

**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:01-cv-04366-NGG-VVP**

Equal Employment Opp v. Federal Express, Inc
Assigned to: Judge Nicholas G. Garaufis
Referred to: Magistrate-Judge Viktor V. Pohorelsky
Demand: \$0
Cause: 28:451 Employment Discrimination

Date Filed: 06/28/2001
Date Terminated: 01/12/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Andree Peart**
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V.

Intervenor Plaintiff

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V.

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Date Filed	#	Docket Text
06/28/2001	1	COMPLAINT filed and summons(es) issued for Federal Express, Inc (Villanueva, William) (Entered: 06/28/2001)
06/28/2001		CASE REFERRED to Magistrate Viktor V. Pohorelsky (Villanueva, William) (Entered: 06/28/2001)
07/05/2001	2	AMENDED COMPLAINT by Equal Employment Opportunity Commission. [1-1] (Johnson, Tanya) (Entered: 07/16/2001)
07/05/2001		DEMAND for jury trial by Equal Employment Opp. (As per doc #2) (Johnson, Tanya) (Entered: 07/16/2001)
07/13/2001	3	LETTER dated 7/11/01 from Gregory B Richards, Esq., to Tynia Richards stating that this action has been reassigned to attorney Stephen R. Cochell, Esq. (Johnson, Tanya) (Entered: 07/17/2001)

07/19/2001	4	LETTER dated 7/9/01 from Henry L. Saurborn to Counsel, notifying parties that Mr. Loney's proposed motion will be addressed at the conf. on 7/26/01 at 9:30. (DiLorenzo, Krista) (Entered: 07/19/2001)
07/26/2001	15	Calendar entry: Pre-motion conference held before Judge Garaufis; Court Reporter: Marsha Diamond. Office of the Attorney General's Office, State of New York - Motion to intervene is granted. (Lee, Tiffeny) (Entered: 01/16/2002)
08/29/2001	5	STIPULATION extending time for dft. to answer or respond to the complaint to 9/18/01 . (Signed by Judge Nicholas G. Garaufis on 8/30/01). C/M. (DiLorenzo, Krista) (Entered: 08/30/2001)
09/11/2001	6	Calendar entry: Pre-motion conference held before Judge Garaufis on 9/11/01; ESR: Winnie Valentin. Dft motion to dismiss 9/25; opposition 16; reply 10/26; oral argument 11/2 @ 10:00. (Lee, Tiffeny) Modified on 10/01/2001 (Entered: 09/14/2001)
09/28/2001	7	TRANSCRIPT filed for [6-1] Pre-Motion Conference before Judge Garaufis for dates of 9/11/01; Transcription Service: Transcription Plus II. (fwd'd to chambers) (Lee, Tiffeny) (Entered: 10/01/2001)
10/09/2001	8	LETTER dated 9.24.01 from Dwayne Byrd, Esq. to Counsel apologizing for misunderstanding the Judge's directions regarding certain correspondence. (Lee, Tiffeny) (Entered: 10/09/2001)
10/10/2001	9	LETTER dated 9.28.01 from AAG Tynia Richard, Esq. to Counsel advising that because of the attack on the WTC their current phone and fax numbers are inoperable and furnishing email address and cell phone number. (Lee, Tiffeny) (Entered: 10/10/2001)
10/15/2001	10	ORDER granting application for extension of briefing schedule as follows: dft to serve motion to dismiss by 10/19; opposition papers by 11/29; reply by 12/14. (signed by Judge Nicholas G. Garaufis, on 10/10/01) {copies mailed} (Lee, Tiffeny) (Entered: 10/15/2001)
10/29/2001	11	LETTER dated 10/19/01 from Traycee Ellen Klein, Esq. to Counsel furnishing motion to dismiss and supporting papers. {fwd'd to chambers} (Lee, Tiffeny) (Entered: 10/29/2001)
11/27/2001	12	ORDER granting OAG's request to modify the motion to dismiss briefing schedule as follows: OAG's opposition served by 12/5; Dft's reply by 12/20. Control date for oral argument is set for 1/18/02 @ 11:00. Signed by Judge Nicholas G. Garaufis, on 11/27/01. See letter dated 11/26/01 from AAG Tynia Richards to Judge Garaufis. c/m {fwd'd to chambers} (Lee, Tiffeny) Modified on 11/27/2001 (Entered: 11/27/2001)
12/13/2001	14	Intervenor's COMPLAINT by People of the State of New York against Federal Express, Inc. (Guzzi, Roseann) (Entered: 12/21/2001)
12/14/2001	16	MOTION by Federal Express, Inc to dismiss and strike plttf's amended complaint ; Motion hearing set for 12/29/01 . (Lee, Tiffeny) (Entered: 01/16/2002)
12/14/2001	17	MEMORANDUM by Federal Express, Inc in support of their [16-1] motion to dismiss and strike plttf's amended complaint. (Lee, Tiffeny) (Entered: 01/16/2002)
12/14/2001	18	AFFIRMATION in support of dft by Federal Express, Inc's [16-1] motion to dismiss and strike plttf's amended complaint. (Lee, Tiffeny) (Entered: 01/16/2002)
12/14/2001	19	SUPPLEMENTAL AFFIRMATION in support of dft Federal Express, Inc's [16-1] motion to dismiss and strike plttf's amended complaint. (Lee, Tiffeny) (Entered: 01/16/2002)
12/14/2001	20	EEOC's MEMORANDUM of law in opposition to dft's [16-1] motion to dismiss and strike plttf's amended complaint. (Lee, Tiffeny) (Entered: 01/16/2002)
12/14/2001	21	AFFIDAVIT of Michael B. Ranis, Esq. on behalf of Equal Employment Opp in opposition to dft's [16-1] motion to dismiss and strike plttf's amended complaint. (Lee, Tiffeny) (Entered: 01/16/2002)

