

CLOSED

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:99-cv-04758-AGS-KNF

Equal Employment v. Foot Locker Specialt, et al
Assigned to: Judge Allen G. Schwartz
Referred to: Magistrate Judge Kevin Nathaniel Fox
Demand: \$0
Cause: 29:621 Job Discrimination (Age)

Date Filed: 07/01/1999
Date Terminated: 11/04/2002
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Michael Bruce Ranis**
Equal Employment Opportunity
Commission(NYC)
33 Whitehall Street, 5th Flr.
New York, NY 10004
(212) 336-3701
Fax: (212) 336-3623
Email: michael.ranis@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sonya A. LeCount
E.E.O.C., New York District Office
7 World Trade Center
18th Floor
NY, NY 10048
212 748-8512
LEAD ATTORNEY

Thomas J. Borek
EEOC
New York District Office
7 World Trade Center
18th Floor
New York, NY 10048
(212) 748-8512
LEAD ATTORNEY

V.

Defendant

Venator Group, Specialty, Inc.
TERMINATED: 11/01/2002
formerly known as
F.W. Woolworth Co., Inc.

represented by **Francis X. Dee**
McElroy, Deutsch, Mulvaney & Carpenter,
LLP(NJ)
1300 Mount Kemble Avenue

PO Box 2075
 Morristown, NJ 07962
 (973)-565-2018
 Fax: (973)-622-5314
 Email: fdee@mdmc-law.com
TERMINATED: 11/01/2002
LEAD ATTORNEY

Defendant

Foot Locker Specialty, Inc.

formerly known as

Venator Group Specialty, Inc.

formerly known as

F.W. Woolworth Co., Inc.

Date Filed	#	Docket Text
07/01/1999	1	COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); FILING FEE \$ USA (jp) (Entered: 07/08/1999)
07/01/1999		Magistrate Judge Kevin N. Fox is so Designated. (jp) (Entered: 07/08/1999)
07/15/1999	2	INITIAL PRETRIAL CONFERENCE NOTICE; counsel are directed to appear in courtroom 14C at 500 Pearl Street on 9/27/99 at 4:15 p.m., for a pretrial conference with the Court for the purpose of discussing settlement, exploring contemplated motions, stipulating facts, narrowing issues, arranging a discovery schedule, and setting a date for trial. (signed by Judge Allen G. Schwartz); Copies mailed. (sac) (Entered: 07/16/1999)
09/02/1999	3	ANSWER to Complaint by Venator Group (Attorney Francis X. Dee). Received in the Office of the Clerk, U.S. District Court, SDNY, on 8/31/99. (jp) (Entered: 09/02/1999)
09/02/1999	4	RULE 1.9 CERTIFICATE filed by Venator Group (jp) (Entered: 09/02/1999)
01/18/2000	5	STIPULATION and ORDER, the time within which EEOC may serve its responses to deft's first request for production of documents and deft's first set of interrogatories to plttf, is extended to 11/3/00 . (signed by Judge Allen G. Schwartz) (sn) (Entered: 01/19/2000)
01/19/2000	6	STIPULATION and ORDER; that the time within which Venator Group may serve its responses to Plaintiff's First Interrogatories to dft. Venator Group, Specialty, Inc. is extended to an including 12/17/99 ; plaintiff's First Request for Production of Documents to dft. Venator Group, Specialty, Inc.. be extended to and including 12/17/99 . (signed by Judge Allen G. Schwartz) (pl) (Entered: 01/19/2000)
01/19/2000		Deadline(s) updated: Plttf's request for production of documents of deft Venator Group, Speciality, Inc. due for 12/17/99 . (kg) (Entered: 01/20/2000)

01/26/2000	7	PRETRIAL SCHEDULING ORDER: the next pretrial conference will be held on 4/10/00 at 10:30 a.m.; the parties are instructed purs. to Rule 16, FRCP, to meet and pursue settlement discussions, and plttf's counsel is directed to advise Chambers. (signed by Judge Allen G. Schwartz); Copies mailed. (jp) (Entered: 01/27/2000)
07/10/2000	8	Transcript of record of proceedings before Judge Allen G. Schwartz for the date(s) of 3/27/00 at 10:00 AM. (sn) (Entered: 07/10/2000)
11/06/2000	9	NOTICE OF MOTION by Venator Group; for an order admitting pro hac vice Irving L. Hurwitz, Esq., as attny for deft, Venator Group Speciality, Inc. ; Return date not indicated. (lf) (Entered: 11/08/2000)
11/06/2000	10	AFFIDAVIT of Patrick G. Brady by Venator Group in support of [9-1] motion for an order admitting pro hac vice Irving L. Hurwitz, Esq., as attny for deft, Venator Group Speciality, Inc. . (lf) (Entered: 11/08/2000)
11/06/2000	11	AFFIDAVIT of Irving L. Hurwitz by Venator Group in support of [9-1] motion for an order admitting pro hac vice Irving L. Hurwitz, Esq., as attny for deft, Venator Group Speciality, Inc. (lf) (Entered: 11/08/2000)
11/13/2000	12	ORDER granting [9-1] motion for an order admitting pro hac vice Irving L. Hurwitz, Esq., as attny for deft, Venator Group Speciality, Inc. A copy of this Order shall be served upon counsel of record within 7 days from the date hereof . (signed by Judge Allen G. Schwartz); Copies mailed. (Forwarded to Attorney Admissions Clerk) (sn) (Entered: 11/13/2000)
11/21/2000	13	Supplemental AFFIDAVIT of Irving L Hurwitz by Venator Group in support of [9-1] motion for an order admitting pro hac vice Irving L. Hurwitz, Esq., as attny for deft, Venator Group Speciality, Inc. (djc) (Entered: 11/22/2000)
11/29/2000	14	Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Discovery Disputes (signed by Judge Allen G. Schwartz) Referred to Magistrate Judge Kevin Nathaniel Fox. (lam) (Entered: 11/30/2000)
11/30/2000	15	Memo-Endorsement on letter addressed to Judge Schwartz from Michael B. Ranis, dated 11/22/00; reset discovery due for 3/1/01 . (signed by Judge Allen G. Schwartz); Copies mailed. (pl) (Entered: 12/01/2000)
12/15/2000		Status Conference held before Magistrate Judge Kevin Nathaniel Fox. (kw) (Entered: 01/09/2001)
01/05/2001	16	ORDER, by 12/21/00, plttf shall serve reports of its two experts on liability; by 1/12/01, plttf shall serve reponses in full to deft's 3rd Set of Interrogatories to plttf; by 1/16/01, plttf shall serve all responses from individuals to deft's Written Questions, and Plttf shall not be permitted to pursue any claims on behalf of nay individual for whom responses to such Written Questions have not been served by that date; by 1/26/01, plttf shall serve its expert report on damages; by 2/1/01, deft shall serve its rebuttal expert reports on liability; by 2/13/01, deft shall serve its rebuttal expert report on damages; by 2/15/01, plttf shall serve any reply expert report to deft's rebuttal expert on liability on the issue of statistical analysis. The Court declines to rule at this time on the issue of whether plttf should be ordered to produce questionnaires, as well as the responses thereto, served by plttf on former employees of deft during 1999, pending the parties'

