

APPEAL, CLOSED_2006, CONSENT

**U.S. DISTRICT COURT
WESTERN DISTRICT OF NEW YORK [LIVE] (Rochester)
CIVIL DOCKET FOR CASE #: 6:01-cv-06329-MWP**

Equal Employment v. Everydry Waterproof, et al
Assigned to: Hon. Marian W. Payson
Demand: \$0
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 06/27/2001
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Katherine E. Bissel**
U.S. Equal Employment Opportunity
Commission
New York District Office
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V.

Defendant

Everydry Waterproofing, Inc.

TERMINATED: 12/27/2001

also known as

Everdry of Rochester

represented by **Peter C. Nelson**
Faraci & Lange LLP
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TERMINATED: 12/27/2001
LEAD ATTORNEY

Defendant

**Everdry Marketing and Management,
Inc.**

represented by **Harold M. Schwarz, III**
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Defendant**Everdry Management Services, Inc.***also known as*

Everdry Waterproofing

represented by **Kenneth B. Baker**

(See above for address)

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LEAD ATTORNEY**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/27/2001	1	COMPLAINT filed; Government filing; fee waived (BJB) (Entered: 06/28/2001)
11/13/2001	2	MOTION by Everydry Waterproof, Everdry Marketing to Dismiss Court to set return date (BJB) (Entered: 11/13/2001)
11/30/2001	3	ORDER, Response to Motion set to 1/11/02 for [2-1] motion to Dismiss , and Motion Hearing set for 3:00 2/7/02 for [2-1] motion to Dismiss (signed by USDJ Charles J. Siragusa) Notice and copy of order sent to Lisa Sirkin, Katherine E. Bissel, Peter C. Nelson (BJB) Modified on 11/30/2001 (Entered: 11/30/2001)
12/27/2001	4	AMENDED COMPLAINT by Equal Employment , amending [1-1] complaint against Everdry Management, Everdry of Rochester (BJB) (Entered: 01/04/2002)
01/04/2002		SUMMONS(ES) issued for Everdry Management, Everdry of Rochester (BJB) (Entered: 01/04/2002)
01/10/2002	5	MEMORANDUM by Equal Employment in opposition to [2-1] motion to Dismiss by Everdry Marketing, Everydry Waterproof (BJB) (Entered: 01/10/2002)

01/22/2002	6	ANSWER by Everdry Management (Attorney Peter C. Nelson) to amended complaint (BJB) (Entered: 01/22/2002)
02/01/2002	7	MOTION by Everdry Marketing, Everdry Management, Everdry of Rochester to Dismiss Motion Hearing set for 3:00 2/7/02 (BJB) (Entered: 02/01/2002)
02/01/2002	8	MEMORANDUM by Everdry Marketing, Everdry Management, Everdry of Rochester in support of [7-1] motion to Dismiss by Everdry of Rochester, Everdry Management, Everdry Marketing (BJB) (Entered: 02/01/2002)
02/01/2002	9	AFFIRMATION by Everdry Marketing, Everdry Management Re: [7-1] motion to Dismiss by Everdry of Rochester, Everdry Management, Everdry Marketing (BJB) (Entered: 02/01/2002)
02/01/2002	10	AFFIRMATION by Everdry Marketing, Everdry Management, Everdry of Rochester Re: [7-1] motion to Dismiss by Everdry of Rochester, Everdry Management, Everdry Marketing (BJB) (Entered: 02/01/2002)
02/07/2002	17	Minute entry: Matter on for argument of motion of defendants' motions to dismiss. Argument heard. Argument to continue on 2/12/02 (CJS) (BJB) (Entered: 03/21/2002)
02/12/2002	16	Minute entry: Continued oral argument on defendant's motion to dismiss. Parites are to meet to discuss settlement. The plaintiff is to submit a letter by 3/2/02 as to the status of the settlement talks. If there is no possibility of settlement at that time, the Court will then give the plaintiff two weeks to respond to the affidavits submitted by the defendants (CJS) (BJB) (Entered: 03/19/2002)
02/14/2002	11	TRANSCRIPT of proceedings on 2/7/02 before USDJ Siragusa (22 pages) (BJB) (Entered: 02/19/2002)
02/14/2002	12	AFFIDAVIT no indication as to which party this was filed on behalf of Re: Affidavit by Kenneth B. Baker, Esq. (BJB) (Entered: 02/19/2002)
02/14/2002	13	AFFIDAVIT by Judy Garvin on behalf of Everydry Waterproof Re: Incorporation date (BJB) (Entered: 02/19/2002)
02/14/2002	14	ATTORNEY AFFIRMATION by Everydry Waterproof (BJB) (Entered: 02/19/2002)
03/12/2002	15	ORDER, Response to Motion set to 3/29/02 for [7-1] motion to Dismiss (signed by USDJ Charles J. Siragusa) Notice and copy of order sent to Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 03/13/2002)
03/28/2002	18	ORDER, Response to Motion set to 4/29/02 for [7-1] motion to Dismiss (signed by USDJ Charles J. Siragusa) Notice and copy of order sent to Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 04/02/2002)
04/03/2002	19	TRANSCRIPT of Proceeding (motion to dismiss) before USDJ Siragusa on 2/12/02 (50 pages) (BJB) (Entered: 04/04/2002)
04/11/2002	20	RESPONSE AFFIRMATION by Equal Employment to [7-1] motion to Dismiss by Everdry of Rochester, Everdry Management, Everdry Marketing (BJB) (Entered: 04/12/2002)

05/17/2002	21	MOTION by Everdry Marketing, Everdry Management, Everdry of Rochester for Kenneth B. Baker to Appear Pro Hac Vice (BJB) (Entered: 05/21/2002)
05/17/2002	22	ORDER granting [21-1] motion for Kenneth B. Baker to Appear Pro Hac Vice (signed by USDJ Charles J. Siragusa) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 05/21/2002)
05/21/2002		PRO HAC VICE fee paid as to Kenneth Baker. (BJB) (Entered: 05/21/2002)
05/22/2002	23	ORDER mootng [2-1] motion to Dismiss denying [7-1] motion to Dismiss (signed by USDJ Charles J. Siragusa) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 05/22/2002)
05/29/2002	24	ORDER REFERRING CASE to USMJ William G. Bauer for all pretrial matters excluding dispositive motions (signed by USDJ Charles J. Siragusa) Notice and copy sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Sirkin, Katherine E. Bissel . (BJB) (Entered: 05/30/2002)
05/30/2002	25	ORDER, set Scheduling (case management) Conference for 11:00 7/1/02 (signed by USMJ William G. Bauer) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 05/31/2002)
06/06/2002	26	ANSWER by Everdry Marketing (Attorney Peter C. Nelson) to amended complaint (BJB) (Entered: 06/06/2002)
06/25/2002	27	PROPOSED DISCOVERY PLAN (BJB) (Entered: 06/26/2002)
06/28/2002	28	ORDER, granting request for Kenneth Baker to participate via telephone on the scheduling conference of 7/1/02 (signed by USMJ William G. Bauer) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 07/01/2002)
07/01/2002	29	Scheduling conference held (WGB) (CM) (Entered: 07/03/2002)
07/03/2002	30	SCHEDULING ORDER setting DDL for Motions Join Parties/Amend Pleadings/Third party actions 8/15/02 Discovery cutoff 4/1/03 ; Defendant's expert witness ID deadline on 4/1/03 Plaintiff's expert witness ID deadline for 3/1/03 Status conference by 2:00 12/3/02 ; Deadline for filing of all motions 5/1/03 ; (signed by USMJ William G. Bauer). Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 07/11/2002)
09/24/2002		Deadline updated; set Telephone Conference for 2:00 9/27/02 pursuant to notice (WGB) (BJB) (Entered: 09/25/2002)
09/27/2002	31	Tele-conference held (WGB) (CM) (Entered: 09/30/2002)
12/04/2002	32	Tele-conference held (WGB). (CM) (Entered: 12/05/2002)
01/07/2003	33	Settlement conference held (WGB) (CM) (Entered: 01/10/2003)
02/03/2003	34	ORDER, Vacating [24-1] referral/referred order , and Referring Case to USMJ Jonathan W. Feldman for all pretrial matters excluding dispositive motions (