12/14/2001	22	AFFIDAVIT of Marvin Davis on behalf of Equal Employment Opp in opposition to dft's [16-1] motion to dismiss and strike plttf's amended complaint. (Lee, Tiffeny) (Entered: 01/16/2002)
12/14/2001	25	REPLY MEMORANDUM OF LAW by Federal Express, Inc in further support of dft's [16-1] motion to dismiss and strike plttf's amended complaint. (Lee, Tiffeny) (Entered: 01/16/2002)
12/19/2001	13	ORDER granting dft's application for permission to file a reply memorandum of up to 15 pages. (signed by Judge Nicholas G. Garaufis, on 12/14/01) {C/M} (Lee, Tiffeny) (Entered: 12/19/2001)
12/21/2001	23	DECLARATION of Tynia D. Richard, Esq. on behalf of People of the State in opposition to dft's [16-1] motion to dismiss and strike plttf's amended complaint. (Lee, Tiffeny) (Entered: 01/16/2002)
12/21/2001	24	Plaintiffs-Intervenors' MEMORANDUM of law in opposition to to dft's [16-1] motion to dismiss and strike plttf's amended complaint. (Lee, Tiffeny) (Entered: 01/16/2002)
12/21/2001	26	REPLY MEMORANDUM OF LAW by Federal Express, Inc in further support of dft's [16-1] motion to dismiss the complaint-in-intervention and motion to strike. (not the same as document # 25) (Lee, Tiffeny) (Entered: 01/16/2002)
01/10/2002	27	AFFIRMATION of Stephen R. Cochell, Esq. on behalf of Federal Express, in support of dft's [16-1] motion to dismiss and strike plttf's amended complaint. (Lee, Tiffeny) (Entered: 01/16/2002)
01/18/2002	28	Calendar entry: Oral argument held before Judge Garaufis on 1/18/2; ESR: Stephanie Drexler. Decision reserved. Pro hac vice motion granted for Stephen Cochell. (Lee, Tiffeny) (Entered: 01/22/2002)
01/31/2002	29	LETTER dated 1/23/2 from Dwayne Byrd, Managing Director of Litigation to Judge Garaufis furnishing the latest People Manuel section regarding personnel appearance. (attachment) (returned to chambers) (Lee, Tiffeny) (Entered: 02/01/2002)
02/27/2002	30	ORDER, for Stephen Cochell to appear pro hac vice; Fee #: \$25.00, Receipt #: 257998 . Signed by Judge Nicholas G. Garaufis, on 2/21/2. c/m (Lee, Tiffeny) (Entered: 02/27/2002)
04/08/2002	32	LETTER dated 4/8/2 from Michael Ranis, Esq. to Judge Garaufis regarding problem EEOC has experienced reconstructing its file in this case. (Lee, Tiffeny) (Entered: 04/15/2002)
04/15/2002	31	LETTER dated 4/8/2 from Michael Ranis, Esq. to Judge Garaufis advising that the EEOC no longer requires the Court's intervention regarding file production from FedEx. (Lee, Tiffeny) (Entered: 04/15/2002)
09/18/2002	33	MEMORANDUM and ORDER granting in part, denying in part [16-1] motion to dismiss and strike plttf's amended complaint: For the reasons stated in the Memorandum and Order, FedEx's motion to dismiss against the EEOC, construed by this court as a motion for summary judgment, is granted. FedEx's motion to strike Count IV of the complaint-in-intervention, brought pursuant to New York Executive Law 63:12, is granted. FedEx's motion is denied in all other respects. (signed by Judge Nicholas G. Garaufis, on 9/16/02). (Fahey, Lauren) (Entered: 09/27/2002)
09/27/2002	47	MOTION for Reconsideration (<i>EEOC's Motion for reconsideration of 9/16/2002 order</i>) by Equal Employment Opportunity Commission. (Lee, Tiffeny) (Entered: 06/18/2003)
10/04/2002	34	MOTION by Federal Express Corporation for reconsideration of the Court's [33-1] Memorandum & Order ; Motion hearing not set. (Lee, Tiffeny) (Entered: 10/08/2002)
10/04/2002	35	MEMORANDUM by Federal Express Corporation in support of their [34-1] motion for reconsideration of the Court's [33-1] Memorandum & Order. (Lee, Tiffeny) (Entered: 10/08/2002)
10/28/2002	36	MEMORANDUM by Federal Express, Inc in opposition to [34-1] motion for reconsideration of the Court's [33-1] Memorandum & Order. (Fahey, Lauren)