		attempts at informal resolution of this issue. If the parties cannot resolve this issue informally, either party may bring this issue to the Court's attention for resolution. (signed by Magistrate Judge Kevin Nathaniel Fox); Copies mailed. (sac) (Entered: 01/08/2001)
01/22/2001	17	Letter filed by Equal Employment addressed to Mag. Judge Fox from Michael B. Ranis, dated 1/09/01, re: in response to the Court's Order received by the EEOC on 1/4/01; docket as per chambers. (lf) (Entered: 01/22/2001)
01/22/2001	18	Letter filed by Venator Group addressed to Mag. Judge Fox from Francis X. Dee, dated 1/16/01, re: in opposition to Pltff EEOC's 1/9/01 letter requesting that the Court reconsider that portion of the Order, dated 12/28/00 requiring pltff to serve all responses from individuals to deft's written questions by 1/16/01, and preventing pltff from pursuing any claims on behalf of any individual for whom responses to such written questions have not been served by that date; docket as per chambers; (lf) (Entered: 01/22/2001)
01/22/2001	19	ORDER; pltff has requested, in a writing dated 1/9/01, that the Court reconsider so much of its Order dated 12/28/00, as required pltff to provide deft w/ certain questionnaire responses on or before 1/16/01 and, further, limited the universe of complainants to those persons whose questionnaires had been processed by pltff and delivered to deft on or before 1/16/01; pltff's application for reconsideration is denied ; (signed by Magistrate Judge Kevin Nathaniel Fox); Copies mailed. (lfa) (Entered: 01/23/2001)
01/22/2001		Discovery conference held before Magistrate Judge Kevin Fox. (kw) (Entered: 02/09/2001)
02/02/2001	21	MEMORANDUM OF LAW by Equal Employment in support of its appeal of a January 19 order by Mag. Judge Fox. (pl) (Entered: 02/06/2001)
02/02/2001	22	AFFIDAVIT of Michael B. Ranis by Equal Employment Re: Appeal of Order by Mag. Judge Fox submitted on 2/1/01. (pl) (Entered: 02/06/2001)
02/05/2001	20	Memo-Endorsement on letter addressed to Mag Judge Fox from Francis X. Dee, dated 1/29/01, granting deft's request for an extension of time, until 2/15/01, in which to serve its rebuttal expert report to the EEOC's expert report pertaining to management practices (signed by Magistrate Judge Kevin Nathaniel Fox); Copies mailed. (cd) (Entered: 02/06/2001)
02/15/2001	23	Memo-Endorsement on letter addressed to Judge Schwartz from Francis X. Dee, dated 2/13/01; approving deft Venator Group, Inc.'s intent to file its papers in opposition to pltff's appeal from the 1/19/01 Order of Mag. Judge Fox, by 2/16/01 . (signed by Judge Allen G. Schwartz); Copies mailed. (sn) (Entered: 02/16/2001)
02/16/2001	24	AFFIDAVIT of Patrick G. Brady by Venator Group in opposition to pltff's appeal from the Order of Mag. Judge Fox, dated 1/19/01. (sn) (Entered: 02/21/2001)
02/16/2001	25	MEMORANDUM OF LAW by Venator Group in opposition to pltff's appeal from the 1/19/01 Order of the Hon. Kevin Nathaniel Fox. (sn) (Entered: 02/21/2001)