		signed by USDJ Charles J. Siragusa) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 02/07/2003)
02/14/2003	35	MOTION by Equal Employment to Quash Subpoenas Court to set return date (BJB) (Entered: 02/14/2003)
02/20/2003		Deadline updated; Response to Motion set to 2/28/03 for [35-1] motion to Quash Subpoenas , and Reply to Response to Motion set to 3/7/03 for [35-1] motion to Quash Subpoenas pursuant to notice (JWF) (BJB) (Entered: 02/27/2003)
02/26/2003	36	MEMORANDUM by Everdry Marketing, Everdry Management, Everdry of Rochester in opposition to [35-1] motion to Quash Subpoenas by Equal Employment (BJB) (Entered: 02/27/2003)
02/26/2003	37	AFFIDAVIT by Everdry Marketing, Everdry Management, Everdry of Rochester in opposition to [35-1] motion to Quash Subpoenas by Equal Employment (BJB) (Entered: 02/27/2003)
03/06/2003	38	REPLY TRIAL ATTORNEY AFFIRMATION by Equal Employment to response to [35-1] motion to Quash Subpoenas by Equal Employment (BJB) (Entered: 03/10/2003)
03/06/2003	39	REPLY MEMORANDUM OF LAW by Equal Employment to response to [35-1] motion to Quash Subpoenas by Equal Employment (BJB) (Entered: 03/10/2003)
03/18/2003		Deadline updated; Motion Hearing set for 11:00 4/4/03 for [35-1] motion to Quash Subpoenas pursuant to JWF notice. (CM) (Entered: 03/19/2003)
03/28/2003		Deadline updated; Motion Hearing set for 2:30 4/7/03 for [35-1] motion to Quash Subpoenas pursuant to notice (JWF) (BJB) (Entered: 03/31/2003)
04/07/2003	41	Minute entry: granting in part, denying in part [35-1] motion to Quash Subpoenas, set Scheduling Order Deadlines: Motions to Compel Discovery due by 5/9/03 Responses to Motions to 5/23/03 ; Oral Argument 1:30 6/20/03 (JWF) (CM) (Entered: 04/09/2003)
04/08/2003	40	ORDER, to Take Deposition , and set Scheduling Order Deadlines: Motions to Compel Discovery due by 5/9/03 Replies to Responses to Motions 6/6/03 ; Responses to Motions to 5/23/03 ; Oral Argument 1:30 6/20/03 (signed by USMJ Jonathan W. Feldman) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 04/09/2003)
04/14/2003	42	ORDER, Vacating [34-1] order Vacating [24-1] referral/referred order , and Referring Case to USMJ Marian W. Payson (signed by USDJ Charles J. Siragusa) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 05/07/2003)
05/09/2003	43	NOTICE of by Equal Employment of motion to compel discovery (BJB) (Entered: 05/12/2003)
05/09/2003	44	MOTION by Equal Employment to Compel Discovery Motion Hearing set for 1:30 6/20/03 (BJB) (Entered: 05/12/2003)

05/09/2003	45	MEMORANDUM by Equal Employment in support of [44-1] motion to Compel Discovery by Equal Employment (BJB) (Entered: 05/12/2003)
05/09/2003	46	AFFIDAVIT of trial attorney Robert D Rose on behalf of Equal Employment in support of [44-1] motion to Compel Discovery by Equal Employment (BJB) (Entered: 05/12/2003)
05/09/2003	47	MEMORANDUM by Everdry Management Re: [4-1] amended complaint by Equal Employment (BJB) (Entered: 05/12/2003)
05/12/2003	48	AFFIRMATION by Everdry Management Re: [4-1] amended complaint by Equal Employment (BJB) (Entered: 05/12/2003)
05/16/2003	49	ORDER, Depositions of Holly Schinsing, marshal Distasio and laurie Distasio are rescheduled to 7/10/03 at 10:30 , and Motion Hearing set for 10:00 7/10/03 for [44-1] motion to Compel Discovery (signed by USMJ Marian W. Payson) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 05/19/2003)
05/23/2003	51	RESPONSE AFFIRMATION by Equal Employment to [44-1] motion to Compel Discovery by Equal Employment (BJB) (Entered: 05/27/2003)
05/27/2003	50	MOTION by Everdry Marketing to Extend Time to respond to plaintiff's motion to compel discovery Court to set return date (BJB) (Entered: 05/27/2003)
05/29/2003	52	MEMORANDUM by Everdry Management Re: Reply and Rebuttal (BJB) (Entered: 05/29/2003)
05/30/2003	53	ORDER, set Scheduling Order Deadlines: Responses to Motions to 5/29/03 ; (signed by USMJ Marian W. Payson) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 06/03/2003)
06/03/2003	54	ORDER granting [50-1] motion to Extend Time to respond to plaintiff's motion to compel discovery (signed by USMJ Marian W. Payson) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 06/04/2003)
06/03/2003		Deadline updated; Motion Hearing set for 9:30 6/30/03 for [44-1] motion to Compel Discovery pursuant to notice (MWP) (BJB) (Entered: 06/19/2003)
06/06/2003	55	MOTION by Everdry Marketing to attend Oral Argument on 7/10/03 by telephone Court to set return date (BJB) (Entered: 06/06/2003)
06/06/2003	56	MEMORANDUM by Everdry Management in opposition to [44-1] motion to Compel Discovery by Equal Employment (BJB) (Entered: 06/06/2003)
06/06/2003	57	ATTORNEY AFFIRMATION by Everdry Management Re: [44-1] motion to Compel Discovery by Equal Employment (BJB) (Entered: 06/06/2003)
06/11/2003	59	MOTION by Everdry Marketing for Excusal from Oral Argument on 6/30/03 (BJB) (Entered: 06/17/2003)
06/13/2003	58	ORDER, Reply to Response to Motion set to 6/23/03 for [44-1] motion to Compel Discovery (signed by USMJ Marian W. Payson) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose,

		Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 06/13/2003)
06/18/2003	60	ORDER granting [59-1] motion for Excusal from Oral Argument on6/30/03 (signed by USMJ Marian W. Payson) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 06/19/2003)
06/23/2003	61	REPLY MEMO by Equal Employment to defendants' [56-1] opposition memorandum by Everdry Management (TO) (Entered: 06/23/2003)
06/23/2003	62	AFFIRMATION by Equal Employment Re: [61-1] response reply by Equal Employment (TO) (Entered: 06/23/2003)
06/30/2003	63	Minute entry: moiton argument held in re: plaintiff's motion to compel (#44). As to attorney/client issue: plaintiff to submit affidavits by 7/21/03; defendant to response by 8/4/03 (MWP) (CM) (Entered: 07/07/2003)
07/21/2003	64	SUPPLEMENTAL MEMORANDUM by Equal Employment in support of [44-1] motion to Compel Discovery by Equal Employment (BJB) (Entered: 07/28/2003)
07/21/2003	65	SUPPLEMENTAL AFFIDAVIT by Robert D. Rose on behalf of Equal Employment in support of [44-1] motion to Compel Discovery by Equal Employment (BJB) (Entered: 07/28/2003)
07/21/2003	66	EEOC'S SUPPLEMENTAL PRIVILEGE LOG (BJB) (Entered: 07/28/2003)
08/04/2003	67	SUPPLEMENTAL MEMORANDUM by Everdry Marketing, Everdry Management Re: Claims (BJB) (Entered: 08/07/2003)
08/04/2003	68	ATTORNEY AFFIRMATION by Everdry Marketing, Everdry Management Re: Deposition of Jennifer Zazzaro (BJB) (Entered: 08/07/2003)
08/07/2003	69	SECOND SUPPLEMENTAL AFFIRMATION by Robert D. Rose on behalf of Equal Employment Re: [44-1] motion to Compel Discovery by Equal Employment (BJB) (Entered: 08/13/2003)
08/14/2003	70	SCHEDULING ORDER setting Discovery cutoff 10/31/03 ; Status conference by 10:00 10/9/03 ; Plaintiff's expert witness ID deadline for 9/30/03 Defendant's expert witness ID deadline on 10/15/03 Deadline for filing of all motions 11/28/03 ; (signed by USMJ Marian W. Payson). Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 08/18/2003)
08/25/2003	71	MOTION by Everdry Marketing to attend the Status Conference on 10/9/03 via telephone (BJB) (Entered: 08/25/2003)
08/25/2003	74	ORDER denying the EEOC's motion for leave to respond to supplemental memorandum of defense (signed by USMJ Marian W. Payson) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 09/04/2003)
08/27/2003	72	ORDER, set Status Conference for 10:00 10/6/03 (signed by USMJ Marian W. Payson) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 09/03/2003)

08/27/2003	73	ORDER, directing that Mr. Baker is excused from the 10/9/03 status conference (signed by USMJ Marian W. Payson) Notice and copy of order sent to Kenneth B. Baker, Peter C. Nelson, Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 09/04/2003)
10/01/2003	75	ORDER granting in part, insofar as it seeks an order specifying that the attorney-client privilege applies between the EEOC and the individual claimants (except that it is denied as to claimant Bruner), prohibiting exparte communications between Everdry and the claimants (except that it is denied as to claimant Bruner), and protecting from disclosure the EEOC's investigative notes and memoranda and denying in part, insofar as it seeks discovery after June 30, 2002 and disclosure of the investigative notes prepared by Everdry's counsel RE: [44-1] motion to Compel Discovery (signed by USMJ Marian W. Payson) Notice and copy of order sent to Kenneth B. Baker, Peter C. Lisa Sarkin, Robert D. Rose, Lisa Sirkin, Katherine E. Bissel (BJB) (Entered: 10/01/2003)
10/06/2003	76	SCHEDULING ORDER: Discovery due by 1/19/2003. Privilege Log due 10/20/03. Copies of employee handbooks due 10/20/03. Updated discovery responses due 11/17/03. Plaintiff expert reports due 1/19/03, defense expert reports due 2/2/04. Status Conference set for 1/7/04 at 40:00. Motions due 3/26/03. Signed by Judge Marian W. Payson on 10/6/03. (BJB,) Modified on 10/9/2003 (BJB,). (Entered: 10/09/2003)
10/06/2003		Set Deadlines/Hearings:, Set/Reset Scheduling Order Deadlines: Expert Witness List due by 2/16/2004. Motions due by 3/26/2004. Status Conference set for 1/7/2004 10:00 AM before Hon. Charles J. Siragusa. (BJB,) (Entered: 10/09/2003)
10/06/2003	77	Minute Entry for proceedings held before Judge Marian W. Payson : Status Conference held on 10/6/2003. (CAM,) (Entered: 10/14/2003)
10/16/2003		Set Deadlines/Hearings: Status Conference set for 1/28/2004 11:00 AM before Hon. Marian W. Payson. Pursuant to notice (MWP) (BJB,) (Entered: 10/27/2003)
01/12/2004	78	AMENDED SCHEDULING ORDER: Defendant Expert Witness ID due by 2/13/2004. Plaintiff Expert Witness ID due by 1/30/2004. Discovery due by 2/27/2004.. Signed by Judge Marian W. Payson on 1/9/04. (CAM,) (Entered: 01/12/2004)
01/21/2004	79	MOTION for excusal from status conference on 1/28/04 by Everdry Marketing and Management, Inc.. (MMG,) (Entered: 01/21/2004)
01/22/2004	80	ORDER granting 79 Motion by Kenneth Baker for excusal from the 1/28/04 status conference. . Signed by Judge Marian W. Payson on 1/22/04. (CAM,) (Entered: 01/22/2004)
01/28/2004	81	Minute Entry for proceedings held before Judge Marian W. Payson : Status Conference held on 1/28/2004. (CAM,) (Entered: 01/29/2004)
01/30/2004	82	ORDER directing defendant, Everdry Marketing and Management, Inc., produce copies of requested employee lists by 2/9/2004. Signed by Hon. Marian W. Payson on 1/30/2004. (KAH,) (Entered: 02/02/2004)