		(Entered: 11/04/2002)
11/12/2002	37	ORDER, endorsed on letter dated 11/6/02 from Michael Ranis to Judge Garaufis: The EEOC's time to reply to Dft's Opposition to the EEOC's Motion for Reconsideration is extended from 11/8/02 until 11/13/02. EEOC's change of address noted. (signed by Judge Nicholas G. Garaufis, on 11/7/02). C/M. (Fahey, Lauren) (Entered: 11/12/2002)
11/15/2002	38	ORDER, endorsed on letter dated 11/12/02 from Stephen Cochell to Judge Garaufis: Application granted for a 3 day extension of time for Dft to file a reply memorandum in support of FedEx's Motion for Reconsideration. (signed by Judge Nicholas G. Garaufis, on 11/14/02). C/M. (Fahey, Lauren) (Entered: 11/15/2002)
11/15/2002	39	Plaintiff-Intervenors' Memorandum of Law in opposition to dft's [34-1] motion for reconsideration. (Lee, Tiffeny) (Entered: 11/26/2002)
11/15/2002	40	Declaration of Yynia D. Richard in opposition to dft's [34-1] motion for reconsideration. (Lee, Tiffeny) (Entered: 11/26/2002)
11/15/2002	41	REPLY MEMORANDUM OF LAW by Federal Express, Inc in further of its [34-1] motion for reconsideration. (Lee, Tiffeny) (Entered: 11/26/2002)
01/09/2003	42	NOTICE of attorney appearance for People of the State by Brian J. Kreiswirth. (Lee, Tiffeny) (Entered: 01/16/2003)
04/10/2003	43	LETTER dated 3/24/03 from Brian Kreoswirth to Judge Garaufis, written to request a scheduling conference in the above case. (Dobkin, David) (Entered: 04/10/2003)
04/15/2003	44	LETTER dated 4/7/03 from Traycee Ellen Klein to NGG opposing the request the court to hold discovery in abeyance until outstanding motions have been decided. (Glenn, Marilyn) (Entered: 04/15/2003)
04/28/2003	45	LETTER dated April 9, 2003 from Brian J. Kreiswirth, AAG to Judge Garaufis oppsing the OAG's 4/7/3 letter request to commence discovery. (fwd'd to NGG) (Lee, Tiffeny) (Entered: 04/28/2003)
06/17/2003	<u>46</u>	MEMORANDUM & ORDER denying FedEx and the EEOC's motions for reconsideration. Signed by Judge Nicholas G. Garaufis on June 13, 2003. c/m (Lee, Tiffeny) (Entered: 06/17/2003)
07/07/2003	<u>48</u>	ORDER: (Dft FedEx's) Stay application denied. So Ordered. Signed by Judge Nicholas G. Garaufis on June 30, 2003. Endorsed on 6/23 letter from Traycee Klein, Esq. to NGG. c/m(Lee, Tiffeny) (Entered: 07/07/2003)
07/18/2003	49	Minute Entry for proceedings held before Nicholas G. Garaufis : Status Conference held on 7/18/2003. OAG to file amended complaint subject to FedEx agreement not to file motion to dismiss. (Court Reporter Holly Driscoll) (Lee, Tiffeny) (Entered: 07/23/2003)
07/23/2003	50	Letter written to seek a stay pending clarification on how this matter will now proceed. (Dobkin, David) (Entered: 07/23/2003)
07/23/2003	52	AMENDED COMPLAINT <i>and Jury Demand</i> against Federal Express, Inc., filed by People of the State of New York.(Lee, Tiffeny) (Entered: 07/24/2003)
07/24/2003	51	Letter dated 7/7/2003 from AAG Kreiswirth to NGG requesting that FedEx be directed to answer the OAG's complaint-in-intervention w/i 30 from the date of this letter or 8/7/2003.. (Lee, Tiffeny) (Entered: 07/24/2003)
08/25/2003	53	ANSWER and Defenses to Plaintiffs' First Amended Complaint and Jury Demand by Federal Express, Inc. (Lee, Tiffeny) (Entered: 08/26/2003)
08/25/2003	54	DISCLOSURE of Interested Parties by Federal Express, Inc. (Lee, Tiffeny) (Entered: 08/26/2003)
09/03/2003	55	ORDER setting a conference before the undersigned for 9/23/2003 @ 11:30 am. Signed by Judge Viktor V. Pohorelsky on 8/29/2003. (Lee, Tiffeny) (Entered: 09/03/2003)