03/06/2001	26	Memo-Endorsement on letter addressed to Judge Schwartz from Francis X. Dee, dated 03/02/01; Re: approving counsel to defendants' request for an adjournment of certain dates as set forth herein: reset pre-trial conference for 3/26/01 ; reset pre-trial order due for 3/26/01 ; Deposition of Thomas Mahoney - 03/02/01; Deposition of Brian Sullivan (continuation) - 03/02/01; Deposition of Bernard Siskin - 03/06/01; Deposition of Janice Madden - 03/09/01; Deposition of Frank Landy - 03/13/01 ; (signed by Judge Allen G. Schwartz); Copies mailed. (djc) (Entered: 03/06/2001)
03/08/2001	27	Memo-Endorsement on letter addressed to Judge Schwartz from Francis X. Dee, dated 3/2/01; granting counsel for deft's request that the pretrial conference be adjourned until 3/26/01; and that the deadline for submission of the parties' joint final pretrial order be extended until 3/26/01 . (signed by Judge Allen G. Schwartz); Copies mailed. (sn) (Entered: 03/08/2001)
03/13/2001	28	MEMORANDUM ORDER, for the foregoing reasons, the Court affirms the conclusions set forth in Judge Fox's 12/28/00 Order, and denial of EEOC's reconsideration motion on 1/19/01 ; however, in light of the recent extension of the discovery deadline to the end of 3/01, the Court directs that all individuals whose questionnaire responses have been served upon deft by the date of this Order be considered claimants in this action (signed by Judge Allen G. Schwartz); Copies mailed. (cd) Modified on 03/14/2001 (Entered: 03/14/2001)
03/26/2001	29	Memo-Endorsement on letter addressed to Judge Schwartz from Michael B. Ranis, dated 03/23/01; reset submission of the joint pre-trial order and jury instructions due for 4/9/01 (signed by Judge Allen G. Schwartz); Copies mailed. (djc) (Entered: 03/26/2001)
04/12/2001	30	NOTICE OF MOTION (filed on service date) by Equal Employment; for an order to bifurcate trial into Stage I and Stage II proceedings ; w/ attch. Memorandum in support; Return date: not indicated. (pl) (Entered: 04/17/2001)
04/12/2001	31	NOTICE OF MOTION (filed on service date) by Equal Employment; for an order in limine to introduce evidence regarding inaccuracies in dft.'s Computerized Data ; Return date: not indicated. (pl) (Entered: 04/17/2001)
04/12/2001	32	NOTICE OF MOTION (filed on service date) by Equal Employment; for an order to amend the Expert Report of Dr. Janice Madden ; Return date: not indicated. (pl) (Entered: 04/17/2001)
04/12/2001	33	EEOC's PROPOSED VERDICT SHEET (pl) (Entered: 04/17/2001)
04/12/2001	34	Proposed Voir Dire Questions by Venator Group (pl) (Entered: 04/17/2001)
04/12/2001	35	Defendant's Proposed Verdict Sheet (pl) (Entered: 04/17/2001)
04/12/2001	36	Proposed Jury Charges on substantive Law by Venator Group (pl) (Entered: 04/17/2001)
04/12/2001	37	Proposed Jury Instructions by Equal Employment (pl) (Entered: 04/17/2001)
04/12/2001	38	Plaintiff EEOC's Voir Dire Questions (pl) (Entered: 04/17/2001)
04/12/2001	39	Joint Proposed Jury Charges by Equal Employment, Venator Group (pl) (Entered: 04/17/2001)

04/12/2001	40	Plaintiff's Pre-Trial Brief (pl) (Entered: 04/17/2001)
04/12/2001	41	Joint Pretrial Order (pl) (Entered: 04/17/2001)
04/17/2001	42	JOINT PRETRIAL ORDER filed by the parties. (signed by Judge Allen G. Schwartz) (jp) (Entered: 04/18/2001)
04/24/2001	43	ORDER, that by 5/3/01, the parties shall submit to the Court one copy of each transcript, slated to be used at trial, in which the disputed testimony appears (signed by Magistrate Judge Kevin Nathaniel Fox); Copies mailed. (lam) (Entered: 04/25/2001)
05/01/2001	44	MEMORANDUM OF LAW by Venator Group in opposition to [31-1] motion for an order in limine to introduce evidence regarding inaccuracies in dft.'s Computerized Data . (cd) (Entered: 05/03/2001)
05/01/2001	45	AFFIDAVIT of Patrick G. Brady by Venator Group in opposition to [31-1] motion for an order in limine to introduce evidence regarding inaccuracies in dft.'s Computerized Data (cd) (Entered: 05/03/2001)
05/08/2001	46	NOTICE OF MOTION (FILED ON SERVICE DATE) by Venator Group purs. to Rule 56 of the F.R.C.P., for an order granting partial summary judgment in favor of deft with respect to certain individual claimants for whom defts did not receive signed, sworn responses to deft's written questions by 3/12/01 . No return date indicated. (Rec'd in night deposit box 5/8/01 7:09 PM) (sn) Modified on 05/11/2001 (Entered: 05/11/2001)
05/08/2001	47	AFFIDAVIT of Patrick G. Brady by Venator Group in support of [46-1] motion for an order granting partial summary judgment in favor of deft with respect to certain individual claimants for whom defts did not receive signed, sworn responses to deft's written questions by 3/12/01. (sn) (Entered: 05/11/2001)
05/08/2001	48	MEMORANDUM OF LAW by Venator Group in support of [46-1] motion for an order granting partial summary judgment in favor of deft with respect to certain individual claimants for whom defts did not receive signed, sworn responses to deft's written questions by 3/12/01. (sn) (Entered: 05/11/2001)
05/08/2001	49	RULE 56.1 STATEMENT filed by Venator Group, in support of deft's motion for partial summary judgment with respect to certain individual claimants. (sn) Modified on 05/11/2001 (Entered: 05/11/2001)
05/08/2001	50	NOTICE OF MOTION (FILED ON SERVICE DATE) by Venator Group purs. to Rule 56 of the F.R.C.P. for an order granting partial summary judgment in favor of deft dismissing all claims as to defts Edwin Alemany, Clarence Emanuel, Federico Grimany, Cornelius Guider, Wayne Hanson, Francis Lobasso, Jr., and Donald Russell ; or alternatively, to sever their claims . No return date indicated. (Rec'd in night deposit box 5/8/01 7:01 PM) (sn) (Entered: 05/11/2001)
05/08/2001	51	AFFIDAVIT of Patrick G. Brady by Venator Group in support of [50-1] motion purs. to Rule 56 of the F.R.C.P. for an order granting partial summary judgment in favor of deft dismissing all claims as to defts Edwin Alemany, Clarence Emanuel, Federico Grimany, Cornelius Guider, Wayne Hanson, Francis Lobasso, Jr., and Donald Russell; [50-2] motion to sever their claims. (Rec'd in night deposit box 5/8/01 7:02 PM) (sn) (Entered: 05/11/2001)