01/30/2004	83	AMENDED SCHEDULING ORDER: Plaintiff shall identify any and all additional claimants by 2/18/2004. All previously-served discovery requests which pertain to the additional claimants shall be responded by 3/22/2004. Motions to Compel Discovery relating to the additional claimants due by 4/9/2004. Factual Discovery relating to the additional claimants due by 4/2/2004. Dispositive Motions due by 5/14/2004. Signed by Hon. Marian W. Payson on 1/30/2004. (KAH,) (Entered: 02/02/2004)
02/20/2004	84	MOTION for Summary Judgment by Everdry Marketing and Management, Inc.. (Attachments: # 1 Motion Part 2)(BJB,) (Entered: 02/23/2004)
02/23/2004		NOTICE: Set Deadlines/Hearings: Telephone Status Conference set for 2/26/2004 11:30 AM before Hon. Marian W. Payson. Chambers to initiate conference call. (KAH,) (Entered: 02/23/2004)
02/26/2004	85	Minute Entry for proceedings held before Judge Marian W. Payson : Telephone Conference held on 2/26/2004. (CAM,) (Entered: 02/28/2004)
02/27/2004		NOTICE: Set Deadlines/Hearings: Status Conference set for 4/1/2004 10:00 AM before Hon. Marian W. Payson. (KAH,) (Entered: 02/27/2004)
03/02/2004	86	TEXT ORDER. Parties are to notify the Court in writing when discovery is complete so that the Court may issue a motion scheduling order. Signed by Hon. Charles J. Siragusa on 3/1/04. (KAR,) (Entered: 03/02/2004)
04/01/2004	88	Minute Entry for proceedings held before Judge Marian W. Payson : Telephone Conference held on 4/1/2004. (CAM,) (Entered: 04/07/2004)
04/02/2004	87	ORDER Status Conference set for 4/21/2004 02:00 PM before Hon. Marian W. Payson.Discovery due by 5/1/2004 for claimant Bradley. Motions to Compel Discovery due by 5/11/2004. Defendants' Response to Plaintiff's last outstanding discovery request due two weeks prior to Motions to Compel deadline. Plaintiff shall continue efforts to obtain medical records for claimant Buckner. Signed by Hon. Marian W. Payson on 4/2/2004. (KAH,) (Entered: 04/05/2004)
04/14/2004	89	STIPULATION AND ORDER. The Court will not issue a motion scheduling order until all discovery, including motions to compel, is completed, and until the deadline for filing dispositive motions (currently 5/14/04) has passed. Counsel shall inform the undersigned in writing once the motions to compel are resolved. Signed by Hon. Charles J. Siragusa on 4/12/04. (KAR,) (Entered: 04/14/2004)
04/21/2004		NOTICE: Reset Deadlines/Hearings: Telephone Status Conference adjourned from 4/21/2004 02:00 PM to 4/30/2004 02:00 PM before Hon. Marian W. Payson. Chambers will initiate conference call. (KAH,) (Entered: 04/21/2004)
04/26/2004	90	CONFIDENTIALITY ORDER. Signed by Hon. Marian W. Payson on 4/26/2004. (RO) (Entered: 04/29/2004)
04/30/2004	91	Minute Entry for proceedings held before Judge Marian W. Payson : Telephone Conference held on 4/30/2004. (CAM,) (Entered: 05/06/2004)
05/27/2004	92	MOTION SCHEDULING ORDER re 84 MOTION for Summary Judgment filed by Everdry Marketing and Management, Inc. Responding papers due 6/18/04. Reply papers are due 6/30/04. Oral argument is scheduled for 7/8/04 at 3:00 p.m. Signed by Hon. Charles J. Siragusa on 5/26/04. (KAR,) (Entered: 05/27/2004)

05/27/2004		Set/Reset Deadlines as to 84 MOTION for Summary Judgment. Responses due by 6/18/2004 Replies due by 6/30/2004. Motion Hearing set for 7/8/2004 03:00 PM before Hon. Charles J. Siragusa. (KAR,) (Entered: 05/27/2004)
06/02/2004		NOTICE: Set Deadlines/Hearings: Telephone Status Conference set for 6/3/2004 10:00 AM before Hon. Marian W. Payson. Chambers will initiate the conference call. (KAH,) (Entered: 06/02/2004)
06/03/2004	93	ORDER Settlement Conference set for 7/13/2004 01:00 PM before Hon. Marian W. Payson. Signed by Hon. Marian W. Payson on 6/3/2004. (KAH,) (Entered: 06/07/2004)
06/03/2004	94	Minute Entry for proceedings held before Judge Marian W. Payson : Telephone Conference held on 6/3/2004. (CAM,) (Entered: 06/09/2004)
06/23/2004	95	LETTER ORDER re 84 MOTION for Summary Judgment filed by Everdry Marketing and Management, Inc. Motion for summary judgment is to be held in abeyance pending settlement conference before Magistrate Payson on July 13, 2004. Signed by Hon. Charles J. Siragusa on 6/18/04. (KAR,) (Entered: 06/23/2004)
06/29/2004	96	AFFIDAVIT re 84 MOTION for Summary Judgment <i>Supplemental Affidavits to the Motion of EverDry Marketing & Management, Inc.'s Motion for Summary Judgment</i> by Everdry Marketing and Management, Inc.. (Baker, Kenneth) (Entered: 06/29/2004)
07/12/2004	97	ORDER canceling settlement conference. Signed by Hon. Marian W. Payson on 7/12/04. (BJB,) (Entered: 07/21/2004)
07/29/2004	98	AMENDED MOTION SCHEDULING ORDER re 84 MOTION for Summary Judgment filed by Everdry Marketing and Management, Inc. Signed by Hon. Charles J. Siragusa on 7/28/04. (KAR,) (Entered: 07/29/2004)
07/29/2004		Set/Reset Deadlines as to 84 MOTION for Summary Judgment. Responses due by 8/20/2004 Replies due by 9/1/2004. Motion Hearing set for 9/8/2004 02:00 PM before Hon. Charles J. Siragusa. (KAR,) (Entered: 07/29/2004)
08/19/2004	99	MEMORANDUM in Opposition re 84 MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Rose, Robert) (Entered: 08/19/2004)
08/19/2004	100	RESPONSE in Opposition re 84 MOTION for Summary Judgment <i>Statement of Facts in Dispute</i> filed by Equal Employment Opportunity Commission. (Rose, Robert) (Entered: 08/19/2004)
08/19/2004	101	AFFIDAVIT <i>of Attorney with Exhibits</i> in Opposition re 84 MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Exhibits 1-10# 2 Exhibit Exhibits 11-20b# 3 Exhibit Exhibit 21a to 26# 4 Exhibit Exhibit 27-40# 5 Exhibit Exhibit 41-52)(Rose, Robert) (Entered: 08/19/2004)
08/24/2004		NOTICE of Hearing on Motion 84 MOTION for Summary Judgment: Motion Hearing set for 11/10/2004 11:00 AM before Hon. Charles J. Siragusa. PLEASE NOTE NEW DATE AND TIME.(KAR,) (Entered: 08/24/2004)

