

CLOSED, MAGAPP

**U.S. District Court  
Eastern District of New York (Central Islip)  
CIVIL DOCKET FOR CASE #: 2:04-cv-03076-LDW-AKT**

Equal Employment Opportunity Commission v. Comprehensive  
Benefits Consultants  
Assigned to: Senior-Judge Leonard D. Wexler  
Referred to: Magistrate-Judge A. Kathleen Tomlinson  
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 07/21/2004  
Date Terminated: 12/20/2006  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Mediator****Robert Lewis***TERMINATED: 11/22/2004*represented by **Robert Lewis**

Office of Robert Lewis

53 Burd St

Nyack, NY 10960

845-358-7100

Fax: 845-353-6943

Email: lewlaw1@aol.com

*TERMINATED: 11/22/2004**LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Plaintiff****Equal Employment Opportunity  
Commission**represented by **Katherine E. Bissell**Equal Employment Opportunity  
Commission

NY District Office

33 Whitehall Street

5th Floor

New York, NY 10004

212-336-3704

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Monique Joy Roberts**

Equal Employment Opp. Comm.

NY District Office

33 Whitehall Street, 5th Floor

New York, NY 10004

(212) 336-3704

Fax: (212) 336-3623

Email: monique.roberts@eeoc.gov

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Michael J. O'Brien**

EEOC  
 33 Whitehall Street  
 5th floor  
 New York, NY 10004  
 212-336-3694  
 Fax: 212-336-3623  
 Email: michael.Obrien@eeoc.gov  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Comprehensive Benefits Consultants**

represented by **Brian S. Sokoloff**  
 Miranda & Sokoloff, LLP  
 240 Mineola Boulevard  
 Mineola, NY 11501  
 516-741-7676  
 Fax: 516-741-9060  
 Email: bsokoloff@msssv.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Steven C. Stern**  
 Miranda & Sokoloff, LLP  
 240 Mineola Blvd.  
 The Esposito Building  
 Mineola, NY 11501  
 (516) 741-7676 ext. 311  
 Fax: (516) 741-9060  
 Email: sstern@msssv.com  
**ATTORNEY TO BE NOTICED**

**Steven Verveniotis**  
 Miranda Sokoloff Sambursky Slone  
 Verveniotis LLP  
 240 Mineola Boulevard  
 Mineola, NY 11501  
 516-741-7676  
 Email: sverveniotis@msssv.com  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
07/21/2004	<a href="#"><u>1</u></a>	COMPLAINT against Comprehensive Benenits Consultants, filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet)(Duong, Susan) (Entered: 07/23/2004)

07/21/2004		Summons Issued as to Comprehensive Benenits Consultants. (Duong, Susan) (Entered: 07/23/2004)
07/21/2004	<a href="#">2</a>	Case set to ECF status. All civil actions before this Judge are ECF matters. It is MANDATORY that you file all original documents electronically. Please refer to the Judge's Individual Rules. From this point forward, original documents are REQUIRED to be filed electronically and forward a hard copy, labeled courtesy copy, to chambers. The Judges' Individual Rules of Chambers and further information on ECF may be found at the website for the Eastern District of New York at www.nyed.uscourts.gov. (Duong, Susan) (Entered: 07/23/2004)
07/29/2004	<a href="#">4</a>	ANSWER to Complaint filed by Comprehensive Benenits Consultants.(Montero, Edher) (Entered: 08/04/2004)
08/02/2004	<a href="#">3</a>	ORDER setting initial conference for 8/27/04 at 11:30 a.m. Signed by Judge James Orenstein on 8/2/04. CM to defendant(Branciforte, Ralph) (Entered: 08/02/2004)
08/04/2004	<a href="#">5</a>	WAIVER OF SERVICE Returned Executed by Equal Employment Opportunity. Comprehensive Benenits Consultants waiver sent on 7/24/2004, answer due 9/22/2004. (Montero, Edher) (Entered: 08/16/2004)
08/04/2004	<a href="#">6</a>	WAIVER OF SERVICE Returned Executed by Equal Employment Opportunity Commission. Comprehensive Benenits Consultants waiver sent on 7/22/2004, answer due 9/20/2004. (Montero, Edher) (Entered: 08/24/2004)
08/04/2004	<a href="#">11</a>	WAIVER OF SERVICE Returned Executed by Equal Employment Opportunity Commission. (Montero, Edher) (Entered: 09/02/2004)
08/26/2004	<a href="#">7</a>	REPORT of Rule 26(f) Planning Meeting. (Roberts, Monique) (Entered: 08/26/2004)
08/27/2004	<a href="#">8</a>	Minute Entry for proceedings held before James Orenstein : Initial Conference Hearing held on 8/27/2004. The next status conference will be held on November 22, 2004, at 9:30 a.m. THE FOLLOWING RULINGS WERE MADE: The case will be referred to mediation with the consent of the parties. Counsel are directed to contact the undersigned at the earlier of the conclusion of the mediation process or three business days before the next scheduled conference as to whether the conference should be re-scheduled. A discovery plan and other deadlines will be set at the next conference. (Orenstein, James) (Entered: 08/27/2004)
08/27/2004	<a href="#">9</a>	ORDER REFERRING CASE to Mediation. Signed by Judge James Orenstein on August 27, 2004. (Orenstein, James) (Entered: 08/27/2004)
08/30/2004	<a href="#">10</a>	MEDIATION INSTRUCTIONS sent to Counsel. Letter of Instructions document attached. COUNSELS are to schedule the mediation and confirm in writing by 09/14/2004 to Gerald P. Lepp, ADR Administrator, the name of the mediator and the date of the first mediation session. Counsels are to confer with each other and to speak with the Mediator in selecting a Mediator and the Mediation session date(s). See the attached instructions. See the web pages: <a href="http://www.nyed.uscourts.gov/adr/">http://www.nyed.uscourts.gov/adr/</a> <a href="http://www.nyed.circ2.dcn/dadr/">http://www.nyed.circ2.dcn/dadr/</a> Register for ECF if you have not yet done so. Thank you. See: <a href="http://www.nyed.uscourts.gov/CM_ECF/ECF_FAQ/ecf_faq.html">http://www.nyed.uscourts.gov/CM_ECF/ECF_FAQ/ecf_faq.html</a> (Lepp,