05/08/2001	52	AFFIDAVIT of Peter Clay by Venator Group in support of [46-1] motion purs. to Rule 56 of the F.R.C.P., for an order granting partial summary judgment in favor of deft with respect to certain individual claimants for whom defts did not receive signed, sworn responses to deft's written questions by 3/12/01; [50-1] motion purs. to Rule 56 of the F.R.C.P. for an order granting partial summary judgment in favor of deft dismissing all claims as to defts Edwin Alemany, Clarence Emanuel, Federico Grimany, Cornelius Guider, Wayne Hanson, Francis Lobasso, Jr., and Donald Russell; [50-2] motion to sever their claims. (Rec'd in night deposit box 5/8/01 7:02 PM) (sn) Modified on 05/11/2001 (Entered: 05/11/2001)
05/08/2001	53	MEMORANDUM OF LAW by Venator Group in support of [50-1] motion purs. to Rule 56 of the F.R.C.P. for an order granting partial summary judgment in favor of deft dismissing all claims as to defts Edwin Alemany, Clarence Emanuel, Federico Grimany, Cornelius Guider, Wayne Hanson, Francis Lobasso, Jr., and Donald Russell; [50-2] motion to sever their claims. (Rec'd in night deposit box 5/8/01 7:02 PM) (sn) (Entered: 05/11/2001)
05/08/2001	54	RULE 56.1 STATEMENT filed by Venator Group, in support of deft's motion for partial summary judgment with respect to certain individual store manager claimants. (Rec'd in night deposit box 5/8/01 7:02 PM) (sn) (Entered: 05/11/2001)
05/08/2001	55	NOTICE OF MOTION (FILED ON SERVICE DATE) by Venator Group purs. to Rule 56 of the F.R.C.P., for an order granting partial summary judgment in favor of deft with respect to plttf's complaint, insofar as it alleges that deft engaged in a "Pattern and Practice" of discrimination . No return date indicated. (Rec'd in night deposit box 5/8/01 6:56 PM) (sn) (Entered: 05/11/2001)
05/08/2001	56	AFFIDAVIT of Patrick G. Brady by Venator Group in support of [55-1] motion purs. to Rule 56 of the F.R.C.P., for an order granting partial summary judgment in favor of deft with respect to plttf's complaint, insofar as it alleges that deft engaged in a "Pattern and Practice" of discrimination. (Rec'd in night deposit box 5/8/01 6:57 PM) (sn) (Entered: 05/11/2001)
05/08/2001	57	MEMORANDUM OF LAW by Venator Group in support of [55-1] motion purs. to Rule 56 of the F.R.C.P., for an order granting partial summary judgment in favor of deft with respect to plttf's complaint, insofar as it alleges that deft engaged in a "Pattern and Practice" of discrimination. (Rec'd in night deposit box 5/8/01 6:57 PM) (sn) (Entered: 05/11/2001)
05/08/2001	58	RULE 56.1 STATEMENT filed by Venator Group, in support of deft's motion for partial summary judgment as to plttf's pattern and practice claim. (Rec'd in night deposit box 5/8/01 6:57 PM) (sn) (Entered: 05/11/2001)
05/08/2001	59	NOTICE OF MOTION (FILED ON SERVICE DATE) by Venator Group purs. to Rule 56 of the F.R.C.P., for an order granting summary judgment in favor of deft with respect to plttf's complaint, in its entirety, as barred by the applicable 90-day statute of limitations, 29 U.S.C. Sec. 626(e) . No return date indicated.. (Rec'd in night deposit box 5/8/01 7:05 PM) (sn) (Entered: 05/11/2001)
05/08/2001	60	AFFIDAVIT of Patrick G. Brady by Venator Group in support of [59-1] motion purs. to Rule 56 of the F.R.C.P., for an order granting summary judgment in favor of deft with respect to plttf's complaint, in its entirety, as barred by the

		applicable 90-day statute of limitations, 29 U.S.C. Sec. 626(e). (Rec'd in night deposit box 5/8/01 7:06 PM) (sn) (Entered: 05/11/2001)
05/08/2001	61	MEMORANDUM OF LAW by Venator Group in support of [59-1] motion purs. to Rule 56 of the F.R.C.P., for an order granting summary judgment in favor of deft with respect to plfff's complaint, in its entirety, as barred by the applicable 90-day statute of limitations, 29 U.S.C. Sec. 626(e). (Rec'd in night deposit box 5/8/01 7:06 PM) (sn) (Entered: 05/11/2001)
05/08/2001	62	RULE 56.1 STATEMENT filed by Venator Group, in support of deft's motion for summary judgment dismissing the complaint in its entirety as barred by the applicable 90-day statute of limitations. (Rec'd in night deposit box 5/8/01 7:06 PM) (sn) (Entered: 05/11/2001)
05/15/2001	63	NOTICE OF MOTION by Venator Group for an order, granting deft's motion in limine regarding certain evidentiary issues, and precluding plfff from introducing lay opinion testimony that deft's actions were motivated by age consideration; precluding plfff from introducing as exhibits in its case in chief any expert reports; precluding plfff from introducing as exhibits in its case-in-chief any responses to deft's written questions, or any charges of discrimination ; Return date not indicated. (rec'd in the night deposit box on 5/15/01 at 7:41 p.m.) (sac) Modified on 05/18/2001 (Entered: 05/18/2001)
05/15/2001	64	MEMORANDUM OF LAW by Venator Group in support of [63-1] motion for an order, granting deft's motion in limine regarding certain evidentiary issues, and precluding plfff from introducing lay opinion testimony that deft's actions were motivated by age consideration; precluding plfff from introducing as exhibits in its case in chief any expert reports; precluding plfff from introducing as exhibits in its case-in-chief any responses to deft's written questions, or any charges of discrimination. (rec'd in the night deposit box on 5/15/01 at 7:41 p.m.) (sac) (Entered: 05/18/2001)
05/15/2001	65	NOTICE OF MOTION by Venator Group for an order, precluding the testimony or reports of the EEOC's proposed Human Resources Management expert, Thomas A. Mahoney ; Return date not indicated. (sac) (Entered: 05/18/2001)
05/15/2001	66	MEMORANDUM OF LAW by Venator Group in support of [65-1] motion for an order, precluding the testimony or reports of the EEOC's proposed Human Resources Management expert, Thomas A. Mahoney. (rec'd in the night deposit box on 5/15/01 at 7:32 p.m.) (sac) (Entered: 05/18/2001)
05/15/2001	67	AFFIDAVIT of Partick G. Brady by Venator Group in support of [65-1] motion for an order, precluding the testimony or reports of the EEOC's proposed Human Resources Management expert, Thomas A. Mahoney. (rec'd in the night deposit box on 5/15/01 at 7:32 p.m.) (sac) (Entered: 05/18/2001)
05/15/2001	68	NOTICE OF MOTION by Venator Group for an order, precluding plfff from presenting at trial the testimony and reports of plfff's statistical and economic damages expert, Janice Fanning Madden, Ph.D. ; Return date not indicated. (rec'd in the night deposit box on 5/15/01 at 7:35 p.m.) (sac) (Entered: 05/18/2001)
05/15/2001	69	MEMORANDUM OF LAW by Venator Group in support of [68-1] motion for an order, precluding plfff from presenting at trial the testimony and reports of plfff's statistical and economic damages expert, Janice Fanning Madden, Ph.D.