09/15/2004		NOTICE of Hearing on Motion 84 MOTION for Summary Judgment: Motion Hearing set for 11/30/2004 03:30 PM before Hon. Charles J. Siragusa. (KAR,) (Entered: 09/15/2004)
09/15/2004		NOTICE re 84 MOTION for Summary Judgment. Defendant has until 9/14/04 to file its Reply Brief. (KAR,) Modified on 9/15/2004 (KAR,). Modified on 9/15/2004 (KAR,). (Entered: 09/15/2004)
09/15/2004		E-Filing Error Corrected: TEXT ORDER (not notice) re 84 MOTION for Summary Judgment. Defendant has until 9/14/04 to file its Reply Brief. (KAR,) Modified on 9/15/2004 (KAR,). (KAR,) (Entered: 09/15/2004)
09/20/2004	102	TEXT ORDER permitting defendant until 9/22/04 to file its Brief.. Signed by Hon. Charles J. Siragusa on 9/20/04. (MSH,) (Entered: 09/21/2004)
09/22/2004	103	REPLY/RESPONSE to re 100 Response in Opposition to Motion for Summary Judgment filed by Everdry Marketing and Management, Inc.. (Attachments: # 1 Affidavit # 2 Exhibit 1# 3 Exhibit 2# 4 Exhibit 3# 5 Exhibit 4# 6 Exhibit 5# 7 Exhibit 6# 8 Exhibit 7# 9 Exhibit 8# 10 Exhibit 9# 11 Exhibit 10# 12 Exhibit 11# 13 Exhibit 12# 14 Exhibit 13# 15 Exhibit 14# 16 Exhibit 15# 17 Exhibit 16)(Baker, Kenneth) (Entered: 09/22/2004)
11/30/2004	104	Minute Entry for proceedings held before Judge Charles J. Siragusa : (Court Reporter Frank Leogrande.)Appearances: Robert Rose appears for the plaintiff. Kenneth Baker and Sanford Shapiro appear for the defendants.Matter on for oral argument on defendant motion for summary judgment (84). Court will issue a decision in 60 days. (MSH,) (Entered: 11/30/2004)
02/01/2005	105	DECISION AND ORDER denying 84 Motion for Summary Judgment. Signed by Judge Charles J. Siragusa on 1/31/05. (KAR,) (Entered: 02/01/2005)
12/19/2005		NOTICE of Hearing: Pretrial Telephone Conference set for 12/22/2005 02:30 PM before Hon. Charles J. Siragusa. Plaintiff's counsel to arrange the conference call to the Court. (KAR,) (Entered: 12/19/2005)
12/22/2005	106	Minute Entry for proceedings held before Judge Charles J. Siragusa : Telephone Conference held on 12/22/2005. Parties will consent to the Magistrate. (MSH,) (Entered: 12/22/2005)
12/23/2005	107	SCHEDULING ORDER: Settlement Conference set for 3/29/2006 10:00 AM before Hon. Victor E. Bianchini.. Signed by Hon. Charles J. Siragusa on 12/23/05. (BJB,) (Entered: 12/23/2005)
01/16/2006	108	NOTICE of Appearance by Sanford R. Shapiro on behalf of Everdry Management Services, Inc. (Shapiro, Sanford) (Entered: 01/16/2006)
02/01/2006	109	PRETRIAL ORDER Jury Trial set for 5/22/2006 09:00 AM before Hon. Charles J. Siragusa.. Signed by Hon. Charles J. Siragusa on 2/1/06. (KAR,) (Entered: 02/01/2006)
03/29/2006		Minute Entry for proceedings held before Judge Victor E. Bianchini : Settlement Conference held on 3/29/2006. No settlement; no further conferences scheduled. (SDW) (Entered: 04/11/2006)

04/14/2006	110	MOTION in Limine <i>To Exclude Drug Use Testimony</i> by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Jessica Buckner Deposition Testimony# 2 Exhibit Melanie Buckner Deposition Testimony# 3 Exhibit Stephanie DiStasio Deposition Testimony# 4 Exhibit Danielle Doty Deposition Testimony# 5 Exhibit Ashley Houghton Deposition Testimony# 6 Exhibit Anna Stevenson Deposition Testimony)(Rose, Robert) (Entered: 04/14/2006)
04/14/2006	111	MOTION in Limine <i>To Limit/Exclude Education-Related Information</i> by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Jessica Buckner Deposition Testimony# 2 Exhibit Stephanie DiStasio Deposition Testimony)(Rose, Robert) (Entered: 04/14/2006)
04/17/2006	112	NOTICE of Appearance by Raechel L. Adams on behalf of Equal Employment Opportunity Commission (Adams, Raechel) (Entered: 04/17/2006)
04/17/2006		E-Filing Notification: THESE MOTIONS ARE NOT SIGNED, PLEASE RE-FILE SIGNED VERSIONS RE: 110 MOTION in Limine <i>To Exclude Drug Use Testimony</i> , 111 MOTION in Limine <i>To Limit/Exclude Education-Related Information</i> (BJB,) (Entered: 04/17/2006)
04/17/2006	113	AMENDED DOCUMENT by Equal Employment Opportunity Commission. Amendment to 111 MOTION in Limine <i>To Limit/Exclude Education-Related Information Amended for Signature Only</i> . (Attachments: # 1 Exhibit Jessica Buckner Deposition Testimony# 2 Exhibit Stephanie DiStasio Deposition Testimony)(Rose, Robert) (Entered: 04/17/2006)
04/17/2006	114	AMENDED DOCUMENT by Equal Employment Opportunity Commission. Amendment to 110 MOTION in Limine <i>To Exclude Drug Use Testimony Amended for Signature Only</i> . (Attachments: # 1 Exhibit Jessica Buckner Deposition Testimony# 2 Exhibit Melanie Buckner Deposition Testimony# 3 Exhibit Stephanie DiStasio Deposition Testimony# 4 Exhibit Danielle Doty Deposition Testimony# 5 Exhibit Ashley Houghton Deposition Testimony# 6 Exhibit Anna Stevenson Deposition Testimony)(Rose, Robert) (Entered: 04/17/2006)
04/25/2006	115	MOTION in Limine <i>to Exclude Defendants' Proposed Damages Summary</i> by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit 1-3)(Adams, Raechel) (Entered: 04/25/2006)
04/25/2006		NOTICE: Telephone Conference set for 4/27/2006 04:30 PM before Hon. Marian W. Payson. Parties to submit letters regarding discovery issues no later than 5:00 PM on 4/26/2006. (KAH) (Entered: 04/25/2006)
04/26/2006	116	Sealed Document. (BJB,) (Entered: 04/26/2006)
04/26/2006	117	Sealed Document. (BJB,) (Entered: 04/26/2006)
04/26/2006		NOTICE: Telephone Status Conference adjourned from 4/27/2006 4:30 PM to 5/4/2006 10:20 AM before Hon. Marian W. Payson. Parties to submit letters regarding discovery issues no later than 5:00 PM on 5/2/2006. Parties should call chambers at (585) 613-4080 at 10:20 AM to be connected into the telephone conference. (KAH) (Entered: 04/26/2006)

05/02/2006	118	REPLY/RESPONSE to re [117] Sealed Document, [116] Sealed Document filed by Everdry Management Services, Inc.. (Attachments: # (1) Affidavit Opposing Plaintiff's Motion in Limine)(Shapiro, Sanford) (Entered: 05/02/2006)
05/02/2006	119	SEALED DOCUMENT, Modified on 5/2/2006 (TO,). (Entered: 05/02/2006)
05/04/2006	125	Minute Entry for proceedings held before Judge Marian W. Payson : Telephone Conference held on 5/4/2006. (CAM,) (Entered: 05/10/2006)
05/05/2006	120	NOTICE by Everdry Marketing and Management, Inc. of <i>Submission of Pre-Trial Materials</i> (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Exhibit F)(Baker, Kenneth) (Entered: 05/05/2006)
05/06/2006	121	REPLY/RESPONSE to re 114 Amended Document, <i>Everdry Marketing and Management, Inc.'s Response to Plaintiff's First Set of Proposed Fact Stipulations</i> filed by Everdry Marketing and Management, Inc.. (Baker, Kenneth) (Entered: 05/06/2006)
05/08/2006	122	MOTION in Limine <i>To Preclude Testimony Concerning Conciliation</i> by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit 5 Exhibits to Motion)(Rose, Robert) (Entered: 05/08/2006)
05/08/2006	123	MOTION in Limine <i>To Preclude and/or Limit the Testimony of EEOC Investigator John Thompson</i> by Equal Employment Opportunity Commission.(Rose, Robert) (Entered: 05/08/2006)
05/08/2006	124	Sealed Document. (BJB,) (Entered: 05/09/2006)
05/10/2006	126	Sealed Document. (Attachments: # (1) Exhibit 1)(BJB,) (Entered: 05/10/2006)
05/18/2006	127	CONSENT to Jurisdiction by US Magistrate Judge. Case reassigned to Magistrate Judge Marian W. Payson. (BJB,) (Entered: 05/18/2006)
08/29/2006	128	MOTION in Limine <i>to Preclude Evidence Regarding Investigations Into Sexual Harassment Complaints Conducted and/or Directed by Defendants' Counsel</i> by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Exhibit 1 - Nelson Oct. 1, 1999 Ltr)(Rose, Robert) (Entered: 08/29/2006)
08/30/2006		NOTICE: Status Conference set for 9/14/2006 2:30 PM before Hon. Marian W. Payson. (KAH) (Entered: 08/30/2006)
08/31/2006	129	MOTION in Limine by Equal Employment Opportunity Commission. (Attachments: # 1 # 2 # 3 # 4 # 5 # 6 # 7)(Adams, Raechel) (Entered: 08/31/2006)
09/01/2006	130	Sealed Document. (BJB,) (Entered: 09/01/2006)
09/01/2006	131	Sealed Document. (BJB,) (Entered: 09/01/2006)
09/05/2006	132	MOTION to Strike <i>Plaintiff's Second Set of Proposed Fact Stipulations</i> by Everdry Management Services, Inc.. (Attachments: # 1 # 2 Exhibit A to Affidavit# 3 Certificate of Service)(Shapiro, Sanford) (Entered: 09/05/2006)
09/08/2006	133	Cross MOTION to Compel <i>and Opposition to 132 MOTION to Strike</i> by Equal Employment Opportunity Commission. (Attachments: # 1 Memorandum in Support # 2 Declaration# 3 Exhibit # 4 Exhibit # 5 Exhibit # 6 Exhibit # 7 Exhibit # 8 Exhibit)(Adams, Raechel) (Entered: 09/08/2006)