		Gerald)(dc) (Entered: 08/30/2004)
09/15/2004	<a href="#">12</a>	Selection of Mediator. Robert Lewis has been selected.(Lepp, Gerald)(dc) (Entered: 09/15/2004)
09/15/2004	<a href="#">13</a>	Selection of MEDIATOR. Robert Lewis, Esq. has been selected as Mediator. The first mediation session is scheduled for 11/10/2004 at 10:30 a.m. at the Eastern District of New York Courthouse in CENTRAL ISLIP. COUNSELS must file with the Mediator: 1) immediately, their client's Complaint or Answer together with their respective client's Automatic Disclosure Statements; and 2) by 11/03/2004 their client's mediation statement outlining facts, legal issues, prior settlement discussions, and the name and title of the client representative with settlement authority who will attend the mediation session in person. Attendance in person is required of the trial counsel, insurance adjustor, and client representative with full settlement authority. The Mediator's contact information is: Robert Lewis, Esq., 20 Sinclair Drive, Kings Point, NY, 10024; Tel.: 516-482-1448; email: Lewis202@optonline.net (Lepp, Gerald)(dc) (Entered: 09/15/2004)
09/27/2004	<a href="#">14</a>	SCHEDULING of Mediation update per Miranda Sokoloff LLP letter dated Sept. 23, 2004. [The LETTER is attached.] Mediation Date is November 17, 2004 at 10:30 a.m. Robert Lewis, Esq. has been selected as Mediator. The mediation session is now scheduled for 11/17/2004 at 10:30 a.m. at the Eastern District of New York Courthouse in CENTRAL ISLIP. COUNSELS must file with the Mediator: 1) immediately, their client's Complaint or Answer together with their respective client's Automatic Disclosure Statements; and 2) by 11/10/2004 their client's mediation statement outlining facts, legal issues, prior settlement discussions, and the name and title of the client representative with settlement authority who will attend the mediation session in person. Attendance in person is required of the trial counsel, insurance adjustor, and client representative with full settlement authority. The Mediator's contact information is: Robert Lewis, Esq., 20 Sinclair Drive, Kings Point, NY, 10024; Tel.:516-482-1448; email: Lewis202@optonline.net(Lepp, Gerald)(dc) (Entered: 09/27/2004)
11/18/2004		REPORT of Mediation. Although one mediation session was held, this case did not settle. Accordingly, this case is returned to the assigned judges.Attorney Questionnaires due by 12/2/2004.(Lepp, Gerald) (Entered: 11/18/2004)
11/19/2004	<a href="#">15</a>	Letter from Monique J. Roberts, EEOC Trial Attorney to Magistrate Judge James Orenstein Regarding Request for Leave to amend EEOC's complaint to add another retaliation claim. (Roberts, Monique) (Entered: 11/19/2004)
11/22/2004	<a href="#">16</a>	Minute Entry for proceedings held before James Orenstein : Status Conference held on 11/22/2004. The next status conference will be held on February 22, 2005, at 9:30 a.m. A pretrial conference will be held on May 23, 2005, at 9:30 a.m. THE FOLLOWING RULINGS WERE MADE: Plaintiff will serve a proposed amended complaint by Wednesday, November 24, 2004. By the same date, plaintiff will either provide the names of all persons within the scope or Rule 26(a)(1) or submit a letter motion seeking a protective order. In light of the time wasted on mediation that appears never to have had a realistic prospect of resolving the case, I will enter a scheduling order that contemplates the case being ready for trial in six months; if the parties seek an modification of that schedule they must make a timely written application setting forth the steps they

		have taken to comply and good cause to believe that they cannot complete discovery in the allotted time through diligent efforts. (Orenstein, James) (Entered: 11/22/2004)
11/22/2004	<a href="#">17</a>	SCHEDULING ORDER: First Request for Production of Documents or Request for Interrogatories due by: December 27, 2004. Deadline for Joinder of Additional Parties: January 31, 2005. Deadline for Amendment of Pleadings: January 31, 2005. Status Conference: February 22, 2005, at 9:30 a.m. All discovery to be completed by: April 18, 2005. Dispositive motion process started by: May 2, 2005. Pretrial Order to be filed by: May 16, 2005. Pretrial Conference: May 23, 2005, at 9:30 a.m. Signed by Judge James Orenstein on November 22, 2004. (Orenstein, James) (Entered: 11/22/2004)
11/23/2004	<a href="#">18</a>	First MOTION to Amend/Correct <i>Complaint</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit A# <a href="#">3</a> Exhibit A# <a href="#">4</a> Exhibit B)(Roberts, Monique) (Entered: 11/23/2004)
11/23/2004	<a href="#">19</a>	First MOTION to Amend/Correct <i>Complaint</i> by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 11/23/2004)
11/23/2004	<a href="#">20</a>	First MOTION to Amend/Correct <i>Complaint</i> by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 11/23/2004)
11/23/2004	<a href="#">21</a>	Letter from Monique J. Roberts to Judge James Orenstein Regarding names of claimants. (Roberts, Monique) (Entered: 11/23/2004)
12/02/2004	<a href="#">22</a>	RESPONSE to Motion re <a href="#">18</a> First MOTION to Amend/Correct <i>Complaint</i> , <a href="#">19</a> First MOTION to Amend/Correct <i>Complaint</i> , <a href="#">20</a> First MOTION to Amend/Correct <i>Complaint</i> filed by Comprehensive Benenits Consultants. (Sokoloff, Brian) (Entered: 12/02/2004)
02/01/2005	<a href="#">23</a>	Letter from Monique J. Roberts, Trial Attorney Equal Employment Opportunity Commission to Magistrate Judge James Orenstein Regarding Defendant's Failure to Make Disclosure or Cooperate in Discovery. (Roberts, Monique) (Entered: 02/01/2005)
02/02/2005		ENDORSED ORDER on <a href="#">23</a> Letter -- A telephone conference is scheduled for 2/8/05 at 2:00 p.m. to discuss plaintiff's application. Plaintiff's counsel shall initiate the call. Approved by Judge James Orenstein on 2/2/05. (Branciforte, Ralph) (Entered: 02/02/2005)
02/03/2005	<a href="#">24</a>	Letter from Brian S. Sokoloff to Hon. James Orenstein Regarding plaintiff's letter to the Court, dated February 1, 2005. (Sokoloff, Brian) (Entered: 02/03/2005)
02/03/2005	<a href="#">25</a>	Letter from Brian S. Sokoloff to Magistrate Judge James Orenstein Regarding defendant's request for an order compelling plaintiff to answer interrogatories and document requests. (Sokoloff, Brian) (Entered: 02/03/2005)
02/04/2005	<a href="#">26</a>	ORDER RE: <a href="#">18</a> Motion to Amend -- For the reasons set forth in this order, the Commission's motion to amend the complaint to assert an additional claim of retaliation is DENIED WITHOUT PREJUDICE. The Commission may renew its application if, by February 14, 2005, it submits a revised proposed amended complaint that alleges in good faith that the filing of Russo's defamation claim is attributable to CBC. Signed by Judge James Orenstein on 2/4/05. (Branciforte, Ralph) (Entered: 02/04/2005)