		(rec'd in the night deposit box on 5/15/01 at 7:35 p.m.) (sac) (Entered: 05/18/2001)
05/15/2001	70	AFFIDAVIT of Partick G. Brady by Venator Group in support of [68-1] motion for an order, precluding plttf from presenting at trial the testimony and reports of plttf's statistical and economic damages expert, Janice Fanning Madden, Ph.D. (rec'd in the night deposit box on 5/15/01 at 7:35 p.m.) (sac) (Entered: 05/18/2001)
05/15/2001	71	MEMORANDUM OF LAW by Venator Group in opposition to [30-1] motion for an order to bifurcate trial into Stage I and Stage II proceedings. (rec'd in the night deposit box on 5/15/01 at 7:40 p.m.) (sac) (Entered: 05/18/2001)
05/15/2001	72	AFFIDAVIT of Patrick G. Brady by Venator Group in opposition to [30-1] motion for an order to bifurcate trial into Stage I and Stage II proceedings. (rec'd in the night deposit box on 5/15/01 at 7:40 p.m.) (sac) (Entered: 05/18/2001)
05/31/2001	73	Transcript of record of proceedings before Judge Allen G. Schwartz for the date(s) of 4/17/01. (gmo) (Entered: 05/31/2001)
06/08/2001	74	MEMORANDUM OF LAW by Equal Employment in opposition to [55-1] motion purs. to Rule 56 of the F.R.C.P., for an order granting partial summary judgment in favor of deft with respect to plttf's complaint, insofar as it alleges that deft engaged in a "Pattern and Practice" of discrimination . (cd) (Entered: 06/12/2001)
06/08/2001	75	MEMORANDUM OF LAW by Equal Employment in opposition to [59-1] motion purs. to Rule 56 of the F.R.C.P., for an order granting summary judgment in favor of deft with respect to plttf's complaint, in its entirety, as barred by the applicable 90-day statute of limitations, 29 U.S.C. Sec. 626(e) . (cd) (Entered: 06/12/2001)
06/08/2001	76	MEMORANDUM OF LAW by Equal Employment in opposition to [55-1] motion purs. to Rule 56 of the F.R.C.P., for an order granting partial summary judgment in favor of deft with respect to plttf's complaint, insofar as it alleges that deft engaged in a "Pattern and Practice" of discrimination . (cd) (Entered: 06/12/2001)
06/08/2001	77	MEMORANDUM OF LAW by Equal Employment in opposition to [59-1] motion purs. to Rule 56 of the F.R.C.P., for an order granting summary judgment in favor of deft with respect to plttf's complaint, in its entirety, as barred by the applicable 90-day statute of limitations, 29 U.S.C. Sec. 626(e) . (cd) (Entered: 06/12/2001)
06/08/2001	78	AFFIDAVIT of Michael B. Ranis by Equal Employment Re: [77-1] opposition memorandum, [76-1] opposition memorandum, [75-1] opposition memorandum, [74-1] opposition memorandum . (cd) (Entered: 06/12/2001)
06/08/2001	79	AFFIDAVIT of Michael B. Ranis by Equal Employment Re: [77-1] opposition memorandum, [76-1] opposition memorandum, [75-1] opposition memorandum, [74-1] opposition memorandum . (cd) (Entered: 06/12/2001)
06/08/2001	80	RULE 56.1 STATEMENT filed by Equal Employment (cd) (Entered: 06/12/2001)