09/12/2006	134	MEMORANDUM IN OPPOSITION re 133 Cross MOTION to Compel <i>and Opposition to 132</i> by Everdry Management Services, Inc.. (Attachments: # 1 Certificate of Electronic Filing)(Shapiro, Sanford) (Entered: 09/12/2006)
09/13/2006	135	MEMORANDUM in Opposition re 133 Cross MOTION to Compel <i>and Opposition to 132 and Motion to Strike Plaintiff's Second Set of Proposed Fact Stipulations</i> filed by Everdry Marketing and Management, Inc.. (Attachments: # 1 Affidavit # 2 Exhibit A# 3 Exhibit B# 4 Exhibit C# 5 Exhibit D# 6 Exhibit E)(Baker, Kenneth) (Entered: 09/13/2006)
09/13/2006	136	MEMORANDUM in Opposition re 129 MOTION in Limine filed by Everdry Marketing and Management, Inc.. (Baker, Kenneth) (Entered: 09/13/2006)
09/14/2006		DOCUMENT NUMBER REQUIRED. Minute Entry for proceedings held before Judge Marian W. Payson : Status Conference held on 9/14/2006. Appearances: Robert Rose, Esq. and Raechel Adams, Esq. for plaintiff. For defendants: Sanford Shapio, Esq. and Kenneth Baker, Esq., by telephone (CAM,) Modified on 9/15/2006 (CAM,). (Entered: 09/15/2006)
09/14/2006		E-Filing Notification: DOCUMENT NUMBER REQUIRED. Minute Entry for proceedings held before Judge Marian W. Payson (CAM,) (CAM,) (Entered: 09/15/2006)
09/14/2006	137	Minute Entry for proceedings held before Judge Marian W. Payson : Status Conference held on 9/14/2006. Appearances: Robert Rose, Esq. and Raechel Adams, Esq. for plaintiff; For defendants: Sanford Shapiro, Esq. and Kenneth Baker, Esq., by telephone (CAM,) (Entered: 09/15/2006)
09/15/2006		NOTICE: Final Pretrial Conference set for 10/3/2006 12:30 PM before Hon. Marian W. Payson. (KAH) (Entered: 09/15/2006)
09/22/2006	138	MOTION in Limine <i>Regarding Jury Selection Peremptory Challenges</i> by Equal Employment Opportunity Commission.(Rose, Robert) (Entered: 09/22/2006)
09/26/2006		AFFIDAVIT - temporarily removed from system pending a motion to seal. Modified on 9/26/2006 (JMM). (Entered: 09/26/2006)
09/26/2006	139	AFFIDAVIT <i>Opposing Plaintiff's Motion to Preclude Evidence of Stephanie DiStasio's Educational History</i> by Everdry Management Services, Inc.. (Attachments: # 1 Certificate of Service)(Shapiro, Sanford) (Entered: 09/26/2006)
09/26/2006	155	Sealed Document. (BJB,) (Entered: 10/04/2006)
09/27/2006	140	Proposed Jury Instructions by Everdry Management Services, Inc.. (Attachments: # 1 Certificate of Service)(Shapiro, Sanford) (Entered: 09/27/2006)
09/27/2006	141	MEMORANDUM in Opposition re 138 MOTION in Limine <i>Regarding Jury Selection Peremptory Challenges</i> filed by Everdry Marketing and Management, Inc.. (Baker, Kenneth) (Entered: 09/27/2006)
09/27/2006	142	OBJECTIONS <i>to Plaintiff EEOC's Pre-Trial Materials</i> filed by Defendant Everdry Marketing and Management, Inc... (Baker, Kenneth) (Entered: 09/27/2006)

09/27/2006	143	OBJECTIONS to Plaintiff EEOC's Deposition Designations filed by Defendant Everdry Marketing and Management, Inc... (Baker, Kenneth) (Entered: 09/27/2006)
09/27/2006	144	OBJECTIONS to Plaintiff EEOC's Witness List filed by Defendant Everdry Marketing and Management, Inc... (Baker, Kenneth) (Entered: 09/27/2006)
09/27/2006	145	OBJECTIONS to Plaintiff EEOC's Exhibit List filed by Defendant Everdry Marketing and Management, Inc... (Baker, Kenneth) (Entered: 09/27/2006)
09/27/2006	146	OBJECTIONS to Plaintiff EEOC's Proposed Jury Instructions filed by Defendant Everdry Marketing and Management, Inc... (Baker, Kenneth) (Entered: 09/27/2006)
09/27/2006	147	Proposed Jury Instructions by Everdry Marketing and Management, Inc.. (Baker, Kenneth) (Entered: 09/27/2006)
09/28/2006	148	OBJECTIONS to Plaintiff EEOC's Third Set of Deposition Designations filed by Defendant Everdry Marketing and Management, Inc... (Baker, Kenneth) (Entered: 09/28/2006)
09/28/2006	149	Sealed Document. (BJB,) (Entered: 09/28/2006)
09/29/2006	150	REPLY/RESPONSE to re 148 Objections -- non-motion Response by Everdry Management Services, Inc. to EEOC's Third Set of Deposition Designations Re Danielle Doty filed by Everdry Marketing and Management, Inc.. (Attachments: # 1 Certificate of Service)(Shapiro, Sanford) (Entered: 09/29/2006)
09/29/2006	151	OBJECTIONS to Proposed Jury Instructions 147 , Proposed Jury Instructions 140 filed by Plaintiff Equal Employment Opportunity Commission.. (Adams, Raechel) (Entered: 09/29/2006)
10/02/2006	152	OBJECTIONS by Everdry Management Services, Inc. to Plaintiff's Exhibit list filed by Defendant Everdry Management Services, Inc... (Attachments: # 1 Certificate of Service)(Shapiro, Sanford) (Entered: 10/02/2006)
10/03/2006	153	ORDER to seal affidavit. Signed by Hon. Marian W. Payson on 9/27/2006. (JMM) (Entered: 10/03/2006)
10/03/2006	165	Minute Entry for proceedings held before Judge Marian W. Payson : Initial Pretrial Conference held on 10/3/2006. Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. for plaintiff; Kenneth Baker, Esq. and Sanford Shapiro, Esq. for defendants(Court Reporter Christi Macri.) (CAM,) (Entered: 10/11/2006)
10/04/2006	154	MOTION for Limited Admission Motion for Admission Pro Hac Vice by Everdry Marketing and Management, Inc..(Baker, Kenneth) (Entered: 10/04/2006)
10/05/2006	156	MOTION in Limine to Obtain Demographic Data re. Potential Jurors by Equal Employment Opportunity Commission. (Attachments: # 1 Text of Proposed Order Proposed Order Granting Motion)(Rose, Robert) (Entered: 10/05/2006)
10/05/2006	157	Supplemental MOTION in Limine to Preclude and/or Limit the Testimony of EEOC Investigator John Thompson and to Preclude Evidence Regarding Responses Received by EEOC to Questionnaires Mailed by EEOC by Equal

		Employment Opportunity Commission. (Attachments: # 1 Exhibit Exh. A, excerpts of Dep. of J. Thompson# 2 Exhibit B# 3 Exhibit C# 4 Memorandum in Support of Original Motion in Limine to Preclude and/or Limit the Testimony of EEOC Investigator John Thompson)(Rose, Robert) (Entered: 10/05/2006)
10/05/2006	158	AFFIDAVIT <i>in Support of Ex Parte Motion For Admission of Attorney To Practice Pro Hac Vice Pursuant to Local Rule of Civil Procedure for the U.S. District Court of the Western District of New York, Rule 83.1(d)</i> by Everdry Management Services, Inc.. (Shapiro, Sanford) (Entered: 10/05/2006)
10/05/2006	159	MOTION to Dismiss <i>or in the Alternative, Stay Proceedings for Failure to Conciliate</i> by Everdry Marketing and Management, Inc.. (Attachments: # 1 # 2 # 3 # 4 # 5 # 6 # 7 # 8 # 9)(Baker, Kenneth) (Entered: 10/05/2006)
10/05/2006	160	ORDER granting 154 Motion for Limited Admission. Harold M. Schwarz, III is admitted pro hac vice for purposes of representing Everdry Marketing and Management, Inc. Such admission shall be effective upon the payment of the admission fee to the Clerk of the Court. Signed by Judge Marian W. Payson on 10/5/2006. (KAH) (Entered: 10/05/2006)
10/06/2006	161	MEMORANDUM in Opposition re 159 MOTION to Dismiss <i>or in the Alternative, Stay Proceedings for Failure to Conciliate</i> filed by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Exhibit 1# 2 Exhibit Exhibit 2# 3 Exhibit Exhibit 3# 4 Exhibit Exhibit 4# 5 Exhibit Exhibit 5# 6 Exhibit Exhibit 6# 7 Supplement May 6, 2006 EEOC Motion in Limine to Preclude Testimony Concerning Conciliation)(Rose, Robert) (Entered: 10/06/2006)
10/10/2006	162	TRANSCRIPT of Proceedings (Pretrial Conference) held on October 3, 2006 before Judge Marian W. Payson. Court Reporter: Christi A. Macri. 87 pages. (SMO,) (Entered: 10/10/2006)
10/10/2006	163	Sealed Document. (SMO,) (Entered: 10/10/2006)
10/10/2006	164	MEMORANDUM/BRIEF <i>Regarding Admissibility of Admissions in the Form of Unverified Interrogatory Answers Made by Counsel on Behalf of Defendants</i> by Equal Employment Opportunity Commission. (Rose, Robert) (Entered: 10/10/2006)
10/10/2006	171	Minute Entry for proceedings held before Judge Marian W. Payson : Final Pretrial Conference held on 10/10/2006. Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. for plaintiff with Maxine Snyder, paralegal. For defendants: Kenneth B. Baker, Esq. On behalf of Everdry Marketing and Management, Inc., with Carl Moore, Representative of Everdry Marketing and Management, Inc.; Sanford R. Shapiro, Esq. For Everdry Management Services, Inc.(Court Reporter Christi Macri.) (CAM,) (Entered: 10/14/2006)
10/10/2006		Minute Entry for proceedings held before Judge Marian W. Payson : Voir Dire held on 10/10/2006. (CAM,) (Entered: 10/14/2006)
10/10/2006	172	Minute Entry for proceedings held before Judge Marian W. Payson : Jury Trial held on 10/10/2006. (Court Reporter Christi Macri.)Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. and Maxine Snyder, Paralegal for plaintiff. For defendants: Kenneth B. Baker, Esq. On behalf of Everdry Marketing and