09/10/2003	57	ORDER referring motion to intervene filed 8/9/2001 to MJ Pohorelsky for a report and recommendation. Signed by Judge Nicholas G. Garaufis on 9/8/2003. c/m(Lee, Tiffeny) (Entered: 09/23/2003)
09/16/2003	56	ORDER granting counsel's application for adjournment of the 9/23/2003 conference. Conference is set for 9/30/2003 @ 2:00 p.m. Signed by Judge Viktor V. Pohorelsky. See 9/8 letter from Traycee E. Klein, Esq. to MJ Pohorelsky. (Lee, Tiffeny) (Entered: 09/16/2003)
09/30/2003	<u>58</u>	Minute Entry for proceedings held before Viktor V. Pohorelsky: Discovery Hearing held on 9/30/2003. The next conference will be held 1/15/2004, 9:30 a.m. See calendar for rulings. (Lee, Tiffeny) (Entered: 10/07/2003)
10/20/2003	59	ORDER setting a motion conference in the above case on 10/30/2003 at 10:30a.m. before Mag. Pohorelsky. Signed by Judge Viktor V. Pohorelsky on 10/15/2003. (Dobkin, David) (Entered: 10/20/2003)
11/03/2003	60	ORDER, (endorsed on letter dated 10/21/03 from Traycee Klein to Mag. Pohorelsky), the conference is adjourned to 11/7/03 at 9:30. (Signed by Judge Viktor V. Pohorelsky on 10/3/03). (Piper, Francine) (Entered: 11/03/2003)
11/07/2003	64	Minute Entry for proceedings held before Magistrate Judge Pohorelsky: Pre Motion Conference held on 11/7/2003. The intervention motion shall be briefed as follows: a) intervenors shall file (and submit courtesy copies to the court) the moving papers previously prepared at the earliest possible time; b) dft. shall file opposition by 12/8/03; c) intervenors shall file their reply by 1/8/04; d) oral argument shall be held at the conf. rescheduled below. The conf. is rescheduled for 1/22/04 at 9:30. (DiLorenzo, Krista) (Entered: 11/19/2003)
11/10/2003	61	MOTION to Intervene by Christopher Polk, Michael Escoffery, Kenneth Dickens, Marvin Davis, Torricel Angelo. {proposed intervenors' complaint attached} (Lee, Tiffeny) Modified on 11/14/2003 (Lee, Tiffeny). (Entered: 11/14/2003)
11/10/2003	62	MEMORANDUM in Support of 61 MOTION to Intervene by Torricel Angelo, Marvin Davis, Kenneth Dickens, Michael Escoffery, Christopher Polk. (Lee, Tiffeny) (Entered: 11/14/2003)
11/10/2003	63	Affirmation of Counsel in Support of 61 MOTION to Intervene by Torricel Angelo, Marvin Davis, Kenneth Dickens, Michael Escoffery, Christopher Polk. (Lee, Tiffeny) (Entered: 11/14/2003)
12/08/2003	65	Federal Express Corporation's MEMORANDUM in Opposition to Proposed 61 MOTION to Intervene. (Lee, Tiffeny) (Entered: 12/12/2003)
12/08/2003	66	Affirmation of Counsel in Support of Federal Express Corporation's Memorandum in Opposition to Proposed Plaintiff-Intervenors' Motion to Intervene. (Lee, Tiffeny) (Entered: 12/12/2003)
12/15/2003	<u>67</u>	ORDER : The deadlines are extended as requested herein. The oral argument is rescheduled to Monday, February 9, 2004 @ 3:00 p.m. Defendant shall notify all parties, see document for scheduling. Signed by Judge Viktor V. Pohorelsky. Endorsed on 12/11 letter from Stephen Cochell, Esq. to MJ Pohorelsky. (Lee, Tiffeny) (Entered: 01/14/2004)
02/03/2004	68	Plaintiff-Intervenors' REPLY to Defendant's Opposition to Their Motion to Intervene, filed by Eric Steele, Esq. on behalf of Torricel Angelo, Marvin Davis, Kenneth Dickens, Michael Escoffery, Christopher Polk. W/Certificate of Service attached. (Latka-Mucha, Wieslawa) (Entered: 02/06/2004)
02/09/2004	<u>69</u>	Minute Entry for proceedings held before Viktor V. Pohorelsky : Motion Hearing held on 2/9/2004 re 61 MOTION to Intervene filed by Torricel Angelo, Marvin Davis, Kenneth Dickens, Michael Escoffery, Christopher Polk. Report and recommendation reserved. Hearing on discovery motions made by plaintiff Office of the Attorney General and Defendant Federal Express. See annexed calendar. (Pohorelsky, Viktor) (Entered: 02/09/2004)
02/11/2004	70	ORDER; Granting the application requesting an extention of time to serve plaintiff-intervenors' Reply to the defendant's opposition to the Motion to intervene also request that the plaintiff intervenors have until 01/23/04 to serve their reply .