02/06/2005	<a href="#">27</a>	Letter from Brian S. Sokoloff to Magistrate Judge James Orenstein Regarding request for production of documents claimed to be privileged. (Sokoloff, Brian) (Entered: 02/06/2005)
02/07/2005	<a href="#">28</a>	ORDER -- The status conference is rescheduled from February 8, 2005 to February 11, 2005 at 1:30 p.m. The conference will be held in Courtroom 920 before the undersigned. All parties shall appear in person. Signed by Judge James Orenstein on 2/7/05. (Branciforte, Ralph) (Entered: 02/07/2005)
02/10/2005	<a href="#">29</a>	Letter from Monique J. Roberts, Trial Attorney EEOC to Magistrate Judge James Orenstein Regarding EEOC's Opposition to Defendant's Letter Motion to Compel Discovery. (Roberts, Monique) (Entered: 02/10/2005)
02/10/2005	<a href="#">30</a>	Letter from Monique J. Roberts, Trial Attorney EEOC to Magistrate James Orenstein Regarding EEOC's Opposition to Defendant's Demand to Disclose Privileged Documents. (Roberts, Monique) (Entered: 02/10/2005)
02/10/2005	<a href="#">31</a>	AMENDED DOCUMENT by Equal Employment Opportunity Commission. Amendment to <a href="#">26</a> Order on Motion to Amend/Correct,,,,, <i>Complaint</i> . (Roberts, Monique) (Entered: 02/10/2005)
02/11/2005	<a href="#">32</a>	Minute Entry for proceedings held before James Orenstein : Status Conference held on 2/11/2005. SCHEDULING: The status conference previously scheduled for February 22, 2005 is cancelled. The next pretrial conference will be held on May 23, 2005, at 9:30 a.m. THE FOLLOWING RULINGS WERE MADE: (1) Defendant will respond to plaintiff's Document Request ("DR") 1 with the relevant personnel files. (2) Plaintiff's request to compel production of defendant's contracts with Phoenix and Guardian (DR 14) is GRANTED. (3) Plaintiff's request to compel production of tax records (DR 16) is DENIED. (4) Plaintiff's request to compel further responses to Interrogatories 15-16 is DENIED. (5) Defendant's application to compel production of documents that continue to be subject to a claim of privilege or to compel further clarification of the privilege log is DENIED in light of the information in plaintiff's counsel's letter of February 10, 2005. (6) Defendant's request for authorizations for the release of records held by the described potential witnesses (DR 7) is GRANTED, subject to the parties agreeing on an appropriate protective order. (7) Defendant's request for cell phone and email information is resolved as follows: (a) The cell phone records will be subpoenaed and defendant's counsel will identify, by name or telephone number, the relevant information being sought therein; plaintiff's counsel will provide redacted copies of the records showing that relevant information. (b) The plaintiff will provide all relevant emails as requested; defendant's application to subpoena emails from the service provider is DENIED without prejudice to renew if there is reason to believe that such a subpoena will lead to the discovery of admissible evidence not otherwise available. (8) The defendant's remaining requests to compel discovery are denied on the understanding that plaintiff will supplement its responses to the requests at issue notwithstanding the objections it has previously raised and without waiving those objections. (Orenstein, James) (Entered: 02/11/2005)
02/11/2005		ORDER re <a href="#">18</a> First MOTION to Amend/Correct <i>Complaint</i> filed by Equal Employment Opportunity Commission, <a href="#">31</a> Amended Document filed by Equal Employment Opportunity Commission. The revised version of the proposed amended complaint cures the pleading defect noted in my order of February 4,

		2005 <a href="#">26</a> . Accordingly, the motion to amend the complaint is now GRANTED. Signed by Judge James Orenstein on February 11, 2005. (Orenstein, James) (Entered: 02/11/2005)
02/28/2005	<a href="#">33</a>	Letter from Brian S. Sokoloff to Hon. James Orenstein Regarding request to so order a subpoena. (Sokoloff, Brian) (Entered: 02/28/2005)
03/03/2005	<a href="#">34</a>	STIPULATION <i>and Order Governing the Treatment of Confidential Material</i> by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 03/03/2005)
03/04/2005		ORDER re <a href="#">34</a> Stipulation -- The Stipulation is "So Ordered." Approved by Judge James Orenstein on 3/4/05. (Branciforte, Ralph) (Entered: 03/04/2005)
03/07/2005	<a href="#">35</a>	Letter MOTION to Quash <i>Subpoena of Robert M. Bursky, Esq.</i> by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 03/07/2005)
03/08/2005		ORDER RE: <a href="#">35</a> Motion to Quash -- Defendant shall respond to the motion by 3/11/05. A conference is scheduled for 3/15/05 at 10:30 a.m. to discuss plaintiff's motion. Approved by Judge James Orenstein on 3/8/05. (Branciforte, Ralph) (Entered: 03/08/2005)
03/09/2005	<a href="#">36</a>	RESPONSE in Opposition re <a href="#">35</a> Letter MOTION to Quash <i>Subpoena of Robert M. Bursky, Esq.</i> filed by Comprehensive Benefits Consultants. (Sokoloff, Brian) (Entered: 03/09/2005)
03/10/2005	<a href="#">37</a>	Letter from Monique J. Roberts to Magistrate Judge James Orenstein Regarding scheduling of depositions. (Roberts, Monique) (Entered: 03/10/2005)
03/10/2005	<a href="#">38</a>	Letter MOTION to Quash <i>Subpoena Duces Tecum for Craig Addeo</i> by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 03/10/2005)
03/10/2005	39	TRANSCRIPT of Proceedings held on 2/11/05 before Judge Michael L. Orenstein. Court Transcriber: Ron Rudolph, 620 Riverside Dr., Fairfield, CT 06430. (Montero, Edher) (Entered: 03/14/2005)
03/11/2005		ORDER re <a href="#">37</a> Letter -- The application is moot. The parties must comply with any proper notice of deposition (and non-party witnesses must likewise comply with any proper subpoena) unless it is withdrawn on consent or the party resisting the notice (or the non-party witness resisting the subpoena) obtains a protective order from the court. Approved by Judge James Orenstein on 3/11/05. (Branciforte, Ralph) (Entered: 03/11/2005)
03/15/2005	<a href="#">40</a>	Minute Entry for proceedings held before James Orenstein : Status Conference held on 3/15/2005. SCHEDULING: (1) The next status conference will be held on May 31, 2005, at 10:30 a.m. (2) A pretrial conference will be held on July 25, 2005, at 11:00 a.m. THE FOLLOWING RULINGS WERE MADE: (1) For the reasons discussed on the record at the conference, plaintiff's motion to quash the subpoena on claimant Addeo's attorney is GRANTED. I conclude that the claimant and Susan Nally sought the advice of counsel together and had a common interest, that their meeting with the attorney was therefore privileged, and that there has not been an effective waiver of claimant Addeo's privilege to allow the deposition to proceed. To the extent that there were limited waivers by