		Management, Inc., with Carl Moore, Representative of Everdry Marketing and Management, Inc.; Sanford R. Shapiro, Esq. For Everdry Management Services, Inc. (CAM,) (Entered: 10/14/2006)
10/11/2006	166	MOTION Motion to Exclude The Deposition Testimony of Joelle Loiacano by Everdry Marketing and Management, Inc..(Baker, Kenneth) (Entered: 10/11/2006)
10/11/2006	173	Minute Entry for proceedings held before Judge Marian W. Payson : Jury Trial held on 10/11/2006. (Court Reporter Christi Macri.)Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. for plaintiff with Maxine Snyder, paralegal. For defendants: Kenneth B. Baker, Esq. On behalf of Everdry Marketing and Management, Inc., with Carl Moore, Representative of Everdry Marketing and Management, Inc.Sanford R. Shapiro, Esq. For Everdry Management Services, Inc. (CAM,) (Entered: 10/14/2006)
10/12/2006	167	RESPONSE in Support re 157 Supplemental MOTION in Limine to Preclude and/or Limit the Testimony of EEOC Investigator John Thompson and to Preclude Evidence Regarding Responses Received by EEOC to Questionnaires Mailed by EEOC EEOC's Memorandum of Law re. Inadmissibility of Evidence Concerning EEOC's Administrative Investigation on Issue of Punitive Damages filed by Equal Employment Opportunity Commission. (Rose, Robert) (Entered: 10/12/2006)
10/12/2006	168	MOTION to Amend/Correct <i>Everdry Management Services, Inc., Witness List to Include Witness Anna Pompakidis</i> by Everdry Management Services, Inc.. (Attachments: # 1 Affidavit in Support of Motion# 2 Certificate of Service)(Shapiro, Sanford) (Entered: 10/12/2006)
10/12/2006	169	MEMORANDUM in Opposition re 166 MOTION Motion to Exclude The Deposition Testimony of Joelle Loiacano filed by Equal Employment Opportunity Commission. (Attachments: # 1)(Rose, Robert) (Entered: 10/12/2006)
10/12/2006	174	Minute Entry for proceedings held before Judge Marian W. Payson : Jury Trial held on 10/12/2006. Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. for plaintiff with Maxine Snyder, paralegal. For defendants: Kenneth B. Baker, Esq. on behalf of Everdry Marketing and Management, Inc., with Carl Moore, Representative of Everdry Marketing and Management, Inc.Sanford R. Shapiro, Esq. for Everdry Management Services, Inc. (Court Reporter Christi Macri.) (CAM,) (Entered: 10/14/2006)
10/13/2006	170	MEMORANDUM in Opposition re 168 MOTION to Amend/Correct <i>Everdry Management Services, Inc., Witness List to Include Witness Anna Pompakidis</i> filed by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Duke v. Nassau County decision# 2 Exhibit Pryor v. Opportunities Limited decision)(Adams, Raechel) (Entered: 10/13/2006)
10/13/2006	176	Minute Entry for proceedings held before Judge Marian W. Payson : Jury Trial held on 10/13/2006. Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. for plaintiff with Maxine Snyder, paralegal. For defendants: Kenneth B. Baker, Esq. on behalf of Everdry Marketing and Management, Inc., with Carl Moore, Representative of Everdry Marketing and Management, Inc.Sanford R. Shapiro, Esq. for Everdry Management Services, Inc. (Court Reporter Christi

		Macri.) (CAM,) (Entered: 10/19/2006)
10/13/2006		Pro Hac Vice fee received as to Harold M. Schwarz, III: \$ 75.00, receipt number 69717 (BJB,) (Entered: 11/06/2006)
10/16/2006	175	REPLY/RESPONSE to re 168 MOTION to Amend/Correct <i>Everdry Management Services, Inc., Witness List to Include Witness Anna Pompakidis</i> filed by Everdry Management Services, Inc.. (Attachments: # 1 Certificate of Service)(Shapiro, Sanford) (Entered: 10/16/2006)
10/16/2006	180	Minute Entry for proceedings held before Judge Marian W. Payson : Jury Trial held on 10/16/2006. Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. for plaintiff with Maxine Snyder, paralegal. For defendants: Kenneth B. Baker, Esq. on behalf of Everdry Marketing and Management, Inc., with Carl Moore, Representative of Everdry Marketing and Management, Inc.Sanford R. Shapiro, Esq. for Everdry Management Services, Inc.(Court Reporter Christi Macri.) (CAM,) (Entered: 10/23/2006)
10/17/2006	183	Minute Entry for proceedings held before Judge Marian W. Payson : Jury Trial held on 10/17/2006. Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. for plaintiff with Maxine Snyder, paralegal. For defendants: Kenneth B. Baker, Esq. on behalf of Everdry Marketing and Management, Inc., with Carl Moore, Representative of Everdry Marketing and Management, Inc.; Sanford R. Shapiro, Esq. for Everdry Management Services, Inc.(Court Reporter Christi Marci.) (CAM,) (Entered: 10/23/2006)
10/18/2006	186	Minute Entry for proceedings held before Judge Marian W. Payson : Jury Trial held on 10/18/2006. Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. for plaintiff with Maxine Snyder, paralegal. For defendants: Kenneth B. Baker, Esq. on behalf of Everdry Marketing and Management, Inc., with Carl Moore, Representative of Everdry Marketing and Management, Inc.Sanford R. Shapiro, Esq. for Everdry Management Services, Inc. (Court Reporter Christi Macri.) (CAM,) (Entered: 10/26/2006)
10/19/2006	187	Minute Entry for proceedings held before Judge Marian W. Payson : Jury Trial held on 10/19/2006. Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. for plaintiff with Maxine Snyder, paralegal. For defendants: Kenneth B. Baker, Esq. on behalf of Everdry Marketing and Management, Inc., with Carl Moore, Representative of Everdry Marketing and Management, Inc.Sanford R. Shapiro, Esq. for Everdry Management Services, Inc.? (Court Reporter Christi Macri.) (CAM,) (Entered: 10/30/2006)
10/20/2006	177	Sealed Document. (SMO,) (Entered: 10/20/2006)
10/20/2006	178	TRIAL BRIEF <i>Trial Memorandum</i> by Everdry Management Services, Inc.. (Attachments: # 1 Certificate of Service)(Shapiro, Sanford) (Entered: 10/20/2006)
10/20/2006	188	Minute Entry for proceedings held before Judge Marian W. Payson : Jury Trial held on 10/20/2006. Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. for plaintiff with Maxine Snyder, paralegal. For defendants: Kenneth B. Baker, Esq. on behalf of Everdry Marketing and Management, Inc., with Carl Moore, Representative of Everdry Marketing and Management, Inc.; Sanford R. Shapiro, Esq. for Everdry Management Services, Inc. (Court Reporter Christi