		Signed by Judge Viktor V. Pohorelsky on undated. (Sica, Michele) (Entered: 02/11/2004)
02/11/2004	71	ORDER; Granting the application for the request that the time for the parties to submit their discovery dispute letters with the court be extended from 1/21/04 until 1/27/04 and that responsive letters, if any be submitted on 2/2/04. (see ltr dtd 1/21/04 by Traycee Ellen Klein) . Signed by Judge Viktor V. Pohorelsky on undated. (Sica, Michele) (Entered: 02/11/2004)
02/12/2004	72	ORDER; GRANTING the application for additional time for Fedex to serve the meet and confer letters from 01/13/04 to 01/21/04 and an extension of responses to said letters from 01/21/04 to 01/28/04. (see ltr dtd 01/09/04) . Signed by Judge Viktor V. Pohorelsky on undated. (Sica, Michele) (Entered: 02/12/2004)
02/13/2004	73	Letter dated 2/13/2004 from AAG Kreiswirth to MJ Pohorelsky submitting a list of citations re: attorney work product protection, Exhibits A-E. (Lee, Tiffeny) (Entered: 03/05/2004)
02/24/2004	78	ORDER endorsed on letter dated 2/23/04 from Stephen Cochell to Mag. Pohorelsky. The conference is adjourned to 3/23/04 at 2:00 p.m. Defendant's counsel shall notify all parties. So Ordered. Signed by Judge Viktor V. Pohorelsky. (Black, Amanda) (Entered: 06/04/2004)
04/12/2004	77	ORDER: The conference scheduled for 3/23/2004 is adjourned to 4/20/2004 @ 10:30 a.m. Signed by Judge Viktor V. Pohorelsky. Endorsed on 3/11 letter from Dwayne Byrd, Esq. to MJ Pohorelsky.(Lee, Tiffeny) (Entered: 05/24/2004)
04/20/2004	74	Minute Entry for proceedings held before Viktor V. Pohorelsky : Settlement conference held on 4/20/2004. A settlement conference will be held on 5/20/04 @ 9:30 a.m. Individuals with plenary settlement authority must be available by telephone for all parties. The parties shall endeavor in good faith to provide information to each other as identified in conference with the court as promptly as possible regarding backpay calculations. (Drayton, Lorraine) (Entered: 04/28/2004)
04/29/2004	91	MOTION for Limited Admission of <i>Jeana M. Littrell</i> by Federal Express, Inc.. (Lee, Tiffeny) (Entered: 08/16/2004)
05/06/2004	75	Letter dated 3/16/04 from Brain J. Kreiswirth to Judge Pohorelsky Regarding requesting that the settlement conference be rescheduled from the current date of 3/23/04 to 3/29/04 or 4/5/04. (Drayton, Lorraine) (Entered: 05/06/2004)
05/20/2004	<u>76</u>	Minute Entry for proceedings held before Viktor V. Pohorelsky : Status Conference held by telephone on 5/20/2004. Parties report progress regarding settlement. Settlement conference with court scheduled (see annexed calendar). (Pohorelsky, Viktor) (Entered: 05/20/2004)
07/14/2004	79	Minute Entry for proceedings held before Viktor V. Pohorelsky : Settlement conference held on 7/14/2004. Next conference on 10/14/04 at 11:30 AM. (entered on 2/27/04)(Schillat, Louise) (Entered: 07/27/2004)
07/28/2004	104	MOTION to Intervene by Nigel Loney. (Lee, Tiffeny) (Entered: 10/05/2004)
07/28/2004	105	MEMORANDUM in Support of 104 MOTION to Intervene by Nigel Loney. (Lee, Tiffeny) (Entered: 10/05/2004)
08/02/2004	<u>80</u>	REPORT AND RECOMMENDATIONS re 61 MOTION to Intervene filed by Torricel Angelo, Marvin Davis, Kenneth Dickens, Michael Escoffery, Christopher Polk Objections to RRdue by 8/19/2004. Signed by Judge Viktor V. Pohorelsky on 08/02/04. (Pohorelsky, Viktor) (Entered: 08/02/2004)
08/03/2004	<u>81</u>	ORDER referring Nigel Loney's motion to intervene to Magistrate Judge Viktor V. Pohorelsky. Signed by Judge Nicholas G. Garaufis on July 29, 2004. c/em(Lee, Tiffeny) (Entered: 08/03/2004)
08/04/2004	82	Letter dtd 10/28/03 to Magistrate Judge Viktor V. Pohorelsky from Natalie R. Williams, requesting that the Court explore the issue of settlement at the Nov. 7, 2003 conference. (Schillat, Louise) (Entered: 08/04/2004)