06/08/2001	81	RULE 56.1 STATEMENT filed by Equal Employment (cd) (Entered: 06/12/2001)
06/08/2001	82	RULE 56.1 STATEMENT filed by Equal Employment (cd) (Entered: 06/12/2001)
06/08/2001	83	RULE 56.1 STATEMENT filed by Equal Employment (cd) (Entered: 06/12/2001)
06/08/2001	84	AFFIDAVIT of Michael Ranis by Equal Employment in support of [83-1] settlement notice . (cd) (Entered: 06/12/2001)
06/15/2001	86	REPLY MEMORANDUM of LAW by Venator Group in Further Support of [55-1] motion purs. to Rule 56 of the F.R.C.P., for an order granting partial summary judgment in favor of deft with respect to plttf's complaint, insofar as it alleges that deft engaged in a "Pattern and Practice" of discrimination. (djc) (Entered: 06/20/2001)
06/15/2001	87	SUPPLEMENTAL AFFIDAVIT of Patrick G. Brady by Venator Group in support of [55-1] motion purs. to Rule 56 of the F.R.C.P., for an granting partial summary judgment in favor of deft with respect to plttf's complaint, insofar as it alleges that deft engaged in a "Pattern and Practice" of discrimination (djc) (Entered: 06/20/2001)
06/15/2001	88	REPLY MEMORANDUM of LAW by Venator Group in Support of [46-1] motion purs. to Rule 56 of the F.R.C.P., for an order granting partial summary judgment in favor of deft with respect to certain individual claimants for whom defts did not receive signed, sworn responses to deft's written questions by 3/12/01 (djc) (Entered: 06/20/2001)
06/15/2001	89	REPLY MEMORANDUM of LAW by Venator Group re: in Further Support of its Motion for Summary Judgment Dismissing the Complaint as Barred by the Applicable Ninety-day Statute of Limitations. (djc) (Entered: 06/20/2001)
06/15/2001	90	REPLY MEMORANDUM of LAW by Venator Group in Further Support of Defendants' Motion for Partial Summary Judgment with respect to the Claims of Certain Individual Store Managers; (djc) (Entered: 06/20/2001)
06/15/2001	91	SUPPLEMENTAL AFFIDAVIT of Peter Clay by Venator Group in support of [55-1] motion purs. to Rule 56 of the F.R.C.P., for an granting partial summary judgment in favor of deft with respect to plttf's complaint, insofar as it alleges that deft engaged in a "Pattern and Practice" of discrimination, [50-1] motion purs. to Rule 56 of the F.R.C.P. for an order granting partial summary judgment in favor of deft dismissing all claims as to defts Edwin Alemany, Clarence Emanuel, Federico Grimany, Cornelius Guider, Wayne Hanson, Francis Lobasso, Jr., and Donald Russell; and to supplement affidavit dated May 7, 2001. (djc) (Entered: 06/20/2001)
06/15/2001	92	SUPPLEMENTAL AFFIDAVIT of Patrick G. Brady by Venator Group in support of defendants' motion for partial summary judgment with respect to certain individual store manager claims; (djc) (Entered: 06/20/2001)
06/15/2001	93	RULE 56.1 STATEMENT filed by Venator Group (djc) (Entered: 06/20/2001)

06/15/2001	95	REPLY MEMORANDUM of LAW by Venator Group re: in Further Support of its Motion for Summary Judgment Dismissing the complaint as Barred by the Applicable Ninety-Day Statute of Limitations. (djc) (Entered: 06/25/2001)
06/18/2001	85	Memo-Endorsement on letter addressed to Judge Schwartz from Judy Keenan, dated 6/15/01; granting plttf's request for a one week extension until 6/29/01 to respond to [68-1] motion for an order, precluding plttf from presenting at trial the testimony and reports of plttf's statistical and economic damages expert, Janice Fanning Madden, Ph.D. (signed by Judge Allen G. Schwartz); Copies mailed. (sac) (Entered: 06/18/2001)
06/18/2001	94	Memo-Endorsement on letter addressed to Judge Schwartz from Francis X. Dee, dated 06/15/01; Plaintiff's Response to motion reset to 6/29/01 for [63-1] motion for an order, granting deft's motion in limine regarding certain evidentiary issues, and precluding plttf from introducing lay opinion testimony that deft's actions were motivated by age consideration; precluding plttf from introducing as in its case in chief any expert reports; precluding plttf from introducing as exhibits in its case-in-chief any responses to deft's written questions, or any charges of discrimination ; (signed by Judge Allen G. Schwartz); Copies mailed. (djc) (Entered: 06/21/2001)
06/22/2001	96	AFFIDAVIT of Michael B. Ranis by Equal Employment in support of EEOC's opposition to [65-1] motion for an order, precluding the testimony or reports of the EEOC's proposed Human Resources Management expert, Thomas A. Mahoney . (rag) (Entered: 06/26/2001)
06/22/2001	97	MEMORANDUM OF LAW by Equal Employment in opposition to [63-1] motion for an order, granting deft's motion in limine regarding certain evidentiary issues, and precluding plttf from introducing lay opinion testimony that deft's actions were motivated by age consideration; precluding plttf from introducing as exhibits in its case in chief any expert reports; precluding plttf from introducing as exhibits in its case-in-chief any responses to deft's written questions, or any charges of discrimination . (rag) (Entered: 06/26/2001)
06/22/2001	98	MEMORANDUM OF LAW by Equal Employment in opposition to [65-1] motion for an order, precluding the testimony or reports of the EEOC's proposed Human Resources Management expert, Thomas A. Mahoney . (rag) (Entered: 06/26/2001)
06/22/2001	99	AFFIDAVIT of Michele J. Le Moal-Gray by Equal Employment in opposition to [68-1] motion for an order, precluding plttf from presenting at trial the testimony and reports of plttf's statistical and economic damages expert, Janice Fanning Madden, Ph.D. . (rag) (Entered: 06/26/2001)
06/29/2001	100	DECLARATION of Judy Keenan by Equal Employment in opposition Re: [68-1] motion for an order, precluding plttf from presenting at trial the testimony and reports of plttf's statistical and economic damages expert, Janice Fanning Madden, Ph.D. (kw) (Entered: 07/02/2001)
06/29/2001	101	MEMORANDUM OF LAW by Equal Employment in opposition to [68-1] motion for an order, precluding plttf from presenting at trial the testimony and reports of plttf's statistical and economic damages expert, Janice Fanning Madden, Ph.D. (kw) (Entered: 07/02/2001)