		Macri.) (CAM,) (Entered: 10/30/2006)
10/23/2006	179	MOTION to Furnish All Exhibits and Jury Instructions to the Jury for Their Deliberations in the Jury Room by Equal Employment Opportunity Commission.(Rose, Robert) (Entered: 10/23/2006)
10/23/2006	181	TRANSCRIPT of Proceedings (Rule 50 Motions) held on 10/19/06 before Judge Marian W. Payson. Court Reporter: Christi A. Macri. 62 pages. (SMO,) (Entered: 10/23/2006)
10/23/2006	182	Proposed Jury Instructions by Equal Employment Opportunity Commission. (Adams, Raechel) (Entered: 10/23/2006)
10/24/2006	184	APPLICATION for Order to Show Cause (BJB,) (Entered: 10/24/2006)
10/24/2006	185	ORDER TO SHOW CAUSE Show Cause Hearing set for 10/25/2006 09:00 AM before Hon. Marian W. Payson.. Signed by Hon. Marian W. Payson on 10/24/06. (BJB,) (Entered: 10/24/2006)
10/24/2006	190	Minute Entry for proceedings held before Judge Marian W. Payson : Jury Trial held on 10/24/2006. Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. for plaintiff with Maxine Snyder, paralegal. For defendants: Kenneth B. Baker, Esq. on behalf of Everdry Marketing and Management, Inc., with Carl Moore, Representative of Everdry Marketing and Management, Inc.; Sanford R. Shapiro, Esq. for Everdry Management Services, Inc. (Court Reporter Christi Macri.) (CAM,) (Entered: 10/30/2006)
10/25/2006	192	Minute Entry for proceedings held before Judge Marian W. Payson : Jury Trial held on 10/25/2006. Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. for plaintiff with Maxine Snyder, paralegal. For defendants: Kenneth B. Baker, Esq. on behalf of Everdry Marketing and Management, Inc., with Carl Moore, Representative of Everdry Marketing and Management, Inc.Sanford R. Shapiro, Esq. for Everdry Management Services, Inc.(Court Reporter Christi Macri.) (CAM,) (Entered: 11/01/2006)
10/26/2006	191	Minute Entry for proceedings held before Judge Marian W. Payson : Jury Trial held on 10/26/2006. Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. for plaintiff. For defendants: Kenneth B. Baker, Esq. on behalf of Everdry Marketing and Management, Inc.; Sanford R. Shapiro, Esq. for Everdry Management Services, Inc.(Court Reporter Christi Macri.) (CAM,) (Entered: 11/01/2006)
10/27/2006	189	JURY VERDICT. (BJB,) . Modified on 10/30/2006 (BJB,). (Entered: 10/30/2006)
10/27/2006	193	Minute Entry for proceedings held before Judge Marian W. Payson : Jury Trial completed on 10/27/2006. Appearances: Robert Rose, Esq. and Raechel L. Adams, Esq. for plaintiff. For defendants: Kenneth B. Baker, Esq. on behalf of Everdry Marketing and Management, Inc.; Sanford R. Shapiro, Esq. for Everdry Management Services, Inc.(Court Reporter Christi Macri.) (CAM,) (Entered: 11/03/2006)
10/30/2006		E-Filing Notification: DOCUMENT WAS NOT COMPLETE - FULL DOCUMENT ADDED RE: 189 JURY VERDICT. (BJB,). Modified on 10/30/2006 (BJB,). (BJB,) (Entered: 10/30/2006)

11/07/2006	194	JUDGMENT in favor of plaintiff against defendants. Signed by Clerk of Court on 11/7/06. (BJB,) (Entered: 11/07/2006)
11/07/2006	195	AMENDED JUDGMENT in favor of plaintiff against defendant. Signed by Clerk of Court on 11/7/06. (BJB,) (Entered: 11/07/2006)
11/10/2006	196	MOTION to Amend/Correct by Everdry Management Services, Inc.. (Attachments: # 1 Notice of Motion# 2 Affidavit of Sanford R. Shapiro, Esq.# 3 Affidavit of Carl Moore# 4 Affidavit John Sharpe# 5 Affidavit of Nicholas DiCello# 6 Exhibit A# 7 Memorandum in Support # 8 Certificate of Service)(Shapiro, Sanford) (Entered: 11/10/2006)
11/15/2006	197	ORDER re 196 MOTION to Amend/Correct filed by Everdry Management Services, Inc., Responses due by 12/13/2006 Replies due by 12/20/2006. Plaintiff demand for injunctive relief deadline 11/30/2006, defendants opposition to injunctive relief deadline 12/13/2006, plaintiff reply to response to injunctive relief deadline 12/20/2006. Motion Hearing set for 1/4/2007 02:00 PM before Hon. Marian W. Payson. . Signed by Hon. Marian W. Payson on 01cv6329. (BJB,) (Entered: 11/15/2006)
11/17/2006	198	MOTION to Amend/Correct <i>Judgment to Include Pre-Judgment Interest on Compensatory Damages and Lost Wages Awarded to Claimants</i> by Equal Employment Opportunity Commission. (Attachments: # 1 Affidavit Attorney Affirmation in Support of Motion# 2 Memorandum in Support Memo of Law in Support of Motion)(Rose, Robert) (Entered: 11/17/2006)
11/20/2006	199	ORDER re 198 MOTION to Amend/Correct <i>Judgment to Include Pre-Judgment Interest on Compensatory Damages and Lost Wages Awarded to Claimants</i> filed by Equal Employment Opportunity Commission, Responses due by 12/13/2006 Replies due by 12/20/2006. Motion Hearing set for 1/4/2007 02:00 PM before Hon. Marian W. Payson.. Signed by Hon. Marian W. Payson on 11/20/06. (BJB,) (Entered: 11/20/2006)
11/24/2006	201	NOTICE OF APPEAL by Everydry Waterproofing, Inc., Everdry Marketing and Management, Inc., Everdry Management Services, Inc., Everdry of Rochester. Filing fee \$ 455, receipt number ROC206. (MMG,) (Entered: 11/28/2006)
11/27/2006	200	AFFIRMATION filed by Equal Employment Opportunity Commission <i>Regarding the Filing of Pre-Trial Order Documents by EEOC</i> . (Attachments: # 1 Exhibit EEOC's Voir Dire Information# 2 Exhibit EEOC's First Amended Witness List# 3 Exhibit EEOC's Proposed Voir Dire Questions# 4 Exhibit EEOC's Amended Proposed Voir Dire Questions# 5 Exhibit EEOC's Exhibit List - page 1# 6 Exhibit EEOC's Exhibit List - page 2# 7 Exhibit EEOC's Exhibit List - page 3# 8 Exhibit EEOC's First Set of Deposition Designations# 9 Exhibit EEOC's First Amendment to its First Set of Deposition Designations# 10 Exhibit EEOC's Second Set of Deposition Designations# 11 Exhibit EEOC's Third Set of Deposition Designations# 12 Exhibit EEOC's Statement of Special Damages# 13 Exhibit EEOC's Trial Brief# 14 Exhibit EEOC's May 5, 2006 Letter to Judge Siragusa# 15 Exhibit EEOC's Sept. 29, 2006 Letter to Judge Payson# 16 Exhibit EEOC's Exhibit List - page 4)(Rose, Robert) (Entered: 11/27/2006)
11/28/2006		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 201 Notice of Appeal (MMG,) (Entered: 11/28/2006)

11/28/2006	202	PROPOSED BILL OF COSTS by Equal Employment Opportunity Commission. (Attachments: # 1 Affidavit Affirmation of EEOC Attorney Robert D. Rose Regarding EEOC's Bill of Costs Following Jury Verdict for EEOC at Trial# 2 Exhibit Invoice Exhibits re: Bill of Costs)(Rose, Robert) Modified on 11/30/2006 (BJB,). (Entered: 11/28/2006)
11/30/2006	203	MOTION for injunctive relief by Equal Employment Opportunity Commission. (Attachments: # 1 Affidavit Affirmation of EEOC Attorney Robert D. Rose in Support of Motion# 2 Text of Proposed Order Proposed Judgment and Order Regarding Injunctive Relief# 3 Exhibit Notice of Judgment# 4 Exhibit Memo Regarding Title VII Requirements# 5 Exhibit EEOC Youth@Work Fact Sheet# 6 Memorandum in Support Memo of Law in Support of Motion)(Rose, Robert) (Entered: 11/30/2006)
12/01/2006	204	ORDER granting request to change time re 196 MOTION to Amend/Correct filed by Everdry Management Services, Inc. and 198 MOTION to Amend/Correct <i>Judgment to Include Pre-Judgment Interest on Compensatory Damages and Lost Wages Awarded to Claimants</i> filed by Equal Employment Opportunity Commission: Motion Hearing set for 1/4/2007 1:00 PM before Hon. Marian W. Payson. Signed by Hon. Marian W. Payson on 12/1/2006. (KAH) (Entered: 12/06/2006)
12/11/2006	205	MOTION SCHEDULING ORDER re 203 MOTION for injunctive relief filed by Equal Employment Opportunity Commission: Responses due by 12/29/2006. Motion Hearing set for 1/4/2007 1:00 PM before Hon. Marian W. Payson. Signed by Hon. Marian W. Payson on 12/11/2006. (KAH) (Entered: 12/11/2006)
12/12/2006	206	ORDER vacating 205 Motion Scheduling Order filed on 12/11/2006. The parties are directed to follow the deadlines set in this Court's previously filed Order of 11/15/2006 197 . Signed by Hon. Marian W. Payson on 12/12/2006. (KAH) (Entered: 12/12/2006)
12/12/2006	207	AMENDED ORDER (correcting the filing date of 205). Signed by Hon. Marian W. Payson on 12/12/2006. (KAH) (Entered: 12/12/2006)
12/13/2006	208	RESPONSE in Opposition re 196 MOTION to Amend/Correct <i>Judgment to Reduce Damage Awards</i> filed by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Exhibits A-C for Affirmation# 2 Memorandum in Support EEOC Memo of Law in Opposition to Motion)(Rose, Robert) (Entered: 12/13/2006)
12/13/2006	209	REPLY/RESPONSE to re 203 MOTION for injunctive relief filed by Everdry Marketing and Management, Inc.. (Attachments: # 1 Affidavit)(Baker, Kenneth) (Entered: 12/13/2006)
12/13/2006	210	MEMORANDUM in Opposition re 198 MOTION to Amend/Correct <i>Judgment to Include Pre-Judgment Interest on Compensatory Damages and Lost Wages Awarded to Claimants</i> filed by Everdry Marketing and Management, Inc.. (Baker, Kenneth) (Entered: 12/13/2006)
12/18/2006	213	BILL OF COSTS. (BJB,) (Entered: 12/27/2006)
12/20/2006	211	REPLY to Response to Motion re 198 MOTION to Amend/Correct <i>Judgment to Include Pre-Judgment Interest on Compensatory Damages and Lost Wages</i>