08/10/2004	83	Letter dtd 2/2/2004 to Magistrate Judge Viktor V. Pohorelsky from Brian J. Kreiswirth, in response to FedEx's letter dtd 1/27/2004 about discovery disputes, are either unsupported or have already been addressed by the OAG and thus are improperly raised here.(filed with Exhibits A and Exhibit B.) (Schillat, Louise) (Entered: 08/10/2004)
08/10/2004	84	Letter dtd Jan. 26, 2004 to Magistrate Judge Viktor V. Pohorelsky, from Brian J. Kreiswirth, concerning discovery disputes. (filed with Exhibits A, B, C, D and E)(Schillat, Louise) (Entered: 08/10/2004)
08/10/2004	85	Letter dtd Jan. 7, 2004 to Magistrate Judge Viktor V. Pohorelsky from Brian J. Kreiswirth, responding to defendant Federal Express Corporation's Motion to Intervene.(Schillat, Louise) (Entered: 08/10/2004)
08/10/2004	86	Letter dtd Jan. 27, 2004 to Magistrate Judge Viktor V. Pohorelsky from Stephen Cochell, senior counsel for Federal Express. Pursuant to Local Civil Rule 37.3, FedEx sets out its position with respect to various discovery disputes. A copy of the Office of the Attorney General's responses to Fed Ex's interrogatories, document requests and privilege log, the relevant discovery materials, are attached. (filed with Exhibits A. B and C.)(Schillat, Louise) (Entered: 08/10/2004)
08/10/2004	87	Letter dtd Feb. 2, 2004 to Magistrate Judge Viktor V. Pohorelsky from Stephen Cochell, responding to the Attorney General's correspondence dated 1/26/04, regarding discovery in this case. FedEx requests the OAG's requests be denied.(filed with Exhibits D, E and F.) (Schillat, Louise) (Entered: 08/10/2004)
08/12/2004	88	Letter dtd 4/29/04 to Clerk of Court, enclosing check in amount of \$25.00, for the filing fee of Jeana M Littrell's Pro Hac Motion. (Schillat, Louise) (Entered: 08/12/2004)
08/12/2004	89	Letter dtd July 28, 2004 to Clerk of the Court from Henry L. Saurborn, Jr.informing the Court we are filing a Motion to Intervene on behalf of Mr. Nigel Loney. We request that it be referred for a Report and Recommendation to Magistrate Judge Pohorelsky. (Schillat, Louise) (Entered: 08/12/2004)
08/13/2004	<u>90</u>	SCHEDULING ORDER: schedule for briefing of motion to intervene by Nigel Loney . Signed by Judge Viktor V. Pohorelsky on 08/13/2004. (Pohorelsky, Viktor) (Entered: 08/13/2004)
08/18/2004	<u>92</u>	ORDER granting <u>91</u> Motion for Limited Admission by Jeana M. Littrell. Signed by JudgeViktor V. Pohorelsky on 08/18/04. (Pohorelsky, Viktor) (Entered: 08/18/2004)
08/19/2004	<u>93</u>	OBJECTION to <u>80</u> Report and Recommendations <i>Concerning Motion to Intervene</i> by Federal Express, Inc.. (Klein, Traycee) (Entered: 08/19/2004)
08/19/2004	<u>94</u>	AFFIDAVIT of Service for Objections to Magistrate's Report and Recommendation served on Eric Steele, Esq. on August 19, 2004, filed by Federal Express, Inc.. (Klein, Traycee) (Entered: 08/19/2004)
09/10/2004	<u>95</u>	ORDER ADOPTING <u>80</u> Report and Recommendation of Magistrate Judge Viktor V. Pohorelsky; and, granting <u>61</u> Motion to Intervene filed by Torricel Angelo, Marvin Davis, Kenneth Dickens, Michael Escoffery, Christopher Polk. Signed by Judge Nicholas G. Garaufis on 9/9/2004. c/m; c/em(Lee, Tiffeny) (Entered: 09/10/2004)
09/10/2004	<u>96</u>	ADMINISTRATIVE ORDER 2004-08: You are required to file all original documents electronically. In the future, please ensure that all original documents in this action are filed electronically. Clearly marked hard copy-courtesy documents should be submitted to Chambers. Courtesy copies should also indicate that the original of the submitted document has already been electronically filed. C/EM; C/M (Lee, Tiffeny) (Entered: 09/10/2004)
09/10/2004	<u>97</u>	Notice of MOTION to Intervene <i>Opposition to Loney Motion</i> by all defendants. (Littrell, Jeana) (Entered: 09/10/2004)
09/20/2004	<u>98</u>	RESPONSE in Opposition re <u>61</u> MOTION to Intervene, <u>80</u> REPORT AND RECOMMENDATIONS re <u>61</u> MOTION to Intervene filed by Torricel Angelo, Marvin Davis, Kenneth Dickens, Michael Escoffery, Christopher Polk filed by Torricel Angelo. (Steele, Eric) (Entered: 09/20/2004)

09/21/2004	99	Letter dated 1/7/2004 from AAG Kreiswirth to Judge Pohorelsky Regarding response to FedEx's memo in opp to 12/8/2003 motion to intervene. (Lee, Tiffeny) (Entered: 09/21/2004)
09/24/2004	<u>100</u>	AMENDED DOCUMENT by Federal Express, Inc.. Amendment to <u>97</u> Notice of MOTION to Intervene <i>Opposition to Loney Motion</i> . (Littrell, Jeana) (Entered: 09/24/2004)
09/24/2004	<u>101</u>	REPLY to Response to Motion re <u>97</u> Notice of MOTION to Intervene <i>Opposition to Loney Motion</i> filed by Nigel Loney. (Saurborn, Henry) (Entered: 09/24/2004)
09/24/2004	<u>103</u>	EXHIBIT: DHR Determination, by Torricel Angelo, Marvin Davis, Kenneth Dickens, Michael Escoffery, Christopher Polk..(Lee, Tiffeny) (Entered: 10/01/2004)
09/28/2004	<u>102</u>	REPORT AND RECOMMENDATIONS re <u>97</u> Notice of MOTION to Intervene <i>Opposition to Loney Motion</i> filed by Federal Express, Inc. Objections to RRdue by 10/12/2004. Signed by Judge Viktor V. Pohorelsky on 9/28/2004. (Pohorelsky, Viktor) (Entered: 09/28/2004)
10/06/2004	<u>106</u>	Letter MOTION to Adjourn Conference <i>scheduled for 10/14/04</i> by all defendants. (Littrell, Jeana) (Entered: 10/06/2004)
10/07/2004	<u>107</u>	SCHEDULING ORDER: Opposition, if any, to the defendants' letter motion for adjournment of the October 14 conference to a date after October 19 shall be submitted by 4:00 p.m. on 10/8/04 via ECF. Signed by Judge Viktor V. Pohorelsky on 10/7/04. (Pohorelsky, Viktor) (Entered: 10/07/2004)
10/08/2004		ORDER granting <u>106</u> Motion to Adjourn Conference; conference adjourned to October 29, 2004 at 10:30 a.m.. Entered by JudgeViktor V. Pohorelsky on 10/8/04. (Pohorelsky, Viktor) (Entered: 10/08/2004)
10/13/2004	<u>108</u>	OBJECTION to <u>102</u> Report and Recommendations <i>on Loney Motion to Intervene</i> by all defendants. (Littrell, Jeana) (Entered: 10/13/2004)
11/01/2004	<u>109</u>	Minute Entry for proceedings held before Magistrate–Judge Viktor V. Pohorelsky : Scheduling and status Conference held on October 29, 2004. See annexed scheduling order for details. (Newton, Joan) (Entered: 11/01/2004)
11/02/2004	<u>110</u>	NOTICE of Appearance by Anthony Joseph DiOrio on behalf of Federal Express, Inc. (DiOrio, Anthony) (Entered: 11/02/2004)
11/05/2004	111	TRANSCRIPT of Civil Conference held on Feb 9, 2004 before Judge Viktor V. Pohorelsky; Aria Transcriptions, (718) 522–2335. (Lee, Tiffeny) (Entered: 11/10/2004)
01/10/2005	<u>112</u>	ORDER granting pro hac vice; Attorney Richard S. McConnell for Federal Express, Inc. and Federal Express, Inc. added. Signed by Judge Nicholas G. Garaufis on 1/6/2005. (Lee, Tiffeny) (Entered: 01/10/2005)
02/14/2005	<u>113</u>	ORDER granting 104 Motion to Intervene of Nigel Loney. Signed by Judge Nicholas G. Garaufis on 2/14/05. (Akowuah, Kwaku) (Entered: 02/14/2005)
02/14/2005		ORDER ADOPTING REPORT AND RECOMMENDATIONS = See document number 113; Signed by Judge Nicholas G. Garaufis on 2/14/2005. (Lee, Tiffeny) (Entered: 02/15/2005)
03/16/2005	<u>114</u>	Letter from Brian J. Kreiswirth to The Hon. Viktor V. Pohorelsky Regarding 3/18/05 Status Conference. (Kreiswirth, Brian) (Entered: 03/16/2005)
03/17/2005	115	Letter from Asst. Attorney General, Brian Kreiswirth dated 1/7/04 to Magistrate Pohorelsky in response to defendant Federal Express Corp.'s memorandum in opposition to proposed plaintiff–intervenor's motion to intervene. (Hunter–Hicks, Tara) (Entered: 03/17/2005)
03/17/2005		ORDER re <u>114</u> Letter, electronically endorsed, application granted. Plaintiff's counsel is allowed to participate in the conference call of 3/18/05 by cellular phone. . Signed by Judge Viktor V. Pohorelsky on 3/17/05. (Newton, Joan) (Entered: 03/17/2005)