		Ms. Addeo -- such as counsel's explanation of what the initials EEOC stand for and his belief that documentary evidence and witnesses would be important -- they do not constitute a waiver as to all related communications. Further, allowing inquiry into the limited areas as to which there has been a waiver would not be reasonably likely to lead to the discovery of admissible evidence, particularly since the opinion of an attorney as to the persuasiveness of evidence is not admissible. (2) Defendant will respond by March 17, 2005, to plaintiff's application to quash the subpoena on Craig Addeo. (3) The parties will submit portions of the transcript of the deposition of Fran Angelone relevant to my consideration of plaintiff's renewed application to have me review <i>in camera</i> documents claimed by plaintiff to be privileged. (4) By March 22, 2005, plaintiff will either produce Laura Hart's diary, as discussed at the conference, or confirm that it no longer exists. If it is produced and there is a question about its provenance, defendant will make further application as appropriate. If such further application is predicated on assertions about Ms. Hart's credibility, then Mr. Sokoloff must be available as a witness rather than as counsel to pursue the application. (5) Discovery is extended by 60 days. I will enter a separate amended case management and scheduling order reflecting the new deadlines. (Orenstein, James) (Entered: 03/15/2005)
03/15/2005	<a href="#">41</a>	SCHEDULING ORDER: Status Conference: May 31, 2005, at 10:30 a.m. All discovery to be completed by: June 20, 2005. Dispositive motion process started by: July 5, 2005. Pretrial Order to be filed by: July 19, 2005. Pretrial Conference: July 25, 2005, at 11:00 a.m. Signed by Judge James Orenstein on March 15, 2005. (Orenstein, James) (Entered: 03/15/2005)
03/16/2005	<a href="#">42</a>	RESPONSE to Motion re <a href="#">38</a> Letter MOTION to Quash <i>Subpoena Duces Tecum for Craig Addeo</i> filed by Comprehensive Benefits Consultants. (Sokoloff, Brian) (Entered: 03/16/2005)
03/17/2005	<a href="#">43</a>	Letter MOTION for Protective Order <i>regarding privileged conversations between Susan Nally, Jean Marie Addeo and Attorney Robert Bursky</i> by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 03/17/2005)
03/24/2005	45	TRANSCRIPT of Proceedings held on 4/15/05 before Judge J. Orenstein, USMJ. (Terry Gribben's Transcription Service) (Imrie, Robert) (Entered: 03/29/2005)
03/29/2005	<a href="#">44</a>	RESPONSE to Motion re <a href="#">43</a> Letter MOTION for Protective Order <i>regarding privileged conversations between Susan Nally, Jean Marie Addeo and Attorney Robert Bursky</i> filed by Comprehensive Benefits Consultants. (Sokoloff, Brian) (Entered: 03/29/2005)
03/29/2005	<a href="#">46</a>	APPEAL OF MAGISTRATE JUDGE DECISION to District Court by Comprehensive Benefits Consultants re <a href="#">40</a> Status Conference,,,,,, (Sokoloff, Brian) (Entered: 03/29/2005)
03/30/2005	<a href="#">47</a>	MEMORANDUM AND ORDER Re: <a href="#">38</a> Motion to Quash and <a href="#">43</a> Motion for Protective Order -- plaintiff EEOC's application for a protective order and its motion to quash the subpoena duces tecum directed to Craig Addeo are both DENIED. (see attached order). Signed by Judge James Orenstein on 3/30/05. (Branciforte, Ralph) (Entered: 03/30/2005)

04/04/2005	<a href="#">48</a>	Letter from Brian S. Sokoloff to Magistrate Judge James Orenstein Regarding Laura Hart's computer. (Sokoloff, Brian) (Entered: 04/04/2005)
04/06/2005	<a href="#">49</a>	Letter from Monique J. Roberts to Magistrate James Orenstein Regarding EEOC's Opposition to Defendant's request for a computer expert's examination of Laura Hart's home computer. (Roberts, Monique) (Entered: 04/06/2005)
04/08/2005		ORDER re <a href="#">48</a> Letter -- A telephone conference is scheduled for April 12, 2005 at 2:00 p.m. to discuss defendant's April 4 application to have an expert inspect Ms. Hart's computer. Defendant's counsel shall initiate the call. Additionally, prior to the conference, defendant shall file Ms. Hart's computer generated diary, as it was not attached to its April 4 application. Approved Judge James Orenstein on 4/8/05. (Branciforte, Ralph) (Entered: 04/08/2005)
04/11/2005	<a href="#">50</a>	Letter from Steven C. Stern to Magistrate Judge James Orenstein Regarding enclosing Hart's diary entries. (Stern, Steven) (Entered: 04/11/2005)
04/11/2005	<a href="#">51</a>	Letter from Monique J. Roberts to the Honorable Leonard D. Wexler Regarding Plaintiff EEOC's request that Magistrate Orenstein's Order of March 15, 2005 quashing the subpoena duces tecum served on Attorney Robert Bursky be upheld.. (Roberts, Monique) (Entered: 04/11/2005)
04/12/2005	<a href="#">52</a>	Minute Entry for proceedings held before James Orenstein : Telephone Conference held on 4/12/2005. SCHEDULING: (1) The next status conference will be held on May 31, 2005, at 10:30 a.m. (2) A pretrial conference will be held on July 25, 2005, at 11:00 a.m. THE FOLLOWING RULINGS WERE MADE: (1) The defendant's application to allow an expert to examine Ms. Hart's computer (docket entry 48) is DENIED. (2) By April 19, 2005, plaintiff's counsel will submit a letter reporting on (1) the date of last modification of the computer file for the diary indicated on the appropriate directory of Ms. Hart's computer, and (2) whether the EEOC has ever made a request for documents to Ms. Hart to which the diary would have been responsive and, if so, whether Ms. Hart did provide the diary in response. Based on the contents of that report, I will consider whether there is good cause to revisit the preceding denial of the defendant's application. (Orenstein, James) (Entered: 04/12/2005)
04/18/2005	<a href="#">53</a>	MOTION to Compel <i>Craig Addeo to respond to subpoena duces tecum</i> by Comprehensive Benefits Consultants. (Sokoloff, Brian) (Entered: 04/18/2005)
04/19/2005	<a href="#">54</a>	Letter from Monique J. Roberts to Magistrate James Orenstein Regarding Laura Hart's computer diary. (Roberts, Monique) (Entered: 04/19/2005)
04/20/2005	<a href="#">55</a>	ORDER Re: <a href="#">53</a> Motion to Compel -- The relief requested in the instant motion would have no independent effect, and I decline to issue such a meaningless order. The motion is therefore DENIED as moot. Counsel for CBC is directed to serve a copy of this order on Mr. Addeo and to file a certificate attesting to such service. (see attached order) Signed by Judge James Orenstein on 4/20/05. (Branciforte, Ralph) (Entered: 04/20/2005)
04/25/2005	<a href="#">57</a>	MEMORANDUM AND OPINION: This court has reviewed the parties' submissions and the order of the Mag/Judge and concludes that the order appealed from should be affirmed. Accordingly, defendant's objections are hereby overruled and the Order of Mag/Judge James Orenstein dtd. 3/15/05 is affirmed. SO ORDERED (signed by Judge Leonard D. Wexler on 4/25/05).