07/26/2001	102	SUPPLEMENTAL AFFIDAVIT of Patrick G. Brady by Venator Group in support of [65-1] motion for an order, precluding the testimony or reports of the EEOC's proposed Human Resources Management expert, Thomas A. Mahoney. (pl) (Entered: 07/30/2001)
07/26/2001	103	CERTIFICATE OF SERVICE of dft's Reply Memorandum in further support of it motion to preclude and supplemental Affid. of Patrick G. Brady in supprot of Dft.'s Motion to Preclude as to plaintiff by mail on 7/26/01. (pl) (Entered: 07/30/2001)
07/26/2001	104	REPLY MEMORANDUM OF LAW by Venator Group in further support of re: [68-1] motion for an order, precluding ptlff from presenting at trial the testimony and reports of ptlff's statistical and economic damages expert, Janice Fanning Madden, Ph.D. (pl) (Entered: 07/30/2001)
02/05/2002	105	MEMORANDUM ORDER; that for the reasons stated in this memorandum and order, the Court is denying the [59-1] motion purs. to Rule 56 of the F.R.C.P., for an order granting summary judgment in favor deft with respect to ptlff's complaint, in its entirety, as barred by the applicable 90-day statute of limitations, 29 U.S.C. Sec. 626(e). (signed by Judge Allen G. Schwartz); Copies mailed. (tp) (Entered: 02/05/2002)
02/05/2002	106	MEMORANDUM ORDER denying [68-1] motion for an order, precluding ptlff from presenting at trial the testimony and reports of ptlff's statistical and economic damages expert, Janice Fanning Madden, Ph.D. (signed by Judge Allen G. Schwartz); Copies mailed. (sn) (Entered: 02/07/2002)
02/22/2002	107	ORDER; granting [32-1] motion for an order to amend the Expert Report of Dr. Janice Madden . (signed by Judge Allen G. Schwartz); Copies mailed. (pl) (Entered: 02/25/2002)
02/22/2002	108	ORDER; defendant's motion to precludethe report and testimony of plaitnff's human resources expert Dr. Thomas Mahoney is granted ; defendant's motion for partial summary jugment with respect to individual stroe manager claimants is granted in parti and denied in part; judgment , bifurcating , in limine . (signed by Judge Allen G. Schwartz); Copies mailed. (pl) (Entered: 02/26/2002)
03/08/2002	109	NOTICE OF MOTION (FILED ON SERVICE DATE) by Venator Group for reconsideration of [108-1] order defendant's motion to preclude the report and testimony of plaintiff's human resources expert Dr. Thomas Mahoney is granted, [108-2] relief defendant's motion for partial summary judgment with respect to individual store manager claimants is granted in part and denied in part; judgment, [108-4] relief in limine . Proposed order attached. No Return date indicated. (db) (Entered: 03/13/2002)
03/11/2002	110	MEMORANDUM OF LAW by Venator Group in support of [109-1] motion for reconsideration of [108-1] order defendant's motion to preclude the report and testimony of plaintiff's human resources expert Dr. Thomas Mahoney is granted, [108-2] relief defendant's motion for partial summary judgment with respect to individual store manager claimants is granted in part and denied in part; judgment, [108-4] relief in limine . (db) (Entered: 03/13/2002)
03/21/2002	112	AMENDED COMPLAINT by Equal Employment (Answer due 4/3/02 for Venator Group) amending [1-1] complaint ; Summons issued. Jury Trial

		demanded. (bai) (Entered: 03/25/2002)
03/22/2002	111	STIPULATION and ORDER; plaintiffs response to motion reset to 4/5/02 [109-1] motion for reconsideration of [108-1] order defendant's motion to preclude the report and testimony of plaintiff's human resources expert Dr. Thomas Mahoney is granted; [108-2] relief defendant's motion for partial summary judgment with respect to individual store manager claimants is granted in part and denied in part; judgment, [108-4] relief in limine . (signed by Judge Allen G. Schwartz) (pl) (Entered: 03/25/2002)
04/04/2002	113	STIPULATION and ORDER, Plntf's Response to motion reset to 5/3/02 [109-1] motion for reconsideration of [108-1] order defendant's motion to preclude the report and testimony of plaintiff's human resources expert Dr. Thomas Mahoney is granted, [108-2] relief defendant's motion for partial summary judgment with respect to individual store manager claimants is granted in part and denied in part; judgment, [108-4] relief in limine . (signed by Judge Allen G. Schwartz) (cd) (Entered: 04/05/2002)
04/04/2002	115	ANSWER TO [112-1] amended complaint by Venator Group (Attorney Francis X. Dee from the Firm: Carpenter, Bennett & Morrissey). (sn) (Entered: 04/10/2002)
04/09/2002	114	Corrected Transcript of record of proceedings before Judge Allen G. Schwartz for the date(s) of 2/21/02. (tr) (Entered: 04/09/2002)
05/03/2002	116	MEMORANDUM OF LAW by Equal Employment in opposition to [109-1] motion for reconsideration of partial denial of defendant's motion in limine regarding certain evidentiary issues. Received in night deposit box on 5/3/02 at 7:09 p.m. (kkc) (Entered: 05/07/2002)
05/03/2002	117	AFFIDAVIT of Michele J. Le Moal-Gray by Equal Employment in opposition to [109-1] motion for reconsideration of partial denial of defendant's motion in limine regarding certain evidentiary issues. Received in night deposit box on 5/3/02 at 7:09 p.m. (kkc) (Entered: 05/07/2002)
05/10/2002	118	Memo-Endorsement on letter addressed to Judge Schwartz from Francis X. Dee, dated 5/9/02: Granting defendants request for extension of time until 5/16/02 in which to file and serve defendants reply to their [109-1] motion for reconsideration of [108-1] order defendant's motion to preclude the report and testimony of plaintiff's human resources expert Dr. Thomas Mahoney is granted, [108-2] relief defendant's motion for partial summary judgment with respect to individual store manager claimants is granted in part and denied in part; judgment, [108-4] relief in. (signed by Judge Allen G. Schwartz); Copies mailed. (tp) (Entered: 05/13/2002)
05/17/2002	119	REPLY MEMORANDUM by Venator Group in further support of: [109-1] motion for reconsideration of [108-1] order defendant's motion to preclude the report and testimony of plaintiff's human resources expert Dr. Thomas Mahoney is granted, [108-2] relief defendant's motion for partial summary judgment with respect to individual store manager claimants is granted in part and denied in part; judgment, [108-4] relief in limine (moc) (Entered: 05/20/2002)
06/04/2002	120	Memo-Endorsement on letter addressed to Judge Schwartz from Francis X. Dee, dated 6/3/02, granting deft's request for an extension of time until 6/4/02 to