03/18/2005	<u>116</u>	Minute Entry for proceedings held before Viktor V. Pohorelsky: Status Conference held on 3/18/2005. Next conference will be held at 2:30 p.m. on Friday, June 17, 2005. (Lee, Tiffeny) (Entered: 03/28/2005)
06/17/2005	<u>117</u>	Minute Entry for proceedings held before Viktor V. Pohorelsky : Status Conference held by telephone on 6/17/2005. See annexed calendar. (Pohorelsky, Viktor) (Entered: 06/17/2005)
07/18/2005	<u>118</u>	MOTION for Leave to Appear <i>Pro Hac Vice</i> by R. Clint Saxton Filing fee \$ 25.00, receipt number 312829. by Federal Express, Inc.. (Attachments: # <u>1</u> Affidavit of R. Clint Saxton in Support of Motion to Admit Counsel Pro Hac Vice# <u>2</u> Certificates of Good Standing# <u>3</u> Text of Proposed Order # <u>4</u> Receipt)(Lee, Tiffeny) (Entered: 08/03/2005)
08/01/2005		Set Deadlines: until filed via ECF, the court will not consider the application for admission pro hac vice re Edward Efkean. (Pohorelsky, Viktor) (Entered: 08/01/2005)
08/03/2005	<u>119</u>	MOTION for Leave to Appear Filing fee \$ 25, receipt number 312660. by Federal Express, Inc.. (Attachments: # <u>1</u> Affidavit Aff w/ Certificate(s) of Good Standing EJE# <u>2</u> Text of Proposed Order # <u>3</u> Receipt)(Littrell, Jeana) (Entered: 08/03/2005)
08/03/2005	<u>120</u>	MOTION for Discovery by all parties. (Saurborn, Henry) (Entered: 08/03/2005)
08/05/2005		ORDER, by electronic endorsement, granting <u>118</u> Motion for Leave to Appear pro hac vice R. Clint Saxton for Federal Express, Inc. Ordered by JudgeViktor V. Pohorelsky on 8/5/2005. (Pohorelsky, Viktor) (Entered: 08/05/2005)
08/05/2005		ORDER granting <u>119</u> Motion for Leave to Appear pro hac vice Edward J. Efkean for Federal Express, Inc. Ordered by JudgeViktor V. Pohorelsky on 8/5/2005. (Pohorelsky, Viktor) (Entered: 08/05/2005)
08/05/2005		ORDER, by electronic endorsement, granting <u>120</u> Motion for extension of Discovery deadline for the limited purpose of completing the depositions identified in the August 3, 2005 letter motion. Ordered by JudgeViktor V. Pohorelsky on 8/5/2005. (Pohorelsky, Viktor) (Entered: 08/05/2005)
09/07/2005	<u>121</u>	Letter from Brian J. Kreiswirth to The Hon. Nicholas G. Garaufis Regarding Conference for Pre-Trial Motion. (Kreiswirth, Brian) (Entered: 09/07/2005)
09/07/2005	<u>122</u>	Letter from Anthony DiOrio to Hon. Nicholas Garaufis Regarding Pre-dispositive Motion Conference Request. (DiOrio, Anthony) (Entered: 09/07/2005)
09/08/2005	<u>123</u>	MOTION for Discovery by all plaintiffs. (Saurborn, Henry) (Entered: 09/08/2005)
09/08/2005	<u>124</u>	RESPONSE in Opposition re <u>123</u> MOTION for Discovery filed by Federal Express, Inc.. (Efkean, Edward) (Entered: 09/08/2005)
09/19/2005	<u>125</u>	ORDER granting <u>123</u> Motion for Discovery. Ordered by JudgeViktor V. Pohorelsky on 9/19/2005. (Pohorelsky, Viktor) (Entered: 09/19/2005)
10/05/2005	<u>126</u>	Letter MOTION to Adjourn Conference <i>set for October 14, 2005</i> by all defendants. (Efkean, Edward) (Entered: 10/05/2005)
10/13/2005	<u>127</u>	Letter from Anthony J. DiOrio to Judge Nicholas G. Garaufis Regarding Conference scheduled for October 19, 2005 at 10:30 a.m.. (DiOrio, Anthony) (Entered: 10/13/2005)
10/13/2005		ORDER granting <u>126</u> Motion to Adjourn Conference. The conference is rescheduled for October 19, 2005 immediately after the conclusion of the promotion conference before Judge Garaufis. Counsel shall report to courtroom 519. Ordered by JudgeViktor V. Pohorelsky on 10/13/2005. (Pohorelsky, Viktor) (Entered: 10/13/2005)
10/17/2005	<u>128</u>	Consent MOTION to Adjourn Conference (<i>Promotion</i>) <i>set for October 19, 2005</i> by all defendants. (Efkean, Edward) (Entered: 10/17/2005)
10/17/2005	<u>129</u>	Consent MOTION to Adjourn Conference (<i>Scheduling</i>) <i>set for October 19, 2005</i> by all defendants. (Efkean, Edward) (Entered: 10/17/2005)