		<i>Awarded to Claimants</i> filed by Equal Employment Opportunity Commission. (Rose, Robert) (Entered: 12/20/2006)
12/20/2006	212	REPLY to Response to Motion re 203 MOTION for injunctive relief filed by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Ex. A to Reply Affirmation# 2 Memorandum in Support of EEOC's Reply)(Rose, Robert) (Entered: 12/20/2006)
01/04/2007	214	Minute Entry for proceedings held before Judge Marian W. Payson : Motion argument held. Everdry Management Services, Inc.'s motion to amend/correct (#196) - reserved. Plaintiff's motion to amend/correct (#198) - reserved. Plaintiff's motion for injunctive relief (#203) - reserved. Hearing set for 2/14/07 @ 12:30 p.m. in re: number of employees. Names of witnesses to be produced by 2/7/07. Further law to be submitted by 1/16/07 in re: discretion of the Court to hold hearing. Submission by Kenneth Baker, Esq. in re: liability to be filed by 1/18/07. Appearances: Robert Rose, Esq. for plaintiff; Kenneth Baker, Esq. and Harold Schwarz, Esq. for Everdry Marketing and Management; Sanford Shapiro, Esq. for Everdry Management Services, Inc.; Christi Macri, Court Reporter (CAM,) (Entered: 01/08/2007)
01/16/2007	215	MEMORANDUM/BRIEF of Law regarding the Authority of the Court to Conduct a Hearing to Determine the Applicability of 42 U.S.C. ?1981a(b)(3) to the Damage Awards Made to the Claimants by Everdry Management Services, Inc.. (Shapiro, Sanford) (Entered: 01/16/2007)
01/16/2007	216	CERTIFICATE OF SERVICE by Everdry Management Services, Inc. re 215 Memorandum/Brief (Shapiro, Sanford) (Entered: 01/16/2007)
01/30/2007	217	ORDER Each party shall produce to the other all documents sought to be introduced during the evidentiary hearing and a list of all potential witnesses by no later than 2/7/2007. Signed by Hon. Marian W. Payson on 1/30/2007. (KAH) (Entered: 01/30/2007)
01/31/2007	218	Sealed Document. (SMO,) (Entered: 01/31/2007)
01/31/2007	219	Sealed Document. (SMO,) (Entered: 01/31/2007)
01/31/2007	220	TRANSCRIPT of Proceedings (Jury Trial) held on October 10, 2006 before Judge Marian W. Payson. Court Reporter: Christi A. Macri. 68 pages + 13 index pages. (SMO,) (Entered: 01/31/2007)
01/31/2007	221	TRANSCRIPT of Proceedings (Vol. 2 Jury Trial) held on October 11, 2006 before Judge Marian W. Payson. Court Reporter: Christi A. Macri. 229 pages + 41 index pages. (SMO,) (Entered: 01/31/2007)
01/31/2007	222	TRANSCRIPT of Proceedings (Vol. 3 Jury Trial) held on October 12, 2006 before Judge Marian W. Payson. Court Reporter: Christi A. Macri. 242 pages + 46 index pages. (SMO,) (Entered: 01/31/2007)
01/31/2007	223	TRANSCRIPT of Proceedings (Vol. 4 Jury Trial) held on October 13, 2006 before Judge Marian W. Payson. Court Reporter: Christi A. Macri. 115 pages + 24 index pages. (SMO,) (Entered: 01/31/2007)
01/31/2007	224	TRANSCRIPT of Proceedings (Vol. 5 Jury Trial) held on October 16, 2006 before Judge Marian W. Payson. Court Reporter: Christi A. Macri. 203 pages +

		37 index pages. (SMO,) (Entered: 01/31/2007)
01/31/2007	225	TRANSCRIPT of Proceedings (Vol. 6 Jury Trial) held on October 17, 2006 before Judge Marian W. Payson. Court Reporter: Christi A. Macri. 249 pages + 50 index pages. (SMO,) (Entered: 01/31/2007)
01/31/2007	226	TRANSCRIPT of Proceedings (Vol. 7 Jury Trial) held on October 18, 2006 before Judge Marian W. Payson. Court Reporter: Christi A. Macri. 251 pages + 51 index pages. (SMO,) (Entered: 01/31/2007)
01/31/2007	227	TRANSCRIPT of Proceedings (Vol. 8 Jury Trial) held on October 19, 2006 before Judge Marian W. Payson. Court Reporter: Christi A. Macri. 185 pages + 36 index pages. (SMO,) (Entered: 01/31/2007)
01/31/2007	228	TRANSCRIPT of Proceedings (Vol. 9 Jury Trial) held on October 20, 2006 before Judge Marian W. Payson. Court Reporter: Christi A. Macri. 106 pages + 24 index pages. (SMO,) (Entered: 01/31/2007)
01/31/2007	229	TRANSCRIPT of Proceedings (Vol. 10 Jury Trial) held on October 24, 2006 before Judge Marian W. Payson. Court Reporter: Christi A. Macri. 23 pages. (SMO,) (Entered: 01/31/2007)
01/31/2007	230	TRANSCRIPT of Proceedings (Vol. 11 Jury Trial) held on October 25, 2006 before Judge Marian W. Payson. Court Reporter: Christi A. Macri. 64 pages + 17 index pages. (SMO,) (Entered: 01/31/2007)
02/07/2007	231	MEMORANDUM/BRIEF <i>Memorandum of Law Regarding the Evidence Used to Determine the Number of Employees in Applying 42 U.S.C.S. 1981a(b)(3) to the Damage Awards Made to the Claimants</i> by Everdry Management Services, Inc.. (Attachments: # 1 Certificate of Service)(Shapiro, Sanford) (Entered: 02/07/2007)
02/09/2007	232	MEMORANDUM in Opposition re 196 MOTION to Amend/Correct <i>Memo of Law in Opposition to Defendants' Second Memo of Law Filed in Support of Motion</i> filed by Equal Employment Opportunity Commission. (Rose, Robert) (Entered: 02/09/2007)
02/20/2007		NOTICE as to 196 MOTION to Amend/Correct. Motion Hearing adjourned from 2/14/2007 at 12:30 PM to 3/12/2007 1:00 PM before Hon. Marian W. Payson. (KAH) (Entered: 02/20/2007)
02/27/2007	233	TRANSCRIPT of Proceedings held on 10/10/2006 before Judge Marian W. Payson. Court Reporter: Christi Macri. 36 pages. (BJB,) (Entered: 02/27/2007)
02/27/2007	234	TRANSCRIPT of Proceedings (Closing Arguments) held on 10/25/2006 before Judge Marian W. Payson. Court Reporter: Christi Macri. 89 pages. (BJB,) (Entered: 02/27/2007)
02/27/2007	235	TRANSCRIPT of Proceedings (Trial - Plaintiff's Closing & Jury Charge) held on 10/26/06 before Judge Marian W. Payson. Court Reporter: Christi Macri. 101 pages. (BJB,) (Entered: 02/27/2007)
03/06/2007	236	AFFIDAVIT <i>Regarding Filing of Defendants' Pre-Trial Order Documents</i> by Everdry Management Services, Inc.. (Attachments: # 1 Certificate of Service)(Shapiro, Sanford) (Entered: 03/06/2007)

03/12/2007	237	Minute Entry for proceedings held before Judge Marian W. Payson : Evidentiary Hearing held on 3/12/2007. Matter reserved.Appearances: Robert Rose, Esq. for plaintiff; Sanford Shapiro, Esq. for EMS; Karen Winter, Court Reporter (CAM,) (Entered: 03/19/2007)
03/21/2007	238	REPLY/RESPONSE to re 203 MOTION for injunctive relief <i>Letter Requesting that the Court Consider Additional Information Relevant to the Motion</i> filed by Equal Employment Opportunity Commission. (Rose, Robert) (Entered: 03/21/2007)
03/26/2007	239	MOTION for Extension of Time to File Response/Reply <i>Letter Requesting Extension of Seven (7) Days in Which to Respond to Attorney Rose's Letter of March 21, 2007</i> by Everdry Marketing and Management, Inc..(Baker, Kenneth) (Entered: 03/26/2007)
03/26/2007	240	ORDER granting request to allow EMM until 4/2/2007 to respond to EEOC's 3/21/2007 letter. Signed by Hon. Marian W. Payson on 3/26/2007. (KAH) (Entered: 03/26/2007)
04/02/2007	241	REPLY/RESPONSE to re 238 Reply/Response to <i>March 21, 2007 injunctive relief letter</i> filed by Everdry Marketing and Management, Inc.. (Attachments: # 1 # 2)(Baker, Kenneth) (Entered: 04/02/2007)
04/03/2007	242	ORDER granting request to allow EEOC until 4/20/2007 to respond to defendant EMM's letter filed on 4/2/2007 241 . Signed by Hon. Marian W. Payson on 4/3/2007. (KAH) (Entered: 04/04/2007)
04/12/2007	243	REPLY/RESPONSE to re 203 MOTION for injunctive relief <i>Letter in Response to Defendants' April 2, 2007 Letter to the Court</i> filed by Equal Employment Opportunity Commission. (Rose, Robert) (Entered: 04/12/2007)
04/16/2007	244	REPLY/RESPONSE to re 243 Reply/Response <i>Response of EMM to EEOC's Letter of April 12, 2007</i> filed by Everdry Marketing and Management, Inc.. (Baker, Kenneth) (Entered: 04/16/2007)

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