corporation. (Miller, Catherine) (Entered: 09/11/2012)
09/11/2012	<u>197</u>	RESPONSE to Motion re <u>191</u> MOTION for Reconsideration of <i>That Portion of the Court's August 23, 2012 Order Requiring EEOC to Convey a Rejected Settlement Offer to the Claimants</i> filed by Carrols Corporation. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit(s) A, # <u>3</u> Exhibit(s) B, # <u>4</u> Certificate of Service)(Giansello, John) (Main Document 197 replaced on 9/14/2012) (jmb, ). (Attachment 1 replaced on 9/14/2012) (jmb, ). (Attachment 3 replaced on 9/14/2012) (jmb, ). (Entered: 09/11/2012)
09/14/2012		CLERK'S CORRECTION OF DOCKET ENTRY: at the request of Attorney John Giansello's office, the Clerk replaced images originally attached to the # <u>197</u> Response to Motion as follows, the main attachment/response, the declaration and exhibit B, were replaced with redacted versions. (jmb) (Entered: 09/14/2012)
09/14/2012	<u>198</u>	MOTION to Stay re <u>191</u> MOTION for Reconsideration of <i>That Portion of the Court's August 23, 2012 Order Requiring EEOC to Convey a Rejected Settlement Offer to the Claimants</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration of Gillian L. Thomas, # <u>2</u> Exhibit(s) A, # <u>3</u> Exhibit(s) B) Motions referred to Therese Wiley Dancks. (Thomas, Gillian) (Entered: 09/14/2012)
09/17/2012	<u>199</u>	STATUS REPORT <i>Joint Status Report On Discovery</i> by Carrols Corporation, Equal Employment Opportunity Commission. (Mayer, Jeffrey) (Entered: 09/17/2012)
09/17/2012	<u>200</u>	LETTER BRIEF to Judge Scullin by Carrols Corporation. (Giansello, John) (Entered: 09/17/2012)
09/17/2012	<u>201</u>	RESPONSE TO LETTER BRIEF filed by Carrols Corporation as to <u>194</u> LETTER BRIEF filed by Equal Employment Opportunity Commission / <i>Carrols' Memorandum of Law in Opposition to the EEOC's Motion Re:Expert Testimony</i> . (Attachments: # <u>1</u> Declaration of John D. Giansello in Opposition to the EEOC's Motion Re:Expert Testimony, # <u>2</u> Exhibit(s) A–B, # <u>3</u> Certificate of Service)(Giansello, John) (Entered: 09/17/2012)
09/18/2012		TEXT ORDER: No further briefing shall be filed unless by order of the Court and until a special master is appointed. IT IS SO ORDERED by Senior Judge Frederick J. Scullin, Jr on 9/18/2012. (bjw, ) (Entered: 09/18/2012)

09/19/2012	<u>202</u>	ORDER suggesting the appointment of John H. McGowan, III, Esq. to serve as Special Master in the case. The appointment will become effective as of 10/8/2012 unless the Court receives objections w/in 10 days of the date of this Order. Signed by Senior Judge Frederick J. Scullin, Jr on 9/19/2012. (amt) [Atty McGowan served via reg. mail] (Entered: 09/19/2012)
09/20/2012	<u>203</u>	AMENDED ORDER: Amends the name of proposed special master James H. McGowan, III, Esq. w/in the Court's <u>202</u> Order. Signed by Senior Judge Frederick J. Scullin, Jr on 9/19/2012. (amt) (Entered: 09/20/2012)
09/24/2012	<u>204</u>	Witness List by Carrols Corporation. (Attachments: # <u>1</u> Certificate of Service)(Miller, Catherine) (Entered: 09/24/2012)
10/03/2012	<u>205</u>	AFFIDAVIT: filed by James H. McGowan, III as Special Master. (McGowan, James) (Entered: 10/03/2012)
10/03/2012		CLERK'S CORRECTION OF DOCKET ENTRY: Clerk modified the # <u>205</u> Affidavit event to correctly reflect that it was filed by James H. McGowan, III as Special Master, not John H. McGowan, III. (jmb) (Entered: 10/03/2012)
01/09/2013	<u>206</u>	<i>Joint</i> Letter Motion from Gillian L. Thomas for Equal Employment Opportunity Commission requesting Approval of Consent Decree and filing exhibit under seal submitted to Judge Scullin . (Attachments: # <u>1</u> Proposed Order/Judgment Proposed Sealing Order, # <u>2</u> Proposed Order/Judgment Proposed Consent Decree)(Thomas, Gillian) (Entered: 01/09/2013)
01/09/2013		TEXT ORDER granting <u>206</u> Letter Request to file Exhibit B of Proposed Consent Decree and Sealing Order under seal.. IT IS SO ORDERED by Senior Judge Frederick J. Scullin, Jr on 1/9/2013. (bjw, ) (Entered: 01/09/2013)
01/09/2013	<u>207</u>	SEALED ORDER sealing Exhibit B of proposed consent decree. Signed by Senior Judge Frederick J. Scullin, Jr on 1/9/2013. (bjw, ) (mc, ). (Entered: 01/09/2013)
01/09/2013	<u>208</u>	***SEALED DOCUMENT: Exhibit B to Consent Decree. (bjw, ) (mc, ). (Entered: 01/09/2013)
01/10/2013	<u>209</u>	CONSENT DECREE in favor of Equal Employment Opportunity Commission against Carrols Corporation. The Decree shall remain in effect for two years during which time the Court shall retain jurisdiction to enforce any provisions of the Decree and that either party may petition the Court for such relief. Upon expiration of the Decree, the parties shall submit a stipulation of dismissal at which time this case will be dismissed.. Signed by Senior Judge Frederick J. Scullin, Jr on 1/10/2013. (bjw, ) (Entered: 01/10/2013)
01/26/2015	<u>210</u>	STIPULATION of Dismissal <i>and Certificate of Service</i> by Carrols Corporation submitted to Judge Frederick J. Scullin, Jr.. (Miller, Catherine) (Entered: 01/26/2015)
01/26/2015	<u>211</u>	STIPULATION AND ORDER: Approving the # <u>210</u> Stipulation of Dismissal. Signed by Senior Judge Frederick J. Scullin, Jr. on 1/26/2015. (nmk) (Entered: 01/26/2015)
03/26/2018	<u>212</u>	ORDER TO SEAL and file all unredacted documents that were not previously filed with the Clerk.. Signed by Senior Judge Frederick J. Scullin, Jr on 3/26/2018. (bjw, ) (Entered: 03/26/2018)