10/18/2005	<u>130</u>	Letter from Edward J. Efke to Hon. Nicholas G. Garaufis Regarding Rescheduling of Promotion Conference. (Efke, Edward) (Entered: 10/18/2005)
10/18/2005		ORDER, by electronic endorsement, re <u>129</u> Consent MOTION to Adjourn Conference (<i>Scheduling</i>) set for October 19, 2005 filed by Federal Express, Inc.: The status conference scheduled for 10/19/05 before Magistrate Judge Pohorelsky is adjourned to 11/17/05. The parties are to immediately report to Room 521 after the conclusion of the promotion conference before Judge Garaufis. Ordered by Judge Viktor V. Pohorelsky on 10/18/05. (Newton, Joan) (Entered: 10/18/2005)
11/17/2005	<u>131</u>	Minute Entry for proceedings held before Magistrate Judge Viktor V. Pohorelsky : Status Conference held on 11/17/2005. See annexed conference calendar for details. (Newton, Joan) (Entered: 11/17/2005)
11/17/2005	<u>132</u>	Minute Entry for proceedings held before Magistrate Judge Viktor V. Pohorelsky : Settlement Conference held on 11/17/2005. See annexed conference calendar for details. (Newton, Joan) (Entered: 11/17/2005)
11/17/2005		Minute Entry for proceedings held before Nicholas G. Garaufis : Pre Motion Conference held on 11/17/2005. Parties will notify Judge Garaufis as to whether they would like to schedule a settlement conference. If parties wish to go forward with motions, they will submit a proposed motion schedule. (Hostetler, Janet) (Entered: 11/17/2005)
11/22/2005	<u>133</u>	Minute Entry for proceedings held before Magistrate Judge Viktor V. Pohorelsky : Telephone Conference held on 11/22/2005. See annexed conference calendar for details. (Newton, Joan) (Entered: 11/22/2005)
12/08/2005	<u>134</u>	Joint MOTION for Hearing re Pre Motion Conference, <i>Settlement Conference</i> by Federal Express, Inc., People of the State of New York. (Efke, Edward) (Entered: 12/08/2005)
12/15/2005	<u>135</u>	Letter from Edward J. Efke to Hon. Nicholas Garaufis Regarding Settlement Conference. (Efke, Edward) (Entered: 12/15/2005)
01/11/2006	<u>136</u>	SETTLEMENT AGREEMENT (<i>submitted for review by the Court</i>) by People of the State of New York. (Attachments: # <u>1</u>)(Kreiswirth, Brian) (Entered: 01/11/2006)
01/12/2006	<u>137</u>	ORDER re <u>136</u> Settlement Agreement filed by People of the State of New York. The Stipulated Order on Consent is entered into by and between plaintiffs, the People of the State of New York, and defendant, Federal Express Corporation. The Order is so ordered by Judge Nicholas G. Garaufis on 1/12/06. (Hostetler, Janet) Additional attachment(s) added on 1/19/2006 (Lee, Tiffeny). (Entered: 01/12/2006)
01/19/2006	<u>138</u>	Counsel: A hard copy of the Consent Order signed by Judge Garaufis on 1/12/2006 has been added to the docket and appears as document #137. (Lee, Tiffeny) (Entered: 01/19/2006)