		submit def't's letter in response to the EEOC's letter dated dated 5/13/02 concerning settlement (signed by Judge Allen G. Schwartz); Copies mailed. (cd) (Entered: 06/06/2002)
06/18/2002	121	ORDER, that for the reasons set forth, the Court is denying defendant Venator's [109-1] motion for reconsideration of [108-1] order defendant's motion to preclude the report and testimony of plaintiff's human resources expert Dr. Thomas Mahoney is granted, [108-2] relief defendant's motion for partial summary judgment with respect to individual store manager claimants is granted in part and denied in part; judgment, [108-4] relief in limine. (signed by Judge G. Schwartz); Copies mailed. (tp) (Entered: 06/20/2002)
10/01/2002	123	ORDER, The Court has reviewed the remaining objections made by the defendant to the deposition transcript excerpts designated by plaintiff. Rulings on the objections are further set forth on this order. (signed by Magistrate Judge Kevin Nathaniel Fox); Copies mailed by Chambers. (sb) Modified on 10/08/2002 (Entered: 10/08/2002)
10/02/2002	122	Memo-Endorsement on letter addressed to Judge Schwartz from Francis X. Dee, dated 9/30/02. Re:, scheduling order deadlines: parties jointly request a thirty (30) day adjournment , until 10/30/02, of the deadline for submission of the pretrial materials that were due to be filed today, including the Joint Pretrial Order, jury instructions, verdict sheet, proposed voir dire, and motions in limine. Application granted . (signed by Judge Allen G. Schwartz); Copies Mailed by Chambers. (db) (Entered: 10/04/2002)
11/01/2002	125	CONSENT DECREE; it is ordered, adjudged and decreed as follows: this decree resolves all of the issues raised by EEOC Charge Numbers attached as Exhibit A and/or the EEOC Complaint. The parties agree that this Court has jurisdiction of the subject matter of this action and of the parties, that venue is proper, and that all administrative prerequisites have been met. No parties shall contest the jurisdiction of the federal court to enforce this Decree and its terms of the right of any party to bring an enforcement suit upon breach of any of the terms of this Decree by any other party. Breach of any term of this Decree should be deemed to be a substantive breach of this Decree. Nothing in this Decree shall be construed to preclude EEOC from bringing proceedings to enforce this Decree in the event that def't Foot Locker Speciality fails to perform any of the promises and representations contained herein. Within 30 days of the entry of this decree, def't Foot Locker Speciality shall pay the total sum of \$3,500,000.00 in monetary damages. This Decree will remain in effect for 3 years from the date of entry. (signed by Judge Allen G. Schwartz) Entered On Docket: 11/6/02. (sac) (Entered: 11/06/2002)
11/01/2002	126	STIPULATION and ORDER; that the name of the defendant in the Caption and in the Complaint shall be deemed amended to substitute "Foot Locker Specialty, Inc., f/k/a Venator Group Specialty, Inc., f/k/a/ F.W. Wollworth Co.,Inc." in place and instead of "Venator Group, Specialty, Inc., f/k/a/ F.W. Woolworth Co., Inc." . (signed by Judge Allen G. Schwartz); Copies mailed by Chambers. (pl) (Entered: 11/06/2002)
11/04/2002	124	ORDER; on November 1, 2002, the Court approved a consent decree between the parties in this action ; Such decree resolves all of plaintiff's claims and the Clerk of the Court is therefore directed to close the file in this action ; (signed by Judge

		Allen G. Schwartz); Copies mailed by Chambers; (dj) (Entered: 11/06/2002)
11/04/2002		Case closed. (dj) (Entered: 11/06/2002)
10/28/2005	127	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - JOINT MOTION for Extension of Time on Consent Decree, Payment of Monetary Relief. Document filed by Equal Employment Opportunity Commission. (Attachments: # 1)(Ranis, Michael) Modified on 10/31/2005 (kg). (Entered: 10/28/2005)
10/31/2005		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Michael Ranis to MANUALLY RE-FILE Document Motion Extension of Time, Document No. 127. This case is not ECF. (kg) (Entered: 10/31/2005)
11/02/2005	128	STIPULATION AND ORDER: the Court will retain jurisdiction so that the Decree will not expire until the Court rules that the process has been completed with moneys disbursed in an equitable manner, and with any safeguards the Court deems necessary to assure the fairness of the distribution. (Signed by Judge John F. Keenan on 11/1/2005) (jmi,) (Entered: 11/03/2005)
11/10/2005	129	STIPULATION TO EXTEND CONSENT DECREE PURSUANT TO RULE 60(B)(6): The Court will remain jurisdiction so that the decree will not expire until the Court rules that the process has been completed with all moneys disbursed in an equitable manner, and with any safeguards the Court deems necessary to assure the fairness of the distribution. (Signed by Judge John F. Keenan Part I on 11/9/2005.) (lb,) (Entered: 11/10/2005)

PACER Service Center

Transaction Receipt

06/01/2007 13:59:13

PACER Login:	hs0328	Client Code:	eeoc
Description:	Docket Report	Search Criteria:	1:99-cv-04758-AGS-KNF
Billable Pages:	11	Cost:	0.88