		c/m(Montero, Edher) (Entered: 04/26/2005)
04/26/2005	<a href="#">56</a>	MOTION to Compel <i>non-party Craig Addeo to respond to CBC's subpoena duces tecum</i> by Comprehensive Benefits Consultants. (Verveniotis, Steven) (Entered: 04/26/2005)
05/11/2005	<a href="#">58</a>	Letter MOTION for Protective Order <i>prohibiting the deposition of EEOC Trial Attorney Robert Rose</i> by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 05/11/2005)
05/16/2005	<a href="#">59</a>	Letter dtd. 5/13/05 from Craig Addeo to USMJ J. Orenstein RE: Requesting that the subpoena served on 5/4/05 be quashed. (Branciforte, Ralph) (Entered: 05/16/2005)
05/17/2005	<a href="#">60</a>	RESPONSE in Opposition re <a href="#">58</a> Letter MOTION for Protective Order <i>prohibiting the deposition of EEOC Trial Attorney Robert Rose</i> filed by Comprehensive Benefits Consultants. (Sokoloff, Brian) (Entered: 05/17/2005)
05/17/2005	<a href="#">61</a>	Letter from Brian S. Sokoloff to Magistrate Judge James Orenstein Regarding Craig Addeo request to quash subpoena to him. (Sokoloff, Brian) (Entered: 05/17/2005)
05/18/2005	<a href="#">62</a>	ORDER re <a href="#">58</a> , <a href="#">59</a> , <a href="#">60</a> , <a href="#">61</a> -- EEOC's application for a protective order is GRANTED IN PART AND DENIED IN PART, in that CBC may take the deposition of attorney Rose, but only as to a very limited subject and only in writing. I further ORDER that CBC shall report by May 25, 2005, as to whether it will either take Mr. Rose's deposition pursuant to the preceding protective order or seek to challenge in any way the veracity of Ms. Hart's testimony that Mr. Sokoloff opined that the tape was inadmissible, and also ORDER that the Commission shall report by the same date as to whether it will seek to offer evidence about the tape at the trial of this case. Further, Craig Addeo's motion to quash the subpoena duces tecum issued by CBC is GRANTED IN PART AND DENIED IN PART, in that Mr. Addeo must produce only those documents reflecting money or property given to Mrs. Addeo by Mr. Addeo's business (and not by him in his individual capacity); the subpoena is quashed as to all other items. Counsel for CBC is directed to serve a copy of this order on Mr. Addeo. Signed by Judge James Orenstein on 5/18/05. (See Attached Order) (Branciforte, Ralph) (Entered: 05/18/2005)
05/27/2005	<a href="#">63</a>	Minute Entry for proceedings held before James Orenstein. Discovery Conference held on 5/27/2005. THE FOLLOWING RULINGS WERE MADE: The parties called from a deposition with a dispute regarding claimant Fran Angilone's medical records; during the telephone conference, the parties resolved the dispute on their own. (Branciforte, Ralph) (Entered: 05/27/2005)
05/31/2005	<a href="#">64</a>	Minute Entry for proceedings held before James Orenstein : Telephone Conference held on 5/31/2005. SCHEDULING: The next pretrial conference will be held on July 25, 2005, at 11:00 a.m. THE FOLLOWING RULINGS WERE MADE: (1) The deadline for defendant to report as to whether it will take Mr. Rose's deposition on written questions ( <i>see</i> Docket Entry 62) is extended until June 24, 2005. The parties will complete all other discovery and seek to settle the case; if they fail to settle, and if CBC thereafter decides to take Mr. Rose's testimony, I will schedule further proceedings as appropriate to address defendant's counsel's role as a potential witness. (2) Prior to the pretrial

		conference, all parties must submit by mail or fax (not by ECF) a one-page, <i>ex parte</i> settlement position to the undersigned. <i>These statements will be treated as confidential, and will not be docketed.</i> Meaningful settlement discussions will occur at this conference; clients or other persons with full settlement authority must be available by telephone. (Orenstein, James) (Entered: 05/31/2005)
06/01/2005	<a href="#">65</a>	MOTION for Contempt <i>against Craig Addeo</i> by all defendants. (Sokoloff, Brian) (Entered: 06/01/2005)
06/02/2005	66	ORDER re: <a href="#">65</a> Motion for Contempt -- Mr. Addeo is directed to respond to defendant's motion to compel by June 6, 2005. A conference is scheduled for June 8, 2005 to discuss defendant's motion. The conference will be held in Courtroom 920. Mr. Addeo shall appear with the records at issue for the Court's review. Mr. Sokoloff is directed to serve this order on Mr. Addeo and file a certificate of service stating same. Approved by Judge James Orenstein on 6/2/05.(Branciforte, Ralph) (Entered: 06/02/2005)
06/03/2005	<a href="#">67</a>	Letter dtd. 6/1/05 from Craig Addeo RE: subpoena. (Branciforte, Ralph) (Entered: 06/03/2005)
06/06/2005		ORDER re <a href="#">65</a> MOTION for Contempt and <a href="#">67</a> Letter -- The conference scheduled for June 8, 2005 is cancelled. Approved by Judge James Orenstein on 6/6/05. Mr. Sokoloff is directed to serve this order on Mr. Addeo upon receipt.(Branciforte, Ralph) (Entered: 06/06/2005)
06/06/2005	<a href="#">68</a>	Minute Entry for proceedings held before James Orenstein: Discovery Hearing held on 6/6/2005. THE FOLLOWING RULINGS WERE MADE: I resolved two disputes that arose during the continued deposition of claimant Jean Marie Addeo. (1) The plaintiff's instruction to the deponent not to answer questions seeking the content of marital communications was sustained, without prejudice to the defendant seeking to overcome the privilege by submitting reason to conclude that the deponent has waived it. (2) In light of the conduct of defendant's principal, Mr. Russo, during the deposition, I ruled that the deposition would be allowed to continue for another half-hour only without Mr. Russo present. (Branciforte, Ralph) (Entered: 06/06/2005)
06/06/2005	<a href="#">69</a>	Letter from Brian S. Sokoloff to Magistrate Judge James Orenstein Regarding cancellation of conference. (Sokoloff, Brian) (Entered: 06/06/2005)
07/13/2005	<a href="#">70</a>	Letter from Brian S. Sokoloff to Hon. James Orenstein Regarding plaintiff not complying with the Court's order. (Verveniotis, Steven) (Entered: 07/13/2005)
07/13/2005	<a href="#">71</a>	Letter from Brian S. Sokoloff, Esq. to Hon. James Orenstein Regarding permission for further deposition of plaintiff. (Verveniotis, Steven) (Entered: 07/13/2005)
07/14/2005	<a href="#">72</a>	ORDER re <a href="#">70</a> Letter, <a href="#">71</a> Letter -- A telephone status conference is scheduled for July 19, 2005 at 9:30 a.m. to discuss CBC's applications. Any responses to CBC's respective applications shall be filed, with a courtesy copy delivered to me by fax, no later than 12:00 p.m. on July 18, 2005. The EEOC is directed to serve this order on Mr. Addeo upon receipt and file a certificate of service stating same. Signed by Judge James Orenstein on 7/14/05. (Branciforte, Ralph) (Entered: 07/14/2005)

07/14/2005	<a href="#">73</a>	Letter from EEOC to Magistrate James Orenstein Regarding EEOC's opposition to Defendant's request for a third deposition of Jean Marie Addeo. (Roberts, Monique) (Entered: 07/14/2005)
07/15/2005	<a href="#">74</a>	Letter from EEOC to Magistrate Orenstein Regarding EEOC's request for an adjournemnt of the July 19, 2005 conference. (Roberts, Monique) (Entered: 07/15/2005)
07/15/2005	<a href="#">75</a>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of Magistrate Orenstein's Order of July 14, 2005 on Craig Addeo (Roberts, Monique) (Entered: 07/15/2005)
07/18/2005	<a href="#">76</a>	Letter dtd. 7/18/05 from Craig Addeo to Brian Sokoloff RE: Responding to your letter dtd. 6/20/05 (attached as an exhibit to Docket Entry 70). (Branciforte, Ralph) (Entered: 07/18/2005)
07/18/2005		ORDER re <a href="#">74</a> Letter -- The application to adjourn the July 19 conference is granted. The pretrial conference remains scheduled for July 25, 2005 at 11:00 a.m. Additionally, in light of Mr. Addeo's submission, Docket Entry ("DE") 76, it appears that the defendant's request for relief, DE 70, is moot. Accordingly, Mr. Addeo need not attend the conference on July 25, 2005. Ex parte settlement positions shall be faxed to me by July 22, 2005. Approved by Judge James Orenstein on 7/18/05. (Branciforte, Ralph) (Entered: 07/18/2005)
07/25/2005	<a href="#">77</a>	Minute Entry for proceedings held before James Orenstein : Status Conference held on 7/25/2005. SCHEDULING: The next pretrial conference will be held on September 26, 2005, at 3:00 p.m. [NOTE: The time of the conference has been changed to 3:00 p.m. to avoid a scheduling conflict.] THE FOLLOWING RULINGS WERE MADE: (1) The defendants' application to take further deposition testimony from Ms Addeo was denied. (2) The scheduling order is further amended as follows: (a) Defendants written deposition questions for Mr. Rose to be served by August 8, 2005. (b) Plaintiff to serve Mr. Rose's answers by August 15, 2005. (c) Joint Pretrial Order to be filed by September 12, 2005. (3) The parties discussed settlement in good faith but did not reach an agreement. (Orenstein, James) (Entered: 07/25/2005)
08/17/2005	<a href="#">78</a>	Letter from Brian S. Sokoloff to Hon. James Orenstein Regarding request for order directing Robert Rose to answer written deposition questions. (Sokoloff, Brian) (Entered: 08/17/2005)
08/23/2005		ORDER re <a href="#">78</a> Letter -- The application is granted as unopposed. Approved by Judge James Orenstein on 8/23/05. (Branciforte, Ralph) (Entered: 08/23/2005)
09/08/2005	<a href="#">79</a>	Letter from Brian S. Sokoloff to Magistrate Judge Orenstein Regarding request for extension of time for parties to file pretrial order. (Sokoloff, Brian) (Entered: 09/08/2005)
09/08/2005	<a href="#">80</a>	Letter from Brian S. Sokoloff to Hon. Leonard D. Wexler Regarding request for premotion conference. (Sokoloff, Brian) (Entered: 09/08/2005)
09/10/2005	<a href="#">81</a>	Letter from EEOC to Magistrate Judge James Orenstein Regarding filing the joint pre-trial order. (Roberts, Monique) (Entered: 09/10/2005)

09/10/2005	<a href="#">82</a>	Letter from EEOC to District Court Judge Leonard Wexler Regarding EEOC's opposition to Defendant's request for a pre-motion conference to file a motion for summary judgment. (Roberts, Monique) (Entered: 09/10/2005)
09/12/2005		ORDER re <a href="#">81</a> and <a href="#">79</a> Letters -- The pretrial order shall be filed by September 28, 2005. The pretrial conference is rescheduled from September 26, 2005 to October 7, 2005 at 1:30 p.m. Approved by Judge James Orenstein on 9/12/05. (Branciforte, Ralph) (Entered: 09/12/2005)
09/13/2005	<a href="#">83</a>	Letter from Brian S. Sokoloff to Hon. Leonard D. Wexler Regarding pre-motion conference. (Sokoloff, Brian) (Entered: 09/13/2005)
09/27/2005	<a href="#">84</a>	Letter MOTION for Extension of Time to File <i>Joint PreTrial Order</i> by Equal Employment Opportunity Commission. (O'Brien, Michael) (Entered: 09/27/2005)
09/28/2005		ORDER re <a href="#">84</a> Letter MOTION for Extension of Time to File Joint PreTrial Order -- The pretrial order shall be filed by October 5, 2005. Approved by Judge James Orenstein on 09/28/05. (Adams-Ciardullo, Diana) (Entered: 09/28/2005)
09/28/2005		Motions terminated: <a href="#">84</a> Letter MOTION for Extension of Time to File, terminated as per Order entered on 9/28/05. (Guy, Alicia) (Entered: 03/24/2006)
10/05/2005	<a href="#">85</a>	Proposed Pretrial Order <i>Jointly Filed by Comprehensive Benefits Consultants and</i> by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 10/05/2005)
10/06/2005	<a href="#">86</a>	Proposed Pretrial Order <i>Amended and Jointly filed by Comprehensive Benefits Consultants and</i> by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 10/06/2005)
10/06/2005		ORDER -- The pretrial conference scheduled for October 7, 2005 at 1:30 p.m. is rescheduled for October 7, 2005 at 10:00 a.m. Approved by Judge James Orenstein on 10/06/05. (Adams-Ciardullo, Diana) (Entered: 10/06/2005)
10/07/2005	<a href="#">87</a>	Minute Entry for proceedings held before James Orenstein : Final Pretrial Conference held on 10/7/2005. SCHEDULING: The next telephone status conference will be held on April 24, 2006, at 9:30 a.m. THE FOLLOWING RULINGS WERE MADE: (1) Discovery is complete and the parties have submitted a joint pretrial order that substantially complies with Judge Wexler's individual practice rules. I will enter a separate order certifying the case as ready for trial. (2) The pretrial order reflects several disputes based on discovery rather than evidentiary issues. At the next conference, to the extent those issues remain pending, the parties will discuss a schedule for litigating motions to preclude as a sanction for failure to provide discovery. (3) The parties discussed settlement but did not reach an agreement. (Orenstein, James) (Entered: 10/07/2005)
10/07/2005	<a href="#">88</a>	ORDER: the joint pretrial order is accepted for filing and the action is deemed ready for trial. Ordered by Judge James Orenstein on October 7, 2005. (Orenstein, James) (Entered: 10/07/2005)
10/07/2005	<a href="#">91</a>	Minute Entry for proceedings held before Leonard D. Wexler on 10/7/05 at 11:00 am. Case called. Counsel for all parties present. Pre Motion Conference held. Deft's request to file motion for summary judgment is granted. Deft to serve summary judgment papers within 6 weeks. Plaintiff to respond within one month. Deft to reply within five days thereafter. Trial set for July, 2006. (Montero,

		Edher) (Entered: 11/01/2005)
10/24/2005	<a href="#">89</a>	LETTER dtd 10/18/05 from Counsel for Plaintiff to Judge Wexler re: It is my understanding that Defendant has six weeks from October 7, 2005, the date of the conference, to file its motion-not six weeks after Mr. Sokoloff's trial ends, as he contends. (Mierzejewski, Elizabeth) (Entered: 10/27/2005)
10/24/2005	<a href="#">90</a>	ORDER re <a href="#">89</a> Letter. The time in which to make a motion runs from the date of the conference held on 10/7/06. . Ordered by Judge Leonard D. Wexler on 10/24/05. (Mierzejewski, Elizabeth) (Entered: 10/27/2005)
11/10/2005	<a href="#">92</a>	Letter from Brian S. Sokoloff to Judge Leonard D. Wexler Regarding request for extension of time to file summary judgment motion. (Sokoloff, Brian) (Entered: 11/10/2005)
11/14/2005	<a href="#">93</a>	Letter from Monique J. Roberts to Judge Wexler Regarding extension of time to respond to Defendant's Summary Judgment Motion. (Roberts, Monique) (Entered: 11/14/2005)
11/15/2005	<a href="#">94</a>	ORDER GRANTING the <a href="#">92</a> Letter Application for an extension of time for the defendant to file its motion for summary judgment to December 2, 2005. The Court also grants the request of the EEOC for the extension requested in the letter of 11/14/05.. Ordered by Judge Leonard D. Wexler on 11/15/05. (Mierzejewski, Elizabeth) (Entered: 11/16/2005)
01/13/2006	<a href="#">95</a>	Joint MOTION for Extension of Time to File Response/Reply to <i>Defendant's Summary Judgement Motion</i> by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 01/13/2006)
01/17/2006		ENDORSED ORDER granting <a href="#">95</a> Motion for Extension of Time to File Response/Reply Request GRANTED. (Ordered by Judge Leonard D. Wexler on 1/17/06). c/m eod #95 (Montero, Edher) (Entered: 01/24/2006)
01/30/2006	<a href="#">96</a>	Letter <i>requesting additional time to submit reply to summary judgment motion</i> by Comprehensive Benefits Consultants. (Stern, Steven) (Entered: 01/30/2006)
01/31/2006		ENDORSED ORDER re <a href="#">96</a> Letter requesting extension of time to file Reply papers: Request GRANTED. (Ordered by Judge Leonard D. Wexler on 1/31/06). c/m eod #96(Montero, Edher) (Entered: 02/02/2006)
02/15/2006	<a href="#">97</a>	Letter <i>requesting to file a 15-page reply brief</i> by Comprehensive Benefits Consultants. (Stern, Steven) (Entered: 02/15/2006)
02/17/2006	<a href="#">98</a>	Notice of MOTION for Summary Judgment by Comprehensive Benefits Consultants. (Stern, Steven) (Entered: 02/17/2006)
02/17/2006	<a href="#">99</a>	AFFIDAVIT in Support re <a href="#">98</a> Notice of MOTION for Summary Judgment <i>Declaration of Steven C. Stern</i> by Comprehensive Benefits Consultants. (Attachments: # <a href="#">1</a> Exhibit Notice regarding the filing of exhibits in paper form)(Stern, Steven) (Entered: 02/17/2006)
02/17/2006	<a href="#">100</a>	MEMORANDUM in Support re <a href="#">98</a> Notice of MOTION for Summary Judgment by Comprehensive Benefits Consultants. (Stern, Steven) (Entered: 02/17/2006)
02/17/2006	<a href="#">101</a>	REPLY in Support re <a href="#">98</a> Notice of MOTION for Summary Judgment <i>Memorandum of Law</i> by Comprehensive Benefits Consultants. (Stern, Steven)

		(Entered: 02/17/2006)
02/17/2006	<a href="#">102</a>	RULE 56.1 STATEMENT re <a href="#">98</a> Notice of MOTION for Summary Judgment by Comprehensive Benefits Consultants. (Stern, Steven) (Entered: 02/17/2006)
02/17/2006	<a href="#">103</a>	REPLY in Support re <a href="#">98</a> Notice of MOTION for Summary Judgment <i>Reply Declaration of Steven C. Stern</i> by Comprehensive Benefits Consultants. (Attachments: # <a href="#">1</a> Exhibit "A" to Reply Declaration# <a href="#">2</a> Exhibit "B" to Reply Declaration# <a href="#">3</a> Exhibit "C" to Reply Declaration# <a href="#">4</a> Exhibit "D" to Reply Declaration)(Stern, Steven) (Entered: 02/17/2006)
02/17/2006	<a href="#">104</a>	RESPONSE in Opposition re <a href="#">98</a> Notice of MOTION for Summary Judgment <i>Memorandum of Law</i> filed by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 02/17/2006)
02/17/2006	<a href="#">105</a>	RESPONSE in Opposition re <a href="#">98</a> Notice of MOTION for Summary Judgment <i>Local Rule 56.1 Statement of Disputed Material Facts</i> filed by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 02/17/2006)
02/17/2006	<a href="#">106</a>	RESPONSE in Opposition re <a href="#">98</a> Notice of MOTION for Summary Judgment <i>Declaration of Monique J. Roberts, Esq.</i> filed by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 02/17/2006)
02/27/2006	<a href="#">107</a>	Letter to correct electronic filing error (signature pages attached) by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 02/27/2006)
03/30/2006		Mag. Judge A. Kathleen Tomlinson added. Mag. Judge James Orenstein no longer assigned to case. (Capobianco, Jean) (Entered: 03/30/2006)
04/10/2006	<a href="#">108</a>	MEMORANDUM and ORDER denying <a href="#">98</a> Motion for Summary Judgment. Ordered by JudgeLeonard D. Wexler on 4/10/06. cm (Mierzejewski, Elizabeth) (Entered: 04/13/2006)
04/24/2006		Minute Entry for proceedings held before A. Kathleen Tomlinson : Status Conference held on 4/24/2006. The Joint Pretrial Order raises certain issues that need to be resolved prior to this case proceeding to trial. The parties are directed to file and serve a letter, no longer than three pages, by May 8, 2006 setting forth their position regarding the outstanding discovery issues. A conference will be held on May 12, 2006 at 10:00 a.m. to address those issues. So Ordered by Magistrate-Judge A. Kathleen Tomlinson. (Jacobwitz, Beth) (Entered: 04/24/2006)
05/08/2006	<a href="#">109</a>	Letter regarding unresolved discovery issues by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 05/08/2006)
05/12/2006	<a href="#">110</a>	Minute Entry and Order for proceedings held before A. Kathleen Tomlinson : Final Pretrial Conference held on 5/12/2006. 1. The preliminary settlement discussions which were conducted today indicate that further discussions would be productive. Accordingly, a formal settlement conference is scheduled for June 7, 2006 at 2:00 p.m. Defendants' counsel is directed to bring a representative of his client with settlement authority to the conference. 2. I have reviewed the parties' Joint Pretrial Order in detail and found that there are certain issues that need to be addressed. The parties have agreed to submit by June 30, 2006 a

		revised Pretrial Order taking into account the issues discussed at today's conference. 3. Plaintiff objects to certain witnesses set forth by Defendant on the Pretrial Order. This objection is properly raised as a sanctions motion to preclude testimony at trial. Any motion to preclude, if Plaintiff determines one should be made, must be filed by May 22, 2006. SEE ATTACHED ORDER. (Jacobwitz, Beth) (Entered: 05/16/2006)
05/22/2006	<a href="#">111</a>	Letter <i>informing Judge Tomlinson that EEOC served Defendant with its Motion to Preclude the Testimony of unidentified witnesses</i> by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 05/22/2006)
05/31/2006	<a href="#">112</a>	Letter <i>to Withdraw Motion to Preclude testimony of Undisclosed Witnsses pursuant to Fed. R. Civ. P. 37(c)(1)</i> by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 05/31/2006)
06/01/2006	<a href="#">113</a>	Letter <i>to Magistrate Judge Tomlinson to reschedule settlement conference</i> by Comprehensive Benefits Consultants. (Sokoloff, Brian) (Entered: 06/01/2006)
06/02/2006	<a href="#">114</a>	Letter <i>respectfully informing the Court of EEOC's availability</i> by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 06/02/2006)
06/05/2006		ORDER re <a href="#">114</a> Letter filed by Equal Employment Opportunity Commission and <a href="#">113</a> Letter filed by Comprehensive Benefits Consultants requesting adjournment of June 7, 2006 settlement conference. At the request of the parties, the conference scheduled for June 7, 2006 is adjourned to June 15, 2006 at 10:00 a.m. Ordered by Judge A. Kathleen Tomlinson on 06/05/06. (Jacobwitz, Beth) (Entered: 06/05/2006)
07/13/2006	115	TRANSCRIPT of Proceedings held on May 12, 2006 before Judge A. Kathleen Tomlinson. Court Reporter: Typing at you doorstep. (Mierzejewski, Elizabeth) (Entered: 07/24/2006)
07/25/2006	<a href="#">116</a>	Minute Entry for proceedings held before A. Kathleen Tomlinson : Status Conference held on 7/25/2006. The parties requested additional time to complete the necessary documentation supporting the settlement of this action. That request is granted. A conference will be held on August 22, 2006 in the event a final Stipulation of Dismissal is not filed prior to that date. Ordered by Magistrate Judge A. Kathleen Tomlinson. SEE ATTACHED ORDER. (Jacobwitz, Beth) (Entered: 07/25/2006)
08/21/2006	<a href="#">117</a>	Letter <i>jointly requesting adjournment of Conference</i> by Equal Employment Opportunity Commission. (Roberts, Monique) (Entered: 08/21/2006)
08/21/2006		ORDER re <a href="#">117</a> Letter filed jointly requesting adjournment of August 22, 2006 conference. In light of the representations made by the parties concerning the progress made toward settling this matter, the conference scheduled for August 22, 2006 is adjourned to September 22, 2006 at 10:30 a.m. If a stipulation of dismissal is filed prior to September 22, 2006, the conference shall be cancelled. Ordered by Judge A. Kathleen Tomlinson on 08/21/06. (Jacobwitz, Beth) (Entered: 08/21/2006)
09/21/2006	<a href="#">118</a>	Letter <i>requesting adjournment of conference</i> by Comprehensive Benefits Consultants. (Sokoloff, Brian) (Entered: 09/21/2006)

09/22/2006		ORDER re <a href="#">118</a> Letter filed by Comprehensive Benefits Consultants requesting adjournment of the conference scheduled for September 22, 2006. The parties' request that the conference be adjourned is DENIED, however, it may be conducted by telephone. Counsel for Defendant shall initiate the call. Ordered by Judge A. Kathleen Tomlinson on 09/22/06. (Jacobwitz, Beth) (Entered: 09/22/2006)
09/25/2006	<a href="#">119</a>	Minute Entry for proceedings held before A. Kathleen Tomlinson : Telephone Status Conference held on 9/22/2006. This conference was held in an effort to assist the parties in memorializing the settlement in this action agreed to in principle in June 2006. There were four issues raised by Plaintiffs' counsel which needed to be addressed. The EEOC will notify Defendants of their position with respect to training programs by September 25, 2006. A telephone conference will be held on October 5, 2006 to discuss issues remaining open at that point. Ordered by Magistrate Judge A. Kathleen Tomlinson. SEE ATTACHED ORDER. (Jacobwitz, Beth) (Entered: 09/25/2006)
10/05/2006	<a href="#">120</a>	Minute Entry for proceedings held before A. Kathleen Tomlinson : Status Conference held on 10/5/2006. The parties report that progress has been made toward finalizing the settlement in this matter and that a final draft of the settlement agreement and consent decree has been circulated. A conference call is scheduled for October 13, 2006 at 11:00 a.m. to check on the status of the final settlement documentation. Counsel for Plaintiff is to initiate the call. Ordered by Magistrate Judge A. Kathleen Tomlinson. (Jacobwitz, Beth) (Entered: 10/05/2006)
10/13/2006	<a href="#">121</a>	Minute Entry for proceedings held before A. Kathleen Tomlinson : Status Conference held on 10/13/2006. A conference call is scheduled for October 30, 2006 at 11:30 a.m. to confirm that all agreements have been finalized. In the event the Stipulation of Discontinuance is filed prior to that time, the conference shall be cancelled. Ordered by Magistrate Judge A. Kathleen Tomlinson. (Jacobwitz, Beth) (Entered: 10/19/2006)
10/24/2006		NOTICE. The time for the October 30, 2006 telephone status conference is hereby rescheduled from 11:30 a.m. to 1:30 p.m. Plaintiff will initiate the call to chambers. Approved by Judge A. Kathleen Tomlinson on 10/24/06. (Cass, Luke) (Entered: 10/24/2006)
11/01/2006	<a href="#">122</a>	Minute Entry for proceedings held before A. Kathleen Tomlinson : Status Conference held on 10/30/2006. The parties report that progress has been made toward finalizing the settlement in this matter and that final versions of all documents have been circulated. A conference call is scheduled for November 6, 2006 at 12:00 p.m. to review the status of the final settlement documentation. Counsel for Plaintiff is to initiate the call. Ordered by Magistrate Judge A. Kathleen Tomlinson. (Jacobwitz, Beth) (Entered: 11/01/2006)
11/07/2006	<a href="#">123</a>	Minute Entry for proceedings held before A. Kathleen Tomlinson : Status Conference held on 11/6/2006. The parties report that the settlement in this matter has been finalized and that final versions of all documents have been circulated. A conference is scheduled for December 6, 2006 at 11:00 a.m. In the event a Stipulation of Dismissal is filed prior to that date, the conference shall be cancelled. Ordered by Magistrate Judge A. Kathleen Tomlinson. (Jacobwitz, Beth) (Entered: 11/07/2006)

12/07/2006	<a href="#">124</a>	Minute Entry for proceedings held before A. Kathleen Tomlinson : Status Conference held on 12/6/2006. A conference to discuss the status of the settlement is scheduled for December 13, 2006 at 10:30 a.m. In the event a Stipulation of Discontinuance is filed prior to that time, the conference shall be cancelled. Ordered by Magistrate Judge A. Kathleen Tomlinson. (Jacobwitz, Beth) (Entered: 12/07/2006)
12/13/2006	<a href="#">125</a>	SETTLEMENT AGREEMENT <i>Consent Decree in EEOC v. Comprehensive Benefits Consultants, Inc.</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit A-D)(Roberts, Monique) (Entered: 12/13/2006)
12/13/2006	<a href="#">127</a>	Minute Entry for proceedings held before A. Kathleen Tomlinson on 12/13/06Telephone Conference held. The next telephone conf to be held on 12/14/06. The parties are directed to call chambers tomorrow to advise the Court of the status of the settlement documentation. (Montero, Edher) (Entered: 04/18/2007)
12/20/2006	<a href="#">126</a>	CONSENT DECREE re <a href="#">125</a> Settlement Agreement filed by Equal Employment Opportunity Commission. (Exhibit A sealed and in the vault). Ordered by Judge Leonard D. Wexler on 12/20/06. cm(Mierzejewski, Elizabeth) Additional attachment(s) added on 1/12/2007 (Mierzejewski, Elizabeth). (Entered: 12/27/2006)

**PACER Service Center**

**Transaction Receipt**

06/04/2007 15:23:40

<b>PACER Login:</b>	hs0328	<b>Client Code:</b>	eeoc
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	2:04-cv-03076-LDW-AKT
<b>Billable Pages:</b>	13	<b>Cost:</b>	